

NOTICE OF PUBLIC HEARING
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE

Steve Nass, Chair; Greg David, Vice-Chair; Don Reese, Secretary; Amy Rinard; George Jaeckel

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

DATE: Thursday, June 16, 2016

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

Hearing called to order @ 7:00 p.m. by Nass

2. Roll Call

Members present: Nass, Jaeckel, Reese, Rinard

Members absent: David

Staff: Rob Klotz, Laurie Miller, Matt Zangl

3. Certification of Compliance with Open Meetings Law Requirements

Reese confirmed compliance.

4. Approval of Agenda

Reese made motion, seconded by Rinard, motion carried 4-0 on a voice vote to approve the agenda.

5. Explanation of Public Hearing Process by Committee Chair

Nass explained. Nass also noted the Planning & Zoning Committee meeting will be on June 27, 2016 at 8:30 a.m. for recommendation of the zoning petitions, and decisions on the conditional use permits. County Board will meet on July 12, 2016 for decisions of the zoning petitions.

6. Public Hearing

Klotz explained that the findings of fact are in the file, and are part of the record for the Committee to consider.

The following was read into the record by Klotz:

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, June 16, 2016, 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 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

R3890A-16 – Robert Wagner/Jane Wagner Property: Create a 3.5-ac farm consolidation lot around the home at **N5296 Popp Rd** in the Town of Aztalan, and a 6-ac vacant lot combination to the east, both from PIN 002-0714-2844-000 (39.75 Ac).

Robert Wagner, N5024 Country Ln, Saukville, presented the petition. He is the personal representative of the Jane Wagner Estate. They are asking for two lots – one with the house and buildings and the other a 6-acre vacant lot. The remaining lands will remain agricultural.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the committee.

Klotz made note that the committee did look at each one of the properties.

Staff report was given by Klotz. He explained the farm consolidation and vacant lot request. The soil test and soil types are in the file. Klotz noted that the farm consolidation would have to be completed first in this case so there is 35 acres remaining, and the vacant lot seconded.

R3891A-16 – Kathy Pope-Hookstead/Dark Acres Farm Property: Create a 5-ac lot combination at **W5140 Gillis Rd** in the Town of Koshkonong from PIN 016-0514-1331-000 (40 Ac). Klotz noted this was revised to a 4 acre request.

Kathy Pope-Hookstead, N643 Wishing Well Lane, presented her petition. She wants to build a new house on the farm, and then sell the lot on Wishing Well Ln.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the committee. There was a town response in the file approving the petition which was read into the record by Klotz.

Klotz gave staff report. He explained the change in acreage from 5 acres to 4 acres because of a previous lot split. The revised preliminary is in the file. Klotz noted the findings of fact were in the file. There are also some slopes that are 20% on the property which the surveyor noted on the survey.

R3892A-16 – Sharilyn DeGolier: Rezone 1.25 ac around the home at **W8295 Cemetery Rd** in the Town of Lake Mills from PIN 018-0713-0313-000 (23.5 ac).

Sharilyn Degolier, N7002 Kuhl Rd, Waterloo. Her husband, Mitchell was also present. She stated that the property belonged her parents, and they would now like to split off the house and shed so it could be sold.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the committee. There was a town decision in the file approving the petition which was read into the record by Klotz.

Klotz gave staff report. He noted the lot has an odd shape due to the septic location, and that the findings of fact were in the file. Klotz asked the petitioner if the house originated in 1979 and if they had permits. The petitioner stated yes.

R3893A-16 – Jay Lewellin: Create a 3-ac A-3 zone at **W8756 Alley Rd** in the Town of Lake Mills to allow for new home construction on PIN 018-0713-2134-000 (3 Ac)

Mr. Lewellin presented his petition. He stated they wanted to rezone from A-1 to A-3 to build a house where the former house was on the property.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the committee.

Staff report was given by Klotz. He asked the petitioner if the original house was burned down by the fire department. The petitioner stated yes. He also asked the petitioner if the existing garage was the house. The petitioner stated that the garage was converted back to a shed. They want to build new. Klotz asked about the septic. The petitioner stated that they will use the septic that was originally connected to the garage/shed. Klotz noted that an inspection would be needed for the garage and septic. There was discussion on the location of the new lot.

R3894A-16 – Steve Saniter/Rachel Raether LE Property: Create a 1-ac building site on **Raether Rd** and PIN 018-0713-0622-000 (32.07 ac) in the Town of Lake Mills.

Steve Saniter, Oconomowoc, presented the petition. He stated they want to buy this property to build a house.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the committee. There was a town response in the file approving the petition which was read into the record by Klotz.

Klotz gave staff report. He commented on the location of the lot, and that the findings of fact were in the file. Klotz asked the petitioner about the section of the town road shown on the survey, and if the town was going to vacate that section of the road. The petitioner stated that he believed so. Klotz asked the petitioner if he would then acquire that track of land. The petitioner stated yes.

R3895A-16 – Todd & Leann Duwe/Duwe Farms LLC Property: Rezone 1 ac of PIN 020-0714-0321-000 (54 Ac) for a new building site near **W5962 Church Rd** in the Town of Milford.

Steve Duwe, N7204 County Road A, presented the petition. He stated that he wanted to establish a lot on the farm for his son and daughter-in-law, and further explained his request.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the committee. There was a town response in the file approving the petition which was read into the record by Klotz.

Klotz gave staff report. He noted that they will be utilizing the consolidation of parcels of record from their own land across the road and move it next to an existing residence. Klotz explained the soils were prime and were asking for a 1 acre lot. Klotz asked the petitioner if there was enough room for a house, septic and farm shop and how big the farm shop would be. The petitioner stated he wasn't sure yet, but they could move the shop to the ag land if there is not enough room.

R3896A-16 – Trisha & Erik Miller/Joel & Gayle Medenwaldt Property: Rezone 1.01 ac of PIN 020-0814-3241-001 (23 Ac) in the Town of Milford at **W6543 Vandre Rd**.

Trisha Miller, W6542 Vandre Road, presented her petition. She stated she wants to tear down the existing garage and house and build a new house. There will be no farmland that will be affected.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the committee. There was a town response in the file approving the petition which was read into the record by Klotz.

Klotz gave staff report. He stated this was for a 1-acre request where no farmland is involved. There was a discussion on the home location and the buildings being removed. Klotz asked

the petitioner the age of the home. The petitioner stated it was built in the late 1800's. They will also be putting in a new well and septic.

R3897A-16 – Nancy Hook: Create two, 2-ac lots on **US Highway 12** in the Town of Oakland from part of PIN 022-0613-1812-000 (15.81 Ac)

Nancy Hook, Madison, presented her petition. She explained the request for the creation of the two lots.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the committee.

Klotz gave staff report. He asked the petitioner to explain the number of lots. The petitioner explained that there would be 2, 2-acre lots. They were asking for 2 acres because of the highway setback. It would give more yard room. They have a variance for the access. Because the DOT is involved, they require clustered driveways. Klotz explained the DOT restrictions, and they have a variance that was granted June 9, 2016 which is in the file. Klotz stated they are exceeding the acreage, and further explained. It's in a conversion area. Klotz noted the findings of fact and DOT correspondence are in the file.

R3898A-16 – Lindsay Jilek/Franz & Vicki Weigand Property: Create a 1.33-ac building site from PIN 028-0513-0123-000 (39 Ac) in the Town of Sumner on **Schwemmer Rd.**

Lindsay Jilek, W8175 State Road 106, presented her petition. Also present was Randy Jilek. They want a 1.33 acre lot to build a home.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the committee. There was town response in the file in favor of the petition which was read into the record by Klotz.

Klotz gave staff report. He asked the petitioner about the location of the driveway. The petitioner explained. Klotz asked about the lot location. The petitioner stated it would be set back in the pines.

There was combined testimony on the following two petitions:

R3899A-16 – Leo & Lisa Kucek/Ardis Eilenfeldt Trust Property: Rezone 1.68 ac of PIN 002-0714-2032-000 (35.254 Ac) on **Harvey Rd** for a new residential building site in the Town of Aztalan.

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

R3900A-16 – Leo & Lisa Kucek/Debbie Reece Trust Property: Negate previous approvals for an A-2 zone (R3658A-13) and an A-3 zone (R3659A-13) on **Harvey Rd** in the Town of Aztalan on PIN 002-0714-2032-002 (1.735 Ac) to allow for new A-3 lot creation.

Leo Kucek, 1262 Fox Point Drive, Waukesha, presented the petition. He stated they want to relocate the building site to put the house on the least productive lands and rezone the previously approved A-2 and A-3 zones back to A-1.

Kathy Zimmerman, representing the Ardis Eilenfeldt Trust, was also in favor. There were no questions or comments in opposition of the petition. There were no questions or comments from the committee. There was a town response in the file approving the petition which was read into the record by Klotz.

Klotz gave staff report noting there was a detailed analysis of the site showing where it makes the most sense. The existing A-3 and A-2 lots are prime agricultural. The committee noticed a jog in the lot because of the terrible access, and the location of the new site.

The findings of fact are in the file. They will be rezoning the A-3 and A-2 lots back to A-1.

There was combined testimony on the following two petitions:

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

R3901A-16 – Joel Kleefisch/Donald & Bonnie Lott Property: Rezone to create a 1.5-ac A-2 zone adjacent to **N5983 Hillside Dr** in the Town of Concord from PIN 006-0716-1914-000 (93.4 Ac)

FROM A-1 TO A-3

R3902A-16 – Joel Kleefisch/Donald & Bonnie Lott Property: Rezone to create a 5-ac lot around the home at **N5983 Hillside Dr** and two, 3-ac building sites nearby from PIN 006-0716-1914-000 (93.4 Ac) in the Town of Concord.

Rebecca Kleefisch, Bonnie & Donald Lott were all present. Mr. Lott explained they want a five acre home site lot, and 2 vacant lots. The remaining ag land would be split into two 44-acre lots.

Nass questioned the petitioner on the request for an A-2 lot. Mr. Lott explained it would be for a storage building. Rebecca Kleefisch explained it was for bee distribution and further explained. Nass asked if this was for honey production. Rebecca Kleefisch stated it was just for bee distribution.

There were no questions or comments in favor or opposition of the petition. There were no further questions from the committee. There was a town response in the file from the town in favor of the petition which was read into the record by Klotz.

Klotz questioned the building the ag lot and the ag land being split into two lots. Mr. Lott stated the ag land is still used for ag and hunting land. Klotz explained the findings of fact were in the file.

FROM A-3 TO A-1

R3903A-16 – Jefferson County/Donald & Bonnie Lott Property: Rezone to negate a previous A-3 zone approval, R3664A-13, to allow request for creation of new building sites on PIN 006-0716-1914-000 (93.4 ac) on **Hillside Dr** in the Town of Concord.

Klotz explained this petition was needed to proceed with the new request (above). The petitioner was in favor. Klotz further explained why this process was needed.

There was combined testimony on the following three petitions:

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

R3904A-16 – John & Brenda Soden/Charles Soden Trust Property: Redefine the A-2 zone near **N1730 Kelln Ln** in the Town of Palmyra on PIN 024-0516-1033-000 (39 Ac).

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

R3905A-16 – John & Brenda Soden/Charles Soden Trust Property: Rezone to create a 1.4-ac lot around the home at **N1730 Kelln Ln** in the Town of Palmyra from PIN 024-0516-1033-000 (39 Ac).

FROM A-1 TO N, NATURAL RESOURCES

R3906A-16 – John & Brenda Soden/Charles Soden Trust Property: Create an 8.9-ac Natural Resource zone north of **N1730 Kelln Ln** from part of PIN 024-0516-1033-000 (39 Ac) in the Town of Palmyra.

John Soden, N1712 Kelln Ln., presented. He explained all three petitions. The A-2 zone was never surveyed, so they are just going to define that. They are also requesting to rezone around the existing house that's there, and are also asking for a Natural Resource Zone. Nass commented that it was all straight forward as they looked at it.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the committee. There was a town response in the file in favor of all three petitions which was read into the record by Klotz.

Klotz explained the A-2 zone was created by the previous owner, but no survey was ever done for the storage of contractor's equipment. Klotz asked the petitioner what their proposed use was. The petitioner stated the farmer is storing hay and unrelated items. Klotz asked if there was water or septic. The petitioner stated there as a wet well on the property, but it was not being used. Klotz asked the petitioner if this was for dead storage. The petitioner stated yes. Klotz asked the petitioner the age of the home. The petitioner stated that it was replaced because of fire in the 1990's.

Klotz asked the petitioner about the Natural Resources Zone, if it was a stand-alone, or would it be kept by 1 or the other lots. The petitioner stated that it would be kept with the other two properties. Klotz explained the requirements if sold separately. The petitioner stated there was a note on the survey.

There was combined testimony on the following two petitions:

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

R3907A-16 – Scott & Connie Vinz: Rezone to create a 2-ac lot around the buildings at **N8331 County Rd X** in the Town of Watertown from part of PIN 032-0815-2114-001 (24 Ac).

FROM A-1 TO N, NATURAL RESOURCES

R3908A-16 – Scott & Connie Vinz: Rezone to create a 2.6-ac Natural Resource zone near **N8331 County Rd X** from part of PIN 032-0815-2114-001 (24 Ac) in the Town of Watertown.

Scott and Connie Vinz N8331 County Road X, were present. They stated they want to rezone off the house and create a Natural Resources Zone.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the committee.

Klotz noted that we received correspondence from the City of Watertown airport indicating its restrictions and dedication. They are asking for a two acre around the existing home and creating a Natural Resources Zone to adjoin to it. Klotz asked the petitioner the age of the home. The petitioner stated that it was built in the 1950's-1960's. Klotz noted the findings of fact were in the file.

CONDITIONAL USE PERMIT APPLICATIONS

CU1878-16 – Stefanie Preisler & Andrew Idzikowski/Harvey & Sandy Mann Property:

Conditional use to continue a kennel operation after change in ownership for up to 40 dogs at **W3379 Ranch Rd** in the Town of Farmington, on PIN 008-0715-1011-001 (16.392 Ac). The property is zoned A-3, Agricultural/Rural Residential.

Stefanie Preisler, W3379 Ranch Road, presented the petition. Andrew Idzikowski was also present. They want to continue the kennel operation that was there for 22 years.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the committee. There was a town response in the file in favor of the petition which was read into the record by Klotz.

Klotz referenced the previously approved conditional use permit. That conditional use was issued to the owners of the property. Klotz asked the petitioner if they have seen the original conditional use approval and if they will follow the conditions. The petitioner stated yes that she had seen the conditional use approval and will follow the conditions, but they would have 10 less dogs and will be down to 40.

CU1879-16 – Daniel Rueth: Conditional use for a 2,400 sq foot extensive on-site storage structure, 27 feet in height at **W7510 Koshkonong Lake Rd** in the Town of Koshkonong on PIN 016-0513-2513-001 (10 Ac) in a Residential R-2 zone.

Daniel Rueth presented his petition. He stated he wants to get his truck and personal storage inside – all cold storage.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the committee. There was a town decision in the file in favor of the petition which was read into the record by Klotz.

Klotz asked the petitioner what would be stored in the shed. The petitioner stated it would one truck, trailers - all personal items. Klotz stated that when they were on-site inspections, there was a dump truck on the property, and asked the petitioner how often it was leaving the property because the access is terrible. The petitioner stated it was every day. Klotz asked if he had any plans to cut some of the bushes back. The petitioner stated that he would be cutting down all the trees. Klotz asked if the other driveway further west could be used. The petitioner stated that would not be a problem.

CU1880-16 – Shane Thekan: Conditional use to allow a home occupation for auto shop/garage facility at **W1165 Island Rd** in the Town of Palmyra on PIN 024-0516-1524-002 (1.158 Ac). The property is zoned A-3, Agricultural/Rural Residential.

Shane Thekan, W1165 Island Road, stated that he wants a garage/shop.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the committee. There was a town response in the file in favor of the petition which was read into the record by Klotz.

Klotz asked the petitioner if he planned on working out of the attached garage. The petitioner stated yes, until he could build the separate garage. Klotz explained that if he intended on using a detached garage, he should request that now so it can be considered now so he would not have to come back to hearing. If he knew the location and size of the detached garage, the petitioner should submit it before June 27th so it can be considered. Klotz asked the petitioner if he would use a separate building for his business, would there be water, a bathroom or sinks. The petitioner stated not at this time. Klotz asked the petitioner to explain what he does. The petitioner explained it was for general repair and further explained. Klotz asked if it would be one vehicle at a time. The petition stated yes, and it would be by appointment only. Klotz asked about outside storage. The petitioner stated everything would be inside.

CU1881-16 – Sharron & Lori Cretney: Conditional use to allow a commercial stable at which to hold clinics and riding lessons at **N2746 Hardscrabble Rd** in the Town of Sullivan on PINs 026-0616-3624-001 (20 Ac) and 026-0616-3623-001 (20 Ac). The property is zoned A-1, Exclusive Agricultural.

Lori Cretney, N2746 Hardscrabble Road, present the petition. She stated that would like to start having horse clinics and lessons.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the committee.

Klotz asked if they talked to the neighbors who share the driveway. The petitioner stated yes. She had a letter from the neighbor, and presented it for the file for committee review. Klotz asked the petitioner if there was a proposed bathroom. The petitioner stated they would have a porta potty by the barn. Klotz noted that if they proposed any kind of sign, they would need a permit and explained the restrictions. They may also need to trim some trees. Klotz asked what kind of horses they have. The petitioner stated Icelandic horses.

CU1882-16 – Michael Swenson: Conditional use to allow a 1,600 square foot, 18 foot high extensive on-site storage structure in a Residential R-2 zone at **N4762 Indian Point Rd** in the Town of Sullivan. The site is on PIN 026-0616-0114-001 (5.023 Ac).

Michael Swenson, N4762 Indian Point Road, presented his petition. He stated that he needed the building for all of his toys.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the committee.

The petitioner asked about rezoning from R-2 to A-3. Klotz explained the requirements and what that would allow.

Klotz asked the petitioner if this was for personal storage. The petitioner stated yes, there would be no habitable or business use.

Motion was made by Reese, seconded by, Jaeckel, motion carried 4-0 by voice vote to adjourn @ 7:58 p.m.

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

Secretary

Date