

TOWN & COUNTY ZONING
ZA Report Dated 4-10-12
3-13-12 to 4-9-12

I. Permit Applications Approved and Issued:

<u>Name</u>	<u>Date Received</u>	<u>Date Issued</u>	<u>Type/Address</u>
Karwoski, Madelaine	3-5-12	3-13-12	Rental of Accessory Dwelling Long & Short Term 186 Old Fort Road
Segner, Frances/Daniel	12-9-11	3-13-12	Rental of Principal Dwelling 1472 North Shore Road
Erickson, Evan	3-14-12	4-2-12	Accessory Dwelling 304 Big Bay Road
(C. Brummer designated authority for application in place of ZA. Accessory Dwelling meets size limitations. Conditions of approval: structure is not to be used or rented as an independent dwelling, fill must remain in upland areas as defined by J. Spangberg 2011, needs UDC permit.)			
Brummer Company	3-23-12	4-3-12	Alteration (deck) 742 Main Street

Certified Survey Maps

<u>Name</u>	<u>TPC approve/deny</u>	<u>TB approve/deny</u>	<u>Address</u>
Osterbauer, Morris	ongoing (preliminary)		South Shore Drive Proposal to reconfigure 2 parcels
Havens	ongoing (preliminary)	Change location of lot lines	South Shore Road

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.)		
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.)		

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

Heinrich Travel Trailer/Road access
 Fire #
 Mondamin
 (can't issue until legal lot 2 from Cone CSM is recorded in property owner's name, per Bill Metzinger. Notified property owner and it is being done. Have not heard from property owner about the updated deeds as of 2-13-12)

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

HRA Investors (Alton) Road Access x 2
 Corner of Benjamin and North Shore
 (wetlands – forwarded pics to John Spangberg. John called and left message that a delineation will be required.)

Shoberg, Donna 4-9-12 Addition to Principal Dwelling
 3222 North Shore Road

Curry, Martin 4-9-12 Alteration to Principal Dwelling
 547 South Shore Road

Madeline Sanitary District Change of Use
 949 Snowplace Lane

III. Permit Applications Denied/Revoked:

Name	Date Applied	Date Denied	Type/Address
none			

IV. Violations

Name	Violation	Order
Northern States Bank	Previously Jim Ryder property. House setback encroachment. Preliminary CSM to correct the violation approved by TPC at 2-2-12 meeting	

Northern States Bank Previously Liz Ryder property. Pole Barn setback encroachment. Preliminary CSM to correct violation approved by TPC 2-2-12

Craftivity, Inc. TPC interpretation 2-28-12 that the “wedding reception” held on the property in 8-11 was a violation of the conditional use permit. Property owner and complainant notified of the decision. This decision was not appealed by Craftivity, Inc – the appeal period has lapsed.

Hartzell, Robert TPC interpretation the Lightkeeper’s Lodge parking is in violation of CUP. Letter sent to in December, 2011 and March, 2012 with a 3rd letter to be sent per TPC direction at 4-5-12 meeting.

V. Land Use Permit – No Permit Required:

Name	Project/ Address
Denton, Marjorie	Vending trailer on property in C-1 zone to sell popcorn etc interpreted by TPC to be a “Minor Accessory Structure” that does not require a permit as long as it is less than 100 sq ft, setbacks shall be met. 3-15-12 TPC meeting.

VI. Correspondences: Letters/MEMO to

Name	Date	Re
Tom Nelson	3-21-12	Public Information Request
MEMO TB	3-21-21	Tom Nelson PI Request – Fee Schedule
Denton, Marjorie	3-21-12	Retail Trailer – notice of TPC interpretation
MEMO TPC	3-26-12	Tina Nelson – Main Place – ZA request for Ordinance interpretation
MEMO TPC	3-28-12	Island Inn alteration to add rental room – ZA Request for Ordinance interpretation
MEMO TPC	4-2-12	C-1 Zone Parking – ZA request for Ordinance interpretation

VII. Complaints

Name	Date	Regarding
None filed in within the time parameters of this report.		

X. New Business

Larry Hildebrandt has decided to work one more year which I think is very good news. It will give us time to prepare for the transition and also staggers the retirement of Larry and John. Since I am still using maternity leave hours it was going to be a struggle to deal with so much change all at once – honestly I was a bit freaked out. I have asked Larry to train me more thoroughly with soil dependant POWTS and floodplain - if the new ZA has too much on their plate the first year or two I can help out more over here to alleviate delays.

I went to POWTS training at the Ashland Visitor's Center on April 4. This fulfilled 3 of my 24 continuing ed requirements for my POWTS Inspector license. The County will be billed expenses (only their mileage rate is less than hrs). Carl Lippert, the State Sanitarian for this area retires last September. He was not replaced. There are fewer sanitarians in the State of WI which means delays for certain soil dependent systems and other specialized systems. Our new sanitarian is 3.5 hours away and will be batching inspections together. I met the new State Sanitarian and he is a very nice guy, in the department for 12+ years. He just has a very large area to cover. This places heavier responsibilities on Counties to upgrade their qualifications so dependence on the State Sanitarians is less.

I called John Spangberg's number again and it redirects me to Steve LaValley at 715-392-0803 for Ashland/Bayfield areas. I called that number and it says the voicemail for Steve LaValley is full, please hang up. I called Bayfield County Zoning and they said John's position has been filled and someone may be available to speak with in the near future. As I have outstanding issues and a possible wetland violation from last fall – large excavation on property next to Craftivity Inc that occurred while I was on maternity leave – I hope someone is on board before the building season.

Upon my request the Town Plan Commission interpreted the use of parking spaces for uses other than parking (bistro style seating, retail, etc). Before we enter the summer season I wanted to know how to proceed with the issue since the revised ordinance disallows abandonment of existing parking spaces in the C-1 zone. The TPC interpreted the past uses (summer of 2011) of parking spaces, particularly those of the Middle/Main Street condos, to be nonconforming uses because the use as a parking space has not been abandoned for a period of more than 12 months. As nonconforming uses they may not in any way be changed, extended, or expanded. If they are, or the use as anything other than a parking space is abandoned for 12 consecutive months, the nonconforming use will be lost per Section 9.1 of the Zoning Ordinance. In short, what happened last summer will be allowed to continue as long as there is no change to the size or use. This is a way to phase out the uses, which could be construed as nuisances due to public safety issues. I will be writing a letter to owners and renters of the spaces for their information and will document the size and use of the areas used for mopeds, bistro seating and retail spaces for future enforcement.

Although it has been little more than a month, the revised ordinance is already helping property owners and is much easier for me to work with. We have one additional rental on the market since the rental of an accessory dwelling was made legal. The Ordinance has also supported a small business venture by not requiring a permit or fees for Marjorie Denton's vending trailer. The revision allows for Main Place, a multiple family dwelling, to be rented as a permitted use. The revision also allows me to issue a permit to the Sanitary District for their change of use out at the treatment facility. This will open office space in the Town Hall for a new administrator etc. Tony Watts is already working on his certified survey to reconfigure his South Shore parcels – something he has been waiting to do for almost a decade.

XI. Old Business

I certainly did not mean for my memo about the public information request fee schedule to be controversial in any way. At the last TB meeting there was a fairly long discussion about it. As custodian of zoning public records I worry particularly about the fees for locating records. This is partly due to Margaretta helping me fill requests and her billable hours are much less per hour than the fee schedule charges. I am also concerned because locating records in the zoning dept is cumbersome, at no fault to the requester. Perhaps Clerk Hobin's suggestion that the zoning dept have its own fee schedule is the wisest. The safest fee schedule would be \$.35 per page plus Margaretta's billable hours for locating records (only to be charged if the amount exceeds \$50.00). At times Margaretta locates all the records in a request and charging for only her hours. Either that or I could itemized my time and her time spent locating records and charge per hour accordingly. Both would assure the Town does not make a profit from the information request (which is not legal). I appreciate everyone's opinion on this.