



# 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 1, 2022.

Packet Pages:

- 2 Agenda
- 3 Draft Meeting Minutes from August 4, 2022
- 4-6 Financial Reports for July 2022
- 7-9 Permit Reports for July 2022
- 10-11 Violation Reports
- 12-34 Public Hearing Items

**Item I Owner:** Mary Kallas **Site location:** N6057 Saint Marie Rd **General legal description:** Parcels 004-00853-0401, -0402 part of the NE1/4 of S24, T16N, R12E, Town of Brooklyn, ±4.64 acres **Request:** RZN ±1.19 acres from R-4, Rural Residential District, to A-2, General Agriculture District. RZN ±0.66 acres from A-2 to R-4. To be identified by certified survey map.

**Item II Owner:** AEC Island LLC **Agent:** John Loberg **Site location:** Lakeway Dr **General legal description:** Parcel 004-00410-0528, part of the SE1/4 of S17, T16N, R13E, Town of Brooklyn, ±0.76 acres **Request:** CUP for contractor's shops & storage.

**Item III Applicant:** Green Lake County Land Use Planning & Zoning Committee **Explanation:** The Committee is requesting amendments to the Code of Green Lake County, Ch. 350, Zoning Ordinance, more specifically to add a public nuisance section, place limits on conditional uses in the A-1 zoning district, allow a detached residential use in the C-1, C-2 and I zoning districts, allow a contractor's yard as a conditional use in the C-2 zoning district, allow more than one principal residential structure in the R-3 zoning district, exempt driveways and some walkways from structure setbacks, exempt irrigation and manure piping structures from highway setbacks and add or modify several definitions.

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 1, 2022 Time: 4:00 PM  
Location: Government Center, County Board Room #902, 571 County Road A, Green Lake WI

### AGENDA

#### Committee Members

Curt Talma,  
Chair

Chuck Buss  
Vice Chair

Bill Boutwell

Gene Thom

Harley Reabe

Karen Werlein,  
Secretary

Virtual attendance at meetings is optional. If technical difficulties arise, there may be instances when remote access may be compromised. If there is a quorum attending in person, the meeting will proceed as scheduled.

1. Call to Order
2. Pledge of Allegiance
3. Certification of Open Meeting Law
4. Approval of Minutes: 8/4/2022
5. Public Comments: 3 minute limit
6. Department Activity Reports
  - a. Financial reports
  - b. Land use & septic permits
  - c. Violation reports
7. Public Appearance: Tom Kloosterboer
8. Public Hearing: (Not to begin before 4:30 PM)

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9. Future committee activities
  - a. Future agenda items
  - b. Next meeting date: October 6, 2022
10. Adjourn

**This meeting will be conducted through in person attendance or audio/visual communication. Remote access can be obtained through the following link:**

[https://teams.microsoft.com/l/meetup-join/19%3awqahrjDs92dJKnM1sBjrlWK\\_b7LpolxGLrgyzZrwB3s1%40thread.tacv2/1660310899906?context=%7b%22Tid%22%3a%226e4bd50f-9266-4d14-8159-66cdd4fec978%22%2c%22Oid%22%3a%224e449f27-8574-4e1f-8898-c48d04181428%22%7d](https://teams.microsoft.com/l/meetup-join/19%3awqahrjDs92dJKnM1sBjrlWK_b7LpolxGLrgyzZrwB3s1%40thread.tacv2/1660310899906?context=%7b%22Tid%22%3a%226e4bd50f-9266-4d14-8159-66cdd4fec978%22%2c%22Oid%22%3a%224e449f27-8574-4e1f-8898-c48d04181428%22%7d)

Topic: Land Use Planning & Zoning Committee Meeting  
Time: Time: September 1, 2022, 04:00 PM Central Time (US and Canada)

**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 4, 2022**

**CALL TO ORDER**

Planning & Zoning Chair Curt Talma called the meeting of the Land Use Planning and Zoning Committee to order at 4:03 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: **Harley Reabe, Curt Talma, Chuck Buss, Bill Boutwell, Gene Thom, Dawn Klockow,**  
Corporation Counsel

Absent:

Also Present: **Matt Kirkman,** Land Use Planning and Zoning Director, **Karen Werlein,** Land Use Coordinator,

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**APPROVAL OF MINUTES**

***Motion/second (Boutwell/Buss)*** to approve the minutes of the July 7th meeting. Motion carried with no negative vote.

**PUBLIC COMMENTS:**

Chairman Talma called for public comments  
None

**2023 PLANNING & ZONING DEPARTMENT BUDGET**

Matt Kirkman discussed the 2023 department budget proposal

**ZONING ORDINANCE AMENDMENT REVIEW**

Kirkman discussed the proposed zoning ordinance amendment.

***Motion/second (Boutwell/Thom)*** to change line 103 to 'The farm is at least 8 acres in area. Motion carried with no negative vote.

**FUTURE COMMITTEE ACTIVITIES**

- a. Future agenda items –
- b. Next meeting date – **September 1st, 2022**

***Motion/second (Boutwell/Buss)*** to go into closed session. Roll call: Buss-aye, Boutwell-aye, Thom, aye, Reabe-aye, Talma-aye Motion carried with no negative vote.

**CLOSED SESSION**

**ADJOURN**

Chair Talma adjourned the meeting at 5:09pm

**Respectfully submitted,  
Karen Werlein, Land Use Coordinator**

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

FEES RECEIVED	JULY				YEAR-TO-DATE				BUDGET	
	2021		2022		2021		2022		2022	
	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT		
<b>LAND USE PERMITS</b>										
Total Monthly Issued Permits	18	4,900	14	2,950	145	45,200	144	\$ 34,350	\$ 60,000	57%
<b>SANITARY PERMITS (POWTS)</b>										
Total Monthly Issued Permits	14	3,715	6	1,905	60	16,655	41	\$ 11,085	\$ 26,000	43%
<b>NON-METALLIC MINING PERMITS</b>										
Annual Permit Fees	-	-	-	\$ -	5	10,800	18	\$ 15,200	\$ 15,000	101%
<b>BOARD OF ADJUSTMENT</b>										
Special Exception	-	-	-	-	-	-	-	-	-	-
Variances	-	-	-	-	1	375	2	750	-	-
Appeals	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	-	\$ -	-	\$ -	1	\$ 375	2	\$ 750	\$ 1,125	67%
<b>PLANNING &amp; ZONING COMMITTEE</b>										
Zoning Change	5	1,875	-	-	14	5,250	7	2,625	-	-
Conditional Use Permits	-	-	1	375	5	1,875	13	4,875	-	-
Variance	-	-	-	-	-	-	1	450	-	-
<b>Total</b>	5	\$ 1,875	1	\$ 375	19	\$ 7,125	21	\$ 7,950	\$ 8,525	93%
<b>MISC.</b>										
Wisconsin Fund	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	2	336	1	50	3	447	1	50	-	-
<b>Total</b>	2	\$ 336	1	\$ 50	3	\$ 447	1	\$ 50	-	-
<b>SURVEYOR</b>										
Certified Survey Maps	5	855	3	510	22	4,155	25	4,365	6,500	-
Preliminary and Final Plats	-	-	-	-	-	-	-	-	-	-
Applied Funds: County Surveyor	-	-	-	-	1	9,500	-	-	9,500	-
<b>Total</b>	5	\$ 855	3	\$ 510	23	\$ 13,655	25	\$ 4,365	\$ 16,000	27%
<b>GIS (Geographic Information System)</b>										
Map Sales	-	-	-	-	-	-	-	-	-	-
Land Records Transfer	-	-	-	-	-	-	-	-	25,000	-
Land Information Grant	-	-	-	-	-	-	-	-	10,000	-
<b>Total</b>	-	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 35,000	0%
<b>GRAND TOTAL</b>	44	11,681	25	5,790	256	94,257	252	73,750	\$ 161,650	
									<b>Total</b>	<b>48%</b>

GREEN LAKE COUNTY

For 07/01/22 - 07/31/22

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					
22-100-10-44400-000-000 Land Use Permits	60,000.00	2,950.00	34,350.00	25,650.00	57.25
22-100-10-44400-001-000 BOA Public Hearing	1,125.00	.00	750.00	375.00	66.67
22-100-10-44400-002-000 PZ Public Hearing	8,525.00	375.00	7,950.00	575.00	93.26
22-100-10-44409-000-000 Non-Metallic Mining	15,000.00	.00	15,200.00	-200.00	101.33
22-100-10-44410-000-000 Sanitary Permits	26,000.00	1,905.00	11,085.00	14,915.00	42.63
22-100-10-45110-000-000 Fines & Forfeitures	.00	50.00	50.00	-50.00	.00
22-100-10-46131-002-000 Strategic Fund	10,000.00	.00	.00	10,000.00	.00
22-100-10-46762-000-000 Certified Survey Maps	6,500.00	510.00	4,365.00	2,135.00	67.15
22-100-10-47411-000-000 Interdepartment transfer/Land Records	25,000.00	.00	.00	25,000.00	.00
10 Land Use Planning and Zoning	152,150.00	5,790.00	73,750.00	78,400.00	48.47

For 07/01/22 - 07/31/22

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>						
22-100-10-53610-110-000 Salaries	314,134.00	.00	24,228.80	156,729.63	157,404.37	49.89
22-100-10-53610-140-000 Meeting Payments	940.00	.00	80.00	80.00	860.00	8.51
22-100-10-53610-151-000 Social Security	24,034.00	.00	1,756.61	12,821.60	11,212.40	53.35
22-100-10-53610-153-000 Ret. Employer Share	20,422.00	.00	1,574.88	11,155.15	9,266.85	54.62
22-100-10-53610-154-000 Health Insurance	53,482.00	.00	5,694.02	38,297.54	15,184.46	71.61
22-100-10-53610-155-000 Life Insurance	321.00	.00	27.18	179.96	141.04	56.06
22-100-10-53610-210-002 Professional Services-SRV	9,500.00	.00	1,200.00	3,800.00	5,700.00	40.00
22-100-10-53610-210-003 Miscellaneous Fees	300.00	.00	.00	.00	300.00	.00
22-100-10-53610-225-000 Phone Service	610.00	.00	40.91	388.40	221.60	63.67
22-100-10-53610-242-000 Print Management	300.00	.00	.00	46.65	253.35	15.55
22-100-10-53610-307-000 Training	300.00	.00	.00	.00	300.00	.00
22-100-10-53610-310-000 Office Supplies	790.00	.00	19.91	252.01	537.99	31.90
22-100-10-53610-312-000 Field Supplies	600.00	.00	31.99	31.99	568.01	5.33
22-100-10-53610-320-000 Publications-BOA Public Hearing	500.00	.00	.00	776.00	-276.00	155.20
22-100-10-53610-320-001 Publications-PZ Public Hearing	3,000.00	.00	420.00	2,031.25	968.75	67.71
22-100-10-53610-321-000 Seminars	930.00	.00	.00	.00	930.00	.00
22-100-10-53610-324-000 Member Dues	130.00	.00	.00	100.00	30.00	76.92
22-100-10-53610-330-000 Travel	820.00	.00	.00	92.00	728.00	11.22
22-100-10-53610-352-000 Vehicle Maintenance	938.00	.00	75.93	458.17	479.83	48.85
<b>53610 Code Enforcement</b>	<b>432,051.00</b>	<b>.00</b>	<b>35,150.23</b>	<b>227,240.35</b>	<b>204,810.65</b>	<b>52.60</b>
<b>10 Land Use Planning and Zoning</b>	<b>432,051.00</b>	<b>.00</b>	<b>35,150.23</b>	<b>227,240.35</b>	<b>204,810.65</b>	<b>52.60</b>



13195	016011590000	N4464 NELSON RD	07/01/2022	KIM MAY	\$40,000.00	Addition/Alteration to Accessory Structure	19x27 garage addition		
13204	016015590000	No Address Available	07/15/2022	SANDER PAHLMAN	\$15,000.00	Accessory Structures	Detached Garage, and stoage shed		

**Town of Saint Marie**

Permit Number	Parcel Number	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	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

July Estimated Cost: \$1,532,500.00  
YTD Estimated Cost: \$16,053,002.00



## Sanitary Permits: 7/1/2022 - 7/31/2022

Sanitary Permit	Parcel Number	Site Address	Owners	Date Issued	Permit Type	System Type	Plumber Name	Additional Explanation	Permit Fee \$ (County)	Permit Fee \$ (DSPS)
202224037	006013300100	N2998 N KEARLEY RD	PATRICK O'DONNELL	07/14/2022	New System	Holding Tank	Jeremiah Storer	Personal Storage Shed Bathroom	355	100
202224038	016017560000	W5285 OAK TREE CT	RANDALL RAITH	07/12/2022	Replacement System	Conventional (Non-Pressurized In-Ground)	Ben Kinas	3 Bedroom House	280	100
202224039	014005000100	W5465 PUCKAWAY RD	LLOYD MILLER	07/14/2022	New System	At-Grade	Ben Kinas	4 Bedroom House	280	100
202224040	012004930100	W2938 CARTER RD	LONNIE MILLER	07/15/2022	New System	Holding Tank	Ben Kinas	Personal Shop Bathroom	355	100
202224041	231006190700	850 STATE ROAD 23 AND 49	KDR LAND LLC	07/20/2022	New System	Holding Tank	Daniel Egbert	Shop Bathroom (11 Employees)	355	100
202224042	012003110102	No Address Available	ROSANNA HOCHSTETLER	07/21/2022	New System	Conventional (Non-Pressurized In-Ground)	Ben Kinas	3 Bedroom House at W4219 Grand River Rd	280	100
<b>Total:</b>									1905	600

\* There are additional properties associated with the permit

## Land Use Violations Report

### First Notice

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description	Violation Date
014001780000	N4474 Pine Rd E	Sammie Smith	12964	Zoning	Camper on A-1 zoned property. Update 12/27/21: Need to verify that camper is moved. Update 2/25/22: Camper unmoved	9/10/2021
006003320000	W2353 Center Rd	Paul & Valerie Albrecht	13061	Zonng	Converted part of a farm shed/shop into a residence. Update 2/28/22: Office meeting. Need sanitary permit before LUP	2/16/2022
002001310200	N9205 32nd Dr.	Joseph Hoppa	13067	Vehicles	There is a blue dump truck and yellow excavator on the property which are not allowed on R-4.	2/24/2022
006005810101	N2730 Welk Rd.	Ricky & Ashley Ruck	13069	Zoning	Commercial sale of firewood on R-1 zoned property. Unoccupied outside storage of trailers without dwelling unit on parcel.	2/28/2022
14003390201, 0204		Zodrow Properties	13086	Zoning/Vehicles	Trailers and RV on parcels that do not allow for it the way they currently sit. No permitted commercial use on C-2 parcel and no dwelling on R-4 parcel. Violation is happening between both parcels. C-2 & R-4 parcels involved and location is not 100% which equipment and materials are on each parcel. Either way the equipment and materials would not be allowed on either parcel the way it currently sits.	3/11/2022
014005060000	N3091 Cty. Rd. B/H	Paul Mast	13090	Zoning	Operating a wood working business in A-1 property without a CUP. Office meeting 8/26/22	3/18/2022
004004440000	W2398 State RD	Philip Mirr	13152	Zoning	Operating a contractors yard in C2 Zoning (Contractors yard only allowed in Industrial Districts)	5/24/2022
010003910200	W2194 Cty Rd X	David Cotterill	12995	Zoning/Vehicles	Three Structures built without permits (Barn/cabin, Shipping Container, Shed). Update 11/24/21: Spoke with David Cotterill regarding his violations. He said that he is on revision number 3 of his dwelling building plans. He intends to build a new house and a new shed in 2022. I instructed him to apply for a sanitary permit, and a land use permit by the end of the year. He is to include the ice shanty and storage barn structure on that application. The metal shipping container is not allowed on site once the shed is completed.	10/22/2021

### Second Notice

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description	Violation Date
014007690000	W4564 Cty Rd B	Keith Frederick	13175	Zoning	Failure to obtain a LUP for the placement of a structure. (Bunker Silo Concrete Wall) Construction of a Bunker Silo within the highway setback. BOA meeting 9/16/22	6/9/2022
014007480000	N2902 Hilltop Rd	Jeremy Roska	13179	Zoning	Shed built without a permit. Shed is built within the street yard setback. Plans to move shed to new property.	6/13/2022

### Corporation Counsel

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description	Violation Date
012002580000	N1615 Madison St.	Donald & Nancy Darsch	13046	Junk/Vehicles	Garbage and Junk piles throughout the property. Unlicensed and/or inoperable vehicles. Update 2/15/22: Working with health department. Sent to Corporation counsel on 4/22/22.	1/20/2022

# POWTS Violation Report

## First Notice:

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description	Additional Information
004003750100	N6264 N LawsonDr.	DAVID ROY SANTEE		326 POWTS Violation	Ran hose from a camper to the septic tank	
004009950000	N5552 Old Oak Ln.	PAFF FREDERICKA	10024391	POWTS Failure	System is a Cesspool	Resent letter 7/22
016008010300	N5591 Lock Rd	TAMI CALAMITA	37516	POWTS Failure	Tank overflow	Resent letter 7/22
006003320000	W2353 Center Rd	VALERIE & PAUL ALBRECHT	201624077	POWTS Violation	Holding tank used when another type of system could be used	Renovated shed to a residence, holding tank is not allowed unless design flow is less than 150 gpd, or no other system would be permittable
016007980500	N5588 Lock Rd	THOMAS KUJAC	202024007	POWTS Failure	Not all wastewater is run into new septic system	

## 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	Resent letter 7/22
004008740000	N5533 LAWSON DR	AMERICAN BAPTIST ASSEMBLY	398126	POWTS Failure	Tank not watertight	Resent letter 7/22
006010220701	W1740 SANDSTONE AVE	WOOD SIMON	159178	POWTS Failure	Tank not watertight	Resent letter 7/22
014001720000	W5156 PINE RD N	HEINECKE RANDAL R ET AL	26724	POWTS Failure	Tank not watertight	Working with Contractor. Waiting on soil test
014008340000	W4052 COUNTY ROAD H	NOWATZSKI KATHY	1424052	POWTS Failure	Tank not watertight	Resent letter 7/22
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	Resent letter 7/22
016006780100	N5973 CANAL ST	WILSON SAVANNAH	25526	POWTS Failure	Tank not watertight	Resent letter 7/22
016007700000	W5897 STATE ROAD 23	HAZELWOOD WANETTA ET AL	26752	POWTS Failure	Tank not watertight	Resent letter 7/22
018000570000	W3602 PINE RD	BREWER DOUGLAS & SALLY	258	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 RD	GREGORY ZIER	18201	POWTS Failure	Tank failure	Resent letter 7/22

## Corp Counsel

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description	Additional Information
016009230000	W5880 WALTER WILLIAMS RD	PROG ROD-GUN CLUB	10024250	POWTS Failure	Tank unsound	Resent letter 7/22
016009230000	W5886 WALTER WILLIAMS RD	PROG ROD-GUN CLUB	10024249	POWTS Failure	Tank failure	Has new permit
016009230000	N4922 RAY SHORTER RD	PROG ROD-GUN CLUB	10024256	POWTS Failure	Tank failure	Resent letter 7/22
016009230000	N4914 RAY SHORTER RD	PROG ROD-GUN CLUB	10024257	POWTS Failure	Tank failure	Resent letter 7/22
016009230000	N4904 RAY SHORTER RD	PROG ROD-GUN CLUB	10024259	POWTS Failure	Tank compromised	Has new permit
016009230000	W5894 WALTER WILLIAMS RD	PROG ROD-GUN CLUB	10024095	POWTS Failure	Tank unsound	Has new permit
016009230000	N4939 RAY SHORTER RD	PROG ROD-GUN CLUB	10024253	POWTS Failure	Tank failure	Has new permit
154001860000	328 FRONT ST	JUAN QUIROGA	202968	Failure to maintair	Failure to maintain POWTS	
154000700000	156 RESORT ST	CHAD & PAULA GILBERTSON	15424011	Failure to maintair	Failure to maintain POWTS	
016006660100	N6152 PLEASANT DR	DENNIS SCHWAB	1624060	Failure to maintair	Failure to maintain POWTS	
016009291000	W5605 BEND RD	JOHN JOZWIAK	20124070	Failure to maintair	Failure to maintain POWTS	
006002440100	W141 CENTER RD	TERESA WILKE	10024657	Failure to maintair	Failure to maintain POWTS	
006004340101	N3471 PRAIRE RD	TERESA WILKE	10024657	Failure to maintair	Failure to maintain POWTS	
014001570100	W5335 PINE RD N	SCOTT RYBURN	187694	Failure to maintair	Failure to maintain POWTS	
008000730100	N2102 COUNTY RD H	CARMELLA WOCELKA	56689	Failure to maintair	Failure to maintain POWTS	
016008970100	W5563 BEND RD	ROBERT OXFORD	21003	Failure to maintair	Failure to maintain POWTS	
014004150000	W6802 PUCKAWAY RD	JOHN BENDER	679	Failure to maintair	Failure to maintain POWTS	
016003000400	W3949 COUNTY ROAD T	COLIN BUSCHKE	264949	Failure to maintair	Failure to maintain POWTS	
020002501100	W2671 FOX RIVER SHRS E	CHARLOTTE FLEISCHMAN	148267	Failure to maintair	Failure to maintain POWTS	

## 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 1, 2022, at 4:30 p.m.** to consider the following requests:

**Item I Owner:** Mary Kallas **Site location:** N6057 Saint Marie Rd **General legal description:** Parcels 004-00853-0401, -0402 part of the NE1/4 of S24, T16N, R12E, Town of Brooklyn, ±4.64 acres **Request:** RZN ±1.19 acres from R-4, Rural Residential District, to A-2, General Agriculture District. RZN ±0.66 acres from A-2 to R-4. To be identified by certified survey map.

**Item II Owner:** AEC Island LLC **Agent:** John Loberg **Site location:** Lakeway Dr **General legal description:** Parcel 004-00410-0528, part of the SE1/4 of S17, T16N, R13E, Town of Brooklyn, ±0.76 acres **Request:** CUP for contractor's shops & storage.

**Item III Applicant:** Green Lake County Land Use Planning & Zoning Committee **Explanation:** The Committee is requesting amendments to the Code of Green Lake County, Ch. 350, Zoning Ordinance, more specifically to add a public nuisance section, place limits on conditional uses in the A-1 zoning district, allow a detached residential use in the C-1, C-2 and I zoning districts, allow a contractor's yard as a conditional use in the C-2 zoning district, allow more than one principal residential structure in the R-3 zoning district, exempt driveways and some walkways from structure setbacks, exempt irrigation and manure piping structures from highway setbacks and add or modify several definitions.

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 18, 2022*

## LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

September 1, 2022

### ITEM I: ZONING CHANGE

**OWNER:**

Mary Kallas

**APPLICANT:**

Same

**REQUEST:** The applicants are requesting a zoning change for ±1.1959 acres from R-4, Rural Residential District to A-2, General Agriculture District. They are also looking to rezone ±0.6573 acres from the A-2 District to the R-4 District. To be identified by certified survey map.

**PARCEL NUMBER / LOCATION:** The affected parcel numbers are 004-00853-0402 and 004-00853-0401, located in the NE ¼ of the NE ¼ of Section 24, T16N, R12E, Town of Brooklyn. The site proposed for the zoning change is located at N6057 Saint Marie Rd.

**EXISTING ZONING AND USES OF ADJACENT AREA:** The current zoning of parcel 004-00853-0402 is A-2. This property currently appears to be used mainly as a woods with a field. The zoning of parcel 004-00853-0401 is R-4. This property does have a residence and appears to be used residentially. There are also some ag buildings located on the R-4 parcel. Most of the lands surrounding this parcel are also zoned A-1, Farmland Preservation District or A-2 with a few properties nearby zoned as R-4. The adjacent property uses appear to be mainly for farm crops, woods, and rural residences.

**ADDITIONAL INFORMATION / ANALYSIS:** Parcel 004-00853-0402 is ±20.36 acres of A-2 and parcel 004-00853-0401 is ±4.37 acres of R-4. Most of the property appears to be left unfarmed and has been left as woods or wildlife habitat. A house was recently built on the R-4 Parcel.

The newly proposed parcels would transfer land between parcels 004-00853-0402 and 004-00853-0401. If approved the A-2 parcel would change from a ±20.36-acre parcel to a ±20.9-acre parcel. The R-4 parcel would change from a ±4.37-acre parcel to a ±3.8-acre parcel. The transfer of these lands would transfer four sheds primarily designed for an ag use to the A-2 zoned parcel. This will allow the owner of the A-2 parcel to use these ag buildings for any agricultural uses on the parcel.

**COUNTY CHAPTER 350-75 REZONE CRITERIA:** The following standards must be considered when rezoning out of a zoning district, not including A-1, Farmland Preservation District.: **(Staff comments in bold)**

- a) The amendment is consistent with community land use plan (comprehensive plan).  
**This rezone request transfers lands between two adjoining parcels. After these lands are transferred there will be a little bit more land located in the A-2 district. Agricultural uses are consistent with the comprehensive plan.**

- b) The amendment will not be detrimental to property in the immediate vicinity or to the community as a whole.  
**Since this is a transfer of land between two existing parcels there does not appear to be any negative impacts that could result from this rezone.**
- c) 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.  
**There does not appear to be any negative impacts to the environment that could occur if this rezone is approved.**
- d) 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.).  
**Both of these parcels are currently accessible either by Princeton Rd or Saint Marie Rd. After the transfer of lands these parcels will both still be accessible by a road. There are no wetlands or floodplains either that could impact accessibility.**
- e) The amendment allows a more viable transition to planned land uses on adjacent properties than the current zoning designation.  
**This rezone request fits well with the neighboring land uses in this area. Most of the surrounding lands are used for agriculture and rural residences.**
- f) 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).  
**Since this is a transfer of lands between two existing parcels it will not create any spot zoning in this area. Instead, it will change the size of two existing parcels that currently fit well with the other surrounding lands.**

**TOWN OF BROOKLYN:** An Action Form requesting the Town's input related to this zoning change request was emailed to the Town Clerk on July 14, 2022. The Town Board did not object to and did recommend approval of this request.

Please type or use black ink

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

**GENERAL APPLICATION**

Fee 375.00 <sup>pkw</sup> (not refundable) Date 6-27-22  
Zone Change from R-4 to A-2  
Conditional Use Permit for \_\_\_\_\_  
Other \_\_\_\_\_

**PROPERTY OWNER / APPLICANT (1)**

Name Mary Kallas  
Mailing Address N6057 Saint Marie Rd Green Lake, WI 54941  
Phone Number 920 294-0262  
Signature Mary Kallas Date 6-27-22

**PROPERTY OWNER / APPLICANT (2)**

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

**PROPERTY INFORMATION**

Town of Brooklyn Parcel Number(s) 004-00853-0401, -0402  
Acres 4.368 Lot 1 Block \_\_\_\_\_ Subdivision CSM 3777  
Section 24 Town 10 North Range 12 East  
Location of Property N6057 Saint Marie Rd  
Legal Description \_\_\_\_\_

Current Zoning Classification A-2 and R-4 Current Use of Property Piece going to ~~R-4~~ <sup>A-2</sup>  
is used for buildings and stores Ag equipment. Piece going to R-4 is undeveloped woods  
Detailed Description of Proposed Use The ag buildings are not needed and should <sup>be taken</sup>  
go with the larger ag/rec parcel.

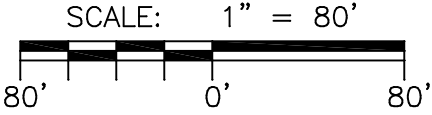
**PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION**

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

# CONCEPT PLAN

CONCEPT PLAN FOR MARY A. KALLAS LOCATED IN PART OF THE  
NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 24, TOWN 16 NORTH,  
RANGE 12 EAST, TOWN OF BROOKLYN, GREEN LAKE COUNTY,  
WISCONSIN.

OWNER(S)  
MARY A. KALLAS  
N6057 SAINT MARIE ROAD  
GREEN LAKE, WISCONSIN 54941-9602



Green Lake Surveying Company

A Division Of



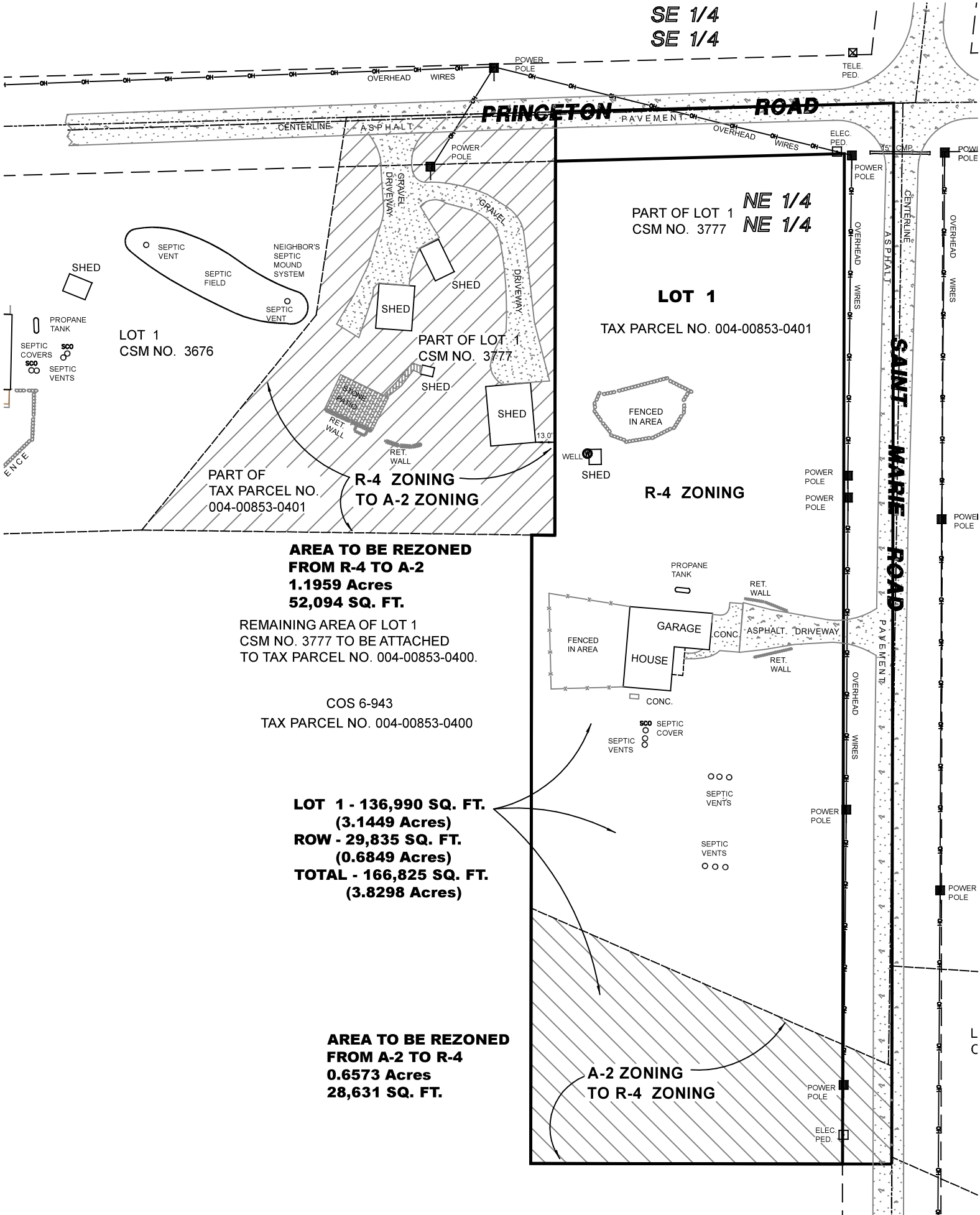
General Engineering Company

P.O. Box 131 • W1734 North St. • Green Lake, WI 54941  
920-294-6666 (Green Lake Office)  
dlenz@generalengineering.net



*Donald W. Lenz*

DONALD W. LENZ - WI P.L.S. No. S-2003  
Dated this 23rd Day of June, 2022



**AREA TO BE REZONED  
FROM R-4 TO A-2  
1.1959 Acres  
52,094 SQ. FT.**

REMAINING AREA OF LOT 1  
CSM NO. 3777 TO BE ATTACHED  
TO TAX PARCEL NO. 004-00853-0400.

COS 6-943  
TAX PARCEL NO. 004-00853-0400

**LOT 1 - 136,990 SQ. FT.  
(3.1449 Acres)  
ROW - 29,835 SQ. FT.  
(0.6849 Acres)  
TOTAL - 166,825 SQ. FT.  
(3.8298 Acres)**

**AREA TO BE REZONED  
FROM A-2 TO R-4  
0.6573 Acres  
28,631 SQ. FT.**



**Owner: Mary Kallas**  
**Town of Brooklyn Parcel #004-00853-0401, -0402**  
**Part of the NE1/4 of Section 24, T16N, R12E**

**Existing Configuration**

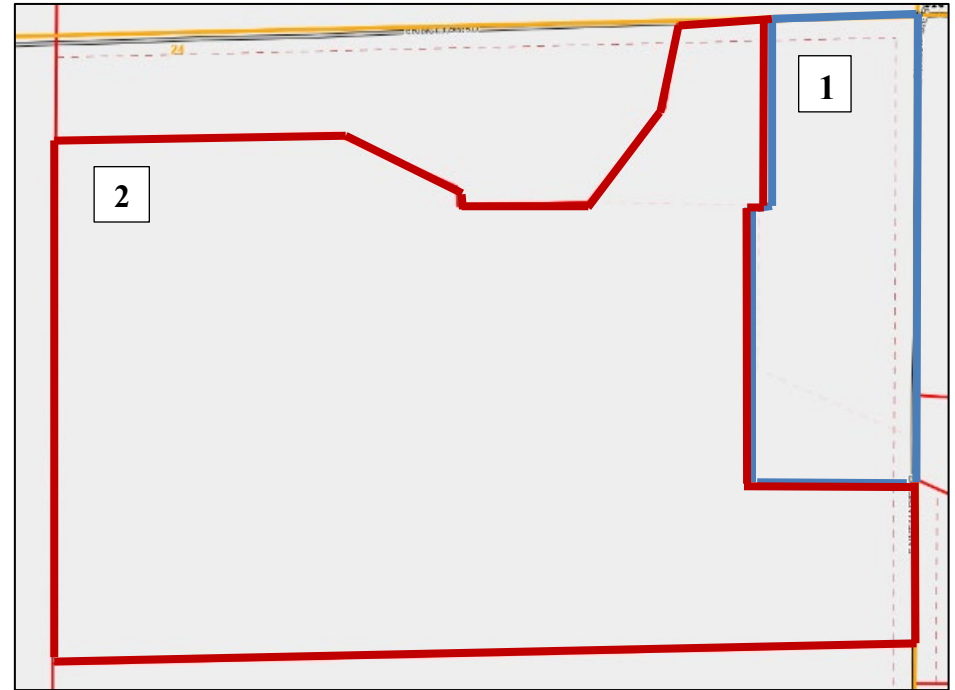
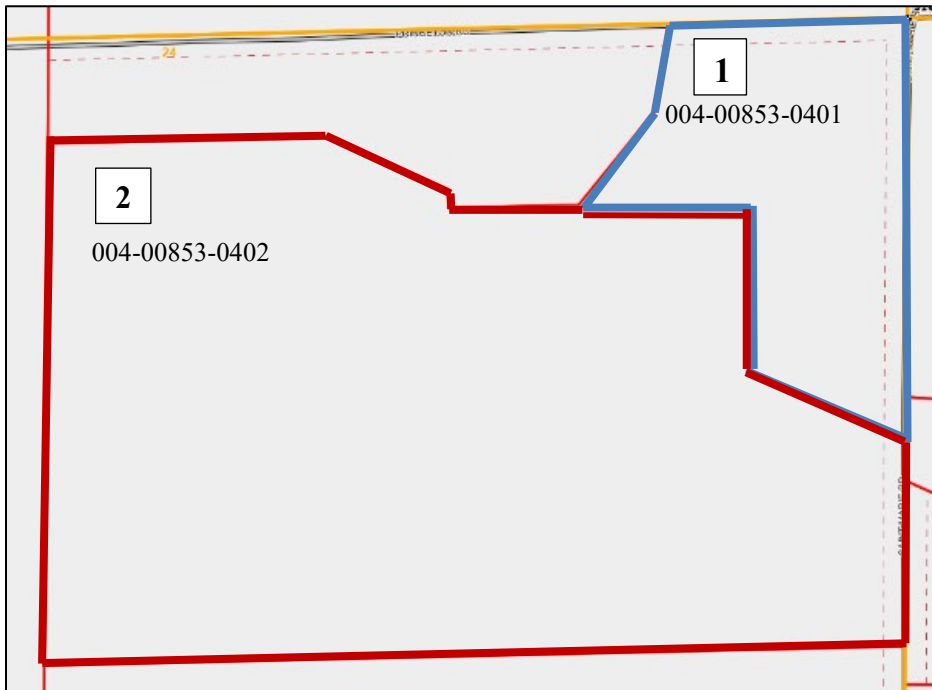
**1** = ±4.37 acre parcel zoned R-4, Rural Residential District

**2** = ±20.36 acre parcel zoned A-2, General Agriculture District

**Proposed Configuration**

**1** = ±3.14 acre parcel zoned R-4, Rural Residential District

**2** = ±20.90 acre parcel zoned A-2, General Agriculture District



# TOWN BOARD ACTION

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Brooklyn, County of Green Lake, took the following action on --(Date)

Aug 9<sup>th</sup> 2022  
4<sup>th</sup>

**Owner/Applicant:** Mary Kallas

**Site Location:** N6057 Saint Marie Rd

**General legal description:** Parcels 004-00853-0401, -0402 part of the NE1/4 of S24, T16N, R12E, Town of Brooklyn, ±4.64 acres

**Request:** RZN ±1.19 acres from R-4, Rural Residential District, to A-2, General Agriculture District. RZN ±0.66 acres from A-2 to R-4. To be identified by certified survey map.

**Planned public hearing date for the above requests:** September 1, 2022

**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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**TOWN OF BROOKLYN**

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

4  
Aug 9 2022  
Date Signed

NOTES: Date change on Meeting Due To  
PRIMARY Election

Please return this form to the Land Use Planning & Zoning Office by: **August 11, 2022**

## Land Use Planning and Zoning Committee Staff Report

Public Hearing

September 1, 2022

### Item II: Conditional Use Permit (CUP)

**Owners:**

AEC Island, LLC  
c/o Paul Schwandt

**Applicant:**

John Loberg (Yukon Partners LLC)

**Request:** The owners/applicant are requesting a conditional use permit to have a 2-unit contractors shop building with storage and two separate contractors shop buildings with associated storage.

**Parcel Number/ Location:** The request affects parcel 004-00410-0528 (±0.76 acres) located in the SE ¼ of the SE ¼ of Section 17, T16N, R13E, Town of Brooklyn. There is no fire number currently, but it is Lot 2 of CSM 3852.

**Existing Zoning and Uses of Adjacent Area:** The subject site is currently zoned as I-Industrial District. The property to the West is zoned Industrial and is used in a similar way to the proposed use. Neighboring properties to the Southwest and Northeast are zoned as C2-Extensive Commercial District. Neighboring properties to the Southeast are zoned R3-Multiple Family Residence District. State Highway 23 borders the subject sites to the north.

General zoning will be associated with the parcels referenced above, these parcels do not fall under jurisdiction of shoreland or floodplain zoning.

**Additional Information/Analysis:** This site has been used both commercially and industrially for at least 25 years. Currently the property contains a 74-foot by 36-foot storage building that is used by Mr. Loberg as a contractors shop to build or assemble prefab buildings. That use has been discontinued. Per the zoning ordinance, if a use authorized by a conditional use permit is discontinued, the conditional use lapses and is no longer valid. Mr. Loberg intends to occupy the current building on the site and a 24-foot by 74-foot addition will be constructed once approved to contain his office, a shop, and storage for his and his son Johan's business endeavors. AEC Island LLC is a holding company for Advanced Engine Concepts owned by Paul Schwandt. Mr. Schwandt intends to construct another 40-foot by 60-foot contractor's shop with associated storage. On the parent parcel AEC maintains an active CUP approved for the manufacturing of engines, mini-warehousing, leased storage buildings, and as a contractor's yard. Another 40-foot by 60-foot building will be built for the same or more restricted use. There is no intent to utilize the subject property for anything other than a contractor's shop and/or for commercial or industrial storage. There will be no retail sales out of this property.

It is important that the Committee maintain the purpose and intent of the County Zoning Ordinance when reviewing and approving a request of this nature. The following criteria are to be used by the Committee when making conditional use permit decisions:

**General Criteria for Review of Conditional Use Requests:** When reviewing a conditional use permit, the Committee shall take into consideration, among other things, the recommendation of the affected town and the particular facts and circumstances of each proposed use in terms of the following standards:

- a) If an applicant meets or agrees to meet all of the requirements specified in this chapter and any conditions imposed by the Committee, based on substantial evidence, the Committee shall grant the conditional use permit.
- b) Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.
- c) The requirements and conditions must be reasonable and, to the extent practicable, measurable, and may include conditions such as the permit's duration, transfer, or renewal.
- d) The applicant must demonstrate that the application and all requirements and conditions related to the conditional use, are or shall be satisfied, and supported by substantial evidence. The Committee's decision to approve or deny the conditional use permit must be supported by substantial evidence.

*Substantial evidence is defined as: facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.*

No conditional use permit shall be approved or approved with conditions by the Committee unless it shall find the conditional use:

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

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

**County Staff Comments:** This request should be reviewed by the Committee to determine if it meets the general criteria for review as listed above. If the Committee wishes to approve this request, the following conditions may be appropriate:

1. No additional expansion or addition of structures and/or uses relating to this conditional use permit shall occur without review and approval through future conditional use permit(s).
2. Hours of operation shall occur between 6:00am and 6:00pm.
3. If on-site lighting is proposed, only the subject site shall be illuminated, and the lighting shall occur with no direct glare affecting adjoining properties or adjacent traffic.
4. Storage of materials must comply with standards listed in Chapter 350, Zoning Ordinance, of the Code of Green Lake County. *This implies that no vehicles without proper registration may be stored on the property, unless fully enclosed in a structure. Similarly, no materials or equipment shall be stacked or stored in a manner that shall be of such character as to adversely affect the property values and general desirability of the neighborhood.*
5. All motor vehicles stored on either site must be in roadway worthy condition and have current WDOT registration.
6. All accessory equipment stored on site must be in workable condition.
7. All construction materials stored on site must be suitable for future use.
8. Storage of construction debris and other material not suitable for future use is prohibited.
9. Anything stored on site that does not meet the above conditions must be stored within an enclosed structure.

**Town of Brooklyn:** The Town Board Action request for the Conditional Use Permit was sent to the Town Clerk on July 14<sup>th</sup>, 2022. The Town Board did not object to and did recommend approval of this request.

Fee Received (Non-Refundable) \$375.00

Date 6-27-22

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

**PROPERTY OWNER / APPLICANT**

Name AEC Island LLC, c/o Paul Schwandt

Mailing Address W1702 North St., Green Lake, WI 54941

Phone Number 920 960 1409 Email \_\_\_\_\_

Signature [Signature] Date 6-30-22

**AGENT IF OTHER THAN OWNER**

Name John Loberg

Mailing Address N5942 Killdeer Lane, Green Lake, WI 54941

Phone Number (920) 229-6957 Email \_\_\_\_\_

Signature [Signature] Date 6-29-22

**PROPERTY INFORMATION**

Town of Brooklyn Location of Property no fire number yet

Section 20 Town 16 N Range 13 E

Affected Parcel Number(s) 004-00410-0528 Affected Acres ±0.76

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

CSM 3852 Lot 2 or COS \_\_\_\_\_

Legal Description see above

Current Zoning Classification Industrial

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

Property contains a 74' x 36' storage building. Presently used by Mr. Loberg as a contractor's shop to build or assemble pre-fab buildings. That use would be discontinued if this CUP is approved.

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

Describe **specifically** the nature of this request (List all proposed uses of the parcel.) What do you plan to do? The project is called "Hillside Condominiums." It entails a 2-unit contractor's shop building w/ storage and two separate contractor's shop buildings with associated storage. These uses are allowed by CUP in the Industrial zoning district.

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

If this box is checked, provide the following information:

Proposed use has additional minimum development standards in Section \_\_\_\_\_.

Explain how your proposal meets or exceeds these requirements.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(see attached)

**OPERATIONAL PLAN NARRATIVE**

\_\_\_\_\_  
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WIDTH RIG

OVERH  
OH

POWER  
POLE

**PROPOSED  
HILLSIDE  
CONDOMINIUM  
PLAT**

SETBA

WER  
LE

**LOT 2**

H.S.B.L.

META  
BUILD

HIGHWAY

PROPOSED  
METAL  
BUILDING  
ADDITION

PROP.  
BLDG. 4

PROP.  
BLDG. 3

PROP.  
BLDG. 2

PROP.  
BLDG. 1

METAL  
BUILDING

LIGHT  
POLE

PAVEMENT

GRAVEL PAVEMENT

143.5'

5'3.1'

25.1'

60.0'

73.0'

36.5'

36.5'

32.275'

64.5'

32.275'

23.3'

60.0'

36.5'

60.0'

36.5'

60.0'

36.7'

32.275'

60.0'

73.0'

36.5'

36.5'

25.7'

64.5'

32.275'

26.0'

10.24'

25.7'

30.5'

67'

OH

OH

OH





# TOWN BOARD ACTION

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Brooklyn, County of Green Lake, took the following action on –(Date)

Aug 9<sup>th</sup> 2022  
4<sup>th</sup>

**Owner/Applicant:** AEC Island LLC **Agent:** John Loberg

**Site Location:** Lakeway Dr

**General legal description:** Parcel 004-00410-0528, part of the SE1/4 of S17, T16N, R13E, Town of Brooklyn, ±0.76 acres

**Request:** CUP for contractor's shops & storage.

**Planned public hearing date for the above requests:** September 1, 2022

**Town does not object to and approves of request**

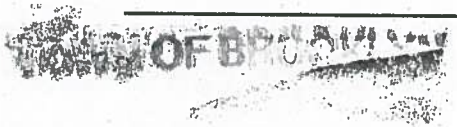
**No action taken**

**Objects to and requests denial of request**

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

- Reason(s) for objection:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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

4<sup>th</sup>  
Aug 9<sup>th</sup> 2022  
**Date Signed**

**NOTES:** Date Change on Meeting Due To  
primary Election

Please return this form to the Land Use Planning & Zoning Office by: **August 11, 2022**

## LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

September 1, 2022

### ITEM III: 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 more specifically to add a public nuisance section, place limits on conditional uses in the A-1 zoning district, allow a detached residential use in the C-1, C-2 and I zoning districts, allow a contractor's yard as a conditional use in the C-2 zoning district, allow more than one principal residential structure in the R-3 zoning district, exempt driveways and some walkways from structure setbacks, exempt irrigation and manure piping structures from highway setbacks and add or modify several definitions.

**ADDITIONAL INFORMATION / ANALYSIS:** Presently, the County Zoning Ordinance address public nuisances under the nonconforming use section. There is little detail to the ordinance standard, and the standard requires the nuisance to be "of such character as to adversely affect the property values and general desirability of the neighborhood." It is difficult to prove the required adverse effects, and so the legal term "public nuisance" was utilized, and a definition of "junk" was developed. A list of what the County considers "junk" was created that is more encompassing than the previous standard. Also, prohibited activities are clearly listed and exceptions are provided.

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

- Excepts the R-3, Multi-family Residence from the one main residential building per lot requirement.
- Limits a Farmland Preservation zoned property to no more than two "agriculture-related" or two non-agriculture related conditional uses or any combination therein.
- Non-agriculture related conditional uses will now require a farm residence and the parcel containing the conditional use will be at least 8 acres in area.
- The option of a detached single-family dwelling has been provided in addition to a single-family residential use, established in the same building as the commercial or industrial use, in the C-1, C-2 and I zoning district as a CUP.
- The contractor's yard use has been added as a CUP in the C-2 zoning district.
- Walkways, not greater than 36" in width, and all driveways are exempted from side and street yard setbacks.
- Irrigation and liquid manure transport piping and structures, necessary for underground pipeline maintenance, are permitted to be within the highway setback.
- Definitions were added for "contractor's equipment", "contractor's yard or shop", and "patio".

**SUMMARY:** This ordinance amendment addresses difficulties in resolving junk violations by eliminating arbitrary ordinance standards and inserting language that is easily administered and enforced. The amendment emphasizes agricultural uses as the principal use in the Farmland Preservation zoning district by limiting non-agricultural CUPs and “agriculture-related CUPs, and by requiring a farm residence and at least an 8-acre farm. Also the amendment includes several necessary changes that would provide property owners with more use of their properties like allowing a contractor’s yard as a CUP in C-2, like allowing more than one main residential building in the multi-family residence district, like allowing both attached and detached residences in the commercial and industrial districts and allowing service and access structures for underground irrigation and liquid manure transport piping to be placed within the highway setback. These amendments 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, the capability for the County to resolve public nuisance junk violations will remain diminished. A continued watering-down of the Farmland Preservation district’s purpose will continue to occur. A continuation of “uncommon sense” ordinance standards requiring a business owner to reside in the same building as their business as opposed to a separate detached residence, like not allowing lands zoned for extensive commercial use to be utilized as a contractor’s yard, like not allowing multiple principal residences in the multi-family residential zoning district, will occur. These amendments enhance a property owner’s ability to use their property in accordance with their respective zoning district while restricting other property owners from using their properties in ways inconsistent with the purpose of their zoning district, **both essential functions of any zoning ordinance.**

**ORDINANCE NO. -2022**

**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 20th day of September 2022, does ordain as follows:

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

Roll Call on Ordinance No. -2022

Submitted by Land Use Planning & Zoning Committee:

Ayes , Nays , Absent , Abstain

Passed and Enacted/Rejected this 20th day of September 2022.

\_\_\_\_\_  
Curt Talma

\_\_\_\_\_  
William Boutwell

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

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

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

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

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

\_\_\_\_\_  
Gene Thom

2 **NOW, THEREFORE, THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY**  
3 **OF GREEN LAKE DOES ORDAIN AS FOLLOWS:**

4 Section 1. Green Lake County Ordinance, No.146-76 adopted by the Green Lake County  
5 Board of Supervisors on June 15, 1976 and as amended from time-to-time is amended as  
6 follows (deletions are in ~~strikeout~~, additions are in underline):  
7

8 **Article III: General Provisions, Amendments as follows:**  
9

10 **§ 350-13** Compliance required; number of buildings per lot; existing construction.

- 11  
12 B. Every residential building hereafter erected, converted, enlarged or structurally  
13 altered shall be located on a lot, and in no case, except as provided in Sections  
14 350-40.A.(9) and 350-40.B.(5), shall there be more than one main residential  
15 building on one lot. **[Amended 11-14-2017 by Ord. No. 22-2017]**  
16

17 **§ 350-14** Nonconforming uses, structures and lots or parcels.

- 18  
19 D. ~~No building shall be erected, structurally altered or relocated and no lumber,~~  
20 ~~materials, furniture or other equipment shall be stocked, piled or stored in a~~  
21 ~~manner that shall be of such characters as to adversely affect the property~~  
22 ~~values and general desirability of the neighborhood. Reserved.~~  
23

24 **§ 350-16** (~~Reserved~~) Public Nuisances Affecting Real Property  
25

- 26 A. Definitions for purposes of this section.  
27

28 **PUBLIC VIEW**

29 Observation from any location exterior to the property.  
30

31 **JUNK:** Any of the following that are visible from public view:

- 32 1. Motorized vehicles or motorized equipment of any type, if not currently capable  
33 of motorized operation including, but not limited to, cars, vans, trucks, recreation  
34 vehicles, watercraft, motor homes, lawn mowers, snow blowers, outboard  
35 motors, go-carts, mopeds, scooters and mini-bikes.  
36 2. Non-motorized vehicles intended to transport persons or property on a road or  
37 highway, including trailers and bicycles, if not currently safe to use on the road.  
38 3. Vehicle parts  
39 4. Tires, with or without rims  
40 5. Interior appliances and electronic equipment not in use including, but not limited  
41 to, cooktop range and ovens, refrigerators, dishwashers, fans, clothes dryers,  
42 clothes washers, microwaves, televisions, screens, audio equipment,  
43 computers, arcade games and vending machines.  
44 6. Interior plumbing and mechanical fixtures not in use including, but not limited to,  
45 toilets, sinks, piping, bathtubs, tub surrounds, water heaters/tanks, water

- 46 softeners, humidifiers, dehumidifiers, wood-burning stoves, furnaces and related  
47 pipng and ductwork.  
48 7. Interior furniture that is abandoned, discarded or damaged including, but not  
49 limited to, sofas, recliners, mattresses, bed frames, dressers, credenzas, desks,  
50 tables and chairs.  
51 8. Outdoor recreation equipment that is disassembled or broken including, but not  
52 limited to, trampolines, above-ground swimming pools, swimming pool  
53 components and patio furniture.  
54 9. Building components or construction materials not installed or in use including,  
55 but not limited to, doors, windows, siding, shingles, lumber and flooring.  
56 10. Outdoor fixtures or containers not currently in use including, but not limited to,  
57 fuel tanks, propane tanks, liquid barrels and air conditioners.  
58 11. Scrap metal, plastic, glass or wood not in use.  
59 12. Any other item similar in nature to the above list.

60  
61 B. Prohibited Activities. No person, group of persons, company firm, corporation, or  
62 any other entity shall within the unincorporated areas of the county,

- 63 1. Operate an unlicensed junkyard.  
64 2. Store any junk outside a building and within public view for a period of any part  
65 of five (5) or more days during any thirty (30) day period.  
66 3. Leave any dead animal not buried or otherwise legally disposed of for a period  
67 of more than three days on the premises.  
68 4. Store or dispose of any solid waste or other junk except in accordance with all  
69 applicable state and local regulations.

70  
71 C. Exceptions.

- 72 1. This section is not intended to regulate or place limitations on any legally  
73 licensed junkyard, salvage dealer, sanitary landfill or other junk, waste disposal  
74 or storage activity for which a valid license from the state and/or other  
75 necessary municipal issuing authority is required and has been issued and all  
76 such licenses are in full force and effect.  
77 2. This section does not regulate or place limitations on junk that is stored inside a  
78 closed building.  
79 3. This section is not intended to prohibit the proper outside storage of licensed  
80 and operable motor vehicles.

81  
82 **Article IV: Zoning Districts, Amendments as follows:**

83  
84 **§ 350-27 A-1 Farmland Preservation District.**

85 (2) Conditional uses:

86 (a) Agriculture-related uses. (See Subsection D for "agriculture-related use"  
87 definition.) No more than two agriculture-related uses or any combination of  
88 agriculture-related uses or uses described in (b) below, shall be allowed on  
89 contiguous lands under common ownership.

90 (b) A business, activity, or enterprise, whether or not associated with an

91 agricultural use, and is not a dog breeding facility or a dog breeder as defined  
92 in ATCP 16, which meets all of the following requirements: **[Amended 9-21-**  
93 **2021 by Ord. No. 30-2021]**

94 [1] It is conducted on a farm by an owner or operator of that farm.

95 [2] It requires no buildings, structures, or improvements other than those  
96 described in Subsection D(1) and (3) of the definition of "accessory use."

97 [3] The total cumulative hours worked by paid employees, excluding the  
98 owner(s), shall not exceed 160 hours per week.

99 [4] It does not impair or limit the current or future agricultural use of the farm  
100 or other protected farmland.

101 [5] A farm residence is already established on the same parcel as the  
102 business, activity or enterprise.

103 [6] The farm is at least 8 acres in area.

104 [7] No more than two businesses, activities or enterprises, whether or not  
105 associated with an agricultural use, including any agriculture-related uses  
106 from (a) above, shall be allowed by conditional use permit per farm.

107 **§ 350-32 C-1 General Commercial District.**

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

111 (2) One single-family residential use may be allowed on a lot or parcel in this  
112 district. The single-family residence shall only be occupied by the owner or  
113 operator of established in the same building with the commercial use.

114 **§ 350-33 C-2 Extensive Commercial District.**

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

118 (1) One single-family residential use may be allowed on a lot or parcel in this  
119 district. The single-family residence shall only be occupied by the owner or  
120 operator of established in the same building with the commercial use.

121 (16) Contractor's yard or shop (inside material storage only). **[Added 3-19-2019**  
122 **by Ord. No. 2-2019]**

123 **§ 350-34 I Industrial District.**

124 A. Permitted uses. Any use permitted in the C-2 Extensive Commercial District  
125 except residential, educational or institutional uses, with the following provisions:



126 ~~(1) There may be one single family residential use established in the same~~  
127 ~~building with any commercial use.~~

128 ~~(2) There may be a dwelling for the owner, watchman or caretaker employed on~~  
129 ~~the premises and members of his family in connection with any wholesale or~~  
130 ~~industrial trade.~~

131 B. Conditional uses. The following are permitted as conditional uses, provided that  
132 consideration is given to such matters as the creation of nuisance conditions for  
133 the public or the users of nearby areas and the creation of traffic hazards, and  
134 that any use is not in conflict with any laws of the State of Wisconsin or any  
135 ordinances of Green Lake County governing nuisances. An application for a  
136 conditional use permit shall not be approved unless, at minimum, it complies with  
137 the conditions and standards set forth in Article VII, Conditional Use Permits.

138 (29) One single-family residential use may be allowed on a lot or parcel in this  
139 district. The single-family residence shall only be occupied by the owner or  
140 operator of the commercial or industrial use.

141 **§ 350-40 R-3 Multiple-Family Residence District.**

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

143 (9) Dwelling, multiple-family, three to eight units. The dwelling may contain all the  
144 dwelling units, or the dwelling units may be located in multiple separate  
145 buildings.

146 B. Conditional uses. Conditions and standards for a conditional use permit are set  
147 forth in § 350, Article VII, Conditional Use Permits. **[Amended 11-14-2017 by**  
148 **Ord. No. 22-2017]**

149 (5) Dwelling, multiple-family, nine plus units. The dwelling may contain all the  
150 dwelling units, or the dwelling units may be located in multiple separate  
151 buildings.

152 **Article V: Nonbuilding Structures, Amendments as follows:**

153

154 **§ 350-43.3 Driveways, & walkways**

155 Driveways and walkways shall comply with the following:

156

157 A. Driveways and walkways may be allowed within the side yard and street yard  
158 setbacks within the street yard.

159

160 B. Walkways no greater than 36 inches in width may be allowed within the side and  
161 rear yard setbacks.

162 **Article VI: Highway Setback Lines, Amendments as follows:**

163

164 § 350-52 Structures permitted within setback lines.  
165 A. The following kinds of structures may be placed between the setback lines and  
166 the highway:

167 (10) Irrigation and liquid manure transport piping and structures that are  
168 necessary for underground pipeline maintenance.

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

170  
171 § 350-77 Word usage and definitions.

172 **CONTRACTOR'S EQUIPMENT**

173 Means all apparatus, machinery, vehicles and other things required for the  
174 execution and completion of work or assembly of work by any building trade or  
175 other contractor.

176 **CONTRACTOR'S YARD or SHOP**

177 Means any land, building or structure used for the purpose of storing contracting  
178 equipment and material or performing shop work or assembly work by any building  
179 trade or other contractor.

180 **PATIO**

181 A residential accessory structure, used as an outdoor space for leisure, dining,  
182 cooking, or similar use, that consists of a surface layer, including but limited to  
183 concrete, pavers, bricks, tiles, asphalt or stone (e.g. flagstone, limestone,  
184 bluestone, slate, granite, gravel, stone screenings) and the supporting base layers  
185 extending subgrade to the underlying soil.

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

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

190 Section 4. All ordinances and parts of ordinances in conflict herewith are hereby  
191 repealed.