

**TOWN & COUNTY ZONING  
ZA Report Dated 12-11-12  
11-9-12 to 12-10-12**

**I. Permit Applications Approved and Issued:**

<u>Name</u>	<u>Date Received</u>	<u>Date Issued</u>	<u>Type/Address</u>
Ashland Co Housing Auth	11-9-12	11-12-12	Multiple Family Dwelling 255 Voyageur Lane
Erickson, Evan	11-12-12	11-13-12	Fire # 259 Voyageur Lane
Craftivity, Inc++	11-14-12	11-16-12	(3) Seasonal Student Housing Cabins/Road Access 978 Middle Road  (Approved on condition there is signage for student housing parking spaces located in front of other structures on the property.)
Baxter, Carey/Aimee	11-26-12	11-28-12	Addition(s) to Accessory 636 Brian's Road
HRA Investors	11-3-12	11-29-12	Land Disturbing Activity 922 Middle Road  (Required DNR/Army Corps Review. No wetland disturbance.)
Erickson, Evan	11-20-12	11-30-12	Road Access/Fire # Land Disturbing Activity 288 Voyageur Lane  (Lot 2 of new CSM. Fill for new cabin.)

**Certified Survey Maps**

<u>Name</u>	<u>TPC approve/deny</u>	<u>TB approve/deny</u>	<u>Address</u>
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None

**II. Permit Applications in Progress:**

<u>Name</u>	<u>DateReceived</u>	<u>Project/ Address</u>
Slater/McCue+	1-20-11	SFD 1268 Big Bay Road

(waiting for shoreland restoration plan per DNR requirements. Per L. Hildebrandt the applicant has two choices, either submit a restoration plan or choose not to disturb the

existing buffer – no mow etc. Slater has communicated to L. Hildebrandt that they will make their decision in the spring of 2012 when they want to build.)

**Weiner, Sara+** Single Family Dwelling  
Oak Lane  
(Needs sanitary reconnect permit – waiting for application and plumber inspection report.)

**LaDuke, Winona+++** 4-28-12 (incomplete) Land Disturbing Activity,  
Accessory (x2), Long Term  
Camping Unit  
(Ms. LaDuke has not moved forward with any permits on the property. Wetland fill application pending DNR/Army Corps approval.)

**Hartzell, Robert** Rental of a Principal Dwelling x 7  
7 different properties  
(Employee housing. Needs to go to TPC for Ordinance interpretation.)

**Stemwedel, James +** not yet complete State Sanitary/Holding Tank  
1151 Sunnyslope  
(This house previously approved as non-plumbing. I called Jim Price to notify him of the change.)

**Hawkeye Investments/JH Property Trust** CUP for Home Occupation  
1230 Big Bay Road  
(TPC/TB PH held 12-7-12. TB Members not in attendance required to listen to audio. TPC will make recommendation on 12-12-12. TB to review recommendation and possibly make decision on 12-27-12.)

**III. Permit Applications Denied/Revoked:**

<b>Name</b>	<b>Date Applied</b>	<b>Date Denied</b>	<b>Type/Address</b>
None			

**IV. Violations**

<b>Name</b>	<b>Violation</b>	<b>Order</b>
<b>Ed Kale</b>	Addition and Accessory without a permit at 690 Main St.	Order for Correction issued by ZA for the addition with approval from the TB. Certified letter returned “Refused” 9-7-12. Noncompliance with Town Board Order of Correction. Fauerbach sent letter to Kale attempting to resolve issue out of court.
<b>Benjamin Ryder</b>	Rental without a permit at 2427 Spirit Lane.	Also complaints filed with Police Dept re: double booking and

non-refund of deposit to rental parties. Violations with Health Dept per Ken Tuckwell re: nonpayment of water testing fee and use of illegal hot tub for guests. Tuckwell bringing violation to District Attorney if not abated. Rental Permit Revoked by Order of the TB for not having required Health Dept license. Certified letter sent 8-30-12. Police Department received a complaint after permit was revoked. The complainant stated Mr. Ryder tried to house the visitors in the unfinished garage apartment - no sanitation/running water etc. Noncompliance with Town Board Order.

**Craftivity, Inc. aka Madeline Island School of the Arts** Rental of the Farmhouse without a permit at 978 Middle Road. Order for Correction issued by the Town Board to submit completed permit application. Certified letter sent 9-4-12 requiring a completed application by 4 pm 9-7-12. No application submitted as of the date of this report. Noncompliance with Town Board Order or Correction. Fauerbach sent letter attempting to resolve the issue out of court.

**Kron, Robert** Deck built without permit. TPC interpretation of CUP and permit requirement at 9-20-12 meeting. Certified letter to Kron 9-25 with permit application and appeal application. No application received as of the date of this report. Fees quadrupled. 2<sup>nd</sup> letter advising of quadruple fees and possible Orders from the TB for Correction + possible ZA Complaint & revocation of CUP.

**Middle Road Literary Arts Society aka Tom's Burned Down Cafe** Upon inspection for the C.R. Nelson Complaint it appears there is an addition of a bandstand w/o a permit.

**V. Land Use Permit – No Permit Required:**

<b>Name</b>	<b>Project/ Address</b>
None	

**VI. Correspondences: Letters/MEMO to**

<b>Name</b>	<b>Date</b>	<b>Re</b>
Craftivity Inc	11-19-12	Student Housing Cabins conditionally approved
Fauerbach	11-20-12	Kale violation – request letter to prop owner
BOA Chair Crawford	11-21-12	Public Info Request for Fauerbach opine re: Tibble
Wistrom	11-21-12	Complaint re:tree removal, stair access & dock/deck
Prop Owners	11-26-12	Notice to owner and property owners of Hawkeye Investment CUP public hearing
Fauerbach	11-27-12	Craftivity violation - request letter to prop owner

HRA Investors            11-29-12            LUP approved for HRA site only – not Craftivity

## VII. Complaints

<u>Name</u>	<u>Date</u>	<u>Regarding</u>
<b>Theune, Dan/Tracie</b>	10-2-12	Verbal & email complaint about adjoining property owner cutting trees on their property and having built stairs to the lake outside granted easement. Discussed with Larry Hildebrandt as it is Ashland Co jurisdiction. Letter to offending property owner regarding complaint and infractions. Inspection of property with permission of property owner. Spoke with DNR and they will be requiring the deck waterward of the OHWM be removed.
<b>Nelson, Charles R.</b>		Ongoing. Middle Road Literary Arts Society dba Tom's Burned Down Café – vision triangle etc. I received a call from Tom Nelson 9-7 who stated Charles Nelson's complaint is valid and he is working to resolve the issue. Email from Tom received 9-7. I drove around the area yeaterday to view the vision triangles. There appears to be an addition w/o a permit.
<b>Cushman, Mortimer</b>		Ongoing. Use of William Tibble property for business and use/maintenance of shared private road. Upon my request the TPC decided the use of the property for Hippophile Farm had exceeded its nonconforming home occupation permit and requires a CUP for a Home Business. TPC also decided the use and maintenance of a private road is not the jurisdiction of the TPC. Letter to property owner and complainant re TPC decision and my decision re; complaint and CUP required w/in 60 days. Tibble appealed. Appeal granted. I will review Section 15.1, the BOA Decision, and information received post appeal to determine my next step in the process. Certiorari review period expired. Will be closing the Complaint soon and notifying property owners of my decision.
<b>Brummer, Paul</b>	6-26	Ongoing. Use of Craftivity, Inc property to host the Madeline Island Wilderness Preserve Fundraiser. Alleges Violation of CUP confirmed by TPC interpretation. Interpretation not appealed. Public Hearing held 8-23. TPC recommendation made at their 9-20 meeting. TB accepted the TPC

recommendation to amend the CUP with modification. Final CUP issued. Will be writing letter to property owner and Complainant formally closing the Complaint.

**X. New Business**

I attended the meeting on 12-7 with Army Corps Representatives. I very much appreciated their willingness to take the time to meet with us and clear up misunderstandings and how their procedures work. I'm sure Pete Clark will go over the bulk of the meeting but I'd like to touch on a particular point. At the end of the discussion Tamara Cameron asked if there was Town staff she could work with regarding waterway issues. I responded that I was trained in wetland delineation and she expressed interest in that. If they are willing to work with Town staff I think it could expedite their process in the future.

About the delineation training, before the Corps meeting Pete asked me about my training and to what extent I could serve the Town as a delineator. My response was, while I have training currently my ability to perform/produce wetland delineations the DNR would accept is limited. The Town sent me to Basic Wetland Delineation training through UW LaCrosse in 2010. If the Town is interested in expanding my responsibility to staff delineator I feel I would definitely need more training and we need to discuss how the mapping portion is done. I am putting an expense itemization together for what I feel I need to become a staff delineator.

**XI. Old Business**

Nothing.

+ indicates a County permit has been or needs to be issued for the project