Tuesday, March 1, 2005

Planning and Zoning Committee Regular Monthly Meeting and Public Hearings
Columbia County Administration building
Portage, WI 53901

10:00 AM

Meeting called to order by Chair, Harlan Baumgartner

Present – Harlan Baumgartner, John Stevenson, John Healy, Harlan Horton and Phil Baebler

Present from the Planning and Zoning Office – John Bluemke, Randy Thompson and Jeannine Baertsch

Also present – Susan Martin, County Board Chair, Dean Baumgardner for 5th Addition to Many Waters, Town of Caledonia and two representatives for the Bortz Family Preliminary Plat, Town of Caledonia.

Approval of Agenda - Changes to Agenda – Discuss Resolution and Horse Park.
Motion by John Stevenson, seconded by John Healy to approve the agenda with the changes. Motion carried unanimously.

Approval of Minutes – Motion by John Healy, seconded by Phil Baebler to approve the January 4, 2005 minutes. Motion carried unanimously.

Out of County Travel – No Out of County travel to report.

Approval of Vouchers – Motion by John Healy, seconded by Phil Baebler to approve the vouchers. Motion carried unanimously.

Waiver of Access for Tony Westra, Town of Randolph –

John Bluemke gives staff report.

Harlan Baumgartner asks if the land is land locked or if the father owns the surrounding land?

John Bluemke – Yes, the father owns the surrounding land.

Motion by John Healy, seconded by Harlan Horton to approve the Waiver of Access for Tony Westra, Town of Randolph subject to:

1) A note be placed on the face of the CSM, “the location of the easement and driveway location have been approved by the Columbia County Planning and Zoning Committee on March 1, 2005.”
2) The easement is 20 feet wide.
3) The applicant must obtain a revised driveway permit from the State.

Final Plat 5\textsuperscript{th} Addition to Many Waters, Town of Caledonia –

John Bluemke – Gives staff report.

Dean Baumgardner – Have talked to Dan Krejchik about taking the road out to County U. have also talked to the Town of Caledonia. Would like to add 12 foot of easement on the North lots for trails. Lots 57 – 61.

John Bluemke – This would not be a problem.

Motion by Harlan Horton, seconded by Phil Baebler to approve the Final Plat 5\textsuperscript{th} Addition to Many Waters subject to:
1) A 25 foot setback line be placed on the Plat along the lot line of Lot 67 with the bearing and distance of $N00'51''52''W$.
2) The following shall be included in the notes on the face of the Plat, “When developed the five foot wide pedestrian walk-way within the 20 foot wide easement be constructed of crushed stone approximately centered in the easement, its maintenance shall be the responsibility of owners of lots in the Many Waters Plat, Many Waters Second, Third, Fourth and Fifth Additions.”
3) A parking/turning area be provided for and shown in out lot 4.

Preliminary Plat of Bortz Family Preliminary Plat, Town of Caledonia –

John Bluemke – Gives staff report.

Mike Stapleton – Has questions with the street on the left side.

John Bluemke – Explains he has made the surveyor aware of this.

Motion by John Healy, seconded by Phil Baebler to approve the Preliminary Plat of Bortz Family Preliminary Plat, Town of Caledonia subject to;
1) The road names are changed to reflect the appropriate names.
2) Minutes of Town approval of the Final Plat are included with the submittal of the Final Plat to the County.
3) Written verification from the Town that provisions are in place for the donation of money for park purposes per Sec. 16-2-3(c), or that the Town chooses to not require any dedication of lands or donation of funds under this section.

Amended Flood Plain Ordinance –

John Bluemke – Have been informed by DNR on what needs to be done. This is an update for you. Will give us an extension. Model Ordinance is out. Will keep in compliance with FEMA.

Zoning Map Correction –

John Bluemke – Explains this is an action by the Committee because Dan See discovered his property was rezoned by mistake in 1978. Two other properties are nonconforming because of this error.

Motion by John Stevenson, seconded by John Healy to approve the request of the Planning and Zoning Committee filing for the rezoning to make the correction. Motion carried unanimously.

Board of Adjustment Appointment –

John Bluemke – Explains that Leon Heinze’s term is up in July, 2005 with the Board of Adjustment. Motion by Harlan Horton, seconded by John Stevenson to reappoint Leon Heinze to the Board of Adjustment.

Approval of Vouchers – Motion by John Healy, seconded by Harlan Horton to approve the vouchers. Motion carried unanimously.

Annual Report – John Bluemke goes over the Annual Report with the committee.

Susan Martin – Asks for changes.

Motion by Harlan Horton, seconded by John Healy to approve the Annual Report with changes. Motion carried unanimously.
John Bluemke – Comments on a checklist for 1) Conditional Use Permit and 2) Rezoning Requests.

Mike Stapleton – Comments on pre-application for a variance.

John Bluemke – Comments on a Resolution received from West Point.

John Bluemke – Comments on the horse park in Columbus being a dead issue at this time.

Comprehensive Planning – Randy Thompson

Randy hands out information to the committee. Explains this packet is what was handed out at the first open house. Randy goes over the Evaluation Form, Summary of comments people had. The Open House was a success. Last year we had 100, this year 130 plus. We had more advertising this year. On March 30 will have a speaker on History. Kurt Calkins and Laura Payne will be attending the meeting and giving input. Randy Thompson explains there were four meetings last year with 100 people attending and two meetings this year with 130 people attending.

John Bluemke – Feels Randy Thompson and Brian Zirbes have done a good job with the meetings. Fifteen County Board members in attendance.

Susan Martin – Ongoing process divided in components. Each step approved by the Planning and Zoning Committee.

John Healy – Comments on the press should be involved.

Randy Thompson – How do you want this presented to County Board? Power point/slides?

Susan Martin – When presentation is given to County Board it should be a 15 minute power point and discussion. Questions can be addressed by attending meetings or by coming to the office.

Harlan Baumgartner – Comments on looking 20 years out not tomorrow.

Meeting recessed at 11:35 AM.

Meeting reconvened at 4:00 PM.
A petition by Beverly A. Baerwolf, Lodi, Wisconsin to rezone from Agricultural to Rural Residential, property on Highway 22, located in part of the NE1/4 of the NE ¼, Section 8, Town 10N, Range 10E, Town of Leeds. Intent: To build one single family residence.

John Bluemke – Gives staff report.

Harlan Baumgartner – Any questions of the committee or staff?

Harlan Baumgartner – Asks about the total acreage, is it 37 acres or 40 acres?

John Bluemke – Rezoning 2 ½ acres only with a Deed Restriction on the remaining acreage.

Harlan Baumgartner – Is the petitioner present and wishing to add anything?

Beverly Baerwolf – No.

Harlan Baumgartner – Anyone in favor of the rezoning request? No response. Anyone in opposition to the rezoning request? No response.

The Town Board is on record approving of the rezoning request.

Harlan Baumgartner – As petitioner you have last say, is there anything you wish to add?

Beverly Baerwolf – No.

The Public Hearing is closed.

Motion by John Stevenson, seconded by John Healy to recommend approval subject to: The amending ordinance effective upon the recording of the Certified Survey Map, and submittal of a copy of the recorded Deed Restriction to the Planning and Zoning Department.

A petition by Attorney Jeff Clark, Lathrop and Clark, Agent for David M. and Lisa A. Presser, Poynette, Wisconsin to rezone from Agricultural to Single Family Residence, property at N3080 Tomlinson Road, located in part of the NE ¼ of the SE ¼ and the SE ¼ of the NE ¼, Section 35, Town 11N, Range 9E, Town of Dekorra. Intent: To correct the current split zoning on the parcel.
John Bluemke – Gives staff report.

Harlan Baumgartner – Any questions of the committee or staff?

Dave Presser – Says the name is Lisa Presser not Lori.

Harlan Baumgartner – Anyone in favor of the rezoning request? No response. Anyone in opposition to the rezoning request? No response.

Harlan Baumgartner – Any questions of the staff or committee?

The Town Board is on record approving of the rezoning request.

Harlan Baumgartner – As petitioner is there anything you wish to add?

David Presser – No.

The Public Hearing is closed.

Motion by Harlan Horton, seconded by Phil Baebler to recommend approval of the rezoning request subject to: The amending ordinance effective upon recording of the Certified Survey Map and after a copy of the recorded deed restriction has been provided to the Planning and Zoning Department. Motion carried unanimously.

A petition by American Transmission Company, Jason Hogan, Agent, Madison, Wisconsin for a Conditional Use Permit extension under Section 16-1-13(a)(10) f of the Columbia County Zoning Ordinance to build an electric transmission line in Sections 3, 4, 9, 10, 27, 33 and 34 all located in Town 13N, Range 9E, Town of Fort Winnebago.

John Bluemke – Gives staff report.

John Bluemke – Informs the committee that this is extended until January 1, 2007.

Harlan Baumgartner – Any questions of the committee or staff? No response.

Harlan Baumgartner – Any questions of the petitioner?

Jason Hogan with ATC is present. Nothing to add.
Harlan Baumgartner – Anyone in favor of the Conditional Use (Extension) request? No response.
Anyone in opposition to the Conditional Use (Extension) request? No response.

The Town Board is present – Bill Schroeder, Chair. The Town Board is in favor of the Conditional Use (Extension) request.

Harlan Baumgartner – Any questions of the committee or staff? No response.
Harlan Baumgartner – As petitioner you have last say is there anything you wish to add?
Jason Hogan – No.

The Public Hearing is closed.

Motion by John Stevenson, seconded by John Healy to approve the Conditional Use Permit (Extension) request. Motion carried unanimously.

A petition by Kent and Tammy Fish, Portage, Wisconsin for Conditional Use Permits under Section 16-1-9(2)(i) mini warehouses in a Commercial District and Section 16-1-13(a)(10) unlisted uses of the Columbia County Zoning Ordinance on property at N7984 County F, described as Lot 1, Certified Survey Map Number 154, Section 34, Town 13N, Range 9E, Town of Fort Winnebago.

John Bluemke – Gives staff report.

Harlan Baumgartner – Any questions of the committee or staff? No response.
Harlan Baumgartner – Is petitioner present and wishing to add anything?
Kent Fish – No.

Harlan Baumgartner – Anyone in favor of the Conditional Use Permit? No response.
Anyone in opposition to the Conditional Use Permit? No response.

Harlan Baumgartner – Does the committee have any questions of the staff or petitioner? No response.

The Town Board is present – Bill Schroeder, Chair. The Town Board is in favor of the Conditional Use Permit.
Harlan Baumgartner – As petitioner you have last say is there anything you wish to add?

Kent Fish – No.

Harlan Horton – Asks if town requirements are included in conditions?

John Bluemke – Yes.

Harlan Baumgartner – Any other questions of staff or petitioner? No response.

The Public Hearing is closed.

Motion by John Healy, seconded by Phil Baebler to approve the Conditional Use Permit subject to:

1) The conditions requested by the Town of Fort Winnebago in its February 7, 2005 Resolution are hereby incorporated by reference as part of this Conditional Use Permit, however, the County is not responsible for enforcing said conditions, unless an individual condition is specifically included below as a condition of approval. In the event the Town submits a finding of noncompliance with any item of the above referenced letter for which the County has not assumed direct enforcement authority, upon written request by the Town the County reserves the right to review the Conditional Use Permit.

2) The driveway be relocated westerly as shown on the site plan, and a permit be obtained from the County Highway Department. The existing drive will be abandoned.

3) The equipment that will be stored on the property included four trucks, one bobcat with attachments, and six trailers that will be stored inside the existing structures or in area at the rear of the property southwest of the open shed. If building 6 is constructed all equipment shall be stored inside.

4) The contractors business shall not be expanded on this site beyond the equipment listed, and the existing structures and one lift, unless this Conditional Use Permit is amended to accommodate the change.

5) Only minor repair and services of the contractor’s business vehicles can take place on the property, and waste oil and other material shall be handled in accordance with applicable regulations.

6) All construction material shall be stored inside.

7) A drainage plan that illustrates how storm water drainage will be handled on the site be submitted and approved by the Planning & Zoning Department. The County Highway Department may comment on the plans impact on highway drainage.
8) The three lots are combined by a Certified Survey Map into one lot by April 31, 2005.
9) The lots currently zoned Agriculture be rezoned to Commercial by May 31, 2005.
10) There shall be no storage of equipment or other material associated with the mini-
warehouse outside of the buildings.
11) Any amendments to the site plan shall be reviewed and approved by the
Department with significant changes being referred to the Committee for action.
12) The remaining junk and vehicles not associated with the contractor’s business
shall be removed from the property by May 31, 2005, and there shall be no
storage or placement of material on the property other than what is allowed by
these conditions and located in accordance with the approved site plan.
13) All signage must be reviewed by the Town and approved by the Planning &
Zoning Department.
14) No maneuvering space is allowed in the highway setback area in front of Building
4.
15) A landscaping plan be submitted to and approved by the Planning and Zoning
Department no later that June 1, 2005, and installed by June 1, 2006 or as
approved by the Zoning Administrator. At the time of planting the minimum size
of the planting shall be as follows: deciduous trees 3/4 inch in diameter;
evergreen trees 4 feet in height; shrubs 12 inches in height. The landscaped area,
including any mulch and edging and lawn shall be maintained, and all planting
shall be maintained and replaced if diseased or dead.
16) New lighting for the facility shall be oriented so that the lighting element (or
transparent shield) is not visible from the adjacent residential property. The use of
shielded luminaries and careful placement of fixtures is encouraged to facilitate
compliance with this requirement.
17) The operator shall comply with and obtain all necessary permits required by
applicable federal, state, and local regulations.

Motion carried unanimously.

A petition by Gerald & Laureen Kirchberg, Columbus, Wisconsin to rezone from
Agriculture to Commercial, property at N3155 Highway 73, located in part of the SE ¼
of the NE ¼, Section 25, Town 11N, Range 12E, Town of Fountain Prairie.

John Bluemke – Gives staff report.

Harlan Baumgartner – Any questions of staff?

John Stevenson – Is there any more property included in this?
John Bluemke – 3 ½ acres to be rezoned out of 33 acres.

Harlan Baumgartner – Is the petitioner present and wishing to add anything?

Gerald Kirchberg – Has questions of the property lines on our map.
Harlan Baumgartner – Anyone in favor of the rezoning request. No response.
Anyone in opposition to the rezoning request? No response.

The Town Board is present – Steve Rubert, Chair. The Town Board is in favor of the rezoning request.

Harlan Baumgartner – As petitioner is there anything you wish to add?

Gerald Kirchberg – No.

The Public Hearing is closed.

Motion by John Healy, seconded by Harlan Horton to recommend approval of the rezoning request. Motion carried unanimously.

A petition by Gerald & Laureen Kirchberg, Columbus, Wisconsin for a Conditional Use Permit under Section 16-1-13(a)(10) unlisted uses of the Columbia County Zoning Ordinance for small engine sales and service on property at N3155 Highway 73, located in part of the SE ¼ of the NE ¼, Section 25, Town 11N, Range 12E, Town of Fountain Prairie.

John Bluemke – Gives staff report.

Harlan Baumgartner – As petitioner is there anything else you wish to add?

Gerald Kirchberg – Has questions pertaining to landscaping.

John Bluemke – We can work this out.

Gerald Kirchberg – Has questions on the condition pertaining to outside storage. I don’t know how many trailers I will have at certain times.

John Bluemke – We will designate where the storage of equipment will be on the property so it is not scattered all over the property.
Harlan Baumgartner – Anything else you wish to add?

Gerald Kirchberg – No.


Harlan Baumgartner – Any questions of staff or petitioner?

Gerald Kirchberg – No.

The Town Board is present - Phillip Waterworth. The Town Board is in favor of the Conditional Use Permit.

Harlan Baumgartner – As petitioner you have last say, is there anything else you wish to add?

Gerald Kirchberg – No.

The Public Hearing is closed.

Motion by Phil Baeblcer, seconded by John Stevenson to approve the Conditional Use Permit subject to:

1) The portion of the property to which this Conditional Use Permit is to apply must be zoned Commercial and all activity associated with the Conditional Use Permit must be on the commercially zoned property.

2) A site plan showing the location and size of outdoor display area(s) be submitted to and approved by the Planning & Zoning Department by June 1, 2005 or on a schedule as approved by the Zoning Administrator. All equipment displayed for sale must be within these areas.

3) Any new ground signs shall be incorporated into the existing multi sign structure, wall signs shall be limited to 8’ by 4’ and shall not take up more than ten (10) percent of the wall. No roof signs are allowed and no banners or other signs shall be placed on the fence along STH 73.

4) A landscaping plan be submitted to and approved by the Planning and Zoning Department no later that June 1, 2005, and installed by June 1, 2006 or as approved by the Zoning Administrator. The landscaped area, including any mulch and edging and lawn shall be maintained, and all planting shall be maintained and replaced if diseased or dead.

5) New lighting for the facility shall be oriented so that the lighting element (or
transparent shield) is not visible from an adjacent residential or motel property. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.
6) The operator shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.

Motion carried unanimously.

A petition by Harry Brar, Waunakee, Wisconsin on property owned by Lake Pointe Holdings, LLC, Fox Pointe, Wisconsin for a Conditional Use Permit under Section 16-1-13(a)(10) unlisted uses of the Columbia County Zoning Ordinance for a truck repair garage on property described as Lots 1 and 2, Certified Survey Map Number 2306, Section 32, Town 11N, Range 9E, Town of Dekorra.

John Bluemke – Gives staff report.

Harlan Baumgartner – Any questions of staff? No response.

Harlan Baumgartner – Any questions or anything you wish to add?

Jeff Wendt – Condition #10, sign issue. The Town put 120 square foot total, might be a variation, but under 120 square feet. Pine trees will block the view before my sign would. The sign would be 8 – 9 feet back.

John Bluemke – Would like to stay with the 25 foot setback.

Discussion of size and identification of signs.

Representative for Jeff Wendt – Comes forward and points out on the map the location where Jeff would like to put his sign. Would be willing to remove the sign in the future if we had to but can’t see staying back 25 feet now.

Harlan Baumgartner – Anything else you wish to add?

Jeff Wendt – No.

Harlan Baumgartner – Any questions of committee or staff?

John Bluemke – All signs limited to 120 square feet, 5’ 6” high, and 10’ x 4’ sign face.

The Town Board is present - Kim Lindholm. Would like to see this go through.
Harlan Baumgartner – What did the Town decide for the location of the sign?

Kim Lindholm – We don’t have a problem with the location as long as Jeff realizes he may have to move it at a later date.

Harlan Baumgartner – If there were a building to be built there how far back would it have to be?

John Bluemke – 42 feet from the right-of-way or 75 feet from the center line.


Harlan Horton – Asks questions on setback of 25 feet.

John Bluemke – Want to see a minimum setback of where the sign will be located.

Harlan Baumgartner – Any questions of anyone? No response.

The Public Hearing is closed.

Harlan Horton – Discussion of 8 ½ foot minimum from right-of-way.

Motion by Harlan Horton to amend #10 under conditions to include 8 ½ feet from the right-of-way line, seconded by John Healy. Motion carried unanimously.

Motion by Phil Baebler, seconded by John Stevenson to approve the Conditional Use Permit subject to:

1) The conditions requested by the Town of Dekorra in its January 11, 2005 meeting are hereby incorporated by reference as part of this Conditional Use Permit, however, the County is not responsible for enforcing said conditions, unless an individual condition is specifically included below as a condition of approval. In the event the Town submits a finding of noncompliance with any item of the above referenced letter for which the County has not assumed direct enforcement authority, upon written request by the Town the County reserves the right to review the Conditional Use Permit.

2) The Conditional Use Permit becomes effective when North Point Real Estate takes title to Lots 1 and 2 of Certified Survey Map 2306.

3) The truck repair business will be for jobs that take around two (2) hours and is limited to oil changes, grease jobs, speedy general service, tire repair and replacement, miscellaneous electric repair, light brake work, light general
maintenance and repair. Hours of operation are 24 hours a day, 7 days a week. The use of one 3500-PSI commercial grade pressure washer to wash trucks that are also being repaired or serviced is considered accessory to the repair business; however, the washing of individual trucks as a service separate from the repair business is not a use allowed under this permit.

4) All material or equipment stored outside shall be in the trash/recycle/ material enclosure that shall provide a solid screen at least eight (8) feet high and be made of concrete block painted to match the building. Colors for the structures shall be limited to earth tones. No material or equipment stored in the enclosure shall project above the walls of the enclosure.

5) There shall be no storage of equipment, scrap, petroleum products, or other material on Lot 1 or Lot 2 other than in the existing building or the enclosure shown on the approved site plan.

6) There shall be no parking of vehicles on any part of either lot, unless the area is paved and part of the driveway or designated parking area.

7) Employee parking shall be restricted to Lot 1, unless the Town approves an encroachment on their property. Each parking space shall be 216 square feet and at least 9’ wide, and the parking must be paved with asphalt or concrete.

8) There shall be no long-term parking or storage of cars, trucks, or other vehicles on either Lot 1 or Lot 2, with long-term being more than 24 hours.

9) No additions to any structures shown on the approved site plan are allowed unless this Conditional Use Permit is amended.

10) Wall signage is limited to 120 square feet of the walls of the structure. One ground sign is allowed in the vicinity of the driveway and sign face shall be no more than 10’ by 4’, and including the sign face be no more than 5’6” high. It shall have a minimum setback of 8.5’ from the right-of-way line so as not to interfere with the vision of the adjacent driveway to the east. The sign location shall also be shown on the final site plan.

11) A landscaping plan, which includes the suggested trees by the Town, be submitted to and approved by the Planning and Zoning Department no later than June 1, 2005, and installed by June 1, 2006 or as approved by the Zoning Administrator. The landscaped area, including any mulch and edging and lawn shall be maintained, and all planting shall be maintained and replaced if diseased or dead.

12) New lighting for the facility shall be oriented so that the lighting element (or transparent shield) is not visible from an adjacent property or the highway. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.
13) The operator shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.

Motion carried unanimously.

Motion by John Healy, seconded by Harlan Horton to adjourn. Meeting adjourned at 5:35 P.M.

Respectfully Submitted,

John Stevenson, Secretary
Planning and Zoning Committee

Recording Secretary,

Jeannine C. Baertsch
Office Administrator

Cc: Committee Members
    County Clerk
    Susan Martin