

DATE: 07/16/19

R E S O L U T I O N

No. 005

To The Board of Supervisors of Winnebago County, Wisconsin:

AMENDATORY ORDINANCE 07/05/19

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF Clayton in accordance with the petition of Rick Christianson 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 Agricultural District and B-3 (General Business District))** of said ordinance, which it now and heretofore had, to the zoned district of **R-2 (Suburban Residential District), B-3 (General Business District) and M-1 (Mixed Use 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: 006-0527, 006-0528; FROM A-2 & B-3 TO R-2, B-3 & M-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 _____, 2019.

Mark Harris

County Board Supervisory district **30 - FARREY**



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.

- 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. *BJ, BDz 5-0 Approved*

- 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 2019-006

**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 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:

Rick Christianson, PO Box 56, Larsen, WI 54947.

Legal description of property:

For property located on the southwest corner of the intersection of County Road II and Pioneer Road and specifically described as Tax ID# 006-0527 and Tax ID# 006-0528 being a part Section 20, 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 A-2 (General Agricultural District) and B-3 (General Business) to R-2 (Suburban Residential District), B-3 (General Business District), and M-1 (Mixed Use 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 5

No 0

Abstain 0

Absent 0


Russell D. Geise, Chair


A C C E S S
Holly Stevens, Town Clerk

Site Map



May 3, 2019

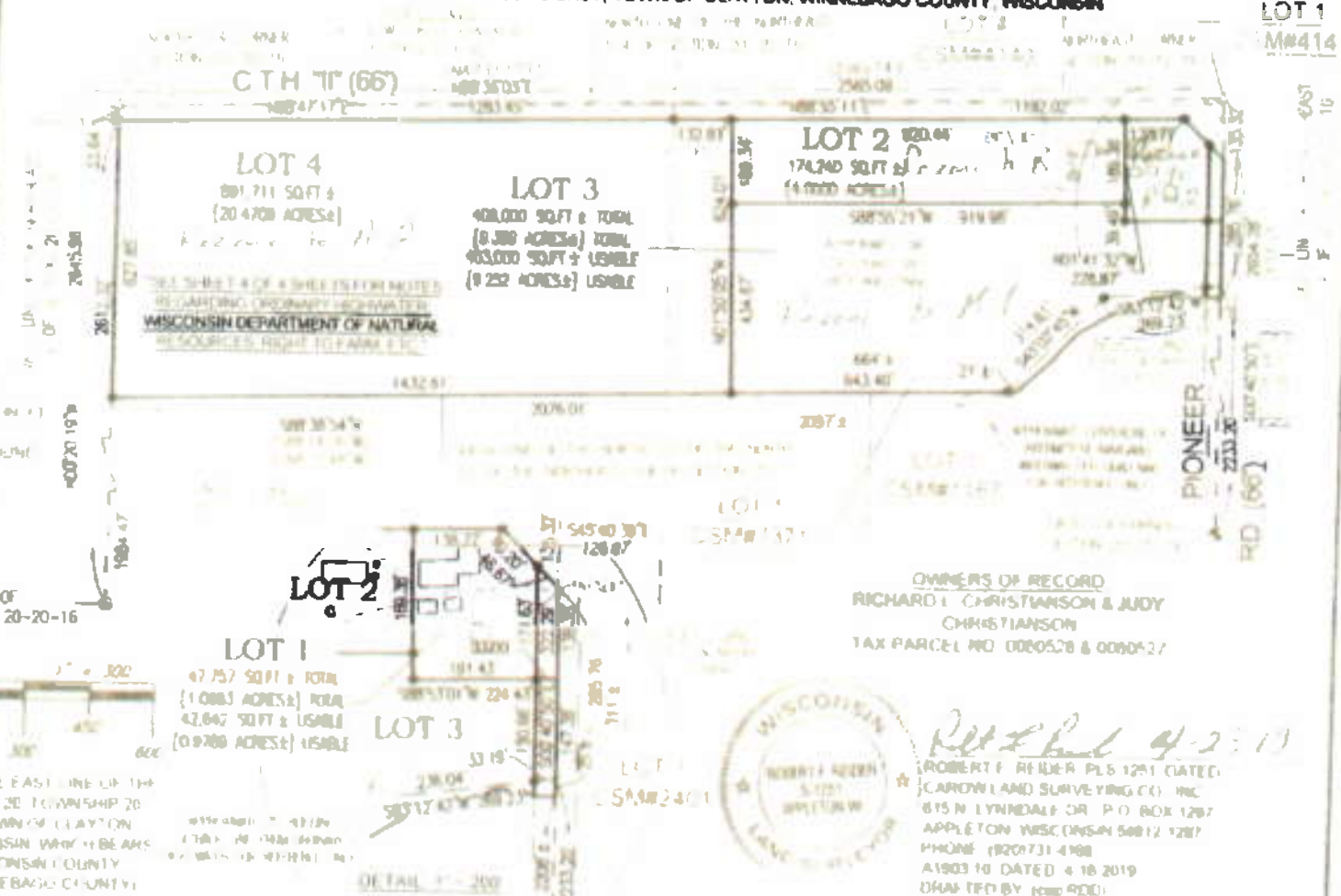


WISCONSIN Project Disclaimer
This data was created for use by the Winnebago County Geographic Information System project. Any other use/application of the information is the responsibility of the user and such use/application is at their own risk. Winnebago County disclaims all liability regarding fitness of the information for any use other than Winnebago County business. Data for this map copyrighted December 31, 2006

CERTIFIED SURVEY MAP NO. _____

BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 AND PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, ALL IN SECTION 20,
TOWNSHIP 20 NORTH, RANGE 10 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN

LOT 1
M#414



LEGEND

- 3/4" X 10" IRON REBAR SET
- 3/4" IRON REBAR FOLDED
- 1" D. ROUND IRON PIPE
- METAL SET
- 1/4" CURVED SPIKE
- CEMENT MONUMENT
- IRON TIE RODS

CENTER OF
SECTION 20-20-16

GRAPHIC SCALE



NORTH IS REFERENCED TO THE EAST LINE OF THE
NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 20
NORTH, RANGE 10 EAST, TOWN OF CLAYTON,
WINNEBAGO COUNTY, WISCONSIN. WYATT BEARS
800°40'50"E PER THE WISCONSIN COUNTY
COORDINATE SYSTEM (WINNEBAGO COUNTY)

LOT 2

LOT 1

LOT 3



OWNERS OF RECORD
RICHARD L. CHRISTIANSON & JUDY
CHRISTIANSON
TAX PARCEL NO. 0000528 & 0000527

Ref # L 4-2-11
ROBERT F. REIDER, PLS 1291 CLATED
CAROL LAND SURVEYING CO., INC.
615 N. LYNDALE DR. P.O. BOX 1287
APPLETON, WISCONSIN 54912-1287
PHONE (920) 731-4188
A190310 DATED 4-18-2019
DRAWN BY (KMD RDD)

BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 AND PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, ALL IN SECTION 20,
TOWNSHIP 20 NORTH, RANGE 18 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY WISCONSIN

(1984)

NAH(PLAS) UNIT K
SECTION 20 20 16

NUMBER 205 JULY 1998

OT 2 820 44

LOT 3
408,000 SQ.FT ± TOTAL
[0.300 ACRES ±] TOTAL
403,000 SQ.FT ± USABLE
[0.292 ACRES ±] USABLE

LOT 2 620 44

174,240 50.00 1

S00°55'21"W 919.90

PIONEER

RD (66) 100451

CHAMBERS ON RECORD
MICHAEL L. CHRISTIANSON & JULY
CHRISTIANSON
TAX PRACTICE, P.C. DORRIS & JONES

Ref ID: A4-2319

1. NAME: AMERICO, JUAN
 2. ADDRESS: BUREAU OF A
 3. 15 N. WINDLE DR. E. HAVANA
 4. AMERICA, WILSON, 191
 5. PHONE: 33001418
 6. AVOID DATED 4 10 1914
 7. CHARTED BY AMERICO

SHEET 1 OF 4 SHEETS

● = 3/4" x 16" IRON REBAR SET,
AS SHOWN IN SECTION 11.11.11
● = 1/2" x 16" IRON REBAR SET, AS SHOWN
IN SECTION 11.11.11
● = 3/4" x 16" IRON REBAR SET, AS SHOWN
IN SECTION 11.11.11
● = 1/2" x 16" IRON REBAR SET, AS SHOWN
IN SECTION 11.11.11
● = 3/4" x 16" IRON REBAR SET, AS SHOWN
IN SECTION 11.11.11
● = 1/2" x 16" IRON REBAR SET, AS SHOWN
IN SECTION 11.11.11

GRAPHIC SCALE

NORTH IS REFERENCED TO THE EAST LINE OF THE
NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 20
NORTH, RANGE 18 EAST, TOWN OF CLAYTON,
WINNEBAGO COUNTY, WISCONSIN, WHICH BEARS
S80°40'07"E PER THE WISCONSIN COUNTY
COORDINATE SYSTEM (WINNEBAGO COUNTY)

LOT 1

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47.757 SQFT x 100%
{ 0.003 ACRES x } TOTAL =
47.642 SQFT x 100%
{ 0.0780 ACRES x } TOTAL

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LOT 3

LSN#24U

DETAIL 1" = 200'

CERTIFIED SURVEY MAP NO.

BEING PART OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ AND PART OF THE NORTHWEST ¼ OF THE NORTHEAST ¼, ALL IN SECTION 20, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE:

I, ROBERT F. REIDER, PROFESSIONAL WISCONSIN LAND SURVEYOR, CERTIFY THAT I HAVE SURVEYED, DIVIDED AND MAPPED PART OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ AND PART OF THE NORTHWEST ¼ OF THE NORTHEAST ¼, ALL IN SECTION 20, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 20; THENCE S00°40'50"E, 135.32 FEET ALONG THE EAST LINE OF THE NORTHEAST ¼ OF SECTION 20 TO THE SOUTH RIGHT-OF-WAY LINE OF C.T.H. "H" AND THE POINT OF BEGINNING; THENCE CONTINUING S00°40'50"E, 285.76 FEET ALONG SAID EAST LINE TO THE STARTING POINT OF A MEANDER LINE OF THE CENTERLINE OF A INTERMITTENT NAVIGABLE WATERWAY, SAID POINT BEARS N00°40'50"W A DISTANCE OF 25 FEET MORE OR LESS FROM SAID CENTERLINE; THENCE S83°12'42"W, 269.23 FEET ALONG SAID MEANDER LINE; THENCE S45°02'45"W, 314.61 FEET ALONG SAID MEANDER LINE TO THE SOUTH LINE OF THE NORTH ¼ OF THE NORTH ¼ OF THE NORTHEAST ¼ OF SECTION 20 AND THE TERMINATION POINT OF SAID MEANDER LINE, SAID POINT BEARS S88°38'54"W A DISTANCE OF 21 FEET MORE OR LESS FROM SAID CENTERLINE; THENCE S88°38'54"W, 2076.01 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF THE NORTHEAST ¼ OF SECTION 20; THENCE N00°20'19"W, 627.85 FEET ALONG SAID WEST LINE TO THE SOUTH RIGHT-OF-WAY LINE OF C.T.H. "H"; THENCE N88°47'17"E, 1283.45 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE FEET; THENCE N88°55'11"E, 1192.02 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE; THENCE S45°40'39"E, 126.87 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING INCLUDING ALL OF THAT LAND LYING BETWEEN THE ABOVE DESCRIBED MEANDER LINE AND THE CENTERLINE OF THE INTERMITTENT NAVIGABLE WATERWAY, BOUNDED BY THE EXTENSION OF THE ABOVE DESCRIBED PARCEL TO SAID WATERWAY CENTERLINE, SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD

THAT I HAVE MADE SUCH SURVEY UNDER THE DIRECTION OF RICHARD CHRISTIANSON, 3540 OAKRIDGE RD., NEENAH, WISCONSIN 54956

THAT THIS MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARY LINES OF THE LAND SURVEYED

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION ORDINANCE OF WINNEBAGO COUNTY.



Robert F. Reider 4-23-19
ROBERT F. REIDER, PLS-1251
CAROW LAND SURVEYING CO., INC.
613 N. LYNNDAL DRIVE, P.O. BOX 1297
APPLETON, WISCONSIN 54912-1297
PHONE (920)731-4168
A1903 10 (RFR) 4-23-2019

NOTES:

- 1) THIS CSM IS ALL OF TAX PARCEL NO. (S): 0060527 & 0060528
- 2) THE PROPERTY OWNER (S) OF RECORD IS (ARE): RICHARD L. CHRISTIANSON AND JUDY L. CHRISTIANSON
- 3) THE CSM IS WHOLLY CONTAINED WITHIN THE PROPERTY DESCRIBED IN THE FOLLOWING RECORDED INSTRUMENT (S) VOLUME 1117, PAGE 383.

TOWN BOARD CERTIFICATE:

WE HEREBY CERTIFY THAT THE TOWN OF CLAYTON BOARD OF SUPERVISORS APPROVED AND ACCEPTED THIS CERTIFIED SURVEY MAP ON THE _____ DAY OF _____ 20____

TOWN CHAIRPERSON _____

TOWN CLERK _____

CERTIFIED SURVEY MAP NO.

BEING PART OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ AND PART OF THE NORTHWEST ¼ OF THE NORTHEAST ¼, ALL IN SECTION 20, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN

TREASURER'S CERTIFICATE:

I HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON ANY OF THE LAND INCLUDED ON THIS CERTIFIED SURVEY MAP

TOWN TREASURER

DATED

COUNTY TREASURER

DATED

COUNTY PLANNING AND ZONING COMMITTEE APPROVAL:

PURSUANT TO THE WINNEBAGO COUNTY SUBDIVISION ORDINANCE, ALL REQUIREMENTS FOR APPROVAL HAVE BEEN FULFILLED. THIS CERTIFIED SURVEY MAP WAS APPROVED THIS _____ DAY OF _____, 20____.

CHAIRPERSON, WINNEBAGO COUNTY PLANNING AND ZONING COMMITTEE

OWNER'S CERTIFICATE:

AS OWNER(S), I (WE) HEREBY CERTIFY THAT I (WE) CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED HEREON. I (WE) ALSO CERTIFY THAT THIS MAP IS REQUIRED BY S 236.10 OR 236.12 OF THE WISCONSIN STATUTES TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL: TOWN OF CLAYTON AND WINNEBAGO COUNTY

WITNESS THE HAND AND SEAL OF SAID OWNER (S) THIS DAY

RICHARD L. CHRISTANSON

JUDY A. CHRISTIANSON

STATE OF WISCONSIN)
)SS
COUNTY OF WINNEBAGO)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 20____ THE ABOVE
NAMED PERSON (S) TO ME KNOWN TO BE THE PERSON (S) WHO EXECUTED THE
FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME

NOTARY PUBLIC

MY COMMISSION EXPIRES



ROBERT F REIDER, PLS-1251 DATED
CAROW LAND SURVEYING CO. INC
615 N LYNDALE DRIVE, P.O. BOX 1297
APPLETON, WISCONSIN 54912-1297
PHONE (920)731-4168
A1903 10 (RFR) 4-23-2019

CERTIFIED SURVEY MAP NO. _____

BEING PART OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ AND PART OF THE NORTHWEST ¼ OF THE NORTHEAST ¼, ALL IN SECTION 20, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN.

NOTES:

- THE ORDINARY HIGH WATER MARK SETBACK IS NOT BASED ON AN OFFICIAL DETERMINATION AND PRIOR TO ANY BUILDING, AN OFFICIAL DETERMINATION OF THE ORDINARY HIGH WATER MUST BE MADE BY THE WINNEBAGO COUNTY ZONING DEPARTMENT OR OTHER AUTHORIZED PERSON. ALSO ALL BUILDING SETBACKS AND OTHER LAND USE REQUIREMENTS SHOULD BE VERIFIED BY THE TOWN OF CLAYTON PRIOR TO ANY CONSTRUCTION OR OTHER LAND USE ACTIVITY.
- PRIOR TO ANY CONSTRUCTION CONTACT WISCONSIN DEPARTMENT OF NATURAL RESOURCES TO DETERMINE NAVIGABILITY OF WATERWAY AND LOCATION OF ORDINARY HIGH WATER.
- ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR A NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1 OF THE STATE CONSTITUTION.
- THE LOCATION OF THE APPROXIMATE ORDINARY HIGH WATER MARK SHALL BE THE POINT ON THE BANK OF A NAVIGABLE STREAM OR ON THE SHORE OF A LAKE UP TO WHICH THE PRESENCE AND ACTION OF SURFACE WATER IS SO CONTINUOUS AS TO LEAVE A DISTINCTIVE MARK BY EROSION, DESTRUCTION OF TERRESTRIAL VEGETATION, OR OTHER EASILY RECOGNIZED CHARACTERISTICS.
- THE LOT(S) CREATED IN THIS CERTIFIED SURVEY MAP ARE ADJACENT TO PROPERTY THAT, AS OF THE DATE 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 THEIR QUIET ENJOYMENT OF THEIR PROPERTY. THIS STATEMENT IS INTENDED TO PROVIDE THIRD PARTIES WITH NOTICE THAT AGRICULTURAL ACTIVITIES MAY EXIST ON THE ADJACENT PROPERTY.



Robert E. Heidt 4-23-19
ROBERT E. HEIDT, PLS 1201 DA 150
CAROW LAND SURVEYING CO., INC.
615 N. LYNDALE DRIVE, P.O. BOX 1297
APPLETON, WISCONSIN 54912-1297
PHONE: (920) 731-4168
A1903 10 (RFR) 4-23-2019

SHEET 4 OF 4 SHEETS



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 Rick Christianson, PO Box 56, Larsen for property located on the south west corner of the intersection of County Road 11 and Pioneer Road and specifically described as Tax ID# 006-0527 and 006-0528 being a part Section 20, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone portions of the property 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).

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