

**TO THE WINNEBAGO COUNTY BOARD SUPERVISORS**

Your Planning and Zoning Committee begs leave to report:

WHEREAS, it has reviewed the Petition for Zoning Amendment 11-ZC-016 filed with the County Clerk by:

Allen Lembcke, Town of Menasha

and referred to the Planning and Zoning Committee on November 15, 2011 and

WHEREAS, a Public Hearing was held on November 16, 2011, pursuant to mailed and published notice as provided by as on the following:

**PROPERTY INFORMATION:**

*Owner(s) of Property:* Allen Lembcke

*Applicant(s):* O'Reilly Automotive Stores

*Location of Premises Affected:* 1312 Appleton Rd

*Legal Description:* Being a part of the SE 1/4 of the NE 1/4, Section 11, Township 20 North, Range 17 East, Town of Menasha, Winnebago County, Wisconsin.

*Tax Parcel No.:* 008-0342-02

<i>Sewer:</i>	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> Required	<input checked="" type="checkbox"/> Municipal	<input type="checkbox"/> Private System
<i>Overlay:</i>	<input type="checkbox"/> Microwave	<input type="checkbox"/> Airport	<input type="checkbox"/> SWDD	
	<input type="checkbox"/> Shoreland	<input type="checkbox"/> Floodplain	<input type="checkbox"/> Wetlands	

WHEREAS,

Applicant is requesting a rezoning to B-3 (General Business)

And

WHEREAS, we received notification from the Town of Menasha recommending Approval

And

WHEREAS, your Planning and Zoning Committee, being fully informed of the facts, and after full consideration of the matter, making the following findings:

1. Town of Menasha has approved. Town may approve, approve with conditions, or deny in non-shoreland area.
2. Town findings for approval were as follows: a) Town does have an adopted land use plan. b) Action does agree with adopted Town plan. c) The property is currently in use as a residence, but the owner wants to sell to O'Reilly Automotive Inc so that they can build an O'Reilly Automotive Parts Store. d) The property is adjacent to properties zoned B-3 to the north in the Town & a vacant lot to the south. e) An auto parts store would be a higher & better use of this parcel than a residence.
3. There were no objectors.
4. Proposed use is compatible with adjacent uses.
5. Property is not in a transition area as identified on the adopted Winnebago County Farmland Preservation Plan.

NOW THEREFORE BE IT RESOLVED, that this committee hereby reports our findings for your consideration and is hereby recommending Approval. (5-0)

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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For the Planning and Zoning Committee

**AMENDATORY ORDINANCE # 12/04/11**

The Winnebago County Board of Supervisors do ordain Zoning Amendment # 11-ZC-016 as follows:

Being a part of the SE 1/4 of the NE 1/4, Section 11, Township 20 North, Range 17 East, Town of Menasha, Winnebago County, Wisconsin.

FROM: R-1 (Single Family non-subdivided)

TO: B-3 (General Business)

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Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

David Albrecht, Chairperson

ATTEST:

Susan T. Ertmer, Clerk

APPROVED

VETOED

APPROVED BY WINNEBAGO COUNTY EXECUTIVE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mark Harris  
County Executive

County Board Supervisory district **4**

Application # 11-ZC-016

Date of Hearing:

November 16, 2011

Owner(s):

Lembcke, Allen C.

Subject Parcel(s):

008034202



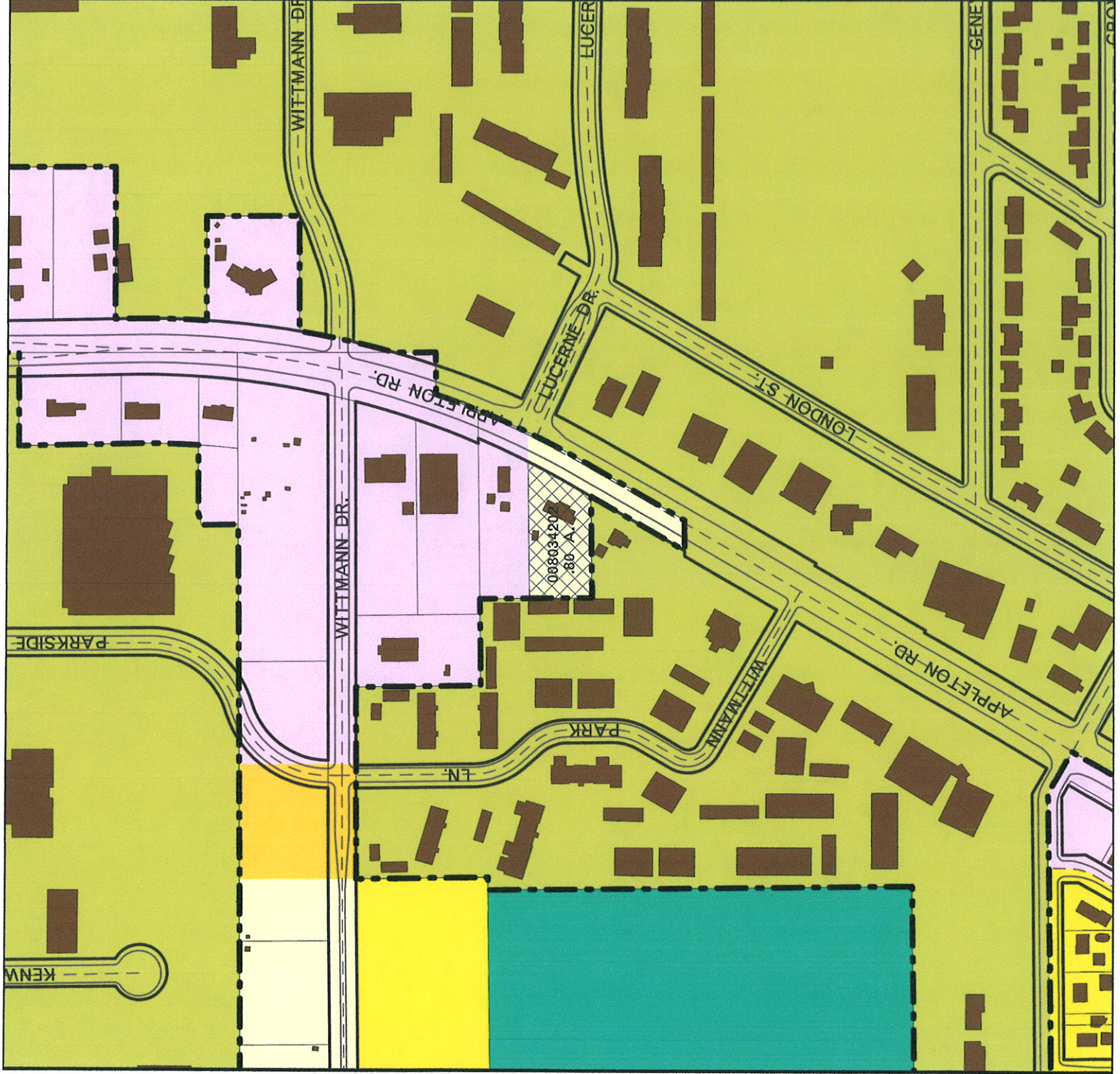
Winnebago County  
WINGS Project

Scale

1 inch : 300 feet

County Zoning Legend

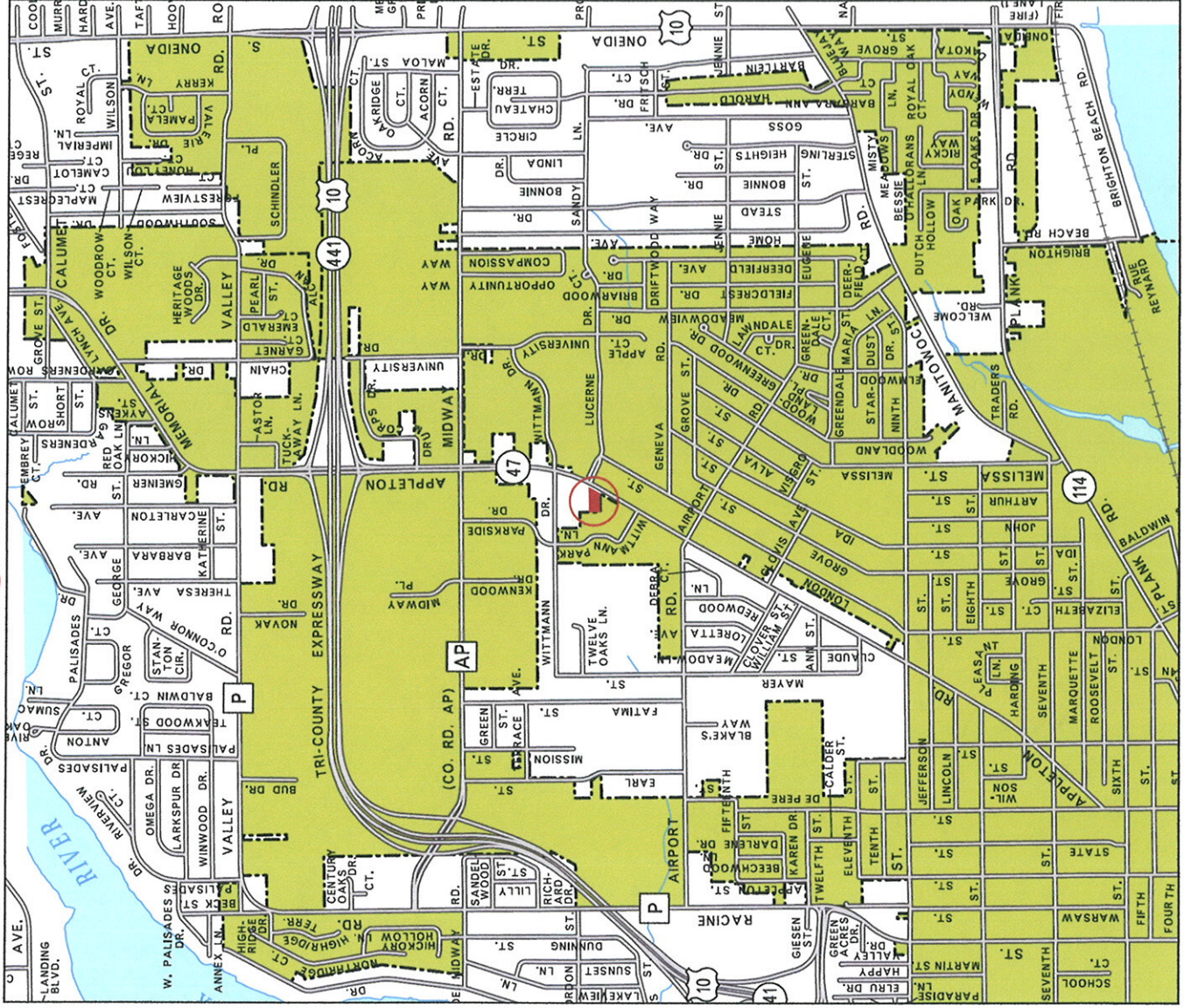
R-1	B-1	A-1
R-2	B-2	A-2
R-3	B-3	A-2 (ADO)
R-4	B-3(HB)	P-1
R-5	B-3 (HB-AEO)	M-1
MH-1	B-4	M-2
INCORP. AREA	B-5	EXT



○ = SITE

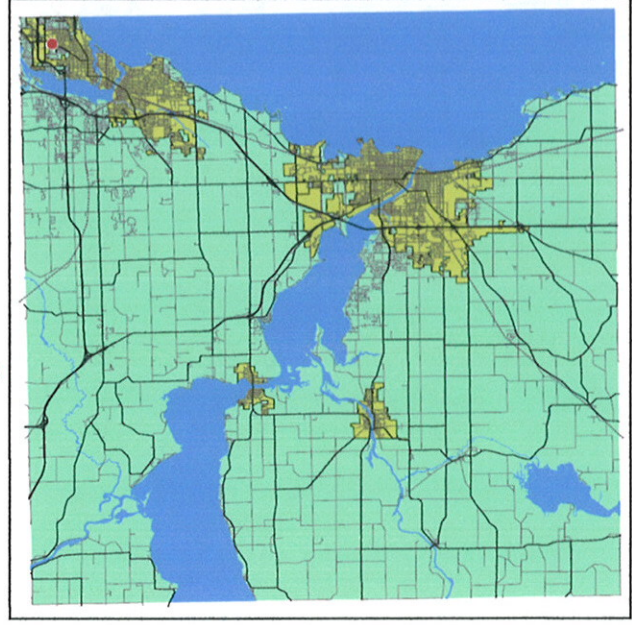
Application # 11-ZC-016

Date of Hearing:  
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Owner(s):  
Lembcke, Allen C.  
Subject Parcel(s):  
008034202



Winnebago County  
WINGS Project

● = SITE



Scale 1 inch : 2000 feet

WINNEBAGO COUNTY