

**MINUTES OF PUBLIC HEARING
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE**

Steve Nass, Chair; Greg David, Vice-Chair; Don Reese, Secretary; Amy Rinard; George Jaeckel

SUBJECT: Map Amendments to the Jefferson County Zoning Ordinance and Requests for Conditional Use Permits

DATE: November 21, 2013

TIME: 7:00 p.m.

PLACE: Room 205, Jefferson County Courthouse, 320 S. Main St., Jefferson, WI

1. Call to Order

The meeting was called to order by Chairperson Nass at 7:00 pm.

2. Roll Call

All Committee members were present. Zoning staff present included Rob Klotz and Michelle Staff.

3. Certification of Compliance with Open Meetings Law Requirements

Reese and Klotz confirmed that the meeting was held in compliance with the open meetings laws.

4. Review of Agenda

No changes were proposed to the agenda.

5. Explanation of Process by Committee Chair

Nass explained the process of the public hearing.

6. Public Hearing

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, November 21, 2013, 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 petitions 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. Individual files are available for viewing between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, excepting holidays. If you have questions regarding these matters, please contact Zoning at 920-674-7131.

**FROM EXCLUSIVE AGRICULTURAL A-1 TO A-2, AGRICULTURAL & RURAL BUSINESS
AND A-3, AGRICULTURAL/RURAL RESIDENTIAL**

R3678A-13, R3679A-13 & CU1761-13 – Dennis Kutz: Rezone 5.1 acres around the farm buildings at **N2792 Curtis Mill Road** for an agribusiness zone, and grant a conditional use permit to allow a custom farming, excavation and tiling business, pesticide application and seed and fertilizer sales. Rezone 1 acre

around the house at the same address to rural residential. The proposed lots are comprised of PINs 016-0614-3521-000 (28.5 Acres) and 016-0614-3524-000 (39.8 Acres) in the Town of Koshkonong.

Petitioner: Dennis Kutz, N2792 Curtis Mill Road - The Kutzs would like to have the above listed businesses because they both have grown over the years and they need a bigger facility. They would like to split off the house and still live in it, while also creating an A-2 zone to sell to his son. The building would be 80 feet x 224 feet with about 50 feet of that length being storage for the chemicals. He has been in contact with DATCP and Jefferson County Emergency Management Director Donna Haugom about the storage of the chemicals and any additional requirements he may have. Kutz stated he does custom farming for other farmers in the area.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Klotz read town response of approval into the record and it is in the file.

Staff Report: Staff report given by Robert Klotz and now on file in the Zoning Department. Klotz stated that the Committee previously approved a holding tank for the bathroom facilities.

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

R3680A-13 – Gregg Heideman: Rezone 2.7 acres around the home at **N5008 STH 89** and create a new 1-acre building site near the intersection of **STH 89 and Harvey Road** from PIN 002-0714-3141-000 (28.2 Acres) in the Town of Aztalan.

Petitioner: Gregg Heideman, N5008 STH 89 - They would like to sell the current residence and have a vacant lot for the future. The existing residence was built in the 1900's.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Klotz read town response of approval into the record and it is in the file.

Staff Report: Staff report given by Robert Klotz and now on file in the Zoning Department. Klotz asked the age of the current residence.

R3681A-13 – Tom & Lisa Marks: Rezone 3 acres around the home at **W2001 Ehrke Lane** and 4.7 acres around the home at **W2009 Ehrke Lane**. Both lots are to be created from PIN 012-0816-2931-000 (52.3 Acres) in the Town of Ixonia.

Petitioner: Lisa Marks, W2001 Ehrke Lane - They would like to separate the two homes. The home closest to the river was built in the 1950's and the other residence was built in the 1900's. They are doing this to be able to sell the two residences away from the farmland. Ms. Marks stated she understands that each lot needs its own driveway.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Klotz read town response of approval into the record and it is in the file.

Staff Report: Staff report given by Robert Klotz and now on file in the Zoning Department. Klotz asked Mrs. Marks if they are proposing a driveway for lot 2.

R3682A-13 – Ron Marsh: Rezone all of PIN 024-0516-2642-001 (3.608 Acres) for a new residential building site on **Little Prairie Road** in the Town of Palmyra.

Petitioner: Ron Marsh, W208 Marsh Rd - They would like to rezone the entire parcel so they can build a residence on it.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Klotz read town response of approval into the record and it is in the file.

Staff Report: Staff report given by Robert Klotz and now on file in the Zoning Department.

R3683A-13 – Brad Walter/Michael & Sarah Walter Trust: Rezone 0.805 acre of PIN 032-0814-1044-000 (62.435 Acres) owned by Michael & Sarah Walter Trust to add it to an adjoining A-3 zoned lot at **N8944 West Road** owned by Bradley Walter. The property is in the Town of Watertown.

Petitioner: Brad Walter, N8944 West Road - Mr. Walter found out after he built the pool that he needed a permit for it and then discovered it was over the lot line. They would like to expand the lot to accommodate the pool. There was discussion on redesign of the lot to accommodate the pool between the petitioner and chairman.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: Nass asked why he needed the 0.8 acres to be added to the parcel and why he just didn't reconfigure the lot.

Town Response: Klotz read town response of approval into the record and it is in the file.

Staff Report: Staff report given by Robert Klotz and now on file in the Zoning Department.

**FROM EXCLUSIVE AGRICULTURAL A-1 TO A-3, AGRICULTURAL/RURAL
RESIDENTIAL AND N, NATURAL RESOURCE**

R3684A-13 & R3685A-13 – Nancy Hohensee: Create a 2-acre vacant lot on **Turke Lane** and a 5-acre farm consolidation lot around the home at **N9673 Turke Lane**, and create a 4.3-acre Natural Resource zone adjacent it, all from PIN 032-0815-0111-000 (46.491 Acres) in the Town of Watertown.

Petitioner: Nancy Hohensee, N9673 Turke Lane – She would like to split off the residence with a natural resource zone and a new 2-acre lot. If she has to move the lot, the Chairman stated she could redesign it. Hohensee stated that there is upland further back on the lot. .

Comments in Favor: None

Comments Opposed: Dennis Foelker, N9660 Turke Lane – Foelker lives across the street from the proposed new lot. He is not opposed to rezoning N9673 Turke Lane or the natural resource zone; he is opposed to the new vacant land lot. Foelker explained why he was opposed to the lot split. One large concern he has is about the wet soil conditions of the site.

Nic Streich, N9383 Turke Lane - Streich owns the parcel to the north of the proposed vacant lot. He too is not opposed to the existing residence or natural resource rezoning but is opposed to the vacant lot being created. Streich's concern is the drain tile that goes through the property. He stated that when his residence was built he cut through 6 inch drain tile and it goes out to the ditch.

Questions from the Committee: Nass stated that the lot must pass for a soil test to construct a residence.

Town Response: Klotz read town response of approval into the record and it is in the file.

Staff Report: Staff report given by Robert Klotz and now on file in the Zoning Department.

R3686A-13 & R3687A-13 – Mary Horack: Rezone 5 acres for a farm consolidation lot around the home at **N9098 Horseshoe Rd**; create a 2.5-acre Natural Resource zone adjacent to it. The property is in the Town of Watertown, on PIN 032-0814-1231-000 (62.078 Acres).

Petitioner: Mary Horack, N9098 Horseshoe Road - Horack explained that her son is interested in working the remainder of the farm but she would like to live in the existing residence. The residence would be on 5 acres. In addition, she would like to create a natural resource zone around the residence to include lands that are in CRP. Horack stated that she attended a City of

Watertown meeting and they are asking for 100 feet width for the access. The residence was built before 1975 per Horack.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Klotz read town response of approval into the record and it is in the file.

Staff Report: Staff report given by Robert Klotz and now on file in the Zoning Department.

FROM EXCLUSIVE AGRICULTURAL A-1 TO A-3, AGRICULTURAL/RURAL RESIDENTIAL AND FROM A-3 TO A-1

R3688A-13 & R3689A-13 – Nancy Jorgensen: Rezone 0.2 acre of PIN 002-0714-2911-000 (47.17 Acres) owned by Eric Jorgensen & Cynthia Scheele from A-1 to A-3 to add it to adjoining A-3 zoned property. Rezone 1.4-acres of PIN 002-0714-2912-001 (2.3 Acres) owned by Nancy J Jorgensen from A-3 to A-1 to add it to adjoining A-1 zoned property. The site is near **N5698 CTH Q** in the Town of Aztalan.

Petitioner: Nancy Jorgensen, N5698 CTH Q – Jorgensen would like to add lands around her residence and give back to the surrounding A-1 lands going to the river.

Comments in Favor: Eric Jorgensen, N5698 CTH Q – He is favor of the land transfers.

Comments Opposed: None

Questions from the Committee: None

Town Response: Klotz read town response of approval into the record and it is in the file.

Staff Report: Staff report given by Robert Klotz and now on file in the Zoning Department.

CONDITIONAL USE PERMIT APPLICATIONS

CU1762-13 – Denise Rothschadl: Conditional use to allow up to five dogs in an A-1 Agricultural zone at **N8708 Overland Drive** in the Town of Ixonia on PIN 012-0816-1823-002 (12.041 Acres).

Petitioner: Denise Rothschadl, N8708 Overland Drive – Rothschadl stated she currently has 5 dogs and these are her personal dogs. She is not a breeder or a kennel. Rothschadl explained that she had complaints from the neighbors but on Hustisford Road. She stated that there are approximately 27 dogs on Overland and Hustisford Rd. She has a list of signatures of approval from surrounding landowners and it was submitted to the Committee. Rothschadl stated she land-applies the manure. Klotz explained to her that the preferred method of manure disposal is to double- bag and put in the garbage. Rothschadl stated she is willing to do that.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Klotz read town response of approval into the record and it is in the file.

Staff Report: Staff report given by Robert Klotz and now on file in the Zoning Department. Klotz stated that he called the Town of Ixonia and explained that the condition of the bark collars is only a Town of Ixonia condition and may not be a County conditions.

CU1763-13 – K Ted Hartwig, Helen Spaeth & Barbara Mandleco: Conditional use to allow two dwelling units on one lot in a Residential R-1 zone at **N4462 Park Road** in the Town of Oakland. The lot is made up of PINs 022-0613-0712-008 (0.367 Acres) and 022-0613-0712-009 (0.890 Acres)

Petitioner: Atty Andy Rumpf representing the landowners - Atty Rumpf explained that this property has been the same for about 100 years and it has two residences on it. They owners would like to tear down one of the residences and rebuild it in approximately in the same area. Atty Rumpf explained that the landowners are aware of the floodplain and are willing to deal with those issues. He stated there has been some preliminary sub-surface engineering and they are currently working with an architect.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Klotz read town response of approval into the record and it is in the file.

Staff Report: Staff report given by Robert Klotz and now on file in the Zoning Department. Klotz stated that this property is in the floodplain and explained that there may be additional requirements to build on the property.

Motion made by Reese, seconded by Jaeckel to adjourn the meeting. Motion passed on a voice vote with no objection.

Donald Reese, Secretary

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.

A recording of the meeting will be available from the Zoning Department upon request.