

**WASHINGTON ISLAND ZONING AND PLANNING
COMMITTEE MEETING
Monday October 21, 2013
RUTLEDGE ROOM - 7:00**

Meeting CALLED TO ORDER by the chairman, Mike Kickbush at 7 pm

Members present: Mary Lee Benson, Kirby Foss, Jim Goodwin, Liz Holmes, Mike Kickbush, Carol Stayton

Members absent: None

Public present: Helene Meyer, Edgar & Martine Anderson, Don Benson, Bill & Donna Benson, Dick & Sally Clancy, Bonnie Munao, Louie & Jennifer Munao, John & Jackie Rader, Leon & Betty Shellswick, Tom & Wendy Cooke, Barb O'Connell, Courtney Cauldwell, Kathy Young, Sally Schweikert, Ham & Chari Rutledge, Warren & Mary Marik, Scott & Marsha Sonoc, Keith Mann, Connie Hatch, Russ Kickbush, Kathleen Morris, Lois Amsler, Carolyn Bingham, John & Bonnie Buxton, Joel Gunnlaugsson, Matt Reese, Amy Rose, Steve (?), Tom & Michelle Jordan, Drew Tibbets, Jerry Maiers, Susan Ulm, Audrey Nourse, Ken Koyen [plus 4 unidentified others]

APPROVAL OF AGENDA: Motion by Kirby Foss, 2nd by Jim Goodwin
Motion approved unanimously

APPROVAL OF MINUTES of the July 25, 2012 meeting
Motion by Carol Stayton, 2nd by Liz Holmes. Motion approved unanimously.

CORRESPONDENCE was received from Mike Davis & Susan Buchanan, Winkie Reese, Jacob & Shirley Ellefson, Mr.& Mrs. Richard Westring, Mr.& Mrs. Forest Danforth, A letter from Helene Meyer signed by approximately 150

ACTION ITEMS:

a. Election of WIZAP chairman: Motion to table the elections until the next meeting made by Carol Stayton, 2nd by Liz Holmes. Motion carried.

b. Election of WIZAP Secretary: Motion to table the elections until the next meeting made by Carol Stayton, 2nd by Liz Holmes. Motion carried.

c. Rezoning request: 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.

Due to the possibility of a conflict of interest, Mike Kickbush announced that he would abstain from any committee discussion, or voting on this issue. He turned this portion of the meeting over to the secretary, Mary Lee Benson.

Motion by Carol Stayton, 2nd by Liz Holmes that Mary Lee Benson take over as chairman for the two zoning items. Motion passed unanimously.

We received letters from 3 opposing the rezoning petition and 2 in favor along with a letter signed by over 100 people. (see above under Correspondence)

Concerns expressed by the committee and some members of the public 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 remaining 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 for sale in the already zoned Mixed Commercial Core Development area that would not have required a zoning change for the proposed uses.
- The description of Commercial Core in the Door Co. Ordinances states that it should be located in the main business area of a town, and this petition is outside of that area.
- How long will the proposed use be in existence? There is the possibility that undesirable uses could occur with succeeding owners. It is the "fact of rezoning" that is of importance for the long term good of the island.
- Will the jobs be year-round or just temporary?

Following are the committee responses to the GENERAL CRITERIA REGARDING ZONING HEARING CASES IN DOOR COUNTY: (*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.***

After discussion, we recommended approval of the rezoning request.

Motion to recommend approval of the petition for a zoning amendment made by Mary Lee Benson, 2nd by Carol Stayton.

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

d. Conditional Use permit request: 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.

Concerns raised by the committee and members of the public:

- There were some on the committee who felt it was not necessary to have an additional Assembly Hall on the island.
- A question that needs to be addressed by the County 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?

Following are the committee responses to the GENERAL CRITERIA REGARDING ZONING HEARING CASES IN DOOR COUNTY: (*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 indicated by the applicant in the application papers.

The 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 was 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 Motion approved.

Mike Kickbush took over as chairman for the following portion of the meeting.

REPORTS/ANNOUNCEMENTS: There will be a meeting Oct. 29 by the Door Co. Plan Dept. at 5:30 concerning Future Land Use Maps and new ordinances. Meeting to be held at 421 Nebraska St., Sturgeon Bay. Mike will try to attend.

COMMUNITY INPUT: Helen Meyer thanked the committee for our attentiveness to her applications for zoning and conditional use.

BOARD INPUT: Mike Kickbush requested a closed session of the committee and the Town Board to discuss issues concerning his perceived conflict of interests and the general responsibilities of our committee.

NEXT MEETING: To be announced.

ADJOURN: Motion to adjourn by Kirby Foss, 2nd by Carol Stayton. Motion passed unanimously.

MEETING ADJOURNED at 9:05 pm.

Submitted by,
Mary Lee Benson, secretary