

WINNEBAGO COUNTY  
PLANNING & ZONING COMMITTEE  
**PUBLIC HEARING**

October 20, 2010

6:30 P.M.

Lounge Room – Courthouse

PRESENT: Supervisors, Patrick Brennand, Chairman, Claud Thompson, Jeanette Diakoff, Joanne Sievert, and Thomas Egan. Cary Rowe, Zoning Administrator. Guests present.

The meeting was called to order by Patrick Brennand, Chairman at 6:30 P.M. Committee members introduced themselves and Zoning Administrator explained appeals procedure and stated that protests for rezoning must be made 24 hours prior to the County Board meeting.

1. Planning & Zoning Committee, Chapter 22, “Winnebago County Comprehensive Plan” – Text Amendment.

Zoning Administrator stated that he received responses from the following towns: Algoma, no action taken; Black Wolf, approved with the following finding: 1) Town of Black Wolf has no objection; Neenah, approved with the following exception: The Town Board requests that the words “zoning changes and” is deleted from the last sentence of section 22.09; Nekimi, approved with the following comment: The Board feels that paragraph 9 should be left in the chapter as they feel that the existing lots should be exempt from the new ordinance and grandfathered into the ordinance as before, unless the Zoning Office can give the board an explanation as to why this is being omitted; Nepeuskun, approved; Omro, approved; Oshkosh, disapproved with the following finding: 1) The Town Board request changes to section 22.09 because it is not consistent with state law; Poygan, approved with the following finding: 1) No conflict with town ordinances; Rushford, approved; Vinland disapproved with the following findings: 1) We do not support the amendments to 22.09 (inclusion and adherence to city and village plans). 2) The legislature, with the approval of the Governor, changed Chapter 236.45(3)(B). 3) The proposed text amendment does not reflect this change. 4) Delete three words from text amendment: zoning, changes and. 5) Text amendment to read : Only proposed major land divisions shall be required to be in compliance with the plan in these areas, Winchester, disapproved with the following finding: 1) Lack of time for changing, Winneconne, approved; Wolf River, tabled – pending more information until the next board meeting – October 25, 2010. Zoning Administrator explained to the committee that referenced statute section made by the disapproving towns was not related to the proposed text amendment. Zoning Administrator also pointed out that this was a county ordinance amendment where the towns are advisory only. There was no additional testimony and this portion of the hearing was closed.

2. American Bank, Sunshine Harbour Condominium Plat, Town of Winneconne – Conditional Use (Adjourned from September PH).

The conditional use request is for amending an existing conditional use permit for development of single family dwellings with private on-site sewage disposal systems. James Smith from Martenson & Eisele was sworn in. Mr. Smith presented the committee members with a copy of the revised condominium plat and storm water plan with a detention pond. Supervisor Sievert questioned the design and maintenance responsibilities for the retention pond. Mr. Smith stated that the pond is designed as a wet pond approximately five feet deep. Mr. Smith also stated the maintenance responsibilities were ultimately the condominium associations. Dan Lenz from the American Bank was sworn in. Mr. Lenz stated that the condominium association was active and will be aware of the maintenance responsibilities. Supervisor Diakoff questioned who was responsible for the maintenance of the channels. Mr. Lenz testified that the condominium association was responsible for the maintenance of the channel. Zoning Administrator asked Mr. Smith if the retention pond's overflow pipe discharged to the town road ditch. Mr. Smith stated that it did discharge to the town road ditch. There was no additional testimony and this portion of the hearing was closed.

3. Lakeshore Manor, Town of Menasha – Preliminary Plat

No one was present to speak on this item. Zoning Administrator stated that the zoning office had not received any response from the town. Committee members had questions regarding the large detention pond and how it affected the plat. Motion by C. Thompson to adjourn this item to the November public hearing. Seconded by J. Sievert. Motion carried unanimously. William Raaths – 1234 Lake Shore Dr, Menasha, was sworn in. Mr. Raaths just wanted to see the layout of the plat. There was no additional testimony and this portion of the hearing was closed.

4. Replat of Lots 17 through 20 of Meadow Heights, Town of Menasha – Preliminary Plat

Gary Zahringer of Martenson & Eisele was sworn in. Mr. Zahringer explained the replat. Committee reviewed the lot sizes. Zoning Administrator stated that the minimum lot size in sewered R-2 zoning district is 9000-ft<sup>2</sup> and the minimum width is 65-ft. There was no additional testimony and this portion of the hearing was closed.

5. Harrison Sturgis Jr, 176 Rockwood Ln, Town of Neenah – Zoning Change

The request is to rezone property from A-2 to R-2 and R-2 to A-2 as a condition of csm approval. Gary Zahringer of Martenson & Eisele was sworn in. Mr. Zahringer explained the rezoning request and stated that the Neenah Town Planning Commission has approved the request. Zoning Administrator stated that he had not received any response from the town board. There was no additional testimony and this portion of the hearing was closed.

6. Michels Pipeline Construction, Hughes Quarry – State Rd 26, Town of Nekimi – Conditional Use

The request is for a conditional use permit to expand an existing quarry operation which will encompass approximately 380 acres. Zoning Administrator read an e-mail he received from the town's attorney requesting an adjournment for 6-months in order to work out local issues before coming before the committee. Zoning Administrator also said he attended a meeting earlier in the day with the Nekimi Town Board and the applicant at which time it was agreed upon by the applicant and the Town Board to adjourn this item for 6-months. Motion by J. Sievert to adjourn this item for 6-months. Seconded by J. Diakoff. Motion carried unanimously. There was no additional testimony and this portion of the hearing was closed.

ADJOURNMENT

MOTION made by J. Diakoff to adjourn the meeting. Seconded by C. Thompson. Motion carried unanimously. Meeting adjourned at 7:12 P.M.

Respectfully submitted,

Cary A. Rowe  
Recording Secretary