

**Lincoln County Planning and Zoning Committee  
Thursday, October 9, 2008 at 9:00 a.m.  
Lincoln County Service Center, Meeting Room 107**

1. Call Meeting to Order - Meeting was called to order by Chairman Saal at 9:00 a.m. in the meeting room 107 in the Lincoln County Service Center. Members present: Saal, Meyer, Mittelsteadt, Eisenman and Rusch along with Dan Miller, Zoning Administrator, Dan Bowers; Zoning Specialist and June Winters; Program Assistant.
2. Tour site that will be the subject of the public hearing that will be held at 10:00 a.m. – Members, Miller and Bowers left to tour the sites listed on the public hearing notice. The Committee returned at 9:40 a.m. from the tours and proceeded with item #8 on the agenda.
3. 10:00 p.m. Public Hearings – Hearings were held on the items listed in the notice. Hearing called to order at 10:03 a.m. by Chairman Saal. Saal, Meyer, Mittelsteadt, Eisenman and Rusch along with Dan Miller; Zoning Administrator, Dan Bowers; Zoning Specialist, June Winters; Program Assistant, Ray Kramer; Court Reporter 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 REQUEST**

1. A request by Raymond & Marjorie Fehrmann to allow for a storage building greater than 1,500 square feet in a Rural Residential – 3 zoning district. The property is located in the SW ¼ of the NW ¼ of Section in 23, T31N–R6E, in the Town of Scott, and has an address of N1128 Fairview Rd. The request is being heard under section 17.3.09(1)(f) of Lincoln County Ordinances.

Ray Fehrmann was present in support of their request. He explained their request and reason for replacing an existing old barn. They just need it for storage of their own personal property.

Chairman Saal read into record the approval from the Town of Scott from their September 10, 2008 meeting and then closed the public hearing for the Fehrmann Conditional Use request.

Motion by Mittelsteadt, seconded by Meyer to APPROVE ON CONDITION the request.

**CONDITIONS:**

- 1) Shall not be used as a dwelling or for any commercial purpose, without receiving prior approval from the Zoning Department.

Motion carried all ayes.

5. Old Business – A request by Tim Karschney to allow for a camper to be the principal use of a lot longer than 60 days in a Rural Residential 2 zoning district. The property is located in Section 09, T35N–R6E, in the Town of Bradley, and has an address of N11432 Tomahawk River Rd. The request is being heard under section 17.3.03(9) of Lincoln County Ordinances

Dan Miller reviewed the request for the Committee. He said that they did go before the Town of Bradley Plan Commission but unfortunately the Town of Bradley's Board meeting is not being held until October 13th so we do not have their approval form.

Becky Allen was present to support the request. She is the girlfriend of the applicant and is attending on his behalf because due to prior commitments he could not attend the meeting today. She explained their request and the use of the campers on the property. The Conditional Use Permit would be for the one camper and they wish to leave a 2<sup>nd</sup> camper on the property for a maximum of 60 days every summer. They had been given until the end of October to remove that extra camper. They will relocate the camper so that it is not encroaching on the lot line. She is asking for 5 years instead of the 2 year restriction that the Town of Bradley Planning Commission has recommended. Due to financial constraints she doesn't believe that Mr. Karschney would be building a home on the property as soon as the 2 year timeframe. There was discussion of the sanitary requirement and they are planning on having a chemical toilet to service the 2 campers. Miller did suggest that that a better option may be a vaulted privy but said that the chemical toilet does meet our minimum requirements. Miller did discuss the staff report and stated that he had recommended that the Conditional Use be granted for the 5 year period. He also explained that the sanitary requirement is relevant if the camper is left longer than 60 days by our ordinance.

Harry Gladwin, Town of Bradley Plan Commission, was present and reported that at their Plan Commission meeting the request was approved with conditions to be sent on to the Town of Bradley Board. The conditions were for there to be an approved means of meeting sanitary requirements, that the 2<sup>nd</sup> camper be removed by the end of October 2008, and that the one camper (if approved) be removed from the property after 2 years at which time it is either replaced with a dwelling, the property remains vacant or they apply for another Conditional Use permit for the camper to remain there. He said that the recommendation by staff of the 5 year time limit was met with some opposition by some of the Plan Commission members due to previous problems with campers (not related to this property). The adjoining neighbor attended the meeting and did not have a problem with the 2<sup>nd</sup> camper being on the property as long as it was relocated so as not to encroach on their common lot line. The Board will meet on Monday and make their decision. Meyer asked if he had a problem with the 60 day time limit for the 2<sup>nd</sup> camper. Speaking in his own opinion he didn't see a problem as long as it was removed after no longer than 60 days. He said that Karschney has been very cooperative but was disappointed that the Plan Commission wanted to limit the approval to two years.

Miller elaborated on the staff report. He suggested a compromise of the granting the request for 5 years and revisiting it in two years to see if there have been any problems with the situation. He did say that there was only supposed to be one camper on the property at a time. Several options were discussed.

Chairman Saal closed the hearing for the Karschney Conditional Use Request. Saal brought up concerns with the sanitary issue, and the number of campers that are allowed and there was discussion that followed. Miller reviewed the issues. Meyer said that we have to be a little flexible especially in these economic times where people may not be able to afford to build right away on a parcel.

Saal reopened the hearing to ask a question of Ms. Allen. Rusch had questioned whether both of the campers would be utilized during those 60 days if they were both on the property. Allen said that during the times that they would come up for camping they would both be used. There was lengthy discussion on the 2<sup>nd</sup> camper issue.

Motion by Mittelsteadt, seconded by Saal to APPROVE ON CONDITION the request.

**CONDITIONS:**

1. A septic system, privy or other approved waste treatment devise shall be installed on the property for the camper following the issuance of a sanitary permit.
2. Only one camper may be located on the property beyond the 60 days each year.
3. 2<sup>nd</sup> camper shall be removed from the property after 60 days per year.
4. Both campers shall be removed from the property 5 years after the issuance of this Conditional Use permit and either replaced with a dwelling, or the property may remain vacant, or another Conditional Use permit may be sought for a camper if it is intended to remain for a period longer than 60 days in a calendar year.
5. Conditional Use Permit shall be re-evaluated 2 years from date of issuance (at no cost to the applicant) to ensure the conditions of the permit are being adhered to.

6. If any rules are violated or the 2<sup>nd</sup> camper is not removed after 60 days per calendar year the Conditional Use permit shall be revoked.

Motion to amend original motion by Saal, seconded by Mittelsteadt to include the following additional condition:

7. Approval contingent upon Town of Bradley Board approval at their October 13, 2008 meeting. All ayes to amend the motion. Amended motion carried all ayes.

6. Committee Approval of Spirit Falls Cemetery Plat - Dan Miller reviewed the request for the Committee. He explained that a cemetery plat is required to have approval from the Lincoln County Board but the first step is the approval at committee level.

Motion by Saal, seconded by Meyer to APPROVE the Spirit Falls Cemetery plat and send on to the October 21, 2008 Lincoln County Board meeting. Motion carried all ayes.

7. Public Comment Opportunity – Harry Gladwin commented on the new building. The Committee then returned to finish item #9 on the agenda.
8. Approve the September 11, 2008 meeting minutes – Motion by Eisenman, seconded by Rusch to approve the September 11, 2008 meeting minutes. Motion carried all ayes.
9. Administrator's Report - Miller reviewed with the Committee the activities since their last meeting. The Committee briefly reviewed the compliance report. The Committee reviewed the financial report. There was discussion on the current budget/revenue situation. Miler discussed the prioritization of the FEMA remapping project. At this point the Committee returned to item #3 on the agenda. After item #7 Miller then resumed talking about the Floodplain issues that are being held up because of issues with a culvert in Harrison that needs to be replaced, the cost of a study that has to be done as a result of it, where the funds would come from for the study and all the entities that would be involved. It was discussed, and the consensus was that the Forestry Department should probably be taking the lead on this project.
10. Adjourn - Motion by Saal, seconded by Mittelsteadt to adjourn at 10:55 a.m. Motion carried all ayes.