

ZONING ADMINISTRATORS REPORT 3/18/21
ROUTING: TB (5), TPC (5), CLERK (1), Asst. CLERK (1), File (1), Email Staff (5)

Attached you will find permits issued in 2021 up to the date of this report.

• 4 Land Use Permits issued by the Town of La Pointe	707.00
• 1 CSM Applied for	250.00
• 10 Land Use permits issued by the County	1450.00
• TOTAL REVENUES TO DATE	2407.00

As noted previously, the increase in County permits is directly related to Shoreland Fill and Grade related to the current Lake Level.

By comparison last year as of this date:

• 2 Land Use Permits issued by the Town of La Pointe	251.00
• 5 Land Use Permits issued by the County	825.00
• TOTAL REVENUES	1076.00

- The Town Plan Commission is currently drafting language and definitions to be considered for insertion to the Town Zoning Ordinance. This will result in a Public Hearing (Class 2 Notice) prior to any recommendation to the Town board for inclusion. The minutes of the Town Plan Commission on 3/10/21 circulated to board members has the draft language and definitions. However, for your convenience I have included them in this report.
- The Town Plan Commission has started tabulating data retrieved in the online and hard copy survey regarding the regulation of junk on Madeline Island. Initially most responses indicate the support for possible ordinance, however there are a few objectors. The survey ends at the end of April at which time the Town Plan Commission will tabulate the results and forward them to the Town Board asking their direction in pursuit of any possible ordinance. **Because this has been a contentious issue in the past the Town Plan Commission will not act unless under the direction of the Town Board.** Should the Town Board request the Town Plan Commission to proceed with possible ordinance language, this too will be heard in Public Hearing (Class 2 Notice).
- The Zoning Administrator has sent information to the Town's Attorney, Max Lindsey regarding the proposals recently addressed by Robert Hartzell. The Town Plan Commission is seeking legal guidance regarding land use and how to protect the intent of zoning. In brief the primary concern in zoning is the development appears to be an extension of Mr. Hartzell's resort activity and as such may be a commercial operation in a residential zone. While his proposals do not necessarily breach ordinance, it identifies some possible loopholes in the existing ordinance. The Town Plan Commission and Zoning Administrator will keep the Town Board posted on any information related to this issue.

Respectfully submitted on 3/18/21 by Ric Gillman Zoning Administrator

Definitions attached.

Permit Data attached.

For Town Plan Consideration DEFINITIONS

1. Structure: add “Reference Section 4.2 G.”

2. Incidental Dwelling: Items of personal property that may have been designed as transportable or as a vehicle but stand in a seasonal or permanent location for intermittent human habitation. Such incidental dwellings include, but are not limited to campers, park or model units, buses, and motor homes. Such units require a land use and sanitary permit.

-Incidental Structure: Delete (covered under **Accessory Structure**)

3. Accessory Dwelling: Any structure or part of a structure used for habitation other than the principal dwelling. Accessory Dwellings shall and do require a sanitary permit. Accessory Dwellings shall not exceed 65% of the square footage of the principle dwelling or up to fifteen hundred (1500) square feet, not including decks, whichever is less. Accessory dwelling includes, but are not limited to guest house, yurt or geodesic dome.

Annotation: A property cannot have an “Incidental Structure” and an “Accessory Dwelling”. For Zoning purposes an “Incidental Dwelling” will serve as an “Accessory Structure”. Under the Rental Ordinance you can rent or sublet an “Incidental Structure” or an “Accessory Structure”. We need to assure language that emphasizes this limit.

4. Accessory Structure: Any detached, non-inhabitable building that is customarily found in connection with the principal structure or use to which it is related. It shall conform to the setback and other dimensional requirements of the zoning district within which it is located.

Reference Section 4.2. G.

Section 4.2. G. Accessory Structures and Uses

Any detached, non-inhabitable building that is customarily found in connection with the principal structure or use to which it is related. It shall conform to the setback and other dimensional requirements of the zoning district within which it is located. Accessory Structures require a Land Use Permit.

5. Campground: A parcel that is designed, maintained, intended, or used for the purpose of providing sites for non-permanent overnight use by more than one (1) camping unit.

6. Glampground: A parcel that is designed, maintained, intended, or used for the purpose of providing sites for non-permanent overnight use by more than one (1) **Glamping Unit**.

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7. Glamping Unit: A self-contained glamping structure designed to be used or occupied for transient and recreational purposes. **Reference 2015 Wisconsin Act 49 SPS 327** (Update attached)

8. Zoning Ordinance Section 6.1 E. Insert the word “glampground” after the word “campground” in this entire section.

The Following definitions were discussed and agreed to for inclusion of any Zoning Ordinance update on 2/3/21 TPC Regular Monthly Meeting

Resort – *A commercial lodging facility that provides amenities including, but not limited to: recreation, entertainment, dining and shopping.*

Commercial Activity – *An activity that promotes, creates, or exchanges products or services. These activities include, but are not limited to advertising, fund-raising, buying, or selling any product or service, encouraging paid membership in any group, association or organization, or marketing of commercial activities. Commercial activities do not include such activities by or for governmental entities.*

Condominium – 1. A building or complex in which units of property, such as apartments, are owned by individuals and common parts of the property, such as grounds and building structure are owned jointly by the unit owners. 2. A unit in such a building or complex.
(Condominium ownership is subject to State Statutes)

Expandable Condominium – *A condominium to which additional property, units or both can be added in accordance with the provision of declaration and Chapter 703 of Wisconsin State Statutes.*

Glamping – *A blend of “glamorous” and “camping”, and describes a style of camping with amenities and, in some cases, resort style services not usually associated with “traditional” camping.*

Structure – *Anything constructed or erected, the use of which requires a permanent location on the land or is attached to something having a permanent location on the land.*

Glampground – *A parcel consisting of more than one (1) glamping unit.*