

**DODGE COUNTY LAND RESOURCES AND PARKS COMMITTEE
MINUTES
June 12, 2023**

The Dodge County Land Resources and Parks Committee met on June 12, 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, Donna Maly, Benjamin Priesgen and Dan Siegmann.

Members excused: Dale Macheel.

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

Staff present: Bill Ehlenbeck - Director, Joseph Giebel – Manager of Code Administration, Morgan Wisth – Land Use/Sanitation Specialist, Jason Roy – Parks Supervisor.

Others present: County Administrator – Cameron Clapper, Ben Rohr, AICP Park Project Manager 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.

TOWN REZONING REQUESTS

Town Rezoning Petition – Roger and Russell Linde – Part of the NW ¼ of the SW ¼, Section 2, T11N, R14E, Town of Beaver Dam, Dodge County, Wisconsin, the site address being N7040 S Crystal Lake Road. Petition to rezone 16-acres of land under the Town of Beaver Dam Zoning Ordinance, from the I-1 Industrial Zoning District to the R-1 Single Family Residential Zoning District has been submitted by the Town of Beaver Dam Town Board to the Dodge County Board of Supervisors for approval.

Motion by Mary Bobholz to submit a favorable recommendation to the County Board of Supervisors on the petition to rezone 16-acres of land under the Town of Beaver Dam Zoning Ordinance, from the I-1 Industrial Zoning District to the R-1 Single Family Residential Zoning District as proposed.

Second by Dan Siegmann Vote 4-0 Motion carried.

The hearing procedures were read into the record.

PUBLIC HEARING

Philip Pieper, agent for Adam and Michelle Pieper – Request to rezone approximately 4-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district to allow for the transfer of the 4-acres of land to the adjacent land owner. The site is located in part of the SE ¼ of the NE ¼, Section 34, Town of Hustisford, the site address being W3740 Pieper Road.

Motion by Mary Bobholz to submit a favorable recommendation to the County Board of Supervisors on the request to rezone approximately 4-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district to allow for the transfer of the 4-acres of land to the adjacent land owner as proposed.

Second by Ben Priesgen Vote 4-0 Motion carried.

PUBLIC HEARING

Cheryl Bergmann – Request to rezone approximately 10-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District to allow for the addition of 10-acres of land to his existing non-farm residential lot. 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 Dan Siegmann to submit a favorable recommendation to the County Board of Supervisors on the request to rezone approximately 10-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District to allow for the addition of 10-acres of land to his existing non-farm residential lot.

Second by Ben Priesgen Vote 4-0 Motion carried.

Committee Review of the Final Plat of Ox-Bo Acres - The site is located in part of the SW ¼ of the SW ¼, Section 30, Town of Hubbard, Dodge County, Wisconsin.

On May 8, 2023, the Committee granted conditional approval of the Preliminary Plat of Ox-Bo Acres. The final plat has now been submitted for review and approval by the Committee.

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. The proposed development will consist 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.

Motion by Mary Bobholz to approve the final plat of Ox-Bo Acres subject to the following conditions and waivers:

1. The developer shall obtain all the necessary approvals from the applicable state agencies and from the Town of Hubbard prior to approval of the Final plat;
2. The following statement shall be shown on the certified survey map: “Any land below the ordinary highwater mark of a lake or navigable stream is subject to the public trust in

navigable waters that is established under Article IX, Section 1 of the State Constitution.”;

3. The subdivision shall be monumented in accord with s. 236.15(1) Wisconsin Statutes;
4. An approval certificate for the Land Resources and Parks Committee shall be shown on the Plat. (The County is an approving agency for plats).
5. All of the above conditions shall be complied with prior to the approval of the final 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.

Second by Ben Priesgen Vote 4-0 Motion carried.

Park System

A. Presentation and review of Draft Park Plan

Bill Ehlenbeck introduced Ben Rohr of VandeWalle Associates to present the Draft County Parks, Outdoor Recreation and Open space Plan to the Committee for input and discussion. Mr. Rohr explained the plan should be updated on a 5 year basis to reassess priorities and recommendations in order to help guide decisions regarding the County Parks and Trails System. Additionally the 5 year plan update allows Dodge County to maintain crucial eligibility for State grants and can act as a road map for County parks and trail developments, improvements and operations that meet the needs and demands of the County residents and park and trail users.

Mr. Rohr presented the proposed standard for parkland being increased from current offering of 4.4 acres per 1000 population to 5.4 acres per 1000 population. The Committee agreed that the standard for parkland should be increased over current offerings to 5.4 acres per 1000 population in 2023, 6.0 acres per 1000 population by 2033 and 6.5 acres per 1000 population by 2043. Supervisor Siegmann suggested creating unique offerings unlike other Counties, like providing farm animals for viewing/petting and adding edible plantings in the parks.

Bill Ehlenbeck and Jason Roy provided comments on the Astico redevelopment maps and potential acquisitions. Bill explained the remaining shelter is in need of replacement in the near future and more flush toilets/showers are also needed. A combination shelter/restroom/shower building is being proposed. There was also discussion on potential new parking lot on east side to better accommodate winter access. Neighbor John Moline shared his concerns about a new parking lot on the south end near his property and suggested improvements to existing lot instead of a new lot.

The Committee is encouraged to provide additional plan comments to staff and a public information meeting on the plan will be held on June 29th. Mr. Rohr will then update the plan based on any additional Committee and public input and present a final draft for committee review and approval in July with anticipated resolution to County Board in August.

B. Vault Toilet replacement update – Astico Shower/Restroom Pavilion

Jason Roy presented an alternate plan for the replacement of the vault toilet at Astico Park. The current plan is to replace the existing vault toilet located within the park near an existing shelter. The work is scheduled to begin July 10, 2023 with the prep work to begin before that date. The Park and Open Space Plan process identified a new combination shelter/restroom facility, which would make the new vault toilet unnecessary at this location. A request was made to instead place the new vault toilet along the east side of the river near the parking area adjacent to the bridge.

Motion by Donna Maly to allow placement of the new vault toilet on the east side of the river near the parking lot.

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

ADMINISTRATION

Review and Consider Resolution and Ordinance for each of the following Amendments to the Comprehensive Plan and Farmland Preservation Plan:

On May 22, 2023, the Committee held a public hearing on three requests to amend the Dodge County Comprehensive Plan. The Committee made a decision on each of the requests and forwarded one Resolution and Ordinance to the County Board of Supervisors regarding the proposed amendments. On the advice of the Dodge County Corporation Counsel, a separate Resolution and Ordinance has been prepared for each of the amendment requests to be forwarded to the County Board members so that each request can be acted on by the County Board.

The Committee agreed to create three separate resolutions and ordinances for the proposed Comprehensive Plan amendments to be submitted to the County Board.

OTHER BUSINESS

1. The minutes from the May 22, 2023 meeting were reviewed by the Committee.

Motion by Ben Priesgen to approve the minutes as written.

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

2. No Committee Member Reports

3. No additional Per Diems.

Motion by order of the Chair to adjourn the meeting.

Meeting adjourned at 9:20 p.m.

Respectfully Submitted,

Secretary

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

Land Resources and Parks Department Staff Report

County Rezoning Petition # 2023-0188

Filing Date: March 16, 2023

Hearing Date: May 22, 2023

Committee Lay-Over Decision Date: June 26, 2023

Applicant (Agent):

Kory Krieser
22 Breckenridge St.
Mayville, WI 53050

Owner:

Beckmann Revocable Trust
Jeff and Kim Beckmann
N10590 Chief Kuno Trail
Fox Lake, WI 53933

Location

PIN# 018-1313-2244-003

Part of the SE ¼ of the SE ¼, Section 22, Town of Fox Lake, the site address being N10590 Chief Kuno Trail.

Applicants Request

A rezoning petition has been submitted by the applicant in order they be allowed 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 under the Dodge County Land Use Code in order to allow for the reconstruction of a detached garage on this site to allow for use as temporary sleeping quarters.

On May 22, 2023, a public hearing was held on a request by the applicant to amend the Dodge County Comprehensive Plan to change the future land use map designation of this property from the Single Family Residential Designation to the General Family Residential Designation. The Comprehensive Plan amendment goes to the County Board on June 20, 2023 for final action.

On May 22, 2023, a public hearing was also held on the rezoning 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 under the Dodge County Land Use Code in order to allow for the reconstruction of a detached garage on this site to allow for use as temporary sleeping quarters. The Committee laid over a decision on this rezoning request to this meeting to allow the County Board to act on the Comprehensive Plan Amendment before the Committee provides a recommendation on the rezoning request.

The petitioner agreed to the Committee lay-over to the June 26, 2023 date for a decision.

A copy of the Rezoning Petition and the staff report presented at the March 16, 2023 public hearing is attached for the Committee's review.

Dodge County Land Resources and Parks Committee Decision

County Rezoning Petition # 2023-0188

Filing Date: March 16, 2023

Hearing Date: May 22, 2023

Committee Lay-over Date: June 26, 2023

Applicant (Agent):

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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 _____

2.3.4.1.3 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 Agricultural 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 / N/A);

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

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 – 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: _____


Beckmann Rev. Trust

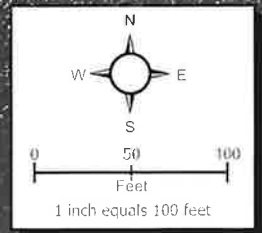
Town of Fox Lake, Sec. 22



Future Land Use Changes

Area to be Amended:

 Single Family Residential to General Residential



Land Resources and Parks Department Staff Report

County Rezoning Petition # 2023-0188

Filing Date: March 16, 2023

Hearing Date: May 22, 2023

Applicant (Agent):

Kory Krieser
22 Breckenridge St.
Mayville, WI 53050

Owner:

Beckmann Revocable Trust
Jeff and Kim Beckmann
N10590 Chief Kuno Trail
Fox Lake, WI 53933

Location

PIN# 018-1313-2244-003

Part of the SE ¼ of the SE ¼, Section 22, Town of Fox Lake, the site address being N10590 Chief Kuno Trail.

Applicants Request

A rezoning petition has been submitted by the applicant in order they be allowed 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 under the Dodge County Land Use Code in order to allow for the reconstruction of a detached garage on this site to allow for use as temporary sleeping quarters.

Land Use Code Provisions

1. In accord with Subsection 1.4.1 of the Dodge County Land Use Code, the County has zoning jurisdiction over this property as the Town of Fox Lake has adopted the County's Land Use Code.
2. 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.
3. 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.
4. Subsection 3.6.5 and Table 3.6-1 of the Code lists Two Family Residential Use an allowed use in the R-2 Zoning District.

Purpose Statements

The purpose of the R-1 Single-Family Residential District is to promote generally exclusive low-density, single-family residential areas and accommodate uses appropriate to serving residential development, subject to the appropriate standards.

The purpose of the R-2 Two-Family Residential District is to promote medium-density residential areas and accommodate uses appropriate to serving that development, 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 Fox Lake has adopted the County's Land Use Code. The site is located within the R-1 Single Family Residential Zoning District.

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

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

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

- Portions of the 0.67-acre lot are designated as floodplain.

The topography of the site is rolling with slopes ranging from 2-12%;

Land Use, Site: Residential

Land Use, Area: Single family residential with (2) commercial restaurants less than 300' from property

Designated Archaeological Site: Yes No

The proposal is **not** consistent with the Dodge County Comprehensive Plan:

- The site is designated as Single Family Residential according to the County's Future Land Use Map;
- The applicant has submitted a petition to amend the County's Comprehensive Plan with a request to change the designation of this lot from Single Family Residential Designation to General Residential Designation. If this amendment is approved, the proposed rezoning petition will be consistent with the Comprehensive Plan.

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.

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 and the staff comments are listed in Exhibit A for review by the committee.

The staff points out that the proposed rezoning petition is not consistent with the County's Comprehensive Plan as the site is designated as single family residential use. The purpose of the single family residential zoning district is to promote generally exclusive low-density, single-family residential areas. It is the staff's position that allowing two-family residential use of this lot in this predominately single family residential area would have an adverse impact on the single family residential use of the area. The staff therefore recommends denial of the rezoning request.

Staff Review Comments – Rezoning Petition:

The staff has reviewed the petition for compliance with the approval criteria listed in Section 2.3.4.I of the Code and the staff has the following comments:

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 lot and the structures on the lot;

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 proposed development project 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;

- The purpose of the single family residential zoning district is to promote generally exclusive low-density, single-family residential areas and it is the staff’s position that allowing two-family residential use of these lots in this predominately single family residential area would have an adverse impact on the single family residential use of the area.

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 development 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 not consistent with the County Comprehensive Plan as the site is designated for Single Family residential use. It is also the staff’s position that allowing two-family residential use of these lots in this predominately single family residential area would have an adverse impact on the single family residential use of the area.
- It is the staff position that the proposal is consistent with the Farmland Preservation Plan map as the site is designated as an area of non-agricultural development.

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 position that the proposal is not Consistent with the single family residential designation on the County’s Comprehensive Plan and therefore, the proposal will result in spot zoning which is prohibited by the code.

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.

- No recommendation has been filed by the Town for this rezoning petition.



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. 230188	Application Date: 3-16-2023
	Receipt #: CL

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

NAMES & MAILING ADDRESSES		PROPERTY DESCRIPTION			
Petitioner (Agent) Kory Krieser		Parcel Identification Number (PIN) 018-1313-2244-003			
Street Address 77 Breckenridge St.		Town Fox Lake		T 13N	N 13E
City • State • ZipCode <auvo;;e. WO 53050		Section 22	1/4 SE	1/4 SE	Acreage 0.67
Property Owner (If different from petitioner) Beckmann Revocable Trust - Jeff & Kim Beckmann		Subdivision or CSM (Volume/Page/Lot) V541 P899			
Street Address N10590 Chief Kuno Tr		Address Of Property (DO NOT include City/State/ZipCode) N10590 CHIEF KUNO TR			
City • State • ZipCode Fox Lake, WI 53933		Is this property connected to public sewer? <input checked="" type="checkbox"/> Yes <input 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 Kory Krieser Daytime Phone (414) 588 - 5510

PROPOSED REZONING

Current Zoning District <u>R-1 Single Family Residential</u>	Proposed Zoning District <u>R-2 Two-Family Residential</u>
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Reason For Rezoning

To reconstruct a garage at a height over 20' for personal car storage and to allow use as temporary sleeping quarters to be used occasionally by guests of the property owners.

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.

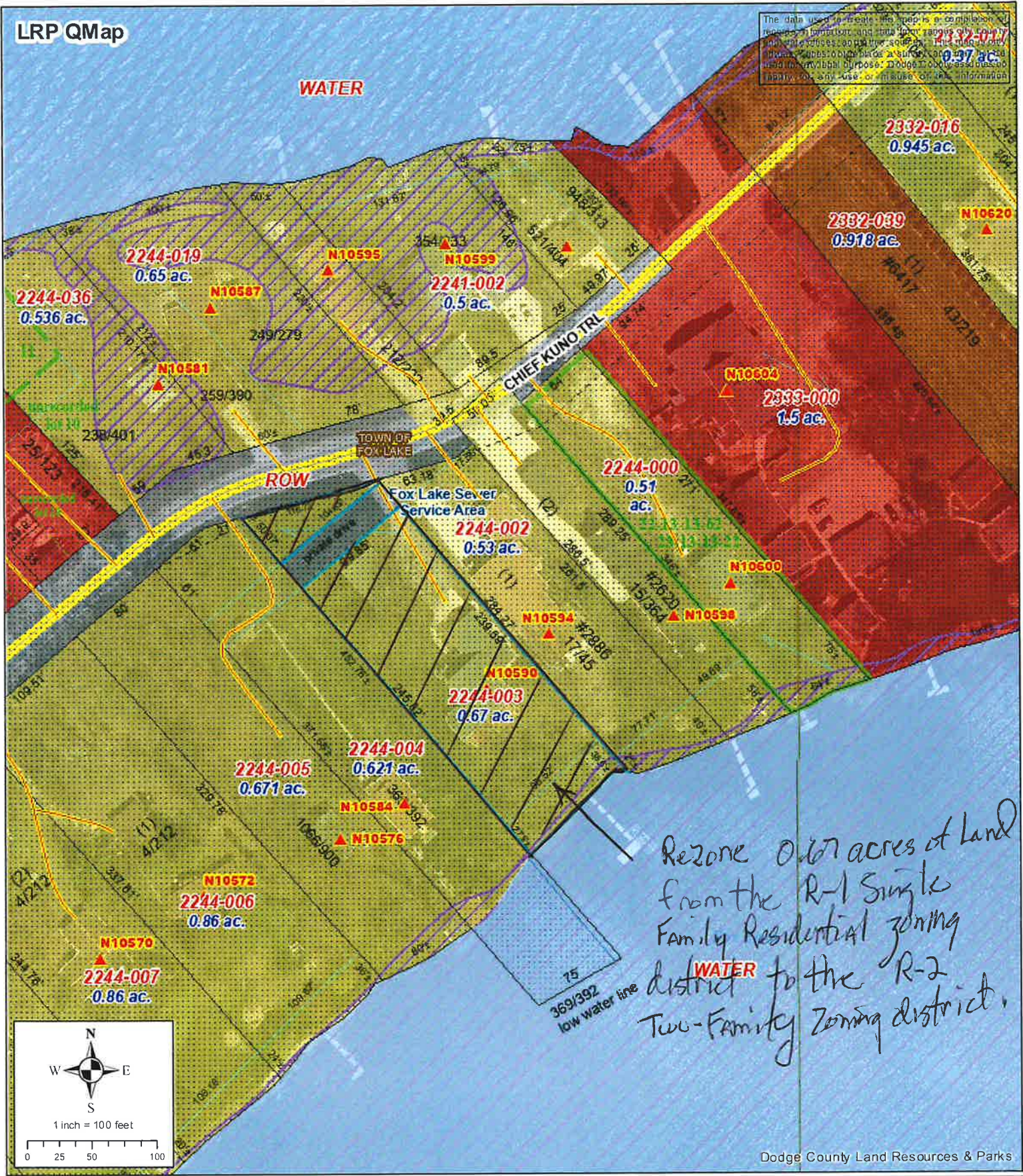
Signature Kory Krieser Date 3/16/2023

Daytime Contact Number (414) 588 - 5510

◆ AREA BELOW THIS LINE FOR OFFICE USE ONLY ◆

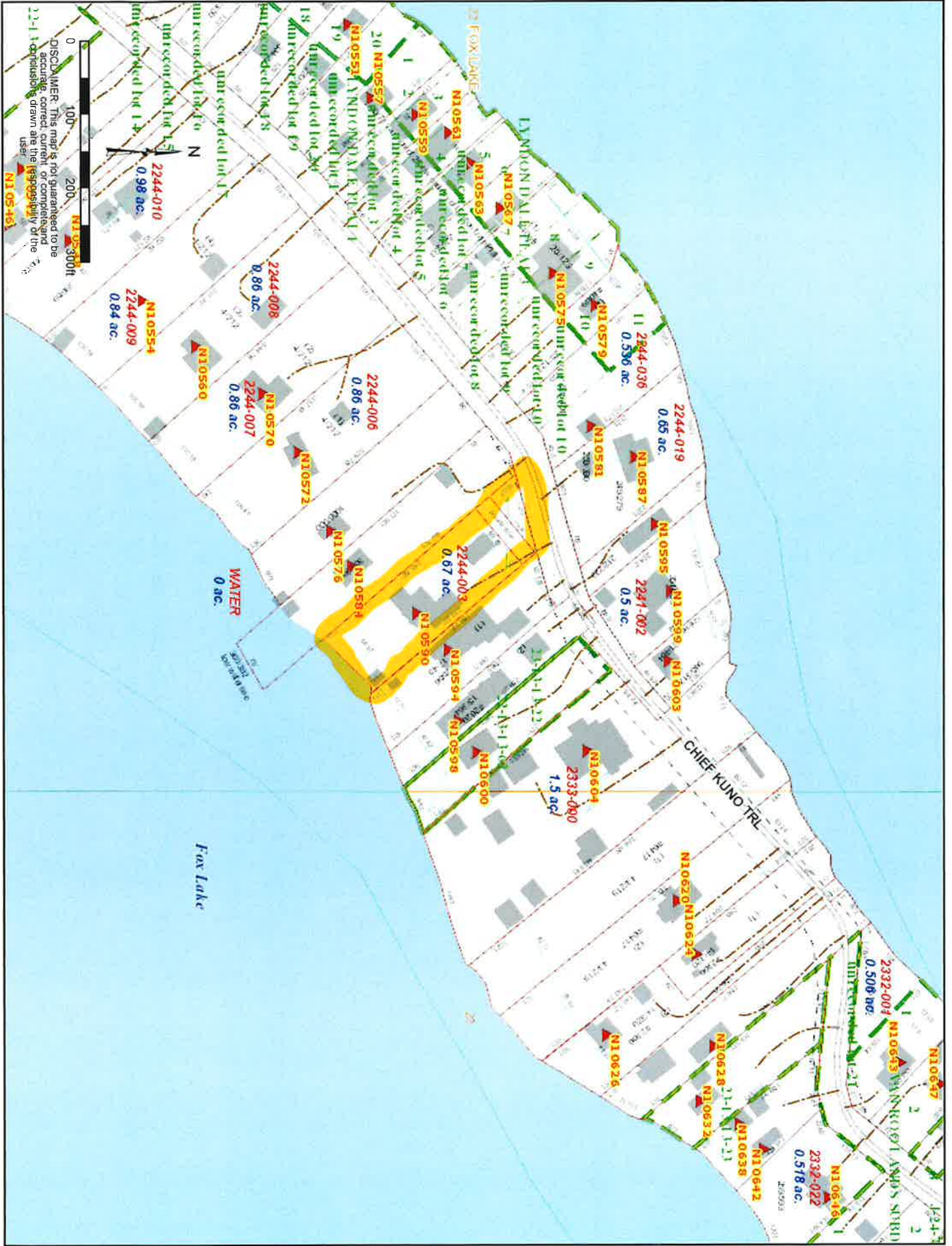
3/17/2023 withheld - Comp Plan Amendment Request for

The data used to create this map is a compilation of records information and data from various sources. It is provided as a public information source for general informational purposes only. It is not intended for any legal purpose. Dodge County does not assume liability for any use or misuse of the information.



Rezone 0.67 acres of land from the R-1 Single Family Residential zoning district to the R-2 Two-Family Zoning district.

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	Lakes/Ponds/Sloughs	Prime Agricultural
Highly Developed Shoreline	Active Mining Area	Rivers/Streams/Creeks	One Family Residential
Elevation Contours	Approved Mining Area		Two Family Residential
	Mine Property Boundaries		Multi-Family Residential
			General Commercial
			Extensive Commercial
			Light Industrial
			Industrial
			Waterbody
			ROW/City/Village



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



Fox Lake

WATER
0 ac.

CHIEF KUNO TRL

WINDONDALE PKWY

22 FOX LAKE

2332-004
0.500 ac
N10645
N10646
N10647

2332-022
0.518 ac
N10648
N10649

N10628
N10629
N10630

N10620
N10621
N10622

N10626
N10627

2333-080
1.5 ac
N10604
N10605
N10606

2244-003
0.67 ac
N10594
N10595
N10596

2244-006
0.86 ac
N10572
N10573
N10574

2244-007
0.86 ac
N10570
N10571
N10572

2244-008
0.86 ac
N10560
N10561
N10562

2244-010
0.98 ac
N10554
N10555
N10556

2244-036
0.536 ac
N10579
N10580
N10581

2244-019
0.65 ac
N10587
N10588
N10589

2244-009
0.84 ac
N10554
N10555
N10556

N10546

Land Resources and Parks Department Staff Report

County Rezoning Petition # 2023-0346

Filing Date: May 8, 2023

Hearing Date: June 26, 2023

Applicant (Agent):

Adam Kinyon
N10381 Center Drive
Lomira, WI 53048

Owner:

Duane Eilbes
N9902 County Road YY
Mayville, WI 53050

Location

PIN# 028-1316-2334-021

Part of the SE ¼ of the SW 1/4, Section 23, Town of Leroy, the site address being W3124 County Road Y.

Applicants Request

A rezoning petition has been submitted by the applicant in order they be allowed to rezone approximately 1.103-acres of land from the C-1 General Commercial Zoning District to the R-1 Single Family Residential Zoning District under the Dodge County Land Use Code in order to allow for the conversion of the commercial structure on this site into a single family residence.

Land Use Code Provisions

1. In accord with Subsection 1.4.1 of the Dodge County Land Use Code, the County has zoning jurisdiction over this property as the Town of Leroy has adopted the County's Land Use Code.
2. 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.
3. 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.
4. Subsection 3.6.5 and Table 3.6-1 of the Code lists a single family residence as an allowed use in the R-1 Single Family Zoning District.

Purpose Statements

The purpose of the C-1 General Commercial District is to promote compact commercial areas for smaller retail service and office uses that facilitate pedestrian, rather than vehicular, circulation and encourage shopping for a variety of goods and services, subject to appropriate standards.

The purpose of the R-1 Single-Family Residential District is to promote generally exclusive low-density, single-family residential areas and accommodate uses appropriate to serving residential development, 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 Leroy has adopted the County’s Land Use Code. The site is located within the C-1 General Commercial Zoning District. The site is not located within the County’s Shoreland jurisdiction or the County’s Floodplain jurisdiction.

The topography of the site is nearly level with slopes ranging from 0 to 3%;

Land Use, Site: Vacant Commercial Tavern

Land Use, Area: Residential with agricultural fields surrounding the residential homes.

Designated Archaeological Site: Yes No

The proposal is consistent with the Dodge County Comprehensive Plan:

- The site is designated as Single Family Residential according to the County’s Future Land Use Map;

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.

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 and the staff comments are listed in Exhibit A for review by the committee.

The staff believes that the committee can make the findings necessary under Section 2.3.4.I of the code in order to submit a favorable recommendation to the County Board.

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 proposed residential use of this property;

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 proposed development project 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 if the proposed use is developed in accord with the Land use code provisions, the development project 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 residential 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 Single Family Residential according to the County's Future Land Use Map

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 Single Family Residential. 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
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

THIS AREA FOR OFFICE USE ONLY	
Activity No. 230346	Application Date: 5-8-2023
	Receipt #: 7140-0002

REZONING PETITION

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

NAMES & MAILING ADDRESSES		PROPERTY DESCRIPTION			
Petitioner (Agent) Adam Kinyon		Parcel Identification Number (PIN) 02813162334021			
Street Address N10381 Center Drive		Town Leroy		T 13	N 16
City • State • ZipCode Lomira WI 53048		Section 23	1/4 SE	1/4 SW	Acreeage 1.103
Property Owner (If different from petitioner) Duane E Eilbes		Subdivision or CSM (Volume/Page/Lot)			
Street Address N9902 County Road YY		Address Of Property (DO NOT include City/State/ZipCode) W3124 County Road Y			
City • State • ZipCode Mayville WI 53050		Is this property connected to public sewer? <input checked="" type="checkbox"/> Yes <input 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 Adam Kinyon Daytime Phone (920) 273 5376

PROPOSED REZONING

Current Zoning District <u>C-1-Commercial</u>	Proposed Zoning District <u>R1-Residential</u>
---	--

Reason For Rezoning

I (Adam) have an accepted offer to purchase this property with the contingency that it can be rezoned as residential. I plan on renovating it and living in it after purchase. I hope the maps I included are sufficient - I don't have full access to the property or anything yet.

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

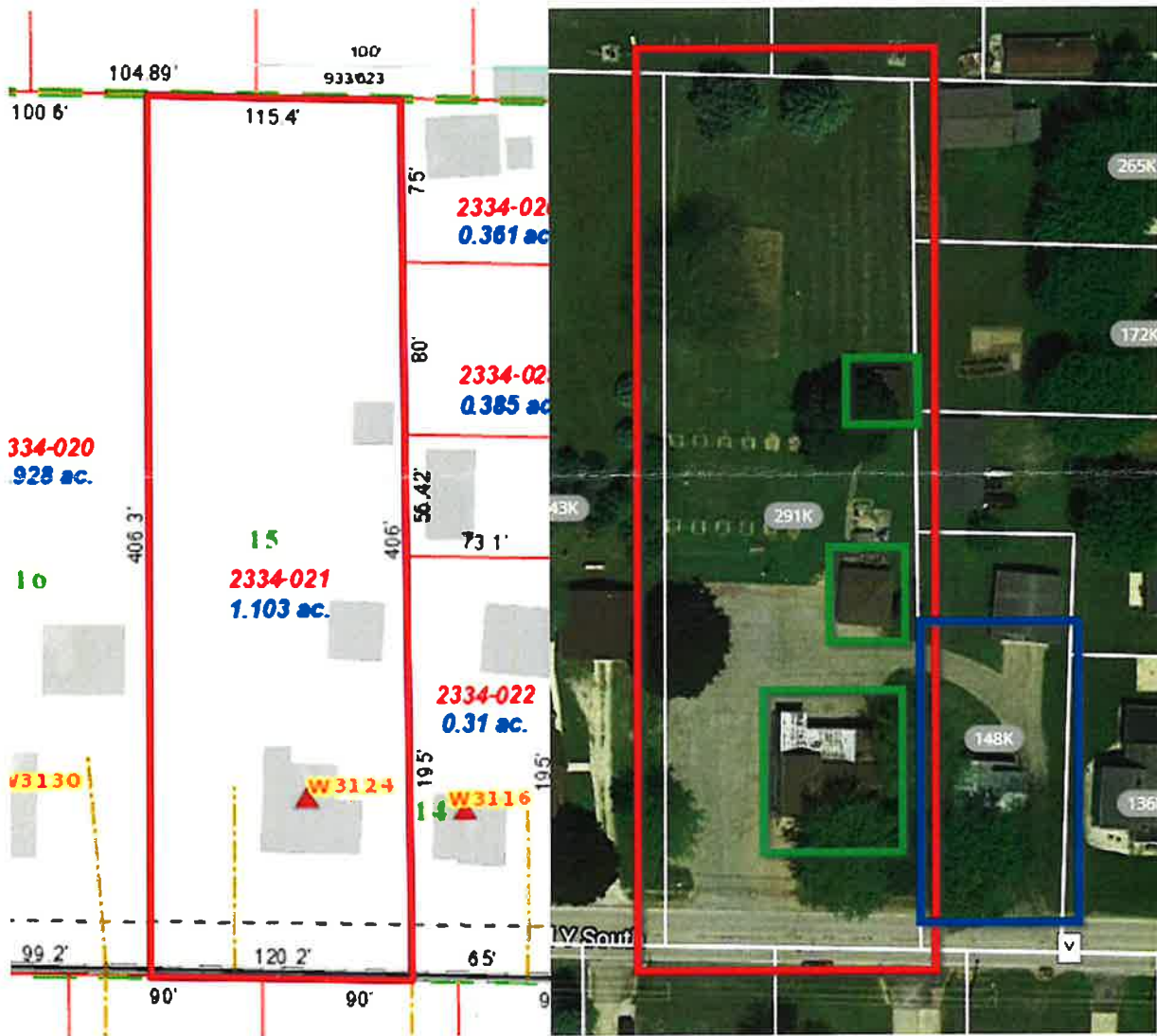
CERTIFICATE

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 Adam Kinyon Date 5/31/2023

Daytime Contact Number (920) 273 5376

◆ AREA BELOW THIS LINE FOR OFFICE USE ONLY ◆

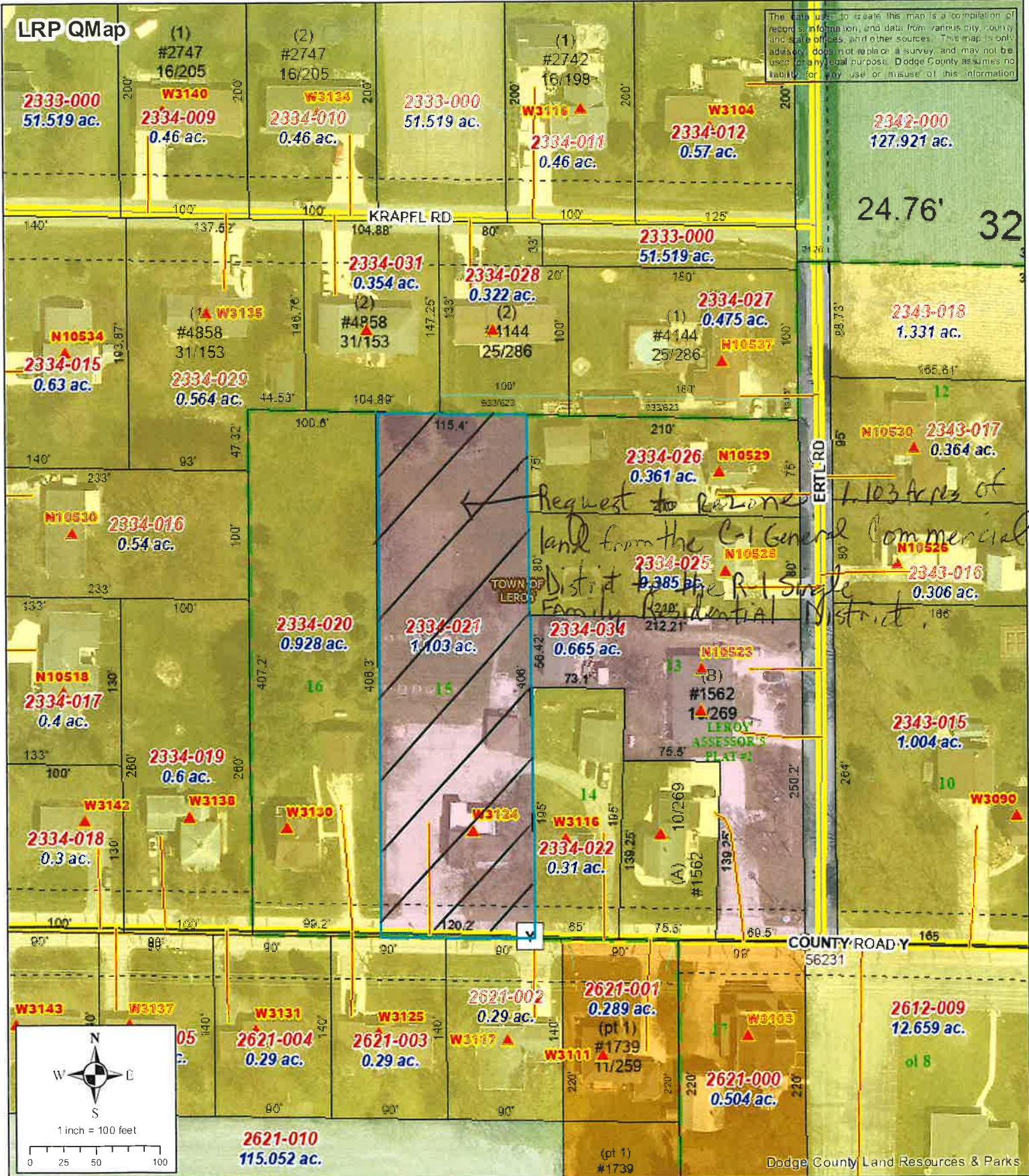


- Both images are oriented with north being directly vertical on this sheet of paper
- The left image is the GIS map
 - Parcel dimensions are shown
 - The road out in front is County Road Y, in Leroy
- The right image is from Google Maps
 - It is from roughly 2015 but shows everything about the property as it is today
 - The property line is the white box within the red box
 - There is an easement with the property with the next door neighbor that it is okay to use the U-shaped driveway past the neighbor's house (indicated in the blue box). I do not believe any specific measurements are associated with it like the petition asks for.
 - 3 buildings are on the property – the main building (was a bar/restaurant, I will renovate it into a house), a 2-car garage, and a small storage shed in back. All are shown with green boxes around them

If you need any other information from me, please let me know, and I will do my best to accommodate. Thank you!

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.



<p>General</p> <ul style="list-style-type: none"> Urbanized Roads Soils Airport Ordinance 3-Mile Buffer Sewer Service Areas Highly Developed Shoreline Elevation Contours 	<p>WI Historical Society</p> <ul style="list-style-type: none"> Historic Structures Archaeological Sites Survey Areas <p>Non-Metallic Mining</p> <ul style="list-style-type: none"> Active Mining Area Approved Mining Area Mine Property Boundaries 	<p>Floodplain / Wetland</p> <ul style="list-style-type: none"> FEMA Floodplain/Storage/Dam Shadow DNR Wetland Areas/Points <p>Shoreland Zoning</p> <ul style="list-style-type: none"> Shoreland Zoning Buffer Lakes/Ponds/Sloughs Rivers/Streams/Creeks 	<p>County Zoning</p> <ul style="list-style-type: none"> Planned Unit Development Hartford Extraterritorial General Agricultural Prime Agricultural One Family Residential Two Family Residential Multi-Family Residential General Commercial Extensive Commercial Light Industrial Industrial Waterbody ROW/City/Village
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This map was created using GIS software. The data used to create this map is a compilation of information from various city, county, and other sources. This map is only for informational purposes and does not replace a survey. Dodge County assumes no liability for any use or misuse of this information.



- General**
- Urbanized Roads
 - Soils
 - Airport Ordinance 3-Mile Buffer
 - Sewer Service Areas
 - Highly Developed Shoreline
 - Elevation Contours

- WI Historical Society**
- Historic Structures
 - Archaeological Sites
 - Survey Areas
- Non-Metallic Mining**
- Active Mining Area
 - Approved Mining Area
 - Mine Property Boundaries

- Floodplain / Wetland**
- FEMA Floodplain/Storage/Dam Shadow
 - DNR Wetland Areas/Points
- Shoreland Zoning**
- Shoreland Zoning Buffer
 - Lakes/Ponds/Sloughs
 - Rivers/Streams/Creeks

- County Zoning**
- Planned Unit Development
 - Hartford Extraterritorial
 - General Agricultural
 - Prime Agricultural
 - One Family Residential
 - Two Family Residential
 - Multi-Family Residential
 - General Commercial
 - Extensive Commercial
 - Light Industrial
 - Industrial
 - Waterbody
 - ROW/City/Village

Dodge County Planning, Development and Parks Committee Decision

County Rezoning Petition # 2023-0346
Filing Date: May 8, 2023
Hearing Date: June 26, 2023

Applicant (Agent):
Adam Kinyon
N10381 Center Drive
Lomira, WI 53048

Owner:
Duane Eilbes
N9902 County Road YY
Mayville, WI 53050

Location
PIN# 028-1316-2334-021
Part of the SE ¼ of the SW 1/4, Section 23, Town of Leroy, the site address being W3124 County Road Y.

Applicants Request
A rezoning petition has been submitted by the applicant in order they be allowed to rezone approximately 1.103-acres of land from the C-1 General Commerical Zoning District to the R-1 Single Family Residential Zoning District under the Dodge County Land Use Code in order to allow for the conversion of the commercial structure on this site into a single family residence.

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 _____

2.3.4.1.3 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 Agricultural 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 / N/A);

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

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 – 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: _____




Duane & Michele Eilbes
Town of Leroy, Sec. 23

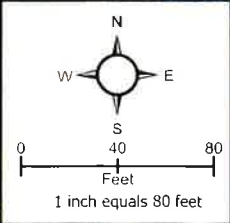
This data was created from a compilation of various city, county and state records, and other sources. This map is only for informational purposes and does not constitute a warranty of any kind. The County assumes no liability for any use or misuse of this information.



D. & M. EILBES

COUNTY ROAD Y

-  Eilbes Property
-  Tax Parcels
-  Area to be Rezoned (C-1 to R-1)



Land Resources and Parks Department Staff Report

County Conditional Use Permit Application # 2023-0368

Filing Date: May 15, 2023

Hearing Date: June 26, 2023

Applicant (Agent):

Leaver Land Surveying LLC
Rich Leaver
W8871 Gossfeld Ln.
Beaver Dam, WI 53916

Owner:

Helen C & Roy W Reabe Joint Living Trust
P.O. Box 24
Waupun, WI 53963

Location

PIN#: 044-1314-0142-001 ETAL

Location: Part of the NW ¼ of the SE ¼, Section 1, T13N, R14E, Town of Trenton, the site address being W7485 STH 68.

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 creation of a 2.51-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The lot contains an existing residence which is intended for non-farm residential use. The remaining approximate 335+acres will remain in agricultural use at this time.

County Jurisdiction

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

Review Criteria

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

Land Use Code Provisions:

1. Section 3.7.2.D of the Land Use Code identifies proposals that convert a farm residence to a nonfarm residence through a change in occupancy as a conditional use in the A-1 Prime Agricultural Zoning District provided the proposal complies with the requirements listed in 3.7.2.D.1 through 3.7.2.D.3.

Purpose Statement

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

Physical Features of Site

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

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

The County has Shoreland Jurisdiction over portions of remnant lands.

- The proposed 2.51-acre lot is not designated as wetlands.

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

The base farm tract contained 265.286-acres that are located within the A-1 Prime Agricultural Zoning District;

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

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

Land Use, Site: Residential and agricultural.

Land Use, Area: Agricultural with scattered residences along STH 68 and Cottonwood Roads. There is also a private airport to the east.

Designated Archaeological Site: Yes No

Town Recommendation: Approve Deny No recommendation submitted

City of Waupun 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 creation of a non-farm residential lot at this location will not have an adverse effect on the adjacent land owners, the community or the environment, and the proposal will be consistent with the purpose and intent of the Code.

CONDITIONS:

1. The applicant shall obtain the required land division approvals for the proposed lot from the County and local municipalities if required, prior to the creation of these lots;
2. The proposed non-farm residential lot shall not exceed 12.632-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;
3. Only one single family residential unit may be located on the proposed non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units;
4. The acreage of the proposed non-farm residential lot shall count towards the total non-farm residential acreage that can be created from the base farm tract for this property;
5. A "Notice of Zoning Limitations" document shall be recorded with the Dodge County Register of Deeds Office for the following parcels which make up the "base farm tract" which notifies the potential buyers of these parcels that there may be limitations as to the number of new lots that can be created from this base farm tract:
 - 044-1314-0142-000; 044-1314-0134-000; 044-1314-0141-000; 044-1314-0141-001; 044-1314-0143-000; 044-1314-1212-000; 044-1314-1211-000; 044-1314-1213-001; 044-1314-1242-000; 044-1314-1241-000.
6. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;
7. The decision of the Committee shall expire one year after the decision is filed with the Department unless construction has been diligently pursued, a Certificate of Zoning Compliance has been issued, the use is established, or the Conditional Use Permit is renewed, for a period not to exceed one year.
8. The Conditional Use Permit shall also expire upon termination of a project or if the rights granted by the permit are discontinued for 180 consecutive days.

“EXHIBIT A”

Staff Review Comments

The staff has reviewed the proposal for compliance with the criteria listed in Section 2.3.6.F and 3.7.2 of the code. The staff comments are as follows:

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

	<u>Complies</u>	<u>Potential Problem</u>	<u>N/A</u>
Proposed Use:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.7.2.D.1 Non-farm residential acreage ratio: <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none">• Acreage of Base Farm Tract: 265.286 acres;• Non-farm residential acreage: 2.51 acres;• Farm acreage remaining after project is completed: 262.776 acres;• The ratio of all “nonfarm residential acreage” to farm acreage: on the “base farm tract” shall not exceed 1 to 20 (0.05).<ul style="list-style-type: none">▪ Ratio of non-farm residential acreage to farm acreage: 1 to 104 or 0.009			
3.7.2.D.2 The total number of non-farm residential units on the base farm tract shall not exceed 4;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Existing non-farm residences on base farm tract:			
<ul style="list-style-type: none">• 0 - Number of existing non-farm residential units located on base farm tract;• 1 - Number of proposed non-farm residential units located on base farm tract;• 1 - Total number of non-farm residential units located on base farm tract;			
The total number of residential units of any kind on the base farm tract shall not exceed 5;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Existing residential units on base farm tract:			
<ul style="list-style-type: none">• 2 - Number of existing residential units located on base farm tract;• 0 - Number of proposed residential units located on base farm tract;• 2 - Total number of residential units located on base farm tract;			
3.7.2.D.3.a Location of the proposed lots:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the proposed nonfarm residential lot convert cropland or “prime farmland” into non-farm use;			
<input type="checkbox"/> Yes; <input checked="" type="checkbox"/> No;			
<input type="checkbox"/> 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 lots:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the location of the nonfarm residential lot significantly impair the current or future agricultural use of other “protected farmland”?			
<input type="checkbox"/> Yes; <input checked="" type="checkbox"/> No;			

Non-Farm Residential Cluster:

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

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

- It is the staff's position that the proposed non-farm residential lot 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 # 2023-0368

Filing Date: May 15, 2023

Hearing Date: June 26, 2023

Applicant (Agent):

Leaver Land Surveying LLC

Rich Leaver

W8871 Gossfeld Ln.

Beaver Dam, WI 53916

Owner:

Helen C & Roy W Reabe Joint Living Trust

P.O. Box 24

Waupun, WI 53963

Location

PIN#: 044-1314-0142-001 ETAL

Location: Part of the NW ¼ of the SE ¼, Section 1, T13N, R14E, Town of Trenton, the site address being W7485 STH 68.

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 creation of a 2.51-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The lot contains an existing residence which is intended for non-farm residential use. The remaining approximate 335+acres will remain in agricultural use at this time.

CONCLUSIONS OF LAW

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

According to Section 3.7.2.D of the Land Use Code and Wisconsin State Statute 91.46, a proposal to convert a farm residence to a nonfarm residence through a change in occupancy can be approved if all of the following apply:

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

(Yes / No)

If no, the request shall be denied.

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

(Yes / No)

If no, the request shall be denied.

3.7.2.D.3.a Will the proposed nonfarm residential lot convert cropland or “prime farmland” into non-farm use;

(Yes / No)

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

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

(Yes / No)

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

2.3.6.F General Approval Criteria for Conditional Use Permits

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

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

(Yes / No)

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

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

(Yes / No)

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

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

(Yes / No)

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

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

(Yes / No / Not Applicable)

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

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

(Yes / No/ Not Applicable)

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

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

(Yes / No)

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

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

(Yes / No)

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

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

(Yes / No)

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

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

(Yes/No)

1. The applicant shall obtain the required land division approvals for the proposed lot from the County and local municipalities if required, prior to the creation of these lots;
2. The proposed non-farm residential lot shall not exceed 12.632-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;
3. Only one single family residential unit may be located on the proposed non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units;
4. The acreage of the proposed non-farm residential lot shall count towards the total non-farm residential acreage that can be created from the base farm tract for this property;
5. A "Notice of Zoning Limitations" document shall be recorded with the Dodge County Register of Deeds Office for the following parcels which make up the "base farm tract" which notifies the potential buyers of these parcels that there may be limitations as to the number of new lots that can be created from this base farm tract:
 - 044-1314-0142-000; 044-1314-0134-000; 044-1314-0141-000; 044-1314-0141-001; 044-1314-0143-000; 044-1314-1212-000; 044-1314-1211-000; 044-1314-1213-001; 044-1314-1242-000; 044-1314-1241-000.
6. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;
7. The decision of the Committee shall expire one year after the decision is filed with the Department unless construction has been diligently pursued, a Certificate of Zoning Compliance has been issued, the use is established, or the Conditional Use Permit is renewed, for a period not to exceed one year.
8. The Conditional Use Permit shall also expire upon termination of a project or if the rights granted by the permit are discontinued for 180 consecutive days.

Others

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

(Yes / No)

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

Motion second _____

Vote

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

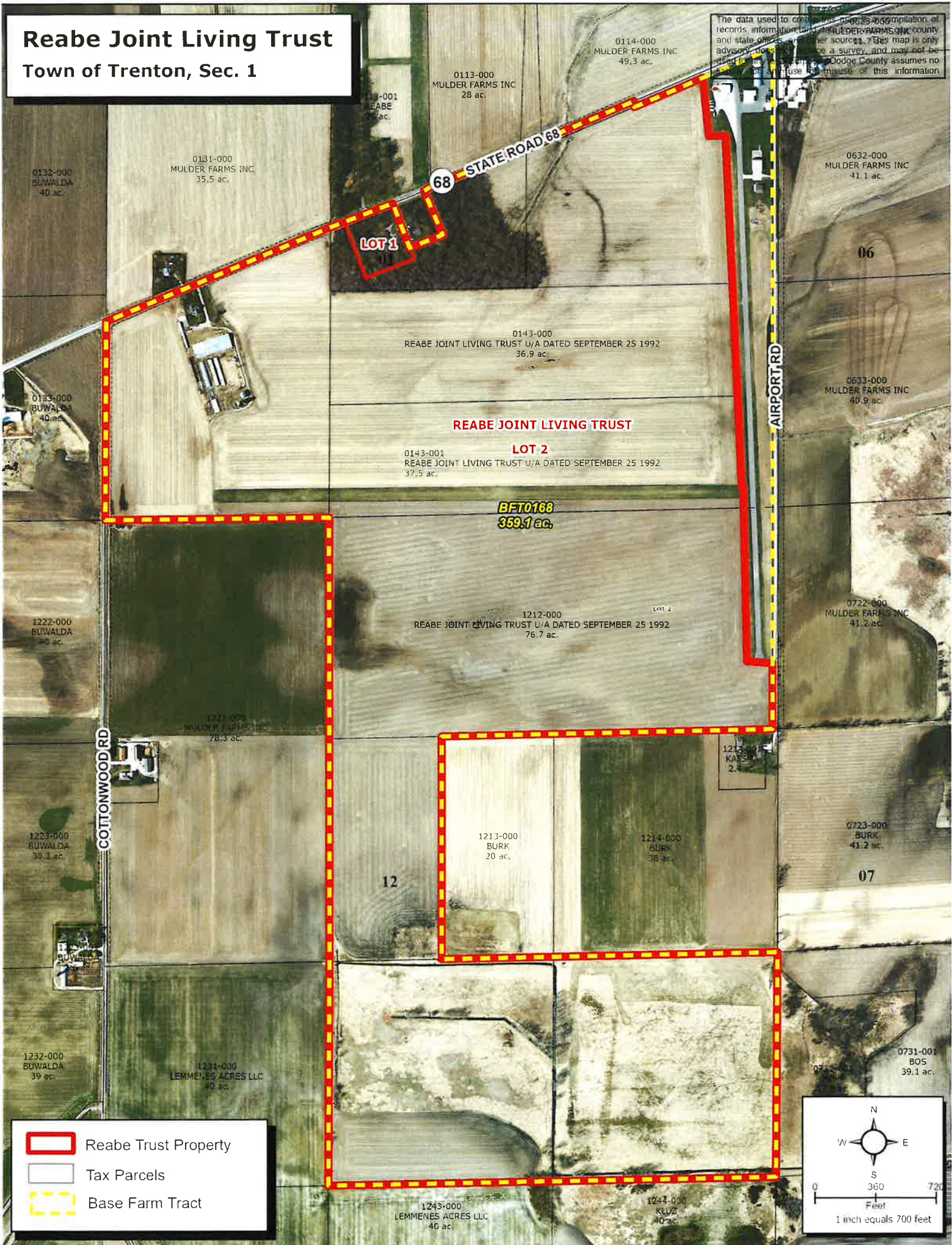
Signed _____ Attest _____
Chairperson Secretary




Dated: _____ Filed: _____

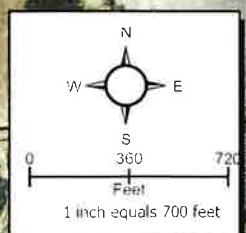
Reabe Joint Living Trust

Town of Trenton, Sec. 1

The data used to create this map is a compilation of records information from MULDER FARMS INC county and state offices. This map is only advisory and may not be used as a survey. Dodge County assumes no liability for any use or misuse of this information.



-  Reabe Trust Property
-  Tax Parcels
-  Base Farm Tract





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. 230368	Permit Issued Date
Application Date: 5-15-2023	Receipt #: 7186-0008
	Sanitary Permit #:

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

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

(1) NAMES & MAILING ADDRESSES		(2) PROPERTY DESCRIPTION					
Applicant (Agent) Leaver Land Surveying LLC Rich Leaver, WI LS-1492 W8871 Gossfeld Ln. Beaver Dam, WI 53916	Street Address City • State • ZipCode	Parcel Identification Number (PIN) 044-1314-0142-001	Town Trenton	T	N	R	E
Property Owner (if different from applicant) Helen C. & Roy W. Reabe Trust	Street Address W 7485 State Rd. 68	Subdivision or CSM (Volume/Page/Lot)	Section 1	Acreage 15.3	Lot (Block)		
City • State • ZipCode Waupun, WI	Address Of Property (DO NOT include City/State/ZipCode) W 7485	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
(3) PROPERTY USE		(4) PROPOSED PROJECT					
Current Use Of Property <input type="checkbox"/> Vacant Property <input checked="" type="checkbox"/> Single-Family Residential <input type="checkbox"/> Active-Working Farm Operation <input type="checkbox"/> Business • Industrial • Commercial • (Describe below) Other _____		(Please check/complete all that apply below) <input type="checkbox"/> Non-Farm Residential Lot <input checked="" type="checkbox"/> Single Family Residence <input type="checkbox"/> Two-Family Residence <input type="checkbox"/> Multi-Family Residence <input type="checkbox"/> Tavern or Restaurant <input type="checkbox"/> Professional Office <input type="checkbox"/> Non-Metallic Mine/Quarry <input type="checkbox"/> Wind Tower <input type="checkbox"/> Create/Expand Business <input type="checkbox"/> Wildlife Pond > 2-acres <input type="checkbox"/> Wireless Communications Tower <input type="checkbox"/> Contractor's Offices and Storage Yards <input type="checkbox"/> Filling, Grading or Dredging in the Shoreland District Other: _____					
DNR Notice		DNR NOTICE: You are responsible for complying with State and Federal laws concerning construction on or near wetlands, lakes and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources Wetlands Identification Web Page (www.dnr.state.wi.us) or contact a Department of Natural Resources Service Center.					
(5) CERTIFICATE							
I, the undersigned, hereby apply for a Conditional Use Permit and certify that all the information both above and attached is true and correct to the best of my knowledge. I affirm that I have read the DNR Notice shown above. I affirm that all work performed will be done in accordance with the Dodge County Land Use Code and with all other applicable laws and regulations. I hereby authorize members of the Dodge County Land Resources and Parks Department to enter the above-described property for purposes of obtaining information pertinent to my application request and to conduct land use code inspections.							
Signature <u>[Signature]</u>						Date <u>5-15-2023</u>	
Daytime Contact Number <u>(920) 219-2026</u>							
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: _____			

0133-000
35.51 ac.

0113-001
28.03 ac.

0113-000
28 ac.

0114-000
49.29 ac.
OVERLAP
0 ac.

0143-000
27.536 ac.
328

0134-000
44.187 ac.

0142-001
5.312 ac.

0142-002
1.339 ac.

0143-000
36.936 ac.

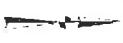
2.51 Acres
353 deep &
310 wide

632.94'

716.1'

#9A
5113
#1067377

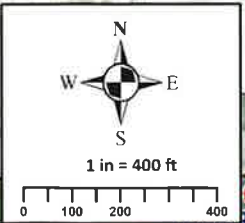
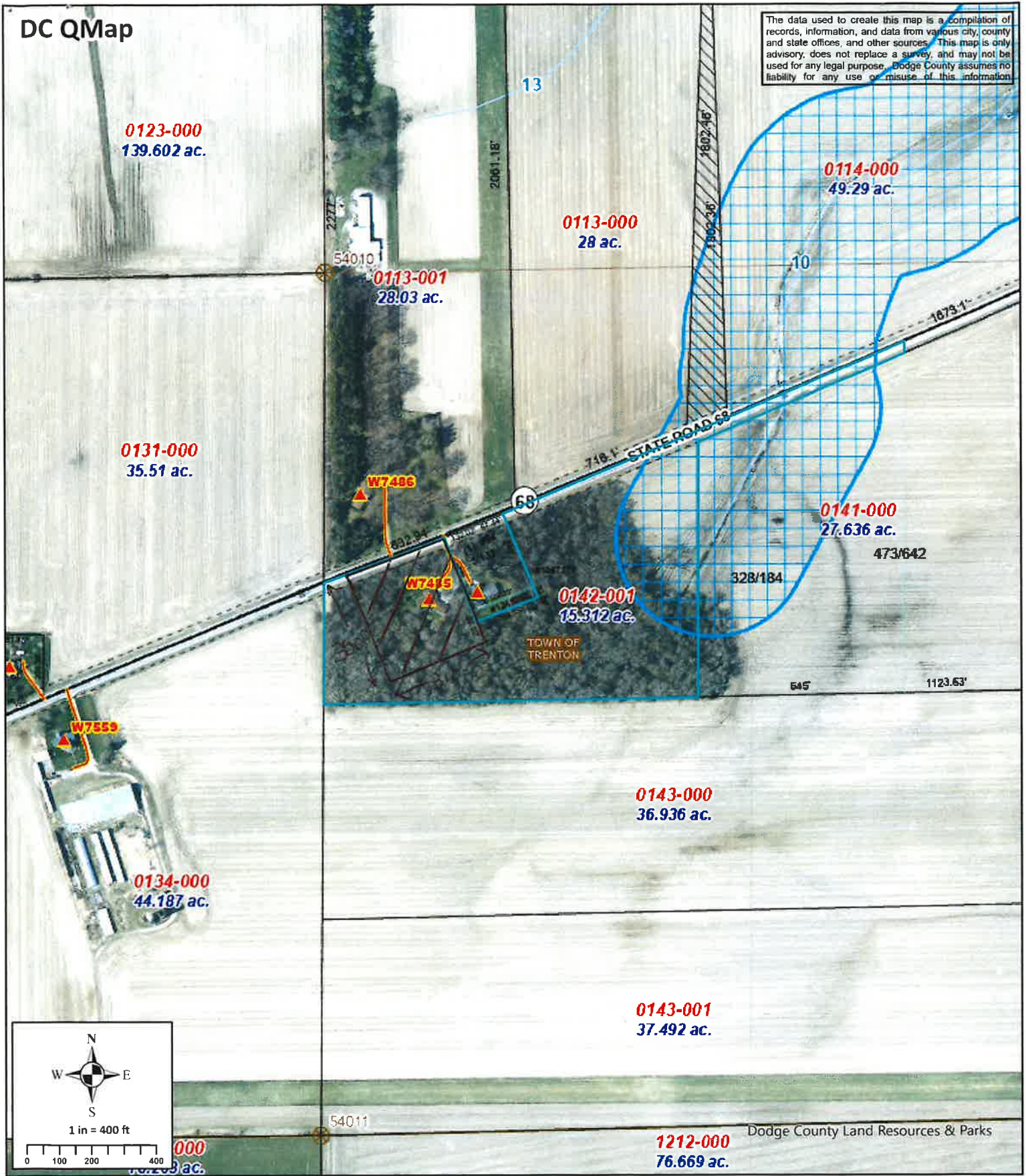
#1219254
708.55'



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

DC 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	County Zoning
Urbanized Roads	Historic Structures	FEMA Floodplain/Storage/Dam Shadow	Planned Unit Development
Soils	Archaeological Sites	DNR Welland Areas/Points	Harford 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: 5/15/2023

Land Resources and Parks Department Staff Report

Town Rezoning Petition # 2023-0430

Filing Date: June 1, 2023

Committee Review Date: June 26, 2023

Owner:

REY Trust
N1161 Dalman Road
Waterloo, WI 53594

Location:

PIN# 036-0913-2113-000; 036-0913-2111-000; 036-0913-1644-000; 036-0913-1533-000; 036-1013-2222-000;
Property Location: Part of the SW ¼ of the NE ¼, Section 21, Town of Portland, the site address being N1161 Dalman Road.

Request:

Petition to rezone approximately 1.8-acres of land under the Town of Portland Zoning Ordinance, from the A-1 Farmland Preservation Zoning District to the A-2 General Agriculture Zoning District has been submitted by the Town of Portland Town Board to the Dodge County Board of Supervisors to allow for the creation of a non-farm residential lot.

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 148+acre remnant lands.

- Portions of the remnant lands are designated as wetlands.
- The proposed 1.8-acre lot to be rezoned is not designated as wetlands.

The County has Floodplain jurisdiction over portions of the 148+acre remnant lot.

- The proposed 1.8-acre lot to be rezoned is not located within a floodplain.

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

Land Use, Site: Agricultural and residential.

Land Use, Area: Agricultural with scattered residences along Dalman Road and a residential subdivision to the northeast.

Designated Archaeological Site: Yes No

- Portions of the 148+acre remnant lands are designated as an archaeological site.
- The proposed 1.8-acre land to be rezoned is not designated as an archaeological site.

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.

The proposal is consistent with the Town of Portland Comprehensive Plan:

- The site is designated as Agriculture which can include a limited amount of residential development.

STAFF ADVISORY:

This staff advisory is only advice to the Land Resources and Parks Committee. The Committee may or may not consider the advice of the staff and decision making authority is vested in the Committee only.

Town Rezoning Petition

The staff believes that the Town Board has followed the proper procedures outlined in their Zoning Ordinance in order to approve the rezoning request. In addition, the proposed rezoning petition is consistent with the County's Comprehensive Plan as the site is designated as general agriculture which may allow for limited residential development. Therefore, staff recommends the committee report favorably on the town rezoning petition.

Dodge County Land Resources and Parks Committee Decision

Town Rezoning Petition # 2023-0430
Filing Date: June 1, 2023
Committee Review Date: June 26, 2023

Owner:
REY Trust
N1161 Dalman Road
Waterloo, WI 53594

Location:
PIN# 036-0913-2113-000; 036-0913-2111-000; 036-0913-1644-000; 036-0913-1533-000; 036-1013-2222-000;
Property Location: Part of the SW ¼ of the NE ¼, Section 21, Town of Portland, the site address being N1161 Dalman Road.

Request:
Petition to rezone approximately 1.8-acres of land under the Town of Portland Zoning Ordinance, from the A-1 Farmland Preservation Zoning District to the A-2 General Agriculture Zoning District has been submitted by the Town of Portland Town Board to the Dodge County Board of Supervisors to allow for the creation of a non-farm residential lot.

CONCLUSIONS OF LAW

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

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

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

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

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

Comments

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

Motion second _____

Vote

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)

Dodge County Land Resources and Parks Committee

Signed _____ Attest _____
Chairperson Secretary

Dated: _____




Filed: _____

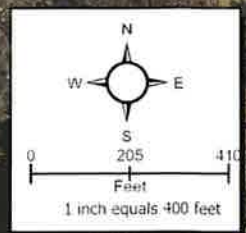
REY Trust

Town of Portland, Sec. 21

This map is a compilation of data from various city, county and state sources for other purposes. This map is only intended for general reference and should not be used for any other purpose. Dodge County Assessor's Office may not be responsible for any error or omission of this map.



-  REY Trust Property
-  Tax Parcels
-  Area to be Rezoned (A-1 to A-2)



RESOLUTION NO. _____

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN

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

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

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

WHEREAS, a public hearing as to the proposed amendment to the Town Zoning Ordinance of the Town of Portland was held by the Town Planning Commission of the Town of Portland on May 3, 2023, and the proposed amendment to the Zoning Ordinance of the Town of Portland having been adopted by the Town Board of the Town of Portland on May 18, 2023,

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

All of which is respectfully submitted this 1 day of June, 2023.



STEVE KAUFFELD, Supervisor

ZONING CHANGE APPLICATION

TOWN OF PORTLAND • W11720 TAYLOR STREET • WATERLOO, WI 53594
 PHONE (920) 478-3724 • DSBATTY.WIXSITE.COM/TOWNOFPORTLANDWI

PERMIT #:
Permit Fee: <u>\$3800.-</u> Fee Paid: <input checked="" type="checkbox"/>
Approved By: <u>Town of Portland Bd.</u>
Approval Date: <u>05/18/2023</u>

Items that must be submitted with your application:

- **Written Legal Description of the Proposed Zoning Boundaries**
 Legal description of the land that is proposed to be changed. The description may be a lot in a plat, Certified Survey map, or an exact metes and bounds description. A separate legal description is required for each zoning district proposed. The description shall include the area in acres or square feet.
- **Scaled Drawing of the Location of the Proposed Zoning Boundaries**
 The drawing shall include the existing and proposed zoning boundaries of the property. All existing buildings shall be shown on the drawing. The drawing shall include the area in acres or square feet.

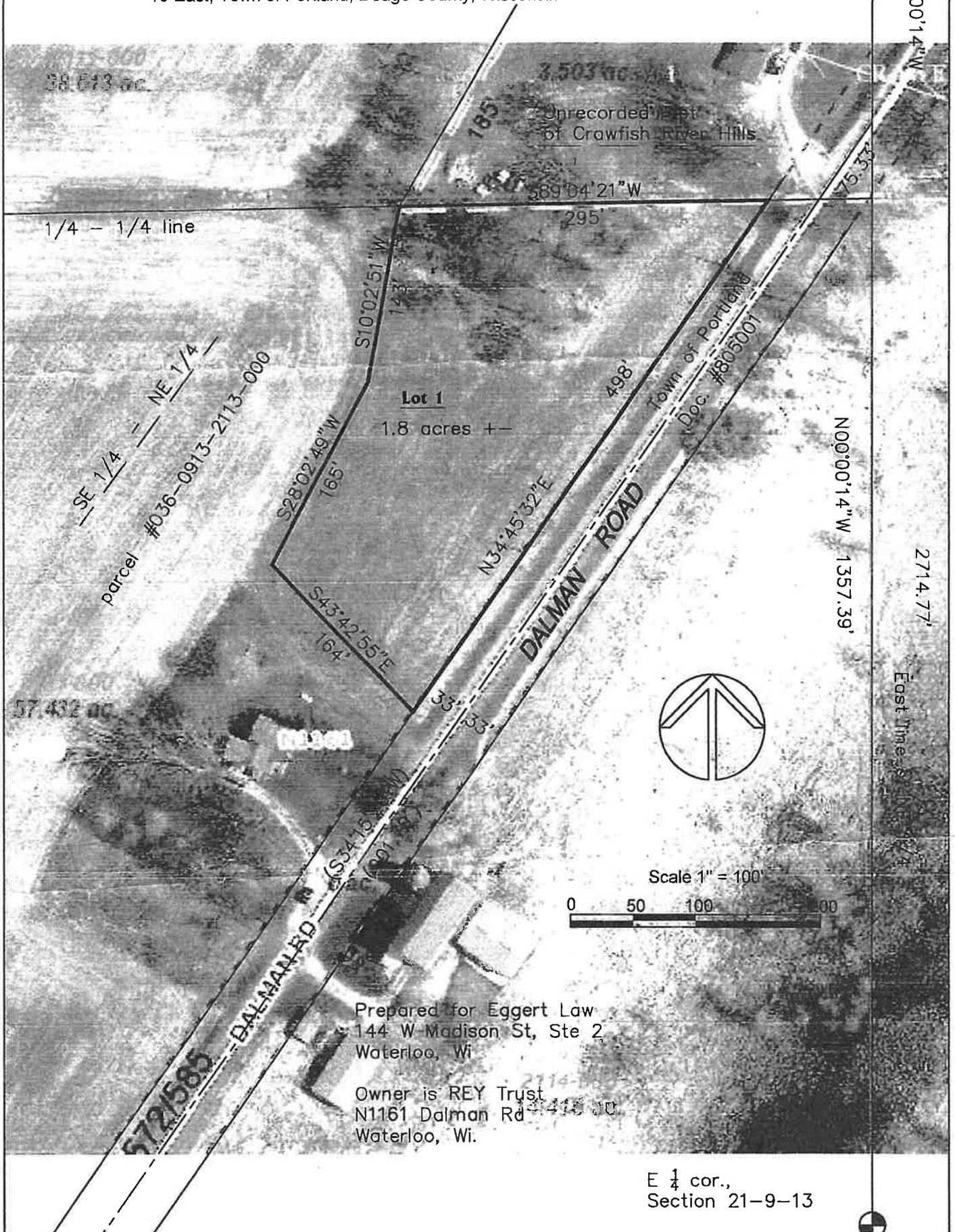
OWNER	AGENT (Contractor, Coordinator, Other)
NAME REY Trust	CONTACT NAME Ruth Yerges
BUSINESS NAME or CO-OWNER'S NAME (if applicable)	BUSINESS NAME (if applicable)
MAILING ADDRESS N1161 Dalman Rd.	MAILING ADDRESS
CITY, STATE, ZIP Waterloo, WI 53594	CITY, STATE, ZIP
DAYTIME PHONE # 920-988-2989	DAYTIME PHONE #
EMAIL	EMAIL

LAND INFORMATION			
Town: <u>Portland</u>	Parcel Numbers Affected: <u>036-0913-2113-000</u>		
Section: <u>21</u>	Property Address or Location: <u>N1161 Dalman Rd.</u>		
Zoning District Change (To / From / # of acres) <u>150 to 1.8</u> <u>A-1 to A-2</u>			
Soils classification of area (percentages) Class I Soils: _____ % Class II Soils: <u>100.00</u> % Other: _____ %			
Narrative: (reason for change, intended land use, size of farm, time schedule)			
<input type="checkbox"/> Separation of buildings from farmland	<input checked="" type="checkbox"/> Creation of a residential lot		
<input type="checkbox"/> Compliance for existing structures and/or land uses	<input type="checkbox"/> Other		
I authorize that I am the owner or have permission to act on behalf of the owner of the property.			
Signature: <u>[Signature]</u>	Date: <u>2-16-23</u>		

Certified Survey Map

Exhibit A

Part of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, Town 9 North, Range 13 East, Town of Portland, Dodge County, Wisconsin



**Land Resources and Parks Department
Staff Report**

Town Rezoning Petition # 2023-0429
Filing Date: June 1, 2024
Committee Review Date: June 26, 2023

Applicant / Owner:

Scott and Kelly Buss
W10971 State Road 19
Waterloo, WI 53954

Location:

PIN# 036-0913-3442-002
Lot 2, CSM in V4 P258, located in part of the NW ¼ of the SE ¼, Section 34, T09N, R13E, Town of Portland, the site address being W10971 State Road 19.

Request:

Petition to rezone approximately 14.861-acres of land under the Town of Portland Zoning Ordinance, from the A-1 Farmland Preservation Zoning District to the A-2 General Agricultural Zoning District has been submitted by the Town of Portland Town Board to the Dodge County Board of Supervisors to allow for the construction of a single family residence on this site.

Land Use Code Provisions:

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

Physical Features of Site

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

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

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

Land Use, Site: Commercial Contractors Yard

Land Use, Area: Agricultural with scattered residences along STH 19

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. Contractor's yards are listed as a conditional use within the A-2 General Agricultural Zoning District.

The proposal appears to be consistent with the Town of Portland Comprehensive Plan:

- The site is designated as Agriculture

STAFF ADVISORY:

This staff advisory is only advice to the Land Resources and Parks Committee. The Committee may or may not consider the advice of the staff and decision making authority is vested in the Committee only.

Town Rezoning Petition

The staff believes that the Town Board has followed the proper procedures outlined in their Zoning Ordinance in order to approve the rezoning request. In addition, the proposed rezoning petition is consistent with the County's Comprehensive Plan as the site is designated as general agriculture which may allow for limited residential development and contractor's yards are listed as a conditional use within the A-2 General Agriculture Zoning District. Therefore, staff recommends the committee report favorably on the town rezoning petition.

Dodge County Land Resources and Parks Committee Decision

Town Rezoning Petition # 2023-0429
Filing Date: June 1, 2024
Committee Review Date: June 26, 2023

Applicant / Owner:
Scott and Kelly Buss
W10971 State Road 19
Waterloo, WI 53954

Location:
PIN# 036-0913-3442-002
Lot 2, CSM in V4 P258, located in part of the NW ¼ of the SE ¼, Section 34, T09N, R13E, Town of Portland, the site address being W10971 State Road 19.

Request:
Petition to rezone approximately 14.861-acres of land under the Town of Portland Zoning Ordinance, from the A-1 Farmland Preservation Zoning District to the A-2 General Agricultural Zoning District has been submitted by the Town of Portland Town Board to the Dodge County Board of Supervisors to allow for the construction of a single family residence on this site.

CONCLUSIONS OF LAW

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

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

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

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

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

Comments

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

Motion second _____

Vote

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)

Dodge County Land Resources and Parks Committee

Signed _____ Attest _____
Chairperson Secretary

Dated: _____

Filed: _____

Scott & Kelly Buss

Town of Portland, Sec. 34

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 & Co. LLC assumes no liability for any use or misuse of this information.

3424-000
BULL
124.7 ac.

STATE ROAD 19 19




3443-000
VALERIE HOOD CABLE TRUST DATED FEBRUARY 13, 2017
11.8 ac.

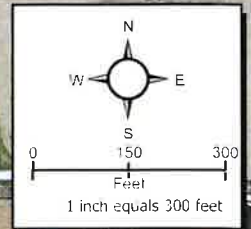
3441-001
WILSON
5.1 ac.

3441-000
LUDEMAN
60.7 ac.

S. & K. BUSS

3444-001
JONAS KRUS
45.3 ac.

-  Buss Property
-  Tax Parcels
-  Area to be Rezoned (A-1 to A-2)



RESOLUTION NO. _____

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN

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

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

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

WHEREAS, a public hearing as to the proposed amendment to the Town Zoning Ordinance of the Town of Portland was held by the Town Planning Commission of the Town of Portland on May 3, 2023, and the proposed amendment to the Zoning Ordinance of the Town of Portland having been adopted by the Town Board of the Town of Portland on May 23, 2023,

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

All of which is respectfully submitted this 1 day of June, 2023.



STEVE KAUFFELD, Supervisor

Scott & Kelly Buss
Town of Portland, Sec. 34

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 & Co. assumes no liability for any use of misused information.
18.5 ac.

3424-000
BULL
124.7 ac.

STATE ROAD 19 19

3442-001
SAUER & DOABLE TRUST DATED FEBRUARY 13 2017
11.8 ac.


3443-000
PETERSON
10.6 ac.

3441-001
WILSON
5 ac.


3441-000
LUDEMAN
50.7 ac.

S. & K. BUSS

3444-001
JONAS TRUST
45 ac.

 Buss Property

 Tax Parcels

 Area to be Rezoned (A-1 to A-2)

N
W E
S

0 150 300
Feet
1 inch equals 300 feet

ZONING CHANGE APPLICATION


TOWN OF PORTLAND • W11720 TAYLOR STREET • WATERLOO, WI 53594
 PHONE (920) 478-3724 • DSBATTY.WIXSITE.COM/TOWNOFPORTLANDWI

PERMIT #:
Permit Fee: \$1250.00 Fee Paid: <input checked="" type="checkbox"/>
Approved By: <u>Portland Town Bd.</u>
Approval Date: <u>05/23/2023</u>

Items that must be submitted with your application:

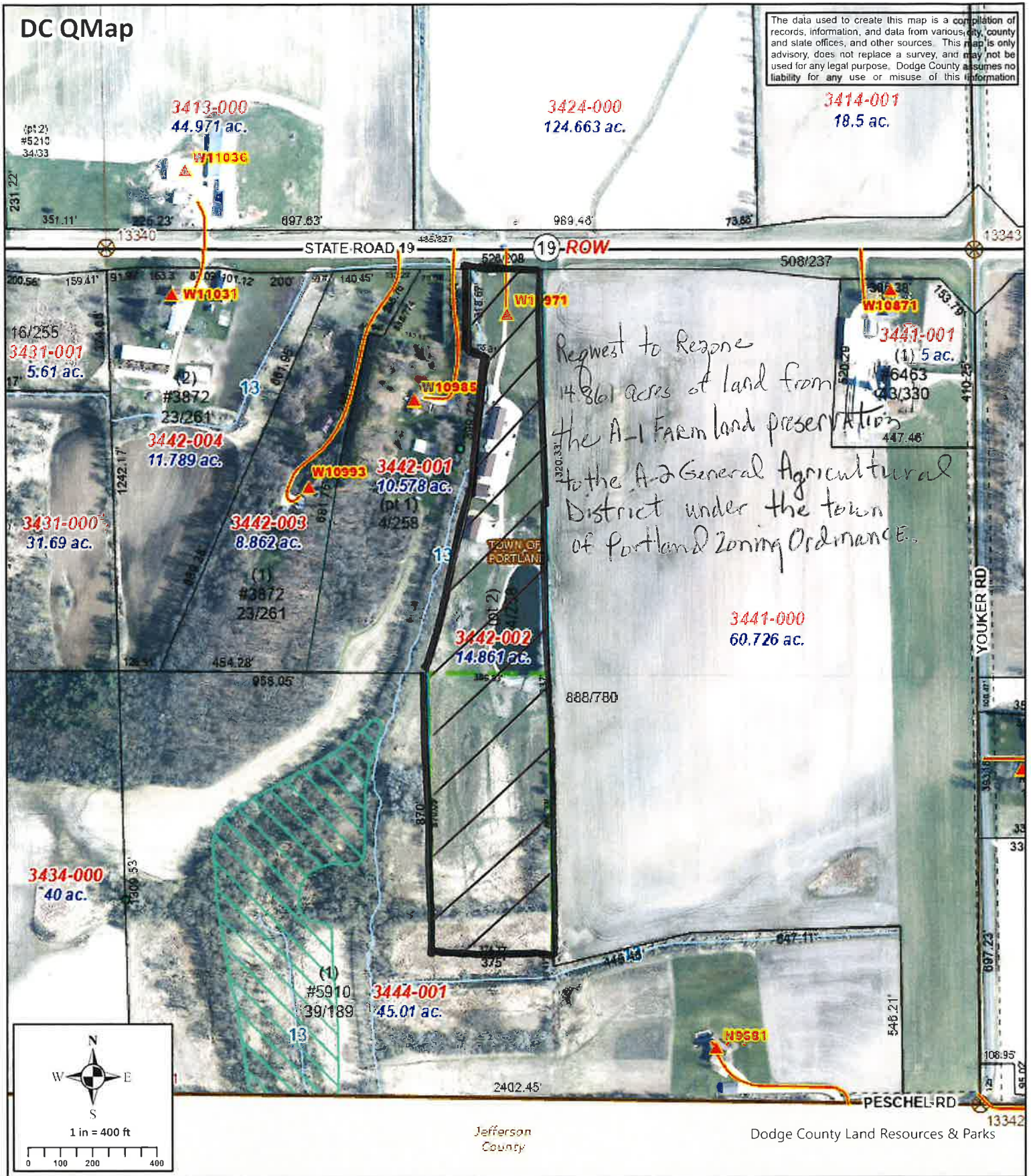
- **Written Legal Description of the Proposed Zoning Boundaries**
 Legal description of the land that is proposed to be changed. The description may be a lot in a plat, Certified Survey map, or an exact metes and bounds description. A separate legal description is required for each zoning district proposed. The description shall include the area in acres or square feet.
- **Scaled Drawing of the Location of the Proposed Zoning Boundaries**
 The drawing shall include the existing and proposed zoning boundaries of the property. All existing buildings shall be shown on the drawing. The drawing shall include the area in acres or square feet.

OWNER	AGENT (Contractor, Coordinator, Other)
NAME <u>SCOTT BUSS</u>	CONTACT NAME
BUSINESS NAME or CO-OWNER'S NAME (if applicable)	BUSINESS NAME (if applicable)
MAILING ADDRESS <u>W10971 ST HYW 19</u>	MAILING ADDRESS
CITY, STATE, ZIP <u>WATERLOO, WI. 53594</u>	CITY, STATE, ZIP
DAYTIME PHONE # <u>(920)-253-6568</u>	DAYTIME PHONE #
EMAIL	EMAIL

LAND INFORMATION	
Town: <u>PORTLAND</u>	Parcel Numbers Affected: <u>036-0913-3442-002</u>
Section: <u>34</u>	Property Address or Location: <u>W10971 SR "19"</u>
Zoning District Change (To / From / # of acres) <u>A-1 to A-2 15 ac +/-</u>	
Soils classification of area (percentages) Class I Soils: _____ % Class II Soils: _____ % Other: _____ %	
Narrative: (reason for change, intended land use, size of farm, time schedule)	
<input type="checkbox"/> Separation of buildings from farmland	<input checked="" type="checkbox"/> Creation of a residential lot
<input checked="" type="checkbox"/> Compliance for existing structures and/or land uses	<input type="checkbox"/> Other
<u>TO ALLOW HOME TO BE BUILT ON EXISTING LOT. TALKED WITH CORY AT GENERAL ENGINEERING.</u>	
I authorize that I am the owner or have permission to act on behalf of the owner of the property.	
Signature: <u></u>	Date: <u>4-5-2023</u>

DC QMap

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*Request to Rezone
14.861 acres of land from
the A-1 Farm land preservation
to the A-2 General Agricultural
District under the town
of Portland Zoning Ordinance.*

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

**Land Resources and Parks Department
Staff Report**

Town Rezoning Petition # 2023-0463

Filing Date: June 9, 2023

Committee Review Date: June 26, 2023

Applicant / Owner:

Kevin and Pauline Schoebel
1009 W. Mulberry Dr.
West Bend, WI 53090

Location:

PIN# 042-1217-2414-002

Part of the SE ¼ of the NE ¼, Section 24, Town of Theresa, the site address being W155 West Bend Road.

Request:

Petition to rezone approximately 10.571-acres of land under the Town of Theresa Zoning Ordinance, from the A-1 Farmland Preservation Zoning District to the A-2 General Agricultural Zoning District has been submitted by the Town of Theresa Town Board to the Dodge County Board of Supervisors to allow for the construction 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 proposed lots are not located within the County's Zoning Jurisdiction.

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 West Bend 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.

The County's Density Standards do not apply;

STAFF ADVISORY:

This staff advisory is only advice to the Land Resources and Parks Committee. The Committee may or may not consider the advice of the staff and decision making authority is vested in the Committee only.

Town Rezoning Petition

The staff believes that the Town Board has followed the proper procedures outlined in their Zoning Ordinance in order to approve the rezoning request. In addition, the proposed rezoning petition is consistent with the County's Comprehensive Plan as the site is designated as general agriculture which may allow for limited residential development. Therefore, staff recommends the committee report favorably on the town rezoning petition.

Dodge County Land Resources and Parks Committee Decision

Town Rezoning Petition # 2023-0463
Filing Date: June 9, 2023
Committee Review Date: June 26, 2023

Applicant / Owner:
Kevin and Pauline Schoebel
1009 W. Mulberry Dr.
West Bend, WI 53090

Location:
PIN# 042-1217-2414-002
Part of the SE ¼ of the NE ¼, Section 24, Town of Theresa, the site address being W155 West Bend Road.

Request:
Petition to rezone approximately 10.571-acres of land under the Town of Theresa Zoning Ordinance, from the A-1 Farmland Preservation Zoning District to the A-2 General Agricultural Zoning District has been submitted by the Town of Theresa Town Board to the Dodge County Board of Supervisors to allow for the construction 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:

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

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

Comments

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

Motion second _____

Vote

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)

Dodge County Land Resources and Parks Committee

Signed _____ Attest _____
Chairperson Secretary

Dated: _____

Filed: _____

Kevin & Pauline Schoebel

Town of Theresa, Sec. 24

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- Schobel Property
- Tax Parcels
- Area to be Rezoned (A-1 to A-2)

0 205 410
Feet
1 inch equals 400 feet

RESOLUTION #

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN

MEMBERS:

WHEREAS, Dodge County, a Body Corporate under the laws of the State of Wisconsin, had adopted a comprehensive zoning ordinance which is in full force and effect, and

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

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

WHEREAS, a public hearing as to the proposed amendment to the Town Zoning Ordinance of the Town of Theresa was held by the Town Plan Commission of the Town of Theresa on May 31st, 2023, the proposed amendment to the zoning ordinance of the Town of Theresa having been adopted by the Town Board of the Town of Theresa on June 5th, 2023.

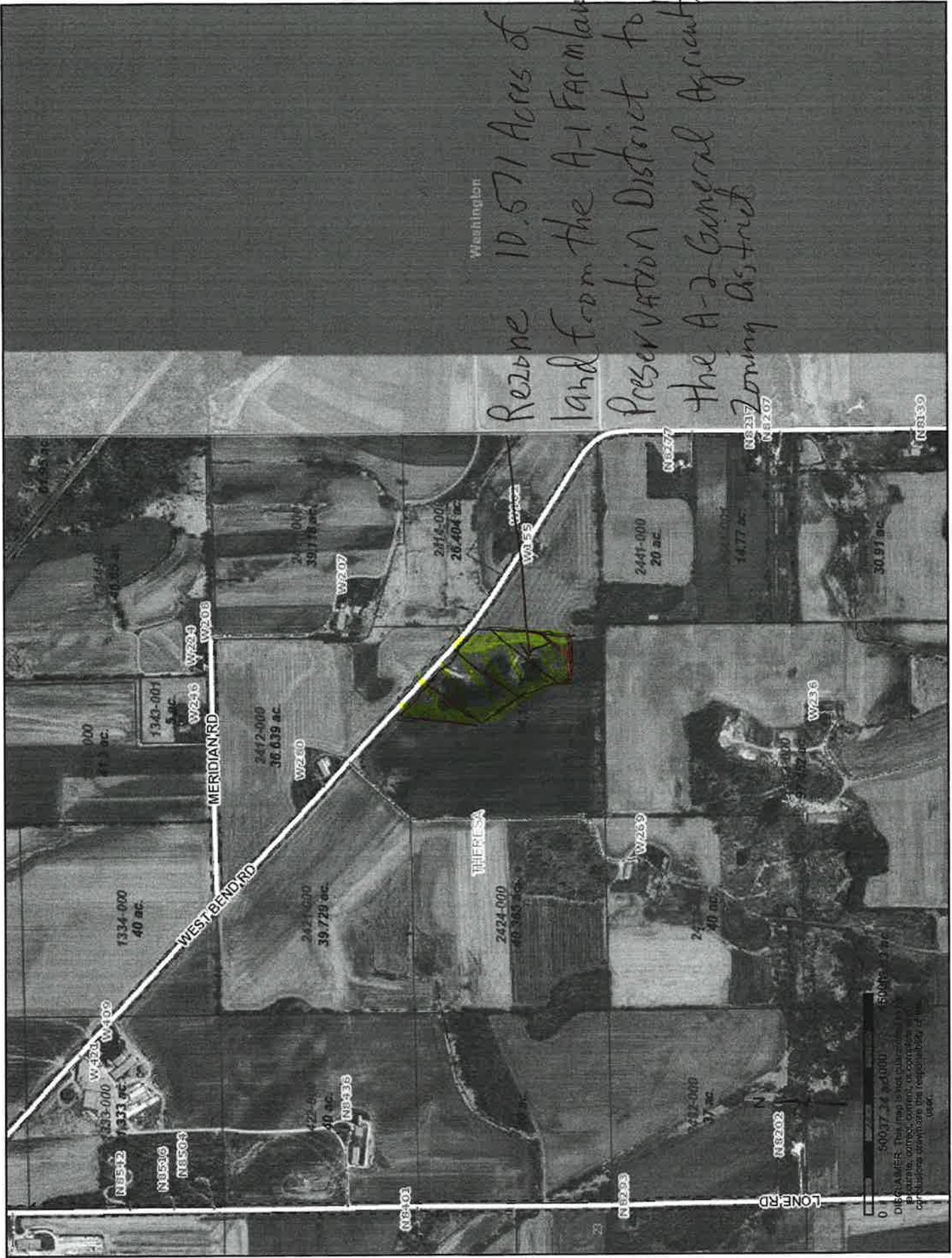
THEREFORE, BE IT RESOLVED, that the amendment to Section 2.6 of the Town Zoning Ordinance of the Town of Theresa as represented by the attached page and made a part of this resolution be and hereby is approved, by the Board of Supervisors of Dodge County, Wisconsin.

All of which is respectfully submitted this 7th day of June, 2023.



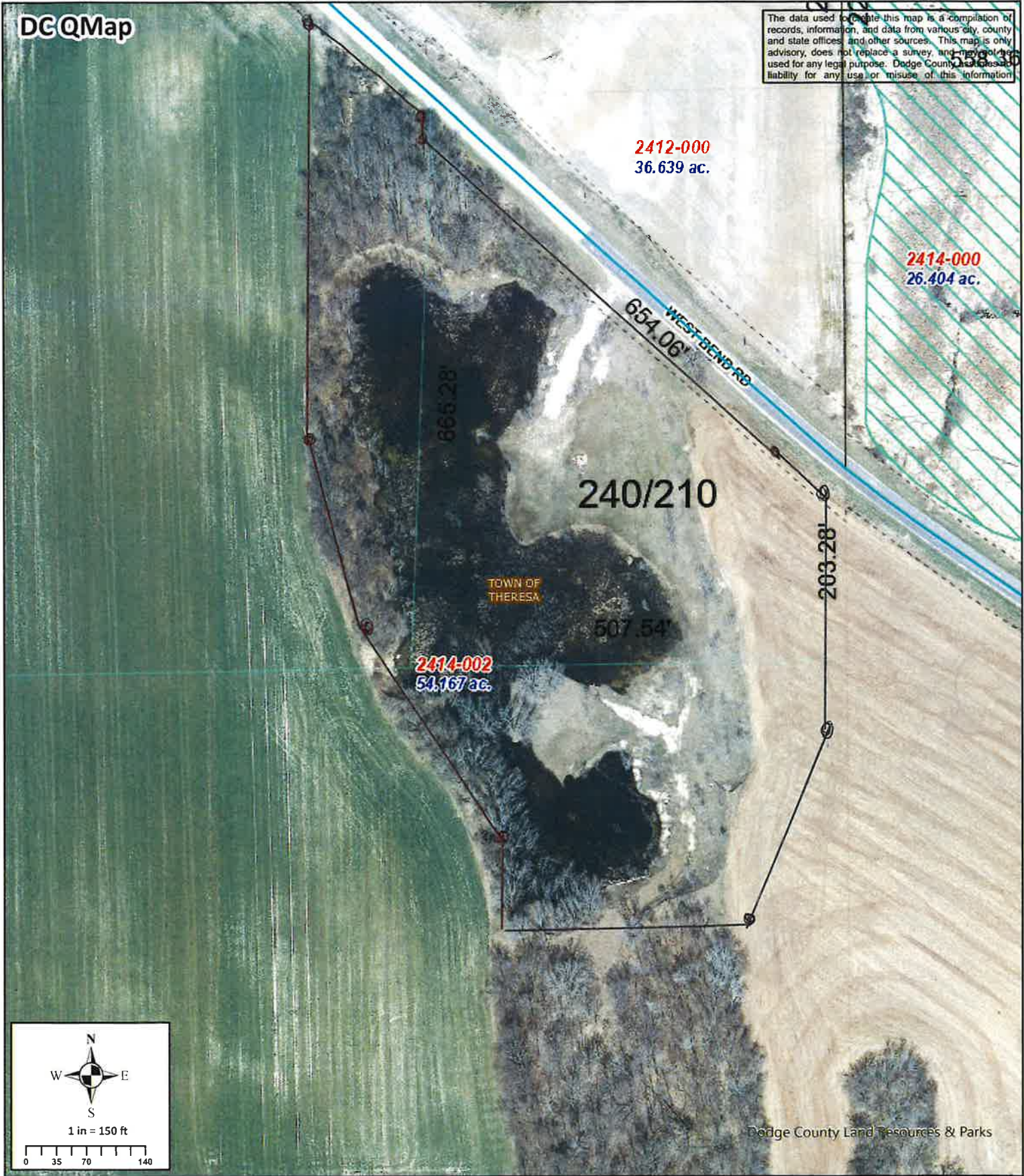
Dodge County Board Supervisor

Rezone 10.571 Acres of
land from the A-1 Farmland
Preservation District to
the A-2 General Agriculture
Zoning District



0 500 1000 1500 2000 feet
DISCLAIMER: This map is not a warranty, representation, or agreement of any kind. It is provided for informational purposes only. The user assumes all responsibility for its use.

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

COPY

DODGE COUNTY CERTIFIED SURVEY MAP NO. _____

FOR

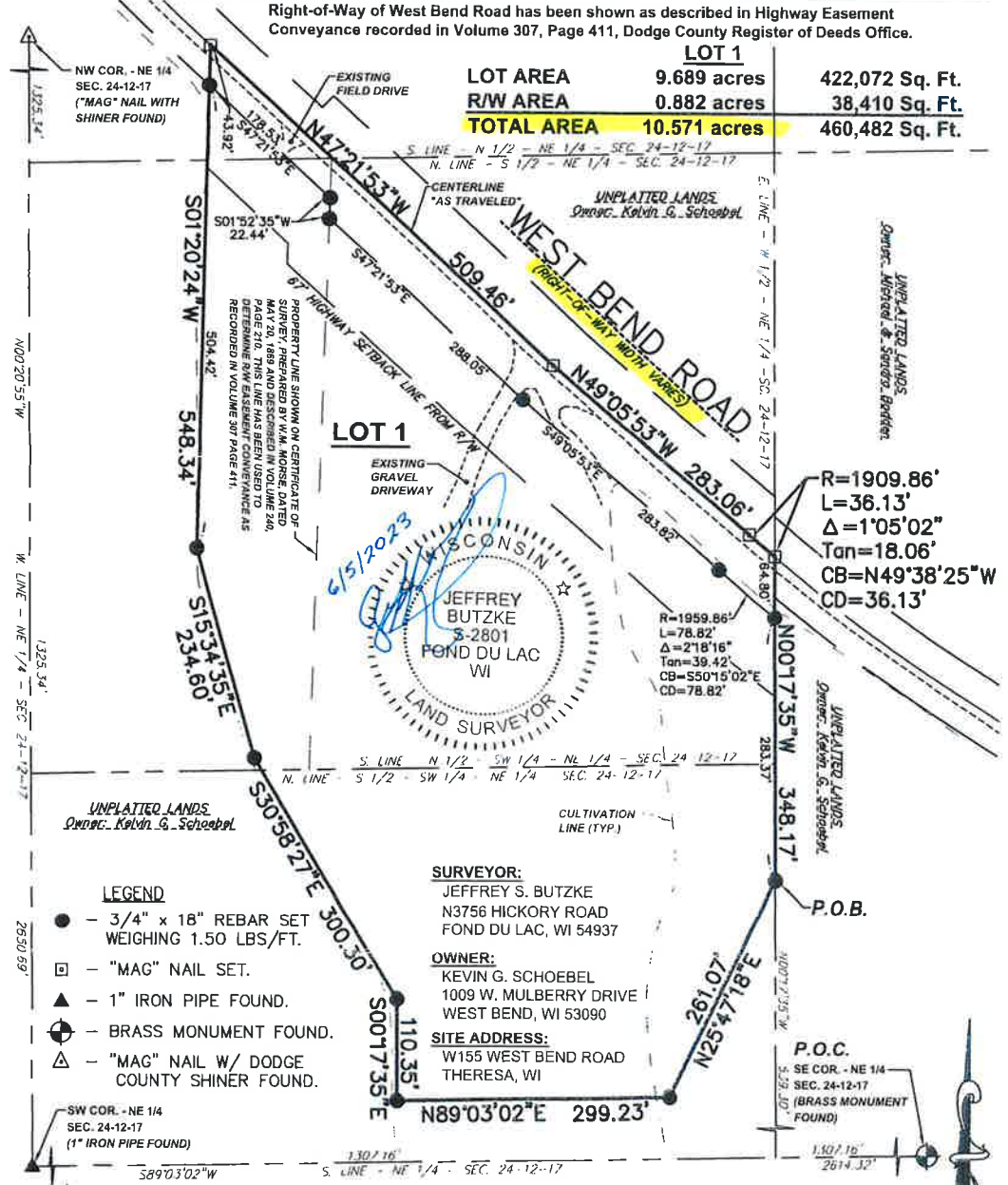
KELVIN G. SCHOEBEL

A PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND
A PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4,
SECTION 24, T. 12 N.-R. 17 E., TOWN OF THERESA,
DODGE COUNTY, WISCONSIN.

A PART OF
TAX PARCEL NUMBER:
042-1217-2414-002

Right-of-Way of West Bend Road has been shown as described in Highway Easement
Conveyance recorded in Volume 307, Page 411, Dodge County Register of Deeds Office.

LOT 1		
LOT AREA	9.689 acres	422,072 Sq. Ft.
R/W AREA	0.882 acres	38,410 Sq. Ft.
TOTAL AREA	10.571 acres	460,482 Sq. Ft.



LEGEND

- - 3/4" x 18" REBAR SET WEIGHING 1.50 LBS/FT.
- - "MAG" NAIL SET.
- ▲ - 1" IRON PIPE FOUND.
- ⊙ - BRASS MONUMENT FOUND.
- △ - "MAG" NAIL W/ DODGE COUNTY SHINER FOUND.

SURVEYOR:
JEFFREY S. BUTZKE
N3756 HICKORY ROAD
FOND DU LAC, WI 54937

OWNER:
KEVIN G. SCHOEBEL
1009 W. MULBERRY DRIVE
WEST BEND, WI 53090

SITE ADDRESS:
W155 WEST BEND ROAD
THERESA, WI

P.O.C.
SE COR. - NE 1/4
SEC. 24-12-17
(BRASS MONUMENT FOUND)



NORTH POINT REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, DODGE COUNTY. THE SOUTH LINE OF THE NORTHEAST QUARTER, SECTION 24, T. 12 N.-R. 17 E., HAS A BEARING OF S89°-03'-02"W.



**DODGE COUNTY
CERTIFIED SURVEY MAP NO. _____**

A PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, AND A PART OF THE
SOUTHWEST 1/4 OF THE NORTHEAST 1/4, SECTION 24, T. 12 N.-R. 17 E.,
TOWN OF THERESA, DODGE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Jeffrey S. Butzke, Professional Land Surveyor, hereby certify:

That I have surveyed, divided and mapped a parcel of land described below.

That I have made such Certified Survey Map under the direction of Kelvin G. Schoebel of a parcel of land being bounded and described as follows:

A part of the Northwest 1/4 of the Northeast 1/4, and a part of the southwest 1/4 of the northeast 1/4, section 24, T. 12 N.-R. 17 E., Town of Theresa, Dodge County, Wisconsin, and being more particularly described as follows:

Commencing at the Southeast corner of the Northeast 1/4, said Section 24; thence South 89°-03'-02" West along the South line of the Northeast 1/4, said Section 24, 1307.16 feet; thence North 00°-17'-35" West along the East line of the West 1/2 of the Northeast 1/4, said Section 24, 539.30 feet to the **point of beginning**; thence continuing North 00°-17'-35" West along said East line, 348.17 feet to a point on the centerline of West Bend Road; thence Northwesterly along said centerline on a curve to the right, having a radius of 1,909.86 feet, 36.13 feet along curve to a point that is North 49°-38'-25" West, 36.13 feet from last described point; thence North 49°-05'-53" West along said centerline, 283.06 feet; thence North 47°-21'-53" West along said centerline, 509.46 feet; thence South 01°-20'-24" West, 548.34 feet; thence South 15°-34'-35" East, 234.60 feet; thence South 30°-58'-27" East, 300.30 feet; thence South 00°-17'-35" East, 110.35 feet; thence North 89°-03'-02" East, 299.23 feet; thence North 25°-47'-18" East, 261.07 feet to the point of beginning and containing 10.571 acres (460,482 Sq. Ft.) of land more or less and being subject to all easements and restrictions of record and being further subject to the rights of the public over and above those lands being used for highway purposes.

That such is a correct representation of all the exterior boundaries of the land surveyed and the subdivision thereof made.

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes and the Subdivision Ordinance of the Dodge County Land Use Code and the Town of Theresa in surveying, dividing and mapping the same.




Jeffrey S. Butzke, P.L.S. No. S-2801

Compass Surveying, LLC
Fond du Lac, Wisconsin 54937

Project Number: 230049

**DODGE COUNTY
CERTIFIED SURVEY MAP NO. _____**

A PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, AND A PART OF THE
SOUTHWEST 1/4 OF THE NORTHEAST 1/4, SECTION 24, T. 12 N.-R. 17 E.,
TOWN OF THERESA, DODGE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE

As owner, I hereby certify that I have caused the land described on this plat to be surveyed, divided and mapped as represented on this plat. I also certify that this plat is required by s. 236.10 or s. 236.12 to be submitted to the following for approval or objection:

1. Town of Theresa
Dodge County Land Resources & Parks Committee

WITNESS the hand and seal of said owner this _____ day of _____, 2023.

IN PRESENCE OF:

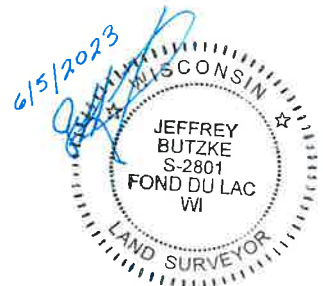
Kelvin G. Schoebel

STATE OF WISCONSIN)
_____ COUNTY)SS

Personally came before me this _____ day of _____, 2023, the above named Kelvin G. Schoebel to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, _____ County, WI

My Commission Expires: _____



**DODGE COUNTY
CERTIFIED SURVEY MAP NO. _____**

A PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, AND A PART OF THE
SOUTHWEST 1/4 OF THE NORTHEAST 1/4, SECTION 24, T. 12 N.-R. 17 E.,
TOWN OF THERESA, DODGE COUNTY, WISCONSIN.

TOWN OF THERESA TOWN BOARD CERTIFICATE

STATE OF WISCONSIN)
DODGE COUNTY) SS

This Certified Survey Map along with the resulting lot is approved by the Town Board of the Town of Theresa
this _____ day of _____, 2023.

Lloyd Hilgendorf, Chairman

Diane Steger, Clerk

DODGE COUNTY LAND RESOURCES & PARKS COMMITTEE CERTIFICATE

STATE OF WISCONSIN)
DODGE COUNTY) SS

This Certified Survey Map and the resulting lots are hereby approved by the Dodge County Land Resources
and Parks Committee.

Dated and approved this _____ day of _____, 2023.

Joseph Giebel
Dodge County Land Use Administrator

