

# Winnebago County Planning and Zoning Department

## NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE 10/25/2016

### TO WHOM IT MAY CONCERN:

The applicant(s) listed below has requested a Conditional Use which is regulated by either Chapter 23, the Town/County Zoning Code, or Chapter 27, the Shoreland Zoning Code. You are receiving this notice because this application or petition for action: 1. affects area in the immediate vicinity of property which you own; 2. requires your agency to be notified; 3. requires your Town to be notified; or 4. requires you, as the applicant, to be notified.

The Winnebago County Planning and Zoning Committee will be holding a public hearing on 10/25/2016 at 6:30 p.m. in Conference Room 408 of the County Administration Building located at 112 Otter Ave, Oshkosh, WI.

All interested persons wishing to be heard at the public hearing are invited to be present. For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning Office, where the application is available for viewing.

### INFORMATION ON CONDITIONAL USE REQUEST

**Application No.:**  
2016-CU-3800

**Applicant:**  
BRUCKS, KATIE I  
BRUCKS, LUKE R

**Agent:**  
None

**Location of Premises:**  
6976 WOODENSHOE RD  
NEENAH, WI 54956

**Tax Parcel No.:**  
010-008805

**Legal Description:**  
Being a part of the W 1/2 of the SW 1/4, Section 6, Township 19 North, Range 17 East, Town of Neenah, Winnebago County, Wisconsin.

**Code Reference:**  
Chapter 23, Section 23.8-41 "Land uses generally allowed within zoning districts."

**Description of Proposed Use:**  
Applicant is requesting a conditional use permit for an expansion of an existing use.

## INITIAL STAFF REPORT

**Sanitation:**

Existing System  
Private System

**Overlays:**

None

**Current or Proposed Zoning:**

A-2 General Agriculture

**Code Reference:**

Chapter 23, Section 23.8-41 "Land uses generally allowed within zoning districts."

**Description of Proposed Use:**

Applicant is requesting a conditional use permit for an expansion of an existing use.

**Surrounding Zoning:**

**North:** A-2

**South:** R-1;A-2

**East:** NA

**West:** NA

### THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT

**Describe the Proposed Use:**

Lucky Stables LLC, established in 2007, is a private riding stable targeting youth education. Horseback & driving lessons, girl-scout badge programs, and birthday parties take place year round. Currently 6 owned horses and 2 customer owned horses reside on the farm. Summer activities are scheduled between the hours of 7:30 am and 8:30 pm. School year lessons take place 3:30 - 8:30 pm.

**Describe How the Proposed Use Will Not Have Any Adverse Effects on Surrounding Property:**

Parking is a current issue but is being resolved by adding & widening current driveway to host angle parking. We may add pasture (fencing), and outdoor lighting, and trails on the property.

### SECTION REFERENCE AND BASIS OF DECISION

**23.7-114 Basis of decision**

The town board and town plan commission of the town in which the proposed conditional use is located in making their recommendation and Planning and Zoning Committee in making its decision shall consider the following factors:

- (1) the size of the parcel on which the proposed use will occur;
- (2) the presence of and compatibility with other uses on the subject property;
- (3) the location of the proposed use on the subject property (e.g., proximity of the proposed use to other existing or potential land uses);
- (4) effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site;
- (5) the suitability of the subject property for the proposed use;
- (6) effects of the proposed use on the natural environment;

- (7) effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances;
- (8) effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district and adjoining districts; and
- (9) any other factor that relates to the purposes of this chapter as set forth in s. 23.1-5 and other sections as may apply.

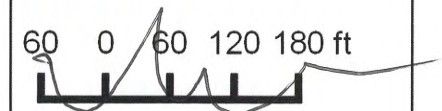
In the event the conditional use being proposed is an adult-oriented establishment, the above-named decision-making bodies shall not consider the nature of expressive conduct protected by the U.S. Constitution with regard to any of the above-mentioned criteria.



## Site Map

### Legend

- Address Marker
- Tax Parcel
- Section Number
- Conveyance Divisions
- Conveyance Types
  - Certified Survey
  - Condominium
  - Assessor Plat
  - Subdivision
  - Plat of Survey
  - Lakes



1 Inch = 180 Feet



W.I.N.G.S. Project Disclaimer  
 This data was created for use by the Winnebago County Geographic Information System project. Any other use/application of this information is the responsibility of the user and such use/application is at their own risk. Winnebago County disclaims all liability regarding fitness of the information for any use other than Winnebago County business. \*Data for this map copyrighted December 31, 2006\*

Aug 24, 2016 @ 01:55 PM

# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING ALL OF LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 6752 AS RECORDED IN VOLUME 1 OF CERTIFIED SURVEY MAPS ON PAGE 6752 AS DOCUMENT NUMBER 1643088 AND PART OF THE NORTHWEST 1/4 OF THE FRACTIONAL SOUTHWEST 1/4, ALL IN SECTION 6, TOWNSHIP 19 NORTH, RANGE 17 EAST, TOWN OF NEENAH, WINNEBAGO COUNTY, WISCONSIN.

DEDICATED TO THE PUBLIC FOR  
TOWN ROAD PURPOSES

5,603 SQ.FT.± (0.1286 ACRES±)

(N89°09'17"E)  
N88°49'27"E

(1315.02)  
1315.51'

1282.51'

**LOT 1**

218,254 SQ.FT.±  
(5.0104 ACRES±)

**LOT 3**  
494,145 SQ.FT.±  
(11.3440 ACRES±)

LOT 1  
CSM#6752

LOT 2  
CSM#6752

LOT 1  
CSM#935

OUTLOT 1  
3RD ADDITIO  
TO NATURAL T

WEST LINE OF THE FRACTIONAL  
SOUTHWEST 1/4 OF SECTION 6

WOODSHOE RD. (66')

100' OFFICIALLY MAPPED RIGHT  
OF WAY BY THE CITY OF NEENAH

SOUTHWEST CORNER  
SECTION 6-19-17  
(1224.51')  
1641.80'

WEST 1/4 CORNER  
SECTION 6-19-17

830.61'

2642.20'

169.79'

33'

33'

33'

33'

33'

33'

33'

UNPLATTED LANDS  
THOMAS & DARLEAN KEHL

LANDS DESCRIBED  
IN DOC #726974

(S89°09'17"W)  
S88°48'00"W

989.75'

(170')  
169.22'

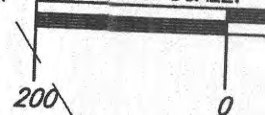
590.51'

421.28'

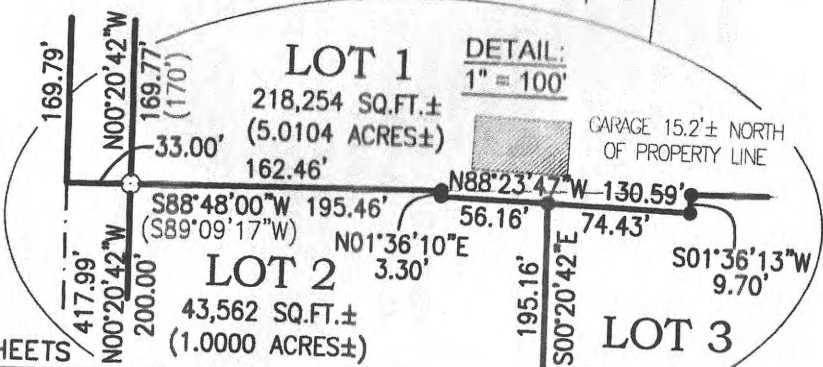
S00°29'45"E  
(S00°09'02.5"E)  
(S00°07'08"E)  
(S00°55'03"E)  
(S00°10'10"E)

EAST LINE OF THE WEST 1/2  
OF THE FRACTIONAL SOUTHWEST  
1/4 OF SECTION 6

NORTH IS REFERENC  
FRACTIONAL SOU  
TOWNSHIP 19 NORT  
NEENAH, WINNEBAGO  
BEARS S00°20'42"E F  
COORDINATE SYS'



- LEGEND:**
- = 3/4" X 18 WEIGHIN
  - ⊙ = 3/4" IRON
  - ⊕ = 1" I.D. IRON
  - ⊖ = 3" I.D. IRON
  - △ = LATHE S
  - ⊙ = BERNTS
  - ( ) = RECORD
  - x- = EXISTING



**OWNERS OF RECORD:**  
 LUKE & KATIE BRUCKS  
 PARCEL ID: 010008805  
 PETER & CINDY WEYENBERG  
 PARCEL ID: 010008804  
 TERRY & DEBBIE KREJCAREK  
 PARCEL ID: 010008801

*Robert F. Reide*  
 ROBERT F. REIDE  
 CAROW LAND SU  
 615 N. LYNNDAL  
 APPLETON, WISC  
 PHONE: (920)731-  
 A1605.26 DATED:  
 DRAFTED BY: (cor)

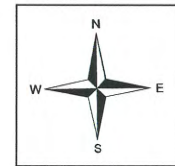


**Application #16-CU-3800**

Date of Hearing:  
**October 25, 2016**

Owner(s):  
**Brucks, Luke & Katie**

Subject Parcel(s):  
**010008805**



Winnebago County  
 WINGS Project

**Scale**  
 1 inch : 300 feet

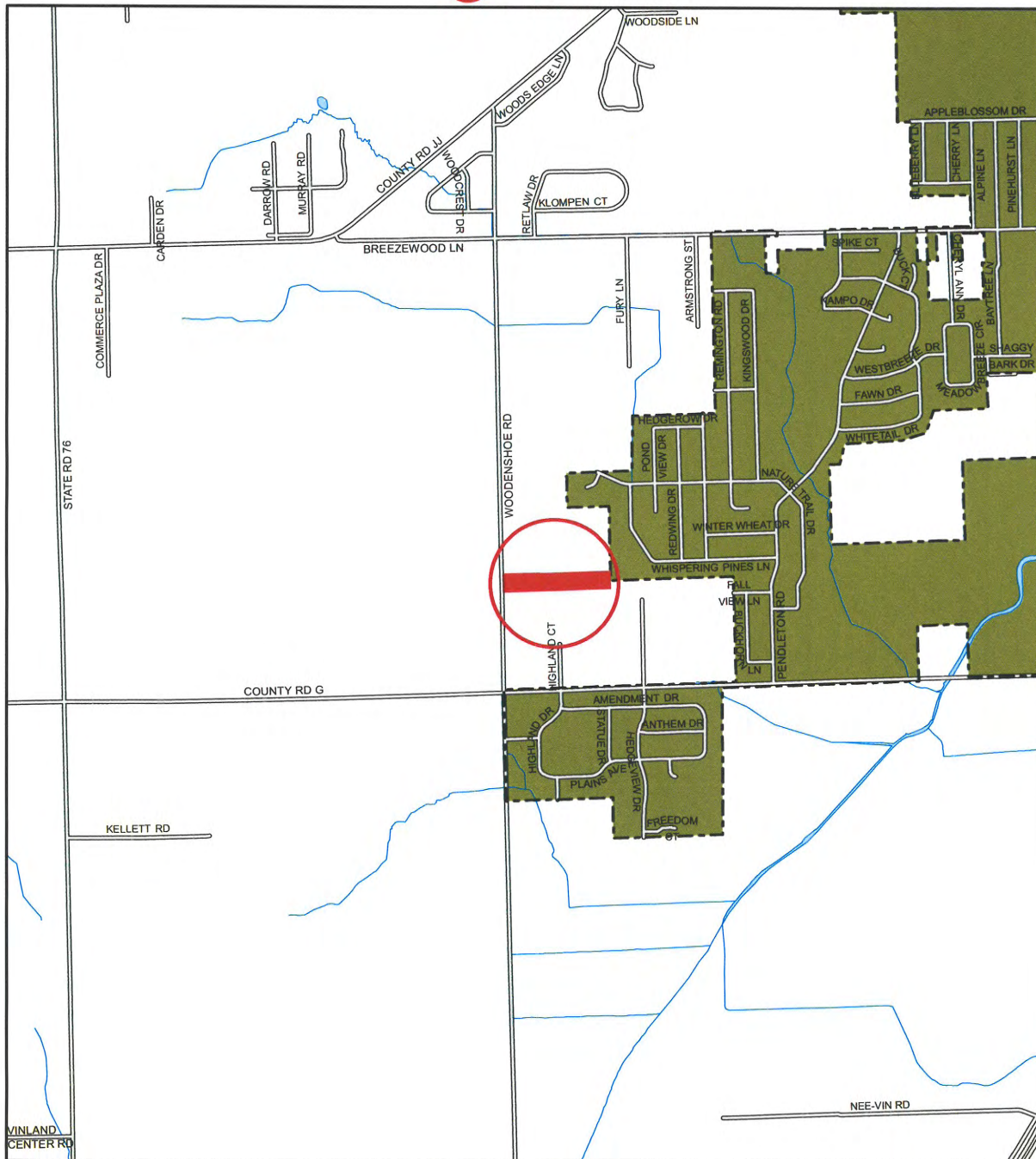
**County Zoning Districts**

R-1	PDD	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-8	I-2	Town Zoning

City of Oshkosh Extraterritorial  
 Zoning Jurisdiction

Incorporated Area

○ = SITE



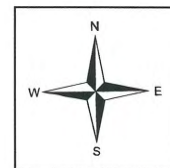
1 inch : 2,000 feet

**Application #16-CU-3800**

Date of Hearing:  
**October 25, 2016**

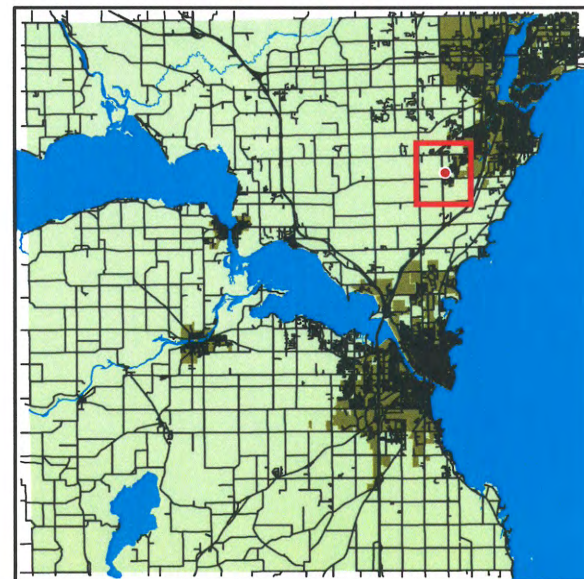
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**Brucks, Luke & Katie**

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*Winnebago County  
WINGS Project*

● = SITE



**WINNEBAGO COUNTY**

# Winnebago County Planning and Zoning Department

## NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE

10/25/2016

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The Winnebago County Planning and Zoning Committee will be holding a public hearing on 10/25/2016 at 6:30 p.m. in Conference Room 408 of the County Administration Building located at 112 Otter Ave, Oshkosh, WI.

All interested persons wishing to be heard at the public hearing are invited to be present. For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning Office, where the application is available for viewing.

### INFORMATION ON CONDITIONAL USE REQUEST

**Application No.:**

2016-CU-3790

**Applicant:**

WIESNER REV LIV TST, ANNETTE J  
WIESNER REV LIV TST, KENNEY A

**Agent:**

WIESNER, JACOB

**Location of Premises:**

East of 3425 Vinland Center Rd  
NEENAH, WI 54956

**Tax ParcelNo.:**

026-0321 (P)

**Legal Description:**

Being part of the NE 1/4 of the NE 1/4, Section 15, Township 19 North, Range 16 East, Town of Vinland, Winnebago County, Wisconsin.

**Code Reference:**

Chapter 23, Section 23.8-41 "Land uses generally allowed within zoning districts."

**Description of Proposed Use:**

Applicant is requesting a conditional use permit for a non-farm residence in an A-1 (Agribusiness District) zoning district.



## INITIAL STAFF REPORT

**Sanitation:**

System Required  
Private System

**Overlays:**

Shoreland

**Current or Proposed Zoning:**

A-1 Agribusiness

**Code Reference:**

Chapter 23, Section 23.8-41 "Land uses generally allowed within zoning districts."

**Description of Proposed Use:**

Applicant is requesting a conditional use permit for a non-farm residence in an A-1 (Agribusiness District) zoning district.

**Surrounding Zoning:**

**North:** A-1  
**South:** A-2  
**East:** NA  
**West:** NA

### THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT

**Describe the Proposed Use:**

Request is being made for a non-farm residence in the A-1 district. We are dividing a 5 acre parcel off of the family farm as a means to construct a single family residence for ourselves.

**Describe How the Proposed Use Will Not Have Any Adverse Effects on Surrounding Property:**

Proposed use will have no adverse affects on surrounding properties. The proposed ag-residential use is consistent with the development in the area.

### SECTION REFERENCE AND BASIS OF DECISION

#### 23.7-114 Basis of decision

The town board and town plan commission of the town in which the proposed conditional use is located in making their recommendation and Planning and Zoning Committee in making its decision shall consider the following factors:

- (1) the size of the parcel on which the proposed use will occur;
- (2) the presence of and compatibility with other uses on the subject property;
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- (5) the suitability of the subject property for the proposed use;
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- (7) effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances;
- (8) effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district and adjoining districts; and
- (9) any other factor that relates to the purposes of this chapter as set forth in s. 23.1-5 and other sections as may apply.

In the event the conditional use being proposed is an adult-oriented establishment, the above-named decision-making bodies shall not consider the nature of expressive conduct protected by the U.S. Constitution with regard to any of the above-mentioned criteria.



# Certified Survey Map

ALL OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 15, TOWNSHIP 19 NORTH, RANGE 16 EAST, TOWN OF VINLAND, WINNEBAGO COUNTY, WISCONSIN.

## SURVEYOR'S CERTIFICATE:

I, James E. Smith, Professional Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped, at the direction of Jacob Wiesner, all of the Northeast 1/4 of the Northeast 1/4 of Section 15, Township 19 North, Range 16 East, Town of Vinland, Winnebago County, Wisconsin, described as follows:

Beginning at the Northeast corner of said Section 15; thence South 00 degrees 27 minutes 06 seconds East 1320.69 feet, along the East line of the said Northeast 1/4 of the Northeast 1/4; thence South 89 degrees 17 minutes 05 seconds West 1315.73 feet, along the South line of the said Northeast 1/4 of the Northeast 1/4; thence North 00 degrees 26 minutes 25 seconds West 1321.04, along the West line of the said Northeast 1/4 of the Northeast 1/4; thence North 89 degrees 18 minutes 01 seconds East 1315.47 feet, along the North line of the said Northeast 1/4 of the Northeast 1/4, to the point of beginning.

That I have fully complied with Chapter 236.34 of the Wisconsin Statutes in surveying, dividing, and mapping the same and the Town of Vinland, and Winnebago County Subdivision Ordinances.

This map is a correct representation of all of the exterior boundaries of land surveyed and the division thereof.

Given under my hand this 18 day of Aug, 2016.

James E. Smith  
James E. Smith, WI. Land Surveyor, S-1803



## Winnebago County Planning and Zoning Committee Certificate:

Pursuant to the Land Subdivision Regulations of the County of Winnebago, Wisconsin, all the requirements for approval have been fulfilled. This Minor Subdivision was approved by the Winnebago County Planning and Zoning Committee on \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Chairman, Planning and Zoning Committee

## City of Neenah Approval: (Extraterritorial Jurisdiction)

This certified survey map was approved by the City of Neenah on the \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
City Clerk Date

This CSM is contained wholly within the property described in the following recorded instruments:

Owner(s) of record	Document(s)	Parcel Number(s)
Kenny A. Wiesner and Annette J. Wiesner Revocable Living Trust	1660621	0260321



**Application #16-CU-3790**

Date of Hearing:  
October 25, 2016

Owner(s):  
Kenney & Annette  
Wiesner Rev. Liv. Trust

Subject Parcel(s):  
0260321(P)



Winnebago County  
WINGS Project

**Scale**  
1 inch : 300 feet

**County Zoning Districts**

R-1	PDD	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-8	I-2	Town Zoning

City of Oshkosh Extraterritorial  
Zoning Jurisdiction



○ = SITE

Application #16-CU-3790

Date of Hearing:

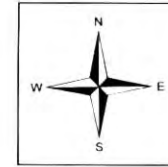
October 25, 2016

Owner(s):

Kenney & Annette Wiesner  
Rev. Liv. Trust

Subject Parcel(s):

0260321(P)

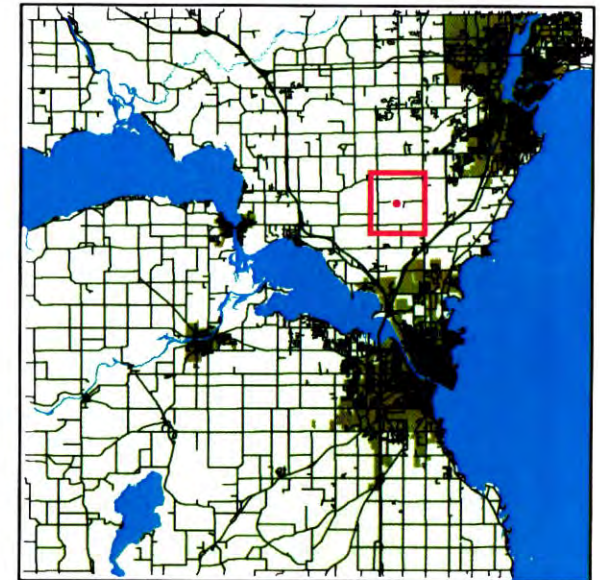


Winnebago County  
WINGS Project



1 inch : 2,000 feet

● = SITE



WINNEBAGO COUNTY

# Winnebago County Planning and Zoning Department

## NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE 10/25/2016

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All interested persons wishing to be heard at the public hearing are invited to be present. For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning Office, where the application is available for viewing.

### INFORMATION ON ZONING MAP AMENDMENT REQUEST

**Application No.:**  
2016-ZC-3820

**Applicant:**  
RUEDINGER, AUDREY  
RUEDINGER, KENNETH

**Agent:**  
None

**Location of Premises:**  
South of 2701 LOST LN  
OMRO, WI 54963

**Tax Parcel No.:**  
022-082402

**Legal Description:**  
Being a part of the NE 1/4 of the SE 1/4, Section 36, Township 18 North, Range 14 East, Town of Rushford, Winnebago County, Wisconsin.

**Explanation:**  
Applicant is requesting a zoning change from A-2 (General Agriculture) to R-1 (Rural Residential for an existing parcel as a condition of Certified Survey Map Approval.



**INITIAL STAFF REPORT**

**Sanitation:**

System Required  
Private System

**Overlays:**

Floodplain  
Shoreland  
Wetlands

**Current Zoning:**

A-2 General Agriculture

**Proposed Zoning:**

R-1 Rural Residential

**Surrounding Zoning:**

**North:** R-1  
**South:** R-1;A-2  
**East:** NA  
**West:** A-2

**THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT**

**Describe Present Use(s):**

Vacant land.

**Describe Proposed Use(s):**

Vacant land.

**Describe The Essential Services For Present And Future Uses:**

None

**Describe Why The Proposed Use Would Be The Highest And Best Use For The Property:**

Use will not change.

**Describe The Proposed Use(s) Compatibility With Surrounding Land Uses:**

Use will not change.

**SECTION REFERENCE AND BASIS OF DECISION**

**23.7-5 Basis of decision**

(b) **Zoning map amendment initiated by a property owner.** If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of a parcel not classified as A-1, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:

- (1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;
- (2) the extent to which the lot and structures on the subject property conform to the dimensional standards that apply to the proposed zoning district; and
- (3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of land classified as A-1, the Planning and Zoning Committee shall only recommend approval and the Board of County Supervisors shall only approve the proposed amendment when all of the following findings can be made:

- (1) Such land is better suited for a use not otherwise allowed in the A-1 district.
- (2) The amendment is consistent with the county's comprehensive plan.
- (3) The amendment is substantially consistent with the county's farmland preservation plan as certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection.
- (4) The amendment will not substantially impair or limit current or future agricultural use of other protected farmland in the area.

The special requirements stated above relating to the rezoning of land in a A-1 district do not apply to a map amendment that (1) is certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection under ch. 91, Wis. Stats., or (2) makes the zoning map more consistent with county's farmland preservation plan map, certified under ch. 91, Wis. Stats., which is in effect at the time of the amendment.

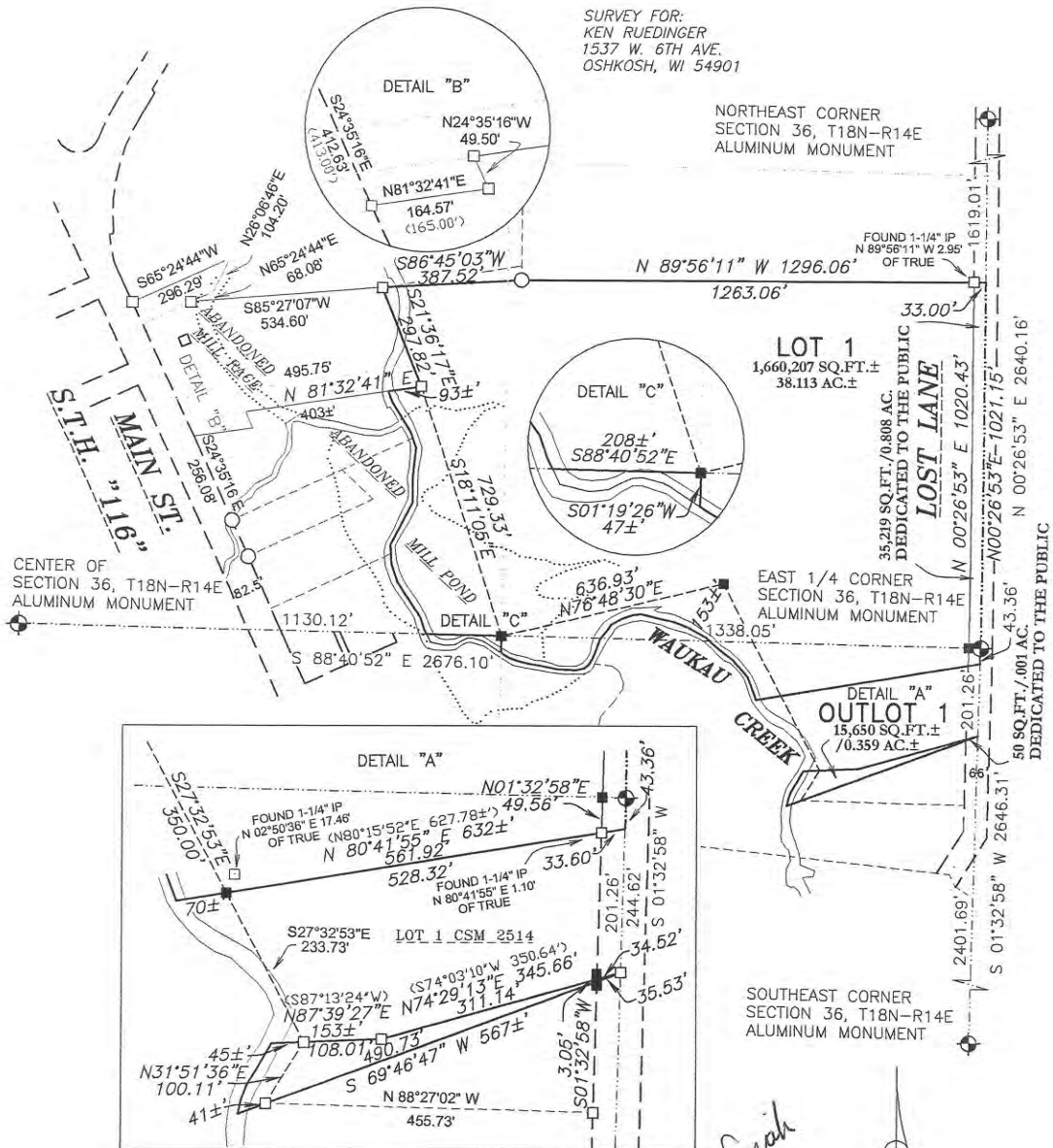
**(c) Zoning map amendment initiated by the county.** If a proposed zoning map amendment is initiated by the county, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:

- (1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;
- (2) whether the amendment is consistent with other planning documents adopted by the Board of County Supervisors; and
- (3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

PART OF THE SOUTH 1/2 OF THE NORTHEAST 1/4,  
AND PART OF THE NORTHEAST 1/4 OF THE  
SOUTHEAST 1/4, ALL IN SECTION 36, TOWNSHIP 18  
NORTH, RANGE 14 EAST, TOWN OF RUSHFORD,  
WINNEBAGO COUNTY, WISCONSIN.

SURVEY FOR:  
KEN RUEDINGER  
1537 W. 6TH AVE.  
OSHKOSH, WI 54901



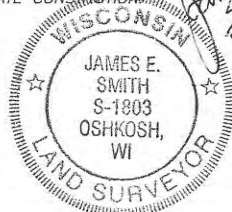
NOTE:  
"ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR A NAVIGABLE  
STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS  
ESTABLISHED UNDER ARTICLE IX, SECTION 1, OF THE STATE CONSTITUTION"

**Martenson & Eisele, Inc.**



109 West Main Street  
Omro, WI 54963  
www.martenson-eisele.com  
P 920.685.6240 F 920.685.6340

Planning  
Environmental  
Surveying  
Engineering  
Architecture



Scale 1 inch = 400 feet  
BEARINGS ARE REFERENCED TO THE WINNEBAGO  
COUNTY COORDINATE SYSTEM OF 1983(1987)  
IN WHICH THE EAST LINE OF THE NORTHEAST 1/4,  
OF SECTION 36, BEARS N00°26'53"E

PROJECT NO. 0-2024-001  
FILE 2024001 BOUNDARY SHEET 1 OF 4  
This instrument was drafted by: DSL



**Application #16-ZC-3820**

Date of Hearing:

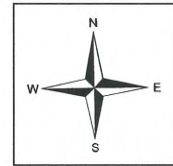
October 25, 2016

Owner(s):

Ruedinger, Kenneth & Audrey

Subject Parcel(s):

022082402



Winnebago County  
WINGS Project

**Scale**

1 inch : 300 feet

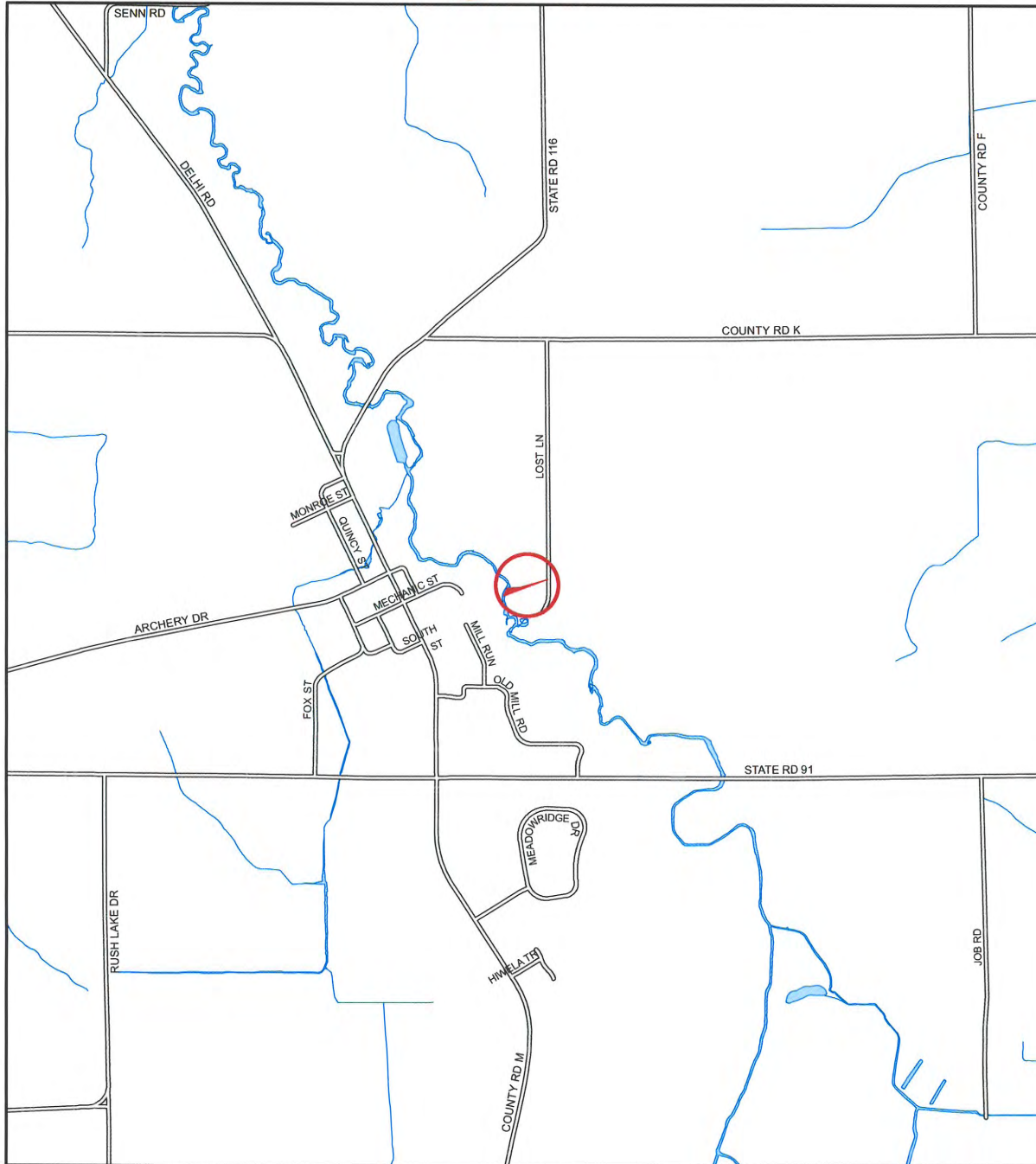
**County Zoning Districts**

R-1	PDD	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-8	I-2	Town Zoning

City of Oshkosh Extraterritorial  
Zoning Jurisdiction

Incorporated Area

○ = SITE



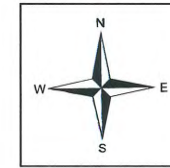
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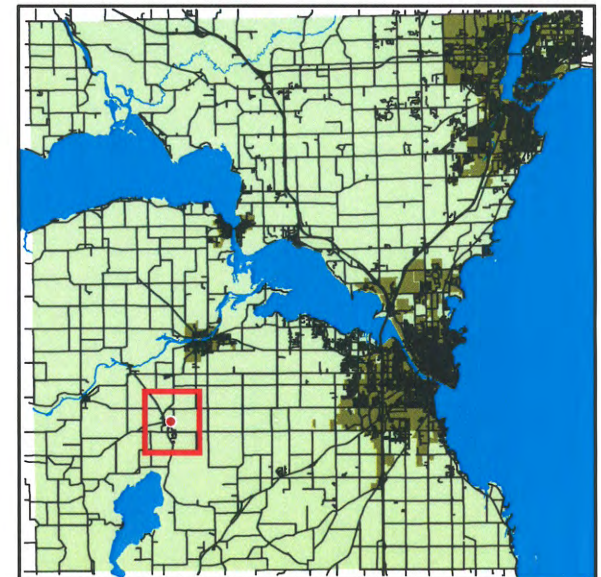
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Ruedinger, Kenneth & Audrey

Subject Parcel(s):  
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*Winnebago County  
WINGS Project*

● = SITE



**WINNEBAGO COUNTY**

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### TO WHOM IT MAY CONCERN:

The applicant(s) listed below has requested a Zoning Map Amendment which is regulated by the Town/County Zoning Code, Chapter 23. You are receiving this notice because this application or petition for action: 1. affects area in the immediate vicinity of property which you own; 2. requires your agency to be notified; 3. requires your Town to be notified; or 4. requires you, as the applicant, to be notified.

The Winnebago County Planning and Zoning Committee will be holding a public hearing on 10/25/2016 at 6:30 p.m. in Conference Room 408 of the County Administration Building located at 112 Otter Ave, Oshkosh, WI.

All interested persons wishing to be heard at the public hearing are invited to be present. For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning Office, where the application is available for viewing.

### INFORMATION ON ZONING MAP AMENDMENT REQUEST

**Application No.:**  
2016-ZC-3810

**Applicant:**  
FUSS, ADAM B  
FUSS, ALYSHA M

**Agent:**  
None

**Location of Premises:**  
6348 LEE RD  
WINNECONNE, WI 54986

**Tax Parcel No.:**  
020-007401

**Legal Description:**  
Being a part of the SW 1/4 of the NW 1/4, Section 15, Township 19 North, Range 14 East, Town of Poygan, Winnebago County, Wisconsin.

**Explanation:**  
Applicant is requesting a zoning change from R-1 (Rural Residential) to A-2 (General Agriculture) for the creation of a five acre parcel.

**INITIAL STAFF REPORT**

**Sanitation:**  
System Required  
Private System

**Overlays:**  
Shoreland

**Current Zoning:**  
R-1 Rural Residential

**Proposed Zoning:**  
A-2 General Agriculture

**Surrounding Zoning:**  
**North:** A-2  
**South:** A-2  
**East:** A-2  
**West:** A-2

**THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT**

**Describe Present Use(s):**  
Single family home.

**Describe Proposed Use(s):**  
Single family home/small farm.

**Describe The Essential Services For Present And Future Uses:**  
Electric.

**Describe Why The Proposed Use Would Be The Highest And Best Use For The Property:**  
To allow for an attached garage onto new house.

**Describe The Proposed Use(s) Compatibility With Surrounding Land Uses:**  
The proposed use is the same as the surrounding area.

**SECTION REFERENCE AND BASIS OF DECISION**

**23.7-5 Basis of decision**

(b) **Zoning map amendment initiated by a property owner.** If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of a parcel not classified as A-1, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:

- (1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;
- (2) the extent to which the lot and structures on the subject property conform to the dimensional standards that apply to the proposed zoning district; and
- (3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of land classified as A-1, the Planning and Zoning Committee shall only recommend

approval and the Board of County Supervisors shall only approve the proposed amendment when all of the following findings can be made:

- (1) Such land is better suited for a use not otherwise allowed in the A-1 district.
- (2) The amendment is consistent with the county's comprehensive plan.
- (3) The amendment is substantially consistent with the county's farmland preservation plan as certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection.
- (4) The amendment will not substantially impair or limit current or future agricultural use of other protected farmland in the area.

The special requirements stated above relating to the rezoning of land in a A-1 district do not apply to a map amendment that (1) is certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection under ch. 91, Wis. Stats., or (2) makes the zoning map more consistent with county's farmland preservation plan map, certified under ch. 91, Wis. Stats., which is in effect at the time of the amendment.

**(c) Zoning map amendment initiated by the county.** If a proposed zoning map amendment is initiated by the county, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:

- (1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;
- (2) whether the amendment is consistent with other planning documents adopted by the Board of County Supervisors; and
- (3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.





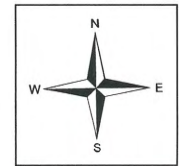


**Application #16-ZC-3810**

Date of Hearing:  
**October 25, 2016**

Owner(s):  
**Fuss, Adam & Alysha**

Subject Parcel(s):  
**020007401**



*Winnebago County  
 WINGS Project*

**Scale**  
 1 inch : 300 feet

**County Zoning Districts**

R-1	PDD	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-8	I-2	Town Zoning

*City of Oshkosh Extraterritorial  
 Zoning Jurisdiction*

*Incorporated Area*

○ = SITE

**Application #16-ZC-3810**

Date of Hearing:

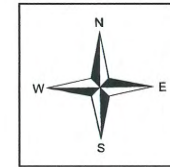
October 25, 2016

Owner(s):

Fuss, Adam & Alysha

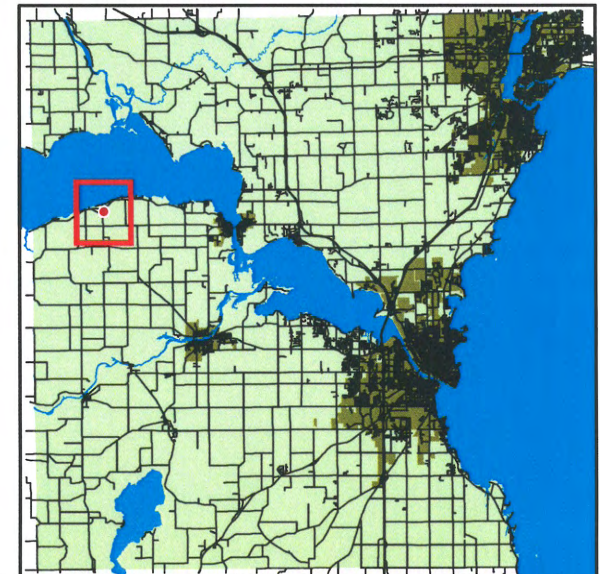
Subject Parcel(s):

020007401



*Winnebago County  
WINGS Project*

● = SITE



1 inch : 2,000 feet

**WINNEBAGO COUNTY**

Property Owner: Wendy Sue Block  
 Parcel Number: 012-0307-02  
 Address: East of 1503 James Rd  
 Rural Accessory Building Determination #: 16-RABD-03

**RURAL ACCESSORY BUILDING DETERMINATION**  
 INITIAL STAFF REPORT

**OVERLAYS:**

Shoreland	No	Floodplain	No	SWDD	No
Wetlands	No	Microwave	No	Wittman Airport	No
				Outagamie Airport	No

**SURROUNDING ZONING:**

<b>North</b>	A-2
<b>South</b>	A-2
<b>East</b>	A-2
<b>West</b>	R-1

**SECTION REFERENCE OF REGULATION:** Chapter 23, Article 7, Division 17 of the Winnebago County Town/County Zoning Code.

**ORDINANCE PROVISION:** The ordinance allows for qualifying buildings to be classified as “rural accessory buildings”. If a building is so designated, it is not counted towards the allowable number of accessory buildings on a lot or towards the allowable building square footage permitted on a lot.

**EXPLANATION:** Owner/Applicant is requesting a rural accessory building determination for a machine shed.

**BASIS OF DECISION:**

23.7-334 Basis of decision

In making their decision, the Planning and Zoning Committee, and the Board of Adjustment on appeal, shall initially determine whether the building meets at least one of the following criteria:

- (1) The building is set apart from other buildings as being distinct, due to its construction technique, construction materials, age, local historic significance, or design.
- (2) The building is characteristic of past agricultural practices or rural life, whether presently utilized or not for agricultural practice.
- (3) The building is associated with a person of historic significance or with important historical events.
- (4) The building represents a notable work of a master builder, designer, or architect who influenced their age.

If the committee (board) determines that the building meets one of the above criteria, the committee (the board) shall then consider, at a minimum, the following factors in making their final decision:

- (1) effects of the building on the natural environment,
- (2) effects of the building on surrounding properties,
- (3) the overall appearance of the building; and
- (4) any other factor that relates to the purposes of this chapter as set forth in s. 23.1-5 and other sections as may apply.

Any building designated a rural accessory building is assumed to be structurally sound to meet minimum safety requirements for the proposed use. Such determination shall not relieve the property owner of any responsibility or liability as to the building and shall not form a basis of liability against any governmental official or entity.



**Winnebago County Zoning Department**

P.O. Box 2808  
112 Otter Ave, 3<sup>rd</sup> Floor  
Oshkosh, WI 54903-2808  
(920) 232-3344  
(920) 232-3347 (fax)

SEP 20 2016

For office use only

Receipt # NA

Application #: 2016-RABD-03

**RURAL ACCESSORY BUILDING DETERMINATION**

**Fee: \$0.00**

**Payable to: Winnebago County**

(Please print or type. Please use black ink for duplicating purposes.)

**A. PROPERTY OWNER:**

A-1 NAME: WENDY BLOCK

Mailing Address: 1503 JAMES RD  
OSHKOSH, WI 54904

Phone: (920) 573-3167 E-mail: ewjblock@att.net

Permission is hereby granted for appropriate County Staff to enter upon the property for the purpose of conducting inspections. Said permission is to remain in effect until the conclusion of the application and is binding upon all heirs and assigns.

Property Owner's Signature Wendy Block Date 9-20-16

**I HEREBY APPOINT THE FOLLOWING AS MY AGENT FOR PURPOSES OF THIS APPLICATION:**

A-2 AGENT (NAME): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Agent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**B. PROPERTY INFORMATION:**

B-1 Tax Key/Parcel #: 030702 (012-0307-02)

B-2 Location of affected property: 1503 JAMES RD

B-3 Current Zoning: A-2

Zoning Code Legend	
<b>A-1</b> Agribusiness district	<b>B-1</b> Local Service Business district
<b>A-2</b> General Agriculture district	<b>B-2</b> Community Business district
<b>R-1</b> Rural Residential district	<b>B-3</b> General Business district
<b>R-2</b> Suburban Residential district	<b>I-1</b> Light Industrial district
<b>R-3</b> Two-family Residential district	<b>I-2</b> Heavy Industrial district
<b>R-4</b> Multifamily Residential district	<b>M-1</b> Mixed-Use district
<b>R-8</b> Manufactured/Mobile Home Community district	<b>PDD</b> Planned Development district

B-4 Current Use: S-HW

Use (Proposed): GARAGE

Applicant, please fill out of all the questions in your own words.  
Responses may be typed on a separate sheet and attached to this form.

**C-1 Describe the building (e.g. residence, garage, dairy barn, milk house), and any additions that have been made to the original building:**

BUILDING IS AN OLD SHED THAT WAS ON THE  
PROPERTY WHEN WE ~~ACQUIRED IT~~ ACQUIRED IT. HAVE NOT MADE  
ANY ADDITIONS OR IMPROVEMENTS TO THE BUILDING.

**C-2 Explain how the building meets at least one of the following criteria:**

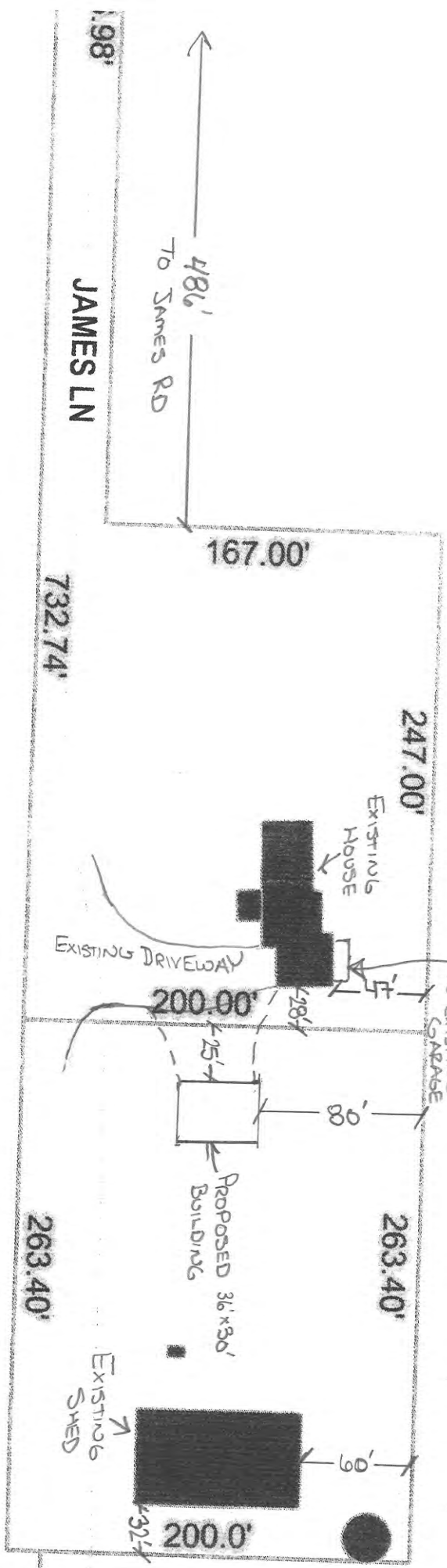
- The building is set apart from other buildings as being distinct, due to its construction technique, construction materials, age, local historical significance, or design
- The building is characteristic of past agricultural practices or rural life, whether presently utilized or not for agricultural practices.
- The building is associated with a person of historic significance or with historical events.
- The building represents a notable work of a master builder, designer, or architect who influenced their age.

BUILDING WAS PART OF A WORKING FARM. USED FOR  
MACHINERY STORAGE ETC. HAS NO ELECTRICITY AND GRAVEL  
FLOOR. BUILDING IS APPROX. 200 FEET FROM HOUSE AND  
IS A STEEL POLE SHED

**C-3 Describe the following factors in relation to the approval of the request;**

- Effects of the building on the natural environment
- Effects of the building on surrounding properties
- The overall appearance of the building

DON'T BELIEVE THE BUILDING HAS MUCH EFFECT ON  
THE ENVIRONMENT OR SURROUNDING PROPERTIES AS WE HAVE  
NO NEIGHBORS WITHIN 1/2 MILE OF US. BUILDING IS A  
STEEL POLE BUILDING IN SOUND CONDITION



PROPOSED 8'x20'  
ADDITION  
TO EXISTING  
GARAGE

EXISTING  
HOUSE

PROPOSED 36'x30'  
BUILDING

EXISTING  
SHED

JAMES LN

TO JAMES RD

732.74'

167.00'

247.00'

263.40'

EXISTING DRIVEWAY

200.00'

200.0'

1.98'

486'

428'

48'

8'

60'

32'

25'



WINNEBAGO COUNTY PLANNING & ZONING DEPARTMENT

NOTICE OF MEETING  
PLANNING & ZONING COMMITTEE  
October 25, 2016

TO WHOM IT MAY CONCERN:

The property owner/applicant listed below has requested a SPECIAL EXCEPTION which is regulated by the Town/County Zoning Code, Chapter 23. You are receiving this notice because this application or petition for action affects area within the Town of Winneconne and notification is required.

The Winnebago County Planning & Zoning Committee will be holding a meeting on Friday, November 4, 2016 at 7:30 AM in the 3<sup>rd</sup> Floor Conference Room of the County Administration Building located at 112 Otter Ave, Oshkosh WI to discuss the matter. The full application can be viewed at the Winnebago County Planning and Zoning Department.

**INFORMATION ON SPECIAL EXCEPTION REQUEST**

**Application Number:** 16-SE-06

**Owner(s) of Property:** James Winnekens

**Location of Premises Affected:** 7132 Shoreline Drive, Winneconne

**Tax Parcel Number:** 030-1327

**Legal Description:** Being a part of Government Lot 2, Section 36, Township 20 North, Range 14 East, Town of Wolf River, Winnebago County, Wisconsin and being a part of Government Lot 2 DESC as Lot 1 of CSM-2189, Section 36, Township 20 North, Range 14 East, Town of Wolf River, Winnebago County, Wisconsin

**Explanation:** Applicant is requesting a special exception to establish a free-standing solar energy system inside a street yard setback and the 10ft separation requirement between structures.

DESCRIPTION	CODE REFERENCE
A free-standing solar energy system is to meet the setback requirements as an accessory structure for the zoning district, unless a special exception is granted.	23.8-488(d) "Setback" of the Winnebago County Town/County Zoning Code

**Sanitation:**  Existing     Required     Municipal     Private System



**Overlays:** Shoreland: YES Floodplain: Not at Site SWDD: NO

Wetlands: NO Microwave: NO Airport: NO

**Current Zoning:** R-2 Suburban Residential

**Existing Use of Property:** Residential (“Driveway” per application)

**Proposed Use of Property:** solar array support system

**Surrounding Zoning Classifications:**

<b>North</b>	Lake
<b>South</b>	R-1
<b>East</b>	R-2
<b>West</b>	R-2

**SECTION REFERENCE OF REGULATION:** 23.8-488(d) “Setback” of the Winnebago County Town/County Zoning Code

**ORDINANCE PROVISION:** Under section 23.8-488(d) of the Zoning Code, a free-standing solar energy system may be allowed with a special exception to encroach into a yard setback if no other location on the parcel is acceptable and the encroachment is the least necessary to allow the system to operate.

**EXPLANATION:** Applicant is requesting a special exception to establish a free-standing solar energy system inside a street yard setback and the 10ft separation requirement between structures..

**THE FOLLOWING IS PROVIDED BY THE APPLICANT**

**DESCRIBE THE PROPOSED PROJECT/REQUEST:**

The construction of this support system is to mount solar panels on it to produce electricity for my home. One of the support posts is 1ft over the 15ft setback. I am requesting an exception to allow a 14ft setback in this case so the structure will be allowed to hold the required panels.

**PROVIDE ANY OTHER INFORMATION YOU FEEL IS RELEVANT TO THE REVIEW OF YOUR APPLICATION, INCLUDING REASONS YOU FEEL THE APPLICATION SHOULD BE GRANTED:**

My three neighbors to the right of me had variances of 7', 10', & 10' from the lot lines to accommodate their home constructions, so my distance would not have any impact on their access or view. Though the result would be small in reducing the carbon footprint, it is still an effort to try. Because of the shape of my lot, and the angle that the panels have to be, there is no other choice in the placement of the panels for optimum electricity production in my lot. The system size will be in the limitations of Statute 23.8-488 of 150 sq. ft.. The size right now is 140 sq. ft. as modified to comply.

**BASIS OF DECISION:**

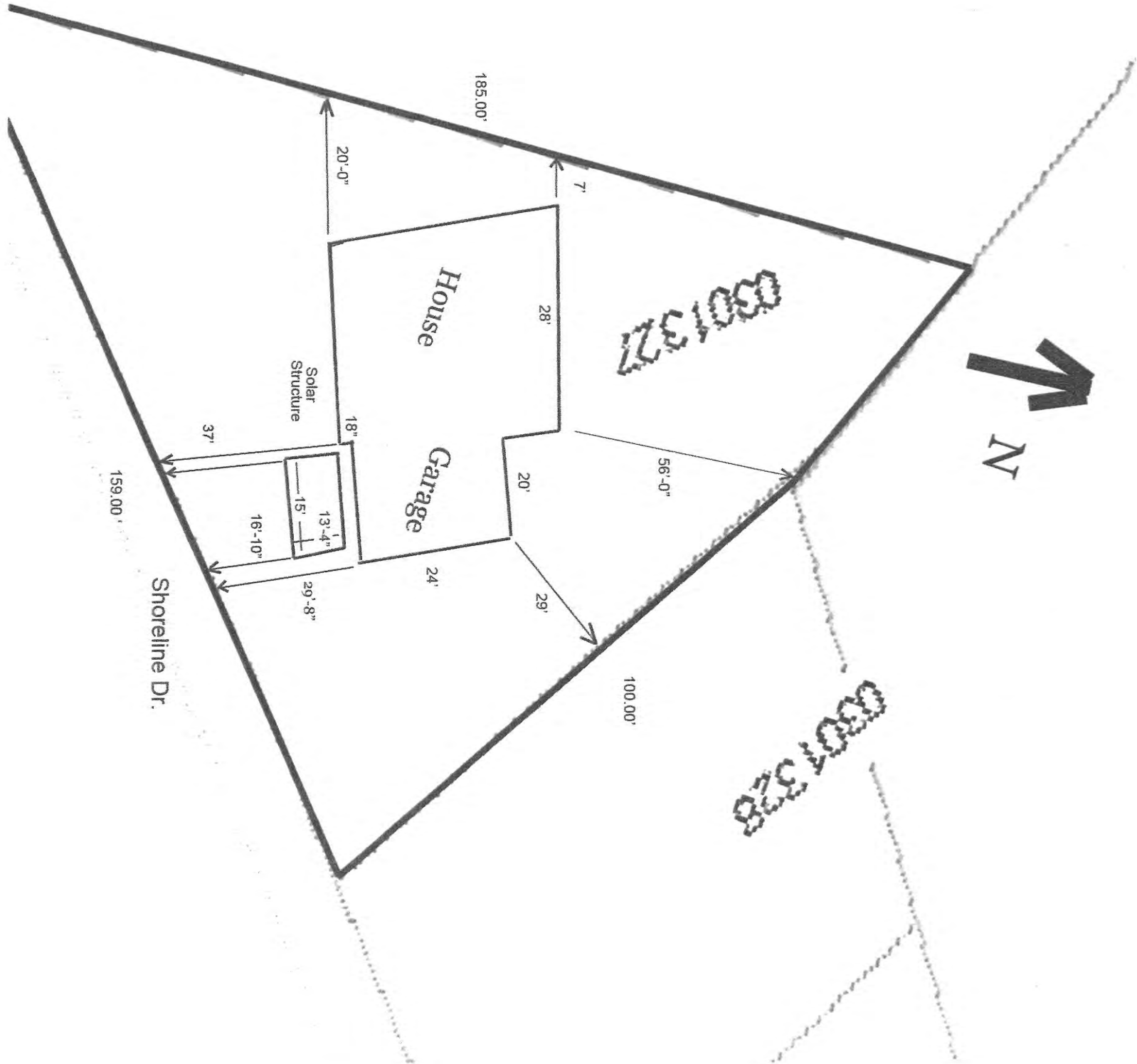
The Planning and Zoning Committee in making its decision shall consider the following factors:

- (1) the size of the property in comparison to other properties in the area;
- (2) the extent to which the issuance of the special exception permit would be in keeping with the overall intent of the this chapter;
- (3) whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception permit;
- (4) the nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exception permit was granted;
- (5) the nature and extent of anticipated positive and negative effects on properties in the area;
- (6) actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception;
- (7) a factor specifically listed under a section of this chapter authorizing the issuance of a special exception permit; and
- (8) any other factor that relates to the purposes of this chapter as set forth in s. 23.1-5 and other sections as may apply.

0301326

0301327

0301328



159.00'

185.00'

100.00'

Shoreline Dr.

20'-0"

7'

28'

56'-0"

20'

29'

House

Garage

Solar Structure

18"

24'

16'-10"

29'-8"

37'

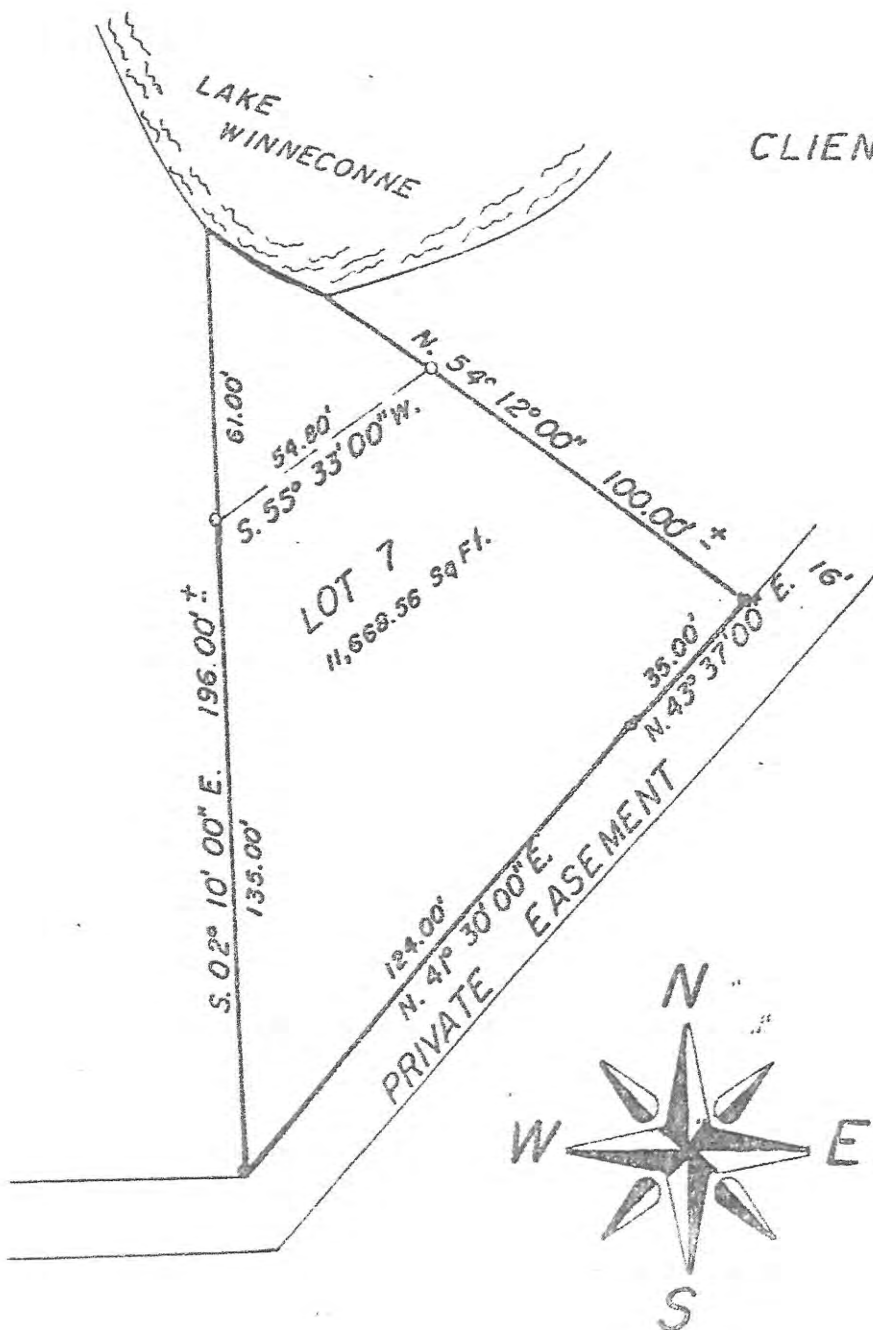
13'-4"

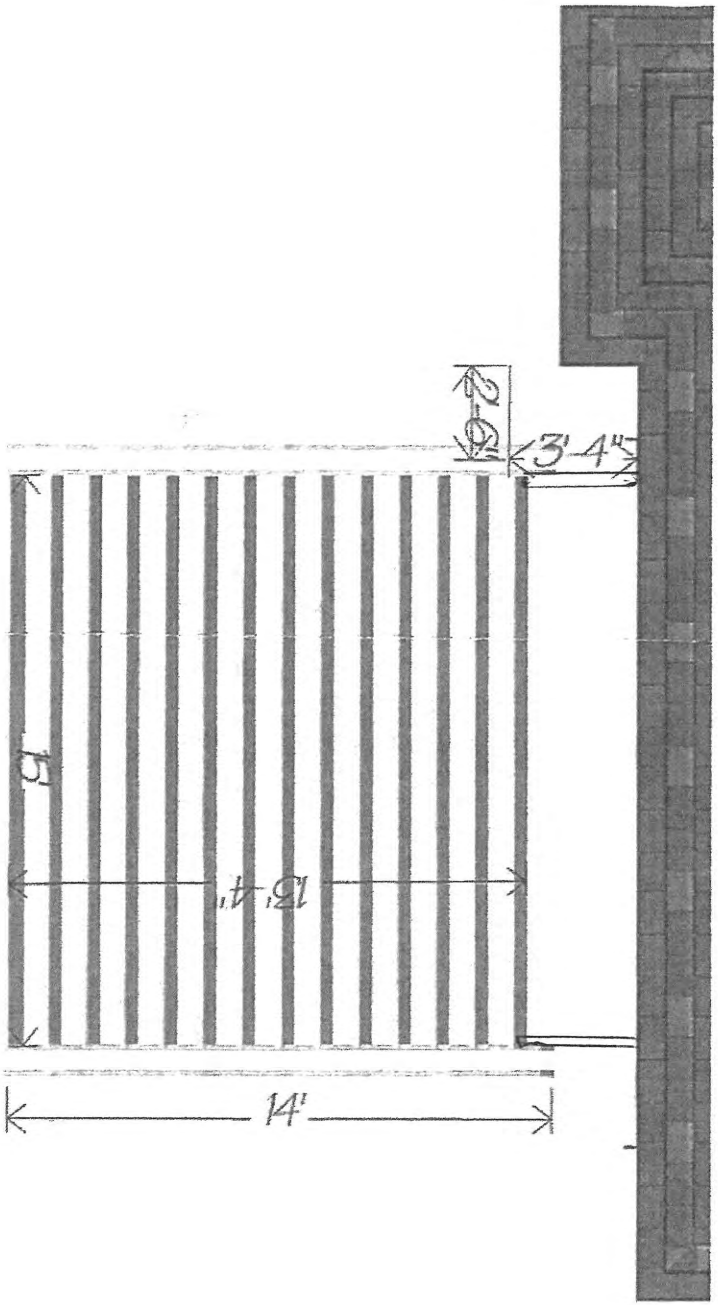
15'

# Plat of Survey

## RELOCATION OF PIPE ON LOT 7 OF LA BELLE ASSESSOR'S PLAT, SEC. 18, T.19N., R.15E., TOWN OF WINNECONNE, WINNEBAGO COUNTY, WISCONSIN

CLIENT: RUSS YOUNG, INC.  
2308 JACKSON ST.  
OSHKOSH, WI 54901





Block  
 $1\frac{3}{8} \times 1\frac{5}{8}$

$$177\frac{3}{4} / 2 = 88\frac{7}{8}$$

14.8"

20 1/4

2,625 B.L.G.

030-1327

7132 Shoreline Dr

Winneken, James



Staff onsite by ERR

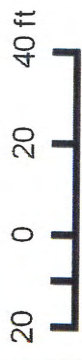
18.5' street yard required; 10' presently

S72-1060

### Site Map

#### Legend

- Address Marker
- Tax Parcel
- Section Number
- Conveyance Divisions
- Conveyance Types
  - Certified Survey
  - Condominium
  - Assessor Plat
  - Subdivision
  - Plat of Survey
  - Lakes



1 Inch = 40 Feet



**W.I.N.G.S. Project Disclaimer**  
 This data was created for use by the Winnebago County Geographic Information System project. Any other use/application of this information is the responsibility of the user and such use/application is at their own risk. Winnebago County disclaims all liability regarding fitness of the information for any use other than Winnebago County business. Data for this map copyrighted December 31, 2006.

Jun 21, 2016 @ 03:58 PM

18.5' allowed

10' + structure

2/37



**Winnebago County Zoning Department**

P.O. Box 2808  
112 Otter Ave, 3<sup>rd</sup> Floor  
Oshkosh, WI 54903-2808  
(920) 232-3344  
(920) 232-3347 (fax)

SEP 20 2016

For office use only

Receipt # NA

Application #: 2016-RABD-03

**RURAL ACCESSORY BUILDING DETERMINATION**

**Fee: \$0.00**

**Payable to: Winnebago County**

(Please print or type. Please use black ink for duplicating purposes.)

**A. PROPERTY OWNER:**

A-1 NAME: WENDY BLOCK

Mailing Address: 1503 JAMES RD  
OSHKOSH, WI 54904

Phone: (920) 573-3167 E-mail: ewjblock@att.net

Permission is hereby granted for appropriate County Staff to enter upon the property for the purpose of conducting inspections. Said permission is to remain in effect until the conclusion of the application and is binding upon all heirs and assigns.

Property Owner's Signature Wendy Block Date 9-20-16

**I HEREBY APPOINT THE FOLLOWING AS MY AGENT FOR PURPOSES OF THIS APPLICATION:**

A-2 AGENT (NAME): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Agent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**B. PROPERTY INFORMATION:**

B-1 Tax Key/Parcel #: 030702 (012-0307-02)

B-2 Location of affected property: 1503 JAMES RD

B-3 Current Zoning: A-2

Zoning Code Legend	
<b>A-1</b> Agribusiness district	<b>B-1</b> Local Service Business district
<b>A-2</b> General Agriculture district	<b>B-2</b> Community Business district
<b>R-1</b> Rural Residential district	<b>B-3</b> General Business district
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<b>R-4</b> Multifamily Residential district	<b>M-1</b> Mixed-Use district
<b>R-8</b> Manufactured/Mobile Home Community district	<b>PDD</b> Planned Development district

B-4 Current Use: S-HW

Use (Proposed): GARAGE

Applicant, please fill out of all the questions in your own words.  
Responses may be typed on a separate sheet and attached to this form.

**C-1 Describe the building (e.g. residence, garage, dairy barn, milk house), and any additions that have been made to the original building:**

BUILDING IS AN OLD SHED THAT WAS ON THE  
PROPERTY WHEN WE ~~ACQUIRED IT~~ ACQUIRED IT. HAVE NOT MADE  
ANY ADDITIONS OR IMPROVEMENTS TO THE BUILDING.

**C-2 Explain how the building meets at least one of the following criteria:**

- The building is set apart from other buildings as being distinct, due to its construction technique, construction materials, age, local historical significance, or design
- The building is characteristic of past agricultural practices or rural life, whether presently utilized or not for agricultural practices.
- The building is associated with a person of historic significance or with historical events.
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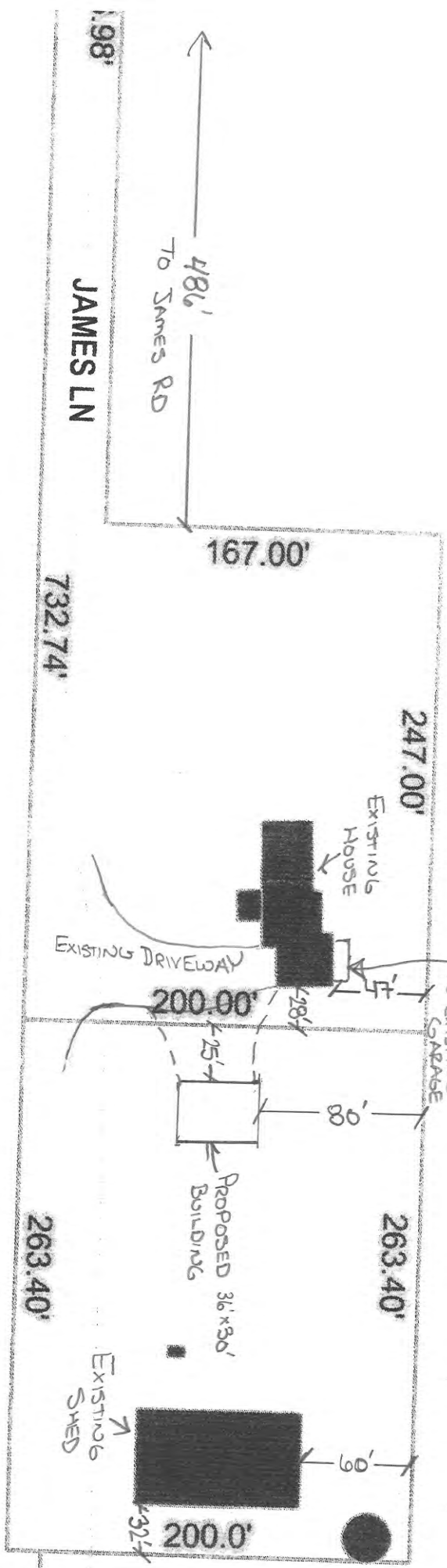
BUILDING WAS PART OF A WORKING FARM. USED FOR  
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FLOOR. BUILDING IS APPROX. 200 FEET FROM HOUSE AND  
IS A STEEL POLE SHED

**C-3 Describe the following factors in relation to the approval of the request;**

- Effects of the building on the natural environment
- Effects of the building on surrounding properties
- The overall appearance of the building

DON'T BELIEVE THE BUILDING HAS MUCH EFFECT ON  
THE ENVIRONMENT OR SURROUNDING PROPERTIES AS WE HAVE  
NO NEIGHBORS WITHIN 1/2 MILE OF US. BUILDING IS A  
STEEL POLE BUILDING IN SOUND CONDITION





1.98'

JAMES LN

486'  
TO JAMES RD

167.00'

732.74'

247.00'

EXISTING HOUSE

EXISTING DRIVEWAY

200.00'

PROPOSED 8'x20'  
ADDITION  
TO EXISTING  
GARAGE

263.40'

PROPOSED 36'x30'  
BUILDING

200.00'

EXISTING SHED

200.0'