

# NOTICE OF MEETING PLANNING & ZONING COMMITTEE May 5<sup>th</sup>, 2017

#### 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 Winneconne.

The Winnebago County Planning & Zoning Committee will be holding a deliberative meeting in which the application will be decided upon on Friday, May 5<sup>th</sup>, 2017, at 7:30 AM in the 3<sup>rd</sup> Floor Conference Room of the County Administration Building located at 112 Otter Ave, Oshkosh WI. The full application can be viewed at the Winnebago County Planning and Zoning Department.

#### INFORMATION ON SPECIAL EXCEPTION REQUEST

Owner(s) of Property: Donald Wier

Location of Premises Affected: Northeast of 5045 Rivermoor Dr, Omro, WI.

Tax Parcel Number: 030-0971

**Legal Description:** Being a part of Rivermoor Plat, Lot 23, located in Government Lot 4, Section 34, Township 19 North, Range 15 East, Town of Winneconne, Winnebago County, Wisconsin.

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

DESCRIPTION	CODE REFERENCE
The Zoning Code allows the establishment of an	23.8-45(b) "Exemption for a vacant lot adjoining
accessory use on a vacant lot; which adjoins a	another lot in the same ownership".
lot under the same ownership; supporting a	
principal use.	

#### **OVERLAYS:**

Shoreland: YES

Floodplain: YES

SWDD: NO Wetlands: NO

Microwave: NO

Airport: NO

County Highway Access: NO

**Current Zoning:** R-2 Suburban Residential

**Existing Use of Property**: Vacant

Proposed Use of Property: Accessory Use

#### **Surrounding Zoning Classifications:**

North	R-2
South	R-2
East	R-2
West	R-2

#### **SECTION REFERENCE OF REGULATION:** 23.8-45(b)

**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 detached garage on a vacant lot adjoining a lot with a principal structure.

#### DESCRIBE THE PROPOSED PROJECT/REQUEST:

To build a 24 ft.by 32 ft. detached garage on a vacant lot for storage.

## DESCRIBE HOW THE PROPOSED USE WILL BE COMPATIBLE WITH ADJACENT USES AND WILL NOT HAVE ADVERSE EFFECTS ON NEIGHBORING PROPERTIES:

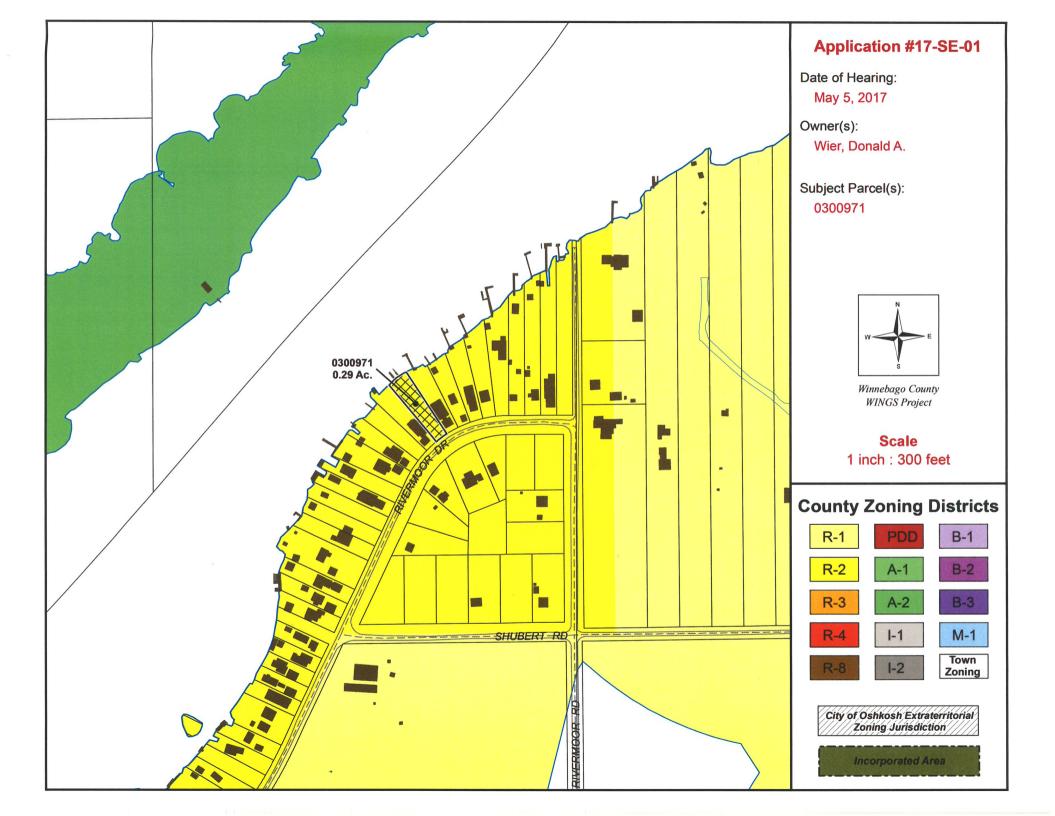
Being that my original garage is small 22 ft. by 22ft. and that I have another lot. I would like to preserve my boats inside storage. The garage will be greater than 150 ft. from the water placed in the road side of the property. There is no potential impact on the environment or affect drainage.

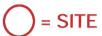
#### **BASIS OF DECISION:**

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.

5045 RIVER moor dr. 30St Required Pistanco Sion Road Parpets -4-fi View Cron Roa





# LEONARD POINT RD SPRINGBROOK RD

1 inch: 2,000 feet

# Application #17-SE-01

Date of Hearing:

May 5, 2017

Owner(s):

Wier, Donald A.

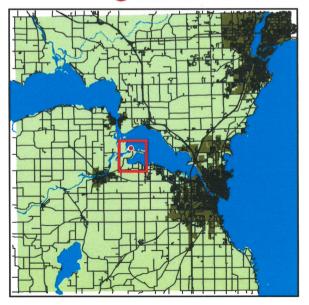
Subject Parcel(s):

0300971



Winnebago County WINGS Project





**WINNEBAGO COUNTY** 



# NOTICE OF MEETING PLANNING & ZONING COMMITTEE May 5<sup>th</sup>, 2017

#### 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 Wolf River

The Winnebago County Planning & Zoning Committee will be holding a deliberative meeting in which the application will be decided upon on Friday, May 5<sup>th</sup>, 2017, at 7:30 AM in the 3<sup>rd</sup> Floor Conference Room of the County Administration Building located at 112 Otter Ave, Oshkosh WI. The full application can be viewed at the Winnebago County Planning and Zoning Department.

#### INFORMATION ON SPECIAL EXCEPTION REQUEST

Owner(s) of Property: Rose Conlon

Location of Premises Affected: South of 7382 County Rd H, Fremont, WI.

Tax Parcel Number: 032-1069

**Legal Description:** Being a part of Old Indian Point Plat, Lot 1, located in Government Lot 1, Section 31, Township 20 North, Range 14 East, Town of Wolf River, Winnebago County, Wisconsin.

**Explanation:** Applicant is requesting a special exception to construct a storage shed on a vacant lot adjoining a lot with a principal structure.

DESCRIPTION	CODE REFERENCE
The Zoning Code allows the establishment of an	23.8-45(b) "Exemption for a vacant lot adjoining
accessory use on a vacant lot; which adjoins a	another lot in the same ownership".
lot under the same ownership; supporting a	1.
principal use.	

#### **OVERLAYS:**

Shoreland: YES

Floodplain: YES

SWDD: NO Wetlands: NO

Microwave: NO

Airport: NO

County Highway Access: NO

**Current Zoning:** R-2 Suburban Residential

**Existing Use of Property**: Vacant

Proposed Use of Property: Accessory Use

#### **Surrounding Zoning Classifications:**

North	B-2
South	R-2
East	N/A
West	R-2

#### **SECTION REFERENCE OF REGULATION:** 23.8-45(b)

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 storage shed on a vacant lot adjoining a lot with a principal structure.

#### DESCRIBE THE PROPOSED PROJECT/REQUEST:

Keep storage shed on vacant lot.

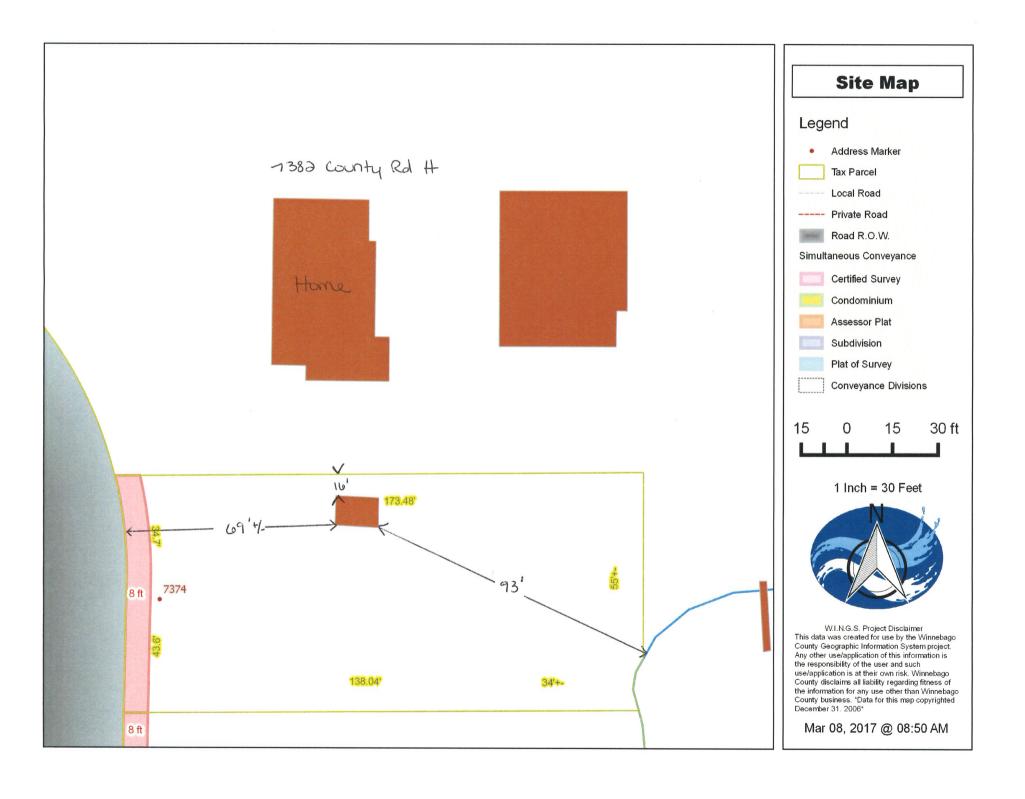
# DESCRIBE HOW THE PROPOSED USE WILL BE COMPATIBLE WITH ADJACENT USES AND WILL NOT HAVE ADVERSE EFFECTS ON NEIGHBORING PROPERTIES:

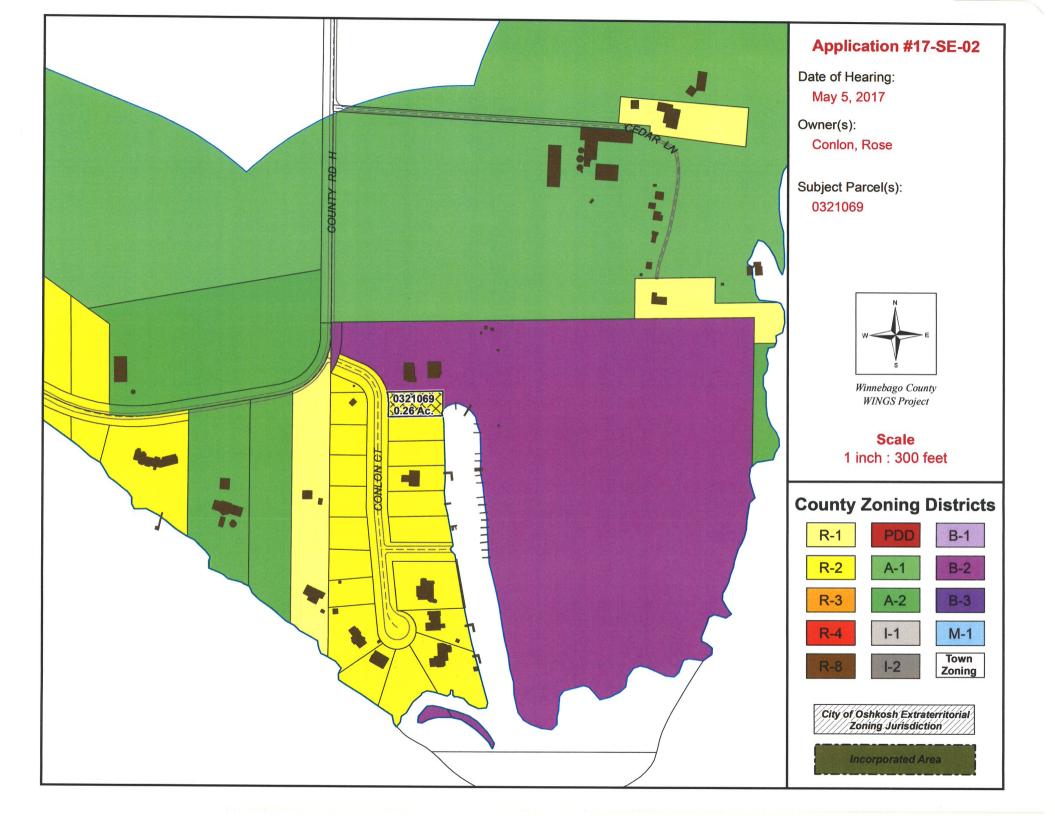
Storage shed is in close proximity to residence and is on an existing concrete slab. It is approximately 93 feet from water and 16 feet from lot line. Also, it is in a spot where it will not develop a large snowdrift in winter.

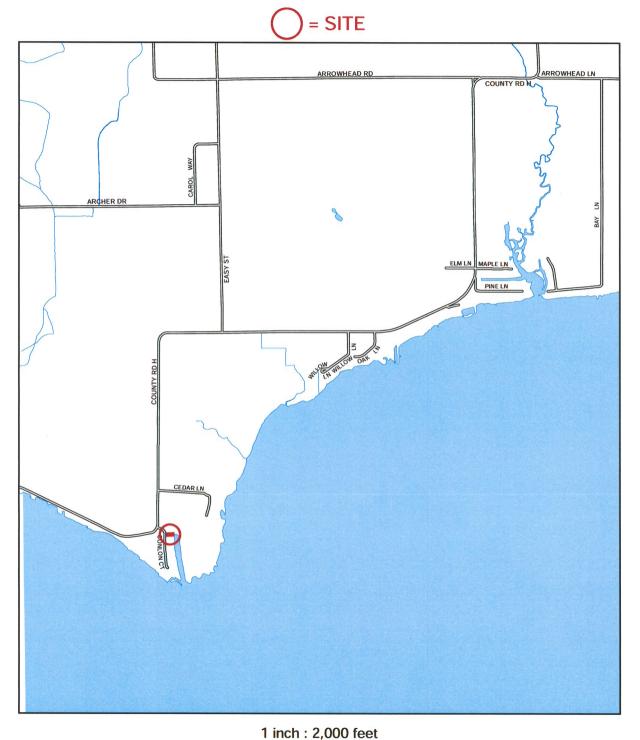
#### **BASIS OF DECISION:**

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.







# Application #17-SE-02

Date of Hearing:

May 5, 2017

Owner(s):

Conlon, Rose

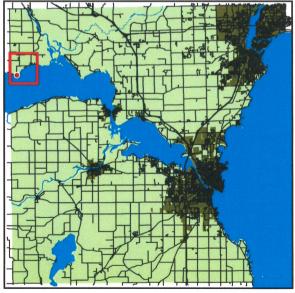
Subject Parcel(s):

0321069



Winnebago County WINGS Project





**WINNEBAGO COUNTY** 

# Winnebago County Planning and Zoning Department

#### NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE 4/25/2017

#### TO WHOM IT MAY CONCERN:

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

The Winnebago County Planning and Zoning Committee will be holding a public hearing on 4/25/2017 at 6:30 p.m. in Conference Room 408 of the County Administration Building located at 112 Otter Ave, Oshkosh, WI.

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

#### INFORMATION ON ZONING MAP AMENDMENT REQUEST

Application No.: 2017-ZC-4040

Applicant: CHEVALIER, LORI A ROSS, JOHN

Agent: CALDER, MARY

Location of Premises: 1417 COUNTY RD JJ NEENAH, WI 54956

**Tax Parcel No.:** 010-0339

Legal Description: None

**Explanation:** 

Applicant is requesting a zoning change/map amendment from B-2 (Regional Business District) to R-1 (Rural Residential) to make existing single family home conforming.

#### **INITIAL STAFF REPORT**

Sanitation:

Existing System Private System

Overlays:

None

**Current Zoning:** 

**B-3 Regional Business** 

Proposed Zoning:

R-1 Rural Residential

**Surrounding Zoning:** 

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

#### THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT

#### Describe Present Use(s):

Single family rental property currently under a purchase contract conditioned on approval of zoning amendment application.

#### Describe Proposed Use(s):

Single family residence.

#### **Describe The Essential Services For Present And Future Uses:**

Property has an existing driveway to County Rd JJ. An existing private well provides water. Well has been tested and passed inspection. Existing septic system is scheduled to be replaced when ground conditions are suitable. All necessary permits and approvals have been applied for.

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

Property has not supported a business venture for over a decade. Residential developments have been established to the east, west and north of the property.

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

The City and Town of Neenah Comprehensive Use Plan has designated the future property use as residential. All surrounding property is zoned residential.

#### SECTION REFERENCE AND BASIS OF DECISION

#### 23.7-5 Basis of decision

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

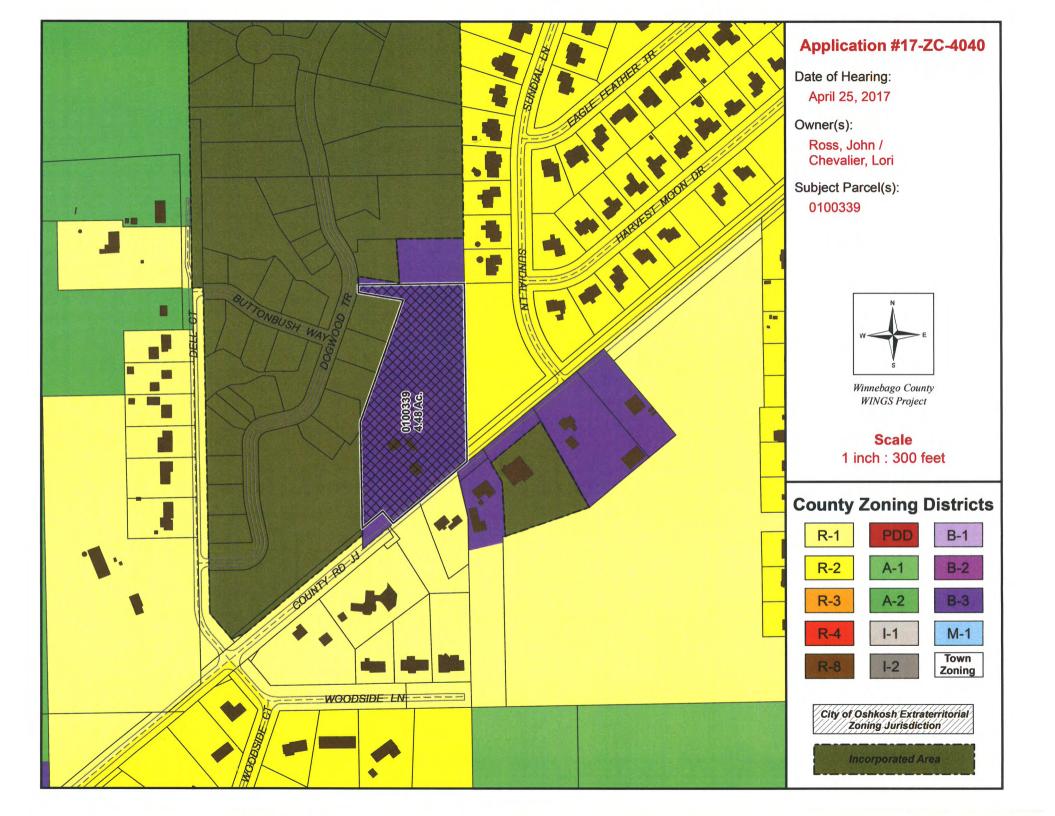
(3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

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

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

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

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





# STURGIS L RADCLIFF RD MILKWEED CT HONDAY CT BRIAR DR WENBAN AV HILLTOP I KLOMPEN CT

1 inch: 2,000 feet

# Application #17-ZC-4040

Date of Hearing:

April 25, 2017

Owner(s):

Ross, John / Chevalier, Lori

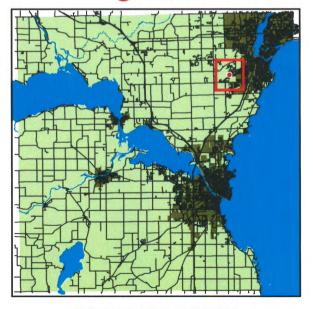
Subject Parcel(s):

0100339



Winnebago County WINGS Project





**WINNEBAGO COUNTY** 

# Winnebago County Planning and Zoning Department

#### NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE 4/25/2017

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

#### **INFORMATION ON ZONING MAP AMENDMENT REQUEST**

# Application No.: 2017-ZC-4050

Applicant: CMA INVESTMENTS LLC

#### Agent: None

Location of Premises: 3019 JACKSON ST OSHKOSH, WI 54901

# **Tax Parcel No.:** 018-0074

# Legal Description:

None

#### **Explanation:**

Applicant is requesting a zoning change/map amendment from R-1 (Rural Residential) to I-1 (Light Industrial District) for the creation of a new use.

#### **INITIAL STAFF REPORT**

Sanitation:

Existing System Private System

Overlays:

Shoreland

**Current Zoning:** 

R-1 Rural Residential

**Proposed Zoning:** 

I-1 Light Industrial

**Surrounding Zoning:** 

North: R-1 South: B-3 East: N/A West: N/A

#### THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT

#### **Describe Present Use(s):**

Office and storage for Anderson HVAC.

#### Describe Proposed Use(s):

Demo existing house and small garage Build a new commercial building. Storage building(future)

#### **Describe The Essential Services For Present And Future Uses:**

Existing - well and septic system.

With a new building we may have to put in a new well and holding tank if acceptable.

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

This property is surrounded by businesses. We have cleaned up this land and want to make it into an attractive business location. We need a large building to help grow our business.

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

The surrounding property is B,I or M. We are ready to get this property inline and move forward.

#### SECTION REFERENCE AND BASIS OF DECISION

#### 23.7-5 Basis of decision

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

(3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

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

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

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

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

# 2000 E'S

	STATE BAR OF WISCONSIN FORM 5 – 2000
	PERSONAL REPRESENTATIVE'S
	DEED
Document Number	
Thomas R. Spanbauer, as Personal Representation	esentative of the estate of <u>LuVern Kienast</u>
a/k/a LuVern G. Kienast ("Decedent"), f	
without warranty, to CMA Investments I	
	ped real estate in Winnebago County, State
of Wisconsin (the "Property") (if more s	pace is needed, please attach addendum):
	hirty (30) rods of the South East 1/4 of
the SOUTH EAST 1/4 of Section Two	
Range Sixteen (16) East, in the Town o	
	ortion thereof heretofore conveyed to the
State of Wisconsin, Department of Tran	rsportation, by Deed recorded in
Document No. 757407.	**
	deed does convey to Grantee all of the
	h the Decedent had immediately prior to
Decedent's death, and all of the estate a	
Personal Representative has since acqu	ired.



REGISTER'S OFFICE WINNEBAGO COUNTY, WI RECORDED ON 05/18/2015 2:56 PM

> JULIE PAGEL **REGISTER OF DEEDS**

**RECORDING FEE 30.00 TRANSFER FEE 420.00** PAGES: 1

Decedent's death, and all of the estate and interest in the Property		ame and Return Address
Personal Representative has since acquired.	II .	MA Investments LLC
	3	3019 Jackson Street
	100000	shkosh, WI 54901
e e e e e e e e e e e e e e e e e e e		J4901
	0.1	18-0074
		recel Identification Number (PIN)
		*
		10 10 10 10 10 10 10 10 10 10 10 10 10 1
Dated this 15th day of May, 2015.		
Al blanching		* ,
Nominal Leadhan 119		
Thomas R. Spanbauer	*	
Personal Representative	Personal Representa	ative
AUTHENTICATION		ACKNOWLEDGMENT
Signature(s) Thomas R. Spanbauer, as Personal Representative of	STATE OF WISCO	NSIN )
the Estate of LuVern Kienast a/k/a LuVern G. Kienast,		ss.
authenticated this day of May , 2015.	Winnebago County	)
		came before me this 15th day of May, 2015 the
*Kelly J. Schwab	above named Thoma	as R. Spanbauer, as Personal Representative of the
TITLE: MEMBER STATE BAR OF WISCONSIN	Estate of LuVern Ki	enast a/k/a LuVern G. Kienast, to me known to
(If not, authorized by § 706.06, Wis. Stats.)	acknowledged the sa	who executed the foregoing instrument and
THIS INSTRUMENT WAS DRAFTED BY	acknowledged the sa	anie.
	Naaba	N 11/
ACCUPACE SPACE AND ACCUPACE OF A CONTROL OF ACCUPACE AND	Horhani	1 #Kanuater
Attorney Kelly J. Schwab	*Stephanie J. Kamra	1 Kanuatry
ACCUPACE SPACE AND ACCUPACE OF A CONTROL OF ACCUPACE AND	*Stephanie J. Kamra Notary Public, State	
Attorney Kelly J. Schwab	Notary Public, State	
Attorney Kelly J. Schwab	Notary Public, State	of Wisconsin
Attorney Kelly J. Schwab	Notary Public, State My Commission is p	of Wisconsin

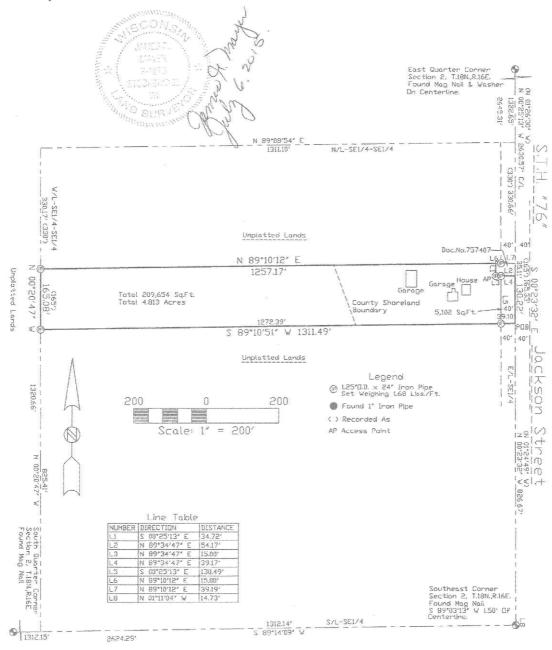
Recording Area

### PLAT OF SURVEY

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 18 NORTH, RANGE 16 EAST, TOWN OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN.

#### SURVEYOR'S CERTIFICATE

I, James G. Mayer, Wisconsin Professional Land Surveyor of Mayer Land Surveying, hereby certify that I have surveyed the above described property and that the map shown is a true and accurate representation thereof to the best of my knowledge and belief. Mayer Land Surveying has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, or any other facts that an accurate and current title search may disclose.



MAYER LAND SURVEYING N 5698 LAKE SHORE DRIVE HILBERT, WI. 920-439-1761 SURVEYED FOR JOHN ANDERSON 3019 JACKSON STREET OSHKOSH, WI. C:\Projects\AndersonJohn15\plat.dwg
BEARINGS REFERENCED TO COUNTY DATUM
EAST LINE OF THE SOUTHEAST QUARTER
BEARS NORTH 00°23°32" WEST.
"THIS INSTRUMENT DRAFTED BY J G. MAYER"

NOTEBOOK NO.43 PAGE 52.

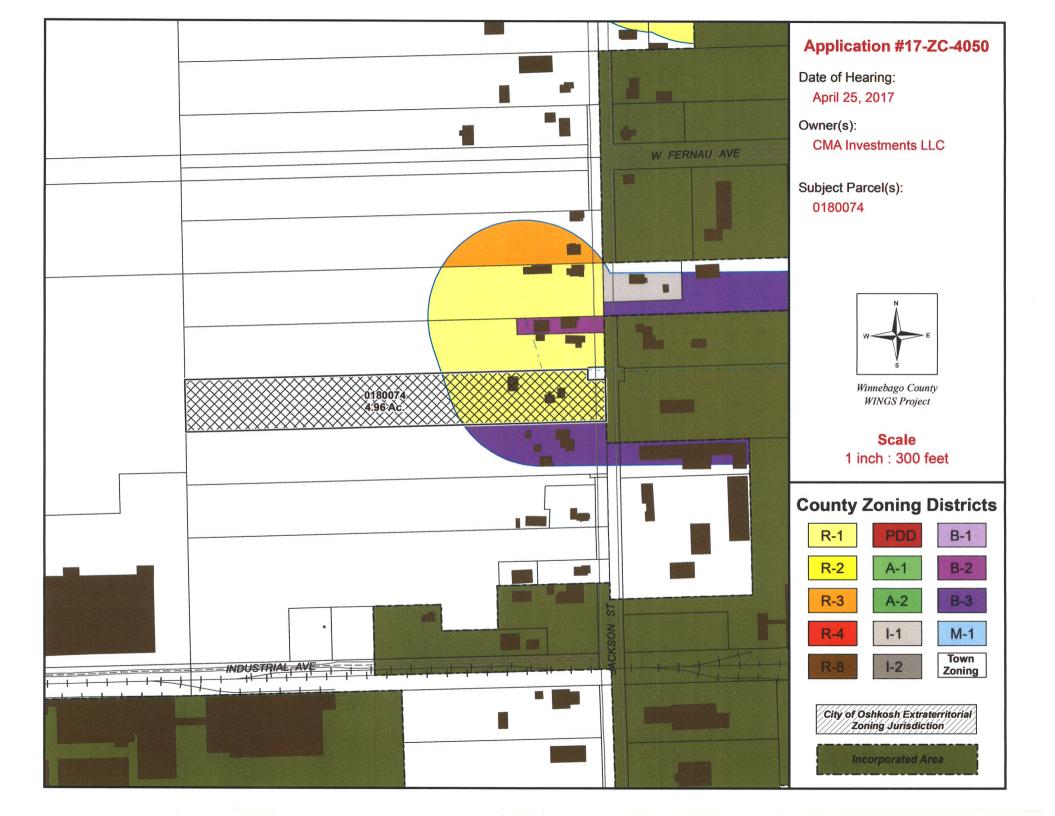
Description For: John Anderson

Part of the Southeast Quarter of the Southeast Quarter of Section 2, Township 18 North, Range 16 East, Town of Oshkosh, Winnebago County, Wisconsin, containing 214,756 square feet or 4.93 acres and being described as follows.

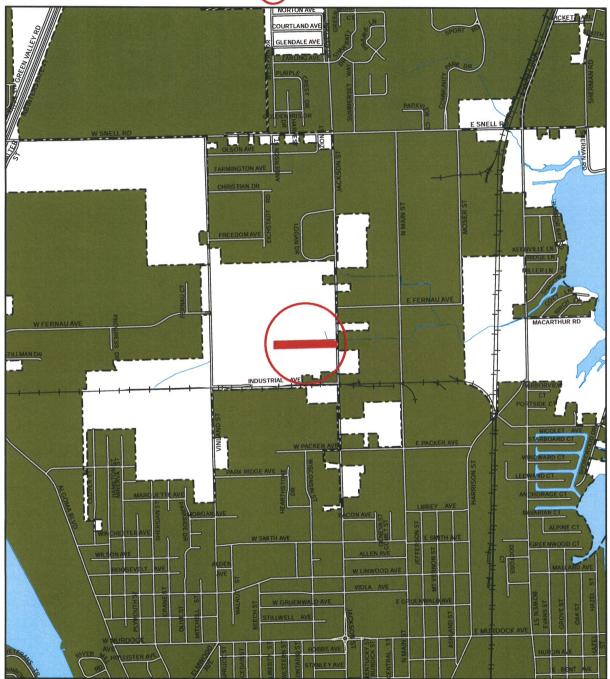
Commencing at the Southeast Corner of said Section 2; thence North 00°23'32" West a distance of 826.67 feet along the east line of the southeast quarter to the point of beginning; thence South 89°10'51" West a distance of 1,311.49 feet to the west line of the southeast quarter of the southeast quarter; thence North 00°20'47" West a distance of 165.08 feet along the west line; thence North 89°10'12" East a distance of 1,257.17 feet to the west right-of-way line of Jackson Street; thence South 00°25'13" East a distance of 34.72 feet along the west right-of-way line; thence North 89°34'47" East a distance of 54.17 feet to the east line of the southeast quarter; thence South 00°23'32" East a distance of 130.22 feet along the east line to the point of beginning. Reserving that portion presently used for road right-of-way purposes. Subject to all easements and restrictions of record. Liability hereunder is expressly limited to the cost of this survey.

Mayer Land Surveying July 2, 2015









1 inch: 2,000 feet

# Application #17-ZC-4050

Date of Hearing:

April 25, 2017

Owner(s):

**CMA Investments LLC** 

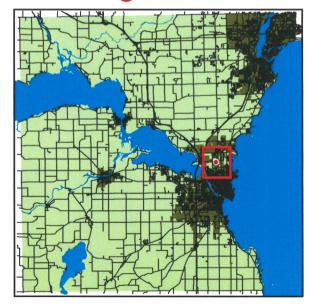
Subject Parcel(s):

0180074



Winnebago County WINGS Project





**WINNEBAGO COUNTY**