

DATE: 05/16/23

R E S O L U T I O N

No. 002

To The Board of Supervisors of Winnebago County, Wisconsin:

AMENDATORY ORDINANCE 05/02/23

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF VINLAND in accordance with the petition of Steve & Trudy Resnick and

WHEREAS, said request is in compliance with the adopted Winnebago County Land Use Plan.

NOW, THEREFORE, the County Board of Supervisors of Winnebago County do ordain that the Zoning Ordinance and the Zoning Map of the TOWN OF VINLAND , be and the same, are amended to provide that the attached described property be changed from the classification of **R-1 & A-2 (rural residential and agricultural)** of said ordinance, which it now and heretofore had, to the zoned district of **A-2 (Agricultural)**.

AND BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors, that the enclosed Ordinance is hereby **ADOPTED** OR **DENIED**.

see attached documents
County Board Supervisor
(Town of Vinland)

PARCEL NO: **026-0435-01**; FROM **R-1 & A-2** TO **A-2**

COUNTY DISCLAIMER:

County Board approval does not include any responsibility for County liability for the legality or effectiveness of the Town Zoning Amendment or the Town Zoning Ordinance.

APPROVED BY WINNEBAGO COUNTY EXECUTIVE THIS _____ DAY OF _____, 2023.

Jon Doemel – County Executive

County Board Supervisory district **30 - Farrey**



Winnebago County

Zoning Department

The Wave of the Future

MEMO FOR P & Z MEETING AGENDA OF MAY 5, 2023

TO: Planning & Zoning Committee

FM: Zoning Administrator

RE: Review of Town Zoning Change(s)

1. James Pahlow - Town Zoning Change (Tax ID No(s): 026-0308-02-04 (part)) – Town of Vinland.

The town zoning change for James Pahlow is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-2 (Agricultural / Rural / Rural Residential) to R-1 (Rural Residential) and Winnebago County's future land use plan shows future land use as Residential.

RECOMMENDATION: Approve a motion to forward zone changes to County Board for action.

2. Steve & Trudy Resnick - Town Zoning Change (Tax ID No(s) 026-0435-01) – Town of Vinland.

The town zoning change for Steve & Judy Resnick is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from R-1 & A-2 (rural residential and agricultural) to A-2 (agricultural) and Winnebago County's future land use plan which incorporates the City of Oshkosh' future land use plan, shows future land use as Agricultural and Rural.

R-1 & A-2 to A-2 FLU: Ag & Rural
C-ost

TOWN OF Vinland

TOWN CLERK: Karen Brazee

SUBMITTAL FORM

Name of Property Owner: Steve & Trudy Resnick

Address of Owner: 4327 County Rd GG Oshkosh, WI 54904

Name of Applicant: same as above

Address of Applicant: _____

Legal description of area to be rezoned (attach CSM if applicable):

Section 20, T.19N R16N, Town of Vinland, Winnebago County

Tax Parcel Number(s): 026-0435-01

Section: 20 Town: 19N Range: 16N

Existing Zoning: R1&A2 Name of District: rural residential and agricultural

Proposed Zoning: A2 Name of District: agricultural

Town Board Action: Approval Denial

Town Findings:

Does the town have an adopted Land Use Plan? yes

Does the request agree with the Plan? yes

Other findings approved by the Town Board Vote (list):

When CSM was approved, dual zoning was applied to the lot. Correction is needed.

I, Karen Brazee, Clerk of Town of Vinland, hereby certify that a public hearing was conducted on 1/9/2023 and that all required notices were posted and/or mailed as by local ordinance.

Signed: Karen Brazee

Date: 1-10-23

TOWN ZONING AMENDMENTS

Winnebago County General Code, Chapter 8.04

Procedure for County Board Action on Town Zonng Amendments; Policy.

https://www.co.winnebago.wi.us/sites/default/files/uploaded-files/chapter8_rev_2021.pdf

The purpose of this policy is to establish an orderly procedure whereby the Winnebago County Board of Supervisors may take action on Town Zoning Amendments as required by law.

Information required for submittal to County Board:

- the name and address of the owner of the property proposed to be rezoned;
- the name and address of the applicant (if different);
- an accurate legal description or parcel number of the parcel or area rezoned.
 - if an entire tax parcel is not being rezoned, the legal description must be by metes and bounds, specifying distances and bearings.
 - if an entire tax parcel is not being rezoned, the parcel number should indicate "part"
 - example 000-0000 (part)
- the zoning district designation and name of both the existing and proposed zoning districts;
 - for example: A-1 (General Ag) to R (Residential)
- Certification by the Town Clerk that:
 1. a public hearing was conducted
 2. the date of the hearing
 3. that publication and/or notices required by ordinance were made
- Findings (reasons) made by the Town Board to support the approval or denial
- a scale map showing:
 - 1. the affected area
 - 2. all surrounding properties within 1,320'
 - 3. detailing at minimum:
 - a. parcel boundaries
 - b. zoning districts
 - c. structures
 - d. road names

TOWN OF VINLAND
6085 COUNTY ROAD T
OSHKOSH, WI. 54904
PHONE: (920) 235-6953 ** FAX: (920) 235-6994

NOTICE OF PUBLIC HEARING

The Town of Vinland, Winnebago County, WI. Plan Commission & Town Board will hold the following
Public Hearings at the Vinland Town Hall.

DATES/TIMES: JANUARY 2, 2023 @ 6:30 PM.--PLAN COMMISSION
JANUARY 9, 2023 @ 6:45 PM.-- TOWN BOARD

SUBJECT: ZONING CHANGE APPLICATION

DESCRIPTION OF SUBJECT SITE: 4327 CTY RD GG.

PROPERTY OWNER: STEVE & TRUDY RESNICK 4327 CTY RD GG OSHKOSH WI
54904

APPLICANT: STEVE & TRUDY RESNICK 4327 CTY RD GG OSHKOSH WI 54904

EXISTING ZONING: R-1 RURAL RESIDENTIAL, A-2 AGRICULTURAL.

PROPOSED ZONING: A-2 AGRICULTURAL.

LOCATION OF PREMISES AFFECTED: 4327 CTY GG

LEGAL DESCRIPTION: SECTION 20, T.19N.-R.16E., TOWN OF VINLAND,
WINNEBAGO, WI.

TAX PARCEL NO: 026-0435-01

EXPLANATION: CORRECT DUAL ZONING

ORDINANCE & SECTION AFFECTED: TOWN OF VINLAND ZONING CODE,
CHAPTER 410 ARTICLE III, ZONING DISTRICTS, SECTIONS: 410-18, & 410-30

All interested persons wishing to be heard are invited to be present.
Tom Spierowski, Zoning Administrator, Town of Vinland.

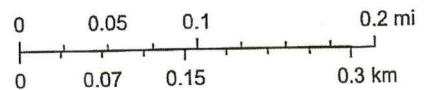
Site Map



12/21/2022, 9:52:53 AM

1:6,547

- | | | | |
|----------------------------|--------------------------------------|--|------------------------------------|
| | Adjacent Counties | | Navigable - Permanent (checked) |
| | Lakes, Ponds and Rivers | | Navigable - Intermittent (checked) |
| Navigable Waterways | | | |
| | Navigable - Permanent (unchecked) | | Tax Parcel Boundary |
| | Navigable - Intermittent (unchecked) | | Road ROW |
| | Navigable - Stream (unchecked) | | Municipal Boundary |



Winnebago County GIS, Imagery Date: April 2020

PUBLIC HEARING MINUTES
Monday, January 9, 2023 @ 6:45 PM

DISCUSSION ON THE FOLLOWING:

 Zoning correction for Steve and Trudy Resnick/ parcel# 026-043501:

Public hearing was called to order at 6:45 pm.

Chairman O'Connell asked the audience 3x for comment. No public input received. **Motion made by Devens to adjourn/seconded by Frakes. Motion carried. Public hearing adjourned at 6:55pm.**

Town Board Meeting Minutes
Monday, January 9, 2023 @ 7:00 PM

The Vinland Town Board held its monthly meeting in the Vinland Town Hall, 6085 County Road T Oshkosh, WI 54904 on Monday, January 9, 2023 @ 7:00 pm. Present were Chairman O'Connell, Supervisors Devens and Frakes, C/T Brazee and 12 others.

Chairman O'Connell called the meeting to order asking all present to join in the pledge of allegiance.

Review/Comment: First Responder and Fire Department minutes. **Approved as submitted by Devens/seconded by Frakes.**

Approval of Minutes:

1. Board Meeting of December 12th. **Motion to approve the minutes as written was made by Frakes/seconded by Devens. Motion carried.**
2. Special Board Workshop/Meeting of December 19th. **Motion to approve the minutes as written was made by Devens/seconded by Fakes. Motion carried.**

County Supervisor's Report: Co Supervisor Farrey wanted to provide specifics to the 2022 County tax. Last county mtg was attended by resident, Ellen Allen and she questioned why Supervisor Farrey provided incorrect information on the county tax decrease when in fact it increased. Farrey thanked Allen for attending the meeting, because it brought attention to the full Co Board. He does not have a definitive answer, but will get one. He reported to us in Oct he presented a number from the County budget book noting that there was a *43 cent/\$1000 reduction in County tax. Tax levy for the County went up 1.2 percent.* They did not use their entire net new construction offset. Farrey spk to Liz Nichols/Property Tax lister and Carol w/ the Deputy Finance Director. *County has a 71 mill tax levy and the municipalities have addntl \$4,650,000 added onto that for services that we participate in funding like library, public health, bridge and culvert aids and property lister and her staff. That is only assessed to the Towns that use those services.* Mill rate is at \$5.71 and the County mill rate is \$4.60. Where does that addtln tax come from? According to Carol/ Finance- thinks it's because of TIDs for cities economic development that had a 11.35% increase, so the TIDs are not paying that tax and the munis are picking that amount up. Allen questioned the increase to the new amount of 6 million... so that will amount to a reduction when it was not a reduction. Farrey noted that she's talking about 2 different things. Farrey noted that *Allen is referring to a levy buydown and the board had 40 million dollars which is down to 19 million. ARPA funds are not appropriated to the levy. County applied 8 mill of the 40 mill to buy down the levy.* The appropriation amount that TOV has to pay of the County tax went up approx. 13%. *The other issue is the equalized value, which the county*

taping of the meetings is to protect what Allen is addressing along with a viable transparent source to the public. O'Connell noted that he will also take that under advisement.

Andrea w/ Greater Oshkosh provided a handout of their services along with their updated service area and initiatives. Also put together a report on programs that are coming out called RAISE, Top Rural Development and Explore Innovation Accelerator program. This information is available at the townhall.

December Zoning and Bldg permits: One bldg permit was submitted. No other board comment.

Financial report for December 2022:

C/T Brazee's report on all accounts held by the Town. Total of all accounts \$1,792,217.02, total of all Dec receipts \$1,601,335.34 with outstanding checks totaling \$3737.40. C/T Brazee also noted that the Deputy ledger did balance w/ the bank statements, but I did not balance with the Redwing software with an offset of \$31.64, and welcomes anyone to review the records to find the discrepancy. **A motion to approve the financial report was made by Devens/seconded by Frakes. Motion carried.**

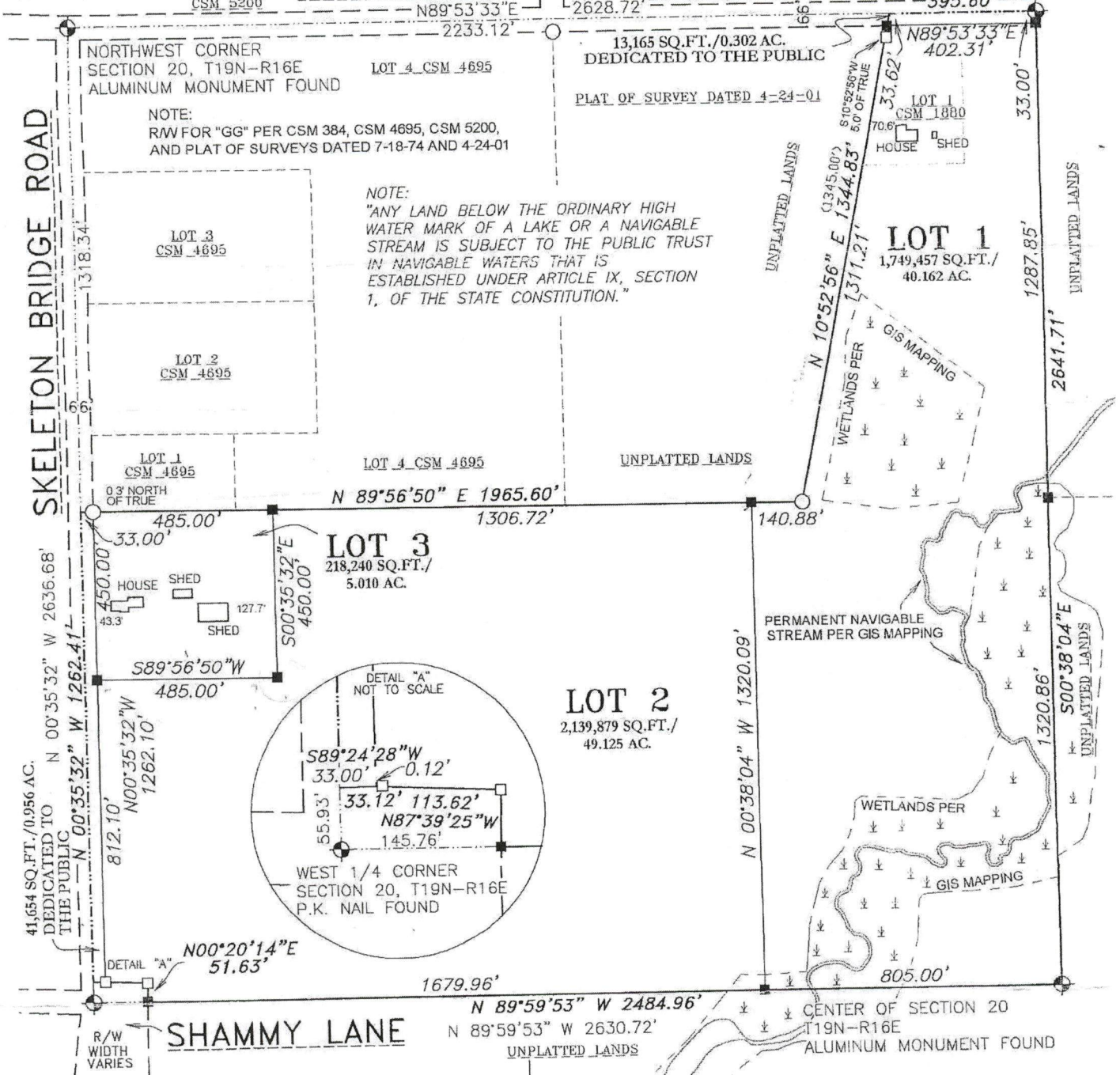
Discussion/Take Action:

1. Invoices and payroll: **Motion made by Frakes to approve/seconded by Devens. Motion carried.**
2. Zoning for Resnick/ 026-043501: O'Connell noted that the proposed zoning is A2. **Motion made by Devens to approve zoning as A2/seconded by Frakes. Motion carried.**
3. Chapter 39-23, UTV/ATV: O'Connell has drafted an ordinance and also sent a copy to the town's atty. O'Connell suggested before the Board makes any final approval, we should await atty's input. Town will open the roads for atv/utv use following state and county codes. Wants Town ordinance to be consistent w/ state and county and would like to be sure it's worded appropriately according to the attorney. **Devens made motion to table action until we get final approval from town attorney/seconded by Frakes. Motion carried.**
4. County review for Wittman Airport: O'Connell noted that it's a land use amongst the airport runways none of which are in the town, and doesn't affect our land use in anyway. **Motion made by Frakes to approve ordinance as written/seconded by Devens. Motion carried.**
5. Budget Resolution 001-2023: Transfer of Fire Dept 2% dues and emergency ins serv claims **Motion to approve resolution made by Frakes/seconded by Devens. Motion carried.** Devens confirmed that the money being transferred is going to the FD reserve account.
6. Cemetery fees; tabled from last month for clarification on the rates. Brazee clarified that the burial rates for both casket and cremation were increased at the same rate per request of the cemetery sexton. **Motion made by Frakes to approve/seconded by Devens. Motion carried.**
7. Chapter 89 of Code; Salary of Deputy C/T: O'Connell noted that it basically has to do with paragraph W that the town board will determine the compensation which in fact how its determined thru the budget process. Board puts the budget together and allocates the salary which the Clerk then manages thru hourly wages and hours of work. Brazee wants more clarification. Board ultimately determines the salary. Brazee wants wording to state who is determining the salary of the Deputy. Brazee wants clarification that she has authority to

HOWARD BECK
5978 SKELETON BRIDGE ROAD
OSHKOSH, WI 54904

C.T.H. "GG"

SECTION 20, T19N-R16E
ALUMINUM MONUMENT FOUND
PLAT OF SURVEY DATED 7-18-74 N89°53'33"E
395.60'

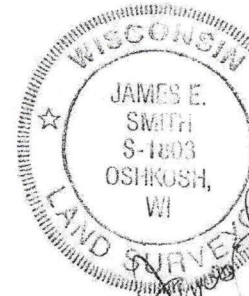
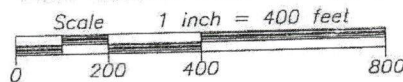


LEGEND

- 1-1/4" O.D. IRON PIPE SET, 18" LONG, WEIGHING 1.130 LBS. PER LIN. FOOT
- 3/4" REBAR FOUND
- 1-1/4" O.D. IRON PIPE FOUND
- ⊙ GOVERNMENT CORNER FOUND
- ✕✕ FENCE LINE
- () RECORDED AS



BEARINGS ARE REFERENCED TO THE WINNEBAGO COUNTY COORDINATE SYSTEM OF 1983(1997)



James E. Smith
JAN 13, 2015

Martenson & Eisele, Inc.



109 West Main Street
Omro, WI 54963
www.martenson-eisele.com
P 920.685.6240 F 920.685.6340

Planning
Environmental
Surveying
Engineering
Architecture

PROJECT NO. 0-1926-001
FILE 1926001CSM SHEET 1 OF 3
This instrument was drafted by: DSL

Map 1880, part of the Northeast 1/4 of the Northwest 1/4, part of the Southwest 1/4 of the Northwest 1/4, and the Southeast 1/4 of the Northwest 1/4, all in Section 20, Township 19 North, Range 16 East, Town of Vinland, Winnebago County, Wisconsin, described as follows:

Beginning at the North 1/4 corner of said Section 20; thence South 00 degrees 38 minutes 04 seconds East 2641.71 feet, along the East line of the said Northwest 1/4; thence North 89 degrees 59 minutes 53 seconds West 2484.96 feet, along the South line of the said Northwest 1/4; thence North 00 degrees 20 minutes 14 seconds East 51.63 feet, along the East right-of-way line of Shammy Lane; thence North 87 degrees 39 minutes 25 seconds West 113.62 feet, along the North right-of-way line of Shammy Lane as described in Document 1164408; thence South 89 degrees 24 minutes 28 seconds West 33.12 feet, as described in said Document 1164408; thence North 00 degrees 35 minutes 32 seconds West 1262.41 feet, along the West line of the said Northwest 1/4; thence North 89 degrees 56 minutes 50 seconds East 1965.60 feet; thence North 10 degrees 52 minutes 56 seconds East 1344.83 feet; thence North 89 degrees 53 minutes 33 seconds East 395.60 feet, along the North line of the said Northwest 1/4, to the point of beginning.

That I have fully complied with Chapter 236.34 of the Wisconsin Statutes in surveying, dividing, and mapping the same and the Town of Vinland, and Winnebago County Subdivision Ordinances.

This map is a correct representation of all of the exterior boundaries of land surveyed and the division thereof.

Given under my hand this 13 day of JAN, 2015.

James E. Smith
James E. Smith, WI. Land Surveyor, S-1803



Winnebago County Planning and Zoning Committee Certificate:

Pursuant to the Land Subdivision Regulations of the County of Winnebago, Wisconsin, all the requirements for approval have been fulfilled. This Minor Subdivision was approved by the Winnebago County Planning and Zoning Committee on _____ day of _____, 2015.

Chairman, Planning and Zoning Committee

This CSM is contained wholly within the property described in the following recorded instruments:

<u>Owner(s) of record</u>	<u>Document(s)</u>	<u>Parcel Number(s)</u>
Beck Trust Dated 21, 2008	1472731	0260434 0260435 026043201
Steven J. Resnick Trudy J. Resnick	707593	02604320101

