

**MINUTES 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: July 18, 2013

TIME: 7:00 p.m.

PLACE: Room 205, Jefferson County Courthouse, 320 S. Main St., Jefferson, WI

1. Call to Order

The meeting was called to order by Chairperson Nass at 7:03 pm.

2. Roll Call

All members were present.

3. Certification of Compliance With Open Meetings Law Requirements

Klotz and Reese verified that the meeting was being held in compliance with the open meeting law.

4. Review of Agenda

No changes to the agenda were proposed.

5. Explanation of Process by Committee Chair

Nass explained the public hearing process to the audience.

6. Public Hearing

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, July 18, 2013, 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. 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 RESIDENTIAL R-2 TO A-3, AGRICULTURAL/RURAL RESIDENTIAL

R3646A-13 & CU1738-13 – Greg Roben: Rezone all of PINs 006-0716-1543-012 (1.607 Acres) and 006-0716-1543-008 (2.449 Acres) with conditional use to allow for a home occupation with storage of a semi-tractor/trailer. The site is at **N6121 Country View Lane** in the Town of Concord.

Petitioner: Greg Roben, N6121 Country View Lane – Roben would like to construct a storage shed for his semi-trailer truck and other residential storage. He would like a 42' x 82' but may go slightly smaller. Roben is an over-the-road trucker and he would also be doing maintenance of this truck in the building. The petitioner has stated there is no water service.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Lloyd Zastrow, Town Board Supervisor stated that the Town of Concord has approved this petition.

Staff Report: Staff report given by Robert Klotz and now on file in the zoning department. Klotz explained that the type of use proposed would not be permitted in an R-2 zone and that is the reason for the request to change the zoning. Klotz asked if there would be any water service. Klotz asked his type of business.

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

R3658A-13, R3659A-13 & CU1742-13 – Debbie Reece/Ardis Eilenfeldt Trust

Property: Rezone to create a 0.75-acre A-2 zone with conditional use allowing a dog kennel for up to 30 dogs. Rezone a 1-acre A-3 building site adjacent to it. The site is on PIN 002-0714-2032-000 (37 Acres) on **Harvey Road** in the Town of Aztalan.

Petitioner: Debbie Reece, 2503 310th St, Keokuk Iowa - Reece would like to relocate to Wisconsin and continue to operate a kennel as she has in Iowa. She had stated that all of the breeds of dogs being bred are smaller dogs such as yorkie, etc. The petitioner explained that she will be constructing a building with septic system, in-floor heating, office, etc., and that the kennel will be her livelihood.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Gene Olson, Town Board Chair was present and stated the Town of Aztalan approved the petition but required her to follow Chapter 90 of the State Statutes.

Staff Report: Staff report given by Robert Klotz and now on file in the zoning department. Klotz stated the kennel approval would be for 30 dogs.

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

R3660A-13 – Gregg Heideman/Roger & Patsy Heideman Property: Rezone to create a 1.5-acre rural residential building site on **STH 89** from part of PIN 002-0714-3144-000 (32.803 Acres) in the Town of Aztalan.

Petitioner: Gregg Heideman, N5008 STH 89 – He stated he would like to build a new residence on this property that he is buying from his mother and father. Heidemann stated that he has farm buildings in back which he uses for his farming operation.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: Gene Olson, Town of Aztalan Chair stated the Town approved this petition.

Town Response: Klotz read town response into the record and is in the file.

Staff Report: Staff report given by Robert Klotz and now on file in the zoning department. Klotz stated they are proposing to share the drive with the remainder of the A-1 lands and the driveway will be relocated.

R3661A-13 – Brian Statz: Create a 1.7-acre vacant lot and a 5-acre lot around the home at **N7119 Hillside Drive** in the Town of Concord, part of PIN 006-0716-0523-000 (48.54 Acres).

Petitioner was not present. Petitioner needs to reapply.

R3662A-13 – Jeff Lukas: Create a 1.6-acre building site near **N3190 Sugarbush Lane** in the Town of Hebron, on PIN 010-0615-2614-000 (39.67 Acres).

Petitioner: Jeff Lukas, N3190 Sugarbush Lane -- Lukas would like to remove an acre and a half to build a new house. Klotz asked the petitioner if there was a building close to the road and lot line. Lukas stated there is an old corn crib by the road and it is a temporary structure. Klotz commented that the corn crib would need to meet the 20 feet setback from the new lot lines. Lukas stated the majority of the area is cropped.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Klotz read town response into the record and is in the file.

Staff Report: Staff report given by Robert Klotz and now on file in the zoning department

R3663A-13 – Frederick Uttech: Rezone 5 acres around the home at **W2973 CTH CW** in the Town of Watertown, from part of PIN 032-0815-0211-000 (58.4 Acres)

Petitioner: Frederick Uttech, W2973 CTH CW – Uttech would like to split off the existing farmhouse from the larger acreage for refinancing. Uttech stated that the land is currently not being farmed. Uttech stated there used to be an upper flat but have taken out the kitchen. He stated that all buildings will be 20 feet from the new lot line.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Klotz read town response into the record and is in the file.

Staff Report: Staff report given by Robert Klotz and now on file in the zoning department.

CONDITIONAL USE PERMIT APPLICATIONS

CU1744-13 – Adrian & Cindy Sue Cornelius/Franklin & Betty Brightsman

Property: Conditional use to be allowed up to four dogs in a Residential R-2 zone at **W7088 Lee Street**, Town of Aztalan, on PIN 002-0714-1812-034 (0.464 Acre).

Petitioner: William Hutson, W7081 Lee St. Lake Mills - Hutson is a neighbor of the property and is representing the owners due to the fact they could not be here tonight. The owners took ill and their daughter moved in with them. The daughter had 3 dogs and the owners had one dog. These are all household pets. When they went to license the dogs with the Town of Aztalan they were informed they needed a conditional use. They do not plan to have any fencing and the dogs are small dogs.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Gene Olson, Town of Aztalan Chair stated that the Town approved but did have additional conditions such as once the dogs passed on, they could not be replaced.

Staff Report: Staff report given by Robert Klotz and now on file in the zoning department.

CU1745-13 – Greg & Erin Paasch: Conditional use to allow farm-type animals in a Community zone at **N4760 North Helenville Road** in the Town of Jefferson on PIN 014-0615-0215-0222-008 (2.25 Acres).

Petitioner: Greg Paasch, N4760 North Helenville Road – Paasch listed the type and number of animals that he would like to have on the property. This list is also in the file for review. He stated he would like a small hobby farm with some animals. In response to the neighbors' concerns, Paasch stated he will be composting the manure, smell should not be an issue and the manure will be more than 100 feet away from the wells. Paasch stated his property is next to a farm field. The animal feed would be stored inside, in plastic bids so no rodents can get into them. Paasch stated he currently has the 5 chickens that are allowed and has had no problems.

In response to Klotz's question on confinement of the animals, Paasch stated the birds will be in nesting areas and can be easily cleaned. He stated that the pigs will be in a small area with straw on the ground. The goats are planned for a 10 x 10 structure with a cement floor. Paasch stated he would rotate the animals.

Comments in Favor: None

Comments Opposed: Harold Acker, N4714 N Helenville Rd. – Acker is a neighbor of the Paaschs and had concerns about animal wastes, the smell, rodents, storage of feed and had concerns about the marsh behind the property with ditch.

Questions from the Committee: None

Town Response: Klotz read town response into the record and is in the file.

Staff Report: Staff report given by Robert Klotz and now on file in the zoning department. Klotz asked the petitioner how would be confining the animals. Klotz explained to the petitioner that he only can have two detached accessory structures and the petitioner will need to redesign site plan to show only two accessory structures.

CU1746-13 – D L Shoot LLC: Conditional use to allow camping on part of PINs 020-0814-2622-000 (28.284 Acres), 020-0814-2332-000 (40 Acres), 020-0814-2333-000 (40

Acres) and 020-0814-2244-000 (40 Acres). The sites are in an A-1, Exclusive Agricultural zone near **W5670 French Road** in the Town of Milford.

Petitioner: Lloyd Marks, 1261 Yumcemt Road, Oconomowoc - Marks stated that the hunt club would like to have area for camping on the property for special events. He stated it would be 6 events for 3 nights each. He stated that they do get licensed from the Jefferson County Health Department and the Health Department inspects the property with each event. They would like to have at least 250 camp sites available for each event. Marks stated it would be approximately a total of 34 acres and stated these sites will not have permanent structure on them. There would be camping along French Road and in the field by the restaurant.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: Rinard asked how many camp sites were they proposing? Reese asked if the camping would be along French Road?

Town Response: Klotz read town response into the record and is in the file.

Staff Report: Staff report given by Robert Klotz and now on file in the zoning department.

CU1747-13 – Shane Benning: Conditional use to allow a home occupation for furniture repair and restoration at **N8959 Island Church Road** in the Town of Waterloo on PIN 030-0813-1134-002 (12.264 Acres). The property is zoned A-3, Agricultural/Rural Residential.

Petitioner: Shane Benning, N8959 Island Church Road - He would like a 45' x 42' steel shed. He would divide the shed between his personal storage and his future repair and restoration business. He did state that he may have a bathroom in the future. Klotz explained the process if the petitioner chooses to add a bathroom to the building. The petitioner stated that there are no outside employees and indicated he would have normal business hours.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Klotz read town response into the record and is in the file.

Staff Report: Staff report given by Robert Klotz and now on file in the zoning department.

6. Adjourn

Motion by Reese, seconded by Jaeckel to adjourn the public hearing at 7:47 pm. The motion passed with no objection.

Don Reese, Chairman

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.