

Winnebago County Planning and Zoning Department

NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE 4/27/2016

TO WHOM IT MAY CONCERN:

The applicant(s) listed below has requested a Conditional Use which is regulated by either Chapter 23, the Town/County Zoning Code, or Chapter 27, the Shoreland Zoning Code. You are receiving this notice because this application or petition for action: 1. affects area in the immediate vicinity of property which you own; 2. requires your agency to be notified; 3. requires your Town to be notified; or 4. requires you, as the applicant, to be notified.

The Winnebago County Planning and Zoning Committee will be holding a public hearing on 4/27/2016 at 6:30 p.m. in Conference Room 408 of the County Administration Building located at 112 Otter Ave, Oshkosh, WI.

All interested persons wishing to be heard at the public hearing are invited to be present. For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning Office, where the application is available for viewing.

INFORMATION ON CONDITIONAL USE REQUEST

Application No.:
2016-CU-3540

Applicant:
PHILLIPS, LARRY
PHILLIPS, ROBYN

Agent:
None

Location of Premises:
2809 DANBE RD
OSHKOSH, WI 54904

Tax Parcel No.:
002-1375

Legal Description:
Being a part of Danbe Plat, Lot 1, located in the NE 1/4 of the NE 1/4, Section 20, Township 18 North, Range 16 East, Town of Algoma, Winnebago County, Wisconsin.

Code Reference:
Chapter 23 Town/County Zoning Code, Section 23.8-41(a)(2), Exhibit 8-1 Land Use Matrix

Description of Proposed Use:
Applicant is requesting a conditional use permit to have a hobby kennel on the property.

INITIAL STAFF REPORT

Sanitation:

Existing System
Municipal System

Overlays:

None

Current or Proposed Zoning:

R-2 Suburban Low Density Residential

Code Reference:

Chapter 23 Town/County Zoning Code, Section 23.8-41(a)(2), Exhibit 8-1 Land Use Matrix

Description of Proposed Use:

Applicant is requesting a conditional use permit to have a hobby kennel on the property.

Surrounding Zoning:

North: R-2

South: R-2

East: R-2

West: R-2

THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT

Describe the Proposed Use:

Hobby Kennel - We run Heart Bound Greyhound Adoption, Inc., a 501(c)3 rescue organization for retired racing greyhounds. We currently own 7 dogs, 5 greyhounds & 2 small beagle mixes. Approximately 50 % of the time we have a foster greyhound and very occasionally a 2nd foster greyhound. For many years the Town of Algoma has issued us 10 licenses/year, with the town treasurer stating these were for our kennel license. This year when we attempted to purchase our licenses, the town sent us the attached letter.

Describe How the Proposed Use Will Not Have Any Adverse Effects on Surrounding Property:

We have had multiple dogs since 1992. We have no outdoor kennels. All dogs are housed indoors. Dogs are only outside when supervised. Waste is picked up as it is deposited. Yard is fenced & screened by woods. There is no noise unless dogs are playing in the back yard when supervised. We do not breed. We are not aware of any complaints from neighbors. We have never been warned or cited by the town constables or Winnebago Co. Sheriff. There will be no changes to the property as a result of this conditional use permit. We simply need it to license our dogs to be legal.

SECTION REFERENCE AND BASIS OF DECISION

23.7-114 Basis of decision

The town board and town plan commission of the town in which the proposed conditional use is located in making their recommendation and Planning and Zoning Committee in making its decision shall consider the following factors:

- (1) the size of the parcel on which the proposed use will occur;
- (2) the presence of and compatibility with other uses on the subject property;
- (3) the location of the proposed use on the subject property (e.g., proximity of the proposed use to other existing or potential land uses);

- (4) effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site;
- (5) the suitability of the subject property for the proposed use;
- (6) effects of the proposed use on the natural environment;
- (7) effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances;
- (8) effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district and adjoining districts; and
- (9) any other factor that relates to the purposes of this chapter as set forth in s. 23.1-5 and other sections as may apply.

In the event the conditional use being proposed is an adult-oriented establishment, the above-named decision-making bodies shall not consider the nature of expressive conduct protected by the U.S. Constitution with regard to any of the above-mentioned criteria.

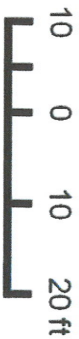


Site Map

Legend

- Address Marker
- Tax Parcel
- Section Number
- Conveyance Divisions
- Conveyance Types
 - Certified Survey
 - Condominium
 - Assessor Plat
 - Subdivision
 - Plat of Survey
 - Lakes

Black line = existing fence



1 Inch = 20 Feet



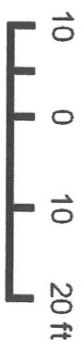
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Feb 22, 2016 @ 09:40 AM

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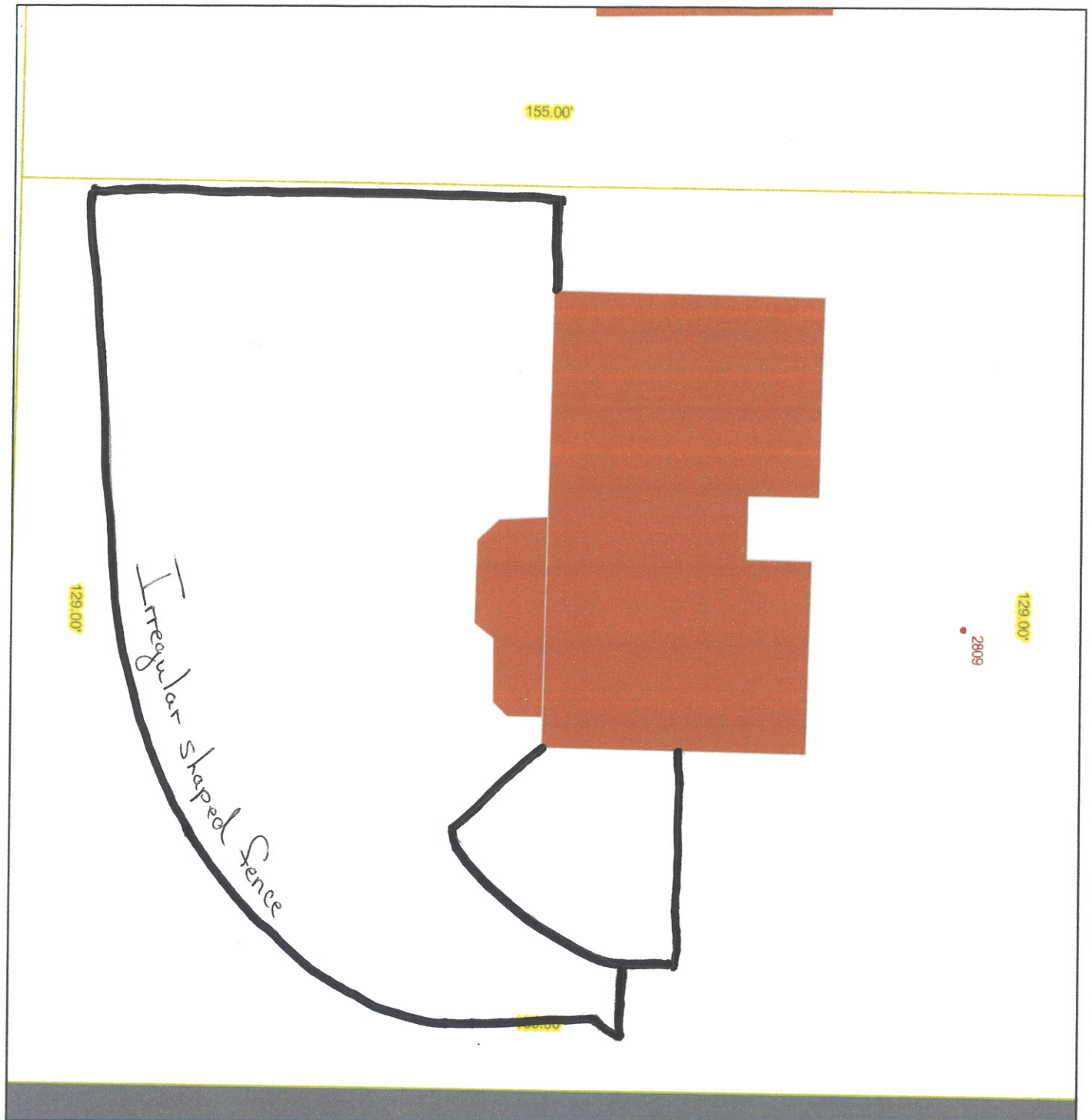


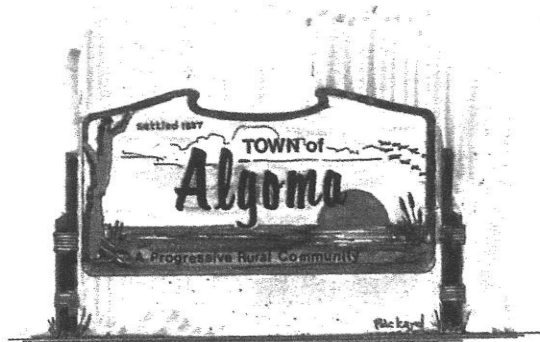
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Feb 22, 2016 @ 09:37 AM





15 North Oakwood Road • Oshkosh, Wisconsin 54904 • Telephone 920-235-3789
February 2, 2016

Larry and Robyne Phillips
d/b/a Done Runnin' Kennel
2809 Danbe Road
Oshkosh, WI 54904

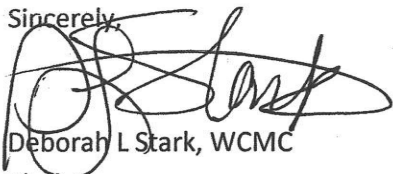
Dear Mr. and Ms. Phillips:

On October 21, 2015, the Board of the Town of Algoma passed Ordinance No. 159 that regulates dogs. Section Seven (a) of the ordinance states that owners located in areas zoned R-1, R-2, R-3, R-4 and R-8 are limited to not more than three (3) dogs per household, except that a litter may be kept for not exceeding ten (10) weeks from birth (see enclosures). Your property located at 2809 Danbe Road is zoned R-2 and therefore you would currently be limited to three (3) dogs.

In order to accommodate your request for more dogs, you would need to contact Winnebago County Zoning and Planning Department and see if you would qualify as a hobby kennel. This would, at the least, involve a conditional use permit, zoning permit, site plan and plan of operation (see enclosures). If you receive designation as a hobby kennel, the Town of Algoma would be happy to issue a multiple dog license.

If you have further questions, please contact the town office.

Sincerely,



Deborah L Stark, WCMC
Clerk

Enclosures

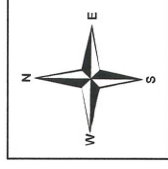
Cc: Treasurer
File

Application #16-CU-3540

Date of Hearing:
April 26, 2016

Owner(s):
Phillips, Larry & Robyn

Subject Parcel(s):
0021375



Winnebago County
WINGS Project

Scale
1 inch : 300 feet

County Zoning Districts

R-1	PDD	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-8	I-2	Town Zoning

Other Areas

City of Oshkosh Extraterritorial Zoning Jurisdiction
Incorporated Area

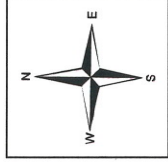


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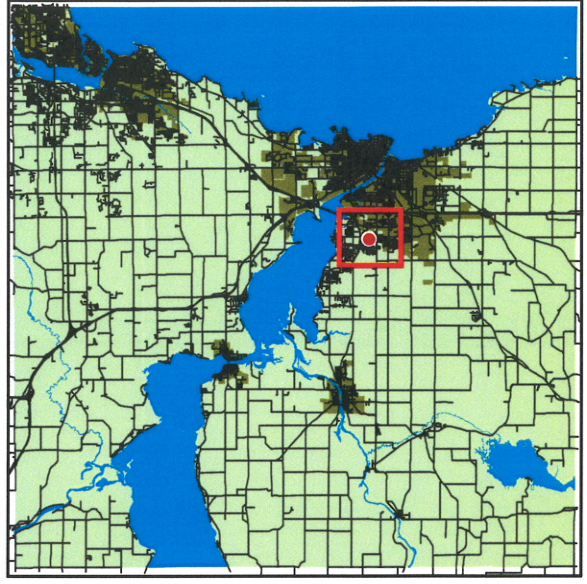
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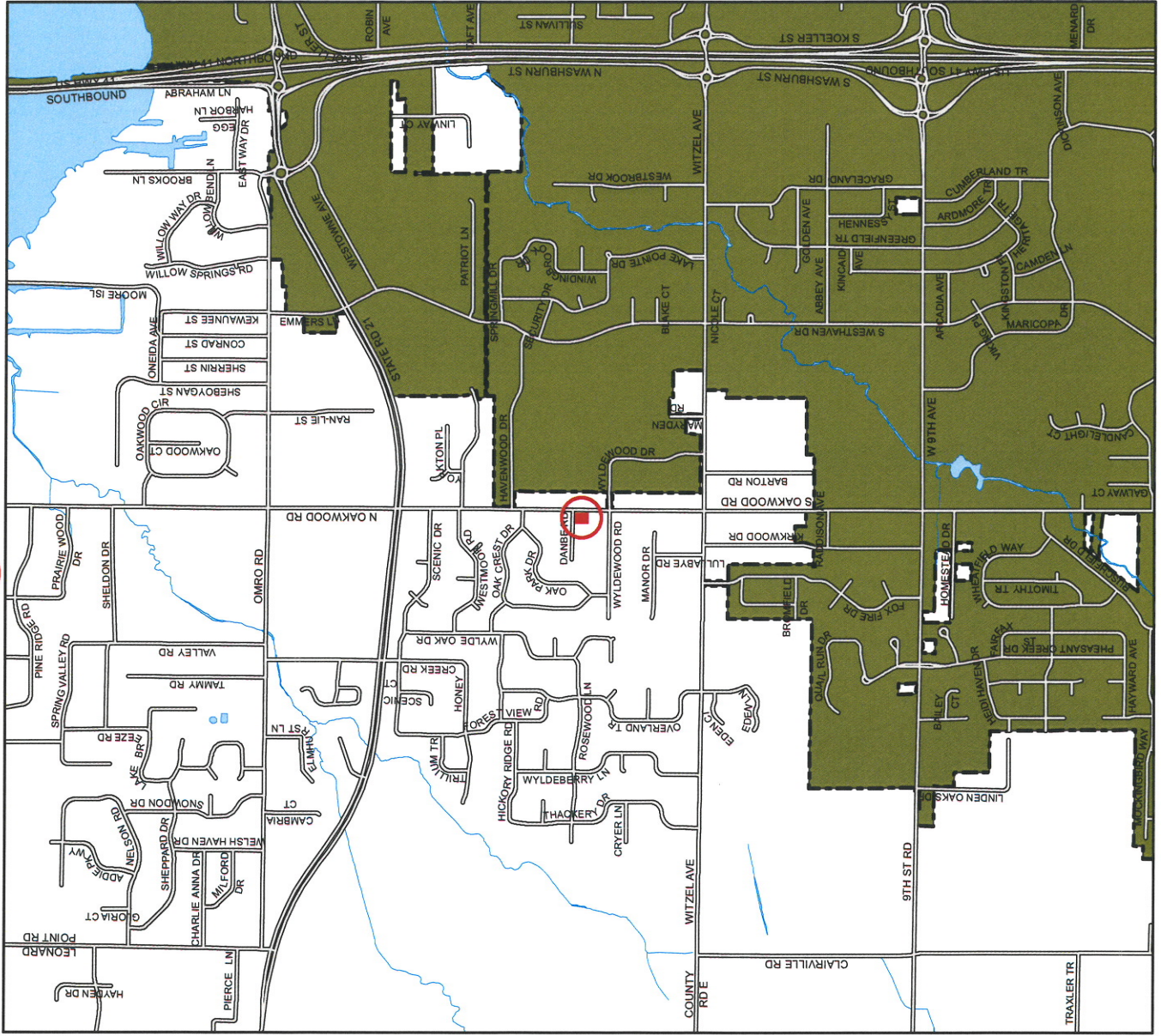
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0021375



Winnebago County
WINGS Project



WINNEBAGO COUNTY



1 inch : 2,000 feet