

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

zoningdepartment@co.winnebago.wi.us

MEMO FOR P & Z PLANNING MEETING AGENDA OF MARCH 8, 2019

TO: Planning & Zoning Committee

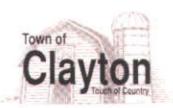
FM: Zoning Administrator

RE: Review of Town of Clayton Zoning Ordinance Amendments

1. Review of Zoning Ordinance Amendments – Town of Clayton

The zoning office received a copy of the Town of Clayton's adopted zoning ordinance amendments. The amendments were in response to the 2017 Wisconsin Act 67 regarding conditional uses. The adopted zoning ordinance amendments for the Town of Clayton must be approved by the County Board. There does not appear to be any conflicts with county zoning jurisdiction or regulatory authority.

RECOMMENDATION: Forward adopted zoning ordinance amendments to County Board for action.



Thursday, October 18th, 2018

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:

Town Board changes to the Town's Zoning Code of Ordinances, Chapter 9 – Town of Clayton Zoning Ordinances, Article 7 – Specific Review Procedures, Division 4 – Conditional Use to bring the Code's Conditional Use function of the Zoning Code into compliance with 2017 Wisconsin Act 67.

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

ATTACHEMENT A TO ORDINANCE 2018-006

ARTICLE 7 SPECIFIC REVIEW PROCEDURES AND REQUIREMENTS

Divisions

1.	Code amendment (text and zoning map)	8. Reserved
2.	Planned development overlay district	9. Variance
3.	Reserved	10. Administrative appeal
4.	Conditional use	11. Zoning permit
5.	Special use permit for specified livestock	12. Reserved
	operations	13. Site plan
6.	Determination of unsafe conditions	14. Rural accessory building determination
7.	Termination of approval	15. Code interpretation

DIVISION 4 CONDITIONAL USE

Sections

9.07-51	Generally	9.07-58	Staff report content
9.07-52	Initiation	9.07-59	Content of decision notice
9.07-53	Application and review procedure	9.07-60	Effect of approval
9.07-54	Basis of decision	9.07-61	Amendment of an approved conditional use
9.07-55	Special requirements for certain land uses in a	9.07-62	Violation of a condition of approval
	A-1 district	9.07-63	Appeal
9.07-56	Imposition of conditions		e .
9.07-57	Application form and content		

9.07-51 Generally

Although each zoning district is primarily intended for a predominant type of land use, there are a number of uses that may be appropriate under certain conditions. These are referred to as "conditional uses" and are listed in division 3 of article 8. This division describes the requirements and procedures for reviewing a conditional use, including an amendment of an approved conditional use. In this sub-section, the following terms apply:

"Conditional Use" means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by the town but does not include a variance.

"Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

9.07-52 Initiation

The owner of the subject property may submit an application for the establishment of a conditional use.

9.07-53 Application and review procedure

The general steps outlined below shall be used in the review of an application for a conditional use.

(1) **Pre-submittal meeting.** Before submitting an application, the applicant or the applicant's agent shall meet with the zoning administrator to review (1) applicable regulations and procedures, (2) applicable sections of the Town's comprehensive plan, and (3) the proposal. The zoning administrator may waive the requirement to hold a pre-submittal meeting when he or she determines such meeting is not necessary.

Submittal of application materials. The applicant shall submit a completed application and other required materials to the zoning administrator along with the application fee as may be established by the Town Board of Supervisors.

Amended June 19, 2013

- (3) Staff review. Within 10 days of submittal, the zoning administrator shall either schedule a date for the public hearing with the Plan Commission allowing for proper public notice or make a determination that the application is incomplete and notify the applicant of any deficiencies. If the application is incomplete, the applicant has 3 months after the date of such determination to resubmit the application or forfeit the application fee. The zoning administrator shall take no further steps to process the application until the deficiencies are remedied. The incomplete application shall be retained as a public record.
- (4) General notice. Consistent with division 2 of article 6, the zoning administrator shall provide for a class 2 public notice, an on-site sign, property owner notice, agency notice, and meeting agenda notice.
- (5) Staff report preparation and distribution. The zoning administrator shall prepare a written staff report as described in this division and provide a copy of it to each member of the Plan Commission, the Town Board of Supervisors, and the applicant. The zoning administrator shall also provide a copy to interested people upon request.
- Public hearing. Allowing for proper notice, the Plan Commission shall conduct a public hearing consistent with division 3 of article 6. Prior to the close of the public hearing, the applicant or the Plan Commission may request a continuance consistent with division 3 of article 6.
- (7) Plan Commission recommendation. The Plan Commission shall make a written recommendation to the Town Board of Supervisors to approve or deny the proposed conditional use.
- Town Board of Supervisors action. After reviewing the Plan Commission's recommendation, the Town Board of Supervisors shall make a decision based on the decision criteria contained in this division to (1) approve the conditional use, (2) approve the conditional use with conditions, or (3) deny the conditional use.
 - If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the ordinance or those imposed by the Town Board, the Town shall grant the conditional use permit. Any condition imposed must be related to the purpose of this ordinance and be based on substantial evidence.
- (9) Notification of decision. Within a reasonable time following the Town Board of Supervisor's decision, the zoning administrator shall mail the decision notice to the applicant by regular mail.
- (10) Acceptance by property owner required. If an approval includes one or more condition of approval, the property owner shall sign the decision notice to acknowledge the imposition of such condition or conditions and return the same to the zoning administrator. Failure to sign and return the decision notice within 45 days of the Town Board of Supervisor's decision shall void the approval. The decision notice shall become effective upon the property owner's signature.
- (11) Public record copy. A duplicate copy of the decision notice shall be retained as a public record.

9.07-54 Basis of decision

The Plan Commission and the Town Board of Supervisors, in making its decision, shall consider the following factors:

- the size of the parcel on which the proposed use will occur;
- the presence of and compatibility with other uses on the subject property;
- (3) the location of the proposed use on the subject property (e.g., proximity of the proposed use to other existing or potential land uses);
- (4) effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site:
- (5) the suitability of the subject property for the proposed use;

- (6) effects of the proposed use on the natural environment;
- (7) effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances;
- (8) effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district and adjoining districts; and
- (9) any other factor that relates to the purposes of this chapter as set forth in s. 9.01-5 and other sections as may apply that can be supported by substantial evidence.

The requirements and conditions described must be reasonable and, to the extent practical, measurable and may include conditions such as the permit's duration, transfer or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the Town relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The Town's decision to approve or deny the permit must be supported by substantial evidence.

In the event the conditional use being proposed is an adult-oriented establishment, the above-named decision-making bodies shall not consider the nature of expressive conduct protected by the U.S. Constitution with regard to any of the above-mentioned criteria.

9.07-55 Special requirements for certain land uses in a A-1 district

- (a) Agriculture-related uses. Subject to the general requirements under this division, the Town Board of Supervisors may approve agriculture-related uses in a A-1 district as a conditional use only if all of the following apply:
 - (1) 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.
 - (2) The use and its location in the A-1 zoning district are consistent with the purposes of the A-1 zoning district.
 - (3) 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.
 - (4) The use is reasonably designed to minimize conversion of land, at and around the use site, from agricultural use or open space use.
 - (5) The use does not substantially impair or limit the current or future agricultural use of other protected farmland.
 - (6) Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.
- (b) **Nonmetallic mine**. Subject to the general requirements under this division, the Town Board of Supervisors may approve a nonmetallic mine in the A-1 district as a conditional use only if all of the following apply:
 - (1) The operation complies with (1) subchapter I of ch. 295, Wis. Stats., and administrative rules promulgated under that subchapter; (2) applicable provisions of chapter 20 of the general code; and (3) any applicable requirements of the Wisconsin Department of Transportation concerning the restoration of nonmetallic mineral extraction sites.
 - (2) The use and the location of such use in the A-1 zoning district are consistent with the purposes of the A-1 zoning district.
 - (3) The use and the location of such use in the A-1 zoning district are reasonable and appropriate, considering alternative locations outside the A-1 zoning district, or are specifically approved under state or federal law.
 - (4) The use is reasonably designed to minimize the conversion of land around the extraction site from agricultural use or open space use.

- (5) The use does not substantially impair or limit the current or future agricultural use of other protected farmland.
- (6) Following cessation of this use, all disturbed areas will be restored to a condition suitable for agricultural use consistent with a written restoration plan as approved under chapter 20 of the Winnebago County General Code.
- (c) **Government and nonprofit community uses**. Subject to the general requirements under this division, the Town Board of Supervisors may approve government and nonprofit community uses in the A-1 district as a conditional use only if all of the following apply:
 - (1) The use and the location of such use in the A-1 zoning district are consistent with the purposes of the A-1 zoning district.
 - (2) The use and the location of such use in the A-1 zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.
 - (3) The use is reasonably designed to minimize the conversion of land, at and around the site of the use, from agricultural use or open space use.
 - (4) The use does not substantially impair or limit the current or future agricultural use of other protected farmland.
 - (5) Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.
- (d) **Specified infrastructure.** Subject to the general requirements under this division, the Town Board of Supervisors may approve certain types of compatible infrastructure in the A-1 district as a conditional use only if all of the following apply:
 - (1) The use and the location of such use in the A-1 zoning district are consistent with the purposes of the A-1 zoning district.
 - (2) The use and the location of such use in the A-1 zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.
 - (3) The use is reasonably designed to minimize the conversion of land, at and around the site of the use, from agricultural use or open space use.
 - (4) The use does not substantially impair or limit the current or future agricultural use of other protected farmland.
 - (5) Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

A wind energy system that complies with the siting requirements in s. 9.08-375 is presumed to comply with this subsection.

9.07-56 Imposition of conditions

(a) Generally. The Town Board of Supervisors may impose one or more conditions of approval as may be necessary to grant approval. Such conditions and restrictions may relate to the establishment, location, construction, maintenance, operation of the use, off-site impacts, and any other aspect of the use that impacts the public health, safety, or general welfare. Conditions which are imposed shall be achievable. The requirements and conditions described, must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer or renewal. The applicant and all requirements and conditions established by the Town relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The Town's decision to approve or deny the permit must be supported by substantial evidence. Furthermore, if an applicant for a conditional use permit agrees to meet all of the requirements and conditions specified by the Town Board, the Town shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and based on substantial evidence.

- (b) Limitation on imposing conditions. A condition of approval shall not lessen a development standard or other requirement contained in this chapter.
- (c) **Effect on contracts with another party.** The Town Board of Supervisors shall not condition or withhold approval based upon the property owner entering into a contract or discontinuing, modifying, extending, or renewing any contract with a third party under which the third party is engaging in a lawful use of the property.
- (d) **Special condition for business as property owner**. As a condition of approval of a conditional use, the property owner if it is a business entity, such as a limited liability company or a corporation, shall for the life of the conditional use continuously maintain a registered office in the state of Wisconsin as evidenced by registration with the Wisconsin Department of Financial Institutions.

9.07-57 Application form and content

The application submittal shall include an application form as may be used by the county and a project map prepared at an appropriate scale depicting the information listed in appendix A. In addition, the applicant shall also provide a building, site plan, and plan of operation along with the application materials.

9.07-58 Staff report content

The staff report shall contain the following:

- (1) a summary of the comments received from the interdepartmental/agency review;
- (2) preliminary findings based upon the decision criteria listed in this division;
- (3) a recommendation to approve the application, approve the application with conditions, or deny the application;
- a preliminary list of conditions regardless of whether the staff recommendation is for approval or denial;
 and
- (5) other information deemed necessary by the staff.

9.07-59 Content of decision notice

- (a) Approval. If an application for a conditional use is approved, the decision notice shall include the following:
 - (1) a statement that the application is approved;
 - (2) a description of the conditional use;
 - (3) a description of where the conditional use will occur on the property;
 - (4) findings based upon the decision criteria listed in this division;
 - (5) a list of conditions of approval imposed by the Town (which may include a date by which time the conditional use must be established) that must be satisfied prior to the establishment of the conditional use or complied with during the life of the conditional use, or both;
 - (6) if one or more conditions of approval are imposed, a statement indicating that the property owner must sign the decision notice and return it to the zoning administrator within 45 days of such decision to acknowledge acceptance of the same;
 - (7) a statement that the applicant may appeal the decision to a court of competent jurisdiction;
 - (8) a statement that 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;
 - (9) other information the Town Board of Supervisors or zoning administrator deems appropriate;
 - (10) the signature of the zoning administrator on behalf of the Town Board of Supervisors; and
 - (11) the date of the decision.

- (b) Denial. If an application for a conditional use is denied, the decision notice shall include the following:
 - (1) a statement that the application is denied,
 - (2) a description of the project, including acreage and proposed use characteristics,
 - (3) findings based upon the decision criteria listed in this division,
 - (4) a statement indicating that the denial does not limit the applicant's ability to resubmit a revised application for consideration,
 - (5) a statement that the decision may be appealed as provided for in this division,
 - (6) other information the Town Board of Supervisors or zoning administrator deems appropriate,
 - (7) the signature of the zoning administrator on behalf of the Town Board of Supervisors, and
 - (8) the date of the decision.

9.07-60 Effect of approval

The approval of a conditional use shall run with the land and be binding on all subsequent property owners.

9.07-61 Amendment of an approved conditional use

Following approval of a conditional use, the Plan Commission shall review all proposed changes to the approval. If in the opinion of the Plan Commission, the proposed change constitutes a minor alteration, the Plan Commission may approve the requested change in writing at a regular or special meeting of the Plan Commission without following the application and review procedure in this division. If the proposed change constitutes a major alteration, the application and review procedure in effect at the time of submittal shall be followed.

9.07-62 Violation of a condition of approval

If a property owner does not comply with one or more condition of approval, such action shall be deemed a violation of this chapter and cause for termination of the approval consistent with division 7 of this article.

9.07-63 Appeal

- (a) Appeal relating to procedural requirements. An aggrieved person who claims the required procedural requirements were not followed, in whole or in part, may file a written appeal with the Zoning Board of Appeals prior to issuance of a final decision or within 30 days of issuance of a final decision. If an appeal is filed with the Zoning Board of Appeals prior to issuance of a final decision, the zoning administrator at his or her discretion may suspend the review process until such time as the deficiency is remedied. The Zoning Board of Appeals shall only consider the procedural requirements and may not alter the decision of the Town Board of Supervisors. If the Zoning Board of Appeals determines that a procedure, in whole or in part, was not followed as required, the review process shall not progress until such time as the deficiency has been remedied or the decision shall be stayed until such time as the deficiency and subsequent steps have been completed. An aggrieved person may appeal the final decision of the Zoning Board of Appeals to a court of competent jurisdiction within 30 days of the Zoning Board of Appeal's decision.
- (b) Appeal relating to the Zoning Board of Appeal's decision or relating to the substantive decision. An aggrieved person may appeal the final decision of the Zoning Board of Appeals to a court of competent jurisdiction within 30 days of the final decision.

9.07-64 to 9.07-70 Reserved

TOWN OF CLAYTON

ORDINANCE 2018-006 ORDINANCE TO AMEND THE OFFICIAL TEXT OF CLAYTON ZONING ORDINANCES

- WHEREAS, one or more applications for amendments to the Text 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 Text of the Town's Zoning Code of Ordinances:
- Section 1: The Official Text of Town of Clayton Zoning Code of Ordinances is amended as follows identified on ATTACHEMENT A of this Ordinance:
- 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 17th day of October, 2018

Vote: Yes:

No: D

A heent

Russell D. Geise, Chair

Richard Johnston, Town Administrator

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

zoningdepartment@co.winnebago.wi.us



MEMO FOR P & Z MEETING AGENDA OF MARCH 8, 2019

TO: Planning & Zoning Committee

FM: Zoning Administrator CALL

RE: Review of Town Zoning Changes

1. Wollerman - Town Zoning Change (Tax ID No: 026-0159-01) - Town of Vinland.

The town zoning change for Wollerman is consistent with Winnebago County's Land Use Plan. The Town of Vinland approved the zoning change from P-1 (Institutional and Recreational Park District) to R-1 (Rural Residential District) and Winnebago County's land use plan shows future land use as Community Facilities, Park and Recreational

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

2. Garvens Inc - Town Zoning Change (Tax ID No: 026-0239-03) - Town of Vinland.

The town zoning change for Garvens Inc is consistent with Winnebago County's Land Use Plan. The Town of Vinland approved the zoning change from B-3 & B-2 (Highway Park Business District) to B-1 (General Business District) and Winnebago County's land use plan shows future land use as Non-residential.

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

3. Doehling - Town Zoning Change (Tax ID No: 028-0839 (Pt)) - Town of Winchester.

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

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

4. Elmer - Town Zoning Change (Tax ID No: 028-0976, 028-0977 & 028-0723-08) - Town of Winchester.

The town zoning change for Elmer is consistent with Winnebago County's Land Use Plan. The Town of Winchester approved the zoning change from R-2 (Suburban Residential District) to A-2 (General Agricultural District) and Winnebago County's land use plan shows future land use as Trans-residential.

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



TOWN OF VINLAND 6085 COUNTY ROAD T OSHKOSH, WI. 54904

PHONE: (920) 235-6953 ** FAX: (920) 235-6994



ZONING SUBMITTAL FORM

Name of Property Owner: JIM & CHRIS WOLLERMAN

Address of Owner: 4549 COUNTY RD G, OSHKOSH, WI. 54904

Name of Applicant: JIM & CHRIS WOLLERMAN

Address of Applicant: 4531 COUNTY RD G

Legal Description of Area to be Rezoned: 0.750ACRES

Tax Parcel Number (if Existing Parcel): 026-0159-01.

Section 7

Town 19 N.

Range 16E.

Existing Zoning: P-1 Name of District: INSTITUTIONAL AND RECREATIONAL PARK DISTRICT.

Proposed Zoning: R-1 Name of District: R-1 RURAL RESIDENTIAL.

Town Board Action:

Approved: XX

Denied:

Findings:

- 1. Does the Town have an adopted land use plan? Yes
- 2. Does the request agree with the plan?

3. Other findings (List). Approved by Town Board vote 3-0

I, Marilyn Fahrenkrug, Clerk of the Town of Vinland, hereby certify that a public hearing was conducted on NOVEMBER 12, 2018 and that all required notices were posted and/or mailed as required by local ordinance.

: Marilyn Fahrenkrug Dated: 12-19-18

TOWN OF VINLAND 6085 COUNTY ROAD T OSHKOSH, WI. 54904

PHONE: (920) 235-6953 ** FAX: (920) 235-6994

NOTICE OF PUBLIC HEARING

The Town of Vinland, Winnebago County, WI. Plan Commission & Town Board will hold the following Public Hearings at the Vinland Town Hall.

<u>DATES/TIMES:</u> NOVEMBER 5, 2018 @ 6:30 PM.--PLAN COMMISSION NOVEMBER 12, 2018 @ 6:45 PM.-- TOWN BOARD

SUBJECT: ZONING CHANGE APPLICATION

<u>DESCRIPTION OF SUBJECT SITE:</u> .750 ACRES PARCEL ZONED P-1 INSTITUTIONAL AND RECREATIONAL DISTRICT.

PROPERTY OWNER: JAMES WOLLERMAN, 4531 COUNTY RD G, OSHKOSH, WI. 54904

APPLICANT: JAMES WOLLERMAN, SAME ADDRESS AS ABOVE

EXISTING ZONING: P-1 INSTITUTIONAL AND RECREATIONAL DISTRICT.

PROPOSED ZONING: R-1 RURAL RESIDENTIAL DISTRICT.

LOCATION OF PREMISES AFFECTED: 4549 COUNTY RD G OSHKOSH WI.

<u>LEGAL DESCRIPTION:</u> SECTION 7, T.19N.-R.16E., TOWN OF VINLAND, WINNEBAGO, WI.

TAX PARCEL NO: 026-0159-01

EXPLANATION: CHANGE ZONING FROM P-1 INSTITUTIONAL AND RECREATIONAL DISTRICT TO R-1 RURAL RESIDENTIAL DISTRICT

ORDINANCE & SECTION AFFECTED: CHAPTER 410, TOWN OF VINLAND ZONING CODE, ARTICLE III, ZONING DISTRICTS, SECTIONS: 410-19, & 410-28

All interested persons wishing to be heard are invited to be present. Tom Spierowski, Zoning Administrator, Town of Vinland.

Town of Vinland General Application Form

APPLICATION TYPE:	VARIANCE CONDITION	Γ (\$50.00)	(\$300.00) (\$40.00)
SITE PLAN IS REQUIRED			
PLEASE PRINT OR TYPE:			
PROPERTY OWNER:	\$ CHAIS	Well	SEMAN
MAILING ADDRESS: 45	31 CTZ	RD. G	7
CITY: OSHKOSH	STATE:W	ZIP CODE	54904
PHONE: 836-249	O_FAX:		DATE: 9/10/20
SIGNATURE:	. C. W	blein	
APPLICANT'S NAME: APPLICANT'S NAME:	IES C	Douce	ense
MAILING ADDRESS:	¥ 1 11 11 11 11 11 11	-	h
CITY:	STATE:	ZIP CODE	
PHONE:	FAX:		DATE:
SIGNATURE:	C. while	lean	
ADDRESS OF AFFECTED PRO			Pol G
TAX KEY/PARCEL NO. 2	6-0159- NGE: 16E	TOWN	19 N
1. ZONING: EXISTING P-/	OVERLAY	PROI	POSED R-/
2. SEWER: EXISTING:X_	NEWC	COUNTY PERMIT	C#
3. EXISTING USE OF PROPER	TY: GRANG	15 HAL	
-			

Town of Vinland General Application Form

ROPOSED USE OF THE PROPERTY:	PRIVATE USE

5. ATTACH A COPY OF A DETAILED LEGAL DESCRIPTION OF THE PROPERTY.

PLEASE MAKE ALL CHECKS PAYABLE TO THE TOWN OF VINLAND

PLEASE SEND THE REQUIRED INFORMATION TO:

TOM SPIEROWSKI 6085 County Rd. T Oshkosh, WI 54904

IF YOU HAVE ANY QUESTIONS, PLEASE CALL TOM AT: 920-428-3361

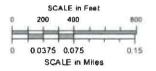
<u>REMEMBER!</u> ALL APPLICATIONS MUST BE RECEIVED A MINIMUM OF TWENTY-ONE (21) DAYS PRIOR TO MONTHLY TOWN BOARD MEETINGS WHICH ARE HELD THE SECOND MONDAY OF EACH MONTH.

Site Map





October 17, 2018



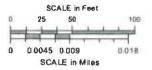
WILN G.S. Project Disclaimer
This data was created for use by the
Wannebago County Geographic Information
System project. Any other use/application of
this information is the responsibility of the user
and such use/application is at their own fisk
Wennebago County disclaims at liability
regarding fitness of the Information for any use
other than Winnebago County business. "Data
for this map copysighted December 31, 2005"

Site Map





October 17, 2018



W.I.N.G.S. Project Disclaimer
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and such usefapplication is at their own set.
Winnebago County disclaims as I liability
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Town Board Meeting Minutes

The Vinland Town Board met in the Vinland Town Hall 6085 County Road T Oshkosh, WI 54904 on Monday November 12, 2018 @ 7:00 PM. Present were Chair Chuck Farrey, Supervisor Todd Devens, Supervisor Ray Batley, Clerk Marilyn Fahrenkrug, Treasurer Karen Brazee, Zoning Administrator Tom Spierowski and 9 other people.

Farrey called the meeting to order and asked those present to stand and participate in the Pledge of Allegiance.

First Responder minutes of September 11, 2018.

Fire Department minutes of September 4, 2018. No comments on either document.

Approval of Minutes:

- 1. Town Board Meeting minutes of September 25, 2018. Motion to approve the minutes made by Batley/second/Devens/carried.
- 2. Town Board Workshop Meeting minutes of October 3, 2018. Motion to approve the minutes made by Batlev/second/Devens/carried.
- 3. Town Board Meeting minutes of October 8, 2018. Motion to approve the minutes made by Batley/second/Devens/carried.
- 4. Town Board Workshop Meeting minutes of October 10, 2018. Motion to approve the minutes made by Batley/second/Devens/carried.
- 5. Town Board Workshop Meeting minutes of October 17, 2018. Motion to approve the minutes made by Devens/second/Batley/carried.
- 6. Town Board Meeting minutes of October 19, 2018. Motion to approve the minutes made by Devens/second/Batley/carried.

Financial report for October 2018:

- Treasurers report on all accounts held by the Town. \$258,173.27 of that amount \$122,275.48 is Reserve and \$3,764.37 outstanding checks. Motion to approve the treasurer report made by Batley/second/Devens/carried.
- 2. Reconciliation between the Clerk and Treasurer. Motion to approve reconciliation made by Batley/second/Devens/carried.
- Authorization to pay all bills submitted by the Clerk. Motion to pay bills as submitted made by Devens/second/Batley/carried.

Public input:

- Kimberly Land of Greater Oshkosh EDC updated the Board of the "Commute to Careers "grant received to subsidize fares and mileage costs to underserved residents of Winnebago County.
- Jim Wollerman mentioned that he spoke with County road workers about the "bumps" on Cty Rd G thru Allenville to the west Town line. They said they will add it to the list of repairs for the county.

Discussion/Action Items:

- Repair of entrance Pillars/Columns for Brooks cemetery. Albright has agreed to repair the columns. No estimate submitted. Devens contacted various other companies for the repair but got no responses. Motion to approve the repairs made by Devens/second/Batley/carried.
- 2. Publication in the Winneconne News. Devens made a motion to use Winneconne News for publications for 2019, and then revisit. Batley seconded the motion. Motion carried.
- 3. Hire contractor to perform snowplowing of roads that the County is unable to plow. Batley made a motion to approve hiring Radtke for the 2018/2019 plowing season. Devens seconded the motion. Motion carried.
- 4. Annexation of property on Woodenshoe Road by the City of Neenah. No action taken.
- Assessor Contract for FY 2019, to increase \$100. Batley made a motion to approve the contract/Devens seconded the motion. Motion carried.

- 6. Presentation of resolution to borrow money for air pacs to be used by the Vinland Volunteer Fire Department in the amount of \$133,590.00. The terms are 10 years at a rate of 4.50% per annum, payments made annually. Chair Farrey presented the resolution, Clerk Fahrenkrug read aloud the Form of Record document included in the packet. Farrey asked for a motion to approve the resolution, Batley seconded the motion. There was no other discussion. Motion carried with unanimous ayes.
- 7. Application for MS4 permit. Devens made a motion to take no action at this time. Batley seconded the motion. Motion carried.
- 8. Hiring of an administrative assistant. Batley made a motion to move forward with hiring an administrative assistant. Devens seconded the motion. Motion carried.
- 9. Pay for Town Hall Lawn Care. Currently \$1400 for the season asking for \$1750 for 2019 season. Motion to approve the raise made by Batley/second/Devens/carried.
- 10. Hiring of a custodian to clean the Town Hall facilities and the office area. Motion to approve hiring Karen Cowling for the position made by Devens/second/Batley/carried.

Zoning:

- Site Plan review for The Bee Hive Inn. The board would like a copy of the site plan specifically Doc. L1.0 to have the setback distances (as listed in our ordinances) presented on the document. There was some discussion about the quansit hut on the current property being relocated however, no determination made. Motion to approve the site plan was made by Devens/second/Batley/carried.
- CSM Review for Michael Pahlow Estate Robert Grundman parcel 026-0308-02. The CSM presented
 has listed on the document that LOT 6 of CSM No. 4569 is not buildable. Motion to approve the
 updated CSM was made by Devens/second/Batley/carried.
- 3. Zoning change for James Wollerman property address 4549 County Road G, Oshkosh. Zoning change request is to change from P-1 Institutional to R-1 Rural Residential. Motion to change the zoning from P-1 Institutional to R-1 Rural Residential was made by Devens/second/Batley/carried.

Town of Vinland Road Report:

- Farrey: Had Hilltop shouldered
- Batley: Had trees removed in the ROW on Cowling Bay
- Devens: Had trees on Woodenshoe cut

County Supervisor's Report.

Farrey stated the county budget passed and taxes should be lower.

Sharing of Correspondence.

- Fahrenkrug: Person looking for Crime Stoppers signs (not the Neighborhood watch signs)
- Farrey: Chair of the Board of appeals Dr. Joan Naomi Steiner has resigned;
 - Farmland Preservation Zoning extension was granted and will expire 12/31/2019
 - Letter from DSPS commending our Fire Chief on the audit of 2% dues we receive from the state.

Future Meeting Dates:

- Public Hearing/Special Electors Meeting/Town Board Meeting for 2019 Budget Wednesday November
 14, 2018 7:00 pm @ Vinland Town Hall 6085 County Rd T Oshkosh.
- WUTA meeting in Madison November 28, 2018
- Board of Appeals Meeting: Monday November 26, 2018, 6:30 pm @ Vinland Town Hall 6085 County Rd T Oshkosh. (if needed)
- Planning Commission Meeting: Monday December 3, 2018 6:30 pm @ Vinland Town Hall 6085 County Rd T Oshkosh. (If needed)
- Meeting with City of Neenah December 5, 2018 in Neenah
- Town Board Meeting: Monday December 10, 2018, 7:00 pm @ Vinland Town Hall 6085 County Rd T Oshkosh

Closed Session:

Pursuant to state statute 19.85 (1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. The Vinland town board may vote to go into closed session to discuss matters regarding the possible incorporation of the Town of Clayton. The meeting will reconvene immediately following the closed session.

Batley made a motion to go into closed session, Devens seconded the motion. Motion carried.

The Board came into open session to vote on item discussed.

 Motion to Retain Matt Parmentier of Dempsey Law for matters regarding the possible incorporation of the Town of Clayton contingent upon the Towns of Neenah, Winchester and Winneconne participating with the cost sharing of 30/30/and10 respectively (Vinland paying 30% also) was made by Devens. Batley seconded the motion. No other discussion. Motion carried.

Motion to adjourn was made at 8:34 by Batley/second/Devens/carried.

Marilyn Fahrenkrug, Clerk	
	Chuck Farrey, Chair
	Todd Devens, Supervisor
	Ray Batley, Supervisor

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

zoningdepartment@co.winnebago.wi.us



MEMO FOR P & Z MEETING AGENDA OF MARCH 8, 2019

TO: Planning & Zoning Committee

FM: Zoning Administrator CAL

RE: Review of Town Zoning Changes

1. Wollerman - Town Zoning Change (Tax ID No: 026-0159-01) - Town of Vinland.

The town zoning change for Wollerman is consistent with Winnebago County's Land Use Plan. The Town of Vinland approved the zoning change from P-1 (Institutional and Recreational Park District) to R-1 (Rural Residential District) and Winnebago County's land use plan shows future land use as Community Facilities, Park and Recreational.

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

2. Garvens Inc - Town Zoning Change (Tax ID No: 026-0239-03) - Town of Vinland.

The town zoning change for Garvens Inc is consistent with Winnebago County's Land Use Plan. The Town of Vinland approved the zoning change from B-3 & B-2 (Highway Park Business District) to B-1 (General Business District) and Winnebago County's land use plan shows future land use as Non-residential.

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

3. Doehling - Town Zoning Change (Tax ID No: 028-0839 (Pt)) - Town of Winchester.

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

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

 Elmer - Town Zoning Change (Tax ID No: 028-0976, 028-0977 & 028-0723-08) – Town of Winchester.

The town zoning change for Elmer is consistent with Winnebago County's Land Use Plan. The Town of Winchester approved the zoning change from R-2 (Suburban Residential District) to A-2 (General Agricultural District) and Winnebago County's land use plan shows future land use as Trans-residential.

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

120 021-02 1001ml - -1

(Central Business District)

TOWN OF VINLAND 6085 COUNTY ROAD T OSHKOSH, WI. 54904

OSHKOSH, W1. 54904 PHONE: (920) 235-6953 ** FAX: (920) 235-6994 DEC 1 9 2018

ZONING SUBMITTAL FORM

Name of Property Owner: GARVENS INC - WOODWARD COMMUNICATION INC
Address of Owner: <u>6897 HWY 76, NEENAH, WI. 54959</u>
Name of Applicant: <u>SAME AS ABOVE</u>
Address of Applicant: SAME AS ABOVE
Legal Description of Area to be Rezoned: 1.9307ACRES
Tax Parcel Number (if Existing Parcel): 026-0240 AND 026-0239. Section 11 Town 19 N. Range 16E.
Existing Zoning: <u>B-3 – B-2</u> Name of District: <u>HIGHWAY BUSINESS PARK DISTRICT.</u>
Proposed Zoning: <u>B-1</u> Name of District: <u>GENERAL BUSINESS DISTRICT.</u>
Town Board Action: Approved: XX Denied:
Findings: 1. Does the Town have an adopted land use plan? Yes 2. Does the request agree with the plan? Yes 3. Other findings (List). Approved by Town Board vote 3-0

I, Marilyn Fahrenkrug, Clerk of the Town of Vinland, hereby certify that a public hearing was conducted on **DECEMBER 10, 2018** and that all required notices were posted and/or mailed as required by local ordinance.

Signed: Marilyn Fahrenkrug Dated: 12-19-18
Clerk: Marilyn Fahrenkrug

Town Board Meeting Minutes December 10, 2018

On Monday December 10, 2018 @ 7:00 PM the Town Board held its monthly meeting. Present were Chair Chuck Farrey, Supervisors Todd Devens and Ray Batley, Clerk Marilyn Fahrenkrug, Zoning Administrator Tom Spierowski and 8 other people. Treasurer Karen Brazee was absent.

Chair Farrey called the meeting to order asking those present to participate in citing the Pledge of Allegiance.

Fire Department minutes of October 2, 2018.

First Responder minutes of October 9, 2018. There were no comments on either document.

Approval of Minutes:

- 1. Town Board Workshop Meeting minutes of November 7, 2018. Motion to approve the minutes was made by Devens/second/Batley/carried.
- 2. Town Board Meeting minutes of November 12, 2018. Motion to approve the minutes was made by Devens/second/Batley/carried.
- 3. Public Hearing/Special Town Meeting of the Electors/Town Board Meeting minutes of November 14, 2018. Farrey wanted the minutes to reflect a change under the County Supervisor report to state taxes are about the same. Motion to approve the minutes with the change was made by Devens/second/Batley/carried.
- 4. Town Board Workshop Meeting minutes of November 29, 2018. Motion to approve the minutes was made by Batley/second/Devens/carried.

Financial report for November 2018:

- Treasurers report on all accounts held by the Town. Clerk Fahrenkrug read the treasurers report into the record with \$122,355.85 in Reserves, \$40,853.57 in Checking and \$95,303.34 in the Money Market; for a total of \$258,512.76. Motion to approve the Treasurers report made by Devens/second/Batley/carried.
- 2. Reconciliation between the Clerk and Treasurer. Motion to approve the reconciliation made by Batley/second/Devens/carried.
- 3. Authorization to pay all bills submitted by the Clerk. Motion to pay all bills as submitted made by Devens/second/Batley/carried.

Public input:

- Deputy Duane Luker from Winnebago County Sheriff mentioned that all is well in the Town;
- Kimberly Land of GO EDC asking for the Per Capita funding.
- Nikki Hessel of Future Neenah introduced herself and also requested the Town give the Per Capita Funding to them.

Discussion/Action Items:

- 1. Budget Amendment Resolution 03-2018. Motion to approve the Budget Resolution made by Batley/second/Devens/carried.
- 2. Private road reserve money, Fire Dept. collections and 2% Dues, transfers to reserve accounts. **Motion** to approve the transfers made by Batley/second/Devens/carried.
- Operator License for Dakota D. Wilz. Motion to approve the operator license made by Devens/second/Batley/carried.
- 4. Administrative assistant: job description, wage and hiring of. Motion to approve the description made by Devens/second/Batley/carried; Motion to approve the wage of \$16/hour made by Batley/second/Devens/carried; Motion to approve hiring Jennifer Brown effective immediately made by Devens/second/ Batley/carried.
- 5. Per Capita Funding Program. Batley made a motion to contribute the \$1,958.00 of Per Capita Funding to GO EDC. They have been coming to the meetings with updates of the programs they offer. Devens seconded the motion. The motion carried.

Zoning:

 Zoning change for parcels (026-0240 and 026-0239) being combined. Presented by Scott R. Anderson of Davel Engineering. Current Zonings are respectively B2 and B3/B2. Request both parcels be zoned B-1 General Commercial District. The Planning Commission suggested the Board approve the zoning change. Devens made a motion to approve the zoning change/Batley seconded the motion. The motion carried.

Town of Vinland Road Report. Still investigating the reflective sign issue.

County Supervisor's Report. None

Sharing of Correspondence. Clerk Fahrenkrug updated the Board about an alternate voting location in the event of an emergency.

Future Meeting Dates:

- Planning Commission Meeting: Monday January 1, 2019 6:30 pm @ Vinland Town Hall 6085 County Rd T Oshkosh. (If needed)
- Town Board Meeting: Monday January 14, 2019, 7:00 pm @ Vinland Town Hall 6085 County Rd T Oshkosh

Motion to adjourn at 7:59 pm was made by Batley/second/Devens/carried.

Marilyn Fahrenkrug, Clerk

Town of Vinland General Application Form

	X ZONING CHANG VARIANCE CONDITIONAL SWIMMING POO POND PERMIT SIGN PERMIT X CSM REVIEW	(\$300.00) USE PERMIT (\$300.00) OL PERMIT (\$40.00) (\$40.00) (\$50.00)	1,5
SITE PLAN IS REQUIRED			
PLEASE PRINT OR TYPE:			
PROPERTY OWNER: 1) Garvens In	c. AND 2) Woodward	Communication Inc	
MAILING ADDRESS: 1) 6897 State 1 2) PO Box 15	Road 76, Neenah, WI 5 19, Appleton, WI 5491	54956 2	
CITY: See Above	STATE: See Above	ZIP CODE: See Ab	ove
PHONE:	_FAX:	DATE:	
SIGNATURE:			
APPLICANT'S NAME: Scott R. And	ersen PLS-3169 Davel	Engineering & Environr	nental Inc
MAILING ADDRESS: 1811 Racine	Road		
CITY: Menasha	STATE: WI	ZIP CODE: 54952	
PHONE: (920) 560-6569	FAX	DATE: _	11/9/18
SIGNATURE:	46-		
ADDRESS OF AFFECTED PROPE	RTY:		
TAX KEY/PARCEL NO. 026-0240 SECTION 11 RANG	and 026-0239	***	
Lot 1 - B2	,		Lot 1 - No Change
1. ZONING: EXISTING Lot 2 - B3 &		PROPOSED	LULZ - DI
2. SEWER: EXISTING:x	NEWCO	UNTY PERMIT#	
3. EXISTING USE OF PROPERTY	Lot 1 : Communicati		

Town of Vinland General Application Form

PROPOSED USE OF THE PROPERTY: No Change is property usage. Additional Land is being purchased from the neighboring parcel for the purpose of relocation the "Bee Hive Inn".

5. ATTACH A COPY OF A DETAILED LEGAL DESCRIPTION OF THE PROPERTY.

PLEASE MAKE ALL CHECKS PAYABLE TO THE TOWN OF VINLAND

PLEASE SEND THE REQUIRED INFORMATION TO:

TOM SPIEROWSKI 6085 County Rd. T Oshkosh, WI 54904

IF YOU HAVE ANY QUESTIONS, PLEASE CALL TOM AT: 920-428-3361

<u>REMEMBER!</u> ALL APPLICATIONS MUST BE RECEIVED A MINIMUM OF TWENTY-ONE (21) DAYS PRIOR TO MONTHLY TOWN BOARD MEETINGS WHICH ARE HELD THE SECOND MONDAY OF EACH MONTH.

TOWN OF VINLAND 6085 COUNTY ROAD T OSHKOSH, WI. 54904

PHONE: (920) 235-6953 ** FAX: (920) 235-6994

NOTICE OF PUBLIC HEARING

The Town of Vinland, Winnebago County, WI. Plan Commission & Town Board will hold the following Public Hearings at the Vinland Town Hall.

<u>DATES/TIMES:</u> DECEMBER 3, 2018 @ 6:30 PM.--PLAN COMMISSION DECEMBER 10, 2018 @ 6:45 PM.-- TOWN BOARD

<u>DESCRIPTION OF SUBJECT SITE:</u> 1.9307 ACRES PARCEL ZONED B-2 HIGHWAY BUSINESS PARK DISTRICT, B-3 GENERAL BUSINESS DISTRICT.

PROPERTY OWNER: GARVENS INC, AND WOODWARD COMMUNICATION INC

APPLICANT: SCOTT ANDERSEN, DAVEL ENGINEERING & ENVIRONMENTAL

EXISTING ZONING:

B-2 HIGHWAY BUSINESS PARK DISTRICT, B-3 GENERAL BUSINESS DISTRICT

PROPOSED ZONING: B-1 GENERAL COMMERCIAL DISTRICT.

LOCATION OF PREMISES AFFECTED: 6897 STATE RD 76 NEENAH WI 54956 WI

<u>LEGAL DESCRIPTION:</u> SECTION 11, T.19N.-R.16E., TOWN OF VINLAND, WINNEBAGO, WI.

TAX PARCEL NO: 026-0240, 026-0239

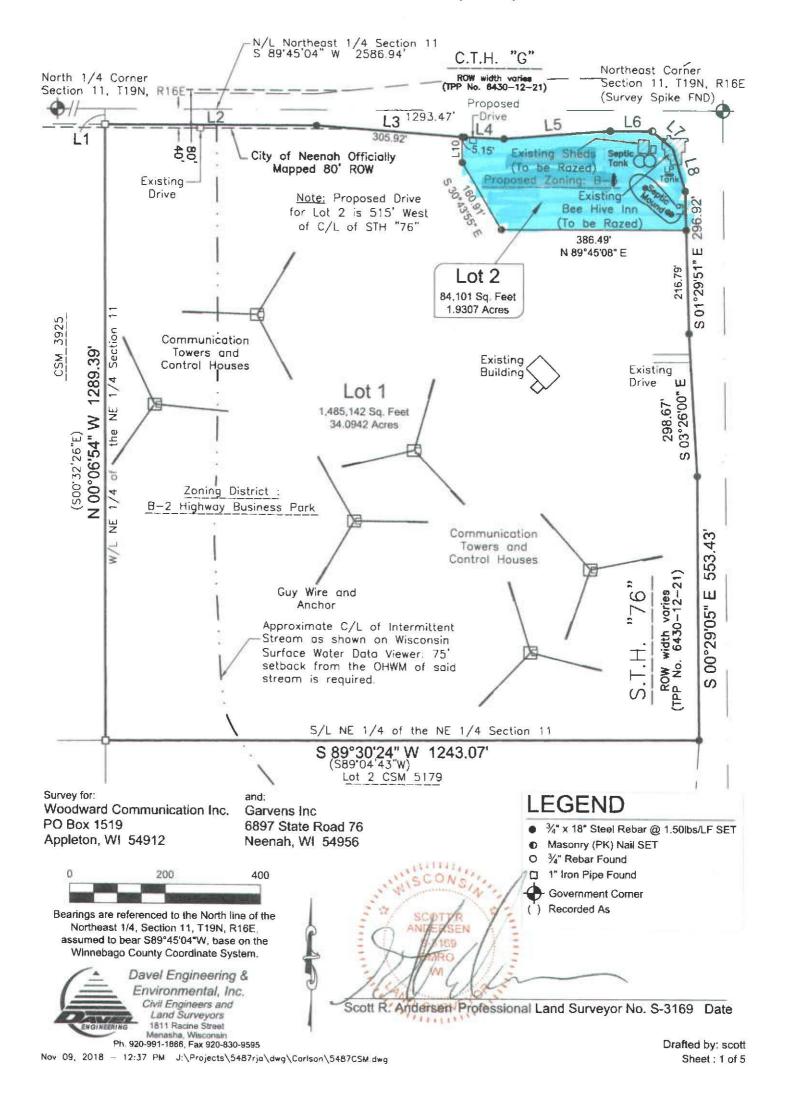
EXPLANATION: GARVENS INC IS ACQUIRING ADDITIONAL LAND FROM WOODWARD COMMUNICATION TO RELOCATE EXISTING BUSINESS

ORDINANCE & SECTION AFFECTED: CHAPTER 410, TOWN OF VINLAND ZONING CODE, ARTICLE III, ZONING DISTRICTS, SECTIONS: 410-24, & 410-25, 410-26

All interested persons wishing to be heard are invited to be present. Tom Spierowski, Zoning Administrator, Town of Vinland.

Certified Survey Map No.

Part of the Northeast 1/4 of the Northeast 1/4 of Section 11, Township 19 North, Range 16 East, Town of Vinland, Winnebago County, Wisconsin.



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

zoningdepartment@co.winnebago.wi.us



MEMO FOR P & Z MEETING AGENDA OF MARCH 8, 2019

TO: Planning & Zoning Committee

FM: Zoning Administrator CAL

RE: Review of Town Zoning Changes

1. Wollerman - Town Zoning Change (Tax ID No: 026-0159-01) - Town of Vinland.

The town zoning change for Wollerman is consistent with Winnebago County's Land Use Plan. The Town of Vinland approved the zoning change from P-1 (Institutional and Recreational Park District) to R-1 (Rural Residential District) and Winnebago County's land use plan shows future land use as Community Facilities, Park and Recreational.

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

2. Garvens Inc - Town Zoning Change (Tax ID No: 026-0239-03) - Town of Vinland.

The town zoning change for Garvens Inc is consistent with Winnebago County's Land Use Plan. The Town of Vinland approved the zoning change from B-3 & B-2 (Highway Park Business District) to B-1 (General Business District) and Winnebago County's land use plan shows future land use as Non-residential.

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3. Doehling - Town Zoning Change (Tax ID No: 028-0839 (Pt)) - Town of Winchester.

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

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

 Elmer - Town Zoning Change (Tax ID No: 028-0976, 028-0977 & 028-0723-08) – Town of Winchester.

The town zoning change for Elmer is consistent with Winnebago County's Land Use Plan. The Town of Winchester approved the zoning change from R-2 (Suburban Residential District) to A-2 (General Agricultural District) and Winnebago County's land use plan shows future land use as Trans-residential.

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

Town of Winchester

(Romal Residential District)

Ordinance 2018-04 Ordinance to Amend the Official Town of Winchester Zoning Ordinance Map

- WHEREAS, One or more applications for amendments to the Map of the Town of Winchester 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 amendment(s) have been reviewed and recommended to the Town Board by the Town's Plan Commission; and
- WHEREAS, the application(s) for amendment(s) to the Map of the Town of Winchester Zoning Code of Ordinances does comply with both the Town's existing land use and future land use elements of the CY 2016 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 17.59 of the Town of Winchester Zoning Code of Ordinances:

Section 1: The Official Zoning Map of the Town of Winchester is amended as follows:

A. Property Owner:

Steven Doehling, 8468 Lee Street, Larsen, WI 54947

Legal description of property:

The property located at 7036 County Road MM, Larsen, WI 54947 in the Town of Winchester and being specifically described as Tax ID 028-0839, Sec. 30, T20N-R15E NE SE EXC COM WL OF HWY & SL S E NE N 400 FT W 435.6 FT SWLY 400 FT E 435.6 FT TO POB & EXC D484693 D485659 & EXC PT LYG E OF WL OF HWY MM 12.60 Acres. The application is to re-zone a portion of the property from A-2 (General Agricultural District) to R-1 (Rural Residential District).

Findings of Fact:

- 1. The Town of Winchester has an adopted Land Use Plan
- 2. The Adopted 20-year Future Land Use Map in the Land Use Plan shows this parcel in Single Family Residential District.
- R-1 (Rural Residential District) zoning is consistent with the aforementioned land use districts.
- 4. Therefore, a zoning change from A-2 to R-1 is consistent with the adopted Land Use Plan.
- 5. The zoning change is compatible with adjacent land uses.

The above described property is hereby rezoned from:

A-2 (General Agricultural District) to R-1 (Rural Residential District).

<u>Section 2:</u> This Ordinance shall be submitted to the Winnebago County Board for approval. The amendment to the Town of Winchester Zoning Code of Ordinances shall be effective upon approval by the Winnebago County Board.

Adopted this 7th, day of January, 2019

Vote:

Yes: 2

No: 0

Absent: 0

Abstain: 1

Attest:

Benjamn Jour, Superviso Ben Joas, Supervisor #2

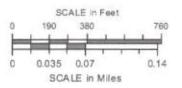
Holly Stevens, Olerk

Town of Winchester ReZoning Part of Parcel 028-0839





November 21, 2018



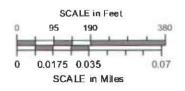
W.I.N.G.S. Project Discletimer
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Town of Winchester ReZoning Part of Parcel 028-0839





November 21, 2018



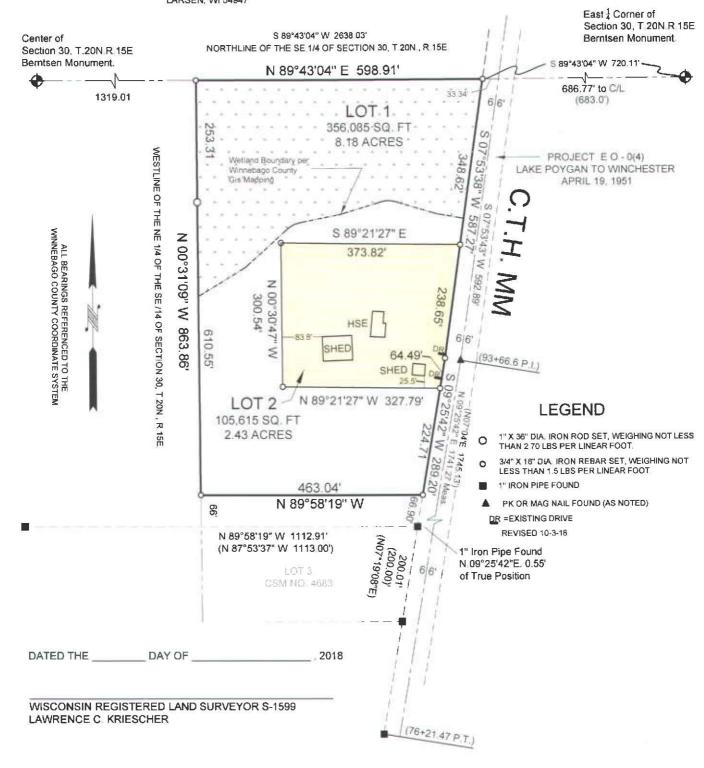
WLN.G.S. Project Dieclaimer
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WINNEBAGO COUNTY CERTIFIED SURVEY MAP NO.

A PART OF THE NE.1/4 OF THE SE.1/4 OF SECTION 30, T.20N., R.15E. TOWN OF WINCHESTER, WINNEBAGO COUNTY, WISCONSIN.

SHEET 1 OF 3

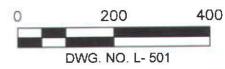
SURVEY FOR: STEVEN DOEHLING 7036 COUNTY ROAD MM LARSEN, WI 54947



L.C.KRIESCHER AND ASSOCIATES LLC 5251 GRANDVIEW ROAD LARSEN, WI 54947

920-836-3576

BOUNDARY SURVEY & LAND DESIGN PROJECT NO. 2017-11-01 FILE NO. DOEHLING DWG NOTEBOOK: 20 PAGE: 76



SHEET 2 OF 3

WINNEBAGO COUNTY CERTIFIED SURVEY MAP

A PART OF THE NE.1/4 OF THE SE.1/4 OF SECTION 30, T.20N., R.15E. TOWN OF WINCHESTER, WINNEBAGO COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I LAWRENCE C. KRIESCHER, WISCONSIN REGISTERED LAND SURVEYOR OF L.C. KRIESCHER AND ASSOCIATES LLC., CERTIFY THAT I HAVE SURVEYED, DIVIDED AND MAPPED UNDER THE DIRECTION OF STEVEN DOEHLING A PART OF THE NORTHEAST QUARTER (NE. 1/4) OF THE SOUTHEAST QUARTER (SE.1/4) OF SECTION THIRTY (30), T.20N., R.15E. TOWN OF WINCHESTER, WINNEBAGO COUNTY, WISCONSIN CONTAINING 10.61 ACRES (461702 SQUARE FEET) OF LAND AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 30; THENCE S 89°43'04"W. 720.11 FEET ALONG THE NORTHLINE OF THE SE 1/4 OF SAID SECTION 30 TO A POINT ON THE WESTLY LINE OF COUNTY ROAD MM AND THE POINT OF BEGINNING; THENCE S 07°54'38"W. 587 27 FEET ALONG THE WESTERLY LINE OF COUNTY ROAD MM; THENCE S 09°25'42"W. 289.20 FEET ALONG SAID LINE; THENCE N 89°58'19"W. 463.04 FEET TO A POINT ON THE EAST LINE OF THE NE.1/4 OF THE SE 1/4 OF SAID SECTION 30; THENCE N 00°31'09"W. 863.86 FEET ALONG SAID LINE TO A POINT ON THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 30; THENCE N 89°43'04"E. 598.91 FEET ALONG SAID LINE TO THE POINT OF BEGINNING AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

COMPLIED WITH THE PROVIS OF WINNEBAGO COUNTY AN	D THE TOWN OF WINCHES	STER IN SURVEYING AND M.		ISION ORDINANCE
DATED THISDA	7 OF	, 2018		
WISCONSIN REGISTERED LA LAWRENCE C. KRIESCHER	ND SURVEYOR S-1599	_		
TOWN BOARD APPROV THIS CERTIFIED SURVEY MA WINNEBAGO COUNTY, WISCO	HAS BEEN REVIEWED AN	ND APPROVED BY THE TOW	IN BOARD OF THE TOWN OF	WINCHESTER,
DATED	TOWN BOAR	D REPRESENTATIVE		
CERTIFICATE OF TOW I, BEING DULY ELECTED, QU IN ACCORDANCE WITH THE	AILIFIED AND ACTING TOV RECORDS IN MY OFFICE S	SHOW NO UNPAID TAXES S		
DATED	TOWN	TREASURER	-	

OWNER OF RECORD IS STEVEN S. DOEHLING THIS C.S.M. IS CONTAINED WHOLLY WITHIN THE PROPERTY DESCRIBED IN DOCUMENT 1485688 THIS C.S.M. IS CONTAINED IN ALL OF TAX PARCEL NO.028-0839 SHEET 3 OF 3

WINNEBAGO COUNTY CERTIFIED SURVEY MAP

A PART OF THE NE.1/4 OF THE SE.1/4 OF SECTION 30, T.20N., R.15E. TOWN OF WINCHESTER, WINNEBAGO COUNTY, WISCONSIN.

TEVEN S. DOEHLING	DATE				
STATE OF WISCONSIN)					
WINNEBAGO COUNTY) ERSONALLY CAME BEFOR NOWN TO ME TO BE THE	E ME THIS _	DAY OF	C INCTOLINGNET AND	2018 THE ABOVE NA	MED OWNER
NOWN TO ME TO BE THE	PERSON WHO EXEC	UTED THE FOREGOIN	G INSTRUMENT AND	ACKNOVVLEDGE THE S	MVIC
	NOTARY PUBL	IC	WISCONSIN		
WINNERAGO COUNTY	/ PI ANNING AND	ZONING COMMIT	TEE:		
WINNEBAGO COUNTY A PART OF THE NE.1/4 OF WISCONSIN, IS HEREBY AF	THE SE 1/4 OF SECT			TER, WINNEBAGO COUN	NTY,
A PART OF THE NE.1/4 OF	THE SE 1/4 OF SECT		TOWN OF WINCHES	TER, WINNEBAGO COUN	NTY,
A PART OF THE NE.1/4 OF WISCONSIN, IS HEREBY AF	THE SE 1/4 OF SECT	TION 30, T.20N., R.15E.	TOWN OF WINCHES	TER, WINNEBAGO COUN	NTY,
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Town of Winchester

8522 Park Way, Larsen, WI 54947 920.836.2948



December 17, 2018

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.

Dear Mr. Rowe,

Enclosed please find the material relative to the following amendment(s) to the Zoning Code of Ordinances, Zoning Map in the Town of Winchester:

Re-zoning submitted by Steven Doehling, 8468 Lee Street, Larsen, WI 54947 for the property located at 7036 County Road MM, Larsen, WI 54947 in the Town of Winchester and being specifically described as Tax ID 028-0839, Sec. 30, T20N-R15E NE SE EXC COM WL OF HWY & SL S E NE N 400 FT W 435.6 FT SWLY 400 FT E 435.6 FT TO POB & EXC D484693 D485659 & EXC PT LYG E OF WL OF HWY MM 12.60 Acres, Town of Winchester, County of Winnebago, State of Wisconsin. The application is to re-zone the property from A-2 (General Agricultural District) to R-1 (Rural Residential District).

Should you have any questions relative to this request, please feel free to call or email me.

Sincerely,

Holly Stevens Town of Winchester Clerk

CC County Clerk, Sue Ertmer

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

zoningdepartment@co.winnebago.wi.us



MEMO FOR P & Z MEETING AGENDA OF MARCH 8, 2019

TO: Planning & Zoning Committee

FM: Zoning Administrator COL

RE: Review of Town Zoning Changes

1. Wollerman - Town Zoning Change (Tax ID No: 026-0159-01) - Town of Vinland.

The town zoning change for Wollerman is consistent with Winnebago County's Land Use Plan. The Town of Vinland approved the zoning change from P-1 (Institutional and Recreational Park District) to R-1 (Rural Residential District) and Winnebago County's land use plan shows future land use as Community Facilities, Park and Recreational.

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

2. Garvens Inc - Town Zoning Change (Tax ID No: 026-0239-03) - Town of Vinland.

The town zoning change for Garvens Inc is consistent with Winnebago County's Land Use Plan. The Town of Vinland approved the zoning change from B-3 & B-2 (Highway Park Business District) to B-1 (General Business District) and Winnebago County's land use plan shows future land use as Non-residential.

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

3. Doehling - Town Zoning Change (Tax ID No: 028-0839 (Pt)) - Town of Winchester.

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

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

4. Elmer - Town Zoning Change (Tax ID No: 028-0976, 028-0977 & 028-0723-08) — Town of Winchester.

The town zoning change for Elmer is consistent with Winnebago County's Land Use Plan. The Town of Winchester approved the zoning change from R-2 (Suburban Residential District) to A-2 (General Agricultural District) and Winnebago County's land use plan shows future land use as Trans-residential.

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

Town of Winchester

(General Agricultural DI)

Ordinance 2019-01 Ordinance to Amend the Official Town of Winchester Zoning Ordinance Map

- WHEREAS, One or more applications for amendments to the Map of the Town of Winchester 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 amendment(s) have been reviewed and recommended to the Town Board by the Town's Plan Commission; and
- WHEREAS, the application(s) for amendment(s) to the Map of the Town of Winchester Zoning Code of Ordinances does comply with both the Town's existing land use and future land use elements of the CY 2016 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 17.59 of the Town of Winchester Zoning Code of Ordinances:

Section 1: The Official Zoning Map of the Town of Winchester is amended as follows:

A. Property Owner: Don and Peggy Elmer, 5173 Grandview Road, Larsen, WI 54947

Legal description of property: The property located at 5173 Grandview Road, Larsen, WI 54947 in the Town of Winchester and being specifically described as Tax IDs 028-0976, 028-0977, and 028-0723-08, all in Section 25, Town 20 North, Range 15 East, Town of Winchester, County of Winnebago, State of Wisconsin. The application is to re-zone the property from R-2 (Suburban Residential District to A-2 (General Agricultural District).

Findings of Fact:

- 1. The Town of Winchester has an adopted Land Use Plan
- 2. The Adopted 20-year Future Land Use Map in the Land Use Plan shows parcels 028-0976 and 028-0977 as single family residential; and parcel 028-0723-08 as Woodlands.
- 3. A-2 (General Agricultural District) zoning is consistent with the aforementioned land use districts.
- 4. Therefore, a zoning change from R-2 to A-2 is consistent with the adopted Land Use Plan.
- 5. The zoning change is compatible with adjacent land uses.
- 6. The Re-zoning eliminates a non-conforming A2 Lot

The above described property is hereby rezoned from:

R-2 (Suburban Residential District to A-2 (General Agricultural District).

Section 2: This Ordinance shall be submitted to the Winnebago County Board for approval. The amendment to the Town of Winchester Zoning Code of Ordinances shall be effective upon approval by the Winnebago County Board.

Adopted this 21st, day of January, 2019

Vote: Yes: 2 No: 0 Absent: 0 Abstain:

Benjamin Jones, Supervisor Holly Stevens, Jerk

Benjamin Jones, Supervisor

Town of Winchester

8522 Park Way, Larsen, WI 54947 920.836.2948

January 22, 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.

Dear Mr. Rowe,

Enclosed please find the material relative to the following amendment(s) to the Zoning Code of Ordinances, Zoning Map in the Town of Winchester:

Re-zoning submitted by Re-zoning application submitted by Don and Peggy Elmer, 5173 Grandview Road, Larsen, WI 54947 for the property located at 5173 Grandview Road Larsen, WI 54947 in the Town of Winchester and being specifically described as Tax IDs 028-0976, 028-0977, and 028-0723-08, all in Section 25, Town 20 North, Range 15 East, Town of Winchester, County of Winnebago, State of Wisconsin. The application is to re-zone the property from R-2 (Suburban Residential District to A-2 (General Agricultural District).

Should you have any questions relative to this request, please feel free to call or email me.

Sincerely,

Holly Stevens Town of Winchester Clerk

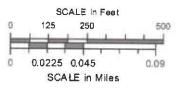
CC County Clerk, Sue Ertmer

Elmer ReZoning Location Map





December 19, 2018



W.I.N.G.S. Project Disclaimer

This data was created for use by the Winnebago County Geographic Information System project. Any other use/application of this 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".

STATE OF WISCONSIN) SS WINNEBAGO COUNTY)

WINNEBAGO COUNTY CERTIFIED SURVEY MAP NO.

ALL OF LOTS 2 AND 3 OF HALL ASSESSOR'S PLAT AND A PART OF THE NW.1/4 OF THE NW.1/4 AND A PART OF THE NE.1/ OF THE NW.1/4 OF SECTION 25, T.20N., R.15E.

SHEET 1 OF 3 TOWN OF WINCHESTER, WINNEBAGO COUNTY, WISCONSIN.

SURVEY FOR: DON AND PEGGY ELMER 5173 GRANDVIEW ROAD LARSEN, Wi 54947

N .1/4 CORNER SECTION 25 T.20N., R.15E GRANDVIET

- 6 89°58'04" W 2642.70"

NORTH LINE OF THE NW.1/4 OF SECTION 25, T.20N.R.15E.

N 89°50'50" E

(WEST (Survey Nail) 2015-116 S 00*05'56" E 31.86" 208.44 (EAST 208.71 NW. CORNER 940.17' (940.39') (33')N 00°07'24" 175.68" SECTION 25 T.20N., R.15E 32.69 175.68' 00°04'56" E (Metal Cap / Concrete Monument) 2015-115 175.71) (EAST 208.71) (EAST 208.71') 1 C.S.M. NO. 472 N 89°50'11 N 89°50'11" Ę N 00°05'56" W 208.72 208 54 (N 01°10'40" W 289.57) S SEE DETAIL 00°07'49" W 289.64 00°07'49" LOT 1 217,804 SQ. FT 5.000 ACRES HSE 2645 Ш 289.57") 289 66 (S 8"48'10" W 625.52") BUTURNIA S 89°50'29" W 625.57 HALL ASSESSOR'S PLAT **LEGEND** CENTER CORNER OF DETAIL "A" X 18" DIA. IRON REBAR SET, WEIGHING NOT **SECTION 25 T.20N., R.15E** LESS THAN 1.5 LBS PER LINEAR FOOT (Berntsen Monument) 1" IRON PIPE FOUND 2016-129 S 89*50'47" W 3/4" IRON ROD FOUND 0.35 11/4" INCH IRON ROD FOUND ALL BEARINGS REFERENCED TO THE WINNEBAGO COUNTY COORDINATE SYSTEM __ DAY OF _ , 2019 WISCONSIN REGISTERED LAND SURVEYOR S-1599 LAWRENCE C. KRIESCHER 200 400

L.C.KRIESCHER AND ASSOCIATES LLC
5251 GRANDVIEW ROAD
BOUNDARY S

LARSEN, WI 54947 920-836-3576 BOUNDARY SURVEY & LAND DESIGN PROJECT NO. 2018-10-01 FILE NO. ELMER.DWG NOTEBOOK: 23 PAGE: 1

DWG. NO. L- 504

THIS INSTRUMENT DRAFTED BY L.C. KRIESCHER \$-1599

WINNEBAGO COUNTY CERTIFIED SURVEY MAP

ALL OF LOTS 2 AND 3 OF HALL ASSESSOR'S PLAT AND A PART OF THE NW.1/4 OF THE NW.1/4 AND A PART OF THE NE.1/ OF THE NW.1/4 OF SECTION 25, T.20N., R.15E. TOWN OF WINCHESTER, WINNEBAGO COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

SHEET 2 OF 3

I LAWRENCE C. KRIESCHER, WISCONSIN REGISTERED LAND SURVEYOR OF L.C. KRIESCHER AND ASSOCIATES LLC., CERTIFY THAT I HAVE SURVEYED, DIVIDED AND MAPPED UNDER THE DIRECTION OF DON ELMER ALL OF LOTS 2 AND 3 OF HALL ASSESSOR'S PLAT AND A PART OF NORTHWEST QUARTER (NW.1/4) OF THE NORTHWEST QUARTER (NW.1/4) AND A PART OF THE NORTHEAST QUARTER (NE.1/4) OF THE NORTHWEST QUARTER (NW.1/4) OF SECTION TWENTY (25) TOWNSHIP TWENTY (20) NORTH, RANGE FIFTEEN (15) EAST, TOWN OF WINCHESTER, WINNEBAGO COUNTY, WISCONSIN CONTAINING 217804 SQUARE FEET (5.00 ACRES) OF LAND AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 25; THENCE S.00°05'56"E. 31.86 FEET ALONG THE EAST LINE OF THE NW.1/4 OD SAID SECTION 25 TO A POINT ON THE EXTENDED SOUTH LINE OF GRANDVIEW ROAD; THENCE S.89°50'50"W. 972.86 FEET ALONG THE SOUTH LINE OF GRANDVIEW ROAD TO THE POINT OF BEGINNING; THENCE S.00°04'56"E. 175.68 FEET; THENCE N.89°50'11"E. 208.72 FEET; THENCE S.00°07'49"E. 289.66 FEET; THENCE S.89°50'29"W. 625.57 FEET; THENCE N.00°07'49"W. 289.64 FEET; THENCE N.89°50'11"E. 208.54 FEET; THENCE N.00°07'24"W. 17\5.68 FEET TO A POINT ON THE SOUTH LINE OF GRANDVIEW ROAD; THENCE N.89°50'50"E. 208.44 FEET ALONG SAID LINE TO THE POINT OF BEGINNINGAND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT SUCH IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF LAND SURVEYED. THAT I HAVE FULLY

COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE LAND SUBDIVISION ORDINANCE OF WINNEBAGO COUNTY AND THE TOWN OF WINCHESTER IN SURVEYING AND MAPPING THE SAME. DAY OF DATED THIS 2019 WISCONSIN REGISTERED LAND SURVEYOR S-1599 LAWRENCE C. KRIESCHER OWNER'S CERTIFICATE: AS OWNER'S WE HEREBY CERTIFY THAT WE CAUSED THE LAND ON THE CERTIFIED SURVEY MAP TO BE SURVEYED DIVIDED, MAPPED AND DEDICATED AS REPRESENTED ON THIS MAP. DON A FLMER DATE PEGGY J. ELMER DATE SS STATE OF WISCONSIN)
WINNEBAGO COUNTY) PERSONALLY CAME BEFORE ME THIS DAY OF 2019 THE ABOVE NAMED OWNERS KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME. NOTARY PUBLIC ___ ___ WISCONSIN

OWNER OF RECORD IS DPN A. ELMER AND PEGGY J. ELMER
THIS C.S.M. IS CONTAINED WHOLLY WITHIN THE PROPERTY DESCRIBED IN DOCUMENT 652327, 522911 AND 975023
THIS C.S.M. IS CONTAINED IN ALL OF TAX PARCEL NO.028-0976, 028-0977 AND 028-0723-08

WINNEBAGO COUNTY CERTIFIED SURVEY MAP

TOWN BOARD APPROVAL:

ALL OF LOTS 2 AND 3 OF HALL ASSESSOR'S PLAT AND A PART OF THE NW.1/4 OF THE NW.1/4 AND A PART OF THE NE.1/ OF THE NW.1/4 OF SECTION 25, T.20N., R.15E. TOWN OF WINCHESTER, WINNEBAGO COUNTY, WISCONSIN.

TED	
IED	TOWN BOARD REPRESENTATIVE
RTIFICATE OF TOWN '	TREASURER: LIFIED AND ACTING TOWN TREASURER OF THE TOWN OF WINCHESTER, DO HEREBY CERTIFY THAT CORDS IN MY OFFICE SHOW NO UNPAID TAXES SPECIAL ASSESMENTS AS OF
	AFFECTING THE LANDS INCLUDED IN THIS CERTIFIED SURVEY MAP.
TED	TOWN TREASURER
COUNTY TREASURE I, BEING DULY ELECTED, G RECORDS IN MY OFFICE S	R'S CERTIFICATE: QUALIFIED AND ACTING TREASURER OF THE COUNTY OF WINNEBAGO, DO HEREBY CERTIFY THAT TO SHOW NO UNREDEEMED TAX SALES AND NO UNPAID TAXES OR SPECIAL ASSESMENTS OF _, AFFECTING THE LANDS INCLUDED IN THIS CERTIFIED SURVEY.
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DATED	COUNTY TREASURER
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