

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
November 13th, 2013

Chairman Tom Muellner called the meeting of the Planning Commission to order at 7:00 p.m. Members present included Tom Steele, Christine Nykiel, Lee Benes, Kevin Mataczynski and Jim Hampton. Laura McGucken was excused. Also present were Zoning Administrator Dan Dziadosz and Assistant Zoning Administrator Jeff Kussow.

MINUTES:

Motion by Tom Steele to approve the October 9, 2013 regular planning commission meeting minutes.
Seconded by Jim Hampton. Motion carried.

PUBLIC HEARINGS:

- a) *Shane & Cheryl Hendrikson requesting conditional use approval to add a 550 square foot garden shed with metal roof and siding materials on the property addressed 5813 Lakeshore Drive, which creates 1,486 square feet of total accessory buildings area on said parcel; Per RMMC Section 17.056 (8) – Accessory Land Uses, regarding exterior building materials; and per RMMC Section 17.056(8)(d) – Detached Private Residential Garage, Carport, or Utility Shed, regarding total accessory buildings area in excess of 1,000 square feet; Legally described as Bud Holubs Rib Mt. View Lake Lots Addition; Lots 11 & 12 excluding Highway; Parcel #34.427.001.011; Docket #2013-34*

Shane Hendrikson explained his proposal to construct a garden shed for storage of lawn mowers, wood splitters, trailers, and other equipment instead of storing these items outside.

Jeff Kussow stated that there are two conditional uses. He explained the first conditional use of having over 1,000 square feet, but less than 1,500 square feet of accessory building area. He also explained the second conditional use of using metal siding and roofing materials. Mr. Hendrikson explained that the proposed shed will have the same color siding and roofing as the existing shed. Jim Hampton questioned if it is complimentary to the house. Mr. Kussow stated that it is complimentary. Tom Steele questioned setbacks of the existing house to the lot line. Dan Dziadosz stated staff has not measured that setback. Mr. Kussow stated that existing setbacks are a common problem in the Lakeshore Dr. area. Mr. Hampton questioned if he thought about tearing down the old shed and building a new larger shed. Mr. Hendrikson stated that the shed are not identical with the existing shed being insulated and the proposed shed not being insulated. Kevin Mataczynski questioned lot sizes. Mr. Dziadosz stated that the lots are roughly $\frac{3}{4}$ of an acre. Mr. Hampton questioned where the line is drawn concerning how many storage sheds that a single property can have. Mr. Kussow explained that code permits one of each type of accessory building is allowed on each lot (carport, detached garage & storage shed).

Motion by Jim Hampton to approve conditional use request to add a 550 square foot garden shed with metal roof and siding materials on the property addressed 5813 Lakeshore Drive, which creates 1,486 square feet of total accessory buildings area on said parcel. Seconded by Christine Nykiel. Motion Carried.

- b) *Hall Joint Revocable Trust (Yvonne Mattson, Trustee) requesting a Zoning Map Amendment of approximately 1.22 acres of the parcel addressed 2902 South Mountain Road from Rural Agriculture-1 (RA-1) to Estate Residential-1 (ER-1). Premises legally described as part of SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16 T28N R7E – Commencing at the SE corner of said Section 16; Thence N 89°00'33" W along the south line of the SE $\frac{1}{4}$ 516.40 feet; Thence N 2°53'28" E 35.47 feet to the north line of County Road "N" and to the point of beginning; Thence N 88°44'13" W along the north line of County Road "N" 125.00 feet; Thence N 1°22'19" W 141.70 feet; Thence S 89°57'10 W 30.29 feet; Thence N 1°22'19" W 211.00 feet; Thence S 82°10'47" E 182.09 feet; Thence S 2°53'28" W 330.97 feet to the point of beginning. Subject to all easements, restrictions and Rights of Way of record and use; Parcel #34.162807.016.000.00.00; Docket #2013-36*

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Jeff Kussow explained that the Town received a letter from the applicant to be taken off the agenda after the notices were posted and sent out to the surrounding property owners.

CERTIFIED SURVEY MAP APPROVALS: None

NEW BUSINESS:

a) *Zoning Code Fee Updates*

Mr. Kussow explained that the Town is updating the Town fee schedule. Mr. Kussow explained a comparison of the Town's fees and surrounding communities. He explained that Rib Mountain currently has the lowest fees compared to surrounding communities. Mr. Hampton questioned how old the current fees are. Mr. Dziadosz stated that they are approximately 10 years old. Mr. Hampton questioned if the fees are intended to cover costs. Mr. Kussow confirmed that they are intended to cover costs. He stated that the fees cover costs for some proposals, but do not for others depending on complexity and enforcement. Mr. Dziadosz stated that the fees do not come close to covering costs. The commission questioned and commented on how the fees should fund proposals and enforcement activities, such as percentage of department costs, inflation, etc. The commission stated that more direction needs to come from Town Board depending on how they feel the fees should cover costs.

OLD BUSINESS: None

CORRESPONDENCE / QUESTIONS:

a) *4309 – 4315 Swan Avenue Non-Conforming Lot Issues / Residential UDD Discussion*

Mr. Dziadosz explained the residential property was originally a UDD approval and has since been taken over by the bank. He explained that the zoning is now MR-4 and now has two non-conforming buildings. He stated that this was an example of why not to rezone UDD for residential purposes. He also discussed the Rib Mountain Heights condo development and the issues that arose out of that residential UDD district. Mr. Dziadosz stated that this was just an informative item concerning residential UDD districts. The commission questioned and commented.

b) *2503 Foxglove Road Horse Pasture/Fencing Materials Resolved Issues; Parcel #34.272807.010.000; Docket #2012-29*

Mr. Kussow explained that staff met with Mr. Farkas and came to an agreement to bring the property into compliance with the conditional use approval. He presented a letter written by Mr. Farkas' attorney outlining the agreed upon conditions. The commission questioned and commented.

c) *League of Municipalities Legislation Interpretation for proposed SB 349 – Limiting Municipal Authority to Regulate Water Quality and Quantity, Air Quality, Borrow Pits Associated with DOT Projects, and Nonmetallic Mining.*

Mr. Kussow explained a proposed legislation, which will limit municipal police power rights for certain projects and proposals. The commission questioned and commented.

ADJOURN:

Motion by Jim Hampton and seconded by Kevin Mataczynski to adjourn. Motion Carried.
Meeting Adjourned 7:50 p.m.

Respectfully Submitted,

Jeff Kussow, Assistant Zoning Administrator