

DATE: 04/20/21

R E S O L U T I O N

No. 008

To The Board of Supervisors of Winnebago County, Wisconsin:

AMENDATORY ORDINANCE 04/08/21

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF CLAYTON in accordance with the petition of Town of Clayton 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 **A-2 (General Agriculture)** of said ordinance, which it now and heretofore had, to the zoned district of **P-1 (Public Institutional)**.

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 Clayton)

PARCEL NO: **006-0340-03**; FROM **A-2** TO **P-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 **29 - Youngquist**



Winnebago County
Zoning Department
The Wave of the Future

MEMO FOR P & Z MEETING AGENDA OF MARCH 5, 2021

TO: Planning & Zoning Committee

FM: Zoning Administrator

RE: Review of Town Zoning Changes

1. Thomas Vrhovnik - Town Zoning Change (Tax ID No: 004-0497-03) – Town of Black Wolf.

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

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

Approved 5-0

2. Thomas & Patti Fenner - Town Zoning Change (Tax ID No: 004-0434-02) – Town of Black Wolf.

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

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

Approved 5-0

3. Rodney & Paula Measure - Town Zoning Change (Tax ID No: 004-0175-01) – Town of Black Wolf.

The town zoning change for Rodney & Paula Measure 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 Residential and Environmental.

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

Approved 5-0

4. Kenneth Kreiter - Town Zoning Change (Tax ID No: 004-0144-02) – Town of Black Wolf.

The town zoning change for Kenneth Kreiter 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 which, incorporates the City of Oshkosh' future land use plan, shows future land use as Residential.

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

Approved 5-0

5. Keith & Amber Schneider - Town Zoning Change (Tax ID No: 004-0288-01-02) – Town of Black Wolf.

The town zoning change for Keith & Amber Schneider is consistent with Winnebago County's Future Land Use Plan. The Town of Black Wolf approved the zoning change from B-2 (Community Business) to R-1 (Rural Residential) and Winnebago County's future land use plan which, incorporates the City of Oshkosh' future land use plan, shows future land use as Residential.

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

Approved 5-0

6. Joshua & Carly Parker - Town Zoning Change (Tax ID No: 004-0505-02) – Town of Black Wolf.

The town zoning change for Joshua & Carly Parker 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) to and Winnebago County's future land use plan shows future land use as Agricultural and Rural.

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

Approved 5-0

7. John Willeford - Town Zoning Change (Tax ID No: 004-0196-06-01) – Town of Black Wolf.

The town zoning change for John Willeford 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) to and Winnebago County's future land use plan shows future land use as Agricultural and Rural.

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

Approved 5-0

8. **Town of Clayton** - Town Zoning Change (Tax ID No: 006-0340-03) – Town of Clayton.

The town zoning change for Town of Clayton is consistent with Winnebago County's Future Land Use Plan. The Town of Clayton approved the zoning change from A-2 (General Agriculture) to P-1 (Public Institutional) 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.

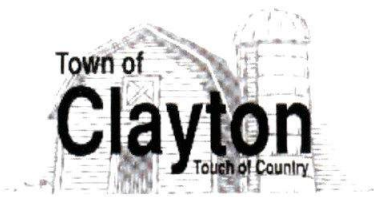
Approved 5-0

9. Luke & Ashley Herriges - Town Zoning Change (Tax ID Nos: 006-0040-07-01, 006-0040-07-02, 006-0040-07-03, 006-0040-07-04) – Town of Clayton.

The town zoning change for Luke & Ashley Herriges is consistent with Winnebago County's Future Land Use Plan. The Town of Clayton approved the zoning change from A-2 (General Agriculture) to RR (Rural Residential) and Winnebago County's future land use plan shows future land use as Agricultural and Rural.

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

Approved 5-0



A-2 (General Agriculture) to P-1 (Public Institutional)
FLU: Non-Residential

Thursday, January 21, 2021

County Zoning Office
Attn: Cary A. Rowe
112 Otter Avenue
Oshkosh, WI 54901

Re: Town Board approved amendment to the Town's Zoning Code of Ordinances Map.

Mr. Cary A. Rowe:

Enclosed please find the material relative to the following amendment(s) to the Zoning Code of Ordinances, Zoning Map in the Town of Clayton:

Re-zoning application submitted by the Town of Clayton, for part of the property located at 9023 Clayton Ave, Neenah, specifically described as Tax ID# 006-0340-03, being a part of Section 12, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone the property from A-2 (General Agriculture) to P-1 (Public Institutional District).

Should you have any questions relative to this request please feel free to call or e-mail me.

Sincerely,

Tori Straw
Town Administrator

CC County Clerk, Sue Ertmer

MEMORANDUM

Agenda Item II – A and VI – A

From: Administrator
To: Plan Commission
Re: Plan Commission Public Hearing on a Re-zoning application submitted by the Town of Clayton, for part of the property located at 9023 Clayton Ave, Neenah, specifically described as Tax ID# 006-0340-03, being a part of Section 12, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone the property from A-2 (General Agriculture) to P-1 (Public Institutional District).

And

Plan Commission review and recommendation on a Re-zoning application submitted by the Town of Clayton, for part of the property located at 9023 Clayton Ave, Neenah, specifically described as Tax ID# 006-0340-03, being a part of Section 12, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone the property from A-2 (General Agriculture) to P-1 (Public Institutional District).

Site Location: The property is located at 9023 Clayton Ave, Neenah, specifically described as Tax ID# 006-0340-03, being a part of Section 12, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicants: Town of Clayton
8348 County Road T
Larsen, WI 54947

Property Owners: Town of Clayton
8348 County Road T
Larsen, WI 54947

Consultant: N/A

Property Information:

1. The surrounding properties are zoned:
 - a) North:
A-2 (General Agriculture District) and R-1 (Rural Residential District)
 - b) South:
A-2 (General Agriculture District) and R-1 (Rural Residential District)

- c) East:
Village of Fox Crossing Zoning
- d) West:
B-3 (General Business District)

Property Information Specific to Tax ID # 006-0340-03:

1. The property is owned by Town of Clayton, 8348 County Road T, Larsen, WI 54947
2. The Lot is 9.17 acres.
3. The property is in the Neenah Joint School District (3892).
4. The property is currently zoned by the Town as A-2 (General Agricultural District).
5. The property **is** within the Extraterritorial Jurisdiction of the Village of Fox Crossing.
6. The property is **not** within the Shoreland Area.
7. The property has no Navigable Stream and Surface Water Drainage Information.
8. The property has no Outagamie County Airport Zoning and Height Limitation Information.
9. The property is in Zone X (Outside Floodplain) of the County Floodplain and FEMA Special Flood Hazard Area.
10. The property has no Wisconsin Wetland Inventory Information.
11. The property is in the Department of Natural Resources Special Well Casing area.
12. The Future Land Use Planning Information is Business (Commercial & Industrial) and Public/Institutional (Transportation).
13. The current land use is consistent with the Town's adopted Land Use Plan.
14. The proposed land use is consistent with the Future Land Use Plan.

Staff Comments on the proposed Re-Zoning:

Although the proposed P-I zoning and "major utility installation" use of the property does not appear on its surface to fit the "business" Future Land Use Map designation, it is our interpretation that the proposed P-I zoning district and "major utility installation" use are in substantial compliance with the Town's Comprehensive Plan due to the following reasons:

1. Utilities and Community Facilities Goal #1 is: *"Locate new municipal facilities where they can best serve the residents of the Town of Clayton. Utilize specialized studies to determine cost feasibility of future infrastructure systems."* The subject lot in which the "major utility installation" use is proposed in a location where it can best serve the residents of the Town of Clayton. Furthermore, the cost feasibility of constructing the "major utility installation" on the subject lot is maximized due to the Town being the current owner of the subject lot.
2. A "major utility installation" use is an allowed use in all zoning districts. Proposing to rezone this lot to a "business" zoning district (i.e., B-1, B-2, & B-3) to better fit the "business" Future Land Use Map designation is an option, but the Town has determined that rezoning the subject lot to P-I better reflects the actual proposed use. A "major utility installation" use is a conditional use in all of the "business" zoning districts and the P-I zoning district. Therefore, the same permit/approval requirements for a "major utility installation use" will need to be met for the P-I zoning district as any of the "business" zoning districts.
3. The subject lot and surrounding area are included in an Area Development Plan (ADP)/Master Plan Study currently being developed and expected to be completed in the next four months. After the ADP is completed, it is anticipated that the Future Land Use

Map will be amended to better reflect existing and planned future land uses. The proposed rezoning of the subject lot and proposed "major utility installation" use will be in complete compliance with the Comprehensive Plan after the ADP is completed and the Future Land Use Map is subsequently amended.

Staff Recommendations:

Staff does recommend approval of the proposed rezoning with the condition of the approval of the Certified Survey Map (CSM) on this agenda.

Respectfully Submitted,
Tori

To print, click the disk icon below -> then PDF

Parcel Profile Report for 006034003

Real Estate Property & Tax Information

[Interactive Map](#)

This tax information was compiled on THURSDAY, JANUARY 7, 2021

[More Details](#)

Mailing Address:
**TOWN OF CLAYTON
8348 COUNTY RD T
LARSEN WI 54947**

Owner(s):
TOWN OF CLAYTON

Tax Parcel Number:
006034003

Tax District:
[006-TOWN OF CLAYTON](#)

Acres:
9.17

School District:
3892-NEENAH JOINT SCHOOL DISTRICT

[Interactive Map](#)

Assessed Values

[More Assessment Details](#)

Land:
\$0

Improvements:
\$0

Total:
\$0

Brief Property Description (for a complete legal description, see recorded document):
PT NE SE DESC AS LOT 2 OF CSM-7342 9.17 A.

Document Number:
1762689

Site Address(es):
9023 CLAYTON AVE NEENAH WI 54956

Public Land Survey System (PLSS) Information

[Interactive Map](#)

Physical Location(s):
NE 1/4, SE 1/4 of Section 12, T.20N. - R.16E., TOWN OF CLAYTON

General Zoning Information

District: **A-2** Description: **GENERAL AGRICULTURE DISTRICT** Jurisdiction: **TOWN OF CLAYTON**

[Interactive Map](#)

Extraterritorial: **VILLAGE OF FOX CROSSING** Shoreland: **NONE**

[Interactive Map](#)

Navigable Stream and Surface Water Drainage Information

[Interactive Map](#)

Classification: **NONE** Source: Type: Surface Water Drainage Dist: **NONE**

Airport Zoning and Height Limitation Information

Airport: **NONE** District(s): Elevation Range: **822 - 828** Height Limitation(s): **1009 - 1009** Building Height: **181 - 187**

County Floodplain and FEMA Special Flood Harazard Area (SFHA) Information

[Interactive Map](#)

County District: **NONE** SFHA Zone: **ZONE X** SFHA Zone Type: **OUTSIDE FLOODPLAIN** FIRM Panel: **55139C0100E** Map Effective Date: **MARCH 17, 2003**

Wisconsin Wetland Inventory Information

[Interactive Map](#)

Area Code: **NONE** Area Description: Source:

Activity: Docket Number: Action Date:

WETLAND DELINEATION REPORT

[WIC-NE-2017-71-03695](#)

2017/12/05

Future Land Use Planning Information

County Use:	Municipal Planning Authority:	Municipal Use:
NON-RESIDENTIAL	TOWN OF CLAYTON	BUSINESS (COMMERCIAL & INDUSTRIAL)
PUBLIC/INSTITUTIONAL	TOWN OF CLAYTON	TRANSPORTATION

Elevation Information (NAVD88, US Survey Feet)

[Interactive Map](#)

Range:	Elevation Change:	Average:
822 - 828	6	825

Soil Survey Information

[Interactive Map](#)

Symbol:	Name:	Drainage Class:	Farmland Class:	Hydrologic Group:
HrB	Hortonville silt loam, 2 to 6 percent slopes	Well drained	II	C
LzB	Lorenzo variant loam, 2 to 8 percent slopes	Moderately well drained	III	C/D
MaA	Manawa silty clay loam, 0 to 3 percent slopes	Somewhat poorly drained	II	D
MtA	Mosel silt loam, 0 to 3 percent slopes	Somewhat poorly drained	II	C/D

Election Information

Type:	District:	Voting Ward:
WINNEBAGO COUNTY BOARD OF SUPERVISORS	29	1
Supervisor:	Polling Place:	
RACHEL A. YOUNGQUIST	CLAYTON MUNICIPAL BUILDING 8348 COUNTY RD. T	

2010 United States Census Bureau Information

[More Details](#)

State and County FIPS code(s):	Tract:	Block:	Total Population:
55 139	002300	2005	42

Historical Photography Information

Flight Year:	File Name:
1941	AIW-2B-145-41.tif
1957	AIW-1T-83-57.tif
1975	2016-75.tif
1981	I-2-81.tif

Special Casing Area Requirements for Arsenic Information

[Casing Map](#)

Special well casing depth area for Winnebago County - effective October 1, 2004

[More Details](#)



This report was created for use by the Winnebago County Geographic Information System project. Any other use/application of this information is the responsibility of the user and such use/application is at their own risk. Winnebago County disclaims all liability regarding fitness of the information for any use other than Winnebago County business.

Town of Clayton

RE-ZONING APPLICATION

Mail: 8348 County Road T – Larsen, WI 54947
Phone – 920-836-2007 Fax – 920-836-2026 Email – tocadmin@new.rr.com

Property Owner(s): TOWN of Clayton
Address/Zip: 8348 Cty Rd T, Larsen, WI 54947
Phone: 920 836 2007 Fax: 920 836 2026 E-Mail: administrator@townofclayton.net

Applicant: TOWN of Clayton

Check: Architect Engineer Surveyor Attorney Agent Owner

Address/City/Zip: 8348 Cty Rd T, Larsen, WI 54947

Phone: 920 836 2007 Fax: 920 836 2026 E-Mail: administrator@townofclayton.net

Describe the reason for the Re-Zoning: one acre parcel at east end to be rezoned to P-1 from A-2 for purpose of pumping station needed to supply water to customers on Hwy 76

Re-Zoning Specifics:

No. of Lots: 1 Total Acreage: 1 Tax Key No.: part of 006-0340-03

Legal Description: all of LOT 2 of CSM 7342 doc #1762489, Parcel 006-0340-03 specifically

Current Zoning: A-2 described as NE 1/4 of SE 1/4 section 12, T20N, R16E, Town of Clayton, County of Winnebago, State of Wisconsin

I certify that the attached drawings are to the best of my knowledge complete and drawn in accordance with all Town of Clayton codes.

Applicant Signature: Josi Straw Date: 12/21/20

For Town Use Only

Fee (see Fee Schedule)

Fee: <u>N/A</u>	Check # <u>N/A</u>	Receipt _____	Date _____
Date Received Complete _____	By _____	App. No. _____	
Review Meetings – Plan Comm _____	Town Board _____		
Newspaper Publication Dates _____	& _____	Posting Date _____	
300' Neighborhood Notice Distribution _____			
Re-Zoning is: Approved _____	Denied _____		
Comments _____			

Notes: 1. Please notify utility companies regarding your proposed development. 2. A Re-Zoning approval does not constitute approval of a building permit or any required approval of a highway connection permit. 3. A Re-Zoning Application & Fee must be submitted 20 working days prior to meeting.

**TOWN OF CLAYTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Plan Commission of the Town of Clayton, County of Winnebago will hold a Public Hearing at 7:00 p.m. on Wednesday, January 13, 2021, in the Town Office meeting room located at 8348 CTR "T", Larsen WI 54947. The purpose of the Public Hearing is to receive public comment regarding the following Re-zoning Application:

THE PETITIONER(s): Plan Commission Public Hearing on a Re-zoning application submitted by the Town of Clayton, for part of the property located at 9023 Clayton Ave, Neenah, specifically described as Tax ID# 006-0340-03, being a part of Section 12, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone the property from A-2 (General Agriculture) to P-1 (Public Institutional District)

Copies of the Re-zoning Application are available at the Town Hall, or by contacting the Town Clerk at (920) 836-2007. All interested parties and any objections to this request being granted will be heard at the Public Hearing. If you cannot attend the Public Hearing, you may submit written comments to the Town Clerk before 4:30 p.m. on the date of the Public Hearing.

Dated this 30th day of December, 2020

Publish on December 30, 2020

and

Publish on January 6, 2021

Post on December 30, 2020

By: Holly Stevens, Clerk

006-0340-03 Pump House ReZoning Neighbors Map

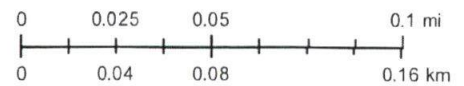


December 23, 2020

1:3,032

- Physical Addresses
- Municipal Boundary
- Street Centerline
- Road ROW
- Tax Parcel Boundary (white)
- Tax Parcel Boundary
- Road ROW area

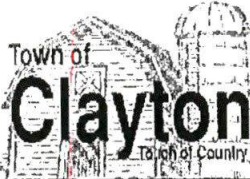
- Navigable - Permanent (unchecked)
- Navigable - Intermittent (unchecked)
- Navigable - Stream (unchecked)
- Navigable - Permanent (checked)
- Navigable - Intermittent (checked)
- Navigable - Stream (checked)



Winnebago County GIS
Imagery Date: April 2020

Town of Clayton
006-0340-03 9023 Clayton Ave
300' Property List

	NAME	MAILING ADDRESS	CITY	STATE	ZIP
1	Town of Clayton	8348 County Rd T	Larsen	WI	54947
2	Kim Maurer	9045 Clayton Ave	Neenah	WI	54956
3	Town of Clayton	8348 County Rd T	Larsen	WI	54947
4	Town of Clayton	8348 County Rd T	Larsen	WI	54947
5	ARV Investments LLC	8120 S Frontage Rd	Sheboygan	WI	53081
6	Town of Clayton	8348 County Rd T	Larsen	WI	54947



December 29, 2020

Town of Clayton
8348 County Rd T
Larsen, WI 54947

Dear Property Owner:

Notice is hereby given that the Plan Commission of the Town of Clayton, County of Winnebago will hold a Public Hearing at 7:00 p.m. on Wednesday, January 13, 2021 in the Town Office meeting room located at 8348 CTR "T", Larsen WI 54947. The purpose of the Public Hearing is to receive public comment regarding the following Re-zoning Application. Following the Public Hearing the Plan Commission will consider the Re-zoning Application and make a recommendation on the Application to the Town Board. The Town Board will act on the Plan Commission's recommendation at the next regular Town Board Meeting scheduled for 7:00 P.M. on Wednesday, January 20, 2021. Town Residents will have an opportunity to express any concerns they may have relative to the Re-zoning Application at the Public Hearing before the Plan Commission or at the Town Board meeting.

THE PETITIONER(s): Plan Commission Public Hearing on a Re-zoning application submitted by the Town of Clayton, for part of the property located at 9023 Clayton Ave, Neenah, specifically described as Tax ID# 006-0340-03, being a part of Section 12, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone the property from A-2 (General Agriculture) to P-1 (Public Institutional District)

Copies of the Re-zoning Application are available at the Town Hall or by contacting the Town Clerk at (920) 836-2007. All interested parties and any objections to this request being granted will be heard at the Public Hearing. If you cannot attend the Public Hearing, you may submit written comments to the Town Clerk before 4:30 P.M. on the date of the Public Hearing.

Holly Stevens, Clerk

CONFIRMATION



435 E. Walnut
Green Bay, WI 54301
(888)774-7744

CLAYTON, TOWN OF
8348 COUNTY ROAD T
LARSEN WI 54947-9730

<u>Account</u>	<u>AD#</u>	<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
GWM-1011114	0004524884	\$81.24	\$0.00	\$81.24	Credit Card	\$0.00	\$81.24
Sales Rep: SSchommer		Order Taker: SSchommer		Order Created		12/23/2020	
<u>Product</u>	<u># Ins</u>	<u>Start Date</u>	<u>End Date</u>				
GWM-APC-Appleton Post Crescent	2	12/30/2020	01/06/2021				
GWM-APCW-Appleton Post Crescent Digital	28	12/30/2020	01/26/2021				

* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

Text of Ad: 12/23/2020

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Copies of the Re-zoning Application are available at the Town Hall, or by contacting the Town Clerk at (920) 836-2007. All interested parties and any objections to this request being granted will be heard at the Public Hearing. If you cannot attend the Public Hearing, you may submit written comments to the Town Clerk before 4:30 p.m. on the date of the Public Hearing.

Dated this 30th day of December, 2020

By: Holly Steves, Clerk
Runs: 12/30/2020, 1/6/2021 WNAJLP