

**TOWN OF CAMPBELL  
PLANNING AND ZONING COMMISSION  
MARCH 6, 2012**

PRESENT:

Steve Earp  
Steve Hockenbery  
Scott Johnson  
Pat Post  
Jeff Schroeder  
Helen Vitale  
Joe Weitekamp

Town Clerk/Treasurer Chadwick Hawkins

Chairperson Pat Post called the meeting to order and asked for the approval of the minutes of our last meeting November 1, 2011. (There were no meetings in December, 2011 or January or February, 2012 because no one applied to appear before the commission.)

Joe Weitekamp moved we approve the minutes as presented. Jeff Schroeder seconded the motion. The motion passed.

There was no Old Business.

The first appeal was from Skipperliner Acquisitions, LLC, 127 Marina Drive to rezone that portion of the property (4-1253-1) currently zoned Residential C to Industrial. Bill Fieck appeared on behalf of Skipperliner.

Mr. Fieck said the reason for the rezoning request was to make the area consistent with the surrounding industrial zoning. The area is currently covered with gravel and used as a boat storage lot.

After a lengthy discussion, commission members found the supporting documents to be inadequate and rather confusing. Jeff Schroeder moved we pass the appeal on to the Campbell Town Board with no recommendation and Skipperliner Acquisitions appear before the next meeting of the Campbell Town Board with more complete information and clearer maps of the property, including the location of the former Joe Fauver home.

Steve Earp seconded the motion. The motion passed unanimously.

After action by the Campbell Town Board, the request would move on to the appropriate county agency. After action by the county, the town still has thirty days to act on the rezoning, if deemed necessary.

Helen Vitale also suggested the town board be given the date on which the previous owners of the facility began using the area as a boat storage lot and Skipperliner Acquisitions secure a letter from neighboring property owners stating they had no objections to the rezoning.

Gary Simenson, a neighbor, said no other neighbor had complained to him about the current boat storage but outside lights on the building were still an annoying problem. They had been turned off by the former owner of the property but were turned on again when Skipperliner Acquisitions bought the site. Mr. Fieck said he would look into the situation and correct it.

The second request was from Chad Niegelsen, 1646 Bainbridge Street for approval to build a 12' x 17' covered deck on a house at 117 Walnut Street and to build a 45' x 63' attached garage to the house at the same location. The new additions exceed 50% of the current assessed value. The deck would lie within the required setbacks.

The request had been presented to the county. Chairperson Post sent a letter to the County Zoning and Land Use Department stating Mr. Niegelsen had not followed proper procedure by not appearing before the Campbell Commission first. The county then sent the appeal to the Campbell Commission.

Mr. Niegelsen appeared on his behalf and said he had shifted the deck to the east to eliminate the need for a side yard variance. He stated that the need for a covered deck was to accommodate the needs of an elderly tenant that had lived in the house for a number of years. He added he wanted to make the steps code compliant and the deck covered to prevent snow build up that had been a safety factor for the tenant.

Mr. Niegelsen also said the new garage would not be a sight line hazard for traffic pulling out of the alley into the street.

Chairperson Post reported she sent the letter to the county because she was concerned that several neighbors were not in favor of granting the necessary variances and the additions exceed 50% of the current assessed value of the property. She was also concerned about the possible use of the large garage for a business in a residential neighborhood.

Helen Vitale questions the reasons for having that large a garage and asked how he planned to use the building in the future.

When Mr. Niegelsen replied he wanted to use it for storing his personal items, among them five boats. The building would have no commercial doors on it and did not answer the additional question of how he planned to get his boats in and out without large commercial doors.

Scott Johnson asked for clarification of ownership of a rental house with large personal storage attached for the owner's use. He was told the reason for the purchase of the property was to provide storage and avoid boat storage rental fees.

Mr. Niegelsen said he was hampered by the low assessment of the house. He wants to improve and bring value to the neighborhood.

Scott Johnson reminded the commission when, a few years ago, Skipperliner wanted to rezone a lot for parking and possible boat storage, neighbors opposed the rezoning because the neighborhood was designated for owner-occupied homes. Mr. Johnson also said Mr. Niegelsen did not meet the criteria for a hardship variance just because the house has a low assessed value.

There was a brief discussion of the building code inequities that exist between the building of an attached and unattached garage.

The large garage will be a pole building.

The commission meeting was opened to public discussion and Gary Simenson said most neighbors were notified only of the first county hearing, after which the appeal was referred to Campbell. The neighbors present at the county meeting objected to the size and possible use of the building. Because of impaired sight lines, questions were raised concerning safe street access

Joe Weitekamp asked about flood issues and water runoff if the lot had to be raised. Apparently the property is no longer designated as being in the flood plane.

The first motion to approve the request failed for lack of a second.

Jeff Schroeder moved we approve the appeal. Scott Johnson seconded the motion.

During the discussion phase, Scott Johnson reminded the meeting that the comprehensive plan had designated the area for mixed use. When asked to rezone a lot for commercial use in the past, neighbors protested in large numbers. The opposition could have been for personal rather than use reasons.

In the case of the 117 Walnut Street variance, it is for personal storage by the owner.

Steve Hockenbery said the owner has met all construction set back requirements.

Helen Vitale asked for an addition to the Schroeder motion. She asked the motion state specifically the building be used only for the owner's personal storage and no rental/commercial storage. Mr. Schroeder agreed to the addition.

Scott Johnson answered Joe Weitekamp's question about water run off by saying the owner must contain water run off from the large building's roof.

When the chairperson called for the vote, the motion, as modified, passed on a three to two vote, Pat Post and Joe Weitekamp, voting "no."

The variance will come before the Campbell Town Board on March 13 for a final decision before it is sent back to the county.

The third appeal was from Gary Kiela, 3319 Lakeshore Drive, to construct a 1.83' x 4.5' fireplace chimney chase that will lie within the required 75' set back from the ordinary high water mark of Lake Onalaska. Mr. Kiela represented himself.

Scott Johnson moved we approve the variance. Jeff Schroeder seconded the motion. The motion passed unanimously.

Because our regular meeting day, the first Tuesday of April, is an election day, the next commission meeting will be held on Wednesday, April 4.

Scott Johnson moved the meeting be adjourned. Steve Hockenbery seconded the motion. The motion passed unanimously.

These minutes have not been approved.

Helen Vitale

C.P.&Z.C. 3/12