

**MINUTES OF THE PUBLIC HEARING ON PROPOSED REVISIONS
TO CHAPTER 17 ZONING ORDINANCE
NOVEMBER 23, 2020**

The public hearing was called to order by President Jon Evenson on November 23, 2020 at 6:32 p.m. This public hearing was properly published and posted as required by State Statutes.

PRESENT: Jon Evenson, Susan Carlson, Patty Gapen, Mark Honkomp, Mike Guillemot, Dan Muleski, Tammy Steward. Also present: Attorney Nicholas Abts, Keith Helmrick

Attorney Nick Abts conducted the Zoning ordinance review portion of the hearing.

The chapter numbering system and division into subchapters has been cleaned up and should be easier to read and reference. Zoning code will also be more searchable online.

Many minor changes have been made for consistency and to ensure that sections reference the appropriate companion sections.

Fee structure. Changes to fee structure throughout the Code. The Village Board will now be able to set fees for all permits at its option. Minimum fees still listed in some sections in the event that the Board does not elect to set a fee.

Conditional Uses (17.11, 17.60 to 17.71). Some major changes were made here in light of the fact that the Wisconsin Supreme Court and the Wisconsin Legislature have weighed in on the issue in recent years. The process is now streamlined, including creating a clear delineation between Plan Commission and Village Board responsibilities. Significant changes were made in language regarding the requirements and specific considerations that must be taken into account by the Commission and Board.

Nonconforming Uses, etc. (17.15). Property owners will now have greater flexibility to make improvements to nonconforming structures instead of being limited by fractions of assessed value. This section also specifically references Chapter 18 with regard to nonconforming uses, structures and lots in shoreland/waterfront areas, which has been elsewhere addressed by the Village in recent years.

Zoning districts (beginning with 17.24). Cleaned up some inconsistent language and eliminated some uses inconsistent with the district purposes, including:

Increase to the side yard requirements in R-1 and R-2 districts.

Change in language regarding psychiatric institutions.

Some limitations in conditional uses discussed.

No major changes have been made to **planned unit developments**.

Performance Standards (17.120 to 17.131). Added language for more specific hazards to be eliminated, especially in 17.127 through 17.129 regarding pollutants, electromagnetic radiation and

fire/explosive hazards. Additionally, 17.131 has been updated to address broadcasting towers of all types of electromagnetic radiation, not just radio waves.

Fences and Hedges (17.141). Fencing now references Chapter 14. Fencing regulations are therefore part of the Building Code, not the Zoning Code. This gives the Village more flexibility with fencing.

Swimming Pools (17.143). Changes were made as to what qualifies as a temporary swimming pool for the purpose of reducing the necessity of permitting for pop-up pools. Fencing of swimming pools is covered by Chapter 14 as previously stated.

Mobile Homes (17.150 to 17.163). Requirement that mobile homes be manufactured within twenty years of moving to the Mobile Home Park was added in order to ensure that all mobile homes meet most recent HUD standards and quality of housing in mobile home parks is acceptable.

Adoption of the zoning code in final form will occur at a future Board meeting.

ADJOURN – Motion Honkomp, second Guillemot to adjourn the November 23, 2020 Special Board Meeting at 7:52 P.M. M.C.

Respectfully Submitted,

Approved by Biron Board of Trustees

Anne Arndt, Clerk

Jon T. Evenson, President