

**PLANNING & ZONING COMMITTEE MINUTES  
JUNE 1, 2021**

PRESENT: Harlan Baumgartner, John Stevenson, Denise Brusveen,  
Mike Weyh, Tom Borgkvist, Doug Richmond

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

ALSO PRESENT: Susan Fisher – Corporation Counsel

**1:00 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. Richmond to approve Agenda of June 1, 2021 Planning & Zoning  
Committee Regular Meeting & Public Hearing.**

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

5. Approval of Previous Meeting Minutes

**Motion by Mr. Weyh to approve Minutes of May 4, 2021  
Planning & Zoning Committee Regular Meeting.**

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

6. Citizen Input

No citizen input.

7. Operational Overview

- a. Approval of Expenditure Report

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

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

**Motion carried unanimously.**

- b. Department Budgets, Compensatory Time, Out of County Travel
  - c. Director's Staff Report/Update
8. Approval of Access Variance
- Sommers – Town of Scott

Ms. Pulver-Johnson presented Staff Report.

**Motion by Mr. Weyh to recommend approval of an Access Variance for Lot 1 to have no frontage on a public road subject to the following conditions: A note being placed on the CSM stating: "A variance to Section 12.210.04(5) was approved by the Planning and Zoning Committee on June 1, 2021 to waive road frontage requirements for Lot 1." The variance will become effective upon recording of the Certified Survey Map.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

Chair Baumgartner proposed an Agenda change to hear Item 10 prior to Item 9. All Committee members agreed.

10. Review Proposed Revised Job Description Zoning & Land Use Specialist

Mr. Calkins reviewed proposed revised job description for Zoning & Land Use Specialist.

**Motion by Mr. Richmond to recommend approval for the Revised Job Description for Zoning & Land Use Specialist.  
Seconded by Mr. Borgkvist.  
Motion carried unanimously.**

9. Review Proposed Text Amendments to Chapter 12 Subchapter 100 Columbia County Zoning Code

Mr. Calkins reviews proposed text amendments to Chapter 12 Subchapter 100.

At 2:01 Chair Baumgartner stated this discussion is postponed until after Public Hearing.

Site Visits (were not needed)

11. Public Hearing – 2:00PM

Item I Zoning Change – A-1 Agriculture to RR-1 Rural Residence, and from A-1 Agriculture to A-1 Agriculture with A-4 Agriculture Overlay; Petitioner: Dustin D Bourdeau c/o POA Charles Bourdeau – Town of Marcellon

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Petitioner was not present.

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

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

Town Board not present, but Approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Weyh to recommend approval 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, all effective upon recording of the Certified Survey Map.**

**Seconded by Mr. Borgkvist.**

**Motion carried unanimously.**

Item II      Conditional Use Permit – For a Tourist Rooming House; Petitioners: Barefoot Badger Investments LLC c/o Michael Cliff – Town of Dekorra

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Petitioner was present.

Chair Baumgartner asked if anyone is in favor of the request. (no comments)

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

Town Board not present, but Approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Stevenson to approve Conditional Use Permit for a Tourist Rooming House at W10624 Tipperary Road, as proposed in the application and accompanying submittals and subject to the following Findings, Conclusions, and Conditions of Approval.**

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

**Findings of Fact:**

1. Upon review of the guidelines in Section 12.150.07(4) 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. Barefoot Badger Investments LLC (c/o Michael A Cliff) is the owner of the subject property.
  - b. The property is already developed with a single-family residence, driveway, and detached garage on site.
  - c. 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.
  - d. 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.
  - e. The erosion potential of the site, based on topography, drainage, slope, soil type, and vegetative cover is minimal.
  - f. There is no existing or anticipated water pollution including sedimentation, and no impacts on floodplain and wetlands.
  - g. The site has adequate utilities, including acceptable disposal systems.
  - h. Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.
  - i. 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 12.110.02(1).
2. A Tourist Rooming House is a conditional use within the R-1 Single-Family Residence zoning district.
3. The proposed use is consistent with the purpose and intent of the Columbia County Zoning Code.
4. Barefoot Badger Investments LLC and Michael A Cliff are the petitioners for a Conditional Use Permit. The petition followed the procedures of Section 12.150.07(3) of the Columbia County Zoning Code.
5. The petitioner is proposing to use an existing single-family residence as a Tourist Rooming House, which is allowed as a Conditional Use under Table 12.110.02(1).
6. The Dekorra Town Board has reviewed and recommended approval of the Conditional Use Permit, with conditions, in accordance with Section 12.150.07 of the Columbia County Zoning Code.
7. The Columbia County Planning and Zoning Committee has the authority under Sections 12.150.03(2)b. and 12.150.07 of the Columbia County Zoning Code to conduct public hearings, review, and decide on requests for Conditional Use Permits.
8. The standards of Section 12.125.11(1) 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 12.125.10(1). 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 12.150.07(4) are not being met.

**Conditions for the Decision:**

- 1. The Conditional Use Permit shall not be transferable to another owner.
- 2. There shall be a minimum of one calendar week per month where no tourists occupy the residence.
- 3. Accessory structures and camping units shall not be used as habitable structures.
- 4. Pets shall be contained on the rental property and must remain tied up or leashed.
- 5. Quiet hours shall be 10:00 pm – 8:00 am. Noise levels at the property line shall not exceed 55 dBA during these hours.
- 6. All fires shall be located within proper fire pit structures and shall be extinguished during established quiet hours.
- 7. The use of fireworks shall be prohibited.
- 8. The use of firearms shall be prohibited.
- 9. Special events or parties in which more than twice the permitted number of occupants are temporarily present on the premises shall be prohibited.
- 10. Parking shall be provided on-site, on a paved or gravel surface, with a maximum of 2 vehicles allowed.
- 11. Occupancy associated with the Tourist Rooming House shall be limited to 6 persons.
- 12. A 24-hour contact number shall be provided to the Planning and Zoning Department, Town Chair, Town Clerk, and Town Constable. 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 person.
- 13. A sign shall be placed inside, near the door, stating the hazards of swimming in the river.
- 14. A state sales tax number shall be obtained and provided to the Planning and Zoning Department and Town Clerk.
- 15. The well and sanitary system shall comply with County and State requirements.
- 16. The property shall remain free and clear from citation and charges for nuisance, disorderly conduct, or other illegal activity.
- 17. Garbage and recycled materials shall be properly stored and disposed of regularly.
- 18. The owner's website or other advertising site shall state that there are local government conditions and restrictions associated with this Tourist Rooming House in order to maintain a predominately single-family, owner-occupied character of the surrounding area
- 19. The availability of the Tourist Rooming House to the public and tourists/transients shall not be advertised on site.

20. 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.
21. The owner shall comply with and obtain all necessary permits required by applicable federal, state and local regulations.
22. 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.
23. If the Planning and Zoning Committee finds that the review criteria of Subsection 12.150.07(4) 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.
24. In addition to any State required license fee, each operator of a Tourist Rooming House shall provide the County with an annual fee and an annual report on a form furnished by the County to confirm compliance with any applicable requirements or conditions of approval.
25. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of Dekorra and Barefoot Badger Investments, c/o Michael A Cliff, are hereby incorporated as part of this Conditional Use Permit; however, the County is not responsible for enforcing said agreement(s) or condition(s), unless an individual point of the agreement(s) or condition(s) is specifically included above as a condition of approval. Any additional Town agreements or conditions are listed below. In the event that the Town submits a finding of noncompliance with any of the item(s) listed below, 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.
  - a. Prior to issuance of a Town license and occupancy of the residence as a Tourist Rooming House, the applicant shall:
    - i. Apply to the Town for a Tourist Rooming House license, and pay the required license fee.
  - b. Property lines must be physically delineated by a fence, although the fence does not have to be designed to contain the pets on the property. Pet behavior must meet applicable Town ordinances.
  - c. In addition to any State required license fee, each operator of a Tourist Rooming House shall provide the Town with an annual fee and an annual report on a form furnished by the Town to enable the Town to confirm compliance with any requirements or conditions of approval, the standards of Section 6-10, and any State reporting requirements.

Item III      Conditional Use Permit – For a Campground Expansion; Petitioners: Eric Anderson & Barbara Anderson – Town of Caledonia

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Petitioner was present.

Chair Baumgartner asked if anyone is in favor of the request. (no comments)

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

Town Board not present, but Approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Weyh to approve Conditional Use Permit for a Campground Expansion at N5740 Sky High Drive, 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.**

**Findings of Fact:**

1. Upon review of the guidelines in Section 12.150.07(4) 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. Eric and Barbara Anderson are the owners of the subject property.
  - b. Eric and Barbara Anderson are the owners and operators of Sky High Camping Resort, currently operating on the subject property.
  - c. The property is already developed as a campground within the RC-1 Recreation district.
  - d. 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.
  - e. 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.
  - f. The erosion potential of the site, based on topography, drainage, slope, soil type, and vegetative cover is minimal.
  - g. There is no existing or anticipated water pollution including sedimentation, and no impacts on floodplain and wetlands.
  - h. The site has adequate utilities, including acceptable disposal systems.
  - i. Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.
  - j. 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 RC-1 Recreation. The District uses are listed in Table 12.105.02(1).
2. A Campground is a conditional use within the RC-1 Recreation zoning district.
3. The existing campground operation is valid under an automatic Conditional Use Permit under Subsection 12.101.05(7).
4. The expansion of an existing Campground requires a Conditional Use Permit under Section 12.125.12(6)
5. The proposed use is consistent with the purpose and intent of the Columbia County Zoning Code.

6. Eric and Barbara Anderson are the petitioners for a Conditional Use Permit. The petition followed the procedures of Section 12.150.07(3) of the Columbia County Zoning Code.
7. The petitioner is proposing to expand an existing Campground, which is allowed as a Conditional Use under Table 12.105.02(1).
8. The Caledonia Town Board has reviewed and recommended approval of the Conditional Use Permit, with conditions, in accordance with Section 12.150.07 of the Columbia County Zoning Code.
9. The Columbia County Planning and Zoning Committee has the authority under Sections 12.150.03(2)b. and 12.150.07 of the Columbia County Zoning Code to conduct public hearings, review, and decide on requests for Conditional Use Permits.
10. The standards of Section 12.125.12 of the Columbia County Zoning Code are applicable to Campgrounds.

**Conditions for the Decision:**

1. All private on-site waste treatment systems due for maintenance at the time of this Conditional Use Permit shall be serviced prior to development of the new campsites.
2. Prior to development of the expansion, a sanitary evaluation shall be submitted to the Planning & Zoning Department showing the existing private on-site waste treatment system can accommodate the new sites.
3. Expansion of existing or creation of new recreation/service facilities is allowed up to 15% of the initial improved area. Expansions greater than 15% over the lifetime of the property shall require review through a new Conditional Use Permit.
4. Noise shall not exceed 65 dBA at any exterior property lines.
5. New lighting provided by the campground shall be oriented so that the lighting element (or transparent shield) is not visible from any adjacent public roads or residential property. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.
6. The existing vegetation within the 40-foot landscaped transitional yard shall be maintained between the new campsites and the exterior property lines.
7. The site shall be developed in accordance with the approved site plan and any applicable regulations.
8. No single camping unit shall be occupied by the same party for a period of time longer than six continuous months in any 12-month period, except as may be further limited by State Statutes or Administrative Rules.
9. Each camp site shall be at least 1,200 square feet in area.
10. Each site shall be clearly marked with an alpha or numeric symbol on a sign clearly visible from an access road.
11. The property must remain free and clear from citation and charges for nuisance, disorderly conduct, or other illegal activity.
12. There shall be a minimum ten (10) foot separation between camping units. Accessory structures shall be considered part of the camping unit for this separation requirement.
13. The total footprint of all accessory structures on an individual campsite shall not exceed 400 square feet.
14. Garbage and recycled materials shall be properly stored and disposed of regularly.
15. The owner shall comply with and obtain all necessary permits required by applicable federal, state and local regulations.
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. If the Planning and Zoning Committee finds that the review criteria of Subsection 12.150.07(4) and 12.125.12 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.

- 18. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of Caledonia and Eric and Barbara Anderson, are hereby incorporated as part of this Conditional Use Permit; however, the County is not responsible for enforcing said agreement(s) or condition(s), unless an individual point of the agreement(s) or condition(s) is specifically included above as a condition of approval. Any additional Town agreements or conditions are listed below. In the event that the Town submits a finding of noncompliance with any of the item(s) listed below, 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.

Item IV            Zoning Change – A-1 Agriculture to RR-1 Rural Residence, and from A-1 Agriculture to A-1 Agriculture with A-4 Agriculture Overlay; Petitioner: DM Acres, Inc c/o Richard Schroeder – Town of Hampden

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Petitioner was present.

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

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

Town Board not present, but Approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Ms. Brusveen to recommend approval of 1.66 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 38.34 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, all effective upon recording of the Certified Survey Map.**

**Seconded by Mr. Borgkvist.**

**Motion carried unanimously.**

Item V            Zoning Change – A-1 Agriculture to A-1 Agriculture with A-4 Agriculture Overlay; Petitioners: Stuart A Benzine, Catherine A Benzine, Et Al – Town of Otsego

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Petitioner was present.

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

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

Town Board present, and Approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Borgkvist to recommend approval of 30 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, all effective upon recording of the Certified Survey Map.**

**Seconded by Mr. Weyh.**

**Motion carried unanimously.**

Item VI Zoning Change – A-1 Agriculture to A-1 Agriculture with A-4 Agriculture Overlay; Petitioners: Stuart A Benzine, Catherine A Benzine, Et Al – Town of Otsego

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Petitioner was present.

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

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

Town Board present, and Approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Stevenson to recommend approval of 33 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, all effective upon recording of the Certified Survey Map.**

**Seconded by Ms. Brusveen.**

**Motion carried unanimously.**

At 2:27 Chair Baumgartner reconvened agenda item # 10: Review Proposed Text Amendments to Chapter 12 Subchapter 100 Columbia County Zoning Code  
2:27

Mr. Calkins reviewed remainder of proposed text amendments to Chapter 12 Subchapter 100.

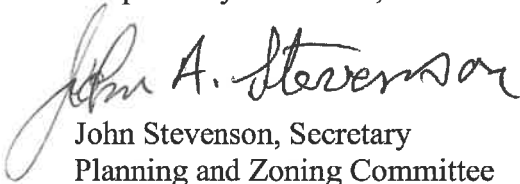
**Motion by Mr. Weyh to move Chapter 12 Subchapter 100  
proposed ordinance revisions to public hearing with proposed changes.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

12. Adjourn

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

Meeting adjourned at 3:01 PM

Respectfully Submitted,

  
John Stevenson, Secretary  
Planning and Zoning Committee

  
Recording Secretary  
Lauren Ramirez, Office Administrator

cc: Committee Members  
Vern Gove, County Board Chair  
Bob Koch, County Board Vice Chair  
James Foley, County Board Vice Chair

