

June 17, 2013

Minutes of the **Planning and Zoning meeting with Public Hearing** conducted on June 5, 2013 in the courthouse, Florence County, WI.

Chairperson Bomberg called the meeting to order at 7:00 P.M. and took roll call.

Members present: Supervisors' Jeanette Bomberg, Sherry Johnson, Gary Steber, Holly Stratton, Ron Erickson

Members absent: None

Others present: Betty Bock, Pat & Sue Glime, Bill Cody, Karl Utzat, Katie Bevernitz from Custom Landscaping of Eagle River, Rich Wolosyn, Trish Kelly

Chairperson Bomberg asked for a motion to approve the agenda, **motion by Supervisor Johnson to approve the agenda, second by Supervisor Stratton vote five (5) ayes, zero (0) nays, motion carried.**

Chairperson Bomberg asked for a motion on the minutes of the meeting and public hearing conducted on May 1, 2013. **Motion by Supervisor Steber to approve the minutes of the meeting and public hearing conducted on May 1, 2013, second by Supervisor Erickson vote five (5) ayes, zero (0) nays, motion carried.**

There were no persons wishing to address the committee on other zoning related concerns.

The current bills were reviewed as presented and recommended to the Audit and Budget Committee for approval. **Motion by Supervisor Johnson to approve the bills and recommend to Audit and Budget for approval, second by Supervisor Steber, vote five (5) ayes, zero (0) nays, motion carried.**

Chairperson Bomberg announced continuation of **Public Hearing 2012-CU-14**, request Conditional Use Permit under the Florence County Comprehensive Zoning Ordinance, Section 3.20 G. (6), for an addition to an existing cemetery. The additional parcel contains approximately 5.17 acres. Property is part of SE ¼, NW ¼, & NE ¼, SW ¼, Lying South of CTH B, Section 17, Township 38 North, Range 19 East, Town of Aurora, Florence County, WI. Request submitted by Homestead-Aurora Cemetery Association, Elinor Trosin, Representative.

Correspondence was read from Attorney Lawrence G. Wiesneske, representing the Homestead-Aurora Cemetery Association. Attorney Wiesneske stated in his letter he was unable to provide a written opinion prior to the June 5th meeting. He will be able to provide an opinion prior to July 3, 2013. Wolosyn said the attorney was unable to respond to the concerns of the neighbors at this time, therefore the hearing should be tabled until July 3, 2013. **Motion by Supervisor Stratton to table the continuation of Conditional Use Permit request 2012-CU-14 until the July 3, 2013 Planning & Zoning meeting, second by Supervisor Erickson, vote five (5) ayes, zero (0) nays, motion carried.** Carl Utzat commented that he still holds the position that State Statute 157.064 (3) renders that parcel of land under consideration and virtually unusable of being developed into a cemetery.

Chairperson Bomberg announced *Public Hearing 2013-CU-4*, request Conditional Use Permit under Section 6.15 (A) of the Florence County Comprehensive Zoning Ordinance to operate an auto detailing (steam clean & polish) and truck accessory installation business in an existing accessory building. Property is part of SE ¼, SE ¼, Section 10, Township 38 North, Range 19 East, Town of Aurora, Florence County, WI. Property address is 1641 Grandview Drive. Request submitted by William Cody.

There was no correspondence received. Wolosyn noted the request, is requested inside of an existing structure in an agriculture zone. The Town of Aurora future land use plan for agricultural use was reviewed noting the importance for agriculture activities to continue. The commercial and light industrial use was not mapped for this area. However, being familiar with the property, he issued the land use permit for the truck garage and it was agricultural at that time. As this is a new request for the use of the building and all work will be done inside, we bring the request before the committee for any other concerns.

The applicant, Mr. Cody said he uses no hazardous material, only biodegradable soap and water, steam cleans interiors and waxes vehicles. There is no grease, fuel or oil used. Bug guards and mud flaps may be sold at a later date.

Betty Bock, Chairperson for the Town of Aurora said she talked to some of the property owners in that area and they don't want to stop Mr. Cody from having his business there. The only concern they have is at some future date should the property be sold, this isn't zoned commercial for another type of business. Wolosyn said this is a conditional use permit granted to Mr. Cody with conditions and only that. A new property owner would have to apply for a conditional use permit. This is not a zoning change. **Motion by Supervisor Steber to grant the Conditional Use Permit request 2013-CU-4, second by Supervisor Stratton, vote five (5) ayes, zero (0) nays, motion carried.**

Chairperson Bomberg announced *Public Hearing 2013-CU-6*, request Conditional Use Permit to grade within 300 feet of the Ordinary High Water Mark, more than 2,000 square feet on slopes of less than 12 percent for shoreland grading project, under Chapter 10, Subchapter 2, Section 9.2 of the Florence County Shoreland Zoning Ordinance. Property is part of Government Lot 1 & 2, Section 19, Township 39 North, Range 15 East, Town of Long Lake, Florence County, WI. Property address is 11897 North Shore Road. Request submitted by Custom Landscaping of Eagle River, Agent for Robert Pffaffl.

Wolosyn said the request is consistent with the shoreland restoration preservation, the shoreland zoning ordinance, the soil and land use water plan. Trish and I met with Katie at the property and went over the plan. The shoreland is mostly treeless at this time, so we feel it is a good plan that will restore the vegetative protection area to the best it can. He feels the landscaper and property owner had that in mind when they designed the plan.

Katie Bevernitz, agent for the property owners, said the restoration plan was designed to try and keep the lakes and waters such as this in mind with the shoreland buffers. **Motion by Supervisor Johnson to approve the Conditional Use Permit request 2013-CU-6, second by Supervisor Steber, vote five (5) ayes, zero (0) nays, motion carried.**

Discussion/action regarding public notice of inspection and copying of public records maintained by the Florence County Planning & Zoning Department. Wolosyn informed the committee the zoning office does get requests for public records. The proposed public notice was reviewed by Corporation Counsel and he recommended striking the area as shown under method of access and change the established times for access to reflect the courthouse hours. Wolosyn said when the office does get a request for public records he wants to be sure everything is in place to cover such requests. **Motion by Supervisor Johnson to approve the public notice of inspection and copying of public records maintained by the Florence County Planning & Zoning Department, second by Supervisor Steber, vote five (5) ayes, zero (0) nays, motion carried.**

Discussion/action regarding use of recreational vehicles, motor homes and camping trailers under Section 6.16 Temporary Uses. Wolosyn noted that after adopting the amendment to the ordinance, we processed a few of the temporary uses under a conditional use permit, and from time to time some of the conditions that were applied by the committee were for a one year review. He said it was our understanding that when we went through the amendment, if an applicant complied with the general requirements of the temporary use permit and paid their annual fee, they could keep the trailer there for more than one year in a row. Is this what the intent of the committee was?

Chairperson Bomberg said the applicant needs to have a plan to build a something. The intent was not to have trailers for long periods of time. Supervisor Stratton said some of the intent was porches and decks being built onto the trailers allowing the benefit of a residence without paying taxes. Supervisor Johnson said she understands it may 2 to 3 years to build a home, cottage or camp for some individuals; however a plan should be in place. Wolosyn went on to explain some of the different scenarios he is working with regarding the matter. If we are going to put time limits on, he suggests that when the permit is processed, the applicant will have to specify the time period in which they plan to keep the trailer there. This will then be up to the committee to either grant or deny the permit. Wolosyn asked the committee if they wanted the annual fee to be prorated to the first of the year the permit is issued. Currently the annual fee is charged the first of the following year the permit is issued. The committee felt it made sense to charge the annual fee on the first of the following year.

Discussion/action regarding appointment of Board of Adjustment members. Wolosyn said the Board of Adjustment members terms are up. They are willing to sit on the board again. He asked Chairperson Bomberg to appoint them and organize so each one ends on a different year to be sure we are operating within the code. Chairperson Bomberg said she would re-appoint and notify the members.

Under discussion/action regarding updates to the Florence County Emergency Services Atlas. The project is moving along. Florence Utilities continues to collect GPS data points.

Under Road Naming and Addressing in Florence County. Wolosyn reported Lakeview Lane in the Town of Long Lake has been resolved with the help of a property owner on that road. All signs are in their correct location and the tax data base has been updated to reflect the corrections. A new file was sent to Jack McCraw.

Under committee reports. Supervisor Stratton was interested in whether or not there is a used car vehicle business operating on the main drag in Aurora. Wolosyn said he will check it out. She also mentioned that the gravel pit in Spread Eagle by the welcome sign does not look like it is being reclaimed. Wolosyn said we had the owner in here last year regarding the site, and he reported at that time he was not done mining that portion out. Further discussion ensued. Supervisor Steber mention a property on CTH D in Commonwealth that has two houseboats being used for living purposes. Wolosyn said he will look into the matter.

Under administrator reports. Wolosyn circulated legal correspondence regarding the Frederick Renneke case. Supervisor Larry Neuens provided the zoning office with a copy of Florence County Forestry & Parks Ordinance, Chapter 19 and was questioning the enforcement portion of that ordinance. After brief discussion, the committee referred the matter back to the Forestry and Parks department.

Future agenda items. Conditional use permit request for temporary travel trailer. Possible amendment to the Sub-Division Ordinance regarding certified survey maps.

Motion made by Supervisor Steber to adjourn, second by Supervisor Johnson, vote five (5) ayes, zero (0) nays, motion carried.

Respectfully submitted,

Rich Wolosyn
Zoning Administrator