

MINUTES OF PUBLIC HEARING

JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE

Steve Nass, Chair; Greg David, Vice-Chair; Don Reese, Secretary; Amy Rinard; Jan Roou

- 1. Call to Order**
Meeting called to order by Steve Nass, Chair @ 7:00 p.m.
- 2. Roll Call**
Members present: Steve Nass, Greg David, Jan Roou, Amy Rinard, Don Reese
Staff present: Rob Klotz and Michelle Staff
- 3. Certification of Compliance With Open Meetings Law Requirements**
Don Reese acknowledged publication.
- 4. Review of Agenda**
Klotz stated that petitions 3519A-11 and CU1651-11 were published noting that the property was in the Town of Koshkonong and it was later corrected to the Town of Sumner. Klotz states that the first petitions, 3518A-11 and CU1650-11 have been withdrawn by the petitioner at this time.
- 5. Public Hearing**
Klotz read into record the following:

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, March 17, 2011, 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 zoning ordinance of Jefferson County and applications for conditional use permits. A map of the properties affected may be obtained from the Zoning Department. If you have questions regarding these matters, please contact Zoning at 920-674-7131.

FROM AGRICULTURAL A-1 TO A-2, AGRIBUSINESS

3518A-11 & CU1650-11 – Stefan Gieryn: Rezone approximately 1.49 acres of PIN 016-0514-3433-001 (30 Acres) with conditional use to allow for wine making, tasting and sales of wine and complimentary food items at **N138 McMillen Rd.** in the Town of Koshkonong.

Withdrawn by Petitioner

3519A-11 & CU1651-11 – Bryon & Kathy Vogel: Rezone the entire parcel with conditional use for a dog day care/kennel operation at **N2455 Kunz Road** in the Town of Sumner. The site is on PIN 028-0513-0111-001 (3.3 Acres).

Petitioner Comments:

Kathy Vogel, N2455 Kunz Road: Is asking to have a doggie daycare with boarding on her property. She stated she would have a maximum of 15 dogs with 6 of them being boarded at any time. Vogel stated she talked to all her neighbors and all were in favor of her business.

Favor:

None

Opposed:

None

Town:

Approval from the Town in file.

Committee:

Roou: How many dogs are you going to have?

Staff Report: Staff report given by Rob Klotz. Klotz related that the purpose of the rezoning is to permit the petitioner to have a commercial kennel on this property.

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

3520A-11 – D & B Mueller Trust: Rezone to create an approximate 2-acre building site on Knoll Drive in the Town of Concord from part of PIN 006-0716-3522-001 (31.322 Acres).

Petitioner Comments:

Beverly Mueller, N5516 Knoll Drive: They would like to create a two acre building site. It is located along the cul-de-sac and clustered with the other homes.

Favor:

Catherine Powers, 611 Robert St. Fort Atkinson, WI: Is in favor of the petition.
David Mueller: He is part owner of the property and this is for his daughter.

Opposed:

None

Town:

Approval is in the file

Committee:

None

Staff Report: Staff report given by Rob Klotz.

FROM COMMUNITY TO A-3, RURAL RESIDENTIAL

3521A-11 – Robert J Hamer: Rezone PIN 012-0816-1931-020 (1.769 Acres) near **N8206 CTH E** in the Town of Ixonia to allow its combination with adjoining A-3 zoned property under the same ownership, resulting in one 5.289-acre A-3 zoned lot.

Petitioner Comments:

Robert Hamer, N8206 CTH E: He wishes to take the smaller lot, join it with larger lot to zone to A-3 and then build a building to house his animals. He understands that he would not be able to split the lot after they are combined. The petitioner stated he wants to house 30 alpaca and 30 chickens.

Favor:

None

Opposed:

None

Town:

Approval in file

Committee:

None

Staff Report: Staff report given by Rob Klotz. Klotz explains that he would not be able to split the lot after it was combined. Klotz asked how many animals the petitioner intends to have.

CONDITIONAL USE PERMIT APPLICATIONS

CU1652-11 – Richard Bouziane/Ruth Bouziane Trust Property: Conditional use to allow multiple dwelling unit structures in an R-2 zone at **N563, N581 and N587 Cowpath Lane**, Town of Koshkonong on PINs 016-0513-2644-002 (0.57 Acre) and 016-0513-2644-003 (1.88 Acres) in an R-2 Residential zone.

Petitioner Comments:

Richard Bouziane, Trustee of the Ruth Bouziane Trust, 1150 Richard St. Janesville, WI.: Currently, he has two parcels with three cottages. He would like to rebuild one cottage out of the floodplain. In addition he would like to take one of the cottages and have two units, with an upstairs and a downstairs. Finally, his goal is to condo off the cottages.

At this time, he doesn't have a timeline for these projects. Bouziane does not know if he will be keeping these cottages or selling them off. Bouziane explains that he can't parcel them off because of the private road issue. He also explains that many cottages in the area are year-round at this time.

Bouziane's response about the concern with him going down Cowpath Lane vs. Haight Road is that it is closer to get to the cottages from Cowpath Lane. Bouziane explained that he is only required to maintain the easement in front of his cottages, plus he is to maintain an easement that goes over his property to a couple of cottages to the south of him. Bouziane stated that his family has owned this property since 1957 and he has always used Cowpath Lane.

Bouziane appreciated to hear from the neighbors because he heard that they would like the old cottage to be rebuilt and they are concerned about the traffic.

Bouziane stated that the camper was not permanent.

Favor:

Curtis Abendroth, 1000 N Main St. Fort Atkinson: Abendroth has a cottage north of Bouziane's. He is in favor of him tearing down the old cottage but would like it to be rebuilt fast. In addition, he did have some concern about the heavy equipment going over the private road.

Opposed:

Stephanie Mathews, 320 Jefferson Ave. Janesville, WI: Mathews asked if the cottage can be sold. She had concerns about the road because it is a private road, it isn't always plowed in the winter; she also has concerns on the number of piers along the water.

Jeffrey Sharbaugh, N641 Cowpath Ln.: He asked if the cottages will be rented out or will be single-family residences.

Kathleen Morgan, N607 Cowpath Ln.: Objects due to the fact that this is Haight Road and not Cowpath Lane. Objects to the 4 units and the increase in usage of the road with the additional traffic. They maintain the road in front of their cottage and they do not want to see increased usage.

Scott Johnson, 677 Cowpath Ln, Fort Atkinson: Johnson does not object to the new cottage. His concern is about all the traffic going down Haight Road and Cowpath Lane.

Town:

John Debereiner, Town Board Supervisor for Koshkonong: Town Board and Plan Commission approved this proposal. Debereiner stated that the Town did not receive any negative comments from either the Town Board or Plan Commission meeting.

Committee:

Roou: She asked the petitioner if the camper was permanent.

Reese: Reese related that when the Committee was on site inspections, they had to turn around because the garbage truck came down the road. He stated that trucks create a lot of damage on those roads.

Staff Report: Staff report given by Rob Klotz. Klotz explained the situation between single ownership of the cottages vs. condos. Explained about the cottage in disrepair and explained that without the approval, the multifamily could not be rebuilt. Klotz recommended that Bouziane obtain a copy of the road maintenance easement. Klotz read a letter into the record from Joe Tate. Klotz explained that the file has the plans for parking, the units' configuration, etc.

CU1653-11 – Jeffrey R Schemm: Conditional use to sanction greater shoreland cutting on PIN 016-0514-2114-000 (40.077 Acres) than is allowed by Section 11.10(e)(2) of the Jefferson County Zoning Ordinance. The site is near **W6184 Star School Road** in the Town of Koshkonong in an A-1 Agricultural zone.

Petitioner Comments:

Jeffery Schemm, 629 Lexington Ave. Fort Atkinson: Schemm would like to replant with tamaracks and wild prairie flowers the area of disturbance along the creek. He explained that he dumped wood chips along the creek and has been dumping them for some time. Schemm stated he doesn't want people on his property in the future. Schemm does not want to work with the Planning and Zoning Committee on the species that will be planted. Schemm stated that shrubs will come up on their own.

Favor:

Kim Karow, W6116 Star School Rd. Fort Atkinson, WI: She would like to approve it but has some reservations. Karow reviewed the plan and understands that wildflower prairie would be along the shore and the shrubs and trees were planted away from the waterway. She stated that white spruce are not native to the Allen Creek Watershed and are more suited for northern Wisconsin. Allen Creek is an exceptional waterway and the DNR just purchased a natural area adjacent to Schemm's property. There are a lot of rare species in the area, and tamarack and white spruce species are not good species to plant for the rare animal species in this area. The wet meadow seed mix is great for this area. Native species from this area would be better, and a re-arrangement of the species would be better with more desirable trees such as swamp white oak and hackberry. Shaded forest area would not be very good for this area.

Walt Christensen, W707 Pond Road, Fort Atkinson, WI: Christensen is County Board Supervisor for District 25. He is in favor of the petition, but with some concerns on the restoration plan. Christensen stated that this situation was to correct the dumping of the commercial waste from Schemm's business operation. He has questions and concerns about the follow-up on this property to see if this restoration is successful and properly maintained over the years.

Opposed:

None

Town:

John Debereiner was present but did not speak. Approval from the Town in the file.

Committee:

Greg: Would you be willing to work with the Committee on the type of species to plant along the river corridor?

Staff Report: Staff report given by Rob Klotz. Klotz stated the air photos were in the file from 1996 through 2005 and they show the filling started around 2000.

ZONING ORDINANCE TEXT AMENDMENT

R3522T-11 – Jefferson County: *Add* in Sec. 11.02 DEFINITIONS, Animal Unit: The equivalent of (1) cow, four (4) hogs, ten (10) sheep, ten (10) goats, one hundred (100) *rabbits* or poultry, one (1) horse, pony or mule...

Klotz explained the history of the petition. The majority of the towns were in favor of it.

Roou stated that the Town of Sullivan approved it. .

6. Adjourn

Motion made by Reese, seconded by Roou, motion carried on a voice vote to adjourn @8:00 pm.

Don Reese, Secretary .