

WINNEBAGO COUNTY
PLANNING & ZONING COMMITTEE
RECONVENED PUBLIC HEARING

April 8, 2020
7:30 A.M.

First Floor Conference Room – County Administration Building

PRESENT: Supervisors, Thomas Egan, Chairman, Rob Keller (virtual), Maribeth Gabert, Ben Joas (virtual) and Brian Defferding (virtual). Cary Rowe - Zoning Administrator, Brian O'Rourke – Associate Planner, Karen Fredrick (virtual) - court reporter and guests present.

The meeting was called to order by Thomas Egan, Chairman at 7:30 A.M. Supervisor Egan explained the meeting protocol under the Governor's Emergency Order #12. Committee members introduced themselves and Zoning Administrator explained appeals procedure.

1 & 2. Harve Ross et al – West of 3903 Sand Pit Rd, Town of Omro – Conditional Use & Zoning Map Amendment (adjourned from the February 25, 2020 public hearing).

Applicant is requesting a zoning map amendment to A-2 (General Agriculture District) and a conditional use permit to develop a personal storage facility. Robert Giese – 3754 County Road FF, Omro, was sworn in. Mr. Giese stated that he was in favor of the request and that the storage units would low impact on the neighborhood. Mr. Giese also stated that the petition against the request that was submitted was not accurate. Charles Hertel – 4489 Sand Pit Rd, Oshkosh, was sworn in. Mr. Hertel submitted a letter dated April 6, 2020 to the committee for the record and stated that the town's other findings should not be taken into consideration when making the decision. Mr. Hertel also said the proposed use would be a good development. Brian Noe – 5156 David Dr, Oshkosh, was sworn in by phone. Mr. Noe stated that the town has had a good working relationship with the county. According to Mr. Noe, the town denied the request for the B-3 zoning and then considered a request for A-2 zoning accompanied by a conditional use permit while the applicant worked out issues with the neighbors. Mr. Noe then said that an e-mail from Brian Ohm stated that the A-2 zoning would be inconsistent with the town's future land use plan. Supervisor Gabert asked the Zoning Administrator if the proposed use could be located in a B-3 zoning district as a conditional use and an A-2 zoning district as a conditional use and if so, would either be in conflict with the county's comprehensive plan. Zoning Administrator stated that the proposed use could occur in either zoning district as a conditional use and would be consistent with the county's comprehensive plan. Supervisor Joas (virtual) asked the Zoning Administrator if rezoning the property from B-2 to B-3 would be consistent with the county's comprehensive plan. Zoning Administrator stated that rezoning the property to B-3 would be consistent with the county's comprehensive plan.

Supervisor Defferding (virtual) asked Zoning Administrator if B-3 zoning would be as consistent with the county's comprehensive plan as the current B-2 zoning is. Zoning Administrator replied "yes". Supervisor Defferding stated that he was aware that the neighbors did not want the B-3 zoning district because it is allowed more intensive uses. Supervisor Egan stated that he received e-mails from residents opposing the request because they like the property vacant. Armand Lewis – 5247 Notre Dame Dr, Omro, was sworn in by phone. Mr. Lewis stated that he was opposed to the storage units citing reasons including safety, traffic and that the residents paid for the road. Audrey Wagner – 2260 N Haven Ln, Oshkosh, was sworn in by phone. Mrs. Wagner stated that she owns storage units next to a subdivision and receives phone calls looking for additional storage with all units rented out. Wally Wagner – 2260 North Haven Ln, Oshkosh, was sworn in by phone. Mr. Wagner stated that he owns several storage units and as far as the town's concern about the height of the storage units, the height of the proposed storage units will be 3 to 4-ft below the height that is allowed for homes. Mr. Wagner also said that the town board voted against the request but the town planning commission voted in favor of the request by a vote of 4-1 and the one vote against the request was a person who lived across the street from the property. Supervisor Gabert stated that her experience has been that storage units did not affect property values of subdivisions located by storage units. Brian Seaman – 3569 Sand Pit Rd, Oshkosh, was sworn in by phone. Mr. Seaman spoke in favor of the storage units. David Rupnow – 3974 Georgetown Dr, Omro, was sworn in by phone. Mr. Rupnow stated that he was opposed to the request because he lives across the street from where the units would be built and the road in the subdivision would be used to access the storage units. Mr. Rupnow also said he was concerned about traffic and lights. Supervisor Gabert stated that lights are not allowed to face homes and must be directed to the interior of the property. Debbie Rupnow – 3974 Georgetown Dr, Omro, was sworn in by phone. Mrs. Rupnow stated that she was opposed to the request because of traffic and the entrance location being across from Georgetown Dr. Mrs. Rupnow also said the hours of operation should be like the hours of a strip mall. Harve Ross – 3871 County Rd FF, Omro, was sworn in. Mr. Ross stated that there was no public support for his original request to rezone the property to B-3. Mr. Ross also stated that Brian Noe – Town Chairman, would support a request to A-2 zoning which would also allow storage units. Mr. Ross then submitted a signed petition in favor of the request with 97 signatures. Supervisor Gabert stated that she understood the Ross has owned the land for 5-6 years during which time, the subdivision was built up. Supervisor Egan stated that the subject property had been for sale 15 years earlier. Eric Wagner – 4314 Stonegate Ct, Oshkosh, was sworn in. Mr. Wagner stated that he disputes the town's height argument and also that his research concluded that there is no increase in crime or traffic due to the presence of storage units. Supervisor Egan stated that lights are required to shine down and into the property and that the applicant modified his site plan to reduce two driveways to one and the driveway location was not in line with any houses. Sundee Wagner – 4314 Stonegate Ct, Oshkosh, was sworn in by phone. Mrs. Wagner spoke in favor of the request. Armand Lewis stated that the roads in the Barony Plat would be used by renters of the storage units. Zoning Administrator stated that he

had received e-mails opposing the zoning change from: Christopher Musha, Steve Disterhaft, Jeffrey Ertl, Gregory Linse, Armand Lewis Jr., Debbie Rupnow, David Rupnow, Dean Van Dyke, Shelly Disterhaft, Gregory Linse and Cheri Ertl. Zoning Administrator also stated he received a petition opposing the storage units with approximately 56 names from Debbie Rupnow and a petition supporting the storage units with 97 names and signatures from Robert Potratz. Charles Hertel – 4489 Sand Pit Rd, Oshkosh, was sworn in. Mr. Hertel submitted four affidavits from Robert Giese, Brian Seaman, Harve Ross and Eric Wagner dated March 16, 2020, stating that the Town of Omro did not make the “other findings” at the town board meeting. There was no additional testimony and this portion of the hearing was closed.

3. Horseshoe Storage LLC – 41 Horseshoe Rd, Town of Algoma – Zoning Map Amendment (adjourned from the February 25, 2020 public hearing).

Applicant is requesting a zoning map amendment from I-2 (Heavy Industrial) to I-1 (Light Industrial) to expand an existing storage facility. There was no additional testimony and this portion of the hearing was closed.

4 & 5. Edward Kerr – 7875 Cut-Off Ln, Town of Wolf River – Zoning Map Amendment & Conditional Use.

Applicant is requesting a zoning map amendment from B-2 (Community Business) to B-3 (General Business) and a conditional use to expand the number of campsites in an existing campground. There was no additional testimony and this portion of the hearing was closed.

6. Howard Schneider / Steve Bastin – East of 7181 and 7193 Clark Point Rd, Town of Winneconne - PDD

Applicant is requesting a Planned Development District to create residential parcels on a private road (Clarks Point Rd) through a PDD. There was no additional testimony and this portion of the hearing was closed.

7. Jonmar Investments LLC – 5034 State Rd 21, Town of Omro – Zoning Map Amendment.

Applicant is requesting a zoning map amendment on multiple parcels that contain multiple zoning districts in place with a CSM. There are currently five parcels with the zoning districts of A-2, B-2, B-3 and R-1. The applicant is proposing to create four parcels with three zoned R-1 and one parcel zoned B-2. There was no additional testimony and this portion of the hearing was closed.

ADJOURNMENT

MOTION made by M. Gabert to adjourn the meeting and reconvene Friday, April 8, 2020 at 7:30 am. Seconded by B. Defferding. Motion carried 5-0. Meeting adjourned at 8:56 A.M.

Respectfully submitted,

Cary A. Rowe
Recording Secretary