

To The Board of Supervisors of Winnebago County, Wisconsin:

**AMENDATORY ORDINANCE 04/01/22**

WHEREAS, it is desirable to amend the Zoning Ordinance of the TOWN OF OSHKOSH in accordance with the petition of the Town Board.

WHEREAS, the Winnebago County Planning and Zoning Committee has reviewed said amendments, has found no conflicts with county zoning jurisdiction or regulatory authority with them, and is hereby submitting those amendments of the TOWN OF OSHKOSH ZONING ORDINANCE - SECTION 16-3-21(10)(d) PASSIVE RECREATION Code to the Winnebago County Board of Supervisors for final approval; and

WHEREAS, said amendments to the TOWN OF OSHKOSH SECTION 16-3-21(10)(d) - Passive Recreation Code are hereby attached and available on the County Clerks website.

[www.co.winnebago.wi.us/county-clerk/meetings](http://www.co.winnebago.wi.us/county-clerk/meetings)

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

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County Board Supervisor  
(Town of Oshkosh)

**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.

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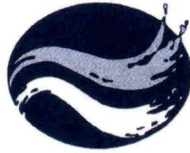
Jon Doemel

CARY A. ROWE  
Zoning Administrator

112 OTTER AVE., PO BOX 2808  
OSHKOSH, WISCONSIN 54903-2808

OSHKOSH (920) 232-3344  
FOX CITIES (920) 727-2880  
FAX (920) 232-3347

zoningdepartment@co.winnebago.wi.us



## Winnebago County

Zoning Department

*The Wave of the Future*

### MEMO FOR P & Z PLANNING MEETING AGENDA OF APRIL 8, 2022

TO: Planning & Zoning Committee

FM: Zoning Administrator

RE: Review of Town of Oshkosh Zoning Ordinance Amendments

1. Review of Zoning Ordinance Amendments – Town of Oshkosh

The zoning office received a copy of the Town of Oshkosh's adopted zoning ordinance text amendments. The amendments are related a new land use category (Passive Recreation) allowed in an agricultural zoning district. The adopted zoning ordinance amendments for the Town of Oshkosh must be approved by the County Board. There does not appear to be any conflicts with county zoning jurisdiction or regulatory authority.

RECOMMENDATION: Forward adopted zoning ordinance amendments to County Board for action.

SD, RK2

Approved 4-0



Email  
[clerk@town.oshkosh.wi.gov](mailto:clerk@town.oshkosh.wi.gov)  
Website  
[townofoshkosh.com](http://townofoshkosh.com)

Jim Erdman, Chairman, 2492 Hickory La., Oshkosh, WI 54901	920-233-3618
Matt Merten, Supervisor, 1054 Cozy La., Oshkosh, WI 54901	920-410-2206
Bill Demler, Supervisor, 4625 Plummers Pt Rd, Oshkosh, WI 54904	920-479-0770
Laura Hunt, Treasurer, 4749 Plummers Pt. Rd., Oshkosh, WI 54904	920-385-6866
Jeannette B. Merten, Clerk, 1076 Cozy La., Oshkosh, WI 54901	920-235-7771

Town Hall physical address: 230 E. County Rd. Y, Oshkosh, WI 54901

Mailing Address: 1076 Cozy Lane, Oshkosh, WI 54901; 920-235-7771

March 3, 2022

Cary Rowe  
Winnebago County Zoning Office  
112 Otter Ave  
Oshkosh WI 54901

**RE: ORDINANCE AMENDING TOWN OF OSHKOSH ZONING ORDINANCE**

Dear Cary,

Included with this letter is a copy of Ordinance adopting a text amendment to the Town's Zoning Ordinance.

- The Town of Oshkosh complied with the statutory class 2 requirement for the Public Hearing notice and postings.
- The Town of Oshkosh Planning & Zoning Commission recommended the adoption of the text amendment to the Town Board.
- The Town of Oshkosh Town Board adopted Ordinance Amending Town of Oshkosh Zoning Ordinance.

Purpose is to allow "Passive Recreation" as a Conditional Use in a A-2 General Farming District.

The Town of Oshkosh requests to authorize and schedule this Ordinance as an agenda item for the upcoming Winnebago County Board of Supervisors meeting.

If you have questions or concerns, you may contact me by phone, 920-235-7771, or send email message to [clerk@town.oshkosh.wi.gov](mailto:clerk@town.oshkosh.wi.gov).

**TOWN OF OSHKOSH**

Respectfully,

Jeannette Merten  
Town Clerk

Cc: Jim Erdman, Town Chairperson  
Matt Merten, Town Supervisor  
Bill Demler, Town Supervisor  
Laura Hunt, Town Treasurer  
Carol Kaufmann, Town Zoning Administrator  
Matthew B. Parmentier, Town Attorney

TOWN OF OSHKOSH  
WINNEBAGO COUNTY, WISCONSIN

**ORDINANCE AMENDING TOWN OF OSHKOSH ZONING ORDINANCE**

The Town Board of the Town of Oshkosh, with quorum present and voting, and having received a recommendation of the Town of Oshkosh Planning Commission following a public hearing, does hereby ordain the following amendments to the Town of Oshkosh Zoning Ordinance:

Section 16-3-21(10)(d) is created to read: "Passive Recreation"

Section 16-1-10 is hereby amended to add the following definition:

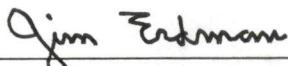
**PASSIVE RECREATION.** Properties that allow for participation in recreational activities and which have a minimal impact on the site's resources.

All other provisions of the Town of Oshkosh Zoning Ordinance shall remain in full force and effect.

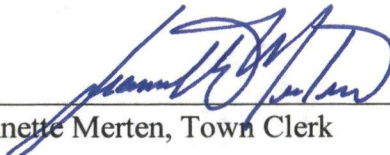
The Town Clerk and Town Attorney are hereby authorized and directed to take all action necessary to implement this Ordinance.

Dated this 2<sup>nd</sup> day of March, 2022.

TOWN OF OSHKOSH

 - Tr. CH.  
\_\_\_\_\_  
Jim Erdman, Town Chairperson

Attest:

  
\_\_\_\_\_  
Jeannette Merten, Town Clerk

{07757647.DOCX.2}



**TOWN OF OSHKOSH  
WINNEBAGO COUNTY, WISCONSIN**



**LEGAL NOTICE**

PLEASE TAKE NOTICE, that at 6:00 p.m. on Wednesday, March 2, 2022 at the Town of Oshkosh Town Hall, 230 E. Cty Rd Y, Oshkosh, the Town of Oshkosh Planning and Zoning Commission will conduct public hearings on two topics. The first concerns a possible text amendment to the Town's zoning ordinance to add "sports fields" as a conditional use within the Town's A-2 zoning district. The second concerns an application for a conditional use permit submitted by Nancy Krueger/EO5V, LLC to authorize a sports field and single-family dwelling on Parcels 0180376, 0180398, and 0180402, which are located between Highway Y and Plummers Point Road. Both hearings are open to the public, and all interested parties are encouraged to attend. At the conclusion of the hearing, the Planning and Zoning Commission may make a recommendation to the Town Board regarding both the text amendment and conditional use permit application.

PLEASE TAKE FURTHER NOTICE, that immediately following the public hearing described above, the Town Board of the Town of Oshkosh will meet to receive the recommendations of the Planning and Zoning Commission and to take final action on the zoning text amendment and conditional use permit. The meeting is open to the public, and all interested parties are encouraged to attend.

Dated this 16<sup>th</sup> day of February, 2022

TOWN OF OSHKOSH

Jeannette Merten, Town Clerk

Published February 16 & 23, 2022

Posted 2/11/2022

***TOWN OF OSHKOSH  
WINNEBAGO COUNTY, WISCONSIN***

**PUBLIC MEETING NOTICE**

**Planning & Zoning Commission Meeting**

**Date:** March 2, 2022

**Time:** Immediately following the 6:00 p.m. public hearing

**Place:** Town Hall, 230 E. County Rd Y, Oshkosh WI 54901

**Agenda:**

The Board may discuss and act on the following:

**Call meeting to order.**

1. Minutes approval of meeting date Feb. 10, 2022.

**Business:**

2. Town Zoning Ordinance Text amendment proposed to add "sports fields" as a conditional use within the Town's A-2 zoning district.
3. Conditional Use Permit by Krueger/EO5V, LLC/Moore to authorize a sports field and single-family dwelling in an agriculture zoning district (A-2) on parcels 018-0376, 018-0398, and 018-0402, fronting Country Rd. S.

**Adjournment**

**Chair of Commission/Jim Erdman**

**Special Notes:**

1. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, call Jeannette Merten at 920-235-7771 or write to 1076 Cozy Lane, Oshkosh, WI 54901.
2. A quorum of sanitary district commissioners within the Town of Oshkosh may be in attendance at this meeting for purposes of asking questions and gathering information and it is not expected that the commission take any official action.
3. The agenda is subject to amendments/change. Any changes would be posted on the Town of Oshkosh's website under the Planning and Zoning agendas, website is: [townofoshkosh.com](http://townofoshkosh.com)

Post date: 2/14/2022

Oshkosh  
**Northwestern**  
**media**  
A GANNETT COMPANY

**STATE OF WISCONSIN**  
**BROWN COUNTY**

TOWN OF OSHKOSH

1076 COZY LN

OSHKOSH WI 549011404

Being duly sworn, doth depose and say that she/he is an authorized representative of the Oshkosh Northwestern, a daily newspaper published in the city of Oshkosh, in Winnebago County, Wisconsin, and that an advertisement of which the annexed is a true copy, taken from said paper, which published in editions dated

Account Number: GWM-N5839  
Order Number: 0005133768  
Total Ad Cost: \$53.43  
Published Dates: 02/16/2022, 02/23/2022

*Nicole Jacobs*

Legal Clerk

State of Wisconsin  
County of Brown  
Subscribed and sworn to before on February 23, 2022

*Nancy Heyrman*

Notary Public State of Wisconsin, County of Brown

*5.15.23*

My Commission Expires

# of Affidavits 1

This is not an invoice

NANCY HEYRMAN  
Notary Public  
State of Wisconsin

TOWN OF OSHKOSH  
WINNEBAGO COUNTY, WISCONSIN  
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Dated this 16th day of February, 2022

TOWN OF OSHKOSH  
Jeannette Merten, Town Clerk  
Published February 16 & 23, 2022  
Run: February 16, 23, 2022 WNAXLP

**Received**

**MAR 05 2022**

**Town of Oshkosh  
Winnebago, WI**

TOWN OF OSHKOSH  
Re: PH: Mar. 2, 2022

GANNETT WI MEDIA  
435 EAST WALNUT ST.  
PO BOX 23430  
GREEN BAY, WI 54305-3430

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