

**Land Resources and Parks Department
Staff Report**

Town Rezoning Petition # 2021-0134

Filing Date: March 2, 2021

Committee Review Date: April 5, 2021

Applicant / Owner:

James and Linda Guenther
N7400 Edgewater Dr.
Beaver Dam, WI 53916

Location:

PIN# 004-1114-3011-002

NE ¼ of the NE 1/4, Section 30, T11N, R14E, Town of Beaver Dam, Dodge County, Wisconsin

Site Address: County Road S

Applicants Request

A petition to rezone approximately 1/2-acre of land under the Town of Beaver Dam Zoning Ordinance, from the General Agriculture Zoning District to the R-1 Single Family Residential Zoning District and to rezone approximately 1/2-acre of land from the Conservancy Zoning District to the R-1 Single Family Residential Zoning District has been submitted by the Town of Beaver Dam Town Board to the Dodge County Board of Supervisors to allow for the construction of a non-farm residence on this site.

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 Land Resources and Parks 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 property to be rezoned is not located within the County's Zoning Jurisdiction.

The County has Shoreland Jurisdiction over portions of the property to be rezoned.

- Portions of the property are designated as wetlands.

County has Floodplain jurisdiction over portions of the property to be rezoned.

- Portions of the property are designated as floodplain.

The topography of the site is gently rolling with slopes ranging from 0 to 6%;

Land Use, Site: Agricultural and open space recreational.

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

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.

Town Purpose Statements

- The purpose of the R1 Single Family Residential District is to promote an area of a generally exclusive single family residential nature.
- The purpose of the A2 General Agricultural 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 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.

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.

RESOLUTION NO. _____

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN

Members:

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

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


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

WHEREAS, a public hearing as to the proposed amendment to the Town Zoning Ordinance of the Town of Beaver Dam was held by the Plan Commission of the Town of Beaver Dam on February 1, 2021 and the proposed amendment to the Zoning Ordinance of the Town of Beaver Dam having been adopted by the Town Board of the Town of Beaver Dam on February 9, 2021,

THEREFORE BE IT RESOLVED:

That the amendment to the Town Zoning Ordinance of the Town of Beaver Dam attached to and made a part of this resolution be and hereby is approved by the Board of Supervisors of Dodge County, Wisconsin.

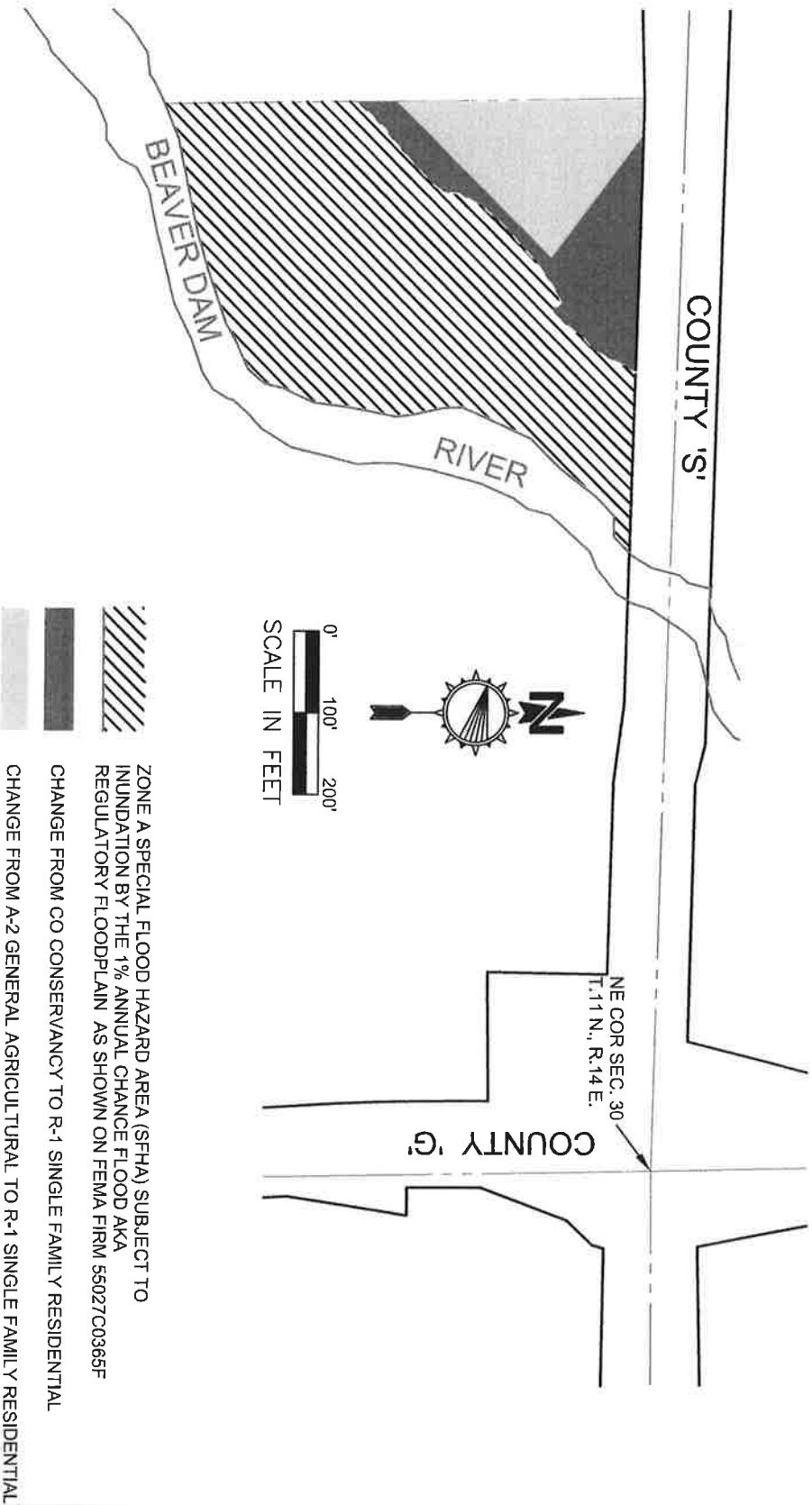
All of which is respectfully submitted this 1ST day of MARCH, 2021.



County Board Supervisor DIST. 5

EXHIBIT 'B'

PROPOSED TOWN OF BEAVER DAM REZONING

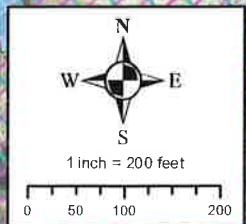
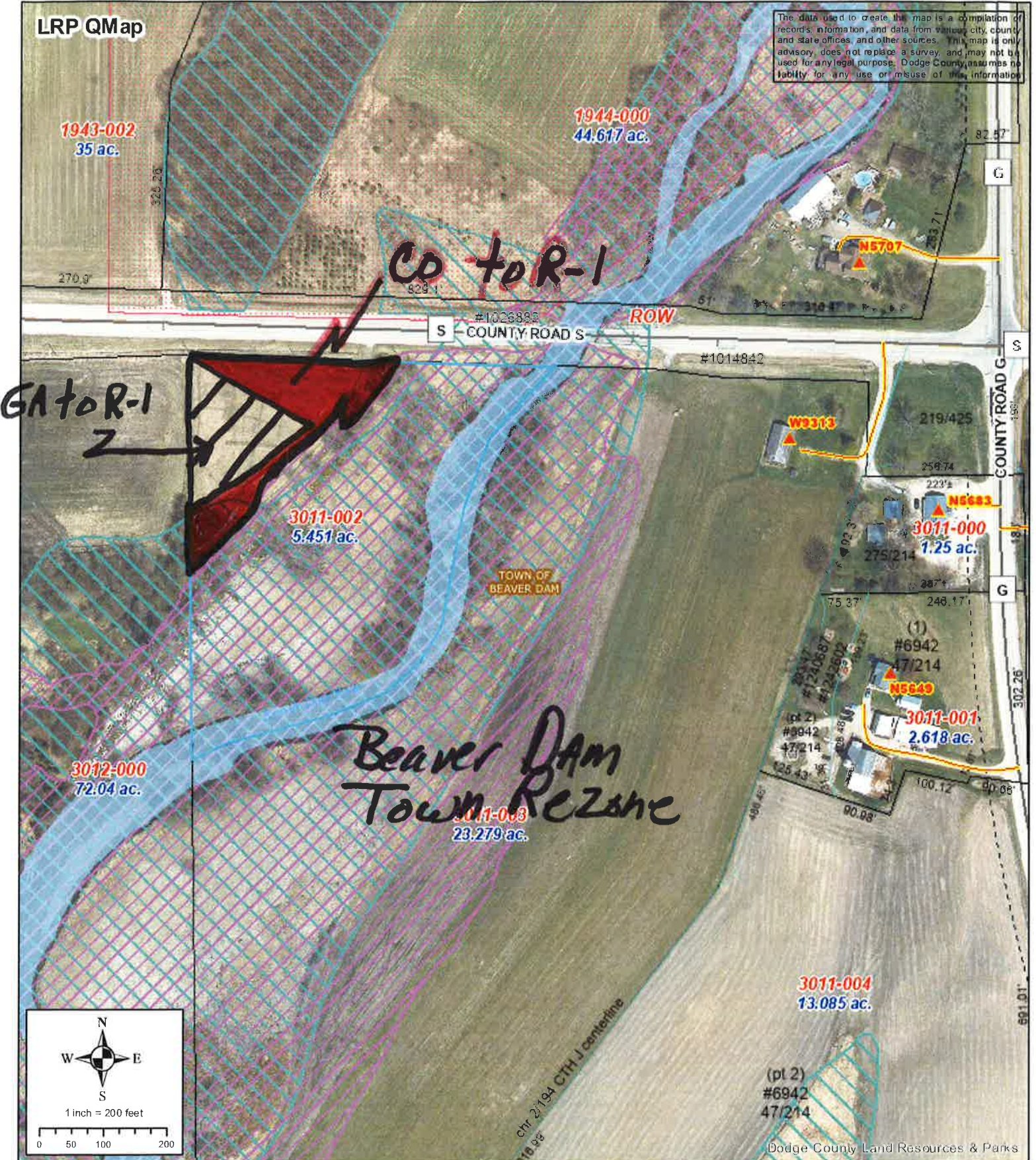


ZONE A SPECIAL FLOOD HAZARD AREA (SFHA) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD AKA REGULATORY FLOODPLAIN AS SHOWN ON FEMA FIRM 55027C0365F

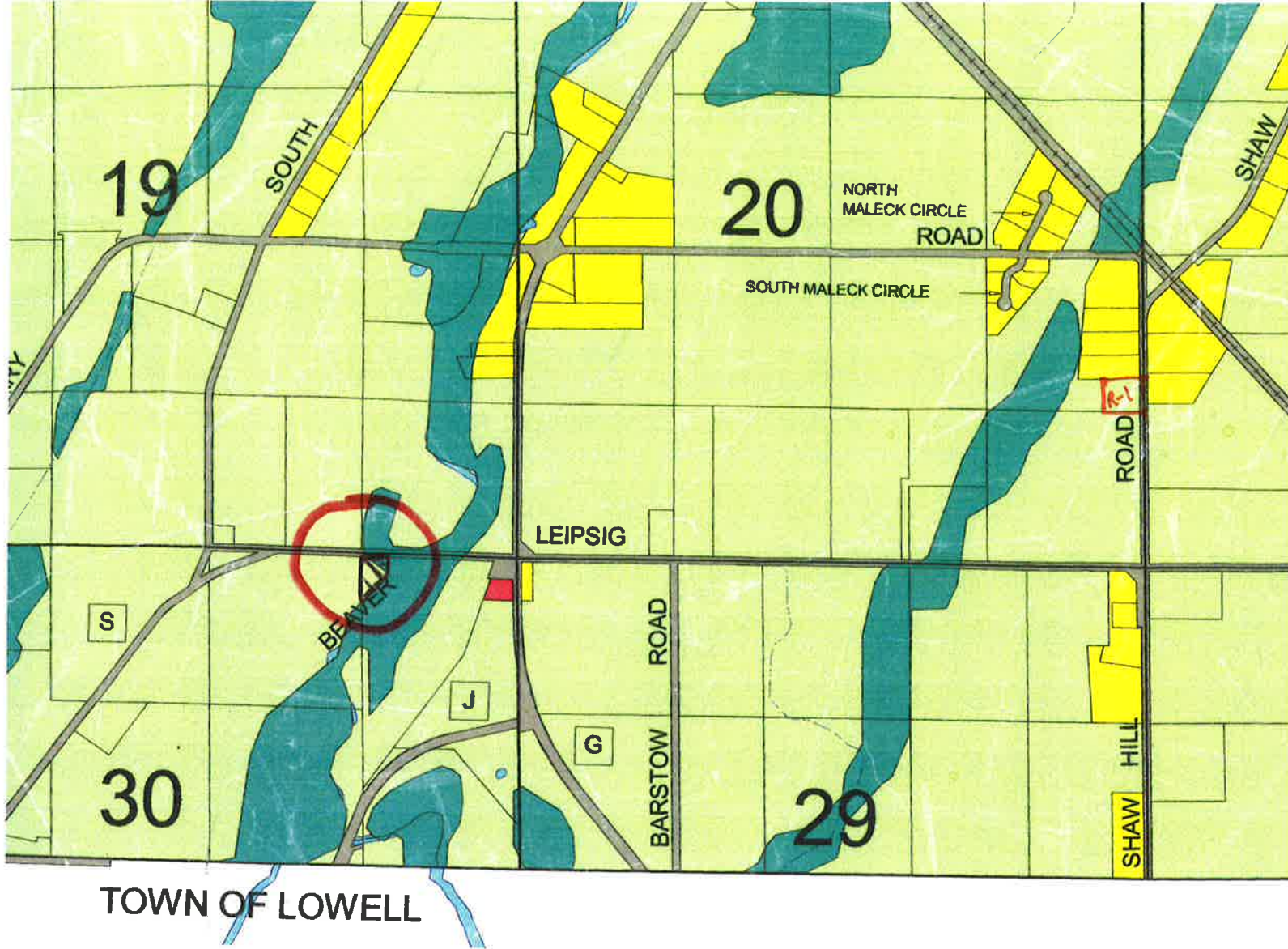
CHANGE FROM CO CONSERVANCY TO R-1 SINGLE FAMILY RESIDENTIAL

CHANGE FROM A-2 GENERAL AGRICULTURAL TO R-1 SINGLE FAMILY RESIDENTIAL

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.



General	WI Historical Society	Floodplain / Wetland	County Zoning
Urbanized Roads	Historic Structures	FEMA Floodplain/Storage/Dam Shadow	Planned Unit Development
Soils	Archaeological Sites	DNR Wetland Areas/Points	Extensive Commercial
Airport Ordinance 3-Mile Buffer	Survey Areas	Shoreland Zoning	Light Industrial
Sewer Service Areas	Non-Metallic Mining	Shoreland Zoning Buffer	Prime Agricultural
Highly Developed Shoreline	Active Mining Area	Lakes/Ponds/Sloughs	One Family Residential
Elevation Contours	Approved Mining Area	Rivers/Streams/Creeks	Two Family Residential
	Mine Property Boundaries		Multi-Family Residential
			Waterbody
			ROW/City/Village



ZONING

- PRIME AGR
- GENERAL A
- CONSERVA
- COMMERCI
- INDUSTRIA
- SINGLE FAI
- TWO FAMIL
RESIDE

Land Resources and Parks Department Staff Report

County Conditional Use Permit Application # 2021-0114

Filing Date: February 26, 2021

Hearing Date: April 5 2021

Applicant / Owner:

Daniel and Melody Zielicke
N11957 Butternut Road
Lomira, WI 53048

Location:

PIN# 030-1317-0214-000; 030-1317-0213-000; 030-1317-0123-000;

Property Location: Part of the SE ¼ of the NE ¼, Section 2, Town of Lomira, the site address being N11957 Butternut Road.

Applicants Request

An application for a County Conditional Use Permit was made by the applicant in order they be allowed to create an approximate 3.6-acre single family nonfarm residential lot within the A-1 Prime Agricultural Zoning District. The proposed 3.6-acre lot contains a residence and agricultural buildings which are intended for non-farm residential use. The remaining 76.4-acres of agricultural land is intended for agricultural use at this time.

County Jurisdiction

The County has Zoning Jurisdiction over this site as the Town of Lomira 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 County has Zoning Jurisdiction over this site as the Town of Lomira has adopted the County's Land Use Code
The site is located within the A-1 Prime Agricultural Zoning District.

The County has Shoreland Jurisdiction over portions of the remnant lands.

- A portion of the remnant lands are designated as wetlands on the Wisconsin Wetland Inventory Maps which are under the jurisdiction of the State DNR.

The proposed lots are not located within the County's Floodplain jurisdiction.

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

Land Use, Site: Residential and agricultural.

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

Designated Archaeological Site: Yes No

Density Standards

The applicant owns approximately 97.89-acres at this location, with approximately 80-acres located along the west side of Butternut Road and the remaining 37+acres located along the east side of the Road. The base farm tract for this property contained 160-acres within the A-1 Prime Agriculture Zoning District. The Code would allow a maximum of 7.619-acres for non-farm residential use under the conditional use permit process. The proposal complies with the Density standards.

Town Recommendation: Approve Deny No recommendation submitted

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 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 7.6-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:
 - 030-1317-0123-000; 030-1317-0214-000; 030-1317-0213-000;
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 shall expire one year after the decision is filed with the Department unless construction has been diligently pursued, a Certificate of Zoning Compliance has been issued, the use is established, or the Conditional Use Permit is renewed, for a period not to exceed one year.
8. The Conditional Use Permit shall also expire upon termination of a project or if the rights granted by the permit are discontinued for 180 consecutive days.

“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 type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none">• Acreage of Base Farm Tract: 160 acres;• Non-farm residential acreage: 3.6 acres;• Farm acreage remaining after project is completed: 156.4 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: 3.6 to 156.4 or 0.02			
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 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"/>	<input type="checkbox"/>	<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 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 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 checked="" type="checkbox"/>

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 Land Resources and Parks Committee Decision

County Conditional Use Permit Application # 2021-0114
Filing Date: February 26, 2021
Hearing Date: April 5 2021

Applicant / Owner:
Daniel and Melody Zielicke
N11957 Butternut Road
Lomira, WI 53048

Location:
PIN# 030-1317-0214-000; 030-1317-0213-000; 030-1317-0123-000;
Property Location: Part of the SE ¼ of the NE ¼, Section 2, Town of Lomira, the site address being N11957 Butternut Road.

Applicants Request

An application for a County Conditional Use Permit was made by the applicant in order they be allowed to create an approximate 3.6-acre single family nonfarm residential lot within the A-1 Prime Agricultural Zoning District. The proposed 3.6-acre lot contains a residence and agricultural buildings which are intended for non-farm residential use. The remaining 76.4-acres of agricultural land is intended for agricultural use at this time.

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 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 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 7.6-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:
 - 030-1317-0123-000; 030-1317-0214-000; 030-1317-0213-000;
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 shall expire one year after the decision is filed with the Department unless construction has been diligently pursued, a Certificate of Zoning Compliance has been issued, the use is established, or the Conditional Use Permit is renewed, for a period not to exceed one year.
8. The Conditional Use Permit shall also expire upon termination of a project or if the rights granted by the permit are discontinued for 180 consecutive days.

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
Mary Bobholz	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Travis Schultz	<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

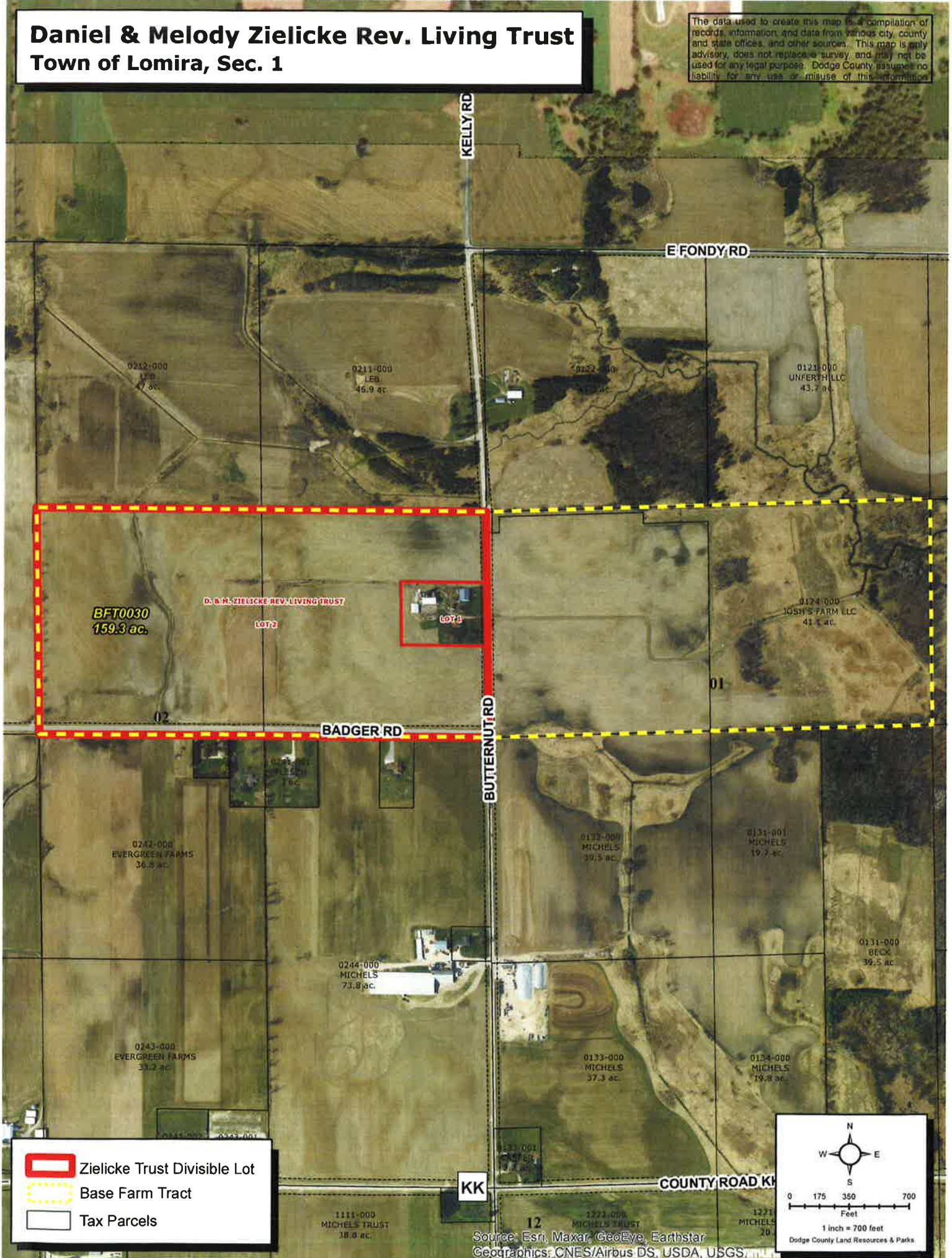
Signed _____ Attest _____
Chairperson Secretary

Dated: _____ Filed: _____

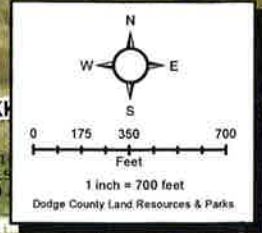
Daniel & Melody Zielicke Rev. Living Trust

Town of Lomira, Sec. 1

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.



-  Zielicke Trust Divisible Lot
-  Base Farm Tract
-  Tax Parcels



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, etc.



DODGE COUNTY
LAND RESOURCES & PARKS DEPARTMENT
 127 E. OAK STREET • JUNEAU, WI 53039
 PHONE: (920) 386-3700 x2 • FAX: (920) 386-3979
 E-MAIL: landresources@co.dodge.wi.us

CONDITIONAL USE PERMIT APPLICATION

THIS AREA FOR OFFICE USE ONLY	
Activity No. 210116	Permit Issued Date
Application Date: 2-25-21	Receipt #: 2345-0015
	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) Daniel E. Zielicke	Parcel Identification Number (PIN) 030-1317-0214-000			
Street Address N11957 Butternut Rd	Town Lomira	T 13	N 17	R 17
City • State • Zip Code Lomira WI 53048	SE 1/4 SE	NE 1/4 NE	Section 2	Acres 2
Property Owner (if different from applicant)	Subdivision or CSM (Volume/Page/Lot)			
Street Address	Address Of Property (DO NOT include City/State/Zip Code) Same N11957 Butternut Rd			
City • State • Zip Code	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

(3) PROPERTY USE	(4) PROPOSED PROJECT
Current Use Of Property <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 _____	(Please check/complete all that apply below) <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 <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 **John Zielicke POT** Date **2/22/2021**
 Daytime Contact Number (____) _____ - _____

AREA BELOW THIS LINE FOR OFFICE USE ONLY

LAND RESOURCES AND PARKS COMMITTEE ACTION

Date of Decision _____ Decision _____

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

PIN 030-1317-0214-000

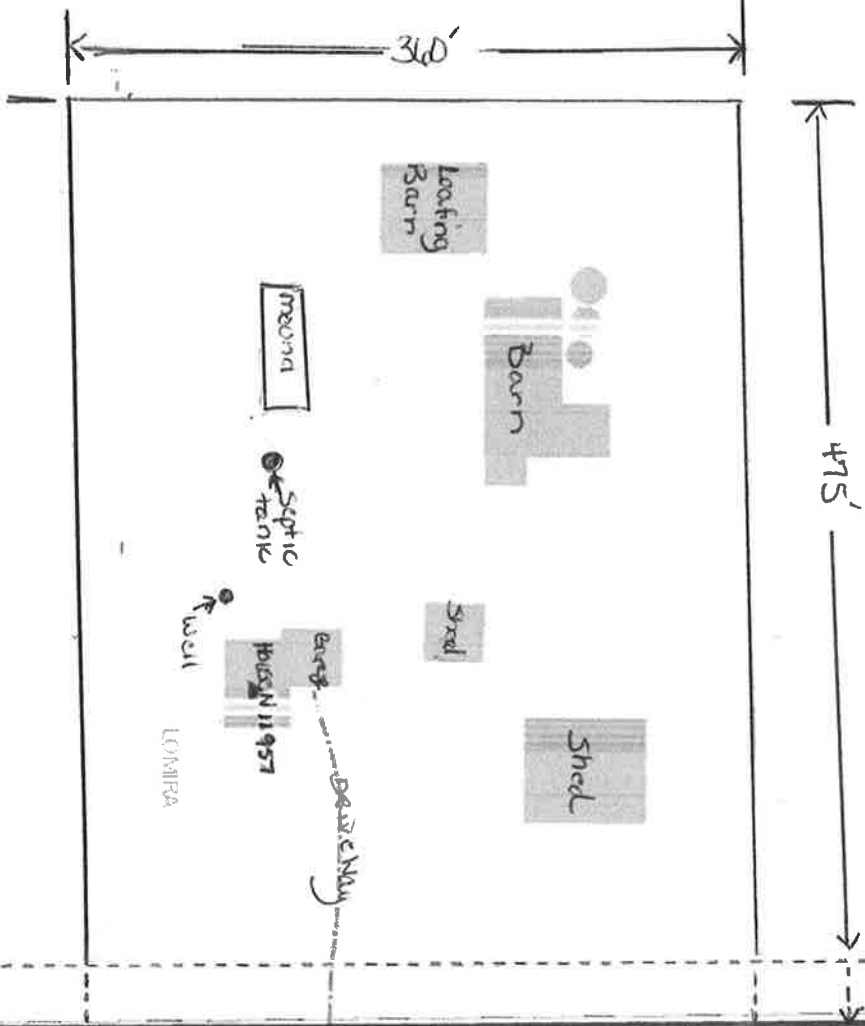
Parcel corner

Parcel corner

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



0214-000
40 ac.



1,320'

475'

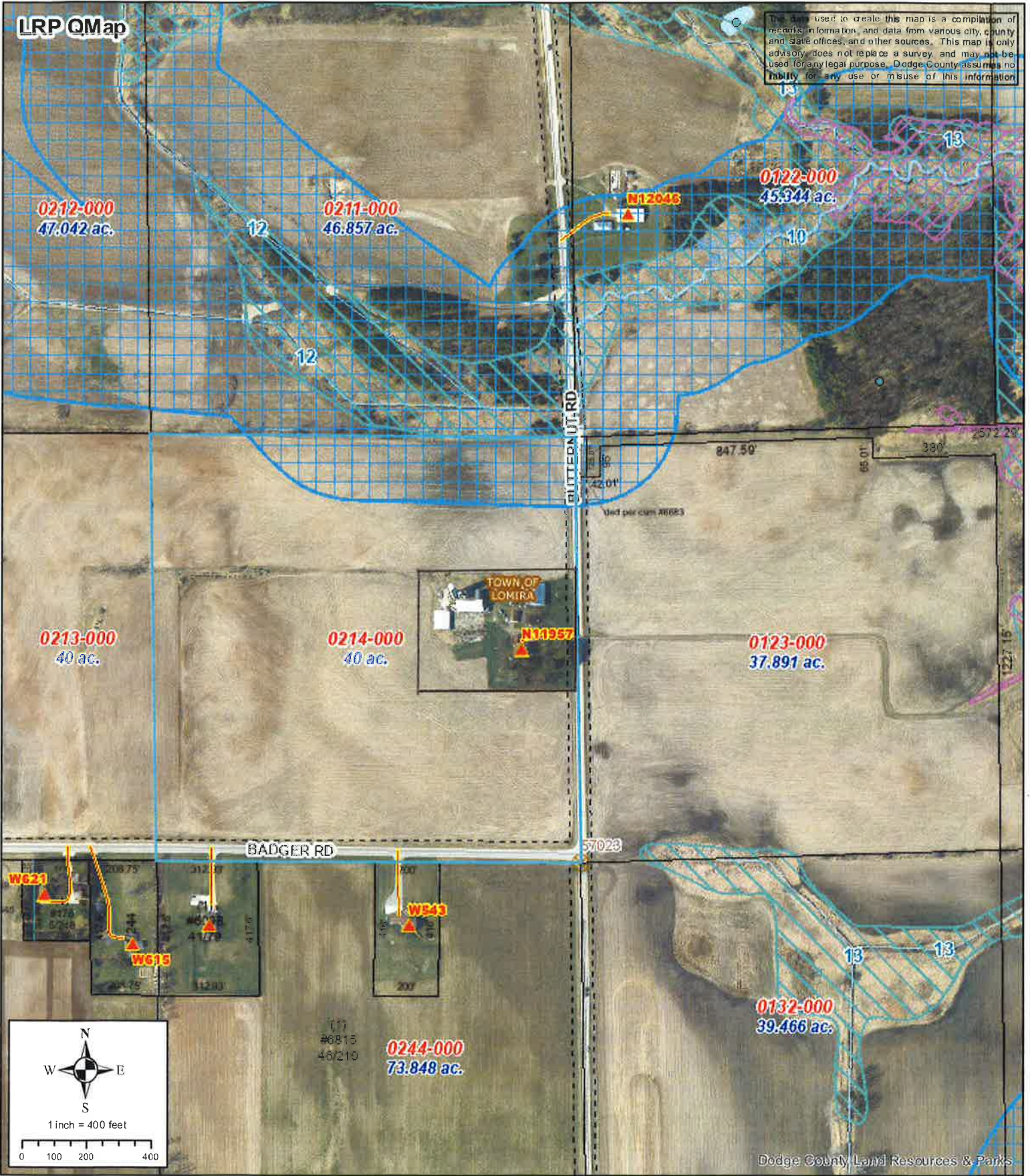
Butternut Rd

1,320'

Parcel corner

Parcel corner

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

<p>General</p> <ul style="list-style-type: none"> Urbanized Roads Soils Airport Ordinance 3-Mile Buffer Sewer Service Areas Highly Developed Shoreline Elevation Contours 	<p>WI Historical Society</p> <ul style="list-style-type: none"> Historic Structures Archaeological Sites Survey Areas <p>Non-Metallic Mining</p> <ul style="list-style-type: none"> Active Mining Area Approved Mining Area Mine Property Boundaries 	<p>Floodplain / Wetland</p> <ul style="list-style-type: none"> FEMA Floodplain/Storage/Dam Shadow DNR Wetland Areas/Points <p>Shoreland Zoning</p> <ul style="list-style-type: none"> Shoreland Zoning Buffer Lakes/Ponds/Sloughs Rivers/Streams/Creeks 	<p>County Zoning</p> <ul style="list-style-type: none"> Planned Unit Development Hartford Extraterritorial General Agricultural Prime Agricultural One Family Residential Two Family Residential Multi-Family Residential General Commercial Extensive Commercial Light Industrial Industrial Waterbody ROW/City/Village
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**Land Resources and Parks Department
Staff Report**

Town Rezoning Petition # 2021-0147
Filing Date: March 10, 2021
Committee Review Date: April 5, 2021

Applicant / Owner:
Scott Firari
W3346 Wildcat Road
Iron Ridge, WI 53035

Location:
PIN# 022-1116-3334-000; 022-1116-3343-004;
SE ¼ of the SW ¼ and the SW ¼ of the SE ¼, Section 33, T11N, R16E,
Town of Hubbard, Dodge County, Wisconsin, the site address being W3916 Perch Road

Request:
Petition to rezone approximately 7-acres of land under the Town of Hubbard Zoning Ordinance, from the GA General Agriculture 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 to allow for the establishment of a self-service storage business at this location.

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 Land Resources and Parks Committee is responsible for reviewing Town rezoning amendment requests and for recommending that the County Board of Supervisors approve or deny such petitions.

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

The proposed area to be rezoned is not located within the County's Zoning Jurisdiction.

A portion of the property to be rezoned is located within the Counties Shoreland Jurisdiction.

- The property is not designated as a wetland district.

The property is not designated as a floodplain.

The topography of the site is rolling with slopes ranging from 0 to 16%;

Land Use, Site: Residential and agricultural.

Land Use, Area: A mixture of residential and agricultural uses along Perch Road and County Road E.

Designated Archaeological Site: Yes No

The proposal appears to be consistent with the Town of Hubbard Land Use Plan:

- The site is designated as “Urban Service and Expansion”.
- According to the Land Use Plan, the “Urban Service and Expansion” designation is given to those areas that either already contain, or lie adjacent to, existing non-farm development including: the area around Lake Sinissippi served by the central sanitary sewer; and lands adjacent to the municipalities of Horicon and Iron Ridge. At such time as public sanitary sewer and other public services and facilities are extended into the “Urban Service and Expansion” areas, those areas will be suitable for moderate-density residential and limited commercial and industrial areas.

The proposal is not consistent with the Dodge County Comprehensive Plan as the site is designated as residential, however, the Dodge County Comprehensive Plan is not applicable in this case as the Town of Hubbard has not adopted the County’s Land Use Code.

Town Purpose Statements:

The Highway Business District is intended to provide for the regulation and orderly development of highway-oriented commercial trade and service establishments along the state and county highways through the Town that are intended to serve the traveling public, or, are generally dependent upon such highways for successful operations.

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.

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 Towns Land Use Plan as the site is designated as an “Urban Service and Expansion” area which may allow for limited commercial and industrial development. Therefore, staff recommends the committee report favorably on the town rezoning petition.

Dodge County Land Resources and Parks Committee Decision

Town Rezoning Petition # 2021-0147
Filing Date: March 10, 2021
Committee Review Date: April 5, 2021

Applicant / Owner:
Scott Firari
W3346 Wildcat Road
Iron Ridge, WI 53035

Location:
PIN# 022-1116-3334-000; 022-1116-3343-004;
SE ¼ of the SW ¼ and the SW ¼ of the SE ¼, Section 33, T11N, R16E,
Town of Hubbard, Dodge County, Wisconsin, the site address being W3916 Perch Road

Request:
Petition to rezone approximately 7-acres of land under the Town of Hubbard Zoning Ordinance, from the GA General Agriculture 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 to allow for the establishment of a self-service storage business at this location.

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
Mary Bobholz	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Travis Schultz	<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)

Dodge County Land Resources and Parks Committee

Signed _____ Attest _____
Chairperson Secretary

Dated: _____

Filed: _____

RESOLUTION NO. 7-1

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY,
WISCONSIN

MEMBERS:

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

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

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

WHEREAS, a rezoning request received by the Town of Hubbard Town Board would amend the Town of Hubbard Zoning Ordinance and the Official Town of Hubbard Zoning Map adopted October 1st 2010 by changing the zoning designation of certain parcels from GA: General Agriculture Zoning to HB: Highway Business as designated in the Town of Hubbard Year 2040 Comprehensive Plan adopted July 27th 2020, and

WHEREAS, a public hearing as to the proposed amendment to the Town of Hubbard Zoning Ordinance and Official Zoning Map was held before the Town of Hubbard Plan Commission and Town Board on February 22nd, 2021 and the proposed amendments to the Town of Hubbard Zoning Ordinance having been adopted by the Town Board of the Town of Hubbard on February 22nd, 2021,

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

All of which is respectfully submitted this 26 day of February,
2021.



Supervisor

ORDINANCE NO. 21-3

AN ORDINANCE AMENDING THE ZONING ORDINANCE, TOWN OF HUBBARD,
DODGE COUNTY, WISCONSIN

WHEREAS THE SUBJECT MATTER OF THIS ORDINANCE HAS BEEN DULY
REFERRED TO AND CONSIDERED BY THE TOWN BOARD AND A PUBLIC
HEARING HAVING BEEN HELD, AFTER THE GIVING OF REQUISITE NOTICE OF
SAID HEARING.

THE TOWN BOARD OF THE TOWN OF HUBBARD DOES ORDAIN AS
FOLLOWS:

Section 1. The Official Zoning Map adopted with the Town of Hubbard Zoning
Ordinance October 1st 2010 is hereby amended to rezone a portion (7 acres) of the
33.58 acre parcel, being parcel #022-1116-3343-004, BEING THAT PT SW1/4 SE1/4
SEC 33 EX PARC DESC IN V396 P475 EX HWY DESC IN V438 P479 EX CSM 3651
IN V22 P77 EX CSM 4008 IN V24 P281 EX CSM 4634 IN V29 P247 EX PARC FOR
ROAD DESC IN V1103 P296, from GA: General Agriculture to HB: Highway Business.

Section 2. This Ordinance shall be in full force and effect upon adoption by the
Town of Hubbard Town Board and the Dodge County Board of Supervisors in
accordance with Section 60.62(3) of Wisconsin Statutes.

Section 3. All ordinances or parts of ordinances inconsistent with or in
contradiction of the provisions of this ordinance amendment are hereby repealed.

Adopted and approved this 22nd day of February 2021.

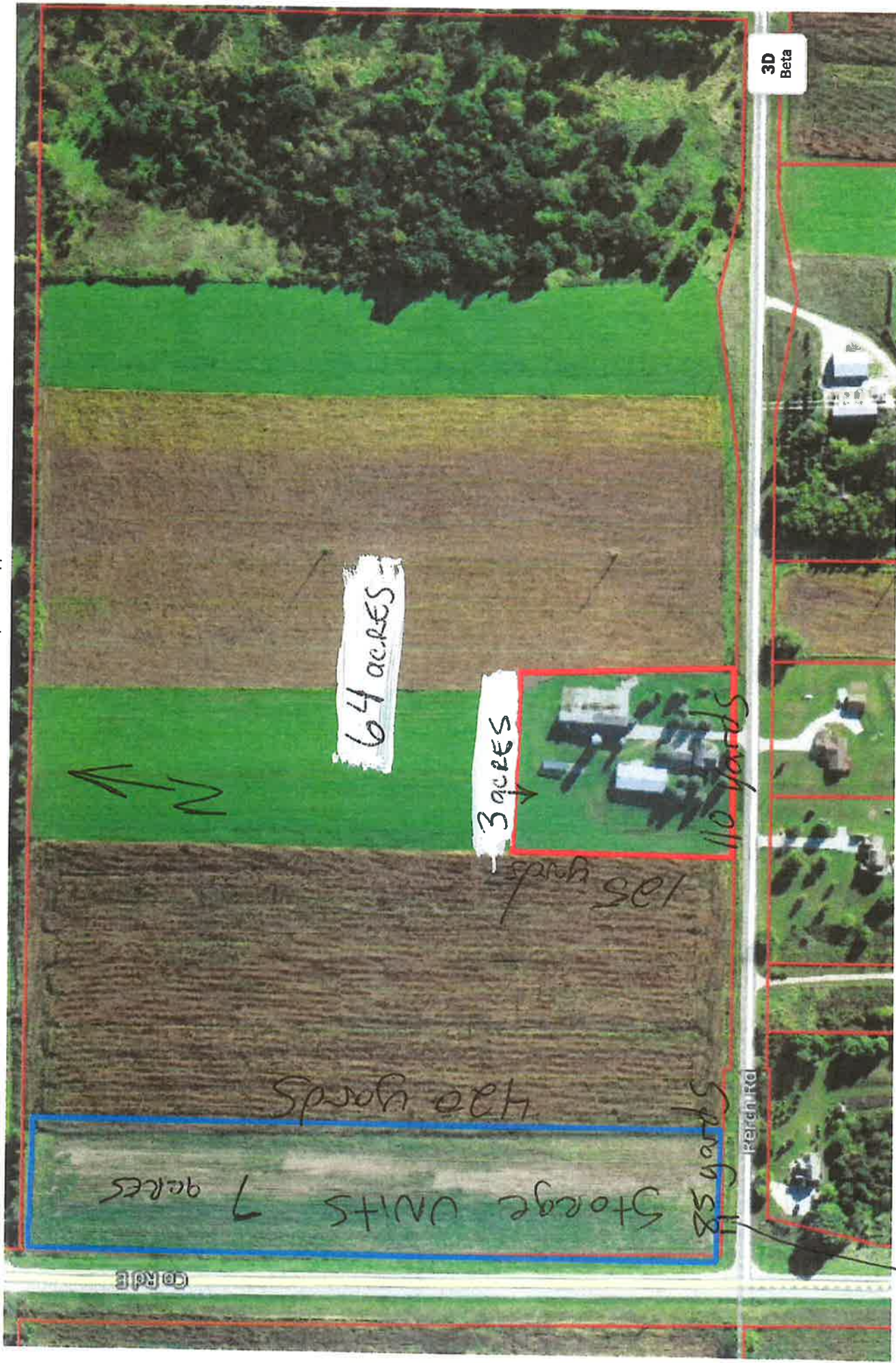

Dan Guenterberg, Chairman


James E. Persha, Supervisor #1


David Feller, Supervisor #2

ATTEST:

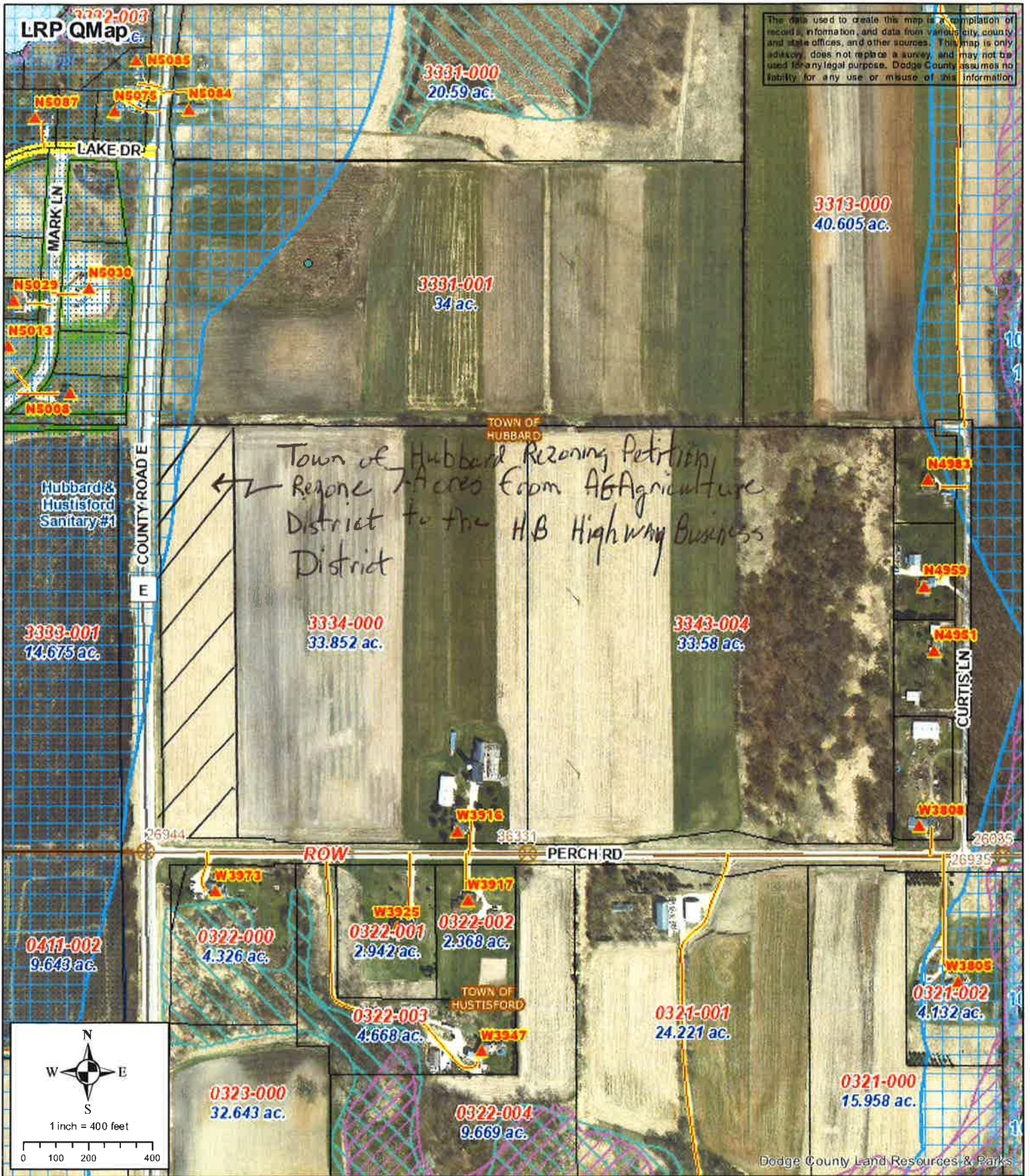

Carrie Neu, Clerk



1/14/21

All ready Form access in place.

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.



General	WI Historical Society	Floodplain / Wetland	County Zoning
Urbanized Roads	Historic Structures	FEMA Floodplain/Storage/Dam Shadow	Planned Unit Development
Soils	Archaeological Sites	DNR Wetland Areas/Points	Hartford Extraterritorial
Airport Ordinance 3-Mile Buffer	Survey Areas	Shoreland Zoning	General Agricultural
Sewer Service Areas	Non-Metallic Mining	Shoreland Zoning Buffer	Prime Agricultural
Highly Developed Shoreline	Active Mining Area	Lakes/Ponds/Sloughs	One Family Residential
Elevation Contours	Approved Mining Area	Rivers/Streams/Creeks	Two Family Residential
	Mine Property Boundaries		Multi-Family Residential
			General Commercial
			Extensive Commercial
			Light Industrial
			Industrial
			Waterbody
			ROW/City/Village

Land Resources and Parks Department Staff Report

Village of Kekoskee / Town of Williamstown Code Amendment

Town Amendment Request # 2021-0172

Filing Date: March 15, 2021

Committee Review Date: April 5, 2021

Applicant / Petitioner:

Town of Williamstown / Village of Kekoskee

Attn. Mary Dessereau – Clerk

W3275 County Road TW

Mayville, WI 53050

Code Amendment Request:

A petition to amend the text of the Village of Kekoskee Zoning Ordinance has been submitted by the Town of Williamstown / Village of Kekoskee Board to the County Board of Supervisors for approval. The intent of the amendments are to create zoning regulations that govern the use of recreational vehicles for temporary or recreational human habitation. The petition includes a series of amendments which include regulations that allow the temporary use of a recreational vehicle for human habitation in all zoning districts, that allows the temporary use of field offices and shelters for material and equipment storage during the construction of a residence and that adds the definition of “Recreational vehicle” to the Ordinance. The proposed modifications are as shown in Exhibit A attached to this report.

Land Use Code Provisions:

In accord with Circuit Court Order: Case 2018CV000527, Document 75, Filed 01-22-2019, the authority of Dodge County, as granted by Section 59.69, Wis. Stats., to review and approve all changes in zoning codes and/or zoning classifications within the Town of Williamstown, which authority existed as of October 4, 2018, shall remain in effect during the pendency of this litigation. Any requested changes in the zoning code and/or zoning classifications, during the pendency of this litigation, shall be submitted to Dodge County in accordance with the procedures and authority which existed as of October 4, 2018.

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 Committee is responsible for reviewing Town rezoning amendment requests and for recommending that the County Board of Supervisors approve or deny such petitions.

County Jurisdiction Limits

The Dodge County Sanitary Ordinance and the Non-metallic Mining Ordinance provisions are enforced within the Village of Kekoskee.

The Dodge County Land Use Code is not enforced within the Village of Kekoskee.

The adoption of the proposed amendments by the Village of Kekoskee does not change or affect the enforcement of the applicable Ordinance regulations within the Village limits. If the jurisdiction of the County and Village codes overlap, compliance with the most restrictive code regulation is required.

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 proposed amendment petition for compliance with 60.62(3) Wisconsin Statutes and believes that the Village has followed the proper procedures listed in their Zoning Ordinance in order to approve the proposed amendment. Therefore, staff recommends the committee report favorably on the town code amendment petition.

VILLAGE OF KEKOSKEE

PRESIDENT:
Donald Hilgendorf

W3275 County Road TW, Mayville, WI 53050
<http://kekoskee.com>

CLERK:
Mary Dessereau

TRUSTEES:
Allen Schellinger
Loris Geschke

TREASURER:
Cindy Fredrick

March 10, 2021

RECEIVED
IN THE OFFICE OF
COUNTY CLERK

MAR 11 2021

DODGE COUNTY, WIS.

Dodge County Land Resources and Parks Department
127 E. Oak Street
Juneau, WI 53039

To Whom It May Concern,

On January 26, 2021, the Village of Kekoskee Plan Commission held a public hearing on an amendment to the Village of Kekoskee Zoning Ordinance. Upon the recommendation of the Plan Commission, the Village Board adopted the amendment to the Village of Kekoskee Zoning Ordinance at a meeting held that same evening. Enclosed is a resolution respectfully requesting approval by the Dodge County Board of Supervisors. Also enclosed is Ordinance No. 50 listing the amendment adopted by the Village Board and the minutes showing that adoption action.

Your Planning Development and Parks Committee review and submission for the Dodge County Board agenda would be greatly appreciated.

For the Village Board,



Mary Dessereau
Clerk

Enclosures

RESOLUTION NO. _____

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN

Members:

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

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

WHEREAS, on October 4, 2018, the Wisconsin Department of Administration approved an Intergovernmental Cooperative Plan ("Plan") between the Village of Kekoskee and the Town of Williamstown; and

WHEREAS, pursuant to the Plan, the Village has adopted an Attachment Ordinance attaching the territory formerly comprising the Town of Williamstown to the Village; and

WHEREAS, pursuant to the Dodge County Circuit Court Order dated March 29, 2019, the Village is subject to approval of the County Board in accordance with the procedures and authority which existed for the Town of Williamstown as of October 4, 2018, and

WHEREAS, a public hearing as to the proposed amendment to the Village Zoning Ordinance of the Village of Kekoskee was held by the Village Board of the Village of Kekoskee, the proposed amendment to the Zoning Ordinance of the Village of Kekoskee having been adopted by the Village Board of the Village of Kekoskee.

THEREFORE BE IT RESOLVED; that the amendment to the Village Zoning Ordinance of the Village of Kekoskee as represented by exhibited attached to and made a part of this resolution be and hereby are approved, by the Board of Supervisors of Dodge County, Wisconsin.

All of which is respectfully submitted this 9th day of March, 2021.


Donald Hilgendorf
Supervisor

Village of Kekoskee
Dodge County
Ordinance No. 50

Amending **Zoning Ordinance** adopted December 16, 2014 and amended by 2015-06.

The Village Board of the Village of Kekoskee pursuant to its authority under Section 61.34 Wis. Stats. does hereby amend the Zoning Ordinance, and does ordain as follows:

1. Section 2.9. Use Restrictions is hereby repealed and recreated as follows:

ADD subsection (10) Recreational Vehicles for Temporary or Recreational Human Habitation:
Under subsection (10) add the following subsections:

- A. A recreational vehicle (other than one located in a Campground, Mobile Home Park or Trailer Court (See Sections 4.2 & 4.3)), a transporting device for a recreational vehicle; or a recreational vehicle on a transporting device may be parked or stored on its owner's property as an accessory use.
- B. A recreational vehicle or a transporting device for a recreational vehicle may not have its wheels removed, except for repairs, or be altered in any way that would make it unable to be readily removed from the property. The recreational vehicle shall remain "road ready" at all times (temporary repair periods the exception).
- C. A recreational vehicle may not be used for residency habitation in any district.
- D. A recreational vehicle cannot be rented or leased to a second or third party when parked on the owner's property.
- E. A recreational vehicle (other than one located in a Campground, Mobile Home Park or Trailer Court (See Sections 4.2 & 4.3)), may be used to provide temporary living quarters, overnight accommodations or for business purposes subject to the following conditions:
 - 1. It may not be located on a riparian lot.
 - 2. It may not be located in a floodplain or wetland.
 - 3. It must meet all accessory use setback requirements for the district in which it is located.
 - 4. It may not be attached to any structure, such as a deck, patio, shed, or other appurtenance.
 - 5. If it is located on a vacant parcel or on an improved parcel on which no structure is used for habitation, it may be used continuously or intermittently to provide living space or overnight accommodations for a period of up to 30 consecutive days. On the thirty-first day following the first day of any 30-day period, it must be removed from the parcel for at least 10 days and no other recreational vehicle may be located or used on the parcel during this 10-day period.
 - a. A Conditional Use Permit shall be obtained if such use is proposed to continue for a period in excess of thirty (30) days during a calendar year unless the principal residence is being built or significantly remodeled.
 - 6. No more than 2 recreational vehicles may be located or used on a parcel at any one time, except that up to 5 recreational vehicles may be used on a parcel for a special event, such as a family reunion, for a period of no more than a total of 7 calendar days in any calendar year.

7. In a Residential District, further conditions apply as follows:

- a. Only one (1) recreational vehicle may be parked on a lot/parcel.
- b. Only one (1) recreational vehicle may be used to provide living space, overnight accommodations or for business purposes for up to 14 days at a time, but for no more than a total of 30 days in a calendar year.

F: In addition to the above, all other restrictions per the Zoning Ordinance still apply.

Per the requirements listed above, a recreational vehicle may be located in any zoning district.

Any existing recreational vehicle parked or used in the Village not in compliance with the provisions of this ordinance, shall be allowed a waiver to these requirements for a period of one year from the adoption date of this ordinance. After which, full compliance with the provisions of this ordinance shall be met.

2. **Section 2.9(6) Temporary Uses is hereby repealed and recreated as follows:** Temporary uses such as real estate field offices or shelters for materials and equipment being used in the construction of a permanent structure may be permitted by the Land Use Administrator through the issuance of a Certificate Zoning Compliance for a period not to exceed six (6) months. This shall also apply to the use of a recreational vehicle for temporary habitation during new construction or significant remodeling of a principal residence. This temporary certificate may be renewed semi-annually, but in no case shall the effective time span of the Certificates exceed two years.
3. **Section 3.5(2)A.12. "One recreational vehicle intended for temporary parking." is hereby deleted.**
4. **Section 13. DEFINITIONS is hereby repealed and recreated as follows:**
ADD "Recreational vehicle" in alphabetical order. Define as: "A recreational vehicle (RV) is a motor vehicle or trailer which includes living quarters designed for accommodation. Types of RVs include motorhomes, campervans, caravans (also known as travel trailers and camper trailers), fifth-wheel trailers, popup campers and truck campers."

Adopted this 36th day of
January, 2021

Mary Dasseian
Clerk

**DODGE COUNTY LAND RESOURCES AND PARKS COMMITTEE
MINUTES
March 15, 2021**

The Dodge County Land Resources and Parks Committee met on March 15, 2021 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 Allen Behl, Mary Bobholz, Tom Schaefer and Travis Schultz. Larry Schraufnagel participated by phone. The staff present at the request of the Chairman were Bill Ehlenbeck, Joseph Giebel and Jason Roy.

Other County Board members in attendance: **None**

The Chairman asked the staff to confirm compliance with the open meeting laws and the public hearing notice requirements. Joseph Giebel 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. Giebel also noted that the public hearing notice that was published and mailed out for the Ryan Peplinski rezoning request in the Town of Hustisford was missing the Section number in the legal description that was listed in the hearing notice, however, the notice did include the site address of the property and the Department phone number where additional information could be obtained. Giebel noted that Section 2.2.6 of the Code requires public hearing notices to include the legal description or the street address of the property, therefore it is the staff's position that the legal notice for this hearing meets the hearing notice requirements of the Code.

TOWN REZONING REQUESTS

1. Town Rezoning Petition – David and Cynthia Hechimovich – Part of the SW ¼ of the SW ¼, Section 5, Town of Hubbard, Dodge County, Wisconsin, the site address being W4423 Woodward Road. Petition to rezone approximately 3-acres of land under the Town of Hubbard Zoning Ordinance, from the GA General Agricultural Zoning District to the RRLL Rural Residential Large Lot Zoning District (Lot 1) and to rezone approximately 3.2-acres of land under the Town of Hubbard Zoning Ordinance, from the GA General Agricultural Zoning District to the HB Highway Business Zoning District (Lot 2) and has been submitted by the Town of Hubbard Town Board to the Dodge County Board of Supervisors to allow for the creation of a non-farm residential lot and a commercial lot at this location. Committee review and recommendation to the County Board.

Motion by Mary Bobholz to submit a favorable recommendation to the County Board of Supervisors on the petition to rezone approximately 3-acres of land under the Town of Hubbard Zoning Ordinance, from the GA General Agricultural Zoning District to the RRLL Rural Residential Large Lot Zoning District (Lot 1) and to rezone approximately 3.2-acres of land under the Town of Hubbard Zoning Ordinance, from the GA General Agricultural Zoning District to the HB Highway Business Zoning District (Lot 2)

Second by Allen Behl Vote 5-0 Motion carried.

The hearing procedures were read into the record.

PUBLIC HEARING

Ryan Peplinski, agent for Donald and Rosemary Peplinski Family Trust - Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the creation of an approximate 40,000 square foot nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The property is located in part of the SE ¼ of the SW ¼, Section 21, Town of Hustisford, the site address being N3339 County Road R.

Motion by Travis Schultz to approve the conditional use permit to allow for the creation of an approximate 40,000 square foot 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 contain a minimum of 40,000 square feet in area not including the road right-of-way and shall not exceed 13.5-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:
 - 024-1016-2134-000; 024-1016-2133-000; 024-1016-2822-002; 024-1016-2821-000;
 - 024-1016-2142-001; 024-1016-2141-001; 024-1016-2143-000; 024-1016-2144-000.
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 shall expire one year after the decision is filed with the Department unless construction has been diligently pursued, a Certificate of Zoning Compliance has been issued, the use is established, or the Conditional Use Permit is renewed, for a period not to exceed one year.
8. The Conditional Use Permit shall also expire upon termination of a project or if the rights granted by the permit are discontinued for 180 consecutive days.

Second by Mary Bobholz Vote 5-0 Motion carried.

ADMINISTRATIVE BUSINESS

Authorize purchase of large scale scanner-printer

Bill Ehlenbeck provided the committee with information on the bids that were received by the Department for the replacement of the Department's large format scanner/printer. \$16,500 was budgeted for replacement of the current 8 year old unit. Land Information Funds of \$19,000 has been set aside under the Land Information Program for this purpose. The IT Department provided assistance with the process by preparing and sending out a bid package with the

required specifications. The Department received 9 bids; 6 bids were for an ink-based scanner/printer and 3 bids were for a toner based unit. The bids were evaluated and scored by Department staff based on price, proposal, features, technical support and references. The bid proposal by Ricoh-USA for a toner based Ricoh MPW6700SP scanner/printer at a purchase price of \$12,070 was rated the highest. The Department recommendation is to move forward with the acceptance of the Ricoh-USA bid.

Motion by Travis Schultz to authorize the Department to move forward with the purchase of the replacement scanner/printer according to the Ricoh-USA proposal.

Second by Mary Bobholz Vote: 5-0 Motion carried.

Parks

Resolutions authorizing Snowmobile and ATV Trail Program Recreation Aids Requests

Resolution #2021-3.15-200P Snowmobile Trail Program Maintenance, Acquisition, Development and Rehabilitation Aids.

Jason Roy presented a copy of a resolution to the Committee regarding financial aid requests for the Dodge County Snowmobile Trail Program. The County will be submitting a grant application for financial aid in the amount of \$300.00 per mile or a total of \$103,050.00 for the seasonal acquisition and maintenance of approximately 343.5 miles of certified Dodge County Snowmobile Trail for public outdoor recreation purposes.

Motion by Allen Behl to authorize Jason Roy, Parks Supervisor to act on behalf of Dodge County to submit the applicable applications to the DNR for any financial aids that may be available, to submit re-imbusement claims along with the necessary supporting documents within 6 months of the completion date, to submit signed documents and to take the necessary action to undertake, direct and complete the approved projects for the Dodge County Snowmobile Trail Program.

Second by Mary Bobholz Vote 5-0 Motion carried.

Resolution #2021-3.15-100P ATV Trail Program

Jason Roy presented a copy of a resolution to the Committee regarding financial aid requests for the Dodge County ATV Trail System Program. The County will be submitting a grant application for financial aid in the amount of \$100.00 per mile or a total of \$2,000.00 for the seasonal acquisition and maintenance of approximately 20 miles of certified Dodge County ATV Trail for public outdoor recreation purposes.

Motion by Travis Schultz to authorize Jason Roy, Parks Supervisor to act on behalf of Dodge County to submit the applicable applications to the DNR for any financial aids that may be available, to submit re-imbusement claims along with the necessary supporting documents within 6 months of the completion date, to submit signed documents and to take the necessary action to undertake, direct and complete the approved projects for the Dodge County ATV Trail Program.

Second by Allen Behl Vote 5-0 Motion carried.

OTHER BUSINESS

1. Proposed changes to Parks Fee Schedule

Jason Roy presented the Committee with a proposal to adjust the Parks Fee Schedule. The intent of the adjustments are to streamline the parks fee schedule so that the prices that are charged are more uniform throughout the Parks. The adjustments would include setting a flat fee for group campsites with maximum site limits, setting a flat fee for clubhouse rentals, establishing a package fee for full weekend clubhouse rental, standardizing shelter fee regardless of park; setting a flat fee for canoe/kayak rentals, and eliminating Harnischfeger Cooler trailer rental and mini-golf group rate for those without a shelter reservation. The proposed fee schedule change will be easier and more consistent to use by the staff and public. The Department does not anticipate a material change in the overall revenue received for the parks as a result of the proposed fee changes.

Motion by Mary Bobholz to approve the changes to the Parks Fee Schedule as proposed.

Second by Travis Schultz Vote 5-0 Motion carried.

Reservation Fee.....\$5

Campsite

Electric..... \$25
Non-Electric \$20
Extra Tent(s)..... \$0 for 1st Tent; \$15 for Each Subsequent Tent
Extra Wheeled Camping Unit Site Fee
Group Site (Astico/Ledge - 25 people max / Harnischfeger - 50 people max)..... \$100
Clubhouse Overnight (50 people maximum) **
General Public \$130
Youth Groups..... \$45

Shelter

Electric / Quonset..... \$65
Non-Electric..... \$30
Harnischfeger Clubhouse (available mid-March through mid-November)
Monday / Tuesday / Wednesday / Thursday \$90
Friday / Saturday / Sunday..... \$130
Event Package (includes Friday, Saturday and Sunday)..... \$360
Harnischfeger Clubhouse (Security Deposit) \$100

Canoe/Kayak (per day) \$20

Boat Launch

Derge Park Registered Camper (daily pass included with camping fee)..... \$0
Non-Registered Camper subject to Boat Launch Fees set by Beaver Dam Lake District

Miscellaneous

Camping Gift Certificate \$22 each or 3 for \$60
Dump Station
Registered Camper (included with camping fee)..... \$0
Non-Registered Camper..... \$10
Extra Picnic Tent/Canopy Install (over 12' x 12')..... \$25
Firewood (per bundle) \$5
Harnischfeger Mini-Golf Course
Per Person per Round..... \$1
Unlimited Use Group Rate with Shelter Reservation..... \$45
Dodge County Departments – Staff Development or Training Use No Charge

Refunds

Camping reservations cancelled 7 or more days in advance receive full refund to credit card if within 120 days of payment or gift certificates beyond 120 days. Shelter reservations cancelled 7 or more days in advance receive a 50% refund. Clubhouse reservations cancelled 7 or more days in advance receive full refund less \$50. No refund if cancellation less than 7 days in advance. Reservation Fee is non-refundable.

2. Proposed changes to Maps & Documents Fee Schedule

Bill Ehlenbeck presented the Committee with a proposal to the Maps and Documents Fee Schedule. The intent of the adjustments are to streamline and clean up what the Department charges for maps and documents and for survey reviews. The proposed adjustments include the elimination of a few non-standard map and copy size options, adjustments to the map printing charges based on reasonable costs, adjustment of the fee for custom maps and clarification of the practice to not charge County Departments and emergency and law enforcement agencies for maps of their areas.

Motion by Allen Behl to approve the updated Miscellaneous Fee Schedule – Maps/Documents/Survey Fees.

Second by Travis Schultz Vote: 5-0 Motion carried.

MAP AND DOCUMENT SALES

Maps (Color or High Quality Black and White)

8 ½ x 11 (A-Size)	\$1
8 ½ x 14	\$1
11 x 17 (B-Size).....	\$1
17 x 22 (C-Size).....	\$5
22 x 34 (D-Size)	\$5
34 x 44 (E-Size).....	\$10

**Map requests from County Departments and Emergency/Law Enforcement\$10*

Custom Maps (When Authorized)..... Minimum \$25

**Custom mapping requests will be charged at \$50/hour.*

Copies of Documents/Records (Black and White)

8 ½ x 11 (A-Size)	\$0.25
11 x 17 (B-Size).....	\$0.50
17 x 22 (C-Size).....	\$2
22 x 34 (D-Size)	\$3
34 x 44 (E-Size).....	\$6

**One (1) copy of filed permit application and associated documents provided to owner/applicant upon request at no charge.*

SURVEY RE-REVIEW FEE\$75*

**Fee for 2nd Re-Review and EACH Subsequent Re-Review*

SURVEY INSPECTION FEE\$50

3. Review Proposed State Budget items affecting Department

Bill Ehlenbeck provided the Committee with copy of the WCA 2021-23 Wisconsin State Biennial Budget Summary Sheet. Bill highlighted some of the budget items that could have an effect on the activities of the Department, including the following budget items:

- \$75 million for the reauthorization of the Multi Modal Supplement Program (potential Gold Star Trail funding);
- 10-year renewal of the stewardship program (important for park project grants);
- \$200 million broadband investment;
- \$300,000 annual broad band grants to local governments;
- Re-instatement of the Wisconsin Fund Grant program through 2023, which provides grants to eligible home owners to replace their septic system;

- Re-instatement of the prevailing Wage requirements (typically increases project costs);
- Authorize the use of Eminent Domain for bike/trail facilities.

4. The minutes from the February 15, 2021 meeting were reviewed by the Committee.

Motion by Mary Bobholz to approve the minutes as written.

Second by Tom Schaefer Vote: 5-0 Motion carried.

5. No Committee Member Reports

6. No additional Per Diems

Motion by order of the Chairman to adjourn the meeting.

Motion carried.

Meeting adjourned at 8:03 p.m.

Respectfully Submitted,

Allen Behl, Secretary

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