

DATE: 07/17/18

## R E S O L U T I O N

No. 5

To The Board of Supervisors of Winnebago County, Wisconsin:

### AMENDATORY ORDINANCE 5

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF CLAYTON in accordance with the petition of KARL ERDMANN 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 CLAYTON, be and the same, are amended to provide that the attached described property be changed from the classification of **A-1 AGRIBUSINESS BUSINESS DISTRICT** of said ordinance, which it now and heretofore had, to the zoned district of **A-2 GENERAL AGRICULTURAL DISTRICT**.

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 CLAYTON)

PARCEL NO: **006-0834 (p)**; FROM **A-1** 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 \_\_\_\_\_, 2018.

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Mark Harris

County Board Supervisory district **30**



## Winnebago County

### Zoning Department

*The Wave of the Future*

#### MEMO FOR P & Z MEETING AGENDA OF JULY 6, 2018

TO: Planning & Zoning Committee

FM: Zoning Administrator *CAR*

RE: Review of Town Zoning Changes

1. Versteegh - Town Zoning Change (Tax ID No: 004-0305-02-02) – Town of Black Wolf.

The town zoning change for Versteegh is consistent with Winnebago County's Land Use Plan. The Town of Black Wolf approved the zoning change from A-2 (General Farming District) to R-1 (Rural Residential District) and Winnebago County's land use plan shows future land use as agricultural and rural under the extra-territorial jurisdiction of the City of Oshkosh.

**RECOMMENDATION:** Approve a motion to forward zone change to County Board for action. *BD, BT2 5-0*

2. Erdmann - Town Zoning Change (Tax ID No: 006-0834(P)) – Town of Clayton.

The town zoning change for Erdman is consistent with Winnebago County's Land Use Plan. The Town of Clayton approved the zoning change from A-1 (Agribusiness Business District) to A-2 (General Agricultural District) and Winnebago County's land use plan shows future land use as Agricultural and Rural.

**RECOMMENDATION:** Approve a motion to forward zone change to County Board for action. *M6, BD2 5-0*

3. Hunter - Town Zoning Change (Tax ID No: 024-0416, 024-0416-01 & 024-0413-02) – Town of Utica.

The town zoning change for Hunter is consistent with Winnebago County's Land Use Plan. The Town of Utica approved the zoning change from A-2 (General Agricultural District) to RR (Rural Residential Recreational Mixed Use) and

Winnebago County's land use plan shows future land use as Agricultural and Rural.

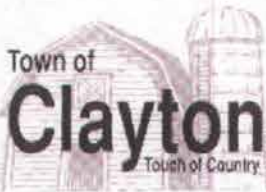
**RECOMMENDATION:** Approve a motion to forward zone change to County Board for action. *BJ, BD, 5-0*

4. Kolasinski - Town Zoning Change (Tax ID No: 028-0839) – Town of Winchester.

The town zoning change for Kolasinski is consistent with Winnebago County's Land Use Plan. The Town of Winchester approved the zoning change from R-1 (Rural Residential District) to A-2 (General Agricultural District) and Winnebago County's land use plan shows future land use as Non-residential.

**RECOMMENDATION:** Approve a motion to forward zone change to County Board for action. *BD, MG 5-0*





A-1 to A-2 FLU: Ag & Rural  
006-0834 (part)



Monday, May 21<sup>st</sup>, 2018

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.

Mr. Cary A. Rowe:

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

Re-zoning application submitted by Karl Erdmann, 7453 CTR "T", Oshkosh, WI 54904 for a portion of the property located at the corner of CTR "T" and Breezewood Lane, Oshkosh, WI 54904 and specifically described as **Part of Tax ID# 006-0834**, being a part Section 33, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone a portion of the property from **A-1 (Agribusiness Business District)** to **A-2 (General Agricultural District)**.

Should you have any questions relative to this request please feel free to call or E-mail me.

Sincerely,

Richard Johnston  
Town Administrator/Clerk

CC County Clerk, Sue Ertmer

**TOWN OF CLAYTON**

**ORDINANCE 2018-002**

**ORDINANCE TO AMEND THE OFFICIAL TOWN OF CLAYTON ZONING ORDINANCE  
MAP**

**WHEREAS,** one or more applications for amendments to the Map of the Town of Clayton 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 amendments have been reviewed and recommended to the Town Board by the Town's Plan Commission; and

**WHEREAS,** the applications for amendments to the Map of the Town of Clayton Zoning Code of Ordinances does comply with both the Town's existing land use and future land use elements of the CY 2015/16 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 7 of the Town of Clayton Zoning Code of Ordinances; and

**NOW, THEREFORE BE IT ORDAINED THAT,** the Town Board of the Town of Clayton, County of Winnebago, State of Wisconsin, pursuant to Article 7 of the Town of Clayton Zoning Code of Ordinances, hereby adopts the following Amendment(s) to the Map of the Town's Zoning Code of Ordinances:

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

**Property Owner:**

Karl Erdmann, 7453 CTR "T", Oshkosh, WI 54904.

**Legal description of property:**

A portion of the property located at the corner of CTR "T" and Breezewood Lane, Oshkosh, WI 54904 and specifically described as Part of Tax ID# 006-0834, being a part Section 33, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

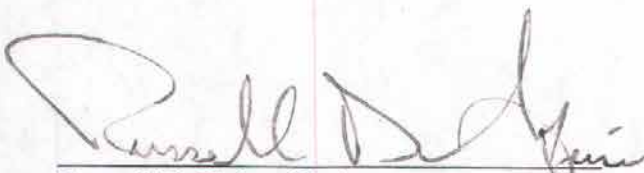
**The above described property is hereby rezoned from:**

A portion of the property from A-1 (Agribusiness) to A-2 (General Agricultural District).


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

Adopted this 16<sup>th</sup> day of May, 2018

Vote: Yes: X No: X Absent: X

  
Russell D. Geise, Chair

ATTEST:

  
Richard Johnston, Town Administrator



## Winnebago County Geographic Information System

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**Wings GIS**

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Display Options

Search Options  
Menu

Locator  
Map

**Display Options**

Draw	Label	Symbology & Layer Names
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Aerial Photos (2009)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Aerial Photos (2003)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Buildings
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Parcel Boundaries
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Parcel Dimensions
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Parcel Addresses
<input type="checkbox"/>	<input type="checkbox"/>	Certified Surveys
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Floodplain
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Navigable Streams
<input type="checkbox"/>	<input type="checkbox"/>	Public Land Survey
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Shoreland Zoning
<input type="checkbox"/>	<input type="checkbox"/>	Sub-Division
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	City & Village Limits

☒ = Not Applicable for this Layer.

☐ 0 1.07 1.15 mi

\*\*\* Powered by Mapserver \*\*\*

0 370 741 ft

[\\* Profiler Tutorial \\*](#)

[\\* 8-Click Parcel Query Guide \\*](#)

[\\* Print Map - FireFox \\*](#)

[\\* Print Map - IE7&8 \\*](#)

<http://wcgis.co.winnebago.wi.us/cgi-bin/wings/wingsndx.cgi>

5/18/2018

STATE OF WISCONSIN  
WINNEBAGO COUNTY) SS

# WINNEBAGO COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_

ALL OF THE SW.1/4 OF THE SW.1/4 OF SECTION 33, T.20N., R.16E.  
TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN.

SHEET 1 OF 3

SURVEY FOR: PETER VANDEN HUEVEL  
6074 Green Valley Road  
Oshkosh, WI 54904

## TOWN OF CLAYTON NOTES

THE LOTS CREATED ON THIS CERTIFIED SURVEY MAP ARE ADJACENT TO PROPERTIES THAT, AS OF THIS DOCUMENT, ARE BEING USED FOR AGRICULTURAL PURPOSES. SOME INDIVIDUALS BELIEVE THAT THE ACTIVITIES ASSOCIATED WITH THE AGRICULTURAL USE CONSTITUTE A NUISANCE OR CONFLICT WITH THE QUIET ENJOYMENT OF THEIR PROPERTY. THIS STATEMENT IS INTENDED TO PROVIDE THIRD PARTIES WITH NOTICE THAT AGRICULTURAL ACTIVITIES MAY EXIST ON THE ADJACENT PROPERTIES.

NOTE: THE ORDINARY HIGH WATER MARK SETBACK IS NOT BASED ON AN OFFICIAL DETERMINATION AND PRIOR TO ANY BUILDING, AN OFFICIAL DETERMINATION OF ORDINARY HIGH WATER MUST BE MADE BY THE WINNEBAGO COUNTY ZONING DEPARTMENT OR OTHER AUTHORIZED PERSON. ALSO ALL BUILDING SETBACKS AND OTHER LAND USE REQUIREMENTS SHOULD BE VERIFIED BY THE WINNEBAGO COUNTY ZONING OFFICE PRIOR TO ANY CONSTRUCTION OR OTHER LAND USE ACTIVITY.

## LEGEND

- 3/4" X 18" DIA. IRON REBAR SET, WEIGHING NOT LESS THAN 1.5 LBS PER LINEAR FOOT.
- ◆ SECTION CORNER
- ▲ MAG NAIL SET

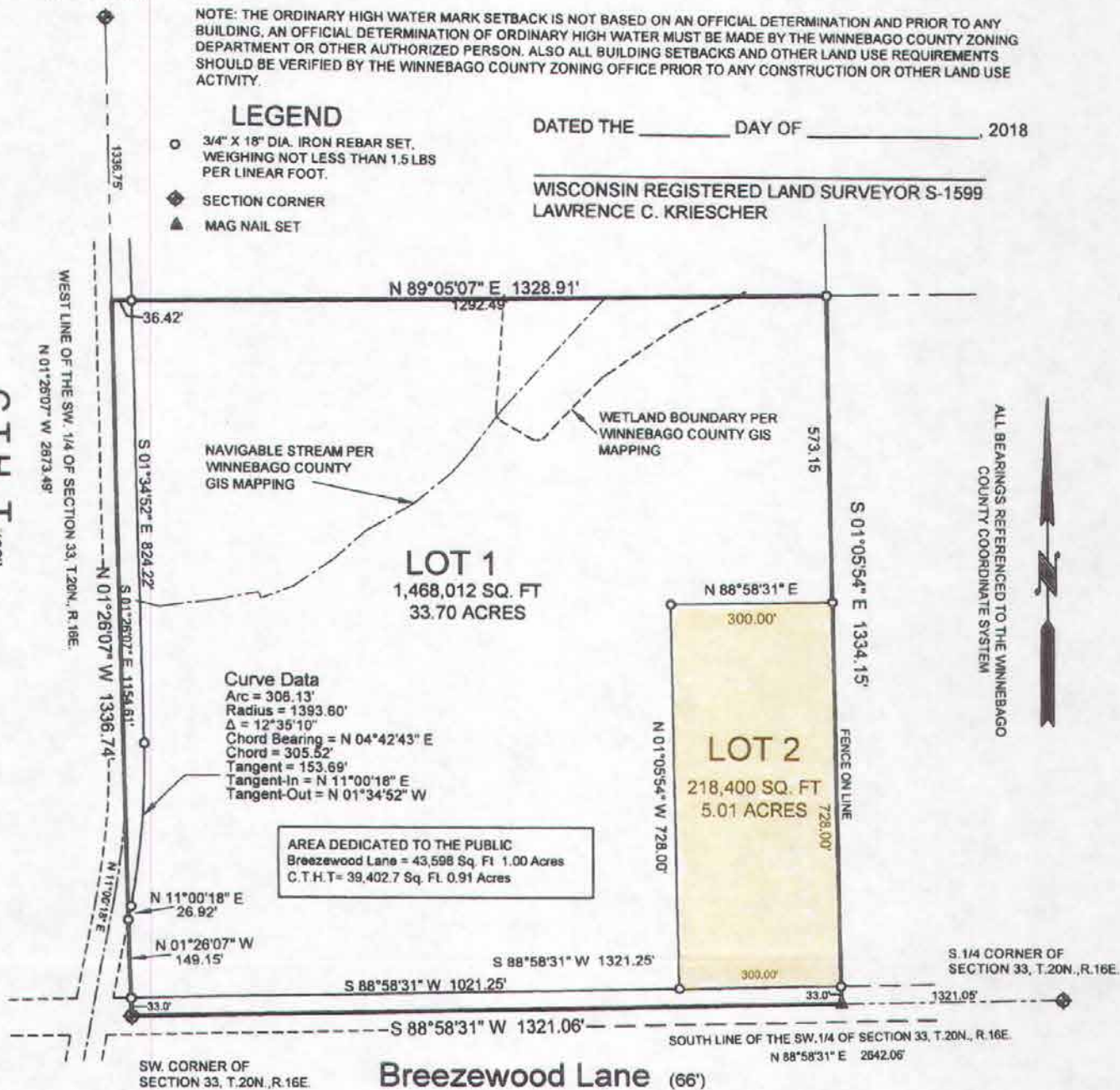
DATED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018

WISCONSIN REGISTERED LAND SURVEYOR S-1599  
LAWRENCE C. KRIESCHER

W.1/4 CORNER OF  
SECTION 33, T.20N., R.16E.

C.T.H. T (66')

WEST LINE OF THE SW. 1/4 OF SECTION 33, T.20N., R.16E.  
N 01°26'07" W 2673.49'



L.C.KRIESCHER AND ASSOCIATES LLC  
5251 GRANDVIEW ROAD  
LARSEN, WI 54947  
920-836-3576

BOUNDARY SURVEY  
&  
LAND DESIGN

PROJECT NO. 208-02-01  
FILE NO. VAN.DWG  
NOTEBOOK: 20 PAGE: 75

DWG. NO. L- 494

THIS INSTRUMENT DRAFTED BY L.C. KRIESCHER S-1599



## WINNEBAGO COUNTY CERTIFIED SURVEY MAP

ALL OF THE SW.1/4 OF THE SW.1/4 OF SECTION 33, T.20N., R.16E.  
TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN.

### SURVEYOR'S CERTIFICATE:

I LAWRENCE C. KRIESCHER, WISCONSIN REGISTERED LAND SURVEYOR OF L.C. KRIESCHER AND ASSOCIATES LLC., CERTIFY THAT I HAVE SURVEYED, DIVIDED AND MAPPED UNDER THE DIRECTION OF PETER VANDEN HUEVEL ALL OF THE SOUTHWEST QUARTER (SW.1/4) OF THE SOUTHWEST QUARTER (SW.1/4) OF SECTION THIRTY-THREE (33) TOWNSHIP TWENTY (20) NORTH, RANGE SIXTEEN (16) EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN CONTAINING 1769413 SQUARE FEET (40.620 ACRES) OF LAND AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 33 AND THE POINT OF BEGINNING: THENCE N.01°26'07"W. 1336.74 FEET ALONG THE EAST OF THE SW.1/4 OF SAID SECTION 33; THENCE N.89°05'07"E. 1328.91 FEET; THENCE S.01°05'54"E. 1334.15 FEET TO A POINT ON THE SOUTH LINE OF THE SW.1/4 OF SAID SECTION 33; THENCE S.88°58'31"W. 1321.06 FEET ALONG SAID LINE TO THE POINT OF BEGINNING AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT SUCH IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF LAND SURVEYED. THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE LAND SUBDIVISION ORDINANCE OF WINNEBAGO COUNTY AND THE TOWN OF CLAYTON IN SURVEYING AND MAPPING THE SAME.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018

\_\_\_\_\_  
WISCONSIN REGISTERED LAND SURVEYOR S-1599  
LAWRENCE C. KRIESCHER

### TOWN BOARD APPROVAL:

THIS CERTIFIED SURVEY MAP HAS BEEN REVIEWED AND APPROVED BY THE TOWN BOARD OF THE TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN.

\_\_\_\_\_  
DATED

\_\_\_\_\_  
TOWN BOARD REPRESENTATIVE

### CERTIFICATE OF TOWN TREASURER:

I, BEING DULY ELECTED, QUALIFIED AND ACTING TOWN TREASURER OF THE TOWN OF CLAYTON, DO HEREBY CERTIFY THAT IN ACCORDANCE WITH THE RECORDS IN MY OFFICE SHOW NO UNPAID TAXES SPECIAL ASSESMENTS AS OF \_\_\_\_\_, AFFECTING THE LANDS INCLUDED IN THIS CERTIFIED SURVEY MAP.

\_\_\_\_\_  
DATED

\_\_\_\_\_  
TOWN TREASURER

OWNER OF RECORD IS KARL L. ERDMAN AND SUSAN K. ERDMAN, TRUSTEES OR SUCCESSOR TRUSTEE(S) OF THE ERDMAN TRUST DATED DECEMBER 22, 2015  
THIS C.S.M. IS CONTAINED WHOLLY WITHIN THE PROPERTY DESCRIBED IN DOCUMENT 1704321  
THIS C.S.M. IS CONTAINED IN ALL OF TAX PARCEL NO.006-0834



SHEET 3 OF 3

**WINNEBAGO COUNTY CERTIFIED SURVEY MAP**  
ALL OF THE SW.1/4 OF THE SW.1/4 OF SECTION 33, T.20N., R.16E.  
TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN.

**OWNER'S CERTIFICATE:**

AS OWNER'S WE HEREBY CERTIFY THAT WE CAUSED THE LAND ON THE CERTIFIED SURVEY MAP TO BE SURVEYED DIVIDED, MAPPED AND DEDICATED AS REPRESENTED ON THIS MAP.

\_\_\_\_\_  
ERDMAN TRUST DATED DECEMBER 22, 2015  
KARL L. ERDMAN TRUSTEE

\_\_\_\_\_  
ERDMAN TRUST DATED DECEMBER 22, 2015  
SUSAN K. ERDMAN TRUSTEE

STATE OF WISCONSIN) SS  
WINNEBAGO COUNTY)

PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018 THE ABOVE NAMED OWNERS KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC \_\_\_\_\_ WISCONSIN

**WINNEBAGO COUNTY PLANNING AND ZONING COMMITTEE:**

A PART OF THE SW.1/4 OF THE SW.1/4 OF SECTION 33, T.20N., R.16E. TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN, IS HEREBY APPROVED

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BY: AUTHORIZED REPRESENTATIVE

**COUNTY TREASURER'S CERTIFICATE:**

I, BEING DULY ELECTED, QUALIFIED AND ACTING TREASURER OF THE COUNTY OF WINNEBAGO, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNREDEEMED TAX SALES AND NO UNPAID TAXES OR SPECIAL ASSESMENTS OF \_\_\_\_\_, AFFECTING THE LANDS INCLUDED IN THIS CERTIFIED SURVEY.

\_\_\_\_\_  
DATED

\_\_\_\_\_  
COUNTY TREASURER

DATED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018

\_\_\_\_\_  
WISCONSIN REGISTERED LAND SURVEYOR S-1599  
LAWRENCE C. KRIESCHER

DWG. NO. L- 494