

ONEIDA COUNTY PLANNING & ZONING
April 1, 2009 2:00 P.M.
PUBLIC HEARING – COMMITTEE ROOM #2
ONEIDA COUNTY COURTHOUSE
RHINELANDER, WI 54501

Members present: Scott Holewinski
Ted Cushing
Larry Greschner
Charles Wickman
Frank Greb

Department staff present: Karl Jennrich, Zoning Director
Steve Osterman, Planning Manager
Kim Gauthier, Secretary

Other County Staff: (None)

Guests present: Randy Pyer, Jodi Pyer, Bob Winat

Call To Order:

Chair, Scott Holewinski called the meeting to order at 2:00 p.m., in Committee Room #2, 2nd Floor Oneida County Courthouse, Rhineland, Wisconsin in accordance with the Wisconsin Open Meeting Law. Mr. Holewinski noted the agenda was properly posted, the media notified and the courthouse is handicap accessible.

Approve the agenda

Motion by Ted Cushing, second by Larry Greschner to approve the agenda. With all members present voting “aye”, the motion carried.

Conditional Use Permit and proposed 8-unit Condominium described as “Rangeline Condominium” on property described as part of Gov’t Lot 4, Section 36, T39N, R10E, PIN# TL 374-4A Town of Three Lakes. Present addresses 7326-7330 Hwy 45 North and currently has The Loon Saloon tavern situated on it.

Karl Jennrich, Zoning Director read the notice of public hearing into the record. Mr. Jennrich offered proof of publication from the Rhineland Daily News, published on March 17, 2009 and March 24, 2009. The notice was posted on the Oneida County courthouse bulletin board March 12, 2009. The certified and first class mailing list was read into the record. Mr. Jennrich noted the notice recipient list was part of the record and available for review.

Mr. Jennrich indicated the following correspondence was received:

- Letter from the Town of Three Lakes dated March 4, 2009 approving of the CUP.
- Email from DOT, Bob Winat, describing the right of way issues as read.
- Email from Fred Hageman, neighbor, in support of the project provided the concerns indicated are addressed.

Steve Osterman, Planning Manager, provided photos of the property and referred to the report provided (PH Exhibit #1).

Mr. Cushing asked if there is an existing resort license. Mr. Osterman indicated, “Yes”.

Mr. Osterman indicated the department recommends approval with the following conditions:

1. The nature and extent of the conditional use shall not change from that described in the application and approved in the CUP.
2. The bar business must terminate within ~~4~~ 2 years of approval and the building and deck must be removed and or demolished within ~~4~~ 2 years also. Permits must be obtained for demolition/removal. The well and all existing plumbing must be properly abandoned.
3. Demolition of 2 homes (units 2 & 5) to be completed within ~~4~~ 2 years. ~~Unless prior to the 1 year time frame a zoning permit is sought for new construction involving units 2 & 5. If that is the case demolition permits must be obtained prior to zoning permit issuance for units 2 and or 5.~~
3. Administrative Review Permit or Conditional Use Permit (if more than 4 rental units) will be required to be obtained for short term rentals.
4. Any exterior lighting shall be directed downward and shielded from above. Care should be taken to prevent light pollution.
5. OHWM and Lakebed area as depicted on the preliminary plat to be shown on final plat.
6. Any piers/berths/shore stations and or walkways must be in compliance with section 9.98 and Section 9.94A (3).
7. Wisconsin Department of Transportation driveway permit approval required to be obtained.
8. Any Signage on the property must be in compliance with the Oneida County Zoning and Shoreland Protection Ordinance. Obsolete signage for the bar must be removed immediately after closure of those businesses.
9. Subsequent amendments to the condominium instruments must be reviewed and approved by zoning staff.
10. The condominium plat must be filed with the Register of Deeds office within six months of the date of the approval letter of the department.
11. Condo declarations to limit outside storage and any outside garbage to be screened from view.

Mr. Wickman commented that the owner should consider adding pier and boat regulations in the condo declarations.

Mr. Cushing commented that the owner should consider a well water plan and questioned the type of pets allowed, noting this should be addressed in the condo bi-laws and well water issues in the condo declarations. Mr. Cushing commented on selling unit eight and cautioned against selling this unit and allowing one person to manage the storage building as mentioned.

Mr. Holewinski asked if the department received a copy of the condo declarations. Mr. Osterman indicated, "Yes, there were no issues."

Mr. Holewinski asked if there was any public comment for or against the issue at hand (two times). No comment was made. Mr. Holewinski noted there was one member of the audience, however no comments were made.

The Committee questioned condition number two and asked if one year was enough time for the demolition. The Committee felt that two years was more reasonable. Mr. Pyer agreed.

Motion by Ted Cushing, second by Larry Greschner to change condition number two and three to within two years of approval and demolished within two years. With all members present voting "aye", the motion carried.

Mr. Holewinski questioned the landscaping on the property. Mr. Osterman indicated mitigation is not required beyond seventy-five feet from the ordinary high water mark.

Mr. Holewinski questioned outside storage and possibilities of what could be parked outside, such as a race car, etc. Mr. Pyer indicated he plans to restrict the amount of items stored outside and could add restrictions to "what" can be stored.

Motion by Ted Cushing, second by Frank Greb to have the owner add specifics of outside storage and make part of the condo declarations, as discussed. With all members present voting "aye", the motion carried.

Mr. Holewinski questioned the storage of garbage. Mr. Pyer agreed to place a dumpster on site.

Motion by Larry Greschner, second by Ted Cushing to add a condition that outside garbage containers will be screened. With all members present voting "aye", the motion carried.

The committee commented on the town concerns and agreed that fencing is not needed along Mr. Hageman's property and fireworks are not a CUP matter, but rather a town issue.

Motion by Ted Cushing, second by Larry Greschner to approve the conditional use permit of Rangeline Condominium, agenda item number three with the general standards having been met, along with staff conditions and no town concerns. With all members present voting "aye", the motion carried.

Adjourn

2:36 p.m. Motion made by Larry Greschner, second by Ted Cushing to adjourn the public hearing. With all members present voting "aye", the motion carried.

Scott Holewinski, Chair

Karl Jennrich, Zoning Director