

City of Winsted  
Planning Commission  
City Hall – Council Chambers  
July 13, 2011  
6:00 p.m.

Planning Commission Members Present: JoLynn Cafferty  
Dan Dickhausen  
Marvin Ebensperger  
Max Fasching  
Tom Ollig (Council Liaison)

Planning Commission Members Not Present: Mike Guggemos

City of Winsted Staff Present: Brad Martens, City Administrator  
Amanda Zeidler, Utility Billing & Payroll Clerk

**1) Call the Meeting to Order**

Ebensperger called the meeting to order at 6:00 p.m.

**2) Approval of Minutes**

**Dickhausen motioned to approve the minutes from the Planning Commission Meeting on June 22, 2011. Cafferty seconded the motion. Motion carried 4-0.**

**3) No Public Hearings.**

**4) No Old Business.**

**5) New Business**

**a) Zoning Ordinance Review – Cynthia Smith-Strack, Municipal Development Group**

Cynthia Smith-Strack, Municipal Development Group, was present to discuss revisions to Ordinance 1501.003 General District Provisions, and non-conforming uses. Smith-Strack stated that the purpose of this section will be to provide for the regulation of non-conforming uses of land, non-conforming structures and non-conforming lots of record, and to specify requirements, circumstances, and conditions under which non-conforming uses of land, non-conforming structures, and non-conforming lots of record may be operated and maintained in the City of Winsted.

Smith-Strack clarified that a use or structure that was legally allowed prior to the ordinance being written, which no longer meets all of the ordinance requirements, will be illegal after the adoption of the ordinance.

Language amendments were discussed regarding General District Provisions, in the following areas of the current Winsted Zoning Ordinance, Section 1501.003:

- Purpose and Intent
- Definitions
- Non-Conforming Uses of Land
- Non-Conforming Structures
- Non-Conforming Lots of Record
- Signs
- Non-Conforming Sewage Treatment Systems

The Planning Commission agreed upon language amendments to the Zoning Ordinance regarding non-conforming uses. Smith-Strack stated that she would amend the language as discussed and present the amendments at a future Public Hearing that will be scheduled to consider adopting the amendments to the Winsted Zoning Ordinance regarding General District Provisions and non-conforming uses.

Smith-Strack stated that the items that have been covered over the last four (4) months regarding the Zoning Ordinance will be rolled into a single public hearing on August 10, 2011 and will be updated with one ordinance amendment.

**b) Call for Public Hearing – Zoning Ordinance Amendments**

**Fasching made a motion to schedule a Public Hearing for Wednesday, August 10, 2011 to consider amendments to the Zoning Ordinance regarding land use. Cafferty seconded the motion. Motion carried 4-0.**

**c) 23998 Grass Lake Road**

Martens stated that the City of Winsted has been approached by Bob Hoffman in regards to the property located at 23998 Grass Lake Road. Hoffman wishes to purchase the property and build a home and shed on the building site. The property is located within the city limits and is zoned R1 – Single Family Residential. Sewer or water service does not currently exist for this property.

Martens stated that Hoffman has asked the City to approve the uses of a well and septic system on the property, as well as the approval of a shed that exceeds the 750 square foot allowance in the ordinance. Martens added that City Ordinance states the following:

- Public or municipal water supplies shall be used where available and where feasible.
- Individual sewage treatment systems are not allowed within the Winsted city limits.
- The size of one accessory structure must not exceed 750 square feet in size.

Martens stated that the City would need to grant a variance to allow for an individual sewage treatment system as well as to build an accessory structure larger than 750 square feet in order for Hoffman to utilize the property as a residence. He added that current variance language would not support either of the requests; however, new variance language will be submitted for Council approval in August, 2011. Martens stated that there is no action required by the Planning Commission at this time, he is simply requesting feedback.

Bob Hoffman was present to discuss his request with the Planning Commission. Hoffman also discussed the property taxes for this property, and asked for the City to consider lowering the tax amount, since he will not have a connection to city water and sewer lines, or a tar road. Ollig stated that the City Council does not feel comfortable expending money to install water and sewer lines, and a road for one house. Ollig stated that the City of Winsted would have to implement a tiered tax system to lower the taxes for this property. He added that there are other communities that have a tiered tax system and the City of Winsted could research the concept. Hoffman stated that they have sold their other property, so they are currently living in an apartment, and waiting to purchase the property on Grass Lake Road.

The Planning Commission discussed the proposed accessory structure with Hoffman, and the City's hope to use the property as a natural habitat with trails and watershed areas in the future. Ollig asked if the City could un-annex the property. Martens stated that there is a detachment process that the City can utilize. Ebensperger stated that the City could possibly give that road back to Winsted Township as part of the detachment process. Ollig stated that the idea of detachment is probably the best option, and the City should explore this option. Martens stated that he would make contacts regarding the detachment process. Ollig told Hoffman that the City would continue to keep him informed. Martens thanked Hoffman and his wife for their continued patience.

**d) Minor Subdivision – 591 Fairlawn Avenue West**

Martens stated that the City of Winsted received a request for a lot-line adjustment for the property located at 591 Fairlawn Avenue West. The lot-line adjustment requires approval of a minor subdivision, which may be approved by the City Administrator. Martens stated that the future use of this property will be a new location for the Winsted Napa store. Tom Schermann, owner of Winsted Napa, was present to answer questions for the Planning Commission.

Martens stated that the current building will be utilized; however, some of the existing garage doors will be removed and framed as a wall. Other aesthetic improvements will be done to the building as well, including painting the building.

The lot-line adjustment requested would move the property line on the south edge of the property an additional fifty (50) feet to the south, enlarging the north-south distance of the property from 70 feet to 120 feet. The property is located in the C-2 Highway Commercial District. Martens stated that there are several non-conforming uses that have been grandfathered in, and the owner would not be making any changes to the size of the existing structure.

Martens stated that the business would be a nice improvement to County Road One (1), and added that after reviewing the proposed use of the property, he would recommend granting the approval of the minor subdivision. Ollig added that Schermann's hope is to make the store more visual than its current location at 150-2<sup>nd</sup> Street South. Schermann stated that he is hoping to possibly hire another employee, and create more visibility.

The Planning Commission also discussed the proposed entrance from County Road One (1), as well as parking for the new store. Schermann stated that the lease on his existing building expires in September, 2012, so they will be making improvements to the new building during that time. Ollig stated that he would inform the City Council that the Planning Commission did not have any concerns, other than the loss of business from the downtown area.

**6) No Other Business.**

**7) Adjournment**

**Cafferty motioned to adjourn the meeting. Dickhausen seconded the motion. Motion carried 4-0. The Planning Commission meeting adjourned at 7:20 p.m.**

*Brad Martens*

---

Brad Martens,  
City Administrator  
City of Winsted

ATTEST:

*Amanda J. Zeidler*

---

Amanda J. Zeidler,  
Utility Billing & Payroll Clerk  
City of Winsted