

RECOMMENDATION
From the
Washington Island Planning and Zoning Committee
(WIZAP)
Monday, October 21, 2013

A petition for a **Zoning Amendment** to the zoning map for tax parcel # 028-02-36342943A1 & 43B to rezone 1.804 acres from GA to CC located at 1396 Airport Rd requested by Helene Meyer.

After discussion using the **GENERAL CRITERIA REGARDING ZONING HEARING CASES IN DOOR COUNTY** at our October 21, 2013 WIZAP meeting we recommend approval of the rezoning request.

Motion: to recommend approval of the petition for a zoning amendment to the zoning map for tax parcel # 028-02-36342943A1 & 43B to rezone 1.804 acres from General Agriculture to Commercial Center requested by Helene Meyer, located at 1396 Airport Road.

Motion made by Mary Lee Benson, 2nd by Carol Stayton.

Roll call vote: Those voting yes – Kirby Foss, Jim Goodwin, Liz Holmes, Carol Stayton.

Mike Kickbush (chairman) abstained and he did not participate in the committee discussion. The meeting was led by temporary chairman, Mary Lee Benson

We received 2 letters opposing the petition and 3 in favor along with a letter signed by over 150 people. All enclosed.

Following are the committee responses to the Criteria: *(answers in bold italics)*

- Was the existing district due to a mistake in the mapping process? ***NO***
- Have circumstances changed for this property or surrounding properties since the original zoning district designation? ***NO***
- How are adjacent properties zoned and used? ***They are GA, used for agriculture and the Town Shop with highway and fire departments on the opposite corner.***
- Is the land in question large or small? ***Small, the proposed retail is different from the surrounding uses.***
- Would the new district fit official plan guidelines for the property? Is the existing district a better fit? ***It doesn't fit our Future Land Use Map, however it is fairly close to the Core Development area – 800'. Because the land will be primarily used for lavender, it will still be agriculturally-based. Only about 10% of the property will be rezoned. The proposed use is not high impact and its function will not negatively impact the island.***
- Is the existing district a better fit? ***Although GA fits the surrounding property, as mentioned above, the proposed use will still be mainly agriculture.***
- Is the request simply to economically benefit one property owner or a small group of property owners? ***While it does benefit a small group, it would have benefits to the island for tourism, etc.***

- Is there an overriding public good to be gained by rezoning the property? *Yes, because the majority of the land in question will look the same as now, with lavender growing retaining the agricultural look.*

Some concerns expressed were:

- Rezoning should be granted very carefully, people expect zoning to protect their property from unexpected & unwanted change. Rezoning upsets others' reliance on the security of the zoning map as it is.
- The possibility that granting the rezoning would set a precedent for others to expect approval of rezoning if they were to request it.
- There may have been other properties available in the already zoned Mixed Commercial Core Development area that would not have required a zoning change.
- The description of Commercial Core in the Door Co. Ordinances states that it should be located in the main business area of a town.

Submitted by,

Mary Lee Benson, secretary and temporary chairman for this meeting

RECOMMENDATION
From the
Washington Island Planning and Zoning Committee
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Monday, October 21, 2013

A petition for a **Conditional Use** for tax parcel # 028-02-36342943A1 & 43B for an Assembly Hall on 1.804 acres located at 1396 Airport Rd requested by Helene Meyer.

After discussion using the **GENERAL CRITERIA REGARDING ZONING HEARING CASES IN DOOR COUNTY** at our October 21, 2013 WIZAP meeting we recommend approval of the Conditional Use request.

Motion: To recommend approval of the petition for a Conditional Use for tax parcel # 028-02-36342943A1 & 43B for an Assembly Hall on 1.804 acres located at 1396 Airport Rd requested by Helene Meyer.

Motion made by Mary Lee Benson, 2nd by Carol Stayton.

Roll call vote: Those voting yes – Kirby Foss, Liz Holmes, Carol Stayton.

Voting no – Jim Goodwin

Mike Kickbush (chairman) abstained and he did not participate in the committee discussion. The meeting was led by temporary chairman, Mary Lee Benson

Following are the committee responses to the Criteria: *(answers in bold italics)*

1. Will the project affect the Public Interest or the Town's interest? How? ***Yes, it gives the public more options for events and contributes to the island economy.***
2. Would the proposal negatively affect public health, safety, and welfare? ***No***
3. Would the use negatively affect the character of the surrounding area? ***No***
4. The committee found no problems in meeting the zoning ordinance's stated purpose and intent (11.04) DC based upon the responses written by the applicant in the application papers.

Concerns that were raised:

- When asked whether the Assembly Hall is necessary, there were those on the committee who felt it was and others that it was not due to other places on the island used for such purposes.
- A question that needs to be addressed is whether granting the Conditional Use will allow a permanent structure to be erected. If so, will the regular permitting process allow it or will it create the need to go through a new review process?

Submitted by,

Mary Lee Benson, secretary and temporary chairman for this meeting