

WINNEBAGO COUNTY  
PLANNING & ZONING COMMITTEE

**PUBLIC HEARING**

January 27, 2009

6:30 P.M.

Lounge Room – Courthouse

PRESENT: Supervisors Patrick Brennand, Chairman; Joanne Sievert, Jeanette Diakoff, Thomas Egan, and Claud Thompson; Cary Rowe, Zoning Administrator; Kathryn Larson, Assistant Zoning Administrator; Karen Fredrick, court reporter; and interested guests.

The Planning & Zoning Committee's Public Hearing was called to order by Patrick Brennand, Chairman, at 6:32 P.M. Chairman Brennand explained the procedure for the meeting and that the decision would be made by the Committee on February 2, 2009, at 7:30 a.m. Committee members and zoning staff then introduced themselves. The Zoning Administrator explained the appeals procedure and stated that protests to rezoning must be made 24 hours prior to the County Board Meeting. C. Thompson read the introduction to each item on the agenda.

1. Alan Fisher – Town of Oshkosh – Rezoning from B-2 to B-3

C. Rowe explained to the Committee that Mr. Fisher did not need the B-3 zoning for his property because sales could be allowed in the B-2 zoning district by Conditional use. Chairman Brennan asked whether the application should be withdrawn, and Mr. Rowe stated that it would be better to deny the application because if it were to be withdrawn, it should be done by the applicant and denying the rezoning would properly end the process.

Mr. Fisher did not appear at the hearing, and Mr. Rowe read a statement made by phone from Gary Jones at 4852 Leach Rd., who stated that he had no objections to the property being used as a car lot. There was no response from the Town of Oshkosh.

There being no additional testimony, this portion of the hearing was closed.

2. 4C Storage LLC – Town of Neenah – Rezoning from M-1 to M-2

Tom Coenen was sworn in as a representative of 4C Storage. Chairman Brennand advised Mr. Coenen that the Town of Neenah had requested a delay on this request. C. Rowe confirmed that the Town, via a phone call from Steve Spanbauer, Chairman for the Town of Neenah, asked for a delay to the February public hearing. The Town is concerned about the M-2 zoning district being spot zoning amongst the M-1 zoning currently in the area.

T. Egan asked for a clarification that these are "trailers" that are being stored on the Property and not "trucks" as stated in the application. Mr. Coenen confirmed that only trailers were being stored and not trucks.

A motion was made by T. Egan and seconded by J. Seivert to adjourn this item to the February 25<sup>th</sup> public hearing. Carried by unanimous voice vote. There being no additional testimony, this portion of the hearing was closed.

3. Chad Forrest – Town of Winchester – Re-zoning from A-1 to A-2

C. Rowe explained that this re-zoning is necessary to eliminate dual zoning on a property. The applicant has purchased additional land to add to his parcel which is zoned A-2. The 33' strip added to the parcel is zoned A-1 Agri-Business. Because of health issues, the applicant could not appear, but Mr. Rowe stated that this was a matter of "housekeeping" necessary to eliminate dual zoning and to allow the certified survey map to go through. He recommended that the request go forward on its own merits.

The Town of Winchester submitted a resolution approving the zoning change with the following findings:

1. The Town does have an adopted land use plan.
2. The requested zoning change does agree with the adopted plan.
3. The changes are compatible with surrounding land.

There being no additional testimony or comments, this portion of the hearing was closed.

4. RCM Enterprises – Town of Oshkosh – Map Amendment to Remove Wetland Overlay  
Michael Carrick, one of the principals in RCM Enterprises, appeared. He explained that the parcel had been platted into three lots several years ago, but this action is required to remove the wetland overlay so that the lots are buildable. They are currently zoned R-2 for single-family development. By phone, the Town of Oshkosh recommends approval of this zoning amendment because applicant has already received approval from the Army Corps of Engineers and the DNR, both of which have approved the areas that will be mapped out of the wetland. Mr. Rowe confirmed that experts conducted a study and determined the exact area of the wetland and the areas out of the wetland.

There being no one else wishing to speak on this matter, this portion of the hearing was closed.

5. Jeffrey Foust – Town of Nekimi – Re-zoning from A-1 to M-2  
This re-zoning is being requested to allow for the storage and sale of military vehicles. The Town of Nekimi submitted a request that the County adjourn this hearing for 30 days [to the February 25, 2009, public hearing] to gather additional information. The Town also noted that the request does not comply with the Town's land use plan.

A motion was made by Supervisor Diakoff and seconded by Supervisor Sievert to adjourn this agenda item to the next public hearing. Motion carried unanimously by voice vote. C. Rowe read a letter into the record from Norm Mueller of L & M Real Estate stating that he has no objection to the re-zoning and said use of the property. Mr. Mueller owns property across the road from the subject parcel.

There being no additional testimony, this portion of the hearing was closed.

#### ADJOURNMENT

Supervisor Egan made a motion to adjourn. The motion was seconded by Supervisor Diakoff and carried unanimously by voice vote. The meeting was adjourned at 6:54 p.m.

Respectfully submitted,

*Kathryn M. Larson*

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Recording Secretary