

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE PUBLIC HEARING

March 30, 2009

County Board Room – Administrative Center

6:00 p.m. – 6:32 p.m.

MEMBERS PRESENT: Tom Rauk, Don Bina, Bob Keil; Marilyn Pedretti;
MEMBERS EXCUSED: Dennis Manthei; Don Meyer; Beverly Mach
MEMBERS ABSENT: None
OTHERS PRESENT: Jeff Bluske, Bryan Meyer, Charlie Handy, Chad Vandenlangenberg, Mike Weibel (Recorder)

CALL TO ORDER

The Recessed Meeting and Public Hearing of the Planning, Resources and Development Committee was called to order by Vice Chairman, Tom Rauk at 6:00 p.m. Let the record show that this meeting is called in full compliance with the requirements of the Wisconsin Open Meetings Law.

The procedures for tonight's meeting were explained to those gathered. This meeting is being recorded.

ZONING PETITION NO. 1808 Carrie Apuan, W4910 Chipmunk Coulee Rd N, Stoddard, WI; acting in behalf of Kenneth E. & Elizabeth M. Herold Trust, W4942 Chipmunk Rd N, Stoddard, WI. Petitions to rezone from the Transitional Agriculture District to Agriculture District "A", a 0.27 acre parcel to be added to an existing parcel zoned Agriculture District "A" in Zoning Petition No. 1773 for one single family residence, land to be rezoned is described as: Part of the SE-SE Section 36, T15N, R7W, described as follows: Beginning at the Southeast corner Lot 1 Certified Survey #148, Volume 13; thence S81°20'13"W 155.61'; thence S85°39'58"W 85.30'; thence N78°18'10"W 158.71' to a point on the South line of said Lot 1; thence N47°44'52"W 122.30'; thence N76°42'43"W 151.87'; thence S12°34'57"W 120.90' to a point on the Southerly line of said Lot 1 and the North right-of-way of Chipmunk Road North; thence N01°40'34"E along the Southerly line of said Lot 1 a distance of 126.08'; thence East along said Southerly line 137.48'; thence S44°36'49"E along said Southerly line 175.84'; thence S89°40'01"E along said Southerly line 394.32' to the POB. Town of Shelby.

Appearing in Favor: Carrie Apuan, W4910 North Chipmunk Rd, Stoddard, WI 54658. Asking for rezone of this additional land, the survey did not cover original re-zone. Not the existing driveway or the area for the septic system.

QUESTION Pedretti: House already built?

ANSWER Apuan: Yes, the lot was staked after house was built.

QUESTION Bluske: Well not on this parcel?

ANSWER Apuan: That's grandmother's well, parents and mine. Shared by all of us.

QUESTION Bina: When originally surveyed, did surveyor make a mistake?

ANSWER Apuan: Yes

Appearing in Opposition: None.

Correspondence: None.

QUESTION Bluske: Did you attend a Town Meeting?

ANSWER Apuan: Yes, sometime in February I think it was, Town said ok – no problems.

Department Recommends: Approve.

Motion Bina/Pedretti to Approve.

4 – Aye, 0 – No, 3 – Excused (Meyer, Mach, Manthei)

ZONING PETITION NO. 1809 James E & Tinya M. Finch, 906 Main St, Onalaska, WI. Petitions to rezone from the Exclusive Agriculture District to Agriculture District "A", a 34.67 acre parcel for one single family residence on County Road I described as follows: Part of the N ½-NE of Section 35, T16N, R6W described as follows: Commencing at the Northwest corner of said NW-NE; thence East along the North line thereof 724' to the POB of this description: Thence continuing East along said North line and the North line of said NE-NE to a point N88°54'02"W 708.27' from the Northeast corner of said NE-NE; thence S00°55'54"W 1,124.93'; thence N88°54'02"W 170'; thence N88°54'02"W 1,742.51' to the West line of said NW-NE at a point S00°27'00"W 1,125' from the Northwest corner of said NW-NE; thence N00°27'00"E along said West line 282'; thence S88°54'02"E 724'; thence N00°27'00"E along the East line 843' to North line of said NW-NE and the POB. EXCEPT lands sold, taken or used for road purposes. Town of Barre.

Appearing in favor: James Finch, 906 Main St, Onalaska, WI 54650. In 2004 my wife and I purchased 35.5 acres in the Town of Barre. Have a Certified Survey that shows that as well as a Wisconsin Real Estate Transfer Document, that shows 35.5 acres. But at the time the deed was recorded the attorney for the seller included language that lands sold or taken for Highway purposes, which created a conveyance of enough acreage that we were left short of the total acreage that we needed to build given the current zoning of Exclusive Ag. So over the last year and a half I've had the opportunity to meet the neighbors and talk with them. The 3 immediate adjoining neighbors Bohnsack, Decker & Werner not willing or for various reasons not able to sell us any additional property. So Subsequently I'm filing for this Rezone with the County. Have spoken with the Town. Have been on their Agenda for Informational purpose but they do not want to act until County takes action. The Town has had no objections or questions to this point.

QUESTION Pedretti: Where will you be accessing?

ANSWER Finch: On County Road I.

QUESTION Pedretti: Do we know what that secondary non-exclusive access easement is?

ANSWER Finch: I do, Glen Decker, originally the Bohnsack parcel, Decker parcel and my own was all owned by Nina Manke. Because of the nature of the Decker property, there is a stream that separates the majority of his property from County M. He wanted an easement for the sake of being able to build either a bridge to access the property or to access the property by this to build.

QUESTION Pedretti: I've never heard non-permanent before?

ANSWER Finch: It does expire but I don't recall when.

Appearing in Opposition: None.

Correspondence: None.

Department Recommends: Approve with conditions – record a deed restriction allowing one single family residence and no further subdivision of the property.

Motion Keil/Bina to Approve with conditions.

QUESTION Bina: Town of Barre has some strong opinions on what lands are to be developed, is this in the Town Plan at this point in time?

ANSWER Bluske: It is in their existing Plan as Exclusive Ag and is also in the Proposed Plan as Exclusive Ag. We felt that this is so close and that he did have 35 acres at one time and had the deed not had the verbiage, Except part taken for Highway purposes, he'd still have it; so this will not change the use at all by having one single family home on it.

REMARKS Bina: I wouldn't want to approve this now and then find out the Town won't approve this in their plan, and then he'd be on the hook for another big problem because he'd have to update the Town Plan and the County Plan and that's going to cost him big bucks so you're saying it is 35 acres Except for the road and it is Exclusive Ag and one dwelling is allowed?

ANSWER Bluske: Yes, and I have spoken with the Town about this.

Vote on Motion to Approve:

4 – Aye, 0 – No, 3 – Excused (Meyer, Mach, Manthei)

CONDITIONAL USE PERMIT NO. 791 Daniel & Erica Schultz, N5610 State Road 108, West Salem, WI. Petitions to operate a tile, grout and carpet cleaning business called Genesis Tile & Grout Restoration with storage in the existing 25' X 26' detached garage, 8' X 12' shed and office in the residential home at this address on land zoned Agriculture District "A" and described as: Lot 1 of Certified Survey Map No. 90 Volume 12. Town of Hamilton.

Appearing in Favor: Daniel Schultz, N5610 State Rd 108, West Salem, WI 54669. We would like to run a tile, grout and carpet cleaning business out of our home. That consists of a trailer that contains a power unit with a vacuum system so we can go into the house with pressurized water then suck it back out to the trailer system. We don't do any work in our house. Only things done at the house would be to park the trailer, mail billings and do our computer work and telephone work, other than that no signs or billboards. We think creating a positive impact for our community, able to provide affordable cleaning of tile, grout and carpeting for our residents. We use 100% biodegradable solutions, no hazardous materials used in our cleaning or stored at our place. We would be supporting our local businesses because we would be purchasing our cleaning supplies from the area, our fuel and everything else is in this area. I don't see any negative impacts for the area. We have talked to our neighbors and they're fine with it. The Town of Hamilton approved it back in early March.

QUESTION Bluske: On the sketch on the screen could you indicate the driveway location, there is a septic system near that smaller building, not driving on that?

ANSWER Schultz: No, driveway comes directly in front of the kitchen and it goes to the south and around the back (indicates on overhead).

QUESTION Bluske: Storing anything in the little shed?

ANSWER Schultz: No, nothing in there, not for the business. Everything for business is stored in the trailer and that's stored in the garage.

Appearing in Opposition: None.

Correspondence: March 20 letter from Town of Hamilton – approve Schultz Conditional Use Permit request.

Department Recommends: Approve with 8 conditions:

1. This permit is granted to operate a business for tile and grout restoration, along with carpet cleaning from their residence and in their detached 25-ft X 26-ft accessory building at N5610 State Road 108.
2. All equipment, including truck and enclosed trailer, will be stored inside.
3. Record keeping, computer work and telephone scheduling can be done in an area covering less than 25% of one floor of their residence.
4. There will be no employees, no noise and no signs on site or off premise.
5. Maintenance and repairs will be done within the existing detached accessory building.
6. No hazardous materials may be stored on site.
7. All personal property must be reported to the local assessor each year.
8. The permit is non-transferable.

Motion Bina/Keil to Approve with conditions stated.

4 – Aye, 0 – No, 3 – Excused (Meyer, Mach, Manthei)

TERMINATION OF CONDITIONAL USE PERMIT NO. 244 – TERMINATION NO. 42 La Crosse County Zoning, Planning & Land Information Department, 400 4th St N – RM 3170, La Crosse, WI. Petitions to terminate Conditional Use Permit No. 244 filed by Jamie Peaslee, current owner Bruce Stumlin, N9766 Cox Hill Rd, Holmen, WI; on land zoned Agriculture District "A", and passed by the County Board December 17, 1991, to operate an automotive accessory catalog sales business in his garage. Reason for

terminating – this business has not operated from this property for 12 consecutive months. Town of Farmington.

No voluntary letter of termination in the file.

No Persons Appearing in Favor.

No Persons Appearing in Opposition.

**Motion Pedretti/Keil to Approve termination of Conditional Use Permit No. 244.
4 – Aye, 0 – No, 3 – Excused (Meyer, Mach, Manthei)**

TERMINATION OF CONDITIONAL USE PERMIT NO. 26 and NO. 220 – TERMINATION NO. 46 La Crosse County Zoning, Planning & Land Information Department, 400 4th St N – RM 3170, La Crosse, WI. Petitions to terminate Conditional Use Permit No. 26 and No. No. 220 filed by Carl Pedretti, current owners Gary & La Vonne Johansen, W6820 Keppel Rd, Holmen, WI, Gerald Sobotta, W6800 Keppel Rd, Holmen, WI, Halderson Family Trust, W6804 Keppel Rd, Holmen, WI, Karen Sieben, W6796 Keppel Rd, Holmen, WI, David & Dede Holt, W6806 Keppel Rd, Holmen, WI on lands zoned Transitional Agriculture and Agriculture District “A” and passed by the County Board in June of 1981, and April of 1991, to excavate clay borrow materials. Reason for terminating – these 2 Conditional Use Permits have not been used for more than the past 12 consecutive months. Town of Onalaska.

Voluntary letter of termination in file.

No Persons Appearing Favor.

No Persons Appearing in Opposition.

**Motion Bina/Keil to Approve termination of Conditional Use Permit No. 26 & No. 220.
4 – Aye, 0 – No, 3 – Excused (Meyer, Mach, Manthei)**

TERMINATION OF CONDITIONAL USE PERMIT NO. 199 – TERMINATION NO. 43 La Crosse County Zoning, Planning & Land Information Department, 400 4th St N – RM 3170, La Crosse, WI. Petitions to terminate Conditional Use Permit No. 199 filed by David P Goyette, current owners David P & Wanda Goyette, 2516 Island Park Rd, La Crosse, WI, on land zoned Residential District “A” and passed by the County Board on May 17, 1990, to operate a day care center to accommodate not more than 15 children from their residence. Reason for terminating – this business has not operated from this site for more than the past 12 consecutive months. Town of Campbell.

No voluntary letter of termination in the file.

No Persons Appearing in Favor.

No Persons Appearing in Opposition.

Letter sent to property owners.

**Motion Keil/Pedretti to Approve termination of Conditional Use Permit No. 199.
4 – Aye, 0 – No, 3 – Excused (Meyer, Mach, Manthei)**

TERMINATION OF CONDITIONAL USE PERMIT NO. 54 – TERMINATION NO. 44 La Crosse County Zoning, Planning & Land Information Department, 400 4th St N – RM 3170, La Crosse, WI. Petitions to terminate Conditional Use Permit No. 54 filed by Robert & Carol Kasperek, current owners James & Dawn Gorniak, W3113 Old Highway 16, West Salem, WI, on land zoned Agriculture District “A”, and passed by the County Board on April 14, 1983, to operate a craft and gift shop in the granary. Reason for terminating – the business has not operated for the past 12 consecutive months. Town of Hamilton.

Voluntary letter of termination in file.

No Persons Appearing Favor.

No Persons Appearing in Opposition.

**Motion Bina/Keil to Approve termination of Conditional Use Permit No. 54.
4 – Aye, 0 – No, 3 – Excused (Meyer, Mach, Manthei)**

TERMINATION OF CONDITIONAL USE PERMIT NO. 17 – TERMINATION NO. 45 La Crosse County Zoning, Planning & Land Information Department, 400 4th St N – RM 3170, La Crosse, WI. Petitions to terminate Conditional Use Permit No. 17 filed by Everbody's Mood, Inc, current owners Richard & Barbara Schomburg, W3679 County Road C, West Salem, WI, on land zoned Transitional Agriculture District, and passed by the County Board on November 13, 1980, to construct a 200 foot radio broadcast tower. Reason for terminating – this Conditional Use Permit has been replaced by Conditional Use Permit No. 787 which will remove and replace this 200 foot tower. Town of Hamilton.

Voluntary letter of termination in file.

No Persons Appearing Favor.

No Persons Appearing in Opposition.

**Motion Keil/Bina to Approve termination of Conditional Use Permit No. 17.
4 – Aye, 0 – No, 3 – Excused (Meyer, Mach, Manthei)**

**Motion Keil/Pedretti to adjourn.
4 – Aye, 0 – No, 3 – Excused (Meyer, Mach, Manthei)**

Meeting adjourned at 6:32 P.M.

Approved May 4, 2009 - Mike Weibel, Recorder.