

**PLANNING & ZONING COMMITTEE MINUTES  
MARCH 5, 2019**

PRESENT: Kevin Kessler, Harlan Baumgartner, John Stevenson, Mike Weyh

STAFF: Kurt Calkins – Director of Planning & Zoning, Lauren Ramirez – Office Administrator, Renee Pulver-Johnson – Principal Land Use Planner

ALSO PRESENT: Jim Grothman – Grothman & Associates, Susan Fisher – Corporation Counsel, Tom Borgkvist – Columbia County Board of Supervisors

**1:45 PM**

1. Call to order
2. Certification of Open Meeting Law & confirmed meeting was properly noticed and published
3. Roll Call was taken and a quorum declared present
4. Approval of Agenda

**Motion by Mr. Weyh to approve Agenda of March 5, 2019  
Planning & Zoning Committee Regular Meeting & Public Hearing.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

5. Approval of Previous Meeting Minutes

**Motion by Vice Chair Baumgartner to approve Minutes of February 5, 2019  
Planning & Zoning Committee Regular Meeting.  
Seconded by Mr. Weyh.  
Motion carried unanimously.**

6. Citizen Input

No citizen input at this time.

7. Operational Overview

- a. Approve Expenditure Report

Mr. Calkins presented Expenditure Report. Reviewed out of ordinary expenses.

**Motion by Mr. Weyh to approve Expenditure Report.**

**Seconded by Mr. Stevenson.  
Motion carried unanimously.**

b. Department Budgets, Compensatory Time, Out of County Travel

Mr. Calkins reviewed out of county travel.

c. Director's Staff Report/Update

8. Chairman's Update

Chair Kessler spoke regarding Columbia County Wise Safe Energy Alliance noting he, Mr. Calkins, Ms. Pulver-Johnson, the Committee, and Corp Counsel were invited tonight to talk about our ordinance in respect to oil pipelines. Corp Counsel has declined to attend, he is planning to attend, but is aware not all can attend due to quorum rules. All others are declining invitation.

9. 2018 Annual Report

Mr. Calkins reviewed the 2018 Annual Report.

**Motion by Mr. Weyh to approve 2018 Annual Report.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

10. Access Variance

- Schroeder – Town of Fort Winnebago

Ms. Pulver-Johnson reviewed Access Variance.

**Motion by Vice Chair Baumgartner to recommend approval of an Access Variance for Lots 1 and 2 to have no frontage on a public road subject to the following conditions:**

**A note being placed on the CSM that states, "A variance to Section 16-210-040(E) was approved by the Planning and Zoning Committee on March 5, 2019 to waive road frontage requirements for Lots 1 and 2 with access provided via other instrument." with the Easement Agreement to be recorded concurrently with the Certified Survey Map.**

**Seconded by Mr. Weyh.  
Motion carried unanimously.**

11. Action on Preliminary Plat

- Fern Glen Farms

Ms. Pulver-Johnson reviewed the Staff Report.

**Motion Mr. Weyh to approve the Preliminary Plat with proposed conditions for Fern Glen Farms.**

**Seconded by Mr. Stevenson.  
Motion carried unanimously.**

12. Action on Plan Amendment

- Kleespie – Town of Lewiston – Postponed from December 2018

Ms. Pulver-Johnson reviewed Public Hearing held December 2018.

**Motion by Vice Chair Baumgartner to approve Plan Map Amendment for 18.64 acres, more or less, of the Future Land Use map from Agricultural or Open Space to Industrial and to amend the same area on the Farmland Preservation Plan map from Farmland Preservation Area to Developed/Infill Area, all effective upon recording of the Certified Survey Map.**

**Seconded by Mr. Stevenson.  
Motion carried unanimously.**

13. Action to Authorize to Public Hearing: Proposed Ordinance Revisions

- Title 16 Chapter 100 Zoning Ordinance

Mr. Calkins and Ms. Pulver-Johnson review proposed revisions.

- Title 16 Chapter 200 Land & Subdivision

Mr. Calkins and Ms. Pulver-Johnson review proposed revisions.

**Motion to approve Mr. Weyh to move Title 16 Chapter 100 & 200 proposed ordinance revisions to public hearing with proposed changes.**

**Seconded by Vice Chair Baumgartner.  
Motion carried unanimously.**

**Site Visits (were not needed)**

14. Public Hearing – 4:00PM

Item I- Conditional Use Permit – For a Tourist Rooming House; Petitioner: James & Mary Foskett Living Trust – Town of Lewiston

Chair Kessler opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Kessler asked if anyone has any questions.

Representative for the Fosketts was present.

Chair Kessler asked if anyone is in favor of the petition. (no comments)

Chair Kessler asked if anyone else is against the petition. (no comments)

Town Board not present, but Approval is on file.

Chair Kessler closed the Public Hearing.

**Motion by Mr. Weyh to approve a Conditional Use Permit for a Tourist Rooming House located at N3336 Koepp Road as proposed in the application and accompanying submittals and subject to the following Findings, Conclusions and Conditions of Approval.**

**Seconded by Mr. Stevenson.  
Motion carried unanimously.**

**Recommended Findings of Fact:**

1. **Upon review of the guidelines in Section 16-150-070(D) of the Columbia County Zoning Code, and with the explanation of the criteria in Attachment A of the Staff Report, the Committee finds the following:**
  - a. **The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands.**
  - b. **The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area.**
  - c. **The erosion potential of the site, based on topography, drainage, slope, soil type, and vegetative cover is minimal.**
  - d. **There is no existing or anticipated water pollution including sedimentation, and no impacts on floodplain and wetlands.**
  - e. **The site has adequate utilities, including acceptable disposal systems.**
  - f. **Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.**
  - g. **The Conditional Use shall conform to the standards of the applicable district(s) in which it is located.**

**Recommended Conclusions of Law:**

1. **The subject property is located in the Town of Caledonia and is zoned R-1 Single-Family Residence. The District uses are listed in Table 16-110-020(1).**
2. **James and Mary Foskett are the petitioners for a Conditional Use Permit. The petition followed the procedures of Section 16-150-070(C) of the Columbia County Zoning Code.**

3. **The petitioners are proposing to use an existing single-family residence within the R-1 Single-Family Residence zoning district as a Tourist Rooming House, which is allowed as a Conditional Use under Table 16-110-020(1).**
4. **The Caledonia Town Board has reviewed and approved the Conditional Use Permit with conditions in accordance with Section 16-110-070 of the Columbia County Zoning Code.**
5. **The Columbia County Planning and Zoning Committee has the authority under Sections 16-150-030(B)(2) and 16-150-070 of the Columbia County Zoning Code to conduct public hearings, review, and decide on requests for Conditional Use Permits.**
6. **The standards of Section 16-125-010(A) of the Columbia County Zoning Code as noted below are applicable:**
  - a. **Occupancy shall be limited to two persons per bedroom, plus an additional two persons. At no time may the number of guests exceed eight regardless of the number of bedrooms in the unit. Two exits are required for each bedroom.**
  - b. **The number of guest vehicles allowed on site is limited to the number of bedrooms in the tourist rooming house. On-street parking is prohibited. No recreational vehicle or tent may be used for living or sleeping purposes.**
  - c. **Must meet all requirements associated with a single-family dwelling in Section 16-125-090(A). The appearance or use of the tourist rooming house shall not be altered in a manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, odors, dust or vibrations that carry beyond the premises.**
  - d. **The availability of the tourist rooming house to the public shall not be advertised on site.**
  - e. **Must be licensed by the State of Wisconsin.**
  - f. **In addition to any state required license fee, each operator of a tourist rooming house shall provide Columbia County with an annual fee to enable the County to confirm compliance with the standards of this chapter and fulfill state reporting requirements.**
  - g. **Conditional use permit may be subject to revocation or alteration if the Planning and Zoning Committee finds that these standards, the recommended Conditions adopted by the Planning and Zoning Committee, or the standards for all conditional use permits in Section 16-150-070(D) are being met.**

**Recommended Conditions for the Decision:**

1. **Any agreement or conditions pertaining to this Conditional Use Permit between the Town of Caledonia and James and Mary Foskett are hereby incorporated by reference as part of this Conditional Use Permit; however, the County is not responsible for enforcing said agreement or conditions, unless an individual point of the agreement or condition is specifically included below as a condition of approval. In the event that the Town submits a finding of noncompliance with any item of the above referenced agreement 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 is not transferable to another owner.
3. Accessory structures shall not be used as habitable structures.
4. Quiet hours shall be 10:00 pm – 8:00 am on weekdays, and 12:00 am – 8:00 am on weekends and holidays.
5. All fires are to be in proper fire pit structures and must be extinguished during established quiet hours.
6. The use of fireworks is prohibited.
7. The use of guns is prohibited.
8. A 24-hour contact number shall be provided to the Planning and Zoning Department and Town Clerk. This number shall be posted near the primary entrance door on a sign no larger than 12"x18".
9. A state sales tax number shall be obtained and provided to the Planning and Zoning Department.
10. Property must remain free and clear from citation and charges for nuisance, disorderly conduct, or other illegal activity.
11. Garbage and recycled materials shall be properly stored and disposed of.
12. Dumpsters are prohibited.
13. The owner's website or other advertising site shall state that there are conditions associated with this use.
14. The Planning and Zoning Department shall have the right of inspection for the purpose of determining compliance with this permit during normal working hours or upon reasonable notice outside of normal hours.
15. The owner shall comply with and obtain all necessary permits required by applicable federal, state and local regulations.
16. If the Planning and Zoning Committee finds that the review criteria of Section 16-150-070(D) of the Columbia County Zoning Code, 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.

Item II- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Elizabeth Krueger, Petitioner – Town of Springvale

Chair Kessler opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Kessler asked if anyone has any questions.

Petitioner was present.

Chair Kessler asked if anyone is in favor of the petition. (no comments)

Chair Kessler asked if anyone else is against the petition. (no comments)

Town Board not present, but Approval is on file.

Chair Kessler closed the Public Hearing.

**Motion by Mr. Stevenson to approve rezoning of 4.8 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence and 35.2 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, effective upon recording of the Certified Survey Map.  
Seconded by Vice Chair Baumgartner.  
Motion carried unanimously.**

Item III- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; David & Beth Laufenberg, Petitioner – Town of Otsego

Chair Kessler opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Kessler asked if anyone has any questions.

Petitioners were present.

Chair Kessler asked if anyone is in favor of the petition. (no comments)

Chair Kessler asked if anyone else is against the petition. (no comments)

Town Board not present, but Approval is on file.

Chair Kessler closed the Public Hearing.

**Motion by Mr. Weyh to approve rezoning of 3.02 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence and 33.11 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, effective upon recording of the Certified Survey Map.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

Item IV- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Roger & Elaine Schroeder, Petitioners – Town of Fort Winnebago

Chair Kessler opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Kessler asked if anyone has any questions.

Agent Jim Grothman were present.

Chair Kessler asked if anyone is in favor of the petition. (no comments)

Chair Kessler asked if anyone else is against the petition. (no comments)

Town Board chair Schroeder is present, and Approval is on file. Noted concern for timeline.

Chair Kessler closed the Public Hearing.

**Motion by Vice Chair Baumgartner to approve rezoning of 5 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence and 35 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, effective upon recording of the Certified Survey Map.**

**Seconded by Mr. Weyh.**

**Motion carried unanimously.**

Item V- Zoning Change – A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Michael & Kimberly Manke, Petitioners – Town of Arlington

Chair Kessler opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Kessler asked if anyone has any questions.

Petitioners were present.

Chair Kessler asked if anyone is in favor of the petition. (no comments)

Chair Kessler asked if anyone else is against the petition. (no comments)

Town Board not present, but Approval is on file.

Chair Kessler closed the Public Hearing.

**Motion by Mr. Stevenson to approve rezoning of 31.26 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, effective upon recording of the Certified Survey Map.**

**Seconded by Vice Chair Baumgartner.**

**Motion carried unanimously.**

Item VI- Zoning Change – A-1 Agriculture to RR-1 Rural Residence, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay and RR-1 Rural Residence to A-1 Agriculture with A-4 Agricultural Overlay; David



& Jennie Dumbleton, and Scott Hewitt for Big Slough Real Estate LLC,  
Petitioners – Town of Lewiston

Chair Kessler opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Kessler asked if anyone has any questions.

Petitioners were present.

Chair Kessler asked if anyone is in favor of the petition. (no comments)

Chair Kessler asked if anyone else is against the petition. (no comments)

Town Board not present, but Approval is on file.

Chair Kessler closed the Public Hearing.

**Motion by Vice Chair Baumgartner to approve rezoning of 6.41 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence and 28.59 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, and 3 acres, more or less, from RR-1 Rural Residence to A-1 Agriculture with A-4 Agricultural Overlay, effective upon recording of the Certified Survey Map.**

**Seconded by Mr. Weyh.**

**Motion carried unanimously.**

Item VII- Zoning Change – A-1 Agriculture to I-2 General Industrial and R-1 Single Family Residence; Bruce & Wendy Kleespie, Petitioners – Town of Lewiston

Chair Kessler opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Kessler asked if anyone has any questions.

Petitioners were present.

Chair Kessler asked if anyone is in favor of the petition. (no comments)

Chair Kessler asked if anyone else is against the petition. (no comments)

Town Board not present, but Approval is on file.

Chair Kessler closed the Public Hearing.

**Motion by Mr. Weyh to approve rezoning of .6 acres, more or less, from A-1 Agriculture to R-1 Single Family Residence, and 18.64 acres, more or less, from A-1 Agriculture to I-2 General Industrial, all effective upon recording of the Certified Survey Map.**

**Seconded by Vice Chair Baumgartner.**

**Motion carried unanimously.**

15. Adjourn

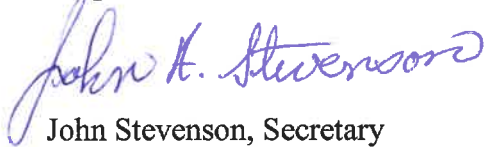
**Motion by Mr. Weyh to adjourn meeting.**

**Seconded by Vice Chair Baumgartner.**

**Motion carried unanimously.**

Meeting adjourned at 4:39 PM

Respectfully Submitted,



John Stevenson, Secretary  
Planning and Zoning Committee



Recording Secretary  
Lauren Ramirez, Office Administrator

cc: Committee Members  
Vern Gove, County Board Chair  
Dan Drew, County Board Vice Chair  
James Foley, County Board Vice Chair