

ONEIDA COUNTY PLANNING & ZONING
May 6, 2009 2:00 P.M.
PUBLIC HEARING – COMMITTEE ROOM #2
ONEIDA COUNTY COURTHOUSE
RHINELANDER, WI 54501

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

Department staff present: Karl Jennrich, Zoning Director
Nadine Wilson, Land Use Specialist
Kim Gauthier, Secretary

Other County Staff: Bob Brusco, County Clerk

Guests present: (See sign-in sheet)

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, Rhinelander, 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 Frank Greb, second by Ted Cushing to approve the agenda. With all members present voting “aye”, the motion carried.

Conditional Use Permit Application of Erik and Lisa Wierschke, owners d/b/a Cross Country Bar to hold two annual outdoor entertainment events on weekends on property located at 4285 Cross Country Rd., described as NW NW, Section 11, T37N, R9E, PIN# PL 326-1, Town of Pine Lake.

Karl Jennrich, Zoning Director read the notice of public hearing into the record. Mr. Jennrich offered proof of publication from the Rhinelander Daily News, published on April 21, 2009 and April 28, 2009, along with the Vilas County the week of April 20, 2009. The notice was posted on the Oneida County courthouse bulletin board April 16, 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 Pine Lake approving of the permit.

Nadine Wilson, Land Use Specialist noted the department has not received public correspondence regarding this CUP. Ms. Wilson referred to the report provided (PH Exhibit #1) and indicated the general standards have been supplied and the conditions are as follows:

1. The nature and extent of the use shall not change from that described in the application and approved in this Conditional Use Permit.

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2. The conditions imposed in CUP #6-1057 to remain in full force and effect.
 3. Strict outdoor entertainment hours must be kept. Friday from 5pm to midnight and Saturdays from 10am to midnight.
 4. Events are limited to two weekend outdoor events per year.
 5. Portable toilets only used during the event and must be pumped and maintained during event.
 6. Town of Pine Lake concerns, if any.

Mr. Holewinski commented that the proposed volleyball courts should be added to the CUP.

Ms. Wilson agreed that the CUP must be amended to reflect this.

Mr. Holewinski asked if there was any public comment for or against the issue at hand (two times).

Grant VanGorden, neighboring property owner, commented that he does not object to the volleyball courts, but does object to the noise over the weekend. Mr. VanGorden indicated in the past when the business provided music, the windows in his house was rattling. Mr. VanGorden indicated for two weekends per year he will have to move out to avoid the noise. Mr. VanGorden commented that he objects to the noise and his neighbors also object.

Bob Brusio, County Clerk, commented that under Chapter 12 of the ordinance if there are 1,500 people or more and longer than a four hour event the event would meet the "large assembly" requirement.

No other public comments made.

Mr. Holewinski asked that Lisa Wierschke, owner, comment on the public comments made.

Ms. Wierschke indicated that what Mr. VanGorden was referring to was a band inside over the summer when the air conditioner was broken. Ms. Wierschke indicated the police came, so the windows were closed and the music turned down. Ms. Wierschke explained there are small speakers outside to play music during volleyball games and there are no complaints about that. Ms. Wierschke commented on the amount of money spent to excavate the hill to absorb any outdoor noise. Ms. Wierschke indicated the town is supporting the permit and there were ten to fifteen public members at the town meeting where only one person was against the proposal.

Mr. Holewinski clarified conditions three and four to ensure the events are only two weekends per year. Mr. Holewinski asked that the Zoning Department be notified which weekends the events will happen. If there are a lot of complaints the department will review the conditional use permit again. Mr. Holewinski recommended this be a condition. Mr. Holewinski also suggested the possibility of no parking signs be placed on Cross County Road during the event. Mr. Holewinski commented that he is aware of another bar that sponsors an event every year and sends the neighbor out of town so to accommodate them.

The Committee requested the department add the additional conditions:

7. The department will revisit the conditional use permit if multiple complaints are received.
8. Volleyball courts to be labeled as such.
9. No parking signs placed on road during the event.
10. Notify the Zoning Department of event dates.

Motion by Ted Cushing, second by Larry Greschner to approve the conditional use permit of Erik and Lisa Wierschke, agenda item number three, with the conditions as outlined and the general standards having been met. With all members present voting “aye”, the motion carried.

Conditional Use Permit Application of Two Lawyers Three Lakes LLC, owner, to operate a 2-unit multi-tenant building on property at 1849 Superior Street, being part of NW NW, Section 7, T38N, R11E, PIN# TL 450-5, Town of Three Lakes.

Karl Jennrich, Zoning Director read the notice of public hearing into the record. Mr. Jennrich offered proof of publication from the Rhinelander Daily News, published on April 21, 2009 and April 28, 2009, along with the Vilas County the week of April 20, 2009. The notice was posted on the Oneida County courthouse bulletin board April 16, 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 approving of the conditional use permit.

Nadine Wilson, Land Use Specialist referred to the report provided (PH Exhibit #2) and noted the general standards have been supplied and the department recommends approval contingent on 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. Parking provided to accommodate peak time of six employees.
3. Additional permits may be required for any new tenants.
4. Signage in accordance with the Oneida County Zoning and Shoreland Protection Ordinance.
5. Town of Three Lakes concerns, if any.

Mr. Holewinski asked if there was any public comment for or against the issue at hand (two times).

Motion by Larry Greschner, second by Ted Cushing to approve the Two Lawyers Three Lakes LLC, agenda item number four with staff concerns and the general standards having been met. With all members present voting “aye”, the motion carried.

Adjourn

2:43 p.m. Motion made by Frank Greb, second by Ted Cushing to adjourn the public hearing. With all members present voting “aye”, the motion carried.