

# Dodge County Land Resources & Parks Department

PARKS &  
TRAILS  
DIVISION

127 East Oak Street · Juneau, WI 53039-1329  
PHONE: (920) 386-3700 · FAX: (920) 386-3979

EMAIL: [parks@co.dodge.wi.us](mailto:parks@co.dodge.wi.us) WEBSITE: [www.dodgeparks.com](http://www.dodgeparks.com)

*Astico - Derge - Ledge - Nitschke Mounds - Harnischfeger - Wild Goose Trail*

## RESOLUTION FOR OUTDOOR RECREATION AIDS

### DODGE COUNTY ATV TRAIL SYSTEM: Acquisition and Maintenance

#### RESOLUTION #2022-3.21-100P

WHEREAS, Dodge County is interested in acquiring and maintaining 20 miles of certified Dodge County ATV Trail System for public outdoor recreation purposes as described in the application; and

WHEREAS, financial aid in an amount of \$100 per mile or a total of \$2,000 is required for seasonal acquisition and maintenance of the trail; and

WHEREAS, the Dodge County ATV Trail Program is necessary to continue providing quality winter recreational opportunities in Dodge County.

THEREFORE, BE IT RESOLVED, that Dodge County will budget a sum sufficient to acquire and maintain the Dodge County ATV Trail System to the levels of State funding received, and

HEREBY AUTHORIZES, Jason Roy, Parks Superintendent to act on behalf of Dodge County to:

- Submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available;
- Submit reimbursement claims along with necessary supporting documentation within 6 months of project completion date;
- Submit signed documents; and
- Take the necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED that Dodge County will comply with State or Federal rules for the program; may perform force account work; will maintain the trail system in an attractive, inviting and safe manner, and will keep the trail open at reasonable times for the general public.

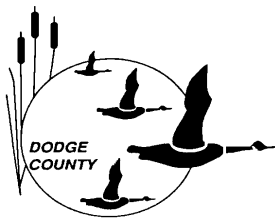
Adopted this 21st day of March, 2022.

*I hereby certify that the foregoing resolution was duly adopted by the Dodge County Land Resources and Parks Committee of the Dodge County Board at a legal meeting held on the 21st day of March, 2022.*

Authorized Signature:

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TRAVIS SCHULTZ, CHAIRMAN  
Dodge County Land Resources & Parks Committee



# Dodge County Land Resources & Parks Department



127 East Oak Street · Juneau, WI 53039-1329  
PHONE: (920) 386-3700 · FAX: (920) 386-3979

EMAIL: [parks@co.dodge.wi.us](mailto:parks@co.dodge.wi.us) WEBSITE: [www.dodgeparks.com](http://www.dodgeparks.com)

*Astico - Derge - Ledge - Nitschke Mounds - Harnischfeger - Wild Goose Trail*

## RESOLUTION FOR OUTDOOR RECREATION AIDS

### Dodge County Snowmobile Trail Program Trail Maintenance, Acquisition, Development and Rehabilitation

#### RESOLUTION #2022-3.21-200P

WHEREAS, Dodge County is interested in acquiring and maintaining 376.5 miles of certified Dodge County Snowmobile Trail System for public outdoor recreation purposes as described in the application; and

WHEREAS, financial aid in an amount of \$300 per mile or a total of \$112,950.00 is required for seasonal acquisition and maintenance of the trail; and

WHEREAS, Dodge County is interested in acquiring and maintaining additional new trail sections based upon recommendations of the Dodge County Snowmobile Association; and

WHEREAS, the Dodge County Snowmobile Trail Program is necessary to continue providing quality winter recreational opportunities in Dodge County.

THEREFORE, BE IT RESOLVED, that Dodge County will budget a sum sufficient to acquire and maintain the Dodge County Snowmobile Trail System to the levels of State funding received, and

HEREBY AUTHORIZES, Jason Roy, Parks Superintendent to act on behalf of Dodge County to:

- Submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available;
- Submit reimbursement claims along with necessary supporting documentation within 6 months of project completion date;
- Submit signed documents; and
- Take the necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED that Dodge County will comply with State or Federal rules for the program; may perform force account work; will maintain the trail system in an attractive, inviting and safe manner and will keep the trail open at reasonable times for the general public.

Adopted this 21st day of March, 2022.

*I hereby certify that the foregoing resolution was duly adopted by the Dodge County Land Resources and Parks Committee of the Dodge County Board at a legal meeting held on the 21st day of March, 2022.*

Authorized Signature:

\_\_\_\_\_  
TRAVIS SCHULTZ, CHAIRMAN  
Dodge County Land Resources & Parks Committee

## Land Resources and Parks Department Staff Report

**Town Rezoning Petition #** 2022-0150

**Filing Date:** March 7, 2021

**Committee Review Date:** March 21, 2022

**Owner:**

Troy and Jessica Lauersdorf Family Trust  
N1854 S. Kohn Rd  
Reeseville, WI 53579

**Location:**

PIN# 032-0914-0714-000; 032-0914-0822-000; 032-0914-0823-000; 032-0914-0824-000;

Property Location: Part of the SE ¼ of the NE ¼, Section 7 and part of the NW ¼ of the NW ¼, Section 8, T09N, R14E, Town of Lowell.

**Request:**

Petition to rezone approximately 9-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 for approval to allow for the creation of three 3-acre non-farm residential lots at this location.

**Land Use Code Provisions:**

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

**Physical Features of Site**

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

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

The County has Shoreland Jurisdiction over portions of the property.

- Portions of the remnant lands are designated as wetlands.
- The three proposed 3-acre lots are not designated as wetlands.

The County has Floodplain jurisdiction over portions of the property.

- Portions of the remnant lands are designated as floodplain.
- The three proposed 3-acre lots are not designated as floodplain.

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

Land Use, Site: Agricultural land and open space wetlands.

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

Designated Archaeological Site:    Yes             No

The County's Density Standards do not apply;

The proposal is consistent with the Dodge County Comprehensive Plan:

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

#### **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 #** 2022-0150  
**Filing Date:** March 7, 2021  
**Committee Review Date:** March 21, 2022

**Owner:**  
Troy and Jessica Lauersdorf Family Trust  
N1854 S. Kohn Rd  
Reeseville, WI 53579

**Location:**  
PIN# 032-0914-0714-000; 032-0914-0822-000; 032-0914-0823-000; 032-0914-0824-000;  
Property Location: Part of the SE ¼ of the NE ¼, Section 7 and part of the NW ¼ of the NW ¼, Section 8, T09N, R14E, Town of Lowell.

**Request:**  
Petition to rezone approximately 9-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 for approval to allow for the creation of three 3-acre non-farm residential lots at this location.

**CONCLUSIONS OF LAW**

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

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

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

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

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

Comments

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

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

**Vote**

Allen Behl	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
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

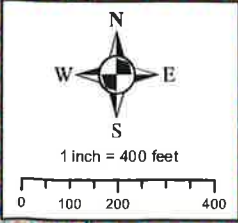
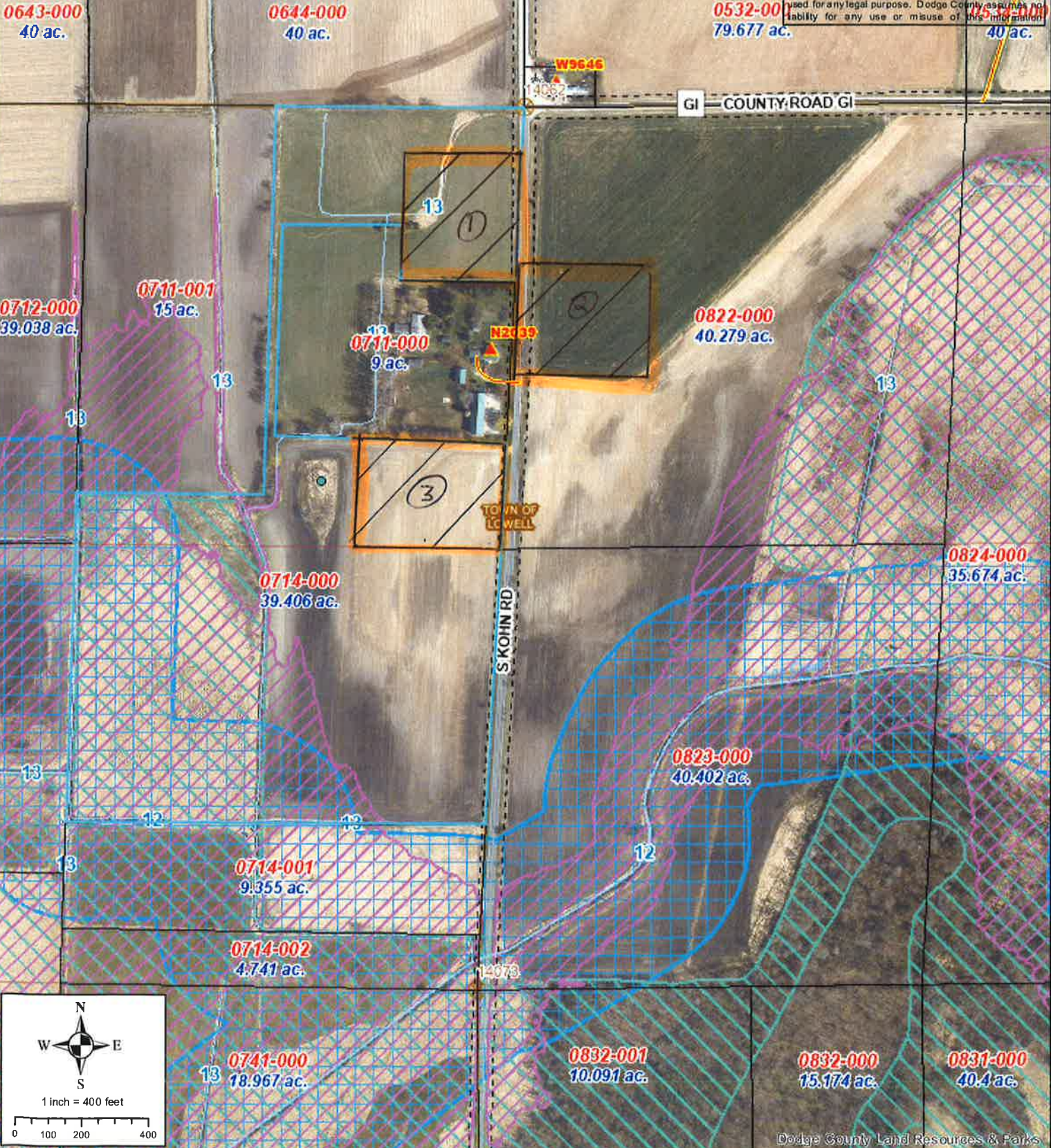
Dated: \_\_\_\_\_

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



# LRP QMap

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



Dodge County Land Resources & Parks

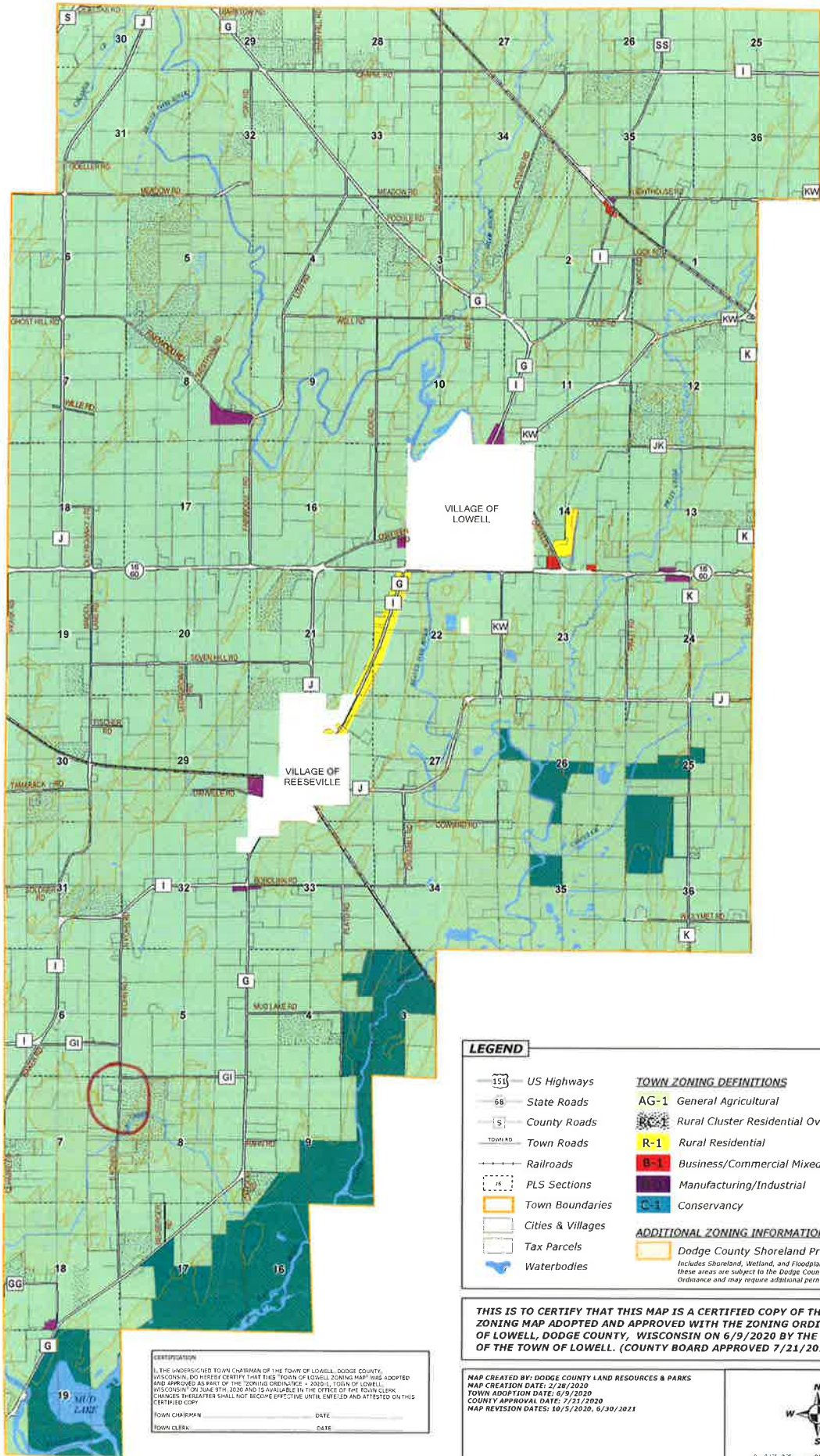
General	WI Historical Society	Floodplain / Wetland	Shoreland Zoning	County Zoning
Urbanized Roads	Historic Structures	FEMA Floodplain/Storage/Dam Shadow	Shoreland Zoning Buffer	Planned Unit Development
Soils	Archaeological Sites	DNR Wetland Areas/Points	Lakes/Ponds/Sloughs	Hartford Extraterritorial
Airport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

*AG-1 General Ag*

Date: 2/22/2022



# TOWN OF LOWELL ZONING MAP

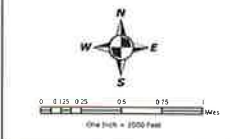


**LEGEND**

	US Highways	<b>TOWN ZONING DEFINITIONS</b>
	State Roads	AG-1 General Agricultural
	County Roads	R-1 Rural Cluster Residential Overlay
	Town Roads	R-1 Rural Residential
	Railroads	B-1 Business/Commercial Mixed Use
	PLS Sections	MI Manufacturing/Industrial
	Town Boundaries	CS Conservancy
	Cities & Villages	<b>ADDITIONAL ZONING INFORMATION</b>
	Tax Parcels	DS Dodge County Shoreland Protection Overlay
	Waterbodies	<small>Includes Shoreland, Wetland, and Floodplain. Activities within these areas are subject to the Dodge County Shoreland Protection Ordinance and may require additional permits at the County level.</small>

**THIS IS TO CERTIFY THAT THIS MAP IS A CERTIFIED COPY OF THE OFFICIAL ZONING MAP ADOPTED AND APPROVED WITH THE ZONING ORDINANCE, TOWN OF LOWELL, DODGE COUNTY, WISCONSIN ON 6/9/2020 BY THE TOWN BOARD OF THE TOWN OF LOWELL. (COUNTY BOARD APPROVED 7/21/2020)**

MAP CREATED BY: DODGE COUNTY LAND RESOURCES & PARKS  
 MAP CREATION DATE: 2/28/2020  
 TOWN ADOPTION DATE: 6/9/2020  
 COUNTY APPROVAL DATE: 7/21/2020  
 MAP REVISION DATES: 10/5/2020, 6/30/2021



**CERTIFICATION**

I, THE UNDERSIGNED TOWN CHAIRMAN OF THE TOWN OF LOWELL, DODGE COUNTY, WISCONSIN, DO HEREBY CERTIFY THAT THIS TOWN OF LOWELL ZONING MAP WAS ADOPTED AND APPROVED AS PART OF THE ZONING ORDINANCE # 2015-1, TOWN OF LOWELL, WISCONSIN ON 6/9/2020 AND IS AVAILABLE AT THE OFFICE OF THE TOWN CLERK. CHANGES HEREAFTER SHALL NOT BECOME EFFECTIVE UNTIL ENTERED AND ATTESTED ON THIS CERTIFIED COPY.

TOWN CHAIRMAN: \_\_\_\_\_ DATE: \_\_\_\_\_  
 TOWN CLERK: \_\_\_\_\_ DATE: \_\_\_\_\_

# Land Resources and Parks Department Staff Report

**Town Rezoning Petition #** 2022-0109

**Filing Date:** February 7, 2022

**Committee Review Date:** March 21, 2022

**Applicant / Owner:**

Harlan and Patricia Hahn  
563 Island View Circle  
Hustisford, WI 53034

**Location:**

PIN# 032-0914-0931-000; 032-0914-0924-000;

NE ¼ of the SW ¼, Section 9, T9N, R14E, Town of Shields, Dodge County, Wisconsin, along the west end of Hahn Road.

**Request:**

Petition to rezone approximately 2.43-acres of land under the Town of Lowell Zoning Ordinance, from the AG1 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.

**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 applicant owns approximately 65.5-acres of land at this location along the west end of Hahn Road. The proposed development project for this site will include the creation of an approximate 2.43-acre lot, the extension of Hahn Road to the west and the construction of a turn-around at the end of Hahn Road per Town Road standards. The area of the proposed 2.43-acre lot will be rezoned into the RC-1 Rural Residential District to allow for the construction of a non-farm residence on this site.

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

The County has Shoreland Jurisdiction over portions of the property.

- The proposed 2-acre area to be rezoned is not designated as wetlands.

County has Floodplain jurisdiction over portions of the property.

- The proposed 2-acre area to be rezoned is not designated as floodplain.

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

Land Use, Site: Agricultural

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

Designated Archaeological Site:    Yes             No

The proposal is consistent with the Dodge County Comprehensive Plan:

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

**Town Purpose Statements**

The purpose of the 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.

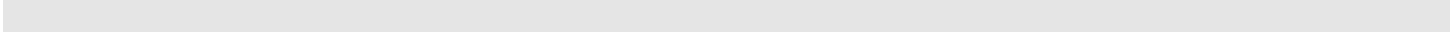
The purpose of the RC-1 Rural Cluster Residential Overlay District is to provide for single-family residential development clustered in small groups in order to preserve the rural and natural environment. The residential density standard in this district is 1 housing unit per 25-acres.

**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 #** 2022-0109

**Filing Date:** February 7, 2022

**Committee Review Date:** March 21, 2022

**Applicant / Owner:**

Harlan and Patricia Hahn  
563 Island View Circle  
Hustisford, WI 53034

**Location:**

PIN# 032-0914-0931-000; 032-0914-0924-000;  
NE ¼ of the SW ¼, Section 9, T9N, R14E, Town of Shields, Dodge County, Wisconsin, along the west end of Hahn Road.

**Request:**

Petition to rezone approximately 2.43-acres of land under the Town of Lowell Zoning Ordinance, from the AG1 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.

**CONCLUSIONS OF LAW**

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

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

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

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

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

Comments

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

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

**Vote**

Allen Behl	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
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

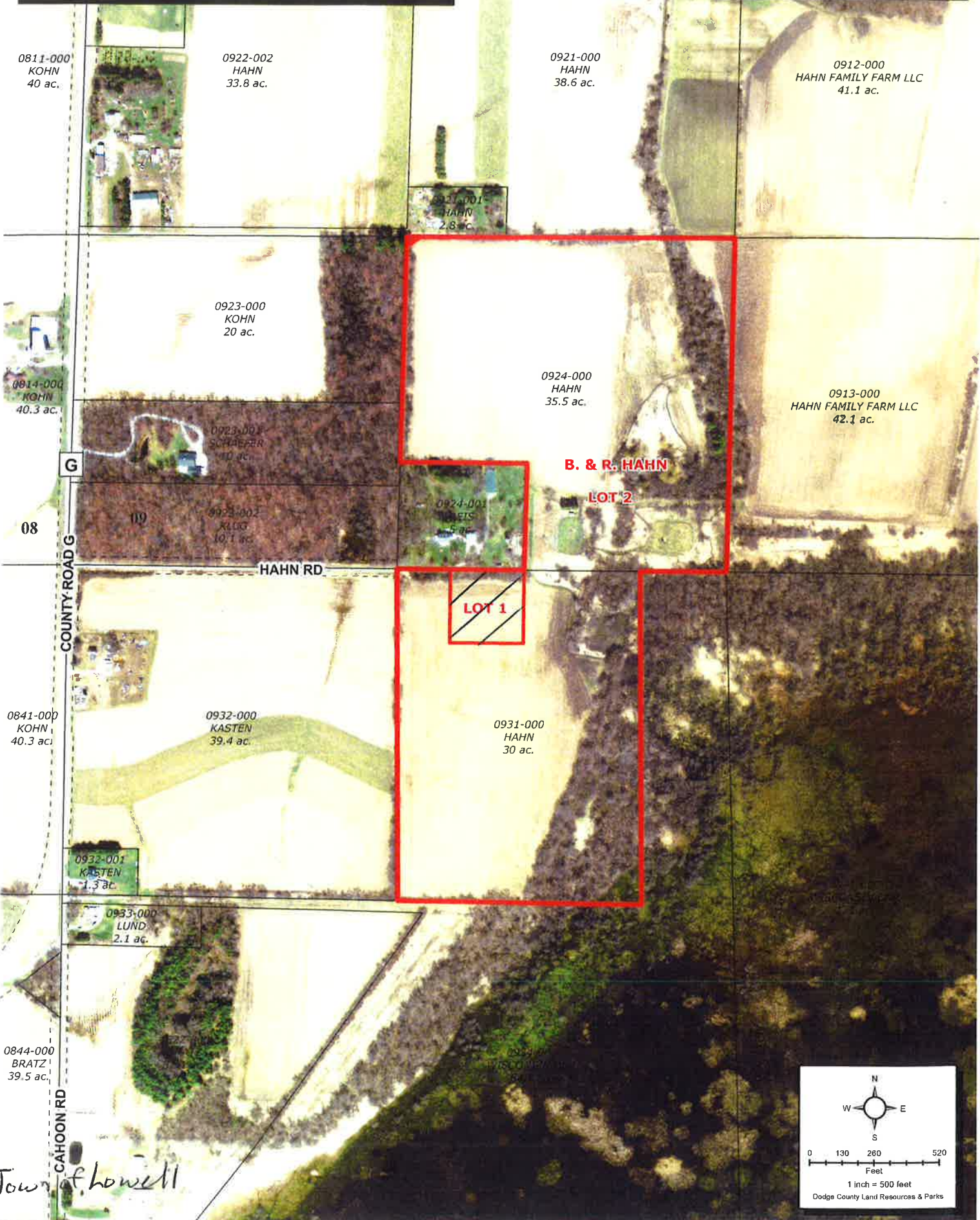
Signed \_\_\_\_\_ Attest \_\_\_\_\_  
Chairperson Secretary

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

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

# Bonnie & Randal Hahn Town of Lowell, Sec. 7 (0914)

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Rezone 2.43 Acres — A61 General Agricultural to R6-1 Rural Residential



**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. <b>220022</b>	Permit Issued Date
Application Date: <b>1-12-22</b>	Receipt #: <b>36795</b>
	Sanitary Permit #:

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

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

(1) NAMES & MAILING ADDRESSES	(2) PROPERTY DESCRIPTION
Applicant (Agent) <b>Kathrina Dalgren</b>	Parcel Identification Number (PIN) <b>002-0917-0821-000</b>
Street Address <b>1141 Pine Ridge Ct</b>	Town <b>Ashippun</b>
City • State • ZipCode <b>Oconomowoc, WI 53066</b>	T 9 N 17 E
Property Owner (If different from applicant)	Subdivision or CSM (Volume/Page/Lot)
Street Address	Address Of Property (DO NOT include City/State/ZipCode) <b>Nesho WI W2319 County Road mm 53059</b>
City • State • ZipCode	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

(3) PROPERTY USE	(4) PROPOSED PROJECT
<p align="center"><b>Current Use Of Property</b></p> <input checked="" type="checkbox"/> Vacant Property <input type="checkbox"/> Single-Family Residential <input type="checkbox"/> Active-Working Farm Operation <input type="checkbox"/> Business • Industrial • Commercial • (Describe below) Other _____	<p align="center"><b>(Please check/complete all that apply below)</b></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"/> <b>Expand Business</b> <input type="checkbox"/> Wildlife Pond > 2-acres <input type="checkbox"/> Wireless Communications Tower <input type="checkbox"/> Contractor's Offices and Storage Yards <input type="checkbox"/> Filling, Grading or Dredging in the Shoreland District Other: <b>firewood processing, no structures planned, "use" only</b>
<p align="center"><b>DNR Notice</b></p> <p><b>DNR NOTICE:</b> You are responsible for complying with State and Federal laws concerning construction on or near wetlands, lakes and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources Wetlands Identification Web Page (<a href="http://www.dnr.state.wi.us">www.dnr.state.wi.us</a>) or contact a Department of Natural Resources Service Center.</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 **Kathrina Dalgren** Date **1/5/22**  
 Daytime Contact Number **(414) 507-6126**

**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: _____

January 17, 2022

Re: Conditional Use Permit  
County ID 2022-0022  
Site Location: PIN# 002-0917-0821-000  
Site Address W2319 County Road MM

Attn: Joseph Giebel or Appointed,

In response to your request for further information for the conditional use permit, please review attached documents.

Homesite construction is set to begin March 2022. The driveway and home is spec'd.

The proposed business is outdoor firewood processing. I was advised to obtain a permit for the "land use", even though no other structures are planned.

The wood is sourced from local tree services and not from the property itself, as part of property is protected by MFL.

What is proposed on the attached survey is a single family dwelling, permits are in process by the builder already for that project.

There are no plans for additional structures, lighting, sanitation, driveways, or signage for this business. There is no hazardous waste as a result of this business.

Hours of operation are daylight hours only.

All equipment and firewood will be stored outside.

There is only one full time, self-employed, worker onsite.

Please feel free to reach out by phone or email for any further information requested.

Thank you!

Katrina Dalgren  
414-507-6126  
t\_dalgren@yahoo.com



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39.33' 128' 129.95'  
W2347  
(1) #7182  
284' 49/230  
0821-001  
2 ac.  
297.86'  
302.9'

ROW

W2319

driveway

homesite

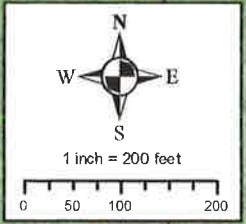
0821-000  
35.961 ac.

firewood processing

TOWN OF ASHIPUN

0822-000  
28.338 ac.

0824-000  
39.8 ac.



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

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.

39.33' 128' 129.95'  
W2341  
284' (1) #7182  
49/230  
0821-001  
2 ac.  
297.86'  
302.9'

\* no structures planned at this time

0822-000  
28.338 ac.

0821-000  
35.961 ac.

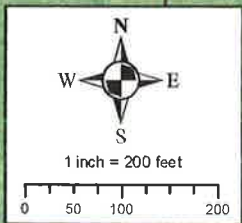
TOWN OF ASHIPUN

A1

← lean to shed

A2

0824-000  
39.8 ac.



Dodge County Land Resources & Parks

<b>General</b>	<b>WI Historical Society</b>	<b>Floodplain / Wetland</b>	<b>County Zoning</b>
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	<b>Shoreland Zoning</b>	General Agricultural
Sewer Service Areas	<b>Non-Metallic Mining</b>	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

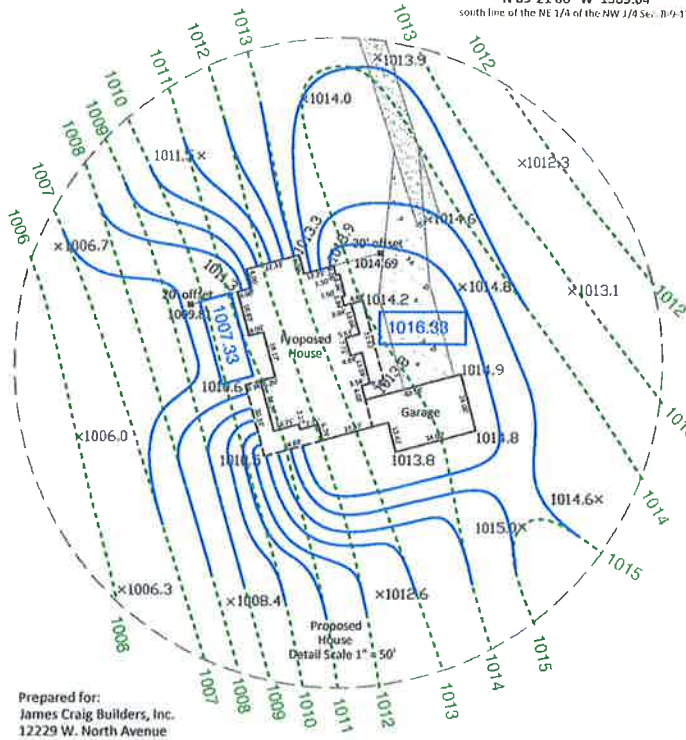
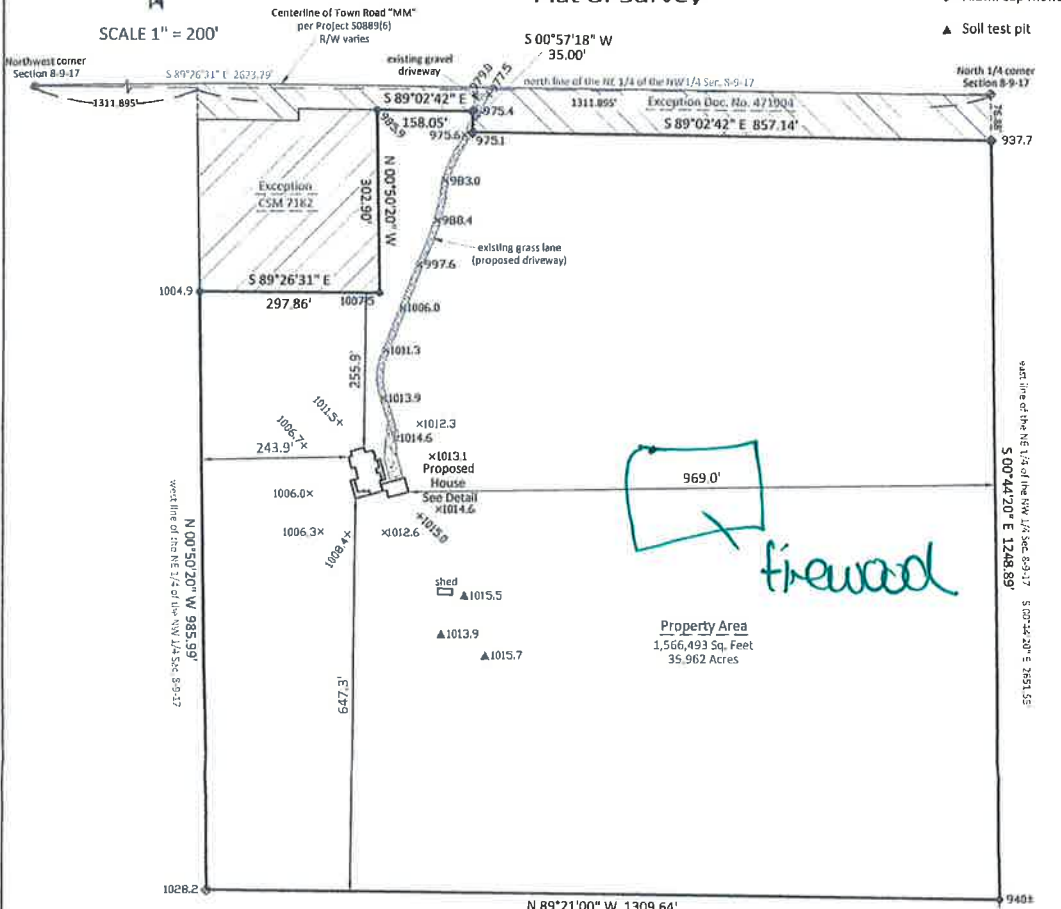
# Bernklau Surveying, Inc.

N60 W25864 Walnut Road  
Sussex, WI 53089  
(262) 538-0708  
www.bernklausurveying.com

## Plat of Survey

### LEGEND

- ◆ 1" iron pipe found
- 3/4" iron rod found
- ◆ 3/4" rebar set
- Mag Nail Found
- ◆ Alum. cap monument found
- ▲ Soil test pit



### Survey Notes:

Offsets shown to the proposed house foundation.

This survey does not guarantee location or existence of any easements that may be part of this property. A Title Policy was not provided to Bernklau Surveying, Inc.

Suggested yard grade = 1016.33/1007.33

Suggested top of foundation elevation = 1017.00

Suggested garage floor elevation = 1016.67

Suggested top of footing elevation = 1008.00 (9' wall)

### Legal Description Provided:

The Northeast 1/4 of the Northwest 1/4, Section 8, Township 9 North, Range 17 East, Town of Ashippun, Dodge County, Wisconsin, EXCEPTING THEREFROM premises conveyed to Dodge County by Warranty Deed recorded in Volume 316 of Deeds at page 256 as Document No. 471904. EXCEPT Certified Survey Map No. 7182 as recorded in Volume 49 of Surveys at page 230.

I, Thomas M. Bernklau, Professional Land Surveyor, certify that I have surveyed the above described property to the official records, to the best of my knowledge and belief, and that the map shown hereon is a true representation thereof, and shows the site and location of the property, its exterior boundaries, the location and dimensions of all visible structures thereon, boundary fences, apparent easements, and all visible encroachments, if any.

This survey is made for the exclusive use of the present owners of the property; also those who purchase, mortgage or guarantee title thereto, within one year hereof.

Date December 15, 2021  
Revised December 21, 2021

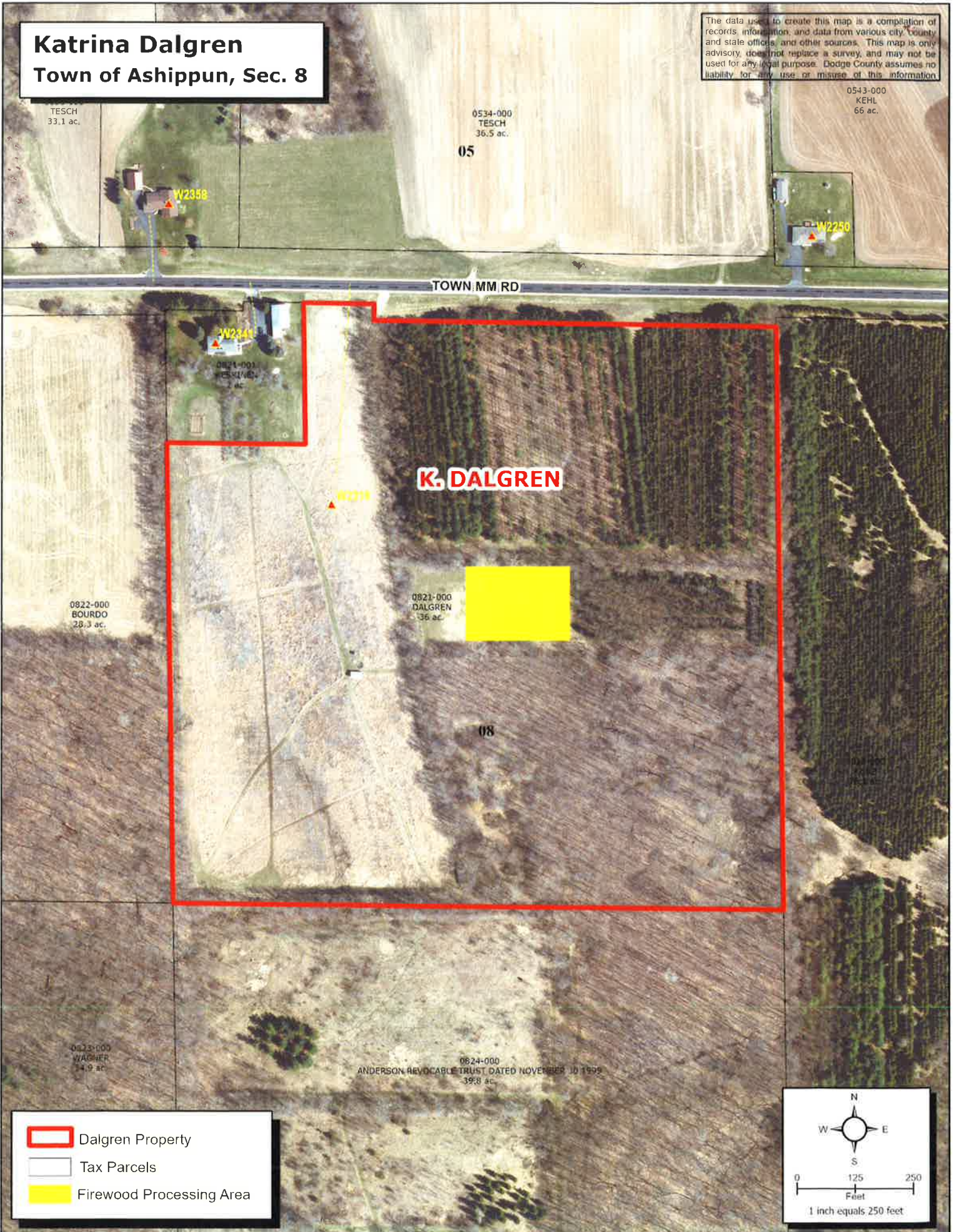


Prepared for:  
James Craig Builders, Inc.  
12229 W. North Avenue  
Wauwatosa, WI 53226

Owner: Dalgren

# Katrina Dalgren Town of Ashippun, Sec. 8

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.



- Dalgren Property
- Tax Parcels
- Firewood Processing Area

1 inch equals 250 feet

# Land Resources and Parks Department Staff Report

**County Conditional Use Permit Application # 2022-0022**

**Filing Date:** January 12, 2022

**Date of Complete Application:** January 24, 2022

**Hearing Date:** March 21, 2022

**Applicant / Owner:**

Katrina Dalgren  
1141 Pine Ridge Ct.  
Oconomowoc, WI 53066

**Location**

PIN#: 002-0917-0821-000

Location: Part of the NE ¼ of the NW ¼ Section 8, Town of Ashippun, the site address being W2319 Town Road MM.

**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 establishment of a firewood processing business on this site.

**Project Details**

The applicant is planning on beginning construction of a residence on this site in the spring of 2022. They are also requesting approval to establish a firewood processing business on this site. The wood is sourced from local tree services and will not be obtained from the site itself. The wood will be cut and processed into firewood which will be stored outside on this site in the area shown on the site plan. The hours of operation will be during daylight hours only. All wood processing equipment will be stored outside and onsite. The applicant will be the only employee. Most firewood is delivered to the buyer, however there may be a few people that will pick up the firewood order by appointment. The business will be advertised on Facebook and by word of mouth. There are no signs planned at this time.

**County Jurisdiction**

The County has Zoning Jurisdiction over this site as the Town of Ashippun 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 "General Retail Sales and Service" as a conditional use in the A-2 General Agricultural Zoning District.

**Purpose Statement**

The purpose of the A-2 General Agricultural Zoning District is to promote areas for agriculture which are transitional, allowing for expansion of urban areas limited to rural residential development, and the conversion of agricultural land to other related uses, subject to appropriate standards.

**Physical Features of Site**

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

The County has Zoning Jurisdiction over this site as the Town of Ashippun has adopted the County's Land Use Code. The property is located within the A-1 Prime Agricultural and A-2 General Agricultural Zoning Districts. The proposed business will be located within the A-2 General Agricultural Zoning District.

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

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

Land Use, Site: Open space recreational and woodlot.

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

Designated Archaeological Site:    Yes             No

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 of the 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 and the staff believes that the Committee can 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 and 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 business operation on this site.
3. All exterior lighting shall meet the functional and security needs of the proposed development without adversely affecting adjacent properties.
4. Any significant change to or expansion of the business operation and/or of its facilities may require that a new Conditional Use Permit be obtained.
5. 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.
6. 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 business is constructed and operated in compliance with the development standards of the code, 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 business is operated 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;

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

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

- It is the staff's position that the proposed 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 # 2022-0022**

**Filing Date:** January 12, 2022

**Date of Complete Application:** January 24, 2022

**Hearing Date:** March 21, 2022

**Applicant / Owner:**

Katrina Dalgren  
1141 Pine Ridge Ct.  
Oconomowoc, WI 53066

**Location**

PIN#: 002-0917-0821-000

Location: Part of the NE ¼ of the NW ¼ Section 8, Town of Ashippun, the site address being W2319 Town Road MM.

**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 establishment of a firewood processing business on this site.

**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?

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

(Yes / No / Not Applicable)

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

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

(Yes / No/ Not Applicable)

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

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

(Yes / No)

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

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

(Yes / No)

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

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**2.3.6.F.1** Does the proposed project comply with all applicable provisions of this Code for the A-2 General Agricultural Zoning District?

(Yes / No)

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

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

(Yes/No)

1. The business operation shall be conducted without offensive noise, vibration, dust, smoke, odor, glare, lighting or the risk of fire, explosion or other accident and shall not be detrimental to the public health and safety or general welfare of the immediate neighborhood or community.
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 business operation on this site.
3. All exterior lighting shall meet the functional and security needs of the proposed development without adversely affecting adjacent properties.
4. Any significant change to or expansion of the business operation and/or of its facilities may require that a new Conditional Use Permit be obtained.
5. 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.
6. 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

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

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

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





**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. <b>220070</b>	Permit Issued Date
Application Date: <b>1-31-2022</b>	Receipt #: <b>4148-0015</b>
	Sanitary Permit #:

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

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

(1) NAMES & MAILING ADDRESSES	(2) PROPERTY DESCRIPTION
Applicant (Agent)	Parcel Identification Number (PIN) <b>018-1313-1541-003</b>
Street Address	Town <b>Fox Lake</b>
City • State • ZipCode	T N R E <b>13 13</b>
Property Owner (if different from applicant)	Subdivision or CSM (Volume/Page/Lot)
<b>SCOTT and OLIVIA RUPPRECHT</b>	1/4 1/4 Section Acreage Lot (Block) <b>NE SE 15 1.08</b>
Street Address	Address Of Property (DO NOT include City/State/ZipCode)
<b>W 10599 Blackhawk Trail</b>	<b>W 10599 Blackhawk Trail</b>
City • State • ZipCode	Is this property connected to public sewer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Fox Lake, WI. 53933</b>	
(3) PROPERTY USE	(4) PROPOSED PROJECT
<p align="center"><b>Current Use Of Property</b></p> <input type="checkbox"/> Vacant Property <input checked="" type="checkbox"/> Single-Family Residential <input type="checkbox"/> Active-Working Farm Operation <input type="checkbox"/> Business • Industrial • Commercial • (Describe below) Other _____	<p align="center"><b>(Please check/complete all that apply below)</b></p> <input type="checkbox"/> Non-Farm Residential Lot <input checked="" type="checkbox"/> Single Family Residence <input type="checkbox"/> Two-Family Residence <input type="checkbox"/> Multi-Family Residence <input type="checkbox"/> Tavern or Restaurant <input type="checkbox"/> Professional Office <input type="checkbox"/> Non-Metallic Mine/Quarry <input type="checkbox"/> Wind Tower <input type="checkbox"/> Create/Expand Business <input type="checkbox"/> Wildlife Pond > 2-acres <input type="checkbox"/> Wireless Communications Tower <input type="checkbox"/> Contractor's Offices and Storage Yards <input type="checkbox"/> Filling, Grading or Dredging in the Shoreland District Other: <u>in ca district</u>
DNR Notice	
<p><b>DNR NOTICE:</b> You are responsible for complying with State and Federal laws concerning construction on or near wetlands, lakes and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources Wetlands Identification Web Page (<a href="http://www.dnr.state.wi.us">www.dnr.state.wi.us</a>) or contact a Department of Natural Resources Service Center.</p>	
(5) CERTIFICATE	
<p>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.</p>	
Signature <u>[Signature]</u>	Date <u>1-30-2022</u>
Daytime Contact Number <u>(720) 352-8238</u>	
AREA BELOW THIS LINE FOR OFFICE USE ONLY	
LAND RESOURCES AND PARKS COMMITTEE ACTION	
Date of Decision _____	Decision _____
<input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	Land Resources and Parks Department _____ Date: _____

Dodge County Land Resources & Parks Dept.  
127 E. Oak Street  
Juneau, WI 53039

January 31<sup>st</sup>, 2022

Memo Re: Conditional Use Permit, W10599 Blackhawk Trail, Fox Lake, WI 53933 (Formerly known as Fish-N-Fun Tavern)

Per a recent phone discussion that I had with Joe Giebel this past week, please accept this narrative statement to supplement our Conditional Use Permit Application.

### **History**

My wife and I purchased the property back in January 2014 with the ultimate goal of reopening the restaurant/Tavern someday. The tavern had been shuttered prior to our purchase, foreclosed on by the bank, and had been neglected and in disrepair so we knew it would take a lot of work and some time before our goal could be realized. Still, we fell in love with the community and lake living and looked forward to the future.

The historical use of Fish-N-Fun was not only as a Tavern/Restaurant but also had overnight rental units above the Tavern. Our goal was never to reopen rental units, but to convert the upstairs into our personal residence while maintaining the tavern floor for commercial purposes. To that end, as part of our restoration process, and after working with a Madison architectural firm for much of a year, restoration work was completed on upgrading the plumbing, electrical, HVAC as well as structural for the residential areas during 2015-16.

It was understood that the commercial portion would need to go through a separate approval process through the state which would go beyond the commercial building codes and include regulations for the parking lot, signage, lighting, and landscaping. Best laid plans would have had us immediately initiate the state submittal but cost overruns with the first phase and personal issues with the health declines and ultimate passing of both of our mothers stalled the process. Then COVID came and along with it, a severe labor shortage in the hospitality service industry. At this time, it is unknown as to what the future might hold with these issues but a reopening of the commercial establishment isn't viable at this time. Our request for this conditional use permit is to allow us to complete the main floor for our own personal and family enjoyment, while maintaining the commercial zoning as we wait out the pandemic and hope that a younger family member at some point will see this as an opportunity to realize a dream in the hospitality industry and address the state codes remaining at that time.

### **Current Project**

There are 3 components to the current project-

1. Update the garage with new siding/roof and a new overhead door using the same materials as was used on the house.

2. Build a replacement exterior egress on the east side of the property, previously approved by Dodge County but not completed at the time. The original egress was in disrepair and was removed during the initial build.
3. Remodel the tavern floor for personal enjoyment which would include rest room facilities, an open game room, a larger kitchen than is currently available on the upper residential floor, and a pantry. Some of the updates needed for commercial purposes will include separate men's/women's rest rooms that are ADA compliant.

We have had the good fortune of having Jay Fredrick of JDF Builders remain as our general contractor. Jay can be reached for any technical questions at (920) 210-8684 or [jay@jdbuilders.com](mailto:jay@jdbuilders.com).

Please find below before and after pictures of the property. My wife and I look forward to discussing these plans with you and will answer any of the questions that you may have.

Respectfully submitted,

Scott & Olivia Rupprecht  
608-346-1203 / [orupp55@yahoo.com](mailto:orupp55@yahoo.com)

#### Before



**After**

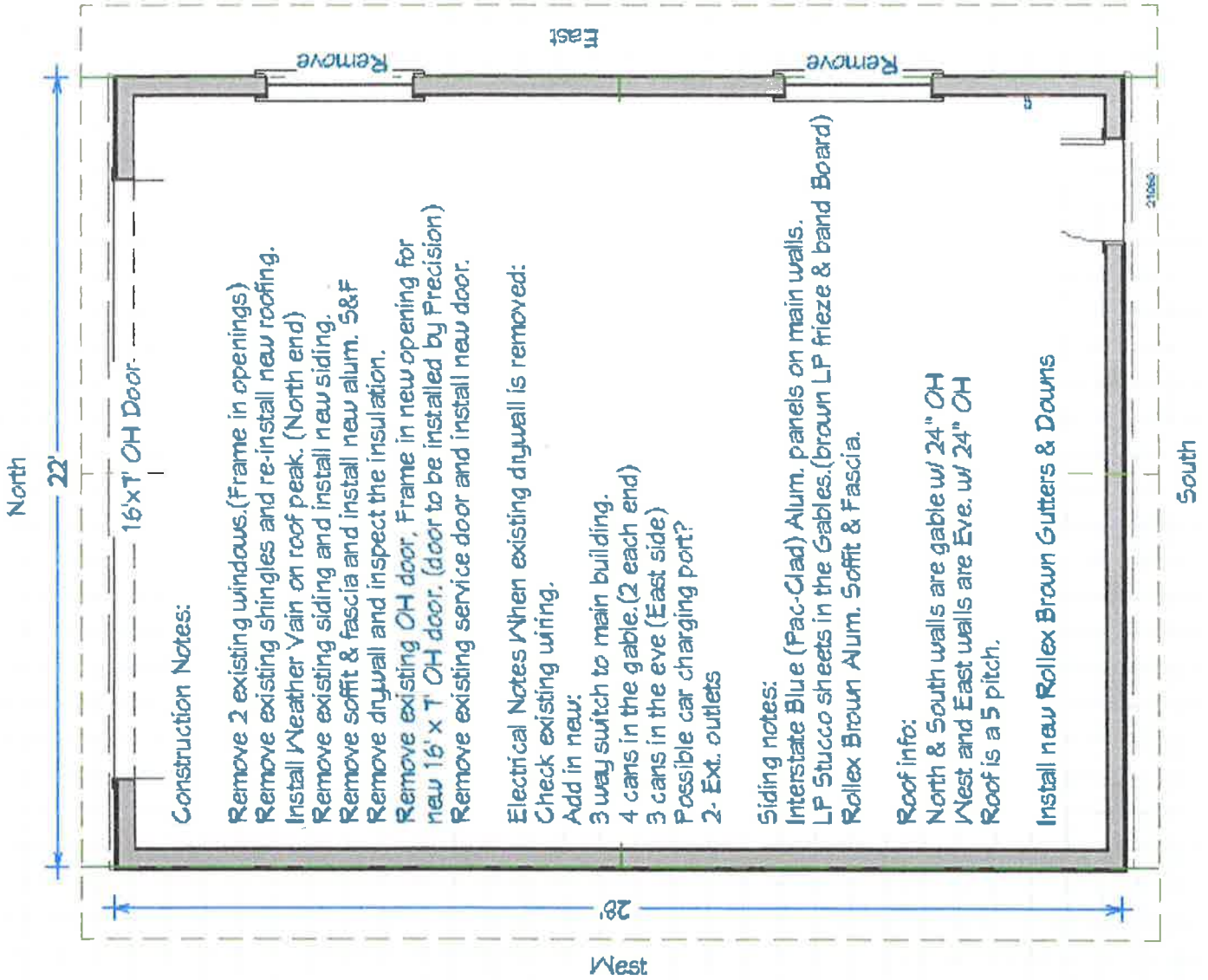




SDF/RUPPRECHT  
Garage Notes

THIS IS AN  
EXISTING DE-TACHED  
GARAGE.

Doing the cosmetic  
and ELECTRICAL upgrades



SDF/RUPPRECHT

Landmark Blue  
Shingles

Pollex  
Brown  
Alum. S+F

pgc-clad  
Alum. siding

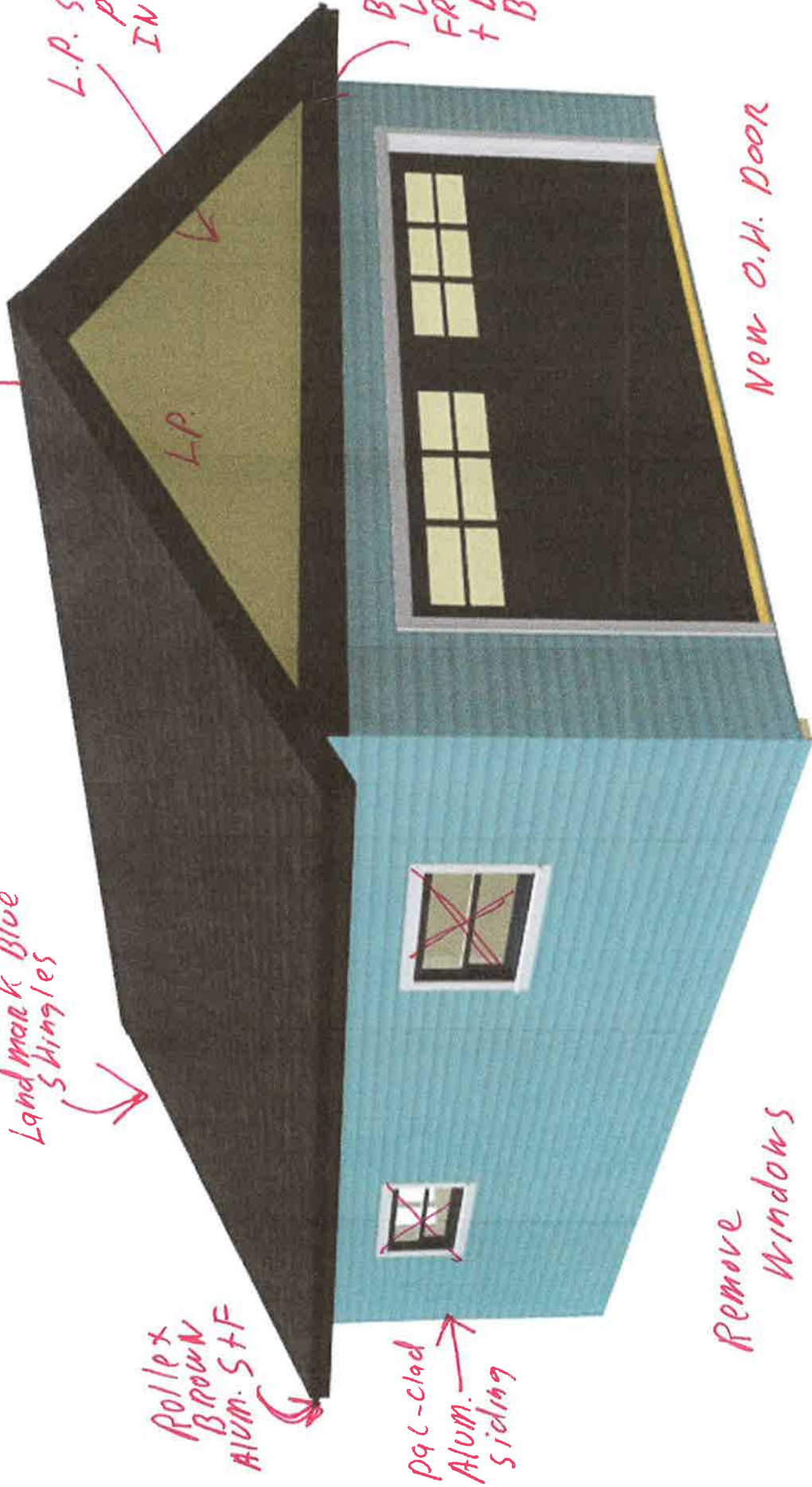
Remove  
Windows

Weather Vain ( )

L.P. STUCCO  
panels  
IN tables

Brown  
L.P.  
FREIZE  
+ Band  
Board

New O.H. Door



JDF / Popprecht  
Deck Notes

Staircase notes:  
42" wide  
36" High Railing  
32" to 34" Graspable Handrail



2 X 8 ROOF  
RSF TENS

Knee wall 42"

2 X 10 Deck Joist

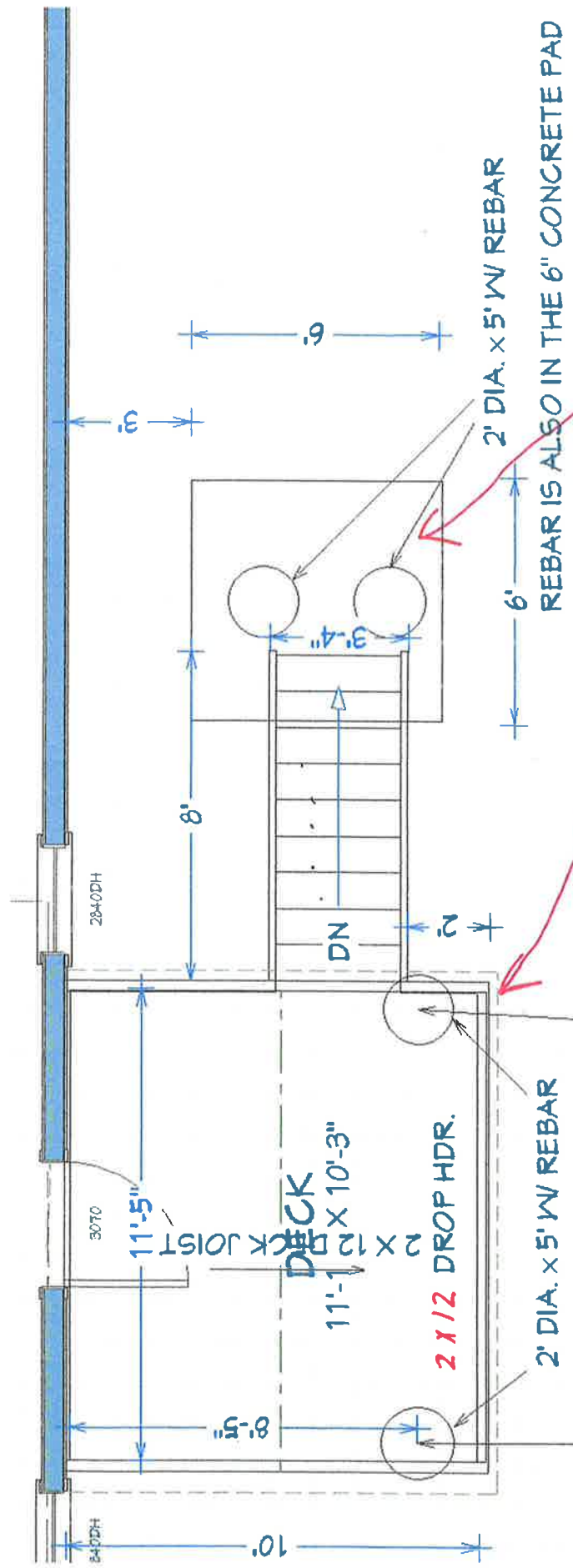
DBL. 2 X 12 Hldr.

6 X 6 Post  
w/ Post Base  
Bracket

← Pipes and pad  
were installed Back  
IN 2015 and Approved

JDF/RUPPRECHT  
covered Deck

SCOTT + OLIVIA RUPPRECHT  
W10599 Blackhawk Trail  
Fox Lake 53933



THE 2-MAIN Deck PIERS  
AND THE STAIR CONCRETE PAD WAS INSTALLED AND  
APPROVED BACK IN 2015



JDF/RUPPRECHT

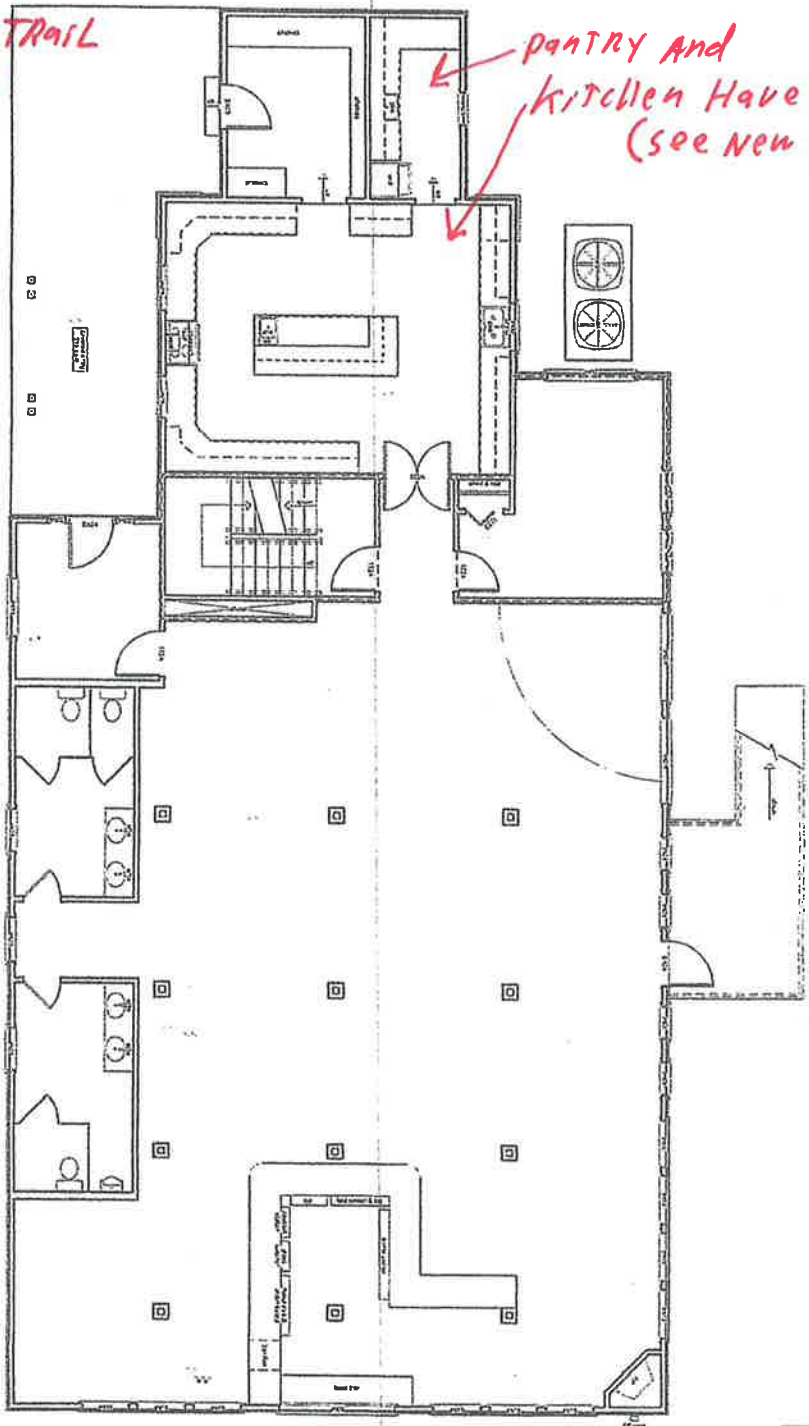
Remodel NOTES:

Original plans back in 2015

SCOTT and OLIVIA RUPPRECHT  
W10599 Blackhawk TRAIL  
Fox Lake, WI 53933

pantry and  
kitchen have a new layout.  
(see new layout attachment)

THIS Deck  
was approved  
to be built  
Back in 2015  
OWNERS Ran  
SHORT OF monies  
and was never BUILT

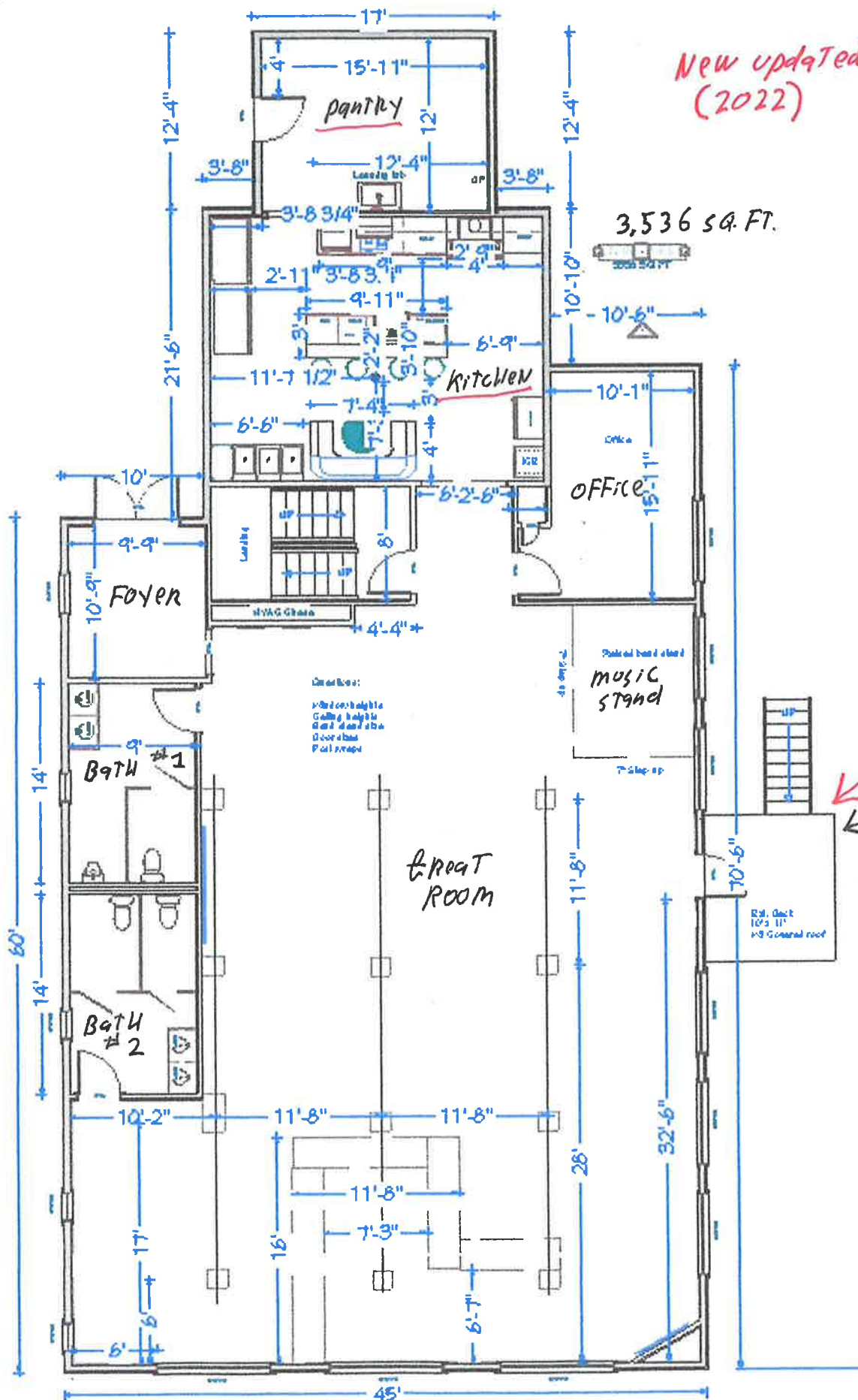


1 First Floor Plan  
Scale: 1/8" = 1'-0"

First Floor Plan Revised Notes  
1. This plan was prepared for the purpose of providing a visual representation of the proposed construction project. It is not to be used for any other purpose.  
2. The owner is responsible for obtaining all necessary permits and approvals from the local authorities.  
3. The contractor is responsible for obtaining all necessary permits and approvals from the local authorities.  
4. The architect is not responsible for any construction errors or omissions.  
5. The architect is not responsible for any construction delays or cost overruns.  
6. The architect is not responsible for any construction safety issues.  
7. The architect is not responsible for any construction quality issues.  
8. The architect is not responsible for any construction environmental issues.  
9. The architect is not responsible for any construction social issues.  
10. The architect is not responsible for any construction economic issues.  
11. The architect is not responsible for any construction political issues.  
12. The architect is not responsible for any construction legal issues.  
13. The architect is not responsible for any construction ethical issues.  
14. The architect is not responsible for any construction moral issues.  
15. The architect is not responsible for any construction religious issues.  
16. The architect is not responsible for any construction cultural issues.  
17. The architect is not responsible for any construction linguistic issues.  
18. The architect is not responsible for any construction ethnic issues.  
19. The architect is not responsible for any construction racial issues.  
20. The architect is not responsible for any construction gender issues.

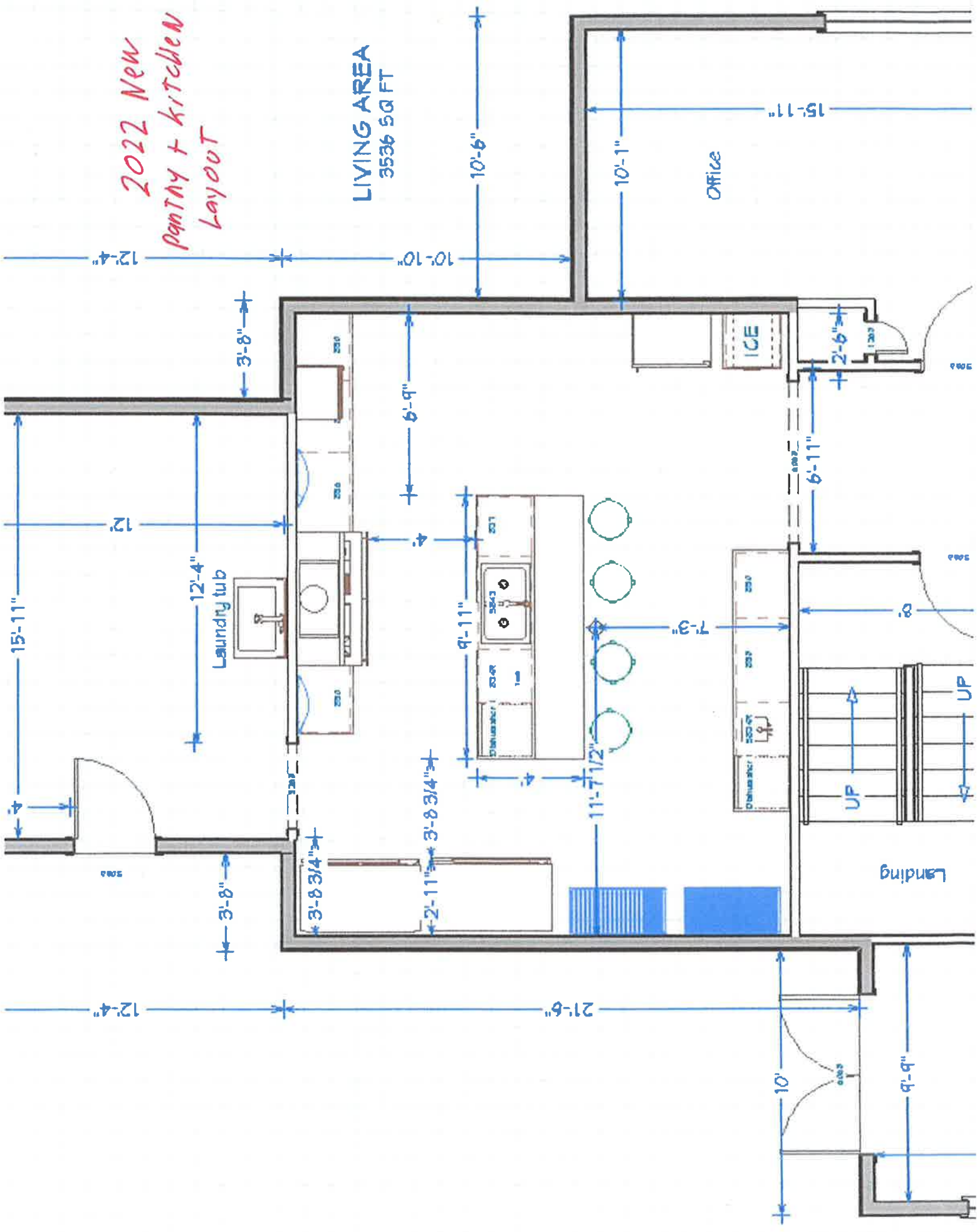
New updated Layout (2022)

3,536 sq. Ft.



2022 New  
Pantry + kitchen  
Layout

LIVING AREA  
3536 SQ FT





## PLAT OF SURVEY

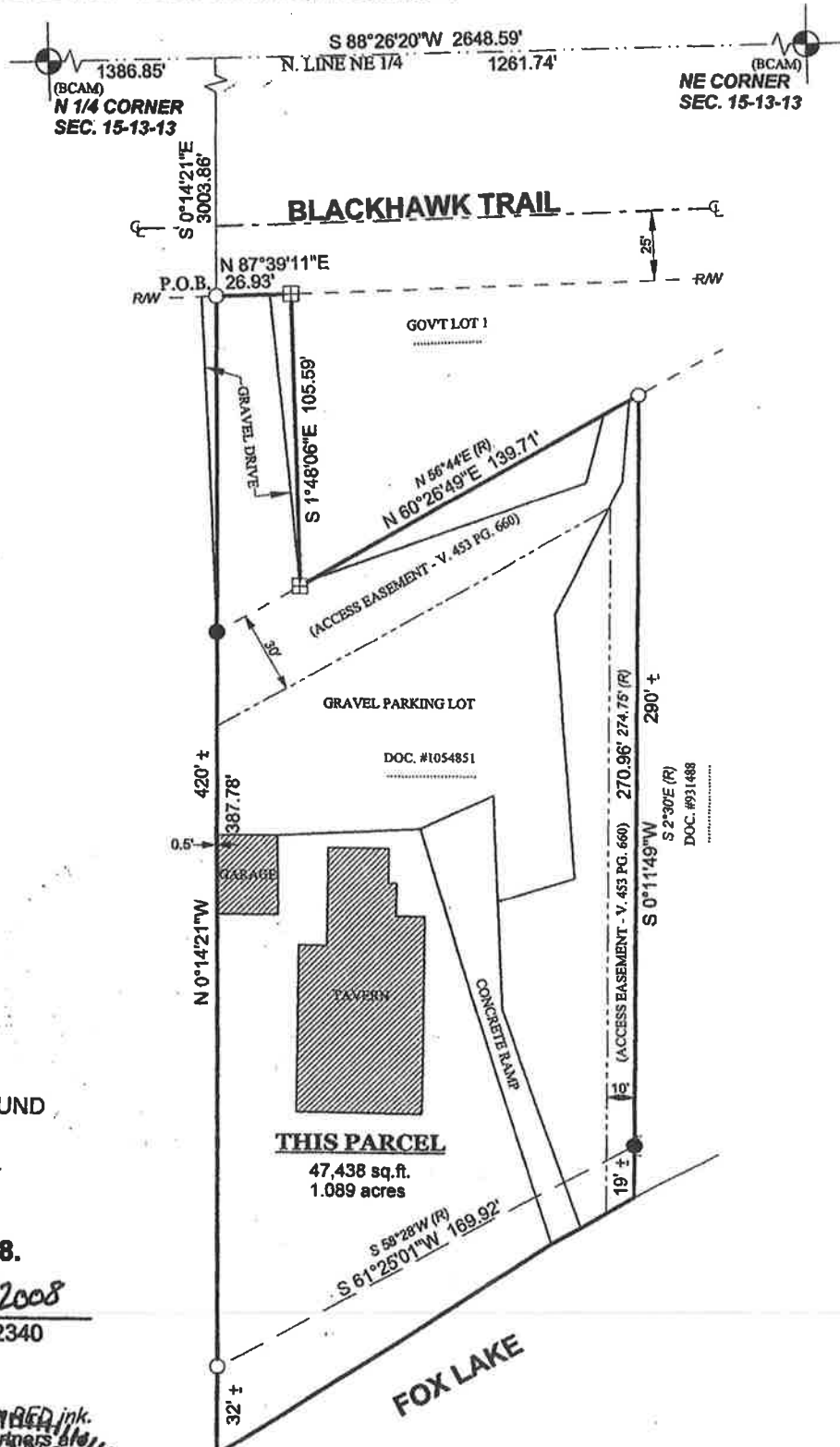
A SURVEY OF PART OF GOVERNMENT LOT 1; SAID LANDS  
 BEING LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 15,  
 T. 13N., R. 13E., TOWN OF FOX LAKE, DODGE COUNTY, WISCONSIN.

**OWNER**

Annaka L. Hayes  
 W10599 Blackhawk Trail  
 Fox Lake, WI 53933

**AGENT**

Gail Nehls



BEARINGS REFERENCED TO ASSUMED S 88°26'20"W  
 ALONG THE NORTH LINE OF THE NE 1/4, SEC. 15-13-13.



**LEGEND**

- STONE MONUMENT FOUND
- IRON PIPE FOUND
- 1" X 18" IRON PIPE SET
- (R) RECORDED

\*DUPLICATE ORIGINAL\*

Dated this 4th day of June, 2008.

*Mark R. Tomashek 4th June 2008*

Mark R. Tomashek WI RLS No. S-2340  
 New Frontier Land Surveying, LLC  
 at Beaver Dam, Wisconsin

COPY OF ORIGINAL only if stamped in RED ink.  
 New Frontier Land Surveying and its partners are  
 NOT liable for reproduced non-certified copies.



# Land Resources and Parks Department Staff Report

**County Conditional Use Permit Application # 2022-0070**

**Filing Date: January 31, 2022**

**Hearing Date: March 21, 2022**

**Applicant / Owner:**

Scott and Olivia Rupprecht  
W10599 Blackhawk Trail  
Fox Lake, WI 53933

**Location**

PIN#: 018-1313-1541-003

Location: Part of the NE ¼ of the SE ¼, Section 15, T13N, R13E, Town of Fox Lake, the site address being W01599 Blackhawk Trail.

**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 establishment of a single family residential use within the C-2 Extensive Commercial Zoning District.

**Project Details**

The applicants purchased the Fish-n-Fun Tavern in 2014 with the ultimate goal of reopening the restaurant and tavern use in the future. The tavern/restaurant is located on the first floor and there were rental units on the second floor. Their goal was to convert the upstairs into single family residential use for their personal use while maintaining the lower level floor for commercial purposes. The restoration work has been completed for the second floor for the plumbing, electrical, HVAC and as well as the structural components. At this time, they have also decided to convert the old tavern space into residential use for their own personal use while maintaining the potential for converting this space back into commercial use in the future.

**County Jurisdiction**

The County has Zoning Jurisdiction over this site as the Town of Fox Lake 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 "Single Family Residential Use, Taverns and Restaurants" as a conditional use in the C-2 Commercial Zoning District.

**Purpose Statement**

The purpose of the C-2 Extensive Commercial Zoning District is to promote commercial areas for larger retail, wholesale, service and office uses, and outdoor sales lots, and other such uses which primarily depend upon vehicular access and constitute single destinations, 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 Fox Lake has adopted the County's Land Use Code. The site is located within the C-2 Extensive Commercial Zoning District.

The proposed conditional use permit is required by the Code in order to bring the residential use of this property into compliance with the Code.

The County has Shoreland Jurisdiction over this site as the site is located within 1000 feet of the ordinary highwater mark of Fox Lake. The property is not located within a wetland district.

The County has floodplain jurisdiction over this site as portions of the site are designated as floodplains on the maps listed in Section 1.5(2)a of the Dodge County Floodplain Zoning Ordinance. The structure is not located within the floodplain district.

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

Land Use, Site: Residential

Land Use, Area: Mixture of year-round and seasonal single family and multi-family residential homes and small businesses along the shoreline of Fox Lake.

Designated Archaeological Site:    Yes             No

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 of the code. The staff comments are listed in Exhibit A for review by the committee.

It is the staff's position that the proposed residential use of the property is consistent with the neighboring uses and the project is in compliance with the applicable provisions of the Dodge County Land Use Code. It is the staff's position 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. A county land use permit shall be obtained for the proposed project prior to beginning construction. If the applicant intends to convert this space back into commercial use in the future, it is recommended that any proposed upgrades to the structure be reviewed and approved by the applicable municipality inspector for compliance with the residential and commercial codes to prevent compliance issues in the future.
2. Any proposed exterior additions to the structure shall be reviewed and approved by the County for compliance with the impervious surface area provisions of the Code.
3. This conditional use permit allows the residential use of this structure within the C-2 Extensive Commercial Zoning District. If this structure is converted into a commercial use in the future, all required permits and approvals shall be obtained prior to the establishment or the conversion of this structure for commercial use.
4. 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.
5. 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 the residential use of this structure is consistent with the adjacent single family and multi-family residential 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 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;

**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 if the project is constructed in compliance with the development standards of the code, the proposal will not have a significant detrimental impact on the 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 project 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 # 2022-0070**

**Filing Date: January 31, 2022**

**Hearing Date: March 21, 2022**

**Applicant / Owner:**

Scott and Olivia Rupprecht  
W10599 Blackhawk Trail  
Fox Lake, WI 53933

**Location**

PIN#: 018-1313-1541-003

Location: Part of the NE ¼ of the SE ¼, Section 15, T13N, R13E, Town of Fox Lake, the site address being W01599 Blackhawk Trail.

**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 establishment of a single family residential use within the C-2 Extensive Commercial Zoning District.

**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?

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

(Yes / No/ Not Applicable)

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

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

(Yes / No)

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

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

(Yes / No)

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

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

(Yes / No)

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

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

(Yes/No)

1. A county land use permit shall be obtained for the proposed project prior to beginning construction. If the applicant intends to convert this space back into commercial use in the future, it is recommended that any proposed upgrades to the structure be reviewed and approved by the applicable municipality inspector for compliance with the residential and commercial codes to prevent compliance issues in the future.
2. Any proposed exterior additions to the structure shall be reviewed and approved by the County for compliance with the impervious surface area provisions of the Code.
3. This conditional use permit allows the residential use of this structure within the C-2 Extensive Commercial Zoning District. If this structure is converted into a commercial use in the future, all required permits and approvals shall be obtained prior to the establishment or the conversion of this structure for commercial use.
4. 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.
5. 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

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

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

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

**Vote**

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

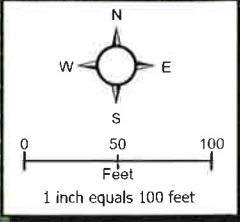
Signed \_\_\_\_\_ Attest \_\_\_\_\_  
Chairperson Secretary

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

# Scott & Olivia Rupprecht

## Town of Fox Lake, Sec. 15

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



# Land Resources and Parks Department Staff Report

**County Rezoning Petition # 2022-0080**

**Filing Date: February 3, 2022**

**Hearing Date: March 21, 2022**

**Applicant / Owner:**

Christian Hill Holdings LLC  
N10523 State Road 175  
Lomira, WI 53408

**Location**

PIN# 030-1317-2243-001; 030-1317-2243-002;  
Part of the SW ¼ of the SE ¼, Section 22, Town of Lomira.

**Applicants Request**

A rezoning petition has been submitted by the applicant in order they be allowed to rezone approximately 45.7-acres of land from the A-2 General Agricultural Zoning District to the A-1 Prime Agricultural zoning district to allow this land to be eligible for the Farmland Preservation Program.

**Land Use Code Provisions**

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

**Purpose Statements**

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.

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 rezoning 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 County has Shoreland Jurisdiction over portions of the lots to be rezoned.

- Portions of the north lot are designated as wetlands.

The area to be rezoned is located within the County's Floodplain jurisdiction.

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

Land Use, Site: Agricultural

Land Use, Area: Agricultural with scattered residences along STH 175.

Designated Archaeological Site:    Yes             No

The proposal is consistent with the Dodge County Comprehensive Plan:

- The site is designated as agricultural according to the County's Future Land Use Map.
- An amendment to the Farmland Preservation Plan Map has been filed with the Department to amend the Farmland Preservation Plan Map to place the land into the "Areas of Agricultural use and Agricultural -Related Use category" so that the applicant can be eligible for the Farmland Preservation Program credits.

Town Recommendation

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

**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 petition for compliance with the approval criteria listed in Section 2.3.4.I of the Code with Chapter 91.48 of the Wisconsin State Statutes. The staff comments are listed in Exhibit A for the Committee review.

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

## Exhibit A

### 2.3.4.I Approval Criteria

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

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

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

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

- It is the staff's position that the continued use of the land for agricultural purposes will not place an unreasonable burden on the ability of the Town to provide adequate public facilities or services;

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

- It is the staff's position that continued use of the property for agricultural purposes will not have an unreasonable adverse effect on surrounding properties or the environment;

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

- It is the staff's position that the area to be rezoned is suitable for agricultural use and if the land is developed in accord with the land use code provisions, the project will not cause unreasonable soil erosion;

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

- It is the staff's position that the proposal is consistent with the Dodge County Comprehensive Plan as the site is designated as agricultural according to the County's Future Land Use Map.
- It is the staff position that the amendment to the Farmland Preservation Plan Map will be required to approved by the County Board to place the land into the "Areas of Agricultural use and Agricultural -Related Use category" before the applicant will be eligible for the Farmland Preservation Program credits.

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

- It is the staff's position that the proposed rezoning is consistent with the County's Future Land Use Map as this site is designated as agriculture. Therefore it is the staff's position that the proposed rezoning will not result in spot rezoning.

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

- It is the staff's position that the proposed rezoning is the minimum action necessary to accomplish the intent of the petition;

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

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

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

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

**County Rezoning Petition # 2022-0080**

**Filing Date: February 3, 2022**

**Hearing Date: March 21, 2022**

**Applicant / Owner:**

Christian Hill Holdings LLC  
N10523 State Road 175  
Lomira, WI 53408

**Location**

PIN# 030-1317-2243-001; 030-1317-2243-002;  
Part of the SW ¼ of the SE ¼, Section 22, Town of Lomira.

**Applicants Request**

A rezoning petition has been submitted by the applicant in order they be allowed to rezone approximately 45.7-acres of land from the A-2 General Agricultural Zoning District to the A-1 Prime Agricultural zoning district to allow this land to be eligible for the Farmland Preservation Program.

**CONCLUSIONS OF LAW**

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

**2.3.4.I Approval Criteria**

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

(Yes / No / N/A);

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

**2.3.4.I.2** Will the provision of public facilities to this project place an unreasonable burden on the ability of affected local units of government to provide them?

(Yes / No / N/A);

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

**2.3.4.I.3** Will the proposed development result in significant adverse impacts upon surrounding properties or the natural environment? (air, water, noise, stormwater management, soils, wildlife, and vegetation)

(Yes / No / N/A);

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

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

(Yes / No / N/A);

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

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

(Yes / No / N/A);

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

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

(Yes / No / N/A);

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

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

(Yes / No / N/A);

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

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

Has the Town submitted a recommendation regarding this request?

( Yes / No )

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

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

Yes;

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

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



**Committee Action**

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

**( Yes / No )**

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

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

**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 – REZONING PETITION**

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

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

Dodge County Land Resources and Parks Committee

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

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

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



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

# REZONING PETITION

THIS AREA FOR OFFICE USE ONLY	
Activity No. <b>220080</b>	Application Date: <b>2-3-2022</b>
	Receipt #: <b>9148-0025</b>

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

NAMES & MAILING ADDRESSES	PROPERTY DESCRIPTION
Petitioner (Agent) <b>Christian Hill Holdings LLC</b>	Parcel Identification Number (PIN) <b>030-1317-</b> <b>2243-001, 2243-002</b>
Street Address <b>W10523 St Hwy D5</b>	Town <b>of Lomira</b>
City • State • ZipCode <b>Lomira WI 53048</b>	Section <b>22</b>
Property Owner (If different from petitioner)	Subdivision or CSM (Volume/Page/Lot)
Street Address	Address Of Property (DO NOT include City/State/ZipCode)
City • State • ZipCode	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## CONTACT PERSON

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

Name **Dale Christian** Daytime Phone **(920) 517-1772**

## PROPOSED REZONING

Current Zoning District <b>General Agriculture</b>	Proposed Zoning District <b>Prime Agriculture</b>
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Reason For Rezoning

**Land is in agriculture and will not be developed. Also want to put the land into farmland preservation.**

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

## CERTIFICATE

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

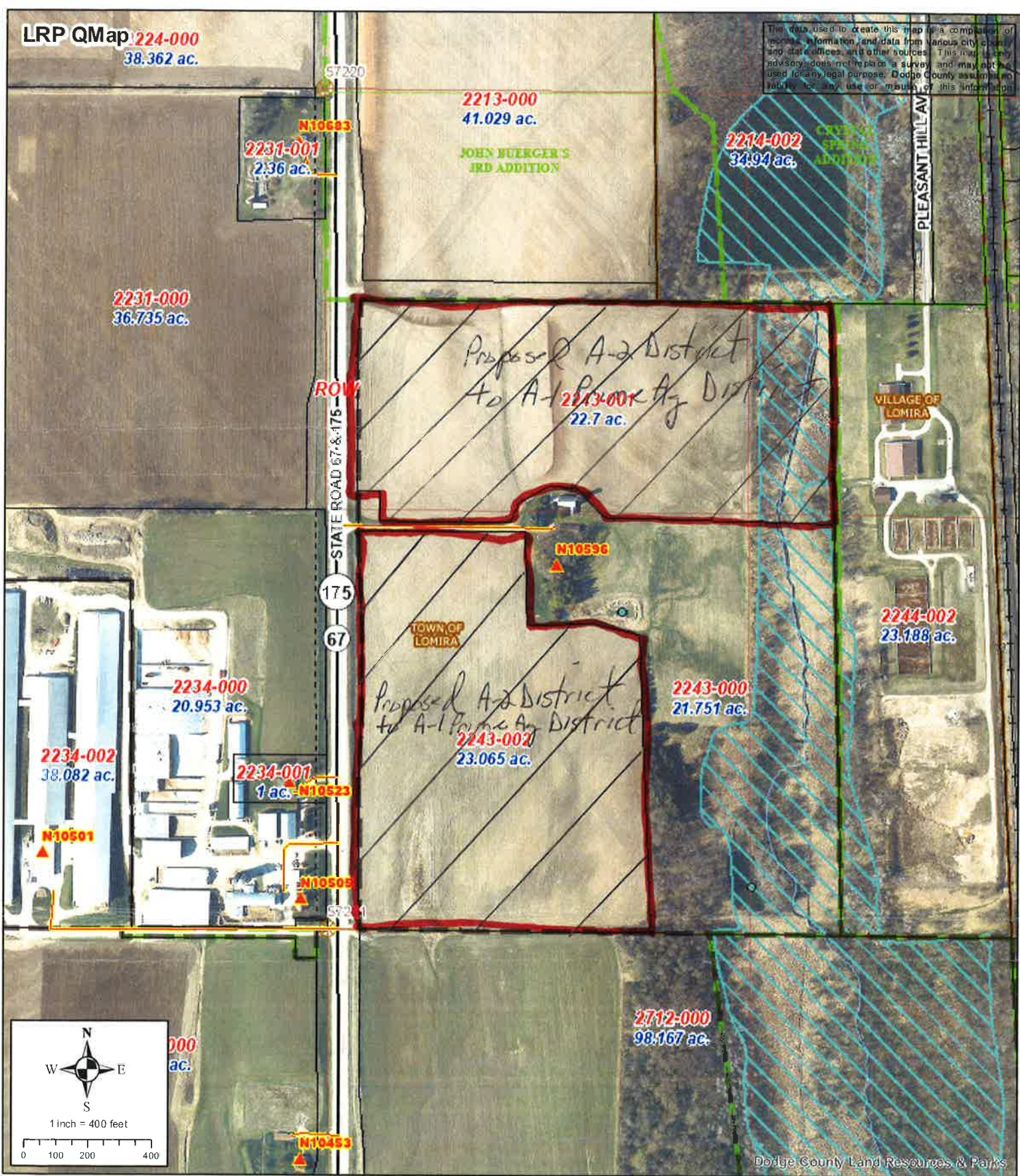
Signature **Dale Christian** Date **1/31/22**

Daytime Contact Number **(920) 517-1772**

◆ AREA BELOW THIS LINE FOR OFFICE USE ONLY ◆

Blank area for office use only.

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 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.



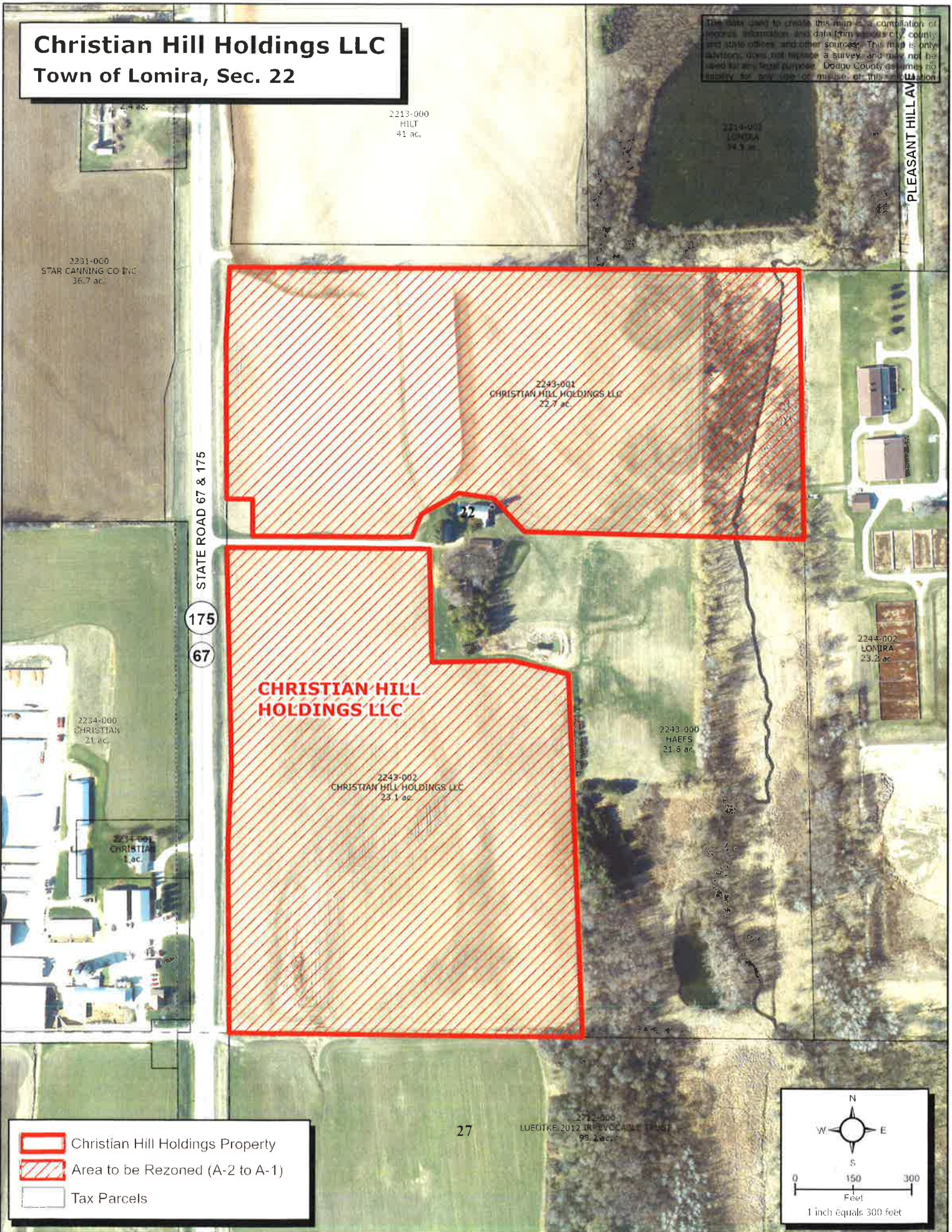
Dodge County Land Resources & Parks

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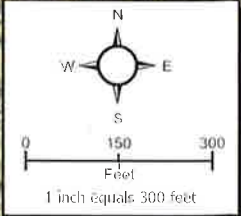
# Christian Hill Holdings LLC

## Town of Lomira, Sec. 22

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- Christian Hill Holdings Property
- Area to be Rezoned (A-2 to A-1)
- Tax Parcels



**DODGE COUNTY LAND RESOURCES AND PARKS COMMITTEE  
MINUTES  
March 7, 2022**

The Dodge County Land Resources and Parks Committee met on March 7, 2022 at 7:00 p.m. on the 1<sup>st</sup> 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.

No other County Board members in attendance.

The Vice-Chairman asked the staff to confirm compliance with the open meeting laws and the public hearing notice requirements. Mr. Giebel noted that the meeting was properly noticed in accord with the open meeting law.

1. COMMITTEE REVIEW OF PENDING CONDITIONAL USE PERMIT

**Josh Pakenham, agent for Wisconsin Historical Real Estate Foundation Inc.** – Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the establishment of a landscaping and maintenance business and a self-service storage business at this location. The site is located in part of the SE ¼ of the SE ¼, Section 19, Town of Ashippun, the site address being N925 State Road 67. Committee Decision laid over from the January 17, 2022 Committee Meeting.

This Conditional use permit request has been withdrawn by the applicant.

2. COMMITTEE REVIEW OF PENDING CONDITIONAL USE PERMIT

**Scott Littell, Harmoni Towers LLC, agent for BMJ Brothers LLC** – Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow the construction of an approximate 267' wireless communications tower and support structures in part of the SW ¼ of the NE ¼, Section 4, Town of Elba, along the north side of Bethel Road approximately 300 feet east of its intersection with Young Road. Committee Decision laid over from the January 10, 2022 and the February 7, 2022 Committee Meetings.

Motion by Mary Bobholz to approve the conditional use permit request to allow the construction of an approximate 267' wireless communications tower and support structures at the revised location on this site that was submitted on March 7, 2022, subject to the following conditions and waivers:

1. The proposed tower shall meet or exceed current standards and regulations of the FAA, FCC, and any other agency of the Federal Government with the authority to regulate towers and antennas.
2. The design of the electrical cabinets, generators and other related structures at this tower site shall, to the extent possible, use materials, colors, textures, and screening, that will blend the tower facilities to the natural setting and built environment per 4.9.3.A.2.
3. The tower shall be lighted, in accord with the applicable FAA and other regulations.

4. Accessory facilities must satisfy all applicable setback requirements of Chapter 5 of this Code.
5. The tower and antennas shall not be used for any advertising.
6. The tower shall be designed, structurally, electrically and in all respects to accommodate co-location of both the applicant's antenna(s) and comparable antenna(s) for at least three additional users and shall make access to the tower and tower site for additional users at a fair and reasonable price.
7. Any change and/or expansion of the tower site, including any change in height of the tower and antennas above 287' may require that a new Conditional Use Permit be obtained.
8. A County Land Use Permit for the construction of the tower shall be obtained by the applicant prior to beginning construction.
9. 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.
10. 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.

Waivers:

- Landscaping requirements – Section 4.9.3.F
- Painting Requirements – Section 4.9.3.A.1

Second by Allen Behl      Vote: 4-0      Motion carried.

3. PLANNING AND ECONOMIC DEVELOPMENT
  - A. Economic Development transition status and discussion

A handout was given to the Committee listing some current activities of the Economic Development Division. The building and sites inventory is up and operational on the website. The job description and job description questionnaire for the proposed Marketing and Communication Manager position should be completed and sent to HR and McGrath for review by end of the week. A resolution to authorize the position is expected in April after the review.

4. PARK SYSTEM
  - A. Consider Resolutions in Support of Gold Star Memorial Trail – Phase 2 Grants

Bill Ehlenbeck reviewed the Gold Star Memorial Trail – Phase 2B Grant resolutions with the Committee. The Department has submitted a grant application for the 2022 Transportation Alternatives Grant cycle and to complete the application for funding consideration, a support resolution is required from the County Board. The TAP grant can provide up to 80% federal funding for design and construction costs and is a grant program primarily for non-motorized facilities. A handout from the Friends Group was also given to the Committee showing their support of the Gold Star Memorial Trail resolutions. A breakdown of the proposed project costs was reviewed with the committee.

Motion by Mary Bobholz to approve the resolution.

Second by Allen Behl      Vote: 4-0      Motion carried.

Bill also reviewed a Resolution Authorizing the Department to apply for DNR grants that may be available for the Gold Star Memorial Trail – Phase 2B project to help offset the local share of costs.

Motion by Mary Bobholz to approve the resolution.

Second by Allen Behl      Vote: 4-0                      Motion carried.

5. ADMINISTRATION

A. Broadband Study Update

B. Bill Ehlenbeck provided the committee with a brief update on the status of the Broadband Study. The final edits to the study are being made based on the input from the Broadband Study presentations. The final study document with the recommendations should be ready by the end of the month.

6. The minutes from the February 7, 2022 meeting were reviewed by the Committee.

Motion by Mary Bobholz to approve the minutes as written.

Second by Dan Siegmann              Vote: 4-0      Motion carried.

No Committee Member Reports

No additional Per Diems

Motion by order of the Vice Chair to adjourn the meeting.

Meeting adjourned at 7:59 p.m.

Respectfully Submitted,

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**Allen Behl**, Secretary

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