

**MINUTES OF THE 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:** October 17, 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**

Klotz read the following aloud:

**NOTICE IS HEREBY GIVEN** that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, October 17, 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 RESIDENTIAL R-2 TO A-2, AGRICULTURAL AND RURAL BUSINESS**

**R3667A-13 & CU1753-13 – Luke A. Purucker:** Rezone approximately 1.1. acre of PIN 016-0614-3532-008 (2.569 Acres) with conditional use to allow mini-warehousing/storage warehousing near **N2612 Curtis Mill Road**. The site is in the Town of Koshkonong.

**Petitioner:** Luke Purucker, W6312 Kiesling Road – Purucker recently purchased the property and would like to use the outbuildings on the property as leased storage. If these are successful, he would like to build new structures. He stated that he is not looking for mass warehousing but would like to lease these buildings for people other than the tenants in the duplex. Purucker indicated there would be no outside storage.

**Comments in Favor:** None

**Comments Opposed:** None

**Questions from the Committee:** Reese asked if the petitioner is proposing any outside storage.

**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 if the A-2 area was split off from the R-2, it would have to meet all of the zoning regulations. Klotz also stated that a variance was granted for the existing buildings to remain 3 feet from the property line.

**FROM A-1 EXCLUSIVE AGRICULTURAL TO A-2, AGRICULTURAL AND RURAL BUSINESS**

**R3668A-13 & CU1754-13 – Mark & Ron Ebert/Ronald D Ebert Property:** Rezone all of PINs 012-0816-0432-001 (17 Acres) and 012-0816-0541-000 (26.008 Acres) for nursery and greenhouse operation with conditional use to include retail sales of agricultural related items not grown on the premises and ag tourism, all at **W1795 Fox Road** in the Town of Ixonia.

**Petitioner:** Mark Ebert, W1795 Fox Road was present. The Eberts would like to rezone with a conditional use for retail sales. They would like to sell items such as garden gifts, patio furniture, pottery, chemicals, fertilizer, and pre-packaged food. They also have a fall festival every year.

**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 explained the history of the greenhouse and that it is an existing business. No changes are proposed to be made from the current operation.

**FROM A-1 EXCLUSIVE AGRICULTURAL TO A-2, AGRICULTURAL AND RURAL BUSINESS**

**R3669A-13 & CU1755-13 – Steven M Cline /Combined Enterprises LLC c/o Jellystone Park:** Rezone PIN 016-0513-3621-001 (40.158 Acres) with conditional use to allow campground expansion at **N551 Wishing Well Lane** in the Town of Koshkonong.

**Petitioner:** Steve Cline, N551 Wishing Well Ln was present. Cline explained that the reason for the expansion is in response to changing consumers' habits which would prefer more rental cabins, more seasonal sites, and waterpark-type amenities. Cline explained that this expansion would bring an economic impact to the County by creating extra jobs. He stated he would reduce the traffic from the residences along Wishing Well and bring them off Old STH 26. He feels that the high capacity well will not be an issue as indicated in the report submitted. Cline stated that he knows that the additional camp sites will create noise but has indicated that STH 26 is noisier than his campground. Cline stated that the Town of Koshkonong contacted the Sheriff's Office and that the number of complaints were "average". Cline stated that the expansion was good for the County and Township.

Cline rebutted all of the concerns expressed by the neighbors. Cline stated that all of the barrels are empty and he is recycling them. He stated that the property looks better now than when he purchased it. Cline apologized to all of the neighbors and stated some of these concerns were the first he had heard of them. Cline also stated that the complaints that some of the neighbors brought to him were addressed. Cline again stated that the traffic

will be taken from Wishing Well Lane and will be coming off of Old STH 26. He stated that the buildings on this property are being used for storage of supplies for the haunted house. Cline explained that the trailers are personal property of campers and he can't remove them until they are foreclosed on. Cline stated he will meet all of the County's regulations on campgrounds and will have a 40-foot buffer. Cline stated that most of the concerns expressed will be eliminated when he can expand the park.

Cline answered Rinard's question about trailers by saying he can't get rid of them because they are personal property. He missed the financial committee. Cline said the new property would be only for seasonal campsites and would not be condos. There is existing storage in the campground which would be fenced off.

**Comments in Favor:** Sara Balentyne from Janesville. She is on the Jellystone advisory board and a lot owner at the park. Balentyne is in full support of the expansion and is speaking on behalf of the lot owners of Jellystone. She stated that no lot owners were opposed to this expansion. She stated that the lot owners pay taxes to the County and go to the local businesses in the area. She stated they are part of the community.

Mary Beth Klietz, N635 Wishing Well Ln. – Klietz stated that she moved from closer to Highway 26 and this neighborhood is a lot quieter than living next to the highway. They have no issue with the traffic now and she stated the new driveway will take a lot of traffic off this road. Klietz is in favor of the expansion.

**Comments Opposed:** Dave Peterson, N335 Old STH 26 – Peterson disagreed with anything Cline had to say. Peterson stated that it's not a campground but a trailer park with decks, shed, awnings, etc. He had pictures of property that Cline would like to expand. Peterson gave the photos to the committee and explained them. He had pictures of outside storage, junk, picnic tables along the fence line and barrels. He also had photos of abandoned trailers on this property. Peterson stated that his residence is about 30 yards away from the property line. Peterson continued to show photos and explained them all. He stated that the jobs that this expansion will bring are seasonal and service jobs. Peterson stated that he had to call the Sheriff because someone put a camera on his property. Peterson stated that if there was ever a tornado there is no shelter for these people. He stated that he picks up garbage along his property line all the time.

Bill Merrick, N606 Wishing Well Ln Fort Atkinson – Merrick stated that Mrs. Klietz is an employee at the park. Merrick wanted to state his list of objections to the Committee and stated that he would agree with Mr. Peterson that the property proposed for the expansion is an eyesore and has piles of junk. He lives one house down from the park and Merrick stated that the park is a poor neighbor. He stated that they burn rubbish and it stinks. He stated that they are very noisy and the Halloween party music goes until after midnight. Merrick stated that the traffic speeds through the neighborhood. They dump litter in his front yard such as beer bottles, fast food wrappers, etc. Campers trespass on his yard and dig up plants from this yard. He is very upset with the campground and is not in favor of the expansion.

Ron Mishleau, N651 Cowpath Ln Fort Atkinson – Mishleau stated that he has campers coming down to his property in golf carts. He also doesn't like the noise and he objects to the expansion.

Patricia Kobs, N435 Old 26 Fort Atkinson – Kobs stated that they bought an old farm house next to this property. She is concerned about her property values. She stated that the campground is behind her and now they are proposing to be next to her. The water park would be next to her. Kobs has concern with the water table and berming along her property. There are no guarantees that he will not affect the water table. She is opposed to the expansion of the campground.

Bill Steckelmann, N759 Waubunsee Tr. #1 Fort Atkinson – He is further away from the park than other neighbors that spoke but he stated that he can't leave his windows open because of the noise from the campground. Steckelmann stated that there is trash along the roadways. He stated they had the speed limit lowered in the area and the campers still speed along the roadway. He is opposed to the expansion.

Jean Smith, N309 Old 26 Fort Atkinson – Smith also had concerns about the water table with the new waterpark. She stated that the noise carries, especially when there are events going on. She is opposed to the expansion.

**Questions from the Committee:** Rinard asked Cline how long the trailers are on the property.

**Town Response:** Klotz read town response for 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 Cline if he could move the trailers into the park. Cline stated he would not put the lake into the right-of-way and would have a 40 foot buffer. Klotz asked Cline if soil tests have been conducted on the property to determine how much area is needed for the new system. Cline stated that Ayres and Associates designed the system but no soil tests have been done for the property. Klotz stated that Cline is asking for 135 campsites that are 45' by 170' and proposing a lake and waterpark. Klotz asked Cline where he was going to store the trailers now that this area will be used for campsites. Cline did not say. Klotz asked if Cline could designate a site in the park to store these things. Klotz explained all of the paperwork in the file. Klotz asked Cline for an updated site plan of the proposed plans.

**R3670A-13 – Greg Mode/Wiliam & Jean Ehrke Properties:** Rezone all of PIN 022-0613-2632-001 (4.106 Acres) owned by Gregory Mode; rezone 3.2 acres from both PINs 022-0613-2632-000 (36.966 Acres) and 022-0613-2623-004 ( 11.933 Acres) owned by William & Jean Ehrke to create an approximate 7.3-acre lot for an agricultural stable. The site is near **N3075 Trieloff Road** in the Town of Oakland.

**Petitioner:** Greg Mode, N3075 Trieloff Road – Mode would like to add 3.4 acres to his parcel to build a horse barn for breeding and the sale of animals. Mode stated that he would have an easement to access the agricultural lands behind him. Mode also stated there are other field accesses to the south of his property.

**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 Mode if there was an access for the remainder of the A-1 lands for Ehrke. Klotz stated that only 7 horses would be allowed on the property.

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

**R3671A-13 – John Burton:** Create a 1.5-acre lot around the home at **W114 Hooper Road** in the Town of Palmyra from PIN 024-0516-0144-000 (33.29 Acres).

**Petitioner:** John Burton, W114 Hooper Rd. He is selling the property and wants to split the house from the farmland. Burton stated that the house is from the mid 1800's.

**Comments in Favor:** None

**Comments Opposed:** None

**Questions from the Committee:** None

**Town Response:** Klotz read town response 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 Burton the age of the residence.

**R3672A-13 – Barry Pechous:** Create a 5-acre lot around the home at **W385 Hooper Road** from PIN 024-0516-0134-000 (39.406 Acres) in the Town of Palmyra.

**Petitioner:** Barry Pechous, N1104 Pechous Ln. – Pechous stated that the house was built in 1971 and the barn is for horses. Pechous stated there would only be three horses on the property.

**Comments in Favor:** None

**Comments Opposed:** None

**Questions from the Committee:** None

**Town Response:** Klotz read town response 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 Pechous how many horses were proposed for the property.

**R3673A-13 – Marcus Tincher:** Rezone part of PIN 024-0516-0131-000 (40.694 Acres) to create a 2-acre vacant building site and a 4-acre building site with sheds on **Hooper Road** in the Town of Palmyra.

**Petitioner:** Marcus Tincher – Tincher would like to split off two lots from the property. Tincher stated he does not have any buyers for these lots yet.

**Comments in Favor:** None

**Comments Opposed:** None

**Questions from the Committee:** None

**Town Response:** Klotz read town response 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 about the driveway for the 2-acre lot. Klotz asked the petitioner if he had any buyers for these lots to ask the proposed use of them.

**R3674A-13 – Jim Tourbier:** Rezone 2.136 acre of PIN 032-0815-2522-003 (16.894 Acres) for a new residential building site on **Pipersville Road** in the Town of Watertown.

**Petitioner:** Ann Tourbier, W1081 Lewis Ln, Ixonia, WI – They are selling a two-acre lot. The reason for this location is to continue to farm the rest of the property.

**Comments in Favor:** None

**Comments Opposed:** None

**Questions from the Committee:** None

**Town Response:** Klotz read town response 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 A-1 EXCLUSIVE AGRICULTURAL TO A-3, AGRICULTURAL/RURAL RESIDENTIAL  
AND N, NATURAL RESOURCES**

**R3675A-13 & R3676A-13 – Joe Schroeder:** Create a 2-acre lot around the home at **W1219 STH 106** and a 2-acre N zone adjacent to it, both from PIN 024-0516-1533-000 (22.004 Acres) in the Town of Palmyra.

**Petitioner:** Karen Schroeder, W1219 STH 106 – Schroeder stated that they would like to sell their home and believe it would be easier if they had smaller acreage. Schroeder confirmed that the house was built in 1988.

**Comments in Favor:** None

**Comments Opposed:** None

**Questions from the Committee:** None

**Town Response:** Klotz read town response 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 Schroeder if the house was built in 1988.

**FROM COMMUNITY TO A-1, EXCLUSIVE AGRICULTURAL**

**R3677A-13 – Dorothy Spike:** Rezone a 66-foot wide strip of PIN 028-0513-1724-013 (0.17 Acre) for an access to adjoining A-1 zoned lands. The site is along **STH 106** in the Town of Sumner.

**Petitioner:** Richard Spike, W9167 STH 106 – They request that this acreage be rezoned to A-1 to have access to the A-1 lands in back. Spike indicated that he did have a driveway permit from the State DOT.

**Comments in Favor:** None

**Comments Opposed:** None

**Questions from the Committee:** None

**Town Response:** Klotz read town response 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**

**CU1756-13 – Notbohm Trust/Charles Notbohm Trust:** Conditional use to allow mineral extraction on areas of PINs 018-0713-3441-000 (40 Acres) and 018-0713-3532-000 (40 Acres) in the Town of Lake Mills at **W8089 Hope Lake Road**.

**Petitioner:** Travis Hardy, Grade Tech Pavers, Ixonia Wisconsin – They would like to transfer the existing borrow pit and open the new area for mining.

**Comments in Favor:** None

**Comments Opposed:** None

**Questions from the Committee:** None

**Town Response:** Klotz read town response 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. This site was under a previous permit.

**CU1757-13 – Troy N Schlender:** Conditional use to sanction an intensive ag/dairy operation for 447 animal units at **W6624 E Hubbleton Rd** in the Town of Milford on PINs 020-0814-0543-001 (19 Acres) and 020-0814-0542-000 (20 Acres).

**Petitioner:** Troy Schlender, W6624 E Hubbleton Rd. – Schlender would like to build a new free stall barn and they need a CU for the expansion. There was a brief discussion on animal units.

**Comments in Favor:** None

**Comments Opposed:** None

**Questions from the Committee:** None

**Town Response:** Klotz read town response 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.

**CU1758-13 – Doug Miller:** Conditional use to allow a home occupation for gun sales at **N8055 Springer Rd** in the Town of Waterloo on PIN 030-0813-2621-000 (3 Acres).

**Petitioner:** Doug Miller, N8055 Springer Rd. – He would like to start a business out of his home and then hopefully it would expand into a storefront. They are not planning to have shooting on the property.

**Comments in Favor:** None

**Comments Opposed:** None

**Questions from the Committee:** Rinard asked if there would be any shooting on the property.

**Town Response:** Klotz read town response 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 owner if he has any parking locations, signs and if he is applying for his federal licenses. The petitioner stated he did have parking area for customers.

**CU1759-13 – Dustin Wilke/Wilkes LLC Property:** Conditional use to sanction an intensive ag/beef operation for 470 animal units at **N7836 Newville Rd** in the Town of Waterloo. The operation is on PINs 030-0813-2914-004 (13.979 Acres) and 030-0813-2823-003 (26.043 Acres).

**Petitioner:** Brian Ellifson is representing the Wilkes. Ellifson stated that the livestock application has been completed and approved by LWCD. Ellifson stated that the animal units are already on the property.

**Comments in Favor:** None

**Comments Opposed:** None

**Questions from the Committee:** Rinard asked if they already have these numbers of animal units on the farm.

**Town Response:** Klotz read town response 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.

**CU1760-13 – Brandon & Susan Oleniczak:** Conditional use to allow a duplex on PIN 008-0715-1231-001 (4 Acres) at **N6624 S Farmington Rd** in the Town of Farmington.

**Petitioner:** Susan Oleniczak, N6624 S Farmington Rd- Oleniczak would like to add a mother-in-law suite to their existing residence. They are proposing an 850 sq ft addition on the existing residence.

**Comments in Favor:** None

**Comments Opposed:** None

**Questions from the Committee:** None

**Town Response:** Klotz read town response 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 total number of bedrooms for the proposed structure. Oleniczak stated after the addition there will be 3 bedrooms for the entire structure.

## **7. Adjourn**

Motion by Reese, seconded by Jaeckel to adjourn the meeting at 8:30 pm.

Don 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.*