

**GREEN LAKE COUNTY  
LAND USE PLANNING AND ZONING COMMITTEE  
MEETING MINUTES  
Thursday, April 4, 2013**

**CALL TO ORDER**

Committee Chair Starshak called the meeting of the Land Use Planning and Zoning Committee to order at 4:30 p.m. in the Green Lake County Government Center, County Board Room #0902, Green Lake, WI. The requirements of the open meeting law were certified as being met.

Present: **Eugene Henke, Ben Moderow, Harley Reabe, Michael Starshak**

Absent: **Don Peters**

Also Present: **Al Shute**, County Surveyor/Land Development Director

**Carole DeCramer**, Committee Secretary

**Daniel Hurst**, Corporation Counsel

**Jack Meyers**, County Board Chair (left at approximately 5:35 p.m.)

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

**Motion by Henke/Reabe, unanimously carried, to approve the corrected March 7, 2013, minutes.**

**PUBLIC APPEARANCES** - None

**PUBLIC COMMENT** - None

**CORRESPONDENCE**

Shute – The Personnel Committee approved the exempt employee flex-time policy for our department.

**PURCHASES** - None

**CLAIMS**

Claims totaling \$442.90 were submitted.

**Motion by Reabe/Moderow, unanimously carried, to approve the claims in the amount of \$442.90 for payment.**

**VOLUNTARY UNPAID LEAVE FOR MISSY SORENSON – APRIL 17-19, 2013**

Shute – Reported that Missy Sorenson has requested unpaid leave for April 17-19.

**The committee, unanimously agreed, to approve this request.**

**APPROVAL OF DEPARTMENT ACTIVITY REPORTS**

**a. Permits, public hearings, etc.**

**b. Violations – land use and sanitation**

Shute – Discussed the various aspects of the reports.

**c. Discuss monetary aspect of violations**

This was brought up at last month's meeting. Fines may occur through order of the circuit court. Historically, the department hasn't focused on fines; the focus has been compliance.

Starshak - If there is a violation for 18 months, there should be a point when the county gets compensated for the months of work this has cost the department.

Corporation Counsel Daniel Hurst – There is a provision in the ordinance for fines to be issued.

Shute – What the department would like to see is Dan (Hurst) given some time to work on the violations. Maybe giving him six months to implement what he feels would be appropriate would be helpful.

Moderow – Inquired as to how much added work implementing a fine system would add to the department.

Shute – It probably would not add a great amount of time.

The committee agreed to wait until November to see how this progresses.

**WORKSHOP – PROPOSED A-2 GENERAL AGRICULTURAL ZONING DISTRICT**

The committee had directed staff to arrange a workshop for the purpose of allowing the committee to interact with the public in regard to the proposed A-2 General Agricultural Zoning District ordinance amendments. Shute listed the individuals and organizations that were notified of the workshop.

**On a motion by Reabe/Henke, unanimously carried, the committee suspended the rules to allow the public to comment on the proposed A-2 General Agricultural Zoning District ordinance amendments.**

Kathleen Moore, W6710 Marine Drive -- Stated that she was the Waukesha County zoning administrator for thirty years. Commented that she read through the proposed ordinance and shared what she viewed as potential questions/concerns. (A copy of the questions/concerns was given to Shute.)

Tony Dolgner, 600 Hollander Street, Markesan, Century 21 (Ripon) – Suggested that the committee set a maximum acreage for the proposed district.

Margaret Whirry, W5601 Puckaway Road - Suggested limiting the number of animals allowed by considering the number of acres owned.

**Motion by Reabe/Moderow, unanimously carried, to reinstitute the rules.**

The committee discussed the public's comments and directed Shute to summarize what was discussed and bring back to next month's meeting where another workshop will be scheduled.

Starshak stated that he feels that the committee has a responsibility to preserve the farmland. Once farmland is developed into something other than agricultural, it doesn't come back.

Shute reminded the committee that the current A-2 and A-3 agriculture districts are not the exclusive farmland preservation areas.

### **DEPARTMENT/COMMITTEE ACTIVITY**

#### **a. Preliminary discussion on 25-foot setbacks**

Shute – The committee asked that a discussion on this begin this month. Amending this will not be as simple as changing a number in the ordinance. When moving a building structure from 40' to 25' for the road setback, there are factors to consider, especially safety factors. There are areas where a 25' setback is appropriate. It would be too broad to apply it just to the R-1 Single-Family Residence District. One possibility may be to use road classifications. Moderow said that it may be a good idea to tie the setback in with the size of the lot. Starshak added that adding speed limit to lot size may be helpful. Reabe suggested involving the townships with this issue. The committee will discuss this more at next month's meeting.

#### **b. Discuss issue with non-conforming structures in the shoreland area**

Moderow – Before discussing this, I would like copies of the ordinance regarding this issue. This should be tabled until after I have met with AI (Shute). The general issue is that there is a section of the ordinance that deals with nonconforming structures. There is nothing that defines what can be built in the setback. The existing house in question is only 900 square feet and in order to gain as much setback as possible, the new house would only be 900 square feet. It would be difficult to expect someone to live in a 900 square foot house year round.

Starshak – Basically the debate is about nonconforming and shoreland, and replacing or rebuilding, and how that structure should be situated and/or the tradeoff between becoming more compliant and adding more square footage.

This will be discussed again after the Board of Adjustment reviews this variance request.

#### **c. Updated land division ordinance discussion**

Shute – This is proposed for public hearing for May.

#### **d. Discussion of Jason Hunt conditional use permit, Town of Manchester, increase in building size**

Shute – The committee acted on the Hunt rezone and conditional use permit requests for an auto and semi repair business in the Town of Manchester. There was a site plan showing that he was adding on to an existing building. The proposed size was 40'X60'. He now wants a 50'X60' addition.

Corporation Counsel Hurst – Advised that Hunt needs to come back and amend his conditional use permit.

The committee agreed that Mr. Hunt should apply for a new conditional use permit. Staff will advise him of this decision.

## **FUTURE AGENDA ITEMS**

### **a. Future Activities**

- Continued discussion on 25-foot setbacks
- Workshop on the proposed A-2 General Agricultural Zoning District
- Discuss issue with non-conforming structures in the shoreland area

## **NEXT MEETING DATE**

May 2, 2013

Business Meeting - 4:30 p.m.

Public Hearing - 6:00 p.m.

**5:58 p.m. On a motion by Henke/Reabe, unanimously carried, the committee recessed.**

Committee Chairman Starshak reconvened the meeting of the Land Use Planning and Zoning Committee at 6:05 p.m. for public hearing items and read the rules of public hearing.

## **PUBLIC HEARING ITEMS**

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

**Item I: Applicant:** Double S Dairy LLC, Steve Smits **General Legal Description:** W902 County Rd X, Parcels #010-00292-0000 and #010-00326-0000, Part of the SW<sup>1</sup>/<sub>4</sub>, Section 14, and Part of the SE<sup>1</sup>/<sub>4</sub>, Section 15, T14N R13E, Town of Mackford, ±3.32 acres **Explanation:** Rezone from A-1 Exclusive Agriculture District to R-4 Rural Residential District.

a) Public Hearing

No one appeared.

Public hearing closed.

b) Committee Discussion and Deliberation

Henke – The Town of Mackford is in favor of this request.

c) Committee Decision

**On a motion by Reabe/Henke, carried on roll call (4-eyes, 0-nays), to recommend approval of the rezone request as presented and forward to County Board for final action.**

d) Execute Determination Form/Ordinance

**Item II: Applicants:** Lavern & Loraine Lohrey and Mark A Jensen & Karen C Plagenz-Jensen Revocable Trust **General Legal Description:** N2136 & N2199 Tichora Road, Parcels #010-00089-0000 (Lohrey) & #010-00082-0000 (Jensen/Plagenz-Jensen), Part of 73 acres in the SW<sup>1</sup>/<sub>4</sub>, Section 4, T14N R13E, and Lot 1 Certified Survey Map 2445, Town of Mackford, ±13 acres **Explanation:** Rezone from A-1 Exclusive Agriculture District to A-3 Light Agriculture District.

a) Public Hearing

No one spoke.

Public hearing closed.

b) Committee Discussion and Deliberation

Shute – This request is appropriate for continued agricultural use.

Henke – The Town of Mackford is in favor of the request.

c) Committee Decision

**On a motion by Henke/Reabe, carried on roll call (4-eyes, 0-nays), to recommend approval of the rezone request as presented and forward to County Board for final action.**

d) Execute Determination Form/Ordinance

**ADJOURN**

**On a motion by Reabe/Moderow, unanimously carried, the committee adjourned.**

Time: 6:15p.m.

**RECORDED BY**

Carole DeCramer  
Committee Secretary

**APPROVED ON:**

May 2, 2013