

DATE: 11/20/18

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

No. 007

To The Board of Supervisors of Winnebago County, Wisconsin:

**AMENDATORY ORDINANCE 11/07/18**

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF OSHKOSH in accordance with the petition of DON HERMAN 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 OSHKOSH, be and the same, are amended to provide that the attached described property be changed from the classification of **M-1 INDUSTRIAL** of said ordinance, which it now and heretofore had, to the zoned district of **B-1 BUSINESS**.

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 CLAYTON)

PARCEL NO: **018-0083-03**; FROM **M-1** TO **B-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 \_\_\_\_\_, 2018.

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Mark Harris

County Board Supervisory district **12 - GABERT**



## Winnebago County

Zoning Department

*The Wave of the Future*

MEMO FOR P & Z MEETING AGENDA OF NOVEMBER 2, 2018

TO: Planning & Zoning Committee

FM: Zoning Administrator

RE: Review of Town Zoning Changes

1. Heinz - Town Zoning Change (Tax ID No: 006-0531-03-02) – Town of Clayton.

The town zoning change for Heinz is consistent with Winnebago County's Land Use Plan. The Town of Clayton approved the zoning change from A-2 (General Agricultural District) to R-1 (Rural Residential District) and Winnebago County's land use plan shows future land use as Agricultural and Rural.

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

2. Zellmer - Town Zoning Change (Tax ID No: 028-0671) – Town of Winchester.

The town zoning change for Zellmer is consistent with the Town of Winchester's Land Use Plan. The Town of Winchester approved the zoning change from A-2 (General Agricultural District) to I-1 (Light Industrial District) and the Town of Winchester's land use plan shows future land use as Highway Commercial.

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

3. Hansen Rev Tst - Town Zoning Change (Tax ID No: 028-0663-05) – Town of Winchester.

The town zoning change for Hansen Rev Tst is consistent with the Town of Winchester's Land Use Plan. The Town of Winchester approved the zoning change from A-2 (General Agricultural District) to I-1 (Light Industrial District) and the Town of Winchester's land use plan shows future land use as Highway Commercial.

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

4. Dowling - Town Zoning Change (Tax ID No: 018-0083-01 & 018-0083-03) – Town of Oshkosh.

The town zoning change for Dowling is consistent with Winnebago County's Land Use Plan. The Town of Oshkosh approved the zoning change from R-1 (Single Family Residential) to M-1 (Industrial) and Winnebago County's land use plan shows future land use as Non-residential under the extra-territorial jurisdiction of the City of Oshkosh.

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

5. Herman - Town Zoning Change (Tax ID No: 018-0083-03) – Town of Oshkosh.

The town zoning change for Herman is consistent with Winnebago County's Land Use Plan. The Town of Oshkosh approved the zoning change from M-1 (Industrial) to B-1 (Business) and Winnebago County's land use plan shows future land use as Non-residential under the extra-territorial jurisdiction of the City of Oshkosh.

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

6. Lichtenberg - Town Zoning Change (Tax ID No: 006-0331-04) – Town of Clayton.

The town zoning change for Lichtenberg is consistent with Winnebago County's Land Use Plan. The Town of Clayton approved the zoning change from R-1 (Rural Residential District) to A-2 (General Agricultural District) and Winnebago County's land use plan shows future land use as Agricultural and Rural.

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

018-0083-03 M-1 to B-1  
FLU: Non-res

# Z-02-2018

**AMENDMENT TO THE ZONING ORDINANCE  
OF THE TOWN OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN**

BE IT ORDAINED by the Town Board of the Town of Oshkosh, Winnebago County, Wisconsin, that the Zoning Ordinance of said Town be, and the same is hereby amended, in the following manner, to wit:

Section 1. The following described lands are hereby rezoned to B-1 Business.

PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 16 EAST, TOWN OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 3; THENCE SOUTH 89 DEGREES 44 MINUTES 30 SECONDS WEST, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 40.67 FEET TO THE SOUTH 1/4 CORNER OF SECTION 34, T19N, R16E; THENCE SOUTH 89 DEGREES 26 MINUTES 27 SECONDS WEST, CONTINUING ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 3, A DISTANCE OF 911.73 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 06 SECONDS EAST, 33.00 FEET; THENCE SOUTH 16 DEGREES 22 MINUTES 26 SECONDS EAST, 114.24 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 16 DEGREES 22 MINUTES 26 SECONDS EAST, 6.57 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 54 SECONDS WEST, 80.57 FEET; THENCE NORTH 28 DEGREES 18 MINUTES 54 SECONDS EAST, 7.21 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 54 SECONDS EAST, 75.30 FEET TO THE POINT OF BEGINNING. CONTAINING 492 SQUARE FEET [0.011 ACRES].  
PROJECT NO.:

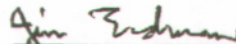
Section 2. The zoning maps of the Town of Oshkosh shall be changed to reflect the amendment of parcel 018-0084.

Section 3. This Ordinance shall be effective by town board approval to B-1.

Adopted this 18<sup>th</sup> day of October, 2018.

TOWN OF OSHKOSH

By:



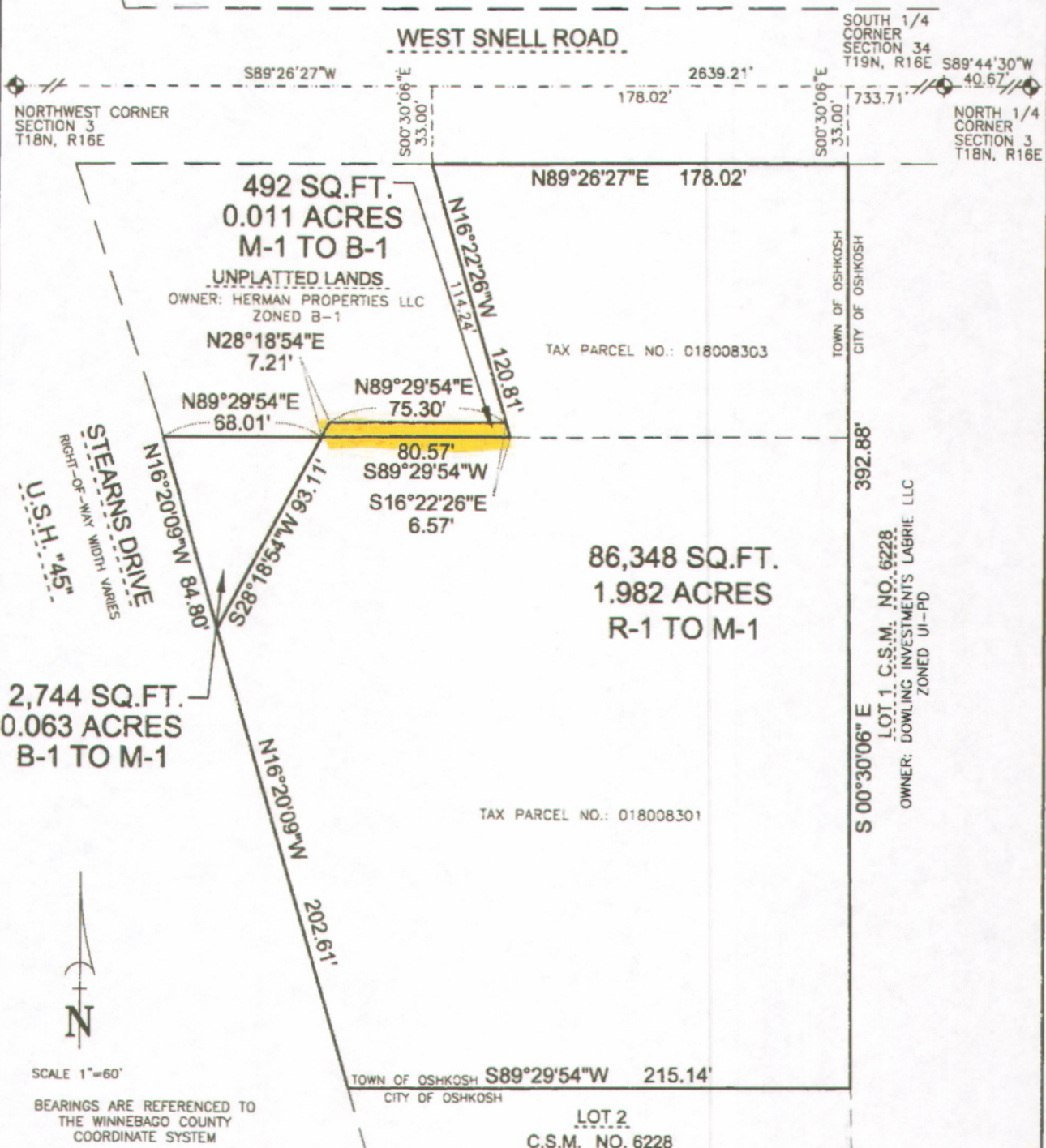
Jim Erdman, Chairperson

Attest:

  
Jeannette Merten, Clerk

# REZONING REFERENCE MAP

PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4,  
SECTION 3, TOWNSHIP 18 NORTH, RANGE 16 EAST,  
TOWN OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN.



SCALE 1"=60'

BEARINGS ARE REFERENCED TO THE WINNEBAGO COUNTY COORDINATE SYSTEM

**Martenson & Eisele, Inc.**



1377 Midway Road  
Menasha, WI 54952  
www.martenson-eisele.com  
info@martenson-eisele.com  
920.731.0381 1.800.236.0381

Planning  
Environmental  
Surveying  
Engineering  
Architecture

REVISED SEPT. 21, 2018

PROJECT NO. 1-1092-001  
FILE 1-1092-001rezone

THIS INSTRUMENT WAS DRAFTED BY: A.Sedlar

# Herman - Rezone

## PLANNING & ZONING COMMISSION RECOMMENDATION OF DECISION TO TOWN BOARD

Town Plan Commission Secretary: Sharon Karow Date: 10-18-2018

Town Plan Commission Chair: Jim Erdman Date: 10-18-2018

Decision Date: 10-18-2018

Approved  Denied

Published Dates of public hearing (class 2 notice): Oct. 4 + 11, 2018

Reasons for findings, including any stipulations or conditions:

Same as m

## FINAL APPROVAL OF ZONING CHANGE REQUEST BY TOWN BOARD

Town Clerk: Janet M. Water Date: 10-18-2018

Town Board Chairman: Jim Erdman Date: 10-18-2018

Decision Date: 10-18-2018

Approved  Denied

Resolution Number to Ordinance Zoning Map change: 2-02-2018

Reasons for findings, including any stipulations or conditions:

SAME AS MINUTES OF PREVIOUS MEETING

TOWN OF OSHKOSH  
NOTICE OF PUBLIC HEARING  
NOTICE IS HEREBY GIVEN THAT THE  
PLANNING & ZONING COMMISSION  
OF THE TOWN OF OSHKOSH will con-  
duct PUBLIC HEARINGS at 6:00 P.M.  
on THURSDAY, OCTOBER 18, 2018, in  
the TOWN HALL located at 230 E.  
COUNTY RD. Y, OSHKOSH, WI 54901.  
The purpose of the Public Hearings is to  
RECEIVE PUBLIC COMMENT regard-  
ing the following RE-ZONING applica-  
tion:

A. THE PETITIONERS: Applicant:  
TOWN OF OSHKOSH, 230 E CTY RD  
Y, OSHKOSH WI 54901; and Property  
Owner: DON HERMAN, 2164 Schneider  
Ave, Oshkosh WI 54904 request that the  
following property be rezoned to B-1  
(Business), property located at 3696  
Steams Dr., Oshkosh WI 54901; specifi-  
cally described as part of Tax ID #018-  
0064;

LEGAL DESCRIPTION DESCRIBED AS  
FOLLOWS: PART OF THE  
NORTHEAST 1/4 OF THE NORTH-  
WEST 1/4 OF SECTION 3, TOWNSHIP  
18 NORTH, RANGE 16 EAST, TOWN  
OF OSHKOSH, WINNEBAGO COUN-  
TY, WISCONSIN, MORE FULLY DE-  
SCRIBED AS FOLLOWS: COMMENC-  
ING AT THE NORTH 1/4 CORNER OF  
SAID SECTION 3; THENCE SOUTH 89  
DEGREES 44 MINUTES 30 SECONDS  
WEST, ALONG THE NORTH LINE OF  
THE NORTHWEST 1/4 OF SAID SEC-  
TION, A DISTANCE OF 40.67 FEET TO  
THE SOUTH 1/4 CORNER OF SEC-  
TION 34, T19N, R16E; THENCE  
SOUTH 89 DEGREES 26 MINUTES 27  
SECONDS WEST, CONTINUING  
ALONG THE NORTH LINE OF THE  
NORTHWEST 1/4 OF SECTION 3, A  
DISTANCE OF 911.73 FEET; THENCE  
SOUTH 00 DEGREES 30 MINUTES 06  
SECONDS EAST, 33.00 FEET;  
THENCE SOUTH 16 DEGREES 22 MI-  
NUTES 26 SECONDS EAST, 114.24  
FEET TO THE POINT OF BEGINNING;  
THENCE SOUTH 16 DEGREES 22 MI-  
NUTES 26 SECONDS EAST, 6.57  
FEET; THENCE SOUTH 89 DEGREES  
29 MINUTES 54 SECONDS WEST,  
80.57 FEET; THENCE NORTH 28 DE-  
GREES 18 MINUTES 54 SECONDS  
EAST, 7.21 FEET; THENCE NORTH 89  
DEGREES 29 MINUTES 54 SECONDS  
EAST, 75.30 FEET TO THE POINT OF  
BEGINNING. CONTAINING 492  
SQUARE FEET [0.011 ACRES].

All interested parties and any objections  
to the granting of this request will be  
heard at the Public Hearing.

Dated this 21st, day of September 2018.

Published on October 4 & 11, 2018

Jeanette Merten, Town Clerk

Town of Oshkosh

Run: Oct. 4 & 11, 2018 WNAXLP

Thank you,

**Melissa Rome**

Public Notice Coordinator

Minutes  
Town of Oshkosh

**Special Town Board Meeting**  
**October 18, 2018 - 6:30 p.m. - Town Hall**

1  
2  
3  
4 PRESENT: Chair Jim Erdman, Supervisor Matt Merten, Supervisor Jason  
5 Wolfgram, and audience of 0.

6  
7 Chair Erdman called meeting to order at 6:30 p.m.

8  
9 **Consider a partial rezoning of Parcel 018-0084, 3696 Stearns Dr. to**  
10 **B-1 Applicant Town of Oshkosh, property owner Don Herman.**

11 There were no objectors or objections.

12 **Motion made by M. Merten, Wolfgram seconded, to adopt the**  
13 **rezoning Ordinance Z-02-2018 of Parcel 018-0084, 3696**  
14 **Stearns Dr. as described to B-1 on Exhibit 1, applicant is Town**  
15 **of Oshkosh, property owner is Don Herman. Reason is it**  
16 **consistent with the area.**

17 Roll call.

18 **Erdman, yes; M. Merten, yes; Wolfgram, yes. Motion carried.**

19  
20 **Consider adopting Ordinance to Amendment the Comprehensive Plan**  
21 **at 3696 Stearns Dr., 3620 Stearns Dr., and 1985 W. Snell Rd.**

22 There were no objectors or objections.

23  
24 **Motion made by M. Merten, Wolfgram seconded, to adopt an**  
25 **Amendment to the Comprehensive Plan at 3696 Stearns Dr.,**  
26 **3620 Stearns Dr., and 1985 W. Snell Rd., as described to M-1**  
27 **on Exhibit 1. Reason is it consistent with the area.**

28 Roll call.

29 **Wolfgram, yes; Erdman, yes; M. Merten, yes. Motion carried.**

30  
31 **Motion made by M. Merten, Wolfgram seconded, to adjourn.**  
32 **Motion carried unanimously.**

33  
34 Meeting adjourned at 6:40 p.m.

35  
36 Notes taken by Jim Erdman  
37 Jeannette Merten  
38 Town of Oshkosh Clerk