

# R E S O L U T I O N

DATE: August 19, 2014

To The Board of Supervisors of Winnebago County, Wisconsin:

## AMENDATORY ORDINANCE 12

WHEREAS, it is desirable to amend the Zoning Ordinance and the Zoning Map of the TOWN OF WOLF RIVER in accordance with the petition of Kenneth Hahn and

WHEREAS, said request is in compliance with the adopted Winnebago County Land Use Plan and Winnebago County's Farmland Preservation Plan.

NOW, THEREFORE, the County Board of Supervisors of Winnebago County do ordain that the Zoning Ordinance and the Zoning Map of the TOWN OF WOLF RIVER, be and the same, are amended to provide that the attached described property be changed from the classification of A-2 of said ordinance, which it now and heretofore had, to the zoned district of Business District.

AND BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors, that the enclosed Ordinance is hereby [ADOPTED] OR [DENIED].

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County Board Supervisor  
(Town of WOLF RIVER)

PARCEL NO:032-0193-01-01 FROM A-2 TO Business District.

### 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 \_\_\_\_\_,  
2014.

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Mark Harris



## Winnebago County

Zoning Department

*The Wave of the Future*

### MEMO FOR P & Z PLANNING MEETING AGENDA OF AUGUST 4, 2014

TO: Planning & Zoning Committee

FM: Zoning Administrator

RE: Review of Town Zoning Changes

1. Foth - Town Zoning Change (Tax ID Nos: 032-0270-02, 032-0270-04) – Town of Wolf River.

The town zoning change for Foth is consistent with Winnebago County's Land Use Plan. The Town of Wolf River approved the zoning change from A-2 (General Farming District) to Business District and Winnebago County's land use plan shows future land use as woodland / open space.

**RECOMMENDATION: Forward zone change to County Board for action.**

2. Madison - Town Zoning Change (Tax ID No: 032-0178-01) – Town of Wolf River.

The town zoning change for Madison is consistent with Winnebago County's Land Use Plan. The Town of Wolf River approved the zoning change from A-2 (General Farming District) to A-3 (Small Farming District) and Winnebago County's land use plan shows future land use as woodland / openspace / agriculture.

**RECOMMENDATION: Forward zone change to County Board for action.**

3. Hahn - Town Zoning Change (Tax ID No: 032-0193-01-01) – Town of Wolf River.

The town zoning change for Hahn is consistent with Winnebago County's Land Use Plan. The Town of Wolf River approved the zoning change from A-2 (General Farming District) to Business District and Winnebago County's land use plan shows future land use as commercial / mixed use.

**RECOMMENDATION: Forward zone change to County Board for action.**

FLU: Commercial/Mixed use

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

County Notes:  
1. part of 032-0193-01?  
2. Proof of hearing  
notices  
3. Towns disposition?

032-0193-01-01 - Business

**Name of Property Owner:** Kenneth & Barbara Hahn

**Address of Owner:** 7520 Easy Street, Fremont WI 54940

**Name of Applicant:** Tom Mathwig, Mathwig Excavating LLC

**Address of Applicant:** 9150 County AH Fremont, WI 54940

**Location of Property:** Northeast Corner of County Hwy H and River Trail Drive

**Legal Description of Area to be Re-zoned:** For Part of Lot 3 of Certified Survey Map #4684, all being part of the SW 1/4 of the SW 1/4 of Section 9, T20N, R14E, Town of Wolf River, Winnebago County, WI.

**Tax Parcel Number of Existing Parcel:** part of 032-0193-01

(Lot 1 of CSM-6621?)

**EXPLANATION:**

Applicant would like to purchase 4.72 acres per proposed survey and is requesting a zoning change per the Town of Wolf River Zoning Ordinance from A2 (General Farming District Section 1.05 to Business District, Section 1.08 for future use as a storage building site.

The Town Board of Wolf River reviewed the above request for a zoning change and made the following motion,

2 [ ] APPROVED [ ] DISAPPROVED

**1. Does the Town have an adopted land use plan?** (yes) (no)

**2. Does the request agree with the plan?** (yes) (no) (N/A)

**3. Other findings:**

- a. No objection from neighboring property owners
- b. Land will be compliant with Town of Wolf River Zoning Ordinance.
- c. Land will be compliant with the Town of Wolf River Future Land Use Map.
- d. Adequate public facilities to accommodate the development.

Attested: Susan J. Gilbert, Clerk

Date: March 26, 2012



**TOWN OF WOLF RIVER**  
**WINNEBAGO COUNTY, WISCONSIN**

8800 County Road II  
PO Box 338  
Fremont, WI 54940  
Phone: 920-446-3837  
Fax: 920-446-2491  
Email: [townofwolfriver@centurytel.net](mailto:townofwolfriver@centurytel.net)

To Whom It May Concern:

Below is NOTICE OF PUBLIC HEARING being published in the COUNTY POST WEST and the APPLETON POST CRESCENT. The notice represents a general description of a proposed action which is regulated by the TOWN OF WOLF RIVER ZONING ORDINANCE.

The application of petition for action affects an area in the immediate vicinity of property which you own.

**NOTICE OF PUBLIC HEARING**

The Town of Wolf River Zoning Committee and Plan Commission will hold a Public Hearing at the Wolf River Town Hall on Thursday, March 15, 2012 at 6:00 p.m. to consider the following case:

**DESCRIPTION OF SUBJECT SITE:**

Property Owner: Ken Hahn 7520 Easy St, Fremont, WI 54940

Applicant: Tom Mathwig, 9150 Cty AH, Fremont, WI 54940

Location of Property: Northeast Corner of Cty Hwy H and River Trail Dr.

Legal Description: PT SW SW Desc as Lot 3 of CSM-4684

Parcel Number: 032-0193-01

Total Area: 30 Acres

Zoning: A2

Explanation: Applicant would like to purchase 4.72 acres per proposed survey and is requesting a zoning change per the Town of Wolf River Zoning Ordinance from A2, General Farming District Section 1.05 to Business District, Section 1.08 for future use as a storage building site and a Conditional Use Permit for construction of storage building per Section 1.08 (4) Schedule 1.08A.

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

**NOTICE OF ZONING COMMITTEE MEETING**

The Town of Wolf River Zoning Committee will meet on Thursday, March 15, 2012 at 6:30 p.m. or as soon thereafter as the above noticed hearing is concluded, at the Wolf River Town Hall and may act upon the matter which is the subject of said hearing.

For further information concerning these notices, contact Lee Robbert at 920-836-3681.

TOWN OF WOLF RIVER  
PO BOX 338  
Attn: Susan Gilbert  
Fremont, WI 54940

NWCP26830  
0003988040

STATE OF WISCONSIN-  
County of Waupaca - ss.

**LEGAL**

(Publish March 8, 2012)  
**TOWN OF WOLF RIVER  
NOTICE OF  
PUBLIC HEARING**

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7520 Easy St, Fremont, WI 54940

Applicant: Tom Mathwig, 9150 Cty AH, Fremont, WI 54940  
Location of Property: Northeast Corner of Cty Hwy H and River Trail Dr.

Legal Description: PT SW SW Desc as Lot 3 of CSM-4684  
Parcel Number: 032-0193-01  
Total Area: 30 Acres

Zoning: A2  
Explanation: Applicant would like to purchase 4.72 acres per proposed survey and is requesting a zoning change for the new parcel per the Town of Wolf River Zoning Ordinance from A2, General Farming District Section 1.05 to Business District, Section 1.08 for future use as a storage building site and a Conditional Use Permit for construction of a storage building per Section 1.08 (4) Schedule 1.08A.

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

**NOTICE OF ZONING  
COMMITTEE MEETING**

The Town of Wolf River Zoning Committee will meet on Thursday, March 15, 2012 at 6:30 p.m. or as soon thereafter as the above noticed hearing is concluded, at the Wolf River Town Hall and may act upon the matter which is the subject of said hearing. For further information concerning these notices, contact Lee Robbert at 920-836-3681.

Terry Lodewegen, being duly sworn, doth depose and say that he is, and during the time of the publication of the notice hereinafter mentioned was the publisher of COUNTY POST EAST and/or COUNTY POST WEST, which are a newspapers of general circulation published in the City of Waupaca, and County of Waupaca, and State of Wisconsin, and that the annexed printed notice, taken from said newspaper/s, was regularly published in said newspaper one week successively, once in each week, prior to the time specified in said notice, which publication commenced on the 8th day of March, 2012 and was last so published on the 8th day of March, 2012

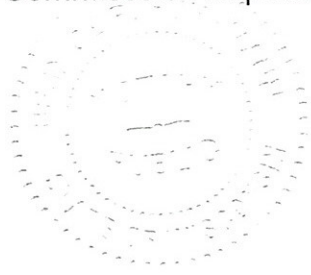
*Terry Lodewegen*

Publication Fees:	<b>\$30.66</b>
Affidavit Fees:	<b>\$1.00</b>
Total:	<b><u>\$31.66</u></b>

Sworn and subscribed to before me this 8th day  
of March 2012.

Notary Public, WI Bernice R. Fuhrmann

My Commission Expires September 06, 2015





# THE POST-CRESCENT

STATE OF WISCONSIN  
OUTAGAMIE COUNTY

TOWN OF WOLF RIVER  
8800 COUNTY ROAD II  
FREMONT, WI 54940

Katelyn Fogle

Being duly sworn, doth depose and say that she is an authorized representative of the Appleton Post Crescent, a newspaper published at Appleton, Wisconsin, and that an advertisement of which the annexed is a true copy, taken from said paper, which was published therein on

Account Number: 251610

**Ad Number: 6530819**

Published Date: March 01, 2012

Published Date: March 04, 2012

**Total Ad Cost: \$89.24**

(Signed)



Advertising Assistant

(Date)

3/1/12

Signed and sworn before me



Notary Public, Outagamie County, Wisconsin

My commission expires

4-8-12

## NOTICE OF

### PUBLIC HEARING

The Town of Wolf River Zoning Committee and Plan Commission will hold a Public Hearing at the Wolf River Town Hall on Thursday, March 15, 2012 at 6:00 p.m. to consider the following case:

DESCRIPTION OF SUBJECT SITE:  
Property Owner: Ken Hahn 7520 Easy St, Fremont, WI 54940  
Applicant: Tom Mathwig, 9150 Cty AH, Fremont, WI 54940  
Location of Property: Northeast Corner of Cty Hwy H and River Trail Dr. Legal Description: PT SW SW Desc as Lot 3 of CSM-4684

Parcel Number: 032-0193-01  
Total Area: 30 Acres

Zoning: A2  
Explanation: Applicant would like to purchase 4.72 acres per proposed survey and is requesting a zoning change for the new parcel per the Town of Wolf River Zoning Ordinance from A2, General Farming District Section 1.05 to Business District, Section 1.08 for future use as a storage building site and a Conditional Use Permit for construction of a storage building per Section 1.08 (4) Schedule 1.08A.

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

### NOTICE OF ZONING COMMITTEE

#### MEETING

The Town of Wolf River Zoning Committee will meet on Thursday, March 15, 2012 at 6:30 p.m. or as soon thereafter as the above noticed hearing is concluded, at the Wolf River Town Hall and may act upon the matter which is the subject of said hearing. For further information concerning these notices, contact Lee Robbert at 920-836-3681.

RUN: March 1 & 4, 2012  
WNAXLP

TOWN OF WOLF RIVER

Re Ad#: 6530819

**WOLF RIVER TOWN HALL**  
**8800 COUNTY ROAD II FREMONT WI 54940**  
**Telephone 920-446-3837 Fax 920-446-2491**

**JOINT MEETING**  
**ZONING COMMITTEE and PLAN COMMISSION**

**Thursday, March 15, 2012 (6:30 PM)**

**(Meeting will start after the closing of the 6:00 pm Public Hearing)**

**AGENDA**

The Zoning Committee and Plan Commission will consider and act upon the following:

1. Call meeting to order
2. Pledge of Allegiance
3. Approve minutes of February 15, 2012 meeting
4. Public comments/request
5. Old business – Farmland Preservation
6. New business
7. Discuss/possible action regarding the Public Hearing of March 15-2012 at 6:00 pm, on the zoning change application form completed by ~~Tom Mathwig~~ 9150 Cty AH, Fremont, WI 54940, for property owned by ~~Kenneth Hahn~~ 7520 Easy St, Fremont, WI 54940. Application request is for parcel number 032-0193-01, which is located at the Northeast Corner of Cty Hwy H and River Trail Drive, Fremont, WI 54940. Application request is to rezone 4.72 acres of the 30-acre parcel and a Conditional Use Permit for the construction of a building for use as a storage building site per Section 1.09 (4) Schedule 1.08A. Parcel is presently zoned A-2. See attached property detail.
8. Review the proposed change from dual County zoning (A-2 & B-2) of the William Schmidt property at 8973 County Road II, Fremont, WI 54940, parcel # 032-0100-03-01. This matter is advisory only. See attached property detail.
9. Set date, time and agenda for next meeting
10. Adjournment

Notice prepared by:  
Judy Knaus,  
Plan Commission Secretary

The joint meeting will be held at the Town Hall, located at 8800 County Road II, Fremont, WI

**ALL MEETINGS ARE OPEN TO THE PUBLIC**  
**PUBLIC PARTICIPATION ENCOURAGED**

Members of the Wolf River town board and members of other public bodies may attend this meeting to gather information and participate in discussion. No official action will be taken by these bodies.

Notices are mailed or e-mailed by the clerk for posting at the following locations: Union Star, Hahn-a-Lula Resort and are posted at the Wolf River Town Hall, Neuschafer Library and Fremont Post Office.

# **JOINT MEETING OF THE TOWN OF WOLF RIVER**

## **PLAN COMMISSION & ZONING COMMITTEE**

### **MEETING MINUTES – March 15, 2012**

1. **Call to order:** Jim Freer, acting Chairman called the joint meeting to order at 6:45 pm. Present: Jim Freer, Patty Sprenger, Richard Larsen, Lee Robbert, Dan Rieckmann and Judy Knaus. Two other people attended.
2. **The Pledge of Allegiance:** The Pledge of Allegiance was recited.
3. **Approve minutes from February 15, 2012 meeting:** Dan Rieckmann made a motion to approve, seconded by Patty Sprenger. Motion carried (6-0)
4. **Public Comments/requests:** None
5. **New business:** None
6. **Old business:** Winnebago County received a letter on 2-7-12, from Secretary Ben Brancel of the Department of Agriculture, Trade and Consumer Protection informing Winnebago County that the State would not certify the Proposed Farmland Preservation Plan in its current form. The staff and Planning & Zoning Committee recommended to the County Board to adopt the plan. The Winnebago County Board referred the proposed Farmland Preservation Plan back to committee. Staff is working with Winnebago County Corporation Counsel and DATCP staff as to what appeal options, if any, the County may have. Towns should not take any action at this time. Reconvening the steering committee is possible.
7. **Discuss Zoning Request from Public Hearing:** Discussion held on the rezone request for parcel # 032-0193-01 from A-2 to B for 4.72 acres of the 30-acre parcel, ~~Tom Mathwig applicant~~ Request is in accordance with the Comprehensive Plan and the Future Land Use Map. There were no challenges made by anyone or the adjoining neighbors. The Town's B zoning allows for a warehouse with a conditional use permit. Conditions are no outside storage or construction equipment stored on the premises. Not to exceed 32,000 square feet of storage buildings. Motion was made by Patty Sprenger and seconded by Richard Larsen to make a recommendation to support the rezoning request with conditions. Motion carried (6-0)
8. **Review proposed change from dual County zoning on Schmitt property:** Request complies with the Comprehensive Plan. Motion was made by Judy Knaus to recommend the proposed change (advisory capacity only) seconded by Dan Rieckmann. Motion carried (6-0)s
9. **Set date, time and agenda for next meeting:** A meeting will be scheduled as needed.
10. **Adjournment:** Motion to adjourn made by Judy Knaus and seconded by Jim Freer. Motion carried (6-0) Meeting adjourned at 7:45 pm.



*Wolf River Town Hall  
8800 County Road II  
PO Box 338  
Fremont, WI 54940*

TOWN BOARD MEETING  
February 20, 2012  
7:00 p.m.

AGENDA

Town Board will consider and act upon the following:

1. Call to Order by Chairperson Rutten
2. Pledge of Allegiance.
3. Approve the Minutes of previous meeting.
4. Public forum on agenda items and request for future agenda items.
5. Sheriff's Representative – Winnebago County.
6. Building Inspector/Zoning/Board of Appeals Administration Business.
  - a) Building permits issued.
  - b) Other
7. Approval and payment of invoices.
8. Treasurer's Report.
9. Correspondence.
10. Grant and Issue Operator's licenses.
11. Boom Bay Vol. Fire Department – new fire station proposal, purchase of used truck.
12. Zoning Change: For Dana & Lori Foth for property located along South Road and County Road II. A part of the SW ¼ of the SW ¼ of Section 12, T20N, R14E, Town of Wolf River, Winnebago County, WI. Tax parcel #0320270. Survey for Boom Bay Fire Company, Dave Platta, Chief. Currently zoned A2, but is requesting to change to B.
13. Certified Survey Map: For Dana & Lori Foth for property located along South Road and County Road II. A part of the SW ¼ of the SW ¼ of Section 12, T20N, R14E, Town of Wolf River, Winnebago County, WI. Tax parcel #0320270. Survey for Boom Bay Fire Company, Dave Platta, Chief.
14. Zoning Change: Map: Located at the corner of County Road H and River Trail Drive, Part of Lot 3 of CSM #4684, also being part of the SW ¼ of the SW ½ of Section 9, T20N, R14E, Town of Wolf River, Winnebago County, WI. Tom Mathwig.
15. Certified Survey Map: Located at the corner of County Road H and River Trail Drive, Part of Lot 3 of CSM #4684, also being part of the SW ¼ of the SW ½ of Section 9, T20N, R14E, Town of Wolf River, Winnebago County, WI. Tom Mathwig
16. Resolution subsidizing the Village of Fremont Police Department on a per-call basis.
17. Appoint Code Enforcement Officer.
18. Appoint member to the Zoning Committee to replace Elmer Koepp who resigned.
19. Town Hall Business.
20. Plan Commission Report.
  - a) Discussion and questions on County zoning versus Town zoning.
  - b) Other
21. Attorney's Report.
22. Assessor's Report.
23. Set date and time of next Board meeting. Board of Review/Open Book dates. Adjournment.

Notice prepared by:

Susan J. Gilbert, Clerk

The Town Board meets regularly the 4<sup>th</sup> Monday of each month at 7:00 p.m. (unless otherwise noted) at the Town Hall, located at 8800 County Road II, Fremont \*\*\* ALL MEETINGS ARE OPEN TO THE PUBLIC\*\*\*

Notices are mailed or e-mailed by the clerk for posting at the following locations: Union Star, Hahn-a-Lula Resort, and are posted at the Wolf River Town Hall and Fremont Post Office.

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

**SUBMITTAL FORM**

**Name of Property Owner:** Kenneth & Barbara Hahn

**Address of Owner:** 7520 Easy Street, Fremont WI 54940

**Name of Applicant:** Tom Mathwig, Mathwig Excavating LLC

**Address of Applicant:** 9150 County AH Fremont, WI 54940

**Location of Property:** Northeast Corner of County Hwy H and River Trail Drive

**Legal Description of Area to be Re-zoned:** For Part of Lot 3 of Certified Survey Map #4684, all being part of the SW ¼ of the SW ¼ of Section 9, T20N, R14E, Town of Wolf River, Winnebago County, WI.

**Tax Parcel Number of Existing Parcel:** part of 032-0193-01 ✓

**EXPLANATION:**

Applicant would like to purchase 4.72 acres per proposed survey and is requesting a zoning change per the Town of Wolf River Zoning Ordinance from A2 (General Farming District Section 1.05 to Business District, Section 1.08 for future use as a storage building site.

The Town Board of Wolf River reviewed the above request for a zoning change and made the following motion,

☒ APPROVED    [ ] DISAPPROVED

1. Does the Town have an adopted land use plan? (yes) (no)

2. Does the request agree with the plan? (yes) (no) (N/A)

3. Other findings:

- a. No objection from neighboring property owners
- b. Land will be compliant with Town of Wolf River Zoning Ordinance.
- c. Land will be compliant with the Town of Wolf River Future Land Use Map.
- d. Adequate public facilities to accommodate the development.

Attested: Susan J. Gilbert, Clerk

Date: March 26, 2012

## ZONING CHANGE APPLICATION

PRESENT ZONING: Ag

PROPOSED ZONING: Commercial

ZONING OF SURROUNDING PROPERTIES: Ag

DESCRIBE PROPOSED USE (S): Possible future  
storage shed site

DESCRIBE THE ESSENTIAL SERVICES (sewer, water, streets, etc) FOR PRESENT  
AND FUTURE USES: No sewer or water needed.  
Access from River Trail Dr.

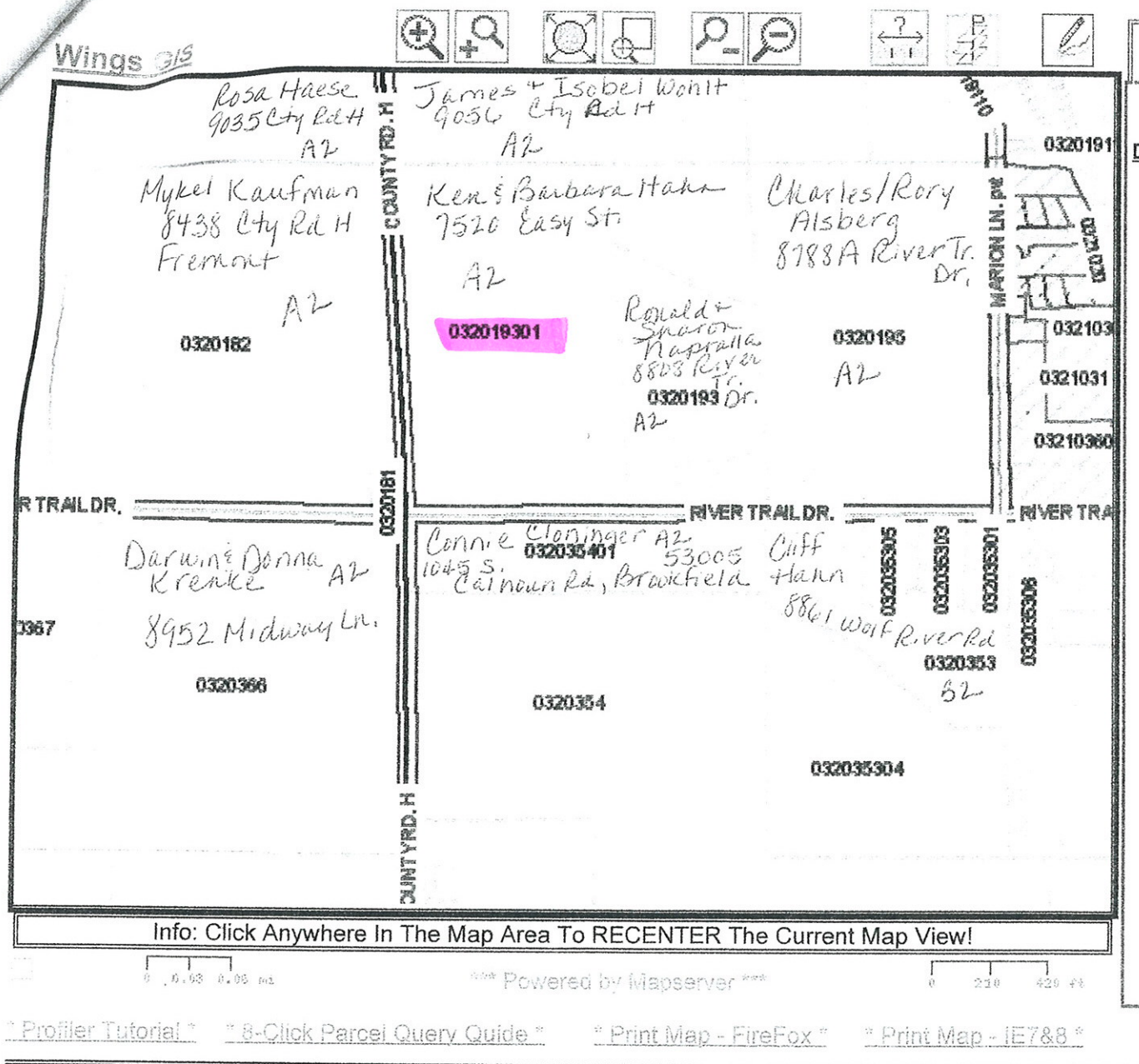
DESCRIBE WHY THE PROPOSED USE WOULD BE THE HIGHEST AND BEST  
FOR THE PROPERTY: \_\_\_\_\_

Good access + exposure to traffic  
and resort area of Oritula

DESCRIBE THE PROPOSED USE(S) COMPATIBILITY WITH SURROUNDING  
LAND USES: \_\_\_\_\_

Storage building to complement  
boating - camping + resort area of  
Oritula + North side of Lake Payson.  
Professional built steel storage  
building to be kept clean + good order.







Town Board of the Town of Wolf River  
Winnebago County, Wisconsin

**Response to a CSM for:**

Owner(s) of Property:                      **Kenneth & Barbara Hahn**  
    **7520 Easy Street**  
    **Fremont, WI 54940**

Location of Premises Affected:        **Northeast corner of County**  
    **Hwy H and River Trail Dr.**

Legal Description:

**For Part of Lot 3 of Certified Survey Map #4684, all being part of the SW ¼ of the SW ¼ of Section 9, T20N, R14E, Town of Wolf River, Winnebago County, WI.**

Tax Parcel No.:                      **Part of 032-0193-01**

Town Board of Wolf River reviewed the above CSM and has **approved** the Certified Survey Map for Kenneth & Barbara Hahn

A handwritten signature in black ink, reading "Susan J. Gilbert", is written over a horizontal line.

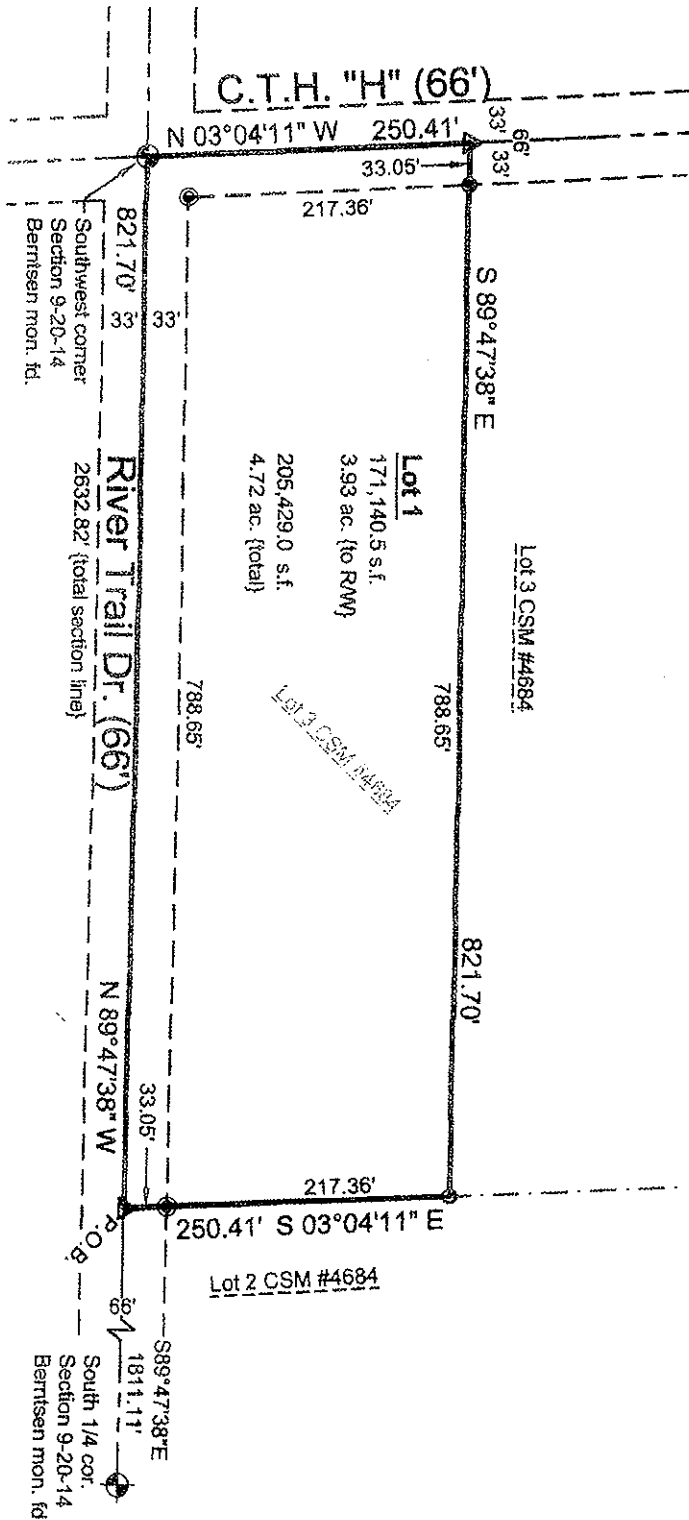
Susan J. Gilbert, Clerk  
Town of Wolf River

Dated: 3/26/12



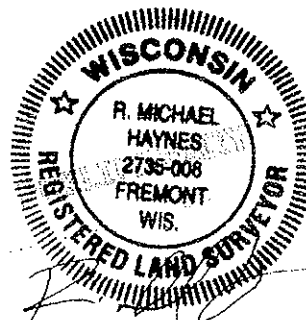
## Winnebago County Certified Survey Map # \_\_\_\_\_

Located in part Lot 3 of CSM #4684, all being part of the Southwest 1/4 of the Southwest 1/4 of Section 9, Township 20 North, Range 14 East, Town of Wolf River, Winnebago County, Wisconsin



### Boundary Legend

- ⊙ 1" Iron Pipe Found
- 3/4" x 24" Iron Rod Set (Wt. 1.50 lbs/ft)
- ⊕ Section Corner
- △ PK Nail Set
- Boundary Line
- - - Right-of-Way
- · - Adjacent Property
- Recorded As (xxx.xx')



1-12-12