

# Land Resources and Parks Department Staff Report

**County Rezoning Petition # 2015-0750**

**Filing Date: November 11, 2015**

**Hearing Date: December 7, 2015**

**Applicant (Agent):**

Town of Elba Town Clerk  
Attn. Jennifer Vujnovich  
N4744 Slade Road  
Columbus, WI 53925

Town of Elba Town Chairman  
Joe Roche  
N3504 Roche Road  
Columbus, WI 53925

**Location**

Town of Elba

**Applicants Request**

On November 16, 2015, the Town of Elba filed a resolution with the Dodge County Clerk with a request to adopt the County's Land Use Code regulations for the Town of Elba. The Town Board of Elba has been working with the Dodge County Land Resources and Parks Department staff in the development of a zoning map for the Town of Elba under the County Land Use Code as part of this process. The proposed zoning map divides the Town of Elba community into different zoning districts based on the Town of Elba and the Dodge County Comprehensive plan objectives, the future land use map features of the Comprehensive Plan, existing land uses, land suitability factors, environmental protection features, economic factors and other locally determined land use objectives.

In order to facilitate the orderly development of the lands in the Town of Elba, the Planning, Development and Parks Committee has submitted a petition to create an official County Zoning Map for the Town of Elba under the Land Use Code, Dodge County, Wisconsin, as described in Exhibit A.

**Land Use Code Provisions**

- 1) Subsections 2.3.4.A through 2.3.4.J of the Land Use Code details procedural matters, the approval criteria and the form for the petition. The Committee must hold a public hearing and report to the County Board. The role of the Town boards in the process is also outlined in this section.
- 2) Subsection 2.3.4.B states that a petition for rezoning may be made by any property owner in the area to be affected by the rezoning, by the town board of any town wherein the Code is in effect, by any member of the County Board, or by the Committee.

**Purpose Statements**

The purpose of the official zoning map is to designate the location and boundaries of the various zoning districts for the Towns that have adopted County Zoning.

**STAFF ADVISORY:**

***This staff advisory is only advice to the Planning, Development and Parks Committee. The Committee may or may not consider the advice of the staff and decision making authority is vested in the Committee only.***

The staff has reviewed the petition for compliance with the approval criteria listed in Section 2.3.4.1 and the staff comments are listed in Exhibit A for review by the committee.

The proposed zoning map was approved by the Town of Elba Town Board on November 9, 2015. A resolution to adopt the County Land Use Code regulations was also filed by the Town of Elba Town Board with the Dodge County Clerk on November 16, 2015. The Department of Agriculture, Trade and Consumer Protection has certified the proposed zoning map under the County's Land Use Code. The Town will continue to be eligible for farmland preservation tax credits.

The staff believes that the committee can make the findings necessary under Section 2.3.4.1 of the code in order to submit a favorable recommendation to the County Board.

### **Staff Review Comments – Rezoning Petition:**

**The staff has reviewed the petition for compliance with the approval criteria listed in Section 2.3.4.I of the Code and the staff has the following comments:**

#### **2.3.4.I Approval Criteria**

In acting on a rezoning petition, the County Board of Supervisors shall consider the stated purpose of the proposed zoning district and shall approve the rezoning petition only if it finds that:

**2.3.4.I.1 Adequate public facilities and services (including sewage and waste disposal, water, gas, electricity, schools, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject properties while maintaining adequate levels of service to existing development;**

- It is the staff's position that there will be adequate public facilities and services to support the future development within the Town of Elba based on the proposed zoning district boundaries;

**2.3.4.I.2 Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them;**

- It is the staff's position that the future development within the Town of Elba that is based on the proposed zoning district boundaries will not place an unreasonable burden on the ability of the Town to provide adequate public facilities or services for the properties in the Town of Elba;

**2.3.4.I.3 The proposed development will not result in significant adverse impacts upon surrounding properties or the natural environment, including air, water, noise, stormwater management, soils, wildlife, and vegetation;**

- It is the staff's position that if the properties are developed in accord with code provisions for the zoning district boundaries established by this zoning map, the projects will not have an unreasonable adverse effect on surrounding properties or the environment;

**2.3.4.I.4 The land proposed for rezoning is suitable for development and will not cause unreasonable soil erosion or have an unreasonable adverse effect on rare or irreplaceable natural areas;**

- It is the staff's position that the proposed zoning district boundaries encompass areas that are suitable for development and if the land is developed in accord with the land use code provisions for the proposed zoning district boundaries, the properties will not will not cause unreasonable soil erosion or have an unreasonable adverse effect on rare or irreplaceable natural areas.

**2.3.4.I.5 The proposed rezoning is consistent with the Dodge County Comprehensive Plan and Farmland Preservation Plan and the stated purposes of this Code;**

- It is the staff's position that the proposed zoning district boundaries are consistent with the Dodge County Comprehensive Plan and the stated purposes of the Code.
- It is the staff position that the proposal is consistent with the Farmland Preservation Plan.

**2.3.4.I.6 The proposed rezoning will not be used to legitimize, or "spot zone," a nonconforming use or structure;**

- It is the staff's position that the proposed zoning district boundaries will not result in spot rezoning.

**2.3.4.I.7** The proposed rezoning is the minimum action necessary to accomplish the intent of the petition, and an administrative adjustment, variance, or Conditional Use Permit could not be used to achieve the same result.

- It is the staff's position that amendment of the County's Official Zoning Map to include zoning district boundaries for the Town of Elba is the minimum action necessary to accomplish the intent of the petition;

**2.3.4.J Approval by Affected Town Boards**

Approval of rezoning petitions by affected town boards shall occur pursuant to the procedures set forth in Section 2.2.15.

- The Town Board has submitted a resolution to the Dodge County Board of Supervisors adopting the Dodge County Land Use Code. The proposed zoning map was also approved by the Town of Elba Town Board as part of the process to adopt the County Land Use Code.

**Dodge County Planning, Development and Parks Committee Decision**

**County Rezoning Petition # 2015-0750**

**Filing Date: November 11, 2015**

**Hearing Date: December 7, 2015**

**Applicant (Agent):**

Town of Elba Town Clerk  
Attn. Jennifer Vujnovich  
N4744 Slade Road  
Columbus, WI 53925

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Town of Elba

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In order to facilitate the orderly development of the lands in the Town of Elba, the Planning, Development and Parks Committee has submitted a petition to create an official County Zoning Map for the Town of Elba under the Land Use Code, Dodge County, Wisconsin, as described in Exhibit A.

**CONCLUSIONS OF LAW**

**Based upon the facts presented in the application and at the public hearing the committee concludes that:**

**2.3.4.I Approval Criteria**

**2.3.4.I.1** Are there adequate public facilities and services available to serve the properties within the Town of Elba while maintaining adequate levels of service to existing development? (sewage and waste disposal, water, gas, electricity, schools, police and fire protection, and roads and transportation, as applicable)

(Yes / No);

Comments

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**2.3.4.1.2** Will the provision of public facilities to properties within the Town of Elba place an unreasonable burden on the ability of affected local units of government to provide them?

(Yes / No);  
Comments

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**2.3.4.1.3** Will the proposed zoning district boundaries in the Town of Elba result in significant adverse impacts upon surrounding properties or the natural environment? (air, water, noise, stormwater management, soils, wildlife, and vegetation)

( Yes / No );  
Comments

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**2.3.4.1.4** Will the development of land within the Town of Elba based on the proposed zoning district boundaries cause unreasonable soil erosion or have an unreasonable adverse effect on rare or irreplaceable natural areas?

(Yes / No);  
Comments

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**2.3.4.1.5** Is the proposal zoning district map consistent with the Dodge County Comprehensive Plan and Agricultural Preservation Plan and the stated purposes of this Code?

( Yes / No );  
Comments

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**2.3.4.1.6** Will the proposed rezoning map be used to legitimize, or "spot zone," a nonconforming use or structure?

( Yes / No );  
Comments

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**2.3.4.1.7** Is the adoption of the zoning map the minimum action necessary to accomplish the intent of the petition?

( Yes / No )  
Comments

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**2.3.4.J Approval by Affected Town Boards**

Has the Town submitted a recommendation regarding the adoption of the zoning map?

( Yes / No )

Comments \_\_\_\_\_  
\_\_\_\_\_

**Does the application contain sufficient information necessary to make a decision on the request of the Town of Elba to adopt the proposed zoning map?**

- Yes;
- No - the following additional information is needed before a decision can be made:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Committee Action**

**Based upon the facts presented in the application and at the public hearing, does the committee believe that the criteria in Section 2.3.4.I can be met for this proposal?**

( Yes / No )

Motion by \_\_\_\_\_ to submit a (favorable / unfavorable) recommendation to the County Board of Supervisors on the proposed zoning map for the Town of Elba as proposed.

Motion second \_\_\_\_\_

**Vote**

Allen Behl	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Janice Bubholz	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Randy Grebel	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Joseph Marsik	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Tom Schaefer - Chairman	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present

**Motion (Carried / Denied)**

**ORDER AND DETERMINATION – REZONING PETITION**

On the basis of the above findings of fact, conclusions of law and the record in this rezoning matter, the committee:

- shall provide a favorable recommendation to the County Board on the rezoning petition as proposed. An ordinance shall also be drafted effectuating the recommendation of the committee and said ordinance shall be submitted to the Board for approval;
- shall provide a favorable recommendation to the County Board on the proposed rezoning petition as modified by the committee. An ordinance shall also be drafted effectuating the recommendation of the committee and said ordinance shall be submitted to the Board for approval;
- shall provide an unfavorable recommendation to the County Board on the rezoning petition as proposed;
- shall provide a “No Recommendation” to the County Board on the proposed rezoning petition as proposed;

Dodge County Planning, Development and Parks Committee

Signed \_\_\_\_\_ Attest \_\_\_\_\_  
Chairperson Secretary

Dated: \_\_\_\_\_

Filed: \_\_\_\_\_



# RESOLUTION

No. 2015-11-9-1

## TO ADOPT THE DODGE COUNTY ZONING ORDINANCE (LAND USE CODE) WHILE RETAINING THE TOWN OF ELBA'S LAND DIVISION ORDINANCE

**WHEREAS**, at the annual meeting of the Town of Elba on April 21, 2015, the Town approved the adoption of the Dodge County Zoning Ordinance (Land Use Code) with the provision that the Town of Elba will retain its Land Division Ordinance currently in place; and

**WHEREAS**, the Department of Agriculture, Trade and Consumer Protection has certified the new zoning map for the Town of Elba under the proposed Dodge County Zoning Ordinance which shall become effective following approval by the Dodge County Board;

### **NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:**

1. That the Town Board of the Town of Elba hereby approves and adopts the Dodge County Zoning Ordinance (Land Use Code), but will continue to abide by the Town of Elba's Land Division Ordinance currently in place.

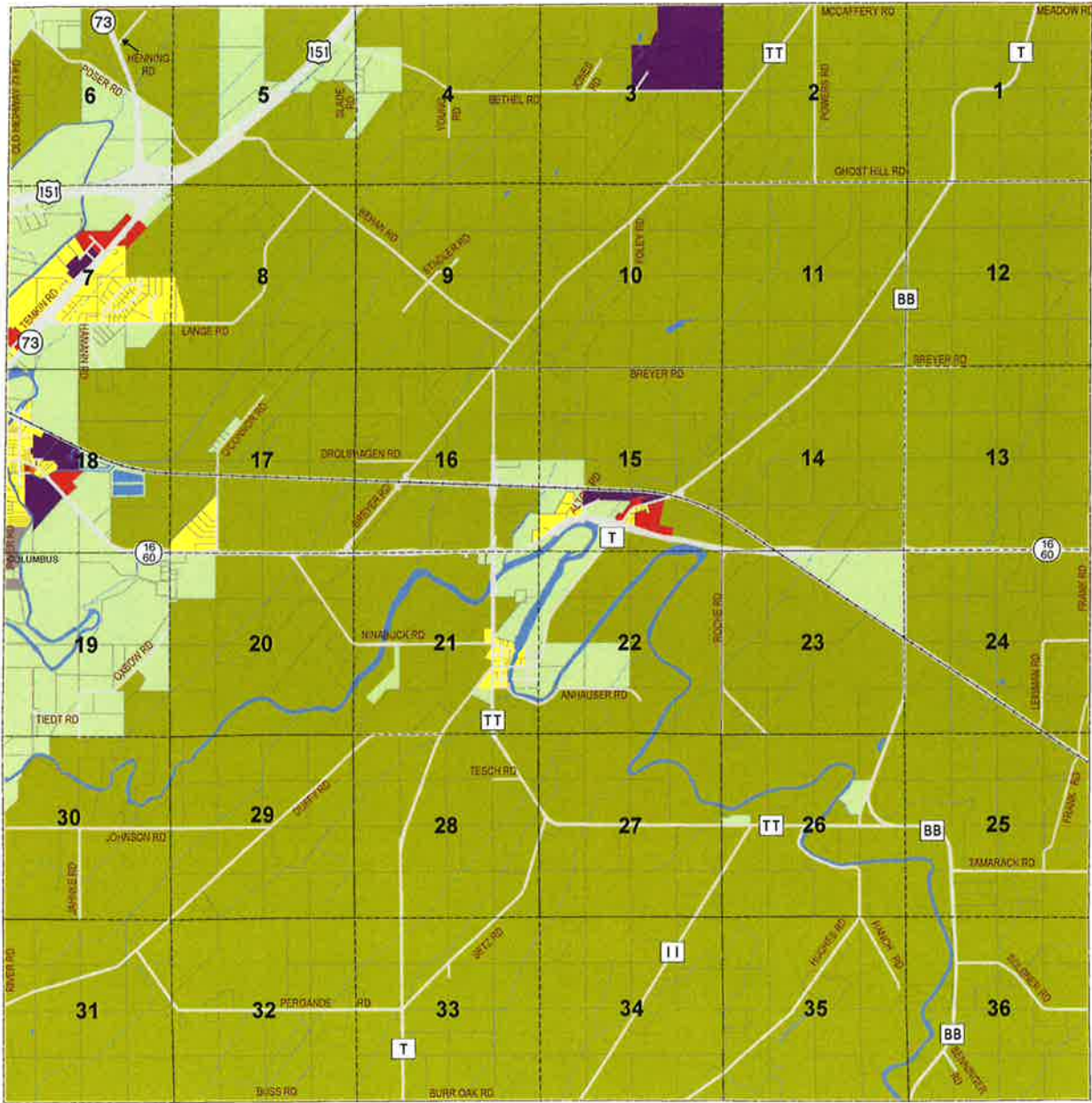
2. That following approval of this Resolution:

(a) A certified copy of this Resolution shall be promptly filed with the County Clerk for Dodge County, Wisconsin; and

(b) A copy shall also be provided to the Manager of Planning and Economic Development, Dodge County Land Resources and Parks Department.



# County Zoning Town of Elba, Dodge County, Wisconsin

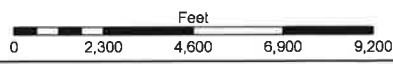


Legend		Zoning
	U.S. Highway	A-1 Prime Agricultural
	State Highway	A-2 General Agricultural
	County Highway	C-1 General Commercial
	Town Road	C-2 Extensive Commercial
	Railroad	I-1 Light Industrial
	Town Boundary	I-2 Industrial
	Section Line	R-1 Single Family Residential
	Tax Parcel Boundary	R-2 Two Family Residential
	Municipalities	R-3 Multi-Family Residential
	Waterbody	
	Road Right-of-Way	
	Rivers and Streams	
	Intermittent Stream	



Adopted:  
Last Updated:

Dodge County  
Land Resources and Parks  
Department



Source: Dodge County Land Resources and Parks Department, August 2015  
Map Created: August 2015

# Land Resources and Parks Department Staff Report

## County Conditional Use Permit Application # 2015-0766

### **Applicant (Agent):**

Bill Ehlenbeck  
Dodge County Parks  
127 E Oak Street  
Juneau, WI 53039

### Owner:

Dodge County

**Filing Date: November 16, 2015**

**Hearing Date: December 7, 2015**

### Location

PIN# 046-1214-1924-019

Derge Park Boat Ramp located in part of the SE ¼, NE ¼, Section 19, Town of Westford.

### Applicants Request

An application for a County Conditional Use Permit was made by the applicant to allow filling, grading and dredging within a Shoreland and Floodplain district associated with the replacement of a culvert.

### Project Details

The project involves the replacement of an existing 24" diameter culvert located in Derge County Park. The existing 46' long culvert is located within a drainage swale which discharges into Beaver Dam Lake. The existing culvert is partially collapsing on both ends of the culvert. The existing culvert will be removed with a backhoe and the drainage swale will be cleaned out to allow for the installation of a new culvert at the same elevation as the existing culvert. The soil materials removed from the site will be placed in an upland area outside of the floodplain. The culvert will be replaced with a new 24" diameter culvert of the same size and elevation. There will be no change in the floodplain or drainage area of the culvert. The culvert will be embedded within the existing swale approximately 4 to 6' deeper than the existing swale depth. The ends of the culvert will be protected with rip rap material to prevent washout. Compacted material will be placed on top of the culvert and along the sides of the culvert. The existing walkway/path will be replaced in its same location. The existing flow line elevation and width of the swale will be maintained.

### County Jurisdiction

The County has Shoreland Jurisdiction over this site as the site, or portions of the site are located within 1000 feet of the ordinary highwater mark of a navigable lake, pond or flowage.

The County has floodplain jurisdiction over this site as the site or portions of the site are designated as floodplains on the maps listed in Section 1.5(2)a of the Dodge County Floodplain Zoning Ordinance.

### Review Criteria

1. Subsections 13.22 of the Shoreland Protection Ordinance details procedural matters, the approval criteria and the form for the conditional use permit application. The Committee shall authorize the Land Use Administrator to issue a Conditional Use Permit (CUP) for conditional uses after review and a public hearing, provided that such conditional uses or structure are in accordance with the purpose and intent of

this Ordinance and the approval criteria provided in Section 13.22(3) and are found not to be hazardous, harmful, offensive, or otherwise adverse to the environment or the value of the area.

2. Subsection 13.22(4) of the code lists conditions in addition to those required elsewhere in the Ordinance that the committee may attach to the permit in order to mitigate any potential adverse impacts resulting from the project.

**Shoreland Ordinance Provisions**

Section 8.21 states that a conditional use permit shall be required for any filling, grading, dredging, and/or ditching of any area which is within 300 feet landward of the ordinary highwater mark of a navigable body of water and which has surface drainage toward the water, except as allowed under Sections 8.23, 8.24, and 8.25, and where the purpose is the ultimate connection with a navigable body of water.

**Floodplain Ordinance Provisions**

Section 2.1 (1) of the Dodge County Floodplain Ordinance requires that no floodplain development shall

- (a) Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height;
- (b) Cause any increase in the regional flood height due to floodplain storage area lost.

**Purpose Statement**

The purpose of the Shoreland Protection Ordinance is to promote the public health, safety, convenience and welfare and to promote and protect the public trust in navigable waters.

The purpose of the Floodplain regulations are to regulate floodplain development in order to protect life, health, and property, to minimize rescue and relief efforts, to minimize business and other economic interruptions, to minimize damage to public facilities and to prevent increases in flood heights that could increase flood damage.

**Physical Features of Site**

**The features of the proposed construction and property that relate to the granting or denial of the conditional use permit request are as follows:**

The property is located within the Shoreland Zoning District.

The property is not located within the County's Zoning Jurisdiction.

The property is designated as a floodplain according to the maps listed in Section 1.5(2)a of the Dodge County Floodplain Zoning Ordinance.

The topography of the site is nearly level with slopes ranging from 0 to 6%;

Land Use, Site: County Park/Boat Ramp.

Land Use, Area: Residential and agricultural.

Designated Archaeological Site:    Yes             No

Town Recommendation:    No recommendation submitted

**STAFF ADVISORY:**

***This staff advisory is only advice to the Planning, Development and Parks Committee. The Committee may or may not consider the advice of the staff and decision making authority is vested in the Committee only.***

The staff has reviewed the proposal for compliance with the criteria listed in Section 13.22 of the Shoreland Protection Ordinance and Section 2.1(1) of the Dodge County Floodplain Zoning Ordinance. The staff comments are listed in Exhibit A for review by the committee.

It is the staff's position that the project is in compliance with the applicable provisions of the Dodge County Shoreland Protection Ordinance and the Floodplain Zoning Ordinance and it is the staff's position that the Committee will be able to make the findings necessary under Section 13.22 of the Ordinance that are required to approve the Conditional Use Permit for this project. If approved with the following conditions, it is the staff's position that the project will not have an adverse effect on the adjacent land owners, the community or the environment and the proposal will be consistent with the purpose and intent of the Ordinance.

**CONDITIONS:**

1. It shall be the responsibility of the applicant to obtain all other permits or approvals that may be required (e.g., Wisconsin Department of Natural Resources and/or U.S. Army Corps of Engineers) for the proposed project.
2. The replacement culvert shall not exceed the original dimensions of the culvert (no increase in depth or width);
3. The replacement culvert shall be placed at the same elevation and shall maintain the same flow line of the existing culvert;
4. All disturbed areas shall be leveled and graded (as needed) and seeded to permanent vegetation as soon as possible to prevent erosion of silt/sediment into the waterway.
5. The proposed project shall not obstruct flow and shall not increase the regional flood height.
6. All erosion control measures required by the applicable Federal, State, County and Local codes shall be in place and shall be maintained throughout the duration of the project in accordance with Best Management Practices.
7. All work shall be done in accord with the plans and specifications submitted on November 16, 2015
8. The decision of the Committee is valid for one year.

## EXHIBIT A

### **Staff Review Comments**

The staff has reviewed the proposal for compliance with the applicable criteria listed in Section 13.22(3) of the Dodge County Shoreland Protection Ordinance for dredging projects. The staff comments are as follows:

**13.22(3)** Conditional use permits shall be approved by the Committee if they find that all of the following criteria have been met:

**13.22(3)(b)** Will the proposed project be significantly detrimental to the public health, safety and welfare?

- The project is intended to replace an existing culvert at this location in order to maintain the drainage at this location and to maintain the existing walking path along the shoreline. It is the staff's position that if the project is completed as proposed, the project will not have a significant detrimental impact on the public health, safety and welfare of the community or the adjacent owners;

**13.22(3)(c)** Is the project designed to control water pollution and to prevent the erosion of soil into the waterway?

- It is the staff's position that if the project is constructed in compliance with the erosion control provisions of the Shoreland Ordinance and in accord with the Best Management Practice Handbook, the project will control water pollution and will prevent erosion of soil back into Beaver Dam Lake.

**13.22(3)(d)** Is the project in compliance with Dodge County Floodplain Zoning Ordinance and is the project designed to prevent flood damage to adjacent properties due to altered surface water drainage of the site?

- It is the staff's position that if the culvert is replaced with a culvert of the same size and at the same depth, the project will be in compliance with the Dodge County Floodplain Ordinance and it is the staff's position that the project will not obstruct flow and will not change the regional floodplain or have an adverse impact on the adjacent properties.

**13.22(3)(e)** Is the project designed to minimize soil erosion from the site during and after construction?

- It is the staff's position that if the project is constructed in compliance with the erosion control provisions of the Shoreland Ordinance and in accord with the Best Management Practice Handbook, the project will minimize soil erosion from this site.

**13.22(3)(f)** Will the project have any adverse effects on any existing or future access roads to this site?

- It is the staff's position that the project will not have an adverse impact on existing or future access roads on this site.

**13.22(3)(h)** Is the project compatible with adjacent uses in terms of scale, site design, and any other external impacts?

- It is the staff's position that the project is compatible with adjacent land uses.

**13.22(3)(i)** Will the project generate any liquid or solid wastes? If wastes will be generated, are there adequate plans in place to dispose of the waste generated from this project?

- It is the staff's position that if the project is done in accord with the permit application, any wastes generated from the project will be adequately handled.

**13.22(3)(a)** Does the proposed use comply with all applicable provisions of the Shoreland Ordinance?

- It is the staff's position that the project complies with all applicable provisions of the Ordinance.

**Dodge County Planning, Development and Parks Committee Decision**

**County Conditional Use Permit Application # 2015-0766**

**Applicant (Agent):**

Bill Ehlenbeck  
Dodge County Parks  
127 E Oak Street  
Juneau, WI 53039

Owner:  
Dodge County

**Filing Date: November 16, 2015**

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**Location**

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**CONCLUSIONS OF LAW**

**Based on the facts presented in the application and at the public hearing the Committee concludes that:**

**13.22(3)** Conditional use permits shall be approved by the Committee if they find that all of the following criteria have been met:

**13.22(3)(b)** Will the proposed project be significantly detrimental to the public health, safety and welfare?

(Yes / No)

If yes, what measures can be taken to mitigate any potential adverse effects?

\_\_\_\_\_  
\_\_\_\_\_



**13.22(3)(c)** Is the project designed to control water pollution and to prevent the erosion of soil into the waterway?

(Yes / No)

If not, what measures can be taken to mitigate the water pollution or soil erosion problems with this project?

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**13.22(3)(d)** Is the project in compliance with local floodplain zoning ordinances?

- Yes – The project is in compliance with the Dodge County Floodplain Zoning Ordinance;
- No – The project is not in compliance with the Dodge County Floodplain Zoning Ordinance;

If not, what measures can be taken to mitigate any potential Floodplain dangers?

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Is the project designed to prevent flood damage to adjacent properties due to altered surface water drainage of the site?

- Yes – The project is designed to prevent flood damage to the adjacent properties.
- No – The project as proposed will have an adverse effect on the adjacent properties as a result of the altered drainage pattern for this site.

If applicable, what measures can be taken to mitigate any potential adverse effects to the adjacent properties?

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**13.22(3)(e)** Is the project designed to minimize soil erosion from the site during and after construction?

(Yes / No)

If not, what can be done to minimize soil erosion from this site?

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**13.22(3)(f)** Will the project have any adverse effects on any existing or future access roads to this site?

(Yes / No)

If yes, what measures can be taken to mitigate the potential adverse effects on the access to this site?

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**13.22(3)(h)** Is the project compatible with adjacent uses in terms of scale, site design, and any other external impacts?

(Yes / No)

If not, what changes can be made to make the project more compatible with the adjacent uses?

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**13.22(3)(i)** Will the project generate any liquid or solid wastes? (Yes / No)

If waste will be generated, are there adequate plans in place to dispose of the waste generated from this project? (Yes / No)

If not, what measures can be taken to adequately dispose of the waste that will be generated from this project?

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**13.22(3)(a)** Does the proposed use comply with all applicable provisions of the Shoreland Ordinance?

(Yes / No)

If not, what changes must be made to bring the project into compliance with the Ordinance?

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**Are any conditions for approval needed in this case to mitigate any potential adverse impacts on the adjacent properties, the environment or the community?**

(Yes/No)

1. It shall be the responsibility of the applicant to obtain all other permits or approvals that may be required (e.g., Wisconsin Department of Natural Resources and/or U.S. Army Corps of Engineers) for the proposed project.
2. The replacement culvert shall not exceed the original dimensions of the culvert (no increase in depth or width);
3. The replacement culvert shall be placed at the same elevation and shall maintain the same flow line of the existing culvert;
4. All disturbed areas shall be leveled and graded (as needed) and seeded to permanent vegetation as soon as possible to prevent erosion of silt/sediment into the waterway.
5. The proposed project shall not obstruct flow and shall not increase the regional flood height.
6. All erosion control measures required by the applicable Federal, State, County and Local codes shall be in place and shall be maintained throughout the duration of the project in accordance with Best Management Practices.
7. All work shall be done in accord with the plans and specifications submitted on November 16, 2015
8. The decision of the Committee is valid for one year.

Others

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Does the committee believe that the Conditional Use Permit Request meets the approval criteria in Section 13.22(3) of the County Shoreland Protection Ordinance?

(Yes / No)

Motion by \_\_\_\_\_ to approve the conditional use permit request based upon the previously mentioned findings and conditions.

Motion second \_\_\_\_\_

**Vote**

Allen Behl	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Janice Bobholz	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Randy Grebel	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Joseph Marsik	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Tom Schaefer - Chairman	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present

**Motion (Carried / Denied)**

**ORDER AND DETERMINATION**

On the basis of the above findings of fact, conclusions of law and the record in this matter the committee

- Granted preliminary approval of the conditional use permit subject to the conditions listed above and the Land Use Administrator is directed to issue a conditional use permit incorporating the decision of this Committee.
- Granted the conditional use permit request as proposed and the Land Use Administrator is directed to issue a conditional use permit incorporating the decision of this Committee.
- Denied the conditional use permit request as proposed. The committee finds that the proposal does not meet the following approval criteria of the code:

\_\_\_\_\_  
\_\_\_\_\_

Expiration of Approval Any order issued by the Committee requiring a Zoning official to issue a conditional use permit shall become void after one year unless the applicant or appellant shall have met the conditions of approval for such permit and a conditional use permit has been issued by the Zoning official within such time, provided, that the time may be extended when so specified by the Committee.

Revocation. This order may be revoked by the Committee in accord with Section 14.43 of the Dodge County Shoreland Protection Ordinance after notice and opportunity to be heard for violation of any of the conditions imposed.

Appeals. This decision may be appealed by any person or their agent aggrieved by this decision or by any officer, department, board or bureau of the County, or by any affected town board. Such appeals shall be filed with the Dodge County Land Resources and Parks Department or the review and decision making body from whom the appeal is taken within 30 days after the date of written notice of the decision or order of the review and decision making body. The County assumes no liability for and makes no warranty as to reliance on this decision if construction is commenced prior to expiration of this 30-day period.

Dodge County Planning, Development and Parks Committee

Signed \_\_\_\_\_ Attest \_\_\_\_\_  
Chairperson Secretary

Dated: \_\_\_\_\_ Filed: \_\_\_\_\_

**State of Wisconsin**  
**DEPARTMENT OF NATURAL RESOURCES**  
101 S. Webster Street  
P.O. Box 7921  
Madison, WI 53707-7921

Scott Walker, Governor  
Cathy Stepp, Secretary  
Telephone 608-266-2621  
FAX 608-267-3579



October 30, 2015

EXE-SC-2015-14-04210

Dodge County Parks Department  
Bill Ehlenbeck  
127 E. Oak Street  
Juneau, WI 53039

Dear Mr. Ehlenbeck:

This letter is in response to your written Exemption Determination Request, asking whether a proposed activity or the proposed location of the activity is exempt from the permit requirements of Chapter 30, Wis. Stats.

The waterway is an unnamed swale to Beaver Dam Lake, located in the Town of Williamstown in Dodge County. Your proposed activity is to replace a culvert less than 24 inches in diameter across the unnamed swale.

This replacement of the culvert is eligible for an exemption pursuant to s. 30.123(6) (r), Wisconsin Statutes, provided that the culvert is replaced in the same place and location as the existing culvert. Both ends of the culvert should be installed below the bed of the waterway and designed to prevent washout. Any area where topsoil is exposed during construction should be immediately seeded and mulched or ripped to stabilize disturbed areas and prevent soils from being eroded and washed into the waterway. We have not reviewed your plans for compliance with installation and construction standards. You are responsible for ensuring that the project meets best management practices for culvert installation.

If wetlands are located in the area where the culvert is to be replaced a wetland general or individual permit is required before any disturbance to the wetland can occur. Please visit our website for permit application materials:

<http://dnr.wi.gov/topic/Waterways/construction/wetlands.html>

Please note that if modifications are made to the proposal, the project may no longer be considered an exempt activity. If the project is modified, contact the department again prior to beginning construction to ensure that it complies with all applicable regulations.

You are responsible for obtaining any permit or approval that may be required for your project by local zoning ordinances or by the U.S. Army Corps of Engineers before starting your project.

Sincerely,

Lois Simon  
Waterway and Wetland Protection Section

cc: Joel Dohm, Project Manager, 250 N. Sunnyslope Road, Suite 296, Brookfield, Wisconsin  
53005, U.S. Army Corps of Engineers  
Al Byla, Water Management Specialist-Fitchburg  
Travis Schroeder, Water Management Specialist-Waukesha



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**ST. PAUL DISTRICT, CORPS OF ENGINEERS**  
180 FIFTH STREET EAST, SUITE 700  
ST. PAUL MN 55101-1678

November 12, 2015

Operations  
Regulatory (2015-04231-JVD)

Mr. Bill Ehlenbeck  
Dodge County Parks  
127 East Oak Street  
Juneau, Wisconsin 53039

Dear Mr. Ehlenbeck:

We have received information about your proposed project to discharge fill material in a total of 800 square feet of wetlands adjacent to Beaver Dam Lake for the purpose of replacing an existing culvert. The project site is in the SE ¼ of the NW ¼ of Sec. 19, T. 12N., R. 14E., Dodge County, Wisconsin.

The work that you describe appears to fit the general activity information described in category #1 of Department of Army General Permit (GP-002-WI). Based on the information submitted to our agency, it appears that no application or notification to the St. Paul District Corps of Engineers is required for your project.

This letter is not a verification of DA permit eligibility, but an indication that your project may meet the requirements for DA permit eligibility. It is your responsibility to ensure that the work proposed will meet all applicable terms and conditions of the DA permit before starting work. A full list of applicable terms and conditions for eligibility may be found by visiting our website at <http://www.mvp.usace.army.mil/Missions/Regulatory/>. If you prefer we mail you a copy of the applicable terms and conditions, please contact us at 1-800-290-5847, extension 5525.

We did **not** determine whether the wetlands or other waters on the site are subject to Corps jurisdiction. You may request a jurisdictional determination from the Corps contact indicated below. It is not necessary to request a jurisdictional determination from the Corps if you do not object to the DA permit compliance requirements described above.

If you have any questions or, if after reviewing the DA permit terms and conditions, you believe your proposed project requires specific written authorization from our agency, please contact Joel Dohm in our office at (651) 290-5666. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

Joel V. Dohm  
Project Manager

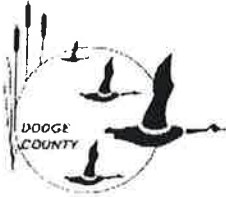
# Dodge Co. Quick Mapper

The data used to create this map is a compilation of records, information, and data from various city, county and state offices, and other sources. This map is only advisory, does not replace a survey, and may not be used for any legal purpose. Dodge County assumes no liability for any use or misuse of this information.



<b>General</b> <ul style="list-style-type: none"> <li>Urbanized Roads</li> <li>Soils</li> <li>Airport Ordinance 3-Mile Buffer</li> <li>Sewer Service Areas</li> <li>Elevation Contours (2' &amp; 10')</li> </ul>	<b>Floodplain/Wetland</b> <ul style="list-style-type: none"> <li>Floodplain (May 19th 2014)</li> <li>Flood Storage Areas (2014)</li> <li>DNR Wetland (2006)</li> <li>DNR Wetland Points (2006)</li> </ul> <b>Shoreland Zoning</b> <ul style="list-style-type: none"> <li>Lake/Pond/Slough Buffer</li> <li>Lakes/Ponds/Sloughs</li> <li>Rivers/Streams/Creeks</li> <li>Horicon Marsh (860' Contour)</li> </ul>	<b>COUNTY ZONING</b> <ul style="list-style-type: none"> <li>PLANNED UNIT DEVELOPMENT</li> <li>HARTFORD EXTRATERRITORIAL</li> <li>GENERAL AGRICULTURAL</li> <li>PRIME AGRICULTURAL</li> <li>ONE FAMILY RESIDENTIAL</li> <li>TWO FAMILY RESIDENTIAL</li> <li>MULTI-FAMILY RESIDENTIAL</li> <li>GENERAL COMMERCIAL</li> <li>EXTENSIVE COMMERCIAL</li> <li>LIGHT INDUSTRIAL</li> <li>INDUSTRIAL</li> <li>CITY OR VILLAGE</li> <li>RIGHT OF WAY</li> <li>WATERBODY</li> </ul>
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Dodge County Land Resources & Parks



**DODGE COUNTY**  
**LAND RESOURCES & PARKS DEPARTMENT**  
 127 E. OAK STREET • JUNEAU, WI 53039  
 PHONE: (920) 386-3700 • FAX: (920) 386-3979  
 E-MAIL: landresources@co.dodge.wi.us

**CONDITIONAL USE PERMIT**  
**APPLICATION**

THIS AREA FOR OFFICE USE ONLY	
<b>Activity No.</b> <b>150766</b>	<b>Permit Issued Date</b>
Application Date: <b>11-16-15</b>	Receipt #: <b>N/A</b>
	Sanitary Permit #:

Application Fee: \$350 (After the Fact Application Fee - \$700)

Please complete page 1 and 2 of this application form and submit the application form with all of the required information listed in the "Application Checklist" for your project. PRINT OR TYPE. Use blue or black ink, do not use pencil. The Dodge County Land Resources and Parks Department will not consider your application unless you complete and submit this application form, the applicable information listed in the "application checklist" for your proposed project and the application fee. Personally identifiable information on this form will not be used for any other purpose, but it must be made available to requesters under Wisconsin's open records law [s.19.31-19.39, Wis. Stats.]

(1) NAMES & MAILING ADDRESSES	(2) PROPERTY DESCRIPTION
Applicant (Agent) <b>Bill Ehlenbeck (for Dodge County Parks)</b>	Parcel Identification Number (PIN) <b>04612141924019</b> <b>Dodge Park</b>
Street Address <b>127 E. Oak St</b>	Town <b>WESTFORD</b> T <b>12</b> N <b>14</b> R <b>14</b> E
City • State • ZipCode <b>Juneau, WI 53039</b>	SE <sup>1/4</sup> NW <sup>1/4</sup> Section <b>19</b> Acreage Lot (Block)
Property Owner (if different from applicant) <b>Dodge County Parks</b>	Subdivision or CSM (Volume/Page/Lot) <b>DERGE PARK</b>
Street Address	Address Of Property (DO NOT include City/State/ZipCode) <b>N8379 CTH CP (other side of road)</b>
City • State • ZipCode	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(3) PROPERTY USE	(4) PROPOSED PROJECT
<b>Current Use Of Property</b> <input type="checkbox"/> Vacant Property <input type="checkbox"/> Single-Family Residential <input type="checkbox"/> Active-Working Farm Operation <input type="checkbox"/> Business • Industrial • Commercial • (Describe below) Other <b>County Park - boat launch/fishing lake access</b>	<b>(Please check/complete all that apply below)</b> <input type="checkbox"/> Non-Farm Residential Lot <input type="checkbox"/> Single Family Residence <input type="checkbox"/> Two-Family Residence <input type="checkbox"/> Multi-Family Residence <input type="checkbox"/> Tavern or Restaurant <input type="checkbox"/> Professional Office <input type="checkbox"/> Non-Metallic Mine/Quarry <input type="checkbox"/> Wind Tower <input type="checkbox"/> Create/Expand Business <input type="checkbox"/> Wildlife Pond > 2-acres <input type="checkbox"/> Wireless Communications Tower <input type="checkbox"/> Contractor's Offices and Storage Yards <input checked="" type="checkbox"/> Filling, Grading or Dredging in the Shoreland District Other: <b>Replace failing culvert (24") under pathway (DNR Permit exempt/ARMY CORPS PERMIT ISSUED)</b>
<b>DNR Notice</b> <b>DNR NOTICE:</b> You are responsible for complying with State and Federal laws concerning construction on or near wetlands, lakes and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources Wetlands Identification Web Page ( <a href="http://www.dnr.state.wi.us">www.dnr.state.wi.us</a> ) or contact a Department of Natural Resources Service Center.	
(5) CERTIFICATE	
I, the undersigned, hereby apply for a Conditional Use Permit and certify that all the information both above and attached is true and correct to the best of my knowledge. I affirm that I have read the DNR Notice shown above. I affirm that all work performed will be done in accordance with the Dodge County Land Use Code and with all other applicable laws and regulations. I hereby authorize members of the Dodge County Land Resources and Parks Department to enter the above-described property for purposes of obtaining information pertinent to my application request and to conduct land use code inspections.	
Signature <b>W. J. J. J.</b>	Date <b>9/24/15</b>
Daytime Contact Number (920) <b>386 - 3702</b>	
AREA BELOW THIS LINE FOR OFFICE USE ONLY	
PLANNING, DEVELOPMENT & PARKS COMMITTEE ACTION	
Date of Decision _____	Decision _____
<input type="checkbox"/> APPROVED	Land Resources and Parks Department _____ Date: _____
<input type="checkbox"/> DENIED	



# Dodge County, WI

## Legend

- Parcels
- Parcel Labels
- Cities and Villages
- Towns
- Sections
- State Roads
- County Roads
- Federal Roads
- Centerline
- Lakes and Rivers
- Surrounding Counties
- Horizon Marsh
- DNR Wetlands
- 2012 Ortho Photo
- RedBand\_1
- GreenBand\_2
- BlueBand\_3



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

DATE PLOTTED 11/16/16 8:46 AM
COUNTY



*Existing 24" X 46" culvert collapsing! to be replaced w/ similar size culvert*

*Swale →*

*Boat Launch*

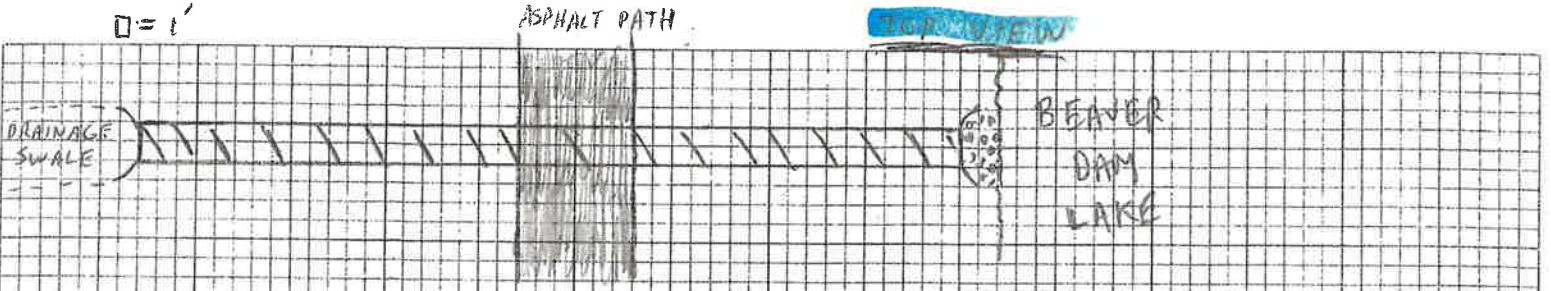
*SPALS PLACEMENT for future park maintenance needs (5-6 yrs est.)*

Replacing 24" x 46' collapsing culvert  
in drainage swale to BD lake

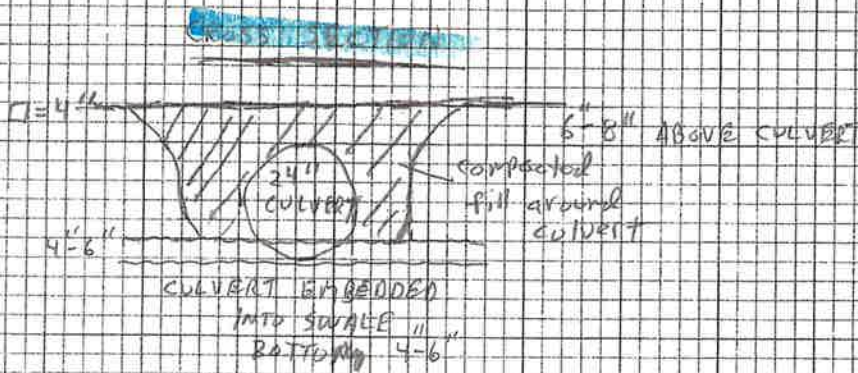
Project DERGE PARK  
Subject CULVERT  
REPLACEMENT

By BE Date 11/16/15  
Sheet \_\_\_\_\_ of \_\_\_\_\_  
Checked By \_\_\_\_\_  
Date \_\_\_\_\_

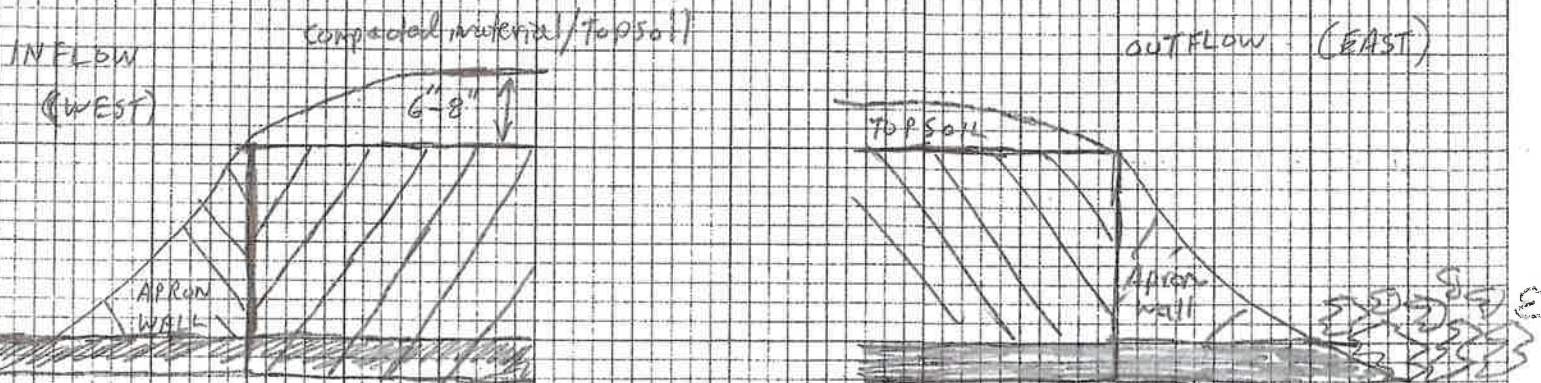
0 = 1'



- RIP RAP TO BE PLACED AT OUTFLOW TO LAKE
- DISTURBED/BARE SOIL TO BE SEEDED AND MULCHED



SIDE VIEW



Drainage Swale does not typically have standing water. Flows are seasonal or from rain events.

Rip Rip to be placed at outflow to the lake

**WORKSHEET NO. 5**  
**AGRICULTURAL DRAINAGE DITCH SUPPLEMENTAL INFORMATION**

This Agricultural Drainage Ditch Supplemental Information Worksheet is to be used in conjunction with your County Shoreland Land Use Permit application. This worksheet must be used if your project involves cleaning-out, dredging, relocating and/or the construction of an agricultural drainage ditch.

Attach additional sheets if necessary

Estimated date project will begin?	Estimated date project will be completed?
12/10/15	12/11/15
Provide an overview of the proposed project?	
Replacement of existing 24" culvert at Deuge Park that is collapsing and creating a safety concern for park users.	
Detail how the proposed project will be done -- include methods and equipment to be used and where spoils will be placed?	
Existing culvert will be pulled out with an excavator. The trench for the new culvert will be cleaned out with spoils being placed across the road near firewood shelter for future maintenance needs.	
What is the purpose of the proposed project?	
To correct an unsafe situation. The culvert supports a pathway that connects the parking area to a docking pier and shore fishing opportunities.	
What temporary and/or permanent erosion control measures will be used?	
<input checked="" type="checkbox"/> Riprap <input type="checkbox"/> Silt Fence <input type="checkbox"/> Filter Fabric <input type="checkbox"/> Straw Bales <input type="checkbox"/> Erosion Control Mats <input type="checkbox"/> Temporary Diversions <input checked="" type="checkbox"/> Seeding and Mulching	
<input type="checkbox"/> Other	
<b>REQUIRED ADDITIONAL INFORMATION</b>	
Attach an aerial photo of the proposed project site showing: <ul style="list-style-type: none"> <li>o An overhead view of the project highlighting its location and length. Also, show the location of the cross-section(s) used for the project (see example on page 2).</li> <li>o Cross-section(s) showing the current width and depth of the ditch. Use as many cross-section(s) as needed.</li> <li>o Cross-section(s) showing the proposed width and depth of the cleaned-out ditch. Use as many cross-section(s) as needed.</li> <li>o Show the location(s) where the spoil material from the project will be placed and the depth of the spoils when done. Also, show what and where erosion control measures will be used.</li> </ul>	
<i>Aerial photos may be obtained from our office or by using the County's "GIS Webmap Tool" (see Using the GIS Webmap Tool below)</i>	
<b>NOTE:</b> It is your responsibility to obtain all other permits that may be required from the following governmental agencies: <ul style="list-style-type: none"> <li>✓ Local Township • (See Contact Info)</li> <li>✓ Army Corps of Engineers • (262) 547-4171</li> <li>✓ Dodge County Drainage Board • (920) 887-7413</li> <li>✓ Natural Resources Conservation Service • (920) 386-9999</li> <li>✓ Wisconsin Department of Natural Resources • (262) 574-2172</li> </ul>	
<b>NOTE:</b> Part of the review process for your proposed project involves the evaluation of your proposed project's location relative to mapped wetlands. As a general rule, placement of spoil material within a mapped wetland is NOT ALLOWED. This office suggests that you either visit our office or use the County's "GIS Webmap Tool" (see Using the GIS Webmap Tool below) to determine your project's proximity to a mapped wetland.	
<b>USING THE GIS WEBMAP TOOL</b>	
<ol style="list-style-type: none"> <li>1. Go to the Dodge County website (<a href="http://www.co.dodge.wi.us">www.co.dodge.wi.us</a>).</li> <li>2. Click on the "GIS Webmap Tool" icon.</li> <li>3. If you know the Parcel Identification Number (PIN) of the proposed project site: Click the "Parcel Search" tab and enter the property's PIN information in the search bar. Alternatively, if you know the address of the proposed project site: Click the "Address Search" tab and enter the property's address information in the search bar.</li> <li>4. Click/Check the boxes for: <b>DNR Wetlands</b> and <b>Aerial Imagery</b>.</li> </ol>	

# Worksheet 5 (cont.)

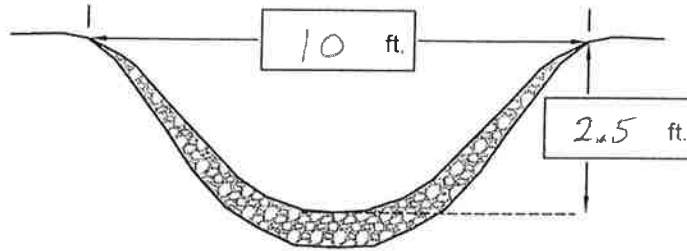
Cross Section ID/Number 1 (As shown on the attached site plan)

Use as many cross section diagrams as required to reasonably document the change in depth and width of your project area.

INFLOW

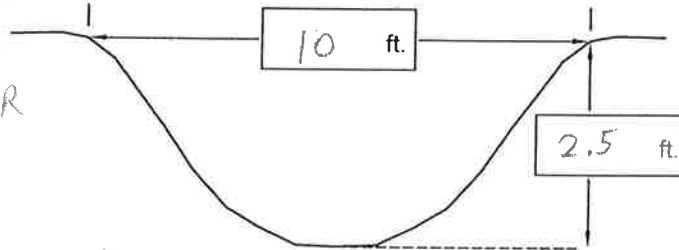
- No change to ditch/swale cross section

**Existing** <sup>(1)</sup>



**Proposed** <sup>(2)</sup>

- culvert will be embedded 4'-6" below existing swale bed as required by DNR

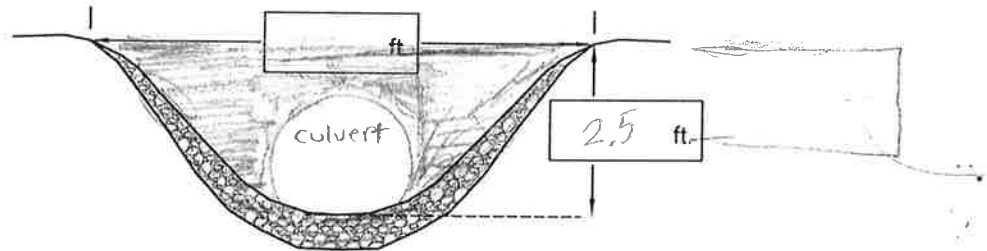


Cross Section ID/Number 2 (As shown on the attached site plan)

OUTFLOW

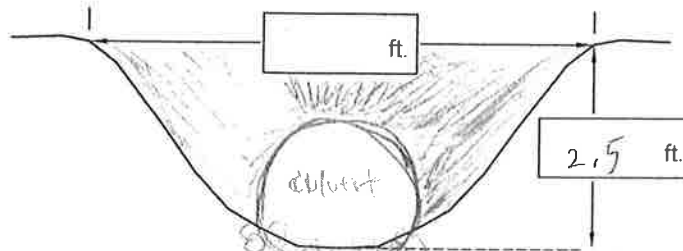
culvert currently extends into lake beyond shoreline

**Existing** <sup>(1)</sup>



proposed culvert outflow will be pulled back from the shoreline a few feet with rip rap placed at outflow

**Proposed** <sup>(2)</sup>



(1) Sketch the current depth and width of the waterway/ditch at the cross section.

(2) Sketch the proposed depth and width of the dredging or how deep and wide the waterway/ditch will be once the project has been completed.





**State of Wisconsin**  
**DEPARTMENT OF NATURAL RESOURCES**  
101 S. Webster Street  
P.O. Box 7921  
Madison, WI 53707-7921

Scott Walker, Governor  
Cathy Stepp, Secretary  
Telephone 608-266-2621  
FAX 608-267-3579



October 30, 2015

EXE-SC-2015-14-04210

Dodge County Parks Department  
Bill Ehlenbeck  
127 E. Oak Street  
Juneau, WI 53039

Dear Mr. Ehlenbeck:

This letter is in response to your written Exemption Determination Request, asking whether a proposed activity or the proposed location of the activity is exempt from the permit requirements of Chapter 30, Wis. Stats.

The waterway is an unnamed swale to Beaver Dam Lake, located in the Town of Williamstown in Dodge County. Your proposed activity is to replace a culvert less than 24 inches in diameter across the unnamed swale.

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You are responsible for obtaining any permit or approval that may be required for your project by local zoning ordinances or by the U.S. Army Corps of Engineers before starting your project.

Sincerely,

Lois Simon  
Waterway and Wetland Protection Section

cc: Joel Dohm, Project Manager, 250 N. Sunnyslope Road, Suite 296, Brookfield, Wisconsin  
53005, U.S. Army Corps of Engineers  
Al Byla, Water Management Specialist-Fitchburg  
Travis Schroeder, Water Management Specialist-Waukesha



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**ST. PAUL DISTRICT, CORPS OF ENGINEERS**  
**180 FIFTH STREET EAST, SUITE 700**  
**ST. PAUL MN 55101-1678**

November 12, 2015

Operations  
Regulatory (2015-04231-JVD)

Mr. Bill Ehlenbeck  
Dodge County Parks  
127 East Oak Street  
Juneau, Wisconsin 53039

Dear Mr. Ehlenbeck:

We have received information about your proposed project to discharge fill material in a total of 800 square feet of wetlands adjacent to Beaver Dam Lake for the purpose of replacing an existing culvert. The project site is in the SE ¼ of the NW ¼ of Sec. 19, T. 12N., R. 14E., Dodge County, Wisconsin.

The work that you describe appears to fit the general activity information described in category #1 of Department of Army General Permit (GP-002-WI). Based on the information submitted to our agency, it appears that no application or notification to the St. Paul District Corps of Engineers is required for your project.

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We did **not** determine whether the wetlands or other waters on the site are subject to Corps jurisdiction. You may request a jurisdictional determination from the Corps contact indicated below. It is not necessary to request a jurisdictional determination from the Corps if you do not object to the DA permit compliance requirements described above.

If you have any questions or, if after reviewing the DA permit terms and conditions, you believe your proposed project requires specific written authorization from our agency, please contact Joel Dohm in our office at (651) 290-5666. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

Joel V. Dohm  
Project Manager



# Dodge County Parks Town of Westford, Sec. 19 (1214)

The data used to create this map is a compilation of records, information, and data from various city, county and state offices, and other sources. This map is only advisory, does not replace a survey, and may not be used for any legal purpose. Dodge County assumes no liability for any use or misuse of this information.



- Dodge County Parks Property
- Proposed Culvert Replacement
- Tax Parcels

N  
W E  
S  
0 20 40 60  
1" = 100'  
2012 Aerial Photo  
Dodge County  
Land Resources & Parks

## Dodge County Staff Report

**Owner:**

Rob Vanderloop  
Vanderloop Equipment INC.  
W2834 Dundas Rd.  
Brillion WI 54110

PIN# 044-1214-1423-000/001

Property Location: Part of the SW ¼, NW ¼, Section 14, T12N, R14E, Town of Trenton, the site address being N8766 and N8750 Buckhorn Road.

**County Jurisdiction**

The County has Zoning Jurisdiction over this site as the Town of Trenton has adopted the County's Land Use Code.

**Applicants Request**

On October 15, 2015, the Dodge County Board of Adjustment denied a variance request to allow the construction of a farm equipment service and sales facility building 6 ½ feet within the required highway setback lines of US Highway 151. In an attempt to resolve the setback issue, the owner has approached the State DOT with a request to purchase additional right-of-way back from the State in order to meet the County's setback requirements. According to the owner, the entire process to purchase the additional road right-of-way will take several months to complete the transaction.

At this time the applicant is asking the department to allow issuance of the land use permit for phase 2 of the project (construction of the sales facility) prior to final approval and transfer of the additional land at this location so that they continue construction of the facility. A copy of the proposed land purchase is attached.

The owner has also submitted the attached landscaping plan for review and approval by the Committee.

## Giebel, Joe

---

**From:** Robb Vanderloop <Robb@vanderloop.com>  
**Sent:** Wednesday, November 04, 2015 4:33 PM  
**To:** Giebel, Joe  
**Cc:** 'Allan R. Birschbach'  
**Subject:** FW: Vanderloop Equipment Beaver Dam  
**Attachments:** 4357existing.pdf; 4357proposed.pdf

Joe,

Thank you for taking time to discuss our construction issue, attached are surveys submitted to the state for proposed land purchase. I have been working with Teri L Weil - DOT (DTSD Consultant) <[Teri.Weil@dot.wi.gov](mailto:Teri.Weil@dot.wi.gov)> to get approval for the transaction. As we discussed an approval / denial should be within 2 to 3 weeks and we feel there is a good chance to be approved. If approved the transaction will take several months to complete, we are asking if we have approval will we be able to get a permit to continue construction? Any questions or concerns please let me know otherwise I will have Teri continue.

Thank You

Robb Vanderloop  
President  
  
(920)989-1517 - Office  
(920)470-1903 - Cell

**From:** Tyler Thiry [mailto:[tyler@davel.pro](mailto:tyler@davel.pro)]  
**Sent:** Thursday, October 22, 2015 12:10 PM  
**To:** robb@vanderloop.com  
**Cc:** John Davel <[john@davel.pro](mailto:john@davel.pro)>  
**Subject:** Vanderloop Equipment Beaver Dam

Robb,

Attached are two maps I have showing the current site area and one with a proposed area with the acquisition of the DOT Right of Way per my discussion with Kevin. Please let me know what your thoughts are, and if you have any questions.

**DAVEL**  
**Engineering**  
& Environmental  
Tyler Thiry, PLS  
Professional Land Surveyor

1811 Racine Road  
Menasha, WI 54952  
**Direct: 920-560-6561**  
**[www.davel.pro](http://www.davel.pro)**

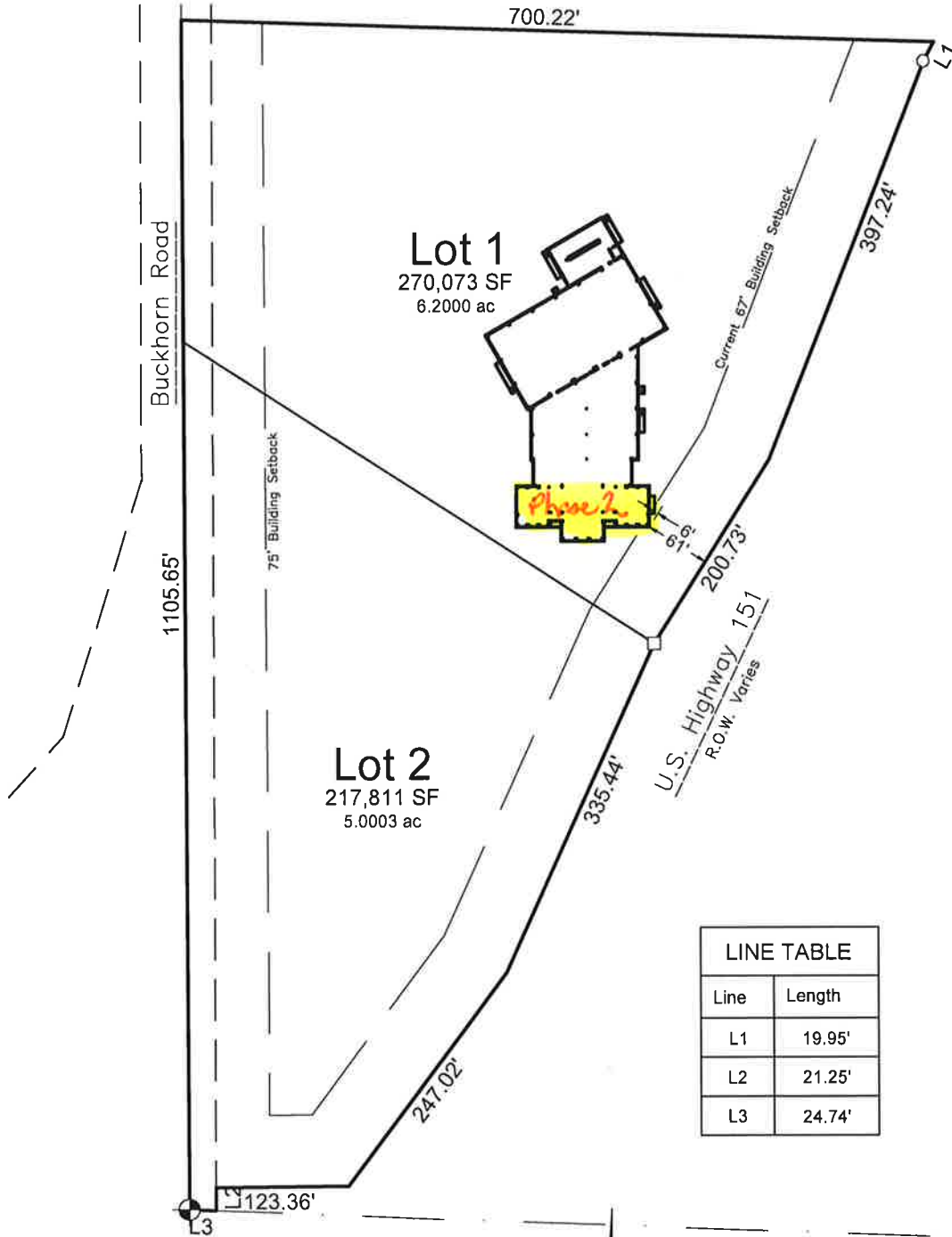
Existing

# Exhibit

## Vanderloop Equipment

Town of Trenton, Dodge County, WI

For: Vanderloop Enterprises, LLC



LINE TABLE	
Line	Length
L1	19.95'
L2	21.25'
L3	24.74'



Davel Engineering &  
Environmental, Inc.  
Civil Engineers and  
Land Surveyors  
1811 Racine Street  
Menasha, Wisconsin  
Ph. 920-991-1866, Fax 920-830-9595



Survey for:  
Vanderloop Enterprises, LLC  
c/o Robb Vanderloop  
W2834 Dundas Road  
Brillion, WI 54110

File: 4357csm.dwg  
Date: 10/22/2015  
Drafted By: tyler  
Sheet: Exhibit

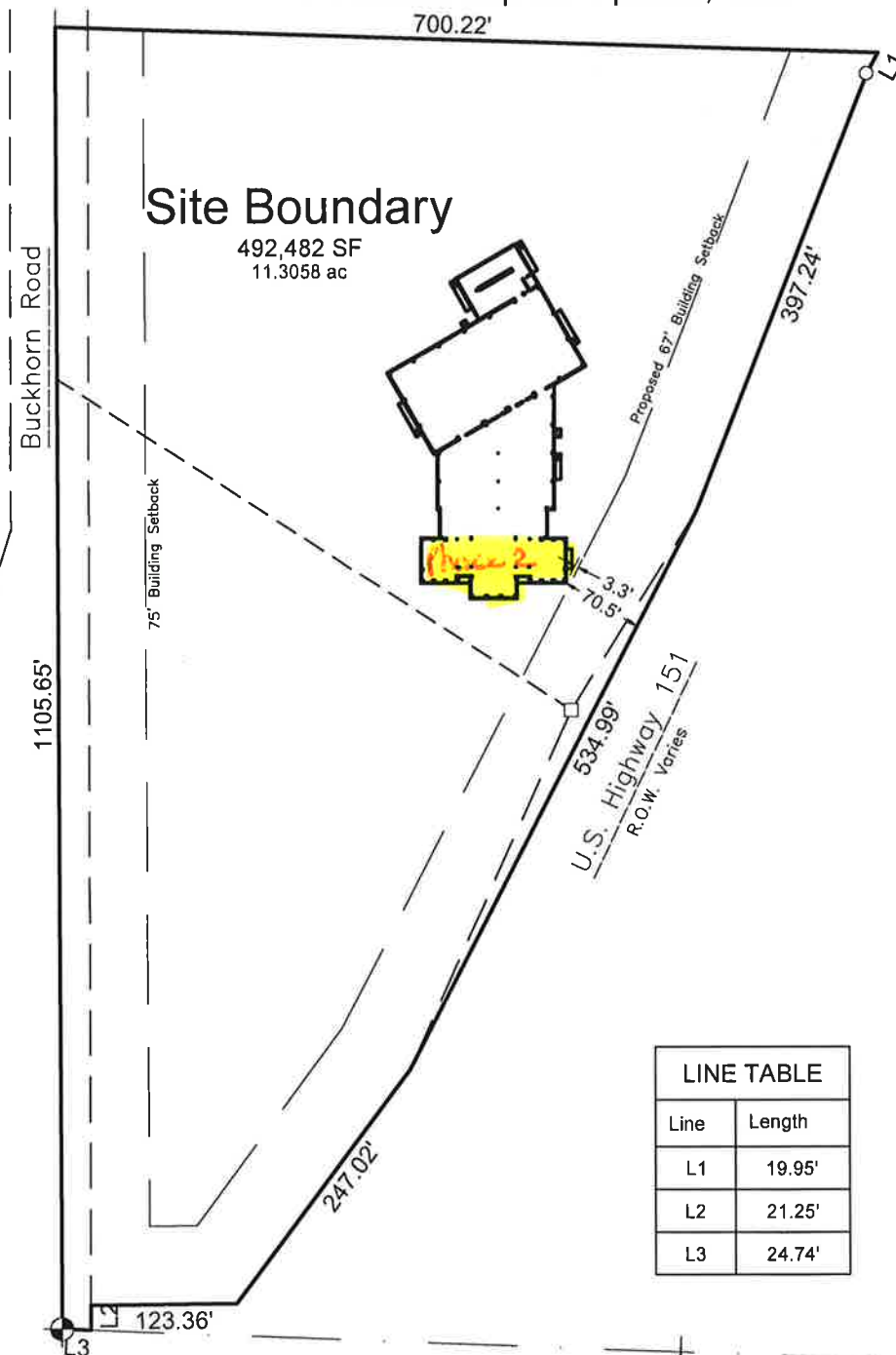
Proposed

# Exhibit

## Vanderloop Equipment

Town of Trenton, Dodge County, WI

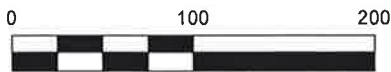
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Survey for:  
Vanderloop Enterprises, LLC  
c/o Robb Vanderloop  
W2834 Dundas Road  
Brillion, WI 54110

File: 4357proposed.dwg  
Date: 10/22/2015  
Drafted By: tyler  
Sheet: Exhibit





**Discuss Possible Changes to the Loan Structure for Mayville Hotels, LLC**

Dean Perlick provided an updated report on the loan to Mayville Hotels. The last two payments were submitted late. Keith Hill would like to explore options to reduce the payment amount during the coming slow season. Mr. Hill explained the situation and reported that income was over \$100,000 higher from January to September this year over last year.

Motion by Gibbs to allow the submittal of an interest only monthly payment for a 6 month period starting in November subject to the submittal of the following:

1. Financial reports for the business.
2. A personal financial statement.
3. Listing of any open accounts and their status.

Seconded by Connaughty

Vote 5-0

Motion carried

**Review Specialty Cheese Company, Inc. Financial Reports**

The Committee reviewed the financial records of Specialty Cheese Company from May and September of 2015.

**Revolving Loan Fund – Status Report**

Dean Perlick provided an updated status report on the Revolving Loan Fund. County funds available to loan is about \$340,000.

**Next Meeting**

The next meeting will be scheduled as need dictates.

Motion by Coley to adjourn the meeting.

Second by Gibbs.

Motion carried.

Meeting adjourned at 4:32 p.m.

Respectfully Submitted,

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Karen Coley, Secretary

Disclaimer: The above minutes may be approved, amended or corrected at the next Committee meeting.



**REVOLVING LOAN PROGRAM - DODGE COUNTY**  
 STATUS REPORT  
 November 17, 2015

LOAN CUSTOMER	LOAN AMOUNT AND INT. RATE	MATURITY DATE	COLLATERAL AND POSITION	MONTHLY PAYMENTS	CURRENT	BALANCE DUE
Specialty Cheese Co., Inc.	\$419,959 3.25%	9/1/2017	Company Assets 2nd Position	\$5,815.69	Yes	\$148,205.12
Mossflower Harbour	\$73,000 3.25%	1/9/2017	Real Estate 2nd Position	\$551.13	Delinquent	\$22,722.93
Christian Brothers (Piggly-Wiggly)	\$250,000 3.25%	1/10/2018	Company Assets 2nd Position	\$2,972.07	Yes	\$72,776.01
T & T Pools - 2	\$50,000 6.25%	7/8/2019	Real Estate 2nd Position	\$507.43	Yes	\$19,907.08
Northwoods Paper - 3	\$200,000 3.25%	2/21/2017	Equipment 3rd Position	\$2,779.63	Yes	\$41,148.24
Northwoods Paper - 4	\$150,000 3.25%	4/1/2020	Equipment 2nd Position	\$1,995.85	Yes	\$98,414.80
Patriot Taxiway # 2	\$240,000 3.25%	6/1/2018	Company Assets 2nd Position	\$3,336.04	Yes	\$96,861.80
RCl Engineering	\$350,000 3.25%	6/22/2027	Real Estate 3rd Position	\$2,978.50	Yes	\$346,661.77
Mayville Hotel	\$315,000 3.25%	2/20/2027	Real Estate 2nd Position	\$1,786.67	No	<u>\$308,411.85</u>
<b>TOTALS</b>						<b>\$1,155,109.60</b>

**County Funds**

**\$340,158.32**

2 Inquiries since 7-22-15

Source: Dodge County Land Resources and Parks Department

Resolution 201614

In August of 1980 the Dodge County Board of Supervisors authorized County participation in the Wisconsin Fund Grant Program. This program is a State funded grant assistance program designed to reimburse residential homeowners and small businesses a portion of the costs associated with the rehabilitation or replacement of an existing, failed private septic system.

The County requested and received payment of a Wisconsin Fund grant in the amount of \$5740.59. The staff requests payout of the Wisconsin Fund Grant for the following participant:

<u>OWNER</u>	<u>TOWN</u>	<u>GRANT AMOUNT</u>
Billings, Perry and Diane	Theresa	\$5740.59

**Total Payment Request:            \$5,740.59**

**Motion by: \_\_\_\_\_ to authorize the Wisconsin Fund Grant Payment.**

**Second by:**

**Vote:**

**Motion Carried**

**DODGE COUNTY PLANNING, DEVELOPMENT AND PARKS COMMITTEE  
MINUTES  
November 2, 2015**

The Dodge County Planning, Development and Parks Committee met on November 2, 2015 at 7:00 p.m. on the 1<sup>st</sup> Floor of the Administration Building, Juneau, Wisconsin.

Chairman Schaefer called the meeting to order. Roll Call was taken. Members present were Tom Schaefer, Allen Behl, Randy Grebel, Joseph Marsik and Janice Bobholz. The staff present at the request of the Chairman was Joseph Giebel.

The Chairman asked the staff to confirm compliance with the open meeting laws and the public hearing notice requirements. Mr. Giebel noted that the meeting was properly noticed in accord with the open meeting law and noted that the required notices for the public hearing listed on the agenda was posted, mailed and published in accord with the statute and code requirements.

The agenda was reviewed.

Motion by Allen Behl to approve the agenda  
Second: Joseph Marsik. Motion carried.

**The hearing procedures were read into the record.**

**PUBLIC HEARING**

**Charles Neuman** - Request for a Conditional Use Permit under the Shoreland Protection Ordinance, Dodge County, Wisconsin to allow filling, grading and dredging within a Shoreland district associated with the construction of a landscaping related retaining wall. The property is described as Lots 14 & 15, Plat 2, Lyndon Dale Subdivision, located in part of the NW ¼, NE ¼, Section 27, T13N, R13E, Town of Fox Lake, the site address being N10467 Chief Kuno Trail.

Motion by Randy Grebel to approve the conditional use permit to allow filling, grading and dredging within a Shoreland district associated with the construction of a landscaping related retaining wall subject to the following conditions:

1. It shall be the responsibility of the applicant to obtain all other permits or approvals that may be required (e.g., Wisconsin Department of Natural Resources and/or U.S. Army Corps of Engineers) for the proposed retaining wall project.
2. All erosion control measures required by the applicable Federal, State, County and Local codes shall be in place and shall be maintained throughout the duration of the project in accordance with Best Management Practices.
3. All work shall be done in accord with the plans and specifications submitted on October 12, 2015
4. The decision of the Committee is valid for one year.

Second by Janice Bobholz    Vote 5-0    Motion carried.

## OTHER BUSINESS

### 1. Wisconsin County Code Administrators Conference Update

Joe Giebel provided the committee with a report on the WCCA Conference which was recently held in Door County. Terry Ochs and Mr. Giebel attended the WCCA conference.

Mr. Giebel indicated that Wednesday of the conference was dedicated to Wetland Functions and workshops. The group toured several wetland sites and worked with the different wetland identification tools that can be used to recognize wetlands. Giebel indicated that the Wisconsin Wetlands Association has created a new state model Wetland Ordinance which will be released in November. Giebel indicated that the ordinance doesn't create any new wetland permit requirements, but does establish the standards for wetland conservation which can be used for the review process for conditional use and variance requests for filling and grading, stormwater management plans, and subdivision approvals. The staff will be reviewing the model ordinance once it is released and will see how it may apply to the existing ordinances.

Thursday of the conference was dedicated for the most part on the statute changes that were affected by Act 55 (Budget Bill) Kay Lutze, the DNR policy coordinator, provided an update on the shoreland ordinance changes that the Counties will be required to make before October, 2016. She presented the DNR's interpretation of the rule changes and she also indicated that an updated Shoreland Model Ordinance with the changes made by Act 55 will be ready for distribution to the County's sometime this fall. Giebel indicated that the staff will use the model ordinance to determine what amendments will be needed to bring the County's Ordinances into compliance and will submit the proposed amendments to the Committee as soon as they are ready.

Giebel mentioned that Dan Bahr – Lobbyist for the WCA, provided an update on the legislative bills expected for this upcoming session. He indicated that several of the Counties are passing resolutions to support a new bill that would request the repeal of the changes that were made under Act 55. He also indicated that a current bill to repeal Act 55 does not appear to have the necessary support at this time from the house or senate level that would be needed to pass.

Mr. Giebel indicated that the last day of the conference was dedicated to updates on the State Platting and CSM statutes, the floodplain ordinance and the DATCP Livestock Siting Laws. He indicated that the staff will be reviewing the statute changes and will proposed amendments to the County Ordinances that will be needed to bring them into compliance.

Giebel indicated that Terry Ochs was installed as president of the WCCA for 2016 and he will continue to work at representing the County at the WCCA functions.

### 2. The minutes from the October 19, 2015 meeting were reviewed by the Committee.

Motion by Joseph Marsik to approve the minutes as written.

Second by Randy Grebel                      Vote: 5-0      Motion carried.

3. No Committee Member Reports
4. No additional per diems.
5. Mr. Giebel informed the Committee that there are no hearings scheduled for the November 16, 2015 meeting. By order of the Chairman, the November 16, 2015 meeting was cancelled.

Motion by order of the Chair to adjourn the meeting.

Motion carried.

Meeting adjourned at 7:30 p.m.

Respectfully Submitted,

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Allen Behl, Secretary

Disclaimer: The above minutes may be approved, amended or corrected at the next committee meeting.

# Land Resources and Parks Department Staff Report

## Town Rezoning Petition # 2015-0792

### Owner:

Joseph and Marie Roche  
N3504 Roche Road  
Columbus, WI 53925

**Filing Date: December 3, 2015**

**Committee Review Date: December 7, 2015**

### Location:

PIN# 036-0913-0313-000; 0314-000; 0342-000; 0341-000; 0343-000; 0342-001;  
Property Location: Part of the SW ¼, NE ¼, Section 3, Town of Portland

### Applicants Request

A petition to rezone approximately 2-acres of land from the A-1 Farmland Preservation Zoning District to the A-2 General Agriculture Zoning District has been submitted by the Town of Portland Town Board to the Dodge County Board of Supervisors for approval. The applicant intends to create an approximate 2-acre and a 210-acre lot at this location. The 2-acre lot is intended for non-farm residential use. The remaining 210-acres will remain in agricultural use at this time.

### Land Use Code Provisions:

According to 60.62(3) Wisconsin Statutes, in counties having a county zoning ordinance, no Town zoning ordinance or amendment of a Town zoning ordinance may be adopted under this section unless approved by the county board. The Planning Committee is responsible for reviewing Town rezoning amendment requests and for recommending that the County Board of Supervisors approve or deny such petitions.

### Physical Features of Site

**The features of the property that relate to the granting or denial of the rezoning petition are as follows:**

The proposed lots are not located within the County's Zoning Jurisdiction.

The County has Shoreland Jurisdiction over portions of the 210-acre lot.

- Portions of the 210-acre lot are designated as wetlands.
- The proposed 2-acre lot is not designated as wetlands.

The County has Floodplain jurisdiction over portions of the 210-acre lot.

- The proposed 2-acre lot is not designated as a floodplain.

The topography of the site is rolling with slopes ranging from 0 to 12%;

Land Use, Site: Wooded area.

Land Use, Area: Agricultural with scattered residences.

Designated Archaeological Site:    Yes             No

The County's Density Standards do not apply;

The proposal is consistent with the Dodge County Comprehensive Plan:

- The site is designated as agricultural according to the County's Future Land Use Map which can include a limited amount of residential development, but where the predominant land use would be agricultural in nature.

**STAFF ADVISORY:**

***This staff advisory is only advice to the Planning, Development and Parks Committee. The Committee may or may not consider the advice of the staff and decision making authority is vested in the Committee only.***

**Town Rezoning Petition**

The staff believes that the Town Board has followed the proper procedures outlined in their Zoning Ordinance in order to approve the rezoning request. In addition, the proposed rezoning petition is consistent with the County's Comprehensive Plan as the site is designated as general agriculture which may allow for limited residential development. Therefore, staff recommends the committee report favorably on the town rezoning petition.



DODGE COUNTY  
 LAND RESOURCES & PARKS DEPARTMENT  
 127 E. OAK STREET \* JUNEAU, WI 53039  
 PHONE: (920) 386-3700 \* FAX: (920) 386-3979  
 E-MAIL: landresources@co.dodge.wi.us

150792

Town  
**REZONING PETITION**

THIS AREA FOR OFFICE USE ONLY	
Activity No.	Application Date:
	Receipt #:

Petition Fee: \$350 (Payable to Dodge County)

NAMES & MAILING ADDRESSES		PROPERTY DESCRIPTION			
Petitioner (Agent) Joe + Marie Roche		Parcel Identification Number (PIN) 036-0913-0313-000			
Street Address N3504 Roche Rd		Town Portland	T 9N	N 10	R E
City State ZipCode Columbus, WI 53925		Section 3	1/4 SW	1/4 NE	Acreage 2.0
Property Owner (If different from petitioner)		Subdivision or CSM (Volume/Page/Lot)			
Street Address		Address Of Property (DO NOT include City/State/ZipCode)			
City State ZipCode		Is this property connected to public sewer? ● Yes ● <input checked="" type="radio"/> No			





RESOLUTION NO. \_\_\_\_\_

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN

WHEREAS, Dodge County, a Body Corporate under the laws of the State of Wisconsin has adopted a comprehensive Zoning Ordinance which is in full force and effect, and


WHEREAS, the Town Board of Portland has adopted a Town Zoning Ordinance for said town, the power to adopt a Town Zoning Ordinance having been granted by referendum vote of the electors of the Town of Portland held at the time of a regular annual Town meeting, and

WHEREAS, pursuant to Section 60.62(3) of the Wisconsin Statutes adoption and amendment of a town zoning ordinance by a town board is subject to approval of the County Board in counties having a zoning ordinance in force and effect, and

WHEREAS, a public hearing as to the proposed amendment to the Town Zoning Ordinance of the Town of Portland was held by the Town Planning Commission of the Town of Portland on **November 19, 2015**, and the proposed amendment to the Zoning Ordinance of the Town of Portland having been adopted by the Town Board of the Town of Portland on **November 19, 2015**

THEREFORE BE IT RESOLVED: That the amendment to the Town Zoning Ordinance of the Town of Portland as represented by "Exhibit A" attached to and made a part of this resolution be and hereby is approved, by the Board of Supervisors of Dodge County, Wisconsin.

All of which is respectfully submitted this \_\_\_\_ day  
of \_\_\_\_\_, 20 .

  
\_\_\_\_\_  
JEFF BERRES , Supervisor

**Dodge County Planning, Development and Parks Committee Decision**

**Town Rezoning Petition # 2015-0792**

**Owner:**

Joseph and Marie Roche  
N3504 Roche Road  
Columbus, WI 53925

**Filing Date: December 3, 2015**

**Committee Review Date: December 7, 2015**

**Location:**

PIN# 036-0913-0313-000; 0314-000; 0342-000; 0341-000; 0343-000; 0342-001;  
Property Location: Part of the SW ¼, NE ¼, Section 3, Town of Portland

**Applicants Request**

A petition to rezone approximately 2-acres of land from the A-1 Farmland Preservation Zoning District to the A-2 General Agriculture Zoning District has been submitted by the Town of Portland Town Board to the Dodge County Board of Supervisors for approval. The applicant intends to create an approximate 2-acre and a 210-acre lot at this location. The 2-acre lot is intended for non-farm residential use. The remaining 210-acres will remain in agricultural use at this time.

**CONCLUSIONS OF LAW**

**Based upon the facts presented in the application and by the County staff, the committee concludes that:**

**Does the application contain sufficient information necessary to make a decision on the Town rezoning petition?**

- Yes
- No - The following additional information is required:

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**Is there sufficient evidence in the record to show that the town has followed the proper procedures in order to recommend approval of the town rezoning petition?**

- Yes – According to the information on record in this matter, the Town has followed the proper procedures in order to approve the Town rezoning petition;
- No; based on the information submitted with the application, it appears that the town did not follow the proper procedures in approving the rezoning petition.

Comments

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Motion by \_\_\_\_\_ to submit a (favorable / unfavorable) recommendation to the County Board regarding the town rezoning petition based upon the previously mentioned findings.

Motion second \_\_\_\_\_

**Vote**

Allen Behl	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Janice Bobholz	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Randy Grebel	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Joseph Marsik	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Tom Schaefer - Chairman	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present

**Motion (Carried / Denied)**

Dodge County Planning, Development and Parks Committee

Signed \_\_\_\_\_ Attest \_\_\_\_\_  
Chairperson Secretary

Dated: \_\_\_\_\_

Filed: \_\_\_\_\_

The data used to create this map is a compilation of records, information, and data from various city, county and state offices, and other sources. This map is only advisory, does not replace a survey, and may not be used for any legal purpose. Dodge County assumes no liability for any use or misuse of this information.



<p><b>General</b></p> <ul style="list-style-type: none"> <li> Urbanized Roads</li> <li> Soils</li> <li> Airport Ordinance 3-Mile Buffer</li> <li> Sewer Service Areas</li> <li> Elevation Contours (2' &amp; 10')</li> </ul> <p><b>WI Historical Society</b></p> <ul style="list-style-type: none"> <li> Historic Structures</li> <li> Archaeological Sites</li> <li> Survey Areas</li> </ul>	<p><b>Floodplain/Wetland</b></p> <ul style="list-style-type: none"> <li> Floodplain (May 19th 2014)</li> <li> Flood Storage Areas (2014)</li> <li> DNR Wetland (2006)</li> <li> DNR Wetland Points (2006)</li> </ul> <p><b>Shoreland Zoning</b></p> <ul style="list-style-type: none"> <li> Lake/Pond/Slough Buffer</li> <li> Lakes/Ponds/Sloughs</li> <li> Rivers/Streams/Creeks</li> <li> Horicon Marsh (860' Contour)</li> </ul>	<p><b>COUNTY ZONING</b></p> <ul style="list-style-type: none"> <li> PLANNED UNIT DEVELOPMENT</li> <li> HARTFORD EXTRATERRITORIAL</li> <li> GENERAL AGRICULTURAL</li> <li> PRIME AGRICULTURAL</li> <li> ONE FAMILY RESIDENTIAL</li> <li> TWO FAMILY RESIDENTIAL</li> <li> MULTI-FAMILY RESIDENTIAL</li> </ul>	<ul style="list-style-type: none"> <li> GENERAL COMMERCIAL</li> <li> EXTENSIVE COMMERCIAL</li> <li> LIGHT INDUSTRIAL</li> <li> INDUSTRIAL</li> <li> CITY OR VILLAGE</li> <li> RIGHT OF WAY</li> <li> WATERBODY</li> </ul>
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# Preservation Zoning Map Dodge County, Wisconsin

