



# GREEN LAKE COUNTY

571 County Road A, Green Lake, WI 54941

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The following documents are included in the packet for the Land Use Planning & Zoning Committee meeting on Thursday, February 1, 2018:

Packet Pages:

- 1-2 Amended** Agenda
- 3-6 Draft meeting minutes from January 4, 2018
- 7-11 Monthly reports
- 12 Land use permits and sanitary permits issued in December
- 13-16 Land use and sanitary septic violations
- 17-23 Chapter 300: Floodplain Zoning – Draft
- 24 Public hearing notice
- 25-34 **Item I:** William & Martha Pickrell, Owners; Jared Kohlenberg, Applicant  
Town of Brooklyn  
Rezone ±6.5 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.
- 35-44 **Item II:** Ione Pischke Irrevocable Income Trust, Owner; Sharon Timm, Trustee  
Town of Brooklyn - Request: Rezone ±5.36 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.
- 45-54 **Item III:** Nolan Francis Wallenfang Revocable Inter Vivos Trust, Owner; Nolan Francis Wallenfang, Trustee - Town of Brooklyn  
Request: Rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.
- 55-64 **Item IV:** Steven D. & Irene E. Dzbinski  
Town of Brooklyn - Request: Rezone 1.27 acres from A-1 Farmland Preservation District to R-3 Multiple Family Residence District.
- 65-66 Request for Line Item Transfer**
- 67-71 Annual Report**

If you have questions or need additional information, please contact the Land Use Planning & Zoning Department at (920) 294-4156.



**GREEN LAKE COUNTY**  
**Land Use Planning & Zoning Committee**

**Michael Starshak, Chair      Robert Lyon, Vice Chair**  
**Harley Reabe      Rich Slate      Peter Wallace**

**\* AMENDED AGENDA 01/29/18**

**Date: Thursday, February 1, 2018      Time: 5:15 p.m.**  
**Government Center, West Wing, Lower Level, County Board Room**  
*All line items are subject to any and all action by this committee, unless noted.*

1. Call to order
2. Pledge of Allegiance
3. Certification of open meeting law
4. Roll call
5. Approval of agenda
6. Approval of 01/04/18 minutes
7. Public comments: 3-minute limit
8. Public appearances
9. Correspondence
10. Department activity reports
  - a. Permits & others
  - b. Violation reports
  - c. POWTS inventory & maintenance update
11. Department/Committee Activity
  - a. Floodplain Zoning Ordinance amendment discussion/review
  - b. 2020 Orthophoto, funding
  - c. **Request for line item transfer (see pages 65-66)**
  - d. **Annual Report (see pages 67-71)**
12. Future Committee Activities
  - a. Future agenda items
  - b. Meeting date(s)  
March 1, 2018  
Business meeting 5:15 p.m.  
Public hearing 6:30 p.m.

***Note: The meeting area is accessible to the physically disabled. Anyone planning to attend who needs visual or audio assistance should contact Carole DeCramer at (920) 294-4156 prior to noon the day before the meeting.***

**6:30 p.m. Public Hearing**

**Item I: Owners/Applicants:** William H & Martha Pickrell **Agent:** Jared Kohlenberg **General legal description:** W730 Sunnyside Rd, Parcel #004-00559-0000, Part of the NW¼ of Section 23, T16N, R13E, Town of Brooklyn **Request:** Rezone ±6.5 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.

- a) Public Hearing
- b) Committee Discussion & Deliberation
- c) Committee Decision
- d) Execute Determination Form/Ordinance

**Item II: Owners/Applicants:** Ione Pischke Irrevocable Income Trust **Agent:** Sharon Timm, Trustee **General legal description:** W1773 County Road J, Parcel #004-00161-0000, Part of the SE¼ of Section 8, T16N, R13E, Town of Brooklyn **Request:** Rezone ±5.36 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.

- a) Public Hearing
- b) Committee Discussion & Deliberation
- c) Committee Decision
- d) Execute Determination Form/Ordinance

**Item III: Owners/Applicants:** Nolan Francis Wallenfang Revocable Inter Vivos Trust **Agent:** Nolan F Wallenfang, Trustee **General legal description:** W963 State Road 23 49, #004-00320-0300, Part of the SE¼ of Section 15, T16N, R13E, Town of Brooklyn **Request:** Rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.

- a) Public Hearing
- b) Committee Discussion & Deliberation
- c) Committee Decision
- d) Execute Determination Form/Ordinance

**Item IV: Owners/Applicants:** Steven D & Irene E Dzbinski **General legal description:** N1096 & N1098 Pleasant Dr, #010-00464-0300, Lot 1 Certified Survey Map 3583 located in the SE¼ of Section 22, T14N, R13E, Town of Mackford **Request:** Rezone 1.27 acres from A-1 Farmland Preservation District to R-3 Multiple Family Residence District.

- a) Public Hearing
- b) Committee Discussion & Deliberation
- c) Committee Decision
- d) Execute Determination Form/Ordinance

13. Adjourn

**GREEN LAKE COUNTY  
LAND USE PLANNING AND ZONING  
COMMITTEE MEETING MINUTES  
Thursday, January 4, 2018**

**CALL TO ORDER**

Committee Chair Starshak called the meeting of the Land Use Planning and Zoning Committee to order at 5:15 p.m. in the Green Lake County Government Center, County Board Room, Green Lake, WI. The requirements of the open meeting law were certified as being met.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

**Present: Harley Reabe, Rich Slate, Michael Starshak, Peter Wallace**

**Absent: Robert Lyon**

**Also Present: Matt Kirkman, Land Use Planning and Zoning Director**

**Carole DeCramer, Committee Secretary**

**Dawn N. Klockow, Corporation Counsel**

**APPROVAL OF AGENDA**

**Motion by Slate/Reabe, unanimously carried, to approve the agenda.**

**APPROVAL OF MINUTES**

**Motion by Slate/Reabe, unanimously carried, to approve the minutes of 12/07/17.**

**PUBLIC COMMENT - None**

**PUBLIC APPEARANCES - None**

**CORRESPONDENCE - None**

**DEPARTMENT ACTIVITY REPORTS**

**a. Permits and Others**

Kirkman discussed the monthly financial reports, land use permits, and septic permits reports. Correction on the land use permit town listings.

**b. Violations**

Kirkman discussed the list of land use violations and septic violations.

**c. POWTS inventory & maintenance update**

Kirkman – Reported that the progress on the POWTS inventory is progressing. Right now, the Towns of Berlin, Kingston, Mackford, Manchester, Seneca, and St. Marie are 100% complete. The Town of Marquette is 30%. The remaining municipalities are scheduled for completion by

April 1, 2018. At that time all of the sanitary septic systems, located within Green Lake County, will be inventoried and placed on maintenance. The maintenance portion of this project has a deadline of October, 2019. This will be completed well in advance of that deadline. The committee will continue to receive monthly reports.

## **DEPARTMENT/COMMITTEE ACTIVITY**

### **a. Floodplain Zoning Ordinance update**

Kirkman – A copy of the proposed floodplain zoning ordinance amendment was emailed to each committee member two weeks ago. In the course of reviewing the draft ordinance, Reabe asked if the American Legion hydraulic and hydrologic (H&H) study should be included in the ordinance. Kirkman responded that, if there was an H&H study done in that area, it could be adopted as part of the ordinance amendment. Reabe will contact the engineer that did the study and ask for a copy of the study. Kirkman continued to go through the draft ordinance, Chapter 300 Floodplain Zoning. The committee stopped the review/discussion at Article V Flood-Fringe District and will continue the review/discussion at the February 1<sup>st</sup> committee meeting.

**6:18 p.m. On a motion by Slate/Reabe, unanimously carried, the committee recessed until 6:30 p.m.**

**6:30 p.m. The committee reconvened.**

## **PUBLIC HEARING ITEMS**

*Audio of committee discussion is available upon request from the Green Lake County Land Use Planning and Zoning Department.*

**Item I: Owners/Applicants:** Mark E. and Chardra J. Draeger Revocable Trust **General legal description:** N7014 County Road PP, Parcel #004-00026-0000, Part of the SW¼ of Section 1, T16N, R13E, Town of Brooklyn **Request:** Rezone ±3.53 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.

a) Public hearing

Joseph Draeger, N7191 County Road PP, representing applicants – Spoke in favor of the request.

6:32 p.m. Public hearing closed.

b) Committee Discussion & Deliberation

Kirkman – Explained the request and how it meets the criteria. The Town of Brooklyn's *Town Board Action Form* was returned to staff by Town Chairman Mike Wuest; however, Mr. Wuest had signed the form but didn't check the appropriate box that states whether or not the town approved the request. Reabe stated that, having been a part of the town approval, he could attest that the Town of Brooklyn did approve the request. Mr. Wuest will be contacted and asked to officially check the box on the action form.

b) Committee Decision

**Motion by Slate/Reabe, unanimously carried on roll call (4-ayes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.**

**Item II: Owners/Applicants:** Ervin G. & Ella O. Miller **General legal description:** W3699 Heritage Rd, Parcel #012-00163-0200, Part of the NW¼ of Section 10 & part of the NE¼ of Section 09, T14N, R12E, Town of Manchester **Request:** Conditional Use Permit request for a bakery.

a) Public hearing

No one appeared.

6:38 p.m. Public hearing closed.

b) Committee Discussion & Deliberation

Kirkman – Explained the request and suggested adding the following condition, which would be number nine: *The total cumulative hours worked by paid employees, excluding the owner(s), shall not exceed 160 hours per week.*

b) Committee Decision

**Motion by Reabe/Slate, unanimously carried on roll call (4-ayes, 0-nays), to approve the conditional use permit request as presented with the following nine conditions:**

- 1) **The commercial operation shall be a secondary use only, with the agricultural use being the principal use of the site.**
- 2) **The business activity is conducted on the farm by an owner or operator of that farm.**
- 3) **The business activity does not impair or limit the current or future agricultural use of the farm or other protected farmland.**
- 4) **The business activity requires no building, structures, or improvements other than those described in Section 350-27D.(1)(a) or 350-27D.(1)(c).**
- 5) **All building/structure standards of the agricultural district shall apply.**
- 6) **That the owners/applicants apply for and receive a County Land Use Permit prior to commencing any work related to this commercial operation.**
- 7) **That the owners/applicants are responsible for obtaining permits from any other regulatory agency, if required.**
- 8) **No additional expansion of the proposed operational structures or uses shall occur without review and approval through future Conditional Use Permit(s).**
- 9) **The total cumulative hours worked by paid employees, excluding the owner(s), shall not exceed 160 hours per week.**

**Item III: Owners/Applicants:** Paul Koehn **General legal description:** W2466 Princeton Rd, #004-00425-0000, Part of the SW¼ of Section 18, T16N, R13E, Town of Brooklyn **Request:** Rezoning ±3.4 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.

a) Public hearing

No one appeared

6:44 p.m. Public hearing closed.

b) Committee Discussion & Deliberation

Kirkman – Explained the request and how it meets the criteria. The Town of Brooklyn’s *Town Board Action Form* was returned to staff by Town Chairman Mike Wuest; however, Mr. Wuest had signed the form but didn’t check the appropriate box that states whether or not the town approved the request. Reabe stated that, having been a part of the town approval, he could attest that the Town of Brooklyn did approve the request. Mr. Wuest will be contacted and asked to officially check the box on the action form.

The committee discussed the site plan that was submitted by the applicant. The plan was a hand-drawn plan by Scott Hewitt, a professional land surveyor with Grothman and Associates (Portage). It confused some of the committee members because it didn’t look like the typical site plan that is done using a surveyor’s surveying software. The confusion was the misconception that the prior site plans that have been viewed by committee members are certified survey maps and not survey exhibits of the rezone request. Kirkman explained that the certified survey maps are not completed until after a rezone is approved. The committee discussed further if this request should be approved using the hand-drawn site plan.

c) Committee Decision

**Motion by Slate to deny the request as presented. Motion died for lack of a second.**

**Motion by Wallace/Reabe to approve the rezone request as presented and forward to the county board for final action. Wallace – aye, Reabe – aye, Slate – nay, Starshak – aye. Motion carried.**

**FUTURE COMMITTEE ACTIVITIES**

**a. Future agenda items**

**b. Meeting Date**

February 1, 2018

Business meeting – 5:15 p.m. - Public hearing – 6:30 p.m.

**ADJOURN**

**6:54 p.m. Meeting adjourned.**

**RECORDED BY**

Carole DeCramer  
Committee Secretary

**APPROVED ON:**

**GREEN LAKE COUNTY  
LAND USE PLANNING ZONING DEPARTMENT**

FEES RECEIVED		DECEMBER				YEAR TO DATE				BUDGET
		2016		2017		2016		2017		2017
		NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	
<b>LAND USE PERMITS</b>										
Residential	New	4	2,200	4	1,300	71	20,500	40	15,300	-
	Alterations	-	-	-	-	58	8,800	80	12,300	-
Commercial	New	-	-	1	50	11	1,400	6	1,250	-
	Alterations	-	-	-	-	5	1,750	2	1,100	-
Agricultural	New	-	-	2	300	27	4,050	23	3,500	-
	Alterations	-	-	-	-	13	1,500	4	750	-
Other	New	-	-	-	-	-	-	-	-	-
	Alterations	-	-	-	-	-	-	-	-	-
Other	New	-	-	-	-	-	-	-	-	-
	Alterations	-	-	-	-	-	-	-	-	-
Misc.	Denied/Refunded	-	-	-	-	-	-	-	-	-
	Permit Renewals	-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>4</b>	<b>\$ 2,200</b>	<b>7</b>	<b>\$ 1,650</b>	<b>185</b>	<b>\$ 38,000</b>	<b>155</b>	<b>\$ 34,200</b>	<b>\$ 30,000 114%</b>
<b>SANITARY PERMITS (POWTS)</b>										
Residential	New	3	840	6	1,195	22	6,385	27	7,600	-
	Replacement	3	840	4	1,120	50	14,300	53	15,350	-
	Reconnect	-	-	-	-	1	280	3	840	-
	Modify	-	-	1	150	9	1,350	4	450	-
	Repairs	-	-	1	150	-	-	1	150	-
	Additional Fees	-	-	-	-	-	-	-	-	-
Commercial	New	-	-	-	-	6	1,905	-	-	-
	Replacement	-	-	-	-	2	580	1	280	-
	Reconnect	-	-	-	-	-	-	-	-	-
	Modify	-	-	-	-	-	-	-	-	-
	Additional Fees	-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>6</b>	<b>\$ 1,680</b>	<b>12</b>	<b>\$ 2,615</b>	<b>90</b>	<b>\$ 24,780</b>	<b>89</b>	<b>\$ 24,670</b>	<b>\$ 17,000 145%</b>
<b>NON-METALLIC MINING PERMITS</b>										
Annual Permit Fees		-	-	-	-	18	14,300	18	14,500	-
<b>Total</b>		<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>18</b>	<b>\$ 14,300</b>	<b>18</b>	<b>\$ 14,500</b>	<b>\$ -</b>
<b>BOARD OF ADJUSTMENT</b>										
Special Exception		-	-	-	-	-	-	-	-	-
Variances		-	-	-	-	4	1,500	4	1,500	-
Appeals		-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>4</b>	<b>\$ 1,500</b>	<b>4</b>	<b>\$ 1,500</b>	<b>\$ 750 200%</b>
<b>PLANNING &amp; ZONING COMMITTEE</b>										
Zoning Change		2	750	2	750	16	6,000	15	6,000	-
Conditional Use Permits		-	-	-	-	5	1,875	5	2,250	-
Ordinance/Comp Plan Amendments		-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>2</b>	<b>\$ 750</b>	<b>2</b>	<b>\$ 750</b>	<b>21</b>	<b>\$ 7,875</b>	<b>20</b>	<b>\$ 8,250</b>	<b>\$ 6,000 138%</b>
<b>MISC.</b>										
Rental Weatherization		3	75	-	-	12	300	14	350	250
Wisconsin Fund		-	-	-	-	-	-	2	200	-
<b>Total</b>		<b>3</b>	<b>\$ 75</b>	<b>-</b>	<b>\$ -</b>	<b>12</b>	<b>\$ 300</b>	<b>16</b>	<b>\$ 550</b>	<b>\$ 250 220%</b>
<b>SURVEYOR</b>										
Certified Survey Maps		-	-	4	890	29	4,905	6	9,315	4,000
Preliminary Plats		-	-	-	-	-	-	34	-	-
Final Plats		-	-	-	-	-	-	40	-	-
Miscellaneous		-	-	-	-	-	12,222	72	125	-
<b>Total</b>		<b>-</b>	<b>\$ -</b>	<b>4</b>	<b>\$ 890</b>	<b>29</b>	<b>\$ 17,127</b>	<b>80</b>	<b>\$ 9,440</b>	<b>\$ 4,000 236%</b>
<b>GIS (Geographic Information System)</b>										
Map Sales		-	-	-	37	2	315	-	229	500
Land Records Transfer		-	2,728	-	2,345	2	30,584	-	30,425	25,000
Land Information Grant		-	-	-	-	-	-	-	9,080	9,080
<b>Total</b>		<b>-</b>	<b>\$ 2,728</b>	<b>-</b>	<b>\$ 2,382</b>	<b>4</b>	<b>\$ 30,899</b>	<b>-</b>	<b>\$ 39,734</b>	<b>\$ 34,580 115%</b>
<b>GRAND TOTAL</b>		<b>15</b>	<b>7,433</b>	<b>25</b>	<b>8,087</b>	<b>359</b>	<b>134,781</b>	<b>382</b>	<b>132,844</b>	<b>\$ 92,580 143%</b>

<b>POWTS REIMBURSEMENT</b>				
Septic Installation 10/07/15	\$ 6,360.00			
Account #17-101-10-49320-000-000		Year-end 2016	Nov-17	YTD 2017
Principal & Interest Payments		\$ 3,344.11	\$ 573.53	\$ 1,325.20
				Balance
				\$ 1,690.69

For 12/01/17 - 12/31/17

Revenue Summary Report

FJRES01A

Periods 12 - 12

Land Use & Zoning Month End Revenue

MER100-10-P&Z

<u>Account No/Description</u>	<u>Budget Amount</u>	<u>Period Amount</u>	<u>Y-T-D Amount</u>	<u>Balance</u>	<u>Percent Received</u>
10 Land Use Planning and Zoning					
17-100-10-43589-000-000 Rental Weatherization	250.00	.00	350.00	-100.00	140.00
17-100-10-44400-000-000 Land Use Permits	30,000.00	1,680.00	34,230.00	-4,230.00	114.10
17-100-10-44400-001-000 BOA Public Hearing	750.00	.00	1,500.00	-750.00	200.00
17-100-10-44400-002-000 PZ Public Hearing	6,000.00	750.00	8,250.00	-2,250.00	137.50
17-100-10-44400-003-000 Misc	.00	.00	125.00	-125.00	.00
17-100-10-44409-000-000 Non-Metallic Mining	.00	.00	14,500.00	-14,500.00	.00
17-100-10-44410-000-000 Sanitary Permits	17,000.00	2,615.00	24,670.00	-7,670.00	145.12
17-100-10-44411-000-000 Wisconsin Fund Applications	.00	.00	200.00	-200.00	.00
17-100-10-46131-001-000 GIS Map Sales	500.00	37.00	229.00	271.00	45.80
17-100-10-46131-002-000 Strategic Fund	9,080.00	.00	9,080.00	.00	100.00
17-100-10-46762-000-000 Certified Survey Maps	7,785.00	660.00	9,285.00	-1,500.00	119.27
17-100-10-47411-000-000 Interdepartment transfer/Land Records	25,000.00	.00	.00	25,000.00	.00
10 Land Use Planning and Zoning	96,365.00	5,742.00	102,419.00	-6,054.00	106.28

GREEN LAKE COUNTY

For 12/01/17 - 12/31/17

Revenue Summary Report

FJRES01A

Periods 12 - 12

Land Use & Zoning Applied Funds

MER101-10-P&Z

<u>Account No/Description</u>	<u>Budget Amount</u>	<u>Period Amount</u>	<u>Y-T-D Amount</u>	<u>Balance</u>	<u>Percent Received</u>
49320 Applied Funds					
17-101-10-49320-000-000 Applied Funds Code Enforcement	225,611.13	.00	1,325.20	224,285.93	.59
49320 Applied Funds	225,611.13	.00	1,325.20	224,285.93	.59

For 12/01/17 - 12/31/17

Expenditure Summary Report

FJEXS01A

Periods 12 - 12

Land Use & Zoning Month End Expenses

MEE100-10-P&Z

<u>Account No/Description</u>	<u>Adjusted Budget</u>	<u>Y-T-D Encumb</u>	<u>Period Expended</u>	<u>Y-T-D Expended</u>	<u>Available Balance</u>	<u>Percent Used</u>
<b>10 Land Use Planning and Zoning</b>						
<b>53610 Code Enforcement</b>						
17-100-10-53610-110-000 Salaries	265,433.17	.00	20,880.57	254,991.38	10,441.79	96.07
17-100-10-53610-140-000 Meeting Payments	1,000.00	.00	1,071.31	1,071.31	-71.31	107.13
17-100-10-53610-151-000 Social Security	20,305.64	.00	1,539.98	20,059.70	245.94	98.79
17-100-10-53610-153-000 Ret. Employer Share	18,049.46	.00	1,419.86	18,419.59	-370.13	102.05
17-100-10-53610-154-000 Health Insurance	41,214.64	.00	4,895.52	61,623.79	-20,409.15	149.52
17-100-10-53610-155-000 Life Insurance	467.92	.00	41.97	482.84	-14.92	103.19
17-100-10-53610-210-001 Professional Services-LD	5,000.00	.00	.00	4,855.50	144.50	97.11
17-100-10-53610-210-002 Professional Services-SRV	8,785.00	.00	1,450.00	10,175.00	-1,390.00	115.82
17-100-10-53610-210-003 Miscellaneous Fees	1,000.00	.00	.00	500.00	500.00	50.00
17-100-10-53610-310-000 Office Supplies	200.00	.00	.00	94.79	105.21	47.40
17-100-10-53610-312-000 Field Supplies	300.00	.00	.00	100.00	200.00	33.33
17-100-10-53610-320-000 Publications-BOA Public Hearing	1,000.00	.00	284.50	1,219.00	-219.00	121.90
17-100-10-53610-320-001 Publications-PZ Public Hearing	2,000.00	.00	200.50	3,390.75	-1,390.75	169.54
17-100-10-53610-321-000 Seminars	1,000.00	.00	40.00	853.76	146.24	85.38
17-100-10-53610-324-000 Member Dues	800.00	.00	.00	740.00	60.00	92.50
17-100-10-53610-330-000 Travel	1,000.00	.00	.00	451.02	548.98	45.10
17-100-10-53610-352-000 Vehicle Maintenance	1,000.00	.00	77.13	1,067.10	-67.10	106.71
17-100-10-53610-810-000 Capital Equipment-CEO Vehicle Purchase	2,000.00	.00	.00	.00	2,000.00	.00
<b>53610 Code Enforcement</b>	<b>370,555.83</b>	<b>.00</b>	<b>31,901.34</b>	<b>380,095.53</b>	<b>-9,539.70</b>	<b>102.57</b>
<b>10 Land Use Planning and Zoning</b>	<b>370,555.83</b>	<b>.00</b>	<b>31,901.34</b>	<b>380,095.53</b>	<b>-9,539.70</b>	<b>102.57</b>

For 12/01/17 - 12/31/17

Expenditure Summary Report

FJEXS01A

Periods 12 - 12

Land Use & Zoning Carryover

MEE101-10-P&Z

<u>Account No/Description</u>	<u>Adjusted Budget</u>	<u>Y-T-D Encumb</u>	<u>Period Expended</u>	<u>Y-T-D Expended</u>	<u>Available Balance</u>	<u>Percent Used</u>
<b>53610 Code Enforcement</b>						
17-101-10-53610-999-000 Carryover Non-Metallic Mining	77,162.00	.00	.00	.00	77,162.00	.00
17-101-10-53610-999-001 Carryover Code Enforcement Veh Purchase	25,907.20	.00	.00	.00	25,907.20	.00
17-101-10-53610-999-004 Professional Services - Land Development	43,532.00	.00	.00	5,086.93	38,445.07	11.69
17-101-10-53610-999-007 Professional Services - Surveyor	79,009.93	.00	.00	.00	79,009.93	.00
<b>53610 Code Enforcement</b>	<b>225,611.13</b>	<b>.00</b>	<b>.00</b>	<b>5,086.93</b>	<b>220,524.20</b>	<b>2.25</b>

## Land Use Permits: 12/01/17 - 12/31/17



Parcel Number	Town	Site Address	Owner Name	Permit Fee	Project Cost	Project
002-00304-0700	Berlin	N8589 Old State Road 49	Alexander White & Vy Le	600.00	499,000.00	Single-family dwelling w/attached garage, decks
004-00285-0200	Brooklyn	W594 State Road 49	Brave Industries, LLC	50.00	950.00	Commercial advertising sign
004-00452-0200	Brooklyn	W1753 North St	Jeff A. & Pamela D. Novak	150.00	10,000.00	Detached garage
006-01409-0000	Green Lake	W2072 Melmar Dr	Randy & Linda Matzke	150.00	53,000.00	Attached garage, new parking area & driveway
012-00125-0000	Manchester	W4376 State Road 44	Harley A. Bontrager	150.00	40,000.00	Rebuild tool shed
012-00283-0000	Manchester	W3658 S Gate Rd	Paul K. Schwandt	150.00	20,000.00	Ag building - detached storage shed
014-00765-0200	Marquette	W4744 County Road B	Joshua R. Walker	400.00	250,000.00	Single-family dwelling w/attached garage & workspace
<b>Total</b>				<b>\$ 1,650.00</b>	<b>\$ 872,950.00</b>	

## Sanitary Permits: 12/1/2017 - 12/31/2017



Parcel Number	Town	Site Address	Owners	Permit Fee	Permit Type
002-00073-0000	Berlin	W2189 Dakota Ave	Bernard Rodensal	150.00	Addition/Modification
002-00304-0700	Berlin	N8589 Old State Road 49	Alexander White	280.00	New System
004-00472-0200	Brooklyn	N5967 Lost Creek Rd	Gagne Rev. Trust	150.00	Repair System
004-01020-0000	Brooklyn	N6150 N Lawson Dr	Arlene M. Alvin	280.00	Replacement System
014-00765-0200	Marquette	W4744 County Road B	Joshua R. Walker	280.00	New System
016-00684-1300	Princeton	W5206 Oak Tree Ln	Leigh D. Mlodzik	280.00	Replacement System
018-00084-0300	St. Marie	N7274 Whitetail Ln	Christopher J. Zaker	280.00	Replacement System
018-00673-0000	St. Marie	N7510 State Road 73	Michael E. Sias	355.00	New System
020-00100-0200	Seneca	Chappa Rd	Serenus LLC	280.00	New System
020-001810100	Seneca	W3396 South Rd	Dennis R. Van Ornum	280.00	Replacement System
<b>Total</b>				<b>\$ 2,615.00</b>	



## Land Use Violation Report - February, 2018

Town	Original Name	Site Address	Type	Description	Violation Date
Princeton	Weslee Wickus Properties, LLC	N4442 S Lakeshore Dr	Shoreland	338-63A - No land use permit applied for or issued for a patio in the shoreland jurisdiction. Update: LUP to be applied in spring if patio is to be kept; vegetative buffer quote from landscaper a determining factor.	2017-10-02
Princeton	Weslee Wickus Properties, LLC	N4442 S Lakeshore Dr	Shoreland	338-32 A - Patio constructed in shoreland setback (75ft from OHWM, patio is nearer than 40ft) without mitigation efforts of restoring vegetative buffer, meeting minimum setback from OHWM (35ft), and associated deed restriction on file with Register of Deeds to maintain said vegetative buffer. Update: Owner contracting with landscaper on quote to install buffer this spring.	2017-10-02
Marquette	Sueann M Okpalaeke-Hutton, Matthew U Hutton-Okpalaeke	W6853 Puckaway Rd	Zoning	The site visit on July 25, 2017, revealed that 3 vehicles are located on the property, possibly without current registration. Plates were obscured by vegetation; aerial photography from 2015 and 2011 show these vehicles in the same locations. The permanency of these vehicles in conjunction with their apparent abandonment in upkeep is in violation of County Zoning Ordinance 350-14 D. and 350-21 C. and D., which regulate storage of equipment and motor vehicle parking. Update: two vehicles have been removed; last is to be donated and picked up in the spring when snow melts.	2017-08-03



## POWTS Violation Report - February, 2018

Parcel #	Township	Site Address	Property Owner	Violation	Vio Date	# Vios
4001610000	Brooklyn	W1773 COUNTY ROAD J	PISCHKE IRREVOCABLE INCOME TRUST IONE	Tank overfull and discharging to ground surface.	6/9/2017	1
4002240300	Brooklyn	W516 BROOKLYN J RD	CRUMP GORDON M & SUSAN F	Tank overfull and discharging to ground surface.	2/10/2017	1
4002800800	Brooklyn	W740 STATE ROAD 23 49	WOYAK GREGORY A	Tank baffles not present or secure.	4/26/2017	1
4002850400	Brooklyn	W586 STATE ROAD 23 49	SHRADER ROBERT & BONNIE	Tank failure not structurally sound.	7/21/2017	1
4002860300	Brooklyn	N6219 SUNNYSIDE RD	KELMA AUDREY I	Tank failure not structurally sound.	6/6/2017	1
4003110000	Brooklyn	W1287 N LAWSON DR	RICHTER REAL ESTATE LLC JOHN	Holding tank overflowing to ground.	10/6/2017	1
4003190100	Brooklyn	W1049 STATE ROAD 23 49	ABEL RADENE M	Tank failure not structurally sound.	10/23/2017	1
4003200000	Brooklyn	W963 STATE ROAD 23 49	WALLENFANG REV INTERVIVOS TRUST NOLAN	Tank overfull and discharging to ground surface.	10/17/2017	3
4004100100	Brooklyn	W1734 NORTH ST	YUKON STORAGE LLC	Alarm/floats/pump failure in dose tank.	6/12/2017	1
4004250000	Brooklyn	W2466 PRINCETON RD	KOEHN PAUL	Top of drywell collapsed.	6/27/2017	3
4004430300	Brooklyn	W2354 STATE ROAD 23	JULI REALTY LLC	Tank overfull and discharging to ground surface.	7/6/2017	3
4004700302	Brooklyn	N6057 ROBIN LN	FAUCETTE RONALD & DANI	Filter not functioning properly.	7/20/2017	1
4006880000	Brooklyn	W1973 S LAWSON DR	LA MIRE CLARENCE W & JOANN I	Tank lid not properly secured.	7/24/2017	5
4006900200	Brooklyn	W2005 IRVING PARK RD	CHIER DEAN	Probable surface discharge.	5/19/2017	1
4007710000	Brooklyn	W239 PRAIRIE RD	MACHKOVICH STEVEN E & JENNY L	Tank lid not properly secured.	8/21/2017	1
4009310000	Brooklyn	N5325 LAWSON DR	AMERICAN BAPTIST ASSEMBLY	Holding tank overflowing to ground.	5/9/2017	2
4010020000	Brooklyn	W2201 HICKORY RD	HYNES TRUST NANCY L CODY	Holding tank overflowing to ground.	10/2/2017	6
4017590000	Brooklyn	W2035 TAYLOR LEE LN	SCHABERG DAVID L	Filter not functioning properly.	4/21/2017	1
4017750000	Brooklyn	W2615 S VALLEY VIEW DR	LAWSONIA INC	Lid on tank not properly secured.	11/8/2017	1
6000800100	Berlin	N4550 HORNER RD	THORP EDWIN C & HOLLY J	Tank failure not structurally sound.	11/17/2017	1
6008290100	Berlin	W2710 COUNTY ROAD K	MILLS DEC OF TRUST THOMAS W	Tank overfull and discharging to ground surface.	5/9/2017	1
6011080100	Berlin	W1128 SCOTT HILL RD	FEENEY JOHN S	Tank failure not structurally sound.	6/19/2017	1
6012670000	Berlin	N3129 LAKE SHORE DR	MUNRO EUGENE E	Tank overfull and discharging to ground surface.	10/30/2017	2
8000180100	Kingston	W7291 COUNTY ROAD B	LAMBRIGHT SARAH W	No vents on dispersal cell to check system for functionality	6/9/2017	1
8001700000	Kingston	N1634 COUNTY ROAD FFF	BUFFINGTON JOHN C	Filter not functioning properly.	12/5/2017	1

10001870000	Mackford	W1161 COUNTY ROAD S	DENK JOEL C	Probable surface discharge.	11/9/2017	1
10002500100	Mackford	N1842 N BRAVE RD	LARMAY CONSTRUCTION INC	DSPS 382.10(2)(d); Section 145.135(1); Section 334-4C(1	11/18/2016	1
12002580000	Manchester	N1615 MADISON ST	DARSCH DONALD M	Lid on tank not properly secured.	11/1/2017	3
14002340100	Marquette	W5620 PINE RD S	GERTH GREGORY J & LORELLE J	Tank overfull and discharging to ground surface.	8/22/2017	1
14004060000	Marquette	W6848 JOLIN RD	ESGAR JEFFREY W	Tank overfull and discharging to ground surface.	9/3/2017	1
14009120000	Marquette	W6260 LAKEVIEW DR N	DEVALK KEITH A	Tank lid not properly secured with locking device.	7/25/2017	1
14009540000	Marquette	W5282 PINE RD N	STEEGER KEITH	Tank overfull and discharging to ground surface.	11/7/2017	3
16000690000	Princeton	W4706 STATE ROAD 23 73	GAGNE FORD MERCURY INC	Holding tank overflowing to ground.	5/1/2017	2
16000790200	Princeton	N5792 COUNTY ROAD D	GRAETZ DANIEL F & DENISE C	Surface discharge of sewage/effluent	10/4/2017	1
16001120100	Princeton	W4537 STATE ROAD 23 73	SORENSEN PATRICK L & LISA M	Tank lid not properly secured.	11/8/2017	4
16001400000	Princeton	W4022 OLD GREEN LAKE RD	MARSCHALL CRYSTAL M	Tank overfull and discharging to ground surface.	11/28/2017	16
16001550100	Princeton	W3464 OLD GREEN LAKE RD	HOME OF DIVINE MERCY INC	No vents on dispersal cell to check system for functionality	5/4/2017	1
16001550101	Princeton	No Address Available	BARN IN BETHLEHEM LLC	Filter not functioning properly.	5/4/2017	1
16001720000	Princeton	W3457 STATE ROAD 23	BOGUCKE DAVID J	Top of drywell collapsed.	11/30/2017	3
16004100000	Princeton	N4682 COUNTY ROAD D	KALLAS JOSEPH	Tank overfull and discharging to ground surface.	6/9/2017	1
16004650000	Princeton	N4467 HICKORY LN	RYAN LYNN M	Lid on tank not properly secured.	7/28/2017	3
16005790000	Princeton	W5482 LOSINSKI RD	WEGNER JAMES M	Tank failure not structurally sound.	9/5/2017	2
16005990000	Princeton	W5847 LOSINSKI RD	SCHMIDT JR ROBERT C	Holding tank overflowing to ground.	3/9/2017	2
16006660200	Princeton	N6140 PLEASANT DR	ST LOUIS JOSEPH	Tank overfull and discharging to ground surface.	3/17/2017	2
16006860100	Princeton	N5599 OAK TREE ACRES	SEEHAVER DARREL C & CAROLYN I	Tank lid not properly secured.	10/20/2017	1
16007310100	Princeton	N5698 SODA RD	MC CURDY DONALD M	Tank lid not properly secured with locking device.	10/2/2017	1
16008010300	Princeton	N5591 LOCK RD	CALAMITA MICHAEL J	Tank overfull and discharging to ground surface.	9/29/2017	14
16008190100	Princeton	W5431 OXBOW TRL	SWANSON JERRY D	Tank lid not properly secured.	6/26/2017	1
16008830100	Princeton	N5108 FOX RIVER LN	MEIDL CHRISTOPHER J	Holding tank overflowing to ground.	5/9/2017	2
16009090300	Princeton	N5045 KUHARSKI RD	SOMMERFELDT MICHAEL & TERESA	Holding tank overflowing to ground.	1/4/2018	1
16010840000	Princeton	N4611 OAK RD	MARKS PAUL R	Tank lid not properly secured.	8/7/2017	2
16010870000	Princeton	N4621 OAK RD	SUMANIS ROBERT A & LAURIE K	Tank lid not properly secured.	8/21/2017	1
16011130000	Princeton	N4570 ELM ST	PURPERO CYNTHIA BETH	Tank failure not structurally sound.	7/10/2017	1
16014610000	Princeton	N5141 FOX RIVER LN	KIECK WILLIAM A	Lid on tank not properly secured.	6/22/2017	14
16014810000	Princeton	W4834 EVERGREEN DR	WCS TRUST	Tank lid not properly secured.	11/2/2017	1

16017130000	Princeton	W4860 KRISTINE CT	DOMAN KEN & SHIRLEY	Tank overfull and discharging to ground surface.	2/27/2017	1
16018080000	Princeton	N5580 SANDCREST LN	WILLIAMS MARIA L	Tank failure not structurally sound.	6/27/2017	1
18002320000	St. Marie	N6736 PUCHYAN MARSH RD	WOLTER DIANA A	Tank overfull and discharging to ground surface.	6/20/2017	1
18002710700	St. Marie	N6425 RIVER RD	WEDDE ROBERT E	Tank baffles not present or secure.	7/11/2017	1
18004300000	St. Marie	N7335 LOCK RD	HAMMEN RANDY M	Lid on tank not properly secured.	8/15/2017	3
206018590000	City of Berlin	459 HALLMAN ST	DORO RICHARD J	Tank failure not structurally sound.	5/10/2017	1

- C. Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
- D. Any private on-site wastewater treatment system or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Wisconsin Department of Natural Resources approved campgrounds that meet the applicable provisions of local ordinances and Ch. ~~Comm-SPS~~ 83, Wis. Adm. Code.
- E. Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of local ordinances and Chs. NR 811 and NR 812, Wis. Adm. Code;
- F. Any solid or hazardous waste disposal sites;
- G. Any wastewater treatment ponds or facilities, except those permitted under § NR 110.15(3)(b), Wis. Adm. Code;
- H. Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway that complies with the regulations for the floodplain area occupied.

## Article V Flood-Fringe District

### § 300-27 Applicability.

This section applies to all flood-fringe areas shown on the Floodplain Zoning Maps and those identified pursuant to § 300-33.

### § 300-28 Permitted uses.

Any structure, land use, or development is allowed in the Flood-Fringe District if the standards in § 300-29 are met, the use is not prohibited by this chapter or any other ordinance or regulation and all permits or certificates specified in § 300-38 have been issued.

### § 300-29 Flood-fringe development standards.

All of the provisions of § 300-18 shall apply. In addition, the following requirements shall apply according to the use requested: Any existing structure in the flood-fringe must meet the requirements of Article VII.

Commented [MEK11]: Article VII is "Nonconforming Uses and Structures"

- A. Residential uses. Any habitable structure, including a manufactured home, which is to be erected, constructed, reconstructed, altered, or moved into the flood-fringe area shall meet or exceed the following standards:
  - (1) The elevation of the lowest floor, ~~excluding the basement or crawlway,~~ shall be at or above the flood-protection elevation on fill, ~~unless the requirements of §300-29A(2) can be met.~~ The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure. ~~The Wisconsin Department of Natural Resources may authorize other flood-proofing measures if the elevations of existing streets or sewer lines make compliance with the fill standards impractical.~~
  - (2) The basement or crawlway floor may be placed at the regional flood elevation if it is dry flood proofed to the flood-protection elevation. No basement or crawlway floor is allowed below the regional flood elevation.
  - (3) Contiguous dry land access shall be provided from a structure to land outside of the floodplain, except as provided in Subsection A(4) below.
  - (4) In developments where existing street or sewer line elevations make compliance with Subsection A(3) above impractical, the County Land Use Planning and Zoning Department may permit new development and substantial improvements where access roads are ~~at or~~ below the regional flood

elevation, if:

- (a) The County Land Use Planning and Zoning Department has written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
- (b) Green Lake County has a Wisconsin Department of Natural Resources-approved emergency evacuation plan. ~~natural-disaster-plan-approved-by-Wisconsin-Emergency-Management-and-the-Wisconsin-Department-of-Natural-Resources-~~

**B. Accessory structures or uses.**

- (1) ~~Except as provided in Subsection B(1) below, an accessory structure which is not connected to a principal structure may be constructed with its~~ Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.

- ~~(2) An accessory structure which is not connected to the principal structure and which is less than 600-square feet in size and valued at less than \$10,000 may be constructed with its lowest floor no more than two feet below the regional flood elevation if it is subject to flood velocities of no more than two feet per second and it meets all of the provisions of § 300-25B(1), (2), (3) and (4) and Subsection E below.~~

Commented [MEK12]: FEMA Minimum Standard. Can't build new structures below the RFE, anymore.

- C. Commercial uses. Any commercial structure which is erected, altered or moved into the flood-fringe area shall meet the requirements of Subsection A above. Subject to the requirements of Subsection E below, storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

- D. Manufacturing and industrial uses. Any manufacturing or industrial structure which is erected, altered or moved into the flood-fringe area shall have the lowest floor elevated to or above be-protected to the flood-protection elevation or meet the using fill, levees, floodwalls, or other flood proofing measures in § 300-42. Subject to the requirements of Subsection E below, storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

Commented [MEK13]: 300-42 refers to Floodproofing

- E. Storage of materials. Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood-protection elevation or flood proofed in compliance with § 300-42. Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.

- F. Public utilities, streets and bridges. All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans, and

- (1) When the failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction of and substantial improvements to such facilities may only be permitted if they are flood proofed in compliance with § 300-42 to the flood-protection elevation;

- (2) Minor roads or nonessential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.

- G. Private on-site wastewater treatment systems. All private on-site wastewater treatment systems shall be designed to minimize or eliminate infiltration of flood water into the system, flood-proofed, pursuant to § 300-42, to the flood-protection elevation and shall meet the provisions of all local ordinances and Ch. ~~Comm~~ SPS 383, Wis. Adm. Code.

- H. Wells. All wells shall be designed to minimize or eliminate infiltration of flood waters into the

~~system flood-proofed~~, pursuant to § 300-42, to the flood-protection elevation and shall meet the provisions of Chs. NR 811 and NR 812, Wis. Adm. Code.

- I. Solid waste disposal sites. Disposal of solid or hazardous waste is prohibited in flood-fringe areas.
- J. Deposition of materials. Any deposited material must meet all the provisions of this chapter.
- K. Manufactured homes.
  - (1) Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.
  - (2) In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:
    - (a) Have the lowest floor elevated to the flood-protection elevation; and
    - (b) Be anchored so they do not float, collapse or move laterally during a flood.
  - (3) Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the flood-fringe in Subsection A above.
- L. Mobile recreational vehicles. All mobile recreational vehicles that are on site for 180 consecutive days or more or are not fully licensed and ready for highway use shall meet the elevation and anchoring requirements in Subsection K(2) and (3) above. A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

## Article VI General Floodplain District

### § 300-30 Applicability.

The provisions for this district shall apply to all floodplains, ~~including A, AE, AO or AH zones~~, for which flood profiles are not available or where flood profiles are available but floodways have not been delineated. Floodway and flood-fringe districts shall be delineated when adequate data is available.

Commented [MEK14]: Added AE in case we have a zone AE without Floodway identified by a study (Rare).

### § 300-31 Permitted uses.

Pursuant to § 300-33, it shall be determined whether the proposed use is located within a floodway or flood-fringe area. Those uses permitted in floodway (§ 300-24) and flood-fringe (§ 300-28) ~~districts areas~~ are allowed within the General Floodplain District, according to the standards of § 300-32, provided that all permits or certificates required under § 300-38 have been issued.

### § 300-32 ~~Standards for development in the General Floodplain District~~ ~~development standards.~~

~~A. In A Zones (and some AE Zones) in the General Floodplain District, flood-profiles may not exist and floodway and flood-fringe districts have not been delineated. Once the flood-profiles exist and the floodway and flood-fringe district have been delineated the development standards of the respective district shall apply. Article IV of this chapter applies to floodway districts. Article V applies to floodfringe districts. The rest of this ordinance applies to either district. For development in the general floodplain, Article IV, Floodway District, applies to floodway areas and Article V, Flood-Fringe District, applies to flood-fringe areas. The rest of this chapter applies to either district.~~

Commented [MEK15]: MEK Added language to clarify development standards for A Zones (Some AE Zones - rare).

~~B. In AO/AH Zones the structure's lowest floor must meet one of the conditions listed below, whichever is higher:~~

(1) at or above the flood protection elevation; or

(2) two (2) feet above the highest adjacent grade around the structure; or

(3) the depth as shown on the FIRM

C. In AO/AH zones, provide plans showing adequate drainage paths to guide floodwaters around structures.

**§ 300-33 Determining floodway and flood-fringe limits.**

Upon receiving an application for development within the General Floodplain District, the County Land Use Planning and Zoning Department shall:

- A. Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the General Floodplain District limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures. And the flood zone shown on the FIRM.
- B. Require the applicant to furnish any of the following information deemed necessary by the Wisconsin Department of Natural Resources to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries:
  - (i) A Hydrologic and Hydraulic Study as specified in Section 300-38B(3) A typical valley cross-section showing the stream channel, the floodplain adjoining each side of the channel, the cross-sectional area to be occupied by the proposed development, and all historic high-water information.
- (2) A plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; the size, location and layout of all proposed and existing structures on the site; the location and elevations of streets, the water supply, and sanitary facilities; soil types; and other pertinent information.
- (3) A profile showing the slope of the bottom of the channel or flow line of the stream.
- (4) Specifications for building construction and materials, flood proofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.
- C. Transmit one copy of the information described in Subsections A and B above to the Wisconsin Department of Natural Resources regional office, along with a written request for technical assistance to establish regional flood elevations and, where applicable, floodway data. Where the provisions of § 300-38B(3) apply, the applicant shall provide all required information and computations to delineate floodway boundaries and the effects of the project on flood elevations.

Commented [MEK16]: Model has a better, more detailed description of what an H&H Study is. This standard sends the reader to that detail.

**Article VII**

**Nonconforming Uses and Structures**

**§ 300-34 General provisions.**

- A. Applicability. If these standards conform with § 59.69(10), Wis. Stats., they shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this chapter or any amendment thereto.
- B. The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this chapter may continue subject to the following conditions:
  - (1) No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this chapter. The words "modification" and "addition" include, but are not limited to,

any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Ordinary maintenance repairs are not considered an extension, modification or addition; these include painting, decorating, paneling and the replacement of doors, windows and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Ordinary maintenance repairs do not include any costs associated with the repair of a damaged structure. The construction of an open deck that does not exceed 200 square feet in area and that is adjacent to the exterior wall of a principal structure is not an extension, modification or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.

- (2) If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted, and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this chapter.
- (3) The County Land Use Planning and Zoning Department shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent.
- (4) No modification or addition to any nonconforming structure or any structure with a nonconforming use which, over the life of the structure, would equal or exceed 50% of its present equalized assessed value shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this chapter. Contiguous dry land access must be provided for residential and commercial uses in compliance with § 300-29A. The costs of elevating a nonconforming building or a building with a nonconforming use to the flood-protection elevation are excluded from the fifty-percent provisions of this subsection.
- (5) Damaged or destroyed structures.
  - (a) Except as provided in Subsection B(5)(b) below, if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current requirements of this chapter. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equals or exceeds 50% of the structure's present equalized assessed value.
  - (b) For nonconforming buildings that are damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building may be permitted in order to restore it after the nonflood disaster, provided that the nonconforming building will meet all of the minimum requirements under applicable Federal Emergency Management Agency regulations (44 CFR Part 60), or the regulations promulgated thereunder.
  - (6) A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic structure, the alteration will comply with § 300-25A, flood-resistant materials are used, and construction practices and flood proofing methods that comply with § 300-42 are used.

§ 300-35 Floodway areas.

- A. No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in a floodway area, unless such modification or addition:
  - (1) Has been granted a permit or variance which meets all of this chapter requirements;
  - (2) Meets the requirements of § 300-34;
  - (3) Will not increase the obstruction to flood flows or regional flood height;

- (4) Any addition to the existing structure shall be flood proofed, pursuant to § 300-42, by means other than the use of fill, to the flood-protection elevation;
- (5) If any part of the foundation below the flood-protection elevation is enclosed, the following standards shall apply:
  - (a) The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of floodwaters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
  - (b) The parts of the foundation located below the flood-protection elevation must be constructed of flood-resistant materials;
  - (c) Mechanical and utility equipment must be elevated or flood proofed to or above the flood-protection elevation; and
  - (d) The use must be limited to parking or limited storage.
- B. No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in a floodway area. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances and Ch. ~~Comm~~ SPS 383, Wis. Adm. Code.
- C. No new well or modification to an existing well used to obtain potable water shall be allowed in a floodway area. Any replacement, repair or maintenance of an existing well in a floodway area shall meet the applicable requirements of all municipal ordinances and Chs. NR 811 and NR 812, Wis. Adm. Code.

**§ 300-36 Flood-fringe areas.**

- A. No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been issued a land use permit by the County Land Use Planning and Zoning Department or granted a variance by the County Board of Adjustment, and the modification or addition shall be placed on fill or floodproofed to the flood-protection elevation in compliance with the standards for that particular use in § 300-29, except where Subsection B below is applicable.
- B. Where compliance with the provisions of Subsection A above would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood-damage potential, the County Board of Adjustment, using the procedures established in § 300-40, may grant a variance from those provisions of Subsection A above for modifications or additions, using the criteria listed below. Modifications or additions that are protected to elevations lower than the flood-protection elevation may be permitted if:
  - (1) No floor is allowed below the regional flood elevation for residential or commercial structures;
  - (2) Human lives are not endangered;
  - (3) Public facilities, such as water or sewer, will not be installed;
  - (4) Flood depths will not exceed two feet;
  - (5) Flood velocities will not exceed two feet per second; and

- (6) The structure will not be used for storage of materials as described in § 300-29E.
- C. If neither the provisions of Subsection A or B above can be met, one addition to an existing room in a nonconforming building or a building with a nonconforming use may be allowed in the flood-fringe, if the addition:
  - (1) Meets all other regulations and will be granted by permit or variance;
  - (2) Does not exceed 60 square feet in area; and
  - (3) In combination with other previous modifications or additions to the building, does not equal or exceed 50% of the present equalized assessed value of the building.
- D. All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system, shall meet all the applicable provisions of all local ordinances and Ch. ~~Comm-SPS~~ SPS 383, Wis. Adm. Code.
- E. All new wells, or addition to, replacement, repair or maintenance of a well, shall meet the applicable provisions of this chapter and Chs. NR 811 and NR 812, Wis. Adm. Code.

**Article VIII  
Administration**

**§ 300-37 Officials designated.**

Where the County Land Use Planning and Zoning Department, County Land Use Planning and Zoning Committee or a County Board of Adjustment has already been appointed to administer a zoning ordinance adopted under § 59.69, 59.692, Wis. Stats., these officials shall also administer this chapter.

**§ 300-38 County Land Use Planning and Zoning Department.**

- A. The County Land Use Planning and Zoning Department is authorized to administer this chapter and shall have the following duties and powers. It shall:
  - (1) Advise applicants of the provisions of this chapter, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.
  - (2) Issue permits and inspect properties for compliance with the provisions of this chapter and issue certificates of compliance where appropriate.
  - (3) Inspect all damaged floodplain structures and perform a substantial damage assessment to determine if substantial damage to the structures has occurred.
  - (4) Keep records of all official actions such as:
    - (a) All permits issued, inspections made, and work approved.
    - (b) Documentation of certified lowest floor and regional flood elevations for floodplain development.
    - (c) Records of water surface profiles, Floodplain Zoning Maps and ordinances, nonconforming uses and structures, including changes, appeals, variances and amendments.
    - (d) All substantial damage assessment reports for floodplain structures.
    - ~~(e) Floodproofing certificates.~~
    - ~~(f) List of nonconforming structures and uses.~~

# NOTICE OF PUBLIC HEARING

The Land Use Planning and Zoning Committee of *Green Lake County* will hold a public hearing in County Board Room #0902 of the Government Center, 571 County Road A, Green Lake, WI, on *Thursday, February 1, 2018, at 6:30 p.m.* to consider the following items:

**Item I: Owners/Applicants:** William H & Martha Pickrell **Agent:** Jared Kohlenberg **General legal description:** W730 Sunnyside Rd, Parcel #004-00559-0000, Part of the NW¼ of Section 23, T16N, R13E, Town of Brooklyn **Request:** Rezone ±6.5 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.

**Item II: Owners/Applicants:** Ione Pischke Irrevocable Income Trust **Agent:** Sharon Timm, Trustee **General legal description:** W1773 County Road J, Parcel #004-00161-0000, Part of the SE¼ of Section 8, T16N, R13E, Town of Brooklyn **Request:** Rezone ±5.36 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.

**Item III: Owners/Applicants:** Nolan Francis Wallenfang Revocable Inter Vivos Trust **Agent:** Nolan F Wallenfang, Trustee **General legal description:** W963 State Road 23 49, #004-00320-0300, Part of the SE¼ of Section 15, T16N, R13E, Town of Brooklyn **Request:** Rezone 3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.

**Item IV: Owners/Applicants:** Steven D & Irene E Dzbinski **General legal description:** N1096 & N1098 Pleasant Dr, #010-00464-0300, Lot 1 Certified Survey Map 3583 located in the SE¼ of Section 22, T14N, R13E, Town of Mackford **Request:** Rezone 1.27 acres from A-1 Farmland Preservation District to R-3 Multiple Family Residence District.

All interested persons wishing to be heard at the public hearing are invited to attend. The public can direct written comments to the Land Use Planning & Zoning Department, P.O. Box 3188, Green Lake, WI 54941 or [zoning@co.green-lake.wi.us](mailto:zoning@co.green-lake.wi.us). For information related to the outcome of this public hearing item, contact the Green Lake County **Land Use Planning and Zoning Department** at (920) 294-4156.

*Publish: January 18, 2018 & January 25, 2018*

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT  
PUBLIC HEARING

February 1, 2018

ITEM I: ZONING CHANGE

**OWNER:**

William & Martha Pickrell

**APPLICANT:**

Jared Kohlenberg

**REQUEST:** The owners/applicants are requesting a zoning change from A-1 Farmland Preservation District to R-4, Rural Residential District, ±6.5 acres. To be determined by certified survey map.

**PARCEL NUMBER / LOCATION:** The affected parcel number is 004-00559-0000, located in the NE¼ and SE¼ of Section 23, T16N, R13E, Town of Brooklyn. The site proposed for zoning change is located at W730 Sunnyside Road.

**EXISTING ZONING AND USES OF ADJACENT AREA:** The current zoning of the parcel in question is A-1, Farmland Preservation District and lands surrounding the subject site are also A-1, Farmland Preservation District, with the predominant use of the land being agricultural. To the south of the property there are lands zoned R-1, Single-Family Residence District, A-2, General Agriculture District, and NRC, Natural Resource Conservancy District.

The Green Lake County Farmland Preservation Plan identifies the land under consideration for this zoning change to be in a Farmland Preservation Area.

According to Flood Boundary and Floodway Map Panel 55047C0131 C, all lands under consideration for this request are located out of the general floodplain. The Wisconsin Wetland Inventory shows roughly 0.7 acres of area as "W0H". This classification is to represent an open area with standing water present for much of the growing season. This area is known to the owners and applicants, and has not historically been farmed. There is also Shoreland Zoning jurisdiction on the property, stemming from this low wetland area that has been mapped by the DNR/USGS as a headwater spring which flows into Silver Creek and then Green Lake.

**ADDITIONAL INFORMATION / ANALYSIS:** According to the application, the owner would like to subdivide ±6.5 acres, which contains a single-family dwelling and access from Sunnyside Road, from the ±35 acre parcel. The remaining acreage will be sold to another buyer to continue being used for agriculture and a new single-family dwelling. Those remaining acres will stay in A-1, Farmland Preservation District.

**STATUTORY CRITERIA PER 91.48(1):** Land may be rezoned out of a farmland preservation zoning district if all of the following are found after public hearing: **(Staff comments in bold)**

- a) The land is better suited for a use not allowed in the farmland preservation zoning district. **A goal of the county's comprehensive plan and of the county Farmland Preservation Plan is to preserve and protect quality agricultural lands. As R-4 Rural Residential District allows for light agricultural use, this request continues to preserve and protect agricultural lands in Green Lake County.**
- b) The rezoning is consistent with any applicable comprehensive plan. **The proposed rezone is consistent with the county's comprehensive plan as it**

**upholds the goals and objectives, most prominently the goal to preserve the rural characteristic of the county.**

- c) **The rezoning is substantially consistent with the county certified Farmland Preservation Plan. The overall goal of the county's certified Farmland Preservation Plan is to maintain the integrity and viability of county agriculture. It is staff's belief that the request does not negatively impact the integrity or viability of county agriculture and is, therefore, substantially consistent with the county's certified Farmland Preservation Plan.**
- d) **The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or are legally restricted to agricultural use. The R-4, Rural Residential District is intended to provide for limited rural residential use development, but also require a larger area to maintain the rural character and to accommodate uses like light agriculture. The R-4 district is intended not to impair or limit future agricultural use of surrounding parcels.**

**TOWN OF BROOKLYN: An Action Form requesting the Town of Brooklyn's input related to this zoning change request was mailed to the Town Clerk on December 4, 2017.**

Please type or use black ink

Return to: Green Lake County  
Planning & Zoning Department  
492 Hill St, PO Box 3188  
Green Lake, WI 54941

**GENERAL APPLICATION**

Fee \$ 375 (not refundable)

Date 11/22/17

Zone Change from A-1 to R4

Conditional Use Permit for \_\_\_\_\_

Other \_\_\_\_\_

**AGENT IF OTHER THAN PROPERTY OWNER**

Name Jared Kahlenberg

Mailing Address N5942 Cass Ct Green Lake WI 54941

Phone Number 402-202-1924

Signature [Signature] Date 11/22/17

**PROPERTY OWNER / APPLICANT**

Name WILLIAM + MARTHA PICKRELL

Mailing Address W730 SUNNYSIDE ROAD, GREEN LAKE, WI

Phone Number 920-294-4410

Signature [Signature] Date 11-28-2017

**PROPERTY INFORMATION**

Town of Brooklyn Parcel Number D04-00559-0000 Acres 35

Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Section 23 Town 16 North Range 13 East

Location of Property W730 Sunnyside Rd Green Lake WI

Legal Description \_\_\_\_\_

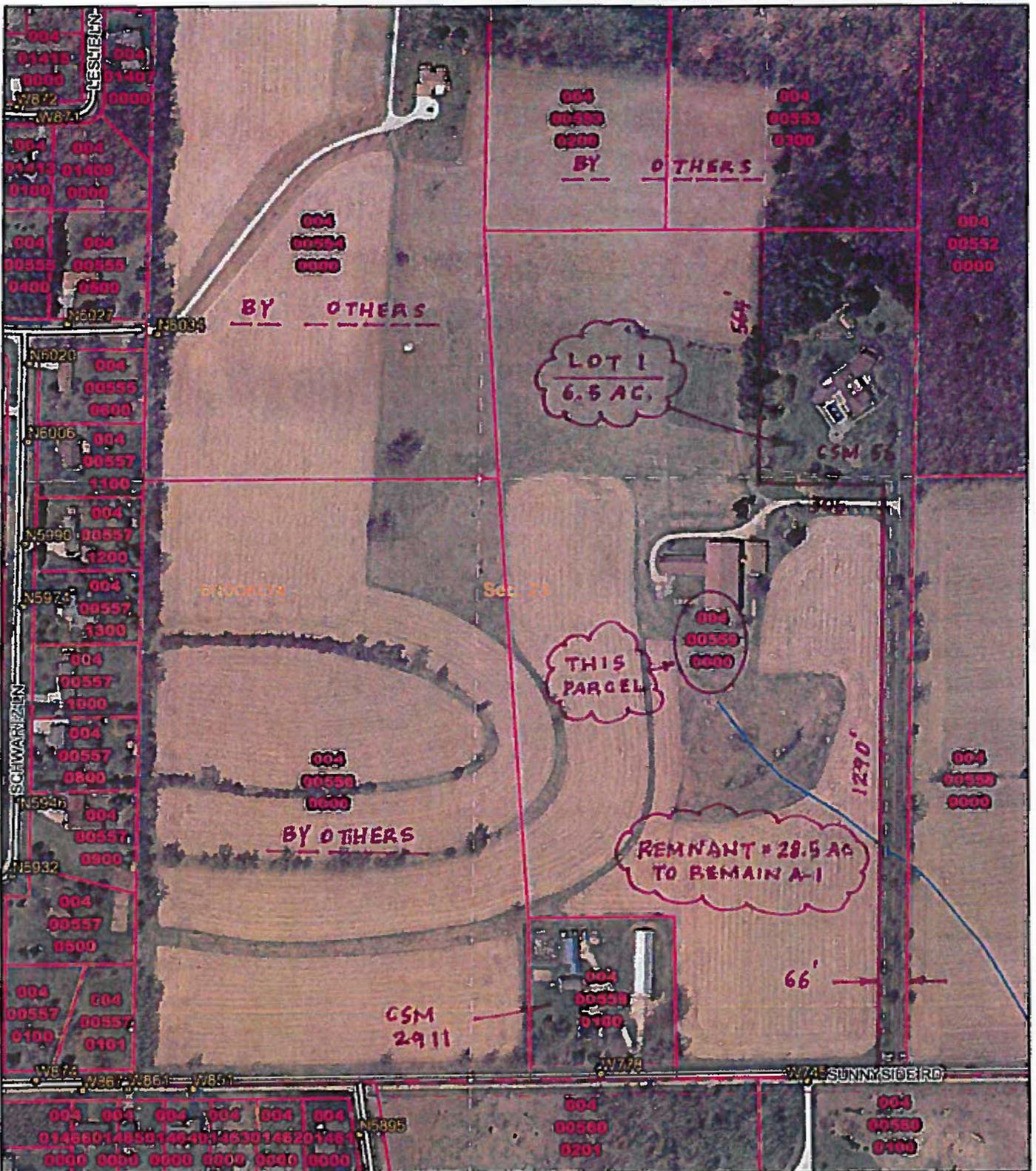
Current Zoning Classification A-1 Current Use of Property Single family dwelling with rented out agricultural fields, vineyard, & accessory buildings.

Detailed Description of Proposed Use \_\_\_\_\_

Plan to divide House 26.5 acres and sell land to single buyer at closing in February 2018 who will build on land & keep the remaining 28.5 acres intact

**PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION**

- Fees: Zone Change \$375
- Conditional Use Permit \$375.00
- Variance \$375.00
- Special Exception \$375.00



Green Lake County

1 inch = 300 feet

Geographic Information System (GIS)  
<https://gis.co.green-lake.wi.us/>

### Pickrell Rezoning Request

Town of Brooklyn, Green Lake County, WI

Time: 3:32:13 PM  
 Date: 11/10/2017

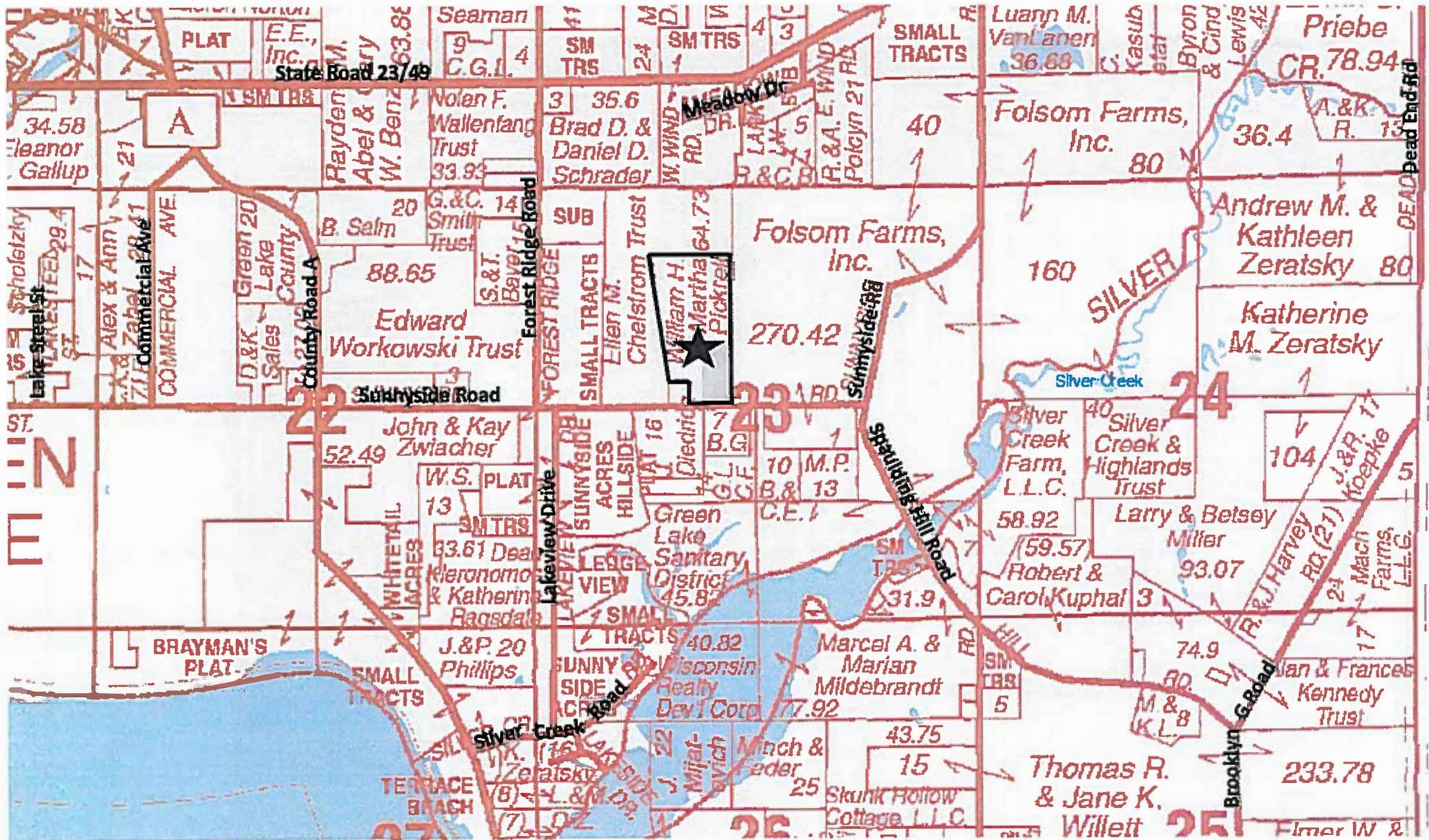
Note: Proposed request to rezone 6.5 acres from A-1 to R-4



# William H. & Martha Pickrell – Town of Brooklyn

W730 Sunnyside Road, Parcel #004-00559-0000, Part of the NW¼ of Section 23 T16N, R13E, ±35.006 acres.

Request to rezone ±6.5 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.

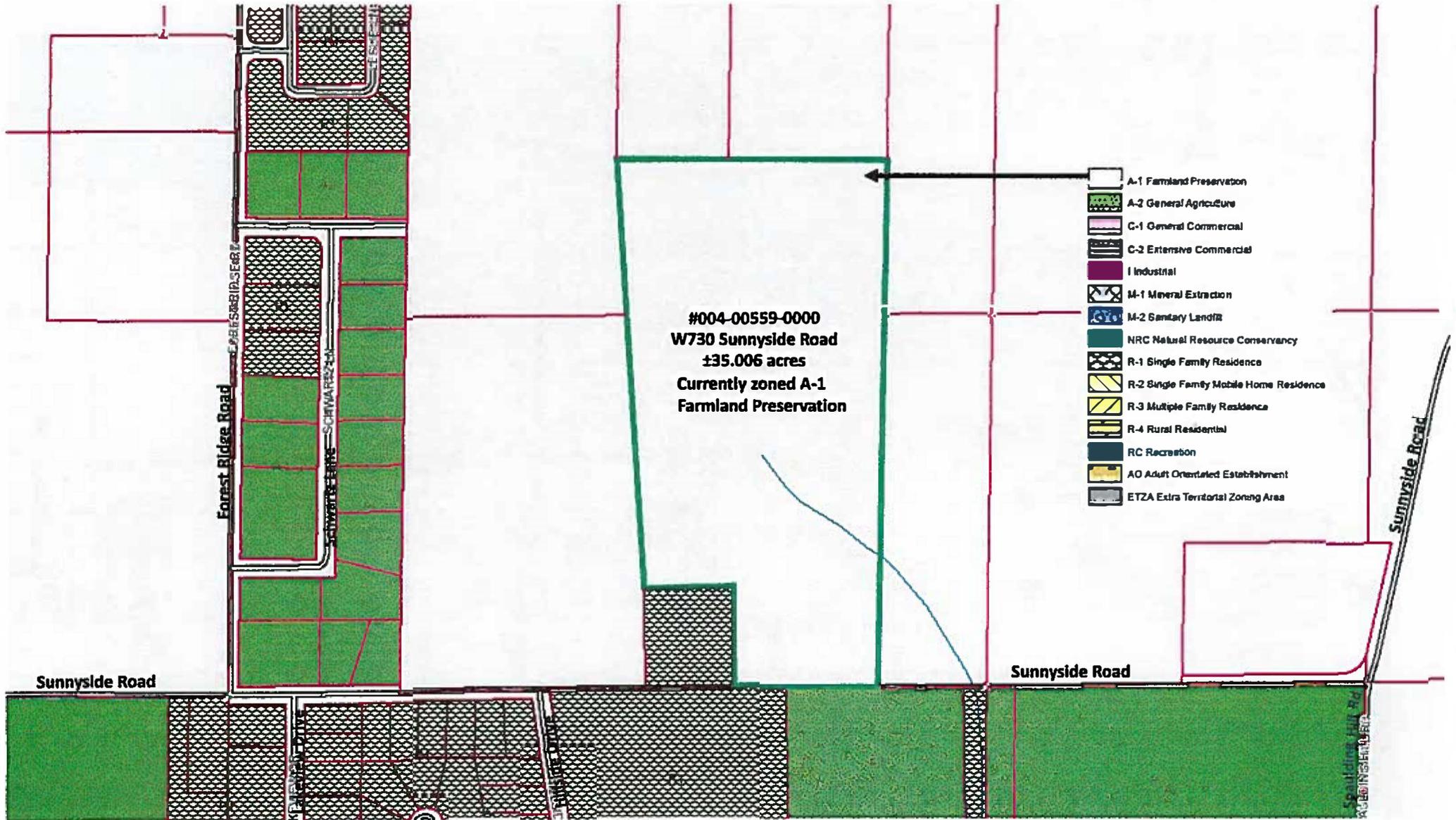


Green Lake County Land Use Planning & Zoning Committee Public Hearing 02/01/2018

# William H. & Martha Pickrell – Town of Brooklyn

W730 Sunnyside Road, Parcel #004-00559-0000, Part of the NW¼ of Section 23 T16N, R13E, ±35.006 acres.

Request to rezone ±6.5 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.

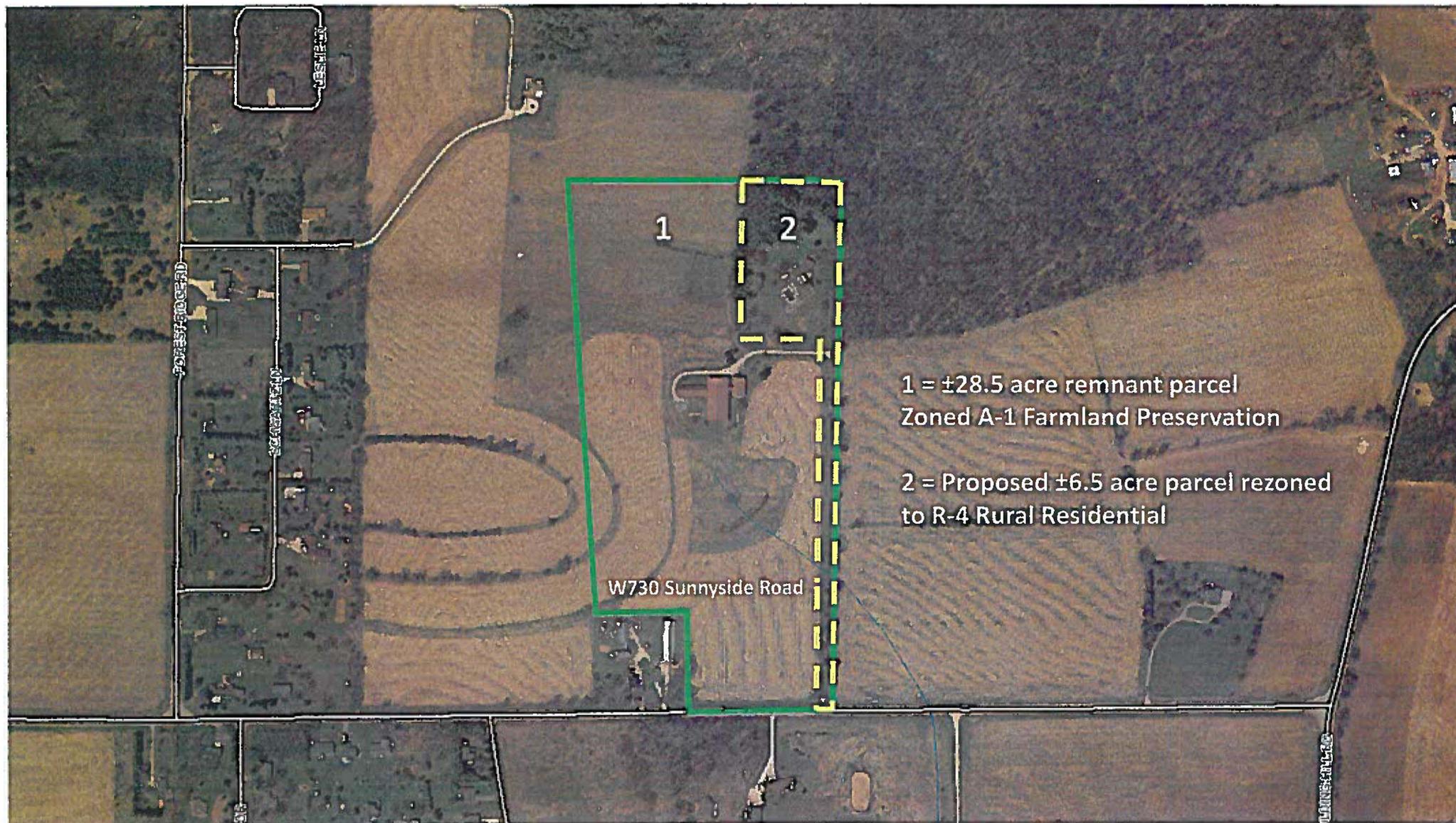


Green Lake County Land Use Planning & Zoning Committee Public Hearing 02/01/2018

**William H. & Martha Pickrell – Town of Brooklyn**

**W730 Sunnyside Road, Parcel #004-00559-0000, Part of the NW¼ of Section 23 T16N, R13E, ±35.006 acres.**

**Request to rezone ±6.5 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.**



**Green Lake County Land Use Planning & Zoning Committee Public Hearing 02/01/2018**

**William H. & Martha Pickrell – Town of Brooklyn**

**W730 Sunnyside Road, Parcel #004-00559-0000, Part of the NW¼ of Section 23 T16N, R13E, ±35.006 acres.**

**Request to rezone ±6.5 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.**



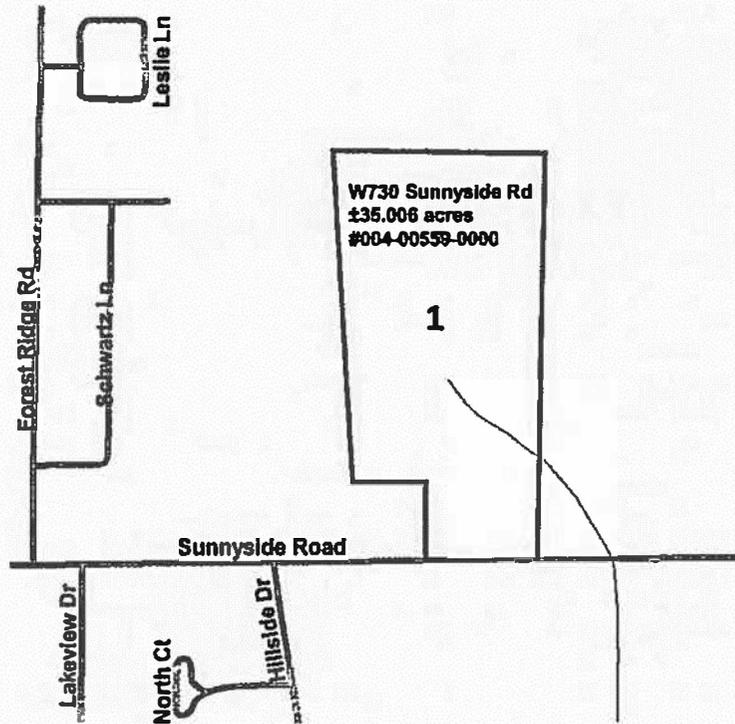
**Green Lake County Land Use Planning & Zoning Committee Public Hearing 02/01/2018**

# William H. & Martha Pickrell – Town of Brooklyn

W730 Sunnyside Road, Parcel #004-00559-0000, Part of the NW¼ of Section 23 T16N, R13E, ±35.006 acres.  
Request to rezone ±6.5 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.

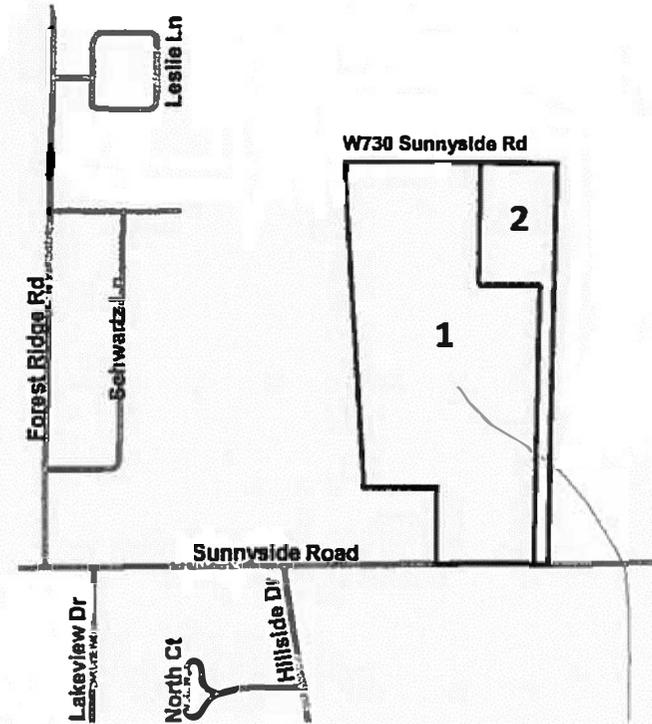
## Existing Configuration:

1 = ±35.006 acre parcel zoned  
A-1 Farmland Preservation



## Proposed Configuration:

1 = ±28.5 acre parcel zoned  
A-1 Farmland Preservation  
2 = ±6.5 acre parcel rezoned  
R-4 Rural Residential



# TOWN BOARD ACTION

Rezone Request

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Brooklyn, County of Green Lake, took the following action on JAN 9<sup>th</sup> 2018.

Does not object to and approves of X

No action taken \_\_\_\_\_

Objects to and requests denial of \_\_\_\_\_

Reason(s) for objection \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**\*\* NOTE: If denial – please enclose Town Resolution of Denial.**

**Owners/Applicants:** William H. & Martha Pickrell

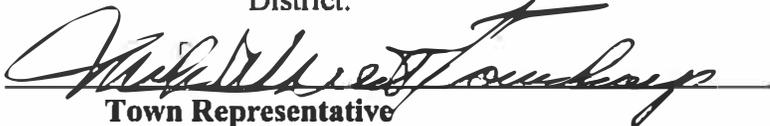
**General legal description:** Part of the NW¼ of Section 23, T16N, R13E, Town of Brooklyn, ±35.006 acres.

**Parcel numbers:** #004-00559-0000

**Location of request:** W730 Sunnyside Road

**Planned public hearing date:** February 1, 2018

**Request:** Rezone ±6.5 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.

  
Town Representative

JAN 9<sup>th</sup> 2018  
Date Signed

NOTES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please return this form to the Land Use Planning & Zoning Office by: January 21, 2018

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT  
PUBLIC HEARING

February 1, 2018

ITEM II: ZONING CHANGE

**OWNER:**

Ione Pischke Irrevocable Income Trust

**APPLICANT:**

Sharon Timm, Trustee

**REQUEST:** The owner/applicant is requesting a zoning change from A-1 Farmland Preservation District to R-4, Rural Residential District, ±5.36 acres. To be determined by certified survey map.

**PARCEL NUMBER / LOCATION:** The affected parcel number is 004-00161-0000, located in the SE¼ of Section 8, T16N, R13E, Town of Brooklyn. The site proposed for zoning change is located at W1773 County Road J.

**EXISTING ZONING AND USES OF ADJACENT AREA:** The current zoning of the parcel in question is A-1, Farmland Preservation District and lands surrounding the subject site are A-1, Farmland Preservation District and A-2, General Agriculture District, with the predominant use of the land being agricultural.

The general soil map indicates a Kidder-Marcellon association which are moderately well-drained to well-drained soils with a subsoil composed of loam, clay-loam, and sandy-clay-loam underlain by calcareous, gravelly, sandy loam glacial till. Soil types, in order of agricultural significance, include KdC2 and McA. With proper management, these soils can be suitable for most farm and vegetable crops grown in the county.

According to Flood Boundary and Floodway Map Panel 55047C0126C and 55047C0127C, all lands under consideration for this request are located out of the general floodplain.

**ADDITIONAL INFORMATION / ANALYSIS:** According to the application, the applicant would like to subdivide ±5.36 acres from ±87.82 acres owned by the Trust. The proposed ±5.36 acres contain a single-family dwelling, detached garage, and an agricultural shed. The remaining lands do not need to be rezoned or combined with other lands.

**STATUTORY CRITERIA PER 91.48(1):** Land may be rezoned out of a farmland preservation zoning district if all of the following are found after public hearing: **(Staff comments in bold type)**

- a) The land is better suited for a use not allowed in the farmland preservation zoning district. **The goal of the County's Comprehensive Plan and the County Farmland Preservation Plan is to preserve and protect quality agricultural lands. This request does preserve and protect lands as the R-4 zoning classification allows for light agricultural uses.**
- b) The rezoning is consistent with any applicable comprehensive plan. **The proposed rezone is consistent with the County's comprehensive plan as the request aligns with the goals and objectives of the 2016 comprehensive plan.**
- c) The rezoning is substantially consistent with the county certified farmland preservation plan. **The overall goal of the County certified farmland preservation plan is to maintain the integrity and viability of county**

**agriculture. It is staff's belief that the request does not negatively impact the integrity or viability of county agriculture and is, therefore, substantially consistent with the County's certified farmland preservation plan.**

- d) **The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or legally restricted to agricultural use. The R-4, Rural Residential District is intended to provide for limited rural residential use development, but also requires a larger area to maintain the rural character and to accommodate uses like light agriculture. The R-4 district is intended not to impair or limit future agricultural use of surrounding parcels.**

**TOWN OF BROOKLYN: An action form requesting the Town of Brooklyn's input related to this zoning change request was sent to the Town Clerk on December 8, 2017.**

Please type or use black ink

Return to: Green Lake County  
Planning & Zoning Department  
492 Hill St, PO Box 3188  
Green Lake, WI 54941

**GENERAL APPLICATION**

Fee \$375 (not refundable)

Date 11-22-17

Zone Change from A-1 to R-4

Conditional Use Permit for \_\_\_\_\_

Other \_\_\_\_\_

**PROPERTY OWNER / APPLICANT**

Name Jane Pischke Irrevocable Income Trust

Mailing Address W1773 Cty. J Green Lake WI 54941

Phone Number 920-299-2273

Signature Sharon Finn Trustee (IRIT) Date 11-22-2017

**AGENT IF OTHER THAN OWNER**

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**PROPERTY INFORMATION**

Town of Brooklyn Parcel Number 004-00161-0000 Acres ±5.36

Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Section 8 Town 16 North Range 13 East

Location of Property \_\_\_\_\_

Legal Description SE 1/4 Sec 8

Current Zoning Classification A-1 Current Use of Property Residential

and Agricultural

Detailed Description of Proposed Use Same as current use

**PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION**

- Fees: Zone Change \$375
- Conditional Use Permit \$375.00
- Variance \$375.00
- Special Exception \$375.00

# CONCEPT PLAN

CONCEPT PLAN FOR SHARON TIMM LOCATED IN PART OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 8, TOWN 16 NORTH, RANGE 13 EAST, TOWN OF BROOKLYN, GREEN LAKE COUNTY, WISCONSIN.

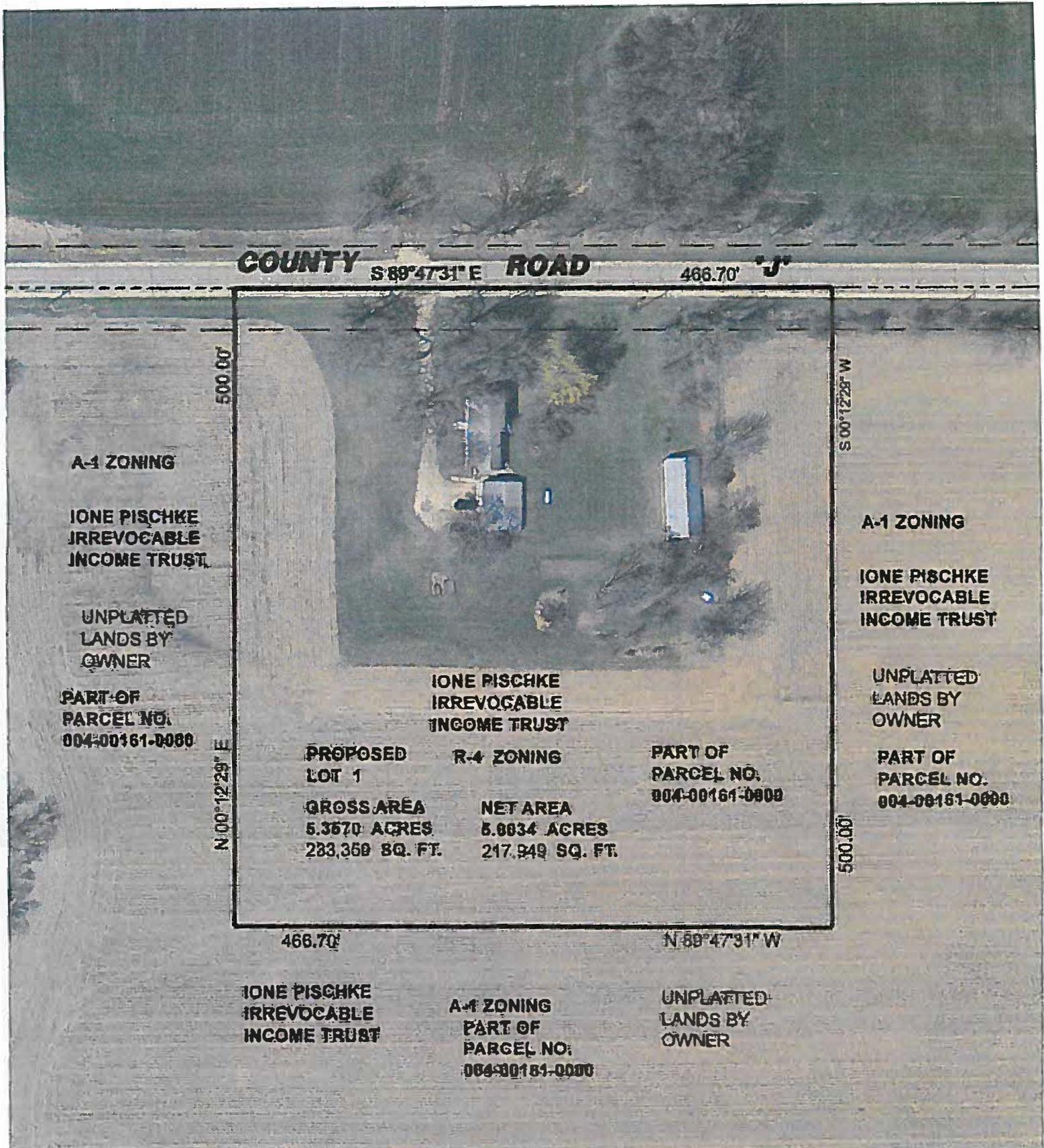
OWNER(S)  
 IONE PISCHKE  
 IRREVOCABLE  
 INCOME TRUST  
 W1733 COUNTY ROAD "J"  
 GREEN LAKE, WISCONSIN 54941

*Donald W. Lenz*

Donald W. Lenz, WI P. L. S. No. S-2003  
 Dated this 1st day of December, 2017.



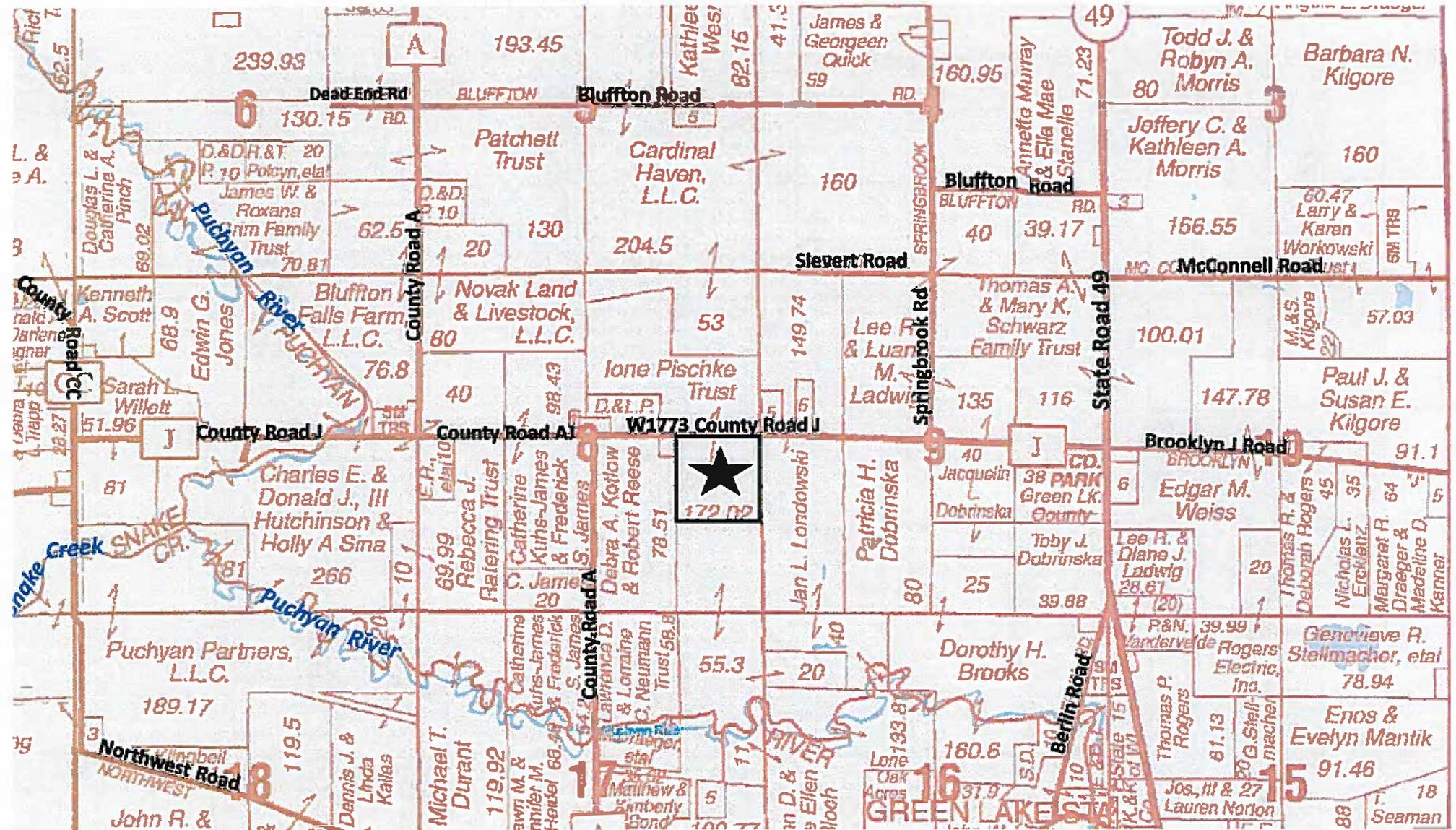
**GREEN LAKE SURVEYING COMPANY**  
 P.O. BOX 131  
 Green Lake, Wisconsin 54941  
 Phone: (920) 294-6666  
 survey@greenlakesurveyingcompany.com  
 www.greenlakesurveyingcompany.com



# Ione Pischke Irrevocable Income Trust – Sharon Timm, Trustee – Town of Brooklyn

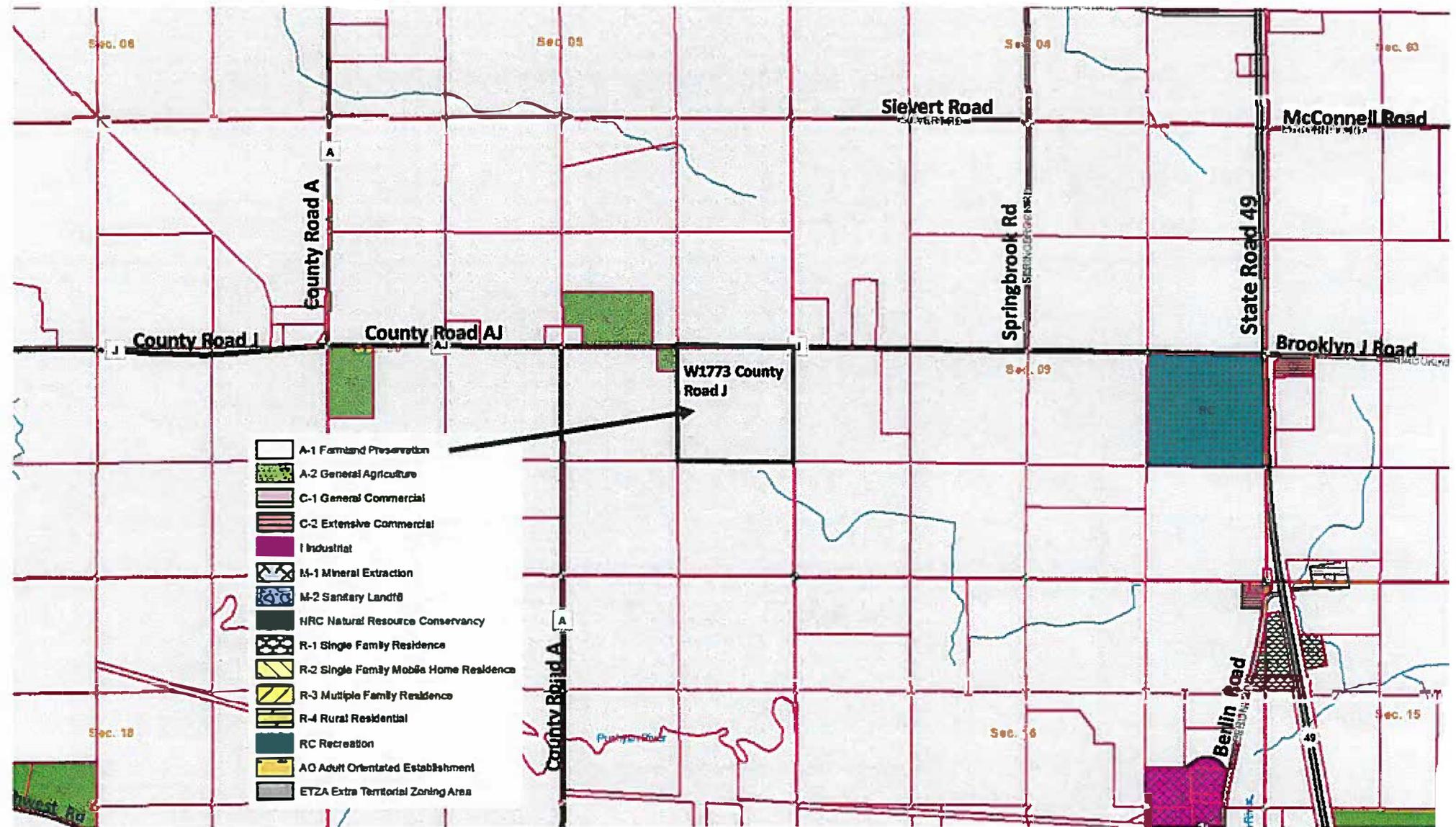
Part of the SE¼ of Section 8, T16N, R13E, W1773 County Road J, Parcel #004-00161-0000, ±40.0 acres

Request: Rezone ±5.36 acres from A-1 Farmland Preservation to R-4 Rural Residential.



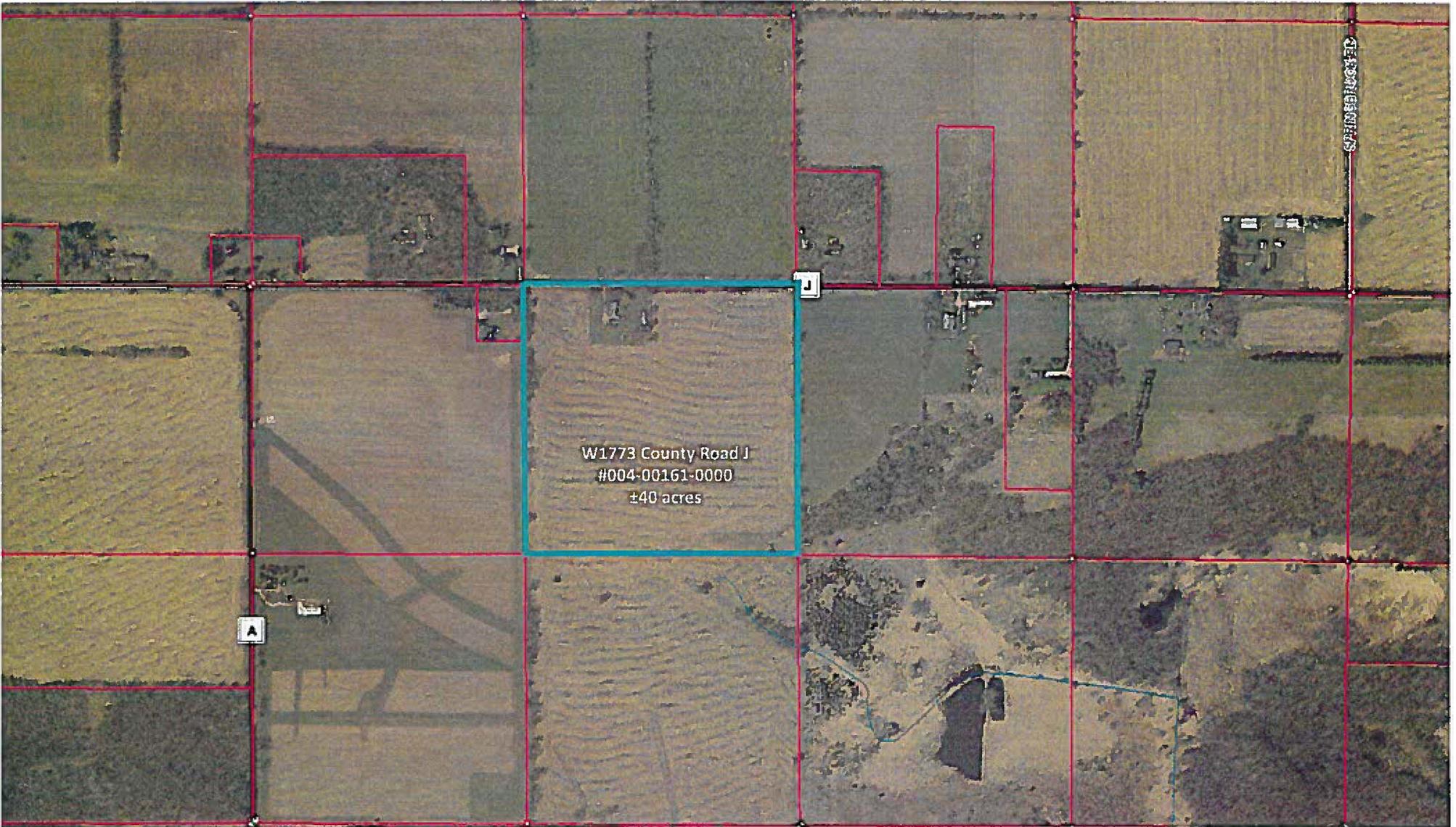
Land Use Planning & Zoning Committee Public Hearing 02/01/18

**Ione Pischke Irrevocable Income Trust – Sharon Timm, Trustee – Town of Brooklyn**  
**Part of the SE¼ of Section 8, T16N, R13E, W1773 County Road J, Parcel #004-00161-0000, ±40.0 acres**  
**Request: Rezone ±5.36 acres from A-1 Farmland Preservation to R-4 Rural Residential.**



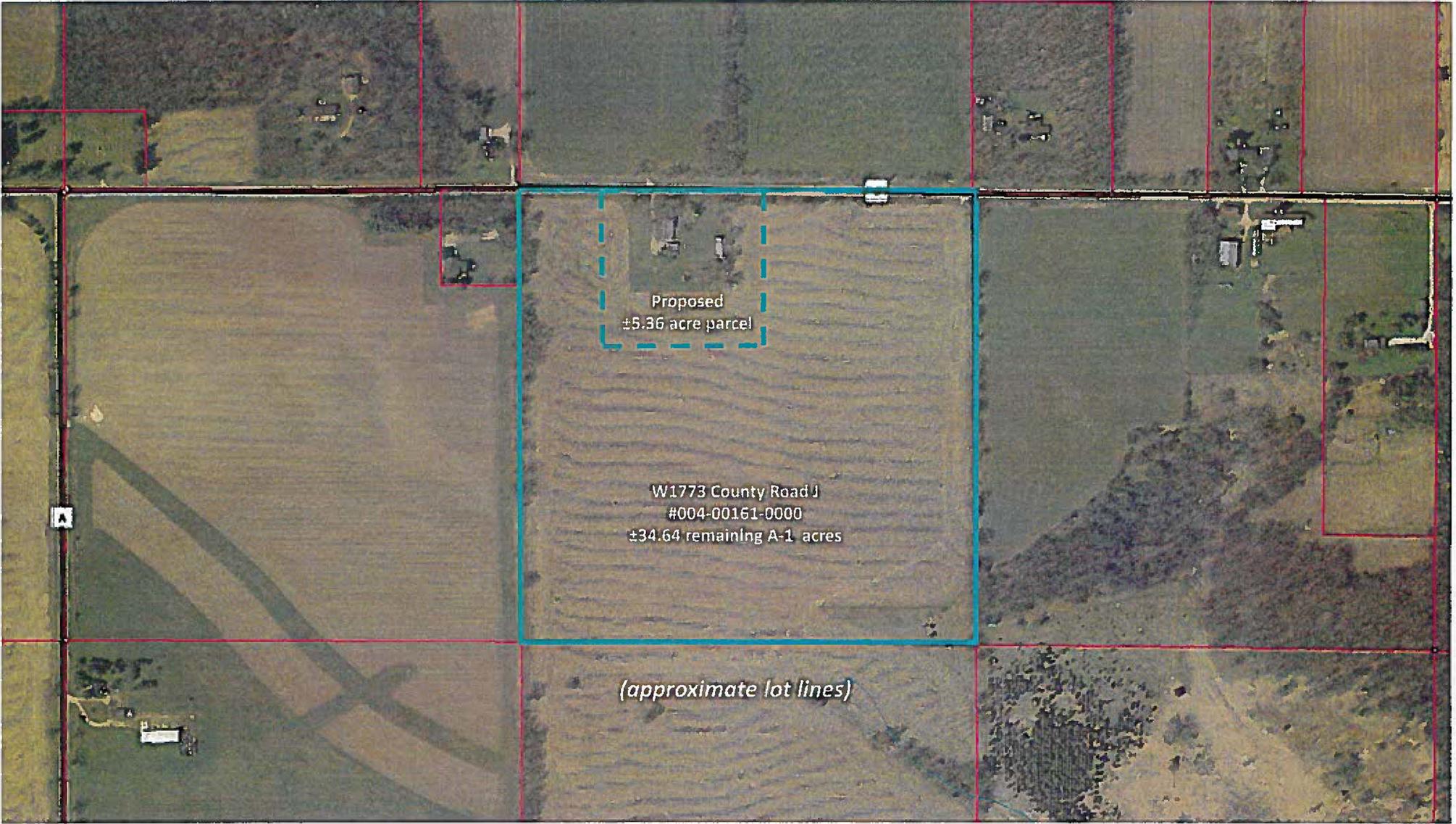
**Land Use Planning & Zoning Committee Public Hearing 02/01/18**

**Ione Pischke Irrevocable Income Trust – Sharon Timm, Trustee – Town of Brooklyn**  
**Part of the SE¼ of Section 8, T16N, R13E, W1773 County Road J, Parcel #004-00161-0000, ±40.0 acres**  
**Request: Rezone ±5.36 acres from A-1 Farmland Preservation to R-4 Rural Residential.**



**Land Use Planning & Zoning Committee Public Hearing 02/01/18**

**Ione Pischke Irrevocable Income Trust – Sharon Timm, Trustee – Town of Brooklyn**  
**Part of the SE¼ of Section 8, T16N, R13E, W1773 County Road J, Parcel #004-00161-0000, ±40.0 acres**  
**Request: Rezone ±5.36 acres from A-1 Farmland Preservation to R-4 Rural Residential.**



**Ione Pischke Irrevocable Income Trust – Sharon Timm, Trustee – Town of Brooklyn**  
**Part of the SE¼ of Section 8, T16N, R13E, W1773 County Road J, Parcel #004-00161-0000, ±40.0 acres**  
**Request: Rezone ±5.36 acres from A-1 Farmland Preservation to R-4 Rural Residential.**

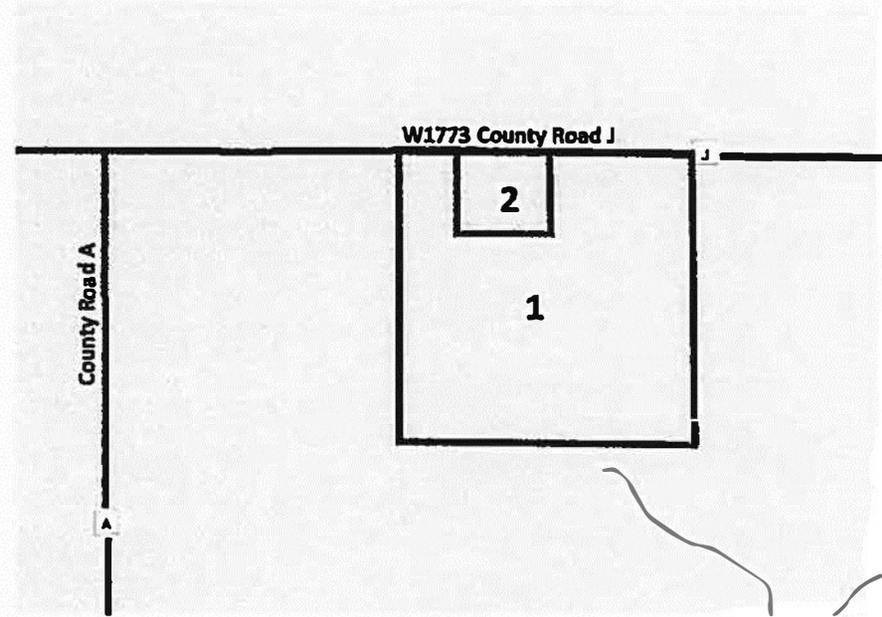
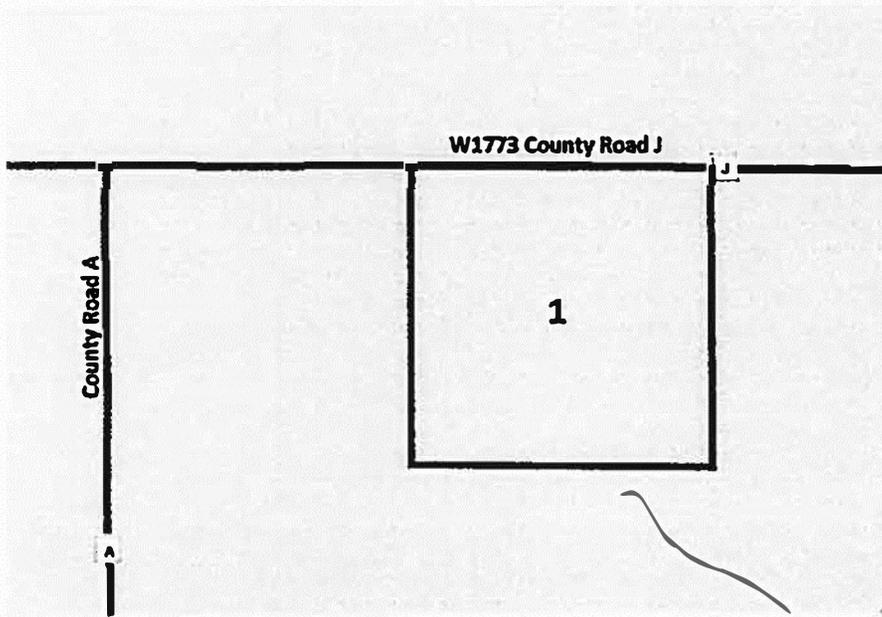
**Existing Configuration:**

1 = ±40 acre parcel zoned A-1 Farmland Preservation

**Proposed Configuration:**

1 = ±34.64 acre parcel remains A-1 Farmland Preservation

2 = ±5.36 acre parcel rezoned R-4 Rural Residential



# TOWN BOARD ACTION

Rezone Request

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Brooklyn, County of Green Lake, took the following action on JAN 9<sup>TH</sup> 2018.

Does not object to and approves of X

No action taken \_\_\_\_\_

Objects to and requests denial of \_\_\_\_\_

Reason(s) for objection \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**\*\* NOTE: If denial – please enclose Town Resolution of Denial.**

**Owner/Applicant:** Ione Pischke Irrevocable Income Trust - Sharon Timm, Trustee

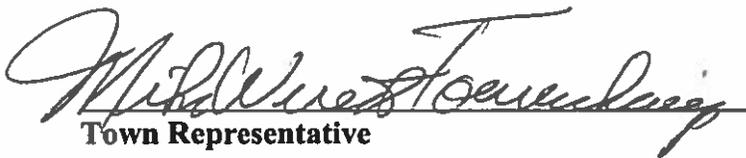
**General legal description:** Part of the SE¼ of Section 8, T16N, R13E, Town of Brooklyn, ±40 acres

**Parcel numbers:** #004-00161-0000

**Location of request:** W1773 County Road J

**Planned public hearing date:** February 1, 2018

**Request:** Rezone ±5.36 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.

  
Town Representative

JAN 9<sup>TH</sup> 2018  
Date Signed

**NOTES:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please return this form to the Land Use Planning & Zoning Office by: January 21, 2018

**LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT  
PUBLIC HEARING**

February 1, 2018

**ITEM III: ZONING CHANGE**

**OWNER:**

Nolan Francis Wallenfang  
Rev. Intervivos Trust

**APPLICANT:**

Nolan Wallenfang, Trustee

**REQUEST:** The owner/applicant is requesting a zoning change from A-1 Farmland Preservation District to R-4, Rural Residential District, +3 acres. To be determined by certified survey map.

**PARCEL NUMBER / LOCATION:** The affected parcel number is 004-00320-0300, located in the SE¼ of Section 15, T16N, R13E, Town of Brooklyn. The site proposed for zoning change is located at the corner of State Road 23/49 and Forest Ridge Road.

**EXISTING ZONING AND USES OF ADJACENT AREA:** The current zoning of the parcel in question is A-1, Farmland Preservation District and lands surrounding the subject site are a mixture of A-1, Farmland Preservation District, R-1, Single-Family Residence District, A-2, General Agriculture District, C-2, Extensive Commercial District, and R-3, Multiple Family Residence District.

The Green Lake County Farmland Preservation Plan identifies the land under consideration for this zoning change to be in a Farmland Preservation Area. According to Flood Boundary and Floodway Map Panel 55047C0131 C, all lands under consideration for this request are located out of the general floodplain.

**ADDITIONAL INFORMATION / ANALYSIS:** According to the application, the owner would like to subdivide +3 acres, which is vacant land, from the ±33 acre parcel and sell it to a buyer. The remaining acreage will remain with the applicant and in the A-1, Farmland Preservation District.

**STATUTORY CRITERIA PER 91.48(1):** Land may be rezoned out of a farmland preservation zoning district if all of the following are found after public hearing: **(Staff comments in bold)**

- a) The land is better suited for a use not allowed in the farmland preservation zoning district. **A goal of the county's comprehensive plan and of the county Farmland Preservation Plan is to preserve and protect quality agricultural lands. As R-4 Rural Residential District allows for light agricultural use, this request continues to preserve and protect agricultural lands in Green Lake County.**
- b) The rezoning is consistent with any applicable comprehensive plan. **The proposed rezone is consistent with the county's comprehensive plan as it upholds the goals and objectives, most prominently the goals, to preserve the rural characteristic of the county.**
- c) The rezoning is substantially consistent with the county certified Farmland Preservation Plan. **The overall goal of the county's certified Farmland Preservation Plan is to maintain the integrity and viability of county agriculture. It is staff's belief that the request does not negatively impact**

**the integrity or viability of county agriculture and is, therefore, substantially consistent with the county's certified Farmland Preservation Plan.**

- d) **The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or are legally restricted to agricultural use. The R-4, Rural Residential District is intended to provide for limited rural residential use development, but also requires a larger area to maintain the rural character and to accommodate uses like light agriculture. The R-4 district is intended not to impair or limit future agricultural use of surrounding parcels.**

**TOWN OF BROOKLYN:** An Action Form requesting the Town of Brooklyn's input related to this zoning change request was mailed to the Town Clerk on December 8, 2017.

Please type or use black ink

Return to: Green Lake County  
Planning & Zoning Department  
492 Hill St, PO Box 3188  
Green Lake, WI 54941  
Ph (920) 294-4026

**GENERAL APPLICATION**

Fee \$375 (not refundable) Date 12-1-17

Zone Change from A-1 to R4

Conditional Use Permit for \_\_\_\_\_

Other \_\_\_\_\_

**PROPERTY OWNER / APPLICANT (1)**

Name NOLAN FRANCIS WALENFANG REV. INTER VIVOS TRUST

Mailing Address W963 SR 23 49 Green Lake WI 54941

Phone Number 920 294 3792

Signature [Handwritten Signature] Date 12 1 17

**PROPERTY OWNER / APPLICANT (2)**

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**PROPERTY INFORMATION**

Town of Brooklyn Parcel Number(s) 004-00320-0300

Acres 33.93 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Section 15 Town 16 North Range 13 East

Location of Property SW Corner of StH 23/49 and ForstRidge Rd

Legal Description \_\_\_\_\_

Current Zoning Classification A-1 Current Use of Property Residential and agricultural

Detailed Description of Proposed Use Selling +3.00 of vacant land

**PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION**

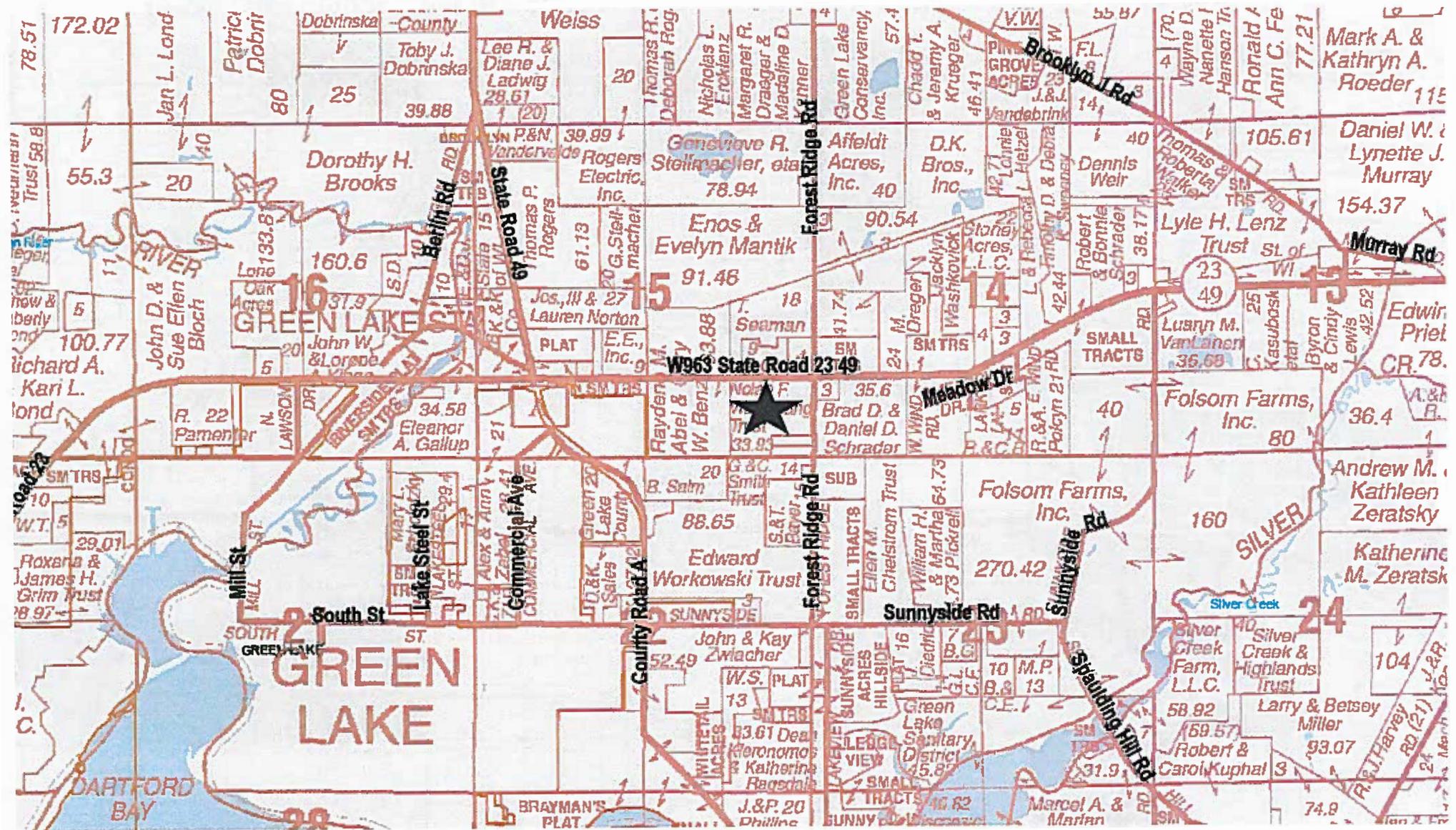
Fees: Zone Change \$375.00  
Conditional Use Permit \$375.00  
Special Exception \$375.00  
Variance/Appeal \$375.00



# Nolan Francis Wallenfang Rev. Inter Vivos Trust – Nolan Wallenfang, Trustee

Part of the SE¼ of Section 15, T16N, R13E, W963 State Road 23 49, Parcel #004-00320-0300, ±33.93 acres, Town of Brooklyn

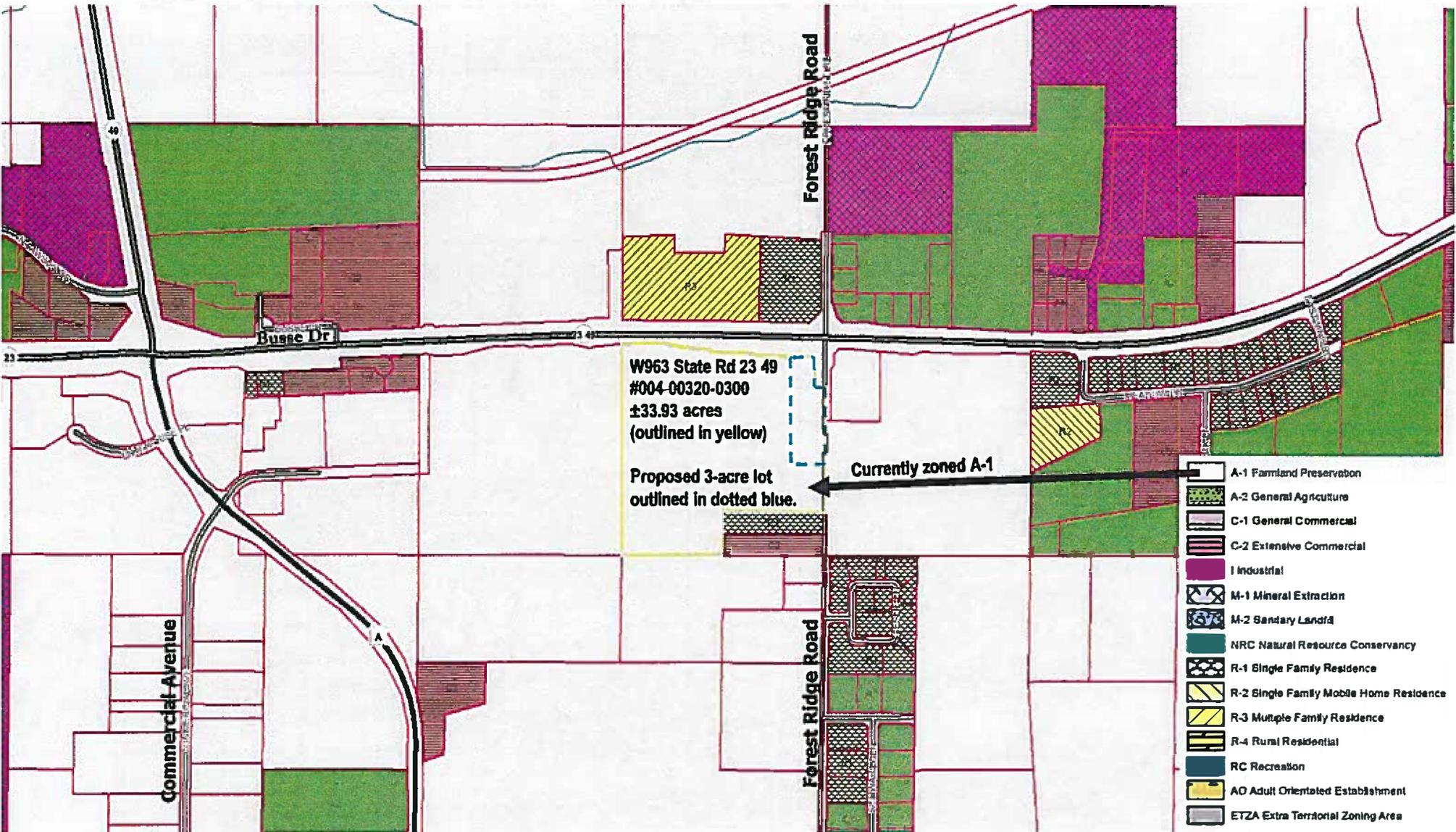
Request to rezone +3.0 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.



Green Lake County Land Use Planning & Zoning Committee Public Hearing 02/01/2018

# Nolan Francis Wallenfang Rev. Inter Vivos Trust – Nolan Wallenfang, Trustee

Part of the SE¼ of Section 15, T16N, R13E, W963 State Road 23 49, Parcel #004-00320-0300, ±33.93 acres, Town of Brooklyn  
Request to rezone +3.0 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.



Green Lake County Land Use Planning & Zoning Committee Public Hearing 02/01/2018

**Nolan Francis Wallenfang Rev. Inter Vivos Trust – Nolan Wallenfang, Trustee**

**Part of the SE¼ of Section 15, T16N, R13E, W963 State Road 23 49, Parcel #004-00320-0300, ±33.93 acres, Town of Brooklyn  
Request to rezone +3.0 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.**



**Green Lake County Land Use Planning & Zoning Committee Public Hearing 02/01/2018**

# Nolan Francis Wallenfang Rev. Inter Vivos Trust – Nolan Wallenfang, Trustee

Part of the SE¼ of Section 15, T16N, R13E, W963 State Road 23 49, Parcel #004-00320-0300, ±33.93 acres, Town of Brooklyn  
Request to rezone +3.0 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.



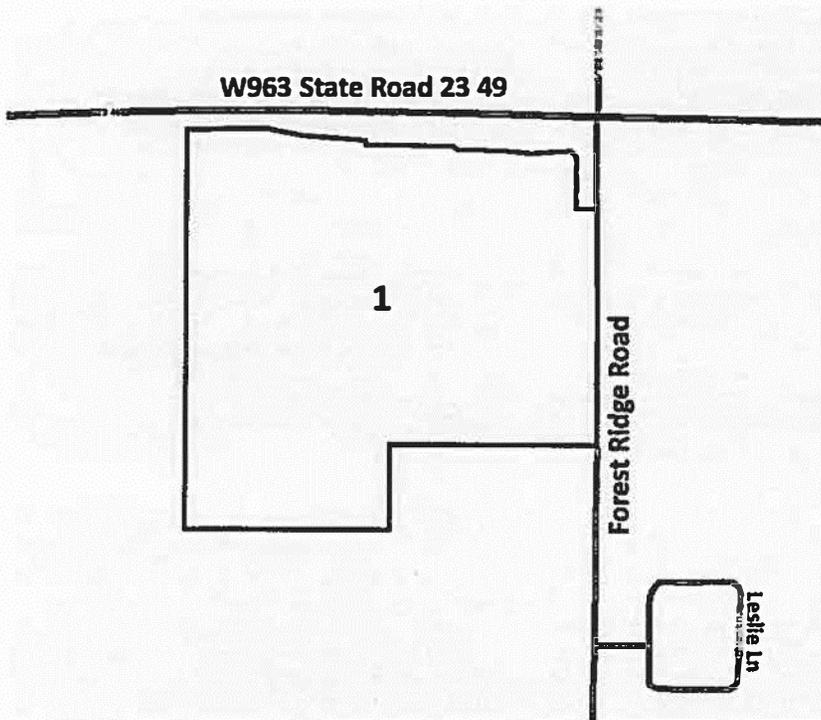
Green Lake County Land Use Planning & Zoning Committee Public Hearing 02/01/2018

# Nolan Francis Wallenfang Rev. Inter Vivos Trust – Nolan Wallenfang, Trustee

Part of the SE¼ of Section 15, T16N, R13E, W963 State Road 23 49, Parcel #004-00320-0300, ±33.93 acres, Town of Brooklyn  
Request to rezone +3.0 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.

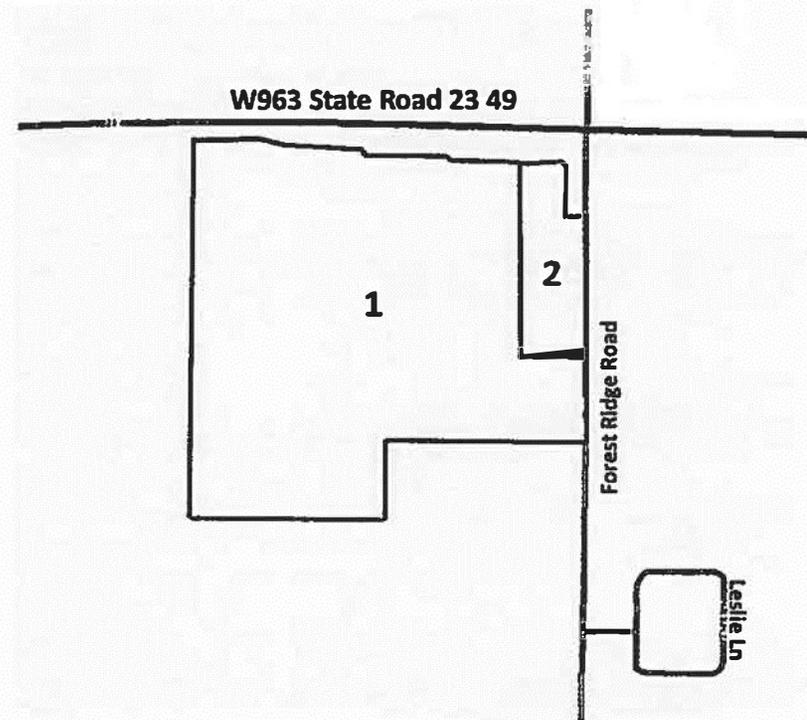
## Existing Configuration:

1 = ±33.93 acre parcel zoned A-1 Farmland Preservation District



## Proposed Configuration:

1 = ±30.93 acre parcel remains zoned A-1 Farmland Preservation District  
2 = +3.0 acre parcel rezoned to R-4 Rural Residential District



# TOWN BOARD ACTION

Rezone Request

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Brooklyn, County of Green Lake, took the following action on JAN 9<sup>th</sup> 2018.

Does not object to and approves of X

No action taken \_\_\_\_\_

Objects to and requests denial of \_\_\_\_\_

Reason(s) for objection \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**\*\* NOTE: If denial – please enclose Town Resolution of Denial.**

**Owner/Applicant:** Nolan Francis Wallenfang Rev. Inter Vivos Trust - Nolan Wallenfang, Trustee

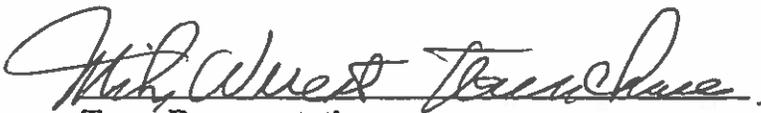
**General legal description:** Part of the SE¼ of Section 15, T16N, R13E, Town of Brooklyn, ±33.93 acres

**Parcel numbers:** #004-00320-0300

**Location of request:** W963 State Road 23 49

**Planned public hearing date:** February 1, 2018

**Request:** Rezone +3.0 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.

  
Town Representative

JAN 9<sup>th</sup> 2018  
Date Signed

NOTES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please return this form to the Land Use Planning & Zoning Office by: January 21, 2018

**LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT  
PUBLIC HEARING**

February 1, 2018

**ITEM IV: ZONING CHANGE**

**OWNER:**  
Steven D. Dzbinski

**APPLICANT:**  
same

**REQUEST:** The owner is requesting a zoning change from A-1 Farmland Preservation District to R-3 Multiple-Family Residence District, 1.27 acres.

**PARCEL NUMBER / LOCATION:** Parcel number 010-00464-0300, Lot 1 of CSM 3583, located in the SE¼, Section 22, T14N, R13E, Town of Mackford. The addresses proposed for zoning change are located at N1096 and N1098 Pleasant Drive.

**EXISTING ZONING AND USES OF ADJACENT AREA:** The current zoning is A-1 Farmland Preservation District. The lands surrounding the subject sites are all zoned A-1 Farmland Preservation District, with the predominant use of the land being agricultural. The Green Lake County Farmland Preservation Plan identifies the land under consideration for this zoning change to be in a Farmland Preservation Area.

According to Flood Boundary and Floodway Map Panel 55047C0225C, all lands under consideration for this request are located out of the general floodplain. The Wisconsin Wetland Inventory does not show any mapped wetlands on the property. There is also no Shoreland Zoning jurisdiction on the property.

**ADDITIONAL INFORMATION / ANALYSIS:** In the 1990s, the owner converted a large barn into a duplex to be used by the owner and his brother, along with their families. In more recent times, this structure has since been used as a rental property, with 9 total bedrooms. Currently, two individual renters live on the premises. The owner is looking to sell and market this parcel as a rental income property, since that has been the existing use for over 20 years. The parcel is undersized to be conforming to its current zoning of A-1 Farmland Preservation which requires a minimum of 15 acres. The R-3 Multiple-Family Residence District is the most appropriate zoning to maintain the existing current use and intended future use of the property, and this parcel meets the dimensional requirements of this proposed zoning district.

The renovation of the barn into a multiple dwelling-unit duplex is not an allowed use in the A-1 Farmland Preservation District. The rezoning of this parcel is one step in resolving this open violation. Additional steps, should this rezone be recommended for approval and adopted, include an after-the-fact land use permit retroactively documenting the renovation of the barn into a duplex, along with an upgrade of the existing septic system to account for the increase in bedrooms and expected water use from the previous home (2 bedrooms) to the current duplex (9 bedrooms).

With rural area rezoning requests, the common rezoning district is R-4, Rural Residential District. However, the parcel in question does not have sufficient acreage to be code-conforming to the dimensional standards of that district, as 3 acres is required and the parcel is 1.27 acres. Asking to rezone to R-4 Rural Residential District would need an approved Board of Adjustment variance from the dimensional standards of the R-4 district as outlined in the zoning ordinance, in addition to recommendation of adoption at the P&Z committee level and

approval from County Board. Requesting a zone change to R-3 Multiple Family Residence District fits the dimensional standards and historic and projected future uses of this parcel.

The County Comprehensive Plan is intended to guide new development in Green Lake County. Usually, smaller-area lots zoned for residential uses are common nearer to cities and municipalities with emergency response teams and access to businesses, such as in local subdivisions and developments. *It is the opinion of this Department that since this renovation and change in use occurred more than 20 years ago, the 2016 Comprehensive Plan should not apply. However, other criteria may still prevent this rezone request.*

**STATUTORY CRITERIA PER 91.48(1):** Land may be rezoned out of a farmland preservation zoning district if all of the following are found after public hearing: **(Staff comments in bold)**

- a) The land is better suited for a use not allowed in the farmland preservation zoning district. **As stated above, multiple family residences are not allowed in the A-1 Farmland Preservation District. The acreage of this parcel is also insufficient to run a successful farm, with no option to purchase additional acreage to become code-conforming to that requirement.**
- b) The rezoning is consistent with any applicable comprehensive plan. **The Green Lake County Comprehensive Plan is not applicable to this development, as outlined above.**
- c) The rezoning is substantially consistent with the county certified farmland preservation plan. **The overall goal of the County certified farmland preservation plan is to maintain the integrity and viability of county agriculture. This parcel has not been used agriculturally for many years due to acreage constraints, and has no foreseen path to being once again used agriculturally. It is staff's belief that the request therefore does not negatively impact the integrity or viability of current or future county agriculture and is substantially consistent with the County's certified farmland preservation plan.**
- d) The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or legally restricted to agricultural use. **The surrounding parcels of land are separately owned, and are all zoned A-1 Farmland Preservation. This request will not impair or limit current or future agricultural use of this area.**

**SUGGESTED ZONING CHANGE CRITERIA:** When considering a request for zoning change, recent court cases have cited the following decision-making criteria **(staff comments in bold):**

- a) consistency with long-range planning (comprehensive plan)
  - **if the goals and objectives are found to be irrelevant to this request due to the timing of the renovations and subsequent creation of the county planning guidance documents, this request is still consistent.**
- b) nature and character of parcel

- **The nature and character of the parcel is conducive to residential use, based on acreage limitations and existing layout of buildings. Soils are conducive to agricultural operations. As with all parcels in the surrounding area, there are no wetland, shoreland, or floodplain designations.**
- c) use of surrounding land
  - **Of the surrounding lands, there is another existing, non-conforming A-1 Farmland Preservation District parcel immediately south of the parcel of interest, that is also being used residentially without an agricultural use and on too low of acreage. All the other lands are actively used for row crops.**
- d) overall scheme or zoning map
  - **The entire surrounding community is zoned A-1 Farmland Preservation District. Taking this parcel out of A-1 zoning breaks the contiguous nature of this area of the zoning map.**
- e) consideration of interest of public health, morals, and safety
  - **This use has operated for years on this parcel. However, the public health, morals, or safety are not improved and may be jeopardized by sanctioning a multiple family use in this remote of location away from public health utilities and services.**
- f) promote public welfare, convenience, and general prosperity
  - **Individual interests stand to be promoted by the approval of this request, rather than the public's welfare, convenience, and general prosperity.**

**TOWN OF MACKFORD:** An Action Form requesting the Town of Mackford's input related to this zoning change request was mailed to the Town Clerk on December 8, 2017.

Please type or use black ink

Return to: Green Lake County  
Planning & Zoning Department  
492 Hill St, PO Box 3188  
Green Lake, WI 54941  
Ph (920) 294-4026

**GENERAL APPLICATION**

Fee \$375 (not refundable)

Date 12/1/17

Zone Change from A-1 to R-3

Conditional Use Permit for N/A

Other N/A

**PROPERTY OWNER / APPLICANT (1)**

Name Steven D. Dzbinski

Mailing Address 398 Union St. Green Lake

Phone Number 920-398-2244

Signature Steven D. Dzbinski

Date 11/30/2017

**PROPERTY OWNER / APPLICANT (2)**

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

**PROPERTY INFORMATION**

Town of Mackford Parcel Number(s) D10-60464-0300

Acres 1.274 Lot 1 Block — Subdivision CSM 3583 Section 22

Town 14 North Range 13 East

Location of Property N 1096 & N 1098 Pleasant Dr.

Legal Description Lot 1 of Certified Survey Map 3583 located in the SE1/4 of Section 22, T14N, R13E, Town of Mackford, Green Lake County, Wisconsin.

Current Zoning Classification A-1

Current Use of Property Two Family

Detailed Description of Proposed Use Two Family or Single Family Use

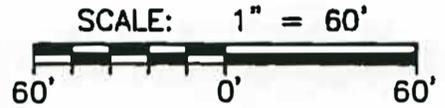
**PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION**

Fees: Zone Change \$375.00  
Conditional Use Permit \$375.00  
Special Exception \$375.00  
Variance/Appeal \$375.00

# CERTIFIED SURVEY MAP

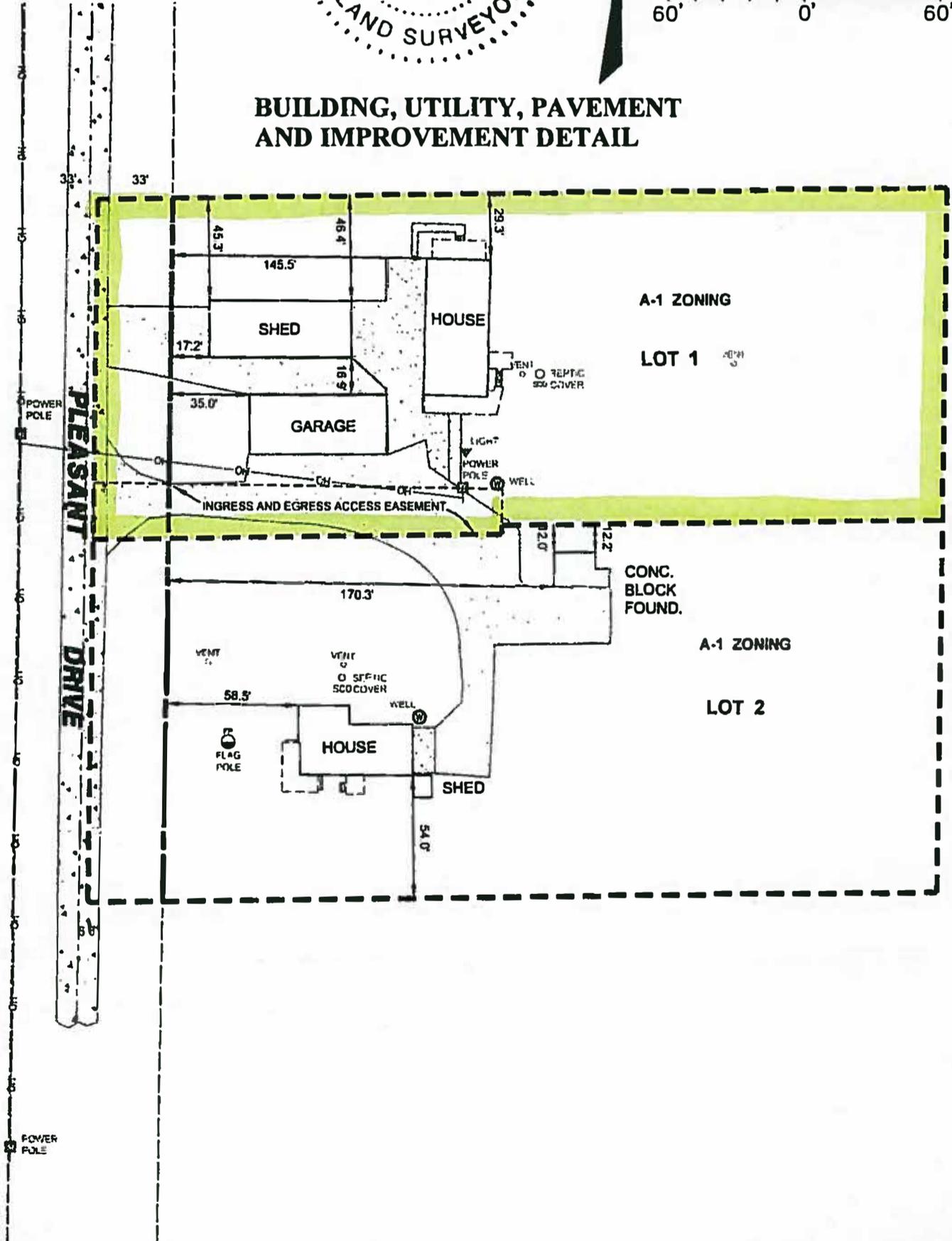
CERTIFIED SURVEY MAP BEING LOT 1 OF CERTIFIED SURVEY MAP NO. 1746 AND OTHER LANDS LOCATED IN PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWN 14 NORTH, RANGE 13 EAST, TOWN OF MACKFORD, GREEN LAKE COUNTY, WISCONSIN.

Donald W. Lenz WI P.L.S. No. S-2003  
Dated this 19th day of January, 2017.



## BUILDING, UTILITY, PAVEMENT AND IMPROVEMENT DETAIL

GREEN LAKE COUNTY  
CERTIFIED SURVEY MAP 3583  
VOLUME 22  
PAGE 3583A





CSM3583  
RECORDED ON:  
01/27/2017 10:45AM  
REC FEE: \$30.00

VOL. 20 OF CSM PG. 3583

SARAH GUENTHER  
REGISTER OF DEEDS  
GREEN LAKE, WI  
TRANSFER FEE:

# CERTIFIED SURVEY MAP

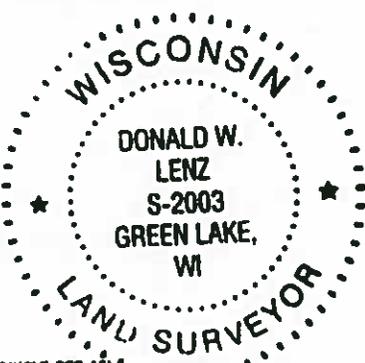
CERTIFIED SURVEY MAP BEING LOT 1 OF CERTIFIED SURVEY MAP NO. 1746 AND OTHER LANDS LOCATED IN PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWN 14 NORTH, RANGE 13 EAST, TOWN OF MACKFORD, GREEN LAKE COUNTY, WISCONSIN.

OWNER(S)  
STEVEN D. AND IRENE E DZBINSKI

PROPERTY ADDRESS  
N1094 - N1096 PLEASANT DRIVE  
MARKESAN, WISCONSIN 53946

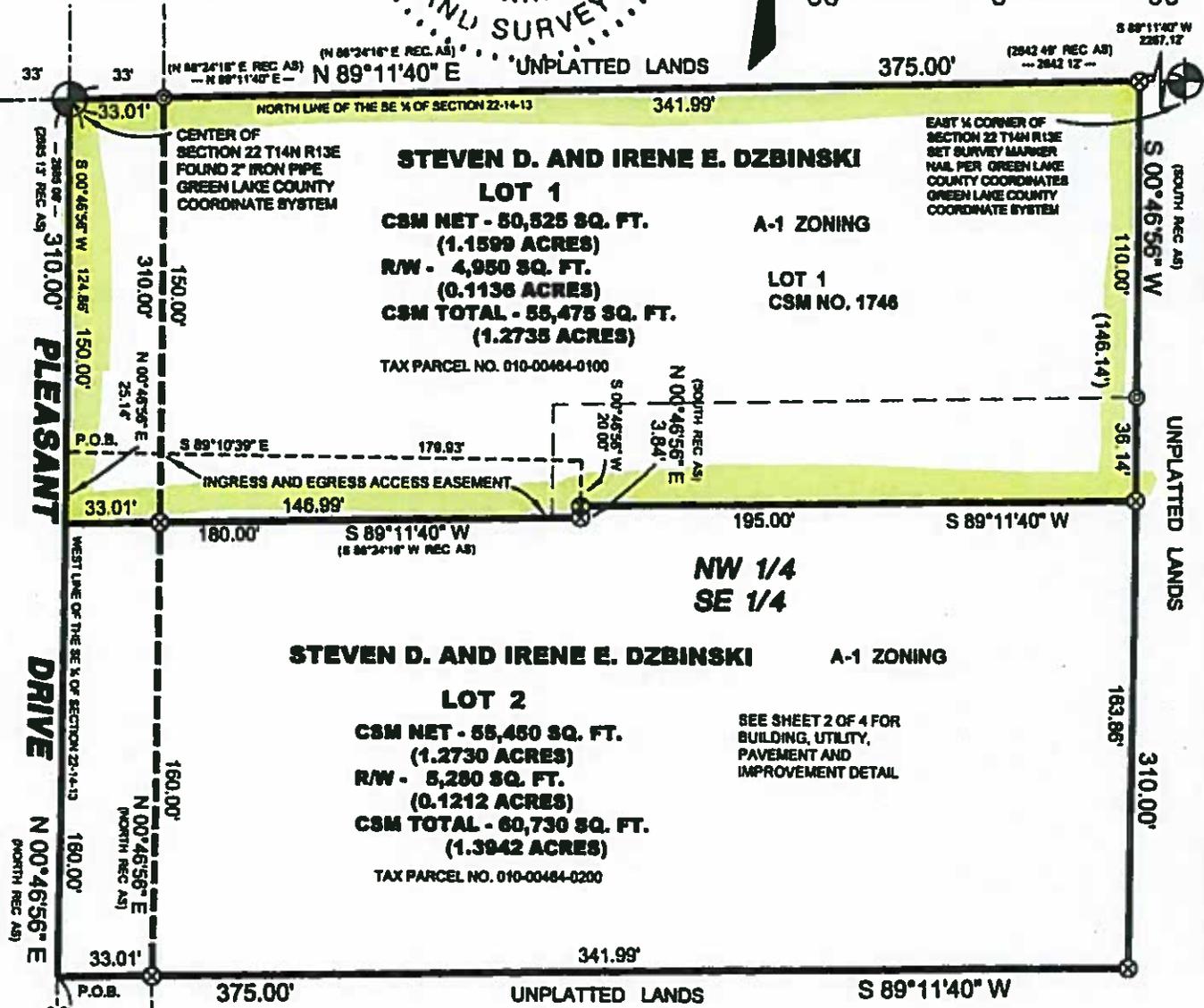
*Donald W. Lenz*

Donald W. Lenz WI P.L.S. No. S-2003  
Dated this 19th day of January, 2017.



BEARINGS ARE REFERENCED TO THE WEST LINE OF THE SE 1/4 OF SECTION 22-14-13, GREEN LAKE COUNTY COORDINATE SYSTEM WITH A BEARING OF N 00°46'56" E

SCALE: 1" = 60'



PLEASANT DRIVE

PLEASANT DRIVE

GREEN LAKE COUNTY CERTIFIED SURVEY MAP 3583

VOLUME 20

PAGE 3583

ZONING:  
A-1

BUILDING SETBACK REQUIREMENTS:

FRONT YARD: 42 FEET  
SIDE YARD: 12 FEET  
REAR YARD: 25 FEET

THE PURPOSE OF THIS CERTIFIED SURVEY MAP IS TO CREATE TWO PARCELS FROM A LAND AREA.

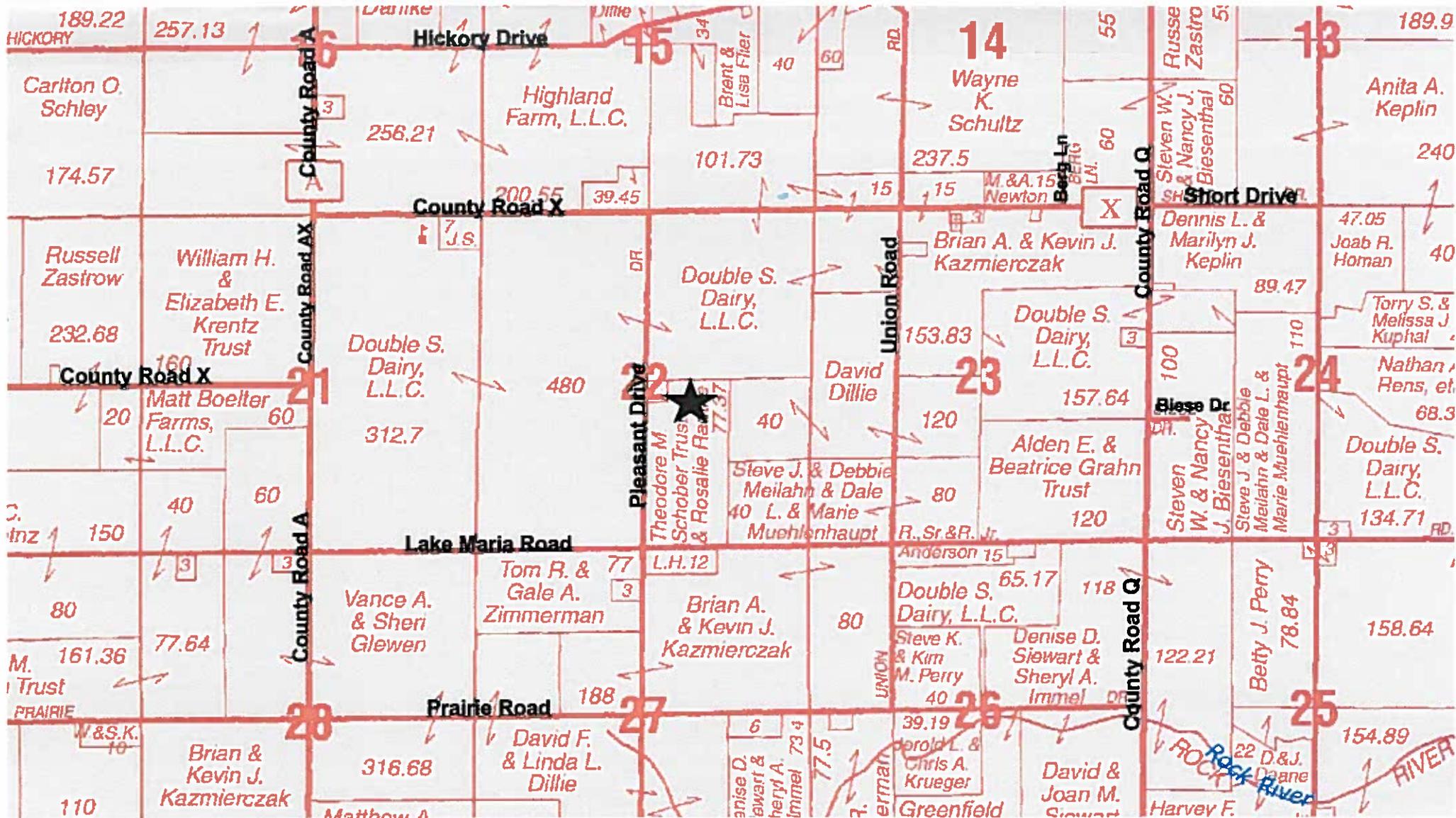
LEGEND:

- SECTION CORNER MONUMENT FOUND 2" IRON PIPE WITH BRASS CAP UNLESS NOTED
- 1/2" REBAR FOUND
- 1/2" X 18" REBAR SET 1.50 LBS PER LINEAL FOOT

# Steven D. & Irene E. Dzbinski – Town of Mackford

Part of the SE¼ of Section 22 T14N, R13E, N1096 & N1098 Pleasant Drive, Parcel #010-00464-0300

Request to rezone 1.27 acres from A-1 Farmland Preservation to R-3 Multiple Family Residence District.



Green Lake County Land Use Planning & Zoning Committee Public Hearing 02/01/2018

# Steven D. & Irene E. Dzbinski - Town of Mackford

Part of the SE¼ of Section 22, T14N, R13E, N1096 & N1098 Pleasant Drive, Parcel #010-00464-0100

Request: Rezone ±1.27 acres from A-1 Exclusive Agriculture District to R-3 Multiple Family Residence District.



Land Use Planning & Zoning Committee Public Hearing 02/01/17

**Steven D. & Irene E. Dzbinski - Town of Mackford**

**Part of the SE¼ of Section 22, T14N, R13E, N1096 & N1098 Pleasant Drive, Parcel #010-00464-0100**

**Request: Rezone ±1.27 acres from A-1 Exclusive Agriculture District to R-3 Multiple Family Residence District.**

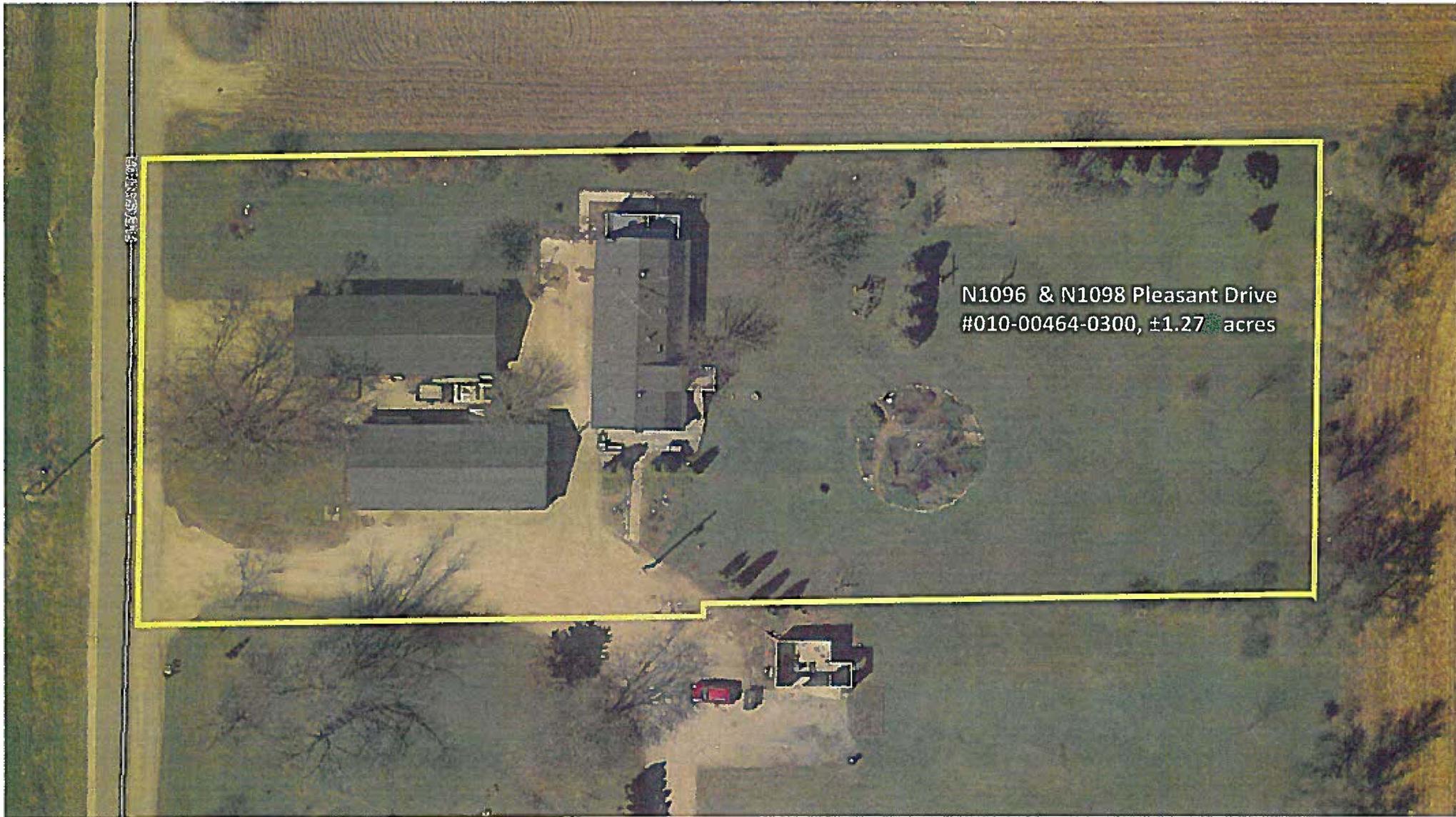


**Land Use Planning & Zoning Committee Public Hearing 02/01/17**

**Steven D. & Irene E. Dzbinski - Town of Mackford**

**Part of the SE¼ of Section 22, T14N, R13E, N1096 & N1098 Pleasant Drive, Parcel #010-00464-0100**

**Request: Rezone ±1.27 acres from A-1 Exclusive Agriculture District to R-3 Multiple Family Residence District.**



**Land Use Planning & Zoning Committee Public Hearing 02/01/17**

# REQUEST FOR LINE ITEM TRANSFER

Office Use Only

No. _____
Date: _____

Department: Land Use Planning & Zoning  
 Budget Year Amended: 2018

**From Account**

Account #	Account Name	Current Budget	Transfer Amount	YTD Expenditures	New Budget
18-100-10-53610-310	Office Supplies	\$ 3,605.00	\$ 600.00		\$ 3,005.00
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
<b>Total Transfer</b>			<b>\$ 600.00</b>		

**To Account**

Account #	Account Name	Current Budget	Transfer Amount	YTD Expenditures	New Budget
18-100-10-53610-307	Training	\$ 450.00	\$ 466.00		\$ 916.00
18-100-10-53610-352	Vehicle Maintenance	\$ 700.00	\$ 34.00		\$ 734.00
18-100-10-53610-330	Travel	\$ 400.00	\$ 100.00		\$ 500.00
					\$ -
					\$ -
					\$ -
<b>Total Transfer</b>			<b>\$ 600.00</b>		

**Explanation for Transfer:** WCCA (Wisconsin County Code Administrators) developed a POWTS (Private Onsite Wastewater Treatment System) training that took place in January 2018. This training costed \$78 plus an \$82 hotel stay. They have also developed a CST (Certified Soil Tester) training that will occur at MPTC in FDL this February. This training will cost \$153 per person. This training is close enough that hotel stays are not required. One staff member has already attended the POWTS training and I would like two staff members to attend the CST training in February. Based on my calculations, with fuel costs (vehicle maintenance), these trainings will cost \$500. There is not a major concern related to depleting the office supplies expense account as our printer is now on a maintenance plan. These trainings seldom are offered and will be advantageous for our new staff member to obtain and existing staff to maintain certifications to issue sanitary permits.

Department Head Approval \_\_\_\_\_

Governing Committee Approval \_\_\_\_\_

**-----**  
 If < \$500:

Send to County Administrator's Office

COUNTY ADMINISTRATOR Approval: \_\_\_\_\_

If > \$500:

Send to County Clerk's Office

FINANCE COMMITTEE Approval given on : \_\_\_\_\_

Date

Revised 02/2017

# Transfer

## Purpose

To transfer budgeted expense/revenue amounts from one line item to another within the same budget so as not to exceed adopted budget.

## Policy

A transfer of funds should be made prior to an individual line item balance exceeding the line item budget as adopted. No transactions should be posted to any budget line item if there are not adequate budgeted funds available to cover those transactions during that fiscal year.

In the event a department has insufficient line item budgeted funds available to cover the balance of proposed transactions, a transfer of budget funds from another individual line item within that department's budget to cover those transactions may be initiated with prior approval.

All transactions shall be charged to the appropriate revenue/expenditure account, not arbitrarily charged to accounts where unused budget funds are available.

## Procedure

To initiate the line item transfer process, the department head shall notice the review, discussion & action of this completed and signed form on the next monthly meeting agenda of their committee of jurisdiction.

If the Line Item Transfer is approved by the committee of jurisdiction **AND IS FOR AN AMOUNT OF \$500 OR LESS** the signed copy of this form along with a copy of the meeting minutes shall be forwarded to the County Administrator for approval.

If the Line Item Transfer is approved by the committee of jurisdiction **AND IS FOR AN AMOUNT OF \$500 OR MORE** the signed copy of this form along with a copy of the meeting minutes shall be forwarded to the County Clerk to be noticed on the Finance Committee agenda for review, discussion and action.

# GREEN LAKE COUNTY

## Land Use Planning & Zoning Department



# 2017 ANNUAL DEPARTMENT REPORT

### LAND USE PLANNING & ZONING DEPARTMENT

Staff Photo (From left to right): Melissa Sorenson - Code Enforcement Officer, Krista Kamke - Code Enforcement, Carole DeCramer - Administrative Assistant, Matt Kirkman - Land Use Planning & Zoning Director, and Gerald Stanuch - GIS Specialist. Not pictured: Don Lenz - County Surveyor

Respectfully Submitted  
March 1, 2018



## Land Use Planning & Zoning Department

County Government Center  
571 County Road A P.O. Box 3188  
Green Lake, WI 54941

Phone 920-294-4156 Website: <http://www.co.green-lake.wi.us/>

Land Development Code Enforcement County Surveyor GIS Land Information

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### 2017 Annual Report

Dear County Board Supervisor:

#### Financials:

Please find attached the 2017 financial report for the Land Use Planning and Zoning Department. The activity of the Department's Land Development, Code Enforcement, County Surveyor, and Geographic Information Systems (GIS) offices are represented in chart format.

A few highlights from the attached report are, first and foremost, that the Department was able to meet the budgeted amount and exceed budget projections equaling 144%. Permit numbers were down slightly from 2016, but this was made up by a significant increase in certified survey map activity. All other revenues managed to exceed their projections.

In 2016, this Department's revenues were \$134,781. In 2017, the revenues were \$132,844, representing a slight decrease. However, based on the survey activity and the activity this department has been observing from property owners and potential buyers, the Department is expecting another good year.

Budgeted expenses for the Land Use Planning and Zoning Department actually increased in 2017 due to a staff member taking family medical insurance when they were on their spouse's medical insurance, previously. This change increased expenditures \$21,000; however over half was offset by other decreases in expenditures. The result being an increase of \$9,539 in realized expenditures. With expenditures being \$391,080 in 2015 and \$376,016 in 2016, 2017's expenditures of \$380,095 seems to be consistent. These expenditures are not a concern, considering the Department exceeded revenue projections by \$40,344

#### Department Activity:

There are many notable accomplishments for 2017. The 2016 effort to update the County's Farmland Preservation Plan carried with it a DATCP (Department of Agriculture, Trade and Consumer Protection) requirement to amend the zoning ordinance by December 31, 2017 to reflect the goals, policies and objectives contained in the updated Farmland Preservation Plan. The County contracted with Martenson & Eisele to help facilitate completion of the ordinance amendment. After much effort, Department Staff were able to complete the update within the allotted time.

The above effort "spun-off" several other projects that the Department completed. In order to obtain their certification DATCP required the elimination of as many of the split-

zoned parcels as possible. The Department worked with property owners to resolve 150 split-zoned parcels leaving only 28 parcels left as split-zoned. These remaining split-zoned parcels will be resolved through future development and rezone requests.

With the zoning map being amended as a result of the split-zoning elimination project or other necessary corrections, the maps associated with the Farmland Preservation Plan also needed to be amended. This precipitated a Farmland Preservation Plan amendment and, consequently, a Comprehensive Plan amendment.

The Department facilitated another Comprehensive Plan amendment stemming from a rezone as well as a Shoreland Zoning Ordinance amendment related to a WDNR request to remove irrelevant language that referred to highly developed shorelines.

One of the highest priorities of this Department is to provide the citizenry with up to date ordinance information. With the recent (October 2016) changes to the Shoreland Zoning Ordinance, it was incumbent on the Department to try to reach as many people who work with shoreland property owners. Apart from having all of the ordinance / plan amendments posted on the Department's webpage, the Department held two informational seminars in June aimed at realtors and contractors. In November, Department staff provided a shoreland zoning training at a local gathering of realtors.

Several administrative policies were adopted by the Land Use Planning and Zoning Committee that will be utilized by the Department whenever necessary. The new "Treated Impervious Surfaces" policy will help shoreland property owner's understand their development rights as it relates to impervious surface restrictions. The committee also adopted a "Comprehensive Plan Amendment" policy. This policy will help guide staff through this complicated process and ensure that these amendments are consistently and expeditiously reviewed. Finally, the committee approved a "Fee Exemption" policy. The committee agreed that government entities (Federal, State and local) should be exempt from Department fees; however, the committee did reserve the right to review fee exemptions for nongovernmental organizations.

The Department is evolving its familiarity with its new permit tracking software from Transcendent Technologies. All land use permits are either in the system or being back-added. Conditional use permits and violations are also able to be tracked through this system. POWTS (Private On-site Wastewater Treatment Systems) maintenance reminders and violation notices are all incorporated into the software's functionality.

Finally, we have achieved "true" parcel-based zoning on our zoning map. A visitor to the County GIS site can "click" on a parcel and a window will pop up that will identify the parcel's zoning. Furthermore, a link will take the user to the zoning ordinance section that describes the different zoning districts.

### **2018 Projects / Activity:**

The Land Use Planning & Zoning Department has much to do in 2018. The most pressing project is the DSPS (Department of Safety and Professional Services) requirement to have all POWTSs in the county identified by means of an inventory.

Presently, the county is out of compliance as we have not completed this inventory. Our goal is to complete the inventory by April 1, 2018.

The Floodplain Zoning Ordinance was last updated in 2010. In 2012, the WDNR and FEMA developed a model floodplain ordinance that resolved certain interagency conflicts. By law Green Lake County is required to update its floodplain zoning ordinance to the model ordinance when there is a WDNR / FEMA approved change to the Flood Insurance Rate Map (FIRM). Since 2012, there have been several studies that have changed the FIRM. To resolve this issue, the Department has begun the process of amending the Floodplain Zoning Ordinance.

On April 30<sup>th</sup>, the contract for County Surveyor will expire. The contract contains an option to extend the contract term an additional 2 years. Based on Department's experience it would be in the interest of the county to exercise this option.

County Highway Department is planning on rebuilding County Road AW this summer. There are a total of eight PLSS (Public Land Survey System) monuments that will need to be replaced after this project is complete. The Department has used a surveying contractor to locate and relocate these important monuments. The Department places a high value on the preservation of these PLSS monuments. Surveying becomes significantly more difficult and expensive when a PLSS monument has to be reset. A new contract for this latest highway project will have to be completed.

Department staff will be working on a variety of informational handouts related to recent ordinance amendments. There are many new POWTS violations, that have been identified by local POWTS maintainers and pumpers that need to be resolved. The imaging component of the permit tracking software has not yet been completed. Department staff should have the ability to attach site plans, building plans, photos, and other related images to the respective permit within the permit tracking software. Finally, as time allows there are necessary amendments to the Private Sewage System, Land Division and Subdivision, a perhaps the Shoreland Zoning Ordinances.

**Conclusion:**

The Land Use Planning and Zoning Department endeavors to provide an exceptional level of customer service through personal interaction, quality informational resources, and a GIS site that is second to none. This Department looks forward to working with the Public, the Land Use Planning and Zoning Committee, all other committees, the County Administrator and the County Board to represent and serve this amazing county.

Respectfully submitted March 1, 2018

Matt E. Kirkman  
Land Use Planning & Zoning Director

**GREEN LAKE COUNTY  
LAND USE PLANNING ZONING DEPARTMENT**

FEES RECEIVED		DECEMBER				YEAR TO DATE				BUDGET
		2016		2017		2016		2017		2017
		NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	
<b>LAND USE PERMITS</b>										
Residential	New	4	2,200	4	1,300	71	20,500	40	15,300	-
	Alterations	-	-	-	-	58	8,800	80	12,300	-
Commercial	New	-	-	1	50	11	1,400	6	1,250	-
	Alterations	-	-	-	-	5	1,750	2	1,100	-
Agricultural	New	-	-	2	300	27	4,050	23	3,500	-
	Alterations	-	-	-	-	13	1,500	4	750	-
Other	New	-	-	-	-	-	-	-	-	-
	Alterations	-	-	-	-	-	-	-	-	-
Other	New	-	-	-	-	-	-	-	-	-
	Alterations	-	-	-	-	-	-	-	-	-
Misc.	Denied/Refunded	-	-	-	-	-	-	-	-	-
	Permit Renewals	-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>4</b>	<b>\$ 2,200</b>	<b>7</b>	<b>\$ 1,650</b>	<b>185</b>	<b>\$ 38,000</b>	<b>155</b>	<b>\$ 34,200</b>	<b>\$ 30,000 114%</b>
<b>SANITARY PERMITS (POWTS)</b>										
Residential	New	3	840	6	1,195	22	6,385	27	7,600	-
	Replacement	3	840	4	1,120	50	14,300	53	15,350	-
	Reconnect	-	-	-	-	1	280	3	840	-
	Modify	-	-	1	150	9	1,350	4	450	-
	Repairs	-	-	1	150	-	-	1	150	-
	Additional Fees	-	-	-	-	-	-	-	-	-
Commercial	New	-	-	-	-	6	1,905	-	-	-
	Replacement	-	-	-	-	2	560	1	280	-
	Reconnect	-	-	-	-	-	-	-	-	-
	Modify	-	-	-	-	-	-	-	-	-
	Additional Fees	-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>6</b>	<b>\$ 1,680</b>	<b>12</b>	<b>\$ 2,615</b>	<b>90</b>	<b>\$ 24,780</b>	<b>89</b>	<b>\$ 24,670</b>	<b>\$ 17,000 145%</b>
<b>NON-METALLIC MINING PERMITS</b>										
Annual Permit Fees		-	-	-	-	18	14,300	18	14,500	-
<b>Total</b>		<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>18</b>	<b>\$ 14,300</b>	<b>18</b>	<b>\$ 14,500</b>	<b>\$ -</b>
<b>BOARD OF ADJUSTMENT</b>										
Special Exception		-	-	-	-	-	-	-	-	-
Variances		-	-	-	-	4	1,500	4	1,500	-
Appeals		-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>4</b>	<b>\$ 1,500</b>	<b>4</b>	<b>\$ 1,500</b>	<b>\$ 750 200%</b>
<b>PLANNING &amp; ZONING COMMITTEE</b>										
Zoning Change		2	750	2	750	16	6,000	15	6,000	-
Conditional Use Permits		-	-	-	-	5	1,875	5	2,250	-
Ordinance/Comp Plan Amendments		-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>2</b>	<b>\$ 750</b>	<b>2</b>	<b>\$ 750</b>	<b>21</b>	<b>\$ 7,875</b>	<b>20</b>	<b>\$ 8,250</b>	<b>\$ 6,000 138%</b>
<b>MISC.</b>										
Rental Weatherization		3	75	-	-	12	300	14	350	250
Wisconsin Fund		-	-	-	-	-	-	2	200	-
<b>Total</b>		<b>3</b>	<b>\$ 75</b>	<b>-</b>	<b>\$ -</b>	<b>12</b>	<b>\$ 300</b>	<b>16</b>	<b>\$ 550</b>	<b>\$ 250 220%</b>
<b>SURVEYOR</b>										
Certified Survey Maps		-	-	4	690	29	4,905	52	9,315	4,000
Preliminary Plats		-	-	-	-	-	-	-	-	-
Final Plats		-	-	-	-	-	-	-	-	-
Miscellaneous		-	-	-	-	-	12,222	-	125	-
<b>Total</b>		<b>-</b>	<b>\$ -</b>	<b>4</b>	<b>\$ 690</b>	<b>29</b>	<b>\$ 17,127</b>	<b>52</b>	<b>\$ 9,440</b>	<b>\$ 4,000 236%</b>
<b>GIS (Geographic Information System)</b>										
Map Sales		-	-	-	37	2	315	-	229	500
Land Records Transfer		-	2,728	-	2,680	2	30,584	-	30,760	25,000
Land Information Grant		-	-	-	-	-	-	-	9,080	9,080
<b>Total</b>		<b>-</b>	<b>\$ 2,728</b>	<b>-</b>	<b>\$ 2,717</b>	<b>4</b>	<b>\$ 30,899</b>	<b>-</b>	<b>\$ 40,069</b>	<b>\$ 34,580 116%</b>
<b>GRAND TOTAL</b>		<b>15</b>	<b>7,433</b>	<b>25</b>	<b>8,422</b>	<b>359</b>	<b>134,781</b>	<b>354</b>	<b>133,179</b>	<b>\$ 92,580 144%</b>

<b>POWTS REIMBURSEMENT</b>				
Septic Installation 10/07/15	\$	6,360.00		
Account #17-101-10-49320-000-000			Year-end 2016	Dec-18
Principal & Interest Payments	\$	3,344.11	\$	-
			YTD 2017	Balance
			\$	1,325.20
			\$	1,690.69