

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 9

WHEREAS, it is desirable to amend the Zoning Ordinance and the Zoning Map of the TOWN OF POYGAN in accordance with the petition of James Coats 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 POYGAN, be and the same, are amended to provide that the attached described property be changed from the classification of RR of said ordinance, which it now and heretofore had, to the zoned district of A-2.

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

County Board Supervisor
(Town of POYGAN)

PARCEL NO: 020-0269-01 FROM RR TO A-2.

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.

Mark Harris

County Board Supervisory district **36**



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 *CAR*

RE: Review of Town Zoning Change

1. Coats. Town Zoning Change (Tax ID No: 020-0269-01) – Town of Poygan.

The town zoning change for Coats is consistent with Winnebago County's Land Use Plan. The Town of Poygan approved the zoning change from RR (Rural Residential) to A-2 (Agriculture) and Winnebago County's land use plan shows future land use as general farming.

RECOMMENDATION: Forward zone change to County Board for action.

*Motion to forward to County Board for approval
carried 4-0-1*



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RECOMMENDATION: Forward zone change to County Board for action.

STATE OF WISCONSIN
BROWN COUNTY

020-0269-01 → A-2
FLU: General Farming

POYGAN, TOWN OF
7839 OAK HILL RD
OMRO, WI 54963

Erin Duffy

Being duly sworn, doth depose and say that she/he is an authorized representative of the Oshkosh Northwestern, a daily newspaper published in the city of Oshkosh, in Winnebago County, Wisconsin, and that an advertisement of which the annexed is a true copy, taken from said paper, which was published therein on

Account Number: 1056937

Ad Number: 6965454

Published Date: April 24, 2014

Published Date: May 01, 2014

Total Ad Cost: \$36.72

(Signed) E R (Date) 5-1-14
Legal Clerk

Signed and sworn before me

Rhonda M. Zaleigh
Notary Public, Brown County, Wisconsin

My commission expires 9/23/2017

POYGAN, TOWN C
Re: may 8 meeti

Notice of
Public Hearing
TOWN of POYGAN
Notice is here by given of
a public hearing to be
held by the Town of Poy-
gan Planning and Zoning
Commission on Thurs-
day May 8, 2014 at the
Poygan Town hall, 8693
Town Hall road, begin-
ning at 7 PM, to hear tes-
timony of the of the fol-
lowing zoning request.
James Coats, 7429
County road D, Omro,
Wisconsin has requested
a zoning change. Prop-
erty is tax parcel number
020-026701 and Lot 1 of
CSM 1366 (3.36 acres),
being part of the NE 1/4,
sec 25, Town of Poygan
currently zoned Rural
residential to be changed
to Agricultural.
This property is located
on the south side of
County Road D, approxi-
mately a 1/4 mile east of
O'Reilly road.
Any person may speak at
the hearing or present
testimony in writing to the
Town Clerk prior to the
hearing.
Susan Schwartz
Acting secretary of the
Planning and Zoning
Commission
RUN: April 24 & May 1,
2014 WNAXLP

Peter Kasuboski
7265 County Road D
Omro, WI 54963

Richard Mueller
1631 Church St
Wauwatosa, WI 53213

James Coats
7429 County Rd D
Omro, WI 54963

Richard Grundy
7412 County Rd D
Omro, WI 54963

Winnebago County GIS Viewer and Property Profiler

Property Information & Display Options

Menu

Map

Property Information Profile

☐ ← Check This Box then click a property to initiate a 'Property Profile'. Property profiler reports the parcel information and checks interactions with multiple layers not available as part of the regular 'Display Options.' [More About Profiler!](#)

Display Options

Draw Label Symbology & Layer Names

- | Draw | Label | Symbology & Layer Names |
|-------------------------------------|-------------------------------------|-------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Aerial Photos (2003) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Buildings |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Parcel Boundaries |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Parcel Dimensions |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Parcel Addresses |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Certified Surveys |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Floodplain |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Navigable Streams |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Official Mapped Rds. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Public Land Survey |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Railroads |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Rights-Of-Way |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Shoreland Zoning |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | DR. Street Name Text |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | City & Village Limits |

☒ = Not Applicable for this Layer.



Zoom In



Zoom Out



Town of Poygan Planning and Zoning Minutes
Poygan Town Hall
8693 Town Hall Road
Thursday, May 8, 2014

Members Present: Dave Buech, Derrald McDaniel, Tom Wrchota, John Meyerhofer, and Susan Schwartz
Others Present: James Coats

1. Call to Order

The meeting was called to order by John Meyerhofer at 7:00 PM.

2. Vote for Chairman and Secretary

- a. **Brief** discussion about current open positions on zoning board.
- b. Motion to nominate John Meyerhofer as Chairman by Susan Schwartz, second by Tom Wrchota, motion carried. John Meyerhofer elected as Chairman.
- c. Motion to nominate Susan Schwartz as Secretary by Derrald McDaniel, second by Tom Wrchota, motion carried. Susan Schwartz elected as Secretary.

The public hearing was called to order by John Meyerhofer at 7:04 PM

Public Hearing and discussion

James Coats provided history of Coats property. He reviewed current survey with the board. He verbalized plans to make approximately 48 acres his home with it zoned as AG, which is described as tax parcel number 020-026701 and Lot 1 of CSM 1366 (3.36 acres), being part of the NE ¼ sec 25, Town of Poygan. Sale of remainder of the surveyed land (lots 3 and 4) for continued for agricultural use.

There were no objections presented in writing to the town clerk about zoning change request by James Coats of 7429 County road D, Omro, Wisconsin.

Dave Buech motioned to close the public hearing at 7:10 PM, second by Derrald McDaniel. Motioned carried.

3. Minutes

The minutes of the December 2013 meeting were read. **Motion to accept minutes as read by Derrald McDaniel, second by Tom Wrchota. Motion carried.**

4. Discussion of the Public Hearing and recommendations to the Town Board.

Tom Wrchota verbalized agreement with the logic to change CSM1366 from RR to AG. David Buech commented it is a positive change to move from RR to AG and does not see any negative effects.

The request is in compliance with the Town of Poygan zoning. **Motion by Derrald McDaniel and second by Tom Wrchota to recommend to the Town Board to accept the zoning change.** Roll call vote: Buech- yes, McDaniel-yes, Wrchota-yes, Meyerhofer-yes, and Schwartz-yes. Motion carried.

5. Discussion of CSM

CSM (#3227) of Parcel Numbers 020026701, 0200266, 0200267, 0200628, and 0200629. No problems are foreseen and Town Board will address at next meeting.

6. Public Input

At next zoning meeting to address staggering terms of board members.

7. Upcoming Meetings:

- A. Poygan Town Board Meeting-May 21, 2014 - 7:00 PM

8. Next Meeting

June 12, 2014 - 7 PM

9. Adjourn

Motion by John Meyerhofer and second by Derrald McDaniel to adjourn at 7:20 PM. Motion carried. Meeting adjourned at 7:20 PM.

Susan Schwartz, Secretary
Planning and Zoning Commission

Recommendation of
the Town of Poygan
Planning and Zoning Commission

It is the recommendation of the Town of Poygan Planning and Zoning Commission to the Town Board of the Town of Poygan to approve the zoning change from RR to AG for James Coats' property, described as tax parcel number 020-026701 and Lot 1 of CSM 1366 (3.36 acres), being part of the NE ¼ sec 25, Town of Poygan.

Motion by Derrald McDaniel and second by Tom Wrchota to recommend to the Town Board to accept the zoning change.

Roll call vote:

Dave Buech- yes
Derrald McDaniel-yes
Tom Wrchota-yes
John Meyerhofer-yes
Susan Schwartz-yes

Respectfully submitted,

Susan Schwartz
Planning and Zoning Secretary

Town of Poygan
7839 Oak Hill Rd
Omro, WI 54963

Check or Money Order payable to:

Town of Poygan

FEE: \$250.00

Receipt #: _____

APPLICATION FOR

ZONING CHANGE

APPLICATION #: _____

(Please print or type. Please use black ink for duplicating purposes.)

A. PROPERTY OWNER:

A-1 NAME JAMES C. COATS

Mailing Address 7429 CTH "D"
OMRO, WI 54963

Phone _____

Permission is hereby granted for appropriate Town Staff to enter upon the property for the placement and removal of hearing notices, and conducting inspections prior to hearing. Said permission is to remain in force until the conclusion of the Public Hearing and is binding upon all heirs and assigns.

Signature James Coats Date 4/16/14

I HEREBY APPOINT THE FOLLOWING AS MY AGENT FOR PURPOSES OF THIS APPLICATION:

A-2 APPLICANT (NAME) JAMES E. SMITH MEE

Mailing Address 109 W. MAIN ST
OMRO, WI 54963

Phone 605-6240 Signature James Coats

Date 4/16/14

B. PROPERTY INFORMATION:

B-1 Tax Key/Parcel #: 020026701

B-2 Lot _____ Block _____ Subdivision _____ or CSM # LOT 1 CSM 1366
Section 25 Town 19 North Range 14 East
Town of POYGAN Acres 3.38

B-3 Location (of property) 7429 CTH "D" OMRO

B-4 Zoning (Existing) R-2 Zoning (Proposed): A-2

B-5 Use (Existing): WOODEN SINGLE FAMILY RES

Use (Proposed): " " " "

B-6 SEWER:
Existing _____ Required _____ Municipal _____ Private System: X

ZONING CHANGE APPLICATION
(Page 2)

Applicant please fill out all questions

E-1 Section 17.32 of the Zoning Ordinance.

E-2 Describe Present Use(s):

Single Family Res on 3.38 AC wooded lot

E-3 Describe Proposed Use(s):

Single Family Res on 18 AC wooded lot

E-4 Describe the essential services (sewer, water, streets, etc.) for present and future uses:

Private Well & Septic

E-5 Describe why the proposed use would be the highest and best for the property:

USE WILL NOT CHANGE

E-6 Describe the proposed use(s) compatibility with surrounding land uses:

USE WILL NOT CHANGE

NUMBER _____

PETITION FOR

ZONING AMENDMENT

TO: Town of Poygan Board of Supervisors
7839 Oak Hill Rd
Omro, Wisconsin 54963

The undersigned owner(s) of the property herein described hereby petitions your honorable body for an amendment to the Town of Poygan Zoning Ordinance and Map to effect a change in the Zoning Classification of real estate in the Town of Poygan, Winnebago County, Wisconsin, more particularly described as follows, to-wit:

LOT 1 of CSM 1366, BEING PART OF NE 1/4 SEC 25,
TOWN OF POYGAN.

From R-R zoning district to A-2 zoning

district. The land described above will be used for _____

WOODED SINGLE FAMILY RES if the amendment is adopted.

Dated this 16 day of April, 2014.

Respectfully submitted:

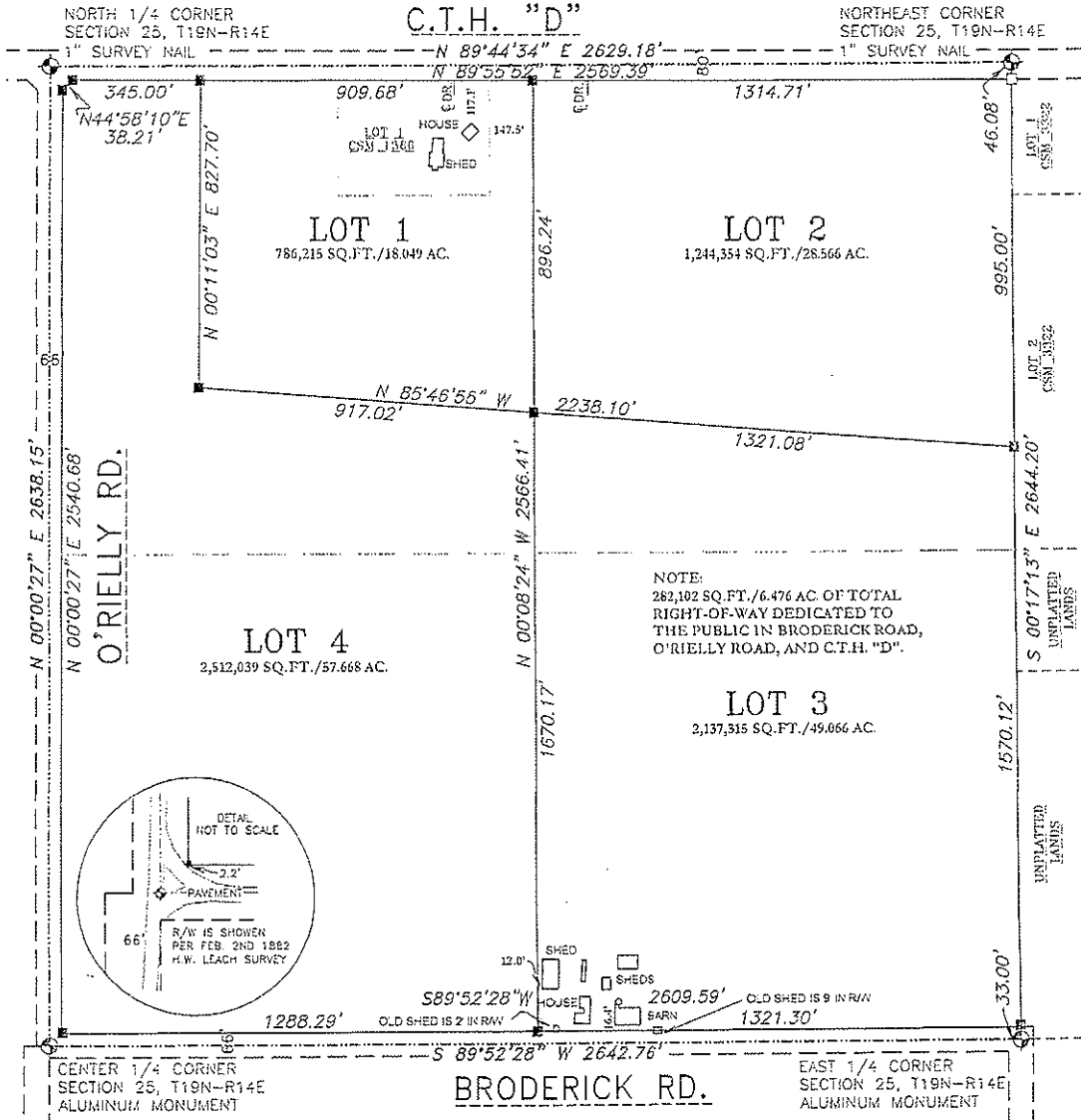
(Name)

(Address)

James Coats
(Legal Signature)

CERTIFIED SURVEY MAP NO. 0835

ALL OF LOT 1 OF CERTIFIED SURVEY MAP 1366, ALL OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, ALL OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, ALL OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, AND ALL OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, ALL IN SECTION 25, TOWNSHIP 19 NORTH, RANGE 14 EAST, TOWN OF POYGAN, WINNEBAGO COUNTY, WISCONSIN.



Martenson & Eisele, Inc.

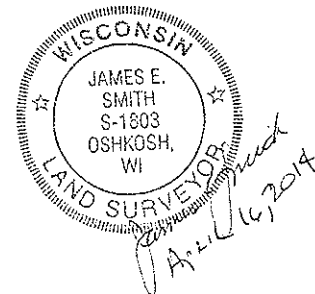
109 West Main Street
Omro, WI 54963
www.martenson-eisele.com
P 920.685.6240 F 920.685.6340

Planning
Environmental
Surveying
Engineering
Architecture

SURVEY FOR:
JIM COATS
7429 C.T.H. "D"
OMRO, WI 54963

PROJECT NO. 0-1862-001
FILE 1862001CSM SHEET 1 OF 3

This instrument was drafted by: DSL



**TOWN OF POYGAN
TOWN BOARD MEETING MINUTES
May 21, 2014, 7:00 P.M.**

Officers Present, Chairman Martin Johnson, Supervisor Ron Flegner, Supervisor John Meyerhofer, Clerk Julia Reinert, Deputy Clerk Susan Schwartz and Treasurer Trina Herbst – Gutche

Chairman Martin Johnson called the Town Board Meeting to order and the Pledge of Allegiance was recited.

Sheriff's Deputy. A Sheriff's Deputy was not present.

Minutes, April 16, 2014.

MOTION TO APPROVE THE MINUTES AS PRESENTED, JOHN MEYERHOFER, 2ND BY RON FLEGNER, CARRIED.

Treasurers Report.

MOTION TO APPROVE THE TREASURER'S REPORT AS PRESENTED, RON FLEGNER, 2ND BY JOHN MEYERHOFER, CARRIED.

Zoning Change for James Coats. The recommendation from Planning and Zoning to approve the zoning change for James Coats was presented to the board.

Town Board Findings were:

- Meets all the road frontage requirements.
- Not infringing on road frontage requirements for any adjacent lots.
- Meets Zoning requirements for the size of the lot, A2.
- Meets with our Comprehensive Plan.

MOTION TO APPROVE THE ZONING CHANGE FOR JAMES COATS FROM RR TO A2 FOR 3.36 ACRES ON COUNTY ROAD D, MARTIN JOHNSON, 2ND BY JOHN MEYERHOFER, CARRIED.

CSM for James Coats.

MOTION TO APPROVE THE CSM FOR JAMES COATS, #5479, MARTIN JOHNSON, 2ND BY RON FLEGNER, CARRIED.

Appoint Sanitary District Commissioner. Francis Crowley's term as Commissioner expires June 1, 2014. The Sanitary District Commissioners sent a recommendation to the Poygan Town Board to appoint John Luebke to replace Francis Crowley as a Commissioner. No one else expressed any interest in the position.

MOTION TO APPOINT JOHN LUEBKE AS A COMMISSIONER FOR A SIX YEAR TERM, EFFECTIVE JUNE 1, 2014 TO REPLACE FRANCIS CROWLEY, RON FLEGNER, 2ND BY JOHN MEYERHOFER, CARRIED.

Noise Complaint. Tod Norton has new neighbor that has loud parties on weekends that last into the early morning hours. The Winnebago County Sheriff has been called out a couple of times. The town does not have a noise ordinance. Chairman Johnson recommended to continue to call the sheriff's department, they can issue a citation.

Delinquent Personal Property Taxes. Attorney sent out letters to the businesses that owed delinquent personal property taxes. Attorney Blazel did receive a phone call from JJ Total Home and Yard stating that they know they owe the tax, but cannot afford to pay it now. There was a discussion on how to proceed. Attorney Blazel is going to do some research on an alternative to taking them to small claims court. This will be discussed again next month.

Popowski Road complaint. Chairman Johnson reported he did talk to Cary Rowe, Winnebago County Zoning Administrator, and provided him with new information on the property. Clerk Julia Reinert reported taxes are still delinquent. We will continue to monitor the situation.

Fire District Report. The fire district meeting was held on May 12, 2014. EMS personal all passed their recertification test. James Austad, EMS coordinator for Winnebago County is leaving and they are looking for a new coordinator. The new radios are working well now. The fire district had a controlled burn in March that was a good training opportunity. The new boat is ready for service and a new siren has been installed. Fire calls from January 1, 2014 to March 31, 2014 are down 22 calls from the same time period last year.

Road Report. The board discussed their findings from the annual road inspection and will be marking the roads on June 2nd at 11:00 in preparation for bidding out the 2014 road projects. Tim Noffke discussed the ditch on the north end of Lake Poygan Road.

Planning and Zoning. Susan Schwartz reported on the Planning and Zoning Meeting that was held May 8, 2014. John Meyerhofer was elected Planning and Zoning Chairman and Susan Schwartz was elected as Planning and Zoning Secretary. The public hearing was held to change zoning from RR to A2 for James Coats. There were no objectors and the commission made their recommendation to the town board. The next meeting will be June 12, 2014 if there is an agenda.

Building Permits. Chairman Johnson reported the he issued 6 building permits since the last meeting. A boat house, an electrical service, a generator and generator switch, heating and air conditioning, 2 out buildings.

Communications were reviewed.

Town Calendar was presented and the next Town Board Meeting will be June 18, 2014 @ 7:00 p.m.

Questions or Comments. John Meyerhofer reported talking to Mark Frank; he is no longer doing bridge inspections.

Pay Bills.

**MOTION TO PAY BILLS PRESENTED NOW AND UP UNTIL THE NEXT MEETING,
MARTIN JOHNSON, 2ND BY JOHN MEYERHOFER, CARRIED**

Adjourn

**MOTION TO ADJOURN, MARTIN JOHNSON, 2ND BY RON FLEGNER,
CARRIED.**

Respectfully submitted
Julia Reinert, Clerk