

TOWN & COUNTY ZONING
ZA Report Dated 4-9-10
3-10-10 to 4-8-10

I. Permit Applications Approved and Issued:

<u>Name</u>	<u>Date Received</u>	<u>Date Issued</u>	<u>Type/Address</u>
Dalquist, Properties LLC	2-15-10	3-10-10	Add/Alter 2954 North Shore Road

(Nonconforming Shoreland structure. TPC approved at 3-3-10 meeting. Larry Hildebrandt issued County Permits on this project due to sanitary complications)

Cain, Robert/Tara+	3-5-10	3-18-10	SFD 251 Big Oak Blvd
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(TPC approved at their 3-17-10 meeting. Setbacks taken from private easement ROW, not property line which is the center line of road easement)

Wilharm, Paul		3-8-10	Rental SFD Renewal 3044 Big Bay Road
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Nicholas, Karen/Brad++++	3-8-10	3-30-10	Travel Trailer x2 (1 dwelling and 1 accessory, Accessory, Fire #, driveway extension 428 Middle Road (Deerwoods Lane/Estate)
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(TPC approval 8-31-09. Delay on permit was due to applicant sanitary app for a privy incomplete until 3-8. Initial submittal 8-25-09)

Grabarek, Scott+	3-10-10	3-31-10	Change of Use 1472 Harley Lane
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(Change of use from shed permitted in '99 to SFD. Non-plumbing permit issued for composting toilet. Sent to J. Price in case there are UDC requirements.)

Certified Survey Maps

<u>Name</u>	<u>TPC approve/deny</u>	<u>TB approve/deny</u>	<u>Address</u>
Gagnon, Mark	awaiting app and fees		

II. Permit Applications in Progress:

<u>Name</u>	<u>DateReceived</u>	<u>Project/ Address</u>
Hartzell, Robert	7-16-07	CUP – Year round resort, spa and exercise facility 580 Mondamin Trail

(TPC reviewed the status of this CUP on 3-3-10. CUP not yet issued due to sanitary not in order. While looking into the status of the application I discovered the property may

not have been divided per Tech Memo III in 2002. Letter to R. Hartzell requesting clarification regarding the division.)

McCarthy, Joseph 8-6-07 CSM
Sunnyslope
(preliminary approved by TPC 8-15-07. Reviewed preliminary with County on 2-29-08. Corrections to be made to preliminary- final map not yet received.)

Platt, Laura 10-12-07 CSM
1094 Big Bay Road
(Received CSM – waiting for fees and application form signed by all owners of all properties delineated on CSM. CSM required to rectify illegal subdivision creating two substandard lots. Looking into the County Subd Ordinance to see if these two lots require a CSM anymore)

MIYC 11-20-07 CUP – Warehouse/Boat Storage
Fire # 633 Main St
(TPC reviewed the status of this CUP on 3-3-10. Letter to MIYC requesting status report due to no activity after CUP was approved. CUP not yet issued due to sanitary not in order.)

Dobson, Janine/Jim 6-23-08 Travel Trailer/Fire #
Old Fort Road (Old Caddy Shack property)
(With the text changes, I have to research possible refunds of previous app fees paid/possible violations/sanitary etc)

Geiser, Barb (7 Hearts) 7-25-08 Add/Alter (deck on bunkhouse)
1454 North Shore Road
(Waiting on DNR since submission of application. Received a call from J. Spangberg 4-6-10 – he said he was working on the app and would have word asap. If the sonotubes were already poured in the wetland, an after-the-fact permit would have to be submitted – if not they will have to cantilever the deck from the house)

Banks, Mark/Gretchen+ 11-3-09 Add/Alter
1673 Hagen Road
(Shoreline Restoration required to be approved by Ash Co Conservation Dept per County regs – waiting on County permit requirements to be fulfilled. Email from County Conservationist 1-11-10 – requirements of the County for Restoration Plan still not met)

Lindner/Rehwaldt 4-7-10 Accessory
2320 North Shore Road

III. Permit Applications Denied/Revoked:

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

IV. Violations

Name	Violation	Order
Schardt	House moved. Holding tanks need to be installed	
Ryder, Jim	House setback encroachment. Owner submitted letter requesting the TPC approve the "CSM" 7-31 and recommend approval to TB. Map proposing to reconfigure lots. No metes and bounds submitted. Map not to statute requirements.	
Ryder, Elizabeth	Pole Barn setback encroachment. Owner submitted letter requesting the TPC approve the "CSM" 7-31 and recommend approval to TB. Map proposing to reconfigure lots. No metes and bounds submitted. Map not to statute requirements.	
Woods, Marcy/Thomas	Permit for after the fact add/alter denied by motion of TPC per recommendation of ZA. Proposed construction also denied. Letter to remove additions w/in setbacks sent. Appeal submitted. File forwarded to BOA 12-31-09. BOA remanded back to TPC. Woods to reapply.	
Griffin, Tom	1137 South Shore Dr – Accessory structure w/o permit w/in Shoreland setbacks. Open structure with plumbing w/o permit Within shoreland setback. Griffin removing structures in spring 2010 per email response to letter. Inspections with L Hildebrandt and J Spangberg to verify ohwm.	
Nelson, Tom	Moved structures from Bell St Properties on Middle Road and Cadotte property on Library St w/o permits. Letter written and sent – T. Nelson stopped by my office 4-7-10 to say he was submitting applications asap. Will give (30) days before I begin the violation process through the Town and County.	

V. Land Use Permit – No Permit Required:

Name	Project/ Address
None	

VI. Correspondences: Letters/MEMO to

Name	Date	Re
Anich	3-10	Mattingly Raze Orders
TPC/MEMO	3-12	Cain SFD
TB/MEMO	3-15	Text change status – at County
TPC/MEMO	3-19	(3) Members' terms expirations
Anderson draft to TPC	3-25	Campground violation 516 Miller Farm Rd
Tom Nelson	4-1	Permitting status of moved structures w/o Permits – Big Bay Rd

Robert Hartzell	4-1	How did 7.51 acre parcel get legally divided into your 4.2 acre parcel and Pan-o-Gold's 3.31 acre parcels per subd ordinance? No CSM on file.
TB/MEMO	4-6	Mondamin Trail – Spa CUP property Razing of Buildings Ordinance per J. Price

VII. Complaints

Name	Date	Regarding
None		

X. New Business

Woods Manor/MIMC - I forwarded Mr. George's letter and some history to the TPC. I am asking if the use of the property for the public is allowed in the R-2 District and/or if permit(s) are required. Woods Manor was issued cease and desist orders by the TB in 2007 for any commercial use of the property. The CUP was revoked partially due to use of the property beyond what the CUP allowed including large corporate events and weddings on the lawn. I researched Public Assemblage Ordinances in WI which led me to ask Ashland County whether they had such an ordinance. It appears they do and they faxed me a copy which I distributed. I spoke with James Price about the event, the 5,500 sq' tent with wood floor enabling seating for a 36 member orchestra and 420 people. He spoke about many specifics covered by the Ashland County Ordinance.

I do not know if Ashland County enforces this ordinance or if it is something the Town can fall back on for regulation. My concern as the ZA is over public use of private property under cease and desist orders as well as the precedent it may set to allow such a use of private property without a special permit. I have recommended the TPC require a CUP that would have a limited term due to the temporary nature of the use. The CUP could then address matters such as parking, emergency routes, compliance with applicable codes for the tent, sanitary, lighting, electrical, security, medical, noise and everything else Mr. Price touched upon – the biggest one being, who's carrying the liability insurance and is it adequate? If the property owners submit the application the TPC can begin the process as soon as the moratorium is lifted. I submitted a schedule that shows it possible to have the CUP issued by July 1st. They want to begin putting the tent up on the 5th.

What is the Town's liability in the case of a catastrophic event if this is allowed without any type of permit? We do not have the same capability for mutual aid as other communities. It is important to assure events such as this do not diminish the emergency services normally afforded to the community, create fire hazard, damage surrounding private property, diminish the owners' enjoyment of neighboring private property, parking is adequate and does not block or close roads, sanitary waste is disposed of properly, trash is managed, etc.

XI. Old Business

I called the County Clerk about the text changes. The County Board meets the 20th. I will go to the meeting so I can bring home a certified copy of the changes to post

immediately (assuming the County Board passes the changes). I would like a motion of the Town Board to lift the moratorium on CUPs and section 4.3.3 as soon as the text change is effective. Right now the moratorium is effective until May 15 but could be lifted as soon as April 23. This would help the Bergeons and possibly Woods Manor/MIMC a great deal.

Margaretta has been making great strides entering zoning permits in the database. It has been incredibly helpful having clerical staff in the zoning office for regular hours every week.

As discussed at last budget cycle, I am putting together information regarding the Intermunicipal Agreement with Ashland County. I'll request the item be on the TB agenda for the 4-27 meeting. At that meeting we should review the Agreement, its language and whether the Town would like to propose any changes. Also under review will be my time spent on County work, Margaretta's time, the \$15,000.00 received from Ashland County for the program and whether that dollar amount is still adequate. Patty had drafted a letter to the County Administrator some time ago, but I think we need a thorough review of the Agreement and data before we send a budget request to the County.