

MINUTES
Bayfield County Planning / Zoning Committee Public Hearing / Meeting
January 17, 2008
Board Room, County Courthouse, Washburn, WI 54891

1. **CALL TO ORDER OF PUBLIC HEARING:** *By Chairman Beeksma at 1:02 PM.*

2. **ROLL CALL:** *Beeksma, Jardine, Maki, Miller, Rondeau, all present.*

3. **AFFIDAVIT OF PUBLICATION:** *Read by AZA Doug Casina.*

4. **REVIEW OF MEETING FORMAT:**

5. **PUBLIC HEARING:**

A. PETITION BY KARL KASTROSKY, BAYFIELD COUNTY PLANNING / ZONING DIRECTOR, ON BEHALF OF THE BAYFIELD COUNTY PLANNING / ZONING COMMITTEE, REQUESTING AMENDMENTS TO THE BAYFIELD COUNTY ZONING ORDINANCE, INCLUDING THE FOLLOWING:

1. Increasing fees for petitions for zoning district changes.
2. Requiring surveys prior to the construction of structures close to minimum required setbacks.
3. Requiring a Class B special use permit for the filling of any wetland, regardless of size.
4. Requiring a conditional use permit, rather than a special use permit, for the construction of more than one principal building on a single parcel, and prohibiting more than one principal building on a substandard lot.
5. Technical amendments correcting or clarifying Zoning Ordinance provisions.

Jardine questioned #1 regarding fees. Mike Furtak explained this will 'cut a break' when a group, a town, or association wants to change (rezone) several at one time. The fee currently is \$225 to rezone one parcel; it will decrease per parcel when several are done at one time as well as there being a decrease in paperwork. He added that we will face this more in the future as the towns dovetail their plans with the County's.

Beeksma asked what the 'normal' survey fee is (re #2 above). Mike said it depends on several factors including when surveyed, how long since the last survey, if a new surveyor or the original one redoes it, etc. Maki asked if this is going to lead to a survey prior to every permit and is afraid that will happen. Mike said it needs to be done when property lines are uncertain. Doug Casina said if this proposal had been in effect, it would have eliminated some past problems. Mike reported that some counties require a survey prior to every permit; there have been some enforcements / law suits which a survey would have prevented (i.e. buildings place too close to lot lines, unsure of location of lot lines, etc.). Mike added that as parcels are cut up smaller and smaller, there will be issues with lawsuits rather than neighbors settling them as in days gone by.

Discussion on #3 above: Doug and Mike explained the process within the Dept., Land Conservation, and the DNR on this issue. Doug said there is a concurrent clause in the code regarding jurisdiction and noted the Army Corps of Engineers is also involved at certain locations.

6. **ADJOURNMENT OF PUBLIC HEARING:** *Motion at 1:16 PM by Jardine, second by Maki, to adjourn the public hearing; carried 5 yes – 0 no.*

7. **CALL TO ORDER OF ZONING COMMITTEE MEETING:** *By Beeksma at 1:17 PM.*

8. **ROLL CALL:** *Beeksma, Jardine, Maki, Miller, Rondeau, all present.*

9. MINUTES OF PREVIOUS MEETING(S):

Minutes from June 2001 and September 2001 were presented in draft form. These minutes, which were never completed and were from the era when the Zoning Administrator dictated the minutes and the secretary transcribed them. June 2001 and Sept. 2001 minutes were dictated in 2007, and were completed in draft form by Marilyn in 2007, however, the draft copies were never returned for finalization. It is now necessary to complete the approval process, for the record, as re-codification of the ordinance progresses.

Zoning Committee members in 2001 were Rondeau, Jardine, and Beeksma. Motion by Rondeau, second by Jardine, to **approve the June, 2001 draft minutes as prepared**; carried 3 yes / 2 abstained. Motion by Rondeau, second by Jardine to **approve the Sept. 2001 draft minutes as prepared**; carried 3 yes / 2 abstained.

Minutes of **Nov. 15, 2007**: Motion by Rondeau, second by Miller, to **approve**; carried 5 yes / 0 no.

Harold Maki remarked that minutes are to be out in a week and implied that is not being done. Marilyn stated it is actually ten working days, and that deadline has been met since the Committee put it into effect. [Note: the Nov. 2007 minutes were presented at this meeting (Jan. 17, 2008) for approval, because there was **no** Dec. 2007 Zoning Committee meeting; they were prepared and mailed within the required timeframe.] Rondeau stated that he always receives his minutes in the mail within the allotted time. Marilyn noted the 2001 minutes were in the Dept. basement and could not be typed until they were dictated, however, once that was done, they were typed, but the approved draft copy was never returned to her for finalization. She also said that Deb still needs some other minutes from that past era to be dictated, transcribed, and approved, as she works on the ordinance.

10. BUSINESS:

A. PETITION BY KARL KASTROSKY, BAYFIELD COUNTY PLANNING / ZONING DIRECTOR, ON BEHALF OF THE BAYFIELD COUNTY PLANNING / ZONING COMMITTEE, REQUESTING AMENDMENTS TO THE BAYFIELD COUNTY ZONING ORDINANCE, INCLUDING THE FOLLOWING:

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Motion by Jardine, second by Maki, to **approve** the amendments to Section 13 of the Ordinance, as presented; carried 5 yes / 0 no.

Agenda Review and Alteration

B. BRUCE MARTINSEN / JULIE CASPERSON SPECIAL USE REQUEST – Home-Based Business (Acupuncture) located on a 20-acre parcel (#006-1017-03-000) in the N ½ of the NW ¼ of the NE ¼, Section 10, Township 50 N, Range 4 W, Town of Bayfield.

*Item B. was not heard per e-mail letter request by the Applicant as the Town has not met thus far. Motion by Maki, second by Rondeau, to **table until February 2008** meeting; carried 5 yes / 0 no. [In typing these minutes it was noted that the correct name on the agenda should have been 'Casper'.]*

C. JENNIFER / PATRICK MIKA SPECIAL USE REQUEST – Home-Based Business (Auto Repair) – located on five (5) acres (parcel #028-1022-08-993) in the NW ¼ of the SW 1/4, of the NW ¼, Section 28, Township 47N, Range 6 W, Town of Keystone.

Jennifer & Patrick Mika presented a copy of their business plan listing possible concerns, and accomplishments thus far in preparation for this application; the business would be conducted in their personal garage.

Maki questioned limiting the number of vehicles on the property. Furtak said some reasons for limiting them are so properties don't become junk yards, and/or places where customers leave non-repairable vehicles, and/or ones they cannot afford to pay for.

The Mika's reported this business may be a steppingstone to something more in the future but for now they are only seeking a home-based business. There was further discussion about the number of vehicles to allow on the property. Patrick Mika said there is a mechanic's regulation regarding cars that are left by owners and he will check that out with the appropriate authorities.

Motion by Maki to **approve** this auto repair home-based business for **no more than six unlicensed cars on the premises** and that this **permit WILL transfer to new owner(s)** when/if the property is sold. Jardine seconded the motion. **Discussion: Clarification** was made that the six cars referred to in the motion are abandoned cars, unlicensed cars, and unclaimed cars. Motion then carried - 5 yes / 0 no.

D. DISCUSSION / POSSIBLE ACTION – BAYFIELD APPLE COMPANY SIGNAGE:

Einar Olsen addressed the committee stating he came to the meeting to report the sign in question has been dismantled and removed so the problem has been solved. He reported the sign was on County right-of-way property, essentially in his front yard, and which he understood would be diverted back to him. However, Corp. Counsel Bussey advised it could not be. Olsen noted there was some confusion on the part of the County Hwy. Commissioner on this situation. Maki said Mr. Olsen's sign was brought to his attention by other fruit growers complaining that Olsen had a sign and they could not.

With further discussion it was hoped this could be remedied with one sign which would direct customers to several destinations. Casina said the ordinance needs to be revisited/modified in order to allow kiosks, multi-business, and/or 'sign-mall' types of signs as there is nothing now describing multi-business off-premise signs.

Motion by Maki for Doug Casina and the Dept. to work with Einar Olsen, other orchard growers, and the ordinance, and **bring back a report at the February 2008 Zoning Committee meeting**. Motion seconded by Jardine and carried - 5 yes / 0 no.

E. DISCUSSION / POSSIBLE ACTION – CLASSIFICATION FOR TEN (10) ACRE MINIMUM PARCEL RURAL RESIDENTIAL ZONING DISTRICT:

Motion by Miller, seconded by Beeksma, to **approve** this request. After further discussion, the Committee felt they would like more clarification on this classification change. Beeksma then **withdrew his second** and asked that the **Dept. present more information**. Motion failed to pass for lack of a second.

F. CITIZENS CONCERNS / INPUT:

- Harold Maki received a complaint from the Town Chair in Russell, re a **sign on Old CTH K & Little Sand Bay Road**. Casina explained the sign on Maki's land is an illegal sign; he has informed Rocky [Tribovich] many times and nothing has been done, therefore letters were sent as a 'heads up'. Doug added that there are four signs on State Hwy. 13 that are also illegal and advised Maki that an off-premise sign permit is required with him, as owner, signing it.

Maki stated that only one foot is on his property and he doesn't believe the County should worry about one foot. Casina said that the Town of Russell is not playing by the rules; he has talked to Dave [Good], Rocky, Karl [Kastrosky] but nothing is getting done, thus the reason for his letter. Maki then asked Doug to bring a sign application to the Town of Russell. It was said that there are other signs on the State right-of-way but 'out of county hands'; State / Federal signs can be on the right-of-way but not Town signs and Russell put their signs in front of the Park Service.

G. DISCUSSION / POSSIBLE ACTION ON NR115 RE-WRITE UPDATE:

- No report; Kastrosky was absent. Maki asked who justifies the expenses for this ongoing project by sending Karl to meetings for years w/ no results.

H. OTHER ITEMS THAT MAY COME BEFORE THE COMMITTEE (DISCUSSION ONLY): None

11. MONTHLY REPORT: *N/A. – no report*

12. ADJOURNMENT: *Motion by Maki, second by Rondeau to adjourn at 2:14 PM.*

**Karl L. Kastrosky, Planning / Zoning Director
Bayfield County Planning / Zoning Dept.**

Prepared by mjj on 01/23/08 & draft presented to DC for review
Approved by DC on 01/23/08

cc: Administrator; Clerk; Corp.Counsel; DNR; Committee; Supervisors

K/ZC/Minutes/2008/Jan