OSHKOSH (920) 232-3344 FOX CITIES (920) 727-2880 FAX (920) 232-3347

zoningdepartment@co.winnebago.wi.us



Zoning Department

The Wave of the Future

### MEMO FOR P & Z MEETING AGENDA OF JUNE 8, 2018

TO: Planning & Zoning Committee

FM: Zoning Administrator

RE: Review of Town Zoning Changes

1. Monteith - Town Zoning Change (Tax ID No: 018-0587-26 (pt) & 018-0586-27(pt))

- Town of Oshkosh

The town zoning change for Monteith is consistent with Winnebago County's Land Use Plan. The Town of Oshkosh approved the zoning change from A-2 (General Farming District) to B-3 (General Business District) and Winnebago County's land use plan shows future land use as non-residential under the extra-terratorial jurisdiction of the City of Oshkosh.

RECOMMENDATION: Approve a motion to forward zone change to County Board for action.

2. Jaeger - Town Zoning Change (Tax ID No: 026-0300-12-02) - Town of Vinland.

The town zoning change for Jaeger is consistent with Winnebago County's Land Use Plan. The Town of Vinland approved the zoning change from A-2 (General Agriculture District) to R-1 (Rural Residential District) and Winnebago County's land use plan shows future land use as Rural Residential.

RECOMMENDATION: Approve a motion to forward zone change to County Board for action.

3. Radloff - Town Zoning Change (Tax ID No: 024-0225-01-02) - Town of Utica.

The town zoning change for Radloff is consistent with Winnebago County's Land Use Plan. The Town of Utica approved the zoning change from A-2 (General Agricultural District) to RR (Rural Residential Recreational Mixed Use) and Winnebago County's land use plan shows future land use as Residential under the extra-terratorial jurisdiction of the City of Oshkosh.

RECOMMENDATION: Approve a motion to forward zone change to County Board for action.

Form Z-101

018-0587-26(PT) > A-2-to **B3**018-0587-27(PT) > FLU: Non-res(cash)

Received

### Town of Oshkosh

FEB 19 2018

**Zoning Change/Amendment Application** 

Town of Oshkosh

Check or Money Order payable to Town of Oshkosh Fee: \$450.00 receipt # ID Number
A. CONTACT INFORMATION
1.) PROPERTY OWNER:
Name: Bill Montreth
Mailing Address: 4735 Island View Dr. OshKosh, W1 54901
Phone: Cell: 920-420-1354 Email: wan @new, rc. com
Permission is hereby granted for appropriate Town Staff to enter upon the property for the placement and removal of
hearing notice sign, 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: Na Montant Date: 2 - 7 - 18
2.) APPLICANT INFORMATION (If different than owner):
Name: Bob Reider - Caras Land Syrveying
Mailing Address: 4/5 N. Lynadale Dr. Hopleton, WT 54901
Phone: 920-731-4/68 Cell: 920-915-5466 Email: 600-1@ Carotaland Sator Fay. Co.
Cell. 770 5700 Elliali. 200 110 Carola 10 Sarvo 14, Co.
B. PROPERTY INFORMATION:
010000000000000000000000000000000000000
1.) Tax Key/Parcel #: 0/8-0587-26(17)
018-0587-27(PT)
2.) Lot Block Subdivision or CSM# Section Town North Range / 7 East Acres
Section 30 Town 9 North Range 77 East Acres 3.) Location of Property: 4870 County Rd "A"
4.) Zoning (Existing): A-2 Zoning Proposed: B-3
5.) Use (Existing): Storage
Use (Proposed): Storage
6.) Existing Sewer: Septic Mound Holding Tank Municipal or Needed
7.) Proposed site plan AND map of existing location as described in instructions included:
C.) REASONS FOR CHANGE:
Describe the MAIN USE: Storage Buildings & Roofing Company

Describe the PROPOSED USE:  Storage on Roofing Brainess
Describe the essential services (sewer, water, streets, etc.) for present and future uses:
Describe why the proposed use would be the highest and best for the property:  Metches what is there now
Describe the property use compatibility with surrounding land use:  Matches what 13 there now
A Public Hearing will be set upon the receipt of applications Z-100 & Z-101 including supplemental material and payment, whereas the applicant will furnish necessary information to the Zoning Administrator for processing of this application.
ACCEPT THESE TERMS AND HEREBY SUBMIT THE APPLICATION FOR APPROVAL:
SIGNED: NA NContesto DATE: Z-7-18
Print name: William H. Monteith
Date Application Received by Zoning Administrator: Received
Zoning Administrator signature: FEB 19 2018
Town of Oshkosh Winnebago, WI

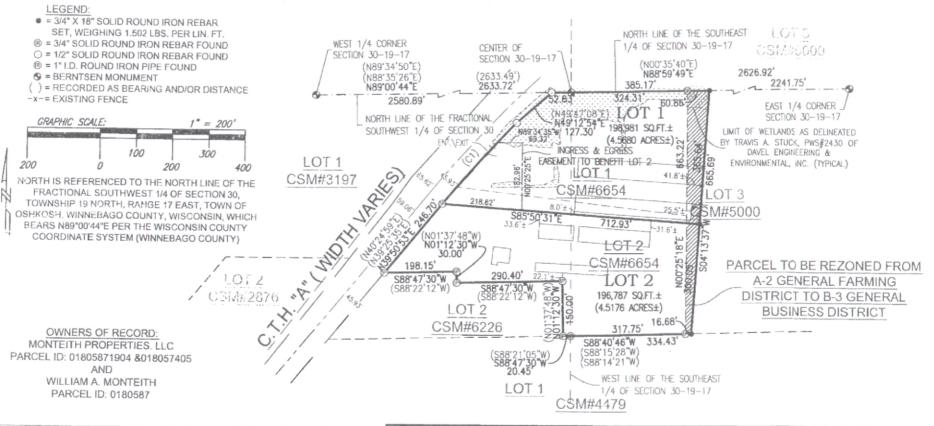
M

### PLANNING & ZONING COMMISSION RECOMMENDATION OF DECISION TO TOWN BOARD

Town Plan Commission Secretary:	Date:
Town Plan Commission Chair:	Date:
Decision Date: March 21, 2018	
ApprovedDenied	
Published Dates of public hearing (class 2 notice): March 6 × 13	,20/8
Reasons for findings, including any stipulations or conditions:	In Minutes
Town Clerk:	Date: Date:
Statio in Resolution	

### "REZONING MAP"

BEING ALL OF LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 6654 AS RECORDED IN VOLUME 1 OF CERTIFIED SURVEY MAPS ON PAGE 6654 AS DOCUMENT NO. 1610669 AND PART OF LOT 3 OF CERTIFIED SURVEY MAP NO. 5000 AS RECORDED IN VOLUME 1 OF CERTIFIED SURVEY MAPS ON PAGE 5000 AS DOCUMENT NO. 1181761, LOCATED IN GOVERNMENT LOT 1 AND THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, ALL IN SECTION 30, TOWNSHIP 19 NORTH, RANGE 17 EAST, TOWN OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN.



			CU	RVE TABLE:		
		CENTRAL	ARC	CHORD	CHORD	
CURVE	RADIU\$	ANGLE	LENGTH	BEARING	LENGTH	TANGENT BEARING
C1	3234.90	05°20'26"	301.52			N39°50'53"E N45°11'19"E



### CAROW LAND SURVEYING CO., INC.

615 N. LYNNDALE DRIVE, P.O. BOX 1297 APPLETON, WISCONSIN 54912-1297 PHONE: (920)731-4168 FAX: (920)731-5673 1" = 200'

DRAWN BY

RDD

FROJECT NO.

A836.181-1-17



**FEBRUARY 9, 2018** 

615 N. Lynndale Drive. P.O. Box 1297 Appleton, Wisconsin 54912-1297 Phone (920) 731-4168 Fax (920) 731-5573

RE: BILL MONTEITH A836.181-17

DESCRIPTION OF PARCEL TO BE REZONED FROM A-2 TO B-3: A PARCEL OF LAND BEING PART OF LOT 3 OF CERTIFIED SURVEY MAP NO. 500 AS RECORDED IN VOLUME 1 OF CERTIFIED SURVEY MAPS ON PAGE 5000 AS DOCUMENT NO. 1181761, LOCATED IN GOVERNMENT LOT 1 OF SECTION 30, TOWNSHIP 19 NORTH, RANGE 17 EAST, TOWN OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST 1/4 CORNER OF SECTION 30; THENCE S88°59'49"W, 2241.75 FEET ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 30 TO THE POINT OF BEGINNING; THENCE S04°13'37"W, 665.69 FEET TO THE SOUTH LINE OF LOT 3 OF CERTIFIED SURVEY MAP NO. 5000; THENCE S88°40'46"W, 16.68 FEET ALONG SAID SOUTH LINE TO THE EAST LINE OF CERTIFIED SURVEY MAP NO. 6654; THENCE N00°25'18"E, 663.22 FEET ALONG SAID EAST LINE TO THE NORTH LINE OF THE SOUTHEAST ¼ OF SECTION 30: THENCE N88°59'49"E, 60.86 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINS 0.5900 ACRES OF LAND MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

Residential Lots • Farm Acreage Surveys • Commercial & Industrial Surveys • Topographic & Land Title Surveys • Mapping Residential Planning • Subdivisions • Legal Descriptions • Building Staking • Construction Staking • Condominium Plats

### TOWN OF OSHKOSH NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE PLANNING & ZONING COMMISSION OF THE TOWN OF OSHKOSH will conduct PUBLIC HEARINGS at **6:00 P.M. on THURSDAY**, **MARCH 22, 2018**, in the TOWN HALL located at 230 E. COUNTY RD. Y, OSHKOSH, WI 54901. The purpose of the Public Hearings is to RECEIVE PUBLIC COMMENT regarding the following RE-ZONING application:

A. THE PETITIONERS: Applicant: BOB REIDER (KAROW LAND SURVEYING), 615 N LYNNDALE DR., APPLETON, WI 54912 and Property Owner: WILLIAM MONTIETH, 4735 Island View Dr., Oshkosh WI 54901 request that the following property be rezoned from A-2 (General Farming District) to B-3 (General Business District), property located at 4870 County Road A, Oshkosh WI 54901; specifically described as Tax ID #018-0587, DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST ¼ CORNER OF SECTION 30; THENCE \$88°59'49"W, 2241.75 FEET ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 30 TO THE POINT OF BEGINNING: THENCE S04°13'37"W, 665.69 FEET TO THE SOUTH LINE OF LOT 3 OF CERTIFIED SURVEY MAP NO. 5000: THENCE S88°40'46"W. 16.68 FEET ALONG SAID SOUTH LINE TO THE EAST LINE OF CERTIFIED SURVEY MAP NO. 6654; THENCE N00°25'18"E, 663.22 FEET ALONG SAID EAST LINE TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 30; THENCE N88°59'49"E. 60.86 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINS 0.5900 ACRES OF LAND MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

All interested parties and any objections to the granting of this request will be heard at the Public Hearing.

Dated this 27<sup>TH</sup>, day of February 2018.

Published on March 6, 2018 And March 13, 2018 Jeannette Merten, Town Clerk Town of Oshkosh



STATE OF WISCONSIN **BROWN COUNTY** 

### Received

MAR 22 2013

TOWN OF OSHKOSH

1076 COZY LN OSHKOSH

549011404

Town of Oshkosh Winnebago, WI

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:

GWM-N5839

Order Number: No. of Affidavits: 0002762112

Total Ad Cost:

\$69.75

Published Dates:

03/06/18, 03/13/18

(Signed)

Legal Clerk

Signed and sworn before me

BERGEN GORNOWICH Notary Public State of Wisconsin

My commission expires (214202)

Town of Oshkosh Run: March 6 & 13, 2018 WNAXLP

TOWN OF OSHKOSH

Re: PH 3/22

GANNETT WI MEDIA 435 EAST WALNUT ST. PO BOX 23430 GREEN BAY, WI 54305-3430

GANNETT

Wisconsin Media Delivering Customers. Driving Results.

PHONE 1-877-943-0446 FAX 877-943-0443 EMAIL legals@thenorthwestern.com

### RESOLUTION 01-2018 TOWN OF OSHKOSH Winnebago County, Wisconsin

WHEREAS, the town board of the Town of Oshkosh met at a regular town board meeting on March 26, 2018;

WHEREAS, the board made a motion carried unanimously to approve the follow:

#### THE PETITIONERS:

Applicant: ROB REIDER (CAROW LAND SURVEYING), 615 N LYNNDALE DR

APPLETON WI 54912 and

Property Owner: WILLIAM MONTEITH, 4735 Island View Dr., Oshkosh WI 54901

request that the following property be rezoned from:

Agricultural A-2 to Industrial B-3,

property located at 4870 County Road A, Oshkosh WI 54901; specifically described as **Parcel ID** # 018-0587,

A. COMMENCING AT THE EAST ¼ CORNER OF SECTION 30; THENCE S88°59'49"W, 2241.75 FEET ALONG THE NORTH LINE OF THE SOUTHEAST ¼ OF SECTION 30 TO THE POINT OF BEGINNING; THENCE S04°13'37"W, 665.69 FEET TO THE SOUTH LINE OF LOT 3 OF CERTIFIED SURVEY MAP NO. 5000; THENCE S88°40'46"W, 16.68 FEET ALONG SAID SOUTH LINE TO THE EAST LINE OF CERTIFIED SURVEY MAP NO. 6654; THENCE N00°25'18"E, 663.22 FEET ALONG SAID EAST LINE TO THE NORTH LINE OF THE SOUTHEAST ¼ OF SECTION 30; THENCE N88°59'49"E, 60.86 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINS 0.5900 ACRES OF LAND MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

APPROX. 04.96 ACRES, Town of Oshkosh, County of Winnebago, State of Wisconsin.

WHEREAS, the reason for findings were the rezoning request meets the town's future long range zoning and is compatible with the area reflecting the same findings that the Town of Oshkosh Planning & Zoning Committee determined through their hearing process.

FURTHERMORE, the town board requests Winnebago County to reflect the determination on the town's current zoning map.

Dated this 26th day of March 2018

Jim Erdman, Town Chair

Attest: Jeannette Merten, Town Clerk

Town of Oshkosh

### PETITION FOR ZONING CHANGE/AMENDMENT

TO: Town of Oshkosh Board 1076 Cozy Lane Oshkosh, WI 54901

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

From A-2 zonii	ng district to	3-3	zoning district
per Certified Survey Map Number	CSM	M Approved by	y towr 2-26-18
Location of property by address/parcel ne	umber: 01805	587	
The land described above will be used for	Storge.	Buildings	
if the amendment is adopted.			
Dated this Feb day of @7	20 1 8.		
Respectfully submitted:  William Montreth  (Name printed)  4735 Island View Dr.  (Address)	·	Rece FEB 19 Town of Winner	ived 2018 Oshkosh hago, W <sup>1</sup>
OshKosh, WI 5490/ (City, State, Zip)  Mantur (Légal Signature)			

OSHKOSH (920) 232-3344 FOX CITIES (920) 727-2880 FAX (920) 232-3347

zoningdepartment@co.winnebago.wi.us



Zoning Department

The Wave of the Future

### MEMO FOR P & Z MEETING AGENDA OF JUNE 8, 2018

TO: Planning & Zoning Committee

FM: Zoning Administrator

RE: Review of Town Zoning Changes

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RECOMMENDATION: Approve a motion to forward zone change to County Board for action.

2. Jaeger - Town Zoning Change (Tax ID No: 026-0300-12-02) - Town of Vinland.

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3. Radloff - Town Zoning Change (Tax ID No: 024-0225-01-02) - Town of Utica.

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RECOMMENDATION: Approve a motion to forward zone change to County Board for action.

026-0300-12-02 A-2 to K-1 FZV: Runal Res

### TOWN OF VINLAND

### 6085 COUNTY ROAD T OSHKOSH, WI. 54904

PHONE: (920) 235-6953 \*\* FAX: (920) 235-6994



### **ZONING SUBMITTAL FORM**

		The second of th
Name of Property Owner	ANDREW & TAM	IE JAEGER
Address of Owner: 6217	WOODENSHOE RD	O, NEENAH, WI. 54956
Name of Applicant: AND	DREW JAEGER	
Address of Applicant: SA	AME AS ABOVE	
Legal Description of Area	a to be Rezoned: 2.029	ACRES
Tax Parcel Number (if Ex	xisting Parcel): <u>026-03</u>	00-10-12-02
Section 13	Town <u>19 N.</u>	Range <u>16 E.</u>
Existing Zoning: A-2	Name of District: <u>GEN</u>	NERAL FARMING DISTRICT .
Proposed Zoning: R-1	Name of District: RU	RAL RESIDENTIAL DISTRICT (NON-SUBDIVIDED).
Town Board Action:	Approved: XX	Denied:
2. Does the request a	ave an adopted land usagree with the plan?	Yes

I, Marilyn Fahrenkrug, Clerk of the Town of Vinland, hereby certify that a public hearing was conducted on **MARCH 10, 2018** and that all required notices were posted and/or mailed as required by local ordinance.

Signed: Marilyn Fahrenkrug Dated: 3/28/18
Clerk: Marilyn Fahrenkrug

### **Public Hearing Minutes** Monday, March 12, 2018 6:45pm

Town of Vinland

The Town of Vinland held a public hearing at the Vinland Town Hall, 6085 County Rd. T, Oshkosh on Monday March 12, 2018 at 6:45 PM for public input in regards to the following:

Property owners Anthony and Kelsey Vande Hei N1592 Eveningstar Dr. Greenville, WI, requesting a Zoning Change on a 2 acre parcel they are selling to Andrew and Tamie Jaeger 6217 Woodenshoe Road Neenah, WI.

There was no public comment.

#### Town Board Meeting MINUTES Vinland Town Hall 6085 County Road T Oshkosh, WI 54904

On Monday, March 12, 2018 @ 7:00 PM the Vinland Town Board held its monthly meeting. Present were Chairman Farrey. Supervisor Devens Clark Fahrenkrug, Treasurer Brazee, Zoning Administrator Spierowski and 13 other people. Supervisor Batley was absent.

Chairman Farrey called the meeting to order at 7:00 pm asking those present to participate in Pledge of Allegiance.

Clerk Fahrenkrug verified the notice was posted as required by state statutes.

First Responder minutes of January 9, 2018. No comments Fire Department minutes of February 6, 2018. No comments

Approval of Minutes:

- 1. Town Board Meeting minutes of February 12, 2018. Motion to approve the minutes made by Devens/second/Farrev/carried.
- Town Board Workshop Meeting minutes of January 17, 2018, Motion to approve the minutes made by Devens/second/Farrey/carried.

Financial report for February 2018:

- Treasurers report on all accounts held by the Town. Balance of all accounts held by Town is \$438,379.24; of which \$9,366.34 are outstanding checks; and \$121,707.75 are held in Reserve accounts.
- Reconciliation between the Clerk and Treasurer. Motion to approve the reconciliation made by Devens/second/Farrev/carried.
- Authorization to pay all bills submitted by the Clerk. Motion to approve payment of the bills submitted by the clerk made by Devens/second/Farrey/carried.

Public input:

Pat Piper of Shawnee Lane expressed his disapproval of the job Treeos did this year with snow plowing. Last year was good.

Discussion/Action Items:

- 1. Fee change schedule to reflect changes in the charges for cemetery services. (Effective Tuesday March 13, 2018). Motion to approve the fee changes for cemetery services made by Devens/second/Farrey/carried.
- 2. Ditch dug by Vande Ven. There are no permits needed from the Town or county for the ditching, however it does need to be in compliance with farm services. Not action taken.
- 3. Board of Appeals alternate member appointments. First Alternate: Karen Brazee, Motion to approve the appointment made by Devens/second/Farrey/carried. Second alternate: Bob Weber, Motion to approve the appointment made by Farrey/second/Devens/carried.

Zoning:

- 1. CSM review for Andrew and Tamie Jaeger with Anthony and Kelsey Vande Hei N1592 Eveningstar Dr. Greenville, Wl. Motion to approve the CSM made by Devens/second/Farrey/carried
- Zoning Change review for Andrew and Tamie Jaeger with Anthony and Kelsey Vande Hei N1592 Eveningstar Dr. Greenville. WI to eliminate dual zoning. If the transaction is not completed this Board action will be null and void. Motion to approve the zoning change from A-2 to R-1 for the parcel bring sold to Jaeger made by Devens/second/Farrey/carried.
- Site plan review for house on Woodenshoe Road land zoned A-2 parcel 026030012. Farrey stated that if there are any tile lines found while excavating, the owners should keep them intact. Motion to approve the site plan made by Devens/second/Farrey/carried.

County Supervisor's Report.

- Farmland Preservation plan was denied by the state. The County is giving the Towns the direction to Plan for themselves.

Sharing of Correspondence.

- Email from ECWRPC for access to WISLR to start road plan
- -Town may need to review further how Act 67 may impact our ordinances

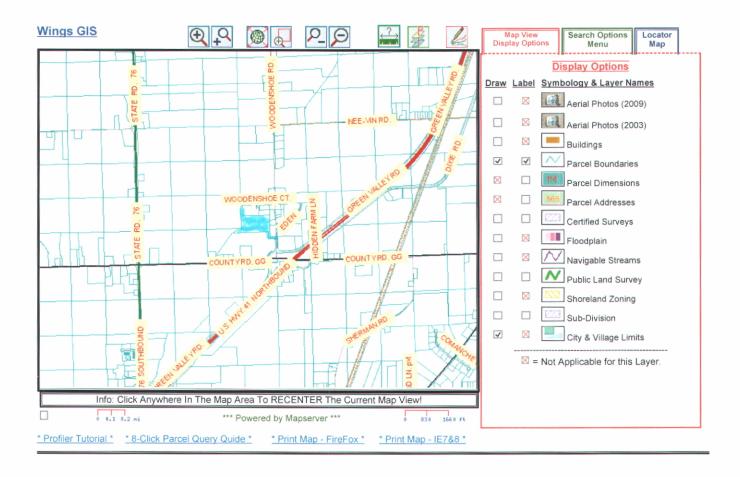
Future Meeting Dates:

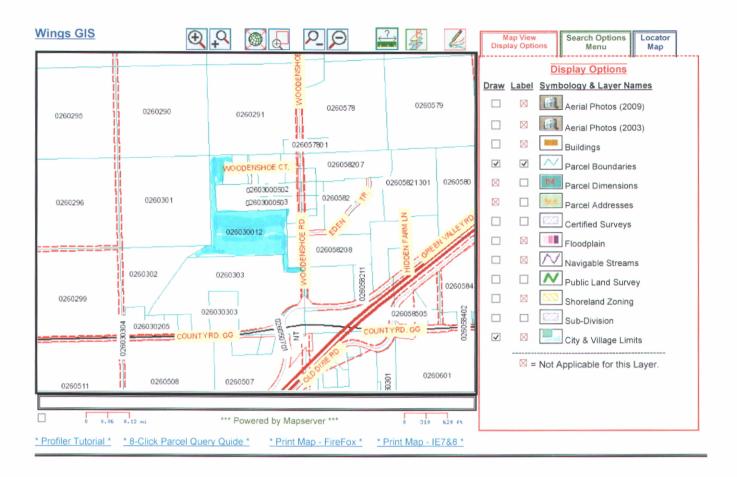
Marilyn Fahrenkrug, Clerk

- Planning Commission Meeting: Monday April 2, 2018, 6:30 pm @ Vinland Town Hall 6085 County Rd T Oshkosh (if needed).
- WI Towns Association Unit Meeting Thursday April 5, 2018 Winchester Town Hall
- Town Board Meeting: Monday, April 9, 2018, 7:00 pm @ Vinland Town Hall 6085 County Rd T Oshkosh
- ANNUAL MEETING WEDNESDAT APRIL 18, 2018 7:00 PM REFRESHMENTS SERVED
- Board of Appeals: Monday, April 30, 2018, 6:30 pm @ Vinland Town Hall 6085 County Rd T Oshkosh (if needed).

Motion to Adjourn made at 7:21 pm by Devens/second/Farrey/carried.

Chuck Farrey, Chair
Todd Devens, Supervisor
Raymond Batley, Supervisor

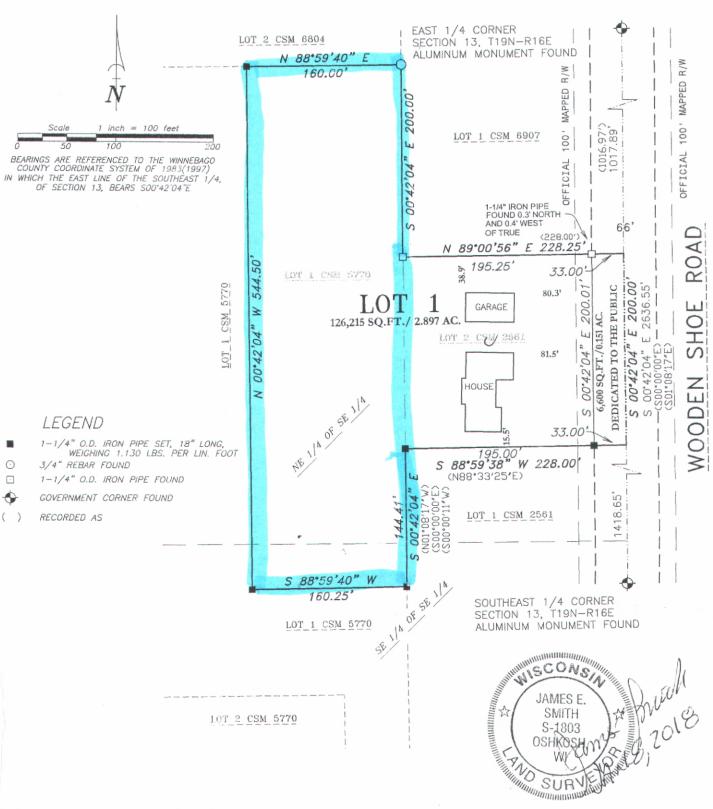




CERTIFIED SURVEY MAP NO.

ALL OF 2 OF CERTIFIED SURVEY MAP 2561, AND PART OF LOT 1 OF CERTIFIED SURVEY MAP 5770, BEING PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, AND PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, ALL IN SECTION 13, TOWNSHIP 19 NORTH, RANGE 16 EAST, TOWN OF VINLAND, WINNEBAGO COUNTY, WISCONSIN.

SURVEY FOR: ANTHONY VANDE HEI N1592 EVENING START DRIVE GREENVILLE, WI 54942



### Martenson & Eisele, Inc.



101 West Main Street Omro, WI 54963 www.martenson-eisele.com P 920.685.6240 F 920.685.6340 Planning
Environmental
Surveying
Engineering
Architecture

PROJECT NO. 0-2157-001 FILE 2157001CSM SHEET 1 OF 3

This instrument was drafted by: DSL

OSHKOSH (920) 232-3344 FOX CITIES (920) 727-2880 FAX (920) 232-3347

zoningdepartment@co.winnebago.wi.us



Zoning Department

The Wave of the Future

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RECOMMENDATION: Approve a motion to forward zone change to County Board for action.

024-0225-01-02 A.Z to RR FLU: les (cosh)

### Town of Utica ~ Jenny Sonnleitner, Clerk 6570 Bradley Ave. Pickett, WI 54964 ~ 920-410-0347 ~ utica1730@gmail.com

### **SUBMITTAL FORM**

Name of Property Owner: Wesley & Shirley Radlff
Address of Owner: 2061 James Road Oshkosh, WI 54904
Name of Applicant: same as above
Address of Applicant: same as above
Legal Description of Area to be Rezoned (attach CSM, if applicable):
024-0225-01: Section 12, T17N-R15E; E 657.5 FT OR NE NW 20.00 A.
Tax Parcel Number, if existing parcels: 024-0225-01
Section 12 Town 17N Range R15E
Existing Zoning: A2 Name of District: Agricultural District (General Farming)
Proposed Zoning: RR (Lot 1) Name of District: Rural Residential Recreational Mixed Use
Town Board Action: X Approval Denial
Findings: 1) Does the Town have an adopted Land Use Plan? Yes  2) Does the request agree with the Plan? Yes  3) Other findings (List). approved by Town Board vote:
Approved by the Town Board vote 3-0
I, Jenny Sonnleitner, Clerk of the Town of Utica, hereby certify that a public hearing was conducted on April 5, 2018 and that all required notices were posted and/or mailed as required by local ordinance.  Signed:
Date: 4/21/2018

### LISTING OF PARCELS SURROUNDING SUBJECT PARCEL FOR REZONING CHANGE

Subject Parcels: 024-0225-01

Owner: Wesley & Shirley Radloff

Applicant: same as above

OWNER(S)	MAILIN	MAILING ADDRESS		
Marohn Farms - Daniel Marohn	5262 County Road K	Oshkosh, WI 54904		
Robert & Marilyn Potratz	2381 James Road	Oshkosh, WI 54904		
Nicholas & Jaimee Radloff	2025 James Road	Oshkosh, WI 54904		
Paul Tichonchik	5186 W Ripple Ave	Oshkosh, WI 54904		

# TOWN OF UTICA Plan Commission Notice

Notice is hereby given that a public meeting in the Town of Utica, County of Winnebago, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town. Town Board members may be present.

### Thursday, April 5, 2018

7:00 pm

To hear testimony for approval of a CSM (certified survey map) Parcel # 024-0225-01 (20 acres) currently zoned A2, owned by Wesley & Shirley Radloff 2061 James Rd Oshkosh, WI 54904. The purpose is to split off 5 acres with existing home and buildings to be zoned RR (Lot 1), and Lot 2 remaining land will remain as Ag land and remained zoned as A2. The properties within 300' for notification in the Town of Utica, Winnebago County, Wisconsin are:

OWNER(S)	MAILING ADDRESS		
Marohn Farms – Daniel Marohn	5262 County Road K	Oshkosh, WI 54904	
Robert & Marilyn Potratz	2381 James Road	Oshkosh, WI 54904	
Nicholas & Jaimee Radloff	2025 James Road	Oshkosh, WI 54904	
Paul Tichonchik	5186 W Ripple Ave	Oshkosh, WI 54904	

Public testimony will be taken at the time of the hearing. All written testimony must be received prior to the hearing and can be sent to Thomas Thiel, 1209 County Road M Pickett, WI 54964. For further information, contact Thomas Thiel (920) 589-3005.

Jenny Sonnleitner, Clerk & Planning/Zoning Secretary

Posted: 3/22/2018

This is a public meeting. As such, all members or a majority of the members of the Town Board may be in attendance. While a majority of the Town Board members or the majority of any given Town Board Committee may be present, only the above committee will take official action. Posted at: Town Hall, Co-op, and Jasper's. To receive email updates, e-mail the Clerk at utica1730@gmail.com.

### TOWN OF UTICA RE-ZONING PERMIT APPLICATION

Please print or type your responses to the questions on this application.

A non-refundable application fee of \$400.00 is required for each permit application.

The fee is payable to the **Town of Utica** and is due at the time the application is submitted.

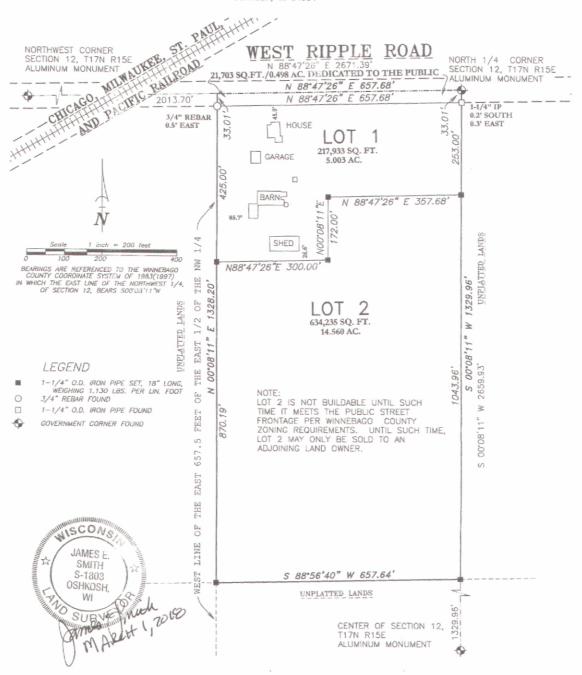
Filing Fee: <u>\$400.00</u>	Date Received:
-	Office Use
Property Address: 5143 W. RIPPLE	AVE
Name of Owner(s): WESLEY RADLOFF	
Address, if different than above: 2061 JAME	ES ROAO
Home Phone: 920 - 589 - 3679 Daytime Ph	one, if different:
Name of Applicant(s): WESLOY RADLOFF	
Address, if different than above:	
Home Phone: Daytime Ph	one, if different:
Name & Address of professional in charge of proposed contractor, engineer, etc):	development (architect, builder,
JAMES E. SMITH MYE LOL W. V	MAIN ST OMRO 5496
Legal Description of Property: LOT   PEL	Attachto CSM
Tax Parcel Number(s) (REQUIRED): 024 02	250(
NOTE: Please attach a copy of the Certified Survey M	
Location of the property in relation to nearby roadways, t	ouilding, or other landmarks:
5143 W. Ripple Ave	
1. What is the current use of the property? SING	ite Family Res
2. What is the intended use of this property? SINO WITH OUT BUILDINGS	The Family RES

3.	Please mark the current zoning for the property:  Single-Family Residence Two-Family Residence Multiple-Family Dwelling Agricultural Rural Recreational Rural Recreational  Industrial Commercial Institutional & Recreational Planned Residential Development Residential Mixed Use
4.	What is the requested zoning for the property? P7
5.	Please explain the reason for this rezoning request: SPUTTING OFF
	5 AC WITH EXISTING HOME & BUILDINGS
6.	If this is a Rural Recreational rezoning request, please specify what type of conditions are being requested:
7.	Please explain why this is the best proposed use for this property: USE DOES NOT  CHANGE, JUST SPLITING OFF EHSTING BUILDINGS FORM  SDROWNDING AG LAND
8.	Please explain the compatibility of the proposed use(s) with the surrounding land uses:  WE DOES NOT CHANGE & SURROUNDING LAND USE IS  MIX OF HOME SITES AND AG LAND
9.	List all property owners within 300 feet and their mailing addresses:  1) ROSORT POTRATZ  2381 JAMES ROAD  OSHKOSH, 54904  5)  5186 RIPPLE AUG  OSHKOSH, 54904  6)
To	OSHCOSH, GASOA relve (12) copies of the application and all attachments shall be submitted to the wn Clerk, Town Zoning Administrator or other designed representative no later than enty-one (21) days prior to the meeting.
	Signature of Owner Date
	Thelex Redlogs 2-28-18
	Signature of Owner Date

### CERTIFIED SURVEY MAP NO.

ALL OF THE EAST 657.5 FEET OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 17 NORTH, RANGE 15 EAST, TOWN OF UTICA, WINNEBAGO COUNTY, WISCONSIN.

SURVEY FOR: WESLEY RADLOFF 2061 JAMES ROAD OSHKOSH, WI 54904



### Martenson & Eisele, Inc.



101 West Main Street Omro, WI 54963 www.martenson-eisele.com P 920.685.6240 F 920.685.6340 Planning Environmental Surveying Engineering Architecture

PROJECT NO. 0-0386-006

FILE 0386006CSM SHEET 1 OF 3

This instrument was drafted by: DSL

# TOWN OF UTICA Plan Commission Meeting Agenda

Notice is hereby given that a Town Plan Commission meeting in the Town of Utica, County of Winnebago, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town.

### Thursday, April 5, 2018

7:00 pm

- 1. Call the Meeting to Order
- 2. Take Roll Call:
  - A. Members: Terry Beck, Darwin Briggs, Ralph Kalies, Tim Oliver, Ken Schmick, Grant Stettler. Tom Thiel
  - B. Alternates: Chad Bowman, Eric Whiting
- 3. Approve December 7, 2017 Plan Commission Meeting Minutes
- 4. Affidavit of Posting/Publication Secretary and Plan Chairman to sign
- Public Forum
- 6. Discuss/Recommend to the Town Board: Consideration of and action on zoning boundary designation between Elo Church and the adjacent Williams agricultural land.
- 7. Discuss/Recommend to the Town Board: approval of CSM Parcel #024-0225-01 (20 acres) currently zoned A2, owned by Wesley & Shirley Radloff 2061 James Rd Oshkosh, WI 54904. The purpose is to split off 5 acres with existing home and buildings to be zoned RR (Lot 1), and Lot 2 remaining land will remain as Ag land and remained zoned as A2.
  - 8. Future Agenda Items
  - 9. Adjournment

Jenny Sonnleitner, Clerk Posted: 4/2/2018

The Plan Commission meets as needed on the FIRST THURSDAY OF EACH MONTH AT 7:30PM (unless otherwise noted). All meetings are open to the public. Discussion and action may occur on any of the above agenda items.

Any person wishing to attend who, because of a disability, requires special accommodation, should contact Plan Commission Chairman Tom Thiel at 920-579-3025 at least twenty four (24) hours before the scheduled meeting time so appropriate arrangements can be made.

This is a public meeting. As such, all members or a majority of the members of the Town Board may be in attendance. While a majority of the Town Board members or the majority of any given Town Board Committee may be present, only the above committee will take official action based on the above agenda.

Posted at: townofutica.org, Town Hall, Co-op, and Jasper's. To receive email updates, e-mail the Clerk at utica1730@gmail.com.

# TOWN OF UTICA Plan Commission Meeting ~ Minutes

Thursday, April 5, 2018

7:00 pm

**DRAFT** 

1. Call the Meeting to Order

This meeting was called to order by Chairman Tom Thiel at 7:30pm at the Utica Town Hall; 8 present

- 2. Roll Call:
  - A. Members Present: Terry Beck, Darwin Briggs, Ralph Kalies, Tim Oliver, Grant Stettler, Tom Thiel
  - B. Alternates Present: Eric Whiting
  - C. Members Absent: Ken Schmick (arrived late)
  - D. Alternates Absent: Chad Bowman
  - E. Board Members Present: Leonard Schmick, Chuck Kuhrt
- Approve December 7, 2017 Plan Commission Meeting Minutes
   Grant Stettler motions to approve as submitted, seconded by Darwin Briggs. Carried
- 4. Affidavit of Posting/Publication Secretary and Plan Chairman to sign
- 5. Public Forum
- 6. Discuss/Recommend to the Town Board: Consideration of and action on zoning boundary designation between Elo Church and the adjacent Williams agricultural land.

  Vicki Williams said the current parcel line is not where the existing land use is right now. Half of the church parking lot is on the Williams' land, and a triangle of land is owned by the Church. We would like to make the boundary change as how the land use is now.

Leonard Schmick said the Town Attorney was involved to verify the lines and process are correct.

Public Session closed. Tom Thiel said this was surveyed and made legal. Tom Thiel recommends what the CSM says now is accurate and recommends to the Town Board to pass through, seconded by Tim Oliver. Carried

7. Discuss/Recommend to the Town Board: approval of CSM Parcel #024-0225-01 (20 acres) currently zoned A2, owned by Wesley & Shirley Radloff 2061 James Rd Oshkosh, WI 54904. The purpose is to split off 5 acres with existing home and buildings to be zoned RR (Lot 1), and Lot 2 remaining land will remain as Ag land and remained zoned as A2.

Tom Thiel said the land is adjacent to the property so this can be done. Public session closed. There are no objections. Grant Stettler motions to change Lot 1 to RR, seconded by Tom Thiel. Carried

- 8. Future Agenda Items
  None mentioned
- Adjournment Adjourned at 7:04pm

"These meeting minutes are only a draft of the minutes of the meeting. They have not been approved yet. They are subject to change and you may not rely on their accuracy. For more information please contact the clerk or a town board member."

Jenny Sonnleitner, Clerk & Planning/Zoning Secretary

Thomas Thiel, Plan Chairman	
Jenny Sonnleitner, Clerk & Planning/Zoning Secretary	

## TOWN OF UTICA Town Board Meeting ~ Minutes

Thursday, April 5, 2018

7:30pm - Town Board Meeting

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please contact the clerk or a town board member."

minutes of the meeting. They have not been approved yet. They are subject to change and you

Notice is hereby given that a Town Board meeting in the Town of Utica, Winnebago County, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town.

1. CALL THE MEETING TO ORDER

This meeting was called to order by Chairman Schmick at 7:30pm at the Utica Town Hall.

PRESENT: Chairman Leonard Schmick, Supervisor #1 Chuck Kuhrt, Supervisor #2 Grant Stettler
Clerk Jenny Sonnleitner, Treasurer Brenda Morrell: 12 citizens present

DRAFT

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA:

- A) APPROVE MARCH 12, 2018 TOWN BOARD MEETING MINUTES
- B) AFFIDAVIT OF POSTING/PUBLICATION

Chairman Schmick made a motion to approve the Consent Agenda, seconded by Supervisor Stettler. Carried

- APPROVE PAYMENT OF BILLS FOR APRIL & LUCY TREBIATOWSKI'S EXPENSE SHEET
   Chairman Schmick motions to approve the payments of bills from April and wait to pay Lucy's expense report until more details are provided, seconded by Grant Stettler. Carried
- TREASURER'S REPORT FROM MARCH; BMO HARRIS BANK Receipts: \$1504.12; Disbursements: \$36,862.56; Total Balance: \$367,693.14 Total cash on hand including Fire/EMS account: \$396,372.04
- 6. PUBLIC FORUM (Opportunity to comment about an Agenda item or new business; say your name & address (no action taken by the Board) Darlene Metz lives in Imperial Hills and says there is no mention of dog bites in the Ordinance, would like our Ordinance to include that. Has some examples of Ordinances from other towns. Attorney Blazel said our Ordinance mentions if a dog is off their property, a citation could be sent. A \$187 citation was sent to the dog owner with an April 17 court date, the cost includes \$100 for forfeiture and remaining is court costs. Attorney Blazel said the County has a "running at large" citation that the Sheriff's Dept can issue, typically don't issue on the first offense. Unless there was a serious offense, they may do something right away. The County does not have a vicious dog ordinance. If there is a repeated incident with the dog, we can go through a process to deem the dog as being vicious but depends on the Ordinance. Darlene Metz said it's hard to rely on people to do the right thing. The dog owner has a fence up now, but four people had to get hurt. Chairman Schmick said we can put this on the docket to look at our Ordinance to include dogs biting. Darlene Metz said she has 2 dogs, if her dog bit or hurt someone, she would put it down. Jay Janssen also lives in Imperial Hills, and was one of the four people bitten and also would like to have an Ordinance regarding dog bites. Constable Ralph Kalies said there was a lot of activity when this happened and the Sheriff's Dept was involved. The County does not have any authority to take the dog. The dog was quarantined and was negative for rabies. He worked with the owner on the seriousness of this situation. She said she would keep the dog tethered but yet another bite, so a citation was issued. The electric fence wasn't working and was supposed to get that fixed, a professional trainer was going to be involved, and then a fence was installed. There is action being taken but nothing we can issue, nor the County. Attorney Blazel said there is a State Statute that if a dog causes serious injury and that the owner knew about the first offense, and happened off the owner's property with no reason for the dog to attack, it is possible to petition the court to euthanize the dog. We prefer not to get to that point. We would need to evaluate this and prove there was serious injury. Chairman Schmick said we will start to work on this as this has not happened before. Eric Whiting said he appreciates the concern with this situation but if it's not reported, a law doesn't help. It's the owner's responsibility to take care of the dog. An insurance company could cancel your home insurance if the dog is not put down. Health Services must know about this because of the quarantine. To say we need a law for this, I get it, but there needs to be common sense. At what point is it a civil matter versus getting the Town involved? Tom Thiel said the owner must have quite a fence. Jay Janssen said it is a decent, wrought iron fence.

Art Rathjen from Greater Oshkosh - will be inviting the Board for a time to meet with the other Greater Oshkosh members.

- 7. DISCUSS/ACT ON POSSIBLE BUDGET AMENDMENTS No amendments needed this month.
- 8. DISCUSS/APPROVE RETURNING STACY VERWIEL'S TOWN RENTAL SECURITY DEPOSIT Stacy was not present to discuss
- DISCUSS DOG ISSUES IN IMPERIAL HILLS Discussed during Public Forum
- DISCUSS/APPROVE SOMEONE TO MOW THE DITCHES JUNE AND SEPTEMBER, 10 DAYS FOR EACH TIME Someone Chairman Schmick talked with is not present. Still looking for someone to mow the roadsides; \$18/hour.
- 11. OSHA LOG KEEP TRACK OF HOURS WORKING FOR THE TOWN, NEED TO REPORT ANNUALLY Everyone who gets paid by the Town needs to keep track of their hours and notify Clerk Sonnleitner.

#### 12. PLAN COMMISSION:

- A) Discuss/Approve recommendation from the Plan Commission: Consideration of and action on zoning boundary designation between Elo Church and the adjacent Williams agricultural land Chairman Schmick strongly supports adopting the Plan Commission's recommendation. Supervisor Kuhrt motions to accept both plans presented for the Williams Ag land and the Radloff land, seconded by Chairman Schmick. Carried
- B) Discuss/Approve recommendation from the Plan Commission: approval of CSM Parcel #024-0225-01 (20 acres) currently zoned A2, owned by Wesley & Shirley Radloff 2061 James Rd Oshkosh, WI 54904. The purpose is to split off 5 acres with existing home and buildings to be zoned RR (Lot 1), and Lot 2 remaining land will remain as Ag land and remained zoned as A2.

See 12A above

- C) Farmland Preservation and Livestock Facility Siting: April 17 at 9am JP Coughlin Center Supervisor Kuhrt said as of the end of 2018, FPP may cease to exist. There is a possibility it could be renewed for another year, but unlikely. DATCP is wanting to circumvent Winnebago County and come directly to the Towns. There are a number of people in our Town that will be affected by this. Credits will be issued this year, but not after. The State won't accept anything less than 80% involved and we are not even near that percent now. Winnebago County is the only county that won't force people in or force them not to be involved, it's voluntary.
- 13. DISCUSS/APPROVE WINNEBAGO COUNTY CERTIFIED SURVEY MAP: WESLEY RADLOFF
  Chairman Schmick motions to approve Winnebago County's CSM for Wesley Radloff, seconded by Supervisor Stettler.
  Carried
- 14. BOARD OF APPEALS Discuss/Approve reappointing Nelson Hinz for a 3-year term Nelson is not interested in reappointment. We will be looking for someone to replace Nelson.
- 15. ANNUAL MEETING: TUESDAY, APRIL 24, 2018 AT 7:30PM AT THE UTICA TOWN HALL
- 16. RUSH LAKE STEERING COMMITTEE: APRIL 19, 2018 AT 7PM AT THE WAUKAU COMMUNITY YOUTH BUILDING
- 17. EDUCATION
  - A) DNR ELECTRONICS COLLECTOR, STORM DEBRIS & RESPONSIBLE UNIT WORKSHOP APRIL 11 AT WI RURAL WATER ASSOC IN PLOVER
  - B) UW-EXTENSION LOCAL GOVERNMENT ESSENTIALS \$25: 4/12/18 FISCAL STRESS; 5/8/18 ALCOHOL BEVERAGE REGULATION & LICENSING
- 18. FIRE DEPARTMENT / EMS MARCH CALLS: 3 EMS / 4 Mutual Aid EMS & 1 Mutual Aid Fire
  - A) FIRE CHIEF TIM OLIVER TO DISCUSS FIRE AUDIT
    Training records and personnel files are in line but personnel files need to be locked and are now. We will need a list of all businesses in the Town with a contact. We can get that from the Assessment Roll in May during Open Book. Tim was not officially the Fire Chief as he needed to take an Oath, which is signed now. The Auditor was not impressed with how the 5% fire dues was used. A suggested use is to pay \$5 for trainings, and \$2 for meetings as an incentive to get volunteers involved; can be used as the Future Truck Fund. Things need to be documented, show itemization on the check how the fire dues were applied. Otherwise, we passed with flying colors. Fire Dues are supposed to be paid to the Fire Dept but was paid to the Town last year. Supervisor Kuhrt asked if that has been changed. Tim said Yes and he would like to see it applied to the Future Fire Truck Fund.

### 19. ITEMS FOR INCLUSION IN NEWSLETTER

- A) Open Book May 5, 2018; 8-10am
- B) Town Board Meeting April 5, 2018; 7:30pm at the Utica Town Hall
- C) Board of Review May 22, 2018 7pm-9pm
- D) 2018 ELECTIONS: Aug 14 / Nov 6 Interested working during elections? Contact Clerk Sonnleitner at utica1730@gmail.com or 410-0347. Training and meals provided; Poll Workers \$9/hour, Chief Inspectors \$12.50/hour
- E) Radon kits are available for \$5 each. Contact Clerk Sonnleitner.

### 20. CORRESPONDENCE RECEIVED (Discuss & Act on, if needed):

- A) WI Towns Association Monthly Mailing
- B) Property Transfers

C) <u>Correspondence</u> – Winnebago County Board of Supervisors Shoreland Zoning Code Update, Oshkosh Public Library 12/21/17 & 1/25/18 Minutes; East Central WI Regional Planning Commission Report; Winnebago County Ag & Household Hazardous Waste Clean Sweep – Friday, April 20 at Omro Fire Dept 520 W. Huron St 9-11am

### 21. ADJOURNMENT

Adjournment 8:13pm

Jenny Sonnleitner, Clerk

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information please contact the clerk or a town board member."

Leonard Schmick - Chairman	Brenda Morrell – Treasurer
Chuck Kuhrt – Supervisor #1	Jenny Sonnleitner - Clerk
Grant Stettler – Supervisor #2	



Date
To the Board of Supervisors of Winnebago County, Wisconsin:
Amendatory Ordinance
Whereas, it is desirable to amend the Zoning Ordinance and the Zoning Map of the Town of Utica in accordance with the petition of Wesley & Shirley Radloff;
Whereas said request is in compliance with the adopted Winnebago County Land Use Plan.
Now, therefore, the County Board Supervisors of Winnebago County do ordain that the Zoning Ordinance and the Zoning Map of the Town of Utica, be and the same, are amended to provide that the attached described property be changed from the classification of One (1) parcel zoned A2 of said ordinance, which it now and heretofore had, to the zoned district of splitting the parcel into two (2) parcels: Lot 1 to be zoned RR and Lot 2 to remain zoned A2.
County Board Supervisor (Town of Utica)
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,
Mark Harris
County Board Supervisory District