

**Lincoln County Planning and Zoning Committee
Thursday, September 10, 2009 at 8:30 a.m.
Lincoln County Service Center, Meeting Room 156**

1. Call Meeting to Order - Meeting was called to order by Chairman Saal at 8:30 a.m. in meeting room 156 in the Lincoln County Service Center. Members present: Saal, Mittelsteadt, Meyer and Rusch along with Dan Miller, Zoning Administrator, Dan Bowers; Zoning Specialist and June Winters; Program Assistant. Supervisor Eisenman was excused.
2. Tour site that will be the subject of the public hearing that will be held at 9:30 a.m. – Committee Members, Miller & Bowers left to tour the sites listed on the public hearing notice.
3. 9:30 p.m. Public Hearing – A hearing was held on the item listed in the notice. Hearing called to order at 9:30 a.m. by Chairman Saal. Saal, Meyer, Mittelsteadt and Rusch along with Dan Miller; Zoning Administrator, Dan Bowers; Zoning Specialist, Ray Kraemer; Court Reporter, June Winters; Program Assistant and 4 other persons were present. Supervisor Eisenman was excused.
4. Discussion by the Planning and Zoning Committee and Decision on the Conditional Use request which was the subject of the Public Hearing.

CONDITIONAL USE REQUEST

1. A request by Wendy and Sylvester Pieczonka to allow them to keep a camper on their lot for a period longer than 60 days in a Rural Residential 2 zoning district. The property is located in Section 31, T32N–R6E, in the Town of Harding, and has an address of W6978 Von Besser Drive. The request is being heard under section 17.3.03 (9) and 17.8.30 of Lincoln County Ordinances.

Sylvester Pieczonka was present to support their request. He explained that they would like the camper on the property until they build a home in possibly a year or two. He understands that the location of the camper would have to change as they are too close to the property line. Saal asked what they do for sanitary waste disposal for the camper and Pieczonka replied that they have the same pumper as the neighbor. Saal asked about the stairs to the water that had been built as to whether there had been a permit and Pieczonka said he believed that the builder had taken care of that. Saal also questioned that there may be a lot line dispute. Pieczonka said he wasn't aware that there was a problem until now. He said there used to be a post and some ribbons but they may have been removed. Dan Miller asked Pieczonka if he had received the staff report and he acknowledged he had. Dan Bowers asked when the stairs were constructed and Pieczonka said in 2007. Saal asked if there is encroachment issue how he would propose it be resolved possibly with the neighbor sharing the stairway as opposed to them being removed. Pieczonka stated that they just want to be good neighbors they did not realize that they were doing anything wrong and is willing to do what they need to do to correct the issues. Miller asked for clarification on the sanitary waste disposal and Pieczonka said that he believes it is a 50 gallon holding tank. He said that they empty it twice a year. Miller asked if he agreed that the lot line needed to be established and Pieczonka did agree. Mittelsteadt questioned a flag that was out on the property. Miller said that it was a flag that he had put out there trying to indicate the road & East lot line.

Wendy Pieczonka was present and suggested that the Committee appoint a surveyor. Saal stated that it is not within their authority and Mittelsteadt said that they would just have to have a licensed surveyor and Miller said that we have a list of local surveyors in our office that they could look at.

Saal read into the record the document from the Town of Harding's August 11, 2009 town board meeting where the town waived its right to make a formal recommendation to the Zoning Committee on the Pieczonka Conditional Use request.

Wayne Zimmerman was present and in opposition to the request. He is an adjoining land owner (lot 9). He is opposed to the request because he is worried that if the request is granted it will be "open ended". He feels that they as neighbors have a good relationship but he wants to know that there are restrictions. Zimmerman stated that Miller had told him that they may impose 2 year time limit. Saal asked Zimmerman to clarify he was not opposed to the request

but the possibility the camper could remain there indefinitely. Zimmerman concurred. Mittelsteadt questioned how long a camper could remain in a year. Miller clarified that on a lot with out a dwelling, the camper cannot remain there more that 60 cumulative days in a year without needing the permits whether it is inhabited or not. Miller said his recommendation is that they come before the Committee in 2 years for review if they have not built by the. Zimmerman said that with that condition he would not be opposed but if left open ended then he would be opposed. Saal pointed out that with a Conditional Use if the conditions are violated the permit may be revoked.

Christian Lee was present in opposition to the request. He is an adjoining land owner (lot 11). He has concerns about the camper getting run down if left there year round. He too is not totally in opposition but wants time restrictions on it if the request is granted. He has a vacant lot with plans of building in the future. The property line issue he feels they can resolve by having it surveyed. He is hoping that the Committee would revisit the request by the time he (Lee) builds a home and does not leave it open ended. Saal asked Lee to quickly read through the recommended conditions on the staff report. Miller clarified that he was under the impression that the stairway had been built in 2008. If it was built in 2007 it was prior to the ordinance requiring a permit. Lee said that he and the Pieczonkas would address the encroachment/lot line issues and deal with those issues.

Saal closed the public hearing for the request.

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

- 1) A land use permit must be sought by the applicant for the camper.
- 2) The camper must be moved so that it complies with all required setbacks required by the county.
- 3) The conditional use permit shall be valid for two years from the date of issuance with an opportunity for an extension by the Planning & Zoning Committee at the two year anniversary meeting under "Old Business" if requested by the applicants. Adjoining neighbors shall be notified of the meeting.

There was discussion and then a motion by Mittelsteadt, seconded by Meyer to amend the motion to also include the condition:

- 4) That the landowners keep a pumping record of the holding tank for the camper.

Motion to amend motion carried all ayes. Amended motion carried all ayes.

Saal called for a brief break at 10:20 a.m. Meeting reconvened at 10:30 a.m.

5. Public Comment Opportunity – There was no public comment.
6. Follow-up discussion on impervious surface education efforts - Miller reviewed that pamphlet that he has prepared to distribute in an attempt to educate the public regarding the restrictions and reasoning for the impervious surface limitations. Saal complemented Miller on the pamphlet. Miller said that we will also put something in the tax bill "stuffer" to let people know about it.
7. Approve the August 13, 2009 meeting minutes – Motion by Mittelsteadt, seconded by Meyer to approve the August 13, 2009 meeting minutes. Motion carried all ayes.
8. Administrator's Report - Miller reviewed with the Committee the activities since their last meeting. He shared with the Committee current activities for the Comprehensive Plan update and some of the meetings with the towns. Miller discussed grants that may be available. He will be attending a workshop in Rhinelander regarding a grant. He commented that there are pros and cons with a grant. He will explore the possibilities. Miller gave the Committee an update on the Land Services reorganization and budget issues. Miller shared with the Committee issues that were discussed at a meeting yesterday. There was lengthy discussion on the reorganization issues. Committee briefly reviewed the Compliance and Financial reports. Miller said that they are supposed to be on September County Board agenda with the Comp Plan Update but he wasn't sure if that meeting was still scheduled so it may wait until October. They are planning a couple of Housing discussion group meetings with the first one being in early October.
9. Adjourn - Motion by Mittelsteadt seconded by Saal to adjourn at 11:05 a.m. Motion carried all ayes.