



# 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, March 1, 2018:**

Packet Pages:

- 1            Agenda
  
- 2-7        Draft meeting minutes from February 1, 2018
  
- 8-10      Monthly reports
  
- 11        Land use permits and sanitary permits issued in January
  
- 15-22    Chapter 300: Floodplain Zoning – Draft
  
- 23-27    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

### AGENDA

Date: **Thursday, March 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 02/01/18 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. Annual Report approval
  - c. Discuss Dzbinski violation and resolution
12. Future Committee Activities
  - a. Future agenda items
  - b. Meeting date(s)  
April 5, 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.***

**GREEN LAKE COUNTY  
LAND USE PLANNING AND ZONING  
COMMITTEE MEETING MINUTES  
Thursday, February 1, 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: Robert Lyon, Harley Reabe, Rich Slate, Michael Starshak, Peter Wallace**

**Absent:**

**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 amended agenda.**

**APPROVAL OF MINUTES**

**Motion by Slate/Wallace, unanimously carried, to approve the minutes of 01/04/18.**

**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.

**b. Violations**

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

**c. POWTS inventory & maintenance update**

Kirkman – The septic inventory is on track. The Town of Princeton is 53% complete.

**DEPARTMENT/COMMITTEE ACTIVITY**

**a. Floodplain Zoning Ordinance update**

Kirkman – The committee was sent a copy of the next section of the proposed floodplain zoning ordinance amendment and began the discussion/review at *Article V Flood-Fringe District* and finished at *Article VIII Administration*.

**b. 2020 Orthophoto, funding**

Kirkman explained that GIS Specialist Gerald Stanuch is beginning work on the budget for the 2020 orthophoto project. Stanuch asked that this be brought to this committee's attention that, typically, a portion of the non-metallic mining is used to pay for this project. Non-metallic mining funds are single-purpose funds and can only be expended on non-metallic mining projects which would include the orthophoto project. Kirkman stated that the amount would be \$15,000.

**Motion by Slate/Lyon, unanimously carried, to support taking \$15,000 from the non-metallic mining budget to put toward the orthophoto project.**

Kirkman stated that the committee will approve the committed and carryover funds next month. More information will be available at that time.

Given that information, Slate/Lyon withdrew the aforementioned motion.

**c. Request for line item transfer**

Kirkman explained that Krista Kamke has soil and POWTS training available and he would like to pull money from another account to pay for the additional training. Missy Sorenson should be included in this training. Kirkman budgeted for the certification expenses, but not the training. He asked that the committee approve the *Request for Line Item Transfer* which would transfer \$600 from office supplies to training (\$466), vehicle maintenance (\$34), and travel (\$100).

**Motion by Lyon/Reabe, unanimously carried, to approve the *Request for Line Item Transfer* form that will transfer \$600 from the Land Use Planning and Zoning Office Supplies account to Training (\$466), Vehicle Maintenance (\$34), and Travel (\$100).**

**d. Annual Report**

The committee reviewed the annual report. Reabe suggested that Kirkman include the number of section corners that were completed in 2017. Reabe also questioned the County Road AW project and which department pays for that. Kirkman explained that the Highway Department pays for the corners that are destroyed during road construction. Starshak suggested that it would be good to disclose hurdles that the department resolved during the course of the year.

**6:00 p.m. The committee recessed until 6:30 p.m.**

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

## PUBLIC HEARING ITEMS

*Audio of committee discussion is not available for the public hearing portion of the meeting due to a computer malfunction.*

**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

Charles Engel, N5946 Schwartz Lane – Expressed concerns regarding what the new owners want to do with the land.

Kirkman – Explained the request and that they are only rezoning 6.5 acres. The Town of Brooklyn did approve of the request.

Starshak – Explained that the R-4 Rural Residential District that has been requested is a bridge between the lands that are zoned agriculturally and the lands that are zoned/rezoned to a residential districts.

Rick Stobb, N6027 Schwartz Lane – Asked where the new house will be located on the remnant parcel and who would pay for new roads, if required.

Kirkman – Explained that, as long as setbacks are met, they can build where they want.

Public hearing closed.

b) Committee Discussion & Deliberation

Kirkman – Explained the request and how it meets the criteria.

c) Committee Decision

**Motion by Slate/Reabe, unanimously carried on roll call (5-ayes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.**

**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

No one appeared.

Public hearing closed.

b) Committee Discussion & Deliberation

Kirkman – Explained the request and how it meets the criteria. The Town of Brooklyn approved the request.

c) Committee Decision

**Motion by Slate/ Wallace, unanimously carried on roll call (5-ayes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.**

**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

No one appeared.

Public hearing closed.

b) Committee Discussion & Deliberation

Kirkman – Explained the request and how it meets the criteria. The Town of Brooklyn approved the request.

c) Committee Decision

**Motion by Reabe/Lyon, unanimously carried on roll call (5-ayes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.**

**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

Steven Dzbinski, 398 Union Street, Green Lake – Explained the request.

Public hearing closed.

b) Committee Discussion & Deliberation

Kirkman – Explained that the property is currently zoned A-1 Farmland Preservation District and the request is to rezone to R-3 Multiple-Family Residence District. There are no other R-3 zoned parcels in the area. For zoning, this area of the county is dominated by A-1 Farmland Preservation District. Multiple-family dwellings are not allowed in the A-1 District. This property transitioned to a multiple-family dwelling years ago without going through proper channels; i.e., rezone request. After this staff report was written, a guidance document from the corporation counsel was obtained that explained that this particular request could be considered an illegal spot-zone. This is not something that the committee should consider or support.

Reabe expressed concern that, if this request is approved, it sets a precedent for approving other spot-zone requests. Another concern would be that, since the R-3 requirement is 20,000 square feet, the applicant or future owners could build another building.

Slate – Inquired as to whether or not staff found the non-conforming multiple-family residence issue or did the property owner approach the department.

Kirkman – Stated that staff did not identify this. This multiple-family dwelling issue was not known until Mr. Dzbinski came in to the office.

Slate – If this is denied, will they need to tear this residence down?

Kirkman – If denied, staff would work with the property owner to bring the building into compliance, which is making sure that it's a single-family dwelling. The duplex use would have to go away. To bring it into compliance, staff would make sure the POWTS matches the use. There would have to be a recorded affidavit stating that it must be a single-family dwelling, the septic system would have to be upgraded, and modifications made to the interior of the building to make it a single-family dwelling.

Lyon – The building has been there forever. This is not compliant with A-1 zoning?

Kirkman – It would be less egregious to leave it zoned A-1 and record an affidavit for the single-family dwelling language on the deed.

Slate – The non-conforming status could muddy the waters when trying to get a loan.

Starshak – Inquired as to the possibility of combining the two lots.

Kirkman – There are different owners.

Slate – Asked whether farmland preservation credits were taken on this property.

Kirkman – In order to do that, they would have to meet the requirements.

Orlo Bierman, Adashun Jones Realty, Green Lake – Stated that this is a no-win situation. It has been a non-conforming duplex for the last 20 years. If somebody buys this and uses it as a single-family dwelling and rents the apartment, the zoning department can come in and stop it. The probability of this being developed into a multiple-family complex is low. It is not marketable now. The most practicable thing is to make it conforming. Arrangements have been made to correct the septic system. There is not a problem with an after-the-fact land use permit fee.

Kirkman – A single-family use is a permitted use in the A-1 district. It's usually accompanied by an agricultural use.

c) Committee Decision

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

**Request denied.**

**FUTURE COMMITTEE ACTIVITIES**

**a. Future agenda items**

**b. Meeting Date**

March 1, 2018

Business meeting – 5:15 p.m.

Public hearing – 6:30 p.m.

**ADJOURN**

**7:26 p.m. Meeting adjourned.**

**RECORDED BY**

Carole DeCramer

Committee Secretary

**APPROVED ON:**

DRAFT



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

FEES RECEIVED		JANUARY				YEAR TO DATE				BUDGET
		2017		2018		2017		2018		2018
		NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	
<b>LAND USE PERMITS</b>										
Residential	New	1	500	-	-	1	500	-	-	-
	Alterations	-	-	2	300	-	-	2	300	-
Commercial	New	-	-	-	-	-	-	-	-	-
	Alterations	1	600	1	150	1	600	1	150	-
Agricultural	New	1	150	-	-	1	150	-	-	-
	Alterations	1	150	-	-	1	150	-	-	-
Other	New	-	-	-	-	-	-	-	-	-
	Alterations	-	-	-	-	-	-	-	-	-
Other	New	-	-	-	-	-	-	-	-	-
	Alterations	-	-	-	-	-	-	-	-	-
Misc.	Denied/Refunded	-	-	-	-	-	-	-	-	-
	Permit Renewals	-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>4</b>	<b>\$ 1,400</b>	<b>3</b>	<b>\$ 450</b>	<b>4</b>	<b>\$ 1,400</b>	<b>3</b>	<b>\$ 450</b>	<b>\$ 34,800</b> <b>1%</b>
<b>SANITARY PERMITS (POWTS)</b>										
Residential	New	-	-	-	-	-	-	-	-	-
	Replacement	1	355	3	840	1	355	3	840	-
	Reconnect	-	-	-	-	-	-	-	-	-
	Modify	-	-	-	-	-	-	-	-	-
	Repairs	-	-	-	-	-	-	-	-	-
	Additional Fees	-	-	-	-	-	-	-	-	-
Commercial	New	-	-	-	-	-	-	-	-	-
	Replacement	-	-	-	-	-	-	-	-	-
	Reconnect	-	-	-	-	-	-	-	-	-
	Modify	-	-	-	-	-	-	-	-	-
	Additional Fees	-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>1</b>	<b>\$ 355</b>	<b>3</b>	<b>\$ 840</b>	<b>1</b>	<b>\$ 355</b>	<b>3</b>	<b>\$ 840</b>	<b>\$ 24,600</b> <b>3%</b>
<b>NON-METALLIC MINING PERMITS</b>										
Annual Permit Fees		9	8,500	11	9,700	9	8,500	11	9,700	-
<b>Total</b>		<b>9</b>	<b>\$ 8,500</b>	<b>11</b>	<b>\$ 9,700</b>	<b>9</b>	<b>\$ 8,500</b>	<b>11</b>	<b>\$ 9,700</b>	<b>\$ -</b>
<b>BOARD OF ADJUSTMENT</b>										
Special Exception		-	-	-	-	-	-	-	-	-
Variances		-	-	1	375	-	-	1	375	-
Appeals		-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>-</b>	<b>\$ -</b>	<b>1</b>	<b>\$ 375</b>	<b>-</b>	<b>\$ -</b>	<b>1</b>	<b>\$ 375</b>	<b>\$ 750</b> <b>50%</b>
<b>PLANNING &amp; ZONING COMMITTEE</b>										
Zoning Change		1	375	1	375	1	375	1	375	-
Conditional Use Permits		1	375	-	-	1	375	-	-	-
Ordinance/Comp Plan Amendments		-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>2</b>	<b>\$ 750</b>	<b>1</b>	<b>\$ 375</b>	<b>2</b>	<b>\$ 750</b>	<b>1</b>	<b>\$ 375</b>	<b>\$ 7,000</b> <b>5%</b>
<b>MISC.</b>										
Rental Weatherization		-	-	-	-	-	-	-	-	-
Wisconsin Fund		-	-	-	-	-	-	-	-	6,500
<b>Total</b>		<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 6,500</b> <b>0%</b>
<b>SURVEYOR</b>										
Certified Survey Maps		2	345	-	-	2	345	-	-	6,000
Preliminary Plats		-	-	-	-	-	-	-	-	-
Final Plats		-	-	-	-	-	-	-	-	-
Miscellaneous		-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>2</b>	<b>\$ 345</b>	<b>-</b>	<b>\$ -</b>	<b>2</b>	<b>\$ 345</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 6,000</b> <b>0%</b>
<b>GIS (Geographic Information System)</b>										
Map Sales		-	60	-	10	-	60	-	10	200
Land Records Transfer		-	2,376	-	-	-	2,376	-	-	27,000
Land Information Grant		-	9,080	-	-	-	9,080	-	-	9,080
<b>Total</b>		<b>-</b>	<b>\$ 11,516</b>	<b>-</b>	<b>\$ 10</b>	<b>-</b>	<b>\$ 11,516</b>	<b>-</b>	<b>\$ 10</b>	<b>\$ 36,280</b> <b>0%</b>
<b>GRAND TOTAL</b>		<b>18</b>	<b>22,866</b>	<b>19</b>	<b>11,750</b>	<b>18</b>	<b>22,866</b>	<b>19</b>	<b>11,750</b>	<b>\$ 115,930</b>
									<b>Total</b>	<b>10%</b>

<b>POWTS REIMBURSEMENT</b>				
Septic Installation 10/07/15	\$	6,480.00		
Account #18-101-10-49320-000-000			Year- end 2017	Jan-18
Principal & Interest Payments	\$	4,395.18	\$	55.15
			YTD 2018	Balance
			\$	55.15
			\$	2,029.67

GREEN LAKE COUNTY

For 01/01/18 - 01/31/18

Revenue Summary Report

FJRES01A

Periods 01 - 01

Land Use & Zoning Month End Revenue

MER100-10-P&Z

Account No/Description	Budget Amount	Period Amount	Y-T-D Amount	Balance	Percent Received
10 Land Use Planning and Zoning					
18-100-10-43502-000-000 Wisconsin Fund Grant	6,500.00	.00	.00	6,500.00	.00
18-100-10-44400-000-000 Land Use Permits	34,800.00	450.00	450.00	34,350.00	1.29
18-100-10-44400-001-000 BOA Public Hearing	750.00	375.00	375.00	375.00	50.00
18-100-10-44400-002-000 PZ Public Hearing	7,000.00	375.00	375.00	6,625.00	5.36
18-100-10-44409-000-000 Non-Metallic Mining	.00	9,700.00	9,700.00	-9,700.00	.00
18-100-10-44410-000-000 Sanitary Permits	24,600.00	840.00	840.00	23,760.00	3.41
18-100-10-46131-001-000 GIS Map Sales	200.00	10.00	10.00	190.00	5.00
18-100-10-46131-002-000 Strategic Fund	9,080.00	.00	.00	9,080.00	.00
18-100-10-46762-000-000 Certified Survey Maps	6,000.00	.00	.00	6,000.00	.00
18-100-10-47411-000-000 Interdepartment transfer/Land Records	27,000.00	.00	.00	27,000.00	.00
10 Land Use Planning and Zoning	115,930.00	11,750.00	11,750.00	104,180.00	10.14

For 01/01/18 01/31/18

Expenditure Summary Report

FJEXS01A

Periods 01 - 01

Land Use & Zoning Month End Expenses

MEE100-10-P&Z

Account No/Description	Adjusted Budget	Y-T-D Encumb	Period Expended	Y-T-D Expended	Available Balance	Percent Used
<b>10 Land Use Planning and Zoning</b>						
<b>53610 Code Enforcement</b>						
18-100-10-53610-110-000 Salaries	277,102.00	.00	4,106.85	4,106.85	272,995.15	1.48
18-100-10-53610-140-000 Meeting Payments	600.00	.00	.00	.00	600.00	.00
18-100-10-53610-151-000 Social Security	21,201.00	.00	1,645.83	1,645.83	19,555.17	7.76
18-100-10-53610-153-000 Ret. Employer Share	18,569.00	.00	1,375.80	1,375.80	17,193.20	7.41
18-100-10-53610-154-000 Health Insurance	63,361.00	.00	10,780.08	10,780.08	52,580.92	17.01
18-100-10-53610-155-000 Life Insurance	504.00	.00	41.97	41.97	462.03	8.33
18-100-10-53610-210-002 Professional Services-SRV	9,500.00	.00	150.00	150.00	9,350.00	1.58
18-100-10-53610-210-003 Miscellaneous Fees	300.00	.00	.00	.00	300.00	.00
18-100-10-53610-245-000 Wisconsin Fund Grant	6,500.00	.00	.00	.00	6,500.00	.00
18-100-10-53610-307-000 Training	450.00	.00	152.00	152.00	298.00	33.78
18-100-10-53610-310-000 Office Supplies	3,605.00	.00	6.35	6.35	3,598.65	.18
18-100-10-53610-312-000 Field Supplies	300.00	.00	.00	.00	300.00	.00
18-100-10-53610-320-000 Publications-BOA Public Hearing	500.00	.00	.00	.00	500.00	.00
18-100-10-53610-320-001 Publications-PZ Public Hearing	2,000.00	.00	.00	.00	2,000.00	.00
18-100-10-53610-321-000 Seminars	1,085.00	.00	.00	.00	1,085.00	.00
18-100-10-53610-324-000 Member Dues	100.00	.00	40.00	40.00	60.00	40.00
18-100-10-53610-330-000 Travel	400.00	.00	.00	.00	400.00	.00
18-100-10-53610-352-000 Vehicle Maintenance	700.00	.00	.00	.00	700.00	.00
18-100-10-53610-810-000 Capital Equipment-CEO Vehicle Purchase	25,000.00	.00	.00	.00	25,000.00	.00
<b>53610 Code Enforcement</b>	<b>431,777.00</b>	<b>.00</b>	<b>18,298.88</b>	<b>18,298.88</b>	<b>413,478.12</b>	<b>4.24</b>
<b>10 Land Use Planning and Zoning</b>	<b>431,777.00</b>	<b>.00</b>	<b>18,298.88</b>	<b>18,298.88</b>	<b>413,478.12</b>	<b>4.24</b>

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



Parcel Number	Town	Site Address	Owner Name	Permit Fee	Project Cost	Project
004-00345-0000	Brooklyn	W1636 North Street	Cass M Loberg	\$ 150.00	\$ 13,000.00	Principal structure alterations
006-01428-0000	Green Lake	W2916 Kahl Road	David B & Sandra L Nelson	\$ 150.00	\$ 65,000.00	Principal structure alterations
010-00151-0100	Mackford	W1646 County Road S	Landmark Services Cooperative	\$ 150.00	\$ 4,500.00	Commercial sign
<b>Total</b>				<b>\$ 450.00</b>	<b>\$ 82,500.00</b>	

## Sanitary Permits: 1/1/2018 - 1/31/2018



Parcel Number	Town	Site Address	Owners	Permit Type	Permit Fee
002-00031-0300	Berlin	N9659 Willard Rd	Robert C Reeves	Replacement System	\$ 280.00
006-00159-0000	Green Lake	W1548 County Road K	Mark A Guderski	Replacement System	\$ 280.00
020-00250-0102	Seneca	W2606 Fox River Shores E	Paul J & Cindy L Wiegel	Replacement System	\$ 280.00
<b>Total</b>					<b>\$ 840.00</b>

# Land Use and Sanitary Septic Violations - February 1, 2018



Land Use Violations					
Site Address	Owner Name	Violation Type	Violation Description	Violation Date	# of Violations
W6853 PUCKAWAY RD	HUTTON-OKPALAEKE, MATTHEW U	Zoning	The site visit on July 25 2017 revealed that three v	8/3/2017	1
N4442 S LAKESHORE DR	WESLEE WICKUS PROPERTIES LLC	Shoreland	338-63A - No land use permit applied for or issued	10/2/2017	2

Sanitary Septic Violations					
Site Address	Owner Name	Violation Type	Violation Description	Violation Date	# of Violations
W1773 COUNTY ROAD J	IONE PISCHKE IRREVOCABLE INCOME TRUST	POWTS Violation	Tank overfull and discharging to ground surface.	6/9/2017	1
W516 BROOKLYN J RD	CRUMP, GORDON M & SUSAN F	POWTS Violation	Tank overfull and discharging to ground surface.	2/10/2017	1
W740 STATE ROAD 23 49	WOYAK, GREGORY A	POWTS Violation	Tank baffles not present or secure.	4/26/2017	1
W586 STATE ROAD 23 49	SHRADER, ROBERT & BONNIE	POWTS Violation	Tank failure not structurally sound.	7/21/2017	1
N6219 SUNNYSIDE RD	KELMA, AUDREY I	POWTS Violation	Tank failure not structurally sound.	6/6/2017	1
W1287 N LAWSON DR	JOHN RICHTER REAL ESTATE LLC	POWTS Violation	Holding tank overflowing to ground.	10/6/2017	1
W1049 STATE ROAD 23 49	ABEL, RADENE M	POWTS Violation	Tank failure not structurally sound.	10/23/2017	1
W963 STATE ROAD 23 49	NOLAN WALLENFANG REV INTERVIVOS TRUST	POWTS Violation	Tank overfull and discharging to ground surface.	10/17/2017	3
W1734 NORTH ST	YUKON STORAGE LLC	POWTS Violation	Alarm/floats/pump failure in dose tank.	6/12/2017	1
W2466 PRINCETON RD	KOEHN, PAUL	POWTS Violation	Top of drywell collapsed.	6/27/2017	3
W2354 STATE ROAD 23	JULI REALTY LLC	POWTS Violation	Tank overfull and discharging to ground surface.	7/6/2017	3
N6057 ROBIN LN	FAUCETTE, RONALD & DAN I	POWTS Violation	Filter not functioning properly.	7/20/2017	1
W1973 S LAWSON DR	LA MIRE, CLARENCE W & JOANN I	POWTS Violation	Tank lid not properly secured.	7/24/2017	5
W2005 IRVING PARK RD	CHIER, DEAN	POWTS Failure	Probable surface discharge.	5/19/2017	1
W239 PRAIRIE RD	MACHKOVICH, STEVEN E & JENNY L	POWTS Violation	Tank lid not properly secured.	8/21/2017	1
N5325 LAWSON DR	AMERICAN BAPTIST ASSEMBLY	POWTS Violation	Holding tank overflowing to ground.	5/9/2017	2
W2201 HICKORY RD	NANCY L CODY HYNES TRUST	POWTS Violation	Holding tank overflowing to ground.	10/2/2017	6
W2035 TAYLOR LEE LN	SCHABERG, DAVID L	POWTS Violation	Filter not functioning properly.	4/21/2017	1
W2615 S VALLEY VIEW DR	LAWSONIA INC	POWTS Violation	Lid on tank not properly secured.	11/8/2017	1

N4550 HORNER RD	THORP, EDWIN C & HOLLY J	POWTS Violation	Tank failure not structurally sound.	11/17/2017	1
W103 STATE ROAD 44	NIEMUTH, NICHOLAS R	POWTS Violation	Tank overfull and discharging to ground surface.	12/19/2017	5
W2710 COUNTY ROAD K	THOMAS W MILLS DEC OF TRUST	POWTS Violation	Tank overfull and discharging to ground surface.	5/9/2017	1
W1128 SCOTT HILL RD	FEENEY, JOHN S	POWTS Violation	Tank failure not structurally sound.	6/19/2017	1
N3129 LAKE SHORE DR	MUNRO, EUGENE E	POWTS Violation	Tank overfull and discharging to ground surface.	10/30/2017	2
W7291 COUNTY ROAD B	LAMBRIGHT, SARAH W	POWTS Violation	No vents on dispersal cell to check system for func	6/9/2017	1
N1634 COUNTY ROAD FFF	BUFFINGTON, JOHN C	POWTS Violation	Filter not functioning properly.	12/5/2017	1
W1161 COUNTY ROAD S	DENK, JOEL C	POWTS Failure	Probable surface discharge.	11/9/2017	1
N1842 N BRAVE RD	LARMAY CONSTRUCTION INC	POWTS Violation	DSPS 382.10(2)(d); Section 145.135(1); Section 3	11/18/2016	1
N1615 MADISON ST	DARSCH, DONALD M	POWTS Violation	Lid on tank not properly secured.	11/1/2017	3
W5620 PINE RD S	GERTH, GREGORY J & LORELLE J	POWTS Violation	Tank overfull and discharging to ground surface.	8/22/2017	1
W6848 JOLIN RD	ESGAR, JEFFREY W	POWTS Violation	Tank overfull and discharging to ground surface.	9/3/2017	1
W6260 LAKEVIEW DR N	DEVALK, KEITH A	POWTS Violation	Tank lid not properly secured with locking device.	7/25/2017	1
W5282 PINE RD N	STEEGER, KEITH	POWTS Violation	Tank overfull and discharging to ground surface.	11/7/2017	3
W4706 STATE ROAD 23 73	GAGNE FORD MERCURY INC	POWTS Violation	Holding tank overflowing to ground.	5/1/2017	2
N5792 COUNTY ROAD D	GRAETZ, DANIEL F & DENISE C	POWTS Failure	Surface discharge of sewage/effluent	10/4/2017	1
W4537 STATE ROAD 23 73	SORENSEN, PATRICK L & LISA M	POWTS Violation	Tank lid not properly secured.	11/8/2017	4
W4022 OLD GREEN LAKE RD	MARSCHALL, CRYSTAL M	POWTS Violation	Tank overfull and discharging to ground surface.	11/28/2017	16
W3464 OLD GREEN LAKE RD	HOME OF DIVINE MERCY INC	POWTS Violation	No vents on dispersal cell to check system for func	5/4/2017	1
No Address Available	BARN IN BETHLEHEM LLC	POWTS Violation	Filter not functioning properly.	5/4/2017	1
W3457 STATE ROAD 23	BOGUCKE, DAVID J	POWTS Violation	Top of drywell collapsed.	11/30/2017	3
N4682 COUNTY ROAD D	KALLAS, JOSEPH	POWTS Violation	Tank overfull and discharging to ground surface.	6/9/2017	1
N4467 HICKORY LN	RYAN, LYNN M	POWTS Violation	Lid on tank not properly secured.	7/28/2017	3
W5482 LOSINSKI RD	WEGNER, JAMES M	POWTS Violation	Tank failure not structurally sound.	9/5/2017	2
W5847 LOSINSKI RD	SCHMIDT JR, ROBERT C	POWTS Violation	Holding tank overflowing to ground.	3/9/2017	2
N6140 PLEASANT DR	ST LOUIS, JOSEPH	POWTS Violation	Tank overfull and discharging to ground surface.	3/17/2017	2
N5599 OAK TREE ACRES	SEEHAVER, DARREL C & CAROLYN I	POWTS Violation	Tank lid not properly secured.	10/20/2017	1
N5698 SODA RD	MC CURDY, DONALD M	POWTS Violation	Tank lid not properly secured with locking device.	10/2/2017	1
N5591 LOCK RD	CALAMITA, MICHAEL J	POWTS Violation	Tank overfull and discharging to ground surface.	9/29/2017	14
W5431 OXBOW TRL	SWANSON, JERRY D	POWTS Violation	Tank lid not properly secured.	6/26/2017	1
N5108 FOX RIVER LN	MEIDL, CHRISTOPHER J	POWTS Violation	Holding tank overflowing to ground.	5/9/2017	2

N5045 KUHARSKI RD	SOMMERFELDT, MICHAEL & TERESA	POWTS Violation	Holding tank overflowing to ground.	1/4/2018	1
N4611 OAK RD	MARKS, PAUL R	POWTS Violation	Tank lid not properly secured.	8/7/2017	2
N4621 OAK RD	SUMANIS, ROBERT A & LAURIE K	POWTS Violation	Tank lid not properly secured.	8/21/2017	1
N4570 ELM ST	PURPERO, CYNTHIA BETH	POWTS Violation	Tank failure not structurally sound.	7/10/2017	1
N5141 FOX RIVER LN	KIECK, WILLIAM A	POWTS Violation	Lid on tank not properly secured.	6/22/2017	14
W4834 EVERGREEN DR	WCS TRUST	POWTS Violation	Tank lid not properly secured.	11/2/2017	1
W4860 KRISTINE CT	DOMAN, KEN & SHIRLEY	POWTS Violation	Tank overfull and discharging to ground surface.	2/27/2017	1
N5580 SANDCREST LN	WILLIAMS, MARIA L	POWTS Violation	Tank failure not structurally sound.	6/27/2017	1
N6736 PUCHYAN MARSH RD	WOLTER, DIANA A	POWTS Violation	Tank overfull and discharging to ground surface.	6/20/2017	1
N6425 RIVER RD	WEDDE, ROBERT E	POWTS Violation	Tank baffles not present or secure.	7/11/2017	1
N7335 LOCK RD	HAMMEN, RANDY M	POWTS Violation	Lid on tank not properly secured.	8/15/2017	3
459 HALLMAN ST	DORO, RICHARD J	POWTS Violation	Tank failure not structurally sound.	5/10/2017	1

- (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 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.

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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.



- (5) Submit copies of the following items to the Wisconsin Department of Natural Resources regional office:
- (a) Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments.
  - (b) Copies of any case-by-case analyses and any other information required by the Wisconsin Department of Natural Resources, including an annual summary of the number and types of floodplain zoning actions taken.
  - (c) Copies of substantial damage assessments performed and all related correspondence concerning the assessments.
  - (6) Investigate, prepare reports, and report violations of this chapter to the County Land Use Planning and Zoning Committee and County Corporation Counsel for prosecution. Copies of the reports shall also be sent to the Wisconsin Department of Natural Resources regional office.
  - (7) Submit copies of text and map amendments ~~and biennial reports~~ to the Federal Emergency Management Agency regional office.
- B. Land use permit. A land use permit shall be obtained before any new development; ~~repair, modification or addition to an existing structure; or any structural repair~~ or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the County Land Use Planning and Zoning Department shall include:
- (1) General information.
    - (a) The name and address of the applicant, property owner and contractor;
    - (b) The legal description, proposed use, and whether it is new construction or a modification.
  - (2) Site development plan. A site plan drawn to scale shall be submitted with the permit application form and shall contain:
    - (a) The location, dimensions, area and elevation of the lot;
    - (b) The location of the ordinary high-water mark of any abutting navigable waterways;
    - (c) The location of any structures with distances measured from the lot lines and street center lines;
    - (d) The location of any existing or proposed private on-site wastewater treatment system or private water supply system;
    - (e) The location and elevation of existing or future access roads;
    - (f) The location of floodplain and floodway limits as determined from the Official Floodplain Zoning Maps;
    - (g) The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study, either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
    - (h) Data sufficient to determine the regional flood elevation in National Geodetic Vertical Datum or North American Vertical Datum at the location of the development and to determine whether or not the requirements of Article IV or V are met; and

(i) Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to § 300-18. This may include any of the information noted in § 300-25A.

~~(3) Data requirements to analyze developments Hydraulic and Hydrologic Studies to Analyze Development. All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered with the State of Wisconsin. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Wisconsin Department of Natural Resources.~~

Commented [MEK17]: Whole new detail on H&H study and what is supposed to go into them. Very helpful for anyone attempting to perform an H&H Study.

~~(a) Zone A floodplains: The applicant shall provide all survey data and computations required to show the effects of the project on flood heights, velocities and floodplain storage, for all subdivision proposals, as "subdivision" is defined in this chapter, and other proposed developments exceeding five acres in area or where the estimated cost exceeds \$125,000. The applicant shall provide:~~

~~[1] Hydrology: The appropriate method shall be based on the standards in Ch. NR116.07(3), Wis. Admin. Code, Hydrologic Analysis: Determination of Regional Flood Discharge. An analysis of the effect of the development on the regional flood profile, velocity of flow and floodplain storage capacity.~~

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~~[2] Hydraulic Modeling: The regional flood elevation shall be based on the standards in Ch. NR116.07(4), Wis. Admin. Code, Hydraulic Analysis: Determination of Regional Flood Elevation and the following:~~

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~~[a] determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate WSEL for the study.~~

Commented [MEK18]: Water Surface Elevation Level (WSEL)

~~[b] a minimum four foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.~~

~~[c] a maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.~~

~~[d] the most current version of HEC RAS shall be used.~~

~~[e] a survey of bridge and culvert openings and the top of road is required at each structure.~~

~~[f] additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.~~

~~[g] standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N Values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.~~

~~[h] the model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.~~

~~A map showing the location and details of vehicular access to lands outside the floodplain, and~~

~~[3] A surface drainage plan showing how flood damage will be minimized. Mapping~~

A work map of the reach studied shall be provided, showing all cross sections locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in a floodway.

- [a] If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
- [b] If any part of the proposed development is in the floodway, it must be added to the base model flow to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.
- (b) The estimated cost of the proposal shall include all structural development, landscaping, access and road development, utilities, and other pertinent items but need not include land costs. Zone AE Floodplains
- [1] Hydrology: If the proposed hydrology will change the existing study, the appropriate method to be used shall be on Ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge.*
- [2] Hydraulic model: The regional flood elevation shall be based on the standards in Ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation and the following:*
  - [a] Duplicate Effective Model: The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If the data from the Effective Model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.
  - [b] Corrective Effective Model: The Corrected Effective Model shall not include any man-made physical changes since the effective model date, but shall import the model into the most current version of HEC-RAS for Department review.
  - [c] Existing (Pre-Project Conditions) Model: The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.
  - [d] Revised (Post-Project) Model: The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography cause by the proposed development. This model shall reflect proposed conditions.
  - [e] All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans, and survey notes.
  - [f] Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and topwidths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The Effective Model shall not be truncated.
  - [3] Mapping: Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:
    - [a] Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work, map, annotated FIRMs and/or Flood Boundary

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Floodway Maps (FBFMs), construction plans, bridge plans.

- [b] Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.
  - [c] Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.
  - [d] If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projections and State Plane Coordinate System in accordance with FEMA mapping specifications.
  - [e] The revised floodplain boundaries shall tie into the effective floodplain boundaries.
  - [f] All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section look-up table shall be included to relate to the model input numbering scheme.
  - [g] Both the current and proposed floodways shall be shown on the map.
  - [h] The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.
- (4) Expiration. All permits issued under the authority of this chapter shall expire ~~one year after the date of issuance.~~ no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause.
- C. Certificate of compliance. No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied, until a certificate of compliance is issued by the County Land Use Planning and Zoning Department, except where no permit is required, subject to the following provisions:
- (1) The certificate of compliance shall show that the building or premises or part thereof and the proposed use conform to the provisions of this chapter;
  - (2) Application for such certificate shall be concurrent with the application for a land use permit;
  - (3) If all provisions of this chapter are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;
  - (4) The applicant shall submit a certification signed by a registered professional engineer, architect or land surveyor that the fill, lowest floor and flood proofing elevations are in compliance with the permit issued. Flood proofing measures also require certification by a registered professional engineer or architect that flood proofing measures meet the requirements of § 300-42.
- D. Other permits. Prior to obtaining a floodplain development land use permit ~~The~~ applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under § 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. § 1344.

§ 300-39 County Land Use Planning and Zoning Committee.

A. The County Land Use Planning and Zoning Committee shall:

- (1) Oversee the functions of the office of the County Land Use Planning and Zoning Department; and

(2) Review and advise the County Board on all proposed amendments to this chapter, maps and text.

B. The County Land Use Planning and Zoning Committee shall not:

(1) Grant variances to the terms of the chapter in place of action by the County Board of Adjustment; or

(2) Amend the text or zoning maps in place of official action by the County Board.

**§ 300-40 County Board of Adjustment.**

The County Board of Adjustment, created under § 59.694, Wis. Stats., is hereby authorized or shall be appointed to act for the purposes of this chapter. The County Board of Adjustment shall exercise the powers conferred by the Wisconsin Statutes and adopt rules for the conduct of business. The Department Head for the County Land Use Planning and Zoning Department may not be the Secretary of the County Board of Adjustment.

A. Powers and duties. The County Board of Adjustment shall:

(1) Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the County Land Use Planning and Zoning Department in the enforcement or administration of this chapter.

(2) Hear and decide disputes concerning the district boundaries shown on the Official Floodplain Zoning Map.

(3) Hear and decide, upon appeal, variances from the standards of this chapter.

B. Appeals to the County Board of Adjustment.

(1) Appeals to the County Board of Adjustment may be taken by any person aggrieved or by any officer or department of Green Lake County affected by any decision of the County Land Use Planning and Zoning Department ~~or other administrative officer~~. Such appeal shall be taken within 30 days, unless otherwise provided by the rules of the County Board of Adjustment, by filing with the official whose decision is in question and with the County Board of Adjustment a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the County Board of Adjustment all records regarding the matter appealed.

Commented [MEK19]: Not from Model: language not needed.

(2) Notice and hearing for appeals, including variances.

(a) Notice. The County Board of Adjustment shall:

[1] Fix a reasonable time for the hearing.

[2] Publish adequate notice pursuant to the Wisconsin Statutes, specifying the date, time, place and subject of the hearing.

[3] Assure that notice shall be mailed to the parties in interest and the Wisconsin Department of Natural Resources regional office at least 10 days in advance of the hearing.

(b) Hearing. Any party may appear in person or by agent. The County Board of Adjustment shall:

[1] Resolve boundary disputes according to Subsection C below.

[2] Decide variance applications according to Subsection D below.

[3] Decide appeals of permit denials according to § 300-41.

- (3) Decision. The final decision regarding the appeal or variance application shall:
- (a) Be made within a reasonable time.
  - (b) Be sent to the Wisconsin Department of Natural Resources regional office within 10 days of the decision.
  - (c) Be a written determination signed by the Chair or Secretary of the County Board of Adjustment.
  - (d) State the specific facts that are the basis for the County Board of Adjustment's decision.
  - (e) Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application.
  - (f) Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the County Board of Adjustment proceedings.
- C. Boundary disputes. The following procedure shall be used by the County Board of Adjustment in hearing disputes concerning floodplain district boundaries:
- (1) If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary. If none exist, other evidence may be examined.
  - (2) In all cases, the person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the County Board of Adjustment.
  - (3) If the boundary is incorrectly mapped, the County Board of Adjustment should inform the County Land Use Planning and Zoning Committee or the person contesting the boundary location to petition the County Board for a map amendment according to Article IX, Amendments.
- D. Variances.
- (1) The County Board of Adjustment may, upon appeal, grant a variance from the standards of this chapter if an applicant convincingly demonstrates that:
    - (a) Literal enforcement of the provisions of this chapter will cause unnecessary hardship;
    - (b) The hardship is due to adoption of this chapter and unique property conditions not common to adjacent lots or premises. In such case, this chapter or the map must be amended;
    - (c) The variance is not contrary to the public interest; and
    - (d) The variance is consistent with the purpose of this chapter in § 300-3.
  - (2) In addition to the criteria in Subsection D(1) above, to qualify for a variance under Federal Emergency Management Agency regulations, the following criteria must be met:
    - (a) The variance may not cause any increase in the regional flood elevation.
    - (b) Variances can only be granted for land areas that are less than 1/2 acre and are contiguous to existing structures constructed below the regional flood elevation.
    - (c) Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances, shall not increase costs

for rescue and relief efforts and shall not be contrary to the purpose of this chapter.

- (3) A variance shall not:
  - (a) Grant, extend or increase any use prohibited in the zoning district.
  - (b) Be granted for a hardship based solely on an economic gain or loss.
  - (c) Be granted for a hardship which is self-created.
  - (d) Damage the rights or property values of other persons in the area.
  - (e) Allow actions without the amendments to this chapter or map(s) required in § 300-44.
  - (f) Allow any alteration of a historic structure, including its use, that would preclude its continued designation as a historic structure.
- (4) When a floodplain variance is granted, the County Board of Adjustment shall notify the applicant in writing that it may increase ~~flood insurance premiums and risks to life and property~~ and flood insurance premiums up to \$25.00 per \$100 of coverage. A copy shall be maintained with the variance record.

§ 300-41 Appeal of permit denial.

- A. The County Land Use Planning and Zoning Committee or County Board of Adjustment shall review all data related to the appeal. This may include:
  - (1) Permit application data listed in § 300-38B.
  - (2) Floodway/flood-fringe determination data in § 300-33.
  - (3) Data listed in § 300-25A(2) where the applicant has not submitted this information to the County Land Use Planning and Zoning Department.
  - (4) Other data submitted with the application or submitted to the County Board of Adjustment with the appeal.
- B. For appeals of all denied permits, the County Board of Adjustment shall:
  - (1) Follow the procedures of § 300-40;
  - (2) Consider County Land Use Planning and Zoning Committee recommendations; and
  - (3) Either uphold the denial or grant the appeal.
- C. For appeals concerning increases in regional flood elevation, the County Board of Adjustment shall:
  - (1) Uphold the denial where the County Board of Adjustment agrees with the data showing an increase in flood elevation. Increases ~~equal to or greater than 0.01-foot~~ may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners *as per the requirements of Article IX, Amendments.*
  - (2) Grant the appeal where the County Board of Adjustment agrees that the data properly demonstrates that the project does not cause an increase ~~equal to or greater than 0.01-foot~~, provided that no other reasons for denial exist.

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# 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

To the Honorable Board of Supervisors, Green Lake County:

#### 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.

The PLSS (Public Land Survey System) re-monumentation project that began in 1970 is nearing completion. Six County Surveyors have overseen this project to formally re-establish 1,680 section corners. In 2017, 78 corner section monuments were re-established. Green Lake County is on track to complete the remaining 308 PLSS corners by the end of 2022.

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. **The Department webpage needs to be upgraded to be more user friendly.** Finally, as time allows, amendments to the Private Sewage System, Land Division and Subdivision, and perhaps the Shoreland Zoning Ordinances may be necessary.

**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 **to and approved by the Land Use Planning & Zoning Committee** on March 1, 2018.

Matt E. Kirkman  
Land Use Planning & Zoning Director

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

FEES RECEIVED		JANUARY				YEAR TO DATE				BUDGET
		2017		2018		2017		2018		2018
		NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	
<b>LAND USE PERMITS</b>										
Residential	New	1	500	-	-	1	500	-	-	-
	Alterations	-	-	2	300	-	-	2	300	-
Commercial	New	-	-	-	-	-	-	-	-	-
	Alterations	1	600	1	150	1	600	1	150	-
Agricultural	New	1	150	-	-	1	150	-	-	-
	Alterations	1	150	-	-	1	150	-	-	-
Other	New	-	-	-	-	-	-	-	-	-
	Alterations	-	-	-	-	-	-	-	-	-
Other	New	-	-	-	-	-	-	-	-	-
	Alterations	-	-	-	-	-	-	-	-	-
Misc.	Denied/Refunded	-	-	-	-	-	-	-	-	-
	Permit Renewals	-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>4</b>	<b>\$ 1,400</b>	<b>3</b>	<b>\$ 450</b>	<b>4</b>	<b>\$ 1,400</b>	<b>3</b>	<b>\$ 450</b>	<b>\$ 34,800 1%</b>
<b>SANITARY PERMITS (POWTS)</b>										
Residential	New	-	-	-	-	-	-	-	-	-
	Replacement	1	355	3	840	1	355	3	840	-
	Reconnect	-	-	-	-	-	-	-	-	-
	Modify	-	-	-	-	-	-	-	-	-
	Repairs	-	-	-	-	-	-	-	-	-
	Additional Fees	-	-	-	-	-	-	-	-	-
Commercial	New	-	-	-	-	-	-	-	-	-
	Replacement	-	-	-	-	-	-	-	-	-
	Reconnect	-	-	-	-	-	-	-	-	-
	Modify	-	-	-	-	-	-	-	-	-
	Additional Fees	-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>1</b>	<b>\$ 355</b>	<b>3</b>	<b>\$ 840</b>	<b>1</b>	<b>\$ 355</b>	<b>3</b>	<b>\$ 840</b>	<b>\$ 24,600 3%</b>
<b>NON-METALLIC MINING PERMITS</b>										
Annual Permit Fees		9	8,500	11	9,700	9	8,500	11	9,700	-
<b>Total</b>		<b>9</b>	<b>\$ 8,500</b>	<b>11</b>	<b>\$ 9,700</b>	<b>9</b>	<b>\$ 8,500</b>	<b>11</b>	<b>\$ 9,700</b>	<b>\$ -</b>
<b>BOARD OF ADJUSTMENT</b>										
Special Exception		-	-	-	-	-	-	-	-	-
Variances		-	-	1	375	-	-	1	375	-
Appeals		-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>-</b>	<b>\$ -</b>	<b>1</b>	<b>\$ 375</b>	<b>-</b>	<b>\$ -</b>	<b>1</b>	<b>\$ 375</b>	<b>\$ 750 50%</b>
<b>PLANNING &amp; ZONING COMMITTEE</b>										
Zoning Change		1	375	1	375	1	375	1	375	-
Conditional Use Permits		1	375	-	-	1	375	-	-	-
Ordinance/Comp Plan Amendments		-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>2</b>	<b>\$ 750</b>	<b>1</b>	<b>\$ 375</b>	<b>2</b>	<b>\$ 750</b>	<b>1</b>	<b>\$ 375</b>	<b>\$ 7,000 5%</b>
<b>MISC.</b>										
Rental Weatherization		-	-	-	-	-	-	-	-	-
Wisconsin Fund		-	-	-	-	-	-	-	-	6,500
<b>Total</b>		<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 6,500 0%</b>
<b>SURVEYOR</b>										
Certified Survey Maps		2	345	-	-	2	345	-	-	6,000
Preliminary Plats		-	-	-	-	-	-	-	-	-
Final Plats		-	-	-	-	-	-	-	-	-
Miscellaneous		-	-	-	-	-	-	-	-	-
<b>Total</b>		<b>2</b>	<b>\$ 345</b>	<b>-</b>	<b>\$ -</b>	<b>2</b>	<b>\$ 345</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 6,000 0%</b>
<b>GIS (Geographic Information System)</b>										
Map Sales		-	60	-	10	-	60	-	10	200
Land Records Transfer		-	2,376	-	-	-	2,376	-	-	27,000
Land Information Grant		-	9,080	-	-	-	9,080	-	-	9,080
<b>Total</b>		<b>-</b>	<b>\$ 11,516</b>	<b>-</b>	<b>\$ 10</b>	<b>-</b>	<b>\$ 11,516</b>	<b>-</b>	<b>\$ 10</b>	<b>\$ 36,280 0%</b>
<b>GRAND TOTAL</b>		<b>18</b>	<b>22,866</b>	<b>19</b>	<b>11,750</b>	<b>18</b>	<b>22,866</b>	<b>19</b>	<b>11,750</b>	<b>\$ 115,930 10%</b>

<b>POWTS REIMBURSEMENT</b>				
Septic Installation 10/07/15	\$	6,480.00		
Account #18-101-10-49320-000-000			Year-end 2017	Jan-18
Principal & Interest Payments	\$	4,395.18	\$	55.15
			YTD 2018	Balance
			\$	55.15
			\$	2,029.67