

# R E S O L U T I O N

DATE: August 21, 2012

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 UTICA in accordance with the petition of ALL OWNERS' REQUESTING ZONING CHANGES and

WHEREAS, said request is in compliance with the adopted Winnebago County Land Use 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 UTICA, be and the same, are amended to provide that the attached described property be changed from the classification of A-1 of said ordinance, which it now and heretofore had, to the zoned district of A-2.

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

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County Board Supervisor  
(Town of UTICA)

PARCEL NO: ALL OWNERS REQUESTING ZONING CHANGE FROM A-1 TO A-2.

### 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 \_\_\_\_\_,  
2012.

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Mark Harris

County Board Supervisory district **33**

# Town of Utica

## Plan Commission

### *Amended Agenda*

#### Town of Utica Plan Commission Meeting Agenda

The Town of Utica Plan Commission will hold a meeting on Thursday, September 1, 2011 at 7:30 p.m. at the Utica Town Hall, 1730 County Road FF, Oshkosh, WI 54904. Town Board members may also be present.

1. Call the meeting to order.
2. Take roll call.
3. Approve minutes from the meeting held on August 4, 2011.
4. Read the Agenda.
5. Hold a Public Hearing for requests for a zoning change from A-1 to A-2 for the parcels in the Town of Utica listed on "Attachment A". Action will be taken by the Plan Commission following the Public Hearing.
6. Review and discuss site plan and Conditional Use for Wesley and Sue Kranz, 6371 County Road N, Pickett, WI 54964. A recommendation will follow the review and discussion.
7. Entertain Informal Opinions.
8. Discuss topics, issues, and/or ideas that need to be addressed at future Plan Commission meetings or workshops.
9. Move to adjourn.

For further information concerning this notice, please contact:

Town Clerk, Jenny Sonnleitner-(920)-410-0347

Public testimony will be taken at the time of the hearing. All written testimony must be received prior to the hearing and can be sent to: Thomas Thiel, 1209 County Road M, Pickett, WI 54964.

Posted: August 25, 2011

# Town of Utica

## Plan Commission

### Town of Utica Plan Commission Meeting Agenda

The Town of Utica Plan Commission will hold a meeting on Thursday, September 1, 2011 at 7:30 p.m. at the Utica Town Hall, 1730 County Road FF, Oshkosh, WI 54904. Town Board members may also be present.

1. Call the meeting to order.
2. Take roll call.
3. Approve minutes from the meeting held on August 4, 2011.
4. Read the Agenda.
5. Hold a Public Hearing for requests for a zoning change from A-1 to A-2 for the parcels in the Town of Utica listed on "Attachment A". Action will be taken by the Plan Commission following the Public Hearing.
6. Review and discuss site plan and Conditional Use for Wesley and Sue Kranz, 6366 County Road N, Pickett, WI 54964. A recommendation will follow the review and discussion.
7. Entertain Informal Opinions.
8. Discuss topics, issues, and/or ideas that need to be addressed at future Plan Commission meetings or workshops.
9. Move to adjourn.

For further information concerning this notice, please contact:

Town Clerk, Jenny Sonnleitner-(920)-410-0347

Public testimony will be taken at the time of the hearing. All written testimony must be received prior to the hearing and can be sent to: Thomas Thiel, 1209 County Road M, Pickett, WI 54964.

Posted: August 17, 2011

# Town of Utica

## Plan Commission

Town of Utica Plan Commission Meeting

September 1, 2011

Meeting was called to order by Chair, **Thomas Thiel**, at 7:30 p.m. at the Utica Town Hall, 1730 County Road FF, Oshkosh, WI 54904.

### Roll Call

**Members Present:** Deanna Bradley, Donavon Bradley, Sandy Forsgren, Shirley Gallert, Jonathan Groth, David Sweet, Thomas Thiel

**Absent:** None

**Town Board Members Present:** Chuck Kuhrt, Donavon Bradley, Leonard Schmick

**Other People Present:** (See attached sheets.)

### Minutes

Forsgren moved to approve the minutes as printed from the meeting held on August 4, 2011. Deanna Bradley gave a Second. The minutes were approved with a voice vote.

Chair, **Thiel**, read the agenda.

### Public Hearing for Changing Parcels from A-1 to A-2 Zoning

**Public Hearing for requests for a zoning change from A-1 to A-2 for the parcels in the Town of Utica listed on "Attachment A" of the September 1, 2011 Plan Commission Agenda.**

### **Public Session:**

A map of the Town of Utica was displayed showing the Farmland Preservation parcels as green, the parcels that were being requested to be changed from A-1 to A-2 as brown, and the parcels left white had no changes. It was also explained that a few of the "brown parcels" already had A-2 zoning in the Town of Utica, but there was a discrepancy with what the County had listed for "Town Zoning".

**Attorney Sorenson** answered questions that were asked that clarified the difference between Farmland Preservation credits and Farmland Tax Relief. Taxes are based on use. There is no correlation between Fair Market Value and Agricultural Use Valuation.

**Public Session was closed.**

### **Regular Session:**

A Plan Commission member asked **Attorney Sorenson** if the four **Plan Commission** members who also have requested that parcels be rezoned from A-1 to A-2 could participate in the discussion and vote. He stated that they could. There was a discussion as to whether there were advantages to having land zoned A-2.

**Gallert made a motion to recommend to the Town Board to change the zoning from**

**A-1 to A-2 for parcels listed on "Attachment A" of the Agenda for the September 1, 2011 Town of Utica Plan Commission meeting. Forsgren gave a Second.**

**Discussion:** There was no discussion, but a check was made to be sure all Plan Commission members had a copy of "Attachment A".

**Vote: Yes--**Deanna Bradley, Donavon Bradley, Forsgren, Gallert, Groth, Sweet, Thiel  
**No---None**

**Motion passed with a unanimous vote. (7-0)**  
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**Wesley and Sue Kranz Property**

**Review and discuss the site plan and Conditional Use for Wesley and Sue Kranz, 6371 County Road N, Pickett, WI 54964.**

Wes distributed a site plan for only his property to each Plan Commission member. He had previously submitted a site plan along with a Conditional Use Application when the Public Hearing was held, but that site plan included a portion of his neighbor's land. Wes explained how he plans to move his fences and gardens back from the lot line. Vegetables are grown in the raised gardens for the Community Share Program and about half of the gardens are co-op gardens. He currently has 28 horses, 1 cow, 2 goats, and 1 sheep on his Special Needs Ranch. Therapeutic programs for handicapped children are conducted on the property. Wes informed the group that he no longer lives on the property. He currently lives in Oshkosh, but someone is there almost 24/7 to care for the animals.

**Discussion:** The Kranz parcel is zoned Rural Recreational and Residential Mixed Use. That zoning requires a principal residence. Now that there is no single family residence and the use has changed since the Conditional Use Application was submitted, a Conditional Use Permit can't be granted according to the Town of Utica Ordinance. Kranz will have to reestablish a residence or consider other options available for the property without a residence.

**Groth made a motion to deny the original Conditional Use Application. Sweet gave a Second.**

**Discussion:** There was no discussion.

**Vote: Yes--**Deanna Bradley, Forsgren, Gallert, Groth, Sweet, Thiel  
**No---Donavon Bradley**

**Motion passed. (6-1)**  
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**Informal Opinions:** There were no requests for Informal Opinions.  
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**Topics, Issues, and/or Ideas for Future Meetings/Workshops**

- Residential Farm Homestead overlay district
- Farmland Preservation Ordinance-Has to be completed by December, 2012.
- Formalized review or audit for Conditional Uses-It was suggested instead of a review or audit, as each Conditional Use is granted it should be kept on the agenda until all conditions have been met. Then, only reviewed on a complaint basis.

- Wind Energy-There is little interest currently because of the standards.
- Extraterritorial jurisdiction area for the City of Oshkosh-If someone wants to build in that area, remind them that they need to consult with the City Planner to find out the requirements.

Thiel made a motion to adjourn. Groth gave a Second.

Motion passed with a voice vote.

Meeting adjourned at 8:46 p.m.

Respectfully submitted by Shirley Gallert, Secretary.

*Shirley Gallert*

*Minutes Approved  
March 1, 2012  
Shirley Gallert*

TOWN OF UTICA  
REZONING APPLICATION

Filing Fee: \$400.00  
(Made payable to Town of Utica)

Date Received: 8-11-11

Property Address: 1209 Cty R.D M.

Name of Owner(s): Thomas L Thiel

Address, if different than above: \_\_\_\_\_

Home Phone: 1-920-589-3005 Daytime Phone if different: \_\_\_\_\_

Name of Applicant(s): Thomas L Thiel

Address, if different than above: \_\_\_\_\_

Home Phone: - Same - Daytime Phone if different: \_\_\_\_\_

Name & Address of professional in charge of proposed development (architect, builder, contractor, engineer, etc):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Legal Description of Property: Section 18 and section 19  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Tax Parcel Number: 0240392 - 0240394 - 0240399

NOTE: Please attach a copy of the Certified Survey Map for the property.

Location of the property in relation to nearby roadways, buildings, or other landmarks: \_\_\_\_\_

Cty RD M.

1. What is the current use of this property? A-1  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. What is the intended use of this property? A-2 for Agricultural.

3. Please mark the current zoning for the property:

- |   |  |
|---|--|
| <input type="checkbox"/> Single Family Residence  | <input type="checkbox"/> Industrial                      |
| <input type="checkbox"/> Two Family Residence     | <input type="checkbox"/> Commercial                      |
| <input type="checkbox"/> Multiple Family Dwelling | <input type="checkbox"/> Institutional and Recreational  |
| <input checked="" type="checkbox"/> Agricultural  | <input type="checkbox"/> Planned Residential Development |
| <input type="checkbox"/> Rural Recreational       | <input type="checkbox"/> Residential Mixed Use           |

4. What is the requested zoning for this property? A-2

5. Please explain the reason for this rezoning request. Need to have Flexability with the Land in the Future. Also using the to Park in for Multiple request for moving A-1 Land to A-2 Land.

6. If this is a Rural Recreational rezoning request, please specify what type of conditions are being requested. \_\_\_\_\_

7. Please explain why this is the best proposed use for this property: Because this is a Farm.

8. Please explain the compatibility of the proposed use(s) with the surrounding land uses. All is Farmland.

9. List all property owners within 300 feet and their mailing addresses.

- |    |    |
|----|----|
| 1. | 4. |
| 2. | 5. |
| 3. | 6. |



Twelve (12) copies of the application and all attachments shall be submitted to the Town Clerk,  
Town Zoning Administrator or other designated representative no later than twenty-one (21)  
days prior to the meeting

Thomas J. Shel  
Signature of Applicant

8-11-11  
Date

Thomas J. Shel  
Signature of Owner

8-11-11  
Date

### Attachment A Continued

KROMM, THOMAS	024-0338, 024-0446, 024-0456, 024-0459
KUHRT, CARLA & THUMS, BRENDA	024-0136, 024-0139, 024-0140, 024-0141, 024-0142, 024-0143, 024-0156-01
KUMBIER, ROBERT & THOMAS	024-0573, 024-0577, 024-0580, 024-0581
KUMBIER, ROBERT	024-0758
LAABS, GARY	024-0395, 024-0397
LANGENFELD, RICHARD & CHERYL	024-0760-01-01
MESSERSCHMIDT, BETTY	024-0293, 024-0302, 024-0319, 024-0328
MILLER, TODD & TRACEY	024-0594-01, 024-0594-03, 024-0609, 024-0609-01, 024-0624
MORGAN, LYNN	024-0559, 024-0562, 024-0762, 024-0763
NEWELL, SHIRLEY & NANCY	024-0301, 024-0308, 024-0309, 024-0318, 024-0325, 024-0440, 024-0442-03
NITZ, RONALD & MARILYN	024-0742, 024-0743, 024-0745, 024-0750
PARKS, BERNICE REV. TRST	024-0722, 024-0723, 024-0724, 024-0738
PHILLIPS, DANIEL	024-0550, 024-0551, 024-0552, 024-0553
PLANTZ, IRENE	024-0449, 024-0452, 024-0447, 024-0462, 024-0426, 024-0611-01
QUIGLEY, DOLORES	024-0130, 024-0131, 024-0135, 024-0152
RADLOFF, MICHAEL & DEBRA	024-0244
RADLOFF, ROGER MARITAL TRUST	024-0242, 024-0243, 024-0245, 024-0240, 024-0248
RADLOFF, WESLEY & SHIRLEY	024-0221, 024-0222, 024-0223, 024-0224, 024-0241, 024-0017, 024-0019
RANK, RUSSELL	024-0023, 024-0025, 024-0027, 024-0029, 024-0030
RASMUSSEN, ALICE	024-0538-02, 024-0538-03, 024-0539
RUECHEL, MARK	024-0104
SIMSON, EUGENE	024-0191, 024-0194
THIEL, THOMAS & DAWN	024-0392, 024-0394, 024-0399
THUMS, THOMAS & BRADLEY, BRENDA	024-0352, 024-0358, 024-0359, 024-0049, 024-0132, 024-0138
TREBIATOWSKI, NORBERT & LUCILLE	024-0287-03, 024-0287, 024-0288
TURNER, MILTON	024-0270, 024-0273, 024-0290, 024-0291
WEHLE, PEGGY & ROBERT	024-0747
WIEGMANN, KEITH & JENNY	024-0257, 024-0259, 024-0289, 024-0292
WILLIAMS FAMILY, LLC (MUNSIL)	024-0568, 024-0332, 024-0312, 024-0430, 024-0435, 024-0441, 024-0464, 024-0466, 024-0467, 024-0468, 024-0470, 024-0472, 024-0473, 024-0474, 024-0475, 024-0437
WINTERS, JUNE	024-0741, 024-0744, 024-0768
ZARLING, LEO	024-0043, 024-0043-01, 024-0044, 024-0056

Public testimony will be taken at the time of the hearing. All written testimony must be received prior to the hearing and can be sent to Thomas Thiel, 1209 County Road M, Pickett, WI 54964. For further information, contact the Town Clerk, Jenny Sonnleitner at (920)410-0347.

Shirley Gallert, Plan Commission Secretary

# Town of Utica

## Plan Commission

### Attachment A

BELTER, DAVID & SUE	024-0746, 024-0749, 024-0751, 024-0752, 024-0755
BOCK, NORMAN	024-0563, 024-0565, 024-0566, 024-0574, 024-0578
BOHN, WARREN & GLORIA	024-0390, 024-0396, 024-0400-02
BORGARDT, MARK & TAMIE	024-0013
BRADLEY, DONALD & JANE	024-0494, 024-0495, 024-0497, 024-0499, 024-0479, 024-0481-07, 024-0482-01, 024-0483
BRADLEY, DONAVON & CAROL	024-0565-01, 024-0570, 024-0572, 024-0582-01, 024-0579, 024-0557-04
BRADLEY, MICHAEL	024-0057
BRADLEY, JESSICA (RASSASSUNO)	024-0534
COE, WAYNE & JEAN	024-0329
DAVIES, DAVID	024-0260, 024-0266, 024-0484, 024-0488, 024-0505, 024-0506, 024-0507, 024-0508, 024-0510, 024-0511, 024-0512, 024-0513, 024-0522, 024-0524-01, 024-0525, -24-0531
DAVIES, SUSAN E. & DAVIES, RICHARD L.	024-0779, 024-0780, 024-0783
DAVIES, WARREN	024-0543, 024-0544
DAVIES, WILLIAM & MARIANNE	024-0527, 024-0530, 024-0532, 024-0536-03, 024-0536-04
DAVIS, GARY & KRISTY	024-0038, 024-0041
DAVIS, MARK & REBECCA	024-0079, 024-0079-03, 024-0080, 024-0081, 024-0082, 024-0083, 024-0084, 024-0085, 024-0086, 024-0087, 024-0088
DAVIS, THOMAS & JANET	024-0064, 024-0065, 024-0067, 024-0068, 024-0089, 024-0090
FENDER, MARILYN	024-0765, 024-0766, 024-0766-01
FISHER, FRANK & ROCHELLE	024-0075
FORSGREN, LYLE & SANDRA	024-0272-01, 024-0271
FRITZ, KEVIN & CINDY	024-0305, 024-0306, 024-0160, 024-0160-02, 024-0160-03, 024-0164, 024-0164-03
FRONEK, ROGER & HOUSEHOLDER, BONNIE	024-0059, 024-0060
GALLERT, LAWRENCE & SHIRLEY	024-0252, 024-0253, 024-0384, 024-396-01, 024-0398, 024-400-01, 024-0403
GULLIKSON, GARY & PATTI	024-0026, 024-0028
HALE, JERRY & LEIGH	024-0731, 024-0732
HINZ, NELSON & SHIRLEY	024-0729-01-01, 024-0730, 024-0729, 024-0728
HOFFMAN, ROBERT G.	024-0033, 024-0034, 024-0037, 024-0039, 024-0040
HUNTER BROS., LLC	024-0627, 024-0622-01, 024-0616-01
HUNTER, GLENN & PAULA	024-0418, 024-0413-01, 024-0415
HUNTER, JEFF & MARY	024-0416-01, 024-0485, 024-0486, 024-0489, 024-0490, 024-0491, 024-0492, 024-0496
HUNTER, MICHAEL & JESSICA	024-0365, 024-0364, 024-0417
HUNTER, PATRICIA	024-0412, 024-0413, 024-0413-02, 024-0414, 024-0416, 024-0419, 024-0632, 024-0638-01, 024-0692
KROMM, BETTY	024-0180, 024-0174
KROMM, RONALD & CHRISTINE	024-0337, 024-0436, 024-0444, 024-0445

## Public Notices

Town of Utica  
Public Hearing  
NOTICE IS HEREBY  
GIVEN of a public  
hearing to be held by  
the Town of Utica  
Plan Commission on  
Thursday, September  
1, 2011, at the Utica  
Town Hall, 1730 Coun-  
ty Road FF, Oshkosh,  
WI 54904 to hear testi-  
mony on requests for  
a zoning change from  
A-1 to A-2 for the fol-  
lowing parcels located  
in T17N, R15E, Town  
of Utica, Winnebago  
County, Wisconsin.  
BELTER, DAVID &  
SUE 024-0746, 024-0749,  
024-0751, 024-0752, 024-  
0755  
BOCK, NORMAN 024-  
0563, 024-0565, 024-0566,  
024-0574, 024-0578  
BOHN, WARREN &  
GLORIA 024-0390, 024-  
024-0396, 024-0400-02  
BORGARDT, MARK  
& TAMIE 024-0013  
BRADLEY, DONALD  
& JANE 024-0494, 024-  
0495, 024-0497, 024-0499,  
024-0479, 024-0481-07,  
024-0482-01, 024-0483  
BRADLEY, DONA-  
VON & CAROL 024-  
0565-01, 024-0570, 024-  
0572, 024-0582-01, 024-  
0579, 024-0557-04  
BRADLEY, MI-  
CHAEL 024-0057  
BRADLEY, JESSICA  
(RASSASSUN) 024-  
0534  
COE, WAYNE &  
JEAN 024-0329  
DAVIES, DAVID 024-  
0260, 024-0266, 024-0484,  
024-0488, 024-0505, 024-  
0506, 024-0507, 024-0508,  
024-0510, 024-0511, 024-  
0512, 024-0513, 024-0522,  
024-0524-01, 024-0525,  
-24-0531

DAVIES, SUSAN E  
& DAVIES, RICHARD  
L. 027-0779, 024-0780,  
024-0783  
DAVIES, WARREN  
024-0543, 024-0544  
DAVIES, WILLIAM &  
MARIANNE 024-0524-1-1  
024-0530, 024-0532, 024-  
0536-03, 024-0536-04  
DAVIS, GARY &  
KRISTY 024-0038, 024-  
0041  
DAVIS, MARK & RE-  
BECCA 024-0079, 024-  
0079-03, 024-0080, 024-  
0081, 024-0082, 024-0083,  
024-0084, 024-0085, 024-  
0086, 024-0087, 024-0088  
DAVIS, THOMAS &  
JANET 024-0064, 024-  
0065, 024-0067, 024-0068,  
024-0089, 024-0090  
FENDER, MARILYN  
024-0765, 024-0766, 024-  
0766-01  
FISHER, FRANK &  
ROCHELLE 024-0075  
FORSGREN, LYLE &  
SANDRA 024-0272-01,  
024-0271  
FRITZ, KEVIN &  
CINDY 024-0305, 024-  
0306, 024-0160, 024-0160-  
02, 024-0160-03, 024-  
0164, 024-00164-03  
FRONEK, ROGER &  
HOUSEHOLDER,  
BONNIE 024-0059, 024-  
0060  
GALLERT, LAW-  
RENCE & SHIRLEY  
024-0252, 024-0253, 024-  
0384, 024-396-01, 024-  
0398, 024-400-01, 024-  
0403  
GULLIKSON, GARY  
& PATTI 024-0026, 024-  
0028  
HALE, JEERRY &  
LEIGH 024-0731, 024-  
0732  
HINZ, NELSON &  
SHIRLEY 024-0729-01-  
01, 024-0730, 024-0729,  
024-0728  
HOFFMAN, ROBERT  
G. 024-0033, 024-0034,  
023-0037, 024-0039,  
0240040  
HUNTER BROS.,  
LLC 024-0627, 024-0622-  
01, 024-0616-01  
HUNTER, GLENN &  
PAULA 024-0418, 024-  
0413-01, 024-0415  
HUNTER, JEFF &  
MARY 024-0416-01,  
024-0485, 024-0486, 024-  
0489, 024-0490, 024-0491,  
024-0492, 024-0496  
HUNTER, MICHAEL  
& JESSICA 024-0365,  
024-0364, 024-0417  
HUNTER, PATRICIA  
024-0412, 024-0413, 024-  
0413-02, 024-0414, 024-  
0416, 024-0419, 024-0632,  
024-0638-01, 024-0692  
KROMM, BETTY 024-  
0180, 024-0174  
KROMM, RONALD &  
CHRISTINE 024-0337,  
024-0436, 024-0444, 024-  
0445  
KROMM, THOMAS  
024-0338, 024-0446, 024-  
0456, 024-0459  
KUHR, CARLA &  
024-0136, 024-0139, 024-  
0140, 024-0141, 024-0142,  
024-0143  
THUMS, BRENDA  
024-0156-01  
KUMBIER, ROBERT  
& THOMAS 024-0573,  
024-0577, 024-0580, 024-  
0581  
KUMBIER, ROBERT  
024-0758  
LAABS, GARY 024-  
0395, 024-0397  
LANGENFELD,  
RICHARD & CHE-  
RYL 024-0760-01-01  
MESSERSCHMIDT,  
BETTY 024-0293, 024-  
0302, 024-0319, 024-0328  
MILLER, TODD &  
TRACEY 024-0594-01,  
024-0594-03, 024-0609,  
024-0609-01, 024-0624  
MORGAN, LYNN 024-  
0559, 024-0562, 024-0762,  
024-0763  
NEWELL, SHIRLEY  
& NANCY 024-0301,  
024-0308, 024-0309, 024-  
0318, 024-0325, 024-0440,

## Public Notices

THIEL, THOMAS &  
DAWN 024-0392, 024-  
0394, 024-0399  
THUMS, THOMAS &  
BRADLEY BRENDA  
024-0352, 024-0358, 024-  
0359, 024-0049, 024-0132,  
024-0138  
TREBIATOWSKI,  
NORBERT & LU-  
CILLE 024-0287-03,  
024-0287, 024-0288  
TURNER, MILTON  
024-0270, 024-0273, 024-  
0290, 024-0291  
WEHLE, PEGGY &  
ROBERT 024-0747  
WIEGMANN, KEITH  
& JENNY 024-0257,  
024-0259, 024-0289, 024-  
0292  
WILLIAMS FAMILY,  
LLC (MUNSIL) 024-  
0568, 024-0332, 024-0312,  
024-0430, 024-0435, 024-  
0441, 024-0464, 024-0466,  
024-0467, 024-0468, 024-  
0470, 024-0472, 024-0473,  
024-0474, 024-0475, 024-  
0437  
WINTERS, JUNE 024-  
0741, 024-0744, 024-0768  
ZARLING, LEO 024-  
0043, 024-0043-01, 024-  
0044, 024-0056  
Public testimony will  
be taken at the time  
of the hearing. All  
written testimony  
must be received pri-  
or to the hearing and  
can be sent to Thomas  
Thiel, 1209 County  
Road M., Pickett, WI  
54964. For further in-  
formation, contact the  
Town Clerk, Jenny  
Sonnleitner at 920-410-  
0347  
Shirley Gallert Plan  
Commission Secre-  
tary  
Aug. 17, 24, 2011  
WNAXLP

Town of Utica  
Public Hearing  
NOTICE IS HEREBY  
GIVEN of a public  
hearing to be held by  
the Town of Utica  
Plan Commission on  
Thursday, September  
1, 2011, at the Utica  
Town Hall, 1730 Coun-  
ty Road FF, Oshkosh,  
WI 54904 to hear testi-  
mony on requests for  
a zoning change from  
A-1 to A-2 for the fol-  
lowing parcels located  
in T17N, R15E, Town  
of Utica, Winnebago  
County, Wisconsin.  
BELTER, DAVID &  
SUE 024-0746, 024-0749,  
024-0751, 024-0752, 024-  
0755  
BOCK, NORMAN 024-  
0563, 024-0565, 024-0566,  
024-0574, 024-0578  
BOHN, WARREN &  
GLORIA 024-0390, 024-  
024-0396, 024-0400-02  
BORGARDT, MARK  
& TAMIE 024-0013  
BRADLEY, DONALD  
& JANE 024-0494, 024-  
0495, 024-0497, 024-0499,  
024-0479, 024-0481-07,  
024-0482-01, 024-0483  
BRADLEY, DONA-  
VON & CAROL 024-  
0565-01, 024-0570, 024-  
0572, 024-0582-01, 024-  
0579, 024-0557-04  
BRADLEY, MI-  
CHAEL 024-0057  
BRADLEY, JESSICA  
(RASSASSUN) 024-  
0534  
COE, WAYNE &  
JEAN 024-0329  
DAVIES, DAVID 024-  
0260, 024-0266, 024-0484,  
024-0488, 024-0505, 024-  
0506, 024-0507, 024-0508,  
024-0510, 024-0511, 024-  
0512, 024-0513, 024-0522,  
024-0524-01, 024-0525,  
-24-0531  
DAVIES, SUSAN E &  
DAVIES, RICHARD  
L. 027-0779, 024-0780,  
024-0783  
DAVIES, WARREN  
024-0543, 024-0544  
DAVIES, WILLIAM &  
MARIANNE 024-0527,  
024-0530, 024-0532, 024-  
0536-03, 024-0536-04  
DAVIS, GARY &  
KRISTY 024-0038, 024-  
0041  
DAVIS, MARK & RE-  
BECCA 024-0079, 024-  
0079-03, 024-0080, 024-  
0081, 024-0082, 024-0083,  
024-0084, 024-0085, 024-  
0086, 024-0087, 024-0088  
DAVIS, THOMAS &  
JANET 024-0064, 024-  
0065, 024-0067, 024-0068,  
024-0089, 024-0090  
FENDER, MARILYN  
024-0765, 024-0766, 024-  
0766-01  
FISHER, FRANK &  
ROCHELLE 024-0075  
FORSGREN, LYLE &  
SANDRA 024-0272-01,  
024-0271  
FRITZ, KEVIN &  
CINDY 024-0305, 024-  
0306, 024-0160, 024-0160-  
02, 024-0160-03, 024-  
0164, 024-00164-03  
FRONEK, ROGER &  
HOUSEHOLDER,  
BONNIE 024-0059, 024-  
0060  
GALLERT, LAW-  
RENCE & SHIRLEY  
024-0252, 024-0253, 024-  
0384, 024-396-01, 024-  
0398, 024-400-01, 024-  
0403

NEWELL, SHIRLEY & NANCY 024-0301, 024-0308, 024-0309, 024-0318, 024-0325, 024-0440, 024-0442-03  
NITZ, RONALD & MARILYN 024-0742, 024-0743, 024-0745, 024-0750  
PARKS, BERNICE REV. TRST 024-0722, 024-0723, 024-0724, 024-0738  
PHILLIPS, DANIEL 024-0550, 024-0551, 024-0552, 024-0553  
PLANTZ, IRENE 024-0449, 024-0452, 024-0447, 024-0462, 024-0426, 024-0611-01  
QUIGLEY, DOLORES 024-0130, 024-0131, 024-0135, 024-0152  
RADLOFF, MICHAEL & DEBRA 024-0244  
RADLOFF, ROGER MARITAL TRUST 024-0242, 024-0243, 024-0245, 024-0240, 024-0248  
RADLOFF, WESLEY & SHIRLEY 024-0221, 024-0222, 024-0223, 024-0224, 024-0241, 024-0017, 024-0019  
RANK, RUSSELL 024-0023, 024-0025, 024-0027, 024-0029, 024-0030  
RASMUSSEN, ALICE 024-0538-02, 024-0538-03, 024-0539  
RUECHEL, MARK 024-0104  
SIMSON, EUGENE 024-0191, 024-0194  
THIEL, THOMAS & DAWN 024-0392, 024-0394, 024-0399  
THUMS, THOMAS & BRADLEY BRENDA 024-0352, 024-0358, 024-0359, 024-0049, 024-0132, 024-0138  
TREBIATOWSKI, NORBERT & LUCILLE 024-0207-03, 024-0284, 024-0280  
TURNER, MILTON 024-0270, 024-0273, 024-0290, 024-0291  
WEHLE, PEGGY & ROBERT 024-0747  
WIEGMANN, KEITH & JENNY 024-0257, 024-0259, 024-0289, 024-0292  
WILLIAMS FAMILY, LLC (MUNSIL) 024-0568, 024-0332, 024-0312, 024-0430, 024-0435, 024-0441, 024-0464, 024-0466, 024-0467, 024-0468, 024-0470, 024-0472, 024-0473, 024-0474, 024-0475, 024-0437  
WINTERS, JUNE 024-0741, 024-0744, 024-0768  
ZARLING, LEO 024-0043, 024-0043-01, 024-0044, 024-0056  
Public testimony will be taken at the time of the hearing. All written testimony must be received prior to the hearing and can be sent to Thomas Thiel, 1209 County Road M., Pickett, WI 54964. For further information, contact the Town Clerk, Jenny Sonnleitner at 920-410-0347  
Shirley Gallert Plan Commission Secretary  
Aug. 17, 24, 2011  
WNAXLP

0384, 024-396-01, 024-0398, 024-400-01, 024-0403  
GULLIKSON, GARY & PATTI 024-0026, 024-0028  
HALE, JERRY & LEIGH 024-0731, 024-0732  
HINZ, NELSON & SHIRLEY 024-0729-01, 024-0730, 024-0729, 024-0728  
HOFFMAN, ROBERT G. 024-0033, 024-0034, 023-0037, 024-0039, 024-0040  
HUNTER BROS., LLC 024-0627, 024-0622-01, 024-0616-01  
HUNTER, GLENN & PAULA 024-0418, 024-0413-01, 024-0415  
HUNTER, JEFF & MARY 024-0416-01, 024-0485, 024-0486, 024-0489, 024-0490, 024-0491, 024-0492, 024-0496  
HUNTER, MICHAEL & JESSICA 024-0365, 024-0364, 024-0417  
HUNTER, PATRICIA 024-0412, 024-0413, 024-0413-02, 024-0414, 024-0416, 024-0419, 024-0632, 024-0638-01, 024-0692  
KROMM, BETTY 024-0180, 024-0174  
KROMM, RONALD & CHRISTINE 024-0337, 024-0436, 024-0444, 024-0445  
KROMM, THOMAS 024-0338, 024-0446, 024-0456, 024-0459  
KUHR, CARLA & THUMS, BRENDA 024-0136, 024-0139, 024-0140, 024-0141, 024-0142, 024-0143, 024-0156-01  
KUMBIER, ROBERT & THOMAS 024-0573, 024-0577, 024-0580, 024-0581  
KUMBIER, ROBERT 024-0758  
LAABS, GARY 024-0395, 024-0397  
LANGENFELD, RICHARD & CHERYL 024-0760-01-01  
MESSERSCHMIDT, BETTY 024-0293, 024-0302, 024-0319, 024-0328  
MILLER, TODD & TRACEY 024-0594-01, 024-0594-03, 024-0609, 024-0609-01, 024-0624  
MORGAN, LYNN 024-0559, 024-0562, 024-0762, 024-0763  
NEWELL, SHIRLEY & NANCY 024-0301, 024-0308, 024-0309, 024-0318, 024-0325, 024-0440, 024-0442-03  
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RADLOFF, WESLEY & SHIRLEY 024-0221, 024-0222, 024-0223, 024-0224, 024-0241, 024-0017, 024-0019  
RANK, RUSSELL 024-0023, 024-0025, 024-0027, 024-0029, 024-0030  
RASMUSSEN, ALICE 024-0538-02, 024-0538-03, 024-0539  
RUECHEL, MARK 024-0104  
SIMSON, EUGENE 024-0191, 024-0194

# TOWN OF UTICA ~ TOWN BOARD MEETING MINUTES

## September 12, 2011

Page 1 of 2

### 1. CALL THE MEETING TO ORDER

The September 12, 2011 meeting was called to order by Chairman Len Schmick at 7:30 p.m. at the Utica Town Hall. Len Schmick - Chairman; Chuck Kuhrt - Supervisor #1; Donavon Bradley - Supervisor #2; Betty Messerschmidt - Treasurer; and Jenny Sonnleitner - Clerk were present. 14 citizens were in attendance.

### 2. PLEDGE OF ALLEGIANCE

### 3. APPROVE AUGUST 15, 2011 MINUTES

The minutes of the August 15, 2011 Town Board Meeting were reviewed. Chairman Schmick made a motion, seconded by Supervisor Kuhrt to accept the minutes as presented. 3 ayes, 0 nays – Carried

### 4. AFFIDAVIT OF PUBLICATION

### 5. AFFIDAVIT OF POSTING

### 6. APPROVE TREASURER'S REPORT FROM AUGUST

Treasurer Messerschmidt read the report. Receipts: \$90,380.22; Disbursements: \$18,799.29; Checkbook Balance: \$256,977.23. Supervisor Kuhrt made a motion, seconded by Supervisor Bradley to accept the Treasurer's Report as read. 3 ayes, 0 nays - Carried

### 7. ADOPT AGENDA

### 8. PUBLIC FORUM

Deputy Schoonover was present and did not have any news.

Dave Bradley asked about Wes Kranz's original conditional use permit being denied and is wondering what will happen next.

Tom Thiel mentioned some homes were sold and if we sent a welcome note yet. Clerk has not received notice from the County yet.

### 9. DISCUSS ATTORNEY AND TRANSFER OF LEGAL FILES

Attorney Sorenson is now working with Davis|Keulthau and we need to decide what to do with our Town's legal files. Supervisor Kuhrt suggests getting references from other attorneys and shop around. Chairman Schmick checked with Town of Poygan to find out more about the attorney they use, who is John Blazel. Each Board Member will check with attorneys for suggestions. Chairman Schmick will talk with Davis|Kuelthau.

### 10. DISCUSS POSTING A SIGN FOR CONCEALED CARRY IN TOWN HALL PER WI 2011 ACT 35

Presented the two signs that were posted on WTA's website. Supervisor Kuhrt talked with Attorney Gosset and he said that if you are posting the sign, you are assuring that there are no weapons coming into the building. We could be liable if we don't have someone checking to make sure no weapons will be coming in. Chairman will check with Attorney Sorenson.

### 11. ROADS:

COUNTY HIGHWAY CONTRACT - Chairman Schmick talked with the County regarding their contract listing all the town roads. The County assured Len that they are not holding us to the mileage listed as they did not do all the roads in the past and to sign as is. If anyone has questions or concerns during the snowplowing season, contact one of the Board Members. Chairman Schmick motioned to sign contract as is that we are not obligated to use them for all the roads and to do as was done in the past. Supervisor Bradley seconded. 3 ayes, 0 nays – Carried

CURRENT ROAD CONDITION UPDATE - Meeting with Bill Demler soon from the County. We left some money aside to know what we can use to finish some projects. We will at least do the first heavy layer, if not finish, on James Road. We will discuss how much we would want to hold over if snow plowing needs to be done during the Budget Workshop.

FALL ROAD INSPECTION - Will set up with Bill Demler at the County

DOT – PAVEMENT RATINGS & JOINTLY OWNED ROADS - Bill Demler takes care of this for us.

TRIP/TRID FUNDING - This fund will assist with funding any road project over \$100,000 and if we get that, we need to do that project. Application is due November 1 and is worth applying for. Supervisor Kuhrt suggests to fix Elo Road because of heavy traffic such as Rosendale and Omro dairies traveling back and forth. There is a meeting September 27 at Winnebago County Highway Dept Facility 9-10am with more details. Chairman Schmick and Supervisor Kuhrt will attend.

### 12. RECYCLING GRANT

Table for now. Brenda and Jenny will meet on Thursday.

### 13. LIST OF DOGS IN OUR TOWN WITH LICENSES

Betty will bring next month.

### 14. SET DATE FOR BUDGET WORKSHOP

Saturday, October 1, 2011 at 9:30am at the Town Hall.

### 15. OVER BUDGET IN ELECTION FUND

Chairman motions to take \$1959.68 from Highway fund and transfer to the election fund, seconded by Supervisor Bradley. 3 ayes, 0 nays – Carried

# TOWN OF UTICA ~ TOWN BOARD MEETING MINUTES

## September 12, 2011

Page 2 of 2

16. FULL MARKET VALUE OF ALL TAXABLE PROPERTY ACCORDING TO DOR  
Town of Utica statistics. This report is for information only and is used for schools, taxes, etc.

17. APPROVE OPERATORS' LICENSE & BACKGROUND CHECK  
Ben Baker and Brittany Ruffalo. Chairman motions to approve these two to receive their Operator's License, Supervisor Kuhrt seconde  
Chairman will talk to Attorney Sorenson about background checks on those applying for a license. 3 ayes, 0 nays - Carried.

18. DISABILITY DISCLAIMER ON AGENDAS

19. DOR - ASSESSMENT DATA ELECTRONIC  
Action Appraisers is already compliant.

20. REPORTS:  
A) BOARD OF APPEALS

B) FIRE DEPARTMENT  
Chairman Schmick thanks the Fire Dept. and Supervisor Bradley with helping with the down trees and branches during the wind storm.  
DEFIBRILLATOR UPDATE - no news  
FIREMEN'S PICNIC TURNOUT - Thanks everyone and sold out of chicken.  
THANK YOU LETTERS FROM FOX VALLEY ALFALFA MILL & HILBERT VOLUNTEER FIRE DEPT

C) PLAN COMMISSION  
ZONING UPDATE - Working on the Wes Kranz property and attending a workshop to help get ideas. Chairman Schmick motions to allow anyone that did change and already applied to change from A1 to A2 that we agree with the Zoning Committee. Seconded by Supervisor Kuhrt. 3 ayes, 0 nays - Carried.  
WES KRANZ UPDATE - Wes needs to come up with a different plan or seek legal advice to comply with his property zoning.  
RESOLUTION DRAFTED BY DONAVON BRADLEY - Town Board signed


D) EDUCATIONAL OPPORTUNITIES  
WI FIRE INSPECTORS ASSOCIATION ANNUAL FIRE PREVENTION CONFERENCE - Bill Vajort is our Town Inspector and has been for 18 years. He is retired from the Oshkosh Fire Dept. and has agreed to work with the Town. The code conference is to keep us updated on compliances and codes for the Town. Chairman makes a motion to spend \$490 + mileage, check for \$210 for conference only today to attend the conference. Supervisor Bradley seconded. 3 ayes, 0 nays - Carried.  
FINANCE/BUDGET WORKSHOP SEPT. 14  
WTA 64<sup>TH</sup> ANNUAL CONVENTION OCTOBER 23-26 - At this time, no one will attend.  
WISLINE CLASSES - Chairman Schmick motioned to get CD bundles, Supervisor Kuhrt seconded. 3 ayes, 0 nays - Carried.  
DEPARTMENT OF JUSTICE SEMINARS

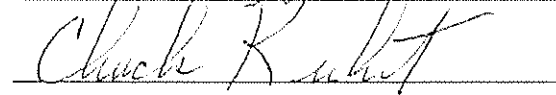
21. ITEMS FOR INCLUSION IN NEWSLETTER  
Donations for the defibrillators contact Jay Roberts.

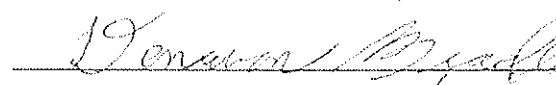
22. APPROVE PAYMENT OF BILLS FOR SEPTEMBER  
Chairman Schmick motions to approve and Supervisor Bradley seconded to pay the bills as submitted by the Clerk.  
3 ayes, 0 nays - Carried

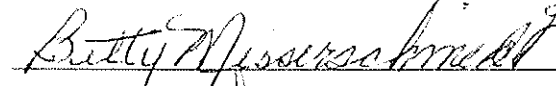
23. ADJOURNMENT  
Supervisor Bradley made a motion, seconded by Chairman Schmick to adjourn at 8:30pm. 3 ayes, 0 nays - Carried.


Jenny Sonnleitner, Clerk

  
\_\_\_\_\_  
Len Schmick - Chairman

  
\_\_\_\_\_  
Chuck Kuhrt - Supervisor #1


  
\_\_\_\_\_  
Donavon Bradley - Supervisor #2

  
\_\_\_\_\_  
Betty Messerschmidt - Treasurer

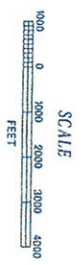
  
\_\_\_\_\_  
Jenny Sonnleitner - Clerk

# TOWN ZONING IN TOWN OF UTICA

**TOWN OF UTICA ZONING LEGEND**

	R-1	Rural Residential District
	R-2	Suburban Residential District
	R-3	Two-family Residential District
	MRF	Multiple Family Residential District
	R-3P	Planned Residential District
	P-R	Recreational and Recreation District
	A-1	Agricultural District (Farmland Preservation)
	A-2	Agricultural District (General Farming)
	RR	Rural Recreational & Residential Mixed Use District
	C	Commercial District
	I	Industrial District
	SA	Shoreland Area Overlay

ADOPTED BY TOWN BOARD 10-08-97  
Last Zoning Revision: 11-17-11



**WINKAS PROJECT DISCLAIMER**  
The County Engineer's signature, stamp, project file number, and seal are required for the final plan. The County Engineer's signature, stamp, project file number, and seal are required for the final plan. The County Engineer's signature, stamp, project file number, and seal are required for the final plan.

