

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

May 29, 2012  
6:30 P.M.

Lounge Room – Courthouse

PRESENT: Supervisors, Patrick Brennand, Chairman, Thomas Egan, Joanne Sievert, Claud Thompson and Larry Kriescher. 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. Proposed Floodplain Ordinance, Chapter 26 (Adjourned from April 25, 2012 PH).

Zoning Administrator requested that this agenda item be adjourned to the June public hearing because the DNR has not yet completed their review of their requested changes to the proposed ordinance. Motion by J. Sievert, seconded by L. Kriescher, to adjourn this agenda item to the June public hearing. Motion carried 5-0. There was no additional testimony and this portion of the hearing was closed.

2. Michels Pipeline, Hughes Quarry – State Rd 26, Town of Nekimi – Conditional Use (Adjourned from May 2011 PH).

No one was present to testify about this agenda item. Zoning Administrator stated that he had received a phone message from Robert Bingen requesting another adjournment because no new information has been obtained since the last adjournment. Committee discussed reasons and length of time for the last two adjournments. This agenda item was first discussed at the October 2010 public hearing at which time, not enough detailed information was available to make a decision by the town or the county. Chairman Brennand asked Zoning Administrator if the committee has a right to close the hearing. Zoning Administrator stated that the committee did have the right to close the hearing since additional information was not provided to the committee. Motion by T. Egan, seconded by J. Sievert to close this portion of the hearing. Motion carried 5-0.

3. KKWRC, LLC, 8545 County Rd II, Town of Winchester – Conditional Use.

Applicant is requesting a conditional use to construct an addition onto a non-residential farm building where no house is present. Zoning Administrator stated that he had received an e-mail from the Town of Wolf River Plan Commission Secretary requesting that this agenda item be adjourned to the July public hearing. Motion by J. Sievert, seconded by L. Kriescher to adjourn this agenda item to the

June public hearing. Motion carried 5-0. Chuck Burgess – 1462 Wolf River Dr, Fremont, was sworn in. Mr. Burgess stated that he wanted to add onto an existing 40' x 80' cold storage building that he and his partner own for personal storage. Mr. Burgess also stated that the land was exclusively used for hunting and the storage building did have a 16' x 16' warming room walled off inside. Mr. Burgess said campers, boats and tractors are stored inside the building and that the building is used for personal storage only. There was no additional testimony.

4. C & C Nelson Properties, S of 2236 Clairville Rd, Town of Nekimi – Zoning Change.
5. C & C Nelson Properties, S of 2236 Clairville Rd, Town of Nekimi – Conditional Use.

Applicant is requesting a zoning change to M-1 and a conditional use for outside storage and maintenance of military, commercial and other vehicles. Mr. Richard Carlson – 331 East Washington Street, Appleton was sworn in. Attorney Carlson represented the owner. Mr. Carlson stated that this request was his client's "Plan B" at a different location and without an exercise track. Mr. Carlson also stated that the City of Oshkosh and the Town of Nekimi approved of the proposal. George Jutierrez (owner) – 634 ½ E Oshkosh, Ripon was sworn in. Mr. Jutierrez explained the conditional use request for storing vehicles. He also stated that his company does fabrication and provides parts for the vehicles in addition to painting. Mr. Jutierrez said the entrance to the parking area will be paved. Zoning Administrator asked if a zoning permit had been issued for the security fence and if stormwater management was being addressed. Mr. Jutierrez said he didn't know for sure but would follow-up and contact the Zoning Department. Supervisor Egan asked Mr. Jutierrez about prolonged storage as he was concerned about the accumulation of vehicles on the site. Supervisor Egan also asked if a condition limiting storage of vehicles up to six months would be acceptable. Mr. Jutierrez said six months was too restrictive because most of the vehicles were turned over in a one to two year period. Zoning Administrator stated that the Town Board of Nekimi approved the zoning change with the following findings: 1) The Town does have an adopted land use plan. 2) The request does agree with the adopted plan. 3) This zoning change agrees with the current land use plan that the Town of Nekimi has, and it coordinates with the parcel adjacent to this one. Zoning Administrator also stated that the Town Board of Nekimi approved the conditional use request with the following findings: 1) The Town does have an adopted land use plan. 2) The request agrees with the adopted plan. 3) The Town of Nekimi agrees with the County's conditional use permit with the following conditions added: 1. Stored vehicles shall not be exercised on the site, 2. Control materials carried out on to the road, 3. Only low level lighting, if lighting is needed. There was no additional testimony and this portion of the hearing was closed.

6. Mary Lou Jones & Yvonne Schumacher, SW corner of County Rd N & State Rd 26, Town of Nekimi – Conditional Use.

Applicant is requesting a conditional use for a Wisconsin Department of Transportation salt shed facility. Dennis Rhodes (applicant) was sworn in. Mr.

Rhodes explained the request and presented a revised site plan to the committee showing the proposal on a smaller parcel. Mr. Rhodes stated that the property will be fenced and include low lighting. Access will come from State Rd 26. Gene Schultz – 1436 State Rd 26, Oshkosh, was sworn in. Mr. Schultz stated that he had run off concerns because of a road ditch that was not cleaned out and that he was opposed to the conditional use request. Dennis Rhodes stated that this project was not related to existing drainage problems. Andy Fulcer (engineer), 3512 N. Durkee St, Appleton, was sworn in. Mr. Fulcer explained the proposed drainage plan and where the detention pond would be located. Zoning Administrator stated that the Town of Nekimi approved the conditional use request with the following findings: 1) Town does have an adopted land use plan, 2) The request does agree with the adopted plan, 3) The Town of Nekimi agrees with the County's conditional use permit with the following conditions added: 1. Concern for proper drainage, 2. Only low level lighting, if lighting is needed. There was no additional testimony and this portion of the hearing was closed.

#### ADJOURNMENT

MOTION made by T. Egan to adjourn the meeting. Seconded by L. Kriescher. Motion carried unanimously. Meeting adjourned at 7:17 P.M.

Respectfully submitted,

Cary A. Rowe  
Recording Secretary