

ZONING MAP AMENDMENT/ ZONING CHANGE
POST STAFF REPORT

Applicable Ordinance:

<input checked="" type="checkbox"/>	Chapter 23: "The following findings have been made in accordance with section 23.7-5(b)(1), (2), & (3)"
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Number	Letter
1	The Town of OSHKOSH has approved.

<input checked="" type="checkbox"/>	Town action is advisory due to shoreland jurisdiction. (double click and choose "checked")
<input type="checkbox"/>	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 N/A have an adopted land use plan.

Action N/A agree with Town adopted Town plan.

1. The rezoning request is consistent with the Town Zoning Map.

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:

☒ **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: SCHMIDT CONSTRUCTION

PLAT: 17-01-P

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Winnebago County
Zoning Department

The Wave of the Future

Zoningdepartment@co.winnebago.wi.us

MEMO FOR P & Z COMMITTEE AGENDA OF June 9th, 2017

FM: Brian P. O'Rourke, AICP – Associate Planner

RE: Preliminary Plat Approval – Winnegamie Farms

Applicant: Davel Engineering

Owner: Schmidt Construction, Inc.

Location of Property: West of 3023 Winnegamie Dr, Town of Clayton

Existing Use: Vacant.

Proposed Use: Single Family

Current Zoning: N/A – Town Zoning

Adjacent Zoning: N/A – Town Zoning

Comments

1. Development is proposed to be serviced by private sanitary systems.
2. Development is compatible with adjacent development.
3. No drainage plan is required for proposed development per Chapter 23, Town/County Zoning Code, Article 15, Section B 23.15- S.14 "Alternative Requirements,".

Recommendation

Recommend approval subject to the following condition(s):

1. Final plat shall constitute the entire area of the preliminary plat.
2. Final plat to clearly show all current owners name, corporation title where applicable, and/or corporate name. Name(s) to be clearly shown underneath the signature line(s).
3. Final plat to be reviewed and approved by GIS Office and Property Lister prior to

scheduling for final approval. A draft of the final plat may be submitted to our department at the owner/applicants earliest convenience for this review. Owner/applicant will be informed of any required changes/amendments based on this review, and final plat will not be scheduled for approval until such time as changes/amendments are made.

4. Final plat to have the following statement contained on the document: "This plat is contained wholly within the property described in the following recorded instruments (list appropriate document number[s] and corresponding tax parcel numbers)."
5. Prior to scheduling final plat for approval, all proposed private sanitary system locations shall be verified and approved by County Code Enforcement Officer(s). These locations are determined by a certified soil tester and shall use at a minimum, one pit per lot. If soils conditions indicate that any lot(s) will require a holding tank, then a redesign of the preliminary plat will be required.
6. Written confirmation from the Town approving the proposed preliminary plat shall be required prior to scheduling final plat approval by the Winnebago County Planning & Zoning Committee. It is the responsibility of the owner or applicant to provide this documentation.

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Number	Letter
1	The Town of WINNECONNE has approved.

<input checked="" type="checkbox"/>	Town action is advisory due to shoreland jurisdiction. (double click and choose "checked")
<input type="checkbox"/>	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 with the adopted plan.

There were no objections.

2 There were objections to potential drainage problems, an increase in traffic, lighting, and safety concerns for the neighboring properties.

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:

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PROPERTY OWNER: DOUGLAS FALK
PARCEL NUMBER: 030-0171-03
CONDITIONAL USE: 17-CU-4080
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CONDITIONAL USE
POST STAFF REPORT

Applicable Ordinance

<input checked="" type="checkbox"/>	Chapter 23: "The following findings have been made in accordance with section 23.7-114"
<input type="checkbox"/>	Chapter 27: "The following findings have been made in accordance with section 27.6-7(c)"

Number	Letter
1	The Town of WINNECONNE has. a) Approved With Conditions

X	Town action is advisory due to shoreland jurisdiction. Town has right of denial per terms of zoning ordinance. Town may approve, approve with conditions, or deny in non-shoreland area.
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Town findings for Approval were as follows:
N/A

- There were no objections.
- 2** There were objections to potential drainage problems, an increase in traffic, lighting, and safety concerns for the neighboring properties.
- 3** Proposed use is compatible with adjacent uses.

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

- Ch. 23:** The use supports agricultural uses in the A-1 zoning district in direct and significant ways, and is more suited to the A-1 zoning district than to an industrial or commercial zoning district.
- Ch. 23:** The use and its location in the A-1 zoning district are consistent with the purposes of the A-1 zoning district.
- Ch. 23:** The use and its location in the A-1 zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.
- Ch. 23:** The use is reasonably designed to minimize conversion of land, at and around the use site, from agricultural use or open space use.
- Ch. 23:** The use does not substantially impair or limit the current or future agricultural use of other protected farmland.
- Ch. 23:** Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.

RECOMMENDATION

<input type="checkbox"/>	APPROVAL
<input type="checkbox"/>	DENIAL
<input checked="" type="checkbox"/>	APPROVAL with the following conditions:
<input type="checkbox"/>	Approval not as requested
<input type="checkbox"/>	Approval not as requested with conditions

Conditions

TOWN:

- 1: That the County ask the State to install a turn out lane at the driveway entrance.

COUNTY:

1. Tenants may only access a storage unit between the hours of 7:00 A.M. and 9:00 P.M. Monday through Sunday.
2. All lighting must be shielded or hooded so as not to direct light in a horizontal manner.
3. Commercial drainage plan to be completed and approved prior to the issuance of any County permits.
4. Only one driveway access shall be allowed for the duration of the proposed use.

Property Owner: Douglas Falk
Parcel Number: 030-0171-03
Special Exception #: 17-SE-03

SPECIAL EXCEPTION **POST STAFF REPORT**

EXPLANATION: The owner/applicant is requesting a special exception to place gravel travel-ways around personal storage units as opposed to concrete or asphaltic concrete.

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

PRELIMINARY FINDINGS:

1. There were no objections.
2. Proposed special exception meets the intent of Section 23.8-402(c) "Surfacing of travel-ways", 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. Gravel travel-ways shall be maintained in a manner so as not to create and/or allow dust and debris to travel beyond the boundary of said gravel travel-way. Failure to do so on a consistent basis shall result in the revocation of special exception.

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Number	Letter
1	The Town of POYGAN has approved.

<input checked="" type="checkbox"/>	Town action is advisory due to shoreland jurisdiction. (double click and choose "checked")
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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 with the adopted plan.
- 2. Consistent with Town Plan.
- 3. Consistent with adjacent zoning.
- 4. Reasonable use of property.

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:

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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

PROPERTY OWNER: DAN CLARK
PARCEL NUMBER: 030-0171-03
SPECIAL EXCEPTION: 17-SE-03

CONDITIONAL USE
POST STAFF REPORT

Applicable Ordinance

<input checked="" type="checkbox"/>	Chapter 23: "The following findings have been made in accordance with section 23.7-114"
<input type="checkbox"/>	Chapter 27: "The following findings have been made in accordance with section 27.6-7(c)"

Number	Letter
1	The Town of OMRO has. a) Approved With Conditions

Town action is advisory due to shoreland jurisdiction.
Town has right of denial per terms of zoning ordinance.
Town may approve, approve with conditions, or deny in non-shoreland area.

Town findings for Approval were as follows:
N/A

- There were no objections.
- 2** There were objections to potential drainage problems, an increase in traffic, and safety concerns for the neighboring properties.
- 3** Proposed use is compatible with adjacent uses.

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

- Ch. 23:** The use supports agricultural uses in the A-1 zoning district in direct and significant ways, and is more suited to the A-1 zoning district than to an industrial or commercial zoning district.
- Ch. 23:** The use and its location in the A-1 zoning district are consistent with the purposes of the A-1 zoning district.
- Ch. 23:** The use and its location in the A-1 zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.
- Ch. 23:** The use is reasonably designed to minimize conversion of land, at and around the use site, from agricultural use or open space use.
- Ch. 23:** The use does not substantially impair or limit the current or future agricultural use of other protected farmland.
- Ch. 23:** Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.

RECOMMENDATION

<input type="checkbox"/>	APPROVAL
<input type="checkbox"/>	DENIAL
<input checked="" type="checkbox"/>	APPROVAL with the following conditions:
<input type="checkbox"/>	Approval not as requested
<input type="checkbox"/>	Approval not as requested with conditions

Conditions

TOWN:

1. A single access from highway E will be allowed.

2. No more than 4 rows of storage buildings per the submitted sketch and oriented in the same fashion as in the submitted sketch.
3. A Site Plan according to the Town of Omro Site Plan Ordinance will need to be approved. Special consideration needs to be given to potential flooding conditions in the area which may be exacerbated by the retention pond. Post Development Storm Water discharge does not exceed pre-development conditions.
4. All applicable Town, County and State regulations must be followed.
5. Property to be kept clean, mowed and maintained free of debris.
6. No outside storage.
7. Landscaping per Town of Omro Site Plan and County zoning ordinance.
8. This permit to be reviewed upon receipt of reasonable complaint.
9. A security gate limiting the hours of operation to 6:00 A.M. until 10:00 P.M. along with a berm with fir trees or other barrier trees along the north and west sides will be required.
10. The Conditional Use Permit is for this property owner specifically and limited to his ownership.
11. A developer's agreement is required to be completed with the Town of Omro.
12. A berm on the North, West and East side to be provided.
13. Tree spacing to be less than 6 ft. on center.
14. No secondary businesses are to operate.

COUNTY:

1. Commercial drainage plan submitted to, and approved by the Town of Omro shall be completed and approved by the Town prior to the issuance of any County permits.