

MINUTES OF 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 to the Jefferson County Zoning Ordinance and Requests for Conditional Use Permits

DATE: Thursday, February 19, 2015

TIME: 7:00 p.m. (*Courthouse doors will open at 6:30*)

PLACE: Room 205, Jefferson County Courthouse, 311 S. Center Ave., Jefferson, WI

1. Call to Order

The meeting was called to order by Chairman Nass at 7 p.m.

2. Roll Call

All Committee members were in attendance. In addition, Michelle Staff and Deb Magritz of the Zoning Department were present.

3. Certification of Compliance with Open Meetings Law Requirements

Reese verified that the meeting was being held in compliance with open meetings law requirements.

4. Review of Agenda

No changes were proposed.

5. Explanation of Process by Committee Chair

Nass explained how the hearing would be conducted. He listed February 23 as the Committee decision date, and March 10 as the County Board meeting date.

6. Public Hearing

Staff read aloud the following:

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, February 19, 2015, 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 official zoning map of Jefferson County and applications for conditional use permits. A map of the properties affected may be obtained from the Zoning Department. Individual files are available for viewing between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, excepting holidays. If you have questions regarding these matters, please contact Zoning at 920-674-7131.

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

R3784A-15 & CU1811-15 – Steve Smith/Richard Smith & Jessica Duncan Property:

Rezone 5.3 acres of PIN 026-0616-3413-000 (28.542 Acres) with conditional use to allow for storage of landscaping and grading equipment at **W1062 CTH CI** in the Town of Sullivan.

Petitioner: Andy Woleski, W329 S8264 Memory Lane, Mukwonago spoke for the petition. He and business partner Rick Smith wish to separate the five acres and get a conditional use for storage of landscaping equipment. He emphasized that the property would be for storage only.

Comments in Favor: There were no comments in favor.

Comments Opposed: There were no comments opposed.

Questions from the Committee: The question was raised about outside storage, to which Mr. Woleski responded that only the trailers as seen on site inspection.

Town Response: Staff read Town response into the record and it is in the file.

Staff Report: Staff report given by Michelle Staff and now on file in the Zoning Department. Staff asked whether signs were proposed, and the response was no big sign. She asked if water service was proposed, and the answer was no. Bins for storage would be in back of the building, not visible from the road.

**FROM A-1, EXCLUSIVE AGRICULTURAL TO A-2, AGRICULTURAL AND
RURAL BUSINESS AND N, NATURAL RESOURCES**

R3785A-15 & R3786A-15 – Mark Hildebrand/Mark Hildebrand & Paul Redenius

Property: Rezone 14 acres of PIN 004-0515-1821-001 (15 Acres) from A-1 to A-2 and N. This will negate the approval for R3731A-14 which requested a Natural Resource zone over the entire 14 acres. The site is on **Heyse Drive** in the Town of Cold Spring.

Petitioner: Mark Hildebrand of N1704 Heyse Road said that they have worked to restore their farm and other houses throughout the area. They want to retain the natural state of the property, and allow cropping on some area that had always previously been cropped. They do want to retain the previously approved building site, but have no desire to build on it.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: Nass asked whether the back part of the property near the river would be cropped, and Hildebrand responded that it wouldn't.

Town Response: Staff read Town response into the record and it is in the file.

Staff Report: Staff report given by Michelle Staff . and now on file in the Zoning Department

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

R3787A-15 – Dennis Stilling: Rezone to create a 2.5-acre farm consolidation lot at **N5315 Harvey Road** in the Town of Aztalan from PIN 002-0714-3044-000 (40 Acres).

Petitioner: Dennis Stilling, N5315 Harvey Road reported that he is in the process of a land swap which necessitates splitting off the house.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Staff read Town response into the record and it is in the file.

Staff Report: Staff report given by Michelle Staff and now on file in the Zoning Department. Staff asked for the age of the house; Stilling responded that it was built in 1898.

R3788A-15 – Kutz Farms LLC: Rezone to create a 2-acre lot around the home at **W5140 East Rapids Rd** and a 1.2-ac vacant lot adjacent to it. The sites are part of PIN 014-0614-1334-000 (31.9 Acres) and are in the Town of Jefferson.

Petitioner: Dennis Kutz, N2792 Curtis Mill Road reported that he had previously rented the farm and then had the opportunity to buy it, but he doesn't need another house. Since he was going through the rezoning process, he is asking to create the potential new building site as well.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Staff read Town response into the record and it is in the file.

Staff Report: Staff report given by Michelle Staff and now on file in the Zoning Department. Staff asked whether Kutz had checked with the Town regarding the road ending they referenced in the Town decision. Kutz replied that he had. When asked the age of the home, Kutz verified that it was pre-1970.

R3789A-15 – Bennett Brantmeier/Edward & Caroline Soleska Property: Create a 1.2-acre building site on PIN 014-0615-0611-002 (21.457 Acres) on **Christberg Rd** in the Town of Jefferson.

Petitioner: Bennett Brantmeier of N3018 Haas Road spoke for the petition. He is asking for a lot currently in Managed Forest Law, and hoping to swap this area for another area not currently enrolled in the program. His request is clustered across from existing development and with a property line. He will move the road access to comply with the wishes of the neighbor across the road.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Staff read Town response into the record and it is in the file.

Staff Report: Staff report given by Michelle Staff and now on file in the Zoning Department. Staff asked if the trees on this property were planted, and if so, when? Brantmeier replied that they were planted in 1999 and 2000 by the Soleskas. Staff noted that if the road access will be different from that shown on the preliminary, Brantmeier should clear it with the Town and have it shown on the final map.

R3790A-15 & CU1812-15 – Derek Kramer/Derek Kramer, Joseph Kelly Jr & Karen Kelly Properties: Rezone PIN 006-0716-2044-001 (1.875 Acres) owned by Joseph Kelly Jr & Karen Kelly from A-1 to A-3. Rezone 2 acres of PINs 006-0716-2041-002 (19 Acres) and 006-0716-2044-000 (36.125 Acres) owned by Derek Kramer from A-1 to A-3 to add it to adjoining properties at **N5806 and N5794 Pioneer Drive**. Grant a conditional use for Joseph Kelly to allow a home occupation welding shop at **N5816 Pioneer Drive** on land currently owned by Kramer, all in the Town of Concord.

Petitioner: Joe Kelly of N5806 Pioneer Drive explained his petition. He wishes to purchase 2 acres from Kramer and add it behind his property. He also wishes to have a welding shop in an existing building, for which all materials will be stored inside. He will have no employees.

Comments in Favor: A letter from Howard & Delores Webb in favor was read into the record.

Comments Opposed: None

Questions from the Committee: None

Town Response: Staff read Town response into the record and it is in the file.

Staff Report: Staff report given by Michelle Staff and now on file in the Zoning Department. Staff asked whether water service was proposed. Currently the building has a sink for hand washing which is not connected to a septic system. Staff informed him that the sink must be hooked up to the septic. In response to questions about a possible sign, Kelly responded that he would like to have a 2' x 4' sign by the road.

**FROM A-3, AGRICULTURAL AND RURAL RESIDENTIAL TO A-1,
EXCLUSIVE AGRICULTURAL**

R3791A-15 – Derek Kramer: Rezone PIN 006-0716-2044-002 (2 Acres) and negate the approval granted to Zoning Amendment R2451A-02 for a rural residential zone on **Pioneer Drive** in the Town of Concord.

Petitioner: Joe Kelly said that the farmer, Kramer, is asking to transfer a previously approved A-3 zone to better maneuver in the field.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Staff read Town response into the record and it is in the file.

Staff Report: Staff report given by Michelle Staff and now on file in the Zoning Department

R3792A-15 – William Gaugert: Rezone 0.56 acre from PINs 026-0616-1442-003 (1.97 Acres) and 026-0616-1442-004 (1.175 Acres) to reconfigure A-3 lots created by Zoning Amendment R3116A-06. The site is near **Herr Road** in the Town of Sullivan.

Petitioner: Bill Gaugert of W701 Herr Road wishes to sell part of his lot 1, retaining the pole shed and eliminating the part of the shared drive that accesses lot 1.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Staff read Town response into the record and it is in the file.

CONDITIONAL USE PERMIT APPLICATION

CU1813-15 – Ronald & Sylvia Essex: Conditional use to allow a kennel for up to twelve dogs at N6136 CTH D on PIN 008-0715-1444-000 (2.001 Acres). This Town of Farmington property is zoned A-1, Exclusive Agricultural.

Petitioner: Ron Essex of N6136 CTH D wants to do some fostering for area shelters and therefore be able to have more than four dogs.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: Nass asked what kind of dogs were proposed. Essex answered with small dogs, thirty pounds or less.

Town Response: Staff read Town response into the record and it is in the file.

Staff Report: Staff report given by Michelle Staff and now on file in the Zoning Department. Staff asked if Essex planned to breed the dogs, and he said he might.

Motion by Reese, seconded by David at 7:37 p.m. to adjourn the meeting. Motion carried on a voice vote with no objection.



Don Reese, Secretary

Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator at 920-674-7101 24 hours prior to the meeting so that appropriate arrangements can be made.

A recording of the meeting will be available from the Zoning Department upon request.