

TOWN OF CLEARFIELD  
PLANNING COMMITTEE / TOWN BOARD  
PUBLIC HEARING MINUTES  
Wednesday, December 19, 2007 6:00 P.M.

The meeting was called to order by Ron Bailey at 6:00 p.m. It was noted that the public hearing was properly posted and published as required by law. In attendance were Ron Bailey, Leo Moravek, Kathy Vopelak, Lucille Mentzel, Ron Lauden, Mike Meixner, Cindy Suzda, Jim Suzda and Jody Bigalke. Absent were Town Clerk Kathy Davis and Planning Committee members Doug Duray and Richard Milgrom.

Bailey stated that the purpose of the public hearing is to take any comments regarding the proposed zoning ordinance draft and zoning map. Bailey explained the process that will follow after the hearing. The board will take up this ordinance at the regular town board meeting to directly follow the hearing tonight and will either approve the proposed ordinance as submitted or as amended or will vote to not approve the ordinance. If approved, then there will be a referendum question for the Clearfield voters to consider in the April 2008 spring election. The question will simply be whether the Town of Clearfield should adopt the proposed zoning ordinance and zoning map as presented at the public hearing and approved by the town board. If approved by referendum, then the proposed ordinance would go to the County Board for approval. The reason this has to go to the County Board is because Juneau County has General Zoning and the statute requires us to have the zoning ordinance approved by the County prior to enactment.

Bailey opened the floor for comments.

Lucille Mentzel asked about the status of her property being in exclusive Ag and what that would mean for them. She asked about being able to divide up parcels for their children. It was noted that this division could take place prior to the adoption of the ordinance as long as the property divisions were recorded prior to the adoption date on new zoning ordinance. It was noted that any current uses would be grandfathered in. The ordinance would apply only to new uses after the adoption of the ordinance.

Jim Suzda had several questions regarding current uses, the business district, the ability to rezone and the effect on farmer's ability to sell their property for retirement. It was noted that there are provisions in the ordinance for variance requests, special uses and rezoning to be heard by the Zoning Board of Appeals. Bailey noted that any granting of any rezones or variances would and should be rare. The consequences of too many requests being granted would basically be spot zoning and would undermine the intent and purpose of the development of zoning districts.

There was general discussion about farmers being able to sell a parcel off of the farm for a home. It was noted that this is addressed in the ordinance under Section 6.3 Permitted Uses #2 (Agriculturally-Related Residences).

Jody Bigalke asked about the effect of the ordinance on current businesses. It was noted that all current uses would be grandfathered and not affected by the new ordinance. He also asked about whether a parcel that is greater than 3 acres but less than 5 acres would be able to be built on. Bailey stated that if the parcel was surveyed and recorded prior to the land division ordinance being changed from a 3 acre minimum to a 5 acre minimum in 1998, it would be grandfathered and could be built on.

Bailey stated that he received a telephone call from Sharon Halverson. Sharon questioned if the draft will address driveway size requirements and permits. Bailey stated that driveways were not addressed in this draft but may be looked at a later time and given full consideration and public

hearing after the original draft ordinance is approved by the voters. Sharon stated that driveway sizes etc were a concern that had been brought forward in the past by the local fire departments. Mike Meixner commented that the Committee tried to keep the proposed zoning ordinance as simple and non restrictive as possible.

She also pointed out 3 clerical/sentence structure errors in the draft. Bailey stated that those errors have been corrected.

They errors were in the following locations of draft:

Section 10.3 #2 page 25 (change from 1 acre to 5 acres)

Section 10.4 #3 d. page 27 (correct spelling error of "Mater Plan" to "Master Plan")

Section 10.10 #1 page 35 (clarifies sentence structure from "normally centered upon the read of side lot line" to normally centered upon the interior side lot lines and placed to the inside of the exterior side and rear lot lines")

No further comments were taken.

Motion by Leo Moravek 2<sup>nd</sup> by Mike Meixner to adjourn the public hearing at 6:34 pm. Motion carried.

Ron Bailey  
Chairman-Town of Clearfield