

Property Owner: Kalbus
Parcel Number: 004-0258-03
Special Exception #: 16-SE-04

SPECIAL EXCEPTION **POST STAFF REPORT**

EXPLANATION: The owner/applicant is requesting a special exception to establish an accessory use on a vacant lot adjacent to a lot with a principal use present.

TOWN RECOMMENDATION: There was no response from the Town of Black Wolf.

PRELIMINARY FINDINGS:

1. There were no objections.
2. The proposed accessory use will have no adverse impact on adjacent properties.
3. Proposed special exception meets the intent of Section 23.8-45(b), "Exemption for a vacant lot adjoining another lot in same ownership", and Section 23.7-214, "Basis of Decision", in totality.

OTHER INFORMATION:

RECOMMENDATION:

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> | APPROVAL |
| <input type="checkbox"/> | DENIAL |
| <input checked="" type="checkbox"/> | APPROVAL with the following conditions: |

RECOMMENDED CONDITIONS:

1. All required zoning and erosion control permits shall be issued prior to placement of any impervious surface materials.
2. Parcel 004-0258-03 shall be deed restricted to parcel 004-0258-02-01 in perpetuity so long as proposed accessory use exists.
3. Commercial use and or commercial storage is expressly prohibited within the proposed building.
4. Outside storage of equipment on parcel 004-0258-03 (commercial lot) is expressly prohibited.

RURAL ACCESSORY BUILDING DETERMINATION
POST STAFF REPORT

Chapter 23: *"The following findings have been made in accordance with section 23.7-334*

Findings:

1. The buildings are set apart from other buildings as being distinct, due to there construction technique, construction materials, age, local historic significance, or design.
2. The buildings are characteristic of past agricultural practices or rural life, whether presently utilized or not for agricultural practices.

FINDINGS BASED UPON THE FOLLOWING FACTORS:

23.7-334

- 1) **The effects of the building(s) on the natural environment.** Building will have no negative impact on the natural environment.
- 2) **The effects of the building(s) on surrounding properties.** Building is located within the interior of the property.
- 3) **The overall appearance of the building(s).** Building is not in a dilapidated condition and appears to be well maintained.
- 4) **Other factor(s) that relate to the purpose of this chapter as set forth in s. 23.1-5 and other sections as may apply.**
None.

Recommendation:

APPROVAL with the following condition:

- 1) Any building designated a rural accessory building is assumed to be structurally sound to meet minimum safety requirements for the proposed use. Such determination shall not relieve the property owner of any responsibility or liability as to the building and shall not form a basis of liability against any governmental official or entity.

Craig Kuepper
032-0730-16
16-ZC-3720

ZONING MAP AMENDMENT/ ZONING CHANGE
POST STAFF REPORT

Applicable Ordinance:

X	Chapter 23: "The following findings have been made in accordance with section 23.7-5(b)(1), (2), & (3)"
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Number	Letter
1	The Town of WOLF RIVER has approved.

X	Town action is advisory due to shoreland jurisdiction. (double click and choose "checked")
	Town has right of approval or denial per terms of zoning ordinance. (double click and choose "checked")

X	Town findings for Approval were as follows:
	1. No objections from neighbors. 2. Compatible with surrounding area lots. 3. Elevation on newest survey indicates property is above wetland designation.
2	There were no objections.
	There were objections to...
3	Proposed use is compatible with adjacent uses.
	Zoning Map Amendment/ Zoning Change is required as a condition of plat/CSM approval and will place development in appropriate zoning district

Number the following items if the property is within the A-1/Farmland Preservation Plan:	
	Such land is better suited for a use not otherwise allowed in the A-1 district.
	The amendment is consistent with the county's comprehensive plan.
	The amendment is substantially consistent with the county's farmland preservation plan as certified by the Wisconsin Department of Agriculture, Trade, and Consumer Protection.
	The amendment will not substantially impair or limit current or future agricultural use of other protected farmland in the area.

RECOMMENDATION:	
X	APPROVAL
	DENIAL
	APPROVAL with an effective date to be upon the recording of the CSM, but in no case later than 1 months after the date of approval of the zoning map amendment by the Winnebago County Board of Supervisors

William Heberer
032-0100-05
16-ZC-3730

ZONING MAP AMENDMENT/ ZONING CHANGE
POST STAFF REPORT

Applicable Ordinance:

☒ Chapter 23: "The following findings have been made in accordance with section 23.7-5(b)(1), (2), & (3)"

Number	Letter
1	The Town of WOLF RIVER gave preliminary approval (town support)

X	Town action is advisory due to shoreland jurisdiction. (double click and choose "checked")
	Town has right of approval or denial per terms of zoning ordinance. (double click and choose "checked")

	Town findings for were as follows:
2	There were no objections.
	There were objections to...
3	Proposed use is compatible with adjacent uses.
	Zoning Map Amendment/ Zoning Change is required as a condition of plat/CSM approval and will place development in appropriate zoning district

Number the following items if the property is within the A-1/Farmland Preservation Plan:

	Such land is better suited for a use not otherwise allowed in the A-1 district.
	The amendment is consistent with the county's comprehensive plan.
	The amendment is substantially consistent with the county's farmland preservation plan as certified by the Wisconsin Department of Agriculture, Trade, and Consumer Protection.
	The amendment will not substantially impair or limit current or future agricultural use of other protected farmland in the area.

RECOMMENDATION:

X	APPROVAL
	DENIAL
	APPROVAL with an effective date to be upon the recording of the CSM, but in no case later than 1 months after the date of approval of the zoning map amendment by the Winnebago County Board of Supervisors

PETE WEYENBERG
010-0088-04(P)
16-ZC-3710

ZONING MAP AMENDMENT/ ZONING CHANGE
POST STAFF REPORT

Applicable Ordinance:

X	Chapter 23: "The following findings have been made in accordance with section 23.7-5(b)(1), (2), & (3)"
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Number	Letter
1	The Town of NEENAH has taken no action.

	Town action is advisory due to shoreland jurisdiction. (double click and choose "checked")
	Town has right of approval or denial per terms of zoning ordinance. (double click and choose "checked")

	Town findings for were as follows:
2	There were no objections. There were objections to...
3	Proposed use is compatible with adjacent uses. Zoning Map Amendment/ Zoning Change is required as a condition of plat/CSM approval and will place development in appropriate zoning district

Number the following items if the property is within the A-1/Farmland Preservation Plan:

	Such land is better suited for a use not otherwise allowed in the A-1 district. The amendment is consistent with the county's comprehensive plan.
	The amendment is substantially consistent with the county's farmland preservation plan as certified by the Wisconsin Department of Agriculture, Trade, and Consumer Protection.
	The amendment will not substantially impair or limit current or future agricultural use of other protected farmland in the area.

RECOMMENDATION:

X	APPROVAL
	DENIAL
	APPROVAL with an effective date to be upon the recording of the CSM, but in no case later than 1 months after the date of approval of the zoning map amendment by the Winnebago County Board of Supervisors

STAFF REPORT

Proposed Repealed and Recreated Chapter 27 – Winnebago County Shoreland Zoning Code

1. The Department of Natural Resources has reviewed the repealed and recreated chapter 27 and does not object.
2. Proposed repealed and recreated code contains same standards as required in chapter NR 115, "Wisconsin's Shoreland Protection Program".
3. All counties are required to amend its shoreland and subdivision ordinances to meet the minimum standards within two years after October 1, 2014.
4. There were no objections.

Recommendation: Approval with changes as recommend by Dale Rezabek, Shoreland Zoning Specialist, State of Wisconsin Department of Natural Resources.