

**AGENDA**  
**JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE**  
**DECISION MEETING**

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

**ROOM 203, COUNTY COURTHOUSE**  
**311 S. CENTER AVE., JEFFERSON, WI 53549**  
**8:00 A.M. ON MONDAY, NOVEMBER 25, 2013**

- 1. Call to Order**
- 2. Roll Call**
- 3. Certification of Compliance with Open Meetings Law Requirements**
- 4. Review of Agenda**
- 5. Public Comment (Not to Exceed 15 Minutes and Not to Include Petitions Slated for Decision)**
- 6. Communications**
  - a. Draft resolution from La Crosse County in opposition to SB-349 limiting local control regarding non-metallic mining, air and water quality, and highway damage and use contracts
- 7. Approval of October 28, November 18 and November 21 Meeting Minutes**
- 8. Monthly Financial Report for Land Information Office – Andy Erdman**
- 9. Monthly Financial Report for Zoning – Rob Klotz**
- 10. Discussion of and Possible Decision on Proposed Ordinance Changes Regarding Kennels; With Minimal Towns Responding, No Change is Recommended**
- 11. Discussion of and Possible Decision on Revocation of Conditional Use Text Amendment**
- 12. Discussion of and Possible Decision on Mobile Tower Citing Ordinance Adoption Text Amendment Under 66.0404 Wis. Stats.**
- 13. Discussion of and Possible Decision on Non-Conforming Ordinance Text Amendment**
- 14. Discussion of and Possible Decision on Ordinance Text Amendment Regarding Adaptive Reuse of Barns**
- 15. Request By Jim and Ann Toubier to Reconsider Conditions of Postponement for Zoning Amendment R3674A-13, Town of Watertown**

- 16. Decisions on Petitions Presented in Public Hearing on November 18, 2013:**  
R3678A-13, R3679A-13 & CU1761-13 – Dennis Kutz, Town of Koshkonong  
R3680A-13 – Gregg Heideman, Town of Aztalan  
R3681A-13 – Tom & Lisa Marks, Town of Ixonia  
R3682A-13 – Ron Marsh, Town of Palmyra  
R3683A-13 – Brad Walter/Michael & Sarah Walter Trust Property, Town of Watertown  
R3684A-13 & R3685A-13 – Nancy Hohensee, Town of Watertown  
R3686 & R3687A-13 – Mary Horack, Town of Watertown  
R3688A-13 & R3689A-13 – Nancy Jorgensen, Town of Aztalan  
CU1762-13 – Denise Rothschadl, Town of Ixonia  
CU1763-13 - K Ted Hartwig, Helen Spaeth & Barbara Mandleco, Town of Oakland
- 17. Future Agenda Items**
- 18. Upcoming Meeting Dates**  
December 16, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203  
December 19, 7:00 p.m. – Public Hearing in Courthouse Room 205  
December 30, 8:30 a.m. – Decision Meeting in Courthouse Room 203  
January 13, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203  
January 16, 7:00 p.m. – Public Hearing in Courthouse Room 205  
January 27, 8:30 a.m. – Decision Meeting in Courthouse Room 203
- 19. 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](http://www.jeffersoncountywi.gov).**

**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.*

## Rob Klotz

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**From:** Gerald Kokkonen  
**Sent:** Thursday, October 24, 2013 9:45 AM  
**To:** Rob Klotz  
**Cc:** Michelle Staff  
**Subject:** FW: [County Cons] LaCrosse County resolution on Senate Bill 349 (Regulatory Certainty Act)  
**Attachments:** LaX resolution.pdf

Here you are Mr. Klotz.

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**From:** Mark Watkins  
**Sent:** Thursday, October 24, 2013 8:54 AM  
**To:** Gerald Kokkonen  
**Subject:** FW: [County Cons] LaCrosse County resolution on Senate Bill 349 (Regulatory Certainty Act)

Did you get this ?

*Mark Watkins*  
*Director Jefferson County Land & Water Conservation*  
*Phone # 920-674-7111*  
*Fax # 920-674-7114*  
*E-mail - [markw@jeffersoncountywi.gov](mailto:markw@jeffersoncountywi.gov)*

**From:** Jim VandenBrook [<mailto:jim@wlwca.org>]  
**Sent:** Wednesday, October 23, 2013 9:59 PM  
**To:** County Conservationists; [buzze@mediacombb.net](mailto:buzze@mediacombb.net); [catherinewagner@co.manitowoc.wi.us](mailto:catherinewagner@co.manitowoc.wi.us); [dhaessig@co.washburn.wi.us](mailto:dhaessig@co.washburn.wi.us); [district12@co.saint-croix.wi.us](mailto:district12@co.saint-croix.wi.us); [district19@co.door.wi.us](mailto:district19@co.door.wi.us); [district5@me.com](mailto:district5@me.com); [dkilkenny@co.walworth.wi.us](mailto:dkilkenny@co.walworth.wi.us); [dnjhae@centurytel.net](mailto:dnjhae@centurytel.net); [downhome@tds.net](mailto:downhome@tds.net); [downing@countyofdane.com](mailto:downing@countyofdane.com); [duwfed@frontiernet.net](mailto:duwfed@frontiernet.net); [henkelfm@wctc.net](mailto:henkelfm@wctc.net); [homecourt1@hotmail.com](mailto:homecourt1@hotmail.com); [jada1313@pctcnet.net](mailto:jada1313@pctcnet.net); [james.bassett@sawyercountygov.org](mailto:james.bassett@sawyercountygov.org); [jim.kiser@fdlco.wi.gov](mailto:jim.kiser@fdlco.wi.gov); [joemplouff@wwt.net](mailto:joemplouff@wwt.net); [john.stevenson@co.columbia.wi.us](mailto:john.stevenson@co.columbia.wi.us); [kay.johnson@douglascountywi.org](mailto:kay.johnson@douglascountywi.org); [kjardine@bayfieldcounty.org](mailto:kjardine@bayfieldcounty.org); [kjohansen@hotmail.com](mailto:kjohansen@hotmail.com); [learyrj@uwec.edu](mailto:learyrj@uwec.edu); [lehman@mwt.net](mailto:lehman@mwt.net); [lukegerald@yahoo.com](mailto:lukegerald@yahoo.com); [lynne.debruin@milwcnty.com](mailto:lynne.debruin@milwcnty.com); [M.Gleason@goracine.org](mailto:M.Gleason@goracine.org); [mgoettl@co.chippewa.wi.us](mailto:mgoettl@co.chippewa.wi.us); [michael.miller@co.washington.wi.us](mailto:michael.miller@co.washington.wi.us); [mogea@charter.net](mailto:mogea@charter.net); [nolson@brodnet.com](mailto:nolson@brodnet.com); [pmarchese1@wi.rr.com](mailto:pmarchese1@wi.rr.com); [rjweiss@nelson-tel.net](mailto:rjweiss@nelson-tel.net); [ron.johnson@kenoshacounty.org](mailto:ron.johnson@kenoshacounty.org); [serenity2@brucetel.net](mailto:serenity2@brucetel.net); [solin@co.langlade.wi.us](mailto:solin@co.langlade.wi.us); [Stillman.Duaine@co.calumet.wi.us](mailto:Stillman.Duaine@co.calumet.wi.us); [tcbice@hotmail.com](mailto:tcbice@hotmail.com); Walt Christensen; [WILLB@MWT.NET](mailto:WILLB@MWT.NET); Connie Seefeldt; Dale Olson ([conservation@sawyercountygov.org](mailto:conservation@sawyercountygov.org)); Ed Wenger; [joepiechowski@centurytel.net](mailto:joepiechowski@centurytel.net); Marilyn Pedretti; [steve.oberle@co.taylor.wi.us](mailto:steve.oberle@co.taylor.wi.us); [tdrudolph@charter.net](mailto:tdrudolph@charter.net); Legislative/Administrative Committee  
**Subject:** [County Cons] LaCrosse County resolution on Senate Bill 349 (Regulatory Certainty Act)

There will be a hearing on Thursday at 10:30 am on SB 349. LaCrosse County drafted the attached resolution which you may find useful.

Jim

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Jim VandenBrook, Executive Director

Wisconsin Land and Water Conservation Association, Inc.


702 E. Johnson St.  
Madison, WI 53703

608-441-2677

[jim@wlwca.org](mailto:jim@wlwca.org)

[www.wlwca.org](http://www.wlwca.org)

To unsubscribe from this group and stop receiving emails from it, send an email to [countycons+unsubscribe@wlwca.org](mailto:countycons+unsubscribe@wlwca.org).

<b>RESOLUTION # _____</b>  <b>TO: HONORABLE MEMBERS OF THE LA CROSSE COUNTY BOARD OF SUPERVISORS</b>	 <b>ION</b> Against: _____ Abstain: _____ Abs/Excd: _____ Vote Req: _____ Other Action: _____	<b><u>PUBLIC WORKS &amp; INFRASTRUCTURE COMMITTEE ACTION</u></b> Adopted: _____ For: _____ Against: _____ Abstain: _____ Abs/Excd: _____	<b><u>HEALTH &amp; HUMAN SERVICES BOARD ACTION</u></b> Adopted: _____ For: _____ Against: _____ Abstain: _____ Abs/Excd: _____
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**RE: OPPOSITION TO SB-349 LIMITING LOCAL CONTROL REGARDING NONMETALLIC MINING, AIR AND WATER QUALITY, AND HIGHWAY DAMAGE AND USE CONTRACTS**

**WHEREAS**, the expansion of industrial sand mining and processing in western Wisconsin raises significant local public health, economic, environmental, and quality of life issues; and,

**WHEREAS**, SB-349 has been introduced in the Wisconsin legislative to restrict local governmental authority to regulate nonmetallic mining and to limit certain governmental powers; and,

**WHEREAS**, this Bill prohibits local governmental units from imposing restrictions related to water or air quality and water quantity; requiring monitoring of water or air quality and water quantity; establishing or enforcing a standard of air or water quality; or issuing permits related to water or air quality and water quantity; and,

**WHEREAS**, the Bill removes the power of a county to administer an air pollution control program with requirements that are consistent with or stricter than those in relevant state law; and,

**WHEREAS**, the Bill prohibits a county from enacting or enforcing a nonmetallic mining reclamation ordinance that requires an operator to obtain a permit other than a reclamation permit, includes a standard of air or water quality, or is more restrictive than Wisconsin DNR standards; and,

**WHEREAS**, this Bill prohibits counties from imposing any fee or other charge on a highway user for damage to highways caused by the highway user unless the county has entered into a contract with a highway user to reimburse the municipality or county for the cost of repairs to a highway that meets certain specific requirements, including a requirement that the proportion of damages caused specifically by the highway user must be determined by an engineer selected by the user and the county and paid equally by the user and county; and,

**WHEREAS**, the health, safety, economic, environmental, and quality of life impacts of these operations are primarily issues of local concern.

**NOW THEREFORE BE IT RESOLVED** that the La Crosse County Board does hereby support local control of nonmetallic mining, and opposes SB-349 and any state legislation that would preempt the ability of towns and counties to craft their own regulations tailored to their individual circumstances.

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to Governor Walker, Senator Shilling, Representatives Doyle and Billings, Wisconsin DNR Secretary Stepp, and the Wisconsin Counties Association.

**FISCAL NOTE:** No cost to the County of La Crosse

**RE: OPPOSITION TO ACT LIMITING LOCAL CONTROL REGARDING NONMETALLIC MINING,  
AIR AND WATER QUALITY, AND HIGHWAY DAMAGE AND USE CONTRACTS**

**Page 2**

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**PUBLIC WORKS & INFRASTRUCTURE  
COMMITTEE CHAIR**

**HEALTH & HUMAN SERVICES BOARD CHAIR**

**RECORDING CLERK**

**RECORDING CLERK**

	Reviewed Only	Recommended	Not Recommended	
Co. Admin.	_____	_____	_____	Requested By: Doug Mormann
Fin. Director	_____	_____	_____	Date Requested: October 22, 2013
Corp. Counsel	_____	_____	_____	Drafted By: Corporation Counsel
Board Chair	_____	_____	_____	

Adopted by the La Crosse County Board this \_\_\_\_\_ Day of \_\_\_\_\_, 2013

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

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

**ROOM 203, COUNTY COURTHOUSE  
311 S. CENTER AVE., JEFFERSON, WI 53549  
8:30 A.M. ON MONDAY, OCTOBER 28, 2013**

- 1. Call to Order**  
The meeting was called to order by Chairman Nass at 8:30 a.m.
- 2. Roll Call**  
All Committee members were present, as were John Molinaro, County Board Chair; Ben Wehmeier, County Administrator; Phil Ristow, Corporation Counsel; Mark Watkins, Director of Land and Water Conservation Department; Janet Sayre Hoeft and Don Carroll of the Zoning Board of Adjustment; Patricia Cicero and Joe Strupp from the Land and Water Conservation Department and Rob Klotz and Deb Magritz of the Zoning Department.
- 3. Certification of Compliance with Open Meetings Law Requirements**  
Reese verified that the meeting was being held in compliance with open meetings law requirements.
- 4. Review of Agenda**  
No changes were proposed to the agenda.
- 5. Public Comment (Not to Exceed 15 Minutes and Not to Include Petitions Slated for Decision)**  
There was no public comment.
- 6. Communications**  
There were no communications
- 7. Approval of September 30, October 14 and October 17, 2013 Meeting Minutes**  
Motion Reese, seconded by Jaeckel to approve the September 30 minutes as presented. Motion carried on a voice vote with no objection. Motion by Reese, seconded by Jaeckel to approve the October 14 minutes as presented. Motion carried on a voice vote with no objection. Motion by Reese, seconded by Jaeckel to approve the October 17 minutes as presented. Motion carried on a voice vote with no objection.

Michelle Staff of the Zoning Department was now present.

- 8. Update and Review of Hoard's Dairyman Farm Manure Storage Structure as it Relates to CU1438-06 with Phil Ristow, Corporation Counsel and Mark Watkins, Land and Water Conservation Department Director**  
A roll call vote was taken, with David, Rinard, Jaeckel, Nass and Reese present. Also present and signifying so were Steve Larson of W D Hoard's; Lee Elver of Resource Engineering; Ristow, Watkins and Klotz. Ristow explained the situation to date and

posed the question, where does this go next? Watkins noted that he had met with Hoard's reps the previous week and suggested emptying the basin to conduct a "dead test." There were questions from the Committee. Larson responded that he thinks what he's heard is a fair assessment, and also wants to get the issue resolved. Hoard's plan is to draw down the pit now as much as is possible, and will continue to do so in the spring. He noted that winter readings have traditionally been lower. Motion by Jaeckel, seconded by Reese to work with Watkins' plan and to get this done sooner rather than later, working into spring 2014 if necessary. David asked for a more exact date; Larson suggested July 1, 2014, to which Watkins added his agreement. Nass offered a friendly amendment to the previous motion which would require initiation of a dead test not later than July 1, 2014. He also noted that he would like this matter brought back to the Committee for periodic updates. Watkins will write this into a plan which he will bring back to the Committee. There was a roll call vote for both the first motion and the amendment, with David, Rinard, Jaeckel, Nass and Reese all voting aye.

**9. Discussion with the Zoning Board of Adjustment and Possible Action on Act 170 Ordinance Change to Sec. 11.09 of the Jefferson County Zoning Ordinance**

Klotz explained this item, and laid out options for future consideration. He noted that these options do not apply in the floodplain. Motion by Nass, seconded by Jaeckel to allow no additions in the road right-of-way, but to allow, using an 11-member system, a 50% member alteration for existing structures and a 50% ground footprint. Motion carried on a voice vote with no objection. It was reiterated that there would be no additions in the road right-of-way.

**10. Monthly Financial Report for Zoning – Rob Klotz**

Klotz showed his report digitally, and noted that revenues were up \$5,000 this month from the same period last year.

**11. Monthly Financial Report for Land Information Office – Andy Erdman**

Erdman showed figures as of the end of September. His revenues are currently at 71% or 72%, and ordinarily one would expect them to be at approximately 75% at this time of year. The surveyor's budget is still short on revenues, mainly due to weather.

**12. Preview of the New GIS Interface Developed for Public and County Staff – Andy Erdman**

Erdman demonstrated facets of the new GIS, created by Symbiont.

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

**13. Decisions on Petitions Presented in Public Hearing on October 17, 2013:**

Action moved at this point to CU1757-13 for Troy N Schlender, Town of Milford. A roll call was taken with David, Rinard, Jaeckel, Nass, Reese, Klotz, Cicero and Strupp verifying attendance. Motion by Reese, seconded by Jaeckel to approve the conditional use with conditions. The motion was **approved** on a roll call vote with David, Rinard, Jaeckel, Nass and Reese all voting aye.

Next up for consideration was petition CU1759-13 for Dustin Wilke/Wilkes LLC Property, Town of Waterloo. A roll call vote was taken, with David, Rinard, Jaeckel, Nass, Reese, Klotz, Strupp and Cicero signifying attendance. Motion by Reese,



seconded by David to approve the conditional use with conditions. The motion was **approved** on a roll call vote with David, Rinard, Jaeckel, Nass and Reese all voting aye.

**APPROVED WITH CONDITIONS R3667A-13** on a motion by Reese, seconded by Jaeckel & **APPROVED WITH CONDITIONS CU1753-13** – Luke Purucker, Town of Koshkonong on a motion by Jaeckel, seconded by Reese. Both motions carried on voice votes with no objection.

**APPROVED WITH CONDITIONS R3668A-13 & CU1754-13**, both on motions by Reese, seconded by Rinard – Mark & Ron Ebert, Ronald Ebert Property, Town of Ixonia. Both motions carried on voice votes with no objection.

**APPROVED WITH CONDITIONS R3669A-13** on a motion by Jaeckel, seconded by David & **POSTPONED ACTION ON CU1755-13** on a motion by Reese, seconded by Rinard – Steven M Cline/Combined Enterprises LLC c/o Jellystone Park, Town of Koshkonong. Both motions carried on voice votes with no objection.

Rinard left the meeting.

**APPROVED WITH CONDITIONS R3670A-13** – Greg Mode, Town of Oakland on a motion by David, seconded by Reese. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS R3671A-13** – John Burton, Town of Palmyra on a motion by Reese, seconded by Jaeckel. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS R3672A-13** – Barry Pechous, Town of Palmyra on a motion by Reese, seconded by Jaeckel. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS R3673A-13** – Marcus Tincher, Town of Palmyra on a motion by Reese, seconded by Jaeckel. Motion carried on a voice vote with no objection.

**POSTPONED ACTION ON R3674A-13** – Jim Tourbier, Town of Watertown on a motion by Nass, seconded by Jaeckel. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS R3675A-13 & R3676A-13**, both on motions by Reese, seconded by Jaeckel– Joe Schroeder, Town of Palmyra. Both motions carried on voice votes with no objection.

**APPROVED WITH CONDITIONS R3677A-13** – Dorothy Spike, Town of Sumner on a motion by Nass, seconded by Reese. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS CU1756-13** – Notbohm Trust, Charles Notbohm Trust, Town of Lake Mills on a motion by Nass, seconded by Jaeckel. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS CU1758-13** – Doug Miller, Town of Waterloo on a motion by Reese, seconded by Jaeckel. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS CU1760-13** – Brandon & Susan Oleniczak, Town of Farmington on a motion by Jaeckel, seconded by David. Motion carried on a voice vote with no objection.

**14. Continued Discussion Regarding Adaptive Reuse of Barns**

There was no new information. This will be put on a future agenda.

**15. Future Agenda Items**

Nothing other than Adaptive Reuse of Barns was noted.

**16. Upcoming Meeting Dates**

November 18, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203  
November 21, 7:00 p.m. – Public Hearing in Courthouse Room 205  
November 25, 8:30 a.m. – Decision Meeting in Courthouse Room 203  
December 16, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203  
December 19, 7:00 p.m. – Public Hearing in Courthouse Room 205  
December 30, 8:30 a.m. – Decision Meeting in Courthouse Room 203

**17. Adjourn**

Motion by Reese, seconded by Jaeckel to adjourn the meeting at 11:14 a.m. Motion carried on a voice vote with no objection.

Don Reese, Secretary

*A quorum of the Zoning Board of Adjustment may be in attendance.*

**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](http://www.jeffersoncountywi.gov).**

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

**MINUTES OF THE  
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE  
SITE INSPECTIONS**

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

**ROOM 203, COUNTY COURTHOUSE  
311 S. CENTER AVE., JEFFERSON, WI 53549  
8:00 A.M. ON MONDAY, NOVEMBER 18, 2013**

- 1. Call to Order**  
The meeting was called to order by Chairman Nass at 8:00 a.m.
- 2. Roll Call**  
All Committee members were present. Also present were Rob Klotz, Michelle Staff and Deb Magritz.
- 3. Certification of Compliance with Open Meetings Law Requirements**  
Reese verified that the meeting was being held in compliance with open meetings law requirements.
- 4. Review of Agenda**  
There were no changes proposed to the agenda.
- 5. Public Comment (Not to Exceed 15 Minutes and Not to Include Petitions Slated for Decision)**  
There was no public comment.

The Committee left for the following site inspections:

- 6. Site Inspections of Petitions to be Presented in Public Hearing on November 21, 2013:**  
R3678A-13, R3679A-13 & CU1761-13 – Dennis Kutz, **N2792 Curtis Mill Rd.**, Town of Koshkonong  
CU1763-13 – K Ted Hartwig, Helen Spaeth & Barbara Mandlco, **N4462 Park Rd**, Town of Oakland  
R3680A-13 – Gregg Heideman, **N5008 STH 89**, Town of Aztalan  
R3688A-13 & R3689A-13 – Nancy Jorgensen, **N5698 CTH Q**, Town of Aztalan  
R3683A-13 – Brad Walter/Michael & Sarah Walter Trust Property, **N8944 West Rd**, Town of Watertown  
R3686A-13 & R3687A-13 – Mary Horack, **N9098 Horseshoe Rd**, Town of Watertown  
R3684A-13 & R3685A-13 – Nancy Hohensee, **N9673 Turke Lane**, Town of Watertown  
CU1762-13 – Denise Rothschild, **N8708 Overland Dr**, Town of Ixonia  
R3681A-13 – Tom & Lisa Marks, **W2009 Ehrke Ln**, Town of Ixonia  
R3682A-13 – Ron Marsh, **Little Prairie Rd**, Town of Palmyra
- 7. Adjourn**  
Motion by Reese, seconded by Jaeckel at 11:05 a.m. to adjourn the meeting. Motion carried on a voice vote with no objection.

**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.jeffersoncountywi.gov](http://www.jeffersoncountywi.gov). Individuals requiring special accommodations for attendance at the meeting should

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Revenues

Acct Number	Description	Current Period Actual	Current Period Budget	YTD Actual	YTD Budget	Prorated Variance	Total Budget	Annual Remaining	Percentage Of Budget
									#DIV/0!
451006	REAL ESTATE DESCRIP CHARGES	(460.01)	(441.67)	(4,913.59)	(4,416.67)	(496.92)	(5,300.00)	(386.41)	92.71%
451008	REMOTE ACCESS FEES	(225.00)	(450.00)	(4,360.83)	(4,500.00)	139.17	(5,400.00)	(1,039.17)	80.76%
472011	OTHER GOVT LAND INFO CHARGE	(47.35)	(375.00)	(2,352.23)	(3,750.00)	1,397.77	(4,500.00)	(2,147.77)	52.27%
<b>Totals</b>		<b>(732.36)</b>	<b>(1,266.67)</b>	<b>(11,626.65)</b>	<b>(12,666.67)</b>	<b>1,040.02</b>	<b>(15,200.00)</b>	<b>(3,573.35)</b>	<b>76.49%</b>

Expenditures

Acct Number	Description	Current Period Actual	Current Period Budget	YTD Actual	YTD Budget	Prorated Variance	Total Budget	Annual Remaining	Percentage Of Budget
									#DIV/0!
511110	SALARY-PERMANENT REGULAR	7,459.89	7,411.75	63,331.74	74,117.50	(10,785.76)	88,941.00	25,609.26	71.21%
511210	WAGES-REGULAR	8,438.20	9,174.46	76,454.14	91,744.58	(15,290.44)	110,093.50	33,639.36	69.44%
511310	WAGES-SICK LEAVE	254.49	-	5,113.57	-	5,113.57	-	(5,113.57)	#DIV/0!
511320	WAGES-VACATION PAY	1,092.39	-	14,888.02	-	14,888.02	-	(14,888.02)	#DIV/0!
511330	WAGES-LONGEVITY PAY	-	79.17	-	791.67	(791.67)	950.00	950.00	0.00%
511340	WAGES-HOLIDAY PAY	-	-	4,803.61	-	4,803.61	-	(4,803.61)	#DIV/0!
511350	WAGES-MISCELLANEOUS(COMP)	111.08	-	670.67	-	670.67	-	(670.67)	#DIV/0!
512141	SOCIAL SECURITY	1,259.28	1,237.17	11,857.89	12,371.68	(513.79)	14,846.01	2,988.12	79.87%
512142	RETIREMENT (EMPLOYER)	1,154.77	1,104.10	10,989.78	11,041.00	(51.22)	13,249.20	2,259.42	82.95%
512144	HEALTH INSURANCE	2,768.70	4,448.92	43,399.39	44,489.17	(1,089.78)	53,387.00	9,987.61	81.29%
512145	LIFE INSURANCE	8.06	8.58	87.65	85.83	1.82	103.00	15.35	85.10%
512173	DENTAL INSURANCE	113.16	283.50	2,756.78	2,835.00	(78.22)	3,402.00	645.22	81.03%
531243	FURNITURE & FURNISHINGS	-	87.50	-	875.00	(875.00)	1,050.00	1,050.00	0.00%
531298	UNITED PARCEL SERVICE UPS	-	2.50	120.48	25.00	95.48	30.00	(90.48)	401.60%
531311	POSTAGE & BOX RENT	1.58	33.33	168.42	333.33	(164.91)	400.00	231.58	42.11%
531312	OFFICE SUPPLIES	317.56	125.00	1,706.91	1,250.00	456.91	1,500.00	(206.91)	113.79%
531313	PRINTING & DUPLICATING	-	16.67	36.00	166.67	(130.67)	200.00	164.00	18.00%
531314	SMALL ITEMS OF EQUIP	-	8.33	-	83.33	(83.33)	100.00	100.00	0.00%
531324	MEMBERSHIP DUES	-	5.00	60.00	50.00	10.00	60.00	-	100.00%
531351	GAS/DIESEL	-	2.08	-	20.83	(20.83)	25.00	25.00	0.00%
532325	REGISTRATION	-	81.67	1,040.00	816.67	223.33	980.00	(60.00)	106.12%
532332	MILEAGE	-	29.17	100.09	291.67	(191.58)	350.00	249.91	28.60%
532335	MEALS	-	5.00	55.76	50.00	5.76	60.00	4.24	92.93%
532336	LODGING	-	35.00	280.00	350.00	(70.00)	420.00	140.00	66.67%
533225	TELEPHONE & FAX	30.09	33.33	282.20	333.33	(51.13)	400.00	117.80	70.55%
535242	MAINTAIN MACHINERY & EQUIP	-	133.33	1,162.00	1,333.33	(171.33)	1,600.00	438.00	72.63%
571004	IP TELEPHONY ALLOCATION	39.73	40.17	397.30	401.67	(4.37)	482.00	84.70	82.43%
571005	DUPLICATING ALLOCATION	-	109.17	-	1,091.67	(1,091.67)	1,310.00	1,310.00	0.00%
571009	MIS PC GROUP ALLOCATION	1,502.27	1,740.92	14,976.20	17,409.17	(2,432.97)	20,891.00	5,914.80	71.69%

571010 MIS SYSTEMS GRP ALLOC(ISIS)	211.46	219.33	2,114.60	2,193.33	(78.73)	2,632.00	517.40	80.34%
591519 OTHER INSURANCE	87.38	90.92	874.25	909.17	(34.92)	1,091.00	216.75	80.13%

Totals	24,850.09	26,546.06	257,727.45	265,460.59	(7,733.14)	318,552.71	60,825.26	80.91%
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Other Financing Sources (Uses)

Acct Number	Description	Current Period Actual	Current Period Budget	YTD Actual	YTD Budget	Prorated Variance	Total Budget	Annual Remaining	Percentage Of Budget
									#DIV/0!
									#DIV/0!
Totals		-	-	-	-	-	-	-	#DIV/0!

Total Business Unit	24,117.73	25,279.39	246,100.80	252,793.93	(6,693.13)	303,352.71	57,251.91	81.13%
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Revenues

Acct Number	Description	Current Period Actual	Current Period Budget	YTD Actual	YTD Budget	Prorated Variance	Total Budget	Annual Remaining	Percentage Of Budget
									#DIV/0!
									#DIV/0!
<b>Totals</b>		-	-	-	-	-	-	-	#DIV/0!

Expenditures

Acct Number	Description	Current Period Actual	Current Period Budget	YTD Actual	YTD Budget	Prorated Variance	Total Budget	Annual Remaining	Percentage Of Budget
									#DIV/0!
531312	OFFICE SUPPLIES	424.31	266.67	674.26	2,666.67	(1,992.41)	3,200.00	2,525.74	21.07%
531313	PRINTING & DUPLICATING	-	37.50	-	375.00	(375.00)	450.00	450.00	0.00%
532156	BOARD MEMBER TRAINING	-	3.33	-	33.33	(33.33)	40.00	40.00	0.00%
532332	MILEAGE	-	3.33	-	33.33	(33.33)	40.00	40.00	0.00%
535242	MAINTAIN MACHINERY & EQUIP	-	62.50	750.00	625.00	125.00	750.00	-	100.00%
571005	DUPLICATING ALLOCATION	144.42	147.50	1,444.21	1,475.00	(30.79)	1,770.00	325.79	81.59%
<b>Totals</b>		568.73	520.83	2,868.47	5,208.33	(2,339.86)	6,250.00	3,381.53	45.90%

Other Financing Sources (Uses)

Acct Number	Description	Current Period Actual	Current Period Budget	YTD Actual	YTD Budget	Prorated Variance	Total Budget	Annual Remaining	Percentage Of Budget
									#DIV/0!
									#DIV/0!
<b>Totals</b>		-	-	-	-	-	-	-	#DIV/0!
<b>Total Business Unit</b>		568.73	520.83	2,868.47	5,208.33	(2,339.86)	6,250.00	3,381.53	45.90%

Revenues

Acct Number	Description	Current Period Actual	Current Period Budget	YTD Actual	YTD Budget	Prorated Variance	Total Budget	Annual Remaining	Percentage Of Budget
									#DIV/0!
421001	STATE AID	-	(25.00)	(300.00)	(250.00)	(50.00)	(300.00)	-	100.00%
451008	REMOTE ACCESS FEES	(360.00)	(810.00)	(7,823.67)	(8,100.00)	276.33	(9,720.00)	(1,896.33)	80.49%
451305	LAND INFO/DEEDS FEE	(7,188.00)	(8,500.00)	(78,954.00)	(85,000.00)	6,046.00	(102,000.00)	(23,046.00)	77.41%
474018	DEPT LAND OFFICE FEES	-	-	(12.00)	-	(12.00)	-	12.00	#DIV/0!
<b>Totals</b>		<b>(7,548.00)</b>	<b>(9,335.00)</b>	<b>(87,089.67)</b>	<b>(93,350.00)</b>	<b>6,260.33</b>	<b>(112,020.00)</b>	<b>(24,930.33)</b>	<b>77.74%</b>

Expenditures

Acct Number	Description	Current Period Actual	Current Period Budget	YTD Actual	YTD Budget	Prorated Variance	Total Budget	Annual Remaining	Percentage Of Budget
									#DIV/0!
514151	PER DIEM	-	18.33	-	183.33	(183.33)	220.00	220.00	0.00%
521219	OTHER PROFESSIONAL SERV	-	1,666.67	21,381.81	16,666.67	4,715.14	20,000.00	(1,381.81)	106.91%
521220	CONSULTANT	-	-	522.50	-	522.50	-	(522.50)	#DIV/0!
521296	COMPUTER SUPPORT	-	3,238.50	31,818.72	32,385.00	(566.28)	38,862.00	7,043.28	81.88%
531303	COMPUTER EQUIPMT & SOFTW/	-	492.83	5,556.73	4,928.33	628.40	5,914.00	357.27	93.96%
531312	OFFICE SUPPLIES	37.46	-	435.32	-	435.32	-	(435.32)	#DIV/0!
531313	PRINTING & DUPLICATING	249.79	-	458.43	-	458.43	-	(458.43)	#DIV/0!
531324	MEMBERSHIP DUES	-	16.67	150.00	166.67	(16.67)	200.00	50.00	75.00%
532325	REGISTRATION	-	75.00	830.00	750.00	80.00	900.00	70.00	92.22%
532332	MILEAGE	-	16.67	240.70	166.67	74.03	200.00	(40.70)	120.35%
532335	MEALS	-	8.33	63.76	83.33	(19.57)	100.00	36.24	63.76%
532336	LODGING	-	46.67	420.00	466.67	(46.67)	560.00	140.00	75.00%
532339	OTHER TRAVEL & TOLLS	-	-	2.00	-	2.00	-	(2.00)	#DIV/0!
571005	DUPLICATING ALLOCATION	48.79	-	487.90	-	487.90	-	(487.90)	#DIV/0!
594813	CAP OFC EQUIP	-	742.50	-	7,425.00	(7,425.00)	8,910.00	8,910.00	0.00%
594819	CAP OTHER EQUIP	-	833.33	8,960.00	8,333.33	626.67	10,000.00	1,040.00	89.60%
594950	OPERATING RESERVE	-	4,132.50	-	41,325.00	(41,325.00)	49,590.00	49,590.00	0.00%
<b>Totals</b>		<b>336.04</b>	<b>11,288.00</b>	<b>71,327.87</b>	<b>112,880.00</b>	<b>(41,552.13)</b>	<b>135,456.00</b>	<b>64,128.13</b>	<b>52.66%</b>

Other Financing Sources (Uses)

Acct Number	Description	Current Period Actual	Current Period Budget	YTD Actual	YTD Budget	Prorated Variance	Total Budget	Annual Remaining	Percentage Of Budget
									#DIV/0!
691100	OPER REV ADJUST	-	1,575.83	-	15,758.33	(15,758.33)	18,910.00	18,910.00	0.00%
691200	CAP REV ADJUST	-	(1,575.83)	-	(15,758.33)	15,758.33	(18,910.00)	(18,910.00)	0.00%
<b>Totals</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>#DIV/0!</b>
<b>Total Business Unit</b>		<b>(7,211.96)</b>	<b>1,953.00</b>	<b>(15,761.80)</b>	<b>19,530.00</b>	<b>(35,291.80)</b>	<b>23,436.00</b>	<b>39,197.80</b>	<b>-67.25%</b>



Land Information Office  
1308 Public Access

Date Ran 11/21/2013  
Period 10  
Year 2013

Revenues

Acct Number	Description	Current Period Actual	Current Period Budget	YTD Actual	YTD Budget	Prorated Variance	Total Budget	Annual Remaining	Percentage Of Budget
									#DIV/0!
451305	LAND INFO/DEEDS FEE	(2,396.00)	(2,832.00)	(26,318.00)	(28,320.00)	2,002.00	(33,984.00)	(7,666.00)	77.44%
474019	DEPT PUBLIC ACCESS FEES	-	(1.33)	(4.00)	(13.33)	9.33	(16.00)	(12.00)	25.00%
<b>Totals</b>		<b>(2,396.00)</b>	<b>(2,833.33)</b>	<b>(26,322.00)</b>	<b>(28,333.33)</b>	<b>2,011.33</b>	<b>(34,000.00)</b>	<b>(7,678.00)</b>	<b>77.42%</b>

Expenditures

Acct Number	Description	Current Period Actual	Current Period Budget	YTD Actual	YTD Budget	Prorated Variance	Total Budget	Annual Remaining	Percentage Of Budget
									#DIV/0!
521219	OTHER PROFESSIONAL SERV	5,582.52	2,083.33	5,582.52	20,833.33	(15,250.81)	25,000.00	19,417.48	22.33%
521295	DATA CONVERSION	-	3,333.33	-	33,333.33	(33,333.33)	40,000.00	40,000.00	0.00%
521296	COMPUTER SUPPORT	-	241.67	-	2,416.67	(2,416.67)	2,900.00	2,900.00	0.00%
531303	COMPUTER EQUIPMT & SOFTW/	-	165.83	2,106.00	1,658.33	447.67	1,990.00	(116.00)	105.83%
594818	CAP COMPUTER	-	1,416.67	17,665.00	14,166.67	3,498.33	17,000.00	(665.00)	103.91%
594950	OPERATING RESERVE	-	2,267.75	-	22,677.50	(22,677.50)	27,213.00	27,213.00	0.00%
<b>Totals</b>		<b>5,582.52</b>	<b>9,508.58</b>	<b>25,353.52</b>	<b>95,085.83</b>	<b>(69,732.31)</b>	<b>114,103.00</b>	<b>88,749.48</b>	<b>22.22%</b>

Other Financing Sources (Uses)

Acct Number	Description	Current Period Actual	Current Period Budget	YTD Actual	YTD Budget	Prorated Variance	Total Budget	Annual Remaining	Percentage Of Budget
									#DIV/0!
<b>Totals</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>#DIV/0!</b>
<b>Total Business Unit</b>		<b>3,186.52</b>	<b>6,675.25</b>	<b>(968.48)</b>	<b>66,752.50</b>	<b>(67,720.98)</b>	<b>80,103.00</b>	<b>81,071.48</b>	<b>-1.21%</b>

Revenues

Acct Number	Description	Current Period Actual	Current Period Budget	YTD Actual	YTD Budget	Prorated Variance	Total Budget	Annual Remaining	Percentage Of Budget
472007	MUNICIPAL OTHER CHARGES	-	(16.67)	-	(166.67)	166.67	(200.00)	(200.00)	0.00%
474175	HIGHWAY BILLED	-	(3,250.00)	-	(32,500.00)	32,500.00	(39,000.00)	(39,000.00)	0.00%
<b>Totals</b>		-	<b>(3,266.67)</b>	-	<b>(32,666.67)</b>	<b>32,666.67</b>	<b>(39,200.00)</b>	<b>(39,200.00)</b>	<b>0.00%</b>

Expenditures

Acct Number	Description	Current Period Actual	Current Period Budget	YTD Actual	YTD Budget	Prorated Variance	Total Budget	Annual Remaining	Percentage Of Budget
511110	SALARY-PERMANENT REGULAR	4,571.70	-	39,096.13	-	39,096.13	-	(39,096.13)	#DIV/0!
511210	WAGES-REGULAR	-	4,340.47	-	43,404.71	(43,404.71)	52,085.65	52,085.65	0.00%
511310	WAGES-SICK LEAVE	-	-	753.65	-	753.65	-	(753.65)	#DIV/0!
511320	WAGES-VACATION PAY	-	-	2,285.84	-	2,285.84	-	(2,285.84)	#DIV/0!
511340	WAGES-HOLIDAY PAY	-	-	984.10	-	984.10	-	(984.10)	#DIV/0!
511350	WAGES-MISCELLANEOUS(COMP)	-	-	326.56	-	326.56	-	(326.56)	#DIV/0!
512141	SOCIAL SECURITY	349.75	332.04	3,324.88	3,320.35	4.53	3,984.42	659.54	83.45%
512142	RETIREMENT (EMPLOYER)	304.00	260.52	2,890.18	2,605.23	284.96	3,126.27	236.09	92.45%
512145	LIFE INSURANCE	0.74	0.50	8.57	5.00	3.57	6.00	(2.57)	142.83%
512146	WORKERS COMPENSATION	1,061.16	-	1,071.16	-	1,071.16	-	(1,071.16)	#DIV/0!
512173	DENTAL INSURANCE	31.39	81.00	801.90	810.00	(8.10)	972.00	170.10	82.50%
531303	COMPUTER EQUIPMT & SOFTW/	-	-	7.57	-	7.57	-	(7.57)	#DIV/0!
531311	POSTAGE & BOX RENT	-	1.67	-	16.67	(16.67)	20.00	20.00	0.00%
531312	OFFICE SUPPLIES	5.27	8.33	72.17	83.33	(11.16)	100.00	27.83	72.17%
531313	PRINTING & DUPLICATING	2.63	3.33	29.84	33.33	(3.49)	40.00	10.16	74.60%
531314	SMALL ITEMS OF EQUIP	7.49	165.83	1,230.77	1,658.33	(427.56)	1,990.00	759.23	61.85%
531324	MEMBERSHIP DUES	-	19.17	270.00	191.67	78.33	230.00	(40.00)	117.39%
531349	OTHER OPERATING EXPENSES	-	58.33	583.87	583.33	0.54	700.00	116.13	83.41%
531351	GAS/DIESEL	-	91.67	749.98	916.67	(166.69)	1,100.00	350.02	68.18%
532325	REGISTRATION	-	22.92	240.00	229.17	10.83	275.00	35.00	87.27%
532332	MILEAGE	-	8.33	89.28	83.33	5.95	100.00	10.72	89.28%
532336	LODGING	-	17.50	140.00	175.00	(35.00)	210.00	70.00	66.67%
533225	TELEPHONE & FAX	7.57	9.17	58.42	91.67	(33.25)	110.00	51.58	53.11%
533236	WIRELESS INTERNET	40.01	-	108.42	-	108.42	-	(108.42)	#DIV/0!
535242	MAINTAIN MACHINERY & EQUIP	-	100.00	951.42	1,000.00	(48.58)	1,200.00	248.58	79.29%
535352	VEHICLE PARTS & REPAIRS	-	4.17	-	41.67	(41.67)	50.00	50.00	0.00%
571004	IP TELEPHONY ALLOCATION	9.93	10.08	99.30	100.83	(1.53)	121.00	21.70	82.07%
571005	DUPLICATING ALLOCATION	9.70	5.50	96.99	55.00	41.99	66.00	(30.99)	146.95%
571009	MIS PC GROUP ALLOCATION	93.89	91.67	936.02	916.67	19.35	1,100.00	163.98	85.09%
571010	MIS SYSTEMS GRP ALLOC(ISIS)	60.42	62.67	604.20	626.67	(22.47)	752.00	147.80	80.35%
591519	OTHER INSURANCE	34.45	45.00	494.53	450.00	44.53	540.00	45.47	91.58%
594810	CAP EQUIP	-	1,833.33	20,440.00	18,333.33	2,106.67	22,000.00	1,560.00	92.91%
<b>Totals</b>		<b>6,590.10</b>	<b>7,573.20</b>	<b>78,745.75</b>	<b>75,731.95</b>	<b>3,013.80</b>	<b>90,878.34</b>	<b>12,132.59</b>	<b>86.65%</b>

Other Financing Sources (Uses)

Acct Number	Description	Current Period Actual	Current Period Budget	YTD Actual	YTD Budget	Prorated Variance	Total Budget	Annual Remaining	Percentage Of Budget
#DIV/0!									
<b>Totals</b>		-	-	-	-	-	-	-	#DIV/0!

<b>Total Business Unit</b>		<b>6,590.10</b>	<b>4,306.53</b>	<b>78,745.75</b>	<b>43,065.28</b>	<b>35,680.47</b>	<b>51,678.34</b>	<b>(27,067.41)</b>	<b>152.38%</b>
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## Jefferson County Planning and Zoning Department

Enter Year:   Enter 2012 Actual Zoning Deposit:   Enter 2013 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	Wisconsin Fund Grants 7102.421001	Refunds	2013 Totals	2012 Totals	2012- 2013 Difference
Jan													7,170.12	-7170.12
Feb													10,481.68	-10481.68
Mar													13,141.27	-13141.27
Apr													13,750.95	-13750.95
May													16,675.25	-16675.25
June													14,042.00	-14042
July													11,602.16	-11602.16
Aug	16,435.00	27.78		3,475.00	550.00			8.00			300.00	20,495.78	11,446.91	9048.87
Sept	11,080.00	37.54		2,225.00	650.00			2.00			250.00	13,994.54	20,844.45	-6849.91
Oct	11,750.00	32.35		4,900.00	750.00							17,432.35	10,692.50	6739.85
Nov	4,920.00	31.16		1,175.00	200.00							6,326.16	12,603.15	-6276.99
Dec													8,822.25	-8822.25
<b>Total</b>	<b>44,185.00</b>	<b>128.83</b>		<b>11,775.00</b>	<b>2,150.00</b>			<b>10.00</b>			<b>550.00</b>	<b>58,248.83</b>	<b>151,272.69</b>	<b>-93023.86</b>

2012 Actual Zoning Deposit: \$152,192.00

2013 Budget Revenues: \$127,450.00

2013 Deposits YTD: \$58,248.83

11.05(a)

OK

**7. Revocation of Conditional Use Permit**

Any Conditional Use Permit granted by the Planning and Zoning Committee may be revoked if it is found that the Conditional Use is not being conducted in compliance with the plans and specifications submitted with the application and subsequently approved, or is being operated in violation of the conditions of the Conditional Use Permit.

Revocation Process: The Planning and Zoning Committee will hold a public hearing following procedures set forth in paragraph 1. of this section, after providing written notice to the permittee of the Conditional Use Permit citing the violation or compliance issues with the permit.

The public hearing notice shall be sent out a minimum of ten (10) days prior to the public hearing and shall provide the date, time and location of the hearing. Notice shall also be provided to the Town Clerk and County Board Supervisor for the area, as well as all property owners within 500 feet for a residential-type conditional use and ¼ mile for a non-residential type. The notice shall include the reasons for the revocation.

Once notified in writing by the County, the permittee shall be allowed to present evidence on his/her behalf in writing and shall attend the public hearing.

After public hearing, the Planning and Zoning Committee may revoke or modify the Conditional Use Permit.

# 11.05(h) Repeal + Recreate

66.0404 Mobile tower siting regulations.

STATE OF WISCONSIN  
Jefferson County

## TITLE

This ordinance is entitled the Jefferson County Mobile Tower Siting Permit Ordinance.

## 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.

## AUTHORITY

The Jefferson County board has the specific authority under ss. 59.69 and 66.0404, Wis. Stats., to adopt and enforce this ordinance.

## ADOPTION OF ORDINANCE

This ordinance, adopted by a majority of the town boards of Jefferson County, provides for the regulation 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.

[Since s. 66.0404 terms this as a "zoning ordinance" and references the statutory zoning authorities that envision prior plan commission review and require a public hearing prior to adopting a new zoning ordinance, the county should also adhere those requirements.]

## DEFINITIONS

A. All definitions contained in s. 66.0404(1) are hereby incorporated by reference.

(b) **Exempt from Permitting.** The following shall be exempt from the requirement to obtain a land use permit, unless otherwise noted.

- (1) The use of all receive-only television antenna and satellite dishes.
- (2) Amateur Radio and/or Receive-Only Antennas. This ordinance shall not govern the installation of any antenna that is owned and/or operated by a federally licensed amateur radio operator and is used for amateur radio purposes or is used exclusively for receive-only purposes.
- (3) Mobile services providing public information coverage of news events of a temporary or emergency nature.

## **SUBDIVISION AND NUMBERING OF THIS ORDINANCE**

This ordinance is divided into sections designated by uppercase Roman numerals. Sections may be divided into subsections designated by uppercase letters. Subsections may be divided into paragraphs designated by numbers. Paragraphs may be divided into subdivisions designated by lowercase letters. Subdivisions may be divided into subdivision paragraphs designated by lowercase Roman numerals. Reference to a "section," "subsection," "paragraph," or "subdivision" includes all divisions of the referenced section, subsection, paragraph, or subdivision.

## **SITING AND CONSTRUCTION OF ANY NEW MOBILE SERVICE SUPPORT STRUCTURE AND FACILITIES AND CLASS I COLLOCATION**

### **A. Application Process**

1. A County zoning permit is required for the siting and construction of any new mobile service support structure and facilities.
2. A written permit application must be completed by any applicant and submitted to the County Planning and Zoning Department. The application must contain the following information:
  - a. The name and business address of, and the contact individual for, the applicant.
  - b. The location of the proposed or affected support structure.
  - c. The location of the proposed mobile service facility.
  - d. If the application is to substantially modify an existing support structure, a construction plan which describes the proposed modifications to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment associated with the proposed modifications.

e. If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile service support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure.

f. If an application is to construct a new mobile service support structure, an explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual who has responsibility over the placement of the mobile service support structure attesting that collocation within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.

3. A permit application will be provided by the county upon request to any applicant.

4. If an applicant submits to the County an application for a permit to engage in an activity described in this ordinance, which contains all of the information required under this ordinance, the County shall consider the application complete. If the County does not believe that the application is complete, the County shall notify the applicant in writing, within 10 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.

5. Within 90 days of its receipt of a complete application, the County shall complete all of the following or the applicant may consider the application approved, except that the applicant and the County may agree in writing to an extension of the 90 day period:

a. Review the application to determine whether it complies with all applicable aspects of the political subdivision's building code and, subject to the limitations in this section, zoning ordinances.

b. Make a final decision whether to approve or disapprove the application.

c. Notify the applicant, in writing, of its final decision.

d. If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.

6. The county may disapprove an application if an applicant refuses to evaluate the feasibility of collocation within the applicant's search ring and provide the sworn statement described under paragraph 2.f.

7. If an applicant provides the county with an engineering certification showing that a mobile service support structure, or an existing structure, is designed to collapse within a smaller area than the set back or fall zone area required in a zoning ordinance, that zoning ordinance does not apply to such a structure unless the county provides the applicant with substantial evidence that the engineering certification is flawed.

8. The fee for the permit is \$3,000 per s. 66.0404(4)(d).

9. Limitations. Land Use Permits for Siting and Construction of any new mobile service support structure and facilities and land use permits for Class 1 Colocations shall only be granted provided the following conditions exist:

- a. If the location of the proposed mobile service support structure or mobile service facility is on leased land, the lease agreement does not preclude the lessee from entering into leases on the site with other provider(s) and there is no other lease provision operating as a bar to collocation of other providers.
- b. The applicant has obtained Federal Communications Commission (FCC) license numbers and registration numbers if applicable.
- c. The applicant and/or agent have copies of Findings of No Significant Impacts (FONI) statement from the Federal Communications Commission (FCC) or Environmental Assessment or Environmental Impact Study (EIS), if applicable.
- d. The applicant and/or agent have copies of the determination of no hazard from the Federal Aviation Administration (FAA) including any aeronautical study determination or other findings, if applicable.
- e. The applicant and/or agent have plans indicating security measures (i.e. access, fencing, lighting, etc.).
- f. For new mobile service support structures, the applicant has obtained a report prepared by an engineer licensed by the State of Wisconsin certifying the structural design of the tower and its ability to accommodate additional antennas.
- g. The applicant and/or agent have proof of liability coverage.



- h. The applicant and/or agent have copies of an Affidavit of Notification indicating that all operators and owners of airports located within five (5) miles of the proposed site have been notified via certified mail.
- i. The Facility or collocation is designed to promote site sharing, such that space is reasonably available to colocators and such that telecommunication towers and necessary appurtenances, including but not limited to parking areas, access road, and utilities, are shared by site users whenever possible.

## **CLASS 2 COLLOCATION**

### **A. Application Process**

1. A county zoning permit is required for a class 2 collocation. A class 2 collocation is a permitted use in the county but still requires the issuance of the county permit.
2. A written permit application must be completed by any applicant and submitted to the Jefferson County Planning and Zoning Department. The application must contain the following information:
  - a. The name and business address of, and the contact individual for, the applicant.
  - b. The location of the proposed or affected support structure.
  - c. The location of the proposed mobile service facility.
3. A permit application will be provided by the county upon request to any applicant.
4. A class 2 collocation is subject to the same requirements for the issuance of a zoning permit to which any other type of commercial development or land use development is subject, except that the maximum fee for a zoning permit shall be \$500.
5. If an applicant submits to the county an application for a zoning permit to engage in an activity described in this ordinance, which contains all of the information required under this ordinance, the county shall consider the application complete. If any of the required information is not in the application, the county shall notify the applicant in writing, within 5 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.

6. Within 45 days of its receipt of a complete application, the county shall complete all of the following or the applicant may consider the application approved, except that the applicant and the town may agree in writing to an extension of the 45 day period:

- a. Make a final decision whether to approve or disapprove the application.
- b. Notify the applicant, in writing, of its final decision.
- c. If the application is approved, issue the applicant the relevant permit.
- d. If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.

7. The fee for the permit is \$500 per s. 66.0404(4)(d).

**Information Report.** The purpose of the report under this subsection is to provide the County with accurate and current information concerning the telecommunications facility owners and providers who offer or provide telecommunications services within the County, or that own or operate telecommunications facilities within the County, to assist the County in enforcement of this subsection, and to assist the County in monitoring compliance with local, state and federal laws.

(a) Information Report. All telecommunications tower owners of any new telecommunications tower shall submit to the Planning and Zoning Department a Telecommunications Facility Information Report (the "Report") within 45 days: (1) following conditional use approval; (2) of receipt of a written request from the Jefferson County Department of Planning and Zoning; and (3) of any change in occupancy of the tower. The Report shall include the tower owner name(s), address(es), phone number(s), contact person(s), and proof of bond as security for removal. The tower owner shall supply the tower height or current occupancy, if applicable, the number of colocation positions designated, occupied or vacant. This information shall be submitted on the County form provided and designated for such use, and shall become evidence of compliance.

### **Removal/Security for Removal.**

(a) It is the express policy of Jefferson County and this ordinance that telecommunications towers be removed once they are no longer in use and not a functional part of providing telecommunications service and that it is the telecommunications provider's responsibility to remove such telecommunications tower and restore the site to its original condition or a condition approved by the Jefferson County Planning and Zoning Department. This restoration shall include removal of any subsurface structure or foundation, including concrete, used to support the telecommunications tower down to 5 feet below the surface. After a telecommunications tower is no longer in operation, the provider shall have 180 days to effect removal and restoration unless weather prohibits such efforts. Permittee shall record a document

with the Jefferson County Register of Deeds showing the existence of any subsurface structure remaining below grade. Such recording shall accurately set forth the location and describe the remaining structure.

(b) Security for Removal. The owner of any telecommunications tower shall provide to Jefferson County, prior to the issuance of the conditional use permit or the issuance of a zoning permit, a performance bond in an amount based on a written estimate of a qualified remover of said types of structures, or Twenty Thousand Dollars (\$20,000), whichever is less, to guarantee that the telecommunications tower will be removed when no longer in operation. Jefferson County will be named as obligee in the bond and must approve the bonding company. The County may require an increase in the bond amount after five (5) year intervals to reflect increases in the Consumer Price Index. The provider shall supply any increased bond within a reasonable time, not exceeding sixty (60) days, after the County's request. A permittee may submit a letter of credit in the amount set forth above, or, in the alternative, a permittee with several sites in the County may submit a master bond to cover all of said sites. A master bond or a letter of credit may, in the Committee's discretion, be in an amount sufficient to secure removal from one site if the master bond or letter of credit provides for replenishing any amount used as the master bond or letter of credit covers any other site in the County.

### **Structural, Design and Environmental Standards.**

(1) Mobile Service Support Structure, Antenna and Facilities Requirements. All mobile service facilities and mobile service support structures, except exempt facilities as defined in subsection (c), shall be designed to reduce the negative impact on the surrounding environment by implementing the measures set forth below:

- a. Mobile Service support structures shall be constructed of metal or other nonflammable material, unless specifically permitted by the County to be otherwise.
- b. Satellite dish and parabolic antennas shall be situated as close to the ground as possible to reduce visual impact without compromising their functions.
- c. Equipment compounds shall be constructed of nonreflective materials (visible exterior surfaces only). Equipment compounds shall be designed to blend with existing architecture in the area or shall be screened from sight by mature landscaping, and shall be located or designed to minimize their visibility.
- d. Mobile service facilities, support structures and antennas shall be designed and constructed in accordance with the State of Wisconsin Uniform Building Code, National Electrical Code, Uniform Plumbing Code, Uniform Mechanical Code, and Uniform Fire Code, Bayfield

County Subdivision Ordinance, Bayfield County Sanitation Ordinance, Electronic Industries Association (EIA), American National Steel Institute Standards (ANSI), and American National Standards Institute (ANSI) in effect at the time of manufacture.

- e. Mobile service facilities and support structures shall not interfere with or obstruct existing or proposed public safety, fire protection or Supervisory Controlled Automated Data Acquisition (SCADA) operation telecommunication facilities. Any actual interference and/or obstruction shall be corrected by the applicant at no cost to the County.

(2) Site Development. A leased parcel intended for the location of new mobile service facilities, mobile service support structures, and equipment compounds shall be located so as to permit expansion for mobile service facilities to serve all potential colocators.

(3) Vegetation protection and facility screening.

- a. Except exempt facilities as defined in subsection (c), all mobile service facilities shall be installed in a manner to as to minimize disturbance to existing native vegetation and shall include suitable mature landscaping to screen the facility, where necessary. For purposes of this section, "mature landscaping" shall mean trees, shrubs or other vegetation of a minimum initial height of five (5) feet that will provide the appropriate level of visual screening immediately upon installation.
- b. Upon project completion, the owner(s)/operator(s) of the facility shall be responsible for maintenance and replacement of all required landscaping as long as a telecommunication facility is maintained on the site.

(4) Fire prevention. All mobile service facilities shall be designed and operated in accordance with all applicable codes regarding fire prevention.

(5) Noise and Traffic. All mobile service facilities shall be constructed and operated in such a manner as to minimize the amount of disruption caused to nearby properties. To that end the following measures shall be implemented for all mobile service facilities, except exempt facilities as defined in subsection (c):

- a. Noise producing construction activities shall take place only on weekdays (Monday through Saturday, non-holiday) between the hours of 6:00 a.m. and 6:00 p.m., except in times of emergency repair, and
- b. Backup generators, if present, shall be operated only during power outages and for testing and maintenance purposes.

- (6) Separation Requirements. Mobile service support structures shall be separated by a minimum of 2640 feet, except that:
- a. Two (2) mobile service support structures may be permitted to be located within 100 feet of each other subject to approval of the Bayfield County Zoning Committee.
  - b. Camouflaged mobile service support structures are exempt from the separation between mobile service support structures requirement listed above.

## **PENALTY PROVISIONS**

- (1) Abandonment. Any antenna, mobile service facility, or mobile service support structure that is not operated for a continuous period of twelve (12) months shall be considered abandoned. Upon application, the Committee may extend the time limit to abandon once for an additional twelve-month period. Such extension shall be based on the finding that the owner or permit holder is actively seeking tenants for the site. After the expiration of the time periods established above, the following shall apply:
- a. The owner of such antenna, mobile service facility or mobile service support structure shall remove said antenna, mobile service facility or mobile service support structure, including all supporting equipment, building(s) and foundations to the depth as otherwise herein required within ninety (90) days of receipt of notice from the Planning and Zoning Department notifying the owner of such abandonment. If removal to the satisfaction of the Planning and Zoning Department does not occur within said ninety (90) days, the Jefferson County Zoning Administrator may order removal utilizing the established bond as provided under subsection (g) and salvage said antenna, mobile service facility or mobile service support structure, including all supporting equipment and building(s). If there are two or more users of a single mobile service support structure, then this provision shall not become effective until all operations of the mobile service support structure cease.
  - b. The recipient of a Zoning permit allowing a mobile service support structure and facility under this section, or the current owner or operator, shall notify the Jefferson County Planning and Zoning Department within 45 days of the date when the mobile service facility is no longer in operation.

(1) Penalties. Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this ordinance shall be subject to the penalty provisions set forth in Sec. 11.03(j) of the Jefferson County Zoning Ordinance, and, upon conviction, may pay a forfeiture of not less than \$10.00 nor more than \$500.00, plus the applicable surcharges, assessments, and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance. In addition, the Planning and Zoning Department may seek injunctive relief from a court of record to enjoin further violations.

## **SEVERABILITY**

If any provision of this ordinance or its application to any person or circumstance is held invalid according to Wisconsin State Statutes 66.0404, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

## 11.09 NONCONFORMING USES, STRUCTURES, AND LOTS

**(a) Existing Nonconforming Uses.** The lawful nonconforming uses of a structure, land or water existing at the time of the adoption or amendment of this Ordinance may be continued, some for specific periods of time, although the use does not conform with the provisions of this Ordinance; however:

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1. Only that portion of the land or water in actual use may be so continued and the structure may not be extended, enlarged, reconstructed, substituted, moved or structurally altered except when required to do so by law or order so as to comply with the provisions of this Ordinance.

2. Total lifetime structural repairs or alterations shall not exceed fifty (50) percent ~~of the County's fair market value of the structural members of the existing the structure with additions not exceeding 50% of existing foundation footprint whether vertical or horizontal, and the addition shall meet all setbacks;~~ at the time of its becoming a nonconforming use unless it is permanently changed to conform to the use provisions of this Ordinance. ~~[Amended 11/13/84, Ord. No. 84-15] Any alteration, structural member replacement or repair or addition to a structure with an existing nonconforming use shall also meet all the requirements of Section 11.10 of the Jefferson County Zoning Ordinance, Jefferson County Floodplian Ordinance #14 and Wisconsin State Statute Chapter 87.30,~~

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3. Substitution of new equipment may be permitted by the Board of Adjustment if such equipment will reduce the incompatibility of the nonconforming use with the neighboring uses.

**(b) Abolishment or Replacement.** If such nonconforming use is discontinued or terminated for a period of twelve (12) months, any future use of the structure, land, or water shall conform to the provisions of this Ordinance. ~~When a noneonforming use or structure is damaged by fire, explosion, flood, the public enemy, or other calamity Replacement or reconstruction of a non-conforming structure or use shall meet Wisconsin Statutes Chapter 59.69(10m) which states, "Restrictions that are applicable to damaged or destroyed nonconforming structures and that are contained in an ordinance enacted under this section may not prohibit the restoration of a nonconforming structure if the structure will be restored to the size, subject~~

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to par. (b), location, and use that it had immediately before the damage or destruction occurred, or impose any limits on the costs of the repair, reconstruction, or improvement if all of the following apply:  
59.69(10m)(a)1.

1. The nonconforming structure was damaged or destroyed on or after March 2, 2006.  
59.69(10m)(a)2.

2. The damage or destruction was caused by violent wind, vandalism, fire, flood, ice, snow, mold, or infestation.  
59.69(10m)(b)

(b) An ordinance enacted under this section to which par. (a) applies shall allow for the size of a structure to be larger than the size it was immediately before the damage or destruction if necessary for the structure to comply with applicable state or federal requirements.” This section does not apply to floodplain structures or uses. See Jefferson County Ordinance #14 and Wisconsin Statutes Chapter 87.30 for applicable floodplain restrictions regarding damaged by flood.

~~or is dismantled for the purpose of reconstruction to the extent that restoration to its original dimensions and function would exceed fifty (50) percent of its current fair market value, it shall not be restored except to comply with all applicable provisions of this Ordinance and Ordinances No. 12 and 14. [Amended 4/16/85, Ord. No. 85-4]~~

A current file of all nonconforming uses shall be maintained by the Zoning Administrator listing the following: owner's name and address; use of the structure, land or water; and assessed value at the time of its becoming a nonconforming use.

**(c) Existing Nonconforming Structures.** The lawful nonconforming structure existing at the time of the adoption or amendment of this Ordinance may be continued although its size or location does not conform with the lot width, lot area, yard, height, parking and loading, and access provisions of this Ordinance; however, it shall not be extended, enlarged, reconstructed, moved, or structurally altered in excess of fifty (50) percent of its current fair market value of the structural members of the existing structure with additions not exceeding 50% of existing foundation footprint



whether vertical or horizontal and the addition shall meet all setbacks or go no closer to any side, rear or road setback. For an existing nonconforming structure located within any road right-a-way or existing over a lot line, no additions or alteration of structural members, not including ordinary maintenance, shall be permitted. Any alteration, structural member replacement or repair or addition, or repair to any nonconforming structure shall also within the floodplain shall be protected by floodproofing measures meet all the requirements of, pursuant to Section 11.10 of the Jefferson County Zoning Ordinance, Jefferson County Floodplain Ordinance #14 and Wisconsin State Statute Chapter 87.30, Section 11.10(g)2. [Amended 4/16/85, Ord. No. 85-4]

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Note: For this section, a structural member includes the number of existing walls, foundation walls, floor and roof. Any alteration to a structural member qualifies for inclusion, that structural member in the calculation of the 50% provisions.

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## **Add in 11.02 DEFINITIONS**

Adaptive Reuse of Barns: To be utilized under this definition in the ordinance the barn must be existing, and constructed prior to 1970.

## **Add in 11.04(f)(7) A-2 Zone**

- (qq) Winery ,tasting room, store
- (rr) Farm store
- (ss) Garden Center with Retail Store
- (tt) Recreational Facility directly related to open space uses and the necessity for a rural location
- (uu) Recycling operation (stand alone or add to salvage yard)
- (vv) Landscaping Business

Conditional Uses – These conditional uses are associated with adaptive reuse of barns as defined in the ordinance. Existing pre-1970 barns with a limitation for additions of no more than 25 percent of the existing footprint and no more than 25 percent replacement, modification or repair of existing structural members. However, as part of the conditional use process the Zoning Committee may consider replacement, modification or repair of the existing barn that exceed this limitation if it meets the purpose and intent of this section. In addition, the limitations of Section 11.09 still applies. As a condition of approval the barn conversion shall meet all applicable Federal, State and Local Codes for the conversation to a public building and place of employment. Notice of approval from the State of Wisconsin shall be submitted to the Zoning Department prior to issuance of the Zoning permit which is required for conversation of use.

- (ww) Winery, tasting room, store
- (xx) Antique Store
- (yy) Farm Store
- (zz) Repair shop, Machinery repair, Auto repair, equipment repair, small engine repair
- (aaa) Garden Center with Store
- (bbb) Recreation Facility
- (ccc) Office space
- (ddd) Recycling Facility
- (eee) Conference Center, Banquet Hall, Event Facility
- (fff) Storage- Mini Storage, Personal Storage
- (ggg) Classroom, educational facility, Art Studio
- (hhh) Tourist Rooming House- would count as a Residence under the A-3 regulations
- (iii) Butcher Shop, Food Processor

### **Add in 11.04(f)(5) AT Zone**

Conditional Uses – These conditional uses are associated with adaptive reuse of barns as defined in the ordinance. Existing pre-1970 barns with a limitation for additions of no more than 25 percent of the existing footprint and no more than 25 percent replacement, modification or repair of existing structural members. However, as part of the conditional use process the Zoning Committee may consider replacement, modification or repair of the existing barn that exceed this limitation if it meets the purpose and intent of this section. In addition, the limitations of Section 11.09 still applies. As a condition of approval the barn conversion shall meet all applicable Federal, State and Local Codes for the conversation to a public building and place of employment. Notice of approval from the State of Wisconsin shall be submitted to the Zoning Department prior to issuance of the Zoning permit which is required for conversation of use.

- (i) Winery, tasting room, store
- (j) Antique Store
- (k) Farm Store
- (l) Repair shop, Machinery repair, Auto repair, equipment repair, small engine repair
- (m) Garden Center with Store
- (n) Recreation Facility
- (o) Office space
- (p) Recycling Facility
- (q) Conference Center, Banquet Hall, Event Facility
- (r) Storage- Mini Storage, Personal Storage
- (s) Classroom, educational facility, Art Studio
- (t) Tourist Rooming House- would count as a Residence under the A-3 regulations
- (u) Butcher Shop, Food Processor
- (v) Eating and Drinking Place

**Brad Kuenzi - Realty Executives Platinum**

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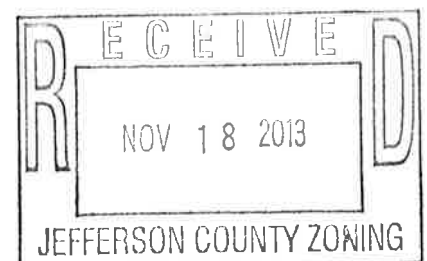
**From:** Dennis and Mattea Betschler [betschler@att.net]  
**Sent:** Tuesday, November 12, 2013 9:06 PM  
**To:** Brad Kuenzi - Realty Executives Platinum; Ann Tourbier; betschler@att.net  
**Subject:** Petition in regards to zoning of Pipersville Rd Lot

We, the proposed buyers of the Lot of Pipersville Road, are asking that the County please reconsider the original survey that was provided for the zoning of the Lot.

Following are the reasons that we are asking you to do this:

1. **SAFETY !!!** We have 2 young children and 2 dogs. Our driveway, because of zoning regulations, would have to be at least 400 feet away from Wesley Road in order to have adequate time to back out of our driveway and not get hit by the cars that come up and over the hill on Pipersville Rd at 55 miles per hour. If the Lot is sectioned off from the cemetery line to the Origer fence line, our house would have to be on the fence line side of the lot due to driveway location. The lot would be very swallow and the only place our kids would have to play ball would be right next to the cemetery and Pipersville Road. If their balls, or the dogs balls, ever go in the road and they run out to get them, they would be standing right over the hill where the cars are going to be coming up at 55 miles per hour and not see them until they are right in front of them. We wanted the Lot to have less road frontage so that our kids and dogs have plenty of room to play *BEHIND* the house instead of next to Pipersville Road and the cemetery.
2. **NO BACKYARD.** We are looking at putting our house about 100 feet off of the road. After building our house, we will only have about 50 feet of yard behind the house. The Lot would be very swallow and have a ton of road frontage. We are not moving to the country to get a city kind of lot.
3. **RESALE / VALUE.** Having the Lot be right next to the cemetery will hurt future resale, current value, and future value.
4. **NO FARMING ISSUE.** The seller has said that they would not have a problem still working the land between the cemetery and the Lot according to the original survey.
5. **TELEPHONE POLE.** If the Lot is sectioned off from the cemetery line to the Origer fence line, you cannot try to center your house on the Lot because there would be a telephone pole right in the middle of your front yard.

Because of zoning regulations, there are no other splits that can be done on the property there and it could not be more than two acres. The seller and buyer had come to an agreement on the original survey after walking the Lot and noticing the above concerns. We understand that your goal is to cluster country properties, but in this case, please put yourselves in our shoes and take the above reasons into consideration. **THANK YOU!**



**Brad Kuenzi - Realty Executives Platinum**

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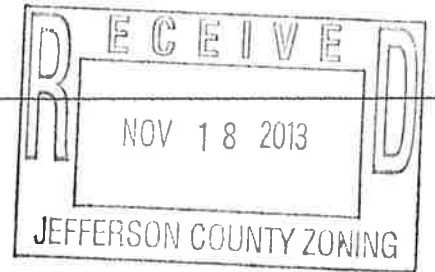
**From:** Ann Tourbier [aatourbier@yahoo.com]  
**Sent:** Thursday, November 14, 2013 9:00 PM  
**To:** Brad Kuenzi  
**Subject:** Re: Looking at splitting our 16 acre parcel

Let me know if you got this. Otherwise will resend from computer at work.

Sent from Yahoo Mail on Android

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**From:** Ann Tourbier <aatourbier@yahoo.com>;  
**To:** gregd@jeffersoncountywi.gov <gregd@jeffersoncountywi.gov>;  
**Bcc:** aristow@gmail.com <aristow@gmail.com>;  
**Subject:** Looking at splitting our 16 acre parcel  
**Sent:** Fri, Jun 21, 2013 9:50:16 PM



Good Afternoon Greg,

First of all, let me say it was nice seeing you at our class reunion in August. It is so surprising that so many classmates live in the area but only see each other every 5 years.

I'd like to give you a bit of background information, some of which you already know as we all went to school together.

Jim grew up on this farm, went into partnership with his dad when he and I got married 39 years ago and now our daughter, her husband and 4 children live in the home and Jim and I continue to farm the land.

Amanda, her husband and kids enjoy country life and respect the land and want to carrying the tradition of a "family farm".

Jim's mom resides in an Assisted Living Facility in Beaver Dam, WI and her wish is to remain there as long as possible. When Amanda and John bought the home, the money was given to my mother-in-laws care. We thought the money would secure our monthly payment until November of 2012, but we were surprised to hear that the money went on the back of the loan and we owe approximately 36,000.00 to bring the land contract current and she has enough money to pay for the assisted living facility until the end of the year.

We are not financially stable to secure a loan and are exploring the possibility of splitting a lot (1-2 acres) and selling it to a family that respects the country as much as we all do. In fact we have a family that is interested and have respect for country living. We are meeting with them on June 26th. The husband grew up in the area, has family living in Pipersville and are excited to begin this process with us if we are able to split a lot from our property.

I want to assure you this was a hard decision for Jim and that is why it is so important to find a good match for our farm and I think we have it with this potential family.

Our goal is to be able to split this parcel only for this purpose and to give the money to pay what is back owed on the land contract, allow Jim to keep the farm and Jim's mom to remain where she as far as long as she is able.

From:

11/18/2013 17:55

#145 P.004/008

Jim and I are hoping you can help us with this process, guiding us in the right direction.

Thank- you for your consideration,

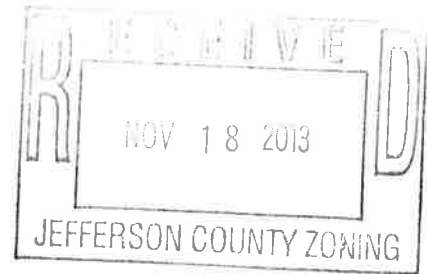
Ann Asmus Tourbier

**Additional information for appeal to Zoning Board recommendation to Pipersville Road.**

The preliminary survey map clusters the property with the lot line defining the Tourbier property from the Origer property. Origer has no issue with the 2-acre parcel being clustered with the lot line; in fact Origer welcomes it.

There is no other split available on the property. Clustering the 2-acre along the property line promotes the safety and well-being of the buyers of the 2-acre property and their family as well as allows for town and city of Watertown recommendations of easement.

**Ann Tourbier**



11-14-2013

To: Jefferson County Zoning Board  
RE: Pipersville Road

We are appealing the recommendation of the zoning board regarding the Pipersville Road property. I had reached out to a member of the zoning board on 6-21-2013 for guidance with our property split. In this email communication it was explained the reasons for our need to do this and asked for help to maintain the health, safety and welfare of our citizenry as well as the integrity of our environment.

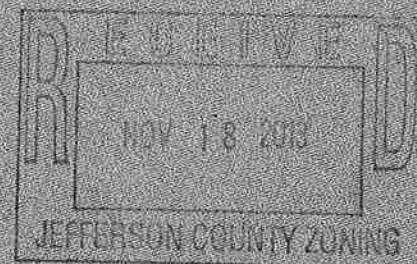
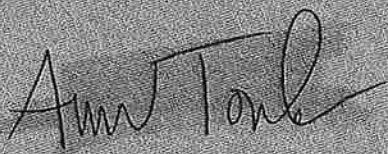
With no return contact from the county in regards to cluster development, buyer and seller proceeded.

Our thought process was not one entered into hastily as we had to consider the present owner of the home, sellers ability to continue to farm property and buyers ability to provide a stable, safe home in the country for their family.

Our first contact with the buyers was to sell 3 acres of land. With securing a surveyor we met to begin preparing a preliminary survey map to present to the city, town and County for approval. Later it was discovered that the land would only secure a split of 2 acres total.

Buyer and sell met with surveyor to find a split that would ensure the safety of the family buying the property to place a home on the land, the seller to continue to farm the property and maintain the privacy to the home owner residing on the property. City of Watertown as well as Town of Watertown approval was given without a mention of cluster development.

I feel cluster development with our property does not apply in this case and buyers of 2 acres on Pipersville Road should be allowed to continue with original survey map.

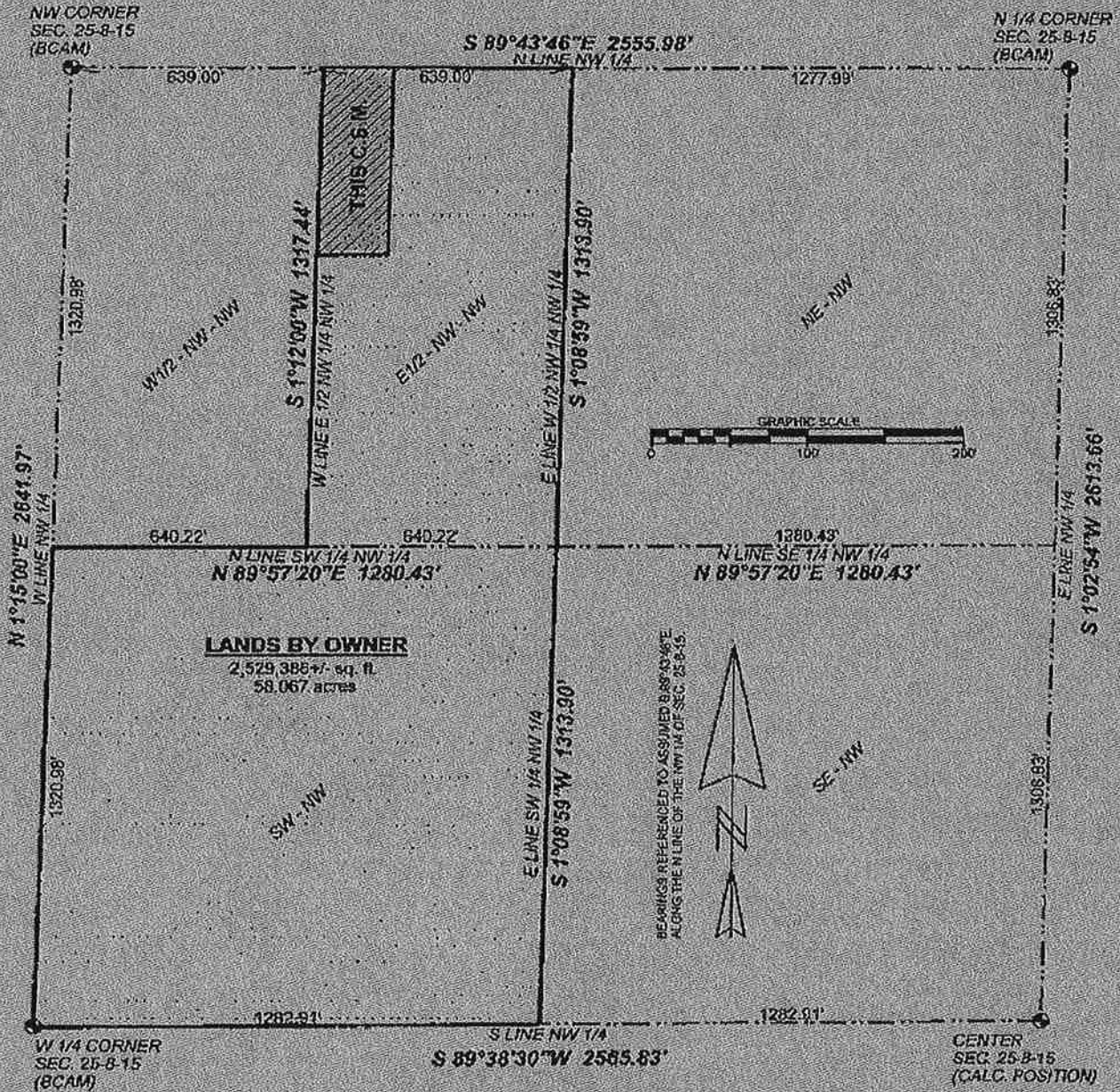




**NEW FRONTIER  
LAND SURVEYING LLC.**  
P.O. BOX 576- BEAVER DAM, WI 53916  
PH (920-885-3904) FAX (920-885-3905)

**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

A SURVEY OF A PART OF THE E 1/4 OF THE NORTHWEST 1/4 OF THE  
NORTHWEST 1/4 OF SECTION 25, TOWN 8 NORTH, RANGE 15 EAST,  
TOWN OF WATERTOWN, JEFFERSON COUNTY, WISCONSIN.



**LEGEND**

JEFFERSON COUNTY SURVEY  
MONUMENT AS SHOWN

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013

Mark R. Tomaszek WI RLS S-2340  
New Frontier Land Surveying, LLC



# Jefferson County

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ZONING AND SANITATION DEPARTMENT  
COURTHOUSE, 320 S. MAIN ST., JEFFERSON, WI 53549  
ROOM 201 PHONE 920-674-7130 FAX 920-674-7525

## MEMORANDUM

**DATE:** November 5, 2013  
**TO:** Jim Tourbier for the Marcella Tourbier Trust  
**FROM:** Jefferson County Zoning *RK 11-5-13*  
**RE:** Zoning Amendment R3674A-13

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 of the lot. The Committee is requesting that this new proposal be clustered with existing development. Please provide a new preliminary certified survey map for Town and County reconsideration showing the redesign.

Cc Town of Watertown Clerk  
New Frontier Land Surveying LLC