

MINUTES

The Iron County Comprehensive Planning/Land & Zoning Committee met at the Courthouse on Tuesday, February 18, 2014. The meeting was called to order at 3:00pm by Chairman Kichak. Proper publication of the meeting was established.

Committee members present: Jim Kichak, Jim Lambert, Gerald Luke, John Smith, & George Nasi. Also present was Zoning Administrator Tom Bergman and Joe Pinardi County Board Chairman.

Motion by Luke/Nasi to approve the minutes from 1/30/14; carried 5-0.

Changes to Section 9.7.14 Ferrous Metallic Mineral Mining Bulk Sampling of the Iron County Land Use Ordinance –

Open public comment: no public spoke on the matter
Close public comment

Discussion of Committee: these changes entail simple text changes for clarification and compliance with state statutes. Motion by Lambert/Smith to approve; carried 5-0

Discussion of use of recreational vehicles in an Agricultural zoned property – Bergman recalled the situation to the committee. The property in Kimball zoned Agriculture is being used for recreational vehicles. Close neighbors are upset by the noise of the vehicles. Bergman presented a letter from the landowner explaining his side and comments concerning the situation. He also presented imagery showing the property and neighboring properties, as well as example ordinances from other Wisconsin counties. Bergman relayed his conversation about the topic with Michael Pope. Pope explained that if the county passed a zoning ordinance it would not fix this specific issue because it would become a legal non-conforming use and would continue to be allowed at this property. If there is future concern of this happening then an ordinance would be a good idea, but it will not clear up the problem now. Smith explained that the Town of Kimball is trying to get both sides to work together. It has not been successful so far so it was brought to the attention of the county. Kichak stated that it seems to only be a Kimball issue and Kimball should look at enforcing it themselves. Pinardi questioned Bergman about creating a Conditional Use for this particular issue. Bergman explained it would be an amendment to the ordinance and is possible but it would not fix the current issue in Kimball.

Kichak asked the Public for their input. A member of the public explained that the noise starts about 12:00pm and lasts until dark. The noise is the biggest complaint among the neighboring properties. Bergman explained that the county has a noise ordinance that the Sheriff's department would be responsible for enforcing.

A member of the public explained that there seems to be too many kids out there, some not from the area.

The property owner explained that there have been 3 Sheriff's reports and it has been sent to the Recreation Officer.

Kichak asked the property owner if there has been anyone out there without the supervision of himself or his son. The property owner explained that if it did happen he was unaware. All friends have been notified that permission is necessary to enter the property. The property owner also explained that he asked the Recreation Officer to come to the property this spring and test the noise level. That way if there is something he needs to do he can handle it then, as of this time he is unaware of any law he is not in compliance with.

Lambert stated that this issue has come up before but has been dealt with mostly at the Town level. Bergman explained that Kimball can create their own non zoning police power, but the question is how they can enforce it. Lambert explained that if the Town of Kimball created this ordinance it would be the Town Chairman's job to talk with the landowner and decide to turn it over the Town's lawyer. Lambert also asked what DNR statues may say on the matter of noise from recreational vehicles. Bergman stated that he would look into it.

The property owner told the committee that an officer had been out to the property and stated there was nothing he could do. Smith suggested that when the Recreation Officer is out there this spring it may be best to have surrounding property owners, members of the Town Board and the Zoning Committee there to explain concerns and gain an understanding of what can be done. He also explained that one main concern is that the straight pipes are loud. Lambert explained the kids achieve greater horsepower with straight pipes but they are much louder.

Kichak recommends that Bergman arrange to have the Recreation Officer come to the next Zoning Committee Meeting to discuss what has and can be done on this issue so we can get a better understanding.

Consider waiting until 2015 to publish new plat books – Bergman explained that Rockford Map Publishers notified us that we may want to wait until 2015 for new plat books. They have seen in the past that if they are published too close together the new ones have trouble selling. It was recommended by the Zoning Committee that we wait until 2015 to publish new plat books.

Review changes to ordinance regarding Access Driveways – Bergman explained a sheet drawn up by John Nelson the Highway Commissioner to update the Land Use Ordinance and put a limit on how close driveways can be to one another. It was recommended by the Zoning Committee to have a public hearing next meeting to act on this ordinance.

Administrator's Report – Bergman explained he has received some requests for Pole Barn Dwellings. Pole barns over 1000 square feet require a conditional use. As these structures become more popular it becomes more of a residence with an attached garage built with different materials. They are still required to go through UDC inspections. The Zoning Committee requested more information on these structures as well as images to see what they look like.

Bergman asked the committee if they found it suitable to get stand up workstations for the zoning department staff. He explained it is much better for health reasons, and that it is tough to sit all day especially in the winter months. The Committee felt it a good idea if there was money allotted in the budget.

Public Comment – None.

Approval of Bills – Motion by Lambert/Nasi to approve the bills; carried 5-0.

Next meeting date - March 18, 2014 at 3:00pm.

Motion by Lambert/Luke to Adjourn.