ZONING COMMITTEE MINUTES
October 1, 2008

Chairman Willingham called the regular meeting of the Rusk County Zoning Committee to order at 2:12 P.M. in the Law Enforcement Center at the Rusk County Courthouse. Members present were Willingham, Schneider, and Costello. Mai and Taylor were absent.

Motion by Costello/Schneider to approve the zoning minutes from September 2, 2008. Motion carried.

Motion by Costello/Schneider to pay the bills. Motion carried.

Out of County Travel: Tesky requested reimbursement of the registration fee of $45.00 for a Soil’s class she attended on September 18, 2008. Motion by Schneider/Costello to approve the request. Motion carried.

CSM review: 2 lot CSM for Eugene Kahut in the Town of Willard. The lots meet the minimum standards and there is town board approval. Motion by Schneider/Costello to approve. Motion carried.

2 lot CSM for Gary & Nancy Prosise. The property is zoned Ag and the lots meet the minimum lot standards. A shared driveway may be required. Costello/Schneider motion to approve the map upon getting approval from the highway department regarding access. Motion carried.

2009 Budget: Tesky met with Finance and they reviewed the fee changes and they will be proposed to the County Board. The increases were included in the 2009 revenues.

Tesky had a request from Ambrose 2nd Change Retreat regarding being charged a lower fee for a land use permit. The owners state they called the zoning office in 2000 and were told they didn’t need a permit. Tesky questions whether that happened—may not have been asked the question in a manner that would give a correct answer. The owners don’t feel it is fair to ask for the 2008 fees and want to be charged the fees from 2000. Tesky explained the current fees $125 for the cabin and $100 for the garage. In 2000 the fees would have been $100 for the house and $25 for the garage. Tesky has only requested one after-the-fact fee. Motion by Schneider/Costello to approve issuing one after-the-fact fee and charge current permit fees. Motion carried.
Chairman Willingham recessed the zoning meeting at 2:32 P.M. to open a public hearing in the Town of Stubbs for Randy Kramer for a non-metallic mine. Chairman Willingham closed the public hearing at 2:38 P.M. to reopen the zoning committee. Reviewed the conclusions of law and staff recommendations and made adjustment. Motion by Schneider/Costello to approve the conditional use request with adjusted staff recommendations. Motion carried.

Nitek bar: Willingham reviewed how the committee needs to handle the possible reconsideration of the Nitek’s bar request. Pam Hayden questioned why this is being reconsidered instead of being appealed. Willingham explained that the owner can appeal, but the committee has to right to reconsider their decision. Tesky brought up the conditions that were applied to the campground permit. The committee required the teepees to be moved immediately, but Jackie has explained the Tesky that the teepees had permits in 2005 issued by Steward. Tesky read the floodplain options. The teepees can remain where they are if there are no contents, or they need to be moved out of the floodplain. Tesky explained the Jackie has come into the office with some ideas of how they could address the reasons the committee denied the bar request. Jim Nitek explained where there are buffer zones and listed distances to the neighboring residence. The septic system is going in this week. Tesky explained Nitek’s have offered to use only one door after a certain time to reduce the noise. The Nitek’s would also like to include outdoor music until 10:00 P.M. They would use directional speakers to address the noise concern. Jim Nitek asked the Hayden’s if there was anything they could do to make it so the Hayden’s wouldn’t be so against it. The Hayden’s stated that no matter what, they didn’t want the bar there.

Pam Hayden said she is concerned about the noise by the neighbors-not necessarily the patrons. Hayden read sections of the ordinance in relation to this request. She concluded with stating that having a bar equals trouble.

Willingham asked if there are any conditions that the committee could place on the bar that would meet the Hayden’s concerns. Pam Hayden answered no.

Laura Nelson spoke regarding the Nitek’s past performance showing that they can’t follow the laws.

Jim Nitek explained that they have dealt with the DNR and Army Corps and have corrected the issues.
Schneider felt the appeal system needs to do its job. There was no motion made to reconsider the conditional use request.

Flood insurance study: Tesky stated she plans to go through the maps and write a letter explaining her concerns with the new maps and show how many homes that are not currently in the floodplain will be added. The county has until 11/26/08 to file an appeal.

Discussed the fee schedule and proposed increases. The Department of Commerce is raising the amount from each permit that needs to be submitted to the state. Tesky plans to include that increase in the new fees.

Recessed the zoning meeting at 4:00 P.M. to conduct a site visit of the Lorkowski campground property. Reconvened at 4:45 P.M. at the Lorkowski property. Discussion regarding sites along eskers. There was a question about whether this would be a seasonal campground or year-round. Lorkowski felt it would be year-round camping. Observed proposed locations of RV and tent sites, office and lake access.

Willingham adjourned the meeting at 5:25 P.M.