

PUBLIC HEARING MINUTES
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: December 19, 2013

TIME: 7:00 p.m.

PLACE: Room 205, Jefferson County Courthouse, 311 S Center Ave, Jefferson, WI

1. **Call to Order**
The meeting was called to order by Chairman Nass at 7:00 pm.
2. **Roll Call**
Committee members in attendance were Nass, Reese, Jaeckel, Rinard and David.
3. **Certification of Compliance with Open Meetings Law Requirements**
Reese verified that the meeting was being held in compliance with the open meeting law requirements.
4. **Review of Agenda**
There were changes proposed to the agenda. Motion made by Jaeckel, seconded by Reese, to move the Zwolanek Trust and Lori Hoyt conditional uses before Steve Cline's Conditional Use petition. The motion carried on a voice vote with no objection.
5. **Explanation of Process by Committee Chair**
Chairman Nass explained the process of the public hearing.
6. **Public Hearing**
Klotz read the notice below into the record.

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, December 19, 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-3, AGRICULTURAL/RURAL
RESIDENTIAL**

R3690A-13 – Dane & Tammy Hartwig/Darryl & Donna Hartwig Property: Rezone to create a one-acre lot at **W3912 CTH B** in the Town of Farmington, part of PIN 008-0715-1621-002 (29.5 Acres).

Petitioner: Darryl Hartwig N6383 Christberg Road, Town of Farmington – Hartwig explains that he just purchased the property in September and he would like to split off the existing residence. He stated he received a variance for the land split.

Comments in Favor: Dane Hartwig N5468 Switzke Road – He is favor of the petition and is the son of the petitioner. They would like to use the land as farmland. He will be purchasing it in the future. Hartwig stated the age of the residence is the late 1800's.

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 Dane Hartwig the age of the residence.

R3691A-13 – Susan, Michael & Matthew Meracle: Create a 3.7-acre farm consolidation lot around the buildings at **N3268 Hardscrabble Road** in the Town of Sullivan from part of PINs 026-0616-2522-002 (0.5 Acres) owned by Susan Meracle, and 026-0616-2521-001 (19.828 Acres) and 026-0616-2522-004 (9.68 Acres), both owned by Michael and Matthew Meracle.

Petitioner: Michael Meracle 707 E Main Street Eagle, Wisconsin – Meracle explains that his mother owns the 0.5 acres and they own the buildings around the parcel. They would like to consolidate the buildings with the residence and sell the residence with the buildings. Meracle stated that the residence is from the late 1800'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 petitioner the age of the residence.

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

R3692A-13 & R3693A-13 – Scott & Sherry Schreiber: Rezone to create a reconfigured 4-acre lot at **W2198 Piper Road** in the Town of Palmyra from part of PIN 024-0516-1944-001 (4 acres) currently zoned A-3, and PIN 024-0516-1944-002 (20 Acres) currently zoned A-1.

Petitioner: Sherry Schreiber W2198 Piper Road – The Schreiber’s are asking to reconfigure their lot to accommodate their mobile home and give them extra room for a future residence.

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.

CONDITIONAL USE PERMIT APPLICATIONS

CU1764-13 – Zwolanek Trust: Conditional use to allow an extensive on-site storage structure over the 15 foot height and 1,000 square foot limitations in an R-2 zone. The site is at **W7496 STH 106** in the Town of Sumner on PIN 028-0513-0113-001 (2 Acres).

Petitioner: Jim Zwolanek W7496 STH 106 – Zwolanek would like to building exceeding 15 feet in height and he would like to build a 1500 sq. feet building. The petitioner stated that his would be his personal storage and it would not be used for business or habitable purposes.

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 petitioner if he was proposing a 32' by 34' building? The petitioner responded that he was going to build a 30' x 52' structure in the future but not quite right now. Klotz asked the petitioner if the height would be 18 feet and the petitioner confirmed the height at 18 feet. Klotz stated that this building could not be used for business storage or habitable purposes.

CU1765-13 – Lori Hoyt: Conditional home occupation for production of natural, hand-made body care products at **N221 Cold Spring Road**, Town of Cold Spring. The property is in an A-3, Rural Residential zone on PIN 004-0515-3132-001 (4.095 Acres).

Petitioner: Lori Hoyt N221 Cold Spring Road – Hoyt explained she purchased this property in 2008 and she has been making soaps in the home. Hoyt has been selling them at farming markets. Hoyt explains she would like to rebuild the storage shed to move her soap making to the detached structure. She is not proposing any retail sales or signs on the property.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: Nass asked the petitioner if she was going to have a bathroom and running water for the building. Hoyt explains she would have a kitchen and bathroom in the building and will have a septic installed.

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.

CU1755-13 – Steven M Cline/Combined Enterprises LLC c/o Jellystone Park Conditional use to allow campground expansion at **N357 Old 26 Rd** in the Town of Koshkonong, on PIN 016-0513-3621-001 (40.158 Acres). This petition is being reconsidered because the Planning and Zoning Committee postponed decision on it at its October 28, 2013 meeting to allow for entry and discussion of additional information.

Petitioner: Steve Cline N357 Old 26 Road – Cline distributed packets and photos to the Committee and the audience. Klotz read the decision from October 28, 2013 into the record and the items requested by Committee. Cline stated the first item requested was clean up of the farm. Cline handed out photos and explained everything has been removed. Cline stated he did talk to Mr. Peterson (neighbor of the expansion property).

Cline explained that Peterson agreed upon trees to screen his property from the expansion of the park. Cline stated Peterson still had concerns about the noise. Cline stated the Committee asked for a landscape plan and presented a copy of it to the Committee. Cline explains the landscape plan to the Committee and audience. Then Cline explains that he does have a dosimeter to measure the noise from the park. He stated that with only 2 rows of trees the noise was reduce about 23% and he is proposing 6 rows of trees which would reduce the noise by 50%. He stated it won't limit all the noise but he stated that State highway 26 would be noisier than his park expansion.

Cline explained his timeline. He would start planning trees first and he will be getting fill/dirt from the highway project to start areas of planting. He stated he does not have an overall timeframe for the project. Cline stated he is thinking 3 to 5 years range but does not know if it will be completed by then. Cline stated he can start the tree planting sooner and he can start the roadways going in and out of the park.

Cline stated that a copy of the park rules are in the packet which was provided to the Committee. Klotz stated they are labeled attachment 9 in the packet. Cline stated they are planning a pond with a beach and inflatable toys in the pond.

Klotz stated that if Cline is proposing fill for the property that he should be aware of the septic system location because the septic site location cannot be filled or it will be destroyed. Klotz recommended to Cline hire a soil tester to locate the area and plan the septic location in relationship to all of the new roads, fill, water amenities, etc.

Cline rebuttal to the entire persons opposed to the expansion that they could contact him and gave him his e-mail and cell phone number. Cline responded too many of the concerns.

Comments in Favor: Sarah Cleasby 3440 Sheffield Drive, Janesville, WI – She is a lot owner of the park and an advisory board member. She is in favor of the expansion. She explains the purpose of the advisory board.

NOTE: Digital recording stopped here and after this point all minutes were taken from Robert Klotz's notes of public hearing.

Mary Beth Kleitz N635 Wishing Well Ln, Fort Atkinson, WI – She is in favor of the expansion and is a neighbor of the park.

Kathy Schneider -- She is in favor of the expansion.

Comments Opposed:

Dave Peterson, N335 Old STH 26, Fort Atkinson – Peterson is opposed to the expansion and would be a direct neighbor to this expansion. He is concerned about illumination/lighting of the site and the effect to the neighboring properties. He had pictures and explained them to the Committee. Peterson had photos of the existing

vegetation of the property. He had additional concerns about fencing along the property line and noise.

Jon Kooiman N441 Old 26, Fort Atkinson -- Kooiman was opposed to the expansion stating reasons of illumination/lighting, reduction of property values, eye sore for the neighborhood and noise.

Patricia Kobs and Perry Kobs, N435 Old 26 Fort Atkinson – Kobs was opposed to the expansion stating reasons of lighting, noise, reduction of property values, concerns about the landscaping with regards to type and size of trees, and concerns about ATV's and golf carts traveling on Old 26. Kobs commented that if the Committee did approve this expansion to make sure all conditions were in writing. The Kobs submitted photos of the view from their property to be the new expansion area.

Greg Zanesyzki – Zanesyzki was opposed to the expansion for reasons of lighting, decreases in property values, that the area was mostly residential and questioned the number of jobs this expansion would really bring to the community.

Bill Merrick, N606 Wishing Well Ln Fort Atkinson – Merrick read from the objection letter submitted to the Committee dated December 16, 2013. The petitioner and letter are in the file. Reasons of objection that were stated the amount of litter/trash on the neighborhood roadsides, speeding vehicles, late night noise, trespassing to neighboring residential properties, unsightly storage of items, lighting, and a number of other items listed in the petition of objection. Merrick submitted the petition with signatures of residences opposed to the expansion of Jellystone Park. Merrick also stated that there were not enough details to approve this expansion.

Jean Smith, N309 Old 26 Fort Atkinson – Smith is opposed of the expansion stating poor aesthetics, concerns about smoke from campfires, decrease in property values, the lack of business plan from the petitioner, the petition of 146 residence opposed to the expansion, drainage concerns, water issues, not enough detail for this expansion, lighting, septic issues and noise.

Trish Steckelmann, N759 Waubunsee Tr. #1 Fort Atkinson – Steckelman is opposed to the expansion. Stecklemann stated that Cline did not reach out to the neighbors about this expansion. She also had concern about speed limits stating that the entrance to the park at Wishing Well is 25 mph and the speed limit on Old 26 is 45 mph and this would create a traffic hazard with trailer's coming in and out of the Old 26 proposed entrance. In addition, this entrance would make access to bike trail more difficult. Steckelmann also commented on the large amount of garage/litter along the roadways and had concerns about campers trespassing on neighboring properties.

Gloria Fair Lot 400 of Jellystone Condo – Fair sent an e-mail dated December 19, 2013 of her letter of objection to the expansion. This e-mail is on file and is part of the record. Fair stated the campers do not follow the rules.

Brenda Kunkel --- Kunkel was opposed to the expansion because she does not think Jellystone needs the expansion due to the number of sites that are already vacant. Kunkel stated that there are not a lot of facts and a lot of assumptions on this expansion. She stated other concerns such as lighting, there has been shooting on the property and stated Cline does not follow the “good neighbor” policies.

Questions from the Committee: Rinard asked the petitioner the type and size of proposed trees for screening. Cline responded to Rinard by stating they would be evergreens that were 4 to 6 feet tall.

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.

Motion made by Reese, seconded by Jaeckel to adjourn the public hearing. Motion carried on a voice vote with no objection.