

**PLANNING & ZONING COMMITTEE MINUTES  
APRIL 3, 2018**

**MEMBERS PRESENT:** Fred Teitgen, Kevin Kessler, Susanna Bradley, Harlan Baumgartner, John A. Stevenson

**STAFF PRESENT:** Kurt Calkins – Interim Director of Planning & Zoning, Randy Thompson – Planning & Zoning Administrator, Lauren Ramirez – Office Administrator

**ALSO PRESENT:** Joseph Ruf III, John Bluemke, Jim Grothman, Arlene Kanno, Joel Winegrad, Darcy Stoddard, Charles Biddle, Mary Jo Wentz, Brenda Englebretzen, Ann Plata, Michelle Arnold, Debra Brown

**3:30 PM**

1. Call to order
2. Certification of Open Meeting Law
3. Roll Call was taken and a quorum declared present
4. Approval of Agenda

**Motion by Mr. Stevenson to approve Agenda of April 3, 2018  
Planning & Zoning Committee Regular Meeting & Public Hearing.  
Seconded by Ms. Bradley.  
Motion carried unanimously.**

5. Approval of Minutes

**Motion by Mr. Baumgartner to approve Minutes of March 6, 2018  
Planning & Zoning Committee Regular Meeting & Public Hearing.  
Seconded by Chair Teitgen.  
Motion carried unanimously.**

6. Citizen Input

No Citizen Input

7. Highway Dedication

- Gram's Stoney Acres/CTH J – Town of Dekorra

Mr. Thompson presented Staff Report.

**Motion by Ms. Bradley to recommend approval**

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

8. Department Report

a. Financial

- Out of County Travel

Per Mr. Thompson, no travel we are aware of at this time.

- Expenditure Report

**Motion by Mr. Baumgartner to approve Expenditure Report.  
Seconded by Vice Chair Kessler.  
Motion carried unanimously.**

b. Enforcement

Mr. Thompson presented Report of all complaints/violations resolved in 2017.

Site Visits (were not needed)

**4:00 PM**

9. Public Hearing

Item I- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1  
Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay; Jeffrey  
& Brenda Ruf, Petitioners – Town of Dekorra

Chair Teitgen opened Public Hearing.

Mr. Thompson presented Staff Report.

Petitioner was present.

Chair Teitgen asked if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Chair Teitgen closed Public Hearing.

**Motion by Ms. Bradley to approve rezoning of 2.2 acres from A-1 Agriculture to RR-1 Rural Residence and 38.1 acres 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 II- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay; Gram’s Stoney Acres LLC, Petitioner – Town of Dekorra

Chair Teitgen opened Public Hearing.

Mr. Thompson presented Staff Report.

Petitioner was present.

Chair Teitgen asked if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Chair Teitgen closed Public Hearing.

**Motion by Mr. Baumgartner to approve rezoning of 1.12 acres from A-1 Agriculture to RR-1 Rural Residence and 33.88 acres 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 III- Major Home Occupation – For a dropship and rental business; Jared & Pamela Wentz, Petitioners – Town of Dekorra

Chair Teitgen opened Public Hearing.

Mr. Thompson presented Staff Report.

Petitioner was present.

Chair Teitgen asked if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Chair Teitgen closed Public Hearing.

**Motion by Vice Chair Kessler to approve a Major Home Occupation for a dropship and rental business located at W9100 County Highway V as proposed in the application and accompanying submittals and subject to the following Findings, Conclusions and Conditions of Approval.**

**Seconded by Mr. Baumgartner.**

**Motion carried unanimously.**

**Findings of Fact:**

1. Jared and Pamela Wentz are the applicants of the subject property described in the application; proposing to operate a drop ship rental business.
2. The Town of Dekorra has recommended approval of the Conditional Use Permit with conditions.
3. 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 Exhibit 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. Also, 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.

**Conclusions of Law:**

1. The subject property is located in the Town of Dekorra and is zoned A-1 Agriculture District, which uses are stated in Section 16-105-020 of the Columbia County Zoning Code.
2. Jared and Pamela Wentz are the applicants for a Major Home Occupation/Conditional Use Permit which petition followed the procedures of Section 16-150-070(C) of the Columbia County Zoning Code.
3. The applicant is proposing to operate a dropship and rental business, a use which is permitted as a Major Home Occupation per Title 16-105-020 and Title 16-125-280.

4. **The Dekorra Town Board has reviewed and recommended approval of the Conditional Use Permit with conditions.**
5. **The Columbia County Planning and Zoning Committee has the authority under Section 16-150-030(B)(3) and Section 16-150-070 of the Columbia County Zoning Code to conduct public hearings, review and decide on requests for Conditional Use Permits.**
6. **The proposed use is consistent with the purpose and intent of the A-1 Agriculture District.**
7. **The proposed use does not conflict with current use of any adjacent property over the long term, as it fits the future land use plan for the area, nor does it limit the usefulness of adjacent agricultural properties for uses permitted under their current zoning classifications.**
8. **The property is physically well suited for the proposed use due to the location of transportation infrastructure and its current location.**
9. **The development will not change the character of the area as to substantially impact current or future permitted uses in the vicinity.**

**Conditions of Approval:**

1. **Any agreement or conditions pertaining to this Conditional Use Permit between the Town of Dekorra, Jared and Pamela Wentz 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 Major Home Occupation Permit is non-transferable and issued to the owner.**
3. **The use shall be conducted entirely within the confines of the principal residential structure or accessory structure.**
4. **Space occupied shall be no more than 50% of the gross floor area of the principal structure where the use takes place, not more than one accessory structure if located therein, or a combination of these two locations.**
5. **The appearance of the structures shall not be altered or the occupation be conducted 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 or vibrations that carry beyond the premises.**
6. **Exterior lighting shall meet the standards of Section 16-140-070.**
7. **Maximum number of employees is four.**
8. **Business conducted on the premises shall not include the selling of stock merchandise supplies or products, other than those produced by the major home occupation to fill customer orders placed via mail, telephone or internet. That is, the direct retail sale of products is not allowed, but a customer may pick up an order that had been placed.**

9. There shall be no more than eight (8) pieces of equipment on display or for rent in any combination of the following: compact skid steers, track loaders and/or trailers.
10. There shall be no more than twenty (20) accessories on display or for rent in any combination including, but not limited to, the following: augers, buckets, log splitters, stump grinders, snow plows and/or tree spades.
11. The display storage, or parking of materials, goods, supplies or equipment outside of the dwelling is permitted in an enclosed accessory building, or in a yard of the subject property. This is provided that the yard area used for such display, storage or parking, is completely screened from view from all public streets and adjacent properties through a landscaped transitional yard as specified in Section 16-140-060(B)(4), and such activity does not occur within a minimum required setback area.
12. No major home occupation may involve the on-site sale, resale, repair including body repair, salvage or wrecking of automobiles, trucks, boats, trailers, recreational vehicles or other motorized vehicles.
13. Hours of operation shall be Monday – Friday 7:00 am to 5:00 pm, or by appointment.
14. Signage shall be in compliance with Title 16-145 of the Columbia County Zoning Code.
15. Within the A-1 Zoning District, such uses shall also be subject to the following additional limitations:
  - a. Such uses shall be conducted by the owner or operator of the farm.
  - b. Such uses shall require all owners and operators of the farm that are engaged in the major home occupation be included among the maximum of four employees engaged in the major home occupation, unless otherwise allowed through changes to the Wisconsin Administrative Rules or Statutes adopted after January 1, 2014.
  - c. Such uses shall require no buildings, structures, or improvements, other than a preexisting farm residence, an agricultural accessory structure, or both.
  - d. Such uses shall not impair the current or future agricultural use of the farm or of other farmland that is within the A-1 district, legally protected from nonagricultural development or both.
16. 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.
17. Any significant changes to the submitted site plan shall be reviewed by the Town and approved by the County.
18. The Owner shall comply with and obtain all necessary permits required by applicable federal, state and local regulations.
19. If the Planning and Zoning Committee finds that the review criteria of Section 16-150-070(D) and 16-125-180 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 IV- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay; William & Linda Kerschbaum, Petitioners – Town of Marcellon

Chair Teitgen opened Public Hearing.

Mr. Thompson presented Staff Report.

Petitioner was present.

Chair Teitgen asked if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Chair Teitgen closed Public Hearing.

**Motion by Mr. Baumgartner to approve rezoning of 5 acres from A-1 Agriculture to RR-1 Rural Residence and 35.5 acres 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 Kessler.  
Motion carried unanimously.**

Item V- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay; Columbia County, Petitioners – Town of Springvale

Chair Teitgen opened Public Hearing.

Mr. Thompson presented Staff Report.

Petitioner was present.

Chair Teitgen asked if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Chair Teitgen closed Public Hearing.

**Motion by Vice Chair Kessler to approve rezoning of 7.38 acres from A-1 Agriculture, R-1 Single Family Residence and RR-1 Rural Residence to RR-1 Rural Residence, effective upon recording of the Certified Survey Map.**

**Seconded by Ms. Bradley.**

**Motion carried unanimously.**

Item VI- Text Amendment- Title 16 Chapter 100

Chair Teitgen opened Public Hearing.

Mr. Bluemke reviewed proposed changes.

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

Chair Teitgen asked if anyone is against the petition.

Arlene Kanno  
N9947 Thompson Drive  
Wisconsin Dells, WI

Ms. Kanno spoke against amendment revisions in regards to the changes affecting pipeline CUPs.

Joel Winegrad  
N4977 County Highway SS  
Rio, WI

Mr. Winegrad spoke against amendment revisions in regards to the changes affecting pipeline CUPs.

Darcy Stoddard  
W5040 Salisbury Road  
Rio, WI

Ms. Stoddard spoke against amendment revisions in regards to the changes affecting pipeline CUPs.

Charles Biddle  
N4090 Williams Road  
Rio, WI

Mr. Biddle spoke against amendment revisions in regards to the changes affecting pipeline CUPs.

Mary Jo Wentz  
169 Jennifer Lane  
Fall River, WI



Ms. Wentz spoke against amendment revisions in regards to the changes affecting pipeline CUPs.

Brenda Englebretzen  
217 South Segoe Road  
Madison, WI

Ms. Englebretzen spoke against amendment revisions in regards to the changes affecting pipeline CUPs.

Ann Plata  
N1139 County Road A  
Columbus, WI

Ms. Plata spoke against amendment revisions in regards to the changes affecting pipeline CUPs.

Michelle Arnold  
W5258 Salisbury Road  
Rio, WI

Ms. Arnold spoke against amendment revisions in regards to the changes affecting pipeline CUPs.

Debra Brown  
N9260 Fox River Road  
Portage, WI

Ms. Brown spoke against amendment revisions in regards to the changes affecting pipeline CUPs.

Chair Teitgen closed Public Hearing.

**Motion by Vice Chair Kessler to postpone any changes and defer any action until new committee has time to deliberate.**

**Seconded by Ms. Bradley.**

**Ms. Bradley – Yes, Mr. Stevenson – Yes, Vice Chair Kessler – Yes, Chair Teitgen – No, Mr. Baumgartner – No.**

**Motion carried, not unanimously.**

10. Adjourn

**Motion by Vice Chair Kessler to adjourn meeting.**

**Seconded by Chair Teitgen.**

**Motion carried unanimously.**

April 3, 2018

Meeting adjourned at 5:45 PM

Respectfully Submitted,

Handwritten signature of John Stevenson in cursive script.

John Stevenson, Secretary  
Planning and Zoning Committee

Handwritten signature of Lauren Ramirez in cursive script.

Recording Secretary  
Lauren Ramirez, Office Administrator

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