

**Lincoln County Planning and Zoning Committee
Monday, June 25, 2007 at 1:00 p.m.
Land Resource Center Meeting Room**

1. Call Meeting to Order - Meeting was called to order by Chairman Saal at 1:00 p.m. in the Lincoln County Zoning Office. Members present: Saal, Rusch, Mittelsteadt and Short along with Dan Miller; Zoning Administrator. Meyer met the committee at the site.
2. Toured site that will be the subject of the public hearing that will be held at 2:30 p.m
3. 2:30 p.m. Public Hearing (See public hearing notice) – Hearing was held on the item listed in the notice. Hearing called to order by Chairman Saal. Saal, Mittelsteadt, Meyer, Rusch and Short along with Dan Miller, Dan Bowers, June Winters; Program Assistant and 4 others were present.
4. Discussion by the Planning and Zoning Committee and Decision on the Conditional Use request which was the subjects of the Public Hearing.

CONDITIONAL USE

1. A request by Sara Burgener to authorize a sandwich shop as an expanded home occupation. The property is located in part of Section 32, T33N, R08E, in the Town of Russell; having a tax parcel number of 20.323308.013.002.00.00 and an address of W1751 Totem Trail Rd. The request is being heard under section 17.3.09(8) of the Zoning Ordinance.

Chairman Saal read a letter from Rod Burgener clarifying the Town of Russell's approval stating that it was not just for this year but for the length of the request if granted.

Sara Burgener was present to support her request. She explained and clarified her request. She wishes to be open for business with her picnic area/playground and sandwich shop May – September every year. Friday - Sunday this summer and all days of the week after this year. She would like in the future to have special events like “art in the park”, farmer’s market and small animal zoo. She would also have horseshoe pits and a volley ball court near the picnic area. She understands that there is a “large assembly” restriction in our ordinance and doesn’t believe she would have anything that large.

Dan Bowers asked about bathroom facilities. Ms. Burgener stated that she would utilize portable restrooms at this time. And if the business grows she will install a septic system for restrooms. He asked if she has been in contact with the Health Department and she stated that she has. She was waiting for the outcome of this meeting to finish up what was required with the Health Department. Short asked what hours she planned on being open. Ms. Burgener stated she was planning on 11 a.m. to 7 p.m. unless there is a special event going on then possibly later.

Rod Burgener, Town of Russell Chairman, was present to support the request. He did not think that May-September during the year would be a problem. He briefly explained the town’s special events permits & picnic license for beer & wine coolers. There was some discussion on the driveway and access to the property off of Totem Trail Rd & Town Hall Rd.

Chairman Saal closed the public hearing for the Conditional Use request.

Motion by Mittelsteadt, seconded by Short to APPROVE ON CONDITION.
CONDITIONS:

- 1) Must follow all applicable state and local licensing and health regulations.

- 2) Persons employed by the expanded home occupation shall be limited to the resident family members and no more than 3 nonresident employees.
- 3) Must supply at least 2 parking spaces off of the town road.

Motion carried all ayes.

5. Adjourn - Motion by Mittelsteadt, seconded by Meyer to adjourn at 2:45 p.m. Motion carried all ayes.