

NOTICE 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: Thursday, February 18, 2016

TIME: **APPROXIMATELY 7:30 p.m.** (*Courthouse doors will open at 6:30*)

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

Nass called each petition on the agenda to verify everyone was present so they could proceed with the second part of the hearing. The Plautz petition had no one present at the time they were called.

1. **Call to Order** - This portion of the hearing began @ 7:15 p.m.
2. **Roll Call**
3. **Certification of Compliance with Open Meetings Law Requirements**
4. **Approval of Agenda**
5. **Explanation of Process by Committee Chair** – Nass explained. Decision meeting is on Monday, February 22, 2016 and County Board is March 8, 2016.
6. **Public Hearing**

NOTE: Nass addressed items 1-4 in the first part of the hearing.

The following was read into the record by Klotz:

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at approximately **7:30 p.m.** on Thursday, February 18, 2016, in Room 205 of the Jefferson County Courthouse, Jefferson, Wisconsin, or immediately following the public hearing to update the Jefferson County Zoning Ordinance to include changes made in NR115 and Wisconsin Act 55,

and to adopt the Wisconsin Wetland Inventory Maps using 2008 aerial photography. 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 official zoning map 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 A-1, EXCLUSIVE AGRICULTURAL TO A-3, AGRICULTURAL AND RURAL RESIDENTIAL

R3865A-16 – G5 CHS LLC: Create a 4-acre farm consolidation lot around the home and buildings at **N7430 North Shore Road** in the Town of Waterloo on PIN 030-0813-3541-000 (40 Acres).

Brad Koenig from ReMax Realty presented the petition. They were asking to split off 4 acres around the existing buildings. There is an offer pending on the property.

There were no questions or comments in favor or opposition of the petition. There were no questions from the Committee.

Klotz noted the corn cribs do not meet the setbacks and asked if they have been removed. Koenig stated that they will be once they have approval. Klotz asked the petitioner about access to the lot. Koenig stated that they would be using the driveway to the north. The driveway to the south will be for the remaining land. Klotz informed the petitioner that the septic location was needed and added to the site plan. Koenig stated it was west of the house. Koenig took the site plan to include the septic on the plan in the file.

There was a town response in the file in favor of the petition which was read into the record by Klotz. Klotz reiterated that the request was for a 4 acre lot around the buildings and established yard area.

R3866A-16 – G5 CHS LLC: Rezone to create building sites of 1.5 acres, 1.4 acres and 1 acre along **North Shore Road** in the Town of Waterloo from part of PIN 030-0813-3544-000 (40 Acres).

Brad Koenig from ReMax Realty presented the petition. He stated they were asking for 3 building parcels on the south side of the property. They chose this site because of the visibility off of North Shore Road, and takes up the least amount of A-1 zoned lands. They tried to cluster the lots and stay out of the wetlands as much as possible.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the Committee.

Klotz asked if the access to the remaining land was on the south side of the proposed 4 acre lot. Koenig stated yes. Klotz reiterated the property features and proposed lots.

There was a town response in the file approving the petition which was read into the record by Klotz.

Klotz presented the acreage of the land, allowable lots, the soil classification, and the features of the land, and noted that the floodplain was shown on the preliminary survey. The survey also shows the access. Lots 2 and 3 are proposing a shared access. The remaining lands have access to the north.

NOTE: Koenig returned the site plan for the creation of a 4 acres lot around the existing structures for the file which now included the septic area location.

A-3 ZONE MODIFICATION

R3867A-16 – John & Sally Mason Property/Danny & Bridget Nelson: Modify the A-3 zone approval granted by R3046A-05 to allow the combination of Lots 2 & 3 of CSM 4868A-25-185. The site is along **County Road H** in the Town of Palmyra.

John Mason, W2296 Piper Road, along with his wife, Sally, presented their petition. Mr. Mason stated that in 2006, they broke up the land into lots. The purchaser of the lots would like to combine the lots into 1 lot.

There were no questions or comments in favor or opposition of the petition. Larry Kau, Town of Palmyra Chair, stated the town has no problem with this petition. Klotz noted that a written response was also in the file.

Klotz asked the petitioners if the potential buyers understood that once these lots are combined, they will not be able to re-separate them. The petitioner stated yes. Klotz gave staff report noting that they will be combining the 2 lots into 1 for a potential sale.

CONDITIONAL USE PERMIT APPLICATIONS

CU1865-16 – Mark D Nicholson/Betty Kloplic Trust Property: Allow an extensive on-site storage structure of 6,000 square feet, 35 feet in height in a Residential R-1 zone at **W1315 South Shore Drive** in the Town of Palmyra on PIN 024-0516-3422-004 (1.4 Acres).

Mark Nicholson presented his petition. He stated that where he lives currently, he has a 5,000 square foot building. He is looking to sell this property and moving to the lake. The proposed building will be on the south east corner of the lot, and is proposed at 6,000 square feet. He stated he needs a larger building for his boats and motor home. After talking with his builder, he would only need 27' in height. He would be planting evergreens, and would assure that the building would blend in with the surroundings.

In favor was Dick Natrop from Shorewest Realtors. He stated that they received an accepted offer on January 5, 2016 and that Betty Kloplic is in full support. Mr. Natrop handed out a map of the property to the Committee. The parcel is 1.4 acres. The map showed the proposed location of the building which was surrounded mainly by woods. The front of the building would be approximately 174' from South Shore Drive. There is a slight hill, and is pretty heavily wooded. He explained pictures he had taken which showed the building would be shielded by the existing trees. The trees are anywhere from 25'-35' high. He stated he also had pictures from the house to the west towards the site in which the structure would be blocked by existing vegetation.

Larry Kau, Town of Palmyra Chair, asked the petitioner if there would be dawn to dusk lights. Mr. Nicholson stated there would be inside lights. Kau asked if there would be any outside lights. Mr. Nicholson stated there may be motion lights.

Mr. Nicholson noted that he would not be putting in any type of bathroom in the building.

Eileen Oelke, W1286 South Shore Drive, stated that she was a resident of Blue Spring Lake, and was opposed to the huge structure. It was not a residential structure. It's a residential area, not commercial. She wants to preserve and protect what they have.

William Goldberg, W1296 South Shore Drive, also spoke in opposition of the petition. He stated that the Ordinance provides for 2 accessory structures associated with a residential use. This was a mammoth building way beyond the limits of the Ordinance. He felt that Mr. Nicholson had other options without putting this building in an R-1 Residential Zoning district, and this would be inconsistent with the R-1 zone.

Kyle and Cindy Leonard, W1292 South Shore Drive, were also opposed. They noted the structure is enormous and were concerned about the trees that would have to be removed. This size of a building was too much for the area.

Daron McDowell, W1248 South Shore Drive, also spoke in opposition. She stated that this was 6 times larger than allowed, and was also concerned about the trees being removed. She questioned the need this size of a building for personal use. She also submitted her letter of concern for the file.

Klotz made note that there were also letters of opposition in the file from those who had already spoken. Klotz read a letter of opposition that was in the file from Mike and Kathy Ziarniak, W1229 South Shore Drive, into the record.

Dick Natrop responded by stating that the use of the building would be limited to the storage of personal property. The Ordinance does provide for exceptions to the requirements under a Conditional Use Permit request, and they would be bound to any conditions. He explained that some trees would have to be cut down, but this area is more open and mainly underbrush. The more mature trees are at the front and west side of the lot. There will be a driveway that will lead up to the building where trees may need to be removed, and this building does not impinge upon the nature of Blue Spring Lake. The building will be barely noticeable if noticeable at.

Rinard asked the petitioner about the pitch/height of the roof. Was it 35' or 27' in height. The petitioner stated after talking with his builder, it would be 27'. Reese stated that with a building of this size, there would be no outside storage. The petitioner stated that was correct. Reese asked that if the building were smaller, would there be storage outside. The petitioner stated yes.

Larry Kau, Town of Palmyra Chair, stated the town approved the request.

Klotz asked the petitioner if there would be water service to the building. The petitioner stated there wouldn't be. Klotz asked the petitioner if he understood there is no residential use such as living quarters, mother-in-law apartment, carriage house, and was not permitted without a conditional use for multi-family. Also, because he was asking for a large size building with increased height, that no residential or business use or storage would be allowed in the building. Klotz asked the petitioner if there would there be multiple floors. The petitioner stated that there wouldn't be and further explained.

Klotz noted that all the letters and e-mail were in the file including the documents that were talked about already as well as Dick Natrop's submittal.

Committee. Kau stated it is connected to a garage that the entire building was about 1,200 square feet.

Reese made motion, seconded by David, motion carried 5-0 to adjourn @ 7:55 p.m.

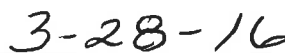
A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

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.



Secretary



Date

CU1866-16 – Frederick & Jennifer Plautz Trust: Allow a duplex in an A-3, Agricultural and Rural Residential zone at **W3315 Ranch Road**, Town of Farmington. The site is on PIN 008-0715-1011-002 (1.049 Acres).

Frederick Plautz presented his petition. He stated wanted to change the structure from single family to a duplex. They were looking for flexibility for the future either for additional income or living quarters for family.

There were no questions or comments in favor or opposition of the petition. There were no questions from the Committee. Klotz asked about the existing driveway. The petitioner explained. Klotz asked if each lot would have its own frontage and access. The petitioner stated yes. Klotz noted that no floor plan was submitted, and that we would need the floor plan by 4:30 on Friday because the Committee will be meeting on Monday.

Klotz asked if there would be any modifications to the structure needed. The petitioner stated no. Klotz noted there was a sanitary permit on file sized for 4 bedrooms, and asked how many bedrooms they were proposing. The petitioner stated there were 3. There was 1 on the upper floor and 2 on the main level.

Klotz noted that there was a response from the town in file in favor of the petition.

CU1867-16 – Frank & Rebecca Smale: Allow multiple dwelling unit structures in a Residential R-1 zone at **W1251 North Blue Spring Lake Drive** in the Town of Palmyra. The site is on PIN 024-0516-2731-028 (0.537 Acre).

Larry Kau, Town of Palmyra Chair, presented the petition. He stated they have their own house and the additional building with their own sewer laterals. He noted there were pictures in the file of the structures.

Dick Natrop, Shorewest Realty, was in favor. He stated that this building has existed as an apartment for at least 23 years which has been used for family and visitors during that time. There was plenty of parking and there would not be significant increase in traffic.

There were no questions or comments in opposition of the petition or questions from the Committee.

Klotz asked if the sewer lateral was stubbed in realizing this was a residential structure. Kau stated that the lateral was there when the house done. Klotz stated the existing is 642 square feet, and that a minimum 850 square feet was required. In order to rectify this, they may need to put on an addition, but it would be up to the