

## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN THAT THE** Oneida County Planning & Development Committee will hold a public hearing on Wednesday, May 17, 2023 at 2:00 p.m. in the 3<sup>rd</sup> Floor Board Room, at The Minocqua Center, 415 Menominee St, Minocqua, WI 54548 on the following:

**Conditional Use Permit application** by Ben Semler, applicant, and Maple North LLC, owner, to operate an outdoor chainsaw wood carving business on the following described property; Strasburg Heights, Lot 1, Part of the NE ¼ and SW ¼ , Section 26, T39N, R6E, 7714 US Highway 51, PIN# MI 5494, Town of Minocqua.

**Conditional Use Permit application** by Lindsey Frank, applicant, and Torcor LLC, owner, to provide outdoor seating at a deli on the following described property; Part of Government Lot 3, Section 10, T38N, R6E, 6823 Highway 51, PIN# HA 123-3, Town of Hazelhurst.

**Conditional Use Permit application** by Andrew Teichmiller, applicant, and Bitterroot LLC, owner, to operate a bicycle and paddle sports retail and rental shop with outdoor storage and displays, and to build an addition onto the existing building on the following described property; Rose Brown's 1<sup>st</sup> Addition, Lot 6 & Part of Lot 5, Block 2, Section 1, T39N, R6E, PIN# WR 719, 1301 1<sup>st</sup> Avenue, Town of Woodruff.

**Conditional Use Permit application** by Aaron Kowles, applicant and owner, to operate an excavation service business with outdoor equipment storage on the following described property: Part of the NW ¼ of the NW ¼, Section 5, T36N, R7E, PIN# WB 66, 8763 County K, Town of Woodboro.

**Rezone Petition #05-2023** by Gregg Walker, applicant, and Big D LLC, owner, to rezone from District #02 Single Family to District #1-A Forestry for property described as Government Lot 6 and Part of Government Lot 5, Section 13, T39N, R4E, PIN#'s MI 695 and MI 696-1, Town of Minocqua.

**Ordinance Amendment #01-2023** authored by the Planning and Development Committee to amend Chapter 9, Article 4 Conditional Used and Structures/Home Occupations, Section 9.43 Home Occupations and Article 10 Definitions of the Oneida County Zoning & Shoreland Protection Ordinance.

**Additions noted by underline; deletions noted by ~~strikethrough~~**

Section 9.43 remains the same except:

### **9.43 HOME OCCUPATIONS**

#### **A. Purpose**

The purpose of this section is to provide limited and reasonable accommodation for owner or residential tenant-occupied businesses in a residential district without the necessity of obtaining a rezoning into a

commercial district, while also balancing the interests of the residential users.

## B. Home Occupation Standards

A home occupation is an allowed accessory use in all residential districts, subject, however, to review and approval by the Zoning Administrator and compliance with the provisions of this ordinance. The following special standards shall be complied with:

1. The home occupation shall be conducted only within the enclosed area of the dwelling unit or an attached or detached garage.
2. There shall be no exterior alterations that change the character of the dwelling unit or an attached or detached garage. Nor shall there be any visible evidence from the exterior of the dwelling unit or an attached or detached garage that indicates it is being utilized for any purpose other than that of a dwelling unit or an attached or detached garage, other than those signs permitted in the district.
3. No storage or display of materials, goods, supplies, or equipment related to the operation of the home occupation shall be visible outside any structures located on the premises.
4. The home occupation must not create smoke, odor, glare, noise, dust, vibration, fire hazard, small electrical interference, electrical emissions, any nuisance not associated with the normal residential use in such a district, or other fire or safety hazards that are noticeably out of character with those normally associated with the typical residential use of such a district.
5. The home occupation shall not require the use of commercial vehicles for more than occasional delivery of materials to or from the property, and traffic generated by the home occupation may not exceed that which is normally associated with the typical residential use of such a district.
6. The sale of goods from the location of the home occupation shall be limited to items produced on-site, and the sale of personal care and home care products made off-site, such as Tupperware, Shaklee, Amway and Avon, or other similar products that are customarily sold from a residence, as determined by the Zoning Administrator.
7. A home occupation shall not occupy more than 25% 50% of the total floor area of the dwelling unit (excluding the garage). If a an attached or detached garage or other accessory structure is used for a home occupation, ~~no more than 25% of the total~~ the entire floor area of the attached or detached garage or accessory structure shall can be occupied by the home occupation.
8. Persons employed at the home occupation site shall be limited to resident family members and not more than one (1) non-resident employee at any given time.
9. Under no circumstances shall a vehicle repair or bodywork business qualify as a home occupation.

10. The home occupation must be clearly secondary and incidental to the residential use of the property.
11. The home occupation must not unreasonably interfere with residential occupancy of other parcels in the neighborhood.
12. Signage for the home occupation is governed by the sign regulations of this ordinance.
13. Garage sales as a type of home occupation are allowed in all residential districts provided that not more than three (3) such sales are held at a single dwelling unit per calendar year and that each sale shall not exceed four (4) consecutive days in duration.
14. Day care is allowed as a home occupation on residential premises. Standards may be imposed, and conditional use approval may be required, however, consistent with ~~see~~ s. 66.304, Wis. Stats., if applicable.
15. No production of items on-site shall be conducted if that production is of a type typically permitted only in the industrial zoning districts.
16. For home occupations conducted by a residential tenant, the property owner's written permission is required as part of the compliance checklist required below.

#### C. Home Occupation Compliance Checklist / Review Fee

Prior to commencing any home occupation in a residential district, a compliance checklist shall be completed on a form approved by the Committee and available from the Department. The compliance checklist shall be signed by the owner and/or residential tenant of the property on which the home occupation takes place. The completed compliance checklist shall be filed with the Department, along with the review fee as periodically designated by the County Board. The completed checklist shall be reviewed by the Zoning Administrator to determine compliance with the requirements of this ordinance. If the proposed home occupation complies, the Zoning Administrator shall approve the home occupation and sign the checklist. If the proposed home occupation does not comply with this ordinance, the Zoning Administrator shall not approve the home occupation and shall not sign the checklist.

#### D. Continuing Compliance

If, at any time, the Zoning Administrator believes that any of the above standards or other provisions of this ordinance are being violated, the general enforcement, violation and penalty provisions of this ordinance shall apply.

- 9.44 [Reserved for future use]
- 9.45 [Reserved for future use]
- 9.46 [Reserved for future use]
- 9.47 [Reserved for future use]
- 9.48 [Reserved for future use]

Article 10 remains the same except:

**Business, Service:** Commercial establishment devoted to the performance of work for others, not the production of a tangible commodity. Examples of service business include, but are not limited to offices for physicians, accountants or attorneys.

~~**Service Business:** Commercial establishment devoted to the performance of work for others, not the production of a tangible commodity. Examples of service business include, but are not limited to offices for physicians, accountants or attorneys.~~

~~**Light Industry:** Those industries that have very little or no air, water, or noise pollution, such as, assembly plants for bug zappers, assembly plants for computers, assembly plants for coin machines, machine shops and woodworking shops.~~

**Light Industry:** The assembly, fabrication or processing of goods and materials using processes that ordinarily do not create unreasonable noise, smoke, fumes, odors, glare or other health and safety hazards outside of the building or property where such assembly, fabrication or processing takes place.

Copies of the foregoing documents are available for public inspection during normal business hours at the Planning & Zoning Office, Oneida County Courthouse, 2<sup>nd</sup> Floor, Rhinelander, Wisconsin 54501 or phone 715-369-6130. The Oneida County Zoning and Shoreland Protection Ordinance is available online at [www.co.oneida.wi.us](http://www.co.oneida.wi.us).

Anyone having interest may attend and be heard. Interested parties who are unable to attend may send written comments to the undersigned.

Dated this 27<sup>th</sup> day of April, 2023.



/s/Scott Holewinski, Chairman  
Oneida County Planning & Development Committee  
PO Box 400  
Rhinelander WI 54501