

Winnebago County Planning and Zoning Department

NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE 11/16/2016

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 11/16/2016 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-3910

Applicant:
HANSEN, ALAN
HANSEN, JENNY

Location of Premises:
7813 COUNTY RD M
LARSEN, WI 54947

Tax Parcel No.:
028-079703

Legal Description:
Being a part of the NE 1/4 of the SE 1/4, Section 28, Township 20 North, Range 15 East, Town of Winchester, Winnebago County, Wisconsin.

Explanation:
Applicant is requesting a zoning map amendment to rezone part of a parcel to R-1 Rural Residential.

INITIAL STAFF REPORT

Sanitation:

Existing System
Private System

Overlays:

Shoreland
Wetlands

Current Zoning:

A-2 General Agriculture

Proposed Zoning:

R-1 Rural Residential

Surrounding Zoning:

North: A-2

South: A-2

East: R-1

West: A-2

THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT

Describe Present Use(s):

Agricultural

Describe Proposed Use(s):

Residential - subject parcel contains a portion of a mound system, which serves existing R-1 parcel to the east.

Describe The Essential Services For Present And Future Uses:

Subject parcel will be attached to existing residential property located at 7807 CTH M. Existing property has street access to CTH M, private mound system and private well.

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

Proposed use would provide R-1 zoning for all of proposed lot located at 7807 CTH M, and include all of the mound system located thereon.

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

Proposed use is compatible with R-1 zoning to the east and A-2 zoning to the north, south and east.

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.

RESOLUTION
of the
Town Board of the Town of WINCHESTER
Winnebago County, Wisconsin

RE: Petition for the proposed zoning map amendment listed below affecting the Winnebago County Zoning Ordinance and the Official Map of the Town of WINCHESTER.

Applicant:

HANSEN, ALAN
HANSEN, JENNY

Location of Premises Affected:

7813 COUNTY RD M
LARSEN, WI 54947

Legal Description:

Being a part of the NE 1/4 of the SE 1/4, Section 28, Township 20 North, Range 15 East, Town of Winchester, Winnebago County, Wisconsin.

Current Zoning:

A-2 General Agriculture

Proposed Zoning:

R-1 Rural Residential

Explanation:

Applicant is requesting a zoning map amendment to rezone part of a parcel to R-1 Rural Residential.

Resolved, by the Town Board of the Town of WINCHESTER, Winnebago County, Wisconsin, that the above indicated proposed amendment to the Town/County Zoning Code (Chapter 23) be and the same is hereby

Approved Disapproved

Town Findings (Reasons):

1. The requested Zoning Map Amendment **DOES/DOES NOT** agree with the adopted plan. (Circle **DOES** or **DOES NOT**)

Other Findings:

I, Holly Stevens, Town Clerk of the above named town, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Town Board of the Town of WINCHESTER.

DATED THIS _____ DAY OF _____, 20_____



Application #16-ZC-3910

Date of Hearing:

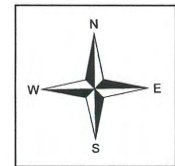
November 16, 2016

Owner(s):

Hansen, Alan S. & Jenny A.

Subject Parcel(s):

028079703(P)



Winnebago County
WINGS Project

Scale

1 inch : 300 feet

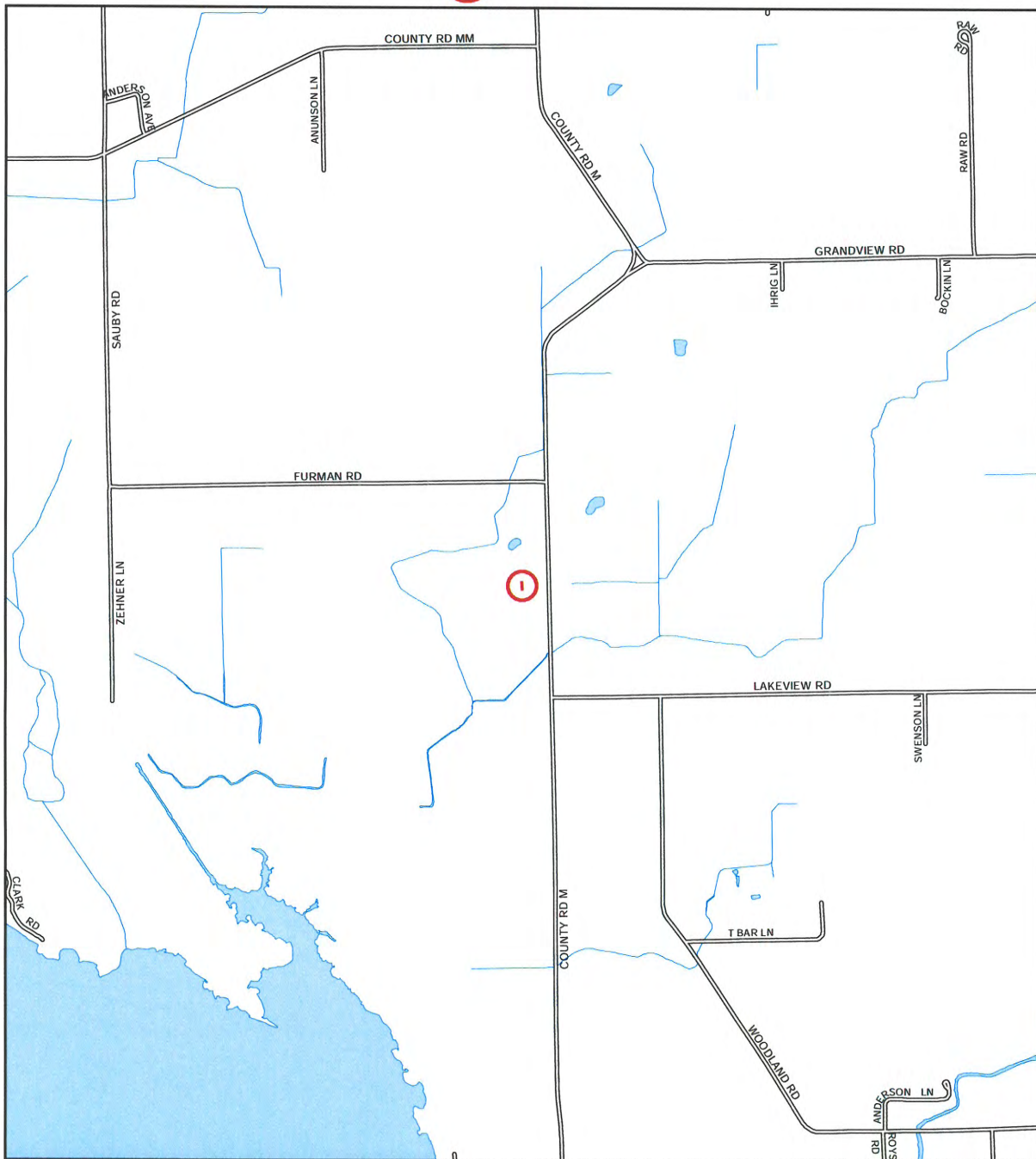
County Zoning Districts

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

Incorporated Area

○ = SITE



1 inch : 2,000 feet

Application #16-ZC-3910

Date of Hearing:

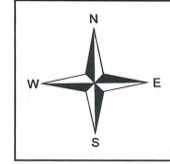
November 16, 2016

Owner(s):

Hansen, Alan S. & Jenny A.

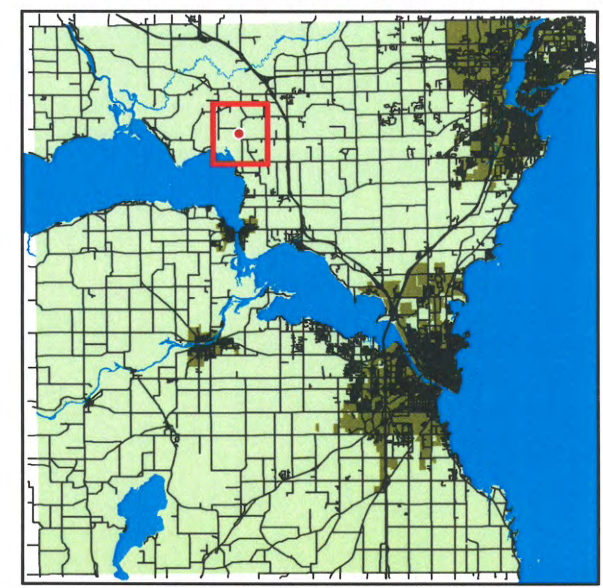
Subject Parcel(s):

028079703(P)



Winnebago County
WINGS Project

● = SITE



WINNEBAGO COUNTY

Winnebago County Planning and Zoning Department

NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE 11/16/2016

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 11/16/2016 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-3900

Applicant:

WESTIN LAND HOLDINGS LLC

Agent:

HAMBLIN, BEN - MCMAHON

Location of Premises:

2590 COUNTY RD II
NEENAH, WI 54956

Tax Parcel No.:

006-0370
006-037007
006-0370-06

Legal Description:

Being a part of the SE 1/4 of the SE 1/4, Section 13, Township 20 North, Range 16 East, Town of Clayton, Winnebago County, Wisconsin.

Code Reference:

Chapter 23, Article 8, Exhibit 8-1 "Land Use Matrix".

Description of Proposed Use:

Applicant is requesting a Conditional Use Permit to be allowed to continue to operate an outdoor recreation / entertainment facility in association with the bar.

INITIAL STAFF REPORT

Sanitation:

Existing System
Private System

Overlays:

Shoreland

Current or Proposed Zoning:

B-2 Community Business

Code Reference:

Chapter 23, Article 8, Exhibit 8-1 "Land Use Matrix".

Description of Proposed Use:

Applicant is requesting a Conditional Use Permit to be allowed to continue to operate an outdoor recreation / entertainment facility in association with the bar.

Surrounding Zoning:

North: I-1

South: A-2

East: I-1;A-2

West: I-1

THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT

Describe the Proposed Use:

The existing facility is Willie Beamons Restaurant, Bar & Sports Complex. The site includes indoor and outdoor recreation, entertainment, dining, and sports facilities. A navigable stream drains through the property. A paved primary parking lot is located in front of the building. A gravel overflow parking lot is located along the westerly property line, behind the building. The property is served by a well and holding tank.

The property's development began in 1995 with a golf driving range. An existing conditional use permit, dated 2000, is currently on file at the Town and County for the property to allow a lighted 9 hole golf course, miniature golf course, stadium lights, dining, parking, storage shed and alcohol sales. Since then, the property's use has evolved enough where County staff believes an updated conditional use permit is required.

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

The property is currently zoned B-2, Community Business. Its present land use is consistent with its zoning, and future land use plans. Surrounding properties are light industrial and general agricultural. The nearest residential structure is approximately 700' from the property line. Outdoor uses have included concerts, softball leagues and tournaments, volleyball tournaments, rugby leagues, and old car shows.

Recommended conditional use language:

1. Outdoor Entertainment and Outdoor Recreation as defined in the Winnebago County Zoning Code, is allowed without limitation.
2. Softball diamond speakers are to be directed West of Cardinal North. Sound volume is to be regulated by Town nuisance ordinance.
3. Outdoor Entertainment and Outdoor Recreation to begin no earlier than circa 7:00 a.m., and be completed no later than circa 12:00 a.m. midnight, Sunday through Saturday. Last softball game to begin circa 11:30 p.m.
4. Special events or any outdoor recreation/entertainment that exceeds this conditional use permit's guidelines will require a permit from the town.

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.

FOR TOWN USE ONLY

TOWN ACTION FOR CONDITIONAL USE
Town of CLAYTON
Winnebago County, Wisconsin

Applicant:
WESTIN LAND HOLDINGS LLC

Agent:
HAMBLIN, BEN - MCMAHON

Location Of Premises Affected:
2590 COUNTY RD II
NEENAH, WI 54956

Legal Description:
Being a part of the SE 1/4 of the SE 1/4, Section 13, Township 20 North, Range 16 East, Town of Clayton, Winnebago County, Wisconsin.

Current or Proposed Zoning:
B-2 Community Business

Code Reference:
Chapter 23, Article 8, Exhibit 8-1 "Land Use Matrix".

Explanation:
Applicant is requesting a Conditional Use Permit to be allowed to continue to operate an outdoor recreation / entertainment facility in association with the bar.

For the above requested Conditional Use the Town of CLAYTON is recommending:

Approval

Approval with conditions

Denial

Town Findings:

Town Conditions:



Signed: _____

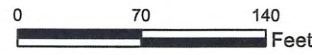
Date: _____



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Mapped Features

-  Navigable Stream
-  Property Boundary

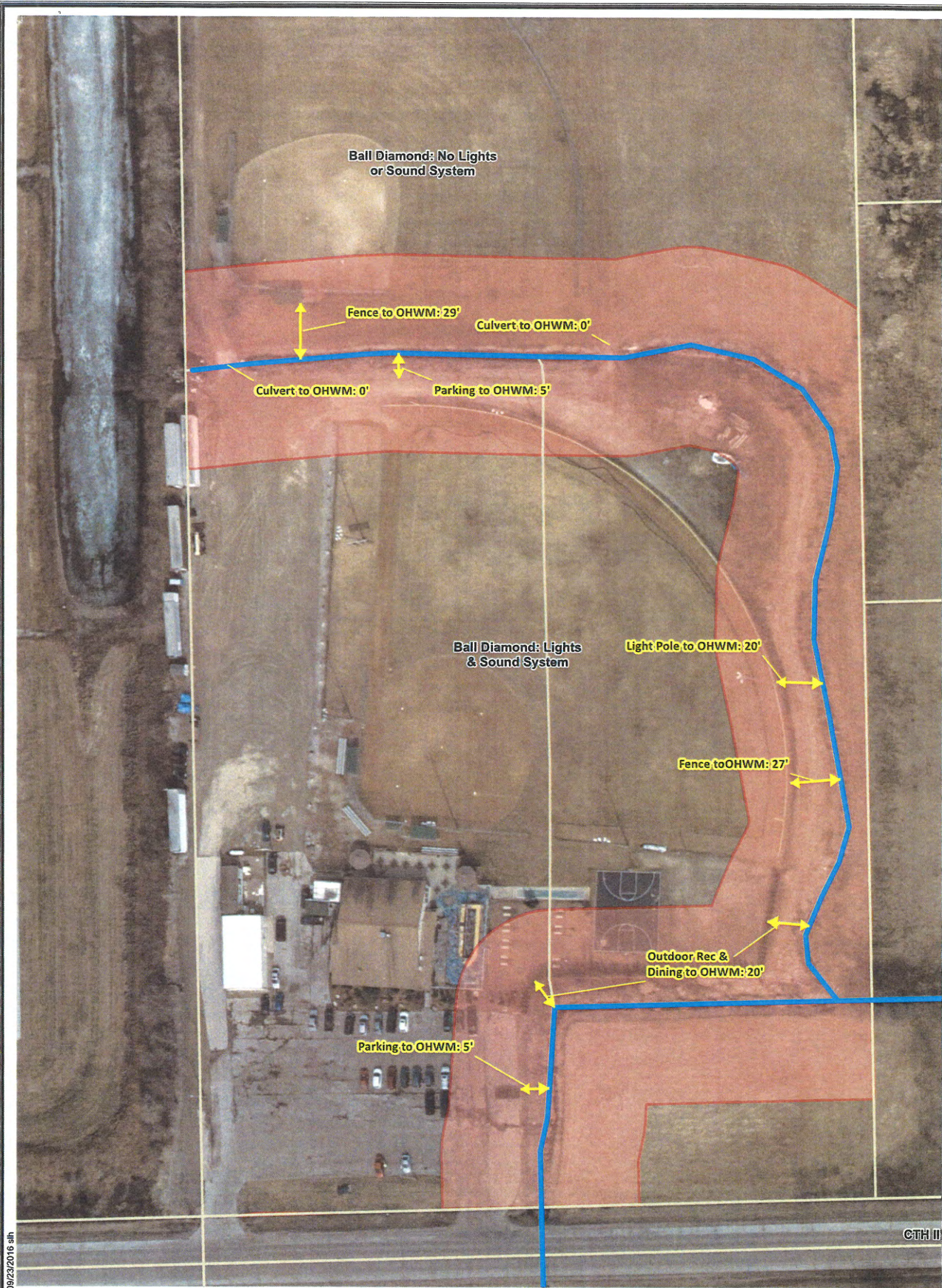


Source: Winnebago, 2014-2016.

Disclaimer: The property lines, right-of-way lines, and other property information on this drawing were developed or obtained as part of the County Geographic Information System or through the County property tax mapping function. McMAHON does not guarantee this information to be correct, current, or complete. The property and right-of-way information are only intended for use as a general reference and are not intended or suitable for site-specific uses. Any use to the contrary of the above stated uses is the responsibility of the user and such use is at the user's own risk.

McMAHON
ENGINEERS ARCHITECTS

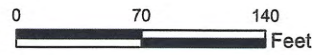
FIGURE 1
WESTIN LAND HOLDINGS, LLC
2590 CTH II
TOWN OF CLAYTON
WINNEBAGO COUNTY, WI



W:\PROJ\GIS\SW1042191600746\GIS\Figure1.mxd 09/23/2016 ah

Mapped Features

- Distance: OHWM to Structure
- Navigable Stream
- 75' Stream Setback
- Property Boundary

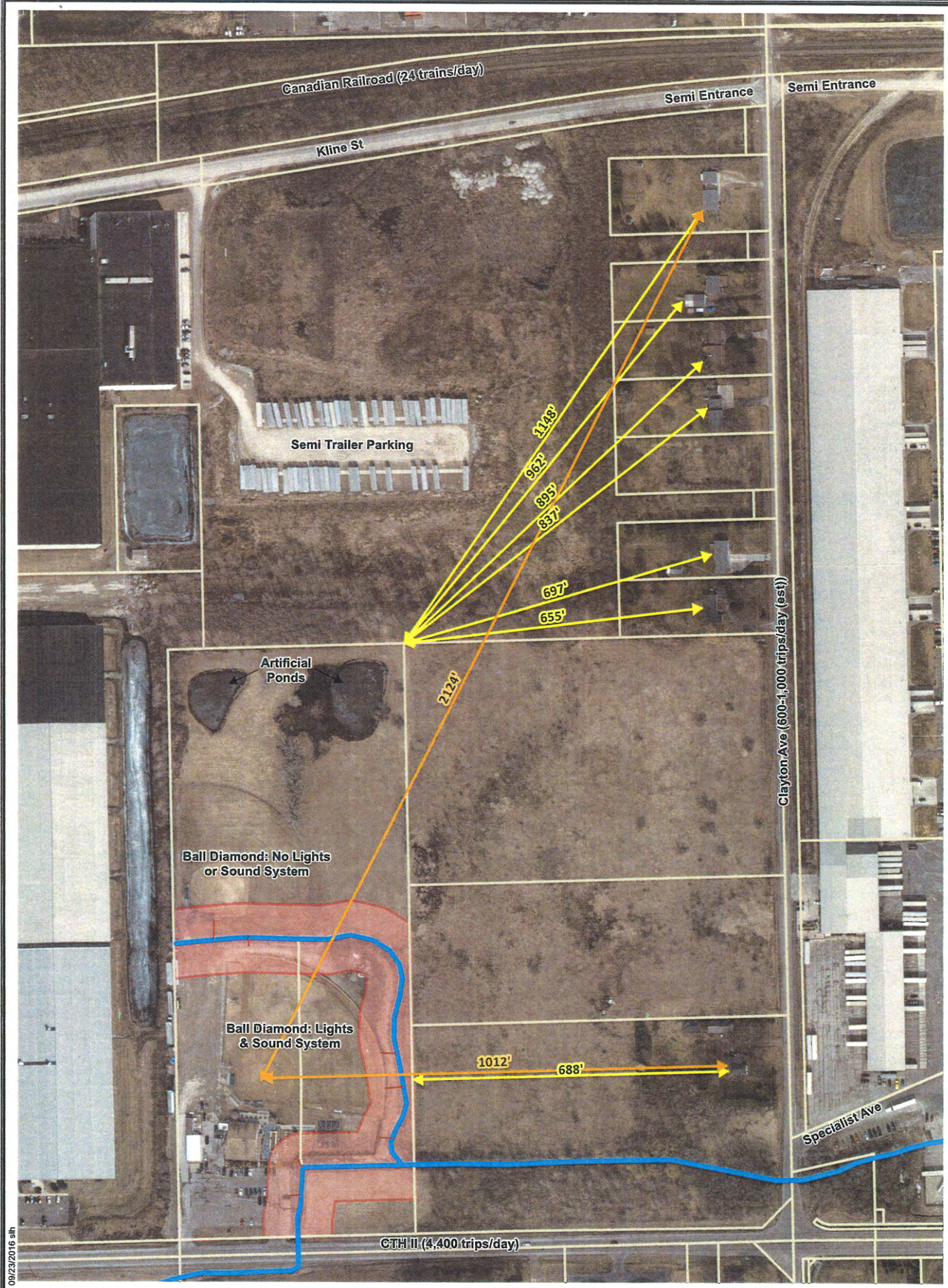


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FIGURE 2
WESTIN LAND HOLDINGS, LLC
 2590 CTH II
 TOWN OF CLAYTON
 WINNEBAGO COUNTY, WI



W:\PROJECTS\W104291600746\GIS\Figure1.mxd 09/23/2016 ahh

Mapped Features

- ←→ Distance: Residence to Property Boundary
- ←→ Distance: Residence to Pitcher's Mound
- ~~~~~ Navigable Stream
- ⬭ 75' Stream Setback
- Property Boundary


 0 200 400
 Feet

Source: Winnebago, 2014-2016.
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McMAHON

ENGINEERS ARCHITECTS

FIGURE 3
WESTIN LAND HOLDINGS, LLC
 2590 CTH II
 TOWN OF CLAYTON
 WINNEBAGO COUNTY, WI

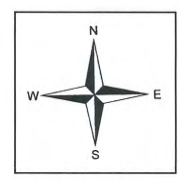


Application #16-CU-3900

Date of Hearing:
November 16, 2016

Owner(s):
Westin Land Holdings LLC

Subject Parcel(s):
0060370 / 006037006 /
006037007



Winnebago County
WINGS Project

Scale
1 inch : 300 feet

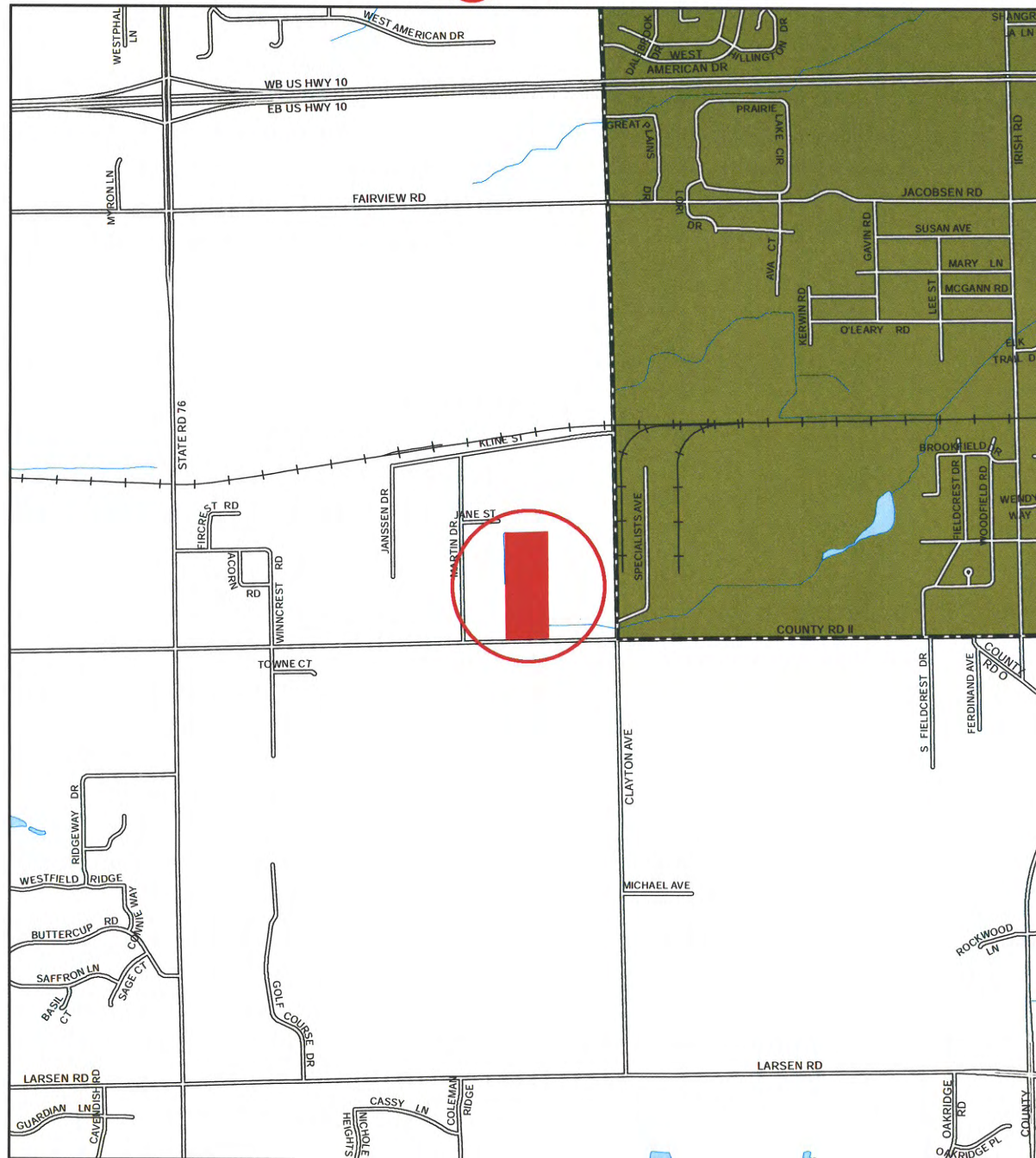
County Zoning Districts

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-3900

Date of Hearing:

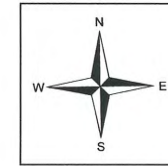
November 16, 2016

Owner(s):

Westin Land Holdings LLC

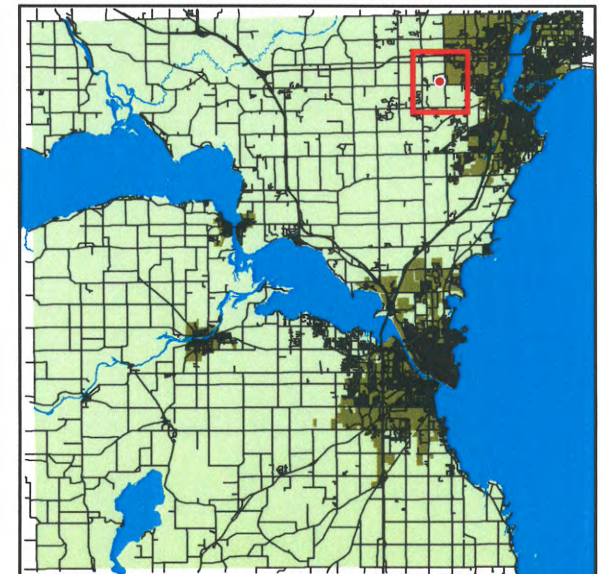
Subject Parcel(s):

0060370 / 006037006 / 006037007



Winnebago County
WINGS Project

● = SITE



WINNEBAGO COUNTY