

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 to the Jefferson County Zoning Ordinance and Requests for Conditional Use Permits

DATE: Thursday, August 23, 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 Chairman Steve Nass at 7:00 p.m.

2. Roll Call

All Committee members were present at 7:00 p.m. Also present were Matt Zangl, Sarah Higgins, and Lindsey Schreiner 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 Jaeckel, seconded by Reese to approve the agenda as presented. Motion carried on a voice vote with no objection.

5. Explanation of Public Hearing Process by Committee Chair

Nass 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, August 23, 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 BUSINESS TO A-3, AGRICULTURAL/RURAL RESIDENTIAL

R4080A-18 – Peter R Dempsey: Rezone PIN 014-0614-1413-002 (1.13 Acre) at **N3964 County Road K** in the Town of Jefferson. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Sherry Dempsey from N3964 County Road K presented herself as the petitioner for this rezone. She stated that they would like this land to be rezoned because it is currently zoned Business and they would like to build a garage big enough for both of their vehicles. Because the parcel is currently zoned Business, they are limited to only 500 square feet, which is not big enough to put both vehicles in.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file. He also stated that one question for the Committee would be if a final certified survey map will be recorded.

TOWN: Approved and in the file.

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

R4081A-18 – City of Waterloo/Gary & Diane Skalitzky Properties: Rezone PIN 030-0813-1722-001 (1 Acre) and approximately one acre of PIN 030-0813-1722-000 (38.970 Acres) to create a 2-acre lot for local utility use. The site is in the Town of Waterloo on **County Road O**. This is in accordance with Sec.11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: Barry Sorenson, representing Waterloo Utilities from 575 Commercial Ave, Waterloo, WI presented himself as the petitioner for this rezone. He stated that there was a substation there previously and they are looking to put another substation there. He said they need the extra property to put their substation there.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file.

TOWN: Approved and in the file.

R4082A-18 – James & Melissa Thoma/Cedar Home Farms Property: Rezone approximately 1.2392 Acres of PIN 008-0715-3512-000 (39.25 Acres) for a rural business zone to allow for storage of contractor's equipment on **County Road D** in the Town of Farmington. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: James Thoma from N4815 Parkview Dr, Helenville, WI presented himself as the petitioner for this rezone. He stated that he is looking to run have a home base for his business (T&H Builders). He stated that right now it is located right across from where they are looking to move it, and his dad is running it from there. He would like to have this rezone in order to move his business to this parcel and run it from there, and then build a home and move there.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl also asked what his thoughts are with the A-2 zone and if intends to sell it separately. Zangl then inquired about the access to County Road D and asked for the reasoning regarding the 66 ft strip. The petitioner replied by stating the 66 ft strip along County Road D was proposed after speaking with Ken Rosenow because he can't let Ken run his big equipment in the small rectangle area behind the next lot. Thoma also stated that he intends to build 2 buildings on the A-2 lot; one for a shop and one for cold storage.

TOWN: Approved and in the file.

CONDITIONAL USE APPLICATION

CU1952-18 – James & Melissa Thoma/Cedar Home Farms Property: Conditional use to allow storage of contractor's equipment and materials in a proposed A-2 zone on **County Road D**, Town of Farmington. The site is part of PIN 008-0715-3512-000 (39.25 Acres), and the request is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: James Thoma from N4815 Parkview Rd, Helenville, WI presented himself as the petitioner for this conditional use. He stated he didn't have anything else to add that wasn't already explained in the petitioner prior regarding the rezone.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl then asked for a brief explanation of the business, including how often people are there, the number of employees he has, and what the hours of operation are. Thoma stated that the hours of operation would be 7 a.m. to 6 p.m., Monday through Friday. Thoma also said that it's usually just him there working, but every once in a while he may have an employee there to help with making cabinets in the shop or pre-build cabinets in the shop and then haul them out. He said that nothing would be outside, other than possibly a fork lift every once in a while, but it would then be put away in the shop. Zangl then asked if most work takes place off-site. Thoma said that was correct, and that this was just a home base site for his truck, trailer, etc. Zangl then asked about a future proposal for another building. Thoma said that right now he is just looking to build a shop, but eventually he might build an out building as he moves from his dad's to his place. Zangl also asked if Thomas left himself enough room on the lot to accommodate the second shop. Thoma stated that he does have it drawn up, and that it was done by Thomas Holland and it does show a second storage building on the proposal.

TOWN: Approved and in the file. The town also noted that there is to be no outside storage.

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

R4083A-18 – James & Melissa Thoma/Cedar Home Farms Property: Create a 1.4442-acre building site along **County Road D** in the Town of Farmington from part of PIN 008-0715-3512-000 (39.25 Acres). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: James Thoma from N4815 Parkview Dr, Helenville, WI presented himself as the petitioner for this rezone. He stated that he would like to build a home here so he can be close to his business.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl also stated that the Committee will have to make a decision on whether the lot is considered prime or non-prime. That decision would determine whether or not it could be a 1-acre or 2-acre lot. Zangl also stated that since this would be the last A-3 zone split from the parent parcel, an affidavit of zoning restrictions would apply. He then

explained that the access point would be off of Bakertown Rd and it will split the access and driveway off of Bakertown for the A-3 and A-2 lots, so they would share an access point.

TOWN: Approved and in the file.

R4084A-18 – Randall V Mitchell: Create a 1.14-acre building site from part of PIN 012-0816-3221-000 (67.6 Acres) near **N7661 County Road E** in the Town of Ixonia. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Randal Mitchell from N7661 County Road E, Watertown, WI presented himself as the petitioner for this rezone. He stated that he would like to create a lot for his niece and her husband so they can build a house just north of the homestead farm buildings.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl also made the comment that they would have to maintain a 20 ft setback from any of the buildings from any of the new property lines. He also stated that highway approval was signed off on and in the file. He reminded the petitioner that if they do any work in the right of way they will need a highway permit from the Highway Department. He also mentioned that the 1.14 acre (the portion over 1 acre) is to sneak the lot back past the buildings so they can maintain the 20 ft setback and meet the minimum lot size of 150 x 200.

TOWN: Approved and in the file.

R4085A-18 – Kruwell Farms LLC: Create two, 2.1-acre lots, one around each of the two homes at **W7496 Mud Lake Road** and also create a new 1-acre building site, also on **Mud Lake Road**. These are part of PINs 018-0713-2534-000 (33.33 Acres) and 018-0713-2543-001 (26.666 Acres) in the Town of Lake Mills. This is 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 Kruwell Farms. He stated they'd like to create a 2.1-acre lot around the ranch home that's there and a farm consolidation around the existing pre 70's farm house. He said then they would like to add a 1-acre lot east of the ranch home. He stated that they are requesting a consolidation of parcels of record from tax parcel 31-1 which is its own parcel of record. Furthermore, the existing buildings have 60 acres in their parcel of record so they're proposing using the 2 available prime splits to create lot 2, and then requesting a farm consolidation of lot 1. He stated that the existing farm house on lot 1 does have a septic system, and its drain field goes in front of the home on lot 2. Because of this they are proposing a septic

agreement between the lots that would last the lifetime of septic system. After that septic system fails, then lot 1 would need to get its own septic system. He also stated that they did have the existing septic system inspected, and that it did pass to support both of these homes for the time being. He had the septic inspection report with him, which was then given to Zangl.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl asked if there was access for the remaining A-1 portion. Stade stated that there is an access point and it is right across the street from the existing farm buildings at W7509. Zangl then asked how old the house is on lot 1. Stade said that the house is very old. Zangl then also asked how old the house is on lot 2. Stade said that the house on lot 2 was a newer home, built sometime in the 80's. Zangl then clarified that lot 3 is currently vacant, which Stade confirmed.

TOWN: Approved and in the file.

R4086A-18 – William Stroupe: Rezone approximately 3 acres of PIN 022-0613-3634-000 (32.127 Acres) to allow a farm consolidation lot around the home and buildings at **N2516 County Road J** in the Town of Oakland. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: William Stroupe from W7462 County Road C, Fort Atkinson, WI presented himself as the petitioner for this rezone. He stated that he is looking to simplify things, and that the people that are currently renting there were pre-approved for purchase. He also said that he has some cost-sharing coming in from FSA on some waterway issues so he wants to make sure that new lot lines don't mess with any of that. Stroupe also wants to put in an access driveway north of the house. He stated that he originally wanted to put it in on the south side of the house but there are wetlands there and when Mark Anderson originally looked at it he told him that that wouldn't work. Therefore, they have to go north of the house but he does not want to disturb the hitching post that is there for the church. He said he is keeping all of the land around that.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl asked what year the house was built and Stroupe stated that it's very old. Zangl also stated that he talked with Brian from the Highway Department and that they are in the process of looking into the access. Stroupe should have an answer from Brian in the coming days regarding the access point.

TOWN: Approved and in the file.

R4087A-18 – Elsbeth Fuchs: Create a 2-acre building site from part of PIN 030-0813-2921-000 (29.5 Acres) near **N8083 Fuchs Lane** in the Town of Waterloo. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Elsbeth Fuchs from N8083 Fuchs Ln, Waterloo, WI presented herself as the petitioner for this rezone. She stated that she would like to build a house for her son with the 2 acres.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl also stated that this could utilize all A-3 splits.

TOWN: Approved and in the file.

R4088A-18 – Gordon Goers: Rezone approximately 3.013-acres gross of PIN 030-0813-3412-000 (40 Acres) in the Town of Waterloo for a farm consolidation lot at **N7635 Rock Lake Road**. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Gordon Goers from N7726 Rock Lake Rd, Lake Mills, WI presented himself as the petitioner for this rezone. He stated that he, his brother, and sister all own the land and that they would like to sell the farm and rezone the 3 acres. He said that area is just residential and non-tillable and just consists of the yard, the house and a couple buildings.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl also asked about access for the remaining A-1 land. Goers stated there is access. Zangl then noted that they would need to know if the site

would be suitable for a septic system, and the Committee will have to address whether they should approve the lot or condition it upon it passing for septic system. This led Zangl to ask the petitioner if any septic work or a soil test has been done out there. Goers stated that the septic was approved previously. Zangl then asked if the existing home was very old, and Goers confirmed that it is.

TOWN: Approved and in the file.

R4089A-18 – C3 Acres LLC, c/o Peter Newcomb: Rezone to create a 4-acre building site from part of PIN 016-0514-1513-004 (19.4 Acres) along **County Road K**, a 3-acre farm consolidation lot from PIN 016-0514-1542-000 (38.81 Acres) around the home and buildings at **N1494 County Road K**, and a 2-acre new building site from PIN 016-0514-1543-000 (19.34 Acres), also along **County Road K**. The properties are in the Town of Koshkonong. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Peter Newcomb from N3197 County Road N presented himself as the petitioner for this rezone. He stated that they had this land for sale as a farm for 14 months but it wouldn't sell. He said that they ended up working with zoning, Mark Anderson, and the family to try and find a split that would keep the farm, cropland, and farm house together. He said that they went to the town to streamline the southerly lot for an easement for a farmer to get in there so it's not landlocked. He also added that a lot of thought went into how this could all be properly split.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: Michelle Wood from N1321 County Road K, Fort Atkinson, WI stated that she lives right across from this proposed split. She stated that she is ok with the proposed 3- acre farm consolidation around the home and buildings but she is opposed to creating the 2 building lots. She stated that she thinks additional residents will negatively impact the quiet and beauty that they currently have living there in their rural neighborhood. She went onto say that they use the road a lot for biking and walking and an increase in residents will increase noise and traffic. She also believes that the additional splits will negatively impact of the wildlife habitat that is in the area. She stated that once they starting splitting and building more properties, that will set a negative precedence to additionally split and for more residential development. Shirley Stoller from N1346 County Road K, Fort Atkinson, WI then spoke and stated that she lives directly south of the proposed 2-acre building lot. She stated that she does not want anyone else on that road because it's currently quiet and they use it so much for walking biking, nature, etc. She stated that she is concerned about the amount of driveways on County Road K and inquired how that is handled. Jim Wood from N1321 County Road K, Fort Atkinson, WI then went onto to speak and stated that he has the same reasons for opposing this rezone. He stated his main concern is the amount of traffic that the road may get. Alexander Wood from N1321 County Road K, Fort Atkinson, WI also spoke in opposition for similar reasons that were given prior.

REBUTTAL: Peter Newcomb spoke and stated that the farm across the road that was split from the main farm. From there a 80.24-acre parcel with a building lot was split off, a 1-acre building lot split was off, a 25-acre lot of cropland was split off, 5.24 acres of woods were split off, the 3-

acre farmstead that the Wood family lives on was split off, and the 19.33-acre cropland and building site was split off from that farm. He also said that his proposal is only talking about 1 house on a 2-acre building lot, with 6-acres of Natural Resource, for a total of 8 acres. He stated they are using the legal splits and they worked hard with the zoning office to keep the farm together. Shirley Stoller then questioned how many driveways were allowed on County Road K. Nass replied by saying that that issue would be addressed in the staff report.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl also asked how old the existing home is, and if it is pre-1970's. Newcomb said that he believes it was built in 1948. Zangl stated that the Committee does not get to choose whether or not someone gets an access point along the road, and that the Highway Department has jurisdiction over that matter. He went onto say that there's already existing driveways and field accesses they're using. Zangl stated that he talked with Highway Department earlier that week and they did not foresee any problems with the access points. However, there were one or two access points that they missed and forgot to take a look at. They were in the process of reviewing the last couple access points and would have a decision to Committee by their decision meeting the following Tuesday.

TOWN: Approved and in the file.

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

R4090A-18 – C3 Acres LLC, c/o Peter Newcomb: Create a 31-acre Natural Resource zone from part of PINs 016-0514-1513-004 (19.4 Acres) and 016-0514-1542-000 (38.81 Acres). Create a 6-acre Natural Resource zone from part of PIN 016-0514-1543-000 (19.34 Acres). Both proposals are in the Town of Koshkonong. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

PETITIONER: Peter Newcomb from N3197 County Road N, Jefferson, WI presented himself as the petitioner for this rezone. He stated that these pieces are kind of like the drop-off of the cropland. He reference the preliminary survey that was drawn up and said they are trying to make use of all the cropland and that these pieces had to be attached, so they attached them to the A-3 building lots. He also stated that they will sell this land together; otherwise, there would be no access to those Natural Resource lots. He said that hopefully this would be the best use of this land.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: Michelle Wood from N1321 County Road K, Fort Atkinson, WI asked if the 2-acre lot and the Natural Resource lots are separate. Zangl explained they are not separate. Wood then questioned that they couldn't be sold separately and Zangl confirmed. Shirley Stoller from N1346 County Road K, Fort Atkinson, WI then said she opposed this for the reasons that were previously mentioned by Wood.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file.

TOWN: Approved and in the file.

Reese moved to adjourn at 7:39 p.m, and was seconded by Jaeckel.


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