

**TOWN ZONING
ANNUAL ZA Report Dated 1-22-13
2012**

A. Permit Applications Approved and Issued:

Name	Date Received	Date Issued	Type/Address
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See 2012 Permit Log attached

B. Number of Permits Approved And Issued by Category 2012

Town of La Pointe Permits

- 4 PRINCIPAL DWELLING
- 3 ACCESSORY DWELLING
- 1 MULTIPLE FAMILY DWELLING (duplex)
- 8 ACCESSORY STRUCTURE
- 10 ADDITION
- 7 STRUCTURAL ALTERATION
- 3 COMMERCIAL (7 including BBTP buildings)
- 1 COMMERCIAL ADDITION/STRUCTURAL ALTERATION
- 8 ROAD ACCESS
- 6 FIRE NUMBER
- 2 DRIVEWAY EXTENSION
- 6 LAND DISTURBING ACTIVITY
- 2 MOVE STRUCTURE
- 1 CHANGE OF USE (change commercial use of existing MSD building)
- 2 LONG TERM CAMPING UNIT
- 1 PERMIT EXTENSION
- 2 SIGN
- 11 RENTAL OF A PRINCIPAL DWELLING (new rental and/or new owner)
- 2 RENTAL OF AN ACCESSORY DWELLING
- 2 RENTAL OF A MULTIPLE FAMILY DWELLING
- 107 RENTAL RENEWALS (8 permitted long term rentals) 189
- 2 CONDITIONAL USE PERMITS (modification to existing)
- 7 CERTIFIED SURVEY MAPS

TOTAL TOWN PERMITS ISSUED: 198

**(9 new housing units with total building cost reported/estimated at \$1,535,000)
(Average number of permits issued in the past 6 years is 189 including 2012)**

Ashland County Permits:

- 8 STATE/COUNTY SANITARY PERMITS (holding tanks)
- 23 SHORELAND BUILDING/ACCESSORY/ADDITION/ALTERATION

TOTAL ASHLAND COUNTY PERMITS ISSUED: 31

Previous years' permits (2007, 2008*, 2009^, 2010+, 2011#)

Addition/alteration (18, 9*, 22^, 11+, 17#)
Drive access/extension (11, 6*, 13^, 13+, 10#)
Aircraft hangars (3, 0*)
Accessory structures (22, 11*, 16^, 12+, 18#)
Single Family Dwellings (11, 5*, 13^, 4+, 4#)
Garage apt (1, 2*, 2^, 0+, 1#)
Multi-Family Dwellings – 4 plexes (2#)
Change of Use (accessory to sfd) – (1, 2*, 2^, 1+)
Filling (2, 1*, 9^, 5+, 4#)
Certified Survey Maps (11, 4*, 6^, 3+, 5#)
Commercial Building (1, 2*, 2^, 2#)
Commercial Addition/Alteration (2, 1*)
Permit Extension (0, 0*, 2^, 1+)
Fire Numbers (4, 6*, 5^, 6+, 6#)
Sign (2, 2*, 5^, 3+, 5#)
Move Structure (4^, 3+, 3#)
Travel Trailer (1^, 1+, 3#)
Transfer Permit (1#)
New Rental Single Family Dwelling - see RSFD log (4, 17*, 15^, 3+, 15#)
RSFD Renewals - see RSFD log (95, 86*, 95^, 109+, 108)
Rental of Guest Home (in conjunction with main dwelling to same party – not counted in permit total)(2^, 2+, 2#)
Conditional Use Permits (2#)
Total: (182, 156*, 214^, 177+, 206#)

C. Public Hearings and Results

1. Conditional Uses

- 1-12-12 Craftivity, Inc. 978 Middle Road - Application to amend CUP to add (3) student housing cabins. TB approved amendment with conditions. Amended CUP issued.
- 12-7-12 Hawkeye Investments/JH Property Trust – Application for a Home Occupation in the S-1 Zone. TB approved with conditions. CUP to be issued February 2013.

2. Special Exceptions

No Special Exceptions were applied for in 2012

3. Complaints

- 8-23-12 Paul Brummer Complaint submitted re: use of property located at 978 Middle Road, owned by Craftivity, Inc. dba Madeline Island School of the Arts, in violation of their CUP. TB modified CUP.

4. Board of Appeals

10-4-12 William Tibble Appeal re: TPC decision Hippophile Farm requires a CUP due to expansion beyond existing nonconforming home occupation use. TPC decision overturned by BOA.

5. Proposed Zoning Map Changes

No Zoning Map Changes petitioned for in 2012

6. Zoning Text Changes

No Zoning Text Change petitioned for in 2012

D. Permit Applications in Progress

<u>Name</u>	<u>DateReceived</u>	<u>Project/ Address</u>
MIYC	11-20-07	CUP – Warehouse/Boat Storage Fire # 633 Main St

(Approved sanitary permit required to issue CUP.)

Slater/McCue+	1-20-11	Principal Dwelling 1268 Big Bay Road
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(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	8-15-11	Principal Dwelling Oak Lane
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(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
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(Waiting for DNR WQC permit to issue local permits)

Sanders, Marvin	9-14-12	Rental of a Principal Dwelling 2120 North Shore Road
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(waiting for property owner to comply with Health Dept licensure requirements)

Wilharm, Paul	10-2-12	Land Disturbing Activity (x2) 3044 Big Bay Road
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(waiting for spring to confirm shoreland pond permitting/wetland requirements with DNR)

E. Certified Survey Maps

Name	Property Address
Hartzell, Robert	no fire # - Mondamin & Penny Lane Combine 4 parcels into 2
Erickson, Evan	304 Big Bay Road Divide 1 parcels into 4
Havens Investment Co	1099/1081 South Shore Road Modify property lines
Osterbauer, Morris	South Shore Road Modify property lines
Northern State Bank	Big Bay Road & Snowplace Lane Combine three nonconforming lots into 2 Conforming lots
Schaub, Jeannette	Hagen Road Modify property line
Gagnon, Mark	North Shore Road Modify property line

F. Non-Conforming Use List and Substandard Use List

For a number of years ZA McCarthy compiled a list of nonconforming uses/lots etc that he came across. I have added to the running list the years I have been here. It was never a complete list of existing nonconformities. It is not possible to compile a complete list of all existing nonconformities. Due to the changes in the Zoning Ordinance, effective 3-1-12, the running list requires much more research and updating than usual. I will be submitting the updated list as an addendum to this report as soon as I have it ready. Sorry for the delay.

G. Orders Issued per Town Board approval

HRA Investors	922 Middle Road Land Disturbing Activity without a Permit Stop Work Order 7-11-12
Kale, Edward	690 Main Street – Addition to Dwelling without a Permit Order for Correction 7-11-12
Ryder, Benjamin	2427 Benjamin Blvd/Spirit Lane – Rental of Principal Dwelling without permit renewal or Health Dept licensure Order to Revoke Rental Permit 8-30-12
Craftivity, Inc	978 Middle Road – Rental of a Principal Dwelling without Permit – Order for Correction 9-4-12

H. Permits Revoked/Denied

HRA Investors	5-30-12 Land Disturbing Activity Benjamin Blvd/North Shore Rd - Wetlands a site of proposed disturbance per DNR inspection
Carlson, Todd	6-11-12 Driveway Extension/Land Disturbing Activity Incomplete Application
Ryder, Benjamin	8-30-12 Rental of a Principal Dwelling Permit Revoked

I. Penalties Imposed

<u>Name</u>	<u>Penalty</u>
Martin, Doug/Diane	Structural Alteration w/o Permit 1370 Middle Rd Fee doubled and paid. Permit issued.
Ryder, Benjamin	Addition without a Permit (apt above garage) 2427 Benjamin Blvd/Spirit Lane Fee doubled and paid. Permit issued.
Karwoski, Glenn	Addition without a Permit 1179 Middle Road Fee doubled and paid. Permit issued.
Kale, Edward	Addition and accessory structure without a permit 690 Main Street. Quadruple fees. No permit(s) submitted. TB approval (2013) to seek court action.
Kron, Robert	Addition without permit. No application submitted. Fees Quadrupled. No permit or fees received.

J. Appeals and Variances Applied for and Decisions

Tibble, William	Appeal TPC decision Hippophile Farm requires a CUP due to expansion beyond existing nonconforming home occupation use. TPC decision overturned by BOA.
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K. Formal Complaints

Brummer, Paul	Filed 6-26-12 Use of property located at 978 Middle Road in violation of their CUP. Property owner Craftivity, Inc. dba Madeline Island School of the Arts.
Cushman, Mortimer	Filed 7-9-12 Use of property located at 2355 Umbrage Road for business purposes – use and condition of private road. Property Owner William Tibble.

Nelson, Charles R.

Filed 8-21-12 Use of property located at 274 Middle Road in violation of vision triangle requirements. Property Owner Middle Road Literary Arts Society – Thomas Nelson.

L. Zoning Administrator Comments on 2009

2012 was a year of navigating my way through a new Zoning Ordinance and how it functions outside the incubator. I asked the Commission for many more ordinance interpretations than usual as I worked with the new language and put it to test. There may be slight tuning of some of the language in the future but all in all I find it a vast improvement and a much clearer document to work with.

The year also marked the beginning of important planning discussions and how the Zoning Dept can function more effectively in its planning role(s). I hope the department can shift some focus and become proactively involved in land use issues so less reactionary services such as enforcement and complaint mitigation are needed.