

DATE: 12/19/2023

R E S O L U T I O N

No. 001

To The Board of Supervisors of Winnebago County, Wisconsin:

AMENDATORY ORDINANCE 12/001/23

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF CLAYTON in accordance with the petition of Jay R Schultz 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 CLAYTON, be and the same, are amended to provide that the attached described property be changed from the classification of **R-1 (rural residential)** of said ordinance, which it now and heretofore had, to the zoned district of **A-2 (Agricultural)**.

AND BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors, that the enclosed Ordinance is hereby ☐ **ADOPTED** OR ☐ **DENIED**.

see attached documents
County Board Supervisor
(Town of Clayton)

PARCEL NO: **006-0403-04**; FROM **R-1** TO **A-2**

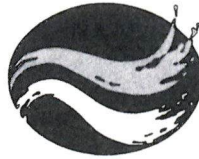
COUNTY DISCLAIMER:

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 _____, 2023.

Jon Doemel – County Executive

County Board Supervisory district **36 - Miller**



Winnebago County

Zoning Department

The Wave of the Future

MEMO FOR P & Z MEETING AGENDA OF OCTOBER 6, 2023

TO: Planning & Zoning Committee

FM: Zoning Administrator

RE: Review of Town Zoning Change(s)

1. Jay Schultz - Town Zoning Change (Tax ID No 006-0403-04) – Town of Clayton.

1. T.E
2. H.M
4-0
The town zoning change for Jay Schultz is consistent with Winnebago County's Future Land Use Plan. The Town of Clayton approved the zoning change from R-1 Rural Residential District) to A-2 (General Agriculture District) 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.

2. Kristi Dercks - Town Zoning Change (Tax ID No 028-0920-03) – Town of Winchester.

1. H.M
2. S.Z
4-0
The town zoning change for Kristi Dercks is consistent with Winnebago County's Future Land Use Plan. The Town of Winchester approved the zoning change from A-2 (General Agricultural District) to R-1 (Rural Residential District) 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. Winnebago County - Town Zoning Change (Tax ID No 026-0099-01) – Town of Vinland.

1. T.E
2. H.M
4-0
The town zoning change for Winnebago County is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change to P1 (Institutional and Recreational Park District) 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.

4. Sally Reinert - Town Zoning Change (Tax ID No 026-0097) – Town of Vinland.

1. S.Z.

2. H.W.

4-0

The town zoning change for Sally Reinert is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change to R1 (Rural Residential) and Winnebago County's future land use plan shows future land use as Residential.

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

TOWN OF CLAYTON

ORDINANCE 2023-Z003

AN ORDINANCE TO AMEND THE OFFICIAL TOWN OF CLAYTON ZONING MAP – WINNEBAGO COUNTY, WISCONSIN

- WHEREAS**, one or more applications for amendment(s) to the “Town of Clayton Zoning Map – Winnebago County, Wisconsin” have been filed with the Town of Clayton Clerk as described herein; and
- WHEREAS**, following the requisite Notices and Public Hearing(s), the proposed amendment(s) have been reviewed and recommended to the Town of Clayton Board of Supervisors by the Town’s Plan Commission; and
- WHEREAS**, the application(s) for amendment(s) to the “Town of Clayton Zoning Map – Winnebago County, Wisconsin” does comply with the Town’s future land use element of the Town of Clayton Comprehensive Plan 2016 - 2036; and
- WHEREAS**, all other procedural requirements have been met for purposes of consideration of the amendment(s) as provided in Article 7 of the Town of Clayton Zoning Code of Ordinances; and
- NOW, THEREFORE BE IT ORDAINED THAT**, the Board of Supervisors of the Town of Clayton, County of Winnebago, State of Wisconsin, pursuant to Article 7 of the Town of Clayton Zoning Code of Ordinances, hereby adopts the following amendment(s) to the “Town of Clayton Zoning Map – Winnebago County, Wisconsin”:

Section 1: The Official “Town of Clayton Zoning Map – Winnebago County, Wisconsin” is amended as follows:

A. Property Owner(s):

Jay R. Schultz, 8777 Oakwood Ave, Neenah, WI 54956

006-0403-04

Legal description of property:

Part of Lot 1, CSM #6296; and part of Lot 4, CSM #3330, all part of the Southeast ¼ and Northeast ¼ of the Northeast 1/4, Section 15, Town 20 North, Range 16 East, Town of Clayton, Winnebago County, Wisconsin.

Findings of Fact:

1. The Town of Clayton has an adopted Comprehensive Plan.
2. The Future Land Use Plan Map of the Comprehensive Plan shows the subject property as “Residential – Single and Duplex”.
3. The proposed General Agriculture (A-2) District zoning is consistent with the aforementioned “Working Lands” and “Residential – Single and Duplex” future land use categories.
4. Therefore, a zoning map amendment from Rural Residential (R-1) District to General Agriculture (A-2) District is consistent with the adopted Comprehensive Plan.
5. The zoning map amendment is compatible with adjacent land uses.

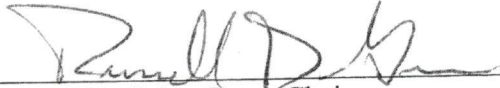
The above-described property is hereby rezoned from:

Rural Residential (R-1) District to General Agriculture (A-2) District

Section 2: This Ordinance shall be submitted to the Winnebago County Board for approval. This amendment to the "Town of Clayton Zoning Map – Winnebago County, Wisconsin" shall be effective upon approval by the Winnebago County Board.

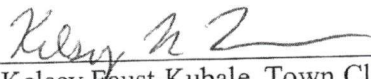
Adopted this 15th day of March, 2023

Vote: Yes: 5 No: 0 Abstain: 0 Absent: 0



Russell D. Geise, Town Chair

ATTEST:



Kelsey Faust-Kubale, Town Clerk

Town Board

Roll Call Vote Tally

Meeting Date: March 15, 2023

Agenda Item: Plan Commission Recommendation: Motion to approve Ordinance 2023-Z003 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for properties known as part of Tax ID #006-0403 and all of Tax ID #006-0403-01 from R-1 (Rural Residential District) to A-2 (General Agriculture District).

Motion by: SR

Second by: PC

MOTION: Motion to approve Ordinance 2023-Z003 to amend the Official Town of Clayton Zoning Map.

Supervisor Vote:	Aye	Nay	Abstain
3 Chair Geise	<u>1</u>	<u> </u>	<u> </u>
1 Supervisor Reif	<u>1</u>	<u> </u>	<u> </u>
2 Supervisor Lettau	<u>1</u>	<u> </u>	<u> </u>
5 Supervisor Grundman	<u>1</u>	<u> </u>	<u> </u>
4 Supervisor Christianson	<u>1</u>	<u> </u>	<u> </u>

TOWN OF CLAYTON
PLAN COMMISSION RESOLUTION # 2023-004
RE-ZONING OF TAX ID #006-0403, AND TAX ID #006-0403-01

The Plan Commission for the Town of Clayton has recommended ☒ Approval [] Denial
of the following Rezoning:

Owner: Jay R. Schultz

Applicant: Martenson & Eisle, Inc

Location: 8777 Oakwood Ave, Neenah, WI 54956

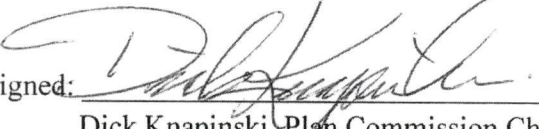
Legal Description: Being a part of the Southeast ¼ of the Northeast ¼, and being part of the Northeast ¼ of the Northeast ¼, both in Section 15, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, Wisconsin.

Parcel Number: The properties are known as Tax ID # 006-0403 (approximately 12 acres); Tax ID # 006-0403-01 (approximately 5.05 acres);

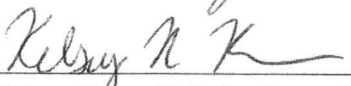
Explanation: Applicant is requesting a Zoning Change from R-1 (Rural Residential District) to A-2 (General Agriculture District).

Town Findings:

1. The Town does have an adopted land use plan
2. The proposed zoning change does comply with the Town's adopted Land Use Plan.
3. The proposed zoning change is consistent with the Town's pending Future Land Use Plan.
4. The proposed zoning change is consistent with the existing land use pattern

Signed: 
Dick Knapinski, Plan Commission Chair

Date: 3/8/2023

Attest: 
Kelsey Faust-Kubale, Town Clerk

Date: 3/8/2023

Plan Commission

Roll Call Vote Tally

Meeting Date: 3/8/23

Agenda Item: Plan Commission review & recommendation on a Re-Zoning Application submitted by Martenson & Eisle, Inc., & Resolution 2023-004, A Resolution Recommending the Re-Zone of Properties known as Tax ID #006-0403; and Tax ID #006-0403-01 (8777 Oakwood Ave) from R-1 (Rural Residential District) to A-2 (General Agriculture District).

Motion by: BH

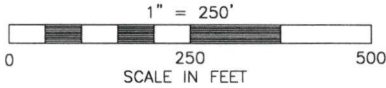
Second by: WN

Motion to approve Resolution 2023-004 A Resolution Recommending the Re-zoning of Properties from R-1 (Rural Residential District) to A-2 (General Agriculture District).

Commissioner Vote:	Aye	Nay	Abstain
4 Chair Knapinski	<u>1</u>	<u> </u>	<u> </u>
5 Commissioner Ketter	<u>1</u>	<u> </u>	<u> </u>
1 Commissioner Nemecek	<u>1</u>	<u> </u>	<u> </u>
2 Commissioner Haskell	<u>1</u>	<u> </u>	<u> </u>
3 Town Board Rep. Christianson	<u>1</u>	<u> </u>	<u> </u>
② Commissioner Dorow	<u>1</u>	<u> </u>	<u> </u>

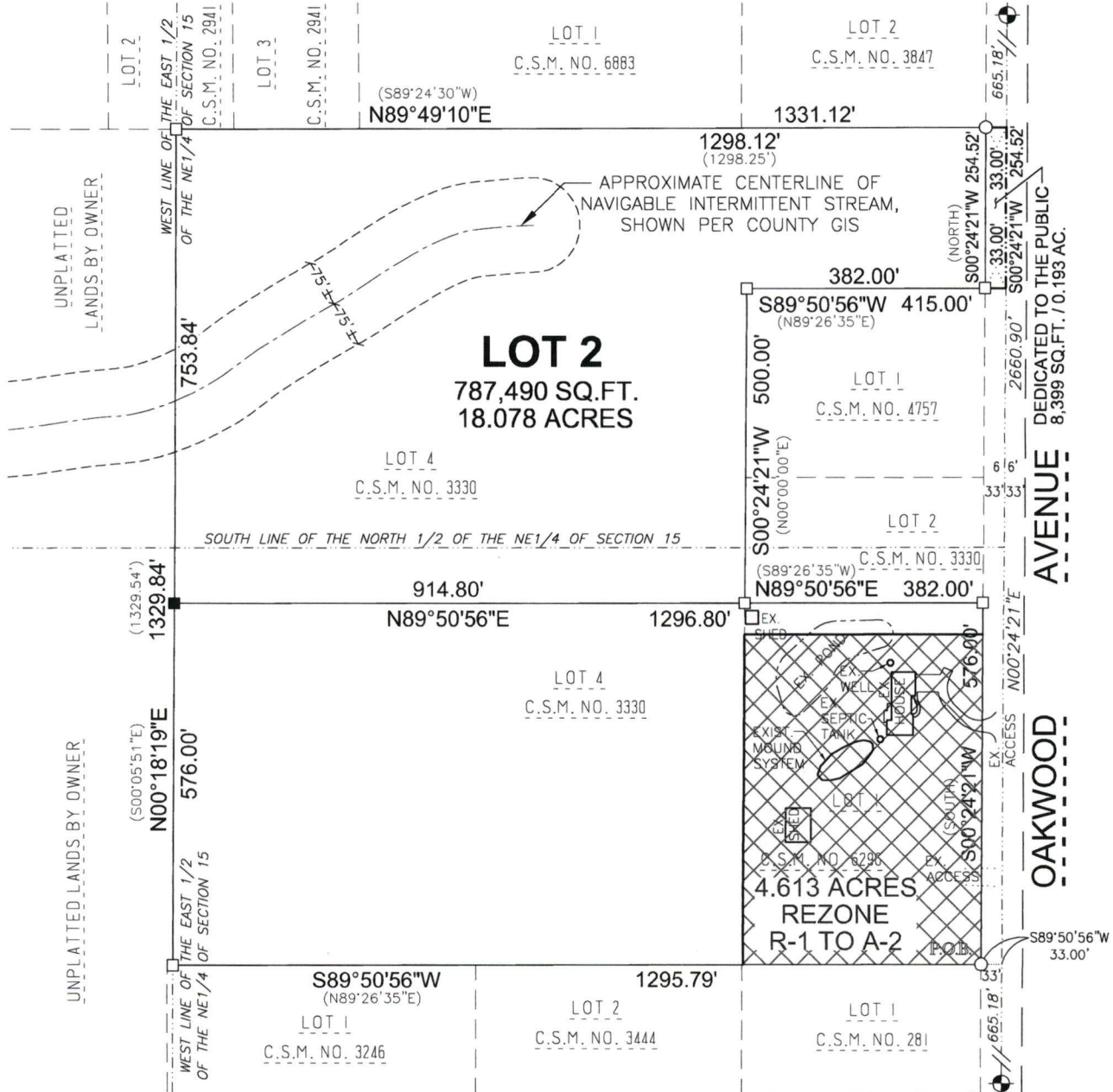
REZONING REFERENCE MAP

PART OF LOT 1, CERTIFIED SURVEY MAP NO. 6296; ALL LOCATED IN THE SOUTHEAST 1/4 AND THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 15, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN.



BEARINGS ARE REFERENCED TO THE WINNEBAGO COUNTY COORDINATE SYSTEM (NAD83/1997) IN WHICH THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 15 IS RECORDED TO BEAR N 00°24'21" E

NORTHEAST CORNER SECTION 15, T20N, R16E BERTSEN MONUMENT FOUND



Martenson & Eisele, Inc.



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Menasha, WI 54952
www.martenson-eisele.com
info@martenson-eisele.com
920.731.0381 1.800.236.0381

Planning
Environmental
Surveying
Engineering
Architecture

PROJECT NO. 1-1729-001

FILE 1-1729-001Rezone.dwg SHEET 1 OF 1

THIS INSTRUMENT WAS DRAFTED BY: C.Cleary