

NOTICE OF PUBLIC HEARING
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE

George Jaeckel, Chair; Steve Nass, Vice-Chair; Blane Poulson, Secretary; Matt Foelker; Cassie Richardson

SUBJECT: Map and Text Amendments to the Jefferson County Zoning Ordinance and Requests for Conditional Use Permits
DATE: Thursday, June 15, 2023
TIME: 7:00 p.m. (Doors will open at 6:30)

PLACE: **JEFFERSON COUNTY HIGHWAY DEPARTMENT COMMITTEE ROOM, 1425 WISCONSIN DRIVE, JEFFERSON, WI 53549**
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: June 15, 2023 at 07:00 PM Central Time (US and Canada)
Meeting ID: 957 3344 0565
Passcode: Zoning

Register in advance for this meeting:

<https://zoom.us/j/95733440565?pwd=eHZRbHZXWXhlUnlKdkhtOXhoTmtNZz09>

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 members of the Committee were present at 7 p.m. Also present were staff members Sarah Elsner and Brett Scherer. Attending via Zoom was Megan Koehler, Josef Pelc, Losi Schoenike, William Springer and Mary Kuppe.

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 Supervisors Poulson and Foelker to approve the agenda as presented. Motion passed

5. Explanation of Public Hearing Process by Committee Chair

Chairman Jaeckel explained the process.

6. Public Hearing

Scherer read aloud the following:

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, June 15, 2023, in the **JEFFERSON COUNTY HIGHWAY DEPARTMENT COMMITTEE ROOM, 1425 SOUTH WISCONSIN DRIVE**, 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, text of the Jefferson County 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.

DECISIONS ON THE CONDITIONAL USES ONLY WILL BE MADE ON JUNE 26
DECISIONS ON THE REZONINGS WILL BE MADE ON JULY 11

**FROM A-1, EXCLUSIVE AGRICULTURAL TO A-2, AGRICULTURAL AND RURAL BUSINESS
R4472A-23 & CU2092-23 – Stock Family Farm/Joseph & Justine Church/James & Steven Mesmer Properties:**

Create a 2.6-ac lot from part of PINs 026-0616-2013-000 (35.91 ac) owned by Mesmer and 026-0616-2042-001 (37.728 ac) owned by Church, with conditional use for a farm store near **W1844 Bente Rd**, Town of Sullivan. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: Ken Stock (W749 Bente Road) presented himself as the petitioner for the rezone and conditional use. The petitioner said he signed a purchase agreement with Steven Memser to operate a small family farm. He said he would be acquiring the barn area and would be rezoning that area to A-2. The shop will be by appointment only for meat pick up. The petitioner said he would clean up the barn area and is looking to expand the business.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Scherer and in the file. Scherer asked the petitioner if there would be hour? The petitioner said only appointments and those would be between 9am to 5pm. Scherer asked the petitioner on the if there would be an additional structures, bathrooms, and employees. The petitioner said, there would be no employees, no bathrooms, and no additional structures. Scherer asked the petitioner on the parking. The petitioner said parking was dedicated on the survey, he said there would be 3-4 parking stalls west of the barn.

TOWN: In favor.

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

R4473A-23 – Ryan Koehler/Timothy & Debra Koehler Property: Rezone parts of PINs 014-0614-1431-000 (51.015 ac) zoned A-T and 014-0614-1434-000 (51.381 ac) zoned A-1 to create a 2-ac building site near **N3865 County Rd K** in the Town of Jefferson. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: William Koehler (N3881 County Road K) Presented himself as the petitioner for this rezone. The petitioner said he is looking to convert 2 acres to A-3 to build a house on the hill and along the tree line.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Scherer and in the file.

TOWN: In favor.

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

R4474A-23 – Dan Higgs/ABC Acres Property: Rezone 4-ac of PIN 010-0615-2741-000 (20.744 ac) to add it to the existing A-3 zoned property at **N3080 Haas Road**, Town of Hebron. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Attorney William Springer (1 E. Milwaukee Street) presented himself on behalf of the petitioners. He said there is an agreement between the shareholders to sell 4-acres surrounding the current home to be combined into one single parcel. Springer said they are looking to rezone A-1 to A-3.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: Nass asked the petitioner if he was aware that Jefferson County does not allow for 4-acre splits? Attorney Springer said he was not aware, but documentation for Dan Higgs and staff regarding the matter.

STAFF: Given by Scherer and in the file.

TOWN: In favor.

R4475A-23 – Dan Higgs/Thomas & Rene Foelker and ABC Acres, Owners: Rezone all of PIN 010-0515-1212-001 (1.243 ac) owned by Foelker and part of PIN 010-0515-1212-000 (38.767 ac) owned by ABC Acres to create a 5.2-ac lot at **N2018 Frommader Rd**, Town of Hebron. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Attorney William Springer (1 E. Milwaukee Street) presented himself on behalf of the petitioners. He said there is an agreement between the shareholders to rezone from A-1 to A-3 then combine the proposed lot with an existing A-3 lot.

COMMENTS IN FAVOR: Rene Foelker (N2018 Frommader Road) was in favor of the petition. Foelker said the split is already in their yard and will not be taking much farmland out of production. The split will take in the adjacent yard area.

Mark Foelker (N3080 Haas Road) was in favor of the petition. Foelker said there is an old, buried barn in that area and that the land is not prime farmland.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Scherer and in the file.

TOWN: In favor.

R4476A-23 – George Golich: Rezone 2 ac of PIN 016-0614-3632-001 (8.5 ac) for a new building site near **W5250 State Rd 106** in the Town of Koshkonong. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ord.

PETITIONER: George Golich (W5250 State Road 106) presented himself as the petitioner for this rezone. Golich said he owns 16-acres and is selling 14-acres to his son. He wants to retain 2-acres to build a residence in the future. He said there is two access to the property. Golich said he is working with the DOT to figuring out driveway permitting.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Scherer and in the file. Scherer asked the petitioner about the slopes on the property? The petitioner said they were reworked in the 1970s for logging that took place on the property. Scherer asked the petitioner to explain the second access on the property? The petitioner explained he is currently working with the DOT to be able to use an existing access point.

TOWN: In favor.

FROM A-1, AGRICULTURAL TO N, NATURAL RESOURCES

R4477A-23 – Loren Lindl: Rezone approximately 9.6 ac of PIN 010-0615-3512-000 (40 ac). The site is on the Bark River near Hess Ln, Town of Hebron. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

PETITIONER: Loren Lindl (N2751 Haas Road) presented himself as the petitioner for this rezone. The petitioner said he has a pending sale on 37.8-acres of recreational land. The petitioner said the Bark River separates the two parcels. He said the new potential buyer owns the adjacent property to the north which will allow access. Lindl said that the town board approved of the rezone.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Scherer and in the file.

TOWN: In favor.

FROM A-3 TO A-2 WITH CONDITIONAL USE

R4478A-23 & CU2093-23 – Samuel & Allison Kemp/Nieman Trust, Owner: Rezone approximately 2.2 ac of PIN 016-0514-2924-000 (13.648 ac) with conditional use for an event venue at W6770 Pond Rd, Town of Koshkonong. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: Allison Kemp (W6770 Pond Road) presented herself as the petitioner for this rezone and conditional use. The petitioner said they have a contingent offer on the property if they can use the barn for events and weddings. Kemp said she has experience in the wedding business and is a photographer for events and weddings.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: Mavis O'Morrow (W6889 Pond Road) had concerns with the parking and occupancy of the building. She also said she is the closest neighbor and had concerns about the road not being wide enough, liquor and hours of the events.

-Elsner read aloud the concerns sent via email and mail. All emails and mail are in the file.

REBUTTAL: The petitioner said all parking is on the proposed survey, she also said shuttles will be utilized for events on the property. Kemp said her family will be living on the property and also don't want loud noises and a silent disco will take place in the later hours of the night. The petitioner also said the property will be on the lower part of the property and not the hill.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Scherer and in the file. Scherer asked the petitioner about how many members of the public would be on the property? The petitioner said 175 people max would be at the events. Scherer asked the petitioner if there would

be any new proposed structures and bathrooms? The petitioner said all portable bathrooms would be used and only the existing buildings would be utilized. Scherer asked about the hours? The petitioner said 8am would be the start, which would include getting ready. Around 10am they would start setting up for the events. The petitioner said the events would go to 12am but are flexible to suggested hours. Scherer asked the petitioner to clarify on what events would be taking place? The petitioner said mostly weddings in May-October. This would be Friday through Sunday. She also said showers, charity events and business events would also take place. Scherer asked if there would be any signage on the property? The petitioner said there would be only one sign.

TOWN: In favor.

R4479A-23 – John & Marcia Herr Trust: Rezone approximately 0.7 ac of PIN 026-0616-2424-001 (19.628 ac) to add it to an adjoining A-2 lot at **W315 Herr Rd** in the Town of Sullivan. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: Theresa Domres (N3646 Hardscrabble Road) presented herself as the petitioner for this rezone. The petitioner explained that they are looking to correct a lot line issues and existing structures that they discovered were on the wrong lot. Domres wants all the buildings for the business on the same property.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Scherer and in the file.

TOWN: In favor.

CONDITIONAL USE PERMIT APPLICATIONS

CU2091-23 – Christopher Fetzer/Durelle Chopp Trust Property: Conditional use on PIN 012-0816-2143-002 (8.92 ac) to allow mini-warehousing on **Oak Drive**, Town of Ixonia. This is in accordance with Sec. 11.04(f)3 of the Jefferson County Zoning Ordinance.

PETITIONER: Casey Fetzer presented himself as the petitioner for this conditional use. The petitioner is looking to create mini warehousing on the property. The petitioner said no sewer would be connected to the property and there would be no water on the property. He said the woods would not be disturbed and will be adding an additional 50 feet to the setback to appease the neighbors.

COMMENTS IN FAVOR: Durelle Chopp was in favor of the petition. She said it would be a good use of the property.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Scherer and in the file. Scherer asked the petitioner to explain phasing? The petitioner said the phasing is broken up into 3 different phases. They are all dependent on how the business is doing. He said it will be asphalted as the phases take place. Scherer asked is there would be storm water plans submitted? The petitioner said yes that they are engineered. Scherer asked the petitioner about the hours and lighting? The petitioner said the hour would be 6am to 11pm with no access afterhours. He said the lighting will be downward facing on timers. The petitioner said they will meet all town lighting ordinances.

TOWN: In favor. Scherer read the conditions from the town aloud.

CU2094-23 – Scott & Dana Scherer: Conditional use for an 1,800 square foot extensive on-site storage structure, 15.5 feet in height in a Residential R-2 zone at **W6021 Friedel Rd**, Town of Koshkonong, on PIN 016-0514-1033-030 (0.795 ac). This is in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

PETITIONER: Dana Scherer (W6021 Friedel Road) presented herself as the petitioner. The petitioner said they are looking to build a 30’x60’ garage to match the house. The garage would be used for the storage of vehicles and a hobby shop. Scherer said it would be for personal use only.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Elsner and in the file. Elsner asked if there would be any bathrooms and to confirm the size? The petitioner said there would be no bathrooms and the size would be 1800 square feet and only personal use.

TOWN: In favor.

CU2095-23 – Mary Kuppe: Conditional use to allow keeping of four dogs as household pets on a non-commercial basis in a Residential R-1 zone at **N4412 Wolff Rd**, Town of Oakland, on PIN 022-0613-0812-037 (1.571 ac). This is in accordance with Sec. 11.04(f)1 of the Jefferson County Zoning Ordinance.

PETITIONER: Mary Kuppe (N4412 Wolff Road) presented herself as the petitioner for this conditional use. The petitioner is looking to keep her four dogs on the property.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: Poulson asked what kind of dogs are on the property? The petitioner said all labs.

STAFF: Given by Scherer and in the file. Scherer asked if there would be fencing and how the waste would be handled? The petitioner said the waste would be put in the normal garbage in bio bags. For the fence, the area is fenced in and the dogs live inside most of the time.

TOWN: In favor.

ZONING ORDINANCE TEXT AMENDMENT

R4480T-23 – Jefferson County Zoning: Text amendment to the Jefferson County Zoning Ordinance for changes to shoreland provisions in Sec. 11.10 which will bring the ordinance into compliance with recent DNR updates and will allow for updated mitigation practices on shoreland properties.

PETITIONER: Jefferson County

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Scherer and in the file.

TOWN: All towns in favor, except no response from The Township of Concord or The Township of Lake Mills.

7. Adjourn

Supervisor Poulson moved to adjourn at 7:55 p.m. and was seconded by Supervisor Richardson. Motion passed on a voice vote.

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 this meeting should contact the County Administrator 24 hours prior to the meeting at 920-674-7101 so appropriate arrangements can be made.

A digital recording of the meeting will be available in the Zoning Department upon request.