

**Town of La Pointe Zoning  
Town Plan Commission Special Meeting Minutes  
March 9, 2011**

**Town Plan Commission (TPC) Members Present:** Ted Pallas, Chair, Charles Brummer, Vice-Chair, Larry Whalen, Greg Thury, Ron Madich, Suellen Soucek, Carey Baxter (7).

**Town Plan Commission Members Absent:** None.

**Public Present:** Paul Brummer (1).

**Town Staff Members Present:** Jennifer Croonborg-Murphy, ZA, Margaretta Kusch, ZCA (2).

**I. Call to Order/Roll Call**

Chair Pallas called the meeting to order at 4:00 PM at the Town Hall. Roll call reflected members present or absent as recorded above.

**II. Zoning Ordinance Revision Project**

**Discuss and possibly make changes to draft Zoning Ordinance Sections 1-16 and Zoning Map, dated 10/6/2010 in consideration of public comment received at December 1 and December 8 Public Hearings.**

- In 3.1, change list from numbers 1-18 to letters A-R.
- In 3.1, change zoning district names to be consistent with the rest of section 3, as follows:
  - Add “*District*” to the end of the title for the W-P, W-1, W-2, S-1, S-2, S-O, F-O, G-I, P-R, C-V, T-P, and M-1 districts.
  - Change “*C-1 Commercial/Town Center*” to “*C-1 Commercial District/Town Center*.”
- In 5.3.B.2 Class B Signs, first bullet point from “*(one per business)*” to “*(two per business)*.”
- In 5.3.C Prohibited Characteristics of signs, delete number 7.
- In 8.1.C, add a new item 3 to read “*Notwithstanding 8.1.C.2, the Zoning Administrator may order the removal of any sign erected in violation of this section. The Zoning Administrator shall give five (5) days’ notice in writing to the owner of such a sign, or of the building, structure, or premises on which the sign is located, to remove the sign or to bring it into compliance. The Zoning Administrator may remove a sign immediately and without notice if, in their opinion, the condition of the sign is such as to present an immediate threat to the safety of the public. If the sign owner does not comply with the orders of the Zoning Administrator, the Zoning Administrator is authorized to have the sign removed and the removal charged to the owner of the sign.*”
- Change title of 9.1 from “*Nonconforming Uses*” to “*Nonconforming Uses and Structures*.”
- Change 9.1.F from “*Where a legal nonconforming building or structure has been destroyed by violent wind, vandalism, fire, flood, ice, snow, mold, or infestation to the extent that the cost of repair or restoring the structure to before-damaged condition is not more than fifty percent (50%) of its current fair market value, the same may be rebuilt*”

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*if a land use permit is obtained from the Zoning Administrator within twelve (12) months after the date of violent wind, vandalism, fire, flood, ice, snow, mold, or infestation and if the building is reconstructed within twenty-four (24) months of permit issuance” to “Where a legal nonconforming building or structure has been destroyed by violent wind, vandalism, fire, flood, ice, snow, mold, or infestation, the structure may be restored to the size, location, and use that it had immediately before the damage or destruction occurred. The size of the structure may be larger than the size it was immediately before the damage or destruction only if necessary for the structure to comply with applicable state or federal requirements.”*

- Change 9.2.E from *“Where a legal nonconforming building or structure has been destroyed by violent wind, vandalism, fire, flood, ice, snow, mold, or infestation to the extent that the cost of repair or restoring the structure to before-damaged condition is not more than fifty percent (50%) of its current fair market value, the same may be rebuilt if a land use permit is obtained from the Zoning Administrator within twelve (12) months after the date of violent wind, vandalism, fire, flood, ice, snow, mold, or infestation and if the building is reconstructed within twenty-four (24) months of permit issuance” to “Where a legal nonconforming building or structure has been destroyed by violent wind, vandalism, fire, flood, ice, snow, mold, or infestation, the structure may be restored to the size, location, and use that it had immediately before the damage or destruction occurred. The size of the structure may be larger than the size it was immediately before the damage or destruction only if necessary for the structure to comply with applicable state or federal requirements.”*
- In 9.3 Nonconforming Structures to Shoreline Setback, change *“This section is not intended”* to *“This section is intended.”*
- In 10.2.K Application for Appeals, change *“1<sup>st</sup> class mail”* to *“certified mail.”*
- In 13.1 Establishment, change *“esthetics”* to *“aesthetics.”*
- Change title of 15.1 to *“15.1 LAND USE PERMITS.”*
- In 15.1, first sentence, delete *“Conditional Use Permits.”*
- On draft zoning map, change the small section on Chief Buffalo Lane marked as R-1 to R-2.
- On draft zoning map, change the 40-foot strip of land on Chief Buffalo Lane marked M-1 to G-I.
- On draft zoning map, change the area of land that contains a burial site from T-P to G-I.
- On draft zoning map, change the Hartzell subdivision between Mondamin Trail, Penny Lane, and Abbey Lane from R-1 to R-3.
- On draft zoning map, change names of zoning districts to be consistent with the Ordinance as follows:
  - *“C1 Commercial/Town Center”* changed to *“C-1 Commercial District/Town Center.”*
  - *“CV Conservancy”* changed to *“C-V Conservancy District.”*
  - *GI – Government/Institutional”* changed to *“G-I Government and Institutional District.”*
  - *“LZ1 – Light Industrial”* changed to *“LZ-1 Light Industrial Zone.”*

- “LZ2 – *Light Industrial*” changed to “LZ-2 *Light Industrial Zone.*”
- “MA *Marine District*” changed to *M-1 Marina District.*”
- “PR – *Public Resource Land*” changed to “P-R *Public Resource Land District.*”
- “R1 *Residential*” changed to “R-1 *Residential, Single Family, Low Density.*”
- “R2 *Residential*” changed to “R-2 *Residential, Single Family, Medium Density.*”
- “R3 *Residential*” changed to “*Residential, Multi-Family.*”
- “S1 *Shoreland Residential Protection*” changed to “S-1 *Shoreland Protection District.*”
- “S2 *Shoreland Residential Protection*” changed to “S-2 *Shoreland Protection District.*”
- “TP *Town Park*” changed to “T-P *Town Park Overlay District.*”
- “W1 *Residential Wilderness Protection*” changed to “W-1 *Wilderness Preservation District.*”
- “W2 *Residential Wilderness Protection*” changed to “W-2 *Wilderness Preservation District.*”
- “*Wetland Protection District – Overlay*” changed to “*Wetland Protection Overlay District.*”

### III. Schedule Future Meetings

- Town Plan Commission Public Hearing to be held Tuesday, March 15, 2011, at 5:00 pm.
- The next Town Plan Commission Regular Monthly Meeting to be held on Wednesday, March 16, 2011, at 4:00 pm.

### IV. Adjournment

G. Thury moves to adjourn. S. Soucek seconds. All in favor, 7 aye. Motion Carries. Meeting ends at 5:20 pm.

**Town Plan Commission minutes are respectfully submitted by Margaretta Kusch, ZCA on Wednesday, March 09, 2011.**

**Town Plan Commission minutes are approved as amended by Margaretta Kusch, ZCA on Wednesday, March 16, 2011.**