

**PLANNING & ZONING COMMITTEE MINUTES  
MAY 2, 2017**

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

STAFF: John Bluemke – Director of Planning & Zoning, Randy Thompson – Planning & Zoning Administrator, Lauren Ramirez – Office Administrator

ALSO PRESENT: Mary Cupery – Columbia County Board of Supervisors, Jim Grothman, Grothman & Associates

**2:00 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 Ms. Bradley to approve Agenda of May 2, 2017 for  
Planning & Zoning Committee Regular Meeting & Public Hearing.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

5. Approval of Minutes

**Motion by Mr. Baumgartner to approve Minutes of April 4, 2017  
Planning & Zoning Committee Regular Meeting & Public Hearing.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

6. Waiver of Access

- Kirill & Laura Krylov – Town of Caledonia

Mr. Bluemke presents Staff Report.

**Motion by Mr. Baumgartner to recommend approval of a Waiver of  
Access for Lot 2 to have no frontage on a public road subject to  
the following conditions:**

**A note being placed on the CSM that states, "The Planning and Zoning Committee approved a variance on 5/2/17 for Lot 2 to have no frontage on a public road".  
The variance will become effective when the Certified Survey Map is recorded.  
Seconded by Ms. Bradley.  
Motion carried unanimously.**

- Russell & LuAnn Kook – Town of Caledonia

Mr. Bluemke presents Staff Report.

**Motion by Mr. Baumgartner to recommend approval of a Waiver of Access for Lot 2 to have no frontage on a public road subject to the following conditions:**

**A note being placed on the CSM that states, "The Planning and Zoning Committee approved a variance on 5/2/17 for Lot 2 to have no frontage on a public road". The variance will become effective when the Certified Survey Map is recorded.**

**Seconded by Mr. Stevenson.**

**Motion carried unanimously.**

7. Plat for Dekorra Lutheran Cemetery

Mr. Bluemke presents Staff Report.

**Motion by Ms. Bradley to recommend approval of the Plat of the Second Addition to Dekorra Lutheran Cemetery.**

**Seconded by Mr. Stevenson.**

**Motion carried unanimously.**

8. Department Report

a. Financial

- Out of County Travel

No out of County travel to report at this time.

- Expenditure Report

Mr. Bluemke presents Expenditure Report.

**Motion by Vice Chair Kessler to approve Expenditure Report.**

**Seconded by Mr. Stevenson.**

**Motion carried unanimously.**

b. Enforcement Report

Enforcement Report is distributed and available on the local government portal.

Mr. Thompson presents Expenditure Report.

Ms. Bradley questions if the Mac Leish violations will get resolved.

Mr. Thompson explains there are a lot of different entities and departments involved with Mr. Mac Leish. He states that progress that has been done has been positive, but it is a lengthy process to go through each issue to verify/document/give time to respond.

c. Town Ordinances

- Town of Randolph – Land Use/Division Ordinance

Mr. Bluemke explains Township of Randolph gave Planning & Zoning a copy of their Land Use/Division Ordinance. He explained that both he and Corporation Counsel feel it is a zoning ordinance and that in order to become effective it would have to be approved by the County Board. Mr. Bluemke further stated that if a town is going require it citizens to follow and ordinance that is should be legal and Scott's ordinance is not legal

**Motion by Chair Teitgen for the Planning & Zoning Staff to make contact verbally and in writing, to Town of Randolph stating ordinance previously presented is not legal and up to State Statutes, and to offer assistance reworking Ordinance to bring to code.**

**Seconded by Mr. Baumgartner.**

**Motion carried unanimously.**

d. Planning/Ordinance Update

A discussion was held regarding future amendment to Title 16 Chapter 100.

**Site Visits** (were not needed)

9. Public Hearing

Item I- Plan Map Amendment – Future Land Use Map: Agricultural or Open Space to Single Family Residential & Farmland Preservation Map: Farmland Preservation Area to Developed/Infill Area; Michael & Christa Weygandt, Petitioners & Owners – Town of Dekorra

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents Staff Report.

Petitioners Michael & Christa Weygandt are present.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Chair Teitgen closes Public Hearing.

**Motion by Mr. Baumgartner to approve Plan Map Amendment from Agricultural or Open Space to Single Family Residential and Farmland Preservation Area to Developed/Infill Area.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

Item II- Zoning Change – A-1 Agriculture to R-1 Single Family Residence;  
Michael & Christa Weygandt, Petitioners & Owners – Town of Caledonia

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents Staff Report.

Petitioners Michael & Christa Weygandt are present.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Chair Teitgen closes Public Hearing

**Motion by Vice Chair Kessler to approve rezoning from A-1 Agriculture to R-1 Single Family Residence.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

Item III- Plan Map Amendment – Future Land Use Map: Agricultural or Open Space and Single Family Residential to Single Family Residential & Farmland Preservation Map: Farmland Preservation Area and Developed/Infill Area to Developed/Infill Area; Randall & Bridget Rhode, Petitioners & Owners – Town of Wyocena

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents Staff Report.

Petitioners Randall & Bridget Rhode are present.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Chair Teitgen closes Public Hearing.

**Motion by Mr. Baumgartner to approve Plan Map Amendment from Agricultural or Open Space to Single Family Residential and Farmland Preservation Area and Developed/Infill Area to Developed/Infill Area.**

**Seconded by Vice Chair Kessler.**

**Motion carried unanimously.**

Item IV- Zoning Change – A-1 Agriculture and R-1 Single Family Residence to R-1 Single Family Residence; Randall & Bridget Rhode, Petitioners & Owners – Town of Wyocena

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents Staff Report.

Petitioners Randall & Bridget Rhode are present.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Chair Teitgen closes Public Hearing

**Motion by Ms. Bradley to approve rezoning from A-1 Agriculture and R-1 Single Family Residence to R-1 Single Family Residence.**

**Seconded by Mr. Stevenson.**

**Motion carried unanimously.**

Item V- Plan Map Amendment – Future Land Use Map: Agricultural or Open Space to Recreational & Farmland Preservation Map: Farmland Preservation Area to Developed/Infill Area; Judith Buchta, Petitioner for TJ Enterprises of Wyocena Inc., Owner – Town of Wyocena

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents Staff Report.

Petitioner Judith Buchta is present.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Chair Teitgen closes Public Hearing.

**Motion by Vice Chair Kessler to approve Plan Map Amendment from Agricultural or Open Space to Recreational and Farmland Preservation Area to Developed/Infill Area.**

**Seconded by Mr. Baumgartner.**

**Motion carried unanimously.**

Item VI- Zoning Change – A-1 Agriculture to RC-1 Recreation; Judith Buchta, Petitioner for TJ Enterprises of Wyocena Inc., Owner – Town of Wyocena

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents Staff Report.

Petitioner Judith Buchta is present.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Chair Teitgen closes Public Hearing

**Motion by Mr. Baumgartner to approve rezoning from A-1 Agriculture to RC-1 Recreation.**

**Seconded by Ms. Bradley.**

**Motion carried unanimously.**

Item VII Zoning Change – A-1 Agriculture & A-4 Agricultural Overlay to A-1 Agriculture; Thomas Heaps, Petitioner & Owner – Town of Wyocena

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents Staff Report.

Petitioner Thomas Heaps is present.

Chair Teitgen asks if anyone has any questions.

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

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

As a correction to a mapping error the Town Board did not make recommendation.

Chair Teitgen closes Public Hearing

**Motion by Ms. Bradley to approve rezoning from A-1 Agriculture with A-4  
Agricultural Overlay to A-1 Agriculture.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

Item VIII- Conditional Use Permit – To operate an Auto Salvage Yard with Outdoor  
Sales; Mark Clausen, Petitioner and La Vonne Huber & La Verne Schiller,  
Owners – Town of Wyocena

Chair Teitgen opens Public Hearing.

Mr. Thompson presents Staff Report.

Petitioner Mark Clausen is present.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board is not present, but Minutes on file.

Chair Teitgen Closes Public Hearing.

**Motion by Mr. Baumgartner to approve a Conditional Use Permit for an Auto  
Salvage Yard with outdoor retail sales of used vehicles and parts, salvage and scrap  
transport, towing recovery, recycle antifreeze, vehicle repair including new and  
used tires, body and mechanical repair and purchasing of scrap metal from  
consumers for recycling subject to the following Findings, Conclusions  
and Conditions of Approval.  
Seconded by Ms. Bradley.**

**Motion carried unanimously.**

**Findings of Fact:**

- 1. La Vonne Huber & La Verne Schiller are the owners of the subject property described in the application.**
- 2. The Salvage Yard has been in operation for over 40 years on the subject property.**
- 3. Mark Clausen is the petitioner proposing to maintain the existing salvage yard with outdoor sales of used vehicles and repair.**
- 4. The Town of Wyocena has recommended approval of the Conditional Use Permit.**

**Conclusions of Law:**

- 1. The application qualifies for a Conditional Use Permit under of Sec. 16-115-020 and the criteria for Conditional uses under Sec. 16-150-070D.**
- 2. This proposed use is consistent with the purpose and intent of the I-2 General Industrial District.**
- 3. 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.**
- 4. The property is physically well suited for the proposed use due to the location of transportation infrastructure and its current location.**
- 5. The development, as it existed and operated for over 40 years, 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 Wyocena and Mark Clausen 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 effective upon acquisition by Mr. Clausen.**
- 3. The materials to be stored or salvaged onsite are vehicles and related parts thereof as well as metals accumulated for recycling.**
- 4. All such junk must be stored in the enclosed environment within the lot boundaries of the premises, thereby securing it from public view.**
- 5. Existing fencing and gates and natural wooded buffers will be maintained and enhanced to provide maximum screening.**



6. Stacking vehicles on top of other vehicles or accumulation of large scrap metal piles is prohibited unless they are secured from public view within the junk yard.
7. Crushing of vehicles is limited to normal business hours the first year, upon notification to the Town and County and 30 days per year thereafter.
8. All new buildings, structures, outdoor storage areas and any other activity areas shall be located a minimum of 50 feet from all lot lines
9. New exterior lighting for any new building or operation shall be oriented so that the lighting element (or transparent shield) is not visible from adjacent properties. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.
10. All assembly activities and repairs of vehicles, aside from parking, loading, and outdoor storage, shall take place inside of an enclosed building in the junk-yard area.
11. Outdoor waste/recycling containers: Outdoor solid waste/recycling containers (dumpsters) shall not be allowed in the front yard, shall be placed on a permanent hard surface, and shall be fully screened by an opaque fence or wall and gate.
12. The number of vehicles that can be parked or displayed for sale outside of the salvage yard area (front yard) is limited to 60. This includes all customer, employee and used vehicle sales.
13. Parking spaces will be located around the perimeter of the front yard area in a neat and orderly fashion at all times in the designated areas per the site plan.
14. At no time can "junk" as defined by ordinance, as well as junked or inoperable vehicles, scrap metal and trailers be allowed to be parked in the front yard area including customer's vehicles defined as junk.
15. 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.
16. Used vehicle sales is limited to a combination of cars, trucks and vans, of which, no more than 10 vehicles can be recreational or construction-type vehicles.
17. Hours of the outdoor retail sales operation for the junk yard and used vehicle sales is Monday-Saturday from 8:00 am to 8:00 pm. Any operation of the facility after those hours must take place in a building with all doors closed. Normal business hours for salvage activities shall be from Monday-Friday 8:00 am to 5:00 pm and Saturday 8:00 am to 2:00 pm.
18. Any significant changes to the submitted site plan shall be reviewed and approved by the Town and County.
19. The Owner shall comply with and obtain all necessary permits required by applicable federal, state and local regulations.
20. If the Planning and Zoning Committee finds that the review criteria of Section 16-150-070D 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 IX- Zoning Change – RR-1 Rural Residence to A-1 Agriculture with A-4 Agricultural Overlay and A-1 Agriculture with A-4 Agricultural Overlay to RR-1 Rural Residence; Tobin & Loretta Hellenbrand, Petitioners and Owners – Town of Lodi

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents Staff Report.

Petitioners are present.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board not present, but Minutes are on file.

Chair Teitgen Closes Public Hearing.

**Motion by Vice Chair Kessler to approve rezoning from RR-1 Rural Residence to A-1 Agriculture with A-4 Agricultural Overlay and A-1 Agriculture with A-4 Agricultural Overlay to RR-1 Rural Residence, effective upon recording of the Certified Survey Map.**

**Seconded by Mr. Stevenson.**

**Motion carried unanimously.**

Item X- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Kirill & Laura Krylov, Petitioners and Owners – Town of Caledonia

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents Staff Report.

Mark Carlson Agent for Petitioner is present.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board not present, Minutes on file.

**Motion by Ms. Bradley to approve rezoning from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay effective upon recording of the Certified Survey Map.**

**Seconded by Mr. Baumgartner.**

**Motion carried unanimously.**

Item XI- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Troy Selje, Petitioner for RT Selje Enterprises LLC, Owner – Town of Fountain Prairie

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents Staff Report.

Agent for Petitioner is present.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board minutes are on file.

**Motion by Mr. Baumgartner to approve rezoning from A-1 Agriculture to RR-1 Rural Residence and 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 XII- Zoning Change – A-2 General Agriculture to RR-1 Rural Residence and A-1 Agriculture with A-4 Agricultural Overlay; Larry & Linda Tessman, Petitioners & Owners – Town of Fort Winnebago

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents Staff Report.

Petitioner is present.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board is present and Minutes are on file.

**Motion by Ms. Bradley to approve rezoning from A-2 General Agriculture to RR-1 Rural Residence and A-1 Agriculture with A-4 Agricultural Overlay effective upon recording of the Certified Survey Map.**

**Seconded by Mr. Stevenson.**

**Motion carried unanimously.**

Item XIII- Amendments to Title 16 Chapter 100

Chair Teitgen opens Public Hearing.

Chair Teitgen asked if anyone had any comments.

Sandy Smith, Town of Dekorra supervisor said that she did not want the amendment pertaining to Light Manufacturing adopted and that the County should enforce the Code as written.

Debra Bennett, W8384 County Road JV, agreed with Ms. Smith in that the County should enforce the section relating to Light Manufacturing.

Mr. Bluemke explained the reason for the proposed amendment on lines 127-130 was that due to the lack of standards in Section 16-125-240 C this Section of the Code is unenforceable. Also with the term "potential" included in the text enforcement could mean that nothing would qualify for Light Manufacturing because every land use has the potential to create noise, odor, heat, vibration or radiation. Additionally, the Code did define what is meant by detectable.

Mr. Kessler agreed that it is currently unenforceable but wondered whether there may be other standards that could be considered.

Chair Teitgen asked if anyone wanted to propose any amendments to the suggested language and there were none.

Chair Teitgen closed the Public Hearing.

**Motion by Mr. Baumgartner to recommend County Board approved amendments to Title 16 Chapter 100 as presented.**

**Seconded by Mr. Stevenson.**

**Motion carried, but not unanimously.**

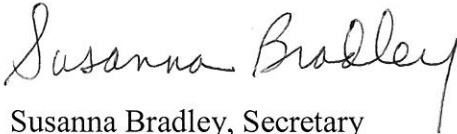
**Chair Teitgen-Yes, Vice Chair Kessler-No, Ms. Bradley-No,  
Mr. Stevenson-Yes, Mr. Baumgartner-Yes**

11. Adjourn

**Motion by Vice Chair Kessler to adjourn meeting.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

Meeting adjourned at 4:56 PM

Respectfully Submitted,



Susanna Bradley, Secretary  
Planning and Zoning Committee



Recording Secretary  
Lauren Ramirez, Administrative Assistant

cc: Committee Members  
Vern Gove, County Board Chair  
Mary Cupery, County Board Vice Chair

