

TOWN OF RIB MOUNTAIN  
PLANNING COMMISSION MEETING  
November 13, 2019

Chairperson Harlan Hebbe called the meeting of the Plan Commission to order at 6:00 pm. Other Plan Commission members present included Ryan Burnett, Jim Hampton, Tom Steele, Tonia Westphal and Steve Plunkett. Also present were Building Inspector / Assistant Zoning Administrator Paul Kufahl and Town Administrator Gaylene Rhoden. Jay Wittman was excused.

MINUTES:

**Motion by Tom Steele, second by Jim Hampton to approve the minutes of the October 23, 2019 Plan Commission meeting, as presented. Motion carried 6-0.**

PUBLIC HEARING:

- a. *Discussion and recommendation on potential amendments to RMMC Section 17.056(8)(d) – Detached Private Residential Garage, Carport or Utility Shed. Docket #2019-40.*

Building Inspector/Assistant Zoning Administrator, Paul Kufahl, presented the proposed amendments to the Town's Detached Accessory Building Standards based on feedback received from previous applicants and other residents. The proposed amendments would allow property owners with five (5) acres or more to apply for a conditional use for a building up to 2,000 square feet in gross floor area. It would also give "recreational property" owners with five (5) or more acres the ability to construct an accessory building on their property without a principle use. A large portion of property considered "recreational property" lies outside the Sanitary District and is predominately zoned as ER-1. The draft ordinance also established limitations on the number of plumbing fixtures, increase setback requirements for larger buildings, create a construction standard for permanent buildings and limit the permitted height of accessory buildings.

Kufahl stated that the establishment of a construction standard for permanent buildings is to help ensure the long-term durability of the structure. Additionally, he indicated the "recreational property" applications would be reviewed as a special use and therefore; neighbors would not be notified during this process.

Additional questions were raised by the Plan Commission regarding prebuilt requirements. It was stated that construction standards would not apply to prebuilt temporary structures which are not permanently affixed to the ground.

Kufahl noted if the ordinance is recommended for approval by the Plan Commission, it would be forwarded onto the Town Board for final review and approval.

Chairman Hebbe opened public comment at 6:06pm.

Scott Tesch, 5309 Dogwood Rd, asked if the 2000 square feet of allowable areas could be achieved by constructing multiple buildings. Kufahl indicated the floor area is cumulative of all detached structures and there can be up to as many as three (3) detached structures on a given property.

With no further comments made by the Plan Commissioners or the public, the public hearing was closed at 6:07pm.

**Motion by Tonia Westphal, second by Jim Hampton to recommend approval of the potential amendments to RMMC Section 17.056(8)(d) – Detached Private Residential Garage, Carport or Utility Shed Standards, as presented. Motion carried 6-0.**

*b. Zachery Tesch, owner, requests conditional use approval for construction of private residential garage area in excess of 1,000 square feet of gross floor area in a residential zoning district at the property addressed 147680 County Road N. Parcel #34.172807.011.001.00.00. Docket #2019-41.*

Building Inspector/Assistant Zoning Administrator, Paul Kufahl, stated that the applicant is seeking Plan Commission recommendation for construction of a 30-ft. x 50 ft. detached garage (1500 ft.<sup>2</sup>) which represents the current Town maximum of 1500 square feet of accessory building area with Conditional Use approval.

The proposal also calls for side wall heights of 14 feet and an overhead door opening of 12 feet in height. Requests for side walls greater than 12 feet in height and door openings greater than 10 feet in height are also considered as a conditional use. The subject property is approximately 10.025 acres and located near Red Bud Road on County Road N.

It was further explained that there is a currently a structure there, but it will be removed. Also, the garage structure will be closer to the driveway and will not be visible from the road. Zachery Tesch, applicant indicated that he would do either metal siding or smart siding. The plans included in the packet were not accurate and were limited to Menards' software. The applicant could possibly have storage in the upper part; however, no permanent stairway could be included. Also, there will be only electric, no plumbing. Access will be from the existing driveway.

Steve Plunkett questioned the plans submitted not being accurate and he did not feel comfortable approving them. He said the narrative does not agree with the drawings. Paul Kufahl indicated that the Plan Commission would be looking at the approval of the gross floorspace, sidewalls height, and door opening only. Staff would inspect the structure as part of the building permit process.

The applicant did handout an updated drawing. Again, the Menards' software limits the size of the building within the drawing. Mr. Tesch said he is attempting to make the structure close to the design of the existing farm house.

Paul Kufahl reminded the Commission that it is a conditional use and there can be conditions added if they were not comfortable with aspects of the project.

The Public Hearing was opened and closed at 6:17pm without any further comments by the Commission or the public.

**Motion by Tom Steele, second by Jim Hampton to recommend approval of the Conditional Use request to allow construction of a 1500-square foot detached garage with side wall heights greater than 12 feet and a door opening greater than 10 feet in height at the property addressed 147680 County Road N, as presented. Motion carried 6-0.**

CERTIFIED SURVEY MAP(S):

- a. *Riverside Land Surveying, agent, requests Certified Survey Map approval for a land division at the property addressed 22509 Red Bud Road. Parcel #34.292807.006.000.00.00. Docket #2019-42.*

Kufahl indicated that applicant requests approval of a Certified Map (CSM) to create one new single-family residential lot along Pepperbush Road. The subject property is currently 12.669 acres in area and is vacant. The proposal calls for a land division that would result in a 3.00-acre lot and 9.669-acre lot, respectively. The ER-1 zoning district has a minimum lot size of 40,000 square feet and minimum lot width of 125 feet, both of which are exceeded by the proposal. As proposed, each lot is compliant with the Town's zoning and subdivision ordinances.

The applicant was not present. This is the same parcel of property that was approved for a conditional use for low density husbandry. It was noted that there would be several animals allowed. However, most of the farming activities would be closer to the house.

Jim Hampton asked about the runoff and whether this would impact the newly created parcel.

It was noted that the conditions set previously would also apply for the new lot created. It was pointed out that the applicant is aware of the wetlands present on the property and they will likely need a DNR permit for the wetland crossing should they choose to construct a home on that parcel.

Commission members Ryan Burnett and Steve Plunkett do not have a problem with the application as presented. However, based on past actions, the Commission would like to see the applicant present.

**Motion by Jim Hampton, second by Tom Steele to table this item for the next meeting. Motion carried 6-0.**

NEW BUSINESS

- a. *Pre-Application Conference for a potential Zoning Map amendment for the property addressed 152260 Parrot Lane. Docket #2019-42.*

Paul Kufahl requested that this item be moved to the next meeting. The applicant was not present.

*b. Pre-Application Conference for a potential Zoning Map amendment for the property addressed 227800 Snowbird Avenue. Docket #2019-44.*

Kufahl stated the Town is seeking feedback from the Plan Commission about a potential rezoning of the Municipal Center property to facilitate the creation of a shared garage facility and neighborhood park in collaboration with the Rib Mountain Lions Club. The garage facility would be split into two independently accessed areas that would house the two current staff vehicles, the Lion's Club trailers and other equipment. In conjunction with the shared garage space, the Town is working with the Lion's Club to create a neighborhood park which would also be located on the Municipal Center grounds.

Town staff have been looking to build a garage for years. The Municipal Center is actually on two parcels and would need to be combined. There would also be a rezone to UDD required. Jim Hampton asked about liability for the building and the Lion's Club equipment. Staff noted that the Town would own the building and the details of liability of equipment would still need to be worked out. Administrator Rhoden indicated that the Town has entered into a letter of understanding with the Lion's Club, but a more detailed long-term agreement will be forthcoming in 2020.

Jim Hampton expressed concern whether a rezone would be creating zoning conflicts. It was noted that the Municipal Center is currently zoned as SR-3. The future land use map indicates residential for the adjacent property.

**CORRESPONDENCE / QUESTIONS / TOWN BOARD UPDATE:**

Paul Kufahl informed the Plan Commission that the Town Board approved the electronic messaging signage and the Culver's project. The Quality Inn already has applied for an electronic message sign. The Culver's project was amended with the removal of the developer's agreement condition. It was further explained that FORE Development would be paying for a portion of the improvements for the "unnamed road". When Lilac Avenue is reconstructed, then Culver's, along with other property owners, will be assessed for improvements. Commission asked about the name for the "unnamed road". It was noted that this has not been decided yet and there was discussion from the Town Board to have a contest to name the road.

Paul Kufahl informed the Commission that staff met with Marathon County Conservation, Planning & Zoning department to discuss the major revisions to the County's land division ordinance. The entire ordinance was rewritten. Commissioners were given a summary sheet of changes proposed by the County. There are some minor impacts to the Town. This would include timeline for reviews for preliminary plats. One of the changes recommended that would have impacted the Town was shared driveway and private road requirements. Kufahl noted a recently approved CSM for the creation of a fourth lot on a shared driveway would be required to be a private road with maintenance agreements, shared ownership and built to DOT standards.

Next Meeting – Kufahl indicated we will have a discussion of the full Comprehensive Plan document. There is also the potential preapplication for the expansion of the dog park, and review of the 2020 Plan Commission schedule.

PUBLIC COMMENT: None Received.

ADJOURN:

**Motion by Tom Steele, second by Tonia Westphal to adjourn the Plan Commission Meeting. Motion carried 6-0. Meeting adjourned at 6:55 pm.**

Respectfully Submitted,

Gaylene Rhoden, Town Administrator