

TOWN & COUNTY ZONING
ZA Report Dated 12-13-11
11-7-11 to 12-12-11

I. Permit Applications Approved and Issued:

<u>Name</u>	<u>Date Received</u>	<u>Date Issued</u>	<u>Type/Address</u>
Eldredge, Timothy		11-8-11	Accessory 1228 South Shore Road
Craftivity, Inc	11-1-11	11-8-11	Drive Extension 978 Middle Road
Dixon/Chapple	11-4-11	11-8-11	Accessory 1230 Big Bay Road
Hartzell, Robert	2008	11-11-11	CUP Year 'Round Spa And Exercise Facility 580 Mondamin Trail (sanitary approval rec'd)
Frys/Johnson	11-8-11	11-18-11	Accessory 533 Oak Lane

Certified Survey Maps

<u>Name</u>	<u>TPC approve/deny</u>	<u>TB approve/deny</u>	<u>Address</u>
Hartzell, Robert	Property rezoned from R-3 to R-1 in 1988 Ordinance Revision. Cannot approve 1/2 acre lots unless property is rezoned in current ordinance revision		Penny/Abby/Mondamin (on hold)

II. Permit Applications in Progress:

<u>Name</u>	<u>Date Received</u>	<u>Project/ Address</u>
MIYC	11-20-07	CUP – Warehouse/Boat Storage Fire # 633 Main St (CUP not yet issued due to sanitary not in order.)
Geiser, Barb (7 Hearts)	7-25-08	Add/Alter (deck on bunkhouse) 1454 North Shore Road (Still have not heard from John on this app as of 5-10-11)

Ujke, James 5-25 Road Access/Fire #
(property riddled with wetlands. Inspection w/J. Spangberg 6-2 and 7-8. Access and building site located. Ujke to amend application to reflect findings of inspection(s) for approval. Awaiting application. Wrote letter of reminder 12-13-11. Sent letter 6-14-11 stating I would deny the permit if an amended app was not received w/in 30 days.)

Rocketenetz, Margaret++ 7-13 SFD
890 South Shore Road
(Assessed wetland plants/hydrology/soil and submitted report to J. Spangberg for review. After inspection Spangberg agreed the building site would have to be moved. I have emailed Mr. Roketenetz about this several times. Sent letter to applicant 6-14-11 stating I would deny the permit if a new app was not received within 30 days. Property was delineated by Anne Michalski. Waiting for word from owner.)

Schneider, Arthur/Jeanette++ 7-29 SFD/Removal of old SFD
655 Big Bay Road
(needs a boundary survey to show property lines. Notified applicant by telephone and reminded via letter. Jeannette called and said she was looking into the boundary survey. Sent letter 6-14-11 stating the permit application would be denied if property boundaries and setbacks are not clearly identified within 30 days.)

Slater/McCue+ 1-20-11 SFD
1268 Big Bay Road
(waiting for shoreland restoration plan per DNR requirements)

Carlson, Todd 5-27-11 4 plex
No fire # (next to Hartzell 4 plexes)
(waiting for fire # and drive extension fees)

Crofoot, Doug fire #
Bojo Lane

Heinrich Travel Trailer/Road access
Fire #
Mondamin
(can't issue until legal lot 2 from Cone CSM is recorded in property owner's name. Notified property owner and it is being done.)

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

HRA Investors (Alton) Road Access x 2
Corner of Benjamin and North Shore
(wetlands – forwarded pics to John Spangberg. Delineation likely required)

III. Permit Applications Denied/Revoked:

Name	Date Applied	Date Denied	Type/Address
Craftivity, Inc		12-1-11	amend permit #426-11 978 Middle Road

(Craftivity was issued a permit for the administrative bldg per CUP. Craftivity wanted to amend the permit application to include an entry overhang. The TPC interpreted the overhang with posts and sonotubes to be a structure per ordinance. They interpreted the additional square footage as not compliant with the CUP. The roof for the entry overhang is allowed to be cantilevered per TPC.)

IV. Violations

Name	Violation	Order
Ryder, Jim	House setback encroachment. (New occupants do not own the home yet but stated they are fine joining the lots to clear violation once they do)	
Ryder, Elizabeth	Pole Barn setback encroachment. (New occupants do not own the home yet but stated they are fine joining the lots to clear violation once they do)	

V. Land Use Permit – No Permit Required:

Name	Project/ Address
None	

VI. Correspondences: Letters/MEMO to

Name	Date	Re
Gazette	8-8	ordinance revision update and notice of leave
Craftivity	8-9	section 15 procedure re: 5-31 complaint
PBrummer	8-9	section 15 procedure re: 5-31 complaint
Fauerbach	8-9	complaint procedure
T Nelson	8-9	PI Request
T Woods	8-15	Violation, apply for a variance
D Hoffman	8-22	refund
MEMO/TPC	8-24	CBrummer designated za for Evan Erickson permit
Craftivity	9-7	complaint
PBrummer	9-7	complaint
MEMO/TB&TPC	11-7	ordinance revision
PBrummer	11-11	public hearing
Craftivity	11-11	public hearing
Property owners	11-11	owners w/in 300ft of craftivity – public hearing
R Hartzell	11-11	CUP issuance
Craftivity	11-15	public hearing
PBrummer	11-15	public hearing
MEMO/TB	11-18	za vacation hours
Craftivity	11-23	ph cancelled - withdraw petition notice of za request

		for orders
PBrummer	11-23	ph cancelled - withdraw petition notice of za request for orders
Property owners	11-23	w/in 300 ft of craftivity – ph cancelled
Wheeler	11-28	Schwartz variance info for property sale
MEMO/TPC	11-30	Craftivity requested amendment to 426-11
R Hartzell	12-1	Anderson complaint
M Anderson	12-1	Anderson complaint
Craftivity	12-5	application to amend 426-11 denied per TPC
PBrummer	12-7	PI request for information contained in letters left unclaimed in his po box

VII. Complaints

Name	Date	Regarding
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None received in the time period covered by this report

X. New Business

I went to the Ashland County Zoning Board meeting on Dec 6 for the La Pointe Ordinance amendments. I brought with me the Resolution 2011-1205A signed by all 5 Members of the Town Board. The first question the County Board asked was - what does this have to do with what CZB Member Mike Starck’s proposal (Ashland taking over the Island’s zoning)? As the conversation progressed it was clear to me the ACZB was confused about what Mike Starck was proposing and the Resolution in front of them. Although I explained to the ZB the two were not related, that I had made sure shoreland and sanitary regulations were reviewed by Larry Hildebrandt, that the amendments were proposed to bring the Town’s zoning ordinance in line with our Comp Plan the confusion never seemed to clear. Unfortunately Mike Starck did not attend the meeting. The resolution was postponed until the January meeting and I was asked to write a report for the ACZB explaining the resolution, something I have never had to do with previous amendments.

The Town worked on the Comp Plan for several years. There were many dedicated volunteers and an incredible amount of public input to make it a document we could depend on for decades to come. The CAPP Committee did a wonderful job of distilling a great deal of information into a concise Plan. Mike Starck was on the Town Board when the Town Board budgeted for and voted to adopt the Plan. In the Plan it states, “Through its zoning powers, La Pointe has the opportunity to guide future growth in a manner that enhances its residents’ quality of life and is consistent with its long term vision. However, misguided or inappropriate use of these tools can lead to undesirable results including unnecessary land use conflicts, inefficient service delivery, a decreased quality of life, and premature loss of agricultural farmland, among other potential problems.” In other words, with its own zoning, La Pointe has the opportunity for local control – self governance.

Because the Comprehensive Plan is not a regulatory document in and of itself the Town has been working on amendments to the zoning ordinance so it may be the regulatory document that allows for such uses as home occupations, home businesses, tourist room rentals, bed and breakfasts, art schools etc. These uses are called for in the comprehensive plan and people need them to help pay their taxes and earn an income here. Page 3-3 Issues and Opportunities: Governance lists “Jurisdiction is receiving proper level of representation at the County level” as the highest of importance with a trend to escalate.

In Gazette County Board Member Starck says the Town can save 120k if we get rid of Town Zoning while explaining how much tax revenue the island supplies the County. But last year when the Town Board asked for \$3,000 to offset the cost of the Intermunicipal Agreement Mr. Starck reported the County did not have the money. Well where is the money coming from to run all the island zoning then? Ashland County has already cut one of its full time positions to half time this year to decrease expenses. When he was on the Town Board Mike Starck approved a \$153,878 zoning budget in 2006, a budget that was \$42,533 over 2005 actual expenses. The 2006 wage resolution #05-1230-A, signed by Mike Starck approved Ms. Zuehlke’s wage at \$2,388.46 biweekly. There was also a ZA Assistant budgeted, a Recording Secretary AND legal expenses were \$16,814 (\$6,814 over the budgeted amount).

In the Gazette Mike Stark also exploits the economic downturn by listing the permits issued. Yes, both the County and the Town are down in permit revenue. Even in this downturn, how many times was Ashland County able to come to the island during my one month maternity leave? Once. It is only a matter of time before the economy is back on track. Where will the town be when Ashland County is busy again? Waiting for enough permit applications to make it worthwhile for Ashland Co to come to the island for inspection?

The Town ZA has very few powers. As Zoning Administrator I am required to ask the Town Board for permission to issue orders. I ask the Town Plan Commission to interpret the Ordinance. In other words, we have citizen committees and elected officials guiding me in my job at every turn. In Ashland County the County the County Zoning Administrator has the power to interpret the ordinance and issue orders. Larry Hildebrandt has been the Ashland County Zoning Administrator for almost four decades. He will retire at some point. This leaves the Island with an unknown variable. Does the Town really want to entrust all the power in one unknown person?

I’d like to request the Town Board write a letter to the County Zoning Board explaining their intentions in regard to Town zoning. I feel uncomfortable representing your intentions.

XI. Old Business

I am having a hard time keeping a regular office schedule and I apologize to the public and to Barb and Waggie. I have an almost 3 month old baby that does not like to sleep, take a bottle or pacifier. I am sure she will become more independent in the coming

month(s) and it will help a great deal. If there is concern regarding how many hours I am currently able to work I hope that could be communicated so we can work on my schedule together,

Respectfully Submitted

Jen Croonborg-Murphy; ZA