

JULIE A. BARTHELS
Winnebago County Clerk
112 Otter Ave, PO Box 2806
Oshkosh, WI 54903-2806
(920) 232-3430

NOTICE OF COMMISSION, BOARD OR COMMITTEE MEETING

**NAME OF COMMISSION,
BOARD OR COMMITTEE:** PLANNING AND ZONING
TIME OF MEETING: ** see below.
7:30 A.M.

DATE OF MEETING: FRIDAY, SEPTEMBER 08, 2023

PLACE OF MEETING: WINNEBAGO COUNTY ADMINISTRATION BLDG
112 Otter Ave 3RD Floor, Oshkosh WI

All interested persons wishing to be heard at the public hearing may appear in person or via Zoom using the meeting information below. A direct link to the Zoom Meeting is available on the Winnebago County Meetings and Agenda calendar on the above indicated date

ZOOM MEETING INFORMATION LINK: <https://www.co.winnebago.wi.us/planning-and-zoning/p-z-meeting-links>

Additional instructions can be found at: <https://www.co.winnebago.wi.us/planning-and-zoning>.
For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning office, where the application is available for viewing.

SUBJECT MATTER OF THE MEETING

DELIBERATIVE AGENDA

1. **PUTZER, JOHN** – 2679 Lost Ln – Town of RUSHFORD – Special Exception
2. **SCHOLAR RIDGE ESTATES** – Parcels South of intersection at County Rd II & Martin Dr - Town of CLAYTON – Preliminary Plat

**** This meeting is also being posted as a committee meeting for: Aviation Committee**

The Committee reserves the right to take up any item on the agenda at any time after the meeting commences.

Upon request, provisions will be made for people with disabilities upon 24 hours prior notice to the Office of the County Clerk. Phone Number: (920) 232-3430.

Property Owner: Putzer, John & Kate
Parcel Number: 022-0837
Special Exception #: 23-SE-001

SPECIAL EXCEPTION
POST STAFF REPORT

EXPLANATION: The owner/applicant is requesting a special exception to construct a garage on a vacant lot adjoining a lot with a principal structure.

TOWN RECOMMENDATION: The Town of Rushford has not responded.

PRELIMINARY FINDINGS:

1. Proposed special exception meets ordinance requirements allowing an accessory use on a vacant lot adjoining a lot with a principal structure under the same ownership.
2. Proposed special exception meets the intent of Section 23.8-45 "Establishment of an accessory land use prior to establishment of a principal use", and Section 23.7-214, "Basis of Decision", in totality.

OTHER INFORMATION:

RECOMMENDATION:

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> | APPROVAL |
| <input type="checkbox"/> | DENIAL |
| <input checked="" type="checkbox"/> | APPROVAL with the following conditions: |

RECOMMENDED CONDITIONS:

1. Tax parcel 022-0837 shall be deed restricted to tax parcel 022-0838 for the lifetime of the proposed garage.
2. Deed restriction shall be recorded with the register of deeds prior to the issuance of any permits.

WINNEBAGO COUNTY PLANNING & ZONING DEPARTMENT

FILE NO. 23-SE-001

NOTICE OF MEETING PLANNING & ZONING COMMITTEE

09/08/23

TO WHOM IT MAY CONCERN:

The property owner/applicant listed below has requested a SPECIAL EXCEPTION which is regulated by the Town/County Zoning Code, Chapter 23. You are receiving this notice because this application or petition for action affects area within the Town of RUSHFORD. The full application can be viewed at the Winnebago County Planning and Zoning Department.

The Winnebago County Planning & Zoning Committee will be holding a deliberative meeting in which the application will be decided upon on Friday, SEPTEMBER 08, 2023, at 7:30 AM in the 3rd Floor Conference Room of the County Administration Building located at 112 Otter Ave, Oshkosh WI.

INFORMATION ON SPECIAL EXCEPTION REQUEST

Owner(s) of Property: PUTZER, JOHN & KATE

Location of Premises Affected: SOUTH OF 2679 LOST LN

Tax Parcel Number: 022-0837

Legal Description: Being part of Outlot 43 and the adjacent abandoned railroad right-of-way in the Map of Waukau located in the NE 1/4 of the SE 1/4 of Section 36, Township 18 North, Range 14 East, Town of Rushford, Winnebago County, Wisconsin.

Explanation: The owner/application is requesting a special exception to Applicant is requesting a special exception to construct a garage on a vacant lot adjoining a lot with a principal structure.

DESCRIPTION	CODE REFERENCE
Building a 30'x60' garage in place of existing shed.	Chapter 23, Article 8, Section 23.8-45(b) "Exemption for a vacant lot adjoining another lot in the same ownership" of the Winnebago County Town/County Zoning Code.

Property Owner: John & Kate Putzer
Applicant: Same
Parcel Number: 022-0837
Special Exception #: 23-SE-001

SPECIAL EXCEPTION
INITIAL STAFF REPORT

OVERLAYS:

Shoreland: YES Floodplain: YES SWDD: NO Wetlands: YES
Microwave: NO Wittman Airport: NO Outagamie Airport: NO
County Highway Access: NO

SURROUNDING ZONING:

North: R-1
South: R-2
East: A-2
West: R-2

SECTION REFERENCE OF REGULATION: Chapter 23, Article 8, Section 23.8-45(b) “Exemption for a vacant lot adjoining another lot in the same ownership” of the Winnebago County Town/County Zoning Code.

ORDINANCE PROVISION: The Zoning Code allows the establishment of an accessory use on a vacant lot; which adjoins a lot under the same ownership; supporting a principal use.

EXPLANATION: Applicant is requesting a special exception to construct a garage on a vacant lot adjoining a lot with a principal structure.

BASIS OF DECISION:

The Planning and Zoning Committee in making its decision shall consider the following factors:

- (1) the size of the property in comparison to other properties in the area;
- (2) the extent to which the issuance of the special exception permit would be in keeping with the overall intent of the this chapter;
- (3) whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception permit;
- (4) the nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exception permit was granted;
- (5) the nature and extent of anticipated positive and negative effects on properties in the area;
- (6) actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception;
- (7) a factor specifically listed under a section of this chapter authorizing the issuance of a special exception permit; and
- (8) any other factor that relates to the purposes of this chapter as set forth in s. 23.1-5 and other sections as may apply.

Applicant, please fill out of all the questions in your own words.
Responses may be typed on a separate sheet and attached to this form.

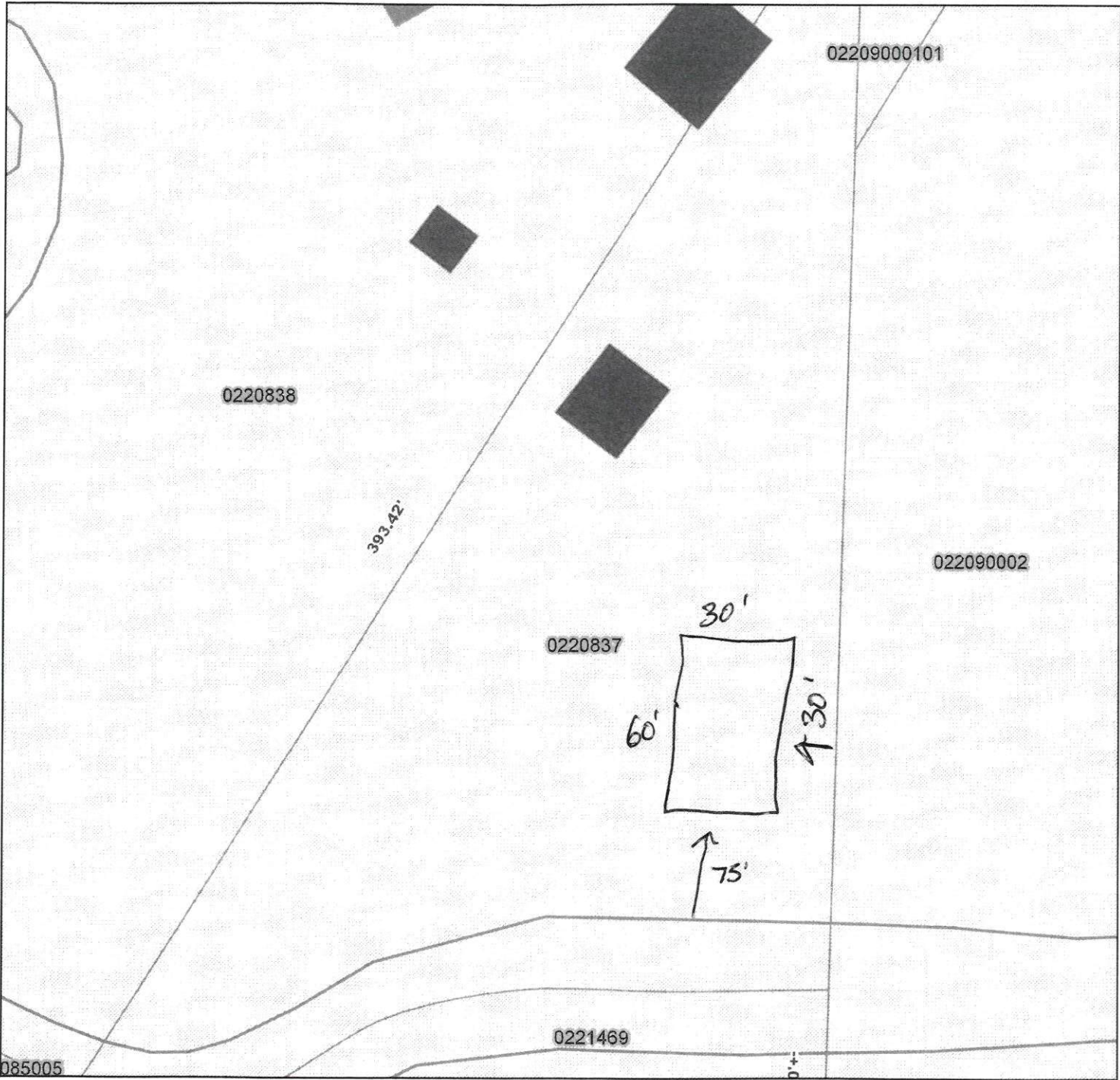
C-1 Describe the proposed project/request:

Remove old steel shed. Replace with 30' x 60' garage.
New garage will be located on the smaller lot to the
south. Garage is for personal use. New garage
will be 75ft from creek and 30ft from east
lot line. It will not affect my neighbors
property.

C-2 Provide any information you feel is relevant to your application, including reasons you feel the application should be granted, based upon the following factors that will be considered by the Planning and Zoning Committee:

- (1) the size of the property in comparison to other properties in the area;
- (2) the extent to which the issuance of the special exception would be in keeping with the overall intent of the Zoning Code;
- (3) whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception;
- (4) the nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exception was granted;
- (5) the nature and extent of anticipated positive and negative effects on properties in the area;
- (6) actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception;
- (7) a factor specifically listed under a section the code authorizing the issuance of a special exception; and
- (8) any other factor that relates to the purposes of the Zoning Code as set forth in s. 23.1-5 and other sections as may apply.

I don't want to pay to survey my properties.
Too expensive and new garage will be
on its on lot. Natural environment not
affected garage already there.



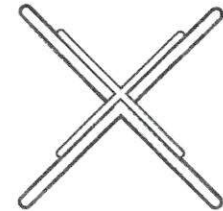
Site Map

Legend

- Address Marker
- Tax Parcel
- Local Road
- Private Road
- Road R.O.W.
- Simultaneous Conveyance**
- ▨ Certified Survey
- ▨ Condominium
- ▨ Assessor Plat
- ▨ Subdivision
- ▨ Plat of Survey
- ▨ Outlots



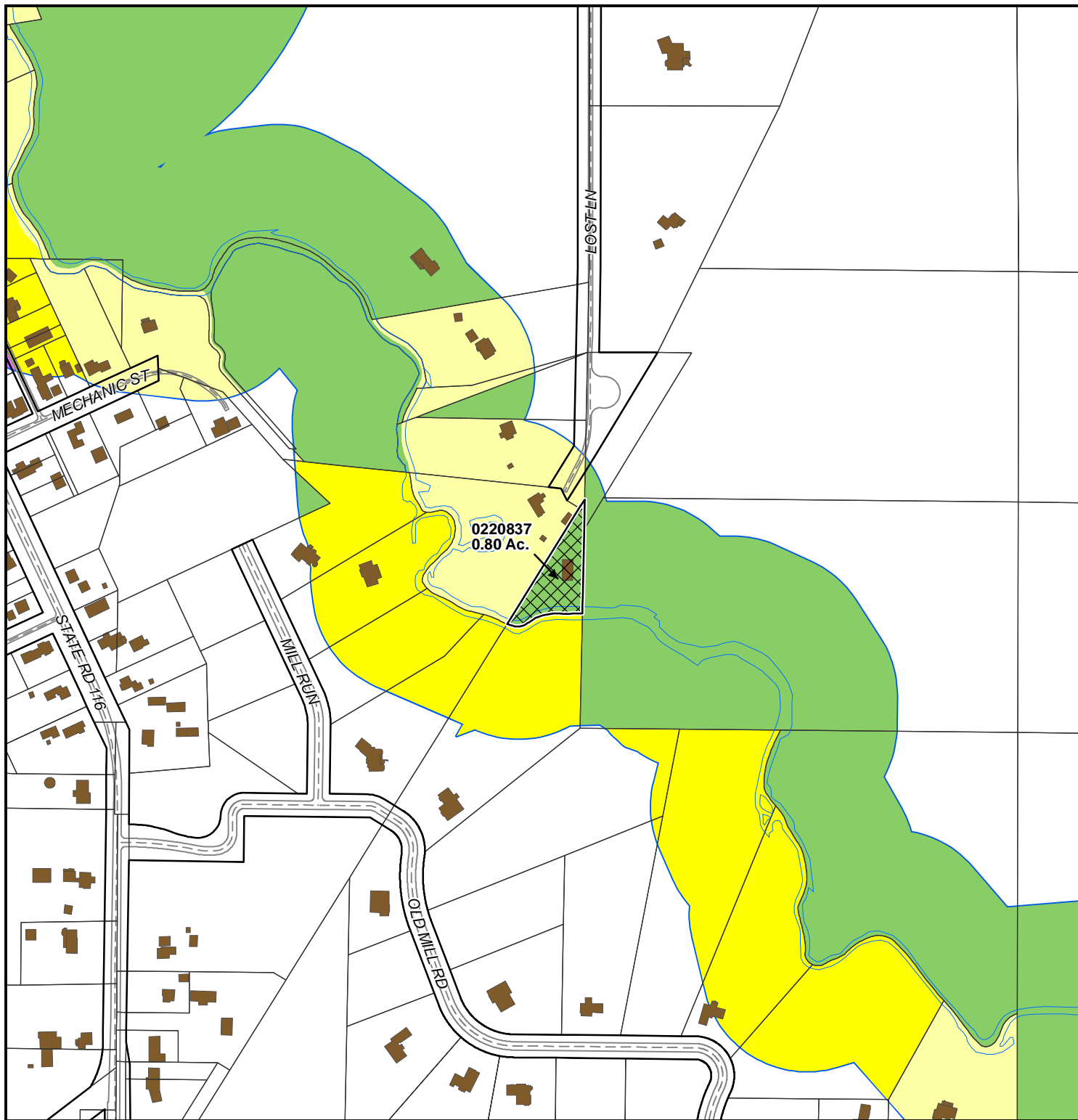
1 Inch = 40 Feet



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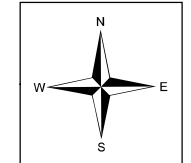


Application #23-SE-001

Date of Hearing:
August 29, 2023

Owner(s):
**PUTZER REV TST, KATE E /
 PUTZER REV TST, JOHN M**

Subject Parcel(s):
0220837



Winnebago County
 WINGS Project

Scale
 1 inch : 400 feet

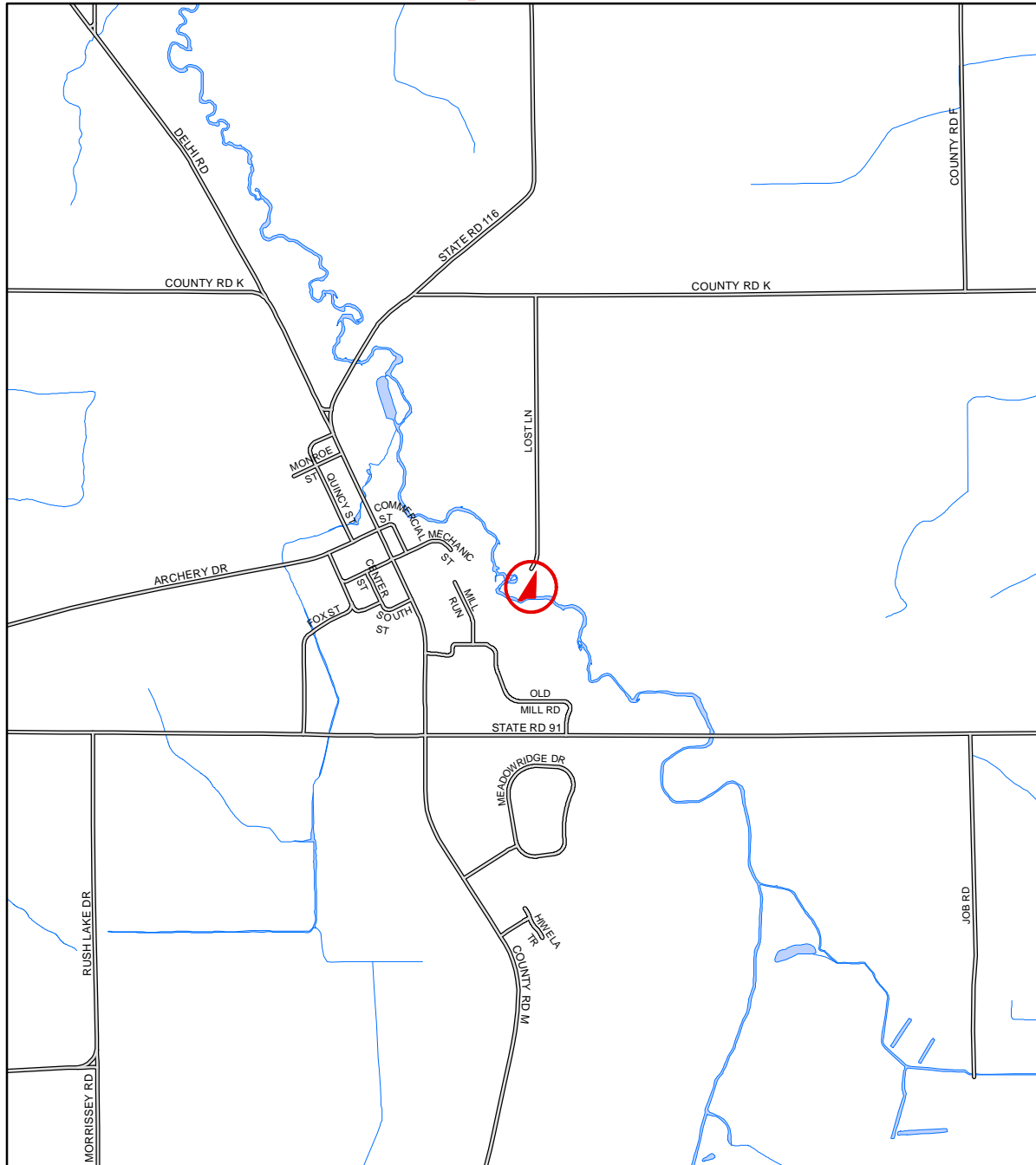
County Zoning Districts

R-1	PDD	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-8	I-2	Town Zoning

*City of Oshkosh Extraterritorial
 Zoning Jurisdiction*

Incorporated Area

○ = SITE



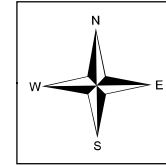
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Application #23-SE-001

Date of Hearing:
August 29, 2023

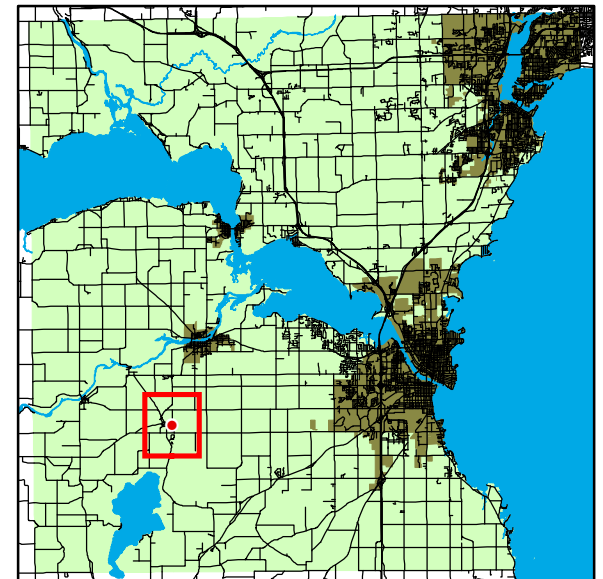
Owner(s):
PUTZER REV TST, KATE E /
PUTZER REV TST, JOHN M

Subject Parcel(s):
0220837



*Winnebago County
WINGS Project*

● = SITE



WINNEBAGO COUNTY

BRIAN P. O'ROURKE
Associate Planner



112 OTTER AVE, PO BOX 2808
OSHKOSH, WI 54903-2808

OSHKOSH (920) 232-3340
FOX CITIES (920) 727-2880
FAX (920) 232-3347

Winnebago County
Zoning Department

Zoningdepartment@co.winnebago.wi.us

The Wave of the Future

MEMO FOR P & Z COMMITTEE AGENDA OF September 8th, 2023

FM: Brian P. O'Rourke, AICP – Land Use Planner

RE: Preliminary Plat Approval – Scholar Ridge Estates

Applicant: Derek Liebhauser

Owner: Clayton Development Group LLC

Location of Property: South of the intersection of County Rd II and Martin Rd

Existing Use: Vacant

Proposed Use: Single Family (R-2)

Current Zoning: N/A

Adjacent Zoning: N/A

Comments

1. Development is proposed to be serviced by public sewer.
2. Development is compatible with adjacent development.
3. Road construction agreement with the Town should be executed prior to submittal of final plat.

Recommendation

Recommend approval subject to the following condition(s):

1. (a) DNR review of surface water runoff and/or detention facilities is required prior to final plat submittal if any portion of the subdivision is within 500' of a navigable body of water.
 (b) Any necessary Chapter 30 permits required in connection with the provision of surface water runoff or detention facilities shall be obtained prior to final plat submittal.
2. Final plat shall constitute the entire area of the preliminary plat.
3. Final Plat to contain a restriction that “roads shown to the exterior property line(s) may not be vacated without the express written approval of the Winnebago County Planning & Zoning Committee, it being the intent of the restriction to prevent elimination of right-of-way required as a condition of preliminary plat approval by Winnebago County without their authorization.”
4. Street names, if any, be verified in writing by County GIS Office prior to final plat submittal if not approved prior to preliminary approval.
5. Final plat to clearly show all current owners name, corporation title where applicable, and/or corporate name. Name(s) to be clearly shown underneath the signature line(s).
6. Final plat to be reviewed and approved by GIS Office and Property Lister ***prior*** to scheduling for final approval.
7. Final plat to have the following statement contained on the document: “This plat is contained wholly within the property described in the following recorded instruments (list appropriate document number[s] and corresponding tax parcel numbers).”
8. Prior to scheduling final plat for approval, written confirmation by the appropriate Sanitary District that the development is being serviced by public sanitary sewer shall be provided.
9. Any Officially Mapped rights-of-way shall either be shown as mapped on the final plat, or written notice from the mapping authority shall be submitted to the County stating that the mapped rights-of-way need not be shown because the map is being amended.
10. A note shall be placed on the face of the final plat stating that “Winnebago County shall not issue any permit for construction until such time as a ‘sewer’ permit, or other suitable written construction authorization, has been issued by the Sanitary District for connection to the Districts facilities.
11. A wetland delineation shall be submitted to the DNR and Corps of Engineers for their approval. A written copy of the aforementioned agencies approval shall be filed with this office prior to scheduling of the Final Plat. A copy of the delineation and accompanying maps shall simultaneously be filed with this office. The preliminary plat will not be approved if said delineation requires a major lot reconfiguration. In this instance, this preliminary plat will be denied and a new preliminary plat and review fee will be required.

12. A note shall be placed on the final plat stating "Any riparian lot and/or lot wholly within 300 ft. from a navigable body of water shall be subject to County impervious surface standards."
13. The Final Plat shall not be scheduled for approval by Winnebago County until such time as written confirmation from the Town of Clayton and Village of Fox Crossing stating their approval of said plat be submitted to this department.
14. A zoning change from "Town Zoning Non-Shoreland" jurisdiction to "County Zoning Shoreland" jurisdiction "R-2" (Suburban Residential) shall be required prior to final plat submittal. This zoning district will be required for all parcels or portions thereof under County zoning jurisdiction.
15. The active County Variance request for the placement of roads and walkways within the shoreyard shall be approved prior to submittal of final plat.

BRIAN P. O'ROURKE
Associate Planner



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OSHKOSH, WI 54903-2808

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Winnebago County
Zoning Department

Zoningdepartment@winnebagocountywi.gov

The Wave of the Future

5/30/2023

TO: Winnebago County Property Owner

FM: Land Use Planner, Winnebago County

RE: Preliminary Plat Approval Informational Hearing – Scholar Ridge Estates (Clayton)

Dear Property Owner:

The Winnebago County Planning and Zoning Committee will conduct a public informational hearing regarding the above referenced plat on June 27th, 2023, at 6:30 P.M. in the 1st Floor Conference Room of the Winnebago County Administration Building located at 112 Otter St, Oshkosh. As an adjacent property owner, you are hereby notified that you may attend the hearing at the time indicated and present testimony for or against the proposal. At the hearing you may either represent yourself, or, you may be represented by agent or attorney.

General Location of Property: Southwest of the intersection of County Rd II and Clayton Road.

Proposed Use of Property: Residential

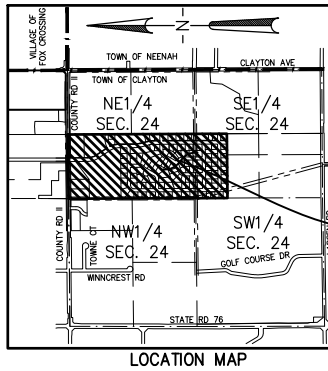
Applicant: Clayton Development Group, LLC

Please feel free to contact me at your convenience if you have questions concerning this matter.

Respectfully,

Brian O'Rourke, AICP
Associate Planner

Cc: McMahon Associates INC



PROJECT LOCATION

PRELIMINARY PLAT SCHOLAR RIDGE ESTATES

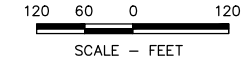
ALL OF THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 20 NORTH, RANGE 16 EAST, TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN

- LEGEND**
- 3/4" IRON REBAR FOUND
 - RECORDED BEARING AND/OR DISTANCE
 - SQUARE FEET
 - CERTIFIED LAND CORNER WINNEBAGO COUNTY
 - EXISTING STORM ENDWALL
 - EXISTING UTILITY VAULT
 - EXISTING MAILBOX
 - EXISTING POST
 - EXISTING SIGN
 - UTILITY POLE
 - UTILITY POLE W/GUY WIRE
 - TELEPHONE OR TELEVISION PEDESTAL
 - EXISTING BUILDING
 - EXISTING CONTOURS
 - EXISTING CULVERT WITH END SECTIONS
 - TREE OR BRUSH LINE
 - SOIL BORING LOCATION
 - TV CABLE TELEVISION - BURIED
 - G GAS MAIN
 - E ELECTRIC CABLE - BURIED
 - FO FIBER OPTIC CABLE - BURIED
 - EXISTING FENCE
 - DITCH LINE
 - PROPERTY LINE
 - RIGHT-OF-WAY LINE
 - SECTION LINE
 - EXISTING ASPHALT PAVEMENT
 - EXISTING GRAVEL
 - EXISTING CONCRETE PAVEMENT
 - WETLANDS AS DELINEATED BY DAVID ENGINEERING & ENVIRONMENTAL, INC. TRAVIS STUCK DATED OCT. 25, 2022

OWNER/SUBDIVIDER
CLAYTON DEVELOPMENT GROUP, LLC
ATTN. DEREK LIEBHAUSER
2065 AMERICAN DRIVE, SUITE A
NEENAH, WI 54956
(920) 428-9451

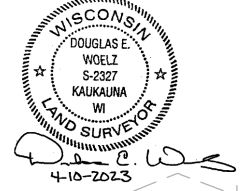
SURVEYOR
DOUGLAS E. WOELZ
1445 MCMAHON DRIVE
NEENAH, WI 54956
(920) 751-4200

BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 20 NORTH, RANGE 16 EAST, WHICH BEARS N89°22'51"E PER THE WISCONSIN COUNTY COORDINATE SYSTEM AS PUBLISHED FOR WINNEBAGO COUNTY



OBJECTING AUTHORITIES:
- DEPARTMENT OF ADMINISTRATION

APPROVING AUTHORITIES:
- TOWN OF CLAYTON
- VILLAGE OF FOX CROSSING
- WINNEBAGO COUNTY PLANNING & ZONING



W:\PROJECTS\C1069\09230221\CADD\Civil3D\SURVEY Documents\SUBDIVISION PLATS\Scholar Ridge Estates Preliminary Plat.dwg, sheet 1, Plot Date: 4/10/2023 5:03 PM, xref(s)###

McMAHON
McMAHON ASSOCIATES, INC.
1445 MCMAHON DRIVE NEENAH, WI 54956
Mailing: P.O. BOX 1025 NEENAH, WI 54957-1025
PH 920.751.4200 FAX 920.751.4284 MCINGRPL.COM

McMahon Associates, Inc. provides this plat as a preliminary plat. It is not to be used for any purpose other than the one intended. The plat is subject to change without notice. The plat is not to be used for any purpose other than the one intended. The plat is subject to change without notice.

NO.	DATE	REVISION

PRELIMINARY PLAT - SCHOLAR RIDGE ESTATES
PART OF THE NORTHEAST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 24, T20N, R16E,
TOWN OF CLAYTON, WINNEBAGO COUNTY, WISCONSIN

SURVEYED	DRAWN
DEW	MJA
PROJECT NO. C1069 09-23-00271	
DATE APRIL, 2023	
SHEET NO. 1 OF 2	



Site Map

Legend

- Address Marker
- Tax Parcel
- Local Road
- Private Road
- Road R.O.W.

Simultaneous Conveyance

- Certified Survey
- Condominium
- Assessor Plat
- Subdivision
- Plat of Survey
- Outlots

200 0 200 400 ft

1 Inch = 400 Feet

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Jun 02, 2023 @ 03:27 PM