

ONEIDA COUNTY PLANNING & ZONING  
January 6, 2010

2:00 P.M. PUBLIC HEARING – COMMITTEE ROOM #2  
2<sup>ND</sup> FLOOR ONEIDA COUNTY COURTHOUSE, RHINELANDER WI 54501

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Members present: Scott Holewinski  
Charles Wickman  
Ted Cushing  
Larry Greschner  
Dave Hintz

Department staff present: Karl Jennrich, Zoning Director  
Steve Osterman, Planning Manager  
Kathy Ray, Land Use Specialist  
Kim Gauthier, Secretary

Other County Staff: Brian Desmond, Corporation Counsel

Guests Present: Joe Handrick

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ALL AGENDA ITEMS ASSUMED TO BE DISCUSSION/DECISION.

Call to order.

Chair, Scott Holewinski called the meeting to order at 12:30 p.m., in accordance with the Wisconsin Open Meeting Law. Mr. Holewinski noted the agenda was posted on December 30, 2009 and the media notified.

Brian Desmond, Corporation Counsel informed the Committee that the regular meeting was not properly posted as there was no location noted on the agenda.

The Committee agreed to not hold the closed session meeting nor the regular meeting scheduled for today. The Committee did agree that the public hearing would take place at 2:00 p.m. today, as the location was properly published in the newspaper.

Recess until public hearing at 2:00 p.m. when Mr. Holewinski called the meeting to order.

Approve the agenda.

**Motion by Larry Greschner, second by Ted Cushing to approve the public hearing portion of the agenda with the notice properly published in the paper. With all members present voting "aye", the motion carried.**

**CONDUCT PUBLIC HEARING ON THE FOLLOWING:**

After-the-Fact Conditional Use Permit application of Samuel May Jr., d/b/a

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Redline Auto Sales, Kaubashine Inv. LLC, landowner for a used automobile sales lot to include pre-owned vehicles, boats, snowmobiles and ATV's on property described as NW SE, Lot 3 CSM V15 P3442, Section 34, T39N, R6E, 9791 Rylee Lane, PIN# MI 2503-16, Town of Minocqua

Mr. Jennrich read the notice of public hearing for the above agenda item. The notice was published in the Rhinelander Daily News on December 22, 2009 and December 29, 2009 along with the Lakeland Times the week of December 21, 2009. The notice was posted on the Courthouse bulletin board on December 17, 2009. The mailing list was noted and located in the file for review.

The following correspondence was received:

- Letter dated December 18, 2009 from the Town of Minocqua approving of the conditional use permit with conditions as read.

Kathy Ray, Land Use Specialist described the process leading up to the after-the-fact conditional use permit. A report was provided by Ms. Ray (Exhibit #1) which included the history of the process, general standards and conditions recommended by the department. The following conditions apply:

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. Subject to the Towns review.
3. Subject to maintaining required licensing with WI DOT during operation of business.
4. Placement of sign(s) to conform with the Oneida County Zoning & Shoreland Protection Ordinance.
5. Non-operable/Non-repairable vehicles not permitted under this approval.

Dave Hintz asked if the fees would be returned based upon the situation.

Mr. Jennrich commented that Mr. May could request a refund of the after the fact fees and it would be up to the committee to address the request.

Mr. Holewinski asked if there was any public comment for the issue at hand.

Joe Handrick, Town of Minocqua commented that the town approves of the permit and business. Mr. Handrick explained the history of the town's involvement with this business and the previous business in this location. Mr. Handrick indicated there was a misunderstanding with the previous owner and the town as the owner did not do what was required of him through the conditional use permit process.

Samuel May, operator of Redline Auto Sales explained how he began the new business, contacts with the Department of Transportation, realtor and Planning and Zoning Department in Minocqua.

There was no other public comment. Therefore, the public comment portion of the meeting was closed.

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Charles Wickman commented on the owner's opportunity for recourse pertaining to the realtor's obligation and the owners need to inform the state board.

Mr. Jennrich agreed due to the misunderstanding with the Minocqua staff that it would be a legitimate request for a refund on behalf of Mr. May.

Mr. Holewinski and Mr. Hintz both agreed that the department should not charge the triple after the fact fees.

**Motion by Ted Cushing, second by Larry Greschner to approve the after the fact conditional use permit of Samuel May, operator of Redline Auto Sales, agenda item number fifteen, Town of Minocqua with the general standards having been met and any conditions of the county and town. With all members present voting "aye", the motion carried.**

**Motion by Ted Cushing, second by Dave Hintz to refund the \$1000 triple-after-the-fact fees the applicant (Samuel May) paid. With all members present voting "aye", the motion carried.**

Adjourn

**Time: 2:20 p.m.**

**Motion by Ted Cushing, second by Charles Wickman to adjourn. With all members present voting "aye", the motion carried.**

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Scott Holewinski, Chair

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Karl Jennrich, Zoning Director