

**DODGE COUNTY LAND RESOURCES AND PARKS COMMITTEE
MINUTES
May 22, 2023**

The Dodge County Land Resources and Parks Committee met on **May 22, 2023** at 7:00 p.m. on the 1st Floor of the Administration Building, Juneau, Wisconsin.

Call to Order: Vice-Chairman Ben Priesgen called the meeting to order at 7:00 PM.

Members present: Dale Macheel, Donna Maly, Benjamin Priesgen and Dan Siegmann.

Members excused: Mary Bobholz

Other County Board members in attendance requesting a per diem: **None**

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

Others present: County Board Supervisor - Ed Benter and members of the public for the public hearings.

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 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.

The minutes from the May 8, 2023 meeting were reviewed by the Committee.

Motion by Dan Siegmann to approve the minutes as written.

Second by Dale Macheel Vote: 4-0 Motion carried.

PUBLIC HEARING

Dale Hernke - Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the construction of a non-farm residence within the A-1 Prime Agricultural Zoning District. The property is located in part of the SE ¼ of the SW ¼, Section 1, Town of Shields, the site address being W7932 Walton Road.

Motion by Dan Siegmann to approve the conditional use permit request to allow for the construction of a non-farm residence within the A-1 Prime Agricultural Zoning District subject to the following 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.

Second by Dale Macheel Vote 4-0 Motion carried

PUBLIC HEARING

Lectric Farms LLC - Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the creation of an approximate 1-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The property is located in part of the NE ¼ of the SW ¼, Section 12, Town of Shields, the site address being W7884 Wood Road.

Motion by Dan Siegmann to approve the conditional use permit request to allow for the creation of an approximate 1-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District subject to the following conditions and waivers.

1. The applicant shall obtain the required land division approvals for the proposed lot from the County and local municipalities if required, prior to the creation of these lots;
2. The total area of the proposed non-farm residential lots shall not exceed 22.4-acres in area unless the lots are successfully rezoned out of the A-1 Prime Agricultural Zoning District;
3. The following statement shall be shown on the certified survey map: "These lots shall not be sold separately".
4. Only one single family residential unit may be located on the proposed non-farm residential lot located along the north side of Wood Road unless this lot is successfully rezoned into a zoning district which allows additional residential units;
5. The following statement shall be shown on the certified survey map for the proposed lot located along the south side of Wood Road: "This lot is intended for the private onsite wastewater treatment system that serves the residence along the north side of Wood Road and no structures shall be constructed on this lot."
6. A "Notice of Zoning Limitations" document shall be recorded with the Dodge County Register of Deeds Office for the following parcels which make up the "base farm tract" which notifies the potential buyers of these parcels that there may be limitations as to the number of new lots that can be created from this base farm tract:
040-0914-1231-000
7. 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;

8. 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.
9. 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.
10. If a waiver to the lot area and lot width standards is not granted, by the Committee, the proposed lot located along the south side of the road shall be modified to meet all of the required lot size requirements of the Code.

Waivers:

- Section 7.3.2 - Lot area requirements for the lot located along the south side of Wood Road;
- Section 7.3.7 - Lot width requirements for the lot located along the south side of Wood Road.

Second by Ben Priesgen Vote 4-0 Motion carried.

PUBLIC HEARING

Amendments are being proposed to the Future Land Use Map, Dodge County, Wisconsin, which is Map 8-2 of the *Dodge County Comprehensive Plan* and to the *Dodge County Farmland Preservation Plan Map*, which is in Appendix B of the *Dodge County Comprehensive Plan*. The map amendments will be available for review at the Land Resources and Parks Department on the third floor of the County Administration Building in Juneau and on the Department website at <https://www.co.dodge.wi.gov/departments/departments-e-m/land-resources-and-parks>.

For additional information regarding the proposed amendments to the *Dodge County Comprehensive Plan* contact Joseph Giebel at 920-386-3711 or jgiebel@co.dodge.wi.us.

Residents are encouraged to review the plan amendment and to submit oral and/or written comments prior to the public hearing. Written comments may be sent to the Dodge County Land Resources and Parks Department at 127 E Oak Street, Juneau, WI 53039 or by e-mail to jgiebel@co.dodge.wi.us no later than May 19, 2023.

Proposed Amendment to the Future Land Use Map

1. Town of Herman – Section 13 [Parcel # 020-1117-1341-000 (38.76 A)]
 - From: Industrial Designation
 - To: Agriculture Designation
2. Town of Fox Lake – Section 22 [Parcel # 018-1313-2244-003 (0.67 A)]
 - From: Single Family Residential Designation
 - To: General Residential Designation
3. Town of Lomira – Section 23 [Parcel # 030-1317-2342-001 (1.55 A)]
 - From: Industrial Designation
 - To: Agriculture Designation

Proposed Amendment to the Farmland Preservation Plan Map

1. Town of Herman – Section 13 (Parcel 020-1117-1341-000)
 - From: "Areas of Non-Agricultural Development"

- To: "Agricultural Use and Agricultural-Related Use"
2. Town of Lomira – Section 23 [Parcels 030-1317-2342-001 (1.55 A); 030-1317-2342-000 (32.34 A)]
- From: "Areas of Non-Agricultural Development"
 - To: "Agricultural Use and Agricultural-Related Use"

Committee Action:

Proposed Amendment to the Future Land Use Map

Town of Herman – Section 13 [Parcel # 020-1117-1341-000 (38.76 A)]

- From: Industrial Designation
- To: Agriculture Designation

Proposed Amendment to the Farmland Preservation Plan Map

Town of Herman – Section 13 (Parcel 020-1117-1341-000)

- From: "Areas of Non-Agricultural Development"
- To: "Agricultural Use and Agricultural-Related Use"

Motion by Dan Siegmann to submit an approval resolution to the County Board on the proposed amendments to the County Comprehensive Plan – Future Land Use Map and the Farmland Preservation Plan Map as proposed.

Second by Ben Priesgen Vote 4-0 Motion carried.

Proposed Amendment to the Future Land Use Map

Town of Fox Lake – Section 22 [Parcel # 018-1313-2244-003 (0.67 A)]

- From: Single Family Residential Designation
- To: General Residential Designation

Motion by Dan Siegmann to submit an approval resolution to the County Board on the proposed amendments to the County Comprehensive Plan – Future Land Use Map and the Farmland Preservation Plan Map as proposed.

Second by Dale Macheel Vote 3-1 (Ben Priesgen) Motion carried.

Proposed Amendment to the Future Land Use Map

Town of Lomira – Section 23 [Parcel # 030-1317-2342-001 (1.55 A)]

- From: Industrial Designation
- To: Agriculture Designation

Proposed Amendment to the Farmland Preservation Plan Map

Town of Lomira – Section 23 [Parcels 030-1317-2342-001 (1.55 A); 030-1317-2342-000 (32.34 A)]

- From: "Areas of Non-Agricultural Development"
- To: "Agricultural Use and Agricultural-Related Use"

Motion by Dan Siegmann to submit an approval resolution to the County Board on the proposed amendments to the County Comprehensive Plan – Future Land Use Map and the Farmland Preservation Plan Map as proposed.

Second by Donna Maly Vote 4-0 Motion carried.

PUBLIC HEARING

Kory Krieser, agent for Beckman Revocable Trust - Request to rezone approximately 0.67-acres of land from the R-1 Single Family Residential Zoning District to the R-2 Two-Family Residential Zoning District to allow for the reconstruction of a detached garage on this site to allow for use as temporary sleeping quarters. The site is located in part of the SE ¼ of the SE ¼, Section 22, Town of Fox Lake, the site address being N10590 Chief Kuno Trail.

Motion by Dan Siegmann to submit a favorable recommendation to the County Board on the request to rezone approximately 0.67-acres of land from the R-1 Single Family Residential Zoning District to the R-2 Two-Family Residential Zoning District to allow for the reconstruction of a detached garage on this site to allow for use as temporary sleeping quarters.

Second by Dale Macheel Vote 2-2 (Donna Maly and Ben Priesgen) Motion fails.

Motion by Dan Siegmann to reconsider previous motion. Second by Ben Priesgen
Vote 4-0 to reconsider the previous motion. Motion carried.

Motion by Dan Siegmann to lay over a decision on this rezoning request to the June 26, 2023 Committee meeting at 7:00 PM to allow the County Board time to act on the Comprehensive Plan Amendment for this lot before a recommendation is provided by the Committee on the rezoning petition.

Section by Ben Priesgen Vote 4-0 Motion carried.

PUBLIC HEARING

McKayla Tjepkema, agent for Gerald Tjepkema – Request to rezone approximately 3-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. The site is located in part of the SW ¼ of the SW ¼, Section 4, T13N, R14E, Town of Trenton, the site address being W8900 Lake Emily Road.

Motion by Ben Priesgen to submit a favorable recommendation to the County Board of Supervisors on the request to rezone approximately 3-acres of land from the A-1 Prime Agricultural zoning district to the A-2 General Agricultural zoning district to allow for the creation of a non-farm residential lot.

Second by Dan Siegmann Vote 4-0 Motion carried.

OTHER BUSINESS

1. Review and consider submission of a petition to the Dodge County Board to amend Appendix 1 of the Floodplain Zoning Ordinance of Dodge County to incorporate the dam failure analysis and floodplain maps for the Karsten #2 Dam, located in Section 11, Town of Hubbard, the site address being N6615 State Road 67, Iron Ridge, WI 53035.

This proposed amendment was withdrawn at this time and will be brought back to the committee at a later date. Joseph Giebel indicated that the Department has received notice from the State Department of Natural Resources that the DNR has requested that the County amend the text of the County Floodplain Zoning Ordinance along with the recently approved dam failure analysis for the Karsten No. 2 Dam, located across Oliver Creek in order to bring the floodplain ordinance into compliance with the current floodplain regulations.

2. Quarterly Budget Report
Bill Ehlenbeck provided the committee with a 1st quarter report for the Land Resources and Parks Department budget. The total balance for the Department is currently well under budget for the 1st quarter. Bill pointed out that Ledge Park had an unbudgeted expense of about \$7600 to replace septic tank pumps that burned out. But revenues in the parks are slightly outpacing last year through the 1st quarter and are ahead of budget projections. Permit revenues are slightly below last year through the 1st quarter but have been strong starting in April.
3. No Committee Member Reports
4. No additional Per Diems
5. The next meeting is June 12, 2023 at 7:00 PM


Motion by the Vice-Chairman to adjourn the meeting.

Second by Dan Siegmann

Motion carried.

Meeting adjourned at 8:50 PM p.m.

Respectfully Submitted,


Secretary

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