



## Winnebago County

Zoning Department

*The Wave of the Future*

### MEMO FOR P & Z MEETING AGENDA OF SEPTEMBER 9, 2022

TO: Planning & Zoning Committee

FM: Zoning Administrator 

RE: Review of Town Zoning Change(s)

1. Multiple Property Owners - Town Zoning Change (Tax ID No(s) see attached) – Town of Wolf River.

The town zoning changes for multiple property owners are consistent with Winnebago County's Future Land Use Plan. The Town of Wolf River approved the zoning changes from A1 (Agri-Business District) to A2 (General Farming District) and A3 (Small Farming District) and Winnebago County's future land use plan shows future land uses as Agricultural and Rural, Environmental and Public.

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

2. Teresa Blade - Town Zoning Change (Tax ID No(s) 014-0055-01-04 & 014-0055-01-03) – Town of Nepeuskun.

The town zoning changes for Teresa Blade are consistent with Winnebago County's Future Land Use Plan. The Town of Nepeuskun approved the zoning changes from Farmland Preservation Overlay to no Farmland Preservation Overlay for both parcels and from A-2 (Agricultural District) to R-1 (Residential District) for parcel 014-0055-01-03 and Winnebago County's future land use plan shows future land use as Agricultural and Rural.

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

3. Barb Rank Life Estate - Town Zoning Change (Tax ID No(s) 024-0030) – Town of Utica.

The town zoning change for Barb Rank Life Estate is consistent with Winnebago County's Future Land Use Plan. The Town of Utica approved the zoning change from A2 (Agricultural District) to RR (Rural Residential Recreational Mixed Use) and Winnebago County's future land use plan which incorporates the City of Oshkosh' future land use plan, shows future land uses as Agricultural and Rural.

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

4. Matt Ziegenhagen - Town Zoning Change (Tax ID No(s) 024-0243) – Town of Utica.

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

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

*Wolf River Town Hall  
8800 County Road II  
PO Box 338  
Fremont, WI 54940  
Phone: 920-446-3837  
FAX: 920-446-2491*



**NOTICE OF PUBLIC HEARING ON PROPOSED REZONING OF ALL A-1 PARCELS  
IN THE TOWN OF WOLF RIVER**

The Town Board of the Town of Wolf River will meet at the Wolf River Town Hall on Monday, June 28, 2021 at 6:30 p.m. for the purposes of holding a public hearing as prescribed by Section 66.0627 Wis. Stats., to consider the proposed rezoning of all A1 parcels in the town of Wolf River

<b>PROPERTY OWNERS:</b>	<b>PARCEL #</b>	<b>ADDRESS</b>
Freer, Gregory & Jane	032067805	7444 Cedar Lane
Freer, Gregory & Jane	0320675	7444 Cedar Lane
Freer, Gregory & Jane	0320683	7444 Cedar Lane
Freer, Gregory & Jane	03206302 <i>683-02</i>	7444 Cedar Lane
Mellow Mist Farms LLC	0320436	9262 Arrowhead Road
Smith, Eric & Amy	0320067806	W153 Archer Road
Utecht, Carol	0320422	9262 Arrowhead Road
Utecht, Carol	032042303	9262 Arrowhead Road
Utecht, Carol	0320656	9262 Arrowhead Road
Utecht, Carol	0320657	9262 Arrowhead Road
Utecht, Carol	032066901	9262 Arrowhead Road
Utecht, Carol	0320670	9262 Arrowhead Road
Utecht, Carol	032067002	9262 Arrowhead Road
Wiedmeyer, Andrew	0320231	7886 County Road II
Wiedmeyer, Andrew	0320233	7886 County Road II
Wiedmeyer, Andrew	0320238	7886 County Road II
Wiedmeyer, Andrew	0320239	7886 County Road II
Wiedmeyer, Andrew	032023901	7886 County Road II
Wolf River Ag LLC	032042302	8105 Easy Street
Town of Wolf River	032042304	8800 County Road II
Town of Wolf River	032067802	8800 County Road II

**EXPLANATION:** The Town of Wolf River is no longer part of the Winnebago County Farmland Preservation Plan and all current A1 parcels that were formerly a part of this plan will be rezoned to either A2 (General Agriculture) or R1 (Residential).

All interested persons wishing to be heard at the Public Hearing are invited to attend.

Dated this 24<sup>th</sup> day of May, 2021

BY THE DIRECTION OF THE TOWN BOARD,

Susan J. Gilbert, Clerk

**Parcels with A-1 Zoning in Wolf River Town Zoning Jurisdiction**

March 1, 202

PARCEL #	STATED AC.	OWNER NAME 1	OWNER NAME 2	POSTAL ADDRESS	POSTAL CITY/STATE/ZIP
032067805	21.90	FREER, GREGORY	FREER, JANE	7444 CEDAR LN	FREMONT WI 54940
0320675	39.90	FREER, GREGORY G	FREER, JANE E	7444 CEDAR LN	FREMONT WI 54940
0320683	57.29	FREER, GREGORY G	FREER, JANE E	7444 CEDAR LN	FREMONT WI 54940
032068302	0.41	FREER, GREGORY G	FREER, JANE E	7444 CEDAR LN	FREMONT WI 54940
0320436	33.97	MELLOW MIST FARM LLC		9262 ARROWHEAD RD	FREMONT WI 54940
032067806	50.76	SMITH, ERIC L	SMITH, AMY L	W153 ARCHER DR	FREMONT WI 54940
0320422	37.50	UTECHT, CAROLA		9262 ARROWHEAD RD	FREMONT WI 54940
032042303	30.36	UTECHT, CAROLA		9262 ARROWHEAD RD	FREMONT WI 54940
0320656	40.00	UTECHT, CAROLA		9262 ARROWHEAD RD	FREMONT WI 54940
0320657	36.98	UTECHT, CAROLA		9262 ARROWHEAD RD	FREMONT WI 54940
032066901	29.39	UTECHT, CAROLA		9262 ARROWHEAD RD	FREMONT WI 54940
0320670	15.20	UTECHT, CAROLA		9262 ARROWHEAD RD	FREMONT WI 54940
032067002	16.00	UTECHT, CAROLA		9262 ARROWHEAD RD	FREMONT WI 54940
0320231	20.00	WIEDMEYER, ANDREW		7886 COUNTY RD II	FREMONT WI 54940
0320233	40.00	WIEDMEYER, ANDREW		7886 COUNTY RD II	FREMONT WI 54940
0320238	39.06	WIEDMEYER, ANDREW		7886 COUNTY RD II	FREMONT WI 54940
0320239	3.23	WIEDMEYER, ANDREW		7886 COUNTY RD II	FREMONT WI 54940
032023901	9.01	WIEDMEYER, ANDREW		7886 COUNTY RD II	FREMONT WI 54940
032042302	4.15	WOLF RIVER AG LLC		8105 EASY ST	FREMONT WI 54940
032042304	2.74	TOWN OF WOLF RIVER (Right-of-Way)		PO BOX 338	FREMONT WI 54940 0338
032067802	2.00	TOWN OF WOLF RIVER (Right-of-Way)		PO BOX 338	FREMONT WI 54940 0338

## **PUBLIC HEARING**

**June 28, 2021**

The **PUBLIC HEARING** as prescribed by Section 66.0627 Wis. Stats., to consider the proposed rezoning of all A1 parcels in the town of Wolf River **ON PROPOSED REZONING OF ALL A-1 PARCELS IN THE TOWN OF WOLF RIVER** was called to order by Chairman Randall Rutten on June 28, 2021 at 6:30 p.m. at the Wolf River Town Hall.

**NOTICES OF THIS PUBLIC HEARING** were published in the Chronicle and the Winneconne News on June 9 & 10, 2021. Notices were posted at the Town Hall and the Fremont Post office.

**VOTERS PRESENT:** Randy Rutten, Curt Sprenger, Dave Koepp, Ray & Clara Koepp, Judy Knaus, Lee Robbert, and Susan Gilbert.

Rutten read the notice of the Public Hearing and all parcels needing rezoning to those present. All towns, with the exception of Nepeuskun have done away with the Farmland Preservation program so all those parcels that were zoned A1 Agri-business must be rezoned to either A-2 General Farming, A3 Small Farming, or R1 Residential. It was also noted that any new certified survey map will parcel out the road right-of-way into a new A2 parcel of its own. Judy Knaus reported that letters had been sent to all A1 landowners, but she had not heard from any of them about the upcoming zoning changes. County Zoning has an A2 designation for 5 acres. No other discussion occurred.

**MOTION TO CLOSE THE HEARING:** Motion by Judy Knaus/second Curt Sprenter/all ayes. Motion carried.

Respectfully submitted:

Susan J. Gilbert, Clerk

**June 28, 2021**

**Board Meeting Minutes**

**THE TOWN BOARD MEETING** was called to order by Chairman Rутten about 7:00 p.m. on Monday, June 28, 2021 at the Wolf River Town Hall.

**NOTICES** of this meeting were sent to the Chronicle and the Winneconne News. Notices were posted at the Town Hall and the Fremont Post Office. Notices were e-mailed for posting at Hahn-a-Lula Resort, and Union Star. Notices were also e-mailed to the Town Board, Attorney, Building Inspector/Zoning Administrator, and Assessor.

**PRESENT:** Randy Rutten, Dave Koepp, Curt Sprenger, Susan Gilbert, Ray Koepp, Lee Robbert, and Karen Marone.

**ALSO PRESENT FOR ALL OR PART OF THE MEETING:** Six additional persons per attendance record on file.

**PLEDGE OF ALLEGIANCE** was recited.

**MINUTES OF MEETING:** Motion by Koepp/second Sprenger/carried 3-0 to approve the minutes of Monday, May 24, 2021.

**BUILDING INSPECTOR/ZONING/BOARD OF APPEALS ADMINISTRATION BUSINESS:** Lee reported there were 5 permit applications this month for:

Bob & Christine Lindmark	7291 County Rd H	New home, attached garage	\$275,000
James Fischer	8895 Arrowhead Lane	Detached garage	\$20,000
Nikki Lemens/Wolf River Lodge	8831 Wolf River Rd	Toilet building	\$30,000
Nick & Kerry Angel	9401 North Road	New home, attached garage	\$350,000
Dennis Moe & Roger Schreiber	Old Road	Conditional Use Permit	

**TREASURER'S REPORT:** Ray stated the ending balance in the Money Market was \$247,599.72. We collected building permit fees, search fees, liquor license fees, hall rental fees, interest on checking, room taxes, personal property taxes, and the first half of the ARPA grant money in the amount of \$63,324.48, etc, and ending balance was \$295,656.89. Beginning checking balance was \$740.34. We transferred in \$27,500 from the Money Market account and paid WE Energies, Centurylink, Grachien, the highway bill, paid all town wages, social security, Medicare, town insurance, quarterly assessors bill, record checks, etc., and ending balance was \$445.80. Motion by Koepp/second Sprenger/carried 3-0 to approve the Treasurer's Report as presented.

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**REZONE OF ALL A-1 PARCELS:** Since the town is no longer under Farmland Preservation, Winnebago County is getting rid of the A-1 farmland designations and the town will need to change the zoning of those parcels to something other than A-1. A Public Hearing was held earlier tonight. All owners were notified. Judy reported she had not heard from any of the owners involved and none of them came to the hearing. Motion by Koepp/second Sprenger/carried 3-0 to approve all Zoning changes out of A1 to A2 and A3 as read into the record. The clerk will notify the County of the approval.

**ATTORNEY'S REPORT:** Atty. Marone had nothing new to report.

**ASSESSOR'S REPORT:** Not present.

**TOWN HALL ISSUES:**

1. Bridge and culvert projects for 2022. The deadline for submittal for such projects is Friday, July 2, 2021. The town needs to replace a series of culverts along River Trail Drive and this may qualify. We also have to replace the Apache Bridge and are waiting to hear from the County on when this project will be scheduled for replacement.
2. **INTERGOVERNMENTAL AGREEMENT** to Satisfy Eligibility for Recycling Consolidation Grant for Calendar year 2022. This is an annual agreement with Winnebago County which allows the town to apply for grant money. Motion by Koepp/second Sprenger/carried 3-0 to approve the Intergovernmental Agreement with Winnebago County.

**SET DATE AND TIME OF NEXT BOARD MEETING:** Next regular monthly Board Meeting to handle town business will be Monday, July 26, 2021 at 7:00 p.m. Motion by Koepp/second Sprenger/carried 3-0 to adjourn. Meeting adjourned.

**Respectfully submitted:**

**Susan Gilbert, Clerk**



TOWN OF NEPEUSKUN  
WINNEBAGO COUNTY

RZ 1-22

RE-ZONE APPLICATION

The following application must be completed prior to consideration for Re-Zoning of a parcel in the town. Please include the \$300.00 fee required per the Town of Nepeuskun Fees Ordinance payable to: Town of Nepeuskun and return to the Zoning Administrator for processing.

Date: 6-15-2022  
Applicant Name: Terresa Blade  
Applicant's Address: 44 Parkway Terrace Lot 2A Ripon WI 54971  
Phone Number: 920-539-4135  
Tax Parcel (s) number (s) for requested site: 01400550101

Address of requested site: 2096 2104 Rabbit Trail Rd  
Current zoning of requested site: A2 FPO

NEW ZONING REQUESTED FOR SITE: SEE ATTACHED GSM - LOT 1 = R-1  
LOT 2 = A-2. REMOVE FPO  
Re-Zone Procedure FROM ENTIRE PARCEL - REZONE

off-0055-01-04  
off-0055-01-03  
LOT 1 ONLY  
TO R-1

A Public Hearing will be set upon the receipt of this application and fee whereas the applicant shall furnish information to the Town Plan Commission necessary for processing of the application.

I ACCEPT THESE TERMS AND HEREBY SUBMIT THE ATTACHED APPLICATION FOR APPROVAL. SIGNED: \_\_\_\_\_ DATE \_\_\_\_\_

Date Application Received by Town: 6/14/2022 Public Hearing Date: 7/11/2022

Recommendation of Approval of Re-Zone to Town Board

Town Plan Commission Secretary [Signature] Date 7/14/2022  
Town Plan Commission Chair Ronald Behr Date 7/11/22

Stipulations: [Signature]

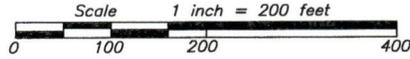
Final Approval of Re-Zone by Town Board

Town Clerk Rebecca L. Pinnow Date Jul 25, 2022  
Rebecca L. Pinnow (Jul 25, 2022 13:06 CDT)  
Town Board Chairman Kyle Grabe Date Jul 25, 2022

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

ALL OF LOT 1 OF CERTIFIED SURVEY MAP 7437,  
BEING PART OF THE SOUTHWEST 1/4 OF THE  
SOUTHEAST 1/4 OF SECTION 3, AND PART OF THE  
NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF  
SECTION 10, ALL IN TOWNSHIP 17 NORTH, RANGE  
14 EAST, TOWN OF NEPEUSKUN, WINNEBAGO  
COUNTY, WISCONSIN.

SURVEY FOR:  
JIM HEISE  
2104 RABBIT TRAIL  
RIPON, WI 54971

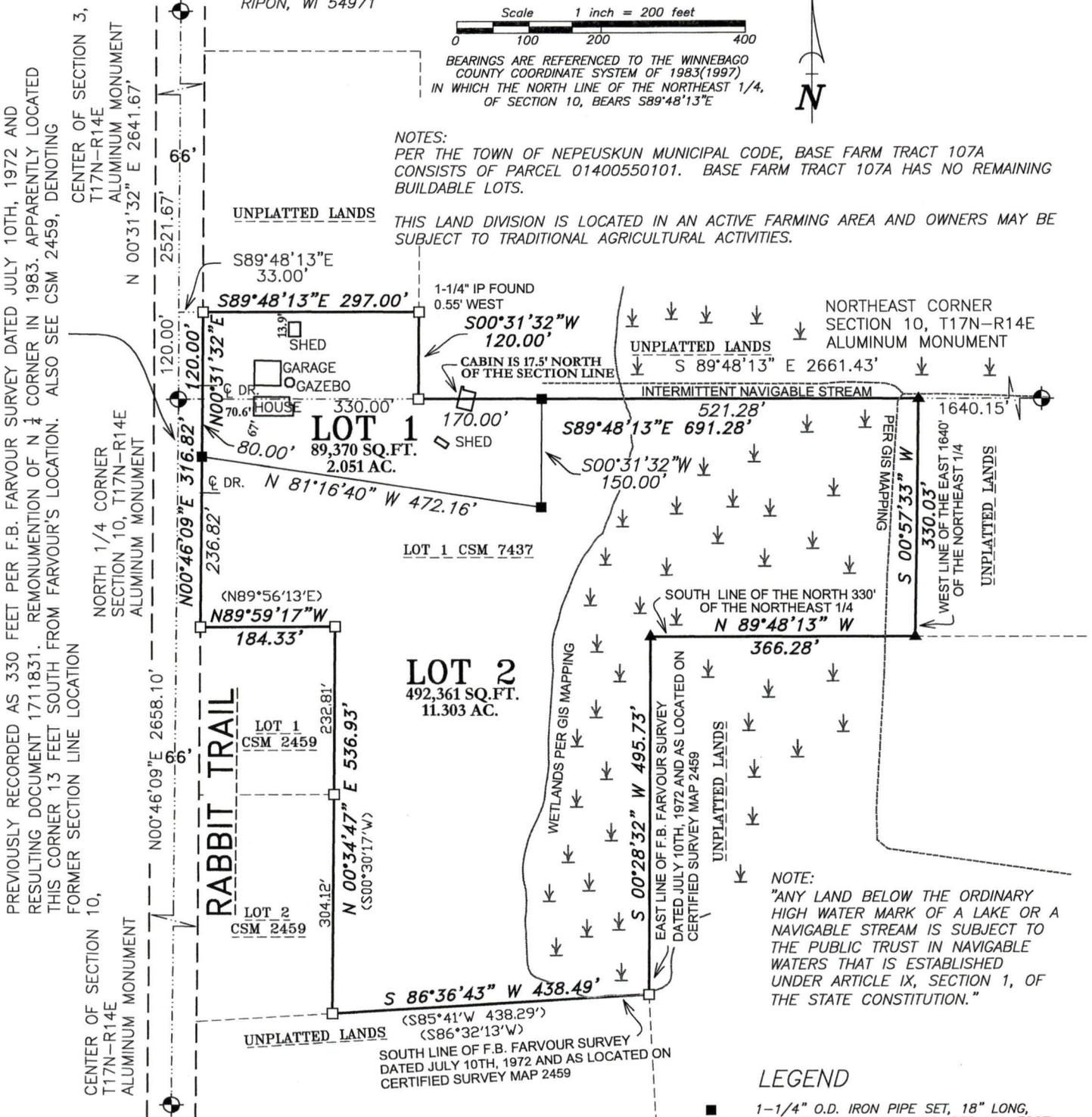


BEARINGS ARE REFERENCED TO THE WINNEBAGO COUNTY COORDINATE SYSTEM OF 1983(1997) IN WHICH THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 10, BEARS S89°48'13"E



NOTES:  
PER THE TOWN OF NEPEUSKUN MUNICIPAL CODE, BASE FARM TRACT 107A CONSISTS OF PARCEL 01400550101. BASE FARM TRACT 107A HAS NO REMAINING BUILDABLE LOTS.

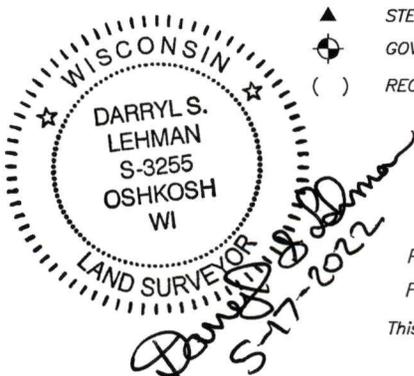
THIS LAND DIVISION IS LOCATED IN AN ACTIVE FARMING AREA AND OWNERS MAY BE SUBJECT TO TRADITIONAL AGRICULTURAL ACTIVITIES.



NOTE:  
"ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR A NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1, OF THE STATE CONSTITUTION."

### LEGEND

- 1-1/4" O.D. IRON PIPE SET, 18" LONG, WEIGHING 1.130 LBS. PER LIN. FOOT
- 1-1/4" O.D. IRON PIPE FOUND
- ▲ STEEL "T" FENCE POST FOUND
- ⊙ GOVERNMENT CORNER FOUND
- ( ) RECORDED AS



**Martenson & Eisele, Inc.**  
101 West Main Street  
Omro, WI 54963  
www.martenson-eisele.com  
P 920.685.6240 F 920.685.6340

Planning  
Environmental  
Surveying  
Engineering  
Architecture

PROJECT NO. 0-2125-002  
FILE 2125002CSM SHEET 1 OF 3  
This instrument was drafted by: DSL

# Certified Survey Map

ALL OF LOT 1 OF CERTIFIED SURVEY MAP 7437, BEING PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 3, AND PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 10, ALL IN TOWNSHIP 17 NORTH, RANGE 14 EAST, TOWN OF NEPEUSKUN, WINNEBAGO COUNTY, WISCONSIN.

## SURVEYOR'S CERTIFICATE:

I, Darryl S. Lehman, Professional Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped, at the direction of Jim Heise, all of Lot 1 of Certified Survey Map 7437, being part of the Southwest 1/4 of the Southeast 1/4 of Section 3, and part of the Northwest 1/4 of the Northeast 1/4 of Section 10, all in Township 17 North, Range 14 East, Town of Nepeuskun, Winnebago County, Wisconsin.

That I have fully complied with Chapter 236.34 of the Wisconsin Statutes in surveying, dividing, and mapping the same and the Town of Nepeuskun, and Winnebago County Subdivision Ordinances.

This map is a correct representation of all of the exterior boundaries of land surveyed and the division thereof.

Given under my hand this 17<sup>th</sup> day of MAY, 2022.

Darryl S. Lehman  
Darryl S. Lehman, WI. Land Surveyor, S-3255



## Winnebago County Planning and Zoning Committee Certificate:

Pursuant to the Land Subdivision Regulations of the County of Winnebago, Wisconsin, all the requirements for approval have been fulfilled. This Minor Subdivision was approved by the Winnebago County Planning and Zoning Committee on \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Chairman, Planning and Zoning Committee

This CSM is contained wholly within the property described in the following recorded instruments:

| <u>Owner(s) of record</u> | <u>Document(s)</u> | <u>Parcel Number(s)</u> |
|---------------------------|--------------------|-------------------------|
| Teresa M. Blade           | 1872116            | 01400550101             |

# Certified Survey Map

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## OWNERS CERTIFICATE:

As owner, I the undersigned, hereby certify that I caused the land above described to be surveyed, divided, and mapped all as shown and represented on this map.

\_\_\_\_\_  
Teresa M. Blade Date

State of Wisconsin )  
                                  )SS  
Winnebago County )

Personally came before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, the above owners to me known to be the persons who executed the foregoing instrument and acknowledge the same.

\_\_\_\_\_ My Commission Expires \_\_\_\_\_

## Treasurer's Certificate:

I hereby certify that there are no unpaid taxes or unpaid special assessments on any of the lands shown hereon.

\_\_\_\_\_  
Town Treasurer Date

\_\_\_\_\_  
County Treasurer Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

## Town Board Approval:

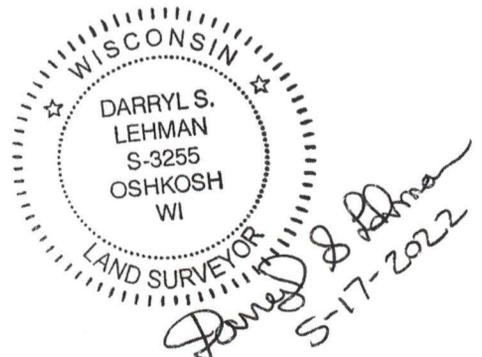
We hereby certify that the Town of Nepeuskun has reviewed and approved this certified survey map.

\_\_\_\_\_  
Town Chairman Date

\_\_\_\_\_  
Town Clerk Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name



PUBLIC HEARING NOTICE  
BEFORE THE TOWN OF NEPEUSKUN, WINNEBAGO COUNTY, WI PLANNING COMMISSION

PLEASE TAKE NOTICE that on Monday, July 11, 2022, at 7:00 p.m. at the Town of Nepeuskun Town Hall, located at 1475 County Road E, Ripon, Wisconsin, the Town of Nepeuskun Planning Commission will hold a public hearing for all persons interested, or their agents or attorneys, to appear before the Commission and be heard concerning the following Re-Zone Application, as specified in the Town Zoning Code:

Teresa Blade requests approval of a zoning map amendment (rezoning) to remove the FPO Farm Preservation Overlay District from tax parcel number 01400550101 addressed 2096 / 2104 Rabbit Trail, and to rezone a 2.051 acre portion of the subject parcel in the northwest corner of the parcel (Lot 1 of proposed Certified Survey Map) from the A-2 Agricultural District to the R-1 Residential District.

Application materials may be viewed upon request filed with the Town Zoning Administrator, Jeff Kussow, at (920) 785-7332 or [zoneadmin@townofnepeuskun.org](mailto:zoneadmin@townofnepeuskun.org).

The hearing is open to the public and all interested parties are encouraged to attend. Any person may address the Plan Commission by letter sent to 8605 Lake Road, Ripon, WI 54971, by e-mail at [townclerk@townofnepeuskun.org](mailto:townclerk@townofnepeuskun.org), or appear in person or by agent and be heard.

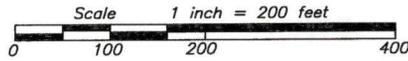
Dated this 16<sup>th</sup> day of June, 2022  
Town of Nepeuskun  
Jeremy DeVries  
Town Planning Commission Secretary

Publication Dates: June 23, 2022 and June 30, 2022

**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

ALL OF LOT 1 OF CERTIFIED SURVEY MAP 7437,  
BEING PART OF THE SOUTHWEST 1/4 OF THE  
SOUTHEAST 1/4 OF SECTION 3, AND PART OF THE  
NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF  
SECTION 10, ALL IN TOWNSHIP 17 NORTH, RANGE  
14 EAST, TOWN OF NEPEUSKUN, WINNEBAGO  
COUNTY, WISCONSIN.

SURVEY FOR:  
JIM HEISE  
2104 RABBIT TRAIL  
RIPON, WI 54971



BEARINGS ARE REFERENCED TO THE WINNEBAGO  
COUNTY COORDINATE SYSTEM OF 1983(1997)  
IN WHICH THE NORTH LINE OF THE NORTHEAST 1/4,  
OF SECTION 10, BEARS S89°48'13"E

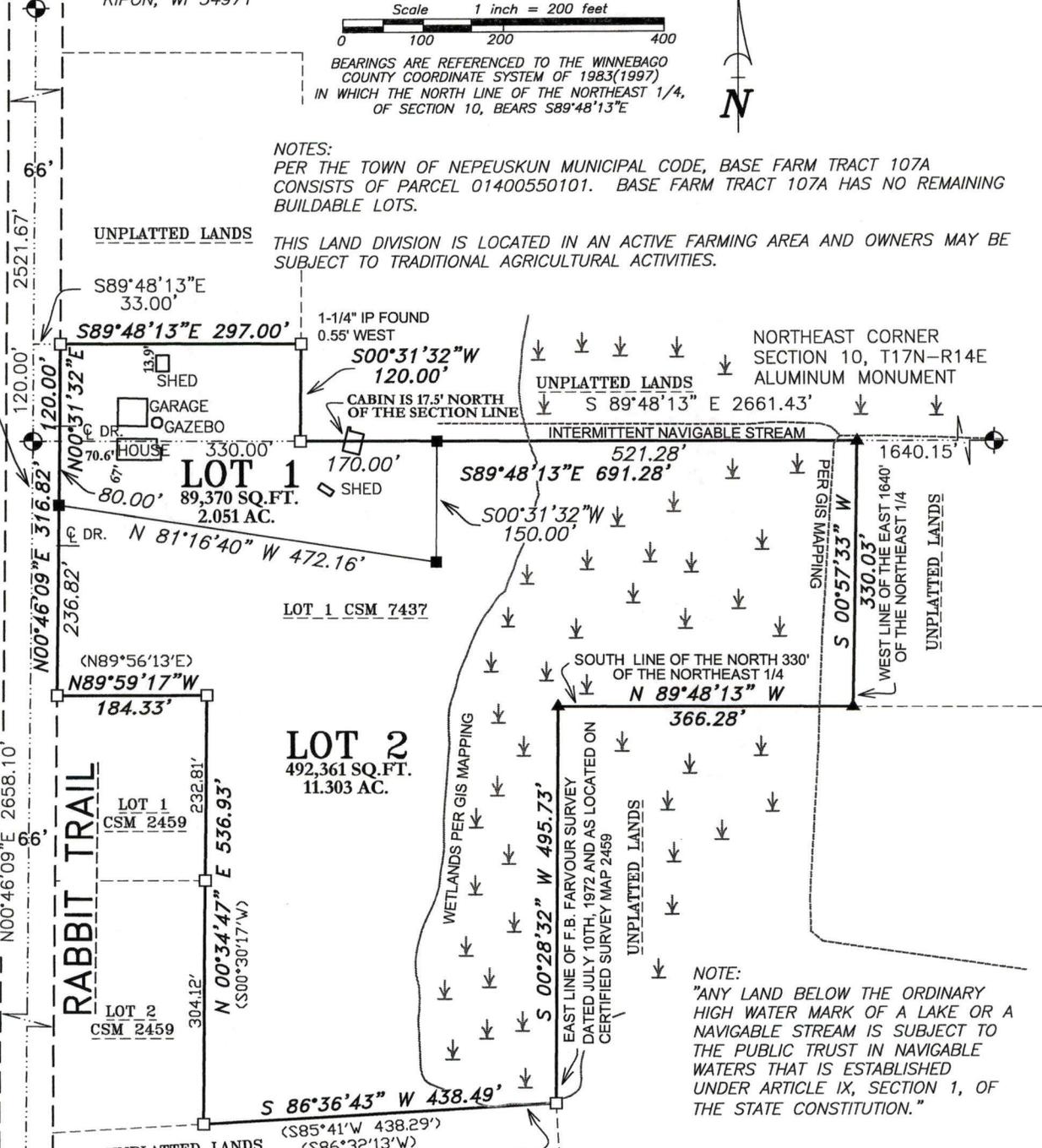


NOTES:  
PER THE TOWN OF NEPEUSKUN MUNICIPAL CODE, BASE FARM TRACT 107A  
CONSISTS OF PARCEL 01400550101. BASE FARM TRACT 107A HAS NO REMAINING  
BUILDABLE LOTS.

THIS LAND DIVISION IS LOCATED IN AN ACTIVE FARMING AREA AND OWNERS MAY BE  
SUBJECT TO TRADITIONAL AGRICULTURAL ACTIVITIES.

PREVIOUSLY RECORDED AS 330 FEET PER F.B. FAVOUR SURVEY DATED JULY 10TH, 1972 AND  
RESULTING DOCUMENT 1711831. REMONUMENTION OF N 1/4 CORNER IN 1983. APPARENTLY LOCATED  
THIS CORNER 13 FEET SOUTH FROM FAVOUR'S LOCATION. ALSO SEE CSM 2459, DENOTING  
FORMER SECTION LINE LOCATION

CENTER OF SECTION 3,  
T17N-R14E  
ALUMINUM MONUMENT  
N 00°31'32" E 2641.67'  
NORTH 1/4 CORNER  
SECTION 10, T17N-R14E  
ALUMINUM MONUMENT  
N00°46'09"E 2658.10'  
RABBIT TRAIL  
LOT 1  
CSM 2459  
LOT 2  
CSM 2459



STATE OF WISCONSIN }  
Green Lake County } ss.

Scott Mundro \_\_\_\_\_ being duly  
sworn, doth depose and say that he (she) is an authorized representative

**PUBLIC HEARING NOTICE**  
**BEFORE THE TOWN OF NEPEUSKUN, WINNEBAGO COUNTY,**  
**WI PLANNING COMMISSION**

PLEASE TAKE NOTICE that on Monday, July 11, 2022, at 7:00 p.m. at the Town of Nepeuskun Town Hall, located at 1475 County Road E, Ripon, Wisconsin, the Town of Nepeuskun Planning Commission will hold a public hearing for all persons interested, or their agents or attorneys, to appear before the Commission and be heard concerning the following Re-Zone Application, as specified in the Town Zoning Code:

Teresa Blade requests approval of a zoning map amendment (rezoning) to remove the FPO Farm Preservation Overlay District from tax parcel number 01400550101 addressed 2096 / 2104 Rabbit Trail, and to rezone a 2.051 acre portion of the subject parcel in the northwest corner of the parcel (Lot 1 of proposed Certified Survey Map) from the A-2 Agricultural District to the R-1 Residential District.

Application materials may be viewed upon request filed with the Town Zoning Administrator, Jeff Kussow, at 920-785-7332 or zoneadmin@townofnepeuskun.org.

The hearing is open to the public and all interested parties are encouraged to attend. Any person may address the Plan Commission by letter sent to 8605 Lake Road, Ripon, WI 54971, by e-mail at townclerk@townofnepeuskun.org, or appear in person or by agent and be heard.

Dated this 16<sup>th</sup> day of June, 2022  
 Town of Nepeuskun  
 Jeremy DeVries  
 Town Planning Commission Secretary

*Publish: June 23 & 30, 2022*

WNAXLP

paper published at Berlin, a repre-  
aid State, and that an advertisement  
ue copy, taken from said paper, was

June 23, 2022

June 30, 2022

*Scott Mundro*

(Title)

fore me this 30th day of

*Tracy Kallas*  
ary Public,

August 23, 2023

No. Lines \_\_\_\_\_

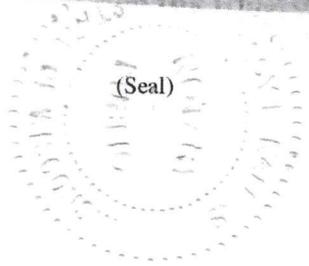
Times 2 Notary Fees \$ 1.00

Printers Fees 244.00

Extra Copies \_\_\_\_\_

Total \$ 245.00

Received Payment \_\_\_\_\_



(Seal)

Filed

PROOF OF PUBLICATION

IN THE MATTER OF

GREEN LAKE COUNTY

STATE OF WISCONSIN

# Town of Nepeuskun

Winnebago County, Wisconsin

PROCEEDINGS OF THE NEPEUSKUN TOWN PLAN COMMISSION PUBLIC HEARING MEETING HELD MONDAY, JULY 11, 2022 AT 7 PM FOR THE PURPOSE:

Teresa Blade requests approval of a zoning map amendment (rezoning) to remove the FPO Farm Preservation Overlay District from tax parcel number 01400550101 addressed 2096 / 2104 Rabbit Trail, and to rezone a 2.051 acre portion of the subject parcel in the northwest corner of the parcel (Lot 1 of proposed Certified Survey Map) from the A-2 Agricultural District to the R-1 Residential District.

Phone-in operation was verified, and Chairman Bahn called the meeting to order for the Nepeuskun Town Plan Commission at 7:04 PM at Nepeuskun Town Hall

Secretary DeVries certified Public Hearing Notice was sent to the Berlin Journal for printing during the weeks of June 23, 2022 and June 30, 2022. The Public Hearing Notice was posted for website and email distribution on 6/18/2022, posted at the town Hall on 6/18/2022.

Roll call was taken; with the following present: Chairman Ron Bahn, Robert Zache, Scott Schuster, Candie Strebelski and Secretary Jeremy DeVries. Member Aaron Grove was not present. Six members of the community were also present.

Public Comment:

- Audience – None
- Phone/Online – None
- Email Comments – None

Motion was made by Member Zache and second by Vice-Chairman Schuster to adjourn the public hearing. Motion carried at 7:08 PM. Motion carried unanimously.

Respectfully submitted,

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Jeremy DeVries

Secretary

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Ronald Bahn

Chairman

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Scott Schuster

Vice-Chairman

# Town of Nepeuskun

Winnebago County, Wisconsin

PROCEEDINGS OF THE REGULAR MONTHLY MEETING OF THE NEPEUSKUN TOWN BOARD HELD MONDAY, JULY 18, 2022.

The regular monthly meeting of the Town Board of the Town of Nepeuskun was called to order at 7:01pm at the Nepeuskun Town Hall, 1475 County Rd E., with all board members and 8 citizens present for the meeting.

Clerk Pinnow certified that an official notice for this meeting had been posted at the official Town Hall posting site and the Town Website on July 15, 2022.

Motion was made by Supervisor Wargula and second by Supervisor Zache to approve the agenda for the July 18, 2022. Motion carried unanimously.

Motion was made by Supervisor Zache and second by Supervisor Wargula to approve consent agenda including:

- a. Approval of minutes for the June 20, 2022 Regular Monthly Town Board Meeting
- b. Approval of Treasurer's Reports
- c. Approval of Bills and Vouchers
- d. Review of Zoning Permits, Application Fees, and Zoning Administrator Report

Motion carried unanimously.

Public Appearances:

Ron Bahn inquired as to when summer ditch mowing would begin. Several intersections need to be mowed for visibility. Recommended Town include mowing dates into contract for when first ditch mowing should start and be completed by. Chairman Grahn confirmed Ripon Truck indicated they would begin mowing on July 20<sup>th</sup> with two mowers. Ron Bahn also indicated he witnessed driver pulling in to Town Hall and throwing two garbage bags into recycling dumpster. He suggested Town investigate town wide garbage and recycling pick up.

Jim Heise indicated several town road signs are no longer visible due to tree and weed growth.

Lyndon Luker inquired as to whether Town should consider a referendum for curbside pick up.

Plan Commission Recommendations:

8a. Motion was made by Supervisor Wargula and second by Supervisor Zache to approve of Re-zone # 1-22 for Teresa Blade. Motion carried unanimously.

Old Business

9a. Nothing for the month.

New Business:

10a. Motion was made by Supervisor Zache and second by Supervisor Wargula to approve of renewal of Class "B" retail alcohol license for Arnie's 2 LLC. Motion carried unanimously.

10b. Motion was made by Supervisor Wargula and second by Supervisor Zache to approve of renewal of "Class B" retail alcohol license for Vines and Rushes Winery LLC. Motion carried unanimously.

10c. Motion was made by Supervisor Zache and second by Supervisor Wargula to approve of 11 bartenders' licenses as reported by Clerk Pinnow. Motion carried unanimously.

10d. Motion was made by Supervisor Wargula and second by Supervisor Zache to approve of 2023 Ripon EMS Service Agreement for coverage of the entire township including area served by Berlin EMS. Motion carried unanimously.

10e. Motion was made by Supervisor Zache and second by Supervisor Wargula to approve of Consent Decree between Town of Nepeuskun and Jerry Klawitter. Motion carried unanimously.

Reports from Board Members

11a. Ripon Fire District – meeting held on July 5, 2022. New president, Ellen Sorenson ran first meeting. Closed session meeting held July 13, 2022.

Berlin Fire Dept – Nothing for the month.

11b. Ripon EMS – Nothing for the month.

11c. Rush Lake Watershed Restoration Inc.

Ron Bahn provided update. Cattail spraying project for late summer/early fall. Approximately 200 acres have been identified for potential spraying. Next meeting to be held Tuesday, August 16<sup>th</sup> at 7pm at the Nepeuskun Town Hall.

12. Correspondence:

- ALCIVIA – Propane tank check passed
- ARPA Reporting – Payment 2

Future Agenda Items:

- Fortifi Bank options
- Brush cutting
- ARPA Funds (Town Hall roof/parking lot/flooring)

Motion was made by Chairman Grahn and second by Supervisor Wargula to move into closed session pursuant to Wis. Stat. 19.85(1)(g) for the purpose of conferring with legal counsel for the Town who is rendering oral or written advice concerning strategy to be adopted by the Town with respect to litigation in which it is or is likely to become involved; The topics of the closed session will be the properties located at 9048 Grams Rd, 404 & 408 Koro Rd (Roll Call Vote Required). Motion carried with 3 votes in favor, 0 opposed.

Reconvened into public session at 8:25pm.

Motion was made by Supervisor Zache and second by Supervisor Wargula to adjourn. Motion carried at 8:25pm. Motion carried unanimously.

Respectfully submitted,

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Rebecca L. Pinnow, Clerk

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Kyle Grahn, Chairman

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Robert Zache, Supervisor

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Michael Wargula, Supervisor

Town of Utica ~ Jenny Sonnleitner, Clerk  
6570 Bradley Ave. Pickett, WI 54964 ~ 920-410-0347 ~ utica1730@gmail.com

**SUBMITTAL FORM**

Name of Property Owner: Barb Rank Life Estate: Theresa Granger, John & Mike & Steve Rank

Address of Owner: 2448 County Road FF Oshkosh, WI 54902

Name of Applicant: Theresa Granger & Mike Rank, et al.

Address of Applicant: 13555 Holiday Ct. Apple Valley, MN 55124

Legal Description of Area to be Rezoned (attach CSM, if applicable):

024-0030: NE ¼, NW ¼ of Section 2, T.17N. – R.15E., TOWN OF UTICA

Tax Parcel Number, if existing parcels: 024-0030

Section 2                      Town 17N                      Range R15E

Existing Zoning: A2                      Name of District: Agricultural District (General Farming)  
024-0030

Proposed Zoning: RR                      Name of District: Rural Residential Recreational Mixed Use  
024-0030

Town Board Action:  X  Approval                             Denial

Findings: 1) Does the Town have an adopted Land Use Plan? Yes

2) Does the request agree with the Plan? Yes

3) Other findings (List). approved by Town Board vote:

Approved by the Town Board vote 2-0

I, Jenny Sonnleitner, Clerk of the Town of Utica, hereby certify that a public hearing was conducted on August 4, 2022 and that all required notices were posted and/or mailed as required by local ordinance.

Signed: Jenny Sonnleitner

Date: 8-9-2022

## LISTING OF PARCELS SURROUNDING SUBJECT PARCEL FOR REZONING CHANGE

Subject Parcels: 024-0030

Owner: Barb Rank Life Estate

Applicant: Theresa Granger, Mike Rank, et al.

| PARCEL                                       | OWNER(S)                                  | MAILING ADDRESS                     | CITY/STATE/ZIP                              |
|----------------------------------------------|-------------------------------------------|-------------------------------------|---------------------------------------------|
| 0240031-01                                   | Allen, Richard & Barbara                  | 2443 County Road FF                 | Oshkosh, WI 54904                           |
| 024-0033-03                                  | Gallert, Lawrence – Tste, et al.          | 5239 Fisk Ave                       | Oshkosh, WI 54904                           |
| 024-0032<br>024-0031-02<br>024-0031-04       | Josephson II, Dewey &<br>Thorson, Heather | 2353 County Road FF                 | Oshkosh, WI 54904                           |
| 016-0795                                     | Benbo, Trisha                             | 5410 State Road 91                  | Oshkosh, WI 54904                           |
| 016-0796-01                                  | Bradley, Michael                          | 2633 Knott Road                     | Oshkosh, WI 54904                           |
| 016-0793<br>024-0025<br>024-0027<br>024-0030 | Granger, Theresa &<br>Rank, Mike          | 13555 Holiday Ct<br>7498 Howlett Rd | Apple Valley, MN 55124<br>Oshkosh, WI 54902 |

# TOWN OF UTICA

## Plan Commission Notice

Notice is hereby given that a public meeting in the Town of Utica, County of Winnebago, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town. Town Board members may be present.

**Thursday, August 4, 2022**

**7:30 pm**

To hear testimony for approval of a CSM dividing parcel number 024-0030 (2448 County Road FF – Barb Rank Life Estate) of 43.53 acres currently zoned A2. The lot with the home will be 5.424 acres as a single-family use parcel and the remaining acreage will be used as Agriculture; both to be zoned RR. Property is owned by Theresa Granger 13555 Holiday Ct Apple Valley, MN 55124 and Michael Rank 7498 Howlett Rd Oshkosh, WI 54902.

The properties within 300' for notification in the Town of Utica, Winnebago County, Wisconsin are:

| PARCEL                                       | OWNER(S)                                  | MAILING ADDRESS                     | CITY/STATE/ZIP                              |
|----------------------------------------------|-------------------------------------------|-------------------------------------|---------------------------------------------|
| 0240031-01                                   | Allen, Richard & Barbara                  | 2443 County Road FF                 | Oshkosh, WI 54904                           |
| 024-0033-03                                  | Gallert, Lawrence – Tste, et al.          | 5239 Fisk Ave                       | Oshkosh, WI 54904                           |
| 024-0032<br>024-0031-02<br>024-0031-04       | Josephson II, Dewey &<br>Thorson, Heather | 2353 County Road FF                 | Oshkosh, WI 54904                           |
| 016-0795                                     | Benbo, Trisha                             | 5410 State Road 91                  | Oshkosh, WI 54904                           |
| 016-0796-01                                  | Bradley, Michael                          | 2633 Knott Road                     | Oshkosh, WI 54904                           |
| 016-0793<br>024-0025<br>024-0027<br>024-0030 | Granger, Theresa &<br>Rank, Mike          | 13555 Holiday Ct<br>7498 Howlett Rd | Apple Valley, MN 55124<br>Oshkosh, WI 54902 |
| 016-0791-01                                  | Hatopp, Hans & Lisa                       | 2511 County Road FF                 | Oshkosh, WI 54904                           |

Public testimony will be taken at the time of the hearing. All written testimony must be received prior to the hearing and can be sent to Thomas Thiel, 1209 County Road M Pickett, WI 54964. For further information, contact Thomas Thiel (920) 589-3005

Jenny Sonnleitner, Clerk & Planning/Zoning Secretary

Published: 7/21 & 28/2022

Any person wishing to attend who, because of a disability, requires special accommodation, should contact Plan Chairman Tom Thiel at 920-579-3025 at least twenty-four (24) hours before the scheduled meeting time so appropriate arrangements can be made.

This is a public meeting. As such, all or a majority of the Town Board members may be in attendance. While a majority of the Town Board members or the majority of any given Town Board Committee may be present, only the above committee will take official action.

Posted at: townofutica.org, Town Hall, and Co-op.

# TOWN OF UTICA RE-ZONING PERMIT APPLICATION

Please print or type your responses to the questions on this application.  
A non-refundable application fee of \$400.00 is required for each permit application.  
The fee is payable to the Town of Utica and is due at the time the application is submitted.

Filing Fee: \$400.00 Date Received: \_\_\_\_\_  
Office Use

Property Address: 2448 County Rd FF

Name of Owner(s): Theresa Granger / Michael Rank , et al.

Address, if different than above: 13555 HOLIDAY CT 7498 Howlett Rd.  
APPLE VALLEY MN 55124 Oshkosh, WI 54902

Home Phone: 920-744-9105 Daytime Phone, if different: \_\_\_\_\_

Name of Applicant(s): Michael Rank

Address, if different than above: \_\_\_\_\_

Home Phone: 920-744-9105 Daytime Phone, if different: \_\_\_\_\_

Name & Address of professional in charge of proposed development (architect, builder, contractor, engineer, etc): \_\_\_\_\_

N/A

Legal Description of Property: (BARBARA E RANK LIFE ESTATE) NE NW FRAC EXC HWY-PT  
D1246001-.55A 43.53 A.

Tax Parcel Number(s) (REQUIRED): 0240030

**NOTE: Please attach a copy of the Certified Survey Map for the property.**

Location of the property in relation to nearby roadways, building, or other landmarks: \_\_\_\_\_

1. What is the current use of the property? Ag and Residential

2. What is the intended use of this property? Residential

3. Please mark the current zoning for the property:

- |                                     |                          |                          |                                 |
|-------------------------------------|--------------------------|--------------------------|---------------------------------|
| <input type="checkbox"/>            | Single-Family Residence  | <input type="checkbox"/> | Industrial                      |
| <input type="checkbox"/>            | Two-Family Residence     | <input type="checkbox"/> | Commercial                      |
| <input type="checkbox"/>            | Multiple-Family Dwelling | <input type="checkbox"/> | Institutional & Recreational    |
| <input checked="" type="checkbox"/> | Agricultural             | <input type="checkbox"/> | Planned Residential Development |
| <input type="checkbox"/>            | Rural Recreational       | <input type="checkbox"/> | Residential Mixed Use           |

4. What is the requested zoning for the property? Residential

5. Please explain the reason for this rezoning request: We plan on selling the house with 5 acres of land

6. If this is a Rural Recreational rezoning request, please specify what type of conditions are being requested: \_\_\_\_\_

7. Please explain why this is the best proposed use for this property: Residential is a better classification of the property

8. Please explain the compatibility of the proposed use(s) with the surrounding land uses: \_\_\_\_\_

9. List all property owners within 300 feet and their mailing addresses:

- |                                                                |                                                                    |
|----------------------------------------------------------------|--------------------------------------------------------------------|
| 1) RICHARD A ALLEN<br>2443 COUNTY RD FF<br>OSHKOSH WI 54904    | 4) JOSEPHSON, DEWEY L, II<br>2353 COUNTY RD FF<br>OSHKOSH WI 54904 |
| 2) LAWRENCE M GALLERT<br>5239 FISK AVE<br>OSHKOSH WI 54904     | 5)                                                                 |
| 3) MARK G BARGENQUAST<br>2350 COUNTY RD FF<br>OSHKOSH WI 54904 | 6)                                                                 |

Twelve (12) copies of the application and all attachments shall be submitted to the Town Clerk, Town Zoning Administrator or other designed representative no later than twenty-one (21) days prior to the meeting.

Michael J. Rank  
Signature of Owner

7-6-2022  
Date

Theresa M. Granger  
Signature of Owner

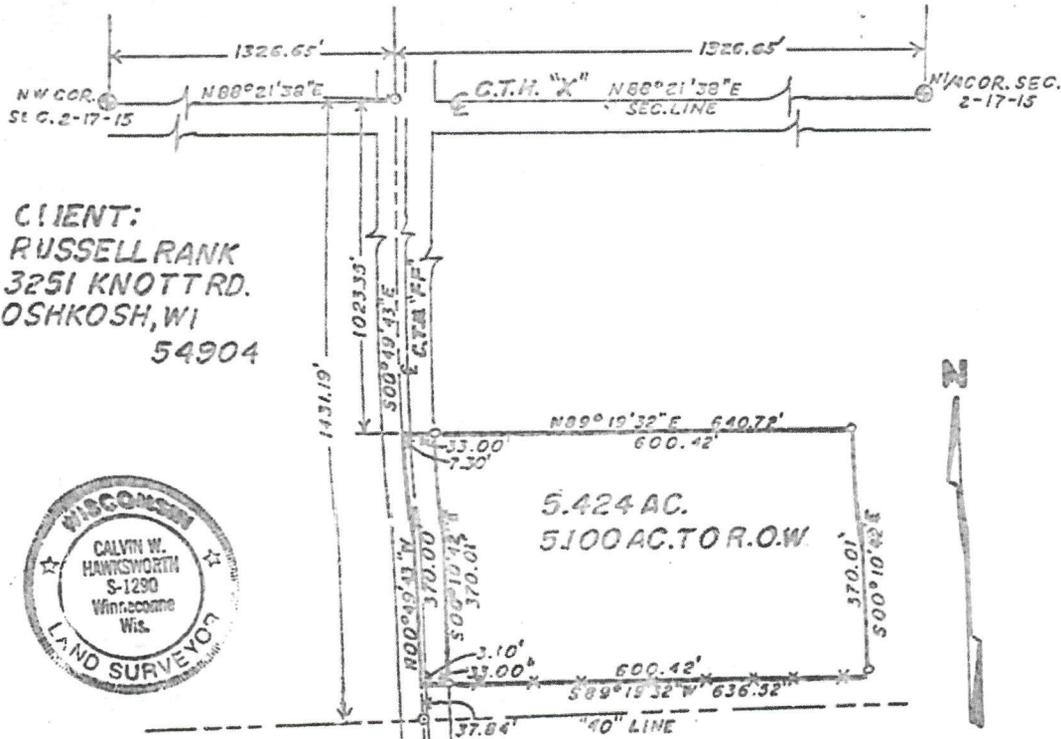
7-7-2022  
Date

# Plat of Survey

**PART OF THE NE 1/4 OF THE NW 1/4 OF SEC. 2,  
T.15E., R.15E., TOWN OF UTICA, WINNEBAGO CO., WI.**

**LEGAL DESCRIPTION**

All that part of the NW1/4 of the NW1/4 of Sec. 2, T.15E., R.15E., Town of Utica, Winnebago County, Wisconsin, described as follows: beginning at a point that is on the West line of the NW1/4 of the NW1/4 of said Sec. 2 that is 1326.65 ft., N88°21'38"E. and 1023.35 ft., S00°49'43"E. of a Berntsen Monument at the NW corner of said Sec. 2. From that point running N.89°19'32"E., 640.72 ft., thence S.00°10'42"E., 370.01 ft., thence along an existing fence line S.09°19'32"W., 636.52 ft., thence N.00°49'43"W., 370.00 ft. to the said point of beginning. Being a parcel of land of 5.424 acres. Reserving therefrom that portion of above described parcel presently used for road purposes. Subject to all easements and restrictions of record.



**CLIENT:**  
**RUSSELL RANK**  
**3251 KNOTT RD.**  
**OSHKOSH, WI**  
**54904**



**LEGEND**

- = Existing monuments
- = 2 x 30" iron pipe set
- = 1 x 30" iron pipe set
- = reference caps or RR spikes
- ⊙ = Brintsen or Harrison monuments
- x-x = fence
- ( ) = recorded as
- = stone monument

**SURVEYORS CERTIFICATE**

I, hereby certify that I have surveyed the property as shown, according to official records and that the plat above drawn is an accurate and correct representation of said survey. JUNE 30, 1994

*Calvin W. Hawksworth*  
 Wisconsin Registered Land Surveyor S-1290

**Saylor**  
**Survey, Inc.**

SCALE 1"=200'  
 PROJECT NO. S-02847  
 FIELD BOOK 67 PAGE 112

# TOWN OF UTICA

## Plan Commission Meeting

### Agenda

Notice is hereby given that a Town Plan Commission meeting in the Town of Utica, County of Winnebago, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town.

**Thursday, August 4, 2022**

**7:30 pm**

1. Call the Meeting to Order
2. Take Roll Call:  
*Members* – Terry Beck, Darwin Briggs, Ralph Kalies, Grant Stettler, Tom Thiel, Eric Whiting
3. Approve June 3, 2021 Plan Commission Meeting Minutes
4. Affidavit of Posting/Publication – Secretary and Plan Chairman to sign
5. Public Forum
6. Discuss/Recommend to the Town Board:  
To hear testimony for approval of a CSM dividing parcel number 024-0243 (5066 Fisk Ave) of 40.00 acres currently zoned A2. Lot 2: into a 5.013-acre, single-family use parcel around the existing buildings and Lot 1 into 34.435 acres to remain General Ag use; both to be zoned RR. Use of the property to stay the same. Property is owned by Matt Ziegenhagen of Ziegenhagen Farms, LLC 2411 Knott Road Oshkosh, WI 54904.
7. Discuss/Recommend to the Town Board:  
To hear testimony for approval of a CSM dividing parcel number 024-0030 (2448 County Road FF – Barb Rank Life Estate) of 43.53 acres currently zoned A2. The lot with the home will be 5.424 acres as a single-family use parcel and the remaining acreage will be used as Agriculture; both to be zoned RR. Property is owned by Theresa Granger 13555 Holiday Ct Apple Valley, MN 55124 and Michael Rank 7498 Howlett Rd Oshkosh, WI 54902.
8. Informal Opinions
9. Future Agenda Items
10. Adjournment

Jenny Sonnleitner, Clerk  
Posted: 8/2/2022

The Plan Commission meets as needed on the FIRST THURSDAY OF EACH MONTH AT 7:30PM (unless otherwise noted).

All meetings are open to the public. Discussion and action may occur on any of the above agenda items.

Posted at: townofutica.org, Town Hall, Co-op.

Any person wishing to attend who, because of a disability, requires special accommodation, should contact Plan Commission Chairman Tom Thiel at 920-579-3025 at least twenty four (24) hours before the scheduled meeting time so appropriate arrangements can be made.

This is a public meeting. As such, all members or a majority of the members of the Town Board may be in attendance. While a majority of the Town Board members or the majority of any given Town Board Committee may be present, only the above committee will take official action based on the above agenda.

# TOWN OF UTICA

## Plan Commission Meeting ~ Minutes

Thursday, August 4, 2022

7:30 pm

**DRAFT**

### 1. Call the Meeting to Order

This meeting was called to order by Chairman Tom Thiel at 7:30pm at the Utica Town Hall; 6 present

### 2. Take Roll Call:

A. *Members Present:* Terry Beck, Grant Stettler, Tom Thiel, Eric Whiting

B. *Members Absent:* Darwin Briggs, Ralph Kalies

C. *Board Members Present:* Chuck Kuhrt, Leonard Schmick

### 3. Approve June 3, 2021 Plan Commission Meeting Minutes

Terry Beck motions to approve the Meeting Minutes, seconded by Grant Stettler. Carried

### 4. Affidavit of Posting/Publication – Secretary and Plan Chairman to sign

### 5. Public Forum

### 6. Discuss/Recommend to the Town Board to hear testimony for approval of a CSM dividing parcel number 024-0243 (5066 Fisk Ave) of 40.00 acres currently zoned A2. Lot 2: into a 5.013-acre, single-family use parcel around the existing buildings and Lot 1 into 34.435 acres to remain General Ag use; both to be zoned RR. Use of the property to stay the same. Property is owned by Matt Ziegenhagen of Ziegenhagen Farms, LLC 2411 Knott Road Oshkosh, WI 54904.

Shirley Gallert stated in the application received in the mail, please explain why this is the best proposed use for this property? Matt Ziegenhagen said he is trying to get things lined up for his wife if something were to happen. Wants the house to be separated from the rest of the farm. Shirley Gallert asked, but why is Residential better than doing something else for your wife? Matt felt it would be more difficult to potentially sell the full 40 acres together. A lot of the farms are being split into 5 acres and leaving the rest as rural crop, typical use and reasonable. Theresa Granger believes Shirley Gallert is talking about the Rank proposal, not this one. Eric Whiting mentioned at the moment, we are discussing the Ziegenhagen property, the former Roger Radloff property. Shirley Gallert asked if the Town is still using RR and 5 acres? Tom Thiel said yes, 5 acres would be RR. Shirley Gallert asked if this opens itself to have a conditional use for something else to go on that property, not just residential? Tom Thiel said our zoning, RR is like A2, a conditional use would be needed if something other than residential. Shirley Gallert asked what the possibility is by separating this 5 acres, when does it stop? Did everyone receive the notice for the Ziegenhagen property? Eric Whiting said only if your property is within 300' of that property. Your property was just outside of the Ziegenhagen property. Shirley Gallert said she has the Plan Commission Agenda, previously we used to get the whole Agenda in our notice and that would have clarified this because then I would have known this was happening and this is also on the Agenda. You only send out the application that applies to you and nothing else? Jenny Sonneleitner stated that she would have received the notice, which that top paragraph is what is on the Agenda; whether it's on the Agenda or the Notice, it's the same thing. Grant Stettler stated the Notice is what is on the Agenda. Public session closed.

Plan Commission - has no questions. Grant Stettler stated this seems pretty straight forward.

Tom Thiel stated, as it's written, the 5 acres will be parceled off the 40 and the 40 would become RR, seconded by Grant Stettler. Carried

### 7. Discuss/Recommend to the Town Board to hear testimony for approval of a CSM dividing parcel number 024-0030 (2448 County Road FF – Barb Rank Life Estate) of 43.53 acres currently zoned A2. The lot with the home will be 5.424 acres as a single-family use parcel and the remaining acreage will be used as Agriculture; both to be zoned RR. Property is owned by Theresa Granger 13555 Holiday Ct Apple Valley, MN 55124 and Michael Rank 7498 Howlett Rd Oshkosh, WI 54902.

Tom Thiel said this parcel is right next to Shirley. Shirley Gallert stated that is why she is here, has no problem with 5 acres. The whole 40+ is RR, so anytime already zoned, a developer could develop that 5 acres? Tom Thiel said, yes, that could happen. Theresa Granger stated their understanding was, that it could not remain Agricultural because it's not a large enough parcel. Tom Thiel said that is a 40-acre parcel and if you take 5 acres off, it would be under, so would take that land and change it to RR. Can still farm it as Ag, just the small parcel of the house would be RR. Jim Granger asked if there would be any tax implications by changing the zoning? Leonard Schmick said no, as long as it is being used for ag, it will be taxed as Ag. The 5 acres would change. Grant Stettler said this is a formality, if less than 40 acres, can't be zoned A2. Public Session Closed.

Plan Commission - Eric Whiting asked how long ago? This survey map was from 1994. If surveyed in 1994, was the house on it? Jim Granger said the house was built in 1994. Map was created, never finalized. Grant Stetter motions to accept as written, seconded Tom Thiel. Carried

**8. Informal Opinions**

From the workshop, we talked about businesses in our township. If we sent it out to people, if they would be honest, would like to know at least what you are doing, for safety reasons. Mostly for the volunteer Fire Dept. Might implement this questionnaire, will ask the Board their thoughts.

**9. Future Agenda Items**

None

**10. Adjournment**

Adjourned at 7:46pm

Jenny Sonnleitner, Clerk & Planning/Zoning Secretary

\_\_\_\_\_ Thomas Thiel, Plan Chairman

\_\_\_\_\_ Jenny Sonnleitner, Clerk & Planning/Zoning Secretary

# TOWN OF UTICA

## Town Board Meeting ~ Agenda

Monday, August 8, 2022

5:00pm – Review Invoices  
5:30pm – Town Board Meeting

Notice is hereby given that a Town Board meeting in the Town of Utica, Winnebago County, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town. Discussion and Action may occur on the following items, except for Public Forum.

The Town Board meets regularly the SECOND MONDAY OF EACH MONTH AT 5:30PM (unless otherwise noted). All meetings are open to the public, this is a public meeting. Any person wishing to attend who, because of a disability, requires special accommodation, should contact Chairman Len Schmick at 920-850-0758 at least twenty-four (24) hours before the scheduled meeting time so appropriate arrangements can be made. As such, all members, or a majority of the members, of the Town Board may be in attendance. While a majority of the Town Board members or the majority of any given Town Board Committee may be present, only the above committee will take official action based on the above agenda. Posted at: townofutica.org. Town Hall. and United Cooperative.

1. Call the Meeting to Order
2. Pledge of Allegiance
3. CONSENT AGENDA:
  - A) Approve July 11, 2022 Town Board Meeting Minutes
  - B) Affidavit of Posting/Publication
  - C) Approve Payment of Bills for August
4. Treasurer's Report for July; BMO Harris Bank
5. Public Forum: *Opportunity to comment about an Agenda item or new business; say your name & address (no action taken by the Board)*
6. BUDGET: Any Possible Amendments
7. OPERATORS LICENSE: Lisa Conn at United Cooperative & Tim Oliver / TEMP PICNIC LICENSE: Utica Fire Dep
8. PLAN COMMISSION:
  - A) Re-Zoning Permit Application: 024-0243 Ziegenhagen. Recommendation by the Plan/Zoning Commission: Approval of a CSM dividing parcel number 024-0243 (5066 Fisk Ave) of 40.00 acres currently zoned A2. Lot 2: into a 5.013-acre, single-family use parcel around the existing buildings and Lot 1 into 34.435 acres to remain General Ag use; both to be zoned RR. Use of the property to stay the same. Property is owned by Matt Ziegenhagen of Ziegenhagen Farms, LLC 2411 Knott Road Oshkosh, WI 54904.
  - B) Re-Zoning Permit Application: 024-0030 Rank. Recommendation by the Plan/Zoning Commission: Approval of a CSM dividing parcel number 024-0030 (2448 County Road FF – Barb Rank Life Estate) of 43.53 acres currently zoned A2. The lot with the home will be 5.424 acres as a single-family use parcel and the remaining acreage will be used as Agriculture; both to be zoned RR. Property is owned by Theresa Granger 13555 Holiday Ct Apple Valley, MN 55124 and Michael Rank 7498 Howlett Rd Oshkosh, WI 54902.
  - C) Town of Utica Businesses Questionnaire
9. TOWN HALL/FIRE STATION #12 –
  - A) Picnic Sunday, August 28, 2022
  - B) Town Hall Rentals
10. ROADS
11. WINNEBAGO COUNTY PLANNING & ZONING DEPT: Notice of Appeal by Lamar Central Outdoor LLC of Ordinances: Ch 23 – Town/County Zoning Code; Ch 26 – Floodplain Zoning Code; Ch 27 – Shoreland Zoning Code. South of 1498 Black Oak School Rd (in road right-of-way) 012-0248 Town of Nekimi. County denied a permit for an off-premise directional sign electronic face replacement.
12. MEETINGS:
  - A) Rush Lake: August 15, 2022
  - B) Fall WTA Workshop: September 29, 2022 at Royal Ridges in Ripon, who is attending?
  - C) Winnebago County Towns Association 2022: October 6 – Winchester
13. FUTURE AGENDA ITEM(S):
  - A) ARPA Funds – Obligate funds by 12/31/24. Projects Completed by 12/31/26. Received invoice for Ripple Ave from Winnebago County and will submit final paperwork.
14. ITEMS FOR INCLUSION IN NEWSLETTER:
  - A) Town Board Meeting – Monday, September 12, 2022 – 5:30pm at the Utica Town Hall
  - B) 2022 ELECTION: Tuesday, November 8, 2022 – 7am-8pm, 1730 County Road FF. Myvote.wi.gov to complete an Absentee application, include your valid photo ID.
15. CORRESPONDENCE RECEIVED:
  - A) WI Towns Association Monthly Newsletter Online; Land Transfers; Community Economic Analysis for Rural WI Communities – Applications Due August 19 – Greater Oshkosh; Hawkins/Ash CPAs; Winnebago County Timber Cutting Notice: Davis 2181 Knott Rd; WPS Road improvement project planning;

Jenny Sonnleitner, Clerk  
Posted: 8/6/2022

# TOWN OF UTICA

## Town Board Meeting ~ Minutes

Monday, August 8, 2022

5:00pm – Review Invoices  
5:30pm – Town Board Meeting

Notice is hereby given that a Town Board meeting in the Town of Utica, Winnebago County, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town. The Board can discuss and act on any of the following, except that of the Public Forum.

### 1. CALL THE MEETING TO ORDER

DRAFT

This meeting was called to order by Chairman Schmick at 5:30pm at the Utica Town Hall.

PRESENT: Chairman Leonard Schmick, Supervisor #1 Chuck Kuhrt, Clerk Jenny Sonnleitner, Treasurer Emily Hunter; Andrea with Greater Oshkosh; 8 citizens present

ABSENT: Supervisor #2 Grant Stettler

### 2. PLEDGE OF ALLEGIANCE

### 3. CONSENT AGENDA:

A) APPROVE JULY 11, 2022 TOWN BOARD MEETING MINUTES

B) AFFIDAVIT OF POSTING/PUBLICATION

C) APPROVE PAYMENT OF BILLS FOR AUGUST

Chairman Schmick made a motion to accept the Consent Agenda; seconded by Supervisor Kuhrt. Carried

"These meeting minutes are only a draft of the minutes of the meeting. They have not been approved yet. They are subject to change and you may not rely on their accuracy. For more information, please contact the clerk or a town board member."

### 4. TREASURER'S REPORT FOR JULY; BMO HARRIS BANK

RECEIPTS: \$46,232.15; DISBURSEMENTS: \$122,801.61; TOTAL BALANCE: \$398,746.97

TOTAL CASH ON HAND (INCLUDING FIRE/EMS ACCOUNT BALANCE AS OF 7/31/22): \$423,814.85

### 5. PUBLIC FORUM *(Opportunity to comment about an Agenda item or new business; say your name & address (no action taken by the Board))*

Jim Kumbier - on behalf of Liberty Prairie Cemetery handed the Board an Annual Report for 2021. Asking the Board to consider giving some more money to help out. Chairman Schmick stated there is \$30,652.77 on hand according to the report. Jim stated that last year, the cost was over \$12,000, with receipts of \$4,000 and there is one Note. Charges \$800 for the grave burial and they pay the grave digger \$600, Cemetery keeps \$200. Jim will look at it again and talk with the cemetery secretary.

Andrea with Greater Oshkosh – was present at EAA and received some great business leads. Two programs available: Community Economic Analysis for Rural WI Communities (CEA-RWC) Pilot Initiative and TRAILS Grant Program (Polaris).

### 6. BUDGET: ANY POSSIBLE AMENDMENTS

To transfer \$140,674.54 from ARPA to Transportation. Finished Ripple Road from Cty Rd FF to Elo, road should be set for 30-40 years at least. Chairman motions to accept the resolution, seconded by Supervisor Kuhrt. Carried

### 7. OPERATORS LICENSE: LISA CONN AT UNITED COOPERATIVE & TIM OLIVER / TEMP PICNIC LICENSE: UTICA FIRE DEPT

Chairman Schmick motions to grant Operator's License to Lisa Conn and Tim Oliver, and Temp Picnic License; seconded by Supervisor Kuhrt. Carried

### 8. PLAN COMMISSION

A) Re-Zoning Permit Application: 024-0243 Ziegenhagen. Recommendation by the Plan/Zoning Commission:

Approval of a CSM dividing parcel number 024-0243 (5066 Fisk Ave) of 40.00 acres currently zoned A2. Lot 2: into a 5.013-acre, single-family use parcel around the existing buildings and Lot 1 into 34.435 acres to remain General Ag use; both to be zoned RR. Use of the property to stay the same. Property is owned by Matt Ziegenhagen of Ziegenhagen Farms, LLC 2411 Knott Road Oshkosh, WI 54904.

Chairman Schmick motions to accept the recommendation on the Planning/Zoning Commission, seconded by Supervisor Kuhrt. Carried.

B) Re-Zoning Permit Application: 024-0030 Rank. Recommendation by the Plan/Zoning Commission: Approval of a CSM dividing parcel number 024-0030 (2448 County Road FF – Barb Rank Life Estate) of 43.53 acres currently zoned A2. The lot with the home will be 5.424 acres as a single-family use parcel and the remaining acreage will be used as Agriculture; both to be zoned RR. Property is owned by Theresa Granger 13555 Holiday Ct Apple Valley, MN 55124 and Michael Rank 7498 Howlett Rd Oshkosh, WI 54902.

Chairman Schmick motions to accept the recommendation of the Planning/Zoning Commission, seconded by Supervisor Kuhrt. Carried

C) TOWN OF UTICA BUSINESSES QUESTIONNAIRE

Chairman Schmick: If people want to have a business out of their home, we always allow that. It's not a permit, just information to give to the Fire Department that they may need to know about ahead of time. A simple questionnaire to give back to the Zoning Department. Nothing to vote on, just an informational sheet.

**TOWN HALL/FIRE STATION #12**

D) PICNIC SUNDAY, AUGUST 28, 2022

E) TOWN HALL RENTALS

Lucy Trebiatewski was contacted by the Health Department and they would like to use the Hall November, December, and January for a two-hour COVID clinic each month. They want to know if they need to do any paperwork through the Board or if she can just set the date with them. Chairman Schmick stated they can rent it, just like anyone else can. Personally, don't see the use for it. Usually, in October, the Fire Dept does their appreciation dinner. There are a lot of rentals already in October. Made a list and have a copy for the Fire Dept and a copy under Tim's door so they are aware of the dates that are booked already; and that they contact me before they send out their announcements or invites.

**9. ROADS**

Fixing and repairing everything on the road list. Everything has been taken care of already.

10. **WINNEBAGO COUNTY PLANNING & ZONING DEPT:** Notice of Appeal by Lamar Central Outdoor LLC of Ordinances: Ch 23 – Town/County Zoning Code; Ch 26 – Floodplain Zoning Code; Ch 27 – Shoreland Zoning Code. South of 1498 Black Oak School Rd (in road right-of-way) 012-0248 Town of Nekimi. County denied a permit for an off-premise directional sign electronic face replacement. Supervisor Kuhrt says he doesn't know why we have this, it's Nekimi, Bradley Egg Farm land. Chairman Schmick said it doesn't effect us at all, mostly informational. Supervisor Kuhrt said he talked with Brian Bradley, the property owner, and he doesn't know anything about this.

**11. MEETINGS:**

A) RUSH LAKE: AUGUST 15, 2022

B) FALL WTA WORKSHOP: SEPTEMBER 29, 2022 AT ROYAL RIDGES IN RIPON, WHO IS ATTENDING?

Chairman Schmick motions that we pay for and send an application for Jenny to go to the WTA Workshop September 29; if the Treasure would like to attend, she can. Seconded by Supervisor Kuhrt. Carried.

C) WINNEBAGO COUNTY TOWNS ASSOCIATION 2022 MEETINGS: OCTOBER 6 - WINCHESTER

**12. FUTURE AGENDA ITEMS(S):**

A) ARPA FUNDS – OBLIGATE FUNDS BY 12/31/2024. PROJECTS COMPLETED BY 12/31/2026. RECEIVED INVOICE FOR RIPPLE AVE FROM WINNEBAGO COUNTY AND WILL SUBMIT FINAL PAPERWORK.

**13. ITEMS FOR INCLUSION IN NEWSLETTER**

A) Town Board Meeting – Monday, September 12, 2022 – 5:30pm at the Utica Town Hall

B) 2022 ELECTIONS: Tuesday, November 8, 2022 – General; 7am-8pm, 1730 County Road FF. Myvote.wi.gov to complete an Absentee application, include your valid photo ID.

**14. CORRESPONDENCE RECEIVED:**

A) WI Towns Association Monthly Newsletter Online; Land Transfers; Community Economic Analysis for Rural WI Communities – Applications Due August 19 – Greater Oshkosh (Chairman Schmick said from what he read about and contacting the people involved, doesn't apply to us, doesn't work for our Town); Hawkins/Ash CPAs; Winnebago County Timber Cutting Notice: Davis 2181 Knott Rd; WPS Road improvement project planning

**15. ADJOURNMENT**

Adjournment 5:49pm

Jenny Sonnleitner, Clerk

|                                |        |                           |  |
|--------------------------------|--------|---------------------------|--|
| Leonard Schmick – Chairman     |        | Emily Hunter – Treasurer  |  |
| Chuck Kuhrt – Supervisor #1    |        | Jenny Sonnleitner - Clerk |  |
| Grant Stettler – Supervisor #2 | ABSENT |                           |  |

*Minutes to be Reviewed / Approved at the September 12, 2022 Town Board Meeting.*

“These meeting minutes are only a draft of the minutes of the meeting. They have not been approved yet. They are subject to change and you may not rely on their accuracy. For more information, please contact the clerk or a town board member.”

# Resolution

Date: \_\_\_\_\_

To the Board of Supervisors of Winnebago County, Wisconsin:

## **Amendatory Ordinance**

Whereas, it is desirable to amend the Zoning Ordinance and the Zoning Map of the Town of Utica in accordance with the petition Barb Rank Life Estate;

Whereas said request is in compliance with the adopted Winnebago County Land Use Plan.

Now, therefore, the County Board Supervisors of Winnebago County do ordain that the Zoning Ordinance and the Zoning Map of the Town of Utica, be and the same, are amended to provide that the attached described property be changed from the classification of One (1) parcel of 43.53 acres zoned A2 of said ordinance, which it now and heretofore had, to the zoned district to create 2 lots: Lot 1 to be 5.424 acres and Lot 2 to be the remaining acreage, both to be zoned RR.

\_\_\_\_\_  
County Board Supervisor  
(Town of Utica)

Parcel No: 024-0030

## **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.

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

County Board Supervisory District

Town of Utica ~ Jenny Sonnleitner, Clerk  
6570 Bradley Ave. Pickett, WI 54964 ~ 920-410-0347 ~ utica1730@gmail.com

### SUBMITTAL FORM

Name of Property Owner: Matt Ziegenhagen

Address of Owner: 2411 Knott Road Oshkosh, WI 54904

Name of Applicant: Ziegenhagen Farms, LLC

Address of Applicant: 2411 Knott Road Oshkosh, WI 54904

Legal Description of Area to be Rezoned (attach CSM, if applicable):

024-0243: SW ¼, SE ¼ of Section 12, T.17N. – R.15E., TOWN OF UTICA

Tax Parcel Number, if existing parcels: 024-0243

Section 12                  Town 17N                  Range R15E

Existing Zoning: A2                  Name of District: Agricultural District (General Farming)  
024-0243

Proposed Zoning: RR                  Name of District: Rural Residential Recreational Mixed Use  
024-0243

Town Board Action:   X   Approval           Denial

Findings: 1) Does the Town have an adopted Land Use Plan? Yes

2) Does the request agree with the Plan? Yes

3) Other findings (List). approved by Town Board vote:

Approved by the Town Board vote 2-0

I, Jenny Sonnleitner, Clerk of the Town of Utica, hereby certify that a public hearing was conducted on August 4, 2022 and that all required notices were posted and/or mailed as required by local ordinance.

Signed: Jenny Sonnleitner

Date: 8-9-2022

## LISTING OF PARCELS SURROUNDING SUBJECT PARCEL FOR REZONING CHANGE

Subject Parcels: 024-0243

Owner: Ziegenhagen Farms, LLC

Applicant: Matt Ziegenhagen

| PARCEL                                       | OWNER(S)                 | MAILING ADDRESS             | CITY/STATE/ZIP        |
|----------------------------------------------|--------------------------|-----------------------------|-----------------------|
| 024-0248<br>024-0243<br>024-0242<br>024-0240 | Ziegenhagen Farms LLC    | 2411 Knott Road             | Oshkosh, WI 54904     |
| 024-0239-02                                  | Watson, Roland           | 924 W 11 <sup>th</sup> Ave. | Oshkosh, WI 54902     |
| 024-0244                                     | Radloff, Michael & Debra | 4819 Fisk Ave               | Oshkosh, WI 54904     |
| 024-0239-03                                  | Radloff, Aaron & Holly   | 5119 State Road 44          | Oshkosh, WI 54904     |
| 024-0245-02                                  | Much, Craig & Ashley     | 1186 Martin Ave.            | Fond du Lac, WI 54935 |
| 024-0246                                     | Hoppe, Debra             | 300 Rudolph St.             | Springfield, TN 37172 |

# TOWN OF UTICA

## Plan Commission Notice

Notice is hereby given that a public meeting in the Town of Utica, County of Winnebago, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town. Town Board members may be present.

**Thursday, August 4, 2022**

**7:30 pm**

To hear testimony for approval of a CSM dividing parcel number 024-0243 (5066 Fisk Ave) of 40.00 acres currently zoned A2. Lot 2: into a 5.013-acre, single-family use parcel around the existing buildings and Lot 1 into 34.435 acres to remain General Ag use; both to be zoned RR. Use of the property to stay the same. Property is owned by Matt Ziegenhagen of Ziegenhagen Farms, LLC 2411 Knott Road Oshkosh, WI 54904.

The properties within 300' for notification in the Town of Utica, Winnebago County, Wisconsin are:

| PARCEL                                       | OWNER(S)                           | MAILING ADDRESS             | CITY/STATE/ZIP        |
|----------------------------------------------|------------------------------------|-----------------------------|-----------------------|
| 024-0248<br>024-0243<br>024-0242<br>024-0240 | Ziegenhagen Farms LLC              | 2411 Knott Road             | Oshkosh, WI 54904     |
| 024-0239-02                                  | Watson, Roland                     | 924 W 11 <sup>th</sup> Ave. | Oshkosh, WI 54902     |
| 024-0244                                     | Radloff, Michael & Debra           | 4819 Fisk Ave               | Oshkosh, WI 54904     |
| 024-0239-03                                  | Radloff, Aaron & Holly             | 5119 State Road 44          | Oshkosh, WI 54904     |
| 024-0245-02                                  | Much, Craig & Ashley               | 1186 Martin Ave.            | Fond du Lac, WI 54935 |
| 024-0246                                     | Hoppe, Debra                       | 300 Rudolph St.             | Springfield, TN 37172 |
| 024-0244-01<br>024-0244-02                   | Desruisseaux, Jeremy & Sarah Fleck | 4977 Stevens Lane           | Oshkosh, WI 54904     |
| 024-0251<br>024-0238                         | Bean, Thomas                       | 5154 Fisk Ave               | Oshkosh, WI 54904     |

Public testimony will be taken at the time of the hearing. All written testimony must be received prior to the hearing and can be sent to Thomas Thiel, 1209 County Road M Pickett, WI 54964. For further information, contact Thomas Thiel (920) 589-3005.

Jenny Sonnleitner, Clerk & Planning/Zoning Secretary  
Published: 7/21 & 28/2022

Any person wishing to attend who, because of a disability, requires special accommodation, should contact Plan Chairman Tom Thiel at 920-579-3025 at least twenty-four (24) hours before the scheduled meeting time so appropriate arrangements can be made.

This is a public meeting. As such, all or a majority of the Town Board members may be in attendance. While a majority of the Town Board members or the majority of any given Town Board Committee may be present, only the above committee will take official action.

Posted at: townofutica.org, Town Hall, and Co-op.

# TOWN OF UTICA RE-ZONING PERMIT APPLICATION

Please print or type your responses to the questions on this application.  
A non-refundable application fee of \$400.00 is required for each permit application.  
The fee is payable to the Town of Utica and is due at the time the application is submitted.

RECEIVED

Filing Fee: \$400.00

Date Received: \_\_\_\_\_

Office Use JUN 28 2022

Property Address: 5066 FISK AVE

Name of Owner(s): ZIEGENHAGEN FARMS LLC

Address, if different than above: 2411 KNOTT ROAD

Home Phone: \_\_\_\_\_ Daytime Phone, if different: \_\_\_\_\_

Name of Applicant(s): MATT ZIEGENHAGEN

Address, if different than above: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Daytime Phone, if different: 920-379-6839

Name & Address of professional in charge of proposed development (architect, builder, contractor, engineer, etc): \_\_\_\_\_

Legal Description of Property: SW 1/4 OF THE SE 1/4 SEC 12  
T17N, R15E, IN UTICA

Tax Parcel Number(s) (REQUIRED): 0240243

**NOTE:** Please attach a copy of the Certified Survey Map for the property.

Location of the property in relation to nearby roadways, building, or other landmarks: \_\_\_\_\_

NORTH SIDE FISK AVE 1/4 MILE WEST  
OF JAMES ROAD

1. What is the current use of the property? GEN AG

2. What is the intended use of this property? CREATE 5 AC PARCEL  
AROUND EXISTING BUILDING.  
USE OF PROPERTY TO STAY THE SAME

3. Please mark the current zoning for the property:

- |                                     |                          |                          |                                 |
|-------------------------------------|--------------------------|--------------------------|---------------------------------|
| <input type="checkbox"/>            | Single-Family Residence  | <input type="checkbox"/> | Industrial                      |
| <input type="checkbox"/>            | Two-Family Residence     | <input type="checkbox"/> | Commercial                      |
| <input type="checkbox"/>            | Multiple-Family Dwelling | <input type="checkbox"/> | Institutional & Recreational    |
| <input checked="" type="checkbox"/> | Agricultural             | <input type="checkbox"/> | Planned Residential Development |
| <input type="checkbox"/>            | Rural Recreational       | <input type="checkbox"/> | Residential Mixed Use           |

4. What is the requested zoning for the property? CREATING 5 AC PARCEL AROUND EXIST. BUILDINGS

5. Please explain the reason for this rezoning request: CREATING 5 AC PARCEL AROUND EXIST. BUILDINGS

6. If this is a Rural Recreational rezoning request, please specify what type of conditions are being requested: CREATING 5 AC PARCEL AROUND EXIST. BUILDINGS TO SEPARATE FROM AG. LANDS

7. Please explain why this is the best proposed use for this property: USE DOES NOT CHANGE

8. Please explain the compatibility of the proposed use(s) with the surrounding land uses: SURROUNDING LAND USE IS MIX OF SINGLE FAMILY HOMES AND GEN. AG

9. List all property owners within 300 feet and their mailing addresses:

1) ZIEGENHAGEN FARMS LLC  
2411 KNIGHT ROAD  
OSTKOSH WI 54704

2) 5)

3) 6)

Twelve (12) copies of the application and all attachments shall be submitted to the Town Clerk, Town Zoning Administrator or other designed representative no later than twenty-one (21) days prior to the meeting.

[Signature]  
Signature of Owner

6-27-22  
Date

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date



# TOWN OF UTICA

## Plan Commission Meeting

### Agenda

Notice is hereby given that a Town Plan Commission meeting in the Town of Utica, County of Winnebago, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town.

**Thursday, August 4, 2022**

**7:30 pm**

1. Call the Meeting to Order
2. Take Roll Call:  
*Members* – Terry Beck, Darwin Briggs, Ralph Kalies, Grant Stettler, Tom Thiel, Eric Whiting
3. Approve June 3, 2021 Plan Commission Meeting Minutes
4. Affidavit of Posting/Publication – Secretary and Plan Chairman to sign
5. Public Forum
6. Discuss/Recommend to the Town Board:  
To hear testimony for approval of a CSM dividing parcel number 024-0243 (5066 Fisk Ave) of 40.00 acres currently zoned A2. Lot 2: into a 5.013-acre, single-family use parcel around the existing buildings and Lot 1 into 34.435 acres to remain General Ag use; both to be zoned RR. Use of the property to stay the same. Property is owned by Matt Ziegenhagen of Ziegenhagen Farms, LLC 2411 Knott Road Oshkosh, WI 54904.
7. Discuss/Recommend to the Town Board:  
To hear testimony for approval of a CSM dividing parcel number 024-0030 (2448 County Road FF – Barb Rank Life Estate) of 43.53 acres currently zoned A2. The lot with the home will be 5.424 acres as a single-family use parcel and the remaining acreage will be used as Agriculture; both to be zoned RR. Property is owned by Theresa Granger 13555 Holiday Ct Apple Valley, MN 55124 and Michael Rank 7498 Howlett Rd Oshkosh, WI 54902.
8. Informal Opinions
9. Future Agenda Items
10. Adjournment

Jenny Sonnleitner, Clerk  
Posted: 8/2/2022

The Plan Commission meets as needed on the FIRST THURSDAY OF EACH MONTH AT 7:30PM (unless otherwise noted).

All meetings are open to the public. Discussion and action may occur on any of the above agenda items.

Posted at: [townofutica.org](http://townofutica.org), Town Hall, Co-op.

Any person wishing to attend who, because of a disability, requires special accommodation, should contact Plan Commission Chairman Tom Thiel at 920-579-3025 at least twenty four (24) hours before the scheduled meeting time so appropriate arrangements can be made.

This is a public meeting. As such, all members or a majority of the members of the Town Board may be in attendance. While a majority of the Town Board members or the majority of any given Town Board Committee may be present, only the above committee will take official action based on the above agenda.

# TOWN OF UTICA

## Plan Commission Meeting ~ Minutes

Thursday, August 4, 2022

7:30 pm

**DRAFT**

### 1. Call the Meeting to Order

This meeting was called to order by Chairman Tom Thiel at 7:30pm at the Utica Town Hall; 6 present

### 2. Take Roll Call:

A. *Members Present:* Terry Beck, Grant Stettler, Tom Thiel, Eric Whiting

B. *Members Absent:* Darwin Briggs, Ralph Kalies

C. *Board Members Present:* Chuck Kuhrt, Leonard Schmick

### 3. Approve June 3, 2021 Plan Commission Meeting Minutes

Terry Beck motions to approve the Meeting Minutes, seconded by Grant Stettler. Carried

### 4. Affidavit of Posting/Publication – Secretary and Plan Chairman to sign

### 5. Public Forum

### 6. Discuss/Recommend to the Town Board to hear testimony for approval of a CSM dividing parcel number 024-0243 (5066 Fisk Ave) of 40.00 acres currently zoned A2. Lot 2: into a 5.013-acre, single-family use parcel around the existing buildings and Lot 1 into 34.435 acres to remain General Ag use; both to be zoned RR. Use of the property to stay the same. Property is owned by Matt Ziegenhagen of Ziegenhagen Farms, LLC 2411 Knott Road Oshkosh, WI 54904.

Shirley Gallert stated in the application received in the mail, please explain why this is the best proposed use for this property? Matt Ziegenhagen said he is trying to get things lined up for his wife if something were to happen. Wants the house to be separated from the rest of the farm. Shirley Gallert asked, but why is Residential better than doing something else for your wife? Matt felt it would be more difficult to potentially sell the full 40 acres together. A lot of the farms are being split into 5 acres and leaving the rest as rural crop, typical use and reasonable. Theresa Granger believes Shirley Gallert is talking about the Rank proposal, not this one. Eric Whiting mentioned at the moment, we are discussing the Ziegenhagen property, the former Roger Radloff property. Shirley Gallert asked if the Town is still using RR and 5 acres? Tom Thiel said yes, 5 acres would be RR. Shirley Gallert asked if this opens itself to have a conditional use for something else to go on that property, not just residential? Tom Thiel said our zoning, RR is like A2, a conditional use would be needed if something other than residential. Shirley Gallert asked what the possibility is by separating this 5 acres, when does it stop? Did everyone receive the notice for the Ziegenhagen property? Eric Whiting said only if your property is within 300' of that property. Your property was just outside of the Ziegenhagen property. Shirley Gallert said she has the Plan Commission Agenda, previously we used to get the whole Agenda in our notice and that would have clarified this because then I would have known this was happening and this is also on the Agenda. You only send out the application that applies to you and nothing else? Jenny Sonneleitner stated that she would have received the notice, which that top paragraph is what is on the Agenda; whether it's on the Agenda or the Notice, it's the same thing. Grant Stettler stated the Notice is what is on the Agenda. Public session closed.

Plan Commission - has no questions. Grant Stettler stated this seems pretty straight forward.

Tom Thiel stated, as it's written, the 5 acres will be parceled off the 40 and the 40 would become RR, seconded by Grant Stettler. Carried

### 7. Discuss/Recommend to the Town Board to hear testimony for approval of a CSM dividing parcel number 024-0030 (2448 County Road FF – Barb Rank Life Estate) of 43.53 acres currently zoned A2. The lot with the home will be 5.424 acres as a single-family use parcel and the remaining acreage will be used as Agriculture; both to be zoned RR. Property is owned by Theresa Granger 13555 Holiday Ct Apple Valley, MN 55124 and Michael Rank 7498 Howlett Rd Oshkosh, WI 54902.

Tom Thiel said this parcel is right next to Shirley. Shirley Gallert stated that is why she is here, has no problem with 5 acres. The whole 40+ is RR, so anytime already zoned, a developer could develop that 5 acres? Tom Thiel said, yes, that could happen. Theresa Granger stated their understanding was, that it could not remain Agricultural because it's not a large enough parcel. Tom Thiel said that is a 40-acre parcel and if you take 5 acres off, it would be under, so would take that land and change it to RR. Can still farm it as Ag, just the small parcel of the house would be RR. Jim Granger asked if there would be any tax implications by changing the zoning? Leonard Schmick said no, as long as it is being used for ag, it will be taxed as Ag. The 5 acres would change. Grant Stettler said this is a formality, if less than 40 acres, can't be zoned A2. Public Session Closed.

Plan Commission - Eric Whiting asked how long ago? This survey map was from 1994. If surveyed in 1994, was the house on it? Jim Granger said the house was built in 1994. Map was created, never finalized. Grant Stetter motions to accept as written, seconded Tom Thiel. Carried

**8. Informal Opinions**

From the workshop, we talked about businesses in our township. If we sent it out to people, if they would be honest, would like to know at least what you are doing, for safety reasons. Mostly for the volunteer Fire Dept. Might implement this questionnaire, will ask the Board their thoughts.

**9. Future Agenda Items**

None

**10. Adjournment**

Adjourned at 7:46pm

Jenny Sonnleitner, Clerk & Planning/Zoning Secretary

\_\_\_\_\_ Thomas Thiel, Plan Chairman

\_\_\_\_\_ Jenny Sonnleitner, Clerk & Planning/Zoning Secretary

# TOWN OF UTICA

## Town Board Meeting ~ Agenda

Monday, August 8, 2022

5:00pm – Review Invoices  
5:30pm – Town Board Meeting

Notice is hereby given that a Town Board meeting in the Town of Utica, Winnebago County, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town. Discussion and Action may occur on the following items, except for Public Forum.

The Town Board meets regularly the SECOND MONDAY OF EACH MONTH AT 5:30PM (unless otherwise noted). All meetings are open to the public, this is a public meeting. Any person wishing to attend who, because of a disability, requires special accommodation, should contact Chairman Len Schmick at 920-850-0758 at least twenty-four (24) hours before the scheduled meeting time so appropriate arrangements can be made. As such, all members, or a majority of the members, of the Town Board may be in attendance. While a majority of the Town Board members or the majority of any given Town Board Committee may be present, only the above committee will take official action based on the above agenda. Posted at: townofutica.org. Town Hall, and United Cooperative.

1. Call the Meeting to Order
2. Pledge of Allegiance
3. CONSENT AGENDA:
  - A) Approve July 11, 2022 Town Board Meeting Minutes
  - B) Affidavit of Posting/Publication
  - C) Approve Payment of Bills for August
4. Treasurer's Report for July; BMO Harris Bank
5. Public Forum: *Opportunity to comment about an Agenda item or new business; say your name & address (no action taken by the Board)*
6. BUDGET: Any Possible Amendments
7. OPERATORS LICENSE: Lisa Conn at United Cooperative & Tim Oliver / TEMP PICNIC LICENSE: Utica Fire Dep
8. PLAN COMMISSION:
  - A) Re-Zoning Permit Application: **024-0243 Ziegenhagen**. Recommendation by the Plan/Zoning Commission: Approval of a CSM dividing parcel number 024-0243 (5066 Fisk Ave) of 40.00 acres currently zoned A2. Lot 2: into a 5.013-acre, single-family use parcel around the existing buildings and Lot 1 into 34.435 acres to remain General Ag use; both to be zoned RR. Use of the property to stay the same. Property is owned by Matt Ziegenhagen of Ziegenhagen Farms, LLC 2411 Knott Road Oshkosh, WI 54904.
  - B) Re-Zoning Permit Application: 024-0030 Rank. Recommendation by the Plan/Zoning Commission: Approval of a CSM dividing parcel number 024-0030 (2448 County Road FF – Barb Rank Life Estate) of 43.53 acres currently zoned A2. The lot with the home will be 5.424 acres as a single-family use parcel and the remaining acreage will be used as Agriculture; both to be zoned RR. Property is owned by Theresa Granger 13555 Holiday Ct Apple Valley, MN 55124 and Michael Rank 7498 Howlett Rd Oshkosh, WI 54902.
  - C) Town of Utica Businesses Questionnaire
9. TOWN HALL/FIRE STATION #12 –
  - A) Picnic Sunday, August 28, 2022
  - B) Town Hall Rentals
10. ROADS
11. WINNEBAGO COUNTY PLANNING & ZONING DEPT: Notice of Appeal by Lamar Central Outdoor LLC of Ordinances: Ch 23 – Town/County Zoning Code; Ch 26 – Floodplain Zoning Code; Ch 27 – Shoreland Zoning Code. South of 1498 Black Oak School Rd (in road right-of-way) 012-0248 Town of Nekimi. County denied a permit for an off-premise directional sign electronic face replacement.
12. MEETINGS:
  - A) Rush Lake: August 15, 2022
  - B) Fall WTA Workshop: September 29, 2022 at Royal Ridges in Ripon, who is attending?
  - C) Winnebago County Towns Association 2022: October 6 – Winchester
13. FUTURE AGENDA ITEM(S):
  - A) ARPA Funds – Obligate funds by 12/31/24. Projects Completed by 12/31/26. Received invoice for Ripple Ave from Winnebago County and will submit final paperwork.
14. ITEMS FOR INCLUSION IN NEWSLETTER:
  - A) Town Board Meeting – Monday, September 12, 2022 – 5:30pm at the Utica Town Hall
  - B) 2022 ELECTION: Tuesday, November 8, 2022 – 7am-8pm, 1730 County Road FF. Myvote.wi.gov to complete an Absentee application, include your valid photo ID.
15. CORRESPONDENCE RECEIVED:
  - A) WI Towns Association Monthly Newsletter Online; Land Transfers; Community Economic Analysis for Rural WI Communities – Applications Due August 19 – Greater Oshkosh; Hawkins/Ash CPAs; Winnebago County Timber Cutting Notice: Davis 2181 Knott Rd; WPS Road improvement project planning;

Jenny Sonnleitner, Clerk  
Posted: 8/6/2022

# TOWN OF UTICA

## Town Board Meeting ~ Minutes

Monday, August 8, 2022

5:00pm – Review Invoices  
5:30pm – Town Board Meeting

Notice is hereby given that a Town Board meeting in the Town of Utica, Winnebago County, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town. The Board can discuss and act on any of the following, except that of the Public Forum.

### 1. CALL THE MEETING TO ORDER

DRAFT

This meeting was called to order by Chairman Schmick at 5:30pm at the Utica Town Hall.

PRESENT: Chairman Leonard Schmick, Supervisor #1 Chuck Kuhrt, Clerk Jenny Sonnleitner, Treasurer Emily Hunter; Andrea with Greater Oshkosh; 8 citizens present

ABSENT: Supervisor #2 Grant Stettler

### 2. PLEDGE OF ALLEGIANCE

### 3. CONSENT AGENDA:

A) APPROVE JULY 11, 2022 TOWN BOARD MEETING MINUTES

B) AFFIDAVIT OF POSTING/PUBLICATION

C) APPROVE PAYMENT OF BILLS FOR AUGUST

Chairman Schmick made a motion to accept the Consent Agenda; seconded by Supervisor Kuhrt. Carried

### 4. TREASURER'S REPORT FOR JULY; BMO HARRIS BANK

RECEIPTS: \$46,232.15; DISBURSEMENTS: \$122,801.61; TOTAL BALANCE: \$398,746.97

TOTAL CASH ON HAND (INCLUDING FIRE/EMS ACCOUNT BALANCE AS OF 7/31/22): \$423,814.85

### 5. PUBLIC FORUM *(Opportunity to comment about an Agenda item or new business; say your name & address (no action taken by the Board))*

Jim Kumbier - on behalf of Liberty Prairie Cemetery handed the Board an Annual Report for 2021. Asking the Board to consider giving some more money to help out. Chairman Schmick stated there is \$30,652.77 on hand according to the report. Jim stated that last year, the cost was over \$12,000, with receipts of \$4,000 and there is one Note. Charges \$800 for the grave burial and they pay the grave digger \$600, Cemetery keeps \$200. Jim will look at it again and talk with the cemetery secretary.

Andrea with Greater Oshkosh – was present at EAA and received some great business leads. Two programs available: Community Economic Analysis for Rural WI Communities (CEA-RWC) Pilot Initiative and TRAILS Grant Program (Polaris).

### 6. BUDGET: ANY POSSIBLE AMENDMENTS

To transfer \$140,674.54 from ARPA to Transportation. Finished Ripple Road from Cty Rd FF to Elo, road should be set for 30-40 years at least. Chairman motions to accept the resolution, seconded by Supervisor Kuhrt. Carried

### 7. OPERATORS LICENSE: LISA CONN AT UNITED COOPERATIVE & TIM OLIVER / TEMP PICNIC LICENSE: UTICA FIRE DEPT

Chairman Schmick motions to grant Operator's License to Lisa Conn and Tim Oliver, and Temp Picnic License; seconded by Supervisor Kuhrt. Carried

### 8. PLAN COMMISSION

A) Re-Zoning Permit Application: 024-0243 Ziegenhagen. Recommendation by the Plan/Zoning Commission:

Approval of a CSM dividing parcel number 024-0243 (5066 Fisk Ave) of 40.00 acres currently zoned A2. Lot 2: into a 5.013-acre, single-family use parcel around the existing buildings and Lot 1 into 34.435 acres to remain General Ag use; both to be zoned RR. Use of the property to stay the same. Property is owned by Matt Ziegenhagen of Ziegenhagen Farms, LLC 2411 Knott Road Oshkosh, WI 54904.

Chairman Schmick motions to accept the recommendation on the Planning/Zoning Commission, seconded by Supervisor Kuhrt. Carried.

B) Re-Zoning Permit Application: 024-0030 Rank. Recommendation by the Plan/Zoning Commission: Approval of a CSM dividing parcel number 024-0030 (2448 County Road FF – Barb Rank Life Estate) of 43.53 acres currently zoned A2. The lot with the home will be 5.424 acres as a single-family use parcel and the remaining acreage will be used as Agriculture; both to be zoned RR. Property is owned by Theresa Granger 13555 Holiday Ct Apple Valley, MN 55124 and Michael Rank 7498 Howlett Rd Oshkosh, WI 54902.

Chairman Schmick motions to accept the recommendation of the Planning/Zoning Commission, seconded by Supervisor Kuhrt. Carried

C) TOWN OF UTICA BUSINESSES QUESTIONNAIRE

Chairman Schmick: If people want to have a business out of their home, we always allow that. It's not a permit, just information to give to the Fire Department that they may need to know about ahead of time. A simple questionnaire to give back to the Zoning Department. Nothing to vote on, just an informational sheet.

"These meeting minutes are only a draft of the minutes of the meeting. They have not been approved yet. They are subject to change and you may not rely on their accuracy. For more information, please contact the clerk or a town board member."

**TOWN HALL/FIRE STATION #12**

D) PICNIC SUNDAY, AUGUST 28, 2022

E) TOWN HALL RENTALS

Lucy Trebiatowski was contacted by the Health Department and they would like to use the Hall November, December, and January for a two-hour COVID clinic each month. They want to know if they need to do any paperwork through the Board or if she can just set the date with them. Chairman Schmick stated they can rent it, just like anyone else can. Personally, don't see the use for it. Usually, in October, the Fire Dept does their appreciation dinner. There are a lot of rentals already in October. Made a list and have a copy for the Fire Dept and a copy under Tim's door so they are aware of the dates that are booked already; and that they contact me before they send out their announcements or invites.

**9. ROADS**

Fixing and repairing everything on the road list. Everything has been taken care of already.

10. **WINNEBAGO COUNTY PLANNING & ZONING DEPT:** Notice of Appeal by Lamar Central Outdoor LLC of Ordinances: Ch 23 – Town/County Zoning Code; Ch 26 – Floodplain Zoning Code; Ch 27 – Shoreland Zoning Code. South of 1498 Black Oak School Rd (in road right-of-way) 012-0248 Town of Nekimi. County denied a permit for an off-premise directional sign electronic face replacement. Supervisor Kuhrt says he doesn't know why we have this, it's Nekimi, Bradley Egg Farm land. Chairman Schmick said it doesn't effect us at all, mostly informational. Supervisor Kuhrt said he talked with Brian Bradley, the property owner, and he doesn't know anything about this.

**11. MEETINGS:**

A) RUSH LAKE: AUGUST 15, 2022

B) FALL WTA WORKSHOP: SEPTEMBER 29, 2022 AT ROYAL RIDGES IN RIPON, WHO IS ATTENDING?

Chairman Schmick motions that we pay for and send an application for Jenny to go to the WTA Workshop September 29; if the Treasure would like to attend, she can. Seconded by Supervisor Kuhrt. Carried.

C) WINNEBAGO COUNTY TOWNS ASSOCIATION 2022 MEETINGS: OCTOBER 6 - WINCHESTER

**12. FUTURE AGENDA ITEMS(S):**

A) ARPA FUNDS – OBLIGATE FUNDS BY 12/31/2024. PROJECTS COMPLETED BY 12/31/2026. RECEIVED INVOICE FOR RIPPLE AVE FROM WINNEBAGO COUNTY AND WILL SUBMIT FINAL PAPERWORK.

**13. ITEMS FOR INCLUSION IN NEWSLETTER**

A) Town Board Meeting – Monday, September 12, 2022 – 5:30pm at the Utica Town Hall

B) 2022 ELECTIONS: Tuesday, November 8, 2022 – General; 7am-8pm, 1730 County Road FF. Myvote.wi.gov to complete an Absentee application, include your valid photo ID.

**14. CORRESPONDENCE RECEIVED:**

A) WI Towns Association Monthly Newsletter Online; Land Transfers; Community Economic Analysis for Rural WI Communities – Applications Due August 19 – Greater Oshkosh (Chairman Schmick said from what he read about and contacting the people involved, doesn't apply to us, doesn't work for our Town); Hawkins/Ash CPAs; Winnebago County Timber Cutting Notice: Davis 2181 Knott Rd; WPS Road improvement project planning

**15. ADJOURNMENT**

Adjournment 5:49pm

Jenny Sonnleitner, Clerk

|                                |        |                           |  |
|--------------------------------|--------|---------------------------|--|
| Leonard Schmick – Chairman     |        | Emily Hunter – Treasurer  |  |
| Chuck Kuhrt – Supervisor #1    |        | Jenny Sonnleitner - Clerk |  |
| Grant Stettler – Supervisor #2 | ABSENT |                           |  |

*Minutes to be Reviewed / Approved at the September 12, 2022 Town Board Meeting.*

"These meeting minutes are only a draft of the minutes of the meeting. They have not been approved yet. They are subject to change and you may not rely on their accuracy. For more information, please contact the clerk or a town board member."

# Resolution

Date: \_\_\_\_\_

To the Board of Supervisors of Winnebago County, Wisconsin:

## **Amendatory Ordinance**

Whereas, it is desirable to amend the Zoning Ordinance and the Zoning Map of the Town of Utica in accordance with the petition of Ziegenhagen Farms;

Whereas said request is in compliance with the adopted Winnebago County Land Use Plan.

Now, therefore, the County Board Supervisors of Winnebago County do ordain that the Zoning Ordinance and the Zoning Map of the Town of Utica, be and the same, are amended to provide that the attached described property be changed from the classification of One (1) parcel zoned A2 of said ordinance, which it now and heretofore had, to the zoned district to create 2 lots: Lot 1 to be 34.435 acres and Lot 2 to be 5.013 acres, both to be zoned RR.

\_\_\_\_\_  
County Board Supervisor  
(Town of Utica)

Parcel Nos: 024-0243

## **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.

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

County Board Supervisory District