

ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
APRIL 6, 2017
COUNTY BOARD ROOM – 2ND FLOOR
ONEIDA COUNTY COURTHOUSE
RHINELANDER, WI 54501

Members present: Scott Holewinski, Billy Fried, Mike Timmons, Dave Hintz and Jack Sorensen

Members absent: None

Department staff present: Karl Jennrich, Director; Pete Wegner, Assistant Director; Kathy Ray, Land Use Specialist; Scott Ridderbusch, Land Use Specialist; and Julie Petraitis, Program Assistant

Other county staff present: Brian Desmond, Corporation Counsel

Guests present: See sign in sheet.

Call to order.

Chairman Scott Holewinski called the meeting to order at 1:00 p.m., in accordance with the Wisconsin Open Meeting Law.

Approve the agenda.

Motion by Billy Fried, second by Mike Timmons to approve the Amended Agenda. With all members present voting “aye”, the motion carried.

Approve meeting minutes of February 27, March 1, March 2, and March 15, 2017.

Motion by Mike Timmons, second by Billy Fried to approve the meeting minutes of February 27, March 1, March 2, and March 15, 2017 as submitted. With all members present voting “aye”, the motion carried.

The conveyance of Lot 17 of the unrecorded plat of Wilderness Estates, Jeffery and Karen Woods, owners, being Parcel A of survey map #B7496, further described as part of the SW NW & SE NW, Section 17, T39N, R6E, located at 10493 Denali Drive, PIN MI 2241, Town of Minocqua.

Motion by Jack Sorensen, second by Dave Hintz to sustain the Zoning Director’s decision and require a Certified Survey Map. On roll call vote: Aye: 3 Nay: 2. The motion carried.

Discuss Chapter 20, Oneida County Floodplain Zoning Ordinance. Staff will be discussing the past and current floodplain policy and will be requesting permission to engage Wisconsin DNR and local elected officials to seek changes to Wisconsin DNR floodplain policy.

Motion by Dave Hintz, second by Jack Sorensen to table this item. With all members present voting “aye”, the motion carried.

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Discuss OA #1-2017, revisions to Chapter 9, Article 9 and 10 as proposed during the March 22, 2017 meeting.

Motion by Mike Timmons, second by Jack Sorensen to table this item. With all members present voting “aye”, the motion carried.

Discuss public hearing date for shoreland zoning revision. **Motion by Mike Timmons, second by Billy Fried to table this item. With all members present voting “aye”, the motion carried.**

Refunds. **None**

Line item transfers, purchase orders, and bills. Motion by Scott Holewinski, second by Mike Timmons to approve the purchase orders and bills. With all members present voting “aye”, the motion carried.

Approve future meeting dates:

Public comments.

Future agenda items.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit application by Donald Sedlak Trust to open a pet day care, retail pet products sales, grooming pet training facility, along with a physical rehab area and pool for recovering dogs to be located in an existing building on the following described property: part of Gov’t Lot 8, n/k/a Lot 1 CSM V8 P2142, SM B7887, Section 14, T39N, R6E, 9586 Clawson Drive, PIN MI 2208-7, Town of Minocqua.

Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on March 21 and March 28, 2017. It was posted on the Oneida County Courthouse bulletin board on March 17, 2017. Proof of publication is contained in the file.

Correspondence in the file includes a letter from the Town of Minocqua approving the project with conditions. A letter from the Lakeland Sanitary District stating this parcel is served by city sewer and water.

Discussion was held on the type of services the owner would like to provide. There was more discussion regarding the definition of “dog kennel”.

Chairman Holewinski opened the public portion of the public hearing.

Penny Lewandowski spoke.

Don Sedlak spoke.

Chairman Holewinski closed the public portion of the public hearing.

Motion by Jack Sorensen, second by Billy Fried to approve the daycare, rehab, pet grooming, retail sales and training. Motion withdrawn.

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Motion by Jack Sorensen, second by Billy Fried to approve the conditional use permit as submitted as the general standards have been met and with the following conditions:

- 1. The nature and extent of the conditional use shall not change from that described in the application and approved in the Conditional Use Permit.**
- 2. Parking to comply with 9.77 Oneida County Zoning & Shoreland Protection Ordinance as amended 7-15-2016.**
- 3. Proper permits to be obtained, as required. (Town/County/State)**
- 4. Signage to comply with 9.78 Sign Regulations Oneida County Zoning & Shoreland Protection Ordinance as amended 7-15-2016.**
- 5. Dumpster (s) to be screened from view. Owner responsible for recycling waste material as required.**
- 6. Subject to the Town's review and recommendations.**
- 7. Hours of operation will be limited to 6:00 a.m. to 7:00 p.m.**
- 8. No overnight boarding allowed with this approval.**

With all members present voting "aye", the motion carried.

Conditional Use Permit application by Randall McQuade, proposed buyer, Minocqua Land Investment, LLC, owner, to open a retail sales location to include outdoor display of Badger Docks & Lifts and storage shed for sale on the following described properties: part of the SW ¼ of the NE ¼, Lots 1-3 CSM V2 P400, Section 10, T39N, R6E, 8680 Southridge Way and 9855 Hwy 70 PINs MI 2156-9 and MI 2156-10, Town of Minocqua.

Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on March 21 and March 28, 2017. It was posted on the Oneida County Courthouse bulletin board on March 17, 2017. Proof of publication is contained in the file.

Correspondence in the file includes: A letter from the Town of Minocqua recommending approval with conditions. A letter from the Lakeland Sanitary District stating they are on city sewer and water and a letter from the Department of Transportation stating they have no concerns.

Chairman Holewinski opened the public portion of the public hearing.

Nobody spoke.

Chairman Holewinski closed the public portion of the public hearing.

The applicant has submitted the general standards and if the committee feels they have been met Staff recommends approval with the following conditions:

1. The nature and extent of the conditional use shall not change from that described in the application and approved in the Conditional Use Permit.
2. Signage to conform to 9.8 Sign Regulations Oneida County Zoning and Shoreland Protection Ordinance as amended 7-15-2016.
3. Parking to conform to 9.77 Oneida County Zoning & Shoreland Protection Ordinance as amended 7-15-2016.
4. Subject to a Wisconsin DNR WPDES grading permit if total land disturbance is greater than one (1) acre.

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5. Storm water runoff to be managed on site.
6. Outdoor display and storage to stay within the approved areas as submitted.
7. Exterior lighting, if installed, must be down cast and shielded from above.
8. Dumpster to be screened from view. Applicant to recycle waste material as required.
9. Subject to Town review and recommendations.

Motion by Dave Hintz, second by Jack Sorensen to approve the conditional use permit as the general standards have been met and with the conditions as outlined by staff. With all members present voting “aye”, the motion carried.

Conditional Use Permit application by David Steinle, owner, to add outdoor display and storage area on the following described property: part of Gov’t Lot 1, Gov’t Lot 2, CSM V14 P3354, Section 8, T39N, R6E, 8635 Camp Pinemere Road and Hwy 70, PIN MI 2135-9, Town of Minocqua.

Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on March 21 and March 28, 2017. It was posted on the Oneida County Courthouse bulletin board on March 17, 2017. Proof of publication is contained in the file.

Correspondence in the file includes: A letter from the Town of Minocqua recommending approval with conditions.

The applicant did submit the general standards of approval. If the committee feels they have been met staff would recommend approval with the following conditions:

1. The nature and extent of the conditional use shall not change from that described in the application and approved in the Conditional Use Permit.
2. Outdoor display/storage must be greater than 35’ from north boundary/right-of-way line.
3. Display/storage must not obstruct easement road from travel for the benefit of Lot 1 of CSM V14 P354.

Chairman Holewinski opened the public portion of the public hearing.

Mr. Steinle was the only person present who spoke.

Chairman Holewinski closed the public portion of the public hearing.

Motion by Jack Sorensen, second by Mike Timmons to approve the conditional use permit as the general standards have been met and with the conditions suggested by staff. With all members present voting “aye”, the motion carried.

1. **Ordinance Amendment #2-2017** authored by the Planning and Development Committee to amend Section 9.70, Highway Setbacks, of the Oneida County Zoning and Shoreland Protection Ordinance as follows:

Additions noted by underline; Deletions noted by ~~strikethrough~~.

9.70 HIGHWAY SETBACKS (#29-2001, #77-2003)

B. ~~Prohibition Against Locating in Setback~~ EXEMPTIONS

The following structures are exempt from the twenty (20) foot setback to the documented right-of-way of public highways, as specified in 9.70(A)(1).

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1. ~~No building, mobile home, structure or part thereof shall be located within a setback area. Provided, however, that this prohibition shall not apply to lines, poles and towers for telephone and power transmission, freestanding directional arrow signs, open fences, or driveways connecting to a public road.~~
1. Public utilities
2. Awnings at least eight (8) feet above the ground or two (2) feet back from the traveled portion of a town, county, state or federal highway shall be permitted in areas zoned Business B-1 or Business B-2 if the agency or municipality holding the highway setback and the town in which the proposed awning is to be located consent. The holder of the highway right-of-way shall be required to provide written consent to the owner of the awning. The awning shall contain no sign or advertisement or obstruct the traffic view.
3. Driveway entrance gates, columns, walls, landscaping structures/designs, and retaining walls provided such structures/designs don't obstruct vision for vehicular traffic entering a public highway.
4. On-premise signs pursuant to section 9.78. Off-premise signs are required to meet the twenty (20) foot setback to the right-of-way of public highways.
5. Open fences pursuant to section 9.74(E).
6. Driveway connecting to a public highway.

Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published on March 21 and March 28, 2017. It was posted on the Oneida County Courthouse bulletin board on March 17, 2017. The proof of publication is contained in the file.

There was no correspondence in the file.

Mr. Jennrich went through the proposed changes.

Chairman Holewinski opened the public portion of the public hearing.

There were no public comments.

Chairman Holewinski closed the public portion of the public hearing.

Motion by Mike Timmons, second by Jack Sorensen to approve Ordinance Amendment #2-2017 and forward to the Oneida County Board of Supervisors. With all members present voting "aye", the motion carried.

2. **Ordinance Amendment #3-2017** authored by the Planning and Development Committee to amend Section 9.26, Business B-1 and B-2 (Districts 6 and 7), of the Oneida County Zoning and Shoreland Protection Ordinance as follows:

Additions noted by underline; Deletions noted by ~~strikethrough~~.

9.26 BUSINESS B-1 (DISTRICT 6) AND BUSINESS B-2 (DISTRICT 7)
(#19-2001,83-2003,1-2005 & 28-2005,11-2008, 7-2009, 4-2011)

9.26 A (1) and A (2) remain unchanged

A. BUSINESS B-1 (DISTRICT 6)

3. Administrative Review Uses

- e. a. All administrative review uses of District 3 Multiple Family Residential
- a- b. Any new retail business that does not have a drive-through or drive-in component and does not have any outdoor operations (other than customer or employee parking)
- b- c. Any new office, professional and service establishment customary in a business district that does not have a drive-

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- through or drive-in component and does not have any outdoor operations (other than customer or employee parking)
- d. Multi-tenant use involving an existing building with 4 units or less
- e. Churches, schools, libraries, community buildings and museums

4. Conditional Uses

- a. All the conditional uses of District 3 Multiple Family Residential
- a- b. Any new amusement enterprise such as theaters, bowling and amusement parlors, that do not have a drive-through or drive-in component and do not have any outdoor operations (other than customer or employee parking)
- b- c. Any retail business, office, professional or service establishment that involves a drive-through or drive-in component or has any outdoor operations (other than customer or employee parking)
- e- d. Mall and multi-tenant buildings
- d- e. Hotels, motels, and resorts (with 5 or more units)
- e- f. Any permitted use or administrative review use in this district, which is located on property adjacent to or across the street from a residential district
- f. g. Dog kennel and/or cat boarding facilities
- g. h. Animal shelters, as defined in Wis. Stats. 173.40(c)
- h- i. Wildlife rehabilitation centers pursuant to Wis. Administrative Code NR19 or facilities subject to a federal permit
- i- j. Veterinary clinics or animal hospitals
- j- k. Communication structures located on existing government structures, or on existing sanitary district owned facilities
- k. l. Co-location on a legal pre-existing communication structure
- l. m. Multi-tenant use involving an existing building with 5 units or more
- n. Helicopter landing pads associated with/licensed with hospitals

Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on March 21 and March 28, 2017. It was posted on the Oneida County Courthouse bulletin board on March 17, 2017. The proof of publication is contained in the file.

Mr. Jennrich summarized the proposed changes.

Chairman Holewinski opened the public portion of the public hearing.

Tim Feeley spoke.

Dan Kirschnick spoke.

Chairman Holewinski closed the public portion of the public hearing.

Motion by Dave Hintz, second by Jack Sorensen to change “helicopter landing pads” to “heliport” under Section 9.26 A (4) (n). Motion by Dave Hintz to amend his motion, second by Jack Sorensen to change Section 9.26 A (4) (n) to read: Heliports associated with a licensed health care facility. With all members present voting “aye”, the motion carried.

Motion by Jack Sorensen, second by Mike Timmons to not allow any landing heliport to be constructed within 1,320 feet of an area zoned Single Family Residential and within one (1) mile of an existing helicopter landing port. On Roll call vote: Jack Sorensen, “aye”; Dave

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Hintz, “nay”; Billy Fried, “nay”; Mike Timmons, “aye”; and Scott Holewinski, “nay”. The motion failed.

Adjourn.

3:00 p.m. There being no further matters to lawfully come before the Committee, a motion was made by Mike Timmons, second by Billy Fried to adjourn the meeting. With all members present voting “aye”, the motion carried.

Chairman Scott Holewinski

Karl Jennrich
Planning & Zoning Director