

Agenda Item Report



Winnebago County
The Wave of the Future

DATE: *October 29, 2021*
TO: *County Board*
FROM: *Jerry Bougie, Director of Planning and Zoning, Cary Rowe, Zoning Administrator*
RE: *Approve Amendatory Ordinances*

Background:

Amendments to Town zoning ordinances are required to be adopted by the Winnebago County Board pursuant to section 60.62(3), Wis. Stats., and s. 8.04, Winnebago County General Code.

Policy Discussion:

County Zoning Staff receives Town zoning ordinance amendment(s) from the affected Town(s). Staff reviews the Town's action for completeness of information (i.e. findings of fact) and whether the proposed zoning amendment(s) is/are consistent with the Winnebago County Comprehensive Plan and subsequently prepares a Staff recommendation on each of the proposed zoning amendment(s). Town zoning amendments do not require a County public hearing, as the hearing has already occurred at the Town level.

For this month's agenda there are 3 Town Zoning Changes requested – they are:

1. M7 Investment Group LLC, Town of Winchester.
2. Wesley Maes and Holly Niemeyer, Town of Black Wolf
3. Luker Revocable Trust, Town of Black Wolf

Findings: All three Town Zone Changes are consistent with the Winnebago County Comprehensive Plan.

Requested Action:

Motion to approve Amendatory Ordinance No. 11/02/21 on behalf of M7 Investment Group LLC, Town of Winchester

Motion to approve Amendatory Ordinance No. 11/03/21 on behalf of Wesley Maes and Holly Niemeyer, Town of Black Wolf

Motion to approve Amendatory Ordinance No. 11/04/21 on behalf of Luker Revocable Trust, Town of Black Wolf

Committee Action:

1. M7 Investment Group LLC, Town of Winchester. *Motion by B. Defferding to forward zone change to County Board for approval. Motion seconded by M. Gabert. Motion approved 5-0.*

(continued next page...)

2. Wesley Maes and Holly Niemeyer, Town of Black Wolf. Motion by R. Keller to forward zone change to County Board for approval. Motion seconded by B. Defferding. Motion approved 5-0.
3. Luker Revocable Trust, Town of Black Wolf. Motion by R. Keller to forward zone change to County Board for approval. Motion seconded by B. Defferding. Motion approved 5-0.

Attachments:

See attached for Amendatory Ordinance Resolutions.

DATE: 11/16/21

R E S O L U T I O N

No. 003

To The Board of Supervisors of Winnebago County, Wisconsin:

AMENDATORY ORDINANCE 11/03/21

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF BLACK WOLF in accordance with the petition of Wesley Maes and Holly Niemeyer 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 Black Wolf, be and the same, are amended to provide that the attached described property be changed from the classification of **A-2 (General Farming)** of said ordinance, which it now and heretofore had, to the zoned district of **R-1 (Rural Residential)**.

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

County Board Supervisor
(Town of Black Wolf)

PARCEL NO: **004-0503-06**; FROM **A-2** TO **R-1**

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 _____, 2021.

Jon Doemel

County Board Supervisory district **32 - Keller**



Winnebago County

Zoning Department

The Wave of the Future

MEMO FOR P & Z MEETING AGENDA OF OCTOBER 29, 2021

TO: Planning & Zoning Committee

FM: Zoning Administrator *CAR*

RE: Review of Town Zoning Changes

1. M7 Investment Group LLC - Town Zoning Change (Tax ID No: 028-0433) – Town of Winchester.

The town zoning change for M7 Investment Group LLC is consistent with Winnebago County's Future Land Use Plan. The Town of Winchester approved the zoning change from A-2 (General Agricultural District), B-2 (Community Business District) and B-3 (General Business District) to B-2 (Community Business District) and Winnebago County's future land use plan shows future land use as Non-residential.

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

2. Wesley Maes and Holly Niemeyer - Town Zoning Change (Tax ID No: 004-0503-06) – Town of Black Wolf.

The town zoning change for Wesley Maes and Holly Niemeyer is consistent with Winnebago County's Future Land Use Plan. The Town of Black Wolf approved the zoning change from A-2 (General Farming) to R-1 (Rural Residential) and Winnebago County's future land use plan shows future land use as Environmental.

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

3. Luker Revocable Trust - Town Zoning Change (Tax ID No: 004-0503-05) – Town of Black Wolf.

The town zoning change for Luker Revocable Trust is consistent with Winnebago County's Future Land Use Plan. The Town of Black Wolf approved the zoning change from A-2 (General Farming) to R-1 (Rural Residential) and Winnebago County's future land use plan shows future land use as Environmental.

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



Town of Black Wolf

380 E. Black Wolf Ave. Oshkosh, Wisconsin 54902

Office: (920) 688-1404

info@townofblackwolf.com

ZONING CHANGE SUBMITTAL FORM

1. Name of Property Owner: Wesley Maes and Holly Niemeyer

Address of Owner: 7534 Swiss Rd

Oshkosh, WI 54902

2. Name of Applicant: Leon Luker

Address of Applicant: 7558 Swiss Rd

Oshkosh, WI 54902

3. Legal Description of area to be rezoned (attach CSM, if applicable): Lot 2 of CSM-7791

4. Tax Parcel Number (if existing parcel): 004-0503-06

5. Section: 31 Town: 17 N Range: 17 E

6. Existing Zoning: A-2 Name of District: General Farming

7. Proposed Zoning: R-1 Name of District: Rural Residential

To be completed by Town of Black Wolf:

8. Town Board Action: Approved Denied

9. Findings:

- The Town of Black Wolf has a Comprehensive Plan
- The zoning change is in compliance with that comprehensive plan.

+ Add an additional acre to an existing one acre parcel.

+ One acre taken from a parcel zoned A-2 and added to a parcel zoned R-1.

+ Zoning change will remove dual zoning on newly created parcel.

I, Thomas G. Verstegen, Town of Black Wolf Zoning Administrator, hereby certify that a Public Hearing was conducted on June 28, 2021, and that all required notices were posted and/or mailed as required by local ordinance.

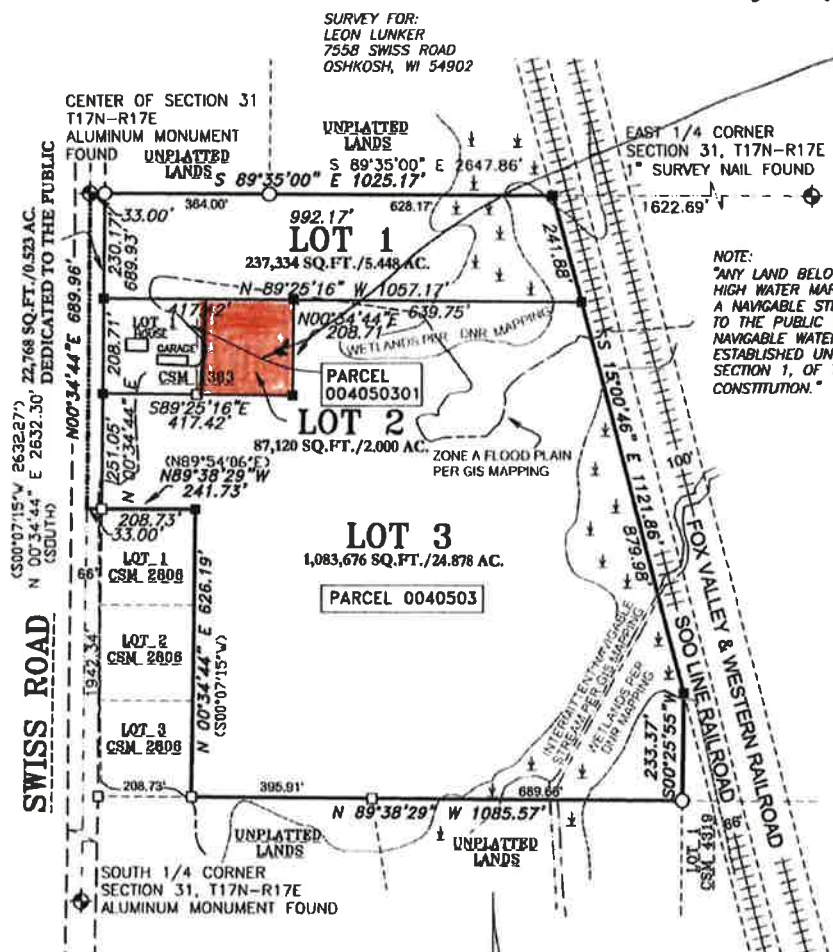
Thomas G. Verstegen
Thomas G. Verstegen

Date: 8-20-21

CERTIFIED SURVEY MAP NO. 7791

ALL OF LOT 1 OF CERTIFIED SURVEY MAP 1363,
AND PART OF THE NORTHWEST 1/4 OF THE
SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 17
NORTH, RANGE 17 EAST, TOWN OF BLACK WOLF,
WINNEBAGO COUNTY, WISCONSIN.

*Area of
Required
Zoning
Change*



NOTE:
"ANY LAND BELOW THE ORDINARY
HIGH WATER MARK OF A LAKE OR
A NAVIGABLE STREAM IS SUBJECT
TO THE PUBLIC TRUST IN
NAVIGABLE WATERS THAT IS
ESTABLISHED UNDER ARTICLE IX,
SECTION 1, OF THE STATE
CONSTITUTION."

- LEGEND**
- 1-1/4" O.D. IRON PIPE SET, 18" LONG, WEIGHING 1.130 LBS. PER LIN. FOOT
 - 3/4" REBAR FOUND
 - 1-1/4" O.D. IRON PIPE FOUND
 - ◆ GOVERNMENT CORNER FOUND
 - () RECORDED AS



FRUEH CONSULTING SERVICES, LLC
ENGINEERING AND LAND SURVEYING
P. O. Box 282, Oshkosh, Wisconsin 54902
TELEPHONE (920) 235-0279

PROJECT NO. 0-1062-023
FILE 1062023CSM SHEET 1 OF 3
This instrument was drafted by: DSL