STAFF REPORT

Proposed Sawyer Creek Floodplain Study (Letter of Map Revision) Chapter 26 - Floodplain Zoning Code

- 1. To continue participation in the NFIP, Winnebago County must use the modified flood hazard information to carry out the floodplain management regulations for the NFIP.
- 2. The Towns of Algoma, Black Wolf, Neenah, Poygan, Utica, Winchester and Winneconne recommended approval of the amendment. (Town action is optional and advisory only).
- 3. The Towns of Nekimi, Omro, Rushford, Oshkosh and Vinland recommended denial of the amendment (Town action is optional and advisory only).
- 4. There was no response or action taken by the Towns of Clayton, Nepeuskun and Wolf River.

Recommendation: Approval

STAFF REPORT

Proposed Amendment to the Winnebago County Construction Site Erosion Control and Stormwater Management Ordinance (Chapter 23 - Town/County Zoning Code)

- There was no documentation provided by the applicant to justify the proposed amendment making the amendment arbitrary and not in the best interest of all towns subject to the Winnebago County Construction Site Erosion Control and Stormwater Ordinance.
- 2. The urbanizing towns located in the county subject to the Winnebago County Construction Site Erosion Control and Stormwater Ordinance have historically expressed concerns to the county about existing drainage issues in redeveloped areas of the towns. The proposed amendment would allow 15,000-ft2 of impervious surfaces to be redeveloped in these areas without having to address stormwater detention.
- 3. The minimum lot size for creating a commercial lot in a sewered area is 15,000-ft2. The proposed amendment would allow complete coverage of a lot with impervious surfaces.
- 4. The Towns of Algoma, Winchester, Winneconne and Wolf River recommended denial of amendment. The Towns of Oshkosh, Poygan, Rushford and Vinland recommended approval of the amendment.
- 5. There was no response or action taken by the Towns of Neenah and Utica.

Recommendation: Denial

STAFF REPORT

Proposed Amendment to Chapter 16.05 Holding Tanks – Winnebago County Sanitary Ordinance

- 1. Active sanitary districts and incorporated areas located within Winnebago County have certain areas where sanitary sewer is not available and property owners who wish to develop their property must use Private On-site Wastewater Treatment Systems.
- 2. Holding tank(s) is/are the most practical and economical option for short term investment and use in these areas.
- 3. The proposed amendment allows for orderly development of the properties within the Town's Sanitary Districts while the public infrastructure is being extended.
- 4. The proposed amendment allows for orderly development and extension of the municipal sanitary sewer and infrastructure within the District.
- 5. The Towns of Algoma, Clayton, Omro, Oshkosh, Poygan, Winchester and Winneconne recommended approval of the amendment. (Town action is optional and advisory only).
- 6. There was no response or action taken by the Towns of Blackwolf, Neenah, Nekimi, Nepeuskun, Rushford, Utica, Vinland and Wolf River.

Recommendation: Approval

CONDITIONAL USE POST STAFF REPORT

Α	ga	lica	ıble	Ord	lina	ance

<u>1</u>

Χ	Chapter 23: "The following findings have been made in accordance with section 23.7-114"
Χ	Chapter 27: "The following findings have been made in accordance with section 27.6-7(c)"

a) Approved With Conditions

Number Letter
The Town of POYGAN has.

X Town action is advisory due to shoreland jurisdiction.

Town has right of denial per terms of zoning ordinance.

Town may approve, approve with conditions, or deny in non-shoreland area.

	Town findings were as follows: Approval
	Town approved a conditional use for pond as attached.
Χ	There were no objections.
	There was objection to
X	Proposed use is compatible with adjacent uses.

Numbe	er the following items if the property is within the A-1/Farmland Preservation Plan:
	Ch. 23 : The use supports agricultural uses in the A-1 zoning district in direct and significant ways, and is more suited to the A-1 zoning district than to an industrial or commercial zoning district.
	Ch. 23 : The use and its location in the A-1 zoning district are consistent with the purposes of the A-1 zoning district.
	Ch. 23 : The use and its location in the A-1 zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.
	Ch. 23 : The use is reasonably designed to minimize conversion of land, at and around the use site, from agricultural use or open space use.
	Ch. 23 : The use does not substantially impair or limit the current or future agricultural use of other protected farmland.
	Ch. 23 : Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.

RECOMMENDATION

	APPROVAL
	DENIAL
Х	APPROVAL with the following conditions:
	Approval not as requested
	Approval not as requested with conditions

Conditions

TOWN: 1. Berms as indicated on attached plan.

COUNTY: 1. Owner shall obtain an erosion control permit from the Winnebago County Zoning Office.

CONDITIONAL USE POST STAFF REPORT

Applicable Ordinan	ce
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Х	Chapter 23: "The following findings have been made in accordance with section 23.7-114"
Χ	Chapter 27: "The following findings have been made in accordance with section 27.6-7(c,

Number	Letter
<u>1</u>	The Town of POYGAN has. a) Approved With Conditions

Town action is advisory due to shoreland jurisdiction.
 Town has right of denial per terms of zoning ordinance.
 Town may approve, approve with conditions, or deny in non-shoreland area.

	Town findings were as follows: Approval			
	Reasonable use for property members.			
	There were no objections.			
X	There was objection to size of campground (area) and camper over lot line			
X	Proposed use is compatible with adjacent uses.			

Num	ber the following items if the property is within the A-1/Farmland Preservation Plan:
	Ch. 23 : The use supports agricultural uses in the A-1 zoning district in direct and significant ways, and is more suited to the A-1 zoning district than to an industrial or commercial zoning district.
	Ch. 23 : The use and its location in the A-1 zoning district are consistent with the purposes of the A-1 zoning district.
	Ch. 23 : The use and its location in the A-1 zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.
	Ch. 23 : The use is reasonably designed to minimize conversion of land, at and around the use site, from agricultural use or open space use.
	Ch. 23 : The use does not substantially impair or limit the current or future agricultural use of other protected farmland.
	Ch. 23 : Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.

RECOMMENDATION

	APPROVAL
	DENIAL
Х	APPROVAL with the following conditions:
	Approval not as requested
	Approval not as requested with conditions

Conditions

TOWN: 1. For tenants & family members only.

- 2. Must comply w/ all sanitary requirements.
- COUNTY: 1. Campground shall comply with Sec. 26.5-5 of the Winnebago County Floodplain Zoning Code except campsite two which is a protected existing non-conforming permanent camper.
- 2. Campground shall comply with Sec. 23.8-272 (a)-(l) of the Winnebago County Town/County Zoning Code except campsite two which is a protected existing non-conforming permanent camper. (Alternative modification to conditions 1 & 2 above could include campsite two.)
- 3. Conditional use is limited to the six sites shown in the application and any expansion shall require an amendment to the conditional use permit.

ZONING MAP AMENDEMENT/ ZONING CHANGE POST STAFF REPORT

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

Number L	Letter	
<u>1</u> T	The Town of WINNECONNE has Approved	

Χ	Town action is advisory due to shoreland jurisdiction.	
Town has right of approval or denial per terms of zoning ordinance.		

	Town findings for Approval were as follows:	
	Town Does have an adopted land use plan.	
	Action Does agree with Town adopted Town plan.	
Χ	There were no objections.	
	There were objections to	
Χ	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.

RECOM	MENDATION:
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

ZONING MAP AMENDEMENT/ 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	
<u>1</u>	The Town of OMRO has Approved	

	Town action is advisory due to shoreland jurisdiction.
X	Town has right of approval or denial per terms of zoning ordinance.

	Town findings for Approval were as follows:	
	Town Does have an adopted land use plan.	
	Action Does agree with Town adopted Town plan.	
X	There were no objections.	
	There were objections to	
X	Proposed use is compatible with adjacent uses.	
V	Zoning Map Amendment/ Zoning Change is required as a condition of plat/CSM approval and will place	
X	development in appropriate zoning district	

- 1. This is consistent with the Town land use plan.
- 2. Eliminates dual zoning for this property.

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

RURAL ACCESSORY BUILDING DETERMINATION #19-RABD-01 DECISION

Owner: Steven Swanson Tax Parcel No: 010-0344

SUMMARY & ANALYSIS

Applicant is requesting A Rural Accessory Building Determination for a 25' x 80' farm out-building. Applicant believes the existing agricultural building meets the criteria of Sec. 23.7-334.

FINDINGS BASED UPON THE FOLLOWING FACTORS:

23.7-334

- 1) The building is set apart from other buildings as being distinct, due to its construction technique, construction materials, age, local historical significance, or design. The original farm building meets this criteria. The building was constructed in the 1920's/1930's
- 2) The building is characteristic of past agricultural practices or rural life, whether presently utilized or not for agricultural practice. The original farm building meets this criteria. Past agricultural practices include machine shed, chicken coop, granary and pig/sheep barn.
- 3) The building is associated with a person of historic significance or with important historical events. The original farm building meets this criteria.
- 4) The building represents a notable work of a master builder, designer, or architect who influenced their age. The original farm building meets this criteria. Some beams are hand hewn.

RECOMMENDATION:

APPROVAL

THE ORIGINAL FARM BUILDING MEETS THE CRITERIA OF 23.7-334



Winnebago County Zoning Department

112 OTTER AVE, PO BOX 2808 OSHKOSH, WI 54903-2808

> OSHKOSH (920) 232-3344 FOX CITIES (920) 727-2880 FAX (920) 232-3347

Zoningdepartment@co.winnebago.wi.us

The Wave of the Future

CONDITIONAL USE PERMIT #2019-CU-4770

Owner:

BORSZICH, ROB ; JANNUSCH, JERRY Agent:

LAFROMBOIS, BENJAMIN

PO BOX 632

PO BOX 626

NEENAH, WI 54956

APPLETON, WI 54912

Location: 451, 453 & 469 S GREEN BAY RD

NEENAH, WI 54956

Tax Parcel No: 010-0266-10, 010-0266-01, 010-0266-05

Legal: Being a part of the NE 1/4 of the NE 1/4, Section 29, Township 20 North, Range 17 East, Town of Neenah,

Winnebago County, Wisconsin.

On 6/7/2019, a Conditional Use Permit was GRANTED WITH CONDITIONS for expansion of an existing Personal Storage Facility.

Conditions:

Town:

- 1. Lighting not to intrude on neighboring properties.
- 2. No outside storage except for vehicles used in the business(s).
- 3. With approved stormwater pond.

County:

- 1. Development shall be in accordance with Chapter 23 of the Winnebago County General Code.
- 2. All required State, County, and Town permits shall be issued prior to construction.

BORSZICH, ROB ; JANNUSCH, JERRY must sign and return this letter to the Winnebago County Zoning Dept, 112 Otter Ave, Oshkosh WI 54901, within 45 days of 6/7/2019. Their signature states that they are in agreement with the conditions that have been placed on the Conditional Use Permit. Failure to sign and return the decision notice within 45 days of the committee's decision shall void the approval. The decision notice shall become effective upon the property's owner signature.

BORSZICH, ROB ; JANNUSCH, JERRY

The findings used to grant the conditional use have been made in accordance with section 23.7-114, and are as follows:

Town:

1. No objections from neighboring properties.

County:

- 1. The Town of Neenah has approved with conditions.
- 2. There were no objections.

APPLICANTS RIGHTS:

23.7-119(a)

- (8) The applicant may appeal the decision to a court of competent jurisdiction.
- (9) An aggrieved person, other than the applicant, may appeal the decision to a court of competent jurisdiction and that any work done by the applicant as authorized by the approval is done at the applicant's risk.

6/7/2019	150 f 01/1	
Date	Zoning Officer	

NOTES:

- 1. Conditional Use granted by the Planning & Zoning Committee shall expire within twelve (12) months unless substantial work has commenced.
- 2. Approval of your Conditional Use application does not exclude the need to obtain the required building and zoning permits. Please make application for these permits through your town building inspector and zoning department.
- 3. For additional information regarding the appeal process relating to procedural requirements, contact the Zoning Office.

Heise, Peggy

From:

Benjamin LaFrombois

 dafrombois@preceptco.com>

Sent:

Friday, July 26, 2019 1:01 PM

To:

Heise, Peggy

Subject:

Re: CONDITIONAL USE PERMIT 2019-CU-4770

Peggy,

Thank you for your letter. Please be advised that I, Benjamin LaFrombois, have taken title to 469 and 453 South Green Bay Road. The Legion has decided to retain its property. Please remove them from the permit and their associated parcel, which is 451 South Green Bay Street.

Ben LaFrombois 920.284.6785

blafrombois@preceptco.com

From: Heise, Peggy <PHeise@co.winnebago.wi.us>

Sent: Friday, July 26, 2019 12:51:52 PM

Subject: CONDITIONAL USE PERMIT 2019-CU-4770

Please see the attached letter regarding the decision for Conditional Use Permit 19-CU-4770.

Thank you,

Peggy Heise

Administrative Associate

Winnebago Co. Planning Dept.

920-232-3340

CARY A ROWE Zoning Administrator





112 OTTER AVE, PO BOX 2808 OSHKOSH, WI 54903-2808

> OSHKOSH (920) 232-3344 FOX CITIES (920) 727-2880 FAX (920) 232-3347

Winnebago County Zoning Department

Zoningdepartment@co.winnebago.wi.us

The Wave of the Future

CONDITIONAL USE PERMIT #2019-CU-4770

Previous Owner:

BURSZICH, ROB

; JANNUSCH, JERRY Agent OWNER

LAFROMBOIS, BENJAMIN PO BOX 626 APPLETON, WI 54912

PO BOX 632

NEENAH, WI 54956

Location: 453 & 469 S GREEN BAY RD

NEENAH, WI 54956

Tax Parcel No: 010-0266-10, 010-0266-01, 010-0266-05

Legal: Being a part of the NE 1/4 of the NE 1/4, Section 29, Township 20 North, Range 17 East, Town of Neenah, Winnebago County, Wisconsin.

On 6/7/2019, a Conditional Use Permit was GRANTED WITH CONDITIONS for expansion of an existing Personal Storage Facility.

Conditions:

Town:

- 1. Lighting not to intrude on neighboring properties.
- 2. No outside storage except for vehicles used in the business(s).
- With approved stormwater pond.

County:

- 1. Development shall be in accordance with Chapter 23 of the Winnebago County General Code.
- 2. All required State, County, and Town permits shall be issued prior to construction.

BORSZICH, ROB ; JANNUSCH, JERRY must sign and return this letter to the Winnebago County Zoning Dept, 112 Otter Ave, Oshkosh WI 54901, within 45 days of 6/7/2019. Their signature states that they are in agreement with the conditions that have been placed on the Conditional Use Permit. Failure to sign and return the decision notice within 45 days of the committee's decision shall void the approval. The decision notice shall become effective upon the property's owner signature.

; JANNUSCH, JERRY

The findings used to grant the conditional use have been made in accordance with section 23.7-114, and are as follows:

Town:

1. No objections from neighboring properties.

County:

- 1. The Town of Neenah has approved with conditions.
- 2. There were no objections.

APPLICANTS RIGHTS:

23.7-119(a)

- (8) The applicant may appeal the decision to a court of competent jurisdiction.
- (9) An aggrieved person, other than the applicant, may appeal the decision to a court of competent jurisdiction and that any work done by the applicant as authorized by the approval is done at the applicant's risk.

6/7/2019	
0///2019	
Date	

Zoning Officer

NOTES:

- 1. Conditional Use granted by the Planning & Zoning Committee shall expire within twelve (12) months unless substantial work has commenced.
- Approval of your Conditional Use application does not exclude the need to obtain the required building and zoning permits.
 Please make application for these permits through your town building inspector and zoning department.
- 3. For additional information regarding the appeal process relating to procedural requirements, contact the Zoning Office.

Bob Bousanx

DRAWINGS FOR THE CONSTRUCTION OF

GREEN BAY RD STORAGE

TOWN OF NEENAH WINNEBAGO COUNTY



LOCATION MAP



ROAD

INDEX MAP SCALE: 1" = 80"

SHEET INDEX COVER SHEET SITE DEMOLITION PLAN SITE DIMENSION PLAN GRADING PLAN UTILITY PLAN EROSION CONTROL PLAN SITE DETAILS

GREEN BAY RD STORAGE

COVER SHEET

1/7

Toll Free (800) 242-8511 Milwaukee Area (414) 259-1181 Hearing Impaired TDD (800) 542-2289 www.DiggersHotline.com

THE LOCATIONS OF EXISTING UTLITY INSTALLATIONS AS SHOWN ON THIS PLAN ARE APPROXIMATE THERE MAY BE OTHER UNDERGROUND UTLITY INSTALLATIONS WITHIN THE PROJECT AREA THAT ARE NOT SHOWN











