



GREEN LAKE COUNTY

571 County Road A, Green Lake, WI 54941

The following documents are included in the packet for the Land Use Planning & Zoning Committee meeting on Thursday, March 7, 2019:

Packet Pages:

- 1-2 Agenda
- 3-4 Draft meeting minutes from January 3, 2019
- 5-9 Monthly reports for December
- 10-13 Monthly reports for January
- 14-16 Land use & POWTS Violations
- 17-26 Annual Report
- 27 Budget Adjustment Form
- 28-33 Chapter 338 Shoreland Zoning Ordinance Amendments
- 34 Public Hearing Notice
- 35-47 **Item I: Owners/Applicants:** Charles Edwin Hutchinson, Holly Ann Sina, Donald John Hutchinson, III **Request:** Request to rezone ±17.22 acres from A-1 Farmland Preservation District to R-4 Rural Residential District
- 48-62 **Item II: Applicant:** Green Lake County Land Use Planning & Zoning Committee
Explanation: The committee is requesting an amendment to the Code of Green Lake County, Chapter 350, Zoning Ordinance; more specifically, to amend various sections within to be consistent with 2017 Act 67 and 68 as well as other identified changes.
- 63-74 **Item III: Owners/Applicants:** Barbara Meyer; Kim Michaelson, Power of Attorney
Request: Request to rezone from A-2 General Agriculture to A-1 Farmland Preservation (±3 acres) & R-4 Rural Residential (±7 acres). To be identified by certified survey map.
- 63-74 **Item IV: Owners/Applicants:** Diana A. Schoppenhorst; Richard F. Gustke, Personal Representative; Tom Wilson, Agent & First Weber Realtor **Request:** Request to rezone from R-1 Single-Family Residence District to R-4 Rural Residential District. To be identified by certified survey map.
- 75-85 **Item V: Owner/Applicant:** Kirk J Schulz **Agent:** Chad Boelter **General legal description:** N445 State Road 73, Parcel #012-00693-0000 (±40 acres), Located in the NW¼ of Section 36, T14N, R12E, Town of Manchester **Request:** Request to rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District. To be identified by certified survey map.

**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
571 County Road A, Green Lake, WI 54941
Office: (920) 294-4156 FAX: (920) 294-4198

Land Use Planning & Zoning Committee Meeting Notice

Date: 03/07/19 Time: 5:15 p.m.

Green Lake County Government Center, Room #0902
571 County Road A, Green Lake, WI 54941

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Certification of Open Meeting Law
4. Minutes: 01/03/19
5. Public comments: 3-minute limit
6. Public appearances
7. Correspondence
8. Department activity reports
 - a. Financial reports – December & January
 - b. Permits – December & January
 - c. Violation reports
9. Department/Committee activity
 - a. Annual Report
 - b. Notice of Budgetary Adjustment
 - c. Staff update
 - d. Amendments to Chapter 334 Sewage Systems, Private
 - e. Amendments to Chapter 338 Shoreland Zoning
10. Future committee activities
 - a. Future agenda items
 - b. Meeting date:
April 4, 2019
Business meeting 5:15 p.m. - Public hearing 6:00 p.m.

6:00 p.m. Public Hearing

Item I: Owners/Applicants: Charles Edwin Hutchinson, Holly Ann Sina, Donald John Hutchinson, III **General legal description:** County Road J, Parcels #004-00137-0000, #004-00141-0000, #004-00142-0000 (±120 acres), Part of the SW¼ and SE¼ of Section 7, T16N R13E, Town of Brooklyn **Request:** Request to rezone ±17.22 acres from A-1 Farmland Preservation District to R-4 Rural Residential District. To be identified by certified survey map.

Committee Members:

William Boutwell
Robert Lyon
Harley Reabe
Curt Talma
Peter Wallace
Alternate:
Keith Hess

Carole
DeCramer,
Secretary

Please note: Meeting area is accessible to the physically disabled. Anyone planning to attend, who needs visual or audio assistance, should contact the Land Use Planning & Zoning Dept. at 294-4156, no later than 3 days before the meeting.

- a. Committee Discussion & Deliberation
- b. Committee Decision
- c. Execute ordinance/determination form

Item II: Applicant: Green Lake County Land Use Planning & Zoning Committee

Explanation: The committee is requesting an amendment to the Code of Green Lake County, Chapter 350, Zoning Ordinance; more specifically, to amend various sections within to be consistent with 2017 Act 67 and 68 as well as other identified changes. For more detailed information regarding the above amendments, please contact Land Use Planning & Zoning Director Matt Kirkman at (920) 294-4175.

To view the proposed zoning ordinance amendments:

- Go to <http://www.co.green-lake.wi.us/uploads/forms/proposed-zoning-ordinance-amendments-by-article-3-7-2019.pdf>
- a. Committee Discussion & Deliberation
- b. Committee Decision
- c. Execute ordinance/determination form

Item III: Owners/Applicants: Barbara Meyer; Kim Michaelson, Power of Attorney

General legal description: W514 Town Line Road, Parcel #002-00683-0100 (±10 acres), Lot 1 Certified Survey Map 3257, Part of the SE¼ of Section 35, T17N R13E, ±10 acres, Town of Berlin **Request:** Request to rezone from A-2 General Agriculture to A-1 Farmland Preservation (±3 acres) & R-4 Rural Residential (±7 acres). To be identified by certified survey map.

- a. Committee Discussion & Deliberation
- b. Committee Decision
- c. Execute ordinance/determination form

Item IV: Owners/Applicants: Diana A. Schoppenhorst; Richard F. Gustke, Personal Representative; Tom Wilson, Agent & First Weber Realtor **General legal description:** N9251 32nd Drive, Parcel #002-00132-0000 (±.66 acres), Located in the NW¼ of Section 8, T17N, R13E, Town of Berlin **Request:** Request to rezone from R-1 Single-Family Residence District to R-4 Rural Residential District. To be identified by certified survey map.

- a. Committee Discussion & Deliberation
- b. Committee Decision
- c. Execute ordinance/determination form

Item V: Owner/Applicant: Kirk J Schulz **Agent:** Chad Boelter **General legal description:** N445 State Road 73, Parcel #012-00693-0000 (±40 acres), Located in the NW¼ of Section 36, T14N, R12E, Town of Manchester **Request:** Request to rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District. To be identified by certified survey map.

- a. Committee Discussion & Deliberation
- b. Committee Decision
- c. Execute ordinance/determination form

11. Adjourn

Please note: Meeting area is accessible to the physically disabled. Anyone planning to attend, who needs visual or audio assistance, should contact the Land Use Planning & Zoning Dept. at 294-4156, no later than 3 days before the meeting.

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Thursday, January 3, 2019**

CALL TO ORDER

Chair Lyon called the meeting of the Land Use Planning and Zoning Committee to order at 5:16 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

Present: **Robert Lyon, Harley Reabe, Curt Talma, Peter Wallace**

Absent: **William Boutwell**

Also Present: **Matt Kirkman**, Land Use Planning and Zoning Director
Carole DeCramer, Committee Secretary
Dawn N. Klockow, Corporation Counsel

APPROVAL OF MINUTES

Motion by Reabe/Wallace, unanimously carried, to approve the 12/6/18 minutes.

PUBLIC COMMENT - None

PUBLIC APPEARANCES - None

CORRESPONDENCE - None

DEPARTMENT ACTIVITY REPORTS

a. Financial reports

Kirkman discussed the monthly financial reports, land use permits, and sanitary permits reports.

b. Permits

Kirkman explained the list of issued land use and sanitary permits for the month of November.

c. Violations

The committee discussed the list of land use violations and septic violations.

DEPARTMENT/COMMITTEE ACTIVITY

a. Amendments to Chapter 350 of the zoning ordinance

The committee discussed the proposed amendments to the zoning ordinance.

On a motion by Wallace/Talma, unanimously carried on roll call (4-ayes, 0-nays) to prepare the zoning ordinance amendments for the February 7th public hearing.

b. Corporation Counsel's memo re: private sewage ordinance

Corporation Counsel Klockow explained her opinion on what can be done with the pumpers reporting when pumping and inspecting the private on-site wastewater treatment systems. She advised updating *Chapter 334 Sewage Systems, Private* to include codifying the maintenance program to allow enforcement. The committee directed staff to begin work on the amendments.

CLOSED SESSION PER WISCONSIN STATE STATUTE 19.85 (1)(g) CONFERRING WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS INVOLVED. THE CLOSED SESSION IS IN REGARD TO CASE NUMBER 18CX4, GREEN LAKE COUNTY V. HUTTON-OKPALAEKE, ET AL.

Motion by Wallace/Reabe , unanimously carried on roll call (4-ayes, 0-nays), to convene in closed session per Wisconsin State Statute 19.85 (1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is involved. The closed session is in regards to case number 18CX4, Green Lake County v. Hutton-Okpalaek, et al.

RECONVENE IN OPEN SESSION TO TAKE ACTION, IF APPROPRIATE, ON MATTERS DISCUSSED IN CLOSED SESSION.

Motion by Reabe/Talma, unanimously carried on roll call (4-ayes, 0-nays), to reconvene in open session.

As a result of the closed session, the committee instructed corporation counsel to follow the directive of the committee.

FUTURE COMMITTEE ACTIVITIES

- a. Future agenda items
- b. Next meeting date
 - February 7, 2019
 - Business meeting – 5:15 p.m.
 - Public hearing – 6:00 p.m.

ADJOURN

6:34 p.m. Meeting adjourned.

RECORDED BY

Carole DeCramer
Committee Secretary

APPROVED ON:

December Financial Reports

FEES RECEIVED		DECEMBER				YEAR-TO-DATE				BUDGET
		2017		2018		2017		2018		2018
		NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	
LAND USE PERMITS										
Residential	New	4	1,300	1	700	40	15,300	24	10,900	-
	Alterations	-	-	1	150	80	12,300	100	17,550	-
Commercial	New	1	50	1	150	6	1,250	6	1,500	-
	Alterations	-	-	-	-	2	1,100	9	1,250	-
Agricultural	New	2	300	-	-	23	3,500	13	3,050	-
	Alterations	-	-	-	-	4	750	3	300	-
Other	New	-	-	-	-	-	-	-	-	-
	Alterations	-	-	-	-	-	-	-	-	-
Other	New	-	-	-	-	-	-	-	-	-
	Alterations	-	-	-	-	-	-	-	-	-
Misc.	Denied/Refunded	-	-	-	-	-	-	-	-	-
	Permit Renewals	-	-	-	-	-	-	-	-	-
Total		7	\$ 1,650	3	\$ 1,000	155	\$ 34,200	155	\$ 34,550	\$ 34,800 99%
SANITARY PERMITS (POWTS)										
Residential	New	6	1,195	-	-	27	7,600	23	6,185	-
	Replacement	4	1,120	6	1,310	53	15,350	65	16,280	-
	Reconnect	-	-	1	280	3	840	10	2,950	-
	Modify	1	150	-	-	4	450	4	730	-
	Repairs	1	150	-	-	1	150	-	-	-
	Additional Fees	-	-	-	-	-	-	-	-	-
Commercial	New	-	-	-	-	-	-	2	635	-
	Replacement	-	-	-	-	1	280	-	-	-
	Reconnect	-	-	-	-	-	-	1	280	-
	Modify	-	-	-	-	-	-	-	-	-
	Additional Fees	-	-	-	-	-	-	-	-	-
	Total	12	\$ 2,615	7	\$ 1,590	89	\$ 24,670	105	\$ 27,060	\$ 24,600 110%
NON-METALLIC MINING PERMITS										
Annual Permit Fees		-	-	-	-	18	14,500	18	15,300	
Total		-	\$ -	-	\$ -	18	\$ 14,500	18	\$ 15,300	\$ -
BOARD OF ADJUSTMENT										
Special Exception		-	-	-	-	-	-	-	-	-
Variances		-	-	1	375	4	1,500	6	2,250	-
Appeals		-	-	-	-	-	-	-	-	-
Total		-	\$ -	1	\$ 375	4	\$ 1,500	6	\$ 2,250	\$ 750 300%
PLANNING & ZONING COMMITTEE										
Zoning Change		2	750	1	375	15	6,000	18	6,750	-
Conditional Use Permits		-	-	-	-	5	2,250	5	1,875	-
Variance		-	-	-	-	-	-	1	375	-
Total		2	\$ 750	1	\$ 375	20	\$ 8,250	24	\$ 9,000	\$ 7,000 129%
MISC.										
Rental Weatherization		-	-	-	-	14	350	-	-	-
Wisconsin Fund		-	-	2	10,300	2	200	2	10,300	6,500
Applied Funds - Code Enforcement		-	-	-	-	-	-	-	-	-
Total		-	\$ -	2	\$ 10,300	16	\$ 550	2	\$ 10,300	\$ 6,500 158%
SURVEYOR										
Certified Survey Maps		4	690	4	660	52	9,315	37	6,375	6,000
Preliminary Plats		-	-	-	-	-	-	-	-	-
Final Plats		-	-	-	-	-	-	-	-	-
Miscellaneous		-	-	1	20	-	125	1	2,739	
Total		4	\$ 690	5	\$ 680	52	\$ 9,440	37	\$ 9,114	\$ 6,000 152%
GIS (Geographic Information System)										
Map Sales		-	37	-	30	-	229	-	190	200
Land Records Transfer		-	2,680	-	2,088	-	30,760	-	32,137	27,000
Land Information Grant		-	-	-	-	-	9,080	-	9,500	9,080
Total		-	\$ 2,717	-	\$ 2,118	-	\$ 40,069	-	\$ 41,827	\$ 36,280 115%
GRAND TOTAL		25	8,422	19	16,438	354	133,179	347	149,401	\$ 115,930
Total										129%

For 12/01/18 12/31/18

Revenue Summary Report

FJRES01A

Periods 12 12

Land Use & Zoning Month End Revenue

MER100-10-P&Z

Account No/Description	Budget Amount	Period Amount	Y-T-D Amount	Balance	Percent Received
10 Land Use Planning and Zoning					
18-100-10-43502-000-000 Wisconsin Fund Grant	6,500.00	10,300.00	10,300.00	-3,800.00	158.46
18-100-10-44400-000-000 Land Use Permits	34,800.00	1,000.00	34,550.00	250.00	99.28
18-100-10-44400-001-000 BOA Public Hearing	750.00	375.00	2,250.00	-1,500.00	300.00
18-100-10-44400-002-000 PZ Public Hearing	7,000.00	375.00	9,000.00	-2,000.00	128.57
18-100-10-44400-003-000 Misc	.00	20.00	2,739.57	-2,739.57	.00
18-100-10-44409-000-000 Non-Metallic Mining	.00	.00	15,300.00	-15,300.00	.00
18-100-10-44410-000-000 Sanitary Permits	24,600.00	1,590.00	27,060.00	-2,460.00	110.00
18-100-10-46131-001-000 GIS Map Sales	200.00	30.00	190.00	10.00	95.00
18-100-10-46131-002-000 Strategic Fund	9,080.00	.00	.00	9,080.00	.00
18-100-10-46762-000-000 Certified Survey Maps	6,000.00	660.00	6,375.00	-375.00	106.25
18-100-10-47411-000-000 Interdepartment transfer/Land Records	27,000.00	.00	2,025.00	24,975.00	7.50
18-100-10-49320-000-000 Applied Funds	9,500.00	.00	9,500.00	.00	100.00
10 Land Use Planning and Zoning	125,430.00	14,350.00	119,289.57	6,140.43	95.10

Run Date 01/07/19 01:27 PM

GREEN LAKE COUNTY

Page No 1

For 12/01/18 12/31/18

Expenditure Summary Report

FJEXS01A

Periods 12 - 12

Land Use & Zoning Month End Expenses

MEE100-10-P&Z

Account No/Description	Adjusted Budget	Y-T-D Encumb	Period Expended	Y-T-D Expended	Available Balance	Percent Used
10 Land Use Planning and Zoning						
53610 Code Enforcement						
18-100-10-53610-110-000 Salaries	281,520.00	.00	22,192.00	271,048.29	10,471.71	96.28
18-100-10-53610-140-000 Meeting Payments	600.00	.00	280.96	752.28	-152.28	125.38
18-100-10-53610-151-000 Social Security	21,539.00	.00	1,628.56	21,584.77	-45.77	100.21
18-100-10-53610-153-000 Ret. Employer Share	18,865.00	.00	1,486.86	18,875.02	-10.02	100.05
18-100-10-53610-154-000 Health Insurance	63,361.00	.00	5,161.46	63,742.34	381.34	100.60
18-100-10-53610-155-000 Life Insurance	504.00	.00	49.05	553.20	-49.20	109.76
18-100-10-53610-210-002 Professional Services-SRV	9,500.00	.00	750.00	8,900.00	600.00	93.68
18-100-10-53610-210-003 Miscellaneous Fees	300.00	.00	.00	40.00	260.00	13.33
18-100-10-53610-245-000 Wisconsin Fund Grant	6,500.00	.00	10,300.00	10,300.00	-3,800.00	158.46
18-100-10-53610-307-000 Training	916.00	.00	.00	935.53	-19.53	102.13
18-100-10-53610-310-000 Office Supplies	1,930.00	.00	76.58	1,018.01	911.99	52.75
18-100-10-53610-312-000 Field Supplies	300.00	.00	.00	60.30	239.70	20.10
18-100-10-53610-320-000 Publications-BOA Public Hearing	500.00	.00	284.50	894.00	-394.00	178.80
18-100-10-53610-320-001 Publications-PZ Public Hearing	2,000.00	.00	1,035.75	3,838.25	-1,838.25	191.91
18-100-10-53610-321-000 Seminars	1,085.00	.00	.00	791.00	294.00	72.90
18-100-10-53610-324-000 Member Dues	100.00	.00	.00	100.00	.00	100.00
18-100-10-53610-330-000 Travel	500.00	.00	.00	462.70	37.30	92.54
18-100-10-53610-352-000 Vehicle Maintenance	734.00	.00	233.94	658.02	75.98	89.65
53610 Code Enforcement	410,754.00	.00	43,479.66	404,553.71	6,200.29	98.49
10 Land Use Planning and Zoning	410,754.00	.00	43,479.66	404,553.71	6,200.29	98.49

Land Use Permits: 12/01/18 - 12/31/18



Parcel Number	Town	Site Address	Owner Name	Permit Fee	Construction Cost	Project
002-00236-0400	Berlin	N8878 County Road F	PTRO Properties LLC	150.00	38,000.00	Pole shed
006-01470-0000	Green Lake	W2636 Oakwood Beach Rd	Hank & Ilsa Esveld	700.00	553,000.00	Single-family dwelling
012-00144-0000	Manchester	W4026 State Road 44	Robert & Jody Mace	150.00	92,000.00	New shed, lean-to, concrete work
Totals				\$ 1,000.00	\$ 683,000.00	

Sanitary Permits: 12/01/18 - 12/31/18



Parcel Number	Town	Site Address	Owners	Permit Fee	Permit Type
004000150000	Brooklyn	N7297 County Road FF	Jonathan J/Donna M Schulz Revocable Living Trust	\$ 150.00	Replacement Tank
004002800301	Brooklyn	W762 State Road 23 49	Faith M Smith & Mark D White	\$ 150.00	Replacement Tank
004007130000	Brooklyn	W2291 Hickory Rd	Malcolm Moore	\$ 280.00	Reconnection
006001540000	Green Lake	N4430 County Road N	Bruce & Donald Warnke, Cynthia Downs, Lisa Sondalle, Nancy Stephenson	\$ 150.00	Replacement Tank
014003190000	Marquette	W7160 Drager Rd	George & Dawn Corris	\$ 355.00	Replacement System
016007650100	Princeton	N5201 Bend Rd	John Coda	\$ 150.00	Replacement Tank
020000370000	Seneca	W3128 County Road F	David L & Jill A Gregor	\$ 355.00	Replacement System
			Totals	\$ 1,590.00	

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

FEES RECEIVED		January				YEAR-TO-DATE				BUDGET
		2018		2019		2018		2019		2019
		NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	
LAND USE PERMITS										
Residential	New	-	-	1	300	-	-	1	300	-
	Alterations	2	300	-	-	2	300	-	-	-
Commercial	New	-	-	-	-	-	-	-	-	-
	Alterations	1	150	-	-	1	150	-	-	-
Agricultural	New	-	-	-	-	-	-	-	-	-
	Alterations	-	-	-	-	-	-	-	-	-
Other	New	-	-	1	-	-	-	1	-	-
	Alterations	-	-	-	-	-	-	-	-	-
Other	New	-	-	-	-	-	-	-	-	-
	Alterations	-	-	-	-	-	-	-	-	-
Misc.	Denied/Refunded	-	-	-	-	-	-	-	-	-
	Permit Renewals	-	-	-	-	-	-	-	-	-
Total		3	\$ 450	2	\$ 300	3	\$ 450	2	\$ 300	\$ 34,800 1%
SANITARY PERMITS (POWTS)										
Residential	New	-	-	-	-	-	-	-	-	-
	Replacement	3	840	4	990	3	840	4	990	-
	Reconnect	-	-	1	280	-	-	1	280	-
	Modify	-	-	-	-	-	-	-	-	-
	Repairs	-	-	-	-	-	-	-	-	-
	Additional Fees	-	-	-	-	-	-	-	-	-
Commercial	New	-	-	-	-	-	-	-	-	-
	Replacement	-	-	-	-	-	-	-	-	-
	Reconnect	-	-	-	-	-	-	-	-	-
	Modify	-	-	-	-	-	-	-	-	-
	Additional Fees	-	-	-	-	-	-	-	-	-
Total		3	\$ 840	5	\$ 1,270	3	\$ 840	5	\$ 1,270	\$ 24,600 5%
NON-METALLIC MINING PERMITS										
Annual Permit Fees		11	9,700	15	13,800	11	9,700	15	13,800	
Total		11	\$ 9,700	15	\$ 13,800	11	\$ 9,700	15	\$ 13,800	\$ 15,300 90%
BOARD OF ADJUSTMENT										
Special Exception		-	-	-	-	-	-	-	-	-
Variances		1	375	-	-	1	375	-	-	-
Appeals		-	-	-	-	-	-	-	-	-
Total		1	\$ 375	-	\$ -	1	\$ 375	-	\$ -	\$ 1,500 0%
PLANNING & ZONING COMMITTEE										
Zoning Change		1	375	3	1,125	1	375	3	1,125	-
Conditional Use Permits		-	-	1	375	-	-	1	375	-
Variance		-	-	-	-	-	-	-	-	-
Total		1	\$ 375	4	\$ 1,500	1	\$ 375	4	\$ 1,500	\$ 8,625 17%
MISC.										
Rental Weatherization		-	-	-	-	-	-	-	-	-
Wisconsin Fund		-	-	-	-	-	-	-	-	-
Applied Funds - Code Enforcement		-	-	-	-	-	-	-	-	-
Fees & Forfeitures		-	-	-	-	-	-	-	-	-
Total		-	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ - 0%
SURVEYOR										
Certified Survey Maps		-	-	-	-	-	-	-	-	6,000
Preliminary Plats		-	-	-	-	-	-	-	-	-
Final Plats		-	-	-	-	-	-	-	-	-
Applied Funds: County Surveyor		-	-	-	-	-	-	-	-	9,500
Applied Funds: Special Survey Projects		-	-	-	-	-	-	-	-	15,000
Total		-	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 30,500 0%
GIS (Geographic Information System)										
Map Sales		-	10	-	-	-	10	-	-	200
Land Records Transfer		-	2,464	-	-	-	2,464	-	-	24,500
Land Information Grant		-	-	-	-	-	-	-	-	9,080
Total		-	\$ 2,474	-	\$ -	-	\$ 2,474	-	\$ -	\$ 33,780 0%
GRAND TOTAL										
		19	14,214	26	16,870	19	14,214	26	16,870	\$ 149,105
										Total 11%

For 01/01/19 - 01/31/19

Revenue Summary Report

FJRES01A

Periods 01 - 01

Land Use & Zoning Month End Revenue

MER100-10-P&Z

<u>Account No/Description</u>	<u>Budget Amount</u>	<u>Period Amount</u>	<u>Y-T-D Amount</u>	<u>Balance</u>	<u>Percent Received</u>
10 Land Use Planning and Zoning					
19-100-10-44400-000-000 Land Use Permits	34,800.00	300.00	300.00	34,500.00	.86
19-100-10-44400-001-000 BOA Public Hearing	1,500.00	.00	.00	1,500.00	.00
19-100-10-44400-002-000 PZ Public Hearing	8,625.00	1,500.00	1,500.00	7,125.00	17.39
19-100-10-44409-000-000 Non-Metallic Mining	15,300.00	13,800.00	13,800.00	1,500.00	90.20
19-100-10-44410-000-000 Sanitary Permits	24,600.00	1,270.00	1,270.00	23,330.00	5.16
19-100-10-46131-001-000 GIS Map Sales	200.00	.00	.00	200.00	.00
19-100-10-46131-002-000 Strategic Fund	9,080.00	.00	.00	9,080.00	.00
19-100-10-46762-000-000 Certified Survey Maps	6,000.00	.00	.00	6,000.00	.00
19-100-10-47411-000-000 Interdepartment transfer/Land Records	24,500.00	.00	.00	24,500.00	.00
19-100-10-49320-000-000 Applied Funds	24,500.00	.00	.00	24,500.00	.00
10 Land Use Planning and Zoning	149,105.00	16,870.00	16,870.00	132,235.00	11.31

For 01/01/19 01/31/19

Expenditure Summary Report

FJEXS01A

Periods 01 01

Land Use & Zoning Month End Expenses

MEE100-10-P&Z

Account No/Description	Adjusted Budget	Y-T-D Encumb	Period Expended	Y-T-D Expended	Available Balance	Percent Used
10 Land Use Planning and Zoning						
53610 Code Enforcement						
19-100-10-53610-110-000 Salaries	295,708.00	.00	14,424.80	14,424.80	281,283.20	4.88
19-100-10-53610-140-000 Meeting Payments	1,425.00	.00	.00	.00	1,425.00	.00
19-100-10-53610-151-000 Social Security	22,625.00	.00	2,457.52	2,457.52	20,167.48	10.86
19-100-10-53610-153-000 Ret. Employer Share	19,372.00	.00	2,180.40	2,180.40	17,191.60	11.26
19-100-10-53610-154-000 Health Insurance	61,985.00	.00	5,161.46	5,161.46	56,823.54	8.33
19-100-10-53610-155-000 Life Insurance	589.00	.00	49.05	49.05	539.95	8.33
19-100-10-53610-210-002 Professional Services-SRV	9,500.00	.00	.00	.00	9,500.00	.00
19-100-10-53610-210-003 Miscellaneous Fees	300.00	.00	.00	.00	300.00	.00
19-100-10-53610-242-000 Print Management	500.00	.00	.00	.00	500.00	.00
19-100-10-53610-307-000 Training	225.00	.00	.00	.00	225.00	.00
19-100-10-53610-310-000 Office Supplies	3,272.00	.00	43.41	43.41	3,228.59	1.33
19-100-10-53610-312-000 Field Supplies	200.00	.00	.00	.00	200.00	.00
19-100-10-53610-320-000 Publications-BOA Public Hearing	750.00	.00	.00	.00	750.00	.00
19-100-10-53610-320-001 Publications-PZ Public Hearing	3,000.00	.00	.00	.00	3,000.00	.00
19-100-10-53610-321-000 Seminars	655.00	.00	.00	.00	655.00	.00
19-100-10-53610-324-000 Member Dues	100.00	.00	70.00	70.00	30.00	70.00
19-100-10-53610-330-000 Travel	792.00	.00	.00	.00	792.00	.00
19-100-10-53610-352-000 Vehicle Maintenance	138.00	.00	.00	.00	138.00	.00
53610 Code Enforcement	421,136.00	.00	24,386.64	24,386.64	396,749.36	5.79
10 Land Use Planning and Zoning	421,136.00	.00	24,386.64	24,386.64	396,749.36	5.79

Land UsePermits: 1/1/2019 - 1/31/2019



Parcel #	Town	Site Address	Owner Name	Permit Fee	Project Cost	Project
002-00632-0000	TBE	N7564 Springbrook Rd	Anne T Lupton	\$ 300.00	\$ 150,000.00	Single-family dwelling w/attached garage; Relocate shed
006-00460-0000	TGL	No Address Available	Jill K Butzin Living Trust	\$ -	\$ -	4-H Sign
Total				\$ 300.00	\$ 150,000.00	

Sanitary Permits: 1/1/2019 - 1/31/2019



Parcel #	Town	Site Address	Owners	Permit Fee	Permit Type
004-00055-0100	TBY	W1011 Town Line Rd	Briana Storch/John E Storck	\$ 280.00	Replacement System
016-00113-0000	TPR	W4586 State Road 23 73	Todd M & Brenda Sondalle	\$ 280.00	Reconnect
016-00118-0000	TPR	W4270 Old Green Lake Rd	Jerome J/Janet C Zodrow Rev Liv Trust	\$ 280.00	Replacement System
016-00684-1700	TPR	N5853 Oak Tree Acres	Jeffrey A Steckbauer	\$ 150.00	Replacement Tank Only
016-01125-0000	TPR	W4847 Oak Rd	Harry Bowey, Jr.	\$ 280.00	Replacement System
Total				\$ 1,270.00	

TBE - Town of Berlin

TBY - Town of Brooklyn

TGL - Town of Green Lake

TKG - Town of Kingston

TMC - Town of Mackford

TPR - Town of Princeton

VKG - Village of Kingston

CPR - City of Princeton



Land Use Violation Report 03/07/19

Status	Town	Site Address	Owner Name	Vio Type	Violation Description	Vio Date	# of Vios
Open	Berlin	N8230 County Road F	THIEL TAMARA L	Junk	350-14 D and 350-21 C and D: Junk and 12 unregistered vehicles present. HHS working on clean	11/14/2018	1
Open	Brooklyn	N5736 Spaulding Hill Rd	THRESHER MICHAEL P	Junk	350-14 D. - Appliances and furniture sitting in yard; Working on inventory of items remaining to pai	5/24/2018	1
Open	Brooklyn	N Lawson St	EGBERT EXCAVATING INC	Zoning	Expansion of a use which requires new conditional use permit; Has started application for CUP an	4/5/2018	3
Open	Green Lake	W2056 Melmar Dr	BRDA NANCY J/DAVID R TRUSTS	Shoreland	Decorative fence panels installed in 75ft shoreland setback as close as 20ft from OHWM.	2/11/2019	1
Open	Marquette	W5499 Puckaway Rd	MILLER ELLA H/ GLEN L	Zoning	No LUP on file for new barn building	2/11/2019	1
Open	Marquette	W5302 Pine N Rd	SIMON BETHANY A; SIMON TYLER D	Zoning	350-65 A - No LUP for privy structure	2/1/2019	1
Open	Marquette	Cherry Rd	MIELKE KRISTEN L/RAYMOND J	Zoning	Alleged camping use on lands zoned for farmland preservation	2/11/2019	1
NOV sent	Brooklyn	W557 Badtke Ln	KLUGE PAMELA MAYE	Zoning	350-65 A. - No LUP issued for building addition. Need ATF fee.	2/1/2019	1
NOV sent	Brooklyn	N5434 Shore Dr	JOHNSON RANDALL R/ARLENE Z	Shoreland	338-63 and 338-32 A. - no permit obtained for a structure within the 75ft setback. Update 2-7-19:	1/31/2019	1
FNOV sent	Brooklyn	W575 State Road 23 49	PRIEBE ROGER JR/DENISE	Zoning	350-43 B and I - setbacks from highway ROW and setbacks between advertising signs are not me	12/18/2018	1
FNOV sent	Green Lake	W2220 Spring Lake Rd	HARDER JAMES A/JANET K	Zoning	350-38. D. (2) Survey recorded combining lots shed does not meet rear setback.	11/29/2018	1
CC	Marquette	W6853 Puckaway Rd	HUTTON-OKPALAEKE MATTHEW U	Zoning	Violation resolved; CC pursuing forfeiture (1/17/19).	8/13/2018	1

Open = Open Violation
NOV = Notice of Violation
FNOV = Final Notice of Violation
CC = Corporation Counsel

POWTS Violation Report 03/07/19



Parcel #	Town	Site Address	Owner Name	Violation Description	Vio Date	# of Vios	Notes
004003150200	TBY	W1002 STATE ROAD 23 49	COACHLITE GREEN LAKE LLC	Tank overfull and discharging to ground surface.	11/6/2017	4	3" of ponding, Tank overfull, most POWTS here
004003190100	TBY	W1049 STATE ROAD 23 49	ABEL RADENE M; BENZ GARY W	Tank failure not structurally sound.	10/17/2018	3	Also no baffle, Tank needs to be replaced
004003760200	TBY	N6215 N LAWSON DR	SCHULTZ GINNY L	Tank failure not structurally sound.	10/29/2018	2	Needs new tank!
004004430300	TBY	W2354 STATE ROAD 23	JULI REALTY LLC	Tank overfull and discharging to ground surface.	7/6/2018	12	Up to 14" of ponding, needs new drainfield
004006040200	TBY	N5685 SPAULDING HILL RD	DIEMER RICHARD W & CINDY H	Tank overfull and discharging to ground surface.	10/18/2018	1	22" of ponding,
004006170200	TBY	N5458 BROOKLYN G RD	ELMER/BARBARA SMITH REV TRUST	Tank failure not structurally sound.	10/3/2018	2	Cesspool system, drywell only, no tank.
004007640100	TBY	W598 COUNTY ROAD K	ARNETVEIT AMY/ERIK R	Tank failure not structurally sound.	10/17/2018	2	Bad Tank
006001350000	TGL	N4474 LAKEVIEW RD	BERLOWSKI RAYMOND/CAROL/BRENDA	Tank failure not structurally sound.	11/2/2018	2	Outlet baffle bad, Outlet hole, Needs new tank
006001970100	TGL	N4191 COUNTY ROAD A	DRAGER LYNN D	Tank failure not structurally sound.	11/1/2018	1	Outlet Hole in tank, Needs new tank
006001980000	TGL	W591 THOMAS RD	WILKE CARL H	Tank failure not structurally sound.	10/26/2018	2	Cesspool system, drywell only, no tank.
014005750000	TMQ	N4091 WICKS LNDG	ZODROW RICHARD G	Tank failure not structurally sound.	7/17/2018	1	Metal Tank with holes in it. Needs to be replaced
014005820000	TMQ	N4075 WICKS LNDG	WM/PATRICIA FROST REV TRUST	Tank failure not structurally sound.	7/17/2018	1	Conc Tank with holes. Needs to be replaced
016001000100	TPR	W4617 OLD GREEN LAKE RD	MLODZIK MARJORIE A	Tank failure not structurally sound.	9/26/2018	1	Metal Tank with holes in it. Needs to be replaced
016001150100	TPR	W4564 STATE ROAD 23 73	WEBER RICHARD W	Tank failure not structurally sound.	9/18/2018	2	Conc Tank with holes. Needs to be replaced
016002010100	TPR	N5431 STATE ROAD 73	SWANSON ROGER V	Tank failure not structurally sound.	12/17/2018	1	Holes in tank, Needs to be replaced
016002110000	TPR	W4263 STATE ROAD 23 73	CHIONCHIO DANIEL M	Tank failure not structurally sound.	9/6/2018	1	Holes in metal tank, Needs to be replaced
016002120000	TPR	W4289 STATE ROAD 23 73	WANASEK RUSSELL G & WENDY R	Tank failure not structurally sound.	6/26/2018	1	Holes in metal tank, Needs to be replaced
016004700000	TPR	N4497 BIRCH LN	GREISCH REVOCABLE TRUST	Tank overfull and discharging to ground surface.	9/26/2018	2	Holes in metal tank, DF had 15" ponding
016004740100	TPR	N4496 MAPLE LN	KINCAID FAMILY TRUST	Tank lid not properly secured.	9/28/2018	2	Holes in metal tank, Needs to be replaced
016005790000	TPR	W5482 LOSINSKI RD	WEGNER JAMES M	Tank failure not structurally sound.	9/5/2017	2	Holes in metal tank, Needs to be replaced
016006000000	TPR	N6415 OTTO RD	MANTHEY LUCILLE	Tank failure not structurally sound.	11/7/2018	1	Holes in metal tank, Needs to be replaced
016006610000	TPR	N6357 STATE ROAD 73	KLINGBEIL JEFFREY G	Tank failure not structurally sound.	9/18/2018	1	Collapsing plastic tank
016006770000	TPR	N5981 CANAL ST	BRUNSON/DAY/DRAGER/LEWIS	Tank overfull and discharging to ground surface.	1/8/2018	3	Holes in metal tank, Drywell system

016006880000	TPR	N5803 COUNTY ROAD T	WICK, ROSANNE/WILLIAM	Tank failure not structurally sound.	9/28/2018	1	Septic tank Cracked on bottom, Needs to Replc'd
016007980500	TPR	N5588 LOCK RD	KUJAC THOMAS	Tank overfull and discharging to ground surface.	11/1/2017	4	Metal Tank w/holes, DF Failed. Needs new system
016008010300	TPR	N5591 LOCK RD	CALAMITA MICHAEL J	Tank overfull and discharging to ground surface.	9/29/2017	8	Drainfield failed
016009070000	TPR	W5507 BEND RD	ZELENSKI SANDRA L	Tank failure not structurally sound.	11/2/2018	2	Metal Tank with holes in it. Needs to be replaced
016009090200	TPR	N5096 KUHARSKI RD	SCHWEDER DOWE & LORI J	Tank overfull and discharging to ground surface.	9/11/2018	3	Metal Tank with holes in it. Needs to be replaced
016009320000	TPR	N5105 LUECK LN	POLLARD DOUGLAS R	Tank lid not properly secured.	8/30/2018	3	Metal Tank with holes in it. Needs to be replaced
016010920000	TPR	N4643 OAK RD	EDWIN HENDRICKSON REV TRUST	Tank failure not structurally sound.	10/5/2018	2	Metal tank w/holes, DF Failed. Needs new system
016010990000	TPR	N4683 OAK RD	OETH JAMES F & ELIZABETH A	Tank failure not structurally sound.	8/23/2018	1	Metal tank w/holes, DF Failed. Needs new system
016011050000	TPR	N4709 OAK RD	MINOTT MARSHA/ZELENSEK MICHAEL	Tank overfull and discharging to ground surface.	9/19/2018	2	Metal tank w/holes, DF Failed. Needs new system
016011060000	TPR	N4713 OAK RD	JACK/SANDRA KARLOVICH FAMILY TRUST	Tank baffles not present or secure.	8/19/2018	1	Metal tank w/holes, Needs new tank
016011150000	TPR	N4546 ELM ST	ALBRIGHT JAMES E & DAWN R	Tank failure not structurally sound.	8/9/2018	1	Metal tank w/holes, Needs new tank
016014050000	TPR	W5552 OXBOW TRL	KALLAS DANIEL P & BONNIE	Tank failure not structurally sound.	8/30/2018	1	Metal tank w/holes, DF Failed. Needs new system
018000850000	TSE	W4224 HUCKLEBERRY RD	DEIBERT BRUCE/DEBORAH L	Tank failure not structurally sound.	8/9/2018	1	Metal tank w/holes, Drywell, Needs new system
154000280000	VMQ	241 W 4TH ST	SEMROW JESSICA/RICHARD S	Tank failure not structurally sound.	8/22/2018	1	Tank Failed, Needs new Tank
206012930000	CBE	322 N KOSSUTH ST	LUSCHER TERRY & SUE	Tank failure not structurally sound.	6/14/2018	2	Tank Failed, Needs new Tank

GREEN LAKE COUNTY

Land Use Planning & Zoning Department

2018 ANNUAL DEPARTMENT REPORT

LAND USE PLANNING & ZONING DEPARTMENT

Director: Matt E. Kirkman

Administrative Assistant: Carole DeCramer

Code Enforcement Officer: Krista Kamke

Code Enforcement Officer: Vacant

GIS Specialist: Gerald Stanuch

County Surveyor: Don Lenz

Respectfully Submitted
March 1, 2019



Land Use Planning & Zoning Department

County Government Center
571 County Road A
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

2018 Annual Report

To the Honorable Board of Supervisors, Green Lake County:

Financials:

Please find attached the 2018 financial report for the Land Use Planning and Zoning Department. The activity of the Department's Land Development, Code Enforcement, County Surveyor, and Geographic Information Systems (GIS) offices are represented in chart format. Also see attached graphs for historical comparisons.

A few highlights from the attached report are, first and foremost, that the Department was able to meet the budgeted amount and exceed budget projections equaling 129%. Land Use Permit numbers were identical to 2017. Sanitary permits were up 15% due to a push in 2018 to get all septic systems on the 3-year maintenance program. Although certified survey maps were down 28%, the Department did see increases in every other category.

In 2017, this Department's revenues were \$132,844. In 2018, the revenues increased to \$149,401. The bulk of this increase was due to the two Wisconsin Fund applicants and a situation where a property owner paid off a septic system that had been replaced through a code enforcement action. Without these unusual revenues, 2018 was a modestly better year. Based on the trend of more septic systems being replaced and a strong building market, 2019's revenues may continue in the same direction.

Expenses for the Land Use Planning and Zoning Department managed to fall under budget. This, coupled with increased revenues, helped paint a good picture for 2018.

Department Activity:

There are many notable accomplishments for 2018. In 2018, the City of Berlin decided to dissolve their ETZA (Extra-Territorial Zoning Authority) that extended 1.5 miles into the Town of Berlin. The City and the County worked together to coordinate the timing of the dissolution so that the property owners of the post-ETZA parcels would not be negatively impacted. This Department took this opportunity to not only create a new zoning map for the post-ETZA parcels, but extended the zoning map amendment to all the nonconforming parcels in the Town of Berlin. Each nonconforming parcel owner was contacted and asked if they would want to have their parcel rezoned to a more code-conforming zoning district. About a third of the parcel owners took advantage of the offer.

Through the above process, the Department managed to rectify over 60 nonconforming parcels and added 632 post-ETZA parcels to the zoning map. Further, since there were many parcels that changed zoning either out of or into the A-1, Farmland Preservation Zoning District, a new Farmland Preservation map had to be created. This map had to be reviewed and certified by

DATCP (maybe spell out the name for this acronym) and a Farmland Preservation Plan and Comprehensive Plan amendment had to be adopted by the County Board prior to the zoning map amendments being adopted. All of this had to be completed by January 1, 2019, or the post-ETZA parcel owners would have been without a zoning district and, therefore, would not have been able to obtain a land use permit for any development or construction projects.

Also, accompanying the above project, this Department utilized the zoning ordinance amendment process to revise much of the zoning ordinance text to be compliant with certain Legislative Acts as well as other needed clarifications. The projected completion date for this project is February, 2019, but the work was done in 2018.

In the last few months of 2017, this Department was made aware that Green Lake County residents were no longer eligible to receive “Wisconsin Fund” grant dollars due to their (DSPS) (what is DSPS?) perception, through audits, that not all of the private septic systems in the county were inventoried. A discrepancy was identified among the DSPS audit, the State law, and the inventories of the counties that had met the inventory deadline. This Department worked through this issue with staff from other Counties and DSPS to convince DSPS to reinstate our eligibility. Consequently, Green Lake County is back in good standing in the Wisconsin Fund Program and both of our Wisconsin Fund applicants’ applications for 2018 were funded.

The County’s floodplain zoning ordinance was out of compliance with WDNR standards as well as FEMA standards. That being the case, Green Lake County would have been able to maintain non-compliance so long as there hadn’t been any recent revisions to the flood maps. After a review of recent flood studies, one study (Del Monte Foods 2014) did change the flood maps and should have prompted an ordinance amendment. Once realized, this department started working toward revising the floodplain zoning ordinance. This process was completed in June of 2018 and will now protect the County from any FEMA audit that could have resulted in suspension from the National Flood Insurance Program (NFIP).

Due to recent amendments to the Shoreland Zoning Ordinance, the Department developed several informational documents that explained in detail the ordinance changes. We received many questions about the changes after that mailing which better prepared our contractors for the building season.

In August of 2018, this Department hosted a Planning and Zoning Committee training. It was extremely well-attended by neighboring Counties, Cities, and even Towns. The training was presented by the University of Wisconsin’s Center for Land Use Education based out of Stevens Point. During this training, county staff was advised to codify the rezoning criteria. This change is included in the zoning text amendment that is scheduled for adoption in February.

The Land Use Planning and Zoning Department operated a booth at the County Fair this year. The main attraction was the Augmented Reality Sandbox. Using the technical expertise of Land Use Planning and Zoning as well as Land Conservation Department staff, the AR Sandbox was constructed. The AR Sandbox is a fun tool for users to create their own landscapes from a sand medium and visualize how precipitation will run off or pool. The AR Sandbox provided fairgoers an opportunity to engage in watershed and floodplain management simulation.

In September, this department assisted the Emergency Management Director and the County Sheriff with damage assessments related to the tornadic activity that impacted residents in the Towns of Brooklyn, Green Lake, Marquette, and Kingston. These assessments were done to determine if the County incurred enough damage to qualify for either public assistance, individual assistance, or both.

Also in September 2018, as a result of several heavy rain events, many property owners along the Fox River had flood waters extend onto their properties. Some buildings were inundated by floodwaters. As required by the County's Floodplain Zoning ordinance, substantial damage assessments for habitable structures were performed. Only one home was substantially damaged and, luckily, that property owner had a flood insurance policy. As a result, the property owner claimed his flood losses as well as an additional \$30,000 rider for increased cost of compliance to current standards. That property owner is looking at building plans for a new cottage in 2019.

In 2017, the Department evolved its familiarity with its new permit tracking software from Transcendent Technologies, known as Ascent Permit Management. We continue to back-add historic land use permits as well as all new land use permits, conditional use permits, and violations. POWTS (Private On-site Wastewater Treatment Systems) maintenance reminders and violation notices are all incorporated into the software's functionality. We are realizing the power of the software each day we use it.

The Department webpage was revisited in 2018. The programs, ordinances, and planning documents (and any amendments thereto) that this Department manages are laid out in a much more user friendly way.

Also in 2018 the county's LiDAR (high resolution elevation data) was upgrade from 2ft contours (2009) to 1ft contours. Aerial photography (orthophoto) projects, digital elevation models and contour maps, which are used for hydrological analysis, are all heavily dependent on accurate LiDAR. With a new digital orthophoto scheduled for 2020, this LiDAR upgrade came at the perfect time. Half of the LiDAR \$115,000 project was paid for by a federal grant, with the other half covered by the State of Wisconsin's Land Information Grant Program.

Finally, the PLSS (Public Land Survey System) re-monumentation project that began in 1970 is nearing completion. Six County Surveyors have overseen this project to formally re-establish 1,855 section corners. In 2018, 55 corner section monuments were re-established. Green Lake County is on track to complete the remaining 370 PLSS corners by the end of 2025.

2018 Projects / Activity:

The Land Use Planning & Zoning Department has much to do in 2018. The most pressing project is amending the Shoreland Zoning Ordinance. Presently there are many confusing and/or difficult-to-enforce provisions in this ordinance. As the standards have been implemented these last two years, staff found that many tweaks are needed that will save the property owner headaches as well as Department staff.

Also pressing is an amendment to the nearly 20-year old Private Sewage Ordinance. This ordinance has references to the Department of Commerce, which is no longer in existence.

Further, there are policies and procedures related to the State-mandated 3-year POWTS Maintenance Program that would be more helpful if codified.

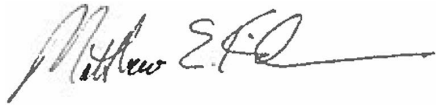
There are a couple of road projects scheduled for 2019 that this Department will be involved in. All of the PLSS monuments that are in the path of these projects need to be maintained so that once the new pavement is laid, these monuments remain. The Department will be working with the Highway Department to make sure these essential survey monuments do not “disappear”.

The Department is hoping to add a document imaging component to its permitting and enforcement functionality. Presently, even though there are permits (and violations) in electronic format, staff still has to print off the permit from the computer, attach the building plans and site plan, and file it away in a file cabinet. Ideally, the goal is to take in each new permit electronically, and attach these plans to the electronic permit. With a system like this in place, Department staff and the public will be able to access these records from their internet-capable device and a huge reduction in printing and copying expenses will be realized. Older permits would eventually be scanned and back-entered as time allows.

Conclusion:

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

Respectfully submitted to and accepted by the Land Use Planning & Zoning Committee on March 1, 2019.

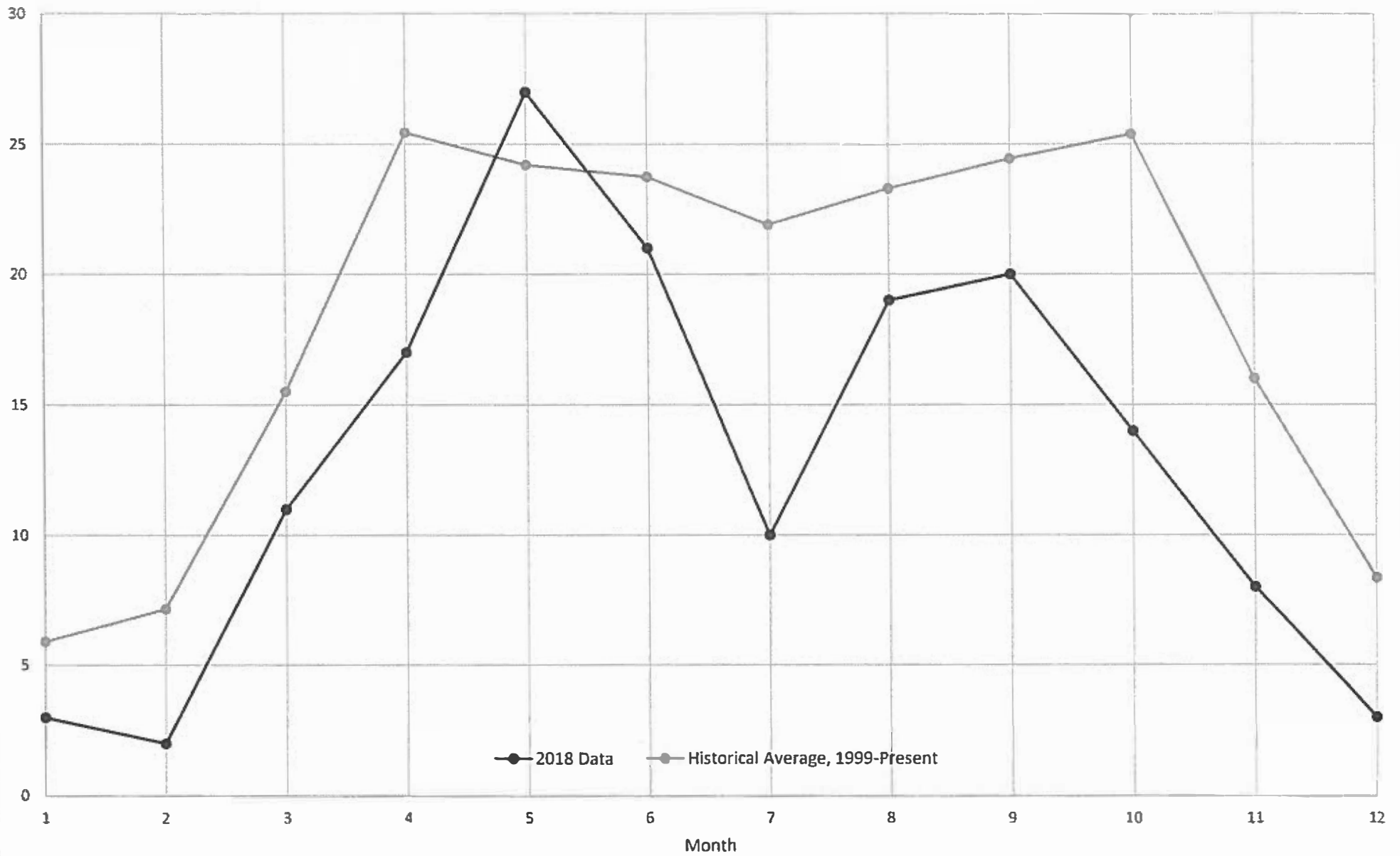
A handwritten signature in dark ink, appearing to read "Matt E. Kirkman", followed by a long horizontal line extending to the right.

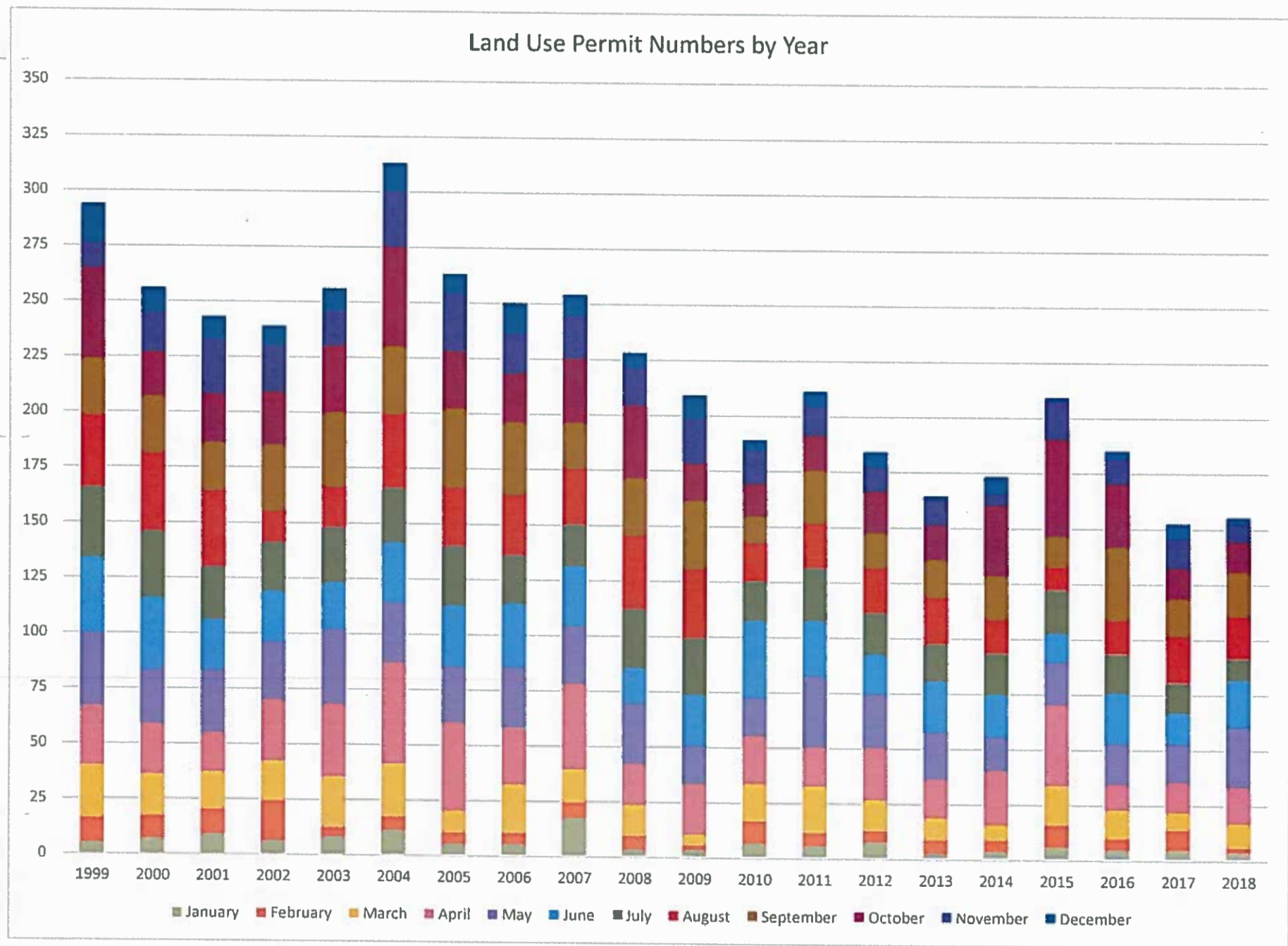
Matt E. Kirkman
Land Use Planning & Zoning Director

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

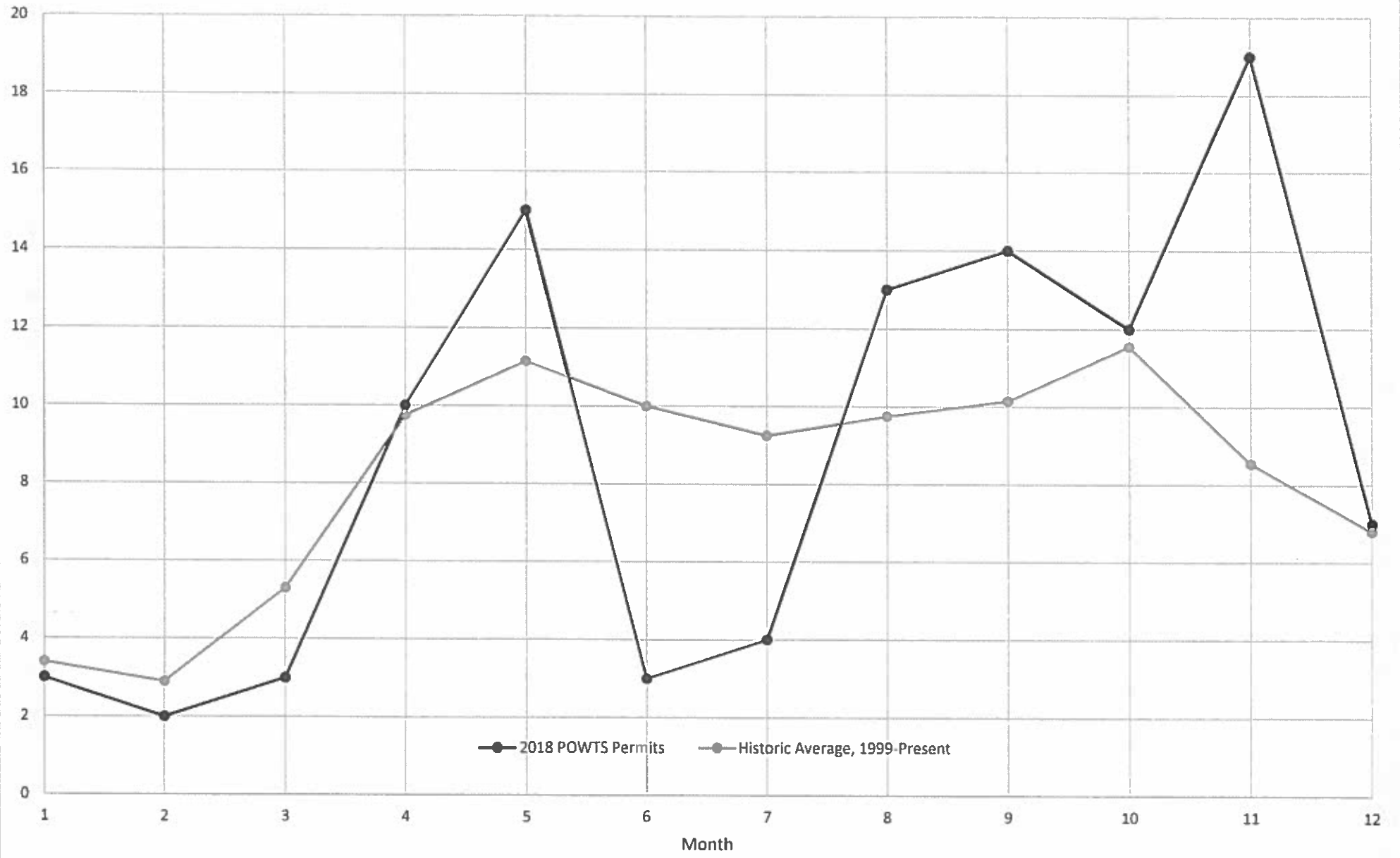
FEES RECEIVED		DECEMBER				YEAR-TO-DATE				BUDGET	
		2017		2018		2017		2018		2018	
		NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT		
LAND USE PERMITS											
Residential	New	4	1,300	1	700	40	15,300	24	10,900	-	
	Alterations	-	-	1	150	80	12,300	100	17,550	-	
Commercial	New	1	50	1	150	6	1,250	6	1,500	-	
	Alterations	-	-	-	-	2	1,100	9	1,250	-	
Agricultural	New	2	300	-	-	23	3,500	13	3,050	-	
	Alterations	-	-	-	-	4	750	3	300	-	
Other	New	-	-	-	-	-	-	-	-	-	
	Alterations	-	-	-	-	-	-	-	-	-	
Other	New	-	-	-	-	-	-	-	-	-	
	Alterations	-	-	-	-	-	-	-	-	-	
Misc.	Denied/Refunded	-	-	-	-	-	-	-	-	-	
	Permit Renewals	-	-	-	-	-	-	-	-	-	
Total		7	\$ 1,650	3	\$ 1,000	155	\$ 34,200	155	\$ 34,550	\$ 34,800	99%
SANITARY PERMITS (POWTS)											
Residential	New	6	1,195	-	-	27	7,600	23	6,185	-	
	Replacement	4	1,120	6	1,310	53	15,350	65	16,280	-	
	Reconnect	-	-	1	280	3	840	10	2,950	-	
	Modify	1	150	-	-	4	450	4	730	-	
	Repairs	1	150	-	-	1	150	-	-	-	
	Additional Fees	-	-	-	-	-	-	-	-	-	
Commercial	New	-	-	-	-	-	-	2	635	-	
	Replacement	-	-	-	-	1	280	-	-	-	
	Reconnect	-	-	-	-	-	-	1	280	-	
	Modify	-	-	-	-	-	-	-	-	-	
	Additional Fees	-	-	-	-	-	-	-	-	-	
Total		12	\$ 2,615	7	\$ 1,590	89	\$ 24,670	105	\$ 27,060	\$ 24,600	110%
NON-METALLIC MINING PERMITS											
Annual Permit Fees		-	-	-	-	18	14,500	18	15,300	-	
Total		-	\$ -	-	\$ -	18	\$ 14,500	18	\$ 15,300	\$ -	
BOARD OF ADJUSTMENT											
Special Exception		-	-	-	-	-	-	-	-	-	
Variances		-	-	1	375	4	1,500	6	2,250	-	
Appeals		-	-	-	-	-	-	-	-	-	
Total		-	\$ -	1	\$ 375	4	\$ 1,500	6	\$ 2,250	\$ 750	300%
PLANNING & ZONING COMMITTEE											
Zoning Change		2	750	1	375	15	6,000	18	6,750	-	
Conditional Use Permits		-	-	-	-	5	2,250	5	1,875	-	
Variance		-	-	-	-	-	-	1	375	-	
Total		2	\$ 750	1	\$ 375	20	\$ 8,250	24	\$ 9,000	\$ 7,000	129%
MISC.											
Rental Weatherization		-	-	-	-	14	350	-	-	-	
Wisconsin Fund		-	-	2	10,300	2	200	2	10,300	6,500	
Applied Funds - Code Enforcement		-	-	-	-	-	-	-	-	-	
Total		-	\$ -	2	\$ 10,300	16	\$ 550	2	\$ 10,300	\$ 6,500	158%
SURVEYOR											
Certified Survey Maps		4	690	4	660	52	9,315	37	6,375	6,000	
Preliminary Plats		-	-	-	-	-	-	-	-	-	
Final Plats		-	-	-	-	-	-	-	-	-	
Miscellaneous		-	-	1	20	-	125	1	2,739	-	
Total		4	\$ 690	5	\$ 680	52	\$ 9,440	37	\$ 9,114	\$ 6,000	152%
GIS (Geographic Information System)											
Map Sales		-	37	-	30	-	229	-	190	200	
Land Records Transfer		-	2,680	-	2,088	-	30,760	-	32,137	27,000	
Land Information Grant		-	-	-	-	-	9,080	-	9,500	9,080	
Total		-	\$ 2,717	-	\$ 2,118	-	\$ 40,069	-	\$ 41,827	\$ 36,280	115%
GRAND TOTAL											
		25	8,422	19	16,438	354	133,179	347	149,401	\$ 115,930	
										Total	129%

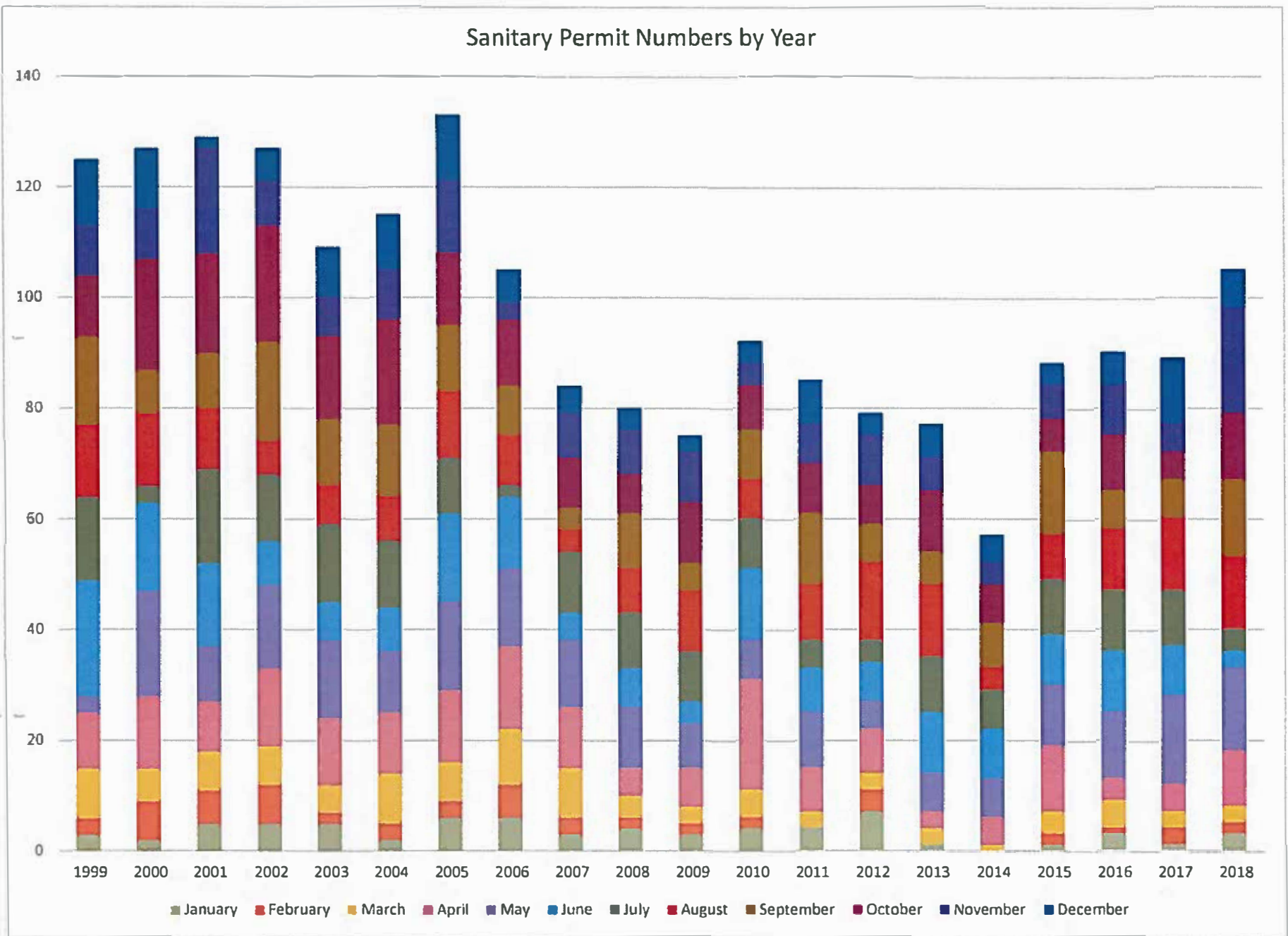
Yearly Land Use Permit with Historic Average





Yearly POWTS Permits with Historic Average





GREEN LAKE COUNTY

Notice of Budgetary Adjustment

Unanticipated Revenue or Expense Increase or Decrease Not Budgeted

Date: January 7, 2019
Department: Land Use Planning & Zoning
Amount: \$6,357.00
Budget Year Amended: 2018

Source of Increase / Decrease and affect on Program:
(If needed attached separate brief explanation.)

Underestimated public hearing revenue, for both P&Z and BOA, but using overage to offset extra expenses associated with additional public hearings (Training, Publications, Meeting Payments).

Underestimated Wisconsin Fund expenses, but offset with actual revenue from these grant applications.

Also, County Surveyor expenses were over, but excess CSM revenue used to offset.

Revenue Budget Lines Amended:

Account #	Account Name	Current Budget	Budget Adjustment	Final Budget
18-100-10-44400-002-000	PZ Public Hearing	\$ 7,000.00	\$ 907.00	\$ 7,907.00
18-100-10-44400-001-000	BOA Public Hearing	\$ 750.00	\$ 1,500.00	\$ 2,250.00
18-100-10-43502-000-000	Wisconsin Fund Grant	\$ 6,500.00	\$ 3,800.00	\$ 10,300.00
18-100-10-46762-000-000	Certified Survey Maps	\$ 6,000.00	\$ 150.00	\$ 6,150.00
Total Adjustment			\$ 6,357.00	

Expenditure Budget Lines Amended:

Account #	Account Name	Current Budget	Budget Adjustment	Final Budget
18-100-10-53610-307-000	Training	\$ 916.00	\$ 20.00	\$ 936.00
18-100-10-53610-320-001	Publications PZ Public Hearing	\$ 2,000.00	\$ 1,840.00	\$ 3,840.00
18-100-10-53610-320-000	Publications BOA Public Hearing	\$ 500.00	\$ 394.00	\$ 894.00
18-100-10-53610-140-000	Meeting Payments	\$ 600.00	\$ 153.00	\$ 753.00
18-100-10-53610-245-000	Wisconsin Fund Grant	\$ 6,500.00	\$ 3,800.00	\$ 10,300.00
18-100-10-53610-210-002	Professional Services SRV	\$ 9,500.00	\$ 150.00	\$ 9,650.00
Total Adjustment			\$ 6,357.00	

Department Head Approval: 

Date Approved by Committee of Jurisdiction: _____

Following this approval please forward to the County Clerk's Office.

Date Approved by Finance Committee: _____

Date Approved by County Board: _____

Per WI Stats 65.90(5)(a) must be authorized by a vote of two-thirds of the entire membership of the governing body.

Date of publication of Class 1 notice of budget amendment: _____

Rev 2/17

Proposed Shoreland Zoning Ordinance Amendments by Article. Shoreland Zoning Ordinance remains the same unless specified below. Changes are **highlighted** with removed language **struck** and new language **underlined**. Document drafted 2/15/19 for 3/7/19 LUPZ Committee Meeting.

Article I

§338-4. This chapter shall be known, cited, and referred to as the "Shoreland **Protection Zoning** Ordinance for Green Lake County, Wisconsin."

Article II

§338-10. D. This chapter may establish standards to regulate matters that are not regulated in Ch. NR 115, Wis. Adm. Code, but that further the purposes of shoreland **protection zoning** as described in § 338-3 of this chapter.

§338-10. E. Counties may not establish shoreland zoning standards in a shoreland **protection zoning** ordinance that requires any of the following:

Article VI

§338-32. A. Shoreland setbacks. Unless exempt under § 338-32A(1), or reduced under § ~~338-33~~ **338-32. B.**, a setback of 75 feet from the ordinary high-water mark of any navigable waters to the nearest part of a building or structure shall be required for all buildings and structures.

§338-32. A. (1)(a) Boathouses located entirely above the ordinary high-water mark and entirely within the access and viewing corridor that do not contain plumbing and are not used for human habitation. **All boathouses shall adhere to the following conditions:**

[2] Boathouses shall be designed and constructed solely for the storage of boats and **water-**related equipment.

[4] Boathouses **may not be** constructed where the existing slope is **greater than 25%.** **more than 50% All other boathouses** shall be designed to not destabilize the existing slope. Final grades must be at a slope that is naturally stable, depending on soil type.

[5] Boathouses shall be constructed in conformity with local floodplain zoning standards. **Fill, elevation surveys, or other documentation may be required within 180 days of permit issuance, per 300-38B.(4).**

[6] Boathouses shall be one story with sidewalls not exceeding 10 feet in height and a footprint within the access and viewing corridor of the vegetative buffer. **The footprint is** not to exceed 16 feet in width by 24 feet in depth, **with the width running parallel to the shore.**

[7] Boathouse roofs shall be designed with a pitched roof having a maximum slope of **4/12 4 units of rise to 12 units of run** and in no case shall be designed for use as a deck, observation platform, or for other similar uses.

[10] Patio doors, fireplaces, and other features, **the Department considers** inconsistent with the use of the structure exclusively as a boathouse, are not permitted.

[12] No boathouse shall have any wall, door, or access opening be more than 1/3 transparent. **No transparent doors, windows, or other openings are permitted on the water side of the boathouse.**

§338-32. A. (1)(b) Open-sided and screened structures such as gazebos, decks, patios, and screen houses in the shoreland setback area that satisfy the following requirements in § 59.692(1v), Wis. Stats.

[2] The floor area of all the structures in the shoreland setback area will not exceed 200 square feet. In calculating this square footage, boathouses shall be excluded.

§338-32. A. (1)(e) Walkways, stairways or rail systems that are necessary to provide pedestrian access to the shoreline and are a maximum of 60 inches in width. A walkway, stairway or rail system is permitted, provided:

[1] The structure shall be located so as to minimize earth disturbing activities and shoreline vegetation removal during construction.

[2] The structure shall not exceed a maximum of 60 inches in width.

[3] Railings are permitted only where required by safety concerns, state statutes, or state regulations.

[4] Canopies and/or roofs on such structures are prohibited.

[5] The structure shall be limited to a maximum of 60 inches in width, including railings. Platforms as part of the shoreline access system shall be limited to a maximum of 40 square feet, at no more than 60 inches wide.

[6] Standards for removal of shoreline vegetation shall be complied with, per Article VII.

[4] [7] In cases of steep slopes, a rail system (i.e., tram or lift) in addition to a stairway, shall be permitted as long as the rail system is mounted to or immediately adjacent to the existing stairway and can be located entirely within the viewing access corridor per § 338-37B.

§338-32. A. (1)(f) Devices or systems used to treat infiltrate runoff from impervious surfaces.

§338-32. C. (4) Walkways no more than 36 inches wide and driveways shall be exempt from 338-32.C. (1) through (3). This does not exempt these structures from 338-32 A. or B.

§338-32. D. (3) Upon application to the Board Of Adjustment, fences may be permitted in the shoreland setback for purposes of human health and safety, as in cases of bluffs, cliff faces, sheer drops, or other similar site conditions in excess of 100% slope.

§338-32. E. (2) Retaining and decorative/landscape walls may be constructed to a maximum height of 8ft from grade.

Article VII

§338-37. D. Removal of vegetation within the vegetative buffer zone to manage exotic or invasive species, damaged vegetation, vegetation that must be removed to control disease, or vegetation creating an imminent safety hazard, provided that any vegetation removed be replaced by replanting in the same area as soon as practicable, not to exceed 6 months from date of vegetation removal.

§338-37. D. (1) A site visit by the Department or photos of the site provided by an owner or agent must be received by the Department prior to vegetation removal. A site visit or photos from an owner or agent must be provided after the vegetation has been replanted, within the timeframe specified above.

§338-37. E. Additional vegetation management activities in the vegetative buffer zone may be allowed by permit. The permit issued under this subsection shall require that all management activities comply with detailed plans approved by the County and designed to control erosion by limiting sedimentation into the waterbody, to improve the plant community by replanting in the same area, and to maintain and monitor the newly restored area. The permit also shall require an enforceable restriction to preserve the newly restored area, as evidenced by an instrument recorded in the Office of the Register of Deeds prior to land use permit issuance.

Article VIII

§338-40. Land disturbing activity. Filling, grading, lagooning, dredging, ditching, and excavating may be permitted only in accordance with the provisions of § NR 115.04, Wis. Adm. Code, the requirements of Ch. 30, Wis. Stats., and other state and federal laws where applicable, and only if done in a manner designed to improve natural scenic beauty and minimize erosion, sedimentation, and impairment of fish and wildlife habitat, and natural scenic beauty.

§338-40. A. Shoreline protection activities authorized by a state permit are allowed without a land use permit.

§338-41. General standards. The filling, grading, lagooning, dredging, ditching, or excavating of any lands in the shoreland area requires a land use permit. If the project, which does not require a permit under § 338-42, it may be permitted in the shoreland area provided that:

§338-41. E. Alterations of the shoreland area when the slope is equal to or greater than 100% (1:1) are prohibited.

§338-41. F. All land disturbing activities within the shoreland vegetative buffer zone are prohibited, excepting:

(1) Projects to be located within the viewing and access corridor as specified in Article VI, or

(2) Projects approved by County Land Conservation Department to remedy significant existing erosion problems.

§338-42. B. (1) Where a DNR permit has been issued which meets the substantial concerns of this article, no land use permit will be required, unless this article is more restrictive.

§ 338-43. Permit conditions. In granting a permit under § 338-42, the County shall attach the following conditions, where appropriate, in addition to those provisions specified in § 338-63 or 338-64 65.

§ 338-43. B. Temporary ground cover (such as mulch or jute netting) shall be used and continually until permanent vegetative cover shall be established.

§ 338-43. C. Diversion berms or bales, silting basins, terraces, filter fabric fencing, and other methods shall be used to prevent erosion trap soil and sediment, preventing it from leaving the project site.

§ 338-43. G. Channels or artificial watercourses shall be constructed with side slopes of two units horizontal distance to one unit vertical or flatter which. The side slopes shall be promptly vegetated, unless bulkheads or riprap are provided.

§ 338-43. H. Onsite inspections may be required prior to excavation, during construction and upon project completion.

§ 338-43. I. Any other conditions intended to protect shorelines and minimize erosion, sedimentation, and the impairment of fish and wildlife habitat.

Article IX

§ 338-48. C. For properties that exceed the standards under § 338-47 and § 338-48 A., a permit can be issued where the development can be shown to meet § 338-49.

§ 338-49. B. Note: ...Property owners that can demonstrate that the runoff from an impervious surface is being treated consistent with § 338-49 will be considered pervious for the purposes of implementing the impervious surface standards in this ordinance...

§ 338-50. C. ... effective date of the County shoreland protection zoning ordinance, and...

§ 338-50. D. Note: The impervious surface standards in this section (changed to reflect Ch. NR 115, Wis. Adm. Code) shall not be construed to supersede other provisions in the County Shoreland Protection Zoning Ordinance. All of the provisions of the County Shoreland Protection Zoning Ordinance still apply to new or existing development.

Article XI

§ 338-55. B. (1) Section 59.692(1k) (a) 1. b. and d., Wis. Stats., prohibits counties from requiring any approval or imposing any fee or mitigation requirement for the activities specified in § 338-~~57~~ 55. ...

§ 338-59. A. A structure of which any part has been authorized to be located within the shoreland setback area by a variance granted before July ~~15~~ 13, 2015, may be maintained, ...

Article XII

§ 338-60. B. (1) Three points: Creation or restoration of the primary shoreland vegetative buffer zone, which is the area from the Ordinary High Water Mark to 35 feet landward. The mitigation points...

§ 338-60. B. (3) Removal of building structures: Removal area(s) landward of the shoreland vegetative buffer zone shall be restored and vegetated. Removal area(s) within the shoreland vegetative buffer zone shall be in accordance with Subsection D below.

§ 338-60. B. (3) -(c) Removal area(s) landward of the shoreland vegetative buffer zone shall be restored and vegetated. Removal area(s) within the shoreland vegetative buffer zone shall be in accordance with Subsection D below.

§ 338-60. C. (1)(a) Three Five mitigation measure points shall be included in a mitigation plan on a lot or parcel where the percentage of impervious surface is greater than 15% and up to and including 20%.

(b) ~~Four Six~~ mitigation measure points shall be included in a mitigation plan on a lot or parcel where the percentage of impervious surface is greater than 20% and up to and including 25%.

(c) ~~Five Seven~~ mitigation measure points shall be included in a mitigation plan on a lot or parcel where the percentage of impervious surface is greater than 25% and up to and including 30%.

§ 338-60. E. Where reference is made to a rain garden, the rain garden shall be designed, installed, and maintained in accordance with Wisconsin DNR Publication, PUB-WT-776 ~~2018~~ ~~2003~~, "Rain Gardens: A how-to manual for homeowners."

Article XIII

§ 338-62. ... These officials, for the purpose of this shoreland ~~protection zoning~~ ordinance, shall be responsible for all of the following:

§ 338-62. C. Establish a variance procedure which authorizes the Board of Adjustment to grant such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions and the adoption of the shoreland ~~protection zoning~~ ordinance, a literal enforcement of the provisions of this chapter will result in unnecessary hardship as long as the granting of a variance does not have the effect of granting or increasing any use of property which is prohibited in that zoning district by the shoreland ~~protection zoning~~ ordinance.

§ 338-63. C. Expiration of permit. A land use permit shall expire 12 months from date issued ~~if no substantial work has commenced.~~

§ 338-63. D. Certificates of compliance. Upon written request from the owner, the Land Use Planning and Zoning Department shall issue a certificate of compliance ~~at a fee as provided in Article XVI~~ for any building or premises existing...

Article XV

§ 338-70. ... After confirmation that a violation exists, the Land Use Planning and Zoning Department shall pursue compliance of the violation ~~and enforce the provisions of this chapter.~~

§ 338-71. B. The County Corporation Counsel shall have the authority to use all legal remedies necessary to ~~enforce pursue compliance with~~ the provisions of this chapter. After consultation with the Land Use Planning and Zoning Department and/or the Land Use Planning and Zoning Committee, the Corporation Counsel shall determine which legal remedy or legal remedies are in order to ~~enforce pursue compliance with~~ the provisions of this chapter.

~~§ 338-71. C. Any landowner who violates or refuses to comply with any of the provisions of this chapter shall be subject to a forfeiture of not less than \$50 nor more than \$5,000 per offense, together with the taxable costs of action.~~

§338-71. C. Each day that the violation exists, after receiving notice of the violation from the Land Use Planning & Zoning Department by certified or registered mail, or personal service per Ch. 801.11 Wis. Stats. shall constitute a separate offense.

(1) Any landowner who violates or refuses to comply with any of the provisions of this chapter shall be subject to a forfeiture of not less than \$50 nor more than \$500 \$5,000 per offense, together with the taxable costs of action.

(2) A landowner may request an extension to a deadline for compliance as set by the Department. The request for extension must be made in writing and include the following information: parcel number, address, current owner information, reference within the ordinance(s) of existing violations, number of days the extension is being requested for, enforceable compliance schedule / time frame, if any other existing violations on the property have been resolved, and other pertinent information.

§338-71. D. In addition to the Corporation Counsel having the authority to pursue compliance enforce the provisions of this chapter per Subsection B above, ...

§338-72. D. The stop-work order card issued and posted by the Land Use Planning and Zoning Department shall be posted at the subject site in plain view from a non-trespass location off the subject property. A stop-work order card shall remain posted until compliance of the violation occurs. In the event that a stop-work order has been removed from its posted location by persons other than Department staff, the property owner(s) and/or other agents, upon conviction, shall be subject to a \$300 fine plus court costs. The fine shall increase by \$300 after each offense and be cumulative. For example: \$300 first offense, \$600 for second offense, \$900 for third offense, and so on. If a property owner removes a stop work order sign three times they shall be subject to \$1800 (\$300 + \$600 + \$900) in fines plus court costs.

Article XVII

§338-78. Definitions

AFTER-THE-FACT PERMIT

A land use permit that was issued for a development on a date after the development had already commenced, was under construction, or was completed. The fee for an after-the-fact permit is double the standard land use permit fee (see 338-76.A.(1)).

SHORELAND AREA / SHORELAND SETBACK

Also known as the "shoreland setback area" in § 59.692(1)(bn), Wis. Stats., means an area in a shoreland that is within a certain distance of the ordinary high-water mark in which the construction or placement of structures has been limited or prohibited under an ordinance enacted under § 59.692, Wis. Stats.

SHORELAND VEGETATED BUFFER ZONE

That shoreland area that extends 35 feet landward from the OHWM of navigable waters. This area contains a diverse mixture of native species that can include grasses, grass-like species, forbs, shrubs, and trees. It is either natural or is constructed in accordance with §338-60. D., and functions to attenuate, absorb and filter stormwater runoff prior to being introduced into navigable waters.

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, March 7, 2019, at 6:00 p.m.** to consider the following items:

Item I: Owners/Applicants: Charles Edwin Hutchinson, Holly Ann Sina, Donald John Hutchinson, III
General legal description: County Road J, Parcels #004-00137-0000, #004-00141-0000, #004-00142-0000 (± 120 acres), Part of the SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 7, T16N R13E, Town of Brooklyn **Request:** Request to rezone ± 17.22 acres from A-1 Farmland Preservation District to R-4 Rural Residential District. To be identified by certified survey map.

Item II: Applicant: Green Lake County Land Use Planning & Zoning Committee **Explanation:** The committee is requesting an amendment to the Code of Green Lake County, Chapter 350, Zoning Ordinance; more specifically, to amend various sections within to be consistent with 2017 Act 67 and 68 as well as other identified changes. For more detailed information regarding the amendments, please contact Land Use Planning & Zoning Director Matt Kirkman at (920) 294-4175. To view the proposed zoning ordinance amendments: Go to <http://www.co.green-lake.wi.us/uploads/forms/proposed-zoning-ordinance-amendments-by-article-3-7-2019.pdf>

Item III: Owners/Applicants: Barbara Meyer; Kim Michaelson, Power of Attorney **General legal description:** W514 Town Line Road, Parcel #002-00683-0100 (± 10 acres), Lot 1 Certified Survey Map 3257, Part of the SE $\frac{1}{4}$ of Section 35, T17N R13E, ± 10 acres, Town of Berlin **Request:** Request to rezone from A-2 General Agriculture to A-1 Farmland Preservation (± 3 acres) & R-4 Rural Residential (± 7 acres). To be identified by certified survey map.

Item IV: Owners/Applicants: Diana A. Schoppenhorst; Richard F. Gustke, Personal Representative; Tom Wilson, Agent & First Weber Realtor **General legal description:** N9251 32nd Drive, Parcel #002-00132-0000 ($\pm .66$ acres), Located in the NW $\frac{1}{4}$ of Section 8, T17N, R13E, Town of Berlin **Request:** Request to rezone from R-1 Single-Family Residence District to R-4 Rural Residential District. To be identified by certified survey map.

Item V: Owner/Applicant: Kirk J Schulz **Agent:** Chad Boelter **General legal description:** N445 State Road 73, Parcel #012-00693-0000 (± 40 acres), Located in the NW $\frac{1}{4}$ of Section 36, T14N, R12E, Town of Manchester **Request:** Request to rezone ± 3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District. To be identified by certified survey map.

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: February 21 & February 28, 2019

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

March 7, 2019

ITEM I: ZONING CHANGE – AMENDED 1-25-19

OWNERS:

Ken Sina
Holly Ann Sina
Charles Hutchinson

APPLICANTS:

same

REQUEST: The owners/applicants are requesting a zoning change for three lots from A-1 Farmland Preservation District to R-4, Rural Residential District, ±5 acres.

PARCEL NUMBER / LOCATION: The affected parcel numbers are 004-00137-0000, 004-00141-0000, and 004-00142-0000 located in the SW¼ and SE¼ of Section 7, T16N, R13E, Town of Brooklyn. The sites proposed for zoning change are located along County Road J.

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

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

According to Flood Boundary and Floodway Map Panel 55047C0126C, a portion of the lands under consideration for this request are located in the floodway. The Puchyan River runs through a large majority of the parcels. The Wisconsin Wetland Inventory does show some mapped wetlands on parcel 004-00137-0000. Also, these parcels fall under the Shoreland Zoning jurisdiction.

ADDITIONAL INFORMATION / ANALYSIS: The owners plan to put a considerable amount of their lands into conservancy. However, the owners plan to survey off three ±5-acre lots to keep for themselves. One of the lots may become a building site in the future, while the other two plan to remain in their current state. The remaining acres will stay in A-1, Farmland Preservation District.

Additional Analysis: A property's soils indicate its potential for agricultural production. If the soils are ideal, it would not be advisable to change the zoning to a zoning district that would not be completely utilized for agricultural production. The soils present on westerly proposed parcels are a combination of KdC2, LaC2, and RaB. The soils present on the proposed easterly parcel (building site) are Ho, KdB, KdC2, and KdD2.

Proposed westerly parcels:

KdC2 and LaC2 can be suitable with proper management; slopes make it hard to retain moisture and organic matter.

RaB is limited in its ability to hold soil moisture. Soils must be irrigated for crop production.

Proposed Easterly parcel:

KdC2 and GnC2 can be suitable with proper management; slopes make it hard to retain moisture and organic matter.

The above analysis should be interpreted as to say that none of the proposed parcels contain soils that are ideal for agricultural production. On these lands that slope toward the Puchyan River, the only way to be effective in crop production would be through the addition of organic matter and irrigation.

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

- a) The land is better suited for a use not allowed in the farmland preservation zoning district. **A goal of the county's comprehensive plan and of the county Farmland Preservation Plan is to preserve and protect quality agricultural lands. Based on a soil and slope analysis (see above), these agricultural lands do not rise to this level. Had the situation been the same soils but not at all sloped to the river, or possibly a flatter parcel with more ideal soils, this criterion could not be met.**
- b) The rezoning is consistent with any applicable comprehensive plan. **The proposed rezone is consistent with the county's comprehensive plan as it upholds the goals and objectives, most prominently the goal to preserve the rural characteristic of the county. Section 350-41 of the County Zoning Ordinance states that the R-4 district is intended to provide for limited rural residential use development, require a large residential lands area to maintain the rural character, and to accommodate uses that are not urban in nature. Had the request been for R-1, Single-family Residence District with its associated higher density and land use conflict as well as access to services conflicts, that request would be inconsistent with the comprehensive plan.**
- c) The rezoning is substantially consistent with the county certified farmland preservation plan. **The overall goal of the county certified Farmland Preservation Plan is to maintain the integrity and viability of county agriculture...without damaging the economic and social environment or the natural resources..." Due to the marginality of these soils for crop production, it is staff's belief that the request does not negatively impact the integrity or viability of county agriculture and is, therefore, substantially consistent with the county's certified Farmland Preservation Plan.**
- d) The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or are legally restricted to agricultural use. **The R-4, Rural Residential District is intended to provide for limited rural residential use development, but also require a larger area to maintain the rural character and to accommodate uses like light agriculture. The R-4 district is intended not to impair or limit future agricultural use of surrounding parcels.**

TOWN OF BROOKLYN: An Action Form requesting the Town of Brooklyn's input related to this zoning change request was mailed to the Town Clerk on December 7, 2018.

Please type or use black ink

Return to: Green Lake County
Planning & Zoning Department
571 County Road A
Green Lake, WI 54941

GENERAL APPLICATION

Fee \$375 (not refundable)

Date 12/3/18

Zone Change from A-1 to R-4

Conditional Use Permit for _____

Other _____

PROPERTY OWNER / APPLICANT ¹

Name Ken Sina

Mailing Address W1130 Illinois Ave

Phone Number 920-261-7173

Signature Ken Sina Date Dec 3 18

~~AGENT IF OTHER THAN OWNER~~ 2+3

Name Charles Hutchinson, Holly Ann Sina, Holly Ann Sina

Mailing Address 1019 Ganson Dr Wauwatosa WI 53597

Phone Number 608-213-5841 Chutchi 307ey@hawaii.com

Signature Charles Hutchinson Date Dec 3 2018

PROPERTY INFORMATION

Town of Brooklyn Parcel Number 004-00137-0000 004-00141-0000 004-00142-0000 Affected Acres ±17.22

Lot _____ Block _____ Subdivision _____

Section 7 Town 16 North Range 13 East

Location of Property County Road J

Legal Description _____

Current Zoning Classification A-1 Current Use of Property Recreational

lands and agricultural lands

Detailed Description of Proposed Use one lot may become a residential building site and the other 2 will remain in their current state

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

Please type or use black ink

Return to: Green Lake County
Planning & Zoning Department
571 County Road A
Green Lake, WI 54941

GENERAL APPLICATION

Fee \$375 (not refundable)

Date 12/3/18

Zone Change from A-1 to R-4

Conditional Use Permit for _____

Other _____

PROPERTY OWNER / APPLICANT

Name Ken Sina

Mailing Address W1130 Illinois Ave

Phone Number 520-261-7173

Signature Ken Sina Date Dec 3 '18

AGENT IF OTHER THAN OWNER

Name Donald J. Hutchinson III

Mailing Address W5861 Hillcrest Drive LaCrosse WI 54601

Phone Number 608-788-4705

Signature D Hutchinson Date Dec 3 '18

PROPERTY INFORMATION

Town of Brooklyn Parcel Number 004-00137-0000
004-00141-0000
004-00142-0000 Acres _____

Lot _____ Block _____ Subdivision _____

Section _____ Town _____ North Range _____ East

Location of Property County Road J

Legal Description _____

Current Zoning Classification A-1 Current Use of Property Recreational

lands and agricultural lands

Del _____ Prop _____ One lot may become a residential

building site and the other 2 will remain in their

current state

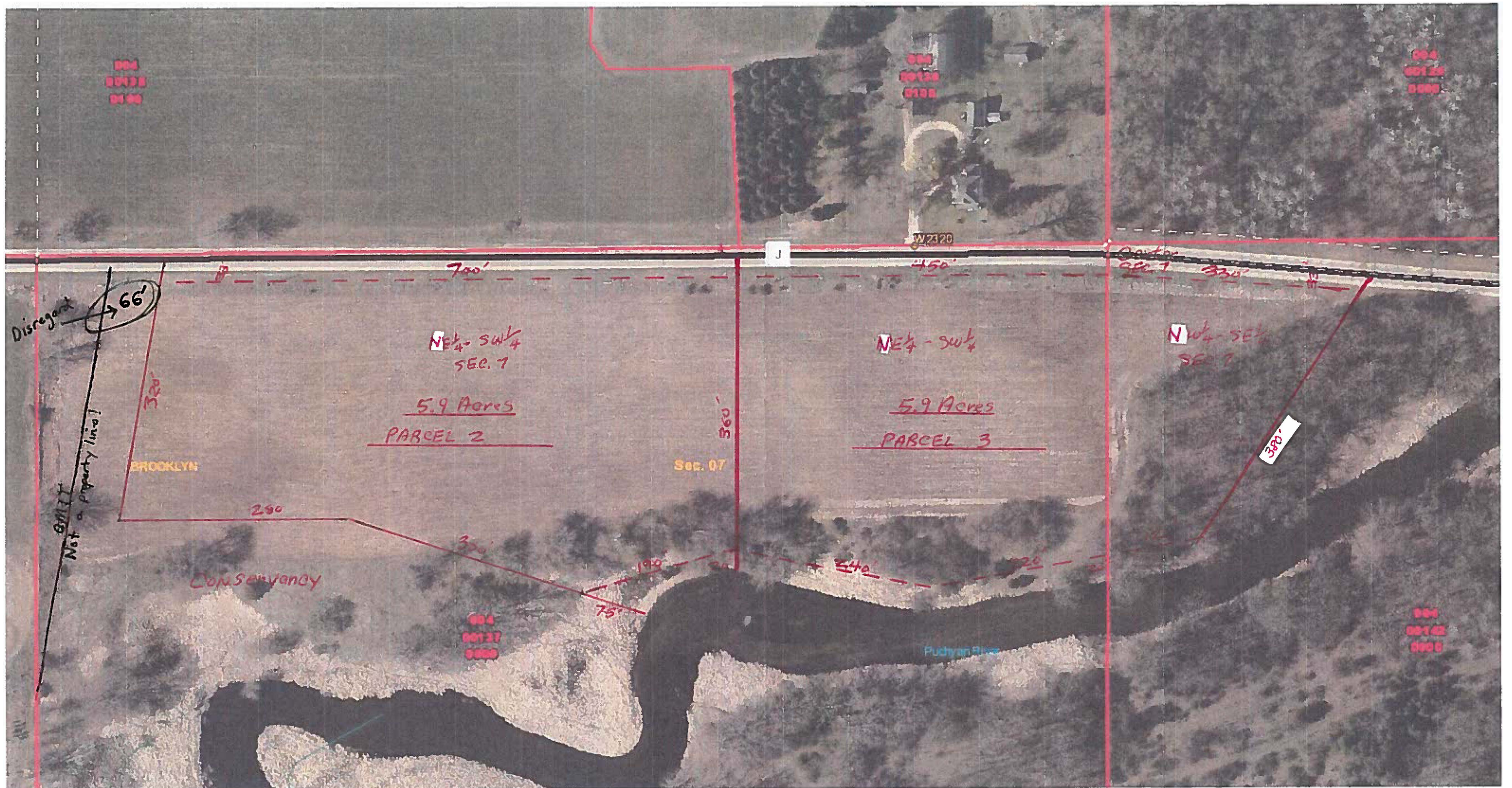
PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION

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

Hutchinson SECTION 7, T16N, R. 13E.
PARCEL 1

E¹/₄ COR
SEC. 7





Hutchinson Lands SECTION 7
Town 16 Range 13



**RIPON LAND
SURVEYING**

827 W. Fond du Lac St.
P.O. Box 386
Ripon, Wisconsin 54971
Phone (920) 748-9696

CERTIFICATE OF SURVEY

**ILLUSTRATIONS FOR ZONING SHOWING A
DIVISION OF TAX PARCELS 004-00141-0000,
004-00142-0000 AND 004-00137-0000 LOCATED IN
SECTION 7, T.16N., R.13E., TOWN OF BROOKLYN,
GREEN LAKE COUNTY, WISCONSIN.**

OWNERS:

**CHARLES E. HUTCHINSON, HOLLY ANN SINA AND DONALD J. HUTCHINSON
1019 GANSER DR.
WAUNAKEE, WI. 53597**

PARCEL 1: CHARLES E. HUTCHINSON:

**THIS CSM IS LOCATED IN THE NE¼ OF THE SE¼ OF SECTION 7, T.16N., R.13E.,
TOWN OF BROOKLYN, GREEN LAKE COUNTY, WISCONSIN.**

PARCELS 2 : DONALD J. HUTCHINSON

**THIS CSM IS LOCATED IN THE NE¼ OF THE SW¼ OF SECTION 7, T.16N., R.13E.,
TOWN OF BROOKLYN, GREEN LAKE COUNTY, WISCONSIN.**

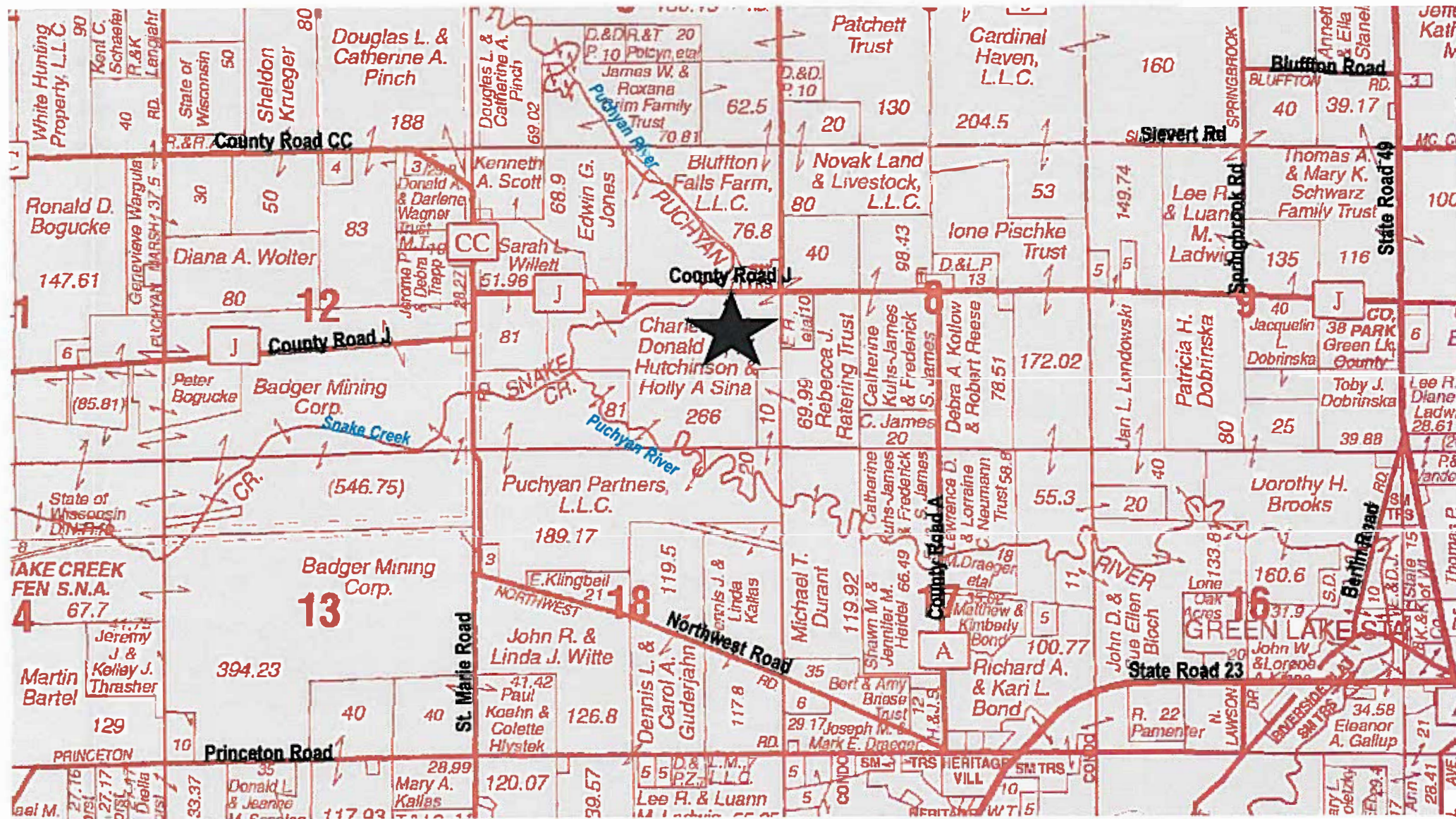
PARCEL 3: HOLLY ANN SINA

**THIS CSM PARCEL IS LOCATED IN THE NW¼ OF THE SE¼ AND THE NE¼ OF
THE SW¼ OF SECTION 7, T.16N., R.13E., TOWN OF BROOKLYN, GREEN LAKE
COUNTY, WISCONSIN**

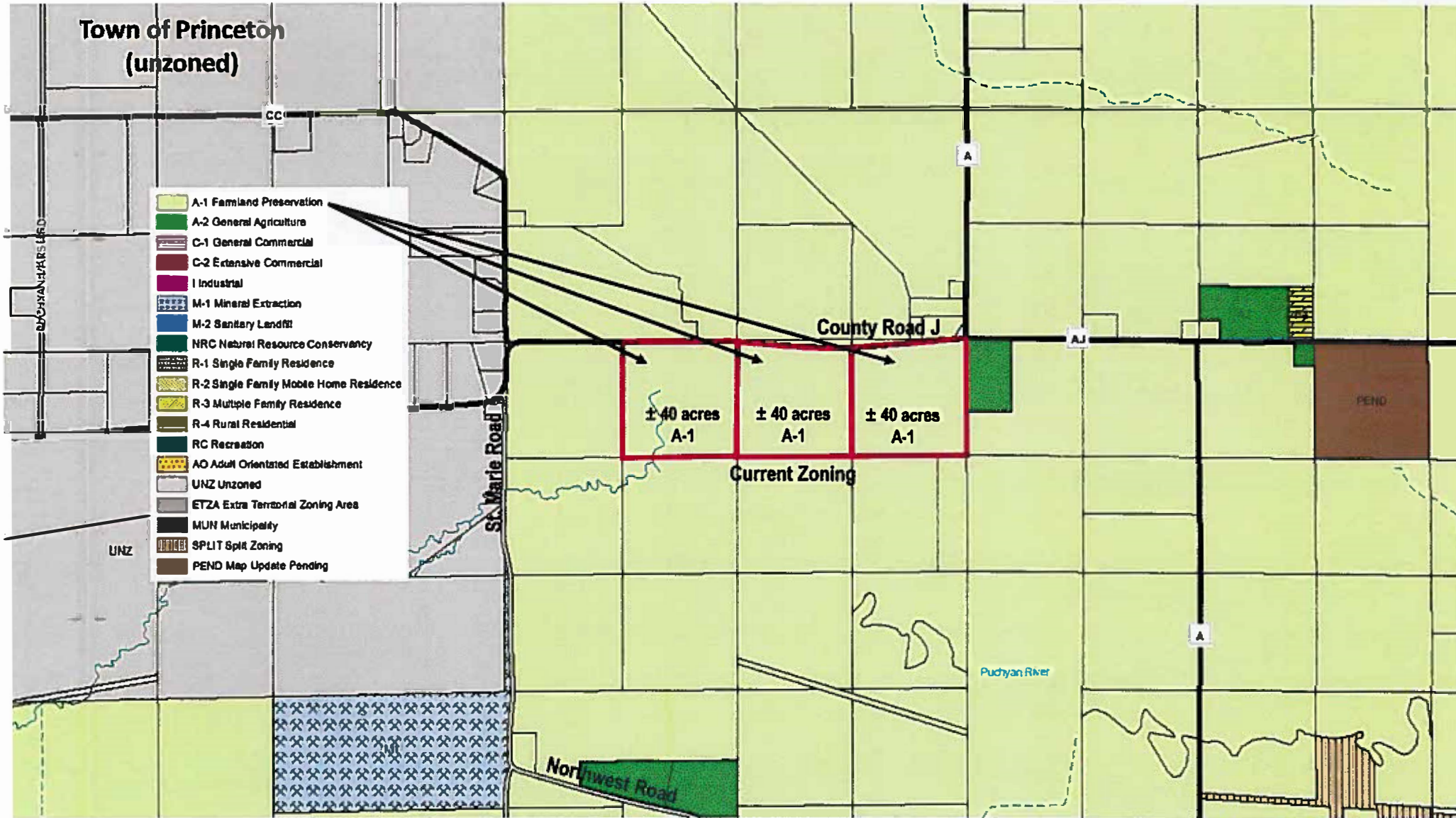
NOTE:

**PARCEL 1 IS TO BE 1 CERTIFIED SURVEY MAP
PARCELS 2 AND 3 TO BE ON 1 CERTIFIED SURVEY MAP**

Holly Ann Sina, Charles Edwin Hutchinson, Donald John Hutchinson, III – County Road J, Town of Brooklyn
Parcels #004-00137-0000, #004-00141-0000, #004-00142-0000 (total ±120 acres), Part of the SE¼ & SW¼ of Section 7, T16N, R13E
Request to rezone ±17.22 acres (creating 3 new lots) from A-1 Farmland Preservation District to R-4 Rural Residential District.



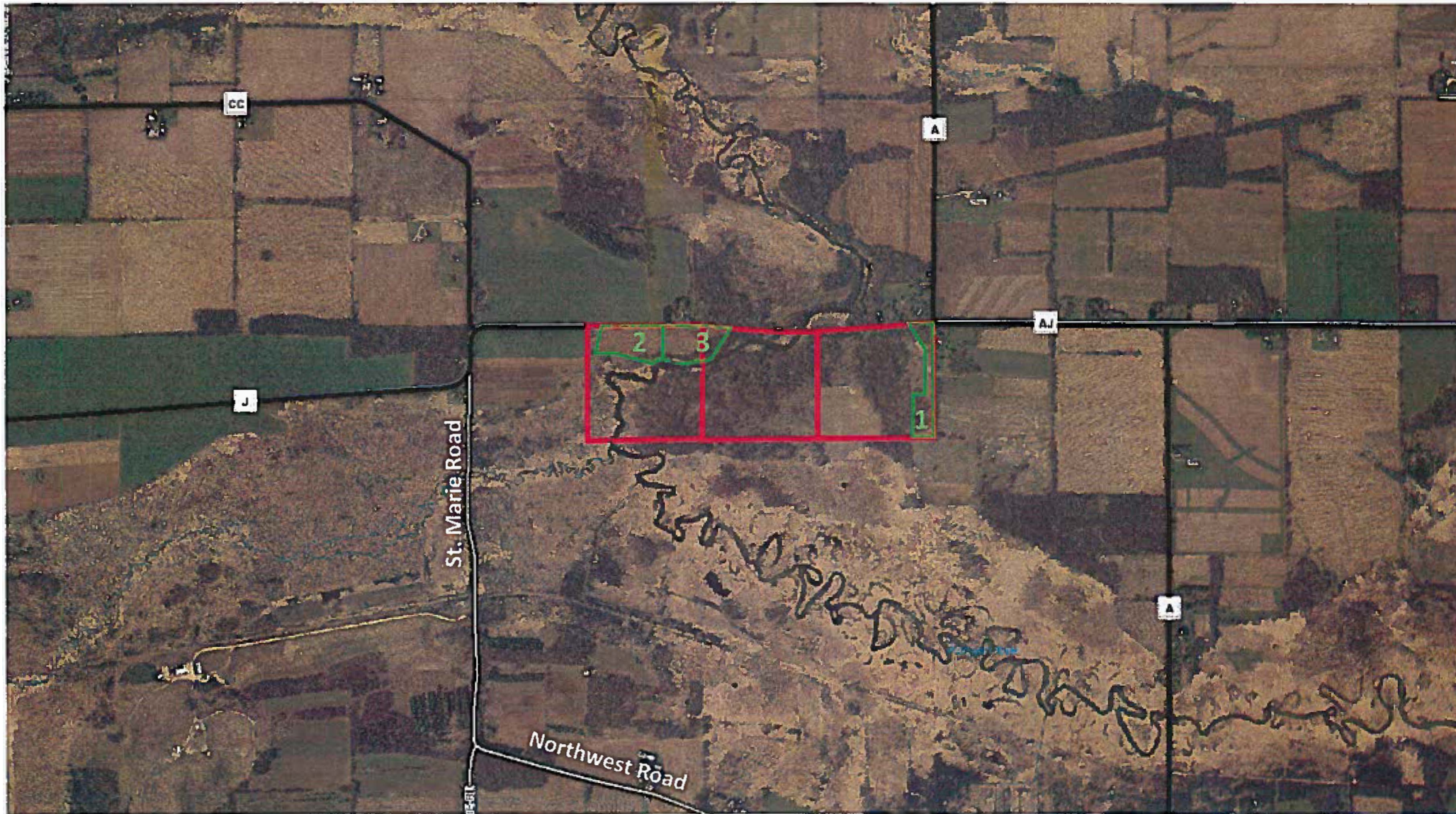
Holly Ann Sina, Charles Edwin Hutchinson, Donald John Hutchinson, III – County Road J, Town of Brooklyn
Parcels #004-00137-0000, #004-00141-0000, #004-00142-0000 (total ±120 acres), Part of the SE¼ & SW¼ of Section 7, T16N, R13E
Request to rezone ±17.22 acres (creating 3 new lots) from A-1 Farmland Preservation District to R-4 Rural Residential District.



Holly Ann Sina, Charles Edwin Hutchinson, Donald John Hutchinson, III – County Road J, Town of Brooklyn
Parcels #004-00137-0000, #004-00141-0000, #004-00142-0000 (total ±120 acres), Part of the SE¼ & SW¼ of Section 7, T16N, R13E
Request to rezone ±17.22 acres (creating 3 new lots) from A-1 Farmland Preservation District to R-4 Rural Residential District.



**Holly Ann Sina, Charles Edwin Hutchinson, Donald John Hutchinson, III – County Road J, Town of Brooklyn
Parcels #004-00137-0000, #004-00141-0000, #004-00142-0000 (total ±120 acres), Part of the SE¼ & SW¼ of Section 7, T16N, R13E
Request to rezone ±17.22 acres (creating 3 new lots) from A-1 Farmland Preservation District to R-4 Rural Residential District.**



Green Lake County Land Use Planning & Zoning Committee Public Hearing 02/07/19

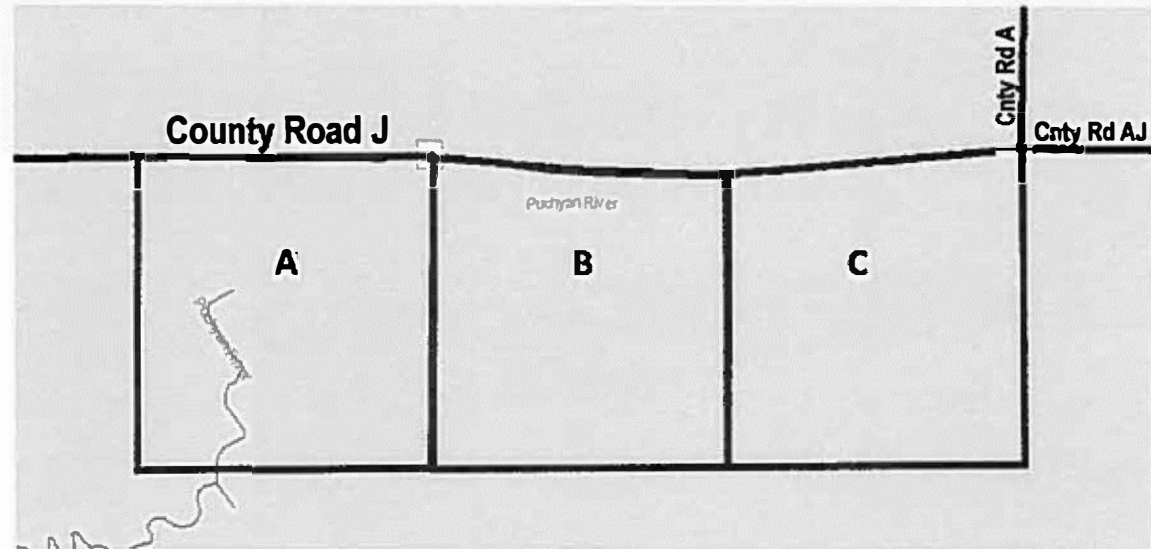
Holly Ann Sina, Charles Edwin Hutchinson, Donald John Hutchinson, III – County Road J, Town of Brooklyn
Parcels #004-00137-0000, #004-00141-0000, #004-00142-0000 (total ±120 acres), Part of the SE¼ & SW¼ of Section 7, T16N, R13E
Request to rezone ±17.22 acres (creating 3 new lots) from A-1 Farmland Preservation District to R-4 Rural Residential District.

Existing Configuration:

**Parcel A = ±40 acres currently zoned A-1 Exclusive Agriculture District
Parcel # 004-00137-0000**

**Parcel B = ±40 acres currently zoned A-1 Exclusive Agriculture District
Parcel # 004-00142-0000**

**Parcel C = ±40 acres currently zoned A-1 Exclusive Agriculture District
Parcel # 004-00141-0000**

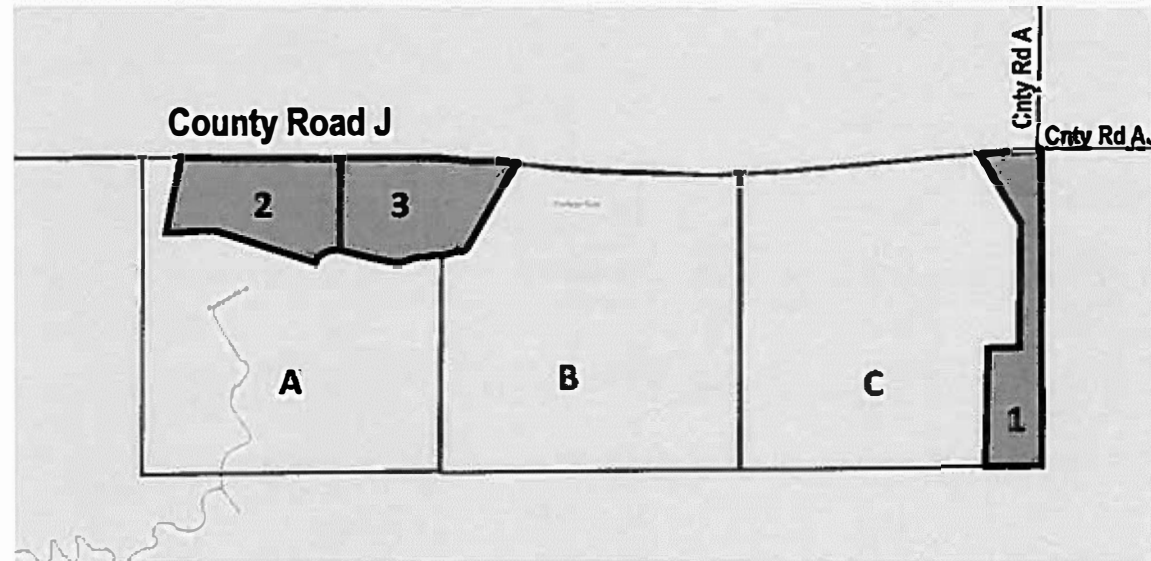


Proposed Configuration:

**Lot 1 = ±5.42 acres rezoned from A-1 Exclusive Agriculture District
to R-4 Rural Residential District (remnant Parcel C remains A-1)**

**Lot 2 = ±5.9 acres rezoned from A-1 Exclusive Agriculture District
to R-4 Rural Residential District (remnant Parcel A remains A-1)**

**Lot 3 = ±5.9 acres rezoned from A-1 Exclusive Agriculture District
to R-4 Rural Residential District (remnant Parcel B remains A-1)**



TOWN BOARD ACTION

Rezone Request

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Brooklyn, County of Green Lake, took the following action on 8 Jan 2019.

Does not object to and approves of X

No action taken _____

Objects to and requests denial of _____

Reason(s) for objection _____

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

Owners/Applicants: Charles Edwin Hutchinson, Holly Ann Sina, Donald John Hutchinson, III

General legal description: County Road J, Parcels #004-00137-0000, #004-00141-0000, #004-00142-0000 (±120 acres), Part of the SW¼ and SE¼ of Section 7, T16N R13E, Town of Brooklyn.

Planned public hearing date: February 7, 2019

Request: Request to rezone ±17.22 acres from A-1 Farmland Preservation District to R-4 Rural Residential District

Mike Wuest Town Board
Town Representative

8 Jan 2019
Date Signed

NOTES: _____

Please return this form to the Land Use Planning & Zoning Office by: 12/28/18

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

March 7, 2019

ITEM II: ZONING ORDINANCE TEXT AMENDMENTS

APPLICANT:

Green Lake County, Land Use Planning & Zoning Committee

REQUEST: The Green Lake County Land Use Planning and Zoning Committee is requesting an amendment to the Code of Green Lake County, Chapter 350 of the Zoning Ordinance; more specifically, to amend various sections within to be consistent with 2017 Act 67 & 68 as well as other identified changes.

ADDITIONAL INFORMATION / ANALYSIS: The Committee is aware that on November 27, 2017, the State Legislature enacted Act 67. The Act related to: "limiting the authority of local governments to regulate development on substandard lots and requiring the merging of lots; requiring a political subdivision to issue a conditional use permit under certain circumstances; standards for granting certain zoning variances; local ordinance related to repair, rebuilding and maintenance of certain nonconforming structures..."

The laws enacted through Act 67 were reviewed against the County's zoning ordinance and it was determined by the Land Use Planning and Zoning Committee that the Zoning Ordinance text should be amended. The following amendments are summarized as follows:

Article III contains standards for nonconforming structures. Act 67 required additional language to allow for certain nonconforming structures (dwellings and other buildings) to be rebuilt. This Article also contains dwelling design and construction standards. Due to Act 67's restrictions on conditional use permits and the removal (as part of this amendment) of the referendum requirements of the R-2, Single-Family Mobile Home Residence District, staff felt this text should be removed from the ordinance. Also, in this section, the term "front" was replaced by "street" as it relates to yards and setbacks, to make the zoning ordinance consistent with the shoreland zoning ordinance. Finally, under substandard lots, a provision that would require substandard lots to be merged was stricken as it conflicted with Act 67.

Article IV contains the zoning district descriptions and the permitted and conditional uses of those zoning districts. Under the conditional uses allowed in the C-2, Extensive Commercial district, a "contractor's shop (inside material storage only)" was added. Under the conditional uses allowed in the I, Industrial District as "Contractor's Yard (outside material storage)" was added. Under the R-2, Single-Family Mobile Home Residence District, the words "and manufactured" and "or manufactured" were added after the word "mobile" to include manufactured homes as being permitted in this zoning district. And, after Corporation Counsel's review, the petition / referendum sections need to be deleted from the R-2 district. Under R-3, Multi-family Residence District, the word "detached" was added to clarify that the maximum area requirement of 600 square feet only applied to accessory structures that were detached from the residence. Under R-4, "or manufactured" was added to include these

structures in this ordinance standard. Also, three new conditional uses were added. They are kennels, event barns, and RV and boat storage. All three may only be approved if they are accessory to a residential use. Event barns and RV and boat storage must occur in existing agriculturally used buildings. These new uses provide property owners additional income options to help them preserve their nonconforming buildings.

Article V contains ordinance standards for “nonbuilding structures.” A section was added to account for privacy and open fences. Presently these structures were treated differently in the Shoreland Zoning Ordinance as opposed to the Zoning ordinance. This amendment rectifies this discrepancy.

Article VI contains ordinance standards related to Highway setbacks. There were two edits. The word “front” was replaced by “street” and the words “new privacy fence” were added to clarify that privacy fences are not allowed in setbacks.

Article VII contains the ordinance standards relating to conditional use permits. Staff proposes to delete a redundant paragraph to clarify the department that would receive the CUP application, and introduce Act 67’s “substantial evidence” language. In addition, a clarifying statement, related to a person’s right to appeal a Committee’s CUP decision to the Board of Adjustment, was added.

Article VIII contains ordinance standards related to the Board of Adjustment. Act 67 codified certain case law as it related to variance decisions. Changes were made to include the new statutory language and delete the outdated language.

Article IX contains ordinance standards related to Administration and Enforcement. An edit was made that added “clerk, or both” as it relates to Town review of rezones and conditional use permits.

Article X was amended at the request of Corporation Counsel. In order for the County to enforce the zoning ordinance’s standards to a degree that would have a preventative effect, the words “pursue compliance” were stricken and replaced with “enforce.” This change allows Corporation Counsel to seek forfeitures even after a violation has been resolved. The text related to investigations of alleged violations was updated. Also, the minimum and maximum forfeitures are to be changed from \$10 to \$5,000 per day to \$50 to \$500 per day. And a cumulative fine for the removal(s) of a stop work order was added.

Article XI contains the amendments section. The section that dealt with Town Board notices was renamed “Rezoning amendment standards” as rezones are ordinance amendments. Several rezoning standards that have been utilized as a matter of policy were added to the ordinance. Further a certified survey map requirement for all rezones to take effect was added to ensure that the Department obtains the required certified survey maps more expeditiously.

Article XII contains the ordinance's fee schedule and associated standards. As the ordinance no longer contains special exception permit standards reference to these permits were deleted and replaced with the words "plan amendment." This accounts for a citizen's right to offer planning amendments to be reviewed by the Committee.

Article XIII relates to word usage and definitions. The definition relating to conditional use or special exception permits was edited to leave only "conditional use permit." Also a new definition that is consistent with Act 67 replaced the old definition. Again, the special exception permit ordinance standards were removed from the zoning ordinance under separate amendment. A definition of "event barn" was added. The "fence" definition was bolstered to assist the new ordinance section regulating these non-building structures. The "lot line," "lot width, average," and "yard" definitions were edited to continue standardizing the use of the term "street" instead of "front." The definitions for "manufactured home" and "mobile home" were updated to their statutory definitions. Definitions for "modular home," "prefabricated home," and "site built home" were stricken from the ordinance as there are no specific standards that apply to these terms. Finally, the Act 67 definition for "substantial evidence" was added to clarify the CUP standards being added under this amendment.

The driving force behind this zoning ordinance amendment is to bring the zoning ordinance into compliance with Act 67. Staff took this opportunity to edit other sections to avoid any future lawsuits related to the R-2 district include fence language, add "contractor's yard" language, bolster corporation counsel's enforcement options, and perform some general "clean-up" edits. The Land Use Planning & Zoning Department recommends that the following language be adopted. 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, property owners would not be informed by ordinance as to their rights as it relates to conditional use permits, variances, and rezones. Further, property owners wishing to rezone to R-2 could seek a legal remedy (lawsuit) as opposed to following the ordinance standards. The ordinance would maintain outdated definitions that are defined in Statutes. Event Barn uses as well as other described uses designed to help preserve existing agricultural buildings would continue to be illegal uses on parcels zoned R-4, Rural Residential district.

TOWN INPUT: Action Forms requesting Town input were mailed to the Towns of Berlin, Brooklyn, Green Lake, Mackford, Manchester, and Marquette. Town input will be addressed at the public hearing by the Land Use Planning & Zoning Committee.

Article III. General Provisions

Section 350-14.B.(5) Per Chapter 59.69(10e)(a) and (b) Wis. Stats., a nonconforming dwelling or nonconforming building, or part thereof shall be permitted to be rebuilt so long as the three-dimensional building envelope is not increased.

Section 350-17.B. The requirements as set forth in Subsection A(2) above do not apply to dwellings located in an R-2 District. Further, a person may apply to the Land Use Planning and Zoning Committee to obtain a conditional use permit to deviate and vary from the provisions set forth in Subsection A(2) of this section. The Land Use Planning and Zoning Committee may grant a conditional use permit to deviate from any of the provisions of Subsection A(2) if the applicant can show that the dwelling will not adversely affect the aesthetics of the neighborhood or reduce the value of surrounding properties.

Section 350-19.B. Churches, schools, hospitals, sanatoriums and other public/quasi-public buildings may be erected to a height not exceeding 60 feet nor five stories, provided that the ~~front-street~~, side and rear yards required in the district in which such building is to be located are each increased at least one foot for each foot of additional building height above the height limit otherwise established for the district in which such building is to be located.

Section 350-20 ~~Front~~, Side and rear yard regulations.

Section 350-22.A. Substandard lots: served by a public sanitary sewer.

Section 350-22.A.(3) ~~The lot is in separate ownership from abutting lands. If abutting lands and the substandard lot are owned by the same owner, the substandard lot shall not be sold or used without full compliance with the terms of this chapter.~~

Section 350-22.A(4)(3) All dimensional requirements of this chapter are complied with insofar as practical.

Section 350-22.B. Substandard lots not served by a public sewer. The provisions of Subsection A and Ch. SPS 383, Wis. Adm. Code, shall apply and, in addition, the minimum lot area shall be 7,500 square feet and the minimum lot width 50 feet at the building line and 50 feet average width. [Amended 11 14 2017 by Ord. No. 22 2017]
Other substandard lots. A building permit for the improvement of a lot having lesser dimensions than those stated in Subsections A and B of this section shall be issued only after the granting of a variance by the Board of Adjustment.

Article IV. Zoning District

Section 350-33.B.(16) Contractor's shop (inside material storage only)

Section 350-34.B.(27) Contractor's yard (outside material storage)

Section 350-39.A. In the Class Two Residential District, all uses and structures shall be permitted that are permitted in the regular (Class One) Residential District, and, in addition thereto, mobile and manufactured homes occupied by a single family shall be permitted.

Section 350-39.B. Such homes shall be permanently mounted on a stone, concrete or masonry foundation and skirted and shall be adequately served by sanitary facilities installed in compliance with all local ordinances and state laws and regulations. ~~The Land Use Planning and Zoning Committee shall determine the length of time to comply fully with this order.~~ Mobile and manufactured homes located in the Class Two Residential District shall be deemed to be a part of the real estate and assessable as such and not as mobile homes.

~~Section 350 39.C. Class Two Residential Districts shall be permitted only when approved by the County Board and when the following procedures are followed prior to such approval:~~

~~(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 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 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. [Amended 11 14 2017 by Ord. No. 22 2017]~~

~~(2) Upon receipt of the petition described above from the 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 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)." [Amended 11 14 2017 by Ord. No. 22 2017]

(3) If the answer to the above referendum is in the affirmative, the Land Use Planning and Zoning Committee shall report the same to the County Board at its next regular meeting together with the Committee's own recommendation for adoption or nonadoption of the petition in a form suitable for action by the County Board. If no referendum was necessary in that less than 20% of the eligible property owners filed objection to the petition, the Committee shall report the same to the County Board at its next regular meeting together with the Committee's own recommendation for adoption or nonadoption of the petition in a form suitable for action by the County Board. The Board shall thereupon either accept or reject such petition, by an amendatory ordinance if it accepts and by resolution or motion if it rejects the same. The Board may make any modification it sees fit in either accepting or rejecting said petition.

(4) Class Two Residential Districts may come into existence only upon the passage of a suitable amending ordinance after applicable procedures set forth herein

112 have been complied with. A petition that fails to be adopted may not be
113 reintroduced for a period of one year from its initial filing date.

114 Section 350-40.A.(15) A mobile or manufactured home shall be allowed as a temporary
115 structure for the shelter of persons and property as a result of disaster-related damages.
116 The mobile or manufactured home shall be located after obtaining all necessary
117 permits, for no more than one year and shall be located on the premises with the
118 construction of the new permanent structure.

119 Section 350-40.E Accessory structure standards. Each unit of a multiple-family
120 dwelling residence shall be allowed one attached and one detached accessory building
121 structure. In no case shall the total combined footprint area of all accessory building
122 structures for the units exceed 10% of the lot or parcel area, excluding any road right-of-
123 way. Each detached accessory building structure shall satisfy all of the following
124 standards:

125 Section 350-40.E.(2) Height: 25 feet maximum; ground floor surface to peak. There
126 shall be no sidewalls above the ground floor ceiling joist, ~~unless attached to the dwelling~~
127 ~~unit(s)~~. Ground floor sidewalls shall not exceed 15 feet in height.

128 Section 350-41.A.(23) A mobile or manufactured home shall be allowed as a temporary
129 structure for the shelter of persons and property as a result of disaster-related damages.
130 The mobile or manufactured home shall be located after obtaining all necessary
131 permits, for no more than one year and shall be located on the premises with the
132 construction of the new permanent structure.

133 Section 350-41.B.(7) Event Barn (ONLY as an accessory use to the residential use,
134 existing buildings only.)

135 Section 350-41.B.(8) Kennel (ONLY as an accessory use to the residential use.)

136 Section 350-41.B.(9) RV and Boat Storage for Rent (ONLY as an accessory use to the
137 residential use, existing buildings only)

138 Article V. Nonbuilding Structures

139 Section 350-43.1 ~~(Reserved)~~ Fences shall comply with the following:

- 140 (1) All fences, no greater than eight feet in height, may be allowed along any lot line
141 excluding the street right-of-way line and the side lot lines within the street-yard
142 setback.
143 (2) Open style fences (greater than 50% open space), no greater than four feet in
144 height, may be allowed along the street right-of-way line and alongside lot lines
145 within the street-yard setback.
146

147 Article VI. Highway Setback Lines

148 Section 350-50.A. Setback from Front Street Lot Line

149 Section 350-51 No new building, new sign, new privacy fence or other new structure,
150 including cemeteries, nor any part thereof, shall be placed between the setback lines
151 established by this chapter and the highway except as provided by this chapter. No
152 building, sign, structure or part thereof existing within such setback lines on the effective
153 date of this chapter shall be altered, enlarged or added to in any way that increases or
154 prolongs the permanency thereof, unless granted a variance by the Board of
155 Adjustment.

156 Article VII. Conditional Use Permits

157 Section 350-54 Conditional uses.

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

166 Section 350-55 Application for permit.

167 Application for a conditional use permit shall be made to the County Zoning Office Land
168 Use Planning and Zoning Department, on forms provided by the Department County
169 Zoning Offices, and shall be accompanied by the following:

170 Section 350-55.D. Any additional information, as required by the County Zoning Office
171 Land Use Planning and Zoning Department, which may be pertinent to the proposed
172 conditional use.

173 Section 350-56.B.(1) Conditional uses may be located in certain districts under certain
174 conditions. When reviewing a conditional use permit, the Land Use Planning and Zoning
175 Committee shall take into consideration, among other things, the recommendation of
176 the affected town and the particular facts and circumstances of each proposed use in
177 terms of the following standards and shall find adequate substantial evidence that such
178 standards are being satisfied.

179 (a) If an applicant for a conditional use permit meets or agrees to meet all of the
180 requirements and conditions specified in this ordinance or those imposed by the
181 Land Use Planning and Zoning Committee, the Land Use Planning and Zoning

- 182 Committee shall grant the conditional use permit. Any condition imposed must
183 be related to the purpose of the ordinance and be based on substantial evidence.
184 (b) The requirements and conditions described under §350-56.B(1)(a) above must
185 be reasonable and, to the extent practicable, measurable and may include
186 conditions such as the permit's duration, transfer, or renewal.
187 (c) The applicant must demonstrate that the application and all requirements and
188 conditions established by the Land Use Planning and Zoning Committee, relating
189 to the conditional use, are or shall be satisfied, both of which must be supported
190 by substantial evidence. The Land Use Planning and Zoning Committee's
191 decision to approved or deny the conditional use permit must be supported by
192 substantial evidence.

193
194 Section 350-56.G. In the event that the Land Use Planning and Zoning Committee
195 chooses to deny a person's conditional use permit application, the person may appeal
196 the decision to the Board of Adjustment or to circuit court under the procedures
197 contained in §59.694(10) Wis. Stats.

198 Article VIII. Board of Adjustment

199 Section 350-61.A. The Board shall meet at the call of the ~~Chairman~~ Chairperson, or at
200 such other times as the Board may determine, at a fixed time and place.

201 Section 350-63.B.(2) ~~To authorize, upon appeal in specific cases, such variance from~~
202 ~~the terms of this chapter as will not be contrary to the public interest, where, owing to~~
203 ~~special conditions, a literal enforcement will result in practical difficulty or unnecessary~~
204 ~~hardship, so that the spirit of this chapter shall be observed, public safety and welfare~~
205 ~~secured, and substantial justice done. To authorize, upon appeal in specific cases,~~
206 ~~area variances where the property owner can prove "unnecessary hardship" by~~
207 ~~demonstrating that strict compliance with the zoning ordinance would unreasonably~~
208 ~~prevent the property owner from using their property for a permitted purpose~~
209 ~~(unnecessarily burdensome) or, for a use variance, by demonstrating that strict~~
210 ~~compliance with the zoning ordinance would leave the property owner with no~~
211 ~~reasonable use of their property in the absence of a use variance. In both~~
212 ~~circumstances, the property owner bears the burden of proving that the unnecessary~~
213 ~~hardship is based on conditions unique to the property, rather than considerations~~
214 ~~personal to the property owner, that the unnecessary hardship is not solely economic,~~
215 ~~and that the unnecessary hardship was not self-created by the property owner.~~

216 Section 350-63.B.(3) In every case where a variance from these regulations has been
217 granted by the Board, the minutes of the Board shall affirmatively show that an
218 unnecessary hardship or practical difficulty exists and the records of the Board shall
219 clearly show in what particular and specific respects an unnecessary hardship or

practical difficulty is created. "Unnecessary hardship" means, but is not limited to, the following:

(a) No reasonable use can be made of the property without the granting of the variance;

(b) The hardship is something that is unique to this property and not the owner of the property;

(c) The hardship is not self created; and

(d) The hardship is not solely economic.

Article IX. Administration and Enforcement

Section 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 Land Use Planning and Zoning Department to the board chairman, clerk, or both of the affected town. [Amended 11-14-2017 by Ord. No. 22-2017]

Article X. Enforcement

Section 350-38 Investigation of Alleged violations.

~~Any violation of the provisions of this chapter shall be deemed unlawful. When necessary, to determine compliance with this chapter, the Land Use Planning and Zoning Department shall investigate alleged violations. After confirmation that a violation exists, the Land Use Planning and Zoning Department shall pursue compliance of the violation. The Land Use Planning & Zoning Department shall have the primary responsibility for enforcing all provisions of this chapter. The Land Use Planning & Zoning Department is hereby empowered to cause any building, other structure, lot or parcel of land to be inspected and examined for suspected or potential violations of this Chapter after proper notification. If permission to enter the property is withheld, the Land Use Planning & Zoning Department may seek a court order to require inspection of the property.~~

Section 350-69.B. The County Corporation Counsel shall have the authority to use all legal remedies necessary to ~~pursue compliance with~~ enforce the provisions of this chapter. After consultation with the Land Use Planning and Zoning Department and/or the Land Use Planning and Zoning Committee, the Corporation Counsel shall determine which legal remedy or legal remedies are in order to ~~pursue compliance with~~ enforce the provisions of this chapter.

Section 350-69.C. Any landowner who violates or refuses to comply with any of the provisions of this chapter shall be subject to a forfeiture of not less than ~~\$40-\$50~~ nor more than ~~\$5,000-\$500~~ per offense, together with the taxable costs of action. Each day that the violation exists, after receiving notice of the violation from the Land Use

Planning & Zoning Department by certified or registered mail, or personal service per Ch. 801.11 Wis. Stats., shall constitute a separate offense.

Section 350-69.D. In addition to the Corporation Counsel having the authority to pursue compliance enforce the provisions of this chapter per Subsection B above, the designated staff of the Land Use Planning and Zoning Department shall have the authority to and may prepare, sign and issue citations in order to commence action to achieveenforce compliance with the provisions of this chapter.

Section 350-70.D. The stop-work order card issued and posted by the Land Use Planning and Zoning Department shall be posted at the subject site in plain view from a nontrespass location off the subject property. A stop-work order card shall remain posted until compliance of the violation occurs. In the event that a stop-work order has been removed from its posted location by persons other than Department staff, the property owner(s) and/or other agents, upon conviction, shall be subject to a \$300 fine plus court costs. The fine shall increase by \$300 after each offense and be cumulative. For example: \$300 first offense, \$600 for second offense, \$900 for third offense, and so on. If a property owner removes a stop work order sign three times they shall be subject to \$1800 (\$300 + \$600 + \$900) in fines plus court costs.

Article XI. Amendments.

Section 350-75 ~~Notice to town board.~~ Rezoning amendment standards

A. Rezoning lands out of the A-1, Farmland Preservation Zoning District shall be done in accordance with Section 350-27.B (1-5) of this Chapter. For all other rezones, the Land Use Planning and Zoning Committee and County Board shall utilize the following as criteria to guide their decisions about rezones:

1. The amendment is consistent with community land use plan (comprehensive plan).
2. The amendment will not be detrimental to property in the immediate vicinity or to the community as a whole.
3. The amendment will not have a significant adverse impact on the natural environment (i.e. air, water, noise, stormwater management, soils, wildlife, vegetation, etc.), or the impact could be mitigated by management practices on the site or in the immediate vicinity.
4. The amendment will not have a significant adverse impact on the ability to provide adequate public facilities or services (i.e. highways, streets, water, sewage, drainage, schools, emergency services, etc.)
5. The amendment allows a more viable transition to planned land uses on adjacent properties than the current zoning designation.

293 6. The amendment will not result in inappropriate spot-zoning (i.e. use is
294 inconsistent with surrounding properties and serves only a private, rather than
295 public interests).

296 B. All rezone amendments that result in the creation of a new parcel or parcels shall be
297 done by certified survey map in accordance with Section 315-38 of the Land Division
298 and Subdivision Ordinance. The rezone amendment shall not take effect until the
299 certified survey map creating the rezoned parcel(s) is recorded in the Green Lake
300 County Register of Deeds office.

301 A-C. The County Land Use Planning and Zoning Committee shall send or deliver
302 written notice to the town board not less than 10 days prior to the date of any public
303 hearing of any proposed zoning change within its town.

304 Article XII. Fee Schedule

305 Section 350-76.B. All public hearing items such as variance, rezone, appeal,
306 conditional use permit, ordinance amendment or special exception permit plan
307 amendment : \$375. [Amended 12-15-2009 by Ord. No. 972-2009; 9-20-2011 by Ord.
308 No. 998-2011]

309 Article XIII. Word Usage and Definitions

310 Section 350-77

311 ~~CONDITIONAL USE OR SPECIAL EXCEPTION PERMIT~~

312 ~~A use that is specifically listed in an ordinance that may only be permitted if the Board of~~
313 ~~Adjustment, Land Use Planning and Zoning Department or Committee or County Board,~~
314 ~~as authorized by County ordinance, determines that the conditions specified in the~~
315 ~~ordinance for that use are satisfied.may be considered in a particular zoning district if it~~
316 ~~is adaptable to the limitations of a particular site or made to be complimentary to~~
317 ~~adjacent land uses. The Land Use Planning and Zoning Committee, as authorized by~~
318 ~~County ordinance, shall only grant a conditional use permit if the use is consistent with~~
319 ~~the purpose and intent of this ordinance, and may impose conditions that are related to~~
320 ~~the requested use and reasonable to ensure compliance with this Ordinance. The~~
321 ~~applicant must provide substantial evidence the conditions are or will be satisfied.~~

323 EVENT BARN

324 A structure, that had previously been used for agricultural uses associated with a farm,
325 that has been renovated and upgraded to local and state building codes and re-
326 purposed as a facility for hire to host social or business gatherings including, but not
327 limited to, meetings, parties, seminars, weddings, receptions, family reunions,
328 anniversaries, and barn dances. Event barns must promote the retention of the rural

329 nature of the parcel and community in which it is located and may only be allowed by
330 conditional use permit.

331

332 FENCE

333 Any artificially constructed barrier of any material or combination of materials erected to
334 enclose or screen areas of land. Additionally:

335 A. FENCE, OPEN A fence constructed in a manner that provides 50% or more open
336 space.

337 B. FENCE, PRIVACY A fence constructed in a manner that provides less than 50%
338 open space.

339 LOT LINE

340 The same as boundary line; the peripheral boundary of a lot, parcel tract or any other
341 land area that divides one recorded land area from another.

342 A. LOT LINE, FRONT STREET That boundary separating a land area from an
343 existing or dedicated public street, ~~private street or other means of access.~~

344 B. LOT LINE, REAR That boundary of a land area that is opposite the ~~front-street~~
345 lot line. In the case of corner lots the rear lot line shall be opposite the shorter of the two
346 frontages.

347 C. LOT LINE, SIDE That boundary of a land area that is not a ~~front-street~~, shore or
348 a rear lot line.

349 D. LOT LINE, SHORE That boundary of a land area that abuts a navigable
350 waterway at the ordinary high water mark.

351 LOT WIDTH, AVERAGE

352 The average of the shortest horizontal distances between the side lot lines at the ~~front~~
353 street lot line, rear lot line or ordinary high water mark and at any angle point in the side
354 lot lines.

355 MANUFACTURED HOME

356 A structure, ~~transportable in one or more sections~~, that is designed to be used as a
357 dwelling, ~~which is built on a permanent chassis and is designed to be used with or~~
358 without a permanent foundation and that is certified by the ~~when connected to required~~
359 ~~utilities and constructed on or after June 15, 1976, in accordance with federal~~
360 ~~department of~~ Housing and Urban Development U.S. housing and urban development
361 as complying with the standards established under 42USC 5401 to 5425. ~~and identified~~
362 ~~with a HUD seal of approval; HUD certified and labeled under the National Mobile Home~~

363 Construction and Safety Standards Act of 1974. The term "manufactured home"
364 includes a mobile home but does not include a mobile recreational vehicle.

365 **MOBILE HOME**

366 A vehicle manufactured or assembled before June 15, 1976, designed to be towed as a
367 single unit or in sections upon a highway by a motor vehicle and equipped and used, or
368 intended to be used, primarily for human habitation, with walls of rigid uncollapsible
369 construction, which has an overall length in excess of 45 feet. "Mobile home" includes
370 the mobile home structure, its plumbing, heating, air conditioning and electrical systems,
371 and all appliances and all other equipment carrying a manufacturer's warranty. See
372 "manufactured home."

373 **MODULAR HOME**

374 See "manufactured home."

375 **PREFABRICATED HOME**

376 A nonmobile housing unit, the walls, floors and ceilings of which are constructed at a
377 central factory and transported to a building site where final construction assembly is
378 completed, permanently affixing the unit to the site.

379 **SITE BUILT HOME**

380 A permanent structure substantially constructed on the property and built on a
381 permanent foundation with connections to utilities.

382 **SUBSTANTIAL EVIDENCE**

383 Facts and information, other than merely personal preferences or speculation, directly
384 pertaining to the requirements and conditions an applicant must meet to obtain a
385 conditional use permit and that reasonable persons would accept in support of a
386 conclusion.

387 **YARD**

388 The open land area lying between the structure and the lot line of the property.

389 A. YARD, ~~FRONT STREET~~, The open land area across the full width of the property
390 between the front street lot line and the nearest point of the structure.

391 B. YARD, REAR, The open land area across the full width of the property between the
392 rear lot line and the nearest point of the structure.

393 C. YARD, SIDE, he open land area between the adjacent side lot line and the nearest
394 point of the structure and extending from the front street yard to the rear yard.

395 Section 2. This ordinance shall become effective upon passage and publication.

396 Section 3. The repeal and recreation of any section herein shall not have any effect on
397 existing litigation and shall not operate as an abatement of any action or proceeding then
398 pending or by virtue of the repealed or amended sections.

399 Section 4. All ordinances and parts of ordinances in conflict herewith are hereby
400 repealed.

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT
PUBLIC HEARING

March 7, 2019

ITEM III: ZONING CHANGE

OWNER:

Barbara Meyer

APPLICANT:

Kim Michaelson, Power of Attorney

REQUEST: The owner/applicant is requesting a zoning change from A-2, General Agriculture District to A-1, Farmland Preservation District and R-4, Rural Residential District.

PARCEL NUMBER / LOCATION: Affected parcel number is #002-00683-0100, located in the SE¼, Section 35, T17N, R13E, Town of Berlin. The site proposed for zoning change is located at W514 Town Line Road.

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

The Green Lake County Farmland Preservation Plan identifies the subject of this rezone request as being a Farmland Preservation Area. The soil suitability for agriculture ranges from slight and moderate limitations to soils with very severe limitations depending on the location and elevation of the described lands.

According to Flood Boundary and Floodway Map Panel 55047C0070C, all lands under consideration for this request are located out of the general floodplain. All these lands are greater than 1,000ft away from a navigable waterbody and are, therefore, not under the jurisdiction of the Shoreland Ordinance.

ADDITIONAL INFORMATION / ANALYSIS: The owner would like to separate ±3 acres of vacant land on the west side of the parcel and combine with the parcel directly west (002-00682-0000) by Certified Survey Map. The lands the 3 acres are attaching to are zoned A-1, therefore, a rezone is needed in order to join the acreage together. The remaining ±7 acres, including a single-family dwelling and large barns, will be sold. This proposed lot will need a rezone to R-4, Rural Residential since it falls below the required 8-acre minimum in the A-2 zoning district. With a rezone to R-4, Rural Residential, the lands could be used for light agriculture purposes.

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

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

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

- ❑ The request is consistent with the County comprehensive plan's goal to preserve the rural character of the county by protecting farmlands and scenic/historic places. This property was once the location of foodservice and lodging facilities, and the large outbuildings pay tribute to the farming history of the community. Three acres are returning to Farmland Preservation District. The remaining 7 acres are being rezoned to R-4 and are consistent with a rural residential use.
- ❑ The nature and character of the parcel is conducive to rural residential use based on area restrictions and proximity to location. The property is located near other agricultural lands and single-family dwellings.
- ❑ The use of the surrounding lands is agricultural.
- ❑ The overall zoning scheme appears to be agricultural. The proposed rezone is consistent with that scheme.
- ❑ It would appear the request is consistent with community goals relating to public health, morals, and safety as well as the public welfare, convenience, and general prosperity.

TOWN OF BERLIN: An Action Form requesting the Town of Berlin's input related to this zoning change request was mailed to the Town Clerk on January 11, 2019.

Please type or use black ink

Return to: Green Lake County
Planning & Zoning Department
571 County Road A, PO Box 3188
Green Lake, WI 54941
Ph (920) 294-4156

GENERAL APPLICATION

Fee 375.00 (not refundable)

Date 12-31-18

Zone Change from A2 to A1, R4

Conditional Use Permit for _____

Other _____

PROPERTY OWNER / APPLICANT (1)

Name ~~Arthur and~~ Barbara Meyer

Mailing Address 820 Sunnyside Road #20, Green Lake, WI 54941

Phone Number 920-570-1412

Signature Barbara Meyer / Kim Matheson Date 12-31-18

PROPERTY OWNER / APPLICANT (2)

Name Steve + Kim Matheson

Mailing Address 4507 Renee Road, Bellville, OH 44813

Phone Number 920-570-1412

Signature Kim Matheson Date 12-31-18

PROPERTY INFORMATION

Town of Berlin

Parcel Number(s) 002-00683-0100

Acres ± 10.00 Lot — Block — Subdivision —

Section 35 Town 17 North Range 13 East

Location of Property SE corner of Town of Berlin - F PP, and RA

Legal Description Lot 1 Cont. Survey Map 3257, part of SE 1/4 of Section 35, T17N R13E, ± 10 acres, Town of Berlin

Current Zoning Classification A2 Current Use of Property Farmstead

Detailed Description of Proposed Use Per lot size restrictions, due to change of lot size from sale of property, will need to Rezone - no change in use.

PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION

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

CONCEPT PLAN

CONCEPT PLAN FOR MICHAELSON REV TRUST, STEVEN L. & KIM S. AND MEYER REVOCABLE TRUST, BARBARA, LOCATED IN PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 IN PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND IN PART THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWN 17 NORTH, RANGE 13 EAST, TOWN OF BERLIN, GREEN LAKE COUNTY, WISCONSIN

OWNER(S)
MICHAELSON REV TRUST,
STEVEN L. & KIM S. AND
MEYER REVOCABLE TRUST, BARBARA

PROPERTY ADDRESS:
W4515 TOWNLINE ROAD
RIPON, WISCONSIN 54971
AND OTHER LANDS

MICHAELSON REV TRUST,
STEVEN L. & KIM S.
UNPLATTED LANDS

MICHAELSON REV TRUST,
STEVEN L. & KIM S.
UNPLATTED LANDS

NE 1/4 SW 1/4

NW 1/4 SE 1/4

NE 1/4 SE 1/4



(RUSSELL J. CLAUSING)

SE 1/4 SW 1/4

UNPLATTED LANDS

LOT 1
CSM NO. 3105

SW 1/4 SE 1/4

MICHAELSON REV TRUST,
STEVEN L. & KIM S.

PROPOSED
LOT 2

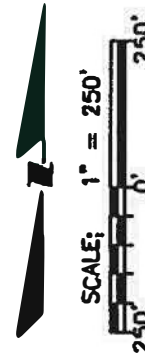
A-1 ZONING

GROSS AREA
48.1073 ACRES
2,095,553.210 SQ. FT.

NET AREA
47.1171 ACRES
2,052,421.577 SQ. FT.

LOT 1
CSM NO.
880

Donald W. Lenz
DONALD W. LENZ
Dated this 4th Day of September 2018



GREEN LAKE SURVEYING COMPANY
P.O. BOX 131
Green Lake, Wisconsin 54841
Phone: (920) 294-6868
survey@greenlakesurveyingcompany.com
http://www.greenlakesurveyingcompany.com

PAGE, JAY & KAYLEEN S

UNPLATTED LANDS

SE 1/4 SE 1/4

PART OF LOT 1 CSM NO. 3257
TO BE ATTACHED TO LOT 1
OF CSM NO. 3105

GROSS AREA
3.0013 ACRES
130,734.847 SQ. FT.
NET AREA
2.8907 ACRES
117,209.478 SQ. FT.

R-4 ZONING
PROPOSED
LOT 1
GROSS AREA
7.0030 ACRES
305,049.799 SQ. FT.

MEYER REVOCABLE TRUST,
BARBARA
PART OF
LOT 1
CSM NO. 3257
NET AREA
8.066 ACRES
264,239.913 SQ. FT.

TOWN

LINE

ROAD

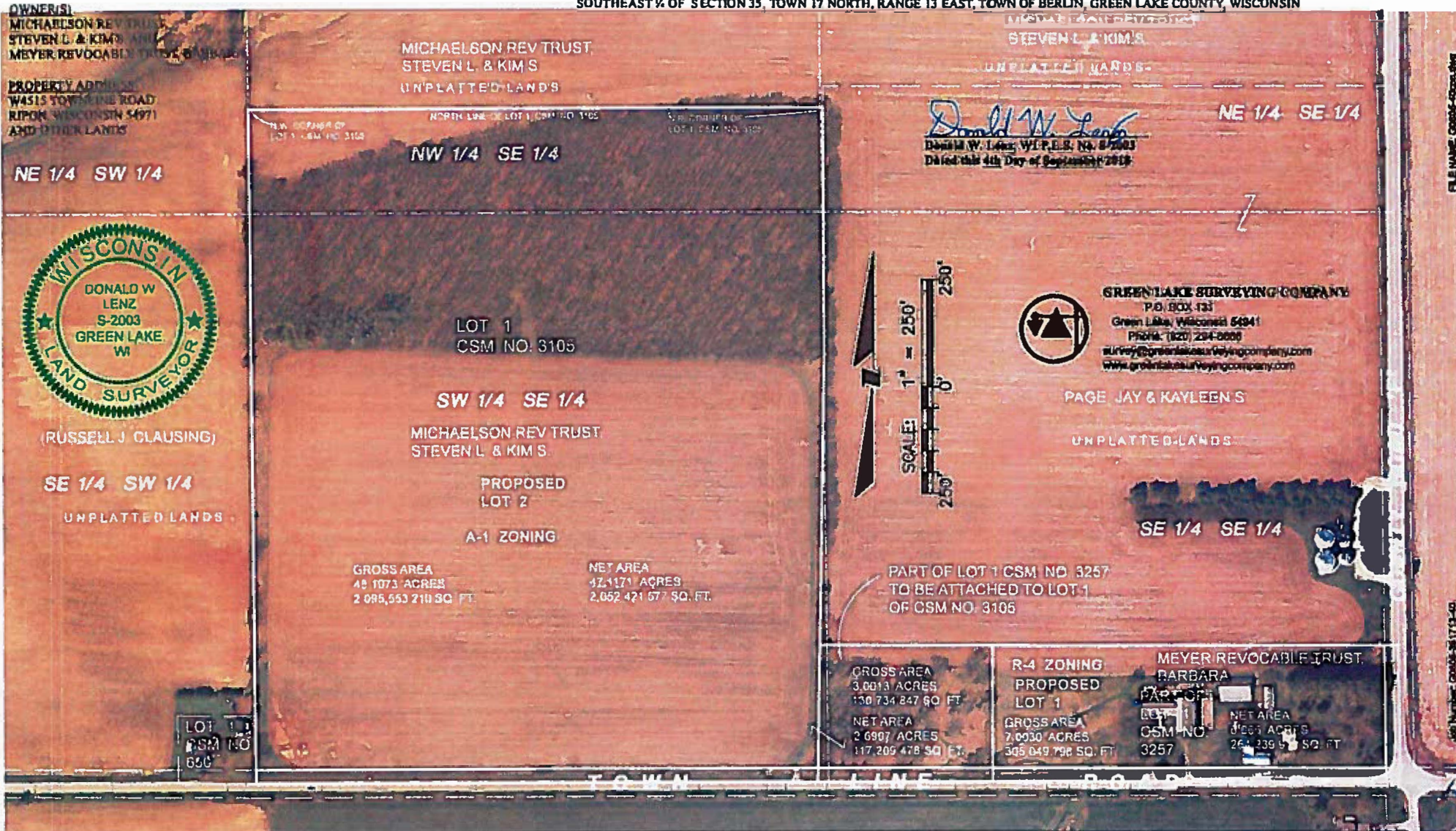
COUNTY ROAD "F"

FILE NAME: Concept-Allen.dwg

Job Number: CSM05-301713-00

CONCEPT PLAN

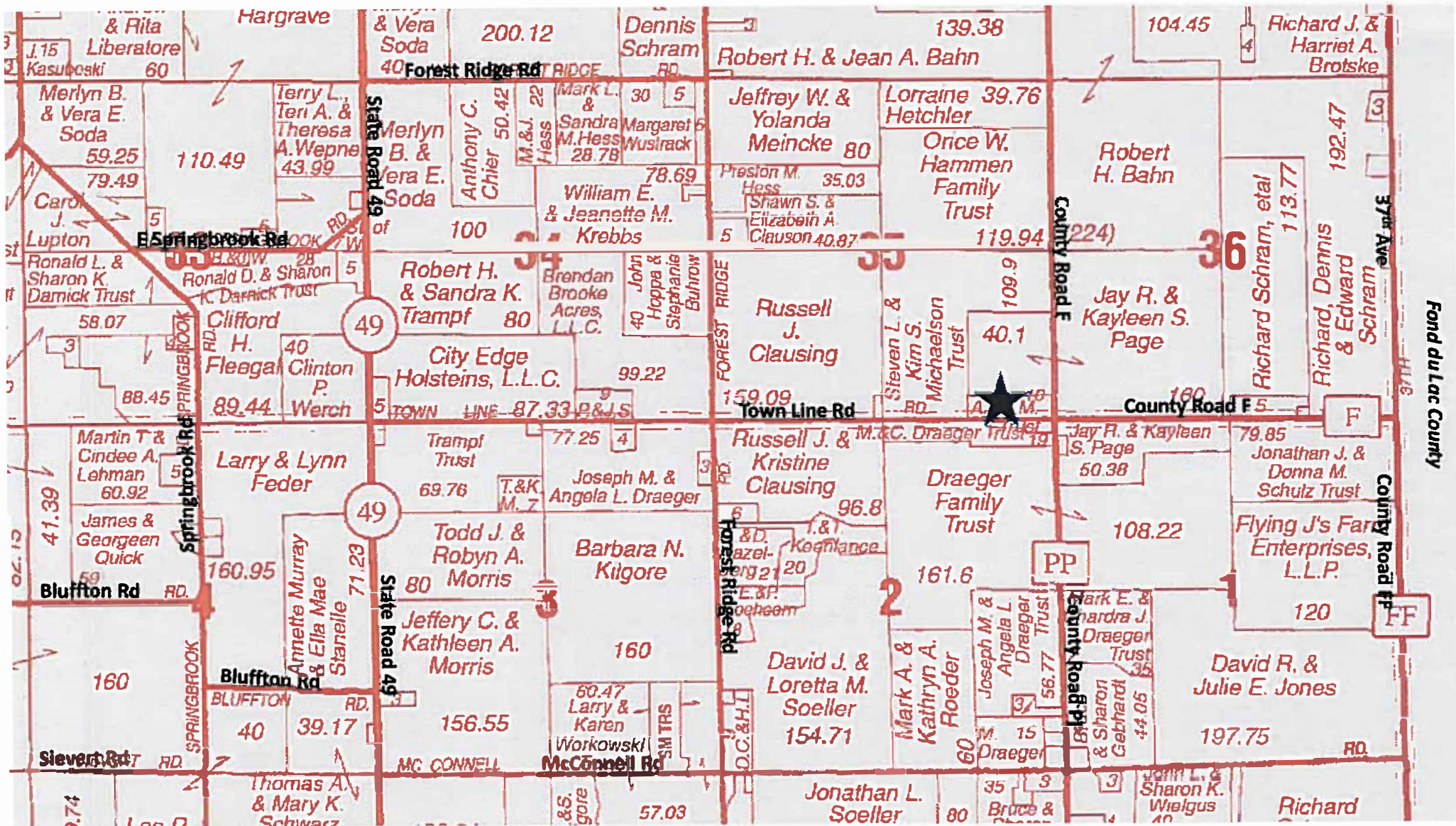
CONCEPT PLAN FOR MICHAELSON REV TRUST, STEVEN L. & KIM S. AND MEYER REVOCABLE TRUST, BARBARA, LOCATED IN PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 IN PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND IN PART THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWN 17 NORTH, RANGE 13 EAST, TOWN OF BERLIN, GREEN LAKE COUNTY, WISCONSIN



Barbara Meyer - Kim Michaelson, Power of Attorney

W514 Town Line Road, Parcel #002-00683-0100 (±10 acres), Lot 1 Certified Survey Map 3257, Town of Berlin

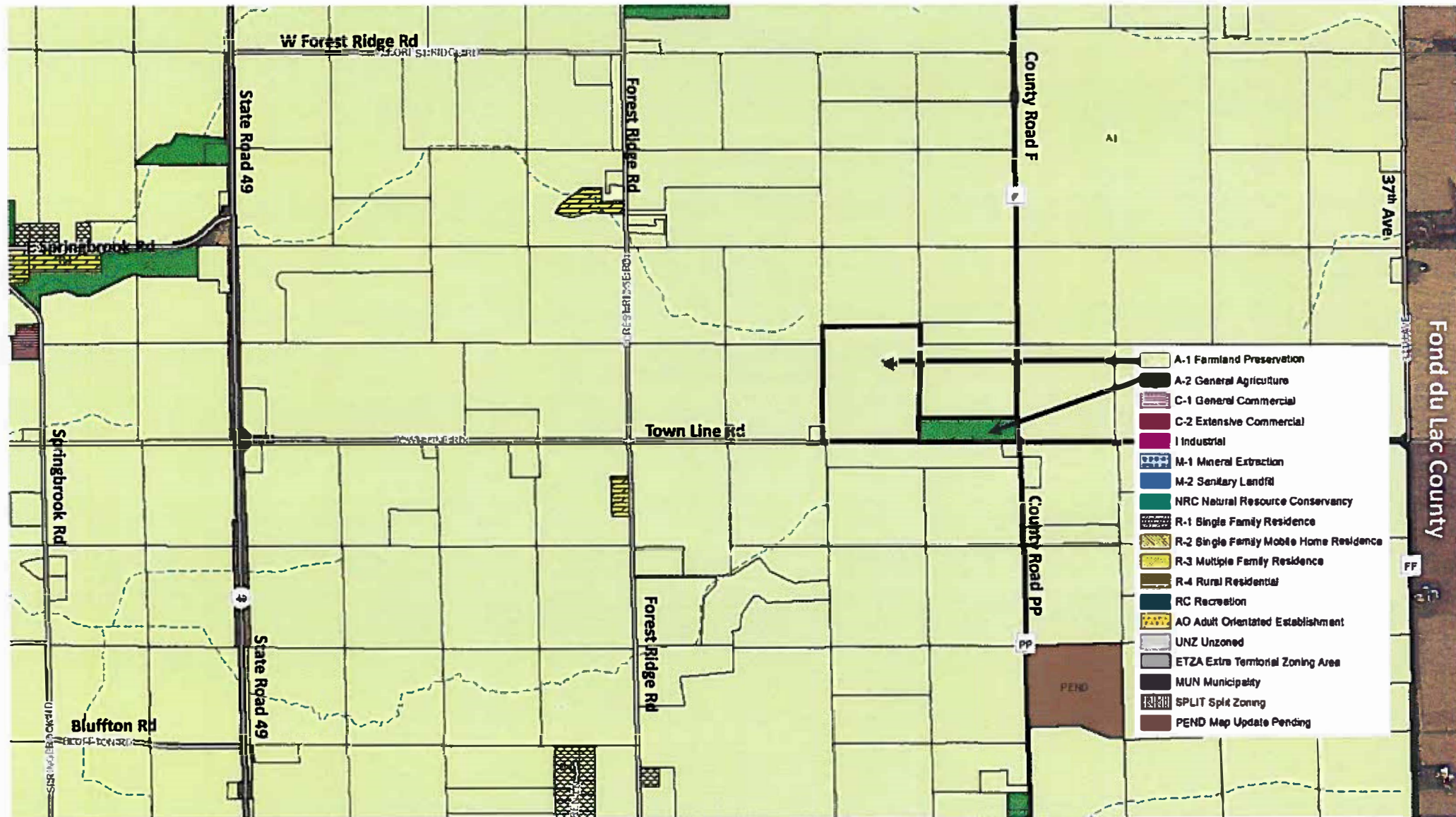
Request to rezone from A-2 General Agriculture to A-1 Farmland Preservation (±3 acres) & R-4 Rural Residential (±7 acres)



Barbara Meyer - Kim Michaelson, Power of Attorney

W514 Town Line Road, Parcel #002-00683-0100 (±10 acres), Lot 1 Certified Survey Map 3257, Town of Berlin

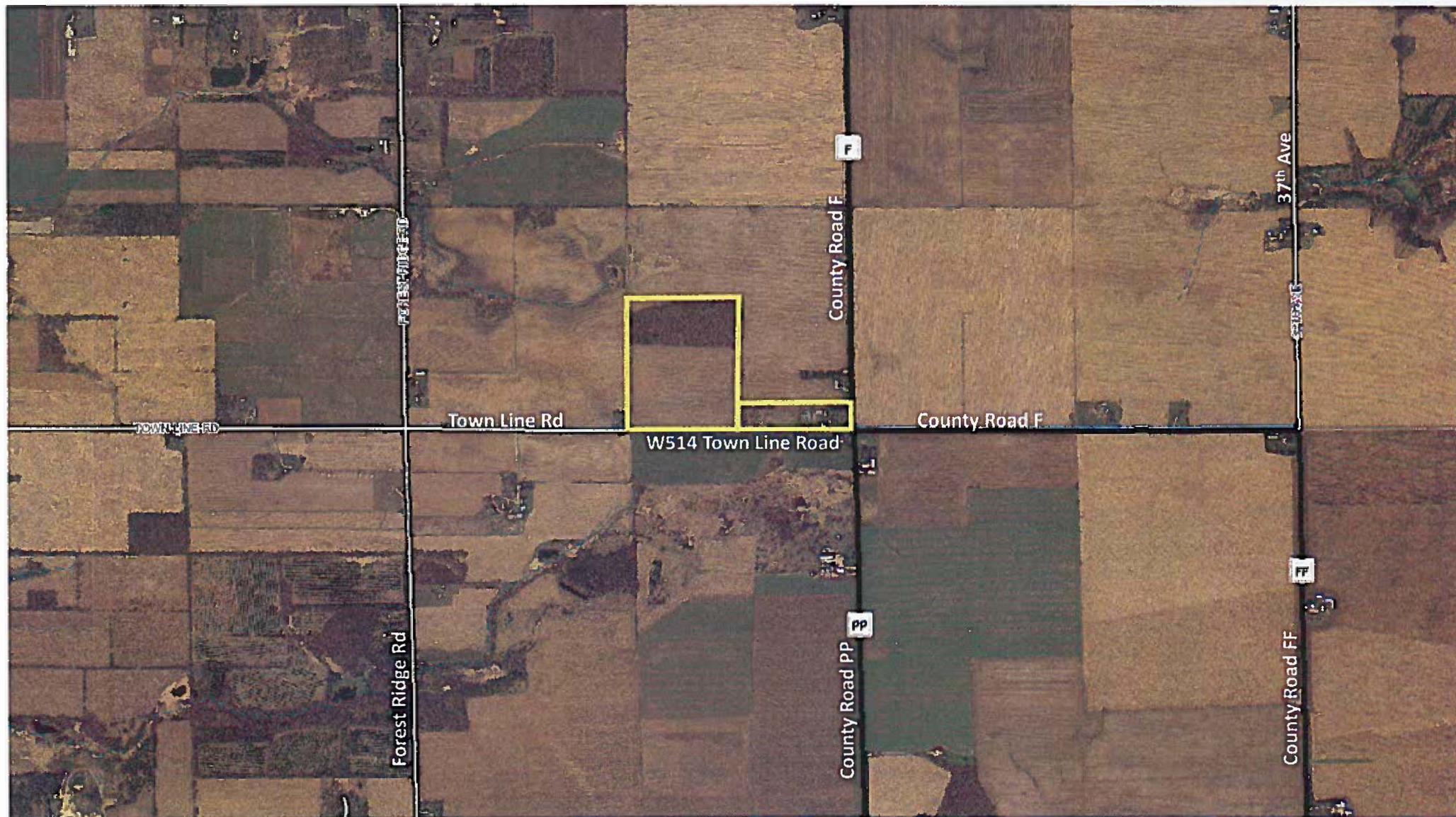
Request to rezone from A-2 General Agriculture to A-1 Farmland Preservation (±3 acres) & R-4 Rural Residential (±7 acres)



Barbara Meyer - Kim Michaelson, Power of Attorney

W514 Town Line Road, Parcel #002-00683-0100 (±10 acres), Lot 1 Certified Survey Map 3257, Town of Berlin

Request to rezone from A-2 General Agriculture to A-1 Farmland Preservation (±3 acres) & R-4 Rural Residential (±7 acres)



Barbara Meyer - Kim Michaelson, Power of Attorney

W514 Town Line Road, Parcel #002-00683-0100 (±10 acres), Lot 1 Certified Survey Map 3257, Town of Berlin

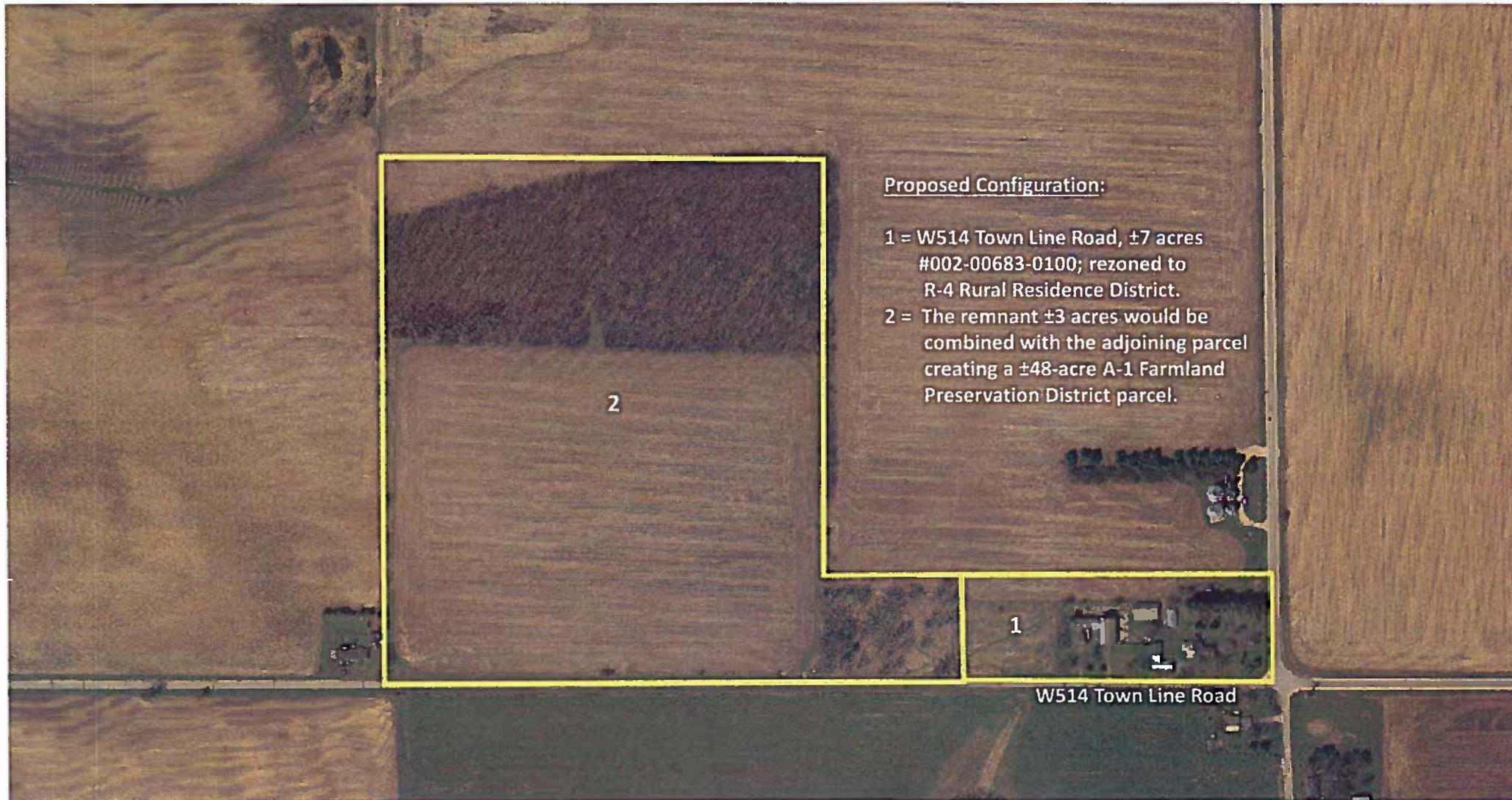
Request to rezone from A-2 General Agriculture to A-1 Farmland Preservation (±3 acres) & R-4 Rural Residential (±7 acres)



Barbara Meyer - Kim Michaelson, Power of Attorney

W514 Town Line Road, Parcel #002-00683-0100 (±10 acres), Lot 1 Certified Survey Map 3257, Town of Berlin

Request to rezone from A-2 General Agriculture to A-1 Farmland Preservation (±3 acres) & R-4 Rural Residential (±7 acres)

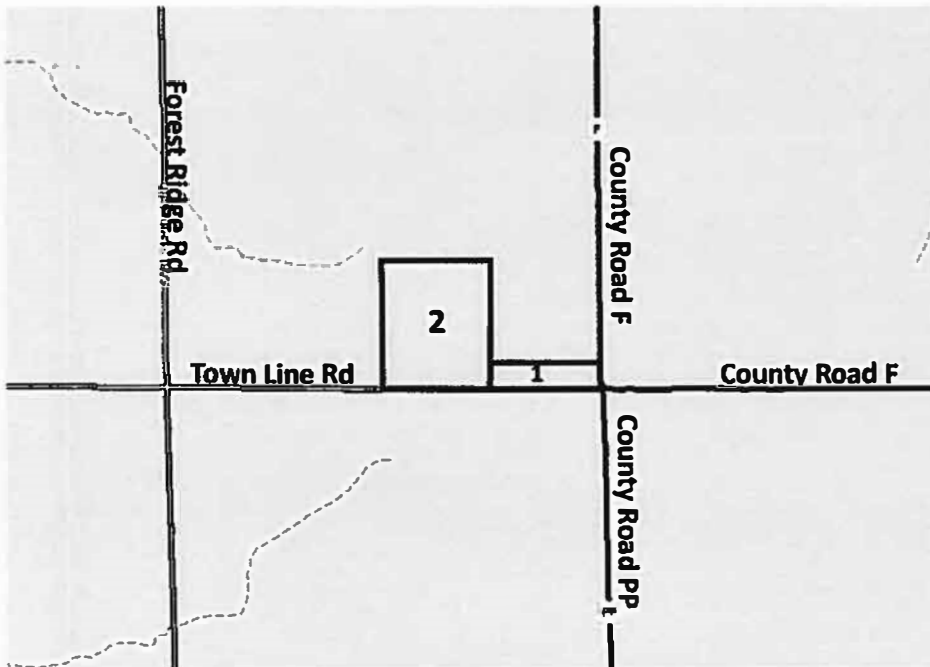


Barbara Meyer - Kim Michaelson, Power of Attorney

**W514 Town Line Road, Parcel #002-00683-0100 (±10 acres), Lot 1 Certified Survey Map 3257, Town of Berlin
Request to rezone from A-2 General Agriculture to A-1 Farmland Preservation (±3 acres) & R-4 Rural Residential (±7 acres)**

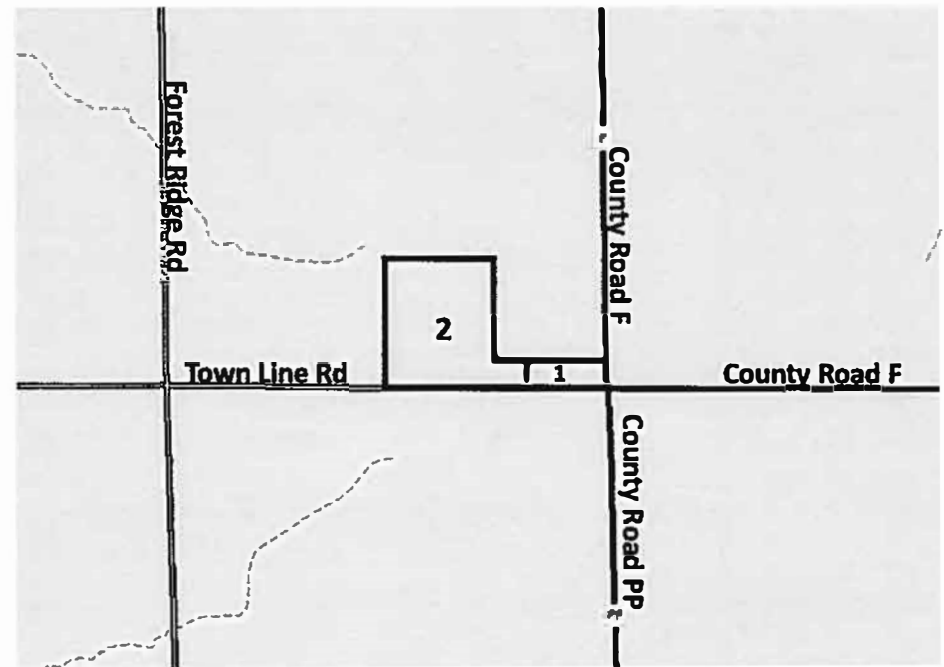
Existing Configuration:

- 1 = W514 Town Line Road, ±10 acres, #002-00683-0100 currently zoned A-2 General Agriculture District.**
- 2 = ±45-acre parcel zoned A-1 Farmland Preservation District, also owned by the applicant.**



Proposed Configuration:

- 1 = W514 Town Line Road, ±7 acres; #002-00683-0100; rezoned to R-4 Rural Residence District.**
- 2 = The remnant ±3 acres would be combined with the adjoining parcel creating a ±48-acre A-1 Farmland Preservation District parcel.**



TOWN BOARD ACTION

Rezone Request

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Berlin, County of Green Lake, took the following action on Oct. 15, 2018.

Does not object to and approves of X

No action taken _____

Objects to and requests denial of _____

Reason(s) for objection _____

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

Owner/Applicant: Arthur E. & Barbara Meyer Revocable Trust;
Barbara A. Meyer by Kim Michaelson, her agent

General legal description: W514 Town Line Road, Parcel #002-00683-0100 (±10 acres), Lot 1 Certified Survey Map 3257, Part of the SE¼ of Section 35, T17N R13E, ±10 acres, Town of Berlin. To be identified by certified survey map.

Planned public hearing date: November 1, 2018

Request: Request to rezone from A-2 General Agriculture to A-1 Farmland Preservation (±3 acres) & R-4 Rural Residential (±7 acres)

Brenda Muckley
Town Representative Clerk/Treas.

10/15/18
Date Signed

NOTES: _____

Please return this form to the Land Use Planning & Zoning Office by: October 22, 2018

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT
PUBLIC HEARING

March 7, 2019

ITEM IV: ZONING CHANGE

OWNER:

Diana A. Schoppenhorst

APPLICANT:

Richard Gutske, Personal Representative
Tom Wilson, Agent & First Weber Realtor

REQUEST: The owner/applicant is requesting a zoning change from R-1, Single-Family Residence District to R-4, Rural Residential District, before lands can be combined by certified survey map (CSM).

PARCEL NUMBER / LOCATION: Affected parcel numbers are #002-00130-0000 and 002-00132-0000, located in the NW¼, Section 8, T17N, R13E, Town of Berlin. The site proposed for zoning change is located at N9251 32nd Drive.

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning of the parcel in question is R-1, Single-Family Residence. Parcels to the south are also zoned R-1, Single-Family Residence District; parcels to the west and southwest are zoned R-4, Rural Residential District and A-1, Farmland Preservation District. The subject parcel abuts the City of Berlin to the east, where there are residential lots, and abuts C-2, Extensive Commercial District parcel zoning to the north.

The Green Lake County Farmland Preservation Plan identifies the subject of this rezone request as being an Area of Nonagricultural Development. Soils indicate loamy fine sand.

The Wisconsin Wetland Inventory identifies wetlands adjacent to the excavated pond on the larger parcel, 002-00130-0000, which the subject of this rezone request is being joined to via certified survey map.

ADDITIONAL INFORMATION / ANALYSIS: The estate of the owner is being put in order since her passing in September of 2018. The representative of the estate has arranged for the subject of this rezone request to be sold, along with the lands this lot will be attached to via CSM. The west side of the larger parcel will be separated, to release to a neighboring owner. The acreage of this request totals ±4.3 acres once combined, and with a rezone to R-4, Rural Residential, the lands could be used for light agriculture purposes.

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

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

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

- ❑ The request is consistent with the County comprehensive plan goal to preserve the rural character of the county by protecting farmlands. It is the opinion of this Department that this rezone request does fit with the character of this neighborhood, being more rural than dense residential at the edge of the city boundary.
- ❑ The nature and character of the parcel is conducive to rural residential use based on zoning district area restrictions, existing structures on the parcels, and desired use of this property by the aligned buyer. The property is conducive for open space uses, being located near other agricultural lands, some of which also have single-family dwellings.
- ❑ The use of the surrounding lands is agricultural to the west and south, with residential and commercial to the east and north (city boundary).
- ❑ The overall zoning scheme appears to be mixed, skewed towards residences at the roadway and agricultural/open space lands behind. The proposed rezone is consistent with that scheme.
- ❑ It would appear the request is consistent with community goals relating to public health, morals, and safety as well as the public welfare, convenience, and general prosperity.

TOWN OF BERLIN: An Action Form requesting the Town of Berlin's input related to this zoning change request was mailed to the Town Clerk on January 11, 2019.

Please type or use black ink

Return to: Green Lake County
Planning & Zoning Department
571 County Road A
Green Lake, WI 54941

GENERAL APPLICATION

Fee \$375 (not refundable)

Date 12-11-18

Zone Change from R1 to R4

Conditional Use Permit for n/a

Other n/a

PROPERTY OWNER / APPLICANT

Name Diana A. Schoppenhorst

Mailing Address N9251 32ND Street, Berlin Wisconsin 54923

Phone Number _____

Signature X Richard F. Gueth PR

Date 1-2-19

AGENT IF OTHER THAN OWNER

Name Tom Wilson Realtor for First Weber

Mailing Address 236 Broadway Berlin Wisconsin 54923

Phone Number 920-573-7410

Signature [Signature]

Date _____

PROPERTY INFORMATION

Town of Berlin Parcel Number 002-00132-0000 Acres 0.66

Lot Block _____ Subdivision _____

Section 8 Town 17 North Range 13 East

Location of Property N9251 32ND Street

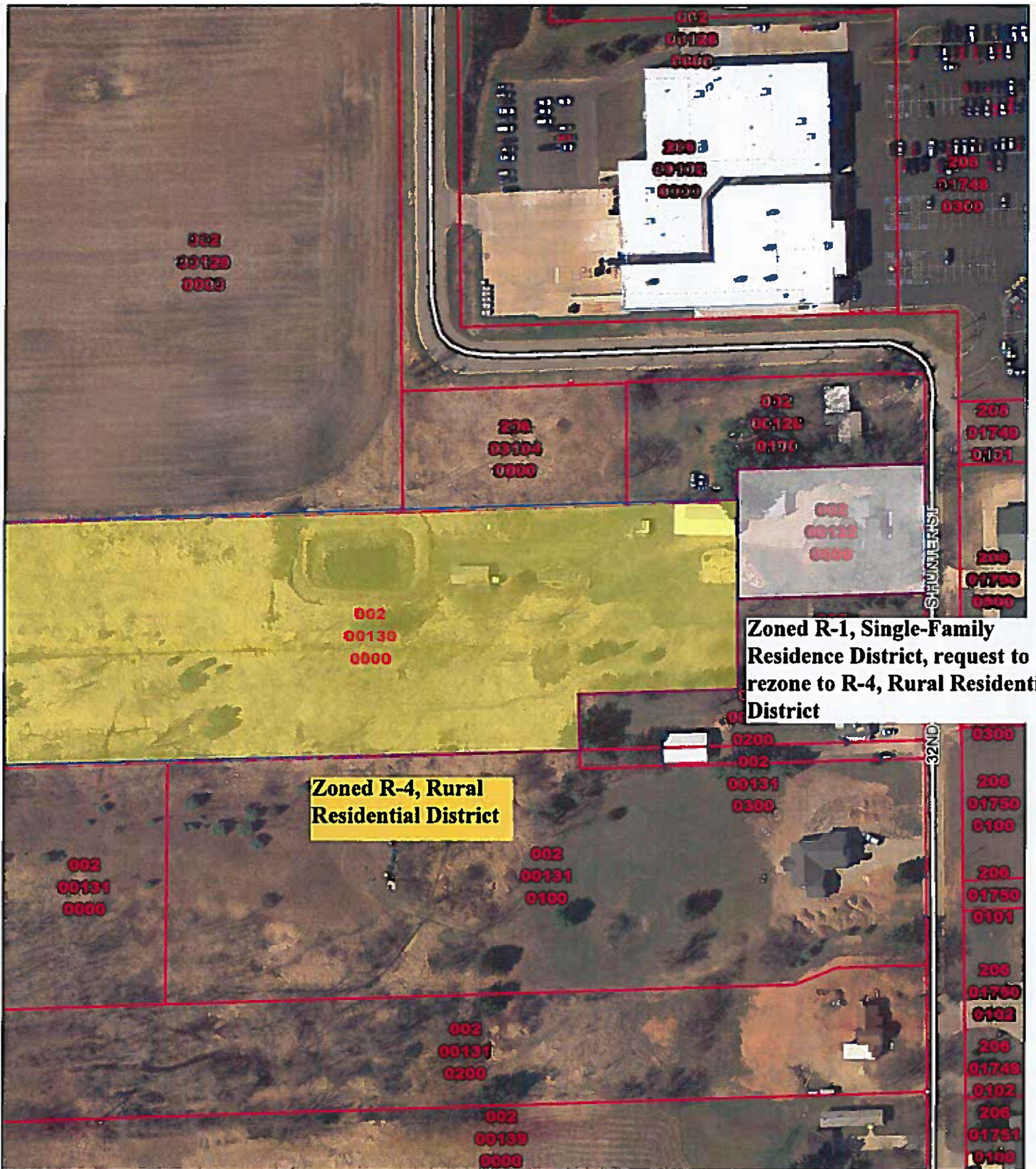
Legal Description Located in the NE 1/4 - NW 1/4 of Section 16-17-13
Town of Berlin, Green Lake County Wisconsin

Current Zoning Classification R-1 Current Use of Property Residential

Detailed Description of Proposed Use Is being used for residential use, but
will be combined by CSM with adjacent lands to the west to
be ± 4.0 acres. R-4 zoning requested to allow for ag. uses.

PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION

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



Green Lake County

1 inch = 150 feet

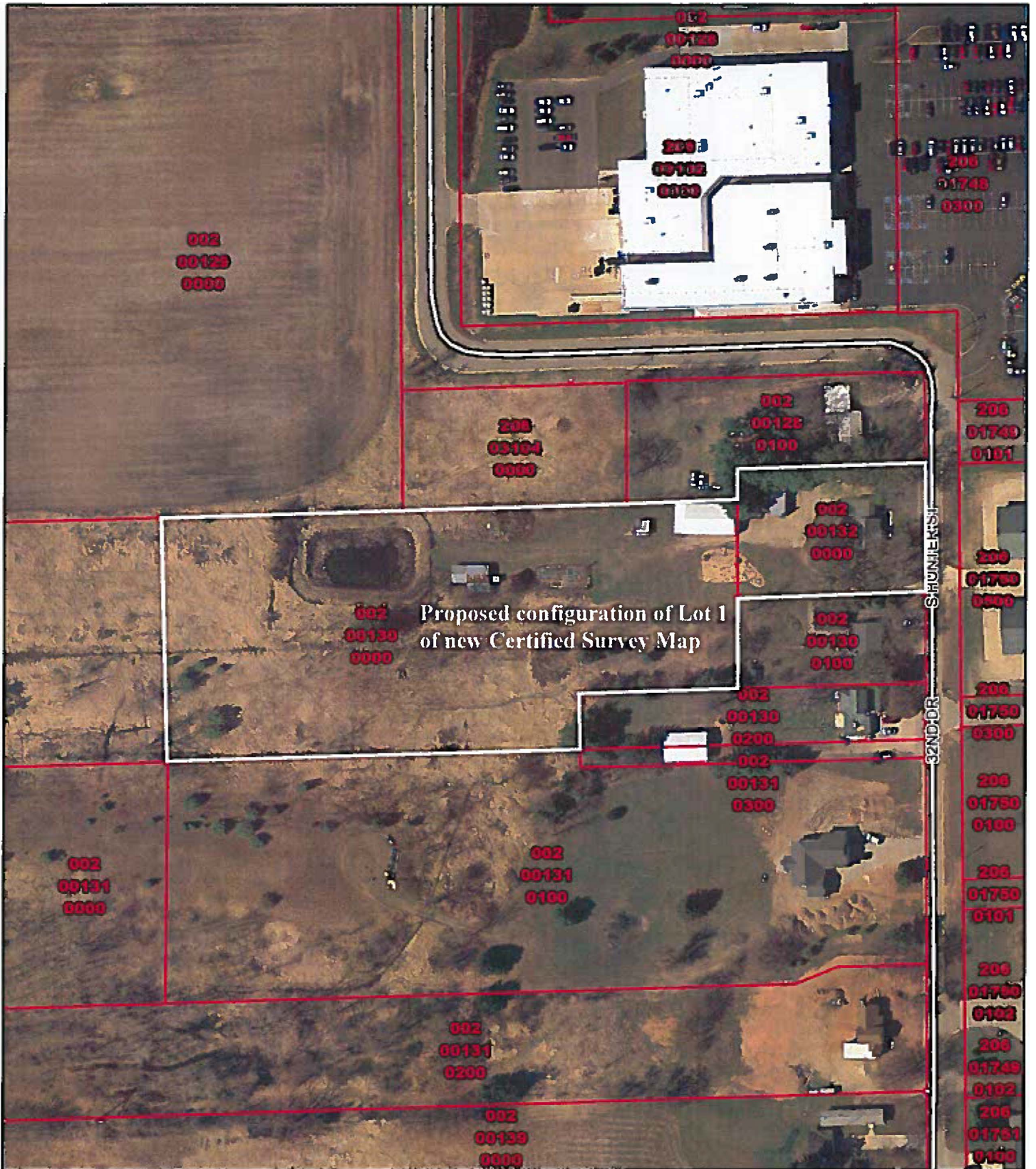
Geographic Information System (GIS)
<https://gis.co.green-lake.wi.us/>

GIS Viewer Map
 Green Lake County, WI

Note

Time: 3:33:17 PM
 Date: 1/2/2019





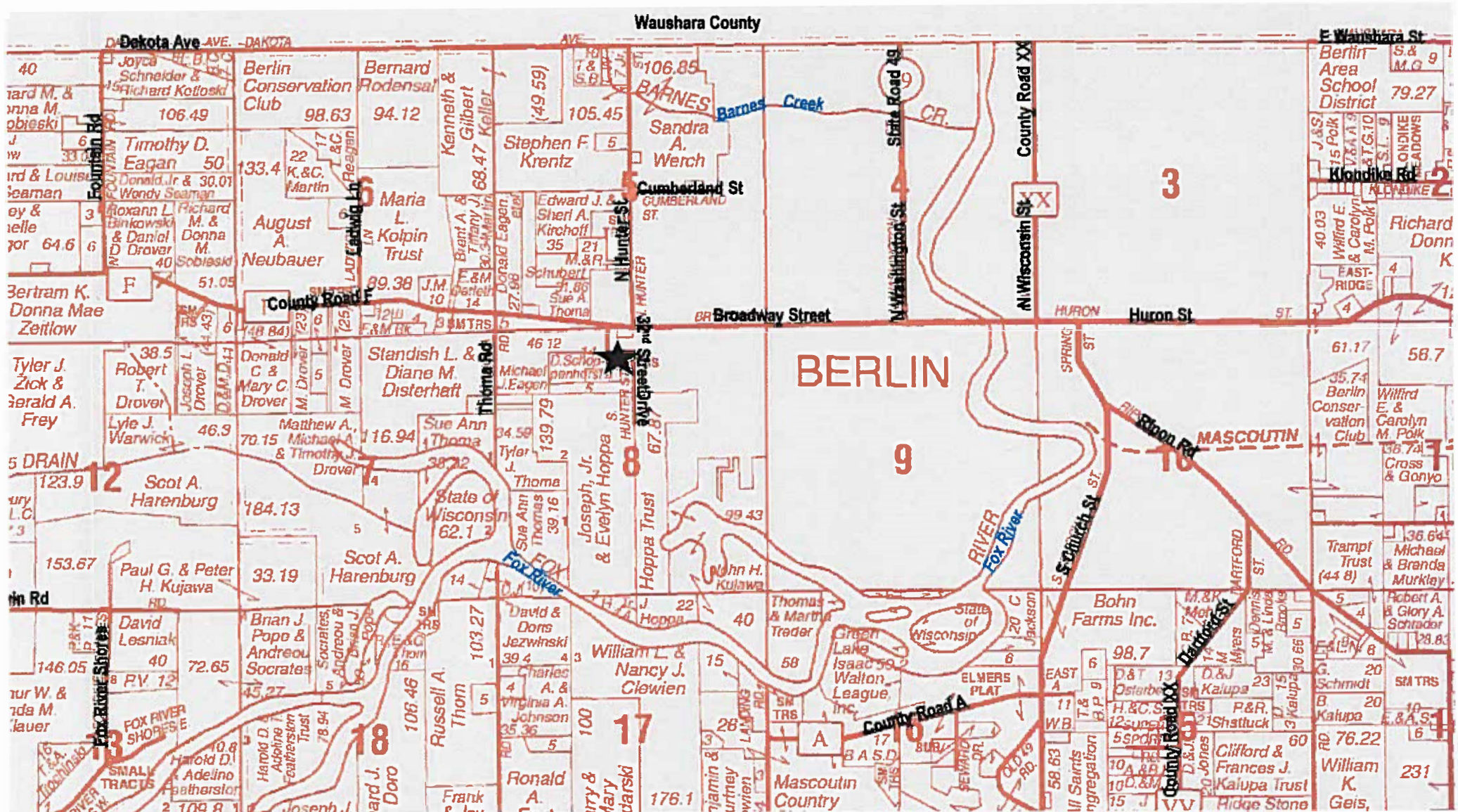

 Green Lake County
 1 inch = 150 feet
 Geographic Information System (GIS)
<https://gis.co.green-lake.wi.us/>

GIS Viewer Map
 Green Lake County, WI
 Note:

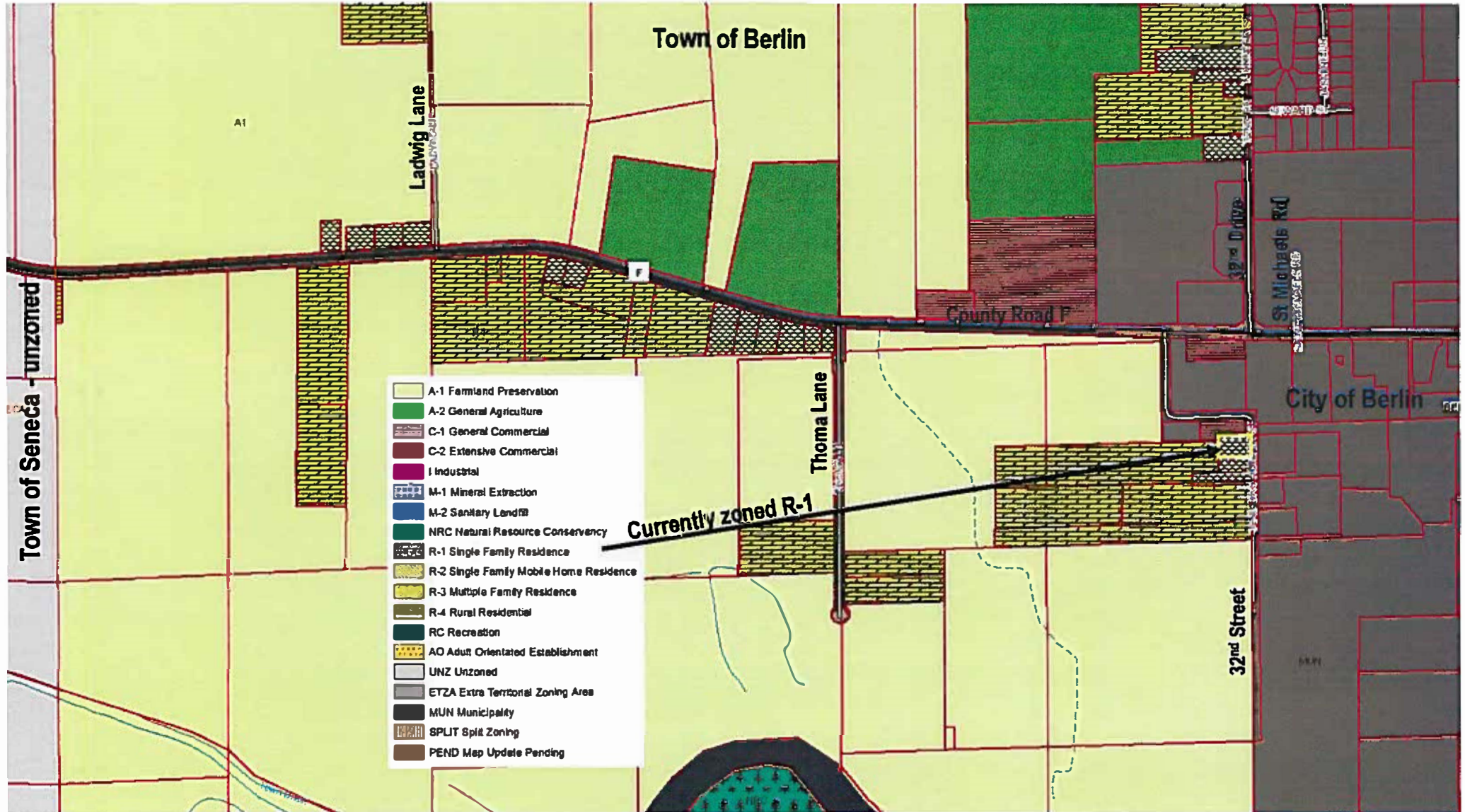
Time: 3:33:17 PM
 Date: 1/2/2019



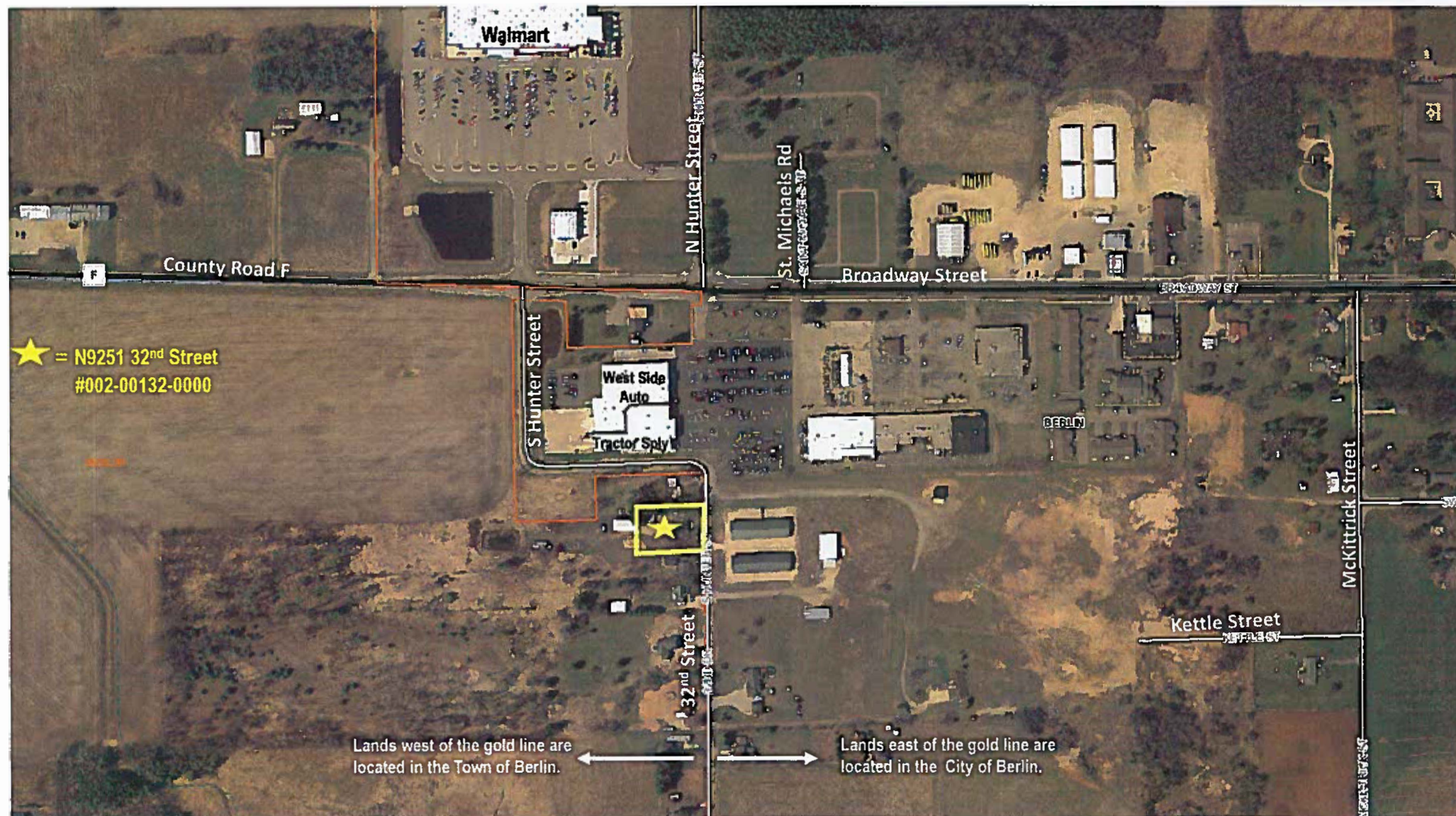
Diana A. Schoppenhorst – Richard F. Gustke, Personal Representative – Tom Wilson, Agent & First Weber Realtor
N9251 32nd Drive, Parcel #002-00132-0000 (±.66 acres), Located in the NE¼ of the NW¼, Section 8, T17N, R13E, Town of Berlin
Request to rezone from R-1 Single-Family Residence District to R-4 Rural Residential District.



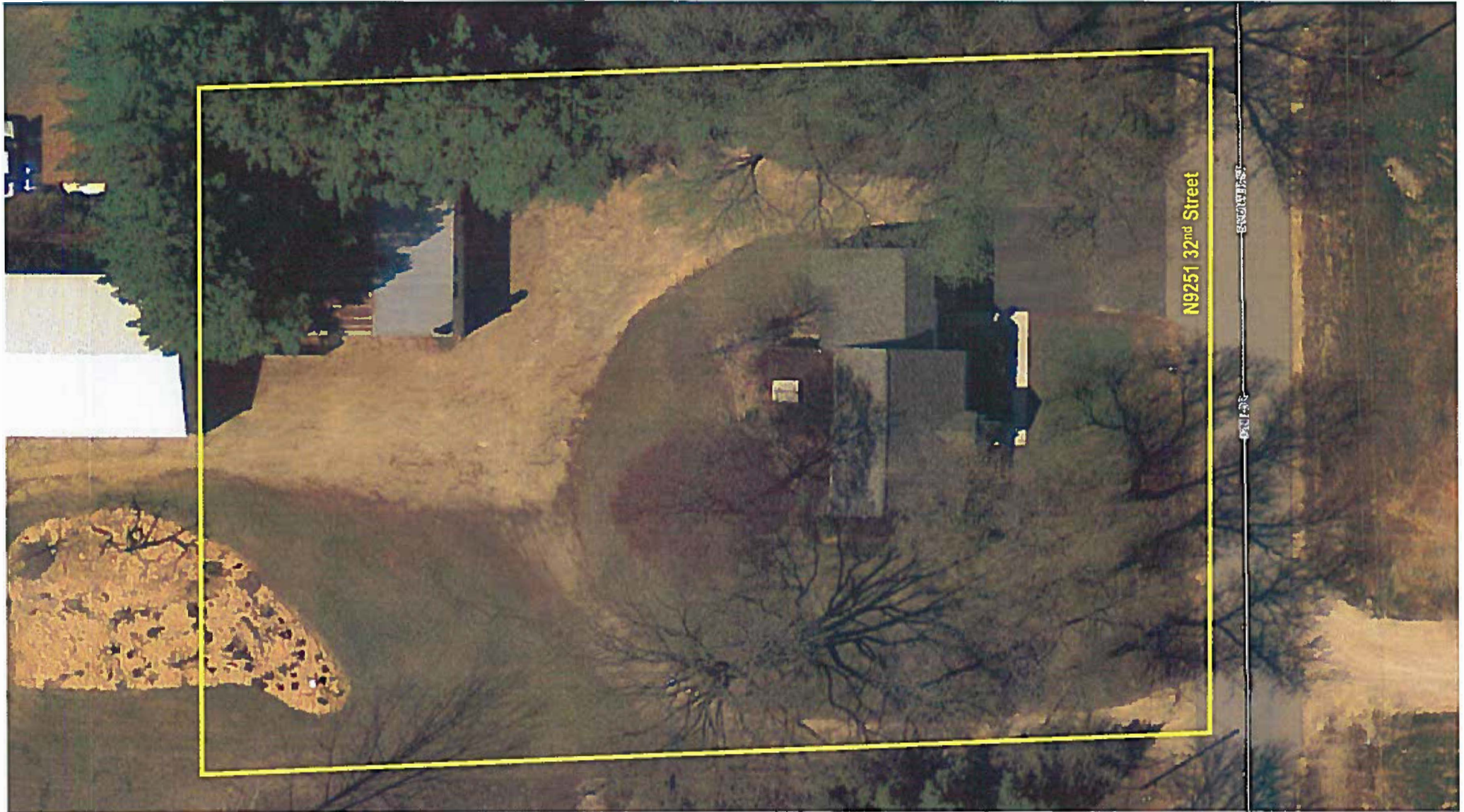
Diana A. Schoppenhorst – Richard F. Gustke, Personal Representative – Tom Wilson, Agent & First Weber Realtor
N9251 32nd Drive, Parcel #002-00132-0000 (±.66 acres), Located in the NE¼ of the NW¼, Section 8, T17N, R13E, Town of Berlin
Request to rezone from R-1 Single-Family Residence District to R-4 Rural Residential District.



**Diana A. Schoppenhorst – Richard F. Gustke, Personal Representative – Tom Wilson, Agent & First Weber Realtor
N9251 32nd Drive, Parcel #002-00132-0000 (±.66 acres), Located in the NE¼ of the NW¼, Section 8, T17N, R13E, Town of Berlin
Request to rezone from R-1 Single-Family Residence District to R-4 Rural Residential District.**



**Diana A. Schoppenhorst – Richard F. Gustke, Personal Representative – Tom Wilson, Agent & First Weber Realtor
N9251 32nd Drive, Parcel #002-00132-0000 (±.66 acres), Located in the NE¼ of the NW¼, Section 8, T17N, R13E, Town of Berlin
Request to rezone from R-1 Single-Family Residence District to R-4 Rural Residential District.**



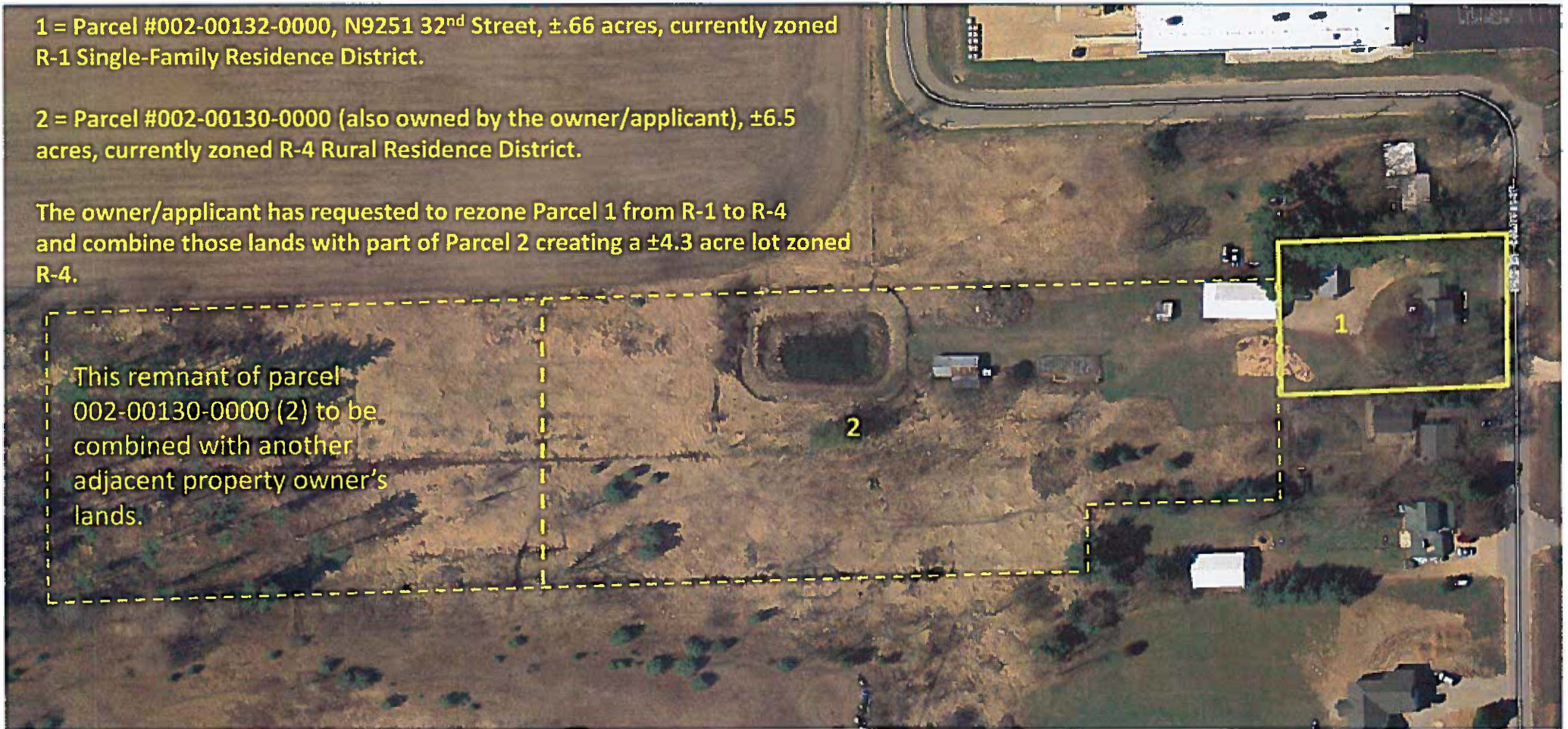
**Diana A. Schoppenhorst – Richard F. Gustke, Personal Representative – Tom Wilson, Agent & First Weber Realtor
N9251 32nd Drive, Parcel #002-00132-0000 (±.66 acres), Located in the NE¼ of the NW¼, Section 8, T17N, R13E, Town of Berlin
Request to rezone from R-1 Single-Family Residence District to R-4 Rural Residential District.**

1 = Parcel #002-00132-0000, N9251 32nd Street, ±.66 acres, currently zoned R-1 Single-Family Residence District.

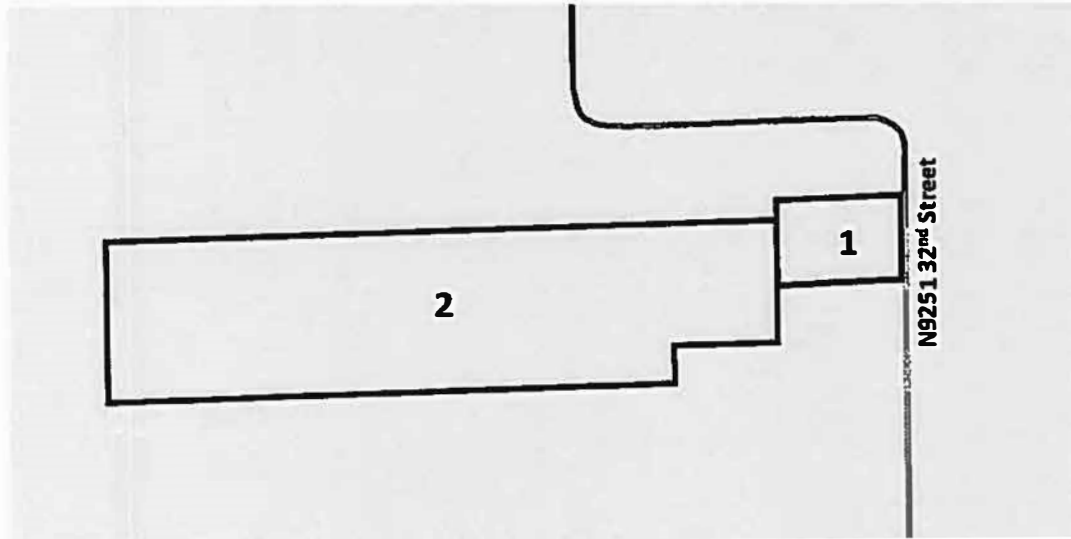
2 = Parcel #002-00130-0000 (also owned by the owner/applicant), ±6.5 acres, currently zoned R-4 Rural Residence District.

The owner/applicant has requested to rezone Parcel 1 from R-1 to R-4 and combine those lands with part of Parcel 2 creating a ±4.3 acre lot zoned R-4.

This remnant of parcel 002-00130-0000 (2) to be combined with another adjacent property owner's lands.



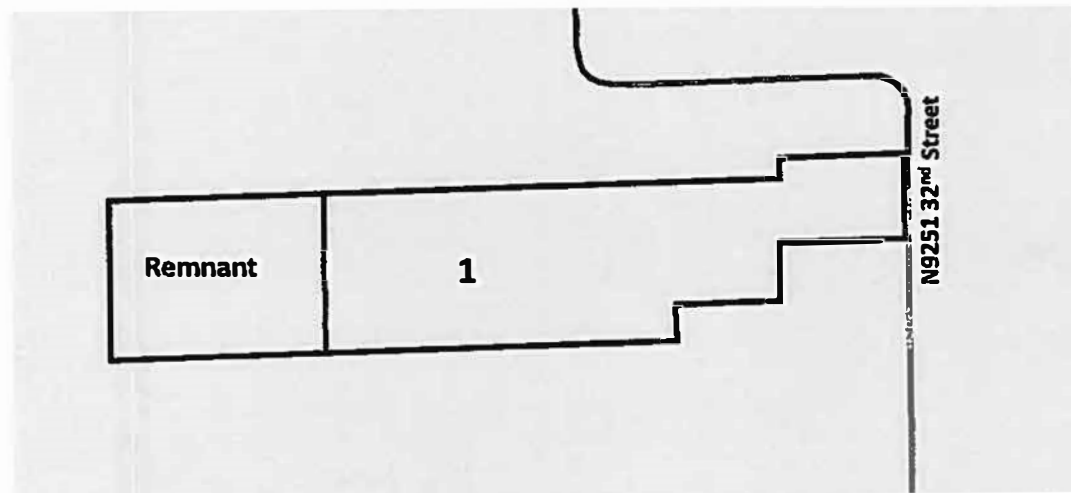
**Diana A. Schoppenhorst – Richard F. Gustke, Personal Representative – Tom Wilson, Agent & First Weber Realtor
N9251 32nd Drive, Parcel #002-00132-0000 (±.66 acres), Located in the NE¼ of the NW¼, Section 8, T17N, R13E, Town of Berlin
Request to rezone from R-1 Single-Family Residence District to R-4 Rural Residential District.**



Existing Configuration:

1 = Parcel #002-00132-0000, N9251 32nd Street, ±.66 acres, currently zoned R-1 Single-Family Residence District

2 = Parcel #002-00130-0000 (also owned by the owner/applicant), ±6.5 acres, currently zoned R-4 Rural Residence District.



Proposed Configuration:

1 = The owner/applicant has requested to rezone the smaller parcel (#1 above) from R-1 to R-4 Rural Residential District and combine those lands with part of Parcel 2 creating a ±4.3 acre lot zoned R-4.

The remnant of parcel #002-00130 to be combined with lands by other owners.

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT
PUBLIC HEARING

March 7, 2019

ITEM V: ZONING CHANGE

OWNER:

Kirk Schultz

APPLICANT:

Chad Boelter / Prideview Dairy

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

PARCEL NUMBER / LOCATION: Affected parcel number is #012-00693-0000, located in the NW¼, Section 36, T14N, R12E, Town of Manchester. The site proposed for zoning change is located at N445 State Road 73.

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning of the parcel in question is A-1, Farmland Preservation District and all lands surrounding the subject site are A-1, Farmland Preservation District, with the predominant use of the land being agricultural. There are two areas of R-1 Single-Family Residence District along the shores of Lake Maria to the northeast.

The Green Lake County Farmland Preservation Plan identifies the subject of this rezone request as being a Farmland Preservation Area. Floodplains, shoreland jurisdiction, and wetland designations are not present on this property.

ADDITIONAL INFORMATION / ANALYSIS: The owner would like to separate ±3 acres, containing buildings and yard space on the east side of the parcel to sell to an employee. The remaining 37 acres will be kept by the owner. The buyer plans on keeping horses on the south portion of the new lot, utilizing the barn and shed on the property, as well as moving in to the single-family dwelling present on the parcel. This proposed lot needs a rezone to R-4, Rural Residential since it falls below the required 15-acre minimum in the A-1 zoning district. With a rezone to R-4, Rural Residential, the lands could be used as a home with agricultural presences being permitted.

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

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

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

- ❑ The request is consistent with the County comprehensive plan goal to preserve the rural character of the county by protecting farmlands. The lands requested to be removed from the Farmland Preservation District are not used for farming practices but instead exist as a residence. The lands under crop production subject to this

request will continue to be used agriculturally with the horses. The barn and shed structures will be used and maintained.

- The nature and character of the parcel is conducive to rural residential use based on the historic and current use of this area of the parcel.
- The use of the surrounding lands is agricultural.
- The overall zoning scheme appears to be agricultural. The proposed rezone will keep farm type uses and is, therefore, considered consistent with that scheme.
- It would appear the request is consistent with community goals relating to public health, morals, and safety as well as the public welfare, convenience, and general prosperity.

TOWN OF MANCHESTER: An Action Form requesting the Town of Manchester's input related to this zoning change request was mailed to the Town Clerk on January 11, 2019.

Please type or use black ink

Return to: Green Lake County
Planning & Zoning Department
571 County Road A
Green Lake, WI 54941

GENERAL APPLICATION

Fee \$375 (not refundable)

Date 12-27-18

Zone Change from A-1 to R-4

Conditional Use Permit for _____

Other _____

PROPERTY OWNER / APPLICANT

Name Phil Schaff Kirk Schaff

Mailing Address 445 HWY 73 RANDOLPH 53956

Phone Number 920 229 1105

Signature Phil Schaff Date 12-27-18

AGENT IF OTHER THAN OWNER

Name Chad Boelter

Mailing Address W2470 Hwy AW Randolph, WI 53956

Phone Number (920) 229-4920

Signature Chad Boelter Date 12-27-18

PROPERTY INFORMATION

Town of Manchester Parcel Number 012-00693-0000 Acres 40

Lot _____ Block _____ Subdivision _____

Section 36 Town 14 North Range 12 East

Location of Property N445 State Road 73

Legal Description Part of the NE 1/4 of the NW 1/4 of Section 36, T14N, R12E

Current Zoning Classification A-1 Current Use of Property Residential

and agricultural

Detailed Description of Proposed Use Rezone +3.0 acres and sell buildings
separate from crop lands

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

PZP-010 (04/09)



Green Lake County

1 inch = 200 feet

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

GIS Viewer Map
 Green Lake County, WI

Note
 Area being ± 3.31 acres in size, with ± 0.31 acres contained within the right of way of State Road 73, meeting 350-41 C.(1).

Time: 4:28:30 PM
 Date: 12/26/2018





1 inch = 147 feet



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

GIS Viewer Map

Green Lake County, WI

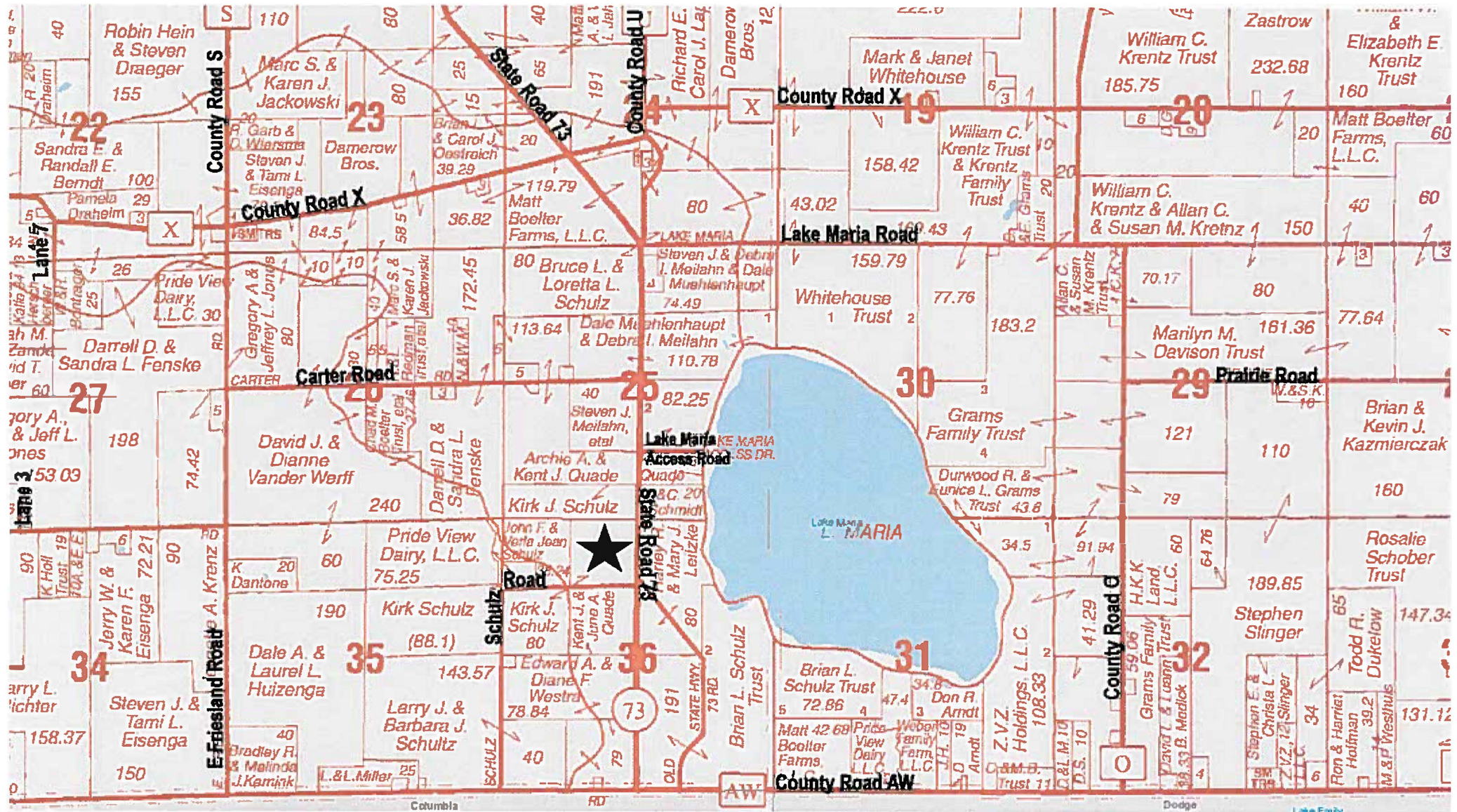
Time: 9:37:31 AM
 Date: 12/27/2018

Note:



N445 State Road 73, Town of Manchester, Parcel #012-00693-0000 (±40 acres), Part of the NW¼ of Section 36, T14N, R12E

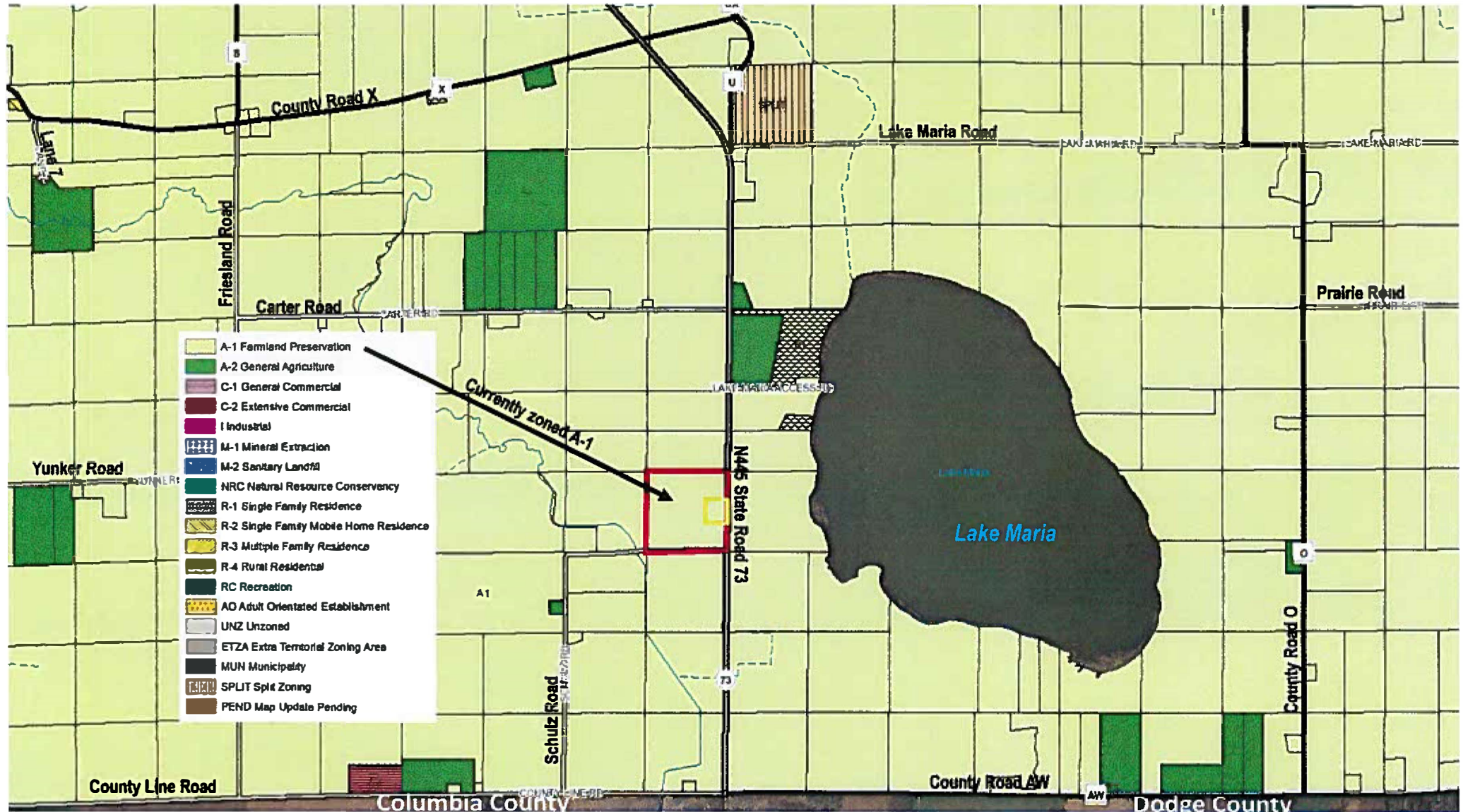
Request to rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District



Pride View Dairy, LLC, Owner/Applicant – Chad Boe1ter, Agent

N445 State Road 73, Town of Manchester, Parcel #012-00693-0000 (±40 acres), Part of the NW¼ of Section 36, T14N, R12E

Request to rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District

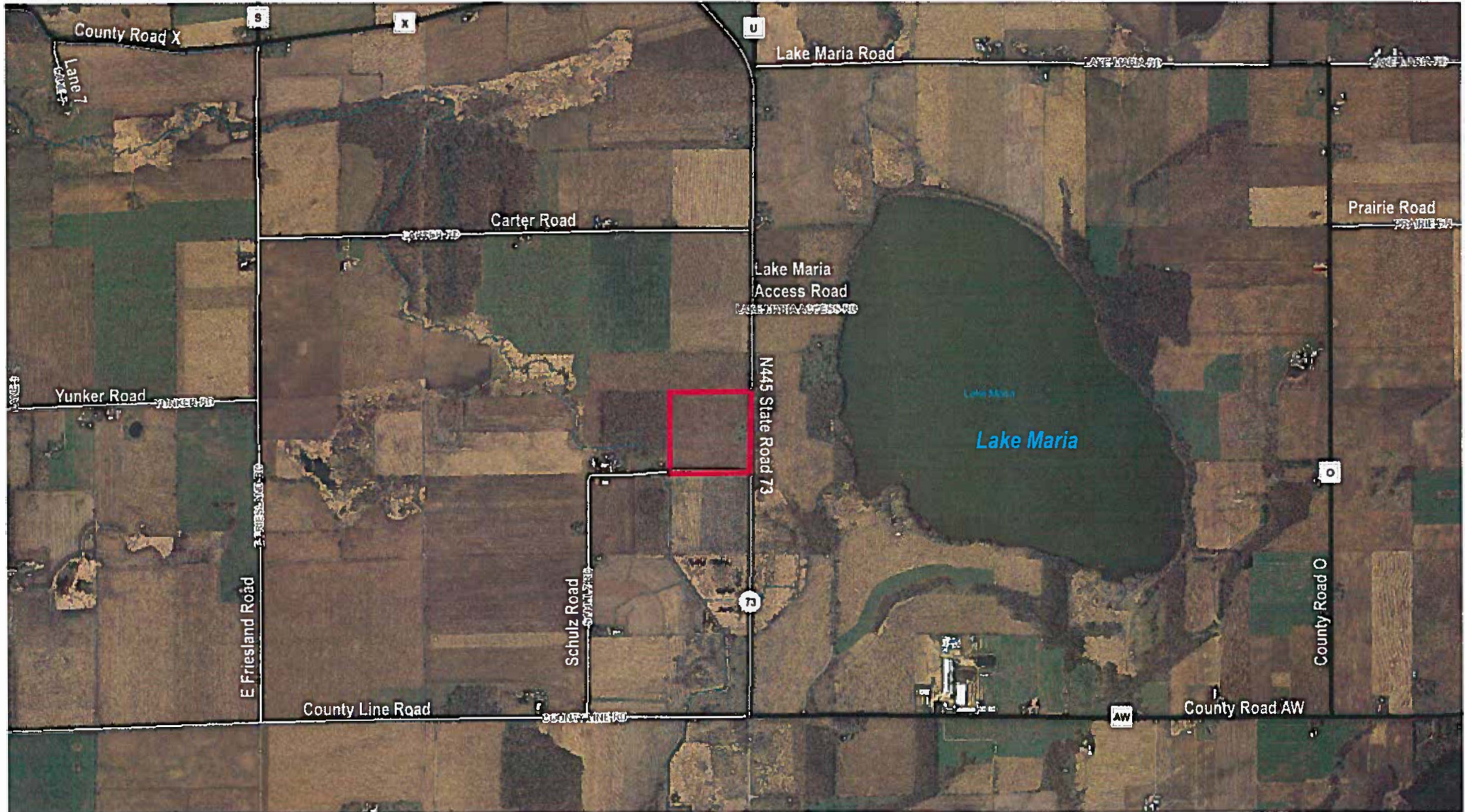


Green Lake County Land Use Planning & Zoning Committee Public Hearing 03/07/19

Pride View Dairy, LLC, Owner/Applicant – Chad Boelter, Agent

N445 State Road 73, Town of Manchester, Parcel #012-00693-0000 (±40 acres), Part of the NW¼ of Section 36, T14N, R12E

Request to rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District

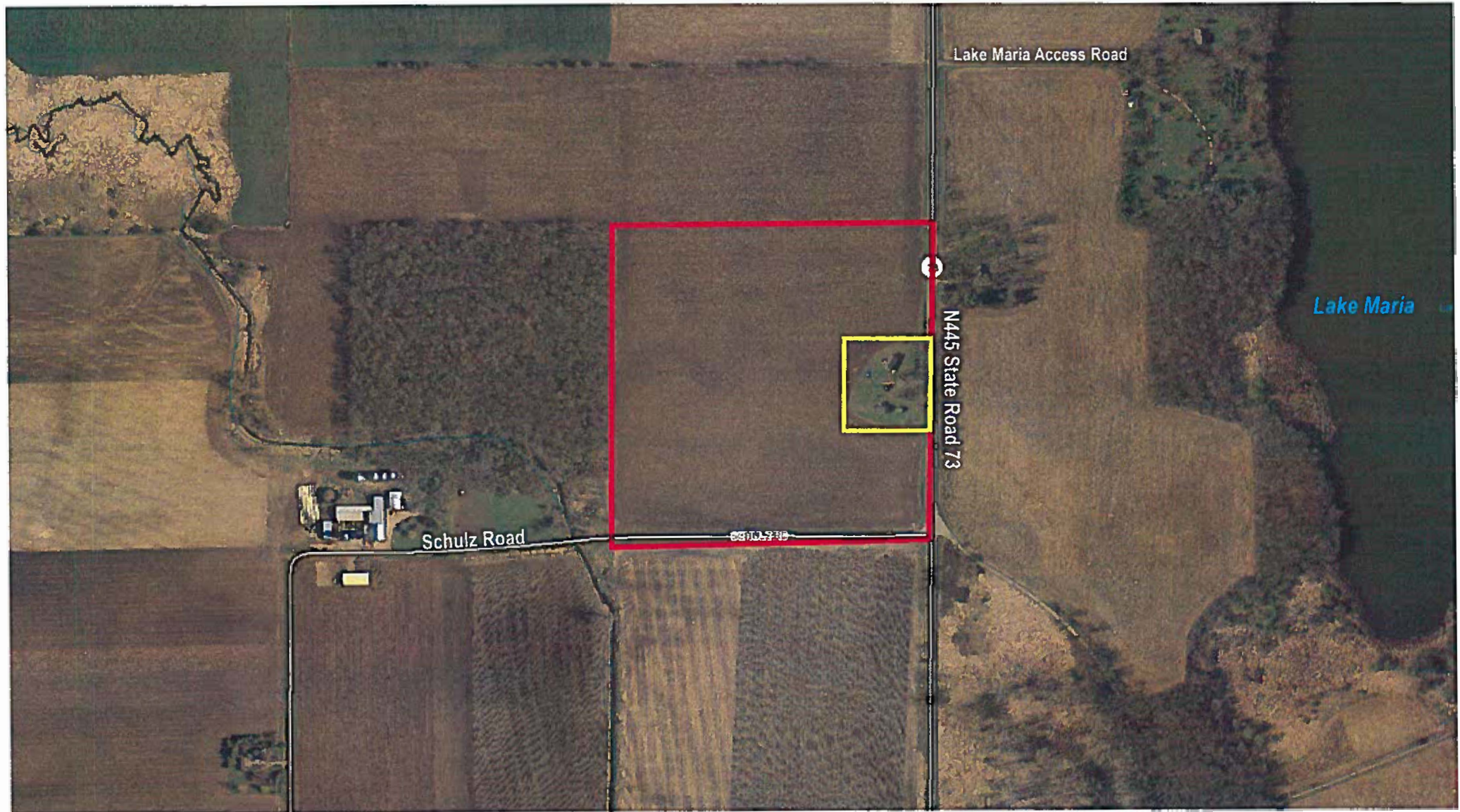


Green Lake County Land Use Planning & Zoning Committee Public Hearing 03/07/19

Pride View Dairy, LLC, Owner/Applicant – Chad Boelter, Agent

N445 State Road 73, Town of Manchester, Parcel #012-00693-0000 (±40 acres), Part of the NW¼ of Section 36, T14N, R12E

Request to rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District



Green Lake County Land Use Planning & Zoning Committee Public Hearing 03/07/19

Pride View Dairy, LLC, Owner/Applicant – Chad Boelter, Agent

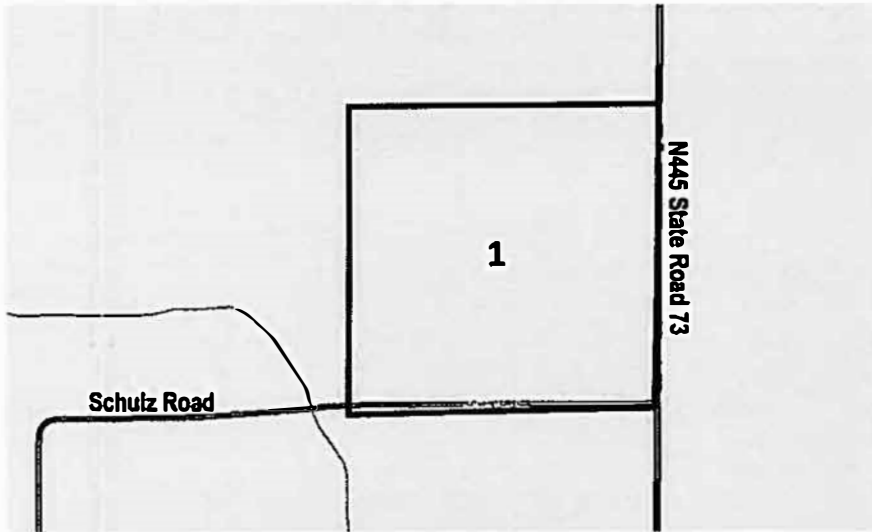
N445 State Road 73, Town of Manchester, Parcel #012-00693-0000 (±40 acres), Part of the NW¼ of Section 36, T14N, R12E

Request to rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District



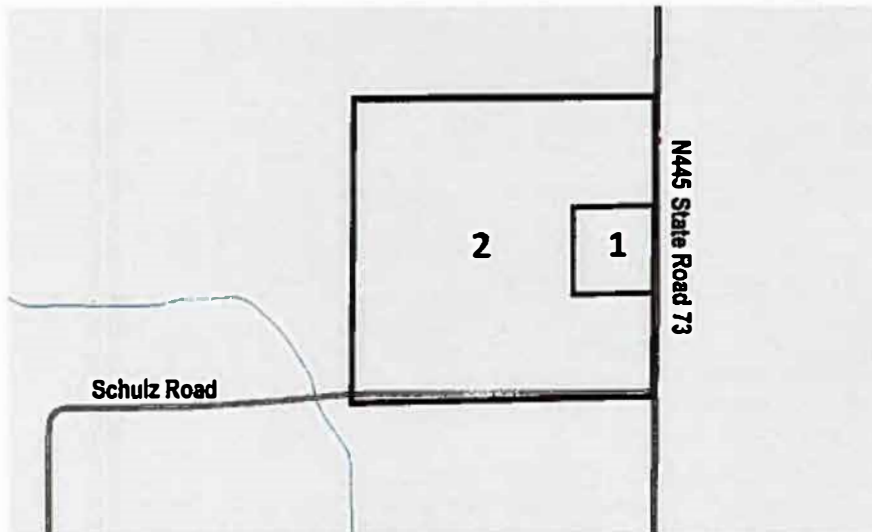
Green Lake County Land Use Planning & Zoning Committee Public Hearing 03/07/19

Pride View Dairy, LLC, Owner/Applicant – Chad Boelter, Agent
N445 State Road 73, Town of Manchester, Parcel #012-00693-0000 (±40 acres), Part of the NW¼ of Section 36, T14N, R12E
Request to rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District



Existing Configuration:

**1 = Parcel #012-00693-0000, N445 State Road 73
±40 acres zoned A-1 Farmland Preservation District.**



Proposed Configuration:

**1 = N445 State Road 73, +3 acres rezoned from A-1
Farmland Preservation District to R-4 Rural
Residential District.**
**2 = ±37 acres remain zoned A-1 Farmland Preservation
District.**