



GREEN LAKE COUNTY

571 County Road A, Green Lake, WI 54941

The following documents are included in the packet for the Land Use Planning & Zoning Committee meeting on Thursday, April 5, 2018:

Packet Pages:

- 1 Agenda
- 2-3 Draft meeting minutes from March 1, 2018
- 4-6 Monthly reports
- 7 Land use permits and sanitary permits issued in February
- 8-10 Land use & sanitary septic violations
- 11-26 Chapter 300: Floodplain Zoning – Draft
- 27 Public hearing notice
- 28-38 Item I: Zodrow Properties, LLC, John & Angela Zodrow
Rezone ±11.37 acres from C-2 Extensive Commercial District, A-2 General Agriculture District, & R-1 Single-family Residence District to R-4 Rural Residential District
- 39-48 Item II: Forrest E. & Lois L. Linger Family Trust
Stuart L. Linger Successor Co-Trustee
Rezone ±3.32 acres from A-1 Farmland Preservation District to R-4 Rural Residential District

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, April 5, 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 03/01/18 minutes
7. Public comments: 3-minute limit
8. Public appearances
9. Correspondence
10. Department activity reports
 - a. Financial reports
 - b. Permits
 - c. Violation reports
 - d. POWTS inventory & maintenance update
11. Department/Committee Activity
 - a. Floodplain Zoning Ordinance amendment discussion/review
 - b. Contractor mailing
12. Recognize out-going committee members
13. Future Committee Activities
 - a. Future agenda items
 - b. Meeting date(s)
May 3, 2018
Business meeting 5:15 p.m.
Public hearing 6:30 p.m.

6:30 p.m. Public Hearing

Item I: Owners/Applicants: Zodrow Properties, LLC, John & Angela Zodrow **General legal description:** State Road 23, Parcel #004-00351-0100 (± 7.88 acres) & #004-00339-0200 (± 16.15 acres), Part of the SW $\frac{1}{4}$ of Section 16, T16N, R13E, Town of Brooklyn **Request:** Rezone ± 11.37 acres from C-2 Extensive Commercial, A-2 General Agriculture, and R-1 Single-family Residence Districts 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: Forrest E. & Lois L. Linger Family Trust - Stuart L. Linger, Successor Co-Trustee **General legal description:** N2569 Marquette Road, Parcel #014-00793-0000 (± 40 acres), Part of the SE $\frac{1}{4}$ of Section 31, T15N, R12E, Town of Marquette **Request:** Rezone ± 3.32 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

14. Adjourn

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, March 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: 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/Wallace, unanimously carried, to approve the amended agenda.

APPROVAL OF MINUTES

Motion by Reabe/Slate, unanimously carried, to approve the minutes of 02/01/18.

PUBLIC COMMENT - None

PUBLIC APPEARANCES - None

CORRESPONDENCE

The committee was given a copy of an email from a local business thanking Krista Kamke for the excellent service and information she continues to provide.

Kirkman reported that Al Shute (previous department head) stopped in to visit staff today and asked that Kirkman relay a message to the outgoing committee members, Slate and Starshak. He said that it was a pleasure working with both Mr. Slate and Mr. Starshak while he was employed with the county, and wishes them luck in the future.

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 following townships are now complete: Berlin, Kingston, Mackford, Manchester, Seneca, St. Marie, Marquette, and Princeton. The Town of Brooklyn is 53% complete. A copy of the report was given to the committee members detailing the progress of the maintenance reporting.

DEPARTMENT/COMMITTEE ACTIVITY

a. Floodplain Zoning Ordinance update

Kirkman – The committee will begin reviewing the draft Floodplain Zoning Ordinance at *Article VIII Administration*. Kirkman explained the proposed amendments. The last review will take place at the next committee meeting on April 5, 2018. The public hearing could be scheduled for the May 3rd meeting.

b. Annual Report

The committee reviewed the annual report with the changes that the committee suggested at the last meeting.

Motion by Slate/Reabe, unanimously carried, to accept the annual report as amended.

c. Discuss Dzbinski violation and resolution

Kirkman explained that the Dzbinski rezone request, that the committee recommended denial at the previous committee meeting, and then was denied by the county board, did not have to be rezoned. After the public hearing, staff reviewed the updated ordinance and found that, what the applicant was proposing to do, they did not need to go through the rezone process. The land owner will have to apply for an after-the-fact land use permit and sanitary permit.

FUTURE COMMITTEE ACTIVITIES

a. Future agenda items

- Floodplain Zoning Ordinance

b. Meeting Date

April 5, 2018

Business meeting – 5:15 p.m.

Public hearing – 6:30 p.m.

ADJOURN

6:04 p.m. Meeting adjourned.

RECORDED BY

Carole DeCramer
Committee Secretary

APPROVED ON:

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

FEES RECEIVED		FEBRUARY				YEAR TO DATE				BUDGET	
		2017		2018		2017		2018		2018	
		NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT		
LAND USE PERMITS											
Residential	New	2	450	1	150	3	950	1	150	-	
	Alterations	5	1,000	-	-	5	1,000	-	300	-	
Commercial	New	-	-	-	-	-	-	-	-	-	
	Alterations	-	-	-	-	1	600	1	150	-	
Agricultural	New	2	300	1	400	3	450	-	400	-	
	Alterations	-	-	-	-	1	150	-	-	-	
Other	New	-	-	-	-	-	-	-	-	-	
	Alterations	-	-	-	-	-	-	-	-	-	
Other	New	-	-	-	-	-	-	-	-	-	
	Alterations	-	-	-	-	-	-	-	-	-	
Misc.	Denied/Refunded	-	-	-	-	-	-	-	-	-	
	Permit Renewals	-	-	-	-	-	-	-	-	-	
Total		9	\$ 1,750	2	\$ 550	13	\$ 3,150	2	\$ 1,000	\$ 34,800	3%
SANITARY PERMITS (POWTS)											
Residential	New	2	560	1	280	2	560	-	280	-	
	Replacement	1	280	1	280	2	635	3	1,120	-	
	Reconnect	-	-	-	-	-	-	-	-	-	
	Modify	-	-	-	-	-	-	-	-	-	
	Repairs	-	-	-	-	-	-	-	-	-	
	Additional Fees	-	-	-	-	-	-	-	-	-	
Commercial	New	-	-	-	-	-	-	-	-	-	
	Replacement	-	-	-	-	-	-	-	-	-	
	Reconnect	-	-	-	-	-	-	-	-	-	
	Modify	-	-	-	-	-	-	-	-	-	
	Additional Fees	-	-	-	-	-	-	-	-	-	
Total		3	\$ 840	2	\$ 560	4	\$ 1,195	3	\$ 1,400	\$ 24,600	6%
NON-METALLIC MINING PERMITS											
Annual Permit Fees		9	6,000	7	5,600	18	14,500	11	15,300	-	
Total		9	\$ 6,000	7	\$ 5,600	18	\$ 14,500	11	\$ 15,300	\$ -	
BOARD OF ADJUSTMENT											
Special Exception		-	-	-	-	-	-	-	-	-	
Variances		-	-	-	-	-	-	1	375	-	
Appeals		-	-	-	-	-	-	-	-	-	
Total		-	\$ -	-	\$ -	-	\$ -	1	\$ 375	\$ 750	50%
PLANNING & ZONING COMMITTEE											
Zoning Change		2	750	2	750	2	1,125	1	1,125	-	
Conditional Use Permits		1	375	-	-	1	750	-	-	-	
Ordinance/Comp Plan Amendments		-	-	-	-	-	-	-	-	-	
Total		3	\$ 1,125	2	\$ 750	3	\$ 1,875	1	\$ 1,125	\$ 7,000	16%
MISC.											
Rental Weatherization		1	25	-	-	1	25	-	-	-	
Wisconsin Fund		-	-	-	-	-	-	-	-	6,500	
Total		1	\$ 25	-	\$ -	1	\$ 25	-	\$ -	\$ 6,500	0%
SURVEYOR											
Certified Survey Maps		3	525	6	1,005	3	870	-	1,005	6,000	
Preliminary Plats		-	-	-	-	-	-	-	-	-	
Final Plats		-	-	-	-	-	-	-	-	-	
Miscellaneous		-	-	-	-	-	-	-	-	-	
Total		3	\$ 525	6	\$ 1,005	3	\$ 870	-	\$ 1,005	\$ 6,000	17%
GIS (Geographic Information System)											
Map Sales		-	2	-	-	-	62	-	10	200	
Land Records Transfer		-	2,248	-	-	-	4,624	-	-	27,000	
Land Information Grant		-	-	-	-	-	9,080	-	-	9,080	
Total		-	\$ 2,250	-	\$ -	-	\$ 13,766	-	\$ 10	\$ 36,280	0%
GRAND TOTAL		28	12,515	19	8,465	42	35,381	18	20,215	\$ 115,930	17%

Total **17%**

POWTS REIMBURSEMENT				
Septic Installation 10/07/15	\$	6,480.00		
Account #18-101-10-49320-000-000			Year- end 2017	Feb-18
Principal & Interest Payments			\$ 4,395.18	\$ 36.36
			YTD 2018	Balance
			\$ 91.51	\$ 1,993.31

GREEN LAKE COUNTY

For 02/01/18 - 02/28/18

Revenue Summary Report

FJRES01A

Periods 02 - 02

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					
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	550.00	1,000.00	33,800.00	2.87
18-100-10-44400-001-000 BOA Public Hearing	750.00	.00	375.00	375.00	50.00
18-100-10-44400-002-000 PZ Public Hearing	7,000.00	750.00	1,125.00	5,875.00	16.07
18-100-10-44409-000-000 Non-Metallic Mining	.00	5,600.00	15,300.00	-15,300.00	.00
18-100-10-44410-000-000 Sanitary Permits	24,600.00	560.00	1,400.00	23,200.00	5.69
18-100-10-46131-001-000 GIS Map Sales	200.00	.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	1,005.00	1,005.00	4,995.00	16.75
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	8,465.00	20,215.00	95,715.00	17.44

For 02/01/18 - 02/28/18

Expenditure Summary Report

FJEXS01A

Periods 02 - 02

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>
10 Land Use Planning and Zoning						
53610 Code Enforcement						
18-100-10-53610-110-000 Salaries	277,102.00	.00	20,897.60	25,004.45	252,097.55	9.02
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	1,558.88	3,204.71	17,996.29	15.12
18-100-10-53610-153-000 Ret. Employer Share	18,569.00	.00	1,400.16	2,775.96	15,793.04	14.95
18-100-10-53610-154-000 Health Insurance	63,361.00	.00	4,780.08	15,560.16	47,800.84	24.56
18-100-10-53610-155-000 Life Insurance	504.00	.00	41.97	83.94	420.06	16.65
18-100-10-53610-210-002 Professional Services-SRV	9,500.00	.00	950.00	1,100.00	8,400.00	11.58
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	916.00	.00	41.03	193.03	722.97	21.07
18-100-10-53610-310-000 Office Supplies	3,005.00	.00	22.22	28.57	2,976.43	.95
18-100-10-53610-312-000 Field Supplies	300.00	.00	36.00	36.00	264.00	12.00
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	406.00	406.00	1,594.00	20.30
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	60.00	100.00	.00	100.00
18-100-10-53610-330-000 Travel	500.00	.00	80.66	80.66	419.34	16.13
18-100-10-53610-352-000 Vehicle Maintenance	734.00	.00	56.02	56.02	677.98	7.63
18-100-10-53610-810-000 Capital Equipment-CEO Vehicle Purchase	25,000.00	.00	.00	.00	25,000.00	.00
53610 Code Enforcement	431,777.00	.00	30,330.62	48,629.50	383,147.50	11.26
10 Land Use Planning and Zoning	431,777.00	.00	30,330.62	48,629.50	383,147.50	11.26



Land Use Permits: 02/01/18 - 02/28/18

Parcel Number	Town	Site Address	Owner Name	Permit Fee	Estimated Cost	Project
004-00657-0000	Brooklyn	N5689 County Road A	John W Person	\$ 150.00	\$ 15,000.00	Boat house
004-00030-0000	Brooklyn	N7055 County Road	FF Flying J'S Farm Enterprises LLP	\$ 400.00	\$ 201,000.00	Grain bins



Sanitary Permits: 02/01/18 - 02/28/18

Parcel Number	Town	Site Address	Owners	Permit Fee	Permit Type
004-00452-0400	Brooklyn	W1753 North St	Jeff A/Pamela D Novak	\$ 280.00	Replacement System
020-00096-0000	Seneca	W4318 Chappa Rd	John A Trakel	\$ 280.00	New System
Total				\$ 560.00	

Land Use and Sanitary Septic Violations - April 5, 2018



Land Use Violations						
Town	Site Address	Owner Name	Violation Type	Violation Description	Violation Date	# of Violations
Mackford	N1096 PLEASANT DR	DZBINSKI, STEVEN D & IRENE E	Zoning	350-65. A. Illegally converted barn to duplex without	2/16/2018	2
Marquette	W6853 PUCKAWAY RD	HUTTON-OKPALAEKE MATTHEW	Zoning	Update: Two of the three vehicles are verified as rem	8/3/2017	1
Princeton	W5913 STATE ROAD 23	CRIVELLO, DEREK A	Shoreland	338-63. A. : No LUP issued for new structures on prop	3/8/2018	2
Princeton	N4442 S LAKESHORE DR	WESLEE WICKUS PROPERTIES LLC	Shoreland	Patio in shoreland setback without LUP	10/2/2017	2

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

GREEN LAKE	N4550 HORNER RD	THORP, EDWIN C & HOLLY J	POWTS Violation	Tank failure not structurally sound.	11/17/2017	1
GREEN LAKE	W103 STATE ROAD 44	NIEMUTH, NICHOLAS R	POWTS Violation	Tank overfull and discharging to ground surface.	12/19/2017	5
GREEN LAKE	W2710 COUNTY ROAD K	THOMAS W MILLS DEC OF TRUST	POWTS Violation	Tank overfull and discharging to ground surface.	5/9/2017	1
GREEN LAKE	W1128 SCOTT HILL RD	FEENEY, JOHN S	POWTS Violation	Tank failure not structurally sound.	6/19/2017	1
GREEN LAKE	N3129 LAKE SHORE DR	MUNRO, EUGENE E	POWTS Violation	Tank overfull and discharging to ground surface.	10/30/2017	2
KINGSTON	W7291 COUNTY ROAD B	LAMBRIGHT, SARAH W	POWTS Violation	No vents on dispersal cell to check system for functio	6/9/2017	1
KINGSTON	N1634 COUNTY ROAD FFF	BUFFINGTON, JOHN C	POWTS Violation	Filter not functioning properly.	12/5/2017	1
MACKFORD	W1161 COUNTY ROAD S	DENK, JOEL C	POWTS Failure	Probable surface discharge.	11/9/2017	1
MACKFORD	N1842 N BRAVE RD	LARMAY CONSTRUCTION INC	POWTS Violation	DSPS 382.10(2)(d); Section 145.135(1); Section 334-4	11/18/2016	1
MANCHESTER	N1615 MADISON ST	DARSCH, DONALD M	POWTS Violation	Lid on tank not properly secured.	11/1/2017	3
MARQUETTE	W5620 PINE RD S	GERTH, GREGORY J & LORELLE J	POWTS Violation	Tank overfull and discharging to ground surface.	8/22/2017	1
MARQUETTE	W6848 JOLIN RD	ESGAR, JEFFREY W	POWTS Violation	Tank overfull and discharging to ground surface.	9/3/2017	1
MARQUETTE	W6260 LAKEVIEW DR N	DEVALK, KEITH A	POWTS Violation	Tank lid not properly secured with locking device.	7/25/2017	1
MARQUETTE	W5282 PINE RD N	STEEGER, KEITH	POWTS Violation	Tank overfull and discharging to ground surface.	11/7/2017	3
PRINCETON	W4706 STATE ROAD 23 73	GAGNE FORD MERCURY INC	POWTS Violation	Holding tank overflowing to ground.	5/1/2017	2
PRINCETON	N5792 COUNTY ROAD D	GRAETZ, DANIEL F & DENISE C	POWTS Failure	Surface discharge of sewage/effluent	10/4/2017	1
PRINCETON	W4537 STATE ROAD 23 73	SORENSEN, PATRICK L & LISA M	POWTS Violation	Tank lid not properly secured.	1/19/2018	6
PRINCETON	W4022 OLD GREEN LAKE RD	MARSCHALL, CRYSTAL M	POWTS Violation	Tank overfull and discharging to ground surface.	11/28/2017	16
PRINCETON	W3464 OLD GREEN LAKE RD	HOME OF DIVINE MERCY INC	POWTS Violation	No vents on dispersal cell to check system for functio	5/4/2017	1
PRINCETON	No Address Available	BARN IN BETHLEHEM LLC	POWTS Violation	Filter not functioning properly.	5/4/2017	1
PRINCETON	W3457 STATE ROAD 23	BOGUCKE, DAVID J	POWTS Violation	Top of drywell collapsed.	11/30/2017	3
PRINCETON	N4682 COUNTY ROAD D	KALLAS, JOSEPH	POWTS Violation	Tank overfull and discharging to ground surface.	6/9/2017	1
PRINCETON	N4467 HICKORY LN	RYAN, LYNN M	POWTS Violation	Lid on tank not properly secured.	7/28/2017	3
PRINCETON	W5482 LOSINSKI RD	WEGNER, JAMES M	POWTS Violation	Tank failure not structurally sound.	9/5/2017	2
PRINCETON	W5847 LOSINSKI RD	SCHMIDT JR, ROBERT C	POWTS Violation	Holding tank overflowing to ground.	3/9/2017	2
PRINCETON	N6140 PLEASANT DR	ST LOUIS, JOSEPH	POWTS Violation	Tank overfull and discharging to ground surface.	3/17/2017	2
PRINCETON	N5599 OAK TREE ACRES	SEEHAVER, DARREL & CAROLYN	POWTS Violation	Tank lid not properly secured.	10/20/2017	1
PRINCETON	N5698 SODA RD	McCURDY, DONALD M	POWTS Violation	Tank lid not properly secured with locking device.	10/2/2017	1
PRINCETON	N5591 LOCK RD	CALAMITA, MICHAEL J	POWTS Violation	Tank overfull and discharging to ground surface.	9/29/2017	14
PRINCETON	W5431 OXBOW TRL	SWANSON, JERRY D	POWTS Violation	Tank lid not properly secured.	6/26/2017	1
PRINCETON	N5108 FOX RIVER LN	MEIDL, CHRISTOPHER J	POWTS Violation	Holding tank overflowing to ground.	5/9/2017	2
PRINCETON	N5045 KUHARSKI RD	SOMMERFELDT, MICHAEL/TERESA	POWTS Violation	Holding tank overflowing to ground.	1/4/2018	1
PRINCETON	N4611 OAK RD	MARKS, PAUL R	POWTS Violation	Tank lid not properly secured.	8/7/2017	2

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

§ 300-42 **Floodproofing Standards for Nonconforming Structures or Uses-**

A. No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the flood proofing measures will protect the structure or development to the flood-protection elevation and submits a FEMA Floodproofing Certificate.

B. For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:

(1) certified by a registered professional engineer or architect; or

(2) meets or exceeds the following standards:

(a) a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

(b) the bottom of all openings shall be no higher than one foot above grade; and

(c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

B.C. Flood proofing measures shall be designed to:

(1) Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;

(2) Protect structures to the flood-protection elevation;

(3) Anchor structures to foundations to resist flotation and lateral movement; and

(4) ~~Insure that structural walls and floors are watertight to the flood protection elevation and the interior remains completely dry during flooding without human intervention~~Minimize or eliminate infiltration of flood waters; and

(5) Minimize or eliminate discharges into flood waters.

C. Flood proofing measures could include:

(1) Reinforcing walls and floors to resist rupture or collapse caused by water pressure or floating debris.

(2) Adding mass or weight to prevent flotation.

(3) Placing essential utilities above the flood-protection elevation.

(4) Installing surface or subsurface drainage systems to relieve foundation wall and basement floor pressures.

(5) Constructing water supply wells and waste treatment systems to prevent the entry of floodwaters.

(6) Putting cutoff valves on sewer lines or eliminating gravity flow basement drains.

§ 300-43 **Public information.**

A. Place marks on structures to show the depth of inundation during the regional flood.

B. All maps, engineering data and regulations shall be available and widely distributed.

Commented [MEK20]: Provides an alternative to a PE. Allows Staff to administratively approve if designed accordingly.

Commented [MEK21]: Decided to leave in ordinance. WDNR may strike as this is not in model?

C. All real estate transfers should show what floodplain zoning district any real property is in.

Article IX Amendments

§ 300-44 ~~Actions requiring amendment~~ **Amendments.**

~~The County Board may change or supplement the floodplain zoning district boundaries and this chapter in the manner provided by law. Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with Section 300-44C.~~

Commented [MEK22]: Language better clarifies the CLOMR requirement.

~~A. In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision (CLOMR) from FEMA and amendments are made to this chapter, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with Section 300-44C. Any such alterations must be reviewed and approved by FEMA and the WDNR.~~

~~B. Note: Consult the Federal Emergency Management Agency Web site, www.fema.gov, for a current map change fee schedule. In A Zones, increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision (CLOMR) from FEMA and amendments are made to this chapter, the official floodplain maps, floodway lines and water surface profiles, in accordance with Section 300-44C.~~

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~~C. The County Board shall change or supplement the floodplain zoning district boundaries and this chapter in the manner outlines in Section 300-45 below. Actions which require an amendment to this chapter and/or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:~~

~~A. Actions which require an amendment include, but are not limited to, the following:~~

- ~~(1) Any change to the floodplain boundaries and/or watercourse alterations in the FIRM; Official Floodplain Zoning Map, including the floodway line or boundary of any floodplain area.~~
- (2) Correction of discrepancies between the water surface profiles and Floodplain Zoning Maps.
- (3) Any fill in the floodplain which raises the elevation of the filled area to a height at or above the flood-protection elevation and is contiguous to land lying outside the floodplain.
- (4) Any fill or floodplainway encroachment that obstructs flow, causing any increase in the regional flood height 0.01 foot or more.
- (5) Any upgrade to a floodplain zoning ordinance text required by § NR 116.05, Wis. Adm. Code, or otherwise required by law or for changes by Green Lake County.
- (6) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the flood-fringe that is based on a base flood elevation from a Flood Insurance Rate Map requires prior approval by the Federal Emergency Management Agency.

~~(7) Any changes to any other officially adopted floodplain maps listed in Section 300-10B.~~

~~B. Note: Consult the Federal Emergency Management Agency Web site, www.fema.gov, for a current map change fee schedule.~~

§ 300-45 **Amendment procedure.**

Amendments to this chapter may be made upon petition of any interested party according to the provisions of § 59.69, Wis. Stats. Such petitions shall include all necessary data required by §§ **300-33**

and **300-38B**. The land use permit shall not be issued until a Letter of Map Revision (LOMR) is issued by FEMA for the proposed changes.

- A. The proposed amendment shall be referred to the County Land Use Planning and Zoning Committee for a public hearing and recommendation to the County Board. The amendment and notice of public hearing shall be submitted to the Wisconsin Department of Natural Resources regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of § 59.69, Wis. Stats.
- B. No amendments shall become effective until reviewed and approved by the Wisconsin Department of Natural Resources.
- C. All persons petitioning for a map amendment that obstructs flow, increasing regional flood height 0.01 foot or more, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the County Board.

~~D. For amendments in areas with no water surface profiles, the County Land Use Planning and Zoning Committee or the County Board shall consider data submitted by the Wisconsin Department of Natural Resources, the County Land Use Planning and Zoning Department's visual on-site inspections and other available information (see § 300-12).~~

Article X Enforcement

§ 300-46 Investigation.

Any violation of the provisions of this chapter shall be deemed unlawful. When necessary, to determine compliance with this chapter, the Land Use Planning and Zoning Department shall investigate alleged violations. After confirmation that a violation exists, the Land Use Planning and Zoning Department shall pursue compliance of the violation.

§ 300-46.1 Violations and penalties; citations.

- A. Any violation of the provisions of this chapter by or under the direction of the landowner shall be brought into compliance upon notification by the Land Use Planning and Zoning Department or the Land Use Planning and Zoning Committee or the County Corporation Counsel.
- B. The County Corporation Counsel shall have the authority to use all legal remedies necessary to pursue compliance with the provisions of this chapter. After consultation with the Land Use Planning and Zoning Department and/or the Land Use Planning and Zoning Committee, the Corporation Counsel shall determine which legal remedy or legal remedies are in order to pursue compliance with the provisions of this chapter.
- C. Any landowner who violates or refuses to comply with any of the provisions of this chapter shall be subject to, upon conviction, a forfeiture of not less than \$10 nor more than \$5,000 per offense, together with the taxable costs of action. Each day that the violation exists shall constitute a separate offense.
- D. In addition to the Corporation Counsel having the authority to pursue compliance per Subsection **B** above, the designated staff of the Land Use Planning and Zoning Department shall have the authority and may prepare, sign and issue citations in order to commence action to achieve compliance with the provisions of this chapter.

§ 300-46.2 Stop-work order.

- A. No land use permit obtained. When the Land Use Planning and Zoning Department is notified or becomes aware of any activity in violation of the provisions of this chapter by or under the direction of the landowner that requires issuance of a land use permit pursuant to this chapter, and such a

permit has not been obtained, the Land Use Planning and Zoning Department may issue a stop-work order requiring any such activity to be immediately stopped and enjoined.

- B. Land use permit obtained. When the Land Use Planning and Zoning Department is notified or becomes aware of any activity in violation of the provisions of this chapter by or under the direction of the landowner for which a land use permit was issued and the actual activity deviates from that land use permit, the Land Use Planning and Zoning Department may issue a stop-work order requiring the activity to be immediately stopped and enjoined.
- C. The stop-work order shall be mailed to the subject landowner's property tax bill mailing address or the mailing address as stated on the land use permit application and/or to any person signing the land use permit application.
- D. The stop-work order card issued and posted by the Land Use Planning and Zoning Department shall be posted at the subject site in plain view from a nontrespass location off the subject property. A stop-work order card shall remain posted until compliance of the violation occurs.
- E. An action filed pursuant to § 300-40 of this chapter to the County Board of Adjustment or to any court shall stop work during and until the final outcome of the action has been reached or until so ordered by a court of appropriate jurisdiction.

§ 300-46.3 **Injunction.**

Every violation of this chapter is a public nuisance, and the creation thereof may be enjoined and the maintenance thereof abated pursuant to § 87.30, Wis. Stats.

Article XI
Definitions

§ 300-47 **Word usage and definitions.**

Unless specifically defined, words and phrases used in this chapter shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural, and the plural number includes the singular. The word "may" is permissive, and the word "shall" is mandatory and not discretionary.

1. ACCESSORY STRUCTURE OR USE

A facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building.

2. A ZONES

Those areas shown on the Official Floodplain Zoning Map which would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

3. AH ZONE – See “AREA OF SHALLOW FLOODING”.

4. AO ZONE – See “AREA OF SHALLOW FLOODING”.

5. ALTERATION – An enhancement, upgrading or substantial change or modifications other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a structure.

6. AREA OF SHALLOW FLOODING – A designated AO, AH, AR/AO, AR/AH, or VO zone on a community’s Flood Insurance Rate Map (FIRM) with a 1 percent or greater chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unprecipitable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.

7. BASE FLOOD

The flood having a one-percent chance of being equaled or exceeded in any given year, as published by the Federal Emergency Management Agency as part of a Flood Insurance Study and depicted on a Flood Insurance Rate Map.

8. BASEMENT

Any enclosed area of a building having its floor subgrade, i.e., below ground level, on all sides.

9. BUILDING

See "structure."

10. BULKHEAD LINE

A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Wisconsin Department of Natural Resources pursuant to § 30.11, Wis. Stats., and which allows limited filling between this bulkhead line and the original ordinary high-water mark, except where such filling is prohibited by the floodway provisions of this chapter.

11. CAMPGROUND

Any area of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by four or more camping units or which is advertised or represented as a camping area.

12. CAMPING UNIT

Any portable device, no more than 400 square feet in area, used as a temporary shelter for human habitation, including but not limited to a camping trailer, motor home, bus, van, pickup truck, or tent-~~or other mobile recreational vehicle~~ that is fully licensed, if required, and ready for highway use.

13. CERTIFICATE OF COMPLIANCE

A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this chapter.

14. CHANNEL

A natural or artificial watercourse with definite bed and banks to confine and conduct the normal flow of water.

15. CRAWLWAY or CRAWL SPACE

An enclosed area below the first usable floor of a building, generally less than five feet in height, used for limited access to plumbing and electrical utilities.

16. DECK

An unenclosed exterior structure that has no roof or sides, characterized by a flat, open, horizontal surface or platform suspended above the grade of land it covers, but which has a permeable floor that allows the infiltration of precipitation.

17. DEPARTMENT

The Wisconsin Department of Natural Resources.

18. DEVELOPMENT

Any artificial change to improved or unimproved real estate, including but not limited to the construction of buildings, structures or accessory structures; the construction of additions or

alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of the percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

19. DRY LAND ACCESS

A vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.

20. ENCROACHMENT

Any fill, structure, equipment, building, use or development in the floodway.

~~**EXISTING MANUFACTURED HOME PARK OR SUBDIVISION**~~

~~An area of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this chapter. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.~~

Commented [MEK23]: Replaced with new definition to follow.

~~**EXPANSION TO EXISTING MOBILE/MANUFACTURED HOME PARK**~~

~~The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading or the pouring of concrete pads.~~

Commented [MEK24]: Replaced with new definition to follow.

21. FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

The federal agency that administers the National Flood Insurance Program.

22. FLOOD INSURANCE RATE MAP (FIRM) – A map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal emergency Management Agency.

Commented [MEK25]: Relocated def.

23. FLOOD or FLOODING – A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

Commented [MEK26]: Relocated def.

- The overflow or rise of inland waters;
- The rapid accumulation or runoff of surface waters from any source;
- The undulation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or
- The sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche or by some similarly unusual event.

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24. FLOOD FREQUENCY

The probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average, once in a specified number of years or as a percent chance of occurring in any given year.

25. FLOOD-FRINGE

That portion of the floodplain outside of the floodway which is covered by floodwaters during the regional flood and associated with standing water rather than flowing water.

26. FLOOD HAZARD BOUNDARY MAP

A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.

~~FLOOD INSURANCE RATE MAP (FIRM)~~

~~A map of a community on which the Federal Insurance Administration has delineated both special flood hazard areas (the floodplain) and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.~~

Commented [MEK27]: Relocated def.

27. FLOOD INSURANCE STUDY

A technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A Zones. Flood Insurance Rate Maps, which accompany the Flood Insurance Study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.

~~FLOOD or FLOODING~~

~~A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:~~

Commented [MEK28]: Relocated def.

- ~~A. The overflow or rise of inland waters;~~
- ~~B. The rapid accumulation or runoff of surface waters from any source;~~
- ~~C. The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or~~
- ~~D. The sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.~~

28. FLOODPLAIN

Land which has been or may be covered by floodwater during the regional flood. It includes the floodway and the flood-fringe and may include other designated floodplain areas for regulatory purposes.

29. FLOODPLAIN ISLAND

A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

30. FLOODPLAIN MANAGEMENT

Policy and procedures to insure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.

31. FLOOD PROFILE

A graph or a longitudinal profile line showing the relationship of the water surface elevation of a

flood event to locations of land surface elevations along a stream or river.

32. FLOODPROOFING

Any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.

33. FLOOD-PROTECTION ELEVATION

An elevation of two feet of freeboard above the water surface profile elevation designated for the regional flood. (See also "freeboard.")

34. FLOOD STORAGE

Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.

35. FLOODWAY

The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.

36. FREEBOARD

A safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, the loss of flood storage areas due to development and aggregation of the river- or streambed.

37. HABITABLE STRUCTURE

Any structure or portion thereof used or designed for human habitation.

38. HEARING NOTICE

A publication or posting meeting the requirements of Ch. 985, Wis. Stats. For appeals, a Class 1 notice, published once at least one week (seven days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (seven days) before the hearing, is required. Local ordinances or bylaws may require additional notice, exceeding these minimums.

39. HIGH FLOOD-DAMAGE POTENTIAL

Damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.

40. HIGHEST ADJACENT GRADE – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Commented [MEK29]: New def.

41. HISTORIC STRUCTURE

Any structure that is either:

- A. Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to

qualify as a registered historic district;

- C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior, or by the Secretary of the Interior in states without approved programs.

42. INCREASE IN REGIONAL FLOOD HEIGHT

A calculated upward rise in the regional flood elevation, equal to or greater than 0.040 foot, based on a comparison of existing conditions and proposed conditions, which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

~~**LAND AREA**~~

~~An area of land having a boundary description duly recorded in the register of deeds office that identifies the boundaries of a specific property. A land area may be unplatted land or platted land by means of a recorded certified survey map or other plat.~~

Commented [MEK30]: Deleted def.

43. LAND USE

Any use made of an unimproved or improved land area. (See also "development.")

44. LOWEST ADJACENT GRADE – Elevation of the lowest ground surface that touches any of the exterior walls of a building.

Commented [MEK31]: New def.

45. LOWEST FLOOR – The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.

Commented [MEK32]: New def.

46. MAINTENANCE – The act of process of restoring to original soundness, including redecorating, refinishing, non structural repairs, or the replacement of exiting fixtures, systems, or equipment with equivalent fixtures, systems or structures.

Commented [MEK33]: New def.

47. MANUFACTURED HOME

A structure transportable in one or more sections which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a mobile recreational vehicle.

48. MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION – A parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.

Commented [MEK34]: Replacement for previously deleted def.

49. MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION, EXISTING – A parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this ordinance. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.

Commented [MEK35]: Replacement for previously deleted def.

50. MOBILE/MANUFACTURED HOME PARK, EXPANSION TO EXISTING – The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets

Commented [MEK36]: Replacement for previously deleted def.

and either final site grading or the pouring of concrete pads.

51. MOBILE RECREATIONAL VEHICLE

A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicle."

52. MODEL, CORRECTED EFFECTIVE – A hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.

Commented [MEK37]: Needed Def for 300-38B(3)
Section dealing with H&H Studies.

53. MODEL, DUPLICATE EFFECTIVE – A copy of the hydraulic analysis used in the effective Flood Insurance Study (FIS) and referred to as the effective model.

Commented [MEK38]: Needed Def for 300-38B(3)
Section dealing with H&H Studies.

54. MODEL, EFFECTIVE – The hydraulic engineering model that was used to produce the current effective Flood Insurance Study (FIS).

Commented [MEK39]: Needed Def for 300-38B(3)
Section dealing with H&H Studies.

55. MODEL, EXISTING (PRE-PROJECT) – A modification of the Duplicate Effective Model or Corrected Effective Model to reflect any man made modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.

Commented [MEK40]: Needed Def for 300-38B(3)
Section dealing with H&H Studies.

56. MODEL, REVISED (POST-PROJECT) – A modification of the Existing or Pre-Project Conditions Model, Duplicate Effective Model or Corrected Effective Model to reflect revised or post-project conditions.

Commented [MEK41]: Needed Def for 300-38B(3)
Section dealing with H&H Studies.

57. MUNICIPALITY or MUNICIPAL

The county, city or village governmental units enacting, administering and enforcing this zoning chapter.

58. NAVD or NORTH AMERICAN VERTICAL DATUM

Elevations referenced to mean sea level datum, 1988 adjustment.

59. NGVD or NATIONAL GEODETIC VERTICAL DATUM – Elevations referenced to mean sea level datum, 1929 adjustment.

Commented [MEK42]: Relocated def. from below.

60. NEW CONSTRUCTION

For floodplain management purposes, "new construction" means structures for which the start of construction commenced on or after the effective date of floodplain zoning regulations adopted by this community and includes any subsequent improvements to such structures. For the purpose of determining flood insurance rates, it includes any structures for which the start of construction commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

~~**NGVD or NATIONAL GEODETIC VERTICAL DATUM**~~

~~Elevations referenced to mean sea level datum, 1929 adjustment.~~

Commented [MEK43]: See relocation above.

61. NONCONFORMING STRUCTURE

An existing lawful structure or building that is not in conformity with the dimensional or structural requirements of this chapter for the area of the floodplain that it occupies. (For example, an existing residential structure in the flood-fringe district is a conforming use. However, if the lowest floor is lower than the flood-protection elevation, the structure is nonconforming.)

62. NONCONFORMING USE

An existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this chapter for the area of the floodplain which it occupies (such as a residence in the floodway).

63. OBSTRUCTION TO FLOW

Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.

64. OFFICIAL FLOODPLAIN ZONING MAP

That map, adopted and made part of this chapter, as described in § 300-10, which has been approved by the Wisconsin Department of Natural Resources and the Federal Emergency Management Agency.

65. OPEN SPACE USE

Those uses having a relatively low flood-damage potential and not involving structures.

66. ORDINARY HIGH-WATER MARK

The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark, such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

67. PERSON

An individual, or group of individuals, corporation, partnership, association, municipality or state agency.

68. PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM

A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same land area as the structure. It also means an alternative sewage system approved by the Department of ~~Commerce~~[Safety and Professional Services](#), including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different land area than the structure.

69. PUBLIC UTILITIES

Those utilities using underground or overhead transmission lines, such as electric, telephone and telegraph, and distribution and collection systems, such as water, sanitary sewer and storm sewer.

70. REASONABLY SAFE FROM FLOODING

Means that base flood waters will not inundate the land or damage structures to be removed from the ~~special flood hazard area floodplain~~ and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

71. REGIONAL FLOOD

A flood determined to be representative of large floods known to have occurred in Wisconsin. A

regional flood is a flood with a one-percent chance of being equaled or exceeded in any given year, and if depicted on the Flood Insurance Rate Map, the regional flood elevation is equivalent to the base flood elevation.

72. START OF CONSTRUCTION

The date the building permit was issued, provided that the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The "actual start" means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

73. STRUCTURE

Any man-made object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, streambed or lakebed, including but not limited to roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.

74. SUBDIVISION

~~The division of an area of land by the owner thereof or the owner's agent for the purpose of sale or of building development, where:~~Has the meaning given in Section 236.02(12), Wis. Stats.

- ~~A. The act of division creates five or more land areas or building sites of five acres each or less in area;~~
~~or~~
- ~~B. The act creates five or more land areas or building sites of five acres each or less in area are created by successive division within a period of five years.~~

75. SUBSTANTIAL DAMAGE

Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50% of the equalized assessed value of the structure before the damage occurred.

76. SUBSTANTIAL IMPROVEMENT –Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvements regardless of the work performed. The term does not, however, include either any project for the improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

77. UNNECESSARY HARDSHIP

Where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of this chapter.

Commented [MEK44]: Model used Chapter 236 for definition. Seems appropriate.

Commented [MEK45]: New definition. Better explains the concept.

78. VARIANCE

An authorization by the Board of Adjustment for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in this chapter.

79. VIOLATION

The failure of a structure or other development to be fully compliant with this chapter. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

80. WATERSHED

The entire region contributing runoff or surface water to a watercourse or body of water.

81. WATER SURFACE PROFILE

A graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

82. WELL

An excavation opening in the ground, made by digging, boring, drilling, driving or other methods, to obtain groundwater, regardless of its intended use.

Attachments:

[300a Appendix A](#)

Commented [MEK46]: Revision added 28 new LOMCs to Appendix

CHAPTER 300: FLOODPLAIN ZONING ORDINANCE (Attachment 1)

Community ID# (550165) Green Lake County

APPENDIX A: COMPLETED LOMCs

LOMC TYPE	CASE NO.	PROJECT ID	DETERM DATE	FIRM PANEL NO.	FIRM PANEL EFF. DATE	FLOOD SOURCE
LOMA	00-05-2000A	W3662 BEYERS COVE ROAD	05/25/2000	5501650003A	03/01/1978	GREEN LAKE
LOMA	00-05-2104A	W3674 BEYERS COVE ROAD	04/13/2000	5501650003A	03/01/1978	BEYERS COVE/GREEN LAKE
LOMA	00-05-2108A	W6606 PUCKAWAY ROAD	04/28/2000	5501650005B	02/02/1990	PUCKAWAY LAKE
LOMA	00-05-2146A	W3666 BEYERS COVE ROAD	04/07/2000	5501650003A	03/01/1978	GREEN LAKE
LOMA	00-05-2204A	W3658 BEYERS COVE ROAD	05/30/2000	5501650003A	03/01/1978	GREEN LAKE
LOMA	01-05-2563A	A PARCEL OF LAND, W6655 CTH B	08/03/2001	5501650005B	02/02/1990	BELLE FOUNTAIN CREEK
LOMA	02-05-1779A	PLAT OF ROBINHOOD ESTATES, LOT 1; W1967 BELLE MAPPS COURT	02/27/2002	5501650004A	03/01/1978	Green Lake
LOMA	02-05-4608A	LOT 1, C.S.M. NO. 806: N5045 KUHARSKI ROAD	01/17/2003	5501650003A	03/01/1978	FOX RIVER
LOMA	03-05-0401A	W1774 SANDSTONE AVENUE	01/24/2003	5501650004A	03/01/1978	Green Lake
LOMA	03-05-2765A	T15N, R12E, SECTION 11, LOT 3, LOT 1 OF CERT. SUR. MP # 307; W3112 BLACKBIRD	04/23/2003	550165_04A	03/01/1978	GREEN LAKE
LOMA	03-05-4252A	T15N, R12E, SECTION 11, LOT 1, GOVT. LOT 3; W 3110 BLACKBIRD POINT DRIVE	07/11/2003	550165_04A	03/01/1978	GREEN LAKE
LOMA	03-05-5726A	LOT 2 OF CSM 436 IN GOVERNMENT LOT 4, SEC. 2; N5054 KUHARSKI LANE	11/19/2003	550165_03A	03/01/1978	FOX RIVER
LOMA	04-05-0340A	W3406 SOUTH GATE ROAD	02/06/2004			
LOMA	04-05-0346A	GOVT. LOT 4, SECTION 2, T15N, R11E OF THE 4TH P.M.	10/30/2003			
LOMA	04-05-3329A	W6612 MARINE COURT	08/02/2004	5501650005B	02/02/1990	
LOMA	04-05-3872A	W 1939 BELLE MAPS CT	07/16/2004	5501650004A	03/01/1978	GREEN LAKE
LOMA	04-05-A477A	W3122 BLACKBIRD POINT DRIVE -- PORTION OF SECTION 11, T15N, R12E	08/23/2004	5501650004A	03/01/1978	GREEN LAKE
LOMA	04-05-A861A	W2596 OAKWOOD BEACH ROAD	10/04/2004	5501650004A	03/01/1978	GREEN LAKE
LOMA	05-05-0884A	W5946 BEND ROAD -- PORTION OF SECTION 34, T16N, R11E	12/28/2004	5501650003A	03/01/1978	FOX RIVER
LOMA	05-05-2612A	W6612 MARINE COURT	05/12/2005	5501650005B	02/02/1990	FOX RIVER PUCKAWAY LAKE
LOMA	05-05-4225A	C.S.M. 643, LOT 1 -- W2844 OAK TERRACE LANE	08/30/2005	5501650004A	03/01/1978	GREEN LAKE
LOMA	05-05-5342A	2ND ADDITION TO LYNN-LEE SHORES, LOT 3 -- N4878 EAST COURT DRIVE	11/01/2005	5501650003A	03/01/1978	GREEN LAKE
LOMA	06-05-0148A	C.S.M. 3027, LOT 1 -- N5315 SHORE DRIVE	12/06/2005	5501650004A 5501650004B	03/01/1978	GREEN LAKE
LOMA	06-05-0887A	W3076 BLACKBIRD POINT DRIVE -- PORTION OF SECTION 11, T15N, R12E	01/24/2006	5501650004A	03/01/1978	GREEN LAKE
LOMA	06-05-B559A	DON DAHLKE'S PLAT, LOT 8 -- W6486 LAKEVIEW DRIVE NORTH (WI)	03/14/2006	5501650003A		PUCKAWAY LAKE
LOMA	06-05-C328A	PORTION OF SECTION 31, T15N, R11E, C.S.M. NO. 92, LOT 2 -- W7194 DRAGER ROAD (WI)	10/24/2006	5501650005B		FOX RIVER PUCKAWAY LAKE
LOMA	07-05-1029A	C.S.M. 92, LOT 2 -- W7194 DRAGER(WI)	12/28/2006	5501650005B		FOX RIVER PUCKAWAY LAKE

LOMC TYPE	CASE NO.	PROJECT ID	DETERM DATE	FIRM PANEL NO.	FIRM PANEL EFF. DATE	FLOOD SOURCE
LOMA	07-05-2300A	W3084 BLACKBIRD POINT ROAD -- PORTION OF GOVT LOT 2, SECTION 11, T15N, R12E (WI)	02/22/2007	5501650004A		GREEN LAKE
LOMA	07-05-3799A	TERRACE BEACH SUBDIV NO. 2, PORTION OF LOT 5 -- N5537 C.T.H. 'A' (WI)	07/10/2007	5501650004A		GREEN LAKE
LOMA	07-05-4433A	C.S.M. 2355, LOT 1 -- W5508 BEND ROAD (WI)	06/26/2007	5501650003A		FOX RIVER
LOMA	08-05-1093A	PORTION OF SECTION 3, T15N, R11E -- N5044 BEND ROAD	01/29/2008	5501650003A		FOX RIVER
LOMA	08-05-1322A	W699 UTLEY ROAD -- PORTION OF SECTION 35, T15, R13	02/19/2008	5501650006A		GRAND RIVER
LOMA	08-05-2122A	PORTION OF SECTION 23, T17N, R12E -- N8274 HOPP ROAD	04/17/2008	5501650002A		FOX RIVER
LOMA	08-05-2679A	IRVING PARK, LOT 12 -- N5560 OLD OAK LANE	04/10/2008	5501650004A		GREEN LAKE
LOMA	09-05-1124A	DON DAHLKE'S PLAT, LOTS 11 & 12 -- W6454 LAKEVIEW DRIVE NORTH	02/10/2009	5501650003A		FOX RIVER (PUCKAWAY LAKE)
LOMA	09-05-1651A	C.S.M. 505, LOT 1 -- W2802 OAK TERRACE LANE	05/08/2009			
LOMA	09-05-5443A	W6790 Marine Dr.	09/22/2009	5501650005B		Fox River
LOMA	09-05-5571A	C.S.M. 505, LOT 1 -- W2802 OAK TERRACE	09/29/2009	5501650004A	03/01/1978	Green Lake
LOMA	09-05-5793A	C.S.M. 505, LOT 1 -- W2802 OAK TERRACE LANE	08/26/2009			
LOMA	10-05-0156A	372 SOUTH LAWSON DRIVE	11/24/2009	5501650004A		Green Lake
LOMA	10-05-2951A	LOT 1, CERTIFIED SURVEY MAP NO. 2777 - N3633 ROY CREEK ROAD	04/13/2010	55047C0120C	02/03/2010	None
LOMA	10-05-5680A	LOT 1, BLOCK C, SUNNYSIDE ACRES --	08/06/2010	55047C0133C	02/03/2010	Green Lake
LOMA	10-05-6801A	N5506 COUNTY ROAD A	09/28/2010	55047C0133C	02/03/2010	Green Lake Silver Creek
LOMA	10-05-7222A	LOT 9, BLOCK B, SUNNYSIDE ACRES -- W885 LAKESIDE DRIVE	10/28/2010	55047C0133C	02/03/2010	Silver Creek
LOMR-F	11-05-3295A	LOT 1, BLOCK C, SUNNYSIDE ACRES -- W822 LAKESIDE DRIVE	04/26/2011	55047C0133C	02/03/2010	Green Lake Silver Creek
LOMA	11-05-7887A	LOT 3, CERTIFIED SURVEY MAP NO. 659 -- W6640 PUCKAWAY ROAD	08/23/2011	55047C0155C	02/03/2010	Puckaway Lake
LOMA	12-05-1752A	LOT 1, CSM NO. 426 -- W771 SILVER LAKE ROAD	12/30/2011	55047C0133C	02/03/2010	Silver Creek
LOMA	12-05-7732A	CSM 522, LOTS 2 & 3 -- NORTH 3140 FIANN STREET	08/24/2012	55047C0155C	02/03/2010	Puckaway Lake
LOMA	13-05-1460A	5461 PETE LANE	04/04/2013	55047C0082C	02/03/2010	Fox River
LOMR	13-05-7472P	DEL MONTE FOODS SITE IMPROVEMENTS	06/02/2014	55047C0203C	02/03/2010	Grand River
LOMA	13-05-8214A	LOT 1, CERTIFIED SURVEY MAP NO. 2061 - W3758 HUCKLEBERRY ROAD	09/24/2013	55047C0039C	02/03/2010	Fox River
LOMA	14-05-1778A	Lot 1, 2, 3, Block 65, Van Horn's Addition Subdivision - 186 Broadway St		55047C0054C	02/03/2010	Fox River
LOMR-F	15-05-4875A	SURVEY MAP 550, LOTS 2 & 3 -- W6613 MARINE COURT	08/31/2015	55047C0155C	02/03/2010	
LOMR-F	16-05-0095A	CERTIFIED SURVEY MAP 550, LOTS 2 & 3 -- W6613 MARINE COURT	11/23/2015	55047C0155C	02/03/2010	PUCKAWAY LAKE
LOMR-F	16-05-4956A	TERRACE BEACH SUBDIVISION NO. 2, LOT 10 -- N5501 COUNTY ROAD A	07/08/2016	55047C0133C	02/03/2010	GREEN LAKE SILVER CREEK
LOMA	17-05-0127A	CERTIFIED SURVEY MAP NO. 3255, LOT 1 - W6602 PUCKAWAY ROAD	11/28/2016	55047C0155C	02/03/2010	PUCKAWAY LAKE
LOMA	95-05-2712A	LOT 5 - PLAT OF LYNN-LEE SHORES	02/20/1996	5501650003A	03/01/1978	GREEN LAKE
LOMA	96-05-124A	W1169 ILLINOIS AVENUE	01/25/1996	5501650004A	03/01/1978	GREEN LAKE

LOMA	18-05-1445A	N5687 KLAVER STREET	01/17/2018	55047C0133C	2/3/2010	Green Lake
LOMC TYPE	CASE NO.	PROJECT ID	DETERM DATE	FIRM PANEL NO.	FIRM PANEL EFF. DATE	FLOOD SOURCE
LOMA	96-05-1666A	GLA 28-A4 - BELLE MAPPS COURT	05/20/1996	5501650004A	03/01/1978	GREEN LAKE
LOMA	97-05-1056A	C.S.M. 1248 - LOT 4 IN GOV'T LOT 1, SECT.	02/28/1997	5501650004A	03/01/1978	GREEN LAKE
LOMA	97-05-4506A	OAKWOOD BEACH - LOT 34, SECTION 12 - W2710 OAKWOOD BEACH	09/04/1997	5501650004A	03/01/1978	GREEN LAKE
LOMR-F	97-05-916A	N5109 LUECK LANE - LOT 3 - CERTIFIED	01/08/1997	5501650003A	03/01/1978	FOX RIVER
LOMA	98-05-2670A	ROBINHOOD ESTATES - LOT 6, SECTION	07/10/1998	5501650004A	03/01/1978	GREEN LAKE
LOMA	98-05-2954A	N. 3140 FIANN STREET - CSM 522, LOTS 2	05/15/1998	5501650005B	02/02/1990	PUCKAWAY LAKE
LOMA	98-05-3224A	GOVERNMENT LOT 2, SECTION 32 -	07/08/1998			
LOMR-F	98-05-5136A	LYNN LEE SHORES, 2ND ADDITION - LOT	09/30/1998			
LOMA	98-05-5276A	OAKWOOD BEACH PLAT - LOT 29 WEST	08/07/1998	5501650004A	03/01/1978	GREEN LAKE

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, April 5, 2018, at 6:30 p.m.* to consider the following items:

Item I: Owners/Applicants: Zodrow Properties, LLC, John & Angela Zodrow **General legal description:** State Road 23, Parcel #004-00351-0100 (±7.88 acres) & #004-00339-0200 (±16.15 acres), Part of the SW¼ of Section 16, T16N, R13E, Town of Brooklyn **Request:** Rezone ±11.37 acres from C-2 Extensive Commercial, A-2 General Agriculture, and R-1 Single-family Residence Districts to R-4 Rural Residential District.

Item II: Owners/Applicants: Forrest E & Lois L Linger Family Trust - Stuart L Linger, Successor Co-Trustee **General legal description:** N2569 Marquette Rd, Parcel #014-00793-0000 (±40 acres), Part of the SE¼ of Section 31, T15N, R12E, Town of Marquette **Request:** Rezone ±3.32 acres from A-1 Farmland Preservation District to R-4 Rural Residential 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. 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: March 22, 2018 & March 29, 2018

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT
PUBLIC HEARING

April 5, 2018

ITEM I: ZONING CHANGE

OWNER:

Zodrow Properties, LLC

APPLICANT:

John & Angela Zodrow

REQUEST: The owner/applicants are requesting a zoning change for ±11.15 acres from C-2, Extensive Commercial, A-2, General Agriculture, and R-1, Single-Family Residence Districts to R-4, Rural Residential District.

PARCEL NUMBER / LOCATION: The affected parcel numbers are 004-00351-0100 and 004-00339-0200, located in the SW¼ of Section 16, T16N, R13E, Town of Brooklyn. The site proposed for zoning change is located on State Road 23.

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning of the parcels in question is a mixture of C-2, Extensive Commercial, A-2, General Agriculture, and R-1, Single-Family Residence Districts. The lands surrounding the subject site are a mixture of R-1, Single-Family Residence and C-2, Extensive Commercial Districts. The City of Green Lake zoning jurisdiction abuts this property as well.

The Green Lake County Farmland Preservation Plan identifies the land under consideration for this zoning change to be in a Non-Agricultural Development Area. According to Flood Boundary and Floodway Map Panel 55047C0127C, 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 the two parcels into four new lots. The proposed site plan shows Lot 1 to remain C-2, Extensive Commercial, Lot 2's zoning (per this request) would change to R-4, Rural Residential District, Lot 3 would remain C-2, and Lot 4's zoning (per this request) would change to R-4. The purpose of the reconfiguration is so the applicant can move their commercial business to occupy Lots 1 and 3, and build a new home on Lot 4, currently zoned C-2. Single-family residences are not allowed in the C-2 district. Therefore, the applicants are choosing to consolidate three zoning classifications into two, to better suit their goals.

SUGGESTED ZONING CHANGE CRITERIA: When considering a request for zoning change, recent court cases have cited the following decision-making criteria:

- a) consistency with long-range planning (comprehensive plan)
- b) nature and character of parcel
- c) use of surrounding land
- d) overall scheme or zoning map
- e) consideration of interest of public health, morals, and safety
- f) promote public welfare, convenience, and general prosperity

STAFF COMMENTS: The following county staff comments are based on the previously-stated criteria:

- The request is consistent with the County comprehensive plan goals to promote residential development in areas suitable to residential use and to encourage and locate commercial activities in planned/designated areas.

- The nature and character of the parcel is conducive to rural residential and commercial uses based on area and location. The commercial activity is located along State Road 23 and the rural residential is located closer to the residentially-developed area.
- The use of the surrounding lands is residential and commercial.
- The overall zoning scheme appears to be residential and commercial. The proposed rezone is consistent with that scheme.
- It would appear the request is consistent with community goals relating to public health, morals, and safety as well as the public welfare, convenience, and general prosperity.

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 February 9, 2018.

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 1-1-17

Zone Change from: see below

Lot 1 remains C-2; Lot 2 rezoned from C-2, A-2, R-1 to R-4; Lot 3 remains C-2; Lot 4 rezoned from A-2, R-1 to R-4. Refer to proposed site plan.

PROPERTY OWNER / APPLICANT

Name Zodrow Properties - John and Angela Zodrow

Mailing Address PO Box 3, Princeton WI 54968

Phone Number 920-229-2709

Signature [Signature]

Date 1-1-17

AGENT IF OTHER THAN OWNER

Name _____

Mailing Address _____

Phone Number _____

Signature _____ Date _____

PROPERTY INFORMATION

Town of Brooklyn Parcel Number 004-00351-0100 Acres 7.88

Lot ___ Block ___ Subdivision 004-00339-0000 16.145

Section 16 Town 16 North Range 13 East Location of Property State Road 23 across from Bloch's Farm

Legal Description W 21 R of N 6 8R of the SE 1/4 Sec 16 Exc Part for Highway
Purpuss V195 P 207, Also Corn SE corner of the SW 1/4 of the SW 1/4 Sec 16, W 30'
N198', W700', N326', W130', S297', W440', N12 Rds E 80 Rds, S 80 Rds.

Current Zoning Classification Split Current Use of Property Vacant

Detailed Description of Proposed Use Rezone and build a house on southern
half and build Green Lake Lawn & Snow Shop on Northern part of 004-00351-0100
and eliminate single family residential zoning and A-2 zoning from 004-00339-0000
to create a C-2 and a R-4 parcel. For future commercial use and possibly
a second residence.

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

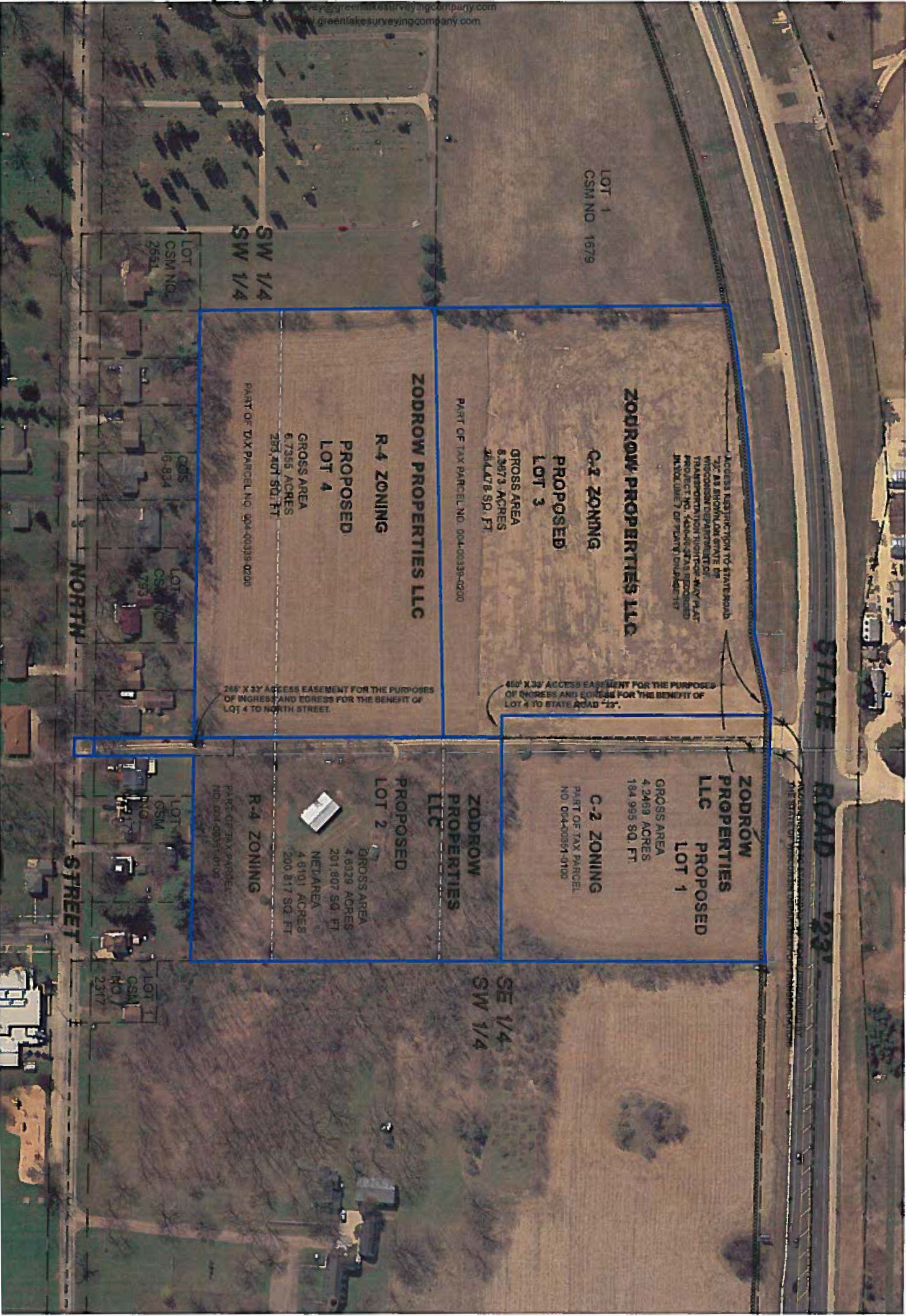
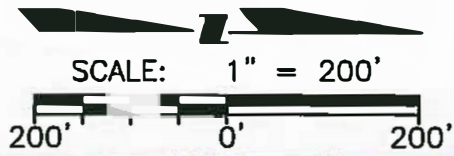
CONCEPT PLAN

CONCEPT PLAN LOCATED IN A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWN 17 NORTH, RANGE 13 EAST, TOWN OF BERLIN, GREEN LAKE COUNTY, WISCONSIN.

OWNER(S)
 ZODROW PROPERTIES LLC
 JOHN AND ANGELA ZODROW
 P.O. BOX 3
 PRINCETON, WISCONSIN 54968

Donald W. Lenz
DONALD W. LENZ -
 WI Professional Land Surveyor License No. S-2003
 Dated this 30th Day of January 2018

GREEN LAKE SURVEYING COMPANY
 P.O. BOX 131
 Green Lake, Wisconsin 54941
 Phone: (920) 294-6666

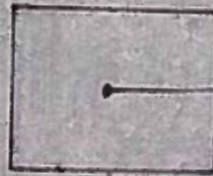


Easterly Lot Development Plan

Hwy 23

Zoned C2

~3.4



COMMERCIAL building
(approx 60x100)

004
00351
0100

Sec. 16

Zoned ?



residential building
(approx 2200 sqft)



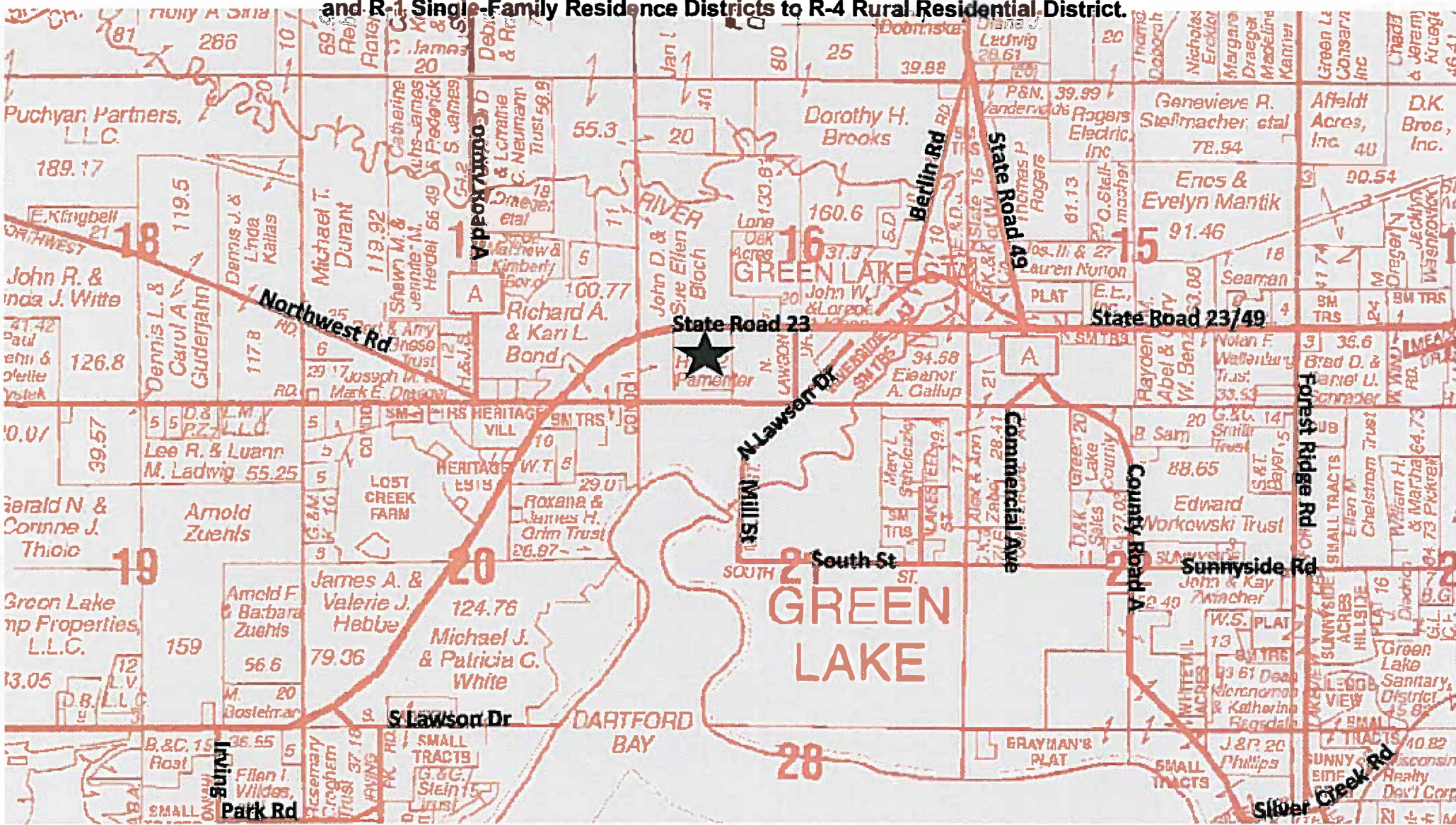
North Street

Zodrow Properties, LLC – John & Angela Zodrow

State Road 23, Town of Brooklyn, Part of the SW¼ of Section 16, T16N, R13E

Parcel #004-00351-0100 (±7.88 acres) & #004-00339-0200 (±16.15 acres),

Rezone ±11.37 acres from C-2 Extensive Commercial, A-2 General Agriculture, and R-1 Single-Family Residence Districts to R-4 Rural Residential District.



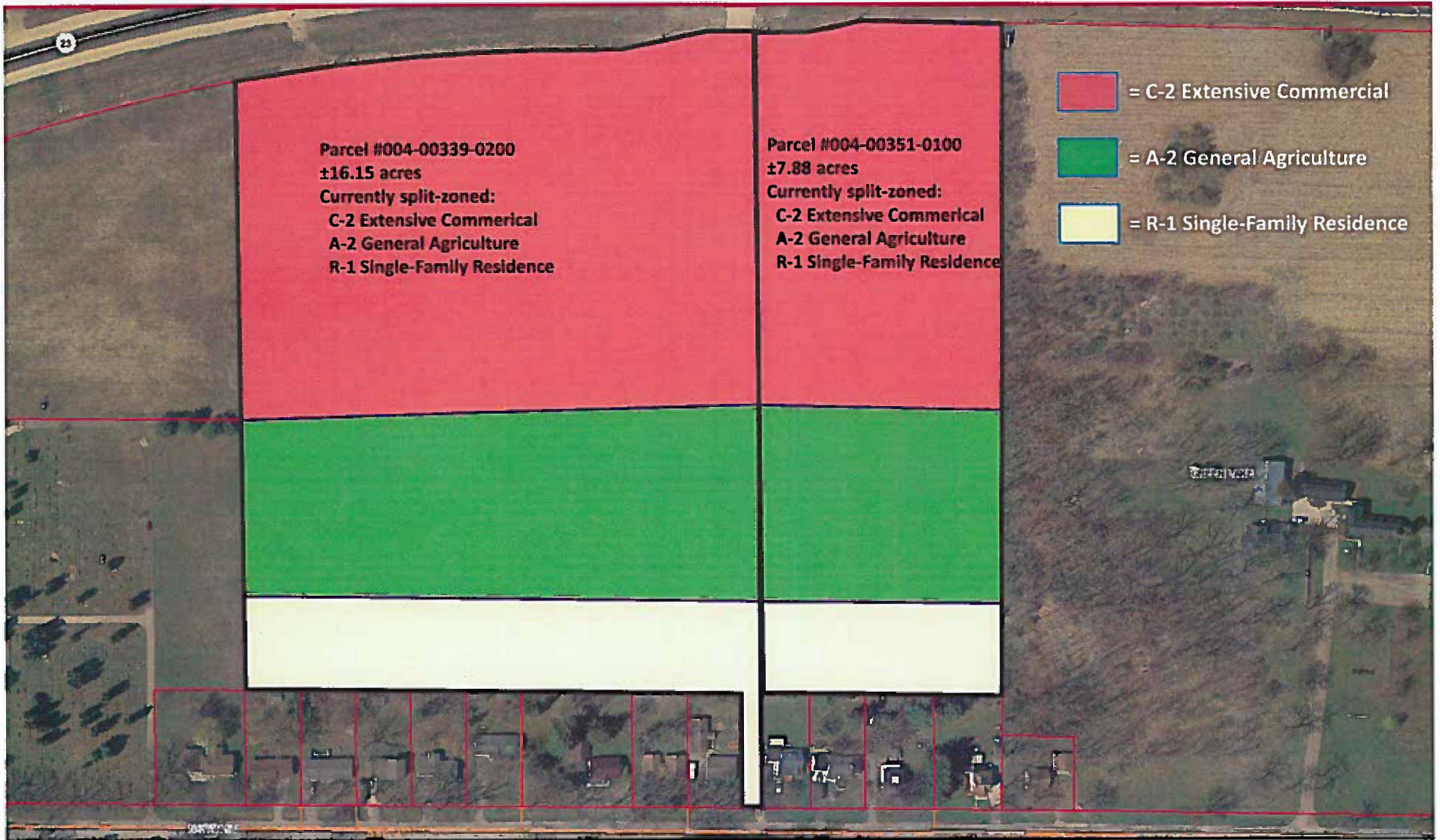
Green Lake County Land Use Planning & Zoning Committee Public Hearing 04/05/18

Zodrow Properties, LLC – John & Angela Zodrow

State Road 23, Town of Brooklyn, Part of the SW¼ of Section 16, T16N, R13E

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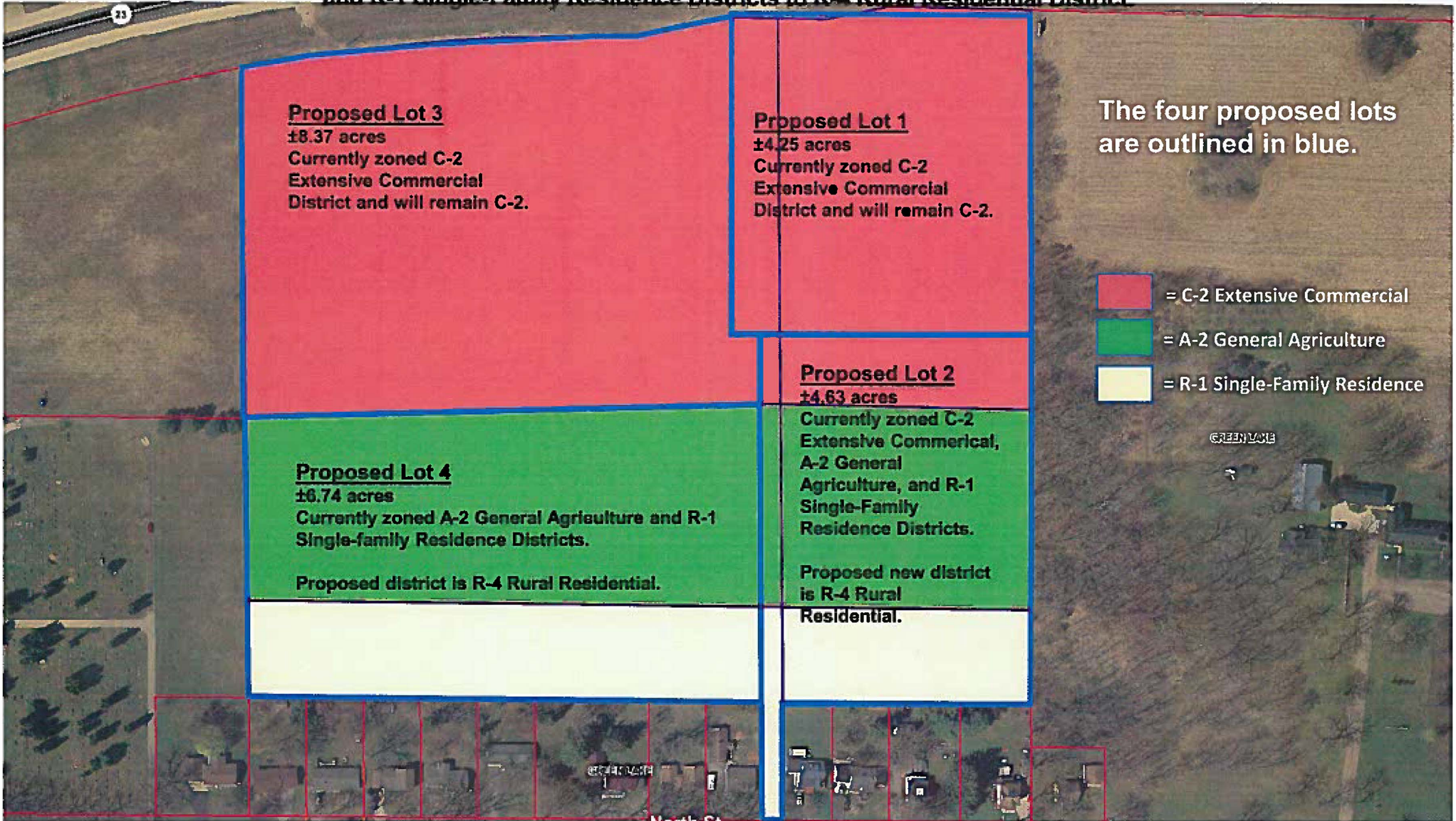
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Green Lake County Land Use Planning & Zoning Committee Public Hearing 04/05/18

Zodrow Properties, LLC – John & Angela Zodrow
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Green Lake County Land Use Planning & Zoning Committee Public Hearing 04/05/18

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Rezone ±11.37 acres from C-2 Extensive Commercial, A-2 General Agriculture,
and R-1 Single-Family Residence Districts to R-4 Rural Residential District

- Lot 1
±4.25 acres, remains C-2 Extensive Commercial
- Lot 2
±4.63 acres, rezoned to R-4 Rural Residential
- Lot 3
±8.37 acres, remains C-2 Extensive Commercial
- Lot 4
±6.74 acres, rezoned to R-4 Rural Residential



Zodrow Properties, LLC – John & Angela Zodrow

State Road 23, Town of Brooklyn, Part of the SW¼ of Section 16, T16N, R13E
Parcel #004-00351-0100 (±7.88 acres) & #004-00339-0200 (±16.15 acres),
Rezone ±11.37 acres from C-2 Extensive Commercial, A-2 General Agriculture,
and R-1 Single-Family Residence Districts to R-4 Rural Residential District.

Existing Configuration:

Lot 1 = #004-00351-0100

±7.88 acres

Currently split-zoned:

C-2 Extensive Commercial

A-2 General Agriculture

R-1 Single-Family Residence

Lot 2 = #004-00339-0200

±16.15 acres

Currently split-zoned:

C-2 Extensive Commercial

A-2 General Agriculture

R-1 Single-Family Residence

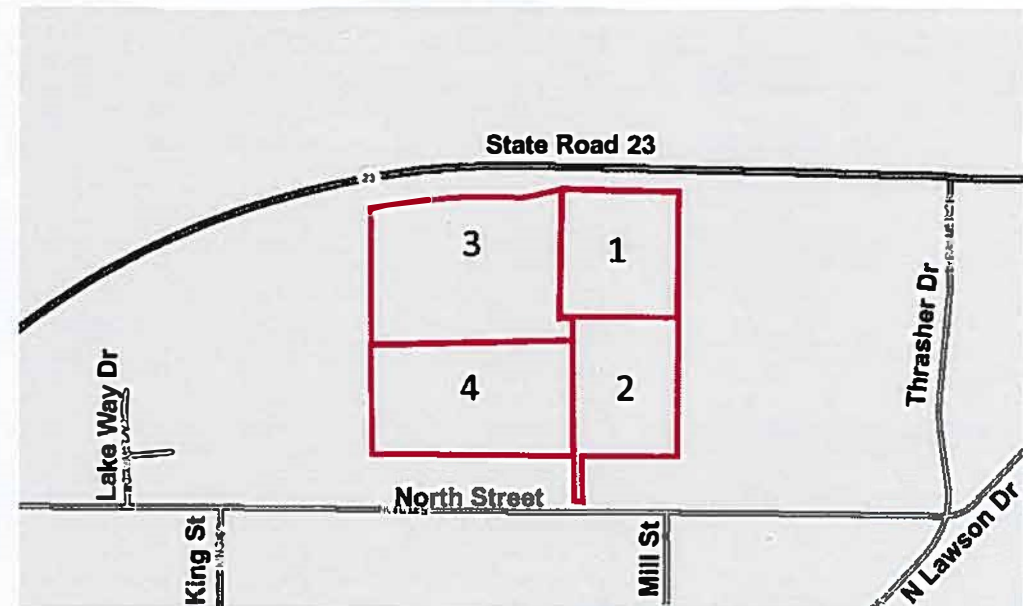
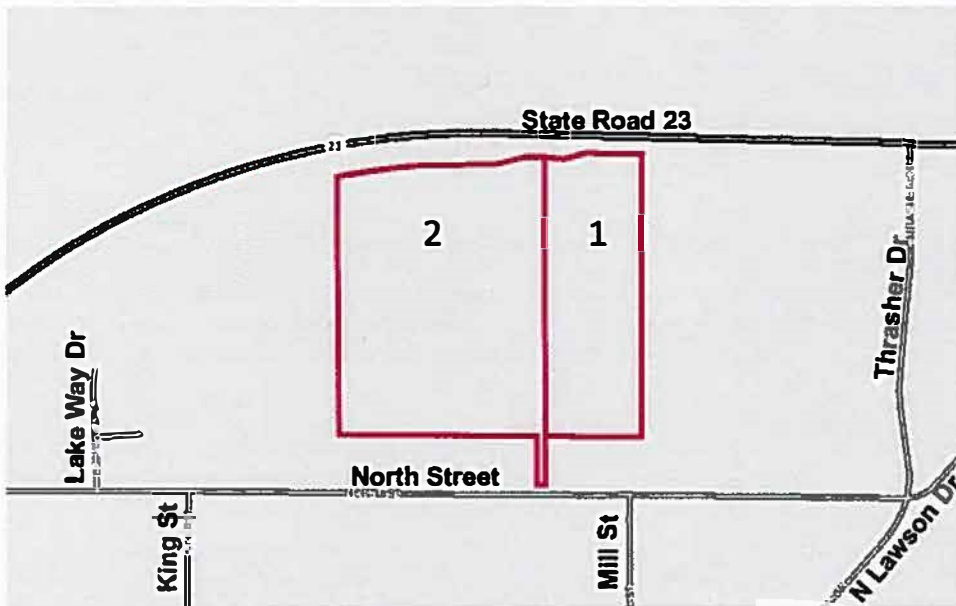
Proposed Configuration:

Lot 1 = ±4.25 acres, remains C-2 Extensive Commercial

Lot 2 = ±4.63 acres, rezoned to R-4 Rural Residential

Lot 3 = ±8.37 acres, remains C-2 Extensive Commercial

Lot 4 = ±6.74 acres, rezoned to R-4 Rural Residential



Green Lake County Land Use Planning & Zoning Committee Public Hearing 04/05/18

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

April 5, 2018

ITEM II: ZONING CHANGE

OWNER:

The Forrest E. and Lois L. Linger Family Trust

APPLICANT:

Stuart Linger, Successor Co-Trustee

REQUEST: The owner/applicant is requesting a zoning change from A-1, Farmland Preservation District to R-4, Rural Residential District, +3 acres.

PARCEL NUMBER / LOCATION: The affected parcel number is 014-00793-0000, located in the SE¼ of Section 31, T15N, R12E, Town of Marquette. The site proposed for zoning change is located at N2569 Marquette 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 all A-1, Farmland Preservation District, as well.

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 55047C0180C, all lands under consideration for this request are located out of the general floodplain.

ADDITIONAL INFORMATION / ANALYSIS: According to the application, the owner/applicant would like to subdivide and sell off +3 acres, which contain a single-family residence and other agricultural buildings, from the 40-acre parcel. The remaining tillable acreage will remain with the owner/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 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 requires a larger area to maintain the rural character and to accommodate uses like light agriculture. The R-4 district is intended to not impair or limit future agricultural use of surrounding parcels.**

TOWN OF MARQUETTE: An Action Form requesting the Town of Marquette's input related to this zoning change request was mailed to the Town Clerk on February 14, 2018.

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 2-1-18

Zone Change from A-1 to R-4

Conditional Use Permit for _____

Other _____

PROPERTY OWNER / APPLICANT

Name STUART Linger Forrest E. and Lois L. Linger Family Trust

Mailing Address N 2266 Marquette Rd Marquette, WI 53946

Phone Number 920-382-7751

Signature Stuart Linger Trustee Date 2-1-18

AGENT IF OTHER THAN OWNER

Name _____

Mailing Address _____

Phone Number _____

Signature _____ Date _____

PROPERTY INFORMATION

Town of Marquette Parcel Number 014-00793-0000 Acres 40

Lot _____ Block _____ Subdivision _____

Section 31 Town 15 North Range 12 East

Location of Property N 2569 Marquette Rd

Legal Description SE 1/4 of the SE 1/4 of Sec 31
Rezoning ± 3.32 to R-4

Current Zoning Classification A-1 Current Use of Property Ag and residential

Detailed Description of Proposed Use Survey off house and out buildings to sell.

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

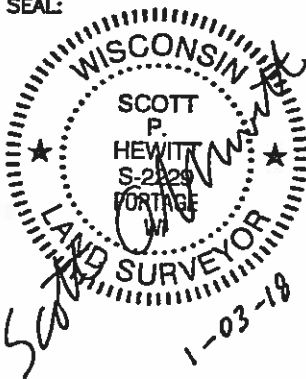
As prepared by:

G GROTHMAN & ASSOCIATES S.C.

LAND SURVEYORS

625 EAST SUFER STREET, P.O. BOX 373 PORTAGE, WI 53901
PHONE: PORTAGE: (808) 742-7788 SAUK: (808) 644-8877
FAX: (808) 742-0434 E-MAIL: surveying@grothman.com
(RED LOGO REPRESENTS THE ORIGINAL MAP)

SEAL:



G & A FILE NO. 1117-682



DRAFTED BY: T. JONES

CHECKED BY: SPH

PROJ. 1117-682

DWG. 1117-682 SHEET 1 OF 3

GREEN LAKE COUNTY CERTIFIED SURVEY MAP NO. _____ GENERAL LOCATION

Volume _____ Page _____

BEING A PART OF THE SE1/4 OF THE SE1/4, SECTION 31, T. 15 N, R. 12 E, TOWN OF MARQUETTE,
GREEN LAKE COUNTY, WISCONSIN.

LEGEND

- 3/4" X 24" IRON ROD SET (WT. = 1.5 LBS. / LF.)
- △ MAG NAIL SET
- ⊕ 2" IRON PIPE FND.
- ▲ PK NAIL FND.
- ⊙ WELL

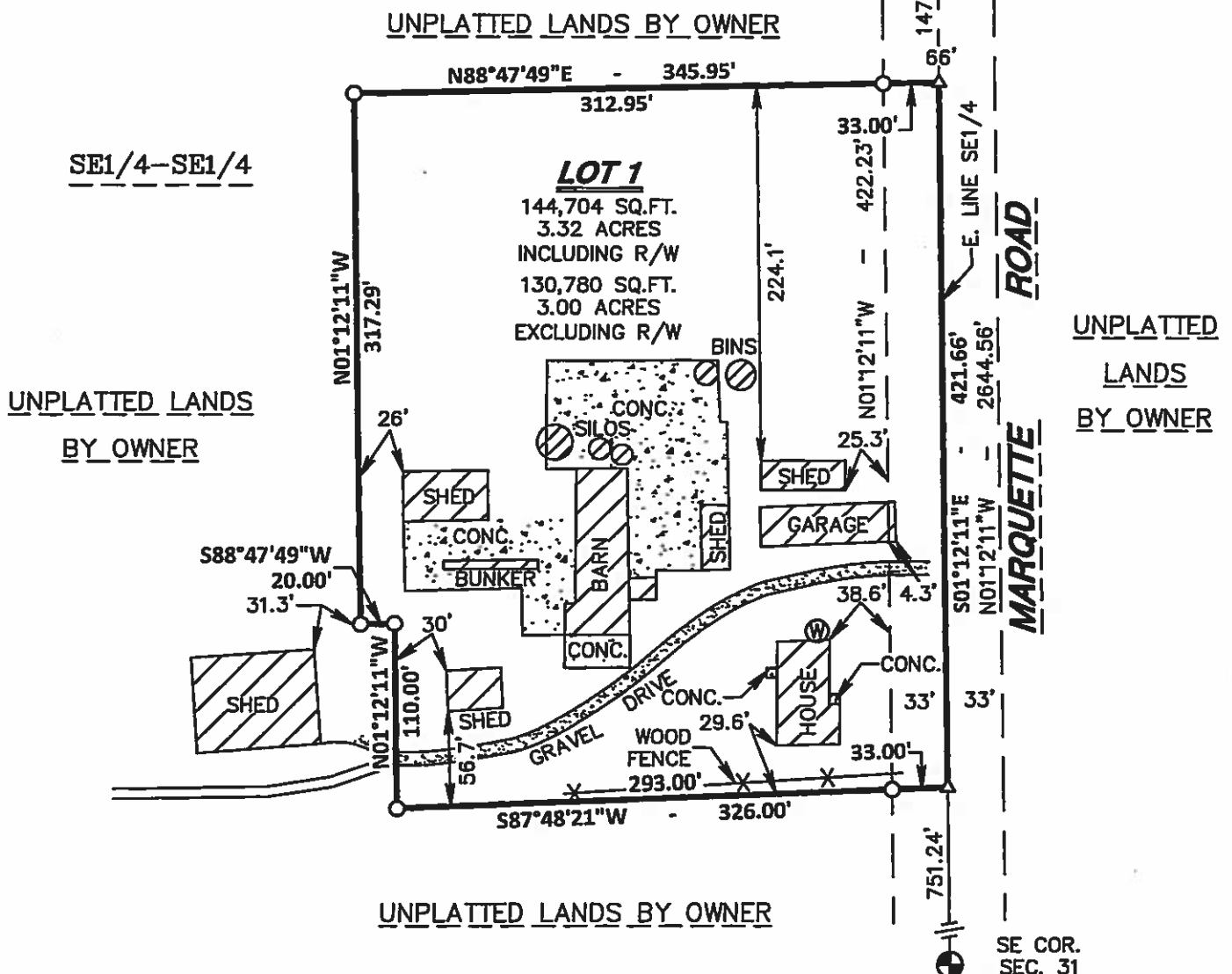


BASIS OF BEARINGS: IS THE EAST LINE OF THE SE1/4 WHICH BEARS S01°12'11"E AS REFERENCED TO GRID NORTH, GREEN LAKE COUNTY COORDINATE SYSTEM NAD83(91)

NOTE: THE PURPOSE OF THIS SURVEY IS TO DIVIDE OFF THE EXISTING HOUSE AND OUT BUILDINGS FROM A LARGER LOT AREA.

SCALE: 1" = 100'

E1/4 COR. SEC. 31



OWNER: FORREST E. LINGER TRUST
LOIS L. LINGER TRUST
N2266 MARQUETTE ROAD
MARKESAN, WI 53946

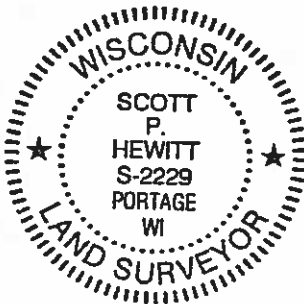
CLIENT: STUART LINGER
N2266 MARQUETTE ROAD
MARKESAN, WI 53946

As prepared by:

GA GROTHMAN & ASSOCIATES S.C.
LAND SURVEYORS

625 EAST SLIFER STREET, P.O. BOX 373 PORTAGE, WI. 53901
PHONE: PORTAGE: (800) 742-7788 SAUK: (800) 644-8877
FAX: (800) 742-0434 E-MAIL: surveylog@grothman.com
(RED LOGO REPRESENTS THE ORIGINAL MAP)

SEAL:



G & A FILE NO. 1117-688



DRAFTED BY: T. JONES

CHECKED BY: SPH

PROJ. 1117-682

DWG. 1117-682 SHEET 2 OF 3

GREEN LAKE COUNTY CERTIFIED SURVEY MAP NO. _____
GENERAL LOCATION Volume _____, Page _____

BEING A PART OF THE SE1/4 OF THE SE1/4, SECTION 31, T. 15 N, R. 12 E, TOWN OF MARQUETTE, GREEN LAKE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, **SCOTT P. HEWITT** Professional Land Surveyor, do hereby certify that by the order of **Stuart Linger**, I have surveyed, monumented, mapped and divided a part of the Southeast Quarter of the Southeast Quarter of Section 31, Town 15 North, Range 12 East, Town of Marquette, Green Lake County, Wisconsin described as follows:

Commencing at the Southeast corner of said Section 31;
thence North 01°12'11" West along the East line of the Southeast Quarter of Section 31, 751.24 feet to the point of beginning;
thence South 87°48'21" West, 326.00 feet;
thence North 01°12'11" West, 110.00 feet;
thence South 88°47'49" West, 20.00 feet;
thence North 01°12'11" West, 317.29 feet;
thence North 88°47'49" East, 345.95 feet to the East line of the Southeast Quarter of Section 31;
thence South 01°12'11" East along the East line of the Southeast Quarter, 421.66 feet to the point of beginning.
Containing 144,704 square feet, (3.32 acres), more or less. Being subject to Marquette Road right-of-way over the Easterly 33 feet thereof and servitudes and easements of use or record if any.

I DO FURTHER CERTIFY that this survey is a correct representation of the boundaries of land surveyed and that I have fully complied with the Provisions of Chapter 236.34 of the Wisconsin State Statutes and the Green Lake County Subdivision Ordinance to the best of my knowledge and belief in surveying and mapping the same.

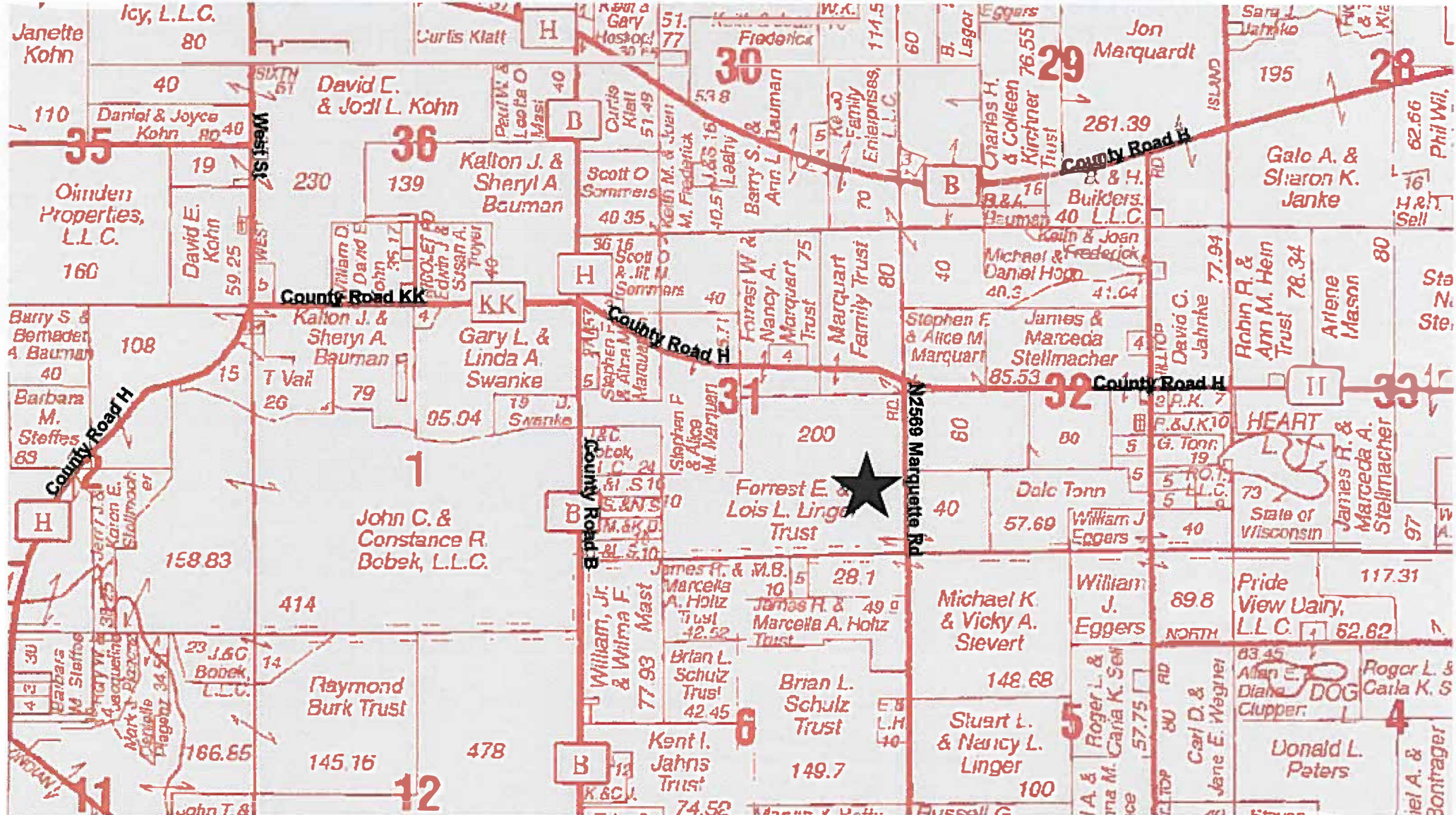
Scott P. Hewitt

SCOTT P. HEWITT
Professional Land Surveyor, No. 2229
Dated: January 3, 2018
File No: 1117-682

OWNER: FORREST E. LINGER TRUST
LOIS L. LINGER TRUST
N2266 MARQUETTE ROAD
MARKESAN, WI 53946

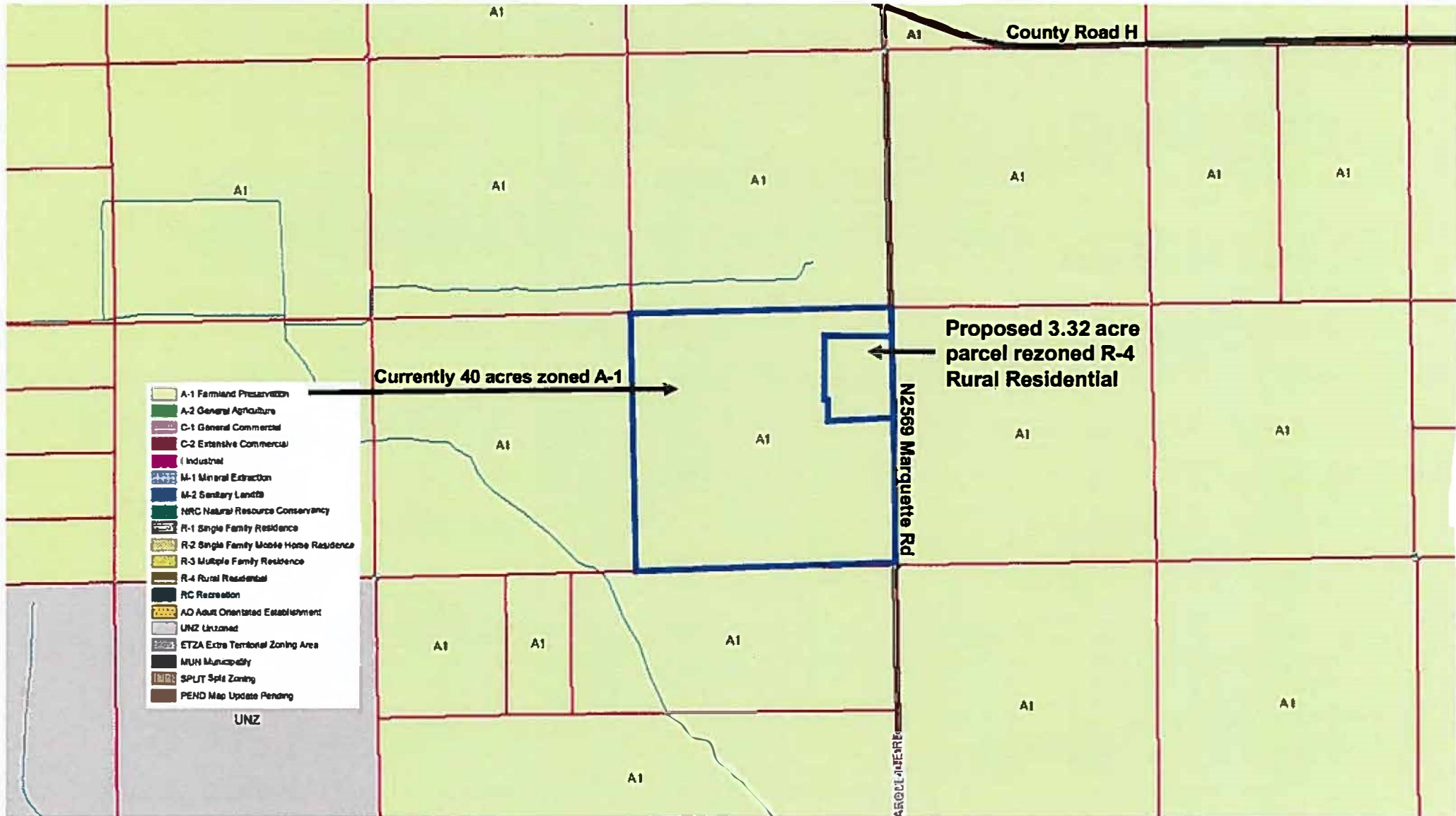
CLIENT: STUART LINGER
N2266 MARQUETTE ROAD
MARKESAN, WI 53946

**Forrest E. and Lois L. Linger Family Trust – Stuart L. Linger, Successor Co-Trustee – Town of Marquette
N2569 Marquette Road, Part of the SE¼ of Section 31, T15N, R12E, Parcel #014-00793-0000 (±40 acre parcel)
Request to rezone ±3.32 acres from A-1 Farmland Preservation District to R-4 Rural Residential District.**

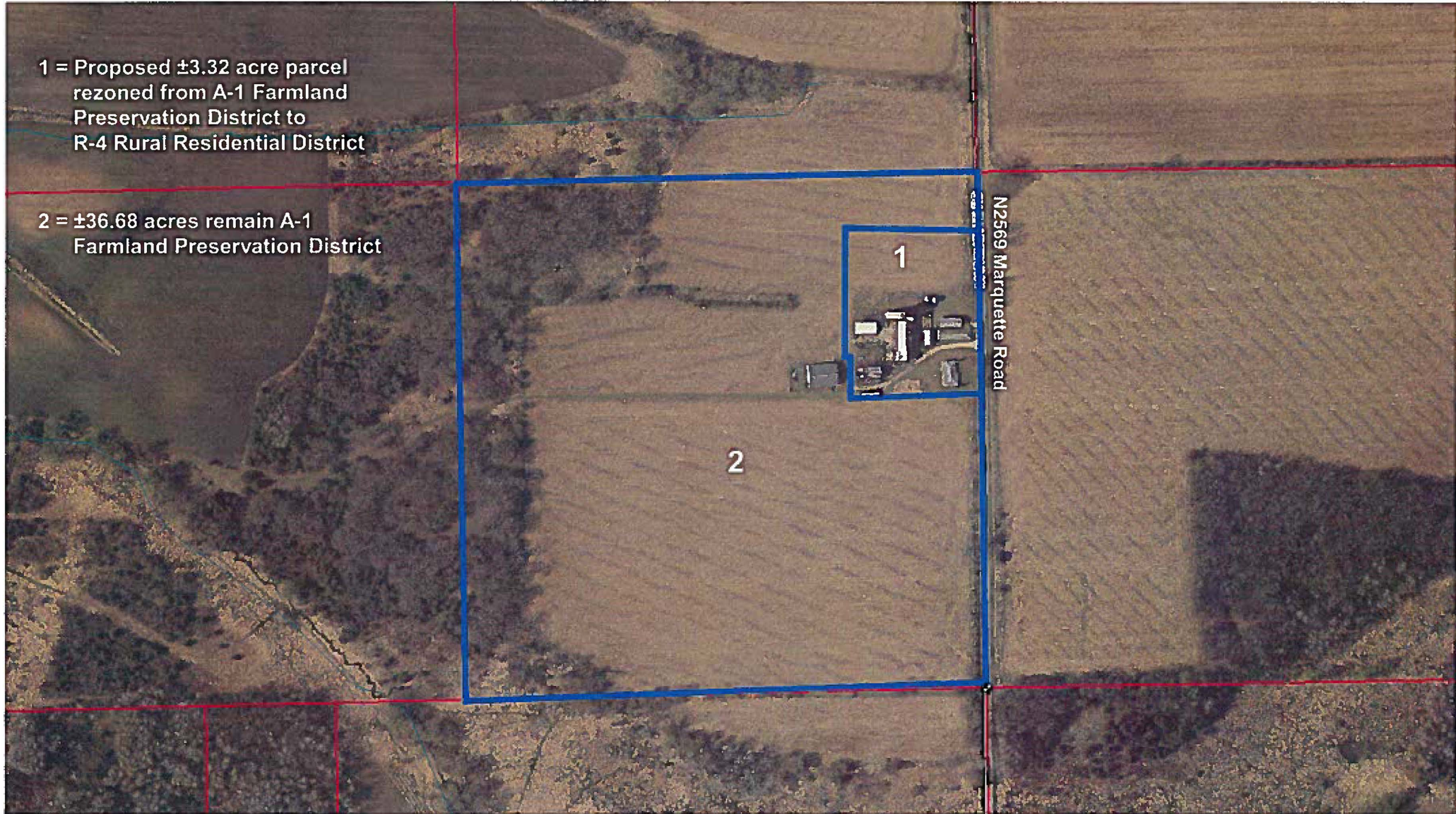


Green Lake County Land Use Planning & Zoning Committee Public Hearing 04/05/18

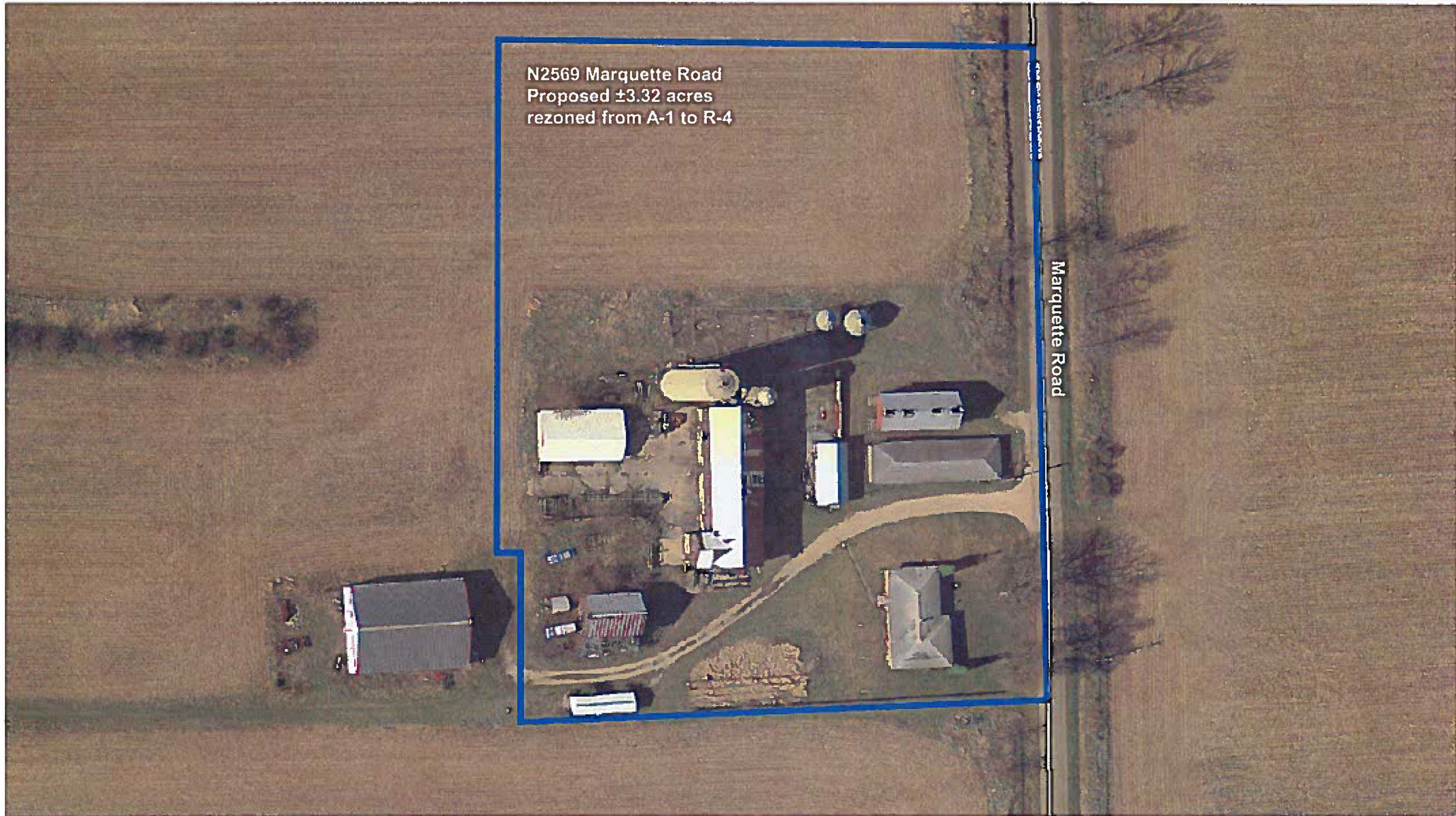
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Existing Configuration:

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

Proposed Configuration:

**1 = ±36.68 acre parcel remains
A-1 Farmland Preservation District**

**2 = ±3.32 acre parcel rezoned from A-1
Farmland Preservation District to
R-4 Rural Residential District**

