

**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: May 21, 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 7:00 p.m.
2. **Roll Call**
All Committee members were present. Also present were Michelle Staff and Deb Magritz of the Zoning Department.
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 to the agenda. It was noted that the Highway Department petition has been withdrawn.
5. **Explanation of Process by Committee Chair**
Nass explained how the hearing would be conducted. He noted June 1 as the Committee decision date and June 9 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, May 21, 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

R3803A-15 & CU1821-15 – Jefferson County Highway Dept/Joanne Dyskow

Property: Rezone a part of PIN 026-0616-3133-001 (10.262 Acres) with conditional use for salt storage near **W2492 State Road 106** in the Town of Sullivan.

This petition has been withdrawn from the hearing by the petitioner.

R3804A-15 & CU1822-15 – Alan S Gaethke: Rezone with conditional use to allow a horticultural services/snow removal operation at **W7674 North Shore Rd** in the Town of Sumner on PIN 028-0513-1223-000 (3.679 Acres).

Petitioner: No one was present to represent the petition. Therefore there were no comments, questions or staff report.

Town Response: The Town denied the petition. Their decision sheet is in the file.

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

R3805A-15 – Kimberly (Kincannon) Cheney: Rezone to create two, one-acre lots near **W7271 County Road C**, one on each side of the road. The site is in the Town of Koshkonong on PIN 016-0614-3122-000 (29.15 Acres).

Petitioner: Kim Cheney of N2800 Kunz Rd spoke. She would like to parcel off two, 1-acre lots for her two daughters to each build a home.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: The Town is in favor of the petition. Their response is in the file.

Staff Report: Staff report given by Michelle Staff is in the file. Staff noted that the northern lot is comprised entirely of prime agricultural soils, and the southern lot is a combination of prime and non-prime soils.

R3806A-15 – Todd & Leeann Duwe/Stephen & Kathleen Duwe Property: Create a two-acre building site on **West Road** in the Town of Milford from part of PIN 020-0814-2811-000 (40 Acres).

Petitioner: Steve Duwe of N7204 County Road A spoke. He is proposing a 2-acre A-3 lot which would use all the potential A-3 lots for the farm. No non-prime land is available. The new farmstead will be for the next generation. He is asking for two acres to accommodate a home and farm shop. This is the best location on the parcel, because of soil characteristics & topography. All three corners of this property that have road frontage have high water tables and are designated to be tiled. The site might be used for a grain-drying/storage operation in the future. Provides good road access and is somewhat centrally located on the farm.

Comments in Favor: Mike Kelly, N6967 South Lane, spoke in favor. He said he supports farming, which is the lifeblood of Milford Township. He further supports Duwe, who's an excellent farmer.

Vic Imrie, N7389 County Road A, also spoke in favor. He too says Duwe's a good farmer and their families have been neighbors for almost 100 years. Duwe's son is going to work on the farm, and times have changed so people need more land for farms to survive.

Jeff Ziebell, W6044 Klein Ln, said that in his opinion, this is where the building belongs. Duwe does a nice job of farming, wouldn't take prime land unless he absolutely had to.

Tony Schadt, N9457 County Road Q, expressed that Duwe is starting a new farmstead, and this is very important. It is centrally located to his farm and advantageous to his farm-a very good location.

Matthew Schmidt W6080 Church Rd, feels that this is an excellent example of passing on to the next generation, something that should be promoting, especially in Milford.

Comments Opposed: Clarence Mess, N8485 County Road Q. The Plan Commission turned it down; have been told told again and again that clustering is necessary. Agrees that Duwe is a very good farmer. Duwe has passed up his chance by selling off buildings time and again. A grain setup would not fit on two acres with the other buildings proposed.

Jason Hoffman, N8472 West Road holds no malice against Mr. Duwe, but thinks that the corner would be a better location.

A letter in opposition from Greg Gitto was read aloud by Staff and is now in the file.

A letter in opposition from Scott Schultz was read aloud by Staff and is now in the file.

Rebuttal by Petitioner: Duwe addressed the concern by Mess and said that a grain setup would not be placed on the A-3 zone, but on the original A-1 parcel.

The area proposed by Mr. Gitto has only had a crop for two years, was wetland pasture, one of the worst sites on the farm for anything.

Barn addressed in Schultz letter has been removed. They have sold off farm consolidation lots, but only one barn on those lots remains. The intersection of County Road Q and West Road is not a good site because with the vision clearance triangle and required road setbacks, the site would not be approximately 1.07 acre, not large enough for a home and modern farm shop. There is also an elevation difference and water seepage issue.

Questions from the Committee: None

Town Response: The Town Board is in favor of the petition. Their response is in the file.

Staff Report: Staff report given by Michelle Staff is in the file. The existing house was rezoned in 2014. The entire property has underlying prime agricultural soils.

R3807A-15 – John & Patricia Morris: Create a 3.5-acre farm consolidation lot around the home at **W6127 County Road T** in the Town of Milford from part of PIN 020-0814-0941-000 (40 Acres.)

Petitioner: John Morris, W6134 County Road T, spoke. He indicated that they bought the farm 5-6 years ago, and now would like to take down the old house and replace it.. The lot can be reduced in size if need be.

Comments in Favor: Steve Duwe of N7204 County Highway A is in favor because this would be a place for the next generation.

Tony Schadt, N9457 County Road Q said it was natural to replace the existing house.

Clarence Mess, N8485 County Road Q noted that the house is in disrepair and that it was a no-brainer to replace it.

Jeff Ziebell, W6044 Klein Lane reported that the Town approved this.

Comments Opposed: None

Questions from the Committee: None

Town Response: The Town is in favor of the petition. Their response is in the file.

Staff Report: Staff report given by Michelle Staff is in the file.

R3808A-15 – Josh & Christine Wickland/David & Harriet Wickland Property:
Rezone 1.6-acre of PIN 024-0516-0334-001 (20 Acres) for a new building site near **W1108 Hooper Rd** in the Town of Palmyra.

Petitioner: There was no one present to represent the petition. Therefore there were no comments, questions or staff report.

Town Response: The Town is in favor of the petition. Their response is in the file.

CONDITIONAL USE PERMIT APPLICATIONS

CU1823-15 - Joshua Sawyer: Conditional use to allow up to five dogs in the Community zone at **N7018 County Road Q**. The site is in the Town of Milford on PIN 020-0714-0432-009 (2 Acres).

Petitioner: Linda Sawyer of N7018 County Road Q spoke. She recently rescued two dogs and didn't realize that those numbers were not allowed. Wastes are picked up daily, double-bagged and disposed of with her trash pickup.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: The Town is in favor of this petition. Their response is in the file.

Staff Report: Staff report given by Michelle Staff is in the file.

CU1824-15 – Steven Plue/Rose M Stella Estate Property: Conditional use to allow for an extensive on-site storage structure in an R-2 zone on **Koshkonong Manor Road**. The proposal is on PIN 028-0513-1613-002 (1.43 Acre) in the Town of Sumner.

Petitioner: Steven Plue of W8641 Hilltop Rd spoke. This property is across from his house, which is on one-half acre. He needs 14-foot walls for his travel trailer and other recreational vehicles; he is asking for a total height of 21 feet. No water service is proposed; no business use or business storage is proposed.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: The Town is in favor of the petition. Their response is in the file.

Staff Report: Staff report given by Michelle Staff is in the file. A variance was granted on May 14, 2015 by the Board of Adjustment to allow an accessory structure without a principal structure in place

Motion by Reese, seconded by Jaeckel to adjourn at 7:43 p.m. Motion carried on a voice vote with no objection..

A handwritten signature in black ink that reads "Don Reese". The signature is written in a cursive style with a large, stylized "D" and "R".

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.