Tuesday, March 7, 2006

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 from the Planning and Zoning Committee – Harlan Baumgartner, John Stevenson, John Healy, Harlan Horton and Phil Baebler

Present from the Planning and Zoning Office – John Bluemke, Mike Stapleton, Randy Thompson, Brian Zirbes and Jeannine Baertsch

Also present – Jon Steinhaus

Harlan Baumgartner – Any changes to the agenda?

John Bluemke – No

Approval of Agenda – Motion by John Stevenson, seconded by Harlan Horton to approve the agenda. Motion carried unanimously.

Approval of Minutes – Motion by Harlan Horton, seconded by John Healy to approve the minutes of February 7, 2006. Motion carried unanimously.

Out of County Travel – John Bluemke, members of the Board of Adjustment will be attending a meeting on February 10, 2006.

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

Comprehensive Planning – Randy Thompson informs the committee of a meeting with the Town’s Steering Committee’s. Would like the Town’s to have a Planning Commission by the time the plan is adopted. Handed out 2002 Land Use maps to be updated. Randy hands out Vision Statement for the Economic Development Element to the Planning and Zoning Committee to go over before the next Meeting. The next CPAC Meeting will be March 8, 2006.

Harlan Baumgartner – Do we need a Public Hearing or Open House?

Randy Thompson – Believes this would be a good idea to present now, where we are now
John Bluemke – Lets wait and talk to the CPAC on March 8, 2006.

Harlan Baumgartner – Are the Towns keeping up?

Brian Zirbes – Overall the Towns are keeping up.

Randy Thompson – Would like to present what we have done so far for information only before we get into Land Use.

Jon Steinhaus – My opinion as a CPAC Member is we should have what is done so far approved so when we get into Lane Use this is behind us.

Harlan Baumgartner – I agree with Jon Steinhaus.

Harlan Baumgartner – Try for June County Board, no later than July.

Ordinance Amendment Update (i) Setbacks – John Bluemke explains he has been approached by two different people in regards to error on lot lines. Do they go before Board of Adjustment or can this be waived? One of the two in question would like the Board of Adjustment part waived.

Harlan Horton – New surveys show different lot lines compared to the old surveys. The $400.00 fee for the Board of Adjustment – two issues here. Look at waiving the fee.

Joan Wingers – Ask about deed restrictions.

John Bluemke – Can’t do this because of ordinance. You would go before the Board of Adjustment asking for a variance.

Jon Steinhaus – You will be running into this constantly.

Ag Overlay District – John Bluemke hands out information on same to the Committee:

John Bluemke – Asks for input from the Committee.
Jon Steinhaus – Puts pressure on the Towns. Believe we should think about this as there are things that should be worked out.

Meeting recessed at 12:05 PM

Meeting reconvened at 3:30 PM

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 and Jeannine Baertsch


4:00 PM
Public Hearing

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

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

A petition by Attorney Jeff Clark of Lathrop and Clark, Agent for Dean and Susan Teeter, Poynette, Wisconsin to rezone from Agricultural to Rural Residential, property on County B located in part of the NE ¼ of the SE ¼, and part of the NW ¼ of the SW ¼, Sections 9 and 10, Town 11N, Range 9E, Town of Dekorra. Intent: To build four single family residences.

John Bluemke – Gives staff report.

Harlan Baumgartner – Any questions of the staff by Committee? No response.

Harlan Baumgartner – Is petitioner or agent present and wishing to add anything?
Attorney Jeff Clark, present – Would also like to add that Dean Teeter is also present. This has been a long process as this was the first one under the Town’s new Comprehensive Plan. Have to take into consideration the time spent on this request.

Harlan Baumgartner – Any questions of the petitioner or agent? No response.

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

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

Ken Erdahl – On the Planning Commission, can see no problem with this rezoning request.

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

Attorney Jeff Clark – No.
Harlan Baumgartner – The Public Hearing is closed.

Motion by Harlan Horton, seconded by John Stevenson to recommend approval of the rezoning request with the following condition: 1) The rezoning effective upon the recording of the Certified Survey Map. Motion carried, not unanimous. Phil Baebler abstained from voting.

A petition by Shawn E. Bahr, Poynette, Wisconsin to rezone from Agricultural to Single Family Residence, property at N4249 Highway 51, located in part of the SW ¼ of the SW ¼, Section 14, Town 11N, Range 9E, Town of Dekorra. Intent: To build one single family residence.

John Bluemke – Gives staff report.

Harlan Baumgartner – Any questions of the staff by the Committee?

John Stevenson – Asks location of the driveway.

John Bluemke – On Highway 51.

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

Shawn Bahr – Soil test is done and would like to build on non agricultural land.
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 Committee? No response.

Harlan Baumgartner – The Town Board is on file approving of the rezoning request.

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

Shawn Bahr – No.

Harlan Baumgartner – The Public Hearing is closed.

Motion by John Stevenson, seconded by Phil Baeber to recommend approval of the rezoning request with the following conditions: 1) This rezoning repeals Item (2) Amending Ordinance 136-90 passed February 21, 1990. Motion passed unanimously.

A petition by Edward C. Funk, Poynette, Wisconsin to rezone from Agricultural to Rural Residential, property on County CS and Wilson Road described as Lots 1 and 2, Certified Survey Map Number 3840, Section 33, Town 11N, Range 9E, Town of Dekorra. Intent: To build two single family residences.

Harlan Baumgartner – This rezoning withdrawn at the request of the petitioner.

A petition by Holly Rataczak, Pardeeville, Wisconsin to rezone from Agricultural to Single Family Residence, property at N9445 Comstock Road, located in part of the SE ¼ of the NE ¼, Section 9, Town 13N, Range 10E, Town of Marcellon. Intent: Bring property into compliance.

John Bluemke – Gives staff report.

Harlan Baumgartner – Any questions of the staff by Committee? No response.

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

Joe Rataczak – I am Holly’s father, nothing to add.

John Healy – Will there be a deed restriction?
Joe Rataczak – Yes, the back 40.

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

Harlan Baumgartner – Any questions of the Committee? No response.

Harlan Baumgartner – The Town Board is on file approving of the rezoning request.
Is the Town Board present and wishing to add anything?

Gerald McElroy – The Town approved of the rezoning request with a deed restriction.

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

Joe Rataczak – No.

Harlan Baumgartner – The Public Hearing is closed.

Motion by John Healy, seconded by John Stevenson to approve of the rezoning request
with the following condition: 1) The rezoning effective upon the Certified Survey Map
combining the property into one lot being recorded, and a copy of the recorded deed
restriction submitted to the Planning and Zoning Department. Motion carried
unanimously.

A petition by Carl T. Benck, Fall River, Wisconsin to rezone from Agricultural to Rural
Residential property on Gruhn Road, located in part of the NW ¼ of the NW ¼, Section
36, Town 11N, Range 12E, Town of Fountain Prairie. Intent: To build two single family
residences.

John Bluemke – Gives staff report.

Harlan Baumgartner – Any questions of the staff by Committee? No response.

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

Carl Benck – No.

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

John Stevenson – What land will be deed restricted?

Carl Benck – 80 acres.

Harlan Baumgartner – 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?

Carl Benck – No.

Harlan Baumgartner – The Public Hearing is closed.

Motion by Harlan Horton, seconded by Phil Baebler to recommend approval of the rezoning request with the following condition: 1) The rezoning 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. Motion carried unanimously.

A petition by Roger and Ida Price, Pardeeville, Wisconsin to rezone from Agricultural to Single Family Residence, property at N7572 Highway 44, described as Government Lot 2, Section 2, Town 12N, Range 10E, Town of Wyocena. Intent: To build a single family residence.

Harlan Baumgartner – This rezoning request is laid over to the April Planning and Zoning Committee Meeting.

A petition by Beverly Baerwolf, Lodi, Wisconsin to rezone from Agricultural to Rural Residential, property on King Road located in part of the NE ¼ of the NW ¼, Section 25, Town 11N, Range 10E, Town of Lowville. Intent: To build three single family residences.

John Bluemke – Gives staff report.

Harlan Baumgartner – Any questions of staff by Committee. No response.

Harlan Baumgartner – Is 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.

Harlan Baumgartner – Any questions of the Committee? No response.

Harlan Baumgartner – The Town Board is present. Do you wish to add anything?

Eldon Saager, Town Chair – The Town Board approved the rezoning request with a deed restriction.

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

Beverly Baerwolf – No.

Harlan Baumgartner – The Public Hearing is closed.

Motion by John Stevenson, seconded by John Healy to recommend approval with the following condition: 1) The rezoning 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 Scott and Joyce Felicijan, Poynette, Wisconsin to rezone from Rural Residential to Agricultural, property at W7016 County CS and Q described as Lot 1, Certified Survey Map Number 4057, Section 19, Town 11N, Range 10E, Town of Lowville. Intent: To apply for an Ag related Conditional Use Permit.

John Bluemke – Gives staff report.

Harlan Baumgartner – Any questions of staff by Committee? No response.

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

Scott Felicijan – Asks question on the easement.

John Bluemke – Explains need for easement in order to limit number of driveways.

Phil Baebler – Asks about the dog kennel on the property.

John Bluemke – This is a large structure for their dogs only.
Harlan Baumgartner – Any questions of the committee? No response.

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

John Bluemke – For the record we have a letter and petition filed against the Rezoning and Conditional Use Permit Request.

Eldon Saager Chair, Town Board, present – The Town Board has no objection to rezoning 2 acres.

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

Scott Felicijan – No.

Harlan Baumgartner – The Public Hearing is closed.

Motion by John Healy, seconded by John Stevenson to recommend approval of the rezoning request with the following condition: 1) The rezoning effective upon recording of the Certified Survey Map, and submittal of a copy of the recorded access easement to the Planning and Zoning Department. Motion carried unanimously.

A petition by Scott and Joyce Felicijan, Poynette, Wisconsin for a Conditional Use Permit under Section 16-1-5(2) on property at W7016 County CS and Q described as Lot 1, Certified Survey Map Number 4057, Section 19, Town 11N, Range 10E, Town of Lowville. Intent: To operate a milk hauling business.

John Bluemke – Gives staff report.

Harlan Baumgartner – Any questions of staff by Committee?

John Healy – Questions Condition #10 fuel storage.

Scott Felicijan – Have a stationary tank at site.

Harlan Baumgartner – Any question on the Conditions?

Scott Felicijan – Add a person on a day off.
Harlan Baumgartner – Anyone in favor of the Conditional Use Permit request? No response. Anyone in opposition to the Conditional Use Permit request? No response.

Eldon Saager, Chair Town Board, Present – Would like all 16 Conditions adopted.

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

Scott Felicijan – No.

John Bluemke – Explains Condition #1 – When The Conditional Use Permit goes into effect the Major Home Occupation is gone.

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

Harlan Baumgartner – The Public Hearing is closed.

Motion by John Stevenson, Seconded by John Healy to approve the Conditional Use Permit with the following Conditions:

1) The Conditional Use Permit shall not become effective until the rezoning of Lot 2 is in force, at which time the Major Home Occupation Permit approved on January 4, 2005 shall become void.

2) The Conditional Use Permit shall only be for a milk hauling business and the Permit will become void when the current owners no longer own the business, unless a new Conditional Use Permit has been reviewed by the Town and approved by the Planning and Zoning Committee.

3) The number of employees is limited to five (5) and employee vehicles shall be parked inside the building when on site.

4) Any amendments to the approved site plan and additions or changes in the design or size of the structure shall be referred to the Town for review and the Committee for action.

5) There shall be no signs posted advertising the use.

6) The business is limited to keeping five (5) business trucks on the site, and the trucks and trailers must be stored inside the shed when they are on the property, permanent or overnight outdoor parking of business-related vehicles is not permitted. The intent is to require the provision for and maintenance of interior parking spaces for all business vehicles.

7) Outside storage of any materials associated with the business is not permitted.

8) Only minor repair and services of the trucks can take place on the property, and waste oil and other material shall be handled in accordance with applicable regulations.
9) The on site idling of trucks associated with the business shall be limited to 15 minutes if outside the structure.
10) The fuel storage facilities shall meet all applicable state and federal regulations and be at least partially screened by landscaping.
11) Planting of evergreen trees and shrubs to help screen the shed used for truck storage. The landscape plans for this must be submitted to and approved by the Planning and Zoning Department within six (6) months of obtaining the zoning permit and installed no later than six (6) months after the plan is approved or on a schedule 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 owner of the premises shall be responsible for the watering, maintenance, repair and replacement of the landscaping, and all plant material that has died shall be replaced with equivalent vegetation within twelve (12) months.
12) New lighting for the shed shall be oriented so that the lighting element (or transparent shield) is not visible from an adjacent property or the highways, and shall be the minimum needed to provide for safety and security.
13) The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.
14) No wastewater or water containing petroleum can be run onto the ground of the subject property, however the exterior of trucks can be washed with a biodegradable agent.
15) No engine braking shall be allowed near the property.
16) The applicant and owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.
17) If the Planning and Zoning Committee finds that the review criteria of the Section 16-1-18(e) of the Columbia County Zoning Ordinance or the conditions stipulated in the Committee Decision are not being complied with, the Planning and Zoning Committee, after a public hearing, may revoke the conditional use permit.

Motion carried unanimously.
Motion by Harlan Horton, seconded by John Healy to adjourn. Meeting adjourned at 5:00 PM

Respectfully Submitted,

John Stevenson, Secretary
Planning and Zoning Committee

Recording Secretary,

Jeannine C. Baertsch
Office Manager

cc: Committee Members
    Susan Martin, County Board Chair
    Jeanne Miller, County Clerk