Winnebago County Planning and Zoning Department

NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE 10/22/2019

TO WHOM IT MAY CONCERN:

The applicant(s) listed below has requested a Zoning Map Amendment which is regulated by the <u>Town/County Zoning Code</u>, Chapter 23. You are receiving this notice because this application or petition for action: 1. affects area in the immediate vicinity of property which you own; 2. requires your agency to be notified; 3. requires your Town to be notified; or 4. requires you, as the applicant, to be notified.

The Winnebago County Planning and Zoning Committee will be holding a public hearing on 10/22/2019 at 6:30 p.m. in Conference Room 120 of the County Administration Building located at 112 Otter Ave, Oshkosh, WI.

All interested persons wishing to be heard at the public hearing are invited to be present. For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning Office, where the application is available for viewing.

INFORMATION ON ZONING MAP AMENDMENT REQUEST

Application No.:

2019-ZC-5120

Applicant:

BELLIS, DONNA M BELLIS, JASON T

Agent:

None

Location of Premises:

9115 BISON RD LARSEN, WI 54947

Tax Parcel No.:

028-030202

Legal Description:

Being a part of the SW 1/4 of the NW 1/4, Section 10, Township 20 North, Range 15 East, Town of Winchester, Winnebago County, Wisconsin.

Explanation:

Applicant is requesting a zoning change/map amendment from A-2 General Agriculture "Wetland" to A-2 General Agriculture "Non-Wetland".

INITIAL STAFF REPORT

Sanitation:

Existing System Private System

Overlays:

Shoreland Wetlands

Current Zoning:

A-2 General Agriculture - Wetland

Proposed Zoning:

A-2 General Agriculture - Non-Wetland

Surrounding Zoning:

North: A-2 South: A-2 East: A-2 West: A-2

THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT

Describe Present Use(s):

Personal house / residence.

Describe Proposed Use(s):

Detached garage for my personal, work & storage for maybe tractor.

Describe The Essential Services For Present And Future Uses:

None. Garage will not have sewer or water and streets won't be affected because it's on my driveway.

Describe Why The Proposed Use Would Be The Highest And Best Use For The Property:

Since I built here 10 yrs ago I have added lots of trees, flowers etc. Back then it was just a field with high grass and lots of ticks. Now after mowing it's like a park.

Describe The Proposed Use(s) Compatibility With Surrounding Land Uses:

With an extra garage I'm hoping to get tractor so I can mow in back of area to cut back on bad weeds that get blown onto neighbors land.

SECTION REFERENCE AND BASIS OF DECISION

23.7-5 Basis of decision

- (b) **Zoning map amendment initiated by a property owner**. If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of a parcel not classified as A-1, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:
- (1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;
- (2) the extent to which the lot and structures on the subject property conform to the dimensional standards that apply to the proposed zoning district; and
- (3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of land classified as A-1, the Planning and Zoning Committee shall only recommend approval and the Board of County Supervisors shall only approve the proposed amendment when all of the following findings can be made:

- (1) Such land is better suited for a use not otherwise allowed in the A-1 district.
- (2) The amendment is consistent with the county's comprehensive plan.
- (3) The amendment is substantially consistent with the county's farmland preservation plan as certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection.
- (4) The amendment will not substantially impair or limit current or future agricultural use of other protected farmland in the area.

The special requirements stated above relating to the rezoning of land in a A-1 district do not apply to a map amendment that (1) is certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection under ch. 91, Wis. Stats., or (2) makes the zoning map more consistent with county's farmland preservation plan map, certified under ch. 91, Wis. Stats., which is in effect at the time of the amendment.

- (c) **Zoning map amendment initiated by the county.** If a proposed zoning map amendment is initiated by the county, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:
- (1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;
- (2) whether the amendment is consistent with other planning documents adopted by the Board of County Supervisors; and
- (3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.



August 11, 2019

Ryan J. Pappas Wisconsin Department of Natural Resources Plymouth Service Center 1155 Pilgrim Road Plymouth, WI · 53073-4294

RE: Wetland Determination for 9115 Bison Road, Larsen, WI 54947 Township of Winchester, Winnebago County

Dear Ryan,

On August 10, 2019 I conducted a Wetland Determination for the Area of Interest (AOI) shown on the enclosed map (highlighted in yellow). The purpose of the investigation was to determine the wetland status of the AOI for a proposed detached garage. The entire AOI is mapped as wetland per the current Wisconsin Department of Natural Resources Wetland Inventory Map (enclosed). The following is a timeline of events at the subject property.

- On 11/6/08 a Storm Water/Erosion Control Permit was issued for a 300' driveway.
- On 5/8/09 a Sanitary Permit was issued for a new home by Winnebago County.
- On 5/14/09 a Building Permit was issued for a new home by the Town of Winchester.
- Between 2009 and 2010 the AOI was filled as a result of the issuance of all permits.

Based on the results of my investigation, there are no wetlands within the AOI. If the Department has any questions or comments regarding this report or work performed, please call me at 920-779-0000 or 920-470-5313.

Respectfully submitted,

Bates Soil & Water Testing Services, LLC

Brian D. Bates, PSS, PWS, CST

WDNR Professionally Assured Wetland Delineator

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: 9115 BISON ROAD	City/County:	WINNE	BAGO	Sampling Date: 8/10/19	
Applicant/Owner: JASON & DONNA BELLIS		State:	WISCONS	IN Sampling Point:	B1
Investigator(s): BRIAN BATES, PSS, PWS, CST		Section	, Township	, Range: SECTION10, T20	N, R15E
Landform (hillslope, terrace, etc.): BACKSLOPE	Lo	cal relief	(concave, c	convex, none): NONE	
Slope (%): 2 Lat.: *** Long	***	Dat	tum: NON		
Soil Map Unit Name ZITTAU SILTY CLAY LOAM (ZtA)				lassification: NONE	
Are climatic/hydrologic conditions of the site typical for the				explain in remarks)	
Are vegetation X, soil , or hydrology	significant			Are "normal	
Are vegetation, soil, or hydrology	naturally p	roblemati	ic?	circumstances" present?	No_
(If needed, explain any answers in remarks)					
SUMMARY OF FINDINGS					
Hydrophytic vegetation present? N	le the sample	d area w	ithin a wati	land? N	
Hydrophytic vegetation present? Hydric soil present? N	Is the sample	u area w	Illini a Weli	and? NN	
Indicators of wetland hydrology present?	If yes ontiona	haeltowel	cito ID:		
indicators of wedarid flydrology present?	If yes, optional	i wellanu	site iD.		→ §
Remarks: (Explain alternative procedures here or in a sep	parate report.)				
CLIMATIC CONDITIONS ARE ABOVE NORM	AL PER THE N	VIRCS A	NTECEDS	ENT HYDROLOGIC	
CONDITION EVALUATION METHOD. NON-N			_		Δς
MOWING HISTORY.	MINIME OFFICE	,UIVIO I A	ANCE, III	E SAMPLING FORM	AS
MOWING FIGURE.					
HYDROLOGY					
			Second	dary Indicators (minimum o	two
Primary Indicators (minimum of one is required; check all			require	d)	
	ained Leaves (B9)			rface Soil Cracks (B6)	
 : 1	auna (B13)			ainage Patterns (B10)	
	osits (B15)			ss Trim Lines (B16)	
_ _ ·	Sulfide Odor (C1)			-Season Water Table (C2)	
	Rhizospheres on L	_iving		ayfish Burrows (C8)	_
Drift Deposits (B3) Roots (C3	•			turation Visible on Aerial Ima	gery
	of Reduced Iron ((C9	*	
	on Reduction in Til	iled		inted or Stressed Plants (D1)	
Inundation Visible on Aerial Soils (C6)				omorphic Position (D2)	
	Surface (C7)			allow Aquitard (D3)	
	plain in Remarks)			C-Neutral Test (D5)	
Surface (B8)			Mic	crotopographic Relief (D4)	
Field Observations:			<u>_</u>		
Surface water present? Yes No X	Depth (inches)	١٠		Indicators of	
Water table present? Yes No X	Depth (inches)		- 1	wetland	
Saturation present? Yes No X	Depth (inches)		— I	hydrology	
(includes capillary fringe)	Depar (monos)	′i		present? N	
(morados supilici y milgo)				present:	
Describe recorded data (stream gauge, monitoring well, a	erial photos, prev	vious insp	ections), if	available:	
•					
Remarks:					
NO PRIMARY OR SECONDARY INDICATORS	3 OBSERVED.	ļ			

	30')	Absolute % Cover	Dominant Species	Indicator Status	Tree Stratum Sapling/Shrub Stratum Herb Stratum Woody Vine Stratum Dominance Test Workshe Number of Dominant Species that are OBL,	20% 50% 0 0 0 0 19 48 0 0
	30')				Sapling/Shrub Stratum Herb Stratum Woody Vine Stratum Dominance Test Workshe Number of Dominant	0 0 0 0 19 48 0 0
Size (1		% Cover	Species	Status	Sapling/Shrub Stratum Herb Stratum Woody Vine Stratum Dominance Test Workshe Number of Dominant	0 0 19 48 0 0
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Size (1					Species Across all Strata:	(
Size (1		0 :	= Total Cover		Percent of Dominant	
Size (1					Species that are OBL,	
	5')	Absolute	Dominant	Indicator	FACW, or FAC:	0.00% (
5126 (o)	% Cover	Species	Status		
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					Total % Cover of:	
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					Prevalence Index = B/A =	
			1927 - 277 F-			
		0 :	Total Cover			
					Hydrophytic Vegetation II	ndicators:
C: / 5		Absolute	Dominant	Indicator	Rapid test for hydrophy	tic vegetation
312e (:)	% Cover	Species	Status	Dominance test is >50°	%
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7						ic vegetation*
						c vegetation
					_	
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					present, unless disturbed or proble	ematic
					Definitions of Vanatation	Ctanta
			-		Definitions of Vegetation	Strata:
					Tree - Woody plants 3 in, (7.6 cm) or more in diarr
					Sapling/shrub - Woody plants les	ss than 3 in. DBH
					greater than 3.28 ft (1 m) tall.	
	7	95	Total Cover		Luck Albert	
Sizo / 2	۱ ۱	Absolute	Dominant	Indicator	size, and woody plants less trial :	5.20 It tall.
5126 (S	·)	% Cover	Species	Status	Woody vines - All woody vines ar	reater than 3.28 f
					height	
		0 =	 Total Cover 		present? N	8
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	E, THE S			OWING HIS	TORY AND VEGETATION	N HAS BEE
	ila	Size (30')	Absolute % Cover 40 20 15 5 5 5 Size (30') Absolute % Cover 40 20 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6	Absolute % Cover 40 Y 20 Y 15 N 15 N 15 N 5 N Size (30') Absolute % Cover Species 40 Y 20 Y 15 N Dominant Species Absolute % Cover Species 0 = Total Cover	Absolute Species Status FACU Species Status FACU Species Status FACU Species Status FACU Species Status Status Species Status Status Species Status Status Species Status Species Status Status Species Status Status Species Species	FACW species x 2 FAC species x 3 FACU species x 4 UPL species x 5 Column totals (A) Prevalence Index = B/A =

SUIL							Sa	mpling Point: B1
Profile Desc	cription: (Descri	be to the	e depth needed t	to docum	ent the	indicate	r or confirm the absence	e of indicators.)
Depth (Inches)	Matrix Color (moist)	%		ox Featur		Loc**	Texture	Remarks
0-6	10 YR 5/4	100					GRAVEL	HISTORICAL FILL
6-24	10 YR 3/3	30					SIL	HISTORICAL FILL
		70					CONCRETE	
	oncentration, D= PL=Pore Lining,			d Matrix,	CS=Co	overed o	r Coated Sand Grains	
Hydric Soil	Indicators:						Indicators for Prob	lematic Hydric Soils:
Hist Blace Hyde Stra Dep Thice San San San Strip Dari		A4) 5) rk Sufac (A12) ral (S1) x (S4) LRR R,	(\$8) Thin(LRI Loar e (A11)(LRI	value Be (LRR R, Dark Su R R, MLF my Mucky R K, L) my Gleye leted Mat ox Dark S leted Dar ox Depre	, MLRA urface (3 RA 149 y Miner ed Matri trix (F3 Surface rk Surface essions	A 149B) S9) B ral (F1) ix (F2)) e (F6) ace (F7) (F8)	Coast Prairie Re 5 cm Mucky Pea Dark Surface (S Polyvalue Below Thin Dark Surfa Iron-Manganese Piedmont Flood Mesic Spodic (T	v Surface (S8) (LRR K, L) ce (S9) (LRR K, L) e Masses (F12) (LRR K, L, R) plain Soils (F19) (MLRA 149B) A6) (MLRA 144A, 145, 149B) erial (F21) ark Surface (TF12) n Remarks)
Restrictive L Type: Depth (inch	ayer (if observe	ed):					Hydric soil presen	nt? N
								RCUMSTANCE. THE SWERE OBSERVED.

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

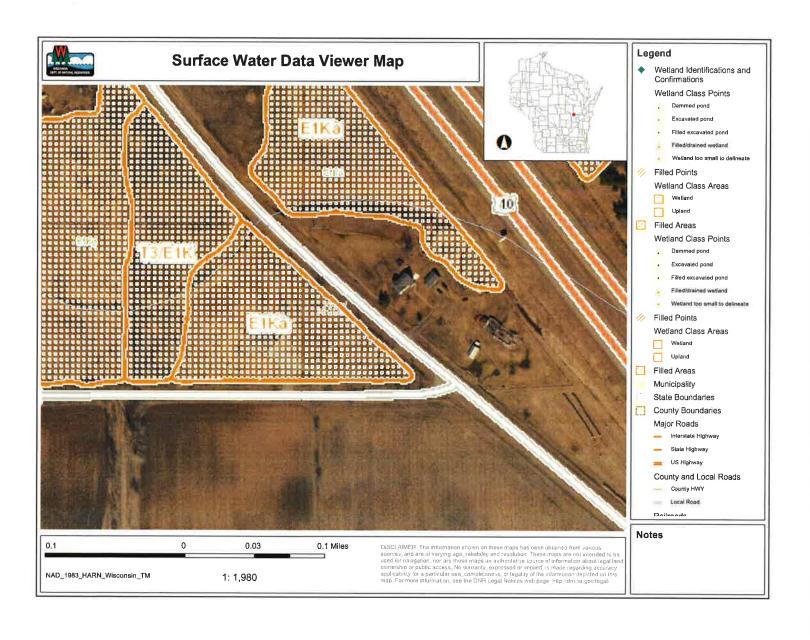
Project/Site: 9115 BISON ROAD	City/County:	WINNEBAGO Sampling Date: 8/10/19
Applicant/Owner: JASON & DONNA BELLIS		State: WISCONSIN Sampling Point: B2
Investigator(s): BRIAN BATES, PSS, PWS, CST		Section, Township, Range: SECTION10, T20N, R15E
Landform (hillslope, terrace, etc.): BACKSLOPE	Lo	cal relief (concave, convex, none): NONE
Slope (%): 2 TO 3 Lat.: ***	.ong.: ***	Datum: NONE
Soil Map Unit Name ZITTAU SILTY CLAY LOAM (ZE	A)	NWI Classification: NONE
Are climatic/hydrologic conditions of the site typical for	or this time of the year	r? No (If no, explain in remarks)
Are vegetation X, soil, or hydrology	y significantl	ly disturbed? Are "normal
Are vegetation , soil or hydrology	naturally p	roblematic? circumstances" present? No
(If needed, explain any answers in remarks)		
CHIMMARY OF FINISHIOS		
SUMMARY OF FINDINGS		
Hydrophytic vegetation present?	le the cample	d area within a wetland?
Hydric soil present?	is the sample	d area within a wetland?
\	If was antiqued	
Indicators of wetland hydrology present?N	if yes, optional	wetland site ID:
Remarks: (Explain alternative procedures here or in a	s separate report)	
		IDOO ANTEGEDENT LIVEREL COLO
CLIMATIC CONDITIONS ARE ABOVE NO		
	N-NORMAL CIRC	UMSTANCE, THE SAMPLING POINT HAS
MOWING HISTORY.		
HYDROLOGY		
		Secondary Indicators (minimum of two
Primary Indicators (minimum of one is required; chec	k all that apply)	required)
	r-Stained Leaves (B9)	Surface Soil Cracks (B6)
High Water Table (A2) Aqua	tic Fauna (B13)	Drainage Pattems (B10)
Saturation (A3) Marl I	Deposits (B15)	Moss Trim Lines (B16)
Water Marks (B1) Hydro	gen Sulfide Odor (C1)	
Sediment Deposits (B2) Oxidiz	zed Rhizospheres on L	
	(C3)	Saturation Visible on Aerial Imagery
Algal Mat or Crust (B4) Prese	ence of Reduced Iron (
 	nt Iron Reduction in Til	
Inundation Visible on Aerial Soils		Geomorphic Position (D2)
	Muck Surface (C7)	Shallow Aquitard (D3)
	(Explain in Remarks)	FAC-Neutral Test (D5)
Surface (B8)	(=)	Microtopographic Relief (D4)
		imoretopograpino recitor (5 1)
Field Observations:		
Surface water present? Yes No	X Depth (inches)	: Indicators of
Water table present? Yes No	X Depth (inches)	
Saturation present? Yes No	X Depth (inches)	
(includes capillary fringe)		present? N
Describe recorded data (stream gauge, monitoring we	ell, aerial photos, prev	rious inspections), if available:
Remarks:		
NO PRIMARY OR SECONDARY INDICATO	ORS OBSERVED.	

EGETATION - U	Jse scientific i	names o	plan	its			Sampling Poi	nt:	B2
Tree Stratum	Plot Size (30')	Absolute % Cover	Dominant Species	Indicator Status	50/20 Thresholds Tree Stratum Sapling/Shrub Stratum	20% 0 0	50% 0 0
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5			=				Dominance Test Workshe Number of Dominant	et	
7			=		S		Species that are OBL,		(4)
9			_				FACW, or FAC: Total Number of Dominant		^(A)
)				0 :	Total Cover		Species Across all Strata: Percent of Dominant	2	— ^(B)
							Species that are OBL,		
Sapling/Shrub Stratum	Plot Size (15')	Absolute % Cover	Dominant Species	Indicator Status	FACW, or FAC:	0.00%	(A/E
1					·		Prevalence Index Worksh Total % Cover of:	eet	
3							OBL speciesx 1		_
<u></u>			_				FACW species x 2 FAC species x 3		
							FACU speciesx 4	= ===	_
			_	-			UPL species x 5 Column totals (A)	- :	— _(B)
			_				Prevalence Index = B/A =		—(B)
					T-1-10				_
					Total Cover		Hydrophytic Vegetation Ir	ndicators	
Herb Stratum	Plot Size (5')	Absolute % Cover 25	Dominant Species Y	Indicator Status FACU	Rapid test for hydrophy Dominance test is >50% Prevalence index is ≤3.	rtic vegeta %	
Poa pratensis				20	Y	FACU	Morphogical adaptation		de
Plantago majo Medicago lupi				15	N	FACU FACU	supporting data in Rem	arks or or	n a
Ambrosia arte				10	- N	FACU	separate sheet) Problematic hydrophytic	c vegetati	ion*
Ambrosia trific	la			5	N	FAC	(explain)	Ü	
					3		*Indicators of hydric soil and wetla present, unless disturbed or proble		y must t
				=			Definitions of Vegetation	Strata:	
							Tree - Woody plants 3 in. (7.6 cm) breast height (DBH), regardless of		diamete
							Sapling/shrub - Woody plants les greater than 3.28 ft (1 m) tall	s than 3 in.	DBH and
				85 =	Total Cover		Herb - All herbaceous (non-woody		gardless
Woody Vine Stratum	Plot Size (30')	Absolute % Cover	Dominant Species	Indicator Status	Woody vines - All woody vines gr		1.28 ft in
1							Hydrophytic		
5			-	0 =	Total Cover		vegetation present? NN		
emarks: (Include pl					OINIT LIAC 14	014/11/07 1 11/07	TODY AND VEGETATION		
HISTORICALLY						JWING HIS	TORY AND VEGETATION	I HAS B	EEN

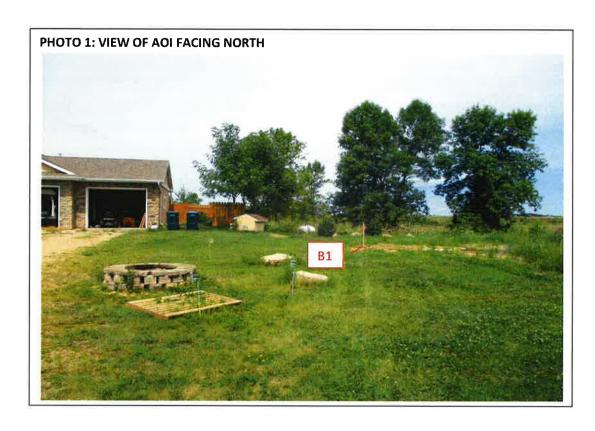
SOIL

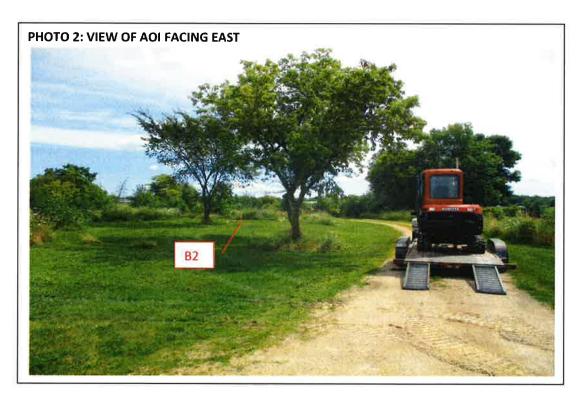
Sampling Point:



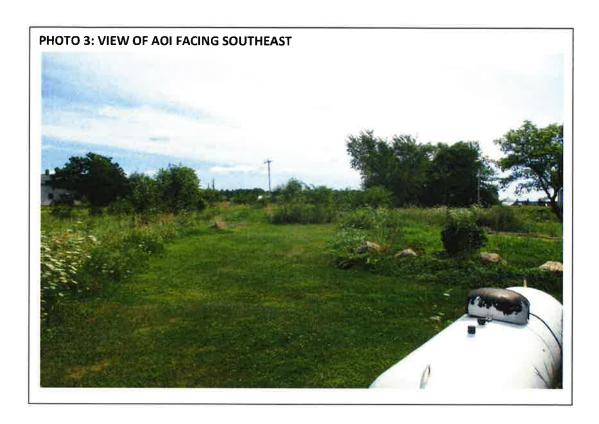


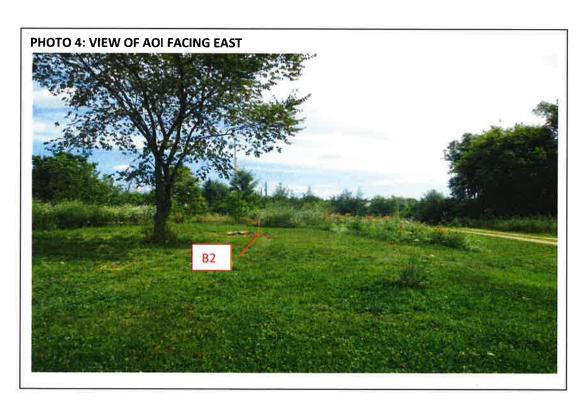
SITE PHOTOGRAPHS



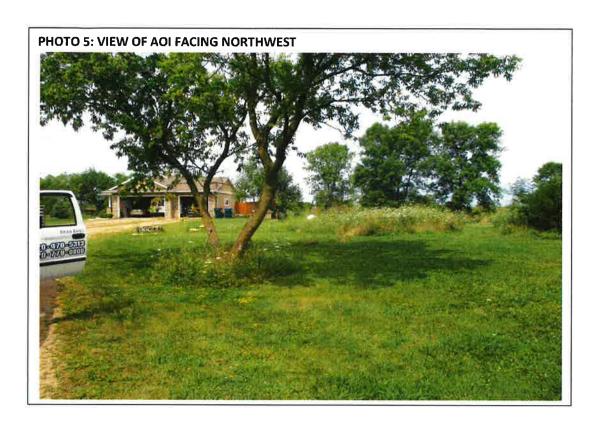


SITE PHOTOGRAPHS

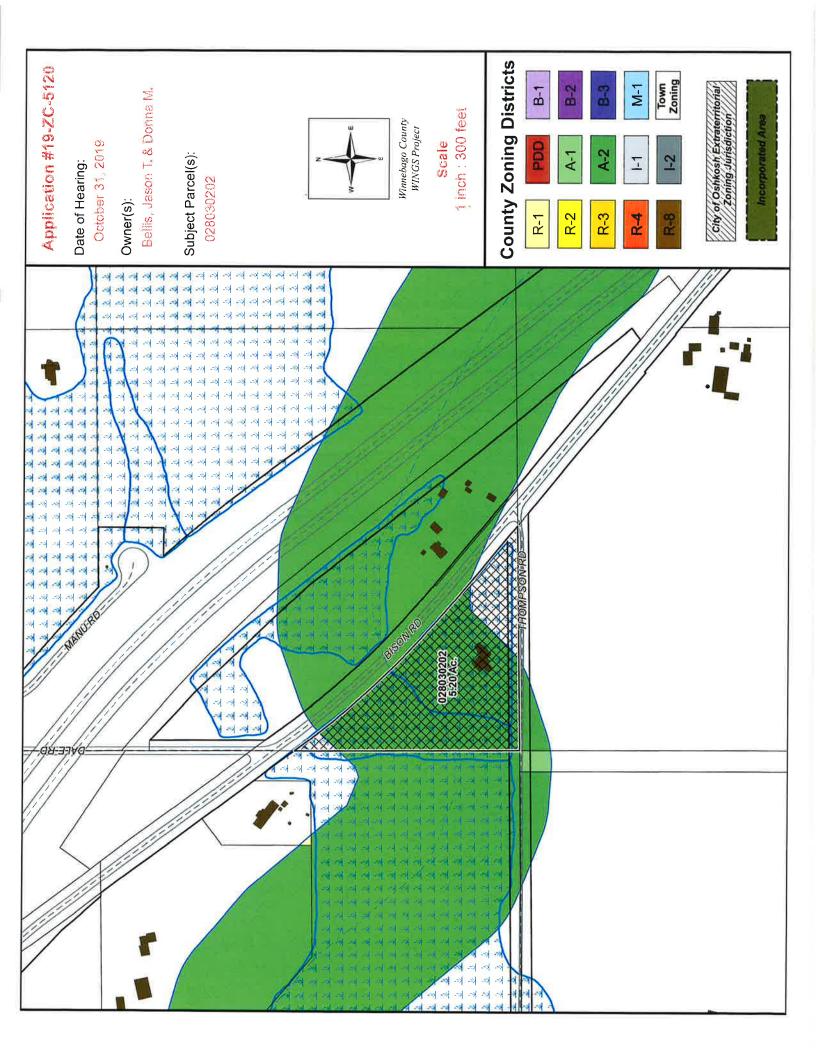




SITE PHOTOGRAPHS







WINNEBAGO COUNTY