



# GREEN LAKE COUNTY

571 County Road A, Green Lake, WI 54941

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The following documents are included in the packet for the Land Use Planning & Zoning Committee meeting on Thursday, September 2, 2021.

Packet Pages:

- 2-3 Agenda
- 4-6 Draft Meeting Minutes from August 5, 2021
- 7-9 Financial Reports for July 2021
- 10-12 Permit Reports
- 13-14 Violation Reports
- 15-16 Public Hearing Notice
- 17-63 Public Hearing Items

**Item I: Owners:** Candice Schram & Lisa Schram **Site location:** N8066 Forest Ridge Rd **General legal description:** Parcel 002-00485-0300, part of the NW1/4 of S26, T17N, R13E, Town of Berlin, 11.06 acres **Request:** Rezone 11.06 acres from A-2, General Agricultural District, to A-1, Farmland Preservation District.

**Item II: Owner:** Ken & Beth Zik **Site location:** W3683 Cty Rd K **General legal description:** Parcel 014-00531-0100 part of the NW1/4 of S15, T15N, R12E, Town of Marquette, 1.04 acres **Request:** Rezone 1.04 acres from R-1, Single-Family Residence District, to C-1, General Commercial District.

**Item III: Owner:** Daniel Davison **Site location:** N3354 State Rd 73 **General legal description:** Parcel 014-00685-0000, part of the SW1/4 of S22, T15N, R12E, Town of Marquette, ±51.14 acres **Request:** Rezone ±16.36 acres from A-1, Farmland Preservation District, to A-2, General Agriculture District. To be identified by certified survey map.

**Item IV: Owner:** Michael Glover **Site location:** W3101 Cty Rd K **General legal description:** Parcels 006-00795-0300, -0400, -0500, part of the SW1/4 of S11, T15N, R12E, Town of Green Lake, ±13.8 acres **Request:** Rezone ±13.8 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

**Item V: Owner:** Lake Farms LLC **Applicant:** Brian Schulz **Site location:** Cty Rd AW **General legal description:** Parcel 012-00704-0100 & 012-00705-0100, part of the SE1/4 of S36, T14N, R12E, Town of Manchester, ±80 acres **Request:** Rezone ±5.8 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District. To be identified by certified survey map.

**Item VI: Applicant:** Green Lake County Land Use Planning & Zoning Committee **Explanation:** The Committee is requesting amendments to the Code of Green Lake County, Chapter 350, Zoning Ordinance, more specifically to address dog breeders and dog breeding facilities, dwelling design and construction standards, detached and attached garage standards, rezone amendments, and general clarification edits.

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



# GREEN LAKE COUNTY LAND USE PLANNING & ZONING

Matt Kirkman  
Director

Office: 920-294-4156  
FAX: 920-294-4198

## Land Use Planning & Zoning Committee Meeting Notice

Date: September 2, 2021 Time: 4:30 PM  
Location: Government Center, County Board Room, 571 County Road A, Green Lake WI

### AGENDA 09/02/2021

#### 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:8/5/2021
5. Public Comments: 3 minute limit
6. Department Activity Reports
  - a. Financial reports
  - b. Land use & septic permits
  - c. Violation reports
7. 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: Owners:** Candice Schram & Lisa Schram **Site location:** N8066 Forest Ridge Rd  
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**Item II: Owner:** Ken & Beth Zik **Site location:** W3683 Cty Rd K **General legal description:** Parcel 014-00531-0100 part of the NW1/4 of S15, T15N, R12E, Town of Marquette, 1.04 acres **Request:** Rezone 1.04 acres from R-1, Single-Family Residence District, to C-1, General Commercial District.

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**Item IV: Owner:** Michael Glover **Site location:** W3101 Cty Rd K **General legal description:** Parcels 006-00795-0300, -0400, -0500, part of the SW1/4 of S11, T15N, R12E, Town of Green Lake, ±13.8 acres **Request:** Rezone ±13.8 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

**Item V: Owner:** Lake Farms LLC **Applicant:** Brian Schulz **Site location:** Cty Rd AW  
**General legal description:** Parcel 012-00704-0100 & 012-00705-0100, part of the SE1/4 of S36, T14N, R12E, Town of Manchester, ±80 acres **Request:** Rezone ±5.8 acres from A-1, Farmland Preservation District to R-4, Rural Residential District. To be identified by certified survey map.

**Item VI: Applicant:** Green Lake County Land Use Planning & Zoning Committee  
**Explanation:** The Committee is requesting amendments to the Code of Green Lake County, Chapter 350, Zoning Ordinance, more specifically to address dog breeders and dog breeding facilities, dwelling design and construction standards, detached and attached garage standards, rezone amendments, and general clarification edits.

8. Future committee activities
  - a. Future agenda items
  - b. Meeting date: October 7, 2021
9. Adjourn

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



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

*Matt Kirkman*  
*Director*

*Office: 920-294-4156*  
*FAX: 920-294-4198*

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/89023831439?pwd=STluQzNGVDhwZ0tSeWpEZ1EwODI1QT09>

Or by phone for audio, dial by your location (1-312-626-6799) US

Meeting ID: 890 2383 1439

Passcode: 345536

Kindly arrange to be present, if unable to do so, please notify our office. Sincerely, Matt Kirkman, Director

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

**GREEN LAKE COUNTY  
LAND USE PLANNING AND ZONING  
COMMITTEE MEETING MINUTES  
Thursday, August 5th, 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, Bill Boutwell

**Absent:**

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

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**APPROVAL OF MINUTES**

**Motion/second (Lenz/Buss)** to approve the minutes of the July 1st, 2021 meeting with the correction of the spelling of Alan Vinz. Motion carried with no negative vote.

**DEPARTMENT ACTIVITY REPORTS**

a. **Financial reports**

P&Z Director Matt Kirkman gave an update on the June expenses and revenues.

b. **Permits**

Matt Kirkman stated there were 36 land use permits and 9 sanitary permits in June.

c. **Violations**

Matt Kirkman outlined the June land use violations as well as the POWTS violations.

**PROPOSED ZONING ORDINANCE AMANEDMENTS**

Matt Kirkman outlined the proposed changes to the ordinance.

**RECESS 5:00:** **Motion/second (Buss/Reabe)** to recess at 5:00 PM to conduct the public hearing. Motion carried with no negative vote.

**PUBLIC HEARING – 5:01PM**

Chair Talma read the rules for the Public Hearing

**Item I: Owners:** Richard & Harriet Brotske **Site location:** N7765 37<sup>th</sup> 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.

- a. **Public Testimony/Comment:** Chair Talma called for public input. No comments or testimony. Chair Talma closed the Public Hearing.

- b. Committee Discussion & Deliberation: Kirkman presented the Staff Report regarding the rezone request. All criteria for rezone has been met and the Town of Berlin approves of the request.
- a. Committee Decision: **Motion/second (Lenz/Buss)** to approve the rezone request as presented and forward to County Board for final approval.  
Motion carried with no negative vote.

**Item II: Owners:** 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. To be identified by certified survey map.

- a. Public Testimony/Comment: Chair Talma called for public input. No comments or testimony. Chair Talma closed the Public Hearing.
- b. Committee Discussion & Deliberation: Matt Kirkman presented the Staff Report. All criteria for rezone has been met and the Town of Brooklyn approves of the request. Lenz had a question with how the landowners will have access to the properties. Kirkman responded that a CSM with easements will need to be provided.
- b. Committee Decision: **Motion/second (Buss/Lenz)** to approve the rezone request as presented and to be identified by certified survey map. To be forwarded to County Board for final approval.  
Motion carried with no negative vote.

Don Lenz excused himself from the meeting at 5:15 PM due to a conflict of interest with the Green Lake County CUP request and the Ellen Wildes Rezone request.

**Item III: Owners:** 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.

- a. Public Testimony/Comment: Chair Talma called for public input.  
Barry Mashuda, N7098 County Road Y. Spoke in favor of the CUP request.  
Dick Severson, N3496 State Road 73. Spoke against the CUP request.
- b. Committee Discussion & Deliberation: Matt Kirkman presented the Staff Report. The Town of Marquette has no problems with what was proposed as long as operational plan is carried through. The town does not object and approves of request.
- c. Committee Decision: **Motion/second (Reaby/Buss)** to approve the conditional use permit as presented with the following conditions:
  - 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.

- 4) Highway Department to install either a permanent or temporary truck entry sign per DOT.

Motion carried with no negative vote.

**Item IV: Owners:** 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.

- c. Public Testimony/Comment: Chair Talma called for public input. No comments or testimony. Chair Talma closed the Public Hearing.
- d. Committee Discussion & Deliberation: Matt Kirkman presented the Staff Report. All criteria for rezone has been met and the Town of Brooklyn approves of the request.
- e. Committee Decision: ***Motion/second (Buss/Reabe)*** to approve the rezone request as presented and forward to County Board for final approval.  
Motion carried with no negative vote.

***Motion/second (Buss/Reabe)*** to come out of recess at 5:48PM and discuss meeting agenda item #7.

Motion carried with no negative vote.

Don Lenz returned to the meeting at 5:48PM

#### **PROPOSED ZONING ORDINANCE AMENDMENTS**

The Committee asks Kirkman to strike the use of a kennel from the R-4 Zoning District.

The Committee asks Kirkman to use the word ‘structures’ instead of ‘appurtenances’ under “Living Area” definition.

#### **2022 BUDGET PROPOSAL**

Matt outlined and advised the proposed budget for Land Use Planning & Zoning Department for year 2022.

#### **FUTURE COMMITTEE ACTIVITIES**

- a. **Future agenda items** – To vote on proposed zoning ordinance amendments.
- b. **Next meeting date** – **September 2nd, 2021**

#### **ADJOURN**

Chair Talma adjourned the meeting at 6:33 PM.

**Respectfully submitted,**

**Karen Werlein**  
**Land Use Coordinator**

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

FEES RECEIVED	JULY				YEAR-TO-DATE				BUDGET	
	2020		2021		2020		2021		2021	
	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT		
<b>LAND USE PERMITS</b>										
Total Monthly Issued Permits	21	5,100	18	4,900	111	25,250	146	\$ 45,250	\$ 40,000	113%
<b>SANITARY PERMITS (POWTS)</b>										
Total Monthly Issued Permits	7	1,960	13	3,715	53	14,620	59	\$ 16,655	\$ 26,000	64%
<b>NON-METALLIC MINING PERMITS</b>										
Annual Permit Fees	-	-	-	\$ -	5	9,600	5	\$ 15,000	\$ 15,300	98%
<b>BOARD OF ADJUSTMENT</b>										
Special Exception	-	-	-	-	-	-	-	-	-	-
Variances	1	375	-	-	5	1,875	2	750	-	-
Appeals	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>1</b>	<b>\$ 375</b>	<b>-</b>	<b>\$ -</b>	<b>5</b>	<b>\$ 1,875</b>	<b>2</b>	<b>\$ 750</b>	<b>\$ 1,875</b>	<b>40%</b>
<b>PLANNING &amp; ZONING COMMITTEE</b>										
Zoning Change	-	-	5	1,875	3	1,125	14	5,250	-	-
Conditional Use Permits	-	-	-	-	2	750	6	2,250	-	-
Variance	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>-</b>	<b>\$ -</b>	<b>5</b>	<b>\$ 1,875</b>	<b>5</b>	<b>\$ 1,875</b>	<b>20</b>	<b>\$ 7,500</b>	<b>\$ 8,250</b>	<b>91%</b>
<b>MISC.</b>										
Wisconsin Fund	-	-	-	-	1	100	1	6,266	-	-
Fines & Forfeitures	-	-	2	336	11	6,800	3	447	-	-
<b>Total</b>	<b>-</b>	<b>\$ -</b>	<b>2</b>	<b>\$ 336</b>	<b>12</b>	<b>\$ 6,900</b>	<b>4</b>	<b>\$ 6,713</b>	<b>-</b>	<b>-</b>
<b>SURVEYOR</b>										
Certified Survey Maps	2	330	5	855	25	4,395	22	4,155	6,500	-
Preliminary and Final Plats	-	-	-	-	-	-	-	-	-	-
Applied Funds: County Surveyor	-	-	-	-	-	-	1	9,500	9,500	-
<b>Total</b>	<b>2</b>	<b>\$ 330</b>	<b>5</b>	<b>\$ 855</b>	<b>25</b>	<b>\$ 4,395</b>	<b>23</b>	<b>\$ 13,655</b>	<b>\$ 16,000</b>	<b>85%</b>
<b>GIS (Geographic Information System)</b>										
Map Sales	-	-	-	-	-	-	-	-	-	-
Land Records Transfer	-	-	-	-	-	-	-	-	25,000	-
Land Information Grant	-	-	-	-	-	-	-	-	10,000	-
<b>Total</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 35,000</b>	<b>0%</b>
<b>GRAND TOTAL</b>	<b>31</b>	<b>7,765</b>	<b>43</b>	<b>11,681</b>	<b>216</b>	<b>64,515</b>	<b>259</b>	<b>105,523</b>	<b>\$ 142,425</b>	
									<b>Total</b>	<b>74%</b>

For 07/01/21 - 07/31/21

Expenditure Summary Report

FJEXS01A

Periods 07 - 07

Land Use & Zoning Month End Expenses

MEE100-10-P&Z

<u>Account No/Description</u>	<u>Adjusted Budget</u>	<u>Y-T-D Encumb</u>	<u>Period Expended</u>	<u>Y-T-D Expended</u>	<u>Available Balance</u>	<u>Percent Used</u>
<b>10 Land Use Planning and Zoning</b>						
<b>53610 Code Enforcement</b>						
21-100-10-53610-110-000 Salaries	309,000.00	.00	23,445.68	150,769.36	158,230.64	48.79
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	1,751.03	11,672.22	11,968.78	49.37
21-100-10-53610-153-000 Ret. Employer Share	20,861.00	.00	1,582.58	10,797.21	10,063.79	51.76
21-100-10-53610-154-000 Health Insurance	50,590.00	.00	2,494.31	31,856.24	18,733.76	62.97
21-100-10-53610-155-000 Life Insurance	276.00	.00	26.71	167.12	108.88	60.55
21-100-10-53610-210-002 Professional Services-SRV	9,500.00	.00	600.00	3,950.00	5,550.00	41.58
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	371.36	204.64	64.47
21-100-10-53610-242-000 Print Management	300.00	.00	20.15	96.28	203.72	32.09
21-100-10-53610-307-000 Training	750.00	.00	.00	273.23	476.77	36.43
21-100-10-53610-310-000 Office Supplies	650.00	.00	83.02	488.99	161.01	75.23
21-100-10-53610-312-000 Field Supplies	200.00	.00	.00	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	346.25	1,202.75	1,547.25	43.74
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	140.84	262.21	375.79	41.10
<b>53610 Code Enforcement</b>	<b>423,987.00</b>	<b>.00</b>	<b>30,565.05</b>	<b>212,521.06</b>	<b>211,465.94</b>	<b>50.12</b>
<b>10 Land Use Planning and Zoning</b>	<b>423,987.00</b>	<b>.00</b>	<b>30,565.05</b>	<b>212,521.06</b>	<b>211,465.94</b>	<b>50.12</b>



GREEN LAKE COUNTY

For 07/01/21 - 07/31/21

Revenue Summary Report

FJRES01A

Periods 07 - 07

Land Use & Zoning Month End Revenue

MER100-10-P&Z

<u>Account No/Description</u>	<u>Budget Amount</u>	<u>Period Amount</u>	<u>Y-T-D Amount</u>	<u>Balance</u>	<u>Percent Received</u>
10 Land Use Planning and Zoning					
21-100-10-44400-000-000 Land Use Permits	40,000.00	4,900.00	45,200.00	-5,200.00	113.00
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	1,875.00	7,125.00	1,125.00	86.36
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	3,715.00	16,655.00	9,345.00	64.06
21-100-10-45110-000-000 Fines & Forfeitures	.00	336.00	502.00	-502.00	.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	855.00	4,320.00	2,180.00	66.46
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	11,681.00	84,977.00	47,948.00	63.93

## Land Use Permits: 7/1/2021 - 7/31/2021

### 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
12923	002003360100	Berlin	W2202 PUCHYAN RD	07/19/2021	DOUGLAS & DAWN PUTZKE	\$250.00	Accessory Structure	Storage Buildings,. Used shed		

### 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
12906	004000750000	Brooklyn	N7297 SPRINGBROOK RD	07/01/2021	MARTIN T & CINDEE A LEHMAN	\$55,814.00	Accessory Structure	Attached Deck/patio	Additions / Alterations - Addition/Alteration to Principal Structure	Three Season Room Addition
12909	004003220000	Brooklyn	N6433 BERLIN RD	07/02/2021	BROOKS 5TH GENERATION PARTNERS	\$40,000.00	Ag building	Ag. Storage building.		
12910	004007281101	Brooklyn	W2354 CARPENTER LN	07/07/2021	ASHLAND POINT LLC	\$5,000.00	Accessory Structure	Shed. After-the-fact permit.		
12911	004004720301	Brooklyn	N5942 LOST CREEK RD	07/07/2021	MARCIA HANSEN	\$472,696.00	Accessory Structures	Porch and attached deck, attached garage	Principal Structure	Three Bedroom SFD
12928	004016050100	Brooklyn	N5570 OLD OAK LN	07/22/2021	KATHERINE ALVORD	\$1,122,000.00	Accessory Structures	Hot Tub, attached patio/deck, attached garage, detached garage	Principal structure	5,340 sq. ft. Four Bedroom SFD
12934	004021020100	Brooklyn	N5446 SHORE DR	07/30/2021	GREEN LAKE LOTS LLC	\$150,000.00	Accessory Structure	Boathouse		

### 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
12914	006015940000	Green Lake	W1506 SANDSTONE AVE	07/07/2021	LISA ELERT	\$136,000.00	Accessory Structure	Detached Garage. 1,487.5sqft. 24" overhangs.		
12922	006007920500	Green Lake	W3229 COUNTY ROAD K	07/16/2021	KENNETH ZIK	\$2,500.00	Accessory Structure	Attached decl/patio		
12927	006006240100	Green Lake	W2075 MELMAR DR	07/22/2021	SHARON MENTELE	\$2,000.00	Driveway/road	3/4" minus gravel parking pad.		
12929	6005040000	Green Lake	N3021 COUNTY ROAD A	07/26/2021	DAVID A DAYE & DAYE REVOCABLE TRUST	\$140,000.00	Ag building	60'x170' pole shed		
12930	006010260100	Green Lake	W1766 SANDSTONE AVE	07/26/2021	THOMAS ROHLOFF	\$190,000.00	Accessory Structure	Attached Deck. Appx: 454 sq.ft.	Accessory Structure - Storage Buildings	Converting old cottage on southern part of parcel into storage shed.
12931	006010220703	Green Lake	No Address Available	07/27/2021	ELISSE CARROLL	\$1,439,210.00	Principal Stucture	4,865 sq.ft. Four Bedroom SFD	Accessory Structures	8 reatining walls, attached garage, attached porch, boathouse

### 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
12915	010003370000	Mackford	W1514 HICKORY DR	07/07/2021	STEVE J & DEBBIE MUEHLENHAUPT	\$90,000.00	Ag building	Grain Silo		

### 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
12920	012001140200	Manchester	N1934 HILLTOP RD	07/14/2021	DAVID MILLER	\$50,000.00	Accessory Structure	Storage Shed	Additions / Alterations - Addition/Alteration to Accessory Structure	Tool Storage
12908	12006500300	Manchester	W4048 COUNTY LINE RD	07/02/2021	DANIEL E & RUTHIE MAE BONTRAGER	\$60,000.00	Accessory Structure	Furniture Shop and horse barn with hay storage		

### 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
12899	014009890000	Marquette	W6764 MARINE DR	06/24/2021	JULIE GNEISER TRUST	\$20,000.00	Accessory Structure	After-the-fact patio installed by previous owners: appx 829sqft.	Accessory Structure - Storage Buildings	Garden Shed

12919	014000450203	Marquette	N2881 CEDAR RD	07/14/2021	THE BUCK STOPS HERE ACRES LLC	\$50,000.00	Accessory Structure	Storage Shed		
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**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
12933	016015720000	Princeton	N4802 N LAKESHORE DR	07/30/2021	TODD LISTON	\$14,000.00	Accessory Structure	Upper stairs section, deck, and storage shed built into deck will be replaced in same footprint. The lower section of stairs will shift NE approximately 41"		

**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

January - June Estimated Cost: 27,308,012.00

July Estimated Cost: \$4,039,470.00

**YTD Estimated Cost: 31,347,482.00**

## Sanitary Permits: 7/1/2021 - 7/31/2021

Sanitary Permit	Parcel Number	Site Address	Owners	Date Issued	Permit Type	System Type	Plumber Name	Additional Explanation	Permit Fee \$ (County)	Permit Fee \$ (DSPS)
202124032	006010260100	W1766 SANDSTONE AVE	THOMAS ROHLOFF	07/12/2021	New System	Conventional (Non-Pressurized In-Ground)	Jeremiah Storer	3 Bedroom House, Sized per capita of 5 people	280	100
202124048	008001030000	N2225 COUNTY ROAD B	PATRICK KEARNS	07/02/2021	New System	Conventional (Non-Pressurized In-Ground)	Jeremiah Storer	3 Bedroom House	280	100
202124049	016003020400	W4012 REETZ RD	JONATHAN OLSON	07/06/2021	New System	Conventional (Non-Pressurized In-Ground)	Jeremiah Storer	Personal Storage Building	280	100
202124050	004004720301	N5942 LOST CREEK RD	MARCIA HANSEN	07/07/2021	New System	Conventional (Non-Pressurized In-Ground)	Ben Kinas	3 Bedroom House	280	100
202124051	014007190000	W3911 COUNTY ROAD B	SHARON JAHNKE	07/07/2021	New System	Conventional (Non-Pressurized In-Ground)	Dustin Hoffman	3 Bedroom House, Change of Plumber	75	0
202124052	008003500200	W5808 STATE ROAD 44	SUE MILLER	07/07/2021	New System	Conventional (Non-Pressurized In-Ground)	Jeremiah Storer	5 Bedroom House	280	100
202124053	012006500300	W4048 COUNTY LINE RD	DANIEL E & RUTHIE MAE BONTRAGER	07/08/2021	New System	Conventional (Non-Pressurized In-Ground)	Ben Kinas	Proposed New 3 Bedroom House and woodworking shop	280	100
202124054	004002590100	W121 STATE ROAD 23 AND 49	ED PRIEBE SALES & SERVICE LLC	07/13/2021	Replacement System	Conventional (Non-Pressurized In-Ground)	Daniel Egbert	4 Bedroom House and Shop	280	100
202124055	014003500000	W6592 PUCKAWAY RD	WESLEY SMITH	07/13/2021	Reconnect	Conventional (Non-Pressurized In-Ground)	Allen Logan	2 Bedroom House and Garage	280	0
202124056	004016050100	N5570 OLD OAK LN	KATHERINE ALVORD	07/14/2021	Replacement System	Conventional (Non-Pressurized In-Ground)	Daniel Egbert	4 Bedroom House	280	100
202124057	002003660200	W1991 E RIVER RD	BRENNEN THOMA	07/16/2021	Replacement System	Conventional (Non-Pressurized In-Ground)	William Thoma	3 Bedroom House	280	100
202124058	006016120000	W1644 SANDSTONE AVE	ROBYN WINDSOR	07/19/2021	New System	Conventional (Non-Pressurized In-Ground)	Ben Kinas	6 Bedroom House	280	100
202124059	012000870000	N2110 MARQUETTE RD	RUSSELL MACE	07/29/2021	Replacement System	Conventional (Non-Pressurized In-Ground)	Ben Kinas	3 Bedroom House	280	100
<b>Total:</b>									3435	1100

\* There are additional properties associated with the permit

# Land Use Violations

## First Notice

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description	Violation Date
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
014001940100	W5016 Cherry Rd.	Raymond Mielke	12948	Zoning	Recreational camper in the A-1 District. No buildings on the parcel.	8/19/2021
012001370500	W3805 Heritage Rd.	Cletus Bontrager	12944	Zoning	Operating a sawmill in A-1 zoning without a conditional use permit	8/13/2021
012000740000	None available	Robert and Linda Fischer	12945	Zoning	Operating a wood finishing/staining business in A-1 zoning without the building having a primary agricultural use and an approved CUP	8/13/2021
002001280100	N9259 32ND DR	Terrence Ducket	12796	Zoning	<b>UPDATE 8/23:</b> 2 out of 3 violations resolved. Improving, but still junk materials (mainly wood and lumber). Junk not allowed in C-2 District.	3/17/2021
004002860200	W599 State Rd. 23&49	Arland Kirst	12926	Zoning	Operating a dog kennel/breeding facility in C2 zoning which does not allow for this use at all.	7/21/2021
002003070300	N8760 Landing Road	Samantha and Michael Rodgers	12949	Zoning	Addition to accessory building structure in the R-1 District without obtaining a land use permit.	8/24/2021

## 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. <b>UPDATE 8/25/21:</b> Waiting for additional detail.	4/5/2018
006014820000	W2680 Oakwood Beach Rd.	Gregg and Tracy Brewster	12917	Shoreland	Retaining walls inside of 75ft of the OHWM which created an area that was filled to create a flat grass fire ring area inside of 75ft of the OHWM. The dimensions were approximately a 16ft diameter area from the edge of the retaining wall area. Update: Brewsters working with Steve Sorenson (attorney) and also trying to get it resolved ASAP. <b>UPDATE 8/18:</b> second violation letter sent.	7/1/2021
006010910000	W1210 Spring Grove Rd.	Sanjay & 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 <b>UPDATE 8/18:</b> Second violation letter sent. Owners have contractor set up for October.	6/15/2021
014009790000	N3129 Lakevie Drive W	James & Shawn Sanders	12912	Zoning	Aaron was able to view a few items that would indicate a contractor's 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. <b>UPDATE: 8/18</b> Sanders said he might build structure to store equipment. second violation letter sent	6/25/2021

## 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. <b>UPDATE 8/23:</b> patio not removed. Court hearing in October.	10/29/2020

## 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.
018005690300	N6999 State Rd. 73	WALTER FERTIG	21127	POWTS Failure	Tank failure	Has new permit app
004003150200	W1002 State Rd.	COACHLITE GREEN LAKE LLC	200924016	POWTS Failure	Tank overflow	
004002320000	N6698 Cty. Rd PP	GLEN & CAROLYN BENNETT	281	POWTS Failure	Possible cesspool	Has new permit app
016008010300	N5591 Lock Rd	TAMI CALAMITA	37516	POWTS Failure	Tank overflow	Permit expired 7/21

### 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	Has new permit 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 AI'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. Waiting on soil test
014002350000	W5621 PINE RD S	SCHULTZ NATHAN	1969	POWTS Failure	Tank not watertight	Has new permit app
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	Talked with Richard Voss. Will abandon system
016002370000	N5549 COUNTY ROAD W	MILLIS NICHOLE	26761	POWTS Failure	Tank not watertight	Has new permit app
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 expired 4/21
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 Novak. Planning to install new system
018002040000	W3390 COUNTY ROAD J	SCHULTZ BERNARD J JR	273	POWTS Failure	Tank not watertight	Has new permit app
154000890000	150 W 2nd St	KENNETH & JEAN KOERNER	593	POWTS Failure	probable suface discharge	Has new permit app
006001350000	N4474 LAKEVIEW DR.	GREGORY ZIER	18201	POWTS Failure	Tank failure	Permit expires 12/21
016002120000	W4289 STATE RD.	RUSSELL & WENDY WANASEK	366	POWTS Failure	Tank failure	Has new permit app

### Corp Counsel

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description	Additional Information
016009230000	W5880 WALTER WILLIAMS RD	PROG ROD-GUN CLUB	1002450	POWTS Failure	Tank unsound	
016009230000	W5886 WALTER WILLIAMS RD	PROG ROD-GUN CLUB	10024249	POWTS Failure	Tank failure	
016009230000	N4922 RAY SHORTER RD	PROG ROD-GUN CLUB	10024256	POWTS Failure	Tank failure	
016009230000	N4914 RAY SHORTER RD	PROG ROD-GUN CLUB	1002457	POWTS Failure	Tank failure	
016009230000	N4904 RAY SHORTER RD	PROG ROD-GUN CLUB	10024259	POWTS Failure	Tank compromised	
016009230000	W5894 WALTER WILLIAMS RD	PROG ROD-GUN CLUB	10024095	POWTS Failure	Tank unsound	
016009230000	N4939 RAY SHORTER RD	PROG ROD-GUN CLUB	10024523	POWTS Failure	Tank failure	



GREEN LAKE COUNTY  
LAND USE PLANNING & ZONING

Matt Kirkman  
Director

Office: 920-294-4156  
FAX: 920-294-4198

Land Use Planning & Zoning Committee  
Meeting Notice

Date: September 2, 2021 Time: 4:30 PM  
Location: Government Center, County Board Room, 571 County Road A, Green Lake WI

AGENDA 09/02/2021

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:8/5/2021
5. Public Comments: 3 minute limit
6. Department Activity Reports
  - a. Financial reports
  - b. Land use & septic permits
  - c. Violation reports
7. 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: Owners:** Candice Schram & Lisa Schram **Site location:** N8066 Forest Ridge Rd  
**General legal description:** Parcel 002-00485-0300, part of the NW1/4 of S26, T17N, R13E, Town of Berlin, 11.06 acres **Request:** Rezone 11.06 acres from A-2, General Agricultural District, to A-1, Farmland Preservation District.

**Item II: Owner:** Ken & Beth Zik **Site location:** W3683 Cty Rd K **General legal description:** Parcel 014-00531-0100 part of the NW1/4 of S15, T15N, R12E, Town of Marquette, 1.04 acres **Request:** Rezone 1.04 acres from R-1, Single-Family Residence District, to C-1, General Commercial District.

**Item III: Owner:** Daniel Davison **Site location:** N3354 State Rd 73 **General legal description:** Parcel 014-00685-0000, part of the SW1/4 of S22, T15N, R12E, Town of Marquette, ±51.14 acres **Request:** Rezone ±16.36 acres from A-1, Farmland Preservation District, to A-2, General Agriculture District. To be identified by certified survey map.

**Item IV: Owner:** Michael Glover **Site location:** W3101 Cty Rd K **General legal description:** Parcels 006-00795-0300, -0400, -0500, part of the SW1/4 of S11, T15N, R12E, Town of Green Lake, ±13.8 acres **Request:** Rezone ±13.8 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

**Item V: Owner:** Lake Farms LLC **Applicant:** Brian Schulz **Site location:** Cty Rd AW  
**General legal description:** Parcel 012-00704-0100 & 012-00705-0100, part of the SE1/4 of S36, T14N, R12E, Town of Manchester, ±80 acres **Request:** Rezone ±5.8 acres from A-1, Farmland Preservation District to R-4, Rural Residential District. To be identified by certified survey map.

**Item VI: Applicant:** Green Lake County Land Use Planning & Zoning Committee  
**Explanation:** The Committee is requesting amendments to the Code of Green Lake County, Chapter 350, Zoning Ordinance, more specifically to address dog breeders and dog breeding facilities, dwelling design and construction standards, detached and attached garage standards, rezone amendments, and general clarification edits.

8. Future committee activities
  - a. Future agenda items
  - b. Meeting date: October 7, 2021
9. Adjourn

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

## 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, September 2nd, 2021, at 5:00 p.m.** to consider the following requests:

**Item I: Owners:** Candice Schram & Lisa Schram **Site location:** N8066 Forest Ridge Rd **General legal description:** Parcel 002-00485-0300, part of the NW1/4 of S26, T17N, R13E, Town of Berlin, 11.06 acres **Request:** Rezone 11.06 acres from A-2, General Agricultural District, to A-1, Farmland Preservation District.

**Item II: Owner:** Ken & Beth Zik **Site location:** W3683 Cty Rd K **General legal description:** Parcel 014-00531-0100 part of the NW1/4 of S15, T15N, R12E, Town of Marquette, 1.04 acres **Request:** Rezone 1.04 acres from R-1, Single-Family Residence District, to C-1, General Commercial District.

**Item III: Owner:** Daniel Davison **Site location:** N3354 State Rd 73 **General legal description:** Parcel 014-00685-0000, part of the SW1/4 of S22, T15N, R12E, Town of Marquette, ±51.14 acres **Request:** Rezone ±16.36 acres from A-1, Farmland Preservation District, to A-2, General Agriculture District. To be identified by certified survey map.

**Item IV: Owner:** Michael Glover **Site location:** W3101 Cty Rd K **General legal description:** Parcels 006-00795-0300, -0400, -0500, part of the SW1/4 of S11, T15N, R12E, Town of Green Lake, ±13.8 acres **Request:** Rezone ±13.8 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

**Item V: Owner:** Lake Farms LLC **Applicant:** Brian Schulz **Site location:** Cty Rd AW **General legal description:** Parcel 012-00704-0100 & 012-00705-0100, part of the SE1/4 of S36, T14N, R12E, Town of Manchester, ±80 acres **Request:** Rezone ±5.8 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District. To be identified by certified survey map.

**Item VI: Applicant:** Green Lake County Land Use Planning & Zoning Committee **Explanation:** The Committee is requesting amendments to the Code of Green Lake County, Chapter 350, Zoning Ordinance, more specifically to address dog breeders and dog breeding facilities, dwelling design and construction standards, detached and attached garage standards, rezone amendments, and general clarification edits.

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

*Publish: August 19, 2021*



**LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT**PUBLIC HEARINGSeptember 2, 2021**ITEM I: ZONING CHANGE****OWNER:**Candice Schram  
Lisa Schram**APPLICANT:**

Same

**REQUEST:** The applicant is requesting a zoning change from A-2, General Agriculture District to A-1 Farmland Preservation District, ±11.06 acres.

**PARCEL NUMBER / LOCATION:** The affected parcel number is 002-00485-0300, located in the NW ¼ of the NW ¼ of Section 26, T17N, R13E, Town of Berlin. The site proposed for zoning change is located at N8066 Forest Ridge Road.

**EXISTING ZONING AND USES OF ADJACENT AREA:** The current zoning of the subject parcel is A-2, General Agriculture District. All of the surrounding lands are zoned A-1. All the surrounding properties appear to be mostly be used for agricultural crops and farm residences. The proposed property does not fall under the Shoreland Zoning Ordinance or Floodplain Zoning Ordinance

**ADDITIONAL INFORMATION / ANALYSIS:**

Currently the property is mostly being farmed with row crops and around one acre being used as a farm residence and yard.

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 three 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 ±6.88 acres. There is one soil type on this property that falls under Class III soils which are defined as soils having severe limitations that reduce the choice of plants, require special conservation practices, or both. Class III soils occupy ± 2.69 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 ± 0.35 acres. The limitations with the soils on this property are minimal and only some areas have to worry about erosion and runoff.

**REZONING AMENDMENT STANDARDS PER 350-75(A):** Land may be rezoned if the following criteria are met: **(Staff comments in bold)**

- 1) The amendment is consistent with community land use plan (comprehensive plan)

**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 currently used for agriculture and placing them into zoning districts that allows for agricultural uses, but is more restrictive towards non-agricultural uses.**

- 2) The amendment will not be detrimental to property in the immediate vicinity or to the community as a whole.

**The rezone request will rezone the property from one agricultural zoning district to another more restrictive agricultural district which all of the surrounding properties are currently in.**

- 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.

**The rezone would not change the current farm use for this property, therefore there would be no new adverse impacts to the environment or surrounding area.**

- 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.)

**All of the surrounding lands and the proposed rezone lands are all currently zoned and used agriculturally and the rezone from A-2 to A-1 will still allow the rezoned parcel to be used agriculturally.**

- 5) The amendment allows a more viable transition to planned land uses on adjacent properties than the current zoning designation

**The proposed rezoning will be a better fit with the zoning of all the neighboring lands as they are all currently zoned A-1.**

- 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).

**The proposed rezone will not cause any spot-zoning and will actually become more consistent with the zoning of the surrounding lands than it currently is.**

**TOWN OF BERLIN:** An Action Form requesting the Town's input related to this zoning change request was emailed to the Town Clerk on July 13<sup>th</sup>, 2021. At their August 16<sup>th</sup> 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.<sup>00</sup> (not refundable)

Date 6/28/21

Zone Change from A2 to A1

Conditional Use Permit for \_\_\_\_\_

Other \_\_\_\_\_

**PROPERTY OWNER / APPLICANT**

Name Candy Schram / Lisa Schuster

Mailing Address N8066 Forest Ridge Rd Berlin, WI

Phone Number 920-290-1456

Signature [Signature] Date 6/28/21

**AGENT IF OTHER THAN OWNER**

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**PROPERTY INFORMATION**

Town of Berlin Parcel Number 002-00485-0300 Acres 11.06

Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Section 26 Town 17 North Range 13 East

Location of Property N8066 Forest Ridge Rd Berlin, WI

Legal Description Lot 1 Certified Survey map 3551 V20

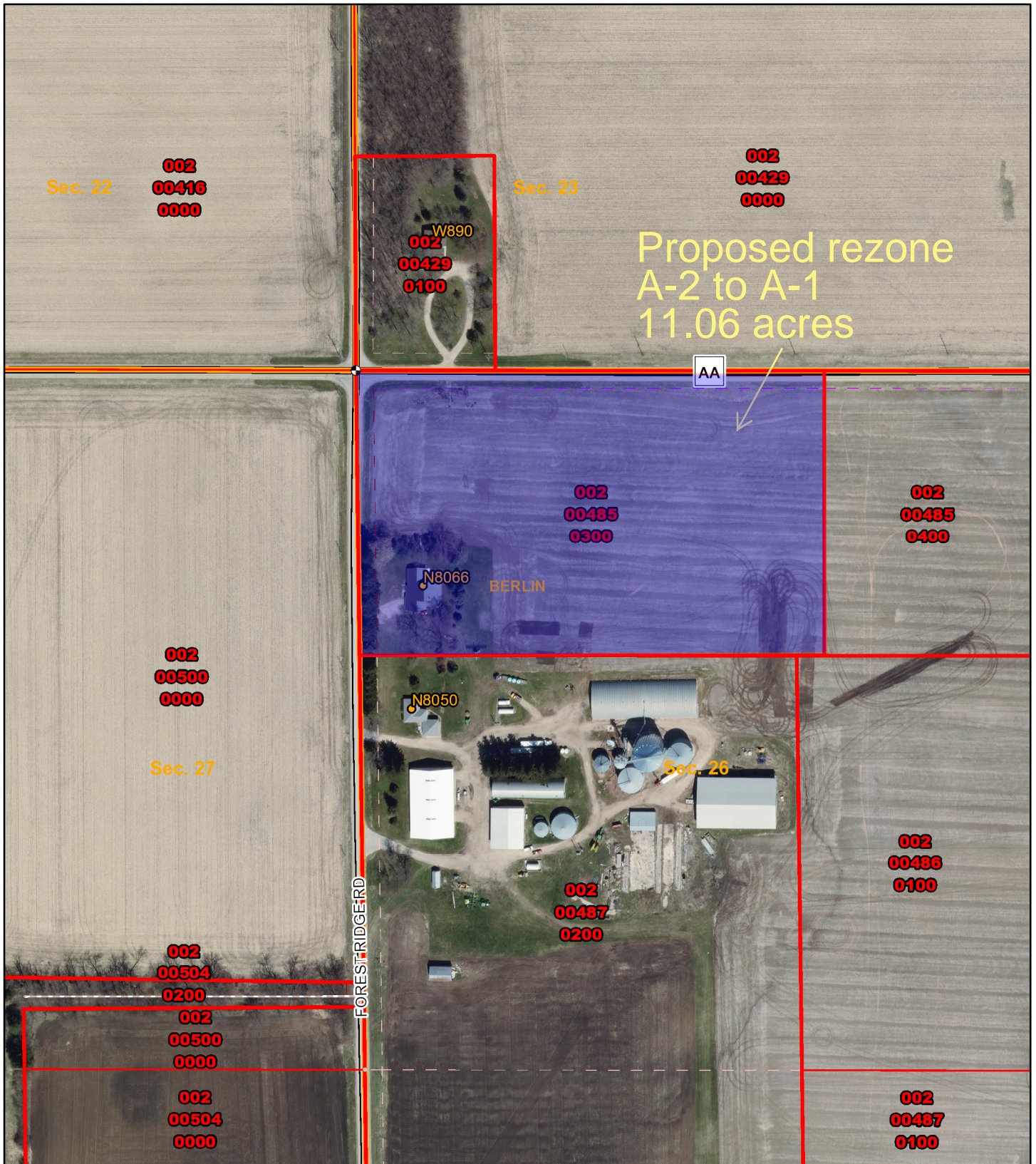
Current Zoning Classification A2 Current Use of Property Home/Agriculture

Detailed Description of Proposed Use Home/Agriculture.

**PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION**

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

PZP-010 (04/09)



Green Lake County

1 inch = 260 feet

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

**GIS Viewer Map**  
 Green Lake County, WI

Time: 10:13:57 AM  
 Date: 8/27/2021

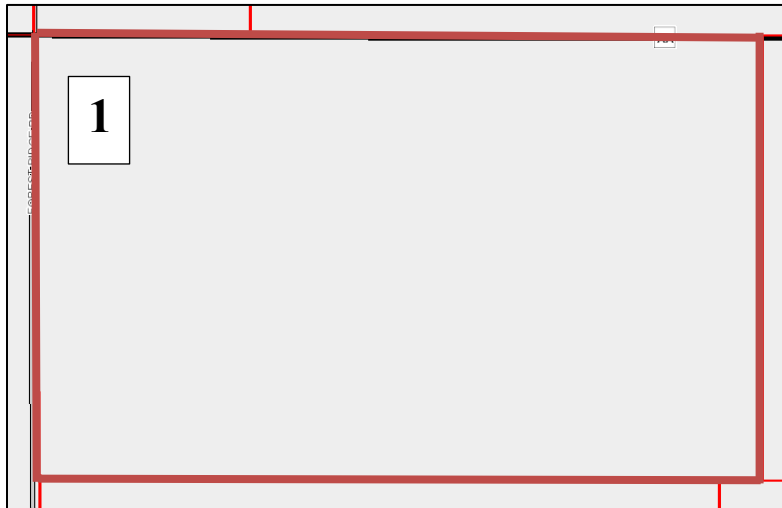
Note:  
 Request to rezone 11.06 acres  
 from A-2, General Agricultural District to  
 A-1, Farmland Preservation District



**Candice Schram/Lisa Schram – Town of Berlin  
N8066 Forest Ridge Rd., Parcel #002-00485-0300,  
Part of the NW1/4 of Section 26, T17N, R13E**

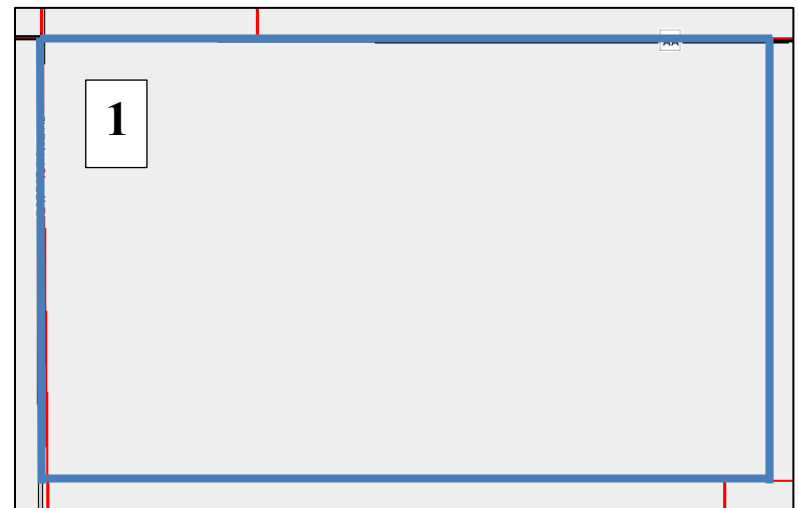
**Existing Configuration**

**1** = 11.06 acre parcel zoned A-2 General  
Agricultural District



**Proposed Configuration**

**1** = 11.06 acre parcel zoned A-1 Farmland  
Preservation District



# TOWN BOARD ACTION

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)

August 16, 2021

**Owner/Applicant:** Candice Schram/Lisa Schram

**Site Location:** N8066 Forest Ridge Rd., Berlin

**General legal description:** Parcel 002-00485-0300, part of the NW 1/4 of Sec.26, T17N, R13E, Town of Berlin, 11.06 acres.

**Request:** Rezone 11.06 acres from A-2, General Agricultural District, to A-1, Farmland Preservation District.

**Planned public hearing date for the above requests:** September 2, 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:

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Brenda Mueckly  
Town Representative

8/16/21  
Date Signed

**NOTES:** \_\_\_\_\_

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**Please return this form to the Land Use Planning & Zoning Office by: August 18, 2021**

# LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

September 2, 2021

## ITEM II: ZONING CHANGE

**OWNER:**

Ken & Beth Zik

**APPLICANT:**

Same

**REQUEST:** The owners are requesting a zoning change for ±1.04 acres from R-1, Single Family Residence District to C-1, General Commercial District.

**PARCEL NUMBER / LOCATION:** The affected parcel number is 014-00531-0100 which is located in the Northwest quarter of Section 15, T15N, R12E, Town of Marquette. The site proposed for the zoning change is located at W3683 County Road K.

**EXISTING ZONING AND USES OF ADJACENT AREA:** The current zoning of the parcel referenced above is R-1, Single Family Residence District. The parcels to the east and south are zoned R-1. The parcel located to the west that is separated by a town road is zoned C-2, Extensive Commercial District. The parcels located to the north separated by County Road K are all unzoned. The parcel referenced above does not fall within shoreland or floodplain jurisdiction.

**ADDITIONAL INFORMATION / ANALYSIS:** There is a 3,200sqft building that has been on the parcel for 25 years. The current zoning of the parcel does not allow for the area of a detached accessory building structure to be greater than 1,500sqft. The building was legally placed but is now nonconforming to the R-1 District. The use of the building from the time it was constructed until 2003 was to store and maintain equipment for a landscaping business. From 2003 to present, the building has been used to store lawn care equipment, commercial flatbed boat, trailers, and a personal boat. It is also used to maintain and repair equipment. According to the owners the building has not been used to conduct business only to store equipment related to business.

The owner's application states that the property (mainly the building on the property) will continue to be used for general storage of equipment and maintenance and repair of equipment related to a landscaping business. However, if the proposed rezone were to be approved all of the permitted uses and conditional uses of the C-1, General Commercial District would be allowed. These uses are mostly retail-oriented however the conditional uses include, hotel, motel, automobile service establishment, restaurant, parking lot, public garage, storage building and municipal buildings.

A 1995 board of adjustment hearing approved a variance request for a 3,200sqft building with a 19ft ceiling. The variance request was to increase the maximum allowed height which at the time was 15ft. The variance approval included a condition that it would not be used for human habitation. That condition limits the building to be converted into a residence which would be code conforming to its current R-1, Single Family Residence District zoning. The C-1, General Commercial District would allow for a 3,200sqft building that does not include human habitation.

## **STAFF COMMENTS:**

- a) **Whenever a rezone like this is proposed we need to determine if the request is consistent with the County Comprehensive Plan's goals. There are a few that pertain to this request. The plan aims to attract compatible service and employment opportunities within existing uses at the same time assure micro-enterprises and home based business are NOT allowed to negatively impact surrounding neighbors. The Plan also encourages commercial, retail, and industry to locate in planned / designated areas. In the past and present this parcel was used to support a commercial storage building related to a landscaping business. The rezone proposal would not conflict with comprehensive plan goals as the commercial storage use was established over 25 years ago. However, any future CUP requests will have to stand on their own as it relates to whether or not the use could negatively impact the surrounding neighbors.**
- 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 contains slopes ranging from 1 to 12 percent and consists of Boyer loamy fine sand. The subject parcel is a corner lot fronting on a Town Road and a County Highway. Typically, like the subject site, commercial properties are easily accessible from road infrastructure. Also, the parcel has not been enhanced for either residential or agricultural uses.**
- c) **The use of immediate surrounding lands north of County Road K are homes, storage buildings, and agriculture but are unzoned. South of County road K are homes, commercial buildings, and woodlands.**
- d) **Beyond the surrounding parcels north of County Road K, unzoned, residences become more prominent as you get closer to Green Lake and agriculture becomes more prominent as you move away from Green Lake. South of County Road K, as you move east, you see more residences and as you move west, woodland and agriculture becomes more prominent. The area of the referenced parcel could be considered as "transitional" including both residential and agricultural uses within a mile.**
- e) **Depending on the use of the subject site, there could be the potential to impair public health, morals, and safety. For example an automobile service establishment or a hotel, both CUPs in the C-1 district.**
- 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 MARQUETTE:** An Action Form requesting the Town's input related to this zoning change request was emailed to the Town Clerk on July 13<sup>th</sup>, 2021. At their August 11<sup>th</sup> meeting, the Town Board did not object to and approves 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 \$375.00 (not refundable)

Date 6/28/21

Zone Change from R-1 to C-1

Conditional Use Permit for na

Other na

**PROPERTY OWNER / APPLICANT**

Name Ken & Beth Zik

Mailing Address W3229 County Road K, Markesan, WI 53946

Phone Number 920-291-6904

Signature Beth Zik

Date 6-28-21

**AGENT IF OTHER THAN OWNER**

Beth Zik

6/28/21

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

**PROPERTY INFORMATION**

Town of Marquette Parcel Number 014-00531-0100 Acres 1.0435

Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Section 15 Town 15 North Range 12 East

Location of Property W3683 County Road K, Markesan, WI 53946

Legal Description Lot 1 of CSM 3783

Current Zoning Classification R-1 Current Use of Property Storage, maintenance & repair equipment

Detailed Description of Proposed Use same as current. Please see attached letter.

**PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION**

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

PZP-010 (04/09)

6/28/21

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

Dear Sir/Madam:

We are writing this request to change the property at W3683 County Road K, Markesan, WI from R-1 to C-1.

On December 29, 2020, W3675 County Road K, Markesan, WI was split into two parcels. Lot 2 contains the house, and Lot 1 contains the pole building now considered W3683 County Road K.

The house and pole building were built in 1997, by Doug Glod. Doug owned and operated a Landscape business, and the pole building was used for storage and maintenance until his death.

Since our inception of the property on December 15, 2003, the pole building has been used for storage of lawn care equipment such as garden equipment, riding lawn mowers, push mowers, weed whackers etc. The building has been used to store a commercial flatbed boat, trailers, and personal boat. In addition, part of the shop has been used for maintenance and repair of equipment. This pole building has been used to supplement Ken's Lawn Care and Landscaping business. There has never been any complaints regarding this property.

This building has not been used as a meeting place to conduct business. A set office space was located at W3675 County Road K in the house. Now a specific office space is located at W3229 County Road K. 99.9% of business meetings have been conducted at customers residence to discuss work/proposal. Less than .1% of business has ever required a customer coming to our home. It does not require at any point, customers coming to the pole building.

The pole building is checked on nearly twice a day in the spring, fall and winter months by Beth as she travels to and from work, and is used daily in the summer months by Ken.

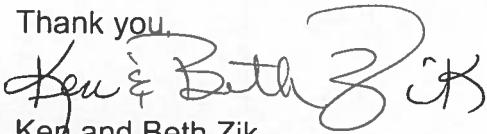
W3683 County Road K has a wooded lot that serves as a barrier/seclusion between pole building and houses. Towards the south of the building a wood fence is located on the property to give further barrier of separation between pole building and house.

This lot has granted a non-residential 50' x 50' easement with Wisconsin Gas. This easement was recorded on October 3, 1991. Wisconsin Gas has a utility shed within this easement.

Directly across Maple Street, a property currently owned by Mr. Erke was granted, and is zoned C-2.

For all these reasons and span of time, we believe that W3683 County Road K, Markesan WI would be better suited as a C-1 zone.

Thank you.

  
Ken and Beth Zik



RECORDED ON: 12/29/2020 03:00PM

REC FEE: \$30.00

VOL. 22 OF CSM PG. 3783

# CERTIFIED SURVEY MAP

CERTIFIED SURVEY MAP LOCATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWN 15 NORTH, RANGE 12 EAST, TOWN OF MARQUETTE, GREEN LAKE COUNTY, WISCONSIN.

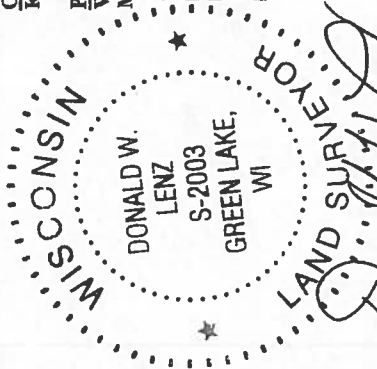
OWNER(S)  
KENNETH D. AND BETH A. ZIK

PROPERTY ADDRESS  
W3675 COUNTY ROAD "K"  
MARKESAN, WISCONSIN 53946

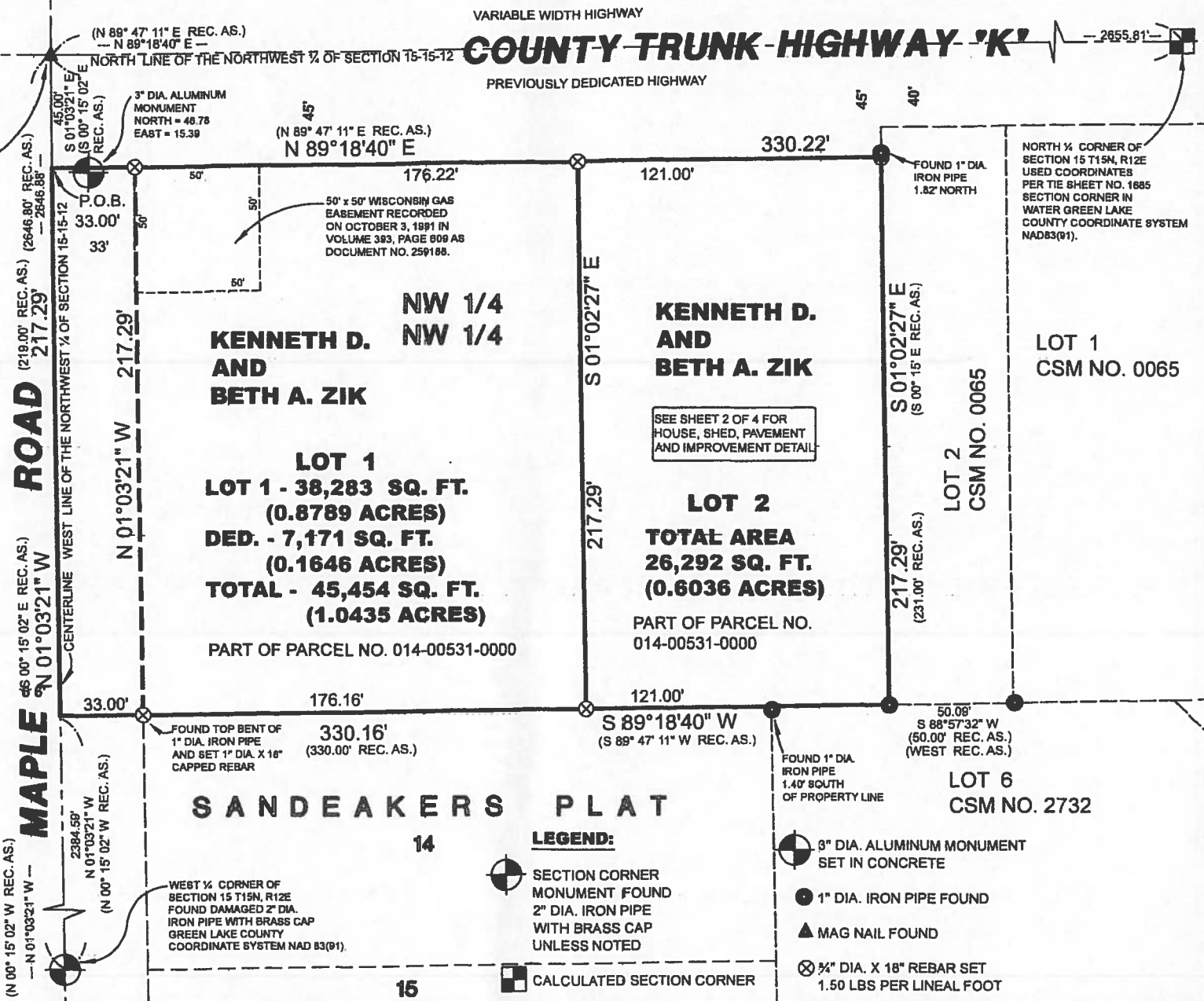
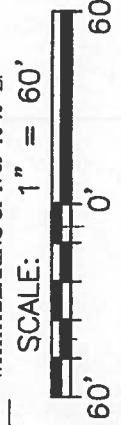
THE PURPOSE OF THIS CERTIFIED SURVEY MAP IS TO CREATE A TWO LOT CERTIFIED SURVEY MAP FROM A LARGER LAND AREA TO CONFORM TO GREEN LAKE COUNTY LAND DIVISION ORDINANCE REQUIREMENTS.

BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE NW 1/4 OF SECTION 15-15-12 PER GREEN LAKE COUNTY COORDINATE AND BEARING SYSTEM WITH A BEARING OF N 89°18'40" E.

DONALD W. LENZ - PLS No. S-2003  
Dated this 17th Day of December, 2020



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



SEE SHEET 2 OF 4 FOR HOUSE, SHED, PAVEMENT AND IMPROVEMENT DETAIL

- LEGEND:**
- SECTION CORNER MONUMENT FOUND 2" DIA. IRON PIPE WITH BRASS CAP UNLESS NOTED
  - 1" DIA. IRON PIPE FOUND
  - MAG NAIL FOUND
  - 3/4" DIA. X 18" REBAR SET 1.50 LBS PER LINEAL FOOT
  - CALCULATED SECTION CORNER
  - 3" DIA. ALUMINUM MONUMENT SET IN CONCRETE

FILE NAME: G2011-82.dwg Sheet 1 of 4 Sheets Job Number: G2011-151512-82

# CERTIFIED SURVEY MAP

CERTIFIED SURVEY MAP LOCATED IN THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 15, TOWN 15 NORTH, RANGE 12 EAST, TOWN OF MARQUETTE, GREEN LAKE COUNTY, WISCONSIN.



OWNER(S)  
KENNETH D. AND BETH A. ZIK

PROPERTY ADDRESS  
W3675 COUNTY ROAD "K"  
MARKESAN, WISCONSIN 53946

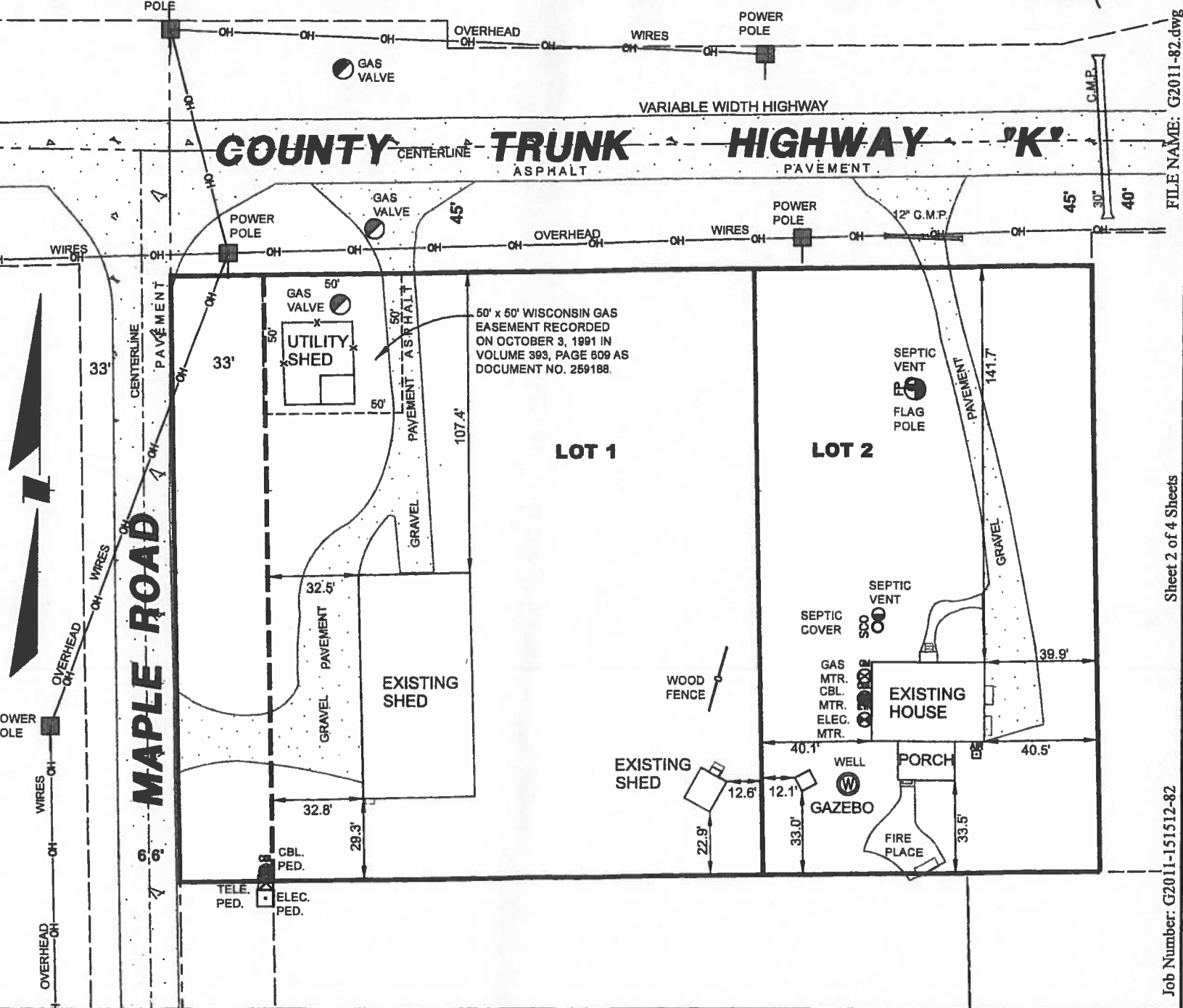
DONALD W.  
LENZ  
S-2003  
GREEN LAKE,  
WI

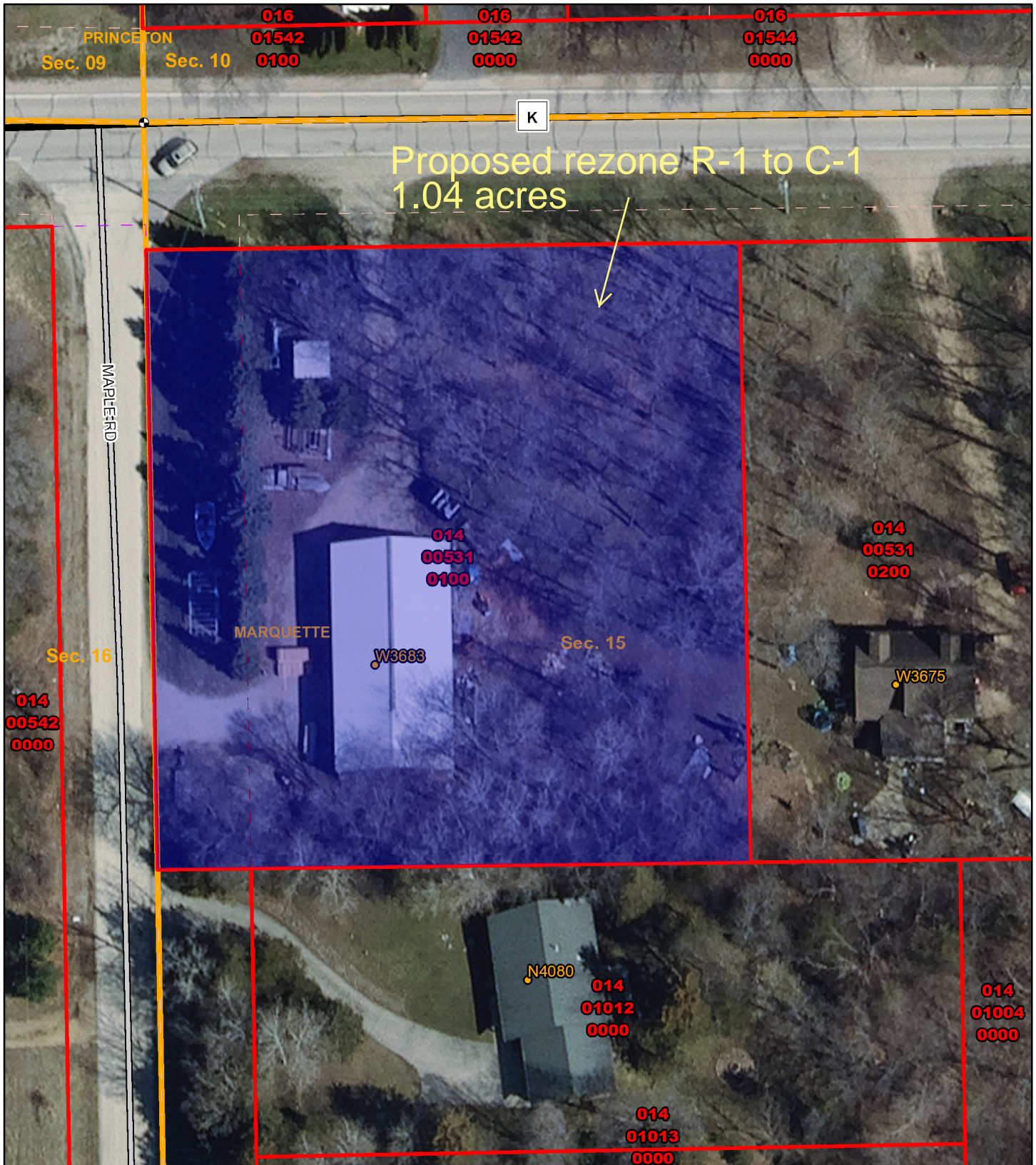
## HOUSE, SHED, PAVEMENT AND IMPROVEMENT DETAIL

DONALD W. LENZ - PLS No. S-2003  
Dated this 17th Day of December, 2020



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





Green Lake County

1 inch = 48 feet

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

**GIS Viewer Map**  
Green Lake County, WI

Time: 10:19:51 AM  
Date: 8/27/2021

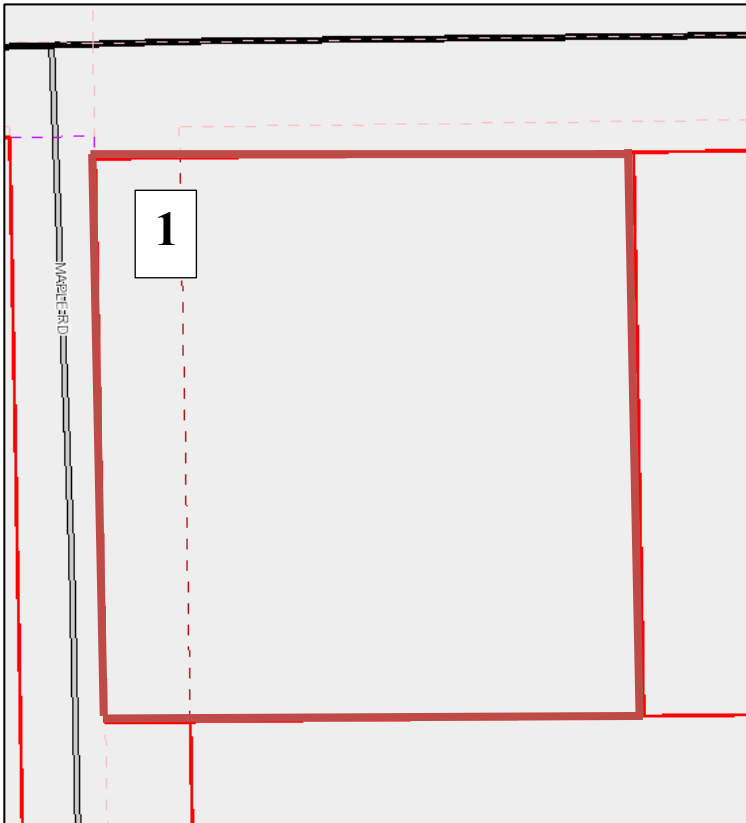
Note:  
**Request to rezone 1.04 acres from R-1, Single-Family Residence District to C-1, General Commercial District**



**Ken & Beth Zik – Town of Marquette  
W3683 County Road K, Parcel #014-00531-0100,  
Part of the NW1/4 of Section 15, T15N, R12E**

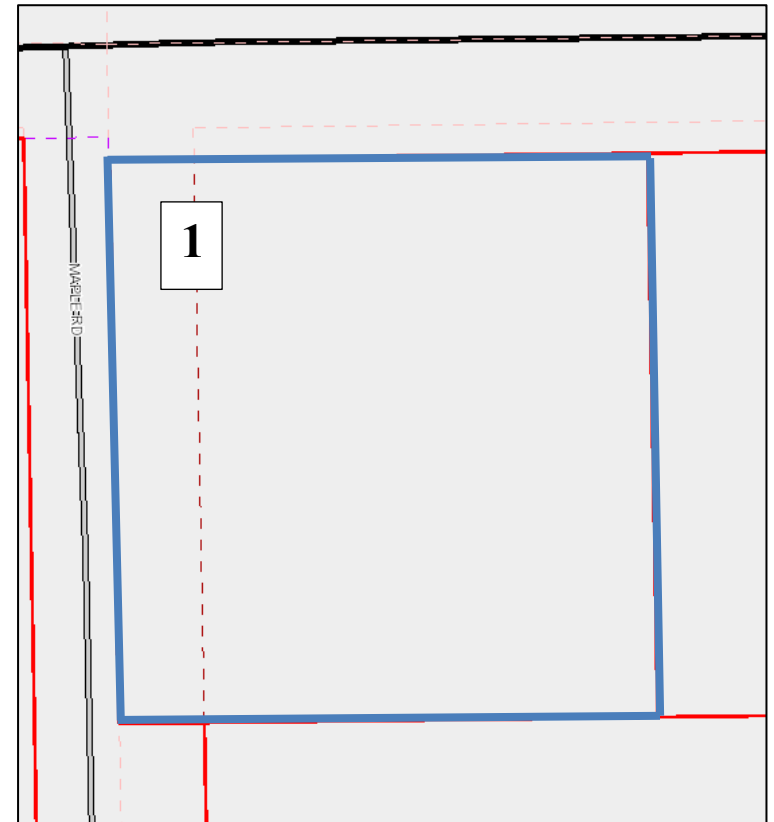
**Existing Configuration**

1 = 1.04 acre parcel zoned R-1, Residential District.



**Proposed Configuration**

1 = 1.04 acre parcel zoned C-1, Commercial District.



# TOWN BOARD ACTION

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)  
8/11/21

**Owner/Applicant:** Ken & Beth Zik

**Site Location:** W3683 County Road K, Markesan

**General legal description:** Parcel 014-00531-0100 part of the NW1/4 of Sect.15, T15N, R12E, Town of Marquette, 1.04

**Request:** Rezone 1.04 acres from R-1, Single-Family Residential District to C-1, General Commercial District.

**Planned public hearing date for the above requests:** September 2, 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:

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James A. Tellmacher  
Town Representative

8-11-21  
Date Signed

NOTES: Board approved W3683 Cty Rd K Markesan to  
rezone property from R-1 to C-1.

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**Please return this form to the Land Use Planning & Zoning Office by: August 18, 2021**

**LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT**PUBLIC HEARINGSeptember 2, 2021**ITEM III: ZONING CHANGE****OWNER:**

Daniel Davison

**APPLICANT:**

Same

**REQUEST:** The applicant is requesting a zoning change from A-1, Farmland Preservation District to A-2, General Agriculture District, ±16.36 acres.

**PARCEL NUMBER / LOCATION:** The affected parcel number is 014-000685-0000, located in the NE ¼ of the SW ¼ of Section 22, T15N, R12E, and the SE ¼ of the SW ¼ of Section 22, T15N, R12E Town of Marquette. The site proposed for zoning change is located at N3354 Hwy 73.

**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, East, South, and west are mostly zoned A-1 with some R-4 Districts scattered throughout. The surrounding areas seem to be used mostly as farmland, woods, or as residences. The proposed property partially falls under the Shoreland Zoning Ordinance and has wetlands located on the North. It does not fall under Floodplain Zoning

**ADDITIONAL INFORMATION / ANALYSIS:**

Currently the proposed parcel is not developed and is being used as a natural area and woods. There are wetlands located on the Northern side of the proposed parcel and a stream borders the NE corner of the property.

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. Three soil types are Class II soils that have moderate limitations that reduce the choice of plants or that require moderate conservation practices. Class II soils occupy ±6.22 acres. Two particular soils that are class two in this parcel are only considered class II if they are well drained, otherwise they are areas where water will pond and collect after a rain event these two soils make up ±5.84 acres of the Class II soils. There are two soil types that fall 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 ± 10.58 acres. The limitations with the soils on this property are related to the poor drainage on the northern part of the property and the steep slopes and higher risks to erosion for the rest of the parcel.



**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 or poorly drained areas that create wetlands where it is flat. The wetland areas (±5.84) could be classified as Class II soils if they were drained, but currently they are not, making it a difficult area to farm. The rest of the property is affected by steep slopes that do pose severe runoff and erosion risks unless they are managed very carefully. Both the A-1 and A-2 districts allow for farming, but the A-2 District allows for a house to be built on a property if the land is not used agriculturally.**
- 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 350-28 of the County Zoning Ordinance states that the A-2 district is intended to preserve and enhance land for agricultural uses.**
- 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 A-2's uses being complimentary and not in conflict with agricultural lands and uses, it is staff's belief that the request is substantially consistent with the county's certified Farmland Preservation Plan.**
- d) The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or are legally restricted to agricultural use. **The A-2 District allows all the same agricultural uses that are in the A-1 District and would not impair or limit any current or future agricultural uses.**

**TOWN OF MARQUETTE:** An Action Form requesting the Town's input related to this zoning change request was emailed to the Town Clerk on July 13<sup>th</sup>, 2021. At their August 11<sup>th</sup> 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 6-29-21

Zone Change from A1 to A2

Conditional Use Permit for \_\_\_\_\_

Other \_\_\_\_\_

**PROPERTY OWNER / APPLICANT**

Name Daniel Davison

Mailing Address W 1857 Manchester St Markesan WI 53946

Phone Number 920-767-1033

Signature Daniel Davison Date 6-29-21

**AGENT IF OTHER THAN OWNER**

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**PROPERTY INFORMATION**

Town of Maquette Parcel Number 014-00685-0000 Acres ±16.36

Lot - Block - Subdivision -

Section 22 Town 15 North Range 12 East

Location of Property N3354 Hwy 73

Legal Description The E 1/2 of the SW 1/4 Sec 22: Exc the S 21.16 Acres  
Exc CSM 899; # + Exc Hwy

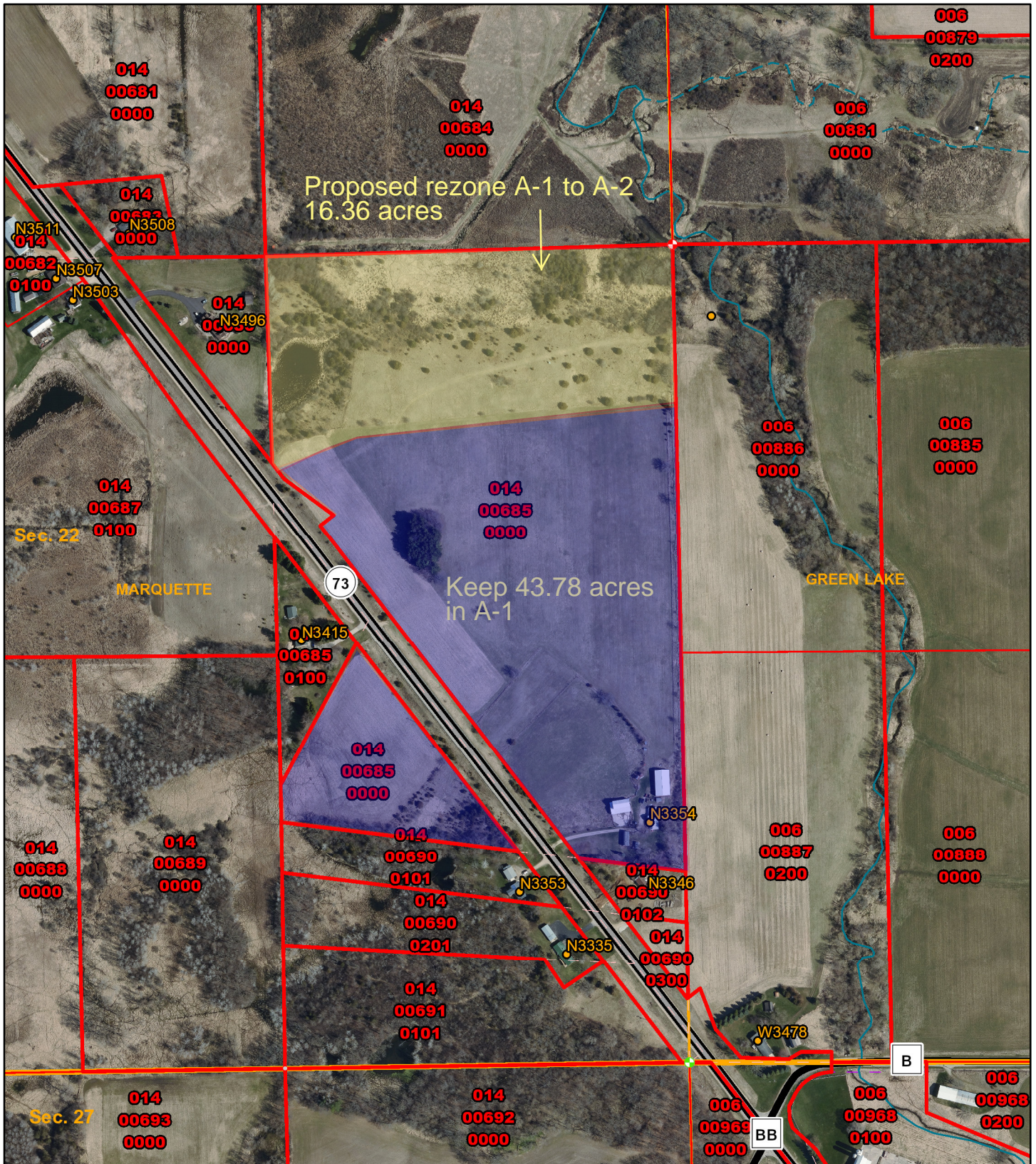
Current Zoning Classification A1 Current Use of Property Dwelling + Crops

Detailed Description of Proposed Use Dwelling, Natural Habitat Marsh. Most the  
land on this proposed parcel isn't farmable

**PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION**

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

PZP-010 (04/09)



Green Lake County

1 inch = 444 feet

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

### GIS Viewer Map

Green Lake County, WI

Note:

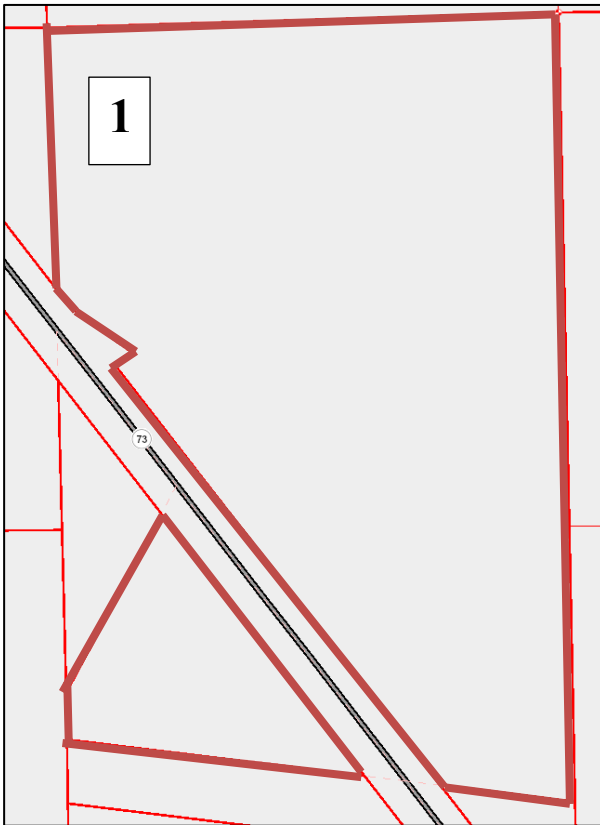
Time: 10:31:12 AM  
 Date: 8/27/2021



**Daniel Davison – Town of Marquette  
N3354 State Rd. 73, Parcel #014-00685-0000,  
Part of the SW1/4 of Section 22, T15N, R12E**

**Existing Configuration**

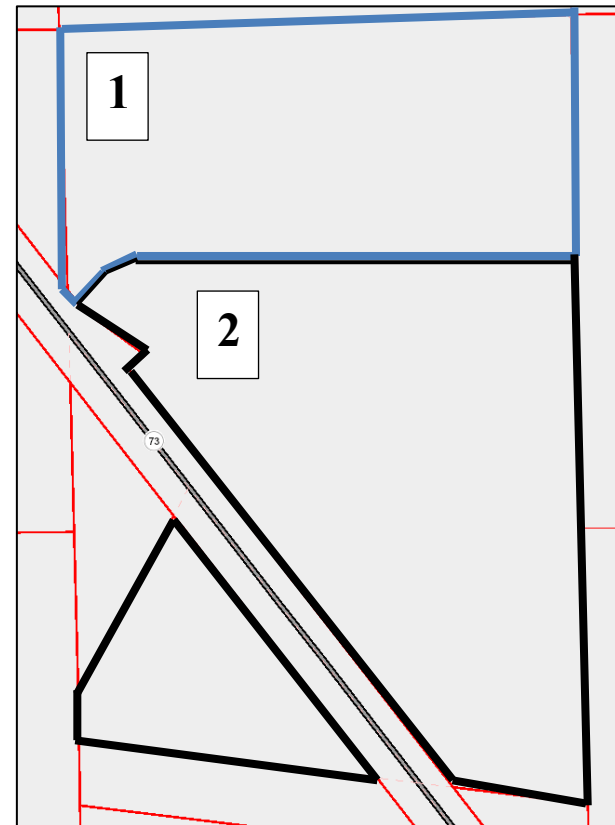
**1** = ±51.14 acre parcel zoned A-1, Farmland Preservation District



**Proposed Configuration**

**1** = Newly created ±16.36 acre parcel zoned A-2, General Agriculture District

**2** = Newly created ±34.78 acre parcel zoned A-1, Farmland Preservation District



# TOWN BOARD ACTION

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)

8/11/21

**Owner/Applicant:** Daniel Davison

**Site Location:** N3354 State Rd. 73

**General legal description:** Parcel 014-00685-0000, part of the SW1/4 Sec.22, T15N, R12E, Town of Marquette, ±51.14 acres.

**Request:** Rezone ±16.36 acres from A-1 Farmland Preservation District to A2, General Farmland District. To be identified by certified survey map.

**Planned public hearing date for the above requests:** September 2, 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:

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James A. Tellmacher  
Town Representative

8-11-21  
Date Signed

**NOTES:** Town has no objection for the rezone from A-1 to A-2

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**Please return this form to the Land Use Planning & Zoning Office by: August 18, 2021**

# LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

September 2, 2021

## ITEM IV: ZONING CHANGE

**OWNER:**

Michael Glover

**APPLICANT:**

Michael Glover

**REQUEST:** The owner is requesting a zoning change from A-1, Farmland Preservation District to R-4, Rural Residential District parcels, ±13.88 acres

**PARCEL NUMBER / LOCATION:** The affected parcel numbers are 006-00795-0300, 006-00795-0400, and 006-00795-0500 which are located in the southern quarter of Section 11, T15N, R12E, Town of Green Lake. The site proposed for the zoning change is located at W3101 County Road K.

**EXISTING ZONING AND USES OF ADJACENT AREA:** The current zoning of the parcels referenced above is A-1, Farmland Preservation District. The lands surrounding this parcel to the north are zoned R-1, Single Family Residence District. The parcels to the east, south, and west are zoned A-1, Farmland Preservation District. Parcel 006-00795-0300 falls within shoreland, wetland, and floodplain jurisdiction.

**ADDITIONAL INFORMATION / ANALYSIS:** The affected parcels make up ±1.1 acres of wetland, ±1.2 acres residential, and ±11.58 acres undeveloped open space. The wetland is found on parcel 006-00795-0300. The residential use is found on parcel 006-00795-0300 and 006-00795-0400. The undeveloped open space is found on all three parcels. All three of the current parcels are nonconforming to the minimum acreage for their zoning district. If the proposed rezone is approved, the parcels would be conforming to the acreage requirement. A future certified survey map (CSM) will create three new R-4 zoned parcels, a ±7.83 acre, ±3.02 acre, and a ±3.03 acre parcel. The future CSM will include the residential use and wetland area on one parcel rather than split between two like it is currently.

The soils on this property fall between class III which is defined as “soils have severe limitations that reduce the choice of plants, require special conservation practices, or both” and class IV which are defined as “soils have very severe limitations that reduce the choice of plants, require very careful management, or both.” Approximately 93% of the parcels acreage are class III soils with the remaining 7% class IV. See soil details below:

Boyer loamy fine sand (BpB), 1 to 6 percent slopes occupy approximately 70% of the parcels. According to **Soil Survey of Green Lake County, Wisconsin** this soil is suited for irrigation and where properly managed is suited to all the farm crops commonly grown in the county and to certain vegetable crops. Boyer loamy fine sand (BpC2), 6 to 12 percent slopes occupy approximately 23% of the parcels. This soil type when managed properly is suitable for all the farm crops commonly grown in the county. Adrian muck (Ad), nearly level, occupy the remaining 7% of the parcels. This soil type when drained is suitable for vegetable crops such as beets, carrots, lettuce, and corn. Undrained areas are suitable for wetland wildlife habitat.

**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 that all of the soils on the subject site have severe limitations for growing crops. The proposal would put these parcels in a zoning district that can be considered better suited for a use not allowed in the farmland preservation zoning district such as a rural non-farm residence. Establishing a residence, not associated with a “farm”, is not allowed in the farmland preservation zoning district. Also eliminating the potential agricultural use from these lands could have a positive impact on runoff management that will lead to Green Lake. 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 large residential land areas to maintain the rural character, and accommodate uses that are not urban in nature.**
  
- 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 accommodate uses like light agriculture. The R-4 district is intended to not impair or limit future agricultural use of surrounding parcels.**

**TOWN OF GREEN LAKE:** An Action Form requesting the Town’s input related to this zoning change request was emailed to the Town Clerk on July 13<sup>th</sup>, 2021. At their August 9<sup>th</sup> 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.<sup>00</sup> (not refundable) Date 6/30/2021  
Zone Change from A1 to R4  
Conditional Use Permit for N/A  
Other N/A

**PROPERTY OWNER / APPLICANT (1)**

Name Michael W Glover  
Mailing Address PO Box 102 Kingston, WI 53939  
Phone Number 920-229-4696  
Signature [Signature] Date 6-30-21

**PROPERTY OWNER / APPLICANT (2)**

Name \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Phone Number \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

**PROPERTY INFORMATION**

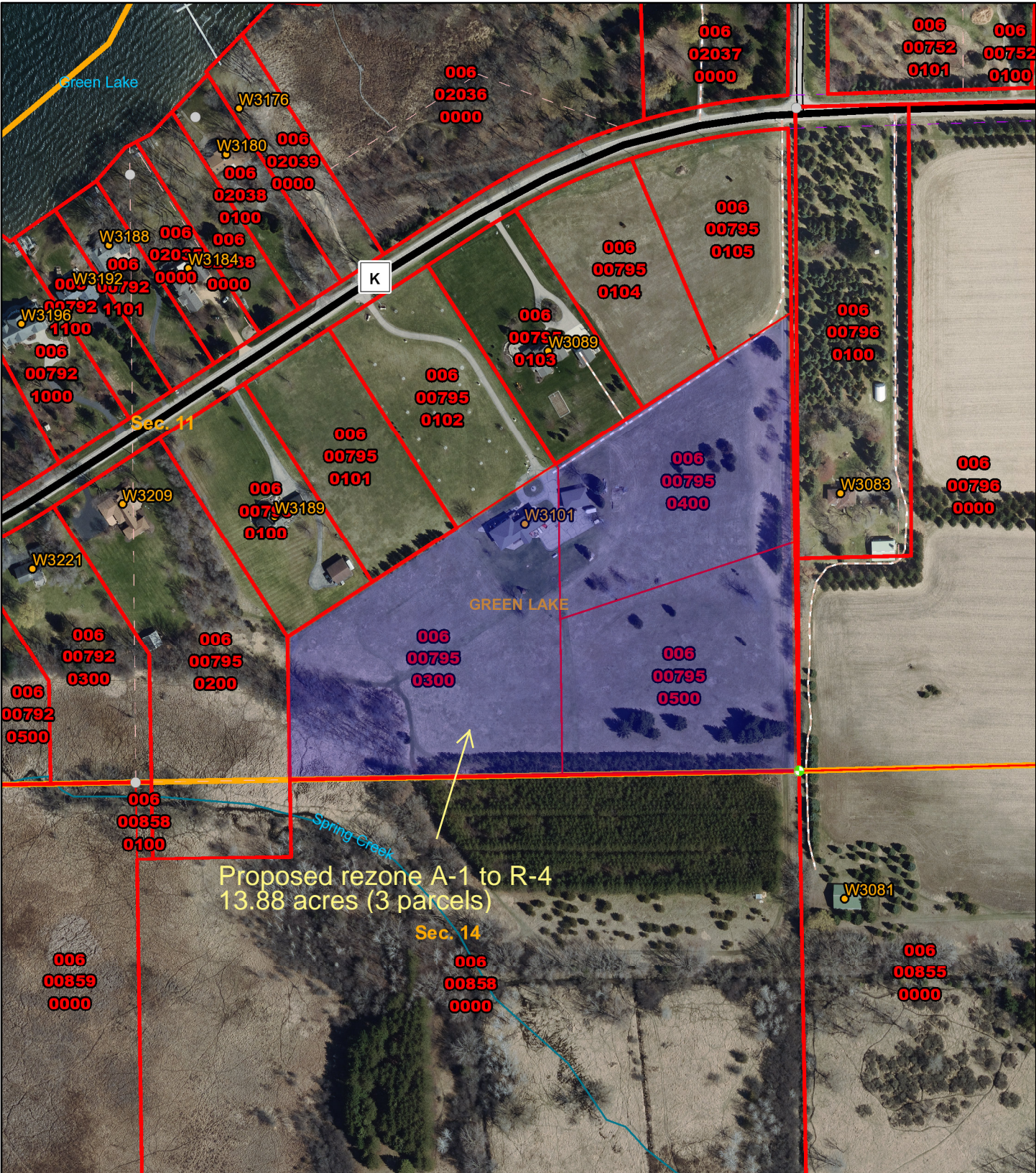
Town of Green Lake Parcel Number(s) 006-00795-0300, -0400, -0500  
Acres ±13.88 Lot 1-3 Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Section 11 Town 15 North Range 12 East  
Location of Property W3101 County Rd. K Markesan, WI 53946  
Legal Description Lot one, two, and three of Certified Survey Map 979 as recorded in the office of the Register of Deeds for Green Lake County, Wisconsin in Volume 4 of Certified Survey Maps on page 979. Town of Green Lake, Green Lake County, Wisconsin  
Current Zoning Classification A-1 Current Use of Property Residential use and the rest is open space.  
Detailed Description of Proposed Use Plan is to have 3 rural-residential parcels in the R-4 District. The land has not been used agriculturally in over 25 years.

**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

PZZ-311 (12/03)





Proposed rezone A-1 to R-4  
13.88 acres (3 parcels)

Green Lake County

1 inch = 274 feet

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

### GIS Viewer Map

Green Lake County, WI

Time: 10:47:42 AM  
Date: 8/27/2021

Note:



**Michael Glover–Town of Green Lake  
W3101 County Rd. K, Parcel #006-00795-0300,-0400,-0500  
Part of the W1/4 of Section 11, T15N, R12E**

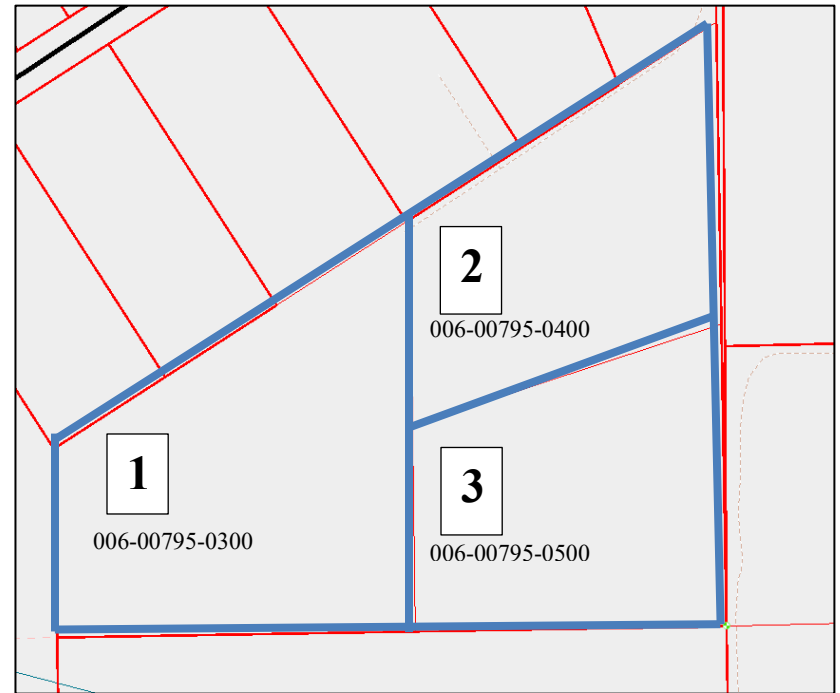
**Existing Configuration**

- 1 = ±5.63 acre parcel zoned A-1, Farmland Preservation District.
- 2 = ±4.12 acre parcel zoned A-1, Farmland Preservation District.
- 3 = ±4.13 acre parcel zoned A-1, Farmland Preservation District.



**Proposed Configuration**

- 1 = ±5.63 acre parcel zoned R-4, Rural Residential District.
- 2 = ±4.12 acre parcel zoned R-4, Rural Residential District.
- 3 = ±4.13 acre parcel zoned R-4, Rural Residential District.



Please be advised that the Town Board of Green Lake, County of Green Lake, took the following action on –  
(Date) 8-9-2021.

**Owner/Applicant:** Michael Glover

**Site Location:** W3101 County Road K, Markesan

**General legal description:** Parcels 006-00795-0300, -0400, -0500, part of the SW1/4 of Sec.11, T15N, R12E, Town of Green Lake, ±13.8 acres.

**Request:** Rezone ±13.8 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

**Planned public hearing date for the above requests:** September 2, 2021

**Town Does Not object to and Approves of request**

**No action taken**

**Objects to and requests denial of request**

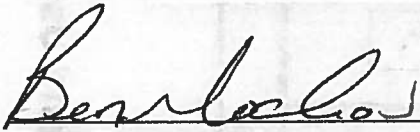
**NOTE:** If denial – please enclose Town Resolution of denial

- Reason(s) for objection:

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\_\_\_\_\_  
**Town Representative**

8-9-2021  
\_\_\_\_\_  
**Date Signed**

**NOTES:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Please return this form to the Land Use Planning & Zoning Office by: August 18, 2021**

**LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT**PUBLIC HEARINGSeptember 2, 2021**ITEM V: ZONING CHANGE****OWNER:**

Lake Farms LLC

**APPLICANT:**

Brian Schulz

**REQUEST:** The applicant is requesting a zoning change from A-1, Farmland Preservation District to R-4, Rural Residential District, ±5.8 acres.

**PARCEL NUMBER / LOCATION:** The affected parcel numbers are 012-00704-0100 and 012-00705-0100, located in the SW ¼ of the SE ¼ of Section 36, T14N, R12E, and the SE ¼ of the SE ¼ of Section 36, T14N, R12E Town of Manchester. The site proposed for zoning change is East of Highway 73 and North of County line Road

**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, East, and west are all zoned A-1. The lands to the south are located in Columbia County, however they appear to be used agriculturally. All the surrounding properties appear to mostly be used for agricultural crops. The proposed property does not fall under the Shoreland or Floodplain Zoning Ordinance

**ADDITIONAL INFORMATION / ANALYSIS:**

Currently the proposed parcel is not developed and is being used as a natural area and woods. The proposed parcel does have steep slopes as high as 30%.

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 ±0.74 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 ± 1.25 acres. There is one soil type which falls under Class VI soils which have very severe limitations that make farming cultivated crops very difficult and may allow for pasture if it is carefully managed. This soil does impose a severe erosion hazard. Class VI soils occupy ± 3.82 acres. The limitations with the soils on this property are related to the severe 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 soils that do not support any crops due to the severe erosion hazard that they impose. Of the 5.8 acre proposed parcel only ±0.74 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.**
- 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 is substantially consistent with the county's certified Farmland Preservation Plan.**
- d) The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or are legally restricted to agricultural use. **The 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 MANCHESTER:** An Action Form requesting the Town's input related to this zoning change request was emailed to the Town Clerk on July 13<sup>th</sup>, 2021. At their August 9<sup>th</sup> 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.<sup>00</sup> (not refundable)

Date 6-18-2021

Zone Change from A-1 to R-4

Conditional Use Permit for \_\_\_\_\_

Other \_\_\_\_\_

**PROPERTY OWNER / APPLICANT**

Name ~~Brian Schulz~~ Lake Farms LLC / Brian Schulz

Mailing Address 540 Mill Street, Dalton, WI 53926

Phone Number 920-229-2707

Signature *Brian Schulz* Date 7-1-2021

**AGENT IF OTHER THAN OWNER**

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**PROPERTY INFORMATION**

Town of Manchester Parcel Number 012-00704-0100 & 012-00705-0100

Acres 5.8

Lot \_\_\_ Block \_\_\_ Subdivision \_\_\_\_\_

Section 36 Town 14 North Range 12 East

Location of Property C.T.H. AW at formerly Old State Road 73

Legal Description SW1/4 of the SE1/4 and SE1/4 of the SE1/4

Section 36, T14N; R12E Town of Manchester

Current Zoning Classification A-1 Current Use of Property Vacant woods/brush

Detailed Description of Proposed Use Single Family Residential

**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

# SCHULZ REZONING PROPOSAL

BEING A PART OF THE SE1/4 OF THE SE1/4 AND  
THE SW1/4 OF THE SE1/4, SECTION 36, T.14N., R.12E., TOWN  
OF MANCHESTER, GREEN LAKE COUNTY, WISCONSIN



**SURVEY NOTES:**

- CURRENT ZONING IS A-1 FARMLAND PRESERVATION DISTRICT
- PROPOSED ZONING IS R-4

GRAPHIC SCALE  
1 inch = 200 ft.



**MERIDIAN**  
**SURVEYING, LLC**



N9637 Friendship Drive Office: 920-993-0881  
Kaukauna, WI 54130 Fax: 920-273-6037

DRAWN BY: J.D.

CHECKED BY: C.A.K.

JOB NO.: 12906

FIELD WORK DATE: 6-13-21

FIELD BOOK: M-34, PG. 8

SHEET 1 OF 1

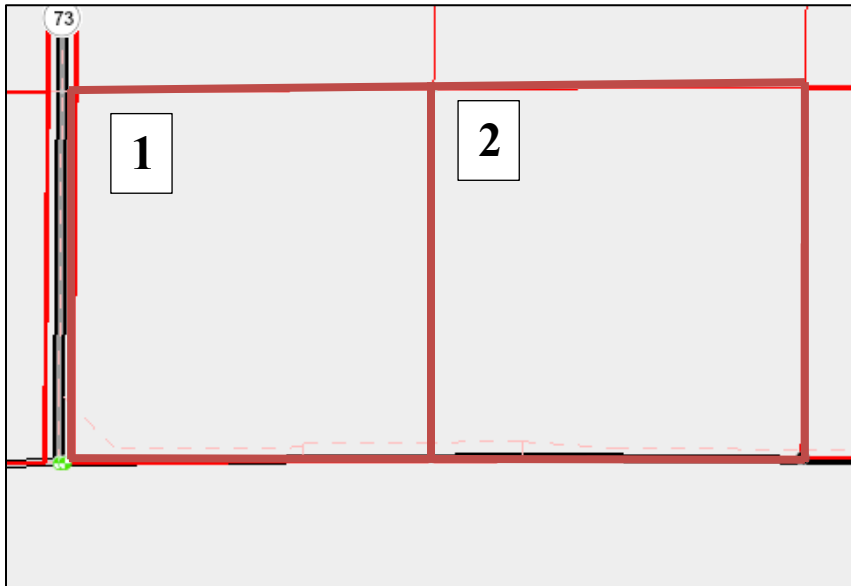
SURVEYED FOR:  
LAKE FARMS LLC  
BRIAN SCHULZ  
540 MILL STREET  
DALTON, WI 53926

**Lake Farms LLC/Brian Schulz – Town of Manchester**  
**County Rd. AW, Parcel #012-00704-0100, #012-00705-0100**  
**Part of the SE1/4 of Section 36, T14N, R12E**

**Existing Configuration**

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

2 = ±40 acre parcel zoned A-1, Farmland Preservation District.

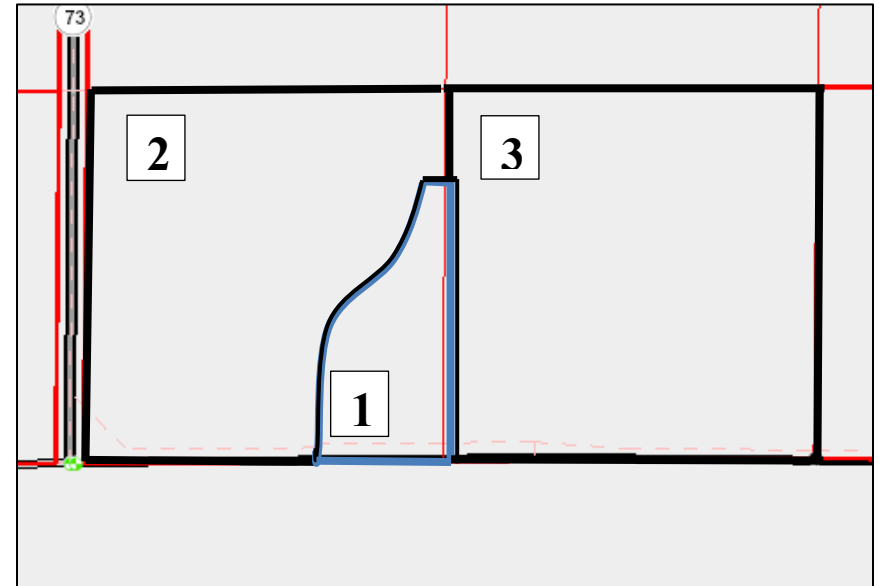


**Proposed Configuration**

1 = Newly created ±5.8 acre parcel zoned R-4, Rural Residential District.

2 = Newly created ±35 acre parcel zoned A-1, Farmland Preservation District.

3 = Newly created ±39.2 acre parcel zoned A-1, Farmland Preservation District.



**Land Use Planning & Zoning Public Hearing 09/02/2021**



# TOWN BOARD ACTION

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Manchester, County of Green Lake, took the following action on –  
(Date) AUGUST 9, 2021.

**Owner/Applicant:** Lake Farms LLC/Brian Schulz

**Site Location:** County Road AW

**General legal description:** Parcel 012-00704-0100 & 012-00705-0100, part of the SE1/4 of Sec.36, T14N, R12E Town of Manchester, ±80 acres.

**Request:** Rezone ±5.8 acres from A-1, Farmland Preservation District to R-4, Rural Residential District. To be identified by certified survey map.

**Planned public hearing date for the above requests:** September 2, 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:

---

---

---

*Cassene Hrueger*  
Town Representative

8/9/2021  
Date Signed

NOTES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Please return this form to the Land Use Planning & Zoning Office by: August 18, 2021**

## LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

September 2, 2021

### ITEM VI: ZONING ORDINANCE AMENDMENT

**REQUEST:** The Green Lake County Land Use Planning and Zoning Department is requesting an amendment to the Code of Green Lake County, Chapter 350 of the Zoning Ordinance; more specifically to address dog breeders and dog breeding facilities, dwelling design and construction standards, detached and attached garage standards, rezone amendments, and general clarification edits.

**ADDITIONAL INFORMATION / ANALYSIS:** Presently, the County Zoning Ordinance considers dog breeding facilities the same as dog kennels. However, a dog breeding facility is a place where dogs are bred and raised and from which at least 25 dogs or more from more than 3 litters are sold in a license year. A dog kennel has always been defined as an establishment that houses, boards, grooms, shelters, protects, breeds, trains or sells dogs for fee or compensation.

The two property uses are similar, but due to the increased levels of scrutiny by the DATCP and the USDA, the dog breeding facility should be considered to be a stand-alone use and not covered under the “kennel” definition. Furthermore, dog-breeding facilities have the potential to become locations of public nuisances as well as have the potential to bring about a negative impact on the public interest, safety and welfare. Therefore, the amendment defines dog breeding facilities and would allow them as a conditional use in the A-2, General Agriculture zoning district. Dog kennels are still allowed in the A-1, Farmland Preservation and A-2, General Agriculture zoning districts also by conditional use.

In addition to the new ordinance standards described above, this ordinance amendment

- Inserts language into the dwelling design and construction standards that considers current home design including entryways, mudrooms, 3-season rooms, sunrooms, passageways and covered porches as part of the dwelling but are exempt from the smallest horizontal dimension standard.
- Also, language was added to require the footprint of an attached garage to be no larger than the attached dwelling unit. This eliminates a current trend of micro-houses with attached Mega-garages and the associated property value impacts. This standard does not apply to dwellings in the A-1 or A-2 zoning districts.
- The maximum detached garage area and volume standards in R-3 were increased to match the allowances in the R-1, R-2, and R-4 zoning districts.
- The permitted use “temporary structure/use” was eliminated from both the A-2 and the R-3 zoning districts. This permitted use has the potential to be highly intrusive to neighboring property owners even if the structure/use were only to exist for less than 90 days.
- Open-style agricultural fences, no greater than eight feet in height, have been exempted from permitting.

- A 1-year sunset standard was added relating to rezones where a CSM was required to be recorded.
- Several new definitions were added that related to the above ordinance changes. There was also one definition deletion, “temporary structure/use”.
- The accessory structure definition was modified to make it clear that an accessory structure is detached from the principal structure.
- The attached garage definition was modified to further clarify what “attached” really entails. This is necessary as attached garages provide a property owner with more living space options than detached garages. This new language addresses the conversion of single-family dwellings into two-family and multi-family dwellings within a more restrictive zoning district.
- The structure / building setbacks from highways were all referred to the Highway setback section of the ordinance. This eliminates multiple locations in the ordinance to find these setbacks.

**SUMMARY:** This ordinance amendment addresses dog breeders and dog breeding facilities, as well as updates the dwelling design and construction standards, clarifies detached and attached garage standards, establishes a sunset date for rezones with CSMs, and streamlines the ordinance readability through clarification edits. These amendments will resolve many customer concerns and will further the orderly administration and enforcement of property development within the County.

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

- ❑ Forward onto the County Board with recommendation to adopt as proposed.
- ❑ Hold another public hearing to take additional public comment.
- ❑ \*Reject as proposed.

\* In the event that these amendments are not adopted, there is strong likelihood that dog breeding facilities will continue to develop in the zoned townships in the County. A significant portion of these facilities could fail leaving many dogs for which to be accounted. Without the dwelling design standards being adopted, there will continue to be a limitation on design style and options. Further, the attached garage standards will continue to be difficult to enforce and many more micro-dwellings with attached mega-garages will be constructed in residential zoning districts. And property owners could face a situation where a temporary structure or use (unlimited) would pop-up in their neighborhood for 90 days without consequence. These amendments may make it more difficult for certain property owners to engage in uses that have the potential to be highly intrusive to their neighbor’s quality of life and property values, **but this is an essential function of the any zoning ordinance.**

**ORDINANCE NO. -2021**

**Amending Ch. 350 – Zoning, Ordinance 146-76.**

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 21st day of September 2021, does ordain as follows:

- 1 **WHEREAS**, an amendment is necessary to update the County's Zoning Ordinance.

Roll Call on Ordinance No. -2021

Submitted by Land Use Planning & Zoning Committee:

Ayes , Nays , Absent , Abstain

Passed and Enacted/Rejected this 21st day of September, 2021.

\_\_\_\_\_  
Curt Talma, Chair

\_\_\_\_\_  
William Boutwell, Vice-chair

\_\_\_\_\_  
County Board Chairman

\_\_\_\_\_  
Harley Reabe

\_\_\_\_\_  
ATTEST: County Clerk  
Approve as to Form:

\_\_\_\_\_  
Charles Buss

\_\_\_\_\_  
Corporation Counsel

\_\_\_\_\_  
Don Lenz

3 Section 1. Green Lake County Ordinance, No. 146-76 adopted by the Green Lake County  
4 Board of Supervisors on June 15, 1976 and as amended from time-to-time is amended as  
5 follows (deletions are in ~~strikeout~~, additions are in underline):

6  
7 Proposed Amendments to Chapter 350, Zoning Ordinance September 2, 2021

8 Article I: Introduction, No changes

9 Article II: (Reserved), No changes

10 **Article III: General Provisions, Amendments as follows:**

11 **§ 350-15** Accessory buildings, Accessory structures.

12 **§ 350-17.A (2-6)**. Dwelling design and construction.

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

15 (2) Have a first-story minimum living area of 800 square feet, ~~and be not less than~~  
16 ~~20 feet in their smallest horizontal dimension, exclusive of attached garage, carport or~~  
17 ~~open deck.~~

18 (3) Be not less than 20 feet in their smallest horizontal dimension, exclusive of portions  
19 of the dwelling including but not limited to three-season rooms, sunrooms or solariums,  
20 mudrooms, passageways and entryways.

21 ~~(43)~~ Have any wheels, axles, hitches, tow bars and other equipment necessary for  
22 transporting on streets or highways removed when the structure is placed on the  
23 foundation.

24 ~~(54)~~ Be constructed in accordance with accepted construction practices and building  
25 codes. In no case shall a shipping or storage container(s), or parts thereof, be used as a  
26 dwelling. [Added 8-18-2020 by Ord. No. 9-2020]

27 (6) There shall only one attached garage per dwelling unit and in no case shall the  
28 footprint of the attached garage exceed the dwelling unit's total living area.

29 **§ 350-17.B**. The requirements as set forth in Subsection A~~(2)~~ A(3) above do not apply  
30 to dwellings located in an R-2 District, and the requirements as set forth in Section A(6)  
31 above do not apply to dwellings located in the A-1 and A-2 zoning districts.

32 **§ 350-20.B**. Side and rear yard regulations.

33 B. Except as otherwise provided in this section, every structure hereafter erected,  
34 moved or structurally altered shall provide the minimum side and rear yards as  
35 required by the following table for the district in which such ~~building~~ structure is or is  
36 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.

37

38 **Article IV: Zoning Districts, Amendments as follows:**

39 **§ 350-27.A.(2)(b)** A-1, Farmland Preservation District, Conditional uses.

40 (b) A business, activity, or enterprise, whether or not associated with an agricultural  
41 use, and is not a dog breeding facility or a dog breeder as defined in ATCP 16,  
42 which meets all of the following requirements:

43 [1] It is conducted on a farm by an owner or operator of that farm.

44 [2] It requires no buildings, structures, or improvements other than those described in  
45 Subsection D(1) and (3) of the definition of "accessory use."

46 [3] The total cumulative hours worked by paid employees, excluding the owner(s),  
47 shall not exceed 160 hours per week.

48 [4] It does not impair or limit the current or future agricultural use of the farm or other  
49 protected farmland.

50 **§ 350-27.A.(2)(h)** A-1, Farmland Preservation District, Conditional uses.

51 (h) Dog kennels qualifying as an accessory use under § 91.01(1), Wis. Stats. Dog  
52 breeder(s) or dog breeding facility(s) as defined in ATCP 16.01 are not allowed in  
53 the A-1, Farmland Preservation Zoning District.

54 **§ 350-27.A.(2)(Note)** A-1, Farmland Preservation District

55 Note: The County may issue a conditional use permit for a proposed land use not  
56 identified in this section if the proposed land use meets applicable conditions under  
57 this section. Before issuing a conditional use permit, the County shall determine, in  
58 writing, that the proposed use meets applicable conditions under this section. The  
59 County may issue the permit subject to conditions designed to carry out the  
60 purposes of this chapter. Dog breeder or Dog breeding facility as defined in ATCP  
61 16 are exempt from this provision.

62 **§ 350-27.A.(3)(c)[1]** A-1, Farmland Preservation District, Principal structure setback and  
63 height standards.

64 ~~[1] Highway setbacks: Refer to § 350-50A. [Amended 11-14-2017 by Ord. No. 22-~~  
65 ~~2017] Street yard setback:~~

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

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

68 **§ 350-27.D.** A-1, Farmland Preservation District, Definitions

69 DOG BREEDER

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

75 DOG BREEDING FACILITY

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

78 DOG KENNEL

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

81 LICENSE YEAR

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

85 **§ 350-28.A.(1)(c).** A-2, General Agriculture District, Permitted uses.  
86 ~~(c) Accessory structure/use, temporary.~~

87 **§ 350-28.A.(2)(b & f).** A-2, General Agriculture District, Conditional uses.  
88 (b) Animal veterinary clinic.  
89 (f) ~~Animal veterinary clinic.~~ Dog breeder or Dog breeding facility

90 **§ 350-28.A.(3)(c)[1]** A-2, General Agriculture District, Principal structure setback and  
91 height standards.  
92 ~~[1] Highway setbacks: Refer to § 350-50A. [Amended 11-14-2017 by Ord. No. 22-~~  
93 ~~2017] Street yard setback:~~

94 ~~[a] State trunk road rights-of-way: 67 feet minimum.~~  
95 ~~[b] All other public road rights-of-way: 40 feet minimum.~~

96 **§ 350-33.A.(2).** C-2, Extensive Commercial District, Permitted uses.  
97 ~~(2) Parking lot~~

98 **§ 350-33.B.(7).** C-2, Extensive Commercial District, Conditional uses.  
99 ~~(7) Sawmills, manufacture, sale or processing of wood or plywood products.~~

100 **§ 350-34.B.(28).** I, Industrial District, Conditional uses.  
101 (28) Sawmills, manufacture, sale or processing of wood or plywood products.

102 **§350-35.H.** M-1, Mineral Extraction District.  
103 H. Highway setbacks: Refer to § 350-50A.

104 **§ 350-38.A.(2)** R-1 Single-Family Residence District, Permitted uses.  
105 (2) Churches; public schools; parochial schools; municipal buildings, except sewage  
106 disposal plants; garbage incinerators; public warehouses; public garages; public  
107 shops; public storage yards; and public recreational and community center  
108 buildings and grounds.

109 **§ 350-38.D.(1)** R-1 Single-Family Residence District, Principal structure setback and  
110 height standards.



111 (1) Highway setbacks: Refer to § 350-50A. [Amended 11-14-2017 by Ord. No. 22-  
112 2017] Street yard setback:

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

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

115 (c) ~~All riparian lots or parcels that front on a public Town road right-of-way: 25 feet~~  
116 ~~minimum.~~

117 **§ 350-38.E** R-1 Single-Family Residence District, Accessory building structures.

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

122 **§ 350-38.E.(2)** R-1 Single-Family Residence District, Accessory building structures.

123 (2) Height: 25 feet maximum; ground floor surface to peak. There shall be no  
124 sidewalls above the ground floor ceiling joists, ~~unless attached to the dwelling unit.~~  
125 Ground floor sidewalls shall not exceed 15 feet in height.

126 **§ 350-39.A.** R-2 Single-Family Mobile Home Residence District.  
127

128 A. In the Class Two Residential District, all uses and structures shall be permitted that  
129 are permitted in the ~~regular (Class One) Single-family residential~~ Residence  
130 District, and, in addition thereto, mobile and manufactured homes occupied by a  
131 single family shall be permitted. ~~[Amended 3-19-2019 by Ord. No. 2-2019]~~

132 **§ 350-39.E.(1)** R-2 Single-Family Mobile Home Residence District, Principal structure  
133 setback and height standards.

134 (1) Highway setbacks: Refer to § 350-50A. [Amended 11-14-2017 by Ord. No. 22-  
135 2017] Street yard setback:

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

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

138 (c) ~~All riparian lots or parcels that front on a public Town road right-of-way: 25 feet~~  
139 ~~minimum.~~

140 **§ 350-39.F.** R-2 Single-Family Mobile Home Residence District, Accessory building

141 structures.

142

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

147 **§ 350-40.A.(13)** R-3 Multiple-Family Residence District, Permitted uses.

148 (13) Reserved Temporary structure/use.

149 **§ 350-40.D.(1)** R-3 Multiple-Family Residence District, Permitted uses.

150 D. Principal structure setback and height standards.

151 (1) Highway setbacks: Refer to § 350-50A. ~~[Amended 11-14-2017 by Ord. No. 22-~~  
152 ~~2017]~~ Street yard setback:

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

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

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

157 **§ 350-40.E.** R-3 Multiple-Family Residence District, Accessory structure standards.

158

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

163 **§ 350-40.E (3) & (4).** R-3 Multiple-Family Residence District, Accessory structure  
164 standards.

165

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

167 (4) Volume: ~~40,000~~ 25,000 cubic feet maximum volume.

168 **§ 350-40.F.** R-3 Multiple-Family Residence District, Accessory nonbuilding structure  
169 standards.

170

171 ~~F. Accessory nonbuilding structure standards. For the purpose of this subsection,~~  
172 ~~nonbuilding structures shall be structures that do not meet the definition of "building~~  
173 ~~structure." The setback for nonbuilding structures from any ownership boundary line~~

174 of a lot or parcel shall be 1.1 times the overall height of that structure. The overall  
175 height shall be measured from the lowest ground point adjacent to the structure to  
176 the highest point of the structure.  
177

178 **§ 350-41.B.(8)** R-4 Rural Residential District, Conditional uses.

179 (8) Kennel (must be on at least a 5 acre lot or parcel and only as an accessory use to  
180 the residential use). [~~Added 3-19-2019 by Ord. No. 2-2019~~]

181 **§ 350-41.D.(1)** R-4 Rural Residential District, Principal structure setback and height  
182 standards.

183 (1) Highway setbacks: Refer to § 350-50A. [~~Amended 11-14-2017 by Ord. No. 22-~~  
184 ~~2017~~]Street yard setback:

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

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

187 **§ 350-41.E.** R-4 Rural Residential District, Accessory structure standards.

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

192 **§ 350-41.E.(2)** R-4 Rural Residential District, Accessory structure standards.

193 (2) Height: 25 feet maximum; ground floor surface to peak. There shall be no sidewalls  
194 above the ground floor ceiling joist, ~~unless attached to the dwelling unit.~~ Ground  
195 floor sidewalls shall not exceed 15 feet in height.

196 **§ 350-41.F.** R-4 Rural Residential District, Accessory nonbuilding structure standards.

197 ~~F. Accessory nonbuilding structure standards. For the purpose of this subsection,~~  
198 ~~nonbuilding structures shall be structures that do not meet the definition of "building~~  
199 ~~structure." The setback for nonbuilding structures from any ownership boundary line~~  
200 ~~of a lot or parcel shall be 1.1 times the overall height of that structure. The overall~~  
201 ~~height shall be measured from the lowest ground point adjacent to the structure to~~  
202 ~~the highest point of the structure.~~  
203

204 **Article V. Non-Building Structures, Amendments as follows:**

205 **§ 350-43.B.(4)(a)** Signs, On-site signs advertising business on premises.

206 (a) One on-site sign attached to a building structure advertising a business conducted  
 207 or service available on the premises shall not exceed the height of the building  
 208 structure it is attached to. Such sign shall not exceed ~~32~~ 50 square feet in gross  
 209 area.

210 **§ 350-43.1.C. Fences.**

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

213 **Article VI. Highway Setback Lines, Amendments as follows:**

214 **§ 350-50.A. Setback distances.**

215 A. Along highways generally. The setback distance from the center line or right-of-way  
 216 line, at any point, for the respective classes of highways shall be as follows:  
 217 [~~Amended 11-14-2017 by Ord. No. 22-2017; 3-19-2019 by Ord. No. 2-2019; 8-18-~~  
 218 ~~2020 by Ord. No. 9-2020]~~

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

219

220 **Article IX. Administration and Enforcement, Amendments as follows:**

221 **§ 350-65.A. Land use permit.**

222 A. No building or structure or billboard or any part thereof, except as herein provided,  
 223 shall hereafter be erected, enlarged, structurally altered, ~~repaired~~ or moved within  
 224 the areas subject to the provisions of this chapter until a land use permit shall have  
 225 been applied for, in writing, and obtained from the Land Use Planning and Zoning  
 226 Department. Such permit shall be posted in a prominent place on the premises prior  
 227 to and during the period of construction, alteration, repair or moving. Land use  
 228 permits shall be valid for a period of one year from date of issue unless otherwise  
 229 specified on the permit. A copy of such permit shall be filed with the Land Use

230 Planning and Zoning Department and with the inspector and clerk for the town in  
231 which the permit is effective. Forms for the application for land use permits shall be  
232 supplied by the Land Use Planning and Zoning Department. All such forms shall be  
233 approved by the County Board. For a fee schedule refer to Article XII, Fee  
234 Schedule. [~~Amended 11-14-2017 by Ord. No. 22-2017~~]

235 Article X. Enforcement, No changes.

236 **Article XI. Amendments, Amendments as follows:**

237 § 350-75.B. Rezoning amendment standards.

238 B. All rezone amendments that result in the creation of a new parcel or parcels shall  
239 be done by certified survey map in accordance with § 315-38 of the Land Division  
240 and Subdivision Ordinance. The rezone amendment shall not take effect until the  
241 certified survey map, creating the rezoned parcel(s), is recorded in the Green Lake  
242 County Register of Deeds office. If the required certified survey map is not  
243 recorded within 12 months of the rezone amendment's approval, the rezone  
244 amendment is void.

245 Article XII. Fee Schedule, No changes.

246 **Article XIII. Word Usage and Definitions, Amendments as follows:**

247 **§ 350-77** Word usage and definitions.

248 **ACCESSORY STRUCTURE**

249 A subordinate structure, detached from the principal structure, the use of which is  
250 incidental to and customarily found in connection with the principal structure or use  
251 of the property.

252 **BREEZEWAY**

253 An above-ground, roofed accessory structure that is utilized for the purpose of  
254 connecting two structures or buildings, as between a house and a garage, with  
255 either open or enclosed sides, with or without a foundation. A breezeway is not  
256 considered part of a dwelling.

257 **DOG BREEDER**

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

262 the dogs on real estate owner or occupied by that agent.

263 DOG BREEDING FACILITY

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

266 ENTRYWAY

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

269 GARAGE

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

272 A. ATTACHED: A garage sharing a common wall with the principal structure. The  
273 attachment must extend from original grade to the roofline of one or more of the  
274 connected structures, must be completely enclosed by a roof, walls and floor  
275 (openings only for windows, skylights, and doors are allowed), and there must be  
276 a direct connection from the 2nd floor of the principal structure to the 2nd floor of  
277 the attached garage.

278 B. DETACHED: A garage that is not attached to ~~separate from~~ the principal  
279 structure, being an accessory structure.

280 KENNEL

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

285 LICENSE YEAR

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

289 LIVING AREA

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

292 appurtenances.

293 MUDROOM

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

296 PASSAGEWAY

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

300 ~~STRUCTURE OR USE, TEMPORARY~~

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

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

304 ~~A. That is present for not more than 90 days from the date of issuance of the land~~  
305 ~~use permit.~~

306 ~~B. That complies with applicable dimensional and use standards.~~

307 ~~C. That there is no remaining evidence at the termination of the temporary structure~~  
308 ~~or use.~~

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

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

313 Section 4. All ordinances and parts of ordinances in conflict herewith are hereby  
314 repealed.