

AGENDA
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE
DECISION MEETING

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

ROOM 203, COUNTY COURTHOUSE
311 S. CENTER AVE., JEFFERSON, WI 53549
8:30 A.M. ON MONDAY, SEPTEMBER 28, 2015

1. **Call to Order**
2. **Roll Call (Establish a Quorum)**
3. **Certification of Compliance with the Open Meetings Law**
4. **Approval of the Agenda**
5. **Public Comment (Not to exceed 15 minutes and not to include petitions slated for decision-members of the public who wish to address the Committee on specific agenda items must register their request at this time)**
6. **Approval of August 31, September 14 and September 17, 2015 Committee Minutes**
7. **Communications**
8. **August Monthly Financial Report for Land Information Office – Andy Erdman**
9. **September Monthly Financial Report for Zoning – Rob Klotz**
10. **Discussion and Possible Action on a Request by Paul and Mary Jaeger for Reconsideration of Amendment R3822A-15 for an A-3, Rural Residential Lot, Presented in Public Hearing on August 20, 2015 and Subsequently Postponed**
11. **Discussion and Possible Action on a Revision of Petition R3821A-15 for Roy Nosek to Create an A-3, Rural Residential Lot, Presented in Public Hearing on August 20, 2015 and Subsequently Postponed**
12. **Discussion and Possible Action on Petitions Presented in Public Hearing on September 17, 2015:**
R3825A-15, R3826A-15 & R3827A015 – James Omdoll Trust, Town of Palmyra to create an A-2, Agricultural and Rural Business zone, an A-3, Rural Residential zone, and an N, Natural Resource zone
R3828A-15 & CU1842-15 - Raymond & Janet Ross/Edgar Grosenick Property, Town of Ixonia to create an A-2, Agricultural and Rural Business zone with conditional use for storage of non-farm equipment/mini warehousing
R3829A-15 & CU1843-15 – Philip & Sandra Bittorf, Town of Lake Mills to create an A-2, Agricultural and Rural Business zone with conditional use for storage of contractor’s equipment and materials/highway signage
R3830A-15 & CU1844-15 – JTO Properties, LLC, Town of Watertown (north of East Gate Drive) to create an A-2, Agricultural and Rural Business zone with conditional use for retail sales of agricultural related items not grown on the premises/beekeeping supply sales and storage
R3831A-15 & CU1845-15 & CU1846A-15 – JTO Properties, LLC, Town of Watertown (south of East Gate Drive) to create two A-2, Agricultural and Rural Business zone with conditional uses for retail sales of agricultural related items not grown on the premises/beekeeping supply sales and storage and sale of farm implements and related equipment

R3832A-15 – Steven & Theresa Schluter, Town of Cold Spring to create an A-3, Rural Residential lot
R3815A-15 – Eldyn Pitzner, Town of Farmington to create an A-3, Rural Residential lot
R3835A-15 – David Mallow, Town of Ixonia to create an A-3, Rural Residential lot
R3836A-15 - Thomas Anfang, Town of Concord to create an A-3, Rural Residential farm consolidation lot at N5207 Pioneer Drive
R3837A-15 – Thomas Anfang, Town of Concord to create four new building sites utilizing consolidation of parcels of record on Pioneer Drive
R3838A-15 & R3839A-15 – Thomas Anfang, Town of Concord to create an A-3 zone and a Natural Resource zone on Rocky Lane
R3840A-15 – Gina Salmieri/Ione Kerr Property, Town of Farmington to create a Natural Resource zone
R3841A-15 – Jon W Febock, Town of Lake Mills to create an A-3, Rural Residential zone
CU1847-15 – Nathan Zinzow, Town of Oakland for an extensive on-site storage structure
CU1848-15 – Kelly & Dustin Schneider, Town of Palmyra for a second dwelling unit structure
CU1849-15 – Kelly & Dustin Schneider, Town of Palmyra for up to four horses in R-2 zone
CU1850-15 - Paul & Carmen Sommers, Town of Watertown for an extensive on-site storage structure
CU1851-15 – Rodney Strauss/Everett & Judith Strauss Property, Town of Watertown for storage of contractor’s equipment and materials/garage doors, openers, trailers and boat
CU1840-15 – Dustin Wilke/Wilkes LLC Property, Town of Waterloo for an intensive agricultural operation

13. Possible Future Agenda Items

14. Upcoming Meeting Dates

October 12, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203
October 15, 7:00 p.m. – Public Hearing in Courthouse Room 205
October 26, 8:30 a.m. – Decision Meeting in Courthouse Room 203
November 16, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203
November 19, 7:00 p.m. – Public Hearing in Courthouse Room 205
November 30, 8:30 a.m. – Decision Meeting in Courthouse Room 203

15. Adjourn

If you have questions regarding the petitions, please contact the Zoning Department at 920-674-7131. Petition files referenced on this agenda may be viewed in Courthouse Room 201 between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays. Materials covering other agenda items can be found at www.jeffersoncountymi.gov.

A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

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

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

**MINUTES OF THE
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE
DECISION MEETING**

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

**ROOM 203, COUNTY COURTHOUSE
311 S. CENTER AVE., JEFFERSON, WI 53549
8:30 A.M. ON MONDAY, AUGUST 31, 2015**

1. **Call to Order**
The meeting was called to order at 8:30 a.m. by Chairman Nass.
2. **Roll Call (Establish a Quorum)**
All Committee members were present. Zoning staff in attendance included Michelle Staff, Rob Klotz and Deb Magritz. Janet Sayre Hoeft and Dale Weis, Zoning Board of Adjustment members were also present.
3. **Certification of Compliance with the Open Meetings Law**
Reese verified that the meeting was being held in compliance with open meetings law requirements.
4. **Approval of the Agenda**
The decisions for those petitioners present, CU1833-15 for Dale Jenkins and CU1839-15 for Kendra and Greg Blumenberg will be moved up on the agenda to the beginning of decisions.
5. **Public Comment (Not to exceed 15 minutes and not to include petitions slated for decision-members of the public who wish to address the Committee on specific agenda items must register their request at this time)**
There was no public comment.
6. **Approval of July 27, August 17 and August 20, 2015 Committee Minutes**
Motion by Jaeckel, seconded by Reese to approve the July 27 minutes as presented. Motion carried on a voice vote with no objection.

Motion by Reese, seconded by David to approve the August 17 minutes as presented. Motion carried on a voice vote with no objection.

Motion by Reese, seconded by Rinard to approve the August 20 minutes as presented. Motion carried on a voice vote with no objection.
7. **Communications**
There were no communications.
8. **July Monthly Financial Report for Land Information Office – Andy Erdman**
Erdman reported that Land Records Program funds are coming in a little better than at this time last year-a reflection of the real estate economy. Map sales are up, and the surveyor's revenues should catch up as he starts doing more work for the Highway Department.
9. **Review of Proposed 2016 Land Information Office Budget – Andy Erdman**
Revenues are projected to be similar to 2015, except for obtaining a \$50,000 Strategic Initiative Grant for rural parcel mapping. A \$10,000 match is required for this grant, but some of that can be in-kind services. Erdman spoke of replacing two pieces of equipment using \$69,000 in capital funds.
10. **August Monthly Financial Report for Zoning – Rob Klotz**

Klotz reported that revenues are down \$1,500 from August of 2014 as of the date of printing the report, but the Department is still in line to meet and beat revenue projections for the year.

11. Discussion and Possible Action on Request by Board of Adjustment for Ordinance Changes to Temporarily Allow Two Dwellings on a Property While One is Under Construction

Klotz gave the background on this topic. Weis spoke, wondering if this could be allowed with a recorded document or whether an ordinance amendment would be in order. He felt it could be justified for the public's sake. Board of Adjustment already has developed a checklist to approve these variances. Sayre Hoeft added that this change would fit in with the purpose of the existing ordinance. Nass asked for language to come back to the Committee and for the Committee to be shown where in the ordinance it would appear. Klotz further explained that stipulated agreements would need Corporation Counsel involvement and an ordinance amendment. Weis noted that Board of Adjustment would like to remain involved and would like Corporation Counsel involvement as well. Corporation Counsel will be invited to the Board of Adjustment's October public hearing and subsequently a the Planning and Zoning Committee meeting.

PLEASE SEE INDIVIDUAL FILES FOR A COMPLETE RECORD OF THE FOLLOWING DECISIONS:

12. Discussion and Possible Action on Petitions Presented in Public Hearing on July 16, 2015 and Subsequently Postponed:

APPROVED WITH CONDITIONS CU1833-15 – Dale Jenkins, W9443 East Kroghville Rd, Town of Lake Mills on a motion by Jaeckel, seconded by David. Motion carried on a voice vote with no objection.
APPROVED WITH CONDITIONS CU1837-15 - Dwan Schuck, N8658 County Road O, Town of Waterloo on a motion by Jaeckel, seconded by David. Motion carried on a voice vote with no objection.

13. Discussion and Possible Action on Petitions Presented in Public Hearing on August 20, 2015:

APPROVED WITH CONDITIONS R3820A-15 – Marcia Bates, N1508 Groeler Road, Town of Koshkonong on a motion by Jaeckel, seconded by David. Motion carried on a voice vote with no objection.
POSTPONED R3821A-15 – Roy A Nosek, N851 Cold Spring Road, Town of Koshkonong on a motion by Reese, seconded by Nass. Motion carried on a voice vote with no objection.
POSTPONED R3822A-15 – Paul & Mary Jaeger, Hustisford Road, Town of Ixonia on a motion by Nass, seconded by Reese. Motion carried on a 4-1 vote with Rinard opposed.
APPROVED WITH CONDITIONS R3823A-15 on a motion by Nass, seconded by Reese & R3824A-15 on a motion by Reese, seconded by Nass – Tom Dehnert/Darvin & Dorothy Sjoberg Trust, W771 County Road B, Town of Concord. Both motions carried on a voice votes with no objections.
APPROVED WITH CONDITIONS CU1838-15 – Scott Schiffner/Frank & Carol Schiffner Trust Property, N959 Vinne Ha Ha Road in the Town of Koshkonong on a motion by Nass, seconded by Reese. Motion carried on a voice vote with no objection.
APPROVED WITH CONDITIONS CU1839-15 – Kendra & Greg Blumenberg/Ellen & Lyle Mehlretter Trust, W2325 Staude Road, Town of Sullivan on a motion by Jaeckel, seconded by Reese. Motion carried on a voice vote with no objection.
NO ACTION TAKEN ON CU1840-15 – Dustin Wilke/Wilkes LLC Property, N7836 Newville Road, Town of Waterloo. Petitioner did not appear at public hearing.
APPROVED WITH CONDITIONS CU1841-15 – James & Gina Lohman, N5120 Coffee Road, Town of Farmington on a motion by Jaeckel, seconded by Rinard. Motion carried on a voice vote with no objection.

14. Discussion and Possible Action on a Revised Proposed Farmland Conservation Easement Commission Resolution Regarding a Portion of County Land Sale Proceeds Being Allocated to the County's Agricultural Easement Program

Nass explained the resolution.

- 15. Discussion and Possible Action on a Revised Proposed Farmland Conservation Easement Commission Resolution Regarding Former Highway Shop Property Sale Proceeds Being Allocated to the County's Agricultural Easement Program**
Nass explained the recent revision to this resolution which states that if and when the property is sold, "a portion of these sale funds equivalent to the agricultural value of the former County Farm property (not to exceed 20% of the selling price) now converted to Highway Department use be allocated to the Farmland Conservation Easement Commission to continue the County's PCE program." Motion by Rinard, seconded by David to approve the revised resolution. Motion carried on a 4-1 vote with Reese opposed.
- 16. Possible Future Agenda Items**
- 17. Upcoming Meeting Dates**
September 14, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203-**REESE WILL BE ABSENT**
September 17, 7:00 p.m. – Public Hearing in Courthouse Room 205
September 28, 8:30 a.m. – Decision Meeting in Courthouse Room 203
October 12, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203-**RINARD WILL BE ABSENT**
October 15, 7:00 p.m. – Public Hearing in Courthouse Room 205-**RINARD WILL BE ABSENT**
October 26, 8:30 a.m. – Decision Meeting in Courthouse Room 203-**RINARD WILL BE ABSENT**
- 18. Adjourn**
Motion by Reese, seconded by Jaeckel to adjourn the meeting. Motion carried on a voice vote, and the meeting adjourned at 9:58 a.m.

Don Reese, Secretary

If you have questions regarding the petitions, please contact the Zoning Department at 920-674-7131. Petition files referenced on this agenda may be viewed in Courthouse Room 201 between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays. Materials covering other agenda items can be found at www.jeffersoncountywi.gov.

A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

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

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

**MINUTES OF THE
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE
SITE INSPECTIONS**

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

**ROOM 203, COUNTY COURTHOUSE
311 S. CENTER AVE., JEFFERSON, WI 53549
8:00 A.M. ON MONDAY, SEPTEMBER 14, 2015**

- 1. Call to Order**
The meeting was called to order by Chairman Nass at 8:02 a.m.
- 2. Roll Call (Establish a Quorum)**
Committee members present were Nass, Rinard and Jaeckel. Reese and David were absent and excused. Zoning Department staff in attendance included Michelle Staff and Deb Magritz.
- 3. Certification of Compliance with the Open Meetings Law**
Rinard verified that the meeting was being held in compliance with open meetings law requirements.
- 4. Approval of the Agenda**
No changes were proposed to the agenda.
- 5. Public Comment (Not to exceed 15 minutes and not to include petitions slated for decision-members of the public who wish to address the Committee on specific agenda items must register their request at this time)**
There was no public comment.
- 6. Communications**
There were no communications.

The Committee left with Staff at 8:08 a.m. for the following site inspections:

- 7. Site Inspections for Petitions to be Presented in Public Hearing on September 17, 2015:**
R3832A-15 – Steven & Theresa Schluter, **County Road N**, Town of Cold Spring
R3825A-15, R3826A-15 & R3827A015 – James Omdoll Trust, **W1412 and W1442 County Road E**, Town of Palmyra.
CU1848-15 – Kelly & Dustin Schneider, **W392 Pine Drive**, Town of Palmyra
CU1849-15 – Kelly & Dustin Schneider, **W392 Pine Drive**, Town of Palmyra
R3838A-15 & R3839-15 – Thomas Anfang, **Rocky Lane**, Town of Concord
R3837A-15 – Thomas Anfang, **Pioneer Drive**, Town of Concord
R3836A-15 – Thomas Anfang, **N5207 Pioneer Drive**, Town of Concord
R3840A-15 – Gina Salmieri/Ione Kerr Property, **Lake Dorothy Lane**, Town of Farmington
R3815A-15 – Eldyn Pitzner, **N7054 County Road D**, Town of Farmington

R3828A-15 & CU1842-15 - Raymond & Janet Ross/Edgar Grosenick Property, **N8466 North Road**, Town of Ixonia
R3835A-15 – David Mallow, **W1161 County Road CW**, Town of Ixonia
R3831A-15 & CU1845-15 & CU1846-15 – JTO Properties, LLC, **W2763 East Gate Drive**, Town of Watertown
R3830A-15 & CU1844-15 – JTO Properties, LLC, **north side of East Gate Drive**, in the Town of Watertown
CU1850-15 – Paul & Carmen Sommers, **N9103 River Road**, Town of Watertown
CU1851-15 – Rodney Strauss/Everett & Judith Strauss Trust Property, **near W4412 Riverview Road**, Town of Watertown
CU1840-15 – Dustin Wilke/Wilkes LLC Property, **N7836 Newville Rd**, Town of Waterloo
R3829A-15 & CU1843-15 – Philip & Sandra Bittorf, **N7103 Stoney Creek Road**, Town of Lake Mills
R3841A-15 – Jon W Febock, **N5480 County Road O**, Town of Lake Mills.
CU1847-15 – Nathan Zinzow, **W8920 Ripley Road**, Town of Oakland

8. Adjourn

Motion by Jaeckel, seconded by Rinard to adjourn the meeting. Motion carried on a voice vote with no objection at 11:35 a.m.

Don Reese, Secretary

If you have questions regarding the petitions, please contact the Zoning Department at 920-674-7131. Petition files referenced on this agenda may be viewed in Courthouse Room 201 between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays. Materials covering other agenda items can be found at www.jeffersoncountyiwi.gov.

A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

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

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

NOTICE 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, September 17, 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

Committee members in attendance at 7:00 were Jaeckel, David, Nass, Reese and Rinard. Zoning staff present included Michelle Staff and Rob Klotz.

3. Certification of Compliance with Open Meetings Law Requirements

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

4. Approval of Agenda

There were no changes proposed to the agenda.

5. Explanation of Process by Committee Chair

Chairman Nass explained the process of the public hearing.

6. Public Hearing

Klotz 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, September 17, 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 BUSINESS TO A-2, AGRICULTURAL AND RURAL BUSINESS; A-3, AGRICULTURAL/RURAL RESIDENTIAL; AND N, NATURAL RESOURCE

R3825A-15, R3826A-15 & R3827A015 – James Omdoll Trust: Create a 5.51-acre A-2 lot for residential-type storage; create a 2.37-acre A-3 lot around the home at **W1412 County Highway E** and a 5.08-acre A-3 lot around the home at **W1442 County Road E**; create a 19-acre Natural Resource zone adjacent. This proposal is on PIN 024-0516-1541-000 (32.47 Acres), Town of Palmyra.

Petitioner:

Cory Gaura, N1412 County Road E Palmyra WI – Mr. Gaura is the new owner of this property. He explained that in order for him to receive the financing he needs, the bank requires him to rezone the lands out of the business zone. Gaura stated he does not plan to run a business and that the A-2 lands would have residential storage only.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Larry Kau, Town Chairman was present and stated that the Town of Palmyra approved this petition. Kau stated that this is in the best interest of the Town and County to approve this petition.

Staff Report: Staff report given by Robert Klotz and now on file in the Zoning Department. Klotz asked Gaura if he is storing residential storage in the A-2 area and the petitioner confirmed that he will only be storing residential items in the outbuildings.

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

R3828A-15 & CU1842-15 - Raymond & Janet Ross/Edgar Grosenick Property: Rezone PIN 012-0816-2222-002 (5.76 Acres) with conditional use for mini-warehousing at **N8466 North Road** in the Town of Ixonia.

Petitioner: Ray Ross, N9680 Shade Ln Watertown, WI – Ross explained that he would like to do mini-warehousing on this property and convert the existing house into storage also. Ross explained he would abandon the existing septic and that there will not be any restrooms in the existing structure. He stated that the existing residence would have a small office just to sign contracts but no restrooms.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: Reese asked about the DOT property setbacks. Klotz explained his interpretation on the issue and that zoning staff will follow up with the State DOT. Reese asked Ross that if he builds over the septic area, what he would do for bathrooms in the office area. Ross and Klotz explained that the office would only be used for signing contacts and the building would not have any bathrooms or water. All of those facilities would be abandoned.

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

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

R3829A-15 & CU1843-15 – Philip & Sandra Bittorf: Rezone 3.2 acres of PIN 018-0713-0614-000 (40 Acres) with conditional use for a highway warning sign business at **N7103 Stoney Creek Road** in the Town of Lake Mills.

Petitioner: Attorney Andy Rumpf, 152 West Main Street, Cambridge WI 53523 represented the Bittorfs. Rumpf explained that the petitioners would like to rezone and obtain a conditional use permit for contractor's equipment and materials. He explained the business operations and areas to be utilized. Rumpf explained the areas proposed for outside storage with the hours of operation to be M-F 7am-8pm, Sat 7am-5pm and Sun 9am-Noon. They are using existing buildings.

Philip Bittorf, N7103 Stoney Creek Road – Bittorf explained what his business entails, what they do and when they do it. Bittorf explained that he was running the same business from his previous residence in Dane County and stated there weren't any issues with his neighbors there. He explained the reason for moving to Jefferson County and that he hopes to continue to live and work within Jefferson County. He addressed several concerns from the neighbors that were discussed at the Town of Lake Mills meeting such as noise, safety, truck traffic, property values, etc.

Attorney Rumpf rebutted the statements from the opposition. Rumpf explained that the operation is on a dead end road that is between the interstate and a county road. He stated it is a rural area and the Bittorfs' business is similar to any other contractor's such as electrical, excavator, etc. Rumpf stated that there are other uses permitted in the agricultural district that could be considered more offensive than the Bittorfs' business. He stated that the previous owners had a horse stable with people coming and going all the time. Rumpf stated that the hours of operation proposed are similar to other operations such as this and they believe those are reasonable. He mentioned that the buildings themselves are natural screens and the property is well maintained. Rumpf explained the weighting black rings and possibility a truck for loading being outside on the property. Rumpf stated the hours of operations again (M-F 7 am to 8 pm, Sat 7 am 5 pm, Sunday 9 am to noon) and stated that these are acceptable times to allow noise in most municipalities. He stated they are utilizing pre-existing buildings and not taking agricultural lands out of production. In closing he stated that all of the buildings and a parking area are 15 feet off property lines, buildings are taller than 6 feet and they believe hours of operations are reasonable.

In response to Klotz's question about bathrooms, Bittorf explained that the building on the top of the hill does have a restroom and the septic serves the building and the residence.

Comments in Favor: None

Comments Opposed: Klotz read the following letters of opposition into the record:

- A letter dated August 28, 2015 from Attorney Jay Smith from the law offices of Neuberger, Griggs, Sweet and Smith, LLP.
- A letter dated September 15, 2015 from Attorney Jay Smith from the law offices of Neuberger, Griggs, Sweet and Smith, LLP.
- A petition received by the Jefferson County Planning and Zoning Department on August 10, 2015 addressed to Jefferson County Planning and Zoning and Town of Lake Mills Board.
- A petition received by the Jefferson County Planning and Zoning Department on August 21, 2015 addressed to Jefferson County Planning and Zoning and Town of Lake Mills Board.
- A letter received by the Jefferson County Planning and Zoning Department on September 14, 2015 from Sara Muchka with attached e-mail from Muchka.

Mike Donnelly, N7154 Stoney Creek Road, Lake Mills, WI – Donnelly said he heard the petitions that were read into the record and wanted to add a couple of additional concerns. Donnelly stated since he didn't know where Bittorf operated in Dane County, we don't know what he was zoned or how he operated. Donnelly stated that their attorney did a limited research but he couldn't find any business

similar to this commercial request. He said there may only be a handful of contractors' storage operations in the County. He feels that the A-2 rezoning request should be denied. Klotz explained the process for rezoning to all and explained appeal rights to the audience. Donnelly asked that all equipment be stored inside. He requested that the hours of operation be similar to what the Town of Lake Mills requested which is M-F 7am to 8pm, Sat 8am to 5pm and no Sundays. Donnelly stated that Stoney Creek Road has sight limitations on it and the truck traffic should go 25 mph. He also would like Midstate Traffic to be respectful of their neighbors with noise.

Sarah Muchka, N7180 Stoney Creek Road, Lake Mills, WI – She stated that along the road there are 5 existing homes and 3 vacant parcels to be built on. She stated this commercial business does not fit the area.

Peter Magnoni, N6851 Stoney Creek Road, Lake Mills, WI – He stated that there is a cost burden to our local government. He stated that he contact Mark Miller of the Jefferson County Sheriff's Office and Town of Lake Mills police that set up radar along the road. He stated there were several traffic speed violations. This puts extra cost burdens on the local government. Magnoni stated that Bittorf's employees don't know the area.

Corinne Magnoni, N6851 Stoney Creek Road, Lake Mills, WI – She explained they are located on the first farm on the west of Stoney Creek Road and have been living on the property for 35 years. When they moved in there were only 4 houses on the road. Magnoni explained why she moved to the area and expressed her concerns about living by a commercial enterprise. Magnoni stated she is in opposition to the Bittorfs' proposal.

John Phillips, N7072 Stoney Creek Road, Lake Mills, WI – Phillips explained that Stoney Creek Road has many dangerous curves. He submitted air photos with other photos and explained them to the Committee. He doesn't believe commercial traffic is a good fit for the neighborhood.

Linnea Phillips, N7072 Stoney Creek Road, Lake Mills, WI – She explained that she is a stay-at-home mom and has seen a difference in the traffic since the Bittorfs moved in. Phillips stated she does not feel secure as she once did with the traffic on her road. She does not know the workers. She explained concerns about her children being at home in the summer when it is the busy time for the Bittorfs' business.

Paul Hynek, W9501 Britzke Road, Cambridge, WI – Hynek stated that he is an BOA alternate and agrees with most of the letters that were submitted. He stated that the question is whether this use is allowed in the A-2 zone. He stated that storage of contractor's equipment is quite broad. Hynek gave background and history of the land use process in Jefferson County.

Peter Muchka, N6851 Stoney Creek Road, Lake Mills, WI – Muchka is opposed to the rezone. He explained his reasons for opposition. Muchka submitted photos and explained them to the Committee. He believes all storage should be inside the buildings. He has other concerns such as property value with the additional traffic and noise.

Questions from the Committee: Reese asked the petitioner about the location of outside storage.

Town Response: Klotz read Town response into the record and it is in the file. Klotz read all conditions recommended by the Town of Lake Mills.

Staff Report: Staff report given by Robert Klotz and now on file in the Zoning Department. Klotz explained all plans and ordinance involved in this decision.

R3830A-15 & CU1844-15 – JTO Properties, LLC: Create a 4.45-acre lot for beekeeping supply sales and storage on the **north side of East Gate Drive** in the Town of Watertown, on PIN 032-0815-1223-000 (26.550 Acres).

Petitioner: Tim Otterstatter, N9220 Donald Lane, Watertown, WI – Otterstatter is the new owner of the farm. He explained that the bee keeping was approved in 1977. He is proposing that operation on both sides of the road because he doesn't know which side will perk. Otterstatter stated that he is not going to sell the A-2 property, that one area is for the bee keeping.

Comments in Favor: Paul Marshall, W2902 East Gate Drive, Watertown, WI 53094 – Is in favor of the petition as it is agricultural related business and it should stay in the Township. He does have a concern about water control.

Comments Opposed: None

Questions from the Committee: None

Town Response: The Town of Watertown stated they are ok with rezoning as long as it perks.

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

R3831A-15 & CU1845-15 & CU1846-15 – JTO Properties, LLC: Create an A-2 zone with two lots, one of 5.3 acres with conditional use for beekeeping supply sales and storage **south of East Gate Drive**, and one of 4.59 acres at **W2763 East Gate Drive** with conditional use for farm equipment and construction equipment sales. The site is on PIN 032-0815-1231-000 (37.14 acres) in the Town of Watertown.

Petitioner: Tim Otterstatter, N9220 Donald Lane, Watertown, WI - He explained that his current place is being bought out in the City of Watertown and he wants to move his business to this location. One area will be the beekeeping supplies and store. The other area would be for space for storage of his business items and generally all storage is inside. He stated he is not selling the properties separately. Otterstatter stated that about 50% to 60% of his business is sold directly to farmers such as skid loaders, dozers, etc. When asked which location Otterstatter preferred for the bee keeping business, he stated next to the existing farmstead.

Comments in Favor: Paul Marshall, W2902 East Gate Drive, Watertown, WI 53094 – Marshall doesn't see why this area couldn't grow. He does have concerns about water issues and if this equipment sales operation really meets the A-2 zoning district. He explained why this area could be zoned business.

Comments Opposed: None

Questions from the Committee: None

Town Response: John Thoma, Town Supervisor, was present from the Town of Watertown. He stated the Town didn't know about the petition on the South of East Gate. Klotz stated that the preliminary CSM was signed by the Town Clerk on August 8th.

Staff Report: Staff report given by Robert Klotz and now on file in the Zoning Department. Klotz explained the difference between sales and storage. Klotz explained the history of A-2 Zone. Klotz explained the petition in the file.

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

R3832A-15 – Steven & Theresa Schluter: Create a 2-acre building site on **County Road N** from part of PIN 004-0515-1924-001 (14.036 Acres) in the Town of Cold Spring.

Petitioner: Pete Gross, N5921 Jefferson Road, Jefferson, WI – Gross stated they are taking an area of trees and want to sell a building site. They have a driveway permit and a culvert has already been installed on the property.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

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

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

R3815A-15 – Eldyn Pitzner: Create a 3-acre farm consolidation lot around the home and buildings at **N7054 County Road D** in the Town of Farmington from part of 008-0715-0241-000 (37.99 Acres).

Petitioner: Eldyn Pitzner, N7099 County Road D, Watertown, WI – He would like to divide off the house and sell it to his grandson.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

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

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

R3835A-15 – David Mallow: Rezone 2 acres of PIN 012-0816-0324-000 (43.156 Acres) to create a new building site near **W1161 County Road CW** in the Town of Ixonia.

Petitioner: David Mallow, W1161 County Road CW, Watertown, WI – Mallow would like to split off a lot for his son. He explained the location of the petition and explained that the access has been approved by the Highway Department.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

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

Staff Report: Staff report given by Robert Klotz and now on file in the Zoning Department. Klotz asked that the septic be located on the survey.

R3836A-15 – Thomas Anfang: Create a 3-acre farm consolidation lot at **N5207 Pioneer Drive** in the Town of Concord from part of PINs 006-0716-3212-001 (20 Acres) and 006-0716-3213-000 (40 Acres).

Petitioner: Tom Stade, W5289 Bockmann Lane, Jefferson, WI - The petitioner would like to split off the existing residence with outbuildings. They wanted additional lands for animals units with the barns. Stade stated it is a very old residence.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

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

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

R3837A-15 – Thomas Anfang: Rezone to create four, 2-acre building sites utilizing consolidation of Parcels of Record, transferring two lots from 006-0716-3212-001 (20 Acres) and 006-0716-3213-000 (40 Acres) to 006-0716-3211-001 (20 Acres) and creating two lots from PINs 006-0716-3211-001 and 006-0716-3214-000 (40 Acres). The site is on **Pioneer Drive** in the Town of Concord.

Petitioner: Tom Stade, W5289 Bockmann Lane, Jefferson, WI – Stade explained the petition to the Committee. The petition is a consolidation of parcels of record.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

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

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

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

R3838A-15 & R3839-15 – Thomas Anfang: Create a 6-acre building site on **Rocky Lane** and a 10.7-acre Natural Resource zone from PIN 006-0716-3214-000 (40 Acres) in the Town of Concord.

Petitioner: Tom Stade, W5289 Bockmann Lane, Jefferson, WI – Stade explained that the owner is a farmer and doesn't have use for the woods and would like to sell it. He stated that the natural resource zone may be sold separately and would need its own access.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

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

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

FROM A-1, EXCLUSIVE AGRICULTURAL TO N, NATURAL RESOURCE

R3840A-15 – Gina Salmieri/Ione Kerr Property: Create a 7.4-acre Natural Resource zone on **Lake Dorothy Lane** from PIN 008-0715-1422-000 (29.343 Acres) in the Town of Farmington.

Petitioner: Gina Salmieri, N6488 Lake Dorothy Lane, Watertown, WI 53094 - They would like to rezone the north part of the Kerr property, which is located on the north side of Johnson Creek. It's all wetlands and there is a small area of cropland but on a wet year it is too wet to crop. Salmieri would like to combine this natural resource zone with her parcel.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

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

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

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

R3841A-15 – Jon W Febock: Rezone 1.85 acres of PIN 018-0713-3032-000 (28.2 Acres) to create a lot around the buildings at **N5480 County Road O** in the Town of Lake Mills.

Petitioner: Attorney Andy Rumpf, 152 West Main Street, Cambridge WI 53523 – Attorney Rumpf explained that the petitioner would like to rezone the outbuildings and residence to sell.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

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

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

CONDITIONAL USE PERMIT APPLICATIONS

CU1847-15 – Nathan Zinzow: Conditional use to allow an extensive on-site storage structure of 1280 square feet, approximately 22 feet in height in a Residential R-2 zone. The site is on PIN 022-0613-0841-014 (3.012 Acres) in the Town of Oakland at **W8920 Ripley Road**.

Petitioner: Nathan Zinzow, W8920 Ripley Road, Cambridge, WI – Zinzow stated the structure would be a 32' x 40' three-car garage with attic storage above. Zinzow stated he would have truck, trailer, pontoon boat storage, etc. The petitioner said he was not going to have plumbing in the building. The petitioner stated it will not be used for habitability.

Comments in Favor: Paul Marshall, W2902 East Gate Dr, Watertown, WI – Marshall is in support of the proposal.

Comments Opposed: None

Questions from the Committee: Reese asked about the second story and habitable use.

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

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

CU1848-15 – Kelly & Dustin Schneider: Conditional use to allow a second dwelling unit structure at **W392 Pine Drive** in the Town of Palmyra on PIN 024-0516-1234-002 (5.01 Acres) in a Residential R-2 zone.

Petitioner: Kelly Schneider, W392 Pine Drive, Palmyra, WI – Schneider stated they would like to have a second dwelling on the property.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

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

Staff Report: Staff report given by Robert Klotz and now on file in the Zoning Department. Klotz explained multiple dwelling units and the laws on mobile homes.

CU1849-15 – Kelly & Dustin Schneider: Conditional use to allow up to four horses in a Residential R-2 zone at **W392 Pine Drive** in the Town of Palmyra on PIN 024-0516-1234-002 (5.01 Acres)

Petitioner: Kelly Schneider, W391 Pine Drive, Palmyra, WI – Schneider would like 3 horses to be allowed. There was a discussion on the number of animal units allowed. The petitioner stated she would not have more than 3 horses and only wants 3 horses.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

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

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

CU1850-15 – Paul & Carmen Sommers: Allow a 1600 square foot extensive on-site storage structure, 20' 7" high in a residential R-2 zone at **N9103 River Road**, Town of Watertown on PIN 032-0815-1113-009 (7.148 Acres).

Petitioner: Alan Genz, N8241 County Road X, Watertown, WI – Genz is building the structure and explained the reason for the size of the building. He stated the owners have a pontoon boat, etc. Genz continued to explain that the owners would like to match the existing pitch of their house to this structure. The builder stated that the structure would not be used for habitability and no water service is proposed. He stated the height will be 21' 7".

Comments in Favor: Paul Marshall, W2902 East Gate Dr, Watertown, WI – Marshall is in support of the proposal.

Comments Opposed: None

Questions from the Committee: None

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

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

CU1851-15 – Rodney Strauss/Everett & Judith Strauss Trust Property: Conditional use to allow storage of garage doors, openers, trailers and boat in an A-2, Agricultural and Rural Business zone **near W4412 Riverview Road** in the Town of Watertown on PIN 032-0815-1724-011 (10.16 Acres)

Petitioner: Everett Strauss, W4412 Riverview Rd, Watertown, WI – Strauss stated that they are putting the business on a smaller parcel and splitting it off.

Comments in Favor: Paul Marshall, W2902 East Gate Dr, Watertown, WI – Marshall is in support of the proposal.

Judy Strauss, W4412 Riverview Rd, Watertown, WI - Strauss is in favor of the proposal.

Comments Opposed: None

Questions from the Committee: None

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

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

CU1840-15 – Dustin Wilke/Wilkes LLC Property: Conditional use to allow up to 950 animal units for expansion of the ATCP51-regulated intensive ag operation at **N7836 Newville Rd.** The site is part of PINs 030-0813-2914-004 (13.979 Acres) and 030-0813-2823-003 (26.043 Acres) in the Town of Waterloo, and is zoned A-1 Agricultural.

Petitioner: Bryan Ellefson from Compliance Advantage, LLC – Ellefson explained the application and the number of animals units to which they are expanding. In response to concerns about the expansion, Ellefson stated that the application meets all state and local ordinances and the application is complete.

Comments in Favor: None

Comments Opposed: Julie Spies, W8932 Stoney Brook Road, Waterloo, WI – Spies is opposed to the expansion due to the noise, smell, decrease in property values, low water table, contamination of wells and explained the area water table. She asked the Committee not to approve this large number of animal units.

Tony Spies, W8932 Stoney Brook Road, Waterloo, WI – Spies agreed with what his wife stated and would add concerns of truck traffic along the road and wear/tear on the roadway.

John Spies letter was read into the record.

Judy Spies letter was read into the record.

Klotz stated a memo was in the file from Jefferson County Land and Water Conservation Department stating that the application was complete.

Questions from the Committee: There was a roll call of Committee members. Nass, Reese, David, Rinard and Jaeckel were all present.

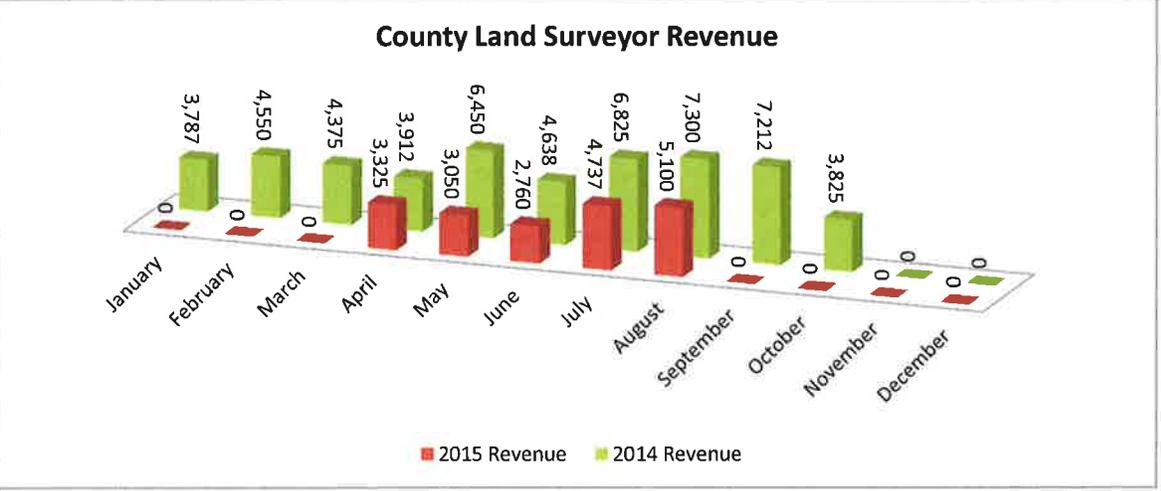
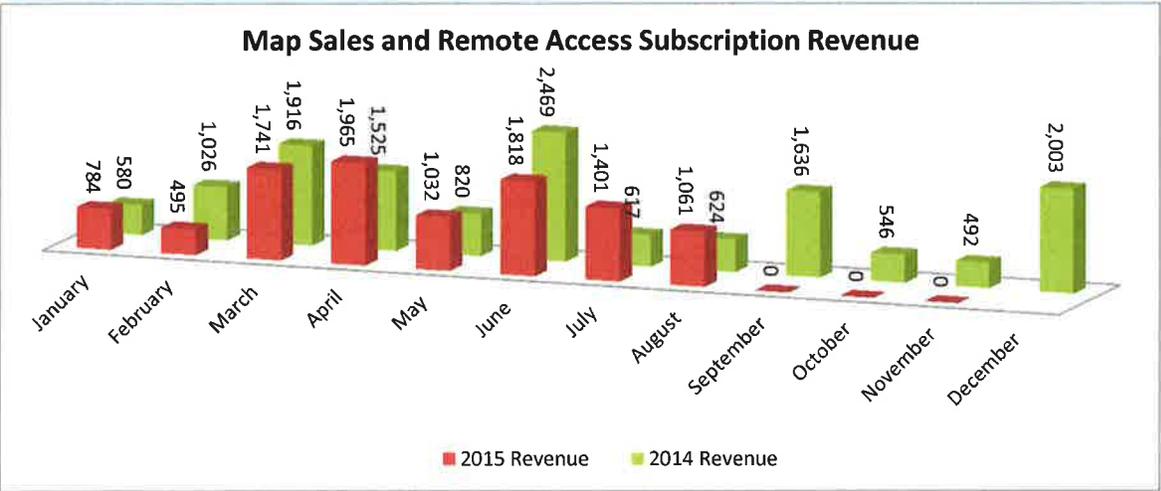
Town Response: Klotz read Town response into the record and it is in the file.

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

Motion by Reese, seconded by David to adjourn the public hearing at 9:30 pm. Motion carried on a voice vote with no objection.

Don Reese, Secretary

August 2015 Land Information Office Monthly Revenue Chart Comparison to Prior Year



Jefferson County Planning and Zoning Department
Monthly Ledger Report
09-23-2015

	OP	PCC	MC	PSS (STP	FOAS	FAA	FPPC	SRFWF	WFG	Refunds	2015 Totals	2014 Total	Diff
MTH	7101.432099	7101.451002	7101.472003	7101.432002	7101.458010	7101.458015	7101.458014	7101.458001	7101.458002	7102.421001				
Jan	5,845.00	519.30		1,750.00	300.00						1,500.00	8,414.30	6,832.86	1581.44
Feb	10,460.00	160.00		1,175.00	250.00						275.00	12,045.00	10,165.62	1879.38
Mar	11,130.00	168.06		1,825.00	150.00						250.00	13,273.08	9,843.03	3430.05
Apr	15,865.00	29.94		3,700.00	950.00							20,544.94	13,562.09	6982.85
May	13,379.00	8.36	2.50	4,450.00	350.00						250.00	18,189.86	16,253.03	1936.83
June	16,940.00	16.49		5,050.00	700.00			2.00			650.00	22,708.49	16,150.51	6557.98
July	15,220.00	84.36		3,525.00	400.00							19,229.36	20,802.00	-1572.64
Aug	15,335.00	11.58		6,475.00	850.00						150.00	22,671.58	23,015.79	-344.21
Sept	7,840.00	32.01		1,800.00	500.00							10,172.01	25,195.29	-15023.28
Oct													12,805.14	-12805.14
Nov													13,848.22	-13848.22
Dec													10,000.29	-10000.29
Total	112,014.00	1,030.12	2.50	29,750.00	4,450.00			2.00			3,075.00	147,248.62	178,473.87	-31225.25

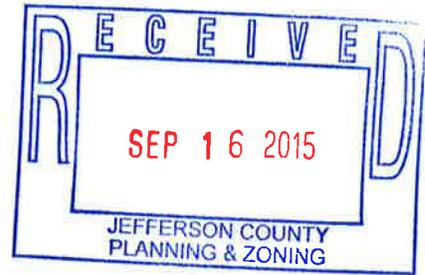
2014 Actual Zoning Deposits: \$2,014.00

2015 Budget Revenues: \$136,300.00

2015 Deposits YTD: \$147,248.62

September 15, 2015

Jefferson County Planning & Zoning Committee
311 S. Center Ave., RM 109
Jefferson, WI 53549



Dear Committee Members:

I would like the members to reconsider the original placement of our new home site for the following reasons:

-My family has been involved with the farm operation for 80+ years. I grew up on this farm and my grandfather purchased this farm for my dad who farmed with me until his passing. Now I am trying to stay on the farm and pass it down to my family.

-If something would happen to myself or my wife the remaining acres would flow to my son and my daughter who's farmette is to the north of the remaining parcels on Sun-val Road.

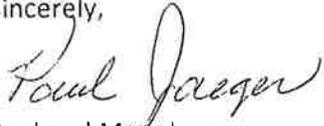
-My son and his future wife would like to purchase the 39 acres that is currently our residence and the outbuilding in the hopes of taking over the existing farm in its entirety and some day purchasing the remaining parcels. That is why we would keep the remaining acres in our name and create a one acre lot for new residence on the corner of parcel #012-0816-0642-000.

-Due to increase traffic on Hustisford Road, the location for the new one acre lot was determined based on existing farm trails which would allow us safe access to the farm buildings of my son and daughter. These trails allow us to use our Gator, truck or tractor to our remaining farm land. Attached is a map showing the trails in connection with the new lot that I am creating. If the lot is placed for the cluster effect the existing trails and my remaining parcel would not be accessible. This forces me to use Hustisford Road/County Road CW/Gopher Hill creating a safety issue for us to travel back and forth to our residence and land.

-The Town of Ixonia Planning Commission, the Ixonia Town Board, and the Ixonia Highway Superintendent have all approved the location on the corner of parcel #012-0816-0642-000.

We want our son to purchase the existing 39 acre farm but we still want to retain the remaining parcels. Placing the lot in this location would allow us to continue to live and farm by our son and daughter.

Sincerely,


Paul and Mary Jaeger

ANDERSON LAND SURVEYING LLC
Mark E. Anderson, Professional Land Surveyor

September 11, 2015

Jefferson County Zoning Department
Attn: Deb Magritz
311 S. Center Avenue – Room 201
Jefferson, WI 53549

Dear Deb,

Enclosed is a revised Preliminary Certified Survey for Roy Nosek addressing the Committee's concerns. A common access for the remaining land and this lot will be used and the new drive constructed from there will be included on the lot.

Please place this on the Committee's September 28 meeting agenda for their reconsideration.

If you have any questions please let me know.

Sincerely,

ANDERSON LAND SURVEYING LLC



Mark E. Anderson, P.L.S.

Enclosures

cc: Roy Nosek

SEP 14 2015

W6141 Star School Rd. Fort Atkinson, WI 53538 Tel: 920-563-8162

andersonlandsurvey@gmail.com

**JEFFERSON COUNTY
PRELIMINARY REVIEW FOR CERTIFIED SURVEY**

A division of land located in the NE 1/4, 1/4 of the NE 1/4 of Section 25, Town 5 N, Range 14 E, Town of Koshkonong, Jefferson County, Wisconsin, on Parcel Number(s) 016-0514-2511-000

Owner: Roy A. Nosek
 Address: 210 N. Park Street
 City, ST Zip: Whitewater, WI 53190
 Phone: 920-723-7545

Date Submitted: June 9, 2015
 Revised: 9-11-15

Note to be placed on final CSM

Petition # _____ Zoning _____
 Check for subsequent zoning changes with Jefferson County Planning and Zoning Department.

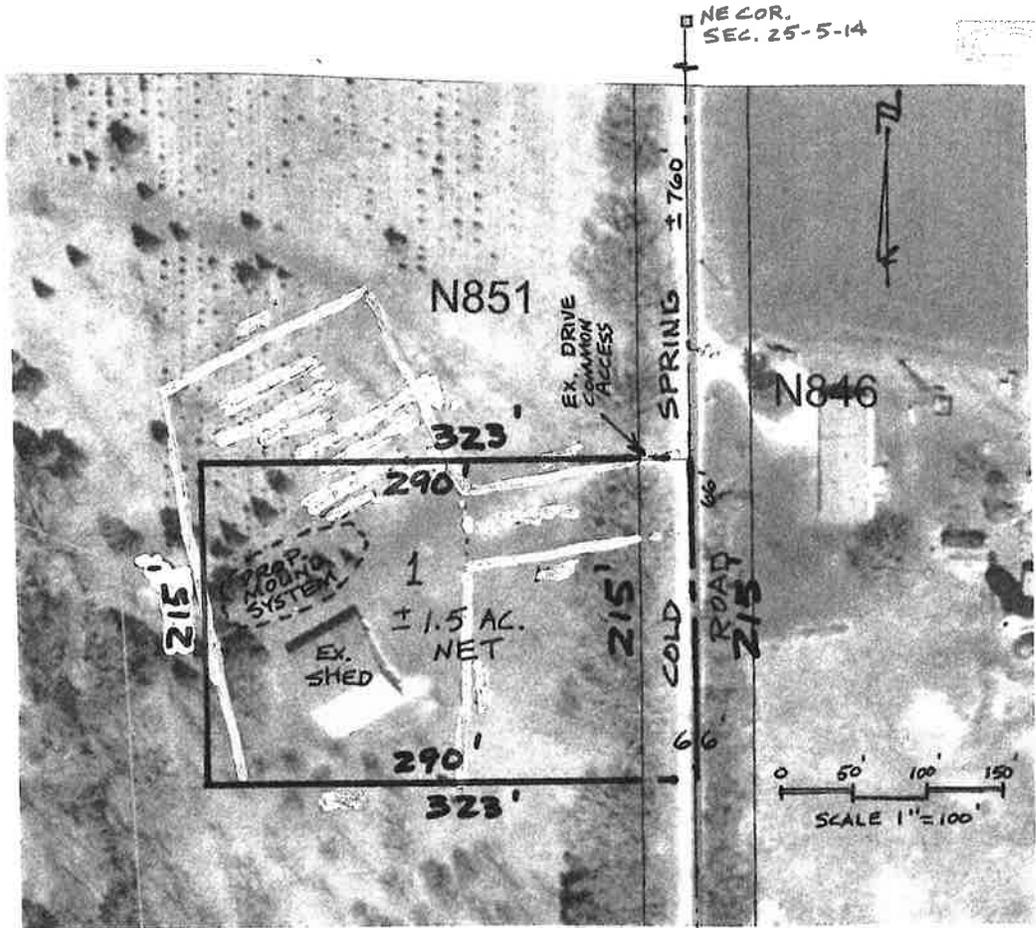
Surveyor: Anderson Land Surveying
 Address: W6141 Star School Road
 City, ST Zip: Fort Atkinson, WI 53538
 Phone: 920-563-8162

In addition to the info required by Section 236.34 of State statutes, Sec. 15.04(f) of the Jefferson County Land division/Subdivision Ordinance requires that the following be shown:

- Existing buildings, watercourses, drainage ditches and other features pertinent to the proper division,
- Location of access to a public road, approved by the agency having jurisdiction over the road.
- All lands reserved for future public acquisition,
- Date of the map
- Graphic Scale

- Rezoning
 Allowed Division within an existing Zoning District
 Survey of Existing Parcel

Intent and Description of Parcel to be Divided: Create an approximately 1.4 acre (net) building site with an existing shed on his tree farm.



Note: Areas and dimensions on this Preliminary are approximate and in most cases will vary from the Final survey data.

Town Board Approval _____ Date _____
 (Includes Access approval if applicable) Town wishes to sign Final Certified Survey Map Yes No
 County Highway Approval _____ Date _____
 (If applicable) Extraterritorial Approval _____ Date _____
 (If applicable) County Surveyor Approval _____ Date _____
 Zoning Office Approval _____ Date _____