

ONEIDA COUNTY PLANNING & ZONING
April 21, 2010

1:00 P.M. REGULAR SESSION
2:00 P.M. PUBLIC HEARING

COMMITTEE ROOM #2
2ND FLOOR ONEIDA COUNTY COURTHOUSE, RHINELANDER WI 54501

Members present: Scott Holewinski
Larry Greschner
Dave Hintz
Billy Fried
Gary Baier

Department staff present: Karl Jennrich, Zoning Director
Steve Osterman, Planning Manager
Nadine Wilson, Land Use Specialist
Kim Gauthier, Typist

Other County Staff: (None)

Guests Who Signed In: Robert Schepper, Mike Hoerchler, Fred Hoerchler

ALL AGENDA ITEMS ASSUMED TO BE DISCUSSION/DECISION.

Call to order.

Scott Holewinski, Chair called the meeting to order at 1:00 p.m., in accordance with the Wisconsin Open Meeting Law. Mr. Holewinski noted the agenda was properly posted.

Approve the agenda.

Motion by Dave Hintz, second by Gary Baier to approve the agenda as posted. With all members present voting "aye", the motion carried.

Approve meeting minutes of March 17, 2010.

Motion by Larry Greschner, second by Dave Hintz to approve the regular and public hearing minutes of March 17, 2010 as presented. With all members present voting "aye", the motion carried. Gary Baier abstained.

Elect Vice-Chairperson.

Mr. Baier nominated Larry Greschner as the committee vice chairperson, second by Dave Hintz. All members voted "aye", the motion carried. Larry Greschner abstained.

No other nominations made.

Preliminary 2-lot Certified Survey map of Carole Artus, owner for property described as part of Gov't Lot 2, Section 14, T36N, R10E, PI#SC 144-2, Town of Schoepke.

Nadine Wilson, Land Use Specialist presented a copy of the certified survey map of Carole Artus and described division of lots. Ms. Wilson noted the department needs to release the current affidavit and re-record the new affidavit of record combining the lots with the sanitary systems due to their location. The owner would like to keep the 3.5 acres with access off Chicago Point and possibly build a home on this lot. Right now this property is one big lot and the owner would like to divide the property to accommodate the sanitary system to run under the town road. The department recommends approval with the following conditions:

- Release the current affidavit combining all of the above property.
- Record an affidavit or quick claim deed combining SC816 and Lot 1 of this CSM.
- Obtain a driveway permit off Chicago Point.
- Town Board approval.

Motion by Gary Baier, second by Dave Hintz to approve the project of Carole Artus subject to Town of Schoepke approval and staff concerns. With all members present voting “aye”, the motion carried.

Preliminary 2-lot Certified Survey Map of Robert Richardson, owner for property abutting the Bearskin Creek and Hwy K further described as part of the NW NE, and NE NE, Section 2, T36N, R6E, PI# NO 18-2, Town of Nokomis.

Steve Osterman, Planning Manager indicated the general use zoning went through yesterday on this property. Tim Richardson, owner and Jeff Anderson, surveyor were present. Mr. Osterman indicated the owner will maintain the easement and the highway approved the driveway. The approval is subject to a formal maintenance agreement on the plat and prohibition of filling the wetland.

Motion by Larry Greschner, second by Billy Fried to approve the preliminary two lot certified survey map of Robert Richardson, Town of Nokomis, with staff conditions and pending formal town approval. With all members present voting “aye”, the motion carried.

Preliminary 2-lot Certified Survey map of Mike Prah, owner for property described as part of Gov't Lot 4, Section 8, T36N, R10E, PI# PE 593-1 on the north branch of the Pelican River, Town of Pelican.

Mr. Osterman indicated the town approved the map on April 12, 2010 at their town meeting. Mr. Osterman described the property noting the sanitary system is fine, lots are adequately sized and the department requested spot elevations and delineations of the slopes (in orange). Naming the road “Prah Road” has been discussed as there is another Prah Road in the town of three lakes and may create confusion. Therefore, the owner has agreed to consider another name and agreed to record the name with Land Information. The Zoning Department recommends approval with the following conditions; no filling of wetland stated on the final, an easement maintenance agreement

(draft received) and elimination of naming "Prahl Road". Committee agreed that the road naming is not contingent on approval.

Motion by Gary Baier, second by Larry Greschner to approve the two lot certified survey map of Mike Prahl owner, with staff concerns. With all members present voting "aye", the motion carried.

Non-metallic mining update

Mr. Jennrich provided a memo dated April 14, 2010, regarding an update on non-metallic mining reclamation (Exhibit #1). Mr. Jennrich also explained fees received as income to the department and the costs associated with this project.

Review request from Town of Sugar camp and Little Rice to review NR 150 and the impact on the newly adopted NR 115.

Mr. Jennrich provided a copy of a letter received from the Town of Woodruff on 4/13/10 regarding NR115 (Exhibit #2).

Mr. Jennrich explained the department's involvement with NR115/NR150 for the new committee members. Mr. Holewinski explained the reason for the town letters. Mr. Baier noted the towns are willing to have one large meeting with the state to present questions. Mr. Holewinski recommended forwarding the town letters onto legal counsel for an opinion.

Motion by Larry Greschner, second by Dave Hintz instructing staff to forward all town letters (Sugar Camp, Little Rice, Woodruff) onto legal counsel for an opinion. With all members present voting "aye", the motion carried.

Review resolution to change the fee schedule regarding on-site inspection fees.

Mr. Jennrich presented a resolution for fee increase for on-site inspections as discussed during budget meetings last fall (Exhibit #3).

Motion by Scott Holewinski, second by Larry Greschner to forward the resolution for the fee schedule onto the county board for approval. With all members present voting "aye", the motion carried.

Line items, transfers, refunds, purchase orders and bills.

There were no bills presented at this meeting.

Approve future meeting dates: May 5 and May 19, 2010.

The committee agreed to the dates listed.

Public comments.

There was no public comment made.

Future agenda items.

- NR115

Recess at 1:57 p.m. until public hearing.
Reconvene at 2:00 p.m. for public hearing.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit application of Robert Schepper for a shoe/leather repair business adjacent to a residential district located on property described as part of Gov't Lot 6, Lot 1 CSM V6 P1741, Section 11, T39N, R6E, 8573 Huber Lane PI# MI 2179-29, Town of Minocqua.

Mr. Jennrich read the notice of public hearing for the conditional use permit application indicated. The notice was published in the Rhinelander Daily News on April 6, 2010 and April 13, 2010. Along with the Lakeland Times the week of April 5, 2010 and posted on the Oneida County Courthouse bulletin board on April 1, 2010. The mailing list was also read into the record.

The following correspondence was received:

- Letter from the Town of Minocqua dated April 12, 2010 approving of the CUP, contingent on State and County regulations and lowering the fee to \$250, which is that of an ARP application.
- Letter from the Town of Minocqua dated April 21, 2010 explaining the request for the fee reduction, as read.

Mr. Jennrich noted the reason for the CUP is that the business is not substantially commenced as described in the ordinance and recommended by legal counsel. The committee has the right to refund a portion of the fees paid.

Mr. Osterman, Planning Manager described the property and read the report provided (Exhibit #4). The department 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 CUP.
2. Subject to Town of Minocqua approval as stated above.
3. Subject to shared restroom facility with existing business on same property.
4. Future tenants of either business to be made aware of shared restroom facility and that subsequent Zoning Department approval may be required prior to occupancy.
5. Proper permits to be obtained prior to remodeling/change of use (Town/County/State).
6. Sign permits to be obtained prior to placement as required.
7. Dumpster(s) to be screened from view (applicant to recycle waste material as required).
8. No outdoor sales, displays or storage of any type allowed.

Mr. Holewinski asked if there was public comment for or against the issue at hand (two times).

Fred Hoerchler commented he supports the business.

Mike Hoerchler commented he also supports the business.

Motion by Gary Baier, second by Larry Greschner to approve with everything outlined, along with a fee reduction down to \$100, subject to staff conditions and the general standards having been met. With all members present voting "aye", the motion carried.

Conditional Use Permit application of Michael Hoerchler, owner, d/b/a Hodag Gun and Loan to establish a retail store and loan company in an existing building at 2261 Lincoln St., further described as part of the NE SW, Section 4, T36N, R9E, PI#'s PE 46-10 and PE 46-12, Town of Pelican. An exterior display area is included in the application.

Mr. Jennrich read the notice of public hearing for the conditional use permit application indicated. The notice was published in the Rhinelander Daily News on April 6, 2010. Along with the Lakeland Times the week of April 5, 2010 and posted on the Oneida County Courthouse bulletin board on April 1, 2010. The mailing list was also read into the record.

The following correspondence was received:

- Letter from the Town of Pelican dated April 10, 2010 approving of the CUP.

Mr. Osterman presented photos of the building recently purchased to relocate Mr. Hoerchler's pawn store. Mr. Osterman referred to the report provided (Exhibit #5). The department received the general standards for approval and recommends 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 CUP.
2. Subject to Town of Pelican concerns. (none listed)
3. Placement of signage must conform to the Oneida County Zoning and Shoreland Protection Ordinance.
4. There shall be no vehicle or equipment maintenance or repairs done onsite.
5. Display lot for outside storage shall be entirely on the north side of the driveway. No vehicles or equipment shall be kept or located in between the driveway and Lincoln Street.
6. This approval excludes salvage or junk material from being stored on the premises.
7. Proper licenses shall be maintained at all times.
8. Additional P&Z Committee concerns.

The committee struck number three from Mr. Osterman's original conditions and therefore is approved as indicated above.

Mr. Hoerchler agreed with the conditions set forth and indicated that it is his intention to keep the property orderly and free of junk material.

Mr. Holewinski asked if there were any further comments for or against the issue at hand. There were no other members of the public present at the time.

Motion by Larry Greschner, second by Dave Hintz to approve the conditional use permit of Michael Hoerchler, Town of Pelican, agenda item number five, with staff concerns excluding number three of the original conditions and that the general standards have been met. With all members present voting “aye”, the motion carried.

Adjourn

Motion by Larry Greschner, second by Gary Baier to adjourn at 2:35 p.m. With all members present voting “aye”, the motion carried.

Scott Holewinski, Chair

Karl Jennrich, Zoning Director