

**GREEN LAKE COUNTY  
LAND USE PLANNING AND ZONING  
COMMITTEE MEETING MINUTES  
Thursday, November 2, 2017**

**CALL TO ORDER**

Committee Chair Starshak called the meeting of the Land Use Planning and Zoning Committee to order at 5:18 p.m. in the Green Lake County Government Center, County Board Room, Green Lake, WI. The requirements of the open meeting law were certified as being met.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

Present:     **Robert Lyon, Harley Reabe, Rich Slate (5:22 p.m.), Michael Starshak, Peter Wallace**

Absent:

Also Present:   **Matt Kirkman, Land Use Planning and Zoning Director  
                          Carole DeCramer, Committee Secretary  
                          Dawn N. Klockow, Corporation Counsel**

**APPROVAL OF AGENDA**

**Motion by Reabe/Lyon, unanimously carried, to approve the agenda.**

**APPROVAL OF MINUTES**

**Motion by Reabe/Lyon, unanimously carried, to approve the minutes of 10/05/17.**

**PUBLIC COMMENT - None**

**PUBLIC APPEARANCES - None**

**CORRESPONDENCE**

Kirkman – Reminded the committee that he had emailed them the orders from DATCP regarding the comprehensive plan amendment and farmland preservation map amendment approvals.

**DEPARTMENT ACTIVITY REPORTS**

**a. Permits and Others**

Kirkman discussed the monthly financial reports, land use permits, and septic permits reports.

**b. Violations**

Kirkman discussed the list of land use violations and septic violations.

**DEPARTMENT/COMMITTEE ACTIVITY**

**a. Administrative Policy for Comprehensive Plan Amendments**

Kirkman – Explained the three administrative policies that he wrote regarding comprehensive plan amendments. After further research, he created another option which is called *Unlimited 2*. This option doesn't use the map as the determiner of future property use; it looks at the text of the comprehensive plan. The Statutes mandate that the rezone request be consistent with the objectives, goals, and policies of the comprehensive plan. It does not mention the maps. The map is something that is amended following decisions that have been made. This policy is consistent with required Statutes and allows staff to do things as they are requested. It is important to remember that this is a policy; it can be changed. The proposed *Unlimited 2* policy has been reviewed and approved by Corporation Counsel and reviewed by other zoning administrators. Staff will be able to determine whether or not the request is consistent with the comprehensive plan and then move forward. If it is not consistent with the plan, it would be delayed with a comprehensive plan amendment.

The committee discussed the various options and the advantages/disadvantages of each one.

**Motion by Slate/Wallace, carried on a roll call vote: Lyon – aye; Reabe – aye, Slate – aye, Starshak – nay; Wallace - aye, to approve the *Unlimited 2 Administrative Policy – Comprehensive Plan Amendments*.**

**b. Administrative Policy for Fee Exemptions**

Kirkman – Explained that the proposed policy for *Fee Exemptions* would allow staff to determine whether or not a fee would be charged for governmental entities and nonprofit organizations without having to bring it to the committee each time for a decision.

The committee, after careful consideration, decided that they would prefer a policy that is consistent with all departments and not just a separate Land Use Planning and Zoning Department policy. They agreed that federal, state, and local governments should be exempt, but all other entities should be considered using a uniform county policy. The department, for other entities, will have to go through the normal process until a new policy is approved by the Administrative Committee.

**Motion by Slate/Lyon, unanimously carried, to approve a policy that waives fees for governmental agencies only.**

**Motion by Slate/Wallace, unanimously carried, to direct Kirkman to forward the proposed *Fee Exemption Policy* to the Administrative Committee for their input and consideration.**

**c. Budget Adjustment Form**

Kirkman – Explained the notice of budgetary adjustment form. 2017 yielded more survey activity than forecasted in the budget. Consequently, contracted County Surveyor expenditures need to be increased. Fortunately, the increase survey activity yielded enough additional revenue to offset these unforeseen expenditures. The adjusted amount will be the revenue account balance at the end of October less the 2017 budgeted amount (\$4,000).

**Motion by Reabe/Lyon, unanimously carried, to approve the Budget Adjustment Form.**

**6:20 p.m. The committee recessed prior to the public hearing.**

**6:30 p.m. The committee reconvened.**

**PUBLIC HEARING ITEMS**

*Audio of committee discussion is available upon request from the Green Lake County Land Use Planning and Zoning Department.*

**Item I: (1) Owners/Applicants:** Wilbur L. and Rachel H. Miller **General legal description:** N1998 Hilltop Road, Parcel #012-00114-0000, Part of the NE¼ of Section 8, T14N, R12E, Town of Manchester, ±20.0 acres **Request:** Rezone from A-1 Exclusive Agriculture District to A-2 General Agriculture District. **(2) Owners/Applicants:** Chris J. Burkholder and Vera P. Burkholder **General legal description:** N1934 Hilltop Road, Parcel #012-00120-0100, Lot 2 Certified Survey Map 3195, Part of the NE¼ of Section 8, T14N, R12E, Town of Manchester, ±5.788 acres.

**Request:** Rezone from R-4 Rural Residential District to A-2 General Agriculture District.

a) Public hearing

No one appeared.

b) Committee Discussion & Deliberation

Kirkman – Explained the request.

c) Committee Decision

**Motion by Slate/Wallace, unanimously carried on roll call (5-ayes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.**

**Item II: Owners/Applicants:** George P. Vourvoulias, Jr. and Winnie Vourvoulias **General legal description:** W3177 Orchard Avenue, Parcels #004-01075-0000 & #004-01075-0100, Lots 1 and 2 Certified Survey Map 3055, Government Lot 2 of Section 2, T15N, R12E, Town of Brooklyn, ±1.08 acres **Request:** Variance request to modify their 2005 variance condition #2 requiring the removal of a boathouse and condition #3 requiring a maximum dwelling height.

a. Public hearing

George Vourvoulias - 438 Amethyst Street, New Orleans, LA, 70124 (Applicants' son) – Spoke in favor of the request. Pointed out the Burkart letter. The Burkart's stated that they are in favor of the request. Also pointed out the Town of Brooklyn's *town board action form* indicating that the town is in favor of the request.

Jeff Shaddick 3215 Bay Road, Special Properties – Reiterated what Mr. Vourvoulias stated.

Closed public hearing.

b) Committee Discussion & Deliberation

Corporation Counsel Klockow – Stated that she met with Jeff Shaddick (realtor), George Vourvoulis (son), and Matt Kirkman regarding this property. She advised the committee that the modification of the variance conditions two and three is a good solution to the issues that no longer exist.

c) Committee Decision

**Motion by Reabe/Slate, unanimously carried on roll call (5-eyes, 0-nays), to approve the variance request to modify their 2005 variance condition #2 requiring the removal of a boathouse and condition #3 requiring a maximum dwelling height. The conditions will read as follows:**

- 1) The new boundary line dividing the area into 2 lots will be equal distance and parallel to the current east and west boundary lines of this tax parcel.
- 2) ~~The granting of this variance will require that all existing structures be removed.~~
- 3) ~~That the maximum height of the principal structures be 35 feet from the lowest existing grade and not more than 2 ½ stories within that 35 foot height.~~
- 4) That a Grading and Drainage Plan be prepared at the time of construction, to be reviewed and approved by the County Land Conservation Department, that addresses grading for landscape activity, storm water management, erosion control and other items as required by the County Site Erosion Control and Stormwater Management Ordinance.
- 5) That a Certified Survey Map be prepared for the proposed 2 lots in accordance with the County Land Division Ordinance standards.

**6:55 p.m. Slate was excused.**

**Item III: Applicant:** Green Lake County Land Use Planning & Zoning Committee. **Explanation:** Green Lake County wishes to amend the Comprehensive Plan's *Farmland Preservation Map* affecting the Town of Berlin Sections: 1, 2, 5, 6, 7, 8, 11, 13, 14, 17, 22, 25, 29, 33, 36 of T17N R13E; the Town of Brooklyn Sections: 13, 23, 24, 25 of T16N R12E and 03, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 23, 24, 25, 26, 27, 29, 30, 35 of T16N R13E; the Town of Green Lake Sections: 12, 25 of T15N R12E, 02, 03, 08, 09, 23, 29, 30, 31, 32, 35 of T15N R13E, and 32, 33 of T16N R13E; the Town of Mackford Sections: 02, 08, 09, 14, 19 of T14N R13E; the Town of Manchester Sections: 07, 08, 09, 10, 11, 12, 14, 15, 16, 18, 25, 29 of T14N R12E; the Town of Marquette Sections: 02, 23, 31, 35 of T15N R11E and 15, 16, 22, 30, 31 of T15N R12E.

a) Public Hearing

No one appeared.

b) Committee Discussion & Deliberation

c) Committee Decision

**Motion by Reabe/Wallace, unanimously carried on roll call (4-eyes, 0-nays), to recommend to the County Board the adoption of the Proposed 2017 Farmland Preservation Plan maps for the Towns of Berlin, Brooklyn, Green Lake, Mackford, Manchester, and Marquette. (See attached maps.)**

**Item IV: Applicant:** Green Lake County Land Use Planning & Zoning Committee **Request:** The committee is requesting an amendment to the Code of Green Lake County, Chapter 350 of the Zoning Ordinance; more specifically, to amend the zoning map and various sections within the zoning ordinance to be consistent with Chapter 91 Wis. Stats. as well as other identified changes.

a) Public Hearing

No one appeared.

b) Committee Discussion & Deliberation

c) Committee Decision

**Motion by Lyon/Wallace, unanimously carried on roll call (4-ayes, 0-nays), to amend Chapter 350, Zoning, Articles III, IV, VI, VII, VIII, IX, XI, XIII, and Appendix A. (See attached for ordinance text amendments.)**

### **FUTURE COMMITTEE ACTIVITIES**

a. Future agenda items

b. Meeting Date

December 7, 2017

Business meeting – 5:15 p.m.

Public hearing – 6:30 p.m.

### **ADJOURN**

**7:03 p.m. Motion by Lyon/Reabe, unanimously carried, to adjourn the meeting.**

### **RECORDED BY**

Carole DeCramer

Committee Secretary

### **APPROVED ON:**

December 7, 2017