

Land Resources and Parks Department Staff Report

County Land Use Permit Application # 2023-0815
Conditional Use Permit – 2018-0791
Filing Date: September 25, 2023
Committee Review Date: October 23, 2023

Applicant / Owner:

Peter Mittelstadt
W1584 County Road H
Lomira, WI 53048

Location

PIN# 030-1317-1634-001

Part of the SE ¼ of the SW ¼, Section 16, Town of Lomira, the site address being W1584 County Road H

Applicants Request

An application for a County Land Use Permit was made by the applicant to allow filling and grading within a floodplain district associated with the proposed expansion of the outdoor storage yard for the repossession business that is operated on this site. The applicant is proposing add approximately 20,950 square feet of storage area along the west side of the previously approved storage area. The applicant is also proposing to extend the existing security fence around the proposed new storage area. The applicant intends to remove the existing soil from the proposed storage area and will replace it with a gravel base for the parking area. According to the application there will be no change to the surface grade elevation of the parking area and therefore there will be no change in the floodplain storage volume for this site.

On September 21, 2021, the Committee granted conditional approval of a Conditional Use Permit (2018-0791) to allow the establishment of a repossession business on this site along with an approximate 20,000 square foot outdoor storage area (Copy attached). **Condition #22** of the conditional approval states: “Any significant change to or expansion of the business operations and/or of its facilities may require that a new Conditional Use Permit be obtained.”

The staff requests that the Committee review the proposed Land Use Permit application to determine if the proposed expansion project would be considered a significant change to or expansion of the business operations and/or the facilities that were conditionally approved with CUP 2018-0790. If the proposed request is considered a significant change or expansion of the business operations and/or the facilities, a new conditional use permit would be required to allow the proposed project.

Attachments:

- The features of the proposed construction and property that relate to the Land Use permit request;
- Copy of the proposed land use permit application;
- Copy of the September 21, 2023 conditional use permit decision by the committee
- Copy of the conditional use permit application (2018-0791).

Physical Features of Site

The features of the proposed construction and property that relate to the Land Use permit request are as follows:

The County has Zoning Jurisdiction over this site as the Town of Lomira has adopted the County's Land Use Code. The site is located within the A-2 General Agricultural Zoning District.

The County has Shoreland Jurisdiction over this site as the property is located within 1000 feet of the ordinary highwater mark of a regulated pond and portions of the property are located within 300 feet of the ordinary highwater mark of a navigable stream. Portions of this property are designated as wetlands according to the Shoreland-Wetland Maps listed in Section 2.2 of the Dodge County Shoreland Protection Ordinance.

The County also has floodplain jurisdiction over this site as portions of the site are designated as floodplains on the maps listed in Section 1.5(2)a of the Dodge County Floodplain Zoning Ordinance and on a Flood Elevation Determination study that was submitted by Uriah Monday, P.E. MSA Professional Services on November 29, 2018, as agent for the owner. A floodplain elevation of approximately 954.5' was established for this site and the floodway and flood fringe boundaries were delineated for this property. This Floodplain Study was approved by the Department of Natural Resources on February 14, 2019. According to the floodplain study, portions of the outdoor storage area are located within the flood fringe and the flood storage districts.

According to Section 4.3(3) of the floodplain ordinance, outdoor storage yards and surface parking lots may be located within a flood fringe area if an adequate warning system exists to protect life and property. In accord with a June 2, 2023 letter submitted by Evan Nickodem, "It is understood by Mr. Mittelstadt that the outdoor storage area is in a flood zone and portions of the outdoor storage area will flood during a 100 year storm event. If this occurs, the owner will move the cars to an area outside of the fenced area above the flood zone. Mr. Mittelstadt regularly monitors weather conditions and will take precautions to move vehicles stored in lower areas first before flooding events occur."

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

Land Use, Site: Residential, Commercial Trucking company, an automobile repossession business and an out-door storage area.

Land Use, Area: Agricultural with scattered residences along County Road H and an automobile repair business to the southwest.

Designated Archaeological Site: Yes No

Land Use Code Provisions:

1. Subsection 3.6 and Table 3.6-1 of the Code lists Industrial uses such as Trucking Companies, towing and vehicle storage and outdoor storage yards as a conditional use within the A-2 General Agriculture zoning district.

On September 21, 2021, the Committee granted conditional approval of a Conditional Use Permit (2018-0791) to allow the establishment of a repossession business on this site along with an approximate 20,000 square foot outdoor storage area (Copy attached). **Condition #22** of the conditional approval states: "Any significant change to or expansion of the business operations and/or of its facilities may require that a new Conditional Use Permit be obtained." As of October 12, 2023, the conditional use permit authorizing the auto repossession business and the outdoor storage yard has not been issued by the County as some of the conditions of approval for the CUP related to the floodplain elevations and the state approved construction plans for the salt shed addition have not been met.

Land Use Permit

Dodge County Land Resources and Parks Department
 127 East Oak Street
 Juneau, WI 53039-1329
 (920) 386-3700 x2 or landresources@co.dodge.wi.us
 www.co.dodge.wi.gov

*Revised
9-29-23*

This Area For Office Use Only

COUNTY ID No. 230815	Receipt No. 8147-0002
Permit Expiration Date	Application Date 9-29-2023
	Sanitary Permit N/A

PERMIT APPLICATION FEE: \$50 plus \$2 per \$1,000 cost of the project (Payable to: Dodge County) **CITY OF JUNEAU (\$25 or After the Fact/\$50)**
 Note: After the fact (i.e., Applying for permit after construction has already started) application fee: \$100 plus \$4 per \$1,000 cost of project

NAMES & MAILING ADDRESSES		PROPERTY INFORMATION				
Applicant/Agent/Contractor (If Contractor: Please Include State Certification No.) Peter Mittelstadt		Parcel Identification Number (PIN) 03-1317-1634-001				
Street Address W1584 County Rd H		Town Lomira	T 13	N 17	R 17	E
City • State • Zip Code Lomira, WI 53048		SW1 ^{1/4}	SE1 ^{1/4}	Section 16	Acreage 10	Lot (Block) R17E
Property Owner Peter Mittelstadt <input checked="" type="checkbox"/> Same as applicant		Subdivision or CSM (Volume/Page/Lot)				
Street Address W1584 County Rd H		Address Of Property (DO NOT include City/State/Zip Code)				
City • State • Zip Code Lomira, WI 53048		Is this property connected to public sewer? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Is property located within a sanitary district/accessible to public sewer? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				
CURRENT USE OF PROPERTY		PROPOSED USE OF PROPERTY				
<input type="checkbox"/> Vacant Land <input type="checkbox"/> Working Farm <input checked="" type="checkbox"/> Business • Industrial • Commercial • (Use other below to describe) Other _____		<input checked="" type="checkbox"/> Single-Family Residential <input type="checkbox"/> Two-Family <input type="checkbox"/> Multi-Family <input checked="" type="checkbox"/> Business • Industrial • Commercial • (Use other below to describe) Other <u>Add Fencing to my secure lot for Repossessions</u>				

PROPOSED CONSTRUCTION PROJECT

(CHECK ALL THAT APPLY)

*** (Building plans are required for new/replacement Homes) ***

- | | | | |
|--------------------------------|---|--|--|
| <input type="checkbox"/> Pool | <input type="checkbox"/> Porch | <input type="checkbox"/> Driveway | <input type="checkbox"/> Field Tile Installation |
| <input type="checkbox"/> Deck | <input checked="" type="checkbox"/> Fence | <input type="checkbox"/> Boathouse | <input type="checkbox"/> Pond (Less than 2 acres in size) |
| <input type="checkbox"/> Patio | <input type="checkbox"/> Riprap | <input type="checkbox"/> Attached Garage | <input type="checkbox"/> Sign (Complete additional project information below) |
| <input type="checkbox"/> Shed | <input type="checkbox"/> Gazebo | <input type="checkbox"/> Detached Garage | <input type="checkbox"/> Barn (Complete additional project information below) |
| <input type="checkbox"/> Home | <input type="checkbox"/> Sidewalk | <input type="checkbox"/> Ag Ditch Cleanout | <input type="checkbox"/> Home Addition (Complete additional project information below) |

Filling, Grading, Ditching, Dredging, Lagooning, and/or Excavating- Contact this office for assistance with determining type of permit needed
 Other Dig out topsoil and add gravel back to be driven on at the same existing height.

Width 135'
 Length 190'
 Total Area 24,300
 Total Stories 0
 Height (To roof peak) Same height
 Estimated Cost (w/Labor) \$ 30,000.00

Additional Project Information

Home Addition: Total number of bedrooms? Before _____ After _____
Barn Information: Will it house any animals? If yes, complete Animal Units Worksheet.
Sign Information: Single-Sided Double-Sided
 Located On-Premise Located Off-Premise
 Wall Ground Directional Other _____
 Will it be lighted and/or have moving/flashing parts? No Yes

◆ ◆ ◆ CLEARLY MARK/FLAG/STAKE-OUT THE CORNERS OF YOUR PROJECT & PROPERTY LINES ◆ ◆ ◆

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.

PAGE 2 — SUPPLEMENTAL INFORMATION AND ADDITIONAL REQUIREMENTS

NOTE: Your County Land Use Permit will be withheld and will not be processed without the completion and submittal of the required worksheet(s) to this office for departmental review and approval. Worksheets can be found at <http://www.co.dodge.wi.gov/government/departments-e-m/land-resources-and-parks/zoning-permits-and-ordinance/land-use-permit>

Is your project located within 1000 feet of a lake, pond or flowage, within 300 feet of the ordinary highwater mark (edge of the water) of a navigable waterway stream or creek or within a wetland or a floodplain? If you are uncertain, please contact this office for assistance.

- YES ⇒ Go to question 1.
 NO ⇒ Go to question 4.

1. Does your project involve construction, reconstruction, expansion, replacement or relocation of any impervious surfaces on your lot (see description below) that are located within 300 feet of the ordinary highwater mark (edge of the water) of a navigable lake, pond, flowage or waterway?

An impervious surface is defined as an area that releases as runoff all or a majority of the precipitation that falls on it. The following "surfaces" are considered "impervious" under this Ordinance: (building) rooftops; concrete/blacktop/gravel driveways and parking surfaces; sidewalks; covered/uncovered decks; patio surfaces constructed with pavers/concrete/blacktop/flagstone; private road surfaces not specifically listed in the Ordinance or any other material and any other surface that is determined by the Land Use Administrator to be impervious. An impervious surface excludes frozen soil, public road surfaces and certain private roads that are specifically listed in the Ordinance.

- YES ⇒ You will need to complete and submit **WORKSHEET NO. 1 (IMPERVIOUS SURFACE AREA CALCULATION)** to this office for departmental review and approval. Go to question 2.
 NO ⇒ Go to question 2.

2. Will any part of your project be located less than 35 feet from the ordinary highwater mark (edge of the water) of a navigable lake, pond, flowage or waterway? (**NOTE:** If your project involves either a boathouse or riprapping — Go to line 3)

- NO ⇒ Go to question 3.
 YES ⇒ Your project **CAN NOT BE APPROVED** as proposed — Contact this office for assistance. Go to question 3.

3. Will any part of your project be located anywhere between 35-75 feet from the ordinary highwater mark (edge of the water) of a navigable lake, pond, flowage or waterway?

- NO ⇒ Go to question 4.
 YES ⇒ You will need to complete and submit **WORKSHEET NO. 2 (MITIGATIONS OPTION CALCULATIONS)** to this office for departmental review and approval. Go to question 4.

4. Does your project involve riprapping?

- NO ⇒ Go to question 5.
 YES ⇒ You will need to complete and submit **WORKSHEET NO. 3 (RIPRAP PROJECT SUPPLEMENTAL INFORMATION)** to this office for departmental review and approval. Go to question 5.

5. Does your project involve the installation of field drain tile?

- NO ⇒ Go to question 6.
 YES ⇒ You will need to complete and submit **WORKSHEET NO. 4 (FIELD DRAIN TILE SUPPLEMENTAL INFORMATION)** to this office for departmental review and approval. Go to question 6.

6. Does your project involve cleaning-out, dredging, relocating and/or the construction of an agricultural drainage ditch?

- NO ⇒ Go to question 7.
 YES ⇒ You will need to complete and submit **WORKSHEET NO. 5 (AGRICULTURAL DRAINAGE DITCH SUPPLEMENTAL INFORMATION)** to this office for departmental review and approval. Go to question 8.

7. Does your project involve the filling, grading or disturbing of more than 2000 square feet of land?

- NO ⇒ Go to question 8.
 YES ⇒ You will need to complete and submit **Worksheet No. 6 (Erosion Control Supplemental Information)** to this office for departmental review and approval. Go to question 8.

8. Does your project involve the construction or reconstruction of a pond less than 2 acres in size?

- NO ⇒ Go to question 9.
 YES ⇒ You will need to complete and submit **WORKSHEET NO. 7 (POND CONSTRUCTION SUPPLEMENTAL INFORMATION)** to this office for departmental review and approval. Go to question 9.

9. Does your project involve any filling, grading, dredging, or excavating and/or the construction of a pond ≥ 2 acres within a (mapped) wetland, floodplain and/or navigable waterway?

- NO ⇒ Sign and date application below.
 YES ⇒ A County **CONDITIONAL USE PERMIT (CUP)** may [also] be needed. Contact this office for assistance regarding the CUP process. Sign and date application below.

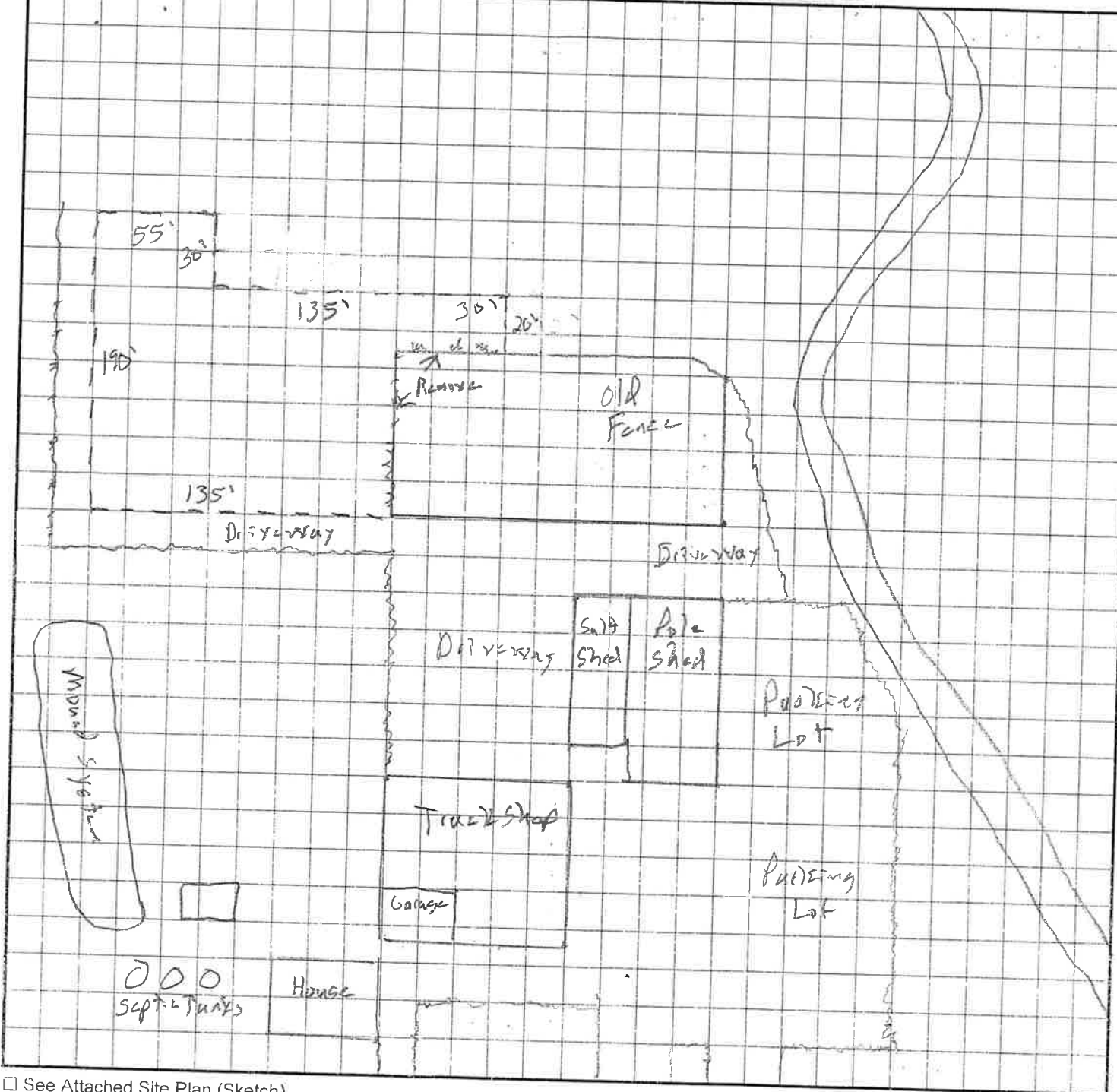
CERTIFICATE & CONTACT INFORMATION

I, the undersigned, hereby apply for a Land 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 all work performed will be done in accordance with the Dodge County Land Use Ordinance 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 the purpose of conducting an onsite code inspection(s) and to obtain information pertinent to my application request. Furthermore, I also affirm that I have read and understand the DNR notice regarding construction on or near wetlands, lakes or streams.

Contact Person (Print) Peter Mittelstadt Daytime Contact Phone (920) 269 4268 or Email: peter@mittelstadtrucking.com

Signature  Date 09/29/2023 Call for pickup No Yes

SITE PLAN (SKETCH)



See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

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

Notes/Stipulations:

<input type="checkbox"/> Approved <input type="checkbox"/> Denied	Land Resources and Parks Department	Date
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Please use only blue or black ink to complete the application and site plan (sketch) — **DO NOT USE PENCIL**

APPLICATION FORM COMPLETION TIPS

Property Identification Number (PIN): The PIN can be found in the upper right-hand corner of the tax bill for the property. Alternatively, the PIN can also be found using the [Land Records Search Tool](#) located on the Dodge County Website (www.co.dodge.wi.us) or by contacting the County Property Description Office (920) 386-3770 (propertydescription@co.dodge.wi.us).

Riprap & Ag Ditch Cleanout Projects: Additional supplemental forms/information may also be required.

Barn Projects: Depending upon the number of animals, an "Animal Units Worksheet" may also be required.

Wireless Communication Facility Category 2 Collocation Projects: – Submit two copies of detailed design specifications of the tower and supporting equipment which includes a side view illustration of the proposed tower showing the overall tower height and the proposed antennae locations.

The Application must be signed and dated to be valid. Application will not be processed without payment of the required fee.

Property Line Location Markers: The property owner is responsible to clearly mark the boundary lines and the boundary corners adjacent to where the proposed construction will take place. Markings shall be clearly visible and accurate prior to, as well as at, the time of inspection. This may be by means of the property owner marking the boundary line(s) and the boundary corner(s) themselves or having the boundary line and boundary corners surveyed and marked by a professional. If the location of the property line(s) marked by the property owner or his/her agent is not consistent with the location of the property line(s) shown on public records or if there is a disagreement by any of the parties involved about the location of the boundary line(s), the Department may require the property line(s) to be surveyed by a registered land surveyor at the owner's expense.

Building Plans: Building plans are a graphical representation of what a building will look like after construction. Building plans shall include all proposed construction including all proposed attachments or extensions from the main structure including decks, platforms, landings, patios, attached garages, porches, lean-to structures and overhangs greater than 2 feet in width, etc.

SITE PLAN (SKETCH) COMPLETION TIPS

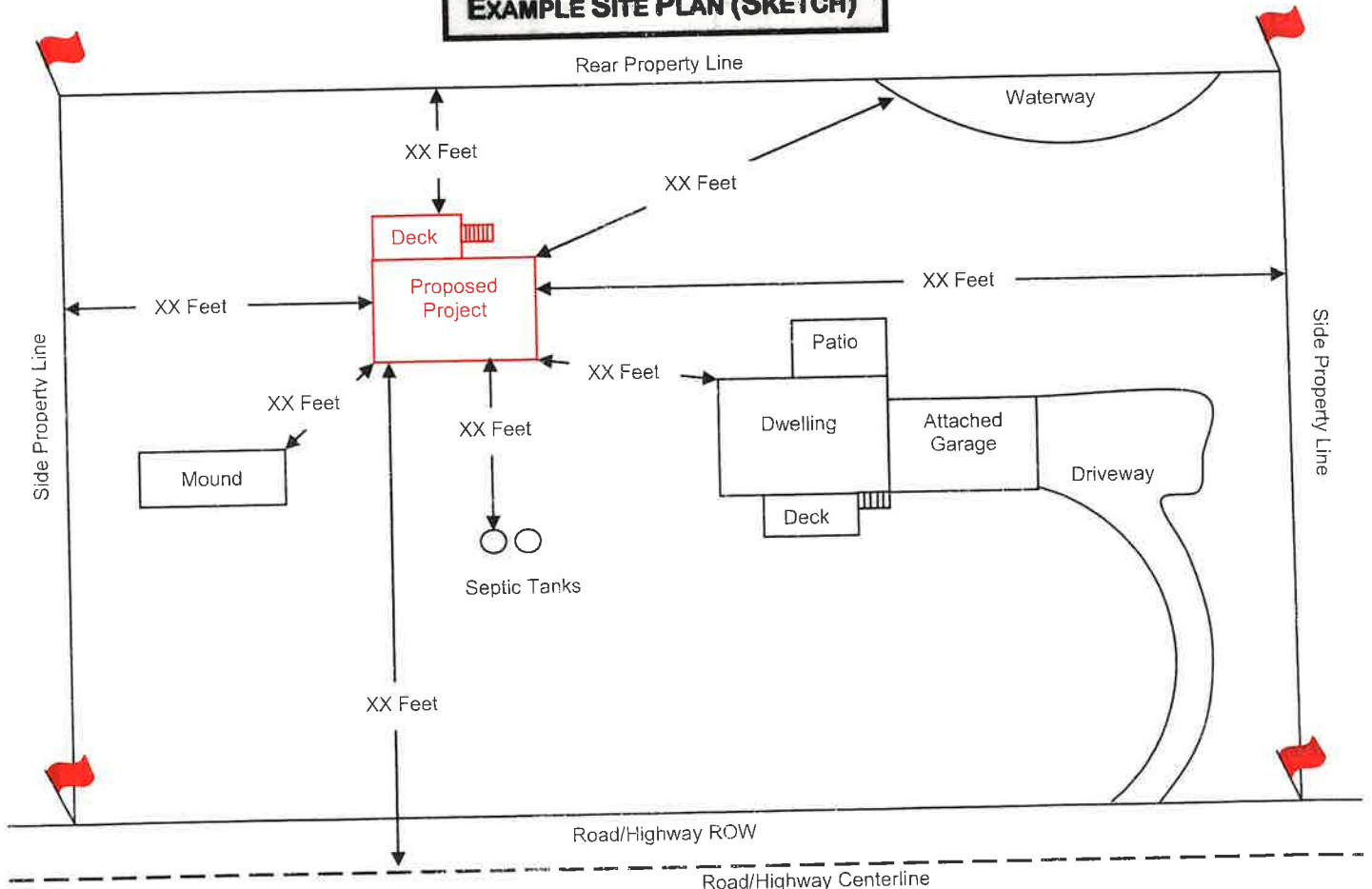
ALL applications must be accompanied by a site plan (sketch). You may use an aerial photo which can be obtained by using the Dodge County Web mapping tool at <http://dodgecowi.wxxtreme.com/>, the attached (blank) site plan or supply your own.

Where applicable, the site plan must show the setback or distance (either scaled or dimensioned) of the proposed project from such items as:

- ✓ Side and Rear Lot/Property Line(s)
- ✓ Abutting Road/Highway Centerline(s)
- ✓ Nearby Lakes and/or Creeks/Streams
- ✓ Nearest Adjacent Structure/Building on Lot
- ✓ Septic/Holding Tank and/or Pump Chamber
- ✓ Septic System Absorption Area (Mound, Trench, Drainline, etc.)

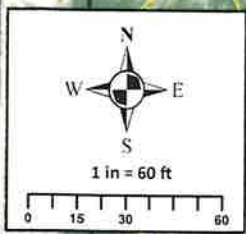
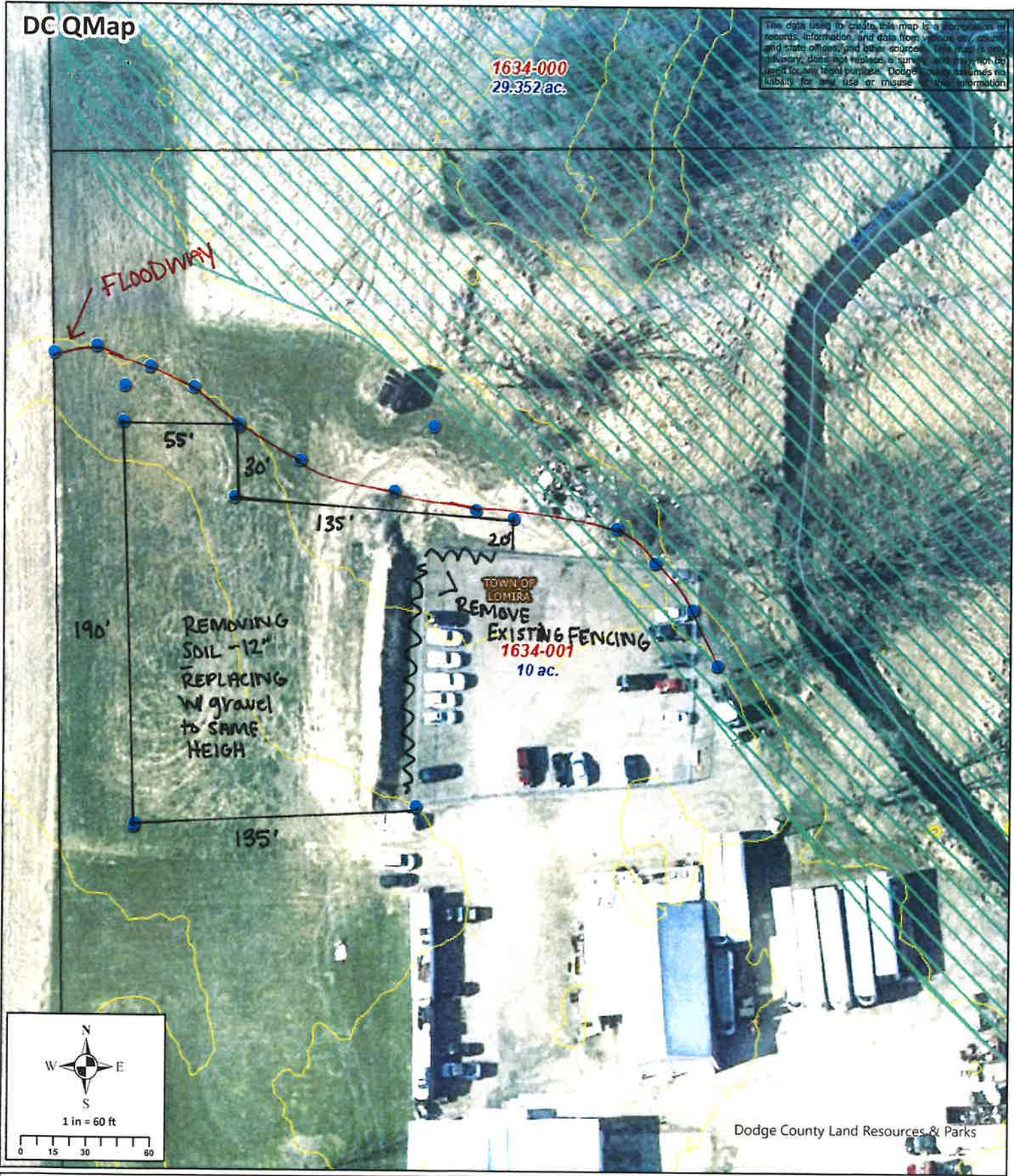
NOTE: Generally, setbacks (distances) greater than 200 feet can be estimated. Missing, ambiguous, imprecise or inaccurate information will result in delay in the review and/or issuance of the permit application.

EXAMPLE SITE PLAN (SKETCH)



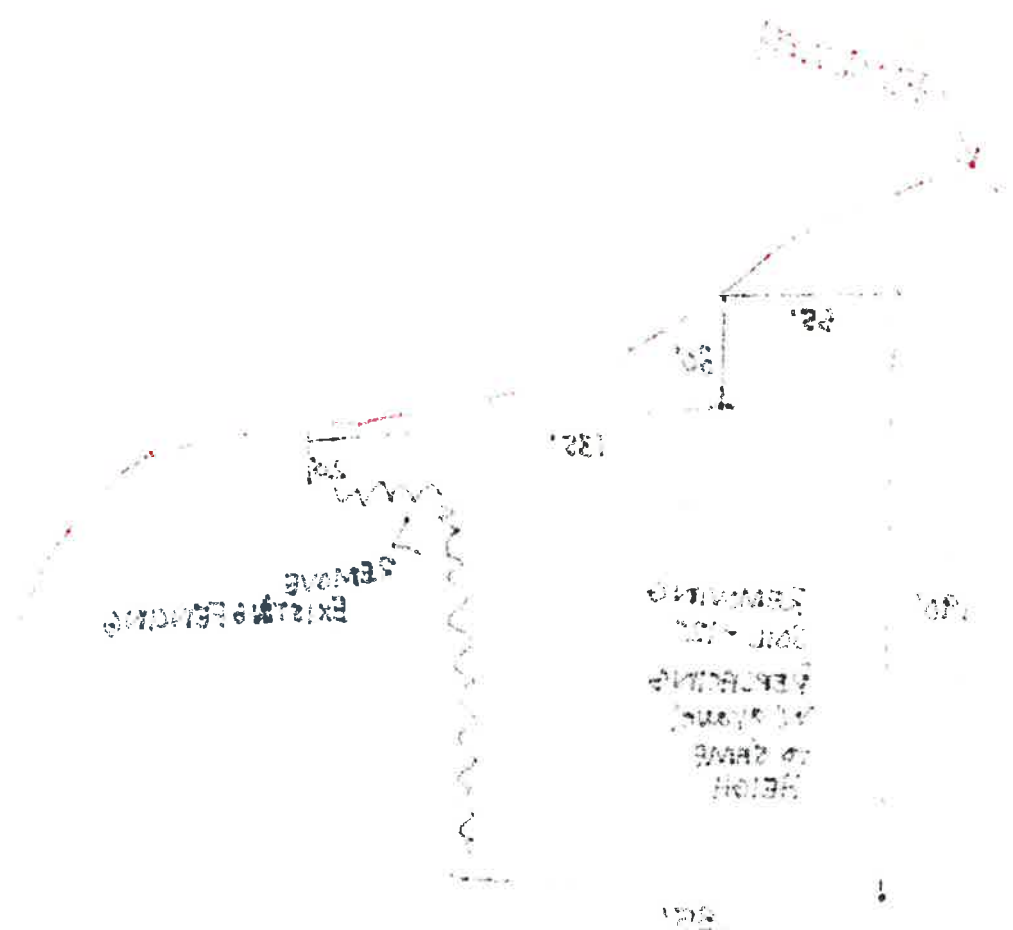
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The data used to create this map is a compilation of records, information, and data from various city, county and state offices and other sources. This map is only advisory, does not replace a survey, and we assume no liability for any local purpose.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

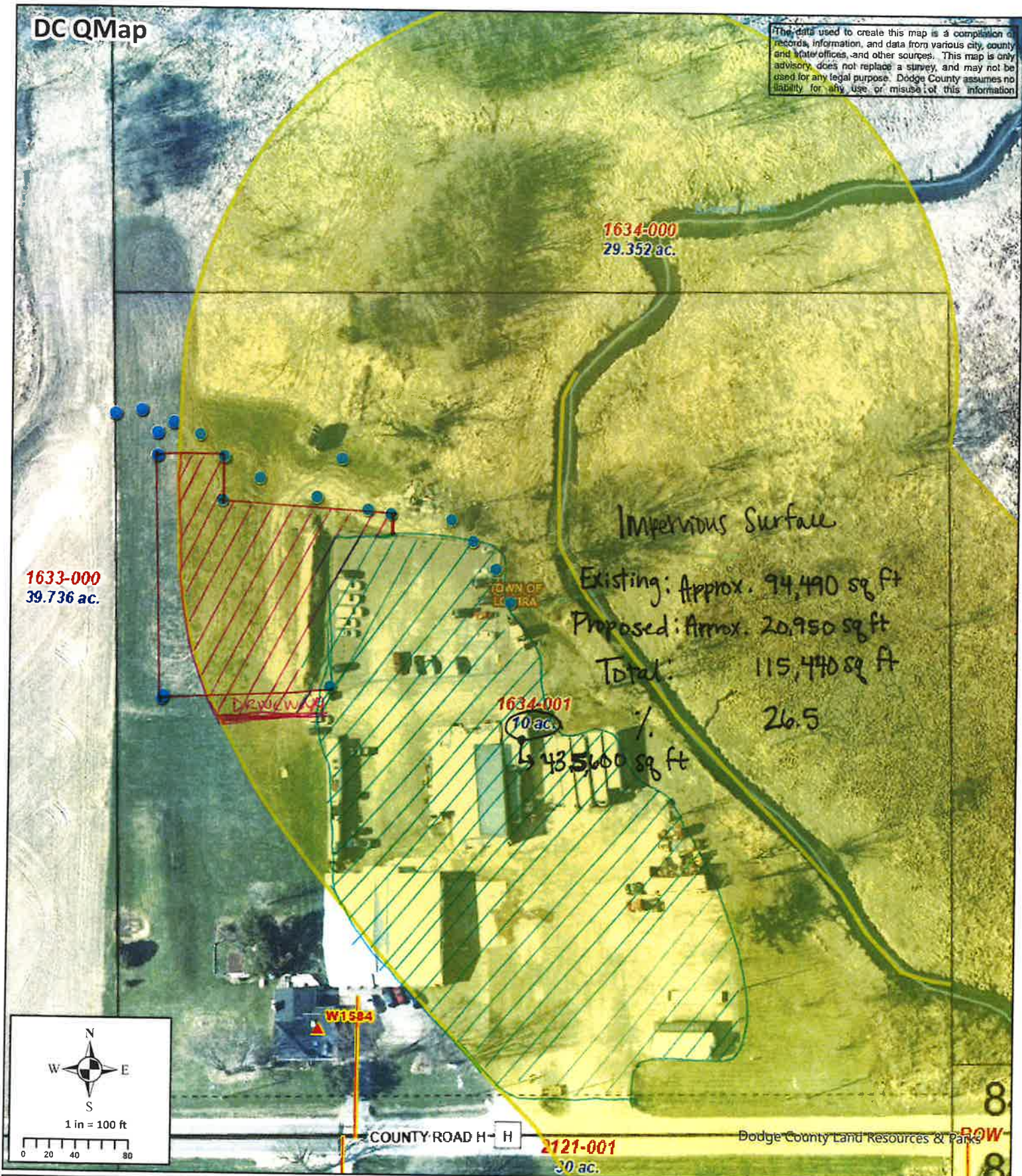


Dodge County Land Resources & Parks

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

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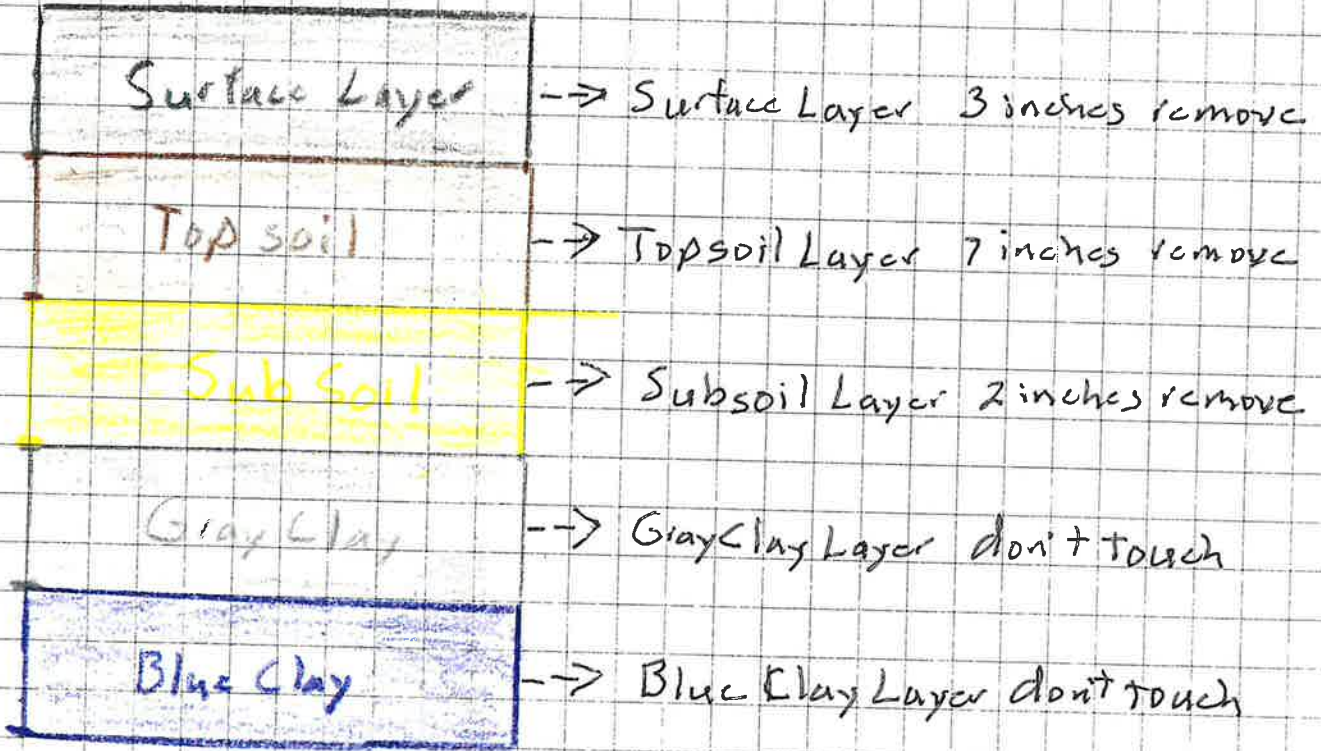


SITE PLAN (SKETCH)

Peter. Mittelstead
 W 1584 City Rd A
 Lomira, WI 53048
 10-9-2023

I color coded to make it easier for JOC to follow.

I remove topsoil, surface layer and about 2 inches of subsoil and replace aggregate materials to make it a stable parking lot.



RECEIVED 10/09/23

See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

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

Notes/Stipulations:

Approved Denied

Land Resources and Parks Department

Date

RECEIVED

OCT 09 2023

DODGE COUNTY
LAND RESOURCES & PARKS

2023 OCT 13 10:58 AM



Dodge County

Land Resources and Parks Department

127 East Oak Street · Juneau, WI 53039-1329
PHONE: (920) 386-3700 · FAX: (920) 386-3979
EMAIL: landresources@co.dodge.wi.us

September 21, 2021

Peter Mittelstadt
W1584 County Road H
Lomira, WI 53048

TOP

RE: Notice of Action / Filing of Decision
County rezoning petition #2018-0790
County conditional use permit application # 2018-0791
PIN# 030-1317-1634-001
Part of the SE ¼ of the SW ¼, Section 16, Town of Lomira, the site address being W1584 County Road H.

Dear Peter Mittelstadt:

On September 20, 2021, the Dodge County Land Resources and Parks Committee met to consider your rezoning request and your conditional use permit request. The Committee decisions are as follows:

Rezoning Petition:

On the basis of the evidence presented in the application and at the public hearing, the committee voted to submit a favorable recommendation to the County Board of Supervisors regarding your request to rezone your property from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District. The Dodge County Board of Supervisors will take final action on this request at the October 19, 2021 County Board meeting.

Conditional Use Permit Request:

On the basis of the evidence presented in the application and at the public hearing, the committee voted to approve your conditional use permit request to bring the existing trucking business into compliance with the code and to allow for the establishment of an automobile repossession business and storage yard on this site subject to the following conditions:

CONDITIONS:

1. The trucking, automobile repossession and outdoor storage yard operations shall be conducted without offensive noise, vibration, dust, smoke, odor, glare, lighting or the risk of fire, explosion or other accident and shall not be detrimental to the public health and safety or general welfare of the immediate neighborhood or community.
2. It shall be the responsibility of the applicant to obtain all Federal, State and/or local municipality permits and approvals that are required to establish and operate the automobile repossession and outdoor storage yard business use on this site.
3. It shall be the responsibility of the applicant to obtain all other permits or approvals that may be required from the Wisconsin Department of Natural Resources and the U.S. Army Corps of Engineers for the proposed filling, grading and excavation projects on this site that are located within the Shoreland and Floodplain Districts.

4. All filling, grading and excavation on this site shall be in accord with the applicable Land Use Code, Floodplain Zoning Ordinance and the Shoreland Protection Ordinance requirements. A County Land Use Permit shall be obtained for the filling, grading and excavation work prior to beginning any filling, grading and excavation projects.
5. A construction site erosion control plan shall be submitted to the Department for review and approval for the proposed filling, grading and excavation projects, including the proposed floodplain compensatory fill "cut area", the area of the open storage area that will be removed from the floodway and any other areas that will be filled, graded or excavated. All erosion control plans shall comply with the technical standards and specifications described in Section 7.9.7 of the Land Use Code. All erosion control measures required by the applicable Federal, State, County and Local codes shall be in place and shall be maintained throughout the duration of the project in accordance with Best Management Practices.
6. All disturbed areas shall be graded (as needed) and seeded to permanent vegetation as soon as possible to prevent erosion of silt/sediment into the waterway.
7. All spoil piles and berms shall be seeded to permanent vegetation as soon as possible to prevent erosion of silt/sediment into the waterway.
8. The site plan shows a proposed "cut area" where fill will be removed from the floodplain to provide compensatory storage for the project. The fill volume data and calculations for this cut area shall be submitted to the Department for review and approval to document the amount of soil fill to be removed from this "cut area". Data shall also be submitted to the Department for review and approval to document where the fill that is removed from this "cut area" will be relocated or used on this site.
9. The project plans indicate that 11 cubic yards of fill will be placed within the flood fringe area for the proposed project and the plans indicate that 64 cubic yards of fill was placed within the floodplain to create the outdoor storage area. The applicable fill volume data and calculations shall be submitted to this Department to document the proposed fill amounts stated in your plans.
10. The site plan that was submitted does not show the soil berms/stockpiles that are currently located along the west side of the open storage area. Documentation shall be submitted to the Department for review and approval to document the location of these soil berms/stockpiles and to document that the fill used to construct these soil berms/stockpiles are included in the compensatory floodplain storage calculations for this project.
11. The salt shed addition that was constructed on this site without County permits and approvals shall be removed from the property or a Dodge County land use permit shall be obtained to relocate or modify the salt shed addition to comply with all applicable Land Use Code, Floodplain Zoning Ordinance and Shoreland Protection Ordinance requirements. If the salt shed addition is to remain on the property, the applicable "State Approved Construction Plans" shall be submitted to this Department to document that the salt shed addition is constructed in compliance with the applicable commercial building codes.
12. The salt shed addition is located within the flood fringe area and if this structure will remain in its current location, it is required to comply with the Floodplain Ordinance requirements. If the salt shed addition is to remain in its current location, documentation shall be submitted to the Department for review and approval to document that the elevation of the floor of the salt shed addition and the elevation of the floor of the existing pole shed that this addition was attached to will be reconstructed to a minimum elevation of 2' above the regional flood elevation. Documentation shall also be submitted to the Department for review and approval to document that the ground elevation within 15' of the structure will be elevated a minimum of 1' above the flood plain elevation in accordance with the Floodplain Zoning Ordinance.

13. The fill that will be placed on this site to elevate the first floor of the salt shed addition and the pole shed, as well as the portion of the lot within 15-feet of the structure to the required flood protection elevations is required to meet the fill guidelines of FEMA Technical Bulletin 10-01. The applicant shall provide certification from a Wisconsin licensed professional engineer that the fill and the fill placement for this project meets the requirements of FEMA Technical Bulletin 10-01 and that the salt shed addition and pole shed are reasonably safe from flooding. Upon completion of the projects, the applicable FEMA elevation certificate shall be submitted to the Department to document that the first floor elevations are in compliance with the applicable floodplain ordinance provisions.
14. The illegally placed fill that was located within the area designated as a floodway shall be removed and the area shall be restored to its original elevation prior to the construction project. The excavated area shall be seeded to permanent vegetation as soon as possible to prevent erosion of silt/sediment into the waterway.
15. In accord with Section 5.2(3) (b) of the Floodplain Ordinance, no fill can be placed within the flood storage district which removes flood storage volume unless an equal volume of fill is removed from the immediate area of the floodplain to compensate for the volume of storage which was lost as a result of the construction and fill project. The plans that were submitted do not account for the fill that is or will be required to elevate the first floor of the salt shed addition and the pole shed to a minimum of 2' above the floodplain elevation. Documentation shall be submitted to the Department for review and approval to document that the compensatory storage calculations for the project include these fill areas.
16. Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation in compliance with the County Floodplain Zoning Ordinance. Adequate measures shall be taken to ensure that such materials will not enter the floodway or the stream during flooding.
17. All fill placed on this site shall meet all of the provisions of the Dodge County Land Use Code, Floodplain Zoning Ordinance and the Shoreland Protection Ordinance.
18. There shall be no motor vehicle sales or rentals on this site unless the required permits and approvals are obtained to allow motor vehicle sales and rentals on this site.
19. All exterior lighting shall meet the functional and security needs of the proposed development without adversely affecting adjacent properties.
20. If fuel, oil and/or other hazardous wastes are to be stored on this site, the handling and containment procedures used in the operation shall comply with all Federal, State and local regulations in order to prevent contamination of the site.
21. No hazardous materials shall be stored within the salt shed addition or the salt shed unless the structures have been modified to comply with the applicable floodplain elevation and fill requirements of the Floodplain Ordinance.
22. Any significant change to or expansion of the business operations and/or of its facilities may require that a new Conditional Use Permit be obtained.
23. 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.
24. 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.
25. The Committee approval of this conditional use permit request does not relieve the applicants of their obligations to resolve the Circuit court action and other related Department violations on this site related to this project.

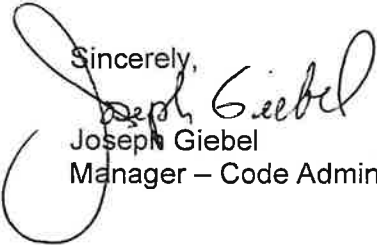
Your Conditional Use permit will be issued as soon as conditions #4 through 15 have been satisfied and your rezoning petition has been approved by the County Board of Supervisors. If you have any questions regarding the Committee's decision or the items yet to be satisfied, feel free to call this office so that we may be of assistance.

A copy of the committee decisions are enclosed for your records.

Revocation. This order may be revoked by the Committee after notice and opportunity to be heard for violation of any of the conditions imposed.

Appeals. Appeals from the decision of any review and decision-making body may be made by any person aggrieved or their agent, or by an officer, department, board, or bureau of the County, or by any affected town board. Such appeals shall be filed with the 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. In addition, 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.

Sincerely,



Joseph Giebel
Manager – Code Administration



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

**CONDITIONAL USE PERMIT
 APPLICATION**

THIS AREA FOR OFFICE USE ONLY	
Activity No. 180791	Permit Issued Date
Application Date: 10-3-18	Receipt #: 995661
	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) Peter & Kay Mittelstadt	Parcel Identification Number (PIN) 03-1317-1634-001			
Street Address W1584 County Rd H	Town Lomira	T	N	R
City • State • ZipCode Lomira, WI 53048	1/4 SE	1/4 SW	Section 16	Acres 7.13N R17E
Property Owner (if different from applicant)	Subdivision or CSM (Volume/Page/Lot)			
Street Address	Address Of Property (DO NOT include City/State/ZipCode) W1584 County Rd H			
City • State • ZipCode	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

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

(5) CERTIFICATE

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

Signature **Peter Mittelstadt** Date **10-2-2018**
 Daytime Contact Number **(920) 269-4268 or 920-375-0063**

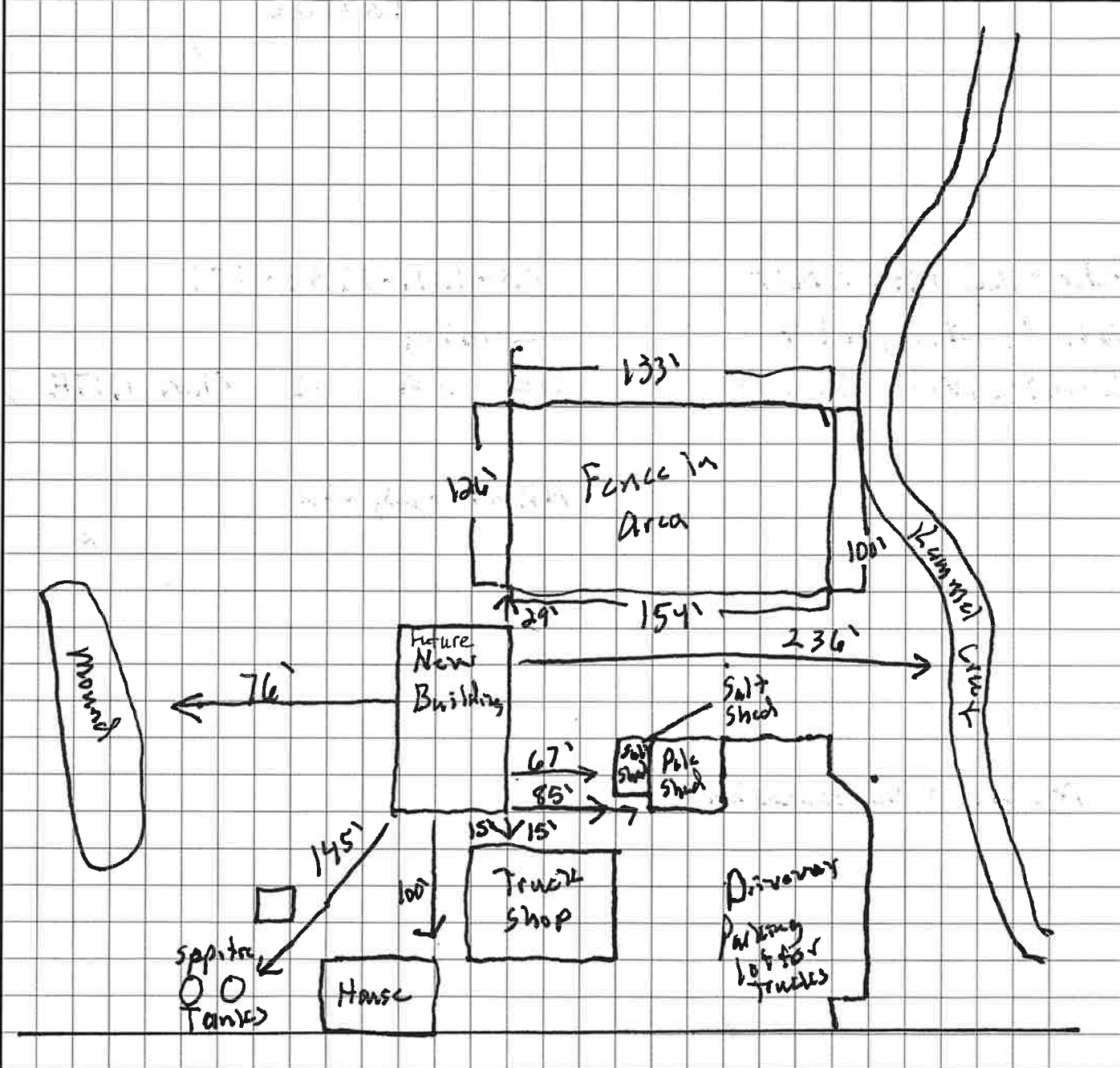
AREA BELOW THIS LINE FOR OFFICE USE ONLY

PLANNING, DEVELOPMENT & PARKS COMMITTEE ACTION

Date of Decision **9/20/21** Decision **Approved with conditions**

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

SITE PLAN (SKETCH)



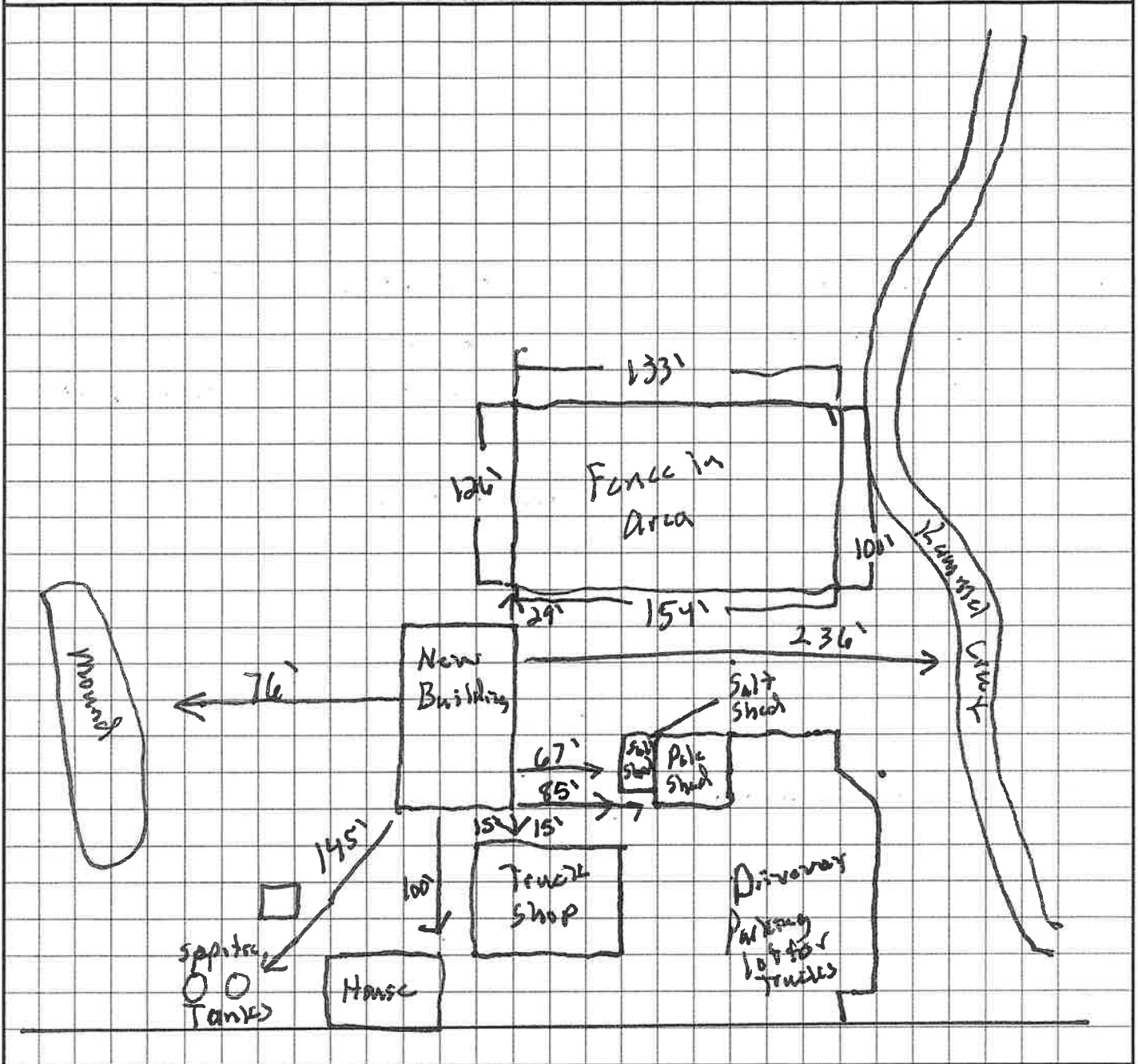
See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

CUP ID No.	CUP File Date	LRP P/H Date	LRP Decision Date	LRP Decision
				<input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied

Notes/Stipulations:

SITE PLAN (SKETCH)

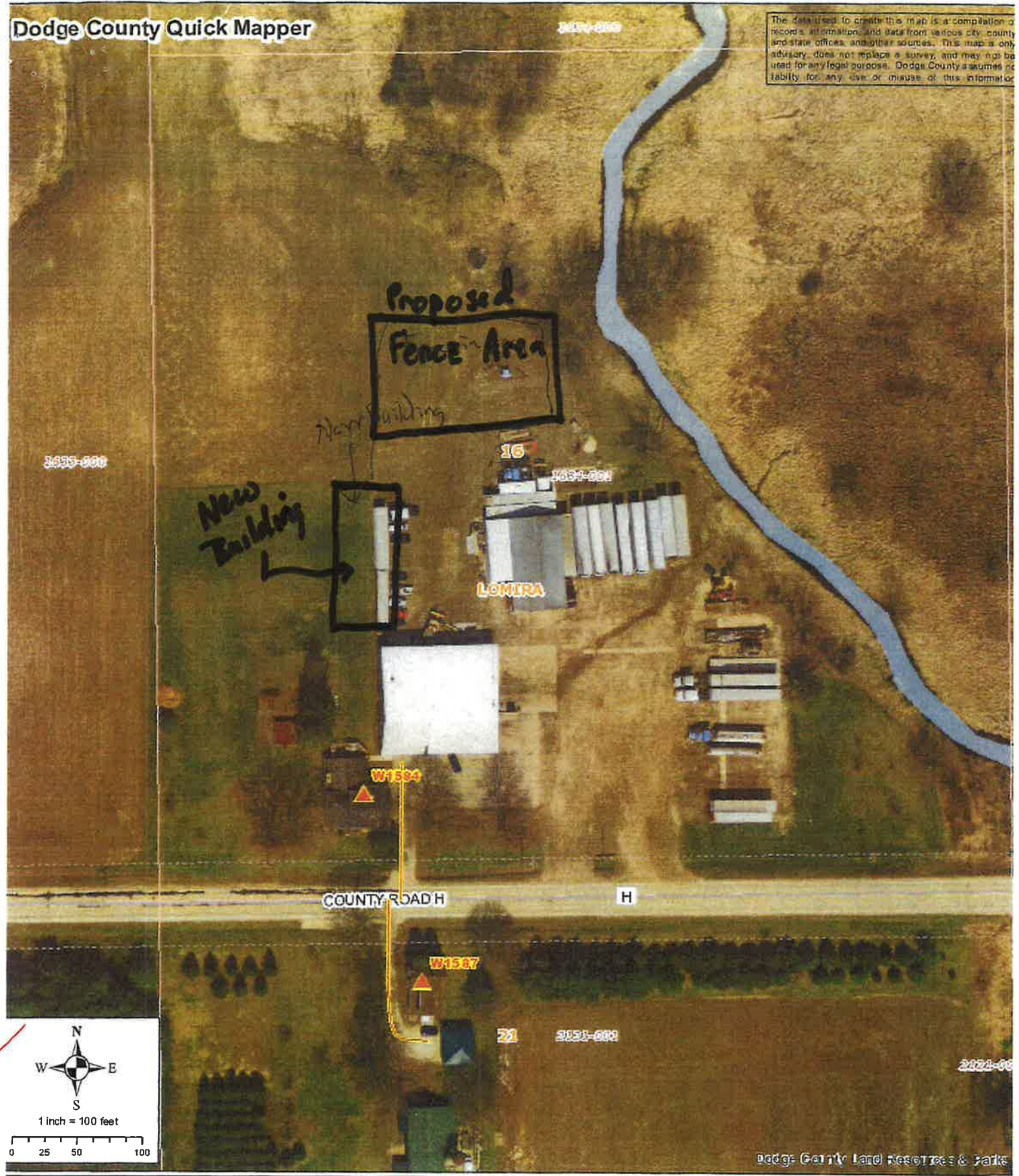


See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

CUP ID No.	CUP File Date	LRP P/H Date	LRP Decision Date	LRP Decision
				<input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
Notes/Stipulations:				

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



Dodge County Land Resources & Parks

<p>General</p> <ul style="list-style-type: none"> Urbanized Roads Soils Airport Ordinance 3-Mile Buffer 	<p>WI Historical Society</p> <ul style="list-style-type: none"> Historic Structures Archaeological Sites Survey Areas 	<p>Floodplain / Wetland</p> <ul style="list-style-type: none"> FEMA Floodplain/Storage/Dam Shadow DNR Wetland Areas/Points Shoreland Zoning 	<p>County Zoning</p> <ul style="list-style-type: none"> Planned Unit Development Hartford Extraterritorial General Agricultural General Commercial Extensive Commercial Light Industrial
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2018

Business Plan Proposal

Mittelstadt Trucking L.L.C.

Statewide Investments L.L.C.

Statewide Recovery Specialists



Peter & Kay Mittelstadt would like to propose another business plan to relocate one of their businesses to Lomira from Oconomowac. By doing this movement, it would create more jobs for the local residents and build on to their existing business.

We would be requesting a building permit for a new structure to be placed on the property listed in the building permit applications. Along with the new land use permits.

We would like to submit our proposal to the committee with great acceptance.

Statewide Investment Ventures is a Limited Liability Company that operates in Oconomowac currently and is a registered and insured Automobile Repossession Company that seeks cars out for multiple finance companies such as Ford, GMC, Chrysler. Etc..

Statewide Investment Ventures owns and operates Statewide Recovery Specialists.

We would be adding seven to ten new jobs in Lomira by making this transition.

We would have two full time employees and five part-time employees working year round. With the potential to increase employment by 200% by 2019.

The hours of operation will consist of: Monday thru Friday 8am to 5pm

Repossession hours are around the clock for our part-time drivers.

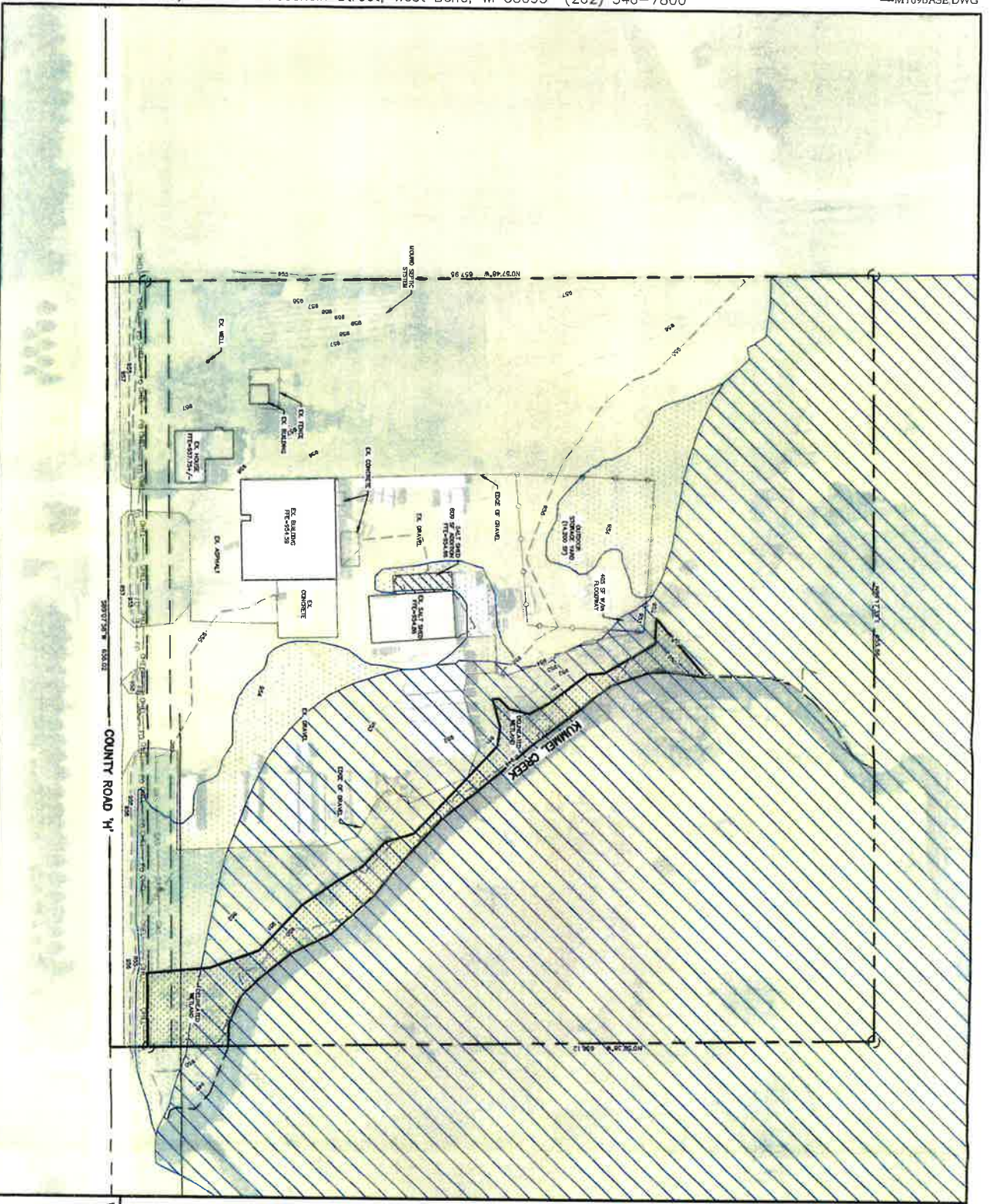
All vehicles will be parked in a secured fenced parking area as listed on the land use permit and new building permit.

The new Building will consist of 2 offices , unisex bathroom and Storage area.

There will be ample parking on premise for customers.

A security fence with 154ft in width and 126ft in length will be mantled as shown on the maps and Permits.

Spot light will be placed on the New building Providing light for the fenced in area and building.



LEGEND

- EXISTING BOUNDARY
- EXISTING MAJOR CONDUIT
- EXISTING ELECTRIC LINE
- EXISTING GAS LINE
- EXISTING TELEPHONE LINE
- EXISTING FIBER OPTIC LINE
- EXISTING WATER MAIN OR CATCHER
- EXISTING WATER MAIN OR SERVICE
- EXISTING STORM SEWER LINE
- EXISTING WATER
- GAS METER
- GAS VALVE
- FIRE HYDRANT
- POWER POLE
- PRIMARY SEWER MANHOLE
- STORM SEWER MANHOLE
- STORM SEWER WELLS
- TELEPHONE FACILITY
- TRANSFORMER
- VALID V.M.C.

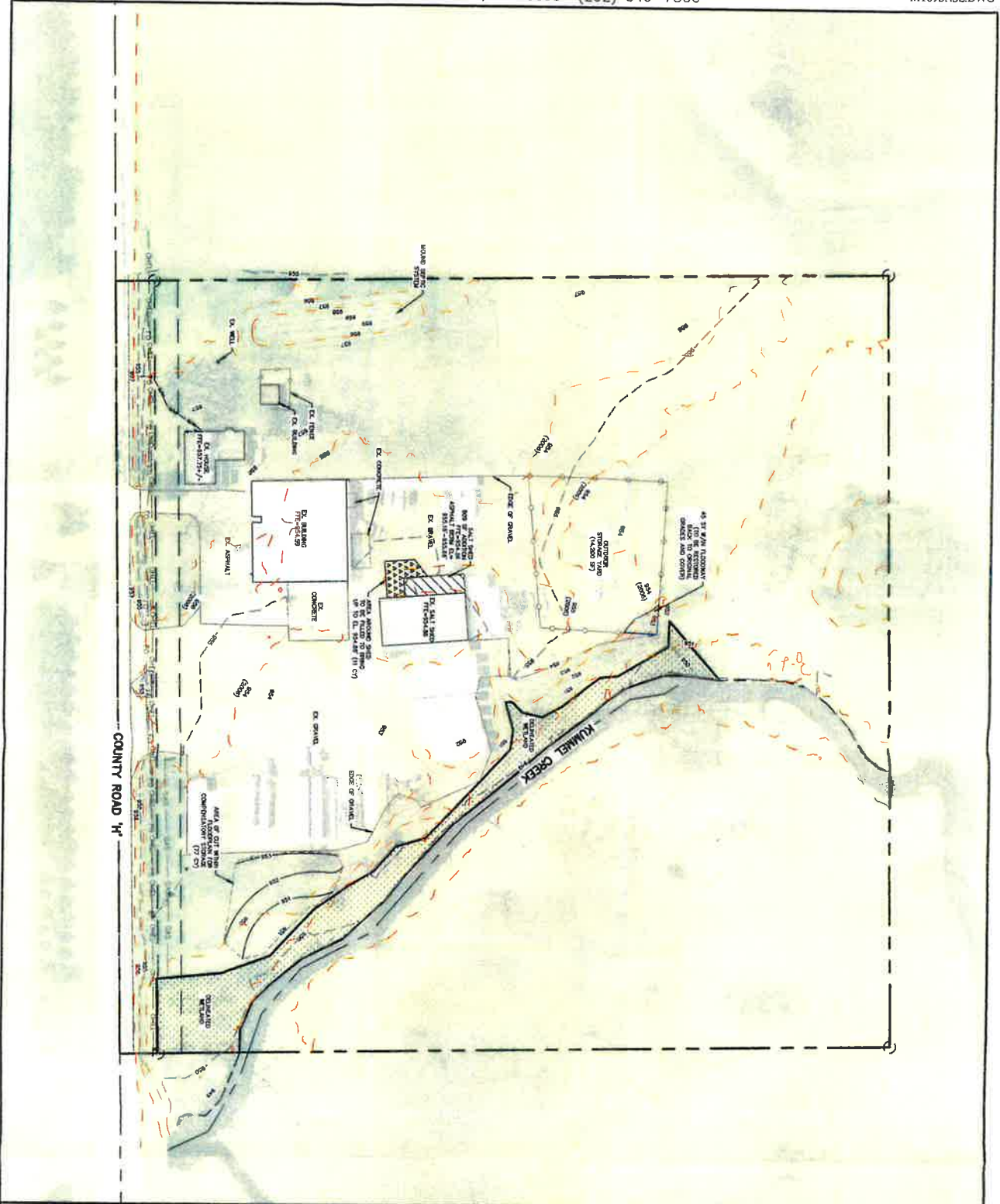
PLAN

- FLOODPLAIN
- FLOODWAY

W1584 COUNTY ROAD 'H'
EXISTING CONDITIONS PLAN
 DATED: JULY 23, 2021

QUAM ENGINEERING, LLC
 Residential and Commercial Site Design Consultants
 122 Wisconsin Street, West Bend, Wisconsin 53095
 Phone (262) 346-7800, www.quamengineering.com

C-100



- DODGE COUNTY 2008 CONTOUR DATA
- - - EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR



VT584 COUNTY ROAD 'H'
GRADING PLAN - 2006 & 2021 CONTOURS
DATED: JULY 22, 2021
C-103

**QUAM ENGINEERING, LLC**
Sustainable and Commercial Site Design Consultants
122 Wisconsin Street, West Bend, Wisconsin 53095
Phone: (262) 346-7800, www.quamengineering.com

Land Resources and Parks Department Staff Report

County Conditional Use Permit Application # 2023-0770

Filing Date: September 7, 2023

Hearing Date: October 23, 2023

Applicant (Agent):

Compass Surveying, LLC
N3756 Hickory Road
Fond du Lac, WI 54937

Owner:

Leslie and Marlene Schwartz
W353 Rolling Drive
Lomira, WI 53048

Location:

PIN# 030-1317-3631-000 & 030-1317-3631-001;

Property Location: Part of the NE ¼ of the SW ¼, Section 36, Town of Lomira, the site address being W353 Rolling Drive.

Applicants Request

An application for a County Conditional Use Permit was made by the applicant in order they be allowed to create an approximate 1.318-acre single family nonfarm residential lot within the A-1 Prime Agricultural Zoning District.

County Jurisdiction

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

Review Criteria

1. Subsections 2.3.6.A through 2.3.6.H of the Land Use Code details procedural matters, the approval criteria and the form for the conditional use permit application.
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 Lomira has adopted the County's Land Use Code. The site is located within the A-1 Prime Agricultural Zoning District.

The applicant is proposing to create an approximate 1.318-acre lot and a 36.882-acre lot at this location from an existing 38.2-acre lot. The 1.318-acre lot will contain an existing residence and accessory buildings which are intended for non-farm residential use. The remaining 36.882-acres is vacant agricultural and open space recreational wetlands.

The County has Shoreland Jurisdiction over portions of the 36.88-acre lot.

- Portions of the 36.88-acre lot are designated as wetlands.
- The proposed 1.318-acre lot is not designated as wetlands.

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

The base farm tract contains 38.2-acres that are located within the A-1 Prime Agricultural Zoning District;

- 1.819-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 6 to 12%;

Land Use, Site: Residential, agricultural and open space wetlands.

Land Use, Area: Agricultural with scattered residences along Rolling Drive.

Designated Archaeological Site: Yes No

Town Recommendation: Approve Deny No recommendation submitted

STAFF ADVISORY:

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

The staff has reviewed the proposal for compliance with the criteria listed in Sections 2.3.6.F and 3.7.2.D of the Dodge County Land Use Code and with Chapter 91.46 of the Wisconsin State Statutes. The staff comments are listed in Exhibit A for the Committee review.

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

CONDITIONS:

1. 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 1.8-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:
 - 030-1317-3631-000; 030-1317-3631-001;
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 type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none">• Acreage of Base Farm Tract: 38.2 acres;• Non-farm residential acreage: 1.318 acres;• Farm acreage remaining after project is completed: 36.882 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 27 or 0.035			
3.7.2.D.2 The total number of non-farm residential units on the base farm tract shall not exceed 4;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Existing non-farm residences on base farm tract:			
<ul style="list-style-type: none">• 0 - Number of existing non-farm residential units located on base farm tract;• 1 - Number of proposed non-farm residential units located on base farm tract;• 1 - Total number of non-farm residential units located on base farm tract;			
The total number of residential units of any kind on the base farm tract shall not exceed 5;			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Existing residential units on base farm tract:			
<ul style="list-style-type: none">• 1 - Number of existing residential units located on base farm tract;• 0 - Number of proposed residential units located on base farm tract;• 1 - Total number of residential units located on base farm tract;			
3.7.2.D.3.a Location of the proposed lots:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the proposed nonfarm residential lot convert cropland or “prime farmland” into non-farm use;			
<input type="checkbox"/> Yes; <input checked="" type="checkbox"/> No;			
3.7.2.D.3.b Location of the proposed lots:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the location of the nonfarm residential lot significantly impair the current or future agricultural use of other “protected farmland”?			
<input type="checkbox"/> Yes; <input checked="" type="checkbox"/> No;			
Non-Farm Residential Cluster:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none">• The proposed parcels are contiguous;• The proposed residences if constructed, would satisfy the requirements for a single non-farm residence;			

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

- It is the staff's position that the proposed residential lot which contains an existing residence 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 and the proposed lot already contains an existing residence;

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 to create a lot with an existing residential use 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 # 2023-0770

Filing Date: September 7, 2023

Hearing Date: October 23, 2023

Applicant (Agent):

Compass Surveying, LLC
N3756 Hickory Road
Fond du Lac, WI 54937

Owner:

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W353 Rolling Drive
Lomira, WI 53048

Location:

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Applicants Request

An application for a County Conditional Use Permit was made by the applicant in order they be allowed to create an approximate 1.318-acre single family nonfarm residential lot within the A-1 Prime Agricultural Zoning District.

CONCLUSIONS OF LAW

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

According to Section 3.7.2.D of the Land Use Code and Wisconsin State Statute 91.46, new nonfarm single family residences and duplexes or 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 1.8-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:
 - 030-1317-3631-000; 030-1317-3631-001;
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: _____



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. 230770	Permit Issued Date
Application Date: 9-7-2023	Received #: 8979-0014
	Sanitary Permit #:

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

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

(1) NAMES & MAILING ADDRESSES	(2) PROPERTY DESCRIPTION										
Applicant (Agent) Compass Surveying, LLC	Parcel Identification Number (PIN) 030-1317-3631-000 & 030-1317-3631-001										
Street Address N3756 Hickory Road	Town Lomira										
City • State • ZipCode Fond du Lac, WI 54937	<table border="1"> <tr> <td></td> <td>T</td> <td>N</td> <td>R</td> <td>E</td> </tr> <tr> <td></td> <td align="center">13</td> <td></td> <td align="center">17</td> <td></td> </tr> </table>		T	N	R	E		13		17	
	T	N	R	E							
	13		17								
Property Owner (If different from applicant) Leslie L. Schwartz & Marlene O. Schwartz Joint Revocable Trust, dated October 16, 2013	Subdivision or CSM (Volume/Page/Lot) N/A										
Street Address W353 Rolling Drive	Address Of Property (DO NOT include City/State/ZipCode) W353 Rolling Drive										
City • State • ZipCode Lomira, WI 53048	<table border="1"> <tr> <td>1/4</td> <td>1/4</td> <td>Section</td> <td>Acreage</td> <td>Lot (Block)</td> </tr> <tr> <td align="center">NE</td> <td align="center">SW</td> <td align="center">36</td> <td align="center">1.318</td> <td></td> </tr> </table>	1/4	1/4	Section	Acreage	Lot (Block)	NE	SW	36	1.318	
1/4	1/4	Section	Acreage	Lot (Block)							
NE	SW	36	1.318								
	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No										

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

(5) CERTIFICATE

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

Signature _____ Date 7/25/2023

Daytime Contact Number (920) 517 - 1683

AREA BELOW THIS LINE FOR OFFICE USE ONLY

LAND RESOURCES AND PARKS COMMITTEE ACTION

Date of Decision _____ Decision _____

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

SITE PLAN (SKETCH)

Please see the attached proposed Certified Survey Map

See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

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

<input type="checkbox"/> Approved <input type="checkbox"/> Denied	Land Resources and Parks Department _____	Date _____
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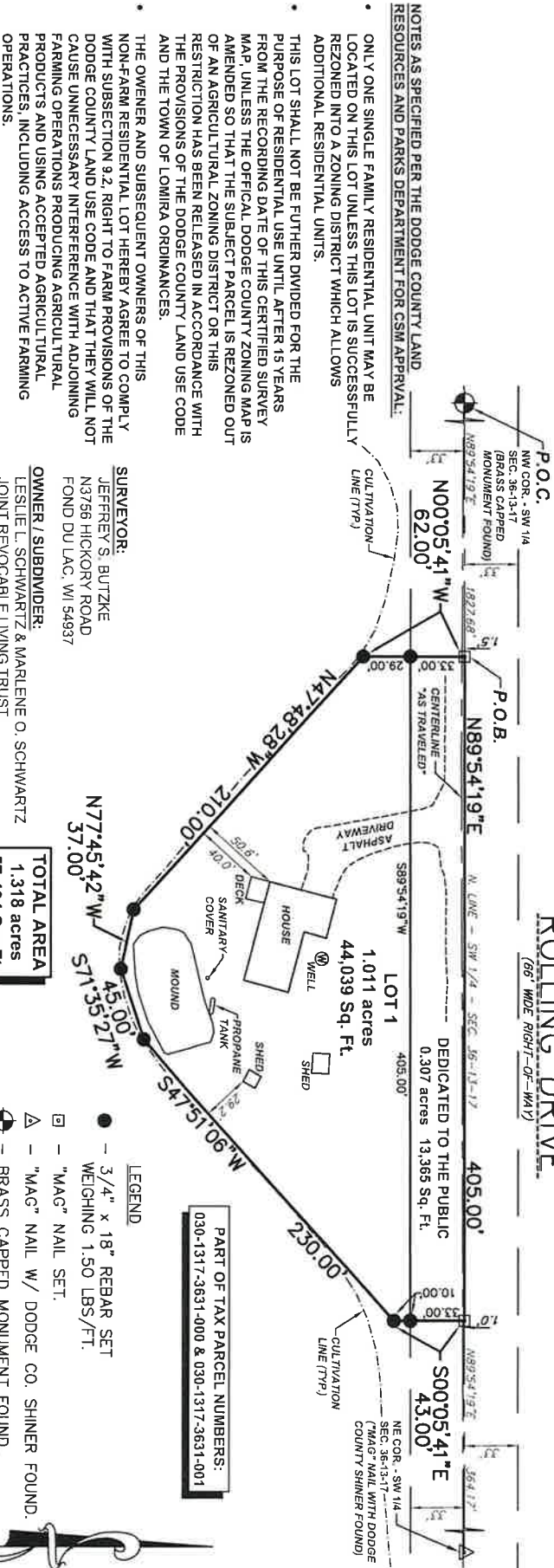
DODGE COUNTY CERTIFIED SURVEY MAP NO. _____

FOR
LESLIE L. SCHWARTZ & MARLENE O. SCHWARTZ JOINT REVOCABLE LIVING TRUST,
 DATED OCTOBER 16, 2013

A PART OF NORTHEAST 1/4 OF THE SOUTHWEST 1/4,
 SECTION 36, T. 13 N.-R. 17 E., TOWN OF LOMIRA, DODGE COUNTY, WISCONSIN.

ROLLING DRIVE

(66' WIDE RIGHT-OF-WAY)



NOTES AS SPECIFIED PER THE DODGE COUNTY LAND RESOURCES AND PARKS DEPARTMENT FOR CSM APPROVAL:

- ONLY ONE SINGLE FAMILY RESIDENTIAL UNIT MAY BE LOCATED ON THIS LOT UNLESS THIS LOT IS SUCCESSFULLY REZONED INTO A ZONING DISTRICT WHICH ALLOWS ADDITIONAL RESIDENTIAL UNITS.
- THIS LOT SHALL NOT BE FURTHER DIVIDED FOR THE PURPOSE OF RESIDENTIAL USE UNTIL AFTER 15 YEARS FROM THE RECORDING DATE OF THIS CERTIFIED SURVEY MAP. UNLESS THE OFFICIAL DODGE COUNTY ZONING MAP IS AMENDED SO THAT THE SUBJECT PARCEL IS REZONED OUT OF AN AGRICULTURAL ZONING DISTRICT OR THIS RESTRICTION HAS BEEN RELEASED IN ACCORDANCE WITH THE PROVISIONS OF THE DODGE COUNTY LAND USE CODE AND THE TOWN OF LOMIRA ORDINANCES.
- 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 ACCEPTED AGRICULTURAL PRACTICES, INCLUDING ACCESS TO ACTIVE FARMING OPERATIONS.

SURVEYOR:

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

OWNER / SUBDIVIDER:

LESLIE L. SCHWARTZ & MARLENE O. SCHWARTZ
 JOINT REVOCABLE LIVING TRUST,
 DATED OCTOBER 16, 2013
 W353 ROLLING DRIVE
 LOMIRA, WI 53048

SITE ADDRESS:

W353 ROLLING DRIVE
 LOMIRA, WI 53048

TOTAL AREA
 1.318 acres
 57,404 Sq. Ft.

PART OF TAX PARCEL NUMBERS:
 030-1317-3631-000 & 030-1317-3631-001

LEGEND

- - 3/4" x 18" REBAR SET WEIGHING 1.50 LBS./FT.
- - "MAG" NAIL SET.
- △ - "MAG" NAIL W/ DODGE CO. SHINER FOUND.
- ▲ - BRASS CAPPED MONUMENT FOUND.

NORTH POINT REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, DODGE COUNTY. THE NORTH LINE OF THE SOUTHWEST QUARTER, SECTION 36, T. 13 N.-R. 17 E., HAS A BEARING OF N89°54'19"E.



PROJECT NO. 230082
 Surveying, LLC
 N3756 Hickory Road | Fond du Lac, WI 54937

SHEET 1 OF 4 SHEETS

Leslie & Marlene Schwartz Rev. Trust

Town of Lomira, Sec. 30

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.



1623-000
PRIEST PROPERTIES LLC
39.5 ac.

1623-001
PRIEST PROPERTIES LLC
25.5 ac.

3613-000
PRIEST PROPERTIES LLC
49.2 ac.

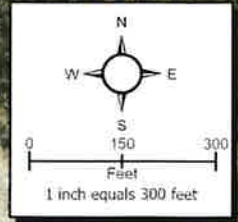
1632-002
PRIEST PROPERTIES LLC
24.8 ac.

ROLLING DR
LOT 1

L. & M. SCHWARTZ TRUST
LOT 2

36

41
INTERSTATE 41



Land Resources and Parks Department Staff Report

County Rezoning Petition # 2023-0727
County Conditional Use Permit: 2023-0726
Filing Date: August 23, 2023
Hearing Date: October 23, 2023

Applicant/Owner:
Adam and Lori Wendt
W1323 Wood Road
Watertown, WI 53098

Location

PIN# 040-0914-1444-001
Part of the SE ¼ of the SE ¼, Section 14, Town of Shields, the site address being N1323 Wood Road.

Applicants Request

The applicant has submitted a request to rezone approximately 4-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district and has submitted an application for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the establishment of an internet-based retail business that would allow the sale of firearms and ammunition from a residence located within the A-2 General Agricultural zoning district.

Land Use Code Provisions

Rezoning Request

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

Conditional Use Permit Request

1. Subsections 2.3.6.A through 2.3.6.E of the Land Use Code details procedural matters, the approval criteria and the form for the conditional use permit application. The Committee may authorize the Land Use Administrator to issue a Conditional Use Permit (CUP) for conditional uses after review and a public hearing, provided that such conditional uses or structure are in accordance with the purpose and intent of this Code and the approval criteria provided in Section 2.3.6.B and are found not to be hazardous, harmful, offensive, or otherwise adverse to the environment or the value of the area.

Section 3.6 and Table 3.6-1 of the Land Use Code identifies "General retail sales and services" as a conditional use in the A-2 General Agricultural Zoning District.

Subsection 6.2.4 states that any commercial development conditionally allowed in the A-2 district shall be subject to the following standards:

- a. The development shall be appropriately screened from any adjoining road/property.
- b. Traffic generated, lights, noise or hours of operation shall not have a significant adverse impact on opposite or abutting owners.

Purpose Statements

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.

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

Project Details

The applicant would like to establish an online only business to purchase and sell firearms and ammunition at N1323 Wood Road. The owner, Adam Wendt will apply for his federal firearms license soon. The business operations will be conducted on-line and all shipments will be sent to the buyer’s location. No clients/customers will be coming to the home site as all of the business transactions are done on line. A small amount of stocked merchandise will be stored at the residence.

There will be no employees.

There are no future building plans.

There will be no additional outside lighting or parking is planned.

There are no existing or proposed signs for this site.

The existing sanitary facilities for the home will be used.

No additional landscaping will be done to the site.

Physical Features of Site

The features of the proposed construction and property that relate to the rezoning and land division requests are as follows:

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

The topography of the site is rolling with slopes ranging from 6 to 14%;

Land Use, Site: Residential

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

Designated Archaeological Site: Yes No

The proposal is consistent with the Dodge County Comprehensive Plan:

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

Town Recommendation

The Town Board has submitted a recommendation to the Department approving the rezoning petition and the conditional use permit requests.

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 2.3.6.F of the Code and with Chapter 91.48 of the Wisconsin State Statutes. The staff comments are listed in Exhibit A for the Committee review.

Rezoning Petition

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.

Conditional Use Permit Request

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

CONDITIONS:

1. The rezoning petition shall be approved by the County Board of Supervisors prior to the approval of the Conditional use permit.
2. The business operation shall be conducted without offensive noise, vibration, dust, smoke, odor, glare, lighting or the risk of fire, explosion or other accident and shall not be detrimental to the public health and safety or general welfare of the immediate neighborhood or community.
3. It shall be the responsibility of the applicant to obtain all other Federal, State and/or local municipality permits and approvals that may be required for the proposed business operation on this site.
4. The business shall be operated in accord with the business narrative submitted with the Conditional Use Permit application.
5. Any significant change to or expansion of the business operation and/or of its facilities may require that a new Conditional Use Permit be obtained.
6. 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.
7. 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

Rezoning Petition

The staff has reviewed the proposal for compliance with the criteria listed in Section 2.3.4.I of the code. The staff comments are as follows:

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 home and to accommodate the proposed internet sales business;

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 business will not place an unreasonable burden on the ability of the Town to continue to provide adequate public facilities or services to this site;

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 business is operated in accord with the permit application and the Land Use Code provisions, the proposal 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 development and if any future development is completed in accord with the land use code provisions, the project will not cause unreasonable soil erosion;

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

- It is the staff's position that the proposal is consistent with the Dodge County Comprehensive Plan as the site is designated as agricultural according to the County's Future Land Use Map.
- It is the staff position that the proposal is consistent with the Farmland Preservation Plan 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 agriculture. Therefore it is the staff's position that the proposed rezoning will not result in spot rezoning.

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

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

2.3.4.I.8 For all proposed rezoning petitions that will remove land from the A-1 Prime Agricultural Zoning District, the following additional findings shall be made:

2.3.4.I.8.a The land is better suited for a use not allowed in the A-1 Prime Agricultural Zoning District;

- It is the staff's position that the land is better suited to residential use.

2.3.4.I.8.b The rezoning is substantially consistent with the Dodge County Comprehensive Plan and Farmland Preservation Plan;

- The property is designated as Agriculture according to the County's Future Land Use Map and therefore it is the staff's position that the proposed rezoning is substantially consistent with the Dodge County Comprehensive Plan and the Farmland Preservation plan;

2.3.4.I.8.c The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use;

- It is the staff's position that the proposed rezoning will not substantially impair or limit the current or future agricultural use of the adjacent parcels;

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.

- The Town Board has submitted a recommendation to the Department approving the rezoning petition.

Conditional Use Permit Review

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

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

- It is the staff's position that if the project is constructed in compliance with the development standards of the code, the proposal will be compatible with the adjacent uses;

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

- It is the staff's position that if the project is constructed in compliance with the development standards of the code, the proposal will not have a significant detrimental impact on the adjacent properties or the community;

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

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

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

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

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

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

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

- It is the staff's position that any potential adverse impacts on the natural environment be mitigated to the maximum practical extent.

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

- It is the staff's position that the proposed use is not 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 Rezoning Petition # 2023-0727
Filing Date: August 23, 2023
Hearing Date: October 23, 2023

Applicant/Owner:
Adam and Lori Wendt
W1323 Wood Road
Watertown, WI 53098

Location
PIN# 040-0914-1444-001
Part of the SE ¼ of the SE ¼, Section 14, Town of Shields, the site address being N1323 Wood Road.

Applicants Request
The applicant has submitted a request to rezone approximately 4-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district and has submitted an application for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the establishment of an internet-based retail business that would allow the sale of firearms and ammunition from a residence located within the A-2 General Agricultural zoning district.

CONCLUSIONS OF LAW

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

2.3.4.I Approval Criteria

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

(Yes / No / N/A);
Comments _____

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

(Yes / No / N/A);
Comments _____

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

(Yes / No / N/A);
Comments _____

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

(Yes / No / N/A);

Comments _____

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

(Yes / No / N/A);

Comments _____

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

(Yes / No / N/A);

Comments _____

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

(Yes / No / N/A);

Comments _____

2.3.4.1.8 For all proposed rezoning petitions that will remove land from the A-1 Prime Agricultural Zoning District, the following additional findings shall be made:

2.3.4.1.8.a Does the Committee believe that the land to be rezoned is better suited for residential use or for agricultural use?

(Residential / Agricultural)

If the land to be rezoned is better suited for agricultural use, are there other areas on this property that would be better suited for the proposed residential use?

Comments _____

2.3.4.1.8.b Is the rezoning petition substantially consistent with the Dodge County Comprehensive Plan and Farmland Preservation Plan;

(Yes / No / N/A);

Comments _____

2.3.4.I.8.c Will the rezoning substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use;

(Yes / No / N/A);

Comments

2.3.4.J Approval by Affected Town Boards

Has the Town submitted a recommendation regarding this request?

(Yes / No)

Comments

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

Yes;

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

Committee Action

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

(Yes / No)

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

Motion second _____

Vote

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: _____

Dodge County Land Resources and Parks Committee Decision

County Conditional Use Permit: 2023-0726

Filing Date: August 23, 2023

Hearing Date: October 23, 2023

Applicant/Owner:

Adam and Lori Wendt
W1323 Wood Road
Watertown, WI 53098

Location

PIN# 040-0914-1444-001

Part of the SE ¼ of the SE ¼, Section 14, Town of Shields, the site address being N1323 Wood Road.

Applicants Request

The applicant has submitted a request to rezone approximately 4-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district and has submitted an application for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the establishment of an internet-based retail business that would allow the sale of firearms and ammunition from a residence located within the A-2 General Agricultural zoning district.

CONCLUSIONS OF LAW

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

2.3.6.F General Approval Criteria for Conditional Use Permits

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

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

(Yes / No)

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

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

(Yes / No)

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

2.3.6.F.4 Will the project cause 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 rezoning petition shall be approved by the County Board of Supervisors prior to the approval of the Conditional use permit.
2. The business operation shall be conducted without offensive noise, vibration, dust, smoke, odor, glare, lighting or the risk of fire, explosion or other accident and shall not be detrimental to the public health and safety or general welfare of the immediate neighborhood or community.
3. It shall be the responsibility of the applicant to obtain all other Federal, State and/or local municipality permits and approvals that may be required for the proposed business operation on this site.
4. The business shall be operated in accord with the business narrative submitted with the Conditional Use Permit application.
5. Any significant change to or expansion of the business operation and/or of its facilities may require that a new Conditional Use Permit be obtained.
6. 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.
7. The Conditional Use Permit shall also expire upon termination of a project or if the rights granted by the permit are discontinued for 180 consecutive days.

Others

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

(Yes / No)

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

Motion second _____

Vote

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

Motion (Carried / Denied)

ORDER AND DETERMINATION

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

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

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

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

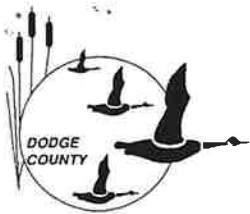
Appeals. This decision may be appealed by any person or their agent aggrieved by this decision or by any officer, department, board or bureau of the County, or by any affected town board. Such appeals shall be filed with the Dodge County Land Resources and Parks Department or the review and decision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

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

Dodge County Land Resources and Parks Committee

Signed _____ Attest _____
Chairperson Secretary

Dated: _____ Filed: _____



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

τ THIS AREA FOR OFFICE USE ONLY τ	
Activity No. 230727	Application Date: 8-23-2023
	Receipt #: 7882-0019

REZONING PETITION

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

NAMES & MAILING ADDRESSES	PROPERTY DESCRIPTION
Petitioner (Agent) <u>Adam V. Wendt</u>	Parcel Identification Number (PIN) <u>040-0914-1444-001</u>
Street Address <u>N1323 Wood Rd.</u>	Town <u>Shields</u>
City • State • ZipCode <u>Watertown, WI 53098</u>	Section 1/4 <u>14 SE SE</u>
Property Owner (If different from petitioner)	Subdivision or CSM (Volume/Page/Lot) <u>6609</u>
Street Address <u>N1323 Wood Rd.</u>	Address Of Property (DO NOT include City/State/ZipCode) <u>N1323 Wood Rd</u>
City • State • ZipCode <u>Watertown, WI 53098</u>	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

CONTACT PERSON

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

Name Adam V. Wendt Daytime Phone (414) 902 - 3989

PROPOSED REZONING

Current Zoning District <u>Agriculture 1</u>	Proposed Zoning District <u>Agriculture 2</u>
---	--

Reason For Rezoning

Operating a business out of residence.

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 V. Wendt* Date 08/17/2023

Daytime Contact Number (414) 902 - 3989

◆ AREA BELOW THIS LINE FOR OFFICE USE ONLY ◆

268.82'

#1194666

211.55'

185.43'

(1)

#6609

45/28

428.22'

1444-001
4.101 ac.

1444-000
36.302 ac.

SHIELDS

1333-000
38.323 ac.

Driveway

Septic

WOOD RD

198.58'

89.8'

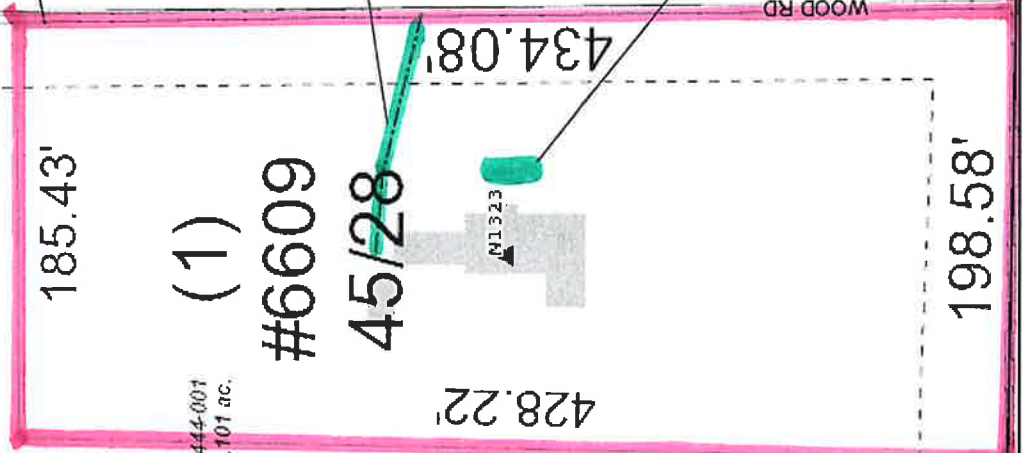
COUNTY ROAD Q

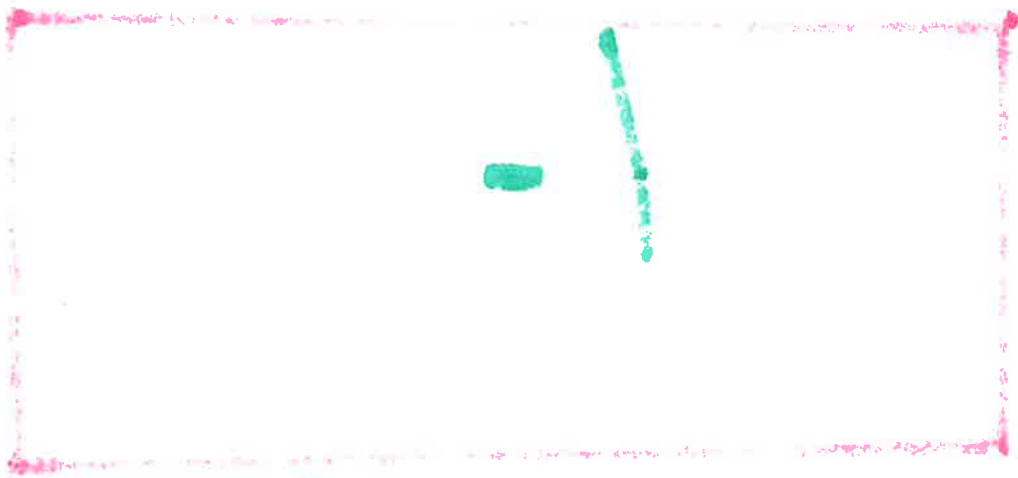
08/17/23



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

Area and proposed lot lines to be rezoned

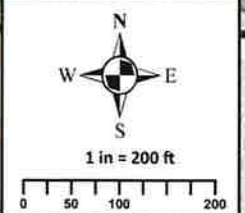




The data used to create this map is a compilation of records, information, and data from various city, county and state offices, and other sources. This map is only advisory, does not replace a survey, and may not be used for any legal purpose. Dodge County assumes no liability for any use or misuse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



Rezone 4.1 Acres of land from the
A-1 Prime Agricultural District to the
A-2 General Agricultural 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 Buffer	General Agricultural
Sewer Service Areas	<u>Non-Metallic Mining</u>	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



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

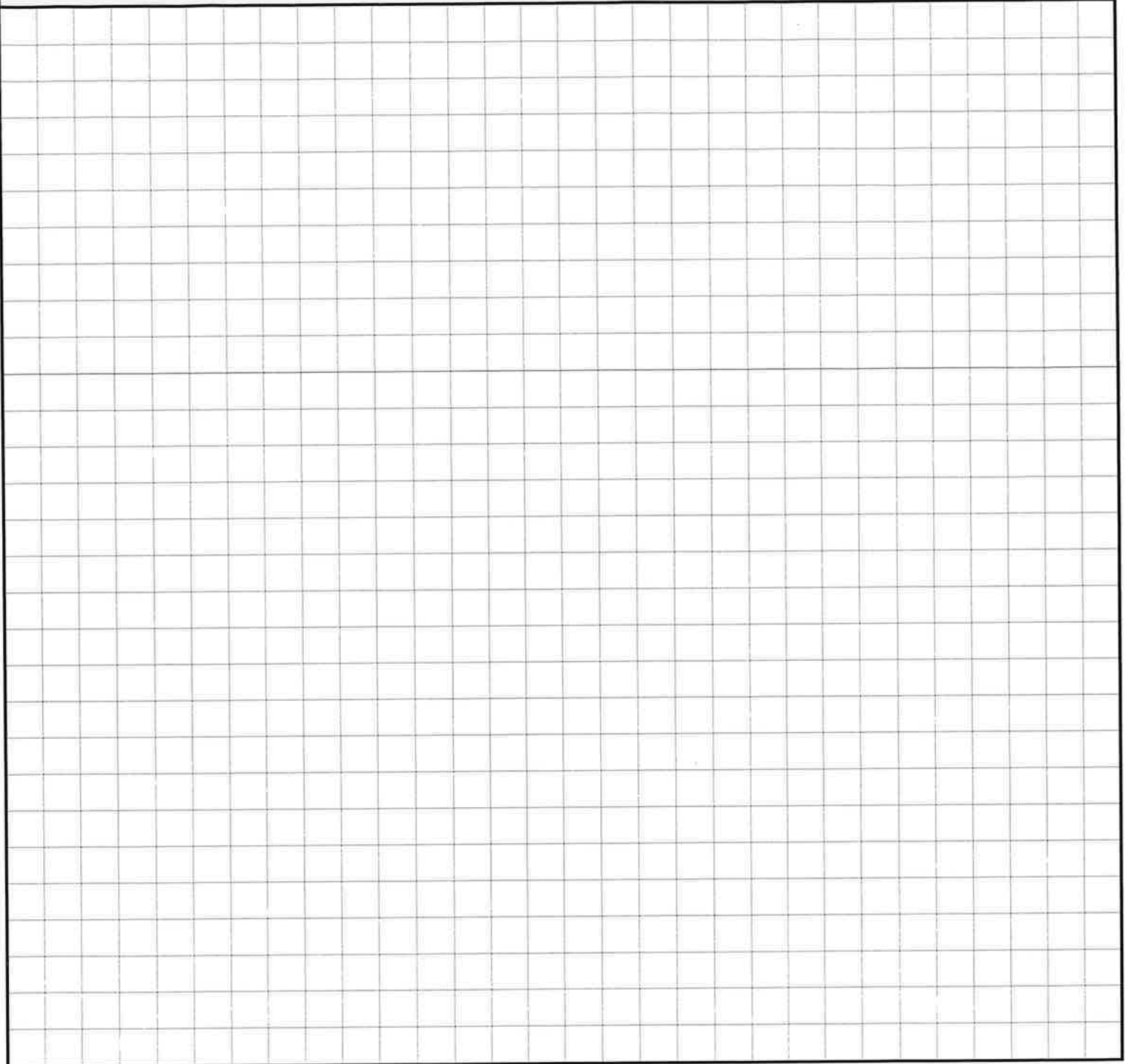
THIS AREA FOR OFFICE USE ONLY	
Activity No. 230726	Permit Issued Date
Application Date: 8-23-2023	Receipt #: 1882-0018
	Sanitary Permit #: —

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) <u>Adam V. Wendt</u>	Parcel Identification Number (PIN) <u>040-0914-1444-001</u>
Street Address <u>N1323 Wood Rd.</u>	Town <u>Shields</u>
City • State • ZipCode <u>Watertown, WI 53098</u>	Town Grid T <u>9</u> N <u>14</u> R <u>14</u> E
Property Owner (if different from applicant)	Subdivision or CSM (Volume/Page/Lot) <u>6609</u>
Street Address <u>N1323 Wood Rd.</u>	Address Of Property (DO NOT include City/State/ZipCode) <u>N1323 Wood Rd</u>
City • State • ZipCode <u>Watertown, WI 53098</u>	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(3) PROPERTY USE	(4) PROPOSED PROJECT
<p align="center">Current Use Of Property</p> <input type="checkbox"/> Vacant Property <input checked="" type="checkbox"/> Single-Family Residential <input type="checkbox"/> Active-Working Farm Operation <input type="checkbox"/> Business • Industrial • Commercial • (Describe below) Other _____	<p align="center">(Please check/complete all that apply below)</p> <input type="checkbox"/> Non-Farm Residential Lot <input type="checkbox"/> Single Family Residence <input type="checkbox"/> Two-Family Residence <input type="checkbox"/> Multi-Family Residence <input type="checkbox"/> Tavern or Restaurant <input type="checkbox"/> Professional Office <input type="checkbox"/> Non-Metallic Mine/Quarry <input type="checkbox"/> Wind Tower <input checked="" type="checkbox"/> Create/Expand Business <input type="checkbox"/> Wildlife Pond > 2-acres <input type="checkbox"/> Wireless Communications Tower <input type="checkbox"/> Contractor's Offices and Storage Yards <input type="checkbox"/> Filling, Grading or Dredging in the Shoreland District Other: _____
DNR Notice	
<p>DNR NOTICE: You are responsible for complying with State and Federal laws concerning construction on or near wetlands, lakes and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources Wetlands Identification Web Page (www.dnr.state.wi.us) or contact a Department of Natural Resources Service Center.</p>	
(5) CERTIFICATE	
<p>I, the undersigned, hereby apply for a Conditional Use Permit and certify that all the information both above and attached is true and correct to the best of my knowledge. I affirm that I have read the DNR Notice shown above. I affirm that all work performed will be done in accordance with the Dodge County Land Use Code and with all other applicable laws and regulations. I hereby authorize members of the Dodge County Land Resources and Parks Department to enter the above-described property for purposes of obtaining information pertinent to my application request and to conduct land use code inspections.</p>	
Signature <u>Adam V. Wendt</u>	Date <u>08/17/2023</u>
Daytime Contact Number (<u>414</u>) <u>902 - 3989</u>	
AREA BELOW THIS LINE FOR OFFICE USE ONLY	
LAND RESOURCES AND PARKS COMMITTEE ACTION	
Date of Decision _____	Decision _____
<input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	Land Resources and Parks Department _____ Date: _____

SITE PLAN (SKETCH)



See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

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

Notes/Stipulations:

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

1444-000
36.302 ac. 14
SHIELDS

268.82'

#1194666

211.55'

185.43'

Side property line

Area and proposed lot
lines to be rezoned

637.13'

(1)

#6609

45/28

Driveway

Front Property line

428.22'

Rear Property Line

Septic

198.58'

Side property line

89.8'

08/17/23



0 50 100 150ft

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

Q

COUNTY ROAD 0

WOOD RD

1333-000
38.323 ac. 18

11/11/2020



09/01/23

Dodge County Land Resources and Parks Development
127 East Oak Street
Juneau, Wisconsin 53039

RECEIVED

SEP 07 2023

DODGE COUNTY
LAND RESOURCES & PARKS

County ID# 2023-0726

Owner: Adam Wendt

PIN# 040-0914-1444-001

SE ¼ SE ¼, Section 14, T09N, R14E, Town of Shields, Dodge County, Wisconsin

Site Address: N1323 Wood Road

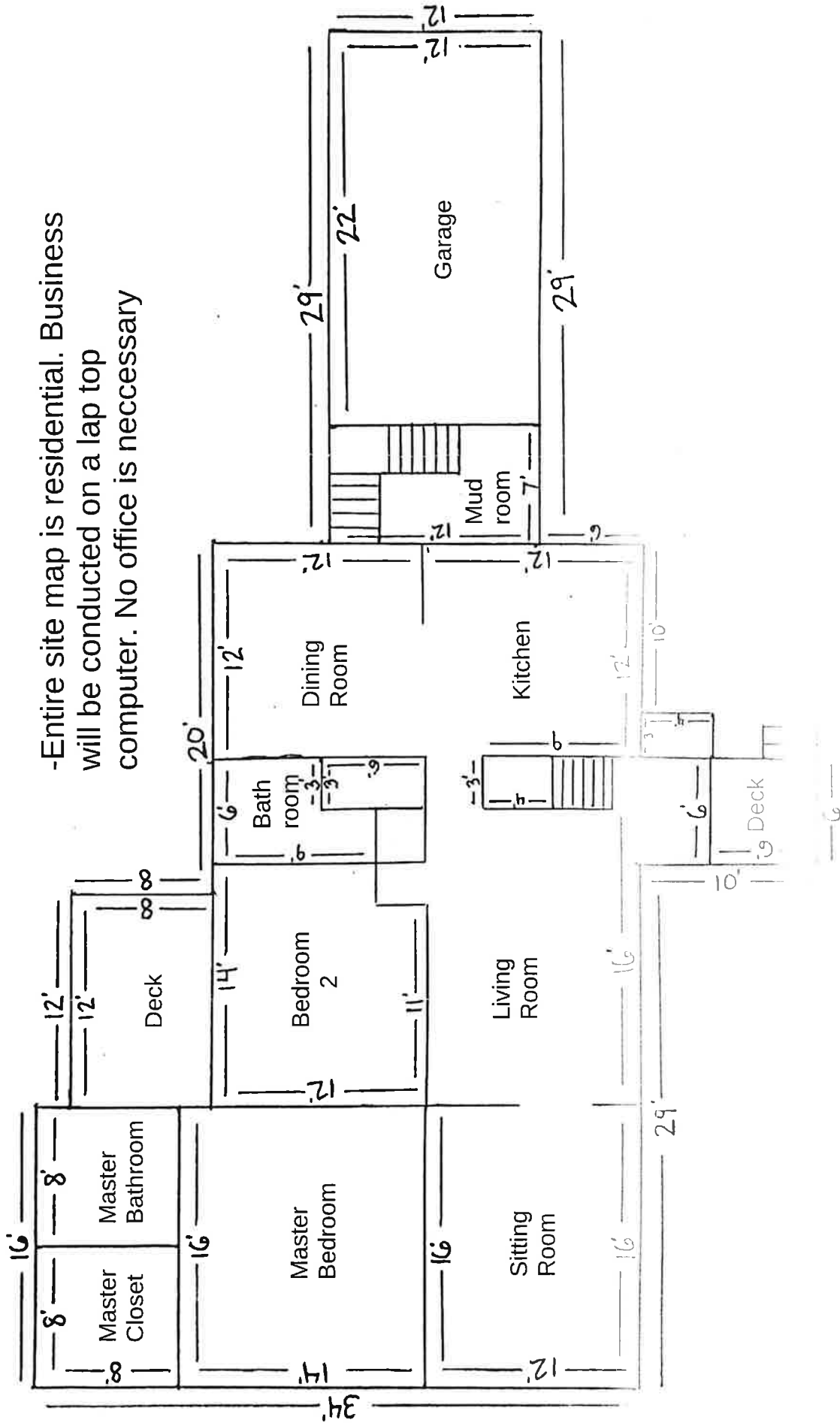
Narrative of Proposed Business

- The proposed business will deal in online purchases and sales of firearms and ammunition licensed by Bureau of Alcohol, Tobacco, Firearms and Explosives.
- The hours of operations will vary by day of the week and are not set. Mostly, business will be conducted from 1700 hours to 2000 hours 3-4 times a week.
- The owner of the proposed business is Adam Wendt and there are zero employees (full or part-time)
- There are no future building plans as business will be on a small scale and conducted all online.
- No lighting is necessary as this is a residence only. No customers will be frequenting the residence. There will also be no advertisements outside of the residence indicating that an operating business is located inside.
- As far as sanitary facilities go, as there are no employees and no customers, the bathrooms that are already existing in the residence will suffice.
- Parking arrangements are not applicable as there are no employees and no customers frequenting the place of business.
- There are no existing or proposed signage as this business will be online only
- No hazardous waste will be stored on site

Scale: 1/8" = 1'

1st Floor Site Map

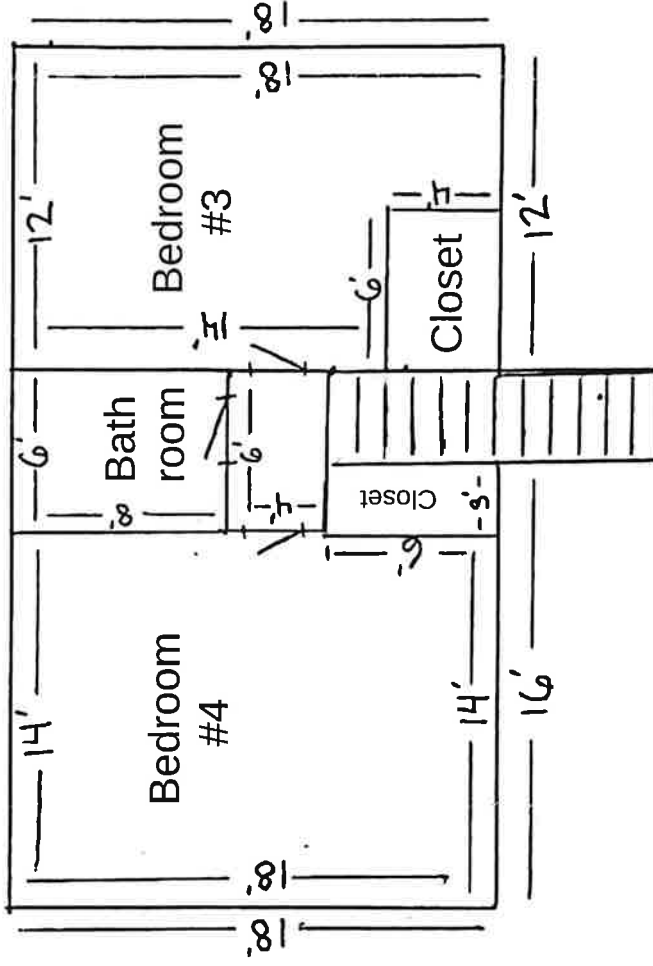
-Entire site map is residential. Business will be conducted on a lap top computer. No office is necessary



Scale: 1/8" = 1'

2nd Floor Site Map

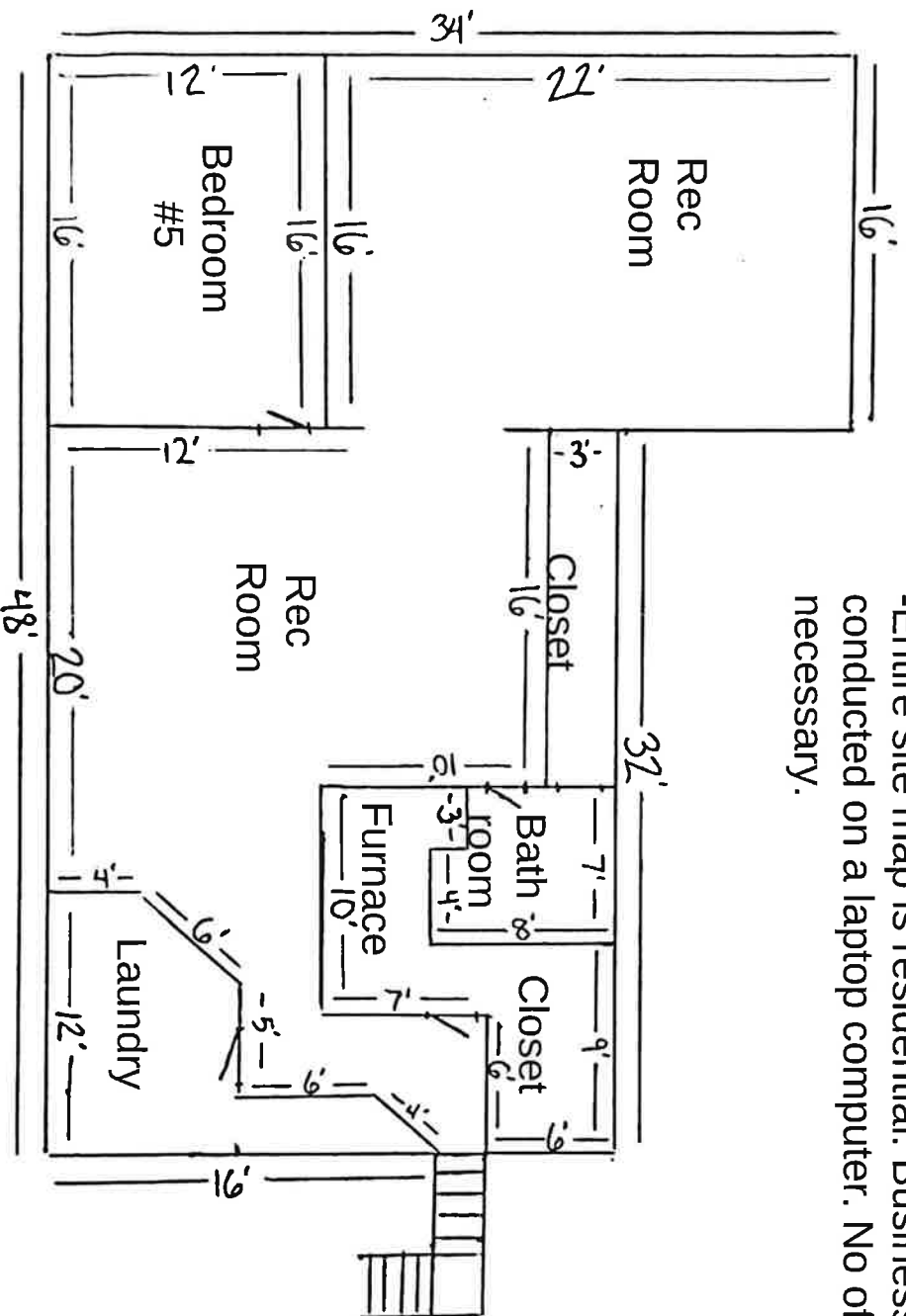
-Entire site map is residential. Business is conducted on a laptop computer. No office is necessary.

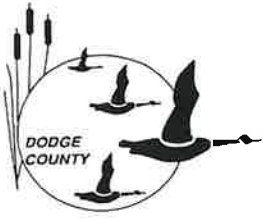


Scale: 1/8" = 1'

Basement Site Map

-Entire site map is residential. Business will be conducted on a laptop computer. No office is necessary.





Dodge County

Land Resources and Parks Department

127 East Oak Street · Juneau, WI 53039-1329
PHONE: (920) 386-3700 · FAX: (920) 386-3979
EMAIL: landresources@co.dodge.wi.us

September 11, 2023

Adam Wendt
N1323 Wood Road
Watertown, WI 53098

COPY

RE: Determination of Incomplete Conditional Use Permit Application
County ID# 2023-0726
Owner: Adam Wendt
PIN# 040-0914-1444-001
SE 1/4 SE 1/4, Section 14, T09N, R14E, Town of Shields, Dodge County, Wisconsin
Site Address: N1323 Wood Road

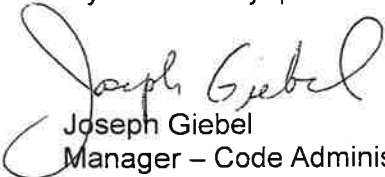
Dear Adam Wendt:

The Dodge County Land Resources and Parks Department has received the additional information that you submitted for your conditional use permit application. After reviewing this information, we have determined that your application is still incomplete. The following additional information is needed to complete your conditional use permit application:

1. Please provide additional information on how your business is operated. Please include the following information:
 - Is your business set up for on-line sales only? *yes*
 - How do your clients get the merchandise? Do they pick it up or do you ship it directly to them or to a store front? *Ship only*
 - Will you have any clients coming to your home for sales or delivery? *No*
 - Will you store any merchandise at the home? *yes*
 - If you have deliveries sent or received at your home, how many deliveries would occur per day? *less than 5 per month*

No further processing of your application will occur until the additional information has been submitted to this office. If the additional information requested is not submitted within 60 days of receiving notice of this letter, the application shall be considered withdrawn. If you have any questions regarding the information that is required, please feel free to give me a call.

If you have any questions, please let me know.


Joseph Giebel
Manager – Code Administration

*Per Adam
9-19-23 @ Counties
WI GAS*

1. $\frac{1}{x^2} = x^{-2}$
 $\frac{d}{dx} x^{-2} = -2x^{-3} = -\frac{2}{x^3}$

2. $\frac{d}{dx} \ln(x^2) = \frac{1}{x^2} \cdot 2x = \frac{2}{x}$
 3. $\frac{d}{dx} \ln(x^2 + 1) = \frac{1}{x^2 + 1} \cdot 2x = \frac{2x}{x^2 + 1}$
 4. $\frac{d}{dx} \ln(x^2 - 1) = \frac{1}{x^2 - 1} \cdot 2x = \frac{2x}{x^2 - 1}$

Land Resources and Parks Department Staff Report

Town of Chester Code Amendment – County ID# 2023-0839

Applicant / Petitioner:

Town of Chester – Town Board
W6498 Oakwood Road
Waupun, WI 53963

Filing Date: October 2, 2023

Committee Review Date: October 23, 2023

Subject - Proposal

A petition to amend the text of the Town of Chester Zoning Ordinance has been submitted by the Town of Chester Town Board to the County Board of Supervisors for approval. The intent of the amendments is to bring the Town of Chester Zoning Ordinance into compliance with the Wisconsin's farmland preservation law under Ch. 91, Wis. Stats. The petition includes the following amendment: Remove "golf courses" as a permitted use within the CO - Conservancy District as shown in "Exhibit A". The proposed amendment was part of the town's Farmland Preservation recertification process that was necessary in order for the Town to receive the Department of Agriculture, Trade and Consumer Protection (DATCP) approval to re-certify the Town Zoning Ordinance. Certification allows farmers covered by the ordinance to claim farmland preservation tax credits under subch. IX of CH 71, Wis. Stats.

Land Use Code Provisions:

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

County Jurisdiction Limits

The County's Non-Metallic Mining Reclamation, Subdivision, Shoreland Protection, Floodplain and Sanitary Ordinance provisions are enforced within the Town of Chester.

The adoption of the proposed amendment by the Town of Chester does not change or affect the enforcement of the applicable Code and Ordinance regulations within the Town of Chester. If the jurisdiction of the County and Town codes overlap, compliance with the most restrictive code regulation is required.

STAFF ADVISORY:

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

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

Dodge County Land Resources and Parks Committee Decision

Town of Chester Code Amendment – County ID# 2023-0839

Applicant / Petitioner:

Town of Chester – Town Board
W6498 Oakwood Road
Waupun, WI 53963

Filing Date: October 2, 2023

Committee Review Date: October 23, 2023

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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 for the Committee to make a decision on the Town Code Amendment 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;
- No;

Comments

Motion by _____ to submit a (favorable / unfavorable) recommendation to the County Board of Supervisors on the Town of Chester Code Amendment

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 – AMENDMENT OF TOWN ZONING ORDINANCE

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

- shall provide a favorable recommendation to the County Board on the Town Code amendment as proposed;
- shall provide a favorable recommendation to the County Board on the proposed Code Amendment as modified by the committee;
- shall provide an unfavorable recommendation to the County Board on the Town Code amendment as proposed;
- shall provide a “No Recommendation” to the County Board on the proposed Town Code amendment as proposed;

Dodge County Land Resources and Parks Committee

Signed _____ Attest _____
Chairperson Secretary

Dated: _____

Filed: _____

Exhibit A

Amendment: Remove "golf courses" from the list of permitted uses in the CO-Conservancy District

3.3

District Regulations

CO - Conservancy

The primary purpose of this district is for uses compatible with protecting, preserving and enhancing the lakes, rivers, wetlands, floodplains and other significant natural areas within the Town, such as wooded areas of environmental importance, archaeological sites of significant importance or other areas of which the public has interest in preserving.

Uses and structures may be subject to the Dodge County Land Use Code, where applicable.

A. Permitted Uses

1. Agricultural use provided no farm buildings are constructed,
2. Harvesting of any wild crop such as marsh hay, ferns, moss, wild rice, berries, tree fruits and tree seeds;
3. Hiking trails, bridle paths and walkways, including those built on pilings;
4. Hunting and fishing preserves, waterfowl blinds;
5. Nonresident buildings used solely in conjunction with the raising of waterfowl, minnows and other similar lowland animals, fowl and fish;
6. Piers and docks;
7. Parks, picnic areas, ~~golf courses~~ and similar uses;
8. Sustained yield forestry;
9. Telephone and electrical power transmission lines;
10. Wildlife ponds.

B. Conditional Uses

1. Boat houses;
2. Dams;
3. Filling, drainage or dredging;
4. Relocation of any watercourse;
5. Removal of top soil or peat;
6. Utilities.

C. Area, Height and Yard Requirements

Lot:	See Section 2.6		
Height:	40 Feet Maximum		
Yards:	Rear	-	Minimum 25 Feet
	Side	-	Minimum 10 Feet
	Street	-	See Section 5.0

All Conditional Use Permits to be granted only upon a finding by the Plan Commission that such use or structure will not restrict a floodway or destroy the storage capacity of a floodplain.

Resolution No. 23-1

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 Ordinances which is in full force and effect, and

WHEREAS, the Town Board of Chester has adopted a Town Zoning Ordinance for said town, the power to adopt a Town Zoning Ordinance having been granted by vote of the electors of the Town of Chester held at a Public 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 Chester was held by the Town Zoning Committee and Board Members and the proposed amendment to the Zoning Ordinance of the Town of Chester having been adopted by the Town Electorate of the Town of Chester on July 18th, 2023 at a Town of Chester public meeting.

THEREFORE BE IT RESOLVED: That the amendment to the Town Zoning Ordinance of the Town of Chester 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 19TH day of SEPTEMBER, 2023


County Board Supervisor

**Land Resources and Parks Department
Staff Report**

Town Rezoning Petition # 2023-0392

Filing Date: October 10, 2023

Committee Review Date: October 23, 2023

Applicant / Owner:

United Cooperative
N7160 Raceway Road
Beaver Dam, WI 53916-9315

Location:

PIN# 022-1116-1212-000

Part of the NW ¼ of the NE ¼, Section 12, Town of Hubbard, Dodge County, Wisconsin the site address being W2649 State Road 33,

Applicants Request

Petition to rezone approximately 19-acres of land under the Town of Hubbard Zoning Ordinance, from the GC General Commercial Zoning District to the IM Industrial and Manufacturing Zoning District has been submitted by the Town of Hubbard Town Board to the Dodge County Board of Supervisors to allow for an Industrial and Manufacturing business on this site that will include mixing and selling fertilizers and other agricultural products.

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 and a Commercial Propane Dealer.

Land Use, Area: Agricultural with scattered residences along STH 33.

Designated Archaeological Site: Yes No

The proposal is consistent with the Farmland Preservation Program.

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.

Town Purpose Statements

The General Commercial District (GC) is intended to provide for the regulation and orderly development of commercial trade and service establishments that are intended to serve the traveling public.

The Industrial and Manufacturing District (IM) is intended to provide for the regulation and orderly development of limited industrial, manufacturing, quarrying, mineral extraction and warehousing use operations.

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 proposed rezoning petition is consistent with the County's Comprehensive Plan as the site is designated as general agriculture which allows for agricultural related development. Therefore, staff recommends the committee report favorably on the town rezoning petition.

Dodge County Land Resources and Parks Committee Decision

Town Rezoning Petition # 2023-0392
Filing Date: October 10, 2023
Committee Review Date: October 23, 2023

Applicant / Owner:
United Cooperative
N7160 Raceway Road
Beaver Dam, WI 53916-9315

Location:
PIN# 022-1116-1212-000
Part of the NW ¼ of the NE ¼, Section 12, Town of Hubbard, Dodge County, Wisconsin the site address being W2649 State Road 33,

Applicants Request
Petition to rezone approximately 19-acres of land under the Town of Hubbard Zoning Ordinance, from the GC General Commercial Zoning District to the IM Industrial and Manufacturing Zoning District has been submitted by the Town of Hubbard Town Board to the Dodge County Board of Supervisors to allow for an Industrial and Manufacturing business on this site that will include mixing and selling fertilizers and other agricultural products.

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: _____

RESOLUTION NO.

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY,
WISCONSIN

MEMBERS:

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

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

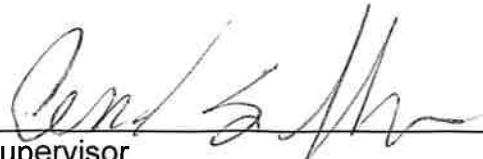
WHEREAS, pursuant to Section 60.62(3) of the Wisconsin Statutes adoption and amendment of a town zoning ordinance by a Town Board is subject to the approval of the County Board of Supervisors in counties having a zoning ordinance in force and effect, and

WHEREAS, a rezoning request received by the Town of Hubbard Town Board would amend the Town of Hubbard Zoning Ordinance and the Official Town of Hubbard Zoning Map adopted October 1st 2010 by changing the zoning designation of certain parcels from General Commercial to Industrial and Manufacturing as designated in the Town of Hubbard Year 2040 Comprehensive Plan adopted July 27th 2020, and

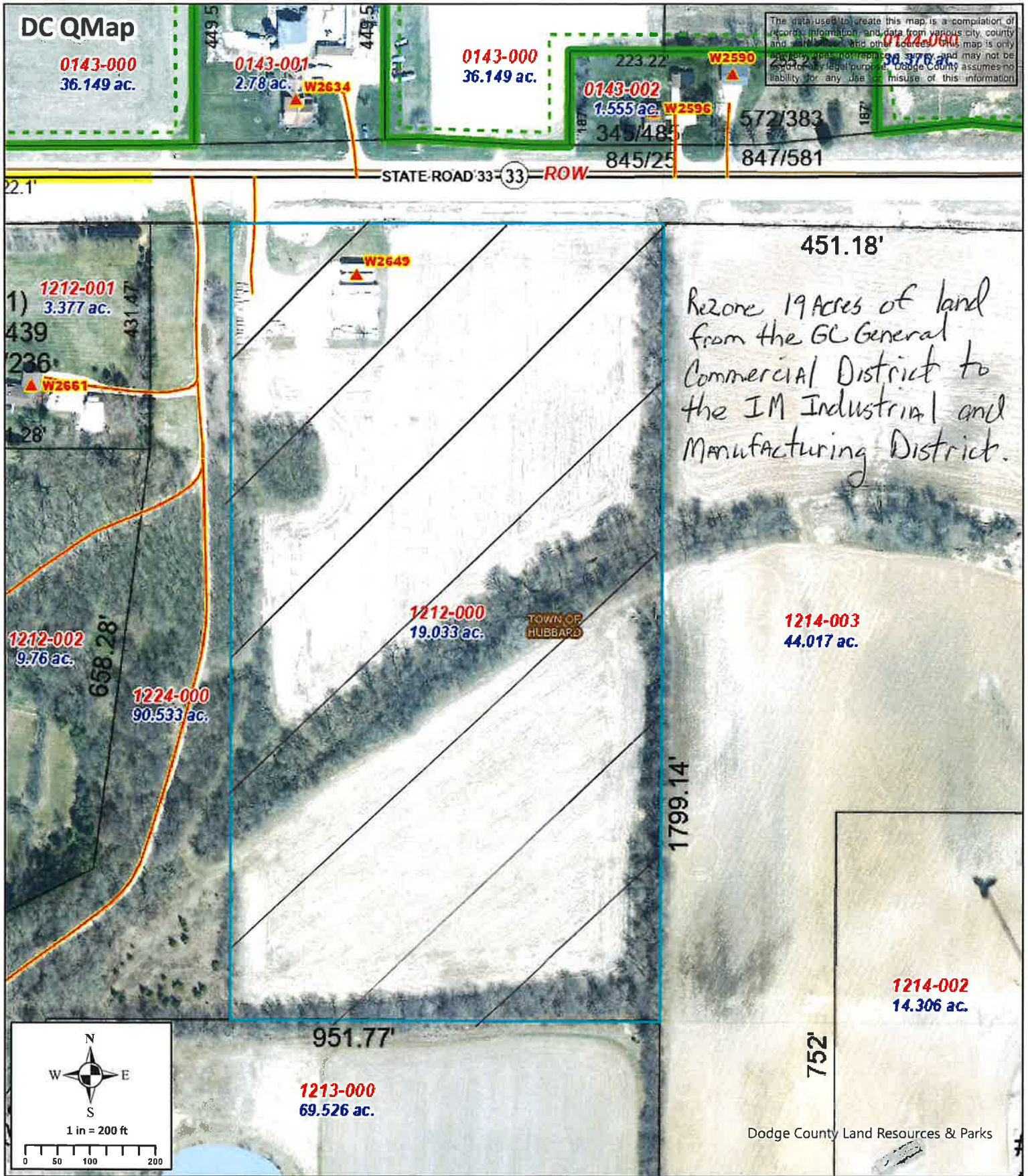
WHEREAS, a public hearing as to the proposed amendment to the Town of Hubbard Zoning Ordinance and Official Zoning Map was held before the Town of Hubbard Plan Commission and Town Board on September 25th, 2023 and the proposed amendments to the Town of Hubbard Zoning Ordinance having been adopted by the Town Board of the Town of Hubbard on September 25th 2023,

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

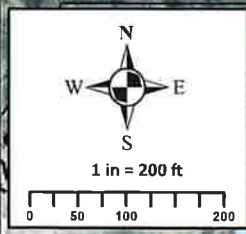
All of which is respectfully submitted this 11th day of October,
2023.



Supervisor



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



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

Date: 10/12/2023

Town of Hubbard

Dodge County, Wisconsin

Farmland Preservation Zoning Map

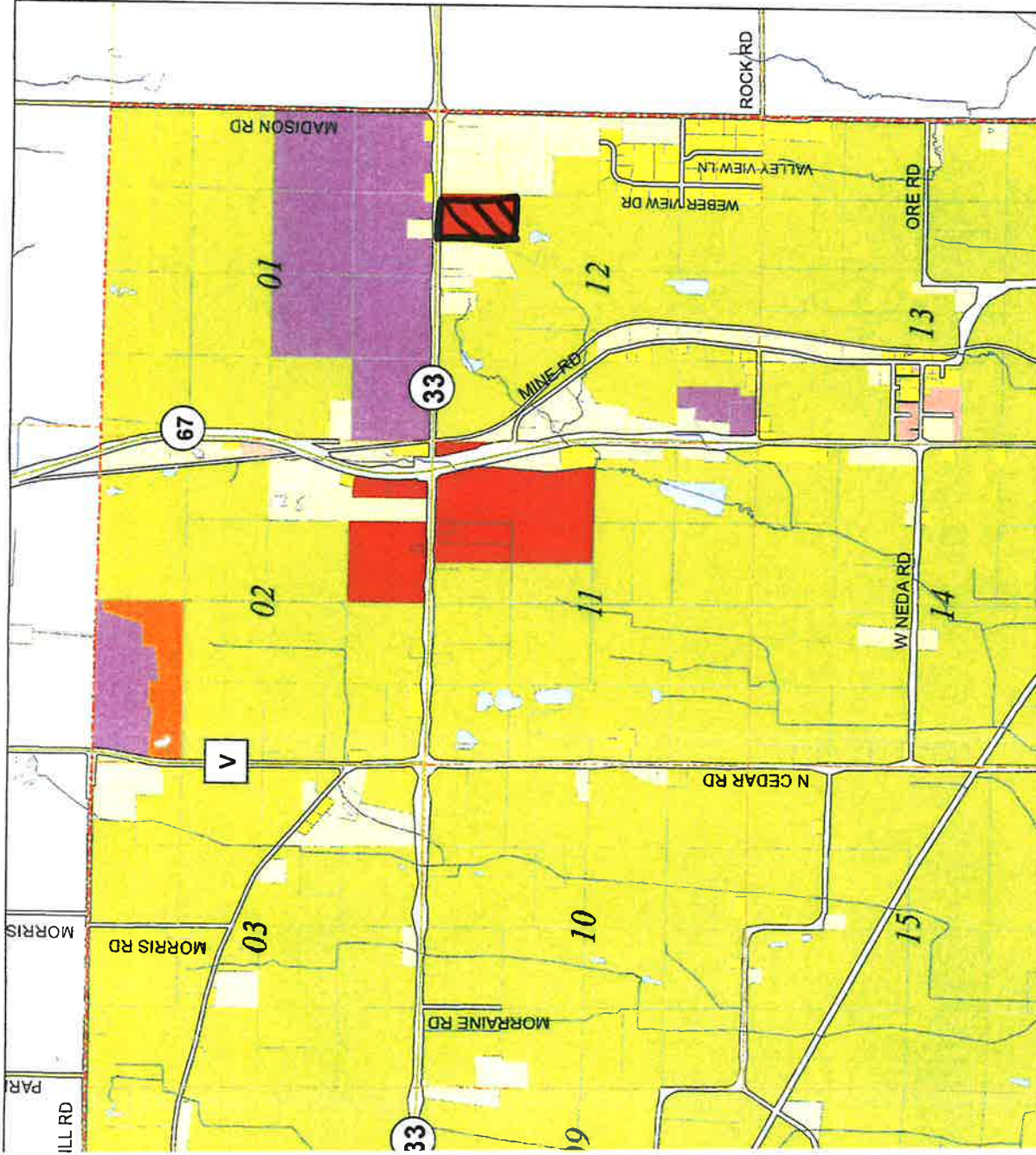
DATCP Submittal Date: August 20, 2020

Zoning Districts

- FP** Farmland Preservation
- GA** General Agricultural
- RRS** Rural Residential Small Lot
- PR** Park & Recreational
- NB** Neighborhood Business
- GC** General Commercial
- IM** Industrial & Manufacturing

Map Features

- 67** State Roads
- E** County Roads
- TOWN ROAD
- Municipal Boundary
- Section Line



**DODGE COUNTY LAND RESOURCES AND PARKS COMMITTEE
MINUTES
October 9, 2023**

The Dodge County Land Resources and Parks Committee met on October 9, 2023 at 7:00 p.m. on the 1st Floor of the Administration Building, Juneau, Wisconsin.

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

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

Members excused: Donna Maly

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

Staff present: Bill Ehlenbeck - Director, Joseph Giebel – Manager of Code Administration, Chris Planasch – Register of Deeds.

Others present: Members of the public for the public hearings.

The Chairman asked the staff to confirm compliance with the open meeting laws and the public hearing notice requirements. Mr. Giebel noted that the meeting was properly noticed in accord with the open meeting law and noted that the required notices for the public hearings listed on the agenda were posted, mailed and published in accord with the statute and code requirements.

The minutes from the September 25, 2023 meeting were reviewed by the Committee.

Motion by Dan Siegmann to approve the minutes as written.

Second by Ben Priesgen Vote: 4-0 Motion carried.

The hearing procedures were read into the record.

PUBLIC HEARING

Raymond Schrab, agent for Victoria Schrab – Request to rezone approximately 10-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district to allow for the creation of a non-farm residential lot. The site is located in part of the SE ¼, of the NW ¼, Section 19, Town of Hustisford, the site address being N3650 County Road DJ.

Motion by Ben Priesgen to lay over a decision (recommendation to the County Board) on the rezoning request to the November 13, 2023 Committee meeting at the request of the Town of Hustisford and the applicant to allow additional time to resolve a driveway access issue.

Second by Dale Macheel Vote 4-0 Motion carried.

The applicant signed a “Request for Extension” form to allow the Committee to lay over a decision to the November 13, 2023 Committee Meeting.

Quarterly Reports

Planning and Economic Development Division
Postponed quarterly report to a future date.

Quarterly Reports and 2024 Budget Update

Register of Deeds – Chris Planasch

Chris Planasch presented the quarterly report for the Register of Deeds Department. She also provided the Committee with an update on the projects that the Department is working on.

Chris Planasch provided the committee with an update on the proposed 2024 Department Budget.

Quarterly Reports

Land Information

Postponed quarterly report to a future date. The Land Information Council is expected to meet soon on the proposed LIO grant request for 2024 and then a report will be brought back to the Committee.

Quarterly Reports

Park System

Bill Ehlenbeck presented the quarterly report for the Parks Division. The parks division had another strong year in usage and revenue. All of the parks should exceed the budgeted revenue amounts.

The electrical upgrade project at Derge Park is scheduled to start next week. Bill informed the Committee on the Town of Burnett sewer lift station project. The buildings associated with the lift station will be located within one of the Wild Goose Trail parking lots through an easement with DNR. Bill also reported that the Astico Park Attendant quit recently and staff are scrambling to provide sufficient coverage through the rest of the camping season which ends at the end of October and still has a high reserved occupancy rate.

Land Use / Zoning

Violation Report – September

Joe Giebel provided the Committee with an update on the list of violations issued during the month of September for review. He also provided the quarterly update on the permit revenues for the Code Division.

Administration

Committee discussion on possible amendments to the “Enforcement and Penalties” sections of the County Codes.

Supervisor Dan Siegmann has submitted a request to consider an amendment to the enforcement and penalty provisions of the Dodge County Floodplain Ordinance. He would like to see all of the enforcement provisions removed from the Code, with the exception of the penalty section. He also would like see a maximum penalty of \$50.00 per violation, per day, as stated in the Wisconsin Statutes.

The staff provided an information sheet to the Committee listing the current floodplain ordinance provisions and the proposed amendment language as recommended by Dan Siegmann. The applicable statute provisions of the code were also provided within the staff report. The Committee would like to have additional information for comparison on what other county enforcement sections contain before making a decision an amendment to the code. Further discussion was postponed to a future meeting.

Department 2024 Budget update

Bill Ehlenbeck provided the Committee with a brief update on the Department 2024 Budget and provided the narrative submitted for the budget book and a summary accounting of each tax funded Division showing the 2023 Budget, the projected 2023 Actuals and the 2024 proposed Budget.

OTHER BUSINESS

1. No Committee Member Reports
2. No additional per diems

Motion by order of the Chair to adjourn the meeting.

Meeting adjourned at 8:15 p.m.

Respectfully Submitted,

Secretary

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