

## Land Resources and Parks Department Staff Report

**County Conditional Use Permit Application # 2019-0752**

**Filing Date:** August 22, 2019

**Complete Application Date:** September 3, 2019

**Hearing Date:** October 7, 2019

**Owner/Applicant:**

Scott and Rachel Johnson  
W2412 Washington Road  
Oconomowoc, WI 53006

**Location**

**PIN#:** 002-0917-1733-001

**Location:** Lot 2, CSM 2953, Located in part of the SW ¼ of the SW ¼, Section 17, Town of Ashippun, the site address being W2412 Washington Road.

**Applicants Request**

An application for a County Conditional Use Permit under the Dodge County Land Use Code, was made by the applicant to allow the 2<sup>nd</sup> story of a detached garage on this lot to be used for human habitation/recreational room/office space use. The County considers the proposed design/layout of the garage as a dwelling unit and therefore is requiring a conditional use permit to allow two dwelling units to be located on one lot in the A-2 General Agriculture zoning district.

**County Jurisdiction**

The County has Zoning Jurisdiction over this site as the Town of Ashippun has adopted the County's Land Use Code. The property is located within the A-2 General Agricultural Zoning District.

**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. The Committee shall authorize the Land Use Administrator to issue a Conditional Use Permit (CUP) for conditional uses after review and a public hearing, provided that such conditional uses or structure are found to be in accordance with the purpose and intent of this Code and the approval criteria provided in Section 2.3.6.F and are found not to be hazardous, harmful, offensive, or otherwise adverse to the environment or the value of the area.

**Land Use Code Provisions:**

1. Section 3.6 and Table 3.6-1 of the Land Use Code identifies "Two family residential use" and "Professional Offices and Studios" as a conditional use in the A-2 General Agricultural Zoning District. (The definition of a "Two family residential use" includes two single family dwelling units on one lot.)
2. Section 6.3.3.E.2 - Accessory structures shall not be used for human habitation or occupancy and shall not be used as a temporary or permanent residence, lodging facility, boarding quarters, office space or facility, or for temporary or permanent sleeping or living quarters unless said use is allowed in the underlying zoning district and all of the required permits and approvals have been obtained to establish and operate said use within said accessory structure.
3. Chapter 12 – Definitions: Human Habitation - The use of a structure for living for any period of time, for activities such as sleeping, eating or cooking, or combinations thereof.

**Purpose Statement**

The purpose of the A-2 General Agricultural Zoning District is to promote areas for agriculture which are transitional, allowing for expansion of urban areas limited to rural residential development, and the conversion of agricultural land to other related uses, 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 County has Zoning Jurisdiction over this site as the Town of Ashippun has adopted the County's Land Use Code. The property is located within the A-2 General Agricultural Zoning District.

The approximately 17.647-acre lot contains a residence and detached garage.

The topography of the site is rolling with slopes ranging from 0 to 20%;

Land Use, Site: Residential

Land Use, Area: Agricultural with scattered residences along Washington Road and State Road 67.

Designated Archaeological Site: Yes  No

On April 25, 2019, the applicant submitted a land use permit application to construct an approximate 12' X 8' 2<sup>nd</sup> story deck addition onto the detached garage on this site. Based upon the staff's inspection of the site and upon further discussion with the applicant, it is the staff's position that the 2<sup>nd</sup> story of the detached garage was modified to allow for human habitation of the 2<sup>nd</sup> story of the garage. The County considers the proposed design/layout of the garage as a dwelling unit. The applicant was notified by the Department that a land use permit and conditional use permit would be required to bring the use of the garage into compliance with the Code.

On August 22, 2019 a Conditional use permit and land use permit application was filed with the Department to allow the 2<sup>nd</sup> story of a detached garage on this lot to be used for human habitation/recreational room/office space use.

**Town Recommendation**

- The Town Board will not be able to review this request until October 10, 2019 and therefore request that a decision be laid over until October 17, 2019.

**STAFF ADVISORY:**

***This staff advisory is only advice to the Land Resources 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 of the code. The staff comments are listed in Exhibit A for review by the committee.

It is the staff's position that the proposed design/layout of the garage allows for the use of the 2<sup>nd</sup> story of the garage to be used as a dwelling unit and therefore, it is the staff's position that the garage is considered a dwelling unit for zoning purposes. It is also the staff's position that the construction project must comply with the applicable uniform dwelling codes for a dwelling unit prior to being used for human habitation and if the garage is to be used as a commercial office use, the construction project must comply with the applicable commercial building code.

The staff notes that Section 3.6 and Table 3.6-1 of the Land Use Code allows "Two family residential use" and Professional Offices and Studios" as a conditional use in the A-2 General Agricultural Zoning District and therefore the conversion of the garage into a dwelling unit or a professional office could be allowed by the Code as a conditional use permit.

If approved with the following conditions, it is the staff's position that allowing a professional office or a second dwelling unit on this site 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. It shall be the responsibility of the applicant to obtain all Federal, State and/or local municipality permits and approvals that are required for the conversion of the detached garage to allow human habitation/recreation/office space/dwelling use prior to the occupancy of said garage structure. The applicant shall provide documentation to the Department that the project complies with the applicable uniform dwelling code, commercial building code and any applicable fire safety requirements prior to occupancy of the garage structure.
2. A County Land Use Permit shall be obtained by the applicant to allow the conversion of the detached garage to be used for human habitation, recreational use, office space use and/or as a dwelling unit prior to occupying the garage for said use.
3. The structure shall be served by a code compliant Private Onsite Wastewater Treatment System (POWTS). The applicant shall provide documentation to the Department to show that the POWTS has been designed for the use of the garage for human habitation/office/recreational use prior to occupying the garage for said use.
4. 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 of the code. The staff comments are as follows:

**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 if the garage conversion project is constructed in compliance with the development standards of the code and the applicable uniform dwelling code and commercial building code requirements, if applicable, the proposal 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 location of a second residential structure on this site and/or the establishment of a professional office at this location would be in compliance with the Code and 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 location of a second residence on this lot and/or the creation of a professional office at this location 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;
- It is the staff's position that the applicant will be required to document that the septic system on this lot is sized appropriately to accept the proposed wastewater from the residential /office building prior to occupancy of the structure.

**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 any significant adverse impacts on the natural environment will be mitigated to the maximum practical extent;

**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 the proposed structure 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 will comply with the applicable provisions of the code;

## Chapter 12 – Definitions

### **Dwelling**

A structure, or that part of a structure, which is used or intended to be used as a home, a residence or a sleeping place by one or more persons. The term “dwelling” for purposes of this Code does not include boarding or lodging houses, motels, hotels, tents, cabins, or manufactured homes, except manufactured homes attached to or fastened to a permanent foundation.

### **Dwelling, Single-Family**

A dwelling containing one dwelling unit.

### **Dwelling Unit**

One or more rooms, which are arranged, designed, or used as living quarters for one family only.

### **Habitable Structure**

Any structure or portion thereof used or designed for human habitation.

### **Habitable Rooms**

Any room or portion thereof used or designed for living, sleeping, eating or cooking or combinations thereof. Bathrooms, toilet compartments, closets, halls, storage rooms, laundry and utility spaces, basement recreation rooms, and similar areas are not considered habitable rooms.

### **Human Habitation**

The use of a structure for living for any period of time, for activities such as sleeping, eating or cooking, or combinations thereof.

### **Two-Family Residential Use**

Any structure or lot with two (2) independent dwelling units, including, but not limited to apartment buildings, condominiums, 2 single family dwelling units on one lot, and duplexes.

### **6.3.3.E Prohibited Uses**

**6.3.3.E.2** Accessory structures shall not be used for human habitation or occupancy and shall not be used as a temporary or permanent residence, lodging facility, boarding quarters, office space or facility, or for temporary or permanent sleeping or living quarters unless said use is allowed in the underlying zoning district and all of the required permits and approvals have been obtained to establish and operate said use within said accessory structure.

**Dodge County Land Resources and Parks Committee Decision**

**County Conditional Use Permit Application # 2019-0752**

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**CONCLUSIONS OF LAW**

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

**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 proposed residential use/office use of the garage structure compatible with adjacent uses in terms of scale, site design and 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 residential use/office use of the garage structure 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 proposed residential/office use of the garage structure cause a 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?

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**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?

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**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?

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**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?

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**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?

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**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?

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

(Yes/No)

1. It shall be the responsibility of the applicant to obtain all Federal, State and/or local municipality permits and approvals that are required for the conversion of the detached garage to allow human habitation/recreation/office space/dwelling use prior to the occupancy of said garage structure. The applicant shall provide documentation to the Department that the project complies with the applicable uniform dwelling code, commercial building code and any applicable fire safety requirements prior to occupancy of the garage structure.
2. A County Land Use Permit shall be obtained by the applicant to allow the conversion of the detached garage to be used for human habitation, recreational use, office space use and/or as a dwelling unit prior to occupying the garage for said use.
3. The structure shall be served by a code compliant Private Onsite Wastewater Treatment System (POWTS). The applicant shall provide documentation to the Department to show that the POWTS has been designed for the use of the garage for human habitation/office/recreational use prior to occupying the garage for said use.
4. The decision of the Committee is valid for one year.

Others

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Does the committee believe that the Conditional Use Permit Request meets the approval criteria in Section 2.3.6.F of the County Land Use Code? (Yes / No)

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

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

**Vote**

Joseph Marsik	<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
Jeff Schmitt	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Larry Schraufnagel	<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.

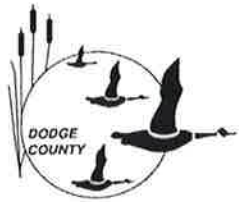
Appeals. This decision may be appealed by any person or their agent aggrieved by this decision or by any officer, department, board or bureau of the County, or by any affected town board. Such appeals shall be filed with the Dodge County Land Resources and Parks Department or the review and decision 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.

If a conditional use permit is denied, the applicant may appeal the decision to the circuit court under the procedures contained in s. 59.694(10) Wis. Stats.

Dodge County Land Resources 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	
<b>Activity No.</b> <b>190752</b>	<b>Permit Issued Date</b>
Application Date: <b>8-22-19</b>	Receipt #: <b>998822</b>
	Sanitary Permit #:

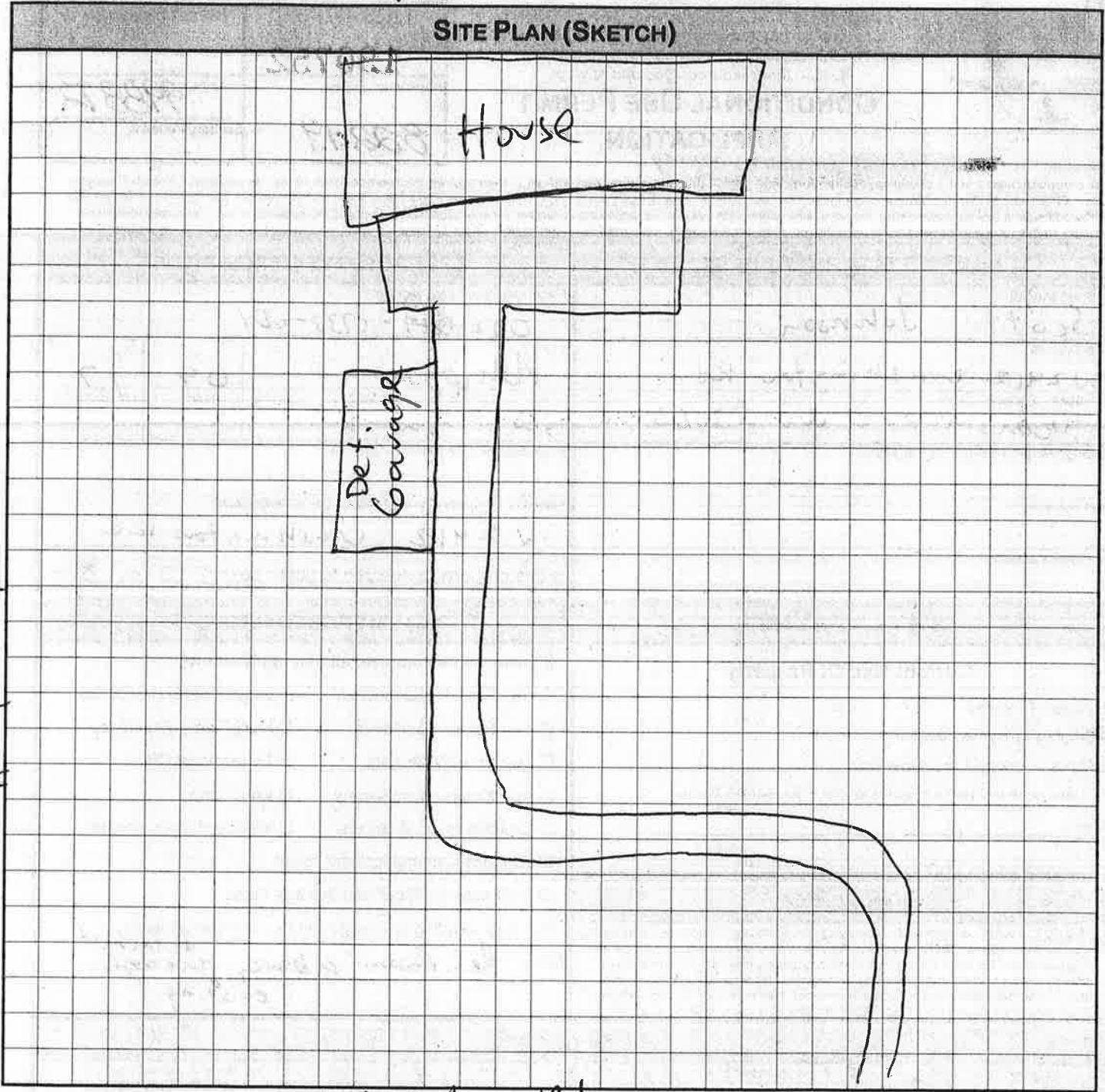
Application Fee: **(\$700)** (After the Fact Application Fee - \$700)

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

(1) NAMES & MAILING ADDRESSES		(2) PROPERTY DESCRIPTION			
Applicant (Agent) <b>Scott Johnson</b>		Parcel Identification Number (PIN) <b>002-017-1733-001</b>			
Street Address <b>W2412 Washington Rd</b>		Town <b>Ashippun</b>	T	N	R
City • State • ZipCode <b>Oconomowoc, WI 53066</b>		1/4	1/4	Section	Acres
Property Owner (If different from applicant)		<b>SW</b>	<b>SW</b>	<b>09</b>	<b>17</b>
Street Address		Subdivision or CSM (Volume/Page/Lot)			
City • State • ZipCode		Address Of Property (DO NOT include City/State/ZipCode) <b>W2412 Washington Rd</b>			
		Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
(3) PROPERTY USE		(4) PROPOSED PROJECT			
<b>Current Use Of Property</b> <input type="checkbox"/> Vacant Property <input checked="" type="checkbox"/> Single-Family Residential <input type="checkbox"/> Active-Working Farm Operation <input type="checkbox"/> Business • Industrial • Commercial • (Describe below) Other _____		<b>(Please check/complete all that apply below)</b> <input type="checkbox"/> Non-Farm Residential Lot <input type="checkbox"/> Single Family Residence <input type="checkbox"/> Two-Family Residence <input type="checkbox"/> Multi-Family Residence <input type="checkbox"/> Tavern or Restaurant <input type="checkbox"/> Professional Office <input type="checkbox"/> Non-Metallic Mine/Quarry <input type="checkbox"/> Wind Tower <input type="checkbox"/> Create/Expand Business <input type="checkbox"/> Wildlife Pond > 2-acres <input type="checkbox"/> Wireless Communications Tower <input type="checkbox"/> Contractor's Offices and Storage Yards <input type="checkbox"/> Filling, Grading or Dredging in the Shoreland District Other: <b>See Room above, detached garage existing</b>			
<b>DNR Notice</b> <small>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.</small>					
(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 _____		Date <b>8-14-19</b>			
Daytime Contact Number <b>(920) 988 - 0148</b>					
AREA BELOW THIS LINE FOR OFFICE USE ONLY					
<b>PLANNING, DEVELOPMENT &amp; PARKS COMMITTEE ACTION</b> Date of Decision _____ Decision _____					
<input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	CONDITIONS	Land Resources and Parks Department _____ Date: _____			

17.55 acres

SITE PLAN (SKETCH)



H 34 67

See Attached Site Plan (Sketch) Washington Vd

THIS AREA FOR OFFICE USE ONLY

CUP ID No.	CUP File Date	LRP P/H Date	LRP Decision Date	LRP Decision
				<input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
Notes/Stipulations:				

Dodge County  
Land Resources & Parks Dept.  
127 East oak St.  
Juneau, WI 53039

8/29/19

Dear Christopher,

Enclosed is a sketch of the layout of our  
1st + 2nd floor garage.

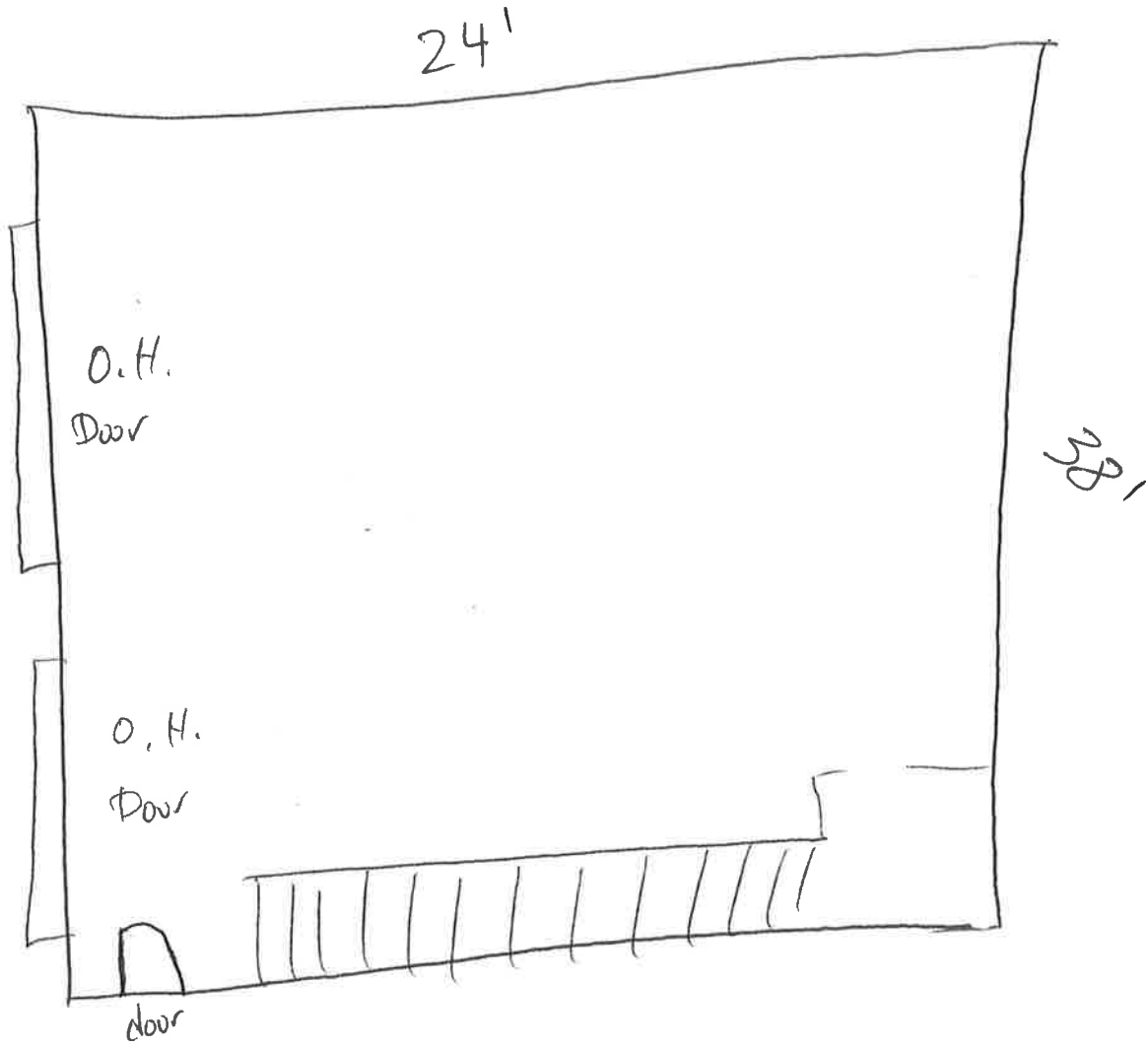
We do not consider the structure to be a  
dwelling. We have no intent to have anyone  
live in it. It is just a 2nd floor garage  
with a finished room and bathroom that  
we use as a rec room/office.

I'd like to note that the 1st and 2nd floors  
were inspected by both the town and county  
before we drywalled anything. No concerns  
were raised at that time.

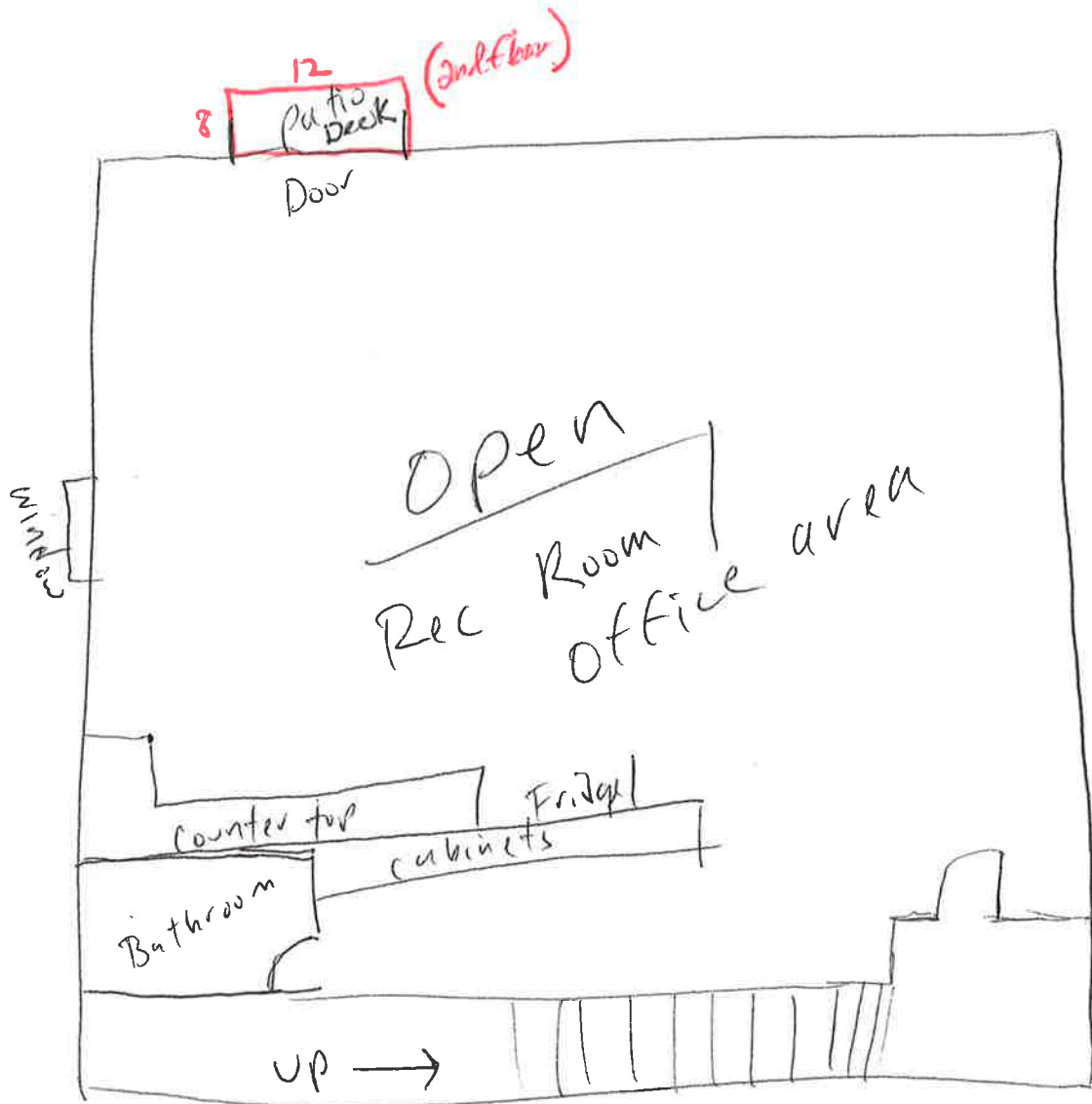
Sincerely,  
Scott Johnson  
W2412 Washington Rd.



1<sup>st</sup> Floor



# 2nd Floor







**PAGE 2 — SUPPLEMENTAL INFORMATION AND ADDITIONAL REQUIREMENTS**

**NOTE:** Your County Land Use Permit will be withheld and will not be processed without the completion and submittal of the required worksheet(s) to this office for departmental review and approval. Worksheets can be found at <http://www.co.dodge.wi.gov/government/departments-e-m/land-resources-and-parks/zoning-permits-and-ordinance/land-use-permit>

Is your project located within 1000 feet of a lake, pond or flowage, within 300 feet of the ordinary highwater mark (edge of the water) of a navigable waterway stream or creek or within a wetland or a floodplain? If you are uncertain, please contact this office for assistance.

- YES ⇒ Go to question 1.
- NO ⇒ Go to question 4.

1. Does your project involve construction, reconstruction, expansion, replacement or relocation of any impervious surfaces on your lot (see description below) that are located within 300 feet of the ordinary highwater mark (edge of the water) of a navigable lake, pond, flowage or waterway?

*An impervious surface is defined as an area that releases as runoff all or a majority of the precipitation that falls on it. The following "surfaces" are considered "impervious" under this Ordinance: (building) rooftops; concrete/blacktop/gravel driveways and parking surfaces; sidewalks; covered/uncovered decks; patio surfaces constructed with pavers/concrete/blacktop/flagstone; private road surfaces not specifically listed in the Ordinance or any other material and any other surface that is determined by the Land Use Administrator to be impervious. An impervious surface excludes frozen soil, public road surfaces and certain private roads that are specifically listed in the Ordinance.*

- YES ⇒ You will need to complete and submit WORKSHEET NO 1 (IMPERVIOUS SURFACE AREA CALCULATION) to this office for departmental review and approval. Go to question 2.
- NO ⇒ Go to question 2.

2. Will any part of your project be located less than 35 feet from the ordinary highwater mark (edge of the water) of a navigable lake, pond, flowage or waterway? (**NOTE:** If your project involves either a boathouse or riprapping — Go to line 3)

- NO ⇒ Go to question 3.
- YES ⇒ Your project CAN NOT BE APPROVED as proposed — Contact this office for assistance. Go to question 3.

3. Will any part of your project be located anywhere between 35-75 feet from the ordinary highwater mark (edge of the water) of a navigable lake, pond, flowage or waterway?

- NO ⇒ Go to question 4.
- YES ⇒ You will need to complete and submit WORKSHEET NO. 2 (MITIGATIONS OPTION CALCULATIONS) to this office for departmental review and approval. Go to question 4.

4. Does your project involve riprapping?

- NO ⇒ Go to question 5.
- YES ⇒ You will need to complete and submit WORKSHEET NO 3 (RIPRAP PROJECT SUPPLEMENTAL INFORMATION) to this office for departmental review and approval. Go to question 5.

5. Does your project involve the installation of field drain tile?

- NO ⇒ Go to question 6.
- YES ⇒ You will need to complete and submit WORKSHEET NO. 4 (FIELD DRAIN TILE SUPPLEMENTAL INFORMATION) to this office for departmental review and approval. Go to question 6.

6. Does your project involve cleaning-out, dredging, relocating and/or the construction of an agricultural drainage ditch?

- NO ⇒ Go to question 7.
- YES ⇒ You will need to complete and submit WORKSHEET NO. 5 (AGRICULTURAL DRAINAGE DITCH SUPPLEMENTAL INFORMATION) to this office for departmental review and approval. Go to question 8.

7. Does your project involve the filling, grading or disturbing of more than 2000 square feet of land?

- NO ⇒ Go to question 8.
- YES ⇒ You will need to complete and submit Worksheet No. 6 (Erosion Control Supplemental information) to this office for departmental review and approval. Go to question 8.

8. Does your project involve the construction or reconstruction of a pond less than 2 acres in size?

- NO ⇒ Go to question 9.
- YES ⇒ You will need to complete and submit WORKSHEET NO. 7 (POND CONSTRUCTION SUPPLEMENTAL INFORMATION) to this office for departmental review and approval. Go to question 9.

9. Does your project involve any filling, grading, dredging, or excavating and/or the construction of a pond ≥ 2 acres within a (mapped) wetland, floodplain and/or navigable waterway?

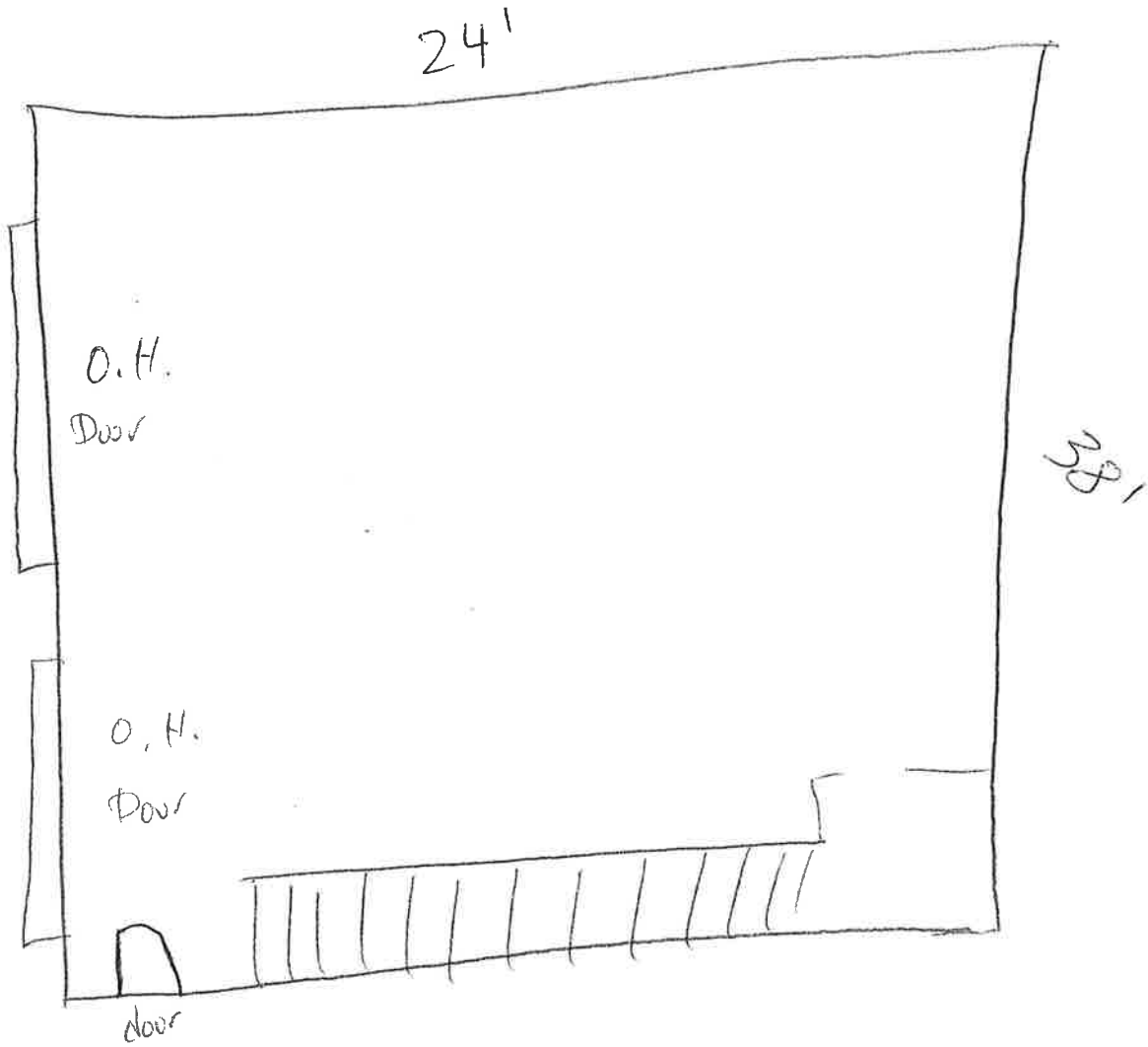
- NO ⇒ Sign and date application below.
- YES ⇒ A County CONDITIONAL USE PERMIT (CUP) may [also] be needed. Contact this office for assistance regarding the CUP process. Sign and date application below.

**CERTIFICATE & CONTACT INFORMATION**

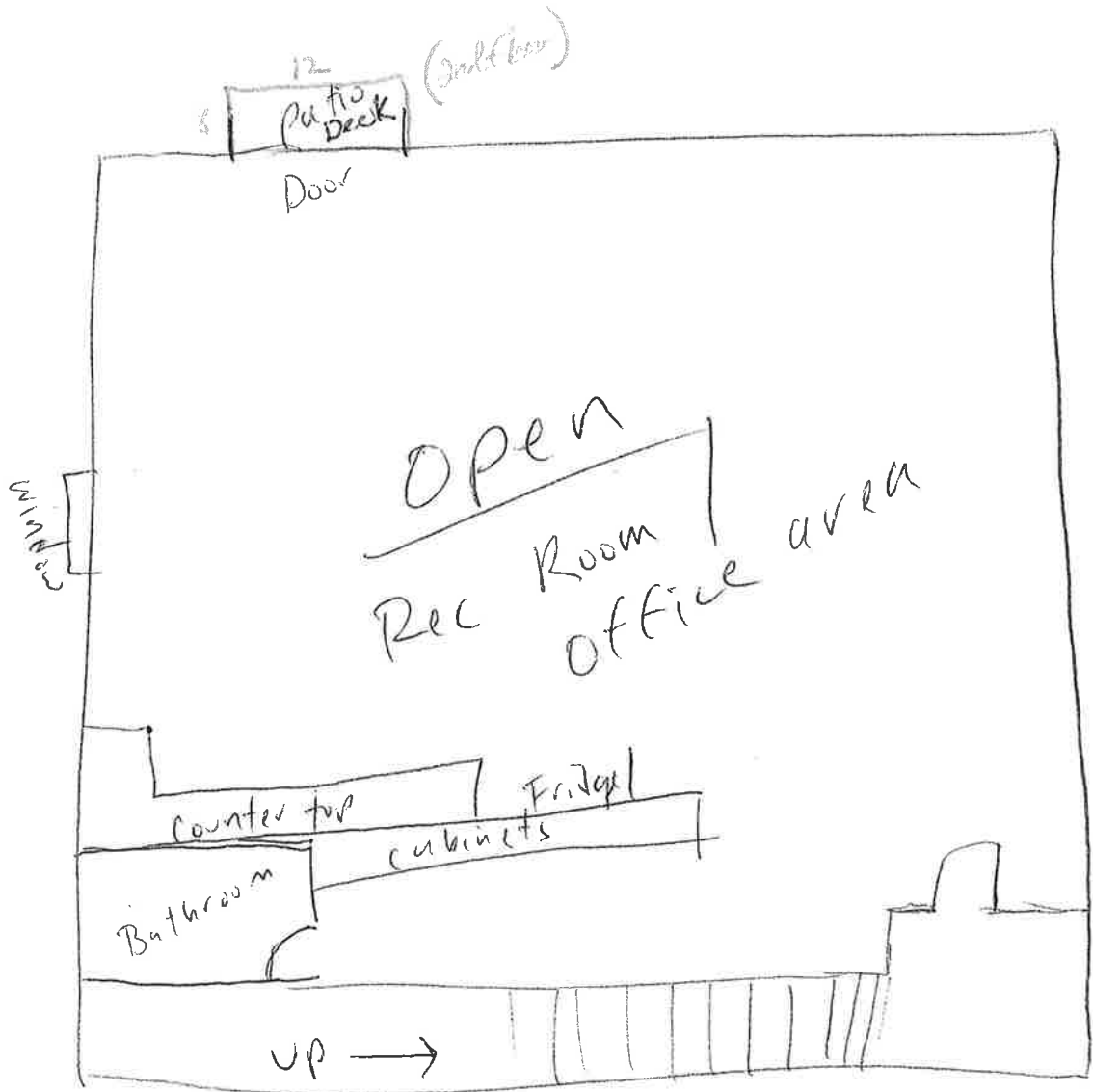
I, the undersigned, hereby apply for a Land Use Permit and certify that all the information both above and attached is true and correct to the best of my knowledge. I affirm that all work performed will be done in accordance with the Dodge County Land Use Ordinance and with all other applicable laws and regulations. I hereby authorize members of the Dodge County Land Resources and Parks Department to enter the above-described property for the purpose of conducting an onsite code inspection(s) and to obtain information pertinent to my application request. Furthermore, I also affirm that I have read and understand the DNR notice regarding construction on or near wetlands, lakes or streams.

Contact Person (Print) Suff Johnson Daytime Contact Phone ( 920 ) 988 - 0148  
Signature [Signature] Date 8-14-19 Call for pickup  No  Yes

1<sup>st</sup> Floor



2nd Floor



# Land Use Permit

Dodge County Land Resources and Parks Department  
 127 East Oak Street  
 Juneau, WI 53039-1329  
 (920) 386-3700 x2  
 www.co.dodge.wi.us/landresources

### This Area For Office Use Only

COUNTY ID No.	Receipt No. <u>996084</u>
<b>190242</b>	Application Date <u>4-25-19</u>
Permit Expiration Date	Sanitary Permit

**PERMIT APPLICATION FEE: \$50 plus \$2 per \$1,000 cost of the project** (Payable to: Dodge County) 60  
 Note: After the fact (i.e., Applying for permit after construction has already started) application fee: \$100 plus \$4 per \$1,000 cost of project

NAMES & MAILING ADDRESSES		PROPERTY INFORMATION			
Applicant/Agent/Contractor (If Contractor: Please Include State Certification No.) <u>Scott Johnson</u>		Parcel Identification Number (PIN) <u>002-0917-1733-01</u>			
Street Address <u>W2412 Washington rd</u>		Town <u>Ashippun</u>	T <u>09</u>	N <u>17</u>	R <u>17</u>
City • State • Zip Code <u>Oconomowoc, WI 53066</u>		1/4 <u>SW</u>	1/4 <u>SW</u>	Section <u>17</u>	Acreege <u>17.6</u>
Property Owner <input checked="" type="checkbox"/> Same as applicant		Subdivision or CSM (Volume/Page/Lot)			
Street Address		Address Of Property (DO NOT include City/State/Zip Code) <u>W2412 Washington rd</u>			
City • State • Zip Code		Is this property connected to public sewer? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Is property located within a sanitary district/accessible to public sewer? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
CURRENT USE OF PROPERTY		PROPOSED USE OF PROPERTY			
<input type="checkbox"/> Vacant Land <input type="checkbox"/> Working Farm <input type="checkbox"/> Business • Industrial • Commercial • (Use other below to describe) Other _____		<input checked="" type="checkbox"/> Same As Current Use (No Change) <input type="checkbox"/> Single-Family Residential <input type="checkbox"/> Two-Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Business • Industrial • Commercial • (Use other below to describe) Other _____			
<input checked="" type="checkbox"/> Single-Family Residential <input type="checkbox"/> Two-Family <input type="checkbox"/> Multi-Family					

## PROPOSED CONSTRUCTION PROJECT

(CHECK ALL THAT APPLY)

\*\*\* (Building plans are required for new/replacement Homes) \*\*\* deck

- |  |                                   |  |  |
|--|-----------------------------------|--|--|
| <input type="checkbox"/> Pool            | <input type="checkbox"/> Porch    | <input type="checkbox"/> Driveway          | <input type="checkbox"/> Field Tile Installation                                       |
| <input checked="" type="checkbox"/> Deck | <input type="checkbox"/> Fence    | <input type="checkbox"/> Boathouse         | <input type="checkbox"/> Pond (Less than 2 acres in size)                              |
| <input type="checkbox"/> Patio           | <input type="checkbox"/> Riprap   | <input type="checkbox"/> Attached Garage   | <input type="checkbox"/> Sign (Complete additional project information below)          |
| <input type="checkbox"/> Shed            | <input type="checkbox"/> Gazebo   | <input type="checkbox"/> Detached Garage   | <input type="checkbox"/> Barn (Complete additional project information below)          |
| <input type="checkbox"/> Home            | <input type="checkbox"/> Sidewalk | <input type="checkbox"/> Ag Ditch Cleanout | <input type="checkbox"/> Home Addition (Complete additional project information below) |

Filling, Grading, Ditching, Dredging, Lagooning, and/or Excavating- Contact this office for assistance with determining type of permit needed

Other \_\_\_\_\_

Width _____	<b>Additional Project Information</b>
Length _____	<b>Home Addition:</b> Total number of bedrooms? Before _____ After _____
Total Area _____	<b>Barn Information:</b> Will it house any animals? If yes, complete Animal Units Worksheet.
Total Stories _____	<b>Sign Information:</b> <input type="checkbox"/> Single-Sided <input type="checkbox"/> Double-Sided
Height (To roof peak) _____	<input type="checkbox"/> Located On-Premise <input type="checkbox"/> Located Off-Premise
Estimated Cost (w/Labor) \$ <u>5,000</u>	<input type="checkbox"/> Wall <input type="checkbox"/> Ground <input type="checkbox"/> Directional Other _____
	Will it be lighted and/or have moving/flashing parts? <input type="checkbox"/> No <input type="checkbox"/> Yes

◆ ◆ ◆ CLEARLY MARK/FLAG/STAKE-OUT THE CORNERS OF YOUR PROJECT & PROPERTY LINES ◆ ◆ ◆

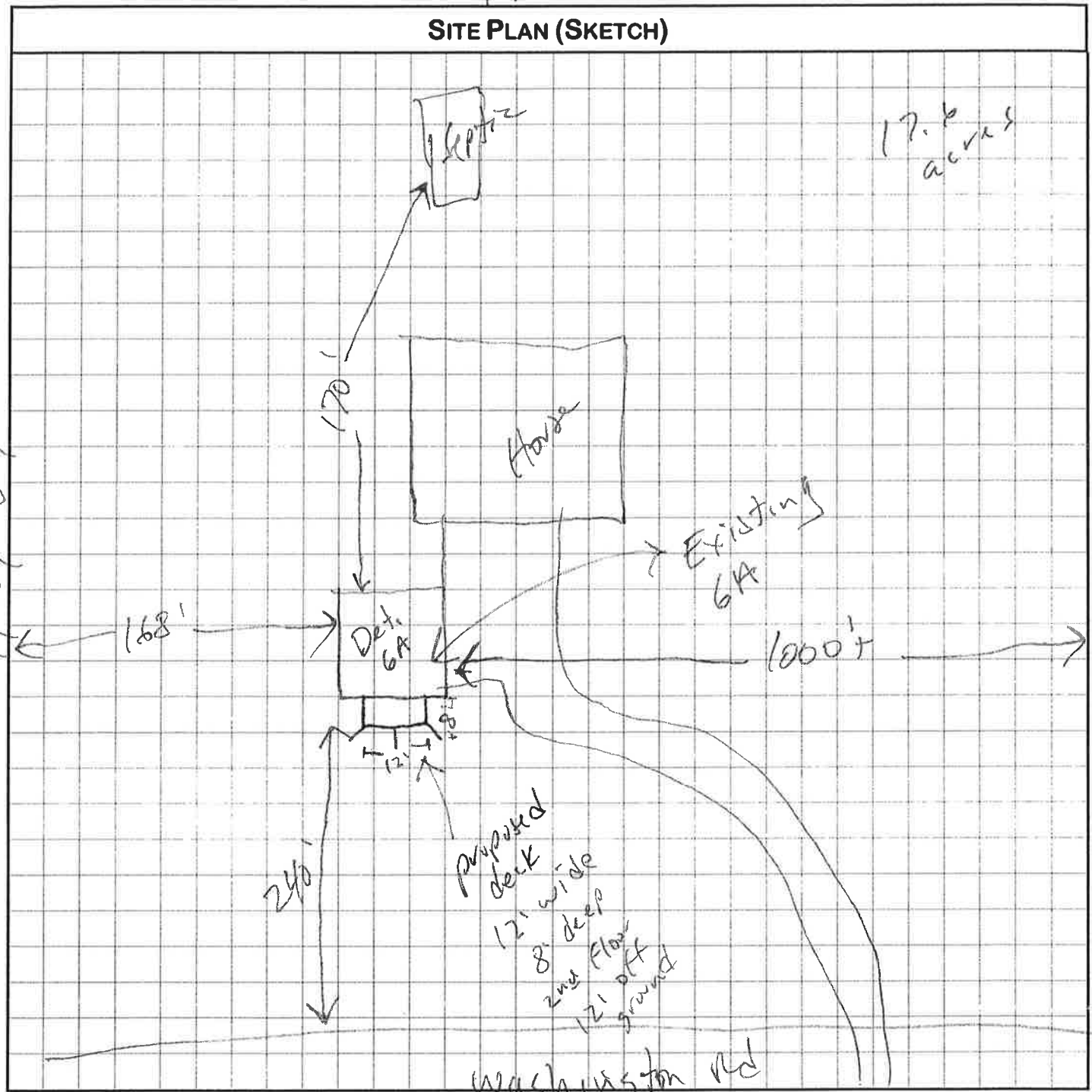
**DNR NOTICE:** You are responsible for complying with State and Federal laws concerning construction on or near wetlands, lakes and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates 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.

**SITE PLAN (SKETCH)**

July 67

N

17.0 acres



See Attached Site Plan (Sketch)

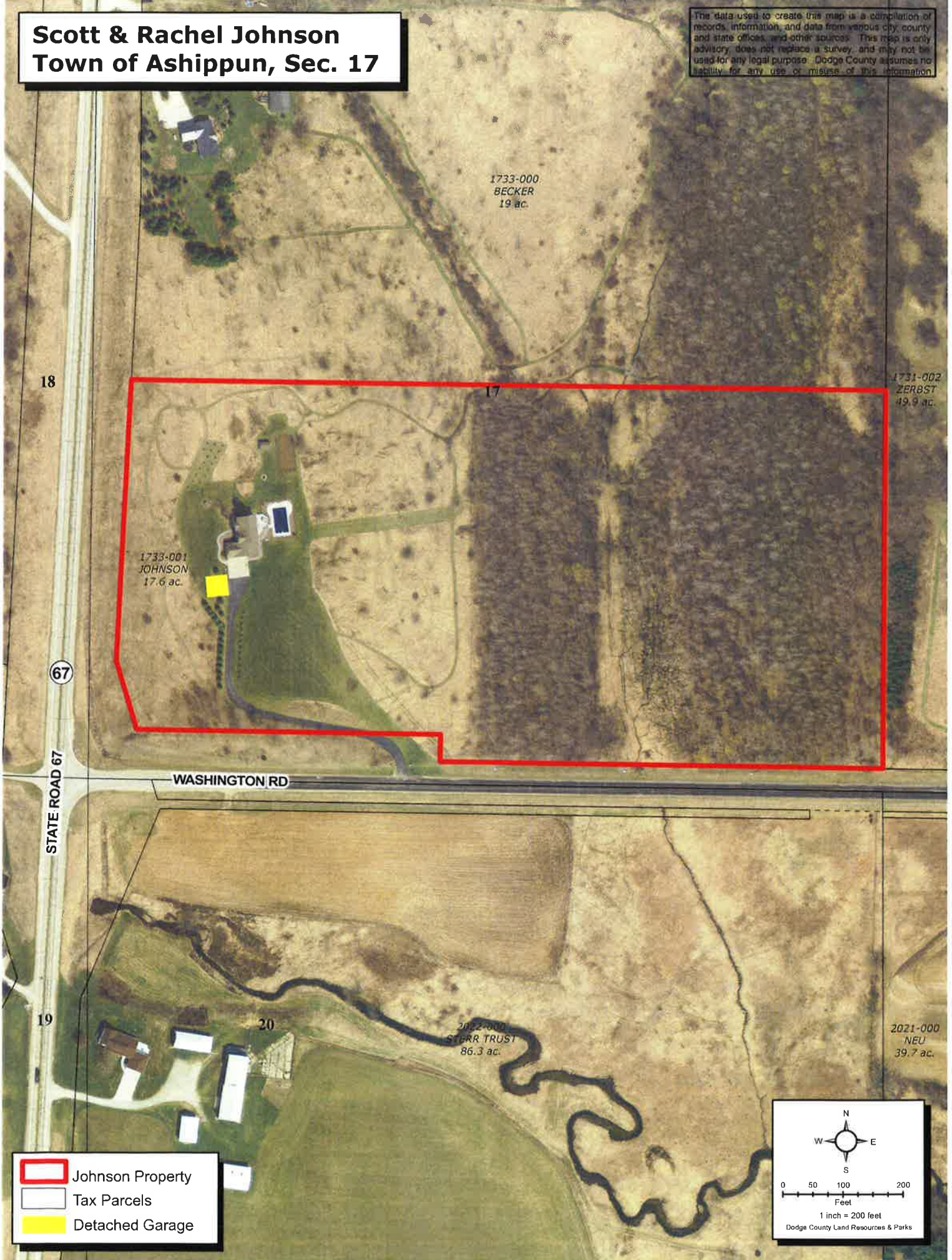
**THIS AREA FOR OFFICE USE ONLY**

BOA ID No.	BOA Appeal Date	BOA P/H Date	BOA Decision Date	BOA Decision
				<input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
Notes/Stipulations: <i>Inspection 1/19 @</i>				
<input type="checkbox"/> Approved <input type="checkbox"/> Denied			Land Resources and Parks Department	Date

Please use only blue or black ink to complete the application and site plan (sketch) — **DO NOT USE PENCIL**

# Scott & Rachel Johnson Town of Ashippun, Sec. 17

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.



- Johnson Property
- Tax Parcels
- Detached Garage

N  
W E  
S  
0 50 100 200  
Feet  
1 inch = 200 feet  
Dodge County Land Resources & Parks

Resolution

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

In 2019, we had 3 requests for financial assistance through the Wisconsin Fund Private Onsite Wastewater Treatment System Replacement Financial Assistance Program seeking a total of \$18,450 in grant funds. The request for the state grant funds was approved for the full amount.

The County has requested a payment of the grant covering the total grant payout for 2 participants. The grant amount to be received by the County is \$11,450.00. The staff requests payout of the following grants upon receipt of the grant money from the State:

<u>OWNER</u>	<u>TOWN</u>	<u>GRANT AMOUNT</u>	<u>System Type</u>
Jeffrey Alexander	Westford	\$4,450.00	Holding Tank
Pedro and Mary Garcia	Emmet	\$7,000.00	At-Grade
<b>Total Payment Request:</b>		<b>\$11,450.00</b>	

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

**Second by:** \_\_\_\_\_

**Vote:**

**Motion Carried**

**DODGE COUNTY LAND RESOURCES AND PARKS COMMITTEE  
MINUTES  
September 16, 2019**

The Dodge County Land Resources and Parks Committee met on September 16, 2019, at 7:00 p.m. on the 1<sup>st</sup> Floor of the Administration Building, Juneau, Wisconsin.

Chairman Schaefer called the meeting to order. Roll Call was taken. Members present were Joseph Marsik, William Muche, Tom Schaefer and Jeff Schmitt. Members excused were Larry Schraufnagel. The staff present at the request of the Chairman were Bill Ehlenbeck and Joseph Giebel.

Other County Board members in attendance: None

**TOWN REZONING REQUESTS**

**Town Rezoning Petition – Gerald Bellin Trust** – Part of the SW ¼ of the SW ¼, Section 19, Town of Theresa, Dodge County, Wisconsin. Petition to rezone approximately 10.7-acres of land under the Town of Theresa Zoning Ordinance, from the A-1 Farmland Preservation Zoning District to the A-2 General Agriculture Zoning District has been submitted by the Town of Theresa Town Board to the Dodge County Board of Supervisors for approval. Committee review and recommendation to the County Board.

Motion by William Muche to submit a favorable recommendation on the request to rezone approximately 10.7-acres of land under the Town of Theresa Zoning Ordinance, from the A-1 Farmland Preservation Zoning District to the A-2 General Agriculture Zoning District.

Second by Jeff Schmitt      Vote 4-0      Motion carried.

**Town Rezoning Petition – Clayton Klink** – Part of the SW ¼ of the SW ¼, Section 25, Town of Hubbard, Dodge County, Wisconsin, the site address being N5374 State Road 67. Petition to rezone approximately 8-acres of land under the Town of Hubbard Zoning Ordinance, from the RRL Rural Residential Large Lot Zoning District to the HB Highway Business Zoning District has been submitted by the Town of Hubbard Town Board to the Dodge County Board of Supervisors for approval. Committee review and recommendation to the County Board.

Motion by Joseph Marsik to submit a favorable recommendation on the request to rezone approximately 8-acres of land under the Town of Hubbard Zoning Ordinance, from the RRL Rural Residential Large Lot Zoning District to the HB Highway Business Zoning District.

Second by William Muche      Vote 4-0      Motion carried.



## **COMMITTEE REVIEW OF PENDING CONDITIONAL USE PERMITS**

**Randy Rolefson** – Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow the establishment of a contractor’s storage yard and nonmetallic mine within the A-2 General Agricultural Zoning District. The site is located in part of the NE ¼ of the NW ¼, Section 12, adjacent to N2080 Resthaven Road. Decision laid over on August 19, 2019 – Final Action by Committee

Motion by Joseph Marsik to lay over a decision on the conditional use permit request to allow the establishment of a contractor’s storage yard and nonmetallic mine within the A-2 General Agricultural Zoning District at the request of the applicant to allow the applicant additional time to successfully reclaim the existing mined site as shown in his site plan.

Second by Jeff Schmitt      Vote 4-0      Motion carried.

**Gary Hensue agent for Bug Tussel Wireless and Gerald and Cheryl Jonas** - Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow the construction of a 195 foot guyed wireless communications tower. The site is located in part of the NW ¼ of the SW ¼, Section 36, T13N, R13E, Town of Fox Lake. Decision laid over on August 5, 2019 – Final Action by Committee

Motion by William Muche to approve the conditional use permit request to allow the construction of a 195 foot guyed wireless communications tower on this site subject to the following conditions:

1. The proposed tower shall meet or exceed current standards and regulations of the FAA, FCC, and any other agency of the Federal Government with the authority to regulate towers and antennas.
2. The tower shall be painted with alternate bands of aviation orange and white paint as specified in Section 4.9.3.A.1 of the Code.
3. The design of the buildings and related structures at this tower site shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and built environment per 4.9.3.A.2.
4. If required, the tower shall be lighted, in accord with the applicable FAA or other regulations.
5. Guy wires, and accessory facilities must satisfy all applicable setback requirements of Chapter 5 of this Code.
6. The tower and antennas shall not be used for any advertising.
7. The tower shall be designed, structurally, electrically and in all respects to accommodate co-location of both the applicant’s antenna(s) and comparable antenna(s) for at least three additional users and shall make access to the tower and tower site for additional users at a fair and reasonable price.
8. The site shall be landscaped to satisfy the requirements of Section 4.9.3.F of the Code. A copy of the landscaping plans shall be submitted to the Department for review and approval prior to the approval of the conditional use permit.
9. Any change and/or expansion of the tower site, including any change in height of the tower and antennas above 199’ may require that a new Conditional Use Permit be obtained.
10. A County Land Use Permit for the construction of the tower shall be obtained by the applicant prior to beginning construction.

11. The applicant shall submit a copy of a signed agreement to the Department between the property owner and the owner of the tower and supporting equipment and buildings detailing requirements for the abandonment and subsequent removal based on the provisions of Section 4.9.3.G.1 of the Code. This agreement shall contain provisions binding said agreement in future property owners and future owners of a tower, antennae and all supporting equipment and buildings prior to the issuance of the land use permit;
12. The decision of the Committee is valid for one year.

Second by Joseph Marsik    Vote 3-1 (Jeff Schmitt)    Motion carried.

**ADMINISTRATIVE BUSINESS**

Land Resources and Parks

A. Status Report on Beaver Dam Lake District Proposal and Committee Role

Bill Ehlenbeck provided the Committee with a report on the proposed Beaver Dam Lake District status. Bill informed the Committee that they are expected to be given the role of holding the public hearing by the County Board. The Committee will need to set a date for the hearing at their meeting following County Board session.

B. Department 2020 Budget Review

Bill Ehlenbeck provided the Committee with an update on the Department's 2020 budget proposal.

**OTHER BUSINESS**

1. The minutes from the August 19, 2019 meeting were reviewed by the Committee.  
Motion by Jeff Schmitt to approve the minutes as written.  
Second by William Muche    Vote: 4-0    Motion carried.

2. No Committee Member Reports

3. No additional Per Diems

Motion by chairman to adjourn the meeting.

Meeting adjourned at 8:15 p.m.

Respectfully Submitted,

---

**Joseph Marsik**, Secretary

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