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Winnebago County
Oshkosh, Wisconsin

NOTICE OF COMMISSION, BOARD OR COMMITTEE MEETING

**NAME OF COMMISSION
BOARD OR COMMITTEE:** Planning and Zoning Committee

TIME OF MEETING: 7:30 A.M.

DATE OF MEETING: Friday, December 7, 2012

PLACE OF MEETING: **Third Floor Conference Room**
County Administration Bldg.
112 Otter Ave., Oshkosh, WI

SUBJECT MATTER OF MEETING

1. Approval of minutes from November 2, November 9, November 14, November 26, 2012
2. Country USA Conditional Use Review.
3. Update on Farmland Preservation Zoning State Certification.

Committee reserves the right to take up any item on the agenda at any time after the meeting commences.

Upon request, provisions will be made for people with disabilities upon 24 hours prior notice to the Office of the County Clerk.

Phone Number: 236-4888.

November 28, 2012

Mr. Pat Brennand, Chairman
Winnebago County Planning & Zoning Committee
P.O. Box 2808, Courthouse
Oshkosh, WI. 54901



Subject: County USA/Rock Music Festivals Conditional Use Permit
Town of Nekimi, Winnebago County WI.

Dear Mr. Brennand and Committee Members,

I live in the Town of Nekimi at 4004 County Road N and I want to express my concerns that these music festivals adversely affect my enjoyment of my property rights as a residential property owner. The Winnebago County Zoning Ordinance permitted my home and dozens of other residential homes affected by the festival facilities as a primary principle use in the Residential Zoning District and our residences have the inherent property rights to expect and enjoy the peace and quiet, tranquility and harmonious attributes associated with a residential use.

However, this has not been the case since the music festival began operating several years ago. I live 1.5 miles South of the festival facility and my family has been startled out of bed at night on many occasions as late as 1:30 AM from excessively loud music vibrating the walls and windows of my house.

Unlike our residential homes which are permitted as a primary principle use, music festivals can have a significant impact on surrounding land uses and therefore are not permitted as a primary use, but as a conditional use requiring special review and consideration on a case by case basis. The primary objective and requirements of the Zoning Ordinance for conditional use reviews is to ensure that the proposed use does not adversely impact the principle property rights and property values of other properties affected by the conditional use permit. The Country USA Conditional Use Permit in its current form does not meet this objective and requirements.

Therefore I am requesting the Conditional Use Permit either be recinded or that the following concerns be addressed as conditions to mitigate the adverse impact the Country USA/Rock Music Festivals have on the surrounding affected residential property rights and values.

1. Require a two tier maximum decibel noise nuisance limit for off site noise emitted from the property boundaries for both daylight and night time music activities.
2. Limit music performance activities from 12 noon to 9 PM.
3. Comply with Zoning Ordinance Lighting requirements that all event lighting fixtures/equipment be shielded or hooded to minimize off site light illumination on surrounding properties.

Thank you for your consideration.

Sincerely,

Leonard Averence

Leonard Leverence
4004 County Road N
Oshkosh, WI. 54904