

**PLANNING & ZONING COMMITTEE MINUTES  
MAY 7, 2019**

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

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

ALSO PRESENT: Jim Grothman – Grothman & Associates

**3:31 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 Revised Agenda

**Motion by Mr. Weyh to approve Agenda of May 7, 2019  
Planning & Zoning Committee Regular Meeting & Public Hearing.  
Seconded by Mr. Borgkvist.  
Motion carried unanimously.**

5. Approval of Previous Meeting Minutes

**Motion by Vice Chair Baumgartner to approve Minutes of April 2, 2019  
Planning & Zoning Committee Regular Meeting.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

6. Citizen Input

Mary Jo Wentz  
169 Jennifer Lane  
Fall River, WI

Ms. Wentz, member of the WI State Energy Alliance, had questions regarding timeline on Zoning Ordinance revisions in regards to oil pipelines.

Mr. Calkins reviewed timeline, explained process and current situation with corporation counsel reviewing options.

7. Operational Overview

a. Approve Expenditure Report

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

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

Mr. Calkins presented letter to towns he sent out regarding setting up a meeting with them. He also reviewed recent news article on signs in the right-of-way and clarified the Zoning Ordinance's lack of role regarding signs within the right-of-way.

8. Chairman's Update

Chair Kessler reviewed the 2020 budget deadlines, along with some current non-metallic mining court cases.

**4:00 PM: Chair Kessler stated Agenda Items 9, 10, and 11 are postponed until after public hearing, due to time.**

9. Action on Preliminary Plat

10. County Highway Dedication

11. Driveway Length Exception

**Site Visits** (were not needed)

12. Public Hearing – 4:00PM

Item I- Plan Map Amendment – Future Land Use Map: Single-Family Residential to Agricultural or Open Space, and Farmland Preservation Map: Developed/Infill Area to Farmland Preservation Area; Petitioners: Groves Family Trust and Francis Groves Trust – Town of Lodi

Chair Kessler opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Kessler asked if anyone has any questions.

Jim Grothman, Agent for the Groves 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.

Corine Cline  
W11528 County Highway J  
Lodi, WI

Ms. Cline spoke against proposal stating road is dangerous and potential new homes developed should not be in this location.

Ms. Pulver-Johnson reviewed proposal as in Staff Report stating this property is going from Single-Family Residential to Agricultural or Open Space. So this specific amendment is restricting single family residential use, in some locations.

Chair Kessler asked if the petitioner wishes to offer a rebuttal.

Jim Grothman explained the plat referring to the single family residential land has been in the works for a year and a half. He explained he received all approvals needed for this, including town.

Dan Markart  
W11590 County Highway J  
Lodi, WI

Mr. Markart explained he was not notified by the town for any of this, even living near property.

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 recommend approval to County Board to amend 25 acres, more or less, of the Future Land Use map from Single-Family Residential to Agricultural or Open Space and to amend the same area on the Farmland Preservation Plan map from Developed/Infill Area to Farmland Preservation Area, all effective upon recording of the Final Plat.**

**Seconded by Mr. Weyh.**

**Motion carried unanimously.**

Item II- Plan Map Amendment – Future Land Use Map: Single-Family Residential to Agricultural or Open Space and Agricultural or Open Space to Single-Family Residential, and Farmland Preservation Map: Developed/Infill Area to Farmland Preservation Area and Farmland Preservation Area to Developed/Infill Area; Petitioners: Randall P Alexander and Torque Environmental LLC – Town of Caledonia

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.

Chair Kessler wished to make note in recordings that the maps presented do not cover full area explained in plat. (map correction noted)

**Motion by Mr. Weyh recommend approval to County Board to amend 9 acres, more or less, of the Future Land Use map from Single-Family Residential to Agricultural or Open Space and to amend the same area on the Farmland Preservation Plan map from Developed/Infill Area to Farmland Preservation Area, and to amend 71 acres, more or less, of the Future Land Use map from Single-Family Residential and Agricultural or Open Space to Single-Family Residential and to amend the same area on the Farmland Preservation Plan map from Developed/Infill Area and Farmland Preservation Area to Developed/Infill Area, all effective upon recording of the Final Plat.**

**Seconded by Mr. Borgkvist.**

**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; FYN LLC c/o Patrick Watson, Petitioner – Town of Caledonia

Chair Kessler opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Kessler asked if anyone has any questions.

Petitioner and Agent 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 Vice Chair Baumgartner to approve rezoning of 4.6 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence and 5.61 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 R-1 Single Family Residence and from A-1 Agriculture to RC-1 Recreation; Arlington Volunteer Fire Company, Petitioner – Town of Arlington

Chair Kessler opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Kessler asked if anyone has any questions.

Petitioner and Agent 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 7.5 acres, more or less, from A-1 Agriculture to R-1 Single Family Residence and 3 acres more or less, from A-1 Agriculture to RC-1 Recreation, effective upon recording of the**

**Certified Survey Map.**

**Seconded by Mr. Borgkvist.**

**Motion carried unanimously.**

Item V- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Ivan Hutchinson LLC c/o Richard Preuss, Petitioner – Town of Dekorra

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. Borgkvist to approve rezoning of 4.97 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence and 30.03 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 VI- Conditional Use Permit – For a tourist rooming house; Megan Wolfrum,  
Petitioner – Town of Dekorra

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)

Chair Kessler closed the Public Hearing.

**Motion by Vice Chair Baumgartner to approve a Conditional Use Permit for a Tourist Rooming House located at W9302 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. Weyh.**

**Motion carried unanimously.**

**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.

**Conclusions of Law:**

1. The subject property is located in the Town of Dekorra and is zoned R-1 Single-Family Residence. The District uses are listed in Table 16-110-020(1).
2. Megan Wolfrum is the petitioner for a Conditional Use Permit. The petition followed the procedures of Section 16-150-070(C) of the Columbia County Zoning Code.
3. The petitioner is 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 Dekorra Town Board has reviewed and recommended approval of 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 not being met.

**Conditions for the Decision:**

1. Any agreement or conditions pertaining to this Conditional Use Permit between the Town of Dekorra and Megan Wolfrum 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 11:00 pm – 8:00 am on weekends and holidays. The noise level at property lines shall not exceed 55 dBA during this time.
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". If the owner does not live within one hour's drive of the tourist rooming house, there shall be a local contact.
9. A sign shall be placed inside, near the patio door, stating the hazards of swimming in the river.



10. A state sales tax number shall be obtained and provided to the Planning and Zoning Department.
11. Property must remain free and clear from citation and charges for nuisance, disorderly conduct, or other illegal activity.
12. Garbage and recycled materials shall be properly stored and disposed of regularly.
13. Dumpsters are prohibited.
14. Pets shall be contained on the rental property and remain fenced in, tied up, or leashed.
15. The owner's website or other advertising site shall state that there are conditions associated with this use.
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. The owner shall comply with and obtain all necessary permits required by applicable federal, state and local regulations.
18. 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 VII- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; BBY LLC c/o Josette Steinhaus, Petitioner – Town of Lewiston

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 Vice Chair Baumgartner to approve rezoning of 3.0 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence and 32.0 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 VIII- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Kristin Karls & Bonnie Olson, Petitioners – Town of Otsego

Chair Kessler opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Kessler asked if anyone has any questions.

Petitioner and Agent 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 present and Approval is on file.

Chair Kessler closed the Public Hearing.

**Motion by Mr. Borgkvist to approve rezoning of 5 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence and 30 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.**

Agenda Item # 9: Action on Preliminary Plat

- Torque/Shire Wood – Town of Caledonia

Ms. Pulver-Johnson reviewed Staff Report.

**Motion Mr. Weyh to approve the Preliminary Plat for Torque/Shire Wood subject to the following Conditions:**

- 1. Dedication of land within the Plat used as County Highway U shall be approved by the County Board prior to recording of the Final Plat.**
- 2. Dedication of land within the Plat to be used as Gold Bluff Court and Crane Hollow Court shall be approved by the Town Board.**
- 3. All necessary driveway permits shall be obtained and submitted to the Planning and Zoning Department prior to the approval of the Final Plat, and must be installed within 1 year of permit issuance.**
- 4. “Proposed house and drive vicinity” identifiers on the preliminary plat shall be updated to note approved access locations and required building envelopes, if more restrictive than County Zoning Ordinance standards.**
- 5. Separate stormwater easement documents shall be recorded prior to or concurrent with the Final Plat.**

6. All easements not parallel with lot lines must be delineated by boundary or centerline bearing and distance tied to an adjacent lot corner.
7. Erosion control and stormwater management plans shall be submitted to the Planning and Zoning Department prior to submission of the Final Plat.
8. A note shall be placed on the Final Plat stating that lots shall not be further subdivided.
9. The floodway and floodfringe shall be delineated on the Final Plat, with regional flood elevation, Flood Insurance Rate Map (FIRM) panel number, and effective date noted.
10. An Endangered Resource Review should be completed and submitted to the Planning and Zoning Department prior to submission of the Final Plat.
11. A soil and site evaluation report conducted by a Certified Soil Tester shall be provided to the Planning and Zoning Department demonstrating sufficient on-site sewage disposal area and suitability for all residential lots prior to recording of the Final Plat.
12. Approval of any associated Plan Amendments and Rezonings shall be obtained prior to recording of the Final Plat.
13. The Developer shall obtain all necessary approvals from the Town and State per any applicable ordinances, agreements, and plans.
14. Any changes to the layout of the Preliminary Plat that are the result of Town agreements must be submitted to the County prior to the filing of the Final Plat.
15. Minutes of the Town Board approval of the Final Plat and copies of all signed agreements approved by the Town must be filed with the County. The Final Plat must be signed by the Town before submitting to the County for signatures.
16. A copy of the Wisconsin Department of Administration's approval of the Final Plat must be submitted to the Planning and Zoning Department prior to County approval of the Final Plat.

Seconded by Mr. Stevenson.  
Motion carried unanimously.

Agenda Item #10: County Highway Dedication

- Hutchinson – Highway JV

Ms. Pulver-Johnson reviewed Staff Report.

**Motion by Vice Chair Baumgartner to approve Dedication of  
County Highway JV in the Town of Dekorra.**

Seconded by Mr. Stevenson.  
Motion carried unanimously.

Agenda Item #11: Driveway Length Exception

- Hutchinson – Town of Dekorra

Ms. Pulver-Johnson reviewed Staff Report.

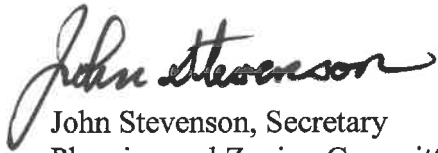
**Motion by Mr. Stevenson to approve Driveway Length Exception as proposed. Seconded by Mr. Weyh.  
Motion carried unanimously.**

13. Adjourn

**Motion by Mr. Stevenson to adjourn meeting.  
Seconded by Mr. Borgkvist.  
Motion carried unanimously.**

Meeting adjourned at 5:19 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