

Land Resources and Parks Department Staff Report

Preliminary Plat Application # 2023-0249
Filing Date: April 6, 2023
Date of Complete Application: April 12, 2023
Committee Review Date: May 8, 2023

Agent:
Jacob Land Surveying, LLC
W8057 Randallwood Lane
Fond du Lac, WI 54937

Owner(s):
See Attached list – Exhibit A
Former Ox-Bo Acres Condo Association
N5350 Club Grounds Road
Juneau, WI 53039

PIN#: 022-1116-3033- Ox-Bo Condominium
Location: Part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 30, Town of Hubbard along the west end of Club Grounds Road.

Applicants Request

Request of the Dodge County Land Resources and Parks Committee to receive citizen and governmental input on the **preliminary plat of Ox-Bo Acres, former Ox-Bo Acres Condominium Association - owners** in order to review its proposed design standards, improvements, road dedications, along with other considerations.

Project Details

A preliminary plat application has been submitted for review and approval by Jacob Land Surveying, LLC. as agent for the former Ox-Bo Acres Condominium Association Owners. The owners of the Ox-Bo Acres Condominium Plat lots removed their condominium units and Condominium Plat property from the Condominium Plat form of ownership and these owners are requesting re-platting of the property as a subdivision plat. The existing private road (Club Grounds Road) is to be dedicated to the Town as a Town Road as part of this process. According to the preliminary plat, the proposed subdivision plat consists of 11 residential lots. Ten of the lots contain existing residential structures and one lot is currently a vacant lot. All lots are served by private septic systems and private wells.

The County has Shoreland and Floodplain jurisdiction over this development project.

The County also has land division approval authority over this subdivision.

Review Criteria

Subsection 2.3.10.A through 2.3.10.C of the Code details the procedural matters and the form for a preliminary plat submission. The Committee shall hold a public hearing on the Preliminary Plat application and shall by majority vote approve, approve conditionally, or reject the Preliminary Plat based upon the approval criteria of Section 2.3.10.C.8 of the Dodge County Land Use Code;

In accord with Section 2.3.10.C.4.a, Where, in the judgment of Committee, literal interpretation of the approval criteria or standards provided in Chapter 7 of this Code would result in exceptional or undue hardship, the Committee may waive or modify any requirements to the extent deemed necessary to relieve the exceptional or

undue hardship. Such relief shall be granted without detriment to the public good, impairment of the purpose and intent of this Land Use Code, or conflict with the County Comprehensive Plan.

Physical Features of Site

The features of the proposed subdivision and property that relate to the granting or denial of the preliminary plat request are as follows:

The property is not located within the County’s Zoning Jurisdiction.

The property is located within the County’s Shoreland Jurisdiction.

Portions of the property are also located within the County’s Floodplain Jurisdiction.

- Portions of the lots are designated as floodplain.

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

Land Use, Site: Residential

Land Use, Area: Agricultural, residential and a commercial marina.

Designated Archaeological Site: Yes No

Preliminary Plat approvals

Town of Hubbard Approval: Yes No No Response
Dept. of Administration Plat Review: Yes No No Response

Staff Review Comments

The staff has reviewed the preliminary plat for compliance with the approval criteria listed in Section 2.3.10.C.8. The staff comments are as follows:

2.3.10.C.8 Approval Criteria

A Preliminary Plat may be approved by the Land Resources and Parks Committee after considering whether:

2.3.10.C.8.a The proposed subdivision furthers the goals and policies of the County’s Comprehensive Plan;

- It is the staff’s position that the proposed preliminary plat is consistent with the County’s Comprehensive Plan as the area is designated for Single Family Residential Development.

2.3.10.C.8.b The proposed subdivision complies with the standards and design requirements of this Code;

It is the staff’s position that the proposed preliminary plat does not comply with the following provisions of the County’s Land Use Code:

Side Lot Lines:

Section 7.3.3; Side lot lines shall be at right angles to straight street lines or radial to curved street lines on which the lots face.

- Lots 3, 4, 6, 7, 8, and 11 do not meet the lot line angle requirement due to existing road and property boundary angles.
- If the plat is approved, a waiver will be required to the angle requirements of the code.

Street Lamps:

Subsection 7.6.1.K of the code requires the subdivider to install hooded street lamps along all streets proposed to be dedicated, of a design compatible with the neighborhood and type of development proposed in accord with the County Land Use Code.

- No Street lamp locations are being proposed for the project.

Stream or Lake Shores

Subsection 7.6.1.G: Stream or lake shores shall have 66 feet of public access platted to the low water mark at intervals of no more than one-half mile, or as agreed to or otherwise provided in Wis. Stat. Section 236.16(3).

- The surveyor is showing a 60' wide existing prescriptive public access to a public boat ramp located east of the proposed preliminary plat.
- The County has no record of a public boat ramp having been dedicated at this location.
 - If the plat is approved, a waiver will be required to the lake access requirements of the code.

Cul-de-sac Streets

Subsection 7.6.3.A: Cul-de-sac streets to have an end permanently closed shall not exceed 500 feet in length.

- As proposed, the cul-de-sac will be over 2800 foot long;
 - If the plat is approved, a waiver will be required to the cul-de-sac length requirements of the Code.

Sidewalks:

Subsection 7.6.5.C of the Code requires the subdivider to install sidewalks.

- As proposed, no sidewalks are being proposed for this subdivision.
 - If the plat is approved, a waiver will be required to sidewalk requirements.

Utility and Drainage Easements

Section 7.7.5 allows the Committee to require utility and drainage easements of widths deemed adequate for the intended purpose where deemed necessary or advisable for electric power, communications poles, wires, conduits, storm and sanitary sewers, gas, water and other utility lines.

- Proposed utility and stormwater easements are shown on the preliminary plat.

Curb and Gutters

Section 7.8 requires concrete curbs and gutters in accordance with plans and standard specifications approved by the Committee.

- As proposed, no curb and gutters exist or are proposed for this subdivision.
 - If the plat is approved, a waiver will be required to curb and gutter requirements of the Code.

2.3.10.C.10.e The subdivision lots can be accommodated within the school district in terms of the school's capacity to accept the estimated number of additional students;

- No objection has been filed by the school district;

- 2.3.10.C.10.f** The proposed subdivision is compatible with the soil and topographical conditions of the site;
- It is the staff's position that the preliminary plat is compatible with the soil and topographical conditions of this site and no new road construction or grading is anticipated for this project.

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 proposed development is consistent with the Dodge County Comprehensive Plan as the site is designated for residential development according to the County's Future Land Use Map and the staff believes that the creation of a subdivision plat to replace the former Ob-Bo Condominium plat lots and road is compatible with the adjacent residential and agricultural uses in this area. Therefore, staff recommends approval of the preliminary plat with the following conditions:

1. The developer shall obtain all the necessary approvals from the applicable state agencies, from the Town of Hubbard prior to approval of the preliminary plat;
2. All utility and drainage easements shall be shown on the Final Plat;
3. The subdivision shall be monumented in accord with s. 236.15(1) Wisconsin Statutes;
4. All of the above conditions shall be complied with prior to the approval of the preliminary plat.

Waivers:

1. Side lot line angle for lots 3, 4, 6, 7, 8, and 11
2. Street lamps;
3. Cul-de-sac length;
4. Sidewalks;
5. Public Water Service;
6. Curb and Gutters;
7. Public lake access requirements.

Exhibit A

Lot Owners:

Lots 1, 2 & 3

Chad and Carla Buelter
N5350 Club Grounds Rd
Juneau, WI 53039

Lot 4

Jeffrey and Laura Brumm
N5288 Club Grounds Rd
Juneau, WI 53039

Lot 5

Mary Schaumberg
N5276 Club Grounds Road
Juneau, WI 53039

Lot 6

Ray and Nancy Billington
N5264 Club Grounds Road
Juneau, WI 53039

Lot 7

Richard and Ann Wolfe
N5260 Club Grounds Road
Juneau, WI 53039

Lot 8

Robert and Ann Angove
N5250 Club Grounds Road
Juneau, WI 53039

Lot 9

Nancy Mueller
N5230 Club Grounds Road
Juneau, WI 53039

Lot 10

Randall Krause
N5212 Club Grounds Road
Juneau, WI 53039

Lot 11

Tom and Nancy Merritt
W145N10170 Raintree Dr.
Germantown, WI 53022

Dodge County Land Resources and Parks Committee Decision

Preliminary Plat Application # 2023-0249
Filing Date: April 6, 2023
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Agent:
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W8057 Randallwood Lane
Fond du Lac, WI 54937

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PIN#: 022-1116-3033- Ox-Bo Condominium
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Applicants Request

Request of the Dodge County Land Resources and Parks Committee to receive citizen and governmental input on the preliminary plat of Ox-Bo Acres, former Ox-Bo Acres Condominium Association - owners in order to review its proposed design standards, improvements, road dedications, along with other considerations.

CONCLUSIONS OF LAW

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

2.3.10.C.8 Approval Criteria

A Preliminary Plat may be approved by the Land Resources and Parks Committee after considering whether:

2.3.10.C.8.a Does the proposed subdivision further the goals and policies of the County's Comprehensive Plan;

(Yes / No)

If not, what changes must be made to bring the project to further the goals and policies of the County's Comprehensive Plan?

2.3.10.C.8.b Is there evidence in the record to show that the proposed subdivision complies with the standards and design requirements of this Code?

The proposed preliminary plat does not comply with the following code requirements:

Side Lot Lines:

Section 7.3.3; Side lot lines shall be at right angles to straight street lines or radial to curved street lines on which the lots face.

- Lots 3, 4, 6, 7, 8, and 11 do not meet the lot line angle requirement due to existing road and property boundary angles.

Does the Committee believe that a waiver is justified and should be granted to the side lot line angles of THE Code for this proposal?

(Yes / No)

Street Lamps:

Subsection 7.6.1.K of the code requires the subdivider to install hooded street lamps along all streets proposed to be dedicated, of a design compatible with the neighborhood and type of development proposed in accord with the County Land Use Code.

- No Street lamp locations are being proposed for the project.
- The developer is required to install street lights in accord with the County Land Use Code or the subdivider shall submit an alternative lighting plan for this subdivision for review and approval by the Land Resources and Parks Department prior to approval of the preliminary plat unless a waiver is granted to the street lamp requirements of the Code.

Does the Committee believe that a waiver is justified and should be granted to the street lamp requirements of the Code for this proposal?

(Yes / No)

Stream or Lake Shores

Subsection 7.6.1.G: Stream or lake shores shall have 66 feet of public access platted to the low water mark at intervals of no more than one-half mile, or as agreed to or otherwise provided in Wis. Stat. Section 236.16(3).

- The surveyor is showing a 60' wide existing prescriptive public access to a public boat ramp that is located on an adjacent private lot located east of the proposed preliminary plat.
- The County has no record of a public boat ramp having been dedicated at this location.

Does the Committee believe that a waiver is justified and should be granted to the lake access requirements of the Code for this proposal?

(Yes / No)

Cul-de-sac Streets

Subsection 7.6.3.A: Cul-de-sac streets to have an end permanently closed shall not exceed 500 feet in length.

- As proposed, the cul-de-sac will be over 2800 foot long;

Does the Committee believe that a waiver is justified and should be granted to the Cul-de-sac length requirements of the Code for this proposal?

(Yes / No)

Sidewalks:

Subsection 7.6.5.C of the Code requires the subdivider to install sidewalks.

- As proposed, no sidewalks are being proposed for this subdivision.

Does the Committee believe that a waiver is justified and should be granted to the sidewalk requirements of the Code for this proposal?

(Yes / No)

Curb and Gutters

Section 7.8 requires concrete curbs and gutters in accordance with plans and standard specifications approved by the Committee.

- As proposed, no curb and gutters exist or are proposed for this subdivision.

Does the Committee believe that a waiver is justified and should be granted to the curb and gutter requirements of the Code for this proposal?

(Yes / No)

2.3.10.C.8.c Have adequate provisions been made to provide a water supply system that is sufficient in terms of quantity, dependability, and quality to provide an appropriate supply of water for the type of subdivision proposed?

(Yes / No)

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

2.3.10.C.8.d Have adequate provisions been made to provide for sewage disposal which complies with federal, state and local laws and regulations?

(Yes / No)

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

2.3.10.C.8.e Can the proposed subdivision be accommodated within the school district in terms of the school's capacity to accept the estimated number of additional students;

- No objection has been filed by the school district;

(Yes / No)

If not, what changes can be made to accommodate the schools capacity to accept the estimated number of additional students?

2.3.10.C.8.f Is the proposed layout of the subdivision compatible with the soil and topographical conditions of the site?

(Yes / No)

If not, what changes must be made to make the layout of the subdivision more compatible with the soil and topographical conditions of the site?

2.3.10.C.8.g Is the location of the proposed subdivision suitable for development at this time?

- Yes: The location of the proposed preliminary plat is suitable for development at this time.
- No; The proposal will result in a premature subdivision or a scattered subdivision of land that leaves undeveloped parcels of land lacking urban services between developed parcels;

If not, what changes must be made to make this proposal suitable for development at this time?

2.3.10.C.8.h Have driveway access permits been issued or a letter received indicating that driveway permits will be issued?

- N/A – The preliminary plat request will include the dedication of the existing private road to the Town for public road purposes. All driveways for this subdivision will have access onto this road.

2.3.10.C.8.i Has the developer taken every effort to mitigate the impact of the proposed subdivision on public health, safety and welfare?

(Yes / No)

If not, what mitigation measures must be made by the developer to mitigate any adverse impacts on the public health, safety and welfare of the Citizens?

2.3.10.C.8.j Does the developer have the financial ability to complete the proposed subdivision in accordance with all applicable federal, state and local laws and regulations?

(Yes / No)

If not, what financial assurances are needed by the developer to complete the proposed subdivision project?

2.3.10.C.8.k Does the proposed subdivision have an approved soil erosion control plan and stormwater management plan?

(Yes / No / N/A)

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

Is there evidence in the record to show that this proposal meets or does not meet all of the criteria listed in Section 2.3.10.C.8 of the code for the land division request?

- Yes; there is evidence in the record to show that the proposal substantially meets the criteria of Section 2.3.10.C.8.
- No; Based on the information submitted with the application, the proposal does not meet the following criteria:

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

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

Are any waivers or conditions of approval necessary to ensure compliance with the code provisions or to mitigate any adverse impacts resulting from this proposal?

Yes; The following conditions of approval and waivers are necessary to ensure compliance with the code if this proposal is approved:

1. The developer shall obtain all the necessary approvals from the applicable state agencies, from the Town of Hubbard prior to approval of the preliminary plat;
2. All utility and drainage easements shall be shown on the Final Plat;
3. The subdivision shall be monumented in accord with s. 236.15(1) Wisconsin Statutes;
4. All of the above conditions shall be complied with prior to the approval of the preliminary plat.

Waivers:

1. Side lot line angle for lots 3, 4, 6, 7, 8, and 11
2. Street lamps;
3. Cul-de-sac length;
4. Sidewalks;
5. Public Water Service;
6. Curb and Gutters;
7. Public lake access requirements.

Others: _____

The proposed preliminary plat of Ox Bo Acres (meets / does not meet) the approval criteria in Section 2.3.10.C.8 of the County Land Use Code.

Motion by _____ to approve the Preliminary Plat of Pox Bo Acres based upon the previously mentioned findings and conditions.

Motion second _____

Vote

Dale Macheel	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Donna Maly	<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
Mary Bobholz – Chair	<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 the Preliminary Plat request subject to the conditions and waivers listed above;
- Granted the Preliminary Plat request as proposed;
- Denied the Minor Land Division request as proposed;
 - The committee finds that the proposal does not meet the following provisions of the code:

Expiration of Approval: An approved Preliminary Plat shall expire and be of no further force and effect if a complete Final Plat application for the subdivision or a phase of the subdivision has not been submitted within 36 months of the Preliminary Plat approval by the Committee. If the subdivision is to be developed in phases, a phasing plan shall be approved as part of the Preliminary Plat approval. If approval expires, the Land Use Administrator shall record an expiration of approval affidavit with the Dodge County Register of Deeds.

Revocation. This order may be revoked by the Committee in accord with Section 11.4.4 of the Dodge County Land Use Code after notice and opportunity to be heard for violation of any of the conditions imposed.

Appeals. This decision may be appealed by any person or their agent aggrieved by this decision or by any officer, department, board or bureau of the County, or by any affected town board. Such appeals shall be filed with the Dodge County Land Resources and Parks Department or the review and decision making body from whom the appeal is taken within 30 days after the date of written notice of the decision or order of the review and decision making body. The County assumes no liability for and makes no warranty as to reliance on this decision if construction is commenced prior to expiration of this 30-day period.

Dodge County Land Resources and Parks Committee

Signed _____ Attest _____
Chairperson Secretary

Dated: _____

Filed: _____



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

PRELIMINARY PLAT APPLICATION

THIS AREA FOR OFFICE USE ONLY	
Activity No. 230249	Expiration Date
Application Date: 4-6-2023	Receipt #: 1941-0003

Revised 2023-0249-03

The Major Subdivision procedures of Subsection 2.3.10 of the Dodge County Land Use Code apply to the following: 1) All land divisions resulting in 5 or more lots, or where the act of division creates 5 or more lots within a period of 5 years whether done by the original owner or a successor owner; 2) All additional division of parcels created through the Major Subdivision process; and 3) any subdivision created by a condominium instrument. All applicants are required to schedule and attend a pre-application meeting before filing an application for a Preliminary Plat. The applicant shall be required to present a Sketch Plan of the proposed subdivision at the time of the meeting in the format established by the Land Use Administrator. The Sketch Plan will be reviewed for the purpose of discussing any matters that will assist the applicant in preparing the Preliminary Plat. If a Preliminary Plat is not submitted within 180 days of the pre-application meeting, applicants must schedule and attend another pre-application meeting before submitting applications.

Application Fee: \$250 plus \$15.00 per lot (Non-Refundable)

NAMES & MAILING ADDRESSES	PROPERTY DESCRIPTION										
Applicant (Agent) Jacob Land Surveying, LLC	Parcel Identification Number (PIN) 022-1116-3033-										
Street Address W8057 Randallwood Lane	Town <div style="display: flex; justify-content: space-around;"> Hubbard T 11 N 16 R E </div>										
City • State • ZipCode Fond du Lac, WI 54937	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Section</td> <td style="width: 25%; text-align: center;">1/4</td> <td style="width: 25%; text-align: center;">1/4</td> <td style="width: 25%;">Acreage</td> <td style="width: 25%;">Lot (Block)</td> </tr> <tr> <td style="text-align: center;">30,31</td> <td style="text-align: center;">G.L.7,3</td> <td></td> <td style="text-align: center;">18.098</td> <td></td> </tr> </table>	Section	1/4	1/4	Acreage	Lot (Block)	30,31	G.L.7,3		18.098	
Section	1/4	1/4	Acreage	Lot (Block)							
30,31	G.L.7,3		18.098								
Property Owner (if different from applicant) Former Ox-Bo Acres Condo Association (names listed on plat)	Subdivision or CSM (Volume/Page/Lot)										
Street Address N5350 Club Grounds Road (Chad & Carla Buelter)	Address Of Property (DO NOT include City/State/ZipCode) Club Grounds Road (multiple addresses listed on plat)										
City • State • ZipCode Juneau, WI 53039	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 application.

Name: David H. Jacob, PLS

Daytime Phone 920-922-2908

Fax () -

E-mail: david@jlssurvey.com

CERTIFICATE

I, the undersigned, hereby apply for Preliminary Plat approval and certify that all the information both above and attached is true and correct to the best of my knowledge. I hereby authorize members of the Dodge County Planning Department to enter the above-described property for purposes of obtaining information pertinent to my application request.

Signature David H. Jacob

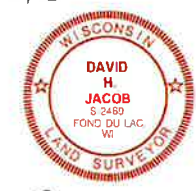
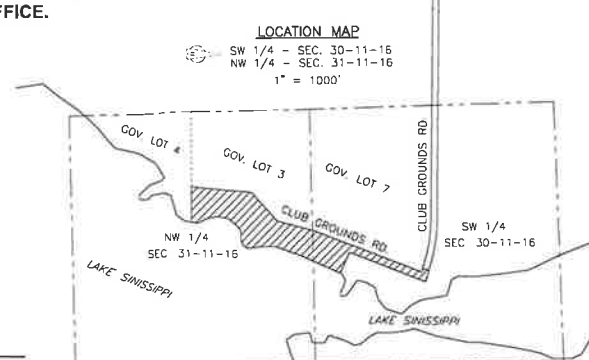
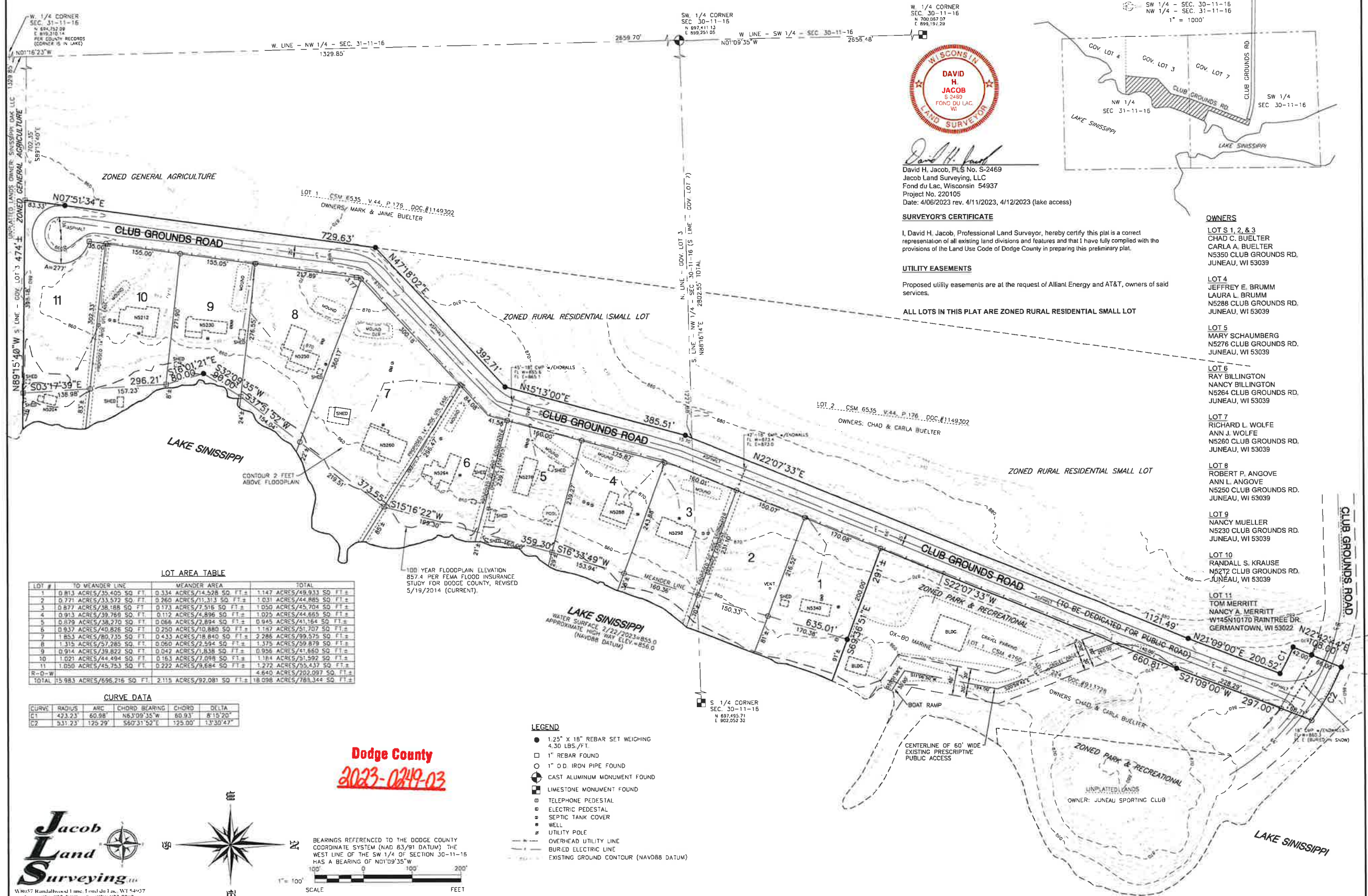
Date 4/06/2023

carlabuelter@gmail.com

Daytime Contact Number: 920-922-2908

PRELIMINARY PLAT OF OX-BO ACRES

PART OF GOVERNMENT LOT 7 OF SECTION 30 AND PART OF GOVERNMENT LOT 3 OF SECTION 31, ALL IN T. 11 N.-R. 16 E., TOWN OF HUBBARD, DODGE COUNTY, WISCONSIN, FORMERLY OX-BO ACRES CONDOMINIUM PLAT REMOVED BY DOCUMENT NO. 1325053 IN THE DODGE COUNTY REGISTER OF DEEDS OFFICE.



David H. Jacob, PLS No. S-2469
 Jacob Land Surveying, LLC
 Fond du Lac, Wisconsin 54937
 Project No. 220105
 Date: 4/06/2023 rev. 4/11/2023, 4/12/2023 (lake access)

SURVEYOR'S CERTIFICATE
 I, David H. Jacob, Professional Land Surveyor, hereby certify this plat is a correct representation of all existing land divisions and features and that I have fully complied with the provisions of the Land Use Code of Dodge County in preparing this preliminary plat.

UTILITY EASEMENTS
 Proposed utility easements are at the request of Alliant Energy and AT&T, owners of said services.

ALL LOTS IN THIS PLAT ARE ZONED RURAL RESIDENTIAL SMALL LOT

OWNERS
 LOT 1, 2, & 3
 CHAD C. BUELTHER
 CARLA A. BUELTHER
 N5350 CLUB GROUNDS RD.
 JUNEAU, WI 53039

LOT 4
 JEFFREY E. BRUMM
 LAURA L. BRUMM
 N5288 CLUB GROUNDS RD.
 JUNEAU, WI 53039

LOT 5
 MARY SCHAUMBERG
 N5276 CLUB GROUNDS RD.
 JUNEAU, WI 53039

LOT 6
 RAY BILLINGTON
 NANCY BILLINGTON
 N5264 CLUB GROUNDS RD.
 JUNEAU, WI 53039

LOT 7
 RICHARD L. WOLFE
 ANN J. WOLFE
 N5260 CLUB GROUNDS RD.
 JUNEAU, WI 53039

LOT 8
 ROBERT P. ANGOVE
 ANN L. ANGOVE
 N5250 CLUB GROUNDS RD.
 JUNEAU, WI 53039

LOT 9
 NANCY MUELLER
 N5230 CLUB GROUNDS RD.
 JUNEAU, WI 53039

LOT 10
 RANDALL S. KRAUSE
 N5272 CLUB GROUNDS RD.
 JUNEAU, WI 53039

LOT 11
 TOM MERRITT
 NANCY A. MERRITT
 W145N1017D RAIN TREE DR.
 GERMANTOWN, WI 53022

LOT AREA TABLE

LOT #	TO MEANDER LINE	MEANDER AREA	TOTAL
1	0.813 ACRES/35,405 SQ. FT.	0.334 ACRES/14,528 SQ. FT.	1.147 ACRES/49,933 SQ. FT.
2	0.771 ACRES/33,572 SQ. FT.	0.260 ACRES/11,313 SQ. FT.	1.031 ACRES/44,885 SQ. FT.
3	0.877 ACRES/38,168 SQ. FT.	0.173 ACRES/7,516 SQ. FT.	1.050 ACRES/45,704 SQ. FT.
4	0.913 ACRES/39,789 SQ. FT.	0.112 ACRES/4,896 SQ. FT.	1.025 ACRES/44,685 SQ. FT.
5	0.839 ACRES/38,270 SQ. FT.	0.066 ACRES/2,894 SQ. FT.	0.905 ACRES/41,164 SQ. FT.
6	0.937 ACRES/40,828 SQ. FT.	0.250 ACRES/10,880 SQ. FT.	1.187 ACRES/51,707 SQ. FT.
7	1.853 ACRES/80,735 SQ. FT.	0.433 ACRES/18,840 SQ. FT.	2.286 ACRES/99,575 SQ. FT.
8	1.315 ACRES/57,285 SQ. FT.	0.060 ACRES/2,594 SQ. FT.	1.375 ACRES/59,879 SQ. FT.
9	0.914 ACRES/39,822 SQ. FT.	0.042 ACRES/1,838 SQ. FT.	0.956 ACRES/41,660 SQ. FT.
10	1.021 ACRES/44,494 SQ. FT.	0.163 ACRES/7,098 SQ. FT.	1.184 ACRES/51,592 SQ. FT.
11	1.050 ACRES/45,753 SQ. FT.	0.222 ACRES/9,684 SQ. FT.	1.272 ACRES/55,437 SQ. FT.
R-O-W			4.640 ACRES/202,097 SQ. FT.
TOTAL	15.983 ACRES/696,216 SQ. FT.	2.115 ACRES/92,081 SQ. FT.	18.098 ACRES/788,344 SQ. FT.

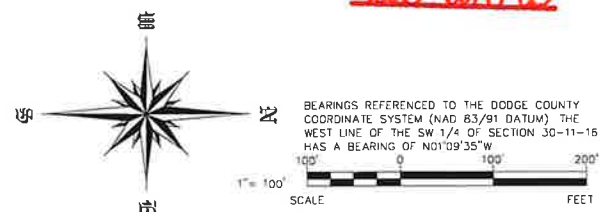
CURVE DATA

CURVE	RADIUS	ARC	CHORD BEARING	CHORD	DELTA
C1	423.23	60.98'	N63°09'35"W	80.93'	8°15'20"
C2	531.23	125.29'	S60°31'52"E	125.00'	13°30'47"

Dodge County
 2023-0249-03

- LEGEND**
- 1.25" x 18" REBAR SET WEIGHING 4.30 LBS./FT.
 - 1" REBAR FOUND
 - 1" O.D. IRON PIPE FOUND
 - ⊙ CAST ALUMINUM MONUMENT FOUND
 - ⊠ LIMESTONE MONUMENT FOUND
 - ⊙ TELEPHONE PEDESTAL
 - ⊙ ELECTRIC PEDESTAL
 - ⊙ SEPTIC TANK COVER
 - ⊙ WELL
 - ⊙ UTILITY POLE
 - OVERHEAD UTILITY LINE
 - BURIED ELECTRIC LINE
 - - - EXISTING GROUND CONTOUR (NAVD88 DATUM)

Jacob Land Surveying
 WI 857 Randallwood Lane, Fond du Lac, WI 54937
 Phone 920-922-2908 Fax 920-922-7212



BEARINGS REFERENCED TO THE DODGE COUNTY COORDINATE SYSTEM (NAD 83/91 DATUM) THE WEST LINE OF THE SW 1/4 OF SECTION 30-11-16 HAS A BEARING OF N01°09'35"W

Ox-Bo Acres

Town of Hubbard, Sec. 31

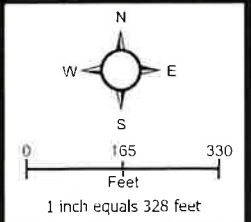
3032-001
BUJELTER
63.1 ac.

3033-000
BUJELTER
17.3 ac.

3033-003
BUJELTER
57.1 ac.

3034-003
BUJELTER
4.9 ac.

OX-BO ACRES



Land Resources and Parks Department Staff Report

County Conditional Use Permit Application # 2023-0265

Filing Date: April 10, 2023

Hearing Date: May 8, 2023

Applicant:

Travis Rettler
N4577 CTH P
Rubicon, WI 53078

Owner:

Slainte Revocable Trust
2904 S. 14th Street N
Sheboygan, WI 53038

Location

PIN# 024-1016-1321-005

Location: Lot 3, CSM 5864, located in part of the NE ¼ of the NW ¼, Section 13, Town of Hustisford along the south side of Oaklawn Road approximately 500' west of W3117 Oaklawn Road.

Applicants Request

An application for a County Conditional Use Permit was made by the applicant in order they be allowed to construct a single family non-farm residence within the A-1 Prime Agricultural Zoning District.

County Jurisdiction

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

Review Criteria

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

Land Use Code Provisions:

1. Section 3.7.2.D of the Land Use Code identifies new nonfarm single family residences and duplexes as a conditional use in the A-1 Prime Agricultural Zoning District provided the proposal complies with the requirements listed in 3.7.2.D.1 through 3.7.2.D.3.

Purpose Statement

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

Physical Features of Site

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

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

The property is a wooded lot containing a mixture of soft and hardwood deciduous trees.

The property is not designated as a shoreland or floodplain.

According to County records, this 5.2-acre lot was created on October 25, 1996 for non-farm residential use. According to Section 3.7.1.C of the Code, existing lots of record located within the A-1 Prime Agriculture Zoning District that were legally established or permitted by the County for non-farm residential use prior to June 28, 2010 are allowed within the A-1 Prime Agricultural Zoning District provided a conditional use permit is issued in accord with Section 3.7.2.D of the Code.

The base farm tract contains 5.20 acres that are located within the A-1 Prime Agricultural Zoning District;

- 5.20 acres are available under the Conditional use permit process for non-farm residential use under Section 3.7.1.C of the code:

The topography of the site is rolling with slopes ranging from 0-10%;

Land Use, Site: Open space woodlot.

Land Use, Area: Agricultural, farm residences and rural non-farm residences.

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

It is the staff's position that the project as proposed is in compliance with the applicable provisions of the Dodge County Land Use Code and the provisions of Chapter 91.46 of the Wisconsin State Statutes and the staff believes that the Committee can make the findings necessary under Section 2.3.6.F and 3.7.2.D of the code that are required to approve the Conditional Use Permit for this project. If approved with the following conditions, the staff believes that the project will not have an adverse effect on the adjacent land owners, the community or the environment, and the proposal will be consistent with the purpose and intent of the Code.

CONDITIONS:

1. A County land use and sanitary permit shall be obtained for the proposed project prior to beginning construction of the residence;
2. Only one single family residential unit may be located on the lot unless this lot is successfully rezoned into a zoning district which allows more than one residential unit;
3. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;
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 and 3.7.2 of the code. The staff comments are as follows:

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

	<u>Complies</u>	<u>Potential Problem</u>	<u>N/A</u>
Proposed Use:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.7.2.D.1 Non-farm residential acreage ratio:

- Acreage of Base Farm Tract: 5.20 acres – Existing lot of record;
- Non-farm residential acreage: 5.20 acres;
- According to County records, this 5.2-acre lot was created on October 25, 1996 for non-farm residential use.
- According to Section 3.7.1.C of the Code, existing lots of record located within the A-1 Prime Agriculture Zoning District that were legally established or permitted by the County for non-farm residential use prior to June 28, 2010 are allowed within the A-1 Prime Agricultural Zoning District provided a conditional use permit is issued in accord with Section 3.7.2.D of the Code.

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

Existing non-farm residences on base farm tract:

- 0 - Number of existing non-farm residential units located on base farm tract;
- 1 - Number of proposed non-farm residential units located on base farm tract;
- 1 - Total number of non-farm residential units located on base farm tract;

The total number of residential units of any kind on the base farm tract shall not exceed 5;

Existing residential units on base farm tract:

- 0 - Number of existing residential units located on base farm tract;
- 1 - Number of proposed residential units located on base farm tract;
- 1 - Total number of residential units located on base farm tract;

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

Will the proposed nonfarm residential lot convert cropland or “prime farmland” into non-farm use;

Yes; No;

- If yes; are there reasonable alternative locations for the proposed lot that would convert less cropland or “prime farmland” into non-farm use?

3.7.2.D.3.b Location of the proposed nonfarm residence:

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

Yes; No;

Non-Farm Residential Cluster:

- The existing residential parcels are contiguous;
- The proposed residences on these lots, if constructed, would satisfy the requirements for a residential cluster;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Dodge County Land Resources and Parks Committee Decision

County Conditional Use Permit Application # 2023-0265

Filing Date: April 10, 2023

Hearing Date: May 8, 2023

Applicant:

Travis Rettler
N4577 CTH P
Rubicon, WI 53078

Owner:

Slainte Revocable Trust
2904 S. 14th Street N
Sheboygan, WI 53038

Location

PIN# 024-1016-1321-005

Location: Lot 3, CSM 5864, located in part of the NE ¼ of the NW ¼, Section 13, Town of Hustisford along the south side of Oaklawn Road approximately 500' west of W3117 Oaklawn Road.

Applicants Request

An application for a County Conditional Use Permit was made by the applicant in order they be allowed to construct a single family non-farm residence within the A-1 Prime Agricultural Zoning District.

CONCLUSIONS OF LAW

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

According to Section 3.7.2.D of the Land Use Code and Wisconsin State Statute 91.46, new nonfarm single family residences can be approved if all of the following apply:

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

(Yes / No / N/A) If no, the request shall be denied.

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

(Yes / No) If no, the request shall be denied.

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

(Yes / No)

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

3.7.2.D.3.b Will the location of the nonfarm residence on this lot significantly impair the current or future agricultural use of other “protected farmland”?

(Yes / No)

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

2.3.6.F General Approval Criteria for Conditional Use Permits

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

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

(Yes / No)

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

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

(Yes / No)

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

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

(Yes / No)

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

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

(Yes / No / Not Applicable)

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

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

(Yes / No/ Not Applicable)

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

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

(Yes / No)

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

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

(Yes / No)

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

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

(Yes / No)

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

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

(Yes/No)

1. A County land use and sanitary permit shall be obtained for the proposed project prior to beginning construction of the residence;
2. Only one single family residential unit may be located on the lot unless this lot is successfully rezoned into a zoning district which allows more than one residential unit;
3. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;
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

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

(Yes / No)

Motion by _____ to (approve / deny) the conditional use permit request based upon the previously mentioned findings and conditions.

Motion second _____

Vote

Dale Macheel	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Donna Maly	<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
Mary Bobholz – Chair	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present

Motion (Carried / Denied)

ORDER AND DETERMINATION

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

- Granted preliminary approval of the conditional use permit subject to the conditions listed above and the Land Use Administrator is directed to issue a conditional use permit incorporating the decision of this Committee.
- Granted the conditional use permit request as proposed and the Land Use Administrator is directed to issue a conditional use permit incorporating the decision of this Committee.
- Denied the conditional use permit request as proposed. The committee finds that the proposal does not meet the following approval criteria of the code:

Expiration of Approval. Any order issued by the Committee requiring a Zoning official to issue a conditional use permit shall become void after one year unless the applicant or appellant shall have met the conditions of approval for such permit and a conditional use permit has been issued by the Zoning official within such time, provided, that the time may be extended when so specified by the Committee.

Revocation. This order may be revoked by the Committee in accord with Section 11.4.4 of the Dodge County Land Use Code after notice and opportunity to be heard for violation of any of the conditions imposed.

Appeals. This decision may be appealed by any person or their agent aggrieved by this decision or by any officer, department, board or bureau of the County, or by any affected town board. Such appeals shall be filed with the Dodge County Land Resources and Parks Department or the review and decision making body from whom the appeal is taken within 30 days after the date of written notice of the decision or order of the review and decision making body. The County assumes no liability for and makes no warranty as to reliance on this decision if construction is commenced prior to expiration of this 30-day period.

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

Dodge County Land Resources and Parks Committee

Signed _____ Attest _____
Chairperson Secretary

Dated: _____ Filed: _____



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

CONDITIONAL USE PERMIT
APPLICATION

THIS AREA FOR OFFICE USE ONLY	
Activity No. 230265	Permit Issued Date
Application Date: 4-10-2023	Receipt #: 6941-0015
	Sanitary Permit #:

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

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

(1) NAMES & MAILING ADDRESSES	(2) PROPERTY DESCRIPTION
Applicant (Agent) Travis A. Rethler	Parcel Identification Number (PIN) 024-1016-1321-005
Street Address N4577 County Rd. P	Town Hustisford
City • State • ZipCode Rubicon, WI 53078	T N R E 10 16
Property Owner (if different from applicant) same	Subdivision or CSM (Volume/Page/Lot) 5864
Street Address	Address Of Property (DO NOT include City/State/ZipCode) Oaklawn Rd.
City • State • ZipCode	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

(3) PROPERTY USE	(4) PROPOSED PROJECT
<p align="center">Current Use Of Property</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">(Please check/complete all that apply below)</p> <input type="checkbox"/> Non-Farm Residential Lot <input checked="" type="checkbox"/> Single Family Residence <input type="checkbox"/> Two-Family Residence <input type="checkbox"/> Multi-Family Residence <input type="checkbox"/> Tavern or Restaurant <input type="checkbox"/> Professional Office <input type="checkbox"/> Non-Metallic Mine/Quarry <input type="checkbox"/> Wind Tower <input type="checkbox"/> Create/Expand Business <input type="checkbox"/> Wildlife Pond > 2-acres <input type="checkbox"/> Wireless Communications Tower <input type="checkbox"/> Contractor's Offices and Storage Yards <input type="checkbox"/> Filling, Grading or Dredging in the Shoreland District Other: <u>Construct non-farm residence within A-1 District</u>
DNR Notice	
<p>DNR NOTICE: You are responsible for complying with State and Federal laws concerning construction on or near wetlands, lakes and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources Wetlands Identification Web Page (www.dnr.state.wi.us) or contact a Department of Natural Resources Service Center.</p>	

(5) CERTIFICATE

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

Signature Travis Rethler Date 4-4-23

Daytime Contact Number (262) 224 - 2507 Email: Travis.Reth86@gmail.com

AREA BELOW THIS LINE FOR OFFICE USE ONLY

LAND RESOURCES AND PARKS COMMITTEE ACTION

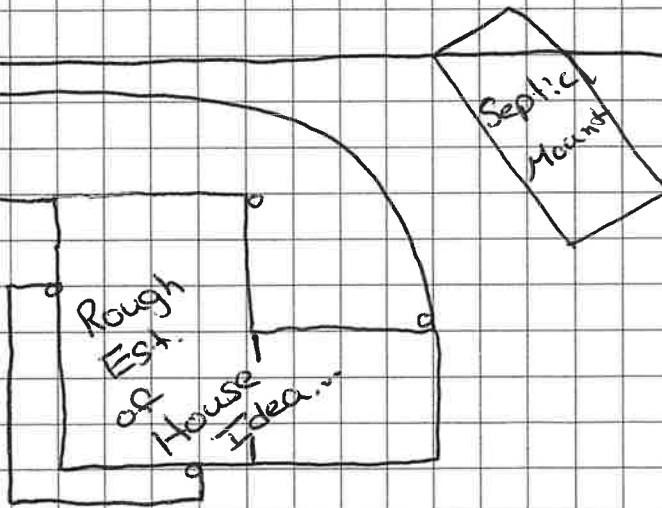
Date of Decision _____ Decision _____

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

OakLawn Rd.

SITE PLAN (SKETCH)

Driveway
12' wide.



See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

BOA ID No.	BOA Appeal Date	BOA P/H Date	BOA Decision Date	BOA Decision
				<input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied

Notes/Stipulations:

Will need approval for new driveway entrance, off of oakLawn Rd.

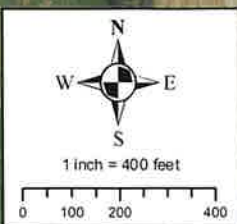
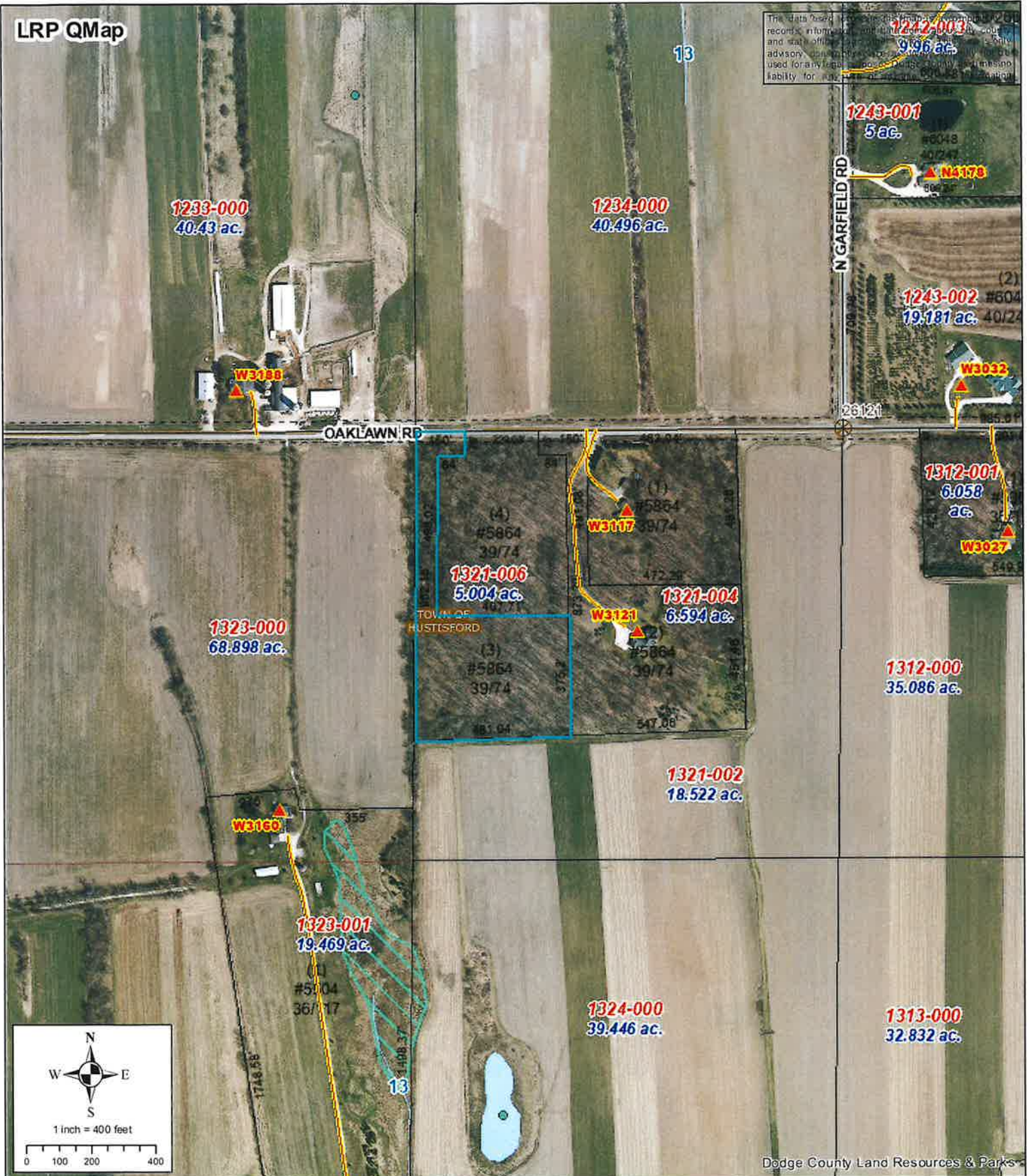
Approved Denied

Land Resources and Parks Department

Date

LRP QMap

The data used in this map is derived from public records, aerial photography, and other sources. It is provided as a general advisory only and should not be used for any legal or financial purpose without the professional liability of a qualified professional.



Dodge County Land Resources & Parks

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

Date: 4/12/2023

Slainte Rev. Trust

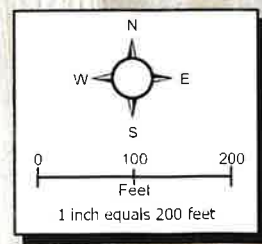
Town of Hustisford, Sec. 13

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



OAKLAWN RD

SLAINTE REV. TRUST



**DODGE COUNTY LAND RESOURCES AND PARKS COMMITTEE
MINUTES
April 10, 2023**

The Dodge County Land Resources and Parks Committee met on April 10, 2023 at 7:00 p.m. on the 1st Floor of the Administration Building, Juneau, Wisconsin.

Call to Order: Chair Mary Bobholz called the meeting to order at 7:00 PM.

Members present: Mary Bobholz, Dale Macheel and Dan Siegmann.

Members excused Donna Maly, Benjamin Priesgen.

Staff present: Bill Ehlenbeck - Director, Joseph Giebel – Manager of Code Administration,

Others present: County Board Chairman - David Frohling, County Administrator – Cameron Clapper and members of the public for the public hearings.

The 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 and noted that the required notices for the public hearings listed on the agenda were posted, mailed and published in accord with the statute and code requirements.

The hearing procedures were read into the record.

PUBLIC HEARING

Cheryl Bergmann – Petition to rezone approximately 5.27-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district to allow for the creation of a non-farm residential lot at this location. The site is located in part of the SE ¼ of the SW ¼, Section 13, Town of Hustisford, the site address being W3066 State Road 60.

Motion by Mary Bobholz to submit a favorable recommendation on the request to rezone approximately 5.27-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district to allow for the creation of a non-farm residential lot at this location.

Second by Dale Macheel Vote 3-0 Motion carried.

6. PARK SYSTEM

A. Park Plan Update

Bill Ehlenbeck provided the committee with an update on the County Park Plan. The second draft of the plan was received and will be placed on the website shortly. The staff will complete its review and will present the proposed recommendations for review by the Committee in May. It is anticipated the final plan will go to County Board in June.

A waiver was recently received from the DNR that allows us to remain eligible for grants before final adoption of the plan.

B. Park Project update

Bill Ehlenbeck provided the Committee with an update on status of park projects scheduled for 2023.

- The Derge Park electrical bid approved by County Board and the contract has been signed for the work. The work is slated for October;
- Vault Toilet replacements are planned for July, pending Committee and County Board approval of the bid;
- The Gold Star Trail grant agreement has been fully signed and we are ready to begin seeking a design/engineer consultant and discussions with landowners.
- The Rock River Bridge and culvert replacements on Wild Goose Trail have been delayed, pending an onsite meeting and inspection with DNR rep. Previous scheduled meetings were cancelled.
- Park Acquisitions – No updates;
- Gold Star #3 preliminary layout work – No updates;
- Red Wolf Trail – ½ mile new trail was put in last year and will be dedicated to Red Wolf as requested by the Friends group to honor a Native American that lived in the Burnett area in the early 1900s and was an early caretaker and overseeing of the mounds. Some areas of the trail will require boardwalks due to wetness. The Friends Group is doing fundraising.

C. Resolution to approve bid for Vault Toilet replacement site work

Bill Ehlenbeck provided the Committee with a resolution to authorize the awarded bid for the site preparation work for the Astico, Derge, and Ledge Parks Vault toilets. Two bids were received. The low bid of \$51,878.84, was submitted by Town and County Underground Utility Construction, Inc. from Mayville. The bid documents are on file. A combination of ARPA funds and budgeted Sales tax will be used to fund the site prep work for the vault toilet projects. The resolution allows the Dodge County Administrator and the Dodge County Clerk to execute the contracts necessary for the completion of the site prep work subject to review and approval of the Corporation Council.

Motion by Mary Bobholz to approve the resolution as submitted.

Second by Dan Siegmann Vote 3-0 Motion carried.

7. ADMINISTRATION

- A. Consideration and discussion of a resolution to request the state legislature to revise the solar energy system law that would allow the Counties more authority to regulate solar energy systems.

A copy of a resolution by Columbia County was provided to the Committee for consideration. The resolution is an advisory request to the State Legislature with a request for changes to the statutes and administrative code covering solar farms. The current state laws severely restrict the Counties from governing solar farms of 100 Mega Watts or larger and also restricts the Counties from setting standards for solar farm less than 100 Mega Watts.

Dan Siegmann believes that Dodge County should support a resolution to the State legislature to change the rules to allow more regulation of these facilities by the County. He provided the Committee with a sample resolution that he drafted with his thoughts on the issue. The Committee requested the staff put together a draft Resolution for review and deliberation by the Committee at their next meeting.

B. Review and Discussion on setback standards within the Land Use code.

Dan Siegmann expressed concerns with the County's setback requirements for tower sites. He believes that that the County should consider greater setbacks from residential homes if possible. The staff provided the Committee with the current county and state setback regulations. The staff indicated that the County Code is based on the current state standards and we have limited ability to modify the standards.

Dan will review the handouts and decide if this issue needs to be brought back to the Committee for further discussion.

C. Approval of the Minutes of the March 27, 2023 meeting;

The minutes from the March 27, 2023 meeting were reviewed by the Committee.

Motion by Dan Siegmann to approve the minutes as written.

Second by Dale Macheel Vote: 3-0 Motion carried.

No Committee Member Reports

No additional per diems

Motion by order of the Chair to adjourn the meeting.

Meeting adjourned at 7:46 PM.

Respectfully Submitted,

, Secretary

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

1 RESOLUTION NO. _____
2

3 *Request State to Revise Solar Energy System Regulations to Grant Local Authority*
4

5 TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN,
6

7 **WHEREAS**, Dodge County, WI has fulfilled its state-mandated requirement to create a
8 statement of overall goals and objectives to guide future development and redevelopment of the
9 county over a 20 year planning period per WI STAT. §66, 1001; and,
10

11 **WHEREAS**, these goals and plans and other related material are called the Dodge County
12 Comprehensive Plan; and,
13

14 **WHEREAS**, WI STAT. §59.61(1) requires counties to protect property values which are the
15 basis for property tax and to encourage use of land which is in accordance with its character; and,
16

17 **WHEREAS**, two of the goals of the Dodge County Comprehensive Plan are to 1) maintain,
18 preserve, and enhance Dodge County's rural character, and 2) require new development to be
19 aesthetically and architecturally pleasing; and,
20

21 **WHEREAS**, two of the objectives of the Dodge County Comprehensive Plan are 1) to
22 protect and preserve natural resources and open spaces and protect the county's character, and
23 2) to preserve good agricultural lands; and,
24

25 **WHEREAS**, the Dodge County Farmland Preservation Plan is an integral part of the
26 Dodge County Comprehensive Plan; and,
27

28 **WHEREAS**, the Dodge County Land Use Code is used to guide decisions to follow the goals
29 and objectives of both aforementioned plans; and,
30

31 **WHEREAS**, current Federal and State subsidies have made construction of Solar Energy
32 Facilities a very lucrative business at the expense of prime agricultural land; and
33

34 **WHEREAS**, the construction of large scale Solar Energy Facilities violate, at minimum, 30
35 points of the Dodge County Comprehensive Plan, Farmland Preservation Plan, and the Dodge
36 County Land Use Code; and,
37

38 **WHEREAS**, State law contradicts the foundational tenets of representative government when
39 allowing the Public Service Commission (PSC) to override any County and Town concerns regarding
40 large scale Solar Energy Facilities; and,
41

42 **WHEREAS**, the three unelected members who make up the PSC are turning a deaf ear to the
43 grave concerns of Wisconsin citizens at the hearings which they hold for these Solar Energy
44 Facilities, ignoring the very high level of citizen opposition which has come forward; and,
45

46 **WHEREAS**, the contracts which the developers of Solar Energy Facilities make with
47 landowners mandate that all landowners hold the contracts in secrecy or the landowners risk the loss
48 of the agreement; and

1 **WHEREAS**, this practice is an acknowledgment that the Solar Energy Facilities are not well
2 received in every corner of Dodge County, WI; and,

3
4 **SO, NOW, THEREFORE, BE IT RESOLVED**, that the Dodge County Board of Supervisors
5 stand in opposition to the present mechanisms which the State has in place to govern Solar Energy
6 Facilities Construction in Dodge County and throughout southern Wisconsin; and,

7
8 **BE IT FURTHER RESOLVED**, that the Dodge County Board of Supervisors strongly
9 recommend that the Public Service Commission be relieved of its present authority over the
10 construction of all the Solar Energy Facilities and give this authority to the County and its Towns
11 where the process rightfully belongs; and,

12
13 **BE IT FURTHER RESOLVED**, that the Dodge County Board of Supervisors strongly urge
14 passage of AB46 as a step to remove the deceptive secrecy which currently clouds Solar Energy Facility
15 construction projects; and,

16
17 **BE IT FINALLY RESOLVED**, that the Dodge County Board of Supervisors encourage the
18 Legislature of the State of Wisconsin to reconsider their heavy hand placed upon Dodge County and
19 the Counties of Southern Wisconsin which forces them to accept the destruction of thousands and
20 thousands of prime agricultural acres to construct Solar Energy Facilities which the best
21 decommissioning practices can never return to their original natural soil tilth, quality, and condition.

 All of which is respectfully submitted this _____ day of _____, 2023.

Dodge County Land Resources and Parks Committee:

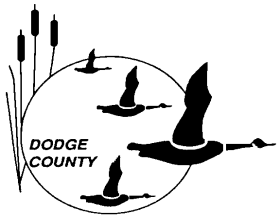
Mary Bobholz

Daniel Siegmann

Benjamin Priesgen

Dale Macheel

Donna Maly



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 WEBSITE: www.dodgeparks.com

Astico - Derge - Ledge - Nitschke Mounds - Harnischfeger - Wild Goose State Trail - Glacial River Trail - Gold Star Memorial Trail

RESOLUTION FOR OUTDOOR RECREATION AIDS

GOLD STAR MEMORIAL TRAIL

Phase 2B: City of Horicon to Wild Goose State Trail

WHEREAS, Dodge County is interested in advancing the Gold Star Memorial Trail project through Dodge County and is interested in acquiring needed property in order to develop Phase 2B (City of Horicon to the Wild Goose State Trail) for non-motorized public recreation trail purposes as described in the application for Dodge County Gold Star Trail Property Acquisition; and

WHEREAS, financial aid is required to carry out the full project;

THEREFORE, BE IT RESOLVED, that Dodge County, working with numerous public and private partners, has budgeted a sum sufficient for the acquisition and development of the project, and

HEREBY AUTHORIZES, Bill Ehlenbeck, Land Resources and Parks Department Director, to act on behalf of Dodge County to:

1. Submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available;
2. Submit reimbursement claims along with necessary supporting documentation;
3. Sign documents and
4. Take 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 programs; may perform force account work; will maintain the completed project in an attractive, inviting and safe manner; will keep the facilities open to the general public during reasonable hours consistent with the type of facility; and will obtain from the State of Wisconsin Department of Natural Resources or the National Park Service approval in writing before any change is made in the use of the project site.

Adopted this 8th day of May, 2023.

I hereby certify that the foregoing resolution was duly adopted by the Dodge County Land Resources and Parks Committee at a legal meeting held on the **8th day of May, 2023**.

Authorized Signature:

MARY BOBHOLZ, CHAIR
Dodge County Land Resources & Parks Committee