

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

August 30, 2016  
6:30 P.M.

Conference Room 408 – County Administration Building

PRESENT: Supervisors, Thomas Egan, Chairman, Claud Thompson, Larry Kriescher, Maribeth Gabert and Robert Keller. Cary Rowe, Zoning Administrator. Karen Fredrick, court reporter and guests present.

The meeting was called to order by Thomas Egan, 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. Craig Kuepper – Across from 7431 Richter Ln, Town of Wolf River – Zoning Map Amendment.

Applicant is requesting a zoning map amendment to R-1 (rural residential) without wetland. Craig and Pam Kuepper – 1513 Lucerne Dr., Menasha, were sworn in. Mr. Kuepper explained the zoning map amendment request which was to amend the wetland boundary of the Wetland Inventory Map. Mrs. Kuepper stated that the DNR approved the wetland delineation and that the Town of Wolf River approved the request. Zoning Administrator stated that he had received a resolution from the Town Board of Wolf River recommending approval of the zoning map amendment with the following findings: 1) No objections from neighbors. 2) Compatible with surrounding area lots. 3) Elevation on newest survey indicates property is above wetland designation. There was no additional testimony and this portion of the hearing was closed.

2. William Heberer – South of 9511 Old Rd - Town of Wolf River – Zoning Map Amendment.

Applicant is requesting a zoning map amendment to I-1 (Light Industrial). Ted Reichenberger – N3004 St Hwy 49, Berlin, was sworn in. Mr. Reichenberger explained the request. Mr. Reichenberger also stated that he now owns the property and is proposing four storage units. Mr. Reichenberger testified that boats and campers would be stored on the property and that there would be no outside storage. Mr. Reichenberger stated that the Town of Wolf River did approve the request. Zoning Administrator stated that he had received a resolution from the Town Board of Wolf River recommending disapproval of the zoning map amendment with no findings. Zoning Administrator stated that he would follow up with the Town of Wolf River to clarify the town's position. There was no additional testimony and this portion of the hearing was closed.

3. Peter Weyenberg – 6986 Woodenshoe Rd – Town of Neenah – Conditional Use.

Applicant is requesting a zoning map amendment to R-1 (Rural Residential) as a condition of certified survey map approval. No one was present to speak to this item. Zoning Administrator stated that he had received correspondence from the Town of Neenah stating that no action taken pending conditional use request. Zoning Administrator suggested that the committee not adjourn this item since the zoning map amendment was a condition of csm approval and not related to a conditional use request. There was no additional testimony and this portion of the hearing was closed.

4. Winnebago County – Repeal and recreate (Chapter 27) – Winnebago County Shoreland Zoning Code of the Winnebago County General Code – Zoning Map Amendment.

Applicant is requesting to repeal and recreate the Winnebago County Shoreland Zoning Code (Chapter 27) of the Winnebago County General Code. Zoning Administrator summarized the development of the repealed and recreated Shoreland Zoning Code and the new changes not contained in the previous Shoreland Zoning Code. Counties are required to amend their shoreland ordinances to meet the minimum standards in NR 115 within two years after October 1, 2014, and such ordinance is not subject to town approval. All towns were notified by the zoning office for review and input. Zoning Administrator read the updates to proposed code since the original posting and notification into the record which were as follows: 1) Expansion of the definition for “County zoning agency” to specify the Planning and Zoning Committee. 2) The addition of definitions for “retaining wall” and “zoning administrator”. 3) The addition of those definitions in the policy option provided in the model ordinance, which include the following: accessory structure, drainage system, footprint, lot, lot area, lot of record, previously developed, substandard lots, and variance. 4) Amended the criteria for erosion control permits for filling, grading, etc. in a shoreland area. Requires a permit for a land disturbance of 2,000 sq. ft. or more on a shoreland lot that is 43,000 sq. ft. in size or less. No change from original proposal for lots over 43,000 sq. ft. in size. Also gave the zoning administrator the authority to require a permit when necessary, which fall outside the criteria listed. 5) Changed “Winnebago County Plant List” to reference Appendix “A”. Current proposal is to utilize a document called “Shoreline Plants and Landscaping Plantings” published by UW Extension and the DNR. Section 13.2(4)(e) now states: “Plantings shall be selected from the document provided in Appendix A or any other appropriate non-invasive species.” 6) Added reference to a map of areas served by public/municipal sewer for consideration as a “highly developed shoreline”. Section 9.4(2)(b)(1) added. 7) Removed subsections from table of contents to avoid unnecessary upkeep for future amendments. Zoning Administrator said he received a letter from the DNR recommending a few minor changes and also resolutions from the Town Boards of Black Wolf, Neenah, Nekimi, Omro, Rushford and Utica. The Town Board of Wolf River did not recommend approval because the town believed it did not receive enough information. The

Town of Oshkosh submitted a response to the proposed Shoreland Zoning Code which articulated three issues and solutions. The issues were related to permit requirements, shoreland zoning authority and the need for a surveyor to inventory impervious surfaces. Zoning Administrator responded to each issue accordingly. The highly developed shoreline provision of the proposed ordinance was discussed between the committee and the Zoning Administrator. There was no additional testimony and this portion of the hearing was closed.

### ADJOURNMENT

MOTION made by L. Kriescher to adjourn the meeting. Seconded by R. Keller. Motion carried 5-0. Meeting adjourned at 7:15 P.M.

Respectfully submitted,

Cary A. Rowe  
Recording Secretary