

**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**  
**8:30 A.M. ON MONDAY, MARCH 31, 2014**

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**
7. **Approval of February 24, March 17 and March 20, 2014 Meeting Minutes**
8. **Monthly Financial Report for Land Information Office – Andy Erdman**
9. **Monthly Financial Report for Zoning – Rob Klotz**
10. **Request by Leroy and Kathy Smiley to Relocate the Home at W5593 Smiley Lane at More Than 100 Feet from its Existing Location**
11. **Discussion of Existing Second Home on the Farm Permit as it Relates to Existing Structures and Exempting Driveway Length for Proposed A-3 Lot**
12. **Discussion of Zoning Ordinance Text Amendment Regarding Wind Energy Systems**
13. **Decisions on Petitions Presented in Public Hearing on March 20, 2014:**  
R3708A-14 – Brad Hering/Gordon & Alta Kottwitz Trust Property, Town of Milford  
R3709A-14 – Ronald Pitzner, Town of Aztalan  
R3710A-14 – Dempsey Farms Partnership, Town of Sullivan  
R3711A-14 – Phyllis Schmoller/Kehl Family Partnership Property, Town of Watertown  
CU1774-14 – Craig Lang/Rhorex LLC Property, Town of Oakland  
CU1775-14 – Donald Zimmerman, Town of Oakland
14. **Discussion Regarding Violations and Legal Process During Corporation Counsel Transition Period**
15. **Future Agenda Items**

**16. Upcoming Meeting Dates**

April 14, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203

April 17, 7:00 p.m. – Public Hearing in Courthouse Room 205

April 28, 8:30 p.m. – Decision Meeting in Courthouse Room 203

May 12, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203

May 15, 7:00 p.m. – Public Hearing in Courthouse Room 205

**May 19 OR June 2, Decision Meeting in Courthouse Room 203**

**17. 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.jeffersoncountyiwi.gov](http://www.jeffersoncountyiwi.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.*

**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, FEBRUARY 24, 2014**

- 1. Call to Order**  
The meeting was called to order at 8:30 a.m. by Chairman Nass.
- 2. Roll Call**  
Committee members present were Nass, Reese, Jaeckel and Rinard. John Molinaro, County Board Chair and Andy Erdman, Director of Land Information were also present. Zoning Department staff in attendance included 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**  
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 January 27, February 17 and February 20 Meeting Minutes**  
Motion by Reese, seconded by Rinard to approve the January 27 minutes as presented.  
Motion by Reese, seconded by Jaeckel to approve the February 17 minutes as presented.  
Motion by Reese, seconded by Jaeckel to approve the February 20 minutes as presented.  
All motions carried on voice votes with no objection.
- 8. Monthly Financial Report for Land Information Office – Andy Erdman**  
Erdman explained his year-end report. He noted that revenues were down a bit, at 92.7% from projected. He further explained that tax roll scanning and software purchase will come out of the carried forward funds.
- 9. Monthly Financial Report for Zoning – Rob Klotz**  
Klotz noted that this monthly report was produced last week, and as of that time was down \$1,400 in revenues compared to the full month of February 2013. He further explained his report.

**David arrived at 8:38 a.m.**

10. **Floodplain Risk Mapping**  
Klotz explained the handouts and noted that new map products are available at no cost.
11. **Input on Request by Administration and Rules Committee to Move Planning and Zoning Committee Report and Ordinance on County Board Agendas**  
Molinaro explained the plan to move Zoning reports to an alphabetical spot in the County Board agenda. The Committee did not object.

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

12. **Decisions on Petitions Presented in Public Hearing on February 20:**  
**APPROVE WITH CONDITIONS R3701A-14** – Russell Bienfang/Donald Bienfang Property, **N5775 Ziebell Road**, Town of Aztalan on a motion by Reese, seconded by Jaeckel. Motion carried on a voice vote with no objection.  
**APPROVE WITH CONDITIONS R3702A-14** – Russell Bienfang/Donald Bienfang Property, **Zimmerman Lane**, Town of Aztalan on a motion by Nass, seconded by Reese. Motion carried on a voice vote with no objection.  
**APPROVE WITH CONDITIONS R3703A-14** – Bark River Campground and Resort, Inc., **W2340 Hanson Road**, Town of Sullivan on a motion by Reese, seconded by Jaeckel. Motion carried on a voice vote with no objection.  
**APPROVE WITH CONDITIONS CU1769-14** – Brian & Bonnie Pernat, **W1194 Marietta Avenue**, Town of Ixonia on a motion by Reese, seconded by Jaeckel. Motion carried on a voice vote with no objection.  
**APPROVE WITH CONDITIONS CU1773-14** – David Raymond, **N715 Old 26 Road**, Town of Koshkonong on a motion by Nass, seconded by Jaeckel. Motion carried on a voice vote with no objection.  
**APPROVE WITH CONDITIONS R3704T-14** – Jefferson County ***Add 11.05(a)7. Revocation of Conditional Use Permits*** on a motion by Nass, seconded by Reese. Motion carried on a voice vote with no objection.  
**APPROVE WITH CONDITIONS R3705T-14** – Jefferson County ***Repeal and recreate 11.05(h) Mobile Tower Siting*** on a motion by Jaeckel, seconded by Nass. Motion carried on a voice vote with no objection.  
**APPROVE WITH CONDITIONS R3706T-14** – Jefferson County ***Modify 11.09 Non-Conforming Uses, Structures and Lots*** on a motion by Reese, seconded by Nass. Motion carried on a voice vote with no objection.  
**APPROVE WITH CONDITIONS R3707T-14** – Jefferson County ***Add/modify Adaptive Reuse of Barns – 11.02 and 11.04(f)5, 7*** on a motion by Reese, seconded by Jaeckel. Motion carried on a voice vote with no objection.
13. **WCCA Convention on April 3 and 4, 2014 in Mosinee**  
Klotz explained. The Committee had already received registration materials.
14. **Future Agenda Items**  
Discussion regarding who should be provided updated ordinance copies.
15. **Upcoming Meeting Dates**  
March 17, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203 – **Jaeckel will be absent**  
March 20, 7:00 p.m. – Public Hearing in Courthouse Room 205 – **Nass will be absent**

March 31, 8:30 a.m. – Decision Meeting in Courthouse Room 203  
April 14, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203  
April 17, 7:00 p.m. – Public Hearing in Courthouse Room 205  
April 28, 8:30 a.m. – Decision Meeting in Courthouse Room 203

**16. Adjourn**

Motion by Reese, seconded by Jaeckel to adjourn at 9:30. 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).**

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**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, MARCH 17, 2014**

- 1. Call to Order**  
The meeting was called to order at 8:02 a.m. by Vice-Chair David in the absence of Chairman Nass.
- 2. Roll Call**  
Committee members present were David, Reese and Rinard. Nass and Jaeckel were excused absent.
- 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.

The Committee left at 8:05 a.m. for the following site inspections.

- 6. Site Inspections of Petitions to be Presented in Public Hearing on March 20, 2014:**  
R3709A-14 – Ronald Pitzner, **N4750 Popp Road**, Town of Jefferson  
CU1774-14 – Craig Lang/Rhorex LLC Property, **W8528 USH 12**, Town of Oakland  
CU1775-14 – Donald S Zimmerman, **W9046 USH 12**, Town of Oakland  
R3708A-14 – Brad Hering/Gordon & Alta Kottwitz Trust Property, **CTH Q and Vandred Road**, Town of Milford  
R3711A-14 – Phyllis Schmoller/Kehl Family Partnership Property, **Ash Road**, Town of Watertown  
R3710A-14 – Dempsey Farms Partnership, **N2531 CTH Z**, Town of Sullivan
- 7. Adjourn**  
Motion by Reese, seconded by Rinard to adjourn the meeting at 10:15 a.m. 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 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.*

**NOTICE OF PUBLIC HEARING**  
**JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE**

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

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

**DATE:** March 20, 2014

**TIME:** 7:00 p.m. (*Courthouse doors will open at 6:30*)

**PLACE:** Room 205, Jefferson County Courthouse, 311 S. Center Ave., Jefferson, WI

1. **Call to Order**  
The meeting was called to order by Vice Chairman David at 7:00 pm.
2. **Roll Call**  
Committee members in attendance were Reese, Jaeckel, Rinard and David. Nass was absent. Zoning staff present were Michelle Staff and Rob Klotz.
3. **Certification of Compliance with Open Meetings Law Requirements**  
Reese verified that the meeting was being held in compliance with the open meeting law requirements.
4. **Review of Agenda**  
There were changes proposed to the agenda.
5. **Explanation of Process by Committee Chair**  
Vice Chairman David explained the process of the public hearing.
6. **Public Hearing**  
Klotz read the notice below into the record.

**NOTICE IS HEREBY GIVEN** that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, March 20, 2014, 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 A-1, EXCLUSIVE AGRICULTURAL TO A-2, AGRICULTURAL AND RURAL BUSINESS**

**R3708A-14 – Brad Hering/Gordon & Alta Kottwitz Trust Property:** Rezone 3.1 acres of PIN 020-0814-3342-000 (38 Acres) to allow for a Christmas tree farm at the intersection of **CTH Q and Vandre Road** in the Town of Milford.

**Petitioner:** Brad Hering, N7458 CTH Q – Mr. Hering would like to have additional acres as a tree farm and will have about 2,800 to 3,000 trees on these acres. He said there would not be any more buildings on the property.

**Comments in Favor:** None

**Comments Opposed:** None

**Questions from the Committee:** None

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

**Staff Report:** Staff report given by Robert Klotz and now on file in the Zoning Department.

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

**R3709A-14 – Ronald Pitzner:** Create a 3-acre farm consolidation from part of PIN 014-0614-0321-000 (48.001 Acres) at **N4750 Popp Road**, Town of Jefferson.

**Petitioner:** Sue Pitzner, N4750 Popp Road – They would like to sell off the residence from the farm.

**Comments in Favor:** None

**Comments Opposed:** None

**Questions from the Committee:** None

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

**Staff Report:** Staff report given by Robert Klotz and now on file in the Zoning Department. The petitioner acknowledged that the residence is pre-1975.

**R3710A-14 – Dempsey Farms Partnership:** Create a 1.4-acre farm consolidation lot at **N2531 CTH Z** in the Town of Sullivan from PIN 026-0616-3644-000 (40 Acres).

**Petitioner:** Sean Dempsey, S71W39206 CTH ZZ Eagle, WI -- They have the adjoining 180 acres but would like to split off the original homestead.

**Comments in Favor:** None

**Comments Opposed:** None

**Questions from the Committee:** None

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

**Staff Report:** Staff report given by Robert Klotz and now on file in the Zoning Department. The petitioner acknowledged that the residence is pre-1975.

**R3711A-14 – Phyllis Schmoller/Kehl Family Partnership Property:** Rezone 1.82 acres of PIN 032-0815-1224-000 (25.84 Acres) for a new building site on **Ash Road** in the Town of Watertown.

**Petitioner:** Phyllis Schmoller, 712 Western Avenue, Watertown -- She would like to split off a site to build a new residence.

**Comments in Favor:** Howard Wiedenhoef, W2340 STH 16 - Spoke in favor of the petition.

**Comments Opposed:** None

**Questions from the Committee:** None

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

**Staff Report:** Staff report given by Robert Klotz and now on file in the Zoning Department.

## **CONDITIONAL USE PERMIT APPLICATIONS**

**CU1774-14 – Craig Lang/Rhorex LLC Property:** Conditional use to allow business services in a Community zone for motorcycle, snowmobile, ATV and UTV repairs, sales and service at **W8528 USH 12**. The property is on PIN 022-0613-2111-005 (0.879 Acre) in the Town of Oakland and is zoned Community.

**Petitioner:** Craig Lang, 804 N Main, Fort Atkinson – He would like to buy this property to expand his business. He would use the buildings for storage. He stated that he would try to keep everything inside but said that there may be some snowmobile trailers outside

and there may also be some snowmobiles outside for sale. Lang talked to the DOT and does have approval for the change in use.

**Comments in Favor:** None

**Comments Opposed:** None

**Questions from the Committee:** Reese asked if there would be any outside storage and if there would be outside sales.

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

**Staff Report:** Staff report given by Robert Klotz and now on file in the Zoning Department. Klotz explained the request further based upon information in the file.

**CU1775-14 – Donald S Zimmerman:** Conditional use for an extensive on-site storage structure at **W9046 USH 12** in the Town of Oakland. The site is in a Residential R-2 zone, on PIN 022-0613-1713-007 (1.247 Acre).

**Petitioner:** Donald Zimmerman, W9046 USH 12 – He had a 30 x 30 garage which he had torn down and would like to build a new, larger one. 36' x 45'. Zimmerman stated he would have only inside storage.

**Comments in Favor:** None

**Comments Opposed:** None

**Questions from the Committee:** Reese asked if he was going to have any outside storage.

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

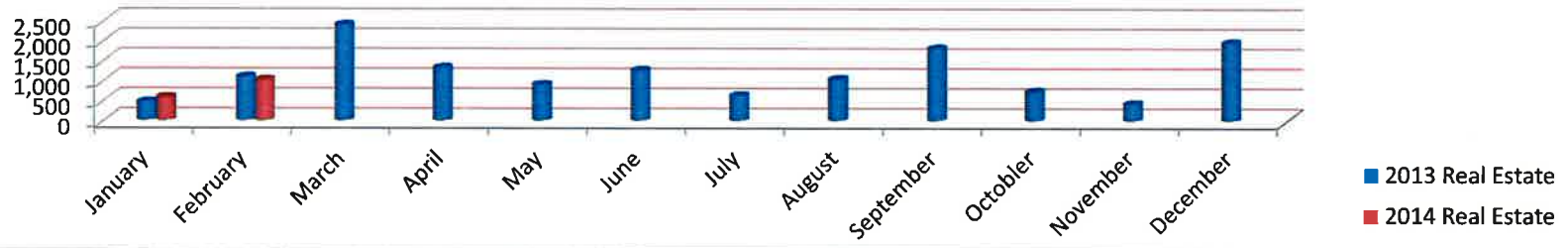
**Staff Report:** Staff report given by Robert Klotz and now on file in the Zoning Department. Klotz asked the petitioner if there would be any business use, plumbing or residential use. The petitioner acknowledged that there would not be any business use, water service or habitation.

Motion by Reese, seconded by Jaeckel to adjourn the meeting at 7:24 pm. Motion carried on a voice vote with no objection.

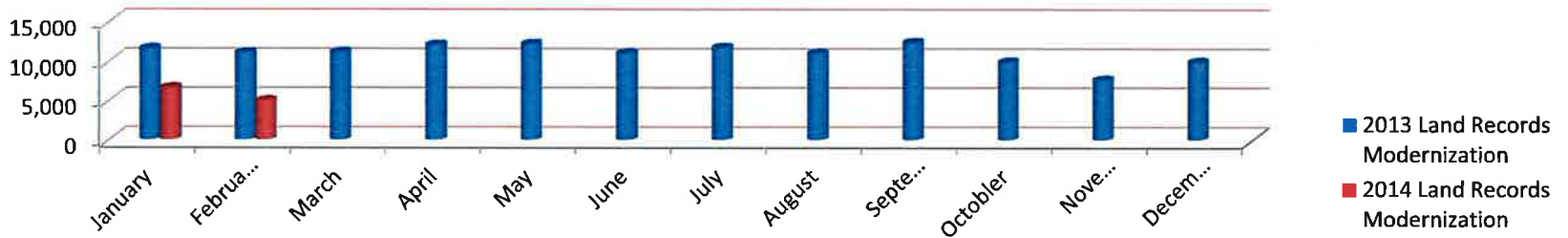
Donald Reese, Secretary

**March 2014 Land Information Office Monthly Revenue Report  
Comparison to Last Year**

Revenue Accounts	January	February	March	April	May	June	July	August	September	October	November	December	Total	Budget	% of Budget
2013 Real Estate	469	1,103	2,408	1,332	911	1,267	636	1,047	1,810	732	423	1,953	14,091	15,200	92.7%
2014 Real Estate	580	1,026											1,606	14,700	10.9%

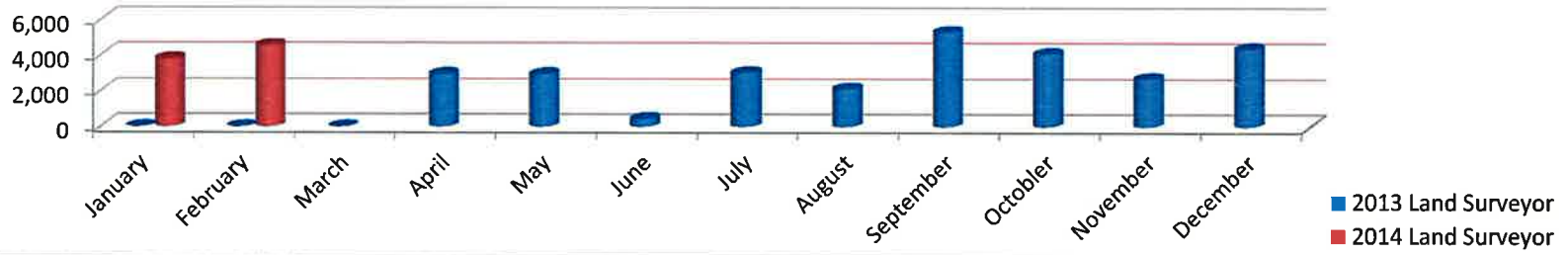


Revenue Accounts	January	February	March	April	May	June	July	August	September	October	November	December	Total	Budget	% of Budget
2013 Land Records Modernization	11,600	11,087	11,181	12,110	12,215	11,061	11,749	11,040	12,409	9,944	7,672	9,932	132,000	146,020	90.4%
2014 Land Records Modernization	6,672	5,000											11,672	137,760	8.5%



**March 2014 Land Information Office Monthly Revenue Report  
Comparison to Last Year**

Revenue Accounts	January	February	March	April	May	June	July	August	September	October	November	December	Total	Budget	% of Budget
2013 Land Surveyor	0	0	0	2,963	2,963	450	3,038	2,125	5,313	4,088	2,700	4,375	28,015	39,200	71.5%
2014 Land Surveyor	3,788	4,550											8,338	37,000	22.5%



## Jefferson County Planning and Zoning Department

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	2014 Totals	2013 Totals	2013- 2014 Difference
Jan	4,455.00	582.86		1,225.00	550.00							6,812.86	9,781.27	2,968.41
Feb	9,950.00	100.62		475.00	50.00							10,575.62	6,080.05	4,495.57
Mar	7,240.00	14.24		875.00								8,129.24	10,300.20	2,170.96
Apr														
May														
June														
July														
Aug														
Sept														
Oct														
Nov														
Dec														
<b>Total</b>	<b>21,645.00</b>	<b>697.72</b>		<b>2,575.00</b>	<b>600.00</b>							<b>25,517.72</b>	<b>26,161.52</b>	<b>643.79</b>

March 14, 2014

To: Planning & Zoning Commission  
C/O Jefferson County Zoning  
311 S. Center Ave.  
Jefferson, WI 53549

From: Leroy & Kathy Smiley  
W5354 Gladhurst Lane  
Elkhorn, WI 53121

Re: W5593 Smiley Lane  
Fort Atkinson, WI 53538

Dear Zoning Commissioner,

My husband and I have owned the referenced property for 7 years. We have sold our existing homestead and wish to build a new house on the property. After careful consideration, we determined that the location of the existing farm house is not suitable for our new home to be built due to the fact that the view and the privacy in another area on the land is far superior. Please consider this proposal.

If you have any questions please feel free to call us at 262-903-8821.

Thank you,

Sincerely,

*Leroy Smiley*  
*Kathy Smiley*





RECEIVED  
MAR 20 2014  
ZONING

Smiley Ln

New Homesite

35X110

© 2009 Tele Atlas

© 2007 Google™

Pointer 42°52'17.83" N 88°48'44.01" W elev 847 ft Streaming ||||| 100%

Eye all 1634 ft