Chairman Willingham called the meeting of the Rusk County Zoning Committee to order at 3:02 p.m. on location at the cabins immediately east of W12745 Fireside Lake Road, New Auburn. Members present were: Dave Willingham, Kathy Mai, Tom Costello, John Stencil and Phil Schneider. Staff present: CeCe Tesky.

Owner, Bob Ritsch, explained where the new buildings would be located and where property lines are located. There was discussion on easement location and concerns about parking.

Meeting was recessed at 3:23 PM.

Meeting was reconvened at 3:34 PM at the Big Bend Town Hall, N1195 Hwy 40.

**DISCUSSION AND POSSIBLE ACTION:** Consider Conditional Use Permit application for a multi-family dwelling unit on Lot 3 CSM 751 in the NW ¼ - SE ¼, Section 23, T33N, R8W. Town of Big Bend. Property owner: Jodi Ritsch and Josh Hansen.

Two additional letters were received in opposition to the application. From Ed and Karen Sanchez and Cynthia Larson. In addition, a letter was received from the owners in support of the application.

Tesky explained how the conditional use permit process occurs and why this type of use is considered a conditional use.

Tesky explained requirements from the ordinance that must be reviewed by the committee. She identified each of the factors and how it would be addressed by proposed staff recommendations.

There was a question about rental of the units. Monthly rentals are different than tourist/transient rentals as defined by state code (DHS 195). Zoning does not regulate landlord/tenant monthly rental situations, but tourist/transient rentals would require a separate conditional use permit.

Schneider has concerns about the building being able to meet setbacks. Building location and mapped easement was not staked out and he is concerned that the building and parking areas will be able to be compliant. Tesky explained that this will need to be reviewed prior to actual issuance of the permit and the conditions state the setbacks that need to be met. The building dimensions may need to be altered to meet proper setbacks. Overhangs must meet required setbacks, as well as foundations.

Costello/Schneider motion to approve with staff recommendations as conditions.

Amendment made by Schneider/Costello to prohibit parking in the easement driveway. Amendment passed.

Discussion about safety concerns of doorways opening into the easement area. Conditions already state that all structures must be located outside of the easement, however, if driving
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surface is not centered in easement, there may be issues with proximity of doors to the driving area.

Amendment made by Schneider/Costello to indicate in conditions that any opening doors shall be at least 15’ from the driving surface. Amendment passed.

Original motion with amendments carried. Conditions include:

1. Permit is based on the application submitted at time of approval (approved for 4 dwellings to be used as condominium ownership – additional dwellings or alternate uses (i.e. tourist rooming house, resort) will require another application)
2. Minimum setbacks required for all structures = 15’ from property lines, outside the 66’ easement and 75’ from the ordinary high water mark of Fireside Lake. In addition, all doors opening towards the easement shall be at least 15’ from the driving surface.
3. All structures shall be located above the Base Flood Elevation of 1063’ msl. No filling is permitted below the base flood elevation without proper permits.
4. The current Lot 3 of CSM 751 shall not be further subdivided.
5. All required state building codes must be adhered to.
6. Sufficient parking for 2 vehicles per unit shall be provided. All parking areas shall meet required setbacks for structures, as well. Parking in the easement driveway is prohibited. Recreational vehicles stored by the owners shall be kept in an enclosed building or be properly screened.
7. Proper permits for water supply and sewage disposal shall be obtained.
8. Erosion control measures need to be in place prior to, during and after any land disturbing activities, until the land is stabilized.
9. All wetlands and waterways shall be protected from damage from filling or motorized traffic. Obtain proper grading permits from the WI DNR. If disturbing an area of more than 1 acre, proper stormwater permits are required from the WI DNR.
10. Stormwater from all impervious surfaces shall be stored and/or filtered on site by the use of directional guttering, rain gardens or other approved stormwater retention/filtering techniques.
11. 70% of the vegetative buffer shall be maintained in natural vegetation.
12. This permit shall be null and void if substantial progress has not been made on the project within 1 year of the date of approval.
13. Zoning Administrator shall report to the zoning committee at 6 month intervals on the status of the construction and progress of the units.

Willingham adjourned the meeting at 4:29 PM.

CeCe Tesky
Zoning Administrator