

DATE: 12/20/16

# R E S O L U T I O N

No. 004

To The Board of Supervisors of Winnebago County, Wisconsin:

## AMENDATORY ORDINANCE 12/04/16

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF Clayton in accordance with the petition of Roxanne and Robert Breaker 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 Farming District** of said ordinance, which it now and heretofore had, to the zoned district of **R-1, Rural Residential 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 CLAYTON)

PARCEL NO: **006-0589**; 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 \_\_\_\_\_,  
201 .

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

County Board Supervisory district 30- Farrey



## Winnebago County

Zoning Department

*The Wave of the Future*

MEMO FOR P & Z MEETING AGENDA OF DECEMBER 2, 2016

TO: Planning & Zoning Committee

FM: Zoning Administrator

A handwritten signature in black ink, appearing to be 'CAR' or similar, written over the printed name 'Zoning Administrator'.

RE: Review of Town Zoning Changes

1. Grotjan - Town Zoning Change (Tax ID Nos: 006-0242, 006-0246 & 006-0270) – Town of Clayton.

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

**RECOMMENDATION: Forward zone change to County Board for action.**

2. Breaker - Town Zoning Change (Part of Tax ID No: 006-0589) – Town of Clayton.

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

**RECOMMENDATION: Forward zone change to County Board for action.**

*Approved 5-0*

**TOWN OF CLAYTON**  
**ORDINANCE 2016-006**  
**ORDINANCE TO AMEND THE OFFICIAL TOWN OF CLAYTON ZONING**  
**ORDINANCE MAP**

**WHEREAS,** One or more applications for amendments to the Map of the Town of Clayton 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 amendments have been reviewed and recommended to the Town Board by the Town's Plan Commission; and

**WHEREAS,** the applications for amendments to the Map of the Town of Clayton Zoning Code of Ordinances does comply with both the Town's existing land use and future land use elements of the CY 2009 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 7 of the Town of Clayton Zoning Code of Ordinances; and

**NOW, THEREFORE BE IT ORDAINED THAT,** the Town Board of the Town of Clayton, County of Winnebago, State of Wisconsin, pursuant to Article 7 of the Town of Clayton Zoning Code of Ordinances, hereby adopts the following Amendment(s) to the Map of the Town's Zoning Code of Ordinances:

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

**A. Property Owner:**

Roxanne and Robert Breaker, 3664 Larsen Road, Neenah, WI 54956.

**Legal description of property:**

The property is located at 3658 Larsen Road, Neenah, WI 54956, in the Town of Clayton, specifically described as Tax ID # 006-0589, being part of Lot 2 of CSM No. 5265, Located in the Southwest ¼ of the Southwest ¼ of Section 22, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin (See Attachment A).

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

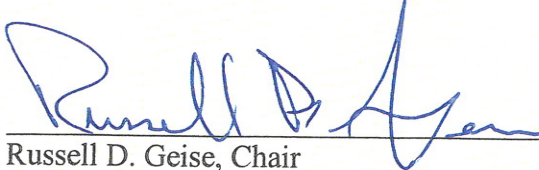
A-2 (General Farming District) to R-1 (Rural Residential District).

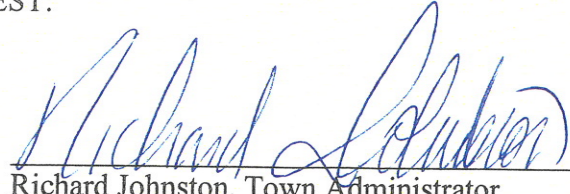
**Section 2:** This Ordinance shall be submitted to the Winnebago County Board for approval. This amendment to the Town of Clayton Zoning Code of Ordinances shall be effective upon approval by the Winnebago County Board.

Adopted this 21<sup>st</sup>, day of September, 2016

Vote: Yes: 5 No: 0 Absent: 0

ATTEST:

  
Russell D. Geise, Chair

  
Richard Johnston, Town Administrator

ATTACHEMENT A

STATE OF WISCONSIN) SS  
WINNEBAGO COUNTY)

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

A PART OF LOT 2 OF C.S.M. NO. 5265, LOCATED IN THE SW.1/4 OF THE SW.1/4 OF SECTION 22, T.20N., R.16E. TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN.

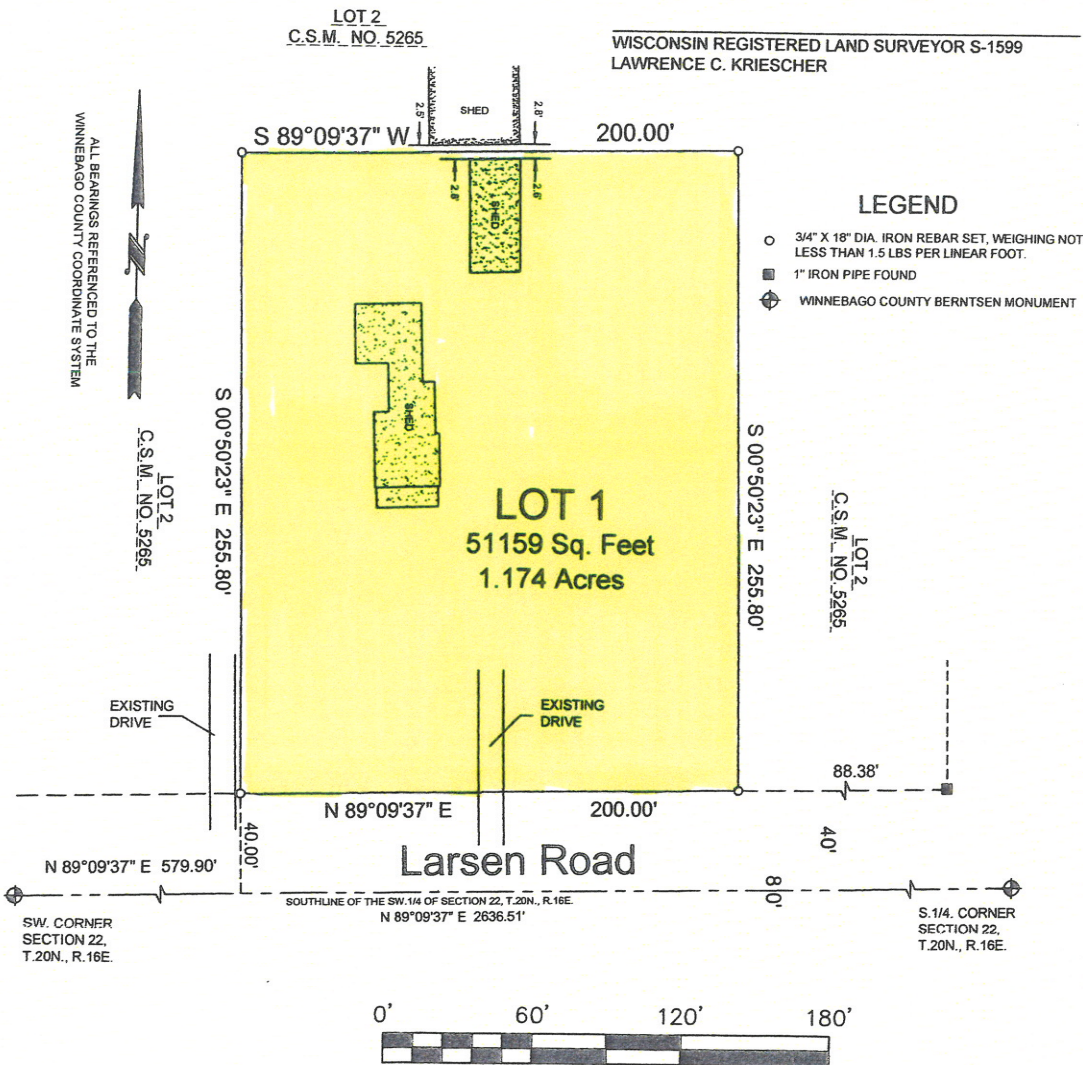
SHEET 1 OF 3

SURVEY FOR: ROBERT BREAKER

**TOWN OF CLAYTON DISCLOSURE STATEMENT**  
THE LOTS CREATED ON THIS CERTIFIED SURVEY MAP ARE ADJACENT TO PROPERTIES THAT, AS OF THIS DOCUMENT, ARE BEING USED FOR AGRICULTURAL PURPOSES. SOME INDIVIDUALS BELIEVE THAT THE ACTIVITIES ASSOCIATED WITH THE AGRICULTURAL USE CONSTITUTE A NUISANCE OR CONFLICT WITH THE QUIET ENJOYMENT OF THEIR PROPERTY. THIS STATEMENT IS INTENDED TO PROVIDE THIRD PARTIES WITH NOTICE THAT AGRICULTURAL ACTIVITIES MAY EXIST ON THE ADJACENT PROPERTIES.

DATED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

WISCONSIN REGISTERED LAND SURVEYOR S-1599  
LAWRENCE C. KRIESCHER



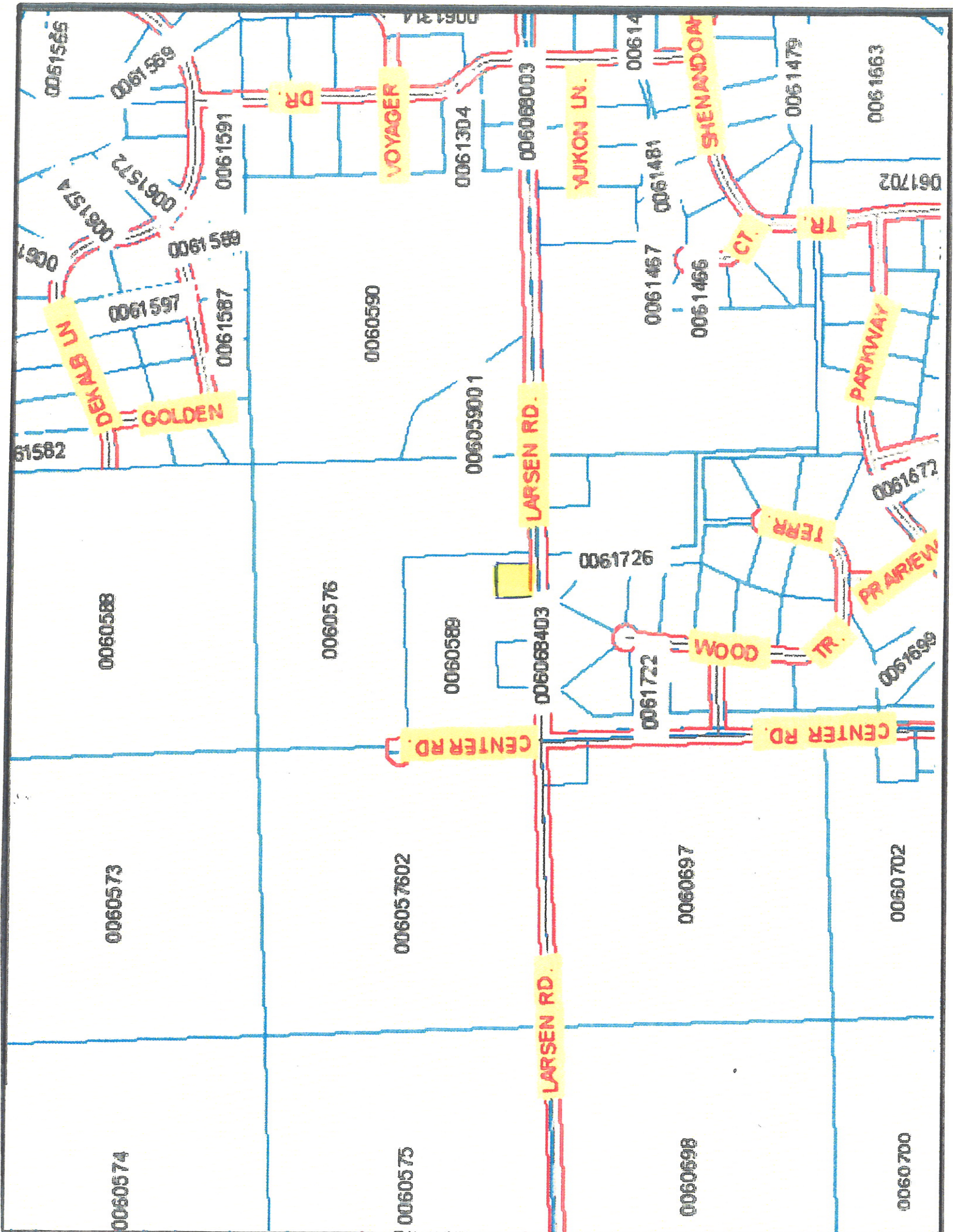
L.C.KRIESCHER AND ASSOCIATES LLC  
5251 GRANDVIEW ROAD  
LARSEN, WI 54947  
920-836-3576

BOUNDARY SURVEY  
&  
LAND DESIGN

PROJECT NO. 2016-05-01  
FILE NO. BREAKER.DWG  
NOTEBOOK: 20 PAGE: 62

DWG. NO. L- 478

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



0060574

0060573

0060588

0061566

0061597

0061588

0061591

0061572

0061574

0061582

0061589

0060590

00605901

0060576

0060589

006069003

0061479

0061467

0061481

0061465

0061663

0061702

0061726

006069403

0061722

0061900

0061699

CENTER RD.

LARSEN RD.

LARSEN RD.

VOYAGER DR.

YUKON LN.

SHENANDOAY

PARKWAY

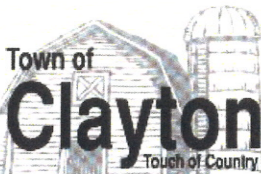
TERR.

WOOD TR.

PRAIRIEW

DEKALB LN

GOLDEN



8348 County Road T  
Larsen, WI 54947

Monday, October 24<sup>th</sup>, 2016

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 Roxanne and Robert Breaker, 3664 Larsen Road, Neenah, WI 54956 for property located at 3658 Larsen Road, Neenah, WI 54956, in the Town of Clayton, specifically described as Tax ID # 006-0589, being part of Lot 2 of CSM No. 5265, Located in the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 22, 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 Farming District) to R-1 (Rural Residential District).

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

Sincerely,

Richard Johnston  
Town Administrator/Clerk

CC County Clerk, Sue Ertmer