

DATE: 09/20/22

## R E S O L U T I O N

No. 003

To The Board of Supervisors of Winnebago County, Wisconsin:

### **AMENDATORY ORDINANCE 09/03/22**

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF WOLF RIVER in accordance with the petition of multiple property owners (see attached) 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 WOLF RIVER, be and the same, are amended to provide that the attached described property be changed from the classification of **A1 (Agri-Business District)** of said ordinance, which it now and heretofore had, to the zoned district of **A2 (General Farming District) and A3 (Small Farming District)**.

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 Wolf River)

PARCEL NO: **see attached list**; FROM **A1** TO **A2**, **A3**

### **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 \_\_\_\_\_, 2022.

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Jon Doemel

County Board Supervisory district **36 - Miller**



## Winnebago County

Zoning Department

*The Wave of the Future*

### MEMO FOR P & Z MEETING AGENDA OF SEPTEMBER 9, 2022

TO: Planning & Zoning Committee

FM: Zoning Administrator 

RE: Review of Town Zoning Change(s)

**1. Multiple Property Owners - Town Zoning Change (Tax ID No(s) see attached) – Town of Wolf River.**

The town zoning changes for multiple property owners are consistent with Winnebago County's Future Land Use Plan. The Town of Wolf River approved the zoning changes from A1 (Agri-Business District) to A2 (General Farming District) and A3 (Small Farming District) and Winnebago County's future land use plan shows future land uses as Agricultural and Rural, Environmental and Public.

**RECOMMENDATION: Approve a motion to forward zone changes to County Board for action.**

**2. Teresa Blade - Town Zoning Change (Tax ID No(s) 014-0055-01-04 & 014-0055-01-03) – Town of Wolf River.**

The town zoning changes for Teresa Blade are consistent with Winnebago County's Future Land Use Plan. The Town of Nepeuskun approved the zoning changes from Farmland Preservation Overlay to no Farmland Preservation Overlay for both parcels and from A-2 (Agricultural District) to R-1 (Residential District) for parcel 014-0055-01-03 and Winnebago County's future land use plan shows future land use as Agricultural and Rural.

**RECOMMENDATION: Approve a motion to forward zone changes to County Board for action.**

**3. Barb Rank Life Estate - Town Zoning Change (Tax ID No(s) 024-0030) – Town of Utica.**

The town zoning change for Barb Rank Life Estate is consistent with Winnebago County's Future Land Use Plan. The Town of Utica approved the zoning change from A2 (Agricultural District) to RR (Rural Residential Recreational Mixed Use) and Winnebago County's future land use plan which incorporates the City of Oshkosh' future land use plan, shows future land uses as Agricultural and Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

4. Matt Ziegenhagen - Town Zoning Change (Tax ID No(s) 024-0243) – Town of Utica.

The town zoning change for Matt Ziegenhagen is consistent with Winnebago County's Future Land Use Plan. The Town of Utica approved the zoning change from A2 (Agricultural District) to RR (Rural Residential Recreational Mixed Use) and Winnebago County's future land use plan which incorporates the City of Oshkosh' future land use plan, shows future land uses as Residential.

**RECOMMENDATION: Approve a motion to forward zone changes to County Board for action.**

*Wolf River Town Hall  
8800 County Road II  
PO Box 338  
Fremont, WI 54940  
Phone: 920-446-3837  
FAX: 920-446-2491*



**NOTICE OF PUBLIC HEARING ON PROPOSED REZONING OF ALL A-1 PARCELS  
IN THE TOWN OF WOLF RIVER**

The Town Board of the Town of Wolf River will meet at the Wolf River Town Hall on Monday, June 28, 2021 at 6:30 p.m. for the purposes of holding a public hearing as prescribed by Section 66.0627 Wis. Stats., to consider the proposed rezoning of all A1 parcels in the town of Wolf River

<b>PROPERTY OWNERS:</b>	<b>PARCEL #</b>	<b>ADDRESS</b>
Freer, Gregory & Jane	032067805	7444 Cedar Lane
Freer, Gregory & Jane	0320675	7444 Cedar Lane
Freer, Gregory & Jane	0320683	7444 Cedar Lane
Freer, Gregory & Jane	03206302 <b>683-02</b>	7444 Cedar Lane
Mellow Mist Farms LLC	0320436	9262 Arrowhead Road
Smith, Eric & Amy	0320067806	W153 Archer Road
Utecht, Carol	0320422	9262 Arrowhead Road
Utecht, Carol	032042303	9262 Arrowhead Road
Utecht, Carol	0320656	9262 Arrowhead Road
Utecht, Carol	0320657	9262 Arrowhead Road
Utecht, Carol	032066901	9262 Arrowhead Road
Utecht, Carol	0320670	9262 Arrowhead Road
Utecht, Carol	032067002	9262 Arrowhead Road
Wiedmeyer, Andrew	0320231	7886 County Road II
Wiedmeyer, Andrew	0320233	7886 County Road II
Wiedmeyer, Andrew	0320238	7886 County Road II
Wiedmeyer, Andrew	0320239	7886 County Road II
Wiedmeyer, Andrew	032023901	7886 County Road II
Wolf River Ag LLC	032042302	8105 Easy Street
Town of Wolf River	032042304	8800 County Road II
Town of Wolf River	032067802	8800 County Road II

**EXPLANATION:** The Town of Wolf River is no longer part of the Winnebago County Farmland Preservation Plan and all current A1 parcels that were formerly a part of this plan will be rezoned to either A2 (General Agriculture) or R1 (Residential).

All interested persons wishing to be heard at the Public Hearing are invited to attend.

Dated this 24<sup>th</sup> day of May, 2021

BY THE DIRECTION OF THE TOWN BOARD,

Susan J. Gilbert, Clerk



# Parcels with A-1 Zoning in Wolf River Town Zoning Jurisdiction

March 1, 2021

PARCEL #	STATED AC.	OWNER NAME 1	OWNER NAME 2	POSTAL ADDRESS	POSTAL CITY/STATE/ZIP
032067805	21.90	FREER, GREGORY <i>A2</i>	FREER, JANE	7444 CEDAR LN	FREMONT WI 54940
0320675	39.90	FREER, GREGORY G <i>A2</i>	FREER, JANE E	7444 CEDAR LN	FREMONT WI 54940
0320683	57.29	FREER, GREGORY G <i>A-2</i>	FREER, JANE E	7444 CEDAR LN	FREMONT WI 54940
032068302	0.41	FREER, GREGORY G <i>DRIVE WAY - A2</i>	FREER, JANE E	7444 CEDAR LN	FREMONT WI 54940
0320436	33.97	MELLOW MIST FARM LLC <i>A2</i>		9262 ARROWHEAD RD	FREMONT WI 54940
032067806	50.76	SMITH, ERIC L <i>A2</i>	SMITH, AMY L	W153 ARCHER DR	FREMONT WI 54940
0320422	37.50	UTECHT, CAROL A <i>A2</i>		9262 ARROWHEAD RD	FREMONT WI 54940
032042303	30.36	UTECHT, CAROL A <i>A2</i>		9262 ARROWHEAD RD	FREMONT WI 54940
0320656	40.00	UTECHT, CAROL A <i>A2</i>		9262 ARROWHEAD RD	FREMONT WI 54940
0320657	36.98	UTECHT, CAROL A <i>A2</i>		9262 ARROWHEAD RD	FREMONT WI 54940
032066901	29.39	UTECHT, CAROL A <i>A2</i>		9262 ARROWHEAD RD	FREMONT WI 54940
0320670	15.20	UTECHT, CAROL A <i>A2</i>		9262 ARROWHEAD RD	FREMONT WI 54940
032067002	16.00	UTECHT, CAROL A <i>A2</i>		9262 ARROWHEAD RD	FREMONT WI 54940
0320231	20.00	WIEDMEYER, ANDREW <i>A-2</i>		7886 COUNTY RD II	FREMONT WI 54940
0320233	40.00	WIEDMEYER, ANDREW <i>A-2</i>		7886 COUNTY RD II	FREMONT WI 54940
0320238	39.06	WIEDMEYER, ANDREW <i>A-2</i>		7886 COUNTY RD II	FREMONT WI 54940
0320239	3.23	WIEDMEYER, ANDREW <i>A2</i>		7886 COUNTY RD II	FREMONT WI 54940
032023901	9.01	WIEDMEYER, ANDREW <i>A2</i>		7886 COUNTY RD II	FREMONT WI 54940
032042302	4.15	WOLF RIVER AG LLC <i>A3</i>		8105 EASY ST	FREMONT WI 54940
032042304	2.74	TOWN OF WOLF RIVER (Right-of-Way) <i>A 2</i>		PO BOX 338	FREMONT WI 54940 0338
032067802	2.00	TOWN OF WOLF RIVER (Right-of-Way) <i>A 2</i>		PO BOX 338	FREMONT WI 54940 0338

## **PUBLIC HEARING**

**June 28, 2021**

The **PUBLIC HEARING** as prescribed by Section 66.0627 Wis. Stats., to consider the proposed rezoning of all A1 parcels in the town of Wolf River **ON PROPOSED REZONING OF ALL A-1 PARCELS IN THE TOWN OF WOLF RIVER** was called to order by Chairman Randall Rutten on June 28, 2021 at 6:30 p.m. at the Wolf River Town Hall.

**NOTICES OF THIS PUBLIC HEARING** were published in the Chronicle and the Winneconne News on June 9 & 10, 2021. Notices were posted at the Town Hall and the Fremont Post office.

**VOTERS PRESENT:** Randy Rutten, Curt Sprenger, Dave Koepp, Ray & Clara Koepp, Judy Knaus, Lee Robbert, and Susan Gilbert.

Rutten read the notice of the Public Hearing and all parcels needing rezoning to those present. All towns, with the exception of Nepeuskun have done away with the Farmland Preservation program so all those parcels that were zoned A1 Agri-business must be rezoned to either A-2 General Farming, A3 Small Farming, or R1 Residential. It was also noted that any new certified survey map will parcel out the road right-of-way into a new A2 parcel of its own. Judy Knaus reported that letters had been sent to all A1 landowners, but she had not heard from any of them about the upcoming zoning changes. County Zoning has an A2 designation for 5 acres. No other discussion occurred.

**MOTION TO CLOSE THE HEARING:** Motion by Judy Knaus/second Curt Sprenter/all ayes. Motion carried.

Respectfully submitted:

Susan J. Gilbert, Clerk



**June 28, 2021**

## **Board Meeting Minutes**

**THE TOWN BOARD MEETING** was called to order by Chairman Rutten about 7:00 p.m. on Monday, June 28, 2021 at the Wolf River Town Hall.

**NOTICES** of this meeting were sent to the Chronicle and the Winneconne News. Notices were posted at the Town Hall and the Fremont Post Office. Notices were e-mailed for posting at Hahn-a-Lula Resort, and Union Star. Notices were also e-mailed to the Town Board, Attorney, Building Inspector/Zoning Administrator, and Assessor.

**PRESENT:** Randy Rutten, Dave Koepp, Curt Sprenger, Susan Gilbert, Ray Koepp, Lee Robbert, and Karen Marone.

**ALSO PRESENT FOR ALL OR PART OF THE MEETING:** Six additional persons per attendance record on file.

**PLEDGE OF ALLEGIANCE** was recited.

**MINUTES OF MEETING:** Motion by Koepp/second Sprenger/carried 3-0 to approve the minutes of Monday, May 24, 2021.

**BUILDING INSPECTOR/ZONING/BOARD OF APPEALS ADMINISTRATION BUSINESS:** Lee reported there were 5 permit applications this month for:

Bob & Christine Lindmark	7291 County Rd H	New home, attached garage	\$275,000
James Fischer	8895 Arrowhead Lane	Detached garage	\$20,000
Nikki Lemens/Wolf River Lodge	8831 Wolf River Rd	Toilet building	\$30,000
Nick & Kerry Angel	9401 North Road	New home, attached garage	\$350,000
Dennis Moe & Roger Schreiber	Old Road	Conditional Use Permit	

**TREASURER'S REPORT:** Ray stated the ending balance in the Money Market was \$247,599.72. We collected building permit fees, search fees, liquor license fees, hall rental fees, interest on checking, room taxes, personal property taxes, and the first half of the ARPA grant money in the amount of \$63,324.48, etc, and ending balance was \$295,656.89. Beginning checking balance was \$740.34. We transferred in \$27,500 from the Money Market account and paid WE Energies, Centurylink, Grachien, the highway bill, paid all town wages, social security, Medicare, town insurance, quarterly assessors bill, record checks, etc., and ending balance was \$445.80. Motion by Koepp/second Sprenger/carried 3-0 to approve the Treasurer's Report as presented.

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**REZONE OF ALL A-1 PARCELS:** Since the town is no longer under Farmland Preservation, Winnebago County is getting rid of the A-1 farmland designations and the town will need to change the zoning of those parcels to something other than A-1. A Public Hearing was held earlier tonight. All owners were notified. Judy reported she had not heard from any of the owners involved and none of them came to the hearing. Motion by Koepp/second Sprenger/carried 3-0 to approve all Zoning changes out of A1 to A2 and A3 as read into the record. The clerk will notify the County of the approval.

**ATTORNEY'S REPORT:** Atty. Marone had nothing new to report.

**ASSESSOR'S REPORT:** Not present.

### **TOWN HALL ISSUES:**

1. Bridge and culvert projects for 2022. The deadline for submittal for such projects is Friday, July 2, 2021. The town needs to replace a series of culverts along River Trail Drive and this may qualify. We also have to replace the Apache Bridge and are waiting to hear from the County on when this project will be scheduled for replacement.
2. **INTERGOVERNMENTAL AGREEMENT** to Satisfy Eligibility for Recycling Consolidation Grant for Calendar year 2022. This is an annual agreement with Winnebago County which allows the town to apply for grant money. Motion by Koepp/second Sprenger/carried 3-0 to approve the Intergovernmental Agreement with Winnebago County.

**SET DATE AND TIME OF NEXT BOARD MEETING:** Next regular monthly Board Meeting to handle town business will be Monday, July 26, 2021 at 7:00 p.m. Motion by Koepp/second Sprenger/carried 3-0 to adjourn. Meeting adjourned.

**Respectfully submitted:**

**Susan Gilbert, Clerk**

# Wolf River Town Hall

8800 County Road II

PO Box 338

Fremont, WI 54940

Phone: 920-446-3837

FAX: 920-446-2491

## SUBMITTAL FORM

### ZONING MAP AMENDMENT REQUEST

| PROPERTY OWNERS:      | NEW ZONING | PARCEL #   | ADDRESS             |
|-----------------------|------------|------------|---------------------|
| Freer, Gregory & Jane | A2         | 032067805  | 7444 Cedar Lane     |
| Freer, Gregory & Jane | A2         | 0320675    | 7444 Cedar Lane     |
| Freer, Gregory & Jane | A2         | 0320683    | 7444 Cedar Lane     |
| Freer, Gregory & Jane | A2         | 03206302   | 7444 Cedar Lane     |
| Mellow Mist Farms LLC | A2         | 0320436    | 9262 Arrowhead Rd   |
| Smith, Eric & Amy     | A2         | 0320067806 | W153 Archer Road    |
| Utecht, Carol         | A2         | 0320422    | 9262 Arrowhead Rd   |
| Utecht, Carol         | A2         | 032042303  | 9262 Arrowhead Rd   |
| Utecht, Carol         | A2         | 0320656    | 9262 Arrowhead Rd   |
| Utecht, Carol         | A2         | 0320657    | 9262 Arrowhead Rd   |
| Utecht, Carol         | A2         | 032066901  | 9262 Arrowhead Rd   |
| Utecht, Carol         | A2         | 0320670    | 9262 Arrowhead Rd   |
| Utecht, Carol         | A2         | 032067002  | 9262 Arrowhead Rd   |
| Wiedmeyer, Andrew     | A2         | 0320231    | 7886 County Road II |
| Wiedmeyer, Andrew     | A2         | 0320233    | 7886 County Road II |
| Wiedmeyer, Andrew     | A2         | 0320238    | 7886 County Road II |
| Wiedmeyer, Andrew     | A2         | 0320239    | 7886 County Road II |
| Wiedmeyer, Andrew     | A2         | 032023901  | 7886 County Road II |
| Wolf River Ag LLC     | A3         | 032042302  | 8105 Easy Street    |
| Town of Wolf River    | A2         | 032042304  | 8800 County Road II |
| Town of Wolf River    | A2         | 032067802  | 8800 County Road II |

**Current parcel zoning:** A1, Agri-Business, Section 1.05(1)(a)

**Request zoning change to:** A2 General Farming District, Section 1.05(1)(b) A3, and Small Farming District, Section 1.05(1)(c) to bring parcels into compliance with the Town of Wolf River Zoning Ordinance.

**Date of Public Hearing:** June 26, 2021 at 6:30 p.m.

**EXPLANATION:** The Town of Wolf River is no longer part of the Winnebago County Farmland Preservation Plan and all current A1 parcels that were formerly a part of this plan will be rezoned to either A2 (General Agriculture) or A3 (Small Farming District).

The Town Board of Wolf River reviewed the above request for a zoning requests and made the following motion,

[X] APPROVED [ ] DISAPPROVED

**1. Does the Town have an adopted land use plan: YES**

**2. Does the request agree with the plan? YES**

**3. Other findings:**

a. No objection from owners or neighboring property owners.

b. Zoning changes will be compatible with adjoining properties and in compliance with the zoning ordinance.

Attested: Susan J. Gilbert, Clerk

Date: June 26, 2021