

Land Resources and Parks Department Staff Report

County Rezoning Petition # 2017-0216

Filing Date: April 11, 2017

Hearing Date: May 15, 2017

Decision Date: June 5, 2017

Applicant / Owner:

Allen Thurow
W3348 Davidson Road
Neosho, WI 53059

Location

PIN# 026-0916-1211-000; 026-0916-1214-000; 026-0916-1212-002;

Part of the NE ¼ of the NE ¼ and part of the SE ¼ of the NE ¼, Section 12, Town of Lebanon, the site address being W2907 County Road MM.

Applicants Request

A rezoning petition has been submitted by the applicant in order they be allowed to rezone approximately 12.3 acres of land from the A-1 Prime Agricultural zoning district to the A-2 General Agricultural zoning district under the Dodge County Land Use Code in order to allow for the creation of a non-farm residential lot at this location.

On May 15, 2017, the public hearing for this request was held by the Planning, Development and Parks Committee. The Committee voted to lay over a decision on the rezoning request at the request of the Town in order to allow the Town time to review the proposal and to submit a recommendation to the Committee.

Town Recommendation: No recommendation submitted – Town Board meets on June 1, 2017

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.I of the Code with Chapter 91.48 of the Wisconsin State Statutes. The staff comments are listed in Exhibit A for the Committee review.

The staff believes that the committee can make the findings necessary under Section 2.3.4.I of the code and Chapter 91.48 of the Wisconsin State Statutes in order to submit a favorable recommendation to the County Board for this proposal.

Exhibit A

2.3.4.1 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:

2.3.4.1.1 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 property while maintaining adequate levels of service to existing development;

- It is the staff's position that there are adequate public facilities and services to serve the proposed lots;

2.3.4.1.2 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 proposed development project will not place an unreasonable burden on the ability of the Town to provide adequate public facilities or services;

2.3.4.1.3 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 proposed lot is developed in accord with the Land Use Code provisions, the development project will not have an unreasonable adverse effect on surrounding properties or the environment;

2.3.4.1.4 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 area to be rezoned is suitable for development and if the land is developed in accord with the land use code provisions, the project will not cause unreasonable soil erosion;

2.3.4.1.5 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 proposal is consistent with the Dodge County Comprehensive Plan as 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.
- It is the staff position that the proposal is consistent with the Farmland Preservation Plan

2.3.4.1.6 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 rezoning is consistent with the County's Future Land Use Map as this site is designated as agriculture. Therefore it is the staff's position that the proposed rezoning 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 the proposed rezoning is the minimum action necessary to accomplish the intent of the petition;

2.3.4.I.8 For all proposed rezoning petitions that will remove land from the A-1 Prime Agricultural Zoning District, the following additional findings shall be made:

2.3.4.I.8.a The land is better suited for a use not allowed in the A-1 Prime Agricultural Zoning District;

- It is the staff's position that the land is suitable for residential development;

2.3.4.I.8.b The rezoning is substantially consistent with the Dodge County Comprehensive Plan and Farmland Preservation Plan;

- The property is designated as agriculture according to the County's Future Land Use Map and therefore it is the staff's position that the proposed rezoning is substantially consistent with the Dodge County Comprehensive Plan and the Farmland Preservation plan;

2.3.4.I.8.c The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use;

- It is the staff's position that the proposed rezoning will not substantially impair or limit the current or future agricultural use of the adjacent parcels;

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.

- A recommendation has not been forwarded to the Department regarding this petition.

Dodge County Planning, Development and Parks Committee Decision

County Rezoning Petition # 2017-0216

Filing Date: April 11, 2017

Hearing Date: May 15, 2017

Decision Date: June 5, 2017

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Allen Thurow
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PIN# 026-0916-1211-000; 026-0916-1214-000; 026-0916-1212-002;
Part of the NE ¼ of the NE ¼ and part of the SE ¼ of the NE ¼, Section 12, Town of Lebanon, the site address being W2907 County Road MM.

Applicants Request

A rezoning petition has been submitted by the applicant in order they be allowed to rezone approximately 12.3 acres of land from the A-1 Prime Agricultural zoning district to the A-2 General Agricultural zoning district under the Dodge County Land Use Code in order to allow for the creation of a non-farm residential lot at this location.

CONCLUSIONS OF LAW

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

2.3.4.1 Approval Criteria

2.3.4.1.1 Are there adequate public facilities and services available to serve the subject property 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

2.3.4.1.2 Will the provision of public facilities to this project place an unreasonable burden on the ability of affected local units of government to provide them?

(Yes / No);

Comments

2.3.4.1.3 Will the proposed development result in significant adverse impacts upon surrounding properties or the natural environment? (air, water, noise, stormwater management, soils, wildlife, and vegetation)

(Yes / No);

Comments

2.3.4.1.4 Will the development of this land cause unreasonable soil erosion or have an unreasonable adverse effect on rare or irreplaceable natural areas?

(Yes / No);

Comments

2.3.4.1.5 Is the proposal consistent with the Dodge County Comprehensive Plan and Farmland Preservation Plan and the stated purposes of this Code?

(Yes / No);

Comments

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

(Yes / No);

Comments

2.3.4.1.7 Is the proposed rezoning the minimum action necessary to accomplish the intent of the petition?

(Yes / No)

Comments

2.3.4.1.8 For all proposed rezoning petitions that will remove land from the A-1 Prime Agricultural Zoning District, the following additional findings shall be made:

2.3.4.1.8.a Does the Committee believe that the land to be rezoned is better suited for residential use or for agricultural use?

(Residential / Agricultural)

If the land to be rezoned is better suited for agricultural use, are there other areas on this property that would be better suited for the proposed residential use?

Comments

2.3.4.1.8.b Is the rezoning petition substantially consistent with the Dodge County Comprehensive Plan and Farmland Preservation Plan;

(Yes / No)

Comments

2.3.4.1.8.c Will the rezoning substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use;

(Yes / No)

Comments

2.3.4.J Approval by Affected Town Boards

Has the Town submitted a recommendation regarding this request?

(Yes / No)

Comments

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

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?

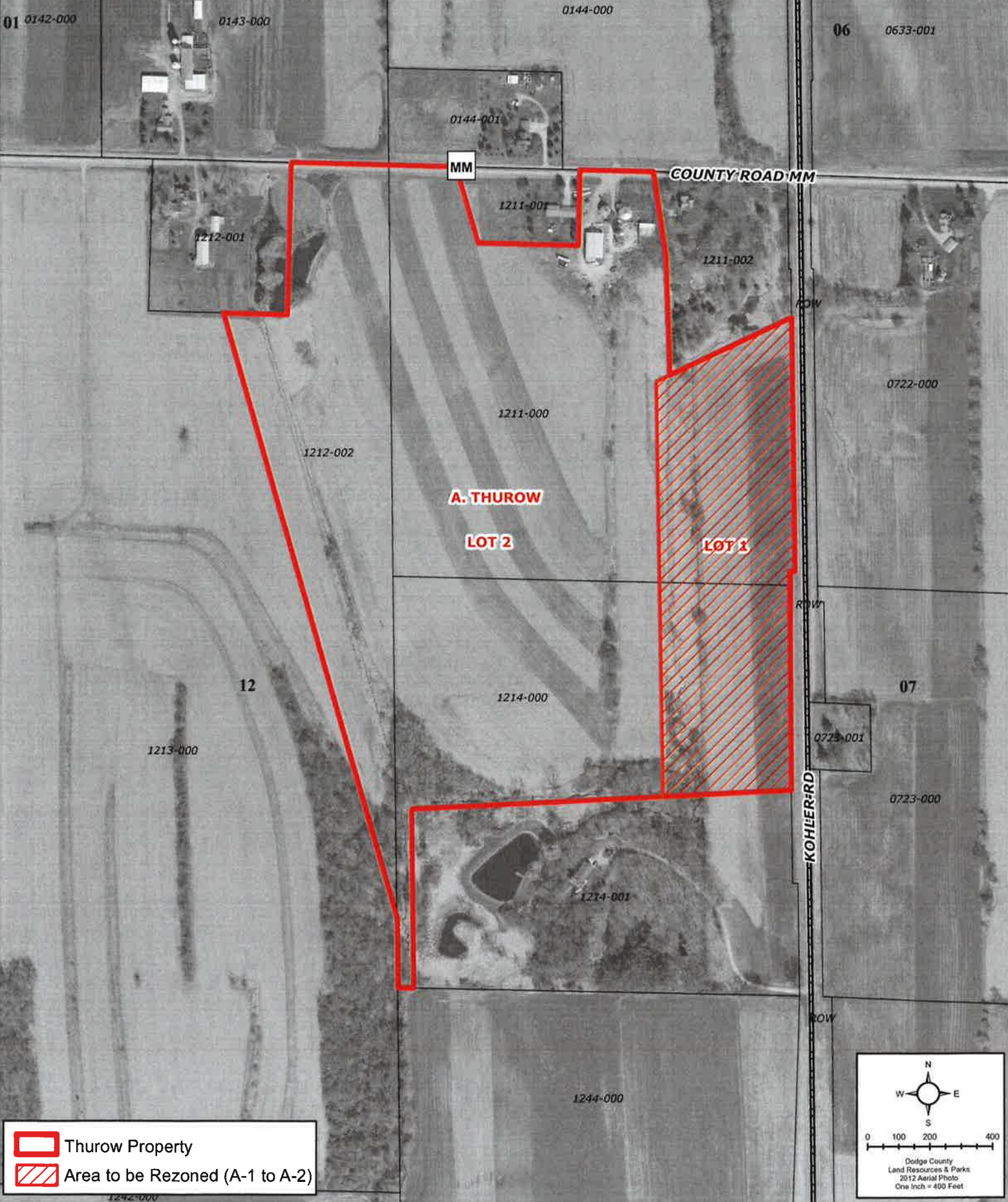
(Yes / No)

Motion by _____ to submit a (favorable / unfavorable) recommendation to the County Board of Supervisors on the rezoning petition as proposed.

Motion second _____

Alan Thurow Town of Lebanon, Sec. 12

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.



-  Thurow Property
-  Area to be Rezoned (A-1 to A-2)

North arrow and scale bar. Dodge County Land Resources & Parks, 2012 Aerial Photo, One inch = 400 Feet.

Land Resources and Parks Department Staff Report

County Conditional Use Permit Application # 2017-0262

Filing Date: April 24, 2017

Hearing Date: June 5, 2017

Owner:

Delwyn and Mary Biel
N7148 State Road 73
Randolph, WI 53956

Location

PIN#: 008-1113-0641-000; 008-1113-0613-000; 008-1113-0614-000; 008-1113-0644-001;

Location: Part of the NE ¼ of the SE ¼, Section 6, Town of Calamus, the site address being N7070 State Road 73

Applicants Request

An application for a County Conditional Use Permit was made by the applicant in order they be allowed to create an approximate 1.3-acre single family nonfarm residential lot within the A-1 Prime Agricultural Zoning District. The proposed 1.3-acre lot will contain an existing residence and accessory building which is intended for residential use.

County Jurisdiction

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

Review Criteria

1. Subsections 2.3.6.A through 2.3.6.H of the Land Use Code details procedural matters, the approval criteria and the form for the conditional use permit application.
2. According to Section 3.7.4 of the Code, the Committee may authorize the Land Use Administrator to issue a Conditional Use Permit (CUP) for those conditional uses listed under Section 3.7.2 of this Code after review and a public hearing, provided that such conditional uses are in accordance with Section 2.3.6 of this Code and Wis. Stats. 91.46.

Land Use Code Provisions:

1. Section 3.7.2.D of the Land Use Code identifies proposals that convert a farm residence to a nonfarm residence through a change in occupancy as a conditional use in the A-1 Prime Agricultural Zoning District provided the proposal complies with the requirements listed in 3.7.2.D.1 through 3.7.2.D.3.

Purpose Statement

The purpose of the A-1 Prime Agricultural Zoning District is to promote areas for uses of a generally exclusive agricultural nature in order to protect farmland, allow participation in the state's farmland preservation program, and accommodate changing practices in the agricultural industry, subject to appropriate standards.

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 A-1 Prime Agricultural Zoning District.

The base farm tract contains 110-acres that are located within the A-1 Prime Agricultural Zoning District;

- 5.2-acres are available for non-farm residential use under Section 3.7.2.D.1 of the code.

The site is not located within the Shoreland/Wetland District;

The site is not located within the Floodplain District;

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

Land Use, Site: Agricultural and residential

Land Use, Area: Agricultural with scattered residences along STH 73.

Designated Archaeological Site: Yes No

Town Recommendation: Approve

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 Sections 2.3.6.F and 3.7.2.D of the Dodge County Land Use Code and with Chapter 91.46 of the Wisconsin State Statutes. The staff comments are listed in Exhibit A for the Committee review.

It is the staff's position that the project as proposed is in compliance with the applicable provisions of the Dodge County Land Use Code and the provisions of Chapter 91.46 of the Wisconsin State Statutes and the staff believes that the Committee can make the findings necessary under Section 2.3.6.F and 3.7.2.D of the code that are required to approve the Conditional Use Permit for this project. If approved with the following conditions, the staff believes 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 Code.

CONDITIONS:

1. The applicant shall obtain the required land division approvals for the proposed lot from the County and local municipalities if required, prior to the creation of these lots;
2. The proposed non-farm residential lot shall not exceed 5.25-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;
3. Only one single family residential unit may be located on the proposed non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units;
4. The acreage of the proposed non-farm residential lot shall count towards the total non-farm residential acreage that can be created from the base farm tract for this property;
5. A "Notice of Zoning Limitations" document shall be recorded with the Dodge County Register of Deeds Office for the following parcels which make up the "base farm tract" which notifies the potential buyers of these parcels that there may be limitations as to the number of new lots that can be created from this base farm tract:
 - 008-1113-0641-000; 008-1113-0613-000; 008-1113-0614-000; 008-1113-0644-001;
6. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;
7. 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 criteria listed in Section 2.3.6.F and 3.7.2 of the code. The staff comments are as follows:

Subsection 3.7 Is the proposed conditional use permit request in compliance with Chapter 91.46, Wisconsin State Statutes?

	<u>Complies</u>	<u>Potential Problem</u>	<u>N/A</u>
Proposed Use:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.7.2.D.1 Non-farm residential acreage ratio: <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none">• Acreage of Base Farm Tract: 110 acres;• Non-farm residential acreage: 1.3 acres;• Farm acreage remaining after project is completed: 108.7 acres;• The ratio of all “nonfarm residential acreage” to farm acreage: on the “base farm tract” shall not exceed 1 to 20 (0.05).<ul style="list-style-type: none">▪ Ratio of non-farm residential acreage to farm acreage: 1:83 or 0.01			
3.7.2.D.2 The total number of non-farm residential units on the base farm tract shall not exceed 4; <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Existing non-farm residences on base farm tract:			
<ul style="list-style-type: none">• 0 - Number of existing non-farm residential units located on base farm tract;• 1 - Number of proposed non-farm residential units located on base farm tract;• 1 - Total number of non-farm residential units located on base farm tract;			
The total number of residential units of any kind on the base farm tract shall not exceed 5; <input type="checkbox"/>			
Existing residential units on base farm tract:			
<ul style="list-style-type: none">• 1 - Number of existing residential units located on base farm tract;• 0 - Number of proposed residential units located on base farm tract;• 1 - Total number of residential units located on base farm tract;			
3.7.2.D.3.a Location of the proposed lots: <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the proposed nonfarm residential lot convert cropland or “prime farmland” into non-farm use;			
<input type="checkbox"/> Yes; <input checked="" type="checkbox"/> No;			
<ul style="list-style-type: none">○ If yes; are there reasonable alternative locations for the proposed lot that would convert less cropland or “prime farmland” into non-farm use?			
3.7.2.D.3.b Location of the proposed lots: <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the location of the nonfarm residential lot significantly impair the current or future agricultural use of other “protected farmland”?			
<input type="checkbox"/> Yes; <input checked="" type="checkbox"/> No;			
<ul style="list-style-type: none">○ If yes; are there any mitigation measures that can be implemented in order to minimize the impact of the nonfarm residential use on the adjacent agricultural use?			

Non-Farm Residential Cluster:

- The proposed parcels are contiguous;
- The proposed residences if constructed, would satisfy the requirements for a single non-farm residence;

2.3.6.F.2 Is the project compatible with adjacent uses in terms of scale, site design, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);

- It is the staff's position that the proposed residential use will be compatible with the adjacent uses;

2.3.6.F.3 Will the proposed use be significantly detrimental to the public health, safety, and welfare?

- It is the staff's position that the proposal will not have a significant detrimental impact on the adjacent properties or the community;

2.3.6.F.4 Will the project cause substantial diminution in value of other property in the neighborhood in which it is to be located;

- It is the staff's position that the proposal will not have an adverse impact on the value of other property in the area;

2.3.6.F.5 Are public safety, transportation and utility facilities and services available to serve the subject property while maintaining sufficient levels of service for existing development?

- It is the staff's position that there are adequate public facilities to serve the property;

2.3.6.F.6 Are there adequate assurances of continuing maintenance for the project?

- It is the staff's position that there are adequate assurances of continuing maintenance for the project.

2.3.6.F.7 Will any significant adverse impacts on the natural environment be mitigated to the maximum practical extent?

- It is the staff's position that the proposal will not have an adverse impact on the natural environment.

2.3.6.F.8 The proposed use will not be located in any hazard areas, including floodplains, floodways, etc., unless any potential danger is mitigated to the maximum extent possible, and to the satisfaction of the Wisconsin Department of Natural Resources;

- It is the staff's position that proposed use will not be located in any hazard areas.

2.3.6.F.1 Does the proposed project comply with all applicable provisions of this Code;

- It is the staff's position that the proposed project complies with the applicable provisions of the code;

Dodge County Planning, Development and Parks Committee Decision

County Conditional Use Permit Application # 2017-0262

Filing Date: April 24, 2017

Hearing Date: June 5, 2017

Owner:

Delwyn and Mary Biel
N7148 State Road 73
Randolph, WI 53956

Location

PIN#: 008-1113-0641-000; 008-1113-0613-000; 008-1113-0614-000; 008-1113-0644-001;

Location: Part of the NE ¼ of the SE ¼, Section 6, Town of Calamus, the site address being N7070 State Road 73

Applicants Request

An application for a County Conditional Use Permit was made by the applicant in order they be allowed to create an approximate 1.3-acre single family nonfarm residential lot within the A-1 Prime Agricultural Zoning District. The proposed 1.3-acre lot will contain an existing residence and accessory building which is intended for residential use.

CONCLUSIONS OF LAW

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

According to Section 3.7.2.D of the Land Use Code and Wisconsin State Statute 91.46, a proposal to convert a farm residence to a nonfarm residence through a change in occupancy can be approved if all of the following apply:

3.7.2.D.1 Does the proposal meet the nonfarm residential acreage standards for the A-1 Prime Agricultural Zoning District?

(Yes / No)

If no, the request shall be denied.

3.7.2.D.2 Does the proposal meet the density standards for the A-1 Prime Agricultural Zoning District?

(Yes / No)

If no, the request shall be denied.

3.7.2.D.3.a Will the proposed nonfarm residential lot convert cropland or "prime farmland" into non-farm use;

(Yes / No)

If yes, are there reasonable alternative locations for the proposed lot that would convert less cropland or prime farmland into nonfarm residential use?

3.7.2.D.3.b Will the location of the nonfarm residential lot significantly impair the current or future agricultural use of other "protected farmland"?

(Yes / No)

If yes, are there any mitigation measures that can be implemented in order to minimize the impact of the nonfarm residential use on the adjacent agricultural use?

2.3.6.F General Approval Criteria for Conditional Use Permits

Conditional Use Permits shall be approved by the Committee if they find that all of the following criteria have been met:

2.3.6.F.2 Is the project compatible with adjacent uses in terms of scale, site design, operating characteristics? (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);

(Yes / No)

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

2.3.6.F.3 Will the proposed use be significantly detrimental to the public health, safety, and welfare?

(Yes / No)

If yes, what measures can be taken to mitigate the potential detrimental impacts?

2.3.6.F.4 Will the project cause substantial decrease in value of other property in the neighborhood in which it is to be located;

(Yes / No)

If yes, what measures can be taken to mitigate the decrease in the value of the properties?

2.3.6.F.5 Are public safety, transportation and utility facilities and services available to serve the subject property while maintaining sufficient levels of service for existing development?

(Yes / No / Not Applicable)

If not, what can be done to ensure facilities and services will be available?

2.3.6.F.6 Are there adequate assurances of continuing maintenance for the project?

(Yes / No/ Not Applicable)

If no, what measures can be taken to ensure continued maintenance?

2.3.6.F.7 Will there be any significant adverse impacts on the natural environment that require mitigation?

(Yes / No)

If yes, what measures can be taken to mitigate the potential adverse impacts on the environment?

2.3.6.F.8 Is the project located in any hazard areas? (floodplains, floodways, steep slopes, etc)

(Yes / No)

If yes, are there any measures that need to be taken to mitigate any potential dangers?

2.3.6.F.1 Does the proposed project comply with all applicable provisions of this Code;

(Yes / No)

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

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. The applicant shall obtain the required land division approvals for the proposed lot from the County and local municipalities if required, prior to the creation of these lots;
2. The proposed non-farm residential lot shall not exceed 5.25-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;
3. Only one single family residential unit may be located on the proposed non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units;
4. The acreage of the proposed non-farm residential lot shall count towards the total non-farm residential acreage that can be created from the base farm tract for this property;
5. A "Notice of Zoning Limitations" document shall be recorded with the Dodge County Register of Deeds Office for the following parcels which make up the "base farm tract" which notifies the potential buyers of these parcels that there may be limitations as to the number of new lots that can be created from this base farm tract:
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6. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;
7. The decision of the Committee is valid for one year.

Others

Does the committee believe that the Conditional Use Permit Request meets the approval criteria in Sections 2.3.6.F and 3.7.2.D of the County Land Use Code and the provisions of Wisconsin State Statute 91.46?

(Yes / No)

Motion by _____ to (approve / deny) 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
William Muche	<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 11.4.4 of the Dodge County Land Use Code 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: _____



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	
Activity No. 170262	Permit Issued Date
Application Date: 4/24/17	Receipt #: 875845
	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) Delwyn L. Biel	Parcel Identification Number (PIN) 008-1113-0641-000				
Street Address N7148 Hwy 73	Town Calamus	T	N	R	E
City • State • ZipCode Randolph, WI 53956	1/4	1/4	Section 6	Acreage 35.28	Lot (Block)
Property Owner (if different from applicant)	Subdivision or CSM (Volume/Page/Lot) 1.34				
Street Address	Address Of Property (DO NOT include City/State/ZipCode) N7070 State Rd 73				
City • State • ZipCode	Is this property connected to public sewer? <input type="checkbox"/> Yes <input type="checkbox"/> No				

(3) PROPERTY USE	(4) PROPOSED PROJECT
<p align="center">Current Use Of Property</p> <input type="checkbox"/> Vacant Property <input checked="" type="checkbox"/> Single-Family Residential <input type="checkbox"/> Active-Working Farm Operation <input type="checkbox"/> Business • Industrial • Commercial • (Describe below) Other _____	<p align="center">(Please check/complete all that apply below)</p> <input type="checkbox"/> Non-Farm Residential Lot <input checked="" 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 type="checkbox"/> Filling, Grading or Dredging in the Shoreland District Other: _____
DNR Notice	
<p>DNR NOTICE: 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 (www.dnr.state.wi.us) or contact a Department of Natural Resources Service Center.</p>	

(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 Delwyn L. Biel Date 4-24-2017
 Daytime Contact Number (920) 326-3573

AREA BELOW THIS LINE FOR OFFICE USE ONLY

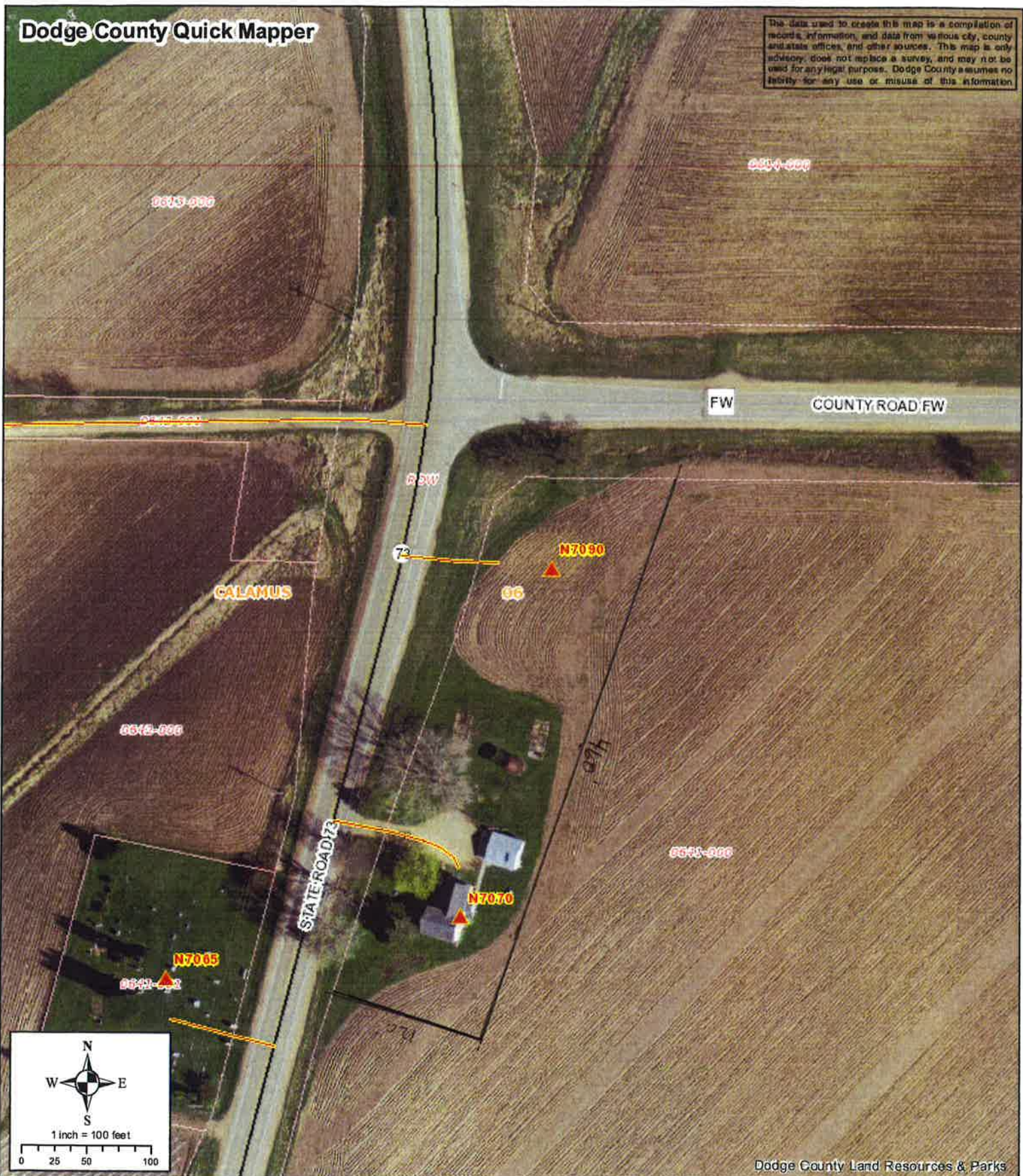
PLANNING, DEVELOPMENT & PARKS COMMITTEE ACTION

Date of Decision _____ Decision _____

<input type="checkbox"/> APPROVED	CONDITIONS	Land Resources and Parks Department
<input type="checkbox"/> DENIED		
		Date: _____

Dodge County 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.

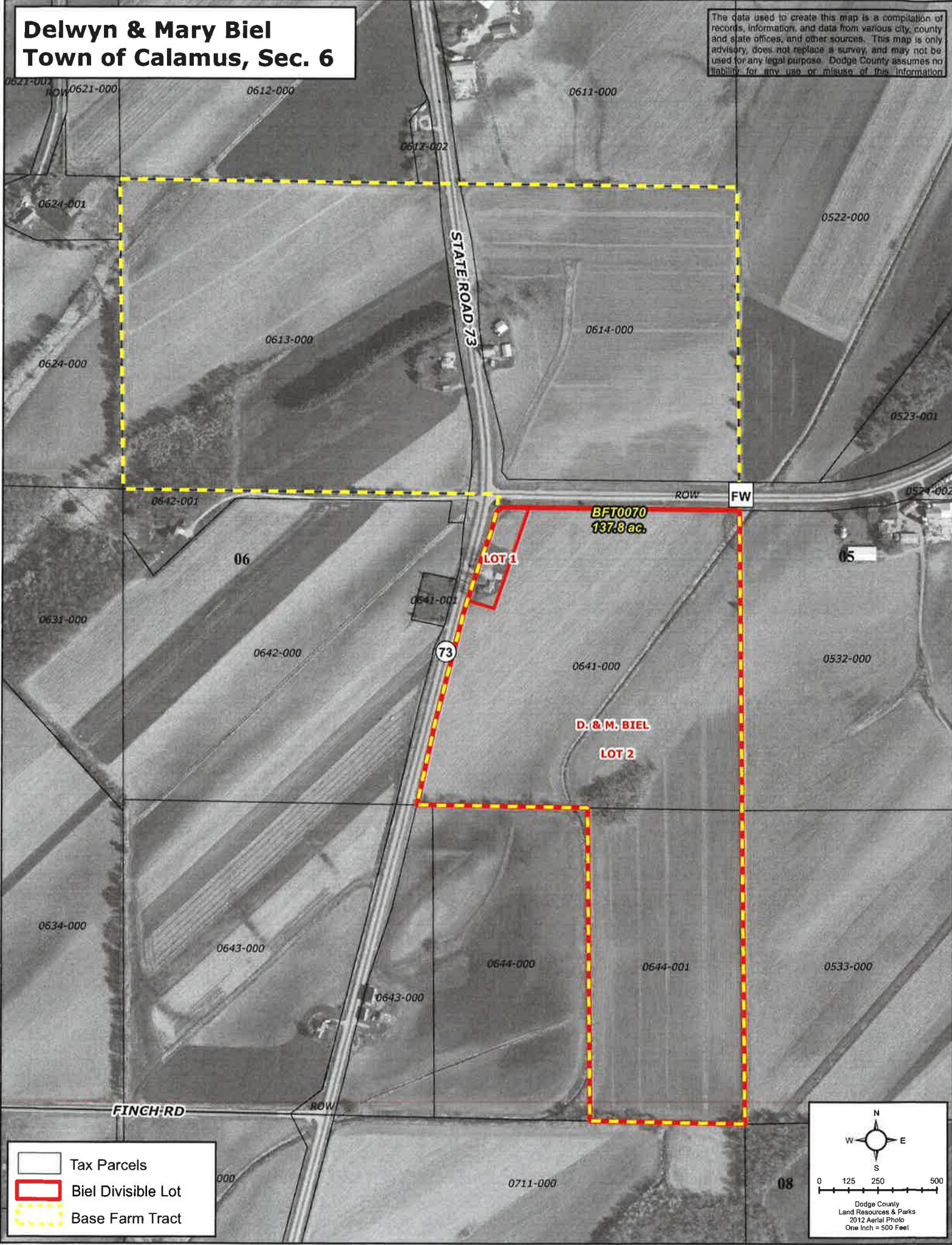


Dodge County Land Resources & Parks

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

Delwyn & Mary Biel Town of Calamus, Sec. 6

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-  Tax Parcels
-  Biel Divisible Lot
-  Base Farm Tract

N
W — O — E
S

0 125 250 500

Dodge County
Land Resources & Parks
2012 Aerial Photo
One Inch = 500 Feet

Land Resources and Parks Department Staff Report

County Conditional Use Permit Application # 2017-0264

Filing Date: April 25, 2017

Hearing Date: June 5, 2017

Applicant / Owner:

Dale and Sharon Gudex
N11379 Dairy Road
Brownsville, WI 53006

Location

PIN# 028-1316-1144-000; 028-1316-1143-000; 028-1316-1412-000; 028-1316-1411-000

Location: Part of the SE ¼ of the SE ¼, Section 11, Town of Leroy, the site address being W2920 Zangl Road.

Applicants Request

An application for a County Conditional Use Permit was made by the applicant to allow for the creation of an approximate 5-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The proposed 5-acre lot will contain a residence and existing farm buildings which are intended for agricultural and residential use. The remaining agricultural land will be retained for agricultural use.

County Jurisdiction

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

Review Criteria

1. Subsections 2.3.6.A through 2.3.6.H of the Land Use Code details procedural matters, the approval criteria and the form for the conditional use permit application.
2. According to Section 3.7.4 of the Code, the Committee may authorize the Land Use Administrator to issue a Conditional Use Permit (CUP) for those conditional uses listed under Section 3.7.2 of this Code after review and a public hearing, provided that such conditional uses are in accordance with Section 2.3.6 of this Code and Wis. Stats. 91.46.

Land Use Code Provisions:

1. Section 3.7.2.D of the Land Use Code identifies proposals that convert a farm residence to a nonfarm residence through a change in occupancy as a conditional use in the A-1 Prime Agricultural Zoning District provided the proposal complies with the requirements listed in 3.7.2.D.1 through 3.7.2.D.3.

Purpose Statement

The purpose of the A-1 Prime Agricultural Zoning District is to promote areas for uses of a generally exclusive agricultural nature in order to protect farmland, allow participation in the state's farmland preservation program, and accommodate changing practices in the agricultural industry, subject to appropriate standards.

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 A-1 Prime Agricultural Zoning District.

The base farm tract contains approximately 137.5-acres that are located within the A-1 Prime Agricultural Zoning District;

- 6.547-acres are available for non-farm residential use under Section 3.7.2.D.1 of the code.

The site is not located within the Shoreland/Wetland District;

The site is not located within the Floodplain District;

The topography of the site is rolling with slopes ranging from 0 to 18%;

Land Use, Site: Residential and agricultural.

Land Use, Area: Agricultural with scattered residences along Zangl and Dairy Roads.

Designated Archaeological Site: Yes No

Town Recommendation: Approve Deny 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 Sections 2.3.6.F and 3.7.2.D of the Dodge County Land Use Code and with Chapter 91.46 of the Wisconsin State Statutes. The staff comments are listed in Exhibit A for the Committee review.

It is the staff's position that the project as proposed is in compliance with the applicable provisions of the Dodge County Land Use Code and the provisions of Chapter 91.46 of the Wisconsin State Statutes and the staff believes that the Committee can make the findings necessary under Section 2.3.6.F and 3.7.2.D of the code that are required to approve the Conditional Use Permit for this project. If approved with the following conditions, the staff believes 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 Code.

CONDITIONS:

1. The applicant shall obtain the required land division approvals for the proposed lot from the County and local municipalities if required, prior to the creation of these lots;
2. The proposed non-farm residential lot shall not exceed 6.547-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;
3. Only one single family residential unit may be located on the proposed non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units;
4. The acreage of the proposed non-farm residential lot shall count towards the total non-farm residential acreage that can be created from the base farm tract for this property;
5. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;
6. 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 criteria listed in Section 2.3.6.F and 3.7.2 of the code. The staff comments are as follows:

Subsection 3.7 Is the proposed conditional use permit request in compliance with Chapter 91.46, Wisconsin State Statutes?

	<u>Complies</u>	<u>Potential Problem</u>	<u>N/A</u>
Proposed Use:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.7.2.D.1 Non-farm residential acreage ratio: <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none">• Acreage of Base Farm Tract: 137.485 acres;• Non-farm residential acreage: 5 acres;• Farm acreage remaining after project is completed: 132.485 acres;• The ratio of all “nonfarm residential acreage” to farm acreage: on the “base farm tract” shall not exceed 1 to 20 (0.05).<ul style="list-style-type: none">▪ Ratio of non-farm residential acreage to farm acreage: 1 to 26.5 or (0.03)			
3.7.2.D.2 The total number of non-farm residential units on the base farm tract shall not exceed 4; <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Existing non-farm residences on base farm tract:			
<ul style="list-style-type: none">• 0 - Number of existing non-farm residential units located on base farm tract;• 1 - Number of proposed non-farm residential units located on base farm tract;• 1 - Total number of non-farm residential units located on base farm tract;			
The total number of residential units of any kind on the base farm tract shall not exceed 5; <input checked="" type="checkbox"/>			
Existing residential units on base farm tract:			
<ul style="list-style-type: none">• 1 - Number of existing residential units located on base farm tract;• 0 - Number of proposed residential units located on base farm tract;• 1 - Total number of residential units located on base farm tract;			
3.7.2.D.3.a Location of the proposed lots: <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the proposed nonfarm residential lot convert cropland or “prime farmland” into non-farm use;			
<input type="checkbox"/> Yes; <input checked="" type="checkbox"/> No;			
3.7.2.D.3.b Location of the proposed lots: <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the location of the nonfarm residential lot significantly impair the current or future agricultural use of other “protected farmland”?			
<input type="checkbox"/> Yes; <input checked="" type="checkbox"/> No;			
Non-Farm Residential Cluster: <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none">• The proposed parcels are contiguous;• The proposed residences if constructed, would satisfy the requirements for a single non-farm residence;			

2.3.6.F.2 Is the project compatible with adjacent uses in terms of scale, site design, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);

- It is the staff's position that the proposed residential use will be compatible with the adjacent uses;

2.3.6.F.3 Will the proposed use be significantly detrimental to the public health, safety, and welfare?

- It is the staff's position that the proposal will not have a significant detrimental impact on the adjacent properties or the community;

2.3.6.F.4 Will the project cause substantial diminution in value of other property in the neighborhood in which it is to be located;

- It is the staff's position that the proposal will not have an adverse impact on the value of other property in the area;

2.3.6.F.5 Are public safety, transportation and utility facilities and services available to serve the subject property while maintaining sufficient levels of service for existing development?

- It is the staff's position that there are adequate public facilities to serve the property;

2.3.6.F.6 Are there adequate assurances of continuing maintenance for the project?

- It is the staff's position that there are adequate assurances of continuing maintenance for the project.

2.3.6.F.7 Will any significant adverse impacts on the natural environment be mitigated to the maximum practical extent?

- It is the staff's position that the proposal will not have an adverse impact on the natural environment.

2.3.6.F.8 The proposed use will not be located in any hazard areas, including floodplains, floodways, etc., unless any potential danger is mitigated to the maximum extent possible, and to the satisfaction of the Wisconsin Department of Natural Resources;

- It is the staff's position that proposed use will not be located in any hazard areas.

2.3.6.F.1 Does the proposed project comply with all applicable provisions of this Code;

- It is the staff's position that the proposed project complies with the applicable provisions of the code;

Dodge County Planning, Development and Parks Committee Decision

County Conditional Use Permit Application # 2017-0264

Filing Date: April 25, 2017

Hearing Date: June 5, 2017

Applicant / Owner:

Dale and Sharon Gudex
N11379 Dairy Road
Brownsville, WI 53006

Location

PIN# 028-1316-1144-000; 028-1316-1143-000; 028-1316-1412-000; 028-1316-1411-000

Location: Part of the SE ¼ of the SE ¼, Section 11, Town of Leroy, the site address being W2920 Zangl Road.

Applicants Request

An application for a County Conditional Use Permit was made by the applicant to allow for the creation of an approximate 5-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The proposed 5-acre lot will contain a residence and existing farm buildings which are intended for agricultural and residential use. The remaining agricultural land will be retained for agricultural use.

CONCLUSIONS OF LAW

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

According to Section 3.7.2.D of the Land Use Code and Wisconsin State Statute 91.46, new nonfarm single family residences or a proposal to convert a farm residence to a nonfarm residence through a change in occupancy can be approved if all of the following apply:

3.7.2.D.1 Does the proposal meet the nonfarm residential acreage standards for the A-1 Prime Agricultural Zoning District?

(Yes / No)

If no, the request shall be denied.

3.7.2.D.2 Does the proposal meet the density standards for the A-1 Prime Agricultural Zoning District?

(Yes / No)

If no, the request shall be denied.

3.7.2.D.3.a Will the proposed nonfarm residential lot convert cropland or "prime farmland" into non-farm use;

(Yes / No)

If yes, are there reasonable alternative locations for the proposed lot that would convert less cropland or prime farmland into nonfarm residential use?

3.7.2.D.3.b Will the location of the nonfarm residential lot significantly impair the current or future agricultural use of other "protected farmland"?

(Yes / No)

If yes, are there any mitigation measures that can be implemented in order to minimize the impact of the nonfarm residential use on the adjacent agricultural use?

2.3.6.F General Approval Criteria for Conditional Use Permits

Conditional Use Permits shall be approved by the Committee if they find that all of the following criteria have been met:

2.3.6.F.2 Is the project compatible with adjacent uses in terms of scale, site design, operating characteristics? (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);

(Yes / No)

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

2.3.6.F.3 Will the proposed use be significantly detrimental to the public health, safety, and welfare?

(Yes / No)

If yes, what measures can be taken to mitigate the potential detrimental impacts?

2.3.6.F.4 Will the project cause substantial decrease in value of other property in the neighborhood in which it is to be located;

(Yes / No)

If yes, what measures can be taken to mitigate the decrease in the value of the properties?

2.3.6.F.5 Are public safety, transportation and utility facilities and services available to serve the subject property while maintaining sufficient levels of service for existing development?

(Yes / No / Not Applicable)

If not, what can be done to ensure facilities and services will be available?

2.3.6.F.6 Are there adequate assurances of continuing maintenance for the project?

(Yes / No/ Not Applicable)

If no, what measures can be taken to ensure continued maintenance?

2.3.6.F.7 Will there be any significant adverse impacts on the natural environment that require mitigation?

(Yes / No)

If yes, what measures can be taken to mitigate the potential adverse impacts on the environment?

2.3.6.F.8 Is the project located in any hazard areas? (floodplains, floodways, steep slopes, etc)

(Yes / No)

If yes, are there any measures that need to be taken to mitigate any potential dangers?

2.3.6.F.1 Does the proposed project comply with all applicable provisions of this Code;

(Yes / No)

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

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. The applicant shall obtain the required land division approvals for the proposed lot from the County and local municipalities if required, prior to the creation of these lots;
2. The proposed non-farm residential lot shall not exceed 6.547-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;
3. Only one single family residential unit may be located on the proposed non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units;
4. The acreage of the proposed non-farm residential lot shall count towards the total non-farm residential acreage that can be created from the base farm tract for this property;
5. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;
6. The decision of the Committee is valid for one year.

Others

Does the committee believe that the Conditional Use Permit Request meets the approval criteria in Sections 2.3.6.F and 3.7.2.D of the County Land Use Code and the provisions of Wisconsin State Statute 91.46?

(Yes / No)

Motion by _____ to (approve / deny) 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
William Muche	<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 11.4.4 of the Dodge County Land Use Code 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: _____



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	
Activity No. 170264	Permit Issued Date
Application Date: 4-25-17	Receipt #: 875847
	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) Dale & Sharon Gudex	Parcel Identification Number (PIN) 028-1316-1144-000				
Street Address N11379 Dairy Road	Town Le Roy	T 13	N 16	R 16	E
City • State • ZipCode Brownsville, WI 53006	1/4 SE	1/4 SE	Section 11	Acreage 5	Lot (Block)
Property Owner (If different from applicant)	Subdivision or CSM (Volume/Page/Lot)				
Street Address	Address Of Property (DO NOT include City/State/ZipCode) W2920 Zangle Road				
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
<p align="center">Current Use Of Property</p> <input type="checkbox"/> Vacant Property <input type="checkbox"/> Single-Family Residential <input checked="" type="checkbox"/> Active-Working Farm Operation <input type="checkbox"/> Business • Industrial • Commercial • (Describe below) Other _____	<p align="center">(Please check/complete all that apply below)</p> <input checked="" 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 type="checkbox"/> Filling, Grading or Dredging in the Shoreland District Other: _____
DNR Notice	
<p>DNR NOTICE: 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 (www.dnr.state.wi.us) or contact a Department of Natural Resources Service Center.</p>	

(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 Sharon Gudex Date April 23, 2017
 Daytime Contact Number (920) 583 - 4058

AREA BELOW THIS LINE FOR OFFICE USE ONLY

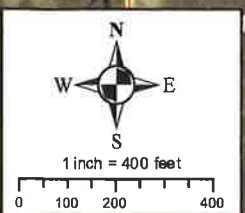
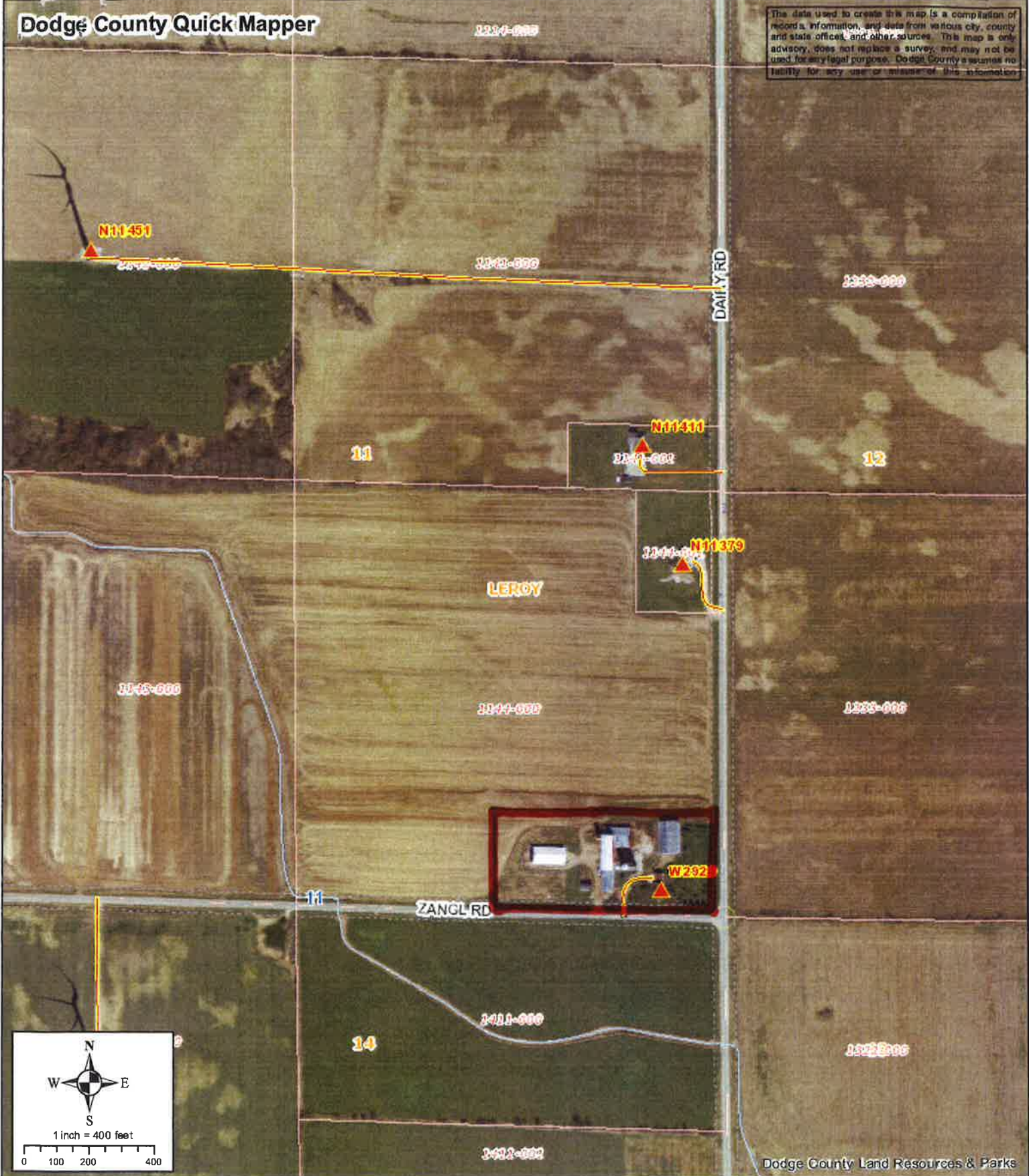
PLANNING, DEVELOPMENT & PARKS COMMITTEE ACTION

Date of Decision _____ Decision _____

<input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	CONDITIONS	Land Resources and Parks Department _____ Date: _____
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Dodge County Quick Mapper

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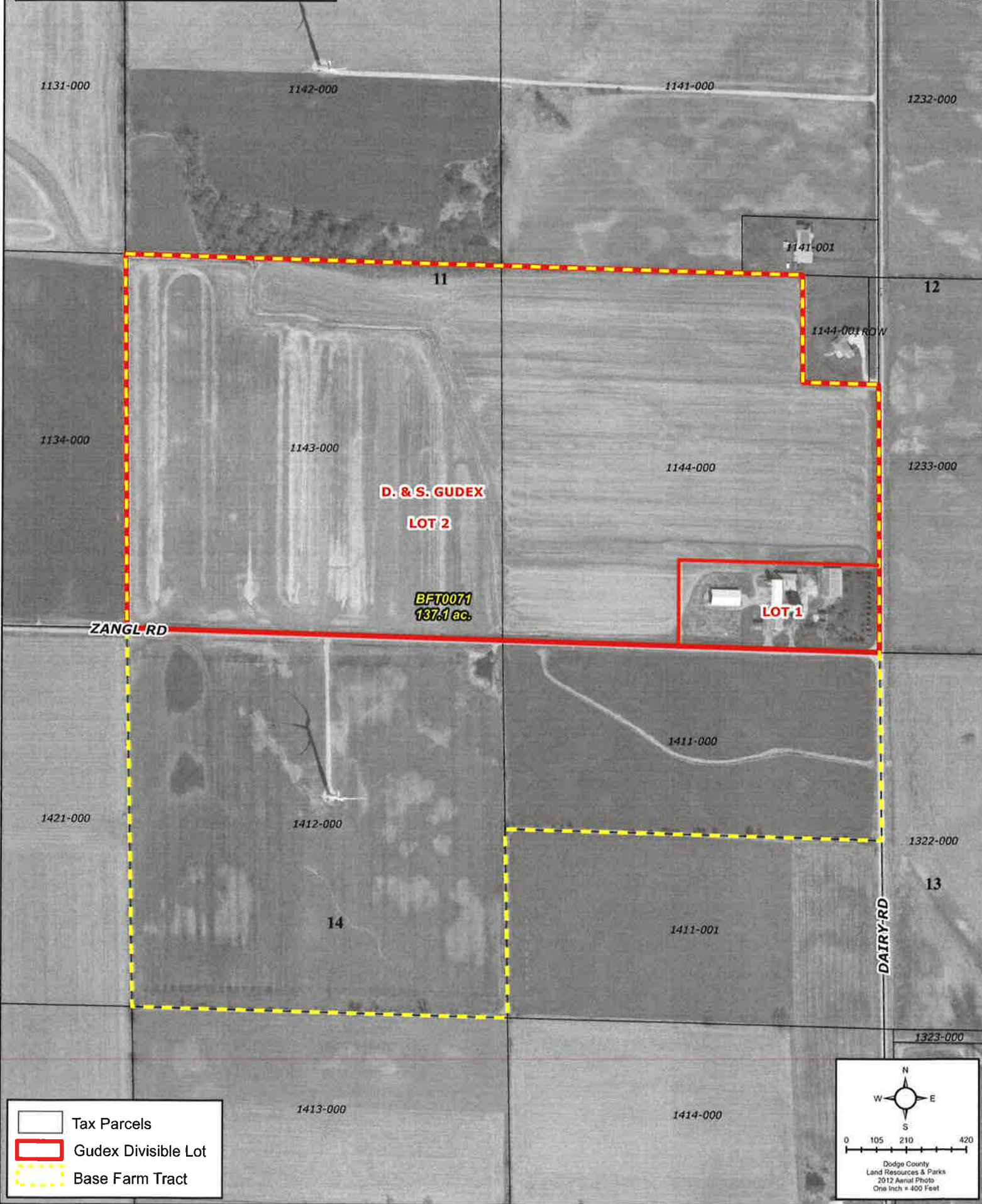
Dodge County Land Resources & Parks

General	Floodplain/Wetland	COUNTY ZONING	
Urbanized Roads	Floodplain (May 19th 2014)	PLANNED UNIT DEVELOPMENT	GENERAL COMMERCIAL
Soils	Flood Storage Areas (2014)	HARTFORD EXTRATERRITORIAL	EXTENSIVE COMMERCIAL
Airport Ordinance 3-Mile Buffer	DNR Wetland (2006)	GENERAL AGRICULTURAL	LIGHT INDUSTRIAL
Sewer Service Areas	DNR Wetland Points (2006)	PRIME AGRICULTURAL	INDUSTRIAL
Elevation Contours (2' & 10')		ONE FAMILY RESIDENTIAL	CITY OR VILLAGE
WI Historical Society	Shoreland Zoning	TWO FAMILY RESIDENTIAL	RIGHT OF WAY
Historic Structures	Lake/Pond/Slough Buffer	MULTI-FAMILY RESIDENTIAL	WATERBODY
Archaeological Sites	Lakes/Ponds/Sloughs		
Survey Areas	Rivers/Streams/Creeks		
	Horicon Marsh (860' Contour)		

Date: 4/24/2017

Dale & Sharon Gudex Town of Leroy, Sec. 11

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- Tax Parcels
- Gudex Divisible Lot
- Base Farm Tract

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Dodge County
Land Resources & Parks
2012 Aerial Photo
One Inch = 400 Feet

Land Resources and Parks Department Staff Report

County Rezoning Petition # 2017-0107

Applicant (Agent):

Sal Okon
N11507 County Road Z
Brownsville, WI 53006

Owner:

Lawrence Fleischman
1101 N. Milwaukee Street
Lomira, WI 53048

Filing Date: March 9, 2017

Hearing Date: April 17, 2017

Committee Decision: June 5, 2017

Location

PIN# 030-1317-1521-000

Part of the NE ¼ of the NW ¼, Section 15, Town of Lomira, the site address being 1101 N Milwaukee Street.

Applicants Request

A rezoning petition has been submitted by the applicant in order they be allowed to rezone approximately 0.3-acres of land out of the Wetland zoning district under the Dodge County Shoreland Protection Ordinance in order to allow the .3-acre area to be filled and removed from the wetland district.

On April 17, 2017, at the request of the applicant, the Committee laid over a decision on the rezoning request to June 5, 2017 to allow the applicant additional time to review his options to resolve the wetland violation issues and to submit additional information on the viability of the mitigation options.

No additional information was submitted to the department as of May 30, 2017.

Project Information

This is an "after the fact" rezoning request as the 0.3-acre area has already been filled and a storage structure has already been constructed on the fill site. The applicant is requesting to leave the fill and storage structure at its current location and has provided 3 different compensatory mitigation plan options that he will construct to compensate for the wetland area lost.

- Option A involves the construction of an approximate 0.3-acre "in-kind" wetland area along the north edge of the wetland area. Approximately 2' of soil would be removed from the site in order to compensate for the wetland and storm water storage capacity of the wetland area that was filled and the disturbed area would be seeded with a wetland mixture.
- Options B & C involve the construction of an approximate 0.3-acre wetland scrape approximately 2' deep which would be located adjacent to the wetland district.
- No permit applications have been submitted to the Department of Natural Resources or the Army Corp. yet for the proposed mitigation options.

Town Recommendation: Approved at 4-12-17 meeting.

DNR Recommendation: See attachment.

ARMY CORP Recommendation: See attachment.

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 14.3(9) and the staff comments are listed in Exhibit A for review by the committee.

The staff points out that the Shoreland Protection Ordinance does not contain a compensatory wetland mitigation provision that would allow a wetland to be filled in exchange for providing compensatory wetland mitigation. The staff also points out that the proposed mitigation option areas are located within an area that is listed as a possible wetland according to the DNR Surface Water Wetland Maps. If these areas are confirmed to be a wetland, then the proposed mitigation plans do not provide any compensatory value.

It is the staff's position that the placement of fill within this wetland will result in direct adverse impacts to the wetland area including changes to the drainage patterns for this area, the loss of the wetland recharge area and the loss of wetland vegetation. It is also the staff's position that the placement of fill within this wetland will contribute to changes in the overall flood storage capacity of this wetland area which can have a negative impact on the area. It is the staff's position that this wetland area is not suitable for development and is not consistent with the purpose and intent of the Comprehensive Plan or the Shoreland Protection Ordinance. The staff believes that the committee will be unable to make the findings under Section 14.3(9) of the Ordinance that are required in order to approve the rezoning petition and therefore recommends the Committee report unfavorably on the rezoning request.

Exhibit A

Staff Review Comments – Rezoning Petition:

The staff has reviewed the petition for compliance with the approval criteria listed in Section 14.3 (9) of the Ordinance and the staff has the following comments:

14.3(9)(a) 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 property while maintaining adequate levels of service to existing development;

- It is the staff's position that there are adequate public facilities and services to serve the site;

14.3(9)(b) 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 proposed development project will not place an unreasonable burden on the ability of the Town to provide adequate public facilities or services;

14.3(9)(c) 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 the proposed wetland fill project will result in direct impacts to the wetland including changes in the drainage patterns for this area, the loss of the wetland recharge area and the loss of wetland vegetation. It is also the staff's position that the placement of fill in a wetland will contribute to changes in the flood storage capacity of the wetland area which can have a negative impact on the area.

14.3(9)(d) 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 wetland area to be filled and rezoned is not suitable for development and the applicant/owner has other options to locate a shed in an area outside of the wetland district. It is the staff's position that the land proposed for rezoning will have an adverse effect on the natural wetland area.

14.3(9)(e) The proposed rezoning is consistent with the Dodge County Comprehensive Plan and the stated purposes of this Ordinance;

- It is the staff's position that the proposal is not consistent with the Dodge County Comprehensive Plan as the site is designated as conservancy according to the County's Future Land Use Map which includes wetlands as designated by the Wisconsin Department of Natural Resources. Agricultural activities such as crop harvesting and pasturing are recognized as acceptable activities in the Conservancy category. Development should not encroach on these areas other than for open space preservation and recreational purposes.

14.3(9)(f) The proposed rezoning will not be used to legitimize, a nonconforming use or structure;

- It is the staff's position that the proposed rezoning is intended to resolve an illegally constructed fill site and an illegally constructed commercial storage structure and the owner has other options to locate the structure outside of the wetland area thereby eliminating the need to rezone this site.

14.3(9)(g) 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.

- According to Section 3.4 of the Ordinance “Any use not listed in sections 3.31, 3.32, or 3.33 is prohibited, unless the wetland or portion of the wetland has been rezoned by amendment of this Ordinance in accordance with Section 3.5 of this Ordinance and s. 59.69(5)(e) Wis. Stats. Therefore, if the Committee makes the findings that are necessary in order to allow the fill and storage structure to remain at its current location, it is the staff’s position that the proposed rezoning is the minimum action necessary in order to allow fill to be placed on this site.

14.3(9)(h) For all proposed rezoning petitions that will remove land from the wetland district the wetland or a portion thereof, in the shoreland-wetland district shall not be rezoned if the proposed rezoning may result in a significant impact upon any of the following:

- (1) Storm and flood water storage capacity;
- (2) Maintenance of dry season stream flow, the discharge of groundwater to a wetland, the recharge of groundwater from a wetland to another area, or the flow of groundwater through a wetland;
- (3) Filtering or storage of sediments, nutrients, heavy metals or organic compounds that would otherwise drain into navigable waters;
- (4) Shoreline protection against soil erosion;
- (5) Fish spawning, breeding, nursery or feeding grounds;
- (6) Wildlife habitat; or
- (7) Wetland both within the boundary of designated areas of special natural resource interest and those wetlands which are in proximity to or have a direct hydrologic connection to such designated areas as defined in NR 103.04 which can be accessed at the following web site:

<http://www.legis.state.wi.us/rsb/code/nr/nr103.pdf>

- It is the staff’s position that the proposed rezoning request and the associated wetland fill project will result in an adverse impact to the wetland area including changes in the drainage patterns for the area, the loss of the wetland recharge for this area and the loss of wetland vegetation for this area. The placement of fill into this wetland area will also contribute to changes in flood storage capacity of this wetland area which can have a negative impact on the area.



April 13, 2017

Joseph Giebel
Manager – Code Administration
Dodge County Land Resources and Parks Department

Dear Joe:

I am writing in response to your request for a recommendation on the Shoreland-Wetland rezoning scheduled for a public hearing before the Dodge County Planning, Development and Parks Committee on Monday, April 17, 2017. Please share this information with your committee members.

It is my understanding that the Fleischman petition to rezone the shoreland-wetland is an attempt to resolve a wetland filling violation that resulted in the construction of a 74' X 101' storage structure with fill around the building. In exchange for the rezoning the applicant is proposing to mitigate by establishing a wetland area in the location identified on his application. The following comments apply to the proposed rezoning:

- NR 115.05(2)(c)4 states that in order to ensure that the shoreland protection objectives found in s. 281.31, Stats., will be accomplished by the county shoreland ordinance, a county shall not rezone a shoreland-wetland zoning district, or portion thereof, if the proposed rezoning may result in a significant adverse impact upon any of the following:
 - a. Storm and flood water storage capacity;
 - b. Maintenance of dry season stream flow, or the discharge of groundwater to a wetland, the recharge of groundwater from a wetland to another area, or the flow of groundwater through a wetland;
 - c. Filtering or storage of sediments, nutrients, heavy metals or organic compounds that would otherwise drain into navigable waters;
 - d. Shoreline protection against soil erosion;
 - e. Fish spawning, breeding, nursery or feeding grounds;
 - f. Wildlife habitat; or
 - g. Areas of special recreational, scenic or scientific interest, including scarce wetland types.

The applicant has not provided any evidence or information with the application that the rezoning will not result in a significant adverse impact on the above criteria. It is possible that he will present this type of information at the hearing for the committee to evaluate.

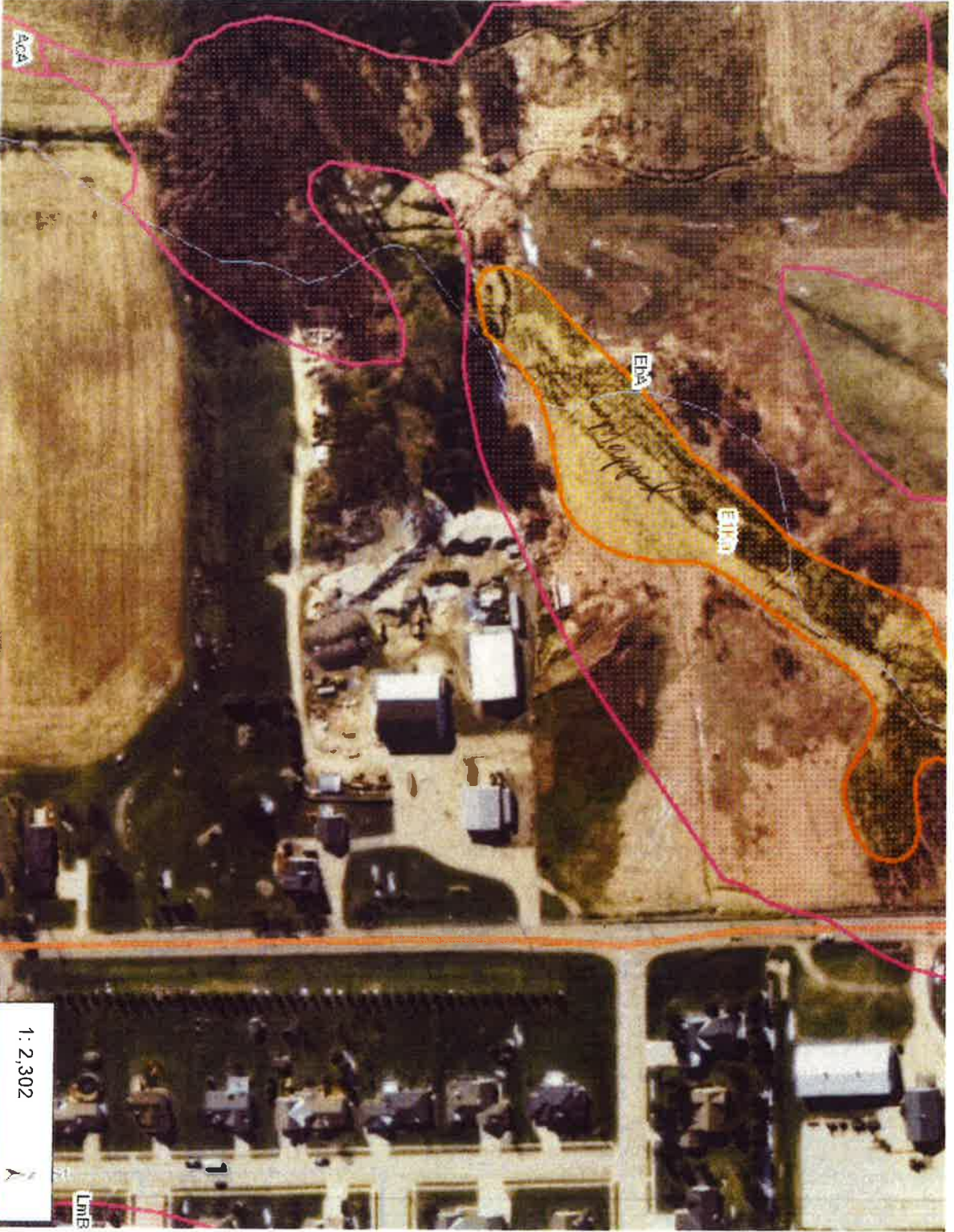
- Within the county shoreland zoning ordinance there is no standard for allowing mitigation in exchange for the rezoning. The area identified shows that the dredge spoils and “established” wetland area to be located in the pink potential wetland indicator layer on the DNR Surface Water Data Viewer. The pink wetland indicator soil data is data from NRCS that provides a guide to the drainage classes of somewhat poorly, poorly and very poorly drained soils. Typically when these types of soils are found on the landscape they are found in areas that are wetland, but not all the time. In order to know whether or not this area is not in fact, already wetland, a wetland delineation would be required. In other words, the applicant may be proposing to establish a wetland in an area that is already wetland.
- The building was constructed without the issuance of required permits. It appears on various air photos that the structure may not meet the required 75' setback from the ordinary high water mark of the creek. This should be verified and if the structure does not meet the setback, it is then also in violation of the required 75' setback.
- The project would also need an individual wetland permit under s. 281.36, Wis. Stats.

Sincerely

Kay Lutze
Shoreland Policy Coordinator



Surface Water Data Viewer Map



0.1 0 0.04 0.1 Miles

NAD_1983_HARN_Wisconsin_TM
© Latitude Geographics Group Ltd.

1:2,302



Legend

- Wetland Class Points
 - Dammed pond
 - Excavated pond
 - Filled excavated pond
 - Filled/draind wetland
 - Wetland too small to delineate
- Filled Points
- Wetland Class Areas
 - Wetland
 - Upland
- Filled Areas
- NRCS Wetspots
- Wetland Indicators
- Rivers and Streams
- Open Water

Notes

DISCLAIMER The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about its legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: <http://dnr.wis.gov/waterlegal/>

2010 Aerial

Giebel, Joe

From: Gundrum, Bonnie J CIV USARMY CEMVP (US) <Bonnie.J.Gundrum@usace.army.mil>
Sent: Wednesday, March 29, 2017 8:15 AM
To: Giebel, Joe
Cc: travis.schroeder@wisconsin.gov; Vesperman, Todd M CIV USARMY CEMVP (US)
Subject: U.S. Army Corps of Engineers response to Public Hearing Notice - Dodge County - Fleischman wetland rezoning request - April 17, 2017

Importance: High

Hi Joe,

Thanks for sending this on to me. The Corps is currently evaluating this for potential violations of Section 404 of the Clean Water Act (CWA). Should we find that a violation has occurred, restoration of the site may be required. We may also consider an after-the-fact permit if appropriate, in which mitigation is not likely to be required.

In regards to the 3 options presented as mitigation, it appears from reviewing aerial photography and without having additional information, that the areas proposed in the 3 options may already be wetland (mapped as having hydric soils by the Natural Resource Conservation Service). That means that the mitigation activities would be complicated by the need for additional permits or, if performed without permits, could result in further violations. So, they do not appear to be ecologically preferable methods of compensatory mitigation and would not resolve the CWA violations.

I would appreciate being informed as to how the County chooses to proceed after the hearing. If you need anything further, please feel free to contact me.

Thanks,

Bonnie Gundrum,
Project Manager

U.S. Army Corps of Engineers
Regulatory Branch
250 N. Sunnyslope Road
Brookfield, WI 53005
Phone: 651-290-5730

-----Original Message-----

From: Giebel, Joe [mailto:JGiebel@co.dodge.wi.us]
Sent: Monday, March 13, 2017 12:29 PM
To: Gundrum, Bonnie J CIV USARMY CEMVP (US) <Bonnie.J.Gundrum@usace.army.mil>
Subject: [EXTERNAL] Public Hearing Notice - Dodge County - Wetland rezoning request - April 17, 2017

Bonnie;

Dodge County Planning, Development and Parks Committee Decision

County Rezoning Petition # 2017-0107

Applicant (Agent):

Sal Okon
N11507 County Road Z
Brownsville, WI 53006

Owner:

Lawrence Fleischman
1101 N. Milwaukee Street
Lomira, WI 53048

Filing Date: March 9, 2017

Hearing Date: April 17, 2017

Decision Date: June 5, 2017

Location

PIN# 030-1317-1521-000
Part of the NE ¼ of the NW ¼, Section 15, Town of Lomira, the site address being 1101 N Milwaukee Street.

Applicants Request

A rezoning petition has been submitted by the applicant in order they be allowed to rezone approximately 0.3-acres of land out of the Wetland zoning district under the Dodge County Shoreland Protection Ordinance in order to allow the .3-acre area to be filled and removed from the wetland district.

CONCLUSIONS OF LAW

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

14.3(9) Approval Criteria – Rezoning Petition

(a) Are there adequate public facilities and services available to serve the subject property 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

(b) Will the provision of public facilities to accommodate this project place an unreasonable burden on the ability of affected local units of government to provide them?

(Yes / No);
Comments

(c) Will the proposed development result in significant adverse impacts upon surrounding properties or the natural environment? (air, water, noise, stormwater management, soils, wildlife, and vegetation)

(Yes / No);

Comments

(d) Is the land proposed for rezoning suitable for development?

(Yes / No);

Comments

Will the development of this land cause unreasonable soil erosion or have an unreasonable adverse effect on rare or irreplaceable natural areas?

(Yes / No);

Comments

(e) Is the proposal consistent with the Dodge County Comprehensive Plan and the stated purposes of this Ordinance?

(Yes / No);

Comments

(f) Will the proposed rezoning be used to legitimize, or "spot zone," a nonconforming use or structure?

(Yes / No);

Comments

(g) Is the proposed rezoning the minimum action necessary to accomplish the intent of the petition?

(Yes / No)

Comments

(h) For all proposed rezoning petitions that will remove land from the wetland district the wetland or a portion thereof, in the shoreland-wetland district shall not be rezoned if the proposed rezoning may result in a significant impact upon any of the following:

(1) Will the proposed rezoning petition result in a significant adverse impact upon the storm and flood water storage capacity of the Wetland?

(Yes / No)

Comments

(2) Will the proposed rezoning petition result in a significant adverse impact upon the maintenance of dry season stream flow, the discharge of groundwater to a wetland, the recharge of groundwater from a wetland to another area, or the flow of groundwater through a wetland?

(Yes / No)

Comments

(3) Will the proposed rezoning petition result in a significant adverse impact upon the filtering or storage of sediments, nutrients, heavy metals or organic compounds that would otherwise drain into navigable waters?

(Yes / No)

Comments

(4) Will the proposed rezoning petition protect the shoreline from soil erosion?

(Yes / No)

Comments

(5) Will the proposed rezoning petition protect fish spawning, breeding, nursery or feeding grounds?

(Yes / No)

Comments

(6) Will the proposed rezoning petition protect wildlife habitat?

(Yes / No)

Comments

(7) Will the proposed rezoning petition protect areas of special recreational, scenic or scientific interest, including scarce wetland types?

(Yes / No)

Comments

14.3(11) Did the Department of Natural Resources notify the Committee that the proposed map amendment to the shoreland-wetland district provisions of this code will have a significant adverse impact upon any of the criteria listed in Section 14.3(9) of this ordinance?

(Yes / No)

If yes, then the committee report to the County Board shall contain the following provision:

"This amendment shall not take effect until more than 30 days have elapsed after written notice of the County Board's approval of this amendment is mailed to the Department of Natural Resources. During that 30-day period the Department of Natural Resources may notify the County Board that it will adopt a superseding shoreland ordinance for the county under s. 59.692(6), Wis. Stats. If the Department of Natural Resources does so notify the County Board, the effect of this amendment shall be stayed until the adoption procedure is completed or otherwise terminated."

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

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 14.3(9) can be met for this proposal?

(Yes / No)

Motion by _____ to submit a (favorable / unfavorable) recommendation to the County Board of Supervisors on the rezoning petition 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 Bobholz	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
William Muche	<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;
- Withheld a final recommendation on the proposed petition and requested the applicant to provide additional documentation regarding the wetland delineation report for this site;

Dodge County Planning, Development and Parks Committee

Signed _____ Attest _____
Chairperson Secretary

Dated: _____

Filed: _____



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

REZONING PETITION

THIS AREA FOR OFFICE USE ONLY	
Activity No. 17-0107	Application Date: 3/9/17
	Receipt #: 895690

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

NAMES & MAILING ADDRESSES		PROPERTY DESCRIPTION			
Petitioner (Agent) SAL OKON		Parcel Identification Number (PIN) 030-1317-1521-000			
Street Address NIISOT CITH Z		Town LOMIRA	T 13	N 17	R 17
City • State • ZipCode BROWNSVILLE, WI 53006		Section 15	1/4 NE	1/4 NW	Acreage 0.30 ±
Property Owner (if different from petitioner) LAWRENCE FLEISCHMAN		Subdivision or CSM (Volume/Page/Lot)			
Street Address 1101 MILWAUKEE ST.		Address Of Property (DO NOT include City/State/ZipCode)			
City • State • ZipCode LOMIRA, WI 53048		Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

CONTACT PERSON

Name and daytime phone number (include area code) of a person we can contact if we have any questions about your petition.

Name **SAL OKON** Daytime Phone **(920) 210-8099**

PROPOSED REZONING

Current Zoning District WETLAND	Proposed Zoning District A-2
---	--

Reason For Rezoning

TO FILL IN WETLAND AND CONSTRUCT A STORAGE SHELTER.

Please complete the site map on the reverse side of this sheet.

CERTIFICATE

I, the undersigned, hereby petition to rezone the aforementioned property and certify that all the information both above and attached is true and correct to the best of my knowledge.

Signature **SAL OKON** Date **3/9/17**

Daytime Contact Number **(920) 210-8099**

◆ AREA BELOW THIS LINE FOR OFFICE USE ONLY ◆

3-9-17

Dodge County Land Resources and Parks Development
127 East Oak Street
Juneau, WI 53039

Re: Rezoning Petition for
Lawrence Fleischman
1101 N Milwaukee St
Lomira, Wis 53048

County ID No. 150369

Purpose: Current Wetland Zoning District to Proposed Zoning District A-2

This would resolve storage shed and fill located within wetland zoning area

To comply with wetland zoning, we would establish a wetland area location of +/-0.30 acres, located North and West of existing location. This would replace +/-0.30 wetland acres area, which is now being occupied by storage shelter and fill.

See Exhibits A, B, & C.

Respectively Submitted by

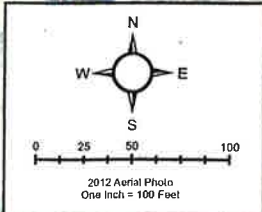
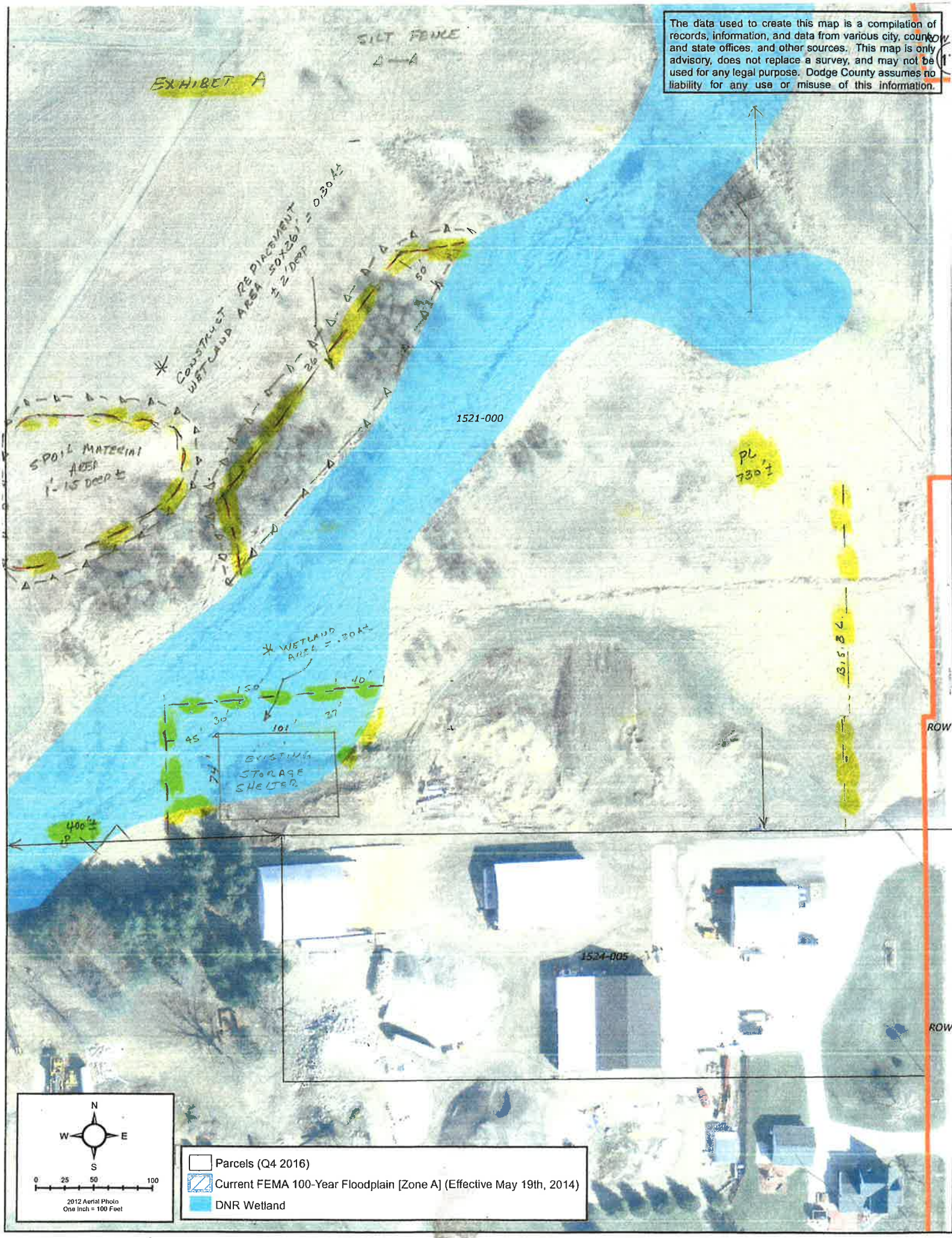


Sylvester Okon, agent, for
Larry Fleischman

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.

EXHIBIT A

SILT FENCE
 $\Delta \rightarrow A$

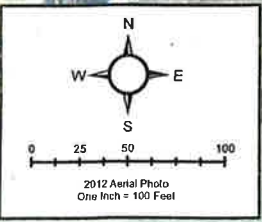
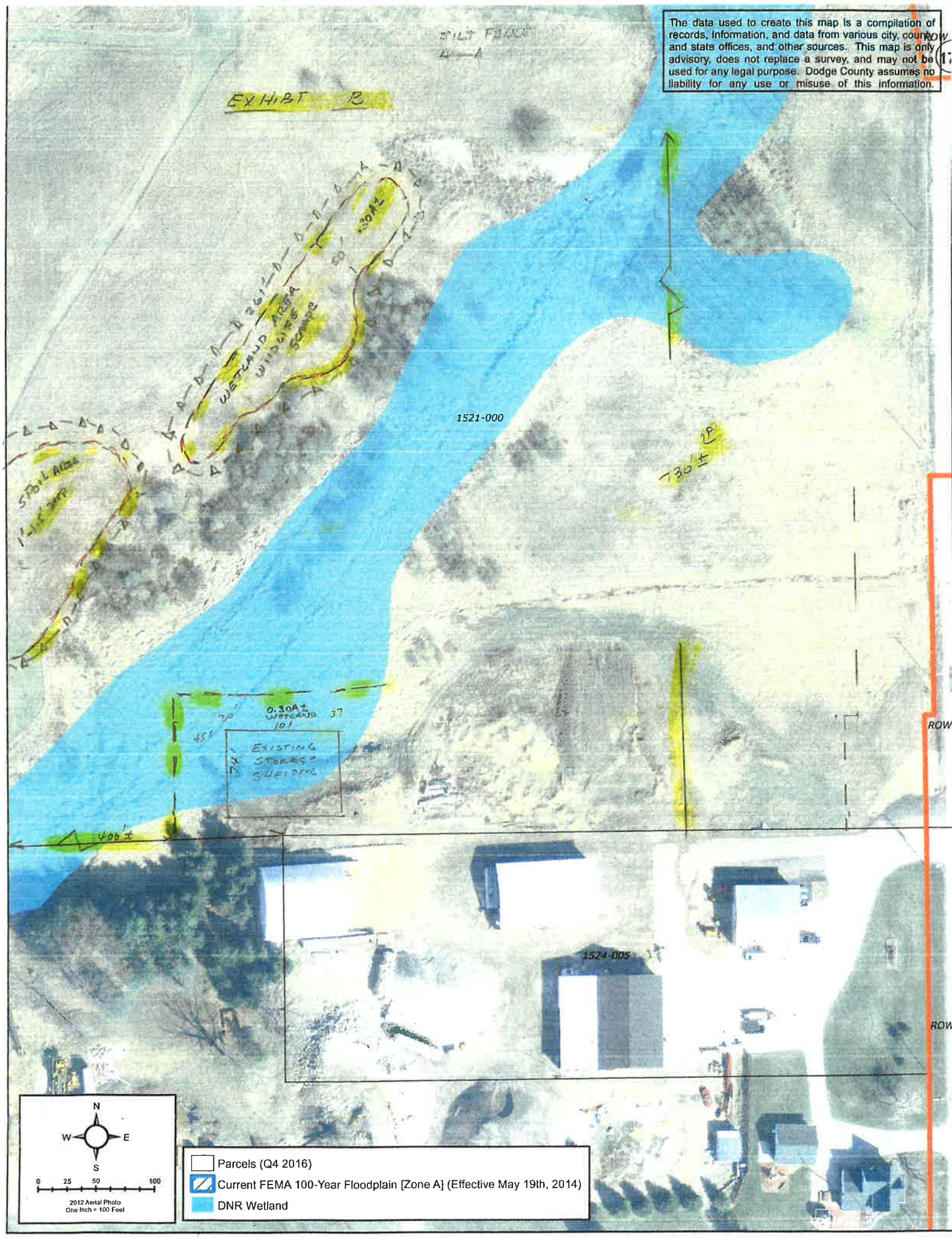


- Parcels (Q4 2016)
- Current FEMA 100-Year Floodplain [Zone A] (Effective May 19th, 2014)
- DNR Wetland

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.

EXHIBIT B

DIRT FENCE
A-A



- Parcels (Q4 2016)
- Current FEMA 100-Year Floodplain [Zone A] (Effective May 19th, 2014)
- DNR Wetland

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.

EXHIBIT C

SILT FENCE
A-A

1521-000

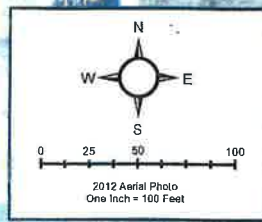
736' ±

30' 420' ±
37' 101'
45'
24'
EXISTING STORAGE SUEIDOR

BSA

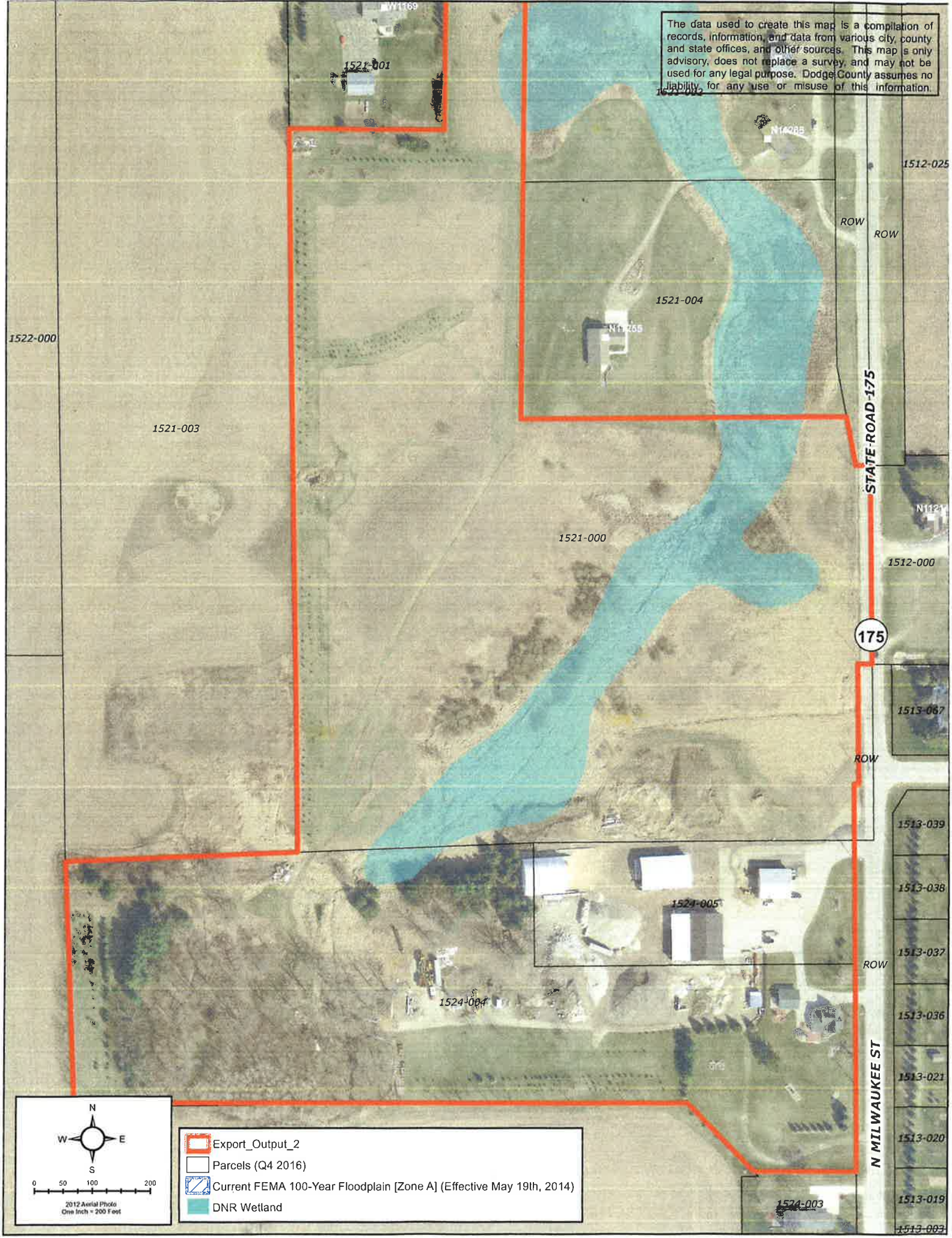
ROW

ROW



- Parcels (Q4 2016)
- Current FEMA 100-Year Floodplain [Zone A] (Effective May 19th, 2014)
- DNR Wetland

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.



1522-000

1521-003

1521-000

1521-004

1524-004

1524-005

1524-003

1512-025

ROW

ROW

STATE ROAD 175

175

ROW

ROW

N MILWAUKEE ST

1512-000

1513-067

1513-039

1513-038

1513-037

1513-036

1513-021

1513-020

1513-019

1513-003

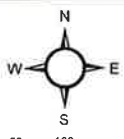
N1169

1521-001

N14285

N11265

N1121



0 50 100 200
2012 Aerial Photo
One Inch = 200 Feet

-  Export_Output_2
-  Parcels (Q4 2016)
-  Current FEMA 100-Year Floodplain [Zone A] (Effective May 19th, 2014)
-  DNR Wetland

**WORKSHEET 9: FILLING, GRADING, DREDGING OR EXCAVATING WITHIN 300 FEET OF A NAVIGABLE WATERWAY
SUPPLEMENTAL INFORMATION**

This Supplemental Information Worksheet is to be used in conjunction with your County Conditional Use Permit application. This worksheet must be used if your project involves filling, dredging, or excavating within 300 feet of a Navigable waterway.

Attach additional sheets if necessary

Estimated date project will begin?	Estimated date project will be completed?
<i>AS SOON AS POSSIBLE</i>	<i>WITH IN WEEK OF START.</i>
Provide a narrative describing your proposal. Please state: <ul style="list-style-type: none"> o What the project is; <i>TO CONSTRUCTED A WILDLIFE SCRAPE.</i> o What the purpose of the proposed project is: <i>TO REPLACE WETLAND USE FOR</i> 	
Provide a detailed plan on how you intend to carry out the project. The plan shall include: <ul style="list-style-type: none"> o The methods, materials and equipment to be used; o Your proposed construction schedule and sequence of work. 	
What temporary and/or permanent erosion control measures will be used? <input type="checkbox"/> Riprap <input checked="" type="checkbox"/> Silt Fence <input checked="" 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"/> No Erosions Control Measures Are Planned <input type="checkbox"/> Other (Please explain in detail):	
REQUIRED ADDITIONAL INFORMATION	
Attach an aerial photo of the proposed project site showing: <ul style="list-style-type: none"> o An overhead view of the project highlighting its location, and showing the overall area (length and width) of the site to be disturbed. Also, show the location of the cross-section(s) used for the project. o Show the location(s) where the spoil material from the project will be placed and indicate the depth of the spoils when done. Also, show what erosion control measures will be used and where they will be located. o Show the setback distance from the navigable waterway. Attach the following cross-section illustrations: <ul style="list-style-type: none"> o Cross-section(s) showing the existing topography/grade of the excavated area. Use as many cross-section(s) as needed. o Cross-section(s) showing the proposed the final topography/grade of the excavated area after the project is completed. Use as many cross-section(s) as needed. <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>	
NOTE: It is your responsibility to obtain all other permits that may be required from the following governmental agencies: <ul style="list-style-type: none"> ✓ Local Township • (See Contact Info) ✓ Army Corps of Engineers • (262) 547-4171 ✓ Dodge County Drainage Board • (920) 887-7413 ✓ Natural Resources Conservation Service • (920) 386-9999 ✓ Wisconsin Department of Natural Resources • (262) 574-2172 	
NOTE: 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.	
NOTE: Part of the review process for your proposed project involves the evaluation of your proposed project's location relative to mapped floodplain. As a general rule, your project cannot obstruct flow and cannot increase the regional flood height due to floodplain storage lost. 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 floodplain.	
USING THE GIS WEBMAP TOOL	
<ol style="list-style-type: none"> 1. Go to the Dodge County website (www.co.dodge.wi.us). 2. Click on the "GIS Webmap Tool" icon. 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. 4. Click/Check the boxes for: DNR Wetlands, FEMA 100-Year Floodplain and Aerial Imagery. 	

WILD LIFE SCRAPE

WORKSHEET No. 07

~~Pond~~ Construction Supplemental Information

This pond construction supplemental information worksheet is to be used in conjunction with the Dodge County Shoreland Land Use or Conditional Use Permit application and will not be accepted if submitted separately. Use this worksheet if your pond project involves cleaning-out, dredging, and/or the construction of a pond.

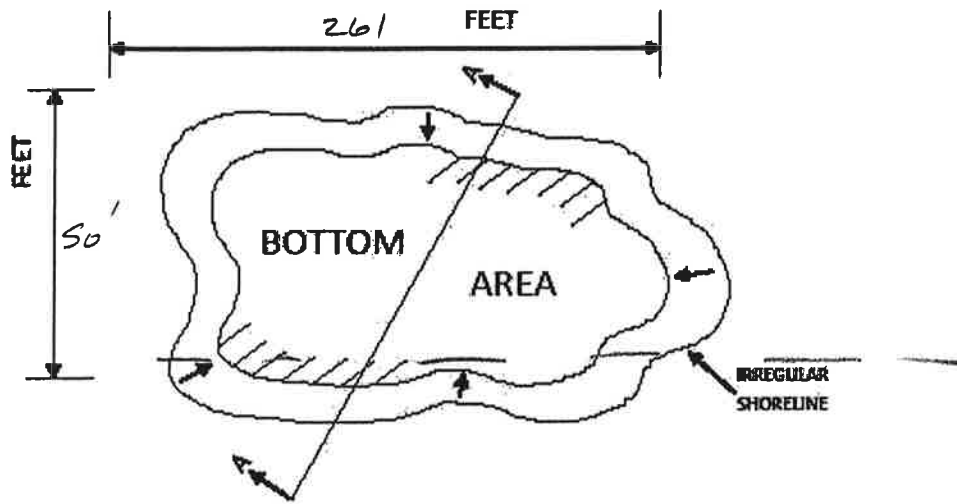
Project Information (Attach additional sheets if necessary)

Describe the proposed activity; <i>TO CONSTRUCT A WILD LIFE SCRAPE</i>	
What is the purpose of the project? <i>TO REPLACE WETLAND USED FOR STORAGE SHELTER</i>	
What temporary and permanent erosion control measures will be used? <i>SILT FENCE, FILTER FABRIC, SEEDING AND MULCHING AROUND ALL EXCAVATED & FILL AREAS</i> <i>ALL EXCAVATED MATERIAL TO BE LOCATED OUTSIDE OF WETLAND AREA.</i>	
I have applied for or received permits from the following agencies: (Check all that apply) <input checked="" type="checkbox"/> Town; <input type="checkbox"/> Wis. DNR; <input type="checkbox"/> Corps. of Engineers; <input type="checkbox"/> FEMA;	
Date Activity will begin: <i>AS SOON AS POSSIBLE</i>	Date Activity will be completed: <i>WITH IN 1 WEEK AFTER START</i>
Is your pond project located within a wetland? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not sure <input type="checkbox"/>	
Is your pond project located within a floodplain? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not sure <input type="checkbox"/>	
Is your pond connected to a public waterway? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not sure <input type="checkbox"/>	
Is your pond part of a stormwater management plan? Yes <input type="checkbox"/> No <input type="checkbox"/> Not sure <input checked="" type="checkbox"/>	
Attach a copy of an aerial photo of the project site showing the following information: <ol style="list-style-type: none">1. Top view of the project site showing the location and overall length and width of the proposed pond and show the location of the cross sections of the pond. (See example on page 3)2. Show the location of where the spoil material from the project will be placed and the depth of the spoil material once the project is completed.3. Show the setback distance to any public waterway.	
Attach a copy of a cross section sheet (see page 2) showing the proposed length, width and depth of the pond. Use as many cross sections as necessary to reasonably document the change in depth and width of your project area.	
Person completing this application: <i>SAL OKON</i>	
Date of signature: <i>SAL OKON</i>	

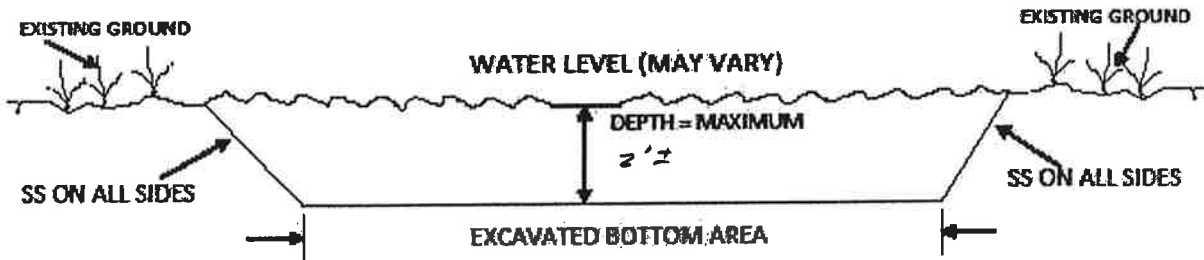
WILDLIFE SCRAPE

Worksheet No. 07

~~Pond~~ Construction Supplemental Information



PLAN VIEW

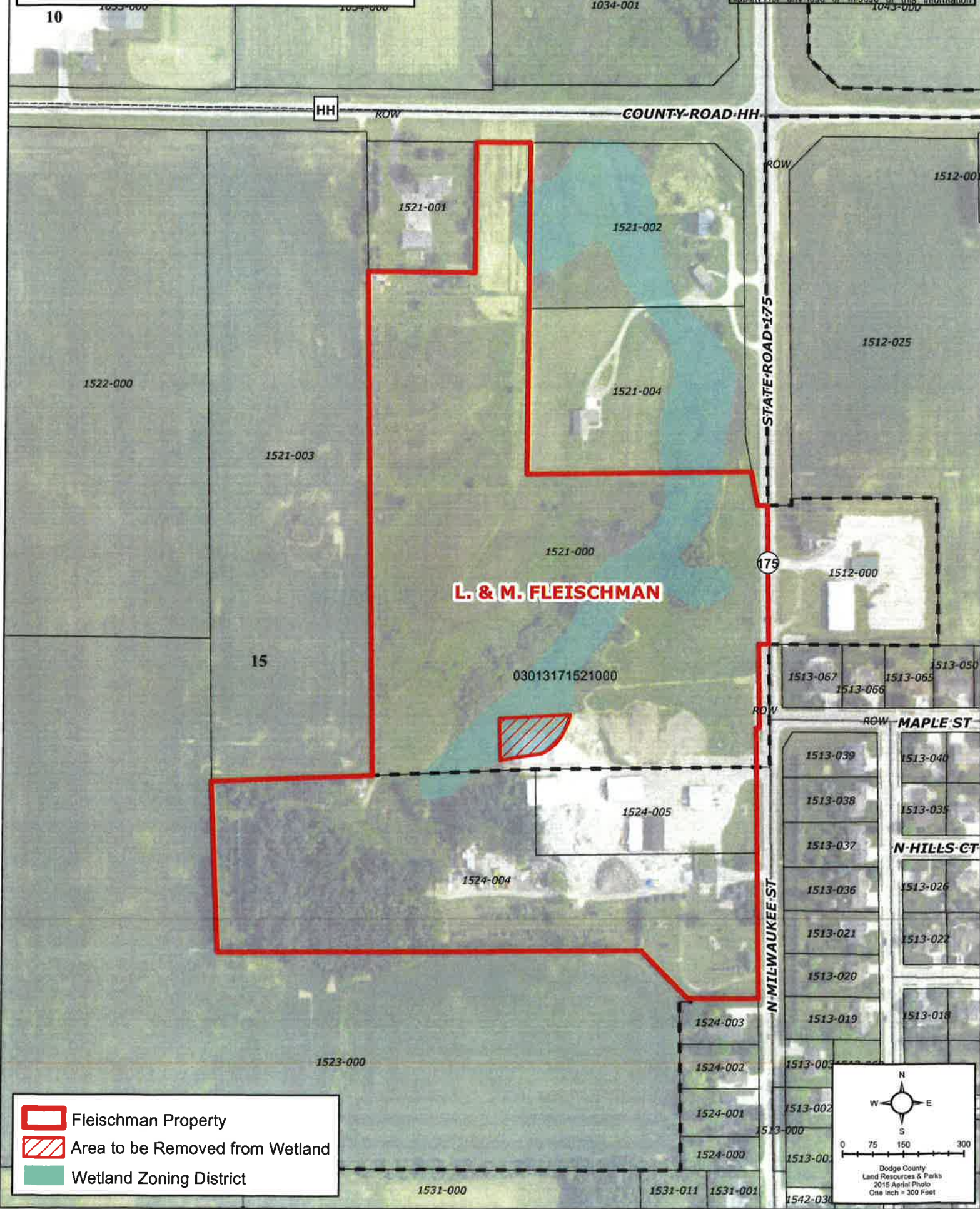


CROSS SECTION A-A

NOTE: Drawings not to scale
Standardized design must be adapted to specific site

Lawrence & Mary Fleischman Town of Lomira, Sec. 15

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.



- Fleischman Property
- Area to be Removed from Wetland
- Wetland Zoning District

N
W E
S

0 75 150 300

Dodge County
Land Resources & Parks
2015 Aerial Photo
One Inch = 300 Feet

DODGE COUNTY PLANNING, DEVELOPMENT AND PARKS COMMITTEE
MINUTES
May 15, 2017

The Dodge County Planning, Development and Parks Committee met on May 15, 2017 at 7:00 p.m. on the 1st 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, William Muche, Joseph Marsik and Janice Bobholz. The staff present at the request of the Chairman were Bill Ehlenbeck and Terry Ochs.

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

The agenda was reviewed.

Motion by William Muche to approve the agenda and allow the Chairperson to go out of order as needed to efficiently conduct the meeting. Second: Allen Behl Motion carried.

Committee Business - Rezoning and Conditional Use Permit

Scott and Carrie Erdmann- Petition to rezone approximately 3.28-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District, and on the application for a Conditional Use Permit application under the Land Use Code, Dodge County, Wisconsin to allow the establishment of an indoor storage facility business at this location. The site is located in part of the SE ¼ of the SE ¼, Section 9, Town of Elba, the site address being N4194 County Road TT.

Rezoning Petition

Motion by William Muche to submit a favorable recommendation to the County Board on the petition of Scott and Carrie Erdmann to rezone approximately 3.28-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District.

Second by Janice Bobholz Vote 5-0 Motion carried.

Conditional Use Permit Request:

Motion by William Muche to approve the Conditional Use Permit request to allow the establishment of an indoor storage facility business at this location subject to the following Conditions:

1. The rezoning petition shall be approved by the Dodge County Board of Adjustment prior to the approval of the Conditional Use Permit.
2. The business operation shall be conducted without offensive noise, vibration, dust, smoke, odor, glare, lighting or the risk of fire, explosion or other accident and shall not be detrimental to the public health and safety or general welfare of the immediate neighborhood or community.

3. It shall be the responsibility of the applicant to obtain all Federal, State and/or local municipality permits and approvals that may be required for the operation of the storage facility on this site;
4. There shall be no rental of out-door storage space allowed on this site.
5. All exterior lighting plans shall meet the functional and security needs of the proposed development without adversely affecting adjacent properties or the community.
6. Any significant change to or expansion of the business operation and/or of its facilities may require that a new Conditional Use Permit be obtained.
7. The decision of the Committee is valid for one year.

Second by Allen Behl. Vote 5-0 Motion carried.

The hearing procedures were read into the record.

PUBLIC HEARING

Kristopher and Holly Phillip – Request for a Conditional Use Permit under the Shoreland Protection Ordinance, Dodge County, Wisconsin to allow filling and grading on slopes of 20% or more within 300 feet of the Ashippun River associated with the construction of a residence and driveway. The property is located in part of the NW ¼ of the NE ¼, Section 13, Town of Ashippun.

Motion by Janice Bobholz to approve the Conditional Use Permit under the Shoreland Protection Ordinance, Dodge County, Wisconsin to allow filling and grading on slopes of 20% or more within 300 feet of the Ashippun River associated with the construction of a residence and driveway 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 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 April 3, 2017.
4. The decision of the Committee is valid for two years.

Second by Joseph Marsik.

Vote 5-0 Motion carried.

PUBLIC HEARING

Allen Thurow – Petition to rezone approximately 12.3-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District under the Land Use Code, Dodge County, Wisconsin to allow for the creation of a non-farm residential lot on this site. The property is located in part of the NE ¼ of Section 12, Town of Lebanon, the address being W2907 County Road MM.

Motion by William Muche to lay over a decision on the rezoning petition to the June 5, 2017 Committee meeting to allow the Town Board to review the petition and to submit a recommendation.

Second by Joseph Marsik. Vote 5-0 Motion carried.

PUBLIC HEARING

Julie and Mark Klusken, agents for Wayne and Joann May – Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the creation of an approximate 1.5-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The property is located in part of the NW ¼ of the SW ¼, Section 24, Town of Shields, the site address being N1059 Rich Road.

Motion by William Muche to approve the Conditional Use Permit to allow for the creation of an approximate 1.5-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District subject to the following conditions:

1. The applicant shall obtain the required land division approvals for the proposed lot from the County and local municipalities if required, prior to the creation of these lots;
2. The proposed non-farm residential lot shall not exceed 3.7-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;
3. Only one single family residential unit may be constructed on the proposed non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units;
4. The acreage of the proposed non-farm residential lot shall count towards the total non-farm residential acreage that can be created from the base farm tract for this property;
5. A “Notice of Zoning Limitations” document shall be recorded with the Dodge County Register of Deeds Office for the following parcels which make up the “base farm tract” which notifies the potential buyers of these parcels that there may be limitations as to the number of new lots that can be created from this base farm tract:
 - 040-0914-2432-000; 040-0914-2431-000;
6. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;
7. The decision of the Committee is valid for one year.

Second by Janice Bobholz.

Vote 5-0 Motion carried.

PARK SYSTEM

1. Consider, discuss and take action to name a trail section at Nitschke Mounds Park

Designation of the Don Gehrke Trail Loop at Nitschke Mounds Park

Resolved that the original and primary effigy mound hiking trail loop at Nitschke Mounds Park is hereby designated "The Don Gehrke Trail Loop". This trail loop is approximately .3 miles in total length and is identified in Exhibit A - attached.

Don Gehrke of Horicon, was instrumental in conducting and leading a majority of the original volunteer clearing work and trail development at Nitschke Mounds Park upon it becoming a County Park, February 20, 2003. Don continued working through 2005 virtually every week year round regardless of the weather. When Don was not physically working at the park, he was promoting and sharing information about it. Don gave his heart and soul into the work at Nitschke Mounds until his body wouldn't let him do it anymore. No one has contributed more time and effort into Nitschke Mounds Park than Don Gehrke. It is appropriate to name the original and primary mound trail loop, he so tirelessly worked to create, after him.

Motion by Janice Bobholz to support the resolution to designate the original and primary effigy mound hiking trail loop at Nitschke Mounds Park as "The Don Gehrke Trail Loop"

Second by Allen Behl Vote 5-0 Motion carried

2. Park Managers Report

Bill Ehlenbeck showed the Committee a picture of the new kayak launch that has been installed.

Bill also briefed the Committee on several other items that will be brought to them for future consideration.

- Old homestead at Harnischfeger Park has lost a large section of roofing so a determination on whether to repair/restore house or tear it down will need to take place soon. Contractors have been looking at roof and others will be inspecting for structural integrity and providing preliminary cost estimates.
- Survey of the cemetery at Astico Park is now done. Staff will be working with Corporation Counsel to proceed with the boundary agreement.
- The Roll-Hahn property acquisition matter will be placed on a June meeting agenda, likely in closed session for property purchase negotiations. Staff met with the owners and they indicated they would accept the appraisal value of \$137,200.

OTHER BUSINESS

1. The minutes from the May 1, 2017 meeting were reviewed by the Committee.

Motion by Joseph Marsik to approve the minutes as written.

Second by William Muche. Vote: 5-0 Motion carried.

2. Committee Member Reports None

3. Per Diems None

Motion by Tom Schaefer to adjourn the meeting.

Meeting adjourned at 8:10 p.m.

Respectfully Submitted,

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 # 2017-0374

Owner:

Nicholas Weisensel
214 Washington Street
Waterloo, WI 53594

Filing Date: May 30, 2017

Committee Review Date: June 5, 2017

Property Location

PIN# 036-0913-1222-001

NW 1/4 NW 1/4, Section 12, T09N, R13E, Town of Portland, Dodge County, Wisconsin, the Site Address:
N2046 County Road BB

Applicants Request

A petition to rezone 3-acres of land from the A-1 Prime Farmland Preservation Zoning District to the A-2 General Agricultural Zoning District has been submitted by the Town of Portland Town Board to the Dodge County Board of Supervisors for approval. The 3-acre lot is intended for non-farm residential use.

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 lot to be rezoned is not located within the County's Zoning Jurisdiction.

The lot to be rezoned is not located within the Shoreland Wetland or Floodplain Districts.

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

Land Use, Site: Agricultural storage and recreational

Land Use, Area: Agricultural with scattered residences along County Road BB.

Designated Archaeological Site: Yes No

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.

The County's Density Standards do not apply;

Town Purpose Statements

The purpose of the A-1 Farmland Preservation Zoning District is to promote areas for uses of a generally exclusive agricultural nature in order to protect farmland and to allow participation in the state's farmland preservation program.

The purpose of the A-2 General Agricultural Zoning District is to promote an area for uses of a generally agricultural nature on lands of good agricultural quality.

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 Planning, Development and Parks Committee Decision

Town Rezoning Petition # 2017-0374

Owner:

Nicholas Weisensel
214 Washington Street
Waterloo, WI 53594

Filing Date: May 30, 2017

Committee Review Date: June 5, 2017

Property Location

PIN# 036-0913-1222-001

NW 1/4 NW 1/4, Section 12, T09N, R13E, Town of Portland, Dodge County, Wisconsin, the Site Address:
N2046 County Road BB

Applicants Request

A petition to rezone 3-acres of land from the A-1 Prime Farmland Preservation Zoning District to the A-2 General Agricultural Zoning District has been submitted by the Town of Portland Town Board to the Dodge County Board of Supervisors for approval. The 3-acre lot is intended for non-farm residential use.

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:

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

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
William Muche	<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: _____

Exhibit A -
see next
page also.

Town of Portland
Rezoning Petition

Applicants Name: Nicholas R Weisenel Address N2046 County rd BB, Reeseville, WI
Town of Portland

Parcel Identification number: 036-0913-1222-057 Section: 12

Address of Property to be rezoned: N2046 County rd BB Reeseville, WI

Current Zoning: Aq1 Proposed Zoning: Aq2

Current Use: undeveloped land Proposed Use: Single Family Residence

Number of Acres to be rezoned: 3 ~~entire parcel~~

Applicant's justification for this rezoning petition: To build a house

Single family home.

Names and Addresses of Owners of all properties lying within 100 feet of the area proposed to be rezoned:

Tom & Christilyn Meyer

N2033 County Road BB
Reeseville WI 53579

Starview Farm - William Krieg

N4477 County Road I
Lowell WI 53557

Attach the Following:

A plot plan drawn to scale of one inch equals 100 feet showing the area proposed to be rezoned, it's location, it's dimensions, the location and classification of adjacent zoning districts and the location and existing use of all properties within 100 feet of the area proposed to be rezoned.

CERTIFICATE

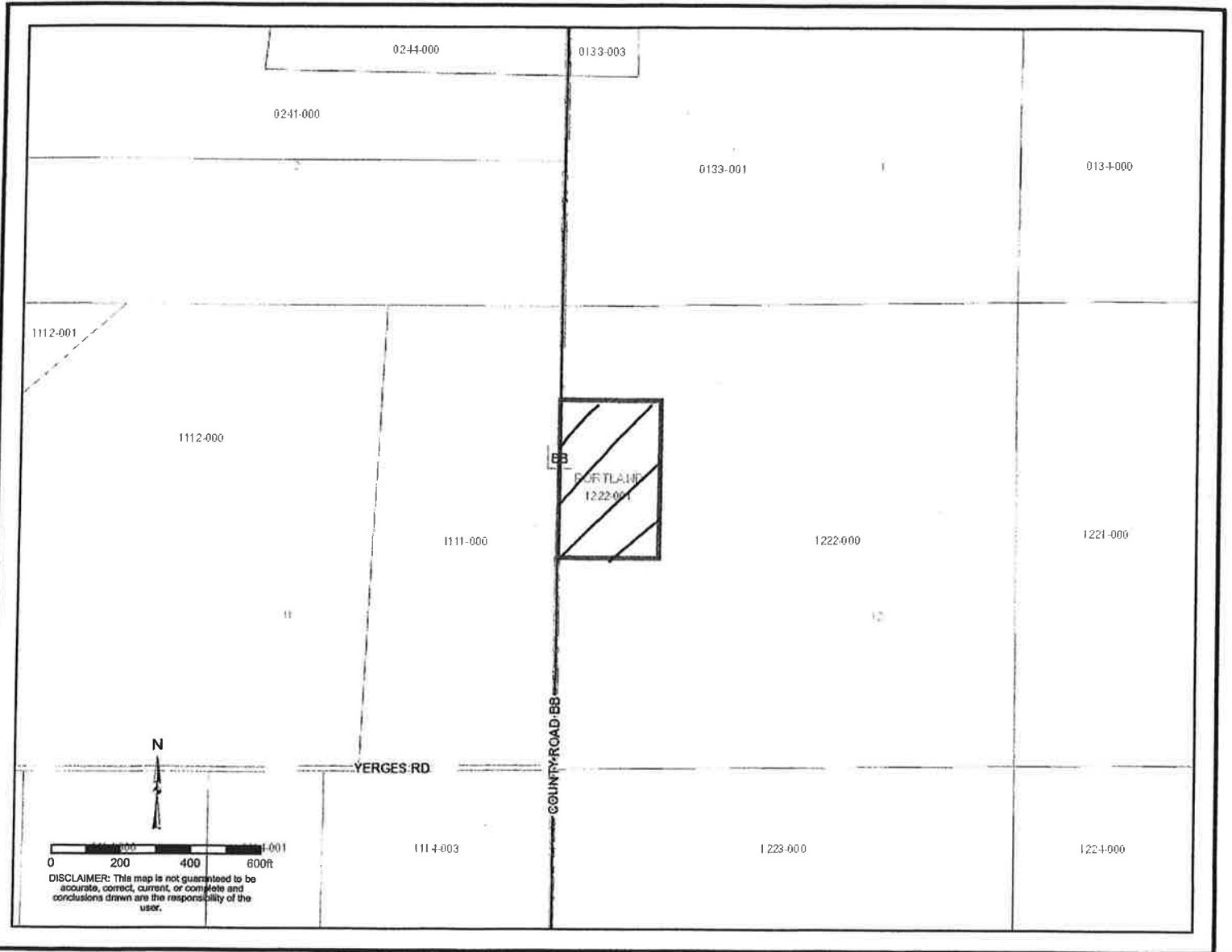
I, the undersigned, hereby certify that all the above statements and information contained on any attachments submitted herewith are true and correct to the best of my knowledge.

Signature of Applicant: *Nick Weisenel*

Date: 4-25-17

Date of Public Hearing: 5-3-17

Board Decision: Approved X Denied _____ Vote: 3-0 Date: 05-18-2017





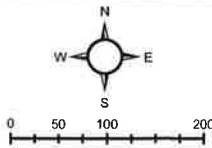
Town of Portland: Rezone 3 Acres
A-1 Farm land Preservation District.
to A-2 General Agricultural District
036-0913-1222-001

Nicholas Weisensel Town of Portland, Sec. 12

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.



-  Weisensel Property
-  Area to be Rezoned (A-1 to A-2)



0 50 100 200

Dodge County
Land Resources & Parks
2012 Aerial Photo
One Inch = 200 Feet