

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, Requests for Conditional Use Permits and a Text Amendment and Update to Private Sewage Systems Ordinance Number 12.

DATE: Thursday, December 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: Dec 17, 2020 07:00 PM Central Time (US and Canada)

Register in advance for this meeting:

<https://zoom.us/meeting/register/tJlpcOCgpj0tGdIxMNit7BLdWkp4d6z-TZul>

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 7:00 p.m.
- 2. Roll Call**
All committee members present at 7:00 p.m. Also present were Sarah Higgins and Brett Scherer of the Zoning Department.
- 3. Certification of Compliance with Open Meetings Law**
Supervisor Poulson verified that the meeting was being held in compliance with Open Meetings Law.
- 4. Approval of Agenda**
Motion by Supervisor Paulson and seconded by Supervisor Foelker to approve the agenda as presented. Motion passed 5-0 on a voice vote.
- 5. Explanation of Public Hearing Process by Committee Chair**
Chairman Jaeckel explained the evening's proceedings
- 6. Public Hearing**
Higgins read aloud the following notice:

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing on December 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 EITHER IN PERSON OR VIA ZOOM.** Matters to be heard are petitions to amend the official zoning map of Jefferson County, applications for conditional use permits and a text amendment and update to Private Sewage System Ordinance Number 12. 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, SEWERED TO RESIDENTIAL R-2, UNSEWERED

R4283A-20 – Gregory Senft: Rezone 2.1 acres of PIN 026-0616-1743-006 (9.274 Ac) for a new residential building site along **Rome Oak Hill Road** in the Town of Sullivan. This is in accordance with Sec. 11.04(f)1 of the Jefferson County Zoning Ordinance.

PETITIONER: Gregory Senft (W2427 St. Peters Rd, East Troy, WI) presented himself as the petitioner for this rezone. The petitioner is looking to rezone 2.1 acres for a new building site. The petitioner wants the ability to have horses and also rezone the wetlands on the property to a natural resource zone.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None

STAFF: Given by Higgins and in the file.

TOWN: In favor.

FROM RESIDENTIAL R-1 TO N, NATURAL RESOURCE

R4284A-20 – Gregory Senft: Create an approximate 7-acre Natural Resource zone near **Rome Oak Hill Road** in the Town of Sullivan from part of PIN 026-0616-1743-006 (9.274 Ac). This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

PETITIONER: Gregory Senft (W2427 St. Peters Rd, East Troy, WI) presented himself as the petitioner for this rezone. The petitioner is looking to rezone approximately 7 acres to a natural resource zone. The petitioner said he wants to properly zone off the wetlands on the property.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None

STAFF: Given by Higgins and in the file.

TOWN: In favor.

CONDITIONAL USE PERMIT APPLICATION

CU2057-20 – Gregory Senft: Conditional use to allow two horses in the proposed R-2 zone along **Rome Oak Hill Road** on PIN 026-0616-1743-006 (9.274 Ac), Town of Sullivan. This is in accordance with Sec. 11.04(f)1 of the Jefferson County Zoning Ordinance.

PETITIONER: Gregory Senft (W2427 St. Peters Rd, East Troy, WI) presented himself as the petitioner for this Conditional Use in a proposed R-2 zone. The petitioner is looking to have the ability to have 2 horses in an R-2 zone.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None

STAFF: Given by Higgins and in the file. Higgins asked about the number of animals, the proposed structure for the animals and how the manure would be disposed of? Senft said they are looking to have 2 horses and the structure would be a pole barn. Senft also said that the manure would be taken off the property to a friend's farm where it would be mixed with top soil.

TOWN: In favor.

FROM A-1, EXCLUSIVE AGRICULTURAL TO A-3, AGRICULTURAL/RURAL RESIDENTIAL R4285A-20 – Stephen Seyer & Elizabeth Laing: Create a 5-acre lot around the home and buildings at **W8635 State Road 106** in the Town of Sumner, on PIN 028-0513-0914-000 (40 Ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Elizabeth Laing (W8635 State Road 106, Fort Atkinson, WI) presented herself as the petitioner for this rezone. The petitioner is looking to rezone from A-1, Exclusive Agricultural to A-3, Agricultural/Rural Residential for a farm consolidation around the home and existing buildings.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None

STAFF: Given by Higgins and in the file. Higgins asked when the home was built and if there would be access for the remaining A-1, Exclusive Agricultural land? Laing said the home was built in the 1920s and there will be access for the remaining A-1, Exclusive Agricultural land.

TOWN: In favor.

FROM A-2, AGRICULTURAL & RURAL BUSINESS TO A-3, AGRICULTURAL/RURAL RESIDENTIAL R4286A-20 – Dr. John Beltz/McFarlane Trust Property: Create two new building sites of 3 acres each, one with a 2.8-acre A-2 zone attached and the other with a 5.1-ac A-2 zone attached. The sites are in the Town of Aztalan on **County Road V**, PINs 002-0714-0743-000 (10.979 Ac), 002-0714-0743-001 (4.25 Ac) and 002-0714-1812-000 (9.2 Ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Dr. John Beltz (W4436 River View Road, Watertown, WI) presented himself as the petitioner for this rezone. The petitioner is looking to rezone from A-2, Agricultural & Rural Business to A-3, Agricultural/Rural for two new building sites at three acres each. Both proposed A-3 zones will have an attached A-2 zone. Dr. Beltz said that the farmland has never been actual farmland. Lot 1 and Lot 2 will have homes. Dr. Beltz said that the lots will act as a good buffer for the agricultural lands. He said the soil does not work well for crops. Dr. Beltz also said the Sherriff's Department gun range will still have access with an easement.

COMMENTS IN FAVOR: Paul Garity (N6557 Wollin Road) spoke in favor of the petition. Garity said his property borders the east of the petitioner's property. Garity said he thinks the rezone will act as a good buffer. Garity also said that Dr. Beltz knows of the farming activities that take place near his proposed rezone.

Ken McFarlane (W7140 County Road B) spoke in favor of the petition. McFarlane talked to residents on County Road B and said they have no issues with the proposed rezone. McFarlane said it would be the best use of the land.

Jay Wiedenfeld (W6864 County Road B) spoke in favor of the rezone. Wiedenfeld said after looking it over, the soils are very sandy and has lots of trees on the property. Wiedenfeld said homes would be one of the best options for the property. Wiedenfeld said that Dr. Beltz has no issues with the manure use.

Jonathan Klein (N6443 Wollin Road) spoke in favor of the petition. Klein said he agrees with the other comments in favor.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None

STAFF: Given by Higgins and in the file. Questions asked in file.

TOWN: In favor.

R4287A-20 – Robert & Barbara Dugan: Rezone to create a new 3-acre building site along **County Road E** in the Town of Sullivan from part of PIN 026-0616-1443-001 (17.352 Ac). Rezone 0.7-acre of that same PIN to add it to adjoining property already zoned A-3. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Robert Dugan (P.O. Box 430, Wales, WI) presented himself as the petitioner for this rezone. The petitioner is looking to create a 3-acre building site. The petitioner also is looking at changing the lot line so his neighbor's septic system is no longer on his property. Dugan believes this will be the best configuration for the land.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None

STAFF: Given by Higgins and in the file.

TOWN: In favor.

FROM A-3, AGRICULTURAL/RURAL RESIDENTIAL TO A-2, AGRICULTURAL AND RURAL BUSINESS
R4288A-20 – Dianne Owens & Paul Elliot: Rezone PIN 008-0715-0232-001 (2.002 Ac) at **N7040 Saucer Drive** in the Town of Farmington. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: Dianne Owens & Paul Elliot (N7040 Saucer Drive, Watertown, WI) presented themselves as the petitioners for this petition. The petitioners want to rezone from A-3, Agricultural/Rural Residential to A-2, Agricultural and Rural Business. The petitioners want to being a business with their home which correlates with the Conditional Use.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: Ben Swisher (N7147 Saucer Drive) spoke in opposition of the petitions. Swisher said he owns land across the road and does not want to see increased traffic on the road. He also does not want to see alcohol being served at the proposed events.

Andy Benz (W3149 Koschnick Road) spoke in opposition of the petitions. Benz said he agrees with what Swisher said previously. Benz also said he has three children and lives nearby. Benz does not want to see alcohol at the proposed events.

Dave Staude (W3112 Ranch Road) spoke in opposition of the petitions. Staude does not want to see increased traffic on the roads and said the septic system would be too small for what is being proposed.

Tom Benz (W7569 Little Coffee Road) spoke in opposition of the petitions. Benz used to own the property adjacent to the petitioner. Benz is concerned with the traffic; lack of parking and alcohol being served. He is concerned about alcohol and people driving on the town/county roads.

Brandon Knaack (W3449 Saucer Drive) spoke in opposition of the petitions. Knaack is concerned about children messing around on his property and traffic from the proposed events.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None

STAFF: Given by Higgins and in the file. Questions asked in the file.

CONDITIONAL USE PERMIT APPLICATIONS

CU2058-20 – Dianne Owens & Paul Elliot: Allow for an agricultural tourism-banquet hall, conference center and event facility at **N7040 Saucer Drive** in the Town of Farmington on PIN 008-0715-0232-001 (2.002 Ac). This is in a proposed A-2 zone, and is in accordance with Sec. 11.04(f) of the Jefferson County Zoning Ordinance.

PETITIONER: Dianne Owens & Paul Elliot (N7040 Saucer Drive, Watertown, WI) presented themselves as the petitioners for this Conditional Use. The petitioners are

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None

STAFF: Given by Higgins and in the file. Higgins asked when the home was built and if there would be access for the remaining A-1, Exclusive Agricultural land? Laing said the home was built in the 1920s and there will be access for the remaining A-1, Exclusive Agricultural land.

TOWN: In favor.

CU2059-20 –New Vision LLC: Conditional use to allow transportation services storage in a Community zone near **N6232 County Road F**, Town of Concord, on PINs 006-0716-1532-012 (5 Ac) and 006-0716-1641-007 (0.73 Ac). This is in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance.

PETITIONER: Terry Jacobosky (N6232 County Road F, Sullivan, WI) presented himself as the petitioner for this Conditional Use in a Community zone. The petitioner is looking to put up a structure for storage of boats, campers and other recreational vehicles. The petitioner said it would be cold storage and only be used for storage.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: Supervisor Paulson asked if there would be outside storage? Jacobosky said there would be no outside storage.

STAFF: Given by Higgins and in the file. Higgins asked what the plan was for storage? Jacobosky said the customer will email him in the Fall for drop off and they will pick up in the Spring.

TOWN: In favor.

CU2060-20 – Dennis Jones: Conditional use for a 480 square foot carport addition, creating an extensive on-site storage structure at **W5815 Wendorf Lane** in the Town of Jefferson. This is on PIN 014-0614-2743-004 (0.9 Ac) in a Residential R-2 zone, and is in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

PETITIONER: Becky Jones (W5815 Wendorf Lane, Jefferson, WI) presented herself as the petitioner for this Conditional Use in a R-2 zone. The petitioner is looking to build a structure to cover farm machinery and a trailer that they would like covered.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None

STAFF: Given by Higgins and in the file. Higgins asked about the size and height of the proposed structure. Jones said she was not sure since this was her husbands project and he is currently in the hospital. Higgins asked if the structure was for personal use and if there would be any bathrooms? Jones said it would be used for personal use only and there would be no bathrooms. Higgins asked if there would be any exterior lighting? Jones said no.

TOWN: In favor.

CU2061-20 – Steve & Dawn Sleaver: Conditional use for an extensive on-site storage structure, a 1,120 square foot carport proposed at **N3555 County Road N** in the Town of Jefferson. This is on PIN 014-0614-2313-001 (3 Acres) in a Residential R-2 zone, and is in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

PETITIONER: No petitioner was present.

COMMENTS IN FAVOR:

COMMENTS OPPOSED:

REBUTTAL:

QUESTIONS FROM COMMITTEE:

STAFF:

TOWN:

CU2062-20 – Back Road Beef, LLC: Conditional use to allow an update to wastewater storage facilities at **W6915 Grogan Road** in the Town of Koshkonong, on PIN 016-0514-3141-002 (47.812 Ac). This is an ATCP-51 regulated facility, and is zoned A-1, Exclusive Agricultural. The proposal is in accordance with Sec. 11.04(f)6 of the Jefferson County Zoning Ordinance.

PETITIONER: Adam with Back Road Bee, LLC (W6915 Grogan Road, Fort Atkinson, WI) presented himself as the petitioner for this Conditional Use in a A-1 zone. The petitioner is looking to update their wastewater storage facility.

COMMENTS IN FAVOR: Joe Strupp with Jefferson County’s Land and Water Conservation Department said no new structures proposed, animal units are not changing, DNR regulations are followed and that the petitioner is in compliance with the standards.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: Foelker asked how many animals are on the property now? The petitioner said they are permitted up to 3,000 animals’ units. They do not have 3,000 animals as of now.

STAFF: Given by Higgins and in the file.

TOWN: In favor.

CU2063-20 – Kevin Christianson: Conditional use to allow an extensive on-site storage structure of 1,656 square feet, 20 feet in height in a Residential R-2 zone. The site is at **N2429 Kunz Rd** in the Town of Sumner, on PIN 028-0513-0111-003 (2.727 Ac). This is in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

PETITIONER: Kevin Christianson (N2429, Fort Atkinson, WI) presented himself as the petitioner for this Conditional Use in a R-2 zone. The petitioner is looking to build a structure 20 feet in height and 1,656 square feet. Christianson said he needs storage and 8 years ago he proposed a structure. Christianson said the new proposal is 400 square feet less.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None

STAFF: Given by Higgins and in the file. Higgins asked what the proposed height is? Christianson said no more then 20 feet. Higgins asked about if any business operations would take place and what outdoor lighting would be used? Christianson said no business would be run out of the structure and lighting would be minimal and pointed toward the ground.

TOWN: In favor.

POWTS ORDINANCE TEXT AMENDMENT

R4282T-20 – Jefferson County: Amendment and update to Private Sewage System Ordinance Number 12, last adopted on May 8, 2001. Please contact the Planning and Zoning Department for a complete copy of the proposed revised copy of the ordinance.

Supervisor Martin spoke in favor of the Private Sewage System Ordinance Number 12 updates. Supervisor Martin said she has concerns on cryptosporidium and human health. Supervisor Martin said cryptosporidium can stem from failed septic systems and other contaminated water sources. Supervisor Martin also had questions on the updated Private Sewage System Ordinance Number 12 including,

- Exceptions on holdings tanks for new construction (Pg. 6) and who makes the determination?
 - Supervisor Martin said sometimes the environmental health department makes the determination.
- How soil and site evaluations take place? (Section 12.11). What are the up-sides and down-sides of having a soil evaluation?
- Septic systems at public beaches and oversight?
- Clarification on section 13.D, county may investigate failed system.
 - Supervisor Martin wanted to add water sampling results from lab for failed systems.

Higgins said our current ordinance prohibits holding tanks for new construction. Higgins said they had a few exceptions this year which also has to be approved by the Planning and Zoning Committee. Higgins said some reasons could be soil does not perk for a septic system or logistically is not possible to hook up into an existing septic system.

Higgins said for the soil and site evaluations in floodplain and near water sources, there will most likely not be 36 inches of separation and lot sizes are smaller.

Higgins said for public sites, there are many regulations and rules. Higgins said DNR and DSPS oversee most of the public sites and public septic system regulations. Higgins said state level approval takes place for these types of public systems.

Higgins said for failed systems, DSPS may not require water testing for failed systems. Higgins said if we know a system is failed, a replacement system is required which takes care of any water contamination issues.

Higgins gave an overview of the updated Private Sewage System Ordinance.

At 8:05 p.m., Supervisor Foelker moved to adjourn and was seconded by Secretary Poulson. Motion passed 5-0 on a voice vote.

Minutes prepared by: *Brett Scherer*
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