

WINNEBAGO COUNTY PLANNING & ZONING DEPARTMENT

19-SE-001 NOTICE OF MEETING PLANNING & ZONING COMMITTEE May 28, 2019

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 Omro.

The Winnebago County Planning & Zoning Committee will be holding a deliberative meeting in which the application will be decided upon on Friday, May 28, 2019, 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: Water City Properties LLC (Eric Schlighting)

Location of Premises Affected: West of parcel 016-1117

Tax Parcel Number: 016-1118

Legal Description: 2nd Addition to Harbor Village Plat Lot 41

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.	"Exemption for a vacant lot adjoining another lot in

OVERLAYS:	County Highway Access:	☐ Yes	⊠ No

Shoreland: ☐ Yes ☒ No Floodplain: ☐ Yes ☒ No SWDD: ☐ Yes ☒ No

Wetlands: ☐ Yes ☒ No Microwave: ☐ Yes ☒ No Airport: ☐ Yes ☒ No

Current Zoning: R-2 Suburban Residential

Existing Use of Property: Vacant Proposed Use of Property: Garage

Surrounding Zoning Classifications:

North	R-2
South	R-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.

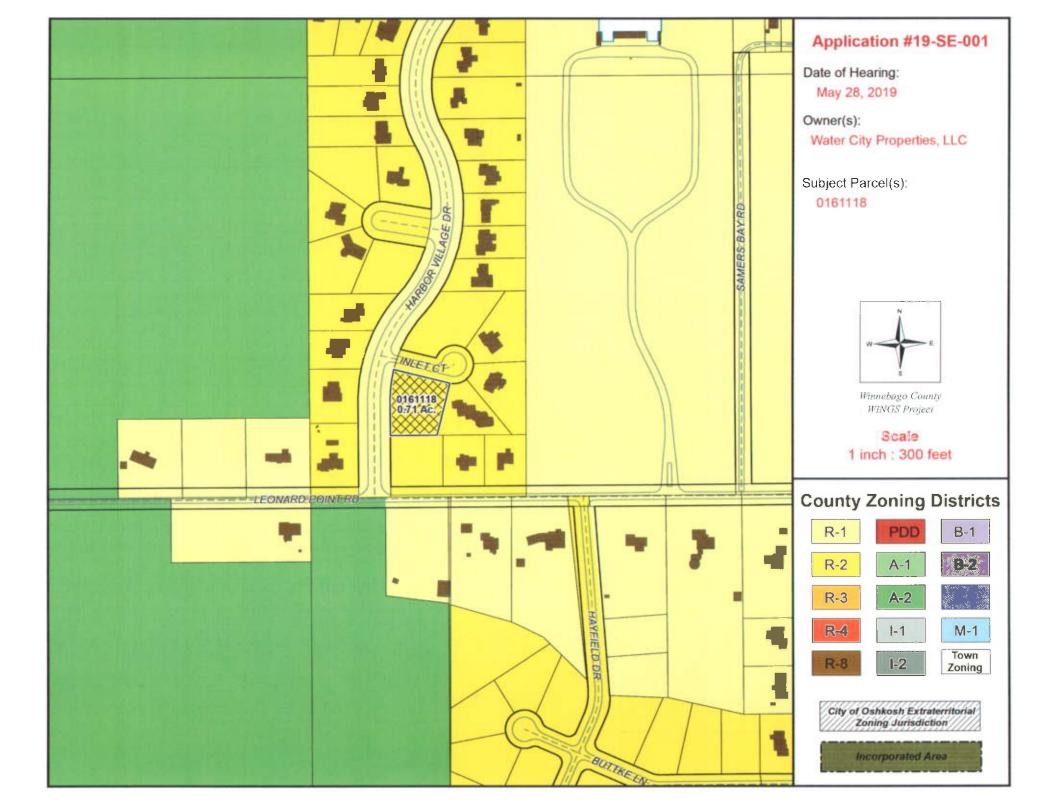
DESCRIBETHE PROPOSED PROJECT/REQUEST:

Primary residence is 5377 Inlet Court and I own the lot next to my house. I would like to construct a garage measuring 20' x 40' on the lot that would match my primary residences color, style, etc.

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.







1 inch : 2,000 feet

Application #19-SE-001

Date of Hearing:

May 28, 2019

Owner(s):

Water City Properties, LLC

Subject Parcel(s):

0161118



Winnebago County WINGS Project





WINNEBAGO COUNTY

Winnebago County Planning and Zoning Department

NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE 5/28/2019

TO WHOM IT MAY CONCERN:

The applicant(s) listed below has requested a Zoning Map Amendment which is regulated by the <u>Town/County Zoning Code</u>, Chapter 23. You are receiving this notice because this application or petition for action: 1. affects area in the immediate vicinity of property which you own; 2. requires your agency to be notified; 3. requires your Town to be notified; or 4. requires you, as the applicant, to be notified.

The Winnebago County Planning and Zoning Committee will be holding a public hearing on 5/28/2019 at 6:30 p.m. in Conference Room 120 of the County Administration Building located at 112 Otter Ave, Oshkosh, WI.

All interested persons wishing to be heard at the public hearing are invited to be present. For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning Office, where the application is available for viewing.

INFORMATION ON ZONING MAP AMENDMENT REQUEST

Application No.: 2019-ZC-4780

Applicant:

VILLAGE LIFE LLC

Agent:

PIZON, BRIAN - NORTHWOODS BUILDERS

Location of Premises: EAST OF 5965 STATE RD 21 OMRO, WI 54963

Tax Parcel No.: 016-0414-01-01

Legal Description:

Being all of Lot 2 of CSM-3765, located in the SE 1/4 of the NW 1/4, Section 15, Township 18 North, Range 15 East, Town of Omro, Winnebago County, Wisconsin.

Explanation:

Applicant is requesting a Zoning Map Amendment from B-2 (Community Business District), R-1 (Rural Residential), & A-2 (General Agriculture) to A-2 for an existing parcel.

INITIAL STAFF REPORT

Sanitation:

System Required Private System

Overlays:

None

Current Zonina:

R-1 Rural Residential, B-2 Community Business, A-2 General Agriculture

Proposed Zoning:

A-2 General Agriculture

Surrounding Zoning:

North: B-2;A-2 South: A-2 East: B-3;B-2 West: B-2;A-2

THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT

Describe Present Use(s):

Ag (farm field)

Describe Proposed Use(s):

Ag (farm field) plus Ag building plus greenhouse, vegetable plot and nursery area of shrubs and trees.

Describe The Essential Services For Present And Future Uses:

Currently none on property. Possible future electric for maintenance of equipment and possible future well for irrigation.

Describe Why The Proposed Use Would Be The Highest And Best Use For The Property: It is mixed use now and basically unbuildable.

Describe The Proposed Use(s) Compatibility With Surrounding Land Uses:

Wildlife area to south and east. Residential to west. Currently land is used as Ag land and proposed change of zoning will not change it's current use.

SECTION REFERENCE AND BASIS OF DECISION

23.7-5 Basis of decision

- (b) **Zoning map amendment initiated by a property owner**. If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of a parcel not classified as A-1, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:
- (1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;
- (2) the extent to which the lot and structures on the subject property conform to the dimensional standards that apply to the proposed zoning district; and

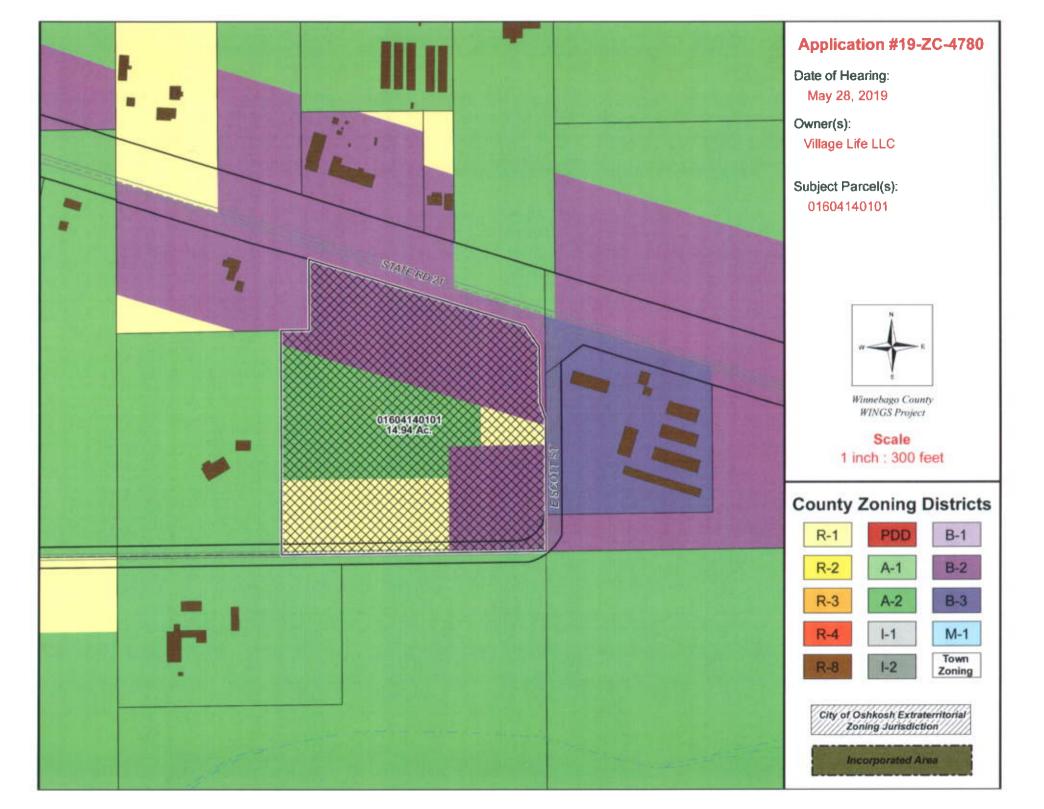
(3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

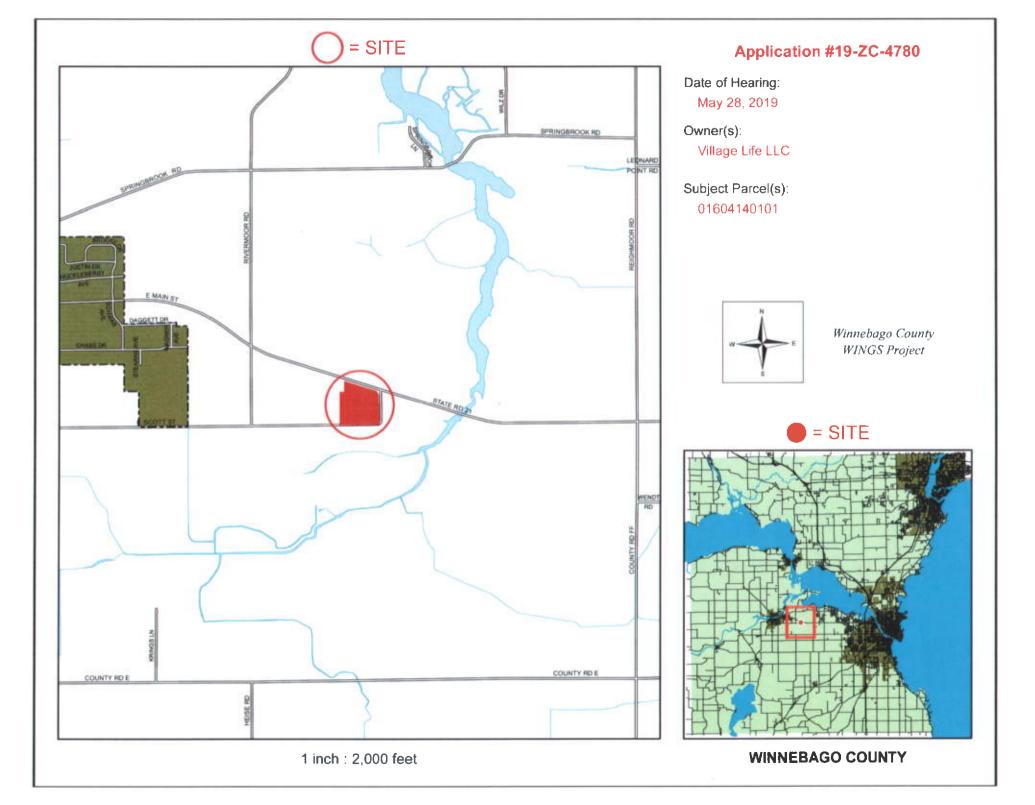
If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of land classified as A-1, the Planning and Zoning Committee shall only recommend approval and the Board of County Supervisors shall only approve the proposed amendment when all of the following findings can be made:

- (1) Such land is better suited for a use not otherwise allowed in the A-1 district.
- (2) The amendment is consistent with the county's comprehensive plan.
- (3) The amendment is substantially consistent with the county's farmland preservation plan as certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection.
- (4) The amendment will not substantially impair or limit current or future agricultural use of other protected farmland in the area.

The special requirements stated above relating to the rezoning of land in a A-1 district do not apply to a map amendment that (1) is certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection under ch. 91, Wis. Stats., or (2) makes the zoning map more consistent with county's farmland preservation plan map, certified under ch. 91, Wis. Stats., which is in effect at the time of the amendment.

- (c) **Zoning map amendment initiated by the county.** If a proposed zoning map amendment is initiated by the county, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:
- (1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;
- (2) whether the amendment is consistent with other planning documents adopted by the Board of County Supervisors; and
- (3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.





Winnebago County Planning and Zoning Department

NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE 5/28/2019

TO WHOM IT MAY CONCERN:

The applicant(s) listed below has requested a Conditional Use which is regulated by either Chapter 23, the <u>Town/County Zoning Code</u>, or Chapter 27, the <u>Shoreland Zoning Code</u>. You are receiving this notice because this application or petition for action: 1. affects area in the immediate vicinity of property which you own; 2. requires your agency to be notified; 3. requires your Town to be notified; or 4. requires you, as the applicant, to be notified.

The Winnebago County Planning and Zoning Committee will be holding a public hearing on 5/28/2019 at 6:30 p.m. in Conference Room 120 of the County Administration Building located at 112 Otter Ave, Oshkosh, WI.

All interested persons wishing to be heard at the public hearing are invited to be present. For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning Office, where the application is available for viewing.

INFORMATION ON CONDITIONAL USE REQUEST

Application No.:

2019-CU-4770

Applicant:

BORSZICH, ROB (Hawley-Dieckhoff Post 3)
JANNUSCH, JERRY (Twin City Appliance & Bed Inc)

Agent: LAFROMBOIS, BENJAMIN

Location of Premises:

451, 453 & 469 S GREEN BAY RD NEENAH, WI 54956

Tax Parcel No.:

010-0266-10 010-0266-01 010-0266-05

Legal Description:

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

Code Reference:

23.8-402

Description of Proposed Use:

Applicant is requesting a Conditional Use Permit for expansion of an existing Personal Storage Facility.

INITIAL STAFF REPORT

Sanitation:

System Required Private System

Overlays:

None

Current or Proposed Zoning:

B-3 Regional Business

Code Reference:

23.8-402

Description of Proposed Use:

Applicant is requesting a Conditional Use Permit for expansion of an existing Personal Storage Facility.

Surrounding Zoning:

North: I-2 South: N/A East: N/A West: N/A

THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT

Describe the Proposed Use:

Phase I is to remodel the steel building for climate controlled self-storage and create a space for the Legion Post to move from current location to the east end of the steel building.

Describe How the Proposed Use Will Not Have Any Adverse Effects on Surrounding Property:

This storage facility will be fenced and gated. Additional security measures include lighting and a camera system. The entrance has been designed so that several vehicles can enter the property before reaching the gate so traffic will not be disrupted on Green Bay Road.

Customers have 24-hour access to the facility. If we find that individual customers are not acting appropriately or are abusing this access, we limit their access to a specific period of time each day.

SECTION REFERENCE AND BASIS OF DECISION

23.7-114 Basis of decision

The town board and town plan commission of the town in which the proposed conditional use is located in making their recommendation and Planning and Zoning Committee in making its decision shall consider the following factors:

- (1) the size of the parcel on which the proposed use will occur;
- (2) 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 offsite;
- (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. 23.1-5 and other sections as may apply.

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.

CONDITIONAL USE APPLICATION

Responses may be typed on a separate sheet and attached to this form.

Applicant, please fill out of all the questions in your own words.

Describe the proposed use:

C-1

Post to move fro	om current location to the east end of the steel building.
Phase II is to co	nstruct the new storage buildings after site approvals. We desire to have Phase I comple
ASAP with Phas	e II immediately following.
Describe ho property: (P	w the proposed use will not have adverse effects on surrounding otential adverse impacts include but are not limited to traffic, environmental impacts,
Describe ho property: (P	w the proposed use will not have adverse effects on surrounding
Describe ho property: (P smoke, odor, gl	w the proposed use will not have adverse effects on surrounding otential adverse impacts include but are not limited to traffic, environmental impacts,
Describe ho property: (P smoke, odor, gl	w the proposed use will not have adverse effects on surrounding otential adverse impacts include but are not limited to traffic, environmental impacts, are, noise, dust, vibration, fire hazard, and electrical interference.)
Describe ho property: (P smoke, odor, gl	w the proposed use will not have adverse effects on surrounding otential adverse impacts include but are not limited to traffic, environmental impacts, are, noise, dust, vibration, fire hazard, and electrical interference.)
Describe ho property: (P smoke, odor, gl This storage fac system. The entrance ha	w the proposed use will not have adverse effects on surrounding otential adverse impacts include but are not limited to traffic, environmental impacts, are, noise, dust, vibration, fire hazard, and electrical interference.)

23,8-402 Personal storage facility

(a) Minimum lot area. The lot on which a personal storage facility is located shall be at least one acre in size.

RESPONSE: We intend to combine three parcels into one. The advantage of our plan is that the Legion parcel which is under one acre will be put to a much higher use by being combined with neighboring parcels.

(b) Access. The access to a cubicle shall not open directly onto a public road right-of-way.

RESPONSE: The site design is planned to create the greatest distance from the roadway entrance to the gate. This allows substantial stacking to avoid any interference on South Green Bay Road.

(c) Surfacing of travel-ways. Driveways, interior aisles, and walkways shall be concrete or asphaltic concrete, except as may be allowed in this subsection. Consistent with the procedures and requirements of article 7 of this chapter, the Planning and Zoning Committee may allow gravel surfaces as a special exception and require, as a condition of approval, additional buffer yard and landscaping requirements deemed necessary to provide adequate screening between this use and adjoining properties.

RESPONSE: This is a first-rate storage project that will require asphalt and concrete in drive lane and walk lanes.

(d) Storage of prohibited substances. No cubicle shall be used to store explosives, toxic substances, hazardous materials, or radioactive materials.

RESPONSE: Our agreement with tenants prohibits the storage of such substances.

(e) Uses, Only uses that are accessory to storage shall occur. No portion of the building shall be used for fabrication, repair, or any similar use or for human habitation.

RESPONSE: Our agreement does not permit such activities and we enforce those provisions if a tenant would undertake such activity.

(f) Design. The personal storage facility shall be designed so as to minimize adverse visual impacts on nearby properties. The color, exterior materials, and orientation of proposed buildings and structures shall complement existing and anticipated development in the surrounding area.

RESPONSE: The design of this facility is a neat modern design of white building with blue doors, vinyl covered fencing and exceptionally well lit. We strive to make our facilities welcoming and comfortable for our tenants. This means that this facility will be an improvement to the existing structures. A manufacturing facility is the north and an aging hotel is to the south. We feel that our facility will make a substantial improvement from current conditions. Also, the Legion post will move into the central building, providing the Legion with improved space, access, and aesthetic appeal.

(g) Fencing of outdoor storage area. An area used for outdoor storage of operational vehicles, watercraft, and the like shall be enclosed by a security fence.

RESPONSE: We fence our properties. Areas of high visibility receive a black vinyl coated fence to improve aesthetics.

(h) Setback of outdoor storage area. Outdoor storage areas shall comply with the building setback standards for the zoning district in which the use is located.

RESPONSE: The parking area for this project is in the center of the facility and not visible directly from any roadway.

There would be other requirements such as parking, landscaping and signage.

Parking for personal storage facilities requires "one space for every 50 rental units when an office is provided; plus 1 space for each employee on the largest work shift".

RESPONSE: The design is very attractive with parking spaced along Green Bay Road and ample parking along the central climate controlled building. There will not be need for much parking. We do not intend to have an office at this location. The Legion has limited need for parking, but we have accommodated them with the parking area shown on the layout.

The proposed plan would require street front landscaping. This would require a minimum of three trees for every 100 linear feet of frontage, rounding up to the nearest whole tree. The trees shall be located in the street yard setback area of the lot.

RESPONSE: There should be enough room for these trees on the proposed plan.

Buffer yard landscaping would not be required due to the City of Neenah's C1 district bordering the property and Winnebago County's I-2 district to the North,

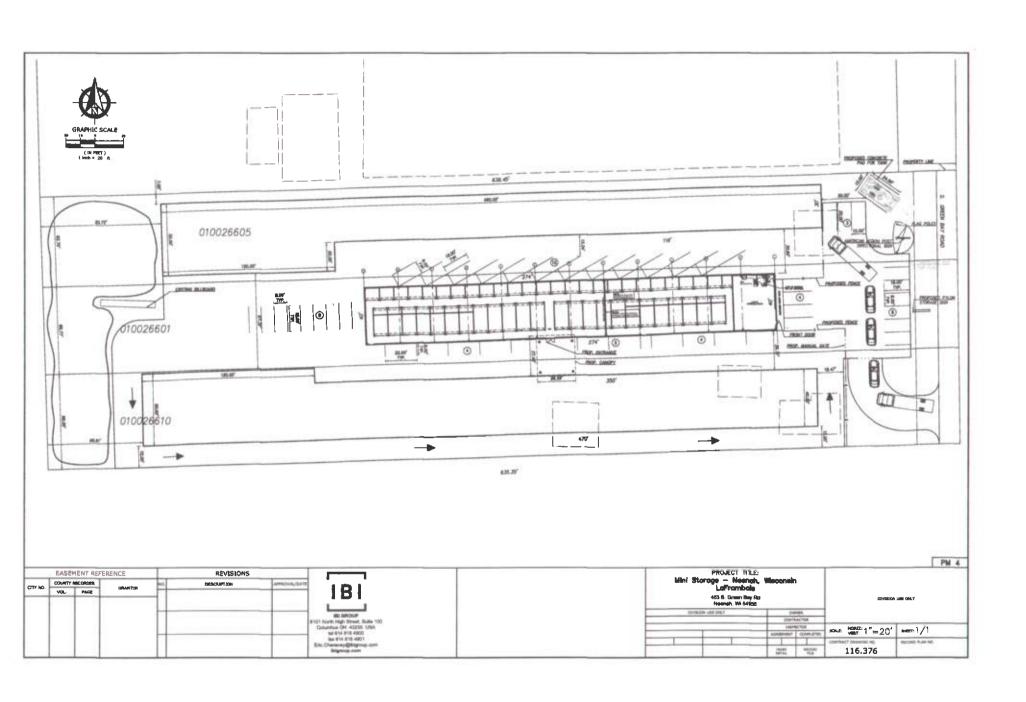
RESPONSE: Okay.

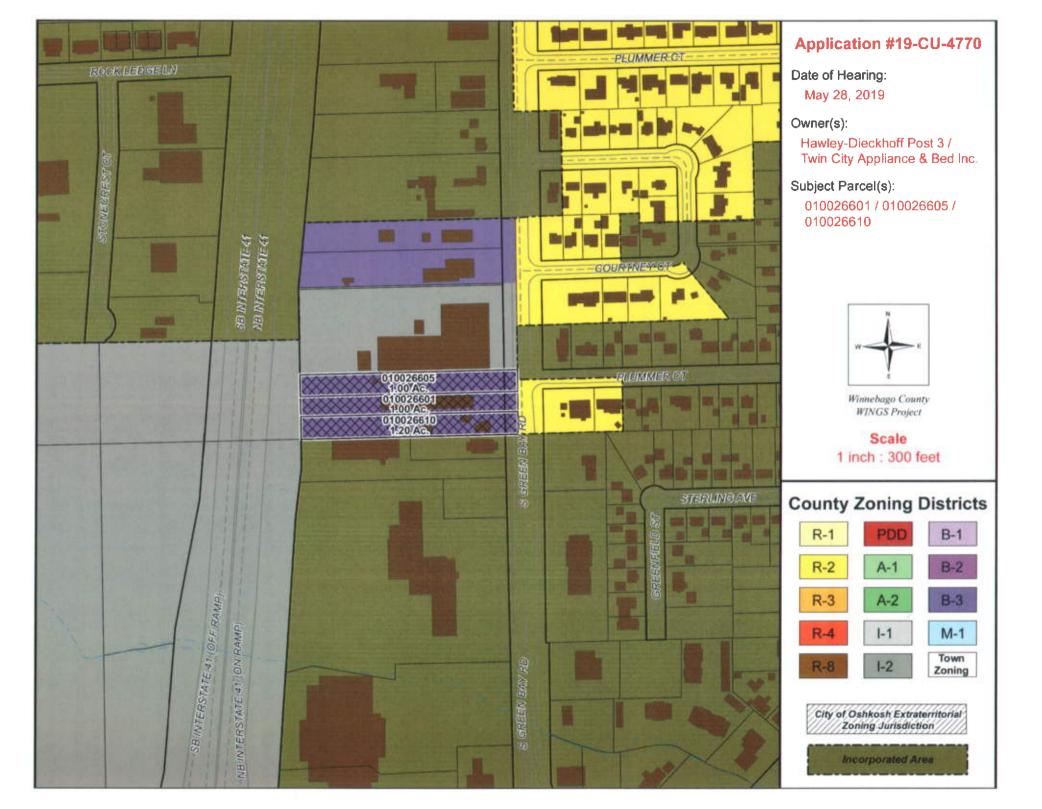
In the B-3 district a parcel is allowed one free standing sign or a projecting sign and 1 parking lot entrance sign.

Freestanding signs are allowed 1 per frontage, up to 100 sq. ft. of sign area.

Parking lot entrance signs are allowed 1 per vehicular access point but no closer than 300ft to each other.

RESPONSE: Okay regarding the sign on the Green Bay Street side. There is a sign on the HWY 41 side. It is our understanding that sign would be able to be reconstructed with a modern structure of the same size, height and location. We may desire to relocate the sign to accommodate the site plan, provided size and height do not change.









1 inch : 2,000 feet

Application #19-CU-4770

Date of Hearing:

May 28, 2019

Owner(s):

Hawley-Dieckhoff Post 3 / Twin City Appliance & Bed Inc.

Subject Parcel(s):

010026601 / 010026605 / 010026610



Winnebago County WINGS Project





WINNEBAGO COUNTY

Winnebago County Planning and Zoning Department

NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE 5/28/2019

TO WHOM IT MAY CONCERN:

The applicant(s) listed below has requested a Zoning Map Amendment which is regulated by the <u>Town/County Zoning Code</u>, Chapter 23. You are receiving this notice because this application or petition for action: 1. affects area in the immediate vicinity of property which you own; 2, requires your agency to be notified; 3. requires your Town to be notified; or 4, requires you, as the applicant, to be notified.

The Winnebago County Planning and Zoning Committee will be holding a public hearing on 5/28/2019 at 6:30 p.m. in Conference Room 120 of the County Administration Building located at 112 Otter Ave, Oshkosh, WI.

All interested persons wishing to be heard at the public hearing are invited to be present. For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning Office, where the application is available for viewing.

INFORMATION ON ZONING MAP AMENDMENT REQUEST

Application No.:

2019-ZC-4800

Applicant:

BLUE MOON HOLDINGS LLC RUSCH, THOMAS N

Agent:

SMITH, JAMES E - MARTENSON AND EISELE

Location of Premises:

SW OF 5001 GREEN VALLEY RD, OSHKOSH, WI 54904

Tax Parcel No.:

018-0293(p) 018-029202(p)

Legal Description:

Being a part of the N 1/2 of the SW 1/4, Section 26, Township 19 North, Range 16 East, Town of Oshkosh, Winnebago County, Wisconsin.

Explanation:

Applicant is requesting a Zoning Map Amendment from B-3 (Regional Business District), to A-2 (General Agriculture) for the creation of a new parcel.

INITIAL STAFF REPORT

Sanitation:

System Required Private System

Overlays:

Shoreland

Current Zoning:

B-3 Regional Business

Proposed Zoning:

A-2 General Agriculture

Surrounding Zoning:

North: A-2 South: A-2 East: A-2 West: A-2

THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT

Describe Present Use(s):

General ag:

Describe Proposed Use(s):

General ag

There is an existing 66 foot strip of land that is intended to be connected to parcel 018-0289, which is Lot 1 of attached CSM. There is a B-3 zoning on the 66 foot strip, which creates dual zoning issues for attached CSM.

Describe The Essential Services For Present And Future Uses:

No essential services needed:

Describe Why The Proposed Use Would Be The Highest And Best Use For The Property:

Use does not change, just remove dual zoning:

Describe The Proposed Use(s) Compatibility With Surrounding Land Uses:

Use does not change.

SECTION REFERENCE AND BASIS OF DECISION

23.7-5 Basis of decision

- (b) **Zoning map amendment initiated by a property owner**. If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of a parcel not classified as A-1, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:
- (1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps:
- (2) the extent to which the lot and structures on the subject property conform to the dimensional standards that apply to the proposed zoning district; and
- (3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of land classified as A-1, the Planning and Zoning Committee shall only recommend approval and the Board of County Supervisors shall only approve the proposed amendment when all of the following findings can be made:

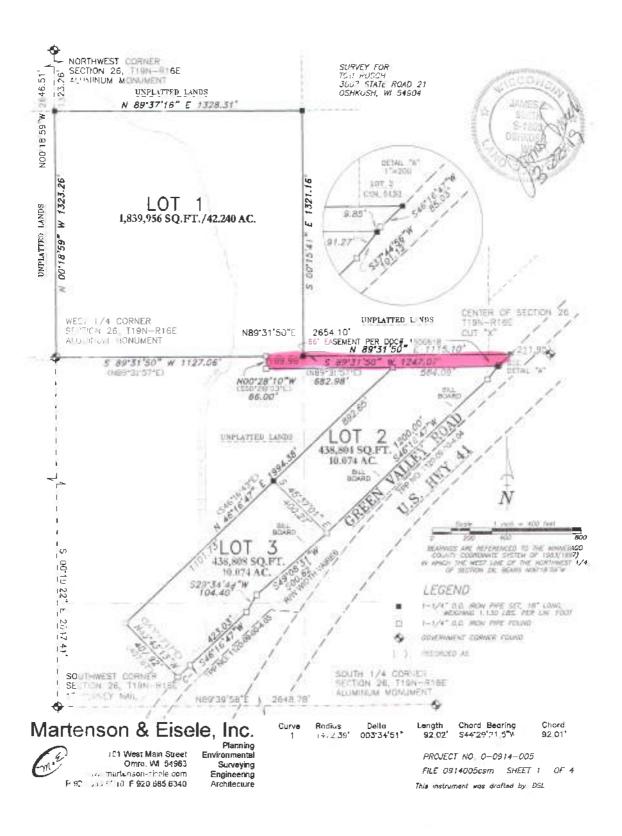
- (1) Such land is better suited for a use not otherwise allowed in the A-1 district.
- (2) The amendment is consistent with the county's comprehensive plan.
- (3) The amendment is substantially consistent with the county's farmland preservation plan as certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection.
- (4) The amendment will not substantially impair or limit current or future agricultural use of other protected farmland in the area.

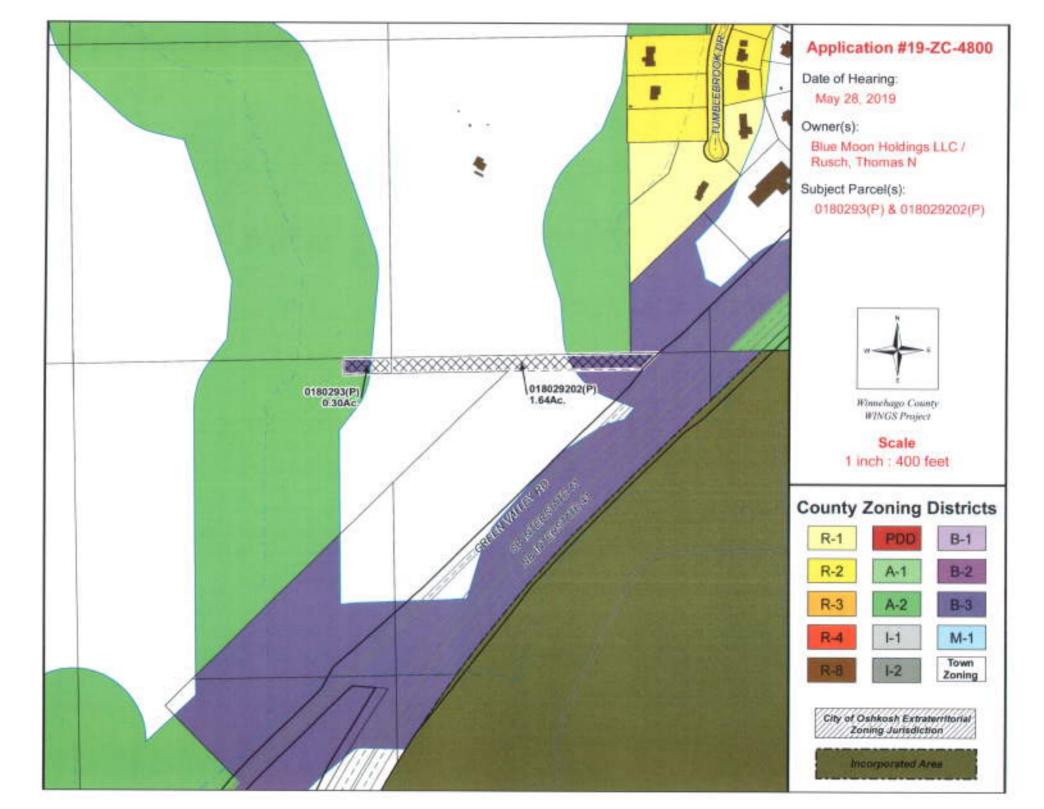
The special requirements stated above relating to the rezoning of land in a A-1 district do not apply to a map amendment that (1) is certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection under ch. 91, Wis. Stats., or (2) makes the zoning map more consistent with county's farmland preservation plan map, certified under ch. 91, Wis. Stats., which is in effect at the time of the amendment.

- (c) **Zoning map amendment Initiated by the county.** If a proposed zoning map amendment is initiated by the county, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:
- (1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;
- (2) whether the amendment is consistent with other planning documents adopted by the Board of County Supervisors; and
- (3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

CERTIFIED SURVEY MAP NO.

ALL OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, AND PAPT OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, ALL IN SECTION 26, TOWNSHIP 19 NORTH, RANGE 16 EAST, TOWN OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN.





= SITE NOWN FOINT RD BADOKS RD MANCH AVE W COUNTY RD V

1 inch: 2,000 feet

Application #19-ZC-4800

Date of Hearing:

May 28, 2019

Owner(s):

Blue Moon Holdings LLC / Rusch, Thomas N

Subject Parcel(s):

0180293(P) & 018029202(P)



Winnebago County WINGS Project





WINNEBAGO COUNTY