

Planning & Zoning Committee

Planning Meeting

August 31st, 2015

8:00 A.M.

PRESENT: Supervisors Egan, Kriescher, Keller, Thompson, Gabert. Jerry Bougie – Planning Director, Brian O’Rourke – Associate Planner, Cary Rowe – Zoning Administrator, John Bodnar – Corporation Counsel.

1. Minute Approval – July 24th, 28th, August 3rd, & 21st, 2015.

Motion to approve the minutes as presented by R. Keller. Seconded by M. Gabert. Motion carried 5-0.

2. At 8:00 A.M. the Winnebago County Planning & Zoning Committee will consider a motion to convene in closed session pursuant to 19.85(1)(g), Wisconsin Statutes, for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, specifically Green Valley Investments VS Winnebago County.

At the end of the closed session the Committee will consider a motion to reconvene into open session.

Motion to convene into closed session by R. Keller. Seconded by M. Gabert.
Roll call vote: Egan – Aye; Kriescher – Aye; Gabert – Aye; Keller – Aye; Thompson – Aye. Motion carried 5-0.

Closed session.

Motion to reconvene into open session by L. Kriescher. Seconded by Gabert.
Roll call vote: Egan – Aye; Kriescher – Aye; Gabert – Aye; Keller – Aye; Thompson – Aye. Motion carried 5-0.

3. Discussion on status of Farmland Preservation Zoning State Certification.

J. Bougie provided a letter from the Department of Agriculture, Trade and Consumer Protection which states that they have formally denied certifying the County's Zoning Ordinance. They indicated that some minor text amendments were required as well as their stance that the County does not have zoning authority in the shoreland areas of those Towns that have not adopted County Zoning, therefore the County's map cannot show zoning districts in those areas.

B. O'Rourke stated that the text amendments required were not included in the State's previous denial, and that the recent text amendments made to the County's Zoning Ordinance included everything that was previously required from DATCP. He also indicated that the Towns of Vinland, Clayton, Winchester, and Nepeuskun have had their zoning ordinances certified by DATCP, and that only Wolf River and Utica do not have adopted ordinances. Nekimi and Neenah are under County Zoning and will be approved as part of the County's certification.

J. Bodnar stated that he and staff will meet this week to discuss our options including the possibility of an appeal.

B. O'Rourke stated that this item will be placed on the next Planning meeting for further updates.

There was no further discussion of this item.

4. Report on changes to Shoreland Zoning provisions.

C. Rowe provided a background of the changes to the Committee. The statutes now allow the rebuilding of a non-conforming structure in the same footprint without a zoning permit. This includes any vertical expansion. This also includes floodplain areas as well, which is staffs biggest concern.

There was no further discussion of this item.

5. Committee review and action on zoning ordinance amendment relative to officially mapped roads.

C. Rowe provided a handout of a proposed zoning ordinance text amendment stating that the setback requirement from an officially mapped road may be waived upon written authorization from the municipality responsible for the official mapping. This had been a policy in the past but now is being proposed as ordinance language.

Motion to forward proposed text amendment to public hearing by R. Keller. Seconded by L. Kriescher. Motion carried 5-0.

There was no further discussion of this item.

6. Committee review and action on zoning ordinance amendments relative to cross references to Chapter 91, Wis Statutes.

C. Rowe provided a handout of the proposed text amendments, which were required by DATCP in their latest denial letter.

Motion to forward proposed text amendments to public hearing by M. Gabert. Seconded by R. Keller. Motion carried 5-0.

There was no further discussion of this item.

Motion to adjourn by L. Kriescher. Seconded by R. Keller. Motion carried 5-0.

Meeting adjourned at 9:15 A.M.

Brian O'Rourke – Recording Secretary