



Winnebago County

Zoning Department

The Wave of the Future

MEMO FOR P & Z MEETING AGENDA OF DECEMBER 4, 2020

TO: Planning & Zoning Committee

FM: Zoning Administrator 

RE: Review of Town Zoning Changes

1. Marek Potratz - Town Zoning Change (Tax ID No: 024-0186) – Town of Utica.

The town zoning change for Marek Potratz is consistent with Winnebago County's Future Land Use Plan. The Town of Utica approved the zoning change from A-2 (general agriculture) to RR (single family residential) and Winnebago County's future land use plan which incorporates the City of Oshkosh' future land use plan shows future land use as rural preservation.

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

TOWN OF UTICA

Plan Commission Notice

*A-2 (general agriculture)
to RR (single family residential)
FLU: Ag & Rural - Oshkosh*

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, November 5, 2020

7:30 pm

To hear testimony for approval of CSM by taking Parcel #024-0186 of 20.44 acres currently zoned **A2 general agriculture** use to create Lot 1 of 5.016 acres for **single-family residential** use, both lots to be zoned **RR**. Lots are owned by Marek Potratz 1931 Knott Road, Oshkosh, WI 54904.

The properties within 300' for notification in the Town of Utica, Winnebago County, WI are:

PARCEL #	OWNER(S)	ADDRESS
0240817	Gary & Gina Biesinger JT Rev Tst	1885 Crown Drive Oshkosh, WI 54904
0240884	Dramatic Design Ltd	1465 Olde Apple Lane
0240885		Oshkosh, WI 54904
0240816	Aaron & Katy Frey	1875 Crown Drive Oshkosh, WI 54904
0240887	Rodney & Gail Jones	PO Box 2571 Oshkosh, WI 54903-2571
0240815	James & Carol Ledwith	1869 Crown Drive Oshkosh, WI 54904
0240814	Thomas & Eileen Leinweber	1863 Crown Drive Oshkosh, WI 54904
024019501	Joshua & Marsha Malnory	1904 County Road FF Oshkosh, WI 54904
024021401	Carole Meilahn	1310 W. 9 th Ave
0240215		Oshkosh, WI 54902
0240812	Susan Meyer	1851 Crown Drive Oshkosh, WI 54904
0240886	Troy & Jamie Peerenboom	1922 Cottontail Drive Oshkosh, WI 54904
0240187	Robert & Marilyn Potratz Rev Tst	2381 James Road Oshkosh, WI 54904
0240231		
024023101		
0240186		
0240235	Lawrence & Sandra Remer	7251 Cliff West Road Omro, WI 54963
0240194	John Shambles & Sandra Remer	1898 Imperial Road Oshkosh, WI 54904
0240818	Richard Strand	1857 Crown Drive Oshkosh, WI 54904
0240813		

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: 10/16/2020

Published: 10/22/2020 & 10/29/2020

Any person wishing to attend who, because of a disability, requires special accommodation, should contact Plan 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.

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 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: \$400.00

Date Received: OCT - 8 2020

Office Use

Property Address: 931 KNOTT ROAD

Name of Owner(s): MALEK POTCHIZ

Address, if different than above: SAME

Home Phone: 920-216-4194

Daytime Phone, if different: _____

Name of Applicant(s): _____

Address, if different than above: _____

Home Phone: _____

Daytime Phone, if different: _____

Name & Address of professional in charge of proposed development (architect, builder, contractor, engineer, etc): _____

Legal Description of Property: LOT 1 OF ATTACHE CSM

BEING PART OF LOT 3 CSM 4743, BEING PART OF THE
SE 1/4 OF THE NE 1/4, SECTION 11, T17N, R15E, IN UTICA

Tax Parcel Number(s) (REQUIRED): 0240186

NOTE: Please attach a copy of the Certified Survey Map for the property.

Location of the property in relation to nearby roadways, building, or other landmarks:

WEST SIDE KNOTT ROAD 0.4 mile NORTH
OF STH "44"

1. What is the current use of the property? SINGLE FAMILY RES
AND GENERAL AG.

2. What is the intended use of this property? SINGLE FAMILY RES
AND GEN. AG.

3. Please mark the current zoning for the property:

☐ Single-Family Residence
☐ Two-Family Residence
☒ Multiple-Family Dwelling
☐ Agricultural
☐ Rural Recreational

☐ Industrial
☐ Commercial
☐ Institutional & Recreational
☐ Planned Residential Development
☐ Residential Mixed Use

4. What is the requested zoning for the property? RR

5. Please explain the reason for this rezoning request: CREATE 5 AC
PARCEL AROUND EXISTING SINGLE FAMILY
HOME.

6. If this is a Rural Recreational rezoning request, please specify what type of conditions are being requested:

CREATE 5 AC PARCEL WITH EXISTING
SINGLE FAMILY HOME

7. Please explain why this is the best proposed use for this property:

USE WILL NOT CHANGE, SINGLE FAMILY
HOME w/ GEN. AG.

8. Please explain the compatibility of the proposed use(s) with the surrounding land uses:

SURROUNDING USE IS MIX OF SINGLE
FAMILY HOMES AND GENERAL AG.

9. List all property owners within 300 feet and their mailing addresses:

1) TROY PEELENBOM
1922 COTTAGE AVE DR
OSH KAN

4)

2) ROD JONES
PO BOX 2571
OSH KAN

5)

3) ROBERT POTRATZ
2381 JAMES ROAD
OSH KAN

6)

Twelve (12) copies of the application and all attachments shall be submitted to the Town Clerk, Town Zoning Administrator or other designed representative no later than twenty-one (21) days prior to the meeting.

[Signature]
Signature of Owner

10.8.2020
Date

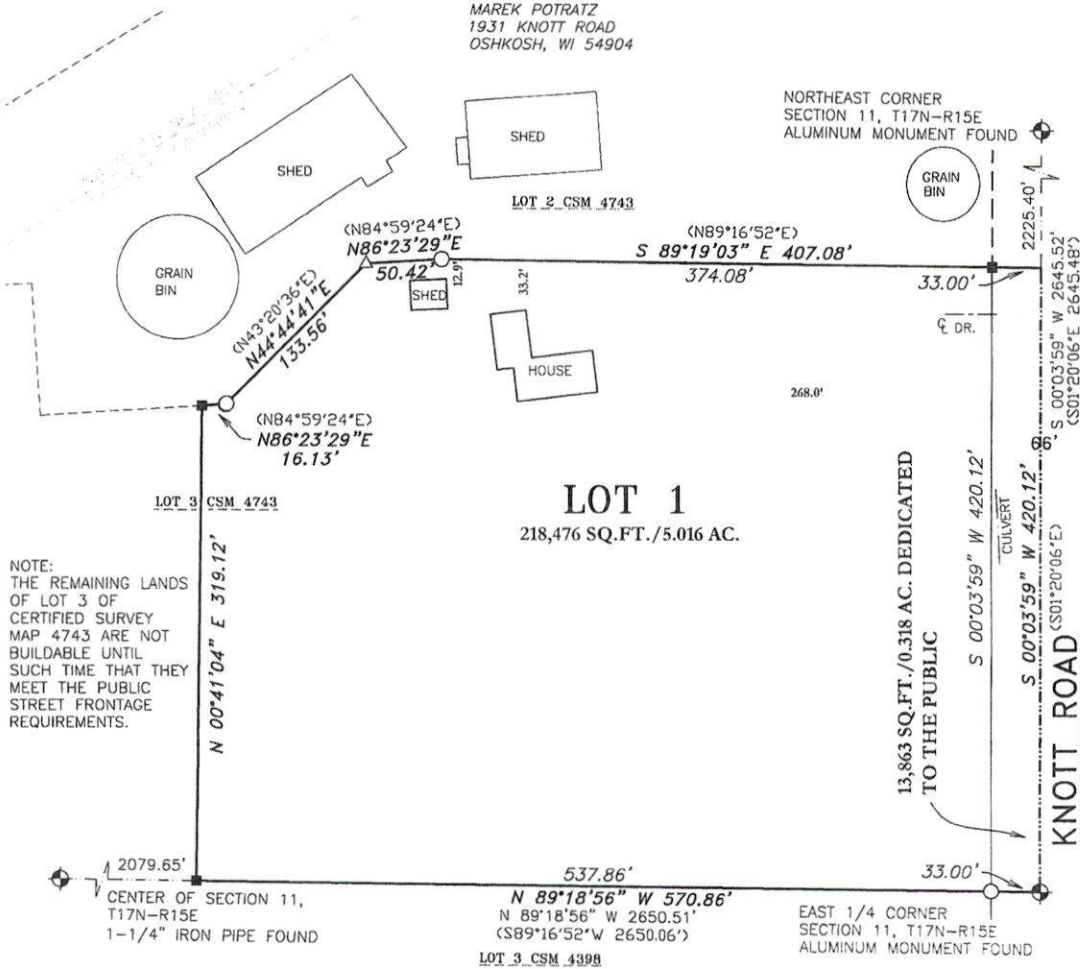
Signature of Owner

Date

CERTIFIED SURVEY MAP NO. _____

PART OF LOT 3 OF CERTIFIED SURVEY MAP 4743,
BEING PART OF THE SOUTHEAST 1/4 OF THE
NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 17
NORTH, RANGE 15 EAST, TOWN OF UTICA,
WINNEBAGO COUNTY, WISCONSIN

SURVEY FOR:
MAREK POTRATZ
1931 KNOTT ROAD
OSHKOSH, WI 54904



LEGEND

- 1-1/4" O.D. IRON PIPE SET, 18" LONG, WEIGHING 1.130 LBS. PER LIN. FOOT
- 3/4" REBAR FOUND
- △ RAILROAD SPIKE FOUND
- ⊕ GOVERNMENT CORNER FOUND
- () RECORDED AS

Scale 1 inch = 100 feet

BEARINGS ARE REFERENCED TO THE WINNEBAGO COUNTY COORDINATE SYSTEM OF 1983(1997) IN WHICH THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 11, BEARS S00°03'59"W

Martenson & Eisele, Inc.



TOWN OF UTICA

Town Board Meeting ~ Minutes

Monday, November 9, 2020

7:30pm – Town Board Meeting

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. The Board can discuss and act on any of the following, except that of the Public Forum.

1. CALL THE MEETING TO ORDER

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

DRAFT

PRESENT: Chairman Leonard Schmick, Supervisor #1 Chuck Kuhrt, Supervisor #2 Grant Stettler, Clerk Jenny Sonnleitner, Treasurer Brenda Morrell, Deputy-Treasurer Emily Hunter; 10 citizens present

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA:

- A) APPROVE OCTOBER 12, 2020 TOWN BOARD MTG MINUTES
- B) AFFIDAVIT OF POSTING/PUBLICATION
- C) APPROVE PAYMENT OF BILLS FOR NOVEMBER
- D) DEPUTY TREASURER'S TAX BOND

"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

Chairman Schmick made a motion to accept the Consent Agenda; seconded by Supervisor Stettler. Carried

4. TREASURER'S REPORT FOR OCTOBER; BMO HARRIS BANK

Receipts: \$31,008.02; Disbursements: \$72,934.21; Total Balance: \$105,897.82
Total cash on hand including Fire/EMS account: \$132,052.18

5. PUBLIC FORUM (Opportunity to comment about an Agenda item or new business; say your name & address (no action taken by the Board))

Janet Wissink helped get Mountain Road designated as a rustic road and understands the road needs maintenance and needs to be kept safe. Last February, saw County workers aggressively working on the trees and it changed the character of the road. Contacted Chairman Schmick and the work was stopped at the time. She and neighbors are willing to clean up the brush, they started last week and plan to continue. Chairman Schmick said we may rent a machine next year to cut back the brush. School buses need to be able to pass, as well as fire trucks. Janet would like the Board to take a drive and see what was done. A large tractor and machinery seemed to stay clear of the trees and brush. Chairman Schmick said there are no limits on trimming just because it's a rustic road. Supervisor Stettler thanked Janet for the work being done.

Tim Oliver asked how far in advance do we rent this building? Every Saturday this building is rented through next year already. FVTC training needs to be here next year for training. Some Saturdays are marked off as being rented, and they aren't always here. Chairman Schmick mentioned to let Lucy know if the Hall is needed. Graduations and other parties will be coming up next year, the Town residents should have the right to use the building too. Clerk Sonnleitner will let Lucy Trebiatowski know that the Firemen/EMS will need the building at times for training and will have priority to use the facilities.

6. BUDGET

A) Possible 2020 Budget Amendment

From the Health & Human Services account to Clerk \$1654.23 account and Election \$1092.69 account.

Chairman Schmick motions to approve the budget amendments, seconded by Supervisor Stettler. Carried

B) Possible Proposed 2021 Budget Amendments

Not needed

7. PLAN COMMISSION

A) Approval of CSM by taking Parcel #024-0003-01-01 of 45.4 acres currently zoned A2 general agriculture use to create Lot 1 of 5.009 acres to be zoned RR as single-family residential use. Lots are owned by Marek Potratz 1931 Knott Road, Oshkosh, WI 54904.

Chairman Schmick motions to approve the recommendation, seconded by Supervisor Stettler. Carried

B) Approval of CSM by taking Parcel #024-0186 of 20.44 acres currently zoned A2 general agriculture use to create Lot 1 of 5.016 acres for single-family residential use, both lots to be zoned RR. Lots are owned by Marek Potratz 1931 Knott Road, Oshkosh, WI 54904.

Chairman Schmick motions to approve the recommendation, seconded by Supervisor Stettler. Carried

8. ROADS

A) ATV/UTV ROUTES

Chairman Schmick hasn't heard any feedback and would feel better to hear from the residents. Clerk Sonnleitner suggested to send a notice with the tax bills to get feedback from the residents. Chairman Schmick doesn't feel we need to rush into this and would like to know what the Town thinks. Todd Messerschmidt said other towns around us already approved it. Towns of Ripon and Black Wolf are proposing tonight. Town of Rosendale is waiting on the Town of Ripon. If a specific route is designated, then there may be issues of what road(s) to use. Drivers drive at 35mph or whatever he/she feels comfortable, can have a posted speed limit and the Club would put up the signs. The more complicated or restrictions, someone has to enforce it. Constable Ralph Kalies said the County Sheriffs wouldn't enforce each Town's Ordinances, the Constable could enforce it. Supervisor Stettler said whomever he talked with is for the routes and hasn't heard from anyone against it. If the Board passes an Ordinance, can change it and update the

TOWN OF UTICA

Town Board Meeting ~ Agenda

Monday, November 9, 2020

7:30pm – Town Board Meeting

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
2. Pledge of Allegiance
3. CONSENT AGENDA
 - A) Approve October 12, 2020 Town Board Meeting Minutes
 - B) Affidavit of Posting/Publication
 - C) Approve Payment of Bills for November
 - D) Deputy Treasurer's Tax Bond
4. Treasurer's Report for October
5. Public Forum: *Opportunity to comment about an Agenda item or new business; say your name & address (no action taken by the Board)*
6. BUDGET
 - A) Possible 2020 Budget Amendment
 - B) Possible Proposed 2021 Budget Amendments
7. PLAN COMMISSION
 - A) Approval of CSM by taking Parcel #024-0003-01-01 of 45.4 acres currently zoned A2 general agriculture use to create Lot 1 of 5.009 acres to be zoned RR as single-family residential use. Lots are owned by Marek Potratz 1931 Knott Road, Oshkosh, WI 54904.
 - B) Approval of CSM by taking Parcel #024-0186 of 20.44 acres currently zoned A2 general agriculture use to create Lot 1 of 5.016 acres for single-family residential use, both lots to be zoned RR. Lots are owned by Marek Potratz 1931 Knott Road, Oshkosh, WI 54904.
8. ROADS
 - A) ATV/UTV Routes
 - B) Repairs
 - C) Fall Road Inspection / Local Road Certification
 - D) Snowmobile Crossings on Town Roads
9. Approve Deputy Treasurer Appointment
10. 2020 Winnebago County Per Capita Funding Program – designate funding
11. Action Appraisers & Consultants Agreement for Maintenance Assessment Services
12. FIRE DEPARTMENT
 - A) Town of Nepeuskun is requesting the Town of Utica Fire Dept & EMS to cover their township emergencies
13. RUSH LAKE
 - A) Meeting Update
14. ITEMS FOR INCLUSION IN NEWSLETTER
 - A) Town Board Meeting – December 14, 2020; 5:30pm at the Utica Town Hall
 - B) INSTRUCTIONS TO SIGN UP FOR WEBSITE NOTIFICATIONS: Townofutica.org / click the "Sign Up" tab / Complete the information requested, verify what notifications you want to receive information about when updated, recommend choosing all topics / Click Subscribe. Contact Clerk Sonnleitner with any questions, utica1730@gmail.com, 920-410-0347.
15. CORRESPONDENCE RECEIVED (Discuss/Act on):
 - A) WI Towns Association Monthly Online Newsletter; Land Transfers; Building Permits: Achterberg 1741 Baron Lane, Kromm 6393 Bonnieview Rd; Oshkosh Public Library 9/24/2020 Minutes
16. Adjournment

Jenny Sonnleitner, Clerk Posted: 11/7/2020

Plan Commission Members (7, 2 alternates) (3-year term):; Darwin Briggs 12/2020; Tom Thiel 6/2021 (Chair); Ralph Kalies 7/2021; Chad Bowman (alternate) 8/2021; Terry Beck 11/2021; Grant Stettler 4/2022; Eric Whiting 3/2023 / **Rush Lake Steering Committee (3) (3-year term):**; Kevin Fritz 2/2021; Mark Davis 5/2021? / Chuck Kuhrt 9/2023; **Board of Appeals Members (5, 3 alternates) (3-year term):** Robert Potratz 3/2021; Brian Trebiatowski 6/2021; Michael Christianson (alternate) 8/2021; Walt Whiting 12/2021; Vicki Williams 5/2022 (Chair); Don Draxler (alternate) 2/2023; Darwin Briggs 6/2023

The Town Board meets regularly the SECOND MONDAY 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 Chairman Len Schmick at 920-589-6774 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, and Co-op.

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, November 5, 2020

7:30 pm

1. Call the Meeting to Order
2. Take Roll Call:
 - A. *Members:* Terry Beck, Darwin Briggs, Ralph Kalies, Grant Stettler, Tom Thiel, Eric Whiting
 - B. *Alternates:* Chad Bowman
3. Approve August 6, 2020 Plan Commission Meeting Minutes
4. Affidavit of Posting/Publication – Secretary and Plan Chairman to sign
5. Public Forum
6. Discuss/Recommend to the Town Board:

To hear testimony for approval of CSM by taking Parcel #024-0003-01-01 of 45.4 acres currently zoned A2 general agriculture use to create Lot 1 of 5.009 acres to be zoned RR as single-family residential use. Lots are owned by Marek Potratz 1931 Knott Road, Oshkosh, WI 54904.
7. Discuss/Recommend to the Town Board:

To hear testimony for approval of CSM by taking Parcel #024-0186 of 20.44 acres currently zoned A2 general agriculture use to create Lot 1 of 5.016 acres for single-family residential use, both lots to be zoned RR. Lots are owned by Marek Potratz 1931 Knott Road, Oshkosh, WI 54904.
8. Future Agenda Items
9. Adjournment

Jenny Sonnleitner, Clerk
Posted: 11/3/2020

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 website. To receive email updates, e-mail the Clerk at utica1730@gmail.com.

TOWN OF UTICA

Plan Commission Meeting ~ Minutes

Thursday, November 5, 2020

7:30 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; 3 present

2. Take Roll Call:

- A. *Members Present:* Terry Beck, Darwin Briggs, Ralph Kalies, Grant Stettler, Tom Thiel, Eric Whiting
- B. *Members Absent:*
- C. *Alternates Absent:* Chad Bowman
- D. *Board Members Present:* Chuck Kuhrt

3. Approve August 6, 2020 Plan Commission Meeting Minutes

Darwin Briggs motions to accept the Minutes as presented, seconded by Grant Stettler. Carried

4. Affidavit of Posting/Publication – Secretary and Plan Chairman to sign

5. Public Forum

No comments

6. Discuss/Recommend to the Town Board to hear testimony for approval of CSM by taking Parcel #024-0003-01-01 of 45.4 acres currently zoned A2 general agriculture use to create Lot 1 of 5.009 acres to be zoned RR as single-family residential use. Lots are owned by Marek Potratz 1931 Knott Road, Oshkosh, WI 54904

Marek Potratz doesn't plan to build more, just would like the house and buildings separated from the farm.

Tom Thiel said the 40 acres will stay ag land, the rest will be RR. Tom Thiel approves changing 5.009 acres to RR, leaving the rest to ag, seconded by Terry Beck. Carried

7. Discuss/Recommend to the Town Board to hear testimony for approval of CSM by taking Parcel #024-0186 of 20.44 acres currently zoned A2 general agriculture use to create Lot 1 of 5.016 acres for single-family residential use, bot lots to be zoned RR. Lots are owned by Marek Potratz 1931 Knott Road, Oshkosh, WI 54904

Grant Stettler motions to approve 20.44 acres A2 to RR, seconded by Tom Thiel. Carried

Marek Potratz still wants the 20 acres for ag land, doesn't plan to build on it. Tom Thiel said he can still use RR land as agriculture. Tom Thiel recommends to take 5.016 as a RR parcel, seconded by Grant Stettler. Carried

Next step is for the Town Board to approve.

8. Future Agenda Items

None

9. Adjournment

Adjourned at 7:38pm

Jenny Sonleitner, Clerk & Planning/Zoning Secretary

Thomas Thiel, Plan Chairman

Jenny Sonleitner, Clerk & Planning/Zoning Secretary