

**ZONING MAP AMENDMENT/ 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)"

<b>1</b>	The Town of NEKIMI has Approved
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	Town action is advisory due to shoreland jurisdiction.
X	Town has right of approval or denial per terms of zoning ordinance.

<b>2</b>	Town findings for Approval were as follows:				
	<table border="1"><tr><td>X</td><td>Town Does have an adopted land use plan.</td></tr><tr><td>X</td><td>Action Does agree with Town adopted Town plan.</td></tr></table>	X	Town Does have an adopted land use plan.	X	Action Does agree with Town adopted Town plan.
X	Town Does have an adopted land use plan.				
X	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.
		Zoning Map Amendment/ Zoning Change is required as a condition of plat/CSM approval and will place development in appropriate zoning district

<b>3</b>	The requested Zoning Map Amendment does agree with the adopted plan.
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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

**ZONING MAP AMENDMENT/ ZONING CHANGE**  
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Applicable Ordinance:

<input checked="" type="checkbox"/>	Chapter 23: <i>"The following findings have been made in accordance with section 23.7-5(b)(1), (2), &amp; (3)"</i>
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<b>1</b>	The Town of ALGOMA has Approved
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	Town action is advisory due to shoreland jurisdiction.
<input checked="" type="checkbox"/>	Town has right of approval or denial per terms of zoning ordinance.

<b>2</b>	Town findings for Approval were as follows:
	<input checked="" type="checkbox"/> Town Does have an adopted land use plan.
	<input checked="" type="checkbox"/> Action Does agree with Town adopted Town plan.

<input checked="" type="checkbox"/>	There were no objections.
	There were objections to...
<input checked="" type="checkbox"/>	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

<b>3</b>	The requested Zoning Map Amendment does agree with the adopted plan.
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RECOMMENDATION:	
<input checked="" type="checkbox"/>	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

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<input checked="" type="checkbox"/>	Chapter 23: <i>"The following findings have been made in accordance with section 23.7-5(b)(1), (2), &amp; (3)"</i>
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<b>1</b>	The Town of CLAYTON has Not Responded
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<input checked="" type="checkbox"/>	Town action is advisory due to shoreland jurisdiction.
	Town has right of approval or denial per terms of zoning ordinance.

<b>2</b>	Town findings for No Response were as follows:
	n/a Town N/A have an adopted land use plan.
	n/a Action agree with Town adopted Town plan.

<input checked="" type="checkbox"/>	There were no objections.
	There were objections to...
<input checked="" type="checkbox"/>	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

RECOMMENDATION:	
<input checked="" type="checkbox"/>	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 AMENDMENT/ ZONING CHANGE**  
POST STAFF REPORT

Applicable Ordinance:

X	Chapter 23: "The following findings have been made in accordance with section 23.7-5(b)(1), (2), & (3)"
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<b>1</b>	The Town of WINCHESTER has Not Responded
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X	Town action is advisory due to shoreland jurisdiction.
	Town has right of approval or denial per terms of zoning ordinance.

<b>2</b>	Town findings for No Response were as follows:
	n/a Town does/does not have an adopted land use plan.
	n/a Action does/does not agree with Town adopted Town plan.

X	There were no objections.
	There were objections to...
X	Proposed use <b>is</b> 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

RECOMMENDATION:	
	APPROVAL
	DENIAL
X	APPROVAL with an effective date to be upon the recording of the CSM, but in no case later than 6 months after the date of approval of the zoning map amendment by the Winnebago County Board of Supervisors

Property Owner: Steve Del Marcelle  
Parcel Number: 020-0670  
Special Exception #: 20-01-SE

## **SPECIAL EXCEPTION** **POST STAFF REPORT**

**EXPLANATION:** The owner/applicant is requesting a special exception to construct a garage on a vacant lot adjoining a lot with a principal structure.

**TOWN RECOMMENDATION:** There was no response from the Town of Poygan.

### **PRELIMINARY FINDINGS:**

1. There were no objections.
2. Propose special exception meets ordinance requirements allowing an accessory use on a vacant lot.
3. Proposed special exception meets the intent of Section 23.8-45 "Establishment of an accessory land use prior to establishment of a principal use", and Section 23.7-214, "Basis of Decision", in totality.

### **OTHER INFORMATION:**

#### **RECOMMENDATION:**

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

APPROVAL

DENIAL

APPROVAL with the following conditions:

### **RECOMMENDED CONDITIONS:**

1. Tax parcel 020-0670 shall be deed restricted to tax parcel 020-0671 for the lifetime of the proposed garage.
2. Deed restriction shall be recorded with the register of deeds prior to the issuance of any permits.
3. The proposed three season porch shall not be included in the approval as there is no living area allowed within an accessory structure.



## WINNEBAGO COUNTY PLANNING & ZONING DEPARTMENT

20-SE-0001

### NOTICE OF MEETING

PLANNING & ZONING COMMITTEE

JUNE 5, 2020

#### TO WHOM IT MAY CONCERN:

The property owner/applicant listed below has requested a SPECIAL EXCEPTION which is regulated by the Town/County Zoning Code, Chapter 23. You are receiving this notice because this application or petition for action affects area within the Town of POYGAN.

The Winnebago County Planning & Zoning Committee will be holding a deliberative meeting in which the application will be decided upon on Friday, JUNE 5, 2020, at 7:30 AM in the Room 120 of the County Administration Building located at 112 Otter Ave, Oshkosh WI. The full application can be viewed at the Winnebago County Planning and Zoning Department.

#### INFORMATION ON SPECIAL EXCEPTION REQUEST

**Owner(s) of Property:** Steve Del Marcelle

**Location of Premises Affected:** East of 9691 Welsch Rd

**Tax Parcel Number:** 020-0670

**Legal Description:** Being all of Lot 8 of Welsch's Lake Poygan Plat, located in the NW 1/4 of the NW 1/4, Section 19, Township 19 North, Range 14 East, Town of Poygan, Winnebago County, Wisconsin.

**Explanation:** Applicant is requesting a special exception to construct a garage on a vacant lot adjoining a lot with a principal structure.

DESCRIPTION	CODE REFERENCE
The Zoning Code allows the establishment of an accessory use on a vacant lot; which adjoins a lot under the same ownership; supporting a principal use.	Chapter 23, Article 8, Section 23.8-45(b) "Exemption for a vacant lot adjoining another lot in the same ownership" of the Winnebago County Town/County Zoning Code.

Property Owner: Steve Del Marcelle  
Applicant: Same  
Parcel Number: 020-0670  
Special Exception #: 20-SE-0001

**SPECIAL EXCEPTION**  
**INITIAL STAFF REPORT**

**OVERLAYS:**

Shoreland: YES                      Floodplain: NO                      SWDD: NO    Wetlands: NO  
Microwave: NO                      Wittman Airport: NO                      Outagamie Airport: NO

County Highway Access: NO

**SURROUNDING ZONING:**

North: R-2  
South: B-2  
East: R-2  
West: R-2

**SECTION REFERENCE OF REGULATION:** Chapter 23, Article 8, Section 23.8-45(b) "Exemption for a vacant lot adjoining another lot in the same ownership" of the Winnebago County Town/County Zoning Code.

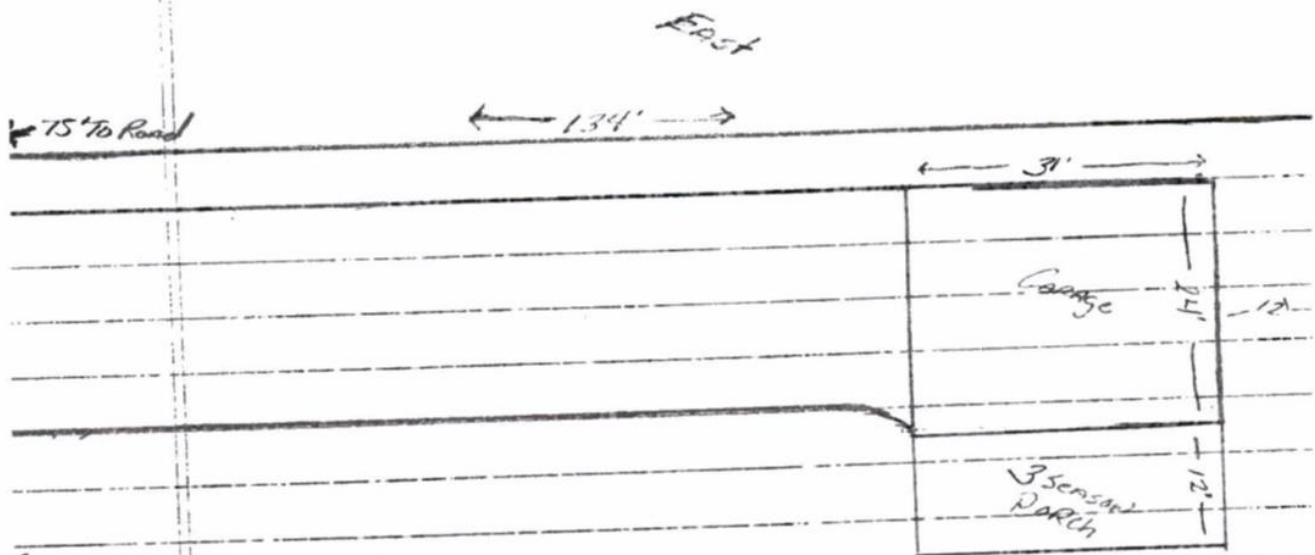
**ORDINANCE PROVISION:** The Zoning Code allows the establishment of an accessory use on a vacant lot; which adjoins a lot under the same ownership; supporting a principal use.

**EXPLANATION:** Applicant is requesting a special exception to construct a garage on a vacant lot adjoining a lot with a principal structure.

**BASIS OF DECISION:**

The Planning and Zoning Committee in making its decision shall consider the following factors:

- (1) the size of the property in comparison to other properties in the area;
- (2) the extent to which the issuance of the special exception permit would be in keeping with the overall intent of the this chapter;
- (3) whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception permit;
- (4) the nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exception permit was granted;
- (5) the nature and extent of anticipated positive and negative effects on properties in the area;
- (6) actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception;
- (7) a factor specifically listed under a section of this chapter authorizing the issuance of a special exception permit; and
- (8) any other factor that relates to the purposes of this chapter as set forth in s. 23.1-5 and other sections as may apply.



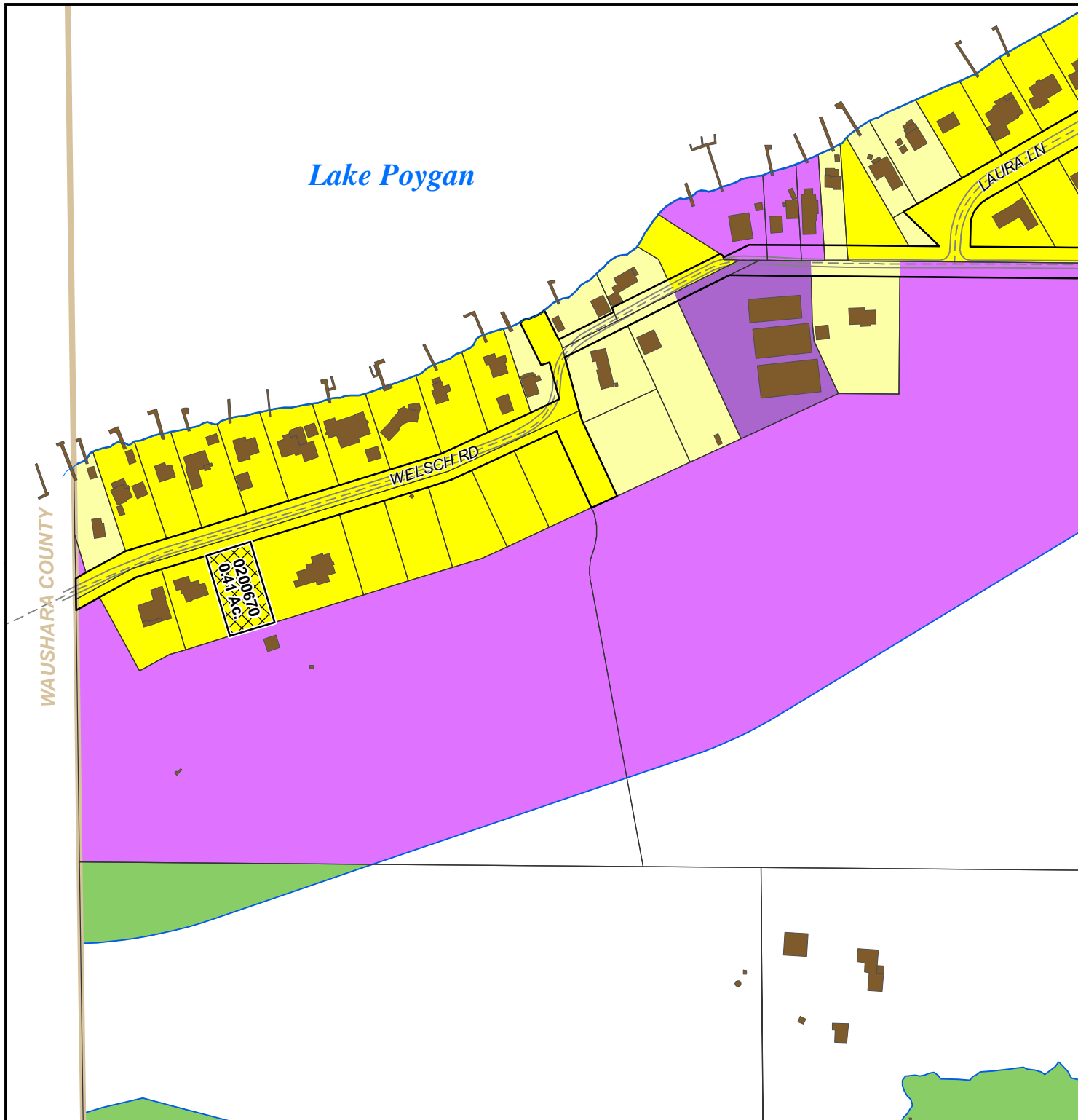
75' To Rd

North

1/4" = 1 foot







## Application #20-SE-01

Date of Hearing:

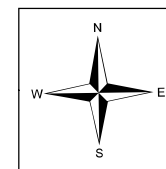
May 22, 2020

Owner(s):

Del Marcelle, Steven J /  
Wang, Jennifer L

Subject Parcel(s):

0200670



Winnebago County  
WINGS Project

Scale

1 inch : 300 feet

## County Zoning Districts

R-1	PDD	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-8	I-2	Town Zoning

City of Oshkosh Extraterritorial  
Zoning Jurisdiction

Incorporated Area

○ = SITE



1 inch : 2,000 feet

## Application #20-SE-01

Date of Hearing:

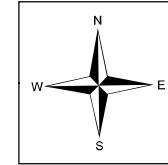
May 22, 2020

Owner(s):

Del Marcelle, Steven J / Wang, Jennifer L

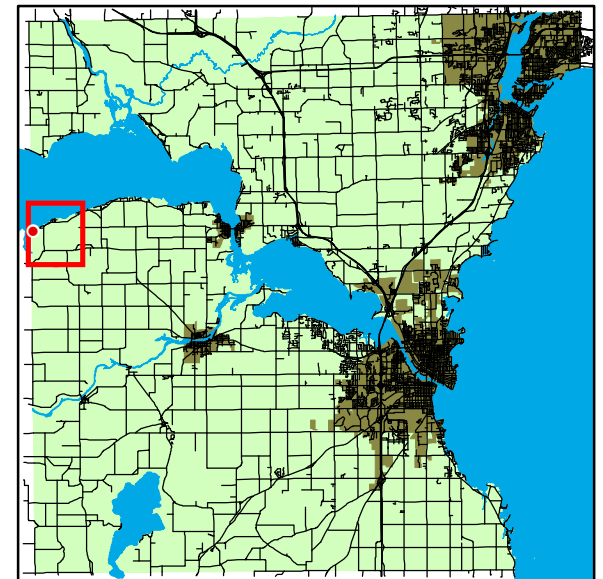
Subject Parcel(s):

0200670



Winnebago County  
WINGS Project

● = SITE



WINNEBAGO COUNTY



## Winnebago County

Zoning Department

*The Wave of the Future*

### MEMO FOR P & Z PLANNING MEETING AGENDA OF June 5, 2020

TO: Planning & Zoning Committee

FM: Zoning Administrator

#### 1) Vulcan Lands Inc Extraction Permit – Vulcan Quarry

The Vulcan Quarry is located within Winnebago County's zoning jurisdiction and has an approved reclamation plan on file. The original conditional use permit (extraction permit) was issued December 28, 1999. An extraction permit has to be approved by the Planning and Zoning Committee for the Vulcan Quarry. Extraction permits are valid for a period of six years and renewable for a period of six years. The Vulcan Lands Inc Extraction Permit was last renewed June 30, 2014.

#### RECOMMENDATION: Renewal with the following conditions:

1. All setback requirements of Section 23.8-419 (g) of the Winnebago County Town/County Zoning Code shall be met.
2. Annual inspections of the extraction site shall be conducted by the Winnebago County Zoning Office to ensure compliance with Section 23.8-419 of the Winnebago County Town/County Zoning Code. Said inspections shall be coordinated with operator during reasonable hours.
3. Hours of operation are limited to 6:00 a.m. to 6:00 p.m. Monday through Saturday. Hours shall not extend beyond 2:00 p.m. on Saturday where any residence or commercial establishment open to the public is located within 500 feet of the exterior boundary of the site.
4. Hours of operation may be modified by the Planning and Zoning Committee and must be approved by the Town. There is no public hearing required for modification of hours but requests must be scheduled for review at the Planning and Zoning Committee's regularly scheduled deliberative meeting.

Permit No. 08-EX-001



WINNEBAGO COUNTY  
Zoning Department

Phone 920-232-3344  
Fax 920-303-3035

**WINNEBAGO COUNTY, WISCONSIN  
EXTRACTION PERMIT**

zoningdepartment@co.winnebago.wi.us

***RENEWED & AMENDED June 30, 2014***

**TOWN:** Nekimi

**TAX PARCEL NOS:** 012-0223-01-01, 012-0223-01, 012-0226, 012-0224, 012-0225-02, 012-0225-01, 012-0225-01-01

**PROPERTY ADDRESS:** SE intersection of Fisk Ave., County Rd N and Old Knapp Rd

**PROPERTY OWNER:** P & Q Oshkosh, LLCC **APPLICANT:** Michels Materials  
1509 N Prospect Ave Bob Bingen  
Milwaukee, WI 53202 P.O. Box 128  
Brownsville, WI 53006

**LEGAL:** Part of the NW1/4, Section 14, Township 17 North, Range 16 East, Town of Nekimi, Winnebago County, Wisconsin.

**PERMITTED USE:** Extraction

**CONDITIONS:**

Town:

1. None per original permit.

County:

1. Street yard setback for berm construction may be reduced to 75-ft in accordance with Planning and Zoning Committee approval June 30, 2014.

Permit GRANTED WITH CONDITIONS pursuant to Planning Meeting held by the Winnebago County Planning and Zoning Committee on, June 30, 2014.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
Zoning Officer

**IMPORTANT:** The Extraction Permit granted shall expire **six years** from the date of approval unless renewed for a term of six years.

CC: Applicant/ Town Clerk/ Town Bdg Insp