

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 4

WHEREAS, it is desirable to amend the Zoning Ordinance of the TOWN OF UTICA in accordance with the petition of the Town Board.

NOW, THEREFORE, the County Board of Supervisors of Winnebago County do ordain that the revised & recodified Zoning Ordinance of the TOWN OF UTICA ordinance, is hereby adopted.

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

SEE ATTACHED.

County Board Supervisor
(Town of UTICA)

County Board Supervisor
(Town of UTICA)

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 _____,
2013.

Executive

Mark Harris – Winnebago County

County Board Supervisory district **33**



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

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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 ⁽¹⁵⁾ ~~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)~~ ^{R-2} 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-1 to A-2
FLU: Ag, NM FLP

SUBMITTAL FORM

Name of Property Owner: see above

Address of Owner: see above

Name of Applicant: see above

Address of Applicant: see above

Legal Description of Area to be Rezoned (attach CSM, if applicable):

See above

Tax Parcel Number, if existing parcel: see above

Existing Zoning: A1 Name of District: Agriculture – Farmland Preservation Plan

Proposed Zoning: A2 Name of District: Agriculture – General Farming

Town Board Action: Approval Denial

Findings: 1) Does the Town have an adopted Land Use Plan? Yes

2) Does the request agree with the Plan? Yes

3) Other findings (List). approved by Town Board vote:

Approved by the Town Board vote 3-0

I, Jenny Sonnleitner, Clerk of the Town of Utica, hereby certify that a public hearing was conducted on October 9, 2014 and that all required notices were posted and/or mailed as required by local ordinance.

Signed: Jenny Sonnleitner

Date: 10/13/2014

Resolution

Date: _____

To the Board of Supervisors of Winnebago County, Wisconsin: **Amendatory Ordinance**

Whereas, it is desirable to amend the Zoning Ordinance and the Zoning Map of the Town of Utica in accordance with the petition of (also see *Public Hearing Publication Notice*):

Brian Baker: 5524 Zoar Road Pickett, WI 54964

✓ **024-0773**

SE SW EXC COM SE COR W 18.23 FT POB W 549.85 FT N 596.74 FT E 157.67 FT
S 170.23 FT E 392.18 FT S 426.51 FT TO POB 34.00 A.

✓ **024-0773-01**

PT SE SW COM SE COR W 18.32 FT POB W 549.85 FT N 596.74 FT E 157.67 FT
S 170.23 FT E 392.18 FT S 426.51 FT TO POB 6.00 A.

Kandice Banville: 6682 Banville Road Pickett, WI 54964

✓ **024-0369**

SW SE 40.00 A.

Jeffrey Beregszazi: 5393 Fisk Ave. Oshkosh, WI 54904

✓ **024-0270-01**

N1/2 NE NE EXC E1/2 RD FOR TN RD & EXC CSM-2282 16.05 A.

Dennis Berholtz: 235 James Road Pickett, WI 54964

✓ **024-0792-02**

PT NE SE & NW SE DESC AS LOT 1 OF CSM-2947 5.45 A.

Roderick Bickert: 1286 1/2 Williams Road Pickett, WI 54964

✓ **024-0759**

PT SW SE DESC AS LOT 1 OF CSM-6256 15.57 A.

Tim Brewer: 470 Neitzel Road Pickett, WI 54964

✓ **024-0619**

SW SW EXC N 14 RDS OF W 12 RDS 38.95 A.

Richard Brotske: N7765 37th Ave. Berlin, WI 54923 (1048 Mountain Road Pickett, WI 54964)

✓ **024-0404**

NE SW FRAC EXC COM AT NE COR S 441 FT N87DG50W TO W L N TO NW COR E
TO BEG 26.00 A.

✓ **024-0405**

NW SW FRAC EXC COM AT NW COR S 620.5 FT S87DG50E 925 FT N 187.17 FT
S87DG50E TO E L N TO NE COR W TO POB & EXC D497859 CSM-709 CSM-1352
D715482 D723033 16.00 A.

Gary Brown: N3425 Searl Cty Ln Rd Brandon, WI 53919 (County Road N Pickett, WI 54964)

✓ **024-0554**

NE SW EXC D610113 & EXC CSM-3437 18.97 A.

✓ **024-0555**

NW SW EXC COM 77.55 FT E OF SW COR N3DG9W 186.35 FT S56DG9E 129.55
FT S36DG3E 131.71 FT W 175 FT TO BEG & EXC CSM-3437 39.17 A.

Butcher Block Properties LLC: 429 N. Westfield Street Oshkosh, WI 54902 (Zoar Rd Pickett, WI)

✓ **024-0759-01**

PT SW SE DESC AS LOT 2 OF CSM-6256 11.92 A.

BW Fish LLC: 2360 Elo Road Pickett, WI 54964

✓ **024-0074**

S1/2 SE SE 20.00 A.

✓ **024-0144-02**

NE NE EXC S 540 FT OF N 1007 FT OF E 429.26 FT 34.67 A.

✓ **024-0145**

NW NE 40.00 A.

✓ **024-0146-02**

SW NE EXC COM SW COR N 509 FT E 429 FT S 300.2 FT E 444 FT S 208.8 FT W TO POB 32.86 A.

✓ **024-0147**

SE NE EXC D458668 39.94 A.

✓ **024-0169**

NE NW 40.00 A.

✓ **024-0170**

NW NW EXC S 190 FT OF E 189.25 FT OF W 229.25 FT & EXC CSM-974 34.15 A.

✓ **024-0171**

SW NW EXC D458668 39.50 A.

✓ **024-0175**

NW SW 40.00 A.

✓ **024-0171-01**

PT SW NW & PT SE NE SEC 9 COM AT PT IN D458668 S82DG34E 217.6 FT S 83 FT N89DG30W 274.10 FT NE 117.3 FT S82DGE 22.32 FT TO POB .56 A.

Clifford Carrell: 472 State Road 26 Oshkosh, WI 54904 (Zoar Road Pickett, WI 54964)

✓ **024-0774**

NE SE 40.00 A.

✓ **024-0777-04**

PT SE SE DESC AS OUTLOT 1 OF CSM-4751 1.06 A.

✓ **024-0777-05**

PT SE SE DESC AS OUTLOT 1 OF CSM-3983 .03 A.

Cottonwood Creek Holdings LLC: 2080 W. 9th Ave #342 Oshkosh, WI 54904 (Fisk Ave Oshkosh, WI 54904)

✓ **024-0181-03**

PT SW SE COM SE COR N1DG1W 279.18 FT S88DG59W 803.16 FT N1DG9E 547 FT S88DG59W TO WL S TO SL E TO POB EXC CSM-2362 8.99 A.

Tod Davies: 942 James Road Oshkosh, WI 54904

✓ **024-0524**

PT SE SE DESC AS LOT 1 OF CSM-6279 5.50 A.

Timothy Euting: 789 Sportsman Road Pickett, WI 54964

✓ **024-0657**

S 30 A SE NW FRAC 30.00 A.

✓ **024-0658**

N 10 A SE NW FRAC 10.00 A.

Gordon Faust: 7178 Sportsman Road Pickett, WI 54964

✓ **024-0675**

PT N1/2 NW1/4 DESC AS LOT 1 OF CSM-5165 38.62 A.

Brian Fisher: 2360 Elo Road Pickett, WI 54964

✓ **024-0048**

SW NW FRAC 40.00 A.

Earl Fisher: 1992 Elo Road Pickett, WI 54964 (Fisk Ave. Oshkosh, WI 54904)

✓ **024-0177-01**

PT SE SW DESC AS LOT 2 OF CSM-4500 23.89 A.

Gabrielson & Wuest Enterprises LLC: 45 Castle Court Oshkosh, WI 54904 (Sportsman Rd Pickett, WI 54964)

✓ **024-0662**

PT SW1/4 DESC AS LOT 1 OF CSM-5890 92.59 A.

Garofalo LLC: 5831 Pointe West Dr. Winneconne, WI 54986

- ✓ **024-0487** (Angle Road Oshkosh, WI 54904)
PT SW NE DESC AS OUTLOT 2 OF CSM-4742 34.00 A.
- ✓ **024-0498** (Angle Road Oshkosh, WI 54904)
PT E1/2 SW1/4 COM SE COR N 1975 FT S60DG W 525 FT S 895 FT W TO PT 1
RD E OF W L E1/2 SE SW S TO S L E TO BEG 23.31 A.
- ✓ **024-0500** (Angle Road Oshkosh, WI 54904)
NE SE 40.00 A.
- ✓ **024-0501** (State Road 91 Oshkosh, WI 54904)
PT NE NW FRAC1/4 DESC AS DEDICATED TO THE PUBLIC FOR RD (STATE RD
91) ON CSM-6219 1.37 A.
- ✓ **024-0502** (Angle Road Oshkosh, WI 54904)
SW SE 40.00 A.
- ✓ **024-0503** (Angle Road Oshkosh, WI 54904)
SE SE 40.00 A.

Todd Goheen: PO Box 371 Ripon, WI 54971 (6654 Mountain Road Pickett, WI 54964)

- ✓ **024-0607-01**
PT NW NE DESC AS LOT 3 OF CSM-6283 7.54 A.

Theresa Granger & Mike Rank Et al: 2448 County Road FF Oshkosh, WI 54904

- ✓ **024-0029** (Knott Road Oshkosh, WI 54904)
(RUSSELL P & BARBARA E RANK LIFE ESTATE) PT E1/2 NE1/4 DESC AS LOT 2
OF CSM-5724 17.45 A.

Joseph Griese: 14560 W. Fairfield Ct New Berlin, WI 53151 (State Road 44 Pickett, WI 54964)

- ✓ **024-0584**
W1/2 NE NE 20.00 A.
- ✓ **024-0585**
NW NE 40.00 A.
- ✓ **024-0587**
W1/2 SW NE 20.00 A.
- ✓ **024-0590**
PT NE NW SELY OF HWY EXC HWY & EXC D620032 29.18 A.
- ✓ **024-0594-02**
PT SW NW LYG E OF HWY EXC COM INTR SL & CL HWY E 515.7 FT NWLY TO PT
ON CL OF HWY 441.3 FT N OF SL NW AT RA TO CL OF HWY SW ON CL TO POB &
EXC HWY & EXC D619762 4.74 A.
- ✓ **024-0596**
SE NW EXC D619762 & D620032 37.00 A.

Robert Hasse: 1549 N 18th Ave West Bend, WI 53090 (5404 Zoar Rd Pickett, WI 54964)

- ✓ **024-0776**
SW SE 40.00 A.

John Hay: 1625 James Road Oshkosh, WI 54904

- ✓ **024-0246-03**
PT NE NE DESC AS OUTLOT 1 OF CSM-4186 7.46 A.
- ✓ **024-0250**
PT SE NE DESC AS LOT 2 OF CSM-4186 37.84 A.

David Hielke: N9539 Springbrook Rd Ripon, WI 54971 (Banville Road Pickett, WI 54964)

- ✓ **024-0341**
SW SW 40.00 A.

Michael Hinz: 501 County Road M Pickett, WI 54964

- ✓ **024-0639-01**
PT SE SE COM IN CL HWY 32.5 RDS W OF SE COR W 20 RDS N 4 RDS E TO CL
HWY SELY TO BEG .44 A.

Charles Hunter: 5863 State Road 44 Oshkosh, WI 54904

✓ **024-0321**

PT NW SE S OF HWY 44 EXC REL HWY 13.07 A.

✓ **024-0327**

SW SE 40.00 A.

✓ **024-0465** (County Road FF Oshkosh, WI 54904)

NW NE 40.00 A.

Ralph Hunter: 1785 Elo Road Pickett, WI 54964

✓ **024-0163-01-01**

PT SW SE DESC AS LOT 1 OF CSM-6645 .843 A.

Walter Juedes Trust: 1041 Mt. Vernon Street Oshkosh, WI 54901 (1124 James Road Oshkosh, WI 54904)

✓ **024-0509**

SE NE 40.00 A.

Ralph Kalies Jr: 5770 Kumbier Road Pickett, WI 54964 (County Road FF Pickett, WI 54964)

✓ **024-0770**

NE SW 40.00 A.

Gregory Kargus: 819 Oregon Street Oshkosh, WI 54902

✓ **024-0095** (Job Road Pickett, WI 54964)

E1/2 NW SW FRAC EXC N 165 FT OF W 264 FT 18.30 A.

✓ **024-0614-01** (Mountain Road Pickett, WI 54964)

PT S1/2 NW1/4 COM W1/4 COR N 1319.51 FT E 100.2 FT S2DG16E 946.72 FT
N71DG47E 496.12 FT N 450.80 FT S84DG15E 1099.59 FT S55DGE 818.92 FT
S1DG45E 349.41 FT W 2329.32 FT TO POB 39.51 A.

Janet Keck: 2235 Job Road Pickett, WI 54964

✓ **024-0100**

NE SE 40.00 A.

Edith Koehler: 5509 Fisk Ave. Oshkosh, WI 54904

✓ **024-0274**

NE NW EXC 3.75 A N & W OF HWY & EXC HWY 31.21 A.

✓ **024-0284**

SE NW EXC S 47.04 RDS & EXC HWY 14.45 A.

Clarence Kolodzik: 3180 Elk Ridge Drive Oshkosh, WI 54904 (Elo Road Pickett, WI 54964)

✓ **024-0061**

S1/2 NE1/4 EXC CSM-2994 73.88 A.

Gerald Konrad: 1860 White Swan Drive Oshkosh, WI 54901 (Zoar Road Pickett, WI 54964)

✓ **024-0759-02**

PT SW SE DESC AS LOT 3 OF CSM-6256 11.92 A.

Matthew Kraemer Rev Trust: 344 County Road FF Pickett, WI 54964

✓ **024-0784**

PT NW NW & PT SW NW DESC AS LOT 1 OF CSM-4316 45.11 A.

David Kraus: 221 James Road Pickett, WI 54964

✓ **024-0793**

PT NW SE LYG SLY OF EXTD SLY L OF HWY YY 25.00 A.

Ronald Kromm: 4434 Island View Oshkosh, WI 54901 (Hay Road Pickett, WI 54964)

✓ **024-0338-01**

PT SE NW DESC AS LOT 2 OF CSM-6322 9.87 A.

Lenz Family Limited Partnership: 212 N 40th Ave. Redgefield, WA 98642 (6315 State Road 91 Pickett, WI 54964)

✓ **024-0063**

NE NW FRAC EXC N 113 FT OF E 152 FT 40.67 A.

✓ **024-0066**

SE NW FRAC 40.00 A.

Liberty Prairie Cemetery Assoc: c/o Lois Buehring 6711 State Road 44 Pickett, WI 54964

✓ **024-0598-04** (Peppler Lane Pickett, WI 54964)

PT NW SW DESC AS LOT 1 OF CSM-5254 1.53 A.

Ellen Lloyd: 6264 Shea Road Oshkosh, WI 54904

✓ **024-0339**

(ROBERT P & PHYLLIS M SHEA LIFE ESTATE) NE SW 40.00 A.

✓ **024-0345**

(ROBERT P & PHYLLIS M LIFE ESTATE) NW SE EXC CSM-793 39.00 A.

✓ **024-0346**

(ROBERT P & PHYLLIS M LIFE ESTATE) SW SE EXC S 208.71 FT OF E 208.71 FT & EXC CSM-658 38.00 A.

Allan Marohn: 6898 Mountain Road Pickett, WI 54964

✓ **024-0613**

PT NW NW DESC AS LOT 2 OF CSM-4726 35.22 A.

Frederick Marohn: 6694 Rustic Meadows Road Pickett, WI 54964 (Banville Road Oshkosh, WI 54904)

✓ **024-0343**

NE SE EXC S 898 FT OF N 980.5 FT OF W 250 FT 34.84 A.

Donald Merz: 6802 Mountain Road Pickett, WI 54964

✓ **024-0612**

PT NE NW DESC AS LOT 1 OF CSM-6283 8.87 A.

Gary Meyer Rev Trust: 212 James Road Pickett, WI 54964

✓ **024-0792-01**

PT NE SE LYG S OF CL HWY YY 25.00 A.

Peter Mosling Jr Rev Trust: 291 County Road FF Pickett, WI 54964

✓ **024-0786**

SE NW 40.00 A.

✓ **024-0787**

NE SW EXC THAT PT SW OF HWY & EXC COM SE COR N 300 FT W 290.4 FT S 291.5 FT E ALG CL OF HWY TO BEG 33.00 A.

✓ **024-0789-05**

PT SW1/4 DESC AS LOT 1 OF CSM-6733 57.26 A.

✓ **024-0795**

SW SE EXC S 16 RDS & EXC N 8 RDS OF S 24 RDS OF E 10 RDS & EXC NW1/4 SW SE 21.50 A.

Darwin Newell: 6012 Banville Road Oshkosh, WI 54904

✓ **024-0310**

S 15 A NW SW 15.00 A.

✓ **024-0314**

PT SW SW N OF RD 27.00 A.

✓ **024-0307**

SW NW 40.00 A.

✓ **024-0311**

N 25 A NW SW 25.00 A.

NRS Farm Trust: 428 N. Prospect St. Rockford, IL 61107 (Mahlke Road Pickett, WI 54964)

✓ **024-0711**

NE SW 40.00 A.

✓ **024-0712**

E 25 A NW SW EXC HWY 22.91 A.

✓ **024-0714**

E 25 A SW SW ALSO THAT PT DESC IN D529975 25.61 A.

✓ **024-0716**

SE SW 40.00 A.

Jack Oliver: 5306 County Road N Pickett, WI 54964

✓ **024-0549-02**

PT SE NE DESC AS LOT 2 OF CSM-6836 19.50 A.

Timothy Oliver: 5595 State Road 44 Oshkosh, WI 54904 (County Road N Pickett, WI 54964)

✓ **024-0549-01**

PT SW NE & PT SE NE DESC AS LOT 1 OF CSM-6836 40.01 A.

Oshkosh Realty Corp: 1625 James Road Oshkosh, WI 54904

✓ **024-0263**

NE SE EXC N 45 RDS OF W 32 RDS 31.00 A.

Steven Pfaffenroth: 5315 Angle Road Oshkosh, WI 54904

✓ **024-0516**

W1/2 NW SW 20.00 A.

✓ **024-0518**

W 30 A SW SW 30.00 A.

✓ **024-0545**

NE NE EXC E 500 FT OF N 450 FT 34.83 A.

✓ **024-0546-03**

PT NW NE DESC AS LOT 3 OF CSM-4113 28.33 A.

✓ **024-0548**

N1/2 SW NE 20.00 A.

Irene Plantz: 6328 State Road 44 Pickett, WI 54964

✓ **024-0429**

SE SE 40.00 A.

✓ **024-0448**

SW SW 40.00 A.

James Potratz: 1931 Knott Road Oshkosh, WI 54904

✓ **024-0189**

SE NE EXC RR & EXC CSM-4743 3.43 A.

✓ **024-0189-01**

PT SE NE DESC AS LOT 1 OF CSM-4743 21.35 A.

✓ **024-0189-02**

PT SE NE DESC AS LOT 2 OF CSM-4743 5.76 A.

✓ **024-0042** (State Road 91 Oshkosh, WI 54904)

NE NE FRAC EXC W 314 FT OF E 1102 FT OF N 357 FT & EXC CSM-383 & EXC HWY-V1099P461 36.07 A.

✓ **024-0045** (State Road 91 Oshkosh, WI 54904)

SE NE FRAC 40.00 A.

✓ **024-0167** (James Road Oshkosh, WI 54904)

SW NE EXC N 1 RD 39.50 A.

✓ **024-0168** (James Road Oshkosh, WI 54904)

SE NE 40.00 A.

✓ **024-0179** (James Road Oshkosh, WI 54904)

NE SE EXC S 15 RDS 32.50 A.

✓ **024-0185** (James Road Oshkosh, WI 54904)

NW NE 40.00 A.

✓ **024-0187** (James Road Oshkosh, WI 54904)

PT SW NE N OF RR 27.00 A.

✓ **024-0193** (James Road Oshkosh, WI 54904)

SW NW EXC S 330 FT OF E 200 FT & EXC D639469 13.70 A.

✓ **024-0201-01** (James Road Oshkosh, WI 54904)

PT NW SW DESC AS LOT 1 OF CSM-4468 12.80 A.

✓ **024-0231-01** (Knott Road Oshkosh, WI 54904)

PT SW NW COM 445.05 FT N OF W1/4 COR SEC 12 N 379.58 FT N88DGE 618.25 FT S 379.59 FT S88DGW 618.25 FT TO POB 5.38 A.

✓ **024-0277-04** (County Road FF Oshkosh, WI 54904)

NW NW EXC RR & EXC COM 530.3 FT E OF NW COR S39DG38W 228 FT N85DGE 221 FT N25DG10E 172.8 FT TO NL W 144.1 FT TO POB & EXC PT NW OF RR & EXC #6 AS EXCEPTION ON PG 5 IN D718253 29.81 A.

✓ **024-0280** (James Road Oshkosh, WI 54904)

PT SW NW N OF CL OF OLD HWY 44 EXC PT FOR HWY-V337P416 & EXC HWY-V450P541 & EXC HWY-V450 P550 & EXC HWY-V976P642 29.42 A.

James Potratz: 1931 Knott Road Oshkosh, WI 54904 (continued)

- ✓ **024-0001-03** (James Road Oshkosh, WI 54904)
PT SW NE & PT SE NE DESC AS LOT 1 OF CSM-6728 71.71 A.
- ✓ **024-0003-01** (James Road Oshkosh, WI 54904)
PT NE1/4 DESC AS LOT 2 OF CSM-6728 60.95 A.
- ✓ **024-0183** (Knott Road Oshkosh, WI 54904)
NE NE EXC RR 39.00 A.
- ✓ **024-0186** (Knott Road Oshkosh, WI 54904)
PT SW NE DESC AS LOT 3 OF CSM-4743 20.44 A.
- ✓ **024-0225** (Knott Road Oshkosh, WI 54904)
NE NW EXC RR & EXC E 657.5 FT & EXC PT N OF RR ROW 18.80 A.
- ✓ **024-0227** (Knott Road Oshkosh, WI 54904)
E1/2 NW NW EXC RR & EXC PT N OF RR ROW 12.81 A.
- ✓ **024-0230** (Knott Road Oshkosh, WI 54904)
E1/2 SW NW 20.00 A.
- ✓ **024-0232** (Knott Road Oshkosh, WI 54904)
SE NW EXC E 657.5 FT 20.00 A.
- ✓ **024-0233** (Knott Road Oshkosh, WI 54904)
NE SW EXC PT LYG S OF CL HWY 44 & EXC HWY & EXC COM NE COR S TO CL HWY
SW ALG CL HWY 310 FT N TO N L E TO BEG 26.75 A.
- ✓ **024-0234** (Knott Road Oshkosh, WI 54904)
E 6 A NW SW 6.00 A.
- ✓ **024-0235** (Knott Road Oshkosh, WI 54904)
NW SW EXC E 6 A & EXC V930P455 & V1132P173 32.91 A.
- ✓ **024-0237** (Knott Road Oshkosh, WI 54904)
PT SW SW LYG N OF CL OF HWY EXC COM CL HWY 980.45 FT NE OF W SL N TO N L
W 320 FT S TO CL HWY NELY TO BEG & EXC HWY & V1132P173 4.10 A.

PW Ranch LLC: 5770 Kumbier Road Pickett, WI 54964 (County Road FF Pickett, WI 54964)

- ✓ **024-0762-01**
THAT PT NW NE LYG SWLY OF COUNTY RD FF 7.22 A.
- ✓ **024-0763-01**
THAT PT SW NE LYG SWLY OF COUNTY RD FF 39.12 A.
- ✓ **024-0769**
SE NW 40.00 A.
- ✓ **024-0775**
NW SE 40.00 A.

Kevin Radloff: 2162 James Road Oshkosh, WI 54904 (State Road 91 Oshkosh, WI 54901)

- ✓ **024-0006**
PT NW NW FRAC & PT NE NW FRAC DESC AS LOT 2 OF CSM-6219 72.53 A.

Nicholas Radloff: 2025 James Road Oshkosh, WI 54904

- ✓ **024-0221-01**
PT NE NE DESC AS LOT 1 OF CSM-6596 5.27 A.

Wesley Radloff: 2061 James Road Oshkosh, WI 54904

- ✓ **024-0225-01** (5143 W Ripple Ave. Oshkosh, WI 54904)
E 657.5 FT OR NE NW 20.00 A.
- ✓ **024-0232-01** (W Ripple Ave. Oshkosh, WI 54904)
E 657.5 FT OF SE NW 20.00 A.

Jeffrey Reiter: 1903 Montana Street Oshkosh, WI 54902 (5180 Kings Lane Oshkosh, WI 54904)

- ✓ **024-0256**
PT NW SW DESC AS E 39 A & A TRIANGULAR PIECE COM 1 RD E OF NW COR
SW1/4 E 1 RD S 196 FT NWLY TO BEG EXC V498P586 D769150 38.96 A.
- ✓ **024-0258**
SW SW EXC W 2 RDS 39.00 A.

RTJTF Investments LLC: 285 James Road Pickett, WI 54964

✓ **024-0792-03**

PT NE SE DESC AS LOT 2 OF CSM-3633 5.73 A.

Orin Schimmel: 5574 County Road N Pickett, WI 54964

✓ **024-0554-01**

PT NE SW COM NE COR S 772.56 FT W 686.97 FT TO CL OF RD POB S60DG37W
596.54 FT SWLY 64.33 FT N 597.72 FT E 413.5 FT S 55 FT E 166 FT S 225.41 FT
TO POB 5.60 A.

Ardece Seabrook: 501 Sunnybrook Drive DeForest, WI 53532 (Banville Road Pickett, WI 54964)

✓ **024-0340**

NW SW 40.00 A.

✓ **024-0366**

E 15 A NE SE 15.00 A.

✓ **024-0370**

E 15 A SE SE 15.00 A.

State of Wisconsin: DNR 101 S. Webster Street Madison, WI 53703 (Zoar Road Pickett, WI 54964)

✓ **024-0772**

SW SW EXC CSM-565 35.00 A.

James Stephens Rev Trust: 4208 N. Forest Hills Blvd Janesville, WI 53545 (1790 Elo Road Pickett, WI 54964)

✓ **024-0164-02**

PT E1/2 SE1/4 DESC AS LOT 1 OF CSM-6521 5.01 A.

Jerome Strom: 180 County Road FF Pickett, WI 54964

✓ **024-0797-01**

S 660 FT OF E 660 FT OF SE SE EXC HWY-PT D1427705-.17A 9.83 A.

✓ **024-0797**

SE SE EXC S 660 FT OF E 660 FT & EXC HWY-PT D1427705-1.02A 29.28 A.

Connor Verstegen: 271 James Road Pickett, WI 54964

✓ **024-0792**

PT NE SE DESC AS LOT 1 OF CSM-3633 4.33 A.

Peggy Wehle: 5821 Mahlke Road Pickett, WI 54964

✓ **024-0743**

(RONALD W & MARILYN NITZ LIFE ESTATE) SW NE EXC E 43 FT 39.70 A.

James Westphal: 1349 County Road M Pickett, WI 54964

✓ **024-0383-01**

PT SW SW FRAC LYG S & W OF HWY 2.47 A.

Walter Whiting JT Rev Trust: 1402 James Road Oshkosh, WI 54904

✓ **024-0255**

NE SW 40.00 A.

✓ **024-0262**

SW1/4 SE SW 10.00 A.

✓ **024-0264**

N 45 RDS OF W 32 RDS OF NE SE 9.00 A.

✓ **024-0265**

NW SE 40.00 A.

✓ **024-0342** (3640 Banville Road Oshkosh, WI 54904)

SE SW 40.00 A.

* Marvin Ulrich: 5305 County Road N Pickett, WI 54964

✓ **024-0559-01**

E1/2 NE SE 20.00 A.

✓ **024-0562-01**

E1/2 SE SE 20.00 A.

Whereas said request is in compliance with the adopted Winnebago County Land Use Plan.

Now, therefore, the County Board Supervisors of Winnebago County do ordain that the Zoning Ordinance and the Zoning Map of the Town of Utica, be and the same, are amended to provide that the attached described property be changed from the classification of A1 of said ordinance, which it now and heretofore had, to the zoned district of A2.

County Board Supervisor
(Town of Utica)

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

FARMLAND PRESERVATION FINDINGS

- A) Adequate public facilities to accommodate development either exist or will be provided within a reasonable time.
- B) Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them.
- C) The land proposed for rezoning is suitable for development and development will not result in undue water or air pollution, cause unreasonable soil erosion or have an unreasonably adverse effect on rare or irreplaceable natural areas.

The above findings have been met by the Town of Utica Board of Supervisors

The above findings have not been met by the Town of Utica Board of Supervisors



Jenny Sonnleitner, Town Clerk of Town of Utica

10/13/2014

Date

TOWN OF UTICA PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held on Thursday, October 9, 2014 at 7:30pm in the Town of Utica, County of Winnebago, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town to hear public testimony on the proposed zoning changes from A1 (Farmland Preservation Plan) to A2 for the following parcels: Brian Baker 024-0773-01, 024-0773 / Kandice Banville 024-0369 / Jeffrey Beregszazi 024-0270-01 / Dennis Berholtz 024-0792-02 / Roderick Bickert 024-0759 / Tim Brewer 024-0619 / Richard Brotske 024-0404, 024-0405 / Gary Brown 024-0554, 024-0555 / Butcher Block Properties LLC 024-0759-01 / BW Fish LLC 024-0074, 024-00144-02, 024-0145, 024-0146-02, 024-0147, 024-0169, 024-0170, 024-0171, 024-0175, 024-0171-01 / Clifford Carrell 024-0774, 024-0777-04, 024-0777-05 / Cottonwood Creek Holdings LLC 024-0181-03 / Tod Davies 024-0524 / Timothy Euting 024-0657, 024-0658 / Gordon Faust 024-0675 / Brian Fisher 024-0048 / Earl Fisher 024-0177-01 / Gabrielson & Wuest Enterprises LLC 024-0662 / Garofalo LLC 024-0487, 024-0498, 024-0500, 024-0501, 024-0502, 024-0503 / Todd Goheen 024-0607-01 / Gheresa Granger & Mike Rank Et al 024-0029 / Joseph Griese 024-0584, 024-0585, 024-0587, 024-0590, 024-0594-02, 024-0596 / Robert Hasse 024-0776 / John Hay 024-0246-03, 024-0250 / David Hielke 024-0341 / Michael Hinz 024-0639-01 / Charles Hunter 024-0321, 024-0327, 024-0465 / Ralph Hunter 024-0163-01-01 / Walter Juedes Trust 024-0509 / Ralph Kalies Jr 024-0770 / Gregory Kargus 024-0095, 024-0614-01 / Janet Keck 024-0100 / Edith Koehler 024-0274, 024-0284 / Clarence Kolodzik 024-0061 / Gerald Konrad 024-0759-02 / Matthew Kraemer Rev Trust 024-0784 / David Kraus 024-0793 / Ronald Kromm 024-0338-01 / Lenz Family Limited Partnership 024-0063, 024-0066 / Liberty Prairie Cemetery Assoc 024-0598-04 / Ellen Lloyd 024-0339, 024-0345, 024-0346 / Allan Marohn 024-0613 / Frederick Marohn 024-0343 / Donald Merz 024-0612 / Gary Meyer Rev Trust 024-0792-01 / Peter Mosling Jr Rev Trust 024-0786, 024-0787, 024-0789-05, 024-0795 / Darwin Newell 024-0310, 024-0314, 024-0307, 024-0311 / NRS Farm Trust 024-0711, 024-0712, 024-0714, 024-0716 / Jack Oliver 024-0549-02 / Timothy Oliver 024-0549-01 / Oshkosh Realty Corp 024-0263 / Steven Pfaffenroth 024-0516, 024-0518, 024-0545, 024-0546-03, 024-0548 / Irene Plantz 024-0429, 024-0448 / James Potratz 024-0189, 024-0189-01, 024-0189-02, 024-0042, 024-0045, 024-0167, 024-0168, 024-0179, 024-0185, 024-0187, 024-0193, 024-0201-01, 024-0231-01, 024-0277-04, 024-0280, 024-0001-03, 024-0003-01, 024-0183, 024-0186, 024-0225, 024-0227, 024-0230, 024-0232, 024-0233, 024-0234, 024-0235, 024-0237 / PW Ranch LLC 024-0762-01, 024-0763-01, 024-0769, 024-0775 / Kevin Radloff 024-0006 / Nicholas Radloff 024-0221-01 / Wesley Radloff 024-0225-01, 024-0232-01 / Jeffrey Reiter 024-0256, 024-0258 / RTJTF Investments LLC 024-0792-03 / Orin Schimmel 024-0554-01 / Ardece Seabrook 024-0340, 024-0366, 024-0370 / State of Wisconsin 024-0772 / James Stephens Rev Trust 024-0164-02 / Jerome Strom 024-0797-01, 024-0797 / Connor Verstegen 024-0792 / Peggy Wehle 024-0743 / James Westphal 024-0383-01 / Walter Whiting JT Rev Trust 024-0255, 024-0262, 024-0264, 024-0265, 024-0342 / Marvin Ulrich 024-0559-01, 024-0562-01. A map of the parcels can be obtained from the Town Board. Contact Clerk Jenny Sonnleitner at utica1730@gmail.com or 920-410-0347 to view the map. All written testimony must be received prior to the hearing and can be sent to Clerk Jenny Sonnleitner 6570 Bradley Ave. Pickett, WI 54964.

Jenny Sonnleitner, Clerk
Posted/Published: 9/25/2014

TOWN OF UTICA

Plan Commission Meeting ~ Agenda

Thursday, October 9, 2014

7:30 pm

Revised

1. Call the Meeting to Order
2. Take Roll Call:
 - A. *Members:* Terry Beck, Chad Bowman, Donavon Bradley, Darwin Briggs, Robert Kumbier, Tom Thiel and Steve Metz
 - B. *Alternates:* Mike Christianson, Ken Schmick
3. Approve January 9, 2014 Plan Commission Meeting Minutes
4. Affidavit of Posting/Publication – Secretary and Plan Chairman to sign
5. Public Hearing on Farmland Preservation Plan changing A1 to A2 zoning, relative to parcels listed in posting and publication.
6. Discuss requested zoning changes as defined in agenda item #6 and make recommendation to the Town Board.
7. Public hearing to consider Conditional Use Permit for a non-farm-residence in A1 District for Fred Marohn of 6694 Rustic Meadows Road for a 12.6 acre parcel. Parcel address is 953 County Road M Pickett, WI.
8. Discuss and recommend to the Town Board for approval of a Conditional Use Permit for a non-farm-residence in A1 District for Fred Marohn for a 12.6 acre parcel.
9. Discuss and recommend to the Town Board for approval a CSM to create a 12.6 acre parcel. Parcel address is 953 County Road M Pickett, WI.
10. Consideration of appointment of Plan Commission Secretary.
11. Future Agenda Items
12. Adjournment

Jenny Sonnleitner, Clerk
Posted: 10/07/2014

The Plan Commission meets as needed on the FIRST THURSDAY OF EACH MONTH AT 7:30PM (unless otherwise noted). All meetings are open to the public. Discussion and action may occur on any of the above agenda items.

Any person wishing to attend who, because of a disability, requires special accommodation, should contact Plan Commission Chairman Tom Thiel at 920-579-3025 at least twenty four (24) hours before the scheduled meeting time so appropriate arrangements can be made.

This is a public meeting. As such, all members or a majority of the members of the Town Board may be in attendance. While a majority of the Town Board members or the majority of any given Town Board Committee may be present, only the above committee will take official action based on the above agenda.

Posted at: townofutica.org, Town Hall, Co-op, and Jasper's. To receive email updates, e-mail the Clerk at utica1730@gmail.com.

TOWN OF UTICA

TOWN BOARD MEETING AGENDA

Notice is hereby given that a Town Board meeting in the Town of Utica, County of Winnebago, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town.

Monday, October 13, 2014

7:00pm – Board & Public to view invoices being paid

7:30pm – Town Board Meeting

1. Call the Meeting to Order
2. Pledge of Allegiance
3. **CONSENT AGENDA:**
 - A) Approve September 8, 2014 Town Board Meeting Minutes
 - B) Affidavit of Posting/Publication: Agenda – Clerk & Chairman to sign
 - C) Approve Payment of Bills for October
4. Approve Treasurer's Report from September
5. Public Forum – come to front for comments/questions to be recorded – speak loudly
6. Discuss land use violation of RW Ranch owned by Ralph Kalies Parcel #024-0785
7. **BUDGET:**
 - A) Amendments
 - B) Set date for Budget Workshop
8. Discuss and approve the Winnebago County Sheriff Joint Powers Agreement
9. Discuss purchasing Short-Term Tax Collector's Bond for Treasurer Morrell
10. Road Inspection – October 15, 2014 at 8:00am starting at the Town Hall
11. Town Hall Remodel Bids for concrete work to be ADA compliant during Elections
12. Discuss the updated Single-Stream Recycling Ordinance
13. Emergency Management Plan for Town and Elections – have Election draft for Board to review
14. Winnebago County Unit WTA – Supervisor Kuhrt attended the meeting regarding Act 377 - Implements of Husbandry; another meeting on October 22, 2014 at 6:00pm at the County Highway Department
15. **PLAN COMMISSION**
 - A) Action on recommendation to approve zoning changes for the Farmland Preservation Plan from A1 to A2
 - B) Action on recommendation to approve CSM (certified survey map) for a 12.6 acre parcel at 953 Cty Rd M
 - C) Action on recommendation to grant a Conditional Use Permit for a non-farm-residence in the A-1 district for Fred Marohn's parcel at 953 County Road M
 - D) Action on recommendation to approve CSM creating a 5.102 acre parcel for Lenz Family at 6315 State Rd 91
 - E) Action on recommendation to approve a zoning change for Lenz parcel at 6315 State Rd 91 from A-1 to RR at 6315 State Rd 91
 - F) Discuss and appoint Alternate Ken Schmick to a permanent member
 - G) Discuss appointing an alternate to the Plan Commission
16. **EDUCATION:**
 - A) Current Issues Affecting Local Government Officials – UW-Extension
17. **FIRE DEPARTMENT/EMS**
 - A) September: 1 fire call / 5 EMS calls
 - B) Approve sending Building Inspection Bob Vajgrt to the WI State Fire Inspectors Association Annual Fire Prevention Conference and also reimburse for hotel stay, meals and mileage.
18. **CORRESPONDENCE**
 - A) Oshkosh Public Library Minutes: December 19, 2013 – August 28, 2014
 - B) Foreclosure of Tax Liens; Parcel # 024-0597-01
 - C) WI Towns Association Monthly mailing
 - D) East Central WI Regional Commission – Karst & Urban/Rural Stormwater Management in NE WI
 - E) Bituminous Insurance Companies name change to BITCO Insurance Companies
19. **Items to include in the Pickett Newsletter**
 - A) Town Board Meeting – November 10, 2014; 7:30pm at the Utica Town Hall
 - B) Public Budget Hearing/Town Electors' Meeting – November 17, 2014; 7:30pm
 - C) November 4, 2014 General Election, make sure to have your photo ID with you when you vote; or if requesting an absentee ballot, include a copy of the photo ID with your request or a ballot will not be sent to you. Visit the DMV to get your FREE ID if you do not have one.
20. Future Agenda Items
21. Adjournment

Jenny Sonnleitner, Clerk Posted: 10-10-2014

Plan Commission Members (3-year term): Darwin Briggs 12/2011, Tom Thiel 5/2012, Terry Beck 1/2012, Chad Bowman 6/2012, Steve Metz 6/2013, Donavon Bradley 12/2013, Michael Christianson 2/2014, F Kumbier 6/2014
Board of Appeals Members (3-year term): Nelson Hinz 3/1994, Robert Potratz 3/1994, Walt Whiting 12/2012, Len Schmick 9/2005, Vicki Williams 5/2013, Ron Meier 2/2014
Lake Steering Committee (3-year term): Kevin Fritz 2/2006, Tom Davis 5/2008, Chuck Kuhrt 9/2017

The Town Board meets regularly the SECOND MONDAY OF EACH MONTH AT 7:30PM (unless otherwise noted). All meetings are open to the public. Discussion and action may occur on any of the above agenda items. Any person wishing to attend who, because of a disability, requires special accommodation, should contact Chairman Len Schmick at 920-589-6774 at least twenty four (24) hours before the scheduled meeting time so appropriate arrangements can be made. This is a public meeting. As such, all members or a majority of the members of the Town Board may be in attendance. While a majority of the Town Board members or the majority of any given Town Board Committee may be present, only the above committee will take official action based on the above agenda. Posted at townofutica.org, Town Hall, Co-op, and Jasper's. To receive email updates, e-mail the Clerk at utica1730@gmail.com.

TOWN OF UTICA

Plan Commission Meeting ~ Minutes

Thursday, October 9, 2014

7:30 pm

1. Call the Meeting to Order

This meeting was called to order by Chairman Tom Thiel at 7:30 p.m. at the Utica Town Hall

2. Take Roll Call

Present Members: Terry Beck, Donavon Bradley, Darwin Briggs, Robert Kumbier, Tom Thiel, Ken Schmick (*alternate*)
Absent Members: Chad Bowman, Steve Metz

Absent Alternates: Mike Christianson

Attendance: (9) – Charles Hunter, Mark Davis, Richard Plantz, Jim Smith (Martenson & Eisele), Chuck Kuhrt, Tim Oliver, Walt Whiting, Len Schmick, Attorney John Blazel, Jenny Sonneleitner

3. Approve February 6, 2014 Plan Commission Meeting Minutes

Robert Kumbier made a motion to approve the minutes as presented, seconded by Donavon Bradley. Motion carried

4. Affidavit of Posting/Publication – Secretary and Plan Chairman to sign

5. Public Hearing on Farmland Preservation Plan changing A1 to A2 zoning, relative to parcels listed in posting and publication

Tim Oliver asked to define the difference between A1 and A2. Tom Thiel mentioned A1 offers the Farmland Preservation Plan (FPP), A2 is general farming, then read portion of the Town Zoning Ordinance. A1 stays strictly farming and cannot break off parcels unless by a conditional use; A2 allows parcels to be broken off. Attorney Blazel: there was a financial penalty but now that is gone. It is difficult to zone out of A1. There are limitations on the land to use other than agriculture. There needs to be a 1:20 ratio of residential land to non-farm land and a residential lot needs to be at least 5 acres. Walt Whiting – feels this has completely changed since the beginning. FPP was a tax credit but could still be in A1 without being in FPP without taking tax credits, likes the umbrella of A1, feels someone changed the whole concept of A1. Attorney Blazel – the State statutes were changed and revamped FPP program and the state is dictating to towns and counties to follow their ways. Not automatically in FPP if in A1. It is a zoning district but has more restrictions than it used to be. Town of Utica decided to have A1 because some property owners wanted to partake in the program. Trying to get the Ordinance and Plan approved, need to coordinate with the County Plan and if not close enough together, the State will not approve our plan. Chuck Hunter – how long in A1 or in A2 after tonight? Len Schmick – It is fairly easy to go from A2 to A1, more difficult to go from A1 to A2. We are working on getting the zoning aligned with what the State is looking for. Tom Thiel – how big you are and how much land you have, think about it before deciding. Len Schmick – Once in and if sell it, land will still be A1. Donavon Bradley – If in A1 and pass away, the land will still be zoned A1 for your heirs, so making a decision for heirs also. Richard Plantz – Why do the maps keep changing? Who is making the changes? Attorney Blazel – FPP process has been going on for a couple of years. Town made a plan, asked the County to adopt our plan. There was a miscommunication on who was to be in A1 and A2, when the County adopted their plan, it did not match ours. We asked the County to change the plan to be consistent with what we want, need to send letters to everyone in A1 to give another chance to opt out of A1. Many replied to opt out and the County needed to change the map. Zoning is flexible and changes over time. Richard Plantz said his property was changed and was not aware of that. Attorney Blazel – we are not sure of the circumstance and not sure why that happened to your property. Len Schmick – the maps are generated by the County. Thomas Thiel closed the public hearing.

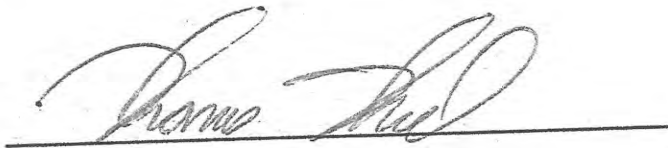
6. Discuss requested zoning changes as defined in agenda item #6 and make recommendation to the Town Board

Darwin Briggs – We are sure everyone on this list is sure they want to do this (make the zoning change).
Robert Kumbier – after this, if they want to go from A1 to A2, can they make the change? Tom Thiel – no, now is the time to opt out. Attorney Blazel – Our Ordinance, to comply with State Statutes, Town cannot zone out of A1 unless: 1) land rezoned is better suited for a use not allowed in FPP district, 2) consistent with Town's plan with where FPP is planned to be and would need to change the Comprehensive Plan, 3) substantially consistent with County's plan, 4) rezoning would not substantially impair/limit current/future ag use of surrounding land. That's why it is hard to do (change out of FPP). Robert Kumbier – couple years ago, penalties were involved if wanted to make any changes, that's why he changed out of it, there was no control of the penalty; but now that is no longer in the plan; A2 frees you up and you can continue to still farm. Tom Thiel recommends (motions) to change all parcels from A1 to A2 on the list, seconded by Darwin Briggs. All parcels listed on the list will be A2, if Board approves on Monday.

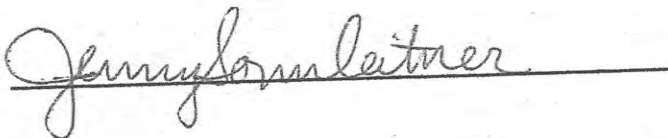
Donavon – Yes, Tom – Yes, Ken – Yes, Terry – Yes, Robert – Yes, Darwin – Yes. Motion passed

7. Public Hearing to consider Conditional Use Permit for a non-farm-residence in A1 District for Fred Marohn of 6694 Rustic Meadows Road for a 12.6 acre parcel. Parcel address is 953 County Road M Pickett, WI Jim Smith from Martenson & Eisele – Include pasture land, including ag buildings and pasture land; it was logical to use the creekbed as a dividing line. Tom Thiel – this does comply to A1 so it does work. Len Schmick – The County did approve this already as long as it stayed A1. Attorney Blazel – FPP Ordinance, can have non-farm residence. Jim Smith – What does that mean, non-farm. Len Schmick – Not actively farming the acres, it's the only way to divide up A1 property. Attorney Blazel – grant conditional use for the residence, still A1, with a conditional use for a residence. It's the mechanics of the FPP use. Darwin Briggs – All the buildings meet setback requirements. Tom Thiel – Yes. Darwin Briggs motions to recommend to the Town Board approving CSM and rezoning this to RR leaving other part A1, seconded by Robert Kumbier. Tom Thiel & Len Schmick – No, can't do that, it's staying A1. Darwin Briggs recommends to the Town Board to accept the CSM and both stay A1 with a conditional use of A1, seconded by Robert Kumbier. Donavon – Yes, Tom – Yes, Ken – Yes, Terry – Yes, Robert – Yes, Darwin – Yes. Motion passed
8. Discuss and recommend to the Town Board for approval of a Conditional Use Permit for a non-farm-residence in A1 District for Fred Marohn for a 12.6 acre parcel.
See above #7
9. Discuss and recommend to the Town Board for approval of a CSM to create a 12.6 acre parcel. Parcel address is 953 County Road M Pickett, WI
See above #7
10. Consideration of appointment of Plan Commission Secretary
No one on the committee is interested right now in the Secretary position. Steve Metz is resigning. Clerk said she would be willing to be the Secretary, but does not want a voting roll. If anyone wants to be the Secretary, let us know.
11. Future Agenda Items
- A) Working on property, RR district already and split into three sections on State Road 91 and Elo Road. Jim from Martenson & Eisele is working on this too.
 - B) Jim Smith will be here on Monday at 7pm, to take care of the zoning change for the Lenz family.
 - C) Darwin Briggs mentioned we started working on revising permits, are we done with that or will we continue to do that? If it is working fine, why change it. Tom said it seems to be working fine as is.
12. Adjournment
- A) Meeting adjourned at 8:08 p.m.

Jenny Sonnleitner, Clerk



Thomas Thiel, Chairman



Jenny Sonnleitner, Clerk

TOWN OF UTICA

Town Board Meeting ~ Minutes

Monday, October 13, 2014

7:00 PM
7:30 PM

Public & Board to view invoices being paid
Town Board Meeting

1. Call the Meeting to Order

This meeting was called to order by Chairman Schmick at 7:30 p.m. at the Utica Town Hall.

PRESENT: Chairman Leonard Schmick; Supervisor #1 Chuck Kuhrt; Supervisor #2 Donavon Bradley; Treasurer Brenda Morrell; Clerk Jenny Sonleitner
21 citizens were in attendance

"These meeting minutes are only a draft of the minutes of the meeting. They have not been approved yet. They are subject to change and you may not rely on their accuracy. For more information please contact the clerk or a town board member."

2. Pledge of Allegiance

3. CONSENT AGENDA:

A) Approve September 8, 2014 Town Board Meeting Minutes

B) Affidavit of Postings/Publication: Agenda – Clerk & Chairman to sign

C) Approve Payment of Bills for October

Chairman Schmick motions to accept the above, seconded by Supervisor Bradley. Carried

4. Treasurer's Report from September

Treasurer Morrell presented the report; BMO Harris Bank - Receipts: \$1385.29; Disbursements: \$23352.08; Total Balance: \$442588.44. Total cash on hand for Fire Dept. & EMS accounts: \$471820.30

5. Public Forum

Cindy Herman 335 County Road FF – asked the Board to look into the land violation last month. Asked to read emails received in opposition to the shooting range. The Chairman received emails from Len Clifford, Larry Spratto, and Cam Williams all opposing. Supervisor Kuhrt said he received an email in opposition. Cindy read emails from the following: Bruce Miller, Tom & Betty Barr, Steve & Janet Wissink, Bill Tuchscherer & Devron Miller, and Dr. Christine Tipps. There are two issues: 1) the conditional use in place regarding the 2.61 acre parcel, the August 4, 2005 Town Board meeting minutes clearly states "No Organized Shooting", 2) if the citizens on this township would approve a high caliber extreme long range 1000-1400 yard shooting range. This includes military grade and can penetrate structures and destroy or disable. This should be a referendum and the citizens of the township should be making that decision, not the Town Board. Chairman Schmick said conditions are still enforced and we are waiting to hear from the attorney for his advice. Rick Herman – 335 County Road FF – would like to note a point of correction; the Conditional Use from the conservation club is owned by PW Ranch, not RW Ranch. Asked for clarification when he spoke to Chairman Schmick over the phone that when the Agenda notes "Discuss", the topic is only for discussion, if "Discuss/Decide/Action", the topic will be discussed and a decision made; Board is not obligated to explain their action/vote. Chairman Schmick said that we are aware of that. Rick said the notice of a meeting is published in the paper and 3 locations to make the public aware. If an owner is seeking modification, it is only noted in Plan Commission Agenda draft which is emailed and posted at 3 locations. He feels the agenda is not detailed enough so that is why he sent out emails and notices about this land use violation. During the Plan Commission meeting, when is there an opportunity for public comment? Chairman Schmick said during the public hearing session which is noted on the agenda such as what happened at the meeting earlier tonight. During the call from Saturday with the Chairman, which was contentious, the Winnebago County Zoning and land use regulation only allows outdoor shooting ranges in 3 conditions and on conditional use basis only; we do not follow County zoning ordinances, except what is in the County control of wetlands, etc; this is new news to him; this Town has limited resources: financially and intellectually on the law side. Since the Town has its own zoning, does it maintain similar/best practices as Winnebago County specific to conditional use of outdoor shooting range? Chairman Schmick said the only piece of land that is zoned Institutional for Ralph Kalies is the 2.61 acres, the rest is either A1, A2, or RR which don't allow a shooting range. A shooting range is a business that charges for and is strictly for shooting, period. Does not mean he/family/friends can't shoot or hunt out there; cannot be "organized". Rick Herman What we are hearing is the attorney's best opinion and judgment that we hired, he is not a judge and he interprets the law. The Range is run as a business that charges strictly for shooting, advertises on the internet paid for play entity; it cannot have organized shooting. We are not against hunting or shooting guns, we are against 50 caliber shooting, shooting ranges, and the Ranch advertises for shooting. If the Town doesn't feel a need for conditional uses, this should be done by referendum. Chairman Schmick said in order to have a shooting range, there would need to be a hearing for a zoning change, published two times in the newspaper and posted in three locations; the Zoning Board would recommend to the Town Board, the Town Board would either agree or disagree with the recommendation. This is not easy and would not be snuck under the door. Property needs to be first zoned Institutional which is not allowed in A1, A2, or RR. We are trying to do our due diligence. Rick Herman said it was unanimous by 6 members in 2005, they walked the property; nothing has changed. Joan Mosling – 291 County Road FF, past 43 years, we have been stewards; this is a serious concern approving this and has a significant negative impact of property values of the 30+ properties surrounding PW Ranch; there is a safety concern that is comprised of residential homes and recreational activities are in the area: jogging, biking, hiking, horseback riding, boating, fishing, and walking. The Board represents all the citizens of the Town of Utica and should be sensitive to the quality of life and investment in homes and land. Chairman Schmick said he/we have not been asked to approve a shooting range and he has not asked us. This board was not around in 2005 and was not aware of a conditional use. Ralph Kalies didn't know either that there was a conditional use. When he purchased the property, he didn't know it was there. It is only in our town files, not with the County. Ken Hubli – 1852 Crown Drive – why is it allowed to continue until this is cleared up when this is in operation now? Chairman Schmick said it is legal to shoot a high-caliber rifle anywhere they want. The idea of a commercial operation where people are paying to do this, that is a different situation. Not against law to shoot. If the Board cites the owner,

or goes after him, he can still shoot a rifle when he wants. Everyone has the right to bear arms and shoot. Some require a special permit. Rick Herman said there was law enforcement out there when it first started. Common sense doesn't prevail anymore and it should. Conflict of interest perhaps, Chairman? Chairman Schmick says a person has to be very responsible to shoot. We are taking this seriously. Ken Hubli – if anyone wants to shoot high-caliber guns, go to a military base, they use 500 yards. Chairman Schmick said you need to be a very responsible person to shoot a rifle like that. Rick Herman said he does not want to be associated with this. He lives in a quiet, little town and it's changing rapidly. Chairman Schmick said we are taking this seriously and taking our time to make sure what is legal. Cindy Herman asked what are the next steps after attorney has information. Chairman Schmick – we would try to work it out without attorneys to make it stop or change, if that doesn't work, we would get the attorney advise; if it turns into a legal issue; the County or State law enforcement may be involved. Cindy Herman said when she attended the meetings in 2005 and that there would be no gun activity, they asked who's responsibility is it to enforce and the notes state that it us up to the Board, it is their job to enforce to be compliant with land use and conditions, so now is not the case? Chairman Schmick said No, we are waiting for attorney for his advice. The 2.61 acres, if the attorney says he can't use that parcel designated as a conservation club and it is zoned Institutional; that is just that little tiny piece and is the only piece that could allow a gun club. Cindy Herman – but the piece next to it is part of the DNR conservation program and is her understanding that you cannot have shooting ranges or long-range guns on that property either. Ralph Kalies says anyone can shoot/hunt on conservation property and anywhere in the state of Wisconsin can use the rifles we are talking about. There is no rule against not using a 223, 308, 30-yat-6, rifles; can be shot anytime. Cindy Herman The issue is about long-range 50-caliber machine guns, not deer hunting rifles. Ralph Kalies says to his knowledge, one has never been shot at the location you are talking about. Cindy Herman garden shed is 300 feet from that concrete pad. Almost had a heart attack beginning of August when one of those machine guns was shot. Ralph Kalies says a machine gun has never been shot. Cindy Herman, then it was a high caliber rifle shot. Matt Kramer & Jennifer – 344 Cty FF – The point Ralph is making is complete wrong. This is a commercial use and is running a business, people pay to use range, you are not zoned for this. We moved here, we had to abide by the zoning of our land. We respect that and are trying to preserve it. What you have done is alienated all your neighbors with your operations. We own a horse farm, we have 8 boarding horses in addition to our 6, all our clients are disturbed by this and don't feel safe riding on their property or Mosling's property who let us use it. It is a violation of the code, we all need to follow it. Look how you alienated all of us, is that how you want to live? Ralph Kalies said there are just as many of you as my neighbors, my neighbors/friends/family that hunt there and have shot guns on his property. No matter how this turns out, they still have a right to shoot there as much as they want. Rick Herman, what is the right thing to do? Ralph Kalies said the right thing to have do is you should have come and talked to me. Rick Herman wants to make sure this gets done in the correct manner. Chairman Schmick has a suggestion, Ralph would you be willing to remove the shooting platform from the 2.61 acres and eliminate this from the property. Ralph Kalies said sure, I think it was used 3 times in 4 years. Chairman Schmick said this doesn't solve all the issues, but is something. What do you think? Is this a step in the right direction? Get that off the 2.61 acres so it is no longer a shooting platform. Cindy Herman said we still have two separate issues, the gun pad on the 2.61 acres, that is a no brainer. 2) do we want, in this township, to have 50-caliber extreme long range rifle range as a commercial operation? We should be allowed to have as a referendum and let the people of the township vote. If there are so many people in this township that support it and want it, then let them vote for it and then the issue is settled. Chairman Schmick said if that is where it ends up, that's where it ends up but we should at least find out what the attorney has to say. If that doesn't work, I'll learn how to do a referendum which I have never done, that is how we'll go. We need to go one step at a time. The biggest thing is we need to communicate and talk, bring your information to us so we can try so that everyone gets along. Anything anyone else wants to say?

Officer was present: Crisis intervention from the Health Department offers this and is for anyone who wants to talk about issues, and can call 211. Poster is on the bulletin board at the Town Hall and can take fliers attached to the poster.

6. Discuss land use violation of RW Ranch owned by Ralph Kalies Parcel #024-0785
Supervisor Kuhrt said we need to follow the progressions, hear from everyone on how they feel and from the attorney; and go from there. Supervisor Bradley said to see what the attorney has to say about this. Chairman Schmick agrees. Chairman Schmick asked if anyone has heard any shooting since the last meeting. Rick Herman said it has been quiet at that location but there is shooting behind Morgan's old barn.
7. Budget
 - A) Amendments
Transfer \$4000.00 from Road Maintenance to General Building & Plant; transfer \$700.00 from Plan Commission Wages to Building Inspections.
Chairman Schmick approves the amendments, seconded by Supervisor Bradley. Carried
 - B) Set date for Budget Workshop
Thursday, October 30, 2014 at 7pm at the Town Hall
8. Discuss and approve the Winnebago County Sheriff Joint Powers Agreement
Supervisor Kuhrt motions to accept the proposal, seconded by Supervisor Bradley. Carried
9. Discuss purchasing Short-Term Tax Collector's Bond for Treasurer Morrell
Chairman motions to spend \$200 for the Tax Collector's Bond, seconded by Supervisor Kuhrt. Carried
10. Road Inspection – October 15, 2014 at 8:00am starting at the Town Hall
11. Town Hall Remodel Bids for concrete work to be ADA compliant during Elections
Chairman received one bid that includes a 45x8' sidewalk, 4500 psi concrete, sealer, dig out dirt, stone, dirt back in, and finish for \$1800 from Nemitz Concrete. Once installed, we will take off the breaker bar and put on a different release so it is ADA compliant. Chairman recommends we accept this bid since it is the only bid we received, seconded by Supervisor Bradley. Carried

12. **Discuss the updated Single-Stream Recycling Ordinance**
The Ordinance contains a list of definitions and what can/can't be included, etc. The Town Board would enforce any issues. Supervisor Bradley asked if we are to send notices to everybody. We will post on the website and at the 3 locations. Treasurer Morrell asked how many pages for postage purposes if adding to the tax bills. Supervisor Bradley said then that they can't say they didn't receive it if we include with the tax bills. Treasurer Morrell suggested to include how to get the Ordinance in the Pickett Community Newsletter and a notation with tax bills where to find the ordinance online. Since discussed, we will vote next month.
13. **Emergency Management plan for Town & Elections – have election draft for Board to review**
Government Accountability Board talks about emergency plans at all the meetings the Chief Election Inspections go to. We took samples from other towns and made it suite our Town. They would like to have a spare key if they need to evacuate and if the doors are locked and can't get in, they would need to get back in; key #13 is for election emergency purposes. The fire building next door can be used as an evacuation site. Tim Oliver said he will give us the door code to have access inside. Clerk Sonnleitner will keep that in a sealed envelope with the election supplies. Alternate locations, would need approval to use the Pickett Community Center. Town Hall, building next door and the Pickett Community Center will be the locations for evacuation. Tim Oliver said we do have 2 portable generators to hook the machines up but they wouldn't light up the building. Just call the firemen, start with the Chief, to have help set up the generators. Generators are kept in the Town Hall.
14. **Winnebago County Unit WTA – Supervisor Kuhrt attended the meeting regarding Act 377 – Implements of Husbandry another meeting on October 22, 2014 at 6:00pm at the County Highway Department**
Supervisor Kuhrt said at least one representative from each town is wanted and this may develop into a steering committee. A meeting will be held on Wednesday, October 22, 2014 at 6pm at the Highway Department. County Sheriff's department is not obligated to enforce any town ordinance at all but will do the best they can. Sheriff Matz said this would be the 2nd ordinance that towns would pass that they would try to enforce. It would be better if towns and villages could get together and be the same; to have an Ordinance that is county-wide. Chairman Schmick and Supervisor Kuhrt plan to go to this meeting.
15. **PLAN COMMISSION**
 - A) **Action on recommendation to approve zoning changes for the Farmland Preservation Plan from A1 to A2**
There was miscommunication between the County and towns for the last two years and has now been straightened out. The County made changes already. Chairman Schmick motions to accept the recommendation of our zoning board for these changes from A1 to A2, seconded by Supervisor Bradley. Carried
 - B) **Action on recommendation to approve CSM (certified survey map) for 12.6 acre parcel at 953 Cty Rd M**
Chairman Schmick motions to approve CSM as recommended and to grant a conditional use permit for a non-farm-residence in an A1 district for Fred Marohn parcel at 953 County Road M (B&C), seconded by Supervisor Bradley. Carried
 - C) **Action on recommendation to grant a Conditional Use Permit for a non-farm-residence in the A1 district for Fred Marohn's parcel at County Road M**
See B above
 - D) **Action on recommendation to approve CSM creating a 5.102 acre parcel for Lenz Family at 6315 State Rd 91**
Chairman Schmick motions to combine (D&E) from A2 to RR (agenda E has a typo), and the rest of the farm will remain A2 at 6315 State Road 91, Seconded by Supervisor Bradley. Carried
 - E) **Action on recommendation to approve a zoning change for Lenz parcel at 6315 State Rd 91 from A1 to RR at 6315 State Rd 91**
See D above
 - F) **Discuss and appoint Alternate Ken Schmick to a permanent member**
Chairman Schmick recommends to appoint Alternate Ken Schmick as a permanent member on zoning board, 2nd Bradley Carried
 - G) **Discuss appointing an alternate to the Plan Commission**
Steve Metz resigned. Chairman Schmick asked if anyone in the audience would be interested. Ralph Kalies is interested in being an alternate, also Cindy Herman is interested. Chairman Schmick will recommend to the Board at the next meeting who to appoint. Supervisor Kuhrt wants to mention the opening to a County Plumber if he would be interested, he is on vacation now.
16. **EDUCATION:**
 - A) **Current Issues Affecting Local Government Officials – UW-Extension**
17. **Fire Department / EMS Department**
 - A) **September: 2 fire calls / 5 EMS calls**
 - B) **Approve sending Building Inspector Bob Vajgrt to the WI State Fire Inspectors Association Annual Fire Prevention Conference and also reimburse for hotel stay, meals and mileage**
Chairman Schmick motions to approve sending Bob to attend ... fire conference and reimburse hotel stay, meals, mileage, seconded by Supervisor Kuhrt. Carried

18. CORRESPONDENCE

- A) Oshkosh Public Library Minutes: December 19, 2013 – August 28, 2014
- B) Foreclosure of Tax Liens; Parcel #024-0597-01 – Wes & Susan Kranz
- C) WI Towns Association Monthly Mailing
- D) East Central WI Regional Commission – Karst & Urban/Rural Stormwater Management in NE WI
- E) Bituminous Insurance Companies name change to BITCO Insurance Companies

19. Items to include in the Pickett Community Center Newsletter

- A) Town Board Meeting – November 10, 2014; 7:30pm at the Utica Town Hall
- B) Public Budget Hearing/Town Electors' Meeting – November 17, 2014; 7:30pm at the Utica Town Hall
- C) 2014 Election Date – General November 4, 2014 – the law changed again and as of now, photo ID is NOT needed at this election.

20. Future Agenda Items

- A) Recycling Ordinance

21. Adjournment

Adjourned at 8:36pm

Jenny Sonnleitner, Clerk

_____ Len Schmick – Chairman

_____ Chuck Kuhrt - Supervisor #1

_____ Donavon Bradley - Supervisor #2

_____ Brenda Morrell – Treasurer

_____ Jenny Sonnleitner - Clerk

"These meeting minutes are only a draft of the minutes of the meeting. They have not been approved yet. They are subject to change and you may not rely on their accuracy. For more information please contact the clerk or a town board member."