

AGENDA
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE
DECISION MEETING

Steve Nass, Chair; George Jaeckel, Vice-Chair; Don Reese, Secretary; Matt Foelker, Blane Poulson

ROOM 203, COUNTY COURTHOUSE
311 S. CENTER AVE., JEFFERSON, WI 53549
8:30 A.M. ON MONDAY, JULY 30, 2018

1. **Call to Order**
2. **Roll Call (Establish a Quorum)**
3. **Certification of Compliance with Open Meetings**
4. **Approval of the Agenda**
5. **Public Comment (Not to exceed 15 minutes and not to include petitions slated for decision. Members of the public who wish to address the Committee on specific agenda items must register their request at this time)**
6. **Approval of June 21, June 25, July 13 and July 19 Meeting Minutes**
7. **Communications**
8. **June Monthly Financial Report for Land Information Office-Andy Erdman**
9. **June Monthly Financial Report for Register of Deeds Office-Staci Hoffman**
10. **July Monthly Financial Report for Zoning-Matt Zangl**
11. **Discussion and Possible Action on the 2019 Planning and Zoning Department Budget**
12. **Discussion on Solar Farm Permitting Process**
13. **Discussion and Possible Action on Salvage Yard Licensing**
14. **Discussion Regarding the Appeal of Daybreak Foods Inc Conditional Use Permit CU1943-18, Town of Lake Mills to the State of Wisconsin Livestock Facility Siting Review Board**
15. **Discussion and Possible Action on Koshkonong Lake Estates, Town of Koshkonong**
16. **Discussion and Possible Action on R4069A-18 for Brent and Regina Mosher, Town of Waterloo, Presented in Public Hearing on June 21 and Subsequently Postponed for Redesign**
17. **Discussion and Possible Action on Petitions Presented in Public Hearing on July 19, 2018:**

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

R4071A-18 – Craig Frohmader/Robert & Marilyn Frohmader Trust Property: Create a 2-acre building site on **County Road Q** in the Town of Aztalan from part of PIN 002-0714-1711-000 (53.05 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

R4072A-18 – David A Staude: Create a 3-acre lot around the farm buildings at **N7253 Woody Lane**, Town of Concord, from part of PIN 006-0716-0412-000 (46.94 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

R4073A-18 – Robert Fry: Create a 5-acre farm consolidation lot with existing home and farm buildings at **N5880 County Road D** in the Town of Farmington, part of PIN 008-0715-2341-000 (40.161 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

R4074A-18 – Jason & Jennifer Schroedl: Create a 2.0565-acre lot around the home and buildings at **N5060 Christberg Road**, Town of Farmington, on PIN 008-0715-3141-000 (38.4 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

R4076A-18 – Damrow Trust, c/o Donna Christian: Create a 3-acre lot with the home at **W1811 & W1813 State Road 16** from part of PIN 012-0816-1744-000 (35 Acres). The site is in the Town of Ixonia. This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

R4077A-18 – Anthony & Karen Schadt: Create a 3-acre farm consolidation lot around the home and buildings at **N8741 Kelm Lane** in the Town of Watertown from part of PIN 032-0814-1324-000 (26 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

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

R4075A-18 – Samuel & Kenlon Meyers: Create a 9-acre farm consolidation and lot combination around the home and buildings at **W3930 State Road 106** in the Town of Hebron from part of PINs 010-0615-3331-000 (21.8765 Acres) and 010-0615-3334-002 (10.986 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

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

R4078A-18 – Dan Zastrow: Rezone part of PIN 018-0713-3622-000 (40 Acres), and all of PINs 018-0713-3623-000 (40 Acres) and 018-0713-3632-000 (53.128 Acres) near **Mud Lake Road** in the Town of Lake Mills to create an approximate 110-acre Natural Resource zone. This is being done in accordance with Sec 11.04(f)12 of the Jefferson County Zoning Ordinance.

CONDITIONAL USE PERMIT APPLICATIONS

CU1950-18 – John Schwarz: Conditional use for an extensive on-site storage structure in a Residential R-2 zone at **W5867 Hedrick Drive**. This is on PIN 016-0514-1513-005 (1.386 Acre) in the Town of Koshkonong. This is being done in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

CU1951-18 – Tim Haversack/Timothy Haversack & Julie Zander Property: Conditional use for an extensive on-site storage structure in a Residential R-2 zone at **N9672 Oak Hill Road**. This is on PIN 032-0815-0221-007 (1.41 Acres) in the Town of Watertown. This is being done in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

ZONING ORDINANCE TEXT AMENDMENT

R4079T-18 – Jefferson County: Text amendment to Sec. 11.05, 11.09 and 11.11 of the Jefferson County Zoning Ordinance in order to comply with Wisconsin Statutes regarding conditional use permits, variances, substandard lots and non-conforming structures.

18. Discussion on Prime/Non-Prime Areas and Available Splits

19. Workshops for Local Planning and Zoning Officials-August 30 and September 27, Middleton Public Library

20. Possible Future Agenda Items

21. Upcoming Meeting Dates

August 20, 10:00 a.m. – Site Inspections Beginning in Courthouse Room 203

August 23, 7:00 p.m. – Public Hearing in Courthouse Room 205

August 28, 10:00 a.m. – Decision Meeting in Courthouse Room 203

September 14, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203

September 20, 7:00 p.m. – Public Hearing in Courthouse Room 205

22. Adjourn

If you have questions regarding the petitions, please contact the Zoning Department at 920-674-7131. Petition files referenced on this agenda may be viewed in Courthouse Room 201 between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays. Materials covering other agenda items can be found at www.jeffersoncountywi.gov.

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 at least 24 hours prior to the meeting so that appropriate arrangements can be made.

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

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, June 21, 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

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, June 21, 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 R-2 RESIDENTIAL AND A-1, EXCLUSIVE AGRICULTURAL TO A-3,
AGRICULTURAL AND RURAL RESIDENTIAL**

R4061A-18 – Bryant Dahnert/Bryant Dahnert, Don Foltz Properties: Rezone all of PIN 016-0514-2022-002 (0.688 Ac) owned by Bryant Dahnert and 0.3 acre of PIN 016-0514-2023-000 (21.14 Ac) owned by Donald R Foltz to create a 1-acre A-3 zoned lot. The site is at **N1205 Garvert Lane** in the Town of Koshkonong. This is in accordance with Sec. 11.04(f) 8 of the Jefferson County Zoning Ordinance.

PETITIONER: Bryant Dahnert from N1205 Garvert Lane, Fort Atkinson, WI presented himself as the petitioner for this rezone. He stated that he would like to buy 3/10 of an acre of the land from Don Foltz so he can rezone from R-2 to A-3 for more possible uses for his land.

COMMENTS IN FAVOR: None

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl also stated that this is a unique situation in that a portion of the A-1 that is being purchased was split off by the 26 expansion. He stated that questions for the committee to consider would be what would the A-1 parcel be classified as (a parcel of record, parent parcel, or make them use last remaining A-3 split for the property)? Zangl stated that they could cut off and it could easily be called a parcel of record which would allow them to rezone to A-3, and not affect the remaining A-1 acreages availability of the last split.

TOWN RESPONSE: Approved and in the file.

R4062A-18 – Richard Knoflicek/Knoflicek, Don Foltz Properties: Rezone all of PIN 016-0514-2023-003 (0.6 Ac) owned by Richard Knoflicek and 0.4 acre of PIN 016-0514-2023-000 (21.14 Ac) owned by Donald R Foltz to create a 1.1-acre A-3 zoned lot. The site is at **N1193 Garvert Lane** in the Town of Koshkonong. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Curt Peterson from N1193 Garvert Ln, Fort Atkinson, WI presented himself as the petitioner for this rezone. He stated that he has already purchased this land from Rich Knoflicek and he would like to rezone it for some more leeway for a building he would like to put up. He is also looking into purchasing land behind this property from Don Foltz in order to expand and rezone to A-3 to accommodate the needs for his small business.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl did also state that passing this rezone could possibly require the use of the remaining split to go to A-3. Zangl also stated that the ownership could have been our mistake because of the database being slightly slower than what's recorded in real-time. Therefore, when we did the information for the public hearing, the property was still in Richard's name, but could now very well be in Peterson's name if the deed went through.

TOWN RESPONSE: Approved and in the file.

CONDITIONAL USE PERMIT APPLICATION

CU1947-18 – Curt & Mary Peterson/Richard Knoflicek Property: Conditional use for a home occupation to create metal décor and signs in a proposed A-3 zone at **N1193 Garvert Lane**, Town of Koshkonong, on PIN 016-0514-2023-003 (0.688 Ac) and part of PIN 016-514-2023-000 (21.14 Ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Curt Peterson from N1193 Garvert Ln, Fort Atkinson, WI presented himself as the petitioner for this conditional use. He stated that he would like this permit so he can run his small business from home. He owns a business that works with custom plasma cutting, creating signs, yard art, etc. He stated that it is a small business that would have no effect on the neighborhood at all, and that when the door is closed no one would even have any idea a business is run there.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl also asked the petitioner what the hours of the business would be, or if it would be open to the public. The petitioner stated that the only public that would be there would only be to briefly pick up their sign. He said that there would be no store front and that it wouldn't be a sales area – he mainly sells his creations at craft fairs/flea markets, or custom orders. Zangl then asked if the petitioner would have any employees besides himself. The petitioner said there would be no employees. Zangl asked if there would be a bathroom in the proposed structure for the business and the petitioner said there would be no bathroom. Zangl then asked if there would be any signs on site for the business.

Petitioner said there would be no business signs on site. Lastly, Zangl asked if there would be any outside storage. The petitioner stated everything should be kept inside.

TOWN RESPONSE: Approved and in the file.

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

R4063A-18 – Andrew J Fincutter: Create a 2-acre A-2, Agricultural and Rural Business zone from part of PINs 032-0815-2743-000 (20 Ac) and 032-0815-2744-000 (20 Ac) near **N7780 Little Coffee Road** in the Town of Watertown. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: Andrew Fincutter from N7780 Little Coffee Rd, Watertown, WI presented himself as the petitioner for this rezone. He stated that he is asking for this rezone so he can move his excavating business to his home and use his existing shop for work. He would then like to build a proposed 80' x 150' shed for cold storage for his work equipment.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file.

TOWN RESPONSE: Approved and in the file.

CONDITIONAL USE PERMIT APPLICATION

CU1948-18 – Andrew J Fincutter: Conditional use for a home occupation/excavation business near **N7780 Little Coffee Road** in the Town of Watertown from part of PINs 032-0815-2743-000 (20 Acres) and 032-0815-2744-000 (20 Ac). This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: Andrew Fincutter from N7780 Little Coffee Rd, Watertown, WI presented himself as the petitioner for this conditional use. He stated that he would like to move his business to his home so he does not have to continue to rent a separate shop elsewhere for his business.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: Reese asked if there would be any outside storage. The petitioner stated there would be no outside storage.

STAFF REPORT: Given by Zangl and in the file. Zangl also asked how many employees the petitioner had. The petitioner stated that he currently has 6 employees. Zangl then asked if that number would increase at all. The petitioner said that he could get up to 10 employees at the maximum. Zangl asked what the business hours would be. The petitioner stated that they usually work from 6 AM until whenever they are done. Zangl asked if there would be any bathrooms in the structures. The petitioner stated there would be 1 bathroom. Zangl asked if there was adequate room for parking. The petitioner stated that there is plenty of space for parking.

TOWN RESPONSE: Approved and in the file.

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

R4064A-18 – Deborah Rockwell: Rezone 2 acres of PIN 004-0515-2143-002 (8.29 Acres) for a new building site on **Marshall Road** in the Town of Cold Spring. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Roy and Deb Rockwell from N979 Marshall Rd presented themselves as the petitioner for this rezone. Roy stated that they would like to create an A-2 parcel in the pasture area in order to build a smaller home for retirement that requires less maintenance than their family farm. He stated that their son will take over their family farm. He stated that 80% of the land in the area is permanently farmed, but where they are looking to build is not good soil for farming land.

COMMENTS IN FAVOR: Penelope Kleinhaus from N981 Marshall Rd, Whitewater, WI spoke in favor of this rezone. She said that Roy and Deb have owned the property for over 25 years and Kleinhaus bought the original homestead after Rockwell's built the new house. She stated that she believes the land value will only increase with the additional home. She also stated that she is in favor of it remaining a family compound with the son running the existing farm. She also said that she lives at the foot of the hill and there is a shared driveway and they do not see a need for adding another driveway to the area.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl also explained the history of the property with prior application for rezone. Zangl also stated that the committee would need to determine whether or not the soils are classified as non- prime or prime. If they are determined to

be prime, there would be zero allowable splits – they would need to find it as non-prime land in order to allow the split and rezone to A-3. If a split is granted, that would be the last split available which would then require the petitioner to file for an affidavit.

TOWN RESPONSE: Approved and in the file.

R4065A-18 – Louis Garbelman: Create a 2.32-acre building site on **County Road B** from part of PINs 006-0716-1321-002 (29.259 Ac) and 006-0716-1324-000 (32.2 Ac) in the Town of Concord. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Louis Garbelman from W365 County Rd B, Oconomowoc, WI presented himself as the petitioner for this rezone. He stated that he would like to have this building site for his son to build a home. He stated that his family has owned this farm since the 1940's, and the land has since then been "reclaimed." He went on to explain that there used to be a big hill on the property but when I-94 was built, they took soil off the top of the hill and never replaced the topsoil. Therefore, the land does not suite well for farming land because there is no subsoil.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl also asked if there is an access point for the remaining agricultural land. The petitioner said yes, there is an access point. Zangl also asked if the petitioner has worked with the highway department yet to determine driveway access for the proposed lot. The petitioner stated that he hasn't talked with them on this yet. Zangl stated that if the rezone is approved the petitioner does need to reach out to the highway department for driveway access and approval. Zangl also stated that the soils in this area were unclassified because of the disturbance due to I-94 construction. It was also stated that a soil test has been recently done on the property and it did pass for a conventional site to be installed on site.

TOWN RESPONSE: Approved and in the file.

R4066A-18 – James Keller/Clem & Geneva Keller Trust: Create a 1-acre lot around the home at **N5345 Hillside Drive**, Town of Concord, on PIN 006-0716-2933-001 (19.2 Ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: James Keller from N5365 Hillside Dr, Sullivan, WI presented himself as the petitioner for this rezone. He stated that his parents originally owned this land, and when they passed away, they left it to him and his siblings in the will. They would like to zone part of the land off to let his sister have her ownership of her part of the land that was given to them.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl also asked the petitioner what year the home was built. The petitioner stated that the house was built in 1987. Zangl also asked if the pre-existing home had its own septic, or if it's shared. The petitioner stated that the home has its own septic system, but that the well is shared.

TOWN RESPONSE: Approved and in the file.

R4067A-18 – Michael Quinn: Rezone for a new 4-acre building site on **County Road E** in the Town of Sullivan, part of PIN 026-0616-3414-000 (26.88 Ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Michael Quinn from N2720 County Rd E, Palmyra, WI presented himself as the petitioner for this rezone. He stated that he would like to create a 4-acre lot on the north end of the property so his daughter can one day build a home there.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl also asked if the petitioner has worked with the highway department yet for driveway access. The petitioner stated he has not contacted the highway department yet, but there is an existing culvert for future driveway access. Zangl also asked if there is access for the remaining A-1 agricultural portion and the petitioner said yes there is. The petitioner added that he had a new survey done that reconfigures the splits a little differently than originally presented. The new survey proposes the 3.66 to 4.10 and the 4.77 to 4.30 in order to square up the land a little more. Zangl asked if he had an updated preliminary survey, but the petitioner stated he did not yet due to the surveyor being out of town. Zangl asked if he could get a copy of the updated prelim survey, to the Committee to add to the file before the Decision Meeting on Monday, June 25, and the petitioner stated he could email a rough copy for the Committee before then.

TOWN RESPONSE: Approved and in the file.

R4068A-18 – Steve Homann/Marvin & Marion Homann Property: Create a new 1.3919-acre building site near **N7379 State Road 89** in the Town of Waterloo from part of PIN 030-

0813-3634-000 (29.68 Ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Steve Homann from 410 College St, Lake Mills, WI presented himself as the acting agent for petitioner for this rezone. He stated that in 2012 a 1-acre lot was approved by the board for this location and his dad passed away 2 months after the original approval for this rezone, so the file was never recorded with the Register of Deeds. He said since then he has been working with the DOT on moving the driveway to line up with the one on the other side of the road where the sand pit is. They will not allow another access to the highway because of an agreement in 1964 to not allow any more accesses. Therefore, the existing ones need to be closed for safety. He stated that the proposal is the same as it was in 2012, other than adding 247' of additional driveway. He stated that he also is going to extend the driveway in order to keep the Department of Transportation happy. Homann added that they have been doing a lot of cleaning up on this lot in order to restore it to its original beauty, and in doing so has removed stumps and added fill/grading. He also stated that his son and fiancé want to build a single family home here with a shed, and that the site was approved for a conventional septic system.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl also asked if a driveway permit has been issued. Homann said that a permit for the driveway has not yet been issued because they didn't want to get it before the proposed rezone was approved. Zangl did add that he has talked with the DOT regarding this situation, and vouched for them that they are okay with moving the driveway.

TOWN RESPONSE: Approved and in the file.

R4069A-18 – Brent & Regina Mosher: Rezone to create a new 1.2-ac building site on **Veith Road** from part of PIN 030-0813-3023-001 (10 Ac) in the Town of Waterloo. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Brent Mosher from 5025 Missouri Rd, Marshall, WI presented himself as the petitioner for this rezone. He stated that they would like the rezone in order to build a home on the property.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl also asked the petitioner if there would still be access for the remaining A-1 land. The petitioner stated that they would need to put a driveway in for that access. Zangl said that they would need to work with the town for access for that point.

TOWN RESPONSE: Approved and in the file.

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

R4070A-18 – Wilbur Miller: Rezone to reconfigure an existing 4.5-acre A-3 zone, PIN 032-0815-1544-002 (4.51 Ac) by adding 0.8 acre of PIN 032-0815-1544-000 (55.29 Ac) currently zoned A-1 and by rezoning 0.8 ac of the existing A-3 zone to A-1. The site is in the Town of Watertown on **Witte Lane**. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Andrew Fincutter from N7780 Little Coffee Rd, Watertown, WI presented himself as the petitioner for this rezone on behalf of Wilbur Miller. He stated that they would like the rezone for 50 acres to allow for possible splits of the land in the future. He made it that size because of the wetlands and to allow for driveway access.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. He also added that they may want to consider keeping the remaining splits for future use.

TOWN RESPONSE: Approved and in the file.

CONDITIONAL USE PERMIT APPLICATION

CU1949-18 – Donald & Barbara Williams: Conditional use to allow an extensive on-site storage structure 20 feet in height in a Residential R-2 zone at **N5493 Indianhead Drive**. The site is in the Town of Aztalan, part of PIN 002-0714-2642-006 (0.57 Ac). This is in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

PETITIONER: Donald Williams from 411 Frederick St, Fort Atkinson, WI presented himself as the petitioner for this conditional use. He stated there is currently a 16' x 29' shed in the approximate location and that it's within 3" of the property line. He said they'd like to take that

old shed down and build a 30' x 30' shed. He stated that he would like to add on an extra 5 feet to the height of the proposed shed in order to allow for enough storage room of personal equipment such as bikes, canoes, etc.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: Reese asked if there would be any outside storage. The petitioner stated that everything should be able to easily fit inside of the proposed storage shed, so no outside storage would be present.

STAFF REPORT: Given by Zangl and in the file. Zangl also asked if there would be any bathrooms in the shed. The petitioner said no bathrooms would be in the shed. Zangl then asked if the shed would be used for business use at all. The petitioner said that there would be no businesses run from the shed, and that it is just for personal storage use.

TOWN RESPONSE: Approved and in the file.

It was motioned and seconded for meeting to be adjourned at 7:44 p.m.



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

**MINUTES OF THE
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE
DECISION MEETING**

Steve Nass, Chair; George Jaeckel, Vice-Chair; Don Reese, Secretary; Matt Foelker, Blane Poulson

**ROOM 203, COUNTY COURTHOUSE
311 S. CENTER AVE., JEFFERSON, WI 53549
8:30 A.M. ON MONDAY, JUNE 25, 2018**

1. Call to Order

The meeting was called to order by Vice-Chair Jaeckel at 8:30 a.m.

2. Roll Call (Establish a Quorum)

All Committee members other than Nass were in attendance at 8:30 a.m. Also in attendance were Andy Erdman, Director of the Land Information Department; Staci Hoffman, Register of Deeds; Joe Strupp of the Land and Water Conservation Department(LWCD); and Matt Zangl, Sarah Higgins, Lindsey Schreiner and Deb Magritz of the Zoning Department.

3. Certification of Compliance with the Open Meetings

Reese verified that the meeting was being held in compliance with Open Meetings.

4. Approval of the Agenda

No changes were proposed to the agenda.

5. Public Comment (Not to exceed 15 minutes and not to include petitions slated for decision-members of the public who wish to address the Committee on specific agenda items must register their request at this time)

Anita Martin reported that she'd attended the June 13, 2018 meeting of the Livestock Siting Review Board. She handed out minutes from that meeting and her summary. She wondered if DATCP might come to talk with the County about what can be considered.

Nass had arrived at 8:34 a.m.

6. Approval of May 21, June 15 and June 21 Meeting Minutes

Motion by Reese, seconded by Jaeckel to approve the May 21 minutes as presented. Motion carried on a voice vote with no objection.

Motion by Jaeckel, seconded by Reese to approve the June 15 minutes as presented. Motion carried on a voice vote with no objection.

Minutes were not available for the June 21 public hearing.

7. Communications

Zangl said that he would have livestock siting information on a future agenda after the minutes of the Livestock Siting Review Board meeting have been approved.

8. May Monthly Financial Report for Land Information Office-Andy Erdman

Erdman noted that the office is a little behind in revenues for the Surveyor; he's been pulled off on a couple of other jobs such as a Korth Road survey and the Sheriff's Office shooting range.

Other revenues for the Department are about where they should be. Reese commented that he likes the old method of reporting, because it makes more sense. Jaeckel commented that Finance is looking at possibly a hybrid of old and new methods.

9. **May Monthly Financial Report for Register of Deeds Office-Staci Hoffman**
Hoffman reported that recordings are down about 200 documents from this point last year. However, revenues are up because of land transfers. The Office is doing fine financially, right on target.
10. **June Monthly Financial Report for Zoning-Matt Zangl**
Zangl commented that Zoning revenues to date are about \$5,500 short compared to 2017. His theory is that contractors are having problems finding workers, and are not taking out more permits than they can manage.
11. **Discussion and Possible Action on a Request for Amendment of CU1826-15 for Katzman Farms Inc., Town of Hebron**
A roll call was taken, with Reese, Nass, Foelker, Poulson, Zangl and Strupp noting their attendance. Jaeckel was present but abstaining. Strupp explained the Katzman Farms Inc. proposal, converting a bedded pack barn to freestall barn with liquid. There will be a small expansion for the manure transfer. Animal numbers will stay the same. They submitted worksheets, maps and an updated nutrient management plan. The Land and Water Department recommended that the Committee find the application complete. Motion by Reese, seconded by Foelker to accept the recommendation. A roll call vote was taken, with Reese, Nass, Foelker and Poulson voting in favor; Jaeckel abstained. The motion carried.
12. **Discussion and Possible Action on Preliminary Plat Review for Koshkonong Lake Estates, Town of Koshkonong**
Zangl explained the process to date, and noted that a couple of pieces are still missing. Zangl asked the Committee if they wanted to take action or wait for all the information to arrive. The Committee determined that they would wait for all the information to arrive before taking action.
13. **Discussion and Possible Action on a Request by Roy McDaniels for Further Review of His Wedding Venue Proposal**
Zangl explained, and noted that the proposal doesn't seem to fit the current ordinance, except perhaps as an unclassified/unspecified use. Several issues were discussed: off-road parking, area for guests in the event of bad weather, lack of direction from legislature for example. Motion by Nass, seconded by Reese to postpone until there is an action to review and/or update the County plan.
14. **Discussion and Possible Action on a Request by Mark and Bonnie Krause to Replace the Existing Home at N3165 County Road K in the Town of Jefferson at More than 100 Feet from its Existing Location**
Motion by Nass, seconded by Reese to approve the petitioners' request for new home construction approximately 185 feet to 190 feet from the existing home's location. The existing home must be removed within two years of new home permitting.

PLEASE SEE INDIVIDUAL FILES FOR A COMPLETE RECORD OF THE FOLLOWING DECISIONS:

15. **Discussion and Possible Action on Petitions Presented in Public Hearing on June 21, 2018:**

APPROVE WITH CONDITIONS R4061A-18 – Bryant Dahnert/Bryant Dahnert, Don Foltz Properties on a motion by Nass, seconded by Reese and rezone all of PIN 016-0514-2022-002 (0.688 Ac) owned by Bryant Dahnert and 0.3 acre of PIN 016-0514-2023-000 (21.14 Ac) owned by Donald R Foltz to create a 1-acre A-3 zoned lot. The site is at **N1205 Garvert Lane** in the Town of Koshkonong. This is in accordance with Sec. 11.04(f) 8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

APPROVE WITH CONDITIONS R4062A-18 – Richard Knoflicek/Knoflicek, Don Foltz Properties on a motion by Reese, seconded by Jaeckel and rezone all of PIN 016-0514-2023-003 (21.14 Ac) owned by Richard Knoflicek and 0.4 acre of PIN 016-0514-2023-000 (21.14 Ac) owned by Donald R Foltz to create a 1.1-acre A-3 zoned lot. The site is at **N1193 Garvert Lane** in the Town of Koshkonong. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

APPROVE WITH CONDITIONS CU1947-18 – Curt & Mary Peterson/Richard Knoflicek Property on a motion by Jaeckel, seconded by Reese and grant a conditional use for a home occupation to create metal décor and signs in a proposed A-3 zone at **N1193 Garvert Lane**, Town of Koshkonong, on PIN 016-0514-2023-003 (0.688 Ac) and part of PIN 016-514-2023-000 (21.14 Ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

APPROVE WITH CONDITIONS R4063A-18 – Andrew J Fincutter on a motion by Reese, seconded by Jaeckel and create a 2-acre A-2, Agricultural and Rural Business zone from part of PINs 032-0815-2743-000 (20 Ac) and 032-0815-2744-000 (20 Ac) near **N7780 Little Coffee Road** in the Town of Watertown. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

APPROVE WITH CONDITIONS CU1948-18 – Andrew J Fincutter on a motion by Reese, seconded by Jaeckel and grant conditional use for a home occupation/excavation business near **N7780 Little Coffee Road** in the Town of Watertown from part of PINs 032-0815-2743-000 (20 Acres) and 032-0815-2744-000 (20 Ac). This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

DENY R4064A-18 – Deborah Rockwell on a motion by Nass, seconded by Poulson to rezone 2 acres of PIN 004-0515-2143-002 (8.29 Acres) for a new building site on **Marshall Road** in the Town of Cold Spring. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

APPROVE WITH CONDITIONS R4065A-18 – Louis Garbelman on a motion by Nass, seconded by Reese to create a 2.32-acre building site on **County Road B** from part of PINs 006-0716-1321-002 (29.259 Ac) and 006-0716-1324-000 (32.2 Ac) in the Town of Concord. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

APPROVE WITH CONDITIONS R4066A-18 – James Keller/Clem & Geneva Keller Trust on a motion by Reese, seconded by Jaeckel to create a 1-acre lot around the home at **N5345 Hillside Drive**, Town of Concord, on PIN 006-0716-2933-001 (19.2 Ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

APPROVE WITH CONDITION R4067A-18 – Michael Quinn on a motion by Foelker to rezone for a new 4-acre building site on **County Road E** in the Town of Sullivan, part of PIN 026-0616-3414-000

(26.88 Ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

APPROVE WITH CONDITIONS R4068A-18 – Steve Homann/Marvin & Marion Homann Property on a motion by Reese, seconded by Jaeckel to create a new 1.3919-acre building site near **N7379 State Road 89** in the Town of Waterloo from part of PIN 030-0813-3634-000 (29.68 Ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

POSTPONE FOR REDESIGN R4069A-18 – Brent & Regina Mosher on a motion by Reese, seconded by Jaeckel a rezoning to create a new 1.2-ac building site on **Veith Road** from part of PIN 030-0813-3023-001 (10 Ac) in the Town of Waterloo. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

APPROVE WITH CONDITIONS R4070A-18 – Wilbur Miller on a motion by Jaeckel, seconded by Reese and rezone to reconfigure an existing 4.5-acre A-3 zone, PIN 032-0815-1544-002 (4.51 Ac) by adding 0.8 acre of PIN 032-0815-1544-000 (55.29 Ac) currently zoned A-1 and by rezoning 0.8 ac of the existing A-3 zone to A-1. The site is in the Town of Watertown on **Witte Lane**. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

APPROVE WITH CONDITIONS CU1949-18 – Donald & Barbara Williams on a motion by Reese, seconded by Poulson for conditional use to allow an extensive on-site storage structure 20 feet in height in a Residential R-2 zone at **N5493 Indianhead Drive**. The site is in the Town of Aztalan, part of PIN 002-0714-2642-006 (0.57 Ac). This is in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

16. Possible Future Agenda Items

17. Upcoming Meeting Dates

July 13, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203

July 19, 7:00 p.m. – Public Hearing in Courthouse Room 205-Nass will be absent.

July 30, 8:30 a.m. – Decision Meeting in Courthouse Room 203

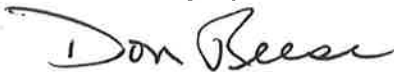
August 20, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203

August 23, 7:00 p.m. – Public Hearing in Courthouse Room 205

August 27, 8:30 a.m. – Decision Meeting in Courthouse Room 203

18. Adjourn

Motion by Reese, seconded by Foelker to adjourn. Motion carried on a voice vote, and the meeting adjourned.



Don Reese, Secretary

If you have questions regarding the petitions, please contact the Zoning Department at 920-674-7131. Petition files referenced on this agenda may be viewed in Courthouse Room 201 between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays. Materials covering other agenda items can be found at www.jeffersoncountyiwi.gov.

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 at least 24 hours prior to the meeting so that appropriate arrangements can be made.

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

AGENDA
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE
SITE INSPECTION MEETING

Steve Nass, Chair; George Jaeckel, Vice-Chair; Don Reese, Secretary; Matt Foelker, Blane Poulson

ROOM 203, COUNTY COURTHOUSE
311 S. CENTER AVE., JEFFERSON, WI 53549
8:00 A.M. ON FRIDAY, JULY 13, 2018

1. **Call to Order**
The meeting was called to order at 8:03 by Vice-Chair Jaeckel.
2. **Roll Call (Establish a Quorum)**
Nass was absent at 8:03, but all other Committee members were in attendance. Also present were Matt Zangl, Sarah Higgins and Deb Magritz from the Zoning Department.
3. **Certification of Compliance with Open Meetings**
Reese verified that the meeting was being held in compliance with Open Meetings.
4. **Approval of the Agenda**
No changes were proposed to the agenda.
5. **Public Comment (Not to exceed 15 minutes and not to include petitions slated for decision-members of the public who wish to address the Committee on specific agenda items must register their request at this time)**
There was no public comment.
6. **Communications**
Poulson asked if Rockwells, the petitioners whose zoning amendment was just denied, had tested the land to try to prove it was non-prime. Zangl explained, and noted that at the end of the day, it's up to the landowner to disprove that the area is prime.

Nass arrived at 8:05 a.m.

Foelker asked whether the Alwin garage in Hebron could be lived in, and Zangl answered no-it is for storage of residential-type items only.

It was determined that the August 27 decision meeting would be moved to August 28 at 10 a.m.

The Committee left for the following site inspections:

7. **Site Inspections for Petitions to be Presented in Public Hearing on July 19, 2018:**

R4075A-18 – Samuel & Kenlon Meyers: Create a 9-acre farm consolidation and lot combination around the home and buildings at **W3930 State Road 106** in the Town of Hebron from part of PINs 010-0615-3331-000 (21.8765 Acres) and Ordinance.

CU1950-18 – John Schwarz: Conditional use for an extensive on-site storage structure in a Residential R-2 zone at **W5867 Hedrick Drive**. This is on PIN 016-0514-1513-005 (1.386 Acre) in the Town of Koshkonong. This is being done in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

R4078A-18 – Dan Zastrow: Rezone part of PIN 018-0713-3622-000 (40 Acres), and all of PINs 018-0713-3623-000 (40 Acres) and 018-0713-3632-000 (53.128 Acres) near **Mud Lake Road** in the Town of Lake Mills to create an approximate 110-acre Natural Resource zone. This is being done in accordance with Sec 11.04(f)12 of the Jefferson County Zoning Ordinance.

R4071A-18 – Craig Frohmader/Robert & Marilyn Frohmader Trust Property: Create a 2-acre building site on **County Road Q** in the Town of Aztalan from part of PIN 002-0714-1711-000 (53.05 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

R4077A-18 – Anthony & Karen Schadt: Create a 3-acre farm consolidation lot around the home and buildings at **N8741 Kelm Lane** in the Town of Watertown from part of PIN 032-0814-1324-000 (26 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

CU1951-18 – Tim Haversack/Timothy Haversack & Julie Zander Property: Conditional use for an extensive on-site storage structure in a Residential R-2 zone at **N9672 Oak Hill Road**. This is on PIN 032-0815-0221-007 (1.41 Acres) in the Town of Watertown. This is being done in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

R4076A-18 – Damrow Trust, c/o Donna Christian: Create a 3-acre lot with the home at **W1811 & W1813 State Road 16** from part of PIN 012-0816-1744-000 (35 Acres). The site is in the Town of Farmington. This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

R4072A-18 – David A Staude: Create a 3-acre lot around the farm buildings at **N7253 Woody Lane**, Town of Concord, from part of PIN 006-0716-0412-000 (46.94 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

R4073A-18 – Robert Fry: Create a 5-acre farm consolidation lot with existing home and farm buildings at **N5880 County Road D** in the Town of Farmington, part of PIN 008-0715-2341-000 (40.161 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

R4074A-18 – Jason & Jennifer Schroedl: Create a 2.0565-acre lot around the home and buildings at **N5060 Christberg Road**, Town of Farmington, on PIN 008-0715-3141-000 (38.4 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

3. **Adjourn**

Motion by Jaeckel, seconded by Reese to adjourn the meeting. Motion carried on a voice vote, and the meeting adjourned at 10:45 a.m.



Don Reese, Secretary

If you have questions regarding the petitions, please contact the Zoning Department at 920-674-7131. Petition files referenced on this agenda may be viewed in Courthouse Room 201 between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays. Materials covering other agenda items can be found at www.jeffersoncountymi.gov.

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 at least 24 hours prior to the meeting so that appropriate arrangements can be made.

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

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

DATE: Thursday, July 19, 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 Vice-Chairman George Jaeckel at 7:00 p.m.

2. Roll Call

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

5. Explanation of Public Hearing Process by Committee Chair

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 at 7 p.m. on Thursday, July 19, 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 A-1, EXCLUSIVE AGRICULTURAL TO A-3, AGRICULTURAL/ RURAL RESIDENTIAL

R4071A-18 – Craig Frohmader/Robert & Marilyn Frohmader Trust Property: Create a 2-acre building site on **County Road Q** in the Town of Aztalan from part of PIN 002-0714-1711-000 (53.05 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Craig Frohmader from W9107 Hwy 12, Cambridge, WI presented himself as the petitioner for this rezone. He stated that they would like to create a 2-acre lot zoned A-3 in order to build a new house on it.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl then asked if they had contacted the highway department for access approval. Craig stated that have not yet contacted them regarding access. Zangl stated the prelim survey shows a gap between the field and the proposed lot and asked if that was the access for the parcel. The petitioner stated that was for access. Zangl then asked if that was the only access for that parcel and the petitioner said yes it was. Zangl clarified it was only 35' and asked if they can extend it to 66' instead. Robert Frohmader from N6025 County Rd N, Jefferson, WI then answered by saying he owns the land and there is no reason to make the access point wider because it's strictly used for access for trucks, wagons, gravity boxes etc. to get out of the field. He said the reason it's the only access is because of the waterway on the southern part of the field. He stated it takes all the water from Hwy Q and the fields to the west, and it all runs right through there. He went onto say that the road there on the north side is the highest part of the field and it is the only access they can get out from when it's wet because they can't get across the ditch. Zangl explained that usually a parcel needs 66' ft of frontage and access, but he will work with Brian from the Highway Department to make sure that is anything ever happens, they will have the 66'ft of frontage from Hwy Q. Zangl then asked if the proposed driveway was an existing access point for the current line or if it's a future one. The petitioner confirmed that the proposed driveway was for the new lot. Zangl stated that they would have to also work with Brian on that as well to make sure access could be granted there. Zangl also stated that this would require an affidavit of zoning limitation.

TOWN RESPONSE: Approved and in the file.

R4072A-18 – David A Staude: Create a 3-acre lot around the farm buildings at **N7253 Woody Drive**, Town of Concord, from part of PIN 006-0716-0412-000 (46.94 Acres). This is being done 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 David Staude. He stated that he would like to create a 3-acre lot for farm consolidation around the existing buildings on Woody Ln.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl then asked if there used to be a house on this lot. The petitioner said that was correct. Zangl then stated that the old septic system that was on this lot was abandoned so he asked if a soil test has been done yet to see if the site will pass for a new system. The petitioner said a new

soil test has not been done yet. Zangl made the comment that that is something that the board will want to look at to know that there is an area that will pass for a septic system. Zangl asked if there is access for the remaining A-1. The petitioner said that there is still access on the north side.

TOWN RESPONSE: Approved and in the file.

R4073A-18 – Robert Fry: Create a 5-acre farm consolidation lot with existing home and farm buildings at **N5880 County Road D** in the Town of Farmington, part of PIN 008-0715-2341-000 (40.161 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Robert Fry from N5880 County Road D, Helenville, WI presented himself as the petitioner for this rezone. He stated that he would like permission for the rezone in order to have a 5-acre farm consolidation lot.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl asked what year the house was built. The petitioner stated the house was built probably 120 years ago. Zangl then stated that he was out there for a soil test and the site did pass for a septic system. The petitioner confirmed that the area that was tested is on the northeast corner of the lot. Zangl asked if there is access for the remaining A-1. The petitioner said that they do.

TOWN RESPONSE: Approved and in the file.

R4074A-18 – Jason & Jennifer Schroedl: Create a 2.0565-acre lot around the home and buildings at **N5060 Christberg Road**, Town of Farmington, on PIN 008-0715-3141-000 (38.4 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Jason Schroedl from W4756 F & J Townline Rd, Jefferson, WI presented himself as the petitioner for this rezone. He said that they just purchased the 38-acres with an existing house on it and he would like to split the house off so someone else can own it.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl asked what year the house was built. The petitioner answered just by saying that it's "old." Zangl then asked for the location of the septic system on the lot. The petitioner said that he believes it is located on the south side of the existing house on the same lot. Zangl asked if there is access for the remaining A-1. The petitioner said there is access on the south side.

TOWN RESPONSE: Approved and in the file.

R4076A-18 – Damrow Trust, c/o Donna Christian: Create a 3-acre lot with the home at **W1811 & W1813 State Road 16** from part of PIN 012-0816-1744-000 (35 Acres). The site is in the Town of Ixonia. This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Jon Spheeris from 175 E Wisconsin Ave, Oconomowoc, WI presented himself as the petitioner for this rezone. He stated that they are looking to split off a 3-acre lot, which can be seen on the CSM and was approved by the Town of Ixonia.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl asked how old the homes are here. The petitioner answered by saying that the homes are over 100 years old. He also stated that they did receive approval from the railroad for this, but now have approval from the railroad. Zangl stated that they do now have driveway access approval for the existing homes now. Zangl also went on to say that there is now an agreement signed by land owners and the railroad company stating that the usage isn't going to change; even though another lot is being added, the number of homes will stay the same. Zangl then asked if this home was still a duplex or both single-family. Donna Christian from N1678 Randall Rd, Watertown, WI then answered by stating that there is still a duplex. There is a single-family home, but the 3-acre lot they are trying to create has a duplex on it. Zangl also stated that the homes were initially served by 1 septic system. He was out at the property for the soil test and it passed in order to each lot to have its own septic system.

TOWN RESPONSE: Approved and in the file.

R4077A-18 – Anthony & Karen Schadt: Create a 3-acre farm consolidation lot around the home and buildings at **N8741 Kelm Lane** in the Town of Watertown from part of PIN 032-0814-1324-000 (26 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Anthony Schadt from N9457 County Road Q, Watertown, WI presented himself as the petitioner for this rezone. He stated that he purchased this farm from the estate and he would like to create a farm consolidation lot on the 3-acres.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl asked what year the house was built. The petitioner stated that it is very old. Zangl then stated that it would qualify for farm consolidation. Zangl then asked if there is a septic system located on the lot. The petitioner stated that the septic is on the southeast side of the house.

Zangl then stated as a reminder that the preliminary survey shows the driveway access point going quite a long way up to Kelm Ln. He stated that he talked to Land Information Department to see if it was accurate where Kelm Ln stops. To their knowledge, and through the CSM process, it was pretty accurate where the road stops and where their property will begin. Zangl stated it would take up about an acre of land just getting to the property.

TOWN RESPONSE: Approved and in the file.

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

R4075A-18 – Samuel & Kenlon Meyers: Create a 9-acre farm consolidation and lot combination around the home and buildings at **W3930 State Road 106** in the Town of Hebron from part of PINs 010-0615-3331-000 (21.8765 Acres) and 010-0615-3334-002 (10.986 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Samuel Meyers from W3930 State Road 106, Fort Atkinson, WI presented himself as the petitioner for this rezone. He stated that they decided to sell the house and shops, so it only made sense to sell all the barns and everything else in one lot to avoid having shared wells and driveways. Therefore, he would like the 9-acre split in order to sell off everything together.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl asked what year the house was built. The petitioner stated that the house was built a long time ago. Zangl then asked if there would be access to the remaining A-1 land. The petitioner stated there is access to the west of the house, and it can be seen as the little jog on the proposed lot. Zangl stated that this petition will zone the land back to A-3. He also said that the neighboring land owners from the past transferred and switched some land around which is why the situation is unique. He went on to explain that the lot would be eligible for 1 farm consolidation of 1-5 acres and 3 non-prime splits or 1 prime split. Zangl also noted that the Committee needs to look at some sort of lot combination in order to allow the petitioner to request 9 acres.

TOWN RESPONSE: Approved and in the file.

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

R4078A-18 – Dan Zastrow: Rezone part of PIN 018-0713-3622-000 (40 Acres), and all of PINs 018-0713-3623-000 (40 Acres) and 018-0713-3632-000 (53.128 Acres) near **Mud Lake Road** in the Town of Lake Mills to create an approximate 110-acre Natural Resource zone. This is being done in accordance with Sec 11.04(f)12 of the Jefferson County Zoning Ordinance.

PETITIONER: Tim Johnston from 151 Phillips Ln, Lake Mills, WI presented himself as the petitioner for this rezone on behalf of Dan Zastrow. He stated that Zastrow would like to rezone the property from A-1 to a natural resource zone and to allow for a 30 ft easement to the property.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl also added that the variance regarding access for this was granted last week by Board of Adjustment.

TOWN RESPONSE: Approved and in the file.

CONDITIONAL USE PERMIT APPLICATIONS

CU1950-18 – John Schwarz: Conditional use for an extensive on-site storage structure in a Residential R-2 zone at **W5867 Hedrick Drive**. This is on PIN 016-0514-1513-005 (1.386 Acre) in the Town of Koshkonong. This is being done in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

PETITIONER: John Schwarz from W5867 Hedrick Dr, Fort Atkinson, WI presented himself as the petitioner for this conditional use. He stated that he wants to build a playhouse for his kids and with a garage below. He said he is here because of the proposed height of the structure (over the allowed 15 ft).

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: Jaeckel asked if there would be water service to this proposed structure. The petitioner said there would be no water for the building.

STAFF REPORT: Given by Zangl and in the file. Zangl asked for confirmation that the proposed size of the structure is 22' x 30' and 29' in height. The petitioner confirmed that those measurements for the size and height are correct. Zangl then asked what the size of the other structure on the property is. The petitioner stated that the other structure is 26' x 40' and has a peak height of 20 ½'. Zangl asked if there would be a bathroom in the structure. The petitioner stated that a bathroom in the structure would not be feasible. Zangl asked what the proposed use of the structure would be. The petitioner stated that it would be used for storage of cars and a boat, and that he wants the extra height for more storage and a loft. Zangl reminded the petitioner that this could not be turned into another home, so no habitable use would be allowed in the proposed structure.

TOWN RESPONSE: Approved and in the file.

CU1951-18 – Tim Haversack/Timothy Haversack & Julie Zander Property: Conditional use for an extensive on-site storage structure in a Residential R-2 zone at **N9672 Oak Hill Road**. This is on PIN 032-0815-0221-007 (1.41Acres) in the Town of Watertown. This is being done in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

PETITIONER: Timothy Haversack from N9672 Oak Hill Rd, Watertown, WI presented himself as the petitioner for this conditional use. He stated that he would like to take down the existing garage. He would then like to rebuild the new proposed structure in its place and add on to the back of it. He stated it would 20' in eight and it would also be over 1,000 sq ft.

COMMENTS IN FAVOR: Joseph Heimsch from N9692 Oak Hill Rd, Watertown, WI spoke in favor of this conditional use.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: Reese asked if there would be any outside storage. The petitioner stated that everything would be inside of the structure. He also added that the proposed structure would prevent him from having to rotate snowmobiles and his campers from a separate property.

STAFF REPORT: Given by Zangl and in the file. Zangl asked what the proposed size of the structure would be. The petitioner stated it would be 26' x 27' for the front one and 60' x 30' for the back one. Zangl then asked what the height of the proposed structure would be. The petitioner stated it would be 20' maximum. Zangl asked if there would be a bathroom in the structure or if it would be used for habitable use. The petitioner said there would be no bathrooms or habitable use.

TOWN RESPONSE: Approved and in the file.

ZONING ORDINANCE TEXT AMENDMENT

R4079T-18 – Jefferson County: Text amendment to Sec. 11.05, 11.09 and 11.11 of the Jefferson County Zoning Ordinance in order to comply with Wisconsin Statutes regarding conditional use permits, variances, substandard lots and non-conforming structures.

PETITIONER: None.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM THE COMMITTEE: None.

STAFF REPORT: Given by Zangl and in the file. Zangl also stated that this is to comply with recent legislation changes. Act 67 came through and made some changes to zoning ordinances, and this will bring the current county ordinance up to speed. This was sent to all the Townships.

TOWN RESPONSE: None.

Reese moved to adjourn and Poulson seconded at 7:37 p.m.



Don Reese, Secretary

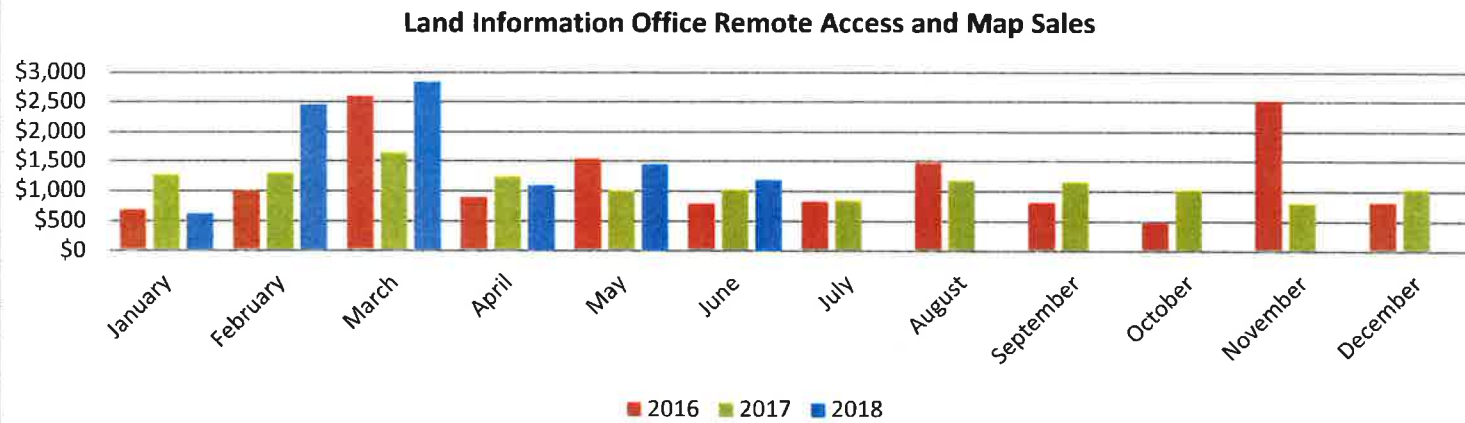
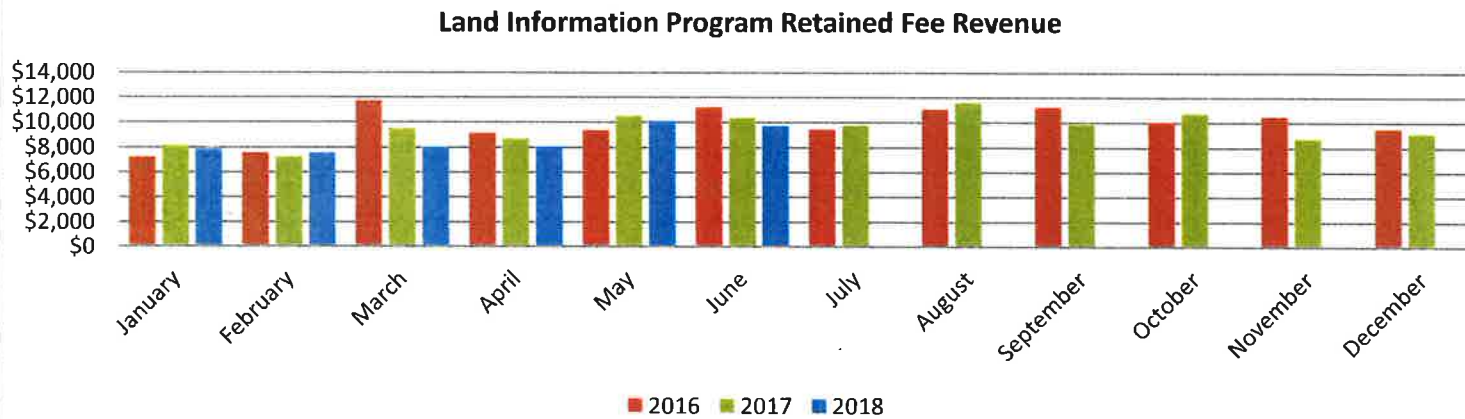
A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

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.

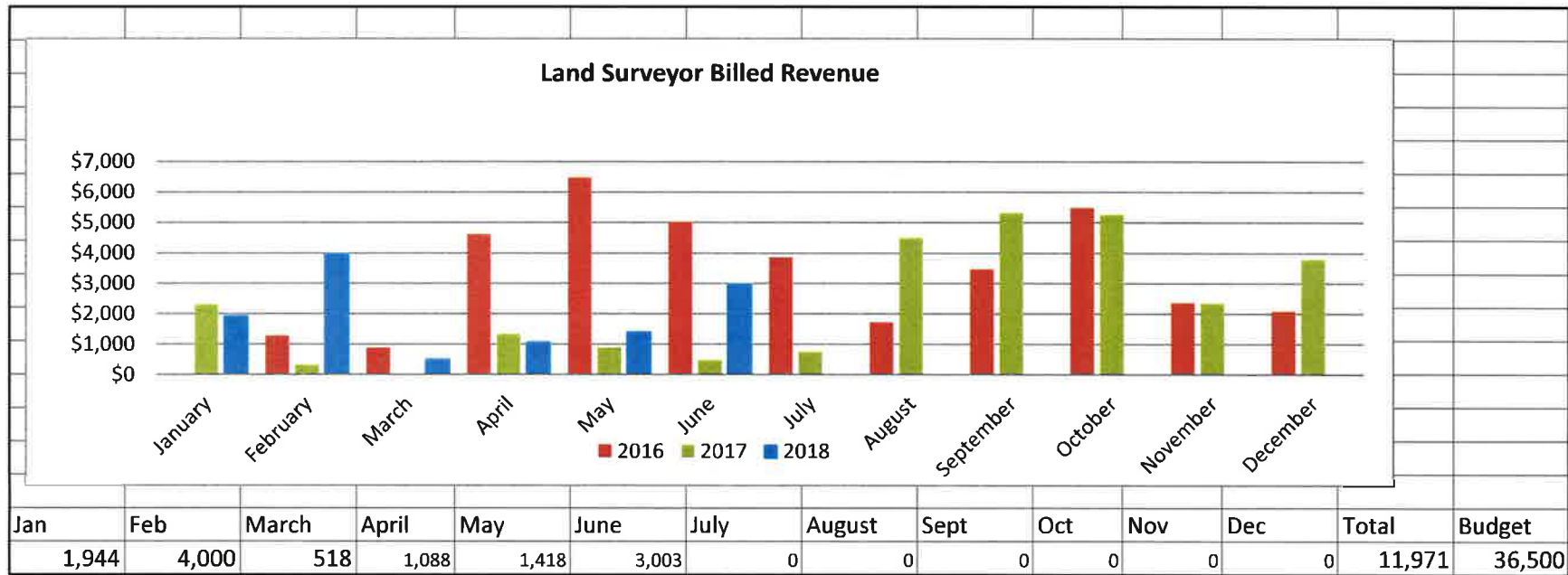
A recording of the meeting will be available from the Zoning Department upon request.

Further information about Zoning can be found at www.jeffersoncountywi.gov

Land Information Monthly Revenue Report June 2018

[illegible][illegible]

Land Information Monthly Revenue Report June 2018



Register of Deeds	June 2018		Output Measures		YR to Date	Current Yr Target
Program/Service Description	2016	2017	2018	Totals	%	
Documents Recorded	1,362	1,306	1,231	6,542	51%	
Vital Records Filed	253	243	225	1,092	51%	
Vital Record Copies	881	1,261	1,257	7,300	63%	
ROD Revenue (Gross Total)	\$183,111	\$165,046	\$217,476	\$ 738,341.06	69%	
Transfer Fees	\$25,879	\$22,146	\$29,134	\$ 116,383.80	67%	
LIO Fees	\$11,240	\$10,384	\$10,027	\$ 54,448.00	50%	
Document Copies	\$4,453	\$5,298	\$5,442	\$ 29,405.84	55%	
Laredo	\$0	\$1,852	\$3,127	\$ 15,668.50	66%	
ROD Revenue to General Fund	\$46,982	\$45,547	\$46,028	\$ 284,151.14	58%	
Percentage of Documents eRecorded	37%	39%	53%	53%	53%	
Budget Goals Met	Yes	Yes	Yes	Yes	Yes	
Back Indexing Real Estate	0	3,633	264	6,677	33%	
Redaction of Vital Records	N/A	N/A	4,500	15,368	100%	

Wisconsin Register of Deeds Association:

Collaborating on legislaion for electronic and remote notarization

Preparing presentation for WCA Fall conference: Register of Deeds in the New eWorld

Wisconsin Electronic Recording Council:

Collaborating with PRIA on interstate notarization recognition

Wisconsin Counties Association Board of Directors:

Report from DOA on Local Revolving Loan Fund opportunities

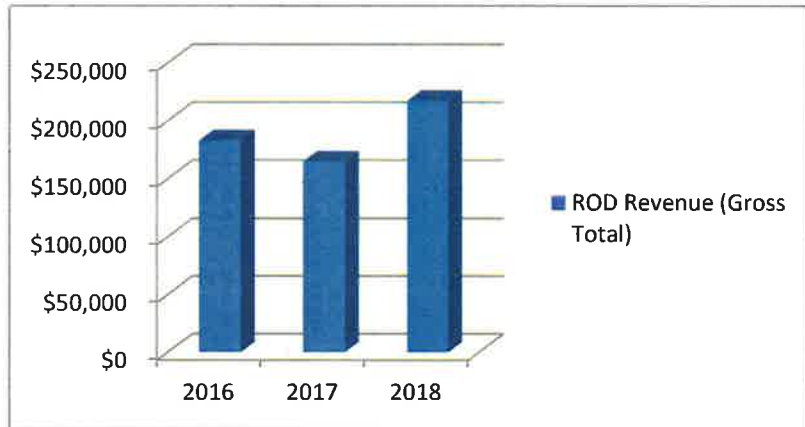
Wisconsin Historical Records Advisory Board:

Ask to serve on Wisconsin Public Records Board

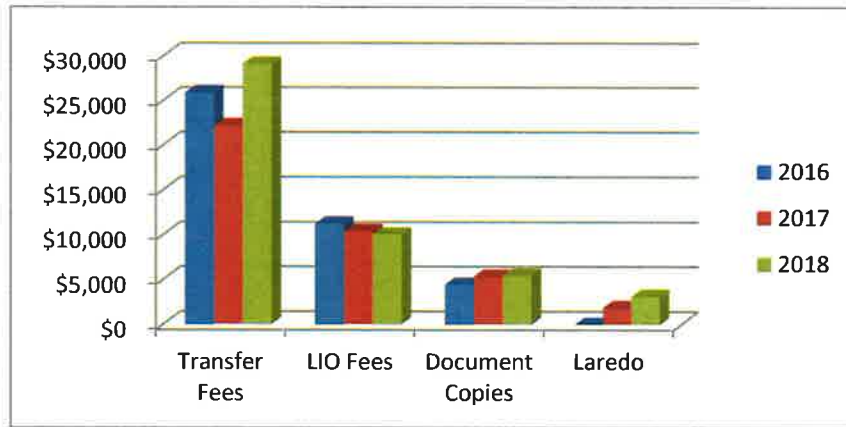
Register of Deeds Monthly Budget Report

June 2018

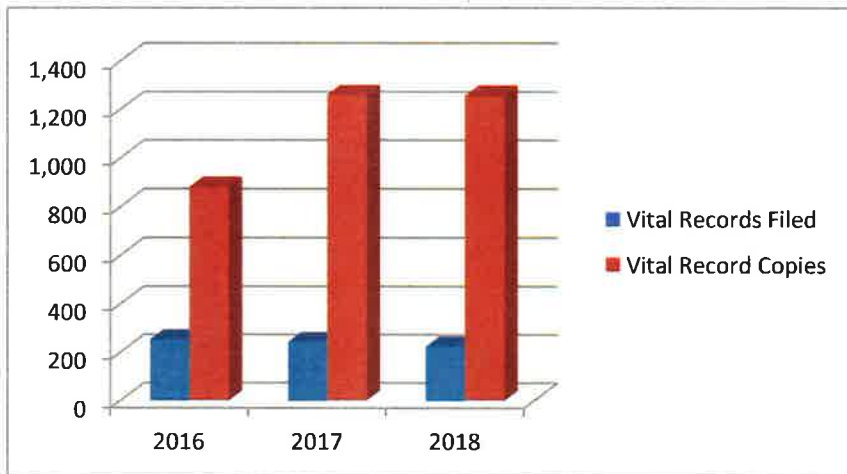
ROD Total Gross Revenues



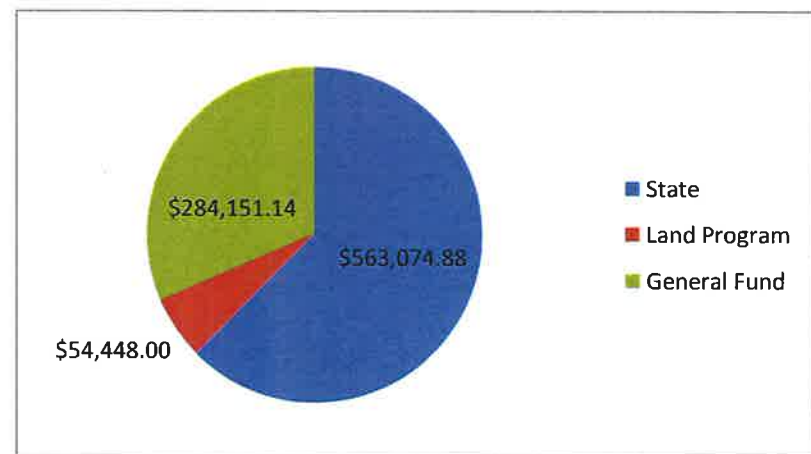
Land Related Revenue



Vital Records



Year to Date Revenue Payout



07/03/2018
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Jefferson County
FLEXIBLE PERIOD REPORT

PAGE 1
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FROM 2018 06 TO 2018 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
100 General Fund							
13001 Register Of Deeds							
13001 511110 Salary-Permanent Regular	69,536	0	69,536	.00	.00	69,536.00	.0%
13001 511210 Wages-Regular	100,521	0	100,521	.00	.00	100,521.00	.0%
13001 511220 Wages-Overtime	110	0	110	.00	.00	110.00	.0%
13001 511330 Wages-Longevity Pay	375	0	375	.00	.00	375.00	.0%
13001 512141 Social Security	12,868	0	12,868	.00	.00	12,868.00	.0%
13001 512142 Retirement (Employer)	11,426	0	11,426	.00	.00	11,426.00	.0%
13001 512144 Health Insurance	52,607	0	52,607	.00	.00	52,607.00	.0%
13001 512145 Life Insurance	103	0	103	.00	.00	103.00	.0%
13001 512150 FSA Contribution	750	0	750	.00	.00	750.00	.0%
13001 512173 Dental Insurance	3,780	0	3,780	.00	.00	3,780.00	.0%
13001 531243 Furniture & Furnishings	4,500	0	4,500	129.51	.00	4,370.49	2.9%
13001 531298 United Parcel Service	10	0	10	.00	.00	10.00	.0%
13001 531311 Postage & Box Rent	3,600	0	3,600	.00	.00	3,600.00	.0%
13001 531312 Office Supplies	4,000	0	4,000	567.88	.00	3,432.12	14.2%
13001 531313 Printing & Duplicating	100	0	100	.00	.00	100.00	.0%
13001 531314 Small Items Of Equipment	3,066	0	3,066	.00	.00	3,066.00	.0%
13001 531324 Membership Dues	245	0	245	.00	.00	245.00	.0%
13001 532325 Registration	2,095	0	2,095	.00	.00	2,095.00	.0%
13001 532332 Mileage	890	0	890	.00	.00	890.00	.0%
13001 532335 Meals	157	0	157	.00	.00	157.00	.0%
13001 532336 Lodging	2,220	0	2,220	.00	.00	2,220.00	.0%
13001 532339 Other Travel & Tolls	500	0	500	.00	.00	500.00	.0%
13001 533225 Telephone & Fax	200	0	200	16.70	.00	183.30	8.4%
13001 535242 Maintain Machinery & Equip	36,810	0	36,810	.00	.00	36,810.00	.0%
13001 571004 IP Telephony Allocation	543	0	543	45.25	.00	497.75	8.3%
13001 571005 Duplicating Allocation	102	0	102	8.50	.00	93.50	8.3%
13001 571009 MIS PC Group Allocation	10,810	0	10,810	900.83	.00	9,909.17	8.3%
13001 571010 MIS Systems Grp Alloc(ISIS)	2,899	0	2,899	241.58	.00	2,657.42	8.3%
13001 591519 Other Insurance	694	0	694	57.81	.00	636.19	8.3%
TOTAL Register Of Deeds	325,517	0	325,517	1,968.06	.00	323,548.94	.6%
GRAND TOTAL	325,517	0	325,517	1,968.06	.00	323,548.94	.6%

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Jefferson County
 FLEXIBLE PERIOD REPORT

PAGE 2
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REPORT OPTIONS

	Field #	Total	Page Break
Sequence 1	1	N	N
Sequence 2	9	Y	Y
Sequence 3	0	N	N
Sequence 4	0	N	N

Report title:

FLEXIBLE PERIOD REPORT

Includes accounts exceeding 0% of budget.
 Print Full or Short description: F
 Print full GL account: N
 Sort by full GL account: N
 Print Revenues-Version headings: N
 Print revenue as credit: Y
 Print revenue budgets as zero: N

From Yr/Per: 2018/ 6
 To Yr/Per: 2018/ 6
 Budget Year: 2018
 Print totals only: N
 Format type: 1
 Double space: N
 Suppress zero bal accts: Y
 Amounts/totals exceed 999 million dollars: N
 Roll projects to object: N
 Print journal detail: N
 From Yr/Per: 2017/ 1
 To Yr/Per: 2017/12
 Include budget entries: Y
 Incl encumb/liq entries: Y
 Sort by JE # or PO #: J
 Detail format option: 1
 Multiyear view: D

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Jefferson County
FLEXIBLE PERIOD REPORT

PAGE 1
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FROM 2018 06 TO 2018 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<hr/>							
100 General Fund							
<hr/>							
13001 Register Of Deeds							
<hr/>							
13001 411100 General Property Taxes	163,333	0	163,333	13,611.08	.00	149,721.92	8.3%
13001 412300 RE Transfer Fee County Portio	-175,000	0	-175,000	-29,066.52	.00	-145,933.48	16.6%
13001 451301 RE Recording/Filing Fees	-195,000	0	-195,000	-17,413.40	.00	-177,586.60	8.9%
13001 451303 Copy Fees County Portion	-53,000	0	-53,000	-5,442.59	.00	-47,557.41	10.3%
13001 451305 Land Info/Deeds Fee	-23,700	0	-23,700	-3,127.75	.00	-20,572.25	13.2%
13001 451307 Document Review Fees	-50	0	-50	-50.00	.00	.00	100.0%
13001 451309 Birth Funds County Portion	-11,000	0	-11,000	-1,093.00	.00	-9,907.00	9.9%
13001 451310 Marriage Fund County Portion	-7,000	0	-7,000	-1,005.00	.00	-5,995.00	14.4%
13001 451311 Death Fund County Portion	-24,000	0	-24,000	-2,441.00	.00	-21,559.00	10.2%
13001 451316 Divorce Fund County Portion	-100	0	-100	.00	.00	-100.00	.0%
TOTAL Register Of Deeds	-325,517	0	-325,517	-46,028.18	.00	-279,488.82	14.1%
GRAND TOTAL	-325,517	0	-325,517	-46,028.18	.00	-279,488.82	14.1%

[Work Page](#) |
 [Zoning Receipt](#) |
 [Solid Waste](#) |
 [Receipt Look-up](#) |
 [Reporting](#)

Jefferson County Planning and Zoning Department

Enter Year:
 PDF: Excel:
 Enter 2017 Actual Zoning Deposit:
 Enter 2018 Budget Revenues:

MTH	Other Permits/LU 7101.432099	Private Parties Copies/Maps 7101.451002	Municipal Copies/Printing 7101.472003	Private Sewage System (County) 7101.432002	Soil Testing Fee 7101.458010	Farmland Qualifying Acreage Schedule 7101.458015	Farmland Agreement App 7101.458014	Farmland Preservation Fee/ Certs 7101.458001	Septic Replacement Fee/ Wis Fund 7101.458002	Zoning Ordinance Forfeitures 7101.441002	Wisconsin Fund Grants 7102.421001	Refunds	2018 Totals	2017 Totals	2017-2018 Difference
Jan	6,535.00	518.33		2,475.00	200.00							55.00	9,728.33	11,149.58	-1421.25
Feb	9,170.00	275.50		1,550.00	100.00							500.00	11,095.50	10,873.50	222
Mar	12,375.00	37.83		3,150.00	450.00							50.00	16,012.83	14,561.73	1451.1
Apr	17,960.00	30.34		5,775.00	1,100.00							575.00	24,865.34	22,717.76	2147.58
May	14,470.00	23.61	3.75	3,775.00	1,700.00								19,972.36	23,281.83	-3309.47
June	22,005.00	97.38		5,000.00	800.00								27,902.38	29,870.26	-1967.88
July	11,180.00	87.09		2,075.00	700.00								14,042.09	20,784.29	-6742.2
Aug														18,226.44	-18226.44
Sept														29,100.00	-29100
Oct														22,445.90	-22445.9
Nov														17,601.00	-17601
Dec														21,685.00	-21685
Total	93,695.00	1,070.08	3.75	23,800.00	5,050.00							1,180.00	123,618.83	242,297.29	-118678.46

2017 Actual Zoning Deposit: \$240,846.96

2018 Budget Revenues: \$222,190.00

2018 Deposits YTD: \$123,618.83

8. Roads and Parking. All roadways, parking areas, and walkways shall be hard-surfaced. Roadways shall be a minimum of 66 feet in width and adequately lighted. There shall be one (1) off-street parking space for each mobile home and additional parking spaces for automobiles within the park, totaling not less than two (2) parking spaces for each mobile home lot.

9. No mobile home sales office or other business or commercial use shall be located on the mobile home park site. However, laundries, washrooms, recreation rooms, maintenance equipment storage, and one office are permitted.

10. Pad. Each mobile home shall be placed upon a washed rock or hard-surfaced pad or foundation with six (6) tie-down anchors.

11. All mobile homes shall meet the construction standards of the Mobile Home Manufacturing Assn., and all state, federal and local codes.

(f) Campgrounds. All campgrounds shall be conditional uses, and shall conform to the following standards:

1. The minimum size of any campground shall be forty (40) acres in gross area.
2. The maximum number of travel trailers or campsites shall be twenty (20) per acre as computed from the gross area of the park or campgrounds, and in no case shall the square feet of each site be less than 2000 square feet.
3. Before beginning operation of any camp, fifty (50) percent of the sites and one hundred (100) percent of the facilities shall be completed.
4. In addition to the setback from the right of way of any state, county, or town road, all campgrounds shall have a boundary zone of forty (40) feet between any campsite and any side or rear lot line.
5. The minimum width of roads within campgrounds shall be two (2) rods or thirty-three (33) feet.
6. All access roads to and from the campgrounds shall be well-lighted and hard-surfaced with asphalt or better materials.
7. Every campground shall conform to all applicable state laws and HFS178, Wisconsin Administrative Code, as amended from time to time.
8. All wiring within a camp must conform to state electrical codes.
9. Designated spots on each site will be marked or constructed for outside cooking or the building of campfires, and no fires will be allowed outside of these designated areas.
10. The perimeter of the camping area or perimeter of the parcel must be fenced.

(g) Solid Waste Disposal Operations; Junk or Salvage Yards. A solid waste disposal operation is the site, facility, operating practices, and maintenance thereof for the utilization, processing, storage, or final disposal of solid waste including, but not limited to, land disposal, incineration, reduction, shredding, compression, junking, or salvage of any materials, or the sale of any such materials. Storage of three (3) or more unlicensed vehicles on the same premises shall be prima facie evidence of operation of a salvage yard.

1. License Required. It shall be unlawful for any person, firm, or corporation to establish, maintain, conduct, or operate a solid waste disposal operation without first obtaining an annual license from the Committee.

2. Application shall be in writing to the Zoning Administrator and shall include:

ATCP 51.30 Application. (1) GENERAL. If local approval is required for a new or expanded livestock facility, a person seeking local approval shall complete and file with the political subdivision the application form shown in *Appendix A*. The application shall include all of the information required by *Appendix A* and attached *worksheets*, including any authorized modifications made by the political subdivision under sub. (2). The information contained in the application shall be credible and internally consistent.

(5) COMPLETE APPLICATION. Within 45 days after a political subdivision receives an application under sub. (1), the political subdivision shall notify the applicant whether the application contains everything required under subs. (1) to (4). If the application is not complete, the notice shall specifically describe what else is needed. Within 14 days after the applicant has provided everything required under subs. (1) to (4), the political subdivision shall notify the applicant that the application is complete. A notice of completeness does not constitute an approval of the proposed livestock facility.

ATCP 51.34 Granting or denying an application. (1) GRANTING AN APPLICATION. Except as provided in sub. (2), a political subdivision shall grant an application under s. ATCP 51.30(1) if all of the following apply:

- (a) The application complies with s. ATCP 51.30.
- (b) The application contains sufficient credible information to show, in the absence of clear and convincing information to the contrary, that the proposed livestock facility meets or is exempt from the standards in subch. II. To the extent that a standard under subch. II vests discretion in a political subdivision, the political subdivision may exercise that discretion.

(3) WRITTEN DECISION. (a) A political subdivision shall issue its decision under sub. (1) or (2) in writing. The decision shall be based on written findings of fact included in the decision. The findings of fact shall be supported by evidence in the record under s. ATCP 51.36. Findings may be based on presumptions created by this chapter.

(4) TERMS OF APPROVAL. An approval under sub. (1) is conditioned on the operator's compliance with subch. II and representations made in the application for approval. This chapter does not limit a political subdivision's authority to do any of the following:

- (a) Monitor compliance.
- (b) Withdraw an approval, or seek other redress provided by law, if any of the following apply:
 - 1. The operator materially misrepresented relevant information in the application for local approval.
 - 2. The operator, without authorization from the political subdivision, fails to honor relevant commitments made in the application for local approval. A political subdivision may not withhold authorization, under this subdivision, for reasonable changes that maintain compliance with the standards in subch. II.
 - 3. The livestock facility fails to comply with applicable standards in subch. II.

FINDINGS OF FACT

1. Jefferson County has a zoning ordinance that requires a conditional use permit in the A-1 zoning district "for more than 150 animal units or a poultry farm housing more than 10,000 birds." The ordinance adopts and incorporates by reference the provisions of § 93.90 of the Wisconsin Statutes and ATCP 51 of the Wisconsin Administrative Code inclusive of all future amendments. **(Certified Record pgs. 480, 498-499)**

2. On January 22, 2018, the Applicant filed an application for local approval for an expansion of its livestock facility to a maximum size of 27,500 animal units (2,750,000 birds). **(Certified Record pgs. 16-20)**

3. The Applicant calculated an odor score of 648 points using Worksheet 2—Odor Management as part of the application filed for local approval. The odor score was based on the submission of optional advanced odor management plan. **(Certified Record pgs. 24-30, 187-189)**

4. On February 9, 2018, the Jefferson County Planning and Zoning Committee determined that the Applicant had submitted a complete application, based on recommendation from the Land and Water Conservation Department (LWCD). **(Certified Record pgs. 351-355)**

5. On February 12, 2018, the Jefferson County Planning and Zoning Department sent notification to adjacent landowners of the Daybreak Foods, Inc., application. **(Certified Record pgs. 357-359)**

6. On March 15, 2018, the Jefferson County Planning and Zoning Committee held a public hearing where it read public comment letters into the record and accepted testimony regarding the Daybreak Foods, Inc., application. **(Certified Record pgs. 403-415)**

7. The evidence in the record shows that the Applicant's proposed facility, with a passing score of 648 points, meets the odor standard. There was not clear and convincing evidence in the record to rebut the presumption of compliance with odor standard, as required by Wis. Admin. Code § ATCP 51.14 (7).

8. On March 26, 2018, Jefferson County Planning and Zoning Committee voted to grant Applicant's CUP, as presented, and incorporate the following conditions communicated by the LWCD in a January 30, 2018 memo:

- Annual nutrient management plan updates shall be submitted to the LWCD by September 30th of each year for the following crop year. These updates shall account for any nutrients applied to farmland.
- The LWCD must be informed of the pre-construction conference and when work will begin on the manure storage structures.
- Per Jefferson County Zoning Ordinance [1 1.05(d)2.d], the manure storage structure certification "shall be filed at least 10 days prior to population of the facilities by the animal unit count approved under the permit." As-builts should be sent to the LWCD upon certification.

- Per the Livestock Siting Law [ATCP 51.08 (2)] within 2 years the livestock operator must begin populating the approved facility and begin construction on every new or expanded livestock housing structure, as well as every new or expanded waste storage structure, proposed in the application.
- Any alterations or additions to the operation after the permit is issued that changes one of the worksheets or application requires a permit update or new Livestock Siting Application depending on the circumstance.
- In addition, the operation shall be conducted as submitted in the completed ATCP 51 application and worksheets and all supporting documents. **(Certified Record pg. 422-423):**

CONCLUSIONS OF LAW

1. The evidence in the record shows that the application for local approval was complete, and contains credible information and documentation that the Applicant's proposed facility meets the odor standard as specified in Wis. Admin. Code § ATCP 51.14.

2. There is not clear and convincing evidence in the record to conclude that the Applicant failed to meet the standard in Wis. Admin. Code § ATCP 51.14.

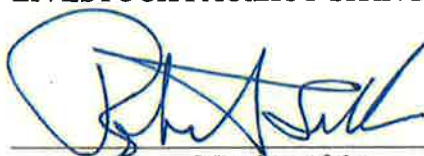
3. There are insufficient grounds to review the conditions placed on the Applicant's CUP by Jefferson County. The request for review did not raise this issue on appeal. Moreover, the conditions in the CUP are reasonably related to monitoring compliance of the applicable standards, and none of the conditions create new standards.

ORDER

NOW, THEREFORE, IT IS ORDERED, pursuant to s. 93.90(5) (d), Stats., that the challenges to the CUP issued to Daybreak Foods, Inc., for a 27,500 animal unit facility are not valid, and the decision of the Jefferson County is affirmed.

Dated this 2 day of July, 2018.

ON BEHALF OF THE STATE OF WISCONSIN
LIVESTOCK FACILITY SITING REVIEW BOARD



Member of the Board

Robert Selk



Jefferson County

ZONING AND SANITATION DEPARTMENT
COURTHOUSE, 311 S. CENTER AVE., JEFFERSON, WI 53549
ROOM 201 PHONE 920-674-7130 FAX 920-674-7525

MEMORANDUM

DATE: June 27, 2018

TO: Brent & Regina Mosher

FROM: Matt Zangl, Interim Director of Planning and Zoning *Zangl 6-27-18*

RE: Petition R4069A-18 to create a 1.2-acre A-3 building site on Veith Road

The Jefferson County Planning and Zoning Committee, having considered the above-identified petition to amend the zoning ordinance of Jefferson County, does hereby recommend that the petition in question be postponed for redesign. The Committee requested that the lot be moved up to the road to better achieve clustering.

Should you have questions regarding this action, please contact our office.

Cc Dave Riesop, Wisconsin Mapping LLC
Cindy Schroeder, Clerk, Town of Waterloo

JEFFERSON COUNTY PRELIMINARY REVIEW FOR CERTIFIED SURVEY

A division of land located in the SW 1/4, NW 1/4, of Section 30, Town 8 N, Range 13 E,
Town of Waterloo, Jefferson County, Wisconsin, on parcel Number(s) 030-0813-3023-001

Owner: Brent H. Mosher
Address: 5025 Missouri Rd.
City, ST Zip: Marshall, WI 53559
Phone: 608-692-5414

Surveyor: Wisconsin Mapping
Address: 306 West Quarry Street
City, Zip: Deerfield, WI 53531
Phone: 608-764-5602

- ☒ Rezoning
- ☐ Allowed Division within an Existing Zoning District
- ☐ Survey of Existing Parcel

Date Submitted: _____
Revised: _____

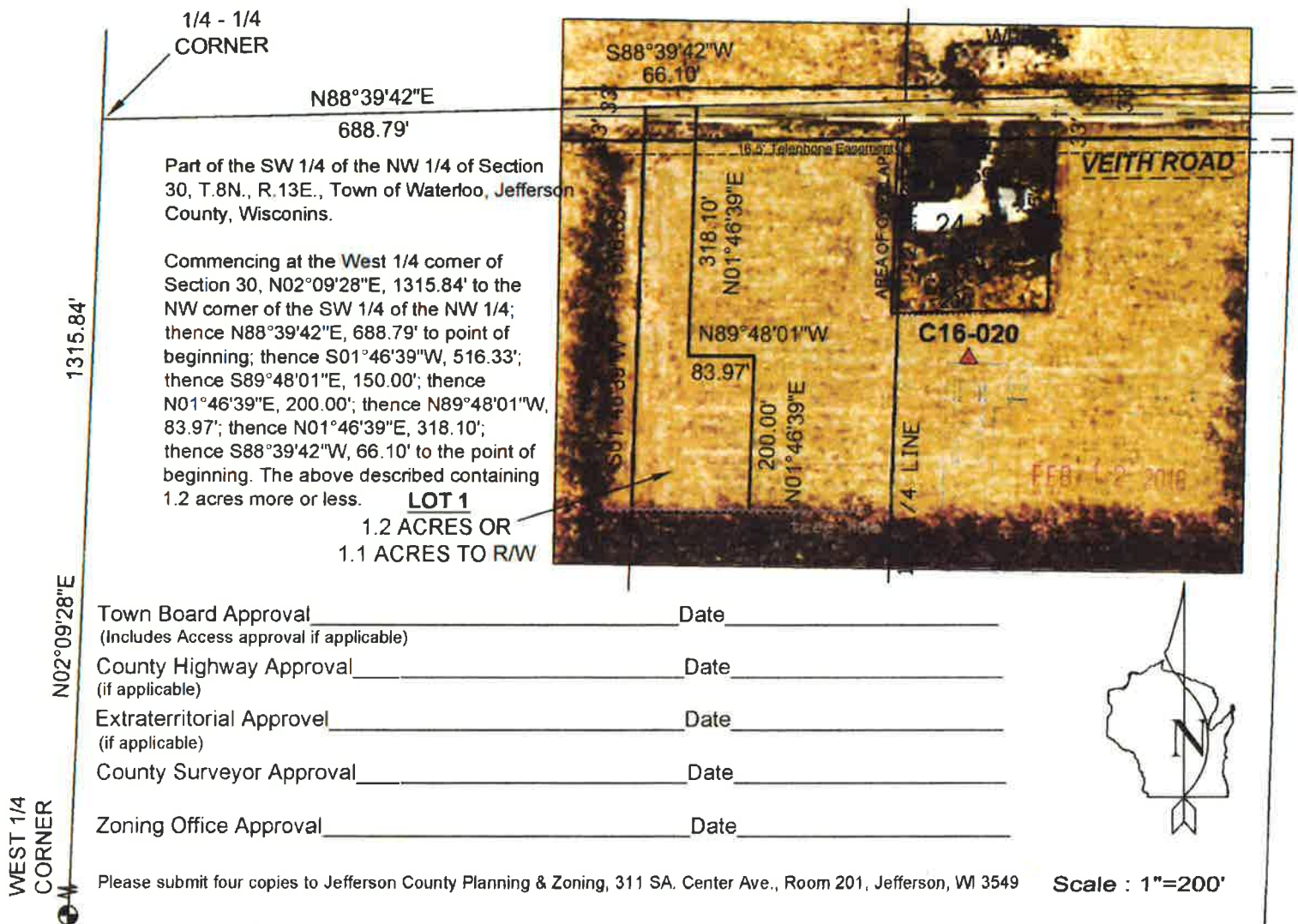
Note to Be Placed on Final CSM:

Petition # _____ Zoning _____
Check for subsequent zoning changes with
Jefferson County Planning and Zoning Department

In addition to the info required by Section 236.34 of State
Statutes, Sec. 15(f) of the Jefferson County Land
Division/Subdivision Ordinance requires that the following be
shown:

- Existing buildings, watercourses, drainage ditches and
- other features pertinent to the proper division.
- Location of access to a public road, approved by the
- agency having jurisdiction over the road.
- All lands reserved for future public acquisition.
- Date of the map
- Graphic Scale

Intent and Description of Parcel to be Divided _____



July 10, 2018

Jefferson County Zoning and Sanitation Department
Courthouse, 311 S. Center Ave
Jefferson, WI 53549

Dear Mr. Zangl,

This letter is in response to your Memorandum dated June 27, 2018, addressing petition R4069A-18. In the memo, you indicate the Committee requested our lot be moved up to the road to better achieve clustering.

The purpose of clustering is abundantly clear. Clustering protects farmland or wooded acreage; however, clustering is difficult to define. Apparently there are a variety of interpretations: placing A3 parcels within the same larger parcel together, locating an A3 parcel of one property owner against neighboring A3 parcels (owned by someone else), and clustering might also be defined as placing A3 zoning parcels against roads or line fences.

Prior to our initial zoning request, we spoke with a variety of individuals including the farmer who has rented our farmland for over 25 years, our Surveyor, Town board members and individuals from the Jefferson County Zoning and Sanitation department. This feedback helped us shape our initial petition.

There are several factors that, when considered together, may provide a basis for the committee to reconsider our original A3 lot placement:

1. This rezone request, if completed, is the third and final split for this parcel so it seemed important to work with the township and farmer who rents the tillable land. We wanted to make sure we minimized the impact this lot has on farming the remaining acreage. Placing the lot towards the rear of the parcel provides better access to the remaining acreage. Because the overall field is small, a lot at the road would limit the ability to access farmland adjacent to Veith Lane. A lot at the rear insures accessibility remains the same.
2. The decision to place lot and driveway against the line fence clusters the property to the parcel edges. This reduces impact to remaining farmland. You cannot till up to the line fence, so the acreage lost from lot and driveway are somewhat minimized.
3. The township is interested in making sure driveway placement included proper permits and lot placement would not negatively affect the safety of travel on Veith Lane. Again, a lot at the rear reduces the need for farm vehicles to pass onto Veith Lane when working the field.

It is our belief that the initial lot placement provides a configuration that better protects the agricultural land because the net loss of tillable land is similar regardless of lot placement and it preserves farmer accessibility to the remaining tillable acres. We hope the committee will reconsider, and approve, our initial petition (#R4069A-18).

Thank you. Please let us know if you have any questions.

Brent and Regina Mosher
5025 Missouri Rd
Marshall, WI 53559



Workshops for Local Planning & Zoning Officials

August 30 & September 27, 2018, 6:00 p.m. - 8:00 p.m.

Middleton Public Library, Archer Room
7425 Hubbard Avenue, Middleton, WI 53562

About the Workshops

These workshops will help you learn more about tools and procedures used by local planning and zoning officials. The first workshop will focus on using and updating the comprehensive plan as a foundation for local use decision-making. The second workshop will focus on regulatory tools and procedures, including zoning and subdivision regulations. Local officials may choose to attend one or both workshops.

Using & Updating the Comprehensive Plan

Thursday, August 30, 2018

Agenda

6:00 pm - Welcome and Introductions

6:10 pm - Role of the Comprehensive Plan

- Purpose and uses of the plan
- Relationship to zoning and subdivision regulations
- Making decisions consistent with the plan

Break & refreshments

7:00 pm - Plan Updates

- Assessing your plan
- Measuring progress on plan implementation
- Plan update options — simple to complex
- Legal process for plan updates

7:45 pm - Regional planning and the relationship to local comprehensive plans

8:00 pm - Adjourn

Who Should Attend?

- Plan commissions and zoning committees
- City council, village board, town board, and county board members
- Planning and zoning staff, administrators, and clerks who support local officials
- Newly appointed or veteran officials looking to network or hone their skills

Zoning and Subdivision Regulations

Thursday, September 27, 2018

Agenda

6:00 pm - Welcome and Introductions

6:10 pm - Zoning

- **NEW!** standards and procedures for conditional use permits
- Rezones and amendments
- Making decisions consistent with the comprehensive plan

Break & refreshments

7:00 pm - Land divisions and subdivisions

- Plat review
- Certified survey maps

7:30 pm - Procedural responsibilities

- Fair and impartial decision-makers
- Findings of fact and recording decisions

8:00 pm - Adjourn



Center for Land Use Education
College of Natural Resources
University of Wisconsin-Stevens Point



An AA/EEO employer, University of Wisconsin-Extension provides equal opportunities in employment and programming, including Title VI, Title IX and ADA requirements.

Location

Middleton Public Library
Archer Room
7425 Hubbard Avenue
Middleton, WI 53562



Directions Take US-12E/14W to University Avenue in Middleton. Take exit 251A for Spring Green/La Crosse. Turn left (east) onto University Avenue. Turn right on Parmenter St. Turn left on Hubbard Avenue. The library is on your right.

Workshop cost: \$15 per person, includes printed workshop handouts and refreshments.

Handbooks: Print copies of the Plan Commission Handbook and Zoning Board Handbook may be purchased for \$15 apiece. These handbooks are recommended for new and continuing officials but are not required to attend the workshops. The handbooks may be accessed online at: www.uwsp.edu/cnr-ap/clue.

Registration

Registration is accepted online (preferred) or by phone, email or mail.

Online: <http://bit.ly/2twPV38>

Phone: 715-346-3783

Email: landcenter@uwsp.edu

Mail: Center for Land Use Education
800 Reserve Street
Stevens Point, WI 54481

Registration Form ✂

Contact Name: _____

Address: _____

County/Town/City/Village of: _____

City, State, Zip: _____

Telephone: _____

Email: _____

List Workshop Participants: Indicate which workshop(s) participants plan to attend. Handbooks will be delivered to the first workshop attended.	Aug 30 Comprehensive Planning Workshop (\$15 each)	Sept 27 Zoning & Subdivision Workshop (\$15 each)	Plan Commission Handbook (\$15 each)	Zoning Board Handbook (\$15 each)
1.				
2.				
3.				
4.				
5.				
6.				
Total Amount Due:				\$

Method of payment: ☐ Please invoice ☐ Check enclosed (payable to Center for Land Use Education)



Zoning Board of Adjustment & Appeals Workshop

Monday, September 24, 2018

9:30 a.m. - 12:00 p.m.

Middleton Public Library, Archer Room

7425 Hubbard Avenue, Middleton, WI 53562

About the Workshop

This workshop provides information about the reasons behind zoning and legal standards applicable to zoning board decisions.

Agenda

9:30 am - Introduction to zoning

9:45 am - Role of the zoning board

- Role of the zoning board is to act like a judge
- May a zoning board member talk with the applicant or neighbor outside of the hearing?
- Voting requirements
- When should a zoning board member recuse?

10:15 am - Zoning board decisions—the basics

- 3 legal criteria to grant a variance: unnecessary hardship, unique property limitations, and no harm to public interest
- Conditional uses
- Administrative appeals

11:00 am - Shoreland & floodplain zoning

11:15 am - Would you grant the variance?

12:00 pm - Wrap up and evaluation

Who Should Attend?

- Zoning board of adjustment members
- Zoning board of appeals members
- Officials with varying levels of experience
- Other people interested in zoning

Workshop Organizer

Interested in learning more? Please contact the workshop organizer:

Lynn Markham, Land Use Specialist

Center for Land Use Education

lynn.markham@uwsp.edu

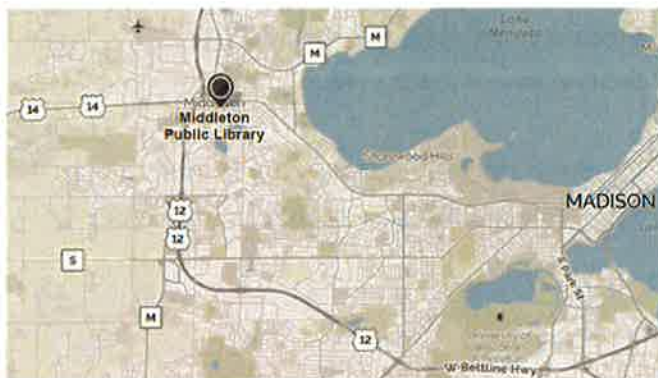
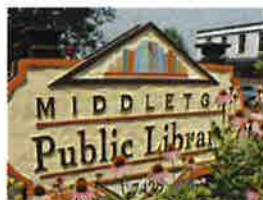
715.346.3879



Center for Land Use Education
College of Natural Resources
University of Wisconsin-Stevens Point

Location

Middleton Public Library
Archer Room
7425 Hubbard Avenue
Middleton, WI 53562



Directions Take US-12E/14W to University Avenue in Middleton. Take exit 251A for Spring Green/La Crosse. Turn left (east) onto University Avenue. Turn right on Parmenter St. Turn left on Hubbard Avenue. The library is on your right.

Workshop cost: \$15 per person, includes printed workshop handouts and refreshments.

Handbooks: Print copies of the Zoning Board Handbook and Plan Commission Handbook may be purchased for \$15 apiece. These handbooks are recommended for new and continuing officials but are not required to attend the workshops. The handbooks may be accessed online at: www.uwsp.edu/cnr-ap/clue.

Registration

Registration is accepted online (preferred) or by phone, email or mail.

Online: <http://bit.ly/2yNLmqf>

Phone: 715-346-3783

Email: landcenter@uwsp.edu

Mail: Center for Land Use Education
800 Reserve Street
Stevens Point, WI 54481

Registration Form ✂

Contact Name: _____

Address: _____

County/Town/City/Village of: _____

City, State, Zip: _____

Telephone: _____

Email: _____

List Workshop Participants:	Sept 24 Zoning Board Workshop (\$15 each)	Zoning Board Handbook (\$15 each)	Plan Commission Handbook (\$15 each)	Total
1.				
2.				
3.				
4.				
5.				
6.				
Total Amount Due:				\$

Method of payment: ☐ Please invoice ☐ Check enclosed (payable to Center for Land Use Education)

- a. Location and description of the premises to be licensed.
- b. Nature of the operation to be conducted.
- c. Type of solid waste material to be disposed of, and the detailed method of disposal of the material.
- d. Construction details of any buildings to be used in connection with the operation.
- e. Description of all land uses within 1000 feet of the premises.
- f. Name and address of the owner and of all persons who will directly participate in the management of the site.
- g. Any additional information deemed necessary by the Zoning Administrator for full evaluation of the proposed operation.

3. Procedure. The review and approval procedure in 11.05(a) shall apply for the initial issuance of a license. All licenses shall expire on July 31, and may be renewed by the Committee upon satisfactory evidence that the license and the operation remain in compliance with this section.

4. Requirements. All solid waste disposal operations shall in all respects comply with the solid waste disposal standards of the Department of Natural Resources (DNR), and the standards of any other state agency having control over the type of operation involved.

5. Location. No solid waste disposal operation shall be located within 500 feet of any residence other than the owner of the premises or any residential, business, community, or waterfront district; 300 feet from a lake, river or stream unless otherwise out of view of the public; or 150 feet from any highway right of way.

6. Screening requirements of 11.07(c) shall apply.

7. Revocation. Upon the complaint of the Zoning Administrator or one or more interested persons, the Committee may, after notice and public hearing, revoke a license issued hereunder for violation of this ordinance or the solid waste disposal standards referred to herein.

[Note: 11.05(h) Wireless Telecommunications Facilities was repealed by Ord. No. 2013-31, 03-11-2014 and recreated as 11.055 Mobile Tower Siting Permit]. [History: 4/20/99, Ord. No. 99-01; title—2/8/00, Ord. No. 99-28; Ord. No. 2011-28, 03-13-2012; Ord. No. 2004-03, 06-08-2004; Ord. No. 2013-31, 03-11-2014]

11.055 MOBILE TOWER SITING PERMIT.

(1) PURPOSE. The purpose of this ordinance is to regulate by zoning permit (1) the siting and construction of any new mobile service support structure and facilities; (2) with regard to a class 1 collocation, the substantial modification of an existing support structure and mobile service facilities; and (3) with regard to a class 2 collocation, collocation on an existing support structure which does not require the substantial modification of an existing support structure and mobile service facilities. It is the intent of Jefferson County to regulate Mobile Service Support Structures and Facilities as permitted by Wisconsin State Statutes Chapter 66.0404.

(2) AUTHORITY. The Jefferson County Board has the specific authority under ss. 59.69 and 66.0404, Wis. Stats., to adopt and enforce this section.

STATE OF WISCONSIN
LIVESTOCK FACILITY SITING REVIEW BOARD
2811 Agriculture Drive, P.O. Box 8911
Madison, Wisconsin 53708-8911

Aaron R. Johnson,	Aggrieved Person	DOCKET NO. 18-LFSRB-01 DECISION OF THE BOARD
v.		
Jefferson County,	Political Subdivision	

BEFORE the Wisconsin Livestock Facility Siting Review Board:

Bob Topel, Chair (abstention); Dr. Jerome Gaska, DVM, Vice Chair; Robert Selk, Secretary;
Raymond Diederich, Lee Engelbrecht, Scott Godfrey, Scott Sand

PROCEDURAL HISTORY

Aaron R. Johnson (“Aggrieved Person”) filed a Request for Review with the Wisconsin Livestock Facility Siting Review Board (“LFSRB”) on April 16, 2018. The Aggrieved Person challenged the decision of the political subdivision, Jefferson County (“Jefferson County”), granting a Conditional Use Permit (“CUP”) to Daybreak Foods Inc. (“Applicant”) for an expansion of the Applicant’s chicken layer and pullet operation located on Crossman Road in the Town of Lake Mills. In the Request for Review, the Aggrieved Person alleged that Jefferson County failed to properly consider air quality and odor concerns in issuing the CUP.

On April 17, 2018, pursuant to authority of the LFSRB and its bylaws, LFSRB Attorney Cheryl Furstace Daniels sent a Notice of Request for Review and a Request for Certified Copy of Decision-Making Record, to the Aggrieved Persons, and Jefferson County, attaching the Request for Review and Statement of Positions. These documents set May 18, 2018, as the date for the certified copy of the record and all position statements to be e-mailed or postmarked to the LFSRB.

On April 17, 2018, the LFSRB Attorney authorized the sending of a news release to news outlets that cover the area where the Applicant’s facility is located or are statewide news outlets

covering the agricultural subject matter under review. This was to give notice, per the LFSRB bylaws, to all potential aggrieved persons, as defined in Wis. Stat. § 93.90(5) (a), that they could file a statement of position on this particular review.

By May 11, 2018, the LFSRB received the County's Certified Decision-Making Record. Within the period allowed for filing, the LFSRB received Statements of Position from the Applicant, the County, and e-mails from other aggrieved persons: Anne Werner, Joe Bell, William Haakenson, Matthew Jones, Steven Weber, P.E., Michael and Sherry Hellekson, Marge and Louie Johnson, Tyler Jones, Dan and Stacy Weger, Andrew & Leanor Klug, Ralph and Margaret Krueger, A & L Johnson, Inc., and Sally Jones.

On June 13, 2018, the LFSRB held a meeting, properly noticed under the Wisconsin Open Meetings Law, to review the appeal in this matter. Based upon the record in the matter, including the certified record submitted by the County, the submitted statements of position, the discussion by the LFSRB at the meeting, and the vote of the LFSRB, the LFSRB issues the following decision.

ISSUES FOR DECISION

1. Pursuant to Wis. Stat. § 93.90(4) (d) and Wis. Admin. Code § ATP 51.34, did the Applicant, Daybreak Foods, Inc., in its application for approval, provide sufficient credible information to show that the proposed facility meets the odor standard in Wis. Admin. Code § ATP 51.14?
2. Pursuant to Wis. Stat. § 93.90(4) (d) and Wis. Admin. Code § ATP 51.34, is there sufficient evidence in the record to find, by clear and convincing information or documentation, that the applicant cannot meet the standard in Wis. Admin. Code § ATP 51.14, and therefore the county's issuance of the CUP cannot be sustained by the LFSRB?
3. Are there sufficient grounds to review the conditions placed on the Applicant's CUP by Jefferson County?

RELEVANT STATUTES AND RULES

S. 93.90 Livestock facility siting and expansion.

(2) DEPARTMENT DUTIES. (a) For the purposes of this section, the department shall promulgate rules specifying standards for siting and expanding livestock facilities. . .

(3) POLITICAL SUBDIVISION AUTHORITY.

(ae) A political subdivision that requires a special exception or conditional use permit for the siting or expansion of any of the following livestock facilities shall require compliance with the applicable state standards under sub. (2) (a) as a condition of issuing the special exception or conditional use permit:

1. A new or expanded livestock facility that will have 500 or more animal units.

(ar) Notwithstanding par. (ae) a political subdivision may apply to a new or expanded livestock facility described in par. (ae) 1. or 2., as a condition of issuing a special exception or conditional use permit, a requirement that is more stringent than the state standards under sub. (2) (a), if the political subdivision does all of the following:

1. Adopts the requirement by ordinance before the applicant files the application for approval.
2. Bases the requirement on reasonable and scientifically defensible findings of fact, adopted by the political subdivision, that clearly show that the requirement is necessary to protect public health or safety.

(4) POLITICAL SUBDIVISION PROCEDURE.

(b) A political subdivision shall make a record of its decision making on an application for approval, including a recording of any public hearing, copies of documents submitted at any public hearing, and copies of any other documents provided to the political subdivision in connection with the application for approval.

(c) A political subdivision shall base its decision on an application for approval on written findings of fact that are supported by the evidence in the record under par. (b).

(d) Except as provided in par. (e), a political subdivision shall approve or disapprove an application for approval no more than 90 days after the day on which it notifies the applicant that the application for approval is complete. If an applicant complies with the rules promulgated under sub. (2) (e) 1. and the information and documentation provided by the applicant is sufficient to establish, without considering any other information or documentation, that the application complies with applicable requirements for approval, the political subdivision shall approve the application unless the political subdivision finds, based on other clear and convincing information or documentation in the record, that the application does not comply with applicable requirements.

(5) REVIEW OF SITING DECISIONS.

(a) In this subsection “aggrieved person” means a person who applied to a political subdivision for approval of a livestock facility siting or expansion, a person who lives within 2 miles of a livestock facility that is proposed to be sited or expanded, or a person who owns land within 2 miles of a livestock facility that is proposed to be sited or expanded.

(b) An aggrieved person may challenge the decision of a political subdivision on an application for approval on the grounds that the political subdivision incorrectly applied the state standards under

sub. (2)(a) that are applicable to the livestock facility siting or expansion or violated sub. (3), by requesting the board to review the decision. . .

(bm) Upon receiving a request under par. (b), the board shall notify the political subdivision of the request. The political subdivision shall provide a certified copy of the record under sub. (4) to the board within 30 days after the day on which it receives the notice.

(c) Upon receiving the certified copy of the record under par. (bm), the board shall determine whether the challenge is valid. The board shall make its decision without deference to the decision of the political subdivision and shall base its decision only on the evidence in the record under sub. (4) (b). . . The board shall make its decision within 60 days after the day on which it receives the certified copy of the record under par. (bm), except that the board may extend this time limit for good cause specified in writing by the board.

(d) If the board determines that a challenge is valid, the board shall reverse the decision of the political subdivision. The decision of the board is binding on the political subdivision, subject to par. (e). If a political subdivision fails to comply with a decision of the board that has not been appealed under par. (e), an aggrieved person may bring an action to enforce the decision.

Chapter ATP 51 LIVESTOCK FACILITY SITING

ATCP 51.14 Odor and air emissions. (1) ODOR STANDARD. Except as provided in subs. (2) to (4), a livestock facility shall have an odor score of at least 500. The operator shall calculate the odor score according to *Appendix A, worksheet 2*, or by using the equivalent spreadsheet provided on the department's website. An application for local approval shall include *worksheet 2* or the spreadsheet output.

Note: The spreadsheet equivalent of *Appendix A, worksheet 2* is available on the department's website at <http://livestocksiting.wi.gov/>.

Odor score is based on *predicted odor generation* (based on size and type of livestock facility), odor practices, and the proximity and density of "affected neighbors." See *Appendix A, worksheet 2*.

An *odor score* is a predictive estimate. The standard in sub. (1) applies only for purposes of local livestock facility siting decisions under this chapter. Failure to comply with the standard in sub. (1) does not constitute evidence of a public or private nuisance, negligence, or a taking of property.

Odor control practices may also control air pollution emissions. The department will work to coordinate odor and air emissions field research with DNR, the Wisconsin agricultural stewardship initiative (WASI), and the University of Wisconsin. The department will consider research results when it reviews this chapter at least once every 4 years (see s. 93.90 (2) (c), Stats.). As part of its review, the department will consult with an advisory committee that includes representatives of livestock producers, local government and environmental interests. The department will consider amendments to this rule, as appropriate, based on research findings.

(2) EXEMPTIONS. The odor standard in sub. (1) does not apply to any of the following livestock facilities unless the facility operator voluntarily completes and submits *worksheet 2* or the equivalent spreadsheet output with the operator's application for local approval:

(b) An expanded livestock facility with fewer than 1,000 animal units.