

**PLANNING & ZONING COMMITTEE MINUTES
SEPTEMBER 6, 2022**

PRESENT: Denise Brusveen, Doug Richmond, Adam Hahn, Harlan Baumgartner, Andrew Kolberg

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

ALSO PRESENT: Susan Fischer – Corporation Counsel

2:30 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. Baumgartner to approve Agenda of September 6, 2022 Planning & Zoning Committee Regular Meeting & Public Hearing with switching on Agenda Public Hearing Items 9 & 10.

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

5. Approval of Previous Meeting Minutes

Motion by Mr. Kolberg to approve Minutes of August 2, 2022 Planning & Zoning Committee Regular Meeting.

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

6. Citizen Input
7. Chairman's Update
8. Operational Overview

- a. Approval of Expenditure Report

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

**Motion by Mr. Baumgartner to approve Expenditure Report.
Seconded by Mr. Kolberg.**

Motion carried unanimously.

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

c. Director's Staff Report/Update

9. Action on Access Variance Request

- Vaness – Town of Fort Winnebago

Ms. Pulver-Johnson presented Staff Report.

Motion by Mr. Baumgartner to recommend approval of an Access Variance for Lots 1 & 2 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 September 6, 2022 to waive road frontage requirements for Lots 1 & 2 with access provided via Document No. 941423." The variance will become effective upon recording of the

Certified Survey Map.

Seconded by Mr. Hahn.

Motion carried unanimously.

10. Action on Driveway Exception

- Vaness – Town of Fort Winnebago

Ms. Pulver-Johnson presented Staff Report.

Motion by Mr. Baumgartner to approve Driveway Exception.

Seconded by Mr. Richmond.

Motion carried unanimously.

11. Conditional Use Permit – Site Plan Modification

- Landmark Services – Town of Fountain Prairie

Ms. Pulver-Johnson presented Staff Report.

Motion by Mr. Hahn to recommend approval of a Site Plan Modification.

Seconded by Mr. Kolberg.

Motion carried unanimously.

12. Revision of Job Description

- Zoning & Sanitary Specialist

Mr. Calkins reviewed the proposed job description revision.

Motion by Mr. Baumgartner to approve revision of Zoning & Sanitary Specialist.

Seconded by Mr. Richmond.

Motion carried unanimously.

13. Replacement Position Request

- Zoning & Land Use Specialist

Mr. Calkins reviewed the position replacement request.

Motion by Mr. Kolberg to approve the replacement position request for Zoning & Sanitary Specialist.

Seconded by Mr. Baumgartner.

Site Visits (were not needed)

14. Public Hearing – 3:00 PM

Item I Zoning Change – A-1 Agriculture to A-1 Agriculture with A-4
Agricultural Overlay; Petitioner: Thomas J Steinhaus & Jody A Steinhaus
– Town of Lewiston

Chair Brusveen opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Petitioner was present.

Chair Brusveen asked if anyone has any questions.

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

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

Chair Brusveen closed the Public Hearing.

Motion by Mr. Kolberg to recommend approval of 31 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. Baumgartner.

Motion carried unanimously.

Item II Zoning Change – A-1 Agriculture to A-1 Agriculture with A-4
Agricultural Overlay; Petitioner: TJS Land & Cattle LLC c/o Thomas J
Steinhaus – Town of Lewiston

Chair Brusveen opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Petitioner was present.

Chair Brusveen asked if anyone has any questions.

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

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

Chair Brusveen closed the Public Hearing.

Motion by Mr. Hahn to recommend approval of 10.86 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. Kolberg.

Motion carried unanimously.

Item III Zoning Change – A-1 Agriculture to RR-1 Rural Residence, and from A-1 A-1Agriculture to A-1 Agriculture with A-4 Agricultural Overlay;
Petitioners: August Carl Vaness & Raedean Andrea Vaness – Town of Fort Winnebago

Chair Brusveen opened Public Hearing.

Mr. Calkins presented Staff Report.

Petitioner was present.

Chair Brusveen asked if anyone has any questions.

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

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

Chair Brusveen closed the Public Hearing.

Motion by Mr. Baumgartner to recommend approval of 3 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 32.94 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. Richmond.

Motion carried unanimously.

Item IV Conditional Use Permit – For a Tourist Rooming House; Applicant:
Michael Cassidy & Elizabeth Radichel – Town of Caledonia

Chair Brusveen opened Public Hearing.

Mr. Calkins presented Staff Report.

Petitioner was present.

Chair Brusveen asked if anyone has any questions.

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

Chair Brusveen asked if anyone is against the petition.

Greg Frystak
N5052 County Highway U
Portage, WI

Greg Frystak was present and voiced opposition to request, for reasons such as safety, traffic, unknown faces in neighborhood, noise, and he doesn't believe this change belongs in the residential area.

Mr. Hahn asked how big his parcel is.

Mr. Frystak stated 2.5 acres.

Chair Brusveen asked if the applicant has a rebuttal.

Ms. Radichel states that they discussed this at the town level, and there were conditions added to remedy his worries.

Chair Brusveen asked if there's anyone else against the petition. (no comments)

Chair Brusveen closed the Public Hearing.

**Motion by Mr. Baumgartner to approve Conditional Use Permit for a Tourist Rooming House at N5030 County Highway U as proposed in the application and accompanying submittals and subject to the following Findings, Conclusions, and Conditions of Approval.
Seconded by Mr. Hahn.**

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. Michael Cassidy and Elizabeth Radichel are the owners of the subject property.
 - b. Michael Cassidy and Elizabeth Radichel are requesting a Conditional Use Permit to operate a Tourist Rooming House within the R-1 Single-Family Residence zoning district.
 - c. The property is already developed with a single-family residence and driveway on site.

- 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.

Conclusions of Law:

1. The subject property is located in the Town of Caledonia and is zoned R-1 Single-Family Residence.
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. Michael Cassidy and Elizabeth Radichel 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 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.
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. Accessory structures and camping units shall not be used as habitable structures.
3. Quiet hours shall be 10:00 pm – 8:00 am on weekdays, and 11:00 pm – 8:00 am on weekends. Noise levels at the property line shall not exceed 55 dBA during these hours.
4. Pets shall be prohibited.
5. Three (3) security cameras shall be installed and maintained outside of the house.
6. Renter vehicle information, including make, model, color, and license plate number, shall be obtained and forwarded to neighbors on either side via email by the property owner prior to said renter's stay.
7. All fires shall be in a proper fire pit structure, and shall be extinguished during the established quiet hours.
8. The use of fireworks shall be prohibited.
9. The use of firearms shall be prohibited.
10. Special events or parties in which more than 12 people are present shall be prohibited. Gatherings that include people that are not valid guests shall only take place outside of quiet hours. During quiet hours, the only persons on site shall be registered guests, not to exceed eight (8).
11. Parking shall be provided on-site, with a maximum of six (6) vehicles allowed. All off-street parking shall be on a paved or gravel surface and shall be arranged to facilitate easy ingress/egress of all vehicles.
12. Occupancy associated with the Tourist Rooming House shall be limited to eight (8) persons.
13. A 24-hour contact number shall be provided to the Planning and Zoning Department and Town Clerk.
14. The 24-hour contact number shall be posted near the primary entrance door on a sign no larger than 12"x18" in case of a complaint or emergency. If the owner does not live within one hour's drive of the tourist rooming house, there shall be a local contact person.
15. A state sales tax number shall be obtained and provided to the Planning and Zoning Department.
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 Caledonia and Michael Cassidy and Elizabeth Radichel 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 V Conditional Use Permit – For a Commercial Apartment; Applicant: SMR Properties of Wisconsin LLC, c/o Becky Ring – Town of Pacific

Chair Brusveen opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Applicant was present.

Chair Brusveen asked if anyone has any questions.

Chair Brusveen asked if anyone is in favor of the request.

John Miller – Town of Pacific attorney was present and stated the town is in favor.

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

Chair Brusveen asked if anyone is against the request. (no comments)

Chair Brusveen closed the Public Hearing.

**Motion by Mr. Kolberg to approve Conditional Use Permit for a Commercial Apartment at N6046 US Highway 16-51 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. 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. SMR Properties of Wisconsin LLC is the owner of the subject property.
 - b. Becky Ring of SMR Properties of Wisconsin LLC is requesting a Conditional Use Permit to operate a Commercial Apartment within the C-1 Light Commercial zoning district.
 - c. The property is already developed with an existing primary structure, accessory structure, parking lot, and driveway on site.
 - 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.

Conclusions of Law:

1. The subject property is located in the Town of Pacific and is zoned C-1 Light Commercial.
2. A Commercial Apartment is a conditional use within the C-1 Light Commercial zoning district.
3. The proposed use is consistent with the purpose and intent of the Columbia County Zoning Code.
4. Becky Ring of SMR Properties of Wisconsin LLC, is the petitioner 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 building as a Commercial Apartment, which is allowed as a Conditional Use under Table 12.115.02(1).
6. The Pacific 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.

Conditions for the Decision:

1. There shall be a minimum of two parking spaces reserved for the apartments.
2. Parking shall be provided on site.
3. There shall be no more than two individuals residing in the one-bedroom apartment, and no more than four individuals residing in the two-bedroom apartment.
4. Tenancy duration shall be a minimum of 29 consecutive days by the same individual(s).

5. Tenants must meet the definition of “family”, as noted within the Columbia County Zoning Code.
6. Parking of only licensed, registered, and operable vehicles is permitted.
7. Signage shall comply with Section 16-145 of the Columbia County Zoning Code.
8. All changes to the approved site plan shall be reviewed by the Planning and Zoning Department, with significant changes being reviewed and approved by both the Town and Planning and Zoning Committee.
9. Outdoor lighting for the facility shall be oriented so that the lighting elements (or transparent shield) are not visible from an adjacent property or right-of-way. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.
10. 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.
11. The property owner shall comply with and obtain all necessary permits as required by applicable federal, state, and local regulations.
12. 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.
13. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of Pacific and SMR Properties LLC, c/o Becky Ring 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. The property owner shall abide by the terms of the recorded developer’s agreement.

Item VI Conditional Use Permit – For a Tavern; Applicant: SMR Properties of Wisconsin LLC, c/o Becky Ring – Town of Pacific

Chair Brusveen opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Applicant was present.

Chair Brusveen asked if anyone has any questions.

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

Chair Brusveen asked if anyone is against the request. (no comments)

Chair Brusveen closed the Public Hearing.

Motion by Mr. Richmond to approve Conditional Use Permit for a Tavern at N6046 US Highway 16-51 as proposed in the application and accompanying

**submittals and subject to the following Findings, Conclusions, and
Conditions of Approval.
Seconded by Mr. Kolberg.
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. SMR Properties of Wisconsin LLC is the owner of the subject property.
 - b. Becky Ring of SMR Properties of Wisconsin LLC is requesting a Conditional Use Permit to operate a Tavern within the C-1 Light Commercial zoning district.
 - c. The property is already developed with an existing primary structure, accessory structure, parking lot, and driveway on site.
 - 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.

Conclusions of Law:

1. The subject property is located in the Town of Pacific and is zoned C-1 Light Commercial.
2. A Tavern is a conditional use within the C-1 Light Commercial zoning district.
3. The proposed use is consistent with the purpose and intent of the Columbia County Zoning Code.
4. Becky Ring of SMR Properties of Wisconsin LLC, is the petitioner 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 building as a Tavern, which is allowed as a Conditional Use under Table 12.115.02(1).
6. The Pacific 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.

Conditions for the Decision:

1. There shall be a minimum of 10 parking spaces available for the tavern.
2. Hours of operation shall be Tuesday through Sunday from 11:00 am to bar close (2:00 am Tuesday-Thursday, and Sunday, 2:30 am Friday and Saturday).

3. The serving of food shall remain incidental to the serving of liquor,
4. Parking shall be provided on site.
5. The northern boundary of the property shall be screened for privacy by a fence and/or arborvitae. Screening shall be completed by September 1, 2023. Plantings shall be installed with minimum planting height of 3 feet, and spaced 6 feet apart from one another and other existing foliage and structures. Plantings shall be maintained, and any dead, diseased, or dying plantings shall be replaced.
6. The parking lot shall be paved and striped by September 1 2024.
7. The dumpster shall be screened from view within a privacy fence at least 6 feet tall. Installation of the fence shall occur no later than September 1, 2024.
8. Maximum tavern occupancy shall be 54, unless the septic system is upgraded to handle additional load.
9. Parking of only licensed, registered, and operable vehicles is permitted.
10. Signage shall comply with Section 16-145 of the Columbia County Zoning Code.
11. All changes to the approved site plan shall be reviewed by the Planning and Zoning Department, with significant changes being reviewed and approved by both the Town and Planning and Zoning Committee.
12. Outdoor lighting for the facility shall be oriented so that the lighting elements (or transparent shield) are not visible from an adjacent property or right-of-way. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.
13. 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.
14. The property owners shall comply with and obtain all necessary permits as required by applicable federal, state, and local regulations.
15. 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.
16. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of Pacific and SMR Properties LLC, c/o Becky Ring 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. The property owner shall abide by the terms of the recorded developer's agreement.

Item VII Conditional Use Permit – For a Campground: Expansion; Applicant: Big G Enterprises LLC, c/o Pete Hagen – Town of Pacific

Chair Brusveen opened Public Hearing.

Mr. Calkins presented Staff Report and reviewed correction to Condition #4.

Applicants Pete Hagen and Bob Welch were present.

Chair Brusveen asked if anyone has any questions.

Chair Brusveen asked if anyone is in favor of the request.

John Miller – Town of Pacific attorney was present and stated that the town voted to support with added Conditions. He added that the County has not adopted all Conditions the town is recommending.

Mr. Calkins stated that the recommendations were almost all added in; however, they must look at if recommended Conditions are reasonable, legal, and measurable.

Ms. Pulver-Johnson stated almost all recommended conditions were condensed, and are included. Others are out of our jurisdiction, and cannot be included. This includes the towns request to reserve right for turn lane.

Susan Fischer – Columbia County Corporation Counsel agreed there are other processes in place to go about that recommendation, and per State law, this Committee does not have jurisdiction, it would be Highway Committee.

Mr. Miller stated that the town and applicant are agreeing to do this if necessary, they just wanted it in an agreement, but the applicant will not sign that agreement.

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

Chair Brusveen asked if anyone is against the request.

Nancy Borish
W7432 West Bush Road
Pardeeville, WI

Ms. Borish was present and stated she is against this request for reasons such as campers being too large for road, water concerns, traffic concerns, road concerns, as the little road is not equipped to handle big campers, fencing issues not being sufficient, shrubbery that was put up is going on her property, noise concerns, Swan Lake people can't fish, lower house rate, a camper was once intoxicated and waving a gun around, and she pays taxes and should be able to enjoy her property.

Chair Brusveen asked if anyone else is against the request. (no comments)

Chair Brusveen closed the Public Hearing.

**Motion by Mr. Hahn to approve Conditional Use Permit for a Campground:
Expansion at W7520 West Bush Road 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. 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. Big G Enterprises LLC is the owner of the subject property.
 - b. Pete Hagen of Big G Enterprises LLC is requesting a Conditional Use Permit to expand an existing Campground within the RC-1 Recreation zoning district.
 - c. The property is already developed with an existing campground on site.
 - 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.

Conclusions of Law:

1. The subject property is located in the Town of Pacific and is zoned RC-1 Recreation.
2. A Campground is a conditional use within the RC-1 Recreation zoning district.
3. The proposed use is consistent with the purpose and intent of the Columbia County Zoning Code.
4. Pete Hagen of Big G Enterprises LLC, is the petitioner 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 expand an existing campground on the property, which is allowed as a Conditional Use under Table 12.115.02(1).
6. The Pacific 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.

Conditions for the Decision:

1. The campground shall be maintained under a single management.
2. A sanitary evaluation shall be completed and submitted to the Planning and Zoning Department to ensure the existing systems can handle the additional load of the added campsites.

3. Landscaping along the eastern boundary, as shown on the 2004 approved landscaping plan, shall be incorporated into this conditional use permit. The landscaping shall be maintained, and any dead, diseased, or dying vegetation shall be replaced with a similar species. Replacement evergreens shall be a minimum of 4' at the time of planting, deciduous trees shall have a minimum caliper of 2", and shrubs shall be at least one foot high at the time of planting.
4. In lieu of the 2004 approved landscaping along the northern boundary, a five (5) foot tall opaque, earth tone fence shall be installed. Fencing shall extend to the west, and be no closer than 35' to the edge of the wetland boundary. Fencing shall be maintained, repaired, and/or replaced, as needed.
5. Parcel 185.3 shall be maintained under common ownership, and the landscaping along the western property line shall be incorporated into the approved landscaping plans. The landscaping shall be maintained, and any dead, diseased, or dying vegetation shall be replaced with a similar species. Replacement evergreens shall be a minimum of 4' at the time of planting, deciduous trees shall have a minimum caliper of 2", and shrubs shall be at least one foot high at the time of planting.
6. The existing chain link fence around the perimeter of the property shall remain in place and be maintained, repaired, and/or replaced as needed.
7. Maximum noise allowance at property lines shall be 70 dBA.
8. Any new outdoor lighting provided by the campground shall be oriented so that the lighting elements (or transparent shield) are not visible from an adjacent property or right-of-way. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.
9. The site shall be developed in accordance with approved site plan and any applicable ordinances.
10. 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.
11. Maximum gross density shall be eight individual camp sites or camping units per acre, unless modified by a conditional use permit.
12. Individual camp sites shall be at least 1,200 square feet in area.
13. Each camp site shall be clearly marked with an alpha or numeric symbol on a sign which is clearly visible from an access road.
14. There shall be a minimum separation of 10 feet between camping units.
15. Accessory structures shall be considered part of the camping unit for separation requirements and the total footprint of all accessory structures shall not exceed 400 square feet on an individual campsite.
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. There shall be no non-camping related storage or mini-warehouse facilities on site.
18. A solid fence shall be installed around the dumpsters on site to screen from public traveling along West Bush Road, Wardle Road, or County Highway G. Fencing shall be installed no later than May 15, 2023 and shall be maintained, repaired, and/or replaced, as needed.
19. Signage shall comply with Section 16-145 of the Columbia County Zoning Code.
20. All changes to the approved site plan shall be reviewed by the Planning and Zoning Department, with significant changes, as determined by the Zoning Administrator, being reviewed and approved by both the Town and Planning and Zoning Committee.

21. The property owners shall comply with and obtain all necessary permits as required by applicable federal, state, and local regulations.
22. 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.
23. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of Pacific and Big G Enterprises LLC, c/o Pete Hagen 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. The applicant shall install a “no parking” sign at the southeast corner of its property and shall take reasonable steps to assure that its customers and their guests will not park along West Bush Road, adjacent to applicant’s property, in violation of the Town’s no parking ordinance.

Item VIII Zoning Change – A-1 Agriculture to RR-1 Rural Residence, and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Petitioners: Jeffrey T Kessenich & Robin A Krueger, and Applicant: Adam Hebgen – Town of Leeds

Chair Brusveen opened Public Hearing.

Mr. Calkins presented Staff Report.

Petitioner was present.

Chair Brusveen asked if anyone has any questions.

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

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

Chair Brusveen closed the Public Hearing.

**Motion by Mr. Kolberg to recommend approval of 2.5 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 40 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. Hahn.
Motion carried unanimously.**

Item IX Conditional Use Permit – For a Tourist Rooming House; Applicant: Serhiy Lyzohub – Town of Newport

Chair Brusveen opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Applicant was present.

Chair Brusveen asked if anyone has any questions.

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

Chair Brusveen asked if anyone is against the request. (no comments)

Chair Brusveen closed the Public Hearing.

Motion by Mr. Baumgartner to approve Conditional Use Permit for a Tourist Rooming House at W14576 Fox Run Road as proposed in the application and accompanying submittals and subject to the following Findings, Conclusions, and Conditions of Approval.

Seconded by Mr. Kolberg.

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. Serhiy Lyzohub is the owner of the subject property.
 - b. Serhiy Lyzohub is requesting a Conditional Use Permit to operate a Tourist Rooming House within the R-1 Single-Family Residence zoning district.
 - c. The property is already developed with a single-family residence and driveway on site.
 - 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.

Conclusions of Law:

1. The subject property is located in the Town of Newport and is zoned R-1 Single-Family Residence.

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. Serhiy Lyzohub is the petitioner 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 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.
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. Accessory structures and camping units shall not be used as habitable structures.
3. Quiet hours shall be 10:00 pm – 8:00 am on weekdays, and 11:00 pm – 8:00 am on weekends. Noise levels at the property line shall not exceed 55 dBA during these hours.
4. There shall be no outdoor music played after 8:00 pm.
5. There shall be no more than one rental per seven (7) calendar days.
6. Pets shall be prohibited.
7. All fires shall be in a proper fire pit structure, and shall be extinguished during the established quiet hours.
8. The use of fireworks shall be prohibited.
9. The use of firearms shall be prohibited.
10. Special events or parties in which more than 12 people are present shall be prohibited. Gatherings that include people that are not valid guests shall only take place outside of

- quiet hours. During quiet hours, the only persons on site shall be registered guests, not to exceed eight (8).
11. Parking shall be provided on-site, with a maximum of three (3) vehicles allowed. All off-street parking shall be on a paved or gravel surface and shall be arranged to facilitate easy ingress/egress of all vehicles.
 12. Occupancy associated with the Tourist Rooming House shall be limited to eight (8) persons.
 13. A 24-hour contact number shall be provided to the Planning and Zoning Department and Town Clerk.
 14. The 24-hour contact number shall be posted near the primary entrance door on a sign no larger than 12"x18" in case of a complaint or emergency. If the owner does not live within one hour's drive of the tourist rooming house, there shall be a local contact person.
 15. A state sales tax number shall be obtained and provided to the Planning and Zoning Department.
 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 Newport and Serhiy Lyzohub 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 X Zoning Change – A-1 Agriculture to RR-1 Rural Residence, and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Petitioners: David D Bain & Virginia A Bain – Town of Lewiston

Chair Brusveen opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Representative Scott Hewitt was present.

Chair Brusveen asked if anyone has any questions.

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

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

Chair Brusveen closed the Public Hearing.

Motion by Mr. Kolberg to recommend approval of 11.85 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 93.15 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. Hahn.

Motion carried unanimously.

Item XI Text Amendment: Section 7.13 Fees of the Columbia County Code of Ordinances

Chair Brusveen opened Public Hearing.

Mr. Calkins reviewed Text Amendment proposal.

Chair Brusveen closed the Public Hearing.

Motion by Mr. Baumgartner to recommend the County Board approve amendments to Section 7.13 Fees of the Columbia County Code of Ordinances.

Seconded by Mr. Richmond.

Motion carried unanimously.

15. Adjourn

Motion by Mr. Hahn to adjourn meeting.

Seconded by Mr. Kolberg.

Motion carried unanimously.

Meeting adjourned at 3:46 PM

Respectfully Submitted,


Adam Hahn, Secretary

Planning and Zoning Committee

A handwritten signature in black ink that reads "Lauren Ramirez". The signature is written in a cursive, flowing style.

Recording Secretary

Lauren Ramirez, Office Administrator

cc: Committee Members
 County Board Chair
 County Board Vice Chair

