



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, August 5, 2021.

Packet Pages:

- 2 Agenda
- 3-5 Draft Meeting Minutes from July 1st, 2021
- 6-8 Financial Reports for June 2021
- 9-11 Permit Reports
- 12-13 Violation Reports
- 14-48 Proposed Zoning Ordinance Amendments
- 49-60 2022 Budget Proposal
- 61-63 Public Hearing Notice
- 64-97 Public Hearing Items

Item I: Owner: Richard & Harriet Brotske **Site location:** N7765 37th Ave. **General legal description:** Parcel 002-00479-0100 part of the SW1/4 of Section 25, T14N, R13, Town of Berlin, ±74.7 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

Item II: Owner: Alan J. & Frances Joan Kennedy Familys Trust **Applicant:** John Kennedy **Site location:** N5635 Brooklyn G Rd. **General legal description:** Parcels 004-00600-0000, -0200, & 004-00594-0000 part of the NE1/4 and NW1/4 of Section 25, T16N, R13E, Town of Brooklyn, ±43.4 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

Item III: Owner: Green Lake County **Applicant:** Barry Mashuda **Site location:** STH 73, 0.74 miles South of CTH K. **General legal description:** Parcel 014-00539-0200, part of the SW1/4 of Section 15, T15N, R12E, Town of Marquette, ±1.0 acres. **Request:** Conditional Use Permit for a former highway gravel pit to be a clean fill site.

Item IV: Owner: Ellen Wildes **Site location:** W2111 State Hwy 23. **General legal description:** Parcel 004-00701-0000, part of the NE1/4 of Section 30, T16N, R13E, Town of Brooklyn, ±5.4 acres. **Request:** Rezone +3 acres from C2, Extensive Commercial District, to R-4, Rural Residential District, remaining ±2.4 acres to A-1, Farmland Preservation District, with surrounding lands.

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

**Land Use Planning & Zoning Committee
Meeting Notice**

**Date: August 5, 2021 Time: 4:30 PM
Location: Government Center, County Board Room, 571 County Road A, Green Lake WI**

AGENDA 08/05/2021

**Committee
Members**

*Curt Talma,
Chairman*

*Bill
Boutwell*

Chuck Buss

Don Lenz

*Harley
Reabe*

*Keith Hess,
Alternate*

*Karen
Werlein,
Secretary*

1. Call to Order
2. Pledge of Allegiance
3. Certification of Open Meeting Law
4. Approval of Minutes: 7/1/2021
5. Public Comments: 3 minute limit
6. Department Activity Reports
 - a. Financial reports
 - b. Land use & septic permits
 - c. Violation reports
7. Proposed Zoning Ordinance Amendments
8. 2022 Budget Proposal
9. Public Hearing: (Not to begin before 5:00 PM)
Each Item below will consist of:
 - a. Public Testimony/Comment: 10-minute time limit
 - b. Committee Discussion & Deliberation
 - c. Committee Decision
 - d. Execute Ordinance/Determination Form

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10. Future committee activities
 - a. Future agenda items
 - b. Meeting date: September 2, 2021
11. Adjourn

Due to the COVID-19 pandemic, this meeting will be conducted and available through in person attendance (6 ft. social distancing and face masks required) or audio/visual communication.

Remote access can be obtained through the following link:

<https://us06web.zoom.us/j/5022456162?pwd=V2lvUTFFb2o3MWNqUFFDcFRtMIBJQT09>

Or by phone for audio

Dial by your location (1-312-626-6799) US

Meeting ID: 502 245 6162

Passcode: **345536**

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Thursday, July 1st, 2021**

CALL TO ORDER

Planning & Zoning Chair Curt Talma called the meeting of the Land Use Planning and Zoning Committee to order at 4:30 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. Public access was available via remote programming as well as in person.

Present: Don Lenz, Harley Reabe, Curt Talma, Chuck Buss

Absent: Bill Boutwell

Also Present: Matt Kirkman, Land Use Planning and Zoning Director, Dawn Klockow, Corporation Counsel (Zoom), Karen Werlein, Secretary

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Motion/second (Lenz/Buss) to approve the minutes of the June 3rd, 2021 meeting with no additions or corrections. Motion carried with no negative vote.

PUBLIC APPEARANCE

- a. Don Peters spoke on how dog kennels and other Conditional Use Permits have transformed the Agricultural Districts in Green Lake County.
- b. Janine Rubek spoke on behalf of Green Lake Area Animal Shelter and asks that all State and local laws are adhered to in regards to dog kennels and dog breeding facilities.

DEPARTMENT ACTIVITY REPORTS

- a. **Financial reports**
P&Z Director Matt Kirkman gave an update on the May expenses and revenues.
- b. **Permits**
Matt Kirkman stated there were 30 land use permits and 7 sanitary permits in May.
- c. **Violations**
Matt Kirkman outlined the May land use violations as well as the POWTS violations.

PROPOSED DOG KENNEL/DOG BREEDING FACILITY ORDINANCE LANGUAGE

Matt Kirkman outlined the proposed changes to the ordinance.

RECESS: 5:05PM: ***Motion/second (Reabe/Lenz)*** to recess at 5:06 PM to conduct the public hearing. Motion carried with no negative vote.

PUBLIC HEARING – 5:06 PM

Chair Talma read the rules for the Public Hearing

Item I: Owners: Daniel & Ruthie Mae Bontrager **Site location:** W4048 County Line Rd **General legal description:** Parcel 012-00650-0300, described as lands in the SE1/4 of Section 32, Town 14 North, Range 12 East, Town of Manchester. **Request:** CUP request for a wood-working / furniture shop as an agricultural accessory use.

- a. Public Testimony/Comment: Don Peters, of W3972 Heritage Road, asked for further explanation of current woodworking shop.
- b. Committee Discussion & Deliberation: Kirkman presented the Staff Report regarding the conditional use permit. The Town of Manchester has no objection to the request.
- c. Committee Decision: ***Motion/second (Reabe/Buss)*** to approve the conditional use permit as presented with the following stipulations:
 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. Hours of operation / manufacturing shall occur between 6:00am and 8:00pm Monday thru Sunday.
 3. All lumber, materials, furniture and other equipment shall be stocked, piled, or stored in a building. No waste materials from the woodworking shop shall be stacked, piled or strewn about on the subject site.
 4. The newly proposed building must be primarily used and designed towards agricultural uses.Motion carried with no negative vote.

Item II: Owners: David & Christina Miller **Applicant:** Steven Bontrager **Site location:** N1934 Hilltop Rd **General legal description:** Parcel 012-00114-0200, described as lands in the NE1/4 of Section 8, Town 14 North, Range 12 East, Town of Manchester. **Request:** CUP request for a dog kennel use as an agricultural accessory use.

- a. Public Testimony/Comment: Samuel Mast, of N971 HH, spoke for the dog kennel as a conditional use permit.
Don Peters, of W3972 Heritage Road, spoke against the dog kennel as a conditional use permit.
- b. Committee Discussion & Deliberation: Matt Kirkman presented the Staff Report. The Town of Manchester has no objection to the request.
- c. Committee Decision: ***Motion/second (Buss/Reabe)*** to deny the conditional use permit request as presented on the grounds that it will have a negative effect upon the health, safety, and general welfare of occupants of surrounding lands. Motion carried with no negative vote.

Item III: Owners: Timothy & Carolyn Mast **Site location:** W4651 Winding Ln **General legal description:** Parcel 012-00572-0101, described as Lot 1 of CSM 2573, located in the NE1/4 of Section 30, Town 14 North, Range 12 East, Town of Manchester. **Request:** CUP request for a dog kennel use as an agricultural accessory use.

- a. Public Testimony/Comment: Samuel Mast, of N971 HH, spoke for the dog kennel as a conditional use permit.
Don Peters, of W3972 Heritage Road, spoke against the dog kennel as a conditional use permit.
Alan Vance, of W4729 Winding Lane, spoke for the dog kennel as a conditional use permit.

- b. Committee Discussion & Deliberation: Matt Kirkman presented the Staff Report. The Town of Manchester has no objection to this request.
- c. Committee Decision: **Motion/second (Buss/Lenz)** to deny the conditional use permit request as presented on the grounds that it will have a negative effect upon the health, safety, and general welfare of occupants of surrounding lands; it will be hazardous or disturbing to existing or future neighboring uses; and it will be detrimental to property in the immediate vicinity or to the community as a whole. Motion carried with no negative vote.

Item IV: Owners: Harley & Loretta Bontrager **Site location:** W4838 County Road H **General legal description:** Parcel 014-00778-0200, described as lands in the NW1/4 of Section 21, Town 15 North, Range 12 East, Town of Marquette. **Request:** CUP request for a dog kennel use as an agricultural accessory use.

- a. Public Testimony/Comment: Matt Kirkman read a letter from Jim Stellmacher, Chairman for the Town of Marquette, who was against the dog kennel conditional use permit.
- b. Committee Discussion & Deliberation: Matt Kirkman presented the Staff Report. All criteria for rezone has been met and the Town of Marquette has taken no action on the request.
- c. Committee Decision: **Motion/second (Lenz/Reabe)** to deny the conditional use permit request as presented on the grounds that it will have a negative effect upon the health, safety, and general welfare of occupants of surrounding lands; it will be hazardous or disturbing to existing or future neighboring uses; and it will be detrimental to property in the immediate vicinity or to the community as a whole. Motion carried with no negative vote.

Motion/second (Buss/Reabe) to come out of recess at 6:26 PM and discuss meeting agenda item #10. Motion carried with no negative vote.

GIS SPECIALIST RECLASSIFICATION ANALYSIS

Motion/second (Buss/Lenz) to approve the reclassification request for GIS specialist. Motion carried with no negative vote.

PROPOSED DOG KENNEL/DOG BREEDING FACILITY ORDINANCE LANGUAGE

Further dog kennel and dog breeding facility language adjustment discussion resulted in the Committee asking staff to provide new zoning ordinance.

FUTURE COMMITTEE ACTIVITIES

- a. **Future agenda items** – Ordinance language adjustments to be heard by Committee and four public hearing items to be presented.
- b. **Next meeting date** – **August 5th, 2021**

ADJOURN

Chair Talma adjourned the meeting at 6:43 PM.

Respectfully submitted,

**Karen Werlein
Land Use Coordinator**

FEES RECEIVED	JUNE				YEAR-TO-DATE				BUDGET	
	2020		2021		2020		2021		2021	
	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT		
LAND USE PERMITS										
Total Monthly Issued Permits	28	6,900	36	11,050	90	20,150	128	\$ 40,350	\$ 40,000	101%
SANITARY PERMITS (POWTS)										
Total Monthly Issued Permits	9	2,670	9	2,465	46	12,660	46	\$ 12,940	\$ 26,000	49%
NON-METALLIC MINING PERMITS										
Annual Permit Fees	-	-	-	\$ -	5	9,600	9	\$ 15,000	\$ 15,300	98%
BOARD OF ADJUSTMENT										
Special Exception	-	-	-	-	-	-	-	-	-	-
Variances	2	750	-	-	4	1,500	2	750	-	-
Appeals	-	-	-	-	-	-	-	-	-	-
Total	2	\$ 750	-	\$ -	4	\$ 1,500	2	\$ 750	\$ 1,875	40%
PLANNING & ZONING COMMITTEE										
Zoning Change	1	375	3	1,125	3	1,125	9	3,375	-	-
Conditional Use Permits	-	-	-	-	2	750	6	2,250	-	-
Variance	-	-	-	-	-	-	-	-	-	-
Total	1	\$ 375	3	\$ 1,125	5	\$ 1,875	15	\$ 5,625	\$ 8,250	68%
MISC.										
Wisconsin Fund	-	-	1	6,266	1	100	1	6,266	-	-
Fines & Forfeitures	3	3,400	-	-	11	6,800	1	111	-	-
Total	3	\$ 3,400	1	\$ 6,266	12	\$ 6,900	2	\$ 6,377	-	-
SURVEYOR										
Certified Survey Maps	1	165	5	900	23	4,065	17	3,300	6,500	-
Preliminary and Final Plats	-	-	-	-	-	-	-	-	-	-
Applied Funds: County Surveyor	-	-	-	-	-	-	1	9,500	9,500	-
Total	1	\$ 165	5	\$ 900	23	\$ 4,065	18	\$ 12,800	\$ 16,000	80%
GIS (Geographic Information System)										
Map Sales	-	-	-	-	-	-	-	-	-	-
Land Records Transfer	-	-	-	-	-	-	-	-	25,000	-
Land Information Grant	-	-	-	-	-	-	-	-	10,000	-
Total	-	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 35,000	0%
GRAND TOTAL	44	14,260	54	21,806	185	56,750	216	93,842	\$ 142,425	
									Total	66%

For 06/01/21 - 06/30/21

Expenditure Summary Report

FJEXS01A

Periods 06 - 06

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						
21-100-10-53610-110-000 Salaries	309,000.00	.00	34,544.40	127,323.68	181,676.32	41.21
21-100-10-53610-140-000 Meeting Payments	1,425.00	.00	.00	.00	1,425.00	.00
21-100-10-53610-151-000 Social Security	23,641.00	.00	2,511.73	9,921.19	13,719.81	41.97
21-100-10-53610-153-000 Ret. Employer Share	20,861.00	.00	2,331.74	9,214.63	11,646.37	44.17
21-100-10-53610-154-000 Health Insurance	50,590.00	.00	7,482.93	29,361.93	21,228.07	58.04
21-100-10-53610-155-000 Life Insurance	276.00	.00	25.36	140.41	135.59	50.87
21-100-10-53610-210-002 Professional Services-SRV	9,500.00	.00	850.00	3,350.00	6,150.00	35.26
21-100-10-53610-210-003 Miscellaneous Fees	300.00	.00	.00	-56.20	356.20	-18.73
21-100-10-53610-225-000 Phone Service	576.00	.00	74.48	296.88	279.12	51.54
21-100-10-53610-242-000 Print Management	300.00	.00	21.69	76.13	223.87	25.38
21-100-10-53610-307-000 Training	750.00	.00	76.50	273.23	476.77	36.43
21-100-10-53610-310-000 Office Supplies	650.00	.00	230.98	405.97	244.03	62.46
21-100-10-53610-312-000 Field Supplies	200.00	.00	52.04	52.04	147.96	26.02
21-100-10-53610-320-000 Publications-BOA Public Hearing	750.00	.00	.00	510.25	239.75	68.03
21-100-10-53610-320-001 Publications-PZ Public Hearing	2,750.00	.00	204.50	856.50	1,893.50	31.15
21-100-10-53610-321-000 Seminars	930.00	.00	.00	.00	930.00	.00
21-100-10-53610-324-000 Member Dues	100.00	.00	.00	100.00	.00	100.00
21-100-10-53610-330-000 Travel	750.00	.00	.00	8.00	742.00	1.07
21-100-10-53610-352-000 Vehicle Maintenance	638.00	.00	.00	121.37	516.63	19.02
53610 Code Enforcement	423,987.00	.00	48,406.35	181,956.01	242,030.99	42.92
10 Land Use Planning and Zoning	423,987.00	.00	48,406.35	181,956.01	242,030.99	42.92

GREEN LAKE COUNTY

For 06/01/21 - 06/30/21

Revenue Summary Report

FJRES01A

Periods 06 - 06

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					
21-100-10-44400-000-000 Land Use Permits	40,000.00	11,050.00	40,300.00	-300.00	100.75
21-100-10-44400-001-000 BOA Public Hearing	1,875.00	.00	375.00	1,500.00	20.00
21-100-10-44400-002-000 PZ Public Hearing	8,250.00	1,125.00	5,250.00	3,000.00	63.64
21-100-10-44409-000-000 Non-Metallic Mining	15,300.00	.00	10,800.00	4,500.00	70.59
21-100-10-44410-000-000 Sanitary Permits	26,000.00	2,465.00	12,940.00	13,060.00	49.77
21-100-10-45110-000-000 Fines & Forfeitures	.00	225.00	166.00	-166.00	.00
21-100-10-46131-002-000 Strategic Fund	10,000.00	.00	.00	10,000.00	.00
21-100-10-46762-000-000 Certified Survey Maps	6,500.00	900.00	3,465.00	3,035.00	53.31
21-100-10-47411-000-000 Interdepartment transfer/Land Records	25,000.00	.00	.00	25,000.00	.00
10 Land Use Planning and Zoning	132,925.00	15,765.00	73,296.00	59,629.00	55.14

Land Use Permits: 6/1/2021 - 6/30/2021

Town of Berlin										
Permit Number	Parcel Number	Township	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
12892	002006980100	Berlin	W210 COUNTY ROAD F	06/22/2021	CODY KRUEGER	\$15,000.00	Accessory Structure - Detached Garage	Garage		
12893	002000200100	Berlin	W412 STATE ROAD 91	06/22/2021	JESSIE FAIRBANK	\$2,675.00		Pasture Fence 2		Shed/Chicken Coop
12904	002005090000	Berlin	N7918 STATE ROAD 49	06/28/2021	WILLIAM GIES IRREVOCABLE TRUST	\$160,000.00	Accessory Structure - Storage Buildings	Shop		

Town of Brooklyn										
Permit Number	Parcel Number	Township	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
12867	004013140000	Brooklyn	W3042 ORCHARD AVE	06/02/2021	JAMES JULIANO	\$15,000.00				
12868	004014770000	Brooklyn	W846 GRANT ST	06/03/2021	DANIEL D & LISA K SONDALLE	\$8,330.00	Accessory Structure - Detached Garage	Garden Shed		
12869	004013470000	Brooklyn	W3083 ORCHARD AVE	06/03/2021	GLENN W & DIANE R QUAI/VER LIVNG TRUST	\$650,000.00	Accessory Structure - Attached Deck/Patio	Covered Porch	Driveway and Garage Apron Appx: 920sqft	
12870	004016050100	Brooklyn	N5570 OLD OAK LN	06/04/2021	KATHERINE ALVORD	\$78,000.00	Accessory Structure - Boathouse	384sqft footprint. Boathouse will have 12" roof overhangs.	Accessory Structure - Stairs/Walkway.	Replacing existing walkway which is approximately 60ft long
12872	004006210100	Brooklyn	N5635 SKUNK HOLLOW RD	06/04/2021	STEVEN RASMUSSEN	\$96,000.00	Additions / Alterations - Addition/Alteration to Principal Structure	Addition to principle structure.		
12873	004007281101	Brooklyn	W2354 CARPENTER LN	06/07/2021	ASHLAND POINT LLC	\$24,000.00	Accessory Structure - Retaining Walls	Outcropping retaining wall (south side of patio).	Accessory Structure - Retaining Walls.	Replacing existing retaining wall with outcropping retaining wall (southeast side of home).
12874	004013410000	Brooklyn	W3039 ORCHARD AVE	06/07/2021	KATHLEEN KUHLMAN	\$10,000.00	Accessory Structure - Attached Deck/Patio	Attached Deck (8' x 58') and the Trolley Deck is (6' x 11').		
12881	004009260100	Brooklyn	W3215 BAY RD	06/10/2021	MICHAEL SHADICK	\$55,000.00	Accessory Structure - Accessory Structure	Fiberglass Pool		
12886	004013140000	Brooklyn	W3042 ORCHARD AVE	06/15/2021	JAMES JULIANO	\$23,500.00	Accessory Structure - Attached Deck/Patio	Addition to existing deck.		
12887	004022010100		N5374 SHORE DR	06/16/2021	ROBIN KOSTELNIK	\$85,000.00	Accessory Structure - Retaining Walls	Retaining wall to southeast.	Accessory Structure - Stairs/Walkway.	Walkway by portico (permeable 18" clear stone base) 122sqft
12889	004009330403		N5322 SHORE DR	06/17/2021	THOMAS KIMEN JR TRUST	\$1,300,000.00	Accessory Structure - Retaining Walls	Retaining wall west.	Additions / Alterations - Addition/Alteration to Principal Structure.	Screen Porch (368sqft)
12891	004013410000		W3039 ORCHARD AVE	06/21/2021	KATHLEEN KUHLMAN	\$42,000.00	Accessory Structure - Attached Deck/Patio	Deck attached to current attached deck.	Accessory Structure - Stairs/Walkway.	Stairs attached to the deck on the eastern side.
12901	004018610000		W3237 JANE ST	06/28/2021	ERICA MAILAND	\$150,000.00	Accessory Structure - Attached Garage	Garage with Living Space above	Accessory Structure - Porch.	Screened Porch
12902	004004100502		W1702 NORTH ST	06/28/2021	AEC ISLAND LLC	\$3,000.00	Accessory Structure - Sign	The sign will be 20ft tall but the actual sign itself will be 10ft x 30ft. No more than 300sqft of "sign" will be visible from any angle.		

Town of Green Lake										
Permit Number	Parcel Number	Township	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
12871	006002510101	Green Lake	W540 CENTER RD	06/04/2021	RONALD KASUBOSKI	\$26,000.00	Garage Addition	Accessory Structure - Storage Buildings	Storage building and workshop	
12879	006020930000, 006020920000, 006020950000	Green Lake	W2464 OAKWOOD AVE, No Address Available, No Address Available	06/08/2021	DEUTSCHES SCHLOSS LLC	\$16,000.00	Land Disturbing Activity - Slope Stabilization	Erosion Control / Slope Stabilization within 75ft shoreline setback. This is NOT a structure nor could it be at this time.	Accessory Structure - Fence.	Open style fence
12882	006016130000	Green Lake	W1652 SANDSTONE AVE	06/11/2021	ALEKSANDR KOGAN	\$17,000.00	Land Disturbing Activity - Grading	Grading beyond 35ft from the ordinary high-water mark of Green Lake so that steps/walkway could be implemented. It is approximately 8ft wide and 225ft long from the top to the bottom via switchbacks.	Land Disturbing Activity - Vegetative Buffer/Mitigation	Vegetative Buffer Zone re-established. From 10ft to 35ft away from the ordinary high-water mark of the lake for 50ft starting at the west end going 50ft east.
12883	006016130000	Green Lake	W1652 SANDSTONE AVE	06/14/2021	ALEKSANDR KOGAN	\$1,100,000.00		Driveway length and width is approximate		Garage apron
12884	006001330700	Green Lake	W2022 COUNTY ROAD K	06/14/2021	GREGORY DICKENSON	\$24,800.00	Accessory Structure - Storage Buildings	Garden Shed		Greenhouse
12885	006016130000	Green Lake	W1652 SANDSTONE AVE	06/15/2021	ALEKSANDR KOGAN	\$53,000.00	Accessory Structure - Retaining Walls	Retaining wall 4.	Accessory Structure - Stairs/Walkway	Stairs/Walkway down to the lake that will be outside of 35ft from the OHWM. They will be around 39ft from the OHWM.
12894	006014080000	Green Lake	W2078 MELMAR DR	06/23/2021	SHARON MENTELE	\$13,300.00	Accessory Structure - Stairs/Walkway	Walkway 3 parts. Landing by lake is 4' x 7', main walkway is 3.5' x 35', and the landing by the home is 5' x 7'.		
12897	006012260000	Green Lake	W2090 TULETA HILL RD	06/24/2021	JAMES MCGUIRE	\$350,000.00	Principal Structure - Single Family	New Single Family Home. 2-bedroom. 27ft from walkout to peak. Appx: 24ft average grade height.		
12903	006010920000	Green Lake	W1232 SPRING GROVE RD	06/28/2021	MICHAEL SHOHONEY	\$1,039,350.00	Accessory Structure - Attached Deck/Patio	Attached deck/screen porch on main level. The deck is on both sides of the screen porch (14x 17') portion. The dimensions for deck/screen porch are 31' x 37' but see site plan for exact footprint. There will be concrete under the deck/screen porch that is on the lakeside not the east side of the home.	Accessory Structure - Stairs/Walkway	Walkway from driveway to front entrance.

Town of Kingston										
Permit Number	Parcel Number	Township	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
NONE										

Town of Mackford										
Permit Number	Parcel Number	Township	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
12877	010001550100	Mackford	N1977 TICHORA RD	06/08/2021	TICHORA GRAIN LLC	\$90,000.00		Grain Bin		
12890	010000160000	Mackford	N2275 SCHURE RD	06/18/2021	ROGER SCHURE	\$25,000.00		Milk House Addition		
12900	010006850000	Mackford	W1044 COUNTY ROAD AW	06/25/2021	BOBBIE & JUDITH BOSVELD	\$80,000.00	Accessory Structure - Agricultural Building	Addition height to match existing ag building.	Accessory Structure - Agricultural Building	Replace Corn Dryer

Town of Manchester

Permit Number	Parcel Number	Township	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
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None

Town of Marquette

Permit Number	Parcel Number	Township	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
12875	014007100000	Marquette	W3898 COUNTY ROAD B	06/07/2021	RICKY R AND THERESA A KLAWITTER LIVING TRUST	\$13,400.00	Accessory Structure - Storage Buildings		Accessory Structure - Accessory Structure	Lean to Connecting the two sheds
12899	014009890000	Marquette	W6764 MARINE DR	06/24/2021	JULIE M TRUST GNEISER	\$5,000.00	Accessory Structure - Storage Buildings	Garden Shed.		

Town of Princeton

Permit Number	Parcel Number	Township	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
12876	016003240401	Princeton	W3574 ORCHARD AVE	06/08/2021	REBECCA SCHIESEL	\$317,373.00		Driveway	Accessory Structure - Attached Deck/Patio	Patio from walkout that will go under the deck
12878	016003430103	Princeton	W3527 MEREDITH LN	06/08/2021	WILLIAM COURNOYER TRUST	\$2,000.00	Accessory Structure - Fence	closed style wooden fence		
12888	016004360100	Princeton	N4579 FOX RIVER DR	06/17/2021	RICHARD DECKER	\$500.00		Pond spoil to the north.		Pond spoil to the south.
12895	016010650000	Princeton	W3335 ORCHARD AVE	06/23/2021	PRICE FAMILY REVOCABLE TRUST	\$54,000.00	Accessory Structure - Stairs/Walkway	Stairs are two section. Towards home is 6ft x 5ft. Towards lake is 12ft x 5ft.	Land Disturbing Activity - Filling	Yoga Turf Area that will be leveled with clear stone and then leveled with topsoil so turf can grow.
12896	016010650000	Princeton	W3335 ORCHARD AVE	06/24/2021	PRICE FAMILY REVOCABLE TRUST	\$27,000.00	Accessory Structure - Boathouse	Boathouse with 12" overhang on west side and 18" overhang and east side, 9' sidewall, and 6/12 pitch roof		
12898	016010580000	Princeton	W3407 ORCHARD AVE	06/25/2021	JULIE DUERO	\$1,200.00		Removing clear stone lakeside of the boathouse.	Accessory Structure - Stairs/Walkway	Stairway.

Town of Saint Marie

Permit Number	Parcel Number	Township	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
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None

Town of Seneca

Permit Number	Parcel Number	Township	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
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None

Total Estimated Cost: \$5,972,428.00

Sanitary Permits: 6/1/2021 - 6/30/2021

Sanitary Permit	Parcel Number	Site Address	Owners	Date Issued	Permit Type	System Type	Plumber Name	Additional Explanation	Permit Fee \$ (County)	Permit Fee \$ (DSPS)
202124036	018006770200	W5568 COUNTY RD Y	LAUREN AND THOMAS BOOKER	06/07/2021	Replacement Tank Only	Conventional (Non-Pressurized In-Ground)	Al Mashuda	1 Bedroom House	150	0
202124037	006016130000	W1652 SANDSTONE AVE	ALEKSANDR KOGAN	06/08/2021	New System	Conventional (Non-Pressurized In-Ground)	Ben Kinas	4 Bedroom House	280	100
202124038	154002310000	230 W FRONT ST	JO LYNN INVESTMENTS LLC	06/08/2021	Replacement System	Holding Tank	Jeramiah Storer	2 Bedroom House	355	100
202124039	154002330000	240 W FRONT ST	JO LYNN INVESTMENTS LLC	06/08/2021	Replacement System	Holding Tank	Jeramiah Storer	2 Bedroom house	355	100
202124040	020005060100	W5250 PINE BLUFF RD	STEVIE MARIE SAGMEISTER	06/08/2021	New System	Conventional (Non-Pressurized In-Ground)	Daniel Egbert	3 Bedroom House	280	100
202124041	016004700100	N4493 BIRCH LN	WI WATERFRONT PROPERTIES LLC	06/10/2021	Replacement System	Holding Tank	Ben Kinas	3 Bedroom House	355	100
202124042	012005480000	W4201 WINDING LN	ROSANNA YODER	06/10/2021	Replacement System	Conventional (Non-Pressurized In-Ground)	Ben Kinas	5 Bedroom House	280	100
202124043	008004940100	No Address Available	FREEMAN MAST	06/14/2021	New System	Conventional (Non-Pressurized In-Ground)	Hoffmann Plumbing	4 Bedroom House	280	100
202124044	016002370000	N5549 COUNTY ROAD W	NICHOLE MILLIS	06/18/2021	Replacement System	Conventional (Non-Pressurized In-Ground)	Daniel Egbert	3 Bedroom House	280	100
202124045	010001500100	W1696 COUNTY ROAD S	LISA WALKER	06/23/2021	New System	Conventional (Non-Pressurized In-Ground)	Jeramiah Storer	3 Bedroom House and Shop	280	100
202124046	008005220000	N750 COUNTY ROAD II	RUBERTA IRREV TRUST JENKINS	06/24/2021	Replacement System	Conventional (Non-Pressurized In-Ground)	Patrick Hughes	3 Bedroom House	280	100
202124047	018002040000	W3390 COUNTY ROAD J	BERNARD J JR SCHULTZ	06/29/2021	Replacement System	Conventional (Non-Pressurized In-Ground)	Daniel Egbert	4 Bedrooms	280	100
Total:									3455	1100

* There are additional properties associated with the permit

June Land Use Violations

First Notice

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description	Violation Date
014009790000	N3129 Lakevie Drive W	James & Shawn Sanders	12912	Zoning	Aaron was able to view a few items that would indicate a contractors yard and something not allowed in the R-1 District. Aaron walked up the driveway to obtain permission to look at property and was asked to leave by the owner. What can be seen in the photos taken from the road are as follows: dump truck, wood chipper, bucket lift, mini front end loader and skid steer, attachments for mini front end loader and skid steer. Update: 7/8/21 violation letter sent	6/25/2021
006010910000	W1210 Spring Grove Rd.	Sanjay Deshpande & Kristin Hill	12918	Shoreland	Stairway within 75ft of the OHWM is greater than 60" (72") and the landing is greater than 40sqft (120sqft). No land use permit was issued for this. UPDATE: 7/12/21 violation letter sent	6/15/2021
006007780000	W3140 Blackbird Point Ln.	Max & Kelly Rawson	12905	Shoreland	Complaint received on 5-24-21. Complaint letter sent on 6-7-21. Office meeting on 6-14-21, confirmed the complaint that the shoreland vegetative buffer zone was removed and planted back into grass. Violation of Shoreland Mitigation Agreement (Doc #386377) and thus a violation of the Shoreland Zoning Ordinance.	6/14/2021

Second Notice

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description	Violation Date
4003560000	No Address Available	Egbert Excavating Inc.	12225	Zoning	Update 12/15/20: Egbert working with surveyor to document filled areas as not significant and create the new CSM. UPDATE 6/24/21: Surveyor to submit CSM and floodplain elevations by 7/12/21. UPDATE 7/15/21: Waiting for additional detail.	4/5/2018
2001280100	N9259 32ND DR	Terrence Ducket	12796	Vehicles/Zoning	4/19/21 junk violation resolved. Update, as of 6-2-2021 there appeared to be five vehicles on site but all had plates that could be seen and even though some were in rough shape, appeared to be operable. A majority of the vehicles have changed from the last inspection as Terrence had mentioned he fixes cars. UPDATE 6/9/21: Contractor yard letter sent. Will check every couple weeks to make sure they are complying. Update: 7/12/21: Lumber pile seems unchanged	3/17/2021

Corp Council

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description	Violation Date
16011960000	N4250 S LAKESHORE DR	Spicer Andrew G & Doris E	12744	Shoreland	A patio visible and entirely within the 75' shoreland setback. Final notice was sent out 12/07/2020. Update 2/28/2021: Corp. Counsel has sent a citation for building without a permit. If that does not resolve the violation an injunctive action will be made. UPDATE 6/24/2021: The patio must be removed by July 31st according to corporation counsel.	10/29/2020

June POWTS Violations

First Notice:

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description	Additional Information
004009950000	N5552 OLD OAK LN	PAFF FREDERICKA	10024391	POWTS Failure	System is a Cesspool	Possibly working with Novak Exc.

Second Notice:

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description	Additional Information
002002110000	N8725 WHITE RIDGE RD	BLOCK KELIE	131	POWTS Failure	Tank not watertight	
004008730000	W2692 ABBEY DR	AMERICAN BAPTIST ASSEMBLY	10024028	POWTS Failure	System is a Cesspool	Working with contractor. Will replace
004008740000	N5533 LAWSON DR	AMERICAN BAPTIST ASSEMBLY	398126	POWTS Failure	Tank not watertight	Working with a contractor. Will replace
006002750100	W1107 CENTER RD	FREDERICK KAITLYN	114935	POWTS Failure	Tank not watertight	Working with Contractor. Waiting for app.
006010220701	W1740 SANDSTONE AVE	WOOD SIMON	159178	POWTS Failure	Tank not watertight	Email from Pollesch. Plan to abandon system
006016040000	W1574 SANDSTONE AVE	WHELIHAN REVOCABLE TRUST EUGENIA	10024566	POWTS Failure	System is a Cesspool	POWTS system is a cesspool per Al's plumbong & GLSD. May need to inspect
014001720000	W5156 PINE RD N	HEINECKE RANDAL R ET AL	26724	POWTS Failure	Tank not watertight	Working with Contractor
014002350000	W5621 PINE RD S	SCHULTZ NATHAN	1969	POWTS Failure	Tank not watertight	
014008340000	W4052 COUNTY ROAD H	NOWATZSKI KATHY	1424052	POWTS Failure	Tank not watertight	
016001550100	W3464 OLD GREEN LAKE RD	HOME OF DIVINE MERCY INC	175	POWTS Failure	Tank not watertight	System may be abandoned by end of July
016002370000	N5549 COUNTY ROAD W	MILLIS NICHOLE	26761	POWTS Failure	Tank not watertight	Has permit
016002620600	N5193 COUNTY ROAD D	MARCOE ELYSE	1624026	POWTS Failure	Tank not watertight	Talked with owner. Will have neighbor(plumber) look at it.
016006780100	N5973 CANAL ST	WILSON SAVANNAH	25526	POWTS Failure	Tank not watertight	Permit from 2019 Expired
016007700000	W5897 STATE ROAD 23	HAZELWOOD WANETTA ET AL	26752	POWTS Failure	Tank not watertight	Talked with owner. Not known to be working with contractor
016009230000	N4904 RAY SHORTER RD	PROG ROD-GUN CLUB	10024259	POWTS Failure	Tank not watertight	Have 3 out of 12 Permits. In conversation with corp council on next steps.
016014660000	W4827 CRADLE RD	KAVANAUGH FAMILY LLC	284	POWTS Failure	Tank not watertight	House is being renovated. No Plumbing inside currently
018000570000	W3602 PINE RD	BREWER DOUGLAS & SALLY	258	POWTS Failure	Tank not watertight	Working with Contractor
018002040000	W3390 COUNTY ROAD J	SCHULTZ BERNARD J JR	273	POWTS Failure	Tank not watertight	

**Land Use Planning & Zoning Committee
Meeting Notice**

**Date: August 5, 2021 Time: 4:30 PM
Location: Government Center, County Board Room, 571 County Road A, Green Lake WI**

AGENDA 08/05/2021

**Committee
Members**

*Curt Talma,
Chairman*

*Bill
Boutwell*

Chuck Buss

Don Lenz

*Harley
Reabe*

*Keith Hess,
Alternate*

*Karen
Werlein,
Secretary*

1. Call to Order
2. Pledge of Allegiance
3. Certification of Open Meeting Law
4. Approval of Minutes: 7/1/2021
5. Public Comments: 3 minute limit
6. Department Activity Reports
 - a. Financial reports
 - b. Land use & septic permits
 - c. Violation reports
- 7. Proposed Zoning Ordinance Amendments**
8. 2022 Budget Proposal
9. Public Hearing: (Not to begin before 5:00 PM)
Each Item below will consist of:
 - a. Public Testimony/Comment: 10-minute time limit
 - b. Committee Discussion & Deliberation
 - c. Committee Decision
 - d. Execute Ordinance/Determination Form

Item I: Owner: Richard & Harriet Brotske **Site location:** N7765 37th Ave. **General legal description:** Parcel 002-00479-0100 part of the SW1/4 of Section 25, T14N, R13, Town of Berlin, ±74.7 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

Item II: Owner: Alan J. & Frances Joan Kennedy Familys Trust **Applicant:** John Kennedy **Site location:** N5635 Brooklyn G Rd. **General legal description:** Parcels 004-00600-0000, -0200, & 004-00594-0000 part of the NE1/4 and NW1/4 of Section 25, T16N, R13E, Town of Brooklyn, ±43.4 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

Item III: Owner: Green Lake County **Applicant:** Barry Mashuda **Site location:** STH 73, 0.74 miles South of CTH K. **General legal description:** Parcel 014-00539-0200, part of the SW1/4 of Section 15, T15N, R12E, Town of Marquette, ±1.0 acres. **Request:** Conditional Use Permit for a former highway gravel pit to be a clean fill site.

Item IV: Owner: Ellen Wildes **Site location:** W2111 State Hwy 23. **General legal description:** Parcel 004-00701-0000, part of the NE1/4 of Section 30, T16N, R13E, Town of Brooklyn, ±5.4 acres. **Request:** Rezone +3 acres from C2, Extensive Commercial District, to R-4, Rural Residential District, remaining ±2.4 acres to A-1, Farmland Preservation District, with surrounding lands.

10. Future committee activities
 - a. Future agenda items
 - b. Meeting date: September 2, 2021
11. Adjourn

Due to the COVID-19 pandemic, this meeting will be conducted and available through in person attendance (6 ft. social distancing and face masks required) or audio/visual communication.

Remote access can be obtained through the following link:

<https://us06web.zoom.us/j/5022456162?pwd=V2lvUTFFb2o3MWNqUFFDcFRtMIBJQT09>

Or by phone for audio

Dial by your location (1-312-626-6799) US

Meeting ID: 502 245 6162

Passcode: **345536**

issued subject to the provision of this chapter.

§ 350-15 Accessory building structures.

[Amended 2-15-2011 by Ord. No. 989-2011; 11-14-2017 by Ord. No. 22-2017]

Unless otherwise stated in this chapter, accessory uses and structures are permitted in any district, but not until their principal structure/use is present or under construction.

§ 350-16 (Reserved)

§ 350-17 Dwelling design and construction.

A. All dwellings and buildings as defined and permitted by this chapter shall conform to the following. They shall:

- (1) Be attached to a permanent foundation meeting the requirements of the State of Wisconsin Uniform Dwelling Code provisions in such a manner as to comply with standards for vertical loading, uplift and lateral forces and so designed and constructed that the floor elevation is reasonably compatible with other dwellings in the area.
- (2) Have a first-story minimum living area of 800 square feet, ~~and be not less than 20 feet in their smallest horizontal dimension, exclusive of attached garage, carport or open deck.~~
- (3) Be not less than 20 feet in their smallest horizontal dimension, exclusive of portions of the dwelling including but not limited to three-season rooms, sunrooms or solariums, mudrooms, passageways and entryways.
- (4) Have any wheels, axles, hitches, tow bars and other equipment necessary for transporting on streets or highways removed when the structure is placed on the foundation.
- (5) Be constructed in accordance with accepted construction practices and building codes. In no case shall a shipping or storage container(s), or parts thereof, be used as a dwelling. [Added 8-18-2020 by Ord. No. 9-2020]

B. The requirements as set forth in Subsection A(2) above do not apply to dwellings located in an R-2 District. [Amended 3-19-2019 by Ord. No. 2-2019]

§ 350-18 Area regulations.

- A. Except as otherwise provided in this chapter, every building/structure hereafter erected, moved or structurally altered shall be located on a lot at least 100 feet in average width and 20,000 square feet in area, regardless of the district in which such building is, or is to be, located, provided that when the regulations of Ch. SPS 383, Wis. Adm. Code, require a larger area, then such state regulations shall prevail. [Amended 11-14-2017 by Ord. No. 22-2017]
- B. No lot area shall be so reduced that the yards and open spaces shall be smaller than is required by this chapter, nor shall the density of population be increased in any manner except in conformity with the area regulations hereby established for the district in which a building or premises is located.
- C. Where a lot has an area less than the minimum number of square feet per family required for the district in which it is located and was of record as such at the time of the passage of this chapter, such lot may be occupied by one family.

Commented [3]: Editor's Note: Former § 350-16, Agricultural accessory structures, was repealed 2-15-2011 by Ord. No. 989-2011.

Commented [KM4]: Need "living area" definition: the interior habitable area of a dwelling unit, including basements and attics, but does not include attached garage or any accessory structure.

Commented [KM5]: Gerstein / Erik A request to allow for connections from dwelling to attached garage that are not 20ft in width.

§ 350-19 Height regulations.

- A. Except as otherwise provided in this chapter, the maximum height of any building hereafter erected, moved or structurally altered shall be 35 feet (see definition "structure height"), not to exceed 2 1/2 stories, regardless of the district in which such building is, or is to be, located. [Amended 11-14-2017 by Ord. No. 22-2017]
- 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 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. [Amended 3-19-2019 by Ord. No. 2-2019]
- C. Height exceptions. Farm buildings not for human habitation; chimneys; cooling towers; roof-mounted solar panel arrays; elevator bulkheads; fire towers; monuments; penthouses; stacks; scenery lofts; tanks; water towers; ornamental towers; spires; wireless, television or broadcasting towers; masts or aerials; telephone, telegraph and power transmission poles and lines; and microwave radio relay structures and necessary mechanical appurtenances are hereby excepted from the height regulations of this chapter and may be erected in accordance with other regulations or ordinances of Green Lake County. [Amended 8-18-2020 by Ord. No. 9-2020]

§ 350-20 Side and rear yard regulations.

[Amended 10-18-2016 by Ord. No. 23-2016; 11-14-2017 by Ord. No. 22-2017; 3-19-2019 by Ord. No. 2-2019]

- A. There shall be a side yard on each side of a structure hereafter erected, moved or structurally altered.
- B. Except as otherwise provided in this section, every structure hereafter erected, moved or structurally altered shall provide the minimum side and rear yards as required by the following table for the district in which such [building-structure](#) is or is to be located:

District	Each Side Yard (feet)	Rear Yard (feet)
Residential	12	25
Recreational	12	25
Agricultural	12	25
Conservancy	20	25
Commercial*	12	25
Industrial*	20	25

NOTE:

* Commercial and industrial ~~buildings-structures, not designed for human occupancy,~~ are required to provide a minimum setback 1.1 times their overall height.

- C. Except as otherwise provided in this section, every structure hereafter erected, moved or structurally altered, shall be set back from the adjoining highway or highways as required by Article VI, Highway Setback Lines.

Commented [KM6]: Eliminates occupied structures from the additional setback. This resolves an unintended consequence related to the cell tower ordinance language.

Planning and Zoning Department shall from time to time update the Zoning District Map as necessary to reflect changes in zoning district boundaries enacted by the County Board as amendments under this chapter.

§ 350-27 A-1 Farmland Preservation District.

[Amended 6-17-2008 by Ord. No. 935-08; 2-15-2011 by Ord. No. 989-2011; 11-14-2017 by Ord. No. 22-2017]

A. Purpose. The purpose of this district is to promote areas for uses of a generally exclusive agricultural nature in order to protect farmland and to allow participation in the state's farmland preservation program. Land zoned under this district must comply with the following:

(1) Permitted uses:

- (a) Agricultural uses. See Subsection D for agricultural use definitions.
- (b) Not including the specified accessory uses identified in Subsection A(2), other accessory uses, including the farm residence. See Subsection D for "accessory use" definition.
- (c) Upon prior notification to the county, transportation, utility, communication, or other uses that are required under state or federal law to be located in a specific place or that are authorized to be located in a specific place under a state or federal law that preempts the requirement of a conditional use permit for those uses.
- (d) [Subsection A(1)(c) acknowledges that state or federal law may sometimes preempt local authority to restrict the siting of certain facilities. It does not purport to determine which state or federal actions are preemptive. It merely says that if state or federal action is preemptive, no local permit is required and there is no need to rezone the site out of the farmland preservation district. Uses covered by Subsection A(1)(c) might include, for example, state and federal highways, federally mandated pipelines, and energy generation and transmission facilities whose location and design are specifically mandated by the Wisconsin Public Service Commission pursuant to a certificate of convenience and necessity.]
- (e) Undeveloped natural resource and open space areas.
- (f) Nonfarm residences built prior to January 1, 2014.

(2) Conditional uses:

- (a) Agriculture-related uses. (See Subsection D for "agriculture-related use" definition.)
- (b) A business, activity, or enterprise, whether or not associated with an agricultural use, and is not a dog breeding facility or a dog breeder as defined in ATCP 16, which meets all of the following requirements:
 - [1] It is conducted on a farm by an owner or operator of that farm.
 - [2] It requires no buildings, structures, or improvements other than those described in Subsection D(1) and (3) of the definition of "accessory use."
 - [3] The total cumulative hours worked by paid employees, excluding the owner(s), shall not exceed 160

Commented [KM7]: Seemed the best location to clearly state that dog breeder or dog breeding facilities shall not be conditionally permitted in the A-1 district.

purposes of the farmland preservation zoning district.

- [3] The operation and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations outside the farmland preservation zoning district, or are specifically approved under state or federal law.
- [4] The operation is reasonably designed to minimize the conversion of land around the extraction site from agricultural use or open space use.
- [5] The operation does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
- [6] The owner agrees to restore the land to agricultural use, consistent with any required reclamation plan, when extraction is completed.
- [7] Compliance with Chapter 323 (Nonmetallic Mining Reclamation).
- (f) Oil and gas exploration or production that is licensed by the Department of Natural Resources under Subchapter II of Chapter 295, Wisconsin Statutes.
- (g) Private airport or air strip qualifying as an accessory use under § 91.01(1), Wis. Stats.
- (h) Dog kennels qualifying as an accessory use under § 91.01(1), Wis. Stats. Dog breeder(s) or dog breeding facility(s) as defined in ATCP 16.01 are not allowed in the A-1, Farmland Preservation Zoning District.
- (i) Game farms/shooting preserves qualifying as an accessory use under § 91.01(1)(b), Wis. Stats. To meet the definition of agricultural use, the game birds or cervids must be raised on the farm for release for hunting.
- (j) Shooting ranges meeting the requirements in § 91.01(1)(d), Wis. Stats.
- (k) Manure storage systems. (Please note that permits for manure storage systems are subject to § ATCP 50.56 and Ch. ATCP 51, Wis. Adm. Code.)
- (l) Slaughtering of livestock from the A-1 District.
- (m) Processing agricultural by-products or wastes received directly from farms, including farms in the A-1 District.

Note: The County may issue a conditional use permit for a proposed land use not identified in this section if the proposed land use meets applicable conditions under this section. Before issuing a conditional use permit, the County shall determine, in writing, that the proposed use meets applicable conditions under this section. The County may issue the permit subject to conditions designed to carry out the purposes of this chapter. Dog breeder or Dog breeding facility as defined in ATCP 16 are exempt from this provision.

- (3) Area, height and setback requirements:
 - (a) Dimensional standards: A lot or parcel shall have no less than eight acres of contiguous land area.

Commented [KM8]: To eliminate the "puppy mill" use from A-1, it seemed appropriate to clearly state that a dog kennel is not a dog breeder or Dog breeding facility.

Commented [KM9]: Since the District allows for unidentified uses to be conditionally permitted through a CUP, it seemed appropriate to specifically exempt dog breeder and dog breeding facility from this provision.

[Amended 5-21-2019 by Ord. No. 11-2019]

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

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

- (c) Principal structure setback and height standards.

[1] ~~Highway setbacks: Refer to § 350-50A. [Amended 11-14-2017 by Ord. No. 22-2017] Street-yard setback:~~

~~[a] State trunk road rights-of-way: 67 feet minimum.~~

~~[b] All other public road rights-of-way: 40 feet minimum.~~

[2] Rear yard setback: 25 feet minimum.

[3] Side yard setback: 12 feet minimum.

[4] Structure height, dwelling structure: 35 feet.

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

[1] Setbacks: same as principal structure.

[2] Height: none.

[3] Structure footprint area: none.

[4] Volume: none.

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

B. Rezoning land out of the A-1 Farmland Preservation Zoning District. Land may be rezoned out of the A-1 Farmland Preservation Zoning District if the County, through their review and recommendation, and after a public hearing, finds that all of the following apply:

- (1) The land is better suited for a use not allowed in the A-1 Farmland Preservation Zoning District.
- (2) The rezoning is consistent with the Green Lake County Comprehensive Plan.
- (3) The rezoning is substantially consistent with the Green Lake County Farmland Preservation Plan, certified under Ch. 91, Wis. Stats., which is in effect at the time of zoning.

COMMON OWNERSHIP

- (1) Ownership by the same person or persons, or by persons that are all wholly owned by the same person or persons. "Common ownership" includes joint tenancy and tenancy in common. Solely for purposes of this definition, a parcel owned by one member of a married couple is deemed to be owned by the married couple.
- (2) Land is deemed to be under "common ownership," for purposes of this chapter, if it is all owned by the same individual, married couple, joint tenants, and tenants in common, corporation, LLC, partnership, estate or trust. If land parcels are owned by separate legal entities, but those legal entities are all wholly owned by exactly the same person or persons, those land parcels are deemed to be under "common ownership" for purposes of this chapter.

CONDITIONAL USES

Uses of a special nature as to make impractical their predetermination as a permitted use in a district. Conditional uses as used in the A-1 Farmland Preservation Zoning District must meet the requirements of § 91.46, Wis. Stats.

CONTIGUOUS

Adjacent to or sharing a common boundary. "Contiguous" land includes land that is separated only by a river, stream, section line, public road, private road, railroad, pipeline, transmission line, or transportation or transmission right-of-way. Parcels are not "contiguous" if they meet only at a single point.

DOG BREEDER

A person who in any license year sells at least 25 dogs, from more than 3 litters, which that person has bred and raised in this state. A person has bred and raised dogs for purposes of this paragraph if that person has owned the dogs from birth until sale, regardless of whether the person has contracted with an agent to raise the dogs on real estate owned or occupied by that agent.

DOG BREEDING FACILITY

A place in this state where dogs are bred and raised and from which at least 25 dogs from more than 3 litters are sold in a license year.

DOG KENNEL

An establishment, that is not a dog breeding facility, in which dogs are housed, boarded, groomed, sheltered, protected, trained or sold for fee or compensation.

FARM

- (1) All land under common ownership that is primarily devoted to agricultural use. For the purpose of this definition, land is deemed to be primarily devoted to agricultural use if the following apply:
 - (a) The land produces at least \$6,000 in annual gross farm revenues to its owner or renter, regardless of whether a majority of the land area is in agricultural use; or
 - (b) A majority (greater than 50%) of the land is in agricultural use.

Commented [KM10]: These definitions are already referenced in the A-1 zoning district, but having the definitions included in the ordinance is more convenient than looking up ATCP 16.

Commented [KM11]: See above note, plus both of these definitions are necessary to complete the regulated picture.

Commented [KM12]: Seemed appropriate to define this use as the A-1 zoning district has its own set of definitions.

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- (2) In determining whether land is in agricultural use for purposes of the definition of "agricultural use," a zoning authority may consider how the land is classified for property tax purposes. (See Ch. Tax 18, Wis. Adm. Code.)

FARM RESIDENCE

- (1) A single-family or two-family residence that is the only residential structure on the farm or is occupied by any of the following:
- (a) An owner or operator of the farm.
 - (b) A parent or child of an owner or operator of the farm.
 - (c) An individual who earns more than 50% of his or her gross income from the farm.
- (2) To qualify as a "farm residence," a residence must be located on a "farm." If a farm owner deeds off a residential parcel to another person (even if that person is the farm owner's parent, child or employee), the separately owned parcel is no longer part of the original "farm." A residence built on that parcel does not qualify as a "farm residence" unless the parcel qualifies as a "farm" in its own right.

GROSS FARM REVENUES

Gross receipts from agricultural use of a farm, excluding rent receipts, less the cost or other basis of livestock or other agricultural items purchased for resale which are sold or otherwise disposed of during the taxable year. Gross farm revenue includes receipts accruing to a renter, but does not include rent paid to the landowner.

LICENSE YEAR

Means the 12-month period ending on September 30th for a license granted by the Department of Agriculture, Trade and Consumer Protection to operate as a dog dealer, dog breeder or as a dog breeding facility.

Commented [KM13]: Necessary to define this concept in order to identify permitted vs prohibited uses in the A-1 district.

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LIVESTOCK

Includes bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, farm-raised game birds, camelids, ratites and farm-raised fish.

NONCONFORMING USES OR STRUCTURES

Any structure, land, or water lawfully used, occupied, or erected at the time of the effective date of this chapter which does not conform to the regulations of this chapter. Any such structure conforming in respect to use, but not in respect to frontage, width, height, area, yard, parking, loading, or distance requirements shall be considered a nonconforming structure and not a nonconforming use.

NONFARM RESIDENCE

Any residence other than a farm residence.

OPEN SPACE PARCEL

A parcel on which no buildings, other than hunting blinds or small sheds, have been constructed or approved for construction.

PERSON

An individual, corporation, partnership, limited liability company (LLC), trust, estate or other legal entity.

PROTECTED FARMLAND

Land that is any of following:

- (1) Land that is located in the A-1 Farmland Preservation Zoning District certified under Ch. 91, Wis. Stats.
- (2) Covered by a farmland preservation agreement under Ch. 91, Wis. Stats.
- (3) Covered by an agricultural conservation easement under § 93.73, Wis. Stats.
- (4) Otherwise legally protected from nonagricultural development.

§ 350-28 A-2 General Agriculture District.
[Amended 6-17-2008 by Ord. No. 935-08; 2-15-2011 by Ord. No. 989-2011; 10-15-2013 by Ord. No. 1070-2013; 11-14-2017 by Ord. No. 22-2017]

A. Purpose. This agricultural district is intended to preserve and enhance land for agricultural uses. This district's uses and standards are designed to implement comprehensive plan goals by encouraging agricultural uses of various sizes in areas where soil and other conditions are best suited to these agricultural pursuits, and controlling residential development to avoid conflict with agricultural uses. This district is generally compatible with other agricultural districts where varying levels of agricultural uses and open space uses are permitted and supported by the comprehensive plan, such as, but not limited to, A-1 Farmland Preservation and R-4 Rural Residential. The best use of these lands is agricultural.

- (1) Permitted uses. Those uses permitted in this district shall be agricultural and those that are consistent with agricultural uses.
 - (a) Accessory structure/use, agricultural.
 - (b) Accessory structure/use, residential.
 - ~~(c) Accessory structure/use, temporary.~~
 - (d) Beekeeping.
 - (e) Crops, cash.
 - (f) Crops, field.
 - (g) Dairying.
 - (h) Dwelling, single-family.
 - (i) Egg production.

Commented [KM14]: Confusing use? Could allow for anything as long as its temporary? There is a definition for this as well to delete.

- [3] A sign per § 350-43B(3) is allowed; and
- [4] One person that is not a member of the resident family may be employed on the premises.
- (x) Riding stable, personal.
- (y) Roadside stand of less than 300 square feet in area as a temporary structure not wholly enclosed for the sale of produce grown on the premises. One stand allowed per premises.
- (z) Signs per § 350-43.
- (aa) Trail, biking.
- (bb) Trail, hiking.
- (cc) Trail, horse.
- (dd) Trail, nature.
- (ee) Trail, recreation.
- (ff) Utility, local service lines/structures.
- (gg) Viticulture.
- (hh) All permitted uses described in § 350-27, Farmland Preservation District.
- (2) Conditional uses. Conditions and standards for a conditional use permit are set forth in Chapter 350, Article VII, Conditional Use Permits.
 - (a) Air landing field, agricultural landowner use.
 - (b) Animal ~~veterinary~~ clinic.
 - (c) Animal hospital.
 - (d) Animal kennel.
 - (e) Animal shelter.
 - (f) ~~Animal-veterinary-clinic-Dog breeder or Dog breeding facility~~
 - (g) Cemetery.
 - (h) Churches and religious structures.
 - (i) Dwelling for caretaker/laborer(s), may be multiple units.
 - (j) Farm, fish.

Commented [KM15]: Combined (b) & (d) to make room for Dog breeder or Dog breeding facility

Commented [KM16]: Deleted due to repetitive when compared to (b) above. Needed to add dog breeder / facility use in this district.

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

(c) Principal structure setback and height standards.

[1] ~~Highway setbacks: Refer to § 350-50A. [Amended 11-14-2017 by Ord. No. 22-2017] Street-yard setback:~~

~~[a] State trunk road rights-of-way: 67-foot minimum.~~

~~[b] All other public road rights-of-way: 40-foot minimum.~~

[2] Rear yard setback: 25 feet minimum.

[3] Side yard setback: 12 feet minimum.

[4] Structure height, dwelling structure: 35 feet.

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

[1] Setbacks: same as principal structure.

[2] Height: none.

[3] Structure footprint area: none.

[4] Structure volume: none.

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

§ 350-29 (Reserved)

§ 350-30 (Reserved)

§ 350-31 NRC Natural Resource Conservancy District.

A. Purpose.

- (1) This district shall be used to preserve, protect and enhance the lakes, streams and wetland areas. If these areas are properly regulated, they will serve to maintain and improve water quality, improve and protect wildlife habitat, prevent flood damage, prohibit structures on soils that are not suitable for such use, and prevent septic tanks from being located in soils that may pollute water supplies and prevent proper functioning due to high groundwater.
- (2) This district shall be used to preserve, protect, enhance and restore all significant woodlands, scenic areas, submarginal farmlands, mineral extraction lands, archaeological sites, historical sites, natural watersheds, significant topography, wildlife habitat, potential recreation sites, and other natural resources that contribute to environmental quality.

Commented [17]: Editor's Note: Former § 350-29, A-3 Light Agriculture District, as amended, was repealed 10-15-2013 by Ord. No. 1070-2013.

Commented [18]: Editor's Note: Former § 350-30, Ag-4 Industrial Agriculture District, was repealed 6-17-2008 by Ord. No. 935-08.

- (3) Drugstore, ice cream shop, pharmacy and soft drink stand.
- (4) Food and drug establishments (retail), delicatessens, fruit and vegetable store, grocery store, and meat and fish markets.
- (5) Signs pertaining to the conduct of a business on the premises.
- (6) Such accessory uses as are customary in connection with the foregoing uses and are incidental thereto.

B. Conditional uses. An application for a conditional use permit shall not be approved unless, at a minimum, it complies with the conditions and standards set forth in Article VII, Conditional Use Permits.

- (1) Hotel or motel.
 - (2) One single-family residential use established in the same building with the commercial use.
 - (3) Automobile service establishment.
 - (4) Restaurant, barbecue stand, cafe, cafeteria, caterer, tavern and package fermented beverage and liquor store.
 - (5) Parking lot.
 - (6) Public garage.
 - (7) Storage building.
 - (8) Municipal buildings, including administrative office, meeting hall and attached inside storage of municipal vehicles and equipment, with no outside storage allowed; no municipal accessory structure allowed on a premises until the principal structure is present. [Added 10-17-2006 by Ord. No. 880-06]
- C. Area, height and setback regulations: Refer to §§ 350-18, 350-19 and 350-20. [Amended 11-14-2017 by Ord. No. 22-2017]
- D. Highway setbacks: Refer to § 350-50A. [Amended 11-14-2017 by Ord. No. 22-2017]

§ 350-33 C-2 Extensive Commercial District.

The C-2 Extensive Commercial District is intended to provide an area for business and commercial needs of a much broader nature than the C-1 General Commercial District. This includes those businesses that may require a fairly large area of land, or for which it is desirable that they be located away from other activities, or that they be located adjacent to a highway or other major thoroughfare.

A. Permitted uses.

- (1) Any use permitted in C-1 General Commercial District.

~~(2) Parking lot.~~

Commented [KM21]: In C-2 as Permitted & as Conditional. Made it solely conditional.

- (4) Bowling alley or pool and billiard room.
 - (5) Theaters and places of amusement.
 - (6) Farm implement establishments.
 - (7) ~~Sawmills; manufacture, sale or processing of wood or plywood products.~~
 - (8) Public garage.
 - (9) Dance hall, gymnasium or skating rink.
 - (10) Hotel or motel.
 - (11) Radio and television broadcasting studio, towers, masts or aerials and microwave radio relay structures.
 - (12) Railroad and bus depot.
 - (13) Mini warehousing.
 - (14) Parking lot.
 - (15) Municipal buildings, including administrative office, meeting hall and attached inside storage of municipal vehicles and equipment, with no outside storage allowed; no municipal accessory structure allowed on a premises until the principal structure is present. [Added 10-17-2006 by Ord. No. 880-06]
 - (16) Contractor's shop (inside material storage only). [Added 3-19-2019 by Ord. No. 2-2019]
- C. Area, height and setback regulations: Refer to §§ 350-18, 350-19 and 350-20. [Amended 11-14-2017 by Ord. No. 22-2017]
- D. Highway setbacks: Refer to § 350-50A. [Amended 11-14-2017 by Ord. No. 22-2017]

Commented [KM22]: Use is more applicable to the Industrial Zoning District

§ 350-34 I Industrial District.

This district is intended to provide an area for manufacturing, industrial and commercial activities. It is also intended to provide an area for a variety of uses that require relatively large installations, facilities or land areas or which would create or tend to create conditions of public or private nuisance, hazard, or other undesirable conditions or which may require special safeguards, equipment, processes, barriers, or other forms of protection, including special distance, in order to reduce, eliminate or shield the public from such conditions.

- A. Permitted uses. Any use permitted in the C-2 Extensive Commercial District except residential, educational or institutional uses, with the following provisions:
- (1) There may be one single-family residential use established in the same building with any commercial use.
 - (2) There may be a dwelling for the owner, watchman or caretaker employed on the premises and members of his family in connection with any wholesale or industrial trade.

- (22) Stockyards.
- (23) Asphalt mixing.
- (24) Public garage.
- (25) Storage building.
- (26) Parking lot.
- (27) Contractor's yard (outside material storage). [Added 3-19-2019 by Ord. No. 2-2019]

(28) Sawmills, manufacture, sale or processing of wood or plywood products.

Commented [KM23]: Relocated conditional use from C-2 to I.

- C. Area, height and setback regulations: Refer to §§ 350-18, 350-19 and 350-20. [Amended 11-14-2017 by Ord. No. 22-2017]
- D. Highway setbacks: Refer to § 350-50A. [Amended 11-14-2017 by Ord. No. 22-2017]

§ 350-35 M-1 Mineral Extraction District.

A. Permitted uses. All uses in this district are conditional uses.

Commented [24]: Editor's Note: See also Ch. 323, Nonmetallic Mining Reclamation.

- B. Conditional uses.
 - (1) Aggregate or ready-mix plant.
 - (2) Clay, ceramic and refractor minerals mining.
 - (3) Crushed and broken stone quarrying.
 - (4) Mixing of asphalt.
 - (5) Nonmetallic mining services.
 - (6) Processing of topsoil.
 - (7) Sand and gravel quarrying.
 - (8) Washing, refining or processing of rock, slate, gravel, sand or minerals.
 - (9) The extension of any existing uses as listed above.
- C. Yard requirements. All excavations shall be at least 100 feet from the right-of-way of any public or approved private street or property line. All accessories to the mineral extraction use, such as mining buildings, structures, equipment, offices, parking areas and stockpiles, shall be at least 100 feet from any right-of-way or property line. [Amended 11-14-2017 by Ord. No. 22-2017]
- D. The application for the conditional use permit shall include an adequate description of the operation; a list of equipment, machinery and structures to be used; the source, quantity and disposition of water to

be used; a topographic map of the site showing existing contours with minimum vertical contour interval of five feet, trees, proposed and existing access roads, and the depth of all existing and proposed excavations; and a restoration plan.

- E. The restoration plan provided by the applicant shall contain proposed contours after filling; depth of the restored topsoil; type of fill, planting or reforestation; and restoration commencement and completion dates. The applicant shall furnish the necessary fees to provide for the inspection and administrative costs and the necessary sureties that will enable the County to perform the planned restoration of the site in event of default by the applicant. The amount of such sureties shall be based upon cost estimates prepared by the engineer, and the form and type of such sureties shall be approved by the County's legal counsel.
- F. Existing quarrying operation.
 - (1) Within six months after the effective date of this chapter, the owners of all existing quarrying operations shall submit to the Land Use Planning and Zoning Committee the names of the quarry owners and operators and information regarding its operation.
 - (2) Within one year after adoption of this chapter, the owners shall submit to the Land Use Planning and Zoning Department a plan for restoration of the quarrying site. The restoration plan shall not impose requirements that are economically or engineeringly unreasonable with respect to conditions resulting from operation prior to enactment of this chapter.

Commented [25]: Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

G. Area and height regulations: Refer to §§ 350-18 and 350-19. [Added 11-14-2017 by Ord. No. 22-2017]

H. [Highway setbacks: Refer to § 350-50A.](#)

§ 350-36 M-2 Sanitary Landfill District.

- A. Permitted uses. All uses in this district are conditional uses.
- B. Conditional uses.
 - (1) Sanitary landfill operations.
 - (2) Incinerators.
- C. Complete compliance with Ch. NR 500, Wis. Adm. Code, is required before application to the Land Use Planning and Zoning Committee.
- D. Area, height and setback regulations: Refer to §§ 350-18, 350-19 and 350-20. [Added 11-14-2017 by Ord. No. 22-2017]
- E. Highway setbacks: Refer to § 350-50A. [Added 11-14-2017 by Ord. No. 22-2017]

§ 350-37 RC Recreation District.

- A. Purpose: The primary purpose of this district is to permit commercial and noncommercial recreation development projects, including recreation-related residential land uses.

(17) (Reserved)

Commented [26]: Editor's Note: Former Subsection C(17) was repealed 11-14-2017 by Ord. No. 22-2017.

(18) Boat rentals. Conditions that shall be required for boat rentals shall include, and are not limited to, waste containment, sanitary facility, noise limits, screening, parking, parking controls, time requirements, lighting and identification of sites, fish cleaning, gasoline and oil handling, and disposition of all waste materials. Any conditional use permit shall include approval as per Green Lake County Chapter 338 - Shoreland Zoning, Ch. 30, Wis. Stats., and Ch. NR 326, Wis. Adm. Code. [Amended 11-14-2017 by Ord. No. 22-2017]

(19) Access site/lot, provided that:

- (a) The access site/lot and related back lot development, including (but not limited to) all structures, piers and parking lots thereon, shall comply with all applicable state and federal laws and regulations and all applicable provisions of this chapter (including but not limited to Article VII, Conditional Use Permits); and
- (b) The related back lot development shall be contiguous to the access site/lot, and all lands within the back lot development shall be contiguous to each other. As used in this subsection, the term "contiguous" shall mean in actual contact with or touching; a sharing of a common boundary. For example, but not in limitation of the foregoing, a back lot development that is separated from an access site/lot by a road (whether public or private) is not contiguous to the access site/lot and would not satisfy the requirements of this subsection.

(20) Hotels, motels and resorts.

(21) Restaurants, taverns and bars.

(22) Private and public parks.

(23) Golf courses and related facilities.

Commented [27]: Editor's Note: Former Subsection C(24), Condominiums, which immediately followed this subsection, was repealed 6-20-2006 by Ord. No. 866-06.

D. Area, height and setback regulations: Refer to §§ 350-18, 350-19 and 350-20. [Amended 11-14-2017 by Ord. No. 22-2017]

E. Highway setbacks: Refer to § 350-50A. [Amended 11-14-2017 by Ord. No. 22-2017]

§ 350-38 R-1 Single-Family Residence District.

A. Permitted uses.

- (1) Single-family dwellings. Trailers and mobile homes may not be used for dwellings except as specifically permitted by this chapter. [Amended 8-18-2020 by Ord. No. 9-2020]
- (2) Churches; public schools; parochial schools; municipal buildings, except sewage disposal plants; garbage incinerators; public warehouses; public garages; public shops; public storage yards; and public recreational and community center buildings and grounds.
- (3) Private clubs and lodges, except those whose chief activity is a service customarily carried on as a business.

Commented [KM28]: Clarifies the type of storage yards permitted in R-1. Otherwise anything goes.

- (4) Branch telephone exchange, provided that there is no service garage or storage yard; transformers; unit substations for the neighborhood distribution of electric power; telephone, telegraph and power distribution poles and lines; and underground public utility lines and structures. This regulation shall not be construed to permit microwave radio relay structures, overground transmission lines, electric power substations other than the unit or neighborhood size, or other major public utility structures except as provided in Article VII.
 - (5) Home occupations, provided that no article is sold or offered for sale on the premises except such as is produced by such occupation, that no stock-in-trade is kept or sold, that no mechanical equipment is used other than such as is permissible for purely domestic purposes, and that no person other than a member of the immediate family living on the premises is employed.
 - (6) Professional home offices: When established in a residential district, a professional home office shall be incidental to the residential occupation; not more than 25% of the floor area of only one story of a dwelling unit shall be occupied by such office, and not more than one person not a member of the resident family shall be employed on the premises. **[Amended 12-21-2004 by Ord. No. 822-04]**
 - (7) Unoccupied outside storage of camping trailer, motor home, boats, fishing shanty or other similar recreational vehicles or devices as an accessory use. There shall be a combined limit of two items per family dwelling unit. **[Amended 11-14-2017 by Ord. No. 22-2017]**
- B. Conditional uses. [Amended 11-12-2008 by Ord. No. 940-08; 11-14-2017 by Ord. No. 22-2017]**
- (1) Subdivision-specific model home/sales office.
- C. Area regulations: Refer to § 350-18. [Amended 11-14-2017 by Ord. No. 22-2017]**
- D. Principal structure setback and height standards. [Amended 8-19-2014 by Ord. No. 1092-2014]**
- (1) ~~Highway setbacks: Refer to § 350-50A. [Amended 11-14-2017 by Ord. No. 22-2017] Street yard setback:~~
 - ~~(a) State trunk road rights-of-way: 67 feet minimum.~~
 - ~~(b) All other public road rights-of-way: 40 feet minimum.~~
 - ~~(c) All riparian lots or parcels that front on a public Town road right-of-way: 25 feet minimum.~~
 - (2) Rear yard setback: 25 feet minimum.
 - (3) Side yard setback: 12 feet minimum, except lots 85 feet or less in width shall have a side yard setback of 10 feet. **[Amended 11-14-2017 by Ord. No. 22-2017]**
 - (4) Structure height; dwelling structure: 35 feet overall maximum.
- E. Residential A accessory building structures. The total combined footprint area allowed for attached and detached residential accessory building structures shall not exceed 10% of the land area, excluding any road right-of-way. Each residential accessory building structure shall satisfy all of the following**

standards: [Added 2-15-2011 by Ord. No. 989-2011]

- (1) Setbacks: same as principal structure.
- (2) Height: 25 feet maximum; ground floor surface to peak. There shall be no sidewalls above the ground floor ceiling joist, unless attached to the dwelling unit. Ground floor sidewalls shall not exceed 15 feet in height.
- (3) Area: 1,500 square foot maximum footprint (ground floor).
- (4) Volume: 25,000 cubic feet maximum volume.
- (5) Human habitation of a detached residential accessory building structure may be allowed, however shall be limited to 20% of the footprint area or 300 square feet, whichever is less. This standard shall apply to only one detached residential accessory building structure per lot or parcel.
- (6) In no case is a shipping or storage container(s) to be utilized as a residential accessory building structure. [Added 8-18-2020 by Ord. No. 9-2020]

§ 350-39 R-2 Single-Family Mobile Home Residence District.

- A. In the Class Two Residential District, all uses and structures shall be permitted that are permitted in the regular (Class One) Single-family Residential District, and, in addition thereto, mobile and manufactured homes occupied by a single family shall be permitted. [Amended 3-19-2019 by Ord. No. 2-2019]
- 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. 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. [Amended 3-19-2019 by Ord. No. 2-2019]
- C. (Reserved)
- D. Area and height regulations: Refer to §§ 350-18 and 350-19. [Added 11-14-2017 by Ord. No. 22-2017]
- E. Principal structure setback and height standards. [Added 8-19-2014 by Ord. No. 1092-2014; amended 11-14-2017 by Ord. No. 22-2017]
 - (1) Highway setbacks: Refer to § 350-50A. [Amended 11-14-2017 by Ord. No. 22-2017] Street-yard setback:
 - ~~(a) State trunk road rights-of-way: 67 feet minimum.~~
 - ~~(b) All other public road rights-of-way: 40 feet minimum.~~
 - ~~(c) All riparian lots or parcels that front on a public Town road right-of-way: 25 feet minimum.~~
 - (2) Rear yard setback: 25 feet minimum.

Commented [KM29]: Bad Reference, There is no "regular (Class One) Residential District."

Commented [30]: Editor's Note: Former Subsection C, regarding Class Two Residential Districts, was repealed 3-19-2019 by Ord. No. 2-2019.

- (3) Side yard setback: 12 feet minimum, except lots 85 feet or less in width shall have a side yard setback of 10 feet.
- (4) Structure height; dwelling structure: 35 feet overall maximum.
- F. Residential A accessory building structures. The total combined footprint area allowed for attached and detached residential accessory building structures shall not exceed 10% of the land area, excluding any road right-of-way. Each residential accessory building structure shall satisfy all of the following standards: [Added 2-15-2011 by Ord. No. 989-2011; amended 11-14-2017 by Ord. No. 22-2017]
 - (1) Setbacks: same as principal structure.
 - (2) Height: 25 feet maximum; ground floor surface to peak. There shall be no sidewalls above the ground floor ceiling joist. Ground floor sidewalls shall not exceed 15 feet in height.
 - (3) Area: 1,500 square foot maximum footprint (ground floor).
 - (4) Volume: 25,000 cubic feet maximum volume.
 - (5) Human habitation of a detached residential accessory building structure may be allowed; however it shall be limited to 20% of the footprint area or 300 square feet, whichever is less. This standard shall apply to only one detached residential accessory building structure per lot or parcel.
 - (6) In no case is a shipping or storage container(s) to be utilized as a residential accessory building structure. [Added 8-18-2020 by Ord. No. 9-2020]

§ 350-40 R-3 Multiple-Family Residence District.

[Amended 12-21-2004 by Ord. No. 822-04; 6-20-2006 by Ord. No. 866-06; 11-12-2008 by Ord. No. 940-08; 2-15-2011 by Ord. No. 989-2011; 8-21-2012 by Ord. No. 1032-2012]

This residential district is intended to provide for a variety of residential uses ranging from low to high density, including those uses that may be compatible with this district. This district's uses and standards are designed to implement Comprehensive Plan goals by encouraging the uses of this district in areas where they are best suited to achieve those goals. These lands are generally compatible with other residential districts where varying levels of density are permitted and supported by the Comprehensive Plan. The best use of lands in this district is residential.

A. Permitted uses. [Amended 11-14-2017 by Ord. No. 22-2017]

- (1) Residential A accessory structure/use.
- (2) Boardinghouse.
- (3) Bed-and-breakfast establishment.
- (4) Community-based residential facility (CBRF).
- (5) Community living facility eight or fewer residents.

(1) ~~Highway setbacks: Refer to § 350-50A. [Amended 11-14-2017 by Ord. No. 22-2017]~~ Street yard setback:

~~(a) State trunk road rights-of-way: 67 feet minimum.~~

~~(b) All other public road rights of way: 40 feet minimum.~~

~~(c) All riparian lots or parcels that front on a public Town road right of way: 25 feet minimum. [Added 8-19-2014 by Ord. No. 1092-2014]~~

(2) Rear yard setback: 25 feet minimum.

(3) Side yard setback: 12 feet minimum.

(4) Structure height; dwelling structure: 35 feet overall maximum.

E. Residential A accessory structure standards. Each unit of a multiple-family dwelling residence shall be allowed one attached and one detached residential accessory building structure. In no case shall the total combined footprint area of all residential accessory building structures for the units exceed 10% of the lot or parcel area, excluding any road right-of-way. Each detached residential accessory building structure shall satisfy all of the following standards: [Amended 3-19-2019 by Ord. No. 2-2019]

(1) Setbacks: same as principal structure.

(2) Height: 25 feet maximum; ground floor surface to peak. There shall be no sidewalls above the ground floor ceiling joist. Ground floor sidewalls shall not exceed 15 feet in height.

(3) Area: ~~600-1500~~ square foot maximum footprint (ground floor).

(4) Volume: ~~10,000-25,000~~ cubic feet maximum volume.

(5) In no case is a shipping or storage container(s) to be utilized as a residential accessory building structure. [Added 8-18-2020 by Ord. No. 9-2020]

F. Accessory nonbuilding structure standards. For the purpose of this subsection, nonbuilding structures shall be structures that do not meet the definition of "building structure." The setback for nonbuilding structures from any ownership boundary line of a lot or parcel shall be 1.1 times the overall height of that structure. The overall height shall be measured from the lowest ground point adjacent to the structure to the highest point of the structure.

§ 350-41 R-4 Rural Residential District.

[Amended 6-20-2006 by Ord. No. 866-06; 11-12-2008 by Ord. No. 940-08; 2-15-2011 by Ord. No. 989-2011; 8-21-2012 by Ord. No. 1033-2012]

This residential district is intended to provide for limited rural residential use development; require a large residential land area to maintain the rural character and to accommodate uses that are not urban in nature including light agriculture. This district's uses and standards are designed to implement Comprehensive Plan goals by encouraging a blend of residential and agricultural uses. This district may be used as a transitional

Commented [KM31]: Makes the R-1, R-2 and R-3 Zoning district consistent and also allows for larger detached garages to accommodate multiple dwelling units per detached garage.

- (5) Tower and appurtenances, communication or relay.
- (6) Utility transmission lines.
- (7) Event barn (only as an accessory use to the residential use, existing buildings only). [Added 3-19-2019 by Ord. No. 2-2019]
- (8) Kennel (must be on at least a 5 acre lot or parcel and only as an accessory use to the residential use). [Added 3-19-2019 by Ord. No. 2-2019]
- (9) RV and boat storage for rent (only as an accessory use to the residential use, existing buildings only). [Added 3-19-2019 by Ord. No. 2-2019]

Commented [KM32]: This use may conflict with neighboring uses, so a larger parcel size would be advisable. Committee may want to eliminate this use from R-4?

C. Area, height and setback requirements. [Amended 11-14-2017 by Ord. No. 22-2017]

- (1) A lot or parcel shall have a three-acre-minimum and less than eight-acre-maximum of contiguous land area.

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

D. Principal structure setback and height standards.

- (1) Highway setbacks: Refer to § 350-50A. [Amended 11-14-2017 by Ord. No. 22-2017]~~Street yard setback:~~

~~(a) State trunk road rights of way: 67 feet minimum.~~

~~(b) All other public road rights of way: 40 feet minimum.~~

- (2) Rear yard setback: 25 feet minimum.
- (3) Side yard setback: 12 feet minimum.
- (4) Structure height; dwelling structure: 35 feet overall maximum.

E. Accessory structure standards. The total combined footprint area allowed for attached and detached accessory building structures shall not exceed 10% of the land area, excluding any road right-of-way. An accessory building structure shall satisfy all of the following standards:

- (1) Setbacks: same as principal structure.
- (2) Height: 25 feet maximum; ground floor surface to peak. There shall be no sidewalls above the ground floor ceiling joist, unless attached to the dwelling unit. Ground floor sidewalls shall not exceed 15 feet in height.
- (3) Area: 1,500 square foot maximum footprint (ground floor).

setbacks under § 350-20. [Added 11-14-2017 by Ord. No. 22-2017]

G. Highway setbacks: Refer to § 350-50A. [Added 11-14-2017 by Ord. No. 22-2017]

Article V Nonbuilding Structures

§ 350-43 Signs.

[Amended 12-15-2009 by Ord. No. 971-2009]

The sign regulations in this section intend to promote well-maintained and attractive signage within the County; to provide for adequate business identification, advertising and communication; and to protect the safety and efficiency of the County's transportation system by reducing confusion or distractions to motorists.

- A. All signs hereafter located, erected, moved, reconstructed, extended, enlarged, or structurally altered shall be in conformity with the provisions of this chapter and require a land use permit, unless specifically stated in this section. Changing the existing message board of a sign with cosmetic materials, such as but not limited to paint, paper or corrugated plastic, does not require a land use permit.
- B. Signs within this section are as follows:
- (1) Official traffic control or traffic information or traffic directional notice signs erected by federal, state or local units of government may be placed in accordance with the highway jurisdiction. No County permit is required.
 - (2) Signs that are generally temporary and less than three square feet and are similar but not limited to agricultural seed plots, real estate, contractor identification, and government agency information are not regulated by this Section. No County permit is required.
 - (3) An on-site sign advertising a customary home occupation or professional home office shall not exceed four square feet in gross area and shall have a minimum setback of 10 feet from the right-of-way line.
 - (4) On-site signs advertising business on premises.
 - (a) One on-site sign attached to a building structure advertising a business conducted or service available on the premises shall not exceed the height of the building structure it is attached to. Such sign shall not exceed ~~32~~⁵⁰ square feet in gross area.
 - (b) One on-site freestanding sign in addition to the building-mounted sign to advertise a business conducted or service available on the premises shall be allowed and shall not exceed 50 square feet in gross area and shall have a minimum setback of 10 feet from the right-of-way line. [Amended 11-14-2017 by Ord. No. 22-2017]
 - (5) Other off-site signs not specifically referred to in this section shall not exceed 300 square feet in gross area. These signs are not allowed in R-1, R-2, R-3 and NRC Zoning Districts and shall meet the following standards: [Amended 11-14-2017 by Ord. No. 22-2017]
 - (a) An off-site sign 50 square feet or less shall have a minimum setback of 10 feet from the right-of-way

Commented [33]: Editor's Note: The title of this article was changed from "Signs" to "Nonbuilding Structures" 12-16-2008 by Ord. No. 942-08.

Commented [34]: Editor's Note: This ordinance also repealed former §§ 350-44, Permit required; 350-45, Location of signs; 350-46, Types of signs, as amended; and 350-47, Prohibited characteristics of signs.

Commented [KM35]: Just a thought...one less dimension to have to remember, keeps signage options consistent. Why would the sign attached to a building be smaller than the free-standing sign that could be 10ft from the street lot line? Makes no sense.

create a tier at its location.

- J. Sign regulations and standards in this Section may not be the only applicable restrictions. Other entities of jurisdiction may regulate existing and proposed signs.
- K. Progressive or accumulative message-type signs shall be prohibited.
- L. An existing nonconforming sign structure shall only be allowed to be refaced with a new message using cosmetic nonstructural material. No structural or material upgrades are allowed.
- M. A sign and all its structural components shall comply with the following maintenance standards:
 - (1) An abandoned/obsolete sign that identifies, displays information about or otherwise relates to a purpose, event or business that has not existed or operated for 180 days, or is so old, dilapidated, or has become so out of repair as to be dangerous or unsafe, whichever comes first, shall be removed immediately.
 - (2) All signs, supports and accessories shall be maintained in good repair. Any sign shall be removed immediately if the sign does not have a fully readable message, is in disrepair or damaged and is left without repair for a minimum of 60 days.
- N. In areas of shoreland jurisdiction, a sign shall meet the seventy-five-foot setback standard from the ordinary high-water mark of navigable waters.

§ 350-43.1 Fences.

[Added 3-19-2019 by Ord. No. 2-2019]

Fences shall comply with the following:

- A. All fences, no greater than eight feet in height, may be allowed along any lot line excluding the street right-of-way line and the side lot lines within the street-yard setback.
- B. Open style fences (greater than 50% open space), no greater than four feet in height, may be allowed along the street right-of-way line and along side lot lines within the street-yard setback.

C. ~~Open style agricultural fences, no greater than eight feet in height, are allowed, without a land use permit, on lands zoned A-1, A-2 & R-4.~~

§ 350-43.2 Solar panels.

[Added 8-18-2020 by Ord. No. 9-2020]

Solar panel arrays shall comply with the following:

- A. Ground-mounted solar panel arrays that can exceed eight feet in adjusted height (lowest adjacent grade to maximum vertical extent) or have a solar panel surface area greater than 32 square feet must be authorized by a land use permit and are required to meet all the required setback set forth in this chapter.
- B. Ground-mounted solar panel arrays shall not exceed 25 feet in height (lowest adjacent grade to maximum vertical extent).
- C. Roof-mounted solar panel arrays are not subject to §§ 350-19 and 350-20 of this chapter and are exempt

Commented [KM35]: Past policy (unwritten) policy is to not obtain land use permits for ag fences. This ordinance language codifies this policy.

Commented [36]: Editor's Note: Former § 350-43.2, Wind energy facilities, added 12-16-2008 by Ord. No. 942-08, was repealed 12-15-2009 by Ord. No. 969-2009.

in accordance with engineering surveys and plans accepted by the County Board or its agent, the County Highway Committee; town roads that have been improved, in accordance with engineering surveys and plans accepted by the County or Town Board. The center line of any of the above roads or highways is the center of the surfacing or pavement or, if there is none, the center of the graded roadbed, or the center of the directional separator, if the highway is directionally divided.

- B. County trunk highways that have not been improved, in accordance with engineering surveys and plans accepted by the County Board or its agent, the County Highway Committee; town roads that have not been improved, in accordance with engineering surveys and plans accepted by the County or Town Board. The center line of any of the above roads or highways is at the midway point between fences or other markers indicating the boundaries of the highway on opposite sides thereof.

§ 350-50 Setback distances.
[Amended 8-19-2014 by Ord. No. 1092-2014]

Except as otherwise provided in the specific zoning district, the distances from the center line, as defined by § 350-49 of this article, or from the front line to the setback line shall be as provided by the following subsections. Whenever a highway is improved to a classification requiring a greater setback distance than that required by this chapter prior to such improvement, the setback distance shall not be affected by such improvement. In cases where the provisions of this section may be interpreted to provide for different setback distances, the greater setback distance shall prevail, but this regulation shall not apply to streets in platted subdivisions.

- A. Along highways generally. The setback distance from the center line or right-of-way line, at any point, for the respective classes of highways shall be as follows: **[Amended 11-14-2017 by Ord. No. 22-2017; 3-19-2019 by Ord. No. 2-2019; 8-18-2020 by Ord. No. 9-2020]**

Highway Classification	Setback From Center Line	Setback From Street Lot Line
	(feet)	(feet)
State trunk highways	110	Not less than 67
County trunk highways	75	Not less than 40
Town roads, except in platted subdivisions or non-riparian lots or parcels.	75	Not less than 40
Town roads Streets in platted subdivisions		30
Town roads accessed by a riparian lot		25

Commented [KM37]: Cleans up language to better designate street setbacks.

- B. At ordinary highway intersections. At grade intersections of highways, there shall be vision clearance triangles in each sector of such intersections. Each such vision clearance triangle shall be established by a supplementary setback line, which shall be a straight line connecting points located on the setback lines along the intersecting highways and 60 feet back from the intersection of such setback lines, provided that this requirement shall not apply to streets in platted subdivisions.
- C. At highway intersections with transitional widening. At intersections of highways with other highways provided with transitional widening of pavement or surfacing, such transitional widening shall be considered as additional width, and the setback line on the side that is widened shall be increased by the amount equal to the width of the additional pavement.

- (3) Chapter 300, Floodplain Zoning (Ordinance No. 970-2009).
- (4) Chapter 338, Shoreland Zoning (Ordinance No. 20-2016).
- (5) Chapter 334, Sewage Systems, Private (Ordinance No. 225-80).
- (6) Chapter 323, Nonmetallic Mining Reclamation (Ordinance No. 902-07).

§ 350-65 Land use permit.

- A. No building or structure or billboard or any part thereof, except as herein provided, shall hereafter be erected, enlarged, altered, repaired or moved within the areas subject to the provisions of this chapter until a land use permit shall have been applied for, in writing, and obtained from the Land Use Planning and Zoning Department. Such permit shall be posted in a prominent place on the premises prior to and during the period of construction, alteration, repair or moving. Land use permits shall be valid for a period of one year from date of issue unless otherwise specified on the permit. A copy of such permit shall be filed with the Land Use Planning and Zoning Department and with the inspector and clerk for the town in which the permit is effective. Forms for the application for land use permits shall be supplied by the Land Use Planning and Zoning Department. All such forms shall be approved by the County Board. For a fee schedule refer to Article XII, Fee Schedule. [Amended 11-14-2017 by Ord. No. 22-2017]
- B. All applications for land use permits shall be accompanied by a location sketch drawn to scale, showing the location, actual shape and dimensions of the lot to be built upon, the exact size and location of the building on the lot, the existing and intended use of the building, the number of families to be accommodated, its situation with reference to the highway, the distance between the nearest point on the building and the center line of the highway, and such other information with regard to the proposed building and neighboring lots or buildings as may be called for on the application or may be necessary to provide for the enforcement of this chapter. The Land Use Planning and Zoning Department may require satisfactory evidence of actual lot line location, including a surveyor's certificate and map where necessary. [Amended 11-14-2017 by Ord. No. 22-2017]
- C. (Reserved)
- D. (Reserved)
- E. A copy of all land use permits shall be sent to the town clerk, town assessor and land use inspector of the town in which the permit was granted.

Commented [KM41]: "Repairs" do not need a land use permit.

Commented [42]: Editor's Note: Former Subsection C, concerning cases in which no land use permit shall be required, was repealed 12-15-2009 by Ord. No. 972-2009.

Commented [43]: Editor's Note: Former Subsection D, providing the definition of "building" as used in the section, was repealed 12-15-2009 by Ord. No. 972-2009.

§ 350-66 Certificate of compliance.

[Amended 12-21-2004 by Ord. No. 822-04; 11-14-2017 by Ord. No. 22-2017]

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

§ 350-67 Review of proposed conditional uses or amendments by towns.

- A. Town boards, or town zoning/planning committees, as established by town boards, shall be notified, in writing, at least 10 days prior to a public hearing on a conditional use or zoning amendment change in

§ 350-73 Initiation of amendment.

Amendments may be proposed by the County Board, a town board, the County Land Use Planning and Zoning Committee or by a resident or owner of property in Green Lake County.

§ 350-74 Fee.

[Amended 11-14-2017 by Ord. No. 22-2017]

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

§ 350-75 Rezoning amendment standards.

[Amended 3-19-2019 by Ord. No. 2-2019]

- A. Rezoning lands out of the A-1, Farmland Preservation Zoning District shall be done in accordance with § 350-27B(1) through (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.
 - (6) The amendment will not result in inappropriate spot-zoning (i.e., use is inconsistent with surrounding properties and serves only a private, rather than public interests).
- B. All rezone amendments that result in the creation of a new parcel or parcels shall be done by certified survey map in accordance with § 315-38 of the Land Division and Subdivision Ordinance. The rezone amendment shall not take effect until the certified survey map, creating the rezoned parcel(s), is recorded in the Green Lake County Register of Deeds office. If the required certified survey map is not recorded within 12 months of the rezone amendment's approval, the rezone amendment is void.
- C. The County Land Use Planning and Zoning Committee shall send or deliver written notice to the town board not less than 10 days prior to the date of any public hearing of any proposed zoning change within its town.

Commented [KM44]: Have to have some sort of sunset timeline to pressure the owners to record the CSM.

BREEZEWAY

An above-ground, roofed area for passage for the purpose of connecting two structures or buildings, as between a house and a garage, with either open or enclosed sides, with or without a foundation, and which must be designed and constructed in keeping with the existing structures or buildings.

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BROADCASTING ANTENNA

Commercial, public or private broadcasting towers.

BUFFER

The use of land, topography, difference in elevation, space, fences, or landscape planting to screen or partially screen a use or property from another use or property and thus reduce undesirable influences, such as site glare, noise, dust, and other external effects.

BUILDABLE AREA

The portion of a land area remaining after required yards and open space requirements have been provided.

BUILDING

A structure having a roof supported by columns or walls used or intended to be used for shelter or enclosure of persons, animals, equipment, machinery or materials.

CABIN CAMP

A land area on which one or more camp cabins are located.

CAMPGROUND

An area of land that is used for the purpose of providing sites for nonpermanent overnight use by camping units and that has a valid campground permit issued under § 254.47, Wis. Stats., and Chapter HFS 178.

CAMPING UNIT

A portable device or enclosure, no more than 400 square feet in area, including a tent, camping trailer, motor home, bus, van, pick-up truck or other mobile recreational vehicle used as a temporary shelter for human habitation.

CANOPY

A structure attached and extending from the face of a structure constructed as a permanent fixture, which may be supported from the ground.

CARPORT

A roofed structure providing space for parking of motor vehicles attached to the principal structure extending over a driveway, open on all sides except for the wall(s) of the principal structure, and shall be construed to be part of the principal structure.

CEMETERY

A place set apart, either by municipal authority or private enterprise, for the interment of the dead. The term includes not only lots for burying the bodies of the dead but also avenues, walks and grounds for shrubbery and ornamental purposes.

extraction of earthen materials.

DOG BREEDER

A person who in any license year sells at least 25 dogs, from more than 3 litters, which that person has bred and raised in this state. A person has bred and raised dogs for purposes of this paragraph if that person has owned the dogs from birth until sale, regardless of whether the person has contracted with an agent to raise the dogs on real estate owner or occupied by that agent.

DOG BREEDING FACILITY

A place in this state where dogs are bred and raised and from which at least 25 dogs from more than 3 litters are sold in a license year.

Commented [KM45]: These definitions are already referenced in the A-1 zoning district, but having the definitions included in the ordinance is more convenient than looking up ATCP 16.

Commented [KM46]: See above note, plus both of these definitions are necessary to complete the regulated picture.

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DRIVE-THROUGH

Any use where products and/or services are provided to the customer under conditions where the customer does not have to leave the vehicle or where fast service to the vehicle occupants is a service offered regardless of whether the service is provided within the structure.

DRIVEWAY

A private way providing ingress and egress to a public or private right-of way.

DWELLING

A structure or portion thereof designed or used exclusively for human habitation, but not including mobile recreational vehicles, hotels, motels, boarding- and lodging houses.

DWELLING, MULTIPLE-FAMILY

A structure on a single land area, containing three or more dwelling units, or a structure designed for occupancy by three or more families.

DWELLING, SINGLE-FAMILY

A structure on a single land area containing one dwelling unit.

DWELLING, TWO-FAMILY

A structure on a single land area containing two dwelling units.

DWELLING UNIT

As provided in § 106.50(1m)(i), Wis. Stats., means a structure or part of a structure that is used or intended to be used as a home, residence or sleeping place by one person or by two or more persons, who are maintaining a common household, to the exclusion of all others.

EASEMENT

A grant by a property owner for use of a strip of land by the public or any person for any specific purpose, or purposes of constructing and maintaining utilities, including but not exclusive of the following: sanitary sewers, water mains, electric lines, telephone lines, other transmission lines, storm sewer, storm drainageways, gas lines, other service utilities, driveways, etc.

EMPLOYEE

Any and all persons, including independent contractors, who work in or at or render any services

directly related to the operation of an adult-oriented establishment.

ENTERTAINER

Any person who provides entertainment within an adult-oriented establishment, as defined herein, whether or not a fee is charged or accepted for entertainment and whether or not entertainment is provided as an employee or independent contractor.

ENTRYWAY

An inside area through which you enter a dwelling from outside of the dwelling that leads to other rooms within a dwelling.

Commented [KM47]: Needed this to better define areas not subject to the minimum horizontal width restriction for dwellings.

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ESSENTIAL SERVICES

Services and utilities needed for the health, safety and general welfare of the community, such as surface, overhead or underground electrical, gas, telephone, steam, sewerage, water and other utilities and the equipment and appurtenances necessary for such systems to furnish an adequate level of service for the area in which they are located.

EVENT BARN

A structure, that had previously been used for agricultural uses associated with a farm, that has been renovated and upgraded to local and state building codes and re-purposed as a facility for hire to host social or business gatherings, including, but not limited to, meetings, parties, seminars, weddings, receptions, family reunions, anniversaries, and barn dances. Event barns must promote the retention of the rural nature of the parcel and community in which it is located and may only be allowed by conditional use permit.

[Added 3-19-2019 by Ord. No. 2-2019]

EXPANSION

An addition to an existing structure that is horizontal, vertical or both.

EXTRACTION

Any nonagricultural, artificial excavation of earth for commercial or industrial uses, excavated or made by the removal from the natural surface of the earth of sod, soil, sand, gravel, stone or other natural matter, or made by turning, breaking or undermining the surface of the earth.

EXTRATERRITORIAL ZONING AREA (referred to as "ETZA")

Consists of that area of a town that has been included in a city's extraterritorial zoning area pursuant to the adoption of ordinances and resolutions under Wisconsin Statutes.

Commented [48]: Editor's Note: The former definition of "FAA," added 12-16-2008 by Ord. No. 942-08, which immediately followed this definition, was repealed 12-15-2009 by Ord. No. 969-2009.

FAMILY

Those persons related by blood, marriage, adoption, or foster care or a group of persons living together in a single dwelling unit.

FARM

An area of land used for agricultural practice or use.

FARM FAMILY BUSINESS

Any lawful activity, except a farm operation, conducted primarily for any of the following:

- A. The purchase, sale, lease or rental of personal or real property.
- B. The manufacture, processing or marketing of products, commodities or any other personal property.
- C. The sale of services.

FARM OPERATION

An owner or occupant engaged in one or more farming activities, with gross sales from such activities as set forth in § 91.01(1), Wis. Stats.

FEED LOT

A land area for fattening animals or holding animals temporarily for shipment.

FENCE

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

[Amended 3-19-2019 by Ord. No. 2-2019]

- A. **FENCE, OPENA** fence constructed in a manner that provides 50% or more open space.
- B. **FENCE, PRIVACYA** fence constructed in a manner that provides less than 50% open space.

FLEA MARKET

An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.

FLOOR PLAN

A graphic representation of the anticipated utilization of the floor area within a structure.

FOOTPRINT

The land area covered by a structure at ground level, measured on a horizontal plane.

GARAGE

A structure or part thereof, used or intended to be used for parking and storage of vehicles and/or other personal property.

- A. **ATTACHED** A garage sharing a common wall with the principal structure. The attachment must extend from original grade to the roofline of one or more of the connected structures, must be completely enclosed by a roof, walls and floor (openings only for windows, skylights, and doors are allowed), and there must be a direct connection from the 2nd floor of the principal structure to the 2nd floor of the attached garage.
- B. **DETACHED** A garage that is not attached to separate from the principal structure, being an accessory structure.

Commented [KM49]: Additional language "borrowed" from Walworth • Waukesha Counties. This requires significant design & construction to create additional living space / second dwelling unit in a single-family dwelling.

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for public use.

JUNK

Any scrap, waste, reclaimable material or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal or other use or disposition. Junk includes, but is not limited to, unregistered or inoperable vehicles, tires, vehicle parts, equipment, paper, rags, metal, glass, building materials, household appliances, brush, wood and lumber.

JUNKYARD

Any land area, building or structure or part thereof used for the storage, collecting, processing, purchase, sale or abandonment of junk.

KENNEL

An establishment that is not a dog breeding facility as defined in ATCP 16. in which domestic animals are housed, boarded, groomed, sheltered, protected, bred, trained or sold for a fee or compensation. A property where there are fewer than 5 adult dogs is not considered a kennel.

Commented [KM51]: Necessary to revise this definition to clarify that dog kennels are not the same as dog breeding facilities.

Commented [52]: Editor's Note: The former definition of "land area," which immediately followed this definition, was repealed 8-19-2014 by Ord. No. 1092-2014.

LANDFILL

A system of trash, waste, refuse, debris, salvaged material or garbage disposal in which the waste is buried between layers of soil.

Commented [KM53]: Just carrying this over to entire ordinance definition section..

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LICENSE YEAR

Means the 12-month period ending on September 30th for a license granted by the Wisconsin Department of Agriculture, Trade and Consumer Protection to operate as a dog dealer, dog breeder or a dog breeding facility.

LIVING AREA

That area or space within a dwelling unit, devoted to the principal residential use of the structure, excluding attached garages, porches, sheds, and other similar appurtenances.

Commented [KM54]: Walworth County Def: Needed this to better define the areas that count toward the minimum area required for a dwelling.

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LOADING AREA

A completely off-street space or berth on the same land area, for the loading or unloading of freight carriers, having adequate ingress and egress to a public street or alley.

LOT

An area of land that is part of a subdivision plat, certified survey map or other document using the platting process duly recorded in the Register of Deeds office that is identified by an assigned number or letter.

[Added 8-19-2014 by Ord. No. 1092-2014]

LOT DEPTH

The mean distance between the front and rear lot lines.

LOT LINE

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

conditioning and electrical systems, and all appliances and all other equipment carrying a manufacturer's warranty.

[Amended 3-19-2019 by Ord. No. 2-2019]

MOBILE HOME PARK

An area of land that is occupied by three or more mobile homes, manufactured homes or park model homes that is advertised or represented as a mobile home park. Mobile home parks shall include any structure, vehicle or enclosure intended for use as part of the equipment of such mobile home park.

Commented [56]: Editor's Note: The former definition of "modular home," which immediately followed, was repealed 3-19-2019 by Ord. No. 2-2019.

MOTEL (MOTOR COURT, MOTOR HOTEL, MOTOR LODGE)

A structure in which lodging or boarding and lodging are provided and offered to the public for compensation and in which ingress and egress for all rooms is made from the exterior of the structure(s).

Commented [KM57]: Meriam-Web Definition: Needed this to better define rooms within a dwelling that are not subject to the minimum horizontal width restriction.

MUDROOM

A room in a dwelling designed especially for shedding of dirty or wet footwear and clothing.

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NONCONFORMING LOT OR PARCEL

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

[Amended 11-14-2017 by Ord. No. 22-2017]

NONCONFORMING STRUCTURE

An existing, usable structure or portions thereof whose location, dimensions or other physical characteristics do not conform to current ordinance standards, but was legally constructed or placed in its current location prior to the adoption of the ordinance or ordinance amendment that made it nonconforming.

NONCONFORMING USE

The lawful use of land, structure or a portion thereof that does not conform to the current land use restrictions, but which was legally established prior to the adoption of the ordinance or ordinance amendment that made it nonconforming.

NURSERY SCHOOL

A private establishment enrolling nine or more children between two and five years of age and where tuition, fees, or other forms of compensation for the care of the children are charged and which is licensed or approved by state and local authorities to operate as a nursery school.

OCCUPANCY

The residing of an individual or individuals in a dwelling unit, or the installation, storage or use of equipment, merchandise or machinery in any public, commercial or industrial structure.

OFFICIAL MAP

The map adopted pursuant to Wisconsin Statutes that shows existing and proposed streets, highways, parkways, parks, playgrounds and school sites.

OPEN SPACE

An unoccupied space open to the sky on the same lot as the principal structure or development, which is in addition to other required yard areas and which is not used for parking or driveway purposes.

OPEN STORAGE

Storage of any material outside of a structure.

PARCEL

An area of unplatted contiguous land having a boundary description duly recorded in the Register of Deeds office that identifies the boundaries of that area of land.

[Amended 8-19-2014 by Ord. No. 1092-2014]

PARKING LOT

An off-street area for the temporary storage of motor vehicles consisting of access drives/driveways, aisleways and parking spaces.

- A. **ACCESS DRIVE** That portion of a parking lot that provides a way of approach to provide physical ingress and egress to a property.
- B. **aisleway** That portion of a parking lot/facility that is a traveled way by which vehicles enter and depart parking spaces.
- C. **PARKING SPACE** That portion of a parking lot/facility that provides for the temporary parking of motor vehicles within a public or private parking lot.

PARTIES IN INTEREST

Includes all abutting property owners, all property owners of opposite frontages and all property owners within 300 feet.

PASSAGEWAY

A narrow extended room that is open on both ends, having walls on either side and under roof that allows unobstructed access to different rooms within a dwelling.

PERMIT

An official finding that a proposed development and use of a property, as indicated by an application, complies with the requirements of applicable ordinances or meets special conditions of a variance or conditional use permit. The applicable ordinance will specify the development activities that need to have such a permit.

PERMITTED USE

Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

PREMISES

A lot together with all structures thereon.

PRINCIPAL STRUCTURE

Commented [KM58]: Another part of the dwelling that needs to be defined to be excluded from the dwelling width requirement.

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Commented [59]: Editor's Note: The former definition of "prefabricated home," which immediately followed, was repealed 3-19-2019 by Ord. No. 2-2019.

The main or primary structure on a land area that is utilized for the property's principal use.
[Amended 8-18-2020 by Ord. No. 9-2020]

PRINCIPAL USE

The main or primary use of a land area as distinguished from an accessory use.

PROFESSIONAL HOME OFFICES

The office of a practitioner of a recognized profession that is located in the practitioner's place of permanent residency.

PROPERTY

A land area together with all structures thereon.

PROPERTY LINE

See "lot line."

PUBLIC LAND

Land owned or operated by a municipality, school district, county, state, or other governmental unit.

RAILROAD YARD

An open area for the storage and repair of railroad cars and engines, excluding those areas utilized for the sole purpose of movement and/or transportation of said railroad cars and engines.

RECREATIONAL VEHICLE

See "camping unit."

RESIDENTIAL ACCESSORY BUILDING STRUCTURE

A subordinate structure, the use of which is incidental to, and customarily found in connection with the dwelling or residential use of the property. These structures include but are not limited to: attached and detached garages, breezeways, decks, patios, swimming pools, hot tubs, garden sheds, or similar. Greenhouses are not residential accessory building structures.

Commented [60]: Editor's Note: The former definition of "pure tone," added 12-16-2008 by Ord. No. 942-08, which immediately followed this definition, was repealed 12-15-2009 by Ord. No. 969-2009.

Commented [KM61]: Definition necessary to clarify that private greenhouses are not residential accessory building structures.

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ROAD

See "street."

ROADSIDE FARM STAND

A structure used solely for the sale of farm products produced on the premises.

RUMMAGE SALE

Any display of used goods, on a property customarily used as a residence, that does not exceed four days in duration and occurs no more than once every four months.

RUNOFF

The rainfall, snowmelt or irrigation water flowing over the ground surface.

RUNWAY

similar to this, but does not include any expansion or replacement of the structure.

STRUCTURE

A combination of materials that form a structure, permanently or temporarily placed, for use, occupancy or ornamentation whether installed on, above or below the surface of land or water.

STRUCTURE HEIGHT

The vertical distance of a structure measured from the average elevation of the finished grade contiguous to the structure to the highest point of the roof or significant appurtenances.

~~STRUCTURE OR USE, TEMPORARY~~

~~A structure or use on a property that requires a land use permit and meets all of the following:~~

~~[Added 10-15-2013 by Ord. No. 1070-2013]~~

- ~~A. That is present for not more than 90 days from the date of issuance of the land use permit.~~
- ~~B. That complies with applicable dimensional and use standards.~~
- ~~C. That there is no remaining evidence at the termination of the temporary structure or use.~~

SUBSTANTIAL EVIDENCE

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

[Amended 3-19-2019 by Ord. No. 2-2019]

TRACT

A contiguous area of land within a parcel, the owner of the tract being the same owner as the parcel. The tract(s) within the parcel is created by a street, highway, railroad, waterway or other physical feature that causes the acreage of the parcel to be physically separated.

UNNECESSARY HARDSHIP

A criteria reviewed during a variance proceeding. Unnecessary hardship is defined differently for the following types of variances:

- A. Use variance, requires that the test of "no reasonable use in the absence of a variance" be applied to determine if there is an unnecessary hardship.
- B. Area variance, requires that the test of "whether compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome" be applied to determine if there is an unnecessary hardship.

USE

The purpose or activity for which the land or structure thereon is occupied, utilized or maintained.

Commented [63]: Editor's Note: The former definition of "total height," added 12-16-2008 by Ord. No. 942-08, which immediately followed this definition, was repealed 12-15-2009 by Ord. No. 969-2009.

Commented [KM64]: Weird use that is allowed in A-2. This could allow for any use so long as it is present for less than 90 days. Not sure we need this?

**Land Use Planning & Zoning Committee
Meeting Notice**

**Date: August 5, 2021 Time: 4:30 PM
Location: Government Center, County Board Room, 571 County Road A, Green Lake WI**

AGENDA 08/05/2021

**Committee
Members**

*Curt Talma,
Chairman*

*Bill
Boutwell*

Chuck Buss

Don Lenz

*Harley
Reabe*

*Keith Hess,
Alternate*

*Karen
Werlein,
Secretary*

1. Call to Order
2. Pledge of Allegiance
3. Certification of Open Meeting Law
4. Approval of Minutes: 7/1/2021
5. Public Comments: 3 minute limit
6. Department Activity Reports
 - a. Financial reports
 - b. Land use & septic permits
 - c. Violation reports
7. Proposed Zoning Ordinance Amendments
8. 2022 Budget Proposal
9. Public Hearing: (Not to begin before 5:00 PM)
Each Item below will consist of:
 - a. Public Testimony/Comment: 10-minute time limit
 - b. Committee Discussion & Deliberation
 - c. Committee Decision
 - d. Execute Ordinance/Determination Form

Item I: Owner: Richard & Harriet Brotske **Site location:** N7765 37th Ave. **General legal description:** Parcel 002-00479-0100 part of the SW1/4 of Section 25, T14N, R13, Town of Berlin, ±74.7 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

Item II: Owner: Alan J. & Frances Joan Kennedy Familys Trust **Applicant:** John Kennedy **Site location:** N5635 Brooklyn G Rd. **General legal description:** Parcels 004-00600-0000, -0200, & 004-00594-0000 part of the NE1/4 and NW1/4 of Section 25, T16N, R13E, Town of Brooklyn, ±43.4 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

Item III: Owner: Green Lake County **Applicant:** Barry Mashuda **Site location:** STH 73, 0.74 miles South of CTH K. **General legal description:** Parcel 014-00539-0200, part of the SW1/4 of Section 15, T15N, R12E, Town of Marquette, ±1.0 acres. **Request:** Conditional Use Permit for a former highway gravel pit to be a clean fill site.

Item IV: Owner: Ellen Wildes **Site location:** W2111 State Hwy 23. **General legal description:** Parcel 004-00701-0000, part of the NE1/4 of Section 30, T16N, R13E, Town of Brooklyn, ±5.4 acres. **Request:** Rezone +3 acres from C2, Extensive Commercial District, to R-4, Rural Residential District, remaining ±2.4 acres to A-1, Farmland Preservation District, with surrounding lands.

10. Future committee activities
 - a. Future agenda items
 - b. Meeting date: September 2, 2021
11. Adjourn

Due to the COVID-19 pandemic, this meeting will be conducted and available through in person attendance (6 ft. social distancing and face masks required) or audio/visual communication.

Remote access can be obtained through the following link:

<https://us06web.zoom.us/j/5022456162?pwd=V2lvUTFFb2o3MWNqUFFDcFRtMIBJQT09>

Or by phone for audio

Dial by your location (1-312-626-6799) US

Meeting ID: 502 245 6162

Passcode: **345536**

GREEN LAKE COUNTY 2022 BUDGET

	----- 12/31/2019 -----	----- 12/31/2020 -----	----- ACTUAL 6/30/2021 -----	----- 2021 REVISED -----	----- 2022 PROPOSED -----
ZONING					
22-100-10-53610-110-000 SALARIES	279,511	306,001	127,324	309,000	312,204
22-100-10-53610-140-000 MEETING PAYMENTS	1,069	1,225	-	1,425	940
22-100-10-53610-151-000 SOCIAL SECURITY	20,497	23,432	9,921	23,641	23,886
22-100-10-53610-153-000 RET. EMPLOYER SHARE	18,345	20,677	9,215	20,861	20,296
22-100-10-53610-154-000 HEALTH INSURANCE	54,585	56,744	29,362	50,590	65,690
22-100-10-53610-155-000 LIFE INSURANCE	565	610	140	276	321
22-100-10-53610-210-002 PROFESSIONAL SERVICES-SRV	12,100	9,500	3,350	9,500	9,500
22-100-10-53610-210-003 MISCELLANEOUS FEES	375	300	(56)	300	300
22-100-10-53610-225-000 PHONE SERVICE	171	576	297	576	610
22-100-10-53610-242-000 PRINT MANAGEMENT	1,438	1,180	76	300	300
22-100-10-53610-307-000 TRAINING & CERTIFICATIONS	492	380	273	750	900
22-100-10-53610-310-000 OFFICE SUPPLIES	1,454	2,762	406	650	790
22-100-10-53610-312-000 FIELD SUPPLIES	47	200	52	200	600
22-100-10-53610-320-000 PUBLICATIONS-BOA PUBLIC HEARING	1,138	750	510	750	500
22-100-10-53610-320-001 PUBLICATIONS-PZ PUBLIC HEARING	3,168	3,000	857	2,750	3,000
22-100-10-53610-321-000 SEMINARS	810	655	-	930	930
22-100-10-53610-324-000 MEMBER DUES	70	100	100	100	130
22-100-10-53610-330-000 TRAVEL	84	492	8	750	50,820

	----- 12/31/2019 -----	----- 12/31/2020 -----	----- ACTUAL 6/30/2021 -----	----- 2021 REVISED -----	----- 2022 PROPOSED -----
22-100-10-53610-352-000 VEHICLE MAINTENANCE	715	638	121	638	1,188
TOTAL EXPENDITURES	396,634	429,222	181,956	423,987	442,905
<hr/>					
FINANCING PROPOSAL					
22-100-10-44400-000-000 LAND USE PERMITS	46,400	34,800	40,300	40,000	50,000
22-100-10-44400-001-000 BOA PUBLIC HEARING	1,875	1,500	375	1,875	1,125
22-100-10-44400-002-000 PZ PUBLIC HEARING	7,875	8,625	5,250	8,250	8,525
22-100-10-44409-000-000 NON-METALLIC MINING	21,000	30,300	10,800	15,300	15,000
22-100-10-44410-000-000 SANITARY PERMITS	26,540	22,695	12,940	26,000	26,000
22-100-10-44411-000-000 WISCONSIN FUND APPLICATIONS	100	-	-	-	-
22-100-10-45110-000-000 FINES & FORFEITURES	860	-	166	-	-
22-100-10-46131-001-000 GIS MAP SALES	285	180	-	-	-
22-100-10-46131-002-000 INTERDEPT TRANSFER/STRATEGIC FUND	9,080	10,000	-	10,000	10,000
22-100-10-46762-000-000 CERTIFIED SURVEY MAPS	8,400	6,000	3,465	6,500	6,500
22-100-10-47411-000-000 INTERDEPT TRANSFER/CTY LAND RECORDS	24,500	25,000	-	25,000	25,000
21-101-10-49320-000-000 APPLIED FUNDS	9,500	19,000	9,500	9,500	9,500
TOTAL REVENUES	156,415	158,100	82,796	142,425	151,650
COUNTY APPROPRIATION	-	-		281,562	291,255

EXPENDITURE DETAIL LISTING

DEPARTMENT: Zoning

ACCOUNT NAME: Meeting Payments

ACCOUNT #: 22-100-10-53610-140-000

Board Of Adjustments Per Diem	\$ 540
BOA Training	\$ 300
Board Of Adjustments Mileage	\$ 100
Total:	\$ 940

ACCOUNT NAME: Professional Services-SRV

ACCOUNT #: 22-100-10-53610-210-002

County Surveyor Contract	\$ 4,500
Scheduled Office Hours	\$ 4,800
Land Information Meetings (4)	\$ 200
Total:	\$ 9,500

ACCOUNT NAME: Miscellaneous Fees

ACCOUNT #: 22-100-10-53610-210-003

Permit refunds	\$ 300
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ACCOUNT NAME: Phone Service

ACCOUNT #: 22-100-10-53610-225-000

Ipad Data Service 2GB	\$ 610
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EXPENDITURE DETAIL LISTING

DEPARTMENT: Zoning

ACCOUNT NAME: Training & Certifications

ACCOUNT #: 22-100-10-53610-307-000

POWTS Inspector Re-Cert.	\$	-
Shoreland Zoning Training TBD (Aaron)	\$	200
POWTS Inspector Training TBD (Caleb)	\$	200
General Zoning Training (TBD (Karen)	\$	200
Soil Tester Re-Cert.	\$	-
NASECA Certification (Caleb)	\$	300
Total:	\$	900

ACCOUNT NAME: Field Supplies

ACCOUNT #: 22-100-10-53610-312-000

Marking Paint	\$	25
Sun Block / Insect Repellent	\$	25
Laser Clinometer	\$	400
Steel Boundary Flags	\$	100
Measuring Tape	\$	50
Total:	\$	600

ACCOUNT NAME: Publications-BOA Public Hearing

ACCOUNT #: 22-100-10-53610-320-000

Berlin Journal

\$ 500

EXPENDITURE DETAIL LISTING

DEPARTMENT: Zoning

ACCOUNT NAME: Office Supplies

ACCOUNT #: 22-100-10-53610-310-000

Misc. Pens, pencils, erasers, scissors	\$	50
Envelopes	\$	50
Copy paper	\$	200
Business Cards	\$	140
Lamination Paper	\$	250
Labels and Label Protectors	\$	<u>100</u>
Total:	\$	790

ACCOUNT NAME: Publications-PZ Public Hearing

ACCOUNT #: 22-100-10-53610-320-001

Berlin Journal	\$	3,000
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ACCOUNT NAME: Print Management

ACCOUNT #: 22-100-10-53610-242-000

\$ 300

EXPENDITURE DETAIL LISTING

DEPARTMENT: Zoning

ACCOUNT NAME: Seminars

ACCOUNT #: 22-100-10-53610-321-000

WCCA Spring Conference	\$	375
WCCA Fall Conference	\$	450
WISLINE Seminar	\$	105
Total:	\$	930

ACCOUNT NAME: Travel

ACCOUNT #: 22-100-10-53610-330-000

Hotel Spring WCCA 3 nights	\$	246
Hotel NASECA 1 nights	\$	82
Hotel Fall WCCA 6 nights	\$	492
Total:	\$	820

ACCOUNT NAME: Member Dues

ACCOUNT #: 22-100-10-53610-324-000

WI Co. Code Administrator's Membership (WCCA)	\$	130
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EXPENDITURE DETAIL LISTING

DEPARTMENT: Zoning

ACCOUNT NAME: Vehicle Maintenance & NM Mining Program

ACCOUNT #: 22-100-10-53610-352-000

NMM Program Mileage (\$0.46 at 300 miles)	\$ 138
Fuel for Seminars and Trainings	\$ 250
Other Fuel for inspections, travel, training, etc.	<u>\$ 800</u>
Total:	\$ 1,188

REVENUE DETAIL LISTING

DEPARTMENT: Zoning

ACCOUNT NAME: PZ Public Hearing Revenue

ACCOUNT #: 22-100-10-44400-002-000

Rezoning	\$	5,250
Comp Plan Amendments	\$	375
Conditional Use Permits	\$	2,900
<hr/>		
Total:	\$	8,525

REVENUE DETAIL LISTING

DEPARTMENT: Zoning

ACCOUNT NAME: Strategic Fund Revenue

ACCOUNT #: 22-100-10-46131-002-000

Land Information Grant \$ 10,000

Total: \$ 10,000

Portion of Grant used to pay salary of GIS Specialist

REVENUE DETAIL LISTING

DEPARTMENT: Zoning

ACCOUNT NAME: County Land Records Revenue

ACCOUNT #: 22-100-10-47411-000-000

Land Records Fee Transfer \$ 25,000

Total: \$ 25,000

ACCOUNT NAME: Applied Funds

ACCOUNT #: 22-101-10-49320-000-000

Contracted County Surveyor \$ 9,500

Total: \$ 9,500

**Land Use Planning & Zoning Committee
Meeting Notice**

**Date: August 5, 2021 Time: 4:30 PM
Location: Government Center, County Board Room, 571 County Road A, Green Lake WI**

AGENDA 08/05/2021

**Committee
Members**

*Curt Talma,
Chairman*

*Bill
Boutwell*

Chuck Buss

Don Lenz

*Harley
Reabe*

*Keith Hess,
Alternate*

*Karen
Werlein,
Secretary*

1. Call to Order
2. Pledge of Allegiance
3. Certification of Open Meeting Law
4. Approval of Minutes: 7/1/2021
5. Public Comments: 3 minute limit
6. Department Activity Reports
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Item II: Owner: Alan J. & Frances Joan Kennedy Familys Trust **Applicant:** John Kennedy **Site location:** N5635 Brooklyn G Rd. **General legal description:** Parcels 004-00600-0000, -0200, & 004-00594-0000 part of the NE1/4 and NW1/4 of Section 25, T16N, R13E, Town of Brooklyn, ±43.4 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

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10. Future committee activities
 - a. Future agenda items
 - b. Meeting date: September 2, 2021
11. Adjourn

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Or by phone for audio

Dial by your location (1-312-626-6799) US

Meeting ID: 502 245 6162

Passcode: **345536**

NOTICE OF PUBLIC HEARING

The Green Lake County Land Use Planning and Zoning Committee will hold a public hearing in County Board Room #0902 of the Green Lake County Government Center, 571 County Road A, Green Lake, WI, on **Thursday, August 5th, 2021, at 5:00 p.m.** to consider the following requests:

Item I: Owner: Richard & Harriet Brotske **Site location:** N7765 37th Ave. **General legal description:** Parcel 002-00479-0100, part of the SW1/4 of Sec.25, T14N, R13E, Town of Berlin, ±74.7 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District

Item II: Owner: Alan J. & Frances Joan Kennedy Familys Trust **Applicant:** John Kennedy **Site location:** N5635 Brooklyn G Rd. **General legal description:** Parcels 004-00600-0000, -0200, & 004-00594-0000 part of the NE1/4 and NW1/4 of Sec.25, T16N, R13E, Town of Brooklyn, ±43.4 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District, to R-4 Rural Residential District.

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Item IV: Owner: Ellen Wildes **Site location:** W2111 State Hwy 23. **General legal description:** Parcel 004-00701-0000, part of the NE1/4 of Sec.30, T16N, R13E, Town of Brooklyn, ±5.4 acres. **Request:** Rezone ±3 acres from C2, Extensive Commercial District, to R-4, Rural Residential District; remaining ±2.4 acres to A-1, Farmland Preservation District, with surrounding lands.

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: July 22, 2021

SUMMARY NOTICE OF PUBLIC HEARING

The Green Lake County Land Use Planning and Zoning Committee will hold a public hearing in #0902 of the Government Center, 571 County Road A, Green Lake, WI, on **Thursday, August 5th, 2021, at 5:00 p.m.** to consider the following:

Item I: Owner: Richard & Harriet Brotske **Site:** N7765 37th Ave. **Request:** Rezone +3 acres from A-1, Farmland Preservation District to R-4, Rural Residential District.

Item II: Owner: Alan J. & Frances Joan Kennedy Familys Trust **Site:** N5635 Brooklyn G Rd. **Request:** Rezone +3 acres from A-1, Farmland Preservation District to R-4, Rural Residential District.

Item III: Owner: Green Lake County **Site:** STH 73, 0.74 miles South of CTH K. **Request:** Conditional Use Permit for a former highway gravel pit to be a clean fill site.

Item IV: Owner: Ellen Wildes **Site:** W2111 State Hwy 23. **Request:** Rezone ±3 acres from C2, Extensive Commercial District, to R-4, Rural Residential District; remaining ±2.4 acres to A-1, Farmland Preservation District, with surrounding lands.

On July 22, 2021 the full text of the Notice of Public Hearing was published in Berlin Journal Newspapers and is available for viewing at the Berlin Journal, at www.co.green-lake.wi.us, at www.wisconsinpublicnotice.org and the public meeting notices board at the Green Lake County Court Government Center.

Publish: July 29, 2021

**Land Use Planning & Zoning Committee
Meeting Notice**

**Date: August 5, 2021 Time: 4:30 PM
Location: Government Center, County Board Room, 571 County Road A, Green Lake WI**

AGENDA 08/05/2021

**Committee
Members**

*Curt Talma,
Chairman*

*Bill
Boutwell*

Chuck Buss

Don Lenz

*Harley
Reabe*

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 - b. Land use & septic permits
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7. Proposed Zoning Ordinance Amendments
8. 2022 Budget Proposal
9. Public Hearing: (Not to begin before 5:00 PM)
Each Item below will consist of:
 - a. Public Testimony/Comment: 10-minute time limit
 - b. Committee Discussion & Deliberation
 - c. Committee Decision
 - d. Execute Ordinance/Determination Form

Item I: Owner: Richard & Harriet Brotske **Site location:** N7765 37th Ave. **General legal description:** Parcel 002-00479-0100 part of the SW1/4 of Section 25, T14N, R13, Town of Berlin, ±74.7 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

Item II: Owner: Alan J. & Frances Joan Kennedy Familys Trust **Applicant:** John Kennedy **Site location:** N5635 Brooklyn G Rd. **General legal description:** Parcels 004-00600-0000, -0200, & 004-00594-0000 part of the NE1/4 and NW1/4 of Section 25, T16N, R13E, Town of Brooklyn, ±43.4 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

Item III: Owner: Green Lake County **Applicant:** Barry Mashuda **Site location:** STH 73, 0.74 miles South of CTH K. **General legal description:** Parcel 014-00539-0200, part of the SW1/4 of Section 15, T15N, R12E, Town of Marquette, ±1.0 acres. **Request:** Conditional Use Permit for a former highway gravel pit to be a clean fill site.

Item IV: Owner: Ellen Wildes **Site location:** W2111 State Hwy 23. **General legal description:** Parcel 004-00701-0000, part of the NE1/4 of Section 30, T16N, R13E, Town of Brooklyn, ±5.4 acres. **Request:** Rezone +3 acres from C2, Extensive Commercial District, to R-4, Rural Residential District, remaining ±2.4 acres to A-1, Farmland Preservation District, with surrounding lands.

10. Future committee activities
 - a. Future agenda items
 - b. Meeting date: September 2, 2021
11. Adjourn

Due to the COVID-19 pandemic, this meeting will be conducted and available through in person attendance (6 ft. social distancing and face masks required) or audio/visual communication.

Remote access can be obtained through the following link:

<https://us06web.zoom.us/j/5022456162?pwd=V2lvUTFFb2o3MWNqUFFDcFRtMIBJQT09>

Or by phone for audio

Dial by your location (1-312-626-6799) US

Meeting ID: 502 245 6162

Passcode: **345536**

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

August 5, 2021

ITEM I: ZONING CHANGE

OWNER:

Richard Brotske
Harriet Brotske

APPLICANT:

Same

REQUEST: The applicant is requesting a zoning change from A-1, Farmland Preservation District to R-4, Rural Residential District, ±3.0 acres.

PARCEL NUMBER / LOCATION: The affected parcel number is 002-00479-0100, located in the SE ¼ of the SE ¼ of Section 25, T17N, R13E, Town of Berlin. The site proposed for zoning change is located at N7765 37th Ave.

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning of the subject parcel is A-1, Farmland Preservation District. The lands to the North, South and west are mainly zoned A-1 with a couple properties zoned as R-4. The lands to the east are located in Winnebago County however they appear to be used agriculturally. All the surrounding properties appear to be mostly be used for agricultural crops. The proposed property does fall partially under the Shoreland Zoning Ordinance, but does not fall under floodplain zoning.

ADDITIONAL INFORMATION / ANALYSIS:

Currently the proposed parcel is used as a residence with some hay growing on the western quarter. The soil is gravelly and has up to 20% slopes on the property. There is also an unnamed stream about 170' south of the proposed parcel.

The **Soil Survey of Green Lake County** has grouped soil types based on their ability to grow crops, and takes into account the damage that could result when these soils are used. There are eight capability classes that indicate the amount of limitations that a soil has. There are four different types of soils on this proposed parcel. One soil type is Class II soils that have moderate limitations that reduce the choice of plants or that require moderate conservation practices. Class II soils occupy ±0.27 acres. There are two soils on this property that fall under soil Class III which are defined as soils having severe limitations that reduce the choice of plants, require special conservation practices, or both. Class III soils occupy ± 0.65 acres. There is one soil type which falls under Class IV soils which have very severe limitations that reduce the choice of plants, require very careful management, or both. Class IV soils occupy ± 2.31 acres. The limitations with the soils on this property are related to the gravel/rocks in the soil and the risk of erosion and runoff due to the steep slopes.

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. **Most of the proposed parcel is influenced by steep slopes and gravelly/rocky soils that limit the ability of the soil to support any type of agricultural crop. Of the 3.0 acre proposed parcel only 0.27 acres are classified as Class II soils which are good for agriculture. The rest of the acreage would be best used as woodlands or wildlife habitat or would require conservation methods to be used effectively.**
- 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 R-4's uses being complimentary and not in conflict with agricultural lands and uses, 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 BERLIN: An Action Form requesting the Town's input related to this zoning change request was emailed to the Town Clerk on June 10th, 2021. At their June 21st meeting the Town Board did not object to and did recommended approval of this request.

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 4-9-2021

Zone Change from A1 to R4

Conditional Use Permit for N/A

Other N/A

PROPERTY OWNER / APPLICANT

Name Richard Brotske & Harriet Brotske

Mailing Address N 7765 37th AVE Berlin WI 54923

Phone Number 920 745 2505

Signature Richard Brotske

Date 4-8-2021

AGENT IF OTHER THAN OWNER

Name _____

Mailing Address _____

Phone Number _____

Signature _____

Date _____

PROPERTY INFORMATION

Town of Berlin Parcel Number 002004790100 Acres 74.70

Lot _____ Block _____ Subdivision _____

Section 25 Town 17 North Range 13 East

Location of Property N 7765 37th AVE Berlin WI 54923

Legal Description S 1/2 of the SE 1/4 SEC 25; inc OUT LOT 1

CSM 3604, EXC. LOT 1 CSM 1902; EX 3604

Current Zoning Classification A1

Current Use of Property HOME, LAWN

AND GRASS HAY

Detailed Description of Proposed Use the land is not suitable for row crops.

Soil RTD2 Gravelly 12 to 20% slope and eroded. Soil

GRC2 Gravelly 6 to 12% slope eroded. Sell as a

farmette.

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



Rezoned
A-1 to R-4
+ 3 acres

Winnebago

Green Lake County

1 inch = 293 feet

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

GIS Viewer Map
 Green Lake County, WI

Time: 8:57:35 AM
 Date: 3/26/2021

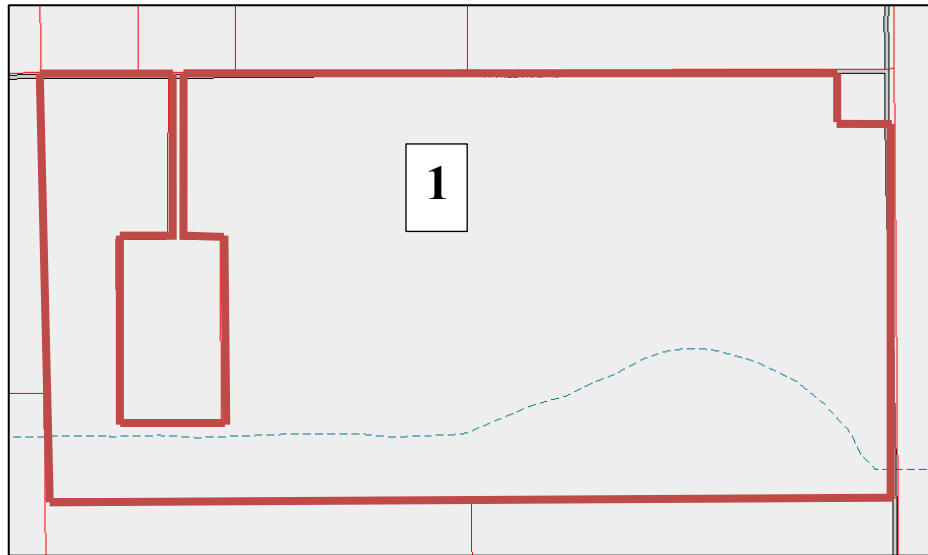
Note



Richard & Harriet Brotske, Town of Berlin
N7765 37th Avenue. Parcel #002-00479-0100,
Located in the S1/2 of the SE1/4 of Section 25, T14N, R13E

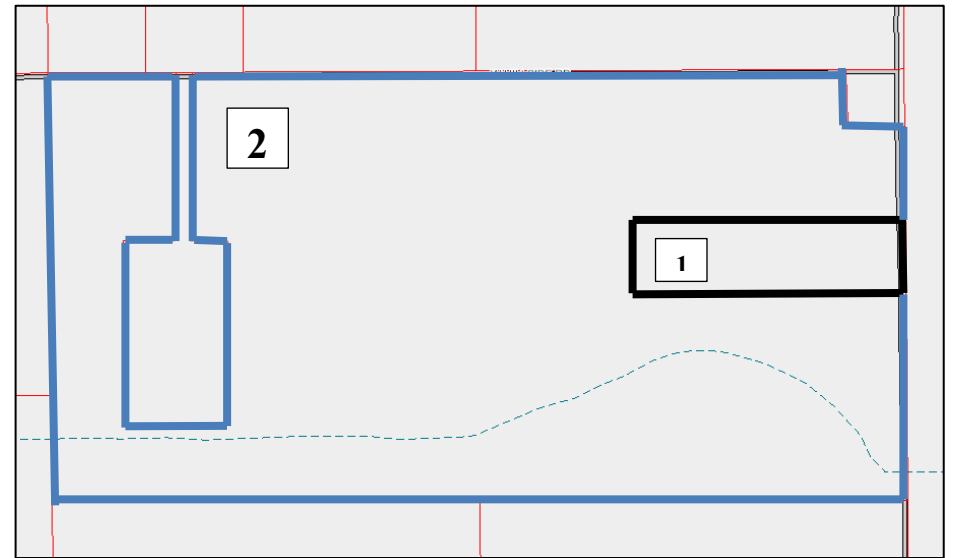
Existing Configuration

1 = ±76.45 acre parcel zoned A-1 Farmland Preservation District



Proposed Configuration

1 = Newly created ±3 acres parcel zoned R-4, Rural Residential District
2 = Newly created ±73.45 acres to remain A-1, Farmland Preservation District.



Land Use Planning & Zoning Public Hearing 08/05/2021

TOWN BOARD ACTION

Rezone

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 –

(Date) June 21, 2021

Owner/Applicant: Richard and Harriet Brotske

Site Location: N7765 37th Avenue, Berlin, WI 54923

General legal description: Parcel 002-00479-0100, located in the SW1/4 of Section 25, Town 14 North, Range 13 East, Town of Berlin, ±74.7 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District to R-4, Rural Residential District

Planned public hearing date for the above requests: August 5th, 2021

Town Does Not object to and Approves of request

No action taken

Objects to and requests denial of request

NOTE: If denial – please enclose Town Resolution of denial

- Reason(s) for objection:

Brandia Muckley
Town Representative

6/21/2021
Date Signed

NOTES: _____

Please return this form to the Land Use Planning & Zoning Office by: July 16th, 2021

**Land Use Planning & Zoning Committee
Meeting Notice**

**Date: August 5, 2021 Time: 4:30 PM
Location: Government Center, County Board Room, 571 County Road A, Green Lake WI**

AGENDA 08/05/2021

**Committee
Members**

*Curt Talma,
Chairman*

*Bill
Boutwell*

Chuck Buss

Don Lenz

*Harley
Reabe*

*Keith Hess,
Alternate*

*Karen
Werlein,
Secretary*

1. Call to Order
2. Pledge of Allegiance
3. Certification of Open Meeting Law
4. Approval of Minutes: 7/1/2021
5. Public Comments: 3 minute limit
6. Department Activity Reports
 - a. Financial reports
 - b. Land use & septic permits
 - c. Violation reports
7. Proposed Zoning Ordinance Amendments
8. 2022 Budget Proposal
9. Public Hearing: (Not to begin before 5:00 PM)
Each Item below will consist of:
 - a. Public Testimony/Comment: 10-minute time limit
 - b. Committee Discussion & Deliberation
 - c. Committee Decision
 - d. Execute Ordinance/Determination Form

Item I: Owner: Richard & Harriet Brotske **Site location:** N7765 37th Ave. **General legal description:** Parcel 002-00479-0100 part of the SW1/4 of Section 25, T14N, R13, Town of Berlin, ±74.7 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

Item II: Owner: Alan J. & Frances Joan Kennedy Familys Trust **Applicant:** John Kennedy **Site location:** N5635 Brooklyn G Rd. **General legal description:** Parcels 004-00600-0000, -0200, & 004-00594-0000 part of the NE1/4 and NW1/4 of Section 25, T16N, R13E, Town of Brooklyn, ±43.4 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

Item III: Owner: Green Lake County **Applicant:** Barry Mashuda **Site location:** STH 73, 0.74 miles South of CTH K. **General legal description:** Parcel 014-00539-0200, part of the SW1/4 of Section 15, T15N, R12E, Town of Marquette, ±1.0 acres. **Request:** Conditional Use Permit for a former highway gravel pit to be a clean fill site.

Item IV: Owner: Ellen Wildes **Site location:** W2111 State Hwy 23. **General legal description:** Parcel 004-00701-0000, part of the NE1/4 of Section 30, T16N, R13E, Town of Brooklyn, ±5.4 acres. **Request:** Rezone +3 acres from C2, Extensive Commercial District, to R-4, Rural Residential District, remaining ±2.4 acres to A-1, Farmland Preservation District, with surrounding lands.

10. Future committee activities
 - a. Future agenda items
 - b. Meeting date: September 2, 2021
11. Adjourn

Due to the COVID-19 pandemic, this meeting will be conducted and available through in person attendance (6 ft. social distancing and face masks required) or audio/visual communication.

Remote access can be obtained through the following link:

<https://us06web.zoom.us/j/5022456162?pwd=V2lvUTFFb2o3MWNqUFFDcFRtMIBJQT09>

Or by phone for audio

Dial by your location (1-312-626-6799) US

Meeting ID: 502 245 6162

Passcode: **345536**

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

August 5, 2021

ITEM II: ZONING CHANGE

OWNER:

Kennedy Family Trust

APPLICANT:

John Kennedy - Trustee

REQUEST: The applicant(s) are requesting a zoning change for +3.0 acres from A-1, Farmland Preservation District to R-4, Rural Residential District.

PARCEL NUMBER / LOCATION: The affected parcel numbers are 004-00600-0000, 004-00600-0200, and 004-00594-0000 which are located in the Northern half of Section 25, T16N, R13E, Town of Brooklyn. The site proposed for the zoning change is located at N5635 Brooklyn G Road.

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning of the parcels referenced above are A-1, Farmland Preservation District. The lands surrounding this parcel are also zoned A-1, Farmland Preservation District. The parcels referenced above fall within shoreland jurisdiction.

ADDITIONAL INFORMATION / ANALYSIS: Parcel 004-00600-0000, ±11.46 acres which is conforming to the zoning district, is approximately 84% wooded and approximately 16% in an agriculture use. Parcel 004-00600-0200, ±4.04 acres which is nonconforming to the zoning district, is 70% wooded and has a residential use. Parcel 004-00594-0000, ±27.90 acres which is conforming to the zoning district, is used agriculturally. If the proposed rezone is approved, all three parcels will be split-zoned. A future certified survey map will create the R-4 zoned +3.0 acre parcel, a ±13 acre wooded parcel and ±16 acre parcel that would include the existing agricultural buildings as well as pasture and croplands. The remaining croplands across Brooklyn G Road, associated with parcel 004-00594-0000 (±9 acres), will be sold to a neighboring farmer.

The soils on this property fall between class II which is defined as “soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices” and class VIII which are rock land that are unsuitable for cultivation due to rock fragments and bedrock outcroppings. The majority of the proposed site for rezone are Class IV Ritchey silt loam soils that are moderately erodible soils and have severe limitations that reduce the choice of plants. These soils are difficult to cultivate and are better suited to pasture. Approximately 60% of the proposed parcel is a class IV soil, another 10% is Class III and the remainder is Class II. See soil details below:

Knowles silt loam (KwB), 2 to 6 percent slopes occupy approximately 20% of the parcel. According to **Soil Survey of Green Lake County, Wisconsin** this soil is suitable for all the farm and vegetable crops commonly grown in the county and the hazard for erosion is slight. Ritchey silt loam (RhB2), 2 to 6 percent slopes occupy the remaining 10% of the parcel. This soil type with proper management is suited to most of the farm crops commonly grown in the county with a slight to moderate hazard of erosion. This soil has a low available water capacity which limits crop yields during most seasons. Ritchey silt loam (RhC2), 6 to 12 percent slopes

occupy the remaining 60% of the parcel. This soil type with proper management can be used for most crops but is better suited to perennial hay and pasture plants.

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 soil survey found the majority ($\pm 70\%$) of the soils on the subject site have severe limitations for growing crops and are better suited to pastureland. The proposal would separate the farm residence from the remainder of the farm and only include non-productive acreage. Establishing a residence, not associated with a “farm”, is not allowed in the farmland preservation zoning district. Also eliminating the agricultural use from these lands could have a positive impact on stormwater management and erosion. Based on this analysis, it appears the land meets this criterion to be rezoned out of A-1.**
- 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 R-4’s uses being complimentary and not in conflict with agricultural lands and uses, 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’s input related to this zoning change request was emailed to the Town Clerk on June 10th, 2021. At their July 16th meeting the Town Board did not object to and did recommended approval of this request.

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 4/19/21

Zone Change from A-1 to R-4

Conditional Use Permit for N.A.

Other _____

PROPERTY OWNER / APPLICANT

Name John Kennedy (Kennedy Family TRUST)

Mailing Address 162 Kirkwood Drive.

Phone Number 920-810-4332

Signature John Kennedy

Date 4/19/21

AGENT IF OTHER THAN OWNER

Name _____

Mailing Address _____

Phone Number _____

Signature _____ Date _____

PROPERTY INFORMATION

Town of Brooklyn Parcel Number 064-00600-0000 Acres 3.01

Lot ___ Block ___ Subdivision 004-00600-0200

Section 25 Town 16 North Range 13 East 004-00594-0000

Location of Property N5635 Brooklyn G ROAD

Legal Description ATTACHMENT A

Current Zoning Classification A-1, Farmland Preservation District. Current Use of Property Residential, Woods, Pasture

* Detailed Description of Proposed Use See ATTACHMENT A OF Detailed. See ATTACHED NARRATIVE

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

Attachment A

The Kennedy farm has been in our family since 1905 and has been passed on to our mom and dad's five children. The property is in a trust that is no longer sustainable. The siblings have agreed to sell portions of the property and we are requesting division of the land in order to sell certain specified land: our parents's house and three acres. All other property does not need to be rezoned and complies with the farm preservation act. No one has been living in our parents' house and we do not want it to deteriorate or lose value. It has only been occasionally used on weekends.

The three acres would be most useful for pasture or recreation, due to the soil makeup which includes limestone and bedrock and is on a slope that would erode if farmed. The three acres was never farmed by our parents nor our grandparents due to poor soil, poor drainage, and rock close to the surface with minimal topsoil. The soil has not been farmable the entire time it has been in our family.

We would like the property to be rezoned to have the house and three acres included on a single parcel in order to finish the land division.

From: Kirkman, Matt mkirkman@co.green-lake.wi.us

Subject: KennedyAttachment A.pdf

Date: Apr 19, 2021 at 4:03:46 PM

To: John Kennedy greener2323@gmail.com

Legal Description page.

Matthew E. Kirkman, MS
Director of Land Use Planning & Zoning
Land Use Planning & Zoning Department
Green Lake County
Wisconsin
mkirkman@co.green-lake.wi.us
[1\(920\) 294-4175](tel:19202944175)

"Legal maxims are not so legal, as they are moral. I believe in the eternal truth of 'sic utere tuo ut alienum non loedas' (Use thy own property so as not to injure thy neighbour's)."

Mahatma Gandhi

Attachment A - Alan J. & Frances Joan Kennedy Family Trust - Rezone

Legal Descriptions

Parcel: 004-00594-0000 (±27.6 acres)

A parcel located in the NW 1/4 of the NE 1/4 of Section 25, Township Sixteen (16) North, Range Thirteen (13) East, Town of Brooklyn, Green Lake County, Wisconsin, more particularly described as: Commencing 33 rods, 3 links South of the Northeast corner of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section 25; thence West to the center line of the highway; thence Southwest 4 rods, 5 links; thence Northwest to the Northwest corner; thence South to said road; thence Southeast to South line of said quarter quarter, thence East to the Southeast corner, thence North to the beginning, in Section 25, Township Sixteen (16) North, Range Thirteen (13) East, Town of Brooklyn, Green Lake County, Wisconsin; Excluding Certified Survey Map No. 1259;

Parcel: 004-00600-0000 (±11.42 acres)

That part of the East 44 rods, 2 links lying North and East of the highway in the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4), Section 25, Township Sixteen (16) North, Range Thirteen (13) East, Town of Brooklyn, Green Lake County, Wisconsin; Excluding the Southerly 23 rods of the West 7 rods; Further Excluding parcel 600 1;

Parcel: 004-00600-0200 (±4.05 acres)

Tax Key # _____
This is _____ homestead property.

"A parcel of land in the NE¼ of the NW¼ of Section 25, Township 16 North, Range 13 East, Town of Brooklyn, described as: Commencing at a point lying 575.50 feet West and 2,245.43 feet South 31° 9' West of the Northeast corner of the South half of the SE¼ of Section 24, along the center line of County Trunk Highway "G"; thence North 58° 51' West 800 feet; thence South 31° 9' West 400 feet to the point of beginning; thence continuing South 31° 9' West 420 feet, thence North 58° 51' West 420.00 feet, thence North 31° 9' East 420.00 feet, thence South 58° 51' East 420.00 feet to point of beginning, all in Green Lake County, Wisconsin.

FEE
EXEMPT

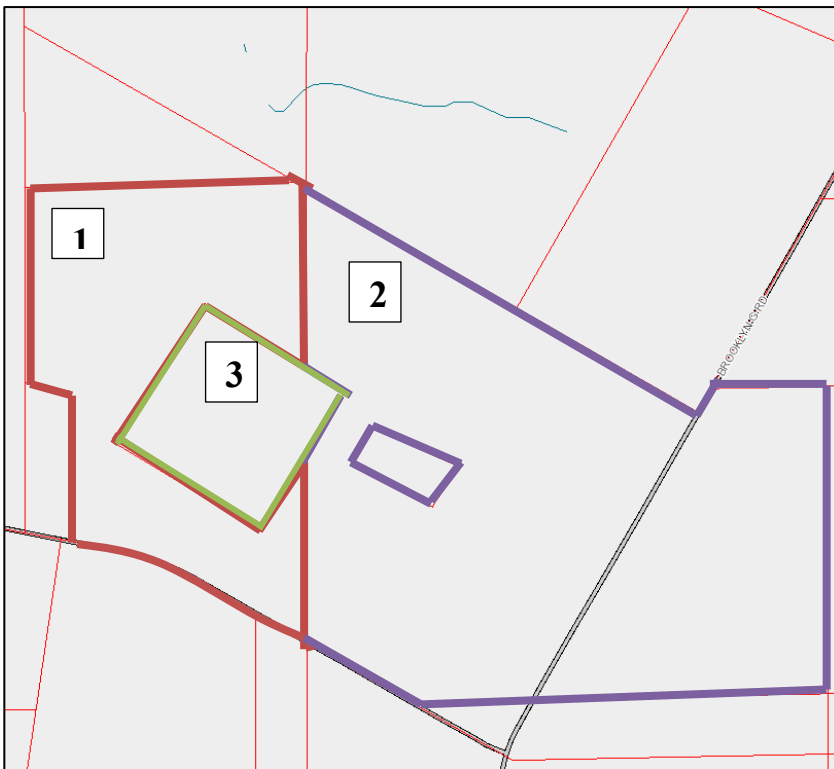
**Alan J. & Frances Joan Kennedy Familys Trust – Town of Brooklyn
N5635 Brooklyn G Rd., Parcels:004-00600-0000, -0200, 004-00594-0000
Part of the NE1/4 and NW 1/4 of Section 25, T16N, R13E**

Existing Configuration

1 = ±11.4 acre parcel zoned A-1 Farmland Preservation District

2 = ±27.60 acre parcel zoned A-1 Farmland Preservation District

3 = ±4.05 acre parcel zoned A-1 Farmland Preservation District

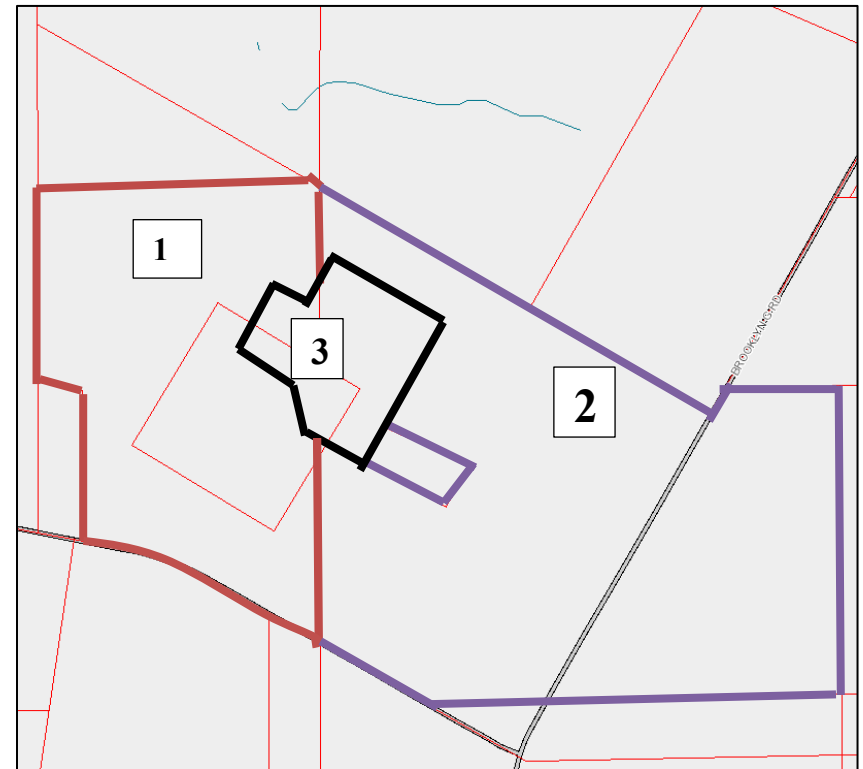


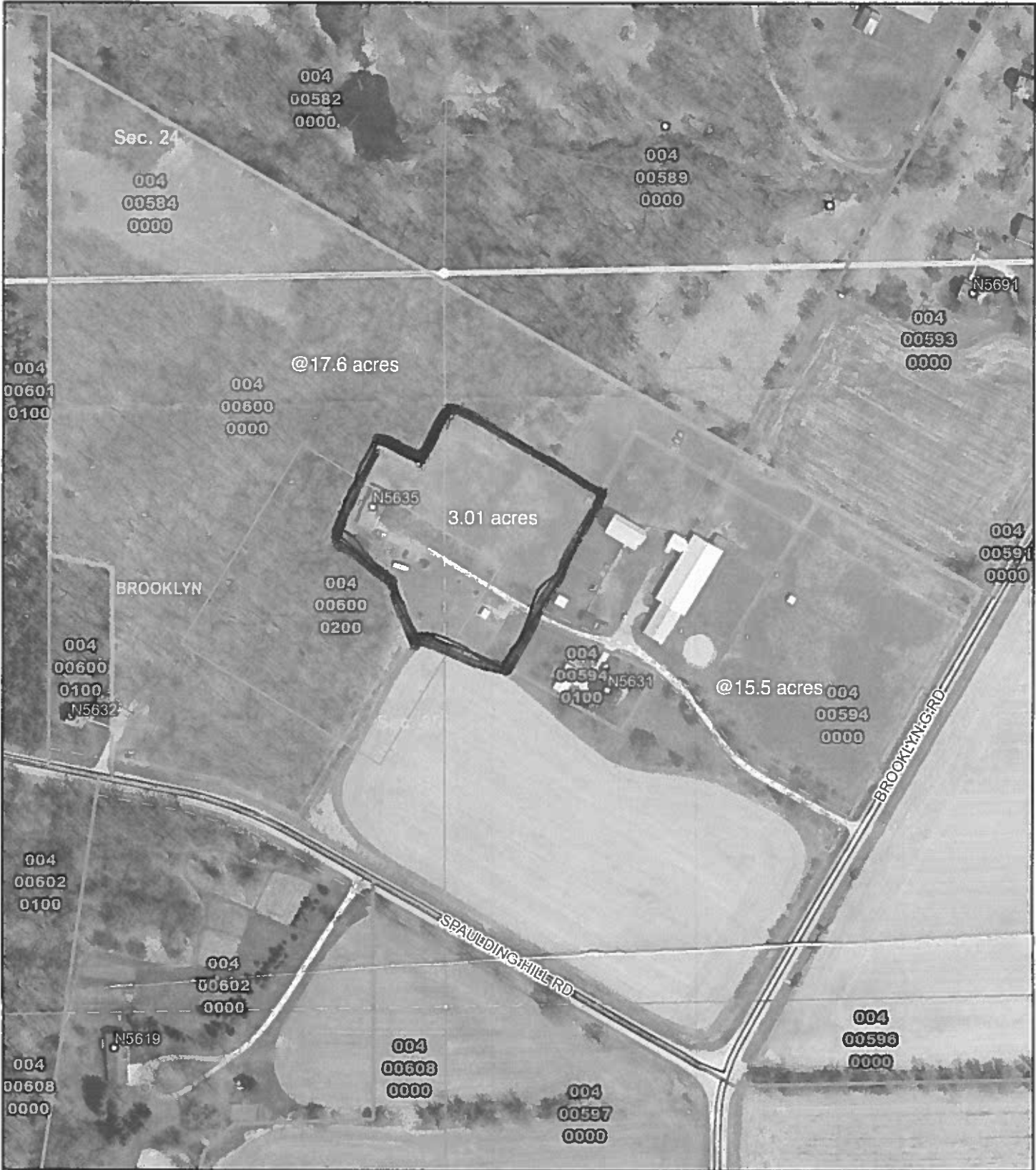
Proposed Configuration

1= Newly created ±14.8 acres A-1 Farmland Preservation District.

2= Newly created ±26 acres A-1 Farmland Preservation District.

3 = Newly created ±3.01 acre parcel zoned R-4, Rural Residential District





Green Lake County

1 inch = 248 feet

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

Kennedy Trust Concept
 Green Lake County, WI

Time: 4:14:02 PM
 Date: 2/9/2021

Note:



TOWN BOARD ACTION

Conditional Use Permit

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 –
(Date) 7-16-2021

Owner/Applicant: Alan J. & Frances Joan Kennedy Familys Trust/John Kennedy

Site Location: N5635 Brooklyn G Road, Ripon, WI 54971

General legal description: Parcels 004-00600-0000, 004-00600-0200, & 004-00594-0000 located in the NE1/4 and NW1/4 of Section 25, Town 16 North, Range 13 East, Town of Brooklyn, ±43.4 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District to R-4, Rural Residential District.

Planned public hearing date for the above requests: August 5th, 2021

Town Does Not object to and Approves of request

No action taken

Objects to and requests denial of request

NOTE: If denial – please enclose Town Resolution of denial

- Reason(s) for objection:

Mike West
Town Representative

7-16-2021
Date Signed

NOTES: _____

Please return this form to the Land Use Planning & Zoning Office by: July 16th, 2021

**Land Use Planning & Zoning Committee
Meeting Notice**

**Date: August 5, 2021 Time: 4:30 PM
Location: Government Center, County Board Room, 571 County Road A, Green Lake WI**

AGENDA 08/05/2021

**Committee
Members**

*Curt Talma,
Chairman*

*Bill
Boutwell*

Chuck Buss

Don Lenz

*Harley
Reabe*

*Keith Hess,
Alternate*

*Karen
Werlein,
Secretary*

1. Call to Order
2. Pledge of Allegiance
3. Certification of Open Meeting Law
4. Approval of Minutes: 7/1/2021
5. Public Comments: 3 minute limit
6. Department Activity Reports
 - a. Financial reports
 - b. Land use & septic permits
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7. Proposed Zoning Ordinance Amendments
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 - a. Public Testimony/Comment: 10-minute time limit
 - b. Committee Discussion & Deliberation
 - c. Committee Decision
 - d. Execute Ordinance/Determination Form

Item I: Owner: Richard & Harriet Brotske **Site location:** N7765 37th Ave. **General legal description:** Parcel 002-00479-0100 part of the SW1/4 of Section 25, T14N, R13, Town of Berlin, ±74.7 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

Item II: Owner: Alan J. & Frances Joan Kennedy Familys Trust **Applicant:** John Kennedy **Site location:** N5635 Brooklyn G Rd. **General legal description:** Parcels 004-00600-0000, -0200, & 004-00594-0000 part of the NE1/4 and NW1/4 of Section 25, T16N, R13E, Town of Brooklyn, ±43.4 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

Item III: Owner: Green Lake County **Applicant:** Barry Mashuda **Site location:** STH 73, 0.74 miles South of CTH K. **General legal description:** Parcel 014-00539-0200, part of the SW1/4 of Section 15, T15N, R12E, Town of Marquette, ±1.0 acres. **Request:** Conditional Use Permit for a former highway gravel pit to be a clean fill site.

Item IV: Owner: Ellen Wildes **Site location:** W2111 State Hwy 23. **General legal description:** Parcel 004-00701-0000, part of the NE1/4 of Section 30, T16N, R13E, Town of Brooklyn, ±5.4 acres. **Request:** Rezone +3 acres from C2, Extensive Commercial District, to R-4, Rural Residential District, remaining ±2.4 acres to A-1, Farmland Preservation District, with surrounding lands.

10. Future committee activities
 - a. Future agenda items
 - b. Meeting date: September 2, 2021
11. Adjourn

Due to the COVID-19 pandemic, this meeting will be conducted and available through in person attendance (6 ft. social distancing and face masks required) or audio/visual communication.

Remote access can be obtained through the following link:

<https://us06web.zoom.us/j/5022456162?pwd=V2lvUTFFb2o3MWNqUFFDcFRtMIBJQT09>

Or by phone for audio

Dial by your location (1-312-626-6799) US

Meeting ID: 502 245 6162

Passcode: **345536**

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT
PUBLIC HEARING

August 5, 2021

ITEM III: CONDITIONAL USE PERMIT

OWNER:

Green Lake County

APPLICANT:

Barry Mashuda – Highway Commissioner

REQUEST: The owner/applicant is requesting a Conditional Use Permit to utilize a former highway gravel pit to be used as a clean fill dump site.

PARCEL NUMBER / LOCATION: Parcel number 014-00539-0200; located in the SW¼ of Section 15, T15N, R12E, Town of Marquette, Green Lake County. The location of the site is immediately east of N3811 State Highway 73 and is ±1 acre in size.

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning for the parcel referenced above is A-1, Farmland Preservation District. All of the lands surrounding the subject parcel are also zoned A-1, Farmland Preservation District. The predominant use of the land surrounding the site is devoted to agricultural purposes. However, there are two single-family residences immediately south and west.

PER SECTION 350-27A(2)(d) ZONING ORDINANCE: County governmental use of the subject site may be allowed by conditional use permit if all of the following apply:

1. The use and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation district.
2. The use and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.
3. The use is reasonably designed to minimize the conversion of land, at and around the site of the use, from agricultural use or open space use.
4. The use does not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoning for or legally restricted to agricultural use.
5. Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.

Based on the requirements listed above the Land Use Planning & Zoning Department determined that the proposed use is consistent with the purpose of the FP district as the site is currently a heavily wooded abandoned gravel pit and not farmland. The use and location are reasonable and appropriate considering the state of the site and the County's intent on bringing the site back to original grade. The use is confined to unfarmed, below grade areas of the site and thus there will be no conversion from an agricultural use or open space use. The use does not impair or limit current or future agricultural use of the surrounding parcels. And there no lands on site used for agriculture so no lands used for agriculture can be damaged.

ADDITIONAL INFORMATION / ANALYSIS: The Green Lake County Highway Department is proposing to utilize the subject site for a clean fill dump site. Per the CUP application, clean fill would include tree stumps, rocks, and concrete from highway-related projects, the site had

been utilized in the distant past by the County Highway Department as a source of gravel for highway construction project, and is presently unused and is overgrown with brush and trees.

The County Highway Commissioner Barry Mashuda said he met with the WDOT Official who regulates work within State Highway right-of-ways (Kevin Garigan) and the clean fill project / use has been approved under the Highway Department's driveway permit. WDOT required that the gravel pit be filled from east to west. Years down the road, when it becomes necessary for the clean fill to be placed in the State Highway right-of-way, the County Highway Department will apply for a "Work on Highway Right-of-Way" permit from WDOT.

It is the charge of the Planning & Zoning Committee to determine if this request meets the intended purpose of the Green Lake County Zoning Ordinance and, if so necessary, to apply any conditions that will ensure that this use will meet the general criteria (a-f) below.

GENERAL CRITERIA FOR REVIEW OF CONDITIONAL USE REQUESTS:

- a) Will not have a negative effect upon the health, safety, and general welfare of occupants of surrounding lands; and
- b) Will be designed, constructed, operated, and maintained so as to be harmonious, and be appropriate in appearance with the existing or intended 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, schools, and that the persons or agencies responsible for the establishments of the proposed use shall be able to provide adequately any such service; and
- f) Will have vehicular approaches to the property that shall be so designed as not to create an interference with traffic on surrounding public or private streets or roads.

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

- 1) No additional expansion of the previously mined (for gravel) or excavated areas is allowed, without review and approval through future conditional use permit(s).
- 2) A gravel driveway / tracking pad shall be installed in order to minimize soil material from being deposited onto the highway surface.
- 3) Highway Department to install Land Conservation Department recommended construction site erosion control practices, if necessary.

TOWN OF MARQUETTE: An Action Form requesting the Town of Marquette's input related to this conditional use permit request was emailed to the Town Clerk on June 10th, 2021. The town board has no problems with what was proposed as long as operational plan is carried through. The Town of Marquette does not object and approves of request.

Fee Received (Non-Refundable) No Fee Req'd MEX

Date 4-22-21

By signing and submitting this completed application with public hearing fee, the applicant or agent requests the Land Use Planning & Zoning Committee consider the conditional use permit request at the next available public hearing.

PROPERTY OWNER / APPLICANT

Name Green Lake County

Mailing Address 571 County Road A, Green Lake, WI 54941

Phone Number 920-294-4010 Email lotto@co.green-lake.wi.us

Signature _____ Date _____

AGENT IF OTHER THAN OWNER

Name Barry Mashuda

Mailing Address 570 South St. Green Lake WI 54941

Phone Number 920-294-4060 Email bmashuda@co.green-lake.wi.us

Signature Barry Mashuda Date 4/22/2021

PROPERTY INFORMATION

Town of Marquette Location of Property STH 73 .74 miles south of CTH K

Section 15 Town 15 N Range 12 E

Affected Parcel Number(s) 014005390200 Affected Acres 1.00

Subdivision _____ Lot _____ Block _____

CSM _____ Lot _____ or COS _____

Legal Description COMM AT SW COR OF NW1/4 OF SW1/4 RUNNING N 12.7R, E 12.7R S 12.7R, W 12.7R TO POB. HGHWAY GRAVEL PIT.

Current Zoning Classification _____

Present Use of Property: (List all current uses and improvements, i.e. home, store, farm field, wooded, etc.)

Former Highway gravel pit currently overgrown with brush and trees.

PROPOSAL - Use separate or additional sheet(s) IF necessary

Describe **specifically** the nature of this request (List all proposed uses of the parcel.) What do you plan to do? The Green Lake County Highway Department is proposing to use this parcel for the disposal of stumps, rock, and concrete from highway reconstruction projects. As sections of this former pit are filled, the areas will be covered with soil and seeded with grass seed.

If this application is for a use that will be contained to a part of the parcel, specify the exact dimensions of the affected area. _____

If this box is checked, provide the following information:

Proposed use has additional minimum development standards in Section _____.
Explain how your proposal meets or exceeds these requirements.

OPERATIONAL PLAN NARRATIVE

This parcel is a former gravel pit used years ago by the Highway Department and is owned by the County.

There are no structures, wells, or septic systems on this piece of land. It has not been used in years and is overgrown with brush and trees. The proposed use of this parcel would be a clean fill site for the Highway

Department to deposit clean materials from road construction projects through out the construction season.

The location of this site would be a great advantage for the County as it would save trucking and fee expenses that occur when dumping in other places. The filling activity would start on the west side of the parcel, filling

to the east by dumping materials over the edge then capping with soil and seeding section by section.

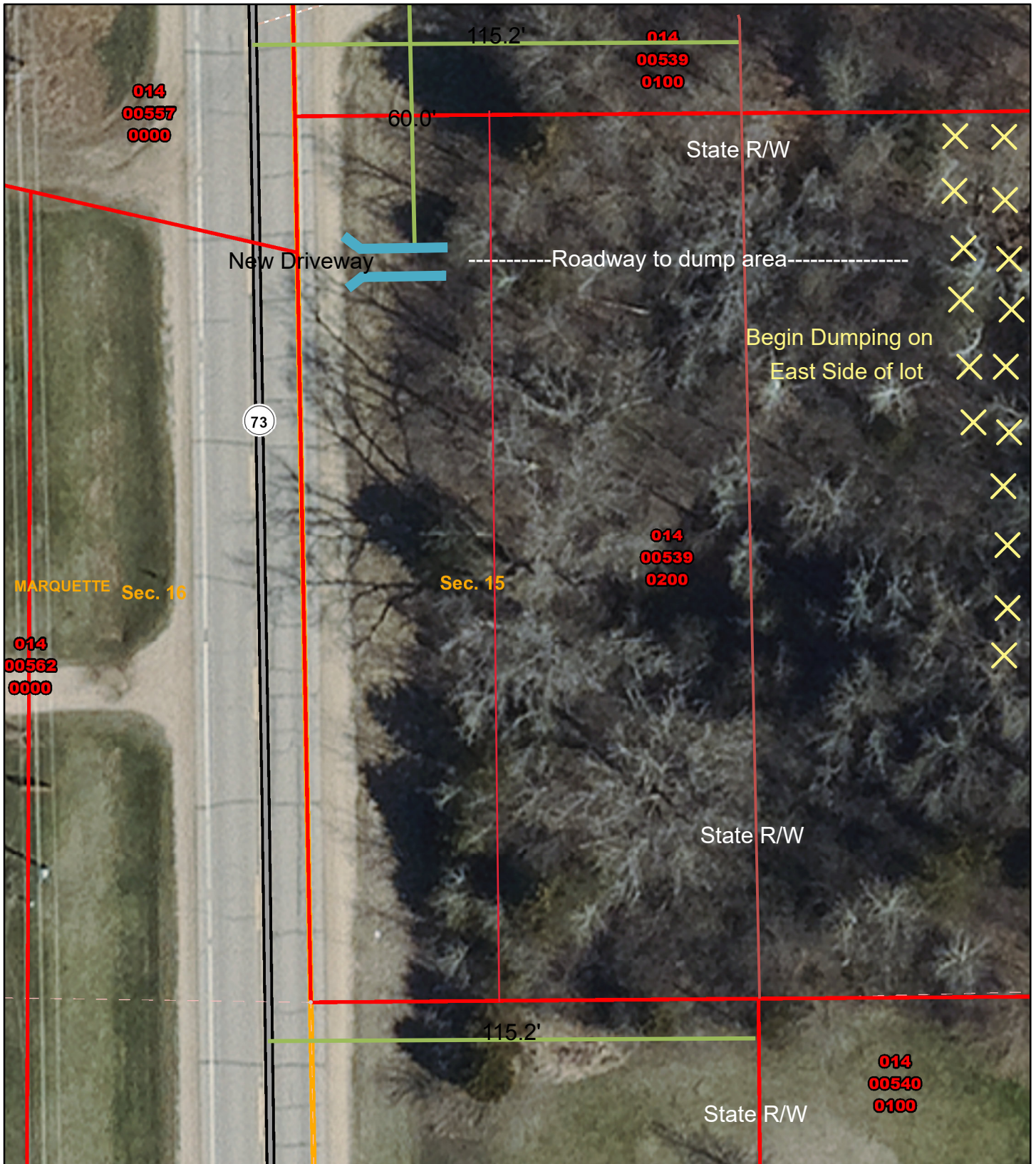
There is no indication the site has ever been used agriculturally, so there will be no reduction in farmlands.

There will be no natural resource conflicts associated with the fill site as it is clean (inert) material. The fill activity while in use will not conflict with the rural character as the parcel is presently an abandoned gravel pit. Once filled,

dressed and seeded, it will preserve the rural character.

This site will be closely monitored for any illegal dumping. If problems arise we can install gates to keep people out.

Once filled, the area will be safer as the steep drop offs of the gravel pit are filled in.



Green Lake County

1 inch = 32 feet

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

GIS Viewer Map
 Green Lake County, WI

Time: 6:40:52 AM
 Date: 7/26/2021

Note:



DOT R/W PLAT OF SURVEY NO: S 0293(3) - 4.10

STH 73, MANCHESTER - PRINCETON ROAD

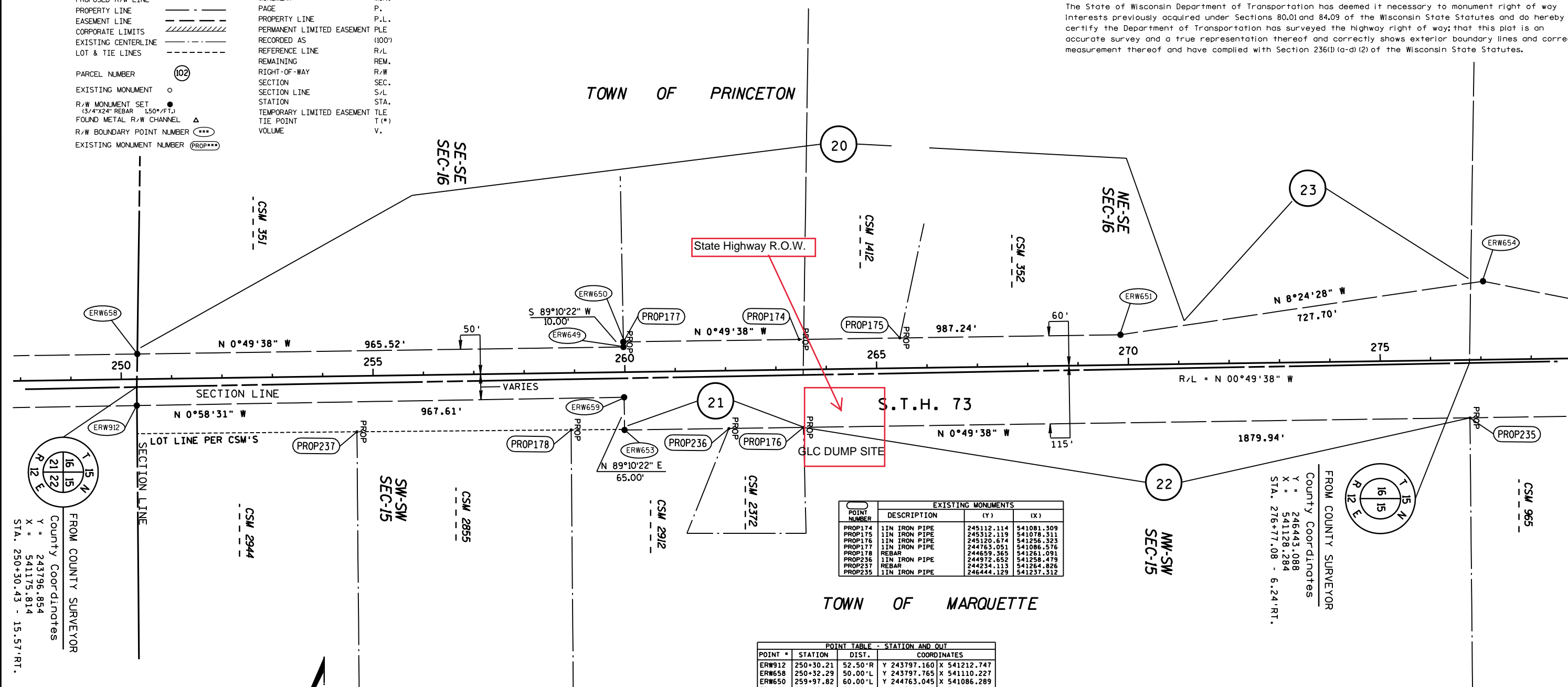
THAT PART OF THE SE-SE AND NE-SE OF SECTION 16, AND THAT PART OF THE SW-SW AND NW-SW OF SECTION 15, ALL IN TOWNSHIP 15 NORTH, RANGE 12 EAST, TOWN OF MARQUETTE, GREEN LAKE COUNTY, WISCONSIN.

The State of Wisconsin Department of Transportation has deemed it necessary to monument right of way interests previously acquired under Sections 80.01 and 84.09 of the Wisconsin State Statutes and do hereby certify the Department of Transportation has surveyed the highway right of way; that this plat is an accurate survey and a true representation thereof and correctly shows exterior boundary lines and correct measurement thereof and have complied with Section 236(1)(a-d) (2) of the Wisconsin State Statutes.

ROAD NAME	BASIS OF EXISTING R/W	YEAR
STH 73	DOT PROJ. S 0293 (3)	1950

CONVENTIONAL SYMBOLS AND ABBREVIATIONS

- | | | | |
|---|---------|----------------------------|--------|
| STATE COUNTY OF TOWN LINE | --- | ACRES | AC. |
| SECTION LINE | --- | CENTERLINE | C/L |
| QUARTER LINE | --- | CERTIFIED SURVEY MAP | CSM |
| SIXTEENTH LINE | --- | DOCUMENT | DOC. |
| PROPOSED R/W LINE | --- | MONUMENT | MON. |
| PROPERTY LINE | --- | PAGE | P. |
| EASEMENT LINE | --- | PROPERTY LINE | P.L. |
| CORPORATE LIMITS | --- | PERMANENT LIMITED EASEMENT | PLE |
| EXISTING CENTERLINE | --- | RECORDED AS | (100') |
| LOT & TIE LINES | --- | REFERENCE LINE | R/L |
| | | REMAINING | REM. |
| PARCEL NUMBER | 102 | RIGHT-OF-WAY | R/W |
| EXISTING MONUMENT | o | SECTION | SEC. |
| R/W MONUMENT SET (3/4"x24" REBAR 150'± FT.) | ● | SECTION LINE | S/L |
| FOUND METAL R/W CHANNEL | ▲ | STATION | STA. |
| R/W BOUNDARY POINT NUMBER | *** | TEMPORARY LIMITED EASEMENT | TLE |
| EXISTING MONUMENT NUMBER | PROP*** | TIE POINT | T (*) |
| | | VOLUME | V. |

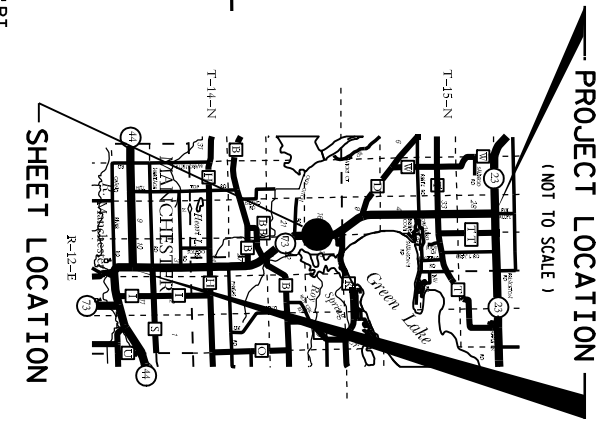


POINT NUMBER	DESCRIPTION	(Y)	(X)
PROP174	1IN IRON PIPE	245112.114	541081.309
PROP175	1IN IRON PIPE	245312.119	541078.311
PROP176	1IN IRON PIPE	245120.674	541256.323
PROP177	1IN IRON PIPE	244763.051	541086.576
PROP178	REBAR	244659.365	541261.091
PROP236	1IN IRON PIPE	244972.652	541258.479
PROP237	REBAR	244234.113	541264.826
PROP235	1IN IRON PIPE	246444.129	541237.312

POINT #	STATION	DIST.	COORDINATES	
ERW912	250+30.21	52.50'R	Y 243797.160	X 541212.747
ERW658	250+32.29	50.00'L	Y 243797.765	X 541110.227
ERW650	259+97.82	60.00'L	Y 244763.045	X 541086.289
ERW649	259+97.82	50.00'L	Y 244763.190	X 541096.288
ERW653	259+97.82	115.00'R	Y 244765.571	X 541261.271
ERW659	259+97.82	50.00'R	Y 244764.633	X 541196.278
ERW651	269+85.05	60.00'L	Y 245750.178	X 541072.037
ERW654	277+06.40	156.00'L	Y 246470.061	X 540965.634

FROM COUNTY SURVEYOR
County Coordinates
Y = 246443.088
X = 541128.284
STA. 276+77.08 - 6.24 RT.

FROM COUNTY SURVEYOR
County Coordinates
Y = 243796.854
X = 541175.814
STA. 250+30.43 - 15.57 RT.

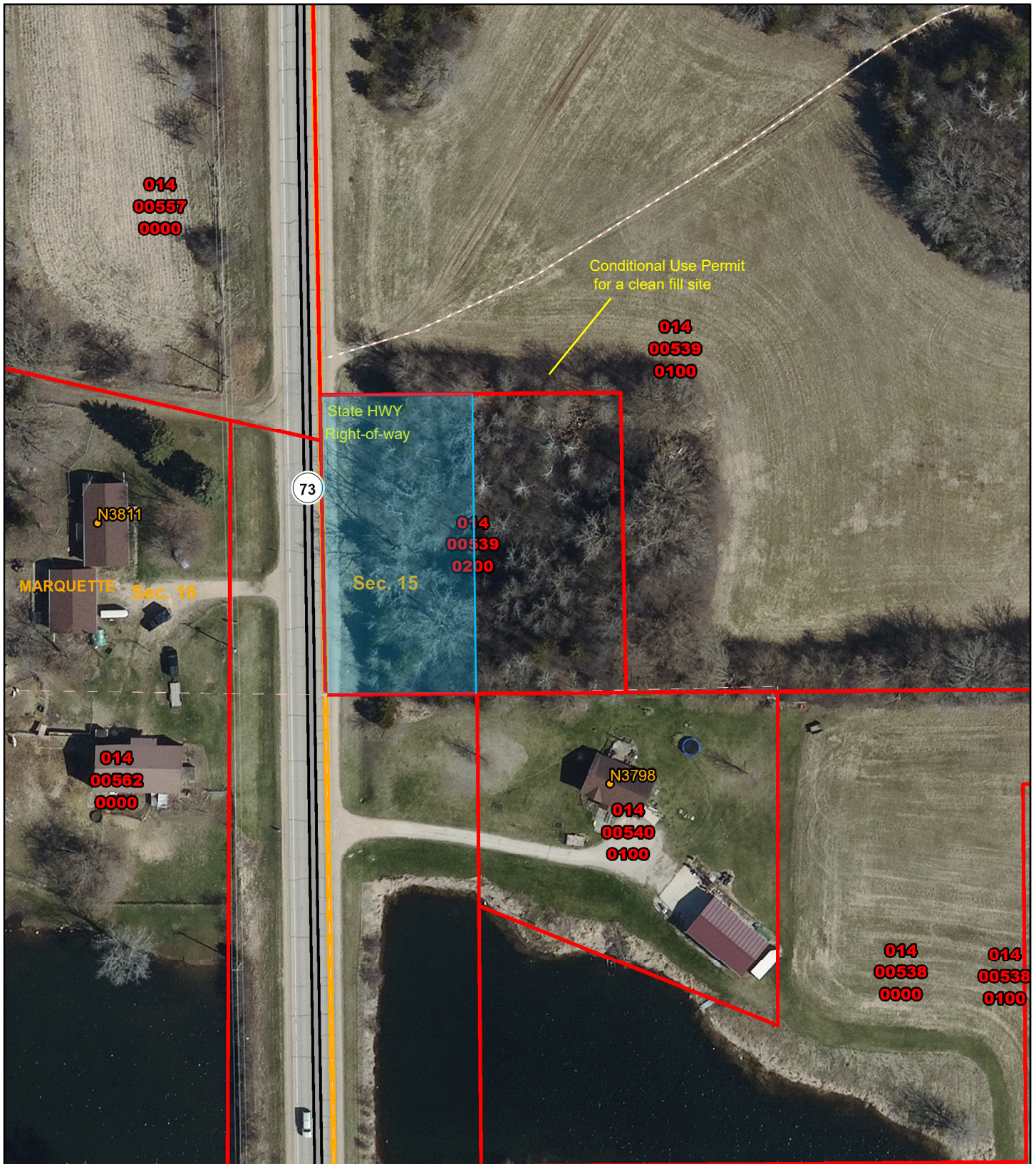


NOTES:
COORDINATES AND BEARINGS ON THE PLAT ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, GREEN LAKE COUNTY ZONE, NAD 1983 (1999) ADJUSTMENT, ALL DISTANCES ARE GROUND LENGTH.
RIGHT-OF-WAY MONUMENTS SET ARE 3/4" X 24" REBARS UNLESS NOTED.
RIGHT-OF-WAY BOUNDARIES ARE DEFINED WITH COURSES OF THE PERIMETER OF THE HIGHWAY LANDS REFERENCED TO THE U.S. PUBLIC LAND SURVEY OR OTHER SURVEYS OF RECORD.
PROPERTY LINES SHOWN ON THIS PLAT ARE DRAWN FROM MAPS AND DOCUMENTS OF PUBLIC RECORD AND/OR EXISTING OCCUPATIONAL LINES, EXCLUDING RIGHT-OF-WAY BOUNDARIES, THIS PLAT MAY NOT BE A TRUE REPRESENTATION OF EXISTING PROPERTY LINES AND SHOULD NOT BE USED AS A SUBSTITUTE FOR AN ACCURATE FIELD SURVEY.

PARCEL NUMBER	OWNER	VOL - PAGE	DATE RECORDED
20	Alvin O. Severson	124-45	6-6-50
21	John W. Guderski Jr.	124-47	6-6-50
22	William H. Steffner	124-141	6-6-50
23	Frank Gehlar	124-49	6-6-50



PROJECT NUMBER S 0293(3) - 4.10
SHEET 10 OF 13



Green Lake
County

1 inch = 95 feet

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

Green Lake County CUP

Green Lake County, WI

Time: 10:40:16 AM
Date: 6/10/2021

Note:



TOWN BOARD ACTION

Conditional Use Permit

Dear Land Use Planning and Zoning Committee:

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

(Date) Sunday July 25, 2021.

Owner/Applicant: Green Lake County/Barry Mashuda

Site Location: STH 73, 0.74 miles South of CTH K.

General legal description Parcel 014-00539-0200, located in the SW1/4 of Section 15, Town 15 North, Range 12 East, Town of Marquette, ±1.0 acres **Request:** Conditional Use Permit for a former highway gravel pit to be a clean fill site.

Planned public hearing date for the above requests: August 5th, 2021

Town Does Not object to and Approves of request

No action taken

Objects to and requests denial of request

NOTE: If denial – please enclose Town Resolution of denial

- Reason(s) for objection:

James A. Tiltmayer
Town Representative

7-25-21
Date Signed

NOTES: Town board has no problems with what was proposed as long as operational plan is carried through. The Town of Marquette does not object and approves of request.

Please return this form to the Land Use Planning & Zoning Office by: July 16th, 2021

**Land Use Planning & Zoning Committee
Meeting Notice**

**Date: August 5, 2021 Time: 4:30 PM
Location: Government Center, County Board Room, 571 County Road A, Green Lake WI**

AGENDA 08/05/2021

**Committee
Members**

*Curt Talma,
Chairman*

*Bill
Boutwell*

Chuck Buss

Don Lenz

*Harley
Reabe*

*Keith Hess,
Alternate*

*Karen
Werlein,
Secretary*

1. Call to Order
2. Pledge of Allegiance
3. Certification of Open Meeting Law
4. Approval of Minutes: 7/1/2021
5. Public Comments: 3 minute limit
6. Department Activity Reports
 - a. Financial reports
 - b. Land use & septic permits
 - c. Violation reports
7. Proposed Zoning Ordinance Amendments
8. 2022 Budget Proposal
9. Public Hearing: (Not to begin before 5:00 PM)
Each Item below will consist of:
 - a. Public Testimony/Comment: 10-minute time limit
 - b. Committee Discussion & Deliberation
 - c. Committee Decision
 - d. Execute Ordinance/Determination Form

Item I: Owner: Richard & Harriet Brotske **Site location:** N7765 37th Ave. **General legal description:** Parcel 002-00479-0100 part of the SW1/4 of Section 25, T14N, R13, Town of Berlin, ±74.7 acres. **Request:** Rezone +3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

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Item III: Owner: Green Lake County **Applicant:** Barry Mashuda **Site location:** STH 73, 0.74 miles South of CTH K. **General legal description:** Parcel 014-00539-0200, part of the SW1/4 of Section 15, T15N, R12E, Town of Marquette, ±1.0 acres. **Request:** Conditional Use Permit for a former highway gravel pit to be a clean fill site.

Item IV: Owner: Ellen Wildes **Site location:** W2111 State Hwy 23. **General legal description:** Parcel 004-00701-0000, part of the NE1/4 of Section 30, T16N, R13E, Town of Brooklyn, ±5.4 acres. **Request:** Rezone +3 acres from C2, Extensive Commercial District, to R-4, Rural Residential District, remaining ±2.4 acres to A-1, Farmland Preservation District, with surrounding lands.

10. Future committee activities
 - a. Future agenda items
 - b. Meeting date: September 2, 2021
11. Adjourn

Due to the COVID-19 pandemic, this meeting will be conducted and available through in person attendance (6 ft. social distancing and face masks required) or audio/visual communication.

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Or by phone for audio

Dial by your location (1-312-626-6799) US

Meeting ID: 502 245 6162

Passcode: **345536**

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

August 5, 2021

ITEM IV: ZONING CHANGE

OWNER:

Ellen Wildes

APPLICANT:

Ellen Wildes

REQUEST: The applicant is requesting a zoning change for ±5.5 acres from C-2, Extensive Commercial District to ±2.4 acres of A-1, Farmland Preservation District and ±3.0 acres of R-4, Rural Residential District.

PARCEL NUMBER / LOCATION: The affected parcel number is 004-00701-0000 which is located in the Northeast quarter of Section 30, T16N, R13E, Town of Brooklyn. The site proposed for the zoning change is located at W211 State Highway 23.

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning of the parcel referenced above is C-2, Extensive Commercial District. The parcels to the east, south, and west of this parcel are zoned A-1, Farmland Preservation District. To the north is State Highway 23. The parcel referenced above does not fall within shoreland, floodplain, or wetland jurisdiction.

ADDITIONAL INFORMATION / ANALYSIS: The residential use of the parcel currently makes up approximately ±0.9 acres, the remaining ±4.6 acres are wooded. If the proposed rezone is approved, the subject parcel would be split-zoned. A future certified survey map would create a code-compliant, +3.0 acre, R-4 zoned parcel that will include the home and detached garage. The remaining A-1 zoned portion of the subject parcel (±2.4 acres) would be brought into compliance by a combination deed with other Wildes lands.

STAFF COMMENTS:

- a) **The request is consistent with the County Comprehensive Plan's goal to preserve the rural character of the county by protecting farmlands and encouraging cluster development of similar land uses. This is achieved by taking lands that could be suited for agriculture and placing them into zoning districts that allows for agricultural uses.**

- b) **The nature and character of the parcel should align with the how a parcel is zoned. "Nature" is the natural qualities of the parcel. "Character" are the enhanced qualities of the parcel. The subject site consists of Oakville fine sandy soils that slope gently (5%) from west to east. Aerial photography going back to the 1930s shows the parcel to be mostly unchanged apart from the residential buildings and State Highway 23. Based on nature and character of the parcel there is no good reason this parcel should be zoned Extensive Commercial.**

- c) **The use of immediate surrounding lands south of State highway 23 are agriculture and woodland. However, the subject site does have single-family residential uses within ¼ mile to the west, east and south.**
- d) **Beyond the surrounding A-1 zoned parcels south of State Highway 23, R-1, Single-Family Residence District parcels become more prominent. North of State Highway 23 are also primarily agricultural lands within a half mile of the parcel referenced above. This area could be considered as “transitional” including both residential and agricultural uses.**
- e) **The proposed rezoning should not substantially impair public health, morals, and safety.**
- f) **The proposed rezoning should promote public welfare, convenience and general prosperity as the use of the proposed parcels will be more in-line with the proposed zoning request.**

TOWN OF BROOKLYN: An Action Form requesting the Town’s input related to this zoning change request was emailed to the Town Clerk on June 10th, 2021. At their July 16th meeting, the Town Board did not object to and did recommended approval of this request.

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 375.00 (not refundable) Date 5-12-21
Zone Change from C-2 to R-4/A-1
Conditional Use Permit for _____
Other ✓

PROPERTY OWNER / APPLICANT (1)

Name Ellen I. Wildes
Mailing Address P.O. Box 246, 273 Christy St, Amherst, WI 54406
Phone Number 715 824 3748 cell (715) 570 4655
Signature Ellen I. Wildes Date 5/12/2021

PROPERTY OWNER / APPLICANT (2)

Name _____
Mailing Address _____
Phone Number _____
Signature _____ Date _____

PROPERTY INFORMATION

Town of Brooklyn Parcel Number(s) 004-00701-0000
Acres 5.48 Lot — Block — Subdivision —
Section 30 Town 16 North Range 13 East
Location of Property Wall State Hwy 23
Legal Description The N 544' of the E 439' of the NE 1/4 of the NE 1/4 of Section 30.

Current Zoning Classification C-2 Current Use of Property Residence w/ Woods

Detailed Description of Proposed Use Rezone's purpose is to create 1 ±3 acre lot zoned R-4 that will include the dwelling and a det. garage. The remaining ±2.4 acres will be rezoned to A-1 and combined with surrounding lands.

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

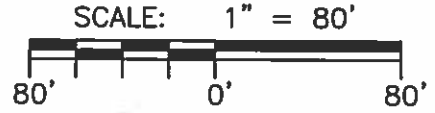
CONCEPT PLAN FOR ELLEN I WILDES LOCATED IN PART OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 30, TOWN 16 NORTH, RANGE 13 EAST, TOWN OF BROOKLYN, GREEN LAKE COUNTY, WISCONSIN.

OWNER(S)
 ELLEN I WILDES
 P.O. BOX 246
 AMHERST, WI 54406

PROPERTY ADDRESS
 W2111 STATE ROAD "23"
 GREEN LAKE, WI 54941

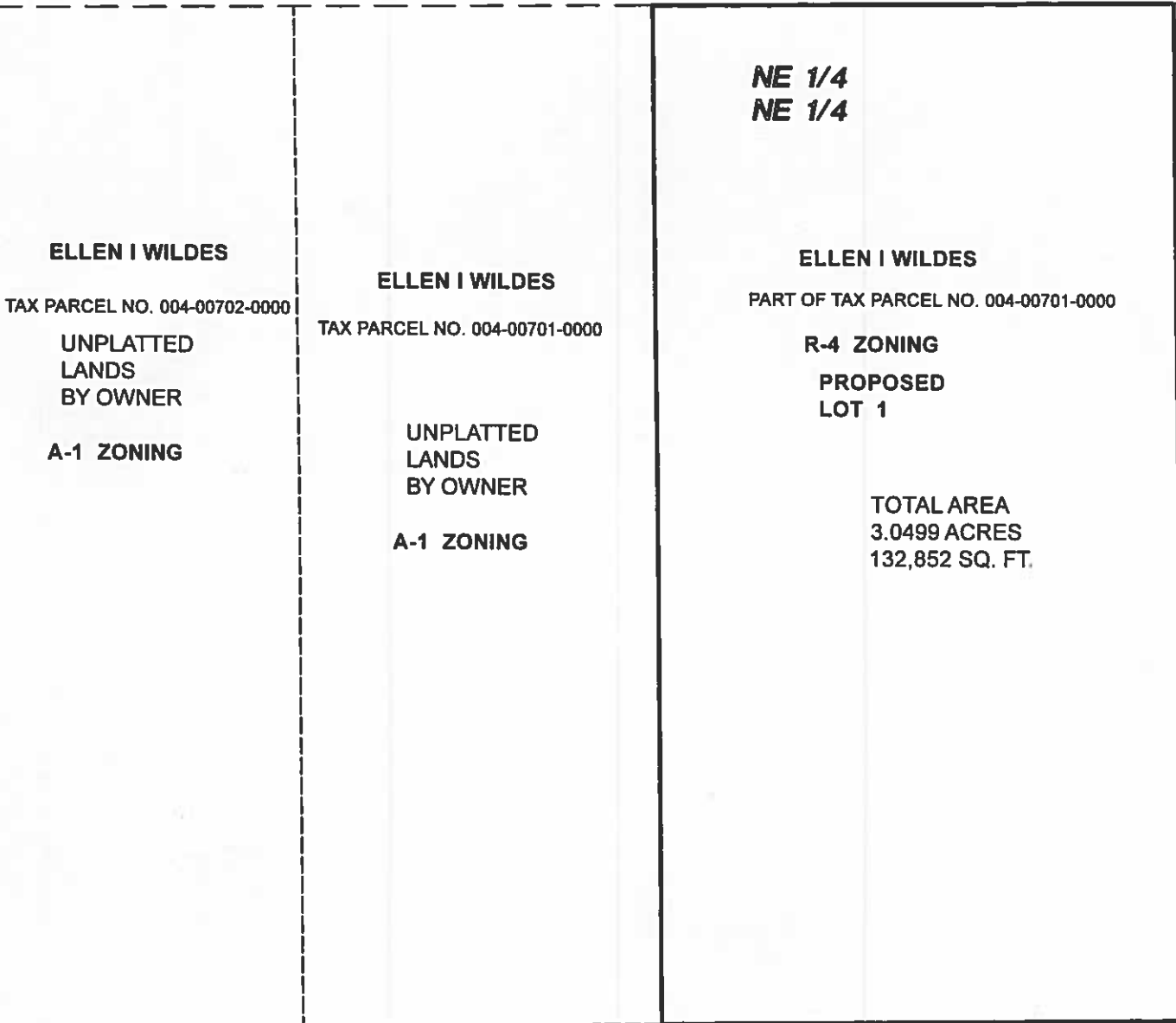


GREEN LAKE SURVEYING COMPANY
 P.O. BOX 131
 Green Lake, Wisconsin 54941
 Phone: (920) 294-6666
 survey@greenlakesurveyingcompany.com
 www.greenlakesurveyingcompany.com



Donald W. Lenz
 DONALD W. LENZ - WI P.L.S. No. S-2003
 Dated this 30th Day of April 2021

STATE TRUNK HIGHWAY '23'
 VARIABLE WIDTH HIGHWAY



ELLEN I WILDES

TAX PARCEL NO. 004-00702-0000

UNPLATTED
 LANDS
 BY OWNER

A-1 ZONING

ELLEN I WILDES

TAX PARCEL NO. 004-00701-0000

UNPLATTED
 LANDS
 BY OWNER

A-1 ZONING

**NE 1/4
 NE 1/4**

ELLEN I WILDES

PART OF TAX PARCEL NO. 004-00701-0000

**R-4 ZONING
 PROPOSED
 LOT 1**

TOTAL AREA
 3.0499 ACRES
 132,852 SQ. FT.

ELLEN I WILDES

TAX PARCEL NO. 004-00702-0000

UNPLATTED
 LANDS
 BY OWNER

A-1 ZONING

CONCEPT PLAN

CONCEPT PLAN FOR ELLEN I WILDES LOCATED IN PART OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 30, TOWN 16 NORTH, RANGE 13 EAST, TOWN OF BROOKLYN, GREEN LAKE COUNTY, WISCONSIN.

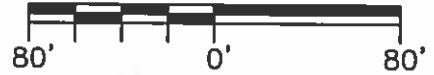
OWNER(S)
 ELLEN I WILDES
 P.O. BOX 246
 AMHERST, WI 54406

PROPERTY ADDRESS
 W2111 STATE ROAD "23"
 GREEN LAKE, WI 54941



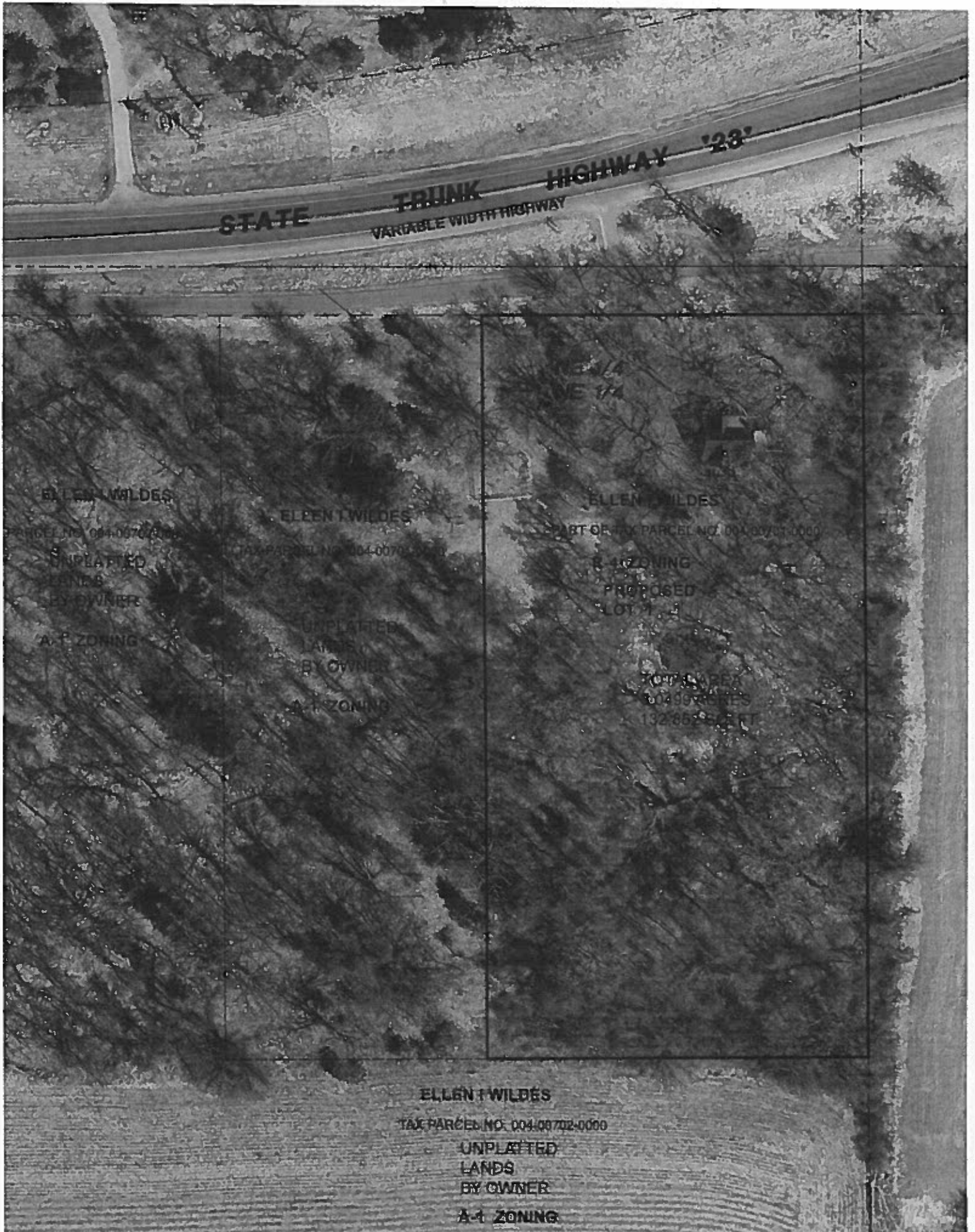
GREEN LAKE SURVEYING COMPANY
 P.O. BOX 131
 Green Lake, Wisconsin 54941
 Phone: (920) 294-6666
 survey@greenlakesurveyingcompany.com
 www.greenlakesurveyingcompany.com

SCALE: 1" = 80'



Donald W. Lenz

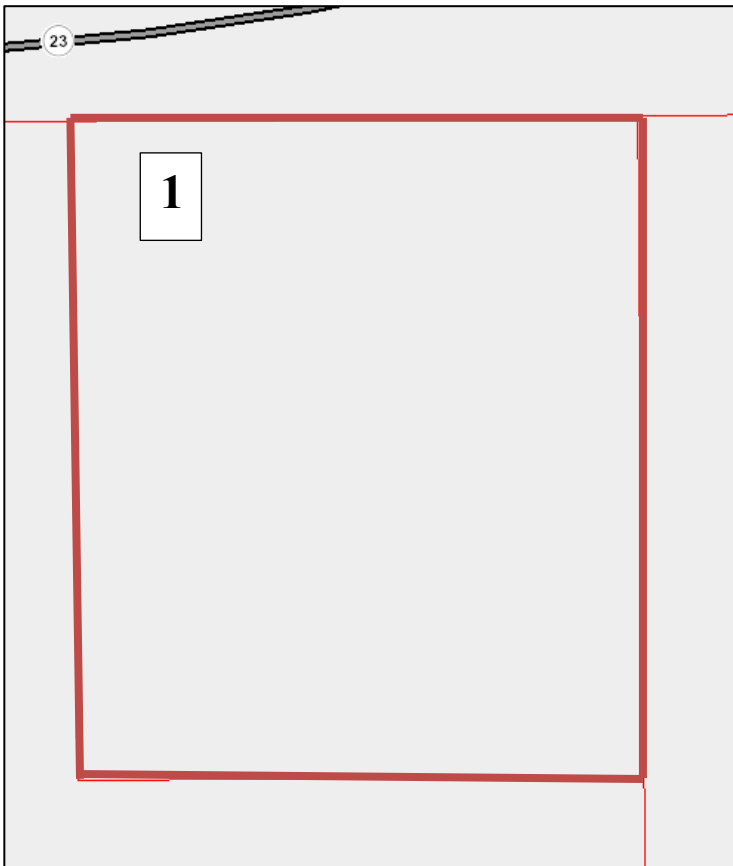
DONALD W. LENZ - WI P.L.S. No. S-2003
 Dated this 30th Day of April 2021



**Ellen Wildes – Town of Brooklyn
W2111 State Hwy 23, Parcel #004-00701-0000,
Part of the NE1/4 of Section 30, T16N, R13E**

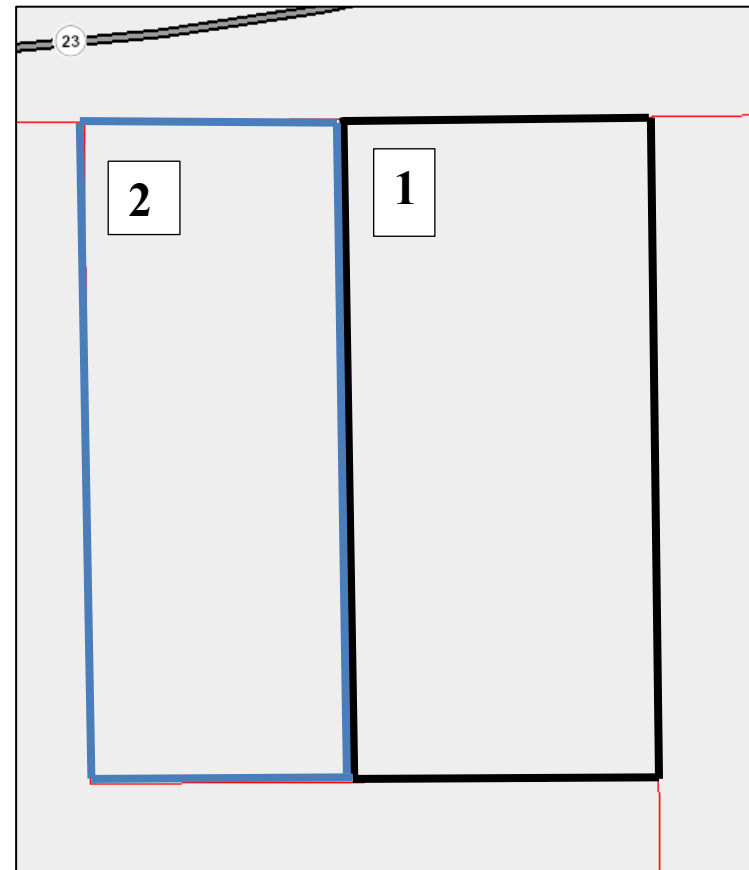
Existing Configuration

1 = ±5.48 acre parcel zoned C-2, Extensive Commercial District



Proposed Configuration

1 = Newly created ±3 acre parcel zoned R-4, Rural Residential District
2 = Newly created ±2.48 acres rezoned to A-1 Farmland Preservation District



TOWN BOARD ACTION

Conditional Use Permit

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 –
(Date) 7-16-2021

Owner/Applicant: Ellen Wildes

Site Location: W2111 State Hwy 23

General legal description: Parcel 004-00701-0000, located in a NE1/4 of Section 30, Town 16 North, Range 13 East, Town of Brooklyn, ±5.4 acres. **Request:** Rezone +3 acres from C2, Extensive Commercial District, to R-4, Rural Residential District and 2.4 acres to A-1, Farmland Preservation District.

Planned public hearing date for the above requests: August 5th, 2021

Town Does Not object to and Approves of request

No action taken

Objects to and requests denial of request

NOTE: If denial – please enclose Town Resolution of denial

- Reason(s) for objection:

Mike Wood
Town Representative

7-16-2021
Date Signed

NOTES: _____

Please return this form to the Land Use Planning & Zoning Office by: July 16th, 2021