

ONEIDA COUNTY PLANNING & ZONING
October 19, 2011
1:00 PM – Regular Meeting
2:00 PM – Public Hearing
Committee Room #2- Oneida County Courthouse
Rhinelander WI 54501

Members present: Gary Baier, Vice Chairman
Mike Timmons
Dave Hintz
Billy Fried

Department staff present: Karl Jennrich, Zoning Director
Lila Dumar, Secretary III
Hans Hare, P&Z Intern

Other County Staff: Brian Desmond, Corporation Counsel

Guests: Edward Wendt, Lakeview Landing Condo
Don Sidlowski, Town of Three Lakes
Sue Heil, Town of Minocqua
Bob Williams, Windpudding Lake Assoc.
Mark Hartzheim, Town of Minocqua

Gary Baier, Vice Chair, called the meeting to order at 1:00 pm in accordance with the Wisconsin Open Meeting Law. Mr. Baier noted the agenda was properly posted. All members are present with the exception of Scott Holewinski, who is excused.

Approve the agenda.

Motion by Dave Hintz, second by Mike Timmons, to approve the agenda as posted. With all members present voting “aye”, the motion carried.

Public comments.

None.

Approve meeting minutes of August 2, 2011.

Motion by Mike Timmons, second by Dave Hintz to approve the meeting minutes of August 2, 2011 as presented today. The motion carried unanimously.

Section 9.78, Sign Ordinance. Staff will discuss revisions as requested by the Towns of Minocqua and Three Lakes.

Karl Jennrich, Zoning Director stated that representation from the Town of Minocqua and the Town of Three Lakes are present to discuss the sign ordinance. Mike Timmons represents the Town of Woodruff in this matter as well.

The proposed sign ordinance was reviewed and discussed. In particular, there was discussion regarding the colors and graphics for electronic signs. The Town of Minocqua prefers amber lights only; and would like each Town to be able to have their own preferences. Towns can have their own sign regulations and can be more restrictive than the County. However, enforcement then would be in the hands of the Town. The sign ordinance could also have stricter regulations in the B-1 Zoning District #06 for the Town of Minocqua.

Mr. Jennrich stated that he would like to have this scheduled for a public hearing so that it could go to County Board in January and will be in place before the next season. Mark Hartzheim, Minocqua Town Chair, stated that he needs to get input from the Chamber of Commerce and Minocqua area business owners. Sue Heil stated that Minocqua would also like to require that all reader boards be incorporated into a sign, not just electronic reader boards. Mr. Jennrich noted that if there is only a reader board sign on the premises, that reader board would not need to be incorporated into a sign because that would be their only sign.

“Open” flags signs were discussed, which are exempt if they are removed daily. This type of signage is being used for other purposes than just to inform that the business is “open.” Mr. Jennrich stated that he would look into this further, in addition to the definition of banner as requested by the Town of Minocqua.

Discussion only. No action was taken.

Staff attendance at the Wisconsin Counties Association Mining Seminar on November 14, 2011 in Stevens Point.

Motion by Billy Fried, second by Dave Hintz, to authorize 2 staff members to attend the Wisconsin Counties Association Mining Seminar on November 14, 2011. With all members voting “aye” the motion carried.

Committee’s position on 2011 Bill to opt out of Smart Growth.

Karl Jennrich, Zoning Director, referred to 2011 Bill to opt out of Smart Growth. Mr. Jennrich asked the Committee if he should take a position for or against on behalf of the Committee. The Committee concluded that they would take no position until the bill moves forward.

Discussion only. No action taken.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit Application of Steven Reichard of Truck Country to add a used truck sales lot on property owned by Thomas Hribar described as part NW NE, Parcel 3 CSM V3 P782, Section 26, T39N, R6E, 7854 Hwy 51, PIN MI 2374-2, Town of Minocqua.

Karl Jennrich, Zoning Director, read the notice of public hearing for the Conditional Use Permit Application of Steven Reichard of Truck Country to add a used truck sales lot on property owned by Thomas Hribar, Town of Minocqua.

The notice was published in the Northwoods River News on October 4 & 11, 2011; the Lakeland Times, the week of October 3, 2011. The proof of publication is contained in the file. The notice was posted on the Oneida County Courthouse bulletin board on September 29, 2011. The mailing list was also read into the record.

Correspondence in File: Letter from the Town of Minocqua approving the CUP contingent upon displaying of trucks limited to up to 10 along the west fence; and meeting all state and county requirements; and the conditions of ARP 508-11.

Kathy Ray, Land Use Specialist, reviewed the CUP application with the Committee, which is a request to add a used truck sales lot to an existing retail truck parts and service satellite dealership authorized by ARP 508-11. There will not be an increase in the number of employees. Currently they sell truck parts and they service and repair medium and heavy duty trucks of all makes and models. They have a retail walk in area for customers to walk in and purchase truck parts. There is a person on staff to take inbound and outbound phone calls and to sell parts. This facility has 4 drive-in service bays for service and repairs. Normal hours of operation will be from 7:30 am to 5:00 pm Monday through Friday.

Ms Ray noted that the requirements for parking, signage 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. 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 Town review and recommendations.
3. May be subject to DOT requirements.
4. Sign permits to be obtained, as required, prior to placement.
5. Dumpster(s), if used, to be screened from view (applicant to recycle waste material as required).
6. Subject to Conditions of Approval of ARP #508-11.

2:13 pm – Gary Baier, Vice-Chairman asked if there was anyone present to speak for or against Rezone Petition #7-2011. No one came forward. For the record no one was present.

2:14 pm – Gary Baier, Vice-Chairman closed the public hearing for deliberation.

Motion by Dave Hintz, second by Mike Timmons, to approve the Conditional Use Permit Application by Steven Reichard of Truck Country to add a used truck sales lot on property owned by Thomas Hribar , Town of Minocqua, being that the General Standards for reviewing a conditional use permit have been met, and subject to staff and Town of Minocqua concerns. With all members voting “aye” the motion carried.

Conditional Use Permit #225-05 for Lakeview Landing on property described as Village of Minocqua Block 13, Lots 3, 4 and 5, Gov't Lot 5, Section 14, T39N, R6E, PIN MI 3416-1, Town of Minocqua. The Condominium Association is proposing to alter the pier configuration that was originally approved in the Conditional Use Permit.

Karl Jennrich, Zoning Director, read the notice of public hearing for the Conditional Use Permit Application for Lakeview Landing on property located in the Town of Minocqua, PIN# MI 3416-1.

The notice was published in the Northwoods River News on October 4 & 11, 2011; the Lakeland Times, the week of October 3, 2011. The proof of publication is contained in the file. The notice was posted on the Oneida County Courthouse bulletin board on September 29, 2011. The mailing list was also read into the record.

Correspondence in File: None.

Mr. Jennrich stated that this has been discussed by the Committee on numerous occasions due to a complaint filed by a neighbor. The piers were not constructed in accordance with the CUP approval. There were 10 berthing spaces authorized and 12 berthing spaces were constructed. On September 21, 2011, the Committee directed Edward Wendt, Lakeview Landing Condominium to submit a new CUP to modify the pier configuration.

Karl Jennrich, Zoning Director, reviewed the CUP with the Committee, along with Edward Wendt, Lakeview Condominium. Mr. Wendt provided a layout of the piers configuration. There will be five (5) fingers with 10 berth spaces. The proposed layout is contained in the file and is part of the record.

2:13 pm – Gary Baier, Vice-Chairman asked if there was anyone present to speak for or against the CUP Application of Lakeview Landing.

Mark Hartzheim, Minocqua Town Chairman, stated that he is present to support Lakeview Landing to resolve this issue. Mr. Hartzheim reviewed the proposed layout and found it to be satisfactory.

2:16 pm – Gary Baier, Vice-Chairman asked again if there was anyone present to speak for or against the CUP Application of Lakeview Landing. No one came forward.

Gary Baier, Vice-Chairman, closed the public hearing for deliberation.

The Committee agreed that the proposed configuration limiting the number of berths to ten (10) is acceptable. The existing section of pier to the east that is closer than 10 feet from the lot line of the property owned by William Schlecht will be relocated so the berth structures meets the 10 foot setback from the lot line.

Motion by Billy Fried, second by Dave Hintz, to approve the conditional use permit application for Lakeview Landing to alter the pier configuration that was originally approved in Conditional Use Permit #05-225, as presented today. With all members voting “aye” the motion carried.

Notice of Public Hearing. The Committee will be discussing/acting on the number of newspapers notices are to be published in.

Motion by Billy Fried, second by Mike Timmons, to publish Notices of Public Hearing only in Oneida County’s Official Newspaper (Northwoods River News). With all members voting “aye” the motion carried.

Real Estate Transfer POWTS Inspections. Discuss/act on non-compliance.

Motion by Dave Hintz, second by Billy Fried, for staff to send out second notices for non-compliance with the Real Estate Transfer POWTS Program. With all members voting “aye” the motion carried.

Comprehensive Planning budget.

Karl Jennrich, Zoning Director, stated that he received the final invoice from NCWRPC for \$25, 000.00. This is the amount due for completion of the Comprehensive Plan as stated in the Work Agreement. It covers April 1, 2010 – December 31, 2011.

Motion by Mike Timmons, second by Billy Fried, to pay the final Invoice (6 of 6), in the amount of \$25,000.00 pursuant to the Work Agreement. With all members voting “aye” the motion carried.

Line item transfers, purchase orders and bills.

Bills submitted for payment - \$25,153.00 (includes \$25,000.00 payment to NCWRPC as discussed above)

Purchase Orders submitted for payment - \$175.27

Motion by Billy Fried, second by Dave Hintz to approve the purchase orders and bills. With all members voting “aye” the motion carried.

Refunds.

None.

Approve future meeting dates: November 2 and November 16, 2011.

The Committee confirmed meeting dates of November 2 and November 16, 2011.

Public comments.

Bob Williams questioned the inventory of the old septic systems. Mr. Jennrich stated that the last batch of letters will be sent out next spring. The first pumping cards for these systems will go out in 2013.

Future agenda items.

- Budgetary Issues affecting P&Z.

Adjourn.

2:48 PM – Motion by Mike Timmons, second by Billy Fried to adjourn the meeting. With all members voting “aye” the motion carried.

Scott Holewinski, Chair

Karl Jennrich, Zoning Director