

WINNEBAGO COUNTY
PLANNING AND ZONING COMMITTEE
PUBLIC HEARING
Tuesday, January 28, 2014
6:30 P.M.
Lounge Room – Courthouse

Present: Supervisors: Patrick Brennand, Tom Egan, Claud Thompson, and Larry Kriescher; Karen Fredrick
– Court Reporter, Candace Zeinert – Code Enforcement Officer; and guests
Excused: Supervisor Maribeth Gabert

The meeting was called to order by Patrick Brennand, Chairman at 6:30 P.M. The Committee and staff introduced themselves and C. Zeinert read the appeals process.

1. Marty Finn, Town of Nekimi – Zoning Map Amendment and Conditional Use.

The applicant is requesting a zoning map amendment to I-1 (Light Industrial) and a conditional use in order to operate an outdoor recreational facility including the sale of retail items and food. Testimony for both requests was heard at the same time.

Marty Finn, of 1807 Cottontail Drive, Oshkosh, was sworn in and explained that he would like to develop a parcel with a recreational facility with a farm emphasis. He plans on selling produce and being agriculturally focused. Mr. Finn further explained that the activities would be hands-on and in a natural, park-like setting. There would be a gift shop as well. Operation would take place from mid September to the end of October from the hours of 11am to 6pm, Friday through Sunday. Mr. Finn described possible expansion options to included educational aspects and training, farm animals, and jugglers, balloon artists, etc. As for services, Mr. Finn added that he would like to start with portable toilets, then expand to full restrooms. There is electric and a well available now.

Supervisor Egan inquired about the food and retail, specifically if the food would be produced onsite or would be brought in. Mr. Finn answered that he would like to start just with small prepackaged snack items at this time, but would like to advance to hot foods such as brats, hotdogs, etc in the future. Little will be produced this year, but there are hopes of growing more agricultural products in the years to come.

Supervisor Kriescher inquired about how much of the lot would be developed and hold the recreational activities. Mr. Finn answered that the majority of the lot would be used, especially since the corn maze will take up a large portion of it.

Supervisor Egan asked staff about rezoning the lot to all I-1 and what that would mean if Mr. Finn would like to do other uses; what say would the County have in that. C. Zeinert explained that the entire lot would be zoned I-1 and if Mr. Finn wanted to change the use that fit with the outdoor recreational use then he would have to come before the Committee again. Any uses allowed in the I-1 district would be allowed on the property.

Supervisor Egan asked Mr. Finn how parking would be taken care of. Mr. Finn said they should have plenty of parking as he has 250 spots. He does not anticipate that many being needed but if so, he would have to purchase more property.

C. Zeinert read the Town resolutions recommending approval of the zoning map amendment and recommending approval of the conditional use with the conditions that the CUP be reviewed every 2 years and that off street parking be required.

2. Randy Stafford, Town of Algoma – Planned Development District Amendment.

The applicant/owner is requesting an amendment to an existing PDD to include a bed and breakfast and backyard chickens.

Randy Stafford, applicant/owner of 4237 State Rd 21 was sworn in. He described the amendment as wanting to utilize existing spaces and a way to add some income to the property. The bed and breakfast would be used for guests of events such as Country USA and EAA.

Supervisor Egan inquired about the buildings. Mr. Stafford explained that the barn is approximately 60% living space; the silos are a spiral staircase. The shed being rebuilt is only five feet from the barn, which is where the bed and breakfast would take place. He plans to connect the two buildings with covered decks.

Supervisor Kriescher asked if the shed would be used for the bed and breakfast and if he lives on the property. Mr. Stafford answered yes to both, and specifically that he lives in the barn-like duplex.

Committee members asked further questions regarding what would be included and specifically if the bed and breakfast would have access to the applicant's home. Mr. Stafford explained that he was planning on having both a bathroom and kitchen in the event that the guests wanted to cook their own meals. Mr. Stafford added that the guests would have access to the gym and recreational area as well as access to his actual residence. The difference between a bed and breakfast accessory use and the addition of dwelling units (turning into a triplex) was discussed.

Nancy Behm, owner of 4233 State Rd 21 was sworn in. She voiced her concerns regarding the request stating that the lot was not big enough to support such uses. She added that she does not live next to the property so she is unable to monitor it. Ms. Behm mentioned that she does not want people going on to her property because it poses as a liability for her. She pointed out that she does not have a problem with the request for chickens as long as they are contained.

John, Nancy Behm's son-in-law of Graber Street, Oshkosh, was sworn in. He said he wanted to clarify that the property is in a CRP program with a prairie preserve. The property goes through controlled burns every once in awhile and their biggest concern is liability.

Supervisor Brennand asked staff to explain the unique nature of Planned Development District overlays. C. Zeinert added to the record a summary of an email from the Wisconsin DOT making the Committee and guests aware that there is an ongoing State Rd 21 study and mapping activity. The highway may be expanded to an area that may affect Mr. Stafford's property. C. Zeinert also read a letter from William Forrest, Interim Town Administrator for the Town of Algoma requesting an adjournment of the item until the Town can take action on the application.

Randy Stafford again approached the Committee to speak in regards to the concerns that were raised. He would not be opposed to constructing a fence with shrubbery to act as a border between the properties because he understands their concerns about trespassers. He added that he could also do a property layout/review with the guests. Supervisor Brennand recommended that he take advantage of the likely adjournment to speak with his neighbors regarding the request.

MOTION made by T. Egan, seconded by L. Kriescher, to adjourn the item for 30 days. Motion carried unanimously.

3. DNR Properties, Town of Clayton – Conditional Use

The applicant is requesting a conditional use to expand an existing large equipment rental business in a B-3 (Regional Business) zoning district.

Ben Hamblin of McMahon (1445 McMahon Dr) was sworn in. Mr. Hamblin explained that there is an existing facility, Fox River Equipment Depot (FRED), on the property that rents out large equipment. The property will be divided into 3 parcels via a CSM. They are looking to build a new building with the same use. Mr. Hamblin explained that zoning regulations changed that now requires a conditional use to re-establish this same use.

C. Zeinert read the Town of Clayton resolution recommending approval of the request with the following conditions:

1. The approval of the CSM subdividing the site into three zoning code compliant lots.
2. The approval of a site plan for the new construction on Lot-2 of the proposed CSM.
3. That any future signs for the site be recommended by the Plan Commission and approved by the Town Board.
4. That any outside storage of equipment, material, and inventory be off of the Campers Boulevard frontage of the property.
5. That the County approves a Conditional Use Permit Application for the same facility.

ADJOURNMENT

MOTION made by C. Thompson to adjourn meeting. Seconded by L. Kriescher. Motion carried unanimously. Meeting adjourned at 7:09 P.M.

Respectfully submitted,

Candace Zeinert
Recording Secretary