Tuesday, April 4, 2006

Planning and Zoning Committee Regular Monthly Meeting and Public Hearings
Columbia County Law Enforcement Center
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, Michael Stapleton, Randy Thompson, Brian Zirbes and Jeannine Baertsch

Harlan Baumgartner – Any changes to the agenda?

John Bluemke – Would like to move Item #8 on the Agenda (Town of West Point Plan Commission) to Item #6.

Motion by John Healy, seconded by John Stevenson to approve the agenda with the above changes. Motion carried unanimously.

Approval of Minutes – Motion by John Stevenson, seconded by Phil Baebler to approve the March 7, 2006 minutes. Motion carried unanimously.

Town of West Point Plan Commission, Sheila Landsverk with the Town of West Point Planning Commission – Representing the Town of West Point along with Dean Schwarz, Chair, Town Board of West Point and Bob Hamm. Asking for advice on the Bonnie Jones rezoning request. Asks why does the property have to be rezoned for an ag building on the Ag land?

John Bluemke – Explains. This is for storage, not an Ag use or Ag building. If rezoned to Rural Residential the building would be allowed.

Mike Stapleton – Buildings allowed in an Ag District would be exclusively for Ag use. Cannot ignore the language “use”.

Sheila Landsverk – Not disagreeing with Mike and John.

Harlan Baumgartner – If statement is made (not for Ag use) then rezoning is required.

Mike Stapleton – Comments on accessory buildings, use, language and ordinance issues.

Sheila Landsverk – Look at the bigger picture, have ordinance detailed.
John Bluemke – We try to do what the ordinance says even if we don’t agree. Can’t change the ordinance without the towns input.

Harlan Horton – Don’t believe we can make a decision today. We have to wait for town comment.

John Bluemke – Points out on a map the area in question, 2 lots – 1 with a home and 1 with proposed building. Needs waiver of access.

Sheila Landsverk – The Town Board has approved the rezoning under duress.

Mike Stapleton – Comments on hardship/variance. We need an ordinance change.

Randy Thompson – We keep compounding the issue, we need to fix it.

John Stevenson – Can’t change the rules without going through the property steps.

Waive of Access for Donald Plier, Town of Arlington –

John Bluemke – Gives staff report on the waiver of access. The Town Board of Arlington has approved the waiver.

Harlan Baumgartner – Any question of staff by the Committee?

John Stevenson – Abstains from voting. Steps out of the room.

Motion by Harlan Horton, seconded by Phil Baebler to approve The Waiver of Access. Not unanimous. John Stevenson abstains. Motion carried.

Waiver of Access for Bonnie Jones, Town of West Point – John Bluemke gives staff report on the waiver of access – Motion by Phil Baepler, seconded by Harlan Horton to approve the Waiver of Access. Motion carried unanimously.

John Healy asks how long the easement is?

John Bluemke – 400 feet.
Preliminary Plat of Anchor Ridge Estates – John Bluemke gives staff report.

Harlan Baumgartner – Any questions? No response.

Bob Hamm – The Planning Commission voted against connectivity to the land to the West.

John Bluemke – The state also objects to the plat without connectivity to the land to the West. John points out on a map the area in question.

Motion by John Healy, seconded by Harlan Horton to approve the Preliminary Plat of Anchor Ridge Estates with the following conditions:

1) The Planning and Zoning Department and County Emergency Government approve the name of the road before the Final Plat is submitted.
2) The Final Plat provides for future road connectivity to the undeveloped land to the west of the plat.
3) Written verification from the Town that provisions are in place for the donation of money for park purposes per Sec. 16-2-3 ©, or that the Town chooses not to require any dedication of lands or donation of funds under this section.
4) Developer obtains approval from the Town for all applicable Town ordinances and plans.
5) Minutes of Town Board approval of the Final Plat are included with the submittal of the Final Plat to the County.

Motion carried unanimously.

John Bluemke – If the Town of West Point doesn’t want to rezone it stays ag.

Out of County Travel – John Bluemke states Randy Thompson, Brian Zirbes and himself will be attending a WAPA Conference in Wisconsin Dells on April 6th and 7th.

Motion by Harlan Horton, seconded by John Stevenson to approve the Out of County Travel for the Month of April. Motion carried unanimously.

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

Comprehensive Planning – Randy Thompson, looking for approval of two elements, The Intergovernmental Cooperation Element and the Economic Development Element. Also would like approval to move on.
Motion by Harlan Horton, seconded by Phil Baebler to approve the two elements. Motion carried unanimously.

April 26th, there will be an Open House to be held at the Administration Building from 4:00 PM to 8:00 PM on the following:
   1) Agricultural, Natural and Cultural Resources
   2) Intergovernmental Cooperation
   3) Economic Development

Will have maps available at the meeting. Will need Planning money to publish in the paper.

Also, there will be a meeting on May 17th at 7:00 PM – This will be a presentation to County Board.

Harlan Baumgartner – Any questions of Randy or Brian? No response.

Enforcement – Mike hands out the Enforcement Status Report to the Committee and goes over same.

Ordinance Amendment Update – John Bluemke hands out information to the Committee and goes over same.

Addition to the Agenda – 9 e. Act 208 – John Bluemke – This is a law as of now. Notice of Rezoning now requires a map designating where the rezoning is located. Plat of survey or a survey may be required from petitioner.

Recessed at 12:05 PM
Reconvened at 4:00 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

A petition by American Transmission Company, Madison, Wisconsin for a Conditional Use Permit under Sections 16-1-5(b)(2) and 16-1-13(a)(10)(f) for power transmission lines on properties adjacent to Highway 16, Sections 25, 26 and 27, Town 12N, Range
9E, Town of Pacific, and Sections 19, 20, 21, 26, 27 and 28, Town 12N, Range 10E, Town of Wyocena.

This Conditional Use Permit request is laid over until June, 2006.

A petition by Roger and Ida Price, Pardeeville, Wisconsin to rezone from Agricultural to Single Family Residence, a parcel of land located in part of Government Lot 2, Section 2, Town 12N, Range 10E, Town of Wyocena.

This rezoning is a lay over from March, 2006.

John Bluemke – Gives staff report.

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

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

Roger Price – John covered everything.

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

John Stevenson – Is there access to Highway 22?

Roger Price – Joint driveway approved by the State.

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

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

Harlan Baumgartner – Is the Town Board present? No.

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?

Roger Price – Nothing to add.

Harlan Baumgartner – The Public Hearing is closed.
Motion by John Healy, seconded by Harlan Horton to approve the rezoning request with the following condition: The rezoning effective upon the recording of the Certified Survey Maps. Motion carried unanimously.

A petition by George and Elaine Corning, Madison, Wisconsin to rezone from Agricultural to Agricultural No. 2, property located in the NE corner of Government Lot 11 being the East $\frac{1}{2}$ of the W $\frac{1}{2}$ of Government Lot 6, South of the RR R-O-W and the E $\frac{1}{2}$ of Government Lot 6, South of the RR R-O-W, Section 5, Town 12N, Range 10E, Town of Wyocena.

John Bluemke – Gives staff report.

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

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

George Corning – Present. No.

James Grothman – Do we have to have a Certified Survey Map to combine?

John Bluemke – Yes on this one. The CSM will combine 3 lots.

Harlan Baumgartner – Any questions of petitioner by the Committee?

John Stevenson – Has the flood plain been checked?

Jim Grothman – One acre above flood plain elevation.

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 not present. Town Board on file approving of the rezoning request.

Harlan Baumgartner – Any questions of the petitioner? No response

George Corning – Can you explain what will happen now?

John Bluemke – A Certified Survey Map will be completed showing the three parcels combined into one lot.
Harlan Baumgartner – Any questions by the Committee? No response.

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

George Corning – No.

Harlan Baumgartner – The Public Hearing is closed.

Motion by John Bluemke, seconded by Phil Baebler to recommend approval of the rezoning request with the following condition: The rezoning effective upon the recording of the Certified Survey Map that combines the three parcels into one lot.

Motion carried unanimously.

A petition by the Town of Fountain Prairie, Fall River, Wisconsin to rezone from Agricultural to Single Family Residence, property at W1514 County Z, located in part of the SE ¼ of the SW ¼, Section 9, Town 11N, Range 12E, Town of Fountain Prairie.

John Bluemke – Gives staff report.

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

Harlan Baumgartner – Is the Town Board present?

Carl Benck member of the Town Board present. The Town Board has approved the rezoning request.

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

Carl Benck – No.

John Stevenson – Asks questions on the driveway.

Carl Benck – An old school house was removed on this site.

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

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

Harlan Baumgartner – The Public Hearing is closed.
Motion by Phil Baebler, seconded by Harlan Horton to recommend approval of the rezoning request with the following condition: The rezoning effective upon the recording of the Certified Survey Map, which will combine the three existing parcels into one lot. Motion carried unanimously.

A petition by Carl T. Benck, Fall River, Wisconsin to rezone from Agricultural to Rural Residential, property on County DG located in part of the NW ¼ of the NE ¼, Section 14, Town 11N, Range 12E, Town of Fountain Prairie.

John Bluemke – Gives staff report.

Harlan Baumgartner – Any questions of the staff by the 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?

Ray Rohrbeck – Yes, we continue to develop our farmland.

John Bluemke – The Town feels better off rezoning where there is no cultivation rather than in a middle of a field.

Ray Rohrbeck – There are other options rather than using ag land.

Harlan Baumgartner – Anyone else wishing to speak in opposition? No response.

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

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

Carl Benck – This is consistent with what we have done in the past.

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 Bonnie Jane Jones, Lodi, Wisconsin to rezone from Agricultural to Rural Residential property at W122185 Slack Road, located in part of the SW ¼ of the SE ¼, Section 12, Town 10N, Range 7E, Town of West Point.

John Bluemke – Gives staff report.

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

Richard Jones - We have lived here for 33 years. Want to build a storage building. Trying to comply with the rules. John has been very cordial and helpful and we hope the Committee votes in favor of the rezoning.


Harlan Baumgartner – The Town Board is not present. The Town Board is on file approving of the rezoning.

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

Richard Jones – We thank John for his help.

Harlan Baumgartner – The Public Hearing is closed.

Motion by Phil Baeblter, seconded by John Healy 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 unanimously.

A petition by Wade Senft, Poynette, Wisconsin to rezone from Agricultural to Rural Residential property on County CS, located in part of the NE ¼ of the NW ¼, Section 34, Town 11N, Range 10E, Town of Lowville.

John Bluemke – Gives staff report.
Harlan Baumgartner – Any questions of the staff by the Committee? No response.

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

Vernon Acker, agent for Wade Senft – Present. 102 N Holiday Drive, Waunakee, WI. Wade Senft would like to rezone the land and sell.

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

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

Anyone in opposition to the rezoning request?

Patrick Missel – Yes, I am against. Bought the old farmhouse adjacent to this land 10 months ago. Was told this area would remain the same.

Harlan Baumgartner – Anyone else opposed to the rezoning? No response.

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

Harlan Baumgartner – Town Board not present. 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?

Vernon Acker – Nothing more to add.

John Bluemke – 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, and submittal of a copy of the recorded Deed Restriction to the Planning and Zoning Department. Motion carried unanimously.

A petition by Roland and Carol Cross, Stoughton, Wisconsin to rezone from Agricultural to Single Family Residence, property at W8715 Kent Road, located in part of the NE ¼ of the NW ¼, Section 28, Town 11N, Range 9E, Town of Dekorra.

John Bluemke – Gives staff report.

Harlan Baumgartner – Is petitioner present and wishing to add anything?
Dale Cross – If all the land is rezoned to single family residence and only 20,000 square feet is necessary to build a house, can another house be built as this is 1.2 acres?

John Bluemke – If someone could get a driveway permit another home could be built.

Harlan Baumgartner – Any other questions of the staff?

Dale Cross – Greg Knuteson and I have been working with John Bluemke to make this work.

Harlan Baumgartner – Any other questions? 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 not present. 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?

Dale Cross – John Bluemke covered it all.

Harlan Baumgartner – The Public Hearing is closed.

Motion by John Healy, seconded by Harlan Horton to approve the rezoning request with the following condition: 1) The rezoning effective upon the recording of the Certified Survey Map. Motion carried unanimously.
Motion by Harlan Horton, seconded by John Healy to adjourn. Meeting adjourned at 5:00 PM.

Respectfully Submitted,

Fred Teitgen, Secretary
Planning and Zoning Committee

Recording Secretary,

Jeannine C. Baertsch
Office Manager
cc: Committee Members
    Harlan Baumgartner, County Board Chair
    Jeanne Miller, County Clerk