

Eau Claire County
PLANNING & DEVELOPMENT COMMITTEE AGENDA

Tuesday, May 10, 2016 • 7:00 PM

Eau Claire County Courthouse • 721 Oxford Avenue • Room 1277
Eau Claire, Wisconsin

1. Call to Order
2. Public Input Session (**30 minute maximum**)
Comments are restricted to matters within the Committee's jurisdiction, and items not pertaining to already scheduled public hearings. Comments will be limited to three minutes per individual.
3. Public Hearings:
 - a. **Proposed Ordinance: File No. 16-17/008** "Amending the 1982 Official Zoning District Boundary for the Town of Lincoln" (Koenig) RZN-0010-16 / Discussion – Action **p. 2 - 14**
 - b. **Proposed Ordinance: File No. 16-17/009** "To Create 8.25 of the County Code: Keeping Of Honey Bees; To Create 18.07.020 D., 18.08.020 D. and 18.09.020 D. of the Code: Rules And Definitions; To Create Section 18.07.020 D. of the Code: Permitted Accessory Uses; To Create Section 18.08.020 D. of the Code: Permitted Accessory Uses; To Create Section 18.09.020 D. of the Code: Permitted Accessory Uses" / Discussion – Action **p. 15 - 22**
4. Request to Amend "No Construction Line" on Lot 29 of Huntsinger Heights, Section 1, T26N-R10W, Town of Brunswick / Discussion – Action **p. 23 - 26**
5. A variance request for land suitability requiring a minimum contiguous buildable area of at least one-half (1/2) of an acre, Section 31, T27N-R9W, Town of Washington / Discussion – Action **p. 27 - 30**
6. Review of April Bills / Discussion
 - a. Planning **p. 31**
 - b. Land Conservation **p. 32**
7. Review/Approval of April 26, 2016 Meeting Minutes / Discussion – Action **p. 33 - 35**
8. Proposed Future Agenda Items / Discussion
9. Adjourn

Post: 5/4/2016

Please note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 839-4710 (FAX) 839-1669 or (TDD) 839-4735 or by writing to the ADA Coordinator, Human Resources Department, Eau Claire County Courthouse, 721 Oxford Ave., Eau Claire, Wisconsin 54703.



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0010-16 **COMPUTER NUMBER:** 012113305000

PUBLIC HEARING DATE: May 10, 2016

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER/AGENT: Shaun W & Lori A Koenig, E 10965 Pine Rd, Fall Creek, WI 54742

REQUEST: Rezone 20.14 acres +/- from RH (Rural Homes) District to A-2 (Agriculture-Residential) District

LOCATION: South and west side of Pine Road, approximately one-quarter (¼) mile north of County Road SS

LEGAL DESCRIPTION: Portion of the NE¼ SE¼ of Section 23, T27N, R8W, Town of Lincoln (complete legal description attached)

SUMMARY

The applicant proposes to rezone 20.14 acres +/- from RH (Rural Homes) District to A-2 (Agriculture-Residential) District for the purpose of constructing a personal storage shed and reducing potential future land divisions. This rezoning, requested by the property owner, is somewhat unusual since rezonings typically increase land use density and intensity. In this case, the applicant wishes to reduce potential future land divisions in order to maintain the low-density rural atmosphere that currently exists, which is supported by the Town of Lincoln Comprehensive Plan.

BACKGROUND

SITE CHARACTERISTICS:

- Property has a single-family home and outbuildings
- The majority of the property contains woodlands

CURRENT ZONING:

RH Rural Homes District: The purpose of the RH District is to *“provide for suburban large-lot development with individual on-site water and sewage disposal facilities.”* Minimum lot size in the RH District is one (1) acre.

REQUESTED ZONING DISTRICT:

A-2 Agriculture-Residential District. The A-2 District is established to *“A. Provide an area for limited residential and hobby farm development in a rural atmosphere; and B. Preserve the county's natural resources and open space.”* Minimum lot size in the A-2 District is five (5) acres.

The petition is to rezone the property described above from the RH Rural Homes District to the A-2 Agriculture-Residential District.

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	RH	Single family residence and woodlands
North	A-2	Woodlands
East	F-2	Woodlands
South	A-2	Woodlands
West	RH; A-2 (NW & SW)	Single family residences; woodlands

COMPREHENSIVE PLANS:

The Eau Claire County and Town of Lincoln Future Land Use Maps both include this property in the Rural Residential (RR) planning area. Following is a description of the intent of the applicable County and Town comprehensive plan future land use category and applicable policies:

Eau Claire County:

- Rural Residential Intent and Description: The primary intent of this classification is to “identify areas suitable for future non-farm residential development. Rural Residential areas include lands that are delineated as existing residential properties or vacant platted areas. In addition, some undeveloped land has been designated for RR development where subdivision expansion is likely to occur. These additional areas tend to be adjacent to existing rural subdivisions or where local roads and utilities exist to efficiently and economically serve the area.”
- Applicable Policies: The following policies are applicable to this rezoning petition:
 1. The preferred housing density is one (1) unit per two (2) acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per two (2) acres to one (1) unit per 10 acres.
 - ...
 3. For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RR areas: RH Rural Homes District and the R-1-L Single Family Residential Large Lot (with approved conservation subdivisions).

Town of Lincoln:

- Rural Residential Comprehensive Plan Intent and Description: The primary intent of this classification is to “identify areas suitable for future non-farm residential development. Rural Residential areas include lands that are delineated as existing residential Chapter 3: Future Land Use Town of Lincoln Comprehensive Plan pg. 33 properties or vacant platted areas. In addition, some undeveloped land has been designated for RR development where subdivision expansion is likely to occur. These additional areas tend to be adjacent to existing rural subdivisions or where local roads and utilities exist to efficiently and economically serve the area.”
- Applicable Policies: The following policies are applicable to this rezoning petition:
 1. The preferred housing density within RR areas is one (1) unit per five (5) acres.
 - ...

3. The following Eau Claire County Zoning Districts will be considered for approval within RR areas: RH Rural Homes District (with approved conservation subdivisions) or A-2 Agriculture-Residential.

The proposed rezoning is generally consistent with the intent and description of the Eau Claire County and Town of Lincoln Comprehensive Plans. As previously stated, the applicant's intent is to reduce potential future subdivision of the property into lots less than 5 acres in order to maintain the rural character of the property. The Town of Lincoln Comprehensive Plan supports rezoning to A-2 in the RR area.

ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also be made that the rezone is consistent with the County's Comprehensive Plan.

The rezoning petition has been evaluated for consistency with the purpose of A-2 District and the uses allowed in the district. The request is consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is generally consistent with the Future Land Use plans for the County and the Town of Lincoln
- The property is appropriately situated for the intended A-2 zoning
- Existing uses in the area include a mixture of single-family residences, forestry, and vacant property

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also be made that the rezone is consistent with the County's Comprehensive Plan.

Town Board Action: The Lincoln Town Board considered this rezoning petition on Monday, April 11, 2016 and recommended approval.

CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County and Town of Lincoln Comprehensive Plan future land use designations
- Eau Claire County and Town of Lincoln Comprehensive Plan goals, objectives and policies
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in the A-2 District

In addition, the following factors have also been considered:

- Input of surrounding property owners (within 660 feet). No correspondence has been received to date
- Town of Lincoln Board action

Staff finds that the proposed rezoning request substantially conforms with the Eau Claire County Comprehensive Plan and the Town of Lincoln Comprehensive Plan.

RECOMMENDATION

Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the rezoning petition to rezone approximately 20.14 acres of property from the RH District to the A-2 District as depicted on the attached map and described in the attached legal description.

1 **Enrolled No.**

ORDINANCE

File No. 16-17/008

2
3 - AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE
4 TOWN OF LINCOLN -

5
6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7
8 **SECTION 1** That the 1982 Official Zoning District Boundary Map for the Town of
9 Lincoln, Eau Claire County described as follows:

10
11 THAT PRT OF THE NE-SE LYG S OF THE (C/L) OF RD R/W CONT 20.14 AC
12 M/L WITH RD R/W OR 18.58 AC WITHOUT RD R/W in Section 23, T27N-
13 R8W, Town of Lincoln, Eau Claire County, Wisconsin

14
15 **Said described lands contain 20.14 acres, more or less with the road**
16 **right-of-way, or 18.58 acres without the road right-of-way, to be**
17 **reclassified from the RH Rural Homes District to the A-2 Agriculture-**
18 **Residential District.**

19
20 **SECTION 2** Where a certified survey map is required and may alter the above
21 described property description, the official zoning district map for the
22 town shall be automatically amended to reflect the property description of
23 the certified survey map.

24
25 ENACTED: I hereby certify that the foregoing correctly represents the
26 action taken by the undersigned Committee on
27 May 10, 2016 by a vote of for, against.

28
29
30
31 _____
Planning & Development Committee, Chairperson

16-17/008

Sup-Dist 6: Katy Forsythe

Eau Claire County
Department of Planning and Development
Eau Claire County Courthouse
721 Oxford Avenue, Room 3344
Eau Claire, Wisconsin 54703
(715) 839-4741

Application Accepted:	4/18/2016
Accepted By:	MM
Receipt Number:	46157
Town Hearing Date:	04/11/2016
Scheduled Hearing Date:	5/10/2016
Application No:	RZN-0010-16
Appl Status:	Pending

Rezoning - County

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: **RH** Proposed Zoning District(s): **A2** Acres to be Rezoned: **20.14**

Part Of The Ne1/4 Se1/4 Of Section 23, T27N, R8W, Town Of Lincoln, Eau Claire County, Wisconsin

Owner/Applicant Name(s): Shaun W & Lori A Koenig	Address: (ow) E 10965 PINE RD FALL CREEK	Telephone: 715-877-2852(H)
--	--	--------------------------------------

Site Address(es): E 10965 PINE RD FALL CREEK	Property Description: Sec 23 Twn 27 Rge 08	Town of Lincoln	Lot Area: 20.140 ACRES
Zoning District(s): RH			

Overlay District: Check Applicable	<input type="checkbox"/> Shoreland	<input type="checkbox"/> Flood Plain	<input type="checkbox"/> Airport	<input type="checkbox"/> Wellhead Protection	<input type="checkbox"/> Non-Metallic Mining
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PIN	Alternate No	Parcel No	Legal (partial)
1801222708234100001	012113305000	27.8.23.4-1-A	THAT PRT OF THE NE-SE LYG S OF THE (C/L) OF RD RW CON

I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature see attached application Date _____

Check if DATCAP must be notified _____

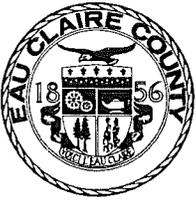
Check if DNR to Receive Copy _____

RECEIVED

APR 18 2016

COUNTY CLERK

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



Eau Claire County
Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Application Accepted:	4/15/16
Accepted By:	MM
Receipt Number:	46157
Town Hearing Date:	
Scheduled Hearing Date:	5/10/16

REZONING APPLICATION

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: <u>RH</u>	Proposed Zoning District(s): <u>A-2</u>
Acres to be rezoned: <u>20.14</u>	

Property Owner Name: <u>Shawn Koenig</u>	Phone# <u>715 579-4490</u>
Mailing Address: <u>E10965 Pine Rd Fall Creek WI 54742</u>	
Email Address: <u>Shawn.W.Koenig@gmail.com</u>	
Agent Name:	Phone#
Mailing Address:	
Email Address:	

SITE INFORMATION

Site Address: <u>E10965 Pine Rd Fall Creek WI 54742</u>
Property Description: <u>SE 1/4 NW 1/4 Sec. 23, T 27 N, R 8 W, Town of Lincoln</u>
Zoning District: _____ Code Section(s): _____
Overlay District: <input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining Check Applicable
Computer #(s): <u>012 - 113 - 305 - 000</u>

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

<input checked="" type="checkbox"/> Complete attached information sheet	<input checked="" type="checkbox"/> Contact the Town to coordinate a recommendation on the application
<input checked="" type="checkbox"/> Provide legal description of property to be rezoned	<input checked="" type="checkbox"/> Provide \$565.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$500.00 application processing fee and \$65.00 mapping surcharge fee)

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature Shawn Koenig Date 4-15-16

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

Describe the reason(s) for your rezoning request:

want to build a 42x64 x 14' Pole Shed. Also County wants to Rezone to A-2 in future

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

20 Acres that my horse sit on are zoned RH. The other 20 Acre parcel and 40 Acre parcel are zoned A-2. This rezoning would put my whole 80 Acre in RH. If I were to sell my property this would only let me sell 5 Acre lots (not 1 acre lots. This would reduce the amount of houses in the area and keep it looking rural not urban. Also by letting me rezone to A2 I could build a pole shed that would enable to me keep my Farm Machinery and Campers inside a building instead of scattered all over outside. I believe the outward appearance of my dwelling would look much better. I wouldn't keep all my junk outside for someone to see. It would be indoors. If am not interested in selling lots off my property so rezoning will allow the appropriate shed to be built to beautify my property. If in the future I were to sell only 5 acre lots could be sold which means fewer houses in a rural atmosphere.

012-1133-05-000 LEGAL DESCRIPTION:

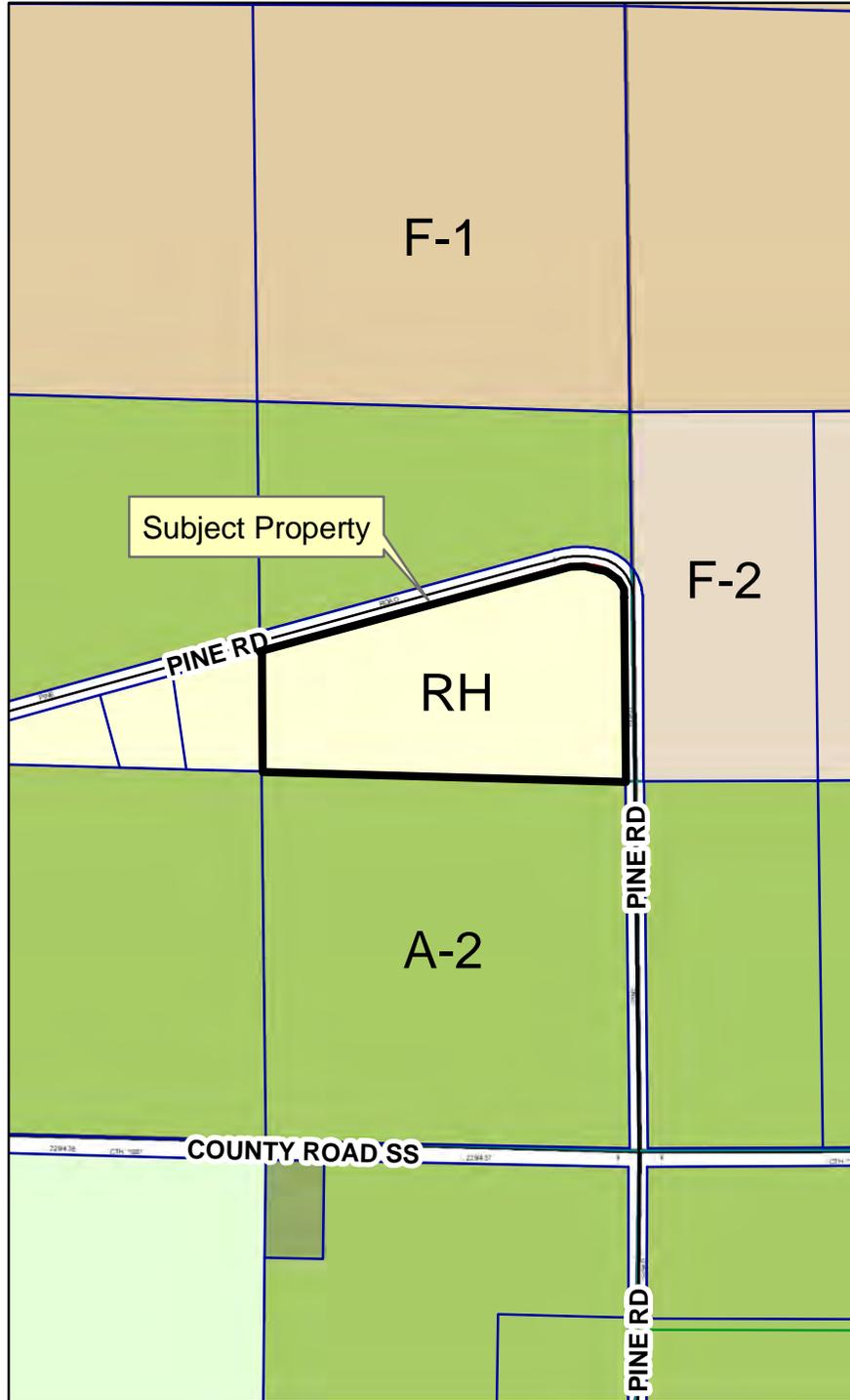
THAT PART OF THE NE-SE OF SECTION 23, T27N, R8W, LYING SOUTH OF THE CENTERLINE OF RD RW CONT 20.14 AC M/L WITH RD RW OR 18.58 AC WITHOUT RD RW BASED ON 2003 AERIAL PHOTOS & CNTY SURVEYING DATA.



Koenig Rezoning: RZN-0010-16

Existing Zoning

1 inch = 666.666667 feet



- all other values-
- A1 - Exclusive Agricultural District
- A2 - Agriculture-Residential District
- A3 - Agricultural District
- AP - Agricultural Preservation
- AR - Floating Agricultural-Residential District
- C1 - Neighborhood Business District
- C2 - General Business District
- C3 - Highway Business District
- F1 - Exclusive Forestry District
- F2 - Forestry District
- I1 - Nonsewered Industrial District
- I2 - Sewered Industrial District
- R1L - Single-Family Residential District, Large Lot
- R1M - Single-Family Residential District
- R2 - Two-Family Residential District
- R3 - Multiple-Family Residential District
- RH - Rural Homes District

- Commercial Industrial
- County Forest
- Natural Resource Protection
- Park and Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamlet
- Rural Industrial
- Rural Lands
- Rural Residential
- Rural Residential - Mobile Home
- Rural Transition
- Urban Mixed Use



Parcel Mapping Notes:

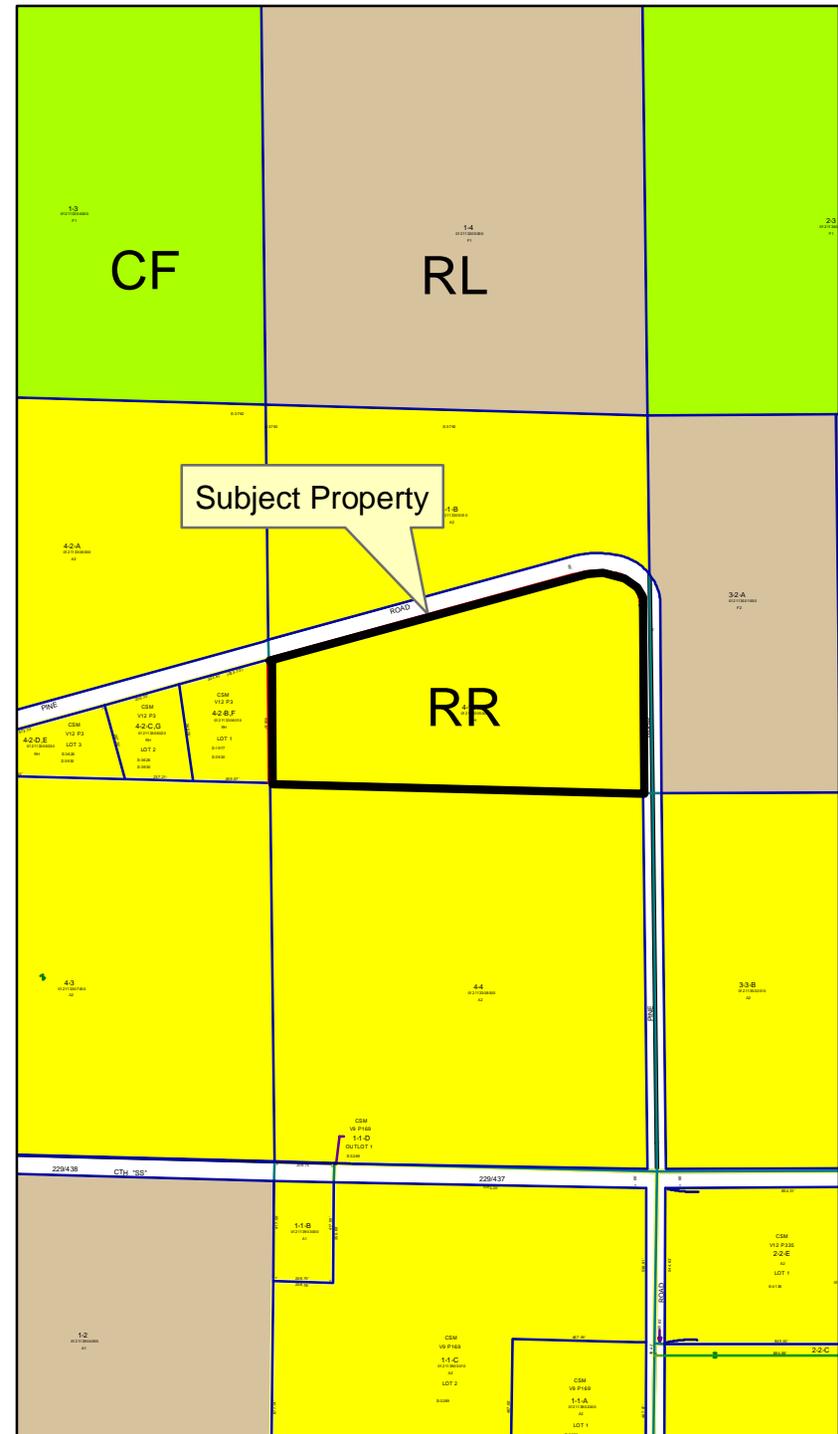
The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

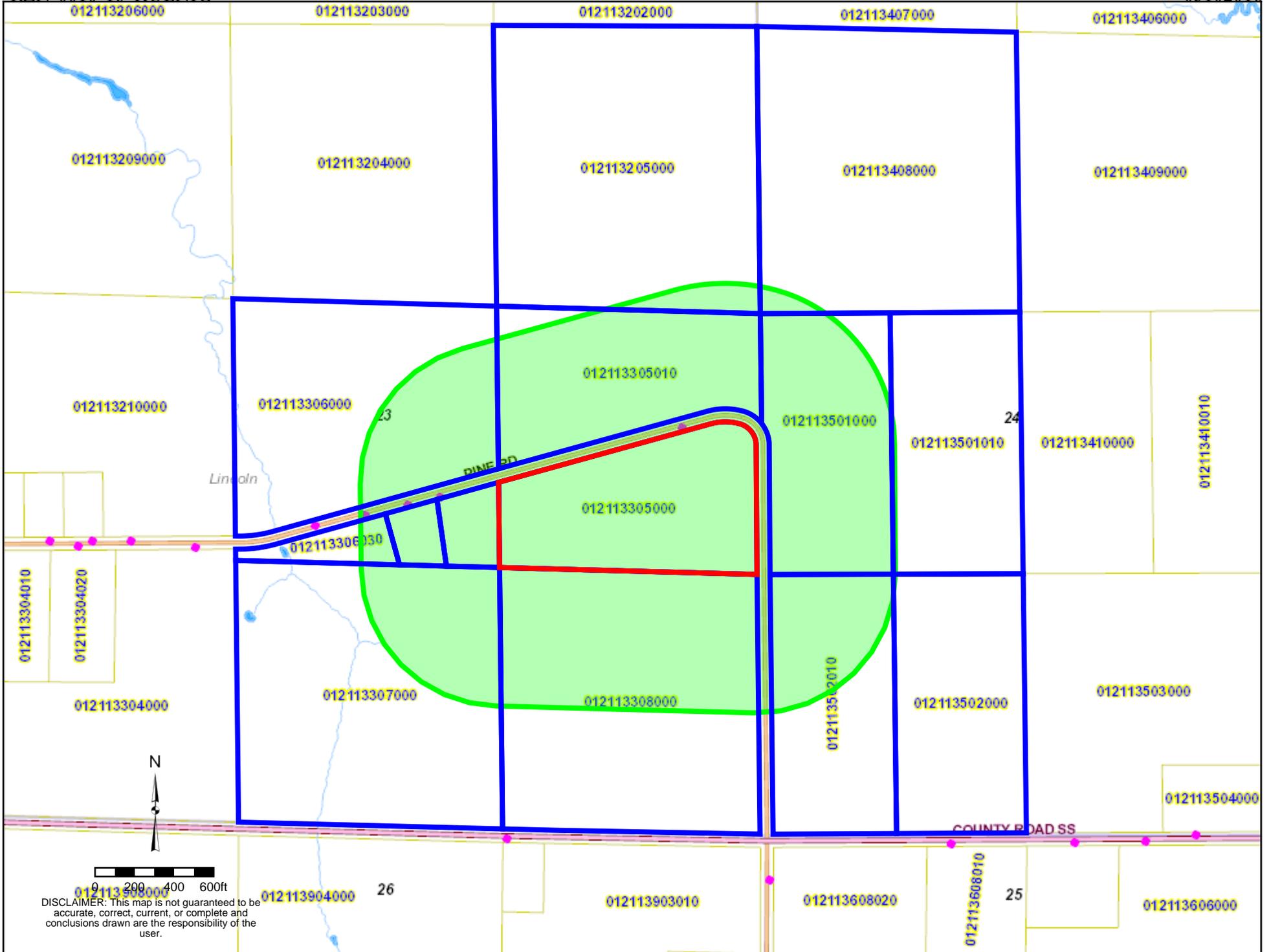
This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.

Existing Future Land Use

1 inch = 667 feet





DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Parcel Id	NAME	ADDRESS	CITY	STATE	ZIP
1801222708234209002	ALDRICH, ANDREW C & JILL M	E 10775 PINE RD	FALL CREEK	WI	54742
1801222708231400001	ALDRICH, DONALD & ARLENE	224 W JEFFERSON AVE	FALL CREEK	WI	54742-9729
1801222708234209001	ALDRICH, JEFFREY D	E 10795 PINE RD	FALL CREEK	WI	54742
1801222708234209000	ALDRICH, TIMOTHY N	E 10835 PINE RD	FALL CREEK	WI	54742
1801222708242300001	EAU CLAIRE COUNTY	721 OXFORD AVE	EAU CLAIRE	WI	54703
1801222708234300001	FALL CREEK LIONS CLUB	523 PO BOX	FALL CREEK	WI	54742-0523
1801222708234100002	KOENIG, WAYNE L & SHARON J	6996 ZIMMERMAN RD	FALL CREEK	WI	54742
1801222708243200001	TAVES, WILLIAM	3541 RIDGEWAY DR	EAU CLAIRE	WI	54701-5344

EAU CLAIRE COUNTY PLANNING DEPARTMENT STAFF RECOMMENDATIONS

DATE PREPARED: May 4, 2016

PUBLIC HEARING DATE: May 10, 2016

PETITIONER: Eau Claire County Committee on Planning and Development

PETITION: Zoning Code Text Amendment to the County Code of Ordinances to consider creating sections 18.07.020 D., 18.08.020 D., and 18.09.020 D. Beekeeping subject to Chapter 8.25.

APPLICABLE ZONING REGULATIONS AND STATUTORY REQUIREMENTS:

Section 18.01.001 Authority. Pursuant to Wis. Stat. §§ 59.69, 59.692, 59.694, and 87.30, and the authority vested in the county under those provisions, the county hereby adopts the following Zoning Code.

Section 18.01.010 Purpose. It shall be the purpose of this subtitle, through the regulation of the use of lands and structures, through the establishment of physical standards, through the creation of separate zoning districts and through the mechanisms provided herein for enforcement and administration to:

A. Promote the public health, safety, comfort, convenience and general welfare of the citizens of Eau Claire County; B. To protect and conserve the natural resources of the county, including agricultural lands, forests, wetlands, surface and groundwater, by conserving the most appropriate use of land; C. To protect and conserve the social character and economic stability and preserve property values; D. To prevent the overcrowding of land and undue congestion of population; E. To provide adequate light, air and convenient access to property by regulating the use of land and buildings and the bulk of structures in relationship to surrounding properties; F. To facilitate adequate and economic provisions of services such as roads, water and sewer, schools, and police and fire protection; G. To encourage the use of land and buildings which are compatible with nearby existing and planned land uses, and to prohibit and control existing land uses deemed incompatible with nearby land uses; H. To prevent harm to persons and property by flood, fire, explosion, toxic fumes or other hazards.

Section 18.31.050 Amending the Zoning Code. A. Authority. In order to meet the public necessity, convenience, general welfare, and promote good zoning practice, the county board of supervisors may, by ordinance, amend the district boundaries or amend or supplement the regulations established herein.

BACKGROUND INFORMATION AND DETAILS OF REQUEST:

This ordinance also creates chapter 8.25 of the county code which is in the Health and Safety Title that is administered by the Eau Claire City-County Health Department. The Eau Claire City-County Board of Health will review the draft ordinance at its meeting on March 30.

This ordinance also permits beekeeping in the RH, R-1-L, and the R-1-M districts as an accessory use subject to compliance with Chapter 8.25. Currently the keeping of honey bees is not allowed in the County’s residential zoning district, but is allowed by right in the agricultural districts.

In accord with State statutes, Towns have the opportunity to file resolutions in support or opposition to a text amendment to the county zoning code. If a majority of towns file resolutions in opposition in accord with specified time limitations, the proposed amendment will be denied or voided. The towns were sent a copy of the proposed amendments on March 23, 2016. Town of Brunswick at its meeting on April 19, 2016, voted to oppose the passage of the Beekeeping text amendment. No other town commented on the proposed ordinance.

Eau Claire County is responsible for the administration and enforcement of the zoning code. The authority for county zoning is created under Wisconsin Statute 59. The Land Use Controls Division administers and enforces the county zoning code. The Eau Claire City-County Health Department administers and enforces the county health code (Chapter 8). Corporation Counsel, Keith Zehms prepared the ordinance 16-17/009.

ANALYSIS: The following summarizes the main features of the ordinance:

This amendment to the code will allow the keeping of honey bees in the RH, R-1-L, and R-1-M districts as an accessory use subject to the requirements of Chapter 8.25. Those keeping of more than four colonies of honey bees will need a permit from the Eau Claire City-County Health Department.

When evaluating a petition to amend the regulations in the zoning code *a determination should be made that the amendment is necessary for the public necessity, convenience and general welfare, and that it promotes good building practice. Furthermore the amendment should uphold the purpose of the zoning code.*

It appears that a finding can be made that the proposed ordinance amendment will meet the purpose of the zoning code and that there is a need to regulate the keeping of honey bees in the County's residential districts (RH, R-1-L, R-1-M) provided the requirements of Chapter 8.25 are met. A finding can also be made that the amendments will ensure that the public health and safety of the citizens of Eau Claire County will be protected.

STAFF CONCLUSIONS AND RECOMMENDATION: Staff recommends that the committee forward a recommendation to the County Board to approve the ordinance amendment file 16-17/009 as submitted.

4 - TO CREATE 8.25 OF THE COUNTY CODE: KEEPING OF HONEY BEES; TO
5 CREATE 18.07.020 D., 18.08.020 D. AND 18.09.020 D. OF THE CODE: RULES AND
6 DEFINITIONS; TO CREATE SECTION 18.07.020 D. OF THE CODE: PERMITTED
7 ACCESSORY USES; TO CREATE SECTION 18.08.020 D. OF THE CODE:
8 PERMITTED ACCESSORY USES; TO CREATE SECTION 18.09.020 D. OF THE
9 CODE: PERMITTED ACCESSORY USES -

10 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

11 **SECTION 1.** That Chapter 8.25 of the code be created to read:

12 Chapter 8.25

13 KEEPING OF HONEY BEES

14 Sections:

- 15 8.25.010 Purpose.
- 16 8.25.020 Definitions.
- 17 8.25.030 Permit and inspection required.
- 18 8.25.040 Standards of practice.
- 19 8.25.050 Inspection and enforcement.
- 20 8.25.060 Violation and penalty.

21
22 8.25.010 Purpose. The purpose of this ordinance is to preserve the public health, safety
23 and general welfare of county residents in the RH, R-1-L and R-1-M zoning districts for the
24 keeping of common, domestic honey bees, *Apis mellifera* species of European origin as regulated
25 by the Eau Claire City-County Health Department.
26

27
28 8.25.020 Definitions. For the purposes of this chapter, the following terms have the
29 meaning indicated:

- 30 A. "Apiary" shall mean the assembly of one (1) or more colonies of honey bees at a
31 single location.
- 32 B. "Beekeeper" shall mean a person who owns or has charge of one (1) or more
33 colonies of honey bees.
- 34 C. "Beekeeping equipment" shall mean any item used in the operation of an apiary,
35 such as hive bodies, supers, frames, top and bottom boards and extractors.
- 36 D. "Colony" shall mean an aggregate of honey bees consisting principally of
37 workers, but having, when perfect, one (1) queen and at times drones, brood, combs and honey.
- 38 E. "Hive" shall mean the receptacle inhabited by a colony that is manufactured or
39 created for that purpose.
- 40 F. "Lot" shall mean a contiguous parcel of land under common ownership.

1 8.25.030 Permit and inspection required.

2 A. A person who keeps more than four colonies of honey bees in the RH, R-1-L and
3 R-1-M zoning districts must obtain a permit from and pay an annual fee established by the Eau
4 Claire City-County Health Department.

5 B. Permit shall not be transferrable or refundable. Only the owner of the proposed
6 permitted real property, or an occupant of the proposed permitted real property with the owner's
7 written permission, is eligible to obtain a beekeeping permit.

8 C. All permits issued shall expire on March 31st of the year following issuance
9 unless sooner revoked.

10 D. Applicants shall provide detailed lot diagrams of the beekeeping equipment
11 location including the distances to property lines and from nearby structures or neighboring
12 properties.

13 E. Applicants shall provide written consent from at least 80 % of the owners with
14 real estate within 100 feet of the applicant's proposed permitted property.

15 1. Large acreage exemption. When the proposed location of the beekeeping
16 equipment is within a lot greater than four acres in size, the applicant is exempt from the above
17 neighbor consent requirement if either of the following is true:

18 a. The applicant provides approval from 80 % of the occupants of
19 real estate situated within 250 feet of the beekeeping equipment; or

20 b. The applicant demonstrates that the beekeeping equipment is
21 greater than 250 feet away from any property line.

22 F. New permits may only be granted subject to the successful completion of the
23 City-County Health Department pre-inspection. Permit renewals may only be granted subject to
24 the successful completion of at least one annual inspection by an inspector approved by the City-
25 County Health Department.

26
27 8.25.040 Standards of practice. Any permittee is subject to standards established by the
28 City-County Health Department including a limitation of no more than eight colonies on a
29 property of one acre or larger. Any person obtaining a permit pursuant to this section shall
30 comply with the following standards of practice:

31 A. Honey bee colonies shall be kept in hives with removable frames, which shall be
32 kept in sound and usable condition.

33 B. In apiaries the beekeeper shall conspicuously post a sign including the words
34 "HONEY BEE HIVE" and his/her name and telephone number clearly readable at twenty-five
35 (25) feet.

36 C. A flyway barrier six (6) feet in height shall shield any part of a property line that
37 is within twenty-five (25) feet of a hive. The flyway barrier shall consist of a wall, fence, dense
38 vegetation or a combination thereof.

39 1. The health department may approve an alternative design that meets the
40 intent of the standard and will not increase the likelihood of public or private nuisance.

41
42 8.25.050 Inspection and enforcement.

43 A. This ordinance will be enforced by the City-County Health Department.

44 B. Violations to this Chapter may constitute a public nuisance under Wis. Stat. § 823
45 and are enforceable by Eau Claire County.

46
47 8.25.060 Violation and penalty. Any person who violates this Chapter shall, for each
48 violation, forfeit not less than fifty (50) dollars nor more than two hundred (200 dollars not
49 including court costs. Each day such violation continues shall constitute a separate offense.

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SECTION 2. That Section 18.07.020 D. be created to read:

D. Beekeeping subject to Chapter 8.25.

SECTION 3. That Section 18.08.020 D. be created to read:

D. Beekeeping subject to Chapter 8.25.

SECTION 4. That Section 18.09.020 D. be created to read:

D. Beekeeping subject to Chapter 8.25.

ADOPTED:

Committee on Planning & Development

KRZ/yk

Dated this _____ day of _____, 2016.

ORDINANCE/16-17.009

em/mailed 3/23/16 *af*



Eau Claire County
DEPARTMENT OF PLANNING
AND DEVELOPMENT
Eau Claire County Courthouse, Rm. 3344
721 Oxford Avenue
Eau Claire, Wisconsin 54703-5481
(715) 839-4741

Housing and Community Development
839-6240
Emergency Services Management
839-4736
Land Information
839-4742
Land Use Controls
839-4743
Building Inspection
839-2944
Land Conservation
839-6226
Planning
839-5055

Memorandum

To: Town Chairs and Town Clerks
From: Rod Eslinger, Land Use Manager
Date: 03/23/2016
Subject: Text Amendment – Sections 18.07.020 D, 18.08.020 D, and 18.09.020 D. Beekeeping subject to Chapter 8.25.

Please find enclosed a draft ordinance amendment that would allow the keeping of honey bees in the county's residential zoning districts. Sections 2, 3, and 4 of the ordinance would expand beekeeping as a permitted accessory use subject to a permit being issued by the Health Department in the RH, R-1-L and R-1-M zoning districts. Currently the keeping of honey bees is not allowed in the County's residential zoning district, but is allowed by right in the agricultural districts.

This ordinance also creates chapter 8.25 of the county code which is in the Health and Safety Title that is administered by the Eau Claire County Health Department. The Eau Claire County Board of Health will review the draft ordinance at its meeting on March 30.

This ordinance would require a person who keeps more than four colonies of honey bees in the RH, R-1-L, and the R-1-M districts to obtain a permit from the Health Department.

The amendment is being sent to all Towns so the Town Boards can review and discuss the petition at a regular town board meeting. It is foreseeable that the Committee on Planning and Development could hold the public hearing on the text amendment on April 26 or May 10.

As you are aware, in accord with State Statutes, Towns under County Zoning have an opportunity to file resolutions in support or opposition to a text amendment to the county zoning code. If a majority of towns with county zoning file resolutions in opposition in accord with specified time limitations, the proposed amendment will be denied or voided. Towns can file resolutions 10 days prior to the hearing, at the hearing, or 10 or 30 days after the hearing, and if a majority of towns with zoning file resolutions within that timeframe, the Committee on Planning and Development must file a recommendation to the county board to deny the request or amend the request. If the county board approves the amendment, towns have up to 40 days to file resolutions, and if a majority of towns file resolutions in opposition, the county board action to approve the text amendment is repealed.

If you have questions, please call me at 715-839-4743 or send me an email message to rod.eslinger@co.eau-claire.wi.us.

MINUTES

Brunswick Town Board Regular Monthly Meeting

April 19, 2016

Brunswick Town Hall

PRESENT: Chairman Fred Turk, Supervisors Don Jaquish and Dan Sommerfeld, Clerk, Debra Grinde and Treasurer Leslie Jaquish.

Call to Order: Chairman Turk called the meeting to order at 7:30 p.m.

Meeting Minutes: Chairman Turk moved to approve the March 10, 2016 minutes. Seconded by Supervisor Jaquish. Motion carried.

INFORMAL PUBLIC COMMENT TIME: Mel Gullickson recommended moving public comment time to the end of the meeting. The Board is open to public comment anytime during the regular meeting. No change to be made. The Fire Dept. annual pig feed fundraiser is set for May 21, 2016.

DISCUSSION/ACTION ITEMS

1. The Building Envelope Amendment for Lot 29 in Huntsinger Heights was explained to the Board by Mark Erickson of Kramer Land Design Services. A motion to sign the correction affidavit was made by Supervisor Jaquish. Seconded by Supervisor Sommerfeld. Motion carried.
2. A motion to recommend the approval of a variance request applied for by Dennis Janisewski, S6072 Sundance Place, was made by Chairman Turk. Seconded by Supervisor Jaquish. Motion carried.
3. A motion to oppose passage of the Beekeeping text amendment was made by Chairman Turk. Seconded by Supervisor Jaquish. Motion carried.
4. The sale of .7acre of Township land located in the "Ledges" was tabled for additional information regarding its historical significance. Motion made by Supervisor Jaquish. Seconded by Chairman Turk. Motion carried.
5. Chairman Turk made a motion to approve a picnic license and temporary bartender license (Dave Vlcek) for the Fire Dept.'s annual dance and pig feed to

be held on May 21, 2016. Seconded by Supervisor Sommerfeld. Motion carried.

6. Chairman Turk made a motion to approve picnic licenses and a temporary bartender license (Lois Dohms) for the Antique Engine events at Pioneer Park. Seconded by Supervisor Sommerfeld. Motion carried.
7. Town Roads: Tree trimming operation along Norrish Road will be completed when the chipper is repaired. Town residents offered the following items for the Board to consider a.) Olson Road improvements b.) Turning town roads into dirt roads with dust being the issue c.) Langdell Rd. from Co. Hwy Z to the west being improved d.) Sweeping sand off the curves of town roads, such as Jene Rd., to reduce the danger to bicyclists and motorcycles. The Board agreed to sweeping. There is no intention to return to dirt roads. Town Road improvements are scheduled on a year to year basis with the WISLR rating system implemented. Bid requests for Maple Drive Road and Spehle Road improvements will be published next week. Bids will be opened at the May 12th meeting.
8. A motion to pay the bills with the exception of the cold mix, which was supposed to be donated, was made by Chairman Turk. Seconded by Supervisor Jaquish. Motion carried.
9. A motion to approve the Treasurer's report was made by Chairman Turk. Seconded by Supervisor Sommerfeld. Motion carried.
10. Next meeting set for May 12, 2016 at 7 p.m. located at the Town Hall.
11. Adjournment at 8:16 p.m. by Turk/Jaquish.

Respectfully submitted by,

Debra Grinde

Clerk



Eau Claire County
DEPARTMENT OF PLANNING
AND DEVELOPMENT
Eau Claire County Courthouse, Rm. 3344
721 Oxford Avenue
Eau Claire, Wisconsin 54703-5481
(715) 839-4741

Housing & Community Development
839-6240
Emergency Services Management
839-4736
Real Property Description
839-2984
Land Use Controls
839-4743
Building Inspection
839-2944
Land Conservation
839-6226
Planning
839-5055
County Surveyor
839-4742

REPORT:

TO: COMMITTEE ON PLANNING AND DEVELOPMENT

FROM: Jared Grande, Land Use Technician

DATE: May 3, 2016

RE: Request to amend "no construction line" Lot 29 Plat of Huntsinger Heights

Jeffrey C. Stockburger, Wisconsin Professional Land Surveyor No. 2708 with Kramer Land Design Studio, submitted a correction affidavit to the department for approval to amend Lot 29 and the area delineated as "no disturbance or construction" in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Section 1, T26N-R10W in the Town of Washington. The property is zoned R-H Rural Homes.

Attachment A is being presented to the committee because the Plat of Huntsinger Heights has a restriction on the plat that prohibits disturbance of slopes in excess of 20% and greater. Attachment B reveals the previous "no construction line" in 2006 and the new delineated contiguous buildable area within lot 29 which under 18.82.060.M. requires the review and approval by the committee.

The City of Eau Claire and the Town of Brunswick has signed the affidavit.

STAFF RECOMMENDATION: Staff recommends that the committee approve the amendment of the "no construction line" for lot 29 for the Plat of Huntsinger Heights subject to the following conditions:

1. After all certificates have been executed, the final correction affidavit shall be recorded in the Register of Deeds office.
2. A copy of the recorded correction affidavit be provided to the department for filing in the property file.

AFFIDAVIT

STATE OF WISCONSIN ss
COUNTY OF EAU CLAIRE

I, Jeffrey C. Stockburger, Wisconsin Professional Land Surveyor, No. 2708, hereby depose and state:

That I am a Professional Land Surveyor licensed in the State of Wisconsin:

That "Huntsinger Heights" is a recorded plat located in Section 1, Township 26 North, Range 10 West, Town of Brunswick, Eau Claire County, Wisconsin.

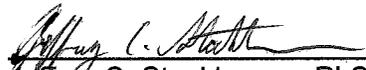
That "Lot 29" is a part of said recorded plat "Huntsinger Heights".

That there is a "buildable area" defined and shown on said "Lot 29" on said plat of "Huntsinger Heights".

That the purpose of this document is to establish a change in the "buildable area" located on said "Lot 29" as shown on said plat of "Huntsinger Heights", as shown on Attachment "A".

That the City of Eau Claire, the Town of Brunswick, and Eau Claire County have approved the changes in the "buildable area" for said "Lot 29" on said plat of "Huntsinger Heights", as shown by the signatures and dates shown on Attachment "B".

That I make the affidavit for the purpose of defining the changes to the "buildable area", on said "Lot 29", plat of "Huntsinger Heights", and for no other purpose.

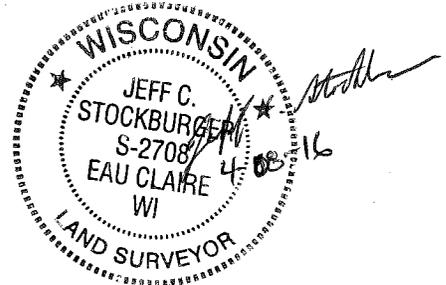
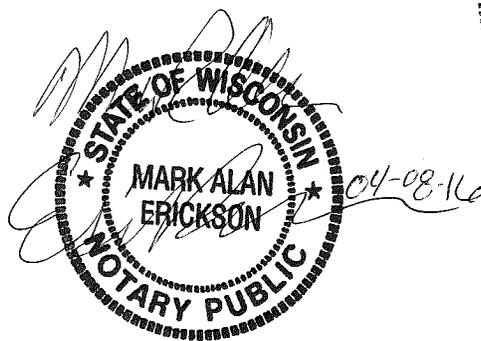

Jeffrey C. Stockburger, PLS 2708

Subscribed and sworn before me
This 8th day of APRIL, 2016



Mark A. Erickson, Notary Public, State of Wisconsin
My commission expires Dec. 29, 2017

This instrument drafted by:
Jeffrey C. Stockburger
Kramer Land Design Studios
1818 Brackett Avenue
Eau Claire, WI 54701



ATTACHMENT B

CERTIFICATE OF EAU CLAIRE COUNTY RESOURCE PLANNING AND ZONING

I, Lance J. Gurney, Director of the Eau Claire County Department of Planning and Development, hereby certify that the Buildable Areas are complying with Subtitle III, Subdivision Control Code of Title 18 of the Eau Claire County Code.

Lance J. Gurney

Dated this _____ day of _____, 2016

CERTIFICATE OF TOWN BRUNSWICK

I, Fredrick Turk, Town of Brunswick Board Chairman, hereby approve the change as shown on attachment "A".

Frederick Turk
Frederick Turk

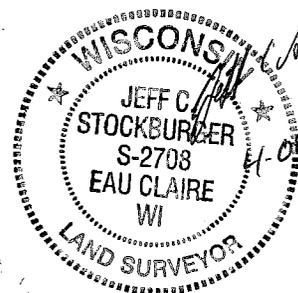
Dated this 19 day of April, 2016

CERTIFICATE OF CITY OF EAU CLAIRE COMMUNITY DEVELOPMENT

I, Daryl Tufte, Director of Community Development, hereby approve the change as shown in attachment "A".

Daryl Tufte
Daryl Tufte

Dated this 13 day of April, 2016





Eau Claire County
DEPARTMENT OF PLANNING
AND DEVELOPMENT
Eau Claire County Courthouse, Rm. 3344
721 Oxford Avenue
Eau Claire, Wisconsin 54703-5481
(715) 839-4741

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839-6226
Planning
839-5055
County Surveyor
839-4742

REPORT:

TO: COMMITTEE ON PLANNING AND DEVELOPMENT

FROM: Jared Grande, Land Use Technician

DATE: May 3, 2016

RE: Variance request of land suitability requiring a minimum contiguous buildable area of at least one-half (1/2) of an acre

John D. Mickesh, Professional Land Surveyor, has requested a subdivision variance for less than the required one-half (1/2) of an acre of contiguous buildable area (CBA) of a proposed preliminary certified survey map (CSM). The preliminary CSM is located in the NW ¼ of the SE ¼ Section 31, T27N-R9W, Town of Washington. The property is zoned R-1-L Single-Family Residential, Large Lot.

The map is being presented to the committee because the lot is greater than 1 acre in size requiring the CBA to be at least one-half (1/2) of an acre in size. Due to slopes, setbacks, and an existing septic system on proposed lot 2, the CBA for lot 2 is 11, 830 sq./ft. or .27 acres. The proposed CSM is currently going through the review process of the department.

18.77.080.A. states:

All lots one acre and greater in size shall have a minimum contiguous buildable area of at least one-half (1/2) of an acre; lots smaller than one acre shall have contiguous buildable area equal to the minimum lot size required by the zoning code. Floodplain elevations....to determine floodplain elevations.

Under 18.77.070 of the subdivision control code, the committee can grant variances to Chapters 18.82, 18.83, and 18.84 of the code. The committee must find that there is exceptional or undue hardship in the request; it is not detrimental to the public good, and without impairment to the intent and purpose of the code. The committee must consider all the facts and testimony when deliberating this matter.

STAFF RECOMMENDATION: Staff has reviewed this request and recommends that the committee approve the .27 acres of land suitability (contiguous buildable area). The following reasons may be used to support approving the request:

- The variance will not be detrimental to the public good, the spirit and purpose of the code will be upheld.
- The land suitability would allow for a single family home to be constructed.
- The purpose of the Subdivision Control Code will be upheld.

Chippewa Surveying Inc.

12059 115th Ave
Chippewa Falls, Wisconsin 54729-5317

JOHN D. MICKESH R.L.S.
Phone (715) 723-4600

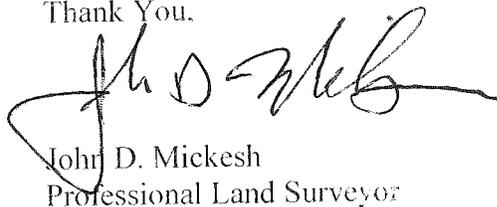
March 30th, 2016

Eau Claire County Dept. of Planning and Development
Attn : Jared Grande
721 Oxford Avenue
Eau Claire, Wisconsin 54701

Dear Jared,

I have been working with you on a project on Bittersweet Road. William Decesare would like to apply for a variance in regards to the building area needed outside of the ESA on the proposed Lot 1 of the Certified Survey Map. We have the necessary ½ acre need outside of the ESA, but once the building setbacks are established then the area needed falls below the ½ acre requirement.

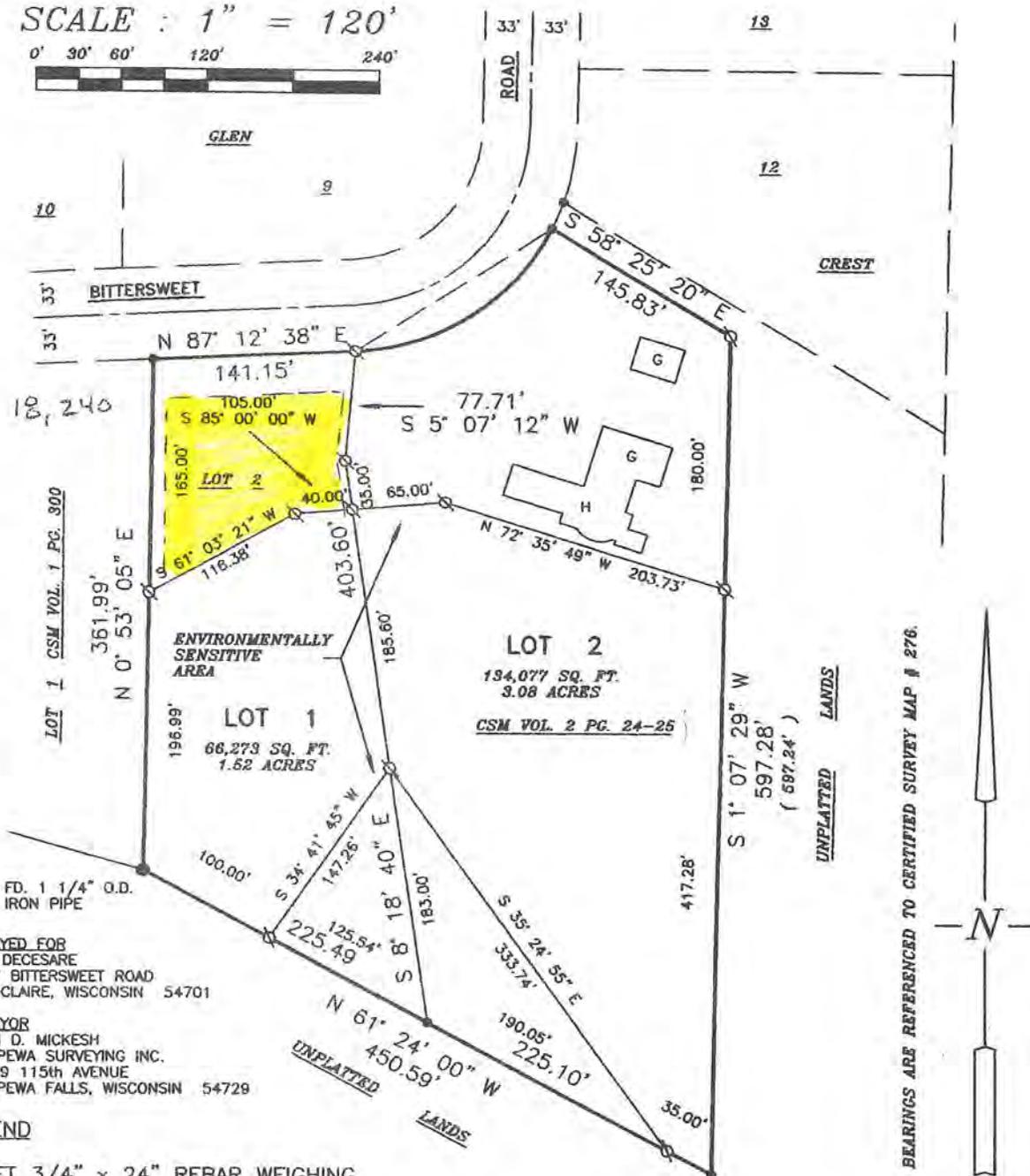
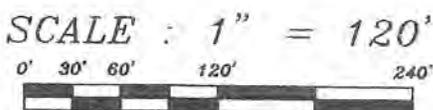
Thank You.



John D. Mickesh
Professional Land Surveyor

EAU CLAIRE COUNTY CERTIFIED SURVEY MAP
MAP NO. _____

BEING ALL OF LOT 2 OF CERTIFIED SURVEY MAP # 276 AS VOLUME 2, PAGES 24-25 (DOC. # 515824) IN THE NW 1/4 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 27 NORTH, RANGE 9 WEST, TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN.



SURVEYED FOR
 BILL DECESARE
 1077 BITTERSWEET ROAD
 EAU CLAIRE, WISCONSIN 54701

SURVEYOR
 JOHN D. MICKESH
 CHIPPEWA SURVEYING INC.
 12059 115th AVENUE
 CHIPPEWA FALLS, WISCONSIN 54729

LEGEND

⊗ SET 3/4" x 24" REBAR WEIGHING 1.50 LBS. / LINEAL FOOT

• FOUND 1" O.D. IRON PIPE

() RECORDED AS

CURVE DATA

RADIUS	161.49'
CHORD	163.00'
CHORD BEARING	N 56° 54' 12" E
ARC	170.85'
CENTRAL ANGLE	60° 37' 04"
1st TANG.	N 87° 12' 38" E
2nd TANG.	N 26° 35' 34" E

ENVIRONMENTALLY SENSITIVE AREA

NO DEVELOPMENT OR LAND DISTURBANCE ACTIVITY SHALL BE ALLOWED WITHIN ANY ENVIRONMENTALLY SENSITIVE AREA EXCEPT AFTER ISSUANCE OF A PERMIT FROM THE COUNTY, SUCH PERMIT ONLY TO BE ISSUED IF THE OWNER DEMONSTRATES THE PROPOSED DEVELOPMENT OR LAND DISTURBANCE ACTIVITY IS EXPRESSLY ALLOWED UNDER ANY OF THE FOLLOWING:
 1. CHAPTER 17.05, STORM WATER MANAGEMENT AND EROSION CONTROL
 2. TITLE 18, ZONING.

18,240
 - 1350
 - 830
 - 4230

 11,830 SQ FT
 .27 ACRES

EAU CLAIRE COUNTY CERTIFIED SURVEY MAP NO. _____

BEING ALL OF LOT 2 OF CERTIFIED SURVEY MAP # 276 AS VOLUME 2, PAGES 24 – 25, DOCUMENT # 515824 IN THE NW ¼ OF THE SE ¼ OF SECTION 31, TOWNSHIP 27 NORTH, RANGE 9 WEST, TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN.

I, John D. Mickesh, Registered Land Surveyor, Hereby certify:

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Subdivision Regulations of the Committee on Planning and Development of Eau Claire County and under the direction of William DeCesare, I have surveyed, divided, and mapped said parcel of land, that such survey correctly represents all exterior boundaries and the subdivision of the land surveyed and that this land is all of Lot 2 of Certified Survey Map # 276 as Volume 2, Pages 24 – 25, Document # 515824 in the NW ¼ of the SE ¼ of Section 31, Township 27 North, Range 9 West, Town of Washington, Eau Claire County, Wisconsin.

Commencing at the NW corner of Certified Survey Map # 276 and the point of beginning, thence N 87° 12' 38" E 141.15 feet, thence along the arc of a curve to the left with a radius of 161.49 feet and whose chord bears N 56° 54' 12" E 163.00 feet, thence S 58° 25' 20" E 145.83 feet, thence S 1° 07' 29" W 597.28 feet, thence N 61° 24' 00" W 450.59 feet, thence N 0° 53' 05" E 361.99 feet to the point of beginning.

Said parcel is subject to easements and restrictions of record.

Certificate of County Resource Planning and Zoning

I, Lance J. Gurney, Director of Eau Claire County Department of Planning and Development, hereby certify that this Certified Survey Map is approved of as complying with Subtitle III, the Subdivision Control Code, of Title 18 of the County Code of General Ordinances.

_____ Date _____

Certificate of City Department of Community Development

I, Daryl Tuft, Director of the City of Eau Claire Community Development, Hereby certify that this Certified Survey Map is approved of as complying with Title 17, the Subdivision Ordinance, of the Code of the City of Eau Claire.

_____ Date _____

**Planning and Development
April 2016**

The following bills were sent to the Finance Department for payment:

Planning

Vendor	Amount	Description	Line Item#
Steve Maley	275.91	Mileage	51820-330-000
Rod Eslinger	25.5	Mileage	51820-330-000
Jared Grande	372.81	Mileage	51820-330-000
Lance Gurney	45.21	Mileage & Refreshments	51820-330-000
Office Depot	64.41	Office Supplies	51820-310-000
Office Depot	(49.99)	Office Supplies Refund	51820-310-000
Eau Claire Press	182.62	Public Notice	51820-321-000
Matt Michels	36.21	Mileage	51820-330-000
Matt Michels	179.88	Conference Travel	51820-340-000
EO Johnson	121.50	Print Cartridge	51820-310-000
EO Johnson	78.00	Print Cartridge	51820-310-000
EO Johnson	140.00	Print Cartridge	51820-310-000
Stoney Creek-Jared	82.00	Room- Conference	51820-340-000
HDEtron	9.98	Micro fiche bulb	51820-310-000

Resurvey

Vendor	Amount	Description	Line Item#

Emergency Management

Vendor	Amount	Description	Line Item#
Office Depot	173.74	Office Supplies	52410-390-000
Eau Claire Press	39.66	Public Notice EPCRA/SARA	52610-321-000
Michael Morlan	23.97	Mileage - Regular	52410-330-000
Michael Morlan	153.58	Mileage / Training - Conf	52410-340-000
Michael Morlan	339.64	Supplies/Food EOC Operation	52410-390-000
Jeanna Allen	7.14	Mileage - Regular	52410-330-000
Jeanna Allen	96.21	Supplies/Food EOC Operation	52410-390-000
Michael Morlan	96.39	Mileage - Regular	52410-330-000
Wisconsin Emergency Management Assoc.	25.00	Membership Dues	52410-3240-000

Recycling

Vendor	Amount	Description	Line Item#
Village of Fairchild	128.22	Recycling Attendant - Dropbox	54885-208-000
Earthbound Environmental Soutions	271.81	Recycling Services - Curbside	54885-201-000
Provyro Waste Services	8,015.08	Recycling Services - Curbside	54885-201-000
Provyro Waste Services	7,999.98	Recycling Services - Curbside	54885-201-001
Waste Management	15,078.66	Recycling Services - Curbside	54885-201-002
Boxx Sanitation	21,898.02	Recycling Services - Curbside	54885-201-003
Dunn County Solid Waste	2,637.94	Recycling Coordinator	54885-912-000
Town of Wilson	82.08	Recycling Attendant - Dropbox	54885-208-000
Advanced Disposal	3,082.62	Recycling Services - Dropbox	54885-208-000

Division	Totals
Planning	1,564.04
Resurvey	-
Emergency Management	955.33
Recycling	59,194.41
Total	61,713.78

**Land Conservation Division
April 2016**

The following bills were sent to the Finance Department for payment.

Vendor	Line Item #	Amount	Description
Alpha Nurseries	57410-829-000	\$ 2,435.27	Final Tree Payment
Bosch's Countryview Nursery	57410-829-000	\$ 2,556.02	Final Tree Payment
Eau Claire Co. Hwy.	57410-241-000	\$ 126.19	Fuel (3 trucks) 2/21/16-3/19/16
Engel's Nursery	57410-829-000	\$ 1,418.65	Final Tree Payment
Paint Creek Nursery	57410-829-000	\$ 322.50	Final Tree Payment
Pisek, Todd	44405-000-000	\$ 280.00	Refund Erosion Control Permit Fee
US Bank	57410-326-000	\$ 24.85	NCAD Bookmarks
US Bank	57410-390-000	\$ 13.36	Field Supplies
US Bank	57410-903-000	\$ 71.95	Special Events Poster Frames
US Bank	57410-903-000	\$ 7.98	Special Events Poster Frames
US Bank	57410-903-000	\$ 15.97	Special Events Poster Frames
US Bank	57410-903-000	\$ (11.97)	Special Events Poster Frames
US Bank	57588-200-000	\$ 77.50	R2R
US Bank	57588-200-000	\$ 295.00	R2R Display Rental Space
US Bank	57410-241-000	\$ 7.98	Wiper Blades '13 Dodge
TOTAL		\$ 7,641.25	

Eau Claire County
PLANNING & DEVELOPMENT COMMITTEE MINUTES

Tuesday, April 26, 2016 • 7:00 PM
Eau Claire County Courthouse • 721 Oxford Avenue • Room 1277
Eau Claire, Wisconsin

Members Present: Gary Gibson, Jim Dunning, Mark Olson, Stella Pagonis

Members Absent: Gordon Steinhauer

Staff Present: Lance Gurney, Rod Eslinger, Matt Michels, Michael Morlan, Jared Grande

1. Call to order by Chair Pro-Tem

Gary Gibson called the meeting to order at 7:00 p.m.

2. Election of Chair and Vice Chair / Discussion – Action

ACTION: Motion by Jim Dunning to appoint Gary Gibson to the position of Chair. Motion carried, 4-0.

ACTION: Motion by Stella Pagonis to appoint Gordon Steinhauer to the position of Vice Chair. Motion carried, 4-0.

3. Appointment of Committee Clerk / Discussion – Action

ACTION: Motion by Jim Dunning to appoint Lance Gurney to the position of Clerk. Motion carried, 4-0.

4. Public Input Session: None.

5. Public Hearing:

- a. A conditional use permit request to construct an accessory structure in excess of 1,200 square feet (2,560 square feet requested) in the RH Rural Homes District (Benware – Town of Washington) CUP-0004-16 / Discussion – Action

Rod Eslinger presented the staff report and background information relating to the application for a conditional use permit to construct a 2,560 square feet accessory structure in the RH zoning district within the Town of Washington. The applicant has indicated that the exterior will match or blend with the residential structure on the property in compliance with the code requirements. The lot size is approximately 5 acres in size and is largely wooded, which is consistent with adjacent several adjacent lot sizes. Mr. Eslinger confirmed compliance with all standards for conditional use permits. The Town of Washington considered the request on March 17th and recommended approval of the request in accord with the conditions recommended by staff. Zoning, future land use, aerial photos, and a short video were then presented. Stella Pagonis asked about the total square feet of garage/storage area compared to total square feet of living area and the background of the ordinance provisions. A question was also raised with regard to restrictive covenants and who was responsible for enforcement. Additional screening was then discussed. Andrew Benware, as applicant, was present and displayed materials intended to use in construction of the proposed accessory structure, including siding, shingles, and garage doors. Mr. Benware indicated that he was supportive of additional evergreen screening between the accessory structure and the town road. Mitch Freymiller appeared under opposition and had

several questions relating to height, distance to rear lot line, any intention to clear more trees to south of where the proposed building is intended to be constructed, and will lighting face east of the proposed structure towards the residence as Mr. Freymiller is concerned about additional lighting. Mr. Freymiller also was interested in the intended use of the new building. Mr. Benware responded that he does some metal work and does a little woodworking as a hobby as a personal use.

ACTION: Motion by Stella Pagonis to approve the conditional use permit request with staff conditions amended to include #11 Any outdoor lighting will be shielded and directed downward so as not to cause light pollution upon adjacent properties. Motion carried, 4-0.

6. A variance request for an unusual lot configuration, Section 32, T25N-R10W, Town of Drammen / Discussion – Action

Jared Grande presented a variance request for an unusual lot configuration to accommodate a land division of an existing residence in the Town of Drammen. The applicant owns approximately 89 acres and would like to split off 6.9 acres of land with the existing residence. The proposed lot configuration necessitates the need for a variance from lot configuration standards to accommodate the land division. Aerial photography, land ownership and a short video were then presented. The applicant is also pursuing an option to purchase additional frontage along STH 37 to meet applicable zoning requirements for road frontage for the remaining acreage in the event a future storage building or cabin was desired. A discussion relating to access the applicants residence, the residence to the south, and the remaining acreage ensued. Compliance with applicable codes for the remaining acreage was then discussed in relation to the proposed certified survey map. The matter before the committee is the proposed lot configuration.

ACTION: Motion by Jim Dunning to approve the variance request for Lot 1 noting that the variance will not be detrimental to the public good, and that the spirit and purpose of the code will be upheld. Motion carried, 4-0.

7. Violation Update / Discussion

Jared Grande reviewed the Violation List and provided background and updates of enforcement efforts on the subject properties.

8. Grant Funding and Line Item Expenditures / Discussion – Action

Michael Morlan was introduced as the new Emergency Management Coordinator. Mr. Morlan reviewed funding for the Emergency Management program, including both EPCRA and Emergency Management Performance Grant (which is a reimbursement grant). Mr. Morlan discussed the gap of funding in 2016 due to position vacancy as it relates to expenditures, which is estimated at slightly more than \$17,000. The request is to redirect funding within the 2016 budget from personnel expenses to operational expenses in compliance with grant parameters. This action would allow purchase of needed equipment within the parameters of the overall 2016 budget allocation and would also be used to fully leverage grant funds, which is a 50% reimbursement grant with a cap.

ACTION: Motion by Jim Dunning to amend the 2016 for Emergency Management as presented. Motion carried, 3-0.

9. Pre-Disaster Mitigation Grant Application / Discussion – Action

Michael Morlan presented the request to submit a grant application to update the Hazard Mitigation Plan for both the City and County with a 75/25% grant funding share, noting that the 25% local share can be through in-kind services.

ACTION: Motion by Mark Olson to approve and authorize the submittal of the grant application as presented. Motion carried, 3-0.

10. Appointments to Committees / Discussion – Action

a. Local Emergency Planning Committee

A vacancy currently exists on the LEPC. Two individuals applied for consideration. The LEPC reviewed both applicants and recommends Steve Vargo for appointment. Mark Olson spoke in support of the appointment of Mr. Vargo.

ACTION: Motion by Mark Olson to appoint Steve Vargo to the LEPC. Motion carried, 3-0.

11. Quarterly Departmental Report/Fiscal Report / Discussion

Lance Gurney presented the first quarter 2016 financials for the Planning and Development Department for review. He also provided a staffing update and discussed upcoming issues and challenges within the Planning and Development Department.

12. Review of March Bills / Discussion

a. Planning

b. Land Conservation

13. Review/Approval of March 22, 2016 Meeting Minutes / Discussion – Action

ACTION: Motion by Jim Dunning to approve the minutes as submitted. Motion carried, 3-0.

14. Proposed Future Agenda Items / Discussion

None.

15. Gary Gibson adjourned the meeting at 8:55 p.m.

Respectfully submitted,

Lance Gurney
Clerk, Committee on Planning & Development