

# Winnebago County Planning and Zoning Department

## NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE

11/20/2019

### TO WHOM IT MAY CONCERN:

The applicant(s) listed below has requested a Zoning Map Amendment which is regulated by the Town/County Zoning Code, Chapter 23. You are receiving this notice because this application or petition for action: 1. affects area in the immediate vicinity of property which you own; 2. requires your agency to be notified; 3. requires your Town to be notified; or 4. requires you, as the applicant, to be notified.

The Winnebago County Planning and Zoning Committee will be holding a public hearing on 11/20/2019 at 6:30 p.m. in Conference Room 120 of the County Administration Building located at 112 Otter Ave, Oshkosh, WI.

All interested persons wishing to be heard at the public hearing are invited to be present. For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning Office, where the application is available for viewing.

### INFORMATION ON ZONING MAP AMENDMENT REQUEST

**Application No.:** 2019-ZC-5140

**Applicant:** POTRATZ, ERMA  
POTRATZ, MARVIN C

**Agent:** POTRATZ, STEVE

**Location of Premises:** 357 PLANEVIEW DR, VAN DYNE, WI 54979

**Tax Parcel No.:** 012-0594-02, 012-0594-03

**Legal Description:**

Being all of Lots 1 and 2 of CSM-7530, located in the SE 1/4 of the NE 1/4, Section 33, Township 17 North, Range 16 East, Town of Nekimi, Winnebago County, Wisconsin.

**Explanation:**

Applicant is requesting a zone change from a B-3 zoning district to a A-2 zoning district to eliminate dual zoning on the parcel.

**INITIAL STAFF REPORT**

**Sanitation:**

Existing System  
Private System

**Overlays:**

None

**Current Zoning:**

B-3 Regional Business,  
A-2 General Agriculture

**Proposed Zoning:**

A-2 General Agriculture

**Surrounding Zoning:**

**North:** B-3;A-2

**South:** B-3;A-2

**East:** B-3;A-2

**West:** A-2

**THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT**

**Describe Present Use(s):** Ag use.

**Describe Proposed Use(s):** Ag use.

**Describe The Essential Services For Present And Future Uses:** Has sewer & water for house.  
Property used for ag.

**Describe Why The Proposed Use Would Be The Highest And Best Use For The Property:**  
Eliminate dual zoning.

**Describe The Proposed Use(s) Compatibility With Surrounding Land Uses:** It's all ag.

**SECTION REFERENCE AND BASIS OF DECISION**

**23.7-5 Basis of decision**

(b) **Zoning map amendment initiated by a property owner.** If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of a parcel not classified as A-1, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:

(1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;

(2) the extent to which the lot and structures on the subject property conform to the dimensional standards that apply to the proposed zoning district; and

(3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of land classified as A-1, the Planning and Zoning Committee shall only recommend approval and the Board of County Supervisors shall only approve the proposed amendment when all of the following findings can be made:

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

The special requirements stated above relating to the rezoning of land in a A-1 district do not apply to a map amendment that (1) is certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection under ch. 91, Wis. Stats., or (2) makes the zoning map more consistent with county's farmland preservation plan map, certified under ch. 91, Wis. Stats., which is in effect at the time of the amendment.

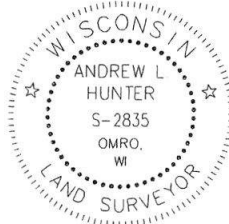
(c) **Zoning map amendment initiated by the county.** If a proposed zoning map amendment is initiated by the county, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:

- (1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;
- (2) whether the amendment is consistent with other planning documents adopted by the Board of County Supervisors; and
- (3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

6/5 No  
Tax Lister:

$3 \times 3$  recording space

PART OF THE S.E. 1/4 OF THE N.E. 1/4, SECTION 33, TOWNSHIP  
17 NORTH, RANGE 16 EAST, TOWN OF NEKIMI, WINNEBAGO  
COUNTY, WISCONSIN.

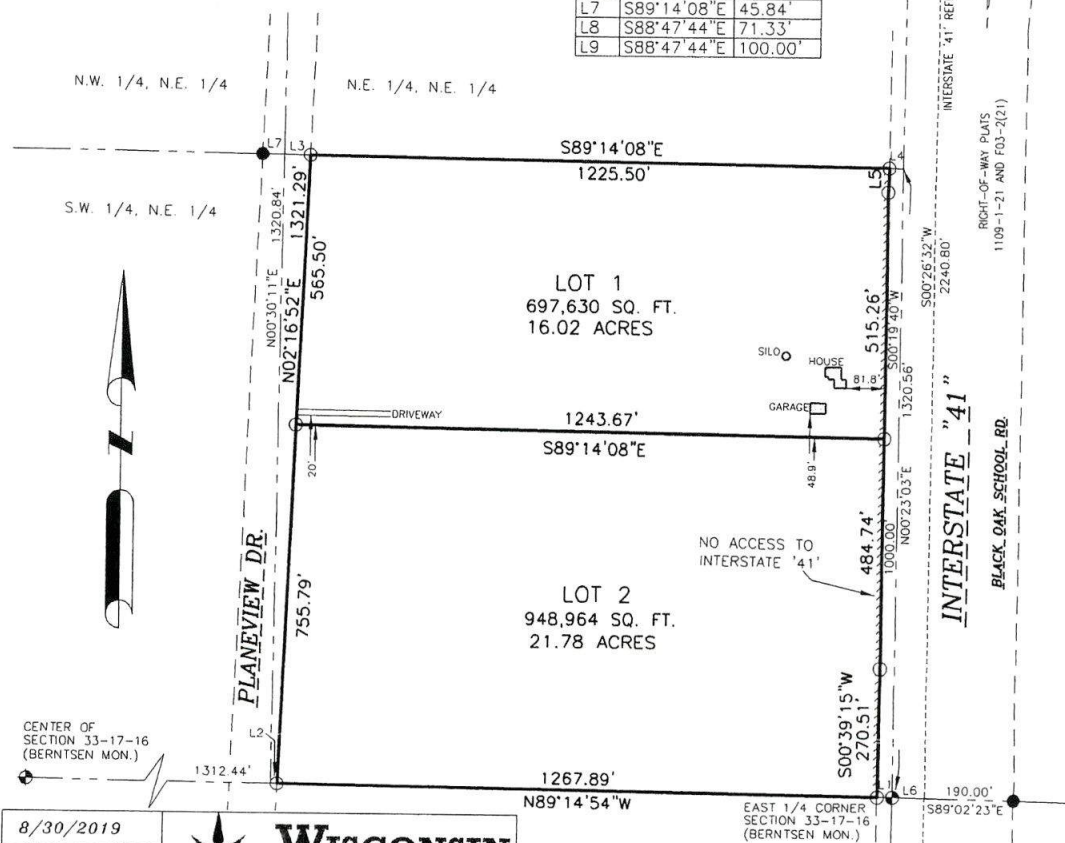


BEARINGS ARE REFERENCED TO THE EAST LINE  
OF THE N.E. 1/4 OF SECTION 33-17-16, WHICH  
BEARS NORTH 00°23'03" EAST

- ALL DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.

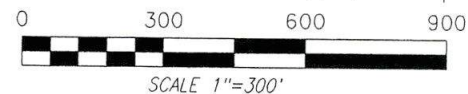
MARVIN C. POTRATZ  
ERMA L. POTRATZ  
3755 COUNTY ROAD Z  
VAN DYNE, WI 54979  
TAX PARCEL NO. 0120594

LINE	BEARING	DISTANCE
L1	N89°14'54"W	31.35'
L2	N89°14'54"W	13.20'
L3	S89°14'08"E	54.20'
L4	S89°14'08"E	30.02'
L5	S01°35'13"W	50.06'
L6	S89°02'23"E	68.65'
L7	S89°14'08"E	45.84'
L8	S88°47'44"E	71.33'
L9	S88°47'44"E	100.00'

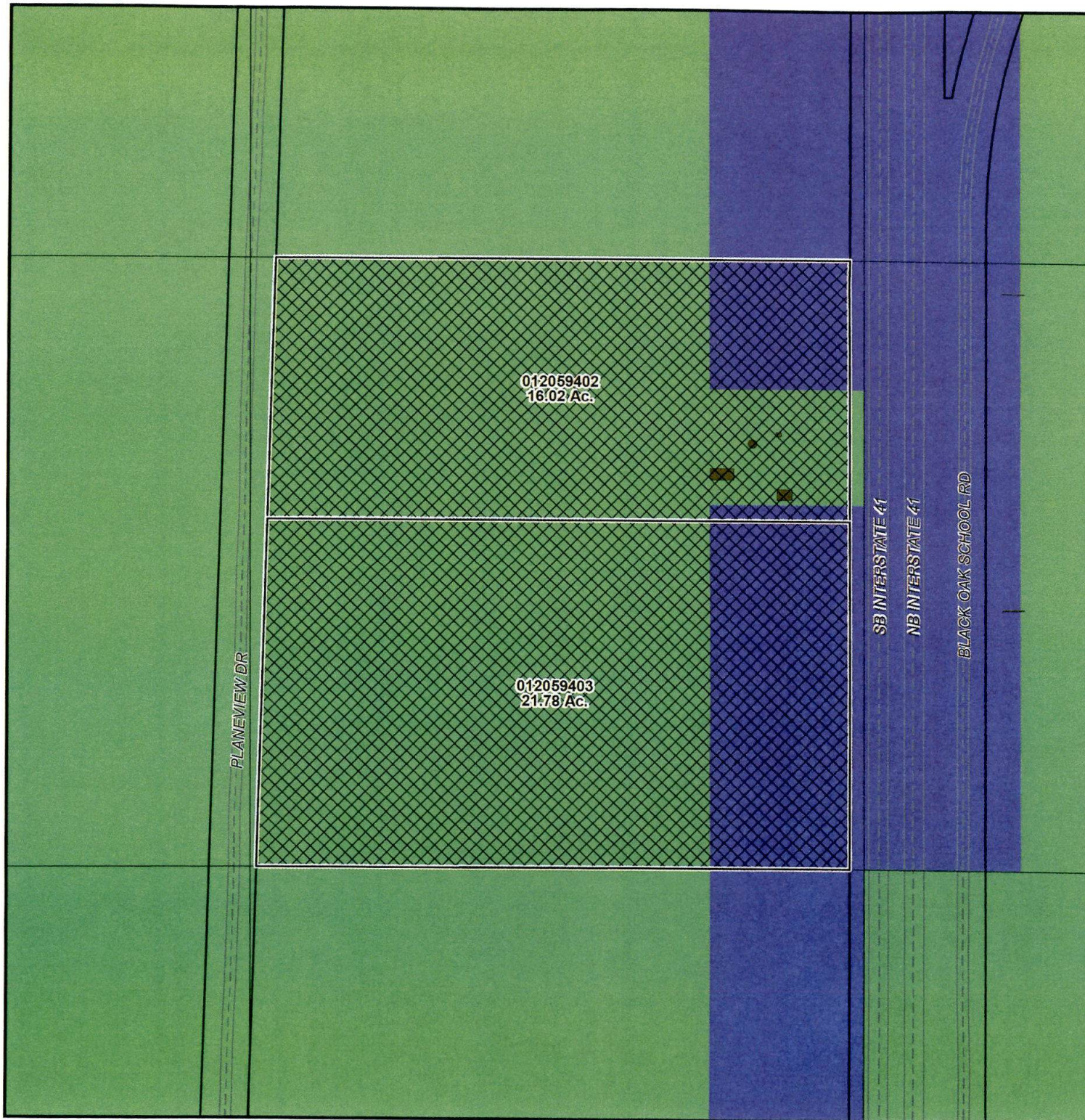


8/30/2019		<b>WISCONSIN</b> <b>LAND SURVEYING INC.</b> <i>Professional Service You Can Trust</i>
PROJECT 5539		
SHEET 1 OF 3		

5020 LEONARD POINT RD. OSHKOSH, WI 54904  
[www.wisconsinlandsurveying.com](http://www.wisconsinlandsurveying.com) (920) 410-7744







## Application #19-ZC-5140

Date of Hearing:

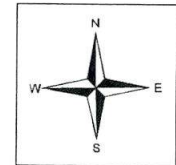
November 20, 2019

Owner(s):

Potratz, Marvin C. & Erma L.

Subject Parcel(s):

012059402 & 012059403



Winnebago County  
WINGS Project

**Scale**

1 inch : 300 feet

### County Zoning Districts

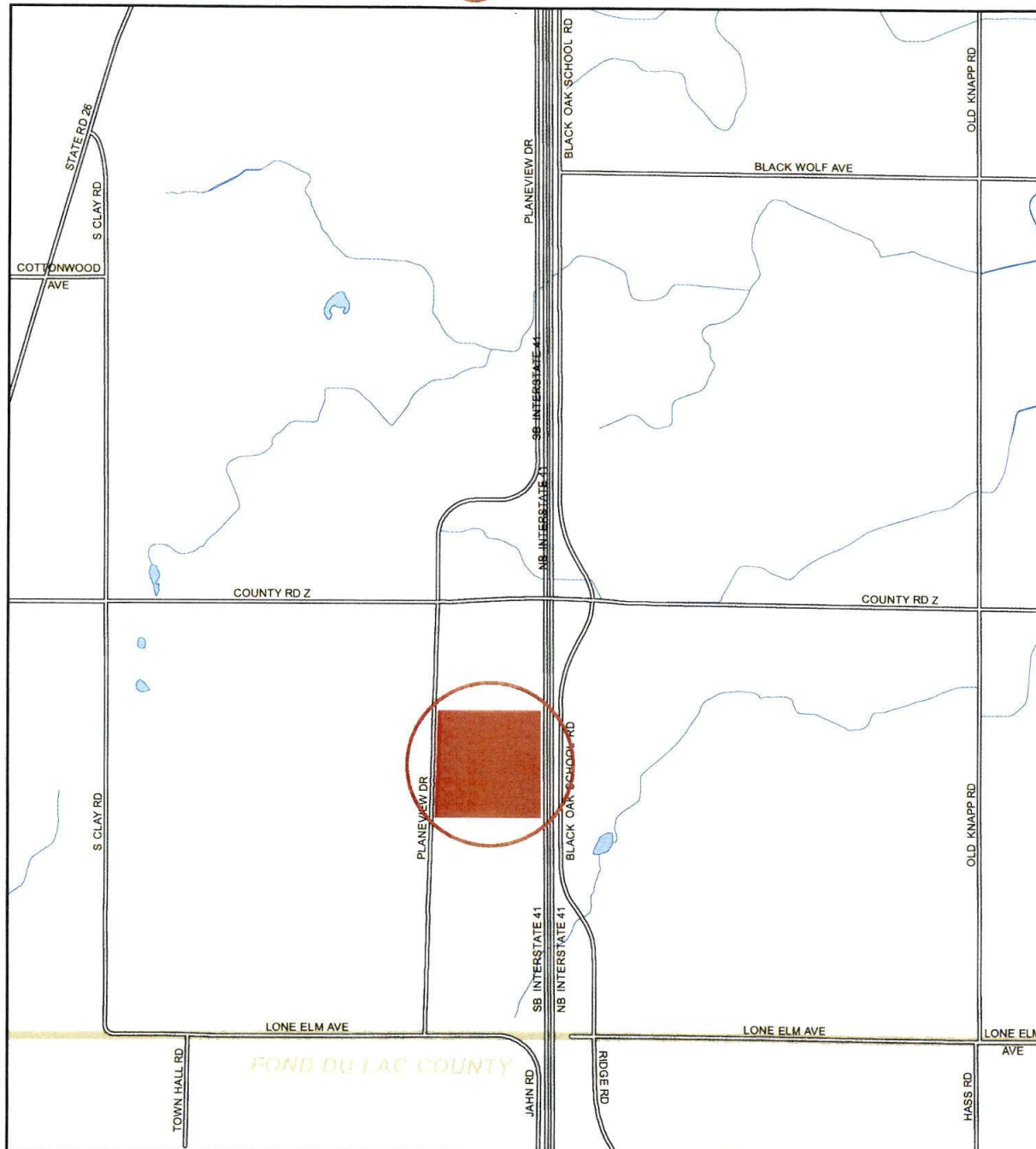
R-1	PDD	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-8	I-2	Town Zoning

City of Oshkosh Extraterritorial  
Zoning Jurisdiction

Incorporated Area



○ = SITE



FOND DU LAC COUNTY

1 inch : 2,000 feet

Application #19-ZC-5140

Date of Hearing:

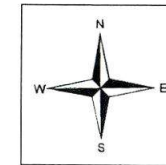
November 20, 2019

Owner(s):

Potratz, Marvin C. & Erma L.

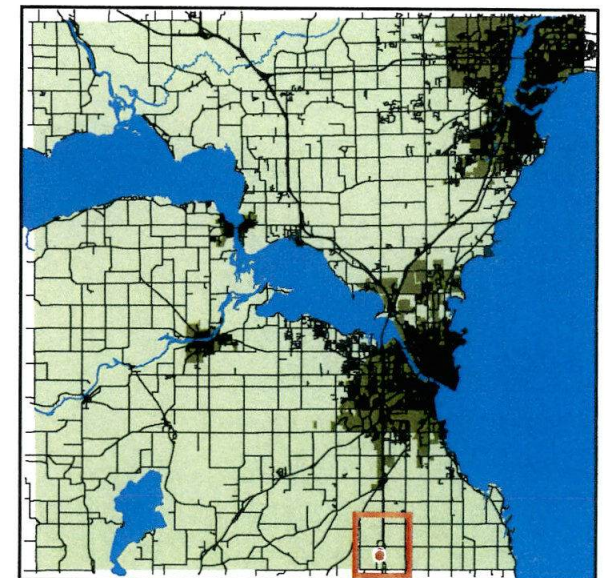
Subject Parcel(s):

012059402 & 012059403



Winnebago County  
WINGS Project

● = SITE



WINNEBAGO COUNTY

# Winnebago County Planning and Zoning Department

## NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE

11/20/2019

### TO WHOM IT MAY CONCERN:

The applicant(s) listed below has requested a Zoning Map Amendment which is regulated by the Town/County Zoning Code, Chapter 23. You are receiving this notice because this application or petition for action: 1. affects area in the immediate vicinity of property which you own; 2. requires your agency to be notified; 3. requires your Town to be notified; or 4. requires you, as the applicant, to be notified.

The Winnebago County Planning and Zoning Committee will be holding a public hearing on 11/20/2019 at 6:30 p.m. in Conference Room 120 of the County Administration Building located at 112 Otter Ave, Oshkosh, WI.

All interested persons wishing to be heard at the public hearing are invited to be present. For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning Office, where the application is available for viewing.

### **INFORMATION ON ZONING MAP AMENDMENT REQUEST**

**Application No.:** 2019-ZC-5160

**Applicant:** VOSKUIL, DALE J

**Agent:** KROMM, THOMAS - KROMM SURVEYING

**Location of Premises:** 1370 COUNTY RD M, PICKETT, WI 54964

**Tax Parcel No.:** 014-0283, 014-028303

**Legal Description:**

Being a part of the SE 1/4 of the SE 1/4, Section 13, Township 17 North, Range 14 East, Town of Nepeuskun, Winnebago County, Wisconsin.

**Explanation:**

Applicant is requesting a zone change from A-2 to R-1 zoning for a proposed two parcel land combination.

**INITIAL STAFF REPORT**

**Sanitation:** Existing System  
Private System

**Overlays:** Floodplain, Shoreland, Wetlands

**Current Zoning:** A-2 General Agriculture

**Proposed Zoning:** R-1 Rural Residential

**Surrounding Zoning:**

**North:** A-2

**South:** A-2

**East:** A-2

**West:** A-2

**THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT**

**Describe Present Use(s):**

Parcel 0140283 is residential. Parcel 014028303 is vacant grassland and wetlands.

**Describe Proposed Use(s):**

Parcel 014-0283 and 014-0283-03 are being combined into one parcel by certified survey map and a garage is being proposed to be built on the new larger parcel.

**Describe The Essential Services For Present And Future Uses:**

No changes.

**Describe Why The Proposed Use Would Be The Highest And Best Use For The Property:**

The new larger parcel will allow a garage to be built to store items inside and will also increase property value.

**Describe The Proposed Use(s) Compatibility With Surrounding Land Uses:**

There is no planned change of use to parcel 014-0283-03.

**SECTION REFERENCE AND BASIS OF DECISION**

**23.7-5 Basis of decision**

(b) **Zoning map amendment initiated by a property owner.** If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of a parcel not classified as A-1, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:

(1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;

(2) the extent to which the lot and structures on the subject property conform to the dimensional standards that apply to the proposed zoning district; and

(3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of land classified as A-1, the Planning and Zoning Committee shall only recommend approval and the Board of County Supervisors shall only approve the proposed amendment when all of the following findings can be made:



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

The special requirements stated above relating to the rezoning of land in a A-1 district do not apply to a map amendment that (1) is certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection under ch. 91, Wis. Stats., or (2) makes the zoning map more consistent with county's farmland preservation plan map, certified under ch. 91, Wis. Stats., which is in effect at the time of the amendment.

**(c) Zoning map amendment initiated by the county.** If a proposed zoning map amendment is initiated by the county, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:

- (1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;
- (2) whether the amendment is consistent with other planning documents adopted by the Board of County Supervisors; and
- (3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

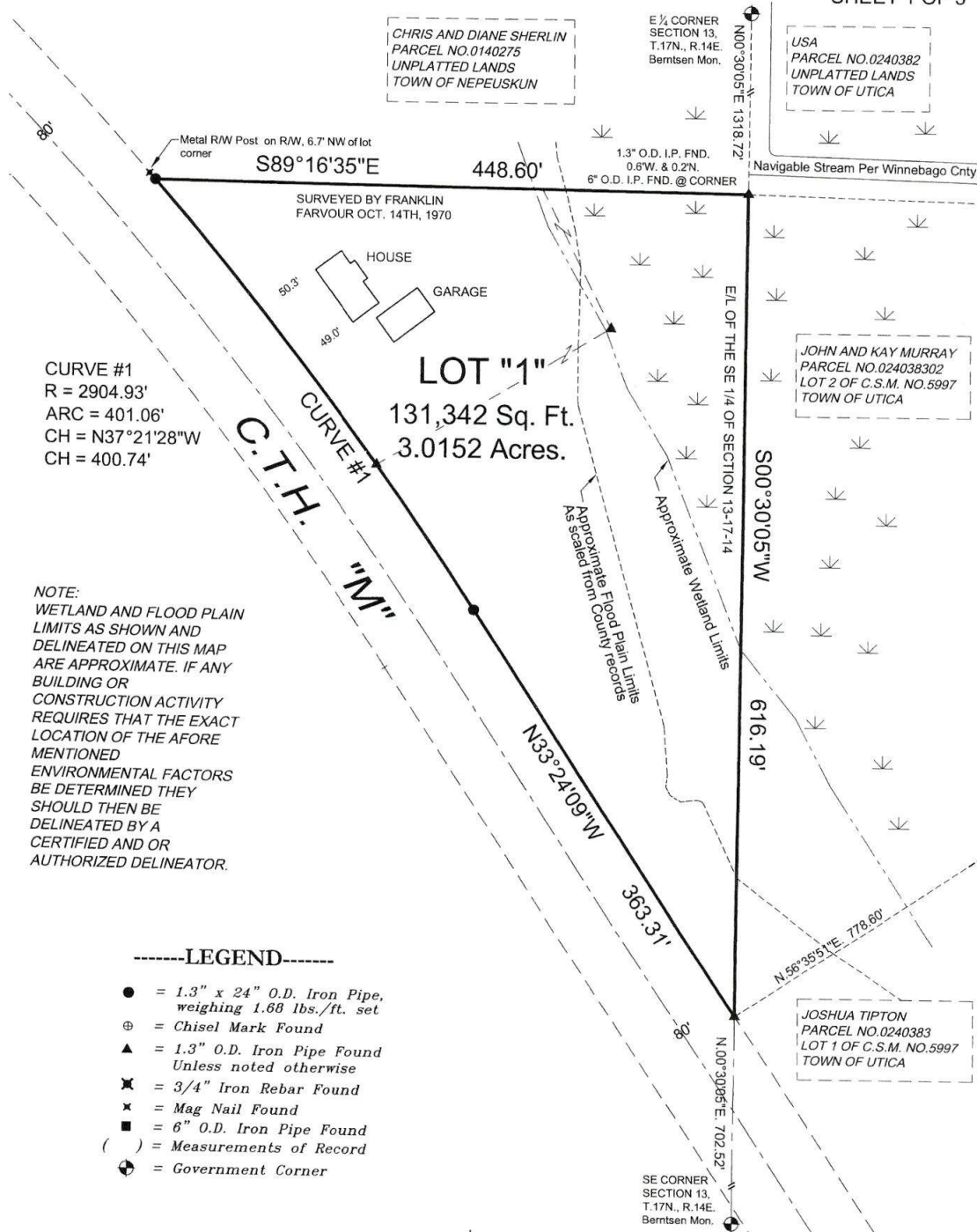
# 5989  
C. Rowe

A part of Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 13, Township 17 North, Range 14 East,  
Town of Nepeuskun, Winnebago County, Wisconsin.

1370 County Road M

Pickett, WI 54964

SHEET 1 OF 3

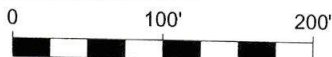


NOTE:  
WETLAND AND FLOOD PLAIN  
LIMITS AS SHOWN AND  
DELINEATED ON THIS MAP  
ARE APPROXIMATE. IF ANY  
BUILDING OR  
CONSTRUCTION ACTIVITY  
REQUIRES THAT THE EXACT  
LOCATION OF THE AFORE  
MENTIONED  
ENVIRONMENTAL FACTORS  
BE DETERMINED THEY  
SHOULD THEN BE  
DELINEATED BY A  
CERTIFIED AND OR  
AUTHORIZED DELINEATOR.

-----LEGEND-----

- = 1.3" x 24" O.D. Iron Pipe, weighing 1.68 lbs./ft. set
- ⊕ = Chisel Mark Found
- ▲ = 1.3" O.D. Iron Pipe Found Unless noted otherwise
- ✕ = 3/4" Iron Rebar Found
- ✕ = Mag Nail Found
- = 6" O.D. Iron Pipe Found
- ( = Measurements of Record
- ⊙ = Government Corner

BEARINGS ARE REFERENCED TO THE WISCONSIN  
COUNTY COORDINATE SYSTEM, WINNEBAGO COUNTY  
S/LINE OF THE SE 1/4 OF SECTION 13-17-14  
RECORDED AS N89°30'11"W



**KROMM LAND SURVEYING LLC.**

200 PROSPECTOR COURT

KAUKAUNA, WI 54130

920-996-9649

Kromm2062@Gmail.com

L-3030





## Application #19-ZC-5160

Date of Hearing:

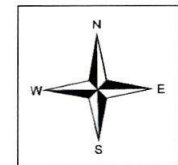
November 20, 2019

Owner(s):

Voskuil, Dale J.

Subject Parcel(s):

0140283 & 014028303



Winnebago County  
WINGS Project

**Scale**

1 inch : 300 feet

## County Zoning Districts

R-1	PDD	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-8	I-2	Town Zoning

City of Oshkosh Extraterritorial  
Zoning Jurisdiction

Incorporated Area



○ = SITE

**Application #19-ZC-5160**

Date of Hearing:

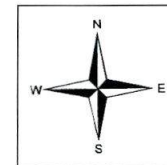
November 20, 2019

Owner(s):

Voskuil, Dale J.

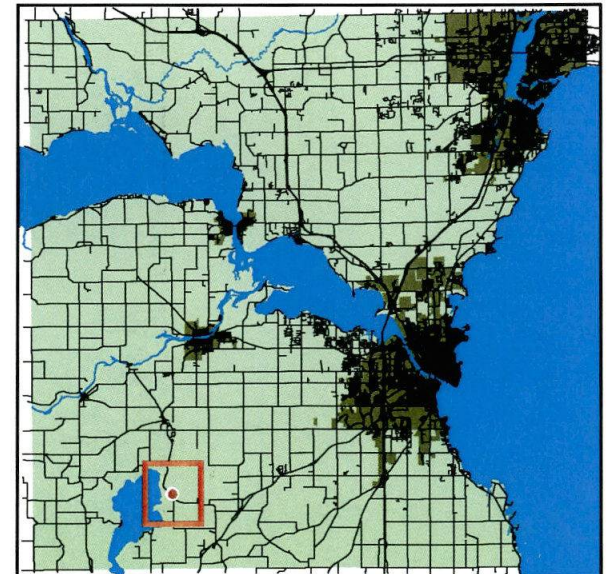
Subject Parcel(s):

0140283 & 014028303

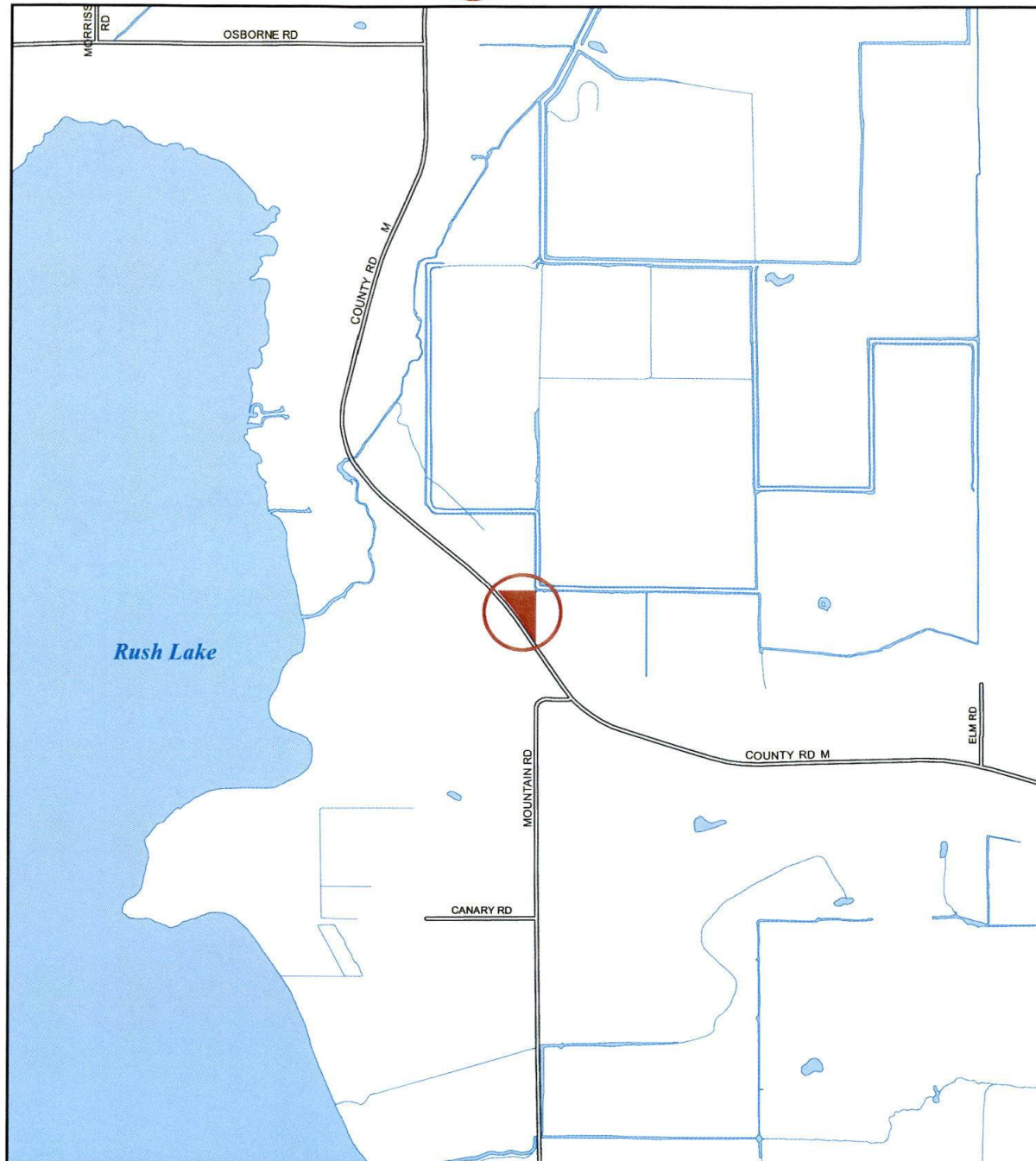


*Winnebago County  
WINGS Project*

● = SITE



**WINNEBAGO COUNTY**



1 inch : 2,000 feet



**WINNEBAGO COUNTY PLANNING & ZONING DEPARTMENT**

HEARING DATE: November 20, 2019

To Whom It May Concern:

Below is a Notice of Public Hearing being published in the Oshkosh Northwestern. The Notice presents a general description of a proposed action, which is regulated by the Winnebago County Town/County Zoning Ordinance. This application or petition for action affects area in the immediate vicinity of property, which you own.

**NOTICE OF PUBLIC HEARING**

The Planning & Zoning Committee of Winnebago County will hold a Public Hearing in the **Room 120** of the Winnebago County Administrative Building, 112 Otter Ave, Oshkosh, Wisconsin, on Wednesday, November 20, 2019 at 6:30 p.m. to consider the following case:

**DESCRIPTION OF SUBJECT SITE:**

**Applicant(s):** RETLICH, MARY L ; RETLICH, ROBERT A

**Agent(s):**

**Location of Premises Affected:** SOUTH OF 7864 COUNTY RD B WINNECONNE, WI 54986

**Legal Description:** Being a part of Lot 7 of Smith Plat, located in the SW 1/4 of the SE 1/4, Section 11, Township 19 North, Range 14 East, Town of Poygan, Winnebago County, Wisconsin.

**Tax Parcel No.:** 020-058702

**EXPLANATION:** Applicant is requesting a Planned Development Overlay District for access to and the creation of two proposed lots within an existing R-2 zoning district along Popowski Rd, which is a private road.

All interested persons wishing to be heard at the Public Hearing are invited to be present. For further detailed information concerning this notice, contact to Town Clerk or the Winnebago County Zoning Office.

**WINNEBAGO COUNTY PLANNING & ZONING COMMITTEE**

**STAFF REPORT TO: Planning & Zoning Committee**

HEARING DATE: November 20, 2019

**FILE NUMBER:** 2019-PDD-5130**TAX PARCEL NO:** 020-058702**SUBJECT:** PLANNED DEVELOPMENT DISTRICT REQUEST

- I. EXPLANATION:** Applicant is requesting a Planned Development District for the creation of two proposed lots within an existing R-2 zoning district along Popowski Rd, which is a private road.

**II. GEOGRAPHICAL BACKGROUND INFORMATION**

**A. Applicant(s):** RETLICH, MARY L ; RETLICH, ROBERT A

**B. Agent(s):**

**C. Location:** SOUTH OF 7864 COUNTY RD B WINNECONNE, WI 54986

**D. Legal Description:** 020-058702

**E. Sanitation:** ☒ Existing ☐ Required ☒ Municipal ☐ Private System

**F. Overlay:** ☒ Shoreland ☐ Floodplain ☐ Wetlands ☐ Microwave  
☐ SWDD ☐ Airport

**G. Current Zoning:** R-2 Suburban Low Density Residential,

**Proposed:** R-2 Suburban Low Density Residential, with Planned Development District

**H. Existing Use of Property:** Vacant

**I. Proposed Use of Property:** Vacant

**J. Surrounding Zoning & Uses:**

	Zoning District
North	R-1
South	A-2
East	R-2
West	R-2



## STAFF REPORT

**D-1 SECTION REFERENCE:** Chapter 23, Article 7, Division 4 of Town/County Zoning Code

**D-2 DESCRIBE EXISTING SITE CONDITIONS:** This parcel is vacant and fronts on a private and public road. The owner resides across the private road at 7864 Popowski Road. The west lot to be created will be purchased by the owner of 7870 Popowski Road. Popowski Road is a private road that was created by the Smith Plat recorded on January 11, 1942 and is shown on Assessor's Plat No. 2 recorded September 14, 2004.

**D-3 DESCRIBE THE PROPOSED PROJECT:** Split property, see attached proposed Certified Survey Map.

**D-4 DESCRIBE WHY THE CURRENT ZONING CLASSIFICATION IS NOT APPROPRIATE FOR PROPOSED PROJECT AND/OR EXISTING SITE CONDITIONS:**

This parcel is unique as it borders on both a private road and a public road. This parcel has always had the same ownership as the property across the private road and with this split that will continue. Both owners plan on executing a deed restriction to tie the properties together. There is no need for public road access as required in 18.56 and the split will not result in any additional access on the private road as both household already use Popowski Road for access to their respective residences.

**D-5 OTHER INFORMATION:**

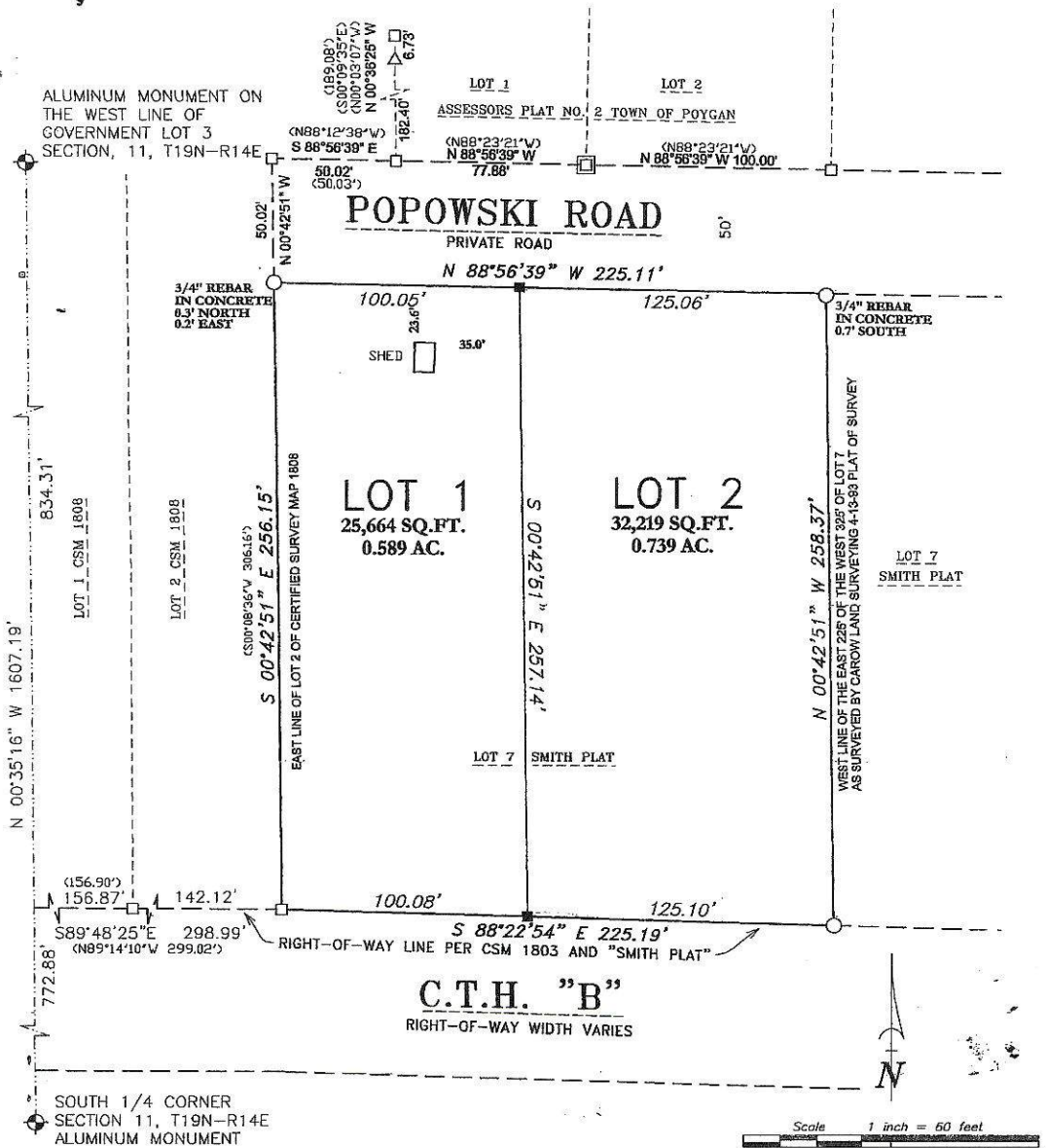
**23.7-68 THE PLANNING AND ZONING COMMITTEE IN MAKING ITS DECISION SHALL CONSIDER THE FOLLOWING FACTORS:**

- (1) whether development in the proposed district is in keeping with the spirit and intent of this chapter;
- (2) whether development in the proposed district is consistent with the county's comprehensive plan;
- (3) the effects of development in the proposed district on traffic safety and efficiency and pedestrian circulation, both within and outside of the district;
- (4) whether the proposed plan for development in the district is properly planned and is properly coordinated with the existing and anticipated land uses on properties in the immediate and surrounding area;
- (5) the effects of development within the proposed district on the natural environment;
- (6) whether development in the proposed district complies with provisions of this chapter and other chapters of the general code of Winnebago County that may apply;
- (7) the effects of development in the proposed district on public services and facilities;
- (8) whether adequate water and sanitary sewer facilities can be provided to development in the proposed district;
- (9) the proposed means of maintaining the undeveloped area of the district for the purpose for which it was set aside;
- (10) whether the plan for development in the proposed district is clearly superior to development that is permitted based on the design and development standards of the underlying zoning district; and
- (11) any other factor that relates to the purposes of this chapter as set forth in s. 23.1-5 and other sections as may apply.

# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

PART OF LOT 7 IN "SMITH PLAT", BEING PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 19 NORTH, RANGE 14 EAST, TOWN OF POYGAN, WINNEBAGO COUNTY, WISCONSIN.

SURVEY FOR:  
JOHN WOLFGANG  
7870 POPOWSKI ROAD  
WINNECONNE, WI 54986



**Martenson & Eisele, Inc.**

109 West Main Street  
Omro, WI 54963  
www.martenson-eisele.com  
P 920.685.6240 F 920.685.6340

Planning  
Environmental  
Surveying  
Engineering  
Architecture

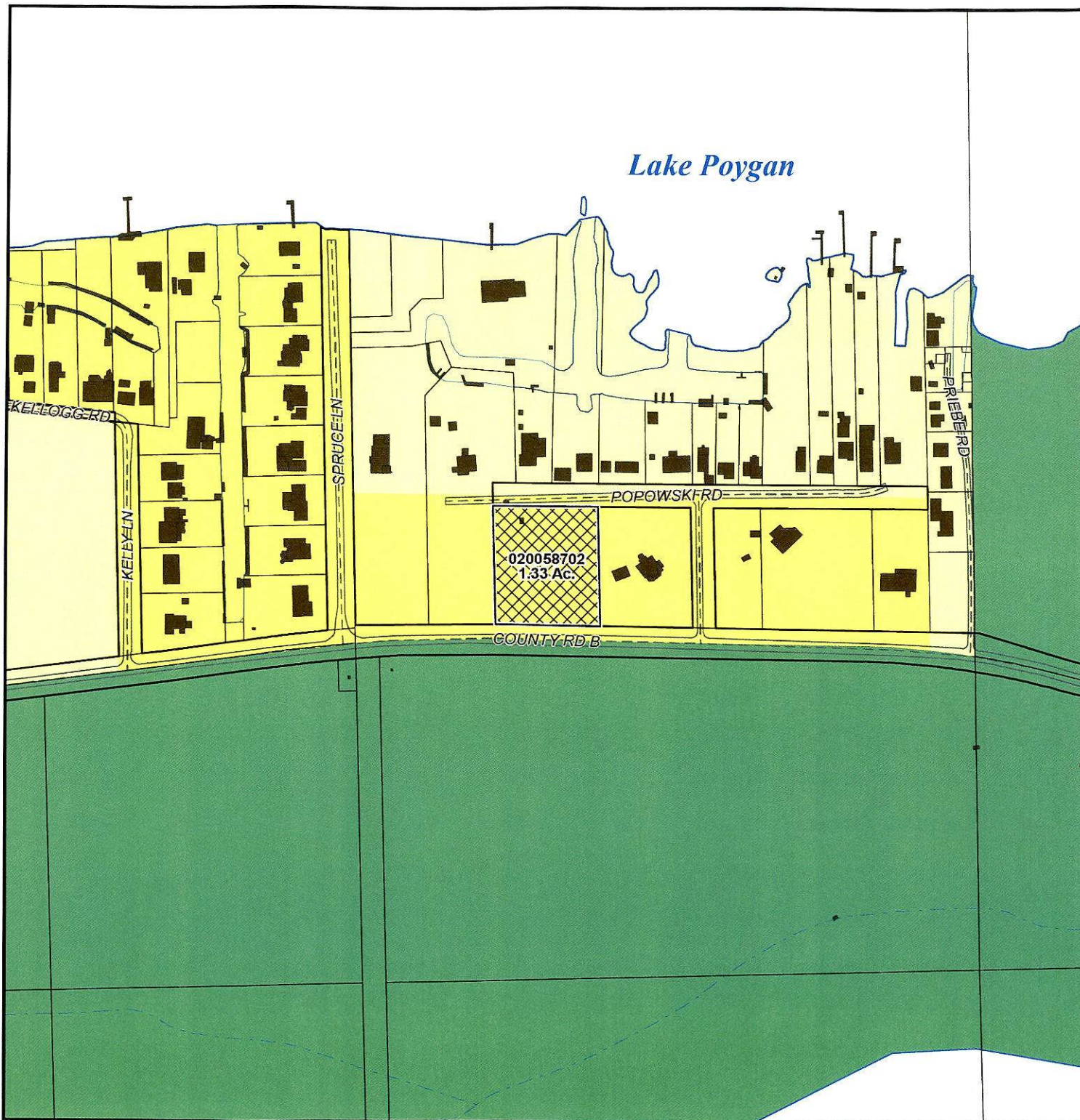


PROJECT NO. 0-2029-003

FILE 2029003CSM SHEET 1 OF 3

This instrument was drafted by: DSL





## Application #19-PDD-5130

Date of Hearing:

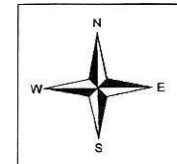
November 20, 2019

Owner(s):

Retlich, Robert A. & Mary L.

Subject Parcel(s):

020058702



Winnebago County  
WINGS Project

**Scale**

1 inch : 300 feet

## County Zoning Districts

R-1	<b>PDD</b>	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-8	I-2	Town Zoning

City of Oshkosh Extraterritorial  
Zoning Jurisdiction

Incorporated Area



○ = SITE

**Application #19-PDD-5130**

Date of Hearing:

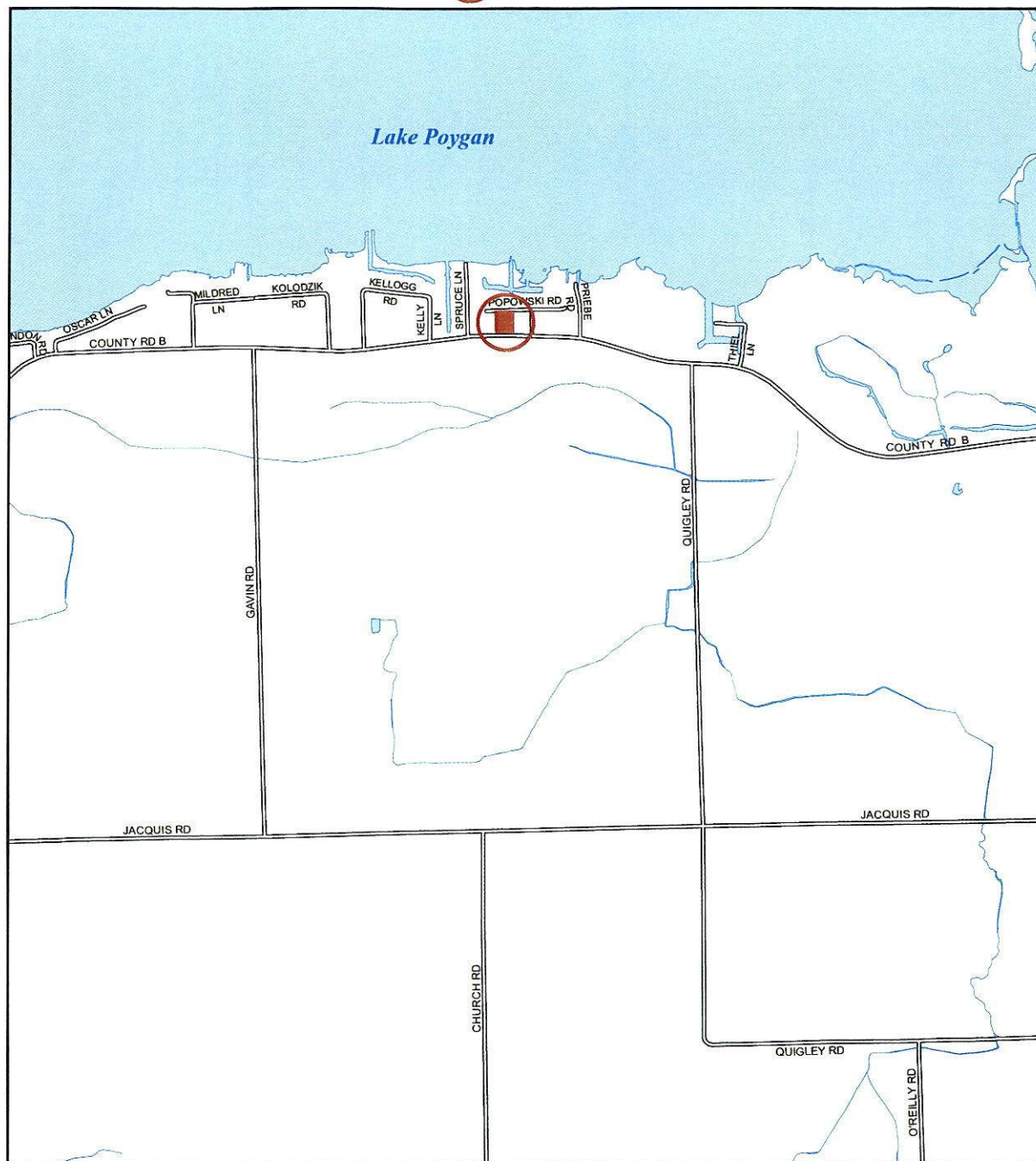
November 20, 2019

Owner(s):

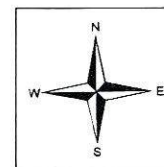
Retlich, Robert A. & Mary L.

Subject Parcel(s):

020058702

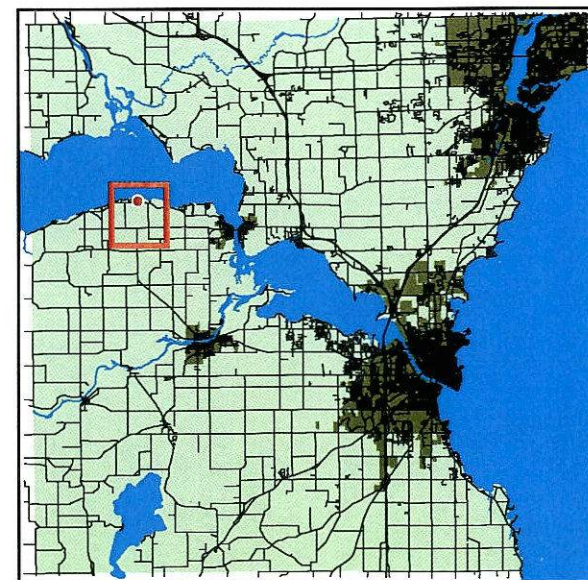


1 inch : 2,000 feet



*Winnebago County  
WINGS Project*

● = SITE



**WINNEBAGO COUNTY**