

MINUTES

Eau Claire County

• PLANNING & DEVELOPMENT COMMITTEE •

Date: Tuesday, September 26, 2023

Time: 7:00 p.m.

Location: *Eau Claire County Courthouse, 721 Oxford Ave, Room 1277, Eau Claire, Wisconsin 54703*

*Event link below can be used to connect to meeting and interact (by the chair) from computer or through the WebEx Meeting smartphone app.

Join WebEx Meeting: <https://eauclairecounty.webex.com> Meeting ID: 2606 917 5391

Password: vzV3uHPyv53

*Meeting audio can be listened to using this Audio conference dial in information.

Audio conference: 1-415-655-0001 Access Code: 26069175391##

For those wishing to make public comment, you must e-mail Rod Eslinger at Rod.Eslinger@eauclairecounty.gov at least 60 minutes prior to the start of the meeting.

**Please mute personal devices upon entry*

A majority of the county board may be in attendance at this meeting, however, only members of the committee may take action on an agenda item.

Members Present: Robin Leary, James Dunning, Dane Zook, Todd Meyer,

Members Absent: Nick Smiar

Ex officio Present:

Staff Present: Rodney J. Eslinger, Ben Bublitz, Matt Michels, Regan Watts

1. Call to Order and confirmation of meeting notice

Chair Leary called the meeting to order at 7 p.m. and confirmed with Director Eslinger the meeting was properly noticed.

2. Roll Call - Members present are noted above. A quorum was present.

3. Public Comment - None

4. Review/Approval of August 22, 2023, Meeting Minutes / Discussion – Action

ACTION: Motion by Todd Meyer to approve the August 22, 2023 committee meeting minutes as presented.

Motion carried on a voice vote: 4-0-0

5. Public Hearings

- a. Continuation of a conditional use permit for the cumulative area of all accessory structures exceeding 1,200 square feet (2,174 square feet). Owner: Waldemar Hurt III & Tracy Hurt. Legal: Lot 99 Third Addition to St Andrews Park, Section 18, Township 27 North, Range 8 West, Town of Seymour, Eau Claire County, Wisconsin. CUP-0011-23

Ben Bublitz, Land Use Manager for Eau Claire County gave a brief overview of the original request and the reason for the postponement.

Mr. Bublitz presented the following new information to the committee since the matter was postponed:

1. Town of Seymour revoke its driveway access permit and withdrew their approval of the CUP.
2. The subdivision architectural committee denied the applicant's request for a garage size at 2,174 sq. ft. The Architectural Committee could support a garage not to exceed 2,000 sq. ft. as that is the average size accessory building in the development.

3. The property owner has a registered business with the state for the property, known as Chippewa Valley Power Sports.
4. Cottage Industries are not an allowed activity in residential neighborhoods.
5. Facebook posts revealed that the applicant's listed many UTV's for sale. Background pictures showed the house in the pictures.
6. Hannah Wirth, Land Use Technician sent a violation letter to the property owners regarding operating a business from the property.

The applicant did not attend the meeting.

Fred Hankel, town building inspector, neighbor, and is on the St. Andrews' building architectural committee indicated that he has personally seen UTV's driving up and down the streets of development, which he believe are customers test driving the applicant's UTVs before purchase.

ACTION: Motion by Dane Zook to deny the conditional use permit CUP-00011-23 request for the cumulative area of all accessory structures to exceed 1,200 square feet based on the town's position to withdraw their approval, and staff's recommendation. Motion carried on a voice vote: 4-0-0

- b. **Proposed Ordinance: File No. 23-24/037** to rezone 5.15 acres +/- from A-P Agricultural Preservation to A-2 Agriculture-Residential District. Owners: James & Joan Walker. Applicant: Peter Gartmann. Legal: Lot 1 CSM 3861, (VOL 23 P 109 #1246501), Town of Lincoln, Eau Claire County, Wisconsin. RZN-0007-23

Matt Michels, Senior Planner for Eau Claire County presented the staff report to the committee. He updated the committee as to the location of the rezoning petition within the Town of Lincoln. He reviewed with the committee an aerial map, the zoning and future land use map, and a soil map of the property to be rezoned. The request is to rezone 5.15 acres from the A-P Agricultural Preservation District to the A-2 Agriculture Residential District. Mr. Michels said the Town of Lincoln Town Board reviewed the rezoning petition at their meeting on September 11, 2023, and voted to recommend approval of the petition.

Matt concluded his presentation by recommending that the committee approve the rezoning petition based on the following findings: 1. The request is generally consistent with the goals, objectives, and policies of the Eau Claire County Comprehensive Plan, as required by Section 19.01.020.B of the Eau Claire County Code; and Wisconsin Statutes §66.1001(1)(am) and §66.1001(3)(j), including the intent, description, and policies of the Rural Lands Future Land Use classification in Section 3.3 of the Eau Claire County Comprehensive Plan and Map 9 (Future Land Use) of the Eau Claire County Comprehensive Plan. 2. The proposed rezoning will not result in additional development of the property or conversion of productive farmland. 3. The property has required road frontage on Valley Road. 4. No additional land divisions would be enabled with the proposed A-2 zoning.

The applicant attended the meeting but did not speak.

No one else spoke in favor or in oppose to the rezoning petition.

ACTION: Motion by James Dunning to approve the Proposed Ordinance: File No. 23-24/037. Motion carried on a voice vote: 4-0-0

- c. **Proposed Ordinance: File No. 23-24/038** to rezone 5.32 acres +/- from A-P Agricultural Preservation to A-2 Agriculture-Residential District. Owner: Sunflowco, LLC. Applicant: Peter Gartmann. Legal: Lot 1 CSM 3845 (VOL 23 P 75 #1244123), Town of Washington, Eau Claire County, Wisconsin. RZN-0008-23

Matt Michels presented the staff report to the committee. He indicated the petitioner is requesting to rezone 5.32-acres from the A-P to the A-2 District to allow development of a single-family residence on the

property. Matt presented the location of the proposed site within the Town of Washington, aerial and slopes maps, current zoning and planning designations, and reviewed the adjacent land uses with the committee. He reviewed staff findings with the committee and recommended approval of the rezoning petition. He noted that the Town of Washington town board met on September 21, 2023, and recommended approval of the request.

Jeremy Skaw of Real Land Surveying representing the applicant attended the meeting virtually.

No one else spoke in favor or against the request.

ACTION: Motion by Todd Meyer to approve the Proposed Ordinance: File No. 23-24/038. Motion carried on a voice vote: 4-0-0

- d. **Proposed Ordinance: File No. 23-24/039** to rezone 4.99 +/- acres from A-R Floating Agricultural-Residential District to the A-P Agricultural Preservation District & then rezone 5.16 +/- acres from the A-P Agricultural Preservation District to the A-2 Agriculture-Residential District. Owners: Stephen & Rachel Capozzi. Legal: Part of the SW ¼ of the NE ¼, Section 2, Township 25 North, Range 8 West, Town of Clear Creek, Eau Claire County, Wisconsin. RZN-0010-23

Matt Michels introduced the rezoning request. He reviewed the site location and conditions with the committee. Mr. Michels explained the acreage being rezoned from AP, Agricultural Preservation District to the A-2 Agriculture-Residential District to allow the applicants to build a single-family residence on the property.

Overall, the property has been cultivated for agriculture and maintained as a woodlot. The Clear Creek Town Board considered the rezoning request at their meeting on September 11, 2023 and voted to recommend approval. He summarized his recommendations and noted consistencies with the County's comprehensive plan policies that apply to the request, and recommended approval of the request as submitted based on the findings outlined in the staff report.

The applicant's attended the meeting but did not speak.

Denise Spunk, neighbor who lives at E 10750 E Mallard Road, spoke in opposition of the request. Her concerns with the petition were that the rezoning could result in increased traffic patterns, impacts to water supply, and population along Mallard Road over the years.

ACTION: Motion by James Dunning to approve the Proposed Ordinance: File No. 23-24/039. Motion carried on a voice vote: 4-0-0

6. Recycling and Sustainability Programming Update / Discussion

Regan Watts, Recycling and Sustainability Coordinator, presented an overview of the Community Climate Action & Resilience Plan (CCARP). She noted that CCARP will be hosting a meeting in November with members of the agricultural community, which is the last focus area of the plan that needs input. The plan is intended to identify energy goals, strategies, and targets for the community to help the county meet its carbon neutrality goals.

7. Review of August bills / Discussion

The committee reviewed the August bills.

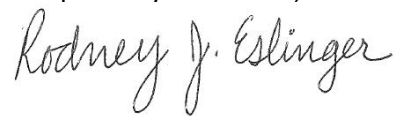
8. Proposed Future Agenda Items / Discussion

- a. Next scheduled meeting October 24, 2023

9. Adjourn

ACTION: Meeting adjourned by unanimous consent at 8:10 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Rodney J. Eslinger". The signature is written in black ink and is positioned above the printed name.

Rodney Eslinger

Clerk, Committee on Planning & Development