

**ONEIDA COUNTY PLANNING AND DEVELOPMENT**  
**September 5, 2012**  
**COMMITTEE ROOM #2**  
**ONEIDA COUNTY COURTHOUSE**  
**RHINELANDER WI**

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Members present: Scott Holewinski  
Gary Baier  
Jack Sorensen  
Mike Timmons  
Dave Hintz

Department staff present: Karl Jennrich, Planning & Zoning Director  
Peter S. Wegner, Assistant Zoning Director  
Brian Desmond, Corporation Counsel  
Lila Dumar, Secretary III  
Nadine Wilson, Land Use Specialist  
Kathy Ray, Land Use Specialist

Guests present: Jimmy Rein  
Beth Jacobson  
Marcus Nesemann, River News

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Dave Hintz, Vice Chairman, called the meeting to order at 12:00 pm in accordance with the Wisconsin Open Meeting Law. Mr. Hintz noted the agenda was properly posted. All members are present except for Scott Holewinski who arrived at 12:05 pm.

Approve the agenda.

**Motion by Jack Sorenson, second by Mike Timmons, to approve the agenda as posted. With all members present voting “aye”, the motion carried.**

It is anticipated that the Committee may meet in Closed Session pursuant to Wisconsin Statutes, Section 19.85 (1)(g), conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved. A roll call vote will be taken to go into closed session.

- a. Multiple violations of Section 9.32, Zoning Permit Requirements; Section 9.91 (E) Shoreland Wetland Zoning (Prohibited Uses); Section 9.92 (C) Shoreland Wetland Restrictions; Section 9.94 OHWM Setbacks and Special Zoning Permission and Section 9.95, Shoreland Vegetation Protection Area in the Town of Minocqua.

- b. Violations of Section 9.95, Shoreland Vegetation Protection Area in the Town of Schoepke.
- c. Tourist Rooming House violations (county wide) in District #02, Single Family Residential.
- d. Shooting Range in the Town of Lake Tomahawk.
- e. Multiple violations of Section 9.98, Piers and other Berth Structures; Section 9.94, OHWM Setbacks and Section 9.71, Setbacks of Accessory Structures in the Town of Woodruff.
- f. Excavation, filling and grading, placement of stairs, deck, patio and retaining walls less than 75 feet from the OHWM in the Town of Nokomis.

**Motion by Jack Sorenson, second by Mike Timmons, to enter into closed session. Roll call vote: Scott Holewinski "aye," Gary Baier "aye", Dave Hintz "aye", Mike Timmons "aye", Jack Sorenson "aye." The motion carried.**

**Motion by Dave Hintz, second by Jack Sorensen to return to open session. Roll call vote: Scott Holewinski "aye," Gary Baier "aye", Dave Hintz "aye", Mike Timmons "aye", Jack Sorensen "aye." The motion carried.**

Chairman Holewinski announced that one motion was made during the closed session. The secretary read the motion into the record.

**Motion by Dave Hintz, second by Jack Sorensen to file a long form complaint against Ryan Wolfe, Town of Woodruff. Roll call vote: Scott Holewinski "aye," Gary Baier "aye", Dave Hintz "aye", Mike Timmons "aye", Jack Sorensen "aye." The motion carried.**

Public Comments.

None.

Preliminary 4 lot Plat of Craig Pope for property described as part Gov't Lot 3, Section 3, and part of Gov't Lot 7, Section 10, T38N, R11E, part of PIN TL 490, Town of Three Lakes.

Karl Jennrich, Zoning Director, reviewed this proposal plat with the Committee. Mr. Jennrich noted that the Town of Three Lakes does not have a subdivision ordinance at this time.

Nadine Wilson, Land Use Specialist, read staff's proposed recommendations into the record.

1. Water line and pump providing water to Golf Course to be disconnected and/or removed.
2. Piers must be placed in accordance with the Oneida County Zoning and Shoreland Protection Ordinance and NR 326 of Wis Administrative Code. Piers and other water structures such as rafts cannot impede navigability. (placed on survey map)
3. Septic tank and pump tank on Lots 2 & 3 will need to be utilized for new system(s) or

properly abandoned.

4. Per Wisconsin Department of Transportation, a joint driveway must be utilized by Lots 3 and 4.
5. Building referred to as "showboat" is to be removed within one year of recording and approval of this survey or upon sale of Lot 3, whichever comes first. A demolition permit must be obtained from this Department prior to removal.
6. Areas designed "Parking Area" located in town right of way shown on Plat, must be removed
7. Addressing and 911 information must be approved by Oneida County Land Information Dept.
8. Town of Three Lakes concerns to be considered by Planning & Zoning Committee.

The Committee discussed the proposed recommendations. The Conditions of approval were amended as follows:

1. Water line and pump providing water to Golf Course to be disconnected and/or removed.
2. Easement granted in Trustee's Deed, No. 716635 from Meek to Craig Pope to allow the Golf Course owner their heirs or assigns to pump water out of Big Stone Lake to be removed of record.
3. Piers and rafts must be placed in accordance with the Oneida County Zoning and Shoreland Protection Ordinance and NR 326 of Wis Administrative Code. Piers and other water structures such as rafts cannot impede navigability. (placed on survey map.
4. Septic tank and pump tank on Lots 2 & 3 will need to be utilized for new system(s) or properly abandoned.
5. Per Wisconsin Department of Transportation, a joint driveway must be utilized by Lots 3 and 4.
6. Areas designed "Parking Area" located in town right of way shown on Plat, must be removed.
7. Addressing and 911 information must be approved by Oneida County Land Information Dept.

**Motion by Jack Sorensen, second by Mike Timmons, to approve the preliminary 4 lot Plat of Craig Pope subject to staff recommendations and as amended by the Committee. The motion carried on a majority vote of 4:1.**

Preliminary 5 unit condominium referred to as "Nature's Ridge Condominium" described as Gov't Lots 7 & 8, Section 9, T39N, R6E, further described as being Lot 3 of CSM 3147 V13 P3147 and 3147-A- B and Lot 8 of the Plat of Kenwood Terrace, PIN's MI 2153-3 and MI 4776, Town of Minocqua.

Kathy Ray, Land Use Specialist, reviewed the proposed condominium with the Committee. Jim Rein is also present. Ms. Ray stated that all requirements have been met. The Town of Minocqua has approved the condominium subject to State and County concerns.

Ms Ray recommended approval subject to the following recommendations:

1. Subject to Town review and recommendations.
2. Subject to Oneida County Pier regulations.
3. Lots to be joined prior to recording final plat.
4. Garage unit structure to be noted as limited common elements (LCE) for association unit owners' use only.
5. Condominium Declarations to be reviewed and approved by this Department prior to recording.
6. Maintenance of private road to be addressed in declaration including maintenance, repairs, snow plowing, expenses, etc.
7. All future amendments/addendums to be reviewed and approved by this Department prior to recording.
8. Note on Final Plat: Approval of zoning permits is not implied nor guaranteed with approval of this condominium plat. Zoning permits may be required for any improvements, expansions, and/or additions and shall comply with the current OCZ&SP Ordinance.

**Motion by Dave Hintz, second by Gary Baier, to approve Natures Ridge Condominium subject to all standards being met, and staff recommendations. With all members voting "aye" the motion carried.**

Proposed lot line adjustment of John Eckert Etal and Raymond Tegelman, owners located at 8387 Doolittle Road and further described as Lot s 43 and 44 of Doolittle Barden's Kawaga Shores Division II, Section 15, T39N, R6E, PIN's MI 4350 and MI 4351, pursuant to Section 15.19 of the Oneida County Subdivision Control Ordinance.

Kathy Ray, Land Use Specialist, reviewed the proposed lot line adjustment with the Committee. Beth Jacobson, one of the property owners, is present. This is a sale or exchange between owners due to an encroachment issue and will reduce the lot size.

**Motion by Scott Holewinski, second by Gary Baier to approve the lot line adjustment of John Eckert Etal and Raymond Tegelman as presented subject to Section 15.31 (2) of the Oneida County Subdivision Control Ordinance. With all members voting "aye" the motion carried.**

Preliminary 14-lot County Plat of Three Mile Creek Subdivision for Pristine Waters Preserve LLC, on property described as W ½ of the fractional N ½ of the NW ¼, Section 5, T38N, R6E, PIN HA 40-1, Town of Hazelhurst AND the SW SW, NW SW, Section 32, T39N, R6E, PIN's MI 2466 and MI 2467, Town of Minocqua.

Kathy Ray, Land Use Specialist, reviewed the County Plat of Three Mile Creek with the Committee. Jimmy Rein is present. The property is zoned Rural Residential and Residential and Farming.

Kathy Ray, Land Use Specialist, recommended approval subject to the following conditions:

1. Subject to the Town of Hazelhurst and Town of Minocqua review and recommendations.
2. Final plat to include new road name prior to recording.
3. All road work to be satisfied or will satisfy all road concerns with the Town of Hazelhurst and Minocqua prior to final plat approval.
4. Subject to a Road Maintenance Agreement, to be approved by this Department prior to recording, for the 30 ft wide common driveway access for the benefit of Lots 5, 6, 7 & 8.
5. Driveway access permits off proposed town road to be obtained as required by their respective Town.
6. Final plat to note: "The filling of wetland is prohibited unless proper permits are obtained."
7. No grading/land disturbance allowed within 5 feet of wetland.
8. Silt fence required when grading/land disturbance is within 25 feet of the wetland
9. Outlot A does not meet the minimum buildable area criteria and is therefore non-buildable.
10. Addressing and 911 Information must be approved by Oneida County Land Information Department.

**Motion by Mike Timmons, second by Dave Hintz, to approve the County Plat of Three Mile Creek with recommendations of staff and all general standards being met. With all members voting "aye" the motion carried.**

A boathouse proposal for property located at 10222 Tomanok Rd. described as Section 33, T36N, R6E, Lots 6 & 7 and E 25' of Lot 5, Camp Rice Point Subdivision, PIN NO 683, Town of Nokomis.

Peter S Wegner, Assistant Zoning Director, stated that there is currently a 60% slope. The contractors involved say that they could excavate it out 80 feet to reduce the slope. It was the consensus of the Committee that is not the intent of the ordinance and the request should be denied.

Section 9.98, Piers and Other Berth Structures.

Karl Jennrich, Zoning Director, reviewed Section 9.98 with the committee. The County can continue to regulate piers as long as the County is not less restrictive than the State. Recently, the State has grandfathered practically anything and everything. In Oneida County, residents had to register their existing piers with a Statement of Record (2000-2001). Failure to do so would cause the piers to be nonconforming.

Karl Jennrich, Zoning Director, indicated that the Committee needs to decide whether or not piers should be regulated by the County or not. The DNR regulates piers in most counties in the State; most counties do not have a pier ordinance.

The Committee asked staff to provide information on what other Wisconsin counties have a pier ordinance and if there are any other options.

**Motion by Gary Baier, second by Mike Timmons, to discontinue the regulation of piers by striking Section 9.98 and to schedule a public hearing on the matter. With all members voting “aye” the motion carried.**

Minocqua Country Club Pier.

This agenda item was tabled.

Permission to review NR 115 Economic Impact Analysis and provide comment to Representative Tom Tiffany.

Karl Jennrich, Zoning Director, stated that any time Administrative Rules are proposed there must be an Economic Impact Analysis. The DNR was required to do an NR 115 Economic Impact Analysis and Tom Tiffany has requested specific areas within the document be reviewed by staff.

**Motion by Scott Holewinski, second by Gary Baier, to authorize staff to review the NR 115 Economic Impact Analysis and provide comment to Representative Tom Tiffany. With all members voting “aye” the motion carried.**

Staff attendance at the WCCA Fall Conference in Eau Claire, October 3-5, 2012.

**Motion by Mike Timmons, second by Gary Baier, to authorize attendance at the WCCA Fall Conference in Eau Claire, October 3-5, 2012 for two staff members and two Committee members.**

2013 Planning and Zoning Budget.

Karl Jennrich, Zoning Director and Denise Hoppe, Office Manager, reviewed the proposed 2013 Planning and Zoning Budget with the Committee.

**Motion by Scott Holewinski, second by Dave Hintz, to approve the proposed 2013 budget as presented, with a reduction of revenue of \$25,000 and a reduction for publications/legal notices. With all members voting “aye” the motion carried.**

Line item transfers, purchase orders and bills.

Purchase Orders - \$498.75  
Bills – \$1,211.36

**Motion by Scott Holewinski, second by Gary Baier to pay the bills. With all members voting “aye” the motion carried.**

Refunds.

H&H Septic - \$50.00 overpayment on septic permit application.

**Motion by Dave Hintz, second by Mike Timmons to approve the refund of \$50.00 to H&H Septic. With all members voting “aye” the motion carried.**

James La Bracco, for a zoning permit, property in mapped floodplain. Permit withdrawn.  
Refund requested for \$128.00.

**Motion by Gary Baier, second by Mike Timmons, to approve the refund of \$128.00 to Jim La Bracco. With all members voting “aye” the motion carried.**

Approve future meeting dates: September 19 and October 3, 2012.

Meeting dates were confirmed for September 19, 2012, October 3, 2012, and October 17, 2012.

Public comments.

No public comments.

Future agenda items.

Flat top boathouses.  
Metallic Mining – Change zoning districts where it is allowed.

Adjourn.

**3:10 pm - Motion by Mike Timmons, second by Dave Hintz to adjourn. With all members voting “aye” the motion carried.**

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Scott Holewinski, Chairman

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Karl Jennrich, Zoning Director