

**Land Resources and Parks Department
Staff Report**

County Conditional Use Permit Application # 2021-0841

Filing Date: September 3, 2021

Hearing Date: October 18, 2021

Decision Date: November 1, 2021

Applicant (Agent):

Dale and Dawn Bratz
585 Blair St.
Lowell, WI 53557

Owner:

Allen and Shirley Sell
W8303 County Road Q
Watertown, WI 53098

Location

PIN# 040-0914-1424-000; 1421-000; 1431-000; 1434-000; 2321-000; 1134-000;
Part of the SE ¼ of the NW ¼, Section 14, Town of Shields.

Applicants Request

An application for a County Conditional Use Permit was made by the applicant in order they be allowed to create an approximate 1-acre single family nonfarm residential lot within the A-1 Prime Agricultural Zoning District.

Committee Action

On October 18, 2021, a Public hearing was held for this Conditional use permit request and the Committee laid over a decision on this request at the request of the Town of Shields Town Board to allow the Town Board to submit a recommendation.

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 11-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;
3. Only one single family residential unit may be constructed on the proposed non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units;
4. The acreage of the proposed non-farm residential lot shall count towards the total non-farm residential acreage that can be created from the base farm tract for this property;
5. A "Notice of Zoning Limitations" document shall be recorded with the Dodge County Register of Deeds Office for the following parcels which make up the "base farm tract" which notifies the potential buyers of these parcels that there may be limitations as to the number of new lots that can be created from this base farm tract:
 - 040-0914-1424-000; 1421-000; 1431-000; 1434-000; 1134-000 and 2321-000.
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:

- Acreage of Base Farm Tract: 232 acres;
- Non-farm residential acreage: 1 acres;
- Farm acreage remaining after project is completed: 231 acres;
- The ratio of all “nonfarm residential acreage” to farm acreage: on the “base farm tract” shall not exceed 1 to 20 (0.05).
 - Ratio of non-farm residential acreage to farm acreage: 1 to 231 or 0.004

3.7.2.D.2 The total number of non-farm residential units on the base farm tract shall not exceed 4;

Existing non-farm residences on base farm tract:

- 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;

Existing residential units on base farm tract:

- 0 - Number of existing residential units located on base farm tract;
- 1 - 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:

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 non-farm use?
 - Minimum acreage to be taken out of production and the proposed non-farm residential lot will be located adjacent to an existing non-farm residential lot.

3.7.2.D.3.b Location of the proposed lots:

Will the location of the nonfarm residential lot significantly impair the current or future agricultural use of other “protected farmland”?

Yes; No;

Non-Farm Residential Cluster:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Dodge County Land Resources and Parks Committee Decision

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Applicants Request

An application for a County Conditional Use Permit was made by the applicant in order they be allowed to create an approximate 1-acre single family nonfarm residential lot within the A-1 Prime Agricultural Zoning District.

CONCLUSIONS OF LAW

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

According to Section 3.7.2.D of the Land Use Code and Wisconsin State Statute 91.46, new nonfarm single family residences 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 11-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;
3. Only one single family residential unit may be constructed on the proposed non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units;
4. The acreage of the proposed non-farm residential lot shall count towards the total non-farm residential acreage that can be created from the base farm tract for this property;
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6. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;
7. The decision of the Committee 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
Ben Priesgen	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Dan Siegmann	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Travis Schultz - 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

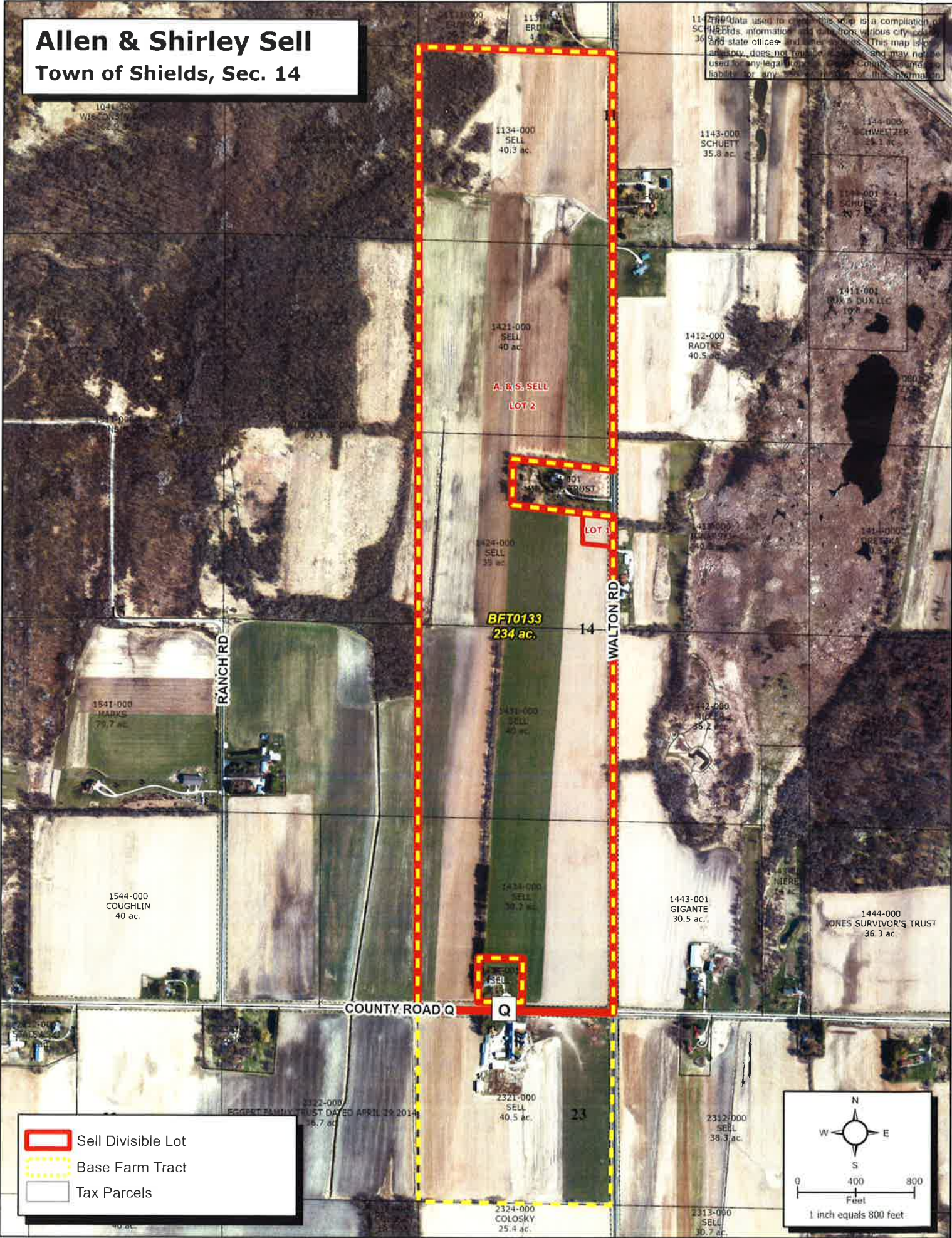
Signed _____ Attest _____
Chairperson Secretary

Dated: _____ Filed: _____

Allen & Shirley Sell

Town of Shields, Sec. 14

All data used to create this map is a compilation of SCHUETT's information and data from various city, county and state offices, and is not intended to be used for any legal purposes. County is not liable for any errors or omissions of this information.



1041-000
WISCONSIN
22.2 ac.

1131-000
ERD
4.2 ac.

1134-000
SELL
40.3 ac.

1142-000
SCHUETT
36.9 ac.

1143-000
SCHUETT
35.8 ac.

1144-000
SCHUETT
28.1 ac.

1144-001
SCHUETT
N 7.5

1411-001
DIX'S DUX LLC
10.8 ac.

1421-000
SELL
40 ac.

A. & S. SELL
LOT 2

1412-000
RADTKE
40.5 ac.

1511-000
SELL
40.3 ac.

1424-001
WILSON TRUST
LOT 1

1424-000
SELL
39 ac.

BFT0133
234 ac.

WALTON RD

1541-000
MARKS
79.7 ac.

RANCH RD

1431-000
SELL
40 ac.

1432-000
MILLER
35.2 ac.

1544-000
COUGHLIN
40 ac.

1434-000
SELL
30.7 ac.

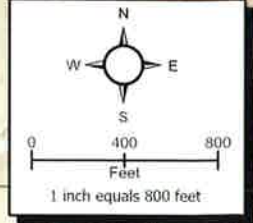
1443-001
GIGANTE
30.5 ac.

1444-000
JONES SURVIVOR'S TRUST
36.3 ac.

COUNTY ROAD Q

Q

- Sell Divisible Lot
- Base Farm Tract
- Tax Parcels



2322-000
EGGERT FAMILY TRUST DATED APRIL 29, 2014
19.7 ac.

2321-000
SELL
40.5 ac.

2312-000
SELL
38.3 ac.

2324-000
COLOSKY
25.4 ac.

2313-000
SELL
30.7 ac.



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. 210841	Permit Issued Date
Application Date: 9-3-2021	Receipt #: 3426-0006
	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) Compass Surveying, LLC (Jeffrey S. Butzke / WI P.L.S)	Parcel Identification Number (PIN) 040-0914-1424-000				
Street Address N3756 Hickory Road	Town Shields	T 9	N 14	R	E
City • State • ZipCode Fond du Lac, WI 54937	SE ^{1/4}	NW ^{1/4}	Section 14	Acreage 35.00+/-	Lot (Block) N/A
Property Owner (If different from applicant) Allen & Shirley Sell	Subdivision or CSM (Volume/Page/Lot) N/A				
Street Address W8303 C.T.H. "Q"	Address Of Property (DO NOT include City/State/ZipCode) Vacant Property / No address assigned				
City • State • ZipCode Watertown, WI 53098	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	(Please check/complete all that apply below)
<input checked="" 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 _____	<input checked="" type="checkbox"/> Non-Farm Residential Lot <input checked="" type="checkbox"/> Single Family Residence <input type="checkbox"/> Two-Family Residence <input type="checkbox"/> Multi-Family Residence <input type="checkbox"/> Tavern or Restaurant <input type="checkbox"/> Professional Office <input type="checkbox"/> Non-Metallic Mine/Quarry <input type="checkbox"/> Wind Tower <input type="checkbox"/> Create/Expand Business <input type="checkbox"/> Wildlife Pond > 2-acres <input type="checkbox"/> Wireless Communications Tower <input type="checkbox"/> Contractor's Offices and Storage Yards <input type="checkbox"/> Filling, Grading or Dredging in the Shoreland District Other: _____
DNR Notice	
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.	

(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 8/28/2021

Daytime Contact Number (920) _____ 517 - 1683

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: _____

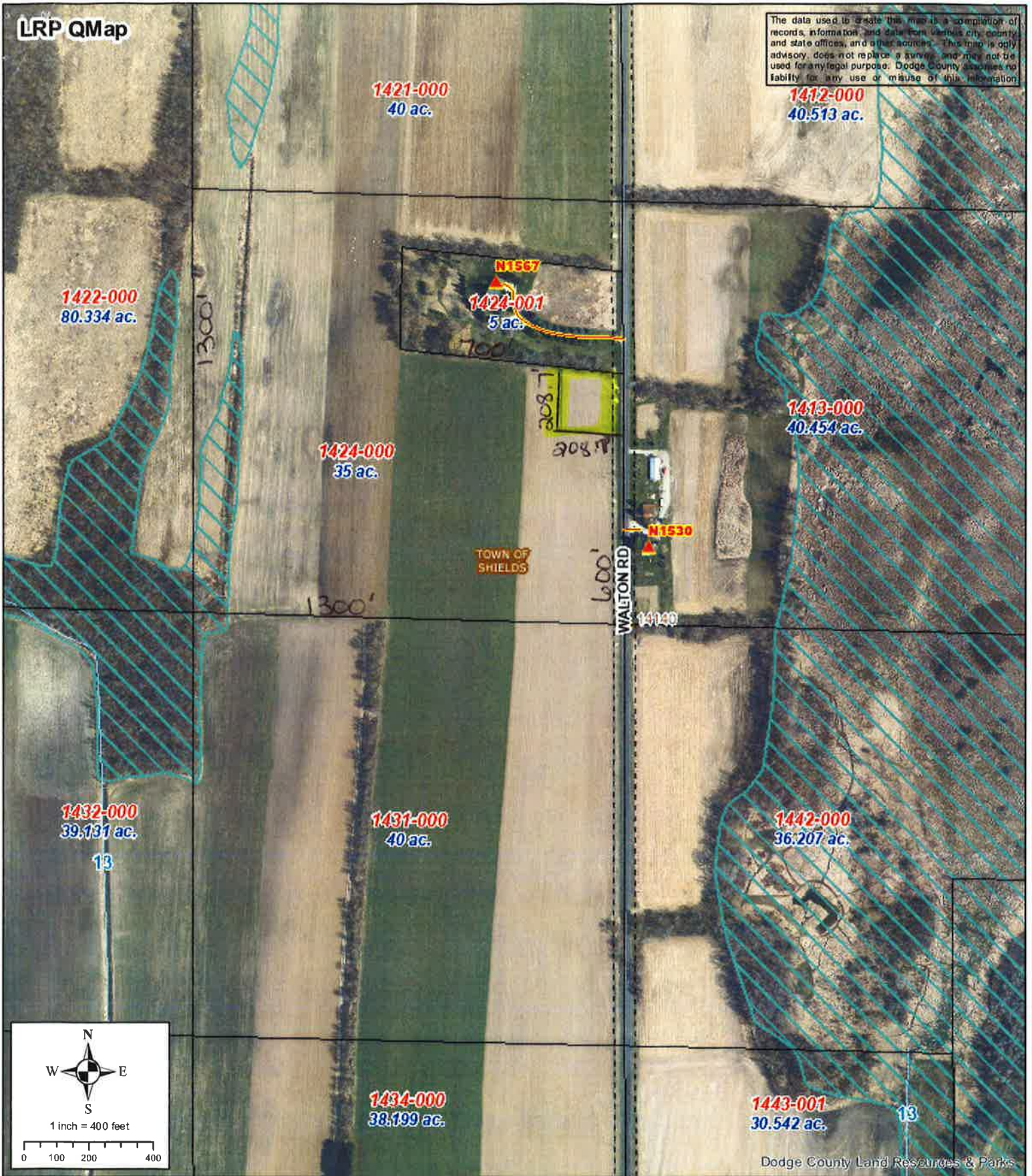
SITE PLAN (SKETCH)

ATTACH SEPARATE SITE PLAN

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:				
<input type="checkbox"/> Approved <input type="checkbox"/> Denied		Land Resources and Parks Department	Date	

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 	<ul style="list-style-type: none"> General Commercial Extensive Commercial Light Industrial Industrial Waterbody ROW/City/Village
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Land Resources and Parks Department Staff Report

County Conditional Use Permit Application # 2021-0912

Filing Date: September 28, 2021

Hearing Date: November 1, 2021

Applicant / Owner:

John and Bonnie Weiglein
W3444 Zangl Road
Brownsville, WI 53006

Location

PIN#: 028-1316-1043-000

Location: Part of the SW ¼ of the SE ¼, Section 10, Town of Leroy, the site address being W3468 Zangl 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 for the construction of a second residence on a lot within the A-1 Prime Agricultural Zoning District.

County Jurisdiction

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

Review Criteria

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

Land Use Code Provisions:

1. Section 3.7.2.D of the Land Use Code identifies new nonfarm single family residences and duplexes 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.
2. Section 5.1.8 of the Land Use Code allows two single family dwellings and necessary accessory structures on a lot located within the A-1 Prime Agricultural Zoning District if the lot contains an operating farm.

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 Leroy has adopted the County's Land Use Code. The site is located within the A-1 Prime Agricultural Zoning District.

The property is not located within the County's Shoreland jurisdiction.

The property is not located within the County's Floodplain jurisdiction.

The base farm tract contains 139-acres that are located within the A-1 Prime Agricultural Zoning District;

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

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 Zangl Road

Designated Archaeological Site: Yes No

Town Recommendation: Approve Deny No recommendation submitted

STAFF ADVISORY:

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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.

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CONDITIONS:

1. A County land use permit and a County sanitary permit shall be obtained for the residence prior to the construction of the residence on this lot;
2. 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.
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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: 139.1-acres;• Non-farm residential acreage: 0 acres;• Farm acreage remaining after project is completed: 139.1-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: N/A			
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;• 1 - Number of proposed residential units located on base farm tract;• 2 - 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"/>
<ul style="list-style-type: none">• The proposed parcels are contiguous;• The proposed residences if constructed, would satisfy the requirements for a single non-farm residence;			

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

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

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

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

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

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

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

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

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

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

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

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

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

- It is the staff's position that the 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 # 2021-0912

Filing Date: September 28, 2021

Hearing Date: November 1, 2021

Applicant / Owner:

John and Bonnie Weiglein
W3444 Zangl Road
Brownsville, WI 53006

Location

PIN#: 028-1316-1043-000

Location: Part of the SW ¼ of the SE ¼, Section 10, Town of Leroy, the site address being W3468 Zangl 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 for the construction of a second residence on a lot within the A-1 Prime Agricultural Zoning District.

CONCLUSIONS OF LAW

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

According to Section 3.7.2.D of the Land Use Code and Wisconsin State Statute 91.46, new nonfarm single family residences 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. A County land use permit and a County sanitary permit shall be obtained for the residence prior to the construction of the residence on this lot;
2. 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.
3. 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
Ben Priesgen	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Dan Siegmann	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Travis Schultz - 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: _____

John & Bonnie Weiglein

Town of Leroy, Sec. 10

1013-000
ZINGLER
39.6 ac.

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. DeKalb County assumes no liability for any use or misuse of this information.

DECHS FARM FARMS LLC
32.4 ac.

1031-001
WEIGLEIN
10 ac.

1042-000
WEIGLEIN
40 ac.

1041-000
DECHS FARM FARMS LLC
33.5 ac.

1033-002
CHRISTIAN HILL HOLDINGS LLC
107.7 ac.

J. & B. WEIGLEIN

10




BFT0134
99.7 ac.

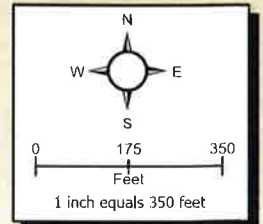
1043-000
WEIGLEIN

ZANGL RD

15

1512-000
WEIGLEIN
20 ac.

-  Weiglein Property
-  Base Farm Tract
-  Tax Parcels
-  Proposed House Location





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. 210912	Permit Issued Date
Application Date: 9-28-2021	Receipt #: 3527-0008
	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) John & Bonnie Weiglein	Parcel Identification Number (PIN) 028-1316-1043-000	
Street Address W 3444 Zangl Rd	Town Lacoy	T N R E 13 14
City • State • ZipCode Brownsville WI 53006	SW 1/4 SE 1/4 Section 10	Acreage Lot (Block) 40/139
Property Owner (If different from applicant)	Subdivision or CSM (Volume/Page/Lot)	
Street Address	Address Of Property (DO NOT include City/State/ZipCode) W 3468 Zangl Rd	
City • State • ZipCode	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

(3) PROPERTY USE	(4) PROPOSED PROJECT
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 type="checkbox"/> Non-Farm Residential Lot <input type="checkbox"/> Single Family Residence <input checked="" 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: 2nd Home For Family Member Working Farm
DNR Notice 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.	

(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 Weiglein** Date **9-28-2021**
 Daytime Contact Number **(920) 979-3056**

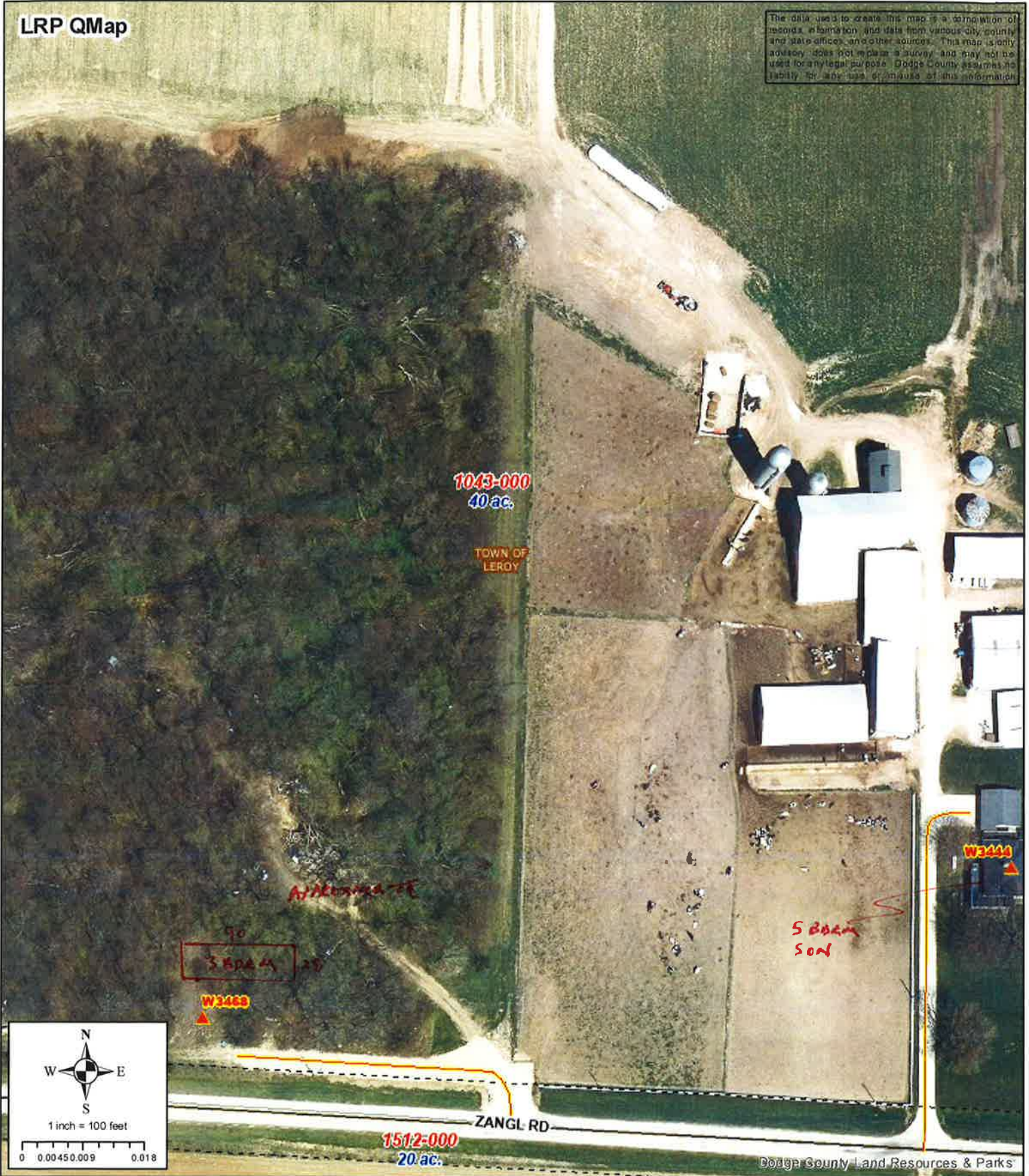
AREA BELOW THIS LINE FOR OFFICE USE ONLY

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: _____

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



Dodge County Land Resources & Parks

General	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

John J. Weirich 9-28-2021

Date: 9/28/2021

Land Resources and Parks Department Staff Report

County Conditional Use Permit Application # 2021-0626

Filing Date: July 12, 2021

Date of Complete application: October 4, 2021

Hearing Date: November 1, 2021

Owner:

Eric and Angela Rusch
N11855 Oaklane Road
Brownsville, WI 53006

Location

PIN# 030-1317-0641-000; 030-1317-0642-000;

Property Location: Part of the NE ¼ of the SE ¼, Section 6, Town of Lomira, the site address being N11873 Oaklane Road.

Applicants Request

An application for a County Conditional Use Permit and a minor land division request was made by the applicant in order they be allowed to create a 4.5-acre lot at this location and to allow for the establishment of a self-service storage facility on the 4.5-acre lot.

Project Details

An application for a County Minor Land Division Letter of Intent was submitted with a request to create an approximate 4.5-acre and a 48-acre lot from an existing approximate 52.5-acre lot. The proposed 4.5-acre lot is intended for a commercial self-service storage facility. The remaining 52+acres contains a landscaping business and open space wooded and wetland areas. The applicant has also submitted a conditional use permit application with a request to allow for the establishment of a self-service storage facility on the 4.5-acre lot. The applicant is proposing a total of three main storage buildings with up to 44 storage units in each building for a total of 132 units. Each unit would be approximately 11' X 30'. The units would be accessible 24 hours a day and will be built over the next few years. Four wall pack lighting fixtures will be installed on each wall which will be activated by photocell sensors. No employees or sanitary facilities are planned at this time. A future ground sign is planned along Oaklane Road and one wall sign will be constructed on the eastern most building in accord with the applicable land use Code regulations. An offsite stormwater management pond is planned along the west side of the facilities in accord with County and DNR regulations. There are existing trees along the east and west sides of the property to provide a buffer. No additional landscaping is planned along the north and south sides of the property. No parking spaces are being planned at this time as no outdoor storage will be allowed. There will be sufficient area in front of each unit to allow for access to the units.

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. 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 "Self Service Storage" as a conditional use in the A-2 General Agricultural Zoning District.
2. According to Section 8.1.4.B of the Code, the Committee may waive any or all of the other requirements of this chapter, not including the filling, grading, lagooning, or dredging regulations, if the Committee determines that:
 - 8.1.4.B.1 The site or activity in question will have no appreciable off-site impact;
 - 8.1.4.B.2 Compliance with the requirement(s) is impractical or impossible due to site conditions or other circumstances beyond the control of the applicant; or
 - 8.1.4.B.3 The specific requirement is not necessary for a particular site to ensure compliance with the requirements of this chapter.

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 Lomira has adopted the County's Land Use Code. The site is located within the A-2 General Agricultural Zoning District.

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

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 18%;

Land Use, Site: Commercial landscaping business, open space wooded and wetland areas.

Land Use, Area: Residential and commercial uses to the south within the Village of Brownsville and agricultural to the north and east.

Designated Archaeological Site: Yes No

Town Recommendation: Approve Deny No recommendation submitted

Landscaping / Buffer Yards requirements

Section 8.6.7.A of the code requires landscape buffers or bufferyards around the boundary of new development to provide a visual screen along public streets, to separate incompatible land uses on adjacent properties, and to screen and soften the detrimental impacts of incompatible uses.

- There are existing trees along the east and west sides of the property which will provide a buffer along the road and the west property line. The applicant owns the adjacent property to the south so no landscaping is planned along this property line. The adjacent property to the north contains an operating farm and no landscaping is planned along the north property line.
- The Committee should determine if a landscape buffer should be required along the north property line to screen the proposed storage facility from the adjacent farm operation or a waiver can be approved by the Committee.

Parking requirements

Section 8.2 of the Code requires a minimum of 17 parking spaces to be provided for the proposed project based on the number of proposed storage units.

- According to the application, no individual parking spaces are being planned at this time as no outdoor storage will be allowed. According to the applicant, there will be sufficient area in front of each unit to allow for parking and access to the units.
- The applicant is required to comply with the off-street parking requirements of the code or a waiver to the parking requirements would be required from the Committee.

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 Land Use Code. The staff comments are listed in Exhibit A for review by the committee.

It is the staff's position that the project is in compliance with the applicable provisions of the Dodge County Land Use Code with the exception of the landscaping and buffer requirements of the Code and the staff believes that the Committee will be able to make the findings necessary under Section 2.3.6.F 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 business operation shall be conducted without offensive noise, vibration, dust, smoke, odor, glare, lighting or the risk of fire, explosion or other accident and shall not be detrimental to the public health, safety or general welfare of the immediate neighborhood or community;
2. The applicant shall submit a copy of the proposed stormwater management facility maintenance plan and a copy of the proposed off-lot easement for the stormwater management facilities to the Department for review and approval that authorizes the stormwater management facilities to be located on the adjacent property prior to the approval of the conditional use permit. The approved easement and maintenance plan shall be recorded with the Dodge County Register of Deeds Office and shall remain in effect as long as the storage facilities and impervious surface area is present on this site;
3. All Federal, state and local municipality permits shall be obtained by the applicant for said facilities prior to beginning construction;
4. The applicant shall submit a County Land Use permit for the proposed self-service storage facilities and the proposed signs for this facility. State level building plan approval shall also be obtained, if necessary prior to the issuance of the Land Use Permits for the storage facilities;
5. The exterior walls of the proposed storage facilities shall be painted or sided with low reflective, subtle, neutral or earth tone colors;
6. All exterior lighting plans shall meet the functional and security needs of the proposed development without adversely affecting adjacent properties or the community. A lighting plan shall be submitted to this Department for review and approval prior to the issuance of the Conditional Use Permit;
7. An off-street parking plan in accord with Subsection 8.2 of the County Land Use Code shall be submitted to this Department for review and approval prior to the issuance of the Conditional Use Permit unless a waiver has been granted by the Committee to the parking requirements;
8. A landscaping and buffering plan in accord with Subsection 8.6 of the County Land Use Code shall be submitted to this Department for review and approval prior to the issuance of the Conditional Use Permit unless a waiver has been granted by the Committee to the landscaping and buffer requirements of the code;
9. There shall be no outside storage on this site;

10. The storage structures shall not be used for any business, trade or industry and shall not be used for any human habitation. An accessory office may be allowed on this site in conjunction with the rental and maintenance of these facilities if said office structure is approved in accord with the County Land Use Code provisions and the applicable sanitary requirements;
11. There shall be no storage of hazardous materials, food, weapons, ammunition or explosives within the storage buildings;
12. Any significant change or expansion of these facilities may require that a new conditional use permit be obtained.
13. 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.
14. 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 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 project is designed and constructed in compliance with the development standards of the code and the required screening is planted, 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 if the project is designed and constructed in compliance with the development standards of the code, 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 project will not have an adverse impact on the value of other property in the area provided the applicable landscaping, lighting and screening provisions of the code are followed;

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 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 any significant adverse impacts on the natural environment be mitigated to the maximum practical extent provided the stormwater management requirements are met;

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 will comply with the applicable provisions of the code provided the landscaping and buffer requirements and the parking requirements of the code are met or a waiver is granted for these requirements.

Dodge County Land Resources and Parks Committee Decision

County Conditional Use Permit Application # 2021-0626

Filing Date: July 12, 2021

Date of Complete application: October 4, 2021

Hearing Date: November 1, 2021

Applicant (Agent):

Eric Rusch

Owner:

Eric and Angela Rusch

N11855 Oaklane Road

Brownsville, WI 53006

Location

PIN# 030-1317-0641-000; 030-1317-0642-000;

Property Location: Part of the NE ¼ of the SE ¼, Section 6, Town of Lomira, the site address being N11873 Oaklane Road.

Applicants Request

An application for a County Conditional Use Permit and a minor land division request was made by the applicant in order they be allowed to create a 4.5-acre lot at this location and to allow for the establishment of a self-service storage facility on the 4.5-acre lot.

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 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 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?

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?

The staff has determined that the following waivers to the provisions of Chapter 8 of the code would be required for this proposal:

- Section 8.2 - Off-street Parking requirements.
- Section 8.6 - Landscaping and Buffer Yard requirements

Does the committee believe that compliance with the above standard(s) would result in an exceptional and undue hardship for the owner and therefore find that (this/these) standard(s) can be waived for this proposal without detriment to the public good, without impairment of the purpose and intent of this code and without conflict with the County Comprehensive Plan?

- Yes, the waiver to Section 8.2 and 8.6 can be granted for this prosal;
- No, the applicant can comply with the code provisions without an undue hardship;

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 needed in this case to mitigate any potential adverse impacts on the adjacent properties, the environment or the community? (Yes/No)

1. The business operation shall be conducted without offensive noise, vibration, dust, smoke, odor, glare, lighting or the risk of fire, explosion or other accident and shall not be detrimental to the public health, safety or general welfare of the immediate neighborhood or community;
2. The applicant shall submit a copy of the proposed stormwater management facility maintenance plan and a copy of the proposed off-lot easement for the stormwater management facilities to the Department for review and approval that authorizes the stormwater management facilities to be located on the adjacent property prior to the approval of the conditional use permit. The approved easement and maintenance plan shall be recorded with the Dodge County Register of Deeds Office and shall remain in effect as long as the storage facilities and impervious surface area is present on this site;
3. All Federal, state and local municipality permits shall be obtained by the applicant for said facilities prior to beginning construction;
4. The applicant shall submit a County Land Use permit for the proposed self-service storage facilities and the proposed signs for this facility. State level building plan approval shall also be obtained, if necessary prior to the issuance of the Land Use Permits for the storage facilities;
5. The exterior walls of the proposed storage facilities shall be painted or sided with low reflective, subtle, neutral or earth tone colors;
6. All exterior lighting plans shall meet the functional and security needs of the proposed development without adversely affecting adjacent properties or the community. A lighting plan shall be submitted to this Department for review and approval prior to the issuance of the Conditional Use Permit;
7. An off-street parking plan in accord with Subsection 8.2 of the County Land Use Code shall be submitted to this Department for review and approval prior to the issuance of the Conditional Use Permit unless a waiver has been granted by the Committee to the parking requirements;
8. A landscaping and buffering plan in accord with Subsection 8.6 of the County Land Use Code shall be submitted to this Department for review and approval prior to the issuance of the Conditional Use Permit unless a waiver has been granted by the Committee to the landscaping and buffer requirements of the code;
9. There shall be no outside storage on this site;
10. The storage structures shall not be used for any business, trade or industry and shall not be used for any human habitation. An accessory office may be allowed on this site in conjunction with the rental and maintenance of these facilities if said office structure is approved in accord with the County Land Use Code provisions and the applicable sanitary requirements;
11. There shall be no storage of hazardous materials, food, weapons, ammunition or explosives within the storage buildings;
12. Any significant change or expansion of these facilities may require that a new conditional use permit be obtained.
13. 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.
14. 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 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

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
Ben Priesgen	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Dan Siegmann	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Travis Schultz - 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.

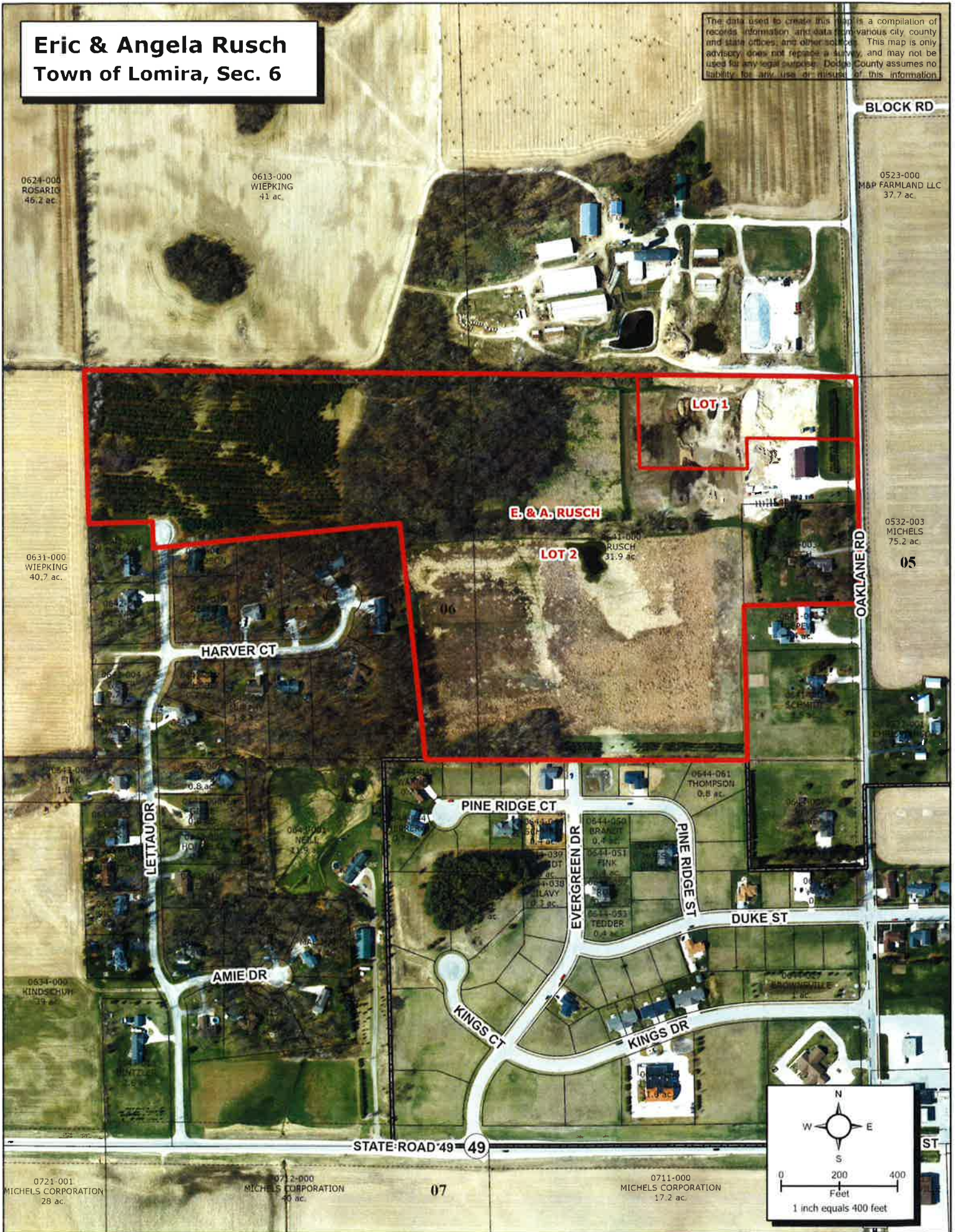
Dodge County Land Resources and Parks Committee

Signed _____ Attest _____
Chairperson Secretary

Dated: _____ Filed: _____

Eric & Angela Rusch Town of Lomira, Sec. 6

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 and 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.



0624-000
ROSARIO
46.2 ac.

0613-000
WIEPKING
41 ac.

BLOCK RD

0523-000
M&P FARMLAND LLC
37.7 ac.

LOT 1

E. & A. RUSCH

LOT 2

0641-000
RUSCH
31.9 ac.

0532-003
MICHELS
75.2 ac.

05

OAKLANE RD

HARVER CT

0631-000
WIEPKING
40.7 ac.

06

LETTAU DR

PINE RIDGE CT

PINE RIDGE ST

DUKE ST

AMIE DR

EVERGREEN DR

KINGS CT

KINGS DR

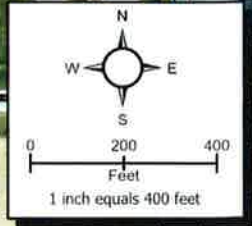
STATE ROAD 49 49

07

0721-001
MICHELS CORPORATION
28 ac.

0712-000
MICHELS CORPORATION
40 ac.

0711-000
MICHELS CORPORATION
17.2 ac.





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. 210626	Permit Issued Date
Application Date: 7-12-2021	Receipt #: 3116-0001
	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) Eric Rusch	Parcel Identification Number (PIN) 030-1317-0641-000
Street Address N 11855 Oaklane Road	Town _____ T _____ N _____ R _____ E _____
City • State • ZipCode Brownsville, WI 53006	1/4 _____ 1/4 _____ Section _____ Acreage _____ Lot (Block) _____ NE SE 06 32
Property Owner (If different from applicant)	Subdivision or CSM (Volume/Page/Lot)
Street Address	Address Of Property (DO NOT include City/State/ZipCode) N 11873 Oaklane Road
City • State • ZipCode	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

(3) PROPERTY USE	(4) PROPOSED PROJECT
<p>Current Use Of Property</p> <input type="checkbox"/> Vacant Property <input type="checkbox"/> Single-Family Residential <input type="checkbox"/> Active-Working Farm Operation <input checked="" type="checkbox"/> Business • Industrial • Commercial • (Describe below) Other <u>Land currently houses Landscaping Company</u>	<p>(Please check/complete all that apply below)</p> <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 checked="" 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: _____
<p>DNR Notice</p> <p>DNR NOTICE: You are responsible for complying with State and Federal laws concerning construction on or near wetlands, lakes and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources Wetlands Identification Web Page (www.dnr.state.wi.us) or contact a Department of Natural Resources Service Center.</p>	

(5) CERTIFICATE

I, the undersigned, hereby apply for a Conditional Use Permit and certify that all the information both above and attached is true and correct to the best of my knowledge. I affirm that I have read the DNR Notice shown above. I affirm that all work performed will be done in accordance with the Dodge County Land Use Code and with all other applicable laws and regulations. I hereby authorize members of the Dodge County Land Resources and Parks Department to enter the above-described property for purposes of obtaining information pertinent to my application request and to conduct land use code inspections.

Signature *Eric Rusch* Date 5/12/21

Daytime Contact Number (920) 974 - 4726

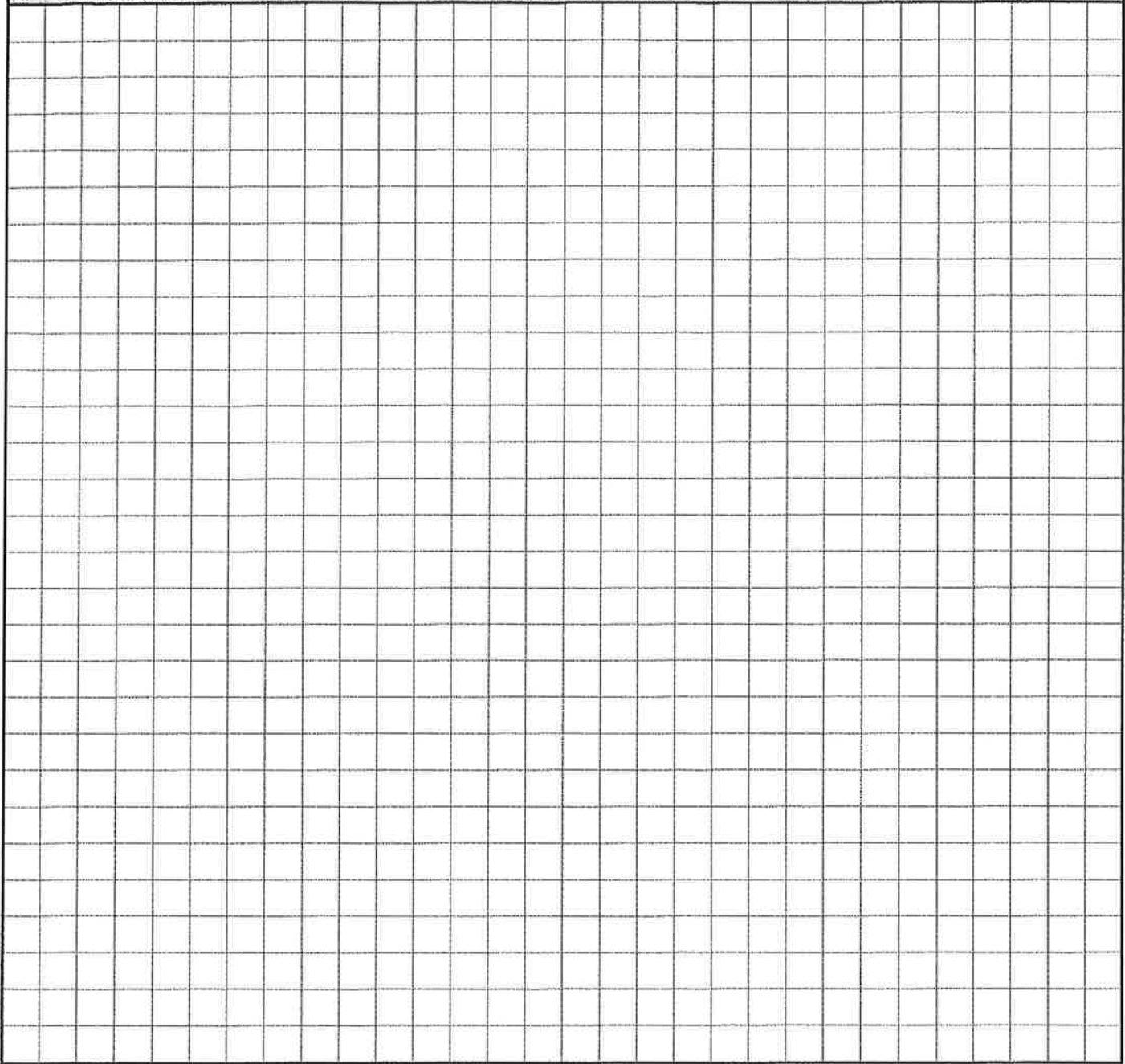
AREA BELOW THIS LINE FOR OFFICE USE ONLY

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: _____

SITE PLAN (SKETCH)



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:				
<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**

LRP QMap

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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





548 Prairie Road
Fond du Lac, WI 54935
Phone: 920.922.5703
www.jeaaa.com

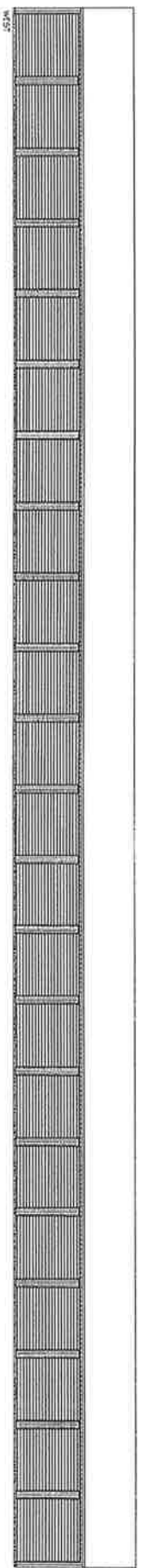
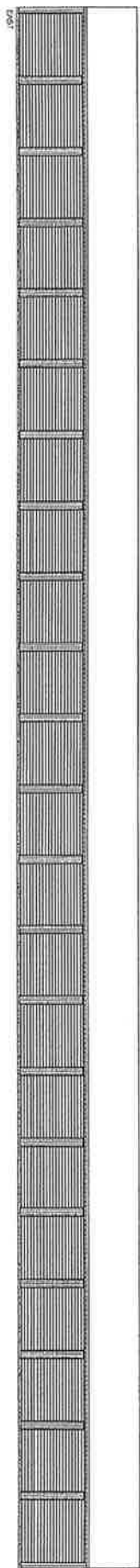
837.001
Business Operation Narrative
October 1, 2021

Re: Business Operation Narrative

To whom it may concern:

A total of three storage buildings, accessible 24 hours a day, will be built on site over the next few year/s. 8-Traditional 28W-.24A wall pack fixtures (photocell sensor built it) will be mounted on each shed (4 on each side). No employees or sanitary facilities will be needed on site. Currently, there are no existing signs on site, but a sign advertising the storage building/s will be placed between Oaklane Rd. and the eastern most building.

**PRELIMINARY
NOT FOR CONSTRUCTION**



ELEVATIONS
SCALE: 1/16" = 1'-0"



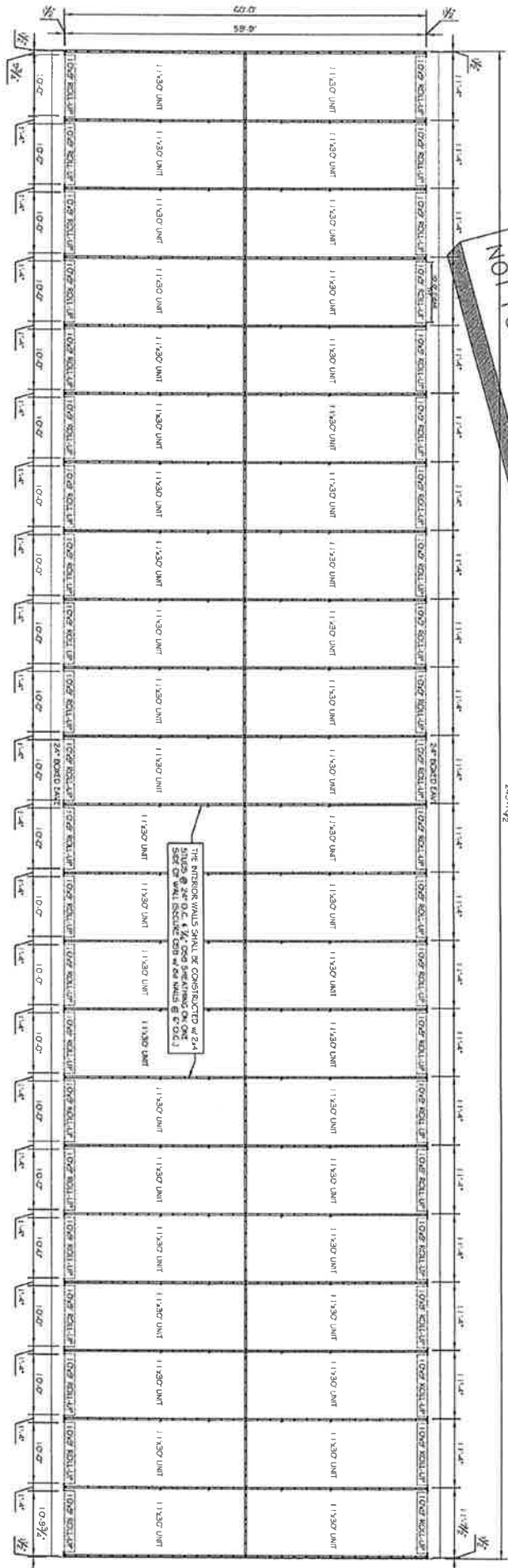
ENGINEERING DEPARTMENT
2894 58th Street
Eau Claire, WI 54703
Fax (715) 874-4213
Office (715) 874-4211

PROJECT TITLE
OAK VIEW RENTALS
BROWNSVILLE, WI
FILE NAME:
I:\ACAD\DWG\PLANREQUESTS\2\BROAK VIEW RENTALS.DWG

REVISIONS		SCALE		JOB NO.	
NO.	DATE	DESCRIPTION	BY	AS NOTED	DATE
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1				WLC	
2					8/5/21
3					

21-198-45
SHEET NO
2 of 2

**PRELIMINARY
NOT FOR CONSTRUCTION**



FLOOR PLAN
SCALE: 1/16"=1'-0"



ENGINEERING DEPARTMENT
2894 58th Street
Eau Claire, WI 54703
Fax (715) 874-4213
Office (715) 874-4211

PROJECT TITLE: **OAK VIEW RENTALS**
PROJECT NAME: **BROWNSVILLE, WI**
FILE NAME: **I:\ACAD\DWG\STAIR\RENTALS\21\BROOK VIEW RENTALS.DWG**

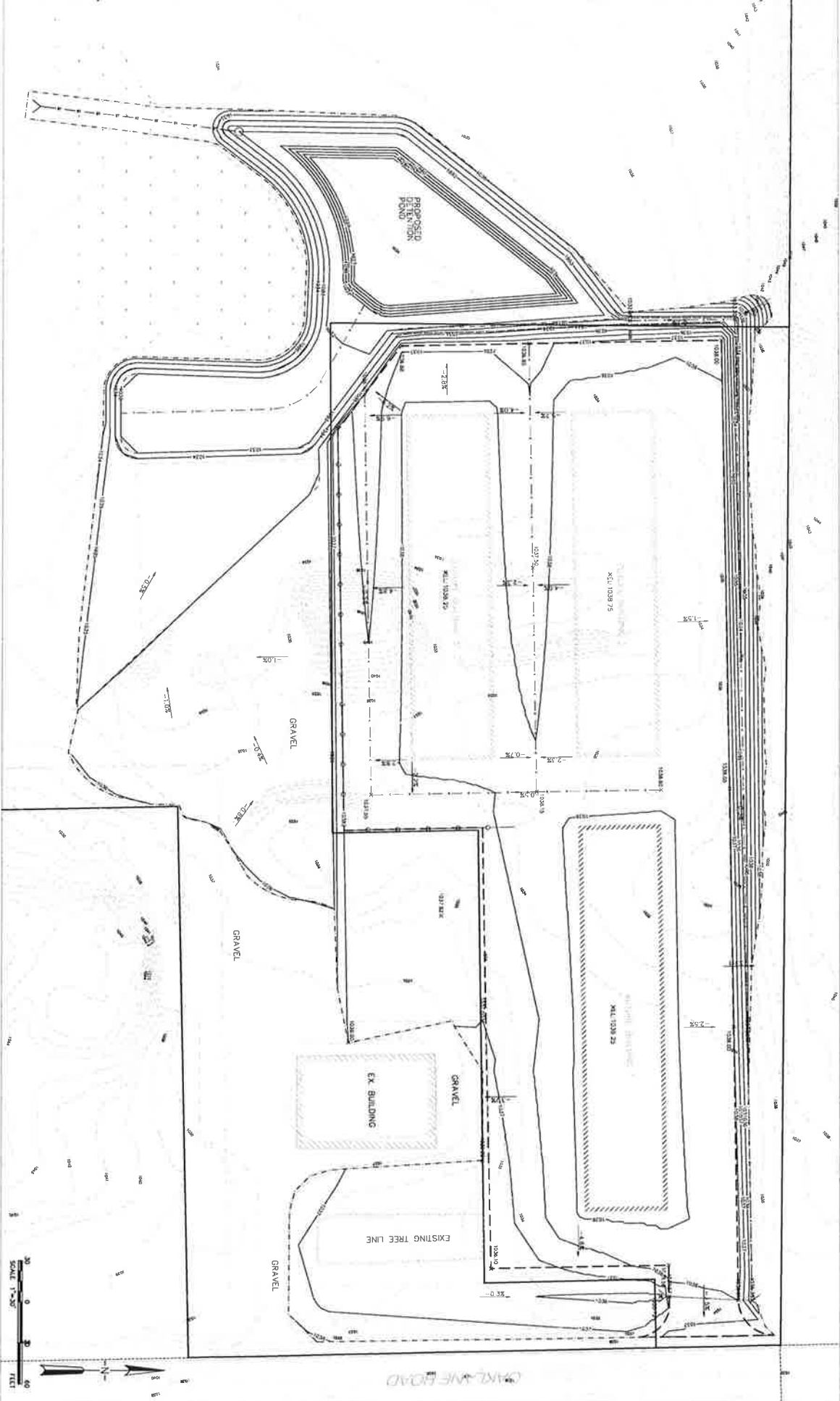
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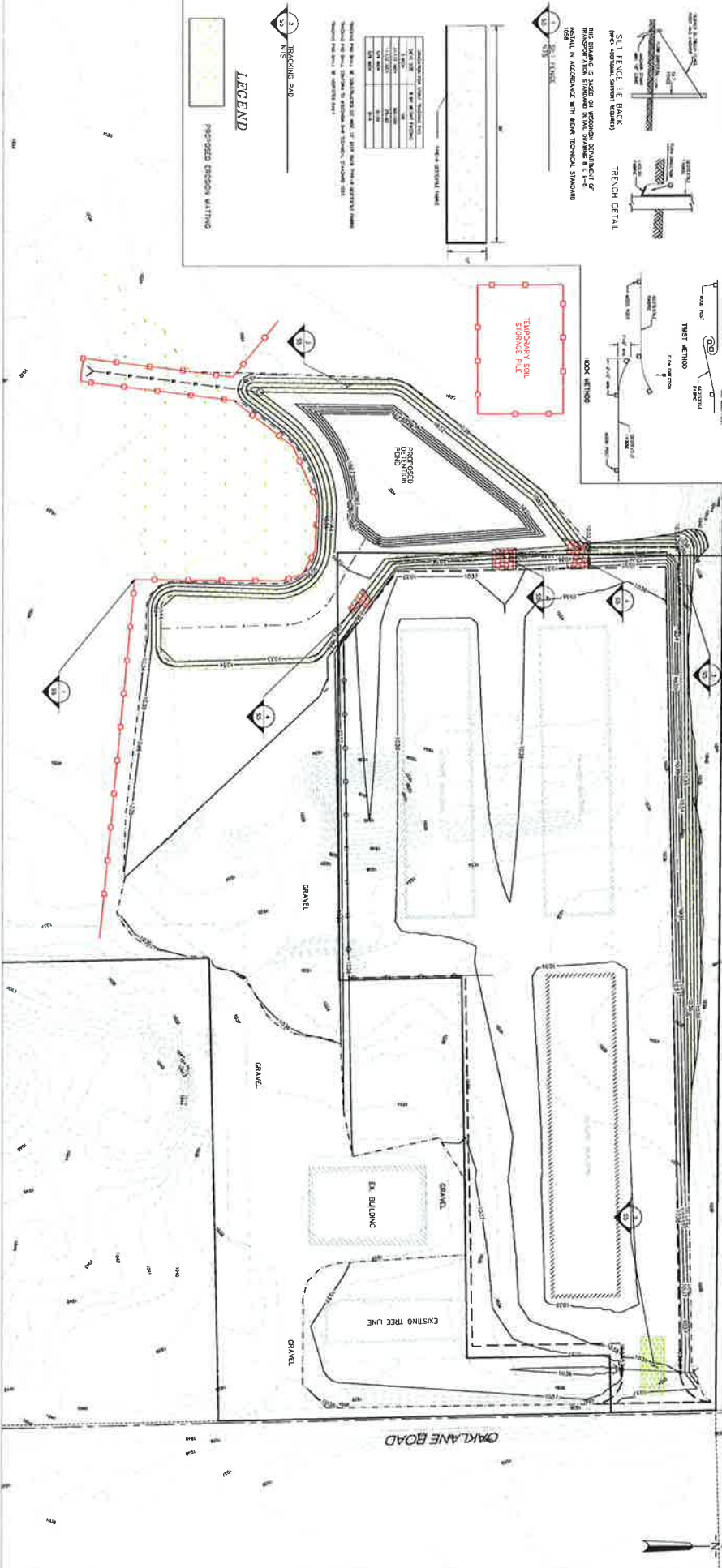
LEGEND

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DRAWN BY: JLL CHECKED BY: EBO APPROVED BY: EBO	SCALES HORIZONTAL: 1"=30' VERTICAL: NA	PROJECT NO: 817-001 DATE: 05/21/2021	DATE: 05/21/2021	DATUM <input type="checkbox"/> NAVD 83 <input type="checkbox"/> CG <input type="checkbox"/> PROJECT
TOWN OF OLMIRA, DOBBS COUNTY, WISCONSIN		GRADING PLAN ERIC RUSCH N11873 OAKLAKE ROAD TOWN OF OLMIRA, DOBBS COUNTY, WISCONSIN		SHEET 4 OF 5 SHEETS DATE: 05/21/2021



DRAWN BY: <u> </u> CHECKED BY: <u>ERD</u> APPROVED BY: <u>ERD</u>	SCALES HORIZONTAL: <u>1"=40'</u> VERTICAL: <u>NA</u>	PROJECT NO: <u>837200</u> DATE: <u>05/27/2021</u>	REVISIONS NO. DATE DESCRIPTION 1 05/27/2021 INITIAL DESIGN	BENCH MARK	DATUM <input checked="" type="checkbox"/> NAVD 83 <input type="checkbox"/> ASSUMED <input type="checkbox"/> PROJECT	EROSION CONTROL PLAN ERIC RUSCH N11873 OAKLAKE ROAD TOWN OF LOMIRA, DODGE COUNTY, WISCONSIN	
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GENERAL NOTES:

- CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES STANDARD SPECIFICATIONS FOR EROSION CONTROL MEASURES, 2019 EDITION.
- ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.
- ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
- ALL EROSION CONTROL MEASURES SHALL BE REMOVED UPON COMPLETION OF CONSTRUCTION.
- ALL EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES STANDARD SPECIFICATIONS FOR EROSION CONTROL MEASURES, 2019 EDITION.

EROSION CONTROL MEASURES:

- SILT FENCE:** SHALL BE INSTALLED AT ALL CONSTRUCTION SITES.
- BLANKET:** SHALL BE INSTALLED AT ALL CONSTRUCTION SITES.
- STAPLE:** SHALL BE INSTALLED AT ALL CONSTRUCTION SITES.
- EROSION MATTING:** SHALL BE INSTALLED AT ALL CONSTRUCTION SITES.

DETAILS:

- DETAIL 1:** SLOPE STABILIZATION WITH STAPLES.
- DETAIL 2:** SLOPE STABILIZATION WITH BLANKETS.
- DETAIL 3:** SLOPE STABILIZATION WITH SILT FENCES.

LEGEND:

- PROPOSED EROSION CONTROL
- EXISTING TREE LINE
- GRAVEL
- EXISTING BUILDING
- OAKLAKE ROAD

Dodge County, WI

Legend

- Parcels
- Parcel Labels
- CSM Boundaries
- CSM Lots
- Sub and Condo Lots
- Subdivisions and Condo Boundaries
- Encumbrances
- ROW
- Address Points
- Address Labels
- Driveways
- Building Footprints
- Cities and Villages (scale below 30K)
- City
- Village
- Towns
- Sections
- State Roads
- County Roads
- Federal Roads
- Interstates
- Centerline
- Lakes and Rivers
- Horicon Marsh
- Surrounding Counties



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

Date Printed	04/22/11 12:58 PM
Page No.	1 of 1



naturaLED®

TWP TRADITIONAL WALL PACK

DESCRIPTION

naturaLED® TWP traditional wallpack comes in rugged cast-aluminum housing with excellent thermal design. DLC Premium qualified, our TWP product offers a popular classic appearance for your needs. The traditional shape maintains an aesthetic appearance and will replace any building's wallpack or perimeter lighting. Ideal for outdoor applications such as carports, loading areas, driveways, parking area and pathways. Designed for wall mounting above four feet from ground.

*Requires an easy installation using the connectors to activate photocell sensor.

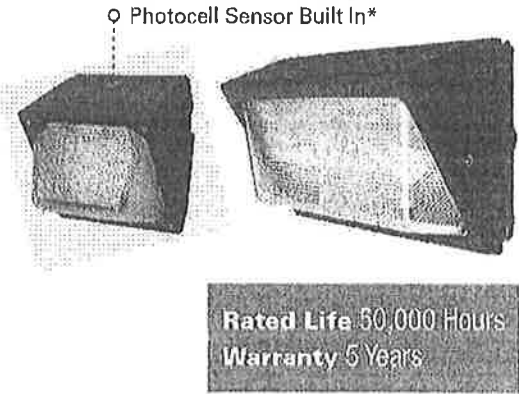
APPLICATIONS

Security, Pathway, Perimeter, Entryway, Area Lighting, and building facades

FEATURES

- DLC Premium Qualified
- IP65 Rated
- ETL Listed
- Built In Photocell Sensor Included (Easy connector to activate the photocell)
- ColorTemp: 4000K, 5000K
- Dimmable: 0-10V /1-10V (28W)
- Input line voltage: 120-277V
- Input Current: 28W-0.24A, 38W-0.32A, 60W-0.50A, 80W-0.67A, 100W-0.50A
- Surge Protect Level: 4KV
- Material: Die Cast Aluminum
- Lens: Borosilicate Glass Lens
- Corrosion resistant powder coating
- Operating temperature: -22°F - 104°F (-30°C - 40°C)
- 5Year Warranty
- Finish: Bronze

PROJECT:	
SCHEDULE:	DATE:
PREPARE BY:	
NOTES:	



SAMPLE NUMBER: FXTWP60/40K/BZ-PHO					
FAMILY	SERIES	WATTAGE	COLOR TEMP	FINISH COLOR	ACCESSORY
FX	TWP	60	40K	BZ	PHO
Fixture	Traditional Wallpack	28/38/60W	4000K	Bronze	Photocell Included



TRADITIONAL WALL PACK

WALL & AREA LUMINAIRES

ORDERING

*P= Premium DLC / *S = Standard DLC

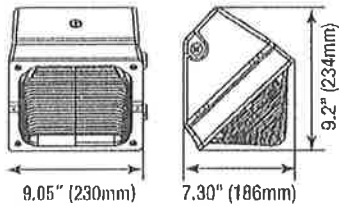
Watts (W)	Ordering Code	Description	CCT (K)	Lumens (lm)	Equlv. Wattage (W)	Dim (V)	IP65 Rated	DLC (S/P)
28	9453	FXTWP28/40K/BZ-PHO	4000K	4,128	175	1-10V	*	P
28	9454	FXTWP28/50K/BZ-PHO	5000K	4,189	175	1-10V	*	P
38	9447	FXTWP38/40K/BZ-PHO	4000K	5,700	175-250	0-10V	*	P
38	9448	FXTWP38/50K/BZ-PHO	5000K	5,700	175-250	0-10V	*	P
60	9449	FXTWP60/40K/BZ-PHO	4000K	9,000	250-400	0-10V	*	P
60	9450	FXTWP60/50K/BZ-PHO	5000K	9,000	250-400	0-10V	*	P
80	9451	FXTWP80/40K/BZ-PHO	4000K	12,000	400- 575	0-10V	*	P
80	9452	FXTWP80/50K/BZ-PHO	5000K	12,000	400-575	0-10V	*	P

TRADITIONAL WALL PACK

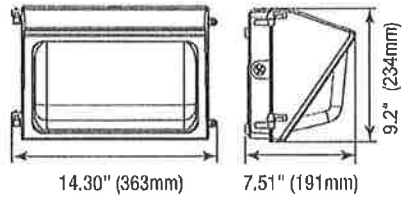
WALL & AREA LUMINAIRES

DIMENSIONS

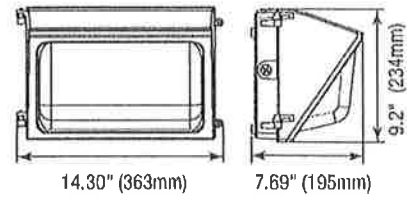
28W
5.51-lbs



38W **60W**
6.79-lbs 6.86-lbs

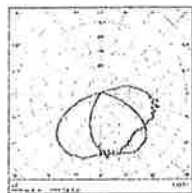


80W
8.07-lbs



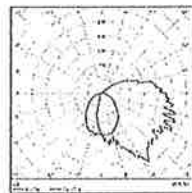
PHOTOMETRICS CHART

28 Watt
DLC Premium



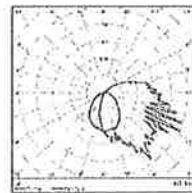
Distance at distance Foot Candles	Feet	Meters
100	2.00	0.61
200	1.00	0.30
300	0.67	0.20
400	0.50	0.15
500	0.40	0.12
600	0.33	0.10
700	0.29	0.09
800	0.25	0.08
900	0.22	0.07
1000	0.20	0.06

38 Watt
DLC Premium



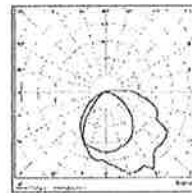
Distance at distance Foot Candles	Feet	Meters
100	2.00	0.61
200	1.00	0.30
300	0.67	0.20
400	0.50	0.15
500	0.40	0.12
600	0.33	0.10
700	0.29	0.09
800	0.25	0.08
900	0.22	0.07
1000	0.20	0.06

60 Watt
DLC Premium



Distance at distance Foot Candles	Feet	Meters
100	2.00	0.61
200	1.00	0.30
300	0.67	0.20
400	0.50	0.15
500	0.40	0.12
600	0.33	0.10
700	0.29	0.09
800	0.25	0.08
900	0.22	0.07
1000	0.20	0.06

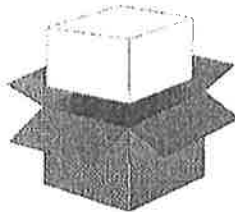
80 Watt
DLC Premium



Distance at distance Foot Candles	Feet	Meters
100	2.00	0.61
200	1.00	0.30
300	0.67	0.20
400	0.50	0.15
500	0.40	0.12
600	0.33	0.10
700	0.29	0.09
800	0.25	0.08
900	0.22	0.07
1000	0.20	0.06

PACKAGE

Case Qty 1 pc





548 Prairie Road
Fond du Lac, WI 54935
Phone: 920.922.5703
www.jeaaa.com

Project No. 837.5112

September 28, 2021

DESCRIPTION OF A STORMWATER MANAGEMENT EASEMENT
BEING PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 6 T. 13 N.-R. 17 E.,
TOWN OF LOMIRA, DODGE COUNTY, WISCONSIN

Part of the Northeast 1/4 of the Southeast 1/4 of Section 6, T. 13 N.-R. 17 E., Town of Lomira, Dodge County, Wisconsin and more particularly described as follows:

Commencing at the Northeast corner of the Southeast 1/4 of said Section 6; thence North 89°-25'-52" West along the North line of Southeast 1/4 of said Section 6, 738.43 feet to the point of beginning; thence South 00°-34'-13" West, 333.77 feet; thence North 89°-42'-36" East, 116.12 feet; thence South 43°-00'-32" East, 261.99 feet; thence North 83°-08'-06" West, 273.57 feet; thence North 01°-52'-43" East, 105.17 feet; thence North 42°-45'-17" West, 46.37 feet; thence North 87°-23'-18" West, 30.01 feet; thence South 65°-42'-03" West, 75.18 feet; thence South 37°-22'-57" West, 54.76; thence South 07°-07'-38" West, 125.28 feet; thence North 82°-52'-22" West, 10.00 feet; thence North 07°-07'-38" East, 128.70 feet; thence North 48°-43'-04" West, 12.79 feet; thence North 00°-46'-53" East, 137.15 feet; thence North 38°-21'-06" East, 219.33 feet; thence North 00°-34'-13" East, 103.94 feet to a point on the North line of said Southeast 1/4; thence South 89°-25'-52" East along said North line, 20.00 feet to the point of beginning.

Land Resources and Parks Department Staff Report

Town Rezoning Petition # 2021-0973

Filing Date: October 18, 2021

Committee Review Date: November 1, 2021

Applicant / Owner:

Matthew and Dawn Faust
5426 Bremer Rd
McFarland, WI 53558

Location:

PIN# 032-1014-2811-000; 032-1014-2144-002;

Property Location: Part of the NE ¼ of the NE ¼, Section 28, Town of Lowell, the site address being N3146 County Road G.

Request:

Petition to rezone approximately 2.5-acres of land under the Town of Lowell Zoning Ordinance, from the AG-1 General Agricultural Zoning District to the RC-1 Rural Residential Overlay Zoning District has been submitted by the Town of Lowell Town Board to the Dodge County Board of Supervisors to allow for the creation of a non-farm residential lot at this location. The proposed 2.5-acre lot contains an existing residence and accessory buildings.

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 lots are not located within the County's Zoning jurisdiction.

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

- A portion of the remnant lot is 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 6%;

Land Use, Site: Agricultural and residential

Land Use, Area: Agricultural to the north, east and south, Village of Reeseville to the south.

Designated Archaeological Site: Yes No

The County's Density Standards do not apply;

The proposal is consistent with the Dodge County Comprehensive Plan:

- The site is designated as single family residential according to the County's Future Land Use Map

Town Purpose Statements

The purpose of the AG-1 General Agriculture District is to provide for, maintain, preserve, and enhance agricultural lands historically utilized for crop production and maintain the existing rural character. If agricultural land is developed for residential purposes, it shall follow the RC-1 regulations.

The purpose of the RC-1 Rural Cluster Residential Overlay District is to provide for single-family residential development clustered in small groups in order to preserve the rural and natural environment. The residential density standard in this district is 1 housing unit per 25-acres.

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 has reviewed the proposed Town rezoning petition for compliance with 60.62(3) Wisconsin Statutes and believes that the Town has followed the proper procedures in order to approve the rezoning petition. Therefore, staff recommends the committee report favorably on the town rezoning petition.

Dodge County Land Resources and Parks Committee Decision

Town Rezoning Petition # 2021-0973
Filing Date: October 18, 2021
Committee Review Date: November 1, 2021

Applicant / Owner:
Matthew and Dawn Faust
5426 Bremer Rd
McFarland, WI 53558

Location:
PIN# 032-1014-2811-000; 032-1014-2144-002;
Property Location: Part of the NE ¼ of the NE ¼, Section 28, Town of Lowell, the site address being N3146 County Road G.

Request:
Petition to rezone approximately 2.5-acres of land under the Town of Lowell Zoning Ordinance, from the AG-1 General Agricultural Zoning District to the RC-1 Rural Residential Overlay Zoning District has been submitted by the Town of Lowell Town Board to the Dodge County Board of Supervisors to allow for the creation of a non-farm residential lot at this location. The proposed 2.5-acre lot contains an existing residence and accessory buildings.

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
Ben Priesgen	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Dan Siegmann	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Travis Schultz - 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 # _____

**TO THE HONORABLE BOARD OF SUPERVISORS
OF DODGE COUNTY, WISCONSIN**

WHEREAS, Dodge County, a corporate body under the laws of the State of Wisconsin, has adopted a Comprehensive Zoning Code which is full force and effect; and

WHEREAS, the Town Board of the Town of Lowell has amended the Town of Lowell Zoning Code, the power to adopt and amend the Zoning Code having been granted pursuant to Section 60.62, Wisconsin Statutes, which grants Towns authorized to exercise village powers the ability to adopt and amend a Zoning Code under Section 61.35 and Section 62.23, Wisconsin Statutes; and

WHEREAS, pursuant to Section 60.62(3), Wisconsin Statutes, the amendment of a Town Zoning Code by a Town Board is subject to approval of the County Board in counties having a Comprehensive Zoning Code in full force and effect; and

WHEREAS, a public hearing of a proposed amendment to the Town of Lowell Zoning Code official Zoning District Map was held before the Lowell Town Board on October 5, 2021, and

WHEREAS, the proposed Zoning district map amendment to the Town of Lowell Zoning Code was adopted by Ordinance by the Lowell Town Board on October 12, 2021 as set forth and attached hereto as "Exhibit A";

THEREFORE, BE IT RESOLVED, that the amendment to the Town of Lowell Zoning Code as represented by "Exhibit A" attached hereto 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 _____ day of _____, 202__.



Jeffrey Caine, County Supervisor

**AN ORDINANCE AMENDING THE ZONING CODE
TOWN OF LOWELL, DODGE COUNTY, WISCONSIN**

ASSIGNMENT OF RC-1: RURAL RESIDENTIAL OVERLAY ZONING DISTRICT TO CREATE A 2.50 +/-
ACRE NON-FARM PARCEL FROM A 81.417 ACRE PARENT PARCELS FOR MATT & DAWN FAUST
REV. TRUST DATED APRIL 11, 2008

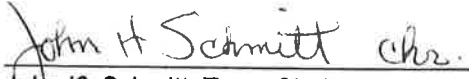
- WHEREAS,** The Town of Lowell, Dodge County, Wisconsin, is authorized by Wisconsin Statutes Sec. 61.35 and Sec. 62.23(7) to adopt and amend a zoning code for the purpose of promoting the health, safety, morals, or the general welfare of the community; and
- WHEREAS,** The Town of Lowell Town Board adopted the current Town of Lowell Zoning Code, Chapter 295, in September 2020, which amended Title 13 of the 2004 adopted Town Code of Ordinances; and
- WHEREAS,** Article XIII of Chapter 295-82 of the Town of Lowell Zoning Code authorizes the Town Board to consider petitions to make changes to the zoning district boundaries as applied to property within the town subject to the review and recommendation of the Plan Commission; and
- WHEREAS,** A zoning petition to amend the Official Zoning District Map in the Town of Lowell Zoning Code was filed with the Town by assigning the RC-1: Rural Residential Overlay Zoning District to a 2.50 +/- acre parcel owned by Matt & Dawn Faust Revocable Trust Dated April 11, 2008 as more accurately described and presented in Exhibit "A" hereto; and
- WHEREAS,** The Town of Lowell Plan Commission conducted a public hearing on October 5, 2021, for purposes of soliciting comments from Town of Lowell residents, property owners and affected persons concerning the petition; and
- WHEREAS,** The Town of Lowell Plan Commission did, on October 5, 2021, recommend to the Town Board that the zoning petition be granted as it conforms to the Zoning code. The Land Division will include the final CSM containing one parcel, in addition to a full legal description for the deed restricted area which will be applied to 032-1014-2811-000; and
- WHEREAS,** The Town Board did, at a meeting held on October 12, 2021, determine that the zoning petition is consistent with the adopted Town of Lowell 2020 Comprehensive Plan, purpose and intent of the Zoning and Subdivision Code, good zoning and land development practices, and furthers the general welfare of the Town;

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF LOWELL, DODGE COUNTY, WISCONSIN, ORDAINS AS FOLLOWS:

Section 1. Adoption.
The zoning petition to amend the official Zoning District Map in the Town of Lowell Zoning Code by assigning the RC-1: Rural Residential Overlay Zoning District to a 2.50 +/- acre property as described and presented in Exhibit "A" hereto is granted.

Section 2. Effective Date.
This ORDINANCE shall take effect upon APPROVAL by the Dodge County Board of Supervisors and restriction approved by

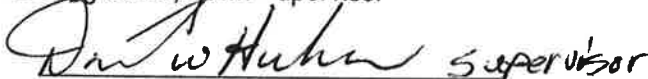
Town Board, Town of Lowell, Dodge County, Wisconsin



John H. Schmitt, Town Chairman



Greg Caine, Town Supervisor



David W. Huebner, Town Supervisor

ATTEST:



Susan L. Caine, Town Clerk

EXHIBIT "A"

Legal Description Matt & Dawn Faust Revocable Trust Dated April 11, 2008

Parent parcel pin #: 032-1014-2811-000 as described as lands being part of the THAT PT PARC DESC IN V929 P969 LYG IN NE1/4 NE1/4 SEC 28 BEING PT OL 18 BLK D MISC ADD.

LEGAL DESCRIPTION

Needs to be provided before the final CSM is signed by the Town of Lowell. A deed restriction for 25 acres will be applied to parcel 032-1014-2721-000.



Land Resources and Parks Department Staff Report

Town of Beaver Dam Code Amendment – County ID# 2021-0974

Applicant / Petitioner:

Town of Beaver Dam Town Board
Joseph Kern – Acting Chairman
N5983 S. Crystal Lake Road
Beaver Dam, WI 53916

Filing Date: October 19, 2021

Committee Review Date: November 1, 2021

Subject - Proposal

A petition to amend the text of the Town of Beaver Dam Zoning Ordinance has been submitted by the Town of Beaver Dam Town Board to the County Board of Supervisors for approval. The intent of the petition is to clarify when a land use permit is required for new construction activity, to renumber the existing provisions in the Ordinance and to add language that addresses the increase in permit application fees for the commencement of construction activities prior to the issuance of a permit. The proposed amendments include the following modifications which are as shown in Exhibit A attached to this report.

Create s. 62-5 (a) 1 through 3 as follows and renumber the existing s. 62-5 (a) to s. 62-5 (b) accordingly:

Sec. 62-5 Land Use Permits

(a) A land use permit is required for the following:

- (1) All new buildings other than housing when the estimated costs for material and labor exceed \$5,000.00 but less than \$50,000.00. When for material only, over \$2,500.00 but less than \$25,000.00.
- (2) Additions, alterations and repairs to dwelling units when the estimated costs for material and labor exceed \$5,000.00 but are less than \$50,000.00. when for material only, over \$2,500.00 but less than \$25,000.00.
- (3) All other buildings when additions, alterations or repairs are over \$5,000.00

(b) Modify s. 62-5 (b) (5) as follows:

- (5) Fee shall be in the amount as set by the town board by resolution from time to time. If any construction or work governed by the provisions of this chapter is commenced prior to the issuance of a permit, double fees shall be charged.

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 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 County's Subdivision and land spreading of petroleum contaminated soils overlay provisions of the Land Use Code are enforced within the Town of Beaver Dam along with the Sanitary, Shoreland Protection, Floodplain and the Non-metallic Mining Ordinances.

The adoption of the proposed amendments by the Town of Beaver Dam does not change or affect the enforcement of the applicable Code and Ordinance regulations within the Town of Beaver Dam. If the jurisdiction of the County and Town 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 Town code amendment petition for compliance with 60.62(3) Wisconsin Statutes and believes that the Town has followed the proper procedures listed in their Zoning Ordinance in order to approve the proposed code amendment. Therefore, staff recommends the committee report favorably on the town code amendment petition.

Dodge County Land Resources and Parks Committee Decision

Town of Beaver Dam Code Amendment – County ID# 2021-0974

Applicant / Petitioner:

Town of Beaver Dam Town Board
Joseph Kern – Acting Chairman
N5983 S. Crystal Lake Road
Beaver Dam, WI 53916

Filing Date: October 19, 2021

Committee Review Date: November 1, 2021

Subject - Proposal

A petition to amend the text of the Town of Beaver Dam Zoning Ordinance has been submitted by the Town of Beaver Dam Town Board to the County Board of Supervisors for approval. The intent of the petition is to clarify when a land use permit is required for new construction activity, to renumber the existing provisions in the Ordinance and to add language that addresses the increase in permit application fees for the commencement of construction activities prior to the issuance of a permit.

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 Amendment to their Zoning Ordinance?

- 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 amendment?

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

Comments

Motion by _____ to submit a (favorable / unfavorable) recommendation to the County Board regarding the proposed amendment to the Town Zoning Ordinance 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
Ben Priesgen	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Dan Siegmann	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Travis Schultz - 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 _____ Chairperson Attest _____ Secretary

Dated: _____

Filed: _____

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 August 30, 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 September 27, 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 15th day of October, 2021.



County Board Supervisor

Sec. 62-3 Compliance

No structure, land or water shall hereafter be used and no structure, or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without a building permit and/or a land use permit and without full compliance with the provisions of this chapter and all other applicable town, county and state regulations. Minor structures and normal repairs to existing structures of less than the value amount as set by the town board shall be exempt.

Where the terms and objectives of this chapter have been substantially addressed and fulfilled by the Wisconsin Department of Natural Resources where concurrent jurisdiction with this chapter exists, so as to avoid duplication of effort, the terms of this chapter shall not be imposed. The concurrent jurisdiction with the Department of Natural Resources only includes land under specific jurisdiction of the Department of Natural Resources, Army Corps of Engineers and Dodge County.

Sec. 62-4 Zoning administrator

There is hereby created the office of zoning administrator for the Town of Beaver Dam. The zoning administrator shall have all the powers necessary to administer and enforce this chapter.

The zoning administrator may enter at any reasonable time onto public or private lands to make a zoning inspection. If the zoning administrator finds that any of the provisions of this chapter are being violated, he or she shall notify in writing the person responsible for such violation and order the action necessary to correct it. He or she shall order discontinuance of any illegal work being done; or shall take any other action authorized by the chapter to insure compliance with or to prevent violation of its provisions.

Sec. 62-5 Land use permits

(a) A land use permit is required for the following:

- (1) All new buildings other than housing when the estimated costs for material and labor exceed \$5,000.00 but are less than \$50,000.00. When for material only, over \$2,500.00 but less than \$25,000.00.
- (2) Additions, alterations, and repairs to dwelling units when the estimated costs for material and labor exceed \$5,000.00 but are less than \$50,000.00. When for material only, over \$2,500.00 but less than \$25,000.00.
- (3) All other buildings when additions, alterations, or repairs are over \$5,000.00.

(b) Applications for a land use permit shall be made to the zoning administrator on forms furnished by his or her office and shall include the following where applicable:

- (1) Names and addresses of the applicant, owner of the site or agent for the owner.
- (2) Description of the subject site by lot, block and recorded subdivision or by metes and bounds; address of the subject site; type of structure, existing and proposed operation or use of the structure or site; number of occupants or employees; and the zoning district within which the subject site lies.
- (3) Sketch showing dimensions of the lot and locations of proposed and existing buildings from the lot lines, centerline of abutting highways and the high water mark of abutting watercourse.
- (4) Additional information as may be required by the zoning administrator.
- (5) Fee shall be in the amount as set by the town board by resolution from time to time. If any construction or work governed by the provisions of this chapter is commenced prior to the issuance of a permit, double fees shall be charged.

Any application for a land use permit shall be granted or denied in writing by the zoning administrator within 45 days. If denied, the reasons for such denial shall clearly appear upon the face of the notification

STATE OF WISCONSIN
Town of Beaver Dam
Dodge County

RESOLUTION 2021 - 8

The Town Board of the Town of Beaver Dam, Dodge County, Wisconsin, by this resolution, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, resolves and declares as follows:

Whereas the Town of Beaver Dam established a zoning ordinance ("zoning code") under sec. 60.61;

Whereas, the Town of Beaver Dam has established a town Plan Commission;

Whereas, the town board has directed the town plan commission to consider and recommend amendments to the ordinance (Ch 62); and

Whereas, the town plan commission held a public hearing on August 30, 2021 regarding proposed changes to the ordinance that included adding a new section to Ch 62, 62-5(a), regarding when land use permits are require for building construction activity; re-numbering the existing language of Sec. 62-5 to 62-5(b); and adding language to s. 62-5(b)(5) to address the commencement of construction activities governed by these provisions prior to the issuance of a permit; (these matters having been previously addressed, in part, under s. 10-5 of the Building Code); and thereafter adopted and forwarded their recommendation to the town board.

Therefore, the Town Board of the Town of Beaver Dam hereby adopts the recommendations of the town plan commission as outlined in the minutes of the August 30, 2021 Plan Commission meeting and acted upon by the Plan Commission at the meeting on August 30, 2021; directs that the proposed changes and amendments are made to the Sec. 62-5 of the ordinance; and said changes and amendments are submitted to the Dodge County Board for approval.

The town clerk shall properly post or publish this resolution as required under sec. 60.80, Wis. Stats.

Adopted this 27th day of September, 2021.

Town Chairman <u>David Rane, Acting Chair</u>	Town Board Supervisors <u>David Rane</u> <u>Dean Hughes</u> <u>JH</u>
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Attest: [Signature]
Town Clerk

**DODGE COUNTY LAND RESOURCES AND PARKS COMMITTEE
MINUTES
October 18, 2021**

The Dodge County Land Resources and Parks Committee met on October 18, 2021 at 7:00 p.m. on the 1st Floor of the Administration Building, Juneau, Wisconsin.

Vice-Chair Mary Bobholz called the meeting to order. Roll Call was taken. Members present were Allen Behl, Mary Bobholz, Benjamin Priesgen, and Dan Siegmann. Members excused were Travis Schultz. The staff present at the request of the Chairman were Bill Ehlenbeck and Joseph Giebel.

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

The Vice-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.

TOWN AMENDMENT REQUESTS

1. **Town Amendment Petition – Town of Beaver Dam Town Board – Dodge County, Wisconsin.** A petition to amend the Town of Beaver Dam Zoning Ordinance has been submitted by the Town of Beaver Dam Town Board to the Dodge County Board of Supervisors for approval. The intent of the petition is to permit large scale solar energy systems within the C-1 – Commercial, the I-1 Industrial and the A-2 General Agricultural Zoning Districts. Committee review and recommendation to the County Board.

Motion by Allen Behl to submit a favorable recommendation to the County Board of Supervisors on the petition to amend the Town of Beaver Dam Zoning Ordinance.

Second by Mary Bobholz Vote 4-0 Motion carried.

The hearing procedures were read into the record.

PUBLIC HEARING

Compass Surveying LLC, agent for Allen and Shirley Sell - Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the creation of an approximate 1-acre 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 NW ¼, Section 14, Town of Shields.

Motion by Mary Bobholz to lay over a decision on the conditional use permit request to allow for the creation of an approximate 1-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District at the request of the Town of Shields Town Board to the November 1, 2021 Committee meeting in order to allow the Town Board additional time to submit a recommendation on this request.

Second by Dan Siegmann Vote 4-0 Motion carried.

PUBLIC HEARING

Jessie Smith Jr., agent for Jessiffany Canine Services LLC – Request to rezone approximately 8.6-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District and an application for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to bring the existing dog training and boarding facility into compliance with the Code and to allow the establishment of an internet based retail sales business to allow for the sale of firearms from the residence on this site.

Rezoning petition:

Motion by Mary Bobholz to submit a favorable recommendation to the County Board of Supervisors on the Request to rezone approximately 8.6-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District.

Second by Ben Priesgen Vote 4-0 Motion carried.

Conditional use permit request:

Motion by Mary Bobholz to approve the conditional use permit request to bring the existing dog training and boarding facility into compliance with the Code and to allow the establishment of an internet based retail sales business to allow for the sale of firearms from the residence on this site subject to the following conditions:

1. The kennel/training facility and the internet based retail sales business to allow for the sale of firearms from the residence on this site shall be conducted without offensive noise, vibration, dust, smoke, odor, glare, lighting or the risk of fire, explosion or other accident and shall not be detrimental to the public health, safety or general welfare of the immediate neighborhood or community.
2. It shall be the responsibility of the applicant to obtain all other Federal, State and/or local municipality permits and approvals that may be required for the proposed firearms sales business operation on this site prior to starting the business.
3. In the event that noise or odor problems or any other objectionable influence associated with the dog kennel and training facilities arise, this permit shall be subject to review by the Land Resources and Parks Committee. The Committee may attach additional conditions that it deems necessary to mitigate said noise, odor or other objectionable influences to the maximum extent practicable.
4. Any significant change to the proposed kennel facilities on this site, any future expansion or any significant change to the site plan submitted with the application may require that a new conditional use permit be issued.
5. Any significant change to or expansion of the internet based retail sales business to allow for the sale of firearms from the residence and/or of its facilities may require that a new Conditional Use Permit be obtained.
6. The decision of the Committee shall expire one year after the decision is filed with the Department unless the use is established, the Conditional use permit is issued or the Conditional use permit is renewed, for a period not to exceed one year.
7. The Conditional use permit shall also expire upon termination of a business or if the rights granted by the permit are discontinued for 180 consecutive days.

Second by Dan Siegmann Vote 4-0 Motion carried.

PUBLIC HEARING

Gerald Wissell, agent for Robert Wissell – Request to rezone approximately 10-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district to allow for the creation of a non-farm residential lot at this location.

Motion by Mary Bobholz to submit a favorable recommendation to the County Board on the request to rezone approximately 10-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district to allow for the creation of a non-farm residential lot at this location.

Second by Allen Behl Vote 4-0 Motion carried.

PUBLIC HEARING

Brian Kassube - Request to rezone approximately 2.5-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district to allow for the creation of a non-farm residential lot.

Motion by Mary Bobholz to submit a favorable recommendation to the County Board on the request to rezone approximately 2.5-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district to allow for the creation of a non-farm residential lot.

Second by Ben Priesgen Vote 4-0 Motion carried.

REGISTER OF DEEDS

A. Quarterly Report

Chris Planasch provided the Committee with a quarterly report and an activity report for the Register of Deeds Department.

2. **PARK SYSTEM**

A. Review, Consider, Discuss and Take Action on Resolution to accept and Supplemental Snowmobile Trail grant.

Bill Ehlenbeck provided the Committee with a resolution that authorizes the changes to the 2021 budget to accept the additional financial aid grant that the Department received for the Dodge County Snowmobile Trail Program of approximately \$69,528.

Motion by Dan Siegmann to approve the resolution to accept the additional grant funds for the Dodge County Snowmobile Trail Program.

Second by Ben Priesgen Vote 4-0 Motion carried.

3. ADMINISTRATION

- A. Review, discuss and take action on the Policy/Procedures for Amending the Dodge County Comprehensive Plan;

Joseph Giebel reviewed the procedures for adopting an amendment to the Comprehensive plan. The procedure includes both the approval and submission of a resolution by the Committee and the submission of an ordinance to be submitted to the County Board for final approval. He informed the committee that the resolution that was approved by the Committee on October 4, 2021 meets the first part of the procedural requirement. The second part of the Committee process requires approval and submission of an Ordinance document to the County Board of Supervisors for final County Board review and action.

- B. Amendment to the Dodge County Comprehensive Plan – Farmland Preservation Plan update – Review, discuss and take action on the required Ordinance to be submitted to the County Board of Supervisors for the proposed Amendment to the Dodge County Comprehensive Plan – Farmland Preservation Plan update;

Motion by Allen Behl to approve the Ordinance document to be submitted to the County Board of Supervisors for approval of the proposed Amendment to the Dodge County Comprehensive Plan – Farmland Preservation Plan update.

Second by Mary Bobholz Vote 3-1 (Siegmann) Motion Carried.

OTHER BUSINESS

1. The minutes from the October 4, 2021 meeting were reviewed by the Committee.

Motion by Ben Priesgen to approve the minutes as written.

Second by Mary Bobholz Vote: 4-0 Motion carried.

2. No Committee Member Reports

3. No Additional Per Diems

Motion by order of the Vice-Chairman to adjourn the meeting.

Meeting adjourned at 9:00 PM

Respectfully Submitted,

Allen Behl, Secretary

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