

(Approved)

**PLAN COMMISSION  
Minutes**

**June 4, 2018**

**Brillion City Hall**

**6:00 PM**

**CALL TO ORDER:** Mayor Gary Deiter called the meeting to order at 6:00 P.M.

**ROLL CALL:** Present were Mayor Gary Deiter, Lonnie Puskala, Zane Zander (arriving at 6:03 PM), Gerald Sonnabend, and Mike Buboltz. Also present was City Administrator/Clerk-Treasurer Lori Gosz, Paul Birschbach, and Public Works Director Andy Geiger. Absent were Al Ebert and Alderperson Joe Levash.

**GUESTS:**

Rob Jensen.

**APPROVAL OF THE AMENDED AGENDA:**

**Motion** – Puskala moved to approve the amended agenda. Seconded by Buboltz. Motion carried unanimously.

**APPROVAL OF THE MAY 7, 2018 PLAN COMMISSION MEETING:**

**Motion** – Sonnabend moved to approve the May 7, 2018 Plan Commission Meeting minutes. Seconded by Buboltz. Motion carried.

**SIGN PERMIT – HIDDEN TREASURE’S THRIFT SHOPPE:**

Birshbach reported the original permit was approved and met the Code requirement of 10’ above lot grade. However, the Hidden Treasures’ Board didn’t like the sign and resubmitted plans which does not meet the 10’ requirement, and is now only 7’ above the lot grade. Therefore, the permit has been denied.

Jensen explained the concern is that by adding the message board following the 10’ above lot requirement would bring the total height of the sign to 20’ 5”. Jensen stated Tadych’s Econo Foods sign is only 7’ above lot grade. Geiger stated because the Hidden Treasures’ sign is on a corner there is a vision concern for traffic. It was questioned if the sign is grandfathered in. Birschbach stated the old sign was at 10’.

Discussion followed.

Jensen stated Hidden Treasures would like to proceed with a variance request.

**Motion** – Sonnabend moved to recommend to the Zoning Board of Appeals and that the variance is granted. Seconded by Zander. Motion carried.

**MURPHY DEVELOPMENT ADDITION:**

No report.

**CONDITIONAL USE PERMIT – 510 N. GLENVIEW AVENUE:**

(Approved)

Birschbach explained the property owner has applied for a Conditional Use Permit to run a home industry of flower preservation, drying flower arrangements. He stated this is allowed as a Conditional Use in Residential Districts. He recommended a Public Hearing be set for the permit.

Geiger suggested the July meeting be held on July 9<sup>th</sup> at 5:30 PM due to the July 4<sup>th</sup> holiday.

**Motion** – Sonnabend moved to set a Public Hearing for the Conditional Use Permit for 510 N. Glenview Avenue for Monday, July 9<sup>th</sup> at 5:35 PM. Seconded by Puskala. Motion carried.

**CONDITIONAL USE PERMIT – 234 S. MAIN STREET:**

Gosz explained the City Attorney has reviewed the proposed language to amend the City Code to allow Tourist Rooming Houses as a Conditional Use Permit in Residential Districts. She explained that Attorney King advised that allowing Tourist Rooming Houses in R-1 Districts would be unusual but it is not technically illegal since most are in Commercial Districts. Attorney King gave a sample ordinance from Wisconsin Dells which is modeled from the Village of Lake Delton, which has been adopted by other municipalities.

Gosz explained Attorney King advised with the recent Wisconsin Statute Sec 66.1014, the City cannot prohibit the rental of a “residential dwelling” for a period of seven (7) consecutive days or more. The issue is to the extent a particular tourist rooming house also constitutes a “residential dwelling” under Sec 66.1014(1) (b). The City would not be able to require a Conditional Use Permit for the use of that residential dwelling for a short term of seven (7) days or longer. Attorney King advised the term “short term rental” would need to be defined.

Birschbach stated the Lake Delton sample is an entire Zoning Code. The City’s draft is taken from samples from Random Lake and the City of Appleton following State Chapter ATCP72 for Tourist Rooming Houses.

He stated a separate section of the Code could be created for Tourist Rooming Houses; however, it would be a long detailed section. If the Plan Commission wants to address it as a Conditional Use the language could be shorter. Discussion followed.

Sonnabend suggested amending the Code as a Conditional Use and see if neighbors have concerns. Gosz stated the Plan Commission will need to decide if they want this Use in the City. She stated that the City Attorney advised that the City may wish to consider an Ordinance that has standards in place for Tourist Rooming Houses. It is the Plan Commission’s option. However, if the Commission wants to treat it as a Conditional Use the proposed language should be amended to define “short term rental” per Sec 66.1014 State Statute. It was the consensus to proceed as originally recommended to City Council to amend the Code to allow the use as a Conditional Use Permit.

Gosz stated the City Council has set a Public Hearing date for the recommended Code amendment for June 25<sup>th</sup>.

**Motion** – Sonnabend to set a Public Hearing date for the Conditional Use for 234 S. Main Street for Monday, July 9<sup>th</sup> at 5:40 PM. Seconded by Buboltz. Motion carried.

**RESIDENTIAL DEVELOPMENT – CONSIDER AREAS FOR FUTURE DEVELOPMENT:**

(Approved)

Mayor Deiter stated he contacted Darryl Steinfest on his 80 acres. All 80 acres would have to be purchased together.

Sonnabend suggested focusing on this area to find a developer. Birschbach suggested names from the Valley. He stated it all depends on the types of homes the City would like to see.

**BUILDING INSPECTOR REPORT:**

Birshbach reviewed the Monthly Building Report with the Commission.

**OLD BUSINESS:**

**A. RDA Downtown Redevelopment Project – Update:**

Geiger reported there is a meeting scheduled for Tuesday, June 5<sup>th</sup> on the site to discuss the time frame for the City Center Project and the demo of the former T&C Market.

**B. Brillion Iron Works Properties - Update:**

Gosz reported work continues on developing the Project Plan for the ER TID. The Ariens Company Environmental Firm is finalizing project costs.

**NEW BUSINESS:**

None.

**ADJOURNMENT:**

**Motion** – Zander moved to adjourn the meeting. Seconded by Puskala. Motion carried unanimously. The meeting was adjourned at 7:16 pm.

Lori M. Gosz  
City Administrator/Clerk-Treasurer