

WINNEBAGO COUNTY
PLANNING AND ZONING COMMITTEE
PUBLIC HEARING

Tuesday, March 28, 2017
6:30 P.M.

Room 408 – County Administrative Building

Present: Supervisors: Larry Kriescher, Maribeth Gabert, Claud Thompson, and Robert Keller; Karen Fredrick – Court Reporter; Candace Bauer – Code Enforcement Officer; and guests

Excused: Supervisor Tom Egan

The meeting was called to order by Supervisor Larry Kriescher, Vice Chairman at 6:30 P.M. The Committee and staff introduced themselves and C. Bauer read the appeals process.

Vice Chairman Kriescher noted that the applicant for item 1 was not yet present. He asked the other Supervisors if the Committee could address the other items until the applicant was able to be present. The Committee members agreed.

1. **Judges Point LLC– County Rd E, Town of Nepeuskun – Zoning Map Amendment**

The applicant is requesting a zoning map amendment to remove a portion of a wetland overlay.

David Hahn approached the Committee and was sworn in. He explained that he is requesting a wetland rezoning. There is currently a recreational cabin on the property and he wants to make improvements to it but cannot while it is mapped in wetlands. He is correcting the wetland map based upon actual field evidence. Vice Chairman Kriescher added that most wetland areas were determined using aerial photography and therefore large expanses of area were covered and may have included areas that aren't actually wetlands.

2. **Zoning Department – Winnebago County – Various Properties in the Towns of Clayton, Neenah, Nepeuskun, Vinland, Winneconne, and Wolf River – Zoning Map Amendment**

The applicant is requesting a zoning map amendment for several areas affected by navigability determinations.

C. Bauer, on behalf of the Zoning Department, explained that several navigability determinations were done throughout the County and were changed. These navigability determinations were generally brought on by property owners looking to do development, changes evident by aerial photography, or by other means. In these cases, a navigability determination going from navigable to non-navigable removes the shoreland district from that area. The shoreland district is an area that is 300ft from a navigable stream, river, or ditch, or 1,000ft from a lake, pond, or flowage. In some cases, a non-navigable determination will remove County's zoning jurisdiction and zoning jurisdiction will then fall to the Town.

David Winkel of Neenah approached the Committee and was sworn in. He had very general questions regarding the request. C. Bauer explained that many people received notifications because property owners within 300ft of one of these determinations were notified.

Karen Thorne of 8759 Clayton Ave approached the Committee and was sworn in. She was concerned that a non-navigable determination would allow the drainage ditch to be modified. Vice Chairman Kriescher noted

that no grading will be done as part of this request, only a change in navigability. C. Bauer added that this request cannot address these types of concerns but that most development is going to be required to have an approved erosion control or drainage plan.

C. Bauer read Town resolutions from the Towns of Neenah and Vinland. The Town of Vinland, in their “other findings” indicated “Request a review of County Shoreland Zoning on all properties in Vinland.” C. Bauer explained that this notation has no bearing on the request and that this would have to be addressed separately with the Department.

Supervisor Gabert noted that she also has a drainage ditch near her home that carries a lot of water but only during some periods during the year. Supervisor Gabert noted that she would have similar concerns to Mr. Thorne. C. Bauer explained that in some of these cases where there are significant drainage ways that may not carry water all times of the year but which are very important during snowmelt or spring, these are protected with a surface water drainage district. There are several of these throughout the County and it offers additional protection.

3. **Dan Buser – 8966 Faith Rd, Town of Winchester – Zoning Map Amendment**

The applicant is requesting a zoning map amendment to R-1 Rural Residential for parts of two lots. Dan Buser approached the Committee and was sworn in. He noted that the land was plotted off at a weird angle and that he was looking to square it off. He would like to add a lot for building another home for his family.

4. **Dan Clark – East of 5987 County Rd E, Town of Omro – Conditional Use Permit**

The applicant is requesting a conditional use permit in order to build a personal storage facility in an A-2 district. The applicant was not present. And no guests wanted to speak on the item.

Supervisor Gabert inquired what zoning district the use is allowed in. C. Bauer explained that it is only allowed outright without a conditional use in the I-1 Light Industrial District. It is allowed with a conditional use permit in the A-2, B-3, and I-2 zoning districts.

C. Bauer read an email received by the Town of Omro noting that the Town Board has pushed the item to their April 17th meeting. C. Bauer also read a letter from Kara Clark’s attorney explaining that Kara Clark was supposed to be removed from the deed on the property as part of a divorce but that has not been completed. It was requested of the Committee that the request not move forward without this being corrected. C. Bauer explained that the Committee could adjourn the item until the deed is corrected or could let the item die.

MOTION made by Supervisor Gabert to adjourn this item until the next public hearing. Seconded by Supervisory Thompson. MOTION to amend the motion to adjourn the item until the deed is corrected. Seconded by Vice Chairman Kriescher. Supervisors Gabert and Thompson agree to the amendment. Corrected motion carried unanimously.

ADJOURNMENT: MOTION made by R. Keller to adjourn meeting. Seconded by M. Gabert. Motion carried unanimously. Meeting adjourned at 7:00 P.M.

Respectfully submitted,

Candace Bauer
Recording Secretary