

Office of
SUSAN T. ERTMER, COUNTY CLERK
Winnebago County
Oshkosh, Wisconsin

NOTICE OF COMMISSION, BOARD OR COMMITTEE MEETING

**NAME OF COMMISSION,
BOARD OR COMMITTEE:**

PLANNING & ZONING COMMITTEE

TIME OF MEETING:

7:30 A.M.

DATE OF MEETING:

FRIDAY, JUNE 10, 2016

PLACE OF MEETING:

**3RD FLOOR CONFERENCE ROOM
COUNTY ADMINISTRATION BLDG.
112 OTTER AVE, OSHKOSH, WI**

SUBJECT MATTER OF THE MEETING

DELIBERATIVE

1. **C & C Properties** – south of 2236 Clairville Rd – Town of Nekimi – Zoning Map Amendment.
2. **Michael Schraa** – 2834 County Rd FF – Town of Omro – Rural Accessory Building Determination
3. **Egan Bros. Inc. et al** – 7034 County Rd K & 7015 9th Street Rd – Town of Omro– Zoning Map Amendment
4. **Tim Noffke** - 8690 County Rd B – Town of Poygan – Zoning Map Amendment
5. **David G Voss Jr.** – Adjacent to and directly south of 7537 Richter Ln – Town of Wolf River – Special Exception
6. **Jeffrey Ogden** – 1645 Oakridge Rd – Town of Neenah – Zoning Map Amendment
7. **Rick Feavel et al** – lot southeast of 2857 Sunset Point Ln – Town of Oshkosh – Review of Conditional Use Permit – 14-CU-2550

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: 236-4888

It is possible that a quorum of the members of the following Winnebago County committees or boards may be in attendance at the above-noticed meeting:

Standing Committees

- Aviation
- Highway
- Legislative
- Land Conservation
- Parks & Recreation
- Personnel & Finance
- UW-Education, Extensions & Agriculture
- Emergency Management
- Information Systems
- Park View Health
- Judiciary & Public Safety
- Planning & Zoning
- Facilities & Property Management

Boards

- Advocap
- Board of Adjustment
- Board of Health
- Grievance Review
- Human Services
- Industrial Development
- Solid Waste Management
- UW- Fox Board of Trustees
- Winnefox Library System Board of Trustees

Commissions

- Affirmative Action
- Veterans Services
- East Central WI Regional Planning
- Winnebago CO. Housing Authority
- East WI Counties Railroad Consortium

Should a quorum of any of the listed committees or boards occur at the above-noticed meeting, this notice of meeting and the agenda shall also serve as a notice of meeting and agenda for any committee or board for which a quorum is present.

ZONING MAP AMENDMENT/ ZONING CHANGE
POST STAFF REPORT

Applicable Ordinance:

☒ Chapter 23: "The following findings have been made in accordance with section 23.7-5(b)(1), (2), & (3)"

Number Letter
1 The Town of NEKIMI has Approved.

	Town action is advisory due to shoreland jurisdiction. (double click and choose "checked")
	Town has right of approval or denial per terms of zoning ordinance. (double click and choose "checked")

2 Town findings for Approval were as follows:

1. The requested zoning map amendment does agree with the adopted Town plan.
2. The Town approves above zoning map amendment.

3 There were no objections.

There were objections to...

4 Proposed use is compatible with adjacent uses.

Zoning Map Amendment/ Zoning Change is required as a condition of plat/CSM approval and will place development in appropriate zoning district

Number the following items if the property is within the A-1/Farmland Preservation Plan:

Such land is better suited for a use not otherwise allowed in the A-1 district.

The amendment is consistent with the county's comprehensive plan.

The amendment is substantially consistent with the county's farmland preservation plan as certified by the Wisconsin Department of Agriculture, Trade, and Consumer Protection.

The amendment will not substantially impair or limit current or future agricultural use of other protected farmland in the area.

RECOMMENDATION:

☒ APPROVAL
DENIAL

APPROVAL with an effective date to be upon the recording of the CSM, but in no case later than 1 months after the date of approval of the zoning map amendment by the Winnebago County Board of Supervisors

RURAL ACCESSORY BUILDING DETERMINATION
POST STAFF REPORT

Chapter 23: *"The following findings have been made in accordance with section 23.7-334*

Findings:

1. The buildings are set apart from other buildings as being distinct, due to there construction technique, construction materials, age, local historic significance, or design.
2. The buildings are characteristic of past agricultural practices or rural life, whether presently utilized or not for agricultural practices.

FINDINGS BASED UPON THE FOLLOWING FACTORS:

23.7-334

- 1) **The effects of the building(s) on the natural environment.** Buildings will have no negative impact on the natural environment.
- 2) **The effects of the building(s) on surrounding properties.** Buildings are located within the interior of the property.
- 3) **The overall appearance of the building(s).** Buildings are not in a dilapidated condition and appear to be well maintained.
- 4) **Other factor(s) that relate to the purpose of this chapter as set forth in s. 23.1-5 and other sections as may apply.** None.

Recommendation:

APPROVAL with the following condition:

- 1) Any building designated a rural accessory building is assumed to be structurally sound to meet minimum safety requirements for the proposed use. Such determination shall not relieve the property owner of any responsibility or liability as to the building and shall not form a basis of liability against any governmental official or entity.

ZONING MAP AMEDEMMENT/ ZONING CHANGE
POST STAFF REPORT

Applicable Ordinance:

☒ Chapter 23: "The following findings have been made in accordance with section 23.7-5(b)(1), (2), & (3)"

Number Letter
 1 The Town of OMRO has Approved.

	Town action is advisory due to shoreland jurisdiction. (double click and choose "checked")
	Town has right of approval or denial per terms of zoning ordinance. (double click and choose "checked")

Town findings for Approval were as follows:

 Town Does have an adopted land use plan.
 Action Does agree with Town adopted Town plan.

2 There were no objections.
 There were objections to...

3 Proposed use is compatible with adjacent uses.
 Zoning Map Amendment/ Zoning Change is required as a condition of plat/CSM approval and will place development in appropriate zoning district

Number the following items if the property is within the A-1/Farmland Preservation Plan:

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

RECOMMENDATION:

 X APPROVAL
 DENIAL

 APPROVAL with an effective date to be upon the recording of the CSM, but in no case later than 1 months after the date of approval of the zoning map amendment by the Winnebago County Board of Supervisors

ZONING MAP AMEENEMENT/ ZONING CHANGE
POST STAFF REPORT

Applicable Ordinance:

☒ Chapter 23: "The following findings have been made in accordance with section 23.7-5(b)(1), (2), & (3)"

Number Letter
1 The Town of POYGAN has not responded.

X	Town action is advisory due to shoreland jurisdiction. (double click and choose "checked")
	Town has right of approval or denial per terms of zoning ordinance. (double click and choose "checked")

Town findings for No Response were as follows:

Town N/A have an adopted land use plan.

Action N/A agree with Town adopted Town plan.

N/A

2 There were no objections.

There were objections to...

3 Proposed use is compatible with adjacent uses.

Zoning Map Amendment/ Zoning Change is required as a condition of plat/CSM approval and will place development in appropriate zoning district

Number the following items if the property is within the A-1/Farmland Preservation Plan:

Such land is better suited for a use not otherwise allowed in the A-1 district.

The amendment is consistent with the county's comprehensive plan.

The amendment is substantially consistent with the county's farmland preservation plan as certified by the Wisconsin Department of Agriculture, Trade, and Consumer Protection.

The amendment will not substantially impair or limit current or future agricultural use of other protected farmland in the area.

RECOMMENDATION:

X APPROVAL

DENIAL

APPROVAL with an effective date to be upon the recording of the CSM, but in no case later than 1 months after the date of approval of the zoning map amendment by the Winnebago County Board of Supervisors

Property Owner: Voss
Parcel Number: 032-0725 & 032-0725-06
Special Exception #: 16-SE-001

SPECIAL EXCEPTION
POST STAFF REPORT

EXPLANATION: The owner/applicant is requesting a special exception to establish an accessory use on a vacant lot adjacent to a lot with a principal use present.

TOWN RECOMMENDATION: There was no response from the Town of Wolf River.

PRELIMINARY FINDINGS:

1. There were no objections.
2. The proposed accessory use will have no adverse impact on adjacent properties.
3. Proposed special exception meets the intent of Section 23.8-45(b), "Exemption for a vacant lot adjoining another lot in same ownership", 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. All required stormwater and erosion control permits shall be issued prior to placement of any impervious surface materials.
2. Parcel 032-0725 & 032-0725-06 shall be combined. Once a new single parcel exists said parcel shall be deed restricted to parcel 032-0728-02 in perpetuity so long as proposed accessory use exists.

ZONING MAP AMENDEMENT/ ZONING CHANGE
POST STAFF REPORT

Applicable Ordinance:

☒ Chapter 23: "The following findings have been made in accordance with section 23.7-5(b)(1), (2), & (3)"

Number Letter
1 The Town of NEENAH has Approved.

	Town action is advisory due to shoreland jurisdiction. (double click and choose "checked")
	Town has right of approval or denial per terms of zoning ordinance. (double click and choose "checked")

Town findings for Approval were as follows:

- Town Does have an adopted land use plan.
- Action Does agree with Town adopted Town plan.
- 1. The requested zoning map amendment does agree the the adopted Town plan.
- 2. Will produce a low amount of traffic.
- 3. Placement of buildings provides good visibility at the corner.
- 4. Adequate side yard buffers.

There were no objections.

2 There were objections to the property being rezoned to anything other than residential.

3 Proposed use Is compatible with adjacent uses.

Zoning Map Amendment/ Zoning Change is required as a condition of plat/CSM approval and will place development in appropriate zoning district

Number the following items if the property is within the A-1/Farmland Preservation Plan:

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

RECOMMENDATION:

☒ APPROVAL
DENIAL

APPROVAL with an effective date to be upon the recording of the CSM, but in no case later than 1 months after the date of approval of the zoning map amendment by the Winnebago County Board of Supervisors