

**Land Resources and Parks Department  
Staff Report**

**County Rezoning Petition # 2023-0754**

**Filing Date: August 31, 2023**

**Hearing Date: October 9, 2023**

**Lay over Date: November 13, 2023**

**Applicant (Agent):**

Raymond Schrab  
6536 Hawthorne Lane  
Hartford, WI 53027

**Owner:**

Victoria Schrab Revocable Trust  
104 Fakes Ct. Apt 212  
Beaver Dam, WI 53916

**Location**

PIN# 024-1016-1924-000; 024-1016-1921-000;  
SE ¼ of the NW ¼, Section 19, Town of Hustisford, the site address being N3650 County Road DJ.

**Applicants Request**

A rezoning petition has been submitted by the applicant in order they be allowed to rezone approximately 10-acres of land from the A-1 Prime Agricultural zoning district to the A-2 General Agricultural zoning district under the Dodge County Land Use Code in order to allow for the creation of a non-farm residential lot.

On October 9, 2023, the Committee laid over a decision on the rezoning request to the November 13, 2023, Committee meeting at the request of the applicant to allow the applicant, the Town Board and the Department of Natural Resources additional time to resolve a driveway access issue for this proposed lot.

**STAFF ADVISORY:**

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

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

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

## Exhibit A

### 2.3.4.I Approval Criteria

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

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

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

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

- It is the staff's position that the proposed development project will not place an unreasonable burden on the ability of the Town to provide adequate public facilities or services;

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

- It is the staff's position that if the proposed area to be rezoned is developed in accord with the Land Use Code provisions, the development project will not have an unreasonable adverse effect on surrounding properties or the environment;

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

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

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

- It is the staff's position that the proposal is consistent with the Dodge County Comprehensive Plan as the site is designated as agricultural according to the County's Future Land Use Map which can include a limited amount of residential development, but where the predominant land use would be agricultural in nature.
- It is the staff position that the proposal is consistent with the Farmland Preservation Plan

**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 to be rezoned is better suited for non-agricultural 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 agricultural and conservancy 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.

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

**Dodge County Land Resources and Parks Committee Decision**

**County Rezoning Petition # 2023-0754**  
**Filing Date: August 31, 2023**  
**Hearing Date: October 9, 2023**  
**Laid Over Date: November 13, 2023**

**Applicant (Agent):**  
Raymond Schrab  
6536 Hawthorne Lane  
Hartford, WI 53027

**Owner:**  
Victoria Schrab Revocable Trust  
104 Fakes Ct. Apt 212  
Beaver Dam, WI 53916

**Location**  
PIN# 024-1016-1924-000; 024-1016-1921-000;  
SE ¼ of the NW ¼, Section 19, Town of Hustisford, the site address being N3650 County Road DJ.

**Applicants Request**  
A rezoning petition has been submitted by the applicant in order they be allowed to rezone approximately 10-acres of land from the A-1 Prime Agricultural zoning district to the A-2 General Agricultural zoning district under the Dodge County Land Use Code in order to allow for the creation of a non-farm residential lot.

**CONCLUSIONS OF LAW**

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

**2.3.4.I Approval Criteria**

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

(Yes / No / N/A);  
Comments \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

(Yes / No / N/A);  
Comments \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

(Yes / No / N/A);

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

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

(Yes / No / N/A);

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

**2.3.4.1.5** Is the proposal consistent with the Dodge County Comprehensive Plan and 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.I.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

Yes

No

Abstain

Not Present

Donna Maly

Yes

No

Abstain

Not Present

Ben Priesgen

Yes

No

Abstain

Not Present

Dan Siegmann

Yes

No

Abstain

Not Present

Mary Bobholz – Chair

Yes

No

Abstain

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 \_\_\_\_\_  
Chairperson

Attest \_\_\_\_\_  
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. <b>230754</b>	Application Date: <b>8/31-2023</b>
	Receipt #: <b>CC</b>

## REZONING PETITION

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

NAMES & MAILING ADDRESSES		PROPERTY DESCRIPTION			
Petitioner (Agent) <i>Raymond A. Schrab</i>	Parcel Identification Number (PIN) <i>024-1016-1924-000</i>				
Street Address <i>6536 Hawthorne Lane</i>	Town <i>Hartford</i>	T	N	R	E
City • State • Zip Code <i>Hartford, WI 53027</i>	Section <i>19</i>	<i>SE</i> 1/4	<i>NW</i> 1/4	Acreage	Lot (Block) <i>16</i>
Property Owner (If different from petitioner) <i>Victoria Schrab</i>	Subdivision or CSM (Volume/Page/Lot)				
Street Address <i>104 Fakes Ct. Apt. 212</i>	Address Of Property (DO NOT include City/State/Zip Code)				
City • State • Zip Code <i>Beaver Dam, WI 53916</i>	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 *Raymond Schrab* Daytime Phone *(262) 229-7645*

### PROPOSED REZONING

Current Zoning District <i>A-1 Prime Agriculture</i>	Proposed Zoning District <i>A-2 General Agriculture</i>
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### Reason For Rezoning

*Create non-farm residential lots.*

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 *Raymond Schrab* Date *8/31/2023*

Daytime Contact Number *(262) 229-7645*

◆ AREA BELOW THIS LINE FOR OFFICE USE ONLY ◆

**DC QMap**

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



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	<b>Non-Metallic Mining</b>	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

# Victoria Schrab Rev. Trust

## Town of Hustisford, Sec. 19

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1833-000  
MACINTYRE TRUST  
27.5 ac.

18

1834-000  
MCCOMY  
17.4 ac.

1943-001  
GROEHLER  
28.1 ac.

1943-000  
SCHRAB  
29.7 ac.

1922-000  
BOGCH  
27.6 ac.

1921-000  
SCHRAB REVOCABLE TRUST DATED JUNE 12 2017  
39 ac.

1912-000  
SCHRAB  
38.6 ac.

COUNTY ROAD DJ  
DJ

**BFT0171**  
**79.1 ac.**

V. SCHRAB REV. TRUST

19

LOT 2





SCHRAB REVOCABLE TRUST DATED JUNE 12 2017

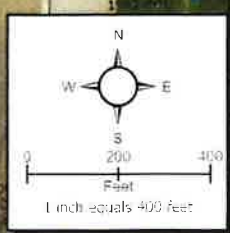
SCHUSTER REVOCABLE TRUST DATED SEPT 24 2008

LOT 1

BIRCH RD

1913-001  
LAKE  
59.2 ac.

-  Schrab Trust Property
-  Tax Parcels
-  Area to be Rezoned (A-1 to A-2)
-  Base Farm Tract



N  
W E  
S  
0 200 400  
Feet  
1 inch equals 400 feet

# Land Resources and Parks Department Staff Report

**Town Rezoning Petition # 2023-0910**

**Filing Date:** October 17, 2023

**Committee Review Date:** November 13, 2023

**Applicant:**

Duane Foulkes  
W8769 Niblick Road  
Beaver Dam, WI 53916

**Owner:**

Duane and Kathleen Foulkes Revocable Trust  
1412 Hiawatha Dr.  
Beaver Dam, WI 53916

**Location:**

PIN# 004-1214-2824-000  
SE ¼ of the NW ¼, Section 28, T12N, R14E,  
Town of Beaver Dam, Dodge County, Wisconsin  
Site Address: STH 33

**Request:**

Petition to rezone approximately 2-acres of land under the Town of Beaver Dam Zoning Ordinance, from the R-1 Single Family Residential Zoning District to the C-1 Commercial Zoning District has been submitted by the Town of Beaver Dam Town Board to the Dodge County Board of Supervisors to allow for the future commercial development of this lot.

**Land Use Code Provisions:**

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

**Physical Features of Site**

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

The property to be rezoned is not located within the County's Zoning jurisdiction.

The County has Shoreland Jurisdiction over portions of the property.

- The majority of the 12.3-acre parent lot is designated as wetlands.
- The area to be rezoned is not designated as wetlands.

County has Floodplain jurisdiction over portions of both lots.

- Portions of the property are designated as floodplain.
- The proposed area to be rezoned is not designated as a floodplain.

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

Land Use, Site: vacant open space recreational

Land Use, Area: Agricultural, residential to the north, industrial to the east.

Designated Archaeological Site:    Yes             No

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

- The site is designated as single family residential according to the County's Future Land Use Map
- The Dodge County Comprehensive Plan is not applicable in this case as the Town of Beaver Dam has not adopted the County's Land Use Code.

The proposal is consistent with the Farmland Preservation Plan Map.

- The site is designated as an area of nonagricultural development.

**STAFF ADVISORY:**

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

**Town Rezoning Petition**

The staff believes that the Town Board has followed the proper procedures outlined in their Zoning Ordinance in order to approve the rezoning request. Therefore, staff recommends the committee report favorably on the town rezoning petition.

**Dodge County Land Resources and Parks Committee Decision**

**Town Rezoning Petition # 2023-0910**

**Filing Date:** October 17, 2023

**Committee Review Date:** November 13, 2023

**Applicant:**

Duane Foulkes  
W8769 Niblick Road  
Beaver Dam, WI 53916

**Owner:**

Duane and Kathleen Foulkes Revocable Trust  
1412 Hiawatha Dr.  
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**Location:**

PIN# 004-1214-2824-000  
SE ¼ of the NW ¼, Section 28, T12N, R14E,  
Town of Beaver Dam, Dodge County, Wisconsin  
Site Address: STH 33

**Request:**

Petition to rezone approximately 2-acres of land under the Town of Beaver Dam Zoning Ordinance, from the R-1 Single Family Residential Zoning District to the C-1 Commercial Zoning District has been submitted by the Town of Beaver Dam Town Board to the Dodge County Board of Supervisors to allow for the future commercial development of this lot.

**CONCLUSIONS OF LAW**

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

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

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

\_\_\_\_\_

\_\_\_\_\_

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

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

Comments

\_\_\_\_\_

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

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

**Vote**

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

**Motion (Carried / Denied)**

Dodge County Land Resources and Parks Committee

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

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

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

**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 Beaver Dam has adopted a Town Zoning Ordinance for said town, the power to adopt a town zoning ordinance having been granted by a referendum vote of the electors of the Town of Beaver Dam at the time of a regular annual town meeting, and

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

WHEREAS, a public hearing as to the proposed amendment to the Town Zoning Ordinance of the Town of Beaver Dam was held by the Plan Commission of the Town of Beaver Dam on October 2, 2023 and the proposed amendment to the Zoning Ordinance of the Town of Beaver Dam having been adopted by the Town Board of the Town of Beaver Dam on October 10, 2023,

THEREFORE BE IT RESOLVED:

That the amendment to the Town Zoning Ordinance of the Town of Beaver Dam 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 16 day of October, 2023.

Mary Bobrow  
County Board Supervisor





A SURVEY OF A PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWN 12 NORTH, RANGE 14 EAST, TOWN OF BEAVER DAM, DODGE COUNTY, WISCONSIN.

# Exhibit A



N1/4 CORNER  
SEC 28-12-14  
[BCAM]

STATE ROAD "33" [R/W PROJ. NO. 6081-00-21] [V.678 P.910] CENTER SEC 28-12-14 [BCAM]

N-S 1/4 LINE 1304.22' S 0°10'53"W 2608.44' N 1°25'29"W 284.62' N 0°29'04"E 200.00' N 8°54'38"E 47.81'

UNPLATTED LANDS BY OTHER V.1193 P.413 P.O.B. 15.54' 60.00' 224.62' 182.52' 17.48' 240.00'

LOT 1 79,830 sq ft or 1.810 ac. +/- S 89°03'11"W 150.00' S 12°17'51"W 402.40' S 87°16'27"E 240.00'

LOT 2 546,566 sq ft or 12.547 ac. +/- S 89°03'11"W 1273.01' S 87°16'27"E 1222.24'

ME - NW N LINE SE - NW N LINE NW 1/4 S 89°03'11"W S 87°16'27"E

UNPLATTED LANDS - CITY OF BEAVER DAM - EDGEWATER PARK [UNPLATTED LANDS BY CITY OF BEAVER DAM V.306 P.42]

NOTE: 27' x 33' ACCESS EASEMENT ON SOUTHEAST CORNER OF LOT 1 FOR THE BENEFIT OF LOT 2 ON THIS MAP AS SHOWN

NOTE: WETLAND BOUNDARY AS DELINEATED ON DNR INVENTORY MAP 9/19/1994

NOTE: FLOODPLAIN LOCATED FROM FEMA FIRM PANEL NO. 55027C0352F DATED APR. 19, 2010.

WI D.O.T. R.R. R/W S 0°23'39"W 350.57' S 27°10'20"E 114.69'

NW CORNER SEC 28-12-14 [BCAM] N 88°57'20"E 2640.88'

**OWNER OF RECORD**

Duane and Kathleen Foulkes Revocable Trust created Dec 14, 2020  
1412 Hiawatha Drive  
Beaver Dam, WI 53916  
SITE ADDRESS:  
S.R "33" North  
Beaver Dam, WI 53916

**TOTAL AREA**

625,396 sq ft or 14,357 ac. +/-

**LEGEND**

- 1" x 18" Iron Pipe Set weighing 1.13 lbs/ft
- 1 1/4"x36" Iron Pipe Set weighing 1.68 lbs/ft
- 1" Iron Pipe Found
- 3/4" Rebar Found
- ⊕ Dodge County Survey Monument as shown
- [r] Record Information
- DW Driveway
- Wetlands

**FENCELINE**

TO BE REZONED FROM R-1 TO C-1 ALL LANDS IN LOT 1 & LOT 2 LYING BETWEEN THE WETLANDS DELINEATION LINE AND THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 33

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023

Mark R Tomashek WI RLS - 2340  
at Beaver Dam Wisconsin



**Land Resources and Parks Department  
Staff Report**

**Town Rezoning Petition #** 2023-0925

**Filing Date:** October 19, 2023

**Committee Review Date:** November 13, 2023

**Applicant:**

New Frontier Land Surveying  
P.O. Box 576  
Beaver Dam, WI 53916

**Owner:**

Pamela Shrock-Schmidt  
W8474 Well Road  
Beaver Dam, WI 53916

**Location:**

PIN# 032-1014-0344-000; 032-1014-1011-000; 032-1014-1012-000;  
Part of the SE ¼ of the SE ¼, Section 3, T10N, R14E, and part of the NE ¼ of the NE 1/4, Section 10, T10N, R14E, Town of Lowell, Dodge County, Wisconsin, the site address being W8474 and W8503 Well Road.

**Request:**

Petition to rezone approximately 3.2-acres of land from PIN 032-1014-0344-000 and approximately 2-acres of land from PIN 032-1014-1011-000, under the Town of Lowell Zoning Ordinance, from the AG1 General Agricultural Zoning District to the RC1 Rural Residential Cluster Zoning District has been submitted by the Town of Lowell Town Board to the Dodge County Board of Supervisors to allow for the creation of an approximate 3.2-acre and a 2-acre non-farm residential lot at these locations.

**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: Residential and agricultural.

Land Use, Area: Agricultural with scattered residences along County Road G and Well road.

Designated Archaeological Site:    Yes             No

The County's Density Standards do not apply;

The proposal is consistent with the Dodge County Comprehensive Plan:

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

### **Town Purpose Statements**

The purpose of the AG-1 General Agriculture District is to provide for, maintain, preserve, and enhance agricultural lands historically utilized for crop production and maintain the existing rural character. If agricultural land is developed for residential purposes, it shall follow the RC-1 regulations.

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

### **STAFF ADVISORY:**

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

### **Town Rezoning Petition**

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

**Dodge County Land Resources and Parks Committee Decision**

**Town Rezoning Petition #** 2023-0925

**Filing Date:** October 19, 2023

**Committee Review Date:** November 13, 2023

**Applicant:**

New Frontier Land Surveying  
P.O. Box 576  
Beaver Dam, WI 53916

**Owner:**

Pamela Shrock-Schmidt  
W8474 Well Road  
Beaver Dam, WI 53916

**Location:**

PIN# 032-1014-0344-000; 032-1014-1011-000; 032-1014-1012-000;  
Part of the SE ¼ of the SE ¼, Section 3, T10N, R14E, and part of the NE ¼ of the NE 1/4, Section 10, T10N, R14E, Town of Lowell, Dodge County, Wisconsin, the site address being W8474 and W8503 Well Road.

**Request:**

Petition to rezone approximately 3.2-acres of land from PIN 032-1014-0344-000 and approximately 2-acres of land from PIN 032-1014-1011-000, under the Town of Lowell Zoning Ordinance, from the AG1 General Agricultural Zoning District to the RC1 Rural Residential Cluster Zoning District has been submitted by the Town of Lowell Town Board to the Dodge County Board of Supervisors to allow for the creation of an approximate 3.2-acre and a 2-acre non-farm residential lot at these locations.

**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 # 2023-8

TO THE HONORABLE BOARD OF SUPERVISORS  
OF DODGE COUNTY, WISCONSIN

**WHEREAS**, Dodge County, a corporate body under the laws of the State of Wisconsin, has adopted a Comprehensive Zoning Code which is full force and effect; and

**WHEREAS**, the Town Board of the Town of Lowell has amended the Town of Lowell Zoning Code, the power to adopt and amend the Zoning Code having been granted pursuant to Section 60.62, Wisconsin Statutes, which grants Towns authorized to exercise village powers the ability to adopt and amend a Zoning Code under Section 61.35 and Section 62.23, Wisconsin Statutes; and

**WHEREAS**, pursuant to Section 60.62(3), Wisconsin Statutes, the amendment of a Town Zoning Code by a Town Board is subject to approval of the County Board in counties having a Comprehensive Zoning Code in full force and effect; and

**WHEREAS**, a public hearing of a proposed amendment to the Town of Lowell Zoning Code official Zoning District Map was held before the Lowell Town Board on October 3, 2023, and

**WHEREAS**, the proposed Zoning district map amendment to the Town of Lowell Zoning Code was adopted by Ordinance by the Lowell Town Board on October 10, 2023 as set forth and attached hereto as "Exhibit A";

**THEREFORE, BE IT RESOLVED**, that the amendment to the Town of Lowell Zoning Code as represented by "Exhibit A" attached hereto and made a part of this Resolution be and hereby are APPROVED, by the Board of Supervisors of Dodge County, Wisconsin.

All of which is respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

  
\_\_\_\_\_  
Jeff Carney, County Supervisor



**ORDINANCE NO. 2023-1**

**AN ORDINANCE AMENDING THE ZONING CODE  
TOWN OF LOWELL, DODGE COUNTY, WISCONSIN**

ASSIGNMENT OF RC-1: RURAL RESIDENTIAL OVERLAY ZONING DISTRICT TO CREATE TWO - 3.0 +/- ACRE NON-FARM PARCELS FROM A 66.98 ACRE PARENT PARCEL FOR PAMELA SHROCK-SCHMIDT.

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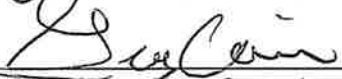
- WHEREAS,** The Town of Lowell, Dodge County, Wisconsin, is authorized by Wisconsin Statutes Sec. 61.35 and Sec. 62.23(7) to adopt and amend a zoning code for the purpose of promoting the health, safety, morals, or the general welfare of the community; and
- WHEREAS,** The Town of Lowell Town Board adopted the current Town of Lowell Zoning Code, Chapter 295, in September 2020, which amended Title 13 of the 2004 adopted Town Code of Ordinances; and
- WHEREAS,** Article XIII of Chapter 295-82 of the Town of Lowell Zoning Code authorizes the Town Board to consider petitions to make changes to the zoning district boundaries as applied to property within the town subject to the review and recommendation of the Plan Commission; and
- WHEREAS,** A zoning petition to amend the Official Zoning District Map in the Town of Lowell Zoning Code was filed with the Town by assigning the RC-1: Rural Residential Overlay Zoning District to create two - 3.0 +/- acre parcels owned by Pamela Shrock-Schmidt as more accurately described and presented in Exhibit "A" hereto; and
- WHEREAS,** The Town of Lowell Plan Commission conducted a public hearing on October 3, 2023, for purposes of soliciting comments from Town of Lowell residents, property owners and affected persons concerning the petition; and
- WHEREAS,** The Town of Lowell Plan Commission did, on October 3, 2023, recommend to the Town Board that the zoning petition be granted as it conforms to the Zoning code. The final CSM must include two parcels, including a full legal description for the deed restricted area from the parent parcel. This is documented as a Boundary Survey.
- WHEREAS,** The Town Board did, at a meeting held on October 10, 2023 determine that the zoning petition is consistent with the adopted Town of Lowell 2020 Comprehensive Plan, purpose and intent of the Zoning and Subdivision Code, good zoning and land development practices, and furthers the general welfare of the Town;

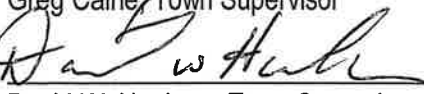
**NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF LOWELL, DODGE COUNTY, WISCONSIN, ORDAINS AS FOLLOWS:**

- Section 1. Adoption.  
The zoning petition to amend the official Zoning District Map in the Town of Lowell Zoning Code by assigning the RC-1: Rural Residential Overlay Zoning District to create two - 3.0 +/- acre properties as described and presented in Exhibit "A" hereto is granted.
- Section 2. Effective Date.  
This ORDINANCE shall take effect upon APPROVAL by the Dodge County Board of Supervisors and restriction approved by

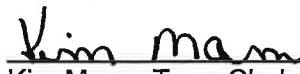
**Town Board, Town of Lowell, Dodge County, Wisconsin**

  
\_\_\_\_\_  
John H. Schmitt, Town Chairman

  
\_\_\_\_\_  
Greg Caine, Town Supervisor

  
\_\_\_\_\_  
David W. Huebner, Town Supervisor

ATTEST:

  
\_\_\_\_\_  
Kim Mann, Town Clerk

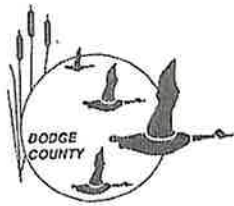
**EXHIBIT "A"**

Legal Description  
Pamela Shrock-Schmidt.

Parent parcel pin #: 032-1014-4034-000, 032-1014-1011-000, 032-1014-1012-000 THAT PT OF PARC DESC IN V429 P293 LYG IN SW1/4 SE1/4 & SE1/4 SE1/4 SEC 3 all being part of the NE 1/4 of the NE 1/4 , all located in Town 10 North, Range 14 East, Town of Lowell, Dodge County, Wisconsin

**LEGAL DESCRIPTION**

**DEED RESTRICTION**



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

## MINOR LAND DIVISION LETTER OF INTENT FORM

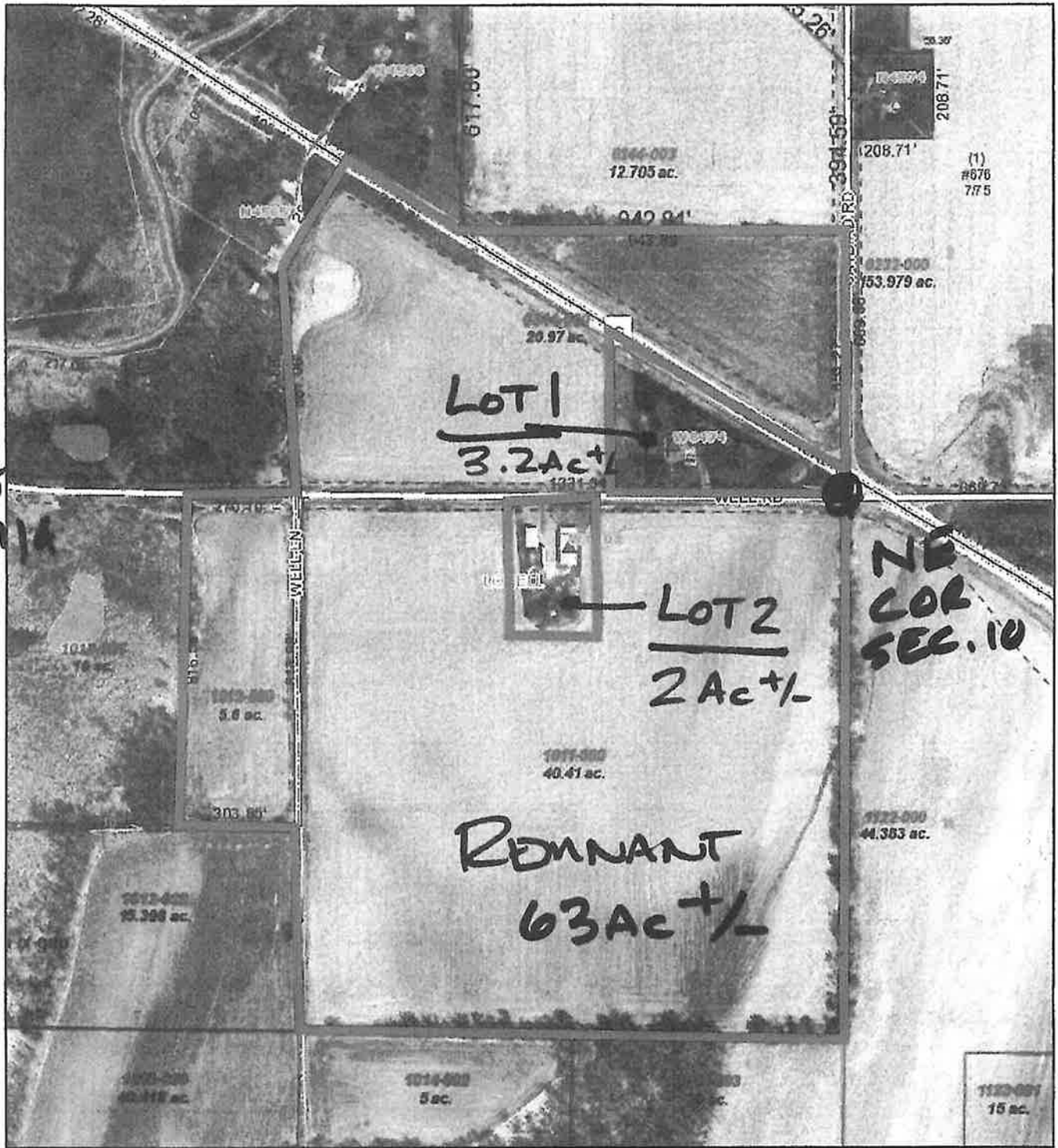
THIS AREA FOR OFFICE USE ONLY	
Activity No.	Expiration Date
Application Date:	Receipt #:

Application Fee: \$75 (Non-Refundable)

NAMES & MAILING ADDRESSES		PROPERTY DESCRIPTION				
Applicant (Agent) <b>New Frontier Land Surveying</b>		Parcel Identification Number (PIN) <del>032-1014-4034-000</del> ; 1011-000 <del>032-1214-0344-000</del> ; 1012-000				
Street Address <b>P.O. Box 576</b>		Town <b>LOWELL</b>	T	N	R	E
City • State • Zip Code <b>BEAVER DAM, WI 53916</b>		NE 1/4 <b>SE</b>	NE 1/4 <b>SE</b>	Section <b>10 5</b>	Acreage of Parent Parcel <b>67</b>	Acreage of Proposed Lot(s) <b>3Ac   20Ac</b>
Property Owner (If different from applicant) <b>Pam SHROCK-SCHMITT</b>		Subdivision (Name, lot and block) or CSM # (Volume/Page/Lot) <b>N/A</b>				
Street Address <b>W8474 WELL RD</b>		Site Address Of Property (DO NOT include City/State/Zip Code) <b>W8474 WELL RD</b>				
City • State • Zip Code <b>BEAVER DAM, WI 53916</b>		Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
CONTACT PERSON						
Name and daytime phone number (include area code) of a person we can contact if we have any questions about your application.						
Name <b>MARK TOMASHEK</b>		Daytime Phone <b>(920) 296-3904</b>				
CURRENT PROPERTY USE			PROPOSED USE			
<input checked="" type="checkbox"/> Vacant Property <input checked="" type="checkbox"/> Single Family Residential <input type="checkbox"/> Duplex (Two-Family Residential) <input type="checkbox"/> Multi-Family Residential • Number of residential units: _____ <input type="checkbox"/> Active Working Farm Operation <input type="checkbox"/> Recreational / Wetlands / Wooded Parcel <input type="checkbox"/> Business / Industrial / Commercial Use (Describe Below) <input checked="" type="checkbox"/> Other (Describe Below) <b>FARM BUILDINGS</b>			<input checked="" type="checkbox"/> Single Family Residential <input type="checkbox"/> Duplex (Two-family Residential) <input type="checkbox"/> Multi-Family Residential • Number of residential units: _____ <input checked="" type="checkbox"/> Agricultural Use Only - No residential structures <input type="checkbox"/> Open Space Recreational / Wetlands - No residential structures <input type="checkbox"/> Business / Industrial / Commercial Use (Describe Below) <input checked="" type="checkbox"/> Other (Describe Below) <b>FARM BUILDINGS</b>			
A SKETCH PLAN SHOWING THE PROPOSED LAND DIVISION IS REQUIRED TO BE SUBMITTED WITH THIS APPLICATION.						
CERTIFICATE						
I, the undersigned, hereby apply for Minor Land Division approval and certify that all the information both above and attached is true and correct to the best of my knowledge. I hereby authorize members of the Dodge County Land Resources and Parks Department to enter the above-described property for purposes of obtaining information pertinent to my request.						
Signature 			Date <b>9-6-2023</b>			
Daytime Contact Number <b>(920) 296-3904</b>						
OFFICE USE ONLY						
<input type="checkbox"/> CUP Required (App _____)		<input type="checkbox"/> REZONE Required (App _____)		<input type="checkbox"/> Restriction Release Required		
Notes:						
APPROVED <input type="checkbox"/>	DENIED <input type="checkbox"/>	LAND RESOURCES AND PARKS DEPARTMENT			Date	

# OVERALL

2021



## Legend

- Parcels
- Parcel Labels
- CSM Boundaries
- CSM Lots
- Sub and Condo Lots
- Subdivisions and Condo Boundaries
- Encumbrances
- ROW
- Address Points
- Address Labels



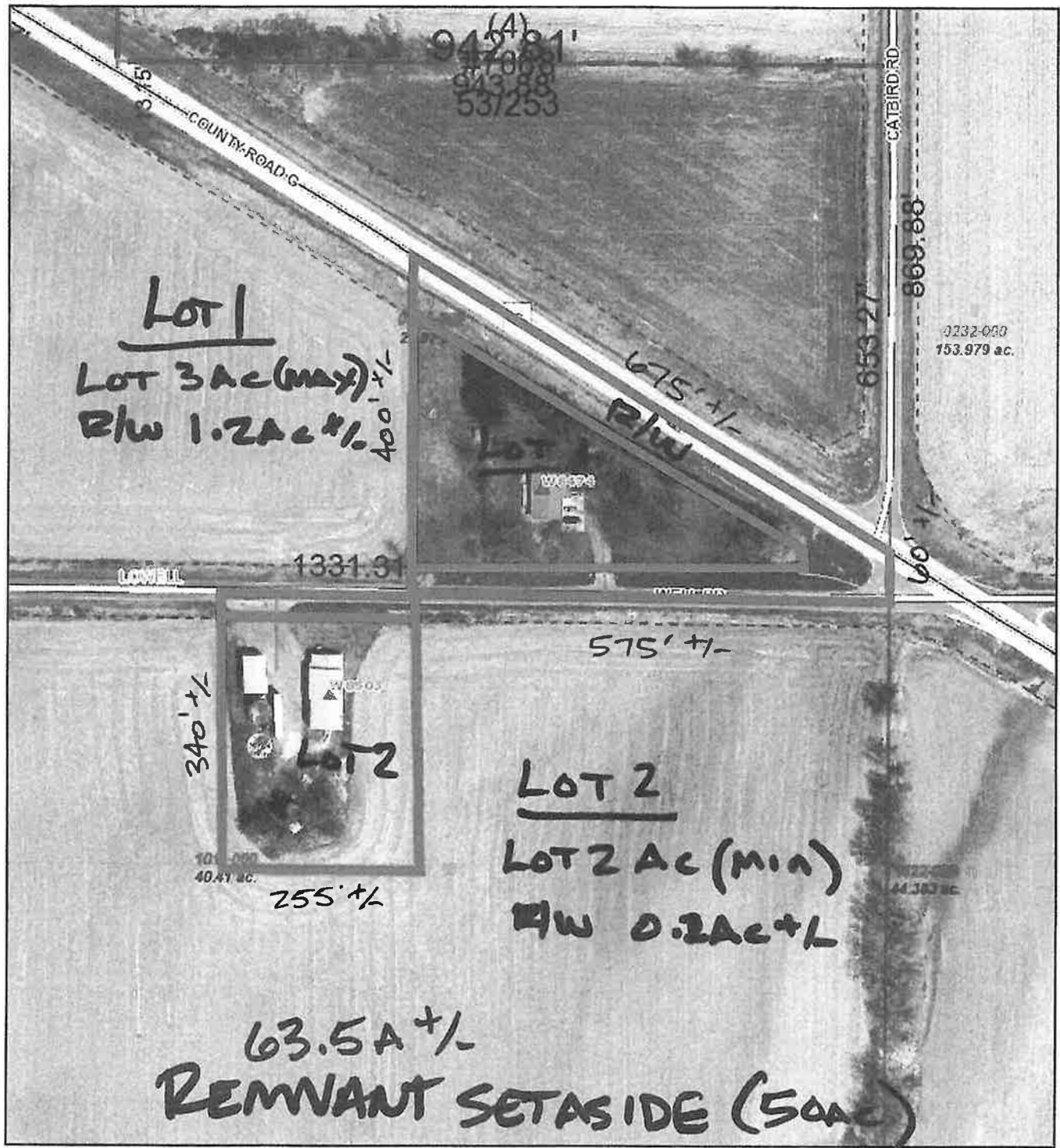
## Dodge County, WI



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

03/02/22 2:04 PM	
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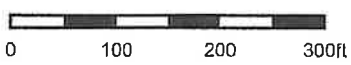
# - DETAIL -



**Legend**

- Parcels
- Parcel Labels
- CSM Boundaries
- CSM Lots
- Sub and Condo Lots
- Subdivisions and Condo Boundaries
- Encumbrances
- ROW
- Address Points
- Address Labels

Dodge County, WI

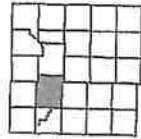


DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

	03/23 3 10 PM

14-1

# LOWELL (N)



# T.10-11N. - R.14E.

**Land Information**

Search Tool  
1-800-368-5848

**Dodge County**

Web Map  
dodgecountymn.gov

The maps and acreages presented are representation intended to be a general reference to the public. They are not intended for legal, survey, or other related uses, and are advisory only. Dodge County assumes no liability for any use or misuse of this information. For the full disclaimer please see page 1.

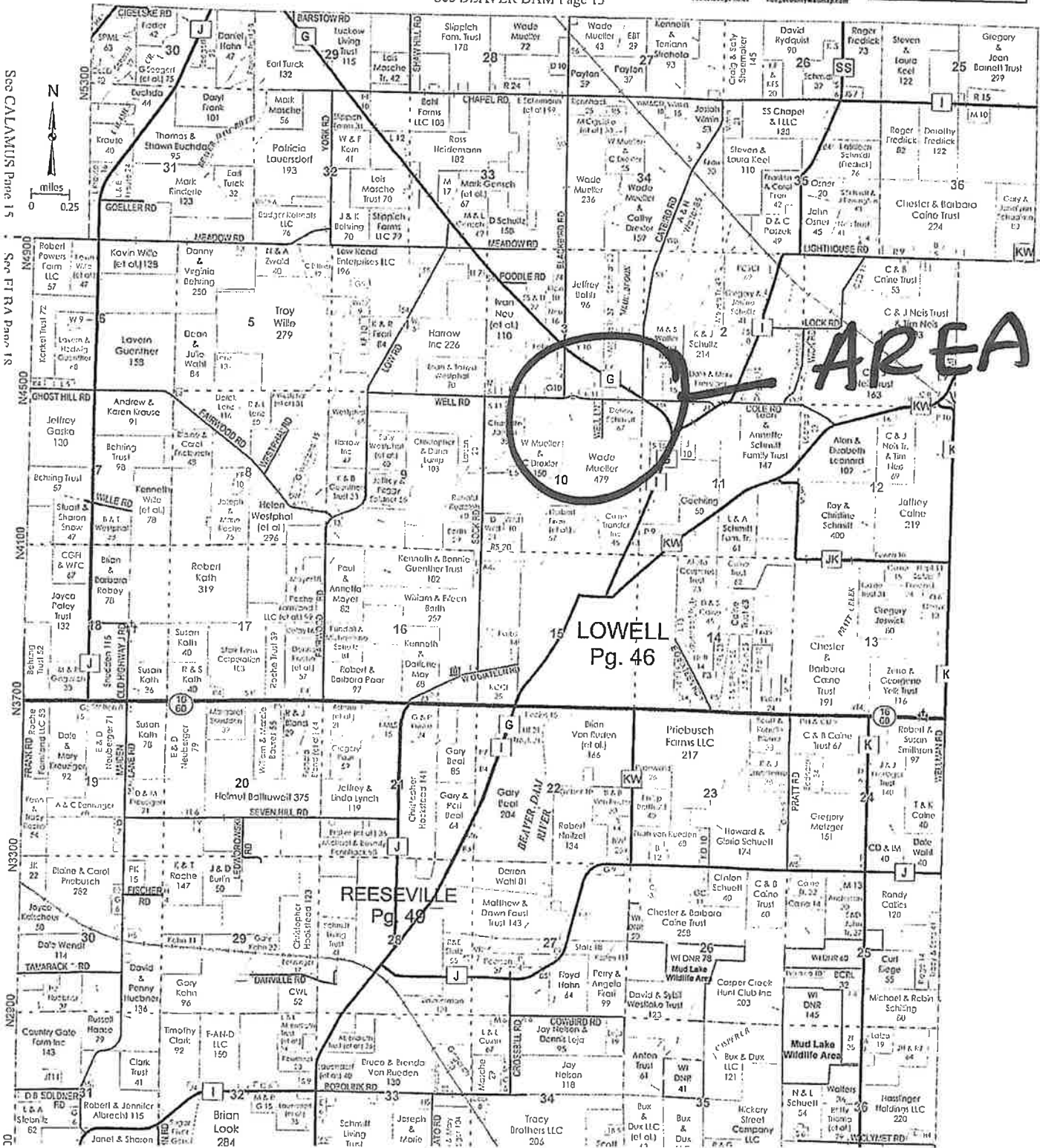
See BEAVER DAM Page 13

See CALAMITOS Page 15

See FT RA Page 18

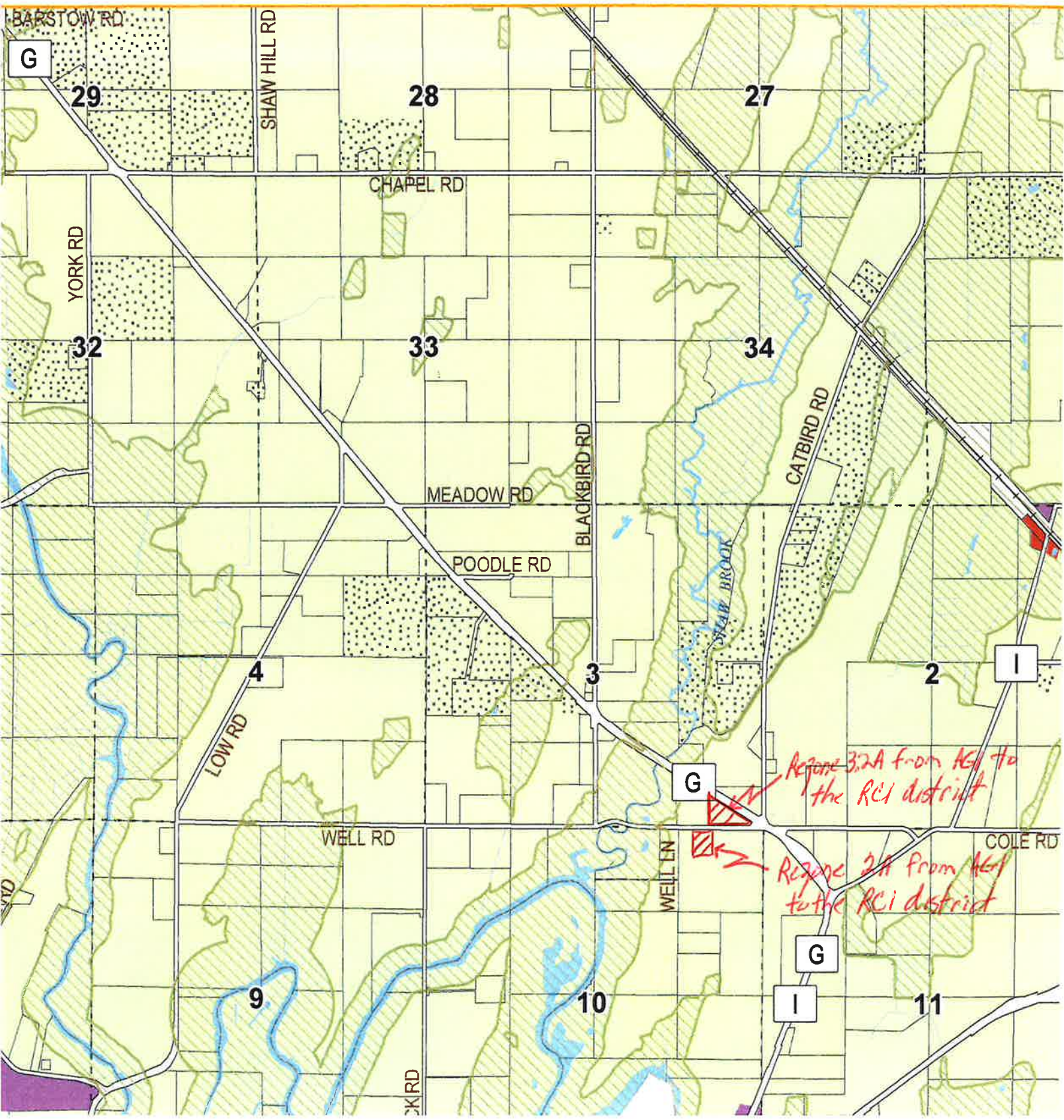
See OAK GROVE Page 30

See CLYMAN Page 17



30

# OF LOWELL ZONING





**Pamela Schrock-Schmidt**  
**Town of Lowell, Sec. 3**

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 constitute a survey, and may not be used for any other purpose. Dodge County assumes no liability for any misuse of this information.

0344-003  
 WALTER LIVING TRUST DATED AUGUST 11 1999  
 12.7 ac.

0344-000  
 SHROCK-SCHMIDT  
 21 ac.

WELL RD

**P. SCHROCK-SCHMIDT**

1011-000  
 SHROCK-SCHMIDT  
 40.4 ac.

10

1122-000  
 MUELLER  
 44.4 ac.




11

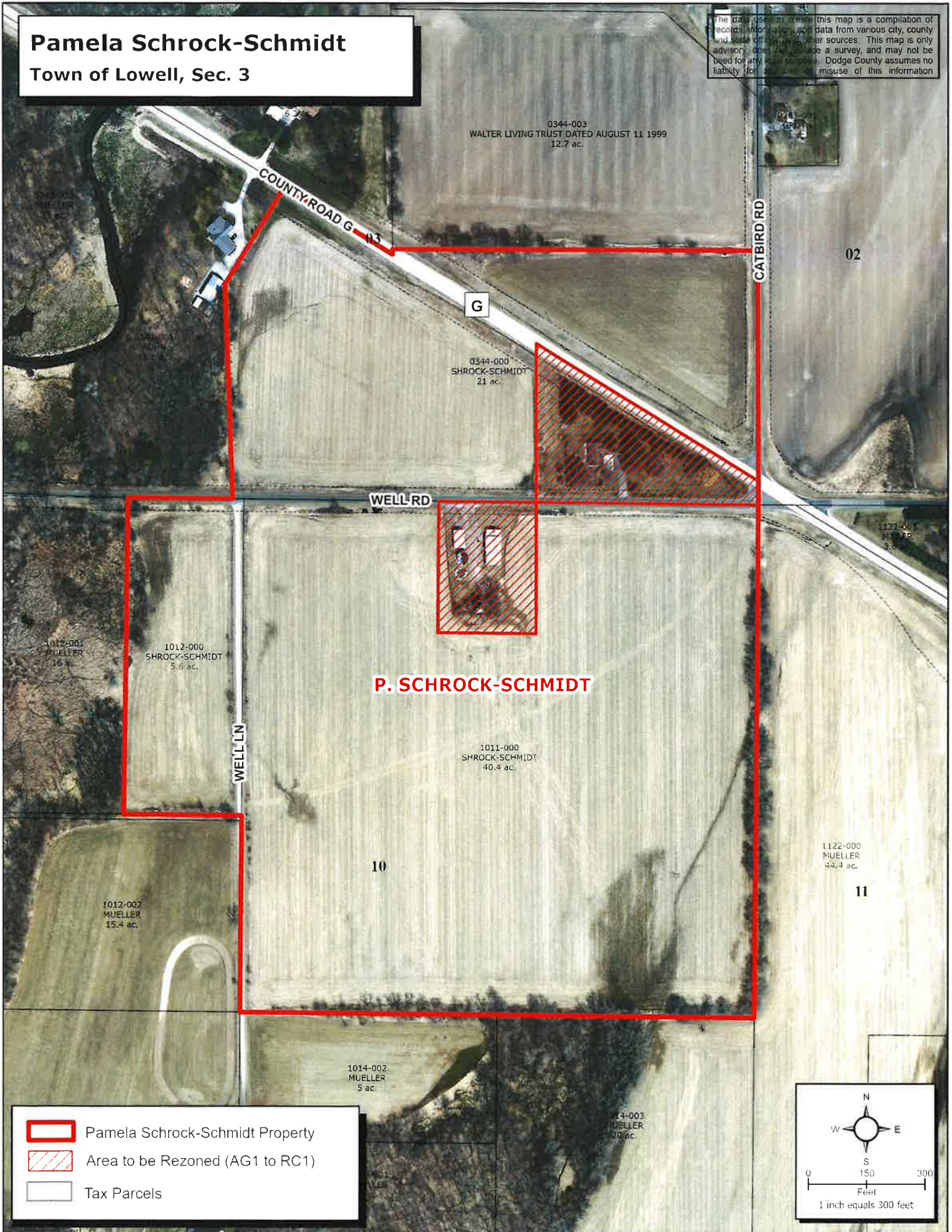
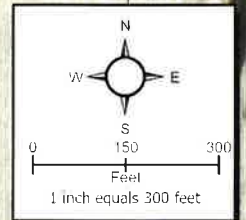
1012-000  
 SHROCK-SCHMIDT  
 5.6 ac.

1012-002  
 MUELLER  
 15.4 ac.

1014-002  
 MUELLER  
 5 ac.

1014-003  
 MUELLER  
 20 ac.

-  Pamela Schrock-Schmidt Property
-  Area to be Rezoned (AG1 to RC1)
-  Tax Parcels



**Land Resources and Parks Department  
Staff Report**

**Town Rezoning Petition # 2023-0924**

**Filing Date:** October 19, 2023

**Committee Review Date:** November 13, 2023

**Applicant:**

New Frontier Land Surveying  
P.O. Box 576  
Beaver Dam, WI 53916

**Owner:**

Sharon Smith  
Thomas Tuler  
N4728 County Road G  
Reeseville, WI 53579

**Location:**

PIN# 032-1014-0324-002

Part of the SE ¼ of the NW ¼, Section 3, T10N, R14E, Town of Lowell, Dodge County, Wisconsin. The site is located along the southeast end of Poodle Road.

**Request:**

Petition to rezone approximately 3-acres of land under the Town of Lowell Zoning Ordinance, from the AG1 General Agricultural Zoning District to the RC-1 Rural Cluster Residential Zoning District has been submitted by the Town of Lowell Town Board to the Dodge County Board of Supervisors to allow for the creation of a 3-acre non-farm residential lot at this location.

**Land Use Code Provisions:**

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

**Physical Features of Site**

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

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

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

Land Use, Site: Residential and agricultural.

Land Use, Area: Agricultural with scattered residences along County Road G and Poodle Road.

Designated Archaeological Site:    Yes             No

The County's Density Standards do not apply;

The proposal is consistent with the Dodge County Comprehensive Plan:

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

### **Town Purpose Statements**

The purpose of the AG-1 General Agriculture District is to provide for, maintain, preserve, and enhance agricultural lands historically utilized for crop production and maintain the existing rural character. If agricultural land is developed for residential purposes, it shall follow the RC-1 regulations.

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

### **STAFF ADVISORY:**

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

### **Town Rezoning Petition**

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

**Dodge County Land Resources and Parks Committee Decision**

**Town Rezoning Petition # 2023-0924**

**Filing Date:** October 19, 2023

**Committee Review Date:** November 13, 2023

**Applicant:**

New Frontier Land Surveying  
P.O. Box 576  
Beaver Dam, WI 53916

**Owner:**

Sharon Smith  
Thomas Tuler  
N4728 County Road G  
Reeseville, WI 53579

**Location:**

PIN# 032-1014-0324-002

Part of the SE ¼ of the NW ¼, Section 3, T10N, R14E, Town of Lowell, Dodge County, Wisconsin. The site is located along the southeast end of Poodle Road.

**Request:**

Petition to rezone approximately 3-acres of land under the Town of Lowell Zoning Ordinance, from the AG1 General Agricultural Zoning District to the RC-1 Rural Cluster Residential Zoning District has been submitted by the Town of Lowell Town Board to the Dodge County Board of Supervisors to allow for the creation of a 3-acre non-farm residential lot at this location.

**CONCLUSIONS OF LAW**

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

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

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

\_\_\_\_\_

\_\_\_\_\_

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

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

Comments

\_\_\_\_\_

\_\_\_\_\_

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

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

**Vote**

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

**Motion (Carried / Denied)**

Dodge County Land Resources and Parks Committee

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

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

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

RESOLUTION # 2023-7

TO THE HONORABLE BOARD OF SUPERVISORS  
OF DODGE COUNTY, WISCONSIN

**WHEREAS**, Dodge County, a corporate body under the laws of the State of Wisconsin, has adopted a Comprehensive Zoning Code which is full force and effect; and

**WHEREAS**, the Town Board of the Town of Lowell has amended the Town of Lowell Zoning Code, the power to adopt and amend the Zoning Code having been granted pursuant to Section 60.62, Wisconsin Statutes, which grants Towns authorized to exercise village powers the ability to adopt and amend a Zoning Code under Section 61.35 and Section 62.23, Wisconsin Statutes; and

**WHEREAS**, pursuant to Section 60.62(3), Wisconsin Statutes, the amendment of a Town Zoning Code by a Town Board is subject to approval of the County Board in counties having a Comprehensive Zoning Code in full force and effect; and

**WHEREAS**, a public hearing of a proposed amendment to the Town of Lowell Zoning Code official Zoning District Map was held before the Lowell Town Board on October 3, 2023, and

**WHEREAS**, the proposed Zoning district map amendment to the Town of Lowell Zoning Code was adopted by Ordinance by the Lowell Town Board on October 10, 2023 as set forth and attached hereto as "Exhibit A";

**THEREFORE, BE IT RESOLVED**, that the amendment to the Town of Lowell Zoning Code as represented by "Exhibit A" attached hereto and made a part of this Resolution be and hereby are APPROVED, by the Board of Supervisors of Dodge County, Wisconsin.

All of which is respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

  
\_\_\_\_\_  
Jeff Caine, County Supervisor

**ORDINANCE NO. 2023-1**

**AN ORDINANCE AMENDING THE ZONING CODE  
TOWN OF LOWELL, DODGE COUNTY, WISCONSIN**

ASSIGNMENT OF RC-1: RURAL RESIDENTIAL OVERLAY ZONING DISTRICT TO CREATE ONE - 3.0  
+/- ACRE NON-FARM PARCELS FROM A XX ACRE PARENT PARCEL FOR SHARON SMITH &  
THOMAS TULER.


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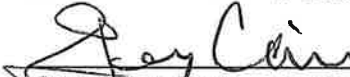
- WHEREAS,** The Town of Lowell, Dodge County, Wisconsin, is authorized by Wisconsin Statutes Sec. 61.35 and Sec. 62.23(7) to adopt and amend a zoning code for the purpose of promoting the health, safety, morals, or the general welfare of the community; and
- WHEREAS,** The Town of Lowell Town Board adopted the current Town of Lowell Zoning Code, Chapter 295, in September 2020, which amended Title 13 of the 2004 adopted Town Code of Ordinances; and
- WHEREAS,** Article XIII of Chapter 295-82 of the Town of Lowell Zoning Code authorizes the Town Board to consider petitions to make changes to the zoning district boundaries as applied to property within the town subject to the review and recommendation of the Plan Commission; and
- WHEREAS,** A zoning petition to amend the Official Zoning District Map in the Town of Lowell Zoning Code was filed with the Town by assigning the RC-1: Rural Residential Overlay Zoning District to create one - 3.0 +/- acre parcels owned by Sharon Smith & Thomas Tuler as more accurately described and presented in Exhibit "A" hereto; and
- WHEREAS,** The Town of Lowell Plan Commission conducted a public hearing on October 3, 2023, for purposes of soliciting comments from Town of Lowell residents, property owners and affected persons concerning the petition; and
- WHEREAS,** The Town of Lowell Plan Commission did, on October 3, 2023, recommend to the Town Board that the zoning petition be granted as it conforms to the Zoning code. The final CSM must include all acreage, including a full legal description for the deed restricted area from the remaining parent parcel. Sale between adjacent owners must be recorded before this will be recorded.
- WHEREAS,** The Town Board did, at a meeting held on October 10, 2023 determine that the zoning petition is consistent with the adopted Town of Lowell 2020 Comprehensive Plan, purpose and intent of the Zoning and Subdivision Code, good zoning and land development practices, and furthers the general welfare of the Town;

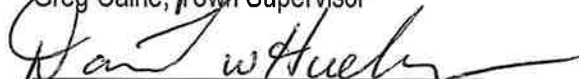
**NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF LOWELL, DODGE COUNTY, WISCONSIN, ORDAINS AS FOLLOWS:**

- Section 1. Adoption.  
The zoning petition to amend the official Zoning District Map in the Town of Lowell Zoning Code by assigning the RC-1: Rural Residential Overlay Zoning District to create one, 3.0 +/- acre properties as described and presented in Exhibit "A" hereto is granted.
- Section 2. Effective Date.  
This ORDINANCE shall take effect upon APPROVAL by the Dodge County Board of Supervisors and restriction approved by

**Town Board, Town of Lowell, Dodge County, Wisconsin**

  
\_\_\_\_\_  
John H. Schmitt, Town Chairman

  
\_\_\_\_\_  
Greg Caine, Town Supervisor

  
\_\_\_\_\_  
David W. Huebner, Town Supervisor

ATTEST:

  
\_\_\_\_\_  
Kim Mann, Town Clerk



**EXHIBIT "A"**

Legal Description  
Sharon Smith & Thomas Tuler.

Parent parcel pin #: 032-1014-0324-002, THAT PT LOT 1 CSM 4292 IN V27 P56 AS DESC IN DOC# 1128977 BEING PT SW1/4 NW1/4 PT SE1/4 NW1/4 & PT NE1/4 SW1/4 SEC 3, Town 10 North, Range 14 East, all in the Town of Lowell.

**LEGAL DESCRIPTION**

**DEED RESTRICTION**



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

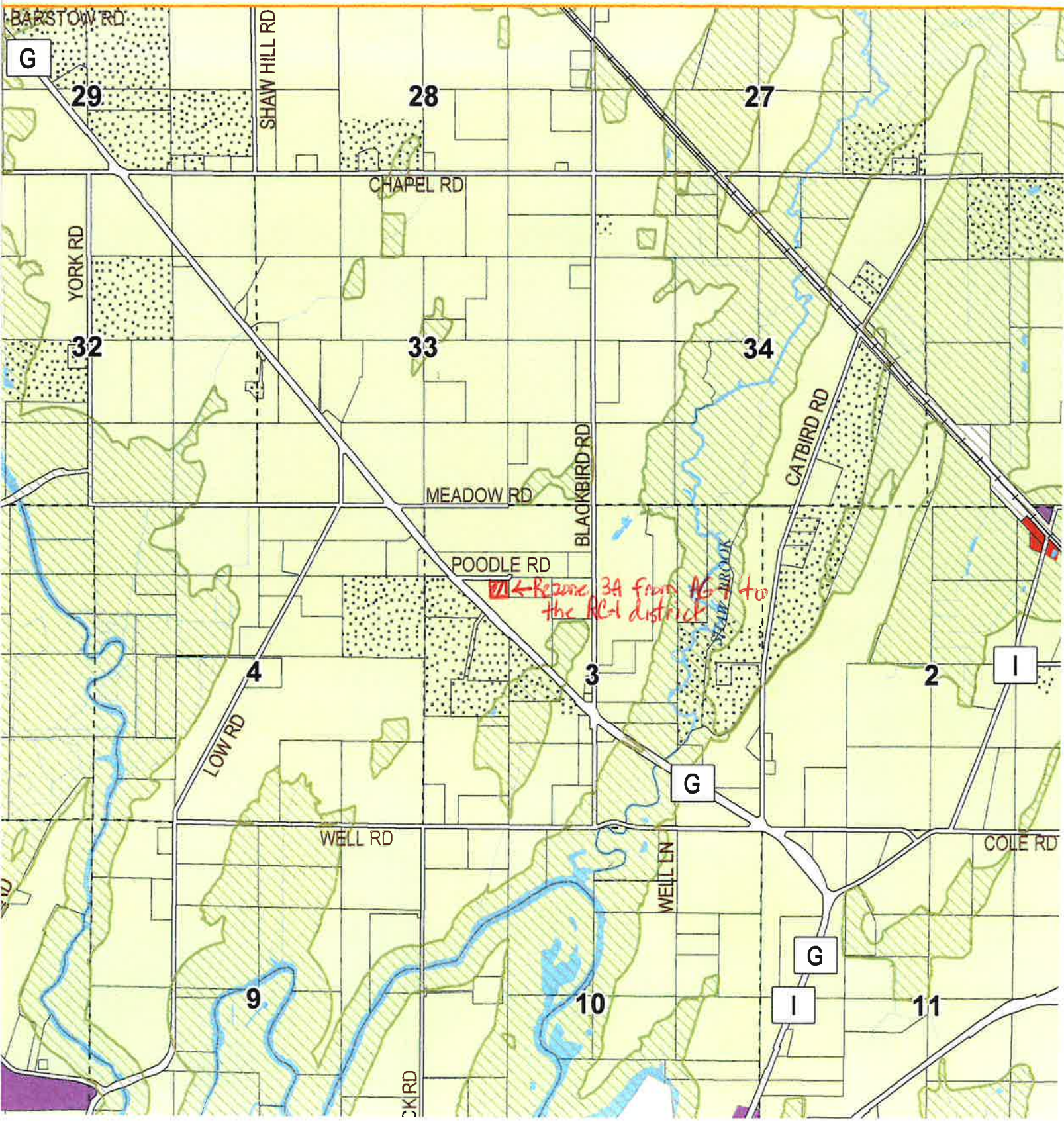
## MINOR LAND DIVISION LETTER OF INTENT FORM

THIS AREA FOR OFFICE USE ONLY	
<b>Activity No.</b>	<b>Expiration Date</b>
Application Date:	Receipt #:

Application Fee: \$75 (Non-Refundable)

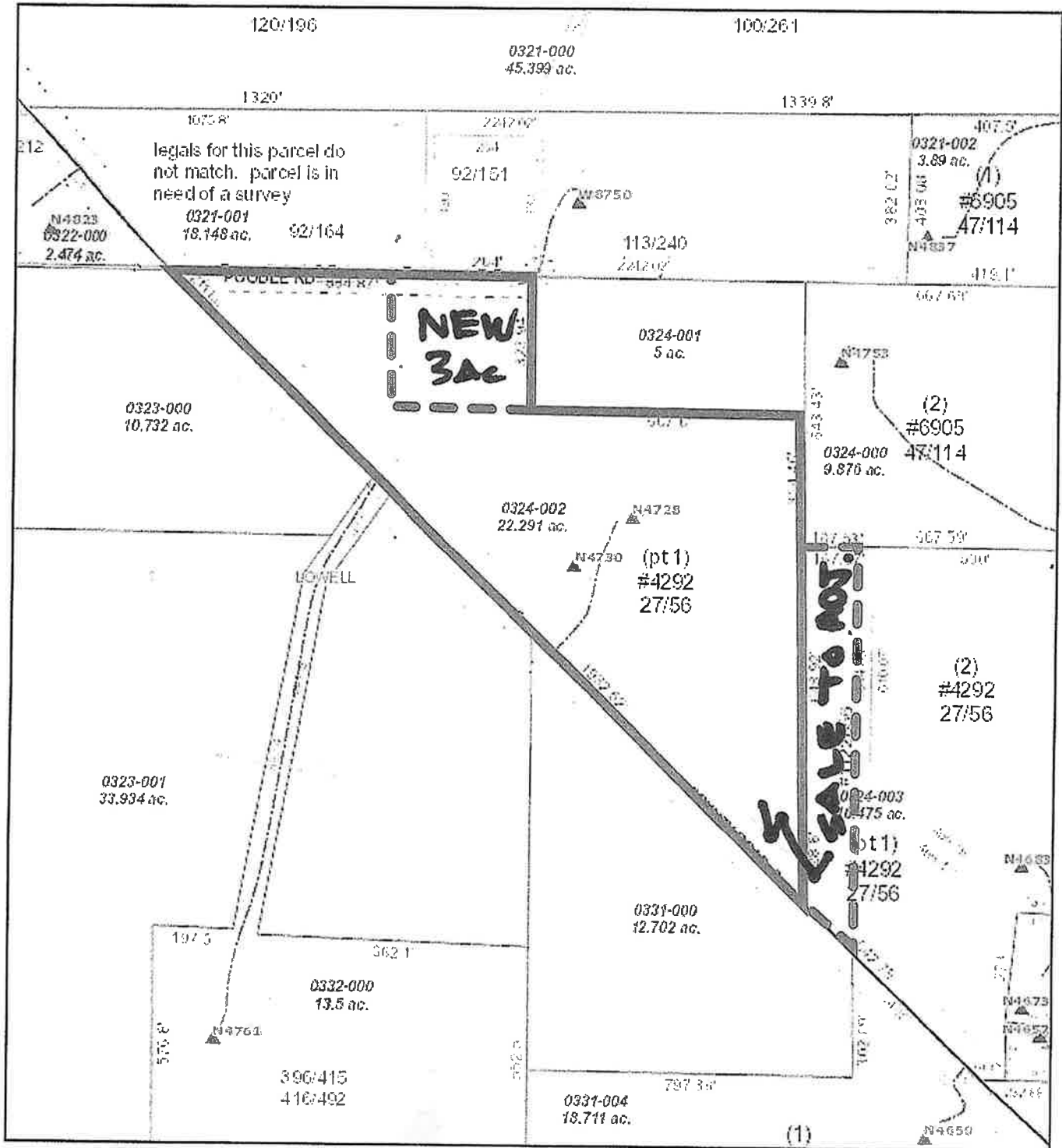
NAMES & MAILING ADDRESSES	PROPERTY DESCRIPTION																	
Applicant (Agent) <b>New Frontier Land Surveying</b>	Parcel Identification Number (PIN) <b>032-1014-0324-002</b>																	
Street Address <b>P.O. Box 576</b>	Town <b>Lowell</b>																	
City • State • Zip Code <b>BOAVER DAM, WI 53916</b>	<table border="1" style="width: 100%; border-collapse: collapse; font-size: small;"> <tr> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> <td style="width: 12.5%;"></td> </tr> <tr> <td style="text-align: center;">SE SW</td> <td style="text-align: center;">NW</td> <td style="text-align: center;">Section <b>3</b></td> <td style="text-align: center;">Acreage of Parent Parcel <b>22.3</b></td> <td style="text-align: center;">Acreage of Proposed Lot(s) <b>3</b></td> <td colspan="3"></td> <td></td> </tr> </table>									SE SW	NW	Section <b>3</b>	Acreage of Parent Parcel <b>22.3</b>	Acreage of Proposed Lot(s) <b>3</b>				
SE SW	NW	Section <b>3</b>	Acreage of Parent Parcel <b>22.3</b>	Acreage of Proposed Lot(s) <b>3</b>														
Property Owner (if different from applicant) <b>SHARON SMITH / TOM TULER</b>	Subdivision (Name, lot and block) or CSM # (Volume/Page/Lot) <b>N/A</b>																	
Street Address <b>N 4728 CR "G"</b>	Site Address Of Property (DO NOT include City/State/Zip Code) <b>N 4728 CR "G"</b>																	
City • State • Zip Code <b>RESEVILLE, WI 53579</b>	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																	
<b>CONTACT PERSON</b>																		
Name and daytime phone number (include area code) of a person we can contact if we have any questions about your application.																		
Name <b>MARK TOMASHEK</b>	Daytime Phone <b>(920) 296-3904</b>																	
<b>CURRENT PROPERTY USE</b>	<b>PROPOSED USE</b>																	
<input type="checkbox"/> Vacant Property <input checked="" type="checkbox"/> Single Family Residential <input type="checkbox"/> Duplex (Two-Family Residential) <input type="checkbox"/> Multi-Family Residential • Number of residential units: _____ <input type="checkbox"/> Active Working Farm Operation <input type="checkbox"/> Recreational / Wetlands / Wooded Parcel <input type="checkbox"/> Business / Industrial / Commercial Use (Describe Below) <input type="checkbox"/> Other (Describe Below)	<input checked="" type="checkbox"/> Single Family Residential <input type="checkbox"/> Duplex (Two-family Residential) <input type="checkbox"/> Multi-Family Residential • Number of residential units: _____ <input type="checkbox"/> Agricultural Use Only – No residential structures <input type="checkbox"/> Open Space Recreational / Wetlands - No residential structures <input type="checkbox"/> Business / Industrial / Commercial Use (Describe Below) <input type="checkbox"/> Other (Describe Below)  <b>MIKE TULER (SON)</b> <b>TO BUY / BUILD HOUSE</b>																	
A SKETCH PLAN SHOWING THE PROPOSED LAND DIVISION IS REQUIRED TO BE SUBMITTED WITH THIS APPLICATION.																		
<b>CERTIFICATE</b>																		
I, the undersigned, hereby apply for Minor Land Division approval and certify that all the information both above and attached is true and correct to the best of my knowledge. I hereby authorize members of the Dodge County Land Resources and Parks Department to enter the above-described property for purposes of obtaining information pertinent to my request.																		
Signature	Date <b>9-4-2023</b>																	
Daytime Contact Number <b>(920) 296 3904</b>																		
<b>OFFICE USE ONLY</b>																		
<input type="checkbox"/> CUP Required (App _____)	<input type="checkbox"/> REZONE Required (App _____)	<input type="checkbox"/> Restriction Release Required																
Notes:																		
APPROVED <input type="checkbox"/>	DENIED <input type="checkbox"/>	LAND RESOURCES AND PARKS DEPARTMENT Date _____																

# OF LOWELL ZONING









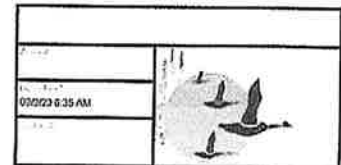
**Legend**

- Parcels
- Parcel Labels
- CSM Boundaries
- CSM Lots
- Sub and Condo Lots
- Subdivisions and Condo Boundaries
- Encumbrances
- ROW
- Address Points
- Address Labels

**Dodge County, WI**

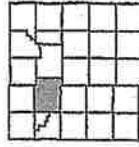


DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.



# LOWELL (N)

# T.10-11N. - R.14E.



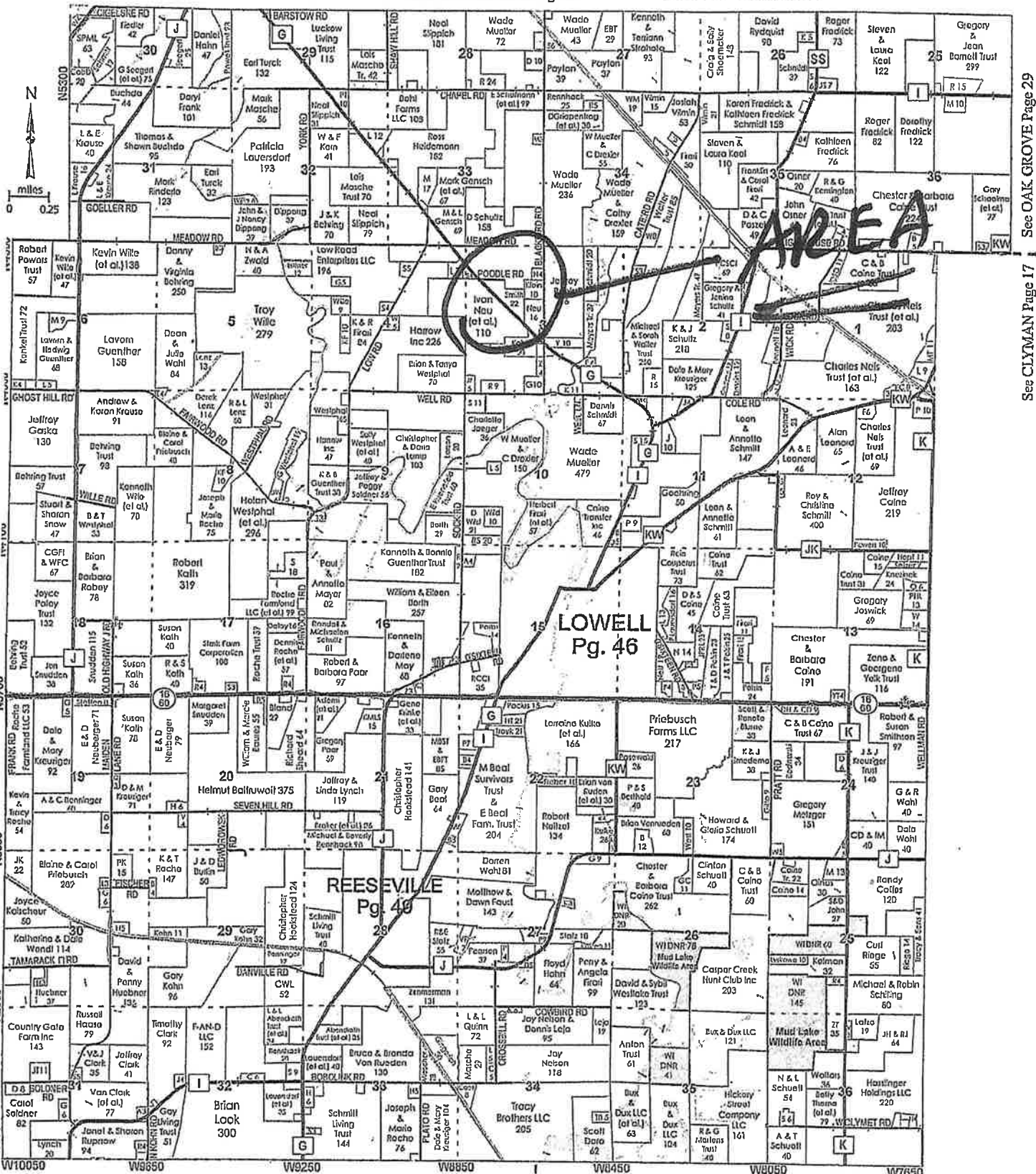
Land Information  
Dodge County  
Map

Search Tool  
http://www.dodge.wis.us

http://www.dodge.wis.us  
dodgecountywebmap.com

The maps and addresses presented are representations intended to be a general reference to the public. They are not intended for legal, survey, or other related uses, and no liability for any use or misuse of this information. For the full disclaimer, please see page 1.

See BEAVER DAM Page 13



See CLYMAN Page 17 | See OAK GROVE Page 29

See LOWELL (S) Page 28 | See SHIELDS Page 32

# Sharon Smith & Thomas Tuler

## Town of Lowell, Sec. 3

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.

0321-000  
SCHULTZ  
43.4 ac.

0321-001  
SCHULTZ  
18.1 ac.

0321-002  
ZACHE  
1.9 ac.

0324-001  
SCHULTZ  
5 ac.

0323-000  
NEU  
10.7 ac.

**S. SMITH &  
T. TULER**

0324-000  
SMITH  
22.3 ac.




0323-001  
NEU  
33.9 ac.

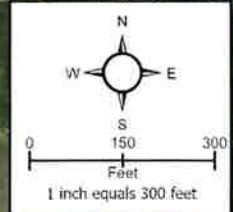
0323-001  
NEU  
33.9 ac.

0322-000  
NEU  
13.5 ac.

0331-000  
NEU  
5 ac.

0324-002  
NEU  
16.2 ac.

-  Smith/Tuler Property
-  Area to be Rezoned (AG1 to RC-1)
-  Tax Parcels





Ordinance Enforcement Powers

County	Ordinance	Revoke Permits	Injunctive Relief	Abatement	Penalties	Remedies are cumulative	Other remedies and powers as provided by law
Dodge	Floodplain	x	x	x	Not less than \$50 nor more than \$500 and costs of prosecution for each violation.	X	X - In default of payment can be imprisoned for not more than 6 months
	Shoreland	X	x	x	Not less than \$50 nor more than \$500 and costs of prosecution for each violation.	X	X - In default of payment can be imprisoned for not more than 6 months
	Land Use Code	x	x	x	Not less than \$50 nor more than \$500 and costs of prosecution for each violation.	X	X - In default of payment can be imprisoned for not more than 6 months
	Non-metallic mining	x			Not less than \$25 nor more than \$1000 and costs of prosecution for each violation		Enforcement in accord with ss. 295.19
	Airport	x	x	x	Not less than \$50 nor more than \$500 and costs of prosecution for each violation.		X - In default of payment can be imprisoned for not more than 6 months
	Sanitary	x	x	x	Not less than \$50 nor more than \$500 and costs of prosecution for each violation.		X - In default of payment can be imprisoned for not more than 6 months Citation authority
Jefferson	Floodplain				Not less than \$25 nor more than \$50 with a taxable cost of such action.		X – All remedies as allowed by s 87.30 Stats
	Zoning and Shoreland	x	x		Not less than \$25 nor more than \$5000 plus costs of prosecution for each violation		X – Suspension of permit
	Sanitary				Not less than \$100 nor more than \$500		X Citation authority
	Land Division		x		Not less than \$25 nor more than \$2000 and costs of prosecution		X - In default of payment can be imprisoned for not more than 90-days for each violation; Can refuse to issue any additional permits.
	Non-metallic mining				Not less than \$25 nor more than \$1000 and costs of prosecution for each violation		Enforcement in accord with ss. 295.19
Fond du Lac	Floodplain			x	Not less than \$25 nor more than \$50 with a taxable cost of such action.		X - Any action allowed by s. 87.30 Stats
	Non-metallic Mining			x	Not less than \$10 nor more than \$500 for each violation		X – Any enforcement in accord with ss. 295.19
	Shoreland			x	Not less than \$50 nor more than \$500 for each violation plus costs of action.		x- Any enforcement allowed under s 59.69(11) Wis. Stats.
	Sanitary				Not less than 100 nor more than \$500 for each violation plus costs of prosecution		X – County may take other appropriate legal action in court.

Ordinance Enforcement Powers

County	Ordinance	Revoke Permits	Injunctive Relief	Abatement	Penalties	Remedies are cumulative	Other remedies and powers as provided by law
Manitowoc	Floodplain				Not less than \$25 nor more than \$50 for each offense plus costs of prosecution.		X – Citation authority
	Shoreland				Not less than \$200 nor more than \$2000 for each offense plus cost of prosecution.		x- In default of payment can be imprisoned for not more than 30 days.
	Zoning				Not less than \$100 nor more than \$1000 for each violation. Maximum and minimum forfeitures are doubled if the same person is convicted for the same violation within one year.		x- In default of payment can be imprisoned for not more than 30 days.
	Nonmetallic mining				Not less than 25 nor more than \$1000 for each violation. Violation of s 295 Wis Stats – Not less than \$10 nor more than \$5000		x- In default of payment can be imprisoned for not more than 30 days.
	Sanitary	x		x	Not less than \$100 nor more than \$1000 for each violation plus costs of prosecution.		x- In default of payment can be imprisoned for not more than 30 days.
Outagamie	Floodplain	X	X	x	Not less than \$10 nor more than \$50 for each offense plus cost of prosecution		
	Shoreland	X	X	X	Not more than \$50 for each violation plus costs of prosecution		
	Zoning				Not less than \$5 nor more than \$500 for each violation plus costs of prosecution		X – in default of payments of such forfeiture and costs shall be imprisoned until such forfeiture and costs are paid. X – Citation authority
	Sanitary	X	X	X	1 <sup>st</sup> offense - Not less than \$5 nor more than \$500 for each violation 2 <sup>nd</sup> offense – Not less than \$10 nor more than \$1000 for each violation		x- In default of payment can be imprisoned for not more than 90 days. x – Citation authority
Portage	Floodplain		x		Not more than \$50 for each violation plus cost of prosecution		
	Shoreland		x		Not less than \$50 nor more than \$1000 for each offense plus cost of prosecution.		
	Nonmetallic mining		x		Not less than \$50 nor more than \$1000 plus costs		
	Sanitary		x		Not less than \$50 nor more than \$500 plus costs		

Ordinance Enforcement Powers

County	Ordinance	Revoke Permits	Injunctive Relief	Abatement	Penalties	Remedies are cumulative	Other remedies and powers as provided by law
Marquette	Floodplain	X	X	x	Citation authority \$250 plus costs of prosecution for each violation		
	Subdivision		x		Not more than \$250 plus costs of prosecution for each violation		X – any action allowed by the applicable statutes
	Zoning	x	x	x	Citation authority \$250 plus costs of prosecution for each violation		
	Sanitary				Citation authority \$250 plus costs of prosecution for each violation		
	Nonmetallic Mining				Citation authority \$250 plus costs of prosecution for each violation Not less than \$25 nor more than \$1000 for each violation plus costs of prosecution		
Dane County	Floodplain				Not less than \$25 nor more than \$50 plus costs of prosecution for each violation.		
	Shoreland				Not less than \$200 nor more than \$1000 plus costs of prosecution for each violation.		In default of payment can be imprisoned for not more than 30 days.
Calumet	Floodplain	x	x	x	Not less than \$10 and not more than \$1000 plus costs of action for each violation	x	
	Shoreland				Not less than \$10 nor more than \$500 plus cost of prosecution for each violation		In default of payment can be imprisoned for not more than 30 days.
	Zoning	x	x	x	Not less than \$10 nor more than \$500 plus cost of prosecution for each violation		In default of payment can be imprisoned for not more than 30 days.
	Land Division				Not than \$200 plus cost of prosecution for each violation		
	Sanitary	X	X	x	Not less than \$100 nor more than \$500 plus cost of prosecution for each violation		X – Citation Authority - \$200 plus costs for failure to maintain system in accord with requirements \$500 plus costs for failure to maintain a holding tank in accord with requirements

County	Ordinance	Revoke Permits	Injunctive Relief	Abatement	Penalties	Remedies are cumulative	Other remedies and powers as provided by law
Washington	Shoreland /Floodplain	X	X		Not less than \$50 nor more than \$500 per each violation and costs of prosecution	x	x- All remedies as provided by s 59.69, 59.07 and 87.30 Wis. Stats
	Non-Metallic Mining	X		X	Not less than \$25 nor more than \$5000 for each violation		
	Sanitary		x	x	Not less than \$10 nor more than \$500 and costs of prosecution		
	Land Division		x		Not less than \$25 nor more than \$200 and cost of prosecution.	x	
Columbia	Floodplain				Citation Authority - \$125.00 - \$1000.00		Citation Authority
	Shoreland Wetland				Citation Authority - \$125.00 - \$1000.00		Citation Authority
	Zoning				Minimum / Maximum forfeiture \$125 - \$1000		Citation Authority
	Nonmetallic Mining				Not less than \$10 nor more than \$5000 for each violation or under Citation \$125 - \$1000		Enforcement in accord with ss. 295.19 Citation Authority
	Sanitary				\$125.00 - \$1000.00		Citation Authority
	Land Division				Citation Authority - \$125.00 - \$1000.00		Citation Authority
Green Lake	Floodplain				Citation Authority - \$50 plus cost of prosecution		
	Shoreland Zoning				Citation Authority - \$250 plus cost of prosecution		
	Zoning				Citation Authority - \$250 plus cost of prosecution		
	Nonmetallic Mining				Citation Authority - \$500 - \$2500 plus cost of prosecution		
	Sanitary				Citation Authority - \$200 plus cost of prosecution		
	Land Division				Citation Authority - \$50 plus cost of prosecution		
Waukesha	Floodplain		x		Not more than \$50.00 plus cost of prosecution for each violation		Failure to pay forfeiture - Imprisonment for period not to exceed 6 months
	Shoreland	X	X	X	Not less than \$25 nor more than \$500 plus costs of prosecution		
	Nonmetallic mining	X	X	x	Not less than \$10 nor more than \$5000 for each violation		
	Sanitary	X	X	x	Not less than \$20 nor more than \$500 plus costs of prosecution		X – no penalty shall exceed penalty authorized by statute.
	Land Divisions	X	X	x	Not less than \$100 nor more than \$1000 plus cost of prosecution for each offence		



**DODGE COUNTY LAND RESOURCES AND PARKS COMMITTEE  
MINUTES  
October 23, 2023**

The Dodge County Land Resources and Parks Committee met on October 23, 2023 at 7:00 p.m. on the 1<sup>st</sup> 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

No other County Board members in attendance requesting a per diem.

**Staff present:** Joseph Giebel – Manager of Code Administration, Nate Olson – Community Development Administrator, Becky Glewen – Community Development Marketing and Communications Manager;

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.

**COMMITTEE REVIEW OF A LAND USE PERMIT**

1. **Committee Review of a Land Use Permit and a pending Conditional use permit** - Peter Mittelstadt – Part of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Section 16, Town of Lomira, the site address being W1584 County Road H. Review of Land Use Permit # 2023-0815 - Request to allow expansion of outdoor storage yard for repossession business (CUP 2018-0791); Committee review and determination if new Conditional Use Permit will be required for proposed expansion project.

Motion by Dan Siegmann to allow the proposed expansion project as proposed without requiring a new conditional use permit.

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

**The hearing procedures were read into the record.**

**PUBLIC HEARING**

**Compass Surveying LLC, agent for Leslie Schwartz and Marlene Schwartz** - Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the creation of an approximate 1.3-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The property is located in part of the NE ¼ of the SW ¼, Section 36, Town of Lomira, the site address being W353 Rolling Drive.

Motion by Dan Siegmann to approve the conditional use permit to allow for the creation of an approximate 1.3-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District subject to the following 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.

Second by Dale Macheel      Vote 4-0      Motion carried.

**PUBLIC HEARING**

**Adam Wendt** – Petition to rezone approximately 4-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district and on 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 to allow for the sale of firearms and ammunition from a residence located within the A-2 General Agricultural Zoning District. The site is located in part of the SE ¼ of the SE ¼, Section 14, Town of Shields, the site address being N1323 Wood Road.

**Rezoning Request:**

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

Second by Dan Siegmann    Vote 4-0            Motion carried.

**Conditional Use Permit Request**

Motion by Mary Bobholz to approve the conditional use permit request to allow for the establishment of an internet based retail business to allow for the sale of firearms and ammunition from a residence located within the A-2 General Agricultural Zoning District subject to the following 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.

Second by Dale Macheel    Vote 4-0            Motion carried.



### **TOWN AMENDMENT REQUESTS**

**Town of Chester Zoning Ordinance Amendment** - 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 amendment is to bring the Town of Chester Zoning Ordinance into compliance with the Wisconsin's farmland preservation law under Ch. 91, Wis. States. The petition includes the following amendment: Remove "golf courses" as a permitted use within the CO- Conservancy District.

Motion by Mary Bobholz to report favorably on the request of the Town of Chester Town Board to amend the text of the Town of Chester Zoning Ordinance as proposed.

Second by Dan Siegmann    Vote 4-0        Motion carried.

### **TOWN REZONING REQUESTS**

**Town of Hubbard Rezoning Petition – United Cooperative** – Part of the NW ¼ of the NE ¼, Section 12, Town of Hubbard, the site address being W2649 State Road 33. Petition to rezone 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 for approval. Committee review and recommendation to the County Board.

Motion by Mary Bobholz to report favorably on the request of United Cooperative to rezone 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 as proposed.

Second by Dale Macheel    Vote 4-0        Motion carried.

### **COMMUNITY DEVELOPMENT**

#### **A. Division Update**

Nate Olson introduced Becky Glewen to the Committee. Becky provided the Committee with an update on the Dodge County marketing plan. She discussed the five phases of the marketing plan and how each phase fits in with the overall plan. Becky also provided the Committee with information on the Joint Effort Marketing Campaign grant program (JEM Grant). Jem Grants provide funding to help nonprofit organizations and communities to promote tourism in their area. The Destination Marketing grant must involve at least three municipalities or communities who all benefit from increasing visitor expenditures. A total of eleven communities and three Horicon Marsh entities have been working with Becky to submit a JEM Grant. Becky informed the Committee that the county has recently been awarded a Jem Grant in the amount of \$39,550. She explained how the grant will be used.

### **ADMINISTRATION**

1. 2024 Department Update  
No new updates as of this meeting.

2. The minutes from the October 9, 2023 meeting were reviewed by the Committee.

Motion by Ben Priesgen to approve the minutes as written.

Second by Mary Bobholz

Vote: 4-0

Motion carried.

3. No Committee Member Reports

4. No additional Per Diems

#### FUTURE MEETING SCHEDULE

1. Monday, November 13, 2023 – 7:00 p.m. • Rooms 1H/1I • 1<sup>st</sup> Floor, Administration Building • Juneau, WI – Public Hearings

Motion by order of the Chair to adjourn the meeting.

Meeting adjourned at 8:10 p.m.

Respectfully Submitted,

---

Secretary

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