## AGENDA JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE DECISION MEETING

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

**SUBJECT:** Planning and Zoning Committee Decision Meeting

**DATE:** 

November 28, 2022

TIME:

8:30 a.m.

PLACE:

County Highway Department Training Room, 1425 South Wisconsin Drive, Jefferson, WI

#### YOU MAY ATTEND VIRTUALLY BY FOLLOWING THESE INSTRUCTIONS:

Register in advance for this meeting:

https://zoom.us/meeting/register/tJEkf--hpj4pHd2y7-u8i9MUTAbnqMB 1Qxy

Meeting ID: 959 8698 5379

Passcode: Zoning

After registering, you will receive a confirmation email containing information about joining the meeting

- 1. Call to Order
- 2. Roll Call (Establish a Quorum)
- 3. Certification of Compliance with Open Meetings Law
- 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 October 31, November 11 and November 17, 2022 Meeting Minutes
- 7. Communications
- 8. October Monthly Financial Report for Register of Deeds Staci Hoffman
- 9. October Monthly Financial Report for Land Information Office-Matt Zangl
- 10. November Monthly Financial Report for Zoning Matt Zangl
- 11. Discussion on Solar Energy Facilities
- 12. Discussion on WE Energies Liquefied Natural Gas (LNG) Facility in the Town of Ixonia
- 13. Discussion on Air, Surface Water, Groundwater, and Health Concerns Relating to Animal Operations and their Regulation
- 14. Discussion and Possible Action on a Petition Presented in Public Hearing on September 15 and Subsequently Postponed:
  - a. CU2068-22 Jennifer Pitzner/Steve & Pat Flounders Property, Joyce Rd, PIN 028-0513-1613-025, Town of Sumner

#### 15. Discussion and Possible Action on Petitions Presented in Public Hearing on November 17, 2022:

<u>R4445A-22 & CU2072 – Aztalan Cycle Club Inc:</u> Rezone PIN 002-0714-0831-000 (32.383 ac) with conditional use to allow a recreational facility (outdoor motorcycle riding/racing) directly related to open space uses & the necessity for a rural location. The site is at N6641/N6643 Gomoll Rd on PIN 002-0714-0831-000 (32.383 ac) in the Town of Aztalan. This is in accordance with Sec 11.04(f)7 of the Jefferson County Zoning Ordinance.

<u>R4446A-22 – James & Steven Mesmer:</u> Create a 2-ac farm consolidation lot at **W1849 Bente Rd** from part of PIN 026-0616-2042-000 (40 ac), Town of Sullivan. This is in accordance with Sec 11.04(f)8 of the Jefferson County Zoning Ordinance.

<u>R4447A-22 – Angela Ritonia-Peot/Robert & Sharon Peot Trust Property:</u> Create a 2.05-ac building site from part of PIN 026-0616-1131-000 (39.737 ac) on Froelich Rd, Town of Sullivan. This is in accordance with Sec 11.04(f)8 of the Jefferson County Zoning Ordinance.

<u>CU2073-22 – HL Beemer Trust:</u> Allow an event facility in an existing A-2 zone at **N1507 Groeler Rd**, Town of Koshkonong on PIN 016-0514-1732-002 (1.979 ac). This is in accordance with Sec.11.04(f)7 of the Jefferson County Zoning Ordinance as an "adaptive reuse of a barn."

<u>CU2074-22 – Aqua Investment Partnership:</u> Allow for ten duplex buildings, established as a planned development in an existing Residential R-2 zone at **W7489 Koshkonong Mounds Road**. The site is in the Town of Koshkonong on PIN 016-0513-2512-001 (35.124 ac). This is in accordance with Sec. 11.04(f)2.

<u>CU2066-22 – Heidi & Andrew Deuster:</u> CU for home occupation floral business in an A-1 Agricultural zone at **N2356** County Rd E, PIN 024-0516-0314-001 (3 ac), Town of Palmyra. This is in accordance with Sec 11.04(f)6 of the Jefferson County Zoning Ordinance.

#### 16. Possible Future Agenda Items

#### 17. Upcoming Meeting Dates

December 9, 8:00 a.m. – Site Inspections Beginning at Woolen Mills, 222 Wisconsin Drive, Jefferson December 15, 7:00 p.m. – Public Hearing in Highway Department Training Room, 1425 S. Wisconsin Dr ????? December 20, 8:30 a.m. – Decision Meeting in Highway Department Training Room, 1425 S. Wisconsin Dr

January 13, 8:00 a.m. – Site Inspections Beginning at Woolen Mills, 222 Wisconsin Drive January 19, 7:00 p.m. – Public Hearing in Highway Department Training Room, 1425 S. Wisconsin Dr January 30, 8:30 a.m. – Decision Meeting Highway Department Training Room, 1425 S. Wisconsin Dr

#### 18. 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 <a href="https://www.jeffersoncountywi.gov">www.jeffersoncountywi.gov</a>.

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.

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

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

**SUBJECT:** 

Planning and Zoning Committee Decision Meeting

**DATE:** 

October 31, 2022

TIME:

8:30 a.m.

PLACE:

JEFFERSON COUNTY HIGHWAY DEPARTMENT TRAINING ROOM, 1425 SOUTH

WISCONSIN DRIVE, JEFFERSON, WI OR Via Zoom Videoconference

#### YOU MAY ATTEND VIRTUALLY BY FOLLOWING THESE INSTRUCTIONS:

Register in advance for this meeting:

https://zoom.us/meeting/register/tJEkf--hpj4pHd2y7-u8i9MUTAbnqMB 1Qxy

Meeting ID: 959 8698 5379

Passcode: Zoning

After registering, you will receive a confirmation email containing information about joining the meeting

#### 1. Call to Order

The meeting was called to order by Supervisor Jaeckel at 8:30 a.m.

#### 2. Roll Call (Establish a Quorum)

Supervisors Jaeckel, Foelker, Poulson were present in person. Supervisor Richardson was attending via Zoom. Supervisor Nass was absent and excused.

Staff members present included Supervisor Anita Martin; County Administrator Ben Wehmeier; Corporation Counsel Blair Ward; Zoning Department Staff Matt Zangl, Sarah Elsner, Brett Scherer and Deb Magritz; Land and Water Conservation Staff Patricia Cicero, Joe Strupp, and Dave Hoffman.

Staff member Elizabeth Chilsen was attending via Zoom, as were guests Sue Dettmann, Kim Naber and Katy Katzman.

#### 3. Certification of Compliance with Open Meetings Law

Poulson verified compliance with Open Meetings Law.

#### 4. Approval of the Agenda

Motion by Supervisors Poulson/Foelker to approve the agenda. Motion passed 4-0.

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)

Supervisor Martin addressed the assembly about a potential composting ordinance, or conditional use conditions for compost stored outside.

Supervisor Nass arrived at 8:37 a.m.

6. Approval of August 18, September 15, September 26, October 14 and October 20 Meeting Minutes

Motion by Supervisors Poulson/Foelker to approve the August 18 minutes as presented. Motion passed 5-0.

Motion by Supervisors Foelker/Poulson to approve the September 15 minutes as presented. Motion passed 5-0.

Motion by Supervisors Poulson/Foelker to approve the September 26 minutes as presented. Motion passed 5-0.

Motion by Supervisors Foelker/Poulson to approve the October 14 minutes as presented. Motion passed 5-0.

Motion by Supervisors Poulson/Foelker to approve the October 20 minutes as presented. Motion passed 5-0.

#### 7. Communications

A letter from Vic Karaliunas was read into the record.

- 8. September Monthly Financial Report for Register of Deeds Staci Hoffman Hoffman reported that recording numbers have slowed.
- 9. September Monthly Financial Report for Land Information Office-Matt Zangl Zangl echoed that retained fees are also slower.

#### 10. October Monthly Financial Report for Zoning – Matt Zangl

Zangl explained that revenues are nearly even, within \$1,000 of 2021 revenues at this point in time. This is due in part to fees collected from new cell towers.

#### 11. Discussion on Solar Energy Facilities

The Crawfish River Solar project has been pushed back to early 2023.

The Badger State Solar project has also been pushed back due to funding and supply issues.

12. Discussion on WE Energies Liquefied Natural Gas (LNG) Facility in the Town of Ixonia

Zangl reported that he had toured the construction site. last week, and it is almost at full height. Buildings have been started, and seeding is being done.

### 13. Discussion and Possible Action on Air, Surface Water, Groundwater, and Health Concerns Relating to Animal Operations and their Regulation

Wehmeier began by explaining the history of this topic in Jefferson County. A handout was displayed, and it was noted that the subject matter has been reviewed by five different Committees. The thirteen topic areas suggested by the public and County Board were reviewed by Wehmeier. In reply, Nass commented that the Zoning Department could provide notification of conditional uses for CAFOs to a wider area of property owners. Zangl responded that the Department already goes above and beyond state requirements, but he doesn't see a problem in expanding that radius. He did go on to say that each ordinance will have an impact on the Zoning Department. Further discussion centered around nuisances vs. right-to-farm. Supervisor Martin spoke about storm water control issues. Cicero offered that a groundwater study will be undertaken, working with UW-Stevens Point to develop a baseline for groundwater quality. The program is voluntary, randomized, and data will not be linked to a specific property. Eight hundred wells will be sampled over the next two years. The discussion moved back to Zangl doing a comparison of Department costs regarding changing notice requirements and bringing back the results for Committee review. Zangl suggested that clarification is needed for definition of several points.

14. Discussion and Possible Action on a Resolution Authorizing a Contract with Pictometry International Corp. for Oblique and Aerial Imagery in 2023

Zangl explained. He recommended that aerial flight and air photos be authorized with Pictometry International Corporation, with the cost covered by retained fees, a grant and cooperation with other municipalities. Motion by Supervisors Nass/Foelker to move this resolution to County Board. Motion passed 5-0.

15. Discussion and Possible Action on Renewal of a Salvage Yard License for Mark Nuchell, at W1459 US Highway 18 on PIN 026-0616-0413-002, Town of Sullivan

Zangl explained and noted that this was the only salvage yard not previously approved. Motion by Supervisors Nass/Foelker to approve the renewal, conditioned upon issuance of the necessary Zoning and Land Use Permit.

16. Discussion and Possible Action on a Request by Gallitz Grading for Installation of a Holding Tank to Serve a Workshop Owned by James and Melissa Thoma near W3081 Bakertown Road, PIN 008-0715-3512-002 in the Town of Farmington

Zangl explained what was being proposed in this situation. The plumber's letter had been previously distributed to Committee members. The Committee determined that due to its limited use and site characteristics of the property, the waiver of holding tank restrictions could be granted. Motion by Supervisors Nass/Foelker to grant the holding tank waiver, and the motion passed 5-0.

17. Discussion and Possible Action on a Change to CU1842-15, Granted to Raymond Ross and Now Owned by JR Safe Storage LLC/Brian McClaren. The site is at N8466 North Rd, Town of Ixonia, on PIN 012-0816-2222-002.

Committee members had received information on this proposal in their packets. After discussion, there was a motion by Supervisors Nass/Foelker to approve the request of JR Safe Storage LLC/Brian McClaren for the above noted property. Motion passed 5-0.

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

18. Discussion and Possible Action on Petitions Presented in Public Hearing on October 20, 2022: APPROVED WITH CONDITIONS R4442A-22 – James & Karen Larson on a motion by Supervisors Foelker/Poulson to rezone PIN 026-0616-2511-001 (1.422 ac) to create a new building site at the intersection of Northey Rd & County Rd Z in the Town of Sullivan. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

**APPROVED WITH CONDITIONS** R4443A-22 – Cheryl Jarrett on a motion by Supervisors Nass/Foelker to create a 1.75-ac building site from part of PIN 018-0713-2643-001 (24.471 ac) along **Conservation Road**, Town of Lake Mills. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

**APPROVED WITH CONDITIONS** R4444A-22 – Cheryl Jarrett on a motion by Supervisors to create a 2.22-ac Natural Resource zone from part of PIN 018-0713-2643-001 (24.471 ac) adjacent to a proposed building site on **Conservation Rd**, Town of Lake Mills. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

**APPROVED WITH CONDITIONS** CU2069-22 – Lindsey Kjendlie on a motion by Supervisors Nass/Poulson for a conditional use to modify CU1294-07 and CU1592-09 to allow daycare and boarding of up to 40 dogs under new ownership at **N4936 Popp Rd**, Town of Aztalan. The site is on PIN 002-0714-3433-000 (2.812 ac) in an A-1, Exclusive Agricultural zone. This is in accordance with Sec. 11.04(f)6 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

**APPROVED WITH CONDITIONS** CU2070-22 – Justin Thiede on a motion by Supervisors Nass/Foelker for conditional use to allow an extensive on-site storage structure in a Residential R-2 zone at **N2811 Monarch Ln**, Town

of Koshkonong, on PIN 016-0614-3113-000 (15.63 ac). This is in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

APPROVED WITH CONDITIONS CU2071-22 – Andrew Bauer on a motion by Supervisors Nass/Jaeckel for conditional use to modify CU1494-08 and allow a kennel for up to 30 dogs; 20 owned by the Bauers with potential for 10 more boarded at W2193 Staude Rd on PIN 026-0616-0744-000 (1.639 ac). The Town of Sullivan property is zoned A-1, Exclusive Agricultural. This is in accordance with Sec. 11.04(f)6 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

#### 19. Possible Future Agenda Items

#### 20. Upcoming Meeting Dates

November 11, 8:00 a.m. – Site Inspections Beginning at Woolen Mills, 222 Wisconsin Drive, Jefferson November 17, 7:00 p.m. – Public Hearing at Highway Department Training Room, 1425 S Wisconsin Dr, Jefferson-Supervisor Nass will be absent.

November 28, 8:30 a.m. – Decision Meeting at Highway Department Training Room, 1425 S Wisconsin Dr, December 9, 8:00 a.m. – Site Inspections Beginning at Woolen Mills, 222 Wisconsin Drive, Jefferson December 15, 7:00 p.m. – Public Hearing at Highway Department Training Room, 1425 S Wisconsin Dr, Jefferson ???????, 8:30 a.m. – Decision Meeting at Highway Department Training Room, 1425 S Wisconsin Dr, Jefferson

#### 21. Adjourn

Motion by Supervisors Poulson/Foelker to adjourn the meeting. Motion passed 5-0, and the meeting adjourned at 9:59 a.m.

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.

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# MINUTES OF JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE SITE INSPECTIONS

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

**SUBJECT:** Planning and Zoning Committee Decision Meeting

**DATE:** November 11, 2022

**TIME:** 8:00 a.m.

PLACE: WOOLEN MILLS, 222 WISCONSIN DRIVE, JEFFERSON, WI

#### 1. Call to Order

The meeting was called to order by Supervisor Jaeckel at 8:00 a.m.

#### 2. Roll Call (Establish a Quorum)

At 8:00 a.m., Supervisors Jaeckel, Nass, Poulson and Foelker were present.

#### 3. Certification of Compliance with Open Meetings Law

Poulson certified compliance with Open Meetings Law.

#### 4. Approval of the Agenda

Motion by Supervisors Foelker/Nass to approve the agenda. Motion passed 4-0.

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

There were no communications.

Richardson arrived at 8:09 a.m. The Committee left for the following site inspections at 8:10 a.m.

7. Site Inspections for Petitions to be Presented in Public Hearing on November 17, 2022

Rezone PIN 002-0714-0831-000 (32.383 ac) with conditional use to allow a recreational facility (outdoor motorcycle riding/racing) directly related to open space uses & the necessity for a rural location. The site is at N6641/N6643 Gomoll Rd on PIN 002-0714-0831-000 (32.383 ac) in the Town of Aztalan. This is in accordance with Sec 11.04(f)7 of the Jefferson County Zoning Ordinance.

<u>CU2074-22 – Aqua Investment Partnership:</u> Allow for ten duplex buildings, established as a planned development in an existing Residential R-2 zone at **W7489 Koshkonong Mounds Road**. The site is in the Town of Koshkonong on PIN 016-0513-2512-001 (35.124 ac). This is in accordance with Sec. 11.04(f)2.

<u>CU2073-22 – HL Beemer Trust:</u> Allow an event facility in an existing A-2 zone at N1507 Groeler Rd, Town of Koshkonong on PIN 016-0514-1732-002 (1.979 ac). This is in accordance with Sec.11.04(f)7 of the Jefferson County Zoning Ordinance as an "adaptive reuse of a barn."

<u>R4446A-22 – James & Steven Mesmer:</u> Create a 2-ac farm consolidation lot at **W1849 Bente Rd** from part of PIN 026-0616-2042-000 (40 ac), Town of Sullivan. This is in accordance with Sec 11.04(f)8 of the Jefferson County Zoning Ordinance.

<u>CU2066-22 – Heidi & Andrew Deuster:</u> CU for home occupation floral business in an A-1 Agricultural zone at **N2356** County Rd E, PIN 024-0516-0314-001 (3 ac), Town of Palmyra. This is in accordance with Sec 11.04(f)6 of the Jefferson County Zoning Ordinance.

R4447A-22 – Angela Ritonia-Peot/Robert & Sharon Peot Trust Property: Create a 2.05-ac building site from part of PIN 026-0616-1131-000 (39.737 ac) on Froelich Rd, Town of Sullivan. This is in accordance with Sec 11.04(f)8 of the Jefferson County Zoning Ordinance.

#### 8. Adjourn

Motion by Supervisors Foelker/Poulson to adjourn the meeting. Motion passed, and the meeting adjourned at 10:03 a.m.

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.

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Register of Deeds October 2022	Ou	tput Measures	YR to Date	Current Yr. Target	
Program/Service Description	2020	2021	2022	Totals	%
Documents Recorded	1,846	1,519	1,038	11,627	85%
Vital Records Filed	233	278	262	2,027	97%
Vital Record Copies	1,660	1,469	1,583	13,932	90%
ROD Revenue (Gross Total)	\$ 196,127.59	\$ 221,329.95	\$ 241,612.51	\$2,377,533.27	143%
Transfer Fees	\$ 23,479.20	\$ 30,867.36	\$ 37,989.06	\$ 366,030.18	203%
LIO Fees	\$ 15,503.00	\$ 12,836.00	\$ 8,904.00	\$ 98,758.00	91%
Document Copies	\$ 7,617.09	\$ 7,095.65	\$ 6,314.71	\$ 67,474.07	135%
Laredo	\$ 3,142.50	\$ 4,315.50	\$ 3,806.50	\$ 35,974.30	120%
ROD Revenue to General Fund	\$ 68,244.79	\$ 73,970.02	\$ 69,426.27	\$ 694,377.55	136%
Percentage of Documents eRecorded	64%	64%	63%	68%	66%
Budget Goals Met	Yes	Yes	Yes	Yes	Yes
Back Indexed	8,120	5,686	4,583	33,761	169%

#### **Wisconsin Register of Deeds Association:**

We are currently working on legislation that pertains to the sheilding of real estate records for pending federal legislation, discriminatory covenants and PRIA Local meetings with our business partners.

I did a presentation on Daniel's Law at the Treasurer's conference in October.

#### **Register of Deeds Office:**

The staff continues to work on back indexing documents for easier access. We have also contracted with Fidlar Techonolgies to back index more documents; however, this project is on hold while our IT department works out a way to allow the indexers enter directly into our system.

#### Wisconsin Counties Association Board of Directors:

WCA has held weekly webinars on a variety of subjects, I highly encourage participation from staff and county board members.

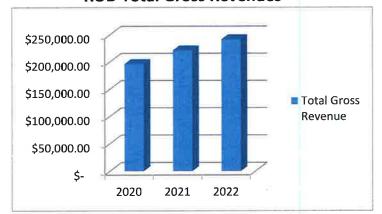
#### Wisconsin Public Records Board:

I am working with the Wi Public Records Board, the WI Historical Society, our county staff as well as representative across the state to update the county retention schedule. WI Counties Association is helping to coordinate monthly meetings with a workgroup made of several counties.

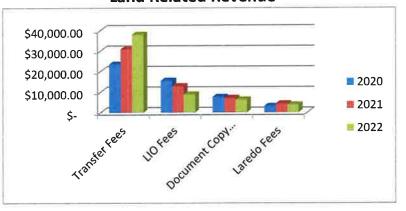
### **Register of Deeds Monthly Budget Report**

#### Oct-22

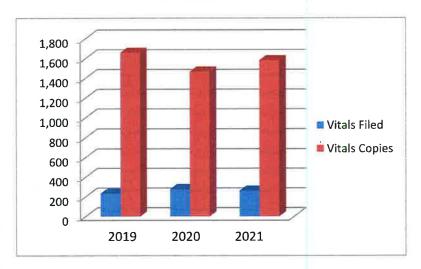
**ROD Total Gross Revenues** 



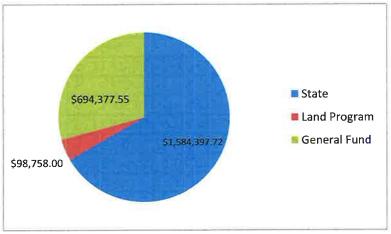
**Land Related Revenue** 



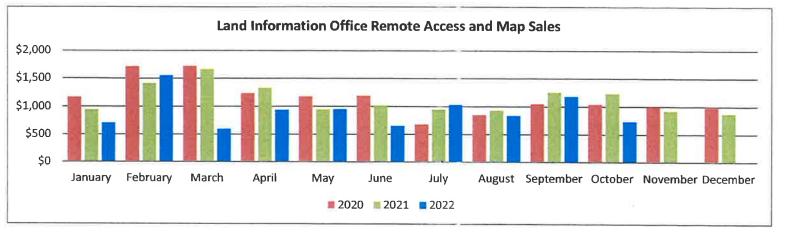
**Vital Records** 



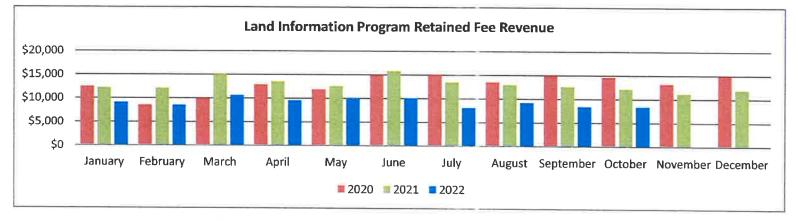
**Year to Date Revenue Payout** 



#### **Land Information Monthly Revenue Report October 2022**









### Jefferson County Planning and Zoning Department Monthly Ledger Report 11-23-2022

	RF	WFG	OP	PPC	MC	PSS (	STF	FQAS	FAA	FPFC	SRFWF	ZOF	Refunds	2022 Totals	2021 Total
MTH	1.239022	7102.421001	2901.432099	2901.451002	2901.472003	2901.432002	2901.458010	2901.458015	2901.458014	2901.458001	2901.458002	2901.441002			
Jan	480.00		13,901.00	411.81		3,675.00	250.00							18,717.81	19,215.63
Feb	420.00		10,240.00	87.09		2,775.00	200.00						680.00	13,722.09	15,460.33
Mar	930.00		13,971.00	168.00		5,875.00	500.00						30.00	21,444.00	28,398.54
Apr	540.00		15,755.00	107.09		4,375.00	1,200.00						830.00	21,977.09	21,258.08
Мау	810.00		11,585.00	7.08		7,550.00	550.00						250.00	20,502.08	22,440.48
June	720.00		13,565.00	19.17		4,875.00	950.00							20,129.17	21,270.25
July	390.00		14,120.00	7.08		4,750.00	550.00						300.00	19,817.08	16,898.54
Aug	690.00		14,570.00	38.13		5,925.00	800.00							22,023.13	21,952.09
Sept	570.00		11,725.00	5.54		4,850.00	700.00							17,850.54	19,285.34
Oct	480.00		13,120.00			5,425.00	1,200.00							20,225.00	18,850.63
Nov	510.00		7,270.00	26.93		3,550.00	150.00							11,506.93	17,147.29
Dec															12,577.50
Total	6,540.00		139,822.00	877.92		53,625.00	7,050.00						2,090.00	207,914.92	234,754.70

2021 Actual Zoning Deposit: Please Enter Deposit

2022 Budget Revenues: \$220,500.00

2022 Deposits YTD:\$207,914.92

# DECISION OF THE ZONING BOARD OF ADJUSTMENT COPY JEFFERSON COUNTY, WISCONSIN

#### FINDINGS OF FACT

PETITION NO.:	2022 V1707
HEARING DATE:	11-10-2022
APPLICANT:	Jennifer Pitzner
PROPERTY OWNER:_	Steve & Pat Flounders
PARCEL (PIN) #:	028-0513-1613-025 (Joyce Road)
TOWNSHIP:	Sumner
INTENT OF PETITION vacant, R-2 zoned	JER: Allow an accessory structure without the principal structure on a lot.
THE APPLICANT REQUIEFFERSON COUNTY 2	JESTS A VARIANCE FROM SECTION <u>11.03(h)2 &amp; 11.04(f)2</u> OF THE ZONING ORDINANCE.
THE FEATURES OF TH	IE PROPOSED CONSTRUCTION AND PROPERTY WHICH RELATE TO
THE GRANT OR DENIA	AL OF THE VARIANCE APPLICATION ARE:
	2, Residential-Unsewered (0.388-Ac)
-Requesting access	ory structure without the primary structure a shed for personal storage
-Town approved on	10/10/2022
FACTS OR OBSERVATION Conducted. Observer	ONS BASED ON SITE INSPECTIONS: Site inspections ed property layout & location.
FACTS PRESENTED AT	PUBLIC HEARING: See tape, minutes & file.

### COPY

#### **DECISION STANDARDS**

<b>A</b> .	NO VARIANCE MAY BE GRANTED WHICH WOULD HAVE THE EFFECT OF ALLOWING A USE OF LAND OR PROPERTY WHICH WOULD VIOLATE STATE LAWS OR ADMINISTRATIVE RULES:
В.	SUBJECT TO THE ABOVE LIMITATIONS, AREA VARIANCES MAY BE GRANTED WHERE STRICT COMPLIANCE WITH THE ZONING ORDINANCE RESULTS IN AN UNNECESSARY HARDSHIP WHICH WOULD UNREASONABLY PREVENT THE PETITIONER FROM USING THE PROPERTY
	FOR A PERMITTED PURPOSE, OR WOULD RENDER CONFORMITY WITH THE ZONING ORDINANCE UNNECESSARILY BURDENSOME, AND WILL ALLOW THE SPIRIT OF THE ORDINANCE TO BE OBSERVED, SUBSTANTIAL JUSTICE TO BE ACCOMPLISHED, AND THE PUBLIC INTEREST NOT VIOLATED.
<b>C</b> .	SUBJECT TO THE ABOVE LIMITATIONS, USE VARIANCES MAY BE GRANTED WHERE STRICT COMPLIANCE WITH THE ZONING ORDINANCE WOULD LEAVE THE PROPERTY OWNER WITH NO REASONABLE USE OF THE PROPERTY IN THE ABSENCE OF A VARIANCE AND WILL ALLOW THE SPIRIT OF THE ORDINANCE TO BE OBSERVED, SUBSTANTIAL JUSTICE TO BE ACCOMPLISHED, AND THE PUBLIC INTEREST NOT VIOLATED.
	BASED ON THE FINDINGS OF FACT, THE BOARD CONCLUDES THAT:
7.	UNNECESSARY HARDSHIP IS PRESENT IN THAT A LITERAL ENFORCEMENT OF THE TERMS OF THE ZONING ORDINANCE WOULD UNREASONABLY PREVENT THE OWNER FROM USING THE PROPERTY FOR A PERMITTED PURPOSE OR WOULD RENDER CONFORMITY WITH SUCH RESTRICTIONS UNNECESSARILY BURDENSOME (AREA VARIANCE) OR STRICT COMPLIANCE WITH THE ZONING ORDINANCE WOULD LEAVE THE PROPERTY OWNER WITH NO
	REASONABLE USE OF THE PROPERTY (USE VARIANCE) BECAUSE Weis: There have been previous
	petition requests that are similar to this that have been approved which have allowed an accessory structure without a primary structure. Hoeft: The petitioner, by purchasing both lots, will have enough room for a garage & a future home placement. Roberts: There are other examples of this hardship in the
	area & in the county.
8.	THE HARDSHIP OR NO REASONABLE USE IS DUE TO UNIQUE PHYSICAL LIMITATIONS OF THE PROPERTY RATHER THAN THE CIRCUMSTANCES OF THE APPLICANT BECAUSE Weis: The
	Zoning Ordinance created a situation where not allowing the accessory structure is a hardship. Hoeft:
	The limitation is because of the way the Ordinance is written. Robert: Zoning requires a residence, but the lot does not have one at this time.
9.	THE VARIANCE WILL NOT BE CONTRARY TO THE PUBLIC INTEREST AS EXPRESSED BY THE PURPOSE AND INTENT OF THE ZONING ORDINANCE BECAUSE Weis: This structure is for
	personal use only and is intended to be screened from public view. Hoeft: There is a precedence on the
	the Board's part by allowing an accessory structure without the principal structure in place when the
	owner's residence is nearby. Roberts: The shed will allow items to be stored inside and away from the sight of the roads and neighbors.
*A VA	RIANCE MAY BE GRANTED IF ALL THESE CONDITIONS ARE MET*
DECI	SION: THE REQUESTED VARIANCE IS GRANTED.
MOT	TOME AND A
screer	DITIONS OF APPROVAL: 1)Lots must be combined into one lot 2)For residential use only 3)Structure must be used from the roads & west parcels 4)Garage to be built on the western part of the lot 5)There must be sufficient left on the lot to place a single family home
SIGN	T) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) (

BOARD DECISIONS MAY BE APPEALED TO CIRCUIT COURT. AUDIO RECORD OF THESE PROCEEDINGS IS AVAILABLE UPON REQUEST.