

Zoning Report 12/8/21

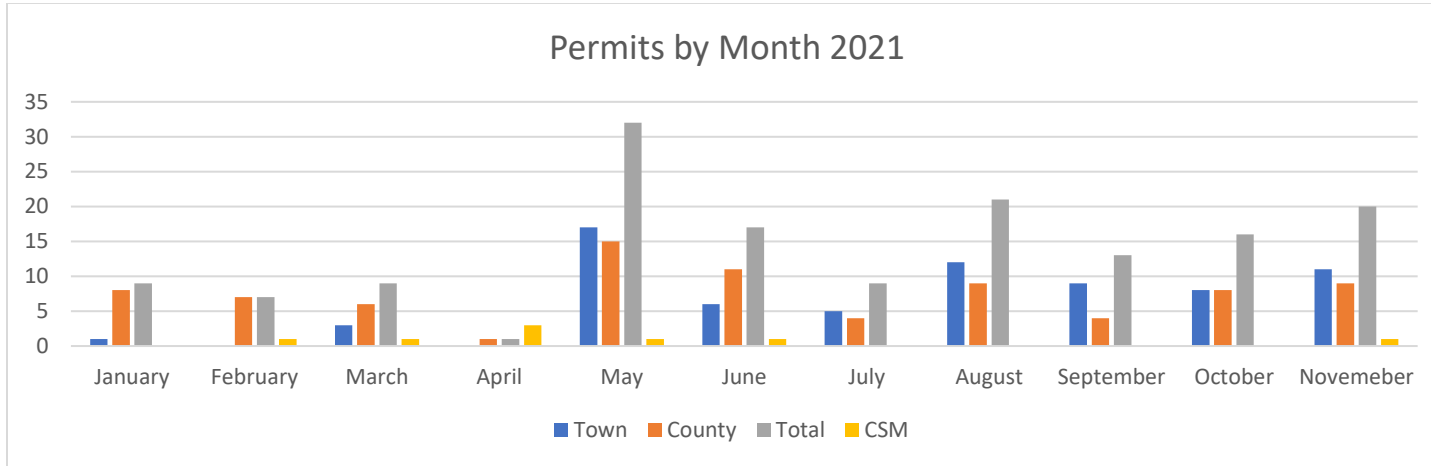
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ZONING PERMITS ISSUED AND ENTERED NOVEMBER 1ST THROUGH DECEMBER 8TH 2021

DATE	SANITARY PERMIT #	ASH COUNTY PERMIT #	LAND USE PERMIT #	NAME OF PROPERTY OWNER	FIRE #	STREET NAME	PARCEL NUMBER	PROJECT TYPE	FEE AMT	ENTERED
11/3/21			2021-104	Robert Hartzell		Mondamin	014-00206-2130	Land Disturbance	75.00T	11/3/21
11/3/21			2021-105	Robert Hartzell		East of Mondamin	014-00206-1600	Land Disturbance	75.00T	11/3/21
11/3/21			2021-106	Robert Hartzell		East of Mondamin	014-0026-2001	Land Disturbance	75.00T	11/3/21
11/09/21			2021-107	Victoria Moore	546	Oak Circle	014-00006-0800	Driveway Extension	50.00T	11/09/21
11/03/21		8487	2021-108	Umbrage Limited Partnership	3909	Chippewa	014-00018-0600	Move Structure	75.00T 200.00C	11/10/21
11/09/21		8469		Kathleen O'Donnell	3350	Stockton	014-00325-0320	Fill and Grade	150.00C	12/8/21
11/10/21			2021-109	Robert Hartzell		E of Mondamin	014-00206-0600	Accessory added 2021-105	800.00T	11/10/21
11/10/21			2021-110	Rachel Rosen	1143	Middle Rd.	014-00181-0800	Land Disturbance	75.00T	11/10/21
11/10/21			2021-111	Jessica Lukken	549	Mondamin	014-00206-1020	Driveway	50.00T	11/10/21
11/16/21			2020-10	Madeline Brown	1170	Sunnyslope	014-00459-0301	Additional Sq. feet	66.00T	11/16/21
11/16/21		8488		Town of La Pointe		Ferry Dock	Unassigned	Passenger Shelter	200.00C	11/16/21
11/17/21		8489	2021-112	South Shore Acres LLC		Schoolhouse	014-00020-0200	Land Disturbance	125.00T 150.00C	11/17/21
11/17/21			2021-113	Sheldon Johnson	1031	Stone Point Ln	014-00158-0500	Move Structure	75.00T	11/17/21
11/29/21	8475 634954			Madeline Brown	1170	Sunnyslope	015-00459-0301	Sanitary	400.00C	12/8/21
11/29/21		8501		Jeff Reiten		Chippewa	014-00012-0310	Grade and Fill	150.00C	12/8/21
12/07/21			CSM	Bell Street Properties	261	Colonel Woods Ave	014-00470-1200	CSM	250.00T	12/07/21
8/30/21		8392		Joyce Yates	3973	Chippewa	014-00018-1000	Grading	150.00C	12/8/21
10/20/21		8452		Mary Karinen	593	Chief Buffalo Ln	014-00454-0200	Grade and fill	150.00C	12/8/21
10/18/21		8443		William Atmore		Chippewa	014-00016-0000	Grade and Fill	150.00C	12/8/21

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To date there have been 73 Permits issued by the Town of La Pointe
 To date there have been 81 Permits issued by The County of Ashland
REVENUES TO DATE

County	15,500.00
Town:	8,957.50
CSM (Town) 8 @ 250.00	2,000.00
TOTAL	\$26,457.50

TOTAL TOWN REVENUE \$10,957

RENTAL PERMITS	
56 Rental by Owners	\$ 6,900.00
39 Madeline Island Vacation	4,875.00
37 The Inn on Madeline Island	4,625.00
132 Total Rentals Properties	
TOTAL	\$16,500.00

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The Easement through Town property paralleling Schoolhouse Road has been registered and filed. The property owners who will utilize this easement are reimbursing the Town for the Attorney and filing fees (\$125.00). The driveway permit will be released at receipt of this payment.

Hartzell Condo Plat – According to our Attorney – *“Wis. Stats. § 703.07(1) states that “A condominium may only be created by recording condominium instruments with the register of deeds of the county where the property is located. A condominium declaration and plat shall be presented together to the register of deeds for recording.” Section 703.115 provides that the County may grant the Town the authority to review the condo instruments prior to recording. That section allows the town to review the “condominium instruments before recording.” While § 703.115 does not specifically state that the Town can review the Declarations, it does say that the town can review condominium instruments prior to recording, and the condominium instruments required for recording include the declaration. Thus, my opinion is that the Town can request the declaration along with the plat to review prior to sending the documents for recording IF the Town has any authority in this process at all.*

My main concern here is that I can’t find any Ashland County ordinance specifically granting the Town the authority to review condo plats prior to recording. Ashland County Subdivision Control ordinance § 1.0(17) states that “plats” must receive approval from local government prior to recording, but it does not contain the same requirement for Condominium plats. Rather, the subdivision ordinance specifically states that “condominium plats are different from other plats,” and then refers to the requirements of Chapter 703. Without a specific ordinance from the County granting the Town the power to review condo plats pursuant to § 703.115, I don’t see that the Town actually has any role in the approval and recording of the plat.

I also spoke with Ashland County zoning department and they advised that the only ordinance they can think of is the Subdivision Control Ordinance. With this understanding, I would say that the Town does not have authority over whether to approve or review the condo plat. Bob could get it recorded just by bringing the necessary documents to the Register of Deeds”.

I have responded to the Attorney not questioning the Condo Plat (as it is a viable land use in zoning), but the type of structure and intended use which has been proposed. No building permits will be issued until there is legal clarity on this issue.

Fire Numbers – According to Dorothy Tank, Ashland County Emergency Services, she will no longer be coordinating the fire number effort for the County. I have requested to have her identify who may assume this project in her stead. This is a Zoning priority in early 2022.

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Budget Considerations: Michael Kuchta, TA discussed the possibility of raising the rental fee from 125.00 per annum to 150.00, in this discussion the issue of whether this fee should apply per unit or per building. Historically (over the past 15 years) this has been applied unequally, where some owner/operators have paid a single rental fee for several units in a single building (owned by 1 person or agency), and others under the same circumstance have paid per unit. **Zoning believes the fee should be applied per rental unit without exception.**

The fee increase alone would generate a permit revenue increase of \$3,300 per annum, and if it is per unit approximately an additional \$1,500. Should the fees remain the same, clarity and direction by the Town Board on per unit or (owner) building will aid in the equal application of related fees. This concern, unit vs. building, is only applicable to a single owner complex.

Should the Town apply owner complex building as one fee the Town will eliminate revenues currently secured for approximately 5 -7 units.

Examples below:

The Inn on Madeline Island pays per unit, Fairway Suites, Lightkeepers lodge etc.

The Hayloft, previously the Island Inn, has historically paid one rental fee and has 5 Rental Units.

Waterfront historically pays one fee and has 4 units.

Ferry Landing Suites historically pays one fee and has 3 Units.

A Certified Survey Application has been made by James Wiltz, Bell Street Properties. This would divide a parcel containing the Motel on Colonel Woods Ave and the Mini-golf course adjacent to the "Wheeler Trail". It is the intent of this CSM to create 4 conforming lots. At successful completion of the CSM the ferry line intends to purchase the property created encompassing the Mini-golf complex and convert this into a staging area for UPS/Fed Ex. Etc., This CSM will be reviewed by the TPC on the 15th of this month and forwarded with recommendation to the Town Board at their next scheduled meeting.

Respectfully submitted by Ric Gillman, ZA on 12/8/21