RESOLUTION

DATE: <u>JANUARY 15, 2013</u>

To The Board of Supervisors of Winnebago County, Wisconsin:

AMENDATORY ORDINANCE 5

WHEREAS, it is desirable to amend the Zoning Ordinance and the Zoning Map of the TOWN OF UTICA in accordance with the petition of ROBERT HOFFMAN 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 <u>TOWN OF UTICA</u>, be and the same, are amended to provide that the attached described property be changed from the classification of <u>A-1</u> of said ordinance, which it now and heretofore had, to the zoned district of <u>RRR</u>.

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 UTICA)
PARCEL NO: 024-0033-02	
·	
COUNTY DISCLAIMER:	
County Board approval does not include any respons effectiveness of the Town Zoning Amendment or the	sibility for County liability for the legality or Town Zoning Ordinance.
APPROVED BY WINNEBAGO COUNTY EXECUTIV 2013.	/E THIS DAY OF,
M	flark Harris

County Board Supervisory district 33

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TOWN OF UTICA ~ TOWN BOARD MEETING MINUTES August 15, 2011

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C) PLAN COMMISSION

Radloff property – Chairman Schmick motioned to approve as written, seconded by Supervisor Bradley. 3 ayes, 0 nays – Carried

<u>Bradley property</u> – Chairman Schmick motioned to approve as written, seconded by Supervisor Kuhrt. 2 ayes, 0 nays – Carried. (Supervisor Bradley was unable to vote due to being a family member.)

Hoffman property – Chairman Schmick motioned to approve as written, seconded by Supervisor Kuhrt. 3 ayes, 0 nays – Carried

<u>CSM Approvals</u> – Chairman Schmick motioned to approve, seconded by Supervisor Bradley. 3 ayes, 0 nays – Carried

Resolution – Do not need to list all parcel numbers and property owners, changing A1 to A2, land use is the same, waive requirement of notifying land owners within 300 feet by certified mail, for this purpose only. The letter submitted by Shirley will go to the land owners via regular mail and they can verify parcel numbers. Chairman Schmick motioned, seconded by Supervisor Bradley. 3 ayes, 0 nays – Carried.

Wes Kranz Property – on the agenda for the Planning/Zoning Committee. Supervisor Kuhrt offered to contact Wes that he will be on the agenda. Chairman Schmick has the information that Wes needs and is willing to go along with Chuck. Wes does work evenings.

D) EDUCATIONAL OPPORTUNITIES

Budget/Finance workshop – Betty and Jenny, Chairman Schmick will attend. Chairman Schmick motioned for the three to attend, seconded by Supervisor Bradley. 3 ayes, 0 nays – Carried.

13. ITEMS FOR INCLUSION IN NEWSLETTER

Donations for the defibrillators contact Jay Roberts.

14. APPROVE PAYMENT OF BILLS

Supervisor Bradley motioned and Chairman Schmick seconded to pay the bills as submitted by the Clerk. 3 ayes, 0 nays - Carried

15. ADJOURNMENT

Supervisor Bradley made a motion, seconded by Chairman Schmick to adjourn at 8:15pm. 3 ayes, 0 nays - Carried.

Jenny Sonnleitner, Clerk

Len Schmick - Chairman

Chuck Kuhrt - Supervisor #1

Bonavon Bradley - Supervisor #2

lesserschmidt - Treasurer

Jenny Sonnleitner - Clerk

TOWN OF UTICA ~ TOWN BOARD MEETING MINUTES August 15, 2011

Page 1 of 2

1. CALL THE MEETING TO ORDER

The August 15, 2011 meeting was called to order by Chairman Len Schmick at 7:30 p.m. at the Utica Town Hall. Len Schmick - Chairman; Chuck Kuhrt - Supervisor #1; Donavon Bradley - Supervisor #2; Betty Messerschmidt - Treasurer; and Jenny Sonnleitner - Clerk were present. 18 citizens were in attendance.

2. APPROVE JULY 11, 2011 MINUTES

The minutes of the July 11, 2011 Town Board Meeting were reviewed. Supervisor Bradley made a motion, seconded by Supervisor Kuhrt to accept the minutes as presented. 3 ayes, 0 nays – Carried

3. AFFIDAVIT OF PUBLICATION

4. AFFIDAVIT OF POSTING

5. APPROVE TREASURER'S REPORT

Treasurer Messerschmidt read the report. Receipts: \$25,214.82, Disbursements: \$30,471.95, Checkbook Balance: \$185,396.30. Chairman Schmick made a motion, seconded by Supervisor Kuhrt to accept the Treasurer's Report as read. 3 ayes, 0 nays - Carried

6. ADOPT AGENDA

7. PUBLIC FORUM

Dave Bradley asked about the status of the Wes Kranz zoning. Shirley Gallert said Wes was to resubmit a site plan, since the plan submitted originally included part of David Bradley's property and was incorrect. Chairman Schmick would like this issue placed on the September agenda and one of the Board members will talk to Wes.

Shirley also discussed the letter she will be sending to landowners zoned A1 and A2.

8. PLEDGE OF ALLEGIANCE AT THE MEETINGS

Chairmain Schmick motioned to say the pledge of allegiance before the meetings, seconded by Supervisor Kuhrt. 3 ayes, 0 nays - Carried

9. APPROVE 2ND ANNUAL GARDEN TRACTOR PULL/CAR SHOW TEMPORARY RETAILERS LICENSE Supervisor Kuhrt motioned to grant the license, seconded by Supervisor Bradley. 3 ayes, 0 nays - Carried

10. 2011 POPULATION ESTIMATE

Census for 2010 is 1299, 2011 preliminary estimate is 1303. Board agrees with statistics, no challenge necessary.

11. TOWN MAINTENANCE AGREEMENT WITH WINNEBAGO COUNTY

Only question Chairman Schmick has is the mileage listed for snowplowing. Suggests to table this to make sure agreement is correct on mileage.

12. REPORTS:

A) BOARD OF APPEALS

B) FIRE DEPARTMENT - Picnic is August 28 and hopes everyone in the town will come out to support us.

Defibrillator update — Town of Nepeuskun is willing to assist. They would like a budget on how much they should help with. The Lions club will provide funds for 1, possibly 2. Fire/EMS budget will set aside funds and needs guidance from the Board on how much to set aside since they will have their budget prepared in October. Supervisor Kuhrt asked if the plan is to purchase the 10 units over three years and the answer is yes. Chairman Schmick would like to wait to see how the Town's budget is and how fundraising goes then we may not need to set aside extra funds. If the Town did set aside funds that do not get used, the funds would come back to the Town. Supervisor Kuhrt asked how often the units get used. With 48 calls so far this year, they were used three times, possibly four.

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will be published in the Oshkosh Northwestern on Wed. August 17th and 24th.

• The meeting notice along with the names and parcel numbers will be posted on August

• If the **Town Board** passes a resolution at the August 15th meeting that states that neighboring landowners do not have to be notified of these zoning changes by Certified Mail, landowners will be notified of the September meeting by regular mail.

Forsgren moved to adjourn. Christianson gave a Second.

The motion passed with a voice vote.

The meeting adjourned at 8:24 p.m.

Respectfully submitted by Shirley Gallert, Secretary.

Shirley Sallest

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Shirley Gallert recused herself for the next two items on the agenda. Deanna Bradley took meeting notes during that part of the meeting.

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Public Hearing for Robert G. Hoffman

Public Hearing for a request from Robert G. Hoffman, owner/applicant, 2308 County Road FF, Oshkosh, WI 54904 to rezone approximately 14 acres from A-1 to Rural Recreational and Residential Mixed Use. The 14 acres are shown as Lot 2 and 32.68' on Lot 1 on CSM (Project No. 0-1516-002) and are located on the East side of County Road FF between 2308 and 2398 County Road FF. He is also requesting a Conditional Use for single family home and a shed with the remainder of the land to stay as woods on Lot 2. Lot 3 will stay A-1. The legal description is All of the Northeast 1/4 of the Southwest 1/4, and All of the Southeast 1/4 of the Northwest 1/4, All in Section 2, T17N, R15E, Town of Utica, Winnebago County, Wisconsin, Tax Parcel #024-0033.

Public Session: There were no comments made.

Public Session was closed.

Regular Session:

Land Division

Forsgren made a motion for proposed land division for Lot 2 per request as shown on CSM. Groth gave a Second.

Discussion: There was no discussion.

Vote Yes-Deanna Bradley, Donavon Bradley, Forsgren, Groth, Thiel, Christianson

No-None

Motion passed with a unanimous vote. (6-0)

Zoning Change

Thiel made a motion to change the zoning on Lot 2 from A-1 to Rural Recreational and Residential Mixed Use with a Conditional Use for a single family residence and shed. Lot 3 will stay A-1. Forsgren gave a Second.

Discussion: There was no discussion.

Vote Yes-Deanna Bradley, Donavon Bradley, Forsgren, Groth, Thiel, Christianson No--None

Motion passed with a unanimous vote. (6-0)

Review Certified Survey Map

Review a Certified Survey Map (Project No. 0-1516-002) for Lawrence and Shirley Gallert, 5239 Fisk Ave., Oshkosh, WI 54904 and Robert G. Hoffman, 2308 County Road FF, Oshkosh, WI 54904. The lot line between Lot 1 and Lot 2 has been changed. Lot 1 is zoned Rural Recreational and Residential Mixed Use, Tax Parcel #024-0033-01 and is owned by the Gallerts. Lot 2 is owned by Robert G. Hoffman.

During the discussion, there were no objections to the CSM.

Public Hearing for Chuck Nelson

Public Hearing for a request from Chuck Nelson, owner of Quality Paint and Coatings, to erect a two-faced sign (6'-1/4" wide x 3'-5 3/4" high) at 6610 State HWY in Pickett, WI 54964 to identify his business. The sign will be erected on Tax Parcel #024-0625-01.

Public Session: There were no comments.

Public Session was closed.

Regular Session:

Thiel stated that the D.O.T. was okay with everything. There were some questions asked about the lighting.

Christianson made a motion that we approve the plan as requested. Thiel gave a Second.

Discussion: There was no discussion.

Vote Yes-Deanna Bradley, Donavon Bradley, Forsgren, Gallert, Groth, Thiel,

Christianson

Motion passed with a unanimous vote. (7-0)

Entertain Informal Opinions

Betty Bradley, resident in the Town of Utica, showed several types of maps that she felt would be useful to the Plan Commission when making decisions. The kinds of maps follow:

- Aerial photos from the ASCS office.
- Section aerial maps from the County.

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- Enlarged aerial GIS photos. If there is a problem and you are trying to solve it, the map is free.
- Section maps. You can order individual section maps if that section has had many changes. The whole set does not have to be purchased.

Procedure to be followed to rezone multiple A-1 parcels to A-2 in the Town of Utica Secretary, Gallert, reported that after a group conferred with the Town Attorney it is planned that the rezoning of the parcels from A-1 to A-2 will take place at the Plan Commission meeting on Thursday, September 1, 2011 if the procedure gets Town Board approval at the August 15th meeting. The procedure follows:

- A rezoning application will be filed by Tom Thiel, Zoning Administrator.
- A list of landowners' names who want the change along with the Tax Parcel numbers

Donavon Bradley did not participate in the discussion/vote for the next agenda item.

Public Hearing for Leslie Bradley

Public Hearing for a request from Leslie Bradley, applicant, to rezone a 5.028 acre parcel south of 690 County Road FF from A-1 to Rural Recreational and Residential Mixed Use. The parcel is owned by Donavon and Carol Bradley, 609 County Road FF, Pickett, WI 54964. A Conditional Use is also being asked for a single family home, garage, and shed. The legal description is Part of the Northeast 1/4 of the Southeast 1/4, and Part of the Southeast 1/4 of the Northeast 1/4 of Section 27, T17N, R15E, Town of Utica, Winnebago County, Wisconsin, Tax Parcel #024-0579.

Public Session:

Leslie Bradley informed the Commission that she did not want a Conditional Use at this time. Betty Bradley questioned why a Conditional Use was being issued for the Rural Recreational and Residential Mixed Use District. She went on to say that you can't get a Conditional Use for a house and the banks won't give loans. She suggested that the Town of Utica review that part of the Ordinance.

Public Session was closed.

Regular Session:

Leslie Bradley thought a Conditional Use expired. After hearing that it did not, she wanted the request to be acted on as stated on the Application.

Land Division

Thiel made a motion to divide Lot 2 (5.028 acres) on CSM from Lot 1. Christianson gave a Second.

Discussion: There was no discussion.

Vote Yes-Deanna Bradley, Forsgren, Gallert, Groth, Thiel, Christianson

No-None

Motion passed with a unanimous vote. (6-0)

Zoning Change

Gallert made a motion to recommend to the Town Board to change the zoning on Lot 2 on CSM from A-1 to Rural Recreational and Residential Mixed Use with a Conditional Use for a single family residence, garage, and pole shed. Lot 1 will remain A-1. Deanna Bradley gave a Second.

Discussion: There was no discussion.

Vote Yes-Deanna Bradley, Forsgren, Gallert, Groth, Thiel, Christianson

No--None

Motion passed with a unanimous vote. (6-0)

Town of Utica

Plan Commission

Town of Utica Plan Commission Meeting August 4, 2011

Meeting was called to order by Chair, Thomas Thiel, at 7:30 p.m. at the Utica Town Hall, 1730 County Road FF, Oshkosh, WI 54904.

Roll Call

Members Present: Deanna Bradley, Donavon Bradley, Sandy Forsgren, Shirley Gallert,

Jonathan Groth, Thomas Thiel, Michael Christianson (alternate)

Excused: David Sweet

Absent: None

Town Board Members Present: Chuck Kuhrt and Denavon Bradley

Other People Present: (See attached sheet.)

Minutes

Forsgren moved to accept the minutes as printed from the meeting held on April 7, 2011. Deanna Bradley gave a Second. The minutes were approved with a voice vote.

Chair, Thiel, read the agenda.

Public Hearing for Wesley and Shirley Radloff

Public Hearing for a request from Wesley and Shirley Radloff, owners/applicants, 2061 James Road, Oshkosh, WI 54904 to rezone a 5.273 acre parcel at 2025 James Road from A-1 to Rural Recreational and Residential Mixed Use. They are also asking for a Conditional Use for a single family residence with the remainder of the land to be used for agriculture. The legal description is All of the Northeast 1/4 of the Northeast 1/4 of Section 12, T17N, R15, Town of Utica, Winnebago County, Wisconsin, Tax Parcel # 924-0221.

Public Session: No comments were made during the Public Session.

Public Session was closed.

Regular Session:

Forsgren made a motion that we recommend changing the zoning as proposed on request. Donavon Bradley gave a Second.

Discussion: There was no discussion.

Vote: Yes-Deanna Bradley, Donavon Bradley, Forsgren, Gallert, Groth, Thiel,

Christianson

No-None

Motion passed with a unanimous vote. (7-0)

- 8. Review a Certified Survey Map (Project No. 0-1516-002 for Lawrence and Shirley Gallert, 5239 Fisk Ave., Oshkosh, WI 54904 and Robert G. Hoffman, 2308 County Road FF, Oshkosh, WI 54904. The lot line between Lot 1 and Lot 2 has been changed. Lot 1 is zoned Rural Recreational and Residential Mixed Use, Tax Parcel #024-0033-01, and owned by the Gallerts. Lot 2 is owned by Robert G. Hoffman.
- 9. Hold a Public Hearing for a request from Chuck Nelson, owner of Quality Paint and Coatings, to erect a two-faced sign (6'-1/4" wide x 3'-53/4" high) at 6610 State Hwy. 44 in Pickett, WI 54964 to identify his business. The sign will be erected on Tax Parcel # 024-0625-01. The Plan Commission will act on the request following the Public Hearing.
- 10. Entertain requests for Informal Opinions.
- 11. Discuss the procedure to be followed when acting on the requests on the Farmland Preservation Program forms to change the zoning from A-1 to A-2 on parcels in the Town of Utica.
- 12. Move to adjourn.

For further information concerning this notice, please contact:
Thomas Thiel-(920)-589-3005 or Shirley Gallert-(920)-589-3454

Public testimony will be taken at the time of the hearings. All written testimony must be received prior to the hearings and can be sent to: Thomas Thiel, 1209 County Road M, Pickett, WI 54964.

Posted: July 20, 2011

Johnleitner

Town of Utica

Plan Commission

Town of Utica Plan Commission Meeting Agenda

The Town of Utica Plan Commission will hold a meeting on Thursday, August 4, 2011 at 7:30 p.m. at the Utica Town Hall, 1730 County Road FF, Oshkosh, WI 54904. Town Board members may also be present.

- 1. Call the meeting to order.
- 2. Take roll call.
- 3. Approve minutes from the meeting held on April 7, 2011.
- Read the Agenda.
- 5. Hold a Public Hearing for Wesley and Shirley Radloff, owners/applicants, who are requesting a zoning change from A-1 to Rural Recreational and Residential Mixed Use for a 5.273 acre parcel. The parcel is located at 2025 James Road between Ripple Ave. and State Road 44. The parcel has a house and the rest of the land will be used for agriculture. The legal description is All of the Northeast 1/4 of the Northeast 1/4 of Section 12, T17N, R15E, Town of Utica, Winnebago County, Wisconsin, Tax Parcel #024-0221. Action will be taken by the Plan Commission following the Public Hearing.
- 6. Hold a Public Hearing for a request from Leslie Bradley, applicant, to change the zoning on a 5.028 acre parcel owned by Donavon and Carol Bradley, 690 County Road FF, Pickett, WI 54964 from A-1 to Rural Recreational and Residential Mixed Use. The parcel is located South of 690 County Road FF. She is also asking for a Conditional Use to build a single family residence, garage, and pole building. The legal description is Part of the Northeast 1/4 of the Southeast 1/4, and Part of the Southeast 1/4 of the Northeast 1/4 of Section 27, T17N, R15E, Town of Utica, Winnebago County, Wisconsin, Tax Parcel #024-0579. The Plan Commission will act on the request following the Public Hearing.
- 7. Hold a Public Hearing for a request from Robert G. Hoffman, owner/applicant, 2308 County Road FF, Oshkosh, WI 54904 to change the zoning on approximately 14 acres from A-1 to Rural Recreational and Residential Mixed Use. The 14 acres are shown as Lot 2 and 32.68' in Lot 1 on CSM (Project No.-0-1516-002) and are located on the East side of County Road FF between 2308 and 2398 County Road FF. He is also requesting a Conditional Use to build a single family home and a shed with the remainder of the land to stay as woods on Lot 2. Lot 3 will stay A-1. The legal description is All of the Northeast 1/4 of the Southwest 1/4, and All of the Southeast 1/4 of the Northwest 1/4, All in Section 2, T17N, R15E, Town of Utica, Winnebago County Wisconsin, Tax Parcel #024-0033. Action will be taken by the Plan Commission following the Public Hearing.

TOWN OF UTICA AGENDA ~ TOWN BOARD MEETING

Notice is hereby given that a Town Board meeting in the Town of Utica, County of Winnebago, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town.

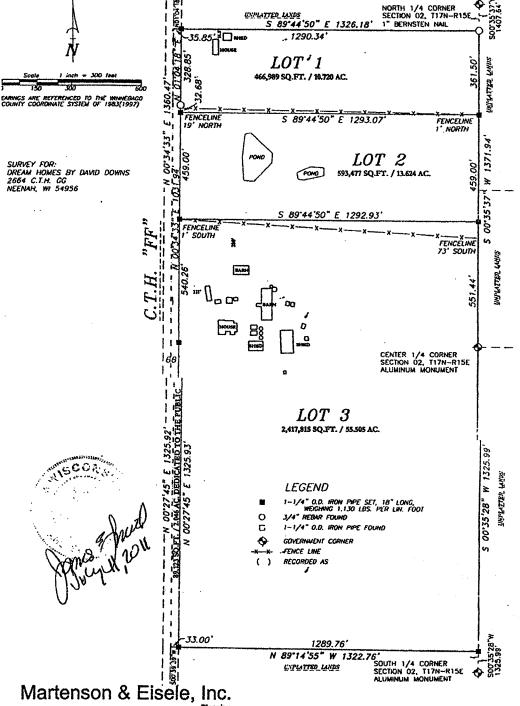
Date: Monday, August 15, 2011

- 1. Call the Meeting to order
- 2. Approve July 11, 2011 Town Meeting Minutes
- 3. Affidavit of Publication & Posting Planning & Zoning Meeting Clerk and Chairman to sign
- 4. Affidavit of Posting Meeting Date Change / Test Voting Equipment / Absentee Voting & Election / Agenda Clerk and Chairman to sign
- 5. Approve Treasurer's Report
- 6. Adopt Agenda
- 7. Public Forum time to comment on any items on the agenda
- 8. Pledge of Allegiance at the meetings
- 9. Approve 2nd Annual Garden Tractor Pull/Car Show Temporary Retailer's License
- 10. 2011 Population Estimate
- 11. Town Maintenance Agreement with Winnebago County
- 12. REPORTS:
 - A. Board of Appeals
 - B. Fire Department
 - 1) Defibrillator update
 - 2) Volunteer Firemen's Picnic Sunday, August 28 11am-6pm
 - C. Plan Commission
 - 1) Wesley & Shirley Radloff rezoning Parcel #024-0221
 - 2) Leslie Bradley rezoning Parcel #024-0579
 - 3) Robert G. Hoffman rezoning Parcel #024-0033
 - (*) 4) Approve Certified Survey Maps for Hoffman and Gallert
 - 5) Create Resolution regarding noticing neighbors of zoning changes
 - 6) Discuss status of the Wes Kranz property
 - D. Educational Opportunities
 - 1) WMCA Conference August 23-26, signed up and attending
 - 2) WTA Budget/Finance Training September 14 in Ripon (Betty & Jenny attending, Board Member(s) should attend)
- 13. Items for inclusion in Newsletter
- 14. Approve Payment of Bills
- 15. Adjournment

Jenny Sonnleitner, Clerk Posted: 8-13-2011

Time: 7:30 PM

CERTIFIED SURVEY MAP NO. ALL OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, AND ALL OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, ALL IN SECTION 2, TOWNSHIP 17 NORTH, RANGE 15 EAST, TOWN OF UTICA, WINNEBAGO COUNTY, WISCONSIN. MOTO 18T NORTH 1/4 CORNER SECTION 02, T17N-R15E 1" BERNSTEN NAIL UNPLATTED LANDS S 89"44"50" E 1326.18" 35.85 HOUSE . 1290.34 LOT'1 466,989 SQ.FT. / 10.720 AC.



109 West Main Street Omro, WI 54963 rtenson-elsele.com P 920.685.6240 F 920.685.6340

Planning Environmental Surveying Engineering Architecture

PROJECT NO. 0-1516-002 FILE 1516002CSM SHEET I OF 3 This instrument was drafted by: OSL

What is the intended use of this property? Single family residence	
Please mark the current zoning for the property:	·
Single Family Residence Industrial Two Family Residence Commercial Multiple Family Dwelling Institutional and Recreational Agricultural Planned Residential Development Rural Recreational Residential Mixed Use	
What is the requested zoning for this property? Rural Recreational + Replease explain the reason for this rezoning request.	es identia
If this is a Rural Recreational rezoning request, please specify what type of conditions are being requested. All secondarias at this time.	
Please explain why this is the best proposed use for this property:	
Please explain the compatibility of the proposed use(s) with the surrounding land uses. There are residential properties across the road and	
ist all property owners within 300 feet and their mailing addresses.	
Shirky Gallert 4. Epry + Pathy Gullikson 2398 Counts Rd FF 2335 Knott Rd. Dankpan, wi 54904 Dankpan, wi 54904	
Russell Rank + barbara Pank 5. 2448 County Rd FF Oshbon, WI 5490t	
· Lynda Kleinschmidt 6. 8353 Causty Rd FF Oortpool, WI 54904	

TOWN OF UTICA REZONING APPLICATION

Filing Fee: <u>\$400.00</u> (Made payable to Town o	f Utica)	Date Received: 7-13-//
Property Address:	1308 Cly Pd FF	Dangos, W1 5490
Name of Owner(s):	obert 6 Hoffma	<u> </u>
Address, if different than	above:	
Home Phone: <u>920-5</u>	89-349 1 Daytime	Phone if different:
Name of Applicant(s): $\widehat{\mathcal{Y}}$	pober + G. HOFFM	an
Address, if different than	above:	
Home Phone:	Daytime	e Phone if different:
Name & Address of profe contractor, engineer, etc)	•	sed development (architect, builder,
Correct Range 15 Wisconsin: Correct rezone Lot 2 Will be requests Tax Parcel Number: Di NOTE: Please attach a co	Allow Allow of the Allow Allow Allow Allow of Long on Long on Long on Long of the Certified Survey on relation to nearby readwards	y Map for the property. ays, buildings, or other landmarks:
	•	

Rowe, Cary

From:

Town of Utica Winnebago Co. [utica1730@gmail.com]

Sent:

Tuesday, November 06, 2012 9:12 AM

To:

Rowe, Cary, Levine, Dave

Subject:

Hoffman Property for County approval

Attachments:

Hoffman Property.pdf

Attached is the paperwork you requested I send to get this property approved at the County level. Let me know if you need anything else to get this passed. Thank you!

Jenny Sonnleitner, Clerk Town of Utica, Winnebago County Population: 1303 6570 Bradley Ave. Pickett, WI 54964 920-410-0347

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