Chairman Willingham called the meeting of the Rusk County Zoning Committee to order at 2:30 P.M. in the Law Enforcement Center in the Rusk County Government Center. Members present were: Phil Schneider, Karl Fisher, David Willingham, Kathy Mai and Mark Schmitt. Staff present: CeCe Tesky and Yvonne Johnson.

Motion by Schmitt/Mai to approve the committee minutes from July 10, 2012. Motion carried.

CSM review: 2-four lot CSMs in the town of Willard for Mark Nuessle. The surveyor added the 66’ driveway easement and the septic system issue is being addressed with an easement. The driveway locations are approved by the Hwy. Dept. There will not be a 50’ outlot remaining. Motion by Schneider/Mai to approve the map with the condition that the 50’ outlot is removed. Motion carried.

2013 Budget: There were some changes made by the Finance office. Motion by Fisher/Mai to approve the amended budget and to present it to the Finance Committee for approval. Motion carried.

Discussed the definition of the term “open fence”. There was a consensus of the committee to leave it for the Administrator to interpret with a 50% open area as an operating standard.

FEMA reinstatement: FEMA has accepted the LiDAR data to prove that many structures previously considered violations are not in the floodplain. Rusk County is likely to be reinstated in the next few months.

Chairman Willingham recessed the zoning meeting at 3:00 P.M. to open a public hearing for a rezoning request for Daniel Hershey in the Town of Flambeau. Willingham closed the public hearing at 3:10 P.M. to reopen the zoning meeting. Motion by Fisher/Schneider to recommend to the County Board rezoning the property from Residential-Recreational to Commercial. Chairman Willingham called a public hearing to request permission to sell used cars on the property. Chairman Willingham closed the public hearing at 3:24 P.M. to reopen the zoning meeting.

Tesky stated that in this area, the right-of-way for Hwy 8 is 50’ from the centerline. The Hershey deed excludes lands conveyed for highway purposes. Tesky has measured the right-of-way at the site and believes if cars are parked in front of the building, they will be in the right-of-way and not on the Hershey property. Tesky expressed concerns regarding public safety if cars are being parked and sold in the right-of-way of Hwy 8. The speed limit at this location is 45 mph. Tesky also had a concern about fill that has been placed on the property. It appears this fill has been placed over the septic tank. Daniel Hershey responded that they avoided the septic tank when they filled the lot. The
committee reviewed the staff recommendations. Motion by Schneider/Fisher to approve the conditional use request to allow used car sales on the property with the staff recommendations for conditions. Motion carried.

ACT 170 revisions: Proposed language was reviewed. Motion by Schmitt/Schneider to schedule a public hearing for Sept. 10, 2012 at 6:00 P.M. Motion carried.

Chairman Willingham adjourned the meeting at 4:41 P.M.

Yvonne Johnson
Assistant Zoning Administrator