



GREEN LAKE COUNTY

571 County Road A, Green Lake, WI 54941

The following documents are included in the packet for the Land Use Planning & Zoning Committee meeting on Thursday, September 4, 2025.

Packet Pages:

- 2 Agenda
- 3-4 Draft Meeting Minutes from 8/7/25
- 5-6 Financial Reports for July 2025
- 7-9 Land Use & Sanitary Reports for July 2025
- 10-11 Violation Status Reports
- 12 Public Hearing Notice
- 13-22 **Item #1: Owner:** Chris Burkholder, **Agent:** Jeff Laper & Lisa Henderson, **Location:** W3511 Yunker Road, **Parcel:** 012-00660-0200, **Legal Description:** Lot 1 of CSM 3236, NE ¼ of NW ¼, located in Section 34, T14N, R12E, Town of Manchester, ±10.0 acres. **Request:** The owners are requesting a rezone of ±10.0 acres zoned A2, General Agriculture District, to R4, Rural Residential District. To be identified by Certified Survey Map.
- 23-37 **Item #2: Owner(s):** Jose Rivera Venegas & Aidee L. Gaytan, **Location:** N9567 32nd Drive, **Parcel:** 002-00061-0100, **Legal Description:** SE ¼ of NW ¼, located in Section 5, T17N, R13E, Town of Berlin, ±5.1 acres, **Request:** The owners are requesting a Conditional Use Permit for an event barn, a rodeo/equestrian arena, and to commercially board horses.
- 38-46 **Item #3: Owner:** David W. Schmucker, **Location:** N844 Proscarian Road, **Parcel:** 012-00519-0000, **Legal Description:** NW ¼ of NW ¼, located in Section 27, T14N, R12E, Town of Manchester, ±8.58 acres, **Request:** The owners are requesting a rezone of ±8.58 acres zoned A1, Farmland Preservation District, to A2, General Agricultural District. To be identified by Certified Survey Map.
- 47-60 **Item #4: Applicants:** Green Lake County Land Use Planning and Zoning Committee, **Request:** The committee is requesting an amendment to Chapter 350, Zoning Ordinance of the Code of Green Lake County, more specifically to include changes to the A1, A2, R4, Zoning Districts and Word Usage & Definitions.
- 61-67 **Item #5: Applicants:** Green Lake County Land Use Planning and Zoning Committee, **Request:** The committee is requesting an amendment to Chapter 350, Zoning Ordinance of the Code of Green Lake County, more specifically to include changes to the R1, R2, R3, and R4 Zoning Districts.

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



GREEN LAKE COUNTY
LAND USE PLANNING & ZONING DEPARTMENT

Matt Kirkman
Director

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

Land Use Planning & Zoning Committee Meeting Notice

Date: Thursday, September 4, 2025, Time: 9:00 AM
Green Lake County Government Center, County Board Room
571 County Rd A, Green Lake WI

AGENDA

Committee
Members

Chuck Buss-chair
Bill Boutwell-vice chair
Curt Talma
Gene Thom
Sue Wendt

Secretary: Karissa Rohde

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.

This agenda gives notice of a meeting of the Land Use Planning and Zoning Committee. It is possible that individual members of other governing bodies of Green Lake County government may attend this meeting for informative purposes. Members of the Green Lake County Board of Supervisors or its committees may be present for informative purposes but will not take any formal action. A majority or a negative quorum of the members of the Green Lake County Board of Supervisors and/or any of its committees may be present at this meeting. See State ex rel. Badke v. Vill. Bd. of Vill. of Greendale, 173 Wis.2d 553, 578, 494 N.W. 2d 408 (1993).

1. Call to Order
 2. Certification of Open Meeting Law
 3. Pledge of Allegiance
 4. Minutes of 8/7/2025
 5. Department Activity Reports
 - a) Financial Reports
 - b) Land Use & Septic permits
 - c) Violation reports
 6. Farmland Preservation Plan Update
 7. Public Comment (3-minute limit)
 8. 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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9. Committee Discussion
 - a) Future Meeting Dates: October 2, 2025 @ 9:00am
 - b) Future Agenda items for action & discussion
 - c) Two CUPs and two rezones in October.
10. 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#
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Please accept at your earliest convenience. Thank you!
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**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Thursday, August 7, 2025**

CALL TO ORDER

Planning & Zoning Chair Chuck Buss called the meeting of the Land Use Planning and Zoning Committee to order at 9:00AM 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. The Pledge of Allegiance was recited.

Present: Chuck Buss, Gene Thom, Sue Wendt (9:12am), Bill Boutwell, Curt Talma

Absent:

Also Present: Karissa Rohde, Deputy County Clerk; **Matt Kirkman**, Land Use Planning & Zoning Director; **Michelle Davis**, Land Use and POWTS Specialist; **Noah Brown**, Land Use and Shoreland Specialist; **Ryan Schinke**, Land Use Coordinator/Technician; **Tami Toth**, Legal Assistant (Remote 9:12am); **Jeff Mann**, Corporation Counsel; **Renne Thiem-Korth**, Register of Deeds (left meeting at 9:16am and joined remote at 9:18am)

APPROVAL OF MINUTES

Motion/second (Boutwell/Thom) to approve the minutes of the 6/5/2025 meeting with spelling errors corrected. Motion carried with no negative vote.

PUBLIC COMMENT (3-MINUTE LIMIT) – Chair Buss moved Public Comment to item #5 on the agenda to allow public to speak. Luke Dretske (remote) spoke on item #10. John Mast, N971 County Rd HH, spoke regarding accessory buildings.

REGISTER OF DEEDS REPORT AND 2026 BUDGET

Korth went over her report and 2026 Budget found in the packet.

DEPARTMENT ACTIVITY REPORTS

- Financial Reports
- Land Use & Septic Permits
- Violation Reports

Kirkman, Brown and Mann went over reports found in the packet.

2026 BUDGETS – LAND USE PLANNING & ZONING AND LAND INFORMATION

Kirkman went over 2026 Budgets found in the packet. Starting in 2026 the Planning & Zoning department will be paying for their own postage due to the amount of outgoing mail they have.

DEPARTMENT STAFFING UPDATE

Kirkman introduced his new employee, Michelle Davis. Davis replaced Max Richards.

PROPOSED ZONING ORDINANCE AMENDMENT INCLUDING CHANGES TO THE A1, A2, R4, ZONING DISTRICTS AND WORD USAGE & DEFINITIONS

Kirkman explained changes made to the ordinance. These changes can be found in the packet in red.
Discussion held.

PROPOSED ZONING ORDINANCE AMENDMENT INCLUDING CHANGES TO THE R1, R2, R3, AND R4 ZONING DISTRICTS

Kirkman explained changes made to the ordinance. These changes can be found in the packet in red.

Motion/second (Boutwell/Thom) to suspend the rules to allow Luke Dretske to speak. Motion carried with no negative vote. Dretske spoke regarding accessory structures. Discussion held. **Motion/second (Boutwell/Wendt)** to allow Luke Dretske to speak. Motion carried with no negative vote. Dretske spoke regarding assessor buildings and additional changes to the ordinance. The committee agreed to remove Human Habitation from the ordinance. Discussion held.

FARMLAND PRESERVATION PLAN UPDATE

Kirkman informed the committee that the Farmland Preservation is certifiable.

DODGE PARK SURVEY ISSUE

Kirkman gave a presentation found in the packet. **Motion/second (Boutwell/Thom)** to proceed with getting survey maps to solve the problem. Motion carried with no negative vote.

COMMITTEE DISCUSSION

- a. Next meeting date – There will be no meeting in July. Next meeting 09/04/2025 at 9:00am.
- b. Future agenda items for action & discussion

ADJOURN

Chair Buss adjourned the meeting at 10:48am.

Respectfully submitted,

Karissa Rohde
Deputy County Clerk

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

FEES RECEIVED	JULY				YEAR-TO-DATE				BUDGET	
	2024		2025		2024		2025		2025	
	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT		
LAND USE PERMITS										
Total Monthly Issued Permits	14	2,950	7	2,200	138	31,600	120	\$ 36,900	\$ 60,000	62%
SANITARY PERMITS (POWTS)										
Total Monthly Issued Permits	6	1,905	4	1,195	41	10,910	29	\$ 9,375	\$ 26,000	36%
NON-METALLIC MINING PERMITS										
Annual Permit Fees	-	-	-	\$ -	12	12,500	11	\$ 16,300	\$ 15,200	107%
BOARD OF ADJUSTMENT										
Special Exception	-	-	-	-	-	-	-	-	-	
Variances	-	-	-	-	1	375	-	-	-	
Appeals	-	-	-	-	-	-	-	-	-	
Total	-	\$ -	-	\$ -	1	\$ 375	-	\$ -	\$ 1,500	0%
PLANNING & ZONING COMMITTEE										
Zoning Change	-	-	1	375	10	3,750	4	1,500	-	
Conditional Use Permits	1	375	-	-	9	3,375	6	2,250	-	
Variance	-	-	-	-	1	450	-	-	-	
Total	1	\$ 375	1	\$ 375	20	\$ 7,575	10	\$ 3,750	\$ 8,525	44%
MISC.										
Wisconsin Fund	-	-	-	-	-	-	-	-	-	
Fines & Forfeitures	1	50	-	-	4	850	7	1,450	-	
Total	1	\$ 50	-	\$ -	4	\$ 850	7	\$ 1,450	-	
SURVEYOR										
Certified Survey Maps	3	510	4	735	22	3,840	14	2,445	6,500	
Preliminary and Final Plats	-	-	-	-	-	-	-	-	-	
Total	3	\$ 510	4	\$ 735	22	\$ 3,840	14	\$ 2,445	\$ 6,500	38%
GIS (Geographic Information System)										
Map Sales	-	-	-	-	-	-	-	-	-	
Land Records Transfer	-	-	-	-	-	-	-		25,000	
Land Information Grant	-	-	-	-	-	-	-		10,000	
Total	-	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 35,000	0%
GRAND TOTAL										
									Total	46%

Report Description: MEE100-10-P&Z

Account Year: 25

Account Periods: 07 - 07

Dates: 07/01/2025 - 07/31/2025

Account Account Description	Original Budget	Adjusted Budget	YTD Encumbrance	Period Expended	YTD Expended	Available Balance	Percent
10 Land Use Planning and Zoning							
53610 Code Enforcement							
25-100-10-53610-110-000 Salaries	0.00	328,660.80	0.00	30,499.21	182,234.79	146,426.01	55.45
25-100-10-53610-125-000 Overtime	0.00	0.00	0.00	0.00	33.58	-33.58	0.00
25-100-10-53610-140-000 Meeting Payments	0.00	951.00	0.00	115.20	298.15	652.85	31.35
25-100-10-53610-151-000 Social Security	0.00	25,145.00	0.00	2,228.42	14,277.00	10,868.00	56.78
25-100-10-53610-153-000 Ret. Employer Share	0.00	22,679.00	0.00	1,928.50	13,526.67	9,152.33	59.64
25-100-10-53610-154-000 Health Insurance	0.00	77,549.28	0.00	6,337.40	48,941.60	28,607.68	63.11
25-100-10-53610-155-000 Life Insurance	0.00	569.16	0.00	49.12	332.79	236.37	58.47
25-100-10-53610-210-002 Professional Services	0.00	17,250.00	0.00	768.75	3,587.50	13,662.50	20.80
25-100-10-53610-218-000 VIOLATION NOTICE SERVICE	0.00	300.00	0.00	0.00	0.00	300.00	0.00
25-100-10-53610-225-000 Phone Service	0.00	800.00	0.00	53.79	355.76	444.24	44.47
25-100-10-53610-242-000 Print Management	0.00	300.00	0.00	54.80	149.98	150.02	49.99
25-100-10-53610-307-000 Training	0.00	1,160.00	0.00	68.55	368.55	791.45	31.77
25-100-10-53610-310-000 Office Supplies	0.00	950.00	0.00	141.47	476.46	473.54	50.15
25-100-10-53610-312-000 Field Supplies	0.00	150.00	0.00	111.66	111.66	38.34	74.44
25-100-10-53610-312-001 Non-Metallic Mining Expense	0.00	26,000.00	0.00	1,182.16	6,303.59	19,696.41	24.24
25-100-10-53610-320-000 Publications-BOA Public Hearing	0.00	850.00	0.00	0.00	0.00	850.00	0.00
25-100-10-53610-320-001 Publications-PZ Public Hearing	0.00	3,000.00	0.00	0.00	1,597.00	1,403.00	53.23
25-100-10-53610-321-000 Seminars	0.00	1,200.00	0.00	0.00	600.00	600.00	50.00
25-100-10-53610-324-000 Member Dues	0.00	130.00	0.00	0.00	130.00	0.00	100.00
25-100-10-53610-330-000 Travel	0.00	1,170.00	0.00	0.00	588.00	582.00	50.26
25-100-10-53610-352-000 Vehicle Maintenance	0.00	850.00	0.00	44.37	326.51	523.49	38.41
53610 Code Enforcement	\$0.00	\$509,664.24	\$0.00	\$43,583.40	\$274,239.59	\$235,424.65	53.81
10 Land Use Planning and Zoning	\$0.00	\$509,664.24	\$0.00	\$43,583.40	\$274,239.59	\$235,424.65	53.81

Land Use Permits: 7/1/2025 - 7/31/2025

Permit Number	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
14001	N8532 COUNTY ROAD VV	07/08/2025	PINNACLE TOWERS INC	15000	Other - Cell Towers	Adding antennas and RRUs		

Permit Number	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
14005	W1758 SCOTT ST	07/14/2025	SHELBYLEE RESCHKE REVOCABLE TRUST	125	Accessory Structure - Retaining Walls	Retaining Wall	Land Disturbing Activity - Drainage	Smaller drainage control spot

Permit Number	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
14002	W3012 LONGVIEW LN , W3018 LONGVIEW LN , W3032 LONGVIEW LN , W3088 BLACKBIRD POINT DR , W3102 BLACKBIRD POINT DR , W3084 BLACKBIRD POINT DR , W3106 BLACKBIRD POINT DR , W3112 BLACKBIRD POINT DR , No Address Available, W3122 BLACKBIRD POINT DR , W3126 BLACKBIRD POINT DR , W3110 BLACKBIRD POINT DR , W3128 BLACKBIRD POINT LN , W3132 BLACKBIRD POINT LN , W3136 BLACKBIRD POINT LN , W3140 BLACKBIRD POINT LN , W3144 BLACKBIRD POINT LN , W3148 BLACKBIRD POINT LN , W3152 BLACKBIRD POINT LN , W3122 BLACKBIRD POINT LN , W3108 BLACKBIRD POINT LN , N4237 BLACKBIRD POINT DR , No Address Available, W3052 MCAFEE RD, W3054 BLACKBIRD POINT DR, W3038 LONGVIEW LN, W3116 BLACKBIRD POINT LN , No Address Available, No Address Available, W3110 COUNTY ROAD K	07/08/2025	ANDERSON FAMILY TRUST, BLACKBIRD POINT LLC, BURROAK GROVES LLC, FOX GREEN LAKE HOME LLC, GREEN LAKE SANITARY DISTRICT, PADDLE DOWN LLC, ARTHUR & CAROL OGREN REVOCABLE TRUST, BRADLEYW BOEYE, DAVID R & JULIE E JONES LIVING TRUST, DEBRAA SALMON, GUYM LARSON DECLARATION OF TRUST, HALVOR C & JOANNE P ERICKSON LIVING TRUST, JAMESA VOGEL, JAMES M & MARY BETH EMMER, JENNIFERL LIESKE, KARINEM SEWART, KENNETHP SALMON, KEVING LIESKE, KEVINR NIELSEN, LAURIE L HAZZARD, MARGARETH LARSON DECLARATION OF TRUST, NICOLEA PASSMANN, PAUL K SCHOENECK TRUST, ROBERT A & BONI A JENSEN TRUST, ROBERT A & MELISSA C HAFNER REVOCABLE TRUST, RUTHE GATES, SHARON SCHOENECK, STEPHENE SEWART, SUSANJ CASSADY, TIMOTHYC BRIGHTBILL, TIMOTHY D & LAURIE R QUERNEMOEN, VIRGINIAT HUBA REVOCABLE LIVING TRUST, WILLIAM N & SUSAN C SHIMON	99990	Other - Transmission Main	1 junction box 11 padmount transformers 13 pedestals 33 bore pits		
14003	W687 COUNTY ROAD K	07/11/2025	WILLIAMJ KOLLER	15000	Additions / Alterations - Addition/Alteration to Principal Structure	2nd Story Addition	Additions / Alterations - Addition/Alteration to Principal Structure	Kitchen addition
14007	N3803 COUNTY ROAD O	07/18/2025	SONNYS ROCKY TOP LLC	10000	Accessory Structure - Agricultural Building	Storage shed to store tractor.		
14010	W2940 KAHL RD	07/23/2025	BRYANB BEAUCHAMP, ELIZABETHA BEAUCHAMP	15000	Additions / Alterations - Addition/Alteration to Accessory Structure	Boathouse roof addition and siding replacement		
14013	W2304 OAKWOOD AVE	07/24/2025	CYNTHIA BLANDIN REVOCABLE TRUST	80000	Land Disturbing Activity - Drainage	2 Dry Creek Beds	Accessory Structure - Stairs/Walkway	Stepper Walkway
14015	N6104 HONEYSUCKLE LN	07/29/2025	THOMAS R & WENDY M SCHULTZ	75000	Additions / Alterations - Addition/Alteration to Principal Structure	Living room Extension, Bathroom, & Office / Study		

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

Permit Number	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
14006	N1594 N BRAVE RD	07/17/2025	OTTOW OEMIG	750000	Accessory Structure - Porch	Screen Porch	Accessory Structure - Porch	Three Seasons Porch
14011	W2414 COUNTY ROAD I	07/24/2025	TAYLER SCHULZ	170000	Additions / Alterations - Addition/Alteration to Principal Structure	Addition of 2 bedrooms and 1 bathroom. Connecting current house to current garage.	Accessory Structure - Attached Deck/Patio	Attached deck
14014	W1645 LAKE MARIA RD	07/24/2025	ANNAN DAVISON, STEVENA DAVISON	3500	Accessory Structure - Detached Deck/Patio	Deck for above ground pool.		

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

Permit Number	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
14004	W6469 LAKEVIEW DR N	07/11/2025	JEFFREY L & LYNDA M SWANSON REVOCABLE LIVING TRUST	120000	Accessory Structure - Accessory Structure	Pool with automatic cover.		
14008	W4025 COUNTY ROAD H	07/21/2025	JR STELLMACHER FARMS LLC	5000	Accessory Structure - Detached Deck/Patio	Detached Deck	Accessory Structure - Stairs/Walkway	Ramp for detached deck
14016	W7004 PUCKAWAY RD	07/30/2025	ROBIN'S NEST RESORTS LLC	12500	Accessory Structure - Attached Deck/Patio	Attached Deck	Accessory Structure - Porch	Screen Porch

Permit Number	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
14000	N4784 N LAKESHORE DR	07/03/2025	JAMES PETTINGER, SARA PETTINGER	74000	Accessory Structure - Attached Deck/Patio	Deck with storage area below	Additions / Alterations - Addition/Alteration to Accessory Structure	Roof Remodel to add vaulted ceiling stays within existing 3d envelope

Permit Number	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
14017	No Address Available	07/31/2025	ALANE MASHUDA, ASHLEYL PETIT, DEREKJ MASHUDA	40000	Other - Cell Towers	Replace a 4' microwave dish an add another 3' dish and a 1/2" coaxial cable at 219'6" on existing tower.		

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

July 2024 Estimated Cost \$5,824,125.00

2024 YTD Estimated Cost \$36,544,695.00

July 2025 Estimated Cost:

2025 YTD Estimated Cost:

\$1,485,115.00

\$21,599,430.00

Sanitary Permits: 7/1/2025 - 7/31/2025

Sanitary Permit	County Permit	Parcel Number	Site Address	Owners	Date Issued	Permit Type	System Type	Plumber Name	Additional Permit Type	Final Insp Date	Ind Site Dsgn	Additional Explanation	County Fee	DSPS Fee	Total Fee
2.03E+08		008004920000	N489 COUNTY ROAD FF	VICKIL ROSKA	07/28/2025	New System	Conventional (Non-Pressurized In-Ground)	Kenneth A. Dickerson		01/02/1900	No	West house (3bedr)	280	100	380
202524034		010004170100	W2095 LOVERS LN	THOMAS & MARIE DULAS LIVING TRUST	07/02/2025	Replacement System	In-Ground Pressure	Jeremiah Storer		01/02/1900	No	4 bedroom house with shop	280	100	380
202524035		010001330000	W1345 COUNTY ROAD S	DARLENEE RHONE, DAVID RHONE	07/11/2025	Replacement System	At-Grade	Ben Kinas		01/02/1900	No	3 bedrooms	280	100	380
202524036		014003550000	W6618 PUCKAWAY RD	SCOTTR OLSON	07/16/2025	Replacement System	Holding Tank	Michael Fischer		07/30/2025	No	2 bedroom	355	100	455

Total= 1195 400 1595

Total Sanitary Permits Issued 7/1/2025 - 7/31/2025

System Type	Total Count	New System Total Count	Replacement System Total Count	Revision Total Count
At-Grade	1	0	1	0
Conventional (Non-Pressurized In-Ground)	1	1	0	0
Holding Tank	1	0	1	0
In-Ground Pressure	1	0	1	0
Grand Total	4	1	3	0

Total Sanitary Permits Inspected 7/1/2025 - 7/31/2025

System Type	Total Count	New System Total Count	Replacement System Total Count	Revision Total Count
Conventional (Non-Pressurized In-Ground)	2	1	1	0
Holding Tank	3	0	3	0
Mound < 24"	1	0	1	0
Grand Total	6	1	5	0

Land Use Violations
Report August 2025

<u>First Notice</u>					
<u>Parcel Number-Town</u>	<u>Site Address</u>	<u>Owner Name</u>	<u>Permit #</u>	<u>Violation Type</u>	<u>Violation Description</u>
012005190000-TMN	N844 Proscarian Road	David Schmucker	13880	Zoning	Operation of a manufacturing business without a valid CUP.
002000910000-TBE	W2347 County Road F	Tim Drover	13669	Zoning	Tires, boats, trash, two mobile homes used as houses, multiple sheds. Owner has made progress to resolve the violation.
006001270000-TGL	N4145 Lakeview Road	Beuthin Family Recreational Trust	13641	Zoning	Shed converted to a dwelling. Small shed built without a permit across from dwelling.Progress being made to meet dwelling standards.
006002510101-TGL	W540 Center Road	Ronald Kasuboski	13912	Zoning	Vehicles and other junk on the property. Progress being made
006016130000-TGL	W1652 Sandstone Avenue	Nancy & Thomas Hulsebosch	13917	Zoning	Fence without permit.Will be working to get LUP, notice resent due to ownership change.

<u>Second Notice</u>					
<u>Parcel Number-Town</u>	<u>Site Address</u>	<u>Owner Name</u>	<u>Permit #</u>	<u>Violation Type</u>	<u>Violation Description</u>
004009170100-TBY	W2955 Hillside Road	John Francis	13736	Shoreland	Retaining wall built within shoreland setback, without a land use permit, and wall is greater than six feet not designed by a professional engineer.Have permits, soil bags installed, waiting on stabilization 8/27/25
006001160102-TGL	W2498 Oakwood Avenue	Orazio Pollina	13826	Shoreland	Retaining walls within shoreland setback and no LUP for structures. Have permits.
004003140201-TBY	W1141 State Road 23 &49	S&L Holdings WI LLC	14012	Zoning	Off-site Advertising sign. 1) No LUP. 2) In Highway setback. 3) Semi-trailer backdrop.
004003140201-TBY	W1141 State Road 23 &49	S&L Holdings WI LLC	14009	Zoning	Section 350-33 Permitted uses in C2. Using property for uses not allowed in C2. 1)Sales lot for boat and boat-related items. 2)Dumpsite for fill and logs. 3) Parking lot for commercial vehicles and boat lifts.

<u>Sent to Corp. Counsel</u>					
<u>Parcel Number-Town</u>	<u>Site Address</u>	<u>Owner Name</u>	<u>Permit #</u>	<u>Violation Type</u>	<u>Violation Description</u>
006016860000-TGL	W1172 Spring Grove Road	Lizbeth Olsen	13745	Zoning	Fence built without LUP and is not open style or 4 feet in height when within the streetyard setback. Update: Property owner lives in California and had fire damage, has been given additional time to resolve this violation.Has permit, needs to get installed
002000610100-TBE	N9567 32nd Drive	Aidee Lopez Gaytan, Jose Rivera Venegas	13658	Zoning	Using facilities as an event business. Notice sent in english and spanish. Have CUP Application on file for Sept. meeting.
016008860200-TPR	N5149 Fox River Lane	James George	13932	Shoreland/Floodplain	Development without a land use permit(338-63.A), Fill within shoreland vegetative buffer zone(338-41.A) - removed a lot of the fill 8/27/25
012005160100-TMN	N879 Lane 7	William H Bontrager	13855	Zoning	Structures without land use permit and structure within street yard setback. Working with town.
002001280100-TBE	N9259 32nd Drive	Terrence Duket	13956	Junk	3 Piles if tires, Piles of unused wood and construction materials, 3 or more Trailers, 4 Campers, 1 potentially unusable van.

Monthly Violations Resolved

YTD Violations Resolved

1

13

<u>Resolved</u>					
012007540000-TMN	W3377 Division Street	Randy Sutton	14042	Zoning	Carport addition to garage within side yard setback and fence without a permit

POWTS FAILURE REPORT 8/27/2025

Open					
Parcel Number	Site Address	Owner Name	Permit #	Violation Description	Violation Date
004014960000	N5881 HILLSIDE DR	YASICK LAURIE M	000071217	Discharge of sewage to the surface of the ground likely failed drainfield tank failure reported by plumber and soil tester. Will have to investigate	6/12/2025
006012650000	N3141 LAKE SHORE DR	PROM FAMILY TRUST SID R & CATHERINE A	000007213		4/24/2025
012003840100	W4414 WINDING LN	MAST LAVERA M; MAST PERRY O	000594	system likely installed into ground water based on soil test for system installed in 1996.	6/27/2025
014003550000			01424018	Drainfield is failed orangeburg pipe and septic tank is old and near failing. Will be getting a holding tank as it is all floodplain.	6/11/2025
014004420000	W6618 PUCKAWAY RD N3211 OAK RD	OLSON SCOTT R JUTZ LORRAINE & DARRELL	01424025	Tank Failure	7/22/2025
020002750100	N8603 BIG ISLAND RD	MC MARTIN RICHARD & DONNA	00017139	Existing system is likely less than 2 feet from a limiting feature. Per soil test from June of 2025	6/24/2025
Notice Sent					
Parcel Number	Site Address	Owner Name	Permit #	Violation Description	Violation Date
006016990000	N3082 N KEARLEY RD	NASH KENNETH A; NASH MARY C	000000185	tank failure	5/7/2025
Final Notice Sent					
Parcel Number	Site Address	Owner Name	Permit #	Violation Description	Violation Date
004002010100	W1015 BROOKLYN J RD	POLCYN KALIE M; POLCYN NATHAN P	00424050	System illegally modified in 2012. Soil tester and Plumber working on a new permit.	3/7/2025
006015990000	W1546 SANDSTONE AVE	SOBCZAK FAMILY JOINT REVOCABLE TRUST	010024563	Drywell installed into a zone of saturation. On site confirmation 3/27/25. Owner is pushing the plumber to get in a permit and system installed sooner than later.	3/27/2025
008003590100	N976 COUNTY ROAD H	BONTRAGER ALVA	202124079	Personal shop converted to a bakery. System undersized and may be high strength waste.	4/17/2025
Sent To Corp Counsel					
Parcel Number	Site Address	Owner Name	Permit #	Violation Description	Violation Date
016000900100	N5771 COUNTY ROAD D	ARNESON COURTNEY L	201724075	Drain field failure, new permit issued for repairs	6/24/2024
016004630000	N4487 MAPLE LN	KLEIN JUSTIN T	58848	Tank not Watertight	8/5/2022
016008320000	N5528 COUNTY ROAD T	WEIR LAVERNE J	01624079	Tank not Watertight, drywell structurally compromised	12/12/2023
016009230000	N4922 RAY SHORTER RD	PROG ROD-GUN CLUB	010024256	Tank Failure, water shut off to structure	5/29/2021
018006720200	N7506 STATE ROAD 73	CLEMENTS JR CECIL D	000148246	Drain field failure	4/30/2024
154000570000	145 SHERMAN AVE	LOESL CYNTHIA MARIE; LYSY DEBORAH	15424008	Tank Failure	9/20/2024
14003290100	W7270 Puckaway Road	Ocean Housing LLC	38043	Failing drainfield, pumps, and metal tank.	1/10/2025
004003150200	W1002 STATE ROAD 23 49	COACHLITE GREEN LAKE LLC	200724035	Tank Failure	11/18/2024
004011260000	W859 LAKESIDE DR	GRYSKE ANDREW A; GRYSKE SHANNON M	000026739	System installed into or within 2 feet of a zone of saturation	9/30/2024
004011270000	W849 LAKESIDE DR	NUSS JESSICA ; SUHAYSIK CHARLES	000139341	System installed into or within 2 feet of a zone of saturation	8/12/2024

NOTICE OF PUBLIC HEARING

The Green Lake County Land Use Planning and Zoning Committee will hold a public hearing in County Board Room #0902 of the Green Lake County Government Center, 571 County Road A, Green Lake, WI, on **Thursday, September 4, 2025, at 9:30 a.m.** to consider the following requests:

Item #1: Owner: Chris Burkholder, **Agent:** Jeff Laper & Lisa Henderson, **Location:** W3511 Yunker Road, **Parcel:** 012-00660-0200, **Legal Description:** Lot 1 of CSM 3236, NE ¼ of NW ¼ located in Section 34, T14N, R12E, Town of Manchester, ±10.0 acres, **Request:** The owners are requesting a rezone of ±10.0 acres zoned A2, General Agriculture District, to R4, Rural Residential District. To be identified by Certified Survey Map.

Item #2: Owner(s): Jose Rivera Venegas & Aidee L. Gaytan, **Location:** N9567 32nd Drive, **Parcel:** 002-00061-0100, **Legal Description:** Lot 1 of CSM 2387, SE ¼ of NW ¼, located in Section 5, T17N, R13E, Town of Berlin, ±5.1 acres, **Request:** The owners are requesting a Conditional Use Permit for an event barn, a rodeo/equestrian arena, and to commercially board horses.

Item #3: Owner: David W. Schmucker, **Location:** N844 Proscarian Road, **Parcel:** 012-00519-0000, **Legal Description:** NW ¼ of NW ¼, located in Section 27, T14N, R12E, Town of Manchester, ±8.58 acres, **Request:** The owners are requesting a rezone of ±8.58 acres zoned A1, Farmland Preservation District, to A2, General Agriculture District. To be identified by Certified Survey Map.

Item #4: 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, more specifically to include changes to the A1, A2, R4, Zoning Districts and Word Usage & Definitions.

Item #5: 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, more specifically to include changes to the R1, R2, R3, and R4 Zoning Districts.

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

Publish: August 21, 2025

Item #1:

Owner: Chris Burkholder, **Agent:** Jeff Laper & Lisa Henderson, **Location:** W3511 Yunker Road, **Parcel:** 012-00660-0200, **Legal Description:** Lot 1 of CSM 3236, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, located in Section 34, T14N, R12E, Town of Manchester, ± 10.0 acres, **Request:** The owners are requesting a rezone of ± 10.0 acres zoned A2, General Agriculture District, to R4, Rural Residential District. To be identified by Certified Survey Map.

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

September 4, 2025

ITEM I: ZONING CHANGE

OWNER:

Chris Burkholder

APPLICANTS:

Lisa Henderson & Jeff Laper

REQUEST: The owner is requesting a zoning change of 10 acres from A2, General Agriculture District to R4, Rural Residential District. To be identified by certified survey map.

PARCEL NUMBER / LOCATION: The request affects parcel number 012-00660-0200 (10.00 acres). The parcel is located in the NE ¼ of the NW ¼ Section 34, T14N, R12E, Town of Manchester. The site address for the zoning change is W3511 Yunker Road.

EXISTING ZONING AND USES OF ADJACENT AREA: Parcel 012-00660-0200 is currently zoned A-2, General Agriculture District. The parcel has both residential and agricultural uses present. To the south, the north and east are lands zoned A1, Farmland Preservation district and appear to be used agriculturally. Immediately, northeast is a 1.1 acre parcel zoned R4, Rural Residential district and appears to be used residentially. Just west of the parcel is a 20 acre parcel that is zoned A2, General Agriculture district and appears to have been used for a residence as well as agricultural uses.

ADDITIONAL INFORMATION / ANALYSIS: The subject 10-acre parcel was rezoned and created from a larger parcel back in 2009. Normally, A2 zoning is the ideal zoning for rural residents. It has the most uses and the least restrictions. It is uncommon for a property owner to rezone out of A2. The driving force behind this rezone is that the neighbor (to the NE - Henderson) would like to add ±2 acres of Burkholder's land to their 1.1-acre parcel. The additional land, combined with the existing Henderson parcel (by CSM), would present the conditions that could allow them to build a second outbuilding.

Rezoning just the 2 acres necessary to convey to Henderson was initially discussed, but it was determined that the remnant Burkholder parcel would fall under A2's minimum acreage requirement of 8 acres, not including the road right-of-way. Consequently, the entire Burkholder parcel needs to be rezoned to R4 in order to convey land to Henderson.

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 is consistent with the county's comprehensive plan as the R4 district was designed to be consistent with other agricultural zoning districts.**

The amendment will not be detrimental to property in the immediate vicinity or to the community as a whole. **The rezone has little potential to be detrimental to neighboring properties or properties abroad.**

The amendment will not have a significant adverse impact on the natural environment (i.e., air, water, noise, stormwater management, soils, wildlife, vegetation, etc.), or the impact could be mitigated by management practices on the site or in the immediate vicinity. **There is no indication that an adverse impacts on the natural environment will occur if the amendment were to be approved.**

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.). **This rezone will not have a significant adverse effect on public facilities or services.**

The amendment allows a more viable transition to planned land uses on adjacent properties than the current zoning designation. **The amendment has no negative effect to planned land uses as the R4 and A2 districts are both agricultural in nature.**

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). **As there are a couple R4 parcels nearby (next door and within ½ mile) and other small acreage parcels nearby that are used similarly to the subject parcel, this rezone would not be considered spot-zoning.**

TOWN OF MANCHESTER: An Action Form requesting the Town's input related to this zoning change request was sent to the Town Clerk. At their town board meeting on July 14, 2025, the Town Board did not object to and approved of the request.

TOWN BOARD ACTION

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Manchester, County of Green Lake, took the following action on –
(Date) 7-14-2025.

Owner/Applicant: Owner: Chris Burkholder, Agent(s): Jeff Laper & Lisa Henderson

Site Location: W3511 Yunker Road

General legal description: Parcel #012-00660-0200, Lot 1 of CSM 3236, NE ¼ of NW ¼, located in Section 34, T14N, R12E, Town of Manchester, ±10.0 acres.

Request: Rezone ±10.0 acres zoned A2, General Agriculture District, to R4, Rural Residential District.

Planned public hearing date for the above requests: September 4, 2025.

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

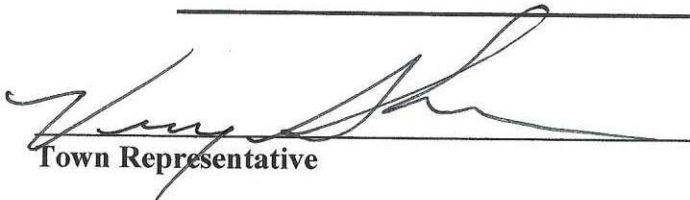
☐ **No action taken**

☐ **Objects to and requests denial of request**

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

If no action taken – please include reason for inaction.

- Reason(s) for objection/inaction:


Town Representative

8/8/2025
Date Signed

NOTES: APPROVED FOR REZONING

Please type or use black ink

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

GENERAL APPLICATION

Fee 375.00 (not refundable)

Date 6-19-25

Zone Change from A2 to R4

Conditional Use Permit for _____

Other _____

PROPERTY OWNER / APPLICANT

Name Chris J. Burkholder

Mailing Address W3411 Yunker Rd Cambria WI 53923

Phone Number _____

Signature Chris J. Burkholder

Date 6-18-25

AGENT IF OTHER THAN OWNER

Name Jeff Laper + Lisa Jenkins

Mailing Address W3499 Yunker Rd, Cambria, WI 53923

Phone Number 920 767-1266 / 920-394-9944

Signature Jeff Laper Lisa Jenkins Date 6-18-25

Thompson

PROPERTY INFORMATION

Town of Manchester

Parcel Number 012-00660-0200 Acres 10.00

Lot — Block — Subdivision —

Section 34 Town 14 North Range 12 East

Location of Property W3511 Yunker Rd

Legal Description Lot 1 of CSM 3236, located in the NE 1/4 of the NW 1/4, Sec 34, T14N, R12E,

Current Zoning Classification A2

Current Use of Property Residence with

ag uses.

☐ Detailed Description of Proposed Use Neighbor would like more land to make their parcel code-conforming. They need a little over 2 acres, which would reduce our parcel to under 8 acres. We need this rezone to pass in order to sell land to neighbor.

PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION

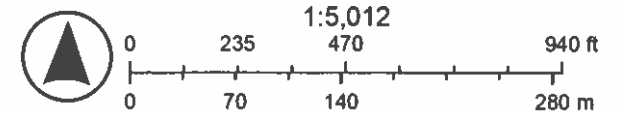
Fees: Zone Change \$375
Conditional Use Permit \$375.00
Variance \$375.00
Special Exception \$375.00

PZP-010 (04/09)

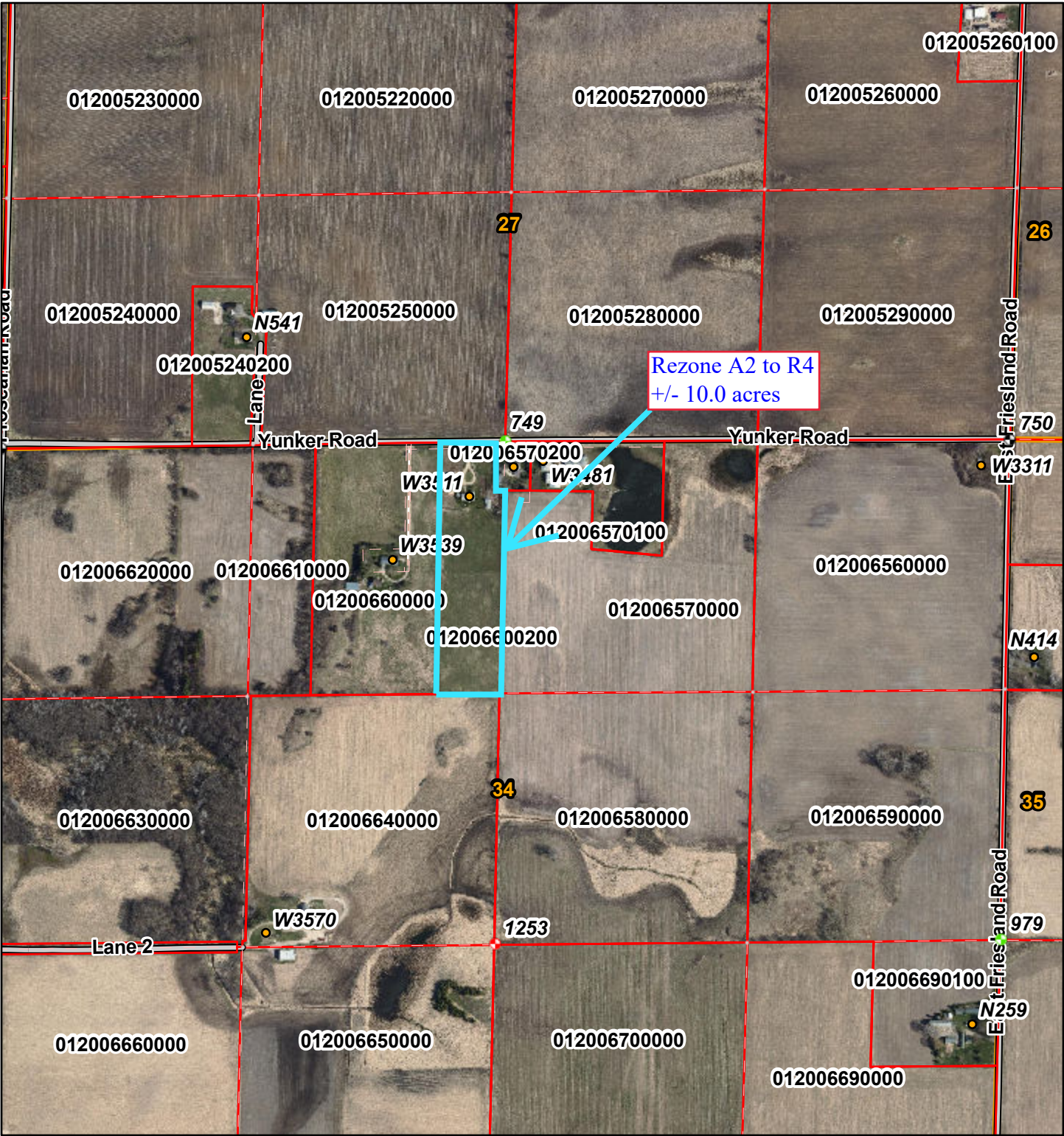
Burkholder Rezone Proposal



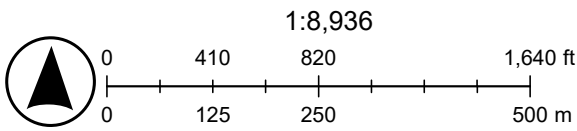
6/19/2025, 11:33:01 AM



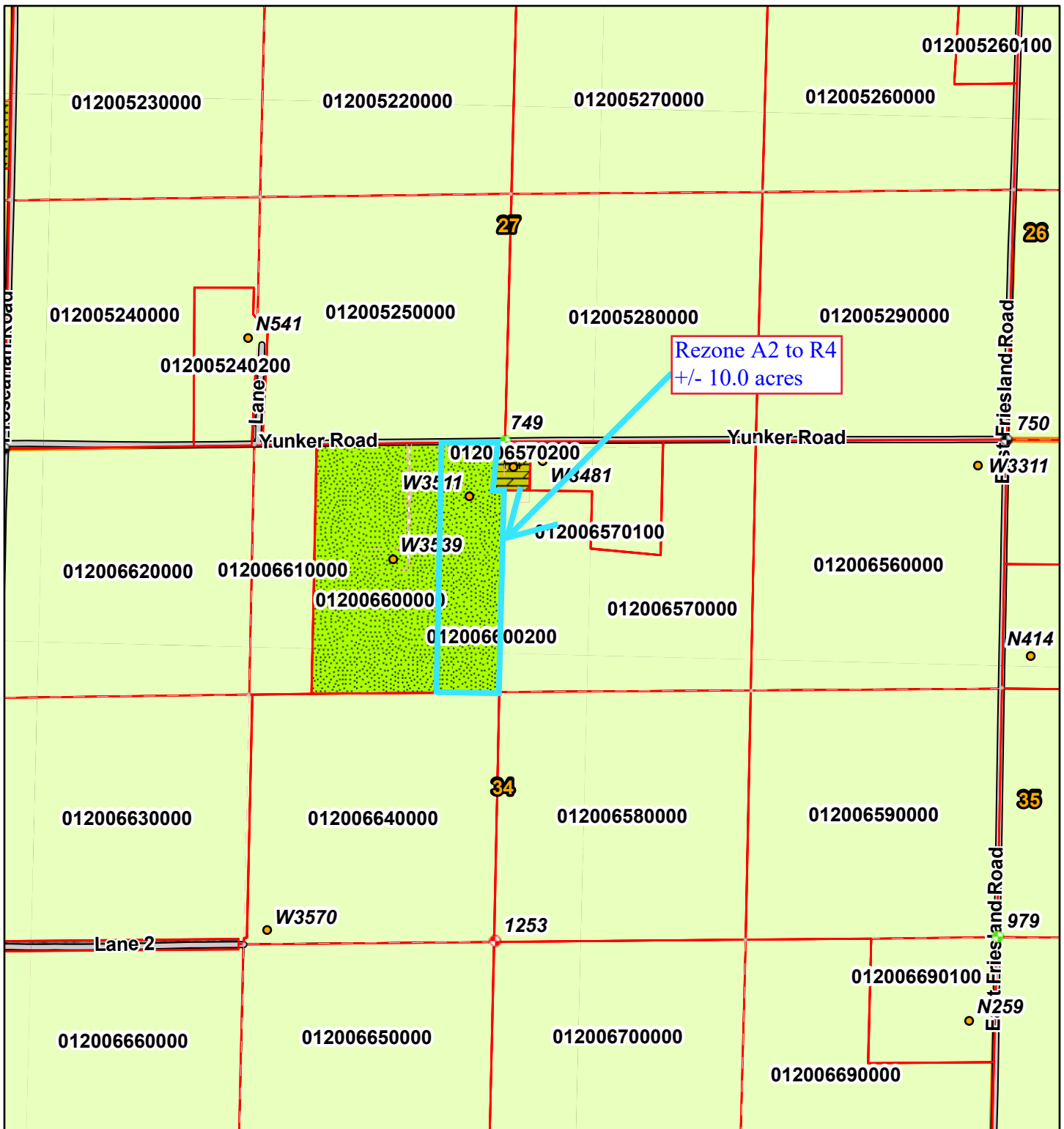
Burkholder Rezone Aerial Map



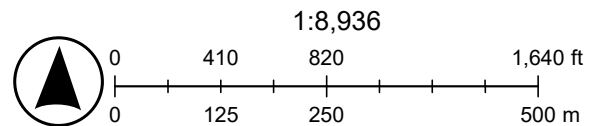
7/7/2025, 9:40:08 AM



Burkholder Rezone Zoning Map



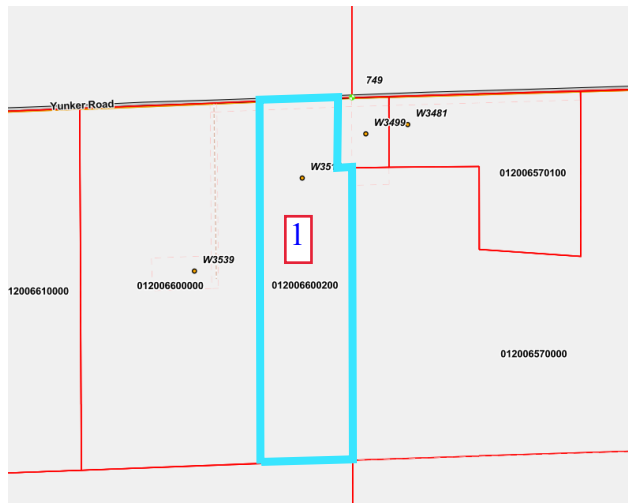
7/7/2025, 9:46:00 AM



Chris Burkholder
Town of Manchester
W3511 Yunker Road, Parcel #012-00660-0200
Lot 1 of CSM 3236, NE ¼ of NW ¼, Section 34, T14N, R12E

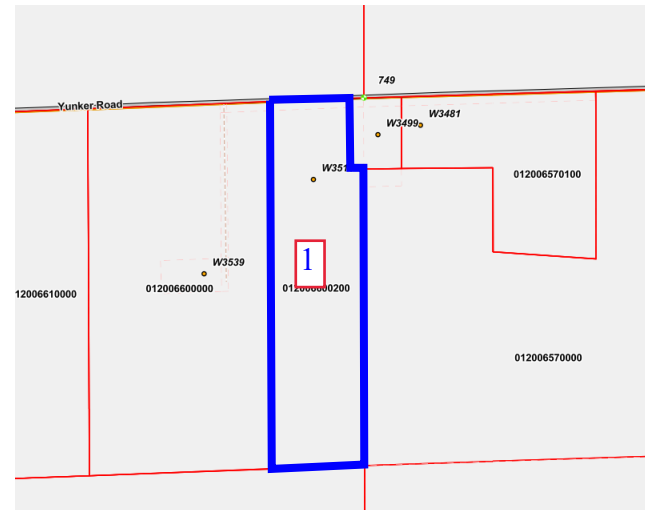
Existing Configuration

1 = ±10.0-acre parcel zoned A2, General Agriculture District.



Proposed Configuration

1 = ±10.0-acre parcel zoned R4, Rural Residential District.



Land Use Planning & Zoning Public Hearing 9/4/2025

ORDINANCE NO. -2025

Relating to: Rezone in the Town of Manchester
Owner: Chris Burkholder

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 16th of September 2025, does ordain as follows:

NOW, THEREFORE, BE IT ORDAINED that the Green Lake County Zoning Ordinance, Chapter 350 as amended, Article IV Zoning Districts, Section 350-26 Official Map, as relates to the Town of Manchester, shall be amended as follows:

Owner: Chris Burkholder, **Agent:** Jeff Laper & Lisa Henderson, **Location:** W3511 Yunker Road, **Parcel:** 012-00660-0200. **Legal Description:** Lot 1 of CSM 3236, NE¼ of NW ¼, located in Section 34, T14N, R12E, Town of Manchester, ±10.0 acres. **Request:** The owners are requesting a rezone of ±10.0 acres zoned A2, General Agriculture District, to R4, Rural Residential District. To be identified by Certified Survey Map.

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

Roll Call on Ordinance No. -2025

Submitted by Land Use Planning &
Zoning Committee:

Ayes , Nays , Absent , Abstain

Chuck Buss, Chair

Passed and Enacted/Rejected this 16th
Day of September 2025.

William Boutwell, Vice Chair

County Board Chairman

Sue Wendt

ATTEST: County Clerk
Approve as to Form:

Gene Thom

Jeffrey Mann, Corporation Counsel

Curt Talma

Item #2:

Owner(s): Jose Rivera Venegas & Aidee L. Gaytan, **Location:** N9567 32nd Drive, **Parcel:** 002-00061-0100, **Legal Description:** Lot 1 of CSM 2387, SE ¼ of NW ¼, located in Section 5, T17N, R13E, Town of Berlin, ±5.1 acres, **Request:** The owners are requesting a Conditional Use Permit for an event barn, a rodeo/equestrian arena, and to commercially board horses.

Land Use Planning and Zoning Committee Staff Report

Public Hearing

September 4, 2025

Item II: Conditional Use Permit (CUP)

Owner:

Jose Rivera Venegas and Aidee Lopez Gaytan

Applicant:

Same

Request: The owner/applicant is requesting a conditional use permit for an event barn, a rodeo-equestrian arena, and to commercially board horses.

Parcel Number/ Location: The request affects parcel 002-00061-0100 (±5.1 acres). The parcel is located in the SE ¼ of the NW ¼ of Section 5, T17N, R13E, Town of Berlin. The site address is N9567 32nd Dr.

Existing Zoning and Uses of Adjacent Area: The parcel 002-00061-0100 is zoned R4, Rural Residential District. East of the subject parcel across the road lies the City of Berlin boundary with parcels being used agriculturally and residential. To the Southeast, still located within the City of Berlin, there is a residential subdivision. The parcels to the West are zoned A1, Farmland Preservation District. To the South there is a mix of different zoning districts with them being A1, R4, A2 (General Agriculture District) and R1 (Single-Family Residence District). To the North the parcels are zoned A1 and R4. Around the subject property most parcels are used agriculturally with some residential use. The present use of the property is residential with some light agricultural use.

Additional Information/Analysis: The applicant applied for a fence for a personal riding area in 2024 but then started using that area as a rodeo/event space. The commercial use of the property requires a conditional use permit (CUP). The applicant plans to rent the barn out as a party hall for weddings and other events. The private riding area would become a rodeo arena for equestrianism. At some future date a horse boarding building would be constructed and rented out. The applicants plan for the rodeo arena and event barn to be seasonal and the horse boarding to be year-round. The applicant stated that the main disruption to the surrounding property owners is loud music, however they also stated that for the rodeos already completed (before CUP authorization) only one neighbor stopped by to complain.

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.

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

1. No additional expansion or addition of structures and/or uses relating to this conditional use permit shall occur without review and approval through future conditional use permit(s).
2. That the owners/applicants are responsible for obtaining permits and licenses from any other regulatory agency, if required.
3. That the owner/applicant apply for and receive a Land Use Permit prior to making any changes authorized through this conditional use permit approval process.
4. All parking for events must be on the property and no parking shall occur on the town road or within the town road right-of-way.
5. If alcohol is to be sold during events, a liquor license shall be obtained from the Town.
6. Additional land use permits could be required for other ancillary structures.
7. A land use permit shall be required for a sign. One freestanding sign shall be allowed with a maximum message area of 32 square feet and a minimum setback of 10 feet from the road right-of-way.
8. Only the subject site shall be illuminated, and the lighting shall occur with no direct glare affecting adjoining properties (low-wattage and low-to-the-ground path style).
9. The landowner shall provide proof to the Land Use Planning & Zoning Department that compliance with commercial building code requirements is being pursued for the event barn.
10. POWTS requirements must be satisfied at any and all applicable level(s) of governmental regulation.
11. The event barn use may occur any day of the week however the hours of operation shall be limited to 11:00am until 12:00am (midnight).
12. The event barn use is a temporary use, not to exceed 180 days, as described in SPS 361.03(12) and SPS 314.01(5) Wisconsin Administrative Code, in any one year.

Town of Berlin: The Town Board Action request for the Conditional Use Permit was sent to the Town Clerk on December 13, 2023. The Town Board does not object to and approves of the request with some notes mentioned. The Town's notes want the same conditions as the Bahn CUP from 2017 for the event barn. These are conditions 6-12. The town also notes no parking on roads or within the right-of-way. Liquor licensing was also noted. The Town also had noise concerns and recommend the rodeo end earlier than 9pm with potential rodeo hours of operation being from 10am to 6pm.

TOWN BOARD ACTION

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Berlin, County of Green Lake, took the following action on –
(Date) August 18, 2025.

Owner/Applicant: Owner: Jose Rivera Venegas & Aidee L. Gaytan

Site Location: N9567 32nd Drive

General legal description: Parcel #002-00061-0100, Lot 1 of CSM 2387 V11 Sec 5, SE ¼ of NW ¼, located in Section 5, T17N, R13E, Town of Berlin, ±5.1 acres

Request: CUP Application from Jose Rivera Venegas & Aidee L. Gaytan, for an Event Barn, a Rodeo/Equestrian Arena, and to Commercially Board Horses.

Planned public hearing date for the above requests: September 4, 2025

X **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.

If no action taken – please include reason for inaction.

- Reason(s) for objection/inaction:

Brenda Murbly
Town Representative

8/18/2025
Date Signed

Concerns:
NOTES: Same conditions as Bahn CUP (6/1/2017) event barn should apply.
No parking on roads or right-of-way, limit to property. If music outdoors maybe
limit from 10pm? Liquor licensing effective 1/1/2026.

Please return this form to the Land Use Planning & Zoning Office by: **August 22, 2025**



Land Use Planning & Zoning Department

County Government Center
571 County Road A P.O. Box 3188
Green Lake, WI 54941

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

Land Development Code Enforcement County Surveyor GIS Land Information

June 7, 2017

Robert Bahn
Jean Bahn
N7702 County Road F
Berlin, WI 54923

Re: Conditional use permit request for parcel #002-00688-0100

Dear Mr. and Mrs. Bahn:

On June 1, 2017, the Green Lake County Land Use Planning and Zoning Committee considered and approved your conditional use permit request for an event barn. The approval includes the following conditions:

- 1) Additional land use permits could be required for other ancillary structures.
- 2) A land use permit shall be required for a sign. One freestanding sign shall be allowed with a maximum message area of 32-square feet and a minimum setback of 10 feet from the road right-of-way.
- 3) Only the subject site shall be illuminated, and the lighting shall occur with no direct glare affecting adjoining properties (low-wattage and low-to-the-ground path style).
- 4) The land owner shall provide proof to the Land Use Planning & Zoning Department that compliance with commercial building code requirements is being pursued for the event barn.
- 5) POWTS requirements must be satisfied at any and all applicable level(s) of governmental regulation.
- 6) The event barn use may occur any day of the week however the hours of operation shall be limited to 11:00 am until 12:00am (midnight).
- 7) The event barn use is a temporary use, not to exceed 180 days, as described in SPS 361.03(12) and SPS 314.01(5) Wisconsin Administrative Code, in any one year.

If you have questions, please feel free to contact the Land Use Planning and Zoning Department at (920) 294-4156.

Sincerely,

Matt E. Kirkman
Land Use Planning and Zoning Director

cc: ✓ Brenda Murkley, Town of Berlin Clerk
Paul Gunderson, Green Lake County Land Conservationist

Enc.: Conditional Use Permit



Land Use Planning & Zoning Department

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

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

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?) *May thru Oct*
- 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) \$375

Date 6-29-25

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 AIDEE LOPEZ GAYTAN and JOSE M RIVERA VENEGAS
Mailing Address N9567 32ND DRIVE
Phone Number 920) 354-7352 Email ~~aida~~ aidee1229@gmail
Signature ~~Aida~~ Jose M Rivera Date 6-29-25

AGENT IF OTHER THAN OWNER

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

PROPERTY INFORMATION

Town of Berlin Location of Property N9567 32ND DR SE 1/4 of the NW 1/4
Section 5 Town 17 N Range 13 E
Affected Parcel Number(s) 002-00061-0100 Affected Acres 5.1
Subdivision _____ Lot _____ Block _____
CSM 2387 V11 SEC 5 Lot 1 or COS _____
Legal Description LOT 1 CERTIFIED SURVEY MAP 2387 V11 SEC 5

Current Zoning Classification R-4 Rural Residential District

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

House, Barn, 1 outbuilding for storage, horse shelter
rodeo arena, grass field.

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

Describe **specifically** the nature of this request (List all proposed uses of the parcel.) What do you plan to do? Barn - Party rentals, Rodeo Arena - rodeos, Future
Horse stables - horse boarding. → 3 per year until 9pm

If this application is for a use that will be contained to a part of the parcel, specify the exact dimensions of the affected area. Rodeos - Arena, Barn - Rentals, SW Corner -
- Future Horse Stables

☐ If this box is checked, provide the following information:

Proposed use has additional minimum development standards in Section _____.

Explain how your proposal meets or exceeds these requirements.

OPERATIONAL PLAN NARRATIVE

Before buying the property, the previous owner used to repair small engines in the barn. As of right now we have not started renting out the barn. The plan is to rent it out as a party hall for weddings and such. The rodeo arena will be used for Equestrianism, people are welcome to come and watch. In the future we're also looking to build some horse stables to rent out. The structures are checked on a weekly basis, maintenance is completed as needed. The rodeo arena and barn will be a seasonal thing, only used as the weather permits. The horse stables would be an all year thing. The current out building will continue to be used as storage, the barn for the parties. The new horse stables would be ~~are~~ built, the plan is to build them in the SW corner of the property. As far as disruptions we believe it would

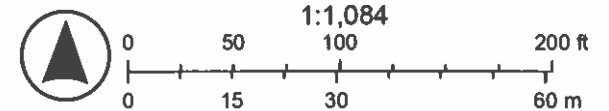
OPERATIONAL PLAN NARRATIVE (continued)

just loud music. We don't believe anything else should affect neighbors or ^{the} community - If the music happens to be loud we have told neighbors in the past to stop by and let us know. As of now only 1 neighbor has stopped by. As far as precautions to protect the environmental health, we will have a company to pick up waste, human and animal. Our goal is to have everything looking afterwards, in as good or better shape than it was before any event. We are also open to any ideas! This property was chosen because it offers many key points. There are many routes to get to and from, from all directions. We are also just out of the city, but close so anything anyone needs are accessible. Such as stores, food, gas, and lodging. We believe it will help the community by bringing new and old faces. People such family member from other towns or states for weddings. Also for ~~arenas~~ ^{rodeos}, there are many people from other cities such as Green Bay, Milwaukee, Madison, Rockford IL. and many many others! We had people come from over 4 hours away last time! Those people spend money on gas, local stores, food, and hotels. We hope to work with the county, neighbors, and anyone associated to be as productive, helpful, and the least amount of negative impact to the surrounding area. We are open to all ideas, advice and recommendations to be as helpful as we possibly can be! We hope to offer a beautiful and affordable space to throw your next event, or a fun distraction from your week at one of the rodeos.

Rivera Venegas / Gaytan Property TBE



6/30/2025, 12:20:00 PM



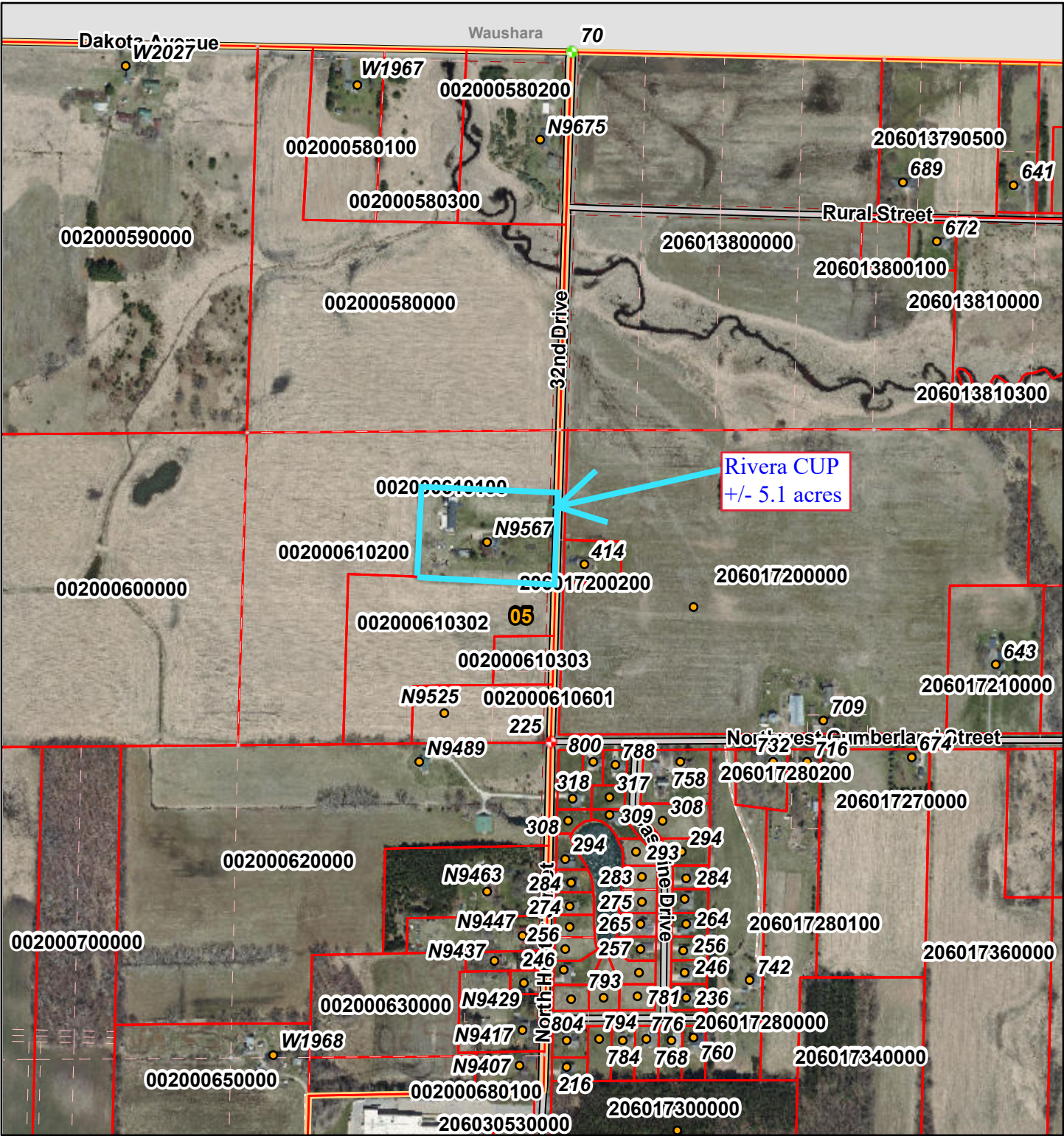
2023 Property Record | Green Lake County, WI

*Assessed values not finalized until after Board of Review
Property information is valid as of 10/29/2024 12:45:27 PM*

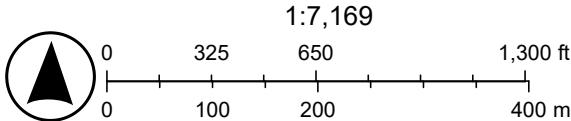
<p style="text-align: center;">Owner Address</p> <p>LOPEZ GAYTAN , AIDEE N9567 32ND DRIVE BERLIN, WI 54923</p>	<p style="text-align: center;">Owner</p> <p>JOSE M RIVERA VENEGAS AIDEE LOPEZ GAYTAN</p>																																																			
<p style="text-align: center;">Property Information</p> <p><u>Parcel ID:</u> 002000610100</p> <p><u>Document #</u> CSM2387</p> <p><u>Tax Districts:</u> BERLIN AREA SCHOOL DISTRICT</p>	<p style="text-align: center;">Property Description</p> <p style="text-align: center;"><i>For a complete legal description, see recorded document.</i></p> <p>LOT 1 CERTIFIED SURVEY MAP 2387 V11 SEC 5</p> <p><u>Municipality:</u> 002-TOWN OF BERLIN</p> <p><u>Property Address:</u> N9567 32ND DR</p>																																																			
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*No data found for Special Assessment Detail, Delinquent Tax Summary in 2023

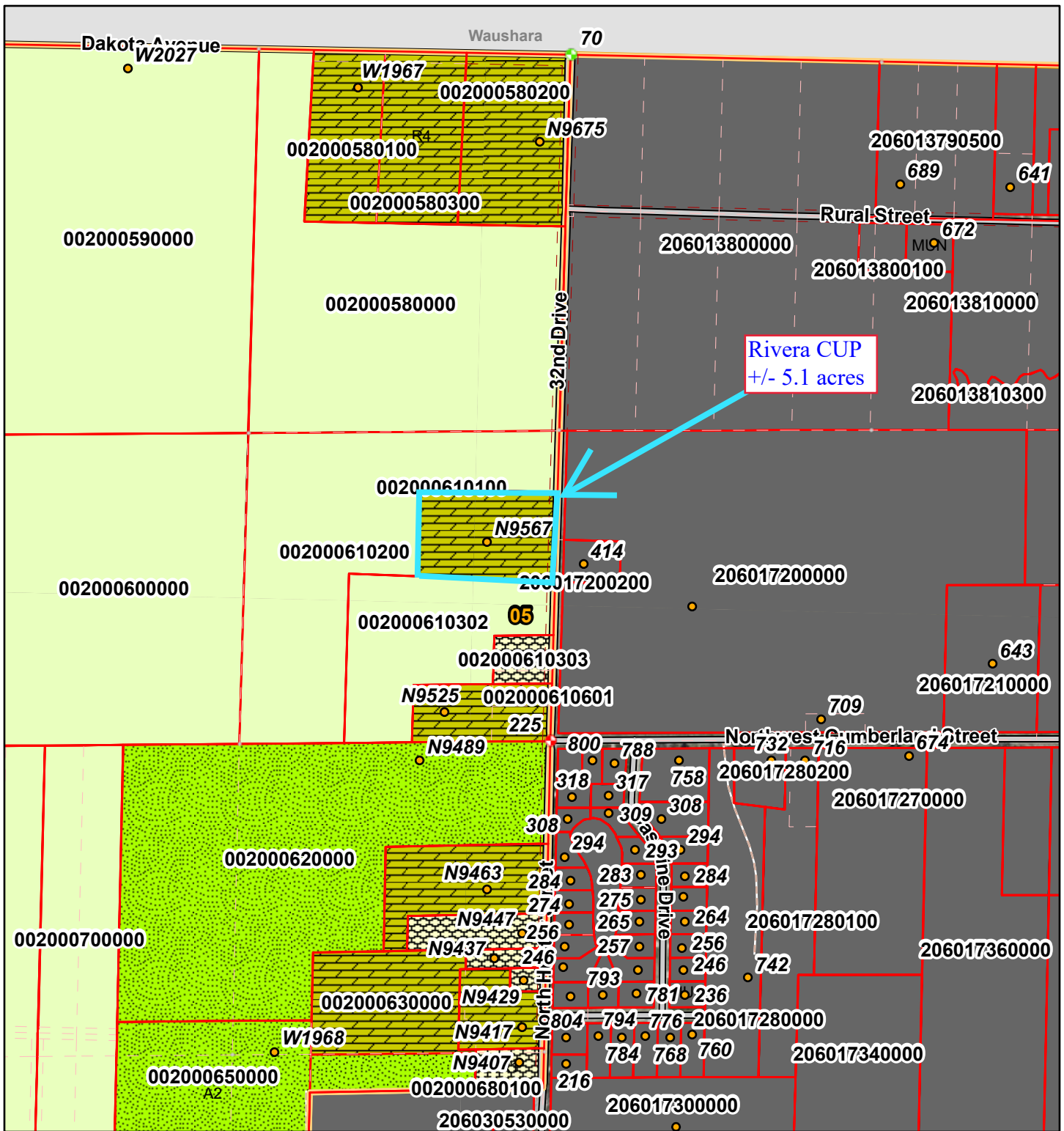
Rivera Venegas/Gaytan CUP Aerial Map



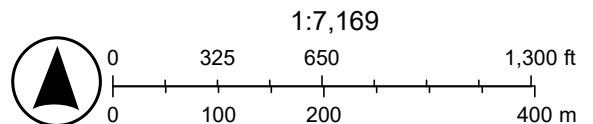
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Rivera Venegas/Gaytan CUP Zoning Map



7/7/2025, 12:15:30 PM



DETERMINATION OF THE LAND USE PLANNING AND ZONING COMMITTEE

Public Hearing Date: September 4, 2025

Owner(s): Jose Rivera Venegas & Aidee L. Gaytan

Agent: none

Parcel: #002-00061-0100, N9567 32nd Drive, Town of Berlin.

Request: Conditional Use Permit for an event barn, a rodeo/equestrian arena, and to commercially board horses.

Land Use Planning and Zoning Committee:

Chuck Buss, Chair

Sue Wendt

William Boutwell, Vice Chair

Curt Talma

Gene Thom

Date signed: September 4, 2025

Committee vote: Ayes ____ Nays ____ Abstain ____ Absent ____

☐ **Approve**

☒ **With the conditions (listed on page 2)**

☐ **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.
3. That the owner/applicant apply for and receive a Land Use Permit prior to making any changes authorized through this conditional use permit approval process.
4. All parking for events must be on the property and no parking shall occur on the town road or within the town road right-of-way.
5. If alcohol is to be sold during events, a liquor license shall be obtained from the Town.
6. Additional land use permits could be required for other ancillary structures.
7. A land use permit shall be required for a sign. One freestanding sign shall be allowed with a maximum message area of 32 square feet and a minimum setback of 10 feet from the road right-of-way.
8. Only the subject site shall be illuminated, and the lighting shall occur with no direct glare affecting adjoining properties (low-wattage and low-to-the-ground path style).
9. The landowner shall provide proof to the Land Use Planning & Zoning Department that compliance with commercial building code requirements is being pursued for the event barn.
10. POWTS requirements must be satisfied at any and all applicable level(s) of governmental regulation.
11. The event barn use may occur any day of the week, however the hours of operation shall be limited to 11:00am until 12:00am (midnight).
12. The event barn use is a temporary use, not to exceed 180 days, as described in SPS 361.03(12) and SPS 314.01(5) Wisconsin Administrative Code, in any one year.

Item #3:

Owner(s): David W. Schmucker, **Location:** N844 Proscarian Road, **Parcel:** 012-00519-0000, **Legal Description:** NE $\frac{1}{4}$ of NW $\frac{1}{4}$, located in Section 27, T14N, R12E, Town of Manchester, ± 8.58 acres, **Request:** The owners are requesting a rezone of ± 8.58 acres zoned A1, Farmland Preservation District, to A2, General Agriculture District. To be identified by Certified Survey Map.

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

September 4, 2025

ITEM III: ZONING CHANGE

OWNER:

David Schmucker

APPLICANT:

David Schmucker

REQUEST: The owner is requesting a zoning change for ±8.58 acres from A1, Farmland Preservation District, to A2, General Agriculture District.

PARCEL NUMBER / LOCATION: The request affects parcel number 012-00519-0000 (±8.58 acres). The parcel is located in the NW1/4 of the NW1/4 of sec 27, T14N, R12E, Town of Manchester. The site address for the zoning change is N844 Proscarian Rd, Markesan, WI.

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning of parcel 014-00482-0100 is A1 Farmland Preservation and consists of a partially forested wetland, a pasture with a home and storage out buildings. A shed is currently used to make hunting stands. The parcels to the North, East and South are zoned A1, while the two parcels to the West are zoned A2. DNR mapped wetlands run through the agriculture fields to the East, South and West, which will limit the agriculture in the areas. There is also a number of rural residential uses surrounding the Schmucker's.

All (±8.58 acres) but about 1.64 acres of the parcel are WI DNR mapped wetland. The property falls under shoreland zoning due to nearby wetlands.

ADDITIONAL INFORMATION / ANALYSIS: The current use of the proposed rezone will require a Conditional Use Permit. The intention is to establish a business on the parcel, where hunting blinds will be built. As well as continuing the use as residential living and the pasture.

STATUTORY CRITERIA PER 91.48(1): Land may be rezoned out of a farmland preservation zoning district if all of the following are found after public hearing: **(Staff comments in bold)**

- a) The land is better suited for a use not allowed in the farmland preservation zoning district. **About ±8.58 acres of this parcel are mapped as wetlands and/or have never been farmed. Farming these lands would require drainage of WI DNR mapped wetlands and deforestation. It is clear that that lands are not suited to agriculture with the steep slopes and wet soil.**
- b) The rezoning is consistent with any applicable comprehensive plan. **The proposed rezone is consistent with the county's comprehensive plan as it upholds the goals and objectives of the comprehensive plan, most prominently the goal to preserve the rural characteristic of the county. Section 350-28 of the County Zoning Ordinance states that the A2 district is intended to preserve and enhance land for agricultural uses.**

- c) The rezoning is substantially consistent with the county certified farmland preservation plan. **The overall goal of the county certified Farmland Preservation Plan is to maintain the integrity and viability of county agriculture...without damaging the economic and social environment or the natural resources...”** Due to A2’s uses being agricultural in nature and not in conflict with agricultural lands and uses, it is staff’s belief that the request does not negatively impact the integrity or viability of county agriculture and is, therefore, **substantially consistent with the county’s certified Farmland Preservation Plan.**
- d) The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or are legally restricted to agricultural use. **The A2, General Agriculture District is intended to preserve and enhance land for agricultural uses. The A2 district is intended not to impair or limit future agricultural use of surrounding parcels.**

TOWN OF Manchester: An Action Form requesting the Town’s input related to this zoning change request was sent to the Town Clerk on 07/14/2025. At their meeting the Town Board did not object to and approves the request.

TOWN BOARD ACTION

Dear Land Use Planning and Zoning Committee:

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

(Date) 7/14/2025.

Owner/Applicant: Owner: David Schmucker

Site Location: N844 Proscarian Road

General legal description: Part of parcel #012-00519-0000, NW ¼ of NW ¼, located in Section 27, T14N, R12E, Town of Manchester, ±8.58 acres.

Request: Rezone ±8.58 acres zoned A1, Farmland Preservation District, to A2, General Agriculture District. To be identified by Certified Survey Map.

Planned public hearing date for the above requests: September 4, 2025

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

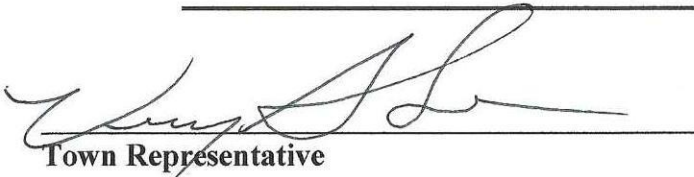
☐ **No action taken**

☐ **Objects to and requests denial of request**

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

If no action taken – please include reason for inaction.

- Reason(s) for objection/inaction:


Town Representative

8/8/2025
Date Signed

NOTES: _____

Please type or use black ink

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

GENERAL APPLICATION

Fee 375 (not refundable)

Date 06/05/2025

Zone Change from A-1 to A-2

Conditional Use Permit for _____

Other _____

PROPERTY OWNER / APPLICANT

Name DAVID and MARLENE SCHMUCKER

Mailing Address N844 Proscarian Road

Phone Number _____

Signature David W. Schmucker Date 6-5-25

AGENT IF OTHER THAN OWNER

Name _____

Mailing Address _____

Phone Number _____

Signature _____ Date _____

PROPERTY INFORMATION

Town of Manchester Parcel Number 012-00519-0000 Acres 8.58

Lot _____ Block _____ Subdivision _____

Section 27 Town 14N North Range 12 East

Location of Property N844 Proscarian Road

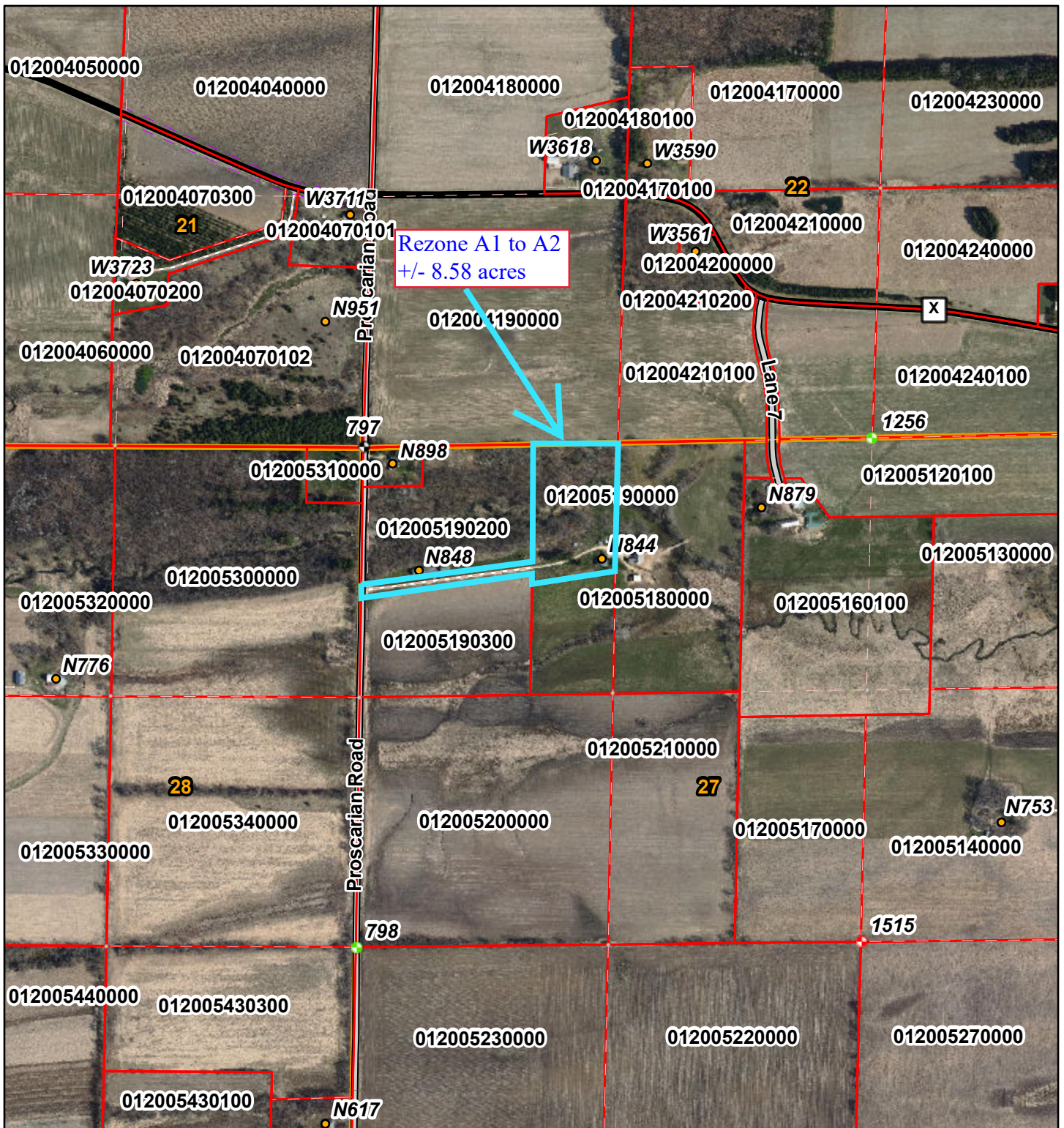
Legal Description NW1/4 OF THE NW1/4 SEC 27 EXC CSM 1521 & EXC CSM 3019 LYING THEREIN

Current Zoning Classification A-1 Current Use of Property House on section - land used for pasture and wooded lot as
Detailed Description of Proposed Use Use intended to stay well
as is except add. small bussiness.

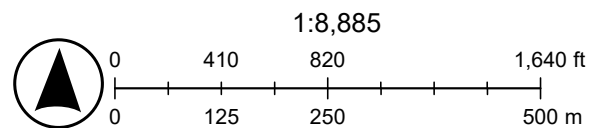
PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION

Fees: Zone Change \$375
Conditional Use Permit \$375.00
Variance \$375.00
Ordinance Amendment \$375.00

Schmucker Rezone Aerial Map



7/9/2025, 3:32:51 PM



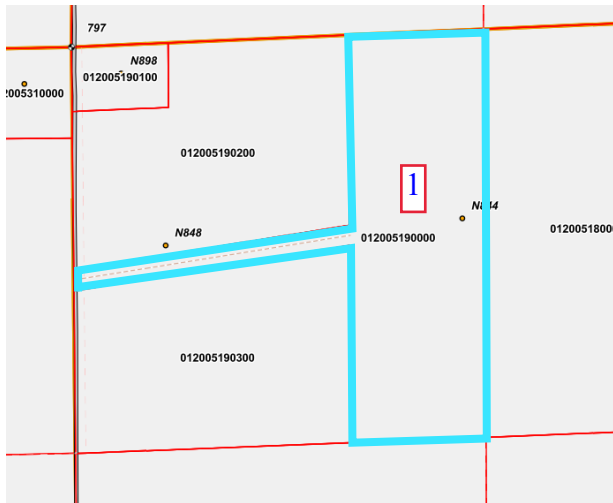


A number line with two scales. The top scale is labeled in feet (ft) with markings at 0, 410, 820, and 1,640. The bottom scale is labeled in meters (m) with markings at 0, 125, 250, and 500. Vertical tick marks connect the two scales, showing that 1,640 feet corresponds to 500 meters.

David Schmucker
Town of Manchester
N844 Proscarian Road, Parcel #012-00519-0000
NW ¼ of NW ¼, Section 27, T14N, R12E

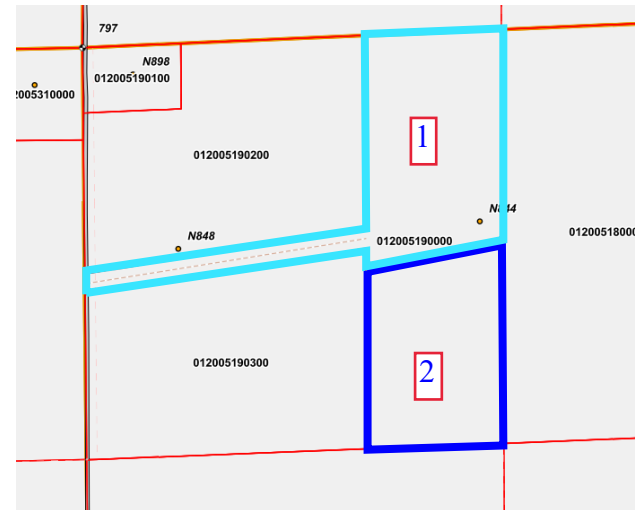
Existing Configuration

1 = ±14.14-acre parcel zoned A1, Farmland Preservation District.



Proposed Configuration

1 = ±8.58-acre parcel zoned A2, General Agriculture District.
2 = ±5.56-acre parcel zoned A1, Farmland Preservation District, to be combined with owner's adjacent land.



Land Use Planning & Zoning Public Hearing 9/4/2025

ORDINANCE NO. -2025

Relating to: Rezone in the Town of Manchester
Owner: David W. Schmucker

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 16th of September 2025, does ordain as follows:

NOW, THEREFORE, BE IT ORDAINED that the Green Lake County Zoning Ordinance, Chapter 350 as amended, Article IV Zoning Districts, Section 350-26 Official Map, as relates to the Town of Manchester, shall be amended as follows:

Owner: David W. Schmucker, **Location:** N844 Proscarian Road, **Parcel:** 012-00519-0000. **Legal Description:** NW¼ of NW ¼, located in Section 27, T14N, R12E, Town of Manchester, ±8.58 acres. **Request:** The owners are requesting a rezone of ±8.58 acres zoned A1, Farmland Preservation District, to A2, General Agriculture District. To be identified by Certified Survey Map.

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

Roll Call on Ordinance No. -2025

Submitted by Land Use Planning &
Zoning Committee:

Ayes , Nays , Absent , Abstain

Passed and Enacted/Rejected this 16th
Day of September 2025.

Chuck Buss, Chair

William Boutwell, Vice Chair

County Board Chairman

Sue Wendt

ATTEST: County Clerk
Approve as to Form:

Gene Thom

Jeffrey Mann, Corporation Counsel

Curt Talma

Item #4:

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, more specifically to include changes to the A1, A2, R4, Zoning Districts and Word Usage & Definitions.

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

September 4, 2025

ITEM IV: ZONING ORDINANCE AMENDMENT

REQUEST: The Green Lake County Land Use Planning and Zoning Department is requesting an amendment to the Code of Green Lake County, Chapter 350 of the Zoning Ordinance; more specifically to expand opportunities for rural property owners to supplement farm income with income generated through non-farm activities as well as to reorganize the A2 and R4 zoning districts to have the a more similar structure to the A1 district.

ADDITIONAL INFORMATION / ANALYSIS: Throughout the first four months of 2025, the Farmland Preservation Planning Subcommittee examined the 2016 Farmland Preservation Plan and recommended much needed updates. One of the themes that emerged through this planning process was that additional opportunity needs to be codified (in the zoning ordinance) that would allow and encourage Wisconsinites to experience the rural lifestyle, without sacrificing productive farmlands. The subcommittee felt that ordinance text that could allow farmers to better maintain small businesses whether or not associated with the agricultural use of the property was a step in the right direction.

Presently, in the A1, Farmland Preservation Zoning district, the zoning ordinance allows a business, activity or enterprise whether or not associated with an agricultural use on a farm, by conditional use permit. To be eligible for CUP consideration, the business, etc. must meet all of the following requirements:

1. It is conducted on a farm by an owner or operator of that farm.
2. It requires no buildings, structures, or improvements other than those described in Subsection D(1) and (3) of the definition of "accessory use."
3. The total cumulative hours worked by paid employees, excluding the owner(s), shall not exceed 160 hours per week.
4. It does not impair or limit the current or future agricultural use of the farm or other protected farmland.
5. A farm residence is already established on the same parcel as the business, activity or enterprise.
6. The farm is at least eight acres in area.
7. No more than two businesses, activities or enterprises, whether or not associated with an agricultural use, including any agriculture-related uses from Subsection A(2)(a) above, shall be allowed by conditional use permit per farm.

Requirement 2. above and Subsection D(1) limit a property owner to buildings that are an integral part of or are incidental to the agricultural use on the farm. A property owner is required to either set up their business in an existing building or a new building that is primarily devoted to a use that is integral or incidental to an agricultural use. The LUP &

Z Department has been requiring property owners proposing uses, not agricultural in nature, to not exceed 50% of the floor space of any building utilized for that use. DATCP (Department of Agriculture, Trade and Consumer Protection), has confirmed and certified that the above process is the appropriate interpretation of Chapter 91, Wis. Stats. Any relaxation of this interpretation would lead to DATCP decertifying our Farmland Preservation Zoning ordinance. The proposed zoning ordinance amendment, as it relates to the A1, Farmland Preservation District, codifies the current process for public consumption.

The only other change to A1, Farmland Preservation district, stems from a violation the County had to enforce regarding a property owner who parked several campers on A1 zoned property. Camping on A1 lands is not a permitted use. The owner used as his defense, that the campers were used as agricultural accessory structures. The campers had no power, no well water sources, no provisions for wastewater, and were not easily accessible by police, fire and emergency services. In response to this it made sense to add language that clarifies that "mobile homes, semi-trailers, camping units, recreational vehicles, mobile office units, buses, motor coaches, trailers, boats, and railroad box cars shall not be used as accessory buildings or structures."

As it relates to the A2, General Agricultural zoning district, the proposed zoning ordinance amendment structures the zoning district into a similar format to the A1, Farmland Preservation zoning district. The only major change is the exclusion of requirement 2 (above) that the proposed use ..., requires no buildings, structures, or improvements other than those described in Subsection D(1) and (3) of the definition of "accessory use." All of the other requirements remain identical to that of the A1, Farmland Preservation zoning district. This omission allows for a farmer to establish their nonfarm business, activity or enterprise, in a stand-alone building as opposed to a building where more than half the footprint has to be utilized for a use that is integral or incidental to an agricultural use. The only other change proposed carries through the restrictions described above regarding campers and other similar structures being used as accessory structures.

The proposed zoning ordinance amendment, as it relates to the R4, Rural Residential zoning district, also includes a restructuring to be in the same format as the A1 and A2 zoning districts. The only other change was to add, as a conditional use permit, text that would allow for an agricultural-related use on R4 zoned lands.

Finally, as a way to carry through the reformatting of A2 and R4 to be more like how A1 is structured, definitions that had been specific to the A1 district needed to be added to the Word Usage and Definitions section of the zoning ordinance. Also, several unused and obsolete definitions are proposed to be deleted.

The proposed amendments to the county's zoning ordinance will have the effect of providing farmers clarifying ordinance text as it relates to the A1 zoning district. It will provide farmers in the A2 district the option, by CUP, to establish a nonfarm use in a building solely meant for that use. And the proposed amendment will provide property

owners of R4 lands the option to engage, by CUP, in an agriculturally-related use. It is safe to say that these proposed changes to these zoning districts are consistent with directives from the 2025 Farmland Preservation Planning Subcommittee.

SUMMARY: As discussed and approved at the Land Use Planning & Zoning Committee's August meeting these ordinance standards are being proposed as a zoning ordinance amendment. This means that the amendment will impact the six zoned towns of Berlin, Brooklyn, Green Lake, Mackford, Manchester, and Marquette. The Land Use Planning & Zoning Department does not see a downside to adopting this amendment.

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

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

* In the event that these amendments are not adopted, farmers that own lands that consist of unsuitable soils for agriculture will still be able to engage in ag-related and nonag-related uses by CUP but for the nonag-related uses, the farmer will have to utilize a building that is integral or incidental to the agricultural use on the farm. This would mean that over half of the existing or proposed farm building could not be used for any proposed nonag-related use. Also, owners of R4 zoned parcels will still be limited to just event barns, dog kennels and storage rentals in existing buildings as a means to supplement their incomes. This could translate to fewer and fewer people growing up and experiencing the Wisconsin rural lifestyle. This zoning ordinance amendment serves to preserve and protect the highly valued and productive farmlands of Green Lake County while offering rural properties owners' additional options to supplement income.

ORDINANCE NO. -2025

Ordinance Amending Green Lake County Code §§ 350-27, 350-28, 350-41 & 350-77

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the day of , 2025, does ordain as follows:

NOW, THEREFORE, BE IT ORDAINED, that Green Lake County Code §§ 350-27, 350-28, 350-41 & 350-77 shall be amended as follows:

350-27. A-1 Farmland Preservation District. [Amended 6-17-2008 by Ord. No. 935-08; 2-15-2011 by Ord. No. 989-2011; 11-14-2017 by Ord. No. 22-2017]

(2) Conditional uses:

(b) A business, activity, or enterprise, whether or not associated with an agricultural use, and is not a dog breeding facility or a dog breeder as defined in ATCP 16, which meets all of the following requirements: [Amended 9-21-2021 by Ord. No. 30-2021]

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

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

a. The majority of the footprint of the new (or modified) accessory building is utilized as an integral part of or incidental to the agricultural use of the farm, or

Roll Call on Resolution No. -2025

Submitted by Land Use Planning & Zoning Committee:

Ayes , Nays , Absent , Abstain

Chuck Buss, Chair

Passed and Enacted/Rejected this
_____ day of _____, 2025.

Curt Talma

County Board Chairman

Gene Thom

ATTEST: County Clerk
Approve as to Form:

Bill Boutwell

Corporation Counsel

Sue Wendt

- b. The accessory building is used seasonally for the business, activity or enterprise, whether or not associated with an agricultural use, and is converted back to either an integral part of or incidental to the agricultural use for the majority of the year.

(3) Area, height and setback requirements:

(a) Dimensional standards: A lot or parcel shall have no less than eight acres of contiguous land area. **[Amended 5-21-2019 by Ord. No. 11-2019]** The area within the road right(s)-of-way shall not be included in the minimum acreage requirement, however, design standards, pursuant to Chapter 315, Code of Green Lake County, Land Division and Subdivision, shall apply.

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

D. Farmland preservation definitions. For the purposes of § 350-27 of this chapter, the following definitions shall be used. Please see § 350-77 for conventional zoning district definitions.

ACCESSORY USE — Within the A-1 Zoning District, any of the following land uses on a farm:

(1) A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use. **Mobile homes, semi-trailers, camping units, recreational vehicles, mobile office units, buses, motor coaches, trailers, boats and railroad box cars shall not be used as accessory buildings or structures. Buildings, structures, or improvements that meet this definition may** include, for example:

(a) A facility used to store or process raw agricultural commodities, all of which are produced on the farm.

(b) A facility used to keep livestock on the farm.

(c) A facility used to store or process inputs primarily for agricultural uses on the farm.

(d) A facility used to keep or service vehicles or equipment primarily employed in agricultural uses on the farm.

(e) A wind turbine or solar energy facility that collects wind or solar energy on the farm, and uses or transforms it to provide energy primarily for use on the farm.

(f) A manure digester, bio-fuel facility, or other facility that produces energy primarily from materials grown or produced on the farm, primarily for use on the farm.

(g) A waste storage or processing facility used to store or process animal waste produced solely from livestock kept on the farm.

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

(1) Permitted uses. Those uses permitted in this district shall be agricultural and those that are consistent with agricultural uses.

(a) ~~Accessory structure/use, agricultural~~ **Agricultural uses allowed in the A2 zoning district include:**

[1] Crop or forage production

[2] Keeping livestock

- [3] Beekeeping
[4] Nursery, sod, or Christmas tree production
[5] Orchard / vineyard
[6] Horticulture / floriculture
[7] Aquaculture
[8] Fur farming
[9] Forestry and forest management
[10] Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation program.
[11] Any other use that the Department of Agriculture, Trade, and Consumer Protection, by rule, identifies as an agricultural use.
[12] One nonfarm residence, including normal residential appurtenances.

(b) ~~Accessory structure/use, residential~~ Accessory uses allowed in the A2 zoning district include:

- [1] A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use on a farm. Mobile homes, semi-trailers, camping units, recreational vehicles, mobile office units, buses, motor coaches, trailers, boats and railroad box cars shall not be used as accessory buildings or structures. Buildings, structures, or improvements that meet this definition may include, for example:
- a. A facility used to store or process raw agricultural commodities, all of which are produced on the farm.
 - b. A facility used to keep livestock on the farm.
 - c. A facility used to store or process inputs primarily for agricultural uses on the farm.
 - d. A facility used to keep or service vehicles or equipment primarily employed in agricultural uses on the farm.
 - e. A wind turbine or solar energy facility that collects wind or solar energy on the farm, and uses or transforms it to provide energy primarily for use on the farm.
 - f. A manure digester, bio-fuel facility, or other facility that produces energy primarily from materials grown or produced on the farm, primarily for use on the farm.
 - g. A waste storage or processing facility used to store or process animal waste produced solely from livestock kept on the farm.
- [2] An activity or business operation that is an integral part of, or incidental to an agricultural use.
- [3] A farm residence, including normal residential appurtenances.

(c) (Reserved)

(d) ~~Beekeeping~~ Upon prior notification to the county, transportation, utility, communication, or other uses that are required under state or federal law to be located in a specific place or that are authorized to be located in a specific place under a state or federal law that preempts the requirement of a conditional use permit for those uses.

(e) ~~Crops, cash~~ Undeveloped natural resources and open space uses.

(f) ~~Crops, field:~~

(g) ~~Dairying:~~

(h) ~~Dwelling, single-family:~~

(i) ~~Egg production:~~

(j) ~~Farm, sod:~~

(k) ~~Farm, tree:~~

(t) ~~Floriculture:~~

(m) ~~Forestry:~~

113 ~~(n) Grazing.~~

114 ~~(o) Greenhouse, accessory to permitted use.~~

115 (f) Home occupation when established in a residential dwelling unit; all of the following shall
116 apply:

117 [1] Shall be located in the place of permanent residency; and

118 [2] Is incidental to the residential occupancy; and

119 [3] Is limited to one inside level of the dwelling unit and does not occupy more than 25% of
120 the floor area of that level; and

121 [4] That no mechanical equipment is used other than such as is permissible for typical
122 residential purposes; and

123 [5] There is no emission of odor, gas, smoke, dust, or noise that will be detrimental to the
124 character of the neighborhood; and

125 [6] That no person outside the immediate resident family operates such home occupation;
126 and

127 [7] A sign per § 350-43B(3) is allowed.

128
129 ~~(g) Horticulture.~~

130 ~~(h) Livestock, raising/keeping.~~

131 ~~(i) Nursery, aquatic.~~

132 ~~(j) Nursery, plant.~~

133 ~~(k) Orchard.~~

134 ~~(l) Paddocks.~~

135
136 (g) Professional home office when established in a residential dwelling unit; all of the following
137 shall apply:

138 [1] Located in the practitioner's place of permanent residency; and

139 [2] Is incidental to the residential occupancy, limited to one inside level of the dwelling unit
140 and does not occupy more than 25% of the floor area of that level; and

141 [3] A sign per § 350-43B(3) is allowed; and

142 [4] One person that is not a member of the resident family may be employed on the
143 premises.

144 (h) Riding stable, personal.

145 (i) Roadside stand of less than 300 square feet in area as a temporary structure not wholly
146 enclosed for the sale of produce grown on the premises. One stand allowed per premises.

147 (j) Signs per § 350-43.

148 ~~(aa) Trail, biking.~~

149 ~~(bb) Trail, hiking.~~

150 ~~(cc) Trail, horse.~~

151 ~~(dd) Trail, nature.~~

152 ~~(ee) Trail, recreation.~~

153 ~~(ff) Utility, local service lines/structures.~~

154 ~~(gg) Viticulture.~~

155 ~~(hh) All permitted uses described in § 350-27, Farmland Preservation District.~~

156
157 (2) Conditional uses. Conditions and standards for a conditional use permit are set forth in Chapter
158 350, Article VII, Conditional Use Permits.

- (a) ~~Air landing field, agricultural landowner use~~ Agricultural-related uses (See Section 350-77 for definition). No more than two agriculture-related uses or any combination of agriculture-related uses or uses described in (b) below shall be allowed on contiguous lands under common ownership.
- (b) ~~Animal veterinary clinic. [Amended 9-21-2021 by Ord. No. 30-2021]~~ A business, activity or enterprise, whether or not associated with an agricultural use on the farm which meets all of the following requirements:
- [1] It is conducted on the farm by an owner or operator of that farm.
 - [2] The total cumulative hours worked by paid employees, excluding the owner(s), shall not exceed 160 hours per week.
 - [3] It does not impair or limit the current or future agricultural use of the farm or other protected farmland.
 - [4] A farm residence is already established on the same parcel as the business, activity or enterprise.
 - [5] The farm is at least 8 acres in area.
 - [6] No more than two businesses, activities or enterprises, whether or not associated with an agricultural use on the farm, shall be allowed on contiguous lands under common ownership.
- (c) ~~Animal hospital~~ Upon prior notification to the County, transportation, communication, pipeline, electric transmission, utility or drainage uses, facilities for the generation of sunlight, wind, coal, or natural gas, if all of the following apply:
- [1] The use is reasonable designed to minimize the conversion of land from agricultural use, at and around the site of the use.
 - [2] 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.
 - [3] Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.
- (d) ~~Animal kennel~~ Government, institutional, religious or nonprofit community uses, if all of the following apply:
- [1] The use is reasonable designed to minimize the conversion of land from agricultural use, at and around the site of the use.
 - [2] 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.
 - [3] Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.
- (e) ~~Animal shelter~~ Nonmetallic mineral extraction, if all of the following apply:
- [1] The operation complies with Subchapter I of Chapter 295, Wis. Stats., and rules promulgated under that subchapter, with applicable provisions of local ordinances under §295.14, Wis. Stats. (including all applicable provisions of this chapter), and with any applicable requirements of the Wisconsin Department of Natural Resources concerning the restoration of nonmetallic mining sites.
 - [2] The use is reasonable designed to minimize the conversion of land from agricultural use, at and around the site of the use.
 - [3] 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.
 - [4] Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

(f) Dog breeder or dog breeding facility. **[Amended 9-21-2021 by Ord. No. 30-2021].** Oil and gas exploration or production that is licensed by the Department of Natural Resources under Subchapter II of Chapter 295, Wisconsin Statutes.

(g) Cemetery: Private airport or air strip.

(h) Churches and religious structures Dog kennel(s).

(i) Dwelling for caretaker/laborer(s), may be multiple units Game farms/shooting preserves.

(j) Farm, fish Shooting ranges.

(k) Farm, fur Slaughtering of livestock.

(l) Farm, game Processing of agricultural byproducts or wastes received directly from farms.

(m) Farm implement sales/repair/service.

(n) Feed lot over 100 animals.

(o) Fish pond, commercial.

(p) Greenhouse, commercial retail.

(q) Livestock auction/sales facility.

(r) Lumber yard.

(s) Municipal buildings including administrative offices, meeting hall and any municipal accessory structure.

(t) Radio or television broadcasting studio.

(u) Railroad depot/station.

(v) Riding stable with boarding/stabling, commercial.

(w) Sawmill.

(x) Schools.

(y) Sewage disposal plant.

(z) Tower and appurtenances, communication or relay. (aa) Utility substation/other structure, public.

(bb) Utility transmission lines, not regulated by the Public Service Commission. (cc) RV and boat storage for rental.

(dd) Yard and landscaping services.

(ee) All conditional uses listed in § 350-27, Farmland Preservation District.

(3) Area, height and setback requirements.

(a) A lot or parcel shall have no less than eight acres of contiguous land area. The area within the road right(s)-of-way shall not be included in the minimum acreage requirement, however, design standards, pursuant to Chapter 315, Code of Green Lake County, Land Division and Subdivision, shall apply.

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

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

350-41. R-4 Rural Residential District. [Amended 6-20-2006 by Ord. No. 866-06; 11-12-2008 by Ord. No. 940-08; 2-15-2011 by Ord. No. 989-2011; 8-21-2012 by Ord. No. 1033-2012]

A. Purpose. This residential district is intended to provide for limited rural residential use development; require a large residential land area to maintain the rural character and to accommodate uses that are not urban in nature including light agriculture. This district's uses and standards are designed to implement Comprehensive Plan goals by encouraging a blend of residential and agricultural uses. This district may be used as a transitional zone to retain land in a less intensive use until the appropriate time for a more intensive residential or other use occurs. The lands in this district should be predominately agricultural areas not suited for agricultural production or those lands due to location that would have limited impact on agricultural production. Residents of this district may experience conditions associated with adjoining agricultural lands that are not experienced in areas of predominantly residential use.

A. (1) Permitted uses. Those uses permitted in this district shall be agricultural and those that are consistent with agricultural uses.

~~(1)~~**(a) Accessory structure/use** Agricultural uses allowed in the R4 zoning district include:

[1] Crop or forage production.

[2] Keeping livestock

[3]Beekeeping.

[4] Nursery, sod, or Christmas tree production.

[5] Orchard / vineyard.

[6] Horticulture / floriculture.

[7] Aquaculture.

[8] Fur farming.

[9] Forestry and forest management

[10] Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation program.

[11] Any other use that the Department of Agriculture, Trade, and Consumer Protection, by rule, identifies as an agricultural use.

[12] One nonfarm residence, including normal residential appurtenances

~~(2)~~**(b) Beekeeping** Agricultural accessory uses

~~(3)~~**(c) Community living, eight or fewer residents.**

~~(4) Crops, field.~~

~~(5)~~**(d) Day care, eight or fewer children.**

~~(6) Dwelling, single-family.~~

~~(7) Dwelling, two-family (duplex)~~

~~(8) Floriculture~~

~~(9) Grazing~~

~~(10) Greenhouse, accessory to the permitted use.~~

~~(11)~~**(e) Home occupation:**

[1] Shall be located in the place of permanent residency;

[2] Is incidental to the residential occupancy;

[3] Limited to one inside level of the dwelling unit and does not occupy more than 25% of the floor area of that level;

[4] That no article is sold or offered for sale on the premises except such as produced by the home occupation;

[5] That no stock-in-trade is kept or sold;

[6] That no mechanical equipment is used other than such as is permissible for typical residential purposes;

[7] There is no emission of odor, gas, smoke, dust, or noise that will be detrimental to the

character of the neighborhood; and

[8] That no person outside the immediate resident family operates such home occupation.

~~(12)~~ Horticulture

~~(13)~~ Livestock, raising/keeping.

~~(14)~~ Orchard

~~(15)~~ Paddock

~~(16)~~ (f). Professional home office when established in a residential dwelling unit shall be:

~~(a)~~ [1] Located in the practitioner's place of permanent residency;

~~(b)~~ [2] Is incidental to the residential occupancy, limited to one inside level of the dwelling unit and does not occupy more than 25% of the floor area of that level; and

~~(c)~~ [3] Not more than one person not a member of the resident family shall be employed on the premises.

~~(17)~~ (g) Recreational trails.

~~(18)~~ (h) Riding Stable.

~~(19)~~ (i) Roadside stand of less than 300 square feet in area as a temporary structure, not wholly enclosed, for the sale of produce grown on the premises. One stand allowed per premises.

~~(20)~~ (j) Signs per § 350-43.

~~(21)~~ (k) Unoccupied outside storage of camping trailer, motor home boats, fishing shanty or other similar recreational vehicles or devices as an accessory use. There shall be a combined limit of two items per family dwelling unit.

~~(22)~~ (l) Utility, local lines.

~~(23)~~ (m) A mobile or manufactured home shall be allowed as a temporary structure for the shelter of persons and property as a result of disaster-related damages. The mobile or manufactured home shall be located after obtaining all necessary permits, for no more than one year and shall be located on the premises with the construction of the new permanent structure. **[Amended 3-19-2019 by Ord. No. 2-2019]**

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

~~(1)~~ (a) Agricultural-related uses (See Section 350-77 for definition). Only one agricultural-related use allowed on an R4-zoned lot or parcel.

~~(2)~~ (b) Bed-and-breakfast establishment.

~~(3)~~ (c) Community living, nine or more residents.

~~(4)~~ (d) Day care, nine or more children.

~~(5)~~ (e) Tourist rooming house.

~~(6)~~ (f) Tower and appurtenances, communication or relay.

~~(7)~~ (g) Utility transmission lines.

~~(8)~~ (h) Event barn (only as an accessory use to the residential use, existing buildings only).

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

~~(9)~~ (i) Kennel (must be on at least a five-acre lot or parcel and only as an accessory use to the residential use). **[Added 3-19-2019 by Ord. No. 2-2019; amended 9-21-2021 by Ord. No. 30-2021]**

(j) RV and boat storage for rent (only as an accessory use to the residential use, existing buildings only). **[Added 3-19-2019 by Ord. No. 2-2019]**

~~E-~~ (3) Area, height and setback requirements. **[Amended 11-14-2017 by Ord. No. 22-2017]**

(1)(a) A lot or parcel shall have a three-acre-minimum and less than eight-acre-maximum of contiguous land area. The area within the road right(s)-of-way shall not be included in the minimum acreage requirement, however, design standards, pursuant to Chapter 315, Code of Green Lake County, Land Division and Subdivision, shall apply.

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

D. (4) Principal structure setback and height standards.

(1)(a) Highway setbacks: Refer to § 350-50A. [Amended 9-21-2021 by Ord. No. 30-2021]

(2)(b) Rear yard setback: 25 feet minimum.

(3)(c) Side yard setback: 12 feet minimum.

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

E.(5) Accessory building structure standards. The total combined footprint area allowed for accessory building structures shall not exceed 10% of the land area, excluding any road right-of-way. An accessory building structure shall satisfy all of the following standards: [Amended 8-18-2020 by Ord. No. 9-2020; 9-21-2021 by Ord. No. 30-2021]

(1)(a) Setbacks: same as principal structure.

(2)(b) Height: None. However, there shall be no sidewalls above the ground floor ceiling joist. Ground floor All sidewalls, excluding basement sidewalls, shall be located below the roof trusses and not exceed 20 feet in height. [Amended 9-19-2023 by Ord. No. 13-2023]

(3)(c) Structure footprint: None. [Amended 9-19-2023 by Ord. No. 13-2023]

(4)(d) Volume: None. [Amended 9-19-2023 by Ord. No. 13-2023]

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

(6)(f) In no case is a shipping or storage container(s) to be utilized as a residential accessory building structure.

350-77. Word usage and definitions. [Amended 12-16-2008 by Ord. No. 942-08; 12-15-2009 by Ord. No. 969-2009; 10-15-2013 by Ord. No. 1070-2013; 8-19-2014 by Ord. No. 1092-2014; 12-16-2014 by Ord. No. 1104-2014; 11-14-2017 by Ord. No. 22-2017; 3-19-2019 by Ord. No. 2-2019; 8-18-2020 by Ord. No. 9-2020; 9-21-2021 by Ord. No. 30-2021; 9-20-2022 by Ord. No. 17-2022; 6-18-2024 by Ord. No. 14-2024]

AGRICULTURAL-RELATED USE --- A use that is primarily (not just incidentally) related to agriculture including an agricultural equipment dealership, a landing strip for aerial spraying, an animal veterinary clinic, a commercial / retail greenhouse, a livestock auction / sales facility, a facility providing agricultural supplies, a facility for storing or processing agricultural products, or a facility for processing agricultural wastes.

FARM —An area of land used for agricultural practice or use. All land under common ownership that is primarily devoted to agricultural use. For the purpose of this definition, land is deemed to be primarily devoted to agricultural use if the following apply:

A. A majority (greater than 50%) of the land is in agricultural use. or

B. The land produces at least \$6,000 in annual gross farm revenues to its owner or renter, regardless of whether the majority of the land area is in agricultural use.

~~FARM FAMILY BUSINESS --- Any lawful activity, except a farm operation, conducted primarily for any of the following:~~

~~A. The purchase, sale, lease, or rental of personal or real property.~~

~~B. The manufacture, processing or marketing of products, commodities or any other personal property.~~

~~C. The sale of services.~~

~~FARM OPERATION --- An owner or occupant engaged in one or more farming activities, with gross sales from such activities as set forth in §91.91(1), Wis Stats.~~

~~GENERAL DEVELOPMENT PLAN --- A report in text and in map form, with the map drawn to scale, depicting the general location and relationship of structures, streets, driveways, recreation areas, parking areas, utilities, etc., as related to a proposed development.~~

~~GOVERNMENT STRUCTURE --- State, County, Federal, City, Village, or Town structures utilized to provide a service that a specific government entity may provide.~~

OFFICIAL MAP — The official zoning district map of Green Lake County. This map is a digital electronic data map layer of the County's Geographic Information System (GIS). The County Land Use Planning & Zoning Department updates this map to reflect changes in zoning district boundaries enacted by the County Board as amendments.

RESIDENCE, FARM --- A single-family or two-family residence that is the only residential structure on the farm or is occupied by any of the following:

(a) An owner or operator of the farm.

(b) A parent or child of an owner or operator of the farm.

(c) An individual who earns more than 50% of his or her gross income from the farm.

RESIDENCE, NONFARM --- A single or two-family dwelling /residence that is not a farm residence.

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

Item #5:

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, more specifically to include changes to the R1, R2, R3, and R4 Zoning Districts.

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

September 4, 2025

ITEM V: ZONING ORDINANCE AMENDMENT

REQUEST: The Green Lake County Land Use Planning and Zoning Department is requesting an amendment to the Code of Green Lake County, Chapter 350 of the Zoning Ordinance; more specifically to amend accessory structure standards in Sections 350-15, and 350-38 thru 41. The amendments are designed to strengthen and clarify ordinance text to the benefit of the ordinance reader and administrator.

ADDITIONAL INFORMATION / ANALYSIS: Early on in 2025 a local attorney appeared before the LUP & Z Committee to discuss the possibility of amending the zoning ordinance's accessory building structure standards. The attorney's client was confronting certain accessory buildings standards that did not fit his project's parameters. His attorney argued that the relative standards were overly regulatory. After hearing from LUP&Z Department Staff, in a later public meeting, the LUP&Z Committee decided against requiring an amendment. At the time, the consensus was that the ordinance did not need to be amended to fit a single property owner's needs.

More recently another local attorney, on behalf of the same property owner, appeared in front of the LUP&Z Committee and reiterated his client's need for the LUP&Z Committee to amend the zoning ordinance accordingly. This time the LUP & Z committee seemed more open to the idea. They instructed the LUP&Z Department to work to develop draft language that would not only assist this property owner but also to strengthen and clarify the zoning ordinance's accessory building structure standards.

Presently, accessory building structures standards are more "open to interpretation" than LUP & Z Department Staff would like. These old standards fit the bill in the past, but new uses and ideas related to these structures have created the need to better clarify how the County sees these structures used for the future.

Short-term rentals are a huge business in Green Lake County. Any possible way a property owner can advertise lodging for higher occupancy creates new dollar signs. Property owners will look to find space in any and all improved structures. Many of these structures have not been inspected or approved to be used for human habitation. It is in the public interest to limit the negative impacts of these activities.

The more a detached garage is added onto or modified to be more accommodating to human habitation than residential storage, the easier the building could slip into being used almost exclusively for human habitation. Having multiple residences on a parcel that is zoned R1, Single-family Residence district is not permissible. The ordinance amendment to Section 350-15 has the effect of prohibiting the residential adornment of detached accessory building structures and helps maintain their primary residential storage use.

Furthermore, text has been added to the ordinance stating that the land area covered by a “lean-to” addition to detached accessory structure / buildings, counts towards the maximum footprint requirement. Counting this area has been the policy of the County for decades, but this added language eliminates any ambiguity present in the current ordinance.

Additionally, in accordance with testimony from both attorneys mentioned earlier, amendments are being proposed that will exclude basements from the maximum volume requirement and standardize the method used to determine maximum height of a detached accessory structure with how we measure the maximum height of principal buildings.

SUMMARY: As discussed and approved at the Land Use Planning & Zoning Committee’s August meeting these ordinance standards are being proposed as a zoning ordinance amendment. This means that the amendment will impact the six zoned towns of Berlin, Brooklyn, Green Lake, Mackford, Manchester, and Marquette. The Land Use Planning & Zoning Department does not see a downside to adopting this amendment.

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

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

* In the event that these amendments are not adopted, interpretations of the current zoning ordinance standards that regulate detached accessory building structures will remain unclarified. Murkey decisions related to these projects could lead to conflicts with property owners, additional LUP&Z Department staff time, Board of Adjustment hearings, potential appeals, Corporation Counsel staff time and outside counsel costs. This zoning ordinance amendment serves to provide the public as well as the LUP& Z Department clear text and therefore direction as to the required administration and enforcement of the zoning ordinance.

ORDINANCE NO. -2025

Ordinance Amending Green Lake County Code §§ 350-15, 350-38, 350-39, 350-40
& 350-41

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the _____ day of _____, 2025, does ordain as follows:

NOW, THEREFORE, BE IT ORDAINED, that Green Lake County Code §§ 350-15, 350-38, 350-39, 350-40 & 350-41 shall be amended as follows:

350-15 Accessory buildings; accessory structures. [Amended 2-15-2011 by Ord. No. 989-2011; 11-14-2017 by Ord. No. 22-2017; 9-21-2021 by Ord. No. 30-2021]

Roll Call on Resolution No. -2025

Submitted by Land Use Planning & Zoning Committee:

Ayes _____, Nays _____, Absent _____, Abstain 0

Chuck Buss, Chair

Passed _____ and Enacted/Rejected _____ this
_____ day of _____, 2025.

Curt Talma

County Board Chairman

Gene Thom

ATTEST: County Clerk
Approve as to Form:

Bill Boutwell

Corporation Counsel

Sue Wendt

B. Detached accessory building structures utilized for residential storage may be expanded in accordance with this chapter, to provide additional residential storage space. Decks, open or screened porches, 3-season rooms, sunrooms or similar residential accessory structures shall not be permitted as part of, an addition to, or an expansion of a residential detached accessory building structure. Basement and/or "lean-to" addition(s) that add residential storage space to detached accessory building structures, may be permitted in accordance with this chapter, however the land area covered by the "lean-to" addition at ground level shall be included in the maximum footprint of the structure.

18 **350-38 R-1 Single Family Residence District**

19 E. Accessory building structures. The total combined footprint area allowed for accessory
20 building structures shall not exceed 10% of the land area, excluding any road right-of-way.
21 Each accessory building structure shall satisfy all of the following standards: [Added 2-15-
22 2011 by Ord. No. 989-2011; amended 9-21-2021 by Ord. No. 30-2021]

23 (1) Setbacks: same as principal structure.

24 (2) ~~Structure~~ Height: 25 feet maximum; ~~ground floor surface to peak. There shall be no~~
25 ~~sidewalls above the ground floor ceiling joist. Ground floor~~ All sidewalls, ~~excluding~~
26 ~~basement sidewalls, shall be located below the roof trusses and~~ shall not exceed a 15
27 ~~feet~~ ~~oot~~ internal height.

28 (3) Area: 1,500 square foot maximum footprint (ground floor).

29 (4) Volume: 25,000 cubic feet maximum external volume. Basements are exempt from the
30 volume calculation.

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

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

36
37 **350-39 R-2 Single-Family Mobile Home Residence District**

38 E. Accessory building structures. The total combined footprint area allowed for accessory
39 building structures shall not exceed 10% of the land area, excluding any road right-of-way. Each
40 accessory building structure shall satisfy all of the following standards: [Added 2-15-
41 2011 by Ord. No. 989-2011; amended 11-14-2017 by Ord. No. 22-2017; 9-21-2021 by Ord. No.
42 30-2021]

43 (1) Setbacks: same as principal structure.

44 (2) ~~Structure~~ Height: 25 feet maximum; ~~ground floor surface to peak. There shall be no~~
45 ~~sidewalls above the ground floor ceiling joist. Ground floor~~ All sidewalls, ~~excluding basement~~
46 ~~sidewalls, shall be located below the roof trusses and~~ shall not exceed a 15 ~~feet~~ ~~oot~~ internal
47 height.

48 (3) Area: 1,500 square foot maximum footprint (ground floor).

49 (4) Volume: 25,000 cubic feet maximum external volume. Basements are exempt from the
50 volume calculation.

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

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

350-40 R-3 Multiple-Family Residence District

E. Accessory building structures. The total combined footprint area allowed for accessory building structures shall not exceed 10% of the land area, excluding any road right-of-way. Each accessory building structure shall satisfy all of the following standards: [Amended 3-19-2019 by Ord. No. 2-2019; 8-18-2020 by Ord. No. 9-2020; 9-21-2021 by Ord. No. 30-2021]

(1) Setbacks: same as principal structure.

(2) ~~Structure~~ Height: 25 feet maximum; ~~ground floor surface to peak. There shall be no~~ ~~sidewalls above the ground floor ceiling joist. Ground floor~~ All sidewalls, ~~excluding basement~~ ~~sidewalls, shall be located below the roof trusses and~~ not exceed a 15 ~~foot~~ ~~feet~~ internal height.

(3) Area: 1,500 square foot maximum footprint (ground floor).

(4) Volume: 25,000 cubic feet maximum external volume. Basements are exempt from the volume calculation.

(5) In no case is a shipping or storage container(s) to be utilized as a residential accessory building structure.^[2]

350-41 R-4 Rural Residential District

~~E.~~ (5) Accessory ~~building~~ structure standards. The total combined footprint area allowed for accessory building structures shall not exceed 10% of the land area, excluding any road right-of-way. An accessory building structure shall satisfy all of the following standards:

[Amended 8-18-2020 by Ord. No. 9-2020; 9-21-2021 by Ord. No. 30-2021]

~~(1).~~ (a) Setbacks: same as principal structure.

~~(2).~~ (b) ~~Structure~~ Height: None. ~~However, there shall be no sidewalls above the ground floor ceiling joist. Ground floor~~ All sidewalls, ~~excluding basement~~ ~~sidewalls, shall be located below~~ ~~the roof trusses and~~ not exceed 20 feet in height. [Amended 9-19-2023 by Ord. No. 13-2023]

~~(3).~~ (c) Structure footprint: None. [Amended 9-19-2023 by Ord. No. 13-2023]

~~(4).~~ (d) Volume: None. [Amended 9-19-2023 by Ord. No. 13-2023]

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

~~(6).~~ (f) In no case is a shipping or storage container(s) to be utilized as a residential accessory building structure.^[1]

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

350-15 Accessory buildings; accessory structures. [Amended 2-15-2011 by Ord. No. 989-2011; 11-14-2017 by Ord. No. 22-2017; 9-21-2021 by Ord. No. 30-2021]

- A. Unless otherwise stated in this chapter, accessory uses and structures are permitted in any district, but not until their principal structure/use is present or under construction.
- B. Detached accessory building structures utilized for residential storage may be expanded in accordance with this chapter, to provide additional residential storage space. Decks, open or screened porches, 3-season rooms, sunrooms or similar residential accessory structures shall not be permitted as part of, an addition to, or an expansion of a residential detached accessory building structure. Basement and/or "lean-to" addition(s) ~~that add residential storage space to detached accessory building structures,~~ may be permitted in accordance with this chapter. ~~Lean-to additions shall be included in the maximum footprint of the structure if enclosed., however the land area covered by the "lean-to" addition at ground level shall be included in the maximum footprint of the structure.~~ Lean-to additions shall be included in the maximum footprint of the structure if enclosed.