

DATE: 03/19/19

# RESOLUTION

No. 4

To The Board of Supervisors of Winnebago County, Wisconsin:

## AMENDATORY ORDINANCE 4

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF WINCHESTER in accordance with the petition of TOWN OF WINCHESTER 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 WINCHESTER, be and the same, are amended to provide that the attached described property be changed from the classification of **R-2 -SUBURBAN RESIDENTIAL DISTRICT** of said ordinance, which it now and heretofore had, to the zoned district of **A-2 - GENERAL AGRICULTURAL DISTRICT**.

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 WINCHESTER)

PARCEL NO: **028-0976, 028-0977 AND 028-0723-08; FROM R-2 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 \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mark Harris

County Board Supervisory district **36 BEN JOAS**



## Winnebago County

Zoning Department

*The Wave of the Future*

MEMO FOR P & Z MEETING AGENDA OF MARCH 8, 2019

TO: Planning & Zoning Committee

FM: Zoning Administrator 

RE: Review of Town Zoning Changes

1. Wollerman - Town Zoning Change (Tax ID No: 026-0159-01) – Town of Vinland.

The town zoning change for Wollerman is consistent with Winnebago County's Land Use Plan. The Town of Vinland approved the zoning change from P-1 (Institutional and Recreational Park District) to R-1 (Rural Residential District) and Winnebago County's land use plan shows future land use as Community Facilities, Park and Recreational.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.** *BP, BJ~~2~~ 4-0*

2. Garvens Inc - Town Zoning Change (Tax ID No: 026-0239-03) – Town of Vinland.

The town zoning change for Garvens Inc is consistent with Winnebago County's Land Use Plan. The Town of Vinland approved the zoning change from B-3 & B-2 (Highway Park Business District) to B-1 (General Business District) and Winnebago County's land use plan shows future land use as Non-residential.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.** *BJ, BD~~2~~ 4-0*

3. Doehling - Town Zoning Change (Tax ID No: 028-0839 (Pt)) – Town of Winchester.

The town zoning change for Doehling is consistent with Winnebago County's 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 land use plan shows future land use as Agricultural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.** *BJ, BD<sub>2</sub> 4-0*

4. Elmer - Town Zoning Change (Tax ID No: 028-0976, 028-0977 & 028-0723-08) – Town of Winchester.

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

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.** *BD, BJ<sub>2</sub> 4-0*

*F2U: Trans Res A-2  
(General Agricultural Dist)*

# Town of Winchester

## Ordinance 2019-01 Ordinance to Amend the Official Town of Winchester Zoning Ordinance Map

- WHEREAS, One or more applications for amendments to the Map of the Town of Winchester Zoning Code of Ordinances have been filed with the Town Clerk as described herein; and
- WHEREAS, following the requisite Notices and Public Hearings, the proposed amendment(s) have been reviewed and recommended to the Town Board by the Town's Plan Commission; and
- WHEREAS, the application(s) for amendment(s) to the Map of the Town of Winchester Zoning Code of Ordinances does comply with both the Town's existing land use and future land use elements of the CY 2016 update to the Town's Comprehensive Plan; and
- WHEREAS, all other procedural requirements have been met for purposes of consideration of the amendment(s) as provided in Section 17.59 of the Town of Winchester Zoning Code of Ordinances:

**Section 1:** The Official Zoning Map of the Town of Winchester is amended as follows:

**A. Property Owner:** Don and Peggy Elmer, 5173 Grandview Road, Larsen, WI 54947

**Legal description of property:** The property located at 5173 Grandview Road, Larsen, WI 54947 in the Town of Winchester and being specifically described as Tax IDs 028-0976, 028-0977, and 028-0723-08, all in Section 25, Town 20 North, Range 15 East, Town of Winchester, County of Winnebago, State of Wisconsin. The application is to re-zone the property from R-2 (Suburban Residential District to A-2 (General Agricultural District).

**Findings of Fact:**

1. The Town of Winchester has an adopted Land Use Plan
2. The Adopted 20-year Future Land Use Map in the Land Use Plan shows parcels 028-0976 and 028-0977 as single family residential; and parcel 028-0723-08 as Woodlands.
3. A-2 (General Agricultural District) zoning is consistent with the aforementioned land use districts.
4. Therefore, a zoning change from R-2 to A-2 is consistent with the adopted Land Use Plan.
5. The zoning change is compatible with adjacent land uses.
6. The Re-zoning eliminates a non-conforming A2 Lot

**The above described property is hereby rezoned from:**

R-2 (Suburban Residential District to A-2 (General Agricultural District).

**Section 2:** This Ordinance shall be submitted to the Winnebago County Board for approval. The amendment to the Town of Winchester Zoning Code of Ordinances shall be effective upon approval by the Winnebago County Board.

Adopted this 21st, day of January, 2019

Vote: Yes: 2 No: 0 Absent: 0 Abstain: 1

*Benjamin Joas, Supervisor*

*Benjamin Joas, Supervisor*

Attest:

*Holly Stevens*  
Holly Stevens, Clerk

# Town of Winchester

8522 Park Way, Larsen, WI 54947  
920.836.2948



January 22, 2019

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.

Dear Mr. Rowe,

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

Re-zoning submitted by Re-zoning application submitted by Don and Peggy Elmer, 5173 Grandview Road, Larsen, WI 54947 for the property located at 5173 Grandview Road Larsen, WI 54947 in the Town of Winchester and being specifically described as Tax IDs 028-0976, 028-0977, and 028-0723-08, all in Section 25, Town 20 North, Range 15 East, Town of Winchester, County of Winnebago, State of Wisconsin. The application is to re-zone the property from R-2 (Suburban Residential District to A-2 (General Agricultural District).

Should you have any questions relative to this request, please feel free to call or email me.

Sincerely,

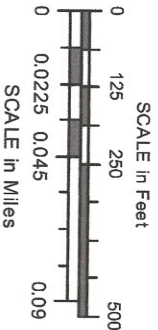
Holly Stevens  
Town of Winchester Clerk

CC County Clerk, Sue Ertmer

# Elmer ReZoning Location Map



December 19, 2018



**WIN.GIS, Project Disclaimer**  
 This data 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. \*Data for this map copyrighted December 31, 2005\*

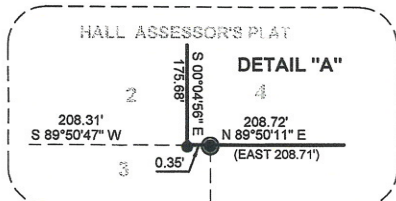
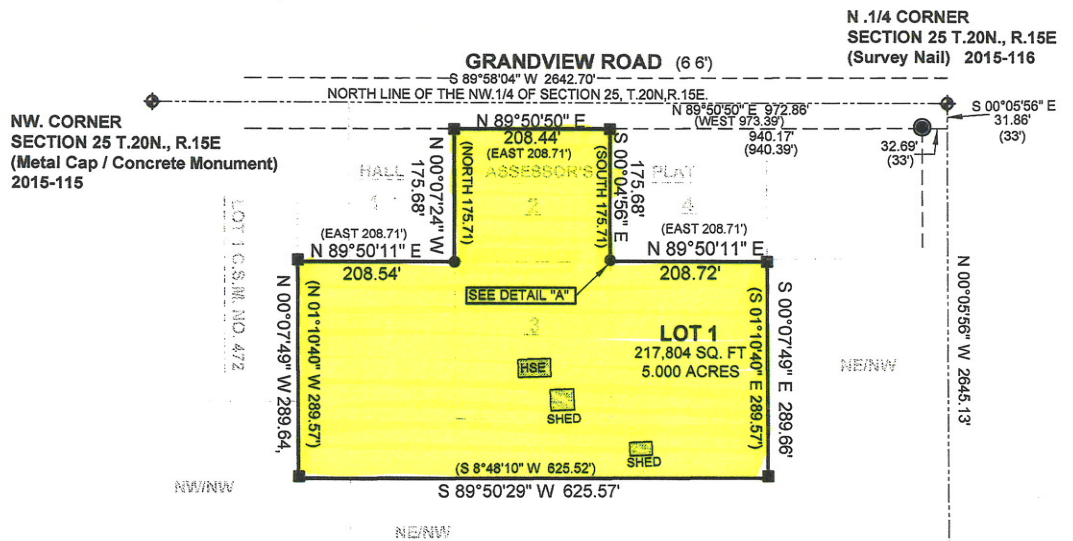
STATE OF WISCONSIN)  
WINNEBAGO COUNTY) SS

# WINNEBAGO COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_

ALL OF LOTS 2 AND 3 OF HALL ASSESSOR'S PLAT AND A PART OF THE NW.1/4 OF THE  
NW.1/4 AND A PART OF THE NE.1/ OF THE NW.1/4 OF SECTION 25, T.20N., R.15E.  
TOWN OF WINCHESTER, WINNEBAGO COUNTY, WISCONSIN.

SHEET 1 OF 3

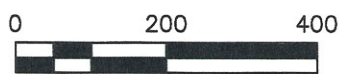
SURVEY FOR: DON AND PEGGY ELMER  
5173 GRANDVIEW ROAD  
LARSEN, WI 54947



- LEGEND**
- 3/4" X 18" DIA. IRON REBAR SET, WEIGHING NOT LESS THAN 1.5 LBS PER LINEAR FOOT.
  - 1" IRON PIPE FOUND
  - 3/4" IRON ROD FOUND
  - 1 1/4" INCH IRON ROD FOUND

**CENTER CORNER OF SECTION 25 T.20N., R.15E (Berntsen Monument) 2016-129**

ALL BEARINGS REFERENCED TO THE  
WINNEBAGO COUNTY COORDINATE SYSTEM



DATED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019

WISCONSIN REGISTERED LAND SURVEYOR S-1599  
LAWRENCE C. KRIESCHER

**L.C.KRIESCHER AND ASSOCIATES LLC**  
5251 GRANDVIEW ROAD  
LARSEN, WI 54947  
920-836-3576

BOUNDARY SURVEY  
&  
LAND DESIGN

PROJECT NO. 2018-10-01  
FILE NO. ELMER.DWG  
NOTEBOOK: 23 PAGE: 1

DWG. NO. L- 504

THIS INSTRUMENT DRAFTED BY L.C. KRIESCHER S-1599

SHEET 2 OF 3

### WINNEBAGO COUNTY CERTIFIED SURVEY MAP

ALL OF LOTS 2 AND 3 OF HALL ASSESSOR'S PLAT AND A PART OF THE NW.1/4 OF THE NW.1/4 AND A PART OF THE NE.1/ OF THE NW.1/4 OF SECTION 25, T.20N., R.15E. TOWN OF WINCHESTER, WINNEBAGO COUNTY, WISCONSIN.

#### SURVEYOR'S CERTIFICATE:

I LAWRENCE C. KRIESCHER, WISCONSIN REGISTERED LAND SURVEYOR OF L.C. KRIESCHER AND ASSOCIATES LLC., CERTIFY THAT I HAVE SURVEYED, DIVIDED AND MAPPED UNDER THE DIRECTION OF DON ELMER ALL OF LOTS 2 AND 3 OF HALL ASSESSOR'S PLAT AND A PART OF NORTHWEST QUARTER (NW.1/4) OF THE NORTHWEST QUARTER (NW.1/4) AND A PART OF THE NORTHEAST QUARTER (NE.1/4) OF THE NORTHWEST QUARTER (NW.1/4) OF SECTION TWENTY (25) TOWNSHIP TWENTY (20) NORTH, RANGE FIFTEEN (15) EAST, TOWN OF WINCHESTER, WINNEBAGO COUNTY, WISCONSIN CONTAINING 217804 SQUARE FEET (5.00 ACRES) OF LAND AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 25; THENCE S.00°05'56"E. 31.86 FEET ALONG THE EAST LINE OF THE NW.1/4 OF SAID SECTION 25 TO A POINT ON THE EXTENDED SOUTH LINE OF GRANDVIEW ROAD; THENCE S.89°50'50"W. 972.86 FEET ALONG THE SOUTH LINE OF GRANDVIEW ROAD TO THE POINT OF BEGINNING; THENCE S.00°04'56"E. 175.68 FEET; THENCE N.89°50'11"E. 208.72 FEET; THENCE S.00°07'49"E. 289.66 FEET; THENCE S.89°50'29"W. 625.57 FEET; THENCE N.00°07'49"W. 289.64 FEET; THENCE N.89°50'11"E. 208.54 FEET; THENCE N.00°07'24"W. 175.68 FEET TO A POINT ON THE SOUTH LINE OF GRANDVIEW ROAD; THENCE N.89°50'50"E. 208.44 FEET ALONG SAID LINE TO THE POINT OF BEGINNING AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT SUCH IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF LAND SURVEYED. THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE LAND SUBDIVISION ORDINANCE OF WINNEBAGO COUNTY AND THE TOWN OF WINCHESTER IN SURVEYING AND MAPPING THE SAME.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019

WISCONSIN REGISTERED LAND SURVEYOR S-1599  
LAWRENCE C. KRIESCHER

#### OWNER'S CERTIFICATE:

AS OWNER'S WE HEREBY CERTIFY THAT WE CAUSED THE LAND ON THE CERTIFIED SURVEY MAP TO BE SURVEYED DIVIDED, MAPPED AND DEDICATED AS REPRESENTED ON THIS MAP.

\_\_\_\_\_  
DON A. ELMER DATE

\_\_\_\_\_  
PEGGY J. ELMER DATE

STATE OF WISCONSIN)  
SS WINNEBAGO COUNTY)

PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019 THE ABOVE NAMED OWNERS KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC \_\_\_\_\_ WISCONSIN

OWNER OF RECORD IS DPN A. ELMER AND PEGGY J. ELMER  
THIS C.S.M. IS CONTAINED WHOLLY WITHIN THE PROPERTY DESCRIBED IN DOCUMENT 652327, 522911 AND 975023  
THIS C.S.M. IS CONTAINED IN ALL OF TAX PARCEL NO.028-0976, 028-0977 AND 028-0723-08



SHEET 3 OF 3

### WINNEBAGO COUNTY CERTIFIED SURVEY MAP

ALL OF LOTS 2 AND 3 OF HALL ASSESSOR'S PLAT AND A PART OF THE NW.1/4 OF THE NW.1/4 AND A PART OF THE NE.1/ OF THE NW.1/4 OF SECTION 25, T.20N., R.15E. TOWN OF WINCHESTER, WINNEBAGO COUNTY, WISCONSIN.

**TOWN BOARD APPROVAL:**

THIS CERTIFIED SURVEY MAP HAS BEEN REVIEWED AND APPROVED BY THE TOWN BOARD OF THE TOWN OF WINCHESTER, WINNEBAGO COUNTY, WISCONSIN.

\_\_\_\_\_  
DATED

\_\_\_\_\_  
TOWN BOARD REPRESENTATIVE

**CERTIFICATE OF TOWN TREASURER:**

I, BEING DULY ELECTED, QUALIFIED AND ACTING TOWN TREASURER OF THE TOWN OF WINCHESTER, DO HEREBY CERTIFY THAT IN ACCORDANCE WITH THE RECORDS IN MY OFFICE SHOW NO UNPAID TAXES SPECIAL ASSESSMENTS AS OF \_\_\_\_\_, AFFECTING THE LANDS INCLUDED IN THIS CERTIFIED SURVEY MAP.

\_\_\_\_\_  
DATED

\_\_\_\_\_  
TOWN TREASURER

**COUNTY TREASURER'S CERTIFICATE:**

I, BEING DULY ELECTED, QUALIFIED AND ACTING TREASURER OF THE COUNTY OF WINNEBAGO, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNREDEEMED TAX SALES AND NO UNPAID TAXES OR SPECIAL ASSESSMENTS OF \_\_\_\_\_, AFFECTING THE LANDS INCLUDED IN THIS CERTIFIED SURVEY.

\_\_\_\_\_  
DATED

\_\_\_\_\_  
COUNTY TREASURER

**WINNEBAGO COUNTY PLANNING AND ZONING COMMITTEE:**

ALL OF LOTS 2 AND 3 HALL ASSESSOR'S PLAT AND A PART OF THE NW.1/4 OF THE NW.1/4 OF AND A PART OF THE NE.1/4 OF THE NW.1/4 OF SECTION 25, T.20N., R.15E. TOWN OF WINCHESTER, WINNEBAGO COUNTY, WISCONSIN, IS HEREBY APPROVED

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BY: AUTHORIZED REPRESENTATIVE

DATED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019

\_\_\_\_\_  
WISCONSIN REGISTERED LAND SURVEYOR S-1599  
LAWRENCE C. KRIESCHER