

**PLANNING & ZONING COMMITTEE MINUTES
OCTOBER 6, 2020**

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: Jim Grothman – Grothman & Associates, Susan Fisher –
Corporation

1:45 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. Borgkvist to approve Agenda of October 6, 2020 Planning &
Zoning Committee Regular Meeting & Public Hearing.**

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

5. Approval of Previous Meeting Minutes

**Motion by Mr. Stevenson to approve Minutes of September 1, 2020
Planning & Zoning Committee Regular Meeting.**

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

6. Citizen Input

No citizen input.

7. Operational Overview

- a. Approve Expenditure Report

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

**Motion by Mr. Richmond to approve Expenditure Report.
Seconded by Ms. Brusveen.**

Motion carried unanimously.

- b. Department Budgets, Compensatory Time, Out of County Travel
 - c. Director’s Staff Report/Update
8. Chairman’s Update
9. Access Variance
- Starker/Rickerson – Town of Lewiston

Ms. Pulver-Johnson reviewed the Staff Report.

Motion by Mr. Richmond to recommend approval of an Access Variance for Lot 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 16-210-040(E) was approved by the Planning and Zoning Committee on October 6, 2020 to waive road frontage requirements for Lot 2 with access provided via Document No. 621970.” The variance will become effective upon recording of the Certified Survey Map.

Seconded by Mr. Stevenson.

Motion carried unanimously.

Site Visits (were not needed)

10. Public Hearing – 2:00PM

Item I Conditional Use Permit: For a Major Home Occupation; Mark & Cheryl Manke – Town of West Point

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 else is against the petition. (no comments)

Town Board Chairman is present and Approval is on file.

Chair Baumgartner closed the Public Hearing.

Motion by Mr. Stevenson to approve a Conditional Use Permit for a Major Home Occupation located at N1497 Lovering Road 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 West Point and is zoned A-1 Agriculture. The District uses are listed in Table 16-105-020(1).
2. Mark E and Cheryl A Manke are the petitioners 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 operate a Major Home Occupation, which is allowed as a Conditional Use under Table 16-105-020(1).
4. The West Point Town Board has reviewed and recommended approval of the Conditional Use Permit, with conditions, in accordance with Section 16-150-070 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 16-125-250(B) of the Columbia County Zoning Code are applicable to Major Home Occupations.

Conditions for the Decision:

1. The Conditional Use Permit for a Major Home Occupation is non-transferable, and is issued to Mark E and Cheryl E Manke only.
2. The use shall be conducted entirely within the agricultural accessory structure noted on the approved site plan.
3. Any boat lift or dock scheduled for delivery shall not be stored outside for more than 2 weeks. There shall be no more than 12 of these items stored outside at any given time.
4. Boat lifts and docks stored outdoors shall not be visible from the road or adjacent properties at any time.
5. Hours of operation for drop off and pick-up shall be 8:00 am – 5:00 pm, Monday through Friday, and 8:00 am – 12:00 pm on Saturdays.
6. The Major Home Occupation shall occupy only those areas as designated on the approved site plan.
7. Signage shall comply with Section 16-145 of the Columbia County Zoning Code.
8. Exterior lighting shall comply with Section 16-140-070 of the Columbia County Zoning Code.
9. 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.
10. Any significant changes to the approved site plan shall be reviewed and approved by the Town and County.
11. The property owners 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 West Point and Mark E and Cheryl A Manke 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 II- Zoning Change: C-1 Light Commercial to R-1 Single Family Residence;
Petitioners: Kenneth & Tiffany Baumgardt – Town of West Point

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 else is against the petition. (no comments)

Town Board Chairman not present, but Approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Borgkvist to recommend approval of 5.58 acres, more or less, from C-1 Light Commercial to R-1 Single Family Residence, effective upon recording of the Certified Survey Map.
Seconded by Mr. Stevenson.
Motion carried unanimously.**

Item III Zoning Change – C-1 Light Commercial and R-1 Single Family Residence to R-1 Single Family Residence; Petitioners: Roger L & Marian H Thistle Liv Tr dated 5/31/1996

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 else 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 rezoning of 15.43 acres, more or less, from C-1 Light Commercial and R-1 Single Family Residence to R-1 Single Family Residence, effective upon recording of the Certified Survey Map.
Seconded by Mr. Stevenson.
Motion carried unanimously.**

Item IV Zoning Change – A-1 Agriculture to A-1 Agriculture with A-4
Agricultural Overlay; Petitioner: Linus F & Ruth Ann Maier Revocable
Trust – Town of Dekorra

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Agent Scott Hewitt was present.

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

Chair Baumgartner asked if anyone else 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 approve rezoning of 2.4 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. Borgkvist.

Motion carried unanimously.

Item V Zoning Change – A-1 Agriculture to A-1 Agriculture with A-4
Agricultural Overlay; Petitioner: Stephen Agnew – Town of Fountain
Prairie

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 else is against the petition. (no comments)

Town Board not present and Approval is on file.

Chair Baumgartner closed the Public Hearing.

Motion by Mr. Stevenson to approve rezoning of 1 acre, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 35.87 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay.

Seconded by Mr. Stevenson.

Motion carried unanimously.

11. Adjourn

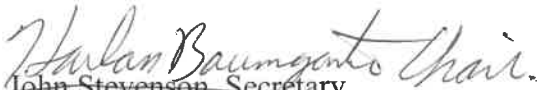
Motion by Mr. Weyh to adjourn meeting.


Seconded by Mr. Stevenson.

Motion carried unanimously.

Meeting adjourned at 2:20 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

