

R E S O L U T I O N

DATE: December 16, 2014

To The Board of Supervisors of Winnebago County, Wisconsin:

AMENDATORY ORDINANCE 3

WHEREAS, it is desirable to amend the Zoning Ordinance and the Zoning Map of the TOWN OF CLAYTON in accordance with the petition of Ross & Katie Thompson and

WHEREAS, said request is in compliance with the adopted Winnebago County Land Use Plan and Winnebago County's Farmland Preservation Plan.

NOW, THEREFORE, the County Board of Supervisors of Winnebago County do ordain that the Zoning Ordinance and the Zoning Map of the TOWN OF CLAYTON, be and the same, are amended to provide that the attached described property be changed from the classification of A-2 of said ordinance, which it now and heretofore had, to the zoned district of R-1.

AND BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors, that the enclosed Ordinance is hereby ADOPTED OR DENIED.

County Board Supervisor
(Town of CLAYTON)

PARCEL NO: 006-0296 (P) FROM A-2 TO R-1.

COUNTY DISCLAIMER:

County Board approval does not include any responsibility for County liability for the legality or effectiveness of the Town Zoning Amendment or the Town Zoning Ordinance.

APPROVED BY WINNEBAGO COUNTY EXECUTIVE THIS ____ DAY OF _____,
2014.

Mark Harris

County Board Supervisory district **36**



Winnebago County

Zoning Department

The Wave of the Future

MEMO FOR P & Z PLANNING MEETING AGENDA OF DECEMBER 1, 2014

TO: Planning & Zoning Committee

FM: Zoning Administrator

RE: Review of Town Zoning Changes

1. Thompson. Town Zoning Change (Tax ID No: 006-0296 (p)) – Town of Clayton.

The town zoning change for Thompson is consistent with Winnebago County's Land Use Plan. The Town of Clayton approved the zoning change from A-2 (General Farming) to R-1 (Rural Residential) and Winnebago County's land use plan shows future land use as agricultural / rural residential.

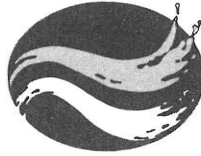
RECOMMENDATION: Forward zone change to County Board for action.

2. Property owner's with A-1 zoning. Town Zoning Changes (Tax ID No: see attached list) – Town of Utica.

The town zoning changes for property owner's with A-1 zoning is consistent with Winnebago County's Land Use Plan. The Town of Utica approved the zoning changes from A-1 (Agriculture – Farmland Preservation) to A-2 (Agriculture – General Farming) and Winnebago County's land use plan shows future land use as agricultural / non farmland preservation area.

RECOMMENDATION: Forward zone changes to County Board for action.

Approved 5-0



Winnebago County

Zoning Department

The Wave of the Future

MEMO FOR P & Z PLANNING MEETING AGENDA OF DECEMBER 1, 2014

TO: Planning & Zoning Committee

FM: Zoning Administrator *CAH*

RE: Review of Town Zoning Changes

1. Thompson. Town Zoning Change (Tax ID No: 006-0296 (p)) – Town of Clayton.

The town zoning change for Thompson is consistent with Winnebago County's Land Use Plan. The Town of Clayton approved the zoning change from A-2 (General Farming) to R-1 (Rural Residential) and Winnebago County's land use plan shows future land use as agricultural / rural residential.

RECOMMENDATION: Forward zone change to County Board for action.

2. Property owner's with A-1 Zoning. Town Zoning Changes (Tax ID No: see attached list) – Town of Utica.

The town zoning change for ⁽³⁾ ~~Larsen~~ ^{are} ~~is~~ consistent with Winnebago County's Land Use Plan. The Town of Clayton approved the zoning change from ~~A-2 (General Farming District)~~ ^{A-1} ~~to R-1 (Rural Residential District)~~ and Winnebago County's land use plan shows future land use as agricultural / rural residential.

RECOMMENDATION: Forward zone change to County Board for action.

A-2 to R-1
FLU: Ag, rural/res

**TOWN OF CLAYTON
ORDINANCE 2014-009
ORDINANCE TO AMEND THE OFFICIAL TOWN OF CLAYTON ZONING
ORDINANCE MAP**

WHEREAS, one or more applications for amendments to the Map of the Town of Clayton Zoning Code of Ordinances have been filed with the Town Clerk as described herein; and

WHEREAS, following the requisite Notices and Public Hearings the proposed amendments have been reviewed and recommended to the Town Board by the Town's Plan Commission; and

WHEREAS, the applications for amendments to the Map of the Town of Clayton Zoning Code of Ordinances does comply with both the Town's existing land use and future land use elements of the CY 2009 update to the Town's Comprehensive Plan; and

WHEREAS, all other procedural requirements have been met for purposes of consideration of the amendment(s) as provided in Section 7 of the Town of Clayton Zoning Code of Ordinances; and

NOW, THEREFORE BE IT ORDAINED THAT, the Town Board of the Town of Clayton, County of Winnebago, State of Wisconsin, pursuant to Article 7 of the Town of Clayton Zoning Code of Ordinances, hereby adopts the following Amendment(s) to the Map of the Town's Zoning Code of Ordinances:

Section 1: The Official Zoning Map of the Town of Clayton is amended as follows:

A. Property Owner:

Ross and Katie Thompson, 8950 Center Road, Neenah, WI 54956

Legal description of property:

Property located at 8950 Center Road, in the Town of Clayton, specifically described as a portion of Tax ID # 006-0296 being all of Lot 1 of Certified Survey Map No. 4090 as recorded in volume 1 of Certified Survey Maps on Page 4090 as Document No. 1030062 and being part of the southwest ¼ of the southwest ¼ and the northwest ¼ of the southwest ¼ of Section 10, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. (See Attachment A).

The above described property is hereby rezoned from:

A-2 (GENERAL FARMING DISTRICT) to R-1 (RURAL RESIDENTIAL DISTRICT).

Section 2: This Ordinance shall be submitted to the Winnebago County Board for approval. This amendment to the Town of Clayton Zoning Code of Ordinances shall be effective upon approval by the Winnebago County Board.

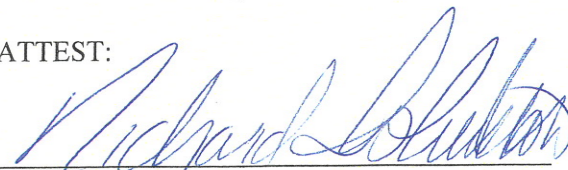
Adopted this 20th, day of August, 2014 by the Town Board of the Town of Clayton

Vote: Yes: 5 No: 0

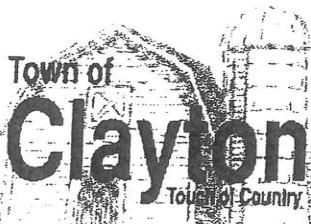


Mark E. Luebke, Chair

ATTEST:



Richard Johnston, Town Administrator/Clerk



Certified Survey Map Review Application
(Submit 15 copies of Drawings)

Mail: P.O. Box 13 Location: 8358 County Road T - Larsen, WI 54947
Phone - 920-836-2007 Fax - 920-836-2026
Email - toc@new.rr.com Web Page - www.townofclayton.net

Property Owner (s): Ross Thompson
Address/Zip: 8950 Center Road, Neenah, WI 54956
Phone: 920-250-1902 Fax: _____ E-Mail: r.s.thompson67@gmail.com
Applicant: Bob Reider

Check: Architect ___ Engineer ___ Surveyor Attorney ___ Agent ___
Address/City/Zip: 615 N. Lyndale Dr., Appleton, WI 54914
Phone: 920-731-468 Fax: 920-731-5673 E-Mail: bob-r@carowlandsurveying.com

Describe the reason for the Certified Survey Map: Creating separate lot for existing buildings.

Survey Specifics:

No. of Lots: 2 Total Acreage: 19.44 Tax Key No.: 0060296
Legal Description: Lot 1, CSM # 4090, Town of Clayton
Zoning: A-2

Surveyor: Bob Reider Registration No.: 1251
Address/City/Zip: Same as applicant
Phone: _____ Fax: _____ E-Mail: _____

I certify that the attached drawings are to the best of my knowledge complete and drawn in accordance with all Town of Clayton codes.

Applicant Signature: Robert Reider Date: 8-14-14

For Town Use Only
Fee (\$200 Base)

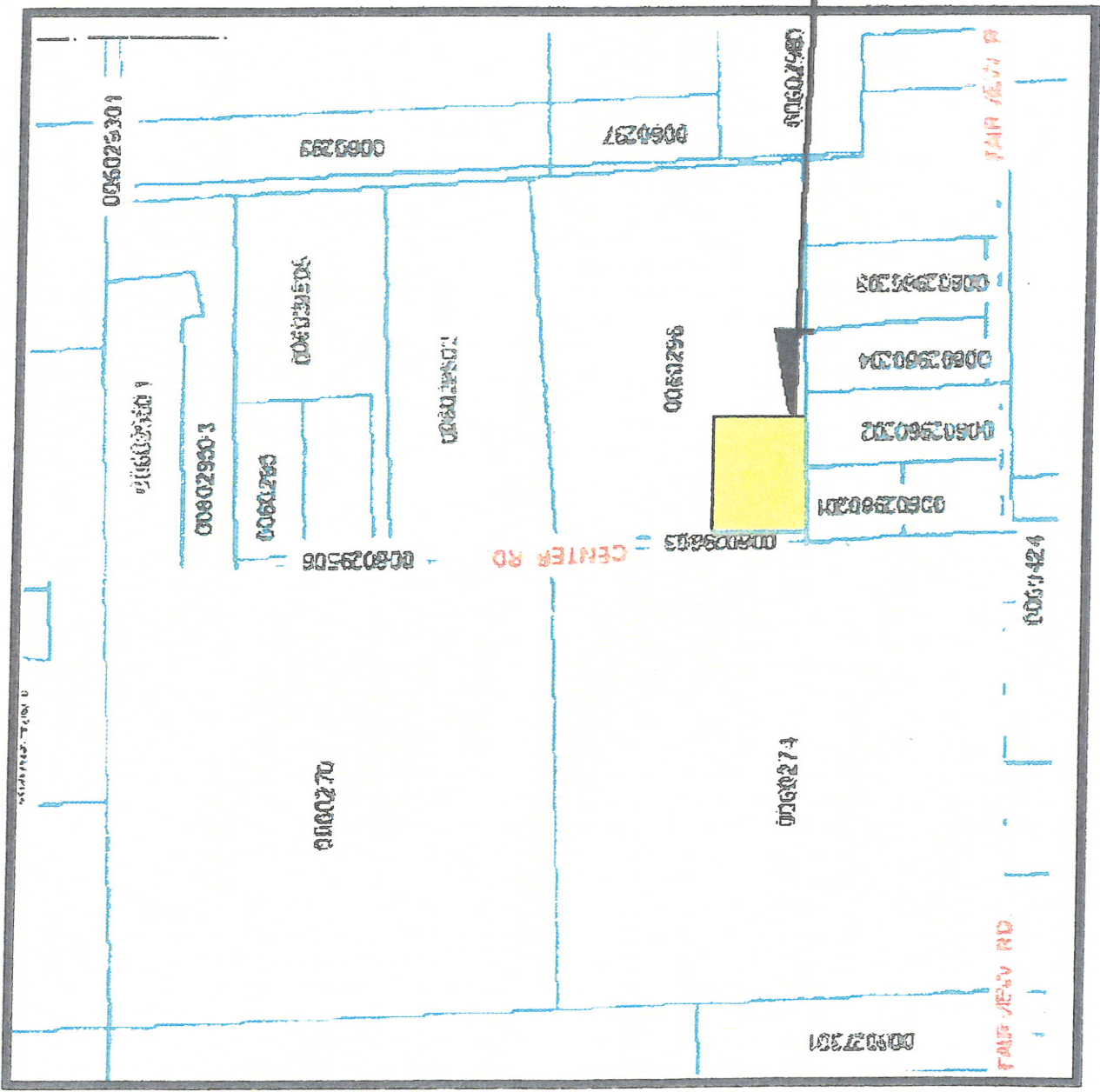
Fee: _____	Acct No: _____	Receipt: _____	Date: _____
Date Rec'vd Complete: _____	By: _____	Applic. No.: _____	
Review Meeting _____	History _____		
C.S.M. is: Approved _____	Approved with Condition _____	Denied _____	
Comments: _____			

Notes: Please notify utility companies regarding your proposed development. CSM approval does not constitute approval of a building permit or any required approval of a highway connection permit. CSM & Fee must be submitted 10 working days prior to meeting.

A1407.8



Subject Property to be Rezoned
from A-2 (General Agriculture) to
R-1 (Rural Residential)





AUGUST 13, 2014

RF: A1407 R
ROSS THOMPSON

615 N. Lynndale Drive.
P.O. Box 1297
Appleton, Wisconsin 54912-1297
Phone (920) 731-4168
Fax (920) 731-5673

DESCRIPTION OF PARCEL TO BE REZONED FROM A2 TO R1:

A PARCEL OF LAND BEING PART OF LOT 1 OF CERTIFIED SURVEY MAP NO. 4090 AS RECORDED IN VOLUME 1 OF CERTIFIED SURVEY MAPS ON PAGE 4090 AS DOCUMENT NO. 1030062, LOCATED IN THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 10; THENCE $N00^{\circ}50'05''W$, 573.85 FEET ALONG THE WEST LINE OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 10, TO THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 4090; THENCE $N89^{\circ}09'55''E$, 33.00 FEET ALONG SAID SOUTH LINE TO THE EAST RIGHT-OF-WAY LINE OF NORTH CENTER ROAD AND THE POINT OF BEGINNING; THENCE $N00^{\circ}50'05''W$, 322.63 FEET ALONG SAID EAST RIGHT-OF-WAY LINE; THENCE $N89^{\circ}09'55''E$, 405.05 FEET; THENCE $S00^{\circ}50'05''E$, 322.63 FEET TO THE SOUTH LINE OF CERTIFIED SURVEY MAP NO. 4090; THENCE $S89^{\circ}09'55''W$, 405.05 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINS 3.0000 ACRES OF LAND MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. **NOTE:** THE ABOVE DESCRIBED PARCEL TO BE LOT 1 OF A FUTURE CERTIFIED SURVEY MAP.

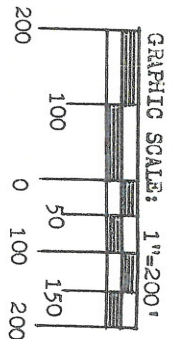


CERTIFIED SURVEY MAP NO.

(AS DOCUMENT NO. 1030062

BEING ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 4090 AS RECORDED IN VOLUME 1 OF CERTIFIED SURVEY MAPS ON PAGE 4090, BEING PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN. AND THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 10-20-16

NOTE: SEE RIGHT TO FARM NOTE ON SHEET 3.



PARCEL NO. 0060296

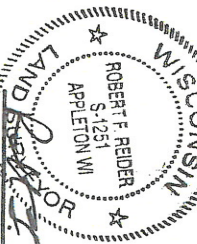
OWNERS: TIM & TAMELA POGIASK
UNPLATTED LANDS

NORTH IS ARRANGED TO THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN WHICH BEARS N00°50'05"W PER THE WINNEBAGO COUNTY COORDINATE SYSTEM.

LEGEND

- = BERTINSEN MONUMENT FOUND
- = 3/4" SOLID ROUND REBAR FOUND
- = 3/4" x 18" SOLID ROUND IRON REBAR SET, WEIGHING 1.502 lbs. per lin. ft.
- (00') = 1000 FEET DISTANCE OR BEARING

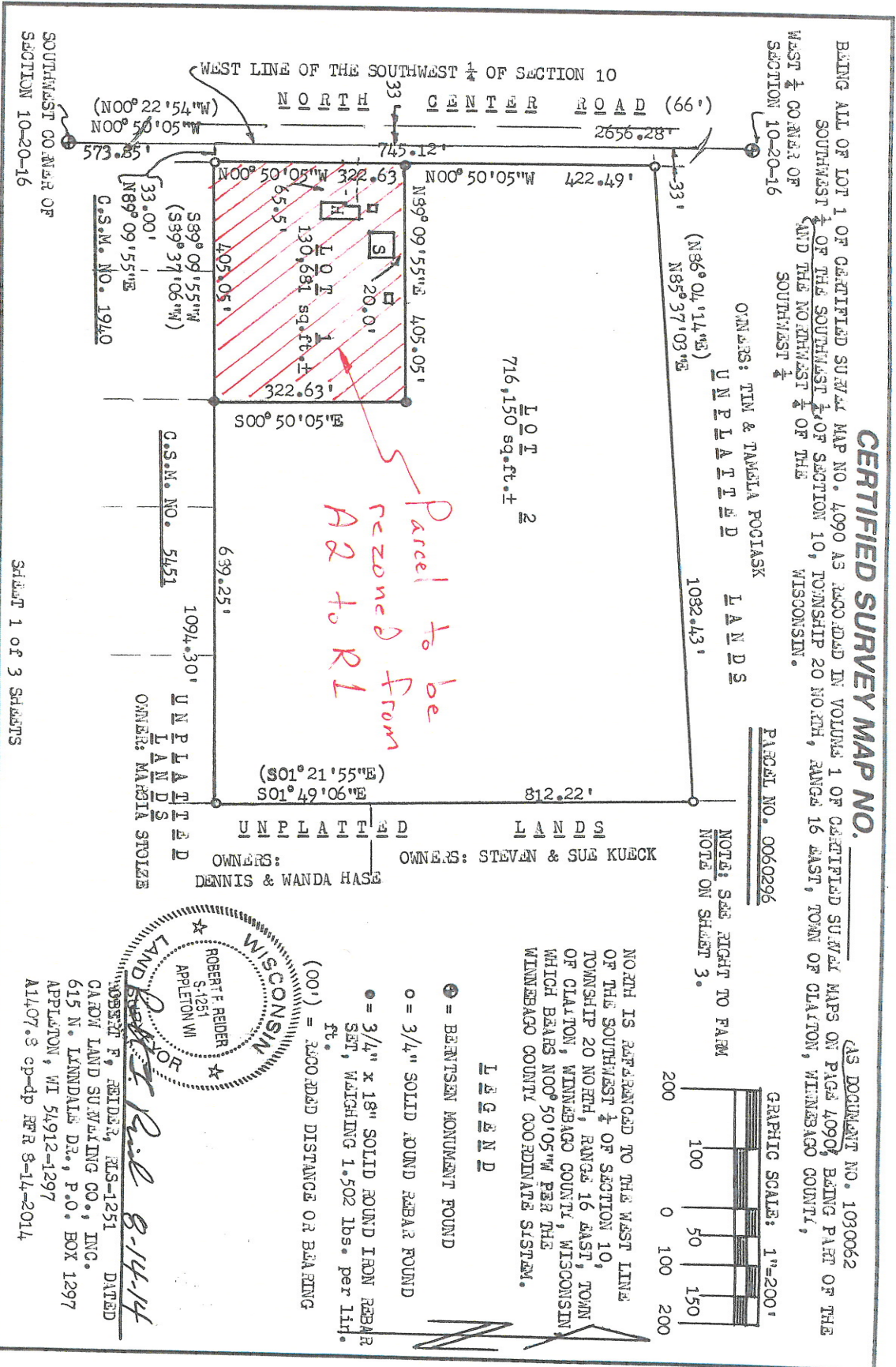
OWNERS: DENNIS & WANDA HASE



ROBERT F. REIDER, S-1251 DATED
CALDWELL LAND SURVEYING CO., INC.
615 N. LANNDALE DR., P.O. BOX 1297
APPLETON, WI 54912-1297
A1407 s cp-dp RFR 8-14-2014

SOUTHWEST CORNER OF SECTION 10-20-16

SHEET 1 OF 3 SHEETS



C.S.M. NO. 1940
S89°09'55\"/>

C.S.M. NO. 5451

UNPLATTED LANDS
OWNER: MARBIA STOLZE

LOT 2
716,150 sq. ft.

Parcel to be
rezoned from
A2 to R1



CERTIFIED SURVEY MAP NO. _____

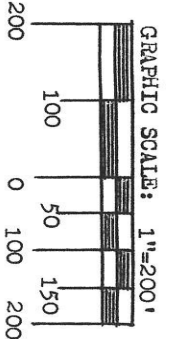
AS DOCUMENT NO. 1030062

BEING ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 4090 AS RECORDED IN VOLUME 1 OF CERTIFIED SURVEY MAPS ON PAGE 4090, BEING PART OF THE
SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY,
AND THE NORTHWEST 1/4 OF THE WEST 1/4 CORNER OF SECTION 10-20-16
SOUTHWEST 1/4
WISCONSIN.

OWNERS: TIM & TAMELA POGIASK
UNPLATED LANDS

PARCEL NO. 0060296

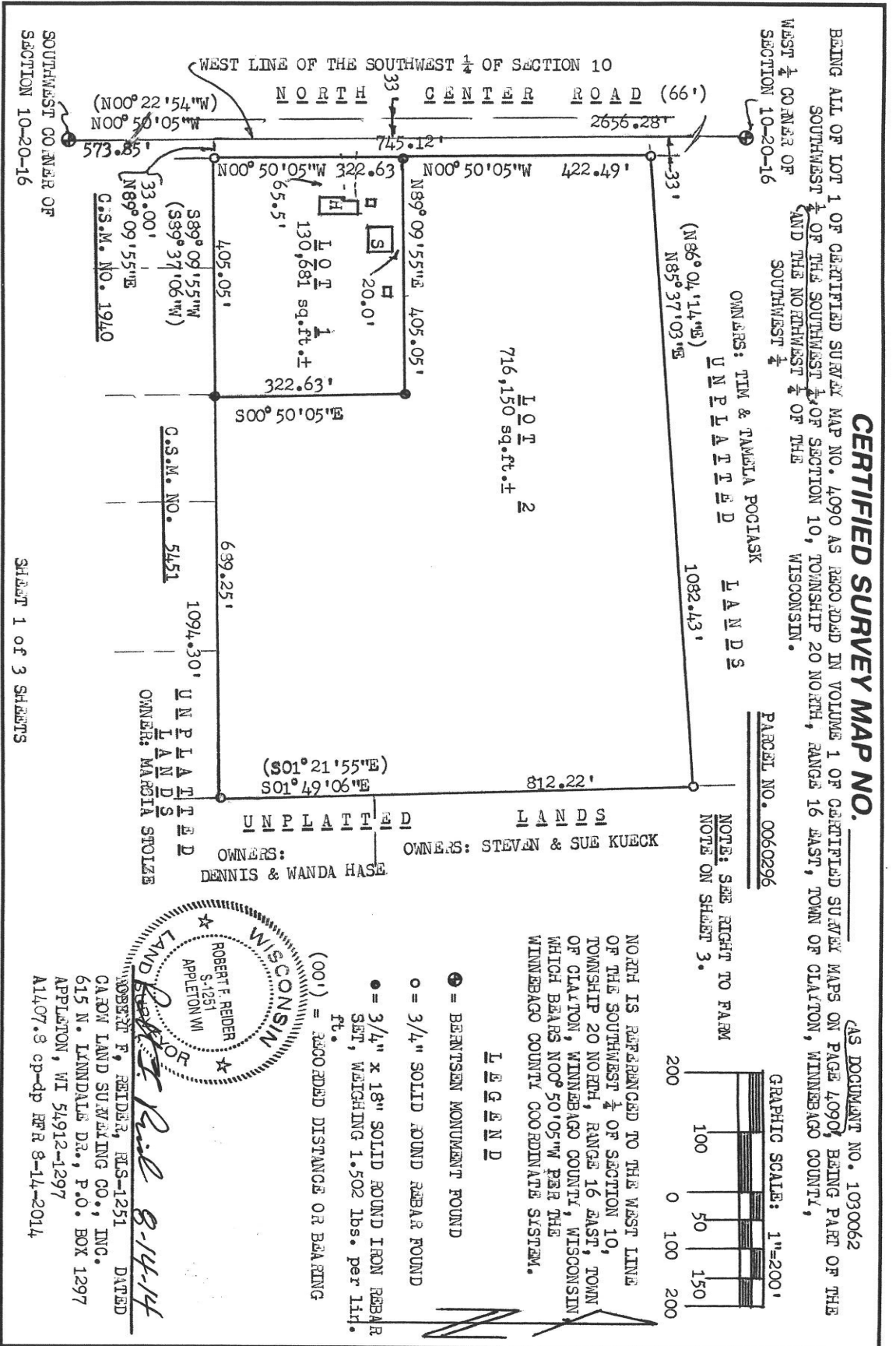
NOTE: SEE RIGHT TO FARM
NOTE ON SHEET 3.



NORTH IS REFERENCED TO THE WEST LINE
OF THE SOUTHWEST 1/4 OF SECTION 10,
TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN
OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN
WHICH BEARS N00°50'05"W PER THE
WINNEBAGO COUNTY COORDINATE SYSTEM.

LEGEND

- = BARNISEN MONUMENT FOUND
- = 3/4" SOLID ROUND REBAR FOUND
- = 3/4" x 18" SOLID ROUND IRON REBAR
SET, WEIGHING 1.502 lbs. per 11ft.
- (00') = RECORDED DISTANCE OR BEARING
Ft.



SOUTHWEST CORNER OF SECTION 10-20-16

SHEET 1 of 3 SHEETS

CERTIFIED SURVEY MAP NO. _____

SURVEYOR'S CERTIFICATE:

I, ROBERT F. REIDER, REGISTERED WISCONSIN LAND SURVEYOR, CERTIFY THAT I HAVE SURVEYED, DIVIDED AND MAPPED ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 4090 AS RECORDED IN VOLUME 1 OF CERTIFIED SURVEY MAPS ON PAGE 4090 AS DOCUMENT NO. 1030062, LOCATED IN THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ AND THE NORTHWEST ¼ OF THE SOUTHWEST ¼, ALL IN SECTION 10, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT I HAVE MADE SUCH SURVEY UNDER THE DIRECTION OF ROSS THOMPSON, 8950 CENTER ROAD, NEENAH, WISCONSIN 54956.

THAT THIS MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARY LINES OF THE LAND SURVEYED.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION ORDINANCE OF THE TOWN OF CLAYTON AND WINNEBAGO COUNTY.



Robt F. Reider *8-14-14*
ROBERT F. REIDER, RLS-1251 DATED
CAROW LAND SURVEYING CO., INC.
615 N. LYNNDALE DRIVE, P.O. BOX 1297
APPLETON, WISCONSIN 54912-1297
PHONE: (920)731-4168
A1407.8 (RFR) DATED 7-17-14

NOTES:

- (1) THIS CSM IS ALL OF TAX PARCEL NO. (S): 006-0296.
- (2) THE PROPERTY OWNER (S) OF RECORD IS (ARE): ROSS S. THOMPSON & KATIE L. THOMPSON.
- (3) THE CSM IS WHOLLY CONTAINED WITHIN THE PROPERTY DESCRIBED IN THE FOLLOWING RECORDED INSTRUMENT (S): DOCUMENT NUMBER 1601936.

TOWN BOARD CERTIFICATE:

WE HEREBY CERTIFY THAT THE TOWN OF CLAYTON BOARD OF SUPERVISORS APPROVED THIS CERTIFIED SURVEY MAP ON THE _____ DAY OF _____, 20____.

TOWN CHAIRPERSON

TOWN CLERK

COUNTY PLANNING AND ZONING COMMITTEE APPROVAL:

PURSUANT TO THE WINNEBAGO COUNTY SUBDIVISION ORDINANCE, ALL REQUIREMENTS FOR APPROVAL HAVE BEEN FULFILLED. THIS CERTIFIED SURVEY MAP WAS APPROVED THIS _____ DAY OF _____, 20____.

CHAIRPERSON, WINNEBAGO COUNTY PLANNING AND ZONING COMMITTEE.

TREASURER CERTIFICATE:

I HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON ANY OF THE LAND INCLUDED ON THIS CERTIFIED SURVEY MAP.

TOWN TREASURER

DATED

COUNTY TREASURER

DATED

CERTIFIED SURVEY MAP NO. _____

OWNER'S CERTIFICATE:

AS OWNER(S), I (WE) HEREBY CERTIFY THAT I (WE) CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED HEREON. I (WE) ALSO CERTIFY THAT THIS MAP IS REQUIRED BY S.236.10 OR 236.12 OF THE WISCONSIN STATUTES TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL: TOWN OF CLAYTON AND WINNEBAGO COUNTY.

WITNESS THE HAND AND SEAL OF SAID OWNER (S) THIS _____ DAY OF _____, 20__.

ROSS S. THOMPSON

KATIE L. THOMPSON

STATE OF WISCONSIN)
) SS
COUNTY OF WINNEBAGO)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 20__, THE ABOVE NAMED PERSON(S) TO ME KNOWN TO BE THE PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

RIGHT TO FARM NOTE:

- THE LOT(S) CREATED IN THIS CERTIFIED SURVEY MAP ARE ADJACENT TO PROPERTY THAT, AS OF THE DATE OF THIS DOCUMENT, ARE BEING USED FOR AGRICULTURAL PURPOSES. SOME INDIVIDUALS BELIEVE THAT THE ACTIVITIES ASSOCIATED WITH THE AGRICULTURAL USE CONSTITUTE A NUISANCE OR CONFLICT WITH THEIR QUIET ENJOYMENT OF THEIR PROPERTY. THIS STATEMENT IS INTENDED TO PROVIDE THIRD PARTIES WITH NOTICE THAT AGRICULTURAL ACTIVITIES MAY EXIST ON THE ADJACENT PROPERTY.



Robert F. Reider 8-14-14
ROBERT F. REIDER, RLS-1251 DATED
CAROW LAND SURVEYING CO., INC.
615 N. LYNNDALE DRIVE, P.O. BOX 1297
APPLETON, WISCONSIN 54912-1297
PHONE: (920)731-4168
A1407.8 (RFR) 7-17-14

Wednesday, October 22nd, 2014



County Zoning Office
Attn: Cary A. Rowe
112 Otter Ave
Oshkosh, WI 54901

Re: Town Board approved amendment to the Town's Zoning Code of Ordinances Map.

Mr. Cary A. Rowe:

Enclosed please find the material relative to the following change in zoning in the Town of Clayton:

Rezoning Application made by the petitioners, Ross and Katie Thompson, 8950 Center Road, Neenah, WI 54956 for the following property located at 8950 Center Road, in the Town of Clayton, specifically described as portion of Tax ID # 006-0296 being all Lot 1 of Certified Survey Map No. 4090 as recorded in volume 1 of Certified Survey Maps on Page 4090 as Document No. 1030062 and being part of the southwest $\frac{1}{4}$ of the southwest $\frac{1}{4}$ and the northwest $\frac{1}{4}$ of the southwest $\frac{1}{4}$ of Section 10, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin be rezoned from A-2 (GENERAL FARMING DISTRICT) to R-1 (RURAL RESIDENTIAL DISTRICT).

Should you have any questions relative to this request please feel free to call or E-mail me.

Sincerely,

A handwritten signature in blue ink that reads "Richard Johnston".

Richard Johnston
Town Administrator/Clerk

CC County Clerk, Sue Ertmer