

**DODGE COUNTY LAND RESOURCES AND PARKS COMMITTEE
MINUTES
November 27, 2023**

The Dodge County Land Resources and Parks Committee met on November 27, 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.

Members excused: Donna Maly, Dan Siegmann.

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

Staff present: Bill Ehlenbeck - Director, Joseph Giebel – Manager of Code Administration, David Addison – Land Information Officer.

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 November 13, 2023, meeting were reviewed by the Committee.

Motion by Mary Bobholz to approve the minutes as written.

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

The hearing procedures were read into the record.

PUBLIC HEARING

New Frontier Land Surveying, agent for Brett Reчек, Request to rezone approximately 8-acres of land from the A-2 General Agricultural zoning district to the R-1 Single Family Residential zoning district to allow for the creation of three non-farm residential lots at this location. The site is known as Lot 1 CSM 7271 in V50, P118, and is located in part of the NW ¼ of the NW ¼, Section 7, T12N, R14E, Town of Trenton along the east side of Breezy Point Road.

Motion by Mary Bobholz to submit a favorable recommendation to the County Board of Supervisors on the request to rezone approximately 8-acres of land from the A-2 General Agricultural zoning district to the R-1 Single Family Residential zoning district to allow for the creation of three non-farm residential lots at this location.

Second by Ben Priesgen Vote 3-0 Motion carried.

PUBLIC HEARING

Brandon Schultz, agent for Wayne Schultz – Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the creation of an approximate 6.7-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The property is located in part of the SW ¼ of the NW ¼, Section 35, Town of Leroy along the east side of County Road Y approximately 3000 feet south of its intersection with Farmersville Road.

Motion by Ben Priesgen to lay over a decision on the creation of an approximate 6.7-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District at the request of the Town Board to allow the Town Board members additional time to conduct an onsite before providing a recommendation.

The applicant signed an agreement to allow the Committee to lay over a decision to the January 8, 2024 meeting.

Second by Dale Macheel Vote 3-0 Motion carried.

PUBLIC HEARING

Steve and Katie Hunt, agent for 4Ever Green Inc. – Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the creation of an approximate 2-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The property is located in part of the SE ¼ of the SW ¼, Section 32, T13N, R13E, Town of Fox Lake, the site address being W11544 County Road P.

Motion by Mary Bobholz to approve the conditional use permit request to allow for the creation of an approximate 2-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 2.78-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 constructed 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:
 - 018-1313-3234-000; 018-1313-3243-001; 046-11213-0521-000; 046-1213-0512-000.
6. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land

Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;

7. The decision of the Committee shall expire one year after the decision is filed with the Department unless construction has been diligently pursued, a Certificate of Zoning Compliance has been issued, the use is established, or the Conditional Use Permit is renewed, for a period not to exceed one year.
8. The Conditional Use Permit shall also expire upon termination of a project or if the rights granted by the permit are discontinued for 180 consecutive days.

Second by Dale Macheel Vote 3-0 Motion carried.

COMMUNITY DEVELOPMENT

Resolution to approve contract for “Branding and Website Services”

Bill Ehlenbeck provided information on the Request for Proposals for Tourism Branding and Website services as part of the Joint Effort Marketing grant. Proposals were received from 3 firms and were rated by the team of Nate Olson, Becky Glewen and Karen Boyd. Bill provided the evaluation worksheet to the Committee. Pilch and Barnett was the highest rated proposal at 89.9 out of 100 and their fee was within budget at \$39,550. The next highest rated proposal was from Guide rated at 76.7 with a fee of \$39,000.

Motion by Mary Bobholz to approve the selection of the Pilch and Barnett proposal for Branding and Website services for \$39,550.

Second by Ben Priesgen Vote: 3-0 Motion carried.

1. **LAND INFORMATION**

A. Division Update

Dave Addison provided the committee with an update on the Land Information Division activities. The plat book is near completion and will be ready for distribution shortly. The new public web mapping site is up and running. Survey review and field work continues for the Village of Brownsville, Neosho and Reeseville. The assessment rolls are completed. Nicole is working on a statewide project to accommodate the elimination of the personal property tax with the exception of mobile homes and buildings on leased lands. The LIO Committee met and they approved the 2024 WLIP grant application

B. Discussion on Status of 2021 WLIP Grant

The 2021 WLIP grant is finally able to be closed out. The final project is complete and they requested the final grant amounts.

C. Discussion on Status of 2023 WLIP Grant

The 2023 WLIP grant was mainly for the 2023 Ortho flight. The Ortho's were received and are now being used. A portion of the grant was also for a watershed project which was completed.

D. Discussion and Approval of 2024 WLIP Grant

Dave Addison provided the committee with an update on the proposed 2024 WLIP Grant application. There was a large drop in the recording fees for this year, which will result in a drop in the amount of the WLIP Grants for 2024. The county is expecting a total grant of \$22,760 for 2024. \$1000 is available for Training Grant expected to be used for staff attendance at ESRI User Conference in San Diego, in July of 2024. \$11,760 from a Base Budget grant will be used to offset contract with Panda Consultants for migration services to ESRI ArcGIS Pro Parcel Fabric. The \$10,000 Strategic Initiative grant will be used to offset the costs for the code permitting software program. Land Information Council recommended approval.

Motion by Ben Priesgen to approve the submission of the 2024 WLIP Grant application.

Second by Mary Bobholz

Motion carried 3-0

E. Resolution to authorize contract with Panda Consultants for ESRI ArcGIS Pro Parcel Fabric training services

Bill Ehlenbeck and Dave Addison explained the need to contract with Panda Consulting to assist with migration of the county's parcel fabric data to the ESRI ArcGIS Pro system. The system has been upgraded and our current version will be losing support and updates thus the need to migrate the data to the new updated version. Panda Consulting was successfully utilized for the original Parcel Fabric data set up in 2018. Land Information Council recommended approval of the \$19,000 service contract funded from Land Information Program and grant funds.

Motion by Mary Bobholz to approve the Panda Consultants proposal for Parcel Fabric Data migration services at \$19,000 to be funded from the Land Information Program and grant funds.

Second by Ben Priesgen Vote: 3-0 Motion carried.

F. Resolution to authorize contract for Schneider GeoSpatial online permitting solution

Bill Ehlenbeck and Dave Addison discussed the background and process for finding an online permitting system that is can be functional and cost effective for Dodge County. The Schneider GeoPermits product has been reviewed against the Catalis permit system and both are similar in functionality. Both companies are current land records vendors for Dodge County and the most appropriate companies to utilize for the permitting system. GeoPermits is favored primarily due to the lower cost. GeoPermits proposal is \$32,976 for set up/implementation and includes 1 year of software licensing. The annual licensing will be \$23,328 in year 2 and adjusted in subsequent years. The Land Information Council recommended approval of the GeoPermits proposal to be funded from Land Information Program and grant funds.

Motion by Mary Bobholz to approve the Schneider GeoSpatial proposal for GeoPermits online permitting solution to be funded from the Land Information Program and grant funds.

Second by Ben Priesgen Vote: 3-0 Motion carried.

G. Resolution to authorize contract for Datamark VEP for NG911 support services

Bill Ehlenbeck withdrew this request at this time. He informed the Committee the contract may not be needed now because staff just learned that the State NG911 contract for similar data services has proceeded faster than expected and could be available for counties to use as early as January or February 2024 at no cost. Staff will continue to monitor the State's status. If they are unable to meet our time constraints, then a contract for the NG911 data project will be reconsidered.

H. Discussion and recommendation for Attendance of GIS staff at the 2024 ESRI User Conference in San Diego.

A request was made to allow Jesse O'Neill and Nicole Hoepfner to attend the 2024 ESRI User Conference in San Diego in 2024. Various circumstances have prevented them from attending for the past 4 years. The Land Information Council recommended approval of their attendance which will need to go through the Executive Committee for out of state travel approval.

Motion by Ben Priesgen to authorize attendance of GIS staff at the 2024 ESRI User Conference in San Diego.

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

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 8:30 p.m.

Respectfully Submitted,

, Secretary

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

Land Resources and Parks Department Staff Report

County Rezoning Petition # 2023-0944

Filing Date: October 30, 2023

Hearing Date: December 11, 2023

Applicant (Agent):

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

Owner:

Gregory and Jean Barnett Revocable Trust
W7530 County Road S
Juneau, WI 53039

Location:

PIN# 024-1016-3121-000

Property Location: Part of the NE ¼ of the NW ¼, Section 31, Town of Hustisford, the site address being N2791 County Road E.

Applicants Request

A rezoning petition has been submitted by the applicant in order they be allowed to rezone approximately 4-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 4-acre non-farm residential lot at this location. The 4-acre lot will contain an existing residence. The remaining 67+acres will contain farm buildings and agricultural land which will remain in agricultural use at this time.

Land Use Code Provisions

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.

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.

Physical Features of Site

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

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

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

The proposed lots are not located within the County's Floodplain 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 E and Oak Hill road.

Designated Archaeological Site: Yes No

Density Standards

The base farm tract for this property contains 71.815-acres within the A-1 Prime Agriculture Zoning District. The Code would allow a maximum of 3.4-acres for non-farm residential use under the conditional use permit process. Therefore, in this case, rezoning is required to allow for the creation of a 4-acre nonfarm residential lot at this location.

- The proposal is consistent with the Dodge County Comprehensive Plan and Farmland Preservation 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.

Town Recommendation

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

STAFF ADVISORY:

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

The staff has reviewed the petition for compliance with the approval criteria listed in Section 2.3.4.I 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 lot 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 contains an existing residence and 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.

2.3.4.1.7 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;

2.3.4.1.8 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 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 best suited for residential use.

2.3.4.1.8.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;

2.3.4.1.8.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.

Dodge County Land Resources and Parks Committee Decision

County Rezoning Petition # 2023-0944
Filing Date: October 30, 2023
Hearing Date: December 11, 2023

Applicant (Agent):
New Frontier Land Surveying
P. O. Box 576
Beaver Dam, WI 53916

Owner:
Gregory and Jean Barnett Revocable Trust
W7530 County Road S
Juneau, WI 53039

Location:
PIN# 024-1016-3121-000
Property Location: Part of the NE ¼ of the NW ¼, Section 31, Town of Hustisford, the site address being N2791 County Road E.

Applicants Request

A rezoning petition has been submitted by the applicant in order they be allowed to rezone approximately 4-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 4-acre non-farm residential lot at this location. The 4-acre lot will contain an existing residence. The remaining 67+acres will contain farm buildings and agricultural land which will remain in agricultural use at this time.

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 _____



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

τ THIS AREA FOR OFFICE USE ONLY τ	
Activity No. 230944	Application Date: 10-30-2023
Receipt #: 8341-0005	

REZONING PETITION

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

NAMES & MAILING ADDRESSES	PROPERTY DESCRIPTION
Petitioner (Agent) New Frontierland Surveying	Parcel Identification Number (PIN) 024-1616-3121-000
Street Address P.O. Box 576	Town Hustisford
City • State • ZipCode Beaver Dam, WI 53916	T 10 N 16 R 16 E
Property Owner (If different from petitioner) Greg + Jean Barnett Trust	Section 31 1/4 E/2 1/4 NW Acreage 72 ⁺ Lot (Block) 4.0
Street Address W7530 CR "S"	Subdivision or CSM (Volume/Page/Lot) A-2 GEN NA
City • State • ZipCode JUNEAU, WI 53039	Address Of Property (DO NOT include City/State/ZipCode) N2791 CR "E"
	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 Mark Thomasick Daytime Phone (920) 296 - 3904

PROPOSED REZONING

Current Zoning District <u>A-1 Prime</u>	Proposed Zoning District <u>A-2 Gen</u>
----------------------------------------------------	---------------------------------------------------

Reason For Rezoning

Sell House off Farmland

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 [Signature] Date 10/25/2023

Daytime Contact Number (920) 296 - 3904

◆ AREA BELOW THIS LINE FOR OFFICE USE ONLY ◆

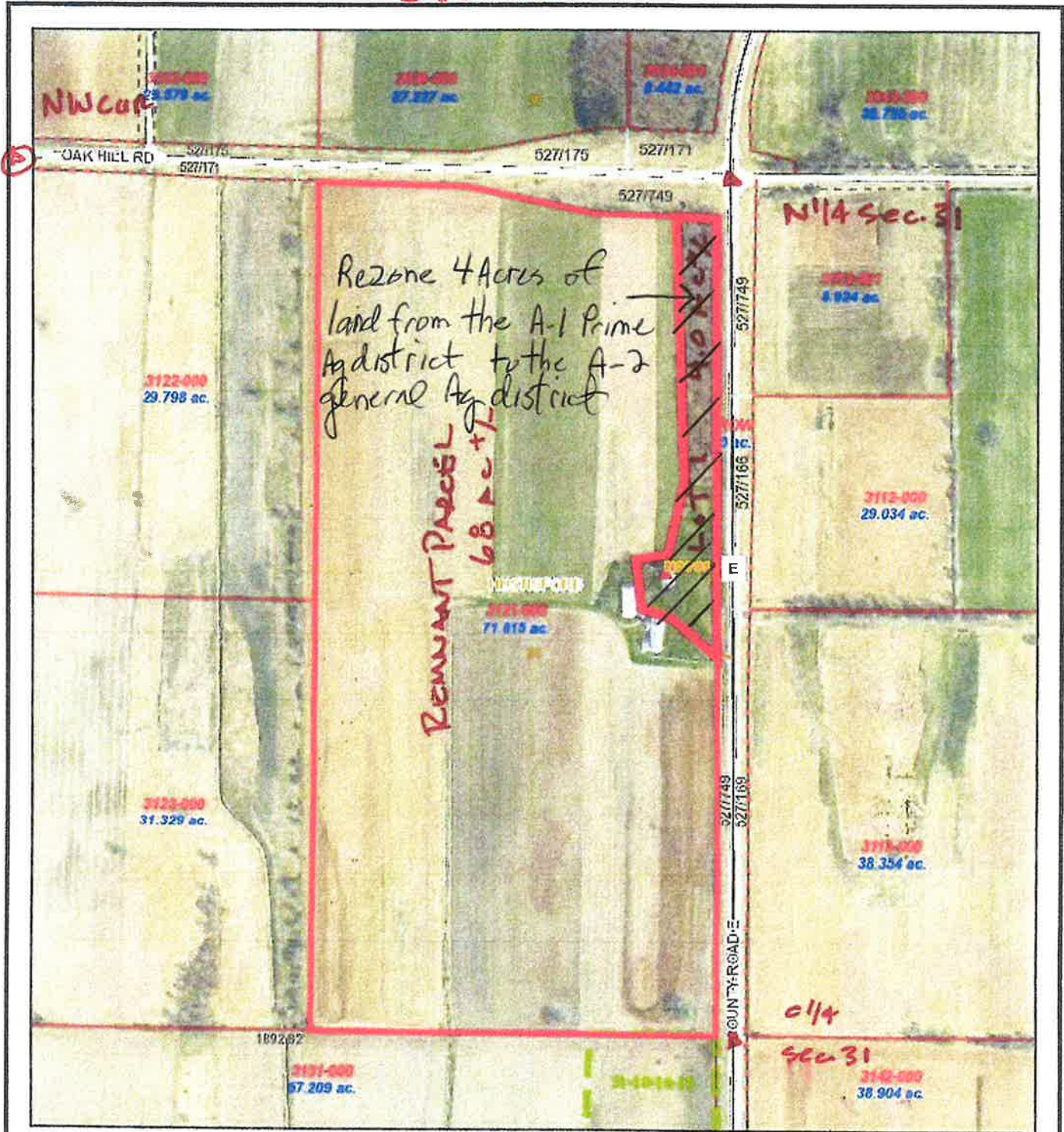
Sketch Map – Attach a sketch map or aerial photo of the proposed land to be rezoned to the application. The sketch map or aerial photo shall be at a scale of 1" = 200' or other appropriate scale. This sketch map or aerial photo shall include the following information:

1. North arrow, date and scale;
2. Reference to a section corner or existing lot line;
3. The location and dimensions of the proposed area to be rezoned;
4. The location of the existing and proposed lot lines;
5. The location and dimensions of any existing or proposed easements;
6. The location of any existing buildings, water wells, septic systems, water courses, drainage ditches and other features pertinent to the rezoning petition;
7. The location and name of existing roads, easements of record, public access to navigable waters and dedicated areas;
8. The location of existing and proposed driveways;
9. Any other additional information pertinent to this rezoning petition;

(An aerial photo of your site may be available through the Dodge County Planning, Development and Parks Department. Please contact our office for additional information (920) 386-3700)

Please submit the application form, sketch map and the appropriate application fee (payable to Dodge County) to the address listed on the front of this form.

OVERALL



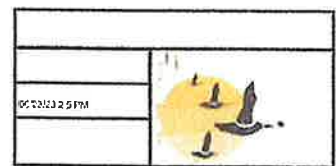
Legend

- 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.

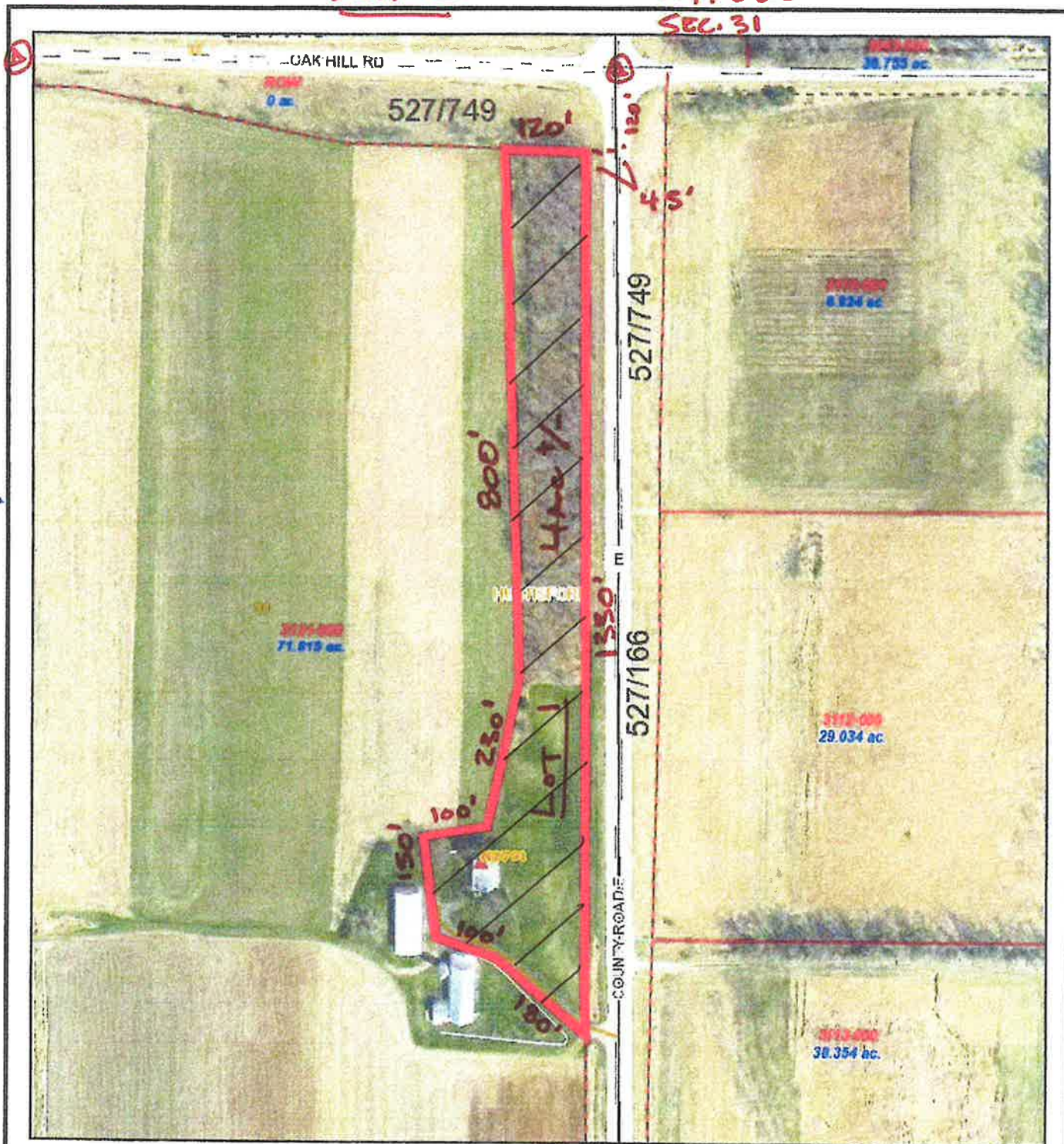


NW COR

DETAIL

N 1/4 COR

SEC. 31



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

C 1/4 COR SEC. 31



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





(<https://www.co.dodge.wi.gov/>)



(<http://www.gcssoftware.com>)

Land Information Search Tool (LIST)

Tax Year	Prop Type	Parcel Number	Municipality	Property Address	Billing Address
2023 ▾	Real Estate	024-1016-3121-000	024 - TOWN OF HUSTISFORD	N2791 COUNTY ROAD E	GREGORY G & JEAN L BARNETT REVOCABLE TRUST DATED APRIL 24 2000 W7530 COUNTY ROAD S JUNEAU WI 53039

Tax Year Legend: = owes prior year taxes = not assessed = not taxed Delinquent Current

Property Summary

Parcel #:	024-1016-3121-000
Alt. Parcel #:	024076800000
Parcel Status:	Current Description
Creation Date:	1/18/2022
Historical Date:	
Acres:	71.815

Property Addresses

Primary ▲ Address
N2791 COUNTY ROAD E WATERTOWN 53098

Owners

Name	Status	Ownership Type	Interest
BARNETT REVOCABLE TRUST DATED APRIL 24 2000, GREGORY G & JEAN L	CURRENT OWNER		
SCHLIEWE REVOCABLE TRUST DATED DECEMBER 30 2021, BARBARA J	FORMER OWNER		
SCHLIEWE, BARBARA J	FORMER OWNER		

Parent Parcels

Parcel Number ▲	Creation Date
024-1016-3121-000	
024-1016-3124-000	

Child Parcels

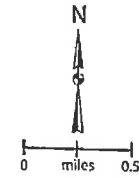
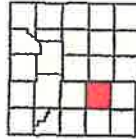
No Child Parcels were found

E 1/2 = NW 1/4 SEC. 31

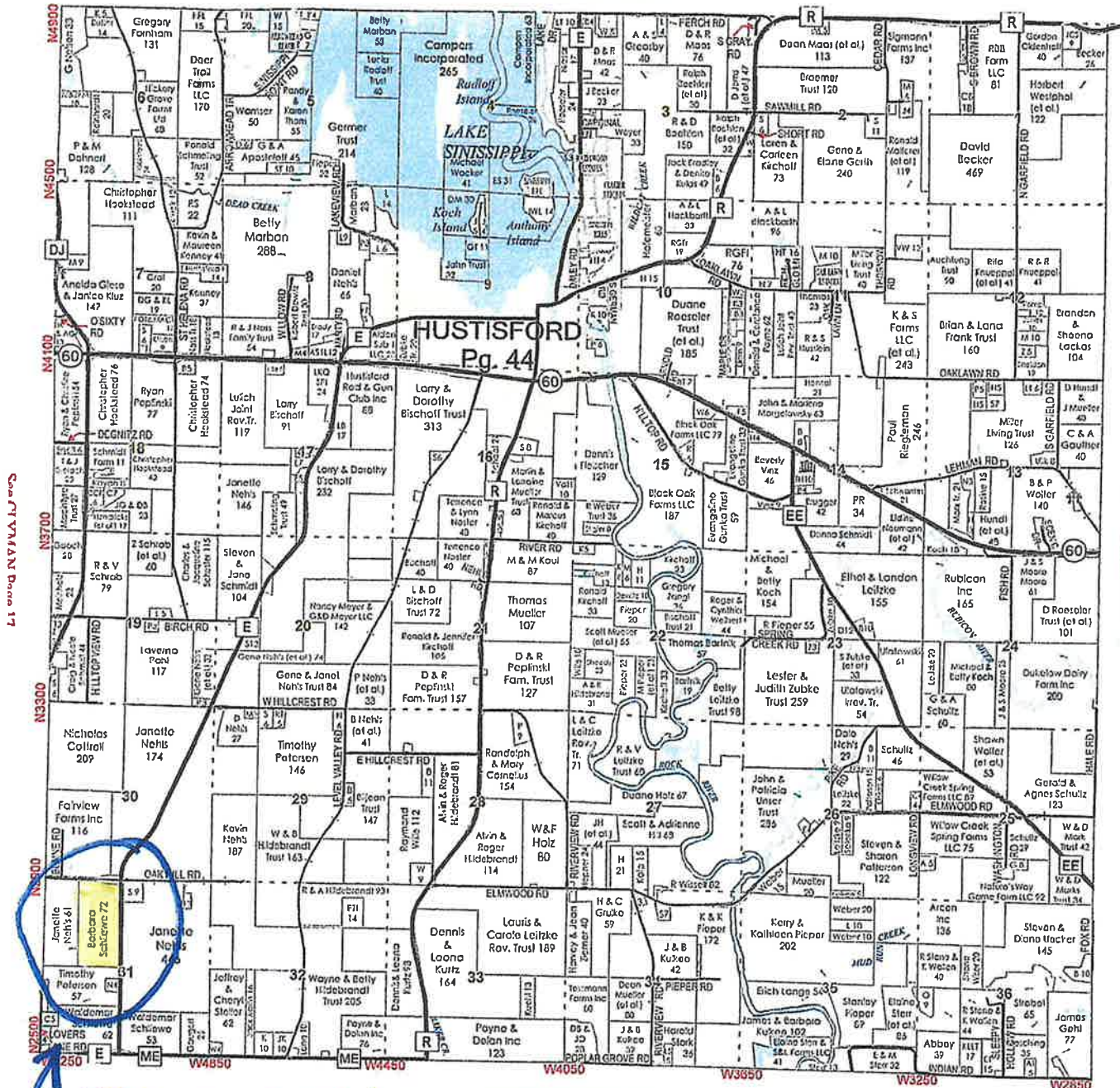
5/5

HUSTISFORD

T.10N. - R.16E.



See HUBBARD Page 22



See TITMANN Page 17

See RUBICON Page 31

See LEBANON Page 24

PROPERTY

The maps and acreages presented are representations 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.

Land Information

Dodge County

Web Map

Search Tool

list.co.dodge.wi.us





dodgecountywebmap.com

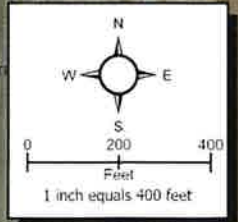
Gregory & Jean Barnett Rev. Trust

Town of Hustisford, Sec. 31

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



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



0 200 400
Feet
1 inch equals 400 feet

Land Resources and Parks Department

Request for Amendment of the Floodplain Ordinance Enforcement and Penalty Provisions

Committee discussion on possible amendments to the “Enforcement and Penalties” sections of the County Floodplain Ordinance

County Board Supervisor Dan Siegmann has submitted a request to amend the penalty provisions of the Dodge County Floodplain Ordinance.

The current Floodplain Ordinance Provisions are as follows:

Section 9.2.2.D. Penalties

Any person, firm, or corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit not less than \$50 nor more than \$500 dollars and costs of prosecution for each violation. In default of payment of such forfeiture and costs, violators shall be imprisoned in the County Jail until payment thereof, for a period not to exceed 6 months.

The proposed amendment for discussion is as follows:

“Except as provided in WI Stats 87.30 (2)(b), any person who places or maintains any structure, building, fill, or development within any floodplain in violation of this Ordinance and who refuses to communicate with the County Department for remedy, may not be fined more than \$50.00 for each offense. Each day during which such violation exists is a separate offense.”

Applicable Statute provisions:

Section 87.30 (1) Wis. Stats. requires counties to adopt and enforce a reasonable and effective floodplain ordinance. The State DNR also provides a model floodplain ordinance that meets the minimum federal and state floodplain standards.

Section 87.30(1)(b), Stats., permits a county to adopt a floodplain zoning ordinance that is more restrictive than the provisions required by the State, but not less restrictive.

Staff Comments:

The Land Use, Sanitary, Shoreland Protection, Floodplain, Airport and the Nonmetallic Mining Reclamation codes have been adopted by the County Board of Supervisors in order to promote and protect the public health, safety, peace comfort and general welfare of the citizens. Effective enforcement of the rules and regulations within the codes is necessary in order to promote and maintain a safe and desirable living and working environment for all citizens. The Dodge County Codes have been developed to contain similar enforcement and penalty provisions so as to provide fair and consistent enforcement options by the County that can be used to bring about the correction of violations.

The County Codes generally contain the following enforcement options:

Revoke Permits

Any development permit or other form of authorization required under this Code may be revoked when the Land Use Administrator and the Committee determine that:

- There is departure from the plans, specifications, or conditions as required under terms of the permit;
- The development permit was procured by false representation or was issued in error; or
- Any of the provisions of this Code are being violated.

Injunctive Relief

The County may seek an injunction or other equitable relief in court to stop any violation of this Code or of a permit, certificate, or other form of authorization granted hereunder.

Abatement

The County may seek a court order in the nature of mandamus, abatement, injunction, or other action or proceeding to abate or remove a violation or to otherwise restore the premises in question to the condition in which they existed prior to the violation.

Penalties

Any person, firm, or corporation who fails to comply with the provisions of this Code shall, upon conviction thereof, forfeit not less than \$50 nor more than \$500 dollars and costs of prosecution for each violation. In default of payment of such forfeiture and costs, violators shall be imprisoned in the County Jail until payment thereof, for a period not to exceed 6 months.

Other Remedies provided by Wisconsin Law

The County shall have such other remedies as are and as may be from time to time provided by Wisconsin law for the violation of ordinances and codes

Remedies Cumulative

The remedies and enforcement powers established in this Codes are cumulative, and the County may exercise them in any order.

Dodge County Penalty Provisions

Why are Penalties Imposed?

The penalty provisions in the Codes are one option that can be used by the Department to bring about the correction of a violation. After providing individuals ample opportunity, many citizens simply ignore requests to correct the violations. It is believed that the assessment of daily fines for each violation will motivate citizens with violations to correct them more promptly. The penalty amounts within the County codes range from \$50.00 to \$500 per day and costs of prosecution for each violation.

When are Penalties Imposed?

Penalties are only imposed after a violation has been confirmed by the staff, the owner has been officially notified of the violation and has been given the opportunity to bring the violation into compliance, and the violation remains uncorrected after the timeline listed within the official notice of violation.

In most cases, parties are given advance notice with a “notice of complaint:” from the Department. This notice provides the parties an opportunity to voluntarily resolve the violations before they become formally recognized. Failure to voluntarily resolve the alleged violation will eventually lead to the confirmation of a violation and the issuance of a formal “Notice of Violation”. This notice requires correction of the violation within 30 days and officially notifies the parties of the potential penalty provisions of the Codes. From the date of the first “notice of complaint” letter, it will usually take 60 days before penalties would be imposed. It is presumed that the violating party will have had ample time to correct a violation before penalties are imposed. Once penalties have been imposed, they can run against the property until all violations are abated. To ensure that parties have due process to challenge any violations or penalties imposed, they have the right to appeal the decisions of the Department if they feel the violation orders are erroneous.

Why does the Code contain a range of penalties from \$50.00 to \$500.00?

The range of penalties listed within the Code allows the County the option to determine the amount of the fine based on the type and severity of the violation. The relevant circumstances associated with the violation can be used to determine the amount of the penalty and may include the following factors:

- The actual or potential extent of the harm caused;
- The likelihood to cause harm;
- The seriousness or gravity of the violation (the level of threat to property, health or safety of people and animals or the environment);
- Whether the violation is subject to correction by obtaining a permit or cannot be corrected by permit;
- The culpability of the violator in causing the violation;
- The length of time over which the violation occurs;
- The history of past violations, either of a similar or different nature on the same or different property under the same ownership;
- The financial burden to the violator;
- The factors and policies that have been adopted by the Committee or County Board;
- Any other relevant circumstances.

Once imposed, the daily penalty will continue to accrue until the violation is corrected.

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.

It is the staff's position that having a range of penalty amounts within the code enforcement section of the Code will allow the County the flexibility to determine the amount of the fine to be assessed for a violation to be based on the type and severity of the violation. The relevant circumstances associated with the violation can be used to determine the amount of the penalty to increase the effectiveness of the enforcement options. A policy can be created by the Committee so that the Committee has the opportunity during the violation process to set the final level of the penalties to be used by the Corporation Counsel when pursuing the violation through the court process. The Committee can also have the opportunity through policy to work with the Corporation Counsel to stay the imposition of the penalties and to decrease the amount of the penalties, either temporarily or permanently, if it is determined that substantial progress is being made by the parties to correct the violation and that decreasing the penalties would further the goal of correcting the violation.

It is the staff's position that reducing the range of penalty options in the County Codes to a maximum of \$50.00 per day for violations would decrease the effectiveness of the enforcement efforts of the County to gain compliance in the most severe cases and would benefit the parties in violation at the expense of the law abiding citizens.

Proposal to Amend the Enforcement & Penalties
Section of the Floodplain Ord. from Sup
Siegmann

8-19-23

EXCEPT AS PROVIDED IN WI STATS § 87.30(2)(b),
ANY PERSON WHO PLACES OR MAINTAINS ANY
STRUCTURE, BUILDING, FILL, OR DEVELOPMENT
WITHIN ANY FLOODPLAIN IN VIOLATION OF
THIS ORDINANCE AND WHO REFUSES TO
COMMUNICATE WITH THE COUNTY DEPARTMENT
FOR REMEDY, MAY NOT BE FINED MORE
THAN \$50.00 FOR EACH OFFENSE. EACH
DAY DURING WHICH SUCH VIOLATION EXISTS
IS A SEPARATE OFFENSE.

9.0 ENFORCEMENT AND PENALTIES

Any violation of the provisions of this ordinance by any person, firm or corporation shall be unlawful and shall be referred to the Dodge County Corporation Counsel who shall expeditiously prosecute all such violators. Every violation of this ordinance is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the municipality, the state, or any citizen thereof pursuant to s. 87.30, Stats.

9.1 RESPONSIBILITY FOR INSPECTION AND ENFORCEMENT

The land use administrator shall have primary responsibility for enforcing all provisions of this Ordinance, pursuant to the policies and procedures set forth in this chapter. The land use administrator is hereby empowered to cause any building, other structure, or tract of land to be inspected and examined for suspected or potential violations of this Ordinance after proper notification. If permission to enter the property is withheld, the land use administrator may seek a court order to require inspection of the property.

9.2 REMEDIES AND ENFORCEMENT POWERS

9.2.1 Persons Authorized to Seek Relief

In case of any violation, Dodge County, the County Board of Supervisors, the Board of Adjustment, the land use administrator, the committee, or any owner of property affected by any violation may institute appropriate action or proceeding for relief pursuant to the procedures set forth in this chapter.

9.2.2 Types of Remedies and Enforcement Powers

The County shall have the following remedies and enforcement powers:

A. Revoke Permits

Any development permit or other form of authorization required under this Ordinance may be revoked when the land use administrator and the committee determine that:

1. There is departure from the plans, specifications, or conditions as required under terms of the permit;
2. The development permit was procured by false representation or was issued in error; or
3. Any of the provisions of this Ordinance are being violated.

B. Injunctive Relief

The County may seek an injunction or other equitable relief in court to stop any violation of this Ordinance or of a permit, certificate, or other form of authorization granted hereunder.

C. Abatement

The County may seek a court order in the nature of mandamus, abatement, injunction, or other action or proceeding to abate or remove a violation or to otherwise restore the premises in question to the condition in which they existed prior to the violation.

D. Penalties

Any person, firm, or corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit not less than \$50 nor more than \$500 dollars and costs of prosecution for each violation. In default of payment of such forfeiture and costs, violators shall be imprisoned in the County Jail until payment thereof, for a period not to exceed 6 months.

E. Other Remedies

The County shall have such other remedies as are and as may be from time to time provided by Wisconsin law for the violation of zoning, subdivision, sign, or related Ordinance or Code provisions.

F. Other Powers

In addition to the enforcement powers specified in this Chapter, the County may exercise any and all enforcement powers granted by Wisconsin law.

G. Continuation

Nothing in this Ordinance shall prohibit the continuation of previous enforcement actions, undertaken by the County pursuant to previous and valid ordinances and laws.

9.2.3 Remedies Cumulative

The remedies and enforcement powers established in this chapter shall be cumulative, and the County may exercise them in any order.

9.3 ENFORCEMENT PROCEDURES

9.3.1 Non-Emergency Matters

In the case of violations of this Ordinance that do not constitute an emergency or require immediate attention, the land use administrator shall give notice of the nature of the violation to the property owner or to any other person who is party to the agreement or to any applicant for any relevant permit in the manner hereafter stated, after which the persons receiving notice shall have 30 days to correct the violation before further enforcement action shall be taken. Notice shall be given in person, by United States Registered or Certified Mail, or by posting notice on the premises. Notices of violation shall state the nature of the violation and the time period for compliance and may state the corrective steps necessary and the nature of subsequent penalties and enforcement actions should the situation not be corrected.

9.3.2 Emergency Matters

In the case of violations of this Ordinance that constitute an emergency as a result of safety or public concerns or violations that will create increased problems or costs if not remedied immediately, the County may use the enforcement powers available under this chapter without prior notice, but the land use administrator shall attempt to give notice simultaneously with beginning enforcement action. Notice may be provided to the property owner, to any other person who is party to the agreement, and to applicants for any relevant permit.

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 st offense - Not less than \$5 nor more than \$500 for each violation 2 nd 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		

