

NOTICE OF PUBLIC HEARING
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE
George Jaeckel, Chair; Steve Nass, Vice-Chair; Blane Poulson, Secretary; Matt Foelker and Lloyd Zastrow

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

DATE: Thursday, September 17, 2020

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

PLACE: Room 205, Jefferson County Courthouse, 311 S. Center Ave., Jefferson, WI
OR Via Zoom Videoconference

PETITIONERS OR MEMBERS OF THE PUBLIC MAY ATTEND THE MEETING VIRTUALLY BY FOLLOWING THESE INSTRUCTIONS IF THEY CHOOSE NOT TO ATTEND IN PERSON:

You are invited to a Zoom meeting.
When: Sep 17, 2020 07:00 PM Central Time (US and Canada)
Register in advance for this meeting:
[https://zoom.us/meeting/register/tJctcu-opjwvHtP9qczCPUMX56ed1---x08-](https://zoom.us/join/zoom/register/tJctcu-opjwvHtP9qczCPUMX56ed1---x08-)
After registering, you will receive a confirmation email containing information about joining the meeting.

1. **Call to Order**
The meeting was called to order by Chairman Jaeckel at 7 p.m.
2. **Roll Call**
All committee members except Supervisor Poulson were present at 7 p.m. Also present were Matt Zangl and Sarah Higgins of the Zoning Department.
3. **Certification of Compliance with Open Meetings Law**
Zangl verified that the meeting was being held in compliance with open meetings law.
4. **Approval of Agenda**
Motion by Supervisor Foelker and seconded by Supervisor Zastrow to approve the agenda as presented. Motion passed 4-0 on a voice vote.
5. **Explanation of Public Hearing Process by Committee Chair**
Chairman 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 on September 17, 2020, in Room 205 of the Jefferson County Courthouse, Jefferson, Wisconsin. Members of the public will be allowed to be heard regarding any petition under consideration by the Planning and Zoning Committee. **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-2, AGRICULTURAL AND RURAL BUSINESS
R4265A-20 - Anfang Properties LLC: Create a 3.5-acre Agricultural and Rural Business zone around the building at **W6646 State Road 18** in the Town of Jefferson. This is part of PIN 014-0614-0543-000 (48 Acre) and is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: Tom Anfang (N4589 Pioneer Dr, Sullivan, WI) presented himself as the petitioner for this rezone. Anfang explained the request to split off the buildings to use as storage or to sell off the rest of the land because the area is not needed for the farm anymore.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl verified that this would just be used for storage. Anfang confirmed it would just be storage for boats, etc.

TOWN: In favor.

FROM NATURAL RESOURCE TO A-2, AGRICULTURAL AND RURAL BUSINESS
R4266A-20 – John Steiner/Anita Burns Trust Property: Create a 2.382-acre Agricultural and Rural Business zone off **Old 26 Road** in the Town of Koshkonong from part of PIN 016-0514-1941-000 (15.807 Acre). This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: John Steiner (1507 Jamesway, Fort Atkinson, WI) presented himself as the petitioner for this rezone. Steiner stated he would be purchasing this property at the end of October and wants to add an A-2 business zone to move his gun shop from Fort Atkinson to this location.

COMMENTS IN FAVOR: Justin Chase (536 Crestwood Ct, Jefferson, WI) spoke in favor of this petition. Chase explained that he owns the land adjacent to this site and plans to build a house there and is in favor of this proposed business being there. Mr. Burns also spoke in favor of this request. Burns explained that the petitioner will also have a 2-acre A-3 site with this lot. Burns was in favor of the expansion of the business and its location being along Hwy 26.

COMMENTS OPPOSED: Bernard Garvert (N1117 Old 26 Rd, Fort Atkinson, WI) spoke in opposition of this petition. Garvert expressed concerns regarding issues regarding first response time (fire department, police) and potential robbery. Garvert also expressed that he believes the business should stay in city limits and move into a vacant building in the Industrial Park rather than moving into a rural area.

Suzanne Burrow (N1093 Old 26 Rd, Fort Atkinson, WI) spoke in opposition of this petition. Burrow agreed with previous issues brought up by Garvert and also expressed concerns regarding extra traffic and noise and how it may impact wildlife and peaceful feel of the area.

Michael Mortimer (N1115 Garvert Ln, Fort Atkinson, WI) stated he was very much opposed to this petition.

Don Foltz (W6658 Whitetail Ln, Fort Atkinson, WI) spoke in opposition of this petition. Foltz expressed concerns with the proximity of where he lives to the business and also that his son is looking to also build close to the property. Foltz also had concerns regarding gun shops out in the country and attracting possible break-ins in the area.

REBUTTAL: Steiner responded with concerns by explaining that the proposed business is not for an outdoor range or trap shoot. There will be an indoor range for law enforcement trainings and no shots will be outside. There will also be security gates and separate security login for law enforcement to have access 24/7. A majority of the business will consist of gunsmithing and manufacturing. The business is expanding which is why there is a need to move to a bigger space.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl also asked about building on the A-3 zone in the future and what the timeline would be for that. Steiner expressed they would like to build there and hopefully in 5-10 years in order to downsize and be right next to the business.

TOWN: In favor.

CONDITIONAL USE PERMIT APPLICATION

CU2046-20 – John Steiner/Anita Burns Trust Property: Conditional use to allow a trap shoot/rifle range/gun shop in a proposed A-2 zone off **Old 26 Road** in the Town of Koshkonong on part of PIN 016-0514-1941-000 (15.807 Acres). This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: John Steiner (1507 Jamesway, Fort Atkinson, WI) presented himself as the petitioner for this conditional use. Steiner reiterated that this plan would not be for an outdoor range. The proposed building will be attractive for the area and went over the structural plans for the building, and how tin and bricks would prevent issues with anyone trying to drive through the building. There will be a fence from the woods down to Hwy 26 and up to the bridge. Steiner also has plans to work with the city to illuminate the sign for lights and cameras on the sign. There will be heavy surveillance on the buildings. Jefferson County Sheriff's Department would also be the likely response team for any issues but after the range is built, law enforcement will have 24-hr access to the site.

COMMENTS IN FAVOR: Justin Chase (536 Crestwood Ct, Jefferson, WI) spoke in favor of the petition and the proposed business. Chase explained that he will be the closest residence to the business after he builds his home. He has no fear of any danger to his home or family with this proposed business, especially with law enforcement presence.

COMMENTS OPPOSED: Bernard Garvert (N1117 Old 26 Rd, Fort Atkinson, WI) spoke in opposition of this petition for reasons previously stated.

Michael Mortimer (N1115 Garvert Ln, Fort Atkinson, WI) questioned future expansion of the business and if they chose to expand if a trap range may then be considered. Chairman Jaekel then intervened to assure any changes to the proposed business would require a revised conditional use approved by the Committee.

REBUTTAL: Steiner explained that when he builds his home he will be the first person there in case of emergency. There will be many different safety measures put into place including surveillance, bars on windows, and the overall structure of the building. Steiner also stated there is no other land in the area to purchase to expand for an outdoor range. The indoor range is a bullet trap system so there will be noise of sound put off to the outside. The public will be invited but only during daytime operation.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl asked about the hours of operation and Steiner explained that they care currently by appointment only but will normally be 9am – 6pm. Zangl then asked about the nature of the business. Steiner explained it will be primarily gunsmithing and manufacturing in the building with offices, a training room and store area that sells more than just guns. Zangl asked about parking. Steiner explained that they are hoping to have an area for at least 20 cars but he needs to finalize excavation plans. Zangl asked about outdoor lighting, a fence, and gate. Steiner stated there will be a light for the flag and motion detected lighting for safety. There will also be a keypad gate at the top of the road and a standard barb wired/wood post fence along Hwy 26.

TOWN: In favor.

FROM A-1, EXCLUSIVE AGRICULTURAL TO A-3, AGRICULTURAL/RURAL RESIDENTIAL
R4267A-20 – Carol Pendleton/Matthew Chambers Property: Rezone 0.69 acre of PIN 008-0715-3534-001 (20.551 Acre) with buildings at **N4955 County Road D** to add it to an adjoining A-3 zoned lot in the Town of Farmington. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Mike Gross with Century 21 (400 E Main St, Watertown, WI) presented himself for this petition on behalf of Nancy Chambers and Carol Pendleton. Gross read aloud letter that was included with the survey and in the file. The letter described that the request is for a little over 3 acres but would give the properties both partial private driveways. There are two non-prime splits available on the property and the mobile home to the south is grandfathered in and could be replaced, or new home within 100 ft of that site could be built. Chambers would be willing to give up the splits left for the property if this were to be approved, however they do want to be able to replace the mobile home. There is also an existing well and septic on that property, and there could be a separate driveway branched off for the mobile home. The proposed split is also not prime ag land.

COMMENTS IN FAVOR: Dale Weis (N4930 Probst Ln, Helenville, WI) presented himself as a Supervisor for the Town of Farmington and explained they approved this split at their August meeting. The buildings that are there are out of place and it only makes sense to attach them. The Town also does not want the existing mobile home to be replaced with another trailer, they would prefer a legitimate structure for a new home there in the future.

COMMENTS OPPOSED: None.

REBUTTAL: Gross stated that Chambers was no longer present for the meeting but that she probably would not have a problem with listing the property differently in order to replace the mobile home with a single family home instead of another mobile home. The mobile home also has its own well and septic system but the site may need to be re-tested.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl stated that one question for the Committee to consider would be whether or not this will utilize the last split available for the property. Zangl also explained that the Zoning Department does not differentiate between a mobile home and a single family home, and that it could be replaced.

TOWN: In favor.

R4268A-20 – Teresa & Mark Walker: Create a 1-acre building site near **N1985 Rockdale Rd** in the Town of Sumner from part of PIN 028-0513-0724-000 (36.08 Acre). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Teresa Walker (606 Range County Rd 3350, Emory, TX) presented herself as the petitioner for this rezone. Walker explained that there are three different parcel at N1985 Rockdale Rd and they would like to take 1-acre off main parcel so the kids can build a new home. The proposed lot only consists of a half-acre of tillage according to Walker and they tried to persevere as much as possible of the farm land there.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file.

TOWN: In favor.

R4269A-20 – Burr Oak Lawns, LLC: Create a 2.05-acre building site on **County Road O** in the Town of Waterloo from part of PIN 030-0813-3113-000 (20 Acres). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Aaron Wilke (N7675 County Road O, Marshall, WI) presented himself as the petitioner for this rezone. Wilke explained the request to make a split from section 31 on the southeast end for a new building site. The farm has

been in the family for over 100 years. Wilke has worked the land for over 30 years, 16 by himself so the location was chosen based off experience that the ground is very unproductive. The proposed lot does not take in much for tillable acres.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file. Zangl explained that there is some floodplain on the property but they have been working with an engineer to get a driveway in there. The only concern for the DNR was about run-off, and that any possible run-off will not obstruct the properties to the south. They are close to finishing up the engineer work for this.

TOWN: In favor.

R4270A-20 – Susan Ebbert/Jan Kramer Property: Create a 2.1-acre farm consolidation lot around the home at **N8642 County Road A**, Town of Watertown, from part of PIN 032-0815-1832-000 (30.9 Acres). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Susan Ebbert (N2795 Ebbert Ln, Fort Atkinson, WI) presented herself as the petitioner on behalf of Jan Kramer for this rezone. Ebbert explained that Kramer is not able to take care of the farm so they are requesting to split off the farm from the cropland in order to sell the land to an interested farmer.

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. Ebbert stated it was built in the late 1800s or early 1900s. Zangl access if there was access for the remaining A-1 land. Ebbert stated that both parcels have their own road access to get in.

TOWN: In favor.

R4271A-20 – Susan Ebbert/Jan Kramer Property: Create a 1.3-acre lot as a consolidation of parcels of record from PIN 032-0815-1832-000 (30.9 Acres) and moving it to PIN 032-0815-1833-000 (35.265 Acres). The site is along **Hilltop Road** in the Town of Watertown. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Susan Ebbert (N2795 Ebbert Ln, Fort Atkinson, WI) presented herself as the petitioner on behalf of Jan Kramer for this rezone. Ebbert explained that this proposed lot is south of the farm. When presented at the Town level, the proposal originally had lot proposed on the north side of Hwy A up in the corner and one lot proposed down on south side off of Hilltop, but the Town preferred clustering and suggested that the northern lot be moved next to southern lot along Hillside. The proposal was originally for 2, 1-acre lots but one lot increased to 1.3-acres to not leave a gap between the lots. The proposed lots will go to family members in order to keep a part of the farm, without keeping all the farm land.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file.

TOWN: In favor.

R4272A-20 – Susan Ebbert/Jan Kramer Property: Create a 1-acre wooded building site on **Hilltop Road** in the Town of Watertown from part of PIN 032-0815-1833-000 (35.265 Acres). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Susan Ebbert (N2795 Ebbert Ln, Fort Atkinson, WI) presented herself as the petitioner on behalf of Jan Kramer for this rezone. Ebbert explained that this proposed lot is south of the farm. When presented at the Town level, the proposal originally had lot proposed on the north side of Hwy A up in the corner and one lot proposed down on south side off of Hilltop, but the Town preferred clustering and suggested that the northern lot be moved next to southern lot along Hillside. The proposal was originally for 2, 1-acre lots but one lot increased to 1.3-acres to not leave a gap between the lots. The proposed lots will go to family members in order to keep a part of the farm, without keeping all the farm land.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file.

TOWN: In favor.

R4273A-20 – Eggert Acres LLC: Create a 3-acre building site on **West Road** from part of PIN 020-0814-2133-000 (40 Acres) in the Town of Milford. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Charlie Eggert (W7816/W7818 Island Rd, Waterloo, WI) presented himself as the petitioner for this rezone. Eggert explained the request to rezone 3 acres from A-1 to A-3 to allow for a single family residence. An acre of the requested lot would be used to get back to the area that would be used for the 2 acres for the building site.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: Jaeckel asked about the existing field service road and if that was considered for the driveway instead of the proposed new driveway. Eggert explained that is an old field road that was abandoned and the proposed building site is on top of the hill, which that existing road would have not accommodated.

STAFF: Given by Zangl and in the file. Zangl explained the request for consolidation of parcels to allow for the requested 3 acres.

TOWN: In favor.

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

R4274A-20 – Eggert Acres LLC: Create an 7.2-acre Natural Resource zone near **West Road** in the Town of Milford from part of PIN 020-0814-2133-000 (40 Acres). This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

PETITIONER: Charlie Eggert (W7816/W7818 Island Rd, Waterloo, WI) presented himself as the petitioner for this rezone. Eggert explained the request to rezone from A-1 to Natural resource and to sell it with the proposed A-3 lot.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Zangl and in the file.

TOWN: In favor.

CONDITIONAL USE PERMIT APPLICATIONS

CU2047-20 – Steven & Jackie Prisk: Conditional Use for a home occupation/truck storage and workshop at **N2450 Wenham Road**, Town of Hebron on PIN 010-0515-0521-002 (2.17 Acres) in an A-3, Agricultural/Rural Residential zone. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: *Petitioner was not present for this rezone petition.*

COMMENTS IN FAVOR: N/A

COMMENTS OPPOSED: N/A

REBUTTAL: N/A

QUESTIONS FROM COMMITTEE: N/A

STAFF: N/A

TOWN: In favor.

CU2048-20 – Michael & Misty Draeger: Conditional Use to allow keeping of dogs as household pets on a non-commercial basis in excess of two per premises at **N8380 Swansea Drive**, Town of Ixonia. The site is on PIN 012-0816-2112-002 (0.619 Acre) and is zoned Residential R-1. This is in accordance with Sec. 11.04(f)1 of the Jefferson County Zoning Ordinance.

PETITIONER: Mike Draeger (N8380 Swansea Dr, Ixonia, WI) presented himself as the petitioner for this conditional use. Draeger explained they weren't aware of ordinance and they are just trying to get in compliance.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: Chairman Jaeckel asked how many dogs they have and what type of dogs they are. Draeger stated they currently have 5 dogs – 3 Shepherds, 1 Saint Bernard, and a Lab mix. Nass asked about disposal of the waste. Draeger stated they have a service that comes out once a week to clean the yard.

STAFF: Given by Zangl and in the file. Zangl asked if they had any concerns with the condition placed on the approval by the Town, and Draeger stated they agree with the condition.

TOWN: In favor with the condition that as dogs pass away, they will not be replaced until they are down to the allowable 2 dogs in an R-1 zone.

CU2049-20 – Nicholas & Jazmin Crouch: Conditional use to allow for keeping/raising of farm animals in a Residential R-2 zone at **N2731 County Road Z**. The site is part of PIN 026-0616-3614-007 (3 Acres) in the Town of Sullivan. This is in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

PETITIONER: Jazmin (N2731 County Road Z, Dousman, WI) presented herself as the petitioner for this conditional use. Crouch explained they would like to be allowed to keep animals on their property and are asking for 3 animal units. They would like to bring their horse over to live on the property as well as some chickens for eggs and recreational use.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: Jaeckel confirmed that they are just looking for the 3 animal units.

STAFF: Given by Zangl and in the file. Zangl asked the petitioner to specify the animals being requested. Crouch explained the general idea would be to allow for 1 horse, 2 goats, and 15-20 chickens with no roosters. Zangl asked about any proposed structures. Crouch stated they would like to propose a 500 sq. ft. out building. Zangl asked about manure disposal. Crouch stated they do not have that 100% figured out yet, but are hoping to work something out with the neighbor across the road who resides in Waukesha County.

TOWN: In favor.

7. Adjourn

Supervisor Foelker moved to adjourn at 8:06 p.m. and was seconded by Supervisor Zastrow. Motion passed 4-0 on a voice vote.

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


Supervisor Poulson, Planning & Zoning Committee 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

