

DATE: 07/16/19

R E S O L U T I O N

No. 004

To The Board of Supervisors of Winnebago County, Wisconsin:

AMENDATORY ORDINANCE 07/04/19

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 **R-1 (Rural Residential District)** of said ordinance, which it now and heretofore had, to the zoned district of **R-2 (Suburban 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: **006-0348-01**; FROM **R-1** TO **R-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 **29 - Youngquist**



Winnebago County

Zoning Department

The Wave of the Future

MEMO FOR P & Z MEETING AGENDA OF JULY 5, 2019

TO: Planning & Zoning Committee

FM: Zoning Administrator *[Signature]*

RE: Review of Town Zoning Changes

1 **Town of Clayton - Town Zoning Change (Tax ID No 006-0348-01) - Town of Clayton**

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

RECOMMENDATION: Approve a motion to forward zone change to County Board for action. *BD, BJ₂ 5-0 Approved*

2 **Rick Christianson - Town Zoning Change (Tax ID No 006-0527 & 006-0528) - Town of Clayton**

The town zoning change for Rick Christianson is consistent with Winnebago County's Land Use Plan. The Town of Clayton approved the zoning change from A-2 (General Agricultural District) and B-3 (General Business District) to R-2 (Suburban Residential District), B-3 (General Business District) and M-1 (Mixed Use District) and Winnebago County's land use plan shows future land use as Non Residential and Agricultural and Rural.

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

3 **Schmick - Town Zoning Change (Tax ID No 024-0472-01-02 and 024-0472-01-01) - Town of Utica**

The town zoning change for Schmick is consistent with Winnebago County's Land Use Plan. The Town of Utica approved the zoning change from A-2 (Agricultural District) to R-R (Rural Residential Recreational Mixed Use) 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.

TOWN OF CLAYTON

ORDINANCE 2019-007

**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 2015/16 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:

Property Owner:

Town of Clayton, 8348 CTR T, Larsen, WI 54947

Legal description of property:

For property located at 8879 Clayton Avenue, Neenah, WI 54956 and specifically described as Tax ID # 006-0348-01 located in Section 13, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

The above described property is hereby rezoned from:

The application is to re-zone the property from R-1 (Rural Residential District) to R-2 (Suburban 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 15th day of May, 2019

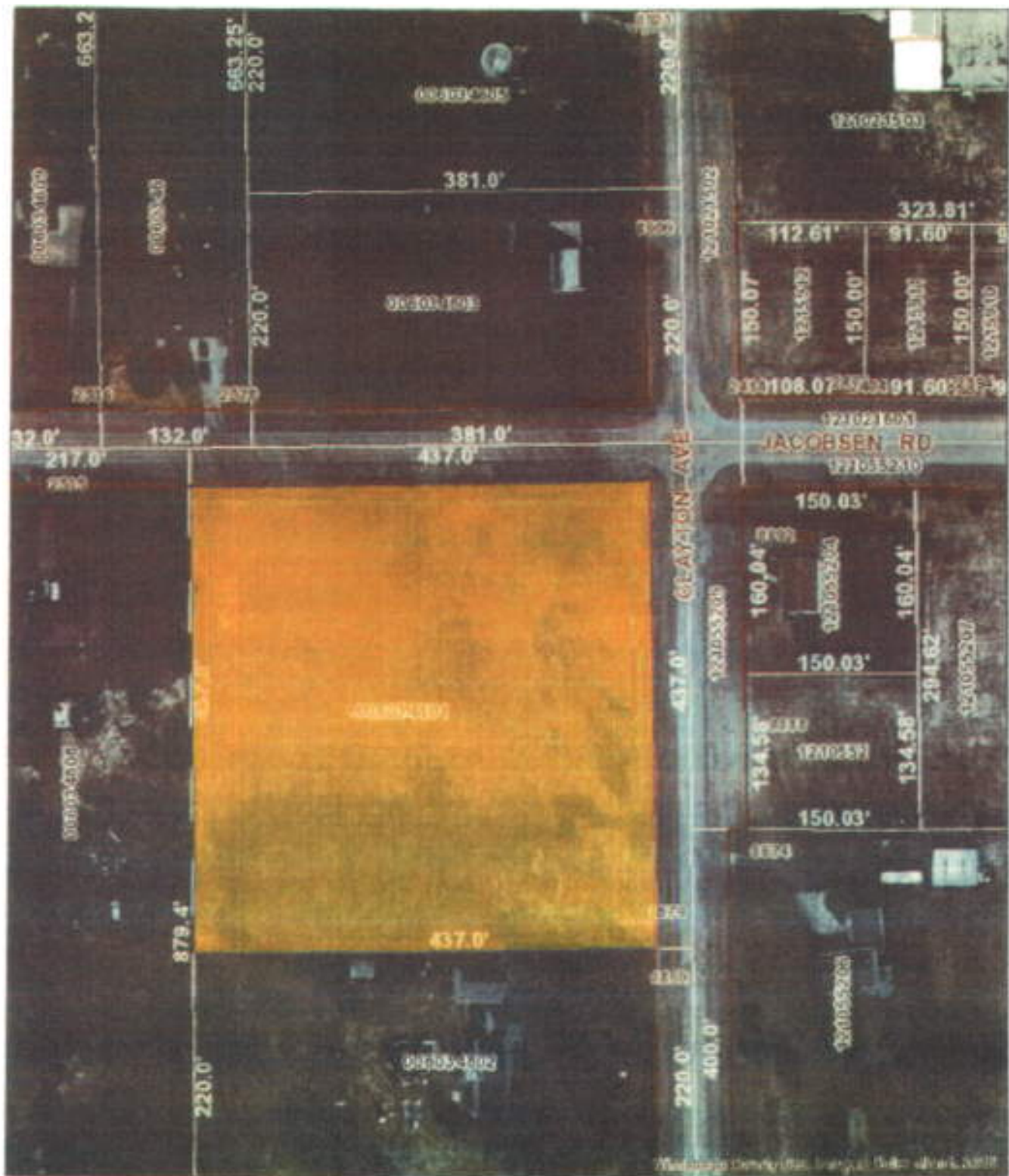
Vote: Yes: 4 No: 0 Abstain: 1


Russell D. Geise, Chair

ATTEST

Holly Stevens, Town Clerk

Site Map

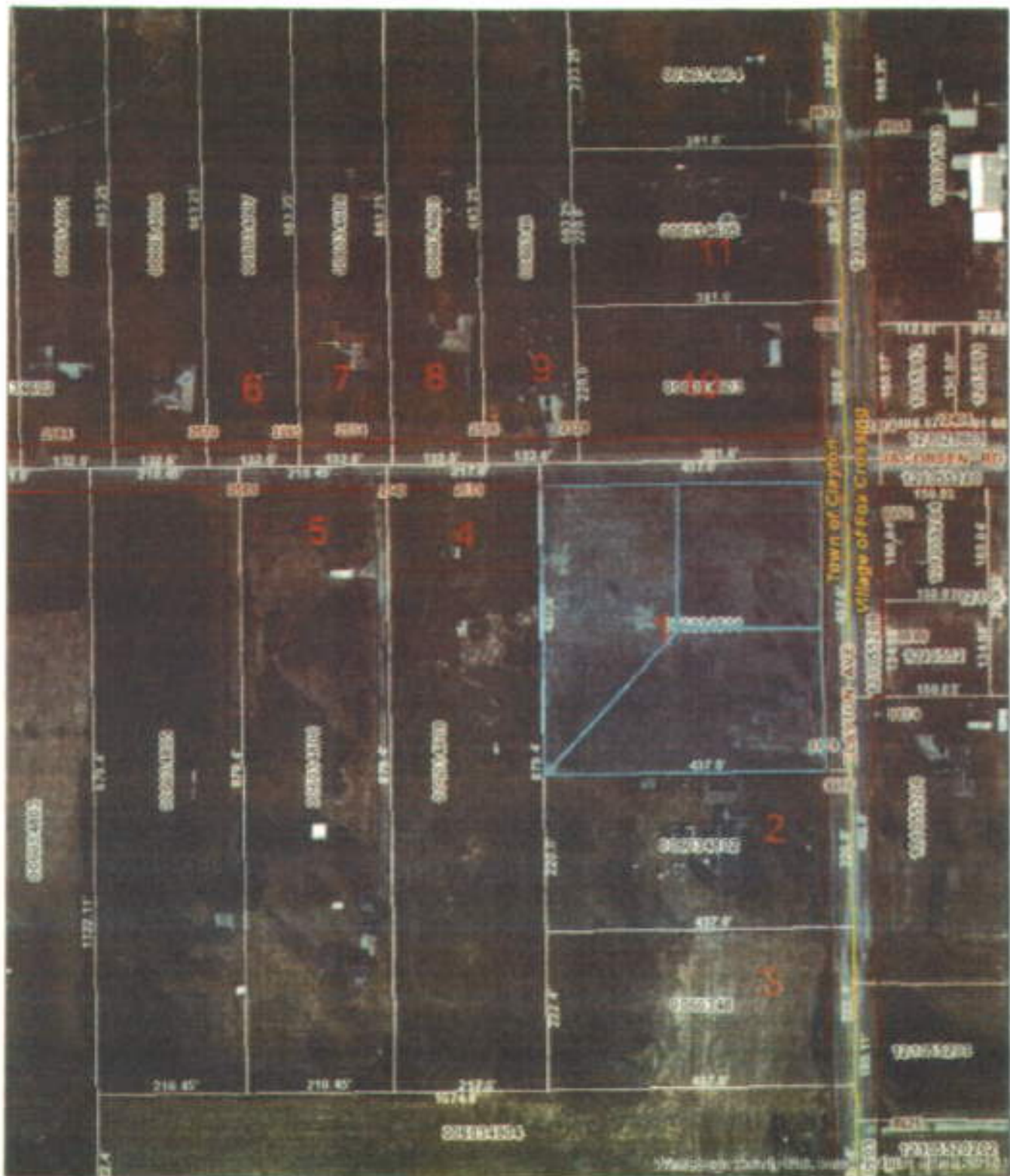


April 1, 2019



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006-0348-01 8879 Clayton Avenue



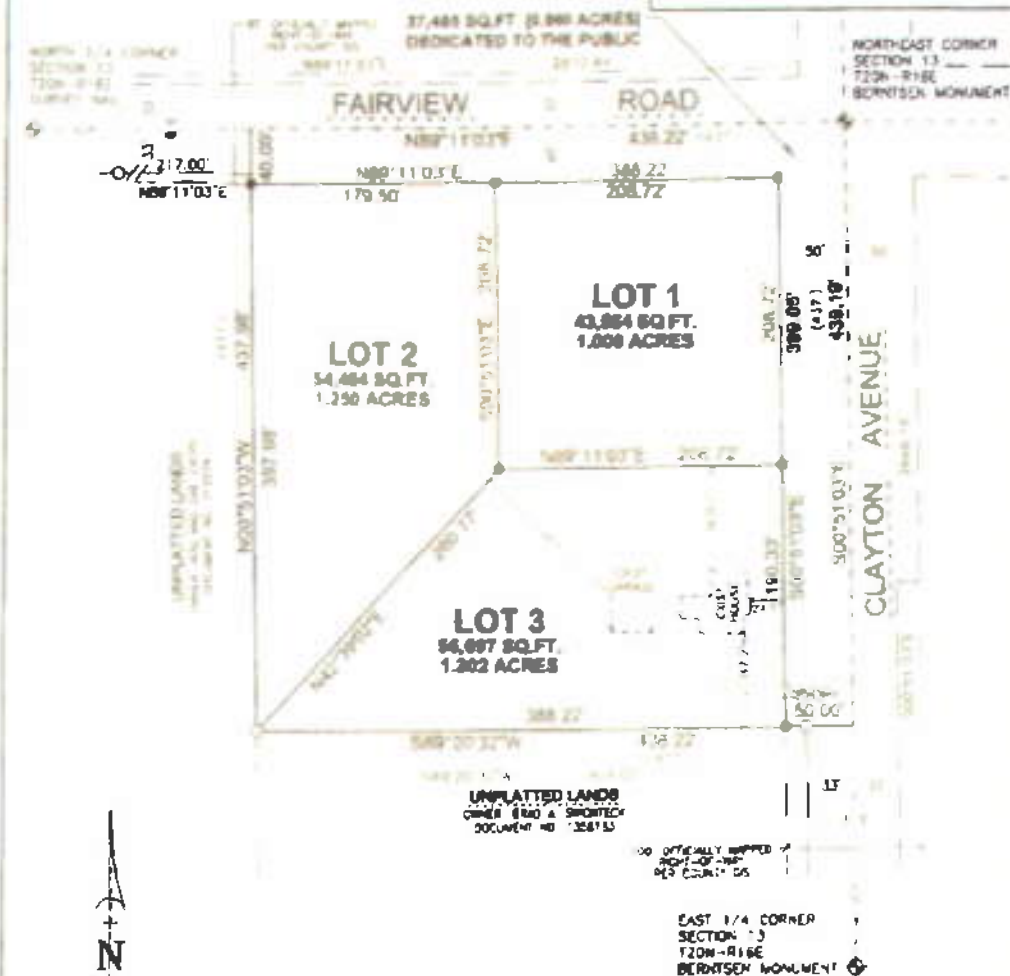
April 16, 2019



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
SURVEY FOR
TOWN OF CLAYTON
3348 COUNTY ROAD T
LARSEN, WI 54247



BEARINGS ARE REFERENCED TO THE WINNEBAGO
COUNTY COORDINATE SYSTEM 44083(1997) IN
WHICH THE NORTH LINE OF THE NORTHEAST 1/4
OF SECTION 13 BEARS N 89°11'03" E.

THE LOTS CREATED IN THIS CERTIFICATE ARE BEING USED FOR ACTIVITIES ASSOCIATED WITH THE AGREEMENT OF THEIR PROPERTY. THIS AGRICULTURAL ACTIVITIES MAY EXIST.

Martenson & Eisele, Inc.

 1377 Midway Road
Mansfield, VT 05467
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a full-service design firm
321.731.3401 • fax 321.731.3301

Planning
Environmental
Surveying
Engineering
Architecture

EAST 1/4 CORNER
SECTION 13
T20N-R16E
BERTSEN MONUMENT 6

LEGEND

- 1" O.D IRON PIPE SET
18" LONG WEIGHING
1130 LBS PER LIN FOOT
3/4" O.D REBAR FOUND
GOVERNMENT CORNER
PREVIOUSLY RECORDED AS

PROJECT NO 1-0018-081
FILE 1-0018-081cam.dwg SHEET 1 OF 3
THIS INSTRUMENT WAS DRAFTED BY A Section

CERTIFIED SURVEY MAP NO. _____

PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 13, TOWNSHIP 20 NORTH,
RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE.

I, GARY A. EHRINGER, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY
THAT I HAVE SURVEYED, DIVIDED AND MAPPED, AT THE DIRECTION OF THE TOWN OF CLAYTON, PART OF THE
NORTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 13, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON,
WINNEBAGO COUNTY, WISCONSIN, HERE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 13; THENCE SOUTH 89 DEGREES 51 MINUTES 03 SECONDS
EAST, ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 13, A DISTANCE OF 635.19 FEET;
THENCE SOUTH 89 DEGREES 30 MINUTES 32 SECONDS WEST, 438.22 FEET; THENCE NORTH 00 DEGREES 51 MINUTES
03 SECONDS WEST, 437.98 FEET; THENCE NORTH 89 DEGREES 11 MINUTES 03 SECONDS EAST, ALONG THE NORTH
LINE OF THE NORTHEAST 1/4 OF SAID SECTION 13, A DISTANCE OF 438.22 FEET TO THE POINT OF BEGINNING,
CONTAINING 192,300 SQUARE FEET (4.432 ACRES). SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT I HAVE FULLY COMPLIED WITH CHAPTER 236 OF THE WISCONSIN STATUTES AND WITH THE VILLAGE OF FOX
CROSSING, TOWN OF CLAYTON AND WINNEBAGO COUNTY SUBDIVISION ORDINANCE IN SURVEYING, DIVIDING AND
MAPPING THE SAME.

THAT THIS MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR
BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION THEREOF

GIVEN UNDER MY HAND THIS 28TH DAY OF MARCH, 2019.

GARY A. EHRINGER, PROFESSIONAL LAND SURVEYOR #1194

THIS CERTIFIED SURVEY MAP IS CONTAINED WHOLLY WITHIN THE PROPERTY DESCRIBED IN THE FOLLOWING RECORDED
EASEMENTS:

OWNERS OF RECORD:
TOWN OF CLAYTON

RECORDING INFORMATION
DOCUMENT NO. 1719031

PARCEL NUMBER
006-0348-01

TOWN BOARD APPROVAL:

THIS CERTIFIED SURVEY MAP IN THE TOWN OF CLAYTON, IS HEREBY APPROVED AS SURVEYED AND MAPPED BY
THE TOWN BOARD OF THE TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN

DATED THIS _____ DAY OF _____ 2019

TOWN CLERK

TOWN CLERK

TREASURER'S CERTIFICATE.

I HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON ANY OF THE LANDS
SHOWN HEREON.

TOWN TREASURER

DATE

COUNTY TREASURER

DATE

WINNEBAGO COUNTY PLANNING AND ZONING COMMITTEE APPROVAL.

PURSUANT TO THE LAND SUBDIVISION REGULATIONS OF THE COUNTY OF WINNEBAGO, WISCONSIN, ALL THE
REQUIREMENTS FOR APPROVAL HAVE BEEN FULFILLED. THIS MINOR SUBDIVISION WAS APPROVED BY THE WINNEBAGO
COUNTY PLANNING AND ZONING COMMITTEE

ON _____ DAY OF _____ 2019.

WINNEBAGO COUNTY PLANNING AND ZONING COMMITTEE

VILLAGE OF FOX CROSSING EXTRA TERRITORIAL APPROVAL:

THIS CERTIFIED SURVEY MAP WAS APPROVED BY THE VILLAGE OF FOX CROSSING, AS SURVEYED AND MAPPED.

DATED THIS _____ DAY OF _____ 2019.

VILLAGE PRESIDENT

VILLAGE CLERK

CERTIFIED SURVEY MAP NO. _____

PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 13, TOWNSHIP 20 NORTH,
RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN.

TOWN OF CLAYTON CERTIFICATE:

THE TOWN OF CLAYTON, A WISCONSIN MUNICIPAL CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, HEREBY CERTIFY THAT WE CAUSED THE LAND ABOVE DESCRIBED TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS MAP.

THE TOWN OF CLAYTON, DOES FURTHER CERTIFY THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY S. 234.14 OR 234.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: VILLAGE OF FOX CROSSING, TOWN OF CLAYTON AND WINNEBAGO COUNTY.

DATED THIS _____ DAY OF _____, 2019.

TOWN CLERK

TOWN CLERK

STATE OF WISCONSIN)
WINNEBAGO COUNTY) ss

PERSONALLY CAME BEFORE ME ON THE _____ DAY
OF _____, 2019, THE ABOVE SIGNED(S)
TO ME KNOW TO BE THE PERSON(S) WHO EXECUTED
THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME

SIGNATURE _____
NOTARY PUBLIC,
STATE OF _____
MY COMMISSION (IS PERMANENT)
(EXPIRES: _____)



Wednesday, May 22nd, 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.


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, 8348 CTR T, Larsen for property located at 8879 Clayton Avenue and specifically described as Tax ID# 006-0348-01, being a part Section 13, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone the property from R-1 (Rural Residential District) to R-2 (Suburban Residential District).

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

Sincerely,


Richard Johnson
Town Administrator/Clerk

CC County Clerk, Sue Ertmer