

**Lincoln County Planning and Zoning Committee**  
**Thursday, March 14, 2013 at 1:00 p.m.**  
**Lincoln County Service Center, Meeting Room 156**

1. Call Meeting to Order - Meeting was called to order by Chairman Saal at 1:00 p.m. in meeting room 156 in the Lincoln County Service Center. Members present: Saal, Bailey, Rusch & Pike, along with Diane Hanson, Land Services Administrator; Dan Bowers, Zoning Specialist & June Winters, Program Assistant. Nelson will join the Committee for the hearing at 2:30 p.m.
2. Tour a site that will be the subject of one of the public hearings – Committee Members that were present and Bowers left to tour the Conditional Use request site listed on the public hearing notice.
3. Approval of the January 10, 2013 meeting minutes – Motion by Rusch, seconded by Nelson to approve the January 10, 2013 minutes. Motion carried all ayes.
4. Public Comment – There was no public comment.
5. 2:30 p.m. Public Hearing – At 2:45 p.m. the Public Hearing was called to order. Hearings were held on the items listed in the notice. Saal, Rusch, Bailey, Nelson & Pike along with Diane Hanson, Land Services Administrator; Dan Bowers, Zoning Specialist; June Winters, Program Assistant and 4 others were present. Chairman Saal explained the rules of conduct for public hearings and introduced the Committee members. He called the first hearing.

**FLOODPLAIN ORDINANCE AMENDMENT**

1. An amendment to Section Section 20.1.5 to the Lincoln County Floodplain Ordinance (General provisions – Official Maps Based on other Studies). A hearing is being held to solicit comments on a proposed amendment to the Lincoln County Floodplain Ordinance and official floodplain maps to include the Olivotti Lake Dam Failure Analysis Study, dated July, 2012. A copy of the Olivotti Lake Dam Failure Analysis Study will be on file and open for public inspection in the Lincoln County Zoning office and may also be viewed at the Lincoln County website at: [www.co.lincoln.wi.us](http://www.co.lincoln.wi.us).

Hanson explained the need for the amendment. Olivotti Lake Dam was required to have a Dam Failure analysis & hazard rating analysis done. The dam is on property owned by the Girl Scouts of Northwest Great Lakes. This study needs to be added to the ordinance to regulate any structures that may be proposed within the floodplain area should the dam fail. Hanson noted that the majority of the area that would be affected is considered wetland which would limit development also.

Saal called for proponents & opponents that wished to testify. George Amelse, from the Town of Rock Falls was present. He said that this was discussed at their town meeting and he just wanted to get information on the issue. Hanson explained that the town road may be affected if the dam failed. Bowers said that the study indicated that Rick's Rd & Wilderness Shore Ln may be affected but the Olivotti Lake Rd did not appear to be.

Saal closed the public hearing for the Floodplain Ordinance Amendment.

Motion by Rusch, seconded by Saal to APPROVE Ordinance amendment as proposed and forward to the April County Board meeting for adoption.

Motion carried all ayes.

### CONDITIONAL USE REQUEST

2. A request by Northern Sunrise LLC & Jody Dombeck to use the property as tourist lodging allowing for daily or weekly rental of the residence. The property is located in Section 29, T35N-R7E, in the Town of King, having an address of W4211 Sandy Lane. The request is being heard under section 17.3.04(12) of Lincoln County Ordinances.

Jody Dombeck was present to explain her request for the Committee. She would like to use the property as a rental and she believes that it would be an economical asset to the area. Saal asked how many years she planned on using the property as a rental and Dombeck stated she has no end date. Saal asked that if Dombeck ended up selling the adjoining vacant lot, if this property's use being tourist lodging would create any problems for a new owner. Dombeck said she has no plans on developing that vacant lot. Nelson asked if she was going to be building any other structures on the property and she said she had no plans to do so. Bailey asked Dombeck if she had spoken to her insurance carrier to make them aware that it will be used as a rental property and asked if she was going to have any railing or safety features installed on the steps and retaining wall. Dombeck said she has spoken to her insurance company and she is planning on installing a railing on the steps down to the lake per a request by them (when weather permits). Saal had concerns about the safety issue of the retaining wall not having a railing.

Bowers asked the process that will be involved with the rentals. Dombeck said that she will be the main contact for "check-in" or problems and then she will have 3 other local contacts as "back-up" and for any issues that should arise. Bowers asked if she had any questions with any conditions listed in the staff report and she said she did not. Bowers reminded Dombeck that any "tourist lodging" would need to be licensed through the Health Department. Hanson asked Dombeck if she understood the requirement for maintaining the vegetative buffer and Dombeck said that she did.

Saal read into the record that the Town of King recommendation from their February 11, 2013 Town Board meeting approving the request on a 3-0 vote, with no conditions listed.

Saal closed the public hearing for the Northern Sunrise LLC Conditional Use request.

Motion by Bailey, seconded by Nelson to APPROVE ON CONDITION the Conditional Use request per recommendations as listed in the staff report.

Conditions:

1. The occupancy of the rental is limited by the sizing of the septic system. The existing 3-bedroom system (installed in 1994) allows for a maximum of 6 persons.
2. Camping units are not allowed.
3. The shoreland buffer shall be maintained and preserved according to ordinance standards and an affidavit be recorded as such.
4. The retaining wall shall be camouflaged with native vegetation.
5. A railing or other such barrier shall be placed above the retaining wall for safety purposes.
6. A natural buffer of 15 feet along the western lot line of Lot 2 CSM 1988, and along the eastern lot line of Lot 3 CSM 1988 shall be maintained to accomplish screening. In the event Lot 3 is sold and no longer under common ownership with Lot 2 such buffer shall be maintained along the eastern lot line of Lot 2 CSM 1988; fencing may also be utilized to accomplish screening near the existing residence.
7. A property manager, owner, or similar responsible party must be made available and located within 30 miles of the property.
8. Must adhere to all applicable federal, state or local licensure and regulations.

There was discussion on the conditions. Motion carried all ayes.

6. Discuss Upcoming Wisconsin Lakes Conference – Hanson said the conference was April 9-11 and Saal has asked to attend. Motion by Bailey, seconded by Nelson to pay mileage & per diem for Saal to attend the conference. Motion carried all ayes.
7. Lakeland Times articles – Saal shared a couple of Lakeland Times articles with the rest of the Committee regarding boathouses and communications towers and how Oneida county was dealing with these issues and problems that they have encountered. He suggested that we may need to make some changes to the communications tower ordinance in the near future.
8. Department Report -
  - a. Committee reviewed the Financial Report and placed it on file.

Hanson explained the Carryover & Budget Modification requests for the Committee. Motion by Nelson, seconded by Rusch to approve the Carryover requests (shoreland protection grant & comprehensive plan update) & Budget Modification for 2012 to balance accounts. Motion carried all ayes. Committee signed the Budget Modification and both documents will be forwarded to the Finance Department.
  - b. Hanson reviewed the proposed office restructuring with the Committee. This will be a budget neutral request due to other changes that have taken place within the department. Hanson had planned on discussing this with the LICD Committee yesterday but the meeting was cancelled so she will discuss it with them at their next meeting. Motion by Pike, seconded by Rusch to move forward with this proposed restructuring. Motion carried all ayes.
  - c. Bowers reviewed the portions of the Shoreland Ordinance that they have been working to update. There was discussion on each of the sections.
9. Confirm next meeting/public hearing date – Tentatively April 11, 2013 - The meeting will be rescheduled to Monday, April 8, 2013. The time will be in the afternoon to be determined after when the Public Hearing Notice is written.
10. Adjourn - Motion by Rusch, seconded by Nelson to adjourn at 3:58 p.m. Motion carried all ayes.