



GREEN LAKE COUNTY

571 County Road A, Green Lake, WI 54941

April 6, 2017

The following documents are included in the packet for the Land Use Planning & Zoning Committee meeting on Thursday, April 6, 2017:

Packet Pages:

- 1-2. Agenda
- 3-9. Draft meeting minutes from 03/02/17
10. Monthly report
- 11-12. Land use permits and sanitary permits issued in February
13. Violation reports
- 14-29. Exclusive Agriculture zoning District proposed amendments
30. Public hearing notice
- 31-41. Item I: Landmark Services Cooperative – Town of Mackford
Conditional use permit request for the relocation of anhydrous ammonia storage tanks and vehicle scale from south of County Road S site to subject property.
- 42-54. Item II: David D. & Teresa L. Wilke and Melissa Oliver
Rezone request from A-1 Exclusive Agriculture District to R-4 Rural Residential District (Wilke).
Rezone request from R-4 Rural Residential District to A-1 Exclusive Agriculture District (Oliver).
Both in the Town of Green Lake.
- 55-66. Item III: Cletus D. & Alma R. Bontrager – Town of Manchester
Rezone request from A-1 Exclusive Agriculture District to A-2 General Agriculture District.
- 67-71. Item IV: Green Lake County Land Use Planning & Zoning Committee
Amend Code of Green Lake County, Chapter 338 of the Shoreland zoning Ordinance.

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, Chairman Robert Lyon, Committee Vice-Chair
Harley Reabe Rich Slate Peter Wallace

AGENDA

Date: Thursday, April 6, 2017 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 03/02/17 minutes
7. Public comments – 3-minute limit
8. Public appearances
9. Correspondence
10. Department activity reports
 - a. Permits & others
 - b. Violation reports
11. Department/Committee Activity
 - a. Exclusive Agriculture Zoning District update
 - b. Additional zoning ordinance amendments
 - c. Stormwater and Erosion Control Ordinance
12. Future Committee Activities
 - a. Future agenda items
 - b. Meeting date(s)
May 4, 2017
Business meeting 5:15 p.m.
Public hearing 6:30 p.m.

6:30 p.m. Public Hearing

Item I: Owner: Landmark Services Cooperative **Agent:** Mike Elder, Chief Operating Officer
General legal description: W1646 County Road S, Parcel #010-00151-0100, Lot 1 Certified Survey Map 865, Part of the NW¼ of Section 09, T14N, R13E, Town of Mackford, ±6.0 acres
Request: Conditional use permit to install (2) 18,000 gallon and (1) 12,000 gallon anhydrous ammonia storage tanks, associated transfer station, vehicle scale, and to locate/park anhydrous ammonia nurse tanks on Industrial-zoned lands.

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

Item II: Owners: David D & Teresa L Wilke, Melissa Oliver **General legal description:** Utley Road & N2765 County Road Q, Parcels #006-00687-0000, #006-00688-0300, #006-00688-0200, Part of the NE¼ of Section 35, T15N, R13E, Town of Green Lake **Request:** Rezone request from A-1 Exclusive Agriculture District to R-4 Rural Residential District (±2.71 acres), and R-4 Rural Residential District to A-1 Exclusive Agriculture District (±1.04 acres).

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

Item III: Owners: Cletus D. & Alma R. Bontrager **General legal description:** W3805 Heritage Road, Parcel #012-00137-0100, Part of the NE¼ of Section 09, T14N, R12E, Town of Manchester, ±21.19 acres **Request:** Rezone from A-1 Exclusive Agriculture District to A-2 General Agriculture District.

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

Item IV: Applicant: Green Lake County Land Use Planning and Zoning Committee **Request:** Amend Code of Green Lake, Chapter 338 of the Shoreland Zoning Ordinance. The purpose of the ordinance amendment is to remove references to highly developed shorelines in order to obtain certification of compliance from the WI-DNR. The proposed ordinance amendment is available for review and inspection at the County Government Center, Land Use Planning & Zoning Department, 571 County Road A, Green Lake, WI, and the county website. To view the proposed shoreland zoning ordinance amendment on the website:

-Go to www.co.green-lake.wi.us

-Click on Departments

-Click on Land Use Planning & Zoning

-Go to Downloads and click on Shoreland Zoning Ordinance Amendment

13. 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 2, 2017**

CALL TO ORDER

Committee Vice-Chair Lyon 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, Peter Wallace

Absent: Michael Starshak

**Also Present: Matt Kirkman, Land Use Planning and Zoning Director
Missy Sorenson, Code Enforcement Officer
Krista Kamke, Code Enforcement Officer
Carole DeCramer, Committee Secretary
Dawn Klockow, Corporation Counsel**

APPROVAL OF AGENDA

Motion by Reabe/Wallace, unanimously carried, to approve the amended agenda with the correction of the Scribner's errors.

APPROVAL OF MINUTES

Motion by Reabe/Wallace, unanimously carried, to approve the minutes of 2/2/17.

PUBLIC COMMENT - None

PUBLIC APPEARANCES – Stuart Linger and Alan Zastrow regarding a church sign on County Road K

Michael Lehner, Terrace Shores Church Treasurer, County Road K – Filling in for Mr. Linger who was not able to attend tonight. Because of the existing zoning ordinance sign language, the digital sign that Terrace Shores would like to erect is prohibited. Lehner questioned the intent of the ordinance regarding “fixed, digital sign.” The proposed sign is a huge aesthetic improvement. It doesn't alter or detract from the nature of the surrounding area. It's static, not visible from residences. Lehner suggested that, since staff is in the process of reviewing the zoning ordinances, perhaps language could be included that would remove the ambiguity. Lehner requested this be looked at in the zoning ordinance amendment process. He added that the congregation has approved the sign. The committee directed Matt Kirkman to look into amending that part of the zoning ordinance.

5:20 p.m. Rich Slate was seated.

CORRESPONDENCE

Kirkman – Reported that the 2016 DATCP report was submitted. The total number of acres rezoned out of A-1 Exclusive Agriculture acres was 156 acres. Since the minimum acres for A-1 Exclusive Agriculture acres will decrease from 35 to 15 acres, staff will contact those property owners that will now qualify for Farmland Preservation tax credits to be rezoned into the A-1 district.

DEPARTMENT ACTIVITY REPORTS

a. Permits and Others

Kirkman explained the monthly financial reports for the month of January.

b. Violations

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

c. Committed Funds

Kirkman shared a handout of the 2017 Committed Funds (see attached).

On a motion by Slate/Wallace, unanimously carried, to forward the proposed 2017 Committee Funds to the County Board for approval.

d. Restricted Funds

Kirkman shared a handout of the 2017 Restricted Funds (see attached).

On a motion by Slate/Reabe, unanimously carried, to forward the proposed 2017 Restricted Funds to the County Board for approval.

DEPARTMENT/COMMITTEE ACTIVITY

a. Exclusive Agriculture Zoning District Update

Kirkman reported that he had a conversation with Scott Karel, Environmental Analysis & Review Specialist – DATCP, regarding the remaining split-zoned parcels. Karel strongly suggested that we resolve all of those parcels.

Kamke shared that out of 146 letters sent, 117 property owners responded to the request to resolve their split-zoned parcels. Eight do not want to resolve the issue. Seventy-five percent have agreed to rezone their properties to a suitable district.

Kirkman stated that additional letters will go out encouraging people to resolve the split-zoned parcel issue.

b. Stormwater and Erosion Control Ordinance Update

Kirkman explained that this topic has been on the past three agendas. The committee directed staff to get numbers showing the cost of taking on the Stormwater and Erosion Control Ordinance from the Land Conservation Department. Kirkman advised the committee that he is somewhat reluctant about taking on an ordinance that required a full-time person in the Land Conservation Department. The Land Use Planning and Zoning Department will have additional work with the new impervious surface standards. Something else to consider is the City of Berlin wanting to turn their ETZA over to the department. That would mean that staff would gain an additional 1,000 parcels. If all of this would come to fruition, there may be a need to consider a third code enforcement officer.

Paul Gunderson, Land Conservation Department Head explained the ordinance standards. The ordinance was created in 1999 and things have changed since that time. The existing ordinance requires erosion control if disturbing 2,000 square feet. The State of Wisconsin changed that to 4,000 square feet, which cuts down on the number of required permits. Contours can now just be added to the site plan. This ordinance, that the Land Conservation Committee approved to move to the Land Use Planning and Zoning Department, at one time, required a full-time position. It now is a ¼- to ½-time position. The Land Conservation Department would also help, whenever possible, with site visits.

The ensuing discussion included the possibility of separating the stormwater portion of the ordinance from the erosion control portion.

On a motion by Slate/Reabe, unanimously carried, to direct Matt Kirkman to work with Paul Gunderson in separating the ordinance and updating the erosion control ordinance.

c. Shoreland Zoning Ordinance amendment

Kirkman explained that, in the process of reviewing and certifying Green Lake County's Shoreland Zoning Ordinance, the WI-DNR has decided that the impervious surface standard for highly-developed shore lines should be omitted because Green Lake County does not have areas fitting this term. They will not certify the ordinance with this non-applicable language. The county has 90 days to amend the ordinance deleting the language referring to high-developed shore lines in Sections 338-47, 338-48, and 338-48b.

Motion by Reabe/Slate, unanimously carried, to remove the impervious surface standards for highly-developed shore lines from the Shoreland Zoning Ordinance and bring back to the April meeting as a public hearing item.

d. Possible additional zoning ordinance amendments

Kirkman explained that, since the committee is in the process of amending ordinances, it may want to consider other possible zoning ordinance amendments. A copy of the proposed changes was given to the committee members to review. This will be discussed further at the April committee meeting.

6:30 p.m. Recessed for the public hearing.

PUBLIC HEARING ITEMS

Item I: Owner: Jeffrey L. Fritz, Ronald D. and Sharon K. Darnick Revocable Trust **General legal description:** W1511 E. Springbrook Road, Parcels #002-00638-0100 and #002-00638-0300, Part of the SW¼ of Section 33, T17N, R13E, Town of Berlin, ±5.145 acres **Request:** Rezone from A-1 Exclusive Agriculture and A-2 General Agriculture Districts to R-4 Rural Residential District.

a) Public Hearing

Steve Sorenson, 479 Golf Hill Court – Spoke in favor of the request.

Public hearing closed

b) Committee Discussion & Deliberation

Kirkman – Read through the criteria listed on staff report. The Town of Berlin approves of the request.

c) Committee Decision

On a motion by Slate/Wallace, unanimously carried on roll call (4-eyes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.

Item II: Owner: Jesse Larmay, Larmay Construction, Inc. **General legal description:** N1842 N. Brave Road, Parcel #010-00250-0100, Part of the SE¼ of Section 12, T14N, R13E, Town of Mackford, ±5.107 acres **Request:** Rezone from A-1 Exclusive Agriculture District to R-4 Rural Residential District.

b) Public Hearing

No one appeared

Public hearing closed

b) Committee Discussion & Deliberation

Kirkman – Reviewed the request and stated that the Town of Mackford approves of the request.

Kamke – Explained that the parcel has several violations, as it stands, and the rezone, if approved, would further the cause to correct some of the violations.

c) Committee Decision

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

6:52 p.m. Recess for five minutes.

6:56 p.m. The business meeting reconvened.

e. After-the-fact land use permit fees

Kirkman explained that, if someone builds without an approved permit, the land use permit fee is doubled. At previous meetings, the committee discussed ways to curtail this activity including a much higher after-the fact land use permit fee.

Corporation Counsel Klockow referenced Wisconsin State Statute 66.06.02 which states that fees have to be reasonable. She has never seen fees that are more than doubled and advised against increasing it.

Kirkman said that this activity does not happen often and would agree with Klockow to not change the existing fee structure. The committee agreed.

COUNTY SURVEYOR POSITION UPDATE

Kirkman discussed with the committee members the surveyors that applied for the position. Also discussed was the length of the contract. County Administrator Cathy Schmit's recommendation was a one-year contract. Reabe questioned why the hiring of the surveyor was not being done by the administrators. Kirkman explained that she felt that, since this process had begun before she was employed, she preferred the committee's decision.

Motion by Slate/Wallace, unanimously carried, to award the contract to Don Lenz, Green Lake Surveying Company. The length of the contract will be decided by County Administrator Cathy Schmit.

FUTURE COMMITTEE ACTIVITIES

- a. Future agenda items**
- b. Meeting Date**
 - April 6, 2017
 - Business meeting – 5:15 p.m.
 - Public hearing – 6:30 p.m.

ADJOURN

7:12 p.m. The meeting was adjourned.

RECORDED BY

Carole DeCramer
Committee Secretary

APPROVED ON:



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

2017 BUDGET COMMITTED FUNDS March 2, 2017

DEPARTMENT: LAND USE PLANNING AND ZONING (#10)
 COMMITTEE: LAND USE PLANNING AND ZONNING

The following amounts are being requested as committed funds from the 2016 Land Use Planning and Zoning Department budget to the 2017 budget. The Land Use Planning and Zoning Committee will review these proposed committed funds at their regular monthly meeting.

Acc't #	Acc't Name	Year-end 2016 budget	Proposed 2016 carryover funds	Balance for 2017
10-53610-999-001	Vehicle Purchase	25,704	0	25,704
10-53610-999-00?	Professional Services - Land Development	26,143	5,000 (budget) 12,389 (FPP Grant)	43,532
10-53610-999-00?	Professional Services - Surveyor	<u>76,310</u>	1,850 (budget) <u>850 (budget)</u>	<u>79,010</u>
	Total	\$128,157	\$20,089	\$148,246



Land Use Planning & Zoning Department

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571 County Road A P.O. Box 3188
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Land Development Code Enforcement County Surveyor GIS Land Information

2017 BUDGET RESTRICTED FUNDS

March 2, 2017

DEPARTMENT: LAND USE PLANNING AND ZONING (#10)
COMMITTEE: LAND USE PLANNING AND ZONING

The following amounts are being identified as restricted funds from the 2016 Land Use Planning and Zoning Department budget to the 2017 budget.

Acc't #	Acc't Name	Year-end 2016 budget	Proposed 2016 carryover funds	Balance for 2017
10-53610-999-000	Non-Metallic Mining	<u>62,862</u>	<u>14,300</u>	<u>77,162</u>
	Total	\$62,862	\$14,300	\$77,162

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

FEES RECEIVED		FEBRUARY				YEAR TO DATE				BUDGET	
		2016		2017		2016		2017		2017	
		NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT		
LAND USE PERMITS											
Residential	New	2	300	2	450	3	800	3	950	-	
	Alterations	1	50	5	1,000	2	200	5	1,000	-	
Commercial	New	-	-	-	-	2	550	-	-	-	
	Alterations	-	-	-	-	-	-	1	600	-	
Agricultural	New	2	300	2	300	2	300	3	450	-	
	Alterations	-	-	-	-	-	-	1	150	-	
Other	New	-	-	-	-	-	-	-	-	-	
	Alterations	-	-	-	-	-	-	-	-	-	
Other	New	-	-	-	-	-	-	-	-	-	
	Alterations	-	-	-	-	-	-	-	-	-	
Misc.	Denied/Refunded	-	-	-	-	-	-	-	-	-	
	Permit Renewals	-	-	-	-	-	-	-	-	-	
Total		5	\$ 650	9	\$ 1,750	9	\$ 1,850	13	\$ 3,150	\$ 30,000	11%
SANITARY PERMITS (POWTS)											
Residential	New	-	-	2	560	1	280	2	560	-	
	Replacement	1	355	1	280	3	915	2	635	-	
	Reconnect	-	-	-	-	-	-	-	-	-	
	Modify	-	-	-	-	-	-	-	-	-	
	Repairs	-	-	-	-	-	-	-	-	-	
	Additional Fees	-	-	-	-	-	-	-	-	-	
Commercial	New	-	-	-	-	-	-	-	-	-	
	Replacement	-	-	-	-	-	-	-	-	-	
	Reconnect	-	-	-	-	-	-	-	-	-	
	Modify	-	-	-	-	-	-	-	-	-	
	Additional Fees	-	-	-	-	-	-	-	-	-	
Total		1	\$ 355	3	\$ 840	4	\$ 1,195	4	\$ 1,195	\$ 17,000	7%
NON-METALLIC MINING PERMITS											
Annual Permit Fees		5	3,400	9	6,000	18	14,300	18	14,500		
Total		5	\$ 3,400	9	\$ 6,000	18	\$ 14,300	18	\$ 14,500	\$ -	
BOARD OF ADJUSTMENT											
Special Exception		-	-	-	-	-	-	-	-	-	
Variances		-	-	-	-	-	-	-	-	-	
Appeals		-	-	-	-	-	-	-	-	-	
Total		-	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 750	0%
PLANNING & ZONING COMMITTEE											
Zoning Change		2	750	2	750	3	1,125	2	1,125	-	
Conditional Use Permits		-	-	1	375	-	-	1	750	-	
Ordinance/Comp Plan Amendments		-	-	-	-	-	-	-	-	-	
Total		2	\$ 750	3	\$ 1,125	3	\$ 1,125	3	\$ 1,875	\$ 6,000	31%
MISC.											
Rental Weatherization		1	25	1	25	1	25	1	25	250	
Wisconsin Fund		-	-	-	-	-	-	-	-	-	
Applied Funds - Code Enforcement		-	-	-	-	-	-	-	-	-	
Total		1	\$ 25	1	\$ 25	1	\$ 25	-	\$ 25	\$ 250	10%
SURVEYOR											
Certified Survey Maps		2	345	3	555	4	705	3	900	4,000	
Preliminary Plats		-	-	-	-	-	-	-	-	-	
Final Plats		-	-	-	-	-	-	-	-	-	
Total		2	\$ 345	3	\$ 555	4	\$ 705	3	\$ 900	\$ 4,000	23%
GIS (Geographic Information System)											
Map Sales		-	35	-	2	-	50	-	62	500	
Land Records Transfer		-	2,104	-	-	-	4,448	-	-	25,000	
Land Information Grant		-	-	-	-	-	-	-	-	9,080	
Total		-	\$ 2,139	-	\$ 2	-	\$ 4,498	-	\$ 62	\$ 34,580	
GRAND TOTAL		16	7,664	28	10,297	39	23,698	41	21,707	\$ 92,580	23%

Land Use Violations and Citations

<i>Mncp</i>	<i>First Name</i>	<i>Last Name</i>	<i>Site Address</i>	<i>Notice</i>	<i>Corp Counsel</i>	<i>Violation Notes</i>
<i>TMC</i>						
		Larmay Construction	N1842 Brave Rd	11/18/2016		Multiple zoning and sanitary violations. Update(12-2-16) Customer contact, intent is to rezone, CUP, and clean up property.
	Randall/Deborah	Schure	Schure Rd	4/5/2010	11/9/2016	Land division without CSM or rezone. Update (11-9-16) C.Counsel mailed letter requesting resolution.

Sanitation Violation Report

<i>Mncp</i>	<i>Current First</i>	<i>Current Last</i>	<i>Site Address</i>	<i>Complaint Invest</i>	<i>Vio Notice</i>	<i>C Counsel</i>	<i>Disposition</i>	<i>Violation Notes</i>
<i>TBY</i>								
	Darrin C	Schultz	N5427 Skunk Hollow		10/3/2016	11/1/2016		
	Julie A	Chier	N6201 N Lawson Dr		9/1/2016	9/29/2016		
<i>TGL</i>								
	Roland F	McGurk	N2922 N Kearley Rd		7/6/2016	9/29/2016		
<i>TMN</i>								
	Michael & Shelley	Hechler	W3360 Main St		9/1/2016	9/29/2016		
<i>TPR</i>								
	Richard & Linda	Swanke	N6725 STH 73		7/6/2016	9/29/2016		
<i>TSE</i>								
	Andrew & Linda	Ragona	W2643 Fox River Sh		9/1/2016	9/29/2016		
<i>TST</i>								
	Johan	Loberg & Sarah Pi	W4481 Huckleberry		9/1/2016	9/29/2016		
	Zrinsky Family	Irrevocable Trust	N6930 STH 73		7/6/2016	9/29/2016		Has a permit onfile for a new system

Land Use Permits February 2017

<i>Mncp</i>	<i>Last Name</i>	<i>First Name</i>	<i>Site Address</i>	<i>Prn/Acc</i>	<i>New/Alt</i>	<i>Res/Com/Ag</i>	<i>Project Cost</i>	<i>LUP Fee</i>
<i>TBE</i>								
	Drover	Matt	W2315 County Road F	Acc	New	Res	\$25,000.00	\$150.00
<i>Summary for 'Mncp' = TBE (1 detail record)</i>								
Sum							\$25,000.00	\$150.00
Standard							3.09%	8.57%
<i>TBY</i>								
	Werch	Dennis & Debra	N6011 Jessie Ct	Prn	Alt	Res	\$235,000.00	\$400.00
	Priebe	Ed	W121 State Road 23	Acc	New	Ag	\$73,000.00	\$150.00
	Quade	Frank/Mary	N4982 Sugar Loaf Rd	Prn	New	Res	\$190,000.00	\$300.00
	Morris	Todd	N7160 State Road 49	Prn	Alt	Res	\$70,000.00	\$150.00
<i>Summary for 'Mncp' = TBY (4 detail records)</i>								
Sum							\$568,000.00	\$1,000.00
Standard							70.30%	57.14%
<i>TGL</i>								
	Patricia Colloton Trust		W2878 Wick Road	Acc	Alt	Res	\$20,000.00	\$150.00
	Laper	Gerald/Judy	W1495 State Rd 44	Prn	Alt	Res	\$45,000.00	\$150.00
<i>Summary for 'Mncp' = TGL (2 detail records)</i>								
Sum							\$65,000.00	\$300.00
Standard							8.04%	17.14%
<i>TMN</i>								
	Jackowski	Marc	N1202 County Road S	Acc	New	Ag	\$60,000.00	\$150.00
	Denson	Tyler/Kristina	W3231 County Road S	Prn	Alt	Res	\$90,000.00	\$150.00
<i>Summary for 'Mncp' = TMN (2 detail records)</i>								
Sum							\$150,000.00	\$300.00
Standard							18.56%	17.14%
Grand Total							\$808,000.00	\$1,750.00

Thursday, March 02, 2017

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Sanitary Permits February 2017

Mncp Code	New/Repl	Last Name	First Name	Site Address	Structure	Prmt Fee
<i>TBY</i>						
	New	Quade	Frank	Sugarloaf Rd	single fam frame new	\$280.00
<i>Summary for 'Mncp Code' = TBY (1 detail record)</i>						
Sum						\$280.00
Standard						33.33%
<i>TMQ</i>						
	Repl	Zimmerman	Brian	W6160 Lakeview Dr	single fam frame exist	\$280.00
<i>Summary for 'Mncp Code' = TMQ (1 detail record)</i>						
Sum						\$280.00
Standard						33.33%
<i>TPR</i>						
	New	Glover	Patrick	Fox Ridge Dr	single fam frame new	\$280.00
<i>Summary for 'Mncp Code' = TPR (1 detail record)</i>						
Sum						\$280.00
Standard						33.33%
Grand Total						\$840.00

A-2 General Agriculture District

350-28.A. Permitted uses. Those uses permitted in this district shall be agricultural and those that are consistent with agricultural uses. In addition to any conditional uses listed below, the conditional uses that may be allowed in this district are specified in Chapter 350, Appendix A, Zoning District Matrix.

Section 350-28.A.(1) thru (33) stay the same

(34) All permitted uses described in Section 350-27 Farmland Preservation District

350-28.B. Conditional uses. Conditions and standards for a conditional use permit are set forth in Chapter 350, Article VII, Conditional Use Permits. In addition to any conditional uses listed below, the conditional uses that may be allowed in this district are specified in Chapter 350, Appendix A, Zoning District Matrix.

Section 350-28.B.(1) thru (28) stay the same

(29) RV and boat storage for rental

(30) Yard and Landscaping services

(31) All conditional uses listed in Section 350-27 Farmland Preservation District

350-28.C. Dimensional standards

(1) All Principal Structures shall be on a lot consistent with the principal use permitted on such lot by the regulations of the district in which it is located.

(2) A lot or parcel shall have no less than 8 acres of contiguous land area.

Lot and parcel area. The area within the road right(s)-of-way shall not be included for the standards of this subsection. Design standards pursuant to Chapter 315, Code of Green Lake County, Land Division and Subdivision, shall apply to a newly created lot or parcel for this subsection.

~~(a) A lot or parcel shall have no less than eight acres of contiguous land area. Note: The area within the road right(s) of way shall not be included for the standards of this subsection. Design standards pursuant to Chapter 315, Code of Green Lake County, Land Division and Subdivision, shall apply to a newly created lot or parcel for this subsection.~~

~~(3) Width. The land area shall have a minimum width of 300 feet. The dimensions within the road right(s) of way shall not be included for the standards of this subsection.~~

350-28.D. Area, Height and Yard Requirements

(1) Principal Structure setback and height standards

(a) Street yard setback

i. State trunk road rights-of-way: 67 feet minimum

ii. All other public road rights-of-way: 40 feet minimum

(b) Rear yard setback: 25 feet minimum

(c) Side yard setback: 12 feet minimum

(d) Structure height, dwelling structure: 35 feet

(2) Accessory building structure standards. An accessory building structure shall satisfy all of the following standards:

(a) Setbacks: same as principal structure

(b) Height: none

(c) Structure footprint area: none

(d) Structure volume: none

(e) Human habitation of a detached accessory building structure may be allowed; however, it shall be limited to 20% of the footprint area or 300 square feet, whichever is less. This standard shall apply to only one detached accessory building structure per lot or parcel.

NRC Natural Resource Conservancy District

350-31.A.(3) The maps designated below are hereby adopted and made a part of the Natural Resources Conservancy District outside of the shoreland area. They are on file in the ~~office of the Surveyor /Land Development Director for Land Use Planning and Zoning Department of~~ Green Lake County.

~~350-31.A.(4) The district shall be considered an overlay district of the A-1 Exclusive Agriculture District as established in the § 91.57, Wis. Stats.~~

350-31.D. ~~Area, Height and setback regulations~~ ~~area uses~~: refer to §§ 350-18, 350-19 and 350-20

350-31.E. ~~Highway Setbacks~~: refer to § 350-50A.

C-1 General Commercial District

350-32.C. ~~Area, Height and setback regulations~~ ~~area uses~~: refer to §§ 350-18, 350-19 and 350-20

350-32.D. ~~Highway Setbacks~~: refer to § 350-50A.

C-2 Extensive Commercial District

350-33.C. ~~Area, Height and setback regulations~~ ~~area uses~~: refer to §§ 350-18, 350-19 and 350-20

350-33.D. ~~Highway Setbacks~~: refer to § 350-50A.

I Industrial District

350-34.C. Area, height and setback regulations: refer to §§ 350-18, 350-19 and 350-20

350-34.D. Highway setbacks: refer to § 350-50A.

M-1 Mineral Extraction District

350-35.C. Yard requirements. All excavations shall be at least 100 feet from the right-of-way of any public or approved private street or property line. All accessories to the mineral extraction use, such as mining buildings, structures, equipment, offices, parking areas and stockpiles, shall be at least 100 feet from any right-of-way or property line.

350-35.G. Area and height regulations: refer to §§ 350-18 and 350-19.

M-2 Sanitary Landfill District

350-36.D. Area, height and setback regulations: refer to §§ 350-18, 350-19 and 350-20.

350-36.E. Highway setbacks: refer to § 350-50A.

RC Recreation District

350-37.C.(17) Refer to 350-54.A.

350-34.C. Area, height and setback regulations: refer to §§ 350-18, 350-19 and 350-20

350-34.D. Highway setbacks: refer to § 350-50A.

R-1 Single-Family Residence District

350-38.B. Conditional uses. Refer to 350-54.A.

R-2 Single-Family Mobile Home Residence District

350-39.C.(1) A petition requesting an amendment of this chapter and zoning maps describing the area to be rezoned (together with a sketch map of the same) to Class Two Residential District must be filed with the Surveyor/Land Development Director Land Use Planning and Zoning Department bearing the signatures of 80% of the property owners in the area to be so rezoned. Upon receipt of such petition, the Surveyor/Land Development Director Land Use Planning and Zoning Department shall verify the number of signatures before filing the same with the Land Use Planning and Zoning Committee of the County Board for further action in accordance with the following provisions.

350-39.C.(2) Upon receipt of the petition described above from the Surveyor/Land Development Director Land Use Planning and Zoning Department, the Land Use Planning and Zoning Committee shall set the same for hearing after publishing notice of hearing as a Class 2 notice. At the hearing, the Land Use Planning and Zoning Committee shall determine if the area requested to be rezoned

is feasible for Class Two residential purposes and whether or not objection has been made by 20% or more of all property owners living within the proposed district or within a radius of 1.5 miles from the boundaries of the proposed district. Objection must be made in writing and may be filed with the ~~Surveyor/Land Development Director~~ Land Use Planning and Zoning Department prior to the date set for said hearing or may be made orally and filed in writing at the hearing itself. If the Land Use Planning and Zoning Committee finds that such objection has been made, it shall certify the same and order a referendum of all the property owners of the town in which the proposed district lies (and additionally a referendum of all the property owners of all adjacent towns that lie within a distance of 1.5 miles from the boundaries of the proposed district) and shall set the date therefor, not later than 90 days from the date of order, and shall notify the clerk of the town(s) affected, who shall cause notice of the referendum to be published as a Class 2 notice and who shall further mail notice of the referendum to all property owners of his/her town, whether present within the County or absent therefrom. Absentee ballots will be accepted in said referendum and shall be handled and regulated by the provisions of §§ 6.85 through 6.89 (as applicable), Wis. Stats. Said town clerk(s) shall further cause all other preparations to be made for the conduct of said referendum and together with the Land Use Planning and Zoning Committee shall make an estimate of the total cost of said referendum, which shall be borne by the initial petitioners, who shall pay to the clerk of the town(s) involved a deposit of the estimated cost of the referendum, all unused portions of which shall be returned to them after the completion of said referendum. Failure to pay such deposit within 10 days from the date of receiving notice of the estimated cost shall cause automatic dismissal of the petition. All town clerks involved in said referendum shall withhold mailing of notice or publication of notice of such referendum until all costs have been paid as herein required. The question to be stated in such referendum shall be substantially as follows: "Shall a portion of the Town of _____ located in Section _____, containing about _____ acres, be rezoned to Class Two Residential District permitting mobile homes to be parked therein as permanently located single-family dwellings? (YES or NO)."

350-39.D. Area and height regulations: refer to §§ 350-18 and 350-19.

350-39.E. Principal structure setback and height standards. [Added 8-19-2014 by Ord. No. 1092-2014]

- (1) Street yard setback:
 - (a) State trunk road rights-of-way: 67 feet minimum.
 - (b) All other public road rights-of-way: 40 feet minimum.
 - (c) All riparian lots or parcels that front on a public Town road right-of-way: 25 feet minimum.
- (2) Rear yard setback: 25 feet minimum.

- (3) Side yard setback: 12 feet minimum.
- (4) Structure height; dwelling structure: 35 feet overall maximum.

350-39.F. Accessory building structures. The total combined footprint area allowed for attached and detached accessory building structures shall not exceed 10% of the land area, excluding any road right-of-way. Each accessory building structure shall satisfy all of the following standards: [Added 2-15-2011 by Ord. No. 989-2011]

- (1) Setbacks: same as principal structure.
- (2) Height: 25 feet maximum; ground floor surface to peak. There shall be no sidewalls above the ground floor ceiling joist. Ground floor sidewalls shall not exceed 15 feet in height.
- (3) Area: 1,500 square foot maximum footprint (ground floor).
- (4) Volume: 25,000 cubic feet maximum volume.
- (5) Human habitation of a detached accessory building structure may be allowed, however shall be limited to 20% of the footprint area or 300 square feet, whichever is less. This standard shall apply to only one detached accessory building structure per lot or parcel.

R-3 Multiple Family Residence District

350-40.A. Permitted uses. In addition to any uses listed below, the uses permitted in this district are specified in § 350, Appendix A. Zoning District Matrix.

350-40.B. Conditional uses. Conditions and standards for a conditional use permit are set forth in § 350, Article VII, Conditional Use Permits. In addition to any conditional uses listed below, the conditional uses permitted in this district are specified in § 350, Appendix A. Zoning District Matrix.

350-40.C. Dimensional standards.

- (2) Width. The lot or parcel in this district shall have a minimum average width of 100ft. The dimension within the road right(s) of way shall not be included for the standards of this subsection.

R-4 Rural Residence District

350-41.A. Permitted uses. In addition to any uses listed below, the uses permitted in this district are specified in § 350, Appendix A. Zoning District Matrix.

350-41.B. Conditional uses. Conditions and standards for a conditional use permit are set forth in § 350, Article VII, Conditional Use Permits. In addition to any conditional uses listed below, the conditional uses permitted in this district are specified in § 350, Appendix A. Zoning District Matrix.

350-41.C. Dimensional standards.

(2) ——— Width. The land area shall have a minimum width of 200ft. The dimension within the road right(s) of way shall not be included for the standards of this subsection.

AO Adult-Oriented Establishment District

Section 350-42.F. Area, height and setback regulations: refer to §§ 350-18 and 350-19 and the Commercial District setbacks under § 350-20.

Section 350-42.G. Highway setbacks: refer to § 350-50A.

Article V. Nonbuilding Structures

350-43.B.(5) Other off-site signs not specifically referred to in this Section shall not exceed 300 square feet in gross area. These signs are not allowed in R-1, R-2, R-3, R-4 and NRC Zoning Districts and shall meet the following standards:

- (a) An off-site sign 32 square feet or less shall have a minimum setback of 10 feet from the right-of-way line.
- (b) An off-site sign that is greater than 32 square feet and up to and including 300 square feet shall have a minimum setback from the right-of-way line as required by the zoning district in which the sign is located.

350-43.F. No sign shall contain, include or be illuminated by flashing lights or be composed of animated or moving parts, or be a ~~fixed or~~ changing digital electronic type sign. A lighted sign shall be shielded to prevent glare or illumination onto other premises or roadways.

Article VI. Highway Setback Lines

350-50.A. Along highways generally. The setback distance from the center line or right-of-way line, at any point, for the respective classes of highways shall be as follows:

Highway Classification	Setback From Center Line (feet)	Setback From Front Lot Line (feet)
State trunk highways	110	Not less than 67
County trunk highways	75	Not less than 42 40
Town roads, except in platted subdivisions	75	Not less than 42 40
Streets in platted subdivisions		40

350-52.A.(2) Telephone, telegraph and power transmission poles and lines and microwave radio relay structures, except satellite earth stations, may be constructed within the setback lines, provided that the owner will file with the ~~Surveyor/Land Development Director~~ Land Use Planning and Zoning Department of Green Lake County an agreement in writing to the effect that the owner will remove all new construction, additions and replacements erected after the adoption of this chapter, at his expense, when necessary for the improvement of the highway and pay a recording fee.

Article VII. Conditional Use Permits

350-54 Conditional uses.

A. Investigations of, and public hearings on, conditional uses required by the regulations of this article shall be conducted by the Land Use Planning and Zoning Committee for the purpose of determining the effect of the proposed use or the location thereof on the character of the neighborhood and its suitability for development by utilizing the minimum review standards and criteria of this article. The Land Use Planning and Zoning Committee shall review requests for a conditional use permit and, after public hearing and application of the standards identified in this article, shall approve, approve with conditions or deny all such requests.

A. ~~The following are permitted as conditional uses in all zoning districts except in the A-1 Exclusive Agriculture District:~~

~~(1) Airport, provided that the Land Use Planning and Zoning Committee shall find, as a condition precedent to issuing the permit, that the proposed location is necessary to the public convenience.~~

~~(2) Charitable institutions.~~

~~(3) Microwave radio relay structure and mechanical appurtenances.~~

~~(4) Penal and correctional institutions.~~

~~(5) Public hospitals, when such hospital building shall be located not less than 100 feet from any lot in any residence district not used for the same purpose.~~

~~(6) Public utility or public service corporation buildings or structures, provided that the Land Use Planning and Zoning Committee shall find such buildings or structures to be reasonably necessary for the public convenience, safety or welfare.~~

~~(7) Public utility transmission lines.~~

~~(8) Radio and television towers.~~

~~(9) Trailers and temporary structures for the shelter of persons or property, on a lot in connection with the construction of a permanent building or buildings on such lot, for a period not to exceed one year.~~

350-57. ~~Review Revocation~~ of conditional use permits

350-57.A. The Land Use Planning and Zoning Committee shall retain continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses. Such authority shall be in addition to the enforcement authority of the ~~Surveyor/Land Development Director~~ Land Use Planning and Zoning Department to order the

removal or discontinuance of any unauthorized alterations of an approved conditional use and the elimination, removal or discontinuance of any violation of a condition imposed prior to or after approval, or violation of any other provision of this chapter.

350-57.B. Complaint procedure. Upon written complaint by any citizen or official, the Land Use Planning and Zoning Committee shall initially determine whether said complaint indicates a reasonable probability that the subject conditional use is in violation or either the purpose and intent of this chapter, a condition of approval or other requirement imposed hereunder. Upon reaching a positive initial determination, a hearing shall be held upon notice. Any person may appear at such hearing and testify in person or be represented by an agent or attorney. The Land Use Planning and Zoning Committee may, in order to bring the subject conditional use into compliance with the standards set forth in this chapter or conditions previously imposed by the Land Use Planning and Zoning Committee, modify existing conditions upon such use and impose additional reasonable conditions upon the subject conditional use. Additionally, the offending party may be subjected to a forfeiture as set forth in Article X. In the event that no reasonable modification of such conditional use can be made, the Land Use Planning and Zoning Committee may revoke the subject conditional approval and direct the ~~Surveyor/Land Development Director~~ Land Use Planning and Zoning Department and Corporation Counsel to seek the elimination of the subject use. Following any such hearing the decision of the Land Use Planning and Zoning Committee shall be furnished to the current owner of the conditional use in writing stating the reasons therefor. An appeal from a decision of the Land Use Planning and Zoning Committee under this section may be taken to the Board of Adjustment.

350-58 The County Land Use Planning and Zoning Committee may require the ~~Surveyor/Land Development Director~~ Land Use Planning and Zoning Department to issue a conditional use permit after review and public hearing, provided that such conditional uses and structures are in accordance with the purpose and intent of this chapter.

Article VIII. Board of Adjustment

- 350-61.H. Should a change in circumstances occur within said twelve-month period which, in the applicant's opinion, changes the character of the application, then the applicant shall, in that event, submit a request for an additional hearing, outlining the changes in circumstances that have occurred. The Board shall review the request of the applicant, and if in the opinion of the majority of the Board there is sufficient change in said circumstances to warrant a hearing, the ~~Surveyor/Land Development Director~~ Land Use Planning and Zoning Department shall schedule said hearing under the normal rules of procedure of the Board.
- 350-62.A. Appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of Green Lake County affected by any decision, order or ruling of the ~~Surveyor/Land Development Director~~ Land Use Planning and Zoning Department. Such appeal shall be taken within 30 days, as provided by the rules of the Board of Adjustment, by filing with the ~~Surveyor/Land Development Director~~ Land Use Planning and Zoning Department a notice of appeal, on forms provided by the Department, specifying the grounds thereof.
- 350-62.B. An appeal shall stay all proceedings in furtherance of the action appealed from unless the ~~Surveyor/Land Development Director~~ Land Use Planning and Zoning Department shall certify to the Board of Adjustment, after the notice of appeal shall have been filed with the Land Use Planning and Zoning Department, that by reason of facts stated in the certificate a stay would cause imminent peril to life or property. In such case, the proceedings shall not be stayed other than by a restraining order, which may be granted by the Board of Adjustment or by a court of record on application or notice to the Land Use Planning and Zoning Department and on due cause shown.

Article IX. Administration and Enforcement

350-64.A. The Surveyor/Land Development Director Land Use Planning and Zoning Department or designee(s) shall administer and enforce ~~be the enforcement officer(s) for the Land Use Planning and Zoning Department under~~ this chapter for Green Lake County.

350-64.D. It shall be the duty of the Surveyor/Land Development Director Land Use Planning and Zoning Department or designee(s) to investigate alleged violation(s) of this chapter to determine the facts and, if a violation is identified, to pursue enforcement to achieve compliance.

350-64.E. In addition to the Corporation Counsel having the authority to file a complaint to achieve compliance with the below said land use ordinances, the Surveyor/Land Development Director Land Use Planning and Zoning Department or designee(s) shall have the authority to prepare, sign and issue citations in order to achieve compliance with the following land use ordinances:

- (1) Chapter 350, Zoning (Ordinance Nos. 146-76 and 381-89).
- (2) Chapter 315, Land Division and Subdivision (Ordinance No. 150-76).
- (3) Chapter 300, Floodplain Zoning (Ordinance No. 339-87).
- (4) Chapter 338, Shoreland ~~Protection~~ Zoning (Ordinance No. 303-85).
- (5) Chapter 334, Sewage Systems, Private (Ordinance No. 225-80).
- (6) Chapter 323, Nonmetallic Mining Reclamation (Ordinance No. 735-2001).

350-65.A. Except as provided in Subsection C, no building or structure or billboard or any part thereof, except as herein provided, shall hereafter be erected, enlarged, altered, repaired or moved within the areas subject to the provisions of this chapter until a land use permit shall have been applied for in writing and obtained from the Surveyor/Land Development Director Land Use Planning and Zoning Department. Such permit shall be posted in a prominent place on the premises prior to and during the period of construction, alteration, repair or moving. Land use permits shall be valid for a period of one year from date of issue unless otherwise specified on the permit. A copy of such permit shall be filed with in the Surveyor/Land Development Director Land Use Planning and Zoning Department office and with the inspector and clerk for the town in which the permit is effective. Forms for the application for land use permits shall be supplied by the Surveyor/Land Development Director Land Use Planning and Zoning Department. All such forms shall be approved by the County Board. For fee schedule refer to Article XII, Fee Schedule.

350-65.B. Except as provided in Subsection C, all applications for land use permits shall be accompanied by a location sketch drawn to scale, showing the location, actual shape and dimensions of the lot to be built upon, the exact size and location of the building on the lot, the existing and intended use of the building, the number of families to be accommodated, its situation with reference to the

highway, the distance between the nearest point on the building and the center line of the highway, and such other information with regard to the proposed building and neighboring lots or buildings as may be called for on the application or may be necessary to provide for the enforcement of this chapter. ~~The Surveyor/Land Development Director~~ Land Use Planning and Zoning Department may require satisfactory evidence of actual lot line location, including a surveyor's certificate and map where necessary.

350-66. Certificate of Compliance.

Upon written request from the owner, the ~~Surveyor/Land Development Director~~ Land Use Planning and Zoning Department may issue a certificate of compliance at a fee as provided in Article XII, Fee Schedule, for any building or premises existing at the time of the adoption of this chapter, certifying, after inspection, the extent and kind of use made of the building or premises and whether or not such use conforms to the provisions of this chapter.

350-67.A. Town boards, or town zoning/planning committees as established by town boards, shall be notified in writing at least 10 days prior to a public hearing on a conditional use or zoning amendment change in that town by the ~~Surveyor/Land Development Director~~ Land Use Planning and Zoning Department or Land Use Planning and Zoning Committee.

350-67.E. A copy of the conditional use permit or rezoning change, if approved by the County Land Use Planning and Zoning Committee, shall be forwarded by the ~~Surveyor/Land Development Director~~ Land Use Planning and Zoning Department to the board chairman of the affected town.

Article XI. Amendments

350-74. Fee. A fee shall be paid by the person filing the amendment to the ~~Surveyor/Land Development Director~~ Land Use Planning and Zoning Department to defray the cost of administration, investigation, advertising and processing of the amendment application. Refer to Article XII, Fee Schedule.

Article XIII. Word Usage and Definitions

350-77

All definitions stay the same except the changes below...

NONCONFORMING LOT OR PARCEL

A lot or parcel, the area, dimensions or location of which was lawful prior to the adoption, revision or amendment of an ordinance but which fails by reason of such adoption, revision or amendment to conform to the present requirements of the ordinance.

SPLIT-ZONED LOT OR PARCEL

A lot or parcel whereby the lot or parcel consists of more than one zoning district.

Attachments:

Appendix A—Zoning Matrix

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 6, 2017, at 6:30 p.m.* to consider the following items:

Item I: Owner: Landmark Services Cooperative **Agent:** Mike Elder, Chief Operating Officer
General legal description: W1646 County Road S, Parcel #010-00151-0100, Lot 1 Certified Survey Map 865, Part of the NW¼ of Section 09, T14N, R13E, Town of Mackford, ±6.0 acres **Request:** Conditional use permit to install (2) 18,000 gallon and (1) 12,000 gallon anhydrous ammonia storage tanks, associated transfer station, vehicle scale, and to locate/park anhydrous ammonia nurse tanks on Industrial-zoned lands.

Item II: Owners: David D & Teresa L Wilke, Melissa Oliver **General legal description:** Utley Road & N2765 County Road Q, Parcels #006-00687-0000, #006-00688-0300, #006-00688-0200, Part of the NE¼ of Section 35, T15N, R13E, Town of Green Lake **Request:** Rezone request from A-1 Exclusive Agriculture District to R-4 Rural Residential District (±2.71 acres), and R-4 Rural Residential District to A-1 Exclusive Agriculture District (±1.04 acres).

Item III: Owners: Cletus D & Alma R Bontrager **General legal description:** W3805 Heritage Rd, Parcel #012-00137-0100, Part of the NE¼ of Section 09, T14N, R12E, Town of Manchester, ±21.19 acres **Request:** Rezone from A-1 Exclusive Agriculture District to A-2 General Agriculture District.

Item IV: Applicant: Green Lake County Land Use Planning and Zoning Committee **Request:** Amend Code of Green Lake, Chapter 338 of the Shoreland Zoning Ordinance. The purpose of the ordinance amendment is to remove references to highly developed shorelines in order to obtain certification of compliance from the WI-DNR. The proposed ordinance amendment is available for review and inspection at the County Government Center, Land Use Planning & Zoning Department, 571 County Road A, Green Lake, WI, and the county website. To view the proposed shoreland zoning ordinance amendment on the website:

- Go to www.co.green-lake.wi.us
- Click on Departments
- Click on Land Use Planning & Zoning
- Go to Downloads and click on Shoreland Zoning Ordinance Amendment

All interested persons wishing to be heard at the public hearing are invited to attend. For further detailed information concerning this notice and for information related to the outcome of public hearing items, contact the Green Lake County **Land Use Planning and Zoning Department** at (920) 294-4156.

*Publish: March 23, 2017
March 30, 2017*

Item I:

Owner:

Landmark Services Cooperative

General legal description:

W1646 County Road S, Parcel #010-00151-0100, Lot 1 Certified Survey
Map 865, Part of the NW¼ of Section 09, T14N, R13E, Town of
Mackford, ±6 acres

Request:

Conditional use permit request for the relocation of anhydrous ammonia
storage tanks and vehicle scale from south of County Road S site to
subject property.

ITEM I: CONDITIONAL USE PERMIT

OWNER:

Landmark Services Cooperative

AGENT:

Mike Elder - Landmark Services Co-op

REQUEST: The owner/agent is requesting a conditional use permit to install (2) 18,000 gallon and (1) 12,000 gallon anhydrous ammonia storage tanks, associated transfer station, vehicle scale and to locate / park anhydrous ammonia nurse tanks on Industrial zoned lands.

PARCEL NUMBER / LOCATION: The parcel affected related to this request is 010-00151-0100, located in the NW¼ of Section 9, T14N, R13E, Town of Mackford. The site is located at W1646 County Road S and consists of ±6.0 acres.

EXISTING ZONING AND USES OF ADJACENT AREA: The subject site is located along a commercial / industrial corridor that includes scattered residential uses. The subject site is bordered to the north and west by lands zoned A-2, General Agriculture District which appear to be croplands. To the east is a ±9 acre parcel zoned R-1, Single-Family Residence District, ±8 acres of which are croplands the remaining acre contains a single family residence. Across County Road S are lands mostly zoned Industrial and appear to be used for industrial pursuits.

ADDITIONAL INFORMATION / ANALYSIS: In September of 2016, Landmark Services Cooperative was on this Committee's agenda relating to Landmark's desire to establish an office, warehouse, and equipment storage use on the lands that were previously used as a bowling alley. A rezone to Industrial was also recommended and eventually approved by the County Board. In September's public hearing, Landmark eluded to their interest in relocating their anhydrous ammonia storage tanks and associated vehicle scale from the main industrial site (just south and across County S) to the subject site.

Presently, according to their application, Landmark Services Cooperative wishes to install (2) 18,000 gallon and (1) 12,000 gallon ammonia storage tanks and the associate transfer station along with the parking of ammonia "nurse" tanks on the subject site. Also according to their application, the storage tanks would be located in the northwest corner of the property with a 50ft setback to property lines and the system would be compliant with Chapter SPS 343 – Anhydrous Ammonia, including all necessary plan examination and approval.

The Committee has this opportunity to fully review Landmark Services Cooperative's conditional use permit application. The Committee may create any conditions necessary to protect the public interest. The following criteria are to be used by the Committee in determining if the conditional use request should be granted. Any and all conditions must assist the applicant in meeting the purpose and intent of the Green Lake County Zoning Ordinance.

GENERAL CRITERIA FOR REVIEW OF CONDITIONAL USE REQUESTS:

- a) Will not have a negative effect upon the health, safety, and general welfare of occupants of surrounding lands; and
- b) Will be designed, constructed, operated, and maintained so as to be harmonious, and be appropriate in appearance with the existing or intended

Review CUP –Landmark Services Co-op

character of the general vicinity, and that such use will not change the essential character of the same area; and

- c) Will not be hazardous or disturbing to existing or future neighboring uses; and
- d) Will not be detrimental to property in the immediate vicinity or to the community as a whole; and
- e) Will be served by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, and schools; and that the persons or agencies responsible for the establishments of the proposed use shall be able to provide adequately any such service; and
- f) Will have vehicular approaches to the property that shall be so designed as not to create an interference with traffic on surrounding public or private streets or roads.

COUNTY STAFF COMMENTS: This request should be reviewed by the Committee to determine if it meets the standards of a conditional use permit as listed above. If the Committee is proposing to approve this request, the following conditions may be appropriate:

1. No additional expansion or addition of structures and/or uses relating to this conditional use permit shall occur without review and approval through future conditional use permit(s).
2. The owner/applicants shall apply for and receive a County Land Use Permit prior to commencing any development related to this request.
3. Evidence that compliance with commercial building code requirements for the structures that are the subject of this request is being pursued by the landowner (if applicable) and shall be provided to the Land Use Planning & Zoning Department prior to land use permit issuance.
4. In areas that are not paved, adequate dust control measures be taken so as to not allow unreasonable amounts of dust to escape the subject site.
5. Where outside lighting fixtures are used, the lighting shall occur with no direct glare affecting adjoining properties (low-wattage and low-to-the-ground path style).
6. Outside storage of LP tanks, fertilizer buggies, and trailers must be limited to the designated area on the CUP site plan.
7. Landmark Services Cooperative to provide the Land Use Planning & Zoning Department with State approvals of anhydrous ammonia tank and transfer station installation prior to land use permit issuance.
8. Landmark Service Cooperative to notify the Sherriff's Department, local Fire Department and Emergency Services of new anhydrous ammonia storage and distribution system installation.

TOWN OF MACKFORD: An Action Form requesting the Town of Mackford's input related to this zoning change request was mailed to the Town Clerk on February 3, 2017. At their February 13th meeting, the Town did not object to and approved of this CUP request.

Please type or use black ink

Return to: Green Lake County
Planning & Zoning Department
571 County Road A
PO Box 3188 - mailing
Green Lake, WI 54941

GENERAL APPLICATION

Fee \$375 (not refundable)

Date January 4, 2017

Zone Change from N/A to _____

Conditional Use Permit for Relocation of anhydrous ammonia storage tanks and vehicle scale.

Other

PROPERTY OWNER / APPLICANT

Name Landmark Services Cooperative

Mailing Address PO Box 277, Cottage Grove, WI 53527

Phone Number 608-819-3117

Signature [Handwritten Signature] Date 1/12/2017

AGENT IF OTHER THAN OWNER

Name _____

Mailing Address _____

Phone Number _____

Signature _____ Date _____

PROPERTY INFORMATION

Town of Mackford _____ Parcel Number 010-00151-0100 Acres 6

Lot ___ Block ___ Subdivision _____

Section 09 Town 14N North Range 13E East

Location of Property W1646 County Road, Town of Mackford

Legal Description _____

Current Zoning Classification I-Industrial Current Use of Property Office/Warehouse

Detailed Description of Proposed Use: Parking of ammonia nurse tanks and installation of bulk (2 -18,000 gallon and 1 – 12,000 gallon) ammonia storage tanks and transfer station. Tanks will be placed at northwest corner of property, with 50' setback from property lines. System will be compliant with Wisconsin Chapter SPS 343 – Anhydrous Ammonia, including all necessary plan examination and approval.

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



Landmark Services Cooperative Markesan Office/Warehouse Operational Plan

Markesan Office/Warehouse (Acquisition of Prairie Lanes Bowling Alley to be renovated for use as an office and warehouse at W1646 County Road S)

Landmark Services Cooperative wishes to renovate the existing bowling into office space for personnel currently housed in downtown Markesan, along with the grain and agronomy facility located on the south side of Hwy S. The approximately 16000 square foot building would be remodeled, removing all bowling equipment, lanes, bar equipment and structure, and kitchen equipment. Approximately 5-6000 square feet will be general office, with the remainder as storage and warehousing.

This investment will enable us to remove some existing structures at our facility on the south side of Hwy S to improve traffic flow and operational efficiency, while also consolidating sales and administrative functions at one location in the Markesan area.

The following is a summary of what type of business activity will be involved with the operation at this location.

Sales/Administrative:

We will have approximately 10-15 administrative and sales personnel that will utilize office space in the facility, along with a meeting room and break room facilities.

Warehouse:

We will utilize the warehouse to store packaged product (seed, fertilizer, pesticides) for use by the facility, along with sale to customers. Product would be received by truck (straight or tractor-trailer), and distributed by straight truck or pick-up truck. Loading/unloading will occur on the west side of the facility.

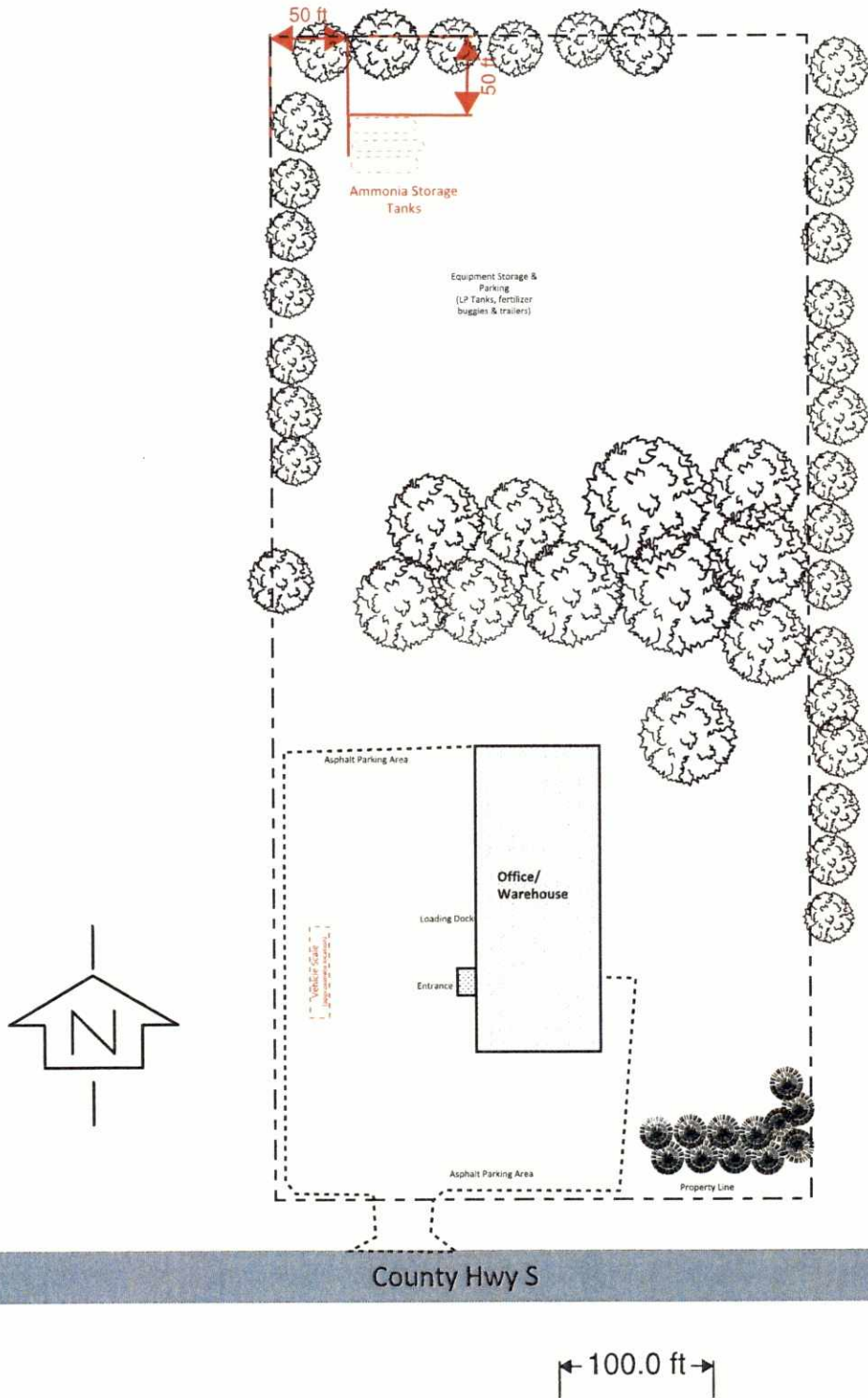
Equipment Parking:

As part of the consolidation of operations, we will also utilize the parcel to store equipment, which will include empty 500 and 1000 gallon LP tanks waiting be placed at customer properties, along with various trailers and mobile equipment.

Other potential use:

Parking of ammonia nurse tanks and installation of bulk (2 or 3 18,000 gallon) ammonia storage tanks and transfer station.

Landmark Services Coopertive Markesan Office/Warehouse

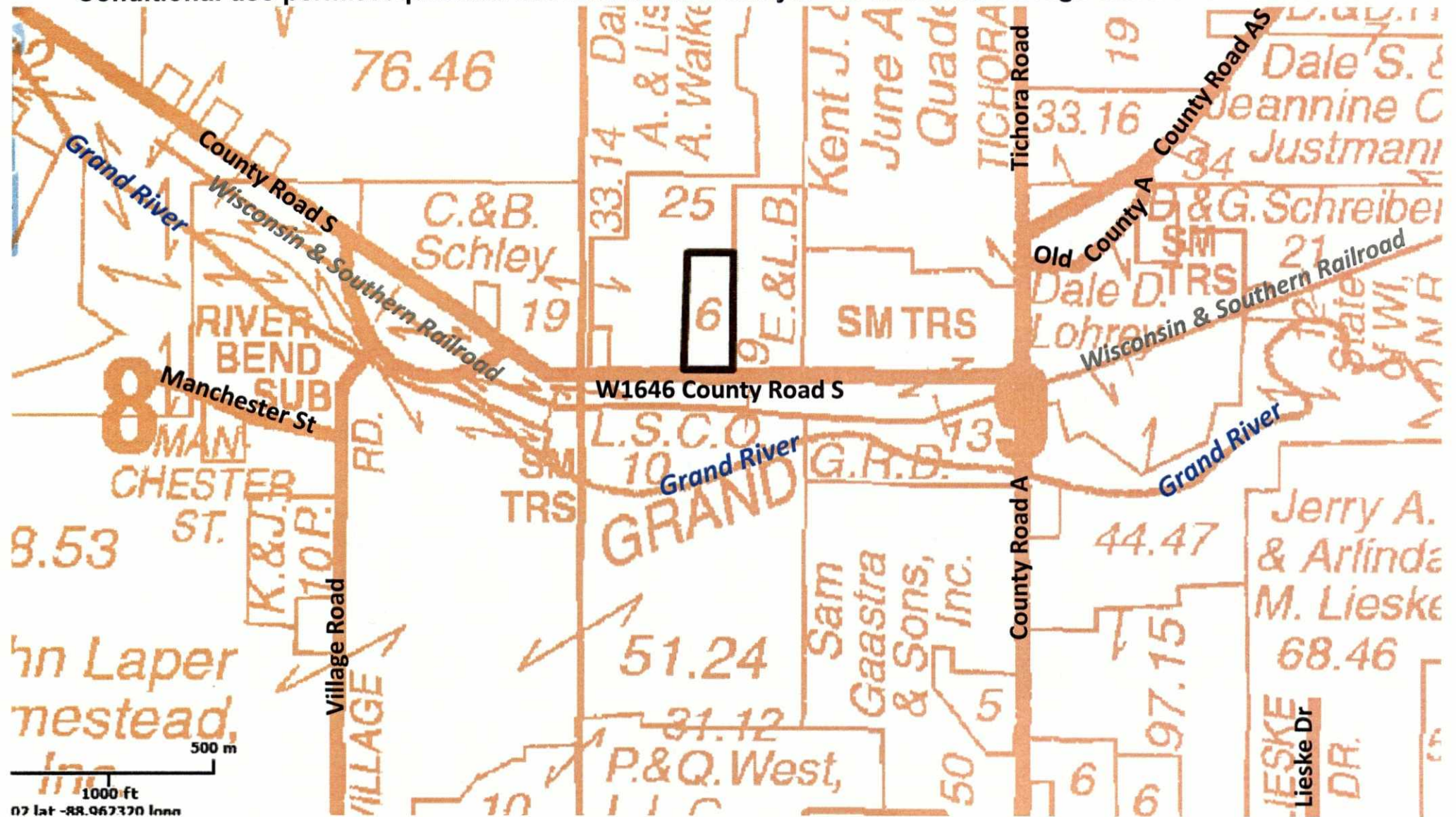


Owner: Landmark Services Cooperative

W1646 County Road S, Parcel #010-00151-0100, Lot 1 Certified Survey Map 865

Part of the NW¼ of Section 09, T14N, R13E, Town of Mackford, ±6 acres

Conditional use permit request for the relocation of anhydrous ammonia storage tanks and vehicle scale.

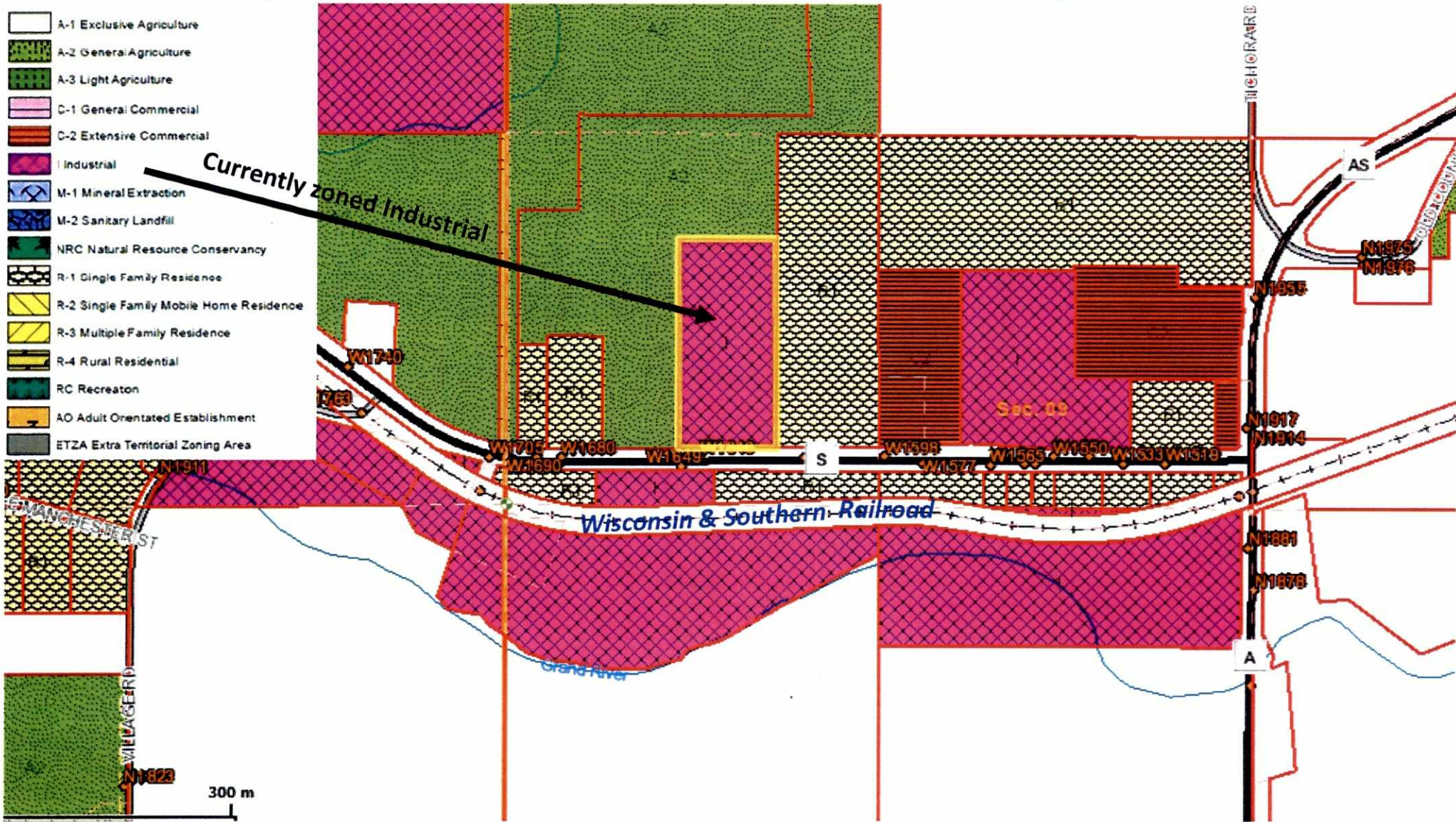


Owner: Landmark Services Cooperative

W1646 County Road S, Parcel #010-00151-0100, Lot 1 Certified Survey Map 865

Part of the NW¼ of Section 09, T14N, R13E, Town of Mackford, ±6 acres

Conditional use permit request for the relocation of anhydrous ammonia storage tanks and vehicle scale.

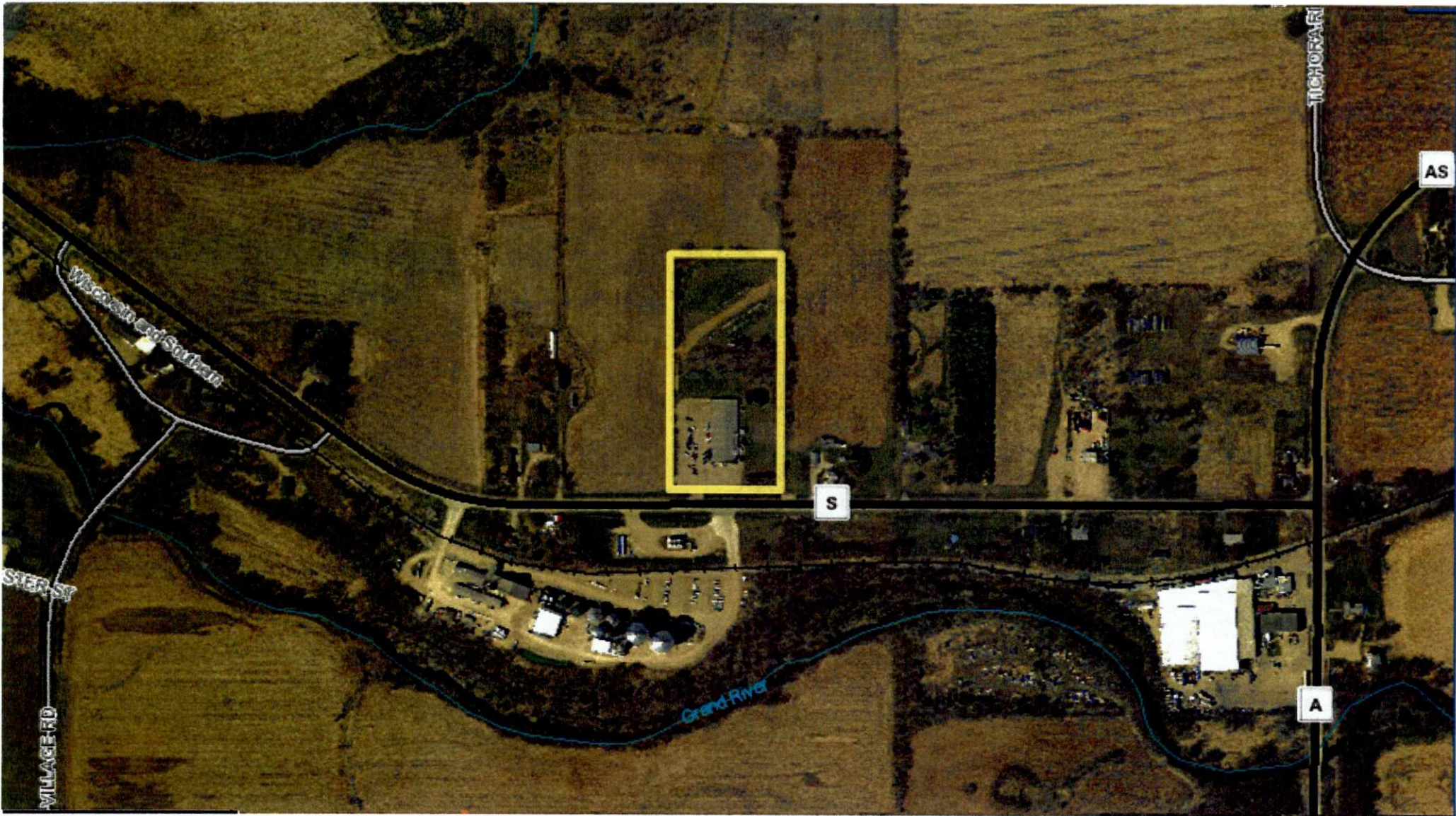


Owner: Landmark Services Cooperative

W1646 County Road S, Parcel #010-00151-0100, Lot 1 Certified Survey Map 865

Part of the NW¼ of Section 09, T14N, R13E, Town of Mackford, ±6 acres

Conditional use permit request for the relocation of anhydrous ammonia storage tanks and vehicle scale.



Owner: Landmark Services Cooperative

W1646 County Road S, Parcel #010-00151-0100, Lot 1 Certified Survey Map 865

Part of the NW¼ of Section 09, T14N, R13E, Town of Mackford, ±6 acres

Conditional use permit request for the relocation of anhydrous ammonia storage tanks and vehicle scale.



TOWN BOARD ACTION

Conditional Use Permit Request

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Mackford, County of Green Lake, took the following action on _____.

Does not object to and approves of _____

No action taken _____

Objects to and requests denial of _____

Reason(s) for objection _____

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

Owner: Landmark Services Cooperative

General legal description: Lot 1 Certified Survey Map 865, Part of the NW¼ of Section 09, T14N, R13E, Town of Mackford, ±6 acres

Parcel number: #010-00151-0100

Location of request: W1646 County Road S

Planned public hearing date: April 6, 2017

Request: Conditional use permit request for the relocation of anhydrous ammonia storage tanks and vehicle scale from south of County Road S site to subject property.

Steve Davison
Town Representative

2-13-17
Date Signed

NOTES: _____

Please return this form to the Land Use Planning & Zoning Office by: March 24, 2017

Item II:

Owners/Applicants:

David D. & Teresa L. Wilke

General Legal Description:

Utley Road & County Road Q, Parcels #006-00687-0000, & 006-00688-0300, Part of the NE¼ of Section 35, T17N, R13E, Town of Green Lake, ±2.71 acres.

Request:

Rezone request from A-1

Exclusive Agriculture District to R-4 Rural Residential District.

And

Owner/Applicant:

Melissa Oliver

General Legal Description:

N2765 County Road Q, Parcel #006-00688-0200, Part of the NE¼ of Section 35, T17N, R13E, Town of Green Lake, ±1.04 acres.

Request:

Rezone request from R-4 Rural Residential District to A-1 Exclusive Agriculture District.

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

April 6, 2017

ITEM II: ZONING CHANGE

OWNER:

David Wilke
Melissa Oliver

APPLICANTS:

Same

REQUEST: The owner/applicants are requesting a zoning change from A-1, Exclusive Agriculture District to R-4, Rural Residential District, and from R-4, Rural Residential District to A-1, Exclusive Agriculture District.

PARCEL NUMBER / LOCATION: There are three parcels affected by this proposed rezone: 006-00688-0200, which is Lot 1 of CSM#3510, located in the NE1/4 of Section 35, T15N, R13E, Town of Green Lake; 006-00688-0300, located in the SE1/4 of the NE1/4 of Section 35, T15N, R13E, Town of Green Lake; and 006-00687-0000, located in the SW1/4 of the NE1/4 of Section 35, T15N, R13E, Town of Green Lake.

The site proposed for zoning change is located at N2765 County Road Q as well as the agricultural fields to the south and west of said property.

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning of the subject site is R-4 Rural Residential District and A-1 Exclusive Agriculture District. Lands surrounding the subject site to the west, north, and east are all A-1, with M-1 Mineral Extraction and I Industrial Districts to the south and further east. These non-agriculture lands are owned by Badger Mining Corporation and are currently being farmed.

The Green Lake County Farmland Preservation Plan identifies the land under consideration for this zoning change to be in a Farmland Preservation Area. The soils on the subject parcels are Os, ScA, ScB, JoA, KeB and KeC2 (Ossian silt loam, St. Charles silt loam, 0 to 2 percent slopes and 2 to 6 percent slopes, Joy silt loam, 0 to 3 percent slopes, and Kidder loam, 2 to 6 percent slopes and 6 to 12 percent slopes.).

The Wisconsin Department of Natural Resources (DNR) has mapped the western part of Oliver's land as within the Wisconsin Wetlands Inventory, listed as E1Kg, which is Persistent Emergent wet meadow, with palustrine wet soil and listed use as pasturing livestock. Persistent Emergent wet meadow is described as herbaceous plants that stand above the surface of the water and plant remains persisting into the following year's growing season.

According to the Flood Boundary and Floodway Map Panel 55047C0225C, the lands under consideration for this request are located in the general floodplain, which is a driving factor in this surveying and rezone request.

The Oliver land closest to the Grand River and proposed to be returned to Wilke's ownership is within shoreland zoning jurisdiction, and the land adjacent to County Road Q being added to the Oliver parcel is outside shoreland zoning jurisdiction.

ADDITIONAL INFORMATION / ANALYSIS: The committee may recognize these names as in 2015, David Wilke subdivided his parcel now labeled 006-00688-0300 to add the westerly lands of Melissa Oliver's current parcel, 006-00688-0200. The intent was to allow for expansion of the Oliver farm operation. After the survey and rezone were approved, it was discovered that the land sold to Oliver was not buildable as-is, since the land is within FEMA General Floodplain jurisdiction. A complete Hydrologic and Hydraulic Analysis study is required to establish Floodway and Flood Fringe so a permit can be properly issued. The lands previously sold are also within Wisconsin DNR wetland jurisdiction, and their development is severely limited.

This request asks for the buildable land south of Oliver's parcel to be included in Oliver's ownership, the floodplain lands returned to Wilke, and the remaining Wilke lands to be surveyed into a larger parcel size.

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

a) The land is better suited for a use not allowed in the farmland preservation zoning district. **The goal of the County's Comprehensive Plan and the County Farmland Preservation Plan is to preserve and protect quality agricultural lands. This request does preserve and protect lands as the R-4 zoning classification allows for light agricultural uses.**

b) The rezoning is consistent with any applicable comprehensive plan. **The proposed rezone is consistent with the County Comprehensive Plan as the future land use is projected to be light agricultural.**

c) The rezoning is substantially consistent with the County certified Farmland Preservation Plan. **The overall goal of the County certified Farmland Preservation Plan is to maintain the integrity and viability of county agriculture. It is staff's belief that the request does not negatively impact the integrity or viability of county agriculture and is, therefore, substantially consistent with the County's certified Farmland Preservation Plan.**

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

TOWN OF MACKFORD: An Action Form requesting the Town of Green Lake's input related to this zoning change request was mailed to the Town Clerk on February 3, 2017.

Please type or use black ink

Return to: Green Lake County
Planning & Zoning Department
P.O. Box 3188
Green Lake, WI 54941

GENERAL APPLICATION

Fee 375.00 (not refundable)

Date 1-10-17

Zone Change from R-4 to A-1

Conditional Use Permit for _____

Other _____

PROPERTY OWNER / APPLICANT

Name David Wilke

Mailing Address W326 Center Rd, Ripon WI 54971

Phone Number 920 748-3580

Signature David Wilke Date 1-13-17

AGENT IF OTHER THAN OWNER

Name Melissa Oliver

Mailing Address N2765 County Rd Q, Markesan, WI 53946

Phone Number 920 319 2234

Signature Melissa Oliver Date Jan 14 2017

PROPERTY INFORMATION

Town of Green Lake Parcel Numbers (affected) 006-00688-0200 1.04± acres R-4 to A-1
006-00688-0300 Acres (affected) 2.71± acres
006-00687-0000 A-1 to R-4

Lot — Block — Subdivision _____

Section 35 Town 15 North Range 13 East

Location of Property N2765 County Rd Q

Legal Description lot 1 of CSM 3510 and part of the SE 1/4 of the NE 1/4, Excluding
Commencing the th SE corner thereof; W 218', N 221.89', E 218', S to P.O.B; also
Excluding CSM 3510 Vol 20.

Current Zoning Classification R-4 + A-1 Current Use of Property Agriculture

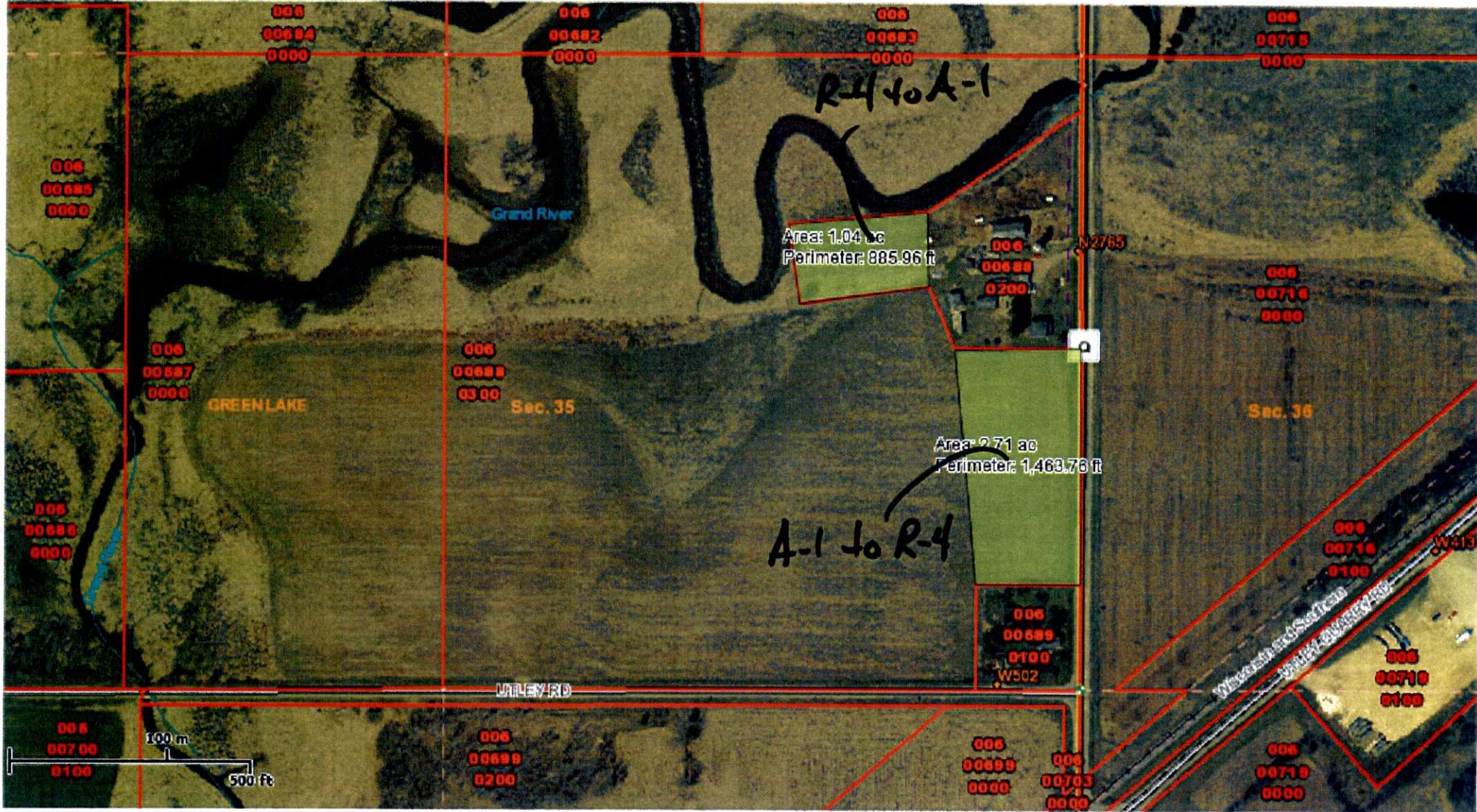
Detailed Description of Proposed Use Adding buildable land (non-floodplain) to
Oliver's property, Removing floodplain lands back to Wilke. Wilke lands
to be CSM'd back to a larger parcel.

PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION

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

Wilke / Oliver Rezone, TGL

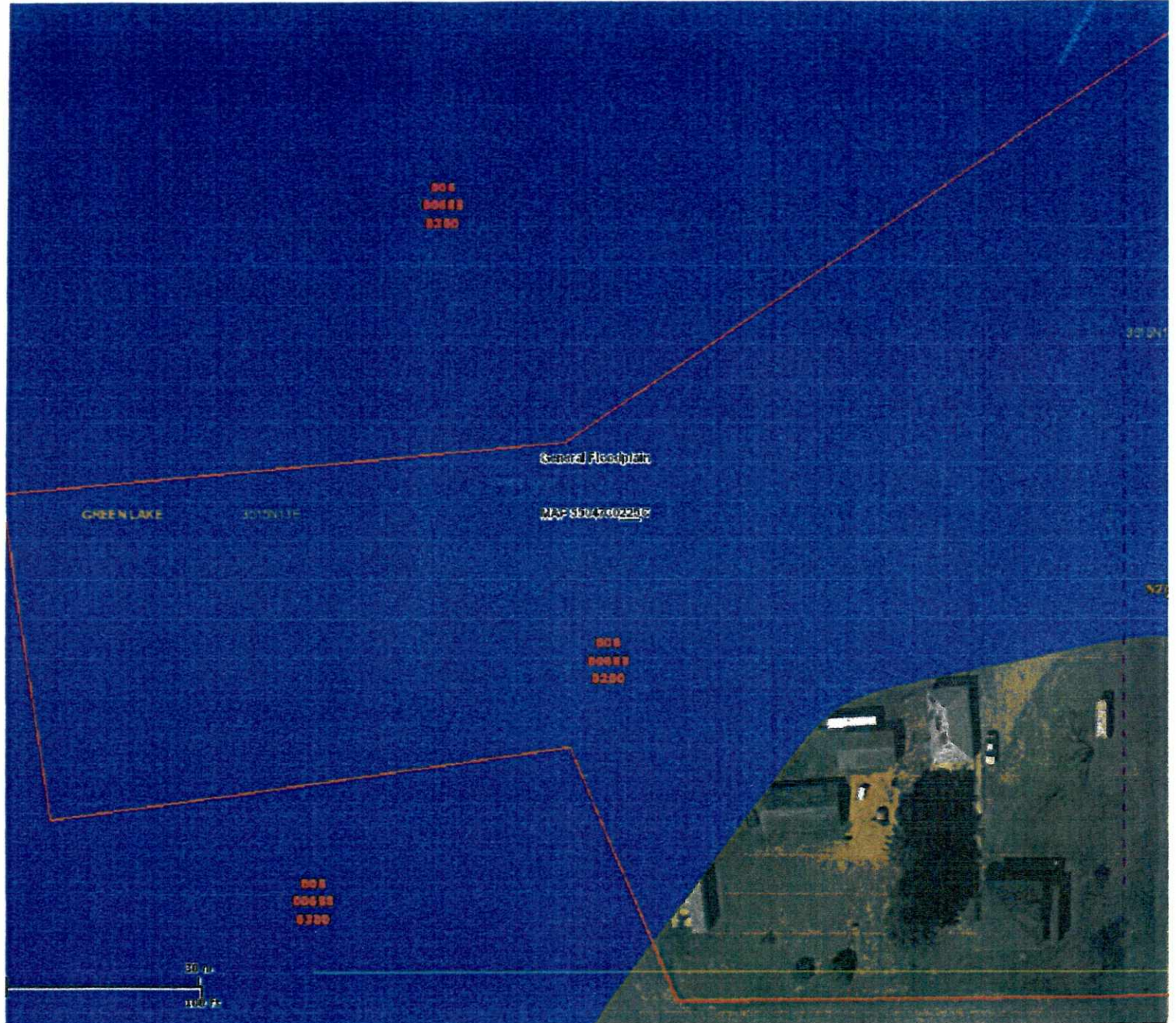
Green Lake County, WI



GIS Viewer Map. Green Lake County, WI. Tue Jan 10 2017 04:27:43 PM.

GIS Viewer Map

Green Lake County, WI

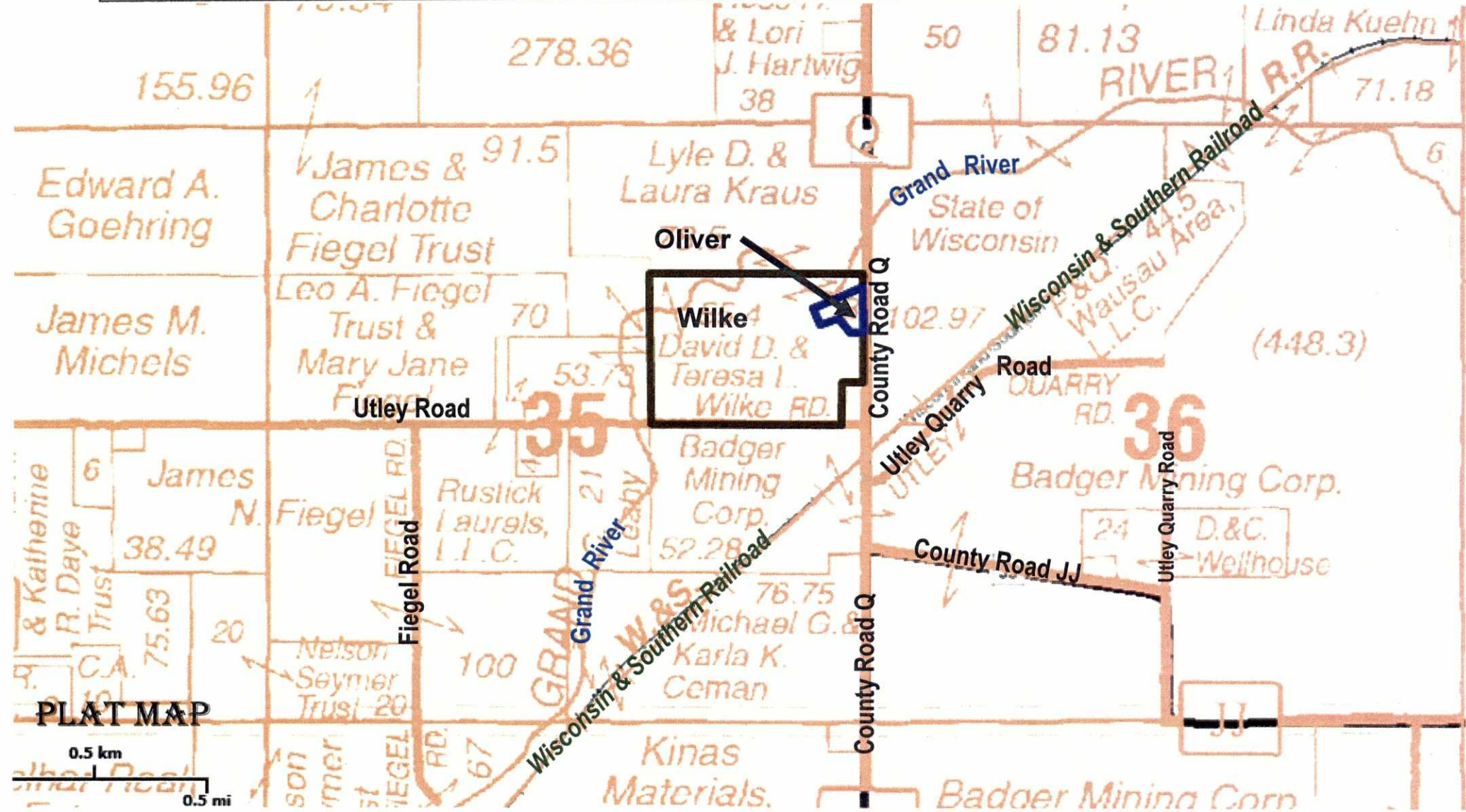


GIS Viewer Map. Green Lake County, WI. Mon May 9 2016 01:23:57 PM.

Blue is the Flood Zone

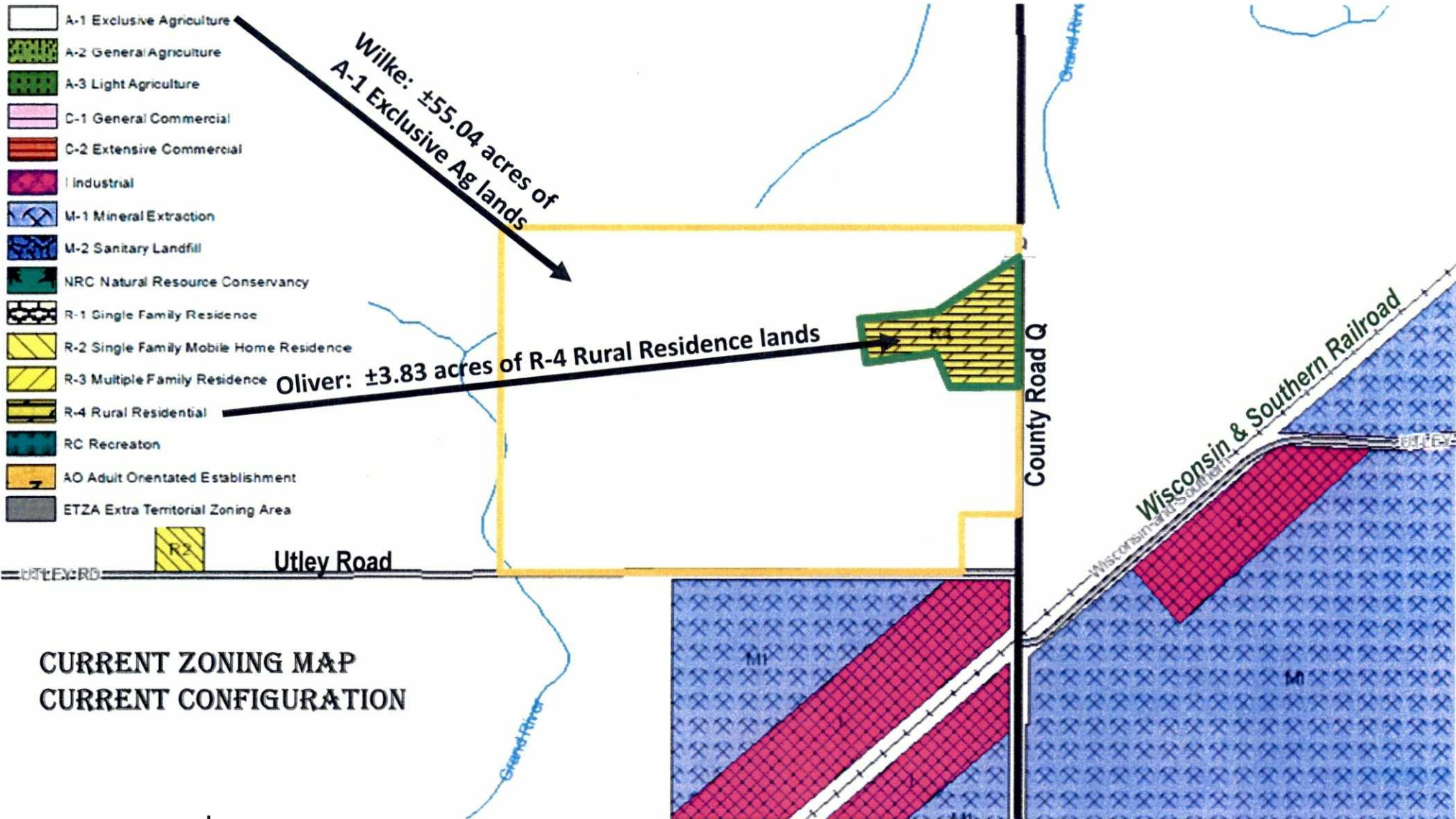
Owners/Applicants: David D. & Teresa L. Wilke
 Utley Road & County Road Q, Parcels #006-00687-0000, &
 006-00688-0300, Part of the NE¼ of Section 35, T15N, R13E,
 Town of Green Lake, ±2.71 acres. Rezone request from A-1
 Exclusive Agriculture District to R-4 Rural Residential District.

Owner/Applicant: Melissa Oliver
 N2765 County Road Q, Parcel #006-00688-0200, Part of the
 NE¼ of Section 35, T15N, R13E, Town of Green Lake, ±1.04
 acres. Rezone request from R-4 Rural Residential District
 to A-1 Exclusive Agriculture District.



Owners/Applicants: David D. & Teresa L. Wilke
 Utley Road & County Road Q, Parcels #006-00687-0000, &
 006-00688-0300, Part of the NE¼ of Section 35, T15N, R13E,
 Town of Green Lake, ±2.71 acres. Rezone request from A-1
 Exclusive Agriculture District to R-4 Rural Residential District.

Owner/Applicant: Melissa Oliver
 N2765 County Road Q, Parcel #006-00688-0200, Part of the
 NE¼ of Section 35, T15N, R13E, Town of Green Lake, ±1.04
 acres. Rezone request from R-4 Rural Residential District
 to A-1 Exclusive Agriculture District.



**CURRENT ZONING MAP
 CURRENT CONFIGURATION**

Owners/Applicants: David D. & Teresa L. Wilke
Utley Road & County Road Q, Parcels #006-00687-0000, &
006-00688-0300, Part of the NE¼ of Section 35, T15N, R13E,
Town of Green Lake, ±2.71 acres. Rezone request from A-1
Exclusive Agriculture District to R-4 Rural Residential District.

Owner/Applicant: Melissa Oliver
N2765 County Road Q, Parcel #006-00688-0200, Part of the
NE¼ of Section 35, T15N, R13E, Town of Green Lake, ±1.04
acres. Rezone request from R-4 Rural Residential District
to A-1 Exclusive Agriculture District.

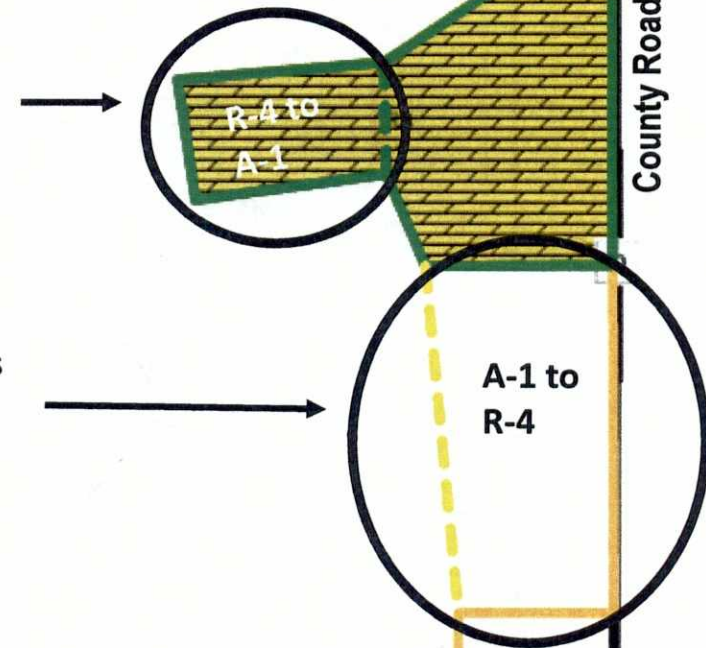
PROPOSED ZONING MAP PROPOSED CONFIGURATION

David D. & Teresa L. Wilke (outlined in yellow)
After the rezone and land division, the Wilkes will own
±53.37 acres zoned A-1 Exclusive Agriculture District.

The area within the circle, ±1.04 acres,
is proposed to be rezoned to A-1, sold
to the Wilkes, and combined with
their surrounding A-1 lands.

The area within the oval, ±2.71 acres, is
proposed to be rezoned to R-4, sold to
Ms. Oliver, and combined with her
adjoining R-4 lands.

Melissa Oliver (outlined in green)
After the rezone and land division, Ms. Oliver will own
±5.5 acres zoned R-4 Rural Residence District.



Utley Road

County Road Q

Owners/Applicants: David D. & Teresa L. Wilke
Utley Road & County Road Q, Parcels #006-00687-0000, &
006-00688-0300, Part of the NE¼ of Section 35, T15N, R13E,
Town of Green Lake, ±2.71 acres. Rezone request from A-1
Exclusive Agriculture District to R-4 Rural Residential District.

Owner/Applicant: Melissa Oliver
N2765 County Road Q, Parcel #006-00688-0200, Part of the
NE¼ of Section 35, T15N, R13E, Town of Green Lake, ±1.04
acres. Rezone request from R-4 Rural Residential District
to A-1 Exclusive Agriculture District.



Owners/Applicants: David D. & Teresa L. Wilke
Utley Road & County Road Q, Parcels #006-00687-0000, & 006-00688-0300, Part of the NE¼ of Section 35, T15N, R13E, Town of Green Lake, ±2.71 acres. Rezone request from A-1 Exclusive Agriculture District to R-4 Rural Residential District.

Owner/Applicant: Melissa Oliver
N2765 County Road Q, Parcel #006-00688-0200, Part of the NE¼ of Section 35, T15N, R13E, Town of Green Lake, ±1.04 acres. Rezone request from R-4 Rural Residential District to A-1 Exclusive Agriculture District.

Existing configuration:

David D. & Teresa L. Wilke (outlined in yellow)

Parcels #006-00688-0300 & 006-00687-0000

Total acres: ±55.04 acres zoned A-1 Exclusive Agriculture.

Melissa Oliver (outlined in green)

Parcel #006-00688-0200

Total acres: ±3.83 acres zoned R-4 Rural Residence.

Proposed configuration:

David D. & Teresa L. Wilke (outlined in yellow)

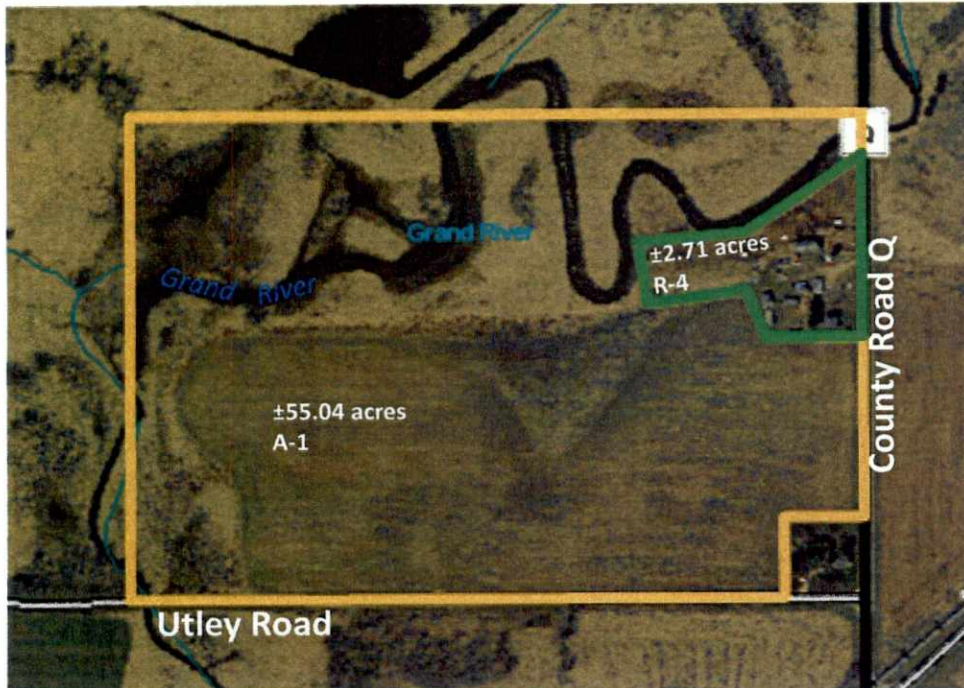
New parcel numbers will be assigned, if approved.

Total acres: ±53.37 acres zoned A-1 Exclusive Agriculture.

Melissa Oliver (outlined in green)

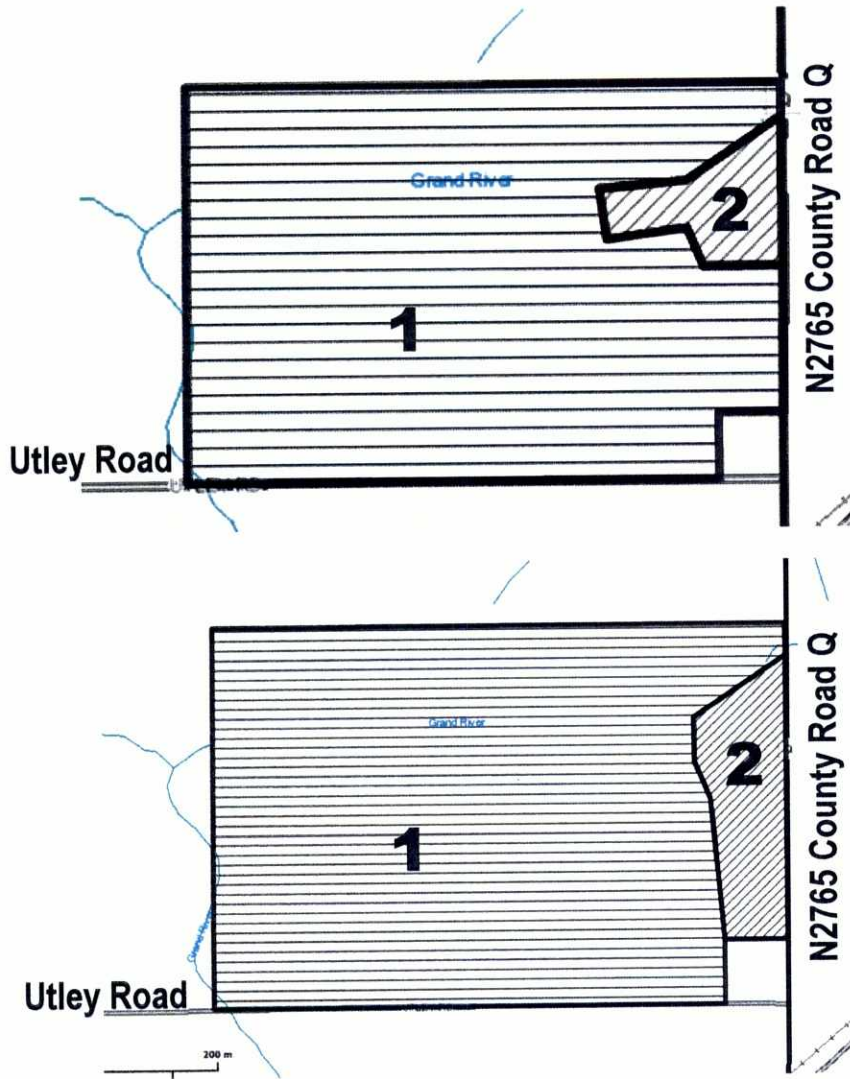
A new parcel number will be assigned, if approved.

Total acres: ±5.5 acres zoned R-4 Rural Residence.



Owners/Applicants: David D. & Teresa L. Wilke
 Utley Road & County Road Q, Parcels #006-00687-0000, &
 006-00688-0300, Part of the NE¼ of Section 35, T15N, R13E,
 Town of Green Lake, ±2.71 acres. Rezone request from A-1
 Exclusive Agriculture District to R-4 Rural Residential District.

Owner/Applicant: Melissa Oliver
 N2765 County Road Q, Parcel #006-00688-0200, Part of the
 NE¼ of Section 35, T15N, R13E, Town of Green Lake, ±1.04
 acres. Rezone request from R-4 Rural Residential District
 to A-1 Exclusive Agriculture District.



Existing configuration:

1 = David D. & Teresa L. Wilke

Parcels #006-00688-0300 & 006-00687-0000

Total acres: ±55.04 acres zoned A-1 Exclusive Agriculture.

2 = Melissa Oliver

Parcel #006-00688-0200

Total acres: ±3.83 acres zoned R-4 Rural Residence.

Proposed configuration:

1 = David D. & Teresa L. Wilke

New parcel numbers will be assigned, if approved.

Total acres: ±53.37 acres zoned A-1 Exclusive Agriculture.

2 = Melissa Oliver

A new parcel number will be assigned, if approved.

Total acres: ±5.5 acres zoned R-4 Rural Residence.

TOWN BOARD ACTION

Rezoning Request

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Green Lake, County of Green Lake, took the following action on March 6, 2017.

Does not object to and approves of

No action taken

Objects to and requests denial of

Reason(s) for objection _____

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

Owners: David D. & Teresa L. Wilke

General legal description: Utley Road & County Road Q, Parcel numbers #006-00687-0000 & #006-00688-0300, Part of the NE¼ of Section 35, T17N, R13E, Town of Green Lake, ±2.71 acres

Request: Rezoning request from A-1 Exclusive Agriculture District to R-4 Rural Residential District.

Owner: Melissa Oliver

General legal description: N2765 County Road Q, Parcel number #006-00688-0200, Part of the NE¼ of Section 35, T17N, R13E, Town of Green Lake, ±1.04 acres

Request: Rezoning request from R-4 Rural Residential District to A-1 Exclusive Agriculture District.

Jennifer Polesch
Town Representative

3/6/17
Date Signed

NOTES: _____

Please return this form to the Land Use Planning & Zoning Office by: March 24, 2017

Item III:

Owners:

Cletus D. & Alma R. Bontrager

General legal description:

W3805 Heritage Rd, Parcel #012-00137-0100, Part of the NE¹/₄ of
Section 09, T14N, R12E, Town of Manchester, ±21.19 acres

Request:

Rezone request from A-1 Exclusive Agriculture District to A-2 General
Agriculture District.

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT
PUBLIC HEARING

April 6, 2017

ITEM III: ZONING CHANGE

OWNERS:

Cletus & Alma Bontrager

APPLICANTS:

same

REQUEST: The owners/applicants are requesting a zoning change from A-1 Exclusive Agriculture District to A-2 General Agriculture District.

PARCEL NUMBER / LOCATION: The owners' parcel number is 012-00137-0100, located in the NE¼, Section 9, T14N, R12E, Town of Manchester. The site proposed for zoning change is located at W3805 Heritage Road.

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning of the parcel in question is A-1 Exclusive Agriculture District and lands surrounding the subject site are also A-1, with the predominant use of the land being agricultural. There is a small R-3, Multiple Family Residence zoned lot to the west of this site.

The Green Lake County Farmland Preservation Plan identifies the land under consideration for this zoning change to be in a Farmland Preservation Area. The predominant soils on the proposed lot are KdB and Rt (Kidder fine sandy loam and Rotamer sandy loam with slopes ranging from 6% to 12%). These soils are suitable for all the farm and vegetable crops grown in the county.

According to Flood Boundary and Floodway Map Panel 55047C0179C, all lands under consideration for this request are located out of the general floodplain.

ADDITIONAL INFORMATION / ANALYSIS: The owners propose to sell their southerly 20 acres to the adjoining property owner, who will combine them with his current parcel. The transaction would leave the owners with a ±21.19 acre parcel that needs to be rezoned to A-2 to be in compliance.

The Green Lake County's comprehensive plan map designates the future land use of this area to be predominantly agricultural.

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

- a) The land is better suited for a use not allowed in the farmland preservation zoning district. **The goal of the County's Comprehensive Plan and the County Farmland Preservation Plan is to preserve and protect quality agricultural lands. This request does preserve and protect lands as the A-2 classification allows for general agricultural uses.**

- b) The rezoning is consistent with any applicable comprehensive plan. **The proposed rezone is consistent with the County’s comprehensive plan as the future land use is projected to be agricultural.**
- c) The rezoning is substantially consistent with the county certified farmland preservation plan. **The overall goal of the County certified farmland preservation plan is to maintain the integrity and viability of county agriculture. It is staff’s belief that the request does not negatively impact the integrity or viability of county agriculture and is, therefore, substantially consistent with the County’s certified farmland preservation plan.**
- d) The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or legally restricted to agricultural use. **The A-2, General Agriculture District allows the property to remain in a zoning district that allows agricultural uses; therefore, it will not impair or limit current or future agricultural use.**

TOWN OF MANCHESTER: An Action Form requesting the Town of Manchester’s input related to this zoning change request was mailed to the Town Clerk on February 3, 2017. The Town of Manchester does not object and approves this zoning request.

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 1-31-17

Zone Change from A-1 to A-2

Conditional Use Permit for _____

Other _____

PROPERTY OWNER / APPLICANT

Name Cletus D Bontrager + Alma Bontrager

Mailing Address W3805 Heritage Rd. Markesan WI. 53946

Phone Number N/A.

Signature Cletus Bontrager Date 1-31-17

AGENT IF OTHER THAN OWNER

Name same

Mailing Address _____

Phone Number _____

Signature _____ Date _____

PROPERTY INFORMATION

Town of Manchester Parcel Number 012-00137-0100 Acres ~~20~~ 21.19

Lot ___ Block ___ Subdivision _____

Section 9 Town 14 North Range 12 East

Location of Property W3805 Heritage Rd

Legal Description NW 1/4 and NE 1/4 of the NE 1/4, Sec 9

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

Detailed Description of Proposed Use Wants to sell the southern 20 acres to a neighboring farmer. This will leave the remnant parcel below the 35 acre minimum for A-1 zoning district

PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION

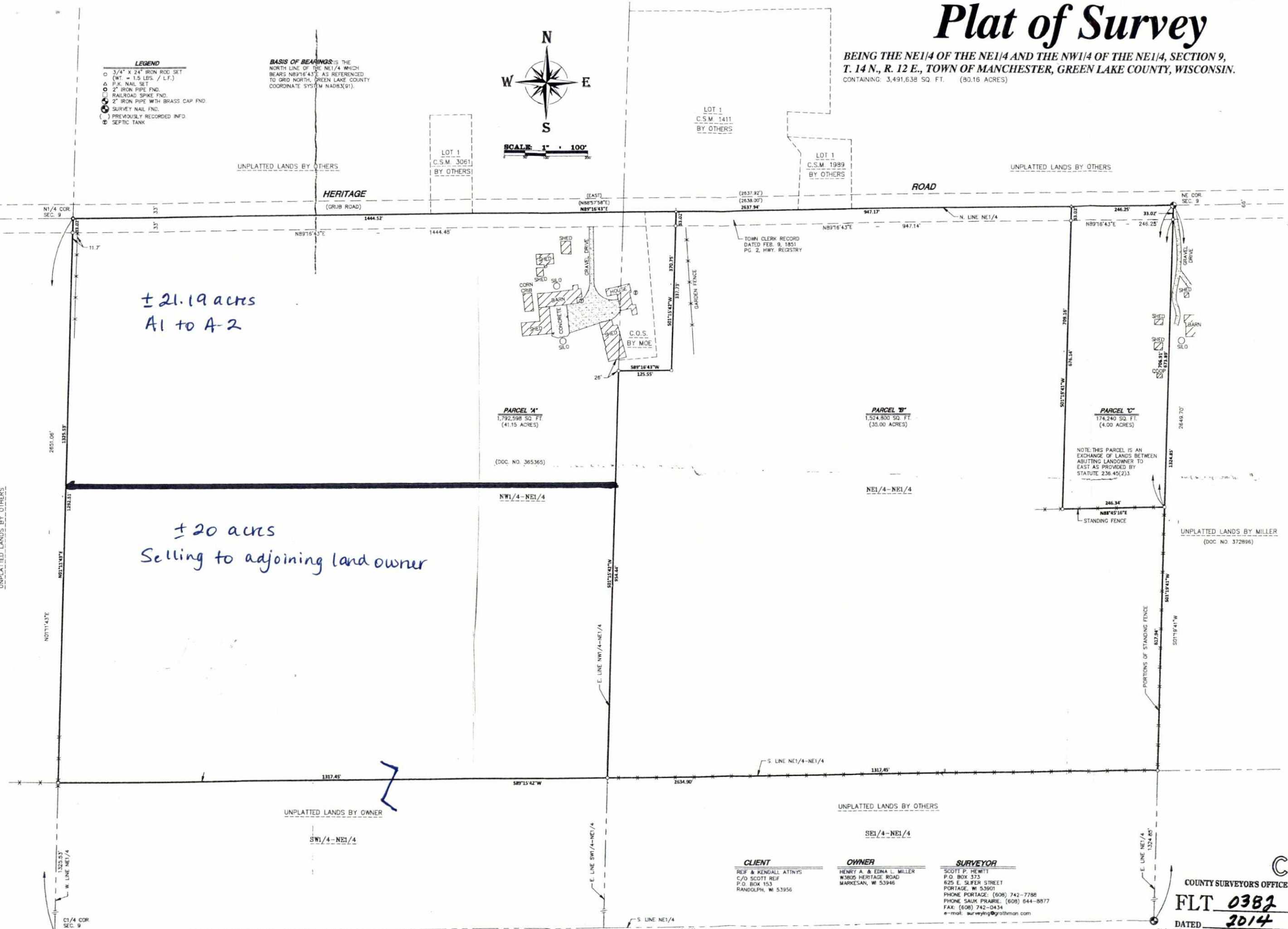
Fees: Zone Change \$375
Conditional Use Permit \$375.00
Variance \$375.00
Special Exception \$375.00

Plat of Survey

BEING THE NE1/4 OF THE NE1/4 AND THE NW1/4 OF THE NE1/4, SECTION 9,
T. 14 N., R. 12 E., TOWN OF MANCHESTER, GREEN LAKE COUNTY, WISCONSIN.
CONTAINING: 3,491,638 SQ. FT. (80.16 ACRES)

- LEGEND**
- 3/4" X 24" IRON ROD SET (WT. = 1.5 LBS. / L.F.)
 - △ P.K. NAIL SET
 - 2" IRON PIPE FND.
 - ⊞ RAILROAD SPIKE FND.
 - 2" IRON PIPE WITH BRASS CAP FND.
 - SURVEY NAIL FND.
 - () PREVIOUSLY RECORDED INFO.
 - ⊙ SEPTIC TANK

BASIS OF BEARINGS IS THE NORTH LINE OF THE NE1/4 WHICH BEARS N89°16'43"E AS REFERENCED TO GRID NORTH, GREEN LAKE COUNTY COORDINATE SYSTEM NAD83(91).



GA GROTHMAN & ASSOCIATES S.C.
LAND SURVEYORS
825 EAST SUFFER STREET, P.O. BOX 373 PORTAGE, WI 53901
PHONE: PORTAGE: (608) 742-7788 SAUK: (608) 644-8877
FAX: (608) 742-0434 E-MAIL: surveying@grothman.com
(RED LOGO REPRESENTS THE ORIGINAL MAP)

NO.	DATE	REVISION	BY	CHKD

THIS INSTRUMENT DRAFTED BY SMS SHEET 1 OF 1

PLAT OF SURVEY FOR
REIF & KENDALL ATTYS.
TOWN OF MANCHESTER
GREEN LAKE COUNTY, WISCONSIN

CLIENT
REIF & KENDALL ATTYS.
C/O SCOTT REIF
P.O. BOX 153
RANDOLPH, WI 53956

OWNER
HENRY A. & EDNA L. MILLER
WISOS HERITAGE ROAD
MARKESAN, WI 53946

SURVEYOR
SCOTT P. HEWITT
P.O. BOX 373
625 E. SUFFER STREET
PORTAGE, WI 53901
PHONE PORTAGE: (608) 742-7788
PHONE SAUK PRAIRIE: (608) 644-8877
FAX: (608) 742-0434
e-mail: surveying@grothman.com

COPY

COUNTY SURVEYOR'S OFFICE
FLT 0382
DATED **2014**

FILE NO.
514-23559

PROJECT NO.
613-254

Bontrager Rezone

Green Lake County, WI

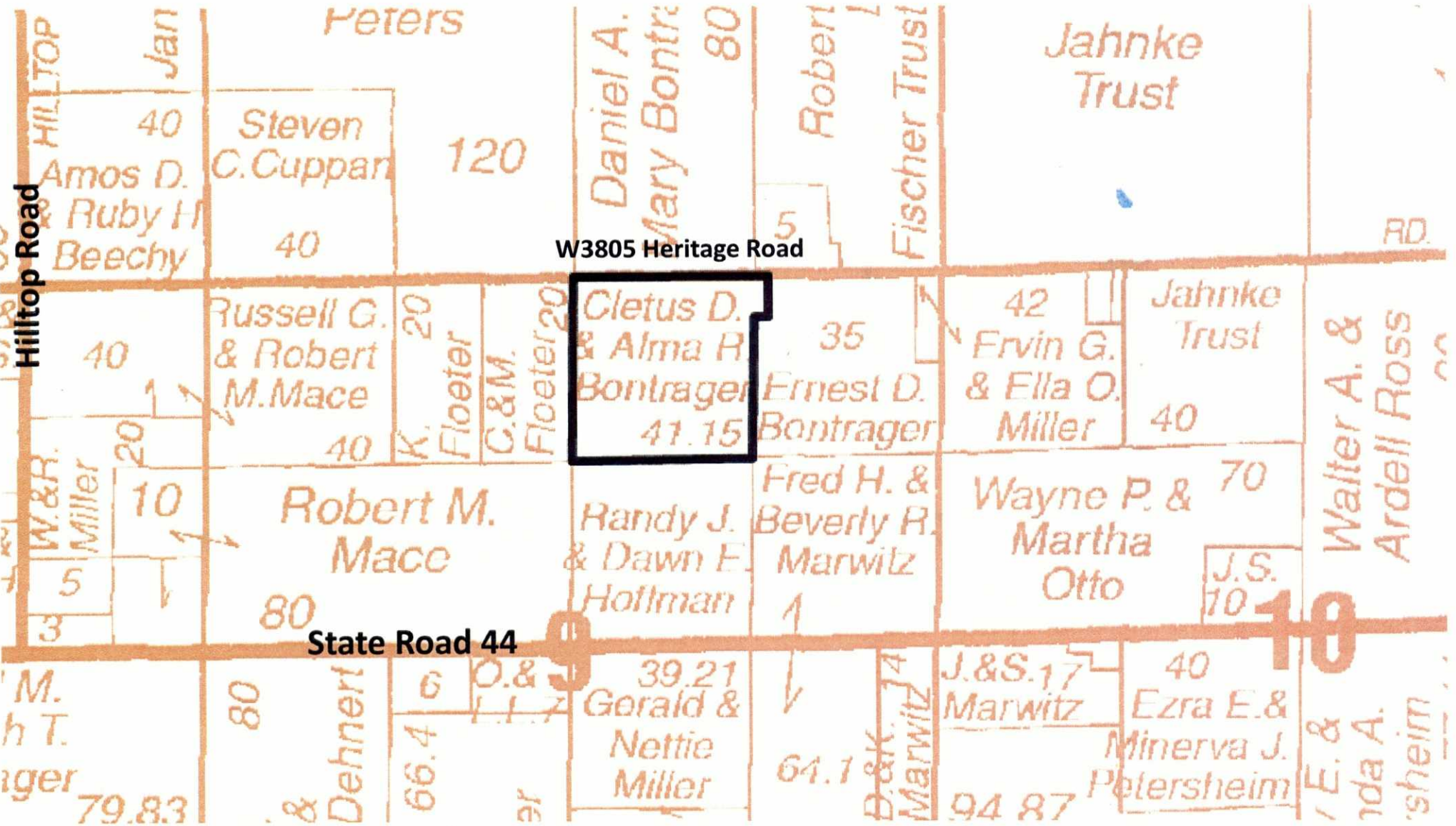


GIS Viewer Map. Green Lake County, WI. Wed Feb 1 2017 11:44:16 AM.

Cletus D. & Alma R. Bontrager – Town of Manchester

W3805 Heritage Road, Parcel #012-00137-0100, Part of the NE¼ of Section 09, T14N, R12E, ±21.19 acres

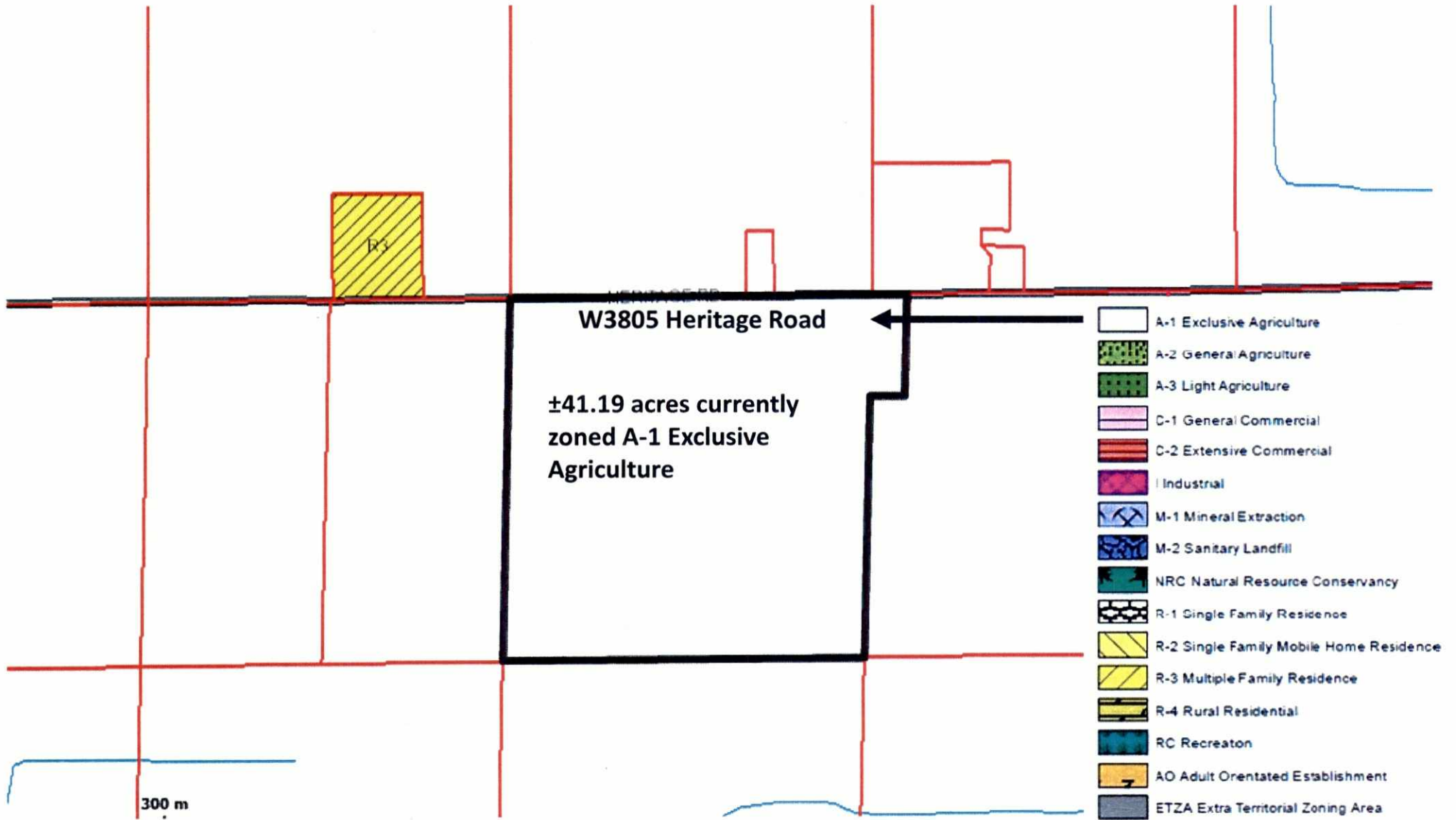
Request to rezone from A-1 Exclusive Agriculture District to A-2 General Agriculture District.



Green Lake County Land Use Planning & Zoning Committee Public Hearing 04/06/17

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Request to rezone from A-1 Exclusive Agriculture District to A-2 General Agriculture District.**

Existing Configuration:

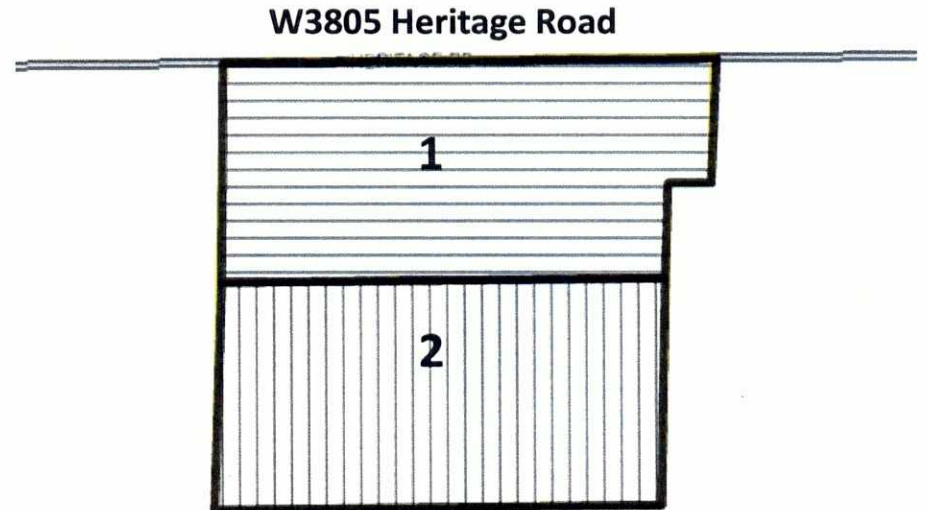
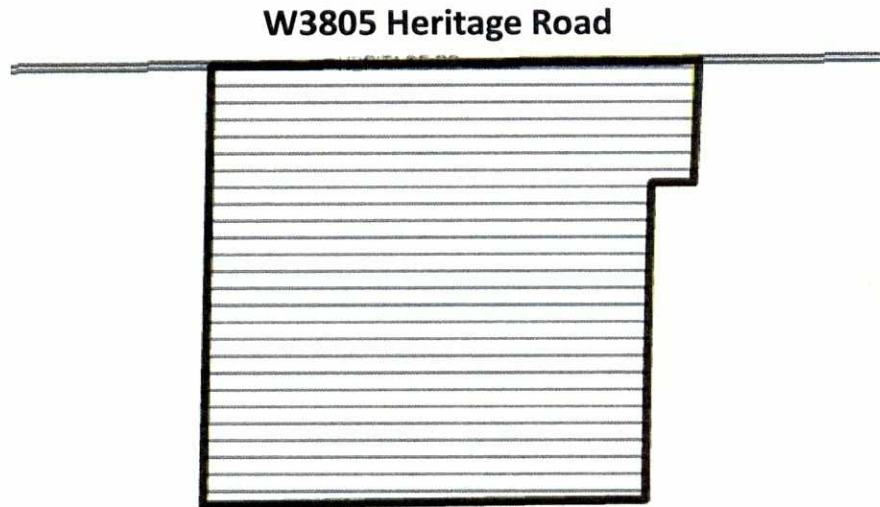
**Parcel #012-00137-0100, ±41.19 acres
Zoned A-1 Exclusive Agriculture**

Proposed Configuration:

This land division creates 2 parcels:

**Parcel 1 = ±21.19 acres rezoned to A-2
General Agriculture.**

**Parcel 2 = ±20 acres remain A-1 Exclusive
Agriculture District and combined with an
adjoining property owner’s A-1 lands.**



TOWN BOARD ACTION

Rezone Request

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Manchester, County of Green Lake, took the following action on 2-13-17.

Does not object to and approves of X

No action taken _____

Objects to and requests denial of _____

Reason(s) for objection _____

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

Owners: Cletus D. & Alma R. Bontrager

General legal description: Part of the NE¼ of Section 09, T14N, R12E, Town of Manchester, ±21.19 acres

Parcel number: #012-00137-0100

Location of request: W3805 Heritage Road

Planned public hearing date: April 6, 2017

Request: Rezone request from A-1 Exclusive Agriculture District to A-2 General Agriculture District.

Dary Berghammer
Town Representative

2-13-17
Date Signed

NOTES: _____

Please return this form to the Land Use Planning & Zoning Office by: March 24, 2017

Item IV:

Applicant:

Green Lake County Land Use Planning and Zoning Committee

Request:

Amend Code of Green Lake, Chapter 338 of the Shoreland Zoning Ordinance. The purpose of the ordinance amendment is to make the Shoreland Zoning Ordinance consistent with NR115, Act 55, Act 167, and Act 391.

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

April 6, 2017

ITEM IV: Shoreland Zoning Ordinance Amendment

REQUEST: The Green Lake County Land Use Planning and Zoning Department is requesting an amendment to the Code of Green Lake County, Chapter 338 of the Shoreland Zoning Ordinance; more specifically, to remove reference to “highly developed shorelines” in order to obtain a certificate of compliance from the Wisconsin Department of Natural Resources.

ADDITIONAL INFORMATION / ANALYSIS: In September of 2016, the County Board adopted a new Shoreland Zoning Ordinance as required by the State of Wisconsin and as approved by the Wisconsin Department of Natural Resources (WDNR). Presently, Green Lake County has not received its certificate of compliance from WDNR. On February 1, 2017, the County received a conditional approval letter from the WDNR that stated that although the Shoreland Zoning Ordinance is in “substantial compliance” with Chapter NR115 Wis. Adm. Code, a revision is required.

The revision identified by the WDNR requires deletion of Section 338-47 and all references to Section 338-47. This section refers to impervious surfaces standards as they relate to “highly developed shorelines.” The WDNR admitted that, during the ordinance review process, they mistakenly forgot to require its deletion. The reasoning behind requiring its deletion is that there is an unnecessary level of confusion that is introduced by this section as there are no unincorporated, shoreland-zoned areas of Green Lake County that qualify as “highly developed shorelines.”

WDNR had provided Green Lake County 3 months, from February 1, 2017, to make the required changes or the conditional approval will expire. With the Committee’s recommendation, this ordinance amendment can be approved by the County Board as early as April 18, 2017, and well within the WDNR’s required timeline.

The Green Lake County Land Use Planning and Zoning Department strongly suggests the Land Use Planning and Zoning Committee recommend adoption of the proposed amendment to the County Board. This amendment will allow WDNR to issue Green Lake County a certificate of compliance and also avoid complications and costs of working under a non-WDNR compliant shoreland zoning ordinance, including the potential that WDNR will require Green Lake County to adopt the WDNR’s model shoreland zoning ordinance. Attached is a copy of the proposed ordinance amendments.

STAFF COMMENTS: The Land Use Planning and Zoning Committee has several options in this regard and they are as follows:

- Forward onto the County Board with recommendation to adopt as proposed.

- Hold another public hearing to take additional public comment.
- *Reject as proposed.

* In the event that these amendments are not adopted, the WDNR would be within statutory authority, Chapter NR115.06(3) Determination of Noncompliance, to adopt a compliant ordinance. Further, NR115.06(3)(d) allows the WDNR to recover all costs of any actions including its development or any WDNR consultant's development of a code-compliant ordinance. Land Use Planning and Zoning Staff are familiar with the WDNR's model ordinance and staff feels that the current Shoreland Zoning Ordinance (proposed to be amended here in) is intended to better address the needs and concerns of the Citizens of Green Lake County.

Article 9.0

Impervious Surfaces

338-45. Purpose. (remains unchanged)

338-46. Impervious surface calculation (remains unchanged)

338-47. Impervious surface standard. Except as allowed in Subsections 338-48. and 338-49., allow up to 15% impervious surface on the portion of a lot or parcel that is within 300 feet of the ordinary high water mark.

~~A. Impervious surface standard for highly developed shorelines. The county, at its discretion, may adopt an ordinance for highly developed shorelines allowing up to 30% for residential land use and up to 40% for commercial, industrial, or business land uses for lands that meet one of the following standards:~~

- ~~(1) The highly developed shoreline is identified as an Urbanized Area or Urban Cluster in the 2010 US Census or has a commercial, industrial, or business land use as of January 31, 2013.~~
- ~~(2) After conducting a hearing and receiving approval by the Department of Natural Resources, the county has mapped additional areas of highly developed shorelines that are at least 500 feet in length and meet the one of the following criteria:
 - ~~(a) The majority of the lots are developed with more than 30% of impervious surface area.~~
 - ~~(b) Located on a lake served by a sewerage system as defined in NR 110.03(30), Wis. Adm. Code.~~
 - ~~(c) The majority of the lots contain less than 20,000 square feet in area.~~~~

~~Note: Counties are not required under s. 59.692 to adopt the impervious surface standards for highly developed shorelines in Subsection 338-47.A. but are required to adopt the general impervious surface standard in Section 338-47.~~

338-48. Maximum impervious surface. A property may exceed the impervious surface standard under Section 338-47. ~~or Subsection 338-47.A.~~ provided the following standards are met:

- ~~A. For properties where the general impervious surface standard applies under Section 338-47., a property owner may have more than 15% impervious surface but not more than 30% impervious surface on the portion of a lot or parcel that is within 300 feet of the ordinary high water mark.~~
- ~~B. For properties on shorelands where the impervious surface standard for highly developed shorelines applies under Subsection 338-47.A., a property owner may have more than 30% impervious surface but not more than 40% impervious surface for residential land uses. For commercial, industrial, or~~

~~business land uses, a property owner may have more than 40% impervious surface but not more than 60% impervious surface.~~

- C. For properties that exceed the standard under Section 338-47. ~~or Subsection 338-47.A.~~ but do not exceed the maximum standard under Subsections 338-48.A. ~~or 338-48.B.~~, a permit can be issued for development with a mitigation plan that meets the standards found in Article 12.0.

~~Note – Counties that do not adopt the impervious surface standards for highly developed shorelines are not required to adopt Subsection 338-48.B.~~