

NOTICE OF PUBLIC HEARING
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE

Steve Nass, Chair; Greg David, Vice-Chair; Don Reese, Secretary; Amy Rinard; Jan Rood

1. **Call to Order**
2. **Roll Call**
3. **Certification of Compliance With Open Meetings Law Requirements**
4. **Review of Agenda**
5. **Public Hearing**

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7:30 p.m. (or immediately following the preceding public hearing) on Thursday, November 18, 2010, in Room 205 of the Jefferson County Courthouse, Jefferson, Wisconsin. A hearing will be given to anyone interested in the proposals. **PETITIONERS, OR THEIR REPRESENTATIVES, SHALL BE PRESENT.** Matters to be heard are a text amendment to the Jefferson County Land Division/Subdivision Ordinance, a petition to amend the zoning ordinance of Jefferson County and applications for conditional use permits. A map of the properties affected may be obtained from the Zoning Department. If you have questions regarding these matters, please contact Zoning at 920-674-7131.

FROM AGRICULTURAL A-1 TO A-3, RURAL RESIDENTIAL

3498A-10 – Howard Zoellick: Rezone to create an approximate 2-acre lot around the home at **N7682 CTH A** in the Town of Milford, part of PIN 020-0814-3512-000 (21.5 Acres).

CONDITIONAL USE PERMIT APPLICATIONS

CU1637-10 – Jon Draeger: Conditional use to allow a home occupation/building contractor's business at **W5120 CTH M** in the Town of Koshkonong. The site is in an A-3, Rural Residential zone, on PIN 016-0514-1231-002 (1.663 Acre).

CU1638-10 – U.S. Cellular/Gilbert & Wilah Untz Living Trust Property: Conditional use to allow a telecommunication tower near **1403 STH 89** in the Town of Lake Mills on PIN 018-0713-2423-002 (14.278 Acres). The site is in an A-1 Agricultural zone.

CU1639-10 – Arthur Piepenbrink: Conditional use to allow an auction center at **N9663 Englehart Road** in the Town of Milford on PIN 020-0814-0512-001 (14.278 Acres) in an existing A-2 zone.

CU1640-10 – David Mack: Conditional use to allow a bed and breakfast in a Residential/Recreational zone at **W7703 Koshkonong Lake Road**. The site is in the Town of Koshkonong on PIN 016-0513-2641-001 (0.570 Acre) in a Residential/Recreational zone.

LAND DIVISION/SUBDIVISION ORDINANCE TEXT AMENDMENT

3499T-10 – Jefferson County: Add the underlined areas shown below and ~~delete the strikethrough sections~~ as follows:

15.01(j) Zoning Changes. Any proposed subdivision or Certified Survey Map requiring a zoning change in order to develop as proposed, shall submit these proposed changes to the County Board so that the zoning changes will be approved at the time of final approval. The zoning amendment shall be null & void and of no effect one (1) year from the date of County Board approval unless all applicable conditions have been completed by that date.

15.03(b)2. Provisions of Chapter 236, Wisconsin Statutes, the state platting law and 2009 Wisconsin Acts 376 and 399.

15.05(e)2. The Planning Agency shall, within ~~thirty (30)~~ sixty (60) days of the date of filing of the Final Plat, recommend approval, conditional approval or rejection of the Plat and shall transmit the Final Plat and application along with its recommendations to the governing body.

Start renumbering existing 15.05(e)4. to add the following:

Add 15.05(e)4. A professional engineer, planner or other person designated to review plats for a local unit of government shall determine if a final plat “substantially conforms” to the preliminary plat. This determination shall be given to the unit of government along with a recommendation for approval/denial of the final plat. The conclusion and recommendation are not required to be in writing but must be made part of the public record at the proceeding where the final plat is being considered.

Add 15.05(e)5. Preliminary plats or final plats, if no preliminary plat was submitted for that development, must comply with the local ordinance which was in effect when the plat was submitted. If an ordinance is revised while the plat is moving through the review process, the new requirements cannot be applied to the plat.

15.05(e)6. Recordation. After the Final Plat has been approved by the governing body and required improvements either installed or a contract and sureties according to 236.13(2)(a) insuring their installation is filed, the Planning Agency shall cause the certificate inscribed upon the Plat attesting to such approval to be duly executed and the Plat returned to the subdivider for recording with the County Register of Deeds. The Register of Deeds shall not record the Plat unless it is offered within the time specified in Section 236.25 of the Wisconsin Statutes.

APPENDIX C

Chapter 236, Wisconsin Statutes:

To aid in the understanding of the Jefferson County Land Division Ordinance, certain sections of Chapter 236, the state platting code, are explained below.

NOTE: This is not a quotation of Chapter 236, nor does it include the complete provisions of the statute. It is offered only as a guide to some of the important points of the particular section. For complete and exact wording, please consult the Wisconsin Statutes.

Submission of Plats for Approval (from 236.11)

A preliminary plat may be required by an approving authority. Upon submission of a preliminary plat, the approving authority has ~~forty (40)~~ ninety (90) days to approve, approve conditionally, or reject the plat, unless the time is extended by agreement with the subdivider. Failure to act shall constitute approval.

An approving authority may refuse to approve the final plat if it is not submitted within six (6) months of the last required approval of the preliminary plat. The final plat may constitute only a portion of the approved preliminary plat. Final plats must be submitted within thirty-six (36) months following preliminary plat approval. A local unit of government may extend the time for submission of the final plat.

The approving authorities shall approve or reject the final plat within sixty (60) days of its submission, unless the time is extended by agreement with the subdivider. Failure to act shall constitute an approval.

Delegation of Power (from 236.45)

Any municipality, town, or county which has established a planning agency may adopt ordinances governing the subdivision or other division of land. Such ordinances ~~to~~ do not apply to:

1. Transfers of interests in land by will or pursuant to court order.
2. Leases for a term not to exceed ten (10) years, mortgages or easements.
3. The sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by applicable ordinances.
4. Such other divisions exempted by such ordinances.
5. Local ordinances may not have more restrictive time limits, deadlines, notice requirements or be more restrictive in other provisions of Ch. 236, Wis. Stats. which provide protections for the subdivider.

6. Adjourn

Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator at 920-674-7101 24 hours prior to the meeting so that appropriate arrangements can be made.