



COUNTY OF BURNETT
LAND USE AND INFORMATION COMMITTEE
Burnett County Government Center

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MINUTES

Land Use and Information Committee

July 6, 2021

MEMBERS PRESENT Norman Bickford, Brent Blomberg, Jim Paden, Craig Conroy, Chuck Awe, Jim Pearson and Chuck Anderson.

CALL TO ORDER Chairman Bickford called the meeting of the Land Use and Information Committee to order at 9:02 a.m. in Room 165 of the Burnett County Government Center.

NOTICE POSTED IN ACCORDANCE TO WIS. STAT. 19.84 OPEN MEETING LAW

PUBLIC COMMENTS - THREE MINUTE TIME LIMIT PER PERSON Norman Peterson is confused about the sacrifice zone location. Sacrifice zones are done in remote locations. He is confused about the meaning of sacrifice zone instead of collateral damage. The rezoning is a travesty to the people that live here. Kristy Allen is a beekeeper and built a new honey house and the sacrifice zone includes her property. She is concerned of the area becoming a sacrifice zone; do not sacrifice the zone for a factory farm.

APPROVAL OF AGENDA ORDER Motion to approve the agenda order was made by Supervisor Paden, seconded by Supervisor Anderson. Motion carried, voice vote.

APPROVAL OF MINUTES FROM THE JUNE 1, 2021, MEETING Motion to approve the minutes from the June 1, 2021, meeting was made by Supervisor Blomberg, seconded by Supervisor Anderson. Motion carried, voice vote.

PUBLIC HEARING County Surveyor/Land Information Director/Zoning Administrator Jason Towne read the Notice of Public Hearing as published in the Burnett County Sentinel on June 16 and 23, 2021.

BURNETT COUNTY LAND USE /SHORELAND PROTECTION ORDINANCES

CONDITIONAL USE PERMIT #CUP-21-16 – SCHMIDT Public notice is hereby given to all persons in the Town of Daniels, Burnett County, Wisconsin, that Julie Schmidt has made application for a conditional use permit per the terms of the Burnett County Land Use and Shoreland Protection Code of Ordinances to allow a camper year around for up to three (3) years, located on Mud Hen Lake, at 23936 Camp Dr, in the RR-1 zoning district, Part of Lot 2 CSM V. 1 Pg. 27, Section 17, T38N R17W.

Julie Schmidt has a camper on the site. They thought they would build a cabin before the tornado. The same families have owned the four lots. They want to keep the camper on the property for another three years.

Public hearing opened.

There were no public comments.

Public hearing closed.

Mr. Towne stated there was no correspondence.

Supervisor Conroy noted the camper is less than 75 feet from the lake. You have to meet the 75-foot setback from the lake so this is an issue necessary to correct. There is a holding tank, which needs to be reported by the pumper and needs to be properly connected. The conditions are in the staff report.

Chairman Bickford stated this might not be approved again in three years.

Mr. Towne stated they would have to move 25 feet back towards the road.

Supervisor Paden asked if they need a variance.

Supervisor Conroy stated they do not need a variance for the final dwelling.

Ms. Schmidt stated the holding tank is in line with the camper. Therefore, if they would move the camper they would not be able to hook the camper to the tank.

Supervisor Pearson stated they would have to go to the Board of Adjustment for a variance.

Supervisor Conroy stated they need to figure out a way to be compliant for the camper.

Chairman Bickford questioned if they plan to build a structure.

Ms. Schmidt stated they do plan to build.

Chairman Conroy stated if they applied for a land use permit for a future dwelling, the camper could stay there until the dwelling is built.

Burnett County Staff Report Item – If considering approval then the following item(s) may be included in the motion; these are part of the guidelines from the staff:

1. Camper to be moved to a compliant location, meeting all setbacks by 10/01/2021.
2. Camping unit to be connected to the sanitary system by 7/10/2021.
3. Locks/chains to be installed on septic tank lids by 8/1/2021.
4. Septic system to be serviced/maintained and reported to the county by 8/1/2021.
5. Follow all local, county, state and federal requirements for this activity.

Motion to approve Conditional Use Permit #CUP-21-16 – Schmidt subject to recommendations of the staff with a caveat if they apply for a land use permit for a dwelling to allow for the camper to remain while the the dwelling is being built was made by Supervisor Conroy, seconded by Supervisor Pearson. Committee discussion ensued. Roll call vote: Supervisor Pearson, yes; Supervisor Paden, yes; Supervisor Blomberg, yes; Supervisor Anderson, yes; Supervisor Awe, yes; Supervisor Conroy, yes; Chairman Bickford, yes. Yes, 7; no, 0; absent, 0. Motion carried, roll call vote.

CONDITIONAL USE PERMIT #CUP-21-17 – TAYLOR Public notice is hereby given to all persons in the Town of Meenon, Burnett County, Wisconsin, that Thomas and Julia Taylor have made application for a conditional use permit per the terms of the Burnett County Land Use and Shoreland Protection Code of Ordinances to allow a camper year around for up to three (3) years, located on an un-named water body, at 6675 N Bass Lake Rd, in the RR-3 zoning district, Lot 2 CSM V. 27 Pg. 19, Section 22, T39N R16W.

Thomas Taylor stated there is an intent to build. He stated there is electric, septic system installed and cleared for a spot to build. They have not built due to finances. He stated he did not receive the citation letters.

Mr. Towne stated there were two violation letters sent.

Public hearing opened.

There were no public comments.

Public hearing closed.

Mr. Towne stated there was no correspondence.

Burnett County Staff Report Item – If considering approval then the following item(s) may be included in the motion; these are part of the guidelines from the staff:

1. Camping unit to be connected to the sanitary system by 7/1/2021.
2. Follow all local, county, state and federal requirements for this activity.

Motion to approve Conditional Use Permit #CUP-21-17 – Taylor subject to recommendations of the staff was made by Supervisor Pearson, seconded by Supervisor Paden. Roll call vote: Supervisor Pearson, yes; Supervisor Paden, yes; Supervisor Blomberg, yes; Supervisor Anderson, yes; Supervisor Awe, yes; Supervisor Conroy, yes; Chairman Bickford, yes. Yes, 7; no, 0; absent, 0. Motion carried, roll call vote.

CONDITIONAL USE PERMIT #CUP-21-18 – ERICKSON FAMILY INVESTMENTS, LLC Public notice is hereby given to all persons in the Town of Meenon, Burnett County, Wisconsin, that Kenneth Erickson has made application for a conditional use permit per the terms of the Burnett County Land Use Code of Ordinances to operate storage rentals out of the existing storage container buildings consisting of no more than 39 units, and to add up to 26 storage containers to be used as storage rentals for a total of 65 storage container units, and to operate 77 storage rental units out of the four existing buildings, all located at 25310 State Rd 35,

in the C-1 zoning district, Lots 2, 3, and 4 CSM V. 23 Pg. 234, in the NW ¼ of the SW ¼, Section 28, T39N R16W.

Maria Erickson stated they are working to get the property in compliance as they have demonstrated that and to get a permanent permit for the storage units. The violations in the staff report have been taken care of. The sanitary system has been pumped and the signs are no longer in the right-of-way. They do not own the carport. The salvage area has been taken care of. The person taking care of scrapping has had some health issues. The Ericksons run a used car lot and use the cars for trade. The debris is kept in the back and they do yard clean-up. There is a gate and they keep the debris well-hidden. They inherited some of the issues and are working on taking care of them.

Supervisor Conroy asked for clarification on what the salvage scrap material is.

Ms. Erickson stated it is vehicles, yard clippings and branches; they burn the debris.

Supervisor Anderson questioned how often they remove the salvage vehicles.

Ms. Erickson stated they wait until scrap prices go up.

Chairman Bickford questioned if they crush them on site or if they are hauled away.

Ms. Erickson stated they have done both.

Supervisor Conroy stated he would like them hauled away due to contamination from transmission fluid, oil, etc, if crushed on site.

Supervisor Pearson stated Mr. Towne would like this postponed until all the issues are taken care of.

Public hearing opened.

There were no public comments.

Mr. Towne stated there has been no correspondence received.

Public hearing closed.

Supervisor Conroy would like to know about the number of salvage cars on site, debris pile(s) and method of policing.

Ms. Erickson asked the committee what would they like to see.

Mr. Towne stated these items were mentioned a year ago such as getting the septic tank pumped and taking care of the sign issue.

Supervisor Conroy suggested bringing the request back next month.

Mark Krause stated the Certified Survey Map is ready when needed.

Burnett County Staff Report Item – If considering approval then the following item(s) may be included in the motion; these are part of the guidelines from the staff:

1. If the committee wants to require additional screening besides what the applicant has proposed, then it should be specific with type, height, width, location, etc.
2. If the committee wants to allow some salvage/scrap material on the site, then it should be specific with the amount and/or location allowed. Possibly require it to be stored in an enclosed building.
3. Sanitary system with permit #21721 to be serviced/maintained and reported to the county by 9/1/2021.
4. Resolve any issues with state, federal agencies by 9/1/2021.
5. All waste/salvage/scrap/debris to be disposed of according to all regulations.
6. Certified Survey Map to be completed by 9/1/2021 to combine parcels with tax id's 32968, 32969, 32971, 32972 and 12110 as these parcels are essentially functioning as one business site.
7. All sign issues to be resolved by 9/1/2021.
8. Follow all sign regulations going forward.
9. Keep all items out of the road right-of-way.
10. Follow all local, county, state and federal requirements for this activity.

Motion to postpone Conditional Use Permit #CUP-21-18 – Erickson Family Investments, LLC for one month to address the issues of salvage vehicles and debris so the owners can create a management plan for review was made by Supervisor Conroy, seconded by Supervisor Awe. Roll call vote: Supervisor Pearson, yes; Supervisor Paden, yes; Supervisor Blomberg, yes; Supervisor Anderson, yes; Supervisor Awe, yes; Supervisor Conroy, yes; Chairman Bickford, yes. Yes, 7; no, 0; absent, 0. Motion carried, roll call vote.

SUBDIVISION VARIANCE #VAR-21-16 – HENNING & CHELL Public notice is hereby given to all persons in the Town of Trade Lake, Burnett County, Wisconsin, that Kristie Henning and Donna Chell have made application for a subdivision variance per the terms of the Burnett County Land Use, Shoreland Protection, and Subdivision Code of Ordinances to create a lake parcel which doesn't meet the required minimum lot size, located on Spirit Lake, at 22163 Spirit Lake Rd E, in the RR-1 zoning district, parcel in Government Lot 2, Section 2, T37N R18W.

Donna Chell stated she has a 44-acre farm and would like to split the lakeshore portion of the property from the property across the road. Ms. Chell is seeking a variance for the lakeshore property to be able to split the property so it can be preserved for the kids and grandkids and leave it undeveloped.

Chairman Bickford stated there is correspondence.

Mr. Towne stated the correspondence is from the neighbors.

Public hearing opened.

Nicole Olthafer stated she and her husband intend to purchase 10 - 20 acres to the north of the road. They will have a septic system installed within the next year. She stated she is the daughter-in-law of Donna Chell.

Chairman Bickford questioned the different maps.

Mr. Towne stated the maps are splits they could do without a variance. These are just different options.

Supervisor Awe questioned if the variance is done at the Board of Adjustment.

Mr. Towne stated this is a sub-division variance so it is not brought to the Board of Adjustment.

Supervisor Conroy stated they would only allow four back lots for lake access.

Supervisor Awe stated they are creating an unbuildable lot.

Supervisor Conroy explained the sub-division variance.

Committee discussion ensued.

Public hearing closed.

Ms. Chell stated they do not want it developed.

Kristie Henning stated they want to form an LLC for their children. They do not want this property attached to the property across the street and do not want a buildable lot. They can move the shed and the porta-potty. The majority of the shoreline buffer is not mowed. The only portion that is mowed is around the dock.

Burnett County Staff Report Item – If considering approval then the following item(s) may be included in the motion; these are part of the guidelines from the staff:

1. Parcel to remain vacant, no bunkhouse(s), ~~no building(s)~~, camper(s), etc. **One accessory building will be allowed** and one legal privy allowed on the parcel with proper permits obtained; privy to meet all requirements.
2. One pier allowed with up to six slips.
3. Shoreline buffer to be expanded to a depth of 35 feet from the Ordinary High Water Mark.
4. Existing shed and portable toilet to be **(brought into compliance)** ~~removed~~ by 10/2/2021.
5. Sanitary system at the existing dwelling to be serviced/maintained and reported to the county by 8/1/2021.
6. Certified Survey Map to be completed to create this out lot and said map recorded by 12/30/2021.
7. Follow all local, county, state and federal requirements for this activity.

Motion to approve Subdivision Variance #VAR-21-16 – Henning & Chell to create the outlot with the condition allowing up to four back lots and including the staff recommendations with amendments to #1 and #4 was made by Supervisor Conroy, seconded by Supervisor Anderson. Roll call vote: Supervisor Pearson, yes; Supervisor Paden, yes; Supervisor Blomberg, yes; Supervisor Anderson, yes; Supervisor Awe, yes; Supervisor Conroy, yes; Chairman Bickford, no. Yes, 6; no, 1; absent, 0. Motion carried, roll call vote.

DISCUSS CHAPTER 30 CHANGES RELATED TO ITEMS FROM THE LARGE SCALE LIVESTOCK STUDY AD-HOC COMMITTEE Supervisor Conroy stated this is not a public hearing on the amendments and is just a report from the committee. Several items were discussed such as animal units, setbacks and an animal waste disposal plan. Supervisor Conroy reviewed the changes the LSLs Sub-Committee is recommending and a public hearing will be scheduled. Committee discussion ensued. Motion to move forward with Chapter 30 amendments to the Agricultural Zoning districts in a proper format for a public hearing was made by Supervisor Conroy, seconded by Supervisor Anderson. Motion carried, voice vote.

CAMPGROUND WORK GROUP UPDATE AND POSSIBLE CAMPGROUND MORATORIUM EXTENSION Supervisor Conroy stated there has been progress and good information provided by Lynn Markham from UW-Stevens Point. The work group is requesting to extend the campground moratorium for three more months in order to complete draft land use ordinance amendments, present to committee and bring to county board for final approval. The tentative date for a public hearing will be in September. Motion to recommend extending the campground moratorium for another three months to the County Board was made by Chairman Bickford, seconded by Supervisor Conroy. Motion carried, voice vote. (Moratorium to expire October 21, 2021.)

DISCUSS FORMAT FOR FUTURE COMMITTEE MEETINGS The committee discussed how to hold future committee meetings. The decision was made to do hybrid meetings. The applicant and the public would still sign up to speak and have the choice of in-person or virtual attendance.

LAND SERVICES-ZONING AND PROPERTY INFORMATION DIVISION REPORTS Land Services Director Jason Towne submitted Zoning and Property Information Division reports and answered committee questions. Mr. Towne reported they have almost hit the budgeted revenue target for the year.

FUTURE AGENDA ITEMS Proceed with the Chapter 30 public hearing, two CUPS and Land Services Department 2022 budget proposal.

NEXT MEETING DATE: August 3, 2021.

ADJOURNMENT Motion to adjourn was made by Supervisor Pearson, seconded by Supervisor Paden. Motion carried, voice vote. Chairman Bickford adjourned the meeting at 11:02 a.m.