

To The Board of Supervisors of Winnebago County, Wisconsin:

AMENDATORY ORDINANCE 09/04/22

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF NEPEUSKUN in accordance with the petition of Teresa Blade 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 NEPEUSKUN, be and the same, are amended to provide that the attached described property be changed from the classification of **Farmland Preservation Overlay to Non-Farmland Preservation Overlay for both parcels and from A-2 (Agricultural District)** of said ordinance, which it now and heretofore had, to the zoned district of **R-1 (Residential District) for parcel 014-0055-01-03.**

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

County Board Supervisor
(Town of Nepeuskun)

PARCEL NO: **014-0055-01-04, 014-0055-01-03; FROM Farmland Preservation Overlay (both parcels) and A-2 for parcel 014-0055-01-03 TO Non-Farmland Preservation Overlay (both parcels) and R-1 for parcel 014-0055-01-03**

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 _____, 2022.

Jon Doemel

County Board Supervisory district **33 - Egan**



Winnebago County

Zoning Department

The Wave of the Future

MEMO FOR P & Z MEETING AGENDA OF SEPTEMBER 9, 2022

TO: Planning & Zoning Committee

FM: Zoning Administrator 

RE: Review of Town Zoning Change(s)

1. Multiple Property Owners - Town Zoning Change (Tax ID No(s) see attached) – Town of Wolf River.

The town zoning changes for multiple property owners are consistent with Winnebago County's Future Land Use Plan. The Town of Wolf River approved the zoning changes from A1 (Agri-Business District) to A2 (General Farming District) and A3 (Small Farming District) and Winnebago County's future land use plan shows future land uses as Agricultural and Rural, Environmental and Public.

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

2. Teresa Blade - Town Zoning Change (Tax ID No(s) 014-0055-01-04 & 014-0055-01-03) – Town of Wolf River.

The town zoning changes for Teresa Blade are consistent with Winnebago County's Future Land Use Plan. The Town of Nepeuskun approved the zoning changes from Farmland Preservation Overlay to no Farmland Preservation Overlay for both parcels and from A-2 (Agricultural District) to R-1 (Residential District) for parcel 014-0055-01-03 and Winnebago County's future land use plan shows future land use as Agricultural and Rural.

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

3. Barb Rank Life Estate - Town Zoning Change (Tax ID No(s) 024-0030) – Town of Utica.

The town zoning change for Barb Rank Life Estate is consistent with Winnebago County's Future Land Use Plan. The Town of Utica approved the zoning change from A2 (Agricultural District) to RR (Rural Residential Recreational Mixed Use) and Winnebago County's future land use plan which incorporates the City of Oshkosh' future land use plan, shows future land uses as Agricultural and Rural.

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

4. Matt Ziegenhagen - Town Zoning Change (Tax ID No(s) 024-0243) – Town of Utica.

The town zoning change for Matt Ziegenhagen is consistent with Winnebago County's Future Land Use Plan. The Town of Utica approved the zoning change from A2 (Agricultural District) to RR (Rural Residential Recreational Mixed Use) and Winnebago County's future land use plan which incorporates the City of Oshkosh' future land use plan, shows future land uses as Residential.

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

TOWN OF NEPEUSKUN
WINNEBAGO COUNTY

RZ 1-22

RE-ZONE APPLICATION

The following application must be completed prior to consideration for Re-Zoning of a parcel in the town. Please include the **\$300.00 fee** required per the Town of Nepeuskun Fees Ordinance payable to: Town of Nepeuskun and return to the Zoning Administrator for processing.

Date: 6-15-2022

Applicant Name: Teresa Blade

Applicant's Address: 44 Parkway Terrace Lot 2A Ripon WI 54971

Phone Number: 920-539-4135

Tax Parcel (s) number (s) for requested site: 01400550101

Address of requested site: 2096 2104 Rabbit Trail Rd

Current zoning of requested site: A2 FPO

NEW ZONING REQUESTED FOR SITE: SEE ATTACHED CSM - LOT 1 = R-1

Re-Zone Procedure

LOT 2 = A-2. REMOVE FPO
FROM ENTIRE PARCEL - REZONE

A Public Hearing will be set upon the receipt of this application and fee whereas the applicant shall furnish information to the Town Plan Commission necessary for processing of the application. LOT 1 ONLY TO R-1

I ACCEPT THESE TERMS AND HEREBY SUBMIT THE ATTACHED APPLICATION FOR APPROVAL. SIGNED: _____ DATE _____

Date Application Received by Town: 6/14/2022

Public Hearing Date: 7/11/2022

Recommendation of Approval of Re-Zone to Town Board

Town Plan Commission Secretary

Date 7/11/2022

Town Plan Commission Chair

Date 7/11/22

Stipulations: [Signature]

Final Approval of Re-Zone by Town Board

Town Clerk

Rebecca L. Pinnow
Rebecca L. Pinnow (Jul 25, 2022 13:06 CDT)

Date Jul 25, 2022

Town Board Chairman

Kyle Grabe

Date Jul 25, 2022

ALL OF LOT 1 OF CERTIFIED SURVEY MAP 7437,
BEING PART OF THE SOUTHWEST 1/4 OF THE
SOUTHEAST 1/4 OF SECTION 3, AND PART OF THE
NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF
SECTION 10, ALL IN TOWNSHIP 17 NORTH, RANGE
14 EAST, TOWN OF NEPEUSKUN, WINNEBAGO
COUNTY, WISCONSIN.

PROJECT NO. 0-2125-002
FILE 2125002CSM SHEET 1 OF 3
this instrument was drafted by: DSL

Certified Survey Map

ALL OF LOT 1 OF CERTIFIED SURVEY MAP 7437, BEING PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 3, AND PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 10, ALL IN TOWNSHIP 17 NORTH, RANGE 14 EAST, TOWN OF NEPEUSKUN, WINNEBAGO COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, Darryl S. Lehman, Professional Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped, at the direction of Jim Heise, all of Lot 1 of Certified Survey Map 7437, being part of the Southwest 1/4 of the Southeast 1/4 of Section 3, and part of the Northwest 1/4 of the Northeast 1/4 of Section 10, all in Township 17 North, Range 14 East, Town of Nepeuskun, Winnebago County, Wisconsin.

That I have fully complied with Chapter 236.34 of the Wisconsin Statutes in surveying, dividing, and mapping the same and the Town of Nepeuskun, 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 17th day of MAY, 2022.

Darryl S. Lehman, WI. Land Surveyor, S-3255



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 _____, 2022.

Chairman, Planning and Zoning Committee

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

Owner(s) of record	Document(s)	Parcel Number(s)
Teresa M. Blade	1872116	01400550101

Certified Survey Map

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OWNERS CERTIFICATE:

As owner, I the undersigned, hereby certify that I caused the land above described to be surveyed, divided, and mapped all as shown and represented on this map.

Teresa M. Blade Date

State of Wisconsin)
)SS
Winnebago County)

Personally came before me on the _____ day of _____, 2022, the above owners to me known to be the persons who executed the foregoing instrument and acknowledge the same.

_____ My Commission Expires _____

Treasurer's Certificate:

I hereby certify that there are no unpaid taxes or unpaid special assessments on any of the lands shown hereon.

Town Treasurer Date County Treasurer Date

Print Name Print Name

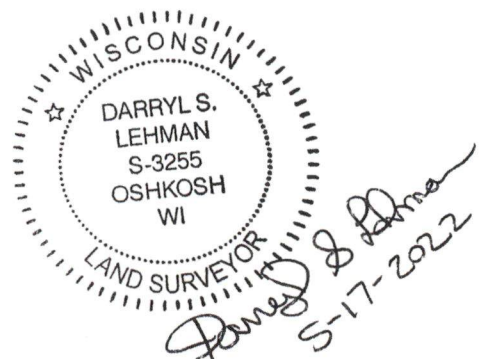
Town Board Approval:

We hereby certify that the Town of Nepeuskun has reviewed and approved this certified survey map.

Town Chairman Date Town Clerk Date

Print Name Print Name

PROJECT NO. 0-2125-002 SHEET 3 of 3



PUBLIC HEARING NOTICE
BEFORE THE TOWN OF NEPEUSKUN, WINNEBAGO COUNTY, WI PLANNING COMMISSION

PLEASE TAKE NOTICE that on Monday, July 11, 2022, at 7:00 p.m. at the Town of Nepeuskun Town Hall, located at 1475 County Road E, Ripon, Wisconsin, the Town of Nepeuskun Planning Commission will hold a public hearing for all persons interested, or their agents or attorneys, to appear before the Commission and be heard concerning the following Re-Zone Application, as specified in the Town Zoning Code:

Teresa Blade requests approval of a zoning map amendment (rezoning) to remove the FPO Farm Preservation Overlay District from tax parcel number 01400550101 addressed 2096 / 2104 Rabbit Trail, and to rezone a 2.051 acre portion of the subject parcel in the northwest corner of the parcel (Lot 1 of proposed Certified Survey Map) from the A-2 Agricultural District to the R-1 Residential District.

Application materials may be viewed upon request filed with the Town Zoning Administrator, Jeff Kussow, at (920) 785-7332 or zoneadmin@townofnepeuskun.org.

The hearing is open to the public and all interested parties are encouraged to attend. Any person may address the Plan Commission by letter sent to 8605 Lake Road, Ripon, WI 54971, by e-mail at townclerk@townofnepeuskun.org, or appear in person or by agent and be heard.

Dated this 16th day of June, 2022
Town of Nepeuskun
Jeremy DeVries
Town Planning Commission Secretary

Publication Dates: June 23, 2022 and June 30, 2022

ALL OF LOT 1 OF CERTIFIED SURVEY MAP 7437,
BEING PART OF THE SOUTHWEST 1/4 OF THE
SOUTHEAST 1/4 OF SECTION 3, AND PART OF THE
NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF
SECTION 10, ALL IN TOWNSHIP 17 NORTH, RANGE
14 EAST, TOWN OF NEPEUSKUN, WINNEBAGO
COUNTY, WISCONSIN.

NOTE:
"ANY LAND BELOW THE ORDINARY
HIGH WATER MARK OF A LAKE OR A
NAVIGABLE STREAM IS SUBJECT TO
THE PUBLIC TRUST IN NAVIGABLE
WATERS THAT IS ESTABLISHED
UNDER ARTICLE IX, SECTION 1, OF
THE STATE CONSTITUTION."

STATE OF WISCONSIN } ss.
Green Lake County

Scott Mundro being duly
sworn, doth depose and say that he (she) is an authorized representative

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WI PLANNING COMMISSION**

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Dated this 16th day of June, 2022

Town of Nepeuskun

Jeremy DeVries

Town Planning Commission Secretary

Publish: June 23 & 30, 2022

WNAXLP

spaper published at Berlin, a repre-
aid State, and that an advertisement
ue copy, taken from said paper, was

June 23, 2022

June 30, 2022

[Signature]

(Title)

fore me this 30th day of

Tracy H. Kallas
ary Public,

August 23, 2023

No. Lines

Times 2 Notary Fees \$ 1.00

Printers Fees 244.00

Extra Copies

Total \$ 245.00

Received Payment

(Seal)

Filed

PROOF OF PUBLICATION

IN THE MATTER OF

GREEN LAKE COUNTY

STATE OF WISCONSIN

Town of Nepeuskun

Winnebago County, Wisconsin

PROCEEDINGS OF THE NEPEUSKUN TOWN PLAN COMMISSION PUBLIC HEARING MEETING HELD MONDAY, JULY 11, 2022
AT 7 PM FOR THE PURPOSE:

Teresa Blade requests approval of a zoning map amendment (rezoning) to remove the FPO Farm Preservation Overlay District from tax parcel number 01400550101 addressed 2096 / 2104 Rabbit Trail, and to rezone a 2.051 acre portion of the subject parcel in the northwest corner of the parcel (Lot 1 of proposed Certified Survey Map) from the A-2 Agricultural District to the R-1 Residential District.

Phone-in operation was verified, and Chairman Bahn called the meeting to order for the Nepeuskun Town Plan Commission at 7:04 PM at Nepeuskun Town Hall

Secretary DeVries certified Public Hearing Notice was sent to the Berlin Journal for printing during the weeks of June 23, 2022 and June 30, 2022. The Public Hearing Notice was posted for website and email distribution on 6/18/2022, posted at the town Hall on 6/18/2022.

Roll call was taken; with the following present: Chairman Ron Bahn, Robert Zache, Scott Schuster, Candie Strebelinski and Secretary Jeremy DeVries. Member Aaron Grove was not present. Six members of the community were also present.

Public Comment:

- Audience – None
- Phone/Online – None
- Email Comments – None

Motion was made by Member Zache and second by Vice-Chairman Schuster to adjourn the public hearing. Motion carried at 7:08 PM. Motion carried unanimously.

Respectfully submitted,

Jeremy DeVries

Secretary

Ronald Bahn

Chairman

Scott Schuster

Vice-Chairman

Town of Nepeuskun

Winnebago County, Wisconsin

PROCEEDINGS OF THE REGULAR MONTHLY MEETING OF THE NEPEUSKUN TOWN BOARD HELD MONDAY, JULY 18, 2022.

The regular monthly meeting of the Town Board of the Town of Nepeuskun was called to order at 7:01pm at the Nepeuskun Town Hall, 1475 County Rd E., with all board members and 8 citizens present for the meeting.

Clerk Pinnow certified that an official notice for this meeting had been posted at the official Town Hall posting site and the Town Website on July 15, 2022.

Motion was made by Supervisor Wargula and second by Supervisor Zache to approve the agenda for the July 18, 2022. Motion carried unanimously.

Motion was made by Supervisor Zache and second by Supervisor Wargula to approve consent agenda including:

- a. Approval of minutes for the June 20, 2022 Regular Monthly Town Board Meeting
- b. Approval of Treasurer's Reports
- c. Approval of Bills and Vouchers
- d. Review of Zoning Permits, Application Fees, and Zoning Administrator Report

Motion carried unanimously.

Public Appearances:

Ron Bahn inquired as to when summer ditch mowing would begin. Several intersections need to be mowed for visibility. Recommended Town include mowing dates into contract for when first ditch mowing should start and be completed by. Chairman Grahn confirmed Ripon Truck indicated they would begin mowing on July 20th with two mowers. Ron Bahn also indicated he witnessed driver pulling in to Town Hall and throwing two garbage bags into recycling dumpster. He suggested Town investigate town wide garbage and recycling pick up.

Jim Heise indicated several town road signs are no longer visible due to tree and weed growth.

Lyndon Luker inquired as to whether Town should consider a referendum for curbside pick up.

Plan Commission Recommendations:

8a. Motion was made by Supervisor Wargula and second by Supervisor Zache to approve of Re-zone # 1-22 for Teresa Blade. Motion carried unanimously.

Old Business

9a. Nothing for the month.

New Business:

10a. Motion was made by Supervisor Zache and second by Supervisor Wargula to approve of renewal of Class "B" retail alcohol license for Arnie's 2 LLC. Motion carried unanimously.

10b. Motion was made by Supervisor Wargula and second by Supervisor Zache to approve of renewal of "Class B" retail alcohol license for Vines and Rushes Winery LLC. Motion carried unanimously.

10c. Motion was made by Supervisor Zache and second by Supervisor Wargula to approve of 11 bartenders' licenses as reported by Clerk Pinnow. Motion carried unanimously.

10d. Motion was made by Supervisor Wargula and second by Supervisor Zache to approve of 2023 Ripon EMS Service Agreement for coverage of the entire township including area served by Berlin EMS. Motion carried unanimously.

10e. Motion was made by Supervisor Zache and second by Supervisor Wargula to approve of Consent Decree between Town of Nepeuskun and Jerry Klawitter. Motion carried unanimously.

Reports from Board Members

11a. Ripon Fire District – meeting held on July 5, 2022. New president, Ellen Sorenson ran first meeting. Closed session meeting held July 13, 2022.

Berlin Fire Dept – Nothing for the month.

11b. Ripon EMS – Nothing for the month.

11c. Rush Lake Watershed Restoration Inc.

Ron Bahn provided update. Cattail spraying project for late summer/early fall. Approximately 200 acres have been identified for potential spraying. Next meeting to be held Tuesday, August 16th at 7pm at the Nepeuskun Town Hall.

12. Correspondence:

- ALCIVIA – Propane tank check passed
- ARPA Reporting – Payment 2

Future Agenda Items:

- Fortifi Bank options
- Brush cutting
- ARPA Funds (Town Hall roof/parking lot/flooring)

Motion was made by Chairman Grahm and second by Supervisor Wargula to move into closed session pursuant to Wis. Stat. 19.85(1)(g) for the purpose of conferring with legal counsel for the Town who is rendering oral or written advice concerning strategy to be adopted by the Town with respect to litigation in which it is or is likely to become involved; The topics of the closed session will be the properties located at 9048 Grams Rd, 404 & 408 Koro Rd (Roll Call Vote Required). Motion carried with 3 votes in favor, 0 opposed.

Reconvened into public session at 8:25pm.

Motion was made by Supervisor Zache and second by Supervisor Wargula to adjourn. Motion carried at 8:25pm. Motion carried unanimously.

Respectfully submitted,

Rebecca L. Pinnow, Clerk

Kyle Grahm, Chairman

Robert Zache, Supervisor

Michael Wargula, Supervisor