

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 a Request for a Conditional Use Permit

DATE: Thursday, October 19, 2017

TIME: 7:00 p.m. (*Courthouse doors will open at 6:30*)

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

1. **Call to Order:** The meeting was called to order at 7:00 p.m. by Chairman Nass.
2. **Roll Call:** All members were present. Also present was Matt Zangl and Rob Klotz from the Planning and Zoning Department.
3. **Certification of Compliance with Open Meetings Law Requirements:** Reese certified that the meeting was being held in compliance with the Open Meetings Law.
4. **Approval of Agenda:** Motion by David, second by Jaeckel to approve the agenda. The motion was carried on a voice vote with no objection.
5. **Explanation of Public Hearing Process by Committee Chair:** Chairman Nass explained the public hearing process and noted the Committee Decision meeting will be on 10-30-2017 and County Board action will be on 11-14-2017.
6. **Public Hearing:** Klotz read the following:

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, October 19, 2017, 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 official zoning map of Jefferson County and an application for conditional use permit. A map of the properties affected may be obtained from the Zoning Department. Individual files, which include staff findings of fact, 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/RURAL
RESIDENTIAL**

R4007A-17 – Michael Cronin/Michael Neal & Doris Cronin Property: Rezone in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance to create a 0.7-acre lot and a 2.3-acre lot at **W4849 Shaner Rd** from PIN 010-0515-0622-002 (3 Ac), Town of Hebron.

Petitioner: Michael Cronin (W4819 Shaner Lane): I would like to come into compliance by splitting the property into two parcels.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Dated 8-14-2017 and in the file, the town was in favor of this petition.

Staff Report: Given by Klotz and in the file. This petition received variances for lot size. 17 years ago they converted the barn to a residence and never got a zoning permit.

R4008A-17 – Michael Bumbard/C&G Bumbard Trust Property: Create a 6-acre building site utilizing lot combination on **Wishing Well Ln** in the Town of Koshkonong. The site is part of PIN 016-0513-2534-000 (40 Ac). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

Petitioner: Steve Mode (representative N2192 Clearview Lane): We want to sell the farm and create a non-prime lot.

Comments in Favor: Bill Merik (N606 Wishing Well Lane): Bill is in favor with minor issues in the dimensions.

Comments Opposed: None

Questions from the Committee: None

Town Response: Dated 9-18-2107 and in the file, the town was in favor of this petition.

Staff Report: Given by Klotz and in the file. This will be a six acre non-prime lot with 100% non-prime soil.

R4009A-17 – Matthew Kaminski: Create a 1.59-ac farm consolidation lot around the home at **N7797 Vandre Rd** in the Town of Milford from part of PIN 020-0814-2933-000 (16.679 Ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

Petitioner: Matt Kaminski (N7797 Vandre Road): I would like to parcel off the house and original out buildings.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Dated 9-14-2017 and in the file, the town was in favor of this petition.

Staff Report: Given by Klotz and in the file. The petition is for a 1.59 acre parcel farm consolidation.

R4010A-17 – Kathryn I Moritz Trust: Create an 8.5-acre lot at **W6770 Pond Rd**, in part by farm consolidation and also by lot combination from PINs 016-0514-2924-000 (40 Ac) and 016-0514-2923-001 (10 Ac) in the Town of Koshkonong. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

Petitioner: Kathryn Moritz (W6770 Pond Road): I am dividing the area to create an 8.5 acre lot.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Dated 9-18-2017 and in the file, the town was in favor of this petition.

Staff Report: Given by Klotz and in the file. Klotz explained how a parcel of 8.5 acres can be created through the ordinance.

FROM A-, EXCLUSIVE AGRICULTURAL TO N, NATURAL RESOURCES

R4011A-17 – Kathryn I Moritz Trust: Rezone to create a 4.4-acre Natural Resource zone from part of PIN 016-0514-2924-000 (40 Ac), near **W6770 Pond Rd** in the Town of Koshkonong in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

Petitioner: Kathryn Moritz (W6770 Pond Road): This is for a 4.4 acre NR Zone from the 50 acres.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Dated 9-18-2017 and in the file, the town was in favor of this petition.

Staff Report: Given by Klotz and in the file. Approximately half is wooded and half is non-prime soil. This will be added to the A-3 zone with the house.

R4012A-17 – J&D Messmann Trust/Robert Biwer, Vesta Biwer Trust: Rezone PIN 008-0715-3042-001 (8.487 Ac) to create an 8.55-acre Natural Resource zone near **County Road Y** in the Town of Farmington. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

Petitioner: Jerry Messmann (W4667 Marsh Road): We have already purchased half of this parcel and want to purchase the remainder. It will be used for hunting and recreational land.

Comments in Favor: Kathrine Messmann (W5302 Biederman Drive): Will there be a survey required?

D Messmann (W4667 Marsh Road): In favor

Comments Opposed: None

Questions from the Committee: None

Town Response: Dated 9-13-2017 and in the file, the town was in favor of this petition.

Staff Report: Given by Klotz and in the file. Klotz explained when a survey is required. This will be only hunting land, no buildings and no house.

CONDITIONAL USE PERMIT APPLICATION

CU1931-17 – North Shore Estates LLC: Allow multi-family residential development for 13 units at **W7990 and W7986 County Road B** on PINs 018-0713-0234-002 (3.419 Ac), 018-0713-0234-003 (0.561 Ac) and 018-0713-0234-009 (0.353 Ac). The site is in the Town of Lake Mills, and is zoned Residential R-1. This request is in accordance with Sec. 11.04(f)1 of the Jefferson County Zoning Ordinance.

Petitioner: Jay Smith (Representative – 122 E Lake St): Mr. Smith explained that the petitioner is wanted a Conditional Use Permit for multi-family. Currently, there are to houses on three parcels. They would be completing a Condo Plat for 13 units including six duplexes and one home. This area is currently residential and an area for growth and near other condos.

Rebuttal: The owner sent a letter to the neighbors and were unaware of any opposition. The property was bought with the intent to separate or rent the homes. This petition was not spot zoning. Other projects in the area have 20 plus units. This location is prime for

growth with 4+ acres and 13 units. The petitioner will work with the neighbors and the Town needs to approve the Condo Plat. They will not be increasing boat traffic or slips, but the owners would have access to the water.

Ryan Quam (4604 Siggelkow Road): Ryan is the engineer for the project and can answer any questions presented.

Rebuttal: The Condo Plat will meet the County, Town and State requirements. The total amount of pavement will not increase by much and the water runoff will be treated by a rain garden.

Comments in Favor: None

Comments Opposed: Tom Travers (7974 County Road B): Tom lives near the project and is opposed for many reasons.

Attorney Karen Reemer (Representing Donna Tarnutzer) (140 E Lake St): They are opposed for the same reasons including increased noise, traffic and families sharing 75' of lake frontage.

Ed Barthell (W7952 County Road B): Opposed for the same reasons and concerns including increased traffic, environmental concerns, new utilities (new well impacts). Traffic and safety concerns with County Road B.

Jim Ackerman (W7946 County Road B): Jim is opposed and representing his mother (Kay). Opposed due to over population in the area, safety with County Road B and speed concerns on the road. Jim presented a petition with signatures from neighbors in the area. The petition was added to the file.

Peter Luther (W7968 County Road B): Peter is opposed with the same concerns including traffic concerns and well concerns.

Questions from the Committee: None

Town Response: Dated 9-12-2017 and in the file, the town was in favor of this petition with effort to be made to maintain 35' wetland setback and a vision triangle.

Staff Report: Given by Klotz and in the file. Klotz explained the Town notice requirements and the County's notice requirements. The property is zoned R-1 and has been since 1975 and has the ability for a conditional use for duplexes or multi-family of up to 10 units per acre. There was no objection from the County Hwy Department. The petition is for 6 duplexes and 1 single family home and will be developed as a condo development.

Motion to adjourn at 7:52 by Reese, seconded by Jaeckel. Motion passed by a voice vote with no objection.

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.

Further information about Zoning can be found at www.jeffersoncountywi.gov

A handwritten signature in black ink that reads "Don Reese". The signature is written in a cursive, flowing style.

Don Reese, Secretary