

NOTICE OF PUBLIC HEARING
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE

Steve Nass, Chair; George Jaeckel, Vice-Chair; Don Reese, Secretary; Matt Foelker and Blane Poulson

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

DATE: Thursday, July 19, 2018

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 by Vice-Chairman George Jaeckel at 7:00 p.m.

2. Roll Call

All Committee members, except Chairman Nass, were present at 7:00 p.m. Also present were Matt Zangl and Sarah Higgins of the Zoning Department.

3. Certification of Compliance with Open Meetings Law

Reese verified that the meeting was being held in compliance with open meetings law.

4. Approval of Agenda

Motion by Reese, seconded by Foelker to approve the agenda as presented. Motion carried on a voice vote with no objection.

5. Explanation of Public Hearing Process by Committee Chair

Jaeckel explained the evening's proceedings.

6. Public Hearing

Zangl read aloud the following notice:

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, July 19, 2018, 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 applications for conditional use permits. A map of the properties affected may be obtained from the Zoning Department. Individual files, which include staff finding 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

R4071A-18 – Craig Frohmader/Robert & Marilyn Frohmader Trust Property: Create a 2-acre building site on **County Road Q** in the Town of Aztalan from part of PIN 002-0714-1711-000 (53.05 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Craig Frohmader from W9107 Hwy 12, Cambridge, WI presented himself as the petitioner for this rezone. He stated that they would like to create a 2-acre lot zoned A-3 in order to build a new house on it.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl then asked if they had contacted the highway department for access approval. Craig stated that have not yet contacted them regarding access. Zangl stated the prelim survey shows a gap between the field and the proposed lot and asked if that was the access for the parcel. The petitioner stated that was for access. Zangl then asked if that was the only access for that parcel and the petitioner said yes it was. Zangl clarified it was only 35' and asked if they can extend it to 66' instead. Robert Frohmader from N6025 County Rd N, Jefferson, WI then answered by saying he owns the land and there is no reason to make the access point wider because it's strictly used for access for trucks, wagons, gravity boxes etc. to get out of the field. He said the reason it's the only access is because of the waterway on the southern part of the field. He stated it takes all the water form Hwy Q and the fields to the west, and it all runs right through there. He went onto say that the road there on the north side is the highest part of the field and it is the only access they can get out from when it's wet because they can't get across the ditch. Zangl explained that usually a parcel needs 66' ft of frontage and access, but he will work with Brian from the Ihighway Department to make sure that is anything ever happens, they will have the 66' ft of frontage from Hwy Q. Zangl then asked if the proposed driveway was an existing access point for the current line or if it's a future one. The petitioner confirmed that the proposed driveway was for the new lot. Zangl stated that they would have to also work with Brian on that as well to make sure access could be granted there. Zangl also stated that this would require an affidavit of zoning limitation.

TOWN RESPONSE: Approved and in the file.

R4072A-18 – David A Staude: Create a 3-acre lot around the farm buildings at **N7253 Woody Drive**, Town of Concord, from part of PIN 006-0716-0412-000 (46.94 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Tom Stade from W5289 Bockmann Ln, Jefferson, WI presented himself as the petitioner for this rezone on behalf of David Staude. He stated that he would like to create a 3-acre lot for farm consolidation around the existing buildings on Woody Ln.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl then asked if there used to be a house on this lot. The petitioner said that was correct. Zangl then stated that the old septic system that was on this lot was abandoned so he asked if a soil test has been done yet to see if the site will pass for a new system. The petitioner said a new

soil test has not been done yet. Zangl made the comment that that is something that the board will want to look at to know that there is an area that will pass for a septic system. Zangl asked if there is access for the remaining A-1. The petitioner said that there is still access on the north side.

TOWN RESPONSE: Approved and in the file.

R4073A-18 – Robert Fry: Create a 5-acre farm consolidation lot with existing home and farm buildings at **N5880 County Road D** in the Town of Farmington, part of PIN 008-0715-2341-000 (40.161 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Robert Fry from N5880 County Road D, Helenville, WI presented himself as the petitioner for this rezone. He stated that he would like permission for the rezone in order to have a 5-acre farm consolidation lot.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl asked what year the house was built. The petitioner stated the house was built probably 120 years ago. Zangl then stated that he was out there for a soil test and the site did pass for a septic system. The petitioner confirmed that the area that was tested is on the northeast corner of the lot. Zangl asked if there is access for the remaining A-1. The petitioner said that they do.

TOWN RESPONSE: Approved and in the file.

R4074A-18 – Jason & Jennifer Schroedl: Create a 2.0565-acre lot around the home and buildings at **N5060 Christberg Road**, Town of Farmington, on PIN 008-0715-3141-000 (38.4 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Jason Schroedl from W4756 F & J Townline Rd, Jefferson, WI presented himself as the petitioner for this rezone. He said that they just purchased the 38-acres with an existing house on it and he would like to split the house off so someone else can own it.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl asked what year the house was built. The petitioner answered just by saying that it's "old." Zangl then asked for the location of the septic system on the lot. The petitioner said that he believes it is located on the south side of the existing house on the same lot. Zangl asked if there is access for the remaining A-1. The petitioner said there is access on the south side.

TOWN RESPONSE: Approved and in the file.

R4076A-18 – Damrow Trust, c/o Donna Christian: Create a 3-acre lot with the home at **W1811 & W1813 State Road 16** from part of PIN 012-0816-1744-000 (35 Acres). The site is in the Town of Ixonia. This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Jon Spheeris from 175 E Wisconsin Ave, Oconomowoc, WI presented himself as the petitioner for this rezone. He stated that they are looking to split off a 3-acre lot, which can be seen on the CSM and was approved by the Town of Ixonia.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl asked how old the homes are here. The petitioner answered by saying that the homes are over 100 years old. He also stated that they did receive approval from the railroad for this, but now have approval from the railroad. Zangl stated that they do now have driveway access approval for the existing homes now. Zangl also went on to say that there is now an agreement signed by land owners and the railroad company stating that the usage isn't going to change; even though another lot is being added, the number of homes will stay the same. Zangl then asked if this home was still a duplex or both single-family. Donna Christian from N1678 Randall Rd, Watertown, WI then answered by stating that there is still a duplex. There is a single-family home, but the 3-acre lot they are trying to create has a duplex on it. Zangl also stated that the homes were initially served by 1 septic system. He was out at the property for the soil test and it passed in order to each lot to have its own septic system.

TOWN RESPONSE: Approved and in the file.

R4077A-18 – Anthony & Karen Schadt: Create a 3-acre farm consolidation lot around the home and buildings at **N8741 Kelm Lane** in the Town of Watertown from part of PIN 032-0814-1324-000 (26 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Anthony Schadt from N9457 County Road Q, Watertown, WI presented himself as the petitioner for this rezone. He stated that he purchased this farm from the estate and he would like to create a farm consolidation lot on the 3-acres.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl asked what year the house was built. The petitioner stated that it is very old. Zangl then stated that it would qualify for farm consolidation. Zangl then asked if there is a septic system located on the lot. The petitioner stated that the septic is on the southeast side of the house.

Zangl then stated as a reminder that the preliminary survey shows the driveway access point going quite a long ways up to Kelm Ln. He stated that he talked to Land Information Department to see if it was accurate where Kelm Ln stops. To their knowledge, and through the CSM process, it was pretty accurate where the road stops and where their property will begin. Zangl stated it would take up about an acre of land just getting to the property.

TOWN RESPONSE: Approved and in the file.

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

R4075A-18 – Samuel & Kenlon Meyers: Create a 9-acre farm consolidation and lot combination around the home and buildings at **W3930 State Road 106** in the Town of Hebron from part of PINs 010-0615-3331-000 (21.8765 Acres) and 010-0615-3334-002 (10.986 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Samuel Meyers from W3930 State Road 106, Fort Atkinson, WI presented himself as the petitioner for this rezone. He stated that they decided to sell the house and shops, so it only made sense to sell all the barns and everything else in one lot to avoid having shared wells and driveways. Therefore, he would like the 9-acre split in order to sell off everything together.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl asked what year the house was built. The petitioner stated that the house was built a long time ago. Zangl then asked if there would be access to the remaining A-1 land. The petitioner stated there is access to the west of the house, and it can be seen as the little jog on the proposed lot. Zangl stated that this petition will zone the land back to A-3. He also said that the neighboring land owners from the past transferred and switched some land around which is why the situation is unique. He went on to explain that the lot would be eligible for 1 farm consolidation of 1-5 acres and 3 non-prime splits or 1 prime split. Zangl also noted that the Committee needs to look at some sort of lot combination in order to allow the petitioner to request 9 acres.

TOWN RESPONSE: Approved and in the file.

FROM A-1, EXCLUSIVE AGRICULTURAL TO N, NATURAL RESOURCES

R4078A-18 – Dan Zastrow: Rezone part of PIN 018-0713-3622-000 (40 Acres), and all of PINs 018-0713-3623-000 (40 Acres) and 018-0713-3632-000 (53.128 Acres) near **Mud Lake Road** in the Town of Lake Mills to create an approximate 110-acre Natural Resource zone. This is being done in accordance with Sec 11.04(f)12 of the Jefferson County Zoning Ordinance.

PETITIONER: Tim Johnston from 151 Phillips Ln, Lake Mills, WI presented himself as the petitioner for this rezone on behalf of Dan Zastrow. He stated that Zastrow would like to rezone the property from A-1 to a natural resource zone and to allow for a 30 ft easement to the property.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl also added that the variance regarding access for this was granted last week by Board of Adjustment.

TOWN RESPONSE: Approved and in the file.

CONDITIONAL USE PERMIT APPLICATIONS

CU1950-18 – John Schwarz: Conditional use for an extensive on-site storage structure in a Residential R-2 zone at **W5867 Hedrick Drive**. This is on PIN 016-0514-1513-005 (1.386 Acre) in the Town of Koshkonong. This is being done in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

PETITIONER: John Schwarz from W5867 Hedrick Dr, Fort Atkinson, WI presented himself as the petitioner for this conditional use. He stated that he wants to build a playhouse for his kids and with a garage below. He said he is here because of the proposed height of the structure (over the allowed 15 ft).

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: Jaeckel asked if there would be water service to this proposed structure. The petitioner said there would be no water for the building.

STAFF REPORT: Given by Zangl and in the file. Zangl asked for confirmation that the proposed size of the structure is 22' x 30' and 29' in height. The petitioner confirmed that those measurements for the size and height are correct. Zangl then asked what the size of the other structure on the property is. The petitioner stated that the other structure is 26' x 40' and has a peak height of 20 ½'. Zangl asked if there would be a bathroom in the structure. The petitioner stated that a bathroom in the structure would not be feasible. Zangl asked what the proposed use of the structure would be. The petitioner stated that it would be used for storage of cars and a boat, and that he wants the extra height for more storage and a loft. Zangl reminded the petitioner that this could not be turned into another home, so no habitable use would be allowed in the proposed structure.

TOWN RESPONSE: Approved and in the file.

CU1951-18 – Tim Haversack/Timothy Haversack & Julie Zander Property: Conditional use for an extensive on-site storage structure in a Residential R-2 zone at **N9672 Oak Hill Road**. This is on PIN 032-0815-0221-007 (1.41Acres) in the Town of Watertown. This is being done in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

PETITIONER: Timothy Haversack from N9672 Oak Hill Rd, Watertown, WI presented himself as the petitioner for this conditional use. He stated that he would like to take down the existing garage. He would then like to rebuild the new proposed structure in its place and add on to the back of it. He stated it would 20' in eight and it would also be over 1,000 sq ft.

COMMENTS IN FAVOR: Joseph Heimsch from N9692 Oak Hill Rd, Watertown, WI spoke in favor of this conditional use.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: Reese asked if there would be any outside storage. The petitioner stated that everything would be inside of the structure. He also added that the proposed structure would prevent him from having to rotate snowmobiles and his campers from a separate property.

STAFF REPORT: Given by Zangl and in the file. Zangl asked what the proposed size of the structure would be. The petitioner stated it would be 26' x 27' for the front one and 60' x 30' for the back one. Zangl then asked what the height of the proposed structure would be. The petitioner stated it would be 20' maximum. Zangl asked if there would be a bathroom in the structure or if it would be used for habitable use. The petitioner said there would be no bathrooms or habitable use.

TOWN RESPONSE: Approved and in the file.

ZONING ORDINANCE TEXT AMENDMENT

R4079T-18 – Jefferson County: Text amendment to Sec. 11.05, 11.09 and 11.11 of the Jefferson County Zoning Ordinance in order to comply with Wisconsin Statutes regarding conditional use permits, variances, substandard lots and non-conforming structures.

PETITIONER: None.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

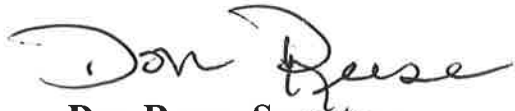
REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl also stated that this is to comply with recent legislation changes. Act 67 came through and made some changes to zoning ordinances, and this will bring the current county ordinance up to speed. This was sent to all the Townships.

TOWN RESPONSE: None.

Reese moved to adjourn and Poulson seconded at 7:37 p.m.



Don Reese, Secretary

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