
**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Thursday, March 3, 2016**

CALL TO ORDER

Committee Chair Starshak called the meeting of the Land Use Planning and Zoning Committee to order at 4:31 p.m. in the Green Lake County Government Center, County Board Room #0902, Green Lake, WI. The requirements of the open meeting law were certified as being met.

Present: **Ben Moderow, Harley Reabe, Rich Slate (4:38), Michael Starshak**

Absent: **Nick Toney**

Also Present: **Al Shute**, Land Use Planning & Zoning Director

Carole DeCramer, Committee Secretary

Missy Sorenson, Code Enforcement Officer

Matt Kirkman, Code Enforcement Officer

Dawn Klockow, Corporation Counsel

4:38 p.m. Motion by Moderow/Reabe, unanimously carried to seat Slate.

APPROVAL OF AGENDA

Motion by Reabe/Moderow, unanimously carried, to approve the amended agenda.

APPROVAL OF MINUTES

Comment by Reabe – In the minutes it states that Town of Marquette Chairman James Stellmacher asked the Land Use Planning and Zoning Committee members to attend the next town meeting regarding the Robin’s Nest Resorts, LLC rezone and conditional use permit requests. If the committee members do attend, a meeting notice must be published.

After further discussion, Corporation Counsel Klockow advised that it would be best if the committee members not attend the Town of Marquette’s town board meeting.

Motion by Slate/Reabe, unanimously carried, to approve the February 4th minutes.

PUBLIC COMMENT - None

PUBLIC APPEARANCES

a. Alan K. Shute, County Surveyor/Land Development Director

Future Land Use Planning & Zoning Department

Mr. Shute announced that, after eighteen years of service to Green Lake County, he will be retiring. His last work day will be April 1, 2016. Mr. Shute thanked the committee for the opportunity to serve Green Lake County. The committee expressed their appreciation and wished him luck. Shute’s letter of retirement read to the committee is attached.

The committee discussed the procedure for replacing Mr. Shute. Corporation Counsel Klockow advised that an interim registered surveyor be appointed as well as an interim department head. The Administrative Coordinator will work with the committee on the department’s needs and how it should be structured. The committee’s recommendation will then go to the Personnel Committee for their final decision. The Land Use Planning and Zoning Committee will then begin the hiring process. The

Personnel Committee will not be involved with the appointment of an interim department head and interim county surveyor. This can be accomplished at a special meeting that the committee scheduled for Wednesday, March 23rd, 5:00 p.m.

CORRESPONDENCE - None

PURCHASES - None

CLAIMS - None

COMMITTED FUNDS

Motion by Slate/Reabe, unanimously carried, to transfer committed funds for Land Use Planning & Zoning for *vehicle purchase* in the amount of \$2,000 and committed funds for *professional services* in the amount of \$11,000. This will be passed on to the Finance Committee for their approval.

The committee also reviewed the restricted funds; committee action was not required.

DEPARTMENT ACTIVITY REPORTS

a. Permits & others

Shute – Discussed the monthly reports.

b. Violations

Kirkman and Sorenson – Discussed the land use and sanitary violation reports.

Motion by Reabe/Slate, unanimously carried, to approve the monthly activity reports.

DEPARTMENT/COMMITTEE ACTIVITY

a. Update on Shoreland Protection Ordinance

Shute – Explained that the Department of Natural Resources (DNR) has not completed the review of Green Lake County's shoreland protection ordinance. An email was sent requesting a status report and the DNR responded that they have not yet started the review.

Corporation Counsel Klockow was asked about the research she did on the riparian lots' shoreland setback question from the previous month. She advised that the Administrative Code only addresses the shoreland setback; however, counties may include sideyard and streetyard setbacks in the shoreland ordinance. Right now, the current shoreland ordinance and the zoning ordinance are consistent with a 25' streetyard setback for riparian lots. It wouldn't have to be included in the shoreland ordinance because it is covered in the zoning ordinance. She further stated that she wouldn't recommend taking it out because, right now, the two ordinances are consistent. Shute stated that the new model ordinance NR115 does not address sideyard and streetyard setbacks. The requirement by the governor's budget law states that local ordinances have to follow NR115. Local governments, through NR115, will not regulate sideyards or streetyards. Klockow added that it does not prohibit local governments from regulating those setbacks. Shute stated that they will not see sideyards and streetyards regulated in the updated shoreland protection ordinance because it is not included in the NR115 model ordinance. Other zoning ordinances cannot apply standards to areas that are regulated under the shoreland protection ordinance. Reabe asked if the model ordinance that was sent to the DNR included sideyard and streetyard setbacks. Shute advised that it did not. Klockow said that she can continue to do research

and/or wait for the DNR's comments on the county's submitted ordinance. This will continue to be placed on future agendas.

DISCUSSION ON ROBIN'S NEST RESORTS, LLC FEES FOR THE 05/05/16 PUBLIC HEARING REQUESTS

At last month's public hearing for the Robin's Nest Resorts, LLC rezone and conditional use permit requests, there were a number of concerns raised by citizens regarding the Town of Marquette's notification process for their review of the requests. Residents did not feel they had time to learn about the requests and that the town did not give them an opportunity to voice their questions and concerns. The Land Use Planning & Zoning Committee decided to adjourn this public hearing until May 5th in order to give the town, if they choose, an opportunity to give the public a chance to voice concerns. Shute inquired whether or not the applicant should be charged the usual fees for the additional meeting. The committee directed the department to use their own discretion when talking to the applicant about the May meeting.

FUTURE COMMITTEE ACTIVITIES

a. Future agenda items

- **Interim department head and interim surveyor**
- **Cell tower sitings**
- **Shoreland Protection Ordinance**

b. Meeting dates

March 23, 2016 5:00 p.m.

April 7, 2016

Business Meeting 4:30 p.m.

Public Hearing 5:30 p.m.

5:24 p.m. The committee recessed until 5:30 p.m.

5:30 p.m. Committee Chairman Starshak reconvened the meeting of the Land Use Planning and Zoning Committee for public hearing items and read the rules of public hearing.

PUBLIC HEARING ITEMS

Audio of committee discussion is available upon request from the Green Lake County Land Use Planning and Zoning Department.

Item I: Owners: Ellwyn & Donna Klingbeil **Agents:** Ronald L. & Madeline Klingbeil **General legal description:** W2352 Northwest Rd, Parcel #004-00422-0000 & #004-00423-0100, Part of the NW¼ & SW¼ of Section 18, T16N, R13E, Lying north of Northwest Road, Town of Brooklyn, ±23.043 acres **Request:** Rezone request from A-1 Exclusive Agriculture District to A-2 General Agriculture District.

a) Public Hearing

Madeline Klingbeil, 133 S. Church Street, Berlin – Spoke in in favor of the request.

Public hearing closed.

b) Committee Discussion & Deliberation

Sorenson – Explained that the Klingbeil parcel is a non-conforming A-1 Exclusive Agriculture lot. In order to do a land division, the parcel needs to be rezoned to A-2. The Town of Brooklyn approved the request.

c) Committee Decision

Motion by Slate/Reabe, unanimously carried on roll call (4-ayes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.

ADJOURN

5:37 p.m. The meeting was adjourned.

RECORDED BY

Carole DeCramer, Committee Secretary

APPROVED ON:

April 7, 2017