

STAFF REPORT MINUTES
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, September 20, 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 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

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

4. Approval of Agenda

Motion by Supervisor Foelker, seconded by Supervisor Jaeckel to move R4092A-18 to the last petition before the text amendment because of a conflict of interest. Motion passed unanimously on a voice vote.

5. Explanation of Public Hearing Process by Committee Chair

Chairman 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, September 20, 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, a petition to amend the text of the Jefferson County Zoning Ordinance 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 RESIDENTIAL R-1 TO COMMUNITY

R4091A-18 – Brenda Spies/Paul & Pamela Neis Property: Rezone all of PIN 032-0815-1733-000 (11.1 Acres) on **Jefferson Road** in the Town of Watertown. The request is in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance.

PETITIONER: Brenda Spies (N8516 Airport Rd, Watertown, WI) presented herself as the petitioner for this rezone. She stated they would like to build a pole shed with a home inside on the 11 acres with a business. The businesses there would include a U-Haul, snow plowing, Amsoil, trucking, lawn care.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: Judy Halverson (N8563 Jefferson Rd, Watertown, WI) read a letter into record from her mother Marion Draeger (N8501 Jefferson Rd, Watertown, WI). The letter included concerns for a business in the country. Halverson then read into record a letter from her and her husband. The letter included concerns with a business in a primarily rural agricultural/residential area, and how it would affect natural resources, water drainage, property value, noise, and traffic. Copies of the letters were made and put into the file.

REBUTTAL: Bob Schuett (N8516 Airport Rd, Watertown, WI) explained that everything would be enclosed, and back in corner where people can't see it. It was also explained that Amsoil is something that people order online.

QUESTIONS FROM THE COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl then asked if they had been working with the town and county for access approval. Petitioner said yes. Soil test is on file. Zangl also stated that one question for the Committee would be if a final CSM would be required on the property.

TOWN: Approved and in the file.

CONDITIONAL USE PERMIT APPLICATIONS

CU1953-18 – Brenda Spies/Paul & Pamela Neis Property: Conditional use to allow for transportation services, a trucking operation, on PIN 032-0815-1733-000 (11.1 Acres) on **Jefferson Road**. This Town of Watertown property is being proposed for a Community zone. The request is in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance.

PETITIONER: Bob Schuett (N8516 Airport Rd, Watertown, WI) explained that he has one semi-tractor that he owns that he drives; there are no other drivers. He leaves in morning and comes back at night.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: Judy Halverson (N8563 Jefferson Rd, Watertown, WI) opposed for the same reasons as previously stated.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl asked if the public would come to the site. Petitioner stated public would probably be there for the U-Hauls. Zangl asked about any employees for the trucking business. Petitioner stated it's just himself. Zangl confirmed that hours were just petitioner leaving in the morning and coming back at night.

TOWN: Approved and in the file.

CU1954-18 – Brenda Spies/Paul & Pamela Neis Property: Conditional use to allow for home occupations on 032-0815-1733-000 (11.1 Acres), **Jefferson Road** in the Town of Watertown. Occupations requested are lawn care, snowplowing, U-Haul rentals and Amsoil distribution. The request is in a proposed Community zone in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance.

PETITIONER: Bob Schuett (N8516 Airport Rd, Watertown, WI) explained that they plow snow in winter and also cut grass. He stated they leave once then come back and there is another shop where some equipment will be.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: Judy Halverson (N8563 Jefferson Rd, Watertown, WI) opposed because they have seen the other property.

REBUTTAL: Schuett stated everything will be under one building.

QUESTIONS FROM THE COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl asked about U-Haul trailers on-site. Schuett stated there would not be more than 4-6 on-site at one time. Zangl asked where these would be stored. Schuett said they would be back in a parking lot surrounded by a berm. The berm will be alongside the road and would help screen the trailers from sight. Zangl asked if there are any employees for that. Schuett answered by saying there is one lady who helps approximately 20 hrs/week. Zangl asked about any lighting. Schuett stated they do have lights for safety and security cameras. Zangl asked about storage area. Right. Shop on airport rd for stuff. Zangl asked about employees and if the public will be coming to the site. Schuett said public would probably be there with for the U-Hauls, but no public present for the lawn care or snow plow end. He added everything would be stored inside or in enclosed trailers. Zangl asked for better explanation of Amsoil. Schuett explained they are Amsoil dealers; some of it can be stored on-site, but most people have it shipped to their home. Zangl asked if there were going to be any signs. Schuett said there is one. Zangl then explained that because of floodplain and wetland on the property, any development/fill will be restricted and will need a permit. Zangl also explained that 2 access points are being proposed.

TOWN: Approved and in the file.

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

R4093A-18 – Samuel Meyers: Rezone 7 acres of PIN 010-0615-3331-000 (21.765 Acres) near **W3930 State Road 106** in the Town of Hebron. The request is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: Samuel Meyers (W9241 State Road 106, Edgerton, WI) presented himself as the petitioner for this rezone. Meyers stated he is proposing to split the house and barns off from the farm. It is being proposed as an A-2 zone on 7 acres and an A-3 zone on 2 acres to split off. This is the smallest split available to keep all buildings together.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF: Given by Zangl and in the file.

TOWN: Approved and in the file.

CONDITIONAL USE PERMIT APPLICATION

CU1955-18 – Samuel Meyers: Conditional use to allow storage of contractor's equipment in a proposed A-2 zone near **W3930 State Road 106**, on PINs 010-0615-3331-000 (21.765 Acres) and 010-0615-3334-002 (10.986 Acres). The site is in the Town of Hebron. The request is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: Samuel Meyers (W9241 State Road 106, Edgerton, WI) presented himself as the petitioner for this conditional use. Meyers stated he can't speak on behalf of the business.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: Supervisor Reese asked what type of contractor equipment would be present. It was explained that the man refurbishes drill presses, machining tools, etc.

STAFF: Given by Zangl and in the file. Zangl asked about hours of operation and if the public would be at the site. Meyers stated he doesn't believe public would be at the site.

TOWN: Approved and in the file.

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

R4094A-18 – Samuel Meyers: Create a 2-acre A-3 zone around the home at **W3930 State Road 106**, part of PINs 010-0615-3331-000 (21.765 Acres) and 010-0615-3334-002 (10.986 Acres) in the Town of Hebron. The request is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: Samuel Meyers (W9241 State Road 106, Edgerton, WI) presented himself as the petitioner for this rezone. He explained that this petition is for splitting off 2 acres with the house on it.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl also asked what year the house was built. Meyers stated that it was very old. Zangl also added that a question for the committee to consider would be whether or not the property would be considered prime or non-prime.

TOWN: Approved and in the file.

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

R4095A-18 – Brian Statz: Rezone 4 acres of PIN 014-0615-1131-000 (40 Acres) around the home and buildings at **N4259 County Road D** in the Town of Jefferson. The request is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Petitioner was not present for public hearing.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF: In the file.

TOWN: Approved and in the file.

R4096A-18 – Brian Statz: Create a 5.2-acre farm consolidation lot around the home and buildings at **N6638 Kroghville Road** in the Town of Lake Mills from part of PIN 018-0713-0843-000 (27.8 Acres). Create a new 2.1-acre building site The request is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Petitioner was not present for public hearing.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF: In the file.

TOWN: Approved and in the file.

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

R4097A-18 – Brian Statz: Create a 5.8-acre N zone from PIN 018-0713-0843-000 (27.8 Acres) adjacent to the proposed A-3 zone on **Kroghville Road**, Town of Lake Mills. The request is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

PETITIONER: Petitioner was not present for public hearing.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF: In the file.

TOWN: Approved and in the file.

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

R4098A-18 – John R Schultz: Rezone approximately 0.5 acre of PIN 018-0713-0344-027 (2 Acres) for it to be absorbed into adjoining A-1 zoned property under the same ownership. The property is at **W8132 County Road B** in the Town of Lake Mills. The request is in accordance with Sec. 11.04(f)6 of the Jefferson County Zoning Ordinance.

PETITIONER: John Schultz (W8132 County Road B, Lake Mills, WI) presented himself as the petitioner for this rezone. He discussed the history of the property then went onto state they are looking to restore access in the back. This could be done by giving back 0.5 acres to this parent parcel, which would require the rezone from A-3 back to A-1.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl gave a reminder about the 20 ft setback from the property line and then asked about the septic on the property. Schultz stated that they use city sewer, and also stated the preliminary CSM has the setbacks at 20-25 ft.

TOWN: Approved and in the file.

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

R4099A-18 – Robert Pizur/AA Fundraiser LLC Property: Rezone 1.935 acres of PIN 016-0514-1511-025 (2.5 Acres) at **N1611 US Highway 12** in the Town of Koshkonong. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: Robert Pizur (N1690 Carlin Rd, Fort Atkinson, WI) presented himself as the petitioner for this rezone. He is proposing this rezone in order to rent out the barn and the workshop to a third party.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl asked about access for the new lot? Pizur explained it would be combined access from the existing driveway. Zangl also asked if there is a septic system on the on A-2 lot. Pizur explained that there are two separate septic systems – one for the house and one for the workshop.

TOWN: Approved and in the file.

CONDITIONAL USE PERMIT APPLICATIONS

CU1956-18 – Robert Pizur/AA Fundraiser LLC Property: Conditional use to allow for mini-warehousing in a proposed A-2 zone at **N1611 US Highway 12**, Town of Koshkonong on PIN 016-0514-1511-025 (2.5 Acres). This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: Robert Pizur (N1690 Carlin Rd, Fort Atkinson, WI) presented himself as the petitioner for this conditional use. The proposed conditional use would be for the lower part of the barn to become 8 X 10 mini storage units, and the upper part of the barn to be used for bulk storage. The workshop would be split into 4 different sections, and is climate controlled.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: Paula Knaack (N1587 Knaack Ct, Fort Akinson, WI) was concerned about the original petition submitted and approved on 6/21 by the Town Board for 50, 10 x 12 mini storage units over a 3-

4 yr plan, with bulk storage on the north side of property. Her concerns included run off onto their land, waste, and safety for her children.

REBUTTAL: Pizur stated that he is no longer petitioning for outside storage or mini-storage units in the future. He is now just petitioning for the barn and workshop.

QUESTIONS FROM THE COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl also asked how many units there would be or the area. Pizur stated the barn is 80 x 50 and the workshop is 30 x 50. Zangl asked about an office and bathroom. Pizur stated there is a bathroom in the workshop and one of the mini storage units in the barn would service as an office. Zangl then asked about outside lighting and hours of operation. Pizur said there would be outside lighting and hours of operation would be 10am - 5 pm, Monday–Friday. Zangl then made mention that an updated plot plan would be needed.

TOWN: Approved and in the file.

CU1957 – 18 – Dianna & Wade Woelfle: Conditional use to allow three dogs in a Residential R-2 zone at **N1626 South Main St**, Town of Koshkonong on PIN 016-0514-1611-035 (0.699 Ac). This is in accordance with Sec.11.04(f)2 of the Jefferson County Zoning Ordinance.

PETITIONER: Wade Woelfle (N16262 S Main St, Fort Atkinson, WI) presented himself as the petitioner for this conditional use. He explained that they would like to adopt a 3rd Chihuahua and that's why they would need the conditional use. All dogs are male and neutered and are primarily indoor dogs. When outside, the dogs are never without leashes.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl also asked how they planned on managing the waste. The petitioner explained they would just pick it up out of their yard and dispose of it.

TOWN: Approved and in the file.

CU1958-18 – Ed Spiegelhoff: Allow a conditional home occupation plumbing business at **N7085 North Shore Rd** in the Town of Lake Mills, on PIN 018-0713-0231-002 (3.830 Acres). This is in accordance with Sec. 11.04(f)5 of the Jefferson County Zoning Ordinance, proposed in an A-T, Agricultural Transition zone.

PETITIONER: Ed Spiegelhoff (N7085 North Shore Rd, Lake Mills, WI) presented himself as the petitioner for this conditional use. He explained that he would like to move his existing business from Rock Lake Rd because of a recent move.

COMMENTS IN FAVOR: None

COMMENTS OPPOSED: Aaron Zellmer (N7104 North Shore Rd, Lake Mills, WI) had concerns regarding the road not being able to handle the increase in traffic, noise, and the location of the business not being ideal for public safety. He also had questions regarding the public being at the site, and what would govern the petitioner to follow the guidelines and rules.

Terry Davis (N7130 North Shore Rd, Lake Mills, WI) had concerns regarding semi deliveries and how this would affect the safety of her family and others on the road.

Robert Hein (N7116 North Shore Rd, Lake Mills, WI) had concerns with allowing a business into the small residential area and also the blind corners on the road with the increased traffic.

REBUTTAL: Spiegelhoff stated that their current business location has had no complaints from neighbors and that there is no manufacturing on-site. The business is used for storing materials to use on jobs and work trucks are taken home by the guys. Nothing else would be stored on-site, except for a couple personal vehicles. There will be no semi deliveries in the future; right now there are construction vehicles there delivering because of the building process but this is not a normal occurrence. The personal use of the building allows for slightly over the allowable square footage per the conditional use permit, and that has all been stated with county.

QUESTIONS FROM THE COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl also addressed the square footage issue that was brought up. Zangl asked for a clarification on equipment deliveries. Spiegelhoff stated there are supplies that are delivered, but equipment is not dropped off. Zangl asked if everything was delivered straight to the shed itself straight and not on the road. Spiegelhoff explained it is a straight truck that delivers and there is a horseshoe driveway they can back up to. Supplies are delivered inside the existing shed and do not sit outside. Zangl also gave a reminder that if there is ever a time where there's more than 4 employees or an excess of 2500 ft² being used for the business, the petitioner would need to apply for an A-2 with a Conditional Use to allow for a bigger business. Zangl also addressed the concerns of how rules and guidelines would be handled. If violations occur, the Committee can revoke conditional use permit.

TOWN: Approved and in the file.

CU1959-18 – Carolyn & Chris Gosdeck: Conditional use to allow canoe and kayak rentals in a Community zone at **N6980 Kasten Rd** in the Town of Milford, on PIN 020-0714-0434-007 (6.148 Acres). Also allow an extensive on-site storage structure 40' X 60' at this location. This is in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance.

PETITIONER: Carolyn Olson-Gosdeck (W6375 Kasten Rd, Lake Mills, WI) presented herself as the petitioner for this conditional use. She explained that they would like to do a canoe/kayak rental business for people to get out with their families and enjoy nature. There is parking in the area on grass. A camper would be set up as an office with port-a-potties available.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: Chairman Nass asked about the hours of operation. Hours of operation would be daylight hours on Friday, Saturday, and Sunday. There would be no lighting, and this would be seasonal. There would be no motorized rentals such as snow mobiles.

STAFF: Given by Zangl and in the file. Zangl asked about the proposed shed. The proposed shed would be used for storage for canoes, kayaks, and trailers. Zangl asked about the start and end locations. Carolyn explained that people could be put in at Hubbleton at the public landing and stop at their point, or they have the option of leaving from their point and coming back to it when finished. Zangl also explained that there is floodplain and shore land on the property so different restrictions apply.

TOWN: Approved and in the file.

FROM A-T, AGRICULTURAL TRANSITION TO A-3, AGRICULTURAL/RURAL RESIDENTIAL

R4092A-18 – George Jaeckel/Jaeckel Land LLC Property: Request to create a 5-acre lot around the home at **W5738 Edgewater Road** in the Town of Koshkonong from parts of PINS 016-0514-0311-002 (4.61 Acres), 016-0614-3443-014 (33.738 Acres), 016-0614-3444-000 (3.9 Acres) and 016-0614-3444-001 (4 Acres). The request is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

Chairman Nass noted that Supervisor George Jaeckel would be abstaining from the decision for this petition.

PETITIONER: George Jaeckel (N2756 County Road N, Fort Atkinson, WI) presented himself as the petitioner for this rezone. Jaeckel explained the history of this parcel. The legal residence is zoned off as A-3. Jaeckel also explained that they are asking for 5-acres in order to gain legal access and because of an Indian burial site that's on the property.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl also asked how old the house is. Jaeckel explained the best guess they have is the house was built in 1951.

TOWN: Approved and in the file.

ZONING ORDINANCE TEXT AMENDMENT

R410T-18 – Jefferson County Zoning: This is a proposal to amend the shoreland provisions of the Jefferson County Zoning Ordinance by creating Sec. 11.10(k)7 and bringing the Ordinance into compliance with Wisconsin Administrative Code Chapter 115.

PETITIONER: None.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl explained this update would bring the Jefferson County Zoning Ordinance into compliance with the DNR shore land provisions and state law.

TOWN: 8 towns were in favor of this and 1 town denied the petition.

Statz was called for again, and no answer.

Supervisor Jaeckel moved to adjourn at 8:11 p.m., and was seconded by Supervisor Reese. Motion passed unanimously on a voice vote.

Minutes prepared by: *Sarah Higgins*
Zoning/On-Site Waste Management Technician
Jefferson County Planning and Zoning Department



Supervisor Reese, Planning & Zoning Committee Secretary

