



GREEN LAKE COUNTY

571 County Road A, Green Lake, WI 54941

The following documents are included in the packet for the Land Use Planning & Zoning Committee meeting on Thursday, December 7, 2023.

Packet Pages:

- 2 Agenda
- 3-4 Draft Meeting Minutes from 11/2/23
- 5-9 Revenue & Permit reports for October 2023
- 10-11 Violation Reports
- 12-20 Solar Panel Presentation
- 21 Public Hearing Notice
- 22-47 **Item #1: Applicants:** Green Lake County Land Use Planning & Zoning Committee **Request:** The committee is requesting an amendment to the Comprehensive Plan's Farmland Preservation Plan Map affecting the Towns of Brooklyn, Green Lake, Marquette, Mackford & Manchester.
- 48-59 **Item #2: Applicants:** Green Lake County Land Use Planning & Zoning Committee **Request:** The committee is requesting an amendment to Chapter 350, Zoning Ordinance of the Code of Green Lake County, to amend the zoning map affecting the Towns of Brooklyn, Green Lake, Marquette, Mackford & Manchester.
- 60-72 **Item #3: Owners:** Ricky and Ashley Ruck, **Location:** N2730 Welk Road, **Parcel:** 006-00581-0101. **Legal Description:** Part of Lot 2 of CSM 3700, located in Section 31, T15N, R13E, ±8 acres. **Request:** The owners are requesting to rezone ±1.0 acres from R1, Single-family residence district to C2, Extensive Commercial district.
- 73-80 **Item #4: Owners:** Ricky and Ashley Ruck, **Location:** N2730 Welk Road, **Parcel:** 006-00581-0101. **Legal Description:** Part of Lot 2 of CSM 3700, located in Section 31, T15N, R13E, ±8 acres. **Request:** Conditional Use Permit to process, store, and sell firewood.

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

Land Use Planning & Zoning Committee Meeting Notice

Date: Thursday, December 7, 2023 Time: 9:00 AM
Green Lake County Government Center, County Board Room
571 County Rd A, Green Lake WI

AGENDA

Committee Members

Curt Talma, Chair
Chuck Buss, Vice- Chair
Bill Boutwell
Gene Thom
Harley Reabe

Secretary: Karissa Block

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. Certification of Open Meeting Law
 3. Pledge of Allegiance
 4. Minutes of 11/2/2023
 5. Discussion Related to POWTS
 6. Department Activity Reports
 - a) Financial reports
 - b) Land use & septic permits
 - c) Violation reports
 7. Public Comment (3 minute limit)
 8. Solar Panel Zoning Presentation
 9. Public Hearing: (Not to begin before 9:30 AM)
- Each item below will consist of:
- a) Public Testimony/Comment: 3-minute time limit
 - b) Committee Discussion & Deliberation
 - c) Committee Decision
 - d) Execute Ordinance/Determination Form

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10. Committee Discussion
 - a) Future Meeting Dates: January 4, 2024 @ 9:00am
 - b) Future Agenda items for action & discussion
11. Adjourn

Microsoft Teams meeting: This meeting will be conducted through in person attendance or audio/visual communication. Remote access can be obtained through the Microsoft Teams link on the agenda posted on the County website’s Events Calendar:

Microsoft Teams meeting
Join on your computer, mobile app or room device
[Click here to join the meeting](#)
Meeting ID: 296 349 313 972
Passcode: 9VUWqS
[Download Teams](#) | [Join on the web](#)
Or call in (audio only)
[+1 920-515-0745,,516863131#](#) United States, Green Bay
Phone Conference ID: 516 863 131#
[Find a local number](#) | [Reset PIN](#)
Please accept at your earliest convenience. Thank you!
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**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Thursday, November 2, 2023**

CALL TO ORDER

Planning & Zoning Chair Curt Talma called the meeting of the Land Use Planning and Zoning Committee to order at 9:03AM 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: **Bill Boutwell, Harley Reabe, Curt Talma, Chuck Buss, Gene Thom**

Absent:

Also Present: **Matt Kirkman**, Land Use Planning and Zoning Director; **Karissa Block**, Deputy County Clerk; **Liz Otto**, County Clerk; **Noah Brown**, Land Use Specialist (virtual); **Maxwell Richards**, Land Use Specialist; **Jeff Mann**, Corporation Counsel; **Ken Stephani** Finance Director; **Ryan Schinke** Land Use Coordinator/Technician

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Motion/second (Boutwell/Reabe) to approve the minutes of the 10/05/2023 meeting. Motion carried with no negative vote.

STAFF UPDATES

Matt Kirkman introduced/welcome Ryan Schinke to the Planning & Zoning committee.

DEPARTMENT ACTIVITY REPORTS

- Financial Reports
 - Reviewed and Discussed
 - Revenue report is incorrect – Kirkman will send out the correct report
- Land Use & Septic Permits
 - Reviewed and Discussed
 - Committee asked that Land Improvement estimates be compared with years prior.
- Violation Reports, Sanitary Permits, and POWTS
 - 19 Violations resolved
 - Corp Counsel, Jeff Mann gave an update on a case referred to his office

Chair Talma called for public input (3 minute limit) three times. Public input closed.

PUBLIC COMMENT (3 MINUTE LIMIT)

No Comments

Motion/second (Buss/Boutwell) to recess at 9:20AM until Public Hearing. Motion carried with no negative vote.

Motion/second (Buss/Boutwell) to reconvene @ 9:30AM. Motion carried with no negative vote.

PUBLIC HEARING – 9:31AM

Chair Talma read the rules for the Public Hearing

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P&Z Director Matt Kirkman explained both ordinance amendments.

Motion/second (Reabe/Boutwell) to delay action on Items 1 & 2 until December to allow affected municipalities to provide their decision. Motion carried with no negative vote.

Item #3: Owners: Dennis & Mary McConnell, Location: N6647 Valley View D., Parcels: 004-00222-0200 &-0600. Legal Description: Lots 1 & 2 of CSM 1154, located in Section 11, T16N, R13E, 5 acres. Request: The owners are requesting a rezone from A2, General Agriculture district to R1, Single-family residence district.

No action received from Town of Brooklyn – verbal approval given by Chair Wuest

Motion/second (Reabe/Boutwell) to approve ordinance requesting rezone and forward to County Board for final approval. Motion carried with no negative vote.

COMMITTEE DISCUSSION

- a. **Next meeting date – December 7, 2023 @ 9:00AM**
- b. **Future agenda items for action & discussion – Solar Panels**

ADJOURN

Chair Talma adjourned the meeting at 10:01AM

Respectfully submitted,

**Karissa Block
Deputy County Clerk**

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

FEES RECEIVED	OCTOBER				YEAR-TO-DATE				BUDGET	
	2022		2023		2022		2023		2023	
	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT		
LAND USE PERMITS										
Total Monthly Issued Permits	28	5,950	21	5,700	224	54,350	199	\$ 68,350	\$ 60,000	114%
SANITARY PERMITS (POWTS)										
Total Monthly Issued Permits	4	1,120	12	3,380	65	18,080	78	\$ 21,125	\$ 26,000	81%
NON-METALLIC MINING PERMITS										
Annual Permit Fees	-	-	-	\$ -	18	15,200	20	\$ 16,550	\$ 15,200	109%
BOARD OF ADJUSTMENT										
Special Exception	-	-	-	-	-	-	-	-	-	-
Variances	-	-	-	-	3	1,125	-	-	-	-
Appeals	-	-	1	375	1	375	1	375	-	-
Total	-	\$ -	1	\$ 375	4	\$ 1,500	1	\$ 375	\$ 1,500	25%
PLANNING & ZONING COMMITTEE										
Zoning Change	1	375	-	-	8	3,000	7	2,625	-	-
Conditional Use Permits	1	375	-	-	15	5,625	10	3,375	-	-
Variance	1	450	-	-	2	900	-	-	-	-
Total	3	\$ 1,200	-	\$ -	25	\$ 9,525	17	\$ 6,000	\$ 8,525	70%
MISC.										
Wisconsin Fund	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	1	200	-	-	6	600	20	8,240	-	-
Total	1	\$ 200	-	\$ -	6	\$ 600	20	\$ 8,240	-	-
SURVEYOR										
Certified Survey Maps	1	180	4	705	33	5,775	28	4,890	6,500	-
Preliminary and Final Plats	-	-	-	-	-	-	-	-	-	-
Applied Funds: County Surveyor	-	-	-	-	1	9,500	-	-	9,500	-
Total	1	\$ 180	4	\$ 705	34	\$ 15,275	28	\$ 4,890	\$ 16,000	31%
GIS (Geographic Information System)										
Map Sales	-	-	-	-	1	15	-	-	-	-
Land Records Transfer	-	-	-	-	-	-	-	-	25,000	-
Land Information Grant	-	-	-	-	-	-	-	-	10,000	-
Total	-	\$ -	-	\$ -	1	\$ 15	-	\$ -	\$ 35,000	0%
GRAND TOTAL	37	8,650	38	10,160	377	114,545	363	125,530	\$ 162,225	
									Total	77%

For 01/01/23 - 10/31/23

Expenditure Summary Report

FJEXS01A

Periods 01 - 10

Land Use & Zoning Month End Expenses

MEE100-10-P&Z

<u>Account No/Description</u>	<u>Adjusted Budget</u>	<u>Y-T-D Encumb</u>	<u>Period Expended</u>	<u>Y-T-D Expended</u>	<u>Available Balance</u>	<u>Percent Used</u>
10 Land Use Planning and Zoning						
53610 Code Enforcement						
23-100-10-53610-110-000 Salaries	322,851.00	.00	230,332.02	230,332.02	92,518.98	71.34
23-100-10-53610-140-000 Meeting Payments	940.00	.00	.00	.00	940.00	.00
23-100-10-53610-151-000 Social Security	24,701.00	.00	17,708.30	17,708.30	6,992.70	71.69
23-100-10-53610-153-000 Ret. Employer Share	21,956.00	.00	16,248.66	16,248.66	5,707.34	74.01
23-100-10-53610-154-000 Health Insurance	65,459.00	.00	56,548.48	56,548.48	8,910.52	86.39
23-100-10-53610-155-000 Life Insurance	321.00	.00	331.59	331.59	-10.59	103.30
23-100-10-53610-210-002 Professional Services	9,500.00	.00	5,654.50	5,654.50	3,845.50	59.52
23-100-10-53610-210-003 Miscellaneous Fees	300.00	.00	80.00	80.00	220.00	26.67
23-100-10-53610-225-000 Phone Service	618.00	.00	291.54	291.54	326.46	47.17
23-100-10-53610-242-000 Print Management	300.00	.00	207.80	207.80	92.20	69.27
23-100-10-53610-307-000 Training	1,240.00	.00	354.71	354.71	885.29	28.61
23-100-10-53610-310-000 Office Supplies	1,290.00	.00	870.63	870.63	419.37	67.49
23-100-10-53610-312-000 Field Supplies	200.00	.00	44.16	44.16	155.84	22.08
23-100-10-53610-312-001 Non-Metallic Mining Expense	.00	.00	1,650.00	1,650.00	-1,650.00	.00
23-100-10-53610-320-000 Publications-BOA Public Hearing	800.00	.00	.00	.00	800.00	.00
23-100-10-53610-320-001 Publications-PZ Public Hearing	3,000.00	.00	2,271.00	2,271.00	729.00	75.70
23-100-10-53610-321-000 Seminars	930.00	.00	885.00	885.00	45.00	95.16
23-100-10-53610-324-000 Member Dues	130.00	.00	130.00	130.00	.00	100.00
23-100-10-53610-330-000 Travel	832.00	.00	556.00	556.00	276.00	66.83
23-100-10-53610-352-000 Vehicle Maintenance	838.00	.00	710.85	710.85	127.15	84.83
53610 Code Enforcement	456,206.00	.00	334,875.24	334,875.24	121,330.76	73.40
10 Land Use Planning and Zoning	456,206.00	.00	334,875.24	334,875.24	121,330.76	73.40

Land Use Permits: 10/01/2023 - 10/31/2023

Town of Berlin

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
13530	002000610601	N9525 32ND DR	10/24/2023	STEPHANF KRENTZ, WINGATE BARRACLOUGH	3000	Accessory Structure - Accessory Structure	Lean to		
13524	002003440000	W2533 PUCHYAN RD	10/23/2023	JEANETTEF NIGBOR, SCOTT NIGBOR	175000				
13456	002005340200	N7812 COUNTY ROAD A	10/03/2023	CATHERINELEE HARGRAVE, ROBERTF HARGRAVE	60000	Accessory Structure - Storage Buildings	Pole Shed with 16-foot sidewalls		

Town of Brooklyn

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
13531	004017040100	N6010 HERITAGE DR	10/24/2023	CHADD BOJARSKI, ELIZABETHA BOJARSKI	48000	Accessory Structure - Detached Garage	9 foot side wall detached garage		
13527	004011530000	W842 SILVER CREEK RD	10/17/2023	LINDAS STRUTZ	1700	Accessory Structure - Accessory Structure	Carport / Pontoon Storage		
13523	004002000301	W1077 BROOKLYN J RD	10/11/2023	DANIELC JOHNSON, JULIEA JOHNSON	15000	Land Disturbing Activity - Ponds/Scrapes	Pond		
13520	004021300000	No Address Available	10/10/2023	ANDREWW DRENDEL, WILMA OTERO DRENDEL	800000	Principal Structure - Single Family	Main living space 2224 sq ft finished lower level 1508 sq ft 4 bedrooms	Accessory Structure - Detached Deck/Patio	Outdoor living area, pavers on the ground, no walls or roof
13518	004015930000	W1902 FOREST AVE	10/04/2023	JOHANS LOBERG, SARAHJ LOBERG	65000	Additions / Alterations - Addition/Alteration to Principal Structure	Mother-in-law Suite		

Town of Green Lake

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
13537	006017820000	W2240 OAKWOOD AVE	10/30/2023	JULIAA KREUZIGER, MICHAELL KREUZIGER	75000	Additions / Alterations - Addition/Alteration to Accessory Structure	Detached Garage Addition		
13536	006007440000	W2976 KAHL RD	10/27/2023	JULIANNECHRISTINE EGBRECHT, RONNIJEANNE EGBRECHT	20788	Accessory Structure - Attached Deck/Patio	Deck		
13535	006020410000, 006020520000, 006020400000,	W1400 SPRING GROVE RD , W1400 SPRING GROVE RD , W1400 SPRING GROVE RD , W1400 SPRING GROVE	10/25/2023	ARLB LLC, DEFNET LIVING TRUST, FULLER REVOCABLE TRUST, NENHOB SHORES	60000	Accessory Structure - Fence	Ceder Fence	Accessory Structure - Fence	Split Rail Fence
13526	006010410103	W1480 SPRING GROVE RD	10/17/2023	KARENK KENNEDY, STEPHENM KENNEDY	50000	Land Disturbing Activity - Driveways	Upgrade Cart Path	Land Disturbing Activity - Driveways	Upgrade Driveway
13525	006010510000	W1370 SPRING GROVE RD	10/17/2023	KC MEAD GREEN LAKE LLC	825000	Land Disturbing Activity - Impervious Surface Treatment Device	Infiltration Basin clear stone	Additions / Alterations - Addition/Alteration to Principal Structure	One Bedroom Addition
13516	006008540000	W2899 COUNTY ROAD K	10/03/2023	MATTHEW J AMEND	150000	Additions / Alterations - Addition/Alteration to Principal Structure	Kitchen and Dining Room Addition	Accessory Structure - Porch	Sun Porch

Town of Kingston

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
None									

Town of Mackford

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
13521	010005310000	W989 PRAIRIE DR	10/09/2023	JEROLD L & CHRIS A KRUEGER	4000	Accessory Structure - Shed	wood frame, steel siding, uninsulated, no heat		

Town of Manchester

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
13529	012004070102	N951 PROSCARIAN RD	10/23/2023	BRENDAL STANTON, PATRICK STANTON	175000	Accessory Structure - Cell Towers	Single Cell Tower with associated ground equipment.		
13528	012001250000	W4376 STATE ROAD 44	10/18/2023	ESTHER BONTRAGER, HARLEYA BONTRAGER	10000	Ag. Structure - Agricultural Building	Greenhouse, metal framing		

13517	012001270101	W4419 STATE ROAD 44	10/03/2023	HEATHERM SCHMECKPEPER, SCOTTD SCHMECKPEPER	25000	Accessory Structure - Accessory Structure	Pool		
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Town of Marquette

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
none									

Town of Princeton

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
13534	016009020000	W5535 RESORT LN	10/24/2023	DARRELLJ KRENZ	240495	Accessory Structure - Attached Deck/Patio	Patio	Accessory Structure - Porch	Screen Porch
13522	016013420000	N4161 N PARKWAY	10/10/2023	CARLA KASTENSCHMIDT, GLENA KASTENSCHMIDT	98000	Accessory Structure - Detached Garage	detached garage no insulation/heat		gravel driveway
13519	016016000200	W5310 OXBOW TRL	10/06/2023	VICKIL SCHULTZ	50000	Land Disturbing Activity - Driveways	2766 sqft driveway	Accessory Structure - Porch	Front Porch
13498	016003500300	W3690 BEYERS COVE RD	10/17/2023	BRAD HERBOLSHEIMER, LARA HERBOLSHEIMER	53925	Accessory Structure - Attached Deck/Patio	Patio Expansion	Land Disturbing Activity - Impervious Surface Treatment Device	Rain Garden

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
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
None									

October 2022 Estimated Cost: \$2,052,875.00

2022 YTD Estimated Cost: \$44,359,448.00

October 2023 Estimated Cost:

2023 YTD Estimated Cost:

\$3,004,908.00

\$41,854,027.00

Sanitary Permits: 10/1/2023 - 10/31/2023

Permit Number for OCT	Sanitary Permit	Parcel Number	Site Address	Owners	Date Issued	Permit Type	System Type	Plumber Name	Final Insp Date	Ind Site Dsgn	Additional Explanation	Permit Fee County	WI Fnd
1	202324067	004011470000	W869 SUMMIT CT	RENOVATE LLC	10/04/2023	Replacement Tank Only	Conventional (Non-Pressurized In-Ground)	Patrick Johnson	11/01/2023	No		\$ 150.00	N/A
2	202324068	012002380000	N1525 STATE ROAD 73	FAITH LUTHERAN CHURCH	10/06/2023	Replacement System	Conventional (Non-Pressurized In-Ground)	Ben Kinas	01/02/1900	No	3 Bedroom teacher house	\$ 380.00	\$ 100.00
3	202324069	004009060100	W2994 COUNTY ROAD T	ALLEN G & GLORIA G SCHLEICHER	10/12/2023	Replacement System	Holding Tank	William Thoma	10/24/2023	No	3 Bedroom House	\$ 455.00	\$ 100.00
4	202324070	016000220000, 016000220000	N6140 SINA RD , N6142 SINA RD	SINA FAMILY FARM TRUST	10/16/2023	Replacement System	Conventional (Non-Pressurized In-Ground)	Jeffrey Novak	01/02/1900	No	4 Bedroom House	\$ 380.00	\$ 100.00
5	202324071	004003540000	W1586 NORTH ST	GAILA SCHROEDER	10/16/2023	Replacement System	Conventional (Non-Pressurized In-Ground)	Ben Kinas	01/02/1900	No	3 Bedroom House	\$ 380.00	\$ 100.00
6	202324072	014004210000	W6895 PUCKAWAY RD	RICHARDL GERICKE	10/18/2023	Replacement System	Conventional (Non-Pressurized In-Ground)	Ben Kinas	01/02/1900	No	1 Bedroom House	\$ 380.00	\$ 100.00
7	202324073	004009950000	N5552 OLD OAK LN	FREDERICKA PAFF REAL ESTATE TRUST	10/18/2023	Replacement System	Holding Tank	Jeffrey Novak	01/02/1900	No	9 Bedroom House	\$ 455.00	\$ 100.00
8	202324074	008001640102	W6343 COUNTY ROAD B	NATHAN MAST	10/19/2023	New System	Conventional (Non-Pressurized In-Ground)	Dustin Hoffmann	10/20/2023	No	Convenience bathroom	\$ 380.00	\$ 100.00
9	202324075	006018160000	W2212 SPRING LAKE RD	PHILIP L SCHUPMANN, SARAJ SCHUPMANN	10/19/2023	New System	Conventional (Non-Pressurized In-Ground)	Lichtfeld, T	01/02/1900	No	3 Bedroom House	\$ 380.00	\$ 100.00
10	202324076	002004130100	W1016 COUNTY ROAD AA	TRILLIUM HILL LAND LLC	10/24/2023	Replacement System	Conventional (Non-Pressurized In-Ground)	William Thoma	01/02/1900	No	4 Bedroom House	\$ 380.00	\$ 100.00
11	202324077	012000890000	N2254 HILLTOP RD	MARKESAN PROPERTIES OF GREEN LAKE LLC	10/30/2023	Replacement System	Conventional (Non-Pressurized In-Ground)	Jeremiah Storer	01/02/1900	No	Shop with 12 employees	\$ 380.00	\$ 100.00
12	202324078	006004860000	W712 STATE ROAD 44	COLTON FOX IRREVOCABLE TRUST	10/30/2023	Replacement System	Conventional (Non-Pressurized In-Ground)	Jeremiah Storer	01/02/1900	No	5 Bed House	\$ 380.00	\$ 100.00
Total												\$ 4,480.00	\$ 1,100.00

* 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
014005110201	N2875 Nicolet Rd	Carolyn & Corneal Troyer	13383	Zoning, Junk	Movement of mobile home and construction of basement without a permit. Inoperable camper/mobile home and trailer/trailer frame. Junk includes: plastic drums, metal drums, ac unit, chest freezers, appliances, propane tanks, bins, buckets, lumber, etc. scattered throughout property. 3 boats on property when two rec vehicles allowed on R-4 zoned parcel. Waiting on certified mail receipt. Otherwise will have Sheriff's deputy serve the notice
006005810101	N2730 WELK RD	Ashley & Rick Ruck	13442	Zoning	Storage of recreational trailer on R1 lands with no dwelling unit. Processing of logs to firewood for commercial sale.
004-00222-0600		Dennis McConnell	13557	Zoning	Accessory Structure without a principal structure/use present. Structure without LUP.
008004680000	W6502 STATE ROAD 44	Carolee Miller	13533	Shoreland	No LUP and building within the shoreland setback. Certified Mailing -unclaimed resent through S.O.

Second Notice

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description
002002260200	W282 County Road V	Stanley Hallman	13532	Zoning, POWTS	No LUP for conversion of Ag building to house, No reconnection permit for sanitary system, House not being lived in by owner / operator of the farm.

Sent to Corp. Counsel

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description
004003750100	N6264 N lawson Dr	David Santee	13356	Zoning	Establishing a residence without a conditional use permit on C-2 parcel.
004003750100	N6264 N Lawson Dr	David Santee	13460	Zoning	Operating a long term rental in a zoning district that does not allow long term rentals as an allowed use.
020004510000, 020004510000	Hopp Road Right of way	Hopp	13395	Floodplain	Installed three sets of three culverts in 2008 without WDNR or County Zoning approval. Resolution is to remove all three sets of culverts to restore natural flooding conditions. Update: Joe said he would work with the Town's attorney to draft a legal letter to Mike Arrowhead of Walleyes for Tomorrow. The letter would be worded in such a way that Walleyes for Tomorrow will be responsible for removing the culvert sets on both parcels.

Monthly Violations Resolved

1

YTD Violations Resolved

20

Zeratsky

POWTS VIOLATION REPORT 11/29/23

OPEN NOTICES SENT

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description	Violation Date	Notes	First Letter Sent	Restart first letter sent	Final letter sent	Sent to CORP counsel	Has new permit	New permit number	New permit active	action remaining
16004630000	N4487 MAPLE LN	KLEIN JUSTIN T	58848	POWTS Failure	Tank not Watertight	8/5/2022	414-430-1154 Will be getting new system in spring, told him about the next couple letters arriving and not to get worried.	11/11/2022	11/13/2023			yes	202324036	no	wait for install
16007980501	N5588 LOCK RD	KUJAC THOMAS	202024007	POWTS Failure	Has wastewater from washer two sinks two baths and possibly one toilet running out of a pipe from the house to the ground surface. Otherwise septic system is new and ok but not all wastewater is	1/18/2022	will be disconnecting the water fixtures, well pump is already off, some incoming water lines are already cut in a few localtons to prevent freeze damageet not all	1/21/2022	11/16/2023			not needed			wait for him to call for an inspection to verify fixtures are disconnected. Or the House might get burned by the fire dept for training. 11/29/23 had a site visit to go over what he needs to disconnect to get in compliance
16008010300	N5587 LOCK RD	WEHNBRECHT JEREMY WAYNE; WEHNBRECHT TAMI LYNN	37516	POWTS Failure	Tank not Watertight	8/26/2022		11/11/2022	11/13/2023			yes	202324028	no	wait for install
16009230000	W5894 WALTER WILLIAMS RD	PROG ROD-GUN CLUB	10024095	POWTS Failure	Tank unsond	6/24/2020			11/13/2023			yes		no	wait for install
16009230000	W5886 WALTER WILLIAMS RD	PROG ROD-GUN CLUB	10024249	POWTS Failure	Tank unsond	6/24/2020	2024 spring install by kinas excavating new install will be in spring 2024 per kinas		11/13/2023			yes	202324117	no	wait for install
16009230000	N4904 RAY SHORTER RD	PROG ROD-GUN CLUB	10024259	POWTS Failure	Tank compromised	6/24/2020	supposedly they might be getting a sanitary permit with kinas		11/13/2023			yes	202324057	no	wait for install
16000090000	N6123 SWAMP RD	HEBBE JAMES A	1624006	POWTS Failure	Tank not Watertight	4/26/2022			11/13/2023			no			
6001980000	W591 THOMAS RD	WILKE CARL H	624010	POWTS Failure	Tank not Watertight	5/18/2022			11/13/2023			yes	202324012	no	wait for install
16007700000	W5897 STATE ROAD 23	HAZELWOOD WANETTA ET AL	26752	POWTS Failure	tank failure	8/13/2019	will be installed spring of 2024 according to kinas		11/13/2023			yes		no	wait for install
													202224079		

OPEN FINAL NOTICES SENT

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description	Violation Date	Notes	First Letter Sent	Restart first letter sent	Final letter sent	Sent to CORP counsel	Has new permit	New permit number	New permit active	action remaining
16015530000	N4164 NANCY DR	RUBACH RYAN W	18212	POWTS Failure	Effluent discharging to ground surface	9/13/2023	Working with Kinas to get a new sanitary permit	10/13/2023	N/A	11/13/2023		no			wait for permit

SENT TO CORP COUNSEL

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description	Violation Date	Notes	First Letter Sent	Restart first letter sent	Final letter sent	Sent to CORP counsel	Has new permit	New permit number	New permit active	action remaining
4009950000	N5552 OLD OAK LN	PAFF REAL ESTATE TRUST FREDERICKA	10024391	POWTS Failure	System is a Cesspool	10/28/2020	Perry Dahl conducted soil testing first week of NOV 2023. Has a plan with easments and a may 1 install deadline,					yes	202324073	no	Wait for septic install in spring 2024. Cesspool will be abandoned this fall.
8005940000	W6521 W NORTH ST	BARKER RHONDA K	11	POWTS Failure	Tank Failure	10/27/2021	Went to court over the issue, will be getting a new permit with kinas excavating.					no			wait for kinas to finish permit
16009230000	N4922 RAY SHORTER RD	PROG ROD-GUN CLUB	10024256	POWTS Failure	Tank Failure	5/29/2021	Spring 2024 getting a septic from kinas excavating					yes	202324020	no	wait for kinas to install system
6010221104	N5107 SANDSTONE AVE	VANDERVELDE NANCY	624041	POWTS Failure	Tank not watertight	6/29/2023	Dry well not a cesspool. Will be abandoned.	6/29/2023	N/A	9/26/2023	11/13/2023	yes	202324085	no	wait for kinas to abandon system spring 2024
6010221105	N5113 SANDSTONE AVE	VANDERVELDE NANCY	624042	POWTS Failure	Tank not watertight	6/16/2023	Dry well not a cesspool, will have new system in spring 2024	6/29/2023	N/A	9/26/2023	11/13/2023	yes	202324085	no	wait for kinas to install system
14001720000	W5156 PINE RD N	HEINECKE RANDAL R ET AL	26724	POWTS Failure	Tank Failure	11/8/2019	working with soil tester to get new sanitary permit. Will likely get a holding tank and not a mound system.	6/19/2023	N/A	9/27/2023	11/13/2023	NO			wait for a sanitary permit to get submitted and send a letter if we don't get one in a month.



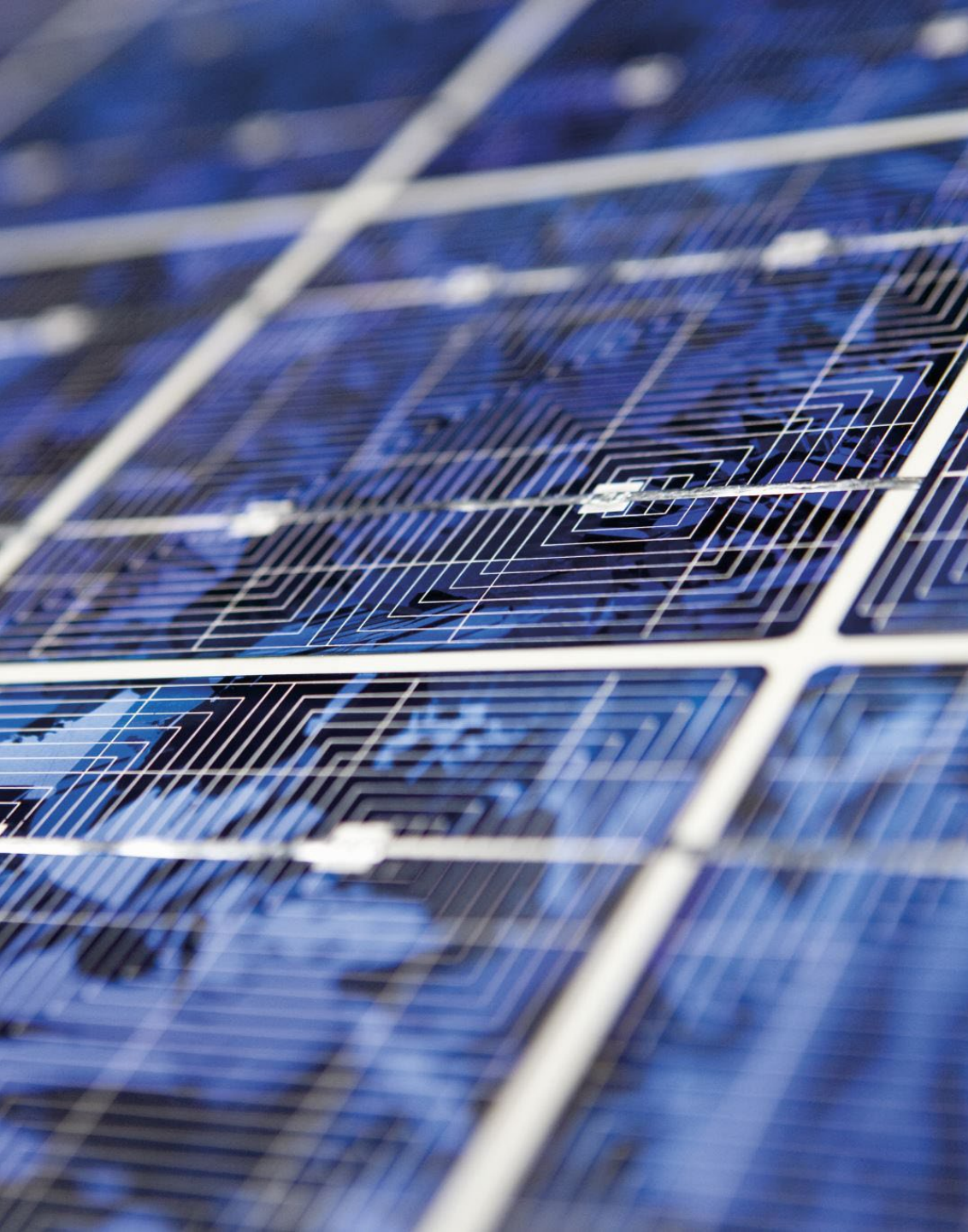
Solar Panels

Land Use Planning and Zoning

Solar Zoning Authority and Constraints

- 66.0401(1m)(1m) Authority to restrict systems limited. No political subdivision may place any restriction, either directly or in effect, on the installation or use of a wind energy system that is more restrictive than the rules promulgated by the commission under s. 196.378 (4g) (b). No political subdivision may place any restriction, either directly or in effect, on the installation or use of a solar energy system, as defined in s. 13.48 (2) (h) 1. g., or a wind energy system, unless the restriction satisfies one of the following conditions:
 - (a) Serves to preserve or protect the public health or safety.
 - (b) Does not significantly increase the cost of the system or significantly decrease its efficiency.
 - (c) Allows for an alternative system of comparable cost and efficiency.





Green Lake County Solar Ordinances

- 350-43.2 Solar Panels
 - Solar panel arrays shall comply with the following
 - A. Ground-mounted solar panel arrays that can exceed eight feet in adjusted height (lowest adjacent grade to maximum vertical extent) or have a solar panel surface area greater than 32 square feet must be authorized by a land use permit and are required to meet all the required setback set forth in this chapter.
 - B. Ground-mounted solar panel arrays shall not exceed 25 feet in height (lowest adjacent grade to maximum vertical extent).
 - C. Roof-mounted solar panel arrays are not subject to §§ 350-19 and 350-20 of this chapter and are exempt from the land use permit requirement under § 350-65.

What Does 350-43.2 Mean

A. Tells landowners or contractors when a land use permit is required

B. Gives a height restriction

C. Provides exemptions for roof-mounted options

- 350-19 is the height regulations in the county code
- 350-20 is the side and rear yard regulations (setbacks)
- 350-65 is the land use permit section

Solar Zoning Authority

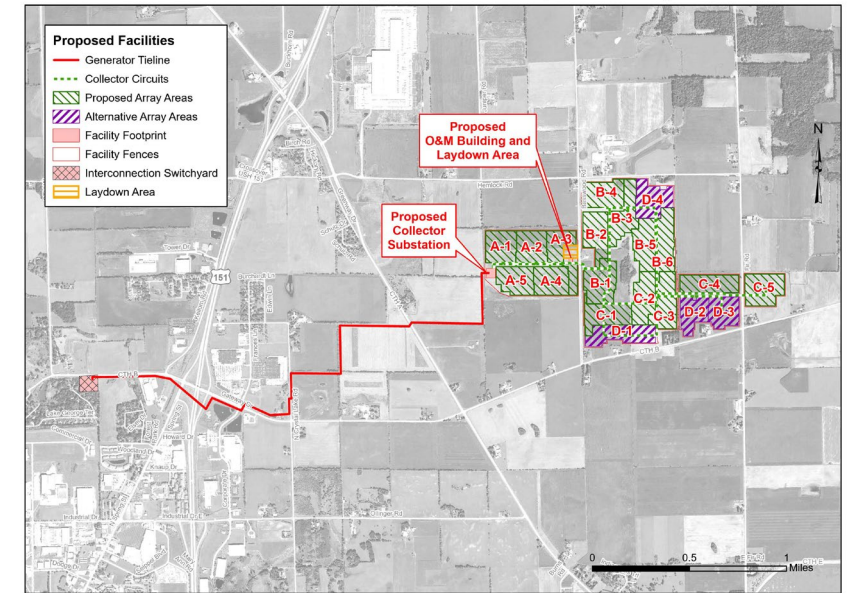
Public Service Commission

- Authority for solar arrays 100 megawatts or more
- Board of three Commissioners
- Can decide location and size

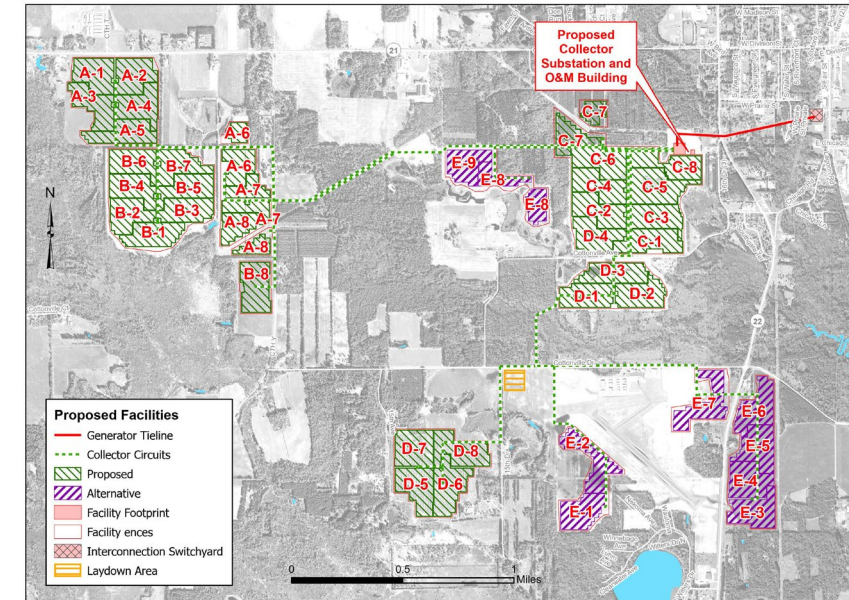
County (Zoned Townships)

- Authority for solar arrays under 100 megawatts
- Conditional Use Permit Process for large arrays (commercial to be sold to many consumers)
- Small arrays (private only utilized by landowner) may fall under Land Use Permit

WPL Solar II Project 6680-CE-183 (Beaver Dam)

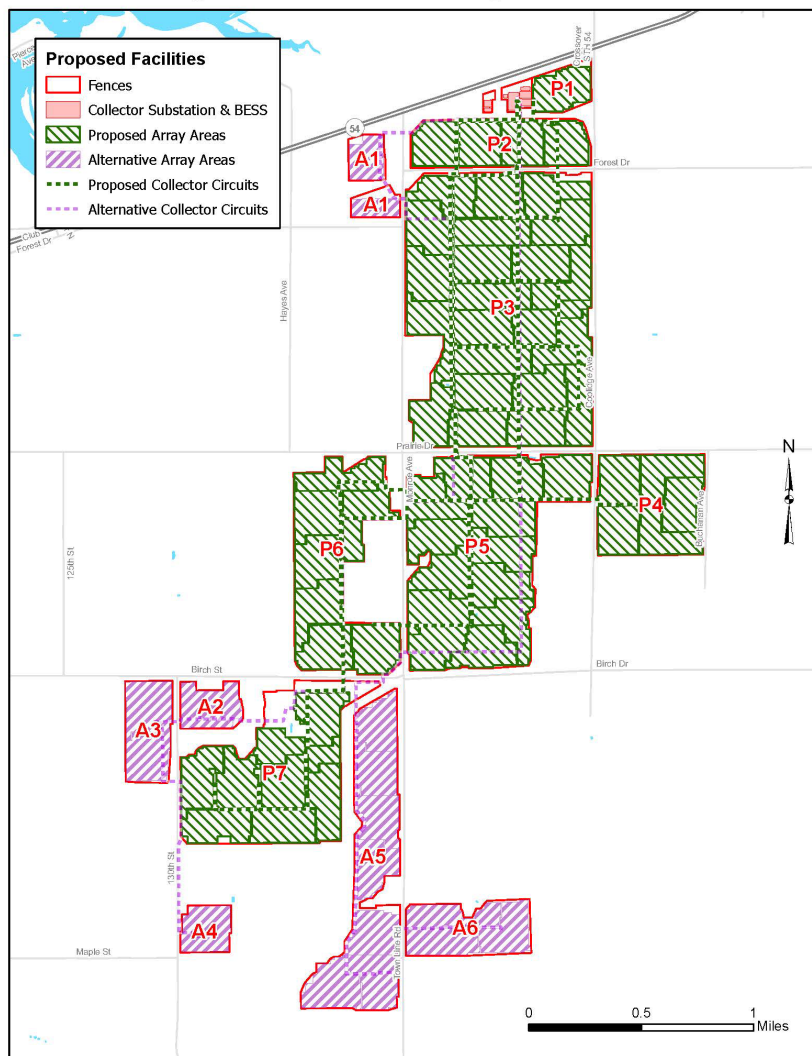


WPL Solar II Project 6680-CE-183 (Wautoma)



2 of 5 solar projects that all fall under 100 MW and in 5 different counties but proposed by WPL together to reach PSC authority.

Portage Solar Generation Project 9810-CE-100



250 MW solar project in Portage county covering 2,167 acres

Solar Land Use

It takes 7-10 acres for 1 megawatt of solar production

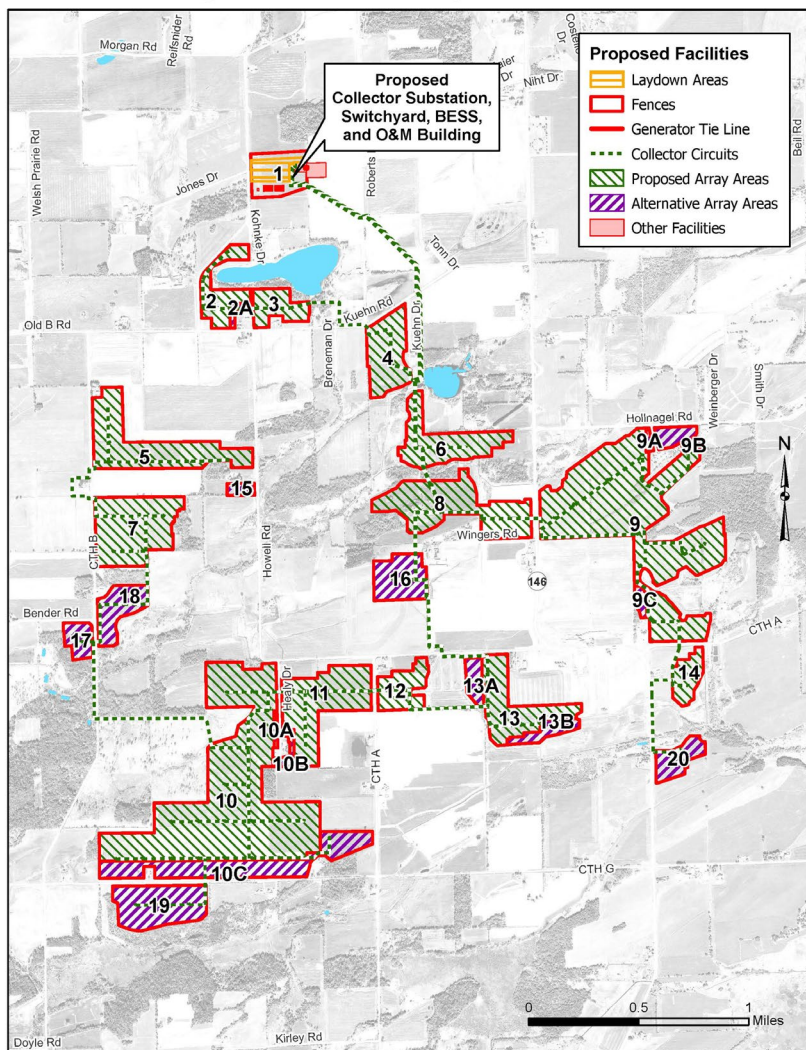
700-1000 acres to reach 100 megawatts and have review under Public Service Commission

Solar developers look for flat and open land mainly farmland

Flat agricultural land near large transmission lines are best suited for developers

Green Lake County Zoned Townships have 61 % of the land in an agricultural use or roughly 83,443 acres

Langdon Mills Solar Project 9818-CE-100



Solar Considerations

PSC must determine if the solar project meets state statutes

Wis. Stats. 196.491(3)(d)(6) the proposed project will not unreasonably interfere with the orderly land use and development plans for the area involved

- Does the proposed project conform to the Town and County Comprehensive Plans

County and Towns may be able to influence solar developers and PSC with a solar overlay map and rationale behind the map

- Solar overlay map would want to contain transmission lines and locations allowing or excluding solar projects

200 MW solar project in Columbia county covering 1,201 acres

Farmland Preservation Considerations (CUP)

- Upon prior notification to the County, transportation, communication, pipeline, electric transmission, utility, or drainage uses, facilities for the generation from sunlight, wind, coal or natural gas, if all the following apply:
 - The use and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district.
 - The use and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.
 - The use is reasonably designed to minimize conversion of land at and around the site of the use, from agricultural use or open space use.
 - The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
 - Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible



Solar Ordinance Standard Considerations Other Counties Currently Face

Are commercial and individual arrays regulated the same? Should they be?

Is fencing around the site an issue? Should vegetation screening be considered?

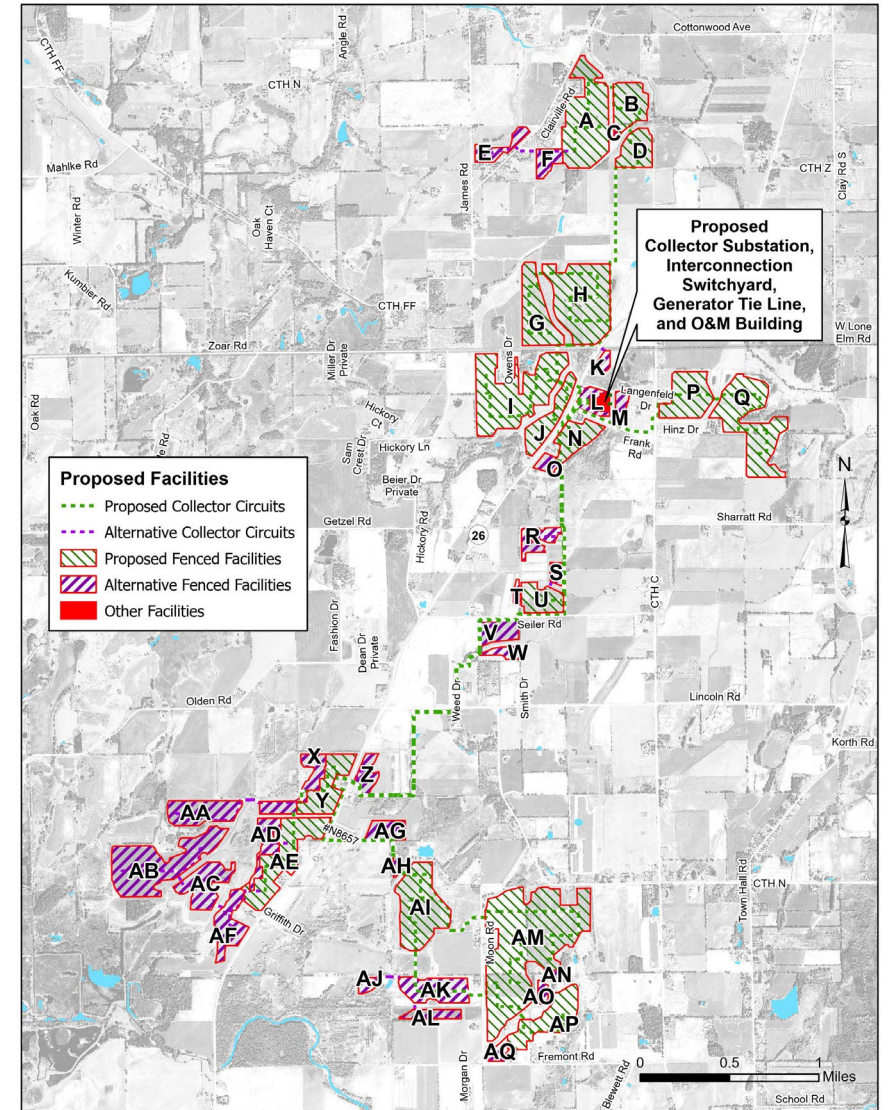
Is glare an impact and should be considered?

Should there be setbacks specific to adjacent buildings instead of lot lines?

Should vegetation be within and under the solar panels?

Is there a decommissioning plan? How might this impact the landowner?

Silver Maple Solar Project 9813-CE-100



200 MW solar project in both Fond du Lac County and Winnebago County consisting of 2,200 acres

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, December 7, 2023, at 9:30 a.m.** to consider the following requests:

Item #1: Applicants: Green Lake County Land Use Planning & Zoning Committee **Request:** The committee is requesting an amendment to the Comprehensive Plan's Farmland Preservation Plan Map affecting the Towns of Brooklyn, Green Lake, Marquette, Mackford & Manchester.

Item #2: Applicants: Green Lake County Land Use Planning & Zoning Committee **Request:** The committee is requesting an amendment to Chapter 350, Zoning Ordinance of the Code of Green Lake County, to amend the zoning map affecting the Towns of Brooklyn, Green Lake, Marquette, Mackford & Manchester.

Item #3: Owners: Ricky and Ashley Ruck, **Location:** N2730 Welk Road, **Parcel:** 006-00581-0101. **Legal Description:** Part of Lot 2 of CSM 3700, located in Section 31, T15N, R13E, ±8 acres. **Request:** The owners are requesting to rezone ±1.0 acres from R1, Single-family residence district to C2, Extensive Commercial district.

Item #4: Owners: Ricky and Ashley Ruck, **Location:** N2730 Welk Road, **Parcel:** 006-00581-0101. **Legal Description:** Part of Lot 2 of CSM 3700, located in Section 31, T15N, R13E, ±8 acres. **Request:** Conditional Use Permit to process, store, and sell firewood.

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: November 23, 2023

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

December 7, 2023

ITEM I: COMPREHENSIVE PLAN AMENDMENT

APPLICANT:

Green Lake County, Land Use Planning & Zoning Committee

REQUEST: The Land Use Planning & Zoning Committee is requesting an amendment to the County's comprehensive plan's farmland preservation plan maps as it relates to the Towns of Brooklyn, Green Lake, Mackford, Manchester & Marquette.

PARCEL NUMBER / LOCATION: The parcels affected by this proposed amendment are in the Towns of Brooklyn, Green Lake, Mackford, Manchester and Marquette as identified by the attached map.

ADDITIONAL INFORMATION / ANALYSIS: The Department of Agriculture, Trade and Consumer Protection (DATCP) certified the update to the Farmland Preservation Plan in 2016, and the County Board adopted it as part of its comprehensive plan. Any amendment to the Farmland Preservation Plan requires a comprehensive plan amendment.

In 2018, the Town Berlin, by dissolving their extraterritorial zoning authority (ETZA) forced a zoning map amendment which required a Farmland Preservation / comprehensive plan amendment. The Land Use Planning & Zoning Department took this opportunity to try and resolve any nonconforming parcels (to area or use) that could be identified. The department contacted the nonconforming parcel property owners, explained the zoning map amendment process, and 50 or so property owners elected to participate in the project. Since the conclusion of this zoning map amendment project, this department has realized reduced zoning conflicts, increased permitting efficiencies, and overall better customer service.

Presently, the remaining five (5) zoned townships of Brooklyn, Green Lake, Mackford, Manchester and Marquette have a number of nonconforming parcels (to area or use) that would also benefit from a zoning map amendment. In order to approve the zoning map amendment the Farmland Preservation Plan maps must be revised. These maps must indicate that any lands proposed to be rezoned to A1, Farmland Preservation district are planned and identified as Farmland Preservation Area. Similarly, all parcels proposed to be rezoned out of A1, Farmland Preservation District must be planned and identified as areas of nonagricultural development.

DATCP is the administrative agency that administers the State's Farmland Preservation Program. DATCP requires Counties to submit an application for any amendments to a County's Farmland Preservation Plan. In this case, only 5 of the 6 Farmland Preservation Plan maps are being revised. DATCP requires a review of the proposed maps to make sure they are consistent with the County's certified plan (2016). On August 14, 2023 DATCP recertified the proposed Farmland Preservation Plan maps. Therefore, the County is free to approve the comprehensive plan amendment and the related zoning map amendment.

SUGGESTED CRITERIA: When considering a request for an amendment to a comprehensive plan, it may be helpful to examine the following criteria:

1. The proposed change would be more consistent with the comprehensive plan's existing goals, objectives, and policies.
2. The proposed change would be more consistent with the Farmland Preservation Plan's goals, objectives, and strategies.
3. The proposed change would better fit the predominant uses and development pattern in the surrounding area.
4. Conditions in the area have changed sufficiently to warrant the proposed amendment.

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

- 1) The County comprehensive plan's goal is to preserve farmland and the rural characteristics of the county. The County achieves this through the guidance afforded by the Farmland Preservation Plan. The mapping changes being proposed herein increase the total amount of acreage identified as "Farmland Preservation Areas" thus furthering the accomplishment of this goal.
- 2) This comprehensive plan amendment is consistent with the Farmland Preservation Plan's goal of preserving farmland as more farmland would be identified as "Farmland Preservation Areas."
- 3) The proposed changes to the Farmland Preservation Plan's map represent outreach and agreements between the Land Use Planning & Zoning Department and the property owners. It is the Department's position that these changes create a better fit to the agricultural or agriculturally related uses of the affected parcels and the surrounding area.
- 4) There has been no abrupt change to conditions in these areas, however, the creation of the R4 zoning district in 2006 opened-up a more agriculturally consistent zoning district for rural residential properties, that property owners in these Townships have not had an equal opportunity (as compared to the Town of Berlin) of which to take advantage.

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, owners of these properties will be adversely affected. In many cases the parcels are used in a nonconforming manner when aligned with their zoning district. In other cases the parcel does not meet the area requirements of a zoning district that can permit their current nonconforming use. In either case these property owner stand to be negatively impacted by the zoning ordinance if and when they chose to improve their properties.

TOWN INPUT: An Action Form requesting Town of Brooklyn's, Green Lake's, Mackford's, Manchester's and Marquette's input was mailed on September 12, 2023. The Town of Brooklyn took no action on this request and alternatively asked the County to notify the adjoining property owners of the comprehensive plan amendment. The Towns of Green Lake, Mackford, Manchester, and Marquette all **did not object to and approved** of the comprehensive map amendment.



Land Use Planning & Zoning Department

County Government Center
571 County Road A
Green Lake, WI 54941

Phone 920-294-4156 Website: <http://www.greenlakecountywi.gov/>

Land Development Code Enforcement County Surveyor GIS Land Information

Date: July 12, 2023

To: Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP)

From: Matt E. Kirkman
Land Use Planning & Zoning Director
Green Lake County
Wisconsin

RE: Farmland Preservation Plan Amendment Certification Application

To Whom it may concern:

Attached please find Green Lake County's Application for Certification of map amendments to the 2016 Farmland Preservation Plan.

In 2017 and 2018 Green Lake County applied to DATCP to amend its 2016 Farmland Preservation Plan Maps as well as its Farmland Preservation Zoning Ordinance. This effort was successful in obtaining DATCP certification and the County Board adopted both amendments.

Green Lake County has been doing its best to keep within the guidelines of the Farmland Preservation Plan. In our 2018 request, there was an allotment of parcels that were included in the Farmland Preservation Plan amendment that were not part of the City of Berlin's ETZA dissolution. These parcels were identified as ... nonconforming to required dimension or use. The property owners were contacted, the nonconformities were identified, and some of the property owners chose to be included in the map amendment. The result has been an improvement in customer service as well as a reduction in zoning changes, violations, and all the associated staff time.

Now five years later, Green Lake County would like to tackle the remainder of its zoned Towns as it relates to parcels that are nonconforming to dimensions or use. A number of parcels have been identified in the Towns of Brooklyn, Green Lake, Mackford, Manchester and Marquette. Here again, the property owners were contacted, the nonconformities were identified and 100 of these property owners chose to take part in this map amendment project. As a result the Zoning and Farmland Preservation maps for the Towns of Brooklyn, Green Lake, Mackford, Manchester and Marquette have to be amended. However, the text of the Farmland Preservation Plan is not being amended.

Green Lake County had adopted its Farmland Preservation Plan as part of its Comprehensive Plan. As a result, this letter further informs DATCP that Green Lake County is in the process of amending the 2016 Comprehensive Plan. Once DATCP is able to certify these changes to the Farmland Preservation Plan map, the County can adopt the Farmland Preservation Plan Map amendments as an amendment to its Comprehensive Plan. Adoption of the Comprehensive Plan amendment is scheduled to occur prior to January 1, 2024

The remainder of this letter addresses the required components as identified in the Farmland Preservation Application Form, specifically items 4 (a) to (f).

- a. As explained above Green Lake County adopted its Farmland Preservation Plan in February of 2016. In 2018 an allotment of nonconforming parcels in the Town of Berlin were resolved through a comprehensive plan and a zoning map amendment. This amendment produced a higher level of customer service as well as improved efficiencies with department staff. As a result of these successes, Green Lake County is looking to resolve a number of nonconforming parcels in the zoned Townships of Brooklyn, Green Lake, Mackford, Manchester and Marquette. An amendment to the comprehensive plan, by way of amending the Farmland Preservation Plan, and an amendment to the County's zoning map are required.

These changes represent a loss of 118 acres of lands planned as Farmland Preservation Area and an increase of 177 acres to be planned as Farmland Preservation Area. This is a net gain of 60 acres of Farmland Preservation Area planned lands. Also, it should be noted that lands planned as Farmland Preservation Area consist of 100% of lands zoned Farmland Preservation district (A1) as well as lands zoned M1 (Mineral Extraction district) and NRC (Natural Resources Conservancy district).

- b. As stated earlier, the Green Lake Farmland Preservation Plan was adopted in 2016 as part of the Agricultural, Natural and Cultural Resources Element of the Green Lake County Comprehensive Plan. In order to amend the Farmland Preservation Plan the Comprehensive Plan also needs to be amended per Ch. 66.1001 Wis. Stats. Once DATCP has certified this amendment, the Comprehensive Plan amendment related to the Farmland Preservation Plan map changes will be available for viewing on the County's website.
- c. These changes to the Farmland Preservation Plan map resulted from extensive review through aerial photography, historical permitting, and outreach. Once the property owners involved in the project provided their input, the Land Use Planning and Zoning Department began developing the proposed Farmland Preservation Plan and zoning maps. These maps will be shared with the Townships of Brooklyn, Green Lake, Mackford, Manchester and Marquette. These Townships will host public hearings that will display the proposed map changes. Further, Green Lake County will hold public hearings to recommend and formerly adopt the amendment to the Comprehensive Plan and the zoning map amendments. All meetings will include proper notice as required by State Statute. It is the wish of the Green Lake County Land Use Planning and Zoning Committee that DATCP certification of the revised Farmland Preservation Plan Maps is obtained prior to holding these public hearings.
- d. Green Lake County is pleased to report no unresolved issues between the County and Local Units of government. The zoning changes, driving these amendments to the Farmland Preservation Plan map, will have been thoroughly examined by the Towns.
- e. The Green Lake County Zoning Ordinance and the City of Berlin's Zoning Ordinance are currently the only certified farmland preservation ordinances within Green Lake County. Green Lake County administers zoning in six (6) of the counties' ten (10) townships. These townships include Berlin, Brooklyn, Green Lake, Mackford, Manchester, and Marquette. There are four (4) townships that have

not adopted the County's zoning ordinance and they are Kingston, Princeton, Saint Marie and Seneca.

- f. The primary contact for this application submittal is Matt E. Kirkman, Land Use Planning & Zoning Director, Green Lake County. A secondary contact is Noah Brown, Land Use Specialist, also with the Green Lake County Land Use Planning & Zoning Department. Noah has been involved in the aerial photography review, historical permitting research, and the outreach described above.

Please accept this Farmland Preservation Plan Amendment Certification Application for review. Should you have any questions regarding this application, please contact me per the information below. We look forward to certification and the continued implementation of the farmland preservation program in Green Lake County.

Sincerely,



Matt E. Kirkman, Land Use Planning & Zoning Director
Green Lake County
Land Use Planning and Zoning Department
571 County Road A
Green Lake, WI 54941

Phone 920-294-4175

Email mkirkman@greenlakecountywi.gov

County Application for Farmland Preservation Plan Certification

Applying for Plan Certification

To have your county plan or plan amendment certified, complete and submit all of the following to the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP):

- The attached APPLICATION FORM, signed by the county corporation counsel and the county planning director or chief elected official, and accompanied by the COVER LETTER signed by the County Planning Director.
- The county plan or plan amendment to be certified. Include plan text and maps, and spatial location data used to create the maps. If the Farmland Preservation Plan refers to sections or pages of the Comprehensive Plan, please attach the relevant portions of the Comprehensive Plan.
 - In Part B of the APPLICATION FORM, cite relevant page numbers in the plan where the requirements are met (use the space provided).
 - Maps and spatial location data should comply with the attached MAP AND SPATIAL LOCATION DATA INSTRUCTIONS

If the county intends to resolve inconsistencies between the Farmland Preservation Plan and the Comprehensive Plan by adopting language clarifying that the Farmland Preservation Plan supersedes the Comprehensive Plan, the county must include the superseding language in both the Farmland Preservation Plan and the Comprehensive Plan and must provide copies of the relevant pages from the Comprehensive Plan. (See *PART C*)

Submit all application materials in electronic form to: DATCPWorkingLands@wisconsin.gov. Enter “(County Name) County Plan Certification Request” in the subject line.

If submitting a hard copy send to the following address:

Wisconsin Department of Agriculture, Trade and Consumer Protection
Agricultural Resource Management Division
WORKING LANDS
PO Box 8911
Madison, WI 53708-8911

Review and Decision

- Within 10 business days after DATCP receives the application, DATCP will determine whether the application is complete. DATCP will not review an incomplete application for certification.
- If the application is complete, DATCP will grant or deny the application within 90 calendar days after the date of receipt.
- DATCP will normally grant or deny the application *based solely on the materials that you submit*, so please make sure that the materials are clear, complete and accurate.

Questions

Call 608-224-4604 or email DATCPWorkingLands@wisconsin.gov with any questions or problems.

Map and Spatial Data Instructions

A clear farmland preservation PDF map should:

- Be titled “Farmland Preservation Plan Map for (*County and Town Name*).”
- Clearly delineate the areas designated for farmland preservation. Farmland preservation area boundaries should follow existing parcel boundaries where possible.
- NOT display environmental or other “overlay” areas in a way that obscures or confuses the boundaries of an underlying farmland preservation area.
- Have a map scale of no greater than one inch = 2,000 ft. (1:24,000). It is recommended that a county plan map be submitted as a series of town maps. For example, a 6 mile by 6 mile township would meet the certification requirement if it could be printed on an 18” x 24” piece of paper.
- Show political boundaries (county, city, town, village), parcel boundaries, section lines, section numbers, roads and water bodies.
- Have a map legend that includes symbols for all data represented on the map, including farmland preservation area boundaries, political boundaries, parcel boundaries, section lines, roads, and water bodies.
- Identify mapped farmland preservation areas with titles that exactly correspond to plan text that applies to those areas.
- Identify map scale, north arrow, map date and map producer.
- Be submitted in .pdf or equivalent file format via an appropriate electronic data transfer method (email, ftp, cd, flashdrive, or other acceptable method).

Spatial location data used to create a farmland preservation map should:

- Be projected in the WTM83, NAD83(1991) coordinate reference system. Specify WTM – Meters.
- In the attribute table there should be a specific column that identifies which of the plan areas are to be certified and which are not. This can be achieved by adding a column titled “Certified” and indicating for each record if it is or is not located in the certified area. If the shapefile only shows the Farmland Preservation Plan area, the county only needs to describe in the metadata that the shapefile describes the plan area in its entirety.
- Include metadata written to the “Content Standard for Digital Geospatial Metadata (CSDGM), Vers. 2 (FGDC Metadata Standard).” This includes data source, producer, contact, and attribute definitions. Metadata should also indicate, in the “summary” section, that the map information is provided in support of the county’s request for certification of the county farmland preservation plan. List attributes and specify which plan areas are requested to be certified as Farmland Preservation areas.
- Be submitted in vector shapefile or equivalent file format via an appropriate electronic data transfer method (email, ftp, cd, flashdrive, or other acceptable method).
- Name the file in a manner that clearly identifies it as the farmland preservation plan data submitted for the jurisdiction (county).
- Email plan materials to DATCPWorkingLands@wisconsin.gov



Wisconsin Department of Agriculture, Trade & Consumer Protection
 Division of Agricultural Resource Management
 P.O. Box 8911
 Madison, WI 53708-8911
 (608) 224-4604

Farmland Preservation Plan Certification Application

COUNTY: Green Lake **DATE SUBMITTED:** 7-21-2023 **NAME OF AREA TO BE CERTIFIED:** FP Map Amendment
 Towns: Brooklyn, Green Lake, Mackford, Manchester & Marquette

The above-named county hereby requests certification, under s. 91.16, Wis. Stats., of the attached county farmland preservation plan (or plan amendment).

PART A: Enclosed Materials

In support of its plan certification request, the county submits *all* of the following materials:

1. The farmland preservation plan (or plan amendment) to be certified, including plan text and maps. Each map is clearly correlated with the plan text that applies to that map. All intended farmland preservation areas are clearly identified and mapped.
2. The spatial location data used to create each farmland preservation map.
3. Cited portions of the county comprehensive plan, if any (or a website link to that plan).
4. A *cover document*, signed by the county planning director or chief elected official, that does all of the following:
 - a. Concisely summarizes the farmland preservation plan (or plan amendment), including key changes from the county's last certified plan. The summary describes the extent and location of lands added to or removed from farmland preservation areas identified in the last certified plan, and explains why those lands were added or removed.
 - b. Concisely summarizes the relationship between the farmland preservation plan and county and local comprehensive plans, if any. The summary identifies key related portions of the comprehensive plan.
 - c. Concisely summarizes the steps (and timeline) by which the county developed the farmland preservation plan. The summary briefly describes the public hearing process, notice to other government units, input by other government units, and the process of county approval. It indicates which steps are completed, and which steps are planned but not yet completed.
 - d. Concisely summarizes key unresolved issues between the county and other government units, if any.
 - e. Lists all *certified* farmland preservation zoning ordinances (county and local) that are *currently in effect* in the county, and briefly describes any plans to update those ordinances. (Include exclusive agricultural zoning ordinances certified under the Farmland Preservation Law as it existed before July 1, 2009).
 - f. Identifies the primary contact person for correspondence related to the certification of the farmland preservation plan.
5. If the Farmland Preservation Plan supersedes inconsistencies in the County Comprehensive Plan, the Farmland Preservation Plan and the Comprehensive Plan both include language clarifying this and the proposed language to be added to the Comprehensive Plan is submitted along with the Farmland Preservation Plan.

PART B: CERTIFICATION

The county corporation counsel and the county planning director (or chief elected official) hereby certify that the farmland preservation plan (or plan amendment) attached to this application complies with s. 91.18, Wis. Stats., including the following applicable requirements:¹

	<u>Page Reference²</u>
1. The plan states the county’s policy <i>and goals</i> related to farmland preservation and agricultural development, including the development of enterprises related to agriculture.	_____
2. The plan identifies, describes and documents other development trends, plans, or needs that may affect farmland preservation and agricultural development in the county, including:	
▪ Population	_____
▪ Municipal expansion	_____
▪ Economic growth	_____
▪ Business development	_____
▪ Housing	_____
▪ Utilities	_____
▪ Transportation	_____
▪ Communications	_____
▪ Community facilities and services	_____
▪ Energy	_____
▪ Waste management	_____
▪ Environmental preservation (may include a map of natural resource areas and environmental corridors).	_____

¹ For a complete farmland preservation plan, the county corporation counsel and county planning director or chief elected official certify that the plan complies with *all of the listed requirements*. For plan *amendment*, they certify that the amendment complies with all of the listed requirements that are *relevant to that amendment*, and that the amendment *does not cause the amended plan to violate any of the listed requirements* (see s. 91.18(2), Wis. Stats.). The farmland preservation plan may comply with listed requirements by incorporating, by reference, required information from other parts of the county’s comprehensive plan.

² Cite the page number(s) in the county farmland preservation plan where the requirement is met. If the citation refers to the county comprehensive plan, cite the page reference followed by “CP.”

3. The plan identifies, describes and documents all of the following:

- Agricultural uses of land in the county at the time that the farmland preservation plan is adopted, including key agricultural specialties, if any (include maps where appropriate). _____
- Key agricultural resources, including available land, soil, and water resources. _____
- Key infrastructure for agriculture, including key processing, storage, transportation and supply facilities. _____
- Significant trends in the county related to agricultural land use, agricultural production, enterprises related to agriculture, and the conversion of agricultural lands to other uses. _____
- Anticipated changes in the nature, scope, location, and focus of agricultural production, processing, supply and distribution. _____
- Actions that the county will take to preserve farmland and promote agricultural development. _____
- Key land use issues related to preserving farmland and promoting agricultural development, and plans for addressing those issues. _____
- Policies, goals, strategies and proposed actions to increase housing density in areas other than farmland preservation areas. _____

4. The plan meets the following requirements for the designation of farmland preservation areas:

- Clearly identifies *farmland preservation areas* that the county plans to preserve for agricultural use and agriculture-related uses. (These may include undeveloped natural resource and open space areas but may not include any area that is planned for nonagricultural development within 15 years after the date on which the plan is adopted). _____
- Describes the rationale used to identify the farmland preservation areas and explains how the rationale was used to map plan areas. (The rationale may include criteria such as soil type; topography; agricultural productivity; current agricultural use; agricultural related infrastructure; and proximity to incorporated areas, major arterials, and rural subdivisions). _____
- Includes maps that clearly delineate the farmland preservation areas, so that a reader can easily determine whether a parcel is within an identified area (see “MAP AND SPATIAL LOCATION DATA INSTRUCTIONS”). _____
- Clearly correlates the maps with plan text to describe the type of land uses planned for each farmland preservation area on a map. There are no material inconsistencies within the plan, such as inconsistencies within the plan text, between the plan text and maps, or between maps. _____
- Identifies programs and other actions that the county and local governments within the county may use to preserve the farmland preservation areas. _____

PART C: CONSISTENCY BETWEEN THE FARMLAND PLAN AND THE COUNTY COMPREHENSIVE PLAN

If the County has a Comprehensive Plan, the County must include the Farmland Preservation Plan in its Comprehensive Plan under s. 91.10(2), Wis. Stats. The County should treat the Farmland Preservation Plan and the Comprehensive Plan as the same document rather than two separate plans. Because the Farmland Preservation Plan is part of the Comprehensive Plan, the entire document must be internally consistent.

If there are inconsistencies, the County may clarify that the Farmland Preservation Plan supersedes the Comprehensive Plan and any and all inconsistencies between the two shall be resolved in favor of the Farmland Preservation Plan. The County must include a statement in both the Comprehensive Plan and the Farmland Preservation Plan declaring that the Farmland Preservation Plan supersedes the Comprehensive Plan so that a person referring to either plan will be aware of each plan's relationship to the other. If inconsistencies appear in the maps, then the legends in both maps should include a note explaining that the Farmland Preservation Plan supersedes any inconsistencies with the Comprehensive Plan. If inconsistencies appear in the text, then the appropriate language should be added to the text where the inconsistencies are present.

To complete certification of the Farmland Preservation Plan, the County board must officially adopt the language in both the Farmland Preservation Plan and the existing Comprehensive Plan stating that, in the event of any specific inconsistency between them, the Farmland Preservation Plan takes precedence. The County should ensure that this clarifying language appears in the Farmland Preservation Plan that is submitted to the department. In addition, the County should submit the proposed amended pages from the Comprehensive Plan with the appropriate clarifying language.

Once the department approves the Farmland Preservation Plan for certification, the County board must adopt both the Farmland Preservation Plan in the form certified as well as the proposed language in the Comprehensive Plan clarifying the resolution of inconsistencies. Following adoption, the County must send documentation to the department that the Farmland Preservation Plan was adopted in the form certified and that the County also adopted the clarifying language in the Comprehensive Plan.

If the County does not take this step to clarify and resolve inconsistencies, the department will compare the Farmland Preservation Plan with the County Comprehensive Plan for consistency. In the event inconsistencies are found, the County will need to reconcile these inconsistencies either by changing the Farmland Preservation Plan or the Comprehensive Plan.

Signatures: I have reviewed the attached county farmland preservation plan (or plan amendment), and certify that it meets the applicable requirements for certification as listed above:

Signed and certified this 14th day of July, 2023

By: 
County Corporation Counsel

Signed and certified this 14th day of July, 2023

By: 
County Planning Director or County Chief Elected Official (circle one)

August 14, 2023

Matt Kirkman, Director
Green Lake County Land Use Planning & Zoning
571 County Road A
Green Lake, WI 54941

Re: Certification of the Green Lake County Farmland Preservation Plan Map Amendment

Dear Matt,

Attached is a department order certifying Green Lake County's Farmland Preservation Plan map amendment under s. 91.16, Wis. Stats. The certification process is now complete.

We look forward to working with you in the future on farmland preservation in Green Lake County. If you have any questions, feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Jackson". The signature is fluid and cursive, with a prominent initial "T" and "J".

Tim Jackson
Farmland Preservation Program
608-224-4630

**STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION**

GREEN LAKE COUNTY FARMLAND PRESERVATION PLAN MAP AMENDMENT FOR THE TOWNS OF BROOKLYN, GREEN LAKE, MACKFORD, MANCHESTER AND MARQUETTE	ARM Division Docket No. 047-00000-P-16 M-0823 ORDER CERTIFYING AMENDMENT TO GREEN LAKE COUNTY'S CERTIFIED FARMLAND PRESERVATION PLAN THROUGH DECEMBER 31, 2025
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INTRODUCTION

Green Lake County has asked the Department of Agriculture, Trade and Consumer Protection (“DATCP”) to certify a proposed amendment to the farmland preservation plan pursuant to s. 91.16, Wis. Stats. DATCP has considered the request and adopts the following decision:

FINDINGS OF FACT

- (1) DATCP is an agency of the State of Wisconsin, and is responsible for administering Wisconsin’s farmland preservation law under ch. 91, Wis. Stats., as repealed and recreated by 2009 Wis. Act 28.
- (2) Green Lake County is a county of the State of Wisconsin.
- (3) In order for a county and its residents to participate in the farmland preservation program, a county must have a state-certified farmland preservation plan. Among other things, the certified plan must clearly designate farmland preservation areas that the county plans to preserve for agricultural use.
- (4) Green Lake County currently has a state-certified farmland preservation plan. The current state certification is scheduled to expire on December 31, 2025.
- (5) Under s. 91.16(8), Wis. Stats., the certification of a farmland preservation plan does not cover any subsequent plan revision (adopted after July 1, 2009) unless DATCP certifies that plan revision.
- (6) On July 21, 2023, DATCP received from Green Lake County a request to certify an amended farmland preservation plan map for the towns of Brooklyn, Green Lake, Mackford, Manchester and Marquette under s. 91.16, Wis. Stats. The county submitted the application in the form required under s. 91.20, Stats. The application included the certifications required under s. 91.20(3), Wis. Stats.
- (7) On July 21, 2023, DATCP confirmed by letter that the Green Lake County farmland preservation plan map amendment certification application was complete, and that DATCP would proceed to review the complete application.
- (8) Under s. 91.16(3)(a), Wis. Stats., DATCP may certify a county plan based on the county’s certification under s. 91.20(3), Wis. Stats., that the plan meets applicable certification standards under s. 91.18, Wis. Stats.

(9) DATCP may certify a farmland preservation plan if the plan meets applicable statutory standards under s. 91.18, Wis. Stats. DATCP may certify based on the representations contained in the county’s application, but may conduct its own review and verification as it deems appropriate.

(9) Under s. 91.10(2), Wis. Stats., the farmland preservation plan must be consistent with the county comprehensive plan, if the county has a comprehensive plan.

(10) Under s. 91.16(2)(b), Wis. Stats., the certification of an amendment to a certified farmland preservation plan expires on the date that the certification of the farmland preservation plan expires.

(11) Under s. 91.16(9), Wis. Stats., DATCP may withdraw its certification at any time if DATCP finds that the certified plan materially fails to meet applicable certification standards under s. 91.18, Wis. Stats.

CONCLUSIONS OF LAW

(1) Based on Green Lake County’s certification that the attached county farmland preservation plan map amendment for the towns of Brooklyn, Green Lake, Mackford, Manchester and Marquette meets applicable certification requirements under s. 91.18, Wis. Stats., DATCP may certify that plan map amendment until December 31, 2025, the date that the Green Lake County farmland preservation plan expires.

(2) Certification does not apply to plan amendments made after the certification date, unless DATCP certifies those amendments.

(3) DATCP may withdraw its certification at any time if DATCP finds that the certified plan materially fails to meet applicable certification standards under s. 91.18, Wis. Stats.

ORDER

NOW, THEREFORE, IT IS ORDERED THAT:


(1) The proposed Green Lake County Farmland Preservation Plan maps for the towns of Brooklyn, Green Lake, Mackford, Manchester and Marquette, dated July 19, 2023, are hereby certified under s. 91.16, Wis. Stats.

(2) The certified farmland preservation plan area for Green Lake County is titled “Farmland Preservation Areas.”

(3) This certification expires at the end of the day on December 31, 2025.

Dated this 14th day of August, 2023.

STATE OF WISCONSIN,
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By 

Robby Personette, Administrator
Division of Agricultural Resource Management

Parties for Purposes of Review Under s. 227.53, Wis. Stats.:

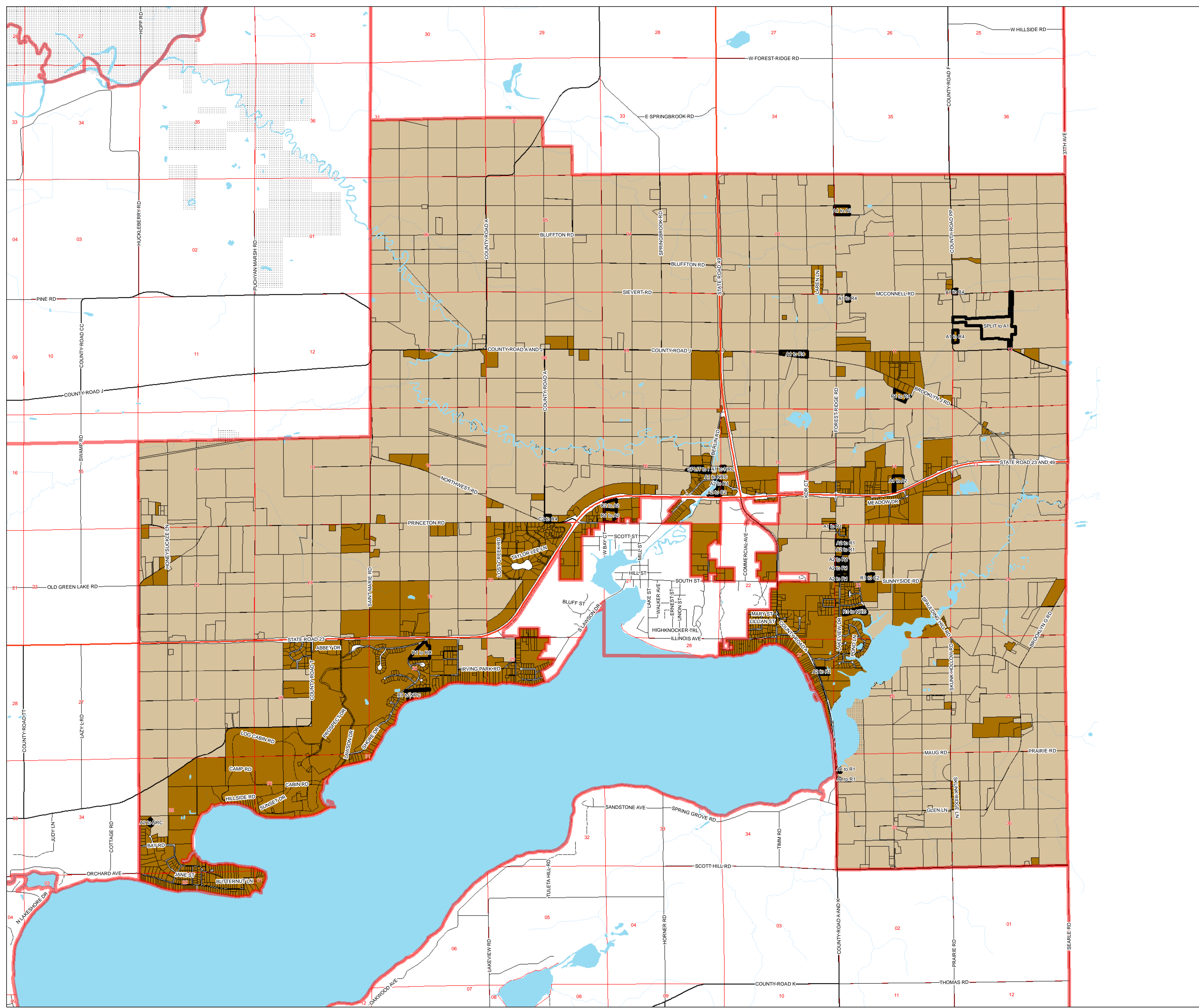
Green Lake County

Copies to:

Matt Kirkman, Director
Green Lake County Land Use Planning & Zoning Dept.
571 County Road A
Green Lake, WI 54941



TOWN OF BROOKLYN
Green Lake County, WI
Land Use Planning & Zoning

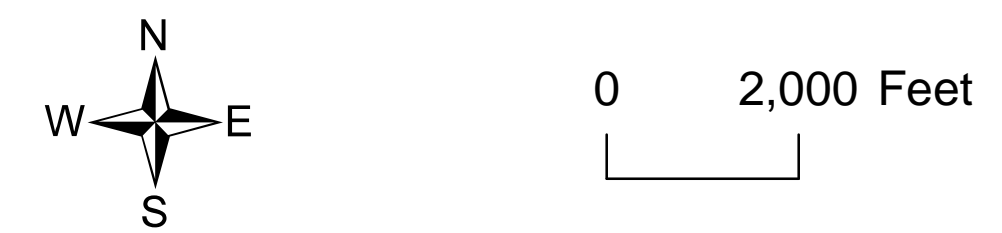
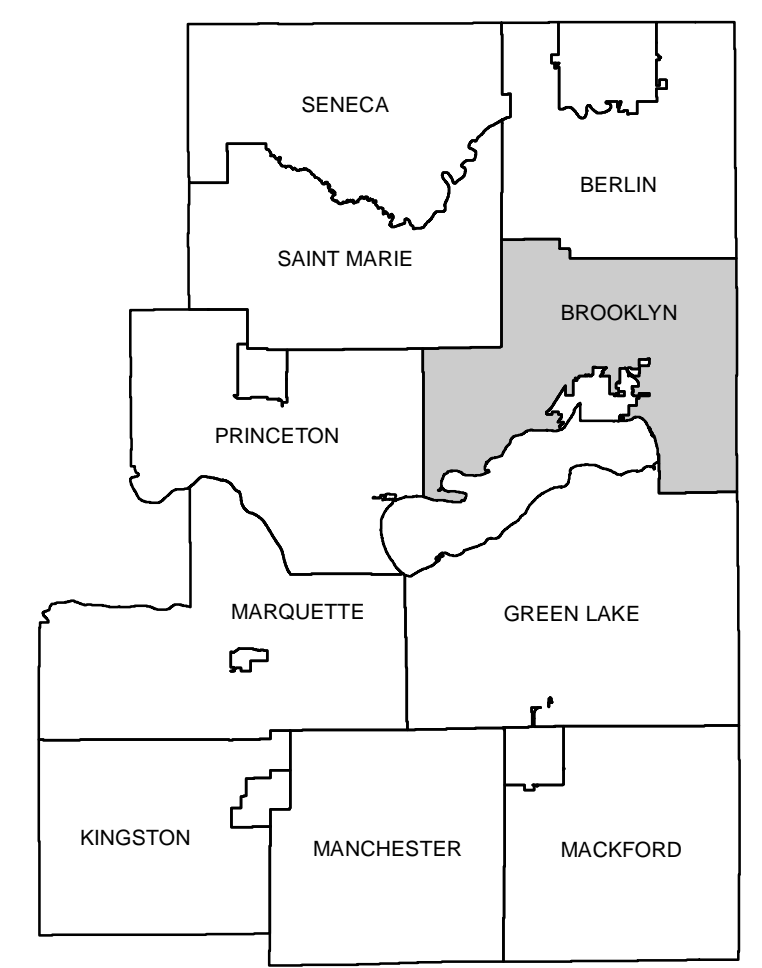


Farmland Preservation Plan Map Areas

Proposed 2023

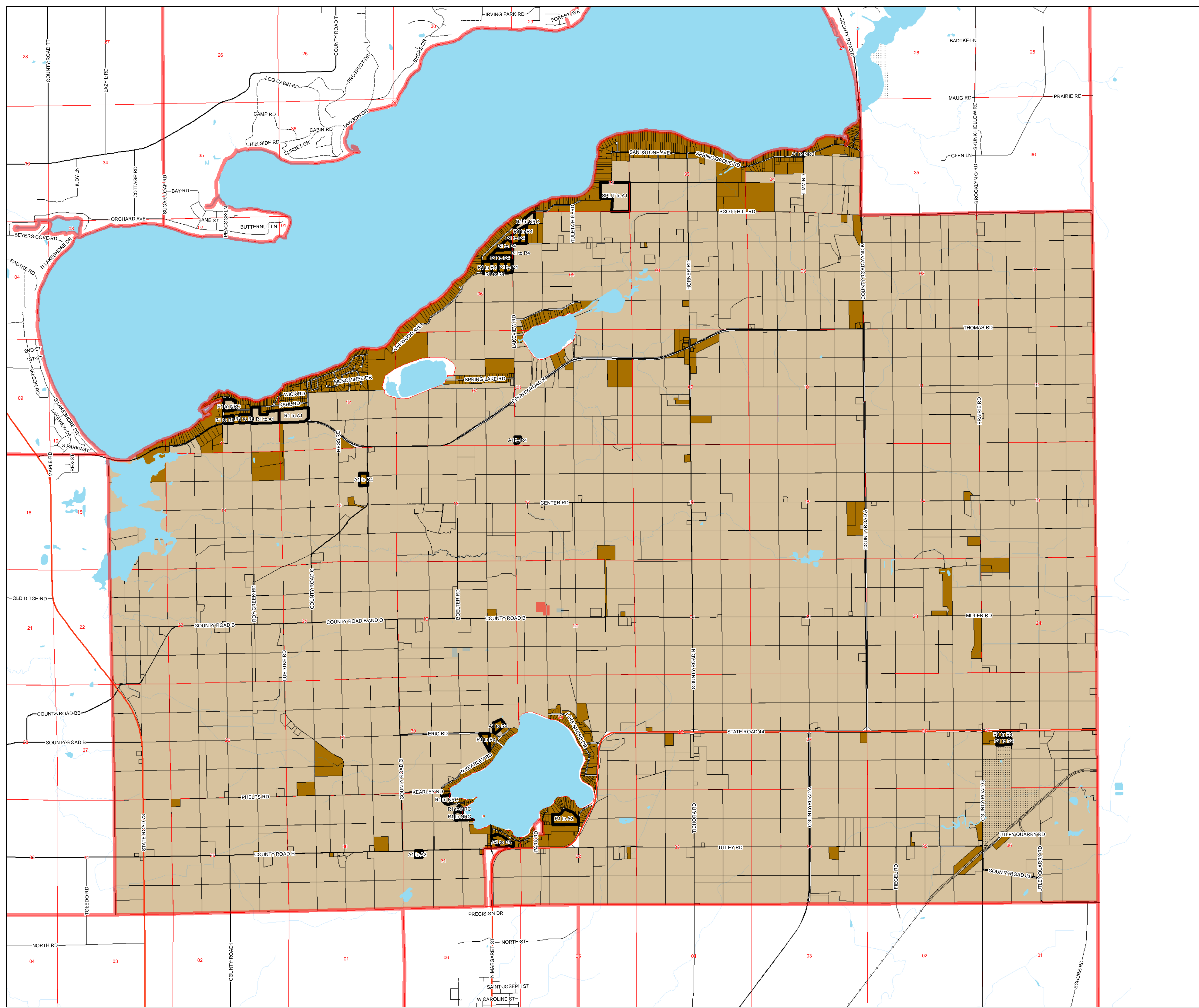
- Farmland Preservation Areas**
- Areas of Agricultural Use and Agriculture Related Use
- Nonagricultural Development Areas**
- Areas of Nonagricultural Development

- Roads**
- State Road
 - County Road
 - City Street, Village Street, or Township Road
 - Private Road
 - Railroad
- Other Symbols**
- Municipal Boundary
 - Parcel
 - Section
 - Waterbody
 - Public Land





TOWN OF GREEN LAKE
Green Lake County, WI
Land Use Planning & Zoning



Farmland Preservation Plan Map Areas

Proposed 2023

Farmland Preservation Areas

Areas of Agricultural Use and Agriculture Related Use

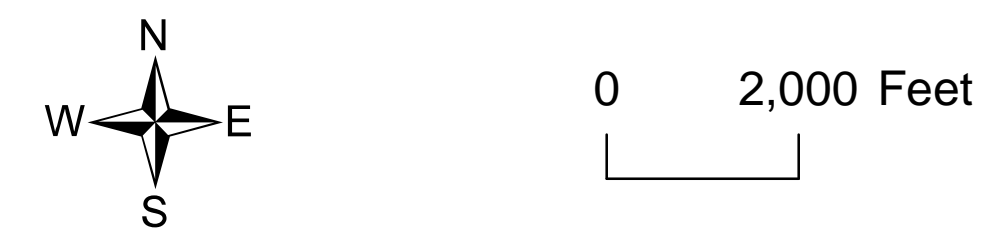
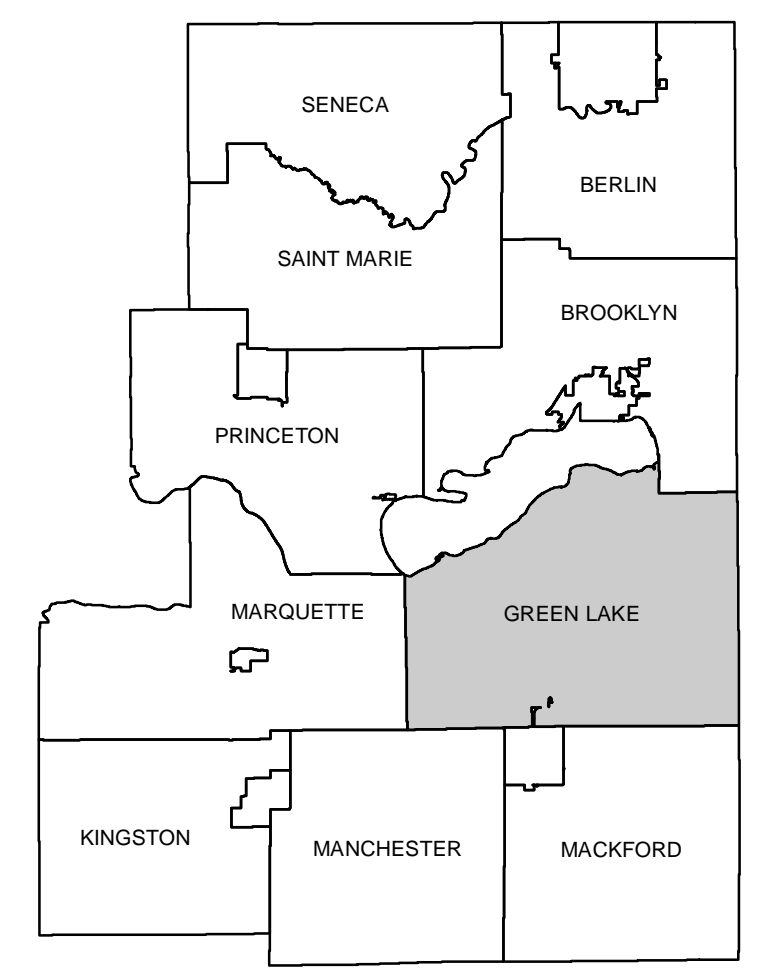
Nonagricultural Development Areas

Areas of Nonagricultural Development

Roads

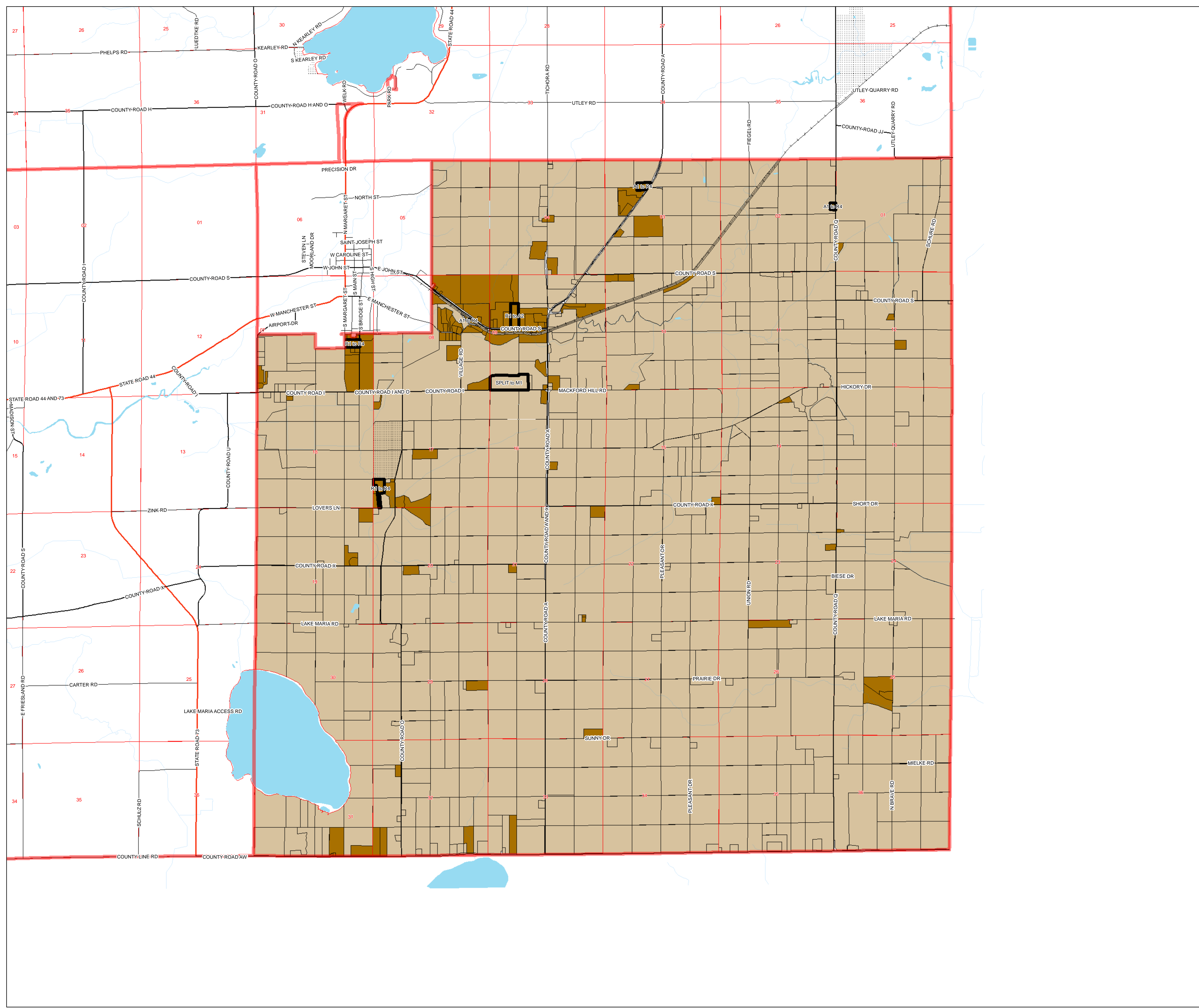
- State Road
- County Road
- City Street, Village Street, or Township Road
- Private Road
- Railroad

- Municipal Boundary
- Parcel
- Section
- Waterbody
- Public Land





TOWN OF MACKFORD
Green Lake County, WI
Land Use Planning & Zoning

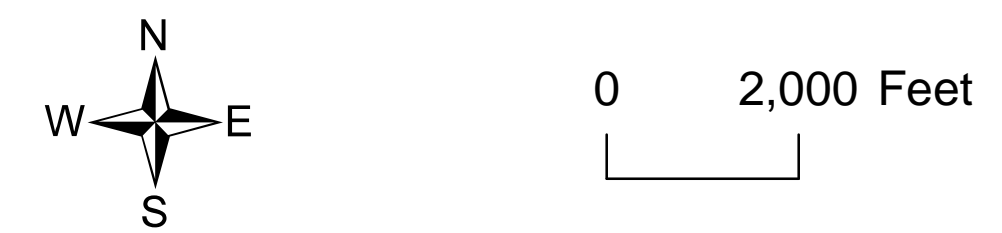
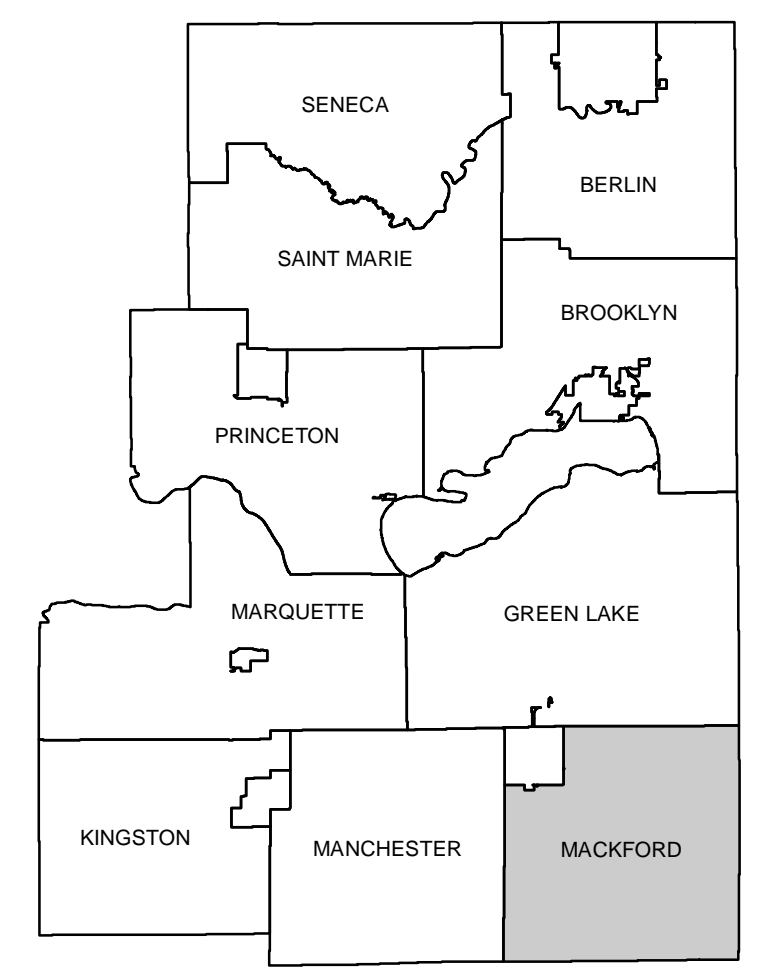


Farmland Preservation Plan Map Areas

Proposed 2023

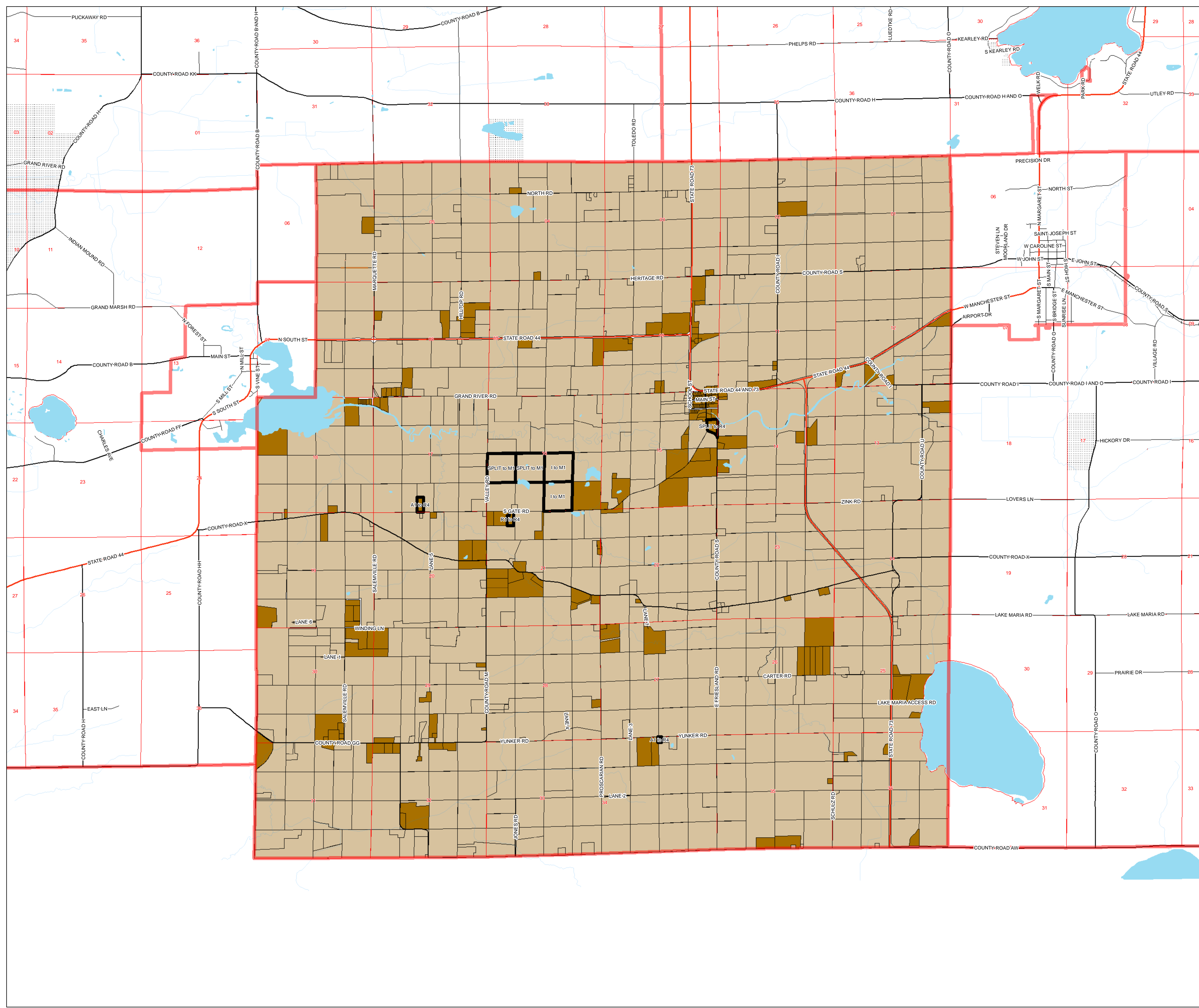
- Farmland Preservation Areas
 - Areas of Agricultural Use and Agriculture Related Use
- Nonagricultural Development Areas
 - Areas of Nonagricultural Development

- Roads**
- State Road
 - County Road
 - City Street, Village Street, or Township Road
 - Private Road
 - Railroad
- Other Features**
- Municipal Boundary
 - Parcel
 - Section
 - Waterbody
 - Public Land





TOWN OF MANCHESTER
Green Lake County, WI
Land Use Planning & Zoning

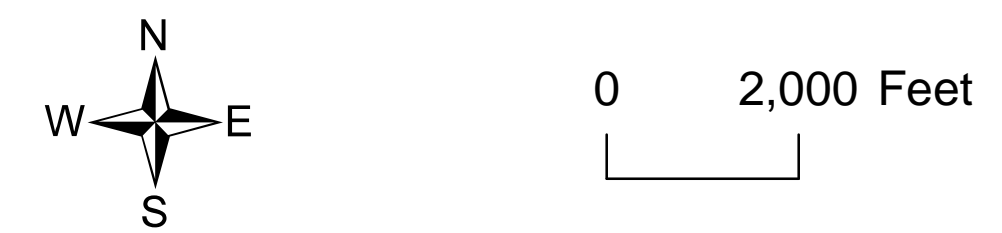
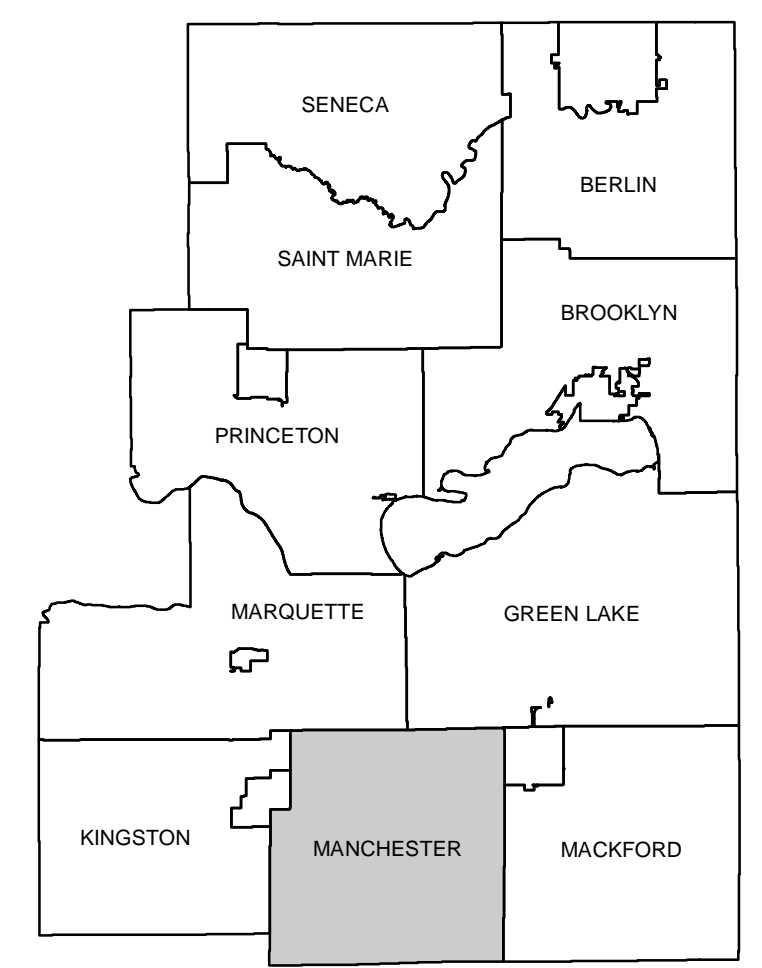


Farmland Preservation Plan Map Areas

Proposed 2023

- Farmland Preservation Areas**
- Areas of Agricultural Use and Agriculture Related Use
 - Areas of Nonagricultural Development

- Roads**
- State Road
 - County Road
 - City Street, Village Street, or Township Road
 - Private Road
 - Railroad
- Other Symbols:**
- Municipal Boundary
 - Parcel
 - Section
 - Waterbody
 - Public Land





TOWN OF MARQUETTE
Green Lake County, WI
Land Use Planning & Zoning

Farmland Preservation Plan Map Areas

Proposed 2023

Farmland Preservation Areas

 Areas of Agricultural Use and Agriculture Related Use

Nonagricultural Development Areas

 Areas of Nonagricultural Development

Roads

-  State Road
-  County Road
-  City Street, Village Street, or Township Road
-  Private Road
-  Railroad

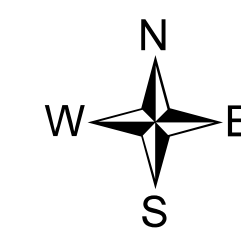
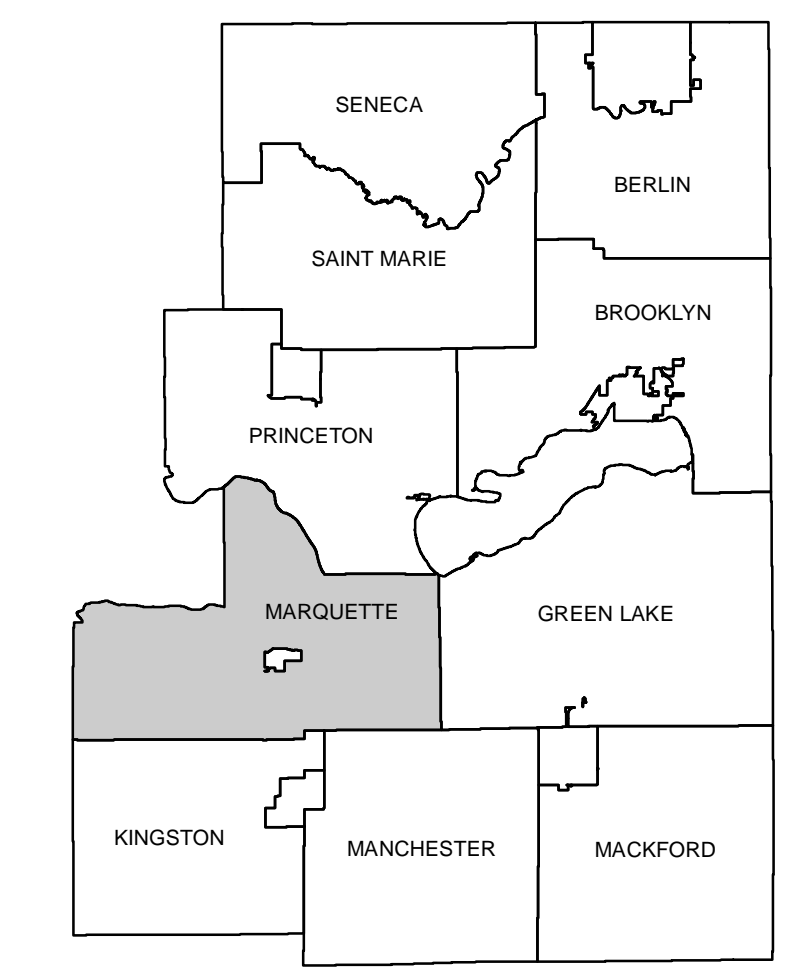
 Municipal Boundary

 Parcel

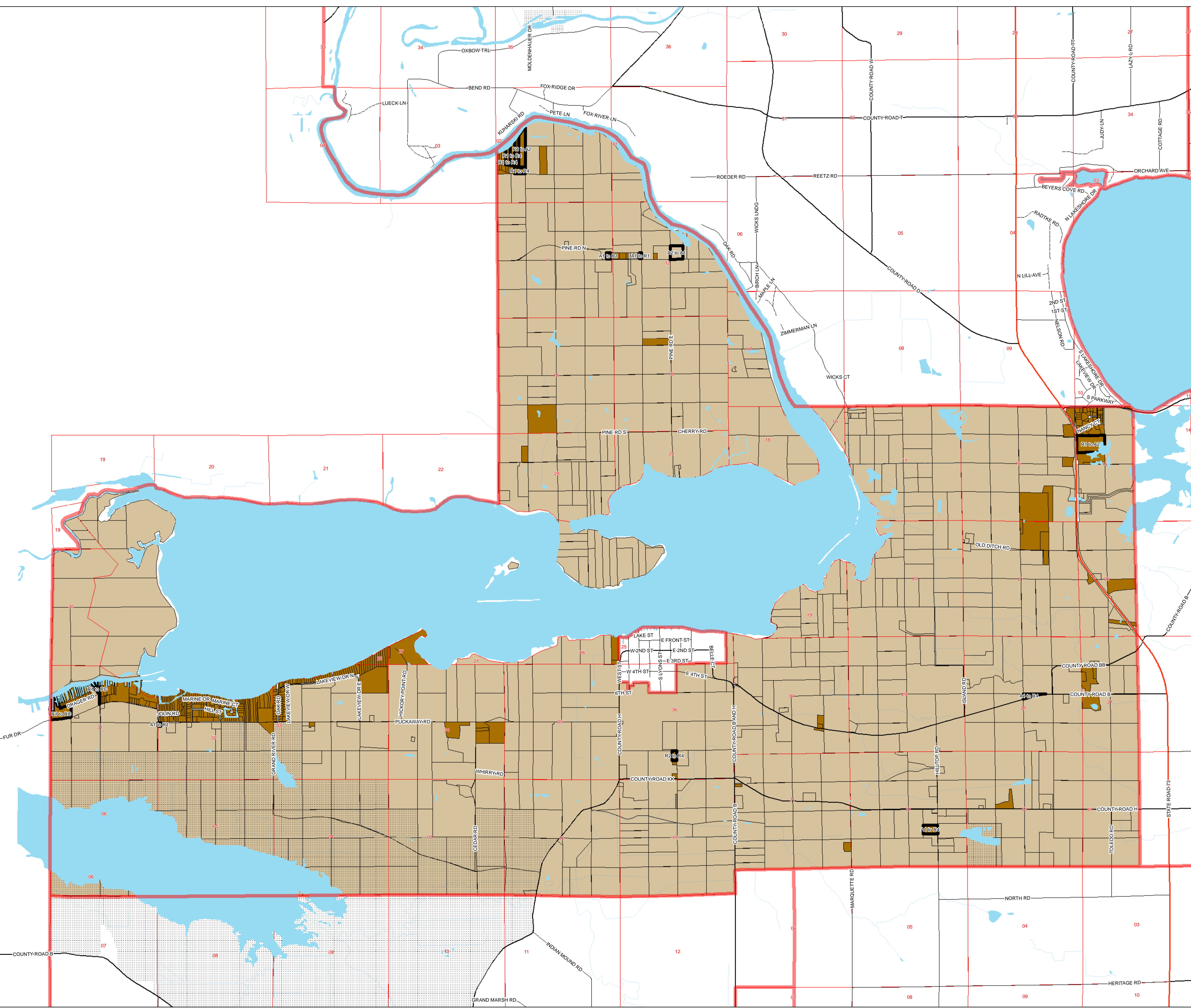
 Section

 Waterbody

 Public Land



0 2,000 Feet



TOWN BOARD ACTION

Comprehensive Plan Amendment Request

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 _____.

Does not object to and approves of X

No action taken _____

Objects to and requests denial of _____

Reason(s) for objection _____

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

Owners/Applicants: Green Lake County Land Use Planning & Zoning Committee

Planned public hearing date: November 2, 2023

Request: The committee is requesting an amendment to the Comprehensive Plan's Farmland Preservation Plan Map affecting the Town of Marquette. See proposed map.


Town Representative

10/17/23
Date Signed

NOTES: WE agreed to what Matt Kirkman explained to
US

Please return this form to the Land Use Planning & Zoning Department by: October 20, 2023

TOWN BOARD ACTION

Comprehensive Plan Amendment Request

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 REQUEST AS SHOWN BELOW

Does not object to and approves of X

No action taken _____

Objects to and requests denial of _____

Reason(s) for objection _____

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

Owners/Applicants: Green Lake County Land Use Planning & Zoning Committee

Planned public hearing date: November 2, 2023

Request: The committee is requesting an amendment to the Comprehensive Plan's Farmland Preservation Plan Map affecting the Town of Manchester. See proposed map.


Town Representative CLERK

10/18/23.
Date Signed

NOTES: SPECIFICALLY RESPONDING TO SEPTEMBER 12, 2023
LAND USE & ZONING CHANGES PROPOSED BY GREEN LAKE
COUNTY LAND USE PLANNING & ZONING CHANGES REFLECTED
IN DOCUMENTS ASSOCIATED WITH THIS DATE POSE NO
OBJECTIONS FROM TOWN OF MANCHESTER

Please return this form to the Land Use Planning & Zoning Department by: October 20, 2023

TOWN BOARD ACTION
Comprehensive Plan Amendment Request

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Mackford, County of Green Lake, took the following action on 10-16-2023.

Does not object to and approves of X

No action taken _____

Objects to and requests denial of _____

Reason(s) for objection _____

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

Owners/Applicants: Green Lake County Land Use Planning & Zoning Committee

Planned public hearing date: November 2, 2023

Request: The committee is requesting an amendment to the Comprehensive Plan's Farmland Preservation Plan Map affecting the Town of Mackford. See proposed map.

Steve Dawson
Town Representative

10-16-23
Date Signed

NOTES: _____

Please return this form to the Land Use Planning & Zoning Department by: October 20, 2023

TOWN BOARD ACTION

Comprehensive Plan Amendment Request

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Green Lake, County of Green Lake, took the following action on 11-6-2023.

Does not object to and approves of

No action taken _____

Objects to and requests denial of _____

Reason(s) for objection _____

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

Owners/Applicants: Green Lake County Land Use Planning & Zoning Committee

Planned public hearing date: November 2, 2023

Request: The committee is requesting an amendment to the Comprehensive Plan's Farmland Preservation Plan Map affecting the Town of Green Lake. See proposed map.



Town Representative

11-6-2023

Date Signed

NOTES: _____

Please return this form to the Land Use Planning & Zoning Department by: October 20, 2023

ORDINANCE NO. _____-2023

**Relating to the Amendment of the Green Lake County Comprehensive Plan.
Recommended for Approval on December 7, 2023,
by the Land Use Planning & Zoning Committee**

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 19th day of December 2023, does ordain as follows:

1 **WHEREAS**, the Towns of Brooklyn, Green Lake, Mackford, Manchester and Marquette
2 consist of a total of 101 nonconforming parcels that are substandard to area or
3 nonconforming to use that stand to benefit from being planned in accordance with the
4 respective Town’s Farmland Preservation Plan’s map; and,

5 **WHEREAS**, the Green Lake County Board of Supervisors adopted, on February 16,
6 2016, a comprehensive plan that included the Green Lake County Farmland
7 Preservation Plan and plan maps; and,
8

9 **WHEREAS**, pursuant to Wis. Stat. 91.18, Green Lake County is authorized to amend a
10 farmland preservation plan, and proposes to amend the farmland preservation maps for
11 the Towns of Brooklyn, Green Lake, Mackford, Manchester, and Marquette in order to
12 resolve these parcels through a zoning map amendment; and,

13 **WHEREAS**, the Wisconsin Department of Agriculture, Trade and Consumer Protection
14 (“DATCP”), certified the County’s 2015 farmland preservation plan with an expiration
15 date of December 31, 2025; and,

Roll Call on Ordinance No. -2023

Submitted by Land Use Planning
and Zoning Committee:

Ayes , Nays , Absent , Abstain

Passed and Enacted/Rejected this 19th
day of December 2023.

Curt Talma, Chair

Chuck Buss, Vice-chair

County Board Chairman

William Boutwell

ATTEST: County Clerk
Approve as to Form:

Gene Thom

Corporation Counsel

Harley Reabe

16 **WHEREAS**, DATCP must certify any amendments to the farmland preservation plan,
17 including any map amendments; and,

18 **WHEREAS**, DATCP certified the proposed farmland preservation plan map amendments
19 for the Towns of Brooklyn, Green Lake, Mackford, Manchester and Marquette, on August
20 14th, 2023, with an expiration of December 31, 2025.

21
22 **NOW, THEREFORE, THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY**
23 **OF GREEN LAKE DOES ORDAIN AS FOLLOWS:**

24 SECTION 1: The Green Lake County Board of Supervisors of Green Lake County,
25 Wisconsin, does, by enactment of this ordinance, formally adopts the Proposed 2023
26 Farmland Preservation Plan maps for the Towns of Brooklyn, Green Lake, Mackford,
27 Manchester and Marquette attached hereto, pursuant to Wis. Stat. 66.1001(4)(c), and as
28 an addendum to the Green Lake County Comprehensive Plan 2016.

29 SECTION 2: The Green Lake County Board of Supervisors of Green Lake County,
30 Wisconsin, does, by enactment of this ordinance, amend the Green Lake County
31 Comprehensive Plan 2016 by replacing the Farmland Preservation Plan maps of the
32 Towns of Brooklyn, Green Lake, Mackford, Manchester and Marquette.

33
34 SECTION 3: All ordinances or parts of ordinances inconsistent with or in contradiction of
35 the provisions of this Ordinance are hereby repealed.

36 SECTION 4: A copy of the amended comprehensive plan's Farmland Preservation Plan
37 maps shall be distributed according to Wis. Stat. §66.1001(4)(b).

38 SECTION 5: This ordinance shall take effect on January 1, 2024, upon passage by a
39 majority vote of the members-elect of the Green Lake County Board of Supervisors and
40 publication as required by law.

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

November 2, 2023

ITEM II: ZONING MAP AMENDMENT

APPLICANT:

Green Lake County, Land Use Planning & Zoning Committee

REQUEST: The Green Lake County Land Use Planning and Zoning Committee is requesting an amendment to the Code of Green Lake County, Chapter 350 “Zoning Ordinance”; more specifically to amend the zoning map affecting the Towns of Brooklyn, Green Lake, Mackford, Manchester and Marquette.

ADDITIONAL INFORMATION / ANALYSIS: The Committee is aware that in 2018, an allotment of nonconforming parcels (to use or area requirements) were resolved through the zoning map amendment process. The purpose of this action was to avoid zoning conflicts with property owners. Many times we encounter property owners that have intentions of developing their property and they encounter a zoning ordinance requirement that prevents or delays their project. The resolution of 50 or so parcels in the Town of Berlin in 2018 relieved much of these zoning conflicts.

Presently, the remaining five (5) zoned townships of Brooklyn, Green Lake, Mackford, Manchester and Marquette have a number of nonconforming parcels (to area or use) that would also benefit from a zoning map amendment. These parcels were queried and identified for each township. Many of the queried parcels, even though nonconforming, were left out of the project because the staff analysis was that the specific parcel would be better off if left unresolved. An example of this would be a 5-acre rural farmette zoned A1, Farmland Preservation district. Here the logical zoning district of choice would be the R4, Rural Residential district. However, a developed 5-acre parcel zoned A1 would have advantages over the same parcel zoned R4. Based on this type of analysis, staff determined that parcels where the rezone had no benefit, were left out of the project.

Once the parcels that would benefit through the zoning map amendment were identified, the property owners were contacted. Each property owner was given several weeks to weigh their options and return a form with their signature authorizing Green Lake County to change the zoning of their respective parcels. A total of 101 parcels were authorized.

Prior to this agenda item, the Committee would have already held a public hearing and voted to recommend that the Comprehensive Plan be amended to adopt a new Farmland Preservation Plan map for the Towns of Brooklyn, Green Lake, Mackford, Manchester and Marquette. This must precede the zoning map amendment or many of these zoning map changes could be construed as being inconsistent with the County’s Farmland Preservation Plan within the adopted Comprehensive Plan. This process assures the public that these changes are consistent with the County’s certified (DATCP) Farmland Preservation Plan.

In order to assure the owners of these parcels a smooth transition of zoning jurisdiction and the potential to obtain land use permits and improve their properties as provided in the County zoning ordinance, the Land Use Planning & Zoning Department recommends that the attached zoning maps be adopted.

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 zoning map amendments are not adopted, owners of these specific properties will be at a disadvantage as it relates to the future development of their properties. These disadvantages, may result in the property owner's development plans being delayed or even worse not attempted.

TOWN INPUT: Action Forms requesting respective Towns' input were mailed on September 12, 2023. The Town of Brooklyn chose to take no action and instead asked the County to notify all adjoining property owners to the parcels involved in the project. The Town of Green Lake chose to hold a second public meeting on November 6th to discuss the zoning map amendment. The Towns of Mackford, Manchester and Marquette all completed actions forms not objecting to and approving of the zoning map amendment.



TOWN OF BROOKLYN
Green Lake County, WI
Land Use Planning & Zoning

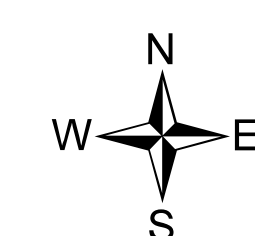
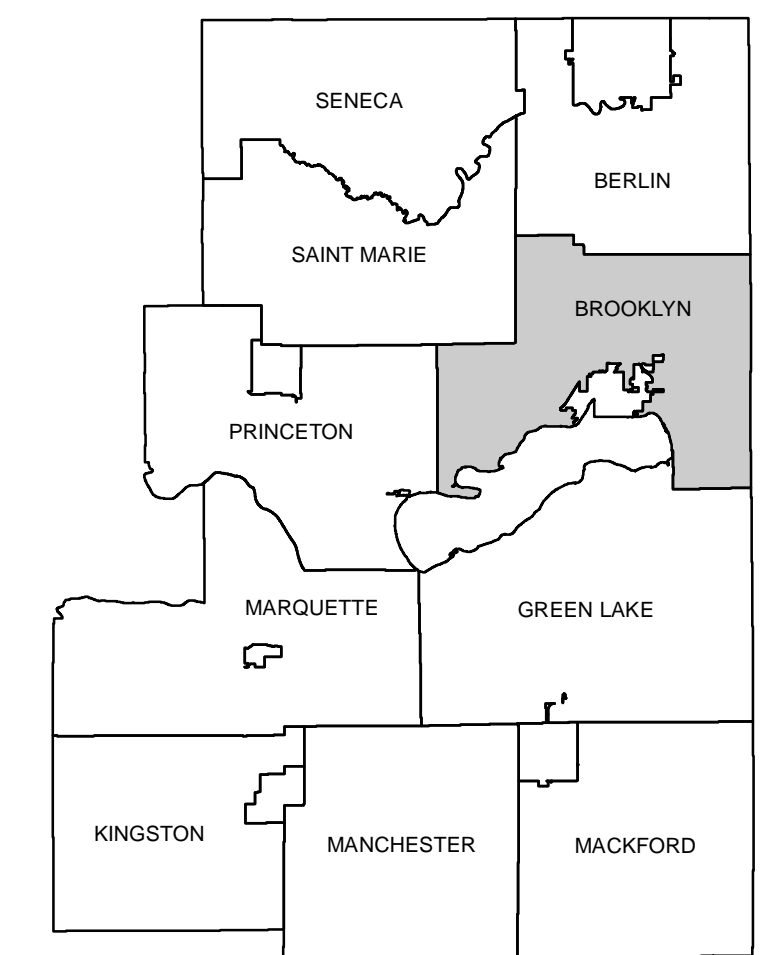
Zoning Ordinance Map
Districts

- A1 Farmland Preservation
- A2 General Agriculture
- C1 General Commercial
- C2 Extensive Commercial
- I Industrial
- M1 Mineral Extraction
- M2 Sanitary Landfill
- NRC Natural Resource Conservancy
- R1 Single Family Residence
- R2 Single Family Mobile Home Residence
- R3 Multiple Family Residence
- R4 Rural Residential
- RC Recreation
- AO Adult Orientated Establishment
- UNZ Unzoned
- MUN Municipality
- SPLIT Split Zoning
- PEND Map Update Pending

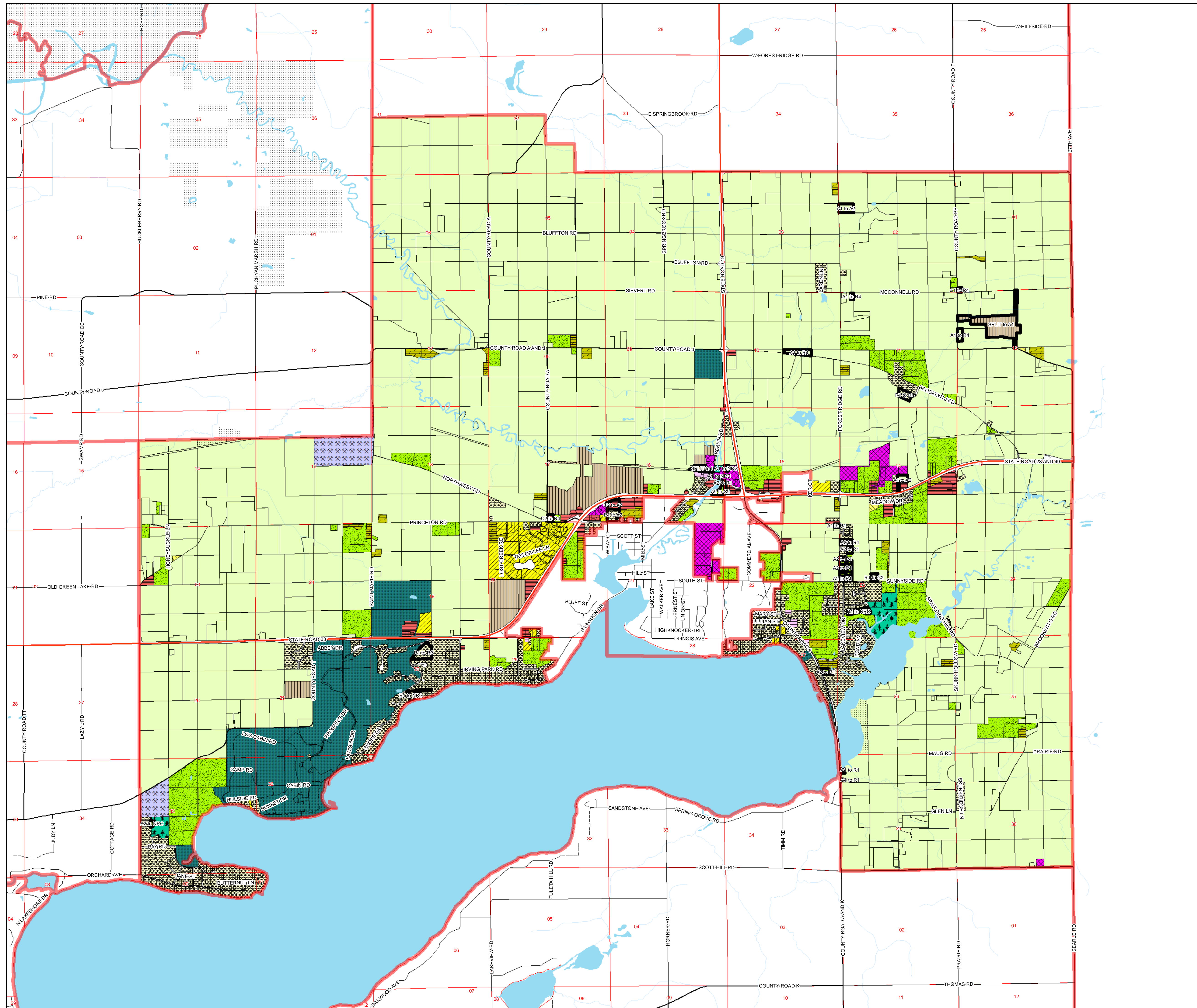
Roads

- State Road
- County Road
- City Street, Village Street, or Township Road
- Private Road
- Railroad

- Municipal Boundary
- Parcel
- Section
- Waterbody
- Public Land



0 2,000 Feet





TOWN OF GREEN LAKE
Green Lake County, WI
Land Use Planning & Zoning

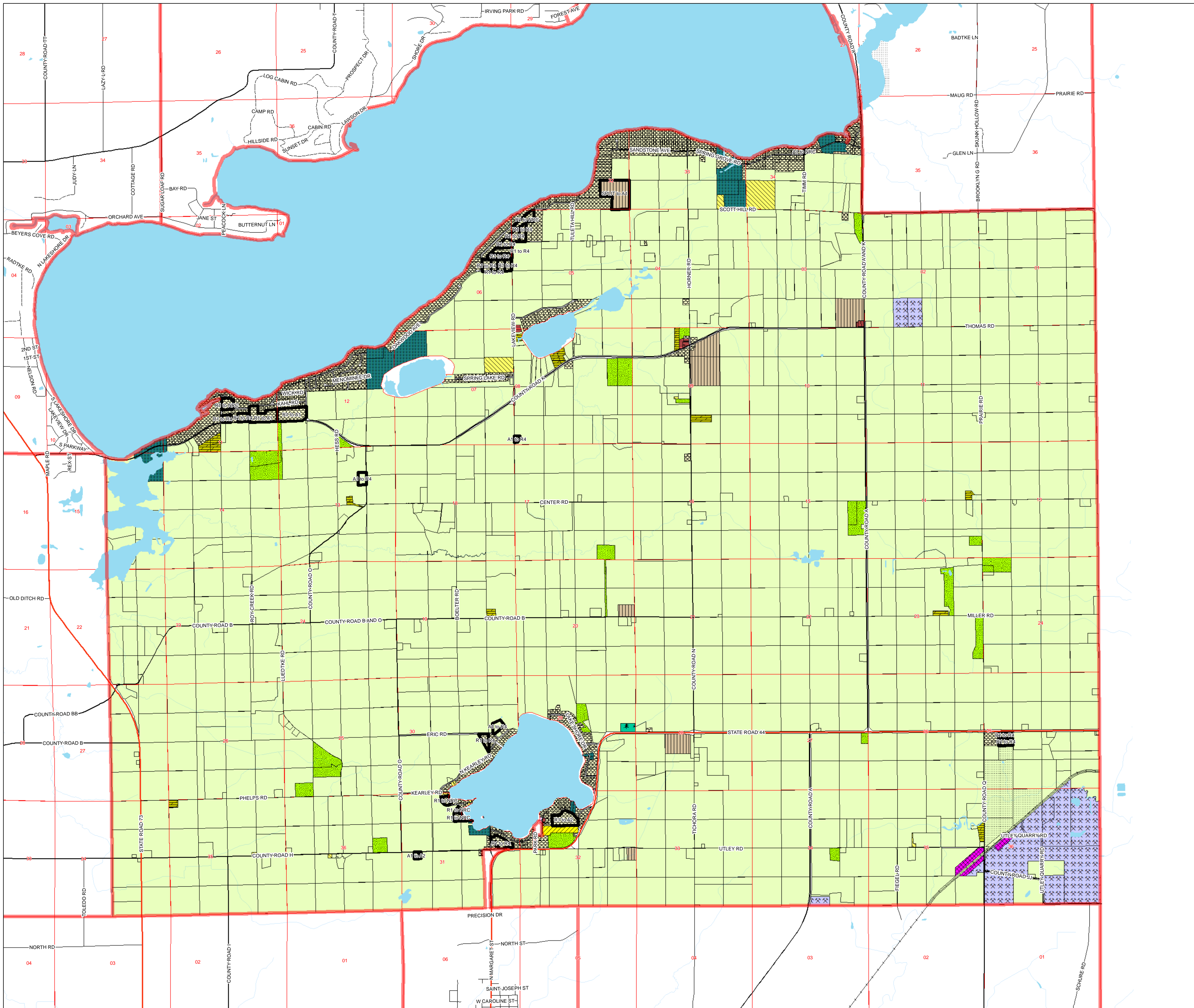
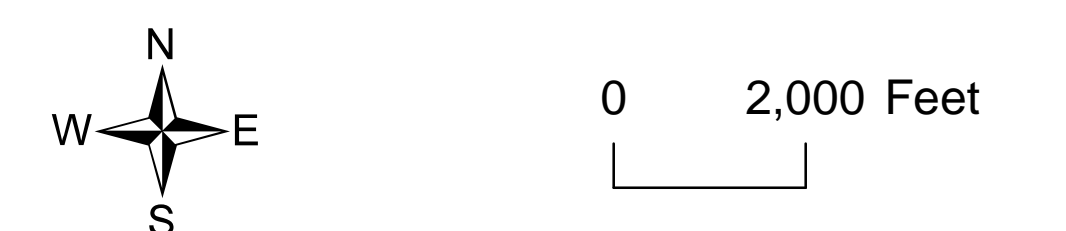
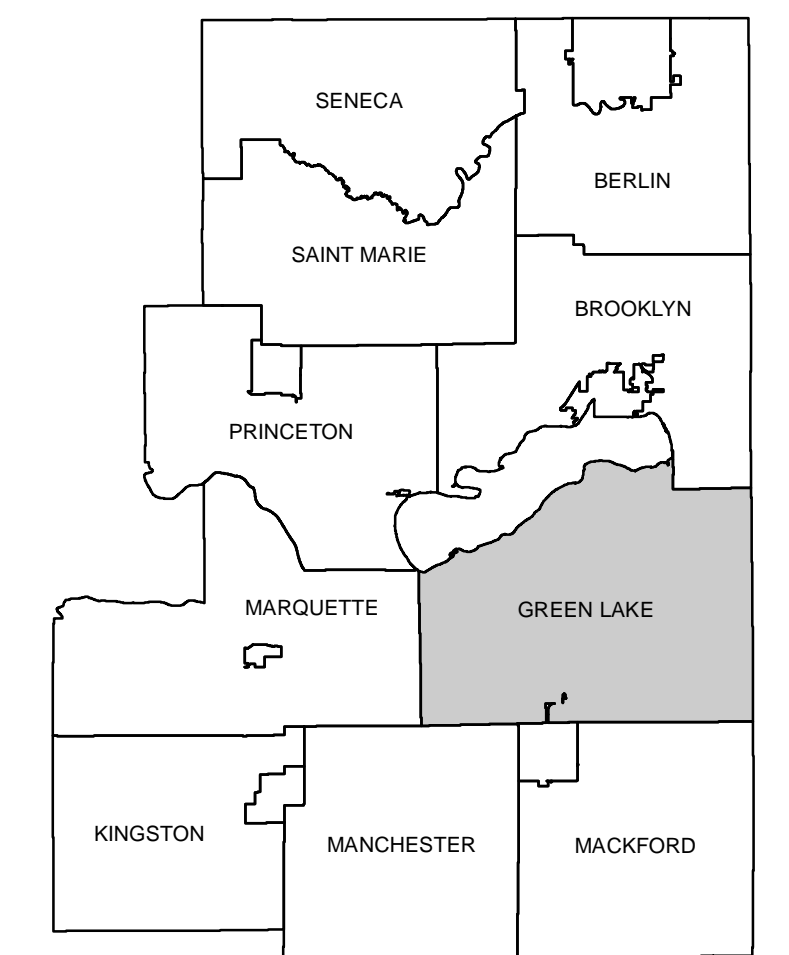
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- C2 Extensive Commercial
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- MUN Municipality
- SPLIT Split Zoning
- PEND Map Update Pending

Roads

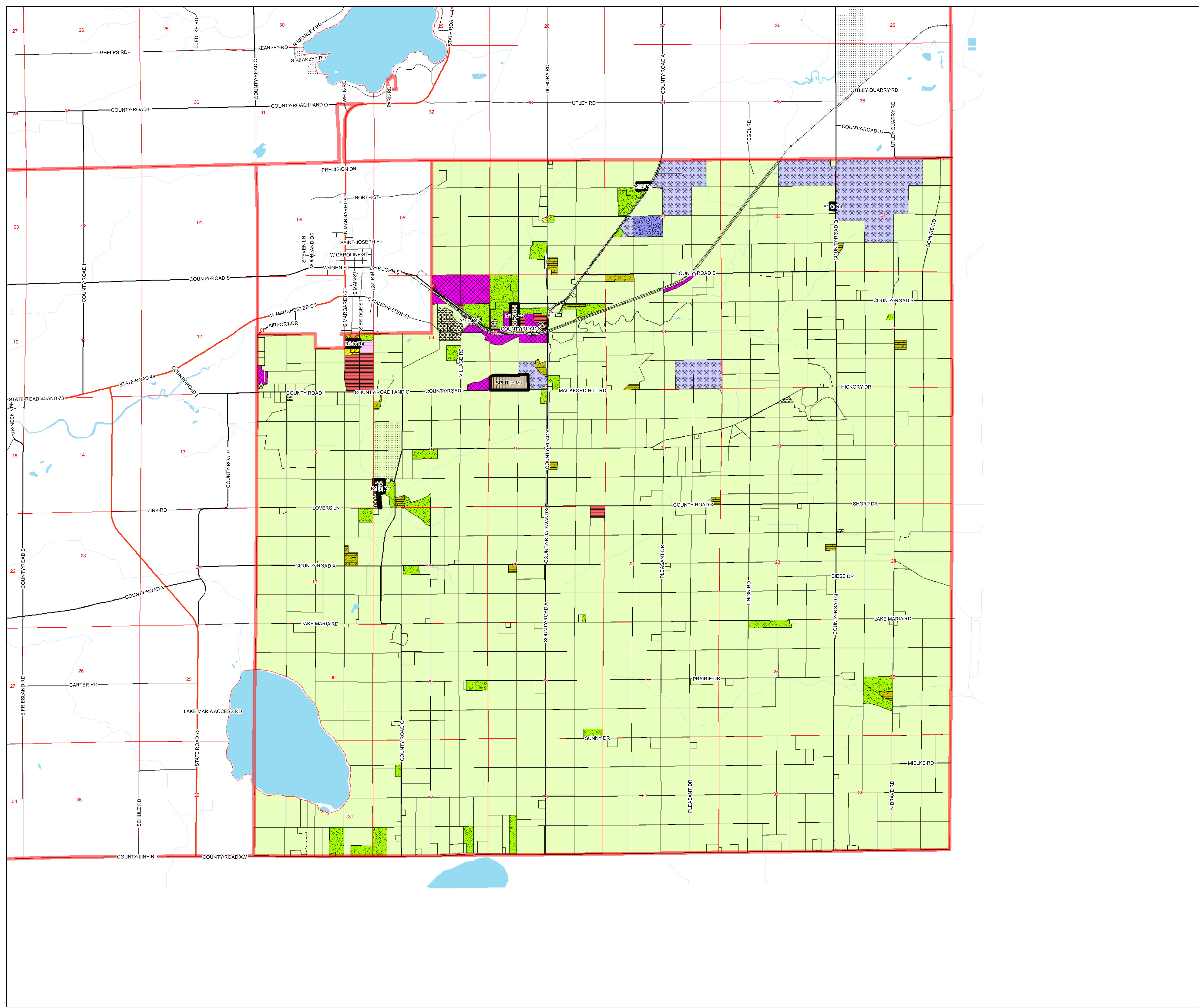
- State Road
- County Road
- City Street, Village Street, or Township Road
- Private Road
- Railroad

- Municipal Boundary
- Parcel
- Section
- Waterbody
- Public Land





TOWN OF MACKFORD
Green Lake County, WI
Land Use Planning & Zoning



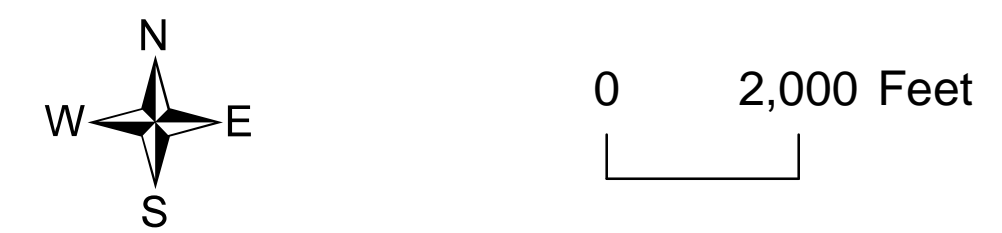
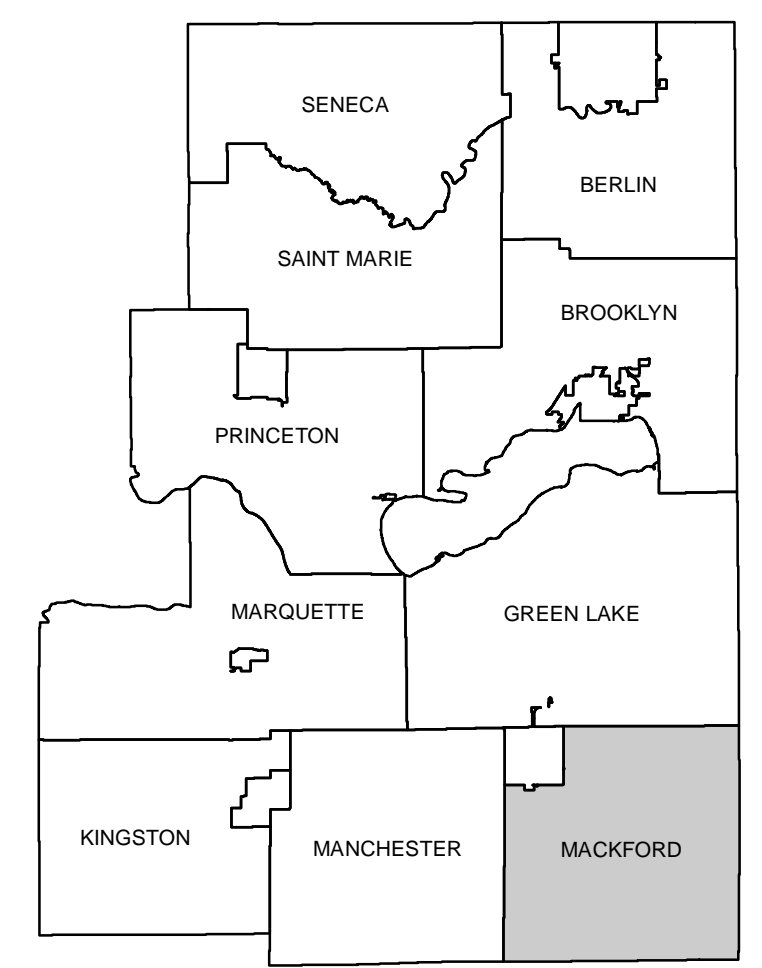
Zoning Ordinance Map Districts

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- PEND Map Update Pending

Roads

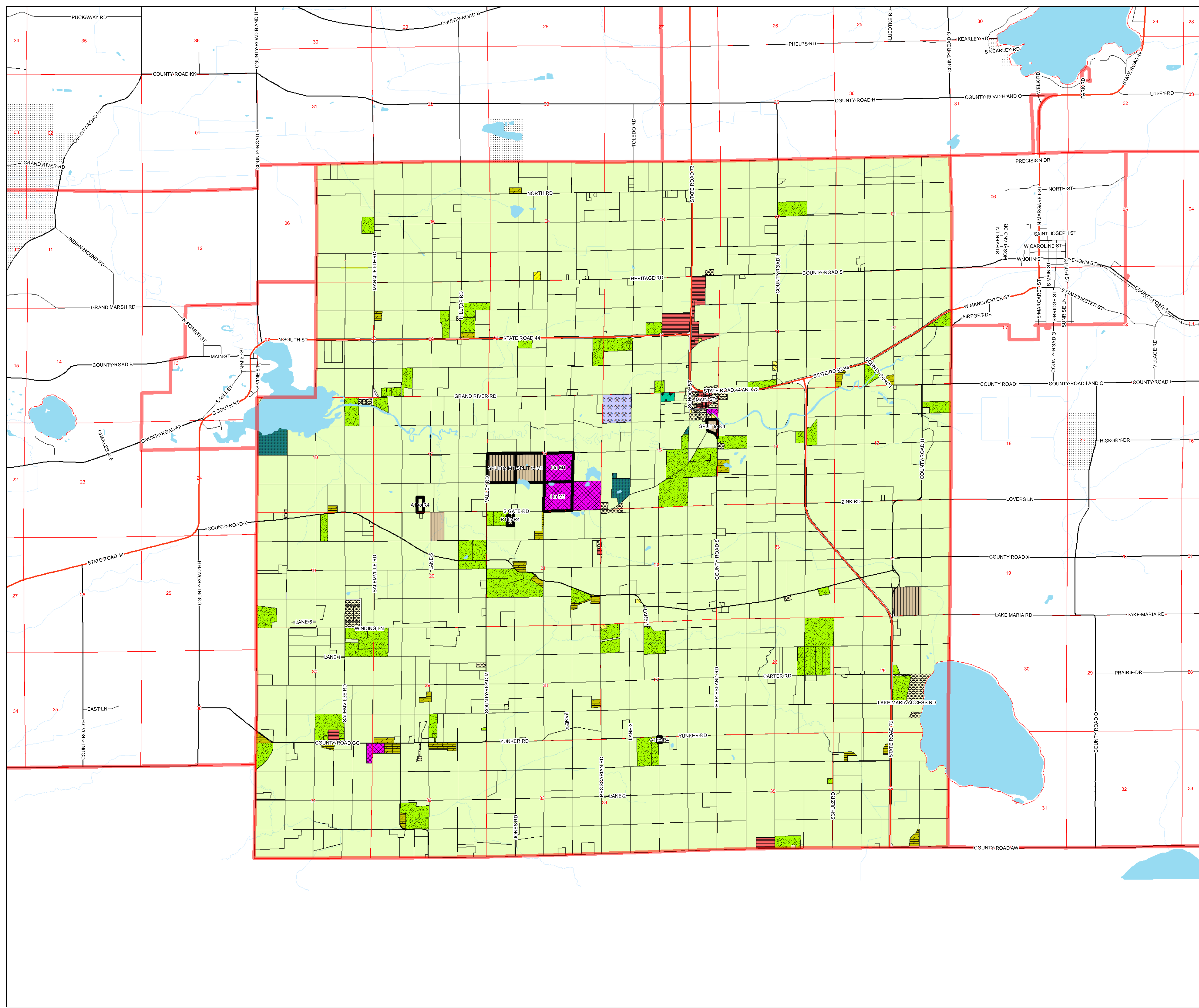
- State Road
- County Road
- City Street, Village Street, or Township Road
- Private Road
- Railroad

- Municipal Boundary
- Parcel
- Section
- Waterbody
- Public Land





TOWN OF MANCHESTER
Green Lake County, WI
Land Use Planning & Zoning



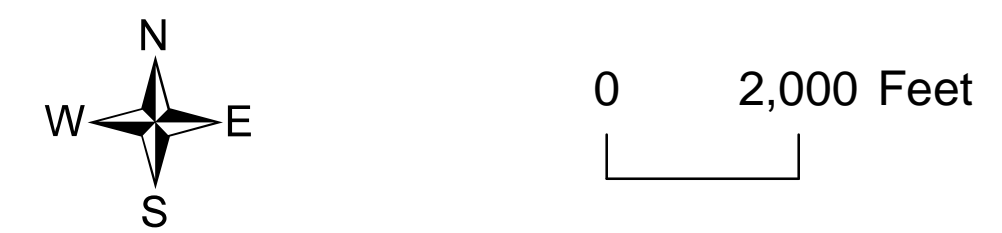
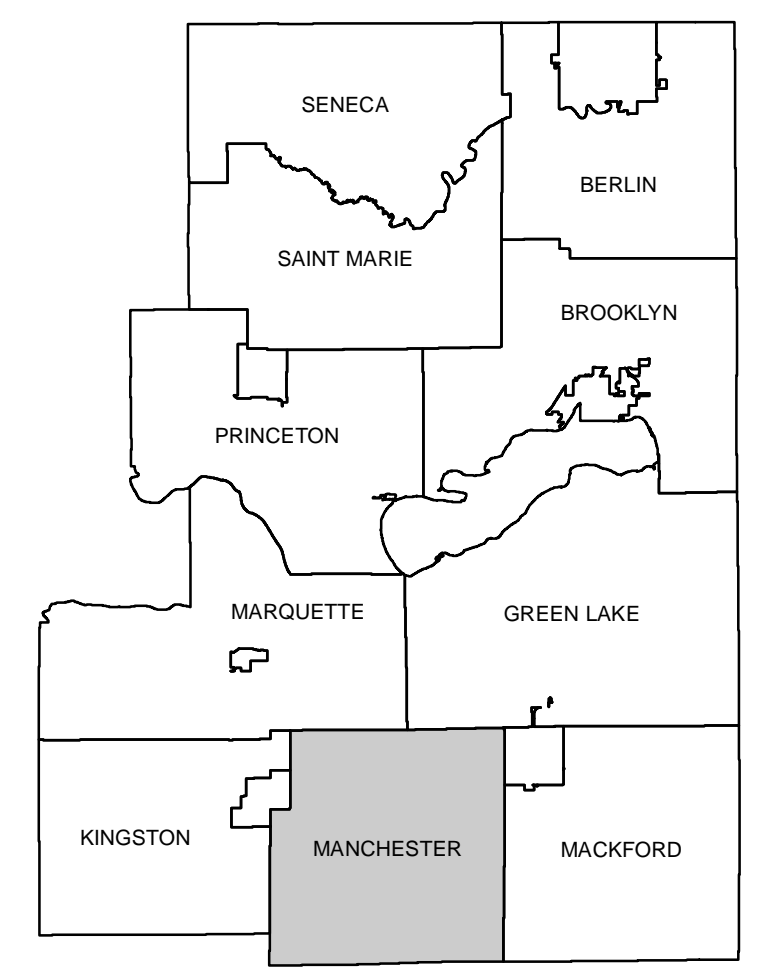
Zoning Ordinance Map Districts

- A1 Farmland Preservation
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- C2 Extensive Commercial
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- M2 Sanitary Landfill
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- R2 Single Family Mobile Home Residence
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- R4 Rural Residential
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- AO Adult Orientated Establishment
- UNZ Unzoned
- MUN Municipality
- SPLIT Split Zoning
- PEND Map Update Pending

Roads

- State Road
- County Road
- City Street, Village Street, or Township Road
- Private Road
- Railroad

- Municipal Boundary
- Parcel
- Section
- Waterbody
- Public Land





TOWN OF MARQUETTE
Green Lake County, WI
Land Use Planning & Zoning

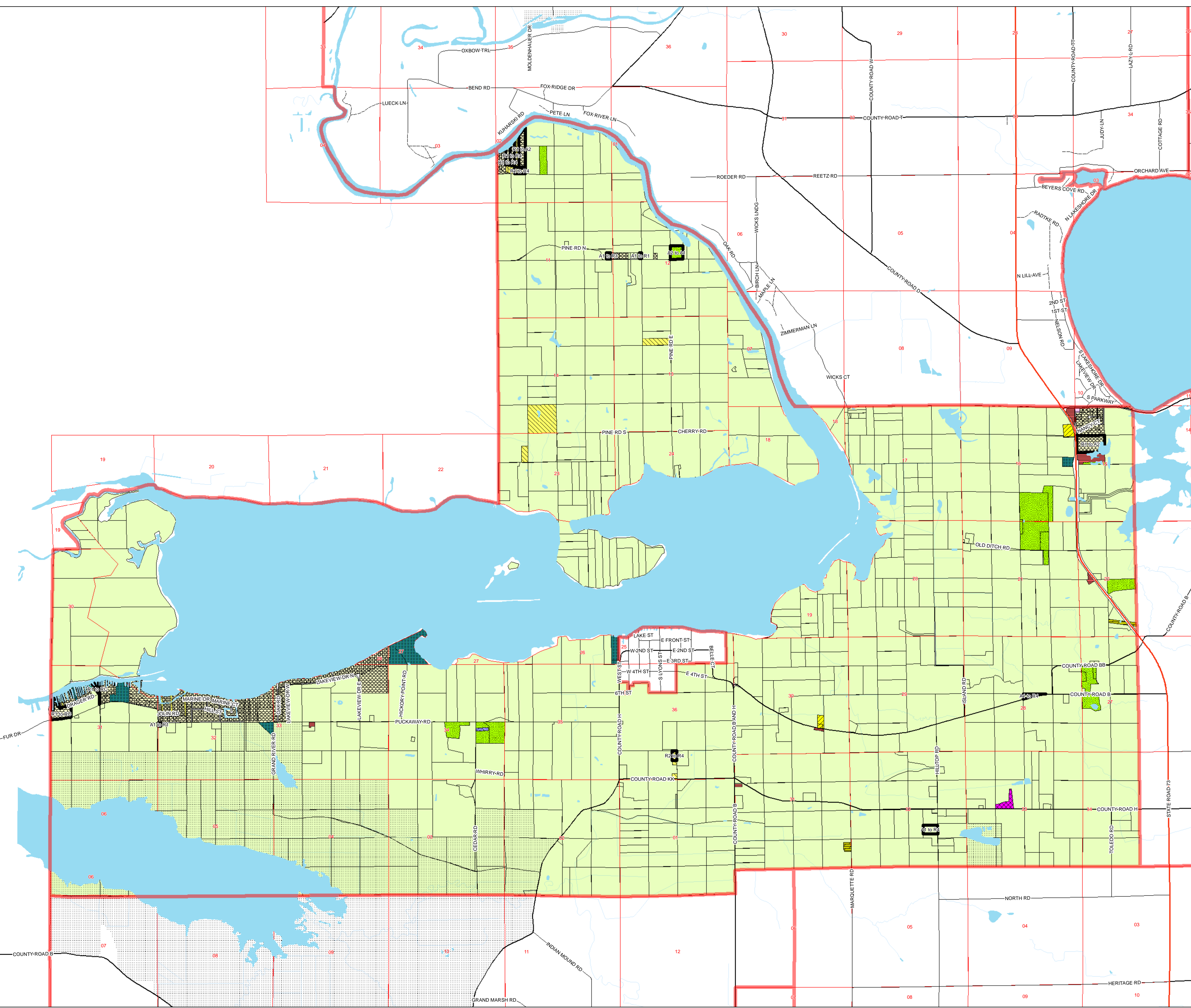
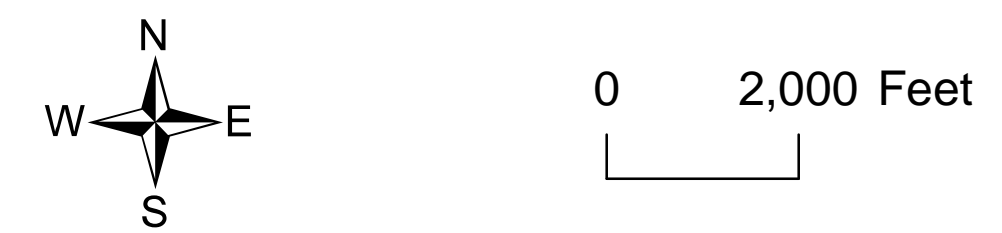
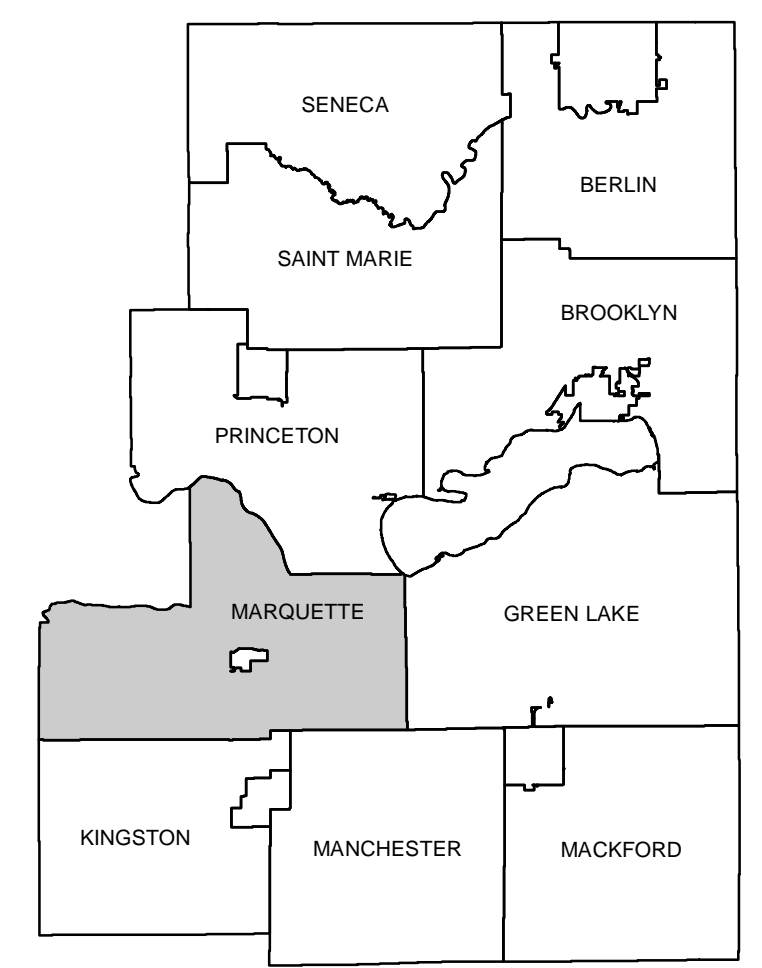
Zoning Ordinance Map
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- AO Adult Orientated Establishment
- UNZ Unzoned
- MUN Municipality
- SPLIT Split Zoning
- PEND Map Update Pending

Roads

- State Road
- County Road
- City Street, Village Street, or Township Road
- Private Road
- Railroad

- Municipal Boundary
- Parcel
- Section
- Waterbody
- Public Land



TOWN BOARD ACTION

Zoning Map Amendment Request

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 _____.

Does not object to and approves of X

No action taken _____

Objects to and requests denial of _____

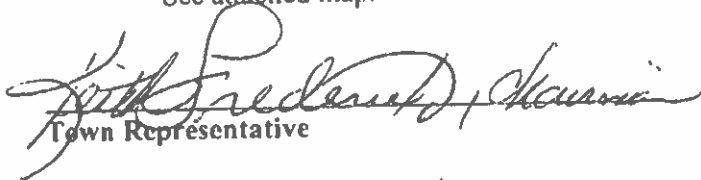
Reason(s) for objection _____

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

Owners/Applicants: Green Lake County Land Use Planning & Zoning Committee

Planned public hearing date: November 2, 2023

Request: The committee is requesting an amendment to Chapter 350, Zoning Ordinance of the Code of Green Lake County to amend the zoning map affecting the Town of Marquette. See attached map.


Town Representative

10/17/23
Date Signed

NOTES: We approved to what Matt Kirkman
explained to us.

Please return this form to the Land Use Planning & Zoning Department by: October 20, 2023

TOWN BOARD ACTION

Zoning Map Amendment Request

Dear Land Use Planning and Zoning Committee: TOWN OF MANCHESTER

Please be advised that the Town Board of Manchester, County of Green Lake, took the following action on REQUEST LISTED BELOW.

Does not object to and approves of X

No action taken _____

Objects to and requests denial of _____

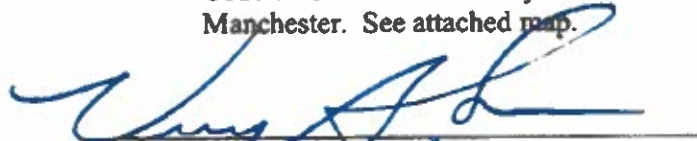
Reason(s) for objection _____

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

Owners/Applicants: Green Lake County Land Use Planning & Zoning Committee

Planned public hearing date: November 2, 2023

Request: The committee is requesting an amendment to Chapter 350, Zoning Ordinance of the Code of Green Lake County to amend the zoning map affecting the Town of Manchester. See attached map.


Town Representative CLERK

10/18/23
Date Signed

NOTES: SPECIFICALLY RESPONDING TO SEPTEMBER 12, 2023
LAND USE & ZONING CHANGES PROPOSED BY GREEN LAKE
COUNTY LAND USE, PLANNING & ZONING CHANGES
REFLECTED IN DOCUMENTS ASSOCIATED WITH
THIS DATE POSE NO OBJECTION FROM
TOWN OF MANCHESTER

Please return this form to the Land Use Planning & Zoning Department by: October 20, 2023

TOWN BOARD ACTION

Zoning Map Amendment Request

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Mackford, County of Green Lake, took the following action on 10-16-2023.

Does not object to and approves of X

No action taken _____

Objects to and requests denial of _____

Reason(s) for objection _____

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

Owners/Applicants: Green Lake County Land Use Planning & Zoning Committee

Planned public hearing date: November 2, 2023

Request: The committee is requesting an amendment to Chapter 350, Zoning Ordinance of the Code of Green Lake County to amend the zoning map affecting the Town of Mackford. See attached map.

Steve Davison
Town Representative

10-16-23
Date Signed

NOTES: _____

Please return this form to the Land Use Planning & Zoning Department by: October 20, 2023

TOWN BOARD ACTION

Zoning Map Amendment Request

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Green Lake, County of Green Lake, took the following action on 11-6-2023.

Does not object to and approves of

No action taken

Objects to and requests denial of

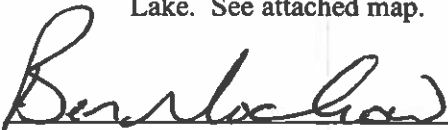
Reason(s) for objection _____

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

Owners/Applicants: Green Lake County Land Use Planning & Zoning Committee

Planned public hearing date: November 2, 2023

Request: The committee is requesting an amendment to Chapter 350, Zoning Ordinance of the Code of Green Lake County to amend the zoning map affecting the Town of Green Lake. See attached map.



Town Representative

11-6-2023

Date Signed

NOTES: _____

Please return this form to the Land Use Planning & Zoning Department by: October 20, 2023

ORDINANCE NUMBER ____-2023

Relating to: Amending Zoning Maps
Recommended for Approval on December 7, 2023,
by Land Use Planning & Zoning Committee

1 The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly
2 assembled at its regular meeting begun on the 19th day of December 2023, does ordain
3 as follows:

4 **NOW, THEREFORE, BE IT ORDAINED**, that the Green Lake County Zoning
5 Ordinance, Chapter 350 as amended, Article IV Zoning Districts, Section 350-26.
6 Official Maps, shall be amended as follows:

7 See attached for Zoning Map Amendments

8 **BE IT FURTHER ORDAINED**, that this ordinance shall become effective upon passage
9 and publication.

Roll Call on Ordinance No. -2023

Ayes ____, Nays ____, Absent ____, Abstain ____

Submitted by Land Use Planning and
Zoning Committee:

Committee Vote:

Ayes __, Nays __, Absent __, Abstain __

Passed and Enacted/Rejected this 19th
day of December 2023.

Chair – Curt Talma

County Board Chairman

Vice Chair – Chuck Buss

ATTEST: County Clerk
Approve as to Form:

William Boutwell

Jeff Mann
Corporation Counsel

Gene Thom

Harley Reabe

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

December 7, 2023

ITEM III: ZONING CHANGE

OWNER:

Ricky and Ashley Ruck

APPLICANT:

Same

REQUEST: The applicant is requesting a zoning change for ±1 acres from R-1, Single Family Residence District to C-2, Extensive Commercial District. To be identified by Certified Survey Map.

PARCEL NUMBER / LOCATION: The request affects parcel numbered 006-00581-0101(±8 acres). The parcel is located in the SE ¼ of the NE ¼ Section 31, T15N, R13E, Town of Green Lake. The site address is N2730 Welk Rd

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning of the parcel is R-1. The subject parcel is an active farm field. To the north and east there are many R-1 zoned parcels that are used residentially with a couple being vacant land. To the south there is Highway 44 and across the road there are parcels zoned A-1, Farmland Preservation District. To the south along Highway 44 there are some parcels that fall under the City of Markesan zoning jurisdiction. To the east across Welks Rd there are R-1 zoned parcels with the parcel further west zoned A-1. To the northwest there is a parcel zoned RC, Recreation District that is used as a mobile home park. There is no wetland or floodplain jurisdiction but the entire parcel falls under shoreland zoning jurisdiction.

ADDITIONAL INFORMATION / ANALYSIS: The current use of the property is agricultural. The intention is to rezone ±1 acre to C-2. The new parcel would then be used commercially as a processing and storage site for firewood. There would be a future building for the storing of equipment related to the firewood processing. **The Town passed a resolution denying the rezone of this property.**

REZONING CRITERIA PER §350-75.A.: Land may be rezoned if all of the following are found after public hearing: **(Staff comments in bold)**

The amendment is consistent with community land use plan (comprehensive plan). **The proposed rezone could be argued that it is consistent with the county's comprehensive plan due to nearby municipal zoned commercial properties. However, it is planned to be a residential use in the comprehensive plan. The Town Comprehensive plan is noted to have the subject area as a residential use not commercial. This is noted in both the action form and resolution from the town.**

The amendment will not be detrimental to property in the immediate vicinity or to the community as a whole. **The properties surrounding parcels are used residentially and agriculturally however the proposed commercial activity is associated with residential areas except on a smaller scale. This is due to the fact that this specific commercial use serves residential customers. However, the property if rezoned would be allotted to utilize any use in the C-2 district which may be detrimental to neighboring properties as future uses may be increasingly more commercial.**

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 larger portion property would be used similarly to how it is currently used now and would not cause any adverse impacts to the natural environment. The rezone would be near the Highway and impacts could be mitigated.**

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.). **Rezoning the parcels to C-2 would not adversely impact the ability to provide adequate public facilities or services as the parcel and surrounding parcels are already adequately served.**

The amendment allows a more viable transition to planned land uses on adjacent properties than the current zoning designation. **A rezone to C-2 can be argued that it is not a viable transition from residential to agricultural zoned districts.**

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). **Spot-zoning could be argued as there are no commercially zoned lands nearby but with the highway running on the south side of the property it would be an advantageous location from a commercial perspective. If only there were no residential or planned residential uses in the immediate area. The rezone could be looked at as serving a private and not a public interest.**

TOWN OF GREEN LAKE: An Action Form requesting the Town's input related to this zoning change request was sent to the Town Clerk on 10/11/2023. The Town objects to and requests denial of request. The Town also passed a resolution on denial of this rezone.

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 375⁰⁰ (not refundable)

Date 9-12-23

Zone Change from R1 to C2

Conditional Use Permit for _____

Other _____

PROPERTY OWNER / APPLICANT

Name Ricky + Ashley Ruck

Mailing Address 60 W Manchester St. Markesan WI 53946

Phone Number Ricky 608-617-3188 Ashley 920-229-6774

Signature Ashley Ruck Date 9-12-23

AGENT IF OTHER THAN OWNER

Name _____

Mailing Address _____

Phone Number _____

Signature _____ Date _____

PROPERTY INFORMATION

Town of Green Lake Parcel Number 006-00581-0101 Acres 8±

Lot — Block — Subdivision _____

Section 31 Town 15 North Range 13 East

Location of Property N2730 Welk Rd Markesan WI 53946

Legal Description Part of Lot 2 of CSM 3700

Current Zoning Classification R1 Current Use of Property farm field

and storage/processing of firewood

Detailed Description of Proposed Use The southern 1 acre section by

town road 54 would become a contractors lot for the

approved use of firewood processing. A future building would

be built for the purpose of storing equipment related to the

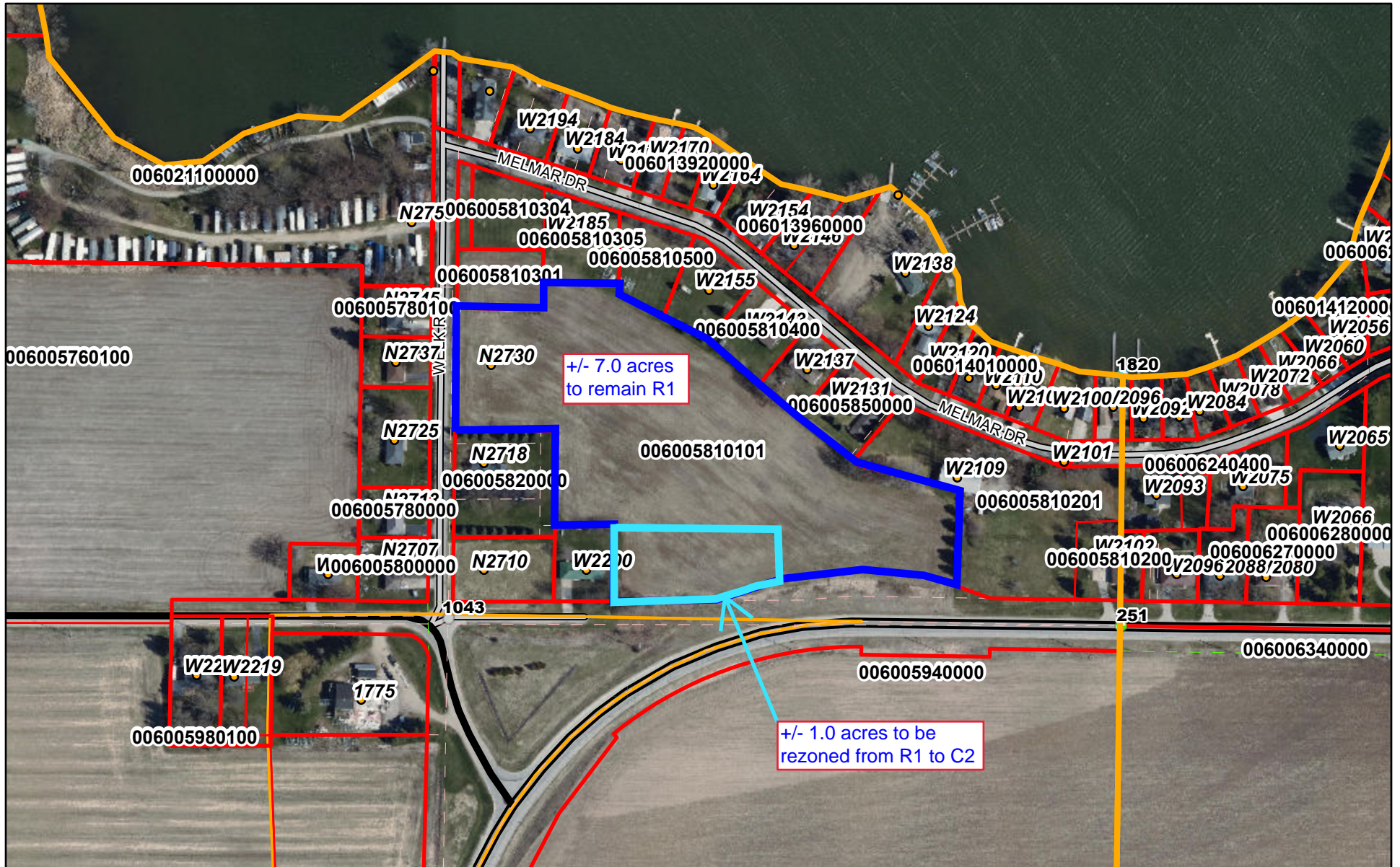
firewood processing use.

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

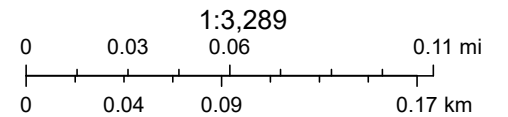
PZP-010 (04/09)

Ruck Proposed Rezone R1 to C2



11/3/2023, 2:59:50 PM

- Address Corner
- MEANDER
- SUB
- Section
- ⊕ QUARTER
- GOVLOT
- TaxParcel



TOWN BOARD ACTION

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Green Lake, County of Green Lake, took the following action on –
(Date) 11-6-2023.

Owner/Applicant: Ricky & Ashley Ruck

Site Location: N2730 Welk Rd

General legal description: Parcel 006-00581-0101, Part of Lot 2 of CSM 3700, Town of Green Lake, ±8 acres

Request: Rezone ±1.0 acres zoned R1, Single-Family Residence District, to C2, Extensive Commercial District.

Planned public hearing date for the above requests: December 7, 2023

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:

All residential property surrounding the property / Home next door is 30 feet away / comprehensive plan shows it as residential or recreational not commercial

Bernice
Town Representative

11-6-2023
Date Signed

NOTES: _____

Please return this form to the Land Use Planning & Zoning Office by: **November 17, 2023**

RESOLUTION NO. 2-2023

RESOLUTION DENYING OF REZONE PROPERTY

BE IT RESOLVED by the TOWN BOARD of the Town of Green Lake, Green Lake County, WI at its meeting held on Monday, November 13, 2023, hereby denies, parcel number 006-00581-0101, Part of Lot 2 of CSM 3700, Town of Green Lake, ± 1.0 acres, rezoning request to change from R1, Single-Family Residence District to C2, Extensive Commercial District. The Board hereby finds as follows:

1. Said zoning change is inconsistent with the Town of Green Lake Comprehensive Plan. Said Plan provides for residential or recreational uses, not commercial uses.
2. The property around said parcel number is all residential uses and the proposed commercial use is not consistent with the residential use surrounding this property. Further, there is a residential home 30 feet adjacent to the proposed use.

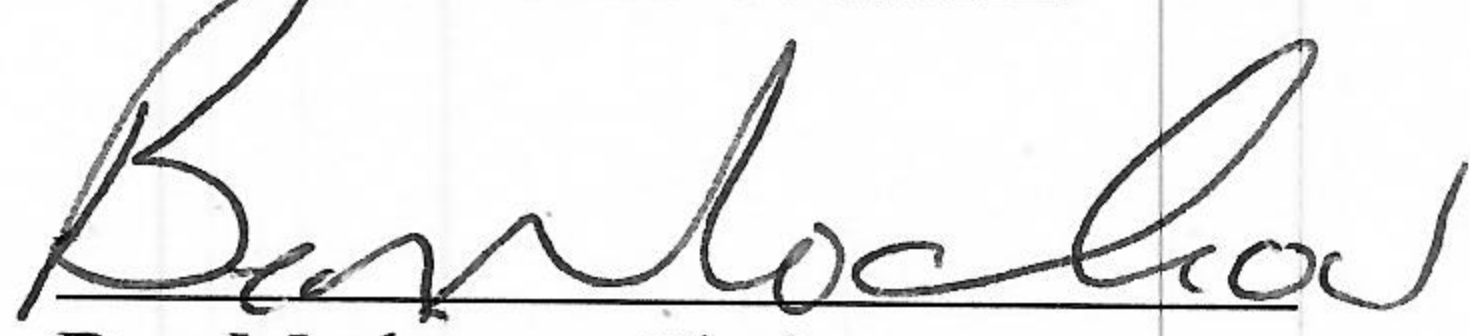
Therefore, said proposed rezoning application is hereby denied by the Town Board.


Roll Call Vote:

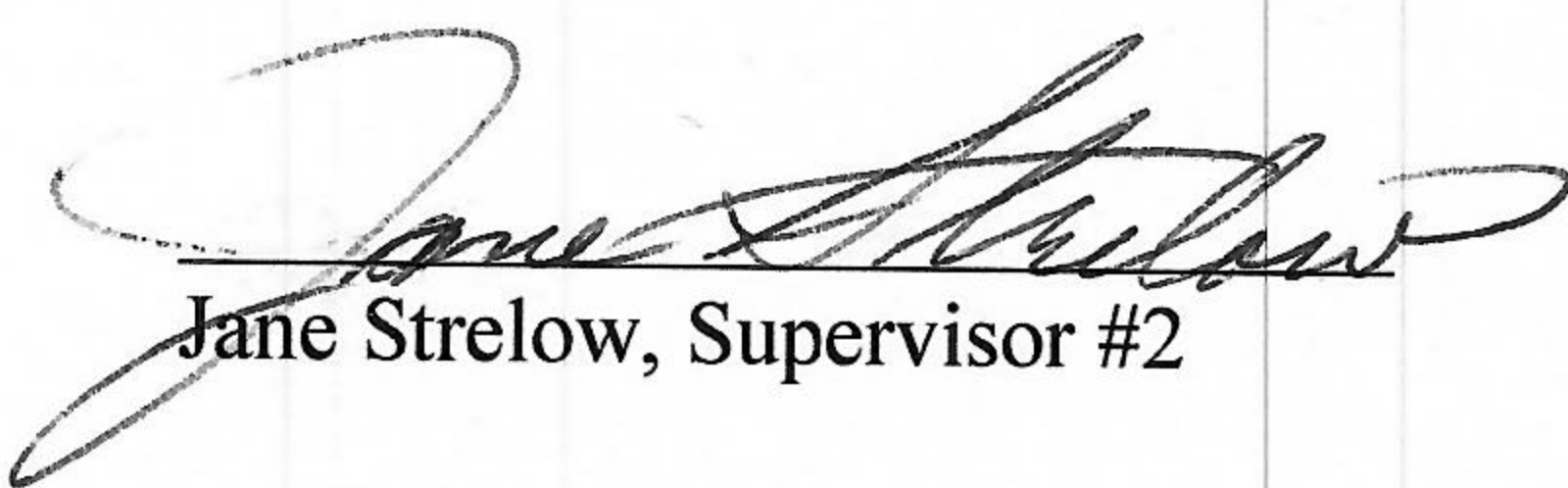
	YEA	NAY
Ben Moderow, Chairman:	<u>X</u>	<u> </u>
Daniel Berndt, Supervisor #1	<u>X</u>	<u> </u>
Jane Strelow, Supervisor #2	<u>X</u>	<u> </u>

Passed, approved and adopted this 13th day of November, 2023

TOWN OF GREEN LAKE


Ben Moderow, Chairman


Daniel Berndt, Supervisor #1


Jane Strelow, Supervisor #2

Attest:

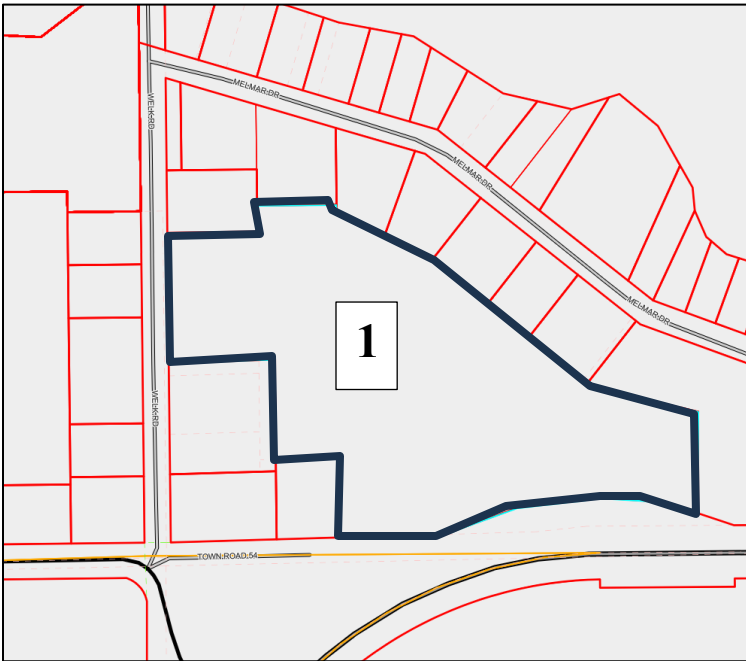

Katie Mehn, Clerk

Dated: 11/13/2023
Denial of Rezone Ruck Property

**Ricky & Ashley Ruck – Town of Green Lake
N2730 Welk Rd., Parcel #006-00581-0101,
Part of Lot 2 of CSM 3700 in Section 31, T15N, R13E**

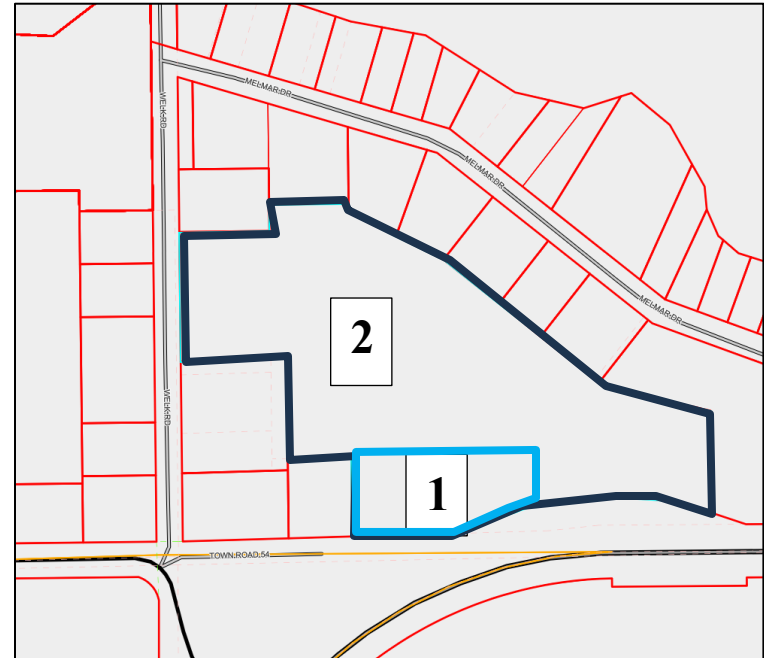
Existing Configuration

1 = ±8 acre parcel zoned R1, Single-family Residence District



Proposed Configuration

1 = Newly created ±.1.0 acre parcel zoned C2, Extensive Commercial District
2 = Newly created ±7 acre parcel zoned R1, Single-family Residence District.



ORDINANCE NO. -2023

**Relating to: Rezone in the Town of Green Lake
Owner: Ricky and Ashley Ruck**

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 19th of December 2023, does ordain as follows:

- 1 **NOW, THEREFORE, BE IT ORDAINED** that the Green Lake County Zoning Ordinance,
2 Chapter 350 as amended, Article IV Zoning Districts, Section 350-26 Official Map, as
3 relates to the Town of Green Lake, shall be amended as follows:
4
5 **Owners:** Ricky and Ashley Ruck, **Location:** N2730 Welk Road, **Parcel:** 006-00581-
6 0101. **Legal Description:** Part of Lot 2 of CSM 3700, located in Section 31, T15N, R13E,
7 ±8 acres. **Request:** The owners are requesting to rezone ±1.0 acres from R1, Single-
8 family residence district to C2, Extensive Commercial district.
- 9 **BE IT FURTHER ORDAINED**, that this ordinance shall become effective upon passage
10 and publication.

Roll Call on Resolution No. -2023

Submitted by Land Use Planning &
Zoning Committee:

Ayes , Nays , Absent , Abstain

Passed and Enacted/Rejected this 19th
Day of December 2023.

Curt Talma, Chair

Chuck Buss, Vice Chair

County Board Chairman

Harley Reabe

ATTEST: County Clerk
Approve as to Form:

Gene Thom

Jeffrey Mann , Corporation Counsel

William Boutwell

Land Use Planning and Zoning Committee Staff Report

Public Hearing

December 7, 2023

Item IV: Conditional Use Permit (CUP)

Owner:

Ricky and Ashley Ruck

Applicant:

Same

Request: The owner/applicant is requesting a conditional use permit to process, store, and sell firewood within a contractor's yard.

Parcel Number/ Location: The request is subsequent to the previous rezone and would affect the newly created parcel (±1 acre) that is currently within parcel 006-00581-0101 (±8 acres). The parcel is located in the SE ¼ of the NE ¼ of Section 31, T15N, R13E, Town of Green Lake. The site address is N2730 Welk Rd.

Existing Zoning and Uses of Adjacent Area: The subject area would be a ±1 acre parcel that was proposed to be rezoned to C-2, Extensive Commercial District under the previous public hearing item. The proposed parcel has been used, in violation of the County Zoning ordinance, to commercially to process, store, and sell firewood. To the north and east there are many R-1 zoned parcels that are used residentially with a couple being vacant land. To the south there is Highway 44 and across the road there are parcels zoned A-1, Farmland Preservation District. To the south along Highway 44 there are some parcels that fall under the City of Markesan zoning jurisdiction. To the east across Welks Rd there are R-1 zoned parcels with the parcel further west zoned A-1. To the northwest there is a parcel zoned RC, Recreation District that is used as a mobile home park. There is no wetland or floodplain jurisdiction but the entire parcel falls under shoreland zoning jurisdiction.

Additional Information/Analysis: A commercial use was established, in violation of the County Zoning ordinance, on a residentially zoned parcel. The present commercial use requires C-2 to be the designated zoning district and a conditional use permit. R1 zoning does not allow for the present commercial use. This is why the parcel is going through a rezone to establish commercial zoning for a commercial use. The operational plan is to store equipment for the processing of the firewood as well as having locations to store cut wood, logs, and wood chips. The owners plan to install and fence and vegetative barrier to shield the neighbor's view. A storage shed would also be added to store the equipment. The owners also propose hours of operation from 8am-5pm on Thursday and 8am-dusk Friday through Sunday with no firewood processing on Monday through Wednesday.

General Standards for Review of Conditional Use Requests: 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 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 standards found in Section 350-56 “Review of permit application; standards and conditions” of the County Zoning Ordinance. The Committee need not consider requirements that would apply to the local Town, other County, State or Federal entities of jurisdiction. **The Town of Green Lake passed a resolution to deny the rezoning of the subject area.** With this resolution in place, the County cannot approve the preceding rezone which has the effect of nullifying this conditional use permit request.

1. **County Staff Comments:** This request has been nullified by the Town’s resolution. The Committee cannot approve this conditional use permit request.

Town of Green Lake: The Town Board Action request for the Conditional Use Permit was sent to the Town Clerk on October 11th, 2023. The Town Board choose to not take action on the request as they had denied the rezone by resolution.

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 _____ (not refundable) Date _____

Zone Change from R4 to C2

Conditional Use Permit for _____

Other _____

PROPERTY OWNER / APPLICANT

Name Ricky + Ashley Ruck

Mailing Address 60 W Manchester St. Markesan WI 53946

Phone Number Ricky 608-617-3188 Ashley 920-299-6774

Signature Ashley Ruck Date _____

AGENT IF OTHER THAN OWNER

Name _____

Mailing Address _____

Phone Number _____

Signature _____ Date _____

PROPERTY INFORMATION

Town of Green Lake Parcel Number 006-00581-0101 Acres 8±

Lot ___ Block ___ Subdivision _____

Section ___ Town ___ North Range ___ East

Location of Property N2730 Welk Rd Markesan WI 53946

Legal Description _____

Current Zoning Classification R4 Current Use of Property farm field

and storage/processing of firewood

Detailed Description of Proposed Use The southern 1 acre section by

town road 54 would become a contractors lot for the

approved use of firewood processing. A future building would

be built for the purpose of storing equipment related to the

firewood processing use.

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)

Operational Plan Narrative for N2730 Welk Road Parcel and Re-Zone

Historically this property has been used for farming purposes and is still being used that way today for most of the acreage. I believe the property may have even been zoned agriculturally for some time before the old owners made the decision to sell. When we purchased the property in July of 2019 it was zoned R1. The property is currently being used for farmland and firewood storage and processing.

Ricky has been cutting trees and selling firewood for the past 16+ years. It was a way for him to make extra money and help people heat their homes in the winter. It has since evolved into his cousin owning a tree service business and Ricky processing the wood from the business. Ricky continues to sell firewood for extra money to help provide for his family and hopefully one day be able to build a home on a section of the property that was purchased. As the firewood sales grew Ricky invested in equipment that made the job easier, a larger truck, a dump trailer, larger log splitter and even a skid steer. We hope that by growing the business it will continue to generate extra revenue.

As this side hustle has grown greatly over the years and now expanded onto the land that we purchased we have been made aware that we aren't necessarily abiding by the rules on zoning and planning and have potential even upset some of the neighbors.

We are hopeful that the county, town of Green Lake and the community will allow us to rezone this property commercial and have a permitted

used so we can continue to provide members of our community with a close to home source for campfire and home heating wood.

While we understand that some find the processing of firewood unsightly, we do feel that if the county and town of Green Lake is supportive with the new use of the property that a visual barrier such as shrubs or trees be planted to create a more appealing view of the property. We would also propose that a storage shed, or garage-like structure be built on the property to help keep the equipment that is being used inside and out of the sightline of neighbors and passersby. A building site could be discussed as we are open to where the structure might be placed on the newly proposed lot.

As mentioned previously this is nothing more than a side hustle for Ricky and I; we both work regular full time jobs. So, we do often process the firewood on evenings and weekends. We always try and be respectful of the neighbors and never start super early or work late as we completely understand wanting a peaceful area to live in. While I can't speak to what hours we might be there processing we are always mindful of those around us.

All things considered we are not trying to upset those around us or cause problems within our community, we are just two young people trying to provide better for our children and provide a service to the community, because who doesn't love a good campfire.



Land Use Planning & Zoning Department

County Government Center
571 County Road A
Green Lake, WI 54941-8630

Phone 920-294-4156 Website: <http://www.co.green-lake.wi.us/>

Land Development Code Enforcement County Surveyor GIS Land Information

APPLICATION FOR CONDITIONAL USE PERMIT

The purpose of the conditional use permit process is to utilize the minimum review standards of the zoning ordinance (Green Lake County Code Chapter 350, Section 56) to determine the effect of the proposed use on the neighborhood and suitability of proposed development at the proposed location. Conditions are added to the request to minimize any impacts to the surrounding properties, if the request is consistent with the adopted Green Lake County Comprehensive Plan.

Prior to the Department accepting the application, the following items need to be completed and/or provided by the owner or applicant:

- Consultation with the staff in the Land Use Planning & Zoning Department
- Application completely filled out, including property information, legal description, and detailed description of proposed use
- Detailed site plan on paper not larger than 11" x 17", drawn to scale and including location of: lot lines, all building and structures with dimensions, all components of private onsite wastewater treatment systems like septic tanks and drain fields, public and private roads including access easements, navigable waterbodies, well location, and the setback distances between all the above
- Fee as set by the Committee for a public hearing item

OPERATIONAL PLAN NARRATIVE

The operational plan is intended to address all components of the business, from establishment through to present operation. This narrative should be two or more paragraphs that address the following questions, from the perspective of the proposed use:

- What is the history of the business and/or applicant?
- What is the history of the property and its current use?
- Describe in detail the proposed use of the property.
- If applicable, include an operation and/or maintenance plan.
- When will the property be used? (Seasonally? Set daily hours?)
- What will be done with the current structures, if any?
- Will any new structures be built? If yes, how will they be used and where will they be located?
- What hazards, concerns, or disruptions may your proposed use pose to neighboring properties and the community as a whole? How can those concerns be addressed?
- What will be done to protect the human and environmental health of the surrounding area from negative impacts of this use?
- Why was this property chosen for this business activity? How will this use benefit the community by being located on this specific property?
- How would this business activity meet goals and objectives of the County's Comprehensive Plan? (This will be clear after meeting with Department staff prior to submitting the Conditional Use Permit application, as required above.)

Fee Received (Non-Refundable) _____

Date _____

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 Ricky & Ashley Ruck

Mailing Address 600 W Manchester St Markesan WI 53946

Phone Number Ricky 608-617-3188
Ashley 920-229-6774 Email ashley@integritylawnservice.net

Signature Ashley Ruck Date _____

AGENT IF OTHER THAN OWNER

Name _____

Mailing Address _____

Phone Number _____ Email _____

Signature _____ Date _____

PROPERTY INFORMATION

Town of Green Lake Location of Property N2730 Welk Rd Markesan

Section _____ Town _____ N Range _____ E

Affected Parcel Number(s) 000-00581-0101 Affected Acres ± 1 acre

Subdivision _____ Lot _____ Block _____

CSM _____ Lot _____ or COS _____

Legal Description _____

Current Zoning Classification R4

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

farm field

firewood storage

firewood processing

Storage of equipment related to firewood processing

DETERMINATION OF THE LAND USE PLANNING AND ZONING COMMITTEE

Public Hearing Date: December 7, 2023

Owner: Ricky and Ashley Ruck

Agent: Same

Parcel: #006-00581-0101, N2730 Welk Road, Town of Green Lake.

Request: Conditional Use Permit to process, store, and sell firewood.

Land Use Planning and Zoning Committee:

Curt Talma, Chair

Harley Reabe

William Boutwell

Chuck Buss, Vice Chair

Gene Thom

Date signed: December 7, 2023

Committee vote: Ayes _____ Nays _____ Abstain _____ Absent _____

Approve

With the conditions (listed below)

Deny.

Modify as follows:

Conditions of Approval:

General Conditions:

1. No additional expansion or addition of structures and/or uses relating to this conditional use permit shall occur without review and approval through future conditional use permit(s).
2. That the owners/applicants are responsible for obtaining permits and licenses from any other regulatory agency, if required.