



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, September 5, 2019.

Packet Pages:

- 1 Agenda
- 2-5 Draft meeting minutes from August 1, 2019
- 6-8 Financial reports for July
- 9-10 Permits issued in July
- 11-13 Land Use and Septic violation reports
- 14 Public hearing notice
- 15-26 **Item I: Owner:** Steven J Drager & Robin R Hein **Agent:** Cloud 1, Chris Henschue, Business Development Representative/Site Acquisition **Site Location:** Tichora Road, Parcel #010-00073-0000, Part of the NW¼ of Section 4, T14N, R13E, Town of Mackford (± 37 acres) **Request:** Conditional use permit request to construct a 300 foot tall cell tower as well as a mobile service facility.
- 27-36 **Item II: Owner:** MNJ Development, LLC **Applicant:** Michael Monohan, Member/Manager **Site Location:** Eastridge Dr **General legal description:** #002-00851-0000 (± 1.67 acres); Lot 5 Eastridge Subdivision, Part of the SW¼ of Section 2, T17N, R13E, Town of Berlin **Request:** Rezone request from C-2 Extensive Commercial District to R-3 Multiple-Family Residence District.
- 37-46 **Item III: Owner/Applicant:** Town of Green Lake, Ben Moderow, Town Board Chairman **Site Location:** N4454 Horner Rd **General legal description:** #006-00152-0000 (± 1.84 acres); Lot 1 Certified Survey Map 158, Lot 1 Certified Survey Map 215, Lot 1 Certified Survey Map 215A & Outlot 1 Certified Survey Map 1901; Part of the NE¼ of Section 9, T15N, R13E, Town of Green Lake **Request:** Rezone request from A-1 Farmland Preservation District to R-1 Single-family Residence District.

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



GREEN LAKE COUNTY Land Use Planning & Zoning Committee

Robert Lyon, Chairman Harley Reabe, Committee Vice-Chair
William Boutwell Curt Talma Peter Wallace

Land Use Planning & Zoning Committee Meeting Notice

Date: Thursday, September 5, 2019 Time: 4:30 p.m.
Green Lake County Government Center, Room #0902
571 County Road A, Green Lake, WI 54941
Office: (920) 294-4156 FAX: (920) 294-4198
Email address: zoning@co.green-lake.wi.us

Agenda

1. Call to Order
2. Pledge of Allegiance
3. Certification of Open Meeting Law
4. Minutes: 08/01/19
5. Public comments: 3-minute limit
6. Department activity reports
 - a. Financial reports for July
 - b. Land use & septic permits for July
 - c. Violation reports
7. Department/Committee activity
8. Egbert/Pahl quarry conditional use permit complaint review
9. Future committee activities
 - a. Future agenda items
 - b. Meeting date: October 3, 2019
Business meeting 4:30 p.m. - Public hearing 5:30 p.m.

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.

5:30 p.m. Public Hearing

Item I: Owner: Steven J Drager & Robin R Hein **Agent:** Cloud 1, Chris Henschue, Business Development Representative/Site Acquisition **Site Location:** Tichora Road, Parcel #010-00073-0000, Part of the NW¼ of Section 4, T14N, R13E, Town of Mackford (± 37 acres) **Request:** Conditional use permit request to construct a 300 foot tall cell tower as well as a mobile service facility.

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

Item II: Owner: MNJ Development, LLC **Applicant:** Michael Monohan, Member/Manager **Site Location:** Eastridge Dr **General legal description:** #002-00851-0000 (± 1.67 acres); Lot 5 Eastridge Subdivision, Part of the SW¼ of Section 2, T17N, R13E, Town of Berlin **Request:** Rezone request from C-2 Extensive Commercial District to R-3 Multiple-Family Residence District.

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Item III: Owner/Applicant: Town of Green Lake, Ben Moderow, Town Board Chairman **Site Location:** N4454 Horner Rd **General legal description:** #006-00152-0000 (± 1.84 acres); Lot 1 Certified Survey Map 158, Lot 1 Certified Survey Map 215, Lot 1 Certified Survey Map 215A & Outlot 1 Certified Survey Map 1901; Part of the NE¼ of Section 9, T15N, R13E, Town of Green Lake **Request:** Rezone request from A-1 Farmland Preservation District to R-1 Single-family Residence District.

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

10. Adjourn

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Thursday, August 1, 2019**

CALL TO ORDER

Chairman Lyon called the meeting of the Land Use Planning and Zoning Committee to order at 4:31 p.m. in the Green Lake County Government Center, County Board Room #0902, Green Lake, WI. The requirements of the open meeting law were certified as being met.

PLEDGE OF ALLEGIANCE

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

Absent:

Also Present: **Matt Kirkman, Land Use Planning and Zoning Director
Carole DeCramer, Committee Secretary**

APPROVAL OF MINUTES

Motion by Boutwell/Reabe, unanimously carried, to approve the 6/6/19 minutes.

PUBLIC COMMENT - None

PUBLIC APPEARANCES - 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 months of May and June.

c. Violations

The committee discussed land use violations.

DEPARTMENT/COMMITTEE ACTIVITY

a. 2020 Budget

Kirkman presented the department's proposed 2020 budget. This will be forwarded to the county administrator.

b. Staff update

Kirkman explained that the vacant code enforcement officer has been filled by Caleb Edwards. He's doing a great job.

c. Amendments to Chapter 338 Shoreland Zoning Ordinance

The committee has completed the proposed Chapter 338 Shoreland Zoning Ordinance amendments. The public hearing and county board approval will take place in the fall so that the amendments will be in force by January, 2020.

d. Discuss 10-minute limit for public hearing comments

The committee discussed the need for limiting public hearing testimony to ten minutes.

Motion by Boutwell/Wallace, unanimously carried to limit the public hearing comments to ten minutes.

5:26 p.m. Recessed the business meeting.

6:00 p.m. Reconvened for the public hearing.

PUBLIC HEARING ITEMS

Item I: Owners: Yukon Partners, LLC – John Loberg **Agent:** Attorney Justin Sondalle, Sondalle Law Office, LLC **Site Location:** Parcel #004-00410-0521, #004-00410-0523, #004-00410-0524, #004-00410-0525, Lot 1 Certified Survey Map 3523, Part of the SE1/4 of Section 17, T16N, R13E, (± .80 acres); Town of Brooklyn. **Request:** Conditional use permit request to update conditional use permit approved on 08/02/18.

a. Public hearing

David Norton, W3252 Princeton Road, Green Lake – Explained that he would expect the committee, when it comes time to develop his land adjacent to this property, gives him the same consideration it gives Mr. Loberg. He’s not in favor of this request if water will be running onto his property.

Attorney Justin Sondalle, 555 W. Water Street, Princeton, representing the owners – Spoke in favor of the request.

Public hearing closed.

b. Committee discussion and deliberation

Discussion included the fact that there is no room for outside materials and that there was nothing on the site plan for those things.

c. Committee decision

Motion by Wallace/Talma, unanimously carried on roll call (5-ayes, 0-nays), to approve the conditional use permit request as presented with the following conditions:

- 1. No additional expansion or addition of structures and/or uses relating to this conditional use permit shall occur without review and approval through future conditional use permit(s).**
- 2. The owner/applicant shall apply for and receive a County Land Use Permit prior to commencing any development related to this request.**
- 3. Evidence that compliance with commercial building code requirements for the structures that are the subject of this request is being pursued by the landowner, if applicable.**
- 4. If on-site lighting is proposed, only the subject site shall be illuminated, and the lighting shall occur with no direct glare affecting adjoining properties.**

5. As the CUP's site plan does not indicate a designated area for the outside storage of materials and other items, outside storage of materials and other items is prohibited.
6. As there are no existing stormwater management facilities on the subject site, there is a high potential for increased water pollution by the transportation of particulate matter into the "Tee" channel of Green Lake. Consequently, the owner is required to implement a stormwater management plan, to be reviewed and approved by the Land Conservation Department in accordance with Section 284-11.A.(4) of Chapter 284, Construction Site Erosion Control & Stormwater Management, of the Code of Green Lake County.
7. A Sanitary Permit shall be issued authorizing the property for a private on-site wastewater treatment system, and be installed prior to water connection to the building.
8. Per Chapter 217 "Road Names and Building Numbers", the owner must obtain a fire number for the subject building.

Item II: Owner: Green Lake Flooring, LLC – John Voigt **Site Location:** W704 State Road 23 49 **General legal description:** #004-00289-0200 (± 3.1 acres); Lot 1 Certified Survey Map 2089 excluding the west 75 feet from State Highway 23 49 to south lot line of Lot 2 of Certified Survey Map 2089, reserving a permanent right-of-way easement for Lot 1 from State Highway 23 49 to the remainder of Lot 1. Town of Brooklyn. To be identified by Certified Survey Map. **Request:** Rezone request from A-1 Farmland Preservation District to C-2 Extensive Commercial District.

a. Public hearing

No one appeared.

Public hearing closed.

b. Committee discussion and deliberation

Kirkman – Read the rezone criteria as presented in the staff report. The Town of Brooklyn approved the request.

c. Committee decision

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

6:14 p.m. Adjourned the public hearing portion of the meeting and reconvened the business meeting.

6:20 p.m. Mr. Wallace was excused.

EGBERT/PAHL QUARRY CONDITIONAL USE PERMIT COMPLAINT REVIEW

Kirkman – Explained that, after receiving a complaint from a neighboring property and a site visit to the Egbert/Pahl quarry on Thomas Road, it was discovered that Egbert Excavating has gone beyond the setback limits when mining. This is in violation of the conditions of the conditional use permit that was originally granted.

After further discussion, the committee agreed that there is a credible violation of a condition of approval and that the committee/department should investigate further exactly where the setbacks are and how far into them Egbert Excavating has mined.

Motion by Boutwell/Reabe, unanimously carried, that there is a reasonable probability that the conditional use permit is in violation of a condition of approval and that the department should proceed to review the complaint.

FUTURE COMMITTEE ACTIVITIES

- a. **Future agenda items**
- b. **Next meeting date**
 - September 5, 2019
 - Business meeting – 4:30 p.m.
 - Public hearing – 5:30 p.m.

ADJOURN

6:38 p.m. Meeting adjourned.

RECORDED BY

Carole DeCramer
Committee Secretary

APPROVED ON:

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

FEES RECEIVED		JULY				YEAR-TO-DATE				BUDGET	
		2018		2019		2018		2019		2019	
		NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT		
LAND USE PERMITS											
Residential	New	1	50	2	1,750	11	4,050	8	4,850	-	
	Alterations	7	900	16	2,350	62	11,050	62	10,850	-	
Commercial	New	1	150	1	3,000	2	300	3	6,150	-	
	Alterations	-	-	-	-	5	700	2	1,650	-	
Agricultural	New	1	150	1	150	10	2,350	9	1,950	-	
	Alterations	-	-	-	-	1	150	-	-	-	
Other	New	-	-	-	-	-	-	2	-	-	
	Alterations	-	-	-	-	-	-	-	-	-	
Other	New	-	-	-	-	-	-	-	-	-	
	Alterations	-	-	-	-	-	-	-	-	-	
Misc.	Denied/Refunded	-	-	-	-	-	-	-	-	-	
	Permit Renewals	-	-	-	-	-	-	-	-	-	
Total		10	\$ 1,250	20	\$ 7,250	91	\$ 18,600	86	\$ 25,450	\$ 34,800	73%
SANITARY PERMITS (POWTS)											
Residential	New	-	-	3	635	11	3,080	12	3,100	-	
	Replacement	4	1,120	10	2,745	21	5,380	30	8,310	-	
	Reconnect	-	-	-	-	2	635	2	560	-	
	Modify	-	-	-	-	3	580	-	-	-	
	Repairs	-	-	-	-	-	-	-	-	-	
	Additional Fees	-	-	-	-	-	-	-	-	-	
Commercial	New	-	-	-	-	2	635	-	-	-	
	Replacement	-	-	1	280	-	-	1	280	-	
	Reconnect	-	-	-	-	1	280	-	-	-	
	Modify	-	-	-	-	-	-	-	-	-	
	Additional Fees	-	-	-	-	-	-	-	-	-	
Total		4	\$ 1,120	14	\$ 3,660	40	\$ 10,590	45	\$ 12,250	\$ 24,600	50%
NON-METALLIC MINING PERMITS											
Annual Permit Fees		-	-	-	-	18	15,300	18	15,300	-	
Total		-	\$ -	-	\$ -	18	\$ 15,300	18	\$ 15,300	\$ 15,300	100%
BOARD OF ADJUSTMENT											
Special Exception		-	-	-	-	-	-	-	-	-	
Variances		-	-	-	-	3	1,125	3	1,125	-	
Appeals		-	-	-	-	-	-	-	-	-	
Total		-	\$ -	-	\$ -	3	\$ 1,125	3	\$ 1,125	\$ 1,500	75%
PLANNING & ZONING COMMITTEE											
Zoning Change		1	375	1	375	12	4,500	9	3,375	-	
Conditional Use Permits		-	-	1	375	5	1,875	5	1,875	-	
Variance		-	-	-	-	1	375	-	-	-	
Total		1	\$ 375	2	\$ 750	18	\$ 6,750	14	\$ 5,250	\$ 8,625	61%
MISC.											
Rental Weatherization		-	-	-	-	-	-	-	-	-	
Wisconsin Fund		-	-	-	-	-	-	-	-	-	
Applied Funds - Code Enforcement		-	-	-	-	-	-	-	-	-	
Fees & Forfeitures		-	-	-	-	-	-	1	700	-	
Total		-	\$ -	-	\$ -	-	\$ -	-	\$ 700	\$ -	0%
SURVEYOR											
Certified Survey Maps		3	510	4	675	22	3,780	26	4,470	6,000	
Preliminary Plats		-	-	-	-	-	-	-	-	-	
Final Plats		-	-	-	-	-	-	-	-	-	
Applied Funds: County Surveyor		-	-	-	-	-	-	-	-	9,500	
Applied Funds: Special Survey Projects		-	-	-	-	-	316	-	-	15,000	
Total		3	\$ 510	4	\$ 675	22	\$ 4,096	26	\$ 4,470	\$ 30,500	15%
GIS (Geographic Information System)											
Map Sales		-	-	-	-	-	55	-	85	200	
Land Records Transfer		-	2,928	-	-	-	19,777	-	-	24,500	
Land Information Grant		-	-	-	9,500	-	9,500	-	9,500	9,080	
Total		-	\$ 2,928	-	\$ 9,500	-	\$ 29,332	-	\$ 9,585	\$ 33,780	28%
GRAND TOTAL											
		18	6,183	40	21,835	192	85,793	192	74,130	\$ 149,105	
										Total	50%

GREEN LAKE COUNTY

For 07/01/19 07/31/19

Revenue Summary Report

FJRES01A

Periods 07 07

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	7,250.00	25,450.00	9,350.00	73.13
19-100-10-44400-001-000 BOA Public Hearing	1,500.00	.00	1,125.00	375.00	75.00
19-100-10-44400-002-000 PZ Public Hearing	8,625.00	750.00	5,250.00	3,375.00	60.87
19-100-10-44409-000-000 Non-Metallic Mining	15,300.00	.00	15,300.00	.00	100.00
19-100-10-44410-000-000 Sanitary Permits	24,600.00	3,660.00	12,250.00	12,350.00	49.80
19-100-10-45110-000-000 Fines & Forfeitures	.00	.00	700.00	-700.00	.00
19-100-10-46131-001-000 GIS Map Sales	200.00	.00	85.00	115.00	42.50
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	675.00	4,470.00	1,530.00	74.50
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	9,500.00	9,500.00	9,500.00	.00	100.00
10 Land Use Planning and Zoning	134,105.00	21,835.00	74,130.00	59,975.00	55.28

For 07/01/19 07/31/19

Expenditure Summary Report

FJEXS01A

Periods 07 07

Land Use & Zoning Month End Expenses

MEE100-10-P&Z

<u>Account No/Description</u>	<u>Adjusted Budget</u>	<u>Y-T-D Encumb</u>	<u>Period Expended</u>	<u>Y-T-D Expended</u>	<u>Available Balance</u>	<u>Percent Used</u>
10 Land Use Planning and Zoning						
53610 Code Enforcement						
19-100-10-53610-110-000 Salaries	295,708.00	.00	21,766.64	133,840.76	161,867.24	45.26
19-100-10-53610-140-000 Meeting Payments	1,425.00	.00	.00	275.83	1,149.17	19.36
19-100-10-53610-151-000 Social Security	22,625.00	.00	1,592.67	11,157.36	11,467.64	49.31
19-100-10-53610-153-000 Ret. Employer Share	19,372.00	.00	1,432.27	10,010.41	9,361.59	51.67
19-100-10-53610-154-000 Health Insurance	61,985.00	.00	4,469.44	31,978.10	30,006.90	51.59
19-100-10-53610-155-000 Life Insurance	589.00	.00	45.86	319.69	269.31	54.28
19-100-10-53610-210-002 Professional Services-SRV	9,500.00	.00	1,200.00	5,700.00	3,800.00	60.00
19-100-10-53610-210-003 Miscellaneous Fees	300.00	.00	.00	375.00	-75.00	125.00
19-100-10-53610-225-000 Phone Service	308.00	.00	.00	.00	308.00	.00
19-100-10-53610-242-000 Print Management	500.00	.00	.00	306.41	193.59	61.28
19-100-10-53610-307-000 Training	95.00	.00	.00	95.00	.00	100.00
19-100-10-53610-310-000 Office Supplies	3,272.00	.00	109.92	1,029.43	2,242.57	31.46
19-100-10-53610-312-000 Field Supplies	176.00	.00	.00	.00	176.00	.00
19-100-10-53610-320-000 Publications-BOA Public Hearing	750.00	.00	.00	650.00	100.00	86.67
19-100-10-53610-320-001 Publications-PZ Public Hearing	3,000.00	.00	.00	1,868.00	1,132.00	62.27
19-100-10-53610-321-000 Seminars	655.00	.00	.00	125.00	530.00	19.08
19-100-10-53610-324-000 Member Dues	100.00	.00	.00	70.00	30.00	70.00
19-100-10-53610-330-000 Travel	792.00	.00	.00	82.00	710.00	10.35
19-100-10-53610-352-000 Vehicle Maintenance	138.00	.00	90.90	239.56	-101.56	173.59
53610 Code Enforcement	421,290.00	.00	30,707.70	198,122.55	223,167.45	47.03
10 Land Use Planning and Zoning	421,290.00	.00	30,707.70	198,122.55	223,167.45	47.03

Land Use Permits: 7/1/19 - 7/31/19



Parcel Number	Town	Site Address	Owner Name	Permit Fee	Estimated Cost	Project
002-00608-0200	Berlin	N7553 County Road A	Mason Cyrier 2014 Rev Trust	\$ 150.00	\$ 80,000.00	Agricultural building
002-00822-0300	Berlin	N8622 Red Tail Hawk Blvd	Philip J & Susan J Manthei	\$ 500.00	\$ 375,000.00	Dwelling w/attached garage
004-00713-0200	Brooklyn	W2293 Hickory Rd	Malcolm F Moore Rev Trust	\$ 1,250.00	\$ 1,200,000.00	Single-family dwelling
004-00786-0000	Brooklyn	N5112 Brooklyn G Rd	Donald E Kinas	\$ 300.00	\$ 129,000.00	Addition to pole building
004-00928-0100	Brooklyn	N4970 Peacock Ln	Goodspeed Residential Trust	\$ 150.00	\$ 3,000.00	Open fence/privacy fence
004-00998-0000	Brooklyn	N5568 Old Oak Ln	Jodi M Navta & Ryan W Schulz	\$ 150.00	\$ 3,500.00	Split rail fence
006-00025-0000	Green Lake	County Roads AK & K	David W & Laura Albright	\$ 50.00	\$ 950.00	New sign
006-00154-0000	Green Lake	N4430 County Road N	Alysha Farr & Dakota Swanke	\$ 150.00	\$ 40,000.00	Addition & new fence
006-01105-0000	Green Lake	W1235 Spring Grove Rd	Gregory & Janet McKnight	\$ 150.00	\$ 44,000.00	Detached garage
006-01493-0000	Green Lake	W2728 Oakwood Beach Rd	Robert Chamberlain Trust	\$ 150.00	\$ 9,675.00	Retaining walls/grading
014-00001-0000	Marquette	N2797 County Road B	Gary L & Linda A Swanke	\$ 3,000.00	\$ 250,000.00	Cell tower/mobile service facility
014-00115-0100	Marquette	W5664 Riverview Dr	Ronald J Pobuta	\$ 150.00	\$ 25,000.00	Detached Garage
014-00285-0502	Marquette	Puckaway Rd	Wilfred/Corrine Wiedenbeck Trust	\$ 50.00	\$ 800.00	Lagooning & dredging
014-00338-0000	Marquette	W6540 Puckaway Rd	James W & Sarah S Blount	\$ 150.00	\$ 14,000.00	Filling
014-00350-0000	Marquette	W6592 Puckaway Rd	Wesley Smith	\$ 300.00	\$ 2,500.00	Filling/grading/boathouse
014-00916-0000	Marquette	W6290 Elm St	James T & Mary L Johnson	\$ 150.00	\$ 3,000.00	Privacy fence
016-00347-0200	Princeton	W3559 Meredith Ln	David M Giordano	\$ 150.00	\$ 12,500.00	Filling/slope stabilization
016-00903-0000	Princeton	W5529 Resort Ln	Daniel L & Linda S Braund	\$ 150.00	\$ 10,000.00	Home addition & catch basin
016-01596-0000	Princeton	W3643 Orchard Ave	Clifford M Mashuda	\$ 150.00	\$ 90,000.00	Stairs/walkway/deck/patio
Totals				\$ 7,250.00	\$ 2,292,925.00	

Sanitary Permits: 7/1/19 - 7/31/19



Town	Site Address	Owners	Permit Fee	Permit Type
Berlin	N8622 Red Tail Hawk Blvd	Philip J & Susan J Manthei	\$ 280.00	Replacement System
Brooklyn	W1536 County Road J	Lee R & Luann M Ladwig	\$ 280.00	Replacement System
Green Lake	W2022 County Road K	Gregory D Dickenson	\$ 280.00	New System
Green Lake	W1712 Sandstone Ave	Rochelle L Ciezak Rev Trust	\$ 280.00	New System
Green Lake	N4785 Lakeview Rd	Jane W & Michael J Stellmacher	\$ 75.00	New System
Green Lake	N3556 County Road O	MAM Farms LLC	\$ 280.00	Replacement System
Green Lake	N4191 County Road A	Lynn D Drager	\$ 280.00	Replacement System
Princeton	W4263 State Road 23 73	Daniel M Chionchio	\$ 280.00	Replacement System
Princeton	N5591 Lock Rd	Michael J Calamita	\$ 280.00	Replacement System
Princeton	W5444 Bend Rd	Juliet & Randall S Stauffer	\$ 280.00	Replacement System
Princeton	W4886 Village Acres Ln	Adam J & Kelci R Berndt	\$ 150.00	Replacement Tank Only
Princeton	Bend Rd	Fredrick I & Ruth D Wright	\$ 280.00	Replacement System
Princeton	N5590 Lock Rd	Donald Kujac, Sr	\$ 280.00	Replacement System
Village of Marquette	210 W Front St	ACN Trust	\$ 355.00	Replacement System
Total			\$ 3,660.00	

Land Use Violations - 09/05/19

Open - Notice Sent						
Town	Site Address	Owner Name	Vio Type	Violation Description	Vio Date	# of Vios
Berlin	N8230 COUNTY ROAD F	THIEL TAMARA L	Junk	350-14 D and 350-21 C and D: Junk and 12 unregistered vehicles present. H	11/14/2018	1
Brooklyn	N5736 SPAULDING HILL RD	THRESHER MICHAEL P; send FNOV then NOM	Junk	350-14 D. - Appliances and furniture sitting in yard; Working on inventory o	5/24/2018	1

Open - Final Sent						
Town	Site Address	Owner Name	Vio Type	Violation Description	Vio Date	# of Vios
Brooklyn		EGBERT EXCAVATING INC	Zoning	Expansion of a use which requires new conditional use permit; Has started	4/5/2018	3

Sent to Corporation Counsel						
Town	Site Address	Owner Name	Vio Type	Violation Description	Vio Date	# of Vios

POWTS Violations - 09/05/19

Parcel Number	Town	Site Address	Owner Name	Vio Type	Vio Date	# of Vios
004-00232-0000	Brooklyn	N6698 County Road PP	Glen J & Carolyn M Bennett	Possible cesspool.	9/7/2018	1
004-00465-0500	Brooklyn	N6026 Heritage Dr	Terrence L & Dena E Williamson	Surface discharge from cell.	5/1/2019	2
004-00690-0200	Brooklyn	W2005 Irving Park Rd	Beth, Bradley, Dean, Traci Chier	Probable surface discharge.	5/19/2017	1
006-00020-0000	Green Lake	W687 County Road K	Don Koller Living Trust	Tank Failure	5/3/2019	1
004-00366-0000	Brooklyn	N6261 N Lawson Dr	Linda J Baranowski	Tank Failure	5/9/2019	1
004-00293-0100	Brooklyn	N6124 Lark Ln	Ronald J & Carol K Bayer	Tank Failure	7/22/2019	2
016-00330-0000	Princeton	N4980 Cottage Rd	Keith & Rita Thrasher	Tank Failure	10/9/2018	1
014-00235-0000	Marquette	W5621 Pine S Rd	Nathan E Schultz	Tank Failure	3/18/2019	1
014-00533-0000	Marquette	N3946 State Road 73	Kelly L & Diane White	Surface Discharge of Effluent	1/16/2019	1
016-00112-0100	Princeton	W4537 State Road 23 73	Patrick L & Lisa M Sorenson	Surface discharge of sewage/effluent	12/21/2018	1
016-00115-0100	Princeton	W4564 State Road 23 73	Richard Weber	Tank Failure	9/18/2018	1
016-00172-0000	Princeton	W3457 State Road 23	David J Bogucke	Top of drywell collapsed.	11/30/2017	1
016-00383-0000	Princeton	N4843 State Road 73	Jamie Haas/Kelly Hackbarth/et al	Tank Failure	4/30/2019	1
016-00770-0000	Princeton	W5897 State Road 23	Wanetta Hazelwood et al	Tank Failure	8/13/2019	1

016-00798-0500	Princeton	N5588 Lock Rd	Thomas Kujac	Surface Discharge of Effluent	11/1/2017	2
016-00798-0500	Princeton	N5588 Lock Rd	Thomas Kujac	Surface Discharge of Effluent	11/1/2017	2
016-00801-0300	Princeton	N5591 Lock Rd	Michael J Calamita	Surface Discharge of Effluent	9/29/2017	6
016-00923-0000	Princeton	N4898 Ray Shorter Rd	Progressive Rod & Gun Club	Surface discharge of sewage/effluent	7/5/2019	2
016-01125-0000	Princeton	W4847 Oak Rd	Harry Bowey Jr	Tank Failure	7/1/2019	4
154-00089-0000	Marquette (V)	150 W 2nd St	Kenneth A & Jean A Koemer	Probable surface discharge.	4/9/2019	1
154-00229-0000	Marquette (V)	210 W Front St	ACN Trust	Probable surface discharge.	4/4/2019	3

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, September 5, 2019, at 5:30 p.m.** to consider the following items:

Item I: Owner: Steven J Drager & Robin R Hein **Agent:** Cloud 1, Chris Henschue, Business Development Representative/Site Acquisition **Site Location:** Tichora Road, Parcel #010-00073-0000, Part of the NW¼ of Section 4, T14N, R13E, Town of Mackford (± 37 acres) **Request:** Conditional use permit request to construct a 300 foot tall cell tower as well as a mobile service facility.

Item II: Owner: MNJ Development, LLC **Applicant:** Michael Monohan, Member/Manager **Site Location:** Eastridge Dr **General legal description:** #002-00851-0000 (± 1.67 acres); Lot 5 Eastridge Subdivision, Part of the SW¼ of Section 2, T17N, R13E, Town of Berlin **Request:** Rezone request from C-2 Extensive Commercial District to R-3 Multiple-Family Residence District.

Item III: Owner/Applicant: Town of Green Lake, Ben Moderow, Town Board Chairman **Site Location:** N4454 Horner Rd **General legal description:** #006-00152-0000 (± 1.84 acres); Lot 1 Certified Survey Map 158, Lot 1 Certified Survey Map 215, Lot 1 Certified Survey Map 215A & Outlot 1 Certified Survey Map 1901; Part of the NE¼ of Section 9, T15N, R13E, Town of Green Lake **Request:** Rezone request from A-1 Farmland Preservation District to R-1 Single-family Residence District.

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: August 22 & August 29, 2019

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

September 5, 2019

ITEM I: CONDITIONAL USE PERMIT (CUP)

OWNERS:

Robin R. Hein
Steven Drager

APPLICANT:

Cloud 1 – Chris Henshue

REQUEST: The owners and applicant are requesting a conditional use permit to construct a 300 foot tall cell tower as well as a mobile service facility.

PARCEL NUMBER / LOCATION: The request affects parcel 010-00073-0000, located in the NW¼ of Section 4, T14N, R13E, Town of Mackford. The subject site is along Tichora Road.

EXISTING ZONING AND USES OF ADJACENT AREA: The subject site is located a little over a mile southeast of Little Green Lake. The parcel of land impacted by this request is zoned A-1, Farmland Preservation District. All the lands within ½ mile of the subject site are also zoned A-1. Apart from a cemetery and a few small residentially used lots, the predominant use of the subject site and the surrounding lands are agricultural.

ADDITIONAL INFORMATION / ANALYSIS: As stated above, the subject site is currently being used as cropland. The proposal would include the equipment compound, tower, chain-link fence and three guy wire anchor locations. All of these are included in the leased area being provided by the property owners.

Per Chapter 66.0404(4)(a) through (w), (See page 3 of 3), the only way this project could be stopped would be if the owners / applicant refused to comply with the statutory requirements that are reflected in the Green Lake County zoning ordinance. The Land Use Planning & Zoning Department will make sure the owners / applicant adhere to these requirements.

The purpose of this conditional use permit hearing is to notify the public of the impending project. This way the adjacent property owners have the opportunity to attend a public hearing to find out specifics and give testimony and to voice any concerns regarding the project.

GENERAL CRITERIA FOR REVIEW OF CONDITIONAL USE REQUESTS:

- a) Will not have a negative effect upon the health, safety, and general welfare of occupants of surrounding lands; and
- b) Will be designed, constructed, operated, and maintained so as to be harmonious, be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area; and
- c) Will not be hazardous or disturbing to existing or future neighboring uses; and
- d) Will not be detrimental to property in the immediate vicinity or to the community as a whole; and
- e) Will be served by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, and schools; the persons or agencies

responsible for the establishment of the proposed use shall be able to adequately provide any such service; and

- f) Will have vehicular approaches to the property that shall be so designed as not to create an interference with traffic on surrounding public or private streets or roads.

COUNTY STAFF COMMENTS: Normally, the Committee would be able to approve or deny this project based on the zoning ordinance's general criteria for review of conditional use permits. However, the State of Wisconsin through Statutes, has determined that these projects are effectively pre-approved so long as the project maintains compliance with Statutes. When the Committee approves this conditional use permit request, the following conditions should be required:

1. All of the provisions of the County Zoning Ordinance and State Statutes shall be adhered to by the owners / applicant.
2. A permit bond in the amount of \$20,000 shall be provided to the Land Use Planning & Zoning Department, prior to Land Use Permit issuance, which obligates the applicant to restore the subject site back to pre-development conditions in the event that the tower is taken out of service for a period of time exceeding 1 year.
3. The owners/applicant shall apply for and have been issued a fire number for the subject site prior to land use permit issuance.

TOWN OF MACKFORD: An Action Form requesting the Town's input related to this conditional use permit request was mailed to the Town Clerk on July 12, 2019.

- (4)** LIMITATIONS. With regard to an activity described in sub. (2) (a) or a class 2 collocation, a political subdivision may not do any of the following:
- (a)** Impose environmental testing, sampling, or monitoring requirements, or other compliance measures for radio frequency emissions, on mobile service facilities or mobile radio service providers.
 - (b)** Enact an ordinance imposing a moratorium on the permitting, construction, or approval of any such activities.
 - (c)** Enact an ordinance prohibiting the placement of a mobile service support structure in particular locations within the political subdivision.
 - (d)** Charge a mobile radio service provider a fee in excess of one of the following amounts:
 - 1.** For a permit for a class 2 collocation, the lesser of \$500 or the amount charged by a political subdivision for a building permit for any other type of commercial development or land use development.
 - 2.** For a permit for an activity described in sub. (2) (a), \$3,000.
 - (e)** Charge a mobile radio service provider any recurring fee for an activity described in sub. (2) (a) or a class 2 collocation.
 - (f)** Permit 3rd party consultants to charge the applicant for any travel expenses incurred in the consultant's review of mobile service permits or applications.
 - (g)** Disapprove an application to conduct an activity described under sub. (2) (a) based solely on aesthetic concerns.
 - (gm)** Disapprove an application to conduct a class 2 collocation on aesthetic concerns.
 - (h)** Enact or enforce an ordinance related to radio frequency signal strength or the adequacy of mobile service quality.
 - (i)** Impose a surety requirement, unless the requirement is competitively neutral, nondiscriminatory, and commensurate with the historical record for surety requirements for other facilities and structures in the political subdivision which fall into disuse. There is a rebuttable presumption that a surety requirement of \$20,000 or less complies with this paragraph.
 - (j)** Prohibit the placement of emergency power systems.
 - (k)** Require that a mobile service support structure be placed on property owned by the political subdivision.
 - (L)** Disapprove an application based solely on the height of the mobile service support structure or on whether the structure requires lighting.
 - (m)** Condition approval of such activities on the agreement of the structure or mobile service facility owner to provide space on or near the structure for the use of or by the political subdivision at less than the market rate, or to provide the political subdivision other services via the structure or facilities at less than the market rate.
 - (n)** Limit the duration of any permit that is granted.
 - (o)** Require an applicant to construct a distributed antenna system instead of either constructing a new mobile service support structure or engaging in collocation.
 - (p)** Disapprove an application based on an assessment by the political subdivision of the suitability of other locations for conducting the activity.
 - (q)** Require that a mobile service support structure, existing structure, or mobile service facilities have or be connected to backup battery power.
 - (r)** Impose a setback or fall zone requirement for a mobile service support structure that is different from a requirement that is imposed on other types of commercial structures.
 - (s)** Consider an activity a substantial modification under sub. (1) (s) 1. or 2. if a greater height is necessary to avoid interference with an existing antenna.
 - (t)** Consider an activity a substantial modification under sub. (1) (s) 3. if a greater protrusion is necessary to shelter the antenna from inclement weather or to connect the antenna to the existing structure by cable.
 - (u)** Limit the height of a mobile service support structure to under 200 feet.
 - (v)** Condition the approval of an application on, or otherwise require, the applicant's agreement to indemnify or insure the political subdivision in connection with the political subdivision's exercise of its authority to approve the application.
 - (w)** Condition the approval of an application on, or otherwise require, the applicant's agreement to permit the political subdivision to place at or collocate with the applicant's support structure any mobile service facilities provided or operated by, whether in whole or in part, a political subdivision or an entity in which a political subdivision has a governance, competitive, economic, financial or other interest.

Please type or use black ink

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

GENERAL APPLICATION

Fee \$375 (not refundable)

Date 6.17.18

Zone Change from N/A to N/A

Conditional Use Permit for 300ft tall guy wire mobile tower on vacant land along Tichora Rd

Other N/A

PROPERTY OWNER / APPLICANT (1)

Name Steven Draeger & Robin Hein

Mailing Address N1810 County Rd U, Markesan, WI 53946

Phone Number 920-229-5802

Signature [Handwritten Signature]

Date 6.17.18

PROPERTY OWNER / APPLICANT (2)

Name Cloud I

Mailing Address 417 Pine Street, Green Bay, WI 54301

Phone Number 920-940-0205

Signature [Handwritten Signature]

Date 6.17.18

PROPERTY INFORMATION

Town of Mackford Parcel Number(s) 010-00073-0000

Acres 37.00 Lot Block Subdivision

Section 4 Town 14 North Range 13 East

Location of Property

Legal Description Attached

Current Zoning Classification A-1 Current Use of Property Agricultural cultivation

Detailed Description of Proposed Use 300' tall guy wire mobile tower.

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

PROPERTY DESCRIPTION

A parcel of land located in the Northeast $\frac{1}{4}$ of the Fractional Northwest $\frac{1}{4}$ and in the Southeast $\frac{1}{4}$ of the Fractional Northwest $\frac{1}{4}$, all in Section 4, Township 14 North, Range 13 East, Town of Mackford, Green Lake County, Wisconsin, bounded and described as follows. Beginning at the North $\frac{1}{4}$ corner of Section 4, thence $S00^{\circ}13'14"W$, 1150.93 feet along the East line of the Fractional Northwest $\frac{1}{4}$ of Section 4 to the North line of Certified Survey Map No. '816 as recorded in Volume 3 of Certified Survey Maps on Page 816; thence $N89^{\circ}46'45"W$, 324.00 feet along said North line to the West line of said Certified Survey Map No. 816; thence $S00^{\circ}13'14"W$, 523.92 feet along said West line to the Southwest corner of said Certified Survey on Map Page No. 219; 816; thence thence $S00^{\circ}13'14"W$, $S07^{\circ}16'08"W$, 420.58 497.14 feet feet to along the the Northwest West line corner of said of lands described described lands in to the Volume South 282 line of the Fractional Northwest $\frac{1}{4}$ of Section 4; thence $N89^{\circ}51'54"W$, 298.15 feet along said South line, thence $N00^{\circ}23'27"E$, 2588.35 feet to the North line of the Fractional Northwest $\frac{1}{4}$ of Section 4; thence $N89^{\circ}58'23"E$, 675.49 feet along said North line to the point of beginning. Subject to all easements and restrictions of record, reserving that part presently used for road purposes



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cloud1

417 PINE STREET FLOOR 2
 GREEN BAY, WI 54301
 PH.: (920) 940-0147

Certification & Seal

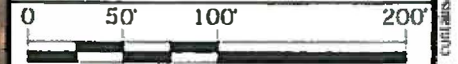
MARK	DATE	DESCRIPTION

ISSUE PHASE	LEASE EXHIBIT	DATE ISSUED	03/18/2019
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PROJECT TITLE
LITTLE GREEN LAKE

PROJECT INFORMATION
 TICHORA ROAD
 MARKESAN, WI 53946
 GREEN LAKE COUNTY
 TAX ID# 010-00073-0000

SHEET TITLE
OVERALL SITE PLAN WITH AERIAL



11" x 17" - 1" = 100'
 22" x 34" - 1" = 50'

PROJECT NUMBER: 43703
 SHEET NUMBER: C-1

OVERALL SITE PLAN W/ AERIAL PHOTO
 SCALE 1" = 100' 1

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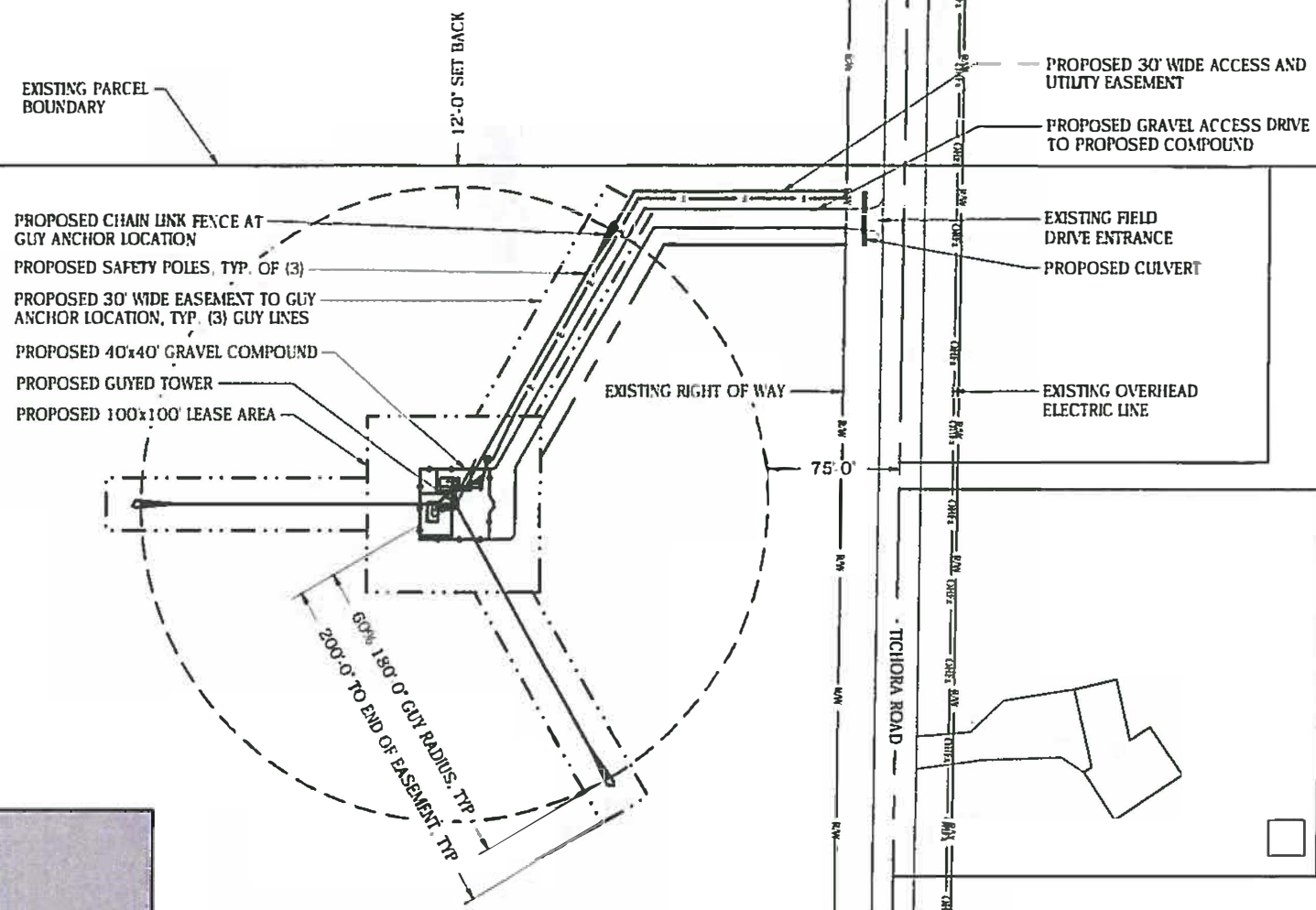
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 PH.: (920) 940-0147



PROPOSED COMPOUND LOCATION



TICHORA ROAD

Certification & Seal

MARK	DATE	DESCRIPTION
ISSUE	LEASE EXHIBIT	DATE 03/18/2019
PHASE		ISSUED

PROJECT TITLE
LITTLE GREEN LAKE
 PROJECT INFORMATION
 TICHORA ROAD
 MARKESAN, WI 53946
 GREEN LAKE COUNTY
 TAX ID# Q10-00073.0000
 SHEET TITLE

OVERALL SITE PLAN

0 50' 100' 200'

11" x 17" - 1" = 100'
 22" x 34" - 1" = 50'

PROJECT NUMBER: 43703
 SHEET NUMBER: C-2

OVERALL SITE PLAN
 SCALE 1" = 100'



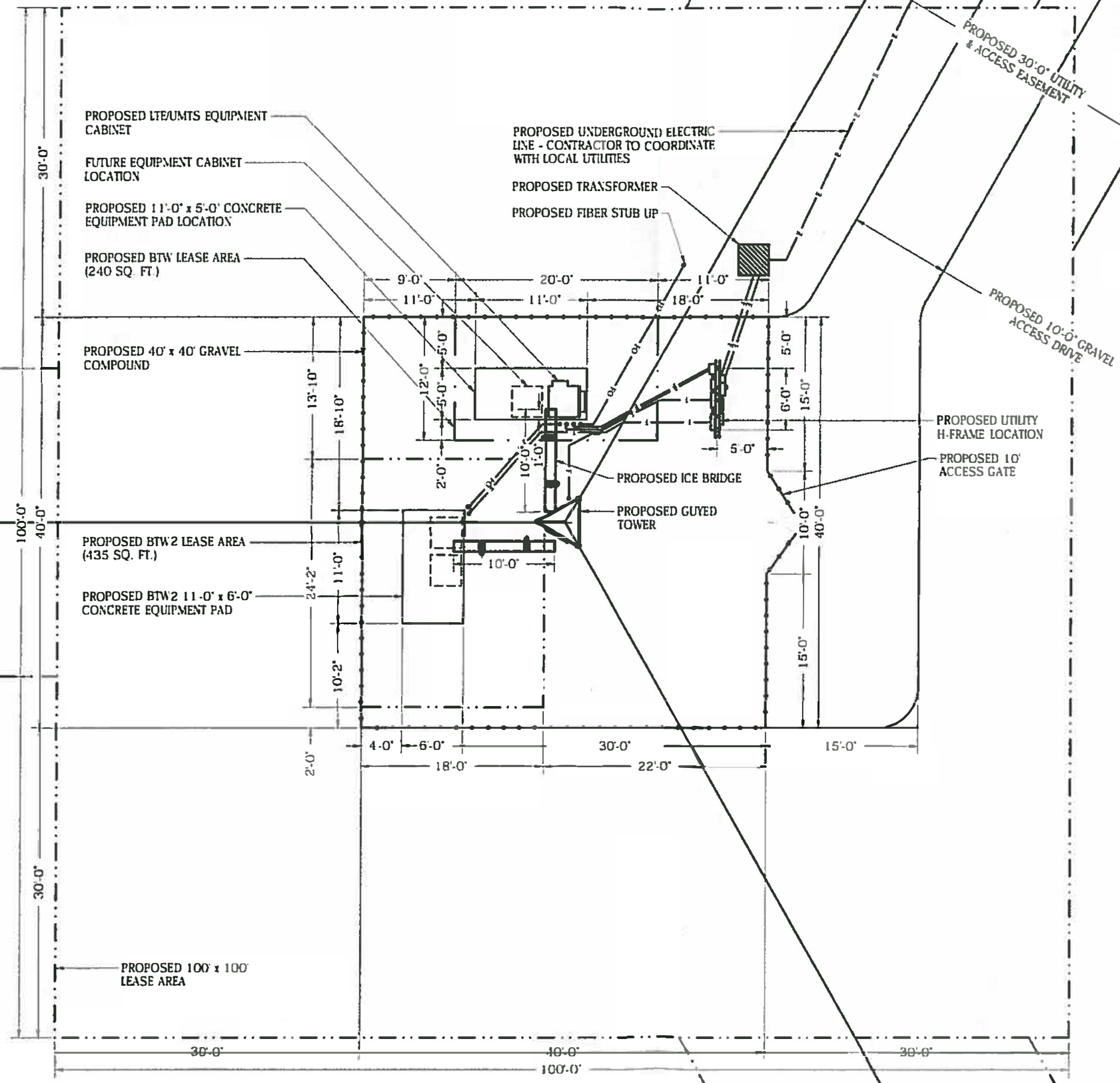
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 PH.: (920) 940-0147



SITE PLAN
 SCALE 1" = 12.5'

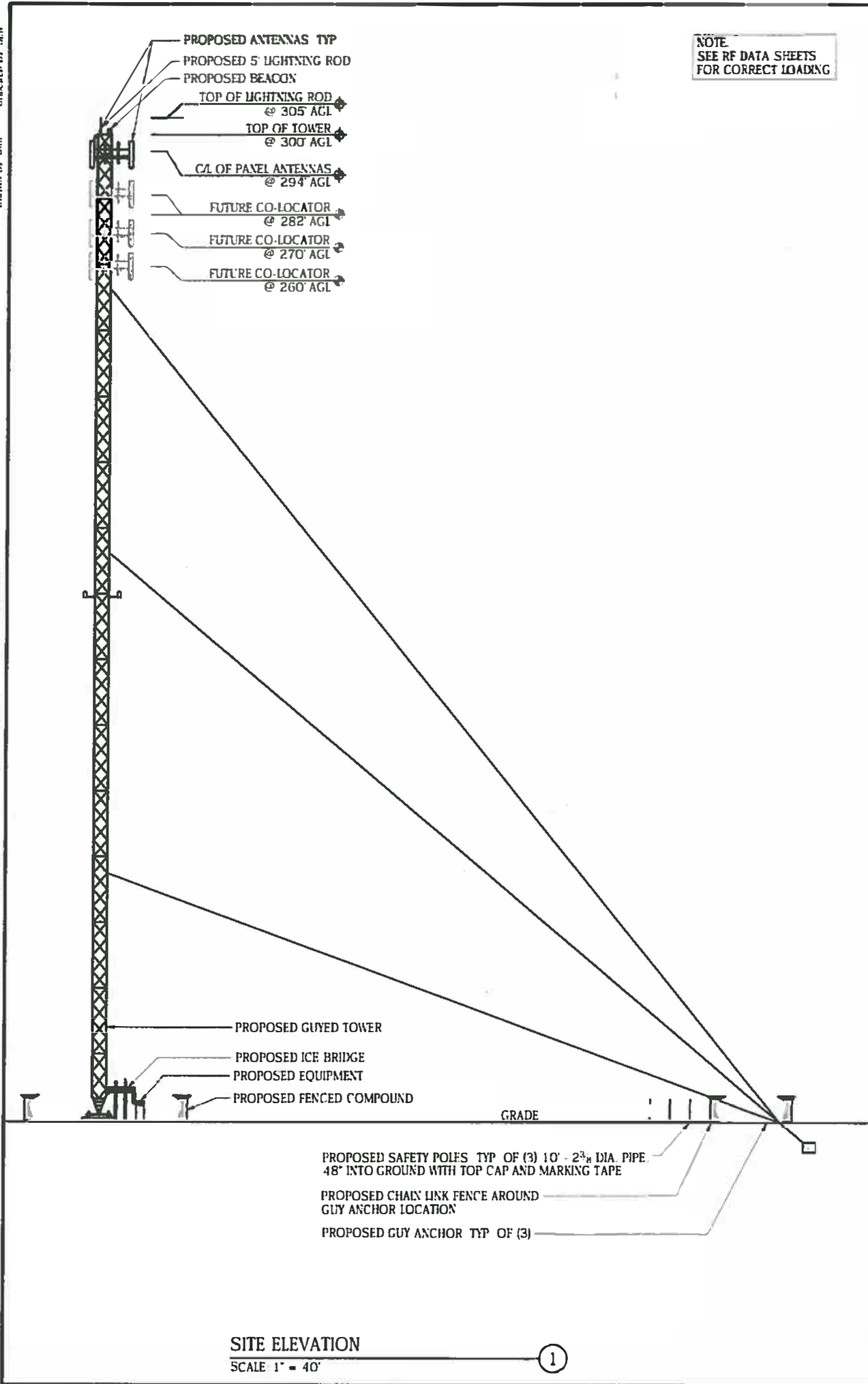


Continuation of Sheet:

MARK	DATE	DESCRIPTION
ISSUE	LEASE EXHIBIT	DATE ISSUED 03/18/2019
PROJECT TITLE		
LITTLE GREEN LAKE		
PROJECT INFORMATION		
TICHORA ROAD		
MARKESAN, WI 53946		
GREEN LAKE COUNTY		
TAX ID# 010.00073.0000		
SHEET TITLE		
SITE PLAN		

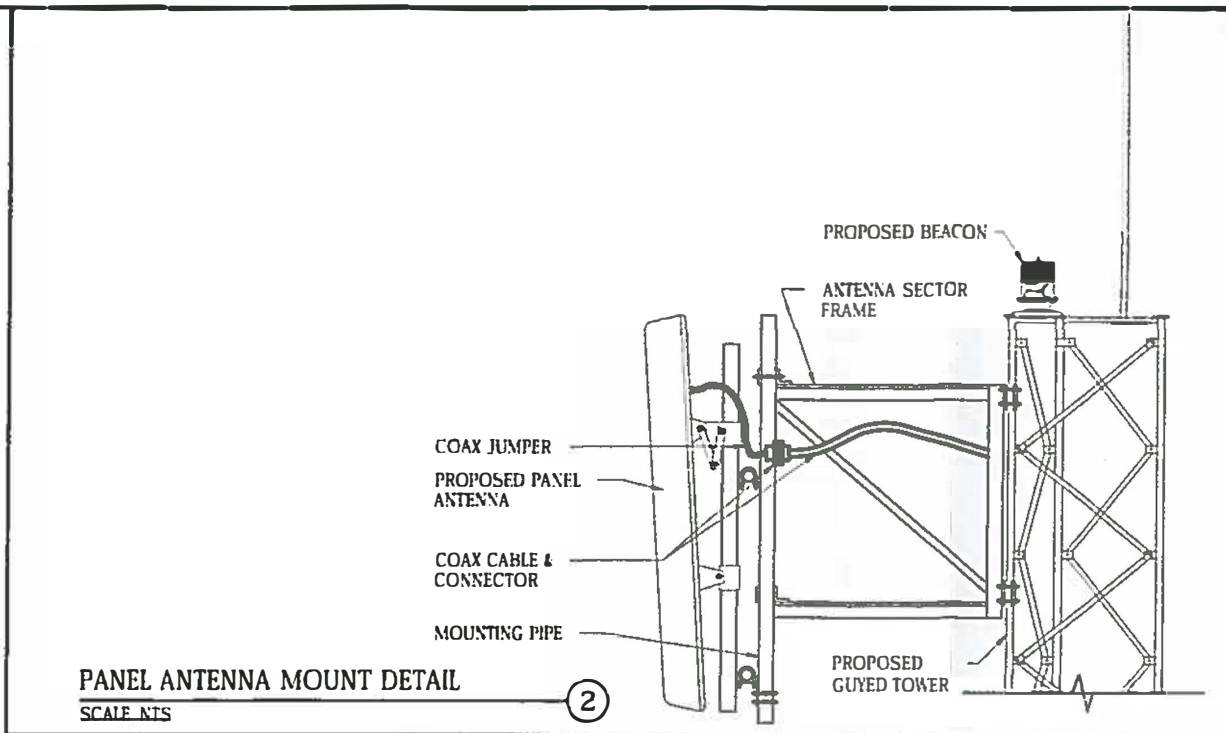
0		6.25'	12.5'	25'
11" x 17"	- 1" = 12.5'			
22" x 34"	- 1" = 6.25'			
PROJECT NUMBER	43703			
SHEET NUMBER	C-3			

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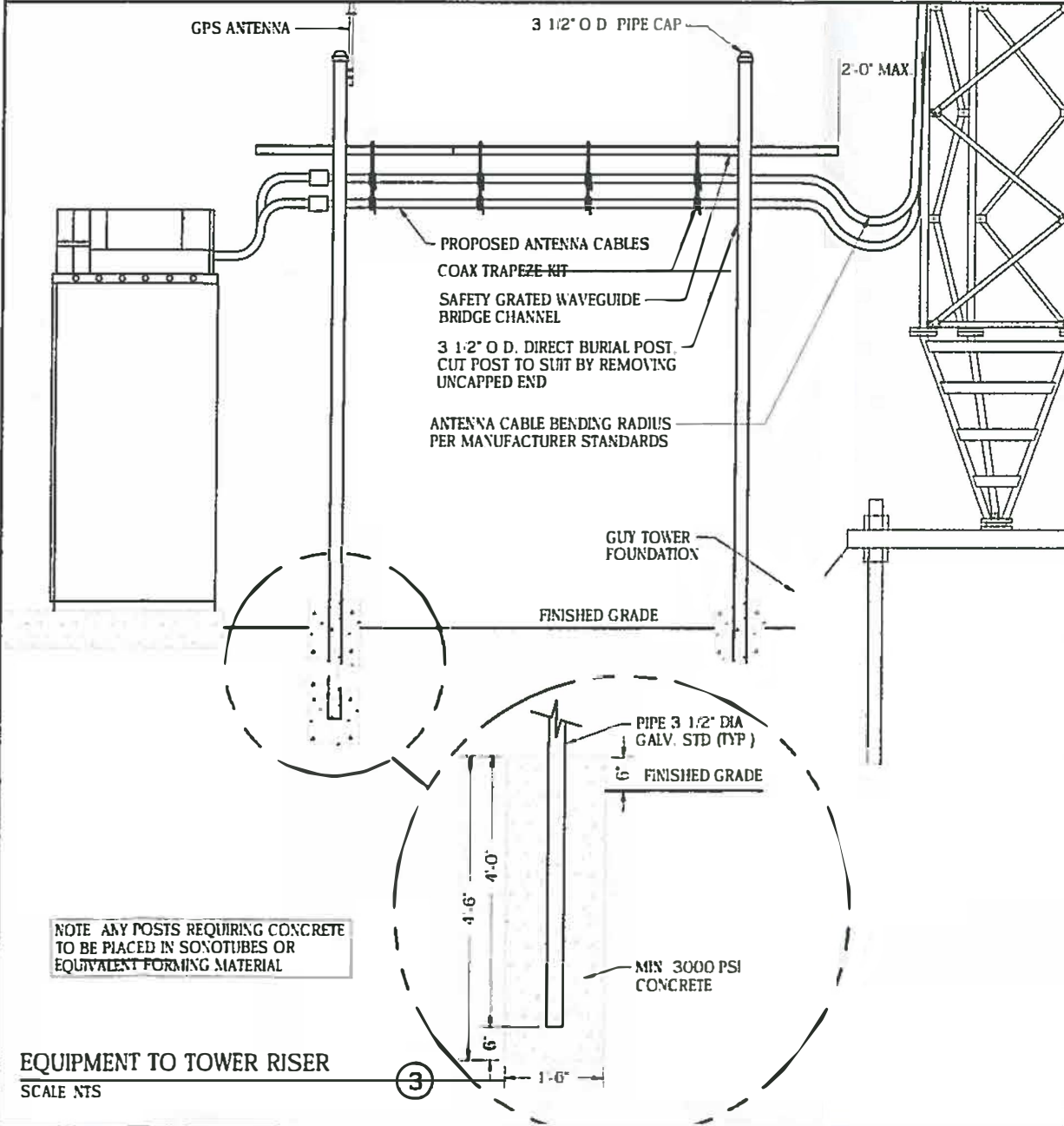


NOTE
 SEE RF DATA SHEETS
 FOR CORRECT LOADING

SITE ELEVATION
 SCALE 1" = 40'



PANEL ANTENNA MOUNT DETAIL
 SCALE NTS



NOTE ANY POSTS REQUIRING CONCRETE
 TO BE PLACED IN SONOTUBES OR
 EQUIVALENT FORMING MATERIAL

EQUIPMENT TO TOWER RISER
 SCALE NTS

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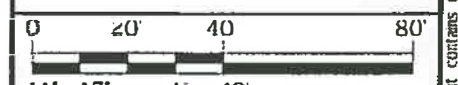
417 PINE STREET FLOOR 2
 GREEN BAY, WI 54301
 PH.: (920) 940-0147

MARK	DATE	DESCRIPTION
ISSUE PHASE	LEASE EXHIBIT	DATE ISSUED 03/18/2019
PROJECT TITLE		

LITTLE GREEN LAKE

PROJECT INFORMATION
 TICHORA ROAD
 MARKESAN WI 53946
 GREEN LAKE COUNTY
 TAX ID# 010-00073-0000
 SHEET TITLE

SITE ELEVATION

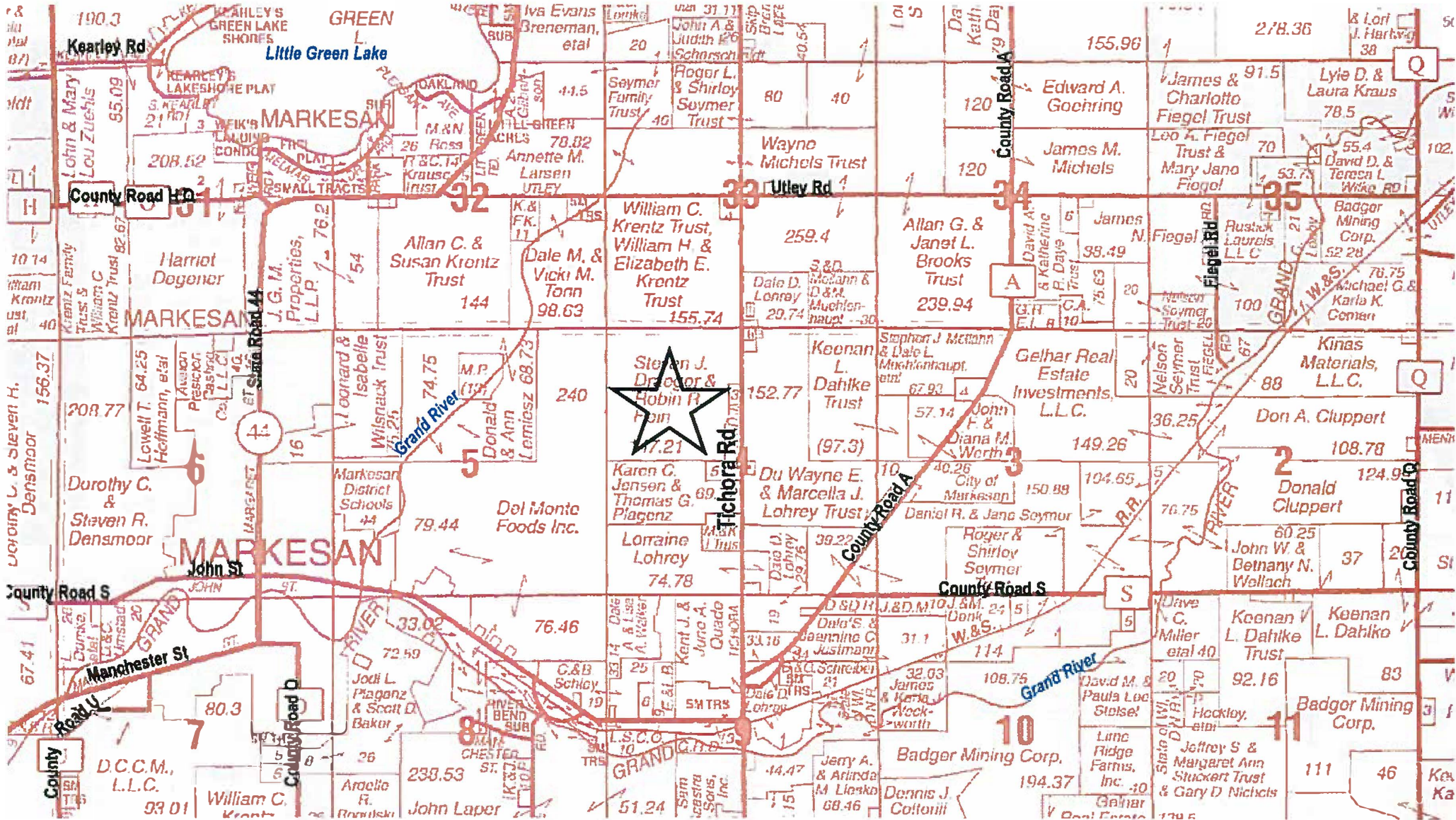


PROJECT NUMBER **43703**
 SHEET NUMBER **C-4**

Owner/Applicant 1: Steven J. Draeger & Robin R. Hein Owner/Applicant 2: Cloud 1 – Representative

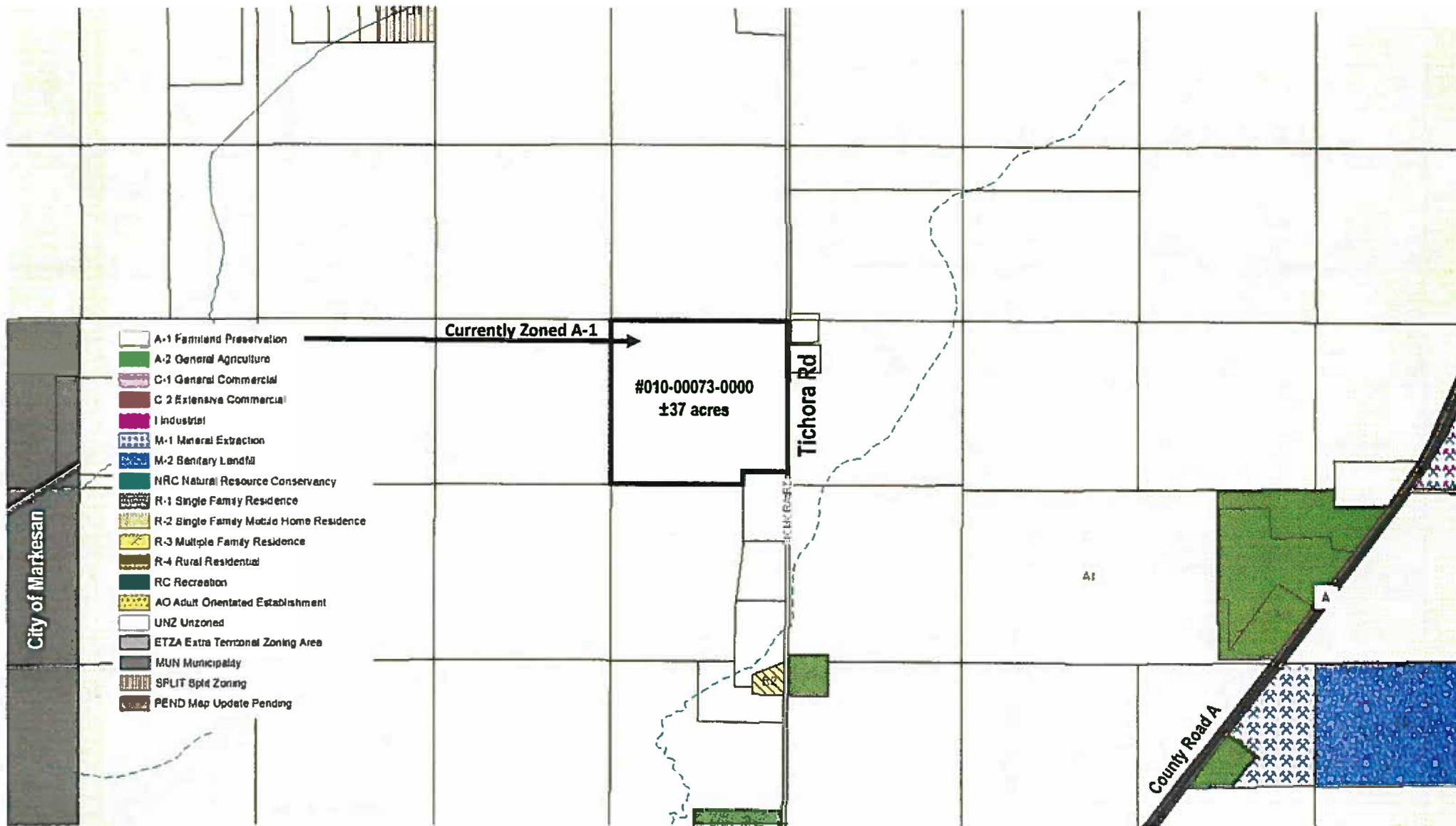
Parcel #010-00073-0000, Part of the NW¼ of Section 4, T14N, R13E, (± 37 acres); Town of Mackford.

Conditional use permit request for a 300-foot tall guy wire mobile tower.

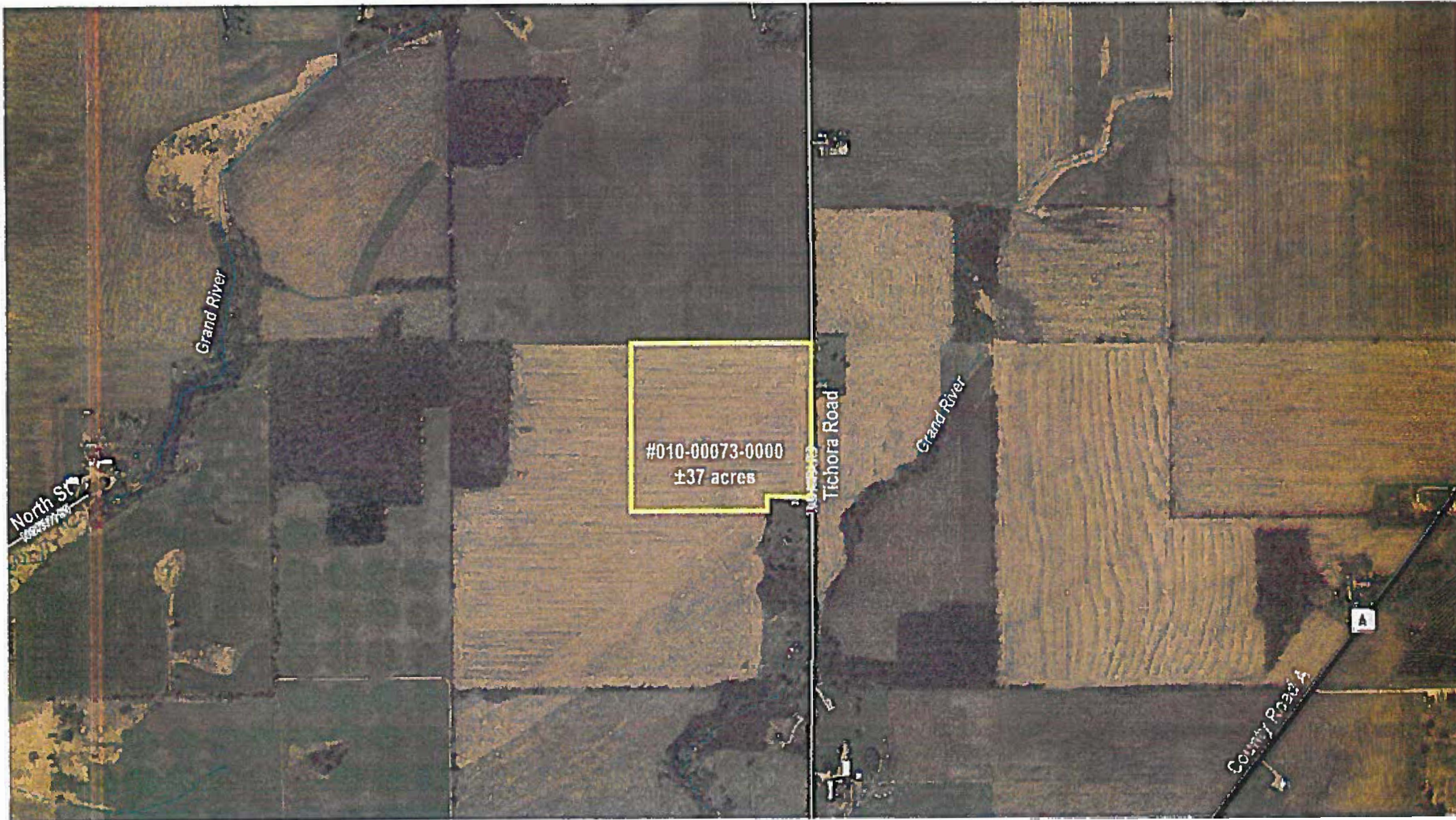


Green Lake County Land Use Planning & Zoning Committee Public Hearing 09/05/19

Owner/Applicant 1: Steven J. Draeger & Robin R. Hein Owner/Applicant 2: Cloud 1 – Representative
Parcel #010-00073-0000, Part of the NW¼ of Section 4, T14N, R13E, (± 37 acres); Town of Mackford.
Conditional use permit request for a 300-foot tall guy wire mobile tower.



Owner/Applicant 1: Steven J. Draeger & Robin R. Hein Owner/Applicant 2: Cloud 1 – Representative
Parcel #010-00073-0000, Part of the NW¼ of Section 4, T14N, R13E, (± 37 acres); Town of Mackford.
Conditional use permit request for a 300-foot tall guy wire mobile tower.



Green Lake County Land Use Planning & Zoning Committee Public Hearing 09/05/19

Owner/Applicant 1: Steven J. Draeger & Robin R. Hein Owner/Applicant 2: Cloud 1 – Representative
Parcel #010-00073-0000, Part of the NW¼ of Section 4, T14N, R13E, (± 37 acres); Town of Mackford.
Conditional use permit request for a 300-foot tall guy wire mobile tower.



Green Lake County Land Use Planning & Zoning Committee Public Hearing 09/05/19

TOWN BOARD ACTION

Conditional Use Permit Request

Dear Land Use Planning and Zoning Committee:

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

Does not object to and approves of _____

No action taken _____

Objects to and requests denial of _____

Reason(s) for objection _____

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

Owner 1: Steven J. Draeger & Robin R. Hein

Owner 2: Cloud 1, Chris Henschue, Business Development Representative/Site Acquisition

Site Location: Tichora Road

General legal description: Part of the NW¼ of Section 4, T14N, R13E, Town of Mackford
(± 37 acres)

Request: Conditional use permit request for a 300-foot guy wire mobile tower.

Planned public hearing date: September 5, 2019

Steve Dawson Chairman

Town Representative

8-12-19
Date Signed

NOTES: _____

Please return this form to the Land Use Planning & Zoning Office by: August 23, 2019

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT
PUBLIC HEARING

September 5, 2019

ITEM II: ZONING CHANGE

OWNER:

MNJ Development LLC

APPLICANT:

Michael Monohan, Member-Manager
James Silloway, Member-Manager

REQUEST: The owners/applicants are requesting a zoning change from C-2, Extensive Commercial District to R-3, Multiple-Family Residence District, to develop a luxury apartment complex immediately adjacent to the existing 46 unit complex (which resides within the City of Berlin boundary).

PARCEL NUMBER / LOCATION: The affected parcel number is #002-00851-0000, located in the SW¼ of Section 2, T17N, R13E, Town of Berlin. The site proposed for zoning change is located along Eastridge Drive, south of N9379 Eastridge Drive, and north of W832 State Road 91.

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning of the parcel in question is C-2, Extensive Commercial District. Parcels to the south are zoned C-2, Extensive Commercial District and have addresses tied to the state highway. Parcels to the west are also zoned C-2 Extensive Commercial. The subject parcel abuts the City of Berlin to the north and west, where there is an apartment complex owned by the applicant. That property is zoned for residential uses of a high density, per the City of Berlin zoning code. To the north of the Eastridge Subdivision is A-1 Farmland Preservation lands used for row crops.

The Green Lake County Farmland Preservation Plan identifies the subject of this rezone request as being an Area of Non-Agricultural Development. Soils indicate fine sandy loam. The applicant has designated an area to install a POWTS to service the proposed project in the event the rezone request is approved.

No wetlands are indicated by the Wisconsin Wetland Inventory, and no shoreland or floodplain jurisdiction is present.

ADDITIONAL INFORMATION / ANALYSIS: The owners/applicants developed the parcel to the north and west of the subject site after annexation into the City of Berlin limits in 2006. Buildings were constructed in 2007-2008.

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 for future residential development. From the 2016 update, "...the County should seek to guide housing development close to existing residential areas and, when possible, adjacent to future commercial areas." This development guideline intends to minimize impacts to open space areas. It is also noted that this rezone request does fit with the character of this neighborhood.
- The nature and character of the parcel: This parcel is situated on a hill which overlooks the highway. From the highway, you are not able to see the apartments, as they are shielded by the land. The parcel in question is vacant, existing as a fallow field since being subdivided from active agricultural lands in 2006.
- Use of surrounding land: As mentioned above, this is adjacent to existing high-density housing units. It is also near the shared office space of the DMV office and health clinic. Outside these structures, the surrounding area is dedicated to agriculture and rural residences. While this area was slated for commercial/business development, there have been no sales of the lots or further development in the 15 years since the first survey was recorded (DMV/clinic property).
- 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, and creates further space from a busy state road corridor by proposing this apartment complex be accessed by means of a town road. Plans further indicate restricting access from this town road by planning the entrance through the City properties, resulting in a gated community set back from the highway but easy access to the highway.
- 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. The proposed rezone and structural investment would meet community goals related to affordable housing along existing transportation networks.

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 July 16, 2019.

Please type or use black ink

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

GENERAL APPLICATION

Fee \$375 (not refundable)

Date 6-27-19

Zone Change from C-2 to R-3

Conditional Use Permit for N/A

Other N/A

PROPERTY OWNER / APPLICANT (1)

Name Michael Monohan

Mailing Address 187 EAST RIDGE DR, Berlin WI 54923

Phone Number 920-573-3648

Signature [Signature] Date 6-27-19

PROPERTY OWNER / APPLICANT (2)

Name _____

Mailing Address _____

Phone Number _____

Signature _____ Date _____

PROPERTY INFORMATION

Town of Berlin Parcel Number(s) 002-00851-0000

Acres 1.67 Lot 5 Block _____ Subdivision EAST RIDGE SUB

Section 2 Town 17 North Range 13 East

Location of Property EAST RIDGE DR

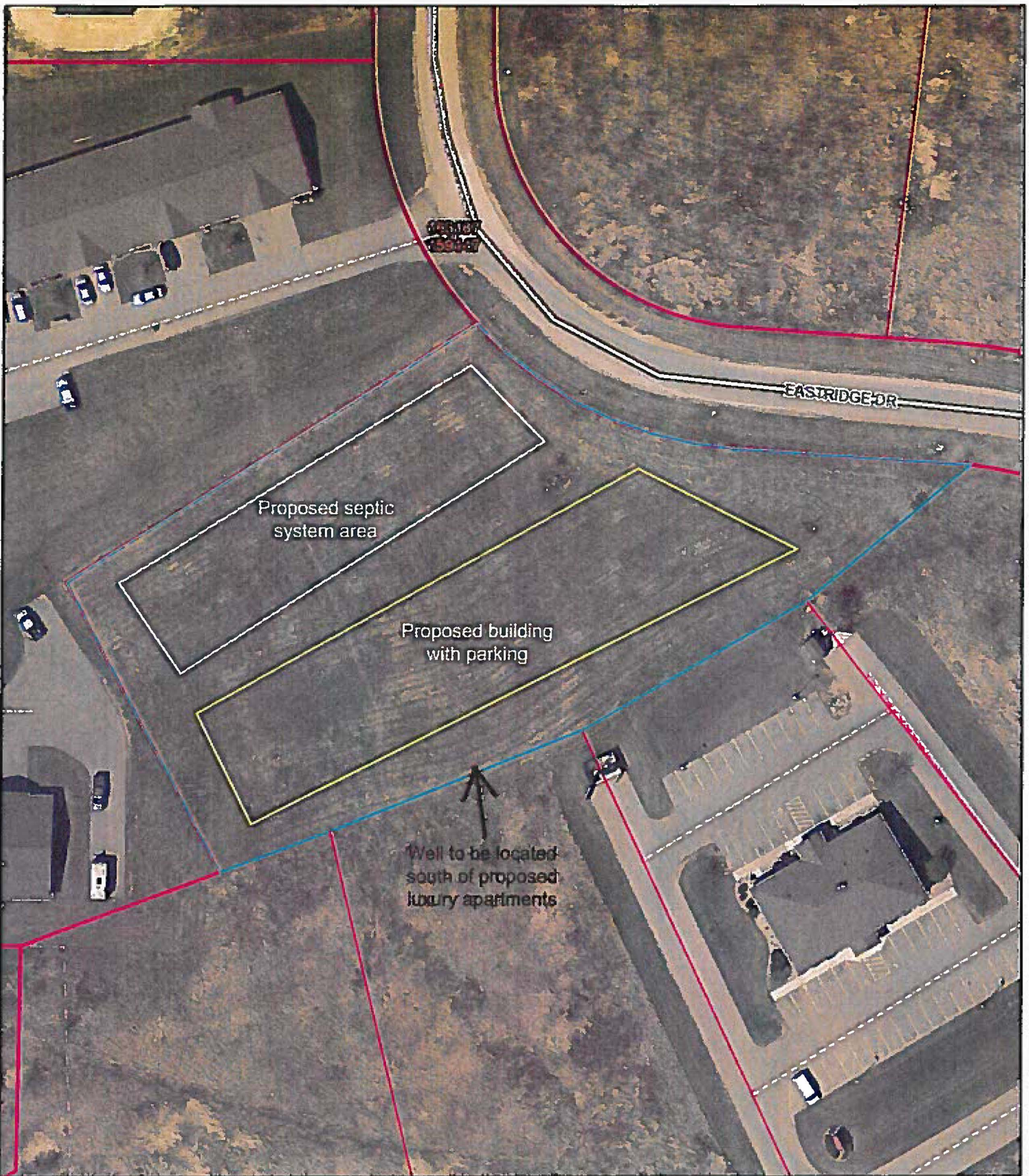
Legal Description LOT 5 OF EAST RIDGE SUB

Current Zoning Classification C-2 Current Use of Property VACANT LAND

Detailed Description of Proposed Use 8 UNIT LUXURY APARTMENTS
LOCATED BESIDE OUR 46 UNIT COMPLEX.

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





 Green Lake County

 1 inch = 75 feet



 Geographic Information System (GIS)

<https://gis.co.green-lake.wi.us/>

MNJ Development LLC
 Green Lake County, WI

Time: 11:48:14 AM
 Date: 6/27/2019

Note:
 Proposed site plan for rezone request

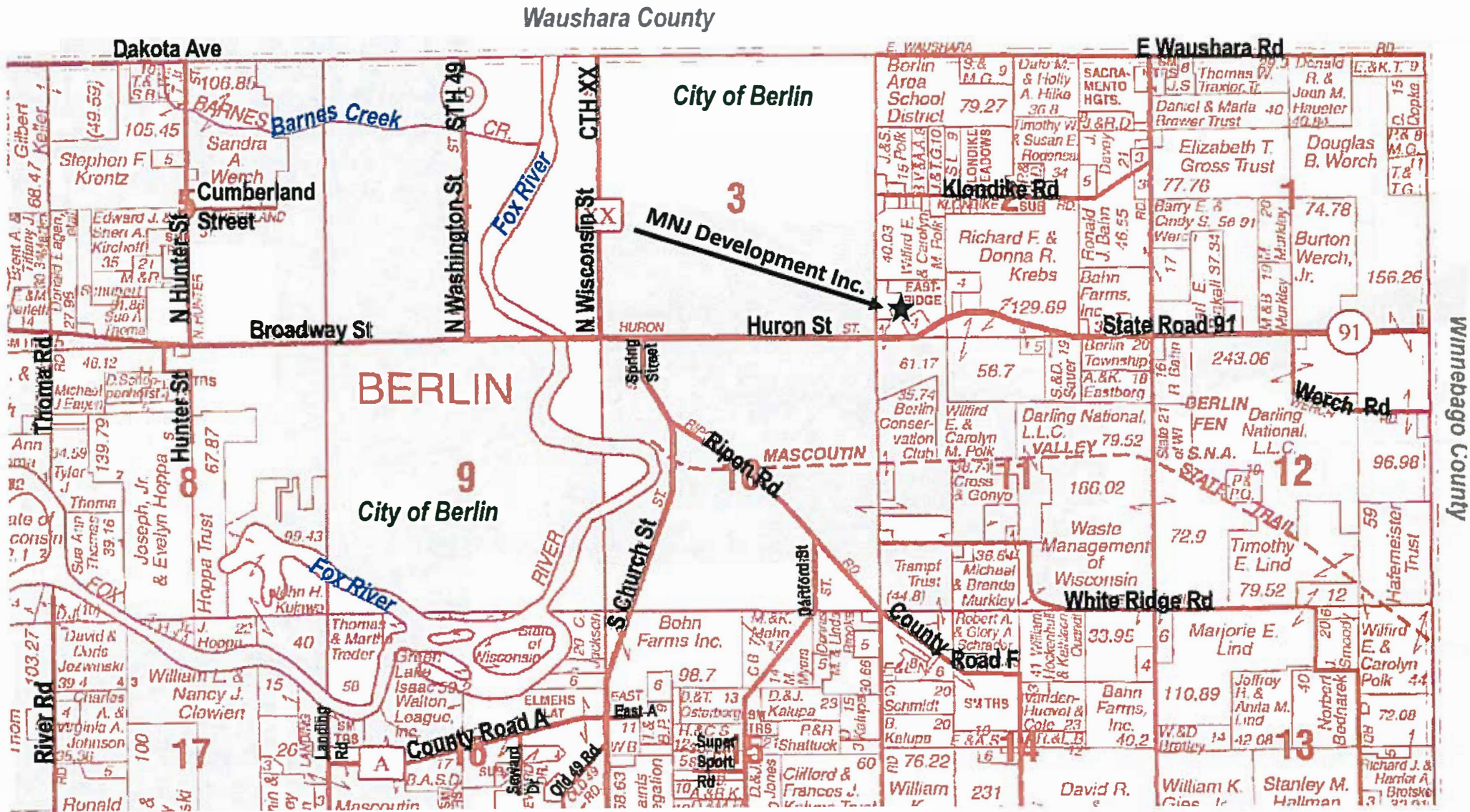




Owner/Applicant: MNJ Development, LLC – Michael Monohan

Parcel #002-00851-0000, Lot 5 Eastridge Subdivision, Part of the SW¼ of Section 2, T17N, R13E, (±1.67 acres); Town of Berlin

Rezone request from C-2 Extensive Commercial District to R-3 Multiple-Family Residence District

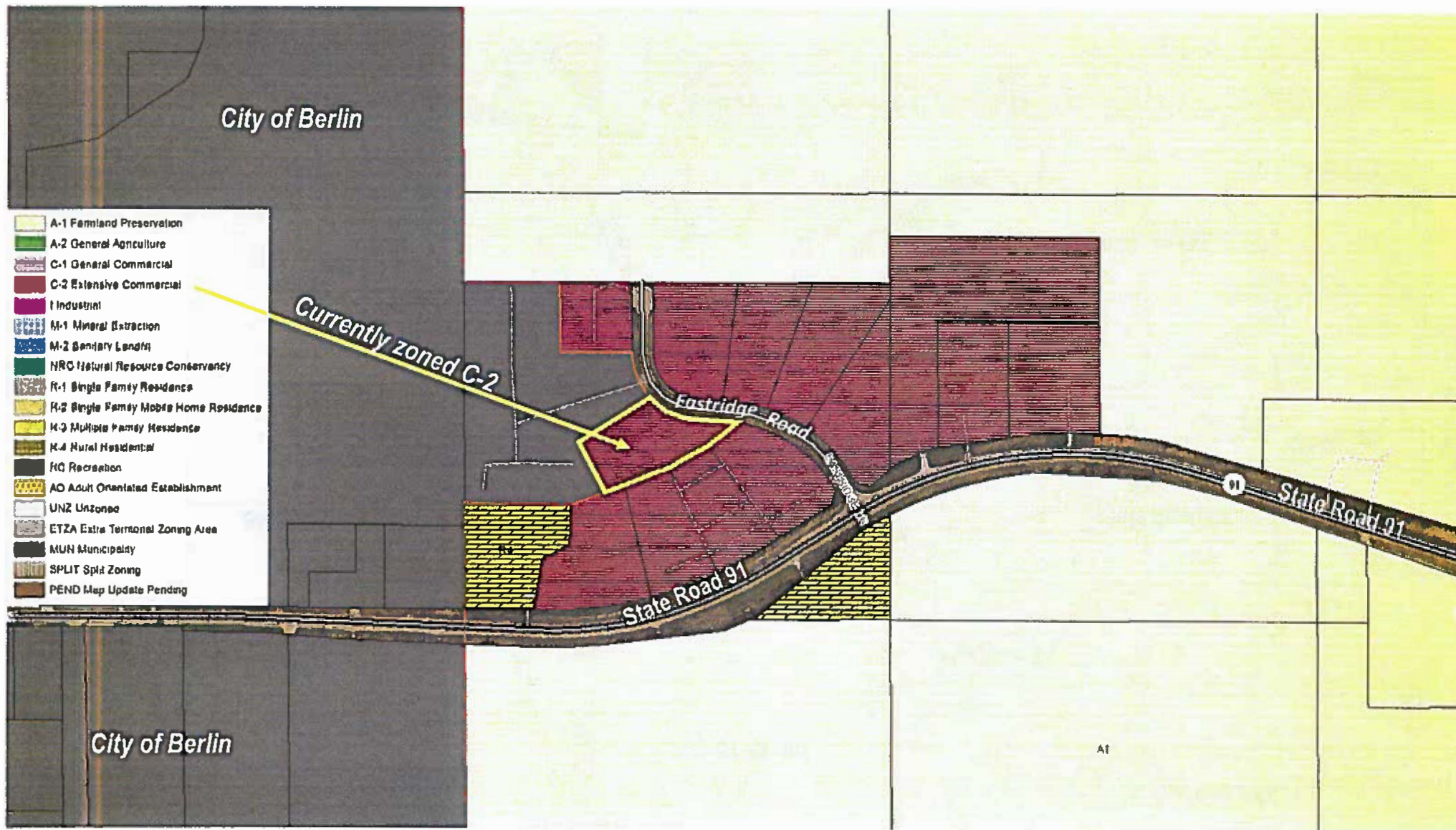


Green Lake County Land Use Planning & Zoning Committee Public Hearing 09/05/19

Owner/Applicant: MNJ Development, LLC – Michael Monohan

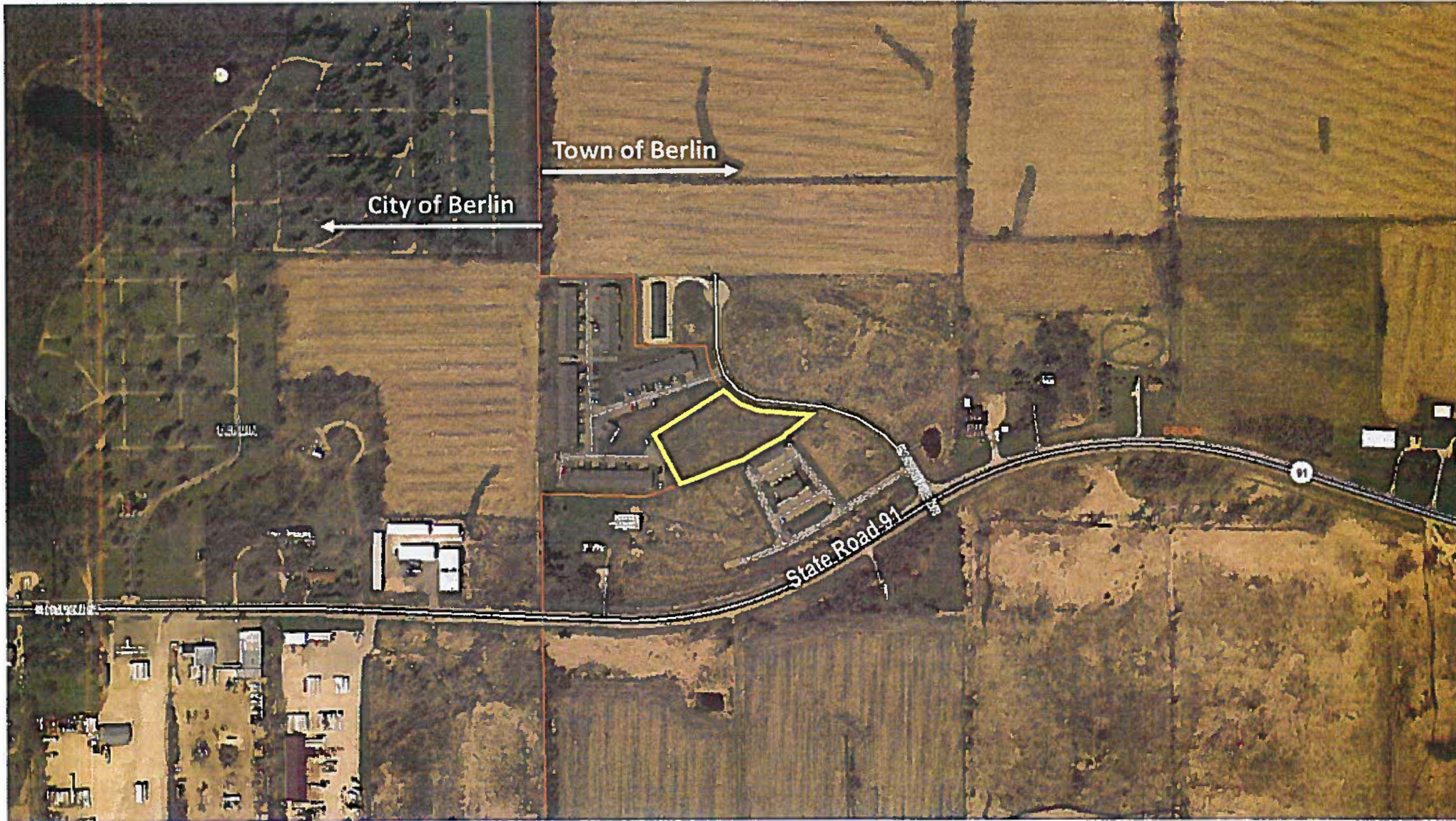
Parcel #002-00851-0000, Lot 5 Eastridge Subdivision, Part of the SW¼ of Section 2, T17N, R13E, (±1.67 acres); Town of Berlin

Rezone request from C-2 Extensive Commercial District to R-3 Multiple-Family Residence District



Owner/Applicant: MNJ Development, LLC – Michael Monohan

**Parcel #002-00851-0000, Lot 5 Eastridge Subdivision, Part of the SW¼ of Section 2, T17N, R13E, (±1.67 acres); Town of Berlin
Rezone request from C-2 Extensive Commercial District to R-3 Multiple-Family Residence District**



Green Lake County Land Use Planning & Zoning Committee Public Hearing 09/05/19

Owner/Applicant: MNJ Development, LLC – Michael Monohan

Parcel #002-00851-0000, Lot 5 Eastridge Subdivision, Part of the SW¼ of Section 2, T17N, R13E, (±1.67 acres); Town of Berlin

Rezone request from C-2 Extensive Commercial District to R-3 Multiple-Family Residence District



Green Lake County Land Use Planning & Zoning Committee Public Hearing 09/05/19

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

September 5, 2019

ITEM III: ZONING CHANGE

OWNER:

Town of Green Lake

APPLICANT:

Chairman Ben Moderow

REQUEST: The applicant is requesting a zoning change from A-1 Farmland Preservation District to R-1, Single-Family Residence District, ±1.8 acres.

PARCEL NUMBER / LOCATION: The affected parcel number is 006-00152-0000, located in the NE¼ of Section 9, T15N, R13E, Town of Green Lake. The site proposed for zoning change is located at N4454 Horner Rd.

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning of this parcel is A-1 Farmland Preservation District. This parcel is home to the Town of Green Lake town hall as well as municipal buildings for storage of equipment and materials. Parcels surrounding the subject site are a mix of zoning districts, with a bar restaurant to the west zoned C-2 Extensive Commercial district. There are homes zoned R-1 Single-Family Residence to the northwest and south, and a cemetery zoned R-1 to the southwest of the property.

This parcel lies outside floodplain and shoreland jurisdiction, with no mapped wetlands indicated on the Wisconsin wetland inventory maps. The Green Lake County Farmland Preservation Plan identifies the land under consideration for this zoning change to be in a Farmland Preservation Area.

ADDITIONAL INFORMATION / ANALYSIS: The Town of Green Lake has owned this property since 1961. The zoning has been grandfathered in as agricultural over the years. The Town is looking to construct a storage building. The current zoning district allows for agricultural buildings and uses, with no provisions for municipal uses. Section 350-14. A.(1) states that “The existing lawful use of a structure of premises upon the effective date of this chapter or any amendment thereto may be continued ... but not be extended.”

Soil survey maps indicate eroded silt loams with dolomite fragments occurring throughout the soil profile. The survey text indicates in this soil type runoff is medium with a moderate hazard for erosion. Proper management topics for this soil type are suggested to include maintaining organic matter content and good soil structure, avoiding compaction, conserving moisture, and reducing runoff while controlling erosion. This soil has one of the lower ranges for production of crops, with estimated corn production predicted at 70 bushels a year. This is on the lower end of the range for Green Lake County, of which all soil types within the county range between 55-130 bushels projected to be produced per year.

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. **The Town is not allowed any expansion of existing, non-conforming use in the**

current zoning district (A-1). As the land has not been used for crops in years, and as the subject area for this request does not contain enough acreage to meet the A-1 Farmland Preservation district permitted uses, this land appears to meet the criteria of being better suited to a different zoning district.

- b) **The rezoning is consistent with any applicable comprehensive plan. The proposed rezone is considered consistent with the county's comprehensive plan, as the request upholds the goal to promote this development in areas designated and suitable, as well as being compatible with neighboring uses. As there are other residential uses in the vicinity, and this is situated along a main corridor in the Town, this request is considered consistent 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. It is staff's belief that the request does not negatively impact the integrity or viability of county agriculture and is substantially consistent with the county's certified Farmland Preservation Plan.**
- d) **The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or are legally restricted to agricultural use. The property has not been used for agricultural production nor any intended use of the A-1 zoning district. It appears there is no reduction in lands that have been in productive agricultural use.**

TOWN OF GREEN LAKE: The Town requested this zone change to come into compliance with zoning standards. As they are the petitioner, no action form was completed. It is assumed the Green Lake Town Board did not object to and approved the rezone request as presented.

Please type or use black ink

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

GENERAL APPLICATION

Fee waived (not refundable) Date _____

Zone Change from A-1 to R-1

Conditional Use Permit for _____

Other _____

PROPERTY OWNER / APPLICANT (1)

Name Town of Green Lake, C/O Town Chair Ben Moderow

Mailing Address _____

Phone Number _____

Signature _____ Date _____

PROPERTY OWNER / APPLICANT (2)

Name *Ben Moderow* 8-16-19

Mailing Address _____

Phone Number _____

Signature _____ Date _____

PROPERTY INFORMATION

Town of Green Lake Parcel Number(s) 006-00152-0000

Acres 1.59 Lot _____ Block _____ Subdivision _____

Section 9 Town 15 North Range 13 East

Location of Property Part of the NE 1/4 of Sect. 9, T15N R13E; N4454 Horner Rd

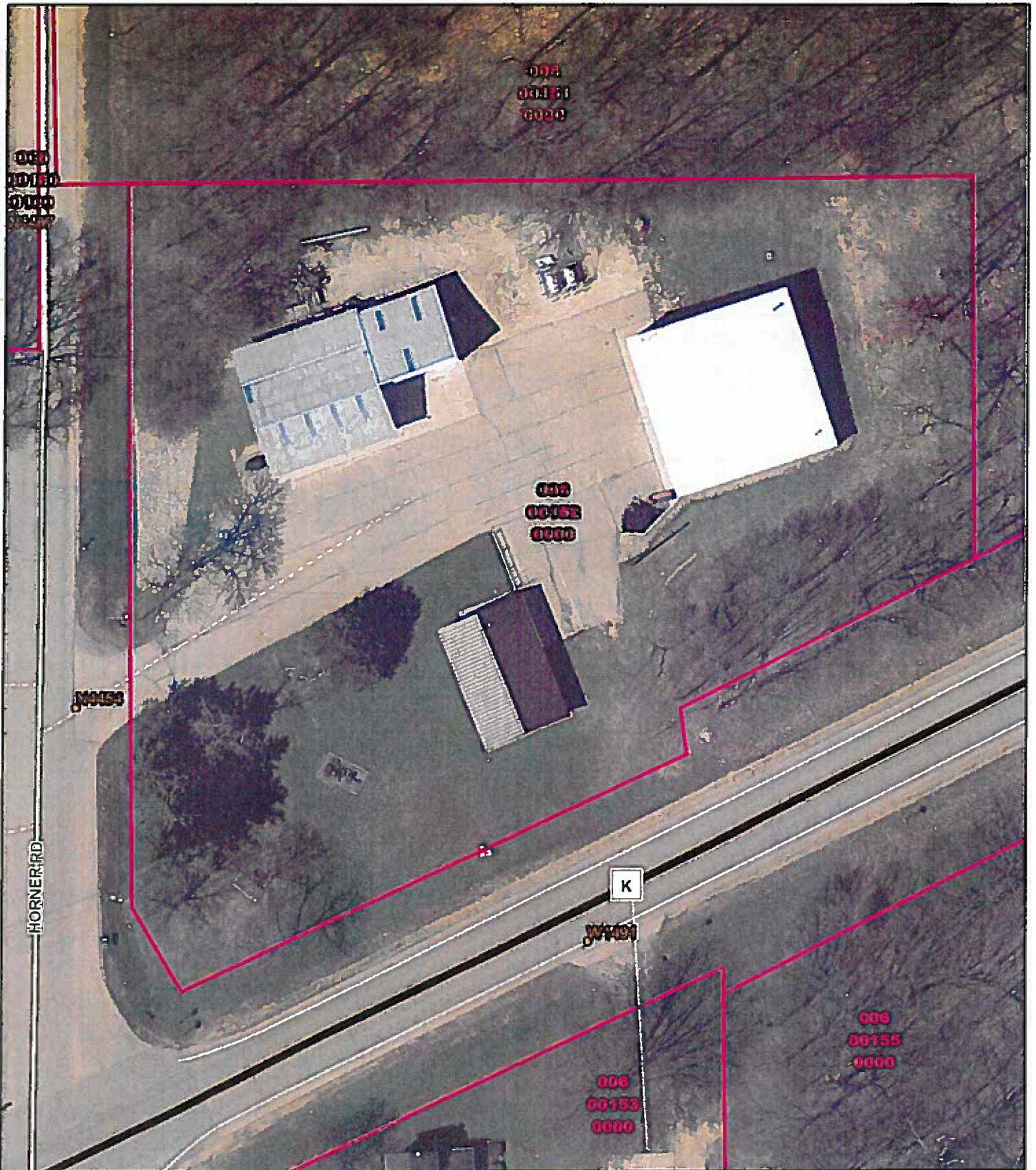
Legal Description Lot 1 CSM 158 and Lot 1 CSM 215 and Lot 1 CSM 215A and OL 1 CSM 1901

Current Zoning Classification A-1 Farmland Preservation Current Use of Property Town Hall,
municipal buildings for Town storage and business

Detailed Description of Proposed Use Municipal business (not changing), expanding with new storage
building

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



Green Lake County

1 inch = 50 feet

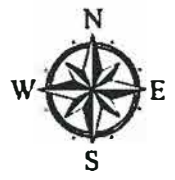
Geographic Information System (GIS)
<https://gis.co.green-lake.wi.us/>

GIS Viewer Map
 Green Lake County, WI

Time: 8:47:52 AM
 Date: 7/25/2019

Note

Bertha Low 8-16-19



CERTIFIED SURVEY MAP

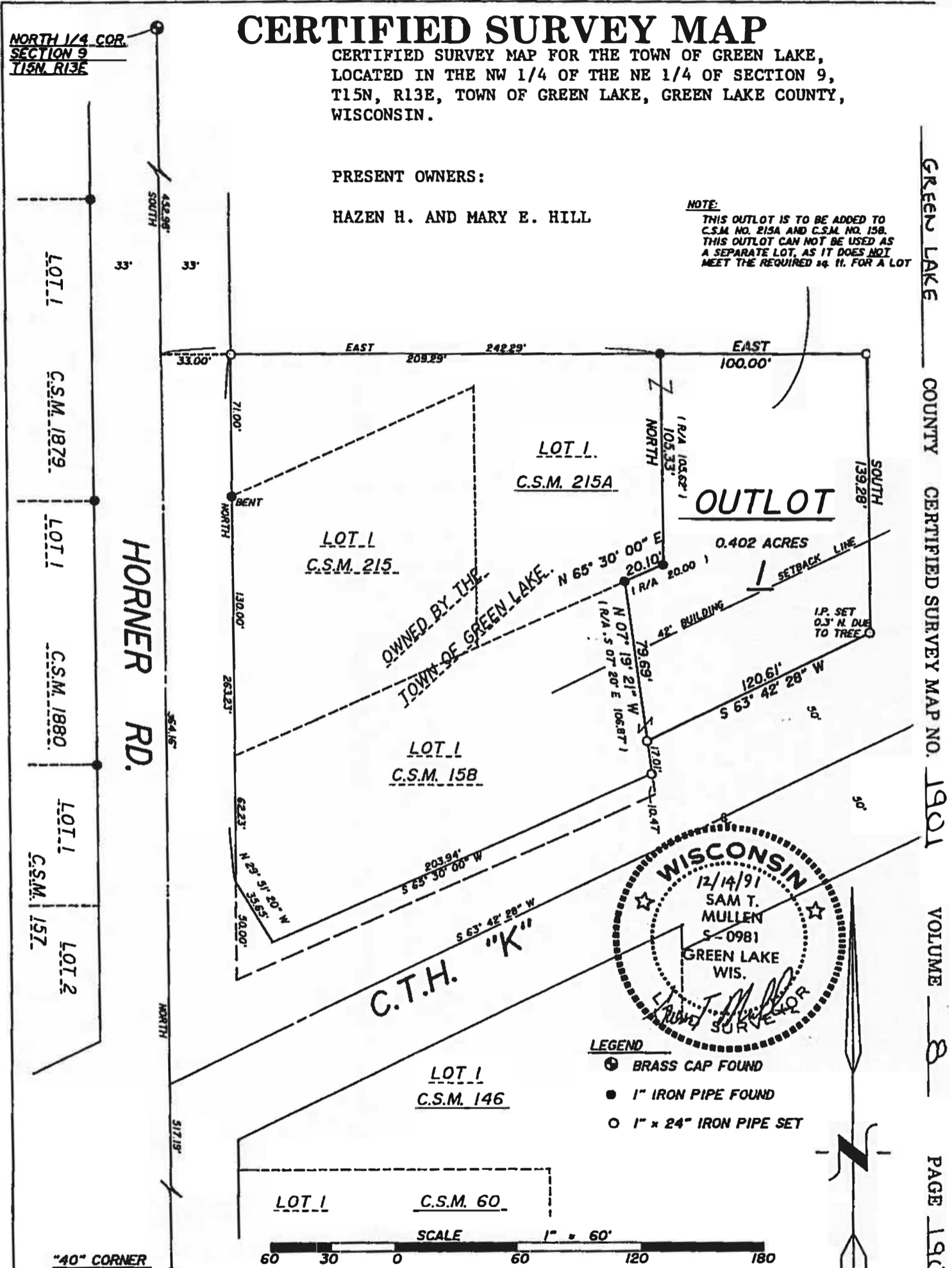
CERTIFIED SURVEY MAP FOR THE TOWN OF GREEN LAKE,
LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 9,
T15N, R13E, TOWN OF GREEN LAKE, GREEN LAKE COUNTY,
WISCONSIN.

PRESENT OWNERS:

HAZEN H. AND MARY E. HILL

NOTE:

THIS OUTLOT IS TO BE ADDED TO
C.S.M. NO. 215A AND C.S.M. NO. 158.
THIS OUTLOT CAN NOT BE USED AS
A SEPARATE LOT, AS IT DOES NOT
MEET THE REQUIRED 1/4 ACRE FOR A LOT



- LEGEND**
- ⊙ BRASS CAP FOUND
 - 1" IRON PIPE FOUND
 - 1" x 24" IRON PIPE SET

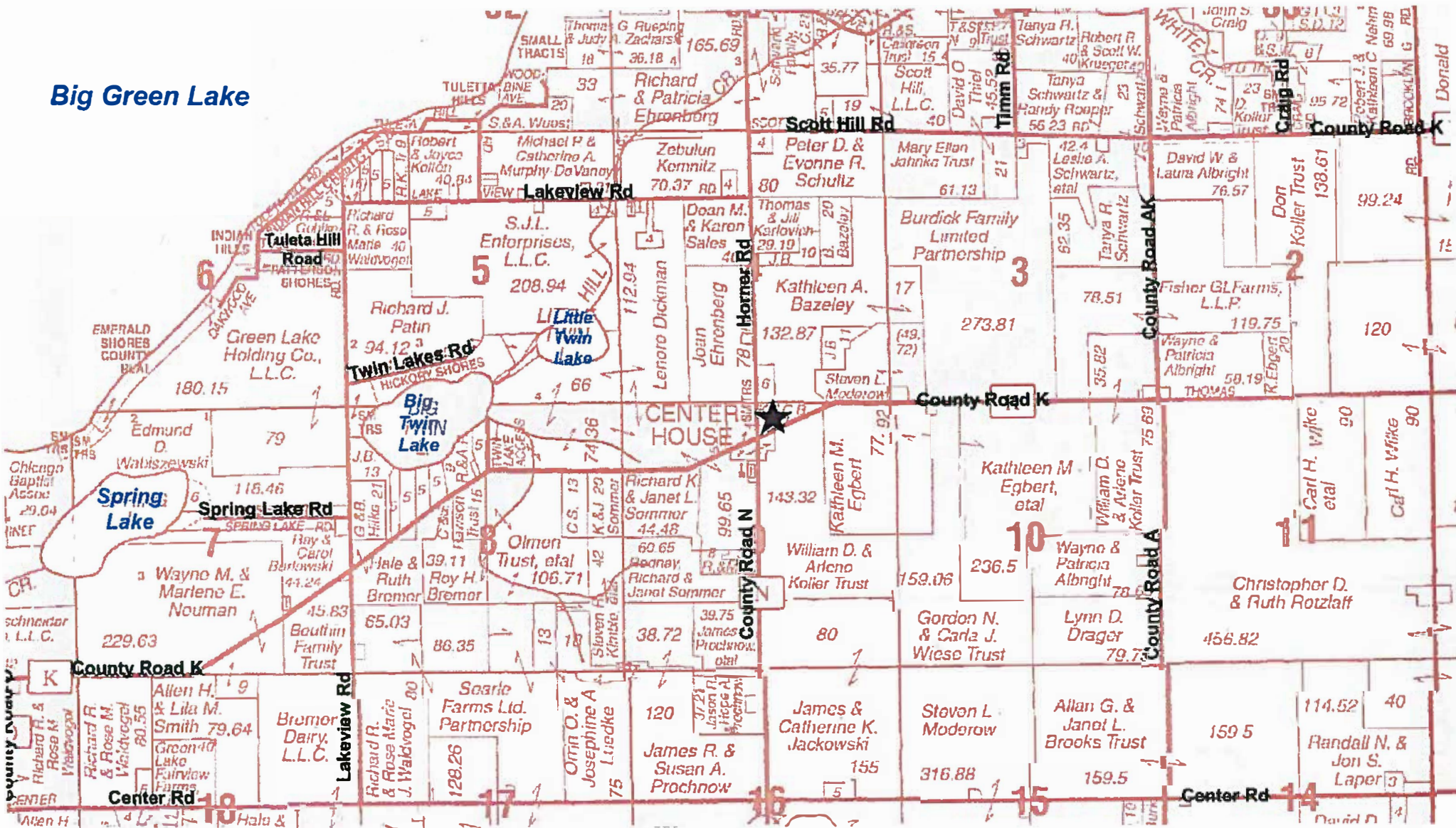
GREEN LAKE SURVEYING CO.
 P.O. Box 131
 Green Lake, Wisconsin 54941
 Phone: (414) 294-6666



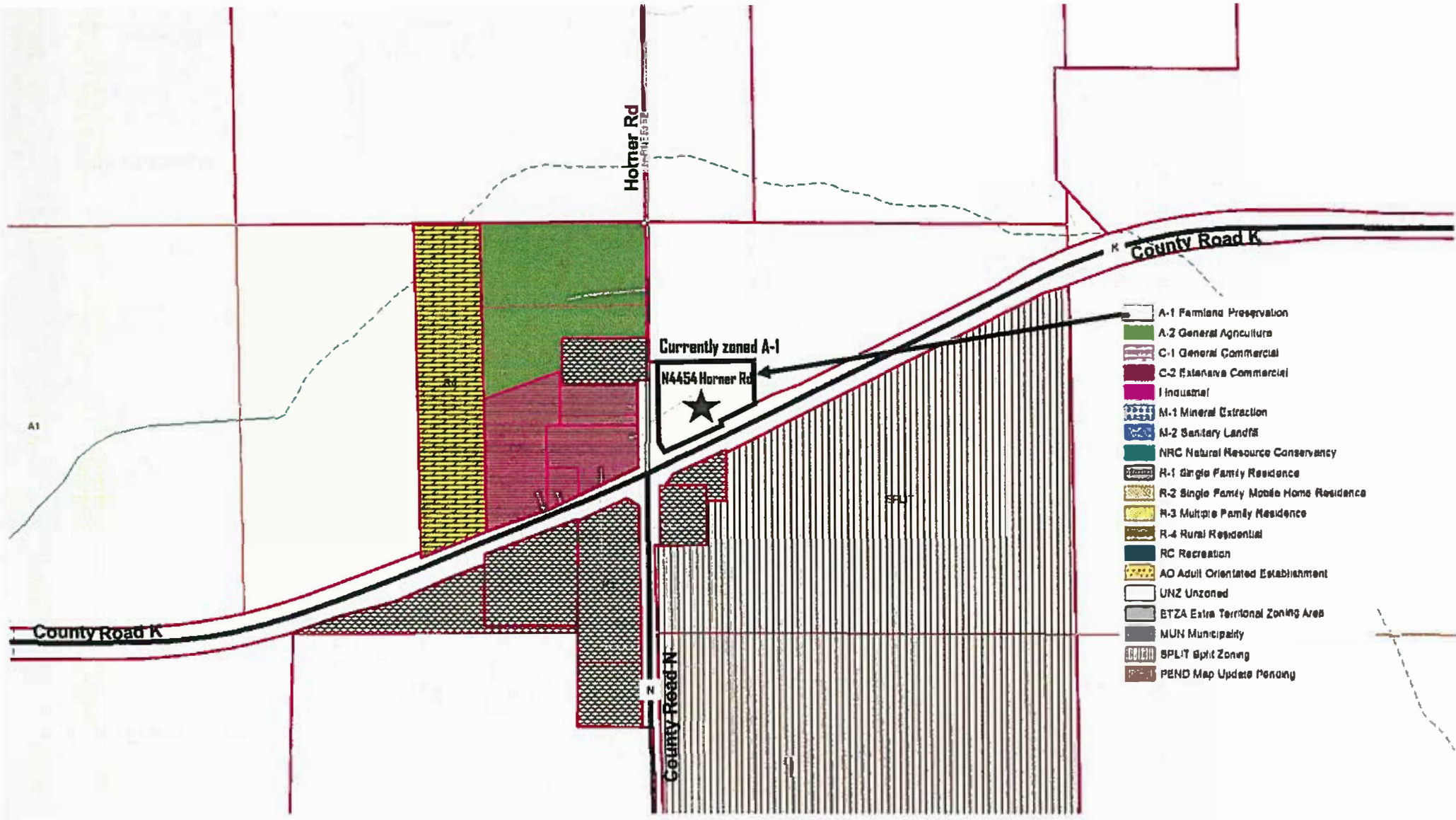
BEARINGS REF. TO
C.S.M. 215, 215A,
AND 158.

GREEN LAKE COUNTY CERTIFIED SURVEY MAP NO. 1901 VOLUME 8 PAGE 1901

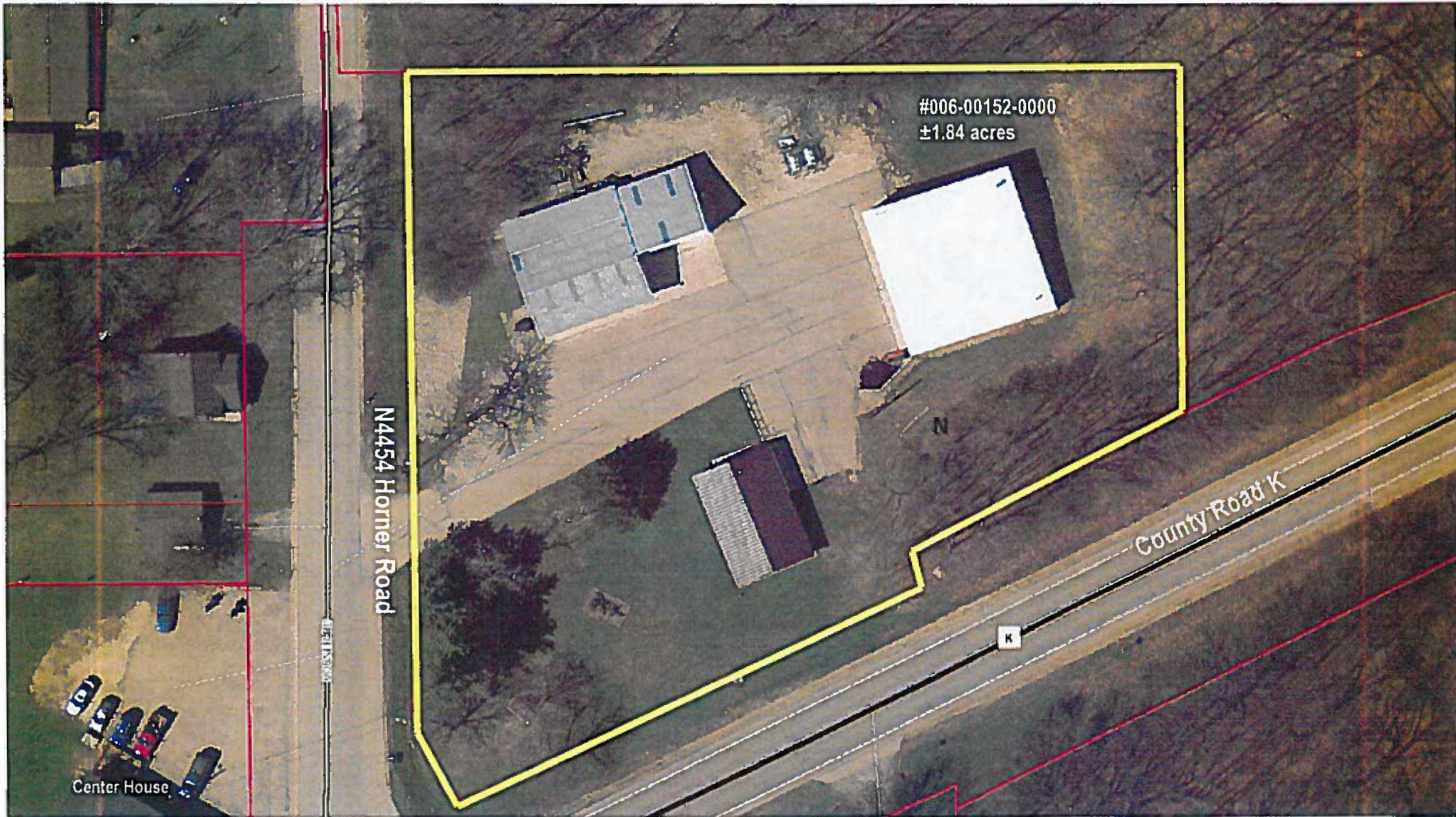
Owner/Applicant: Town of Green Lake – Ben Moderow, Town Board Chairman
Parcel #006-00152-0000, N4454 Horner Road (± 1.84 acres); Town of Green Lake
Rezone request from A-1 Farmland Preservation District to R-1 Single-family Residence District.



Owner/Applicant: Town of Green Lake – Ben Moderow, Town Board Chairman
Parcel #006-00152-0000, N4454 Horner Road (± 1.84 acres); Town of Green Lake
Rezone request from A-1 Farmland Preservation District to R-1 Single-family Residence District.



Owner/Applicant: Town of Green Lake – Ben Moderow, Town Board Chairman
Parcel #006-00152-0000, N4454 Horner Road (± 1.84 acres); Town of Green Lake
Rezone request from A-1 Farmland Preservation District to R-1 Single-family Residence District.



Green Lake County Land Use Planning & Zoning Committee Public Hearing 09/05/19

Owner/Applicant: Town of Green Lake – Ben Moderow, Town Board Chairman
Parcel #006-00152-0000, N4454 Horner Road (± 1.84 acres); Town of Green Lake
Rezone request from A-1 Farmland Preservation District to R-1 Single-family Residence District.



Green Lake County Land Use Planning & Zoning Committee Public Hearing 09/05/19

TOWN BOARD ACTION

Rezone Request

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Green Lake, County of Green Lake, took the following action on 8-5-19

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: Town of Green Lake, Ben Moderow, Town Board Chairman

Site Location: N4454 Horner Road

General legal description: Lot 1 Certified Survey Map 158, Lot 1 Certified Survey Map 215, Lot 1 Certified Survey Map 215A, and Outlot 1 Certified Survey Map 1901, Part of the NE¼ of Section 9, T15N, R13E, Town of Green Lake, ± 1.59 acres

Request: Rezone request from A-1 Farmland Preservation District to R-1 Single-family Residence District.

Planned public hearing date: September 5, 2019

Ben Moderow
Town Representative

8-14-19
Date Signed

NOTES: _____

Please return this form to the Land Use Planning & Zoning Office by: August 23, 2019