

**Lincoln County Planning and Zoning Committee**  
**Thursday, October 12, 2006 at 8:30 a.m.**  
**Land Resource Center Meeting Room**

1. Call Meeting to Order - Meeting was called to order by Chairman Saal at 8:30 a.m. in the Land Resource Center Meeting Room. Members present: Saal, Mittelsteadt, Meyer, Rusch, and Short along with Dan Miller; Zoning Administrator and Dan Bowers, Zoning Specialist.
2. Toured sites that will be the subject of the public hearing that will be held at 1:00 p.m. Also toured Lake Mohawksin Preserve (Condominium site)
3. Recessed for lunch at 11:30 a.m. to meet at 3's Company, 3201 E. Main St., Merrill  
Re-convened for Public Hearing at 1:00 p.m. in the Land Resource Center Meeting Room
4. 1:00 p.m. Public Hearings (See public hearing notice) Hearings were held on the item listed in the notice. Saal, Mittelsteadt, Meyer, Rusch and Short along with Dan Miller; Zoning Administrator, Dan Bowers, Zoning Specialist, June Winters; Program Assistant, Ray Kraemer - Court Reporter and approximately 8 others were present.
5. Discussion by the Planning and Zoning Committee and Decision on the Conditional Use request and Rezone which were the subject of the Public Hearing

**CONDITIONAL USE REQUESTS**

1. A request by Gregory and Sandra Myre to allow for the construction of storage units in a Planned Business district. The property is described as part of Section 8, T35N, R06E, in the Town of Bradley; having a tax parcel number of 04.093506.000.006.06.10 and an address of N11585 County Road Y. The request is being heard under section 17.3.08(1) of the zoning ordinance.

Chairman Saal read into the record the Town of Bradley approval of the request (3-0) from the 10-9-06 meeting.

Sandra Myre was present to explain and support their request. They have contacted the Town of Bradley to have adjoining platted street and alleyway vacated. There was some discussion on being able to meet the required setbacks. It was determined that their request as stated would meet required setbacks without requiring vacating the alleyway.

Chairman Saal closed the public hearing for Gregory and Sandra Myre.

Motion by Saal, seconded by Rusch to APPROVE ON CONDITIONS the request of construction of storage units in a Planned Industrial District. **CONDITIONS:**

- 1) No electricity, heat or plumbing will be allowed inside of the structure.
- 2) The building shall be located so as not to infringe upon any setback from the platted but undeveloped roads within the village plat of Bradley, unless such roads are properly vacated by the Town of Bradley.
- 3) No storage of things such as campers or boats will be allowed outside of the structure.
- 4) Any external lighting shall comply with the performance standards of the Lincoln County Zoning Ordinance.
- 5) No secondary business shall be operated from a rental stall in the building including outdoor display around the building.
- 6) The application says "would like to erect additional storage buildings". This approval is specific to one building with dimensions of 40'x48' as depicted upon the site plan.

Motion carried all ayes.

## PETITION FOR REZONING

2. A request by Michael Waring to rezone 26 acres from a Forestry district to a Rural Lands 2 district to allow for a year round home. The property is described as part of the NE ¼ of the NE ¼ of Section 1, T35N, R5E, in the Town of Wilson; having a tax parcel number 32.013505.001.002.00.00 and an address of W7503 Hess Road. The request is being heard under section 17.8.25 of the zoning ordinance.

Michael Waring was present to support his request. Frank Saal read into the record that the Town of Wilson is not opposed to the rezone by a copy of the staff report submitted by Mr. Waring with the Town of Wilson Chairman, Fran Pflum's, signature on it. He gave background and reason for his request. There was discussion on how much of his road is actually a snowmobile trail and how accessible the home would be to emergency vehicles. The issue of this possibly being a spot zone of the property as it is completely surrounded by Forestry zoning district was discussed. Waring stated that he would be willing to improve the road as much as the Forestry Department will allow him to. Dan Miller reviewed the permits that were issued earlier this year on the property for a seasonal dwelling. Saal had questions on the "Access Permit" that was issued by the Lincoln County Forestry Department. Waring stated that the copy that he had of the Access Permit was worded differently than the copy that we had. Rusch asked if Zoning thought that access for emergency vehicles would be a problem. Dan Bowers stated that thought that it would be a problem.

Jane Severt, Lincoln County Forestry Department Administrator, was present to speak in opposition to the request. She explained the difference in the copies of the Access Permits. One permit had been issued to the previous owner and a new Access Permit (worded differently) had been issued to Mr. Waring in April of 2006. She has met previously with Mr. Waring and explained that the Forestry Department would oppose any attempt to use this property as a year round residence. She explained the route of the snowmobile trail. Severt stated that the surrounding property use is a big factor. She stated that the property was purchased with the understanding that the access was for 180 days out of the year and that if he wishes to use this as a year round residence the Forestry Department may revoke the Access Permit. Rusch asked if there are any year round residences that utilize Access Permits through County Forest Land. Severt gave the couple of examples that she was aware of. Bowers asked if the width of the road could be maintained. Severt stated that they are not trying to deny landowners access to their properties but if they are accessing through County Forest Land they would like to be consistent in administering the permit and if they make exceptions and new precedents are set it will be difficult to administer.

Chairman Saal closed the public hearing for the Waring rezone.

Motion by Mittelsteadt, seconded by Meyer, to DENY the request of Michael Waring to rezone from Forestry to RL2 District. He explained his reasoning as it would be causing a spot zone and unreliable access. Motion carried all ayes. This will go before the County Board on the November 14, 2006 meeting as a recommendation for denial.

## ORDINANCE AMENDMENTS

3. Lincoln County will be holding a public hearing on amendments to the text of Chapter 18 of the Lincoln County Ordinances otherwise known as the Subdivision Ordinance. The amendments primarily allow for further review of condominium plats. A copy of the text amendment is available for review at the Lincoln County Zoning Office located at 901 Spruce Street, Merrill WI 54452.

Dan Miller and Dan Bowers gave a brief review the proposed changes. Mark Kordus, McKeough Land Co., was present and had some questions regarding the proposed changes. He had questions about the review time, density standards and buffer requirements. Miller clarified those issues. Earl Welker was present,

representing the Town of Schley Planning Commission and he questioned if the Township would be included in the approval process for Condominium Plats. Miller said yes, during the preliminary plat stage.

Chairman Saal closed the public hearing.

Motion by Mittelsteadt, seconded by Short, to APPROVE the amendments to the text of the Chapter 18 of the Lincoln County Ordinances. Motion carried all ayes. Amendments will go before Lincoln County Board on November 14, 2006.

At 2:05 they committee took a 10 minute recess. Reconvened at 2:15

6. Old Business – Request of Gil and Jill Habeck to allow for a camper in a Rural Residential 3 district. The property is described as part of the SW ¼ of the SE ¼ of Section 8, T34N, R05E, in the Town of Tomahawk; having a tax parcel number of 30.083405.017.025.00.00 off of Little Beaver Road. The request is being heard under section 17.2.100 of the zoning ordinance.

Dan Miller reviewed the request. He stated that both Habeck and the Town of Tomahawk had been notified that the request had been laid over and had been asked to attend today's meeting. Gil Habeck was present to explain his request. Saal reviewed the denial from the township at last months meeting and stated that the request was laid over to clear up the confusion. Miller stated that the township had not contacted him and there was no representative from the town to explain the reason for their denial. There was discussion regarding the means of sanitary waste disposal requirements.

Motion by Mittelsteadt, seconded by Meyer, to APPROVE ON CONDITIONS.

CONDITIONS:

- 1) There shall be not more than one occupied camping unit left on the property for more than 60 days a year.
- 2) Adequate sanitation meeting all applicable state and county regulations be utilized while the camping unit is occupied on the property.
- 3) This Conditional Use Permit for the camping unit as the principal structure for the property shall be reviewed for continuity with the character of the neighborhood, without fee, one (1) year from date of first approval.

Motion carried all ayes.

7. Discussion of Livestock Facility Siting (Amendments to Chapter 17) (set public hearing) - Dan Miller reviewed the changes.

Motion by Mittelsteadt, seconded by Saal to send the amendments to public hearing at the November Zoning Committee Hearing. Motion carried all ayes.

8. Subdivision: Major Plat Northern View Estates (Preliminary Plat) - Dan Miller stated that we have not received all the required material. Stormwater issue needs to be addressed.

Motion by Saal, seconded by Rusch, to LAYOVER the preliminary plat of Northern View Estates until the November meeting.

Motion carried all ayes.

9. Condominium Plat – (Plat review) McKeough Land Co – Lake Mohawksin Preserve - Dan Miller and Dan Bowers reviewed the history of the request. Bowers stated that the road width was not stated in the declaration. He has spoken to Kordus about it and thought that they would agree to a minimum width of 16 ft. The other issue is the storage building. He would approve of 1 storage structure but not 2. Mark Kordus was present to support McKeough's request. Bowers questioned leaving unit #1 to allow for a boathouse with the ongoing changes in

NR115. Meyer questioned the number of docks and boat lifts that are allowed. Kordus stated that for the amount of lake frontage that they are working with they are way below the limit for number of docks & boat slips allowed. He stated that he believes he has addressed all of the concerns that the Zoning Office has. He disagreed with the staff on the issue of the boathouse citing State Statute 703.27 but he would abide by any decision made. Bowers gave his reasoning for the request. Miller gave the restrictions for a boathouse under the current code. There was discussion on the pre-determined viewing access corridors for each lot. Kordus is hoping that these issues can be resolved as they already have sales pending. Bowers asked if units 2-6 were allowed boathouses. Kordus stated that they were not. Meyer asked if they had met all of the conditions of the rezone and Bowers stated yes but the 16 ft minimum road width had not been listed on the rezone but would be required.

Motion by Meyer, seconded by Saal, to APPROVE ON CONDITIONS the request of McKeough Land Co.  
CONDITIONS:

- 1) That unit 1 be reduced in size to eliminate the possibility of a boathouse
- 2) That a minimum road maintenance width of 16 feet for Branch Road be recorded within the declaration.

Motion carried 3-2.

At 3:15 the committee took a 5 minute recess. Reconvened at 3:20.

10. Wisconsin River Heights – Public Access “Ownership” – Dan Miller explained this item. Town of Scott met November 10, 2006 and they decided that the Township did wish to accept ownership of the Public Access. Dan Bowers listed his reservations in order to protect the Township. There was discussion on how the decision is made as far as what entity shoulders the responsibility for the public accesses that are required. Saal stated that this should be a future agenda item with the towns involved for their input.
11. Public Comment Opportunity - No public comment
12. Approve the September 8, 2006 and September 14, 2006 meeting minutes- Motion by Saal, seconded by Meyer to approve the September 8, and September 14, 2006 minutes. Motion carried all ayes.
13. Administrator’s Report - Dan Miller reviewed & discussed the report. Brief discussion on Compliance report and financial report. It was decided to change the November public hearing to Friday, 10, 2006 at 8:30 a.m. A Data Conversion update was given.
14. Adjourn – Motion by Saal, seconded by Mittelsteadt, to adjourn at 3:45p.m. Motion carried all ayes.