

WINNEBAGO COUNTY
PLANNING & ZONING COMMITTEE
DELIBERATIVE HEARING

August 9, 2019

7:30 A.M.

County Administration Building
1st Floor Conference Room 119
Oshkosh, WI

PRESENT: Supervisors, Tom Egan, Rob Keller, Maribeth Gabert, Ben Joas and Brian Defferding. Karen Fredrick – court reporter, Brian O'Rourke and Cary Rowe – Zoning Administrator. Guest present.

The meeting was called to order by Tom Egan at 7:30 A.M.

1. Winnebago County – Chapter 26 – Floodplain Zoning Code and Official Map – Text Amendment.

MOTION by T. Egan, seconded by B. Joas, to bring agenda item to the floor for discussion and approve with findings as submitted.

Supervisor Egan stated that he did not like how the process of conducting and adopting the floodplain study took place and that property owners in the Town of Utica were most impacted. Supervisor Defferding stated that he was concerned about the poor communication, property rights, FEMA's exercise of power and that he would vote against the floodplain study. Supervisor Joas suggested going through the process again since the original process was poorly done in that it did not reach out directly to the property owners of the flood storage areas. Supervisor Gabert stated that she didn't think it was appropriate for FEMA to threaten the county's participation in the NFIP when land from property owners was used for flood storage areas without their knowledge. Supervisor Keller concurred with Supervisor Gabert. Committee discussed adjourning its decision with Corporation Counsel and Zoning Administrator.

MOTION by B. Defferding to adjourn deliberative on this agenda item to August 23, 2019, after the viewing at which time, an invited representative from FEMA can clarify when the county would be suspended from the NFIP and if the property owners of the flood storage areas would be reimbursed for lands used in the study. MOTION by T. Egan, seconded by B. Joas, to rescind first motion for discussion and approval. Motion carried 5-0. Seconded by B. Joas. Motion carried 5-0.

2. Town of Oshkosh – Chapter 23, Article 15, section 15(1) - Text Amendment (reopen and supplement decision to include findings).

Supervisor Gabert presented the committee with findings she drafted for the committee's review. Findings are as follows:

1. WDNR presently allows 20,000 SF (100' x 200') of developed surface in local ordinances without stormwater retention. WDNR has used science criteria to reach their guidelines.
2. The proposed 15,000 SF (150' x 100') Winnebago County ordinance change is still more restrictive than WDNR rules.
3. This ordinance change would allow a small project or expansion without a retention pond.
4. Any significant land disturbance over 20,000 SF (100' x 200') would still require stormwater retention.
5. Towns meet their stormwater ordinance guidelines & enforcement as required by the WDNR.

MOTION by B. Defferding, seconded by R. Keller, to adopt findings as submitted. Motion carried 5-0.

3. Winnebago County – Chapter 16.05 – Sanitary Ordinance – Text Amendment.

Committee reviewed findings in order to take action on a text amendment to Section 16.05 of the Winnebago County Sanitary Ordinance.

MOTION by B. Joas, seconded by B. Defferding, to approve with findings as submitted. Motion carried 5-0.

4. Greg Kappell – 8078 County Rd B, Town of Poygan – Conditional Use.

Committee reviewed findings and conditions in order to take action on a conditional use permit for a pond in a residential district.

MOTION by B. Joas, seconded by M. Gabert, to approve with findings and conditions as submitted. Motion carried 5-0.

5. KBS Marine LLC – 7312 County Rd B, Town of Poygan – Conditional Use.

Committee reviewed findings and conditions in order to take action on a conditional use permit to expand a campground.

MOTION by B. Defferding, seconded by B. Joas, to approve with findings and conditions as submitted. Motion carried 5-0.

6. Craig Norlin – 5079 Washington St, Town of Winneconne – Zoning Map Amendment.

Committee reviewed findings in order to take action on a zoning map amendment to R-2 (Suburban Residential).

MOTION by B. Joas, seconded by M. Gabert, to approve with findings as submitted. Motion carried 5-0.

7. Victoria Murrell – 4505 Broderick Rd, Town of Omro – Zoning Map Amendment.

Committee reviewed findings in order to take action on a zoning map amendment to A-2 (General Agriculture) as a condition of certified survey map approval.

MOTION by B. Joas, seconded by M. Gabert, to approve with findings as submitted. Motion carried 5-0

8. Steve Swanson – 7320 Woodenshoe Rd, Town of Neenah – Rural Accessory Building Determination.

Committee reviewed findings in order to take action on a rural accessory building determination. The effect of a rural accessory building determination and lot size was briefly discussed between Supervisor Keller and Zoning Administrator.

MOTION by B. Joas, seconded by B. Defferding, to approve with findings as submitted. Motion carried 5-0

9. Jerry Jannusch et al – Committee review and action on request for modifications to Conditional Use permit 19-CU-4770.

Zoning Administrator explained the requested modification which was downsizing of the original request to the committee.

MOTION by M. Gabert, seconded by B. Joas, for discussion and approval. Motion carried 5-0

ADJOURNMENT

MOTION made by B. Joas to adjourn the meeting. Seconded by M. Gabert. Motion carried 5-0. Meeting adjourned at 8:13 A.M.

Respectfully submitted,

Cary A. Rowe
Recording Secretary

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