

To The Board of Supervisors of Winnebago County, Wisconsin:

**AMENDATORY ORDINANCE 07/14/21**

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF WINCHESTER in accordance with the petition of Lee Kester, Mary Danke, Susan Krueger, Dennis Krueger, Pat Ruppel and Kay Home 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 WINCHESTER, be and the same, are amended to provide that the attached described property be changed from the classification of **A-2 (General Farming District)** of said ordinance, which it now and heretofore had, to the zoned district of **R-1 (Rural Residential District)**.

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 Winchester)

PARCEL NO: **028-0106-02 (part), 028-0106-03; FROM A-2 TO R-1**

**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 \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jon Doemel



## Winnebago County

Zoning Department

*The Wave of the Future*

MEMO FOR P & Z MEETING AGENDA OF JULY 9, 2021

TO: Planning & Zoning Committee

FM: Zoning Administrator *CAR*

RE: Review of Town Zoning Change

1. Christie PrahI - Town Zoning Change (Tax ID No: 026-0308-02-01 & 026-0308-02-03) – Town of Vinland.

The town zoning change for Christie PrahI is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-2 / R-1 (Agricultural / 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 change to County Board for action.** *MG, BJ 2 4-0 approved*

2. Brad Starr - Town Zoning Change (Tax ID No: 026-0232, 026-0233-01, 026-0234, 026-0248-01, 026-0249 & 026-0250) – Town of Vinland.

The town zoning change for Brad Starr is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan shows future land use as Agricultural and Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.** *RK, MG 2 4-0 approved*

3. Muttart Rev Tst - Town Zoning Change (Tax ID No: 026-0572 & 026-0573) – Town of Vinland.

The town zoning change for Muttart Rev Tst is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan shows future land use as Agricultural, Rural & Non-residential.

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

*BT, MG2 4-0 approved*

4. Wilde Farms Inc - Town Zoning Change (Tax ID No: 026-0487 & 026-0489) – Town of Vinland.

The town zoning change for Wilde Farms Inc is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) 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.

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

*MG, RK2 4-0 approved*

5. David Harness - Town Zoning Change (Tax ID No: 026-0001 & 026-0003) – Town of Vinland.

The town zoning change for David Harness is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

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

*MG, BT2 4-0 approved*

6. Boss Real Estate Holding LLC & Jay R. Boss Rev Tst - Town Zoning Change (Tax ID No: 026-0501-03 & 026-0501-01) – Town of Vinland.

The town zoning change for Boss Real Estate Holding LLC & Jay R. Boss Rev Tst is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan, which incorporates the City of Oshkosh' future land use plan, shows future land use as Agricultural & Rural.

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

*MG, RK2 4-0 approved*

7. Roydon Fahley - Town Zoning Change (Tax ID No: 026-0165 & 026-0201) – Town of Vinland.

The town zoning change for Roydon Fahley is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

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

*MG, BJz 4-0 approved*

8. Gary Schneider and Roger Erdman et al - Town Zoning Change (Tax ID No: 026-0204 & 026-0205) – Town of Vinland.

The town zoning change for Gary Schneider and Roger Erdman et al is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

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

*MG, RKz 4-0 approved*

9. Lee Kester, Mary Danke, Susan Krueger, Dennis Krueger, Pat Ruppel and Kay Home - Town Zoning Change (Tax ID No: 028-0106-02 (part) & 028-0106-03) – Town of Winchester.

The town zoning change for Lee Kester, Mary Danke, Susan Krueger, Dennis Krueger, Pat Ruppel and Kay Home is consistent with Winnebago County's Future Land Use Plan. The Town of Winchester approved the zoning change from A-2 (General Farming District) to R-1 (Rural Residential District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

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

*RK, BJz 4-0 approved*

10. Estate of David Davies - Town Zoning Change (Tax ID No: 024-0525 & 024-0531) – Town of Utica.

The town zoning change for Estate of David Davies is consistent with Winnebago County's Future Land Use Plan. The Town of Utica approved the zoning change from A2 (General Farming District) to RR (Rural Residential Recreational Mixed Use District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

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

*TE, BJz 4-0 approved*

11. Craig & Ashley Much - Town Zoning Change (Tax ID No: 024-0245) – Town of Utica.

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

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

*BJ, RK2 4-0 approved*

12. Estate of David Davies - Town Zoning Change (Tax ID No: 024-0522) – Town of Utica.

The town zoning change for Estate of David Davies is consistent with Winnebago County's Future Land Use Plan. The Town of Utica approved the zoning change from A2 (General Farming District) to RR (Rural Residential Recreational Mixed Use District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

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

*TE, MG2 4-0 approved.*

# Town of Winchester

## Ordinance 2021-03

### Ordinance to Amend the Official Town of Winchester Zoning Ordinance Map

- WHEREAS,** One or more applications for amendments to the Map of the Town of Winchester Zoning Code of Ordinances have been filed with the Town Clerk as described herein; and
- WHEREAS,** following the requisite Notices and Public Hearings, the proposed amendment(s) have been reviewed and recommended to the Town Board by the Town's Plan Commission; and
- WHEREAS,** the application(s) for amendment(s) to the Map of the Town of Winchester Zoning Code of Ordinances does comply with both the Town's existing land use and future land use elements of the CY 2016 update to the Town's Comprehensive Plan; and
- WHEREAS,** all other procedural requirements have been met for purposes of consideration of the amendment(s) as provided in Section 17.59 of the Town of Winchester Zoning Code of Ordinances:

**Section 1:** The Official Zoning Map of the Town of Winchester is amended as follows:

**A. Property Owner:** Lee Kester, Mary Danke, Susan Krueger, Dennis Krueger, Pat Ruppel, and Kay Home

**Legal description of property:** The property is located at the 5792 and 5748 Hillcrest Road, Larsen in the Town of Winchester and being specifically described as Tax IDs 028-0106-03 and (part) Tax ID 028-0106-02, Section 3, Town 20 North, Range 15 East, Town of Winchester, County of Winnebago, State of Wisconsin. The application is to re-zone a portion of the properties from A-2 (General Agricultural District) to R-1 (Rural Residential District).

**Findings of Fact:**

1. Town of Winchester has an adopted Land Use Plan
2. The adopted 20-year Future Land Use Map in the Land Use Plan shows parcels 028-0106-02 and 028-0106-03 as single family residential, agricultural, and woodlands.
3. R-1 single family residential is consistent with the aforementioned land uses.
4. Therefore, a zoning change from A-2 to R-1 is consistent with the adopted Land Use Plan and the zoning change is compatible with the adjacent uses.

**The above-described property is hereby rezoned from:**

A-2 (General Agricultural District) to R-1 (Rural Residential District)

**Section 2:** This Ordinance shall be submitted to the Winnebago County Board for approval. The amendment to the Town of Winchester Zoning Code of Ordinances shall be effective upon approval by the Winnebago County Board.

Adopted this 17th, day of May 2021

Vote: Yes: 3 No: 0 Absent: 0 Abstain: 0

Matthew J Olson  
Matthew J Olson, Chairman

Attest: Holly Stevens  
Holly Stevens, Clerk

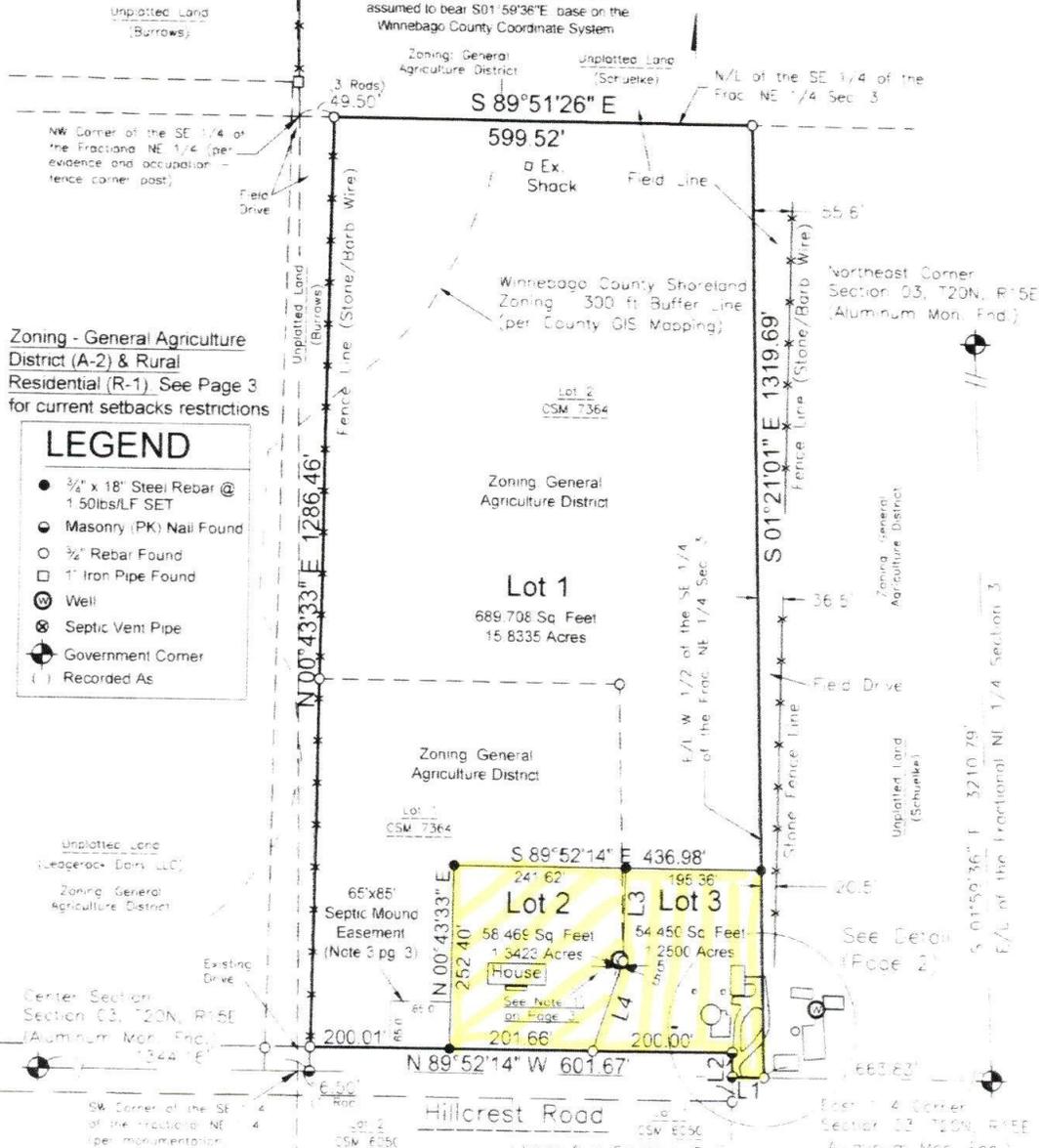
Certified Survey Map No. \_\_\_\_\_

All of Lot 1 and Lot 2 of Certified Survey Map No. 7364, being part of the West 1/2 of the Southeast 1/4 of the Fractional Northeast 1/4 of Section 03, Township 20 North, Range 15 East, Town of Winchester, Winnebago County, Wisconsin

Survey for  
Susan & Dennis Krueger  
5792 Hillcrest Road  
Larsen, WI 54947



Bearings are referenced to the East line of the Fractional Northeast 1/4 Section 03 T20N R15E assumed to bear S01°59'36" E base on the Winnebago County Coordinate System



Zoning - General Agriculture District (A-2) & Rural Residential (R-1) See Page 3 for current setbacks restrictions

**LEGEND**

- 3/4" x 18" Steel Rebar @ 150lbs/LF SET
- Masonry (PK) Nail Found
- 3/4" Rebar Found
- 1" Iron Pipe Found
- ⊙ Well
- ⊗ Septic Vent Pipe
- ⊙ Government Corner
- ( ) Recorded As

LINE	BEARING	DISTANCE
L1	N 89° 52' 14" W	45.07
L2	N 00° 18' 07" W	33.00
L3	S 00° 47' 45" W	127.62
L4	S 18° 21' 50" W	31.37



**DAVEL ENGINEERING & ENVIRONMENTAL INC**  
Civil Engineers and Land Surveyors

164 Rivoli Terrace, Menasha, WI 54952  
Ph: 920.991.1866 Fax: 920.441.0604  
www.davelinc.com

Scott R. Andersen  
Professional Land Surveyor No. S-3169  
scott@davel.pro

Date

Created by scott  
Sheet 1 of 10

# Certified Survey Map No. \_\_\_\_\_

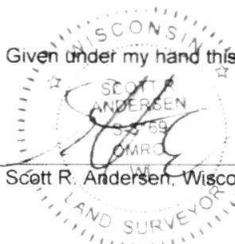
All of Lot 1 and Lot 2 of Certified Survey Map No. 7364, being part of the West 1/2 of the Southeast 1/4 of the Fractional Northeast 1/4 of Section 03, Township 20 North, Range 15 East, Town of Winchester, Winnebago County, Wisconsin.

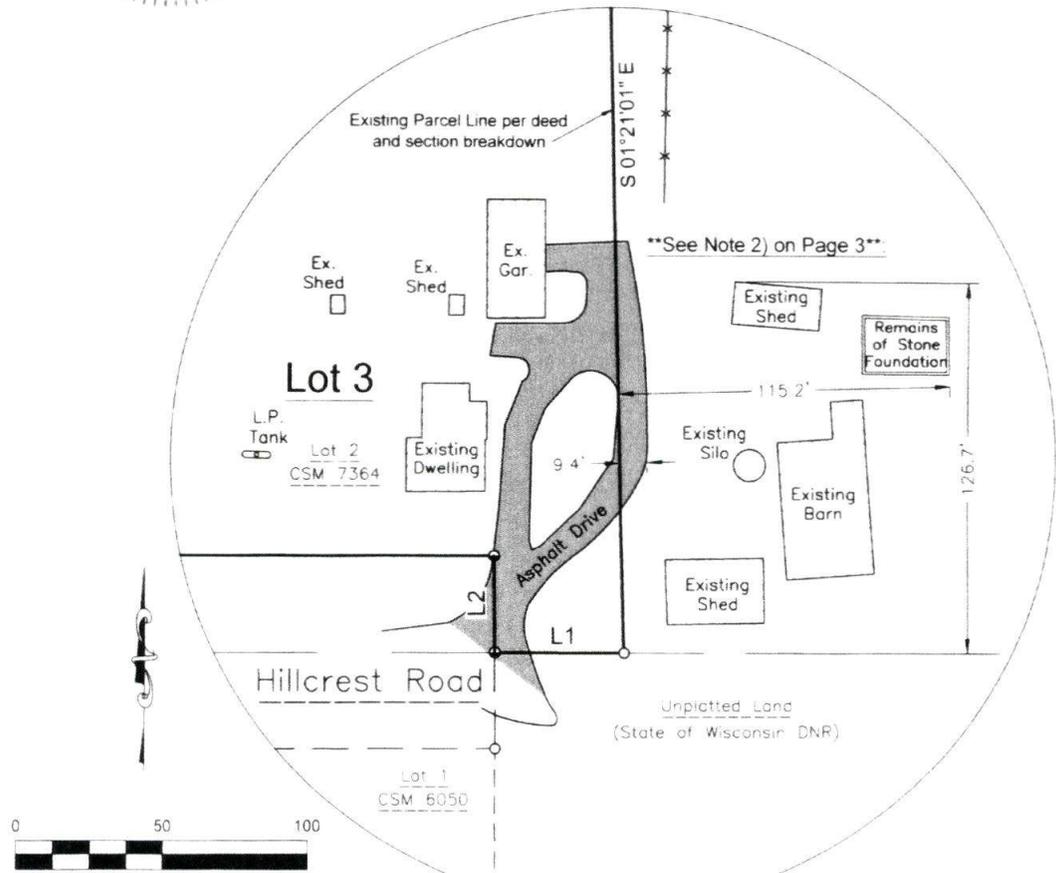
## Surveyor's Certificate

I, Scott R. Andersen, Professional Land Surveyor, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the Town of Winchester and Winnebago County, and under the direction of Lee E. Kester, Mary L. Danke, Susan K. Krueger, Dennis L. Krueger, Pat D. Ruppel and Kay S. Horne, the property owner, all of said land, I have surveyed, divided, and mapped this Certified Survey Map; that such map correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is All of Lot 1 and Lot 2 of Certified Survey Map No. 7364, being art of the West 1/2 of the Southeast 1/4 of the Fractional Northeast 1/4 of Section 03 Township 20 North, Range 15 East, Town of Winchester, Winnebago County, Wisconsin, containing 822,492 Square Feet (18.8818 Acres) of land described as follows:

All of Lot 1 and Lot 2 of Certified Survey Map No. 7364, being part of the West 1/2 of the Southeast 1/4 of the Fractional Northeast 1/4 of Section 03, Township 20 North, Range 15 East, Town of Winchester, Winnebago County, Wisconsin, subject to all easements, and restrictions of record.

Given under my hand this 20<sup>th</sup> day of April, 2021.

  
 Scott R. Andersen, Wisconsin Professional Land Surveyor No. S-3169





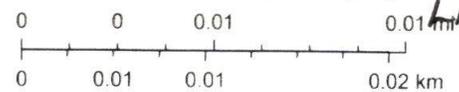
# Location Map aerial showing shed issue



5/6/2021, 7:44:50 AM

**END OF SHED RAZED - NO LONGER CROSSES PROPERTY LINES!**

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



Winnebago County GIS. Imagery Date: April 2020



BUILDING HAS BEEN "RAZED" ON END  
WHICH CROSSED PROPERTY LINE - NO LONGER  
CROSSES.

# Town of Winchester

8522 Park Way, Larsen, WI 54947  
920.836.2948



May 26, 2021

County Zoning Office  
Attn: Cary A. Rowe  
112 Otter Avenue  
Oshkosh, WI 54901

Re: Town Board approved amendment to the Town's Zoning Code of Ordinances Map.

Dear Mr. Rowe,

Enclosed please find the material relative to the following amendment(s) to the Zoning Code of Ordinances, Zoning Map in the Town of Winchester:

Re-zoning submitted by Lee Kester, Mary Danke, Susan Krueger, Dennis Krueger, Pat Ruppel, and Kay Horne for property located at the 5792 and 5748 Hillcrest Road, Larsen in the Town of Winchester and being specifically described as Tax IDs 028-0106-03 and Tax ID 028-0106-02, Section 3, Town 20 North, Range 15 East, Town of Winchester, County of Winnebago, State of Wisconsin. The application is to re-zone a portion of the properties from A-2 (General Agricultural District) to R-1 (Rural Residential District).

Should you have any questions relative to this request, please feel free to call or email me.

Sincerely,

A handwritten signature in blue ink that reads "Holly".

Holly Stevens  
Town of Winchester Clerk

CC County Clerk, Sue Ertmer