

ONEIDA COUNTY PLANNING AND DEVELOPMENT COMMITTEE
December 5, 2012
Committee Room #2, Oneida County Courthouse
Rhineland WI 54501

Members present: Chairman, Scott Holewinski
Dave Hintz
Jack Sorensen
Mike Timmons

Department staff present: Karl Jennrich, Zoning Director
Peter S Wegner, Assistant Zoning Director
Lila Dumar, Secretary III

Other county staff present: Brian Desmond, Corporation Counsel

Guests present: Bob Martini, County Board Supervisor
Bob Mott, County Board Supervisor
Chuck Moore
Bob Williams
Pat Volk
Ed Jacobsen
Ed Cottingham
Mark Obuchowitz
Steve Zoellner

Call to order.

Chairman Scott Holewinski called the meeting to order at approximately 12:30 P.M., in accordance with the Wisconsin Open Meeting Law. Gary Baier is excused.

Discussion/decision of the agenda.

Motion by Dave Hintz, second by Jack Sorensen to approve the agenda with the order of the agenda items at the discretion of the Chair. With all members present voting "aye", the motion carried.

It is anticipated that the Committee may meet in Closed Session pursuant to Wisconsin Statutes, Section 19.85 (1)(g), conferring with legal counsel concerning strategy to be adopted by the Governmental body with respect to litigation in which it is or is likely to become involved.

- a. Junkyard violation in the Town of Minocqua.
- b. Placement of structures less than 75' from the OHWM and possibly using a garage as a dwelling in the Town of Lake Tomahawk.
- c. Follow-up on POWTS maintenance citations.

12:31 pm - Motion by Jack Sorensen, second by Mike Timmons, to go into closed session. On roll call vote: Scott Holewinski: "aye", Mike Timmons: "aye", Dave Hintz: "aye", Jack Sorensen: "aye".

12:59 pm- - Motion by Jack Sorensen, second by Mike Timmons, to go into open session. On roll call vote: Scott Holewinski: "aye", Mike Timmons: "aye", Dave Hintz: "aye", Jack Sorensen: "aye".

Scott Holewinski, Chairman, announced that two motions were made in closed session. The secretary read the motions into the record.

Motion by Jack Sorensen, second by Dave Hintz, to file a long-form complaint against Kenneth Firmis, 8611 Camp Pinemere Road, Town of Minocqua. The motion carried unanimously.

Motion by Dave Hintz, second by Mike Timmons to file a long-form complaint against Steve Woller 7761 River Rd, Town of Lake Tomahawk and to seek a special inspection warrant. The motion carried unanimously.

Public comments.

Ed Cottingham commented on creating overlay districts for weekly rentals in the single family zoning district #02 in the Town of Three Lakes. Mr. Cottingham stated that this was not brought to the public but decided by the Town Board. Mr. Cottingham requested that this be sent back to the Town of Three Lakes.

Ed Jacobson commented that he is representing 65 property owners in Three Lakes who are opposed to this proposal. Mr. Jacobson stated that the meeting agendas were posted, but the topic on the agenda was not stated clearly.

Pat Volk opposes this proposal due to the lack of public notice by the Town of Three Lakes.

Mark Obuchowitz commented on the proposal for overlay district for weekly rental in the single family zoning district #02 in the Town of Three Lakes. Mr. Obuchowitz commented that is a money making venture that will harm the town with noise, trespassing, fireworks, and lack of safety precautions and violation of riparian rights. Mr. Obuchowitz stated that this proposal was sent to the County prematurely; and this is not going to increase property values as the Town has proposed.

Norris Ross commented on the proposal for overlay district for weekly rental in the single family zoning district #02 in the Town of Three Lakes. Mr. Ross provided data on a housing survey that was done for the Town of Three Lakes as part of its land use plan. The survey revealed that 85% of those responding felt that rentals must be for 30 days or more.

Steve Zoellner, spoke on the importance of the committee to enforce the ordinances that are on the books. (Communication Towers).

Town of Three Lakes request to allow weekly rentals.

Karl Jennrich, Zoning Director, explained that the proposal was brought to the County by the Town of Three Lakes. Mr. Jennrich stated that there are different ways this can be accomplished: 1. Modify single family residential to allow weekly rentals; 2. Create a new zoning district that would be similarly to single family residential but could allow weekly rentals; 3. Rezoning (spot zoning not allowed); 4. Create an overlay district.

Don Sidlowski, Three Lakes Town Chair, stated that the Town Board was only asking for an opinion from the Committee—will the County even consider modifying the County ordinance to allow rentals of 30 days or less. The Town Board passed the recommendation to the County for an opinion. This would be a local ordinance to set the rules and to allow for enforcement. The Town of Three Lakes has not looked at all the things the speakers today are worried about, because if the County would not even consider this proposal, it is done, it would go no further.

Mr. Sidlowski stated that the Town has a 20-year plan and there are objectives and goals about improving ways that people can stay in Three Lakes for shorter periods of time. It stated with a Committee that was part of the plan commission and worked on it for 18 months with discussions and meetings and public feedback. The plan commission accepted the recommendation of the committee and thought it was worth considering. This was presented to the Town Board of Three Lakes and the Town Board thought it was worth getting an opinion from the County. That is where it is at right now.

There was no motion. It was not the consensus of the Committee that Oneida County would not be favorable of this type of zoning; nor would most other towns in Oneida County. Mr. Holewinski advised Mr. Sidlowski to hold a public hearing in Three Lakes before bringing it to the County. Mr. Sidlowski accepted the consensus of the Committee consensus and will take it back to the Town Board.

Town of Three Lake request to review language regarding cemeteries.

Karl Jennrich, Zoning Director stated that this relates to back yard burials. Mr. Jennrich asked for permission to look at the ordinance to see if the County's ordinance addresses back yard burials. Mr. Jennrich will bring this back to the Committee at a future meeting.

Discuss revocation of CUP 601-09, pursuant to 9.82(D) for a communication structure on property described as part NW SE, Section 34, T39N, R6E, PIN MI 2503-10, Town of Minocqua.

Karl Jennrich, Zoning Director, stated that Mr. Zoellner is present. Mr. Jennrich read a letter from NRG Media dated December 4, 2012 regarding the request of Steve Zoellner to revoke CUP 601-09. NRG Media requests that Mr. Zoellner's request be denied for the County to seek revocation of Raven Broadcasting's CUP. Discussion was held on the issue.

Motion by Scott Holewinski, second by Dave Hintz, for Brian Desmond, Corporation Counsel will research the question and bring it back to the Committee. With all members voting “aye”, the motion carried.

2:00 PM - CONDUCT PUBLIC HEARING ON THE FOLLOWING.

Rezone Petition #6-2012 authored by the Town of Schoepke to establish zoning district classifications for all land in the Town of Schoepke and to amend the Zoning District Boundary map within the shoreland zone, being 1,000 ft. from the ordinary high water mark of a lake, pond or flowage and 300 ft. from a river or stream. The purpose of the Rezone Petition is to zone all lands in the Town of Schoepke. Most lands in the non-shoreland zone would be zoned District #10, General Use.

Karl Jennrich, Zoning Director, read the notice of public hearing for Rezone Petition #06-2012 of The Town of Schoepke. The notice was published in the Northwoods River News on November 21 & 28, 2012. The proof of publication is contained in the file. The notice was posted on the Oneida County Courthouse bulletin board on November 15, 2012. The mailing list was also read into the record.

Correspondence in File: None.

Dick Dvorak, Schoepke Town Clerk, stated that the purpose of the rezone petition is to clean up some areas that are inappropriately zoned for their usage. Mr. Dvorak stated that the citizens of the Town have been meeting over a year; and agendas were properly posted including a Public Hearing.

Ms Ray noted that the requirements for stormwater management & erosion control; parking and sanitary facilities have been met. Ms. Ray stated that the applicant submitted the “General Standards for Approval of the CUP” and the Committee was supplied a copy. If the Committee finds the standards have been met, and recommends approval of this application, staff would suggest the following conditions be placed on the CUP.

1. Project to commence within 3 yrs of sate of issuance.
2. The nature and extent of the conditional use shall not change from that described in the application and approved in the Conditional Use Permit.
3. Subject to Town review.
4. Proper permits to be obtained prior to construction. (Town/County/State)
5. Signage to conform to 9.78 Oneida County Zoning and Shoreland Protection Ordinance.
6. Dumpster(s) to be screened from view (applicant to recycle waste materials as required).
7. Stormwater Management/Erosion Control Plan(s) as required by WI DNR.
8. Exterior lighting to be downcast and shielded from above.

2:11 pm – Scott Holewinski, Chairman, asked if there was anyone present to speak for or against Rezone Petition #7-2011. No one came forward.

2:12 pm – Scott Holewinski, Chairman, closed the public hearing for deliberation.

Motion by Jack Sorensen, second by Dave Hintz, to approve and forward to the Oneida County Board of Supervisors, Rezone 06-2012 of the Town of Schoepke, with all criteria for approval of a rezone petition having been met, and with the recommendation of Department staff.

Preliminary Second Addendum to Woods & Waters Condominium (to move and reconstruct Unit 1 further from Big Stone Lake and to add unit space to Unit 4) on property legally described as part Lots 12, 13, 14 & 15 Big Stone Plat, Section 2, T38N, R11E, PIN TL 3046 and TL 3049, Town of Three Lakes.

Karl Jennrich, Zoning Director requested that this agenda item be tabled to a future meeting.

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

Schedule Public Hearing in the Town of Woodruff for a Conditional Use Permit for a Heliport – Howard Young.

Motion by Dave Hintz, second by Mike Timmons to schedule a public hearing in the Town of Woodruff for a Conditional Use Permit Application of Howard Young Medical Center Heliport; date to be determined. With all members voting “aye”, the motion carried.

Discuss results of 2011 Wisconsin Fund Audit.

Karl Jennrich, Zoning Director, reviewed the results of the audit with the committee. A copy of the audit is part of the record of today’s meeting and attached to the meeting minutes.

Discussion Only.

Discuss Floodplain Ordinance/Map revision status.

Karl Jennrich, Zoning Director, reported that the public comment period has passed. It is now time for Oneida County to adopt the new maps and revise the floodplain ordinance.

Motion by for the Zoning Director to begin the process to adopt a new floodplain ordinance and the new floodplain maps. With all members voting “aye”, the motion carried.

Real Estate Transfer – POWTS Inspection Enforcement.

Karl Jennrich, Zoning Director, stated that he will begin enforcement for non-compliance with the Real Estate Transfer Program. There will be approximately 50 property owners receiving citations. Discussion only.

Attendance of Northeast Wisconsin County Code Administrators meeting, 2012-2013.

Motion by Jack Sorensen, second by Dave Hintz, for Karl Jennrich, Zoning Director, and Peter S Wegner, Assistant Zoning Director, to attend Northeast Wisconsin County Code Administrators meeting, 2012-2013

Line item transfers, purchase orders and bills.

Purchase Orders - \$672.74

Bills - \$1,130.99

Motion by Scott Holewinski, second by Dave Hintz to pay the bills as presented. With all members voting "aye", the motion carried.

Refunds.

Sherry's Plumbing. \$125.00. Over payment

Motion by Mike Timmons, second by Dave Hintz, to approve the refund for Sherry's Plumbing for \$125.00. With all members voting "aye", the motion carried.

Approve future meeting dates: December 19, 2012.

The Committee confirmed meeting dates for December 19, 2012 at 9:00 a.m and January 2 & 16, 2013 at 12:30 pm

Public comments.

Future agenda items.

Section 9.94 and 9.98.

Section 9.54 Communication Structures

Adjourn.

4:10 PM - The meeting was adjourned.

Chairman Scott Holewinski

Karl Jennrich, Planning & Zoning Director