

***MINUTES OF THE PUBLIC HEARING
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE***

Steve Nass, Chair; Greg David, Vice-Chair; Don Reese, Secretary; Amy Rinard; George Jaeckel

SUBJECT: Map Amendments and a Text Amendment to the Jefferson County Zoning Ordinance and Requests for Conditional Use Permits

DATE: May 17, 2012

TIME: 7 p.m.

PLACE: Room 205, Jefferson County Courthouse, 320 S. Main St., Jefferson, WI

1. Call to Order

Meeting called to order by Nass @ 7:00 p.m.

2. Roll Call

Members Present: Nass, Jaeckel, Reese, Rinard, David

Members Absent: --

Staff: Rob Klotz, Laurie Miller

3. Certification of Compliance With Open Meetings Law Requirements

Reese confirmed they were in compliance with open meetings law requirements

4. Review of Agenda

No changes

5. Public Hearing

Procedure was explained by Nass.

The following was read into the record by Klotz:

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, May 17, 2012, in

Room 205 of the Jefferson County Courthouse, Jefferson, Wisconsin. A hearing will be given to anyone interested in the proposals. **PETITIONERS, OR THEIR REPRESENTATIVES, SHALL BE PRESENT.** Matters to be heard are petitions to amend the zoning ordinance of Jefferson County and applications for conditional use permits. A map of the properties affected may be obtained from the Zoning Department. If you have questions regarding these matters, please contact Zoning at 920-674-7131.

FROM AGRICULTURAL A-1 TO A-3, RURAL RESIDENTIAL

R3577A-12 – Victor Perschke Trust, c/o Caroline Perschke: Rezone one acre of PIN 002-0714-2521-000 (41.6 Acres) for a building site on **Biederman Road** in the Town of Aztalan.

Caroline Perschke presented her petition. There were no questions or comments in favor of the petition. Opposed was Dennis Winchell, W5172 Biederman Rd., who explained his reasons for opposition. Caroline Perschke provided a rebuttal.

Nass questioned the town, Jim Frohmader, how far down the town road went. Frohmader explained and stated the town Plan Commission and Town Board were O.K. with this petition. Staff report was given by Klotz.

R3578A-12 – Jordan Loeb/Leonard & Karen Loeb Trust Property: Rezone to create two five-acre lots with existing homes at **N5115 and N5063 Probst Lane** in the Town of Farmington. The sites are on PINs 008-0715-3324-000 (40.13 Acres) and 008-0715-3331-000 (45.662 Acres) respectively.

Petitioners were not present. Chairman Nass will call the petition again at the end of hearing.

R3579A-12 – Robert McIntyre: Create a 4-acre rural residential building site on **Star School Road** in the Town of Koshkonong from part of PINs 016-0514-2142-000 (40 Acres) and 016-0514-2131-000 (40 Acres). This would supersede Petition 2651A-03, a previously approved 2-acre lot at this location.

Robert McIntyre presented his petition. There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the Committee. There was a town response in the file approving this petition, which was read into the record by Klotz. Staff report was given by Klotz.

FROM AGRICULTURAL A-1 TO A-3, RURAL RESIDENTIAL AND N, NATURAL RESOURCE

R3580A-12 & R3581A-12 – Robert McIntyre: Rezone to create a 2-acre building site and a 20-acre Natural Resource zone adjacent to it from part of PINs 016-0514-2131-000 (40 Acres) and 016-0514-2134-000 (38.723 Acres). The sites are in the Town of Koshkonong, on **McIntyre Road**; this request supersedes Petition 2808A-04 and 2809A-04, a previously approved 4-acre building site and an 18-acre Natural Resource zone at this location.

Robert McIntyre presented his petitions. There were no questions or comments in favor or opposition of the petitions. There were no questions or comments from the Committee. There was a town response in the file approving this petition, which was read into the record by Klotz. Staff report was given by Klotz.

FROM AGRICULTURAL A-1 TO N, NATURAL RESOURCE

R3582A-12 – Tad Van Valin: Create an approximate 7-acre Natural Resource zone from part of PIN 026-0616-0843-000 (20.157 Acres) in the Town of Sullivan on **Froelich Road**.

This petition was presented by Tad Van Valin. He stated that he wanted to use the 7 acres for a nature preserve.

There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the Committee. There was a town response in the file of no objection which was read into the record by Klotz.

Klotz questioned the petitioner if this would be a stand-alone lot and if it was currently being cropped. Van Valin explained. Klotz gave staff report.

FROM AGRICULTURAL A-1 TO A-2, AGRICULTURAL AND RURAL BUSINESS

R3583A-12 & CU1705-12 – Rushing Waters Trout Farm Holdings LLC: Rezone PINs 024-0516-3323-000 (40 Acres) and 024-0516-3324-000 (39.56 Acres) with conditional use to allow for agricultural tourism, including farm tours, lunches and dinners on site. The property is at **N301 CTH H** in the Town of Palmyra.

Peter Frisch presented the petition and explained their request. There were no questions or comments in favor or opposition of the petition. Reese questioned the petitioner on the hours of business. Frisch explained.

Bill VonRohr from the town stated the town supported the petition.

Klotz questioned the petitioner on the location of the building. Frisch explained that it would be an addition to an existing building.

Klotz gave staff report and clarified with the petitioner that any additional uses proposed would require them to come back to hearing.

Frisch added information regarding the septic, cooking classes including bringing in chefs, and that it would not be a resort at this time. They would be serving food and having special events such as weddings.

CONDITIONAL USE PERMIT APPLICATIONS

CU1702-12 – David Schultz/High Pointe Properties: Conditional use to allow storage of construction contractor's equipment and materials with an office in an A-2, Agricultural and Rural Business zone. The property is at **N2941 Banker Road** in the Town of Jefferson, on PIN 014-0614-2833-004 (4.476 Acres)

David Schultz presented the petition. There were no questions or comments in favor or opposition of the petition. Reese questioned if there would be outside storage and what types of materials would be stored on the property. Schultz explained.

There was a town response in the file approving this petition, and was read into the record by Klotz. Klotz asked for confirmation from the petitioner on the use of buildings 1 and 2 to be used for personal storage, and building 3 was the building to be used for the contractor's business. Klotz also questioned the petitioner on the number of employees, septic, and inside storage. Schultz explained.

Klotz gave staff report. He also questioned the petitioner if there would be a proposed sign, and if so, it would require a permit.

CU1706-12 – Linda A Hein: Conditional use for a home occupation involving massage therapy at **W4085 Ebenezer Drive** in the Town of Watertown. The site is on PIN 032-0815-2822-003 (1.3 Acres) in an A-1 Agricultural zone.

The petition was presented to the Committee by Linda Hein. There were no questions or comments in favor or opposition of the petition. There were no questions or comments from the Committee.

Klotz read into the record a response from the town of no objection, which was found in the file. Staff report was given by Klotz. Klotz questioned the petitioner on stock in trade and the number of outside employees. Hein explained.

R3578A-12 – Jordan Loeb/Leonard & Karen Loeb Trust Property: Rezone to create two five-acre lots with existing homes at **N5115 and N5063 Probst Lane** in the Town of Farmington. The sites are on PINs 008-0715-3324-000 (40.13 Acres) and 008-0715-3331-000 (45.662 Acres) respectively.

Petition was called again. Jordan Loeb presented his petition. He stated he felt the best use for the homes would be to have them owner-occupied. The homes currently exist.

There were no questions or comments in favor or opposition of the petition. Reese questioned if one of the homes were being used as a duplex. Loeb stated there was an approval for a duplex.

There was a response from the town in the file in favor of this petition, and was read into the record by Klotz.

Staff report was given by Klotz. Klotz questioned if the lots included any farmland.

ZONING ORDINANCE TEXT AMENDMENT

R3584T-12 – Jefferson County: Add to Sec. 11.02 Definitions, in “Lot Lines and Area: The peripheral boundaries of a parcel of land and the total area lying within such boundaries” the words **“excluding right-of-way.”**

Klotz explained the text amendment. There were no questions or comments in favor or opposition of the amendment. Jaeckel questioned the lot lines set back from the road right-of-way that would take up to one-quarter of an acre. Klotz explained it would be about one-tenth of an acre. Jaeckel commented on the previous lots being grandfathered and that this would now be new to start from this point on. Klotz explained how it had been done in the past. He also explained that the majority of townships needed to support the change. To date, three town reports were received that were in favor which were Town of Hebron, Town of Watertown, and the Town of Farmington. The Town of Milford sent in a response stating that no action was taken.

6. Adjourn

Reese made motion, seconded by David, motion carried 5-0 to adjourn @ 7:43 p.m.

Don Reese, Secretary