

PLANNING & DEVELOPMENT COMMITTEE AGENDA

Tuesday, February 23, 2016 • 6:00 PM ***Please note earlier start time***

Eau Claire County Courthouse • 721 Oxford Avenue • Room 1277

Eau Claire, Wisconsin

1. Call to order
2. Public Input Session **(30 minute maximum)**
Comments are restricted to matters within the Committee's jurisdiction, and items not pertaining to already scheduled public hearings. Comments will be limited to three minutes per individual.
3. Public Hearing:
 - a. A conditional use permit request for the cumulative area of all accessory structures to exceed 1,200 square feet in the RH Rural Homes District (German/Schultz – Town of Union) CUP-0024-15 / Discussion – Action **p. 2 - 14**
 - b. A conditional use permit request for a Planned Unit Development in the C-3 Highway Business District (Overgard Properties – Town of Washington) CUP-0002-16 / Discussion – Action **p. 15 - 28**
 - c. **Proposed Ordinance: File No. 15-16/120** “Amending the 1982 Official Zoning District Boundary for the Town of Clear Creek” (Brovold) RZN-0001-16 / Discussion – Action **p. 29 - 47**
 - d. **Proposed Ordinance: File No. 15-16/126** “Amending the 1982 Official Zoning District Boundary for the Town of Washington” (Bolle) RZN-0003-16 / Discussion – Action **p. 48 - 64**
 - e. **Proposed Ordinance: File No. 15-16/130** “Amending the 1982 Official Zoning District Boundary for the Town of Washington” (Graff) RZN-0004-16 / Discussion – Action **p. 65 - 81**
 - f. **Proposed Ordinance: File No. 15-16/129** “Amending the 1982 Official Zoning District Boundary for the Town of Pleasant Valley” (Dapp Trust) RZN-0005-16 / Discussion – Action **p. 82 - 99**
 - g. **Proposed Ordinance: File No. 15-16/131** “Amending the 1982 Official Zoning District Boundary for the Town of Pleasant Valley” (Gonitzke) RZN-0006-16 / Discussion – Action **p. 100 - 115**
4. **Proposed Resolution: File No. 15-16/128** “Authorizing the Submittal of a Wisconsin Department of Transportation (WisDOT) 2016-2020 Transportation Alternatives Program (TAP) Grant Application” / Discussion – Action **p. 116**
5. Quarterly Fiscal/Departmental Report / Discussion
6. Review of January Bills / Discussion
 - a. Planning **p. 117**
 - b. Land Conservation **p. 118**
7. Review/Approval of January 26, 2016 Meeting Minutes / Discussion – Action **p. 119 - 123**
8. Proposed Future Agenda Items / Discussion
9. Adjourn



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

CONDITIONAL USE PERMIT NUMBER: CUP-0024-15

COMPUTER NUMBERS: 022-1098-01-030, 022-1098-01-020

PUBLIC HEARING DATE: February 23, 2016

STAFF CONTACT: Rod Eslinger, Land Use Manager

OWNER: Ann German and Dean Schultz

APPLICANT: Same as above

REQUEST: Conditional use permit for the cumulative area of all accessory structures in excess of 1,200 square feet

LOCATION: 2207 White Pine Drive, Eau Claire, WI 54703

LEGAL DESCRIPTION: Part of the SW of the NE, Section 31, T27N-R10W, Town of Union

SUMMARY

Request for a conditional use permit for the cumulative area of all accessory structures in excess of 1,200 square feet (1,632 square feet requested) in the RH, Rural Homes District.

BACKGROUND

SITE CHARACTERISTICS:

- Currently situated on the property is a single family home with an existing 24 feet x 40 feet (960 square feet) detached garage. The proposed garage is 24 feet by 28 feet (672 square feet). Combined square footage of the existing and proposed garages is 1,632 square feet.
- Lot size is 12.83 acres.
- The property is wooded.
- Access to the property is off of White Pine Drive.

CURRENT ZONING:

CURRENT ZONING: RH Rural Homes District. The purpose of the RH District is "...to provide for suburban large-lot (residential) development with individual on-site water and sewage disposal facilities."

ADJACENT ZONING & LAND USES:

	ZONING	LAND USE
North	RH	Residential-Single Family
West	F2	Town of Union Property
South	A1	Agriculture – Chippewa River
East	RH	Residential-Single Family

LAND USE PLANS: The County Land Use Plan, adopted in April of 2010, includes this property in a Rural Residential Planning area. The Town Comprehensive Plan adopted in 2010 also includes this property in the Rural Residential Planning area.

Rural Residential (RR)

Intent and Description: The primary intent of this classification is to identify areas suitable for future non-farm residential development. Rural Residential areas include lands that are delineated as existing residential properties or vacant platted areas. In addition, some undeveloped land has been designated for RR development where subdivision expansion is likely to occur. These additional areas tend to be adjacent to existing rural subdivisions or where local roads and utilities exist to efficiently and economically serve the area.

APPLICABLE ZONING REGULATIONS

Section 18.01.010 Purpose. This section describes the purpose of the zoning code. Generally, the purpose of the zoning ordinance is as follows: to separate incompatible land uses from one another; to maintain public health and safety; to protect and conserve natural resources; to prevent overcrowding; to preserve property values; and to maintain the general welfare of the citizens.

Section 18.02.020 A.167.a Definition of an Accessory Structure. An “accessory structure” means a subordinate structure which is clearly and customarily incidental to and located on the same lot as a principal structure except that mobile/manufactured homes are not allowed as storage structures.

Section 18.07.040.B.2. Maximum Height for an Accessory Structure in the RH District. The maximum height for the eaves of an accessory structure is 14 feet, and the maximum height for the structure is 20 feet. Maximum height is measured as the height halfway between the peak of the roof and the eaves.

Section 18.07.045 C. Accessory structures in the RH Rural Homes District. A conditional use permit is required to for accessory structures in excess of 1,200 square feet in the RH District and/or where the cumulative square footage of accessory structures is in excess of 1,200 square feet. The regulations also require that the appearance of an accessory structure shall be compatible with the design, style, and appearance of the principal structure on the property.

Chapter 18.21 Conditional Uses. Standards for approval of conditional uses: 1) the use must be in conformance with the purpose of the zoning district it is located in; 2) the use will not be injurious to the use and enjoyment of other property in the immediate vicinity; 3) adequate utilities, access, drainage and other necessary facilities have been or are provided; 4) adequate off-street parking is provided; 5) adequate measures have been taken to prevent or control offensive odors, fumes, dust, noise and vibration so these will not constitute a nuisance, and lighting is controlled so that it does not result in disturbance to neighboring properties; 6) soil conditions are adequate to support the use; 7) access does not pose traffic congestion or hazards.

ANALYSIS: Findings can be made that the proposed request meets the standards for accessory structures in residential districts, that the structure will be subordinate to the residence on the property, and that it will meet all of the standards for conditional use permits. The exterior of the structure will be consistent with the existing garage; thereby it is compatible with the design, style and appearance of the exterior appearance of the residence. This request does not appear to be injurious to the use and enjoyment of other properties in the immediate vicinity. The lot is large enough to accommodate the addition to the detached garage. It does not appear that the use of the structure will result in any nuisance factors such as noise, dust, or fumes.

TOWN BOARD ACTION: The Town of Union Plan Commission and Town Board met on February 9, 2016. The Town of Union recommended approving the CUP as submitted with the stipulations that “there is to be no business or manufacturing in the building, and to include any stipulations added by the county.”

STAFF CONCLUSIONS AND RECOMMENDATION: Staff concludes that the request for the cumulative square footage of the accessory structures to exceed 1,200 square feet on the applicant's property will meet all of the standards for an accessory structures in a RH District; will meet all of the standards for approval of conditional use permits; and will be consistent with the purpose of the zoning code. Staff recommends approval of the conditional use permit with the following conditions:

1. The site plan, floor plan and elevation drawings submitted with the application shall be attached to and made a part of the permit. The structure shall be constructed in accord with the drawings submitted and located on the property as shown on the site plan.
2. The appearance of the accessory structure must be compatible with the design, style, and appearance of the principal structure on the property, in accord with 18.07.045 C. of the Eau Claire County Code.
3. The structure shall comply with the height standards for accessory structures, including the limit of eave height of 14 feet, and roof height of 20 feet.
4. Prior to construction, the applicant shall obtain a land use permit from the Department of Planning and Development, as well as a building permit from the Town of Union.
5. Use of the structure shall be limited to personal storage, and shall not contain any living areas or be used for commercial or manufacturing purposes.
6. The applicant shall notify the Land Use Control Manager upon completion of the accessory structure so that staff can verify compliance with the terms of this approval.
7. The Land Use Manager can approve minor alterations from the terms of the permit. A major change does require the approval of the committee at a public hearing.
8. The owners shall allow staff from the Department to enter the property at reasonable times to inspect the premises for compliance with the conditions of this permit.
9. The permit is subject to Sections 18.21.080 to 18.21.100 of the Zoning Code. These provisions establish when a conditional use permit lapses, the conditions under which it can be revoked, and when a CUP expires due to the abandonment of a use.

Eau Claire County
Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

County Board Supervisor #9; Gordy Steinhauer

Application Accepted: 12/30/2015
Accepted By: Rod Eslinger
Receipt Number: 45171
Town Hearing Date: 02/09/2016
Scheduled Hearing Date:
Application No: CUP-0024-15
Appl Status: Pending

Conditional Use Permit - County

Owner/Applicant Name(s): Ann S German Dean T Schultz	Address: (ow) 2207 WHITE PINE DR EAU CLAIRE (ow) 2207 WHITE PINE RD EAU CLAIRE	Telephone: 715-874-5793(W) 715-831-7505(H)
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Site Address(es):			
Property Description: Sec 31 Twn 27 Rge 10	Town of Union	Lot Area: 3.810	ACRES
Zoning District(s): RH			

Overlay District: Check Applicable	<input type="checkbox"/> Shoreland	<input type="checkbox"/> Flood Plain	<input type="checkbox"/> Airport	<input type="checkbox"/> Wellhead Protection	<input type="checkbox"/> Non-Metallic Mining
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PIN 1802222710311300003	Alternate No 022109801030	Parcel No 27.10.31.1-3-D	Legal (partial) OWNERS OF DOC.952776 ARE; DEAN T SCHULTZ & ANN S GE
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General Description: Type: Accessory Structure in Excess of 1200 sq ft Description of Proposed Use: DETACHED GARAGE FOR PERSONAL STORAGE.	Conditional Use Contract: Structure Check: Yes
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I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature *s created application* Date _____
 Check if DATCAP must be notified _____ Check if DNR to Receive Copy _____

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



Eau Claire County
Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

CUP-0024-15 ✓

Application Accepted:	12/30/15
Accepted By:	Jared Grande
Receipt Number:	45171
Town Hearing Date:	
Scheduled Hearing Date:	

CONDITIONAL USE PERMIT APPLICATION

Property Owner Name:	Dean Schultz/Ann German	Phone#	715-874-5793
Mailing Address:	2207 White Pine Drive, Eau Claire, WI 54703		
Email Address:	anndean@wau.net		

Agent Name:	Phone#
Mailing Address:	
Email Address:	

SITE INFORMATION

Site Address:	Same		
Property Description:	SW ¼ NE ¼ Sec. 31 T 27 N, R 10 W, Town of Union		
Zoning District:	RH	Code Section(s):	18.07.045 C.
Overlay District:	<input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining		
Computer #(s):	022 - 1098 - 01 - 030		

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. Applications are due by 12:00 PM of the Tuesday three weeks prior to the Planning and Development Committee meeting. All information from the checklist below must be included.

<input checked="" type="checkbox"/> Complete attached information sheet	<input checked="" type="checkbox"/> Site Plan Drawn to Scale	<input type="checkbox"/> Contact the Town to coordinate a recommendation on the application	<input checked="" type="checkbox"/> Provide \$490.00 application fee (non-refundable), payable to the Eau Claire County Treasurer
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I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature Dean Schultz Date 12/30/15

NOTICE: PERMIT FEES DOUBLE WHEN WORK BEGINS PRIOR TO ISSUANCE OF PERMITS & APPROVALS.

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

SUPPLEMENTAL INFORMATION FOR A CONDITIONAL USE PERMIT

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

WRITTEN DESCRIPTION OF THE PROPOSED USE:

General description of the use (home occupation, accessory structure in excess of 1,200 square feet, filling in a floodplain, non-metallic mining, or any other listed conditional use in zoning districts).

Accessory structure in excess of 1200 ft.² Currently there is an accessory structure of 960 square feet on adjoining lot (parcel 022-1098-01-020) on which is also located owner's home. The proposed structure is a garage of 672 square feet which will be used for storage (boat, tractor, lawn mower, etc). Garage will be supplied with electrical service.

IF THE PROPOSED USE INVOLVED A BUSINESS ACTIVITY, DESCRIBE THE PROPERTY

Description of the type of business activity:

None.

Equipment used in the business activity:

None

Days and hours of operation: N/A

Number of employees:

Nuisance abatement measures that will be implemented:

Noise abatement measures:

Vibration abatement measures:

Dust control measures:

Measures to control fumes or odors:

Visual screening measures (plants, fences, walls, etc.)

DESCRIPTION OF ANY OTHER FEATURES OR CHARACTERISTICS THAT MAY BE SUBJECT TO ZONING REGULATIONS

Exterior appearance of any structure, including a description of the building materials used, the height of eaves, the color of the structure, etc. (required for conditional use permit applications for accessory structures in excess of 1,200 square feet)

Garage will be conventional wood frame construction, 9 foot eave height, vinyl siding (tan/brown), asphalt shingles (brown), concrete floor slab and driveway apron.

Any proposed excavation or fill, the amount of material that will be mined in a non-metallic mining operation, the amount of material that will be stockpiled, etc.

Minor amount of fill to prepare site for floor slab, driveway, and culvert.

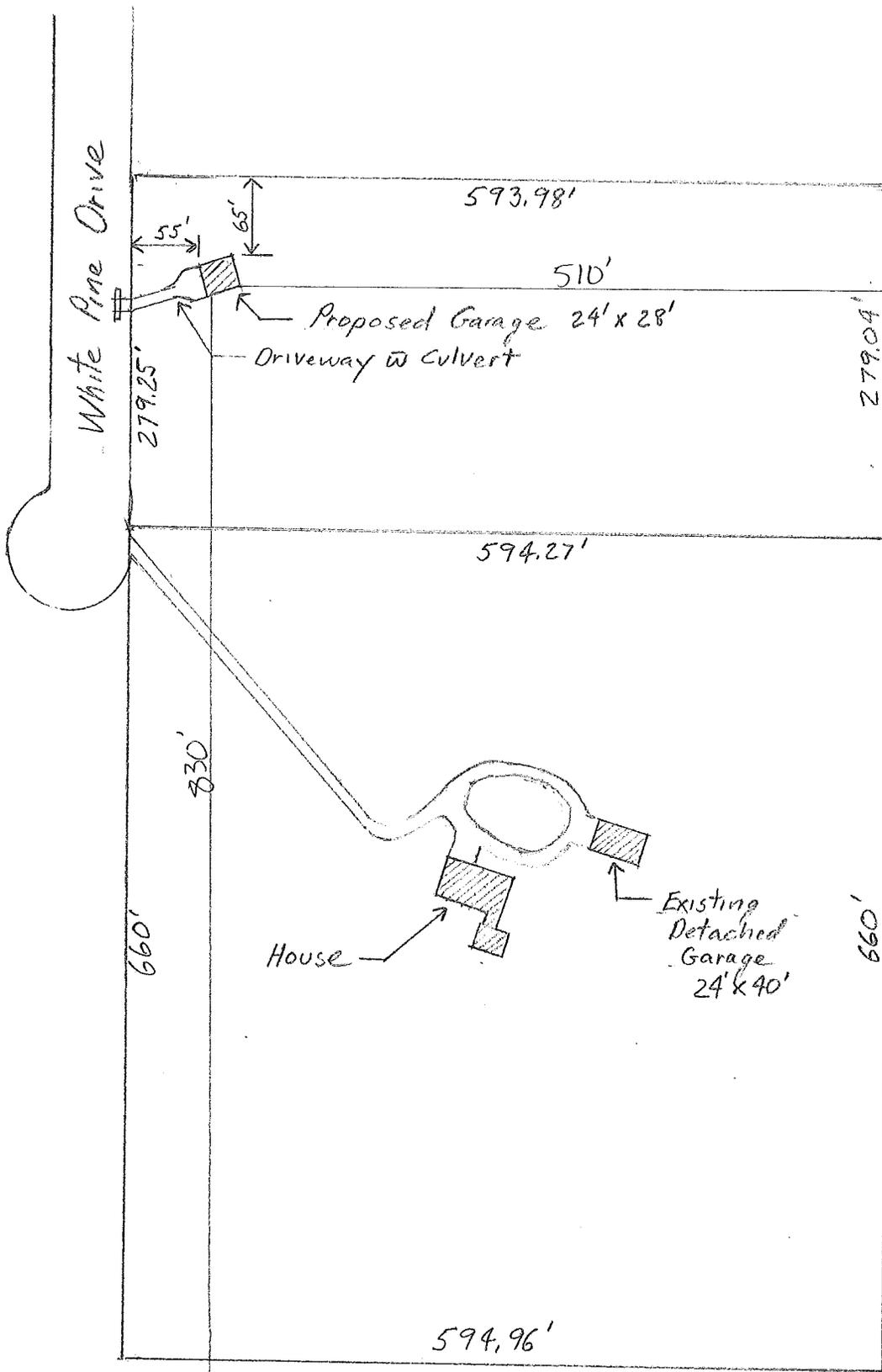
Other features or characteristics (signs, fences, outdoor display areas, etc.)

SCALED SITE PLAN

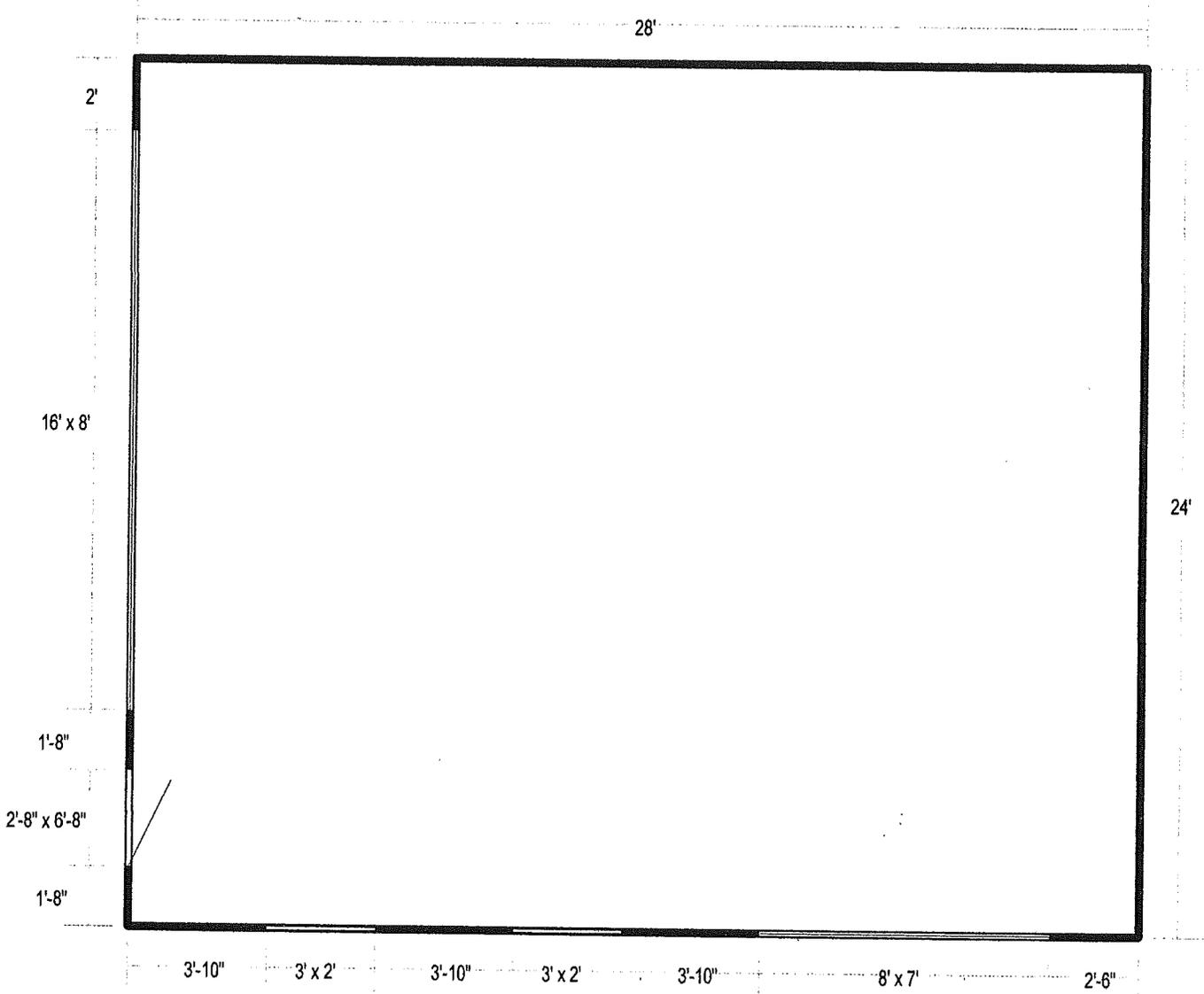
- | | |
|---|---|
| <input type="checkbox"/> Show parcel and building dimensions of all existing and proposed structures | <input type="checkbox"/> Landscape and screening plans |
| <input type="checkbox"/> Show all signs, fences and other features that may be regulated by zoning | <input type="checkbox"/> Show the well and septic system |
| <input type="checkbox"/> Site access, driveway, and nearest road (labeled) | <input type="checkbox"/> Parking areas with spaces |
| <input type="checkbox"/> Drainage plans including the erosion control plan | <input type="checkbox"/> Show all navigable water ways, wetlands, floodplains, slopes in excess of 20%, and any other unique limiting condition of the property |
| <input type="checkbox"/> The layout of the use within the structure; if the use only occupies part of the structure, the floor plan should illustrate only the layout of that part of the structure occupied by the use and any access to the use through halls, doorways, etc. | |
| <input type="checkbox"/> The location of any equipment that will be used | |

FOR ALL NON-AGRICULTURAL ACCESSORY STRUCTURES

- | |
|--|
| <input type="checkbox"/> Show floor plan, including attics |
| <input type="checkbox"/> Show scaled building elevations |
| <input type="checkbox"/> Show color scheme |



Site Plan
 1" = 125'

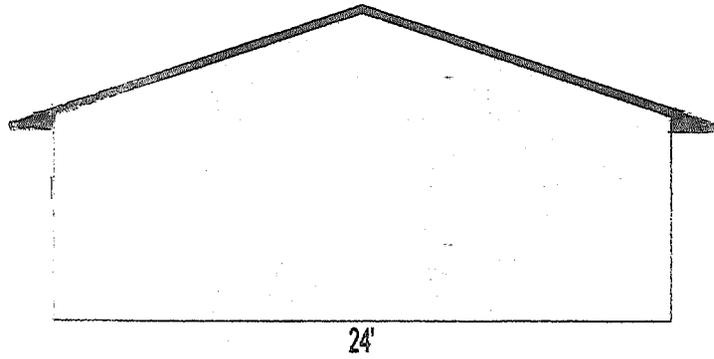


Floor Plan

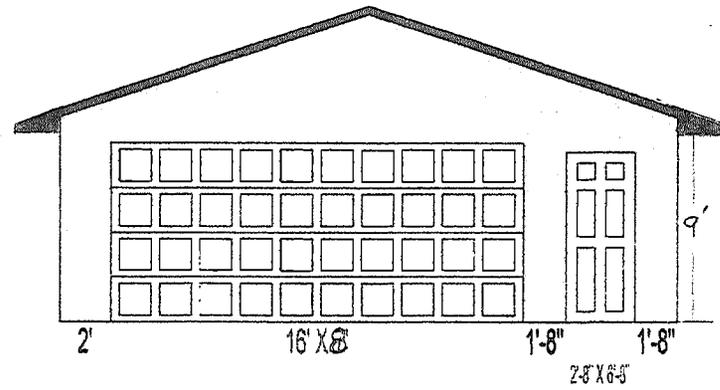


Building Size: 24 feet wide X 28 feet long X 9 feet high

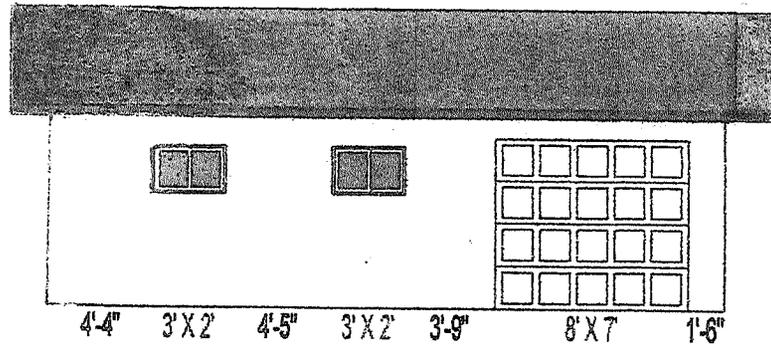
Note: Wall construction is 2x4 @ 16" on center



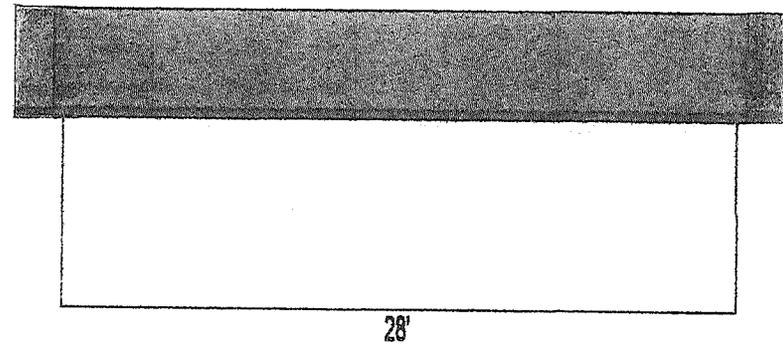
East Elevation



West Elevation



South Elevation



North Elevation

Rod Eslinger

From: Smith, Deb <dsmith@ecec.com>
Sent: Tuesday, February 16, 2016 1:18 PM
To: Rod Eslinger
Cc: Townofunion@Wwt. Net (townofunion@wwt.net)
Subject: RE: Schutlz conditional use permit

Yes we did at our February 9, 2016 board meeting. The motion was, "to approve the CUP as submitted with the stipulations that there is to be no business or manufacturing in the building and to include any stipulations added by the county." I will make sure the clerk sends you a letter also.

Debbie Smith
Supervisor

From: Rod Eslinger [<mailto:Rod.Eslinger@co.eau-claire.wi.us>]
Sent: Tuesday, February 16, 2016 1:12 PM
To: Smith, Deb
Subject: Schutlz conditional use permit

Hi Debbie,

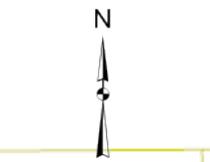
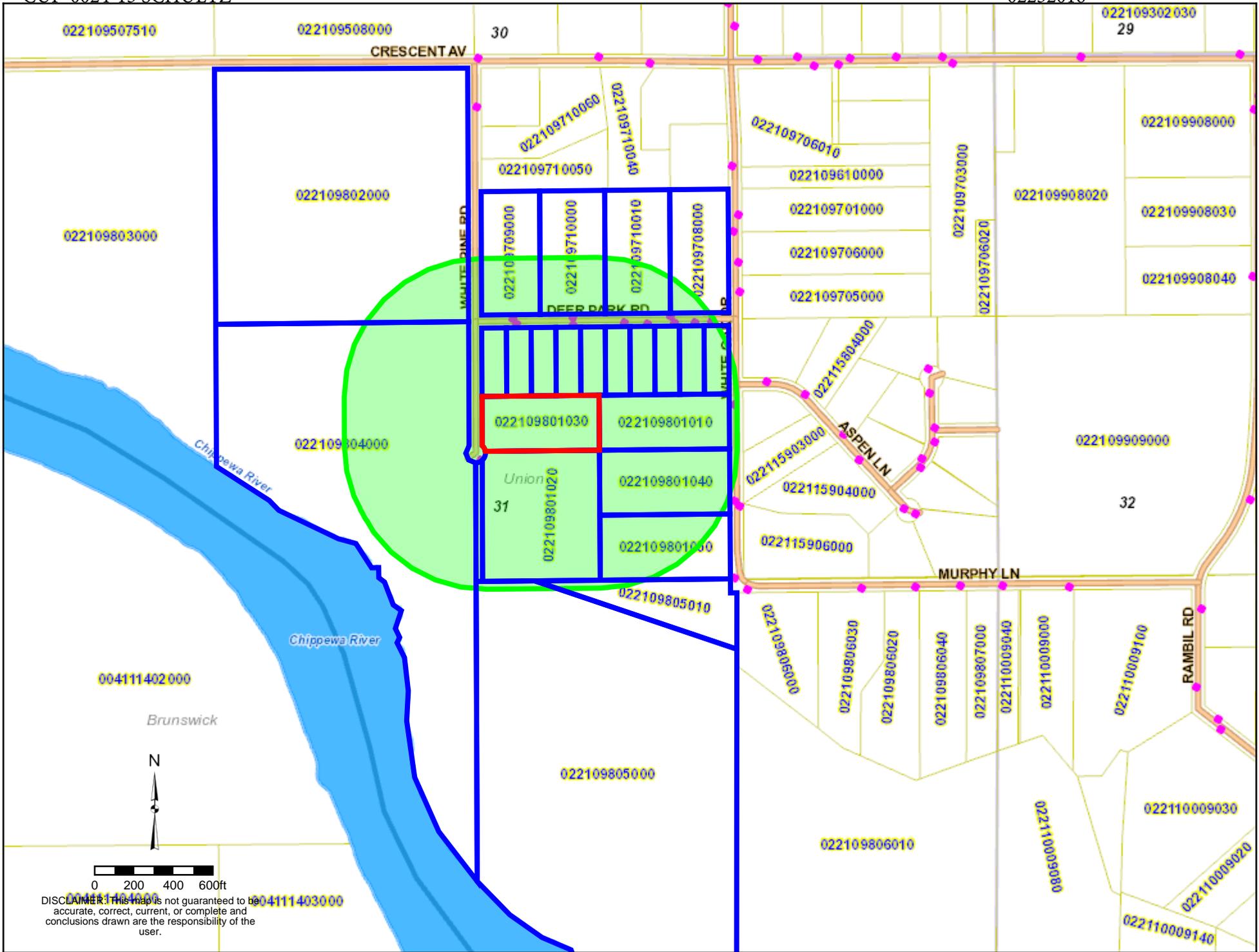
Did the town board consider the Schultz/German CUP (cumulative area of the garages to excess 1,200 sq. ft.) at its meeting on 2/9? If so, what was the outcome?

Thanks,

Rod

Rod Eslinger
Land Use Supervisor
Eau Claire County
Department of Planning and Development
Phone: 715-839-4743
Fax # 715-831-5802
County website: www.co.eau-claire.wi.us

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0 200 400 600ft

DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Parcel Id	NAME	ADDRESS	CITY	STATE	ZIP
1802222710311302002	BRUNNER, DERALD J & MARJORIE A	9821 DEER PARK RD	EAU CLAIRE	WI	54703
1802222710311302009	CHRISTOPHERSON, BRYAN K & ELIZABETH A	9701 DEER PARK RD	EAU CLAIRE	WI	54703
1802222710311200005	CLARK, LARRY P & BARBARA J	9728 DEER PARK RD	EAU CLAIRE	WI	54703
1802222710311200004	DEWITZ, JAMES T	9830 DEER PARK RD	EAU CLAIRE	WI	54703
1802222710311300004	FRANKO, RAYMOND	2128 WHITE OAK DR	EAU CLAIRE	WI	54703-9185
1802222710311200002	GORDON, CHRISTOPHER J & JENNIFER	1811 WHITE OAK DR	EAU CLAIRE	WI	54703
1802222710311200003	HENDRICKSON, DANIEL	997 PO BOX	EAU CLAIRE	WI	54702
1802222710311302007	JACOBSON, LARRY W & JOYCE M	9725 DEER PARK RD	EAU CLAIRE	WI	54703
1802222710310030002	KEEFER, RONALD E & ROSEMARY E	2202 WHITE OAK DR	EAU CLAIRE	WI	54703
1802222710310030001	LARSON, GARY A	N 2561 873RD ST	ELK MOUND	WI	54739
1802222710311302005	PALMER, LARRY R & SHARON R	9809 DEER PARK RD	EAU CLAIRE	WI	54703
1802222710311300001	RANZENBERGER, KIM L & LORI A	2040 WHITE OAK DR	EAU CLAIRE	WI	54703
1802222710311302006	ROOKAIRD, RICHARD M & JOY L	9803 DEER PARK RD	EAU CLAIRE	WI	54703
1802222710310020002	TOWN OF UNION		EAU CLAIRE	WI	54703
1802222710311302008	VOGLER, BERNARD F & SHARON K	9713 DEER PARK RD	EAU CLAIRE	WI	54703



EAU CLAIRE COUNTY PLANNING AND DEVELOPMENT STAFF RECOMMENDATION

CONDITIONAL USE PERMIT NUMBER: CUP-0002-16
COMPUTER NUMBER(S): 024-1104-08-000
PUBLIC HEARING DATE: February 23, 2016

STAFF CONTACT: Rod Eslinger, Land Use Manager
OWNER: Overgard Properties II LLC
APPLICANT: James Overgard
REQUEST: Conditional use permit for a commercial planned unit development (PUD) for that includes a landscaping company, office space and a single family residence.
LOCATION: 6517 Pleasant View Street and 6523 US Highway 12, Eau Claire, Wisconsin
LEGAL DESCRIPTION: Part of the NW of the SW of Section 30, T27N, R8W, Town of Washington

SUMMARY

The applicant proposes to operate a commercial PUD from the property that includes a landscaping contractor's business and office use. The existing buildings will be used to maintain equipment and storage; nursery stock, black dirt, boulders, and rock will also be stored onsite as shown on the site plan. Equipment list includes skid steers, dump trucks, pick-up trucks, and trailers. The number of employees employed with Overgard Landscaping varies from 4 to 15 depending on time of year. All landscaping work is done off site and the applicant will not offer onsite sales of nursery stock, soil or rock. The applicant stated the business hours will be 6:30 a.m. to 7 p.m. (sometime longer) five days a week.

The property was previously occupied by Rock-n-Roll to Go Plus, Inc., and was used as office space and the storage of limousines and other equipment related to the business, along with a floor care business.

BACKGROUND

SITE CHARACTERISTICS:

- The site is located 1/8 of a mile east of the US Highway 12 and County Road AA (Mayer Road) intersection.
- Lot size is 3.96 acres.
- In 2003, the committee granted the former owners, Mark and Gail Studinski, a conditional use permit to operate a commercial PUD for business office with storage and flooring business.
- The existing buildings consist of a single-family residence, a 120 foot by 80 foot office and storage building, and a 62 foot by 45 foot building.
- The commercial access is from Pleasant View Street and the residential access is off of US Highway 12.

- A storm water basin currently serves the property and is located on the southwest corner of the lot.
- The existing parking and access drive to the 120 foot by 80 foot building is concrete, the drive serving the single family residence is paved and the access to the 62 foot by 45 foot is unimproved surface.
- Employee and customer parking is available on the concrete pad.
- A screening plan has been submitted with the application materials. A privacy fence in addition to the existing vegetation is shown for the easterly boundary of the property adjacent to the RH district.
- The existing buildings are served by separate on-site septic systems and wells.

CURRENT ZONING:

C-3 Highway Business District. The purpose of the C-3 District is "...to provide an area for the development of those commercial activities that require large lots or attract concentrations of automobile traffic which make the uses incompatible with the predominantly retail uses in other commercial districts."

ADJACENT ZONING & LAND USES:

DIRECTION	ZONING	LAND USE
North	City Zoning	Industrial
West	City Zoning and C3	Mini-warehousing and businesses
South	C3	Commercial businesses
East	RH, I1	Residential and commercial businesses

LAND USE PLANS

The County Land Use Plan, adopted in 2010, includes this property in a Rural Commercial planning area; the Town of Washington Comprehensive Plan also places this property in a Rural Commercial Planning area.

Eau Claire County - Rural Commercial (RC)

Intent and Description: The primary intent of this classification is to identify areas suitable for planned commercial development. There are some existing scattered commercial developments throughout the County and these areas are expected to stay in commercial use. The most appropriate commercial uses will be those that serve rural needs and/or are consistent with the existing rural character, e.g. veterinary clinics, blacksmith/woodworking shops, roadside meat or produce businesses, nurseries, or agricultural implement dealers.

APPLICABLE ZONING REGULATIONS

Section 18.01.010 Purpose. This section describes the purpose of the zoning code. Generally, the purpose of the zoning ordinance is as follows: to separate incompatible land uses from one another; to maintain public health and safety; to protect and conserve natural resources; to prevent overcrowding; to preserve property values; and to maintain the general welfare of the citizens.

Section 18.14.030 A Planned Commercial Developments as conditional uses in the C-3 District – A planned commercial development is listed as a conditional use in the C-3 District.

Chapter 18.27 Planned Unit Developments - This chapter of the code establishes requirements for PUD's including, but not limited to, the following: the minimum size of a PUD is two acres; the number of principal structures must be equivalent to the density allowed in the district; that the committee may grant up to a 25% increase in density; provisions must be set up to maintain land set aside as common open space; where a PUD involves the creation of more than one lot, a subdivision plat must be submitted simultaneously with the PUD application.

Chapter 18.21 Conditional Uses. Standards for approval of conditional uses: 1) the use must be in conformance with the purpose of the zoning district it is located in; 2) the use will not be injurious to the use and enjoyment of other property in the immediate vicinity; 3) adequate utilities, access, drainage and other necessary facilities have been or are provided; 4) adequate off-street parking is provided; 5) adequate measures have been taken to prevent or control offensive odors, fumes, dust, noise and vibration so these will not constitute a nuisance, and lighting is controlled so that it does not result in disturbance to neighboring properties; 6) soil conditions are adequate to support the use; 7) access does not pose traffic congestion or hazards.

ANALYSIS: Findings can be made that the proposed request meets the standards for commercial PUD in a commercial district, and that it will meet all of the standards for conditional use permits. This request does not appear to be injurious to the use and enjoyment of other properties in the immediate vicinity. The lot is large enough to accommodate the landscaping contractor's business and to lease office space. It does not appear that the use of the structure will result in any nuisance factors such as noise, dust, or fumes.

TOWN BOARD ACTION: The Town of Washington met on January 21, 2016 to discuss this request. The Town of Washington recommended approval of the application.

STAFF CONCLUSIONS AND RECOMMENDATION: Staff concludes that the proposed PUD meets the standards for conditional use permit and is consistent with the purpose of the zoning ordinance.

Staff recommends approval of the conditional use permit with the following conditions:

1. The planned commercial development is approved for Overgard Landscaping, office space/storage for a second business, and the continued occupation of the single-family residence.
2. All commercial traffic shall use the access off of Pleasant View Street and the residential traffic accessing off of the existing driveway from US Highway 12.
3. All development on the site shall be done in accord with the site plan that was submitted with the application, and the site plan shall be attached to and made a part of the permit.
4. The applicant shall maintain internal driving areas so fire and rescue operations can access the current and proposed buildings.
5. Use of the residence on the property may include living quarters for the owners of either onsite business, or it may be used as a rental unit for a family.
6. The committee may consider establishing hours of operation for the PUD.
7. All lighting fixtures shall be shielded lighting to direct light downward and away from residential areas and public right-of-ways.
8. All parking shall comply with the parking regulations in Chapter 18.25 of the County Code.
9. All signage shall comply with the sign regulations in Chapter 18.26 of the County Code. All new signage shall require a permit.
10. The property shall have effective solid screening along all lot line adjoining residential districts in accord with section 18.30.200 of the County Code and be maintained by the permit holder.
11. The applicant shall notify the Land Use Control Manager upon completion of the site plan so that staff can verify compliance with the terms of this approval.
12. The Land Use Manager can approve minor alterations from the terms of the permit. A major change does require the approval of the committee at a public hearing.
13. The owners shall allow staff from the Department to enter the property at reasonable times to inspect the premises for compliance with the conditions of this permit.
14. The permit is subject to Sections 18.21.080 to 18.21.100 of the Zoning Code. These provisions establish when a conditional use permit lapses, the conditions under which it can be revoked, and when a CUP expires due to the abandonment of a use.

Dist 8 & 4 Stelljes Pagon

Eau Claire County
Department of Planning and Development
Eau Claire County Courthouse
721 Oxford Avenue, Room 3344
Eau Claire, Wisconsin 54703
(715) 839-4741

Application Accepted:	1/8/2016
Accepted By:	Rod Eslinger
Receipt Number:	45223
Town Hearing Date:	1/21/16
Scheduled Hearing Date:	
Application No:	CUP-0002-16
Appl Status:	Pending

Conditional Use Permit - County

Owner/Applicant Name(s): Overgard Properties II LLC	Address: (ow) E 4530 COUNTY ROAD I ELEVA	Telephone: 715-577-0020(C)
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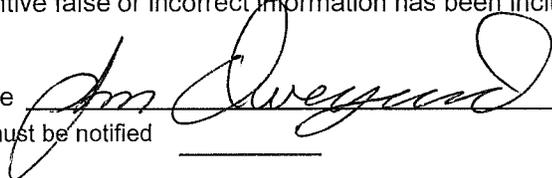
Site Address(es): 6517 PLEASANT VIEW ST EAU CLAIRE	6523 US HIGHWAY 12 EAU CLAIRE
Property Description: Sec 30 Twn 27 Rge 08	Town of Washington Lot Area: 3.960 ACRES
Zoning District(s): C3	

Overlay District: Check Applicable	<input type="checkbox"/> Shoreland	<input type="checkbox"/> Flood Plain	<input type="checkbox"/> Airport	<input type="checkbox"/> Wellhead Protection	<input type="checkbox"/> Non-Metallic Mining
--	------------------------------------	--------------------------------------	----------------------------------	--	--

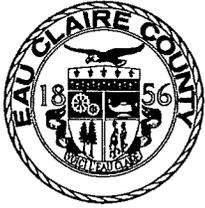
PIN	Alternate No	Parcel No	Legal (partial)
1802422708303200001	024110408000	27.8.30.3-2-B	THE E 20 RDS OF N 40 RDS OF THE NW-SW; EX PRT LYG NLY

General Description: Type: Planned unit development Description of Proposed Use: OPERATION OF TWO BUSINESS ALONG WITH RENTING OUT A SINGLE FAMILY DWELLING TO A THIRD PARTY.	Conditional Use Contract: Structure Check: Yes
---	---

I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature  Date 1-8-16
 Check if DATCAP must be notified _____ Check if DNR to Receive Copy _____

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



Eau Claire County
Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Application Accepted:	Jared Grande
Accepted By:	1/8/16
Receipt Number:	45223
Town Hearing Date:	
Scheduled Hearing Date:	

CONDITIONAL USE PERMIT APPLICATION

Property Owner Name: <u>Overgard Properties II</u>	Phone# <u>715-287-3544</u>
Mailing Address: <u>E4530 Cty Rd I Eleva, WI, 54738</u>	
Email Address: <u>Overgard@trivest.net</u>	

Agent Name: <u>Jim Overgard</u>	Phone# <u>715-577-0020</u>
Mailing Address: <u>SAB</u>	
Email Address: <u>SAB</u>	

SITE INFORMATION

Site Address: <u>6517 Pleasant View St Eau Claire</u>
Property Description: <u>NW 1/4 SW 1/4 Sec. 30, T27N N, R 8' W, Town of Washington</u>
Zoning District: <u>C-3 Highway Business</u> Code Section(s):
Overlay District: <input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining Check Applicable
Computer #(s): <u>024 - 1104 - 08 - 000</u>

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. Applications are due by 12:00 PM of the Tuesday three weeks prior to the Planning and Development Committee meeting. All information from the checklist below must be included.

<input checked="" type="checkbox"/> Complete attached information sheet	<input checked="" type="checkbox"/> Site Plan Drawn to Scale	<input type="checkbox"/> Contact the Town to coordinate a recommendation on the application	<input type="checkbox"/> Provide \$500.00 application fee (non-refundable), payable to the Eau Claire County Treasurer
---	--	---	--

*Contacted Town on 1/8 @ 11:50am.
Town will call back to confirm meeting date*

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature *Jim Overgard*

Date 1-8-16

NOTICE: PERMIT FEES DOUBLE WHEN WORK BEGINS PRIOR TO ISSUANCE OF PERMITS & APPROVALS.

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

SUPPLEMENTAL INFORMATION FOR A CONDITIONAL USE PERMIT

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

WRITTEN DESCRIPTION OF THE PROPOSED USE: Planned Unit Development

General description of the use (home occupation, accessory structure in excess of 1,200 square feet, filling in a floodplain, non-metallic mining, or any other listed conditional use in zoning districts).

Use #1: Landscape/Nursery Storage/Brick & Block Wholesale

Use #2: Office Space/Warehouse space & Storage
As One Entity
40X60 Shed may be offered to Use #2, if they need it.

Use #3: Single Family House

IF THE PROPOSED USE INVOLVED A BUSINESS ACTIVITY, DESCRIBE THE PROPERTY

Description of the type of business activity: #1 - Plants/Boulders/Block/Brick/Dirt/Rock to be stored site. Loading of trucks & trailer with above materials. Irrigated Nursery Stock area.
#2

Equipment used in the business activity: #1 Skid steers / Dump trucks / Pickups / Trailers
Loaders

Days and hours of operation: 5 Days a week 6:30 till 7:00 Sometimes longer

Number of employees: 4 to 15 Depending on time of year most go directly to Job sites

Nuisance abatement measures that will be implemented: NA 4 Full Time employees

Noise abatement measures: Muffled Skid Steer beepers

Vibration abatement measures: NA

Dust control measures: NA

Measures to control fumes or odors: NA

Visual screening measures (plants, fences, walls, etc.) solid Fence to East Neighbor
Chainlink and Shrub/Tree Screen Highway side

DESCRIPTION OF ANY OTHER FEATURES OR CHARACTERISTICS THAT MAY BE SUBJECT TO ZONING REGULATIONS

Exterior appearance of any structure, including a description of the building materials used, the height of eaves, the color of the structure, etc. (required for conditional use permit applications for accessory structures in excess of 1,200 square feet)

NA

Any proposed excavation or fill, the amount of material that will be mined in a non-metallic mining operation, the amount of material that will be stockpiled, etc.

NA

Other features or characteristics (signs, fences, outdoor display areas, etc.)

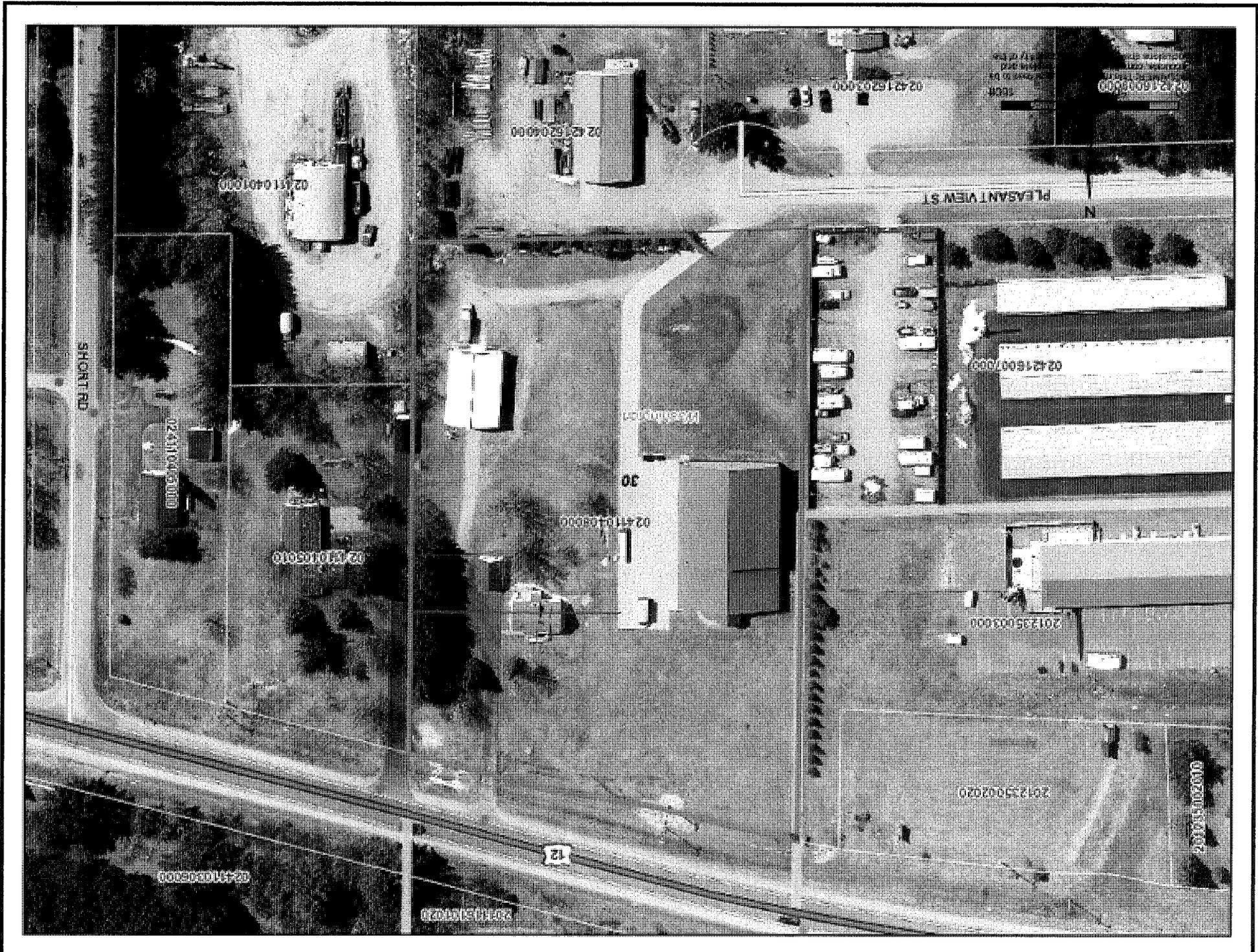
There will be a chain link fence and Solid Fence installed as per code for Privacy and Security

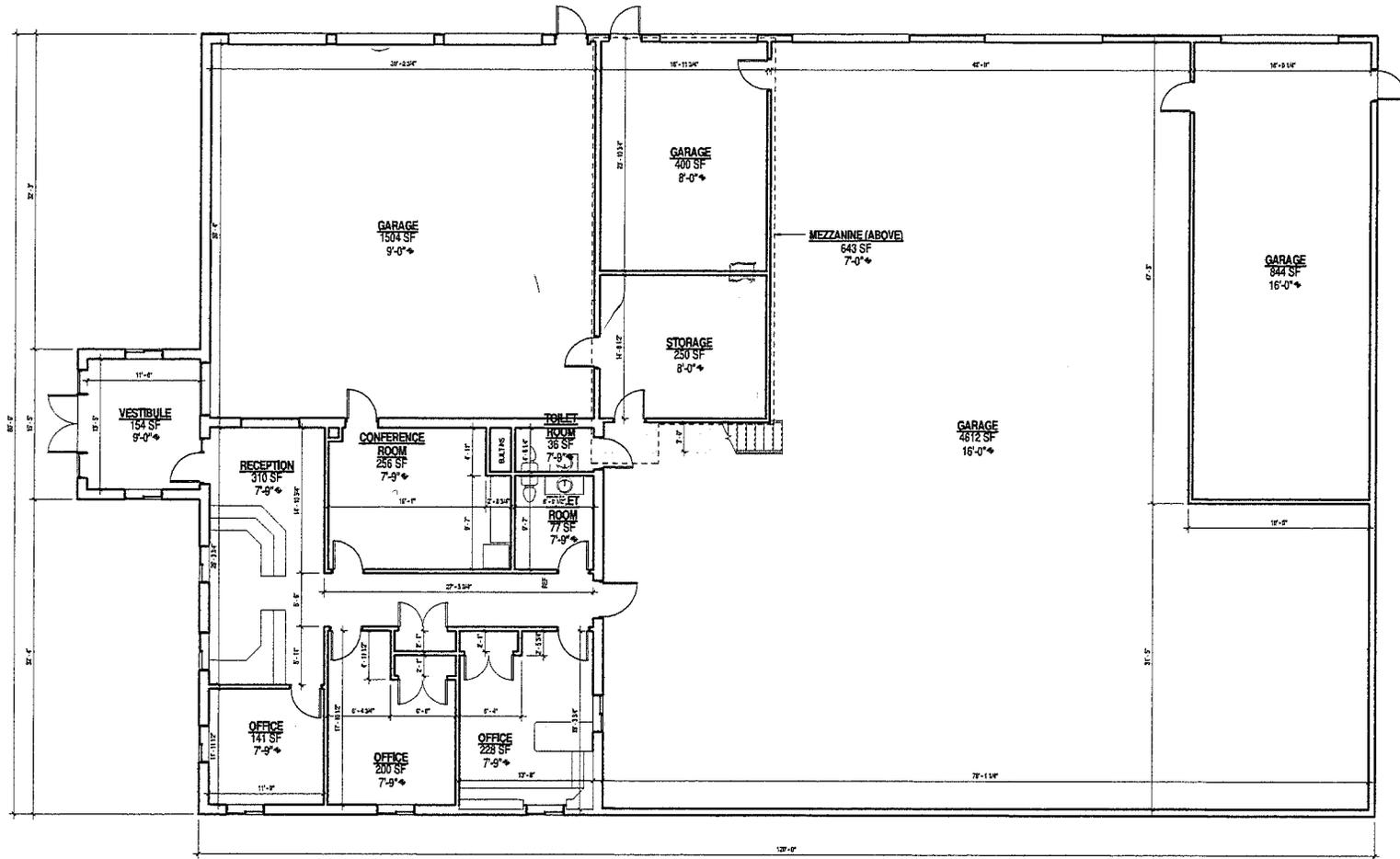
SCALED SITE PLAN

- | | |
|---|---|
| <input type="checkbox"/> Show parcel and building dimensions of all existing and proposed structures | <input type="checkbox"/> Landscape and screening plans |
| <input type="checkbox"/> Show all signs, fences and other features that may be regulated by zoning | <input type="checkbox"/> Show the well and septic system |
| <input type="checkbox"/> Site access, driveway, and nearest road (labeled) | <input type="checkbox"/> Parking areas with spaces |
| <input type="checkbox"/> Drainage plans including the erosion control plan | <input type="checkbox"/> Show all navigable water ways, wetlands, floodplains, slopes in excess of 20%, and any other unique limiting condition of the property |
| <input type="checkbox"/> The layout of the use within the structure; if the use only occupies part of the structure, the floor plan should illustrate only the layout of that part of the structure occupied by the use and any access to the use through halls, doorways, etc. | |
| <input type="checkbox"/> The location of any equipment that will be used | |

FOR ALL NON-AGRICULTURAL ACCESSORY STRUCTURES

- Show floor plan, including attics
- Show scaled building elevations
- Show color scheme





1 FIRST FLOOR PLAN
316 - 1-0



LIEN & PETERSON ARCHITECTS, INC
 619 MENOMONIE STREET
 EAU CLAIRE, WI 54703
 TELEPHONE 715 835 7500
 EMAIL admin@zdtp.com

ROCK-N-ROLL TO GO
 6517 PLEASANT VIEW STREET
 EAU CLAIRE, WI 54701

FIRST FLOOR PLAN

REVISIONS	REV.	DATE

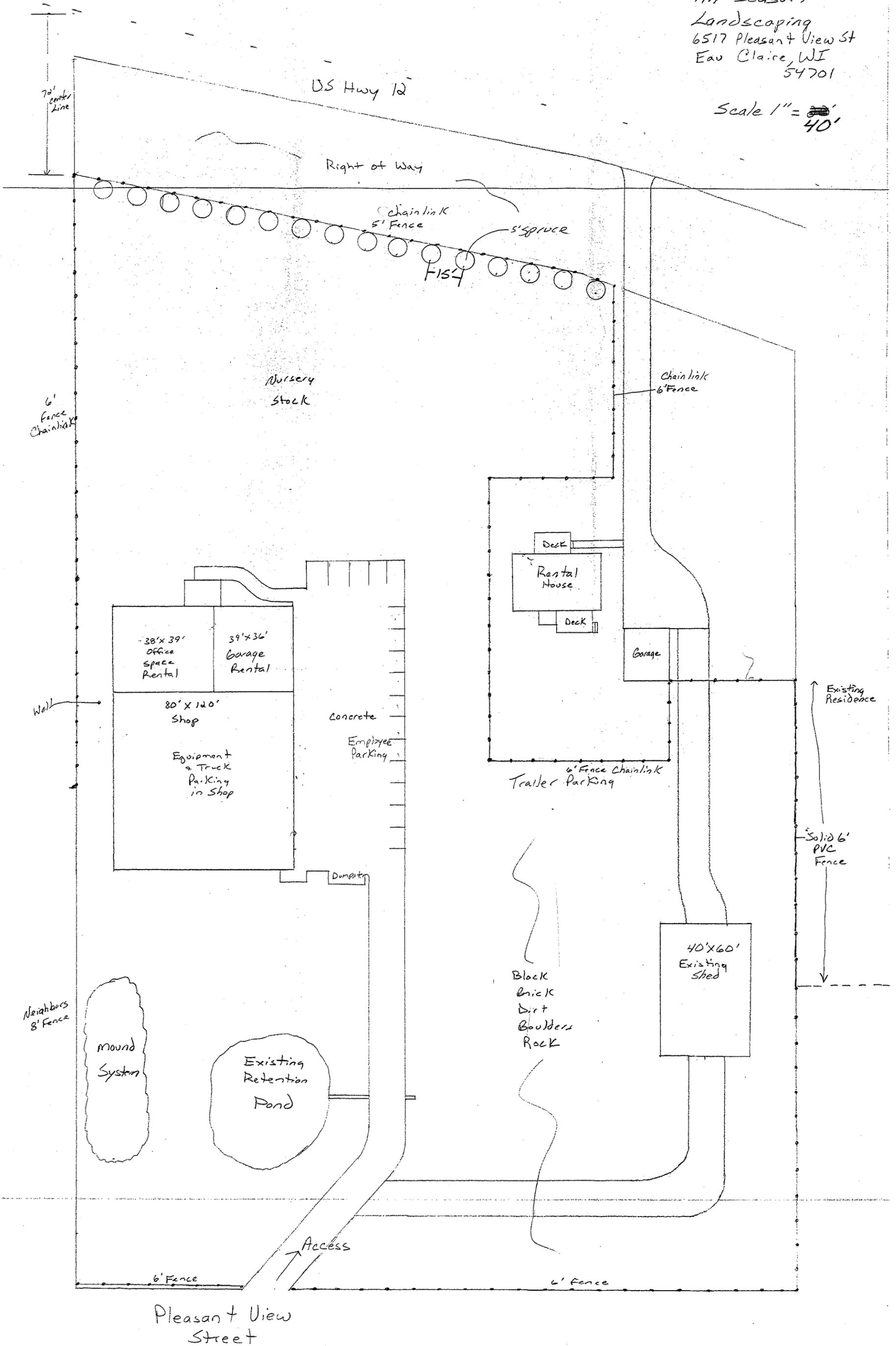
ISSUE DATE 10.21.2015

A301

Zdtp PROJECT #: XXXXX

All Season
Landscaping
6517 Pleasant View St
Eau Claire, WI
54701

Scale 1" = 40'





18024-2 - 270830 - 320-0001
**Eau Claire County
DEPARTMENT OF PLANNING
AND DEVELOPMENT**

Eau Claire County Courthouse, Rm. 1510
721 Oxford Avenue
Eau Claire, Wisconsin 54703-5481
(715) 839-4741

Housing & Community Development
839-6240

Emergency Services Management
839-4736

Real Property Description
839-2984

Land Use Controls
839-4743

Building Inspection
839-2944

Land Conservation
839-6226

Planning
839-5055

County Surveyor
839-4742

December 10, 2003

MARK & GAIL STUDINSKI
1290 OAKCREST DRIVE
EAU CLAIRE WI 54701

NOTIFICATION OF ACTION ON CONDITIONAL USE PERMIT

RE: CUP2003-55
MARK & GAIL STUDINSKI

On Tuesday, December 9, 2003, the following action was taken by the Committee on Planning & Development on your request for a conditional use permit CUP2003-55 for a C-2 principal use in the C-3 District (business office with storage) and a planner commercial use in the C3 District as allowed in Sections 18.14.030.N and Chapter 18.21 of the Eau Claire County Code.

The committee after receiving staff analysis and recommendations and after considering the testimony given at the hearing has approved the conditional use permit with conditions (see attached conditions). **The permit is not valid until such time as all conditions are met and approval granted by the Eau Claire County Planning and Development Department.**

In the event that the petitioner, the county, or an aggrieved person objects to the decision of the Committee, they have 30 days from the date the decision is written and filed to appeal the decision to the Eau Claire County Board of Land Use Appeals. Appeal applications can be obtained from the Eau Claire County Planning & Development Department, 721 Oxford Avenue, Eau Claire Wisconsin

December 10, 2003
Date


Clerk
Committee on Planning & Development

C: Landowners within 660' of request

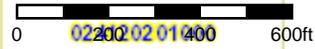
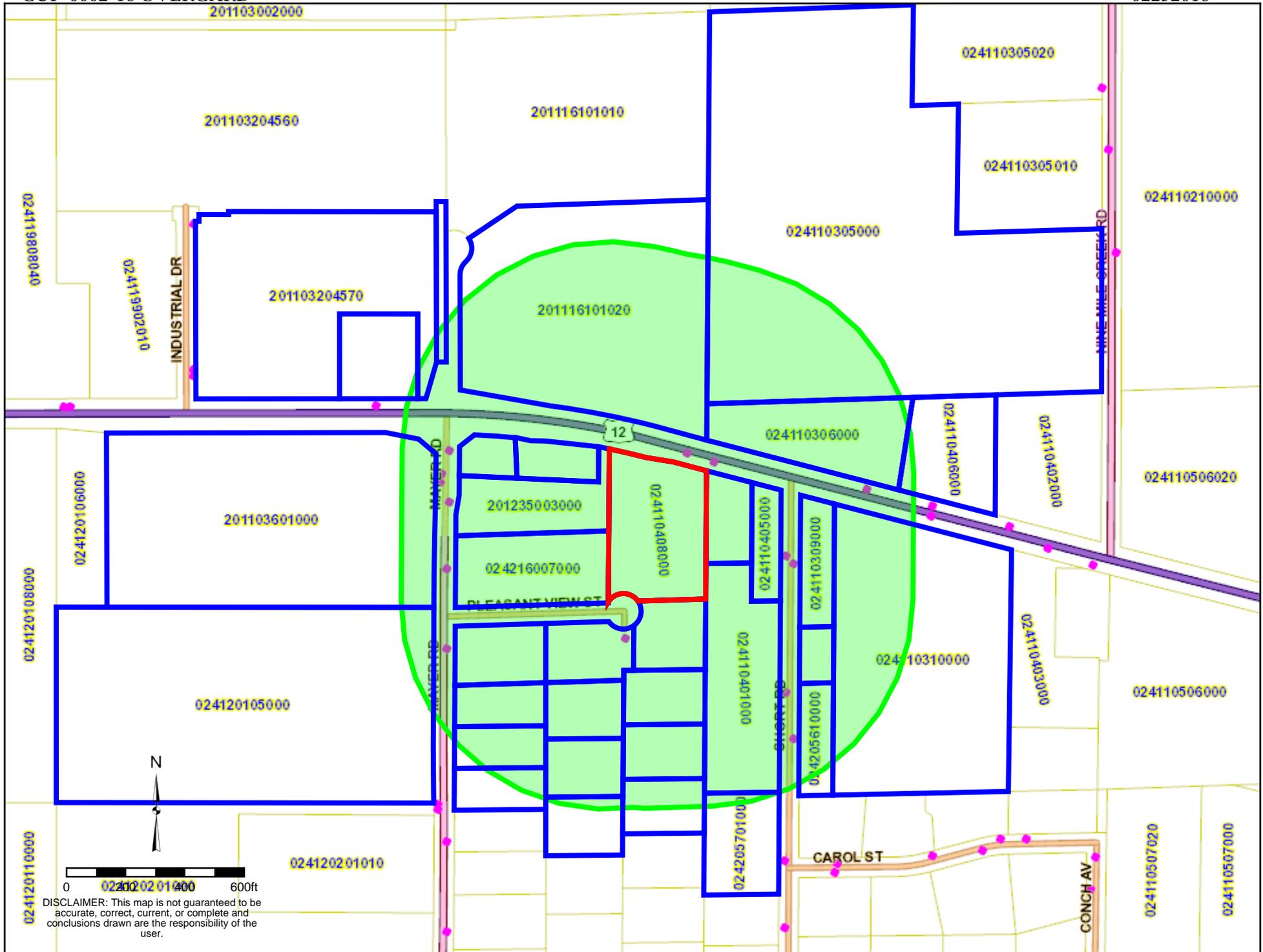
CONDITIONAL USE PERMIT #CUP2003-55

On Tuesday, December 9, 2003, the Eau Claire County Committee on Planning and Development approved the issuance of a conditional use permit for a C-2 principal use in the C-3 District (business office with storage) and a planned commercial use in the C3 District, Town of Washington, Eau Claire County, Wisconsin and subject to the following conditions:

1. There shall be two principal uses allowed as a commercial planned unit development on the property. No more than two uses may be established.
2. A conditional use permit is hereby issued for the office and storage buildings for Rock n' Roll To Go Plus, Inc., and for the floor care business on the property. Any change in use and/or change in structures on the property must be reviewed and approved by the Eau Claire County Department of Planning and Development. If there is a proposal to change one or both of the businesses on the property and the proposed uses are conditional uses allowed in the C-3 District, the owner shall apply for a new conditional use permit for those uses. If there is a proposal to change any of the structures on the property the owner shall apply for a new conditional use permit to revise the commercial planned unit development.
3. Use of the residence on the property shall be limited to living quarters for the owner of either of the two principal uses allowed on the property.
4. The site plan submitted shall be attached to and made a part of the permit. Development of the site shall occur as follows in accord with the site plan:
 - a. The proposed location for the new storage and office building for Rock n' Roll To Go Plus shall be located on the property as indicated on the site plan.
 - b. The current access arrangement as illustrated on the plan shall, taking access from USH 12, shall be deemed acceptable until July 1, 2004. After July 1, 2004 access for Rock & Roll Plus, Inc., shall be from Pleasant View Road as illustrated on the site plan as "Temporary Access." The temporary access shall be at least a 20 foot wide hard-surfaced driveway. The floor care business shall be authorized to continue to take access from the existing access on USH 12.
 - c. The "Temporary Access" from Pleasant View Road for Rock & Roll To Go Plus and the access from USH 12 for the floor care business shall serve as access for these businesses until such time as Pleasant View Road can be extended to at least the proposed location for the proposed private road described as "Permanent Access" on the site plan. The permanent access shall be a paved road constructed to town road standards.
5. A storm water management plan and an erosion control plan shall be submitted to the Planning and Development Department for their review and approval. The plans will include appropriate drawings that indicate all excavation proposed for the site, methods for controlling erosion during and after excavation, and storm water management facilities including retention basins or other facilities that may be required by the department.
6. The owner shall allow staff from the Eau Claire County Department of Planning and Development to enter the property at reasonable times to inspect the premises for compliance with the conditions of the permit.
7. The permit is subject to Sections 18.21.080 to 18.21.100 of the Zoning Code. These provisions establish when a conditional use permit lapses, the conditions under which it can be revoked, and when a CUP expires due to the abandonment of a use.

Under Section 18.21.080 of the county zoning code, a conditional use permit shall lapse and become void one year after the approval of the committee unless a certificate of occupancy has been issued or a land use permit has been issued.

Under Section 18.21.090, this permit is subject to revocation or modification of or further conditioning by the Committee if:



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Parcel Id	NAME	ADDRESS	CITY	STATE	ZIP
1802422708303209004	A+ STORAGE SOLUTIONS LLC	2140 MITSCHER AVE	EAU CLAIRE	WI	54701
1802422708303100005	BASCHE, JOHN P	3420 MALL DR 3 STE	EAU CLAIRE	WI	54701-8147
1820122708303209005	BAUMAN INVESTMENTS LLC	19530 74TH AVE	CHIPPEWA FALLS	WI	54729
1802422708303202002	BUTLER, RICHARD E & SHIRLEY E	2911 MAYER RD	EAU CLAIRE	WI	54701
1820122709251409005	CITY OF ALTOONA	1303 LYNN AVE	ALTOONA	WI	54720-1942
1802422708303202001	CURTIS, JEFFREY S	2729 MAYER RD	EAU CLAIRE	WI	54701-8212
1802422708303409000	DAVIS, RICK D & SHARI M	2930 SHORT RD	EAU CLAIRE	WI	54701
1802422708303100006	FARMER, RONALD P & JEANNE M	6395 US HIGHWAY 53	EAU CLAIRE	WI	54701
1820122709254100004	FINLAND HOLDING GROUP	2244 BRADWOOD AVE	ALTOONA	WI	54720
1802422708303100004	FITCH, JAMES J JR & DENISE M	2711 SHORT RD	EAU CLAIRE	WI	54701
1802422708303100012	GREEN THUMB LANDSCAPING & ESCAVATING	6700 US HIGHWAY 12	EAU CLAIRE	WI	54701
1802422708303100011	HOLMES, JARL D & MARY	6543 US HIGHWAY 12	EAU CLAIRE	WI	54701
1802422708303100010	KOSAKOSKI, LORRAINE A	2628 SHORT RD	EAU CLAIRE	WI	54701
1802422708303100002	LINDSTROM TRUST, TODD ALLEN	2917 SHORT RD	EAU CLAIRE	WI	54701-8222
1802422709254100002	MAYER, DAVID J & PATRICIA	2922 MAYER RD	EAU CLAIRE	WI	54701-8211
1802422708303202008	MYERS HOLDINGS LLC	5587 DEERFIELD RD	EAU CLAIRE	WI	54701-8712
1802422708302400001	PLANERT ET AL, DALE G	2140 NINE MILE CREEK RD	EAU CLAIRE	WI	54701
1820122709251400003	REDETZKE PROPERTIES LLC	6200 US HIGHWAY 12	EAU CLAIRE	WI	54701
1802422708303100001	TAMBORNINO LLC	2020 HIGHPOINT DR	ALTOONA	WI	54720-3506
1820122708303209006	THE BOHN SHED INC	1303 DANIELS AVE	ALTOONA	WI	54720-1971



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0001-16 **COMPUTER NUMBERS:** 006101104000

PUBLIC HEARING DATE: February 23, 2016

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER/AGENT: Jeanie A Brovold, E 7989 County Road V, Fall Creek, WI 54742

REQUEST: Rezone A-2 (Agriculture-Residential) District to A-3 (Agricultural-Residential) District to sell the eastern portion of the property and retain the residence, outbuildings and adjacent property on the western portion of the property

LOCATION: E 7989 Chickadee Rd, Fall Creek, WI 54742

LEGAL DESCRIPTION: Portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, T25N, R8W, Town of Clear Creek (complete legal description attached)

SUMMARY

The applicant proposes to rezone the western 19 acres +/- from A-3 (Agricultural) District to A-2 and the eastern 6.8 acres +/- from A-2 (Agriculture-Residential) District to A-3 (Agricultural-Residential) District to sell the eastern portion of the property and retain the residence, outbuildings and adjacent property on the western portion of the property (see attached Rezoning Exhibit for reference)

BACKGROUND

SITE CHARACTERISTICS:

- Property has a single-family residence on western side
- Uses on property include a mix of woodlands and agricultural fields

CURRENT ZONING:

A-2 Agricultural Residential District. The A-2 agricultural-residential district is established *"to allow for limited residential development within the exclusive agricultural district and is not intended to be part of a farming operation."*

A-3 Agriculture District. The purpose of the A-3 District is *to "(1) protect the agricultural base of the county; (2) preserve the county's natural resources and open space; (3) provide an area for limited residential and hobby farm development in a rural atmosphere; and (4) minimize urban sprawl and its associated public costs."*

The property was previously rezoned from A-1 to A-2 and A-3 in 2005 (RZN2005-18). At that time, staff expressed concern that the proposed rezoning was not compatible with adjacent agricultural uses and recommended denial, but the Town of Clear Creek and County Committee on Planning and Development supported the rezoning and it was approved.

REQUESTED ZONING DISTRICTS:

A-2 Agriculture-Residential District. The A-2 District is established to, "Provide areas for limited residential and hobby farm development in a rural atmosphere" and to "preserve the county's natural resources and open space." Minimum lot size in the A-2 District is five (5) acres.

A-3 Agricultural District. The A-3 District is established to, "(1) protect the agricultural base of the county; (2) preserve the county's natural resources and open space; (3) provide an area for limited residential and hobby farm development in a rural atmosphere; and (4) minimize urban sprawl and its associated public costs."

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-2 & A-3	Single-family residences; Woodlands; Agricultural fields
North	A-P	Agricultural fields
East	A-P	Agricultural fields
South	A-P	Agricultural fields
West	A-P	Agricultural fields, single-family residence to NW

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) planning area and the Town of Clear Creek Future Land Use Map includes the northern portion of the property in the Rural Preservation (RP) planning area.

Following is a description of the intent of the applicable County and Town of Clear Creek comprehensive plan future land use categories and applicable policies:

Eau Claire County:

- Rural Lands Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- Applicable Policies:
 1. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property.*
 2. *The preferred housing density is one (1) unit per 20 or more acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per five (5) acres to one (1) unit per 35 acres.*
 3. *For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-2 Agriculture-Residential District, A-3 Agricultural District, A-R Floating Agriculture-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted below. The following additional policies shall apply to rezoning petitions:*
 - a. *Rezoning land to the A-R Floating Agriculture-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm*

A-2 or A-3 parcels, unless rezoning land to either of these districts will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.

Town of Clear Creek:

- Rural Preservation (RP) Comprehensive Plan Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat. This designation includes farmland, scattered open lands, woodlots, agricultural-related uses, and limited single-family residential development (see Maps B, C, and D). Some limited low-density development is anticipated in the RP areas. These developments shall be located in order to minimize the fragmentation of productive agricultural land and to minimize any disruption to existing farm operations. Requests to change the future land use designation of parcels shall be considered using the criteria listed in the Land Use Policies. The RP represents areas that are vital to the region’s agricultural & forestry economy and are key ingredients of the rural character and image of the Town of Clear Creek.*

- Notable Policies:
 1. *Farming and agricultural uses shall be established as the primary land uses within these areas. Uses that are incompatible with farming and agriculture shall be discouraged or prohibited (see policy 3 & 4).*
 2. *Within the RP classification, the gross density for any development shall be one (1) unit per 35 contiguous acres held in single ownership.*
 - ...
 4. *Residential subdivisions shall be prohibited within Rural Preservation areas, and additional non-farm residential development is discouraged. Individual lots may be considered for non-farm residential use, and shall only be authorized if they are consistent with the following policies:*
 - a. *Non farm development shall only be allowed if it will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take significant tracts of land suitable for cultivation or other agricultural use out of production.*
 - b. *Any new non-farm residential lot shall have a “Right to Farm” disclosure attached to it acknowledging that the potential non-farm owner has been informed that his lot has been established in an area where farming is the preferred land use, and stating that the owner understands that he must abide by the State of Wisconsin “Right to Farm” statute ...*
 - c. *Non-farm residential development shall only occur on land that is marginal for agricultural productivity. At least 80% of any proposed new lot should not contain Class I, II, or III soils. In addition, it is the preference of the Town of Clear Creek that new non-farm residential lots that are approved in accord with these policies be located adjacent to or near existing non-farm development.*
 - d. *Rezoning property to the Floating Agriculture-Residential District shall be required for any lot that is proposed for non-farm residential use. Non-farm residential lots shall be at least one (1) acre in size, but no larger than five (5) acres. A permanent deed restriction or agricultural conservation easement shall be placed on at least 35 acres of land for each non-farm residential lot created.*
 5. *The following Eau Claire County zoning districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, and F-1 Forestry District.*

FARMLAND PRESERVATION PLAN:

Property is included in the Farmland Preservation Plan Map. However, the existing zoning is not certified to participate in the Farmland Preservation tax credit program.

Comprehensive Plan Summary

The application has been found to be consistent with the intent and description and the applicable policies of the Eau Claire County Rural Lands land use category. Technically, the application does not conform to several policies of the Clear Creek Comprehensive Plan, including Policy #2, 4c, 4d, and 5. However, the property is already zoned A-2 and A-3 and the proposed rezoning does not increase the potential for conflict with adjacent agricultural uses when compared to the existing zoning. As discussed below, the Town of Clear Creek supports the proposed rezoning request.

ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also to be made that the rezone is consistent with the County's Comprehensive Plan.

The rezoning petition has been evaluated for consistency with the purpose of A-2 and A-3 Districts and the uses allowed in the districts. The request is consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is consistent with the Eau Claire County Future Land Use plan
- The property is currently zoned A-2 and A-3; the proposed rezoning will simply realign the zoning lines to allow the property to be divided into two lots
- The proposed rezoning will not interfere with or be incompatible with existing agricultural uses in the vicinity
- Existing uses in the area include a mixture of agricultural fields, woodlots, and residences

The rezoning petition has been evaluated for consistency with the purpose of A-2 District and the uses allowed in the district and have been found to be consistent with the purpose of the zoning code based on the aforementioned findings.

Town Board Action: The Clear Creek Town Board held a public hearing regarding this rezoning petition on December 14, 2016 and recommended approval.

CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County and Town of Clear Creek Comprehensive Plan future land use designations
- Eau Claire County and Town of Clear Creek Comprehensive Plan goals, objectives and policies
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in A-2 and A-3 Districts

In addition, the following factors have also been considered:

- Input of surrounding property owners (within 660 feet). No correspondence has been received to date
- Town of Clear Creek Board action

Staff finds that the proposed rezoning request is consistent with the Eau Claire County Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed A-2 and A-3 zoning districts are consistent and therefore allowed within the mapped Eau Claire County Rural Lands land use designation.

RECOMMENDATION

Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the rezoning petition to rezone the western 19 acres +/- from A-3 (Agricultural) District to A-2 and the eastern 6.8 acres +/- from A-2 (Agriculture-Residential) District to A-3 (Agricultural-Residential) District to sell the eastern portion of the property and retain the residence, outbuildings and adjacent property on the western portion of the property.

4 - AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE
5 TOWN OF CLEAR CREEK -

6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7
8 **SECTION 1**

9 That the 1982 Official Zoning District Boundary Map for the Town of
10 Clear Creek, Eau Claire County described as follows:

11 **Part of the Fractional NW ¼ of the NE ¼ and the SW ¼ of the NE ¼,**
12 **Section 5, T25N-R8W Town of Clear Creek, Eau Claire County**
13 **Wisconsin described as follows:**

14
15 **Commencing at the North ¼ corner of said Section 5, thence, along**
16 **the north line thereof, Easterly 400.00 feet to the point of beginning;**
17 **thence, continuing along said north line 250.00 feet; thence Southerly,**
18 **parallel with the west line of said Fractional NW ¼ of the NE ¼**
19 **1000.00 feet; thence Easterly, parallel with the north line of said**
20 **Section 5, 260.00 feet; thence Southerly, parallel with the west line of**
21 **said Fractional NW ¼ of the NE ¼ 436 feet, more or less, to an**
22 **existing fence line described in Doc. No. 924137; thence, along said**
23 **fence line, S89°14'47"W 431.81 feet; thence N 02°22'18" E 18.35 feet**
24 **to the south line of said Fractional NW ¼ of the NE ¼; thence**
25 **N89°26'04"E 479 feet, more or less, to the southwest corner thereof;**
26 **thence, along the west line thereof, Northerly 893 feet, more or less, to**
27 **a point 544.50 feet south of the said North ¼ corner; thence Easterly,**
28 **parallel with the north line of said Section 5, 400 feet; thence**
29 **Northerly 544.50 feet to the point of beginning.**

30
31 **Said parcel containing 19 +/- acres to be reclassified from the A-3**
32 **Agricultural District to the A-2 Agriculture-Residential District.**

33
34
35 **SECTION 2**

36 That the 1982 Official Zoning District Boundary Map for the Town of
37 Clear Creek, Eau Claire County described as follows;

38 **Part of the NW ¼ of the NE ¼ of Section 5, T25N-R8W and the west**
39 **20 feet of the NE ¼, NE ¼, Section 5, T25N-R8W Town of Clear**
40 **Creek, consisting of the east 400 feet of the north 700 feet.**

41
42 **Said parcel containing 6.42 +/- acres to be reclassified from the A-2**
43 **Agriculture-Residential District to the A-3 Agricultural District.**
44

15-16-120

SUP. DISTRICT 5 - Corey Bauch

Eau Claire County
Department of Planning and Development
Eau Claire County Courthouse
721 Oxford Avenue, Room 3344
Eau Claire, Wisconsin 54703
(715) 839-4741

Application Accepted:	1/4/2016
Accepted By:	Matt Michels
Receipt Number:	\$500 Cash, \$65 C
Town Hearing Date:	12/14/2015
Scheduled Hearing Date:	2/23/2016
Application No:	RZN-0001-16
Appl Status:	Pending

45191 →

Rezoning - County

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: **A3** Proposed Zoning District(s): **A2** Acres to be Rezoned: **38.9**
Portion Of The Ne1/4 Of Section 5, T25N, R8W (Complete Legal Description Attached)

Owner/Applicant Name(s): Jeanie A Brovold	Address: (ow) E 7989 CHICKADEE RD FALL CREEK	Telephone: 715-878-4199(H)
---	--	--------------------------------------

Site Address(es):
E 7989 CHICKADEE RD FALL CREEK

Property Description: Sec 05 Twn 25 Rge 08 **Town of Clear Creek** **Lot Area:** 38.938 ACRES

Zoning District(s): A3 A2

Overlay District: Shoreland Flood Plain Airport Wellhead Protection Non-Metallic Mining

Check Applicable

PIN	Alternate No	Parcel No	Legal (partial)
1800622508051200001	006101104000	SEE LEGAL DE	MAP# 25.8.5.1-2-A, 1-1-C, 1-3-C, 1-4-F FRAC NE-NE, EX THE I

I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature see attached application Date _____

Check if DATCAP must be notified _____

Check if DNR to Receive Copy _____

RECEIVED
JAN 04 2016
COUNTY CLERK

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



Eau Claire County
 Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Application Accepted:	mm 1/4/16
Accepted By:	mm
Receipt Number:	45191
Town Hearing Date:	12/14/15
Scheduled Hearing Date:	2/23/16

REZONING APPLICATION

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: <u>A-2 & A-3</u>	Proposed Zoning District(s): <u>A-2 & A-3</u>
Acres to be rezoned: <u>30.9</u>	

Property Owner Name: <u>Jean A. Brovold</u>	Phone# <u>715-878-4199</u>
Mailing Address: <u>E7989 County Rd. V Fall Creek WI 54742</u>	
Email Address: <u>Jeaniebrovold@gmail.com</u>	

Agent Name:	Phone#
Mailing Address:	
Email Address:	

RECEIVED
 JAN 04 2016
 COUNTY CLERK

SITE INFORMATION

Site Address: <u>E7989 County Rd. V Fall Creek WI 54742</u>	
Property Description: <u>SW 1/4 NE 1/4 Sec. 5, T 25 N, R 8 W, Town of Clear Creek</u>	
Zoning District:	Code Section(s):
Overlay District: <input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining Check Applicable	
Computer #(s): <u>006 - 1011 - 04 - 006</u>	

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

<input type="checkbox"/> Complete attached information sheet	<input type="checkbox"/> Contact the Town to coordinate a recommendation on the application
<input type="checkbox"/> Provide legal description of property to be rezoned	<input type="checkbox"/> Provide \$550.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$490.00 application processing fee and \$60.00 mapping surcharge fee)

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature Jean A. Brovold Date 1-4-16

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

Describe the reason for your rezoning request:

Selling to pay back taxes AND Because of Health Reasons

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

IT WILL continue to be Farmed with CORN and Hay.

Rezoning petitions to change the zoning of a parcel from the A-1 Exclusive Agricultural Zoning District to any other District must be based upon findings that consider the following factors:

- 1) Whether the land considered for rezoning is suitable for uses allowed in the proposed zoning district based upon soil types, the site's location, and adjacent land uses
- 2) Whether the uses allowed in the proposed zoning district will be in conflict with remaining agricultural uses
- 3) Whether adequate public facilities and services are available or will be provided for uses allowed in the new zoning district
- 4) Whether the development allowed by the new zoning district will cause undue environmental degradation

If you are petitioning to rezone land from an A-1 District to another district, please describe how the proposed change in zoning will be consistent with the four findings listed here.

NA

NE corner
Sec. 5, T25N-R8W

**Parcel A
Proposed Zoning: A2**

Part of the Fractional NW 1/4 of the NE 1/4 and the SW 1/4 of the NE 1/4, Section 5, T25N-R8W Town Of Clear Creek, Eau Claire County, Wisconsin described as follows:

Commencing at the North 1/4 corner of said Section 5, thence, along the north line thereof, Easterly 400.00 feet to the point of beginning;
thence, continuing along said north line 250.00 feet;
thence Southerly, parallel with the west line of said Fractional NW 1/4 of the NE 1/4 1000.00 feet;
thence Easterly, parallel with the north line of said Section 5, 260.00 feet;
thence Southerly, parallel with the west line of said Fractional NW 1/4 of the NE 1/4 436 feet, more or less, to an existing fence line described in Doc. No. 924137;
thence, along said fence line, S89°14'47"W 431.81 feet;
thence N 02°22'18" E 18.35 feet to the south line of said Fractional NW 1/4 of the NE 1/4;
thence N89°26'04"E 479 feet, more or less, to the southwest corner thereof;
thence, along the west line thereof, Northerly 893 feet, more or less, to a point 544.50 feet south of the said North 1/4 corner;
thence Easterly, parallel with the north line of said Section 5, 400 feet;
thence Northerly 544.50 feet to the point of beginning'

**Parcel B
Proposed Zoning: A3**

Part of the Fractional NW 1/4 of the NE 1/4, the SW 1/4 of the NE 1/4, the Fractional NE 1/4 of the NE 1/4 and the SE 1/4 of the NE 1/4, Section 5, T25N-R8W Town Of Clear Creek, Eau Claire County, Wisconsin described as follows:

Commencing at the North 1/4 corner of said Section 5, thence, along the north line thereof, Easterly 650.00 feet to the point of beginning;
thence Southerly, parallel with the west line of said Fractional NW 1/4 of the NE 1/4 1000.00 feet;
thence Easterly, parallel with the north line of said Section 5, 260.00 feet;
thence Southerly, parallel with the west line of said Fractional NW 1/4 of the NE 1/4 436 feet, more or less, to an existing fence line described in Doc. No. 924137;
thence, along said fence line, N89°14'47"E 439.51 feet;
thence N00°00'18"E 15.47 feet to the south line of said Fractional NE 1/4 of the NE 1/4;
thence, along a line parallel with and 1300.00 feet westerly of the east line thereof, 1433 feet, more or less, to the said north line of said Section 5;
thence westerly 685.4 feet, more or less, to the point of beginning.

County Road D

Graphic Scale



(in feet)
1 Inch = 300ft.

R2 N0013-5
0001-16

Eau Claire County Parcel Mapping



1 inch = 300 feet

PLSS Lines

- - Meander Line
- Forty Line
- Quarter Section Line
- Section Line

Parcel Lines

- Parcel Line
- Extended Parcel Line
- - Tie Line
- Extended Tie Line
- Road Right-of-Way Lines

Platted Lands

- Certified Survey Map
- Condominium Plat
- Assessors or Subdivision Plat

Navigability

- Navigable
- Non-Navigable

Alternate Number = 026107103000
Survey Map Index Number = S-2769

Parcel Mapping Notes:

The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_A41_W_EauClaire_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.

Date:

Aerial Photography Flight Spring 2013
Information Current January 1, 2013



38.9 ac

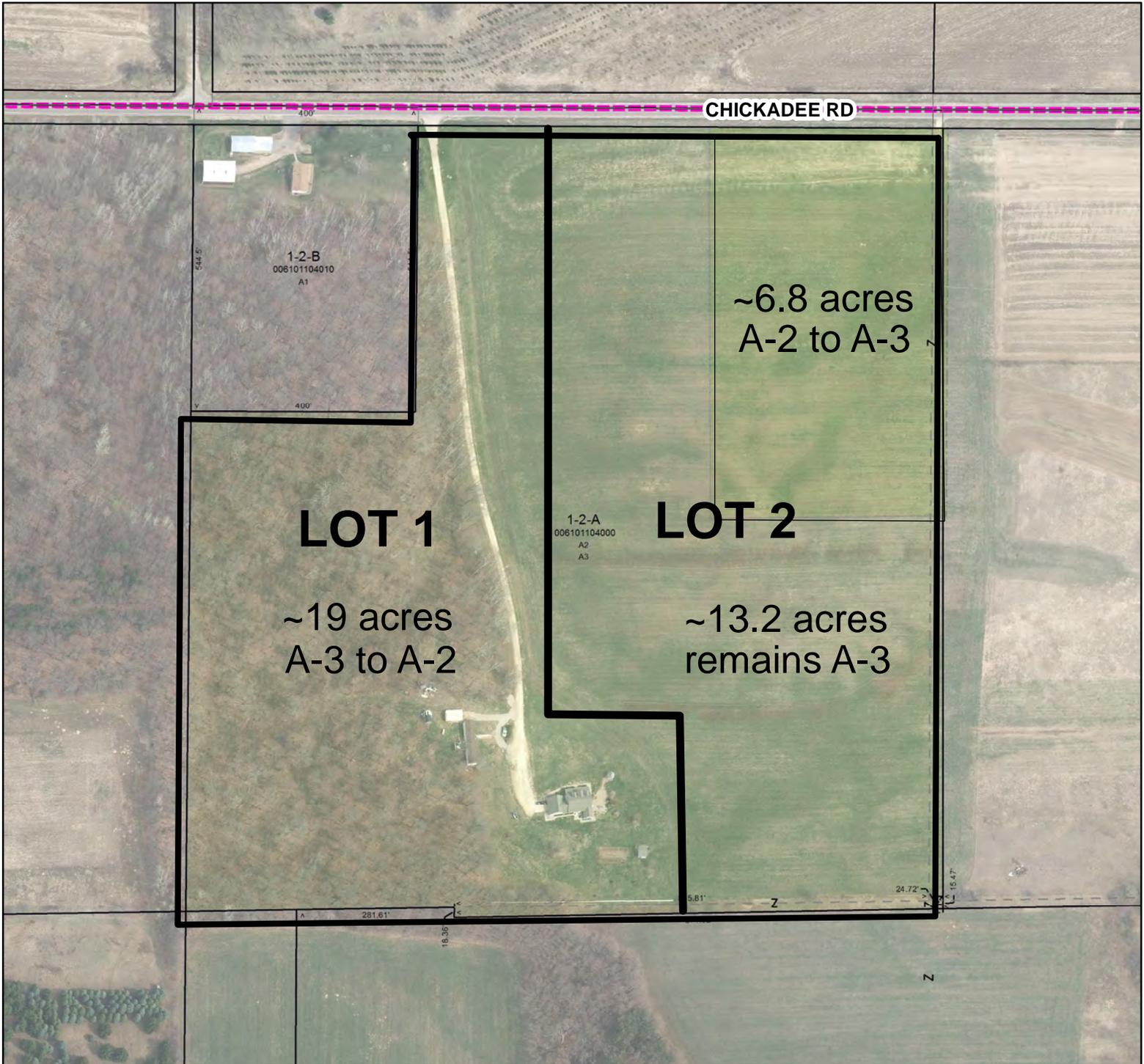


006101104000 Clear Cr - 2nd Mon. - 12/14

12/8 PD
12/15 Co. Bd.

CSM
V12 P19
1-4-C
006101104000
A1

BROVOLD REZONING REZONING EXHIBIT



Parcel Mapping Notes:

The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

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TOWN OF CLEAR CREEK
EAU CLAIRE COUNTY
E8135 COUNTY ROAD HH
STRUM, WISCONSIN 54770

December 15, 2015

To: Eau Claire County Planning & Development

RE: Jerry Brovold Rezoning Request

Jerry Brovold, of the township of Clear Creek, presented a rezoning request at our December 14, 2015 board meeting. Mr. Brovold would like to add his 6.42 acres to his 24.6 acres and rezone this property from A-2 to A-3.

The Town Board voted on this request and voted to APPROVE the request.

Thank you,

Carmen Dunham

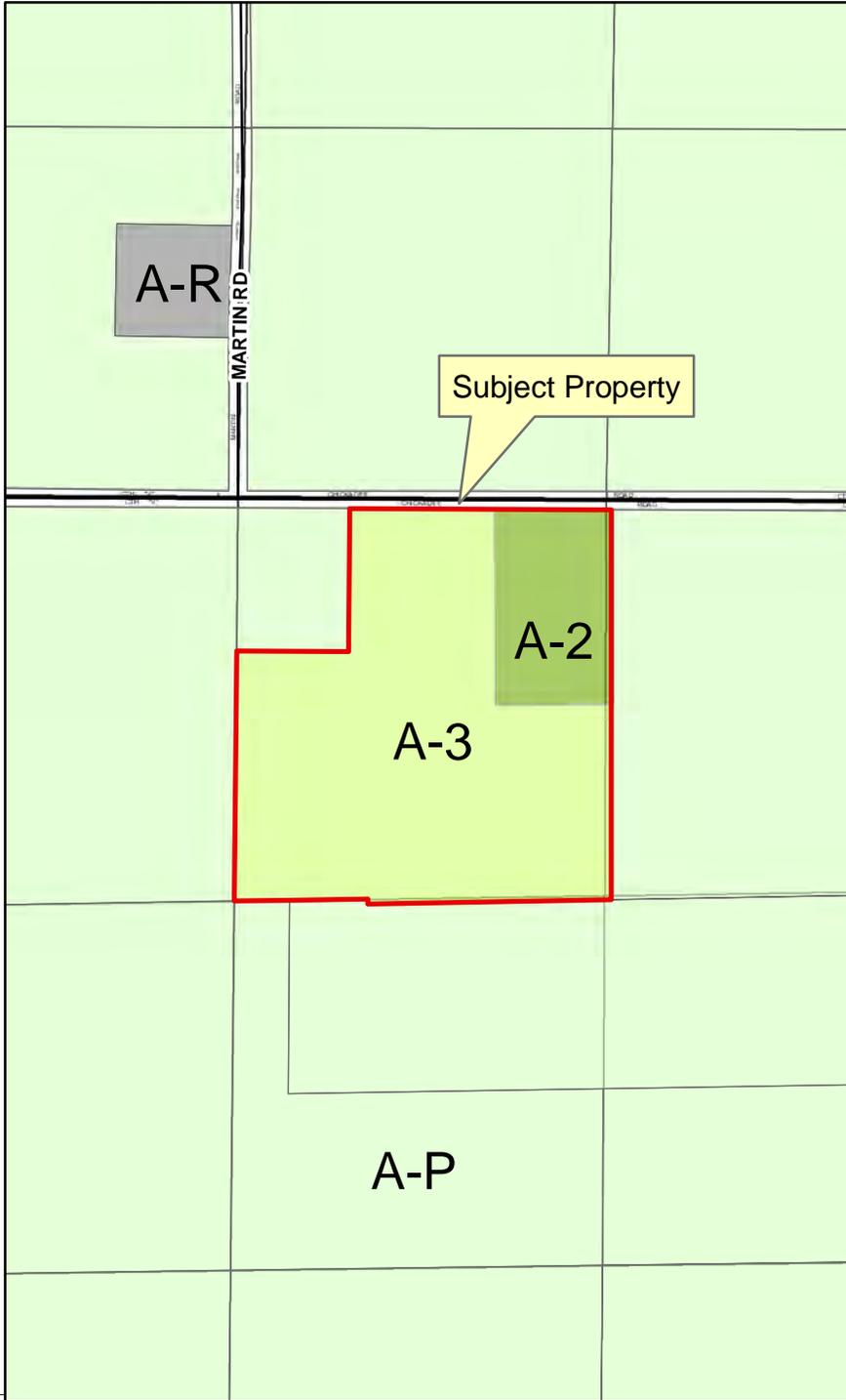
Carmen Dunham, Town Clerk
715/878-4220
Cdunham@riverland.org



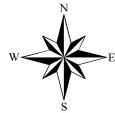
Brovold Rezoning: RZN-0001-16

Existing Zoning

1 inch = 666.666667 feet



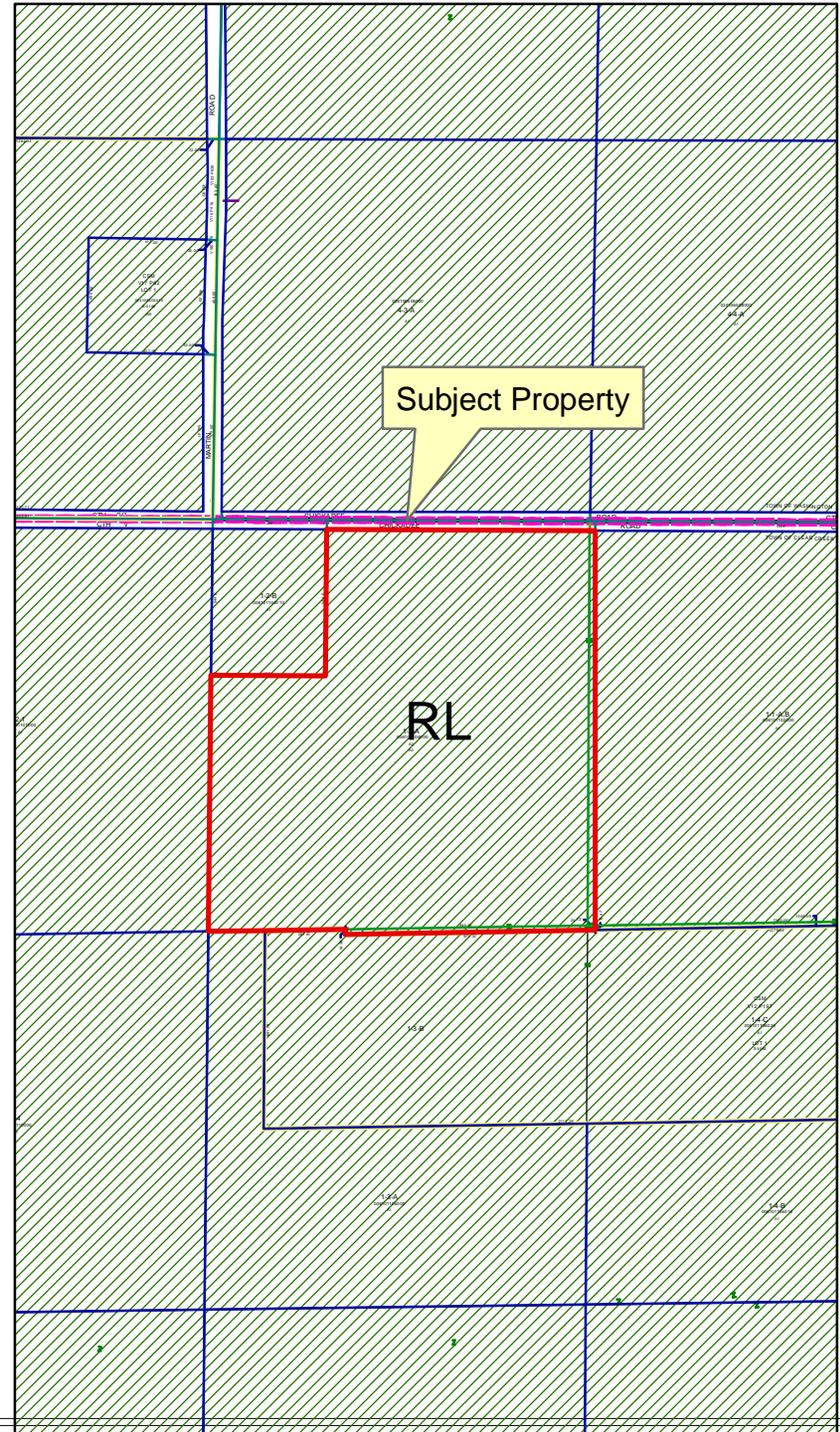
- Legend**
Future Land Use
- Rural Residential Cluster Development
 - Commercial/Industrial
 - County Forest
 - Natural Resource Protection
 - Park & Recreational
 - Public Institutional
 - Recreational Commercial
 - Rural Commercial
 - Rural Hamlet
 - Rural Industrial
 - Rural Lands
 - Rural Residential
 - Rural Residential Mobile Home
 - Rural Transition
 - Urban Mixed Use



Parcel Mapping Notes:
 The horizontal datum is based on the Eau Claire County Coordinate System NAD, 1983_HARN_Adj_WI_EauClaire_Feet
 This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.
 Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of, the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user assumes the map and results solely at their own risk.

Existing Future Land Use

1 inch = 667 feet



Eau Claire County Parcel Mapping



1 inch = 199.163509 feet

Legend

Soil Map Unit

Capability unit-main

- 1
- 2
- 3
- 4
- 6
- 7
- 8

Parcel Mapping Notes:

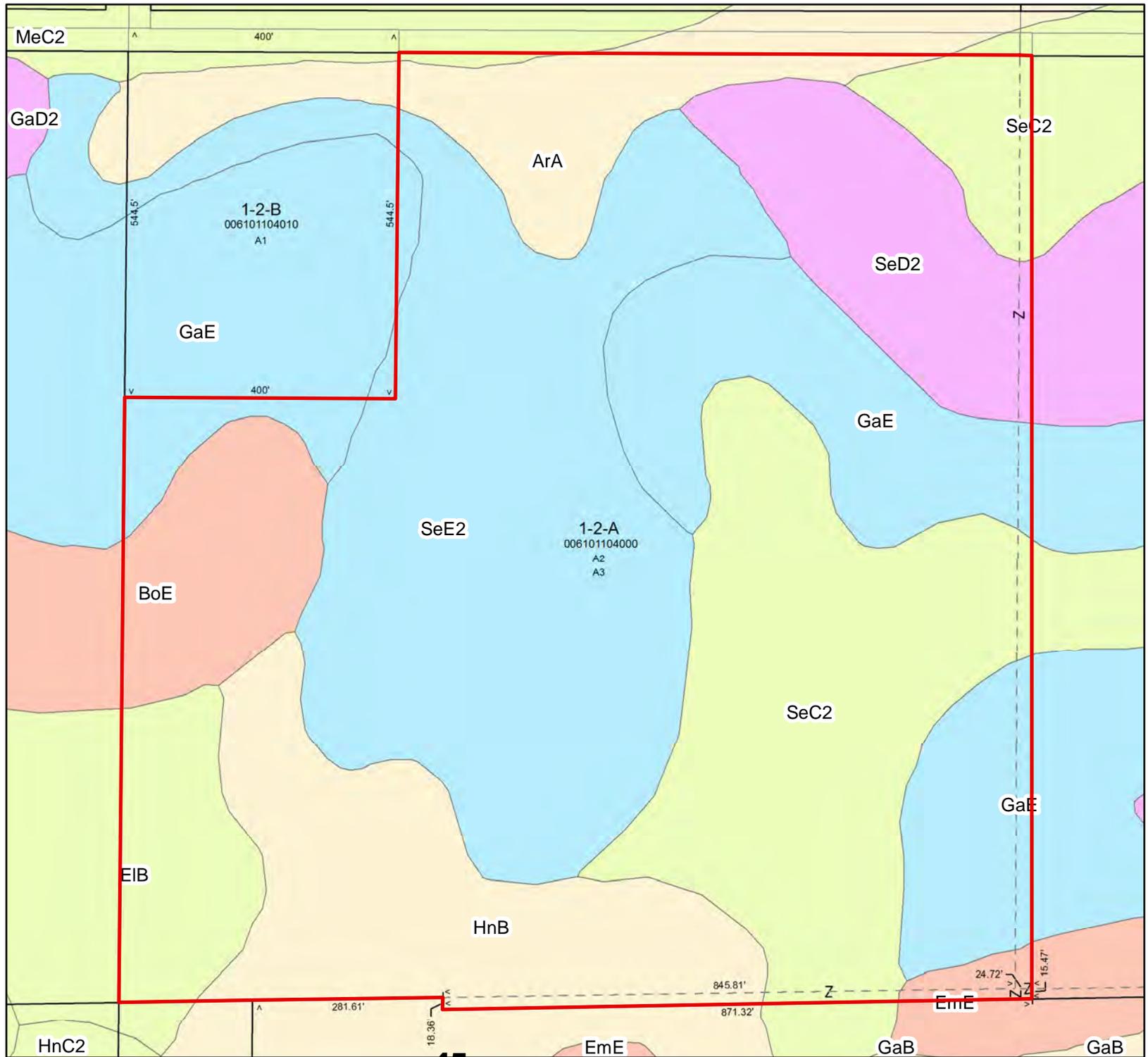
The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

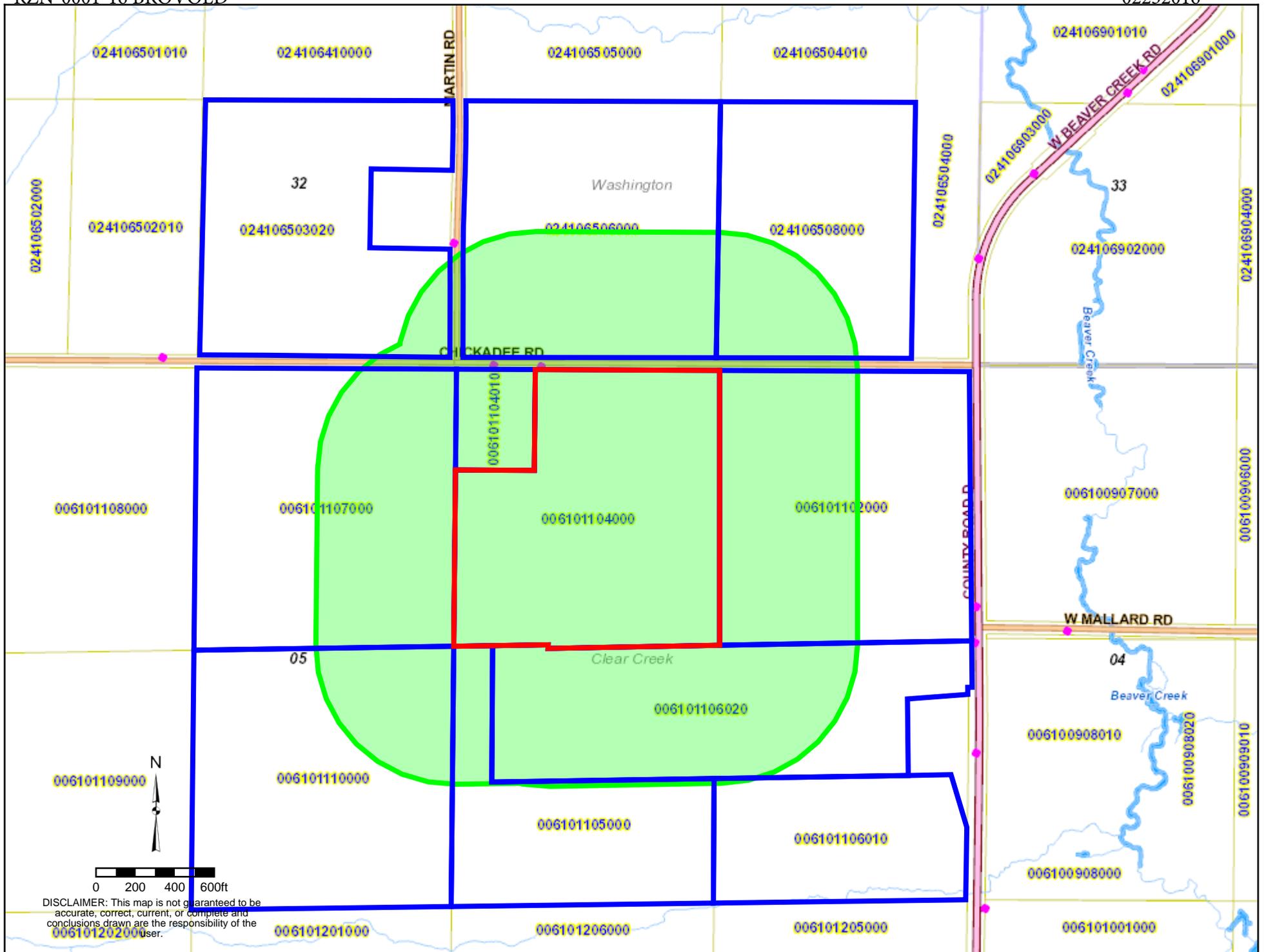
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Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.

Date:

Aerial Photography Flight Spring 2013
Information Current January 1, 2013





RZN-0001-16 BROVOLD

02232016

Parcel Id	NAME	ADDRESS	CITY	STATE	ZIP
1802422608323409001	KUNDEL, KARL W & LISA M	4511 KENSINGTON CT	EAU CLAIRE	WI	54701
1800622508051200002	MYERS, MICHAEL J & DIANE K	E 7921 COUNTY RD V	FALL CREEK	WI	54742-9437
1800622508051300001	NELSON, JAN	S 10505 N MARTIN DR	STRUM	WI	54770-9439
1800622508051100001	RODEBERG, TODD A	S 10460 COUNTY ROAD D	STRUM	WI	54770-9432
1802422608324300001	SCHOEN, JILL	S 15635 COUNTY ROAD FF	ELEVA	WI	54738-9222
1800622508051409000	TURNER, DANA P & SHERYL L	3668 TAMARA DR	EAU CLAIRE	WI	54701-9171



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0003-16 **COMPUTER NUMBER:** 024114401000

PUBLIC HEARING DATE: February 23, 2016

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER/AGENT: Michael E and Mary A Bolle, 4928 Priory Rd, Eau Claire, WI 54701

REQUEST: Rezone 15.75 acres +/- of land from A-1 (Exclusive Agriculture) District to A-2 (Agriculture Residential) District to allow the property buyers to construct a single-family residence

LOCATION: West side of Priory Road and north of Mitchell Road

LEGAL DESCRIPTION: Portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T26N, R9W, Town of Washington (complete legal description attached)

SUMMARY

Applicant proposes to rezone 15.75 acres +/- of land from A-1 (Exclusive Agriculture) District to A-2 (Agriculture Residential) District to allow the buyers of the property, located in the southeast portion of the applicants 70-acre property, to construct a single-family residence.

BACKGROUND

SITE CHARACTERISTICS:

- Property is undeveloped and cultivated for agriculture
- Property slopes generally from northwest to southeast
- Eastern portion of property contains mapped wetlands

CURRENT ZONING:

A-1 Exclusive Agriculture District. The A-1 exclusive agricultural district is established to "preserve areas for farming or agricultural use and to minimize land use conflicts between farms and non-farms." Note that as of December 15, 2015 the A-1 zoning district is no longer a certified farmland preservation and is being revised the "de-certified" status. The changed status of the A-1 district should be considered when evaluating rezoning requests in this district.

REQUESTED ZONING DISTRICT:

The petition is to rezone the property described above from the A-1 Exclusive Agriculture District to the A-2 Agriculture-Residential District. The purpose of the A-2 District is to "Provide areas for limited residential and hobby farm development in a rural atmosphere" and to "preserve the county's natural resources and open space." Minimum lot size in the A-2 District is five (5) acres.

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-1	Agricultural fields; Woodlands
North	A-1 & A-2	Agricultural fields; Single-family residence
East	RH	Single-family residences
South	A-1	Agricultural fields; Woodlands; Single-family residences
West	A-2	Agricultural fields Single-family residences

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes the property in the Rural Transition (RT) planning area and the Town of Washington Future Land Use Map includes the property in the Rural Residential (RR) planning area.

Following is a description of the intent of the applicable County and Town comprehensive plan future land use categories and applicable policies:

Eau Claire County:

- Rural Transition Intent and Description: *“The primary intent of this classification is to identify certain lands in proximity to developed areas, to be preserved in mainly agricultural and open space uses until such time as more intensive development is appropriate. As mapped, this designation includes farmland, scattered open lands, woodlots, agricultural-related uses, cottage industries, mineral extraction operations, and limited low density single-family residential development. The RT areas potentially represent prime candidates for intergovernmental agreements that lay out specific plans for land use, boundary changes, and fiscal arrangements.”*
- Applicable Policies: The following policies are applicable to this rezoning petition.
 1. *Continue to maintain and support farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utility uses until such time as it has been determined by local plans that these areas are needed for additional non-farm development.*
 2. *For those Towns under County Zoning, density and zoning districts to be considered for new development shall be limited in accordance with all policies applicable to the Rural Lands classification, until such time as it has been determined by local officials in accordance with local plans, and the County Plan, that these areas are needed for additional non-farm development.*

Town of Washington:

- Rural Residential (RR) Comprehensive Plan Intent and Description: *The primary intent of this classification is to identify areas suitable for future rural residential neighborhoods. Rural Residential areas include lands with existing residential properties or vacant platted areas. In addition, some undeveloped land has been designated for RR development where subdivision expansion is likely to occur. These additional areas tend to be adjacent to existing rural subdivisions or where local roads and utilities exist to efficiently and economically serve the area.*

- Applicable Policies:
 1. *Within the RR classification, limit new development to a maximum gross density of one residential dwelling unit per two (2) acres held in single ownership.*
 - ...
 4. *The following Eau Claire County zoning districts will be considered for approval within RR areas: RH Rural Homes District and the R-1-L Single Family Residential Large Lot (with approved conservation subdivisions).*

FARMLAND PRESERVATION PLAN:

The property is excluded on the Farmland Preservation Plan Map. The property owners are not eligible to claim farmland preservation tax credits on the property.

Comprehensive Plan Summary

The proposed rezoning to A-2 is technically below the one dwelling unit per two acres density encouraged in the Town of Washington Rural Residential planning area. However, it could be argued that the proposed rezoning would result in sufficiently large lots to allow further subdivision of the property in the future should the owners wish to do so.

This property lies within the City of Eau Claire’s Extraterritorial Jurisdiction (ETJ) outside of the Sewer Service Area (SSA). The proposed rezoning appears to conform to the standards of the intergovernmental agreement.

ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also to be made that the rezone is consistent with the County’s Comprehensive Plan.

The rezoning petition has been evaluated for consistency with the purpose of A-2 District and the uses allowed in the district. The request is consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is consistent with the intent and purpose of the Future Land Use plans for the County and the Town of Washington
- The property is excluded from the adopted County Farmland Preservation Plan
- The existing A-1 zoning district is no longer a certified farmland preservation district as it has been supplanted by the AP (Agricultural Preservation) district
- Existing uses in the area include a mixture of residences, agricultural fields and woodlands
- The proposed A-2 zoning would potentially allow additional land divisions, given the 5 acre minimum lot size. However, A-2 is the appropriate designation for the proposed 15.75 acre lot as the next larger zoning district, A-3 has a 20 acre minimum lot size.

A-1 Rezoning Standards

In addition, there are four standards for approving a rezoning of land from the A-1 Exclusive Agricultural zoning district to any other district. The following provides an analysis of this rezoning petition based on those standards. Note that these standards, although still technically a part of the A-1 district standards for the time being, will be modified in the near future to reflect that the A-1 district is no longer a certified farmland preservation zoning district:

Standard 1 - *The land considered for rezoning is suitable for uses allowed in the proposed zoning district based upon soil types, the site's location, and adjacent land uses*

- **Soils** – The property does not contain prime soils. Soil types in the rezoning area include Plainfield loamy sand (PfC2), 6-12% slopes, which is a Class 6 soil; Plainfield loamy sand (PfB), 6-12% slopes, which is a Class 4 soil; and Boone-Plainbo Complex (BoE), 12-45% slopes, which is a Class 7 soil. Further, the property is no longer included in the Farmland Preservation Plan
- **Site Location** – The site is located on the west side of Priory Road
- **Adjacent Land Uses** – Uses in the area include a mix of residential, cropland and woodlands. Zoning in the area is a mixture of A-1, A-2, and R-H in the near vicinity of this property.

Standard 2 - *The uses allowed in the proposed zoning district will be in conflict with remaining agricultural uses* – There is a minor potential for conflicts between non-farm residents and surrounding agricultural uses due to noises, odors, and other conditions or characteristics associated with farming,

Standard 3 - *Whether adequate public facilities and services are available or will be provided for uses allowed in the new zoning district* – Adequate facilities and services are available.

Standard 4 - *Whether the development allowed by the new zoning district will cause undue environmental degradation* –The proposed rezoning would not result in any undue environmental degradation.

The rezoning petition has been evaluated for consistency with the purpose of A-2 District and the uses allowed in the district and have been found to be consistent with the purpose of the zoning code based on the aforementioned findings.

Town Board Action: The Washington Town Board held a public hearing regarding this rezoning petition on January 21, 2016 and voted to recommend approval (5-0 vote).

CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County and Town of Washington Comprehensive Plan future land use designations
- Eau Claire County and Town of Washington Comprehensive Plan goals, objectives and policies
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in A-2 District

In addition, the following factors have also been considered:

- Input of surrounding property owners (within 660 feet). No correspondence has been received to date

Staff finds that the proposed rezoning request is consistent with the Eau Claire County Comprehensive Plan and the Town of Washington Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed A-2 zoning district is consistent and therefore allowed within the mapped Eau Claire County Rural Transition and Town of Washington Rural Residential future land use designations.

RECOMMENDATION

Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the rezoning petition to rezone the approximately 15.75-acre property from the A-1 District to the A-2 District as depicted on the attached map and described in the attached legal description.

4 - AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE
5 TOWN OF WASHINGTON -

6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7
8 **SECTION 1** That the 1982 Official Zoning District Boundary Map for the Town of
9 Washington, Eau Claire County described as follows:

10
11 **A parcel of land located in the SE ¼ of the SW ¼, Section 6, Township**
12 **26 North, Range 9 West, Town of Washington, Eau Claire County,**
13 **Wisconsin described as follows:**

14
15 **Beginning at the Southeast corner of said SW ¼; thence N01°05'42"E**
16 **along the East line of said SW ¼ a distance of 1,000.45 feet to the**
17 **extended south line of Lot 1, Certified Survey Map recorded in**
18 **Volume 3 of Certified Survey Map, Pages 155-156; thence**
19 **S88°36'53"W along said South line of Lot 1 a distance of 686.97 feet to**
20 **the Southwest corner of said Lot 1; thence S01°05'53"W a distance of**
21 **998.22 feet to the South line of said SW ¼; thence N88°48'04"E along**
22 **said South line a distance of 686.93 feet to the Point of Beginning.**

23
24 **Said parcel containing 15.75 acres to be reclassified from the A-1**
25 **Exclusive Agricultural District to the A-2 Agriculture-Residential**
26 **District.**

27
28 **SECTION 2** Where a certified survey map is required and may alter the above
29 described property description, the official zoning district map for the
30 town shall be automatically amended to reflect the property description of
31 the certified survey map.

32
33 **ENACTED:** I hereby certify that the foregoing correctly represents the
34 action taken by the undersigned Committee on
35 February 23, 2016 by a vote of for, against.

36
37
38
39 _____
Planning & Development Committee, Chairperson

15-16/126

Dist. # 10 Conlin

Eau Claire County
Department of Planning and Development
Eau Claire County Courthouse
721 Oxford Avenue, Room 3344
Eau Claire, Wisconsin 54703
(715) 839-4741

Application Accepted:	1/12/2016
Accepted By:	Matt Michels
Receipt Number:	45238
Town Hearing Date:	01/21/2016
Scheduled Hearing Date:	2/23/2016
Application No:	RZN-0003-16
Appl Status:	Pending

Rezoning - County

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: **A1** Proposed Zoning District(s): **A2** Acres to be Rezoned: **15.75**

Portion Of The Se1/4 Of The Sw1/4, Section 6, T26N, R9W, Town Of Washington, Eau Claire County, Wisconsin

Owner\Applicant Name(s): **Address:** **Telephone:**
 Michael E & Mary A Bolle (ow) 4928 PRIORY RD EAU CLAIRE 715-833-1513(H)

Site Address(es):

Property Description: Sec 06 Twn 26 Rge 09 **Town of Washington** **Lot Area:** 35.000 ACRES

Zoning District(s): A1

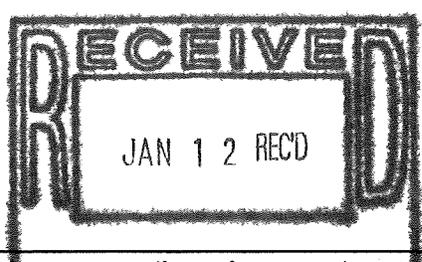
Overlay District: Shoreland Flood Plain Airport Wellhead Protection Non-Metallic Mining
 Check Applicable

PIN	Alternate No	Parcel No	Legal (partial)
1802422609063400001	024114401000	26.9.6.3-4-A	SE-SW EX THAT PRT OF LOT 1 OF C.S.M. VOL. 3 PG. 155 LYG I

I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature see attached application Date _____

Check if DATCAP must be notified _____ Check if DNR to Receive Copy _____



At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



Eau Claire County
Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

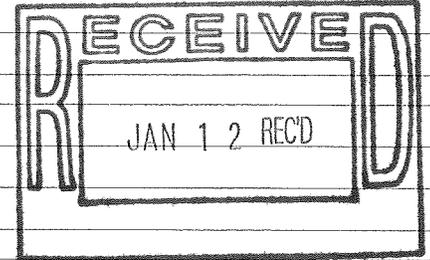
Application Accepted:	1/8/16 3:50 pm
Accepted By:	J. Allen
Receipt Number:	45238
Town Hearing Date:	1/21/16 tent.
Scheduled Hearing Date:	2/23/16 Co. P&D

REZONING APPLICATION

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: A1	Proposed Zoning District(s): A2
Acres to be rezoned: 15	

Property Owner Name: MICHAEL BOLLE	Phone#(715) 828-1000
Mailing Address: 4928 PRIORY RD EAU CLAIRE WI 54701	
Email Address: mbolleauto@charter.net	



Agent Name:	Phone#
Mailing Address:	
Email Address:	

SITE INFORMATION

Site Address:

Property Description: SE ¼ SW ¼ Sec. 6, T26 N, R9 W, Town of WASHINGTON

Zoning District: A1 Code Section(s):

Overlay District: Shoreland Floodplain Airport Wellhead Protection Non-Metallic Mining

Computer #(s): 024 - 1144 - 01 - 000

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

<input checked="" type="checkbox"/> Complete attached information sheet	<input checked="" type="checkbox"/> Contact the Town to coordinate a recommendation on the application
<input checked="" type="checkbox"/> Provide legal description of property to be rezoned	<input type="checkbox"/> Provide \$550.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$490.00 application processing fee and \$60.00 mapping surcharge fee)

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature *Michael Bolle* Date 1-7-16

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

Describe the reason for your rezoning request:

BUYERS (TOM & JENNY) WOULD LIKE TO BUILD A HOME.

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

REZONING TO A2 IS APPROPRIATE FOR THE AREA, WHICH IS RURAL HOMES.

EAU CLAIRE COUNTY FUTURE LAND USE MAP SHOWS YELLOW - RURAL RESIDENTIAL

Rezoning petitions to change the zoning of a parcel from the A-1 Exclusive Agricultural Zoning District to any other District must be based upon findings that consider the following factors:

- 1) Whether the land considered for rezoning is suitable for uses allowed in the proposed zoning district based upon soil types, the site's location, and adjacent land uses
- 2) Whether the uses allowed in the proposed zoning district will be in conflict with remaining agricultural uses
- 3) Whether adequate public facilities and services are available or will be provided for uses allowed in the new zoning district
- 4) Whether the development allowed by the new zoning district will cause undue environmental degradation

If you are petitioning to rezone land from an A-1 District to another district, please describe how the proposed change in zoning will be consistent with the four findings listed here.

THIS LAND LOCATION IS SUITED FOR RURAL HOMES. THERE ARE NO CURRENT FARMING OPERATIONS NEAR BY. ADDING ADDITIONAL HOUSES WILL BE APPROPRIATE FOR THE AREA

RE-ZONE SKETCH

PCL# 26.9.6.3-4A
024-1144-01-000

LOT 1, CSM VOL. 3,
PG 155-156

S88°36'53"W 686.97'

SE — SW

S1°05'53"W 998.22'

N1°05'42"E 1000.45'

N88°48'04"E 686.93'

0 100 200 400
SCALE: 1" = 200'

PRIORY ROAD

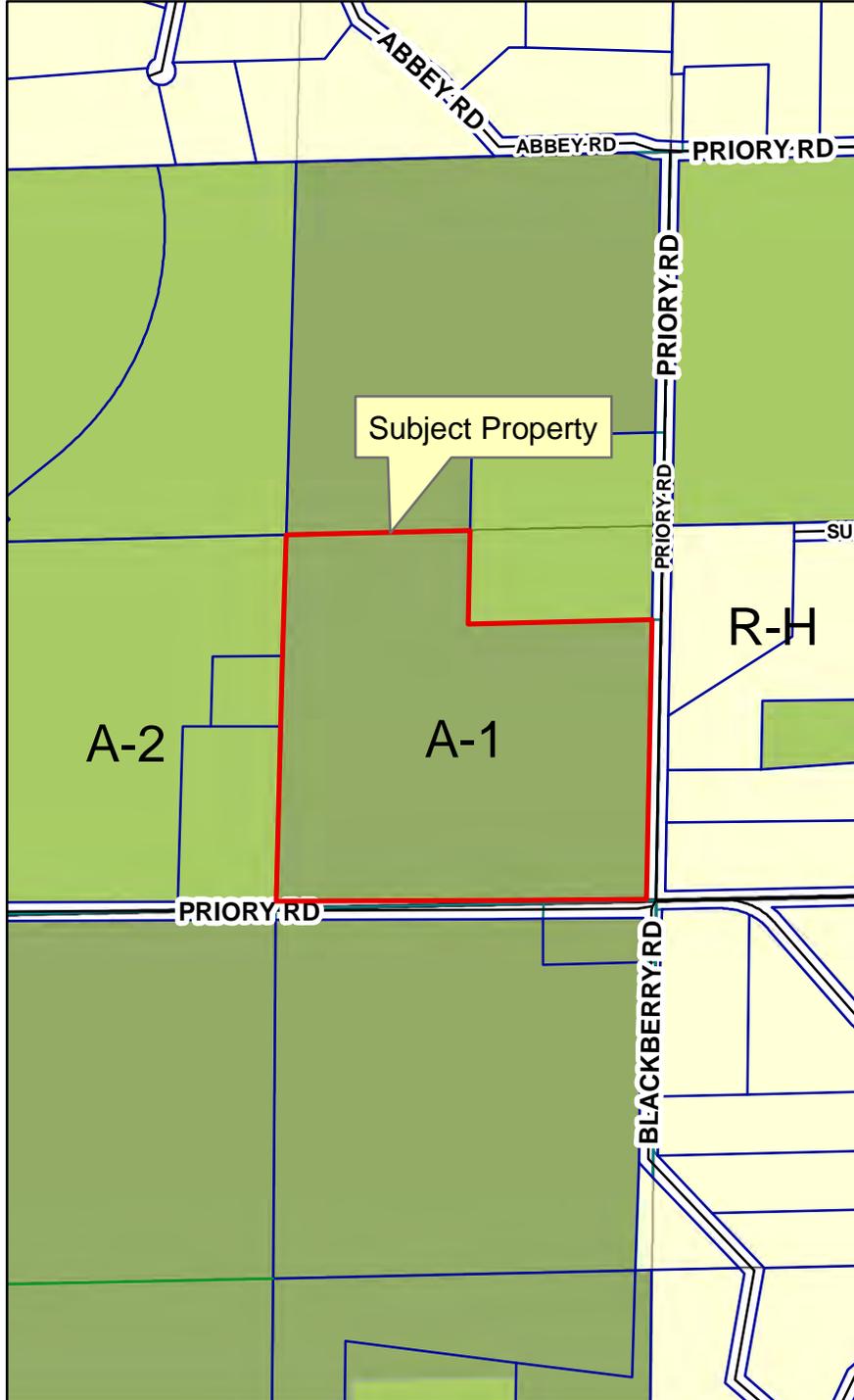
PRIORY ROAD



Bolle Rezoning: RZN-0003-16

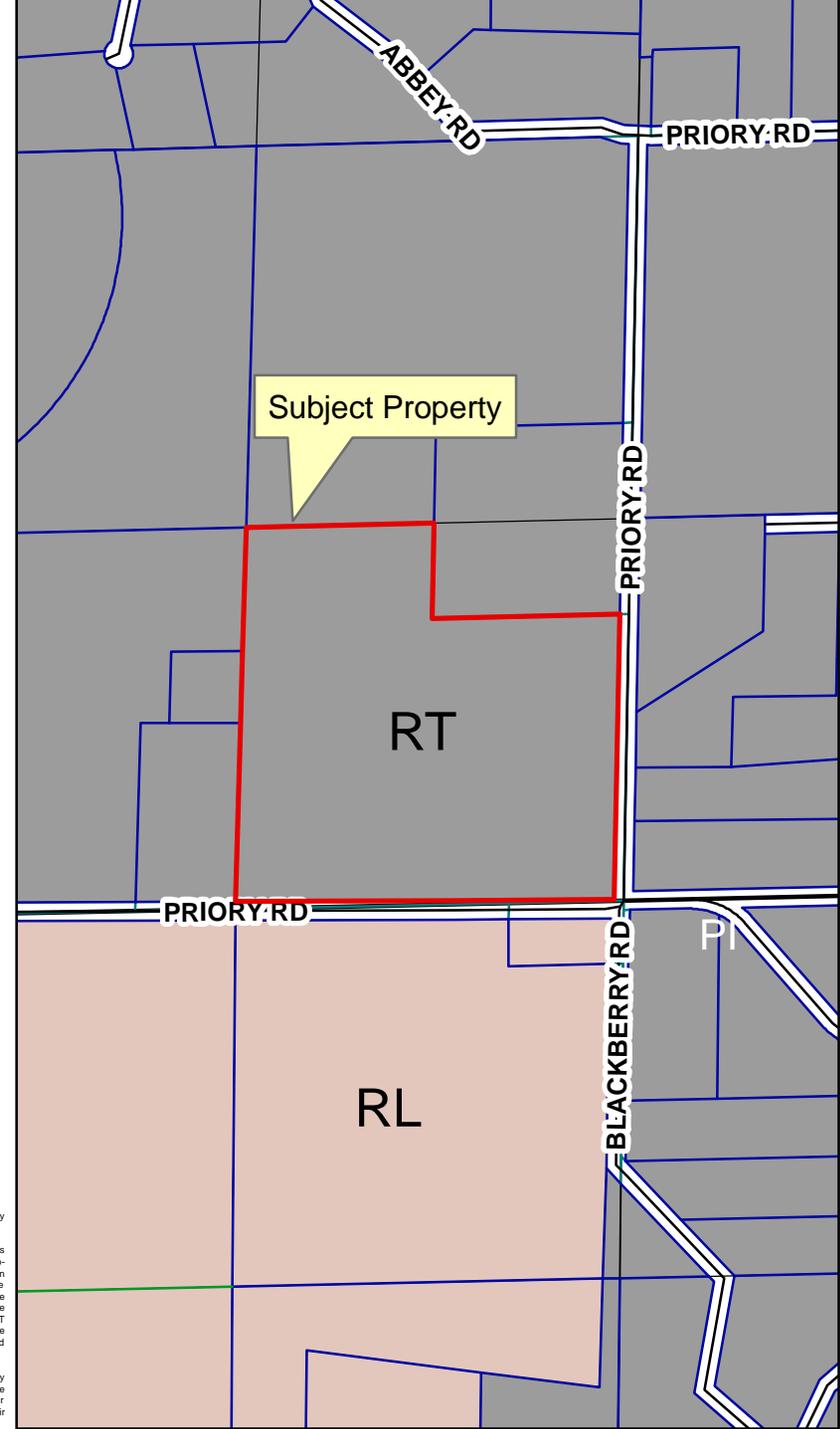
Existing Zoning

1 inch = 666.66667 feet

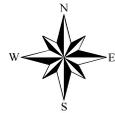


Existing Future Land Use

1 inch = 667 feet



- Legend**
- Rural Residential Cluster Development
 - Commercial/Industrial
 - County Forest
 - Natural Resource Protection
 - Park & Recreational
 - Public Institutional
 - Recreational Commercial
 - Rural Commercial
 - Rural Hamlet
 - Rural Industrial
 - Rural Lands
 - Rural Residential
 - Rural Residential Mobile Home
 - Rural Transition
 - Urban Mixed Use



Parcel Mapping Notes:
 The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet
 This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.
 Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user assumes all liability for the map and results solely at their own risk.

Eau Claire County Parcel Mapping



1 inch = 185.635583 feet

Legend

Soil Map Unit

Capability unit-main

- 1
- 2
- 3
- 4
- 6
- 7
- 8

Parcel Mapping Notes:

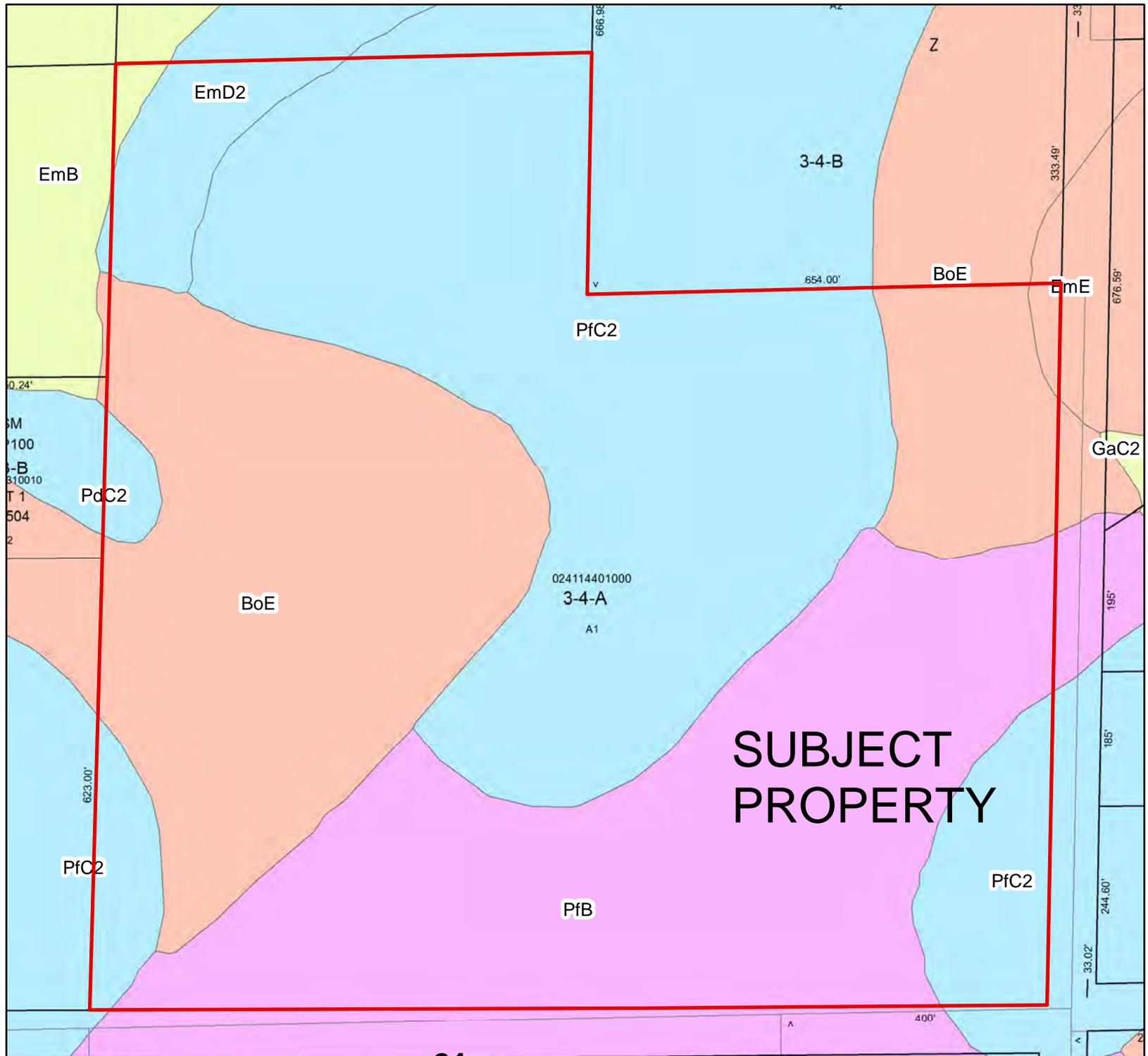
The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.

Date:

Aerial Photography Flight Spring 2013
Information Current January 1, 2013



RE-ZONE DESCRIPTION

PARCEL OF LAND LOCATED IN THE SE ¼ OF THE SW ¼, SECTION 6, TOWNSHIP 26 NORTH, RANGE 9 WEST, TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SW ¼; THENCE N01°05'42"E ALONG THE EAST LINE OF SAID SW ¼ A DISTANCE OF 1000.45 FEET TO THE EXTENDED SOUTH LINE OF LOT 1, CERTIFIED SURVEY MAP RECORDED IN VOLUME 3 OF CERTIFIED SURVEY MAP, PAGES 155-156;

THENCE S88°36'53"W ALONG SAID SOUTH LINE OF LOT 1 A DISTANCE OF 686.97 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1;

THENCE S01°05'53"W A ~~DISTNACE~~ ^{SP.} OF 998.22 FEET TO THE SOUTH LINE OF SAID SW ¼;

THENCE N88°48'04"E ALONG SAID SOUTH LINE A DISTANCE OF 686.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 15.75 ACRES MORE OR LESS.

Parcel Id	NAME	ADDRESS	CITY	STATE	ZIP
1802422609064300005	CONLIN, MICHAEL R & KARI	5240 SUNSET VIEW DR	EAU CLAIRE	WI	54701
1802422609063300002	EASTENSON, KYLE D	1426 MEADOW LN	EAU CLAIRE	WI	54701
1802422609063109000	ELLRINGER, DAVID S & CHERYL L	5000 PRIORY RD	EAU CLAIRE	WI	54701
1802422609071200004	GARBER, PATRICIA	5311 BLACKBERRY RD	EAU CLAIRE	WI	54701-9412
1802422609063209001	IVANKOVIC, SLAVKO & ELIZABETH A	5001 WILLIAM CT	EAU CLAIRE	WI	54701-5052
1802422609072200001	JONES TRUST, DANIEL L & HELENA S	5729 ELM RD	EAU CLAIRE	WI	54701-9456
1802422609064300004	KOTHBAUER, KENNETH R	1451 SUNSET VIEW DR	EAU CLAIRE	WI	54701
1802422609072100001	LEE, MARILYN K	1825 PRIORY RD	EAU CLAIRE	WI	54701-9586
1802422609064200001	MANZ, JAMES W & SHARON H	5305 SUNSET VIEW DR	EAU CLAIRE	WI	54701
1802422609071200007	MARTIN, LAWRENCE T & CLAIRE E	5303 SUNSET VIEW DR	EAU CLAIRE	WI	54701
1802422609064300003	SHADICK, TERRY M & KATHLEEN M	1471 SUNSET VIEW DR	EAU CLAIRE	WI	54701
1802422609071200003	TJELTA, TERRY A & VICKI A	5350 CHOKECHERRY RD	EAU CLAIRE	WI	54701
1802422609064300001	WRIGHT, TODD W	5330 SUNSET VIEW DR	EAU CLAIRE	WI	54701-9457
1802422609064300006	YOUNG, LORETTA	5198 SUNSET VIEW DR	EAU CLAIRE	WI	54701-9490



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0004-16 **COMPUTER NUMBER:** 024116810000

PUBLIC HEARING DATE: February 23, 2016

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER/AGENT: Douglas D & Kari S Graff, 5388 Graff Rd, Eau Claire, WI 54701

REQUEST: Rezone 5.0 acres +/- of land from A-P (Agriculture Preservation) District to A-2 (Agriculture Residential) District to allow a family member to construct a single-family residence

LOCATION: West side of Graff Road approximately ¾ mile south of the Washington Town Hall

LEGAL DESCRIPTION: Portion of the SW¼ NW¼ of Section 12, T26N, R9W, Town of Washington (complete legal description attached)

SUMMARY

Applicant proposes to rezone 5.0 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agriculture Residential) District to allow a family member to construct a non-farm single-family residence.

BACKGROUND

SITE CHARACTERISTICS:

- Parent parcel is approximately 160 acres with existing farmstead
- Property is undeveloped and contains tilled fields
- Property slopes generally from south to north

CURRENT ZONING:

A-P Agricultural Preservation District. The A-P Agricultural Preservation District is established to:

- Preserve and protect those areas best suited for agricultural, forestry or open-space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;*
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;*
- Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;*
- Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;*
- Preserve rural character and promote the efficient use of public infrastructure and utilities by minimizing the adverse effects of urban sprawl along with its associated expense;*

- F. *Promote environmental quality through the use of conservation practices designed to minimize erosion of productive soils and deter the delivery of sediment and nutrients to the waters of our state;*
- G. *Minimize land use conflicts which occur when agricultural and non-agricultural uses are intermixed or not adequately separated; and*
- H. *Provide for carefully regulated extraction of nonmetallic mineral resources through Eau Claire County's permitting processes to ensure compatibility with adjacent land uses, minimize impacts to natural resources, and to restore lands to productive agricultural use consistent with locally approved reclamation plans.*

REQUESTED ZONING DISTRICT:

The petition is to rezone the property described above from the A-P Agricultural Preservation District to the A-2 Agriculture-Residential District. The purpose of the A-2 District is to "Provide areas for limited residential and hobby farm development in a rural atmosphere" and to "preserve the county's natural resources and open space." Minimum lot size in the A-2 District is five (5) acres.

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-P	Agricultural fields
North	A-P	Agricultural fields; Single-family residence
East	A-2	Single-family residences
South	A-2/RH (west of parent parcel)	Agricultural fields; Woodlands; Single-family residences (south of parent parcel)
West	A-P/RH (west of parent parcel)	Agricultural fields; Single-family residences (west of parent parcel)

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes the property in the Rural Transition (RT) planning area and the Town of Washington Future Land Use Map includes the property in the Rural Residential (RR) planning area.

Following is a description of the intent of the applicable County and Town comprehensive plan future land use categories and applicable policies:

Eau Claire County:

- **Rural Lands Intent and Description:** *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- **Applicable Policies:**
 1. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property.*
 2. *The preferred housing density is one (1) unit per 20 or more acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per five (5) acres to one (1) unit per 35 acres.*

3. *For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted below. The following additional policies shall apply to rezoning petitions:*
 - a. *Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm A-2 or A-3 parcels, unless rezoning land to either of these districts will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.*

Town of Washington:

- Rural Transition (RT) Comprehensive Plan Intent and Description: The primary intent of this classification is to, “*identify certain lands in proximity to developed areas, to be preserved in mainly agricultural and open space uses until such time as more intensive development may be appropriate. As mapped, this designation may include farmland, scattered open lands, woodlots, agricultural-related uses, cottage industries, mineral extraction operations, and limited low density single-family residential development. Within the horizon of this Plan, future development in the RT areas is expected to be consistent with the existing pattern of development; however, it is anticipated that over time these lands may be transitioned to more intensive development.*”
- Applicable Policies:
 1. *Within the RT classification, new development shall be limited in accordance with all policies applicable to the Rural Preservation classification, until such time when the Town identifies that particular mapped area as appropriate for more intensive development using the following criteria. a. When considering new residential subdivisions within the Rural Transition area, the Town may limit the development until 75% of the lots within all existing improved residential subdivisions are developed, calculated at the time a development request is submitted. Improved lots are those which are ready to be built on, served by public road and electric service is in place. b. When considering Rural Commercial and Industrial uses the Town may limit development to areas where the parcel is adjacent to existing business development, incorporated areas or along collector or arterial roadways. c. Within the planned 2025 Eau Claire Sewer Service Area, development should be arranged for potential re-subdivision into City-sized lots to facilitate the efficient and economical delivery of future municipal utilities.*

FARMLAND PRESERVATION PLAN:

The property is included in the Farmland Preservation Plan Map to allow the property owner to claim Farmland Preservation tax credits. Many other properties in the vicinity are excluded from farmland preservation.

CITY OF EAU CLAIRE EXTRATERRITORIAL JURISDICTION:

This property lies within the City of Eau Claire’s Extraterritorial Jurisdiction (ETJ) within the Sewer Service Area (SSA). The City does not oppose the proposed rezoning so long as the 10-acre gross density requirement is maintained over the entire parent parcel, which in this case would equate to 15 or 16 lots overall over the entire 160 acre parent parcel. Note that the density limitation restricts the number of lots that may be created on the entire parent parcel, but does not restrict the creation of lots smaller than 10 acres.

ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also be made that the rezone is consistent with the County's Comprehensive Plan.

The rezoning petition has been evaluated for consistency with the purpose of A-2 District and the uses allowed in the district. The request is consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is consistent with the Future Land Use plans for the County and the Town of Washington
- The property is appropriately situated for the intended A-2 zoning with other A-2 zoned parcels adjacent to the east and has required roadway frontage (250 feet) for the A-2 district
- The proposed rezoning will not interfere with or be incompatible with existing agricultural uses in the vicinity
- The remaining A-P zoned property will be approximately 155 acres, which exceeds the 35 acre minimum lot requirement for the district.
- Existing uses in the area include a mixture of agricultural fields, woodlots, and residences

The rezoning petition has been evaluated for consistency with the purpose of A-2 District and the uses allowed in the district and have been found to be consistent with the purpose of the zoning code based on the aforementioned findings.

A-P Rezoning Standards

In addition, there are four standards for approving a rezoning of land from the A-P Agricultural Preservation zoning district to any other district. The following provides an analysis of this rezoning petition based on those standards:

Standard 1 - *The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses.*

- **Soil Types** – The primary soil type on the property to be rezoned is Meridian loam, 2 to 6 percent slopes, which is classified as Capability Class 2, a prime agricultural soil. However, areas of lower soil capability to the south contain steep slopes that are not suitable for development.
- **Historical Productivity** – the majority of the property to be rezoned has been cultivated for agriculture.
- **Site Location** – The site is located on the west side of Graff Road and the proposed lot has sufficient roadway frontage (250 feet) for the A-2 District.
- **Adjacent Land Uses** – Uses in the area are a mixture of single-family residential, cropland, and woodland uses. Zoning in the area is also a mixture of A-2 and A-P zoning in the vicinity of this property, with RH zoning further to the southwest. Agriculture is limited by topography and soil capability.

Standard 2 - *The rezoning is consistent with any applicable comprehensive plans.*

The proposed rezoning conforms to the future land use intent, purpose, and policies for the Eau Claire County and Town of Washington Comprehensive Plans.

Standard 3 - *The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan.*

Although there will be some impact on highly productive soils, two factors must be considered, including:

1. A residence for the family member could be constructed within the A-P certified farmland preservation district without a rezoning if the property owner constructed the home without a mortgage loan. Banks will not typically lend on properties with farmland and require that the land with the home be divided from the farm. Therefore, the proposed zoning action will not have any greater adverse impacts than if the home were constructed following the A-P district standards.
2. The property is designated as Rural Transition in both the County and Town of Washington Comprehensive Plans. The long-term plan for this property is to transition to non-farm use within the horizon of the plans.

Standard 4 - *The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.*

The proposed rezoning conforms to this standard as the existing residence has is compatible with nearby agricultural operations. A Right-to-Farm Acknowledgement, recorded with the County Register of Deeds, will be required for the proposed lot.

Town Board Action: The Washington Town Board will hold a public hearing regarding this rezoning petition on February 18, 2016.

CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County and Town of Washington Comprehensive Plan future land use designations
- Eau Claire County and Town of Washington Comprehensive Plan goals, objectives and policies
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in A-2 District

In addition, the following factors have also been considered:

- Input of surrounding property owners (within 660 feet). No correspondence has been received to date

Staff finds that the proposed rezoning request is consistent with the Eau Claire County Comprehensive Plan and the Town of Washington Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed A-2 zoning district is consistent and therefore allowed within the mapped Eau Claire County Rural Transition and Town of Washington Rural Transition future land use designations.

RECOMMENDATION

Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the rezoning petition to rezone the 5.0-acre property from the A-P District to the A-2 District as depicted on the attached map and described in the attached legal description.

4 - AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE
5 TOWN OF WASHINGTON -

6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7
8 **SECTION 1** That the 1982 Official Zoning District Boundary Map for the Town of
9 Washington, Eau Claire County described as follows:

10
11 **A parcel of land located in the Southwest ¼ of the Northwest ¼,**
12 **Section 12, Town 26 North, Range 9 West, Town of Washington, Eau**
13 **Claire County, Wisconsin. This parcel is more particularly described**
14 **as follows:**

15
16 **Commencing at the Northwest Corner of Section 12; thence**
17 **S01°20'43"E along the west line of the Northwest ¼, 1,360.93 feet;**
18 **thence, S88°43'32"E, 735.17 feet to the Point of Beginning; thence,**
19 **S88°43'32"E, 578.11 feet; thence, S00°32'03"W along the Centerline**
20 **of Graff Road, 454.06 feet; thence, N89°55'09"W, 585.46 feet; thence,**
21 **N01°26'30"E, 466.22 feet to the Point of Beginning.**

22
23 **Said parcel containing 6.14 acres +/- to be reclassified from the A-P**
24 **Agricultural Preservation District to the A-2 Agriculture-Residential**
25 **District.**

26
27 **SECTION 2** Where a certified survey map is required and may alter the above
28 described property description, the official zoning district map for the
29 town shall be automatically amended to reflect the property description of
30 the certified survey map.

31
32 **ENACTED:** I hereby certify that the foregoing correctly represents the
33 action taken by the undersigned Committee on
34 February 23, 2016 by a vote of for, against.

35
36
37
38 _____
Planning & Development Committee, Chairperson

15-16/130

Eau Claire County
Department of Planning and Development
Eau Claire County Courthouse
721 Oxford Avenue, Room 3344
Eau Claire, Wisconsin 54703
(715) 839-4741

Application Accepted: 1/27/2016
Accepted By: Matt Michels
Receipt Number: 45329
Town Hearing Date: 02/18/2016
Scheduled Hearing Date: 2/23/2016
Application No: RZN-0004-16
Appl Status: Pending

Rezoning - County

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: ~~A1~~^{AP} Proposed Zoning District(s): **A2** Acres to be Rezoned: **5.0**

Portion Of The Sw1/4 Nw1/4 Of Section 12, T26N, R9W, Town Of Washington, Eau Claire County (Complete Legal Description Attached)

Owner/Applicant Name(s): Douglas D & Kari S Graff	Address: (ow) 5386 GRAFF RD EAU CLAIRE	Telephone: 715-839-0290(H)
---	--	--------------------------------------

Site Address(es):

Property Description: Sec 12 Twn 26 Rge 09 **Town of Washington** **Lot Area:** 40.000 ACRES

Zoning District(s): A1

Overlay District: Shoreland Flood Plain Airport Wellhead Protection Non-Metallic Mining

Check Applicable

PIN 1802422609122300001	Alternate No 024116810000	Parcel No 26.9.12.2-3	Legal (partial) SW-NW
-----------------------------------	-------------------------------------	---------------------------------	---------------------------------

I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

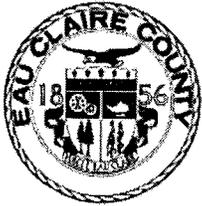
Owner/Agent Signature see attached application Date _____

Check if DATCAP must be notified _____

Check if DNR to Receive Copy _____

RECEIVED
JAN 27 2016
COUNTY CLERK

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



Eau Claire County
 Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Supervisor: Mike Contin
 DIST 10

Application Accepted:	1/27/16
Accepted By:	MM
Receipt Number:	45329
Town Hearing Date:	2/18/16
Scheduled Hearing Date:	2/23/16

REZONING APPLICATION

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: AP Proposed Zoning District(s): A2
 Acres to be rezoned: _____

Property Owner Name: Douglas and Kari Graff Phone# 715-839-0290
 Mailing Address: 5386 Graff Rd. Eau Claire, WI 54701
 Email Address: dgrafffarm@yahoo.com (1)

Agent Name: _____ Phone# _____
 Mailing Address: without Road Right of Way - 5.8 acres
 Email Address: Including Road Right of Way - 6.15 acres

RECEIVED
 JAN 27 2016

SITE INFORMATION

COUNTY CLERK

Ste Address: 5388 Graff Rd. Eau Claire, WI 54701
 Property Description: SW 1/4 NW 1/4 Sec. 12 T.26 N. R. 09 W. Town of Washington
 Zoning District: _____ Code Section(s): _____
 Overlay District: Shoreland Floodplain Airport Wellhead Protection Non-Metallic Mining
 Check Applicable
 Computer #(s): 024-1168-10-000

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

<input type="checkbox"/> Complete attached information sheet	<input type="checkbox"/> Contact the Town to coordinate a recommendation on the application
<input type="checkbox"/> Provide legal description of property to be rezoned	<input type="checkbox"/> Provide \$50.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$40.00 application processing fee and \$60.00 mapping surcharge fee)

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature Douglas Graff
Kari Graff Date 1-27-16

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

REZONING APPLICATION CHECKLIST

Applications are due by Tuesday at 5:00 PM three weeks prior to the Committee on Planning and Development meeting. The application must include the items listed below. After a preliminary review, additional information may be needed. A hearing will not be scheduled until the application is deemed complete. Applications are considered complete when all materials and associated fees are received and approved by staff.

Required Application Items:

- Application must be signed by the property owner(s)
- A legal description of land and address of land to be rezoned
- Complete the attached supplemental rezoning information sheet
 - Describe the reason for the request
 - Describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance
 - Explain and justify why this particular property is under consideration for rezoning
 - For rezoning requests from A-1 to any zoning district other than the AR district must consider the factors in Section 18.04.055 A-D
 - For rezoning requests from the A-1 to the AR zoning district must consider the factors in Section 18.06.050 A-D
 - For rezoning requests out of the Shoreland-wetland district must consider Section 18.19.100 B

The rezoning procedures and details have been outlined in the rezoning brochure, which is available at the Department of Planning and Development.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

Describe the reason for your rezoning request:

We are seeking a rezoning of a small portion of our farm so that our son and daughter in law can build a home for them and their children. Our son may provide occasional help on the farm if needed. We also tried to minimize the loss of best productive farmland and we will still farm a portion of their property.

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

18.05.010 - Permitted Principal Uses
A - Agriculture

18.05.015 - Permitted Principal Structures
A - Single Family Dwellings
B - Agricultural Structures - chickens

18.05.025 - Permitted Accessory Structures
A - Private Garages - Lawn Mowers, Snowmobiles

18.05.040 - Lot Requirement
Would meet lot size and setback requirements

I highlighted some of the pertinent A2 zoning Regulations. This rezoning from AP to A2 would be done to allow our son and daughter in law to build a home for themselves and to have the opportunity to have some chickens and possibly some other farm animals that could be 4-H or FFA projects in the future. Also to possibly have a second garage in the future. All of which are consistent to the A2 zoning ordinance. Unused land would be still used for crop production. Other than our farm, all neighboring properties are A2 zoning now.

Rezoning petitions to change the zoning of a parcel from the A-1 Exclusive Agricultural Zoning District to any other District must be based upon findings that consider the following factors:

↑ A-P Ag Preservation

- 1) Whether the land considered for rezoning is suitable for uses allowed in the proposed zoning district based upon soil types, the site's location and adjacent land uses
- 2) Whether the uses allowed in the proposed zoning district will be in conflict with remaining agricultural uses
- 3) Whether adequate public facilities and services are available or will be provided for uses allowed in the new zoning district
- 4) Whether the development allowed by the new zoning district will cause undue environmental degradation

If you are petitioning to rezone land from an A-1 District to another district, please describe how the proposed change in zoning will be consistent with the four findings listed here.

Standard 1

The land chosen for rezoning is the end of a farm field in an area of lighter soil type with less crop production. The tracts across the road are zoned A2.

Standard 2

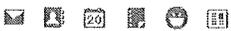
The rezoning to A2 is consistent to the comprehensive plan because it will be for a single family home for a family member near many similar A2 properties.

Standard 3

The rezoning is for a family member to build a single family home and land not needed for the homestead and driveway will most likely still remain in agricultural crop production.

Standard 4

The rezoning will not impair or limit current or future agricultural use of surrounding land because the surrounding land will remain in production agriculture. Also, the rezoning is so our son and daughter in law can build a home for them and their children. They would like to have the opportunity to farm animals themselves. They welcome living near a production agriculture farm and to have property not needed for their homestead and driveway to remain in crop production.



Compose

Navigation icons: back, forward, delete, move, spam, more

- inbox
- Drafts
- Sent
- Spam
- Trash (9)
- Smart Views
 - Important
 - Unread
 - Starred
 - People
 - Social
 - Shopping
 - Travel
 - Finance
- Folders
- Recent

A-P zoning district rezoning standards

Matt Michels <Matt.Michels@co.eau-claire.wi.us> Today at 11:38 AM
To dgraffarm@yahoo.com

Hi Doug,

Here are the standards for rezoning property from A-P to another zoning district:

- Standard 1 - *The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses.*
- Standard 2 - *The rezoning is consistent with any applicable comprehensive plans.*
- Standard 3 - *The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan.*
- Standard 4 - *The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.*

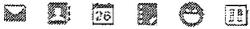
Please use these standards rather than the ones included in the rezoning application you have. Please let me know if you have any questions.

Thanks,

Matt Michels, AICP
Senior Planner
Eau Claire County Planning & Development
721 Oxford Ave. Ste. 3344
Eau Claire, WI 54703
matt.michels@co.eau-claire.wi.us
O: (715) 839-5055
F: (715) 831-5802



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Compose

Back to Message REZONE DESC.pdf 1 / 1



- Inbox (2)
- Drafts
- Sent
- Spam
- Trash
- Smart Views
 - Important
 - Unread
 - Starred
 - People
 - Social
 - Shopping
 - Travel
 - Finance
- Folders
- Recent

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REZONE DESCRIPTION

A parcel of land located in the Southwest 1/4 of the Northwest 1/4, Section 12, Town 26 North, Range 9 West, Town of Washington, Eau Claire County, Wisconsin. This parcel is more particularly described as follows:

COMMENCING at the Northwest Corner of Section 12; thence, S01°20'43"E along the west line of the Northwest 1/4, 1360.93 feet; thence, S88°43'32"E, 735.17 feet to the POINT OF BEGINNING; thence, S88°43'32"E, 578.11 feet; thence, S00°32'03"W along the Centerline of Graff Road, 454.06 feet; thence, N89°55'09"W, 585.46 feet; thence, N01°26'30"E, 466.22 feet to the POINT OF BEGINNING.



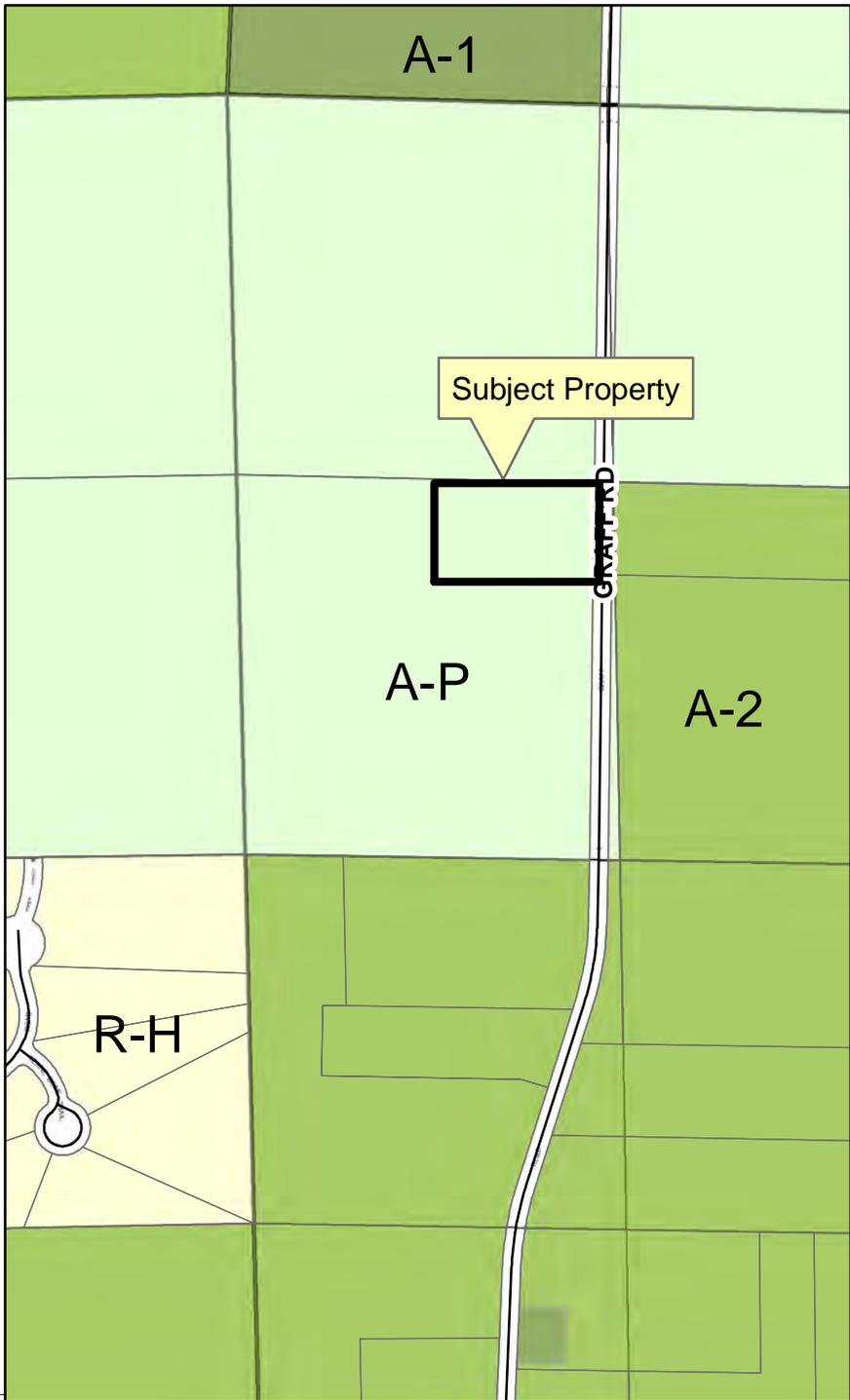
by stevedocwra on flickr



Graff Rezoning: RZN-0004-16

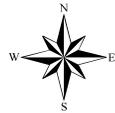
Existing Zoning

1 inch = 666.66667 feet



- -all other values-
- A1 - Exclusive Agricultural District
- A2 - Agriculture-Residential District
- A3 - Agricultural District
- AP - Agricultural Preservation
- AR - Floating Agricultural-Residential District
- C1 - Neighborhood Business District
- C2 - General Business District
- C3 - Highway Business District
- F1 - Exclusive Forestry District
- F2 - Forestry District
- I1 - Nonsewered Industrial District
- I2 - Sewered Industrial District
- RL - Single-Family Residential District, Large Lot
- RLM - Single-Family Residential District
- R2 - Two-Family Residential District
- R3 - Multiple-Family Residential District
- RH - Rural Homes District

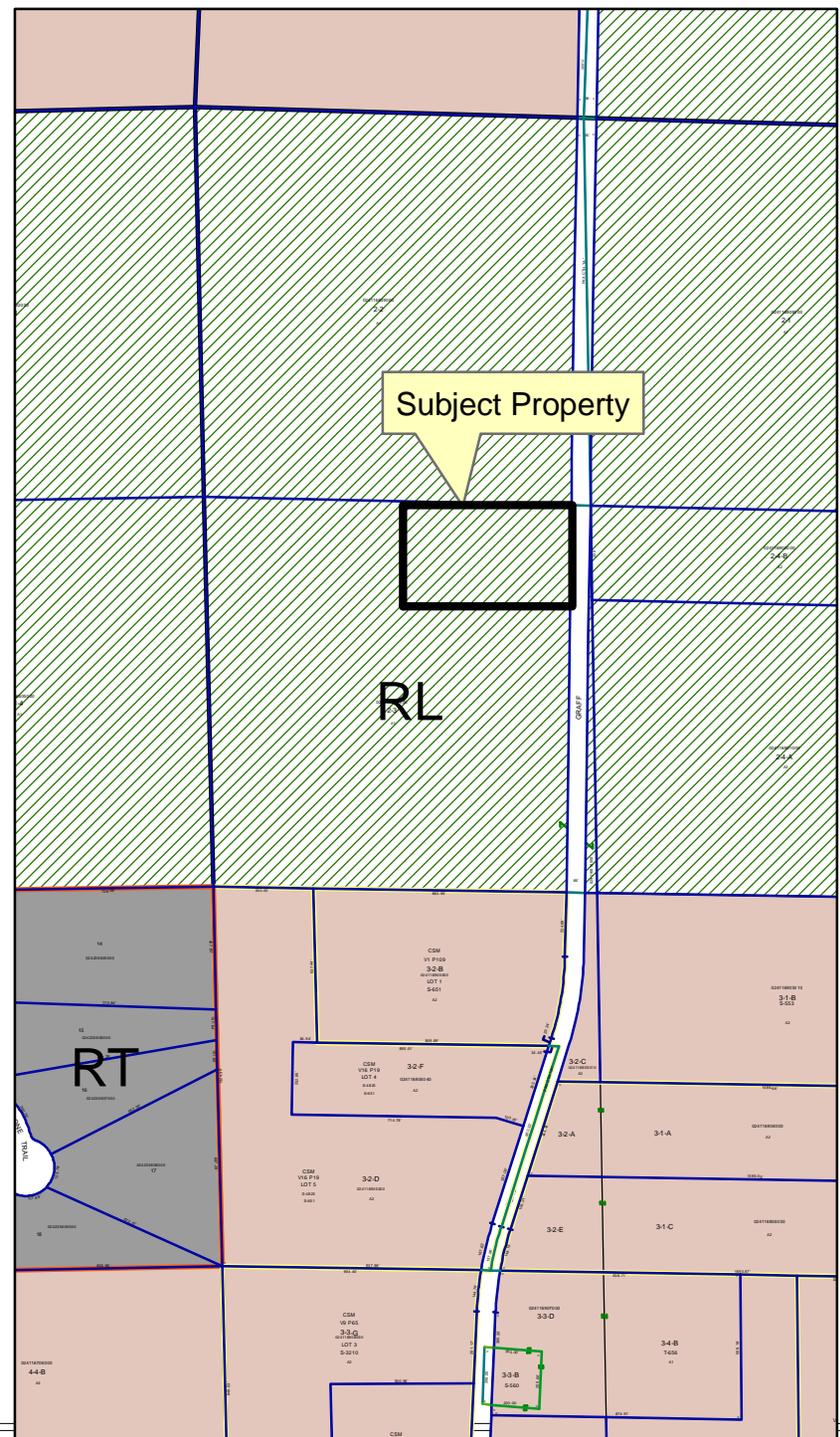
- Legend**
Future Land Use
- ▨ Rural Residential Cluster Development
 - ▨ Commercial/Industrial
 - ▨ County Forest
 - ▨ Natural Resource Protection
 - ▨ Park & Recreational
 - ▨ Public Institutional
 - ▨ Recreational Commercial
 - ▨ Rural Commercial
 - ▨ Rural Hamelt
 - ▨ Rural Industrial
 - ▨ Rural Lands
 - ▨ Rural Residential
 - ▨ Rural Residential Mobile Home
 - ▨ Rural Transition
 - ▨ Urban Mixed Use

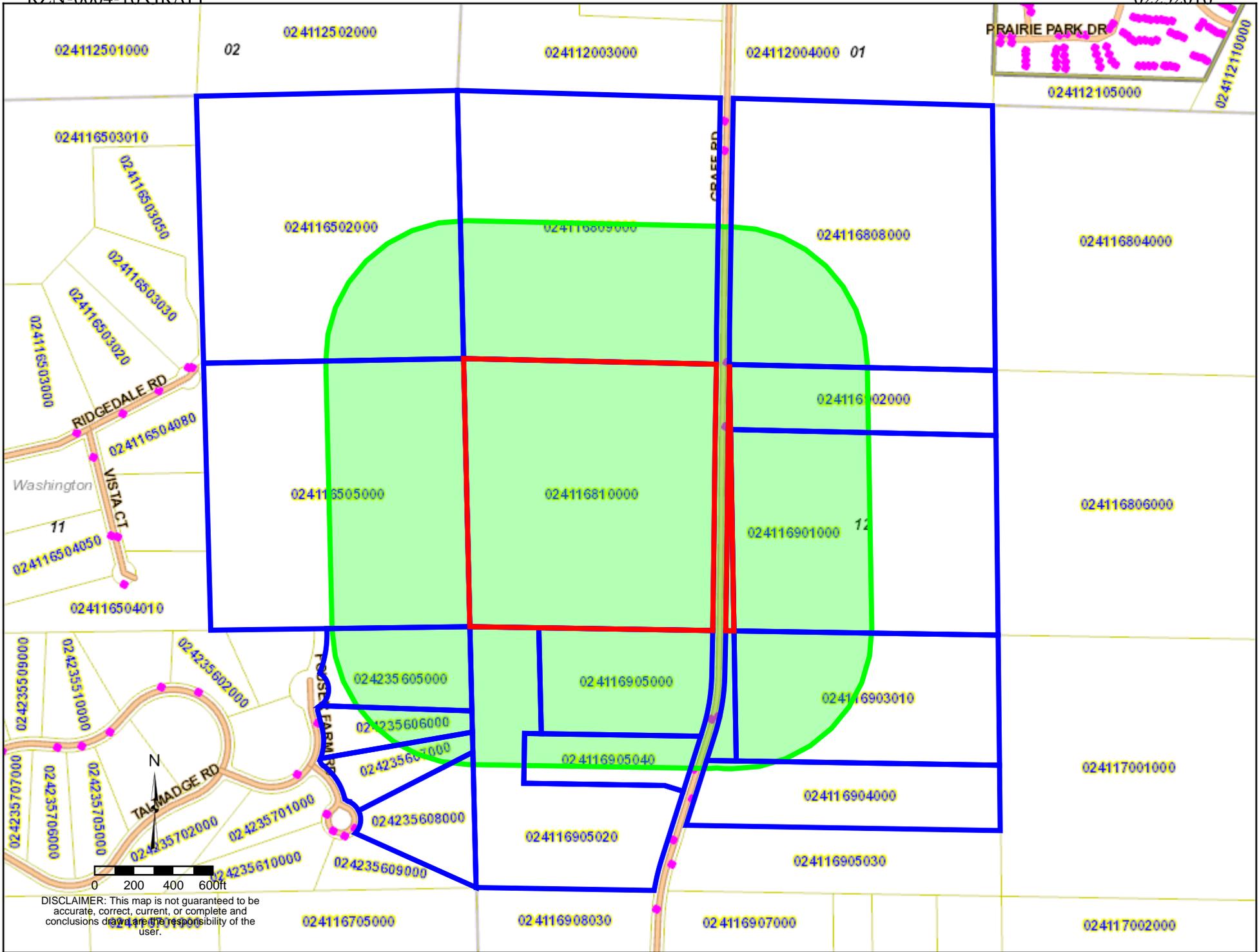


Parcel Mapping Notes:
The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet
This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.
Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user assumes the map and results solely at their own risk.

Existing Future Land Use

1 inch = 667 feet





DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Parcel Id	NAME	ADDRESS	CITY	STATE	ZIP
1802422609114102006	ARTURO & DANIELLA VALVERDE TRUST	5256 TERRE BONE TRL	EAU CLAIRE	WI	54701-9380
1802422609122400001	CHAPUT, MARK A	5675 GRAFF RD	EAU CLAIRE	WI	54701
1802422609122100001	GRAFF, HAROLD H	5388 GRAFF RD	EAU CLAIRE	WI	54701
1802422609123209004	HERBENSON, ANTHONY	5932 GRAFF RD	EAU CLAIRE	WI	54701-8941
1802422609123209002	HERBENSON, STEVEN	5990 GRAFF RD	EAU CLAIRE	WI	54701-8941
1802422609122400002	HUMPHREYS, LESLEY D	5575 GRAFF RD	EAU CLAIRE	WI	54701-8913
1802422609114102004	JOHNSON, DEVIN	6276 PRAIRIE PARK DR	EAU CLAIRE	WI	54701
1802422609123100001	KOTT, DAVID J & JANI M	5891 GRAFF RD	EAU CLAIRE	WI	54701-8953
1802422609123209000	MARTHALER, MICHAEL J & JENNIFER L	5947 GRAFF RD	EAU CLAIRE	WI	54701
1802422609123209001	PERRY, DONALD M & JEAN M	5892 GRAFF RD	EAU CLAIRE	WI	54701
1802422609114102003	SENDEN DEVELOPMENT LLC	3325 LABORE RD	ST PAUL	MN	55110-5149



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0005-16 **COMPUTER NUMBER:** 018112407000

PUBLIC HEARING DATE: February 23, 2016

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER: James & Carol Dapp Trust, 943 S Whitaker Ct, Oconomowoc, WI 53066

AGENT: Wade & Sonia Ostrander, S 8610 Balsam Rd, Eau Claire, WI 54701

REQUEST: Rezone 5.0 acres +/- from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) District to develop a single family home on the property

LOCATION: North side of Cedar Road approximately 1/2 mile west of Balsam Road

LEGAL DESCRIPTION: Portion of the SW1/4 NE1/4 of Section 29, T26N, R9W, Town of Pleasant Valley (complete legal description attached)

SUMMARY

The applicant proposes to rezone 5.0 acres +/- of property from A-P (Agriculture Preservation) District to A-2 (Agriculture-Residential) District to develop a single-family residence on the property. The remainder of the property will remain zoned A-P, with the eastern portion of the property remaining in cultivation.

BACKGROUND

SITE CHARACTERISTICS:

- Parent parcel is 40 acres
- Western two-thirds of property is wooded
- Eastern one-third of property contains tilled fields
- Western portion of the property contains steep slopes

CURRENT ZONING:

A-P Agricultural Preservation District. The A-P Agricultural Preservation District is established to:

- Preserve and protect those areas best suited for agricultural, forestry or open-space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;*
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;*
- Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;*
- Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;*

- E. *Preserve rural character and promote the efficient use of public infrastructure and utilities by minimizing the adverse effects of urban sprawl along with its associated expense;*
- F. *Promote environmental quality through the use of conservation practices designed to minimize erosion of productive soils and deter the delivery of sediment and nutrients to the waters of our state;*
- G. *Minimize land use conflicts which occur when agricultural and non-agricultural uses are intermixed or not adequately separated; and*
- H. *Provide for carefully regulated extraction of nonmetallic mineral resources through Eau Claire County’s permitting processes to ensure compatibility with adjacent land uses, minimize impacts to natural resources, and to restore lands to productive agricultural use consistent with locally approved reclamation plans.*

REQUESTED ZONING DISTRICT:

The petition is to rezone the 5-acre property described above from the A-P Agricultural Preservation District to the A-2 Agriculture-Residential District.

A-2 Agriculture-Residential District. The A-2 District is established to “A. *Provide an area for limited residential and hobby farm development in a rural atmosphere; and B. Preserve the county's natural resources and open space.*” Minimum lot size in the A-2 District is five (5) acres.

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	AP	Woodlands and agricultural fields
North	A-P	Woodlands and agricultural fields
East	A-P	Agricultural fields
South	A-P	Woodlands and agricultural fields
West	A-2	Single family residences

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes this property in the Rural Lands (RL) planning area, and the Town of Pleasant Valley Future Land Use Map includes this property in the Rural Preservation (RP) planning area, which is consistent with this rezone request. Following is a description of the intent of the applicable County and Town comprehensive plan future land use category and applicable policies:

Eau Claire County:

- Rural Lands Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- Applicable Policies:
 1. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property.*

2. *The preferred housing density is one (1) unit per 20 or more acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per five (5) acres to one (1) unit per 35 acres.*
3. *For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted below. The following additional policies shall apply to rezoning petitions:*
 - a. *Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm A-2 or A-3 parcels, unless rezoning land to either of these districts will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.*

Town of Pleasant Valley:

- Rural Preservation Comprehensive Plan Intent and Description: *The primary intent of these areas is to, “preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas. However, the term rural preservation is not intended to imply that changes in land use will not occur in these areas.”*
- Applicable Policies: *The following policies are applicable to this rezoning petition. Staff comments, where provided, follow the policy in italics.*
 1. *Farming and agricultural uses shall be established as the primary land uses within these areas. Non-farm development shall only be allowed if it will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take significant tracts of land suitable for cultivation or other agricultural use out of production.*
 - ...
 3. *Proposals for any new non-farm residential development shall be consistent with the following policies:*
 - a. *The maximum gross density for non-farm residential lots shall be one unit per five (5) acres held in single ownership, except as otherwise provided below for conservation subdivisions. The minimum lot size for non-farm residential lots shall be one (1) acre. The balance of the land not included in the residential lots shall be placed in a permanent conservation easement for agriculture, forestry, and open space use.*
 - b. *Any new non-farm residential lot shall have a “Right to Farm” disclosure attached to it acknowledging that the potential non-farm owner has been informed that his lot has been established in an area where farming is the preferred land use, and stating that the owner understands that he must abide by the State of Wisconsin “Right to Farm” statute (WI Stat. 823.08). This language shall be recorded on the deed to the property, transferable to subsequent owners.*
 - c. *Non-farm residential development shall only occur on land that is marginal for agricultural productivity. At least 80% of any proposed new lot shall not contain Class I, II, or III soils. In addition, it is the preference of the Town of Pleasant Valley that new non-farm residential lots that are approved in accord with these policies be located adjacent to or near existing non-farm development.*

...

4. *The following Eau Claire County zoning districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted above. The following additional policies shall apply to zoning petitions:*

- ...
- b. Rezoning land to the A-2 Agriculture-Residential District or the A-3 Agriculture District is discouraged for new non-farm residential development, unless findings can be made that rezoning land to either of these districts will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.*
- c. Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm residential A-2 or A-3 parcels.*

FARMLAND PRESERVATION PLAN:

The property is included in the Farmland Preservation Plan Map, which allows the property owner to claim Farmland Preservation tax credits. Many other properties in the vicinity are excluded from farmland preservation.

Comprehensive Plan Summary

The proposed A-2 zoning is generally consistent with the intent and description and the applicable policies of the Eau Claire County and also appears to be generally consistent with the Town of Pleasant Valley Comprehensive Plan. Further, the Town of Pleasant Valley recommends approval of the proposed rezoning.

ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also be made that the rezone is consistent with the County's Comprehensive Plan.

The rezoning petition has been evaluated for consistency with the purpose of A-2 District and the uses allowed in the district. The request is consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is generally consistent with the Future Land Use plans for the County and the Town of Pleasant Valley
- The property is appropriately situated for the intended A-2 zoning with frontage on Cedar Road
- The majority of the property is woodland and steep slopes
- The remaining property will meet the minimum lot size (35 acres) for the A-P District
- Existing uses in the area include a mixture of single-family residences, woodlands, and agricultural fields

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also to be made that the rezone is consistent with the County's Comprehensive Plan.

A-P Rezoning Standards

In addition, there are four standards for approving a rezoning of land from the A-P Agricultural Preservation zoning district to any other district. The following provides an analysis of this rezoning petition based on those standards:

Standard 1 - *The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses.*

- **Soil Types** – The primary soil type on the property to be rezoned is Elkmound loam, 20 to 45 percent slopes (EmE), which is classified as Capability Class 7, not a prime agricultural soil, with a small amount of Eleva sandy loam, 2 to 6 percent slopes, which is a Class 2 prime agricultural soil, on the eastern edge of the property to be rezoned.
- **Historical Productivity** – A small portion of the property to be rezoned has been historically cultivated for agriculture.
- **Site Location** – The site is located on the north side of Cedar Road and the proposed lot has sufficient roadway frontage (250 feet) for the A-2 District.
- **Adjacent Land Uses** – Uses in the area are a mixture of single-family residential, cropland, and woodland uses. Zoning in the area is also a mixture of A-1, A-2, A-3 and A-P zoning in the vicinity of this property. Agriculture is limited by topography and soil capability.

Standard 2 - *The rezoning is consistent with any applicable comprehensive plans.*

The proposed rezoning conforms to the future land use intent, purpose, and policies for the Eau Claire County and Town of Pleasant Valley Comprehensive Plans.

Standard 3 - *The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan.*

A residence for the family member could be constructed within the A-P certified farmland preservation district without a rezoning if the property owner constructed the home without a mortgage loan. Banks will not typically lend on properties with farmland and require that the land with the home be divided from the farm. Therefore, the proposed zoning action will not have any greater adverse impacts than if the home were constructed following the A-P district standards.

The rezoning is substantially consistent with the Farmland Preservation Plan and will have minimal impact on productive farmland.

Standard 4 - *The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.*

The proposed rezoning conforms to this standard as the existing residence has is compatible with nearby agricultural operations. A Right-to-Farm Acknowledgement, recorded with the County Register of Deeds, will be required for the proposed lot.

Town Board Action: The Pleasant Valley Town Board considered this rezoning petition on Monday, February 8, 2016 and recommended approval (3-0 vote).

CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County and Town of Pleasant Valley Comprehensive Plan future land use designations

- Eau Claire County and Town of Pleasant Valley Comprehensive Plan goals, objectives and policies
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in the A-2 District

In addition, the following factors have also been considered:

- Input of surrounding property owners (within 660 feet). No correspondence has been received to date
- Town of Pleasant Valley Board action

Staff finds that the proposed rezoning request substantially conforms with the Eau Claire County Comprehensive Plan and the Town of Pleasant Valley Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed A-2 zoning district is consistent and therefore allowed within the mapped Eau Claire County Rural Lands and Town of Pleasant Valley Rural Preservation future land use designations.

RECOMMENDATION

Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the rezoning petition to rezone the 5-acre property from the A-P District to the A-2 District as depicted on the attached map and described in the attached legal description.

2
3 - AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE
4 TOWN OF PLEASANT VALLEY -

5
6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7
8 **SECTION 1** That the 1982 Official Zoning District Boundary Map for the Town of
9 Pleasant Valley, Eau Claire County described as follows:

10
11 **A parcel of land being part of the SW ¼ of the NE ¼, Section 29,**
12 **Township 26 North, Range 9 West, Town of Pleasant Valley, Eau**
13 **Claire County, Wisconsin being more particularly described as**
14 **follows:**

15
16 **Commencing at the Southwest corner of said SW ¼ of the NE ¼;**
17 **thence easterly, along the south line of said SW ¼ of the NE ¼, a**
18 **distance of 231 feet to the point of beginning; thence continuing**
19 **easterly, a distance of 739 feet; thence north, a distance of 295 feet;**
20 **thence westerly, a distance of 739 feet; thence south, a distance of 295**
21 **feet to the point of beginning.**

22
23 **Said parcel containing 5 acres to be reclassified from the A-P**
24 **Agricultural Preservation District to the A-2 Agriculture-Residential**
25 **District.**

26
27 **SECTION 2** Where a certified survey map is required and may alter the above
28 described property description, the official zoning district map for the
29 town shall be automatically amended to reflect the property description of
30 the certified survey map.

31
32 **ENACTED:** I hereby certify that the foregoing correctly represents the
33 action taken by the undersigned Committee on
34 February 23, 2016 by a vote of for, against.

35
36
37
38 _____
Planning & Development Committee, Chairperson

15-16/129

Eau Claire County
Department of Planning and Development
Eau Claire County Courthouse
721 Oxford Avenue, Room 3344
Eau Claire, Wisconsin 54703
(715) 839-4741

Application Accepted: 1/27/2016
Accepted By: Matt Michels
Receipt Number: 45340
Town Hearing Date: 02/08/2016
Scheduled Hearing Date: 2/23/2016
Application No: RZN-0005-16
Appl Status: Pending

Rezoning - County

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: ~~A1~~ ^{AP} Proposed Zoning District(s): **A2** Acres to be Rezoned: **5.0**

Portion Of The Sw1/4 Ne1/4 Of Section 29, T26N, R9W, Town Of Pleasant Valley, Eau Claire County, Wisconsin

Owner/Applicant Name(s): James & Carol Dapp Trust Wade Ostrander	Address: (ow) 943 S WHITAKER CT OCONOMOWOC (appl) S 8610 BALSAM RD EAU CLAIRE	Telephone: 715-563-3970(C) 715-563-4558(H)
---	--	--

Site Address(es):

Property Description: Sec 29 Twn 26 Rge 09 **Town of Pleasant Valley** **Lot Area:** 40.000 ACRES

Zoning District(s): A1

Overlay District: Shoreland Flood Plain Airport Wellhead Protection Non-Metallic Mining

Check Applicable

PIN	Alternate No	Parcel No	Legal (partial)
1801822609291300001	018112305000	26.9.29.1-3	SW-NE

I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature see attached application Date _____

Check if DATCAP must be notified _____

Check if DNR to Receive Copy _____

RECEIVED
JAN 27 2016
COUNTY CLERK

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

From: jamesdapp@centurytel.net
 Subject: Rezoning Signature
 Date: Today at 7:17 PM
 To: wsostrander@hughes.net

Had to save this as a jpeg, shouldn't be a problem for you.

Take care, Debbie

*Supervisor Dist. 7:
Steve Chilson*



Eau Claire County
Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Application Accepted:	1/27/16
Accepted By:	mm
Receipt Number:	045340
Town Hearing Date:	2/8/16
Scheduled Hearing Date:	2/23/16

REZONING APPLICATION

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: AP Proposed Zoning District(s): A2
 Acres to be rezoned: 5

Property Owner Name: Jim and Carol Dapp Trust Phone# 262-965-2194
 Mailing Address: 943 S WHITAKER CT OCONOMOWOC WI 53066-9271
 Email Address: Carol Dapp <jamesdapp@centurytel.net>

Agent Name: Wade & Sonia Ostrander Phone# 715-563-4558 / 715-563-3970
 Mailing Address: S 8610 Balsam Rd, Eau Claire, WI 54701
 Email Address: wsostrander@hughes.net

RECEIVED

JAN 27 2016

COUNTY

SITE INFORMATION

Site Address:
 Property Description: SW ¼ NE ¼ Sec. 29, T 26N, N, R 09W, W, Town of Pleasant Valley
 Zoning District: Code Section(s):
 Overlay District: Shoreland Floodplain Airport Wellhead Protection Non-Metallic Mining
 Check Applicable
 Computer #(s): 01811 - 230 - 50 - 00

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

- Complete attached information sheet
- Contact the Town to coordinate a recommendation on the application
- Provide legal description of property to be rezoned
- Provide \$550.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$490.00 application processing fee and \$60.00 mapping surcharge fee)

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature Carol Dapp

Date 1-26-16

REZONING APPLICATION CHECKLIST

Applications are due by Tuesday at 5:00 PM three weeks prior to the Committee on Planning and Development meeting. The application must include the items listed below. After a preliminary review, additional information may be needed. A hearing will not be scheduled until the application is deemed complete. Applications are considered complete when all materials and associated fees are received and approved by staff.

Required Application Items:

- Application must be signed by the property owner(s)
- A legal description of land and address of land to be rezoned
- Complete the attached supplemental rezoning information sheet
 - Describe the reason for the request
 - Describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance
 - Explain and justify why this particular property is under consideration for rezoning
 - For rezoning requests from A-1 to any zoning district other than the AR district must consider the factors in Section 18.04.055 A-D
 - For rezoning requests from the A-1 to the AR zoning district must consider the factors in Section 18.06.050 A-D
 - For rezoning requests out of the Shoreland-wetland district must consider Section 18.19.100 B

The rezoning procedures and details have been outlined in the rezoning brochure, which is available at the Department of Planning and Development.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

Describe the reason for your rezoning request:

Wade & Sonia Ostrander are the primary live in care givers for Virginia Anklam, Mrs. Ostrander's mother due to age and disability. Mrs. Anklam's residence is too small and not structured for assisted care. Mrs. Anklam wants to remain on her legacy family farm ground. Wade and Sonia Ostrander propose building a new house on the described lot with enough square footage to allow Mrs. Anklam and the Ostrander family to live together and provide the daily care Mrs. Anklam needs. The location is a lot to be created from a parcel which was originally part of Mrs. Anklam's farm, and is currently owned by Mrs. Anklam's daughter - so it would depart of the original legacy farm acres.

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

The proposed new lot would utilize the portion of the 1/4, 1/4 section with a good portion of land that is not tillable due to existing timber and slopes of 20% or more. The amount of tillable land taken out of agriculture production would be less than 1.5 acres. There is existing A2 property just to the West of the proposed lot to be rezoned.

Existing timber would be left unaltered. Water shed and natural topography of the proposed lot and the remaining lot would be unaltered except for the construction of a single family home.

Rezoning petitions to change the zoning of a parcel from the A-1 Exclusive Agricultural Zoning District to any other District must be based upon findings that consider the following factors:

- 1) Whether the land considered for rezoning is suitable for uses allowed in the proposed zoning district based upon soil types, the site's location, and adjacent land uses
- 2) Whether the uses allowed in the proposed zoning district will be in conflict with remaining agricultural uses
- 3) Whether adequate public facilities and services are available or will be provided for uses allowed in the new zoning district
- 4) Whether the development allowed by the new zoning district will cause undue environmental degradation

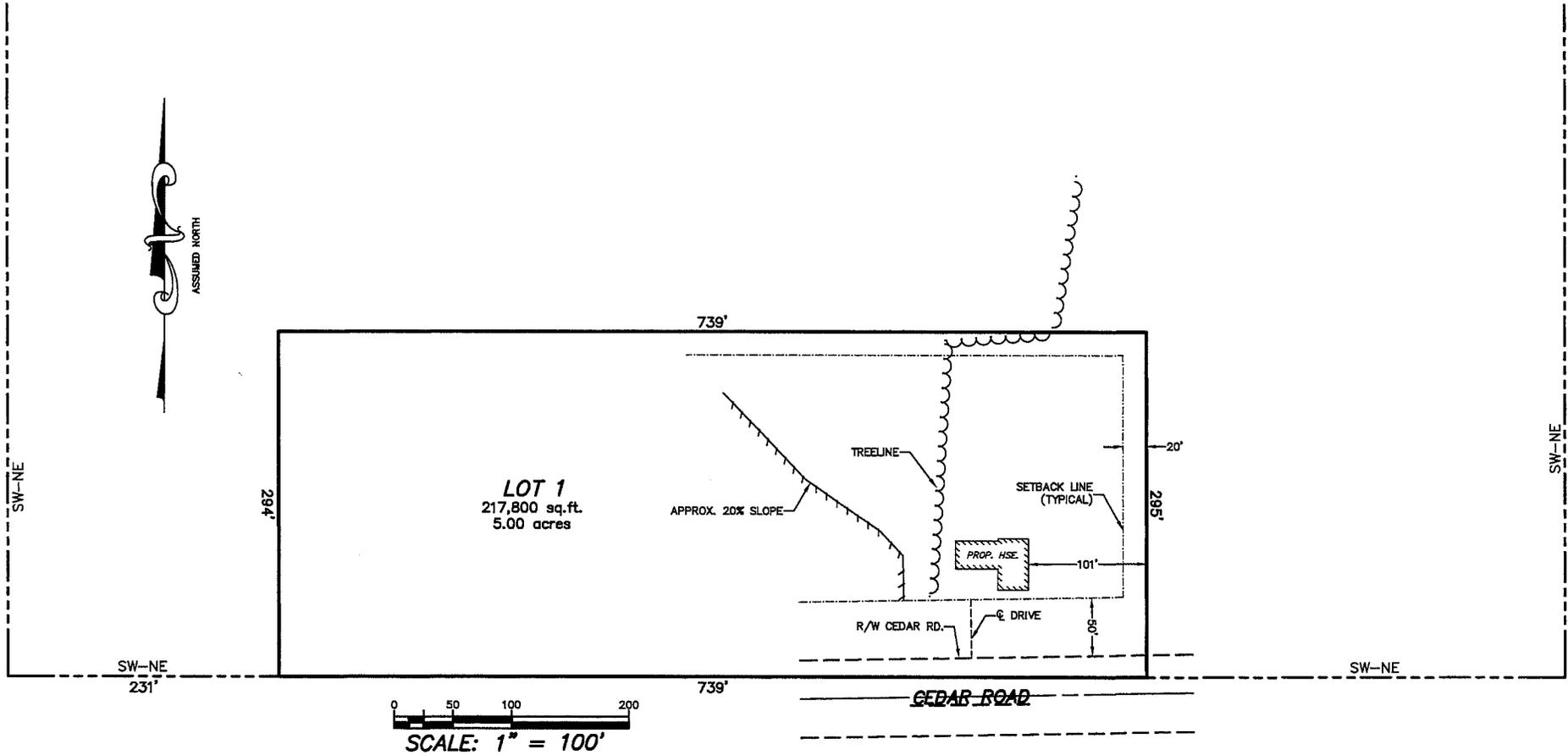
If you are petitioning to rezone land from an A-1 District to another district, please describe how the proposed change in zoning will be consistent with the four findings listed here.

1. The proposed lot's location allows for use of non tillable portion of the lot with exception of a small amount on the east edge. There are existing A2 lots directly to the West on similar sloped areas.
2. The remaining acreage can still used for agriculture purposes without restriction due to the proposed home construction.
3. Underground power lines are existing in the road ditch, and well and septic would be installed per County health department standards and regulations.
4. Environmental integrity can be maintained through the creation of this lot. Drainage, existing timber, and wildlife would be unaffected.

PARCEL REZONING DESCRIPTION

A PARCEL OF LAND BEING PART OF THE SW¹/₄-NE¹/₄, SECTION 29, T26N, R9W, TOWN OF PLEASANT VALLEY, EAU CLAIRE COUNTY WISCONSIN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SW¹/₄-NE¹/₄;

- THENCE EASTERLY, ALONG THE SOUTH LINE OF SAID SW¹/₄-NE¹/₄, A DISTANCE OF 231 FEET TO THE POINT OF BEGINNING;
- THENCE CONTINUING EASTERLY, A DISTANCE OF 739 FEET;
- THENCE NORTH, A DISTANCE OF 295 FEET;
- THENCE WESTERLY, A DISTANCE OF 739 FEET;
- THENCE SOUTH, A DISTANCE OF 295 FEET TO THE POINT OF BEGINNING.

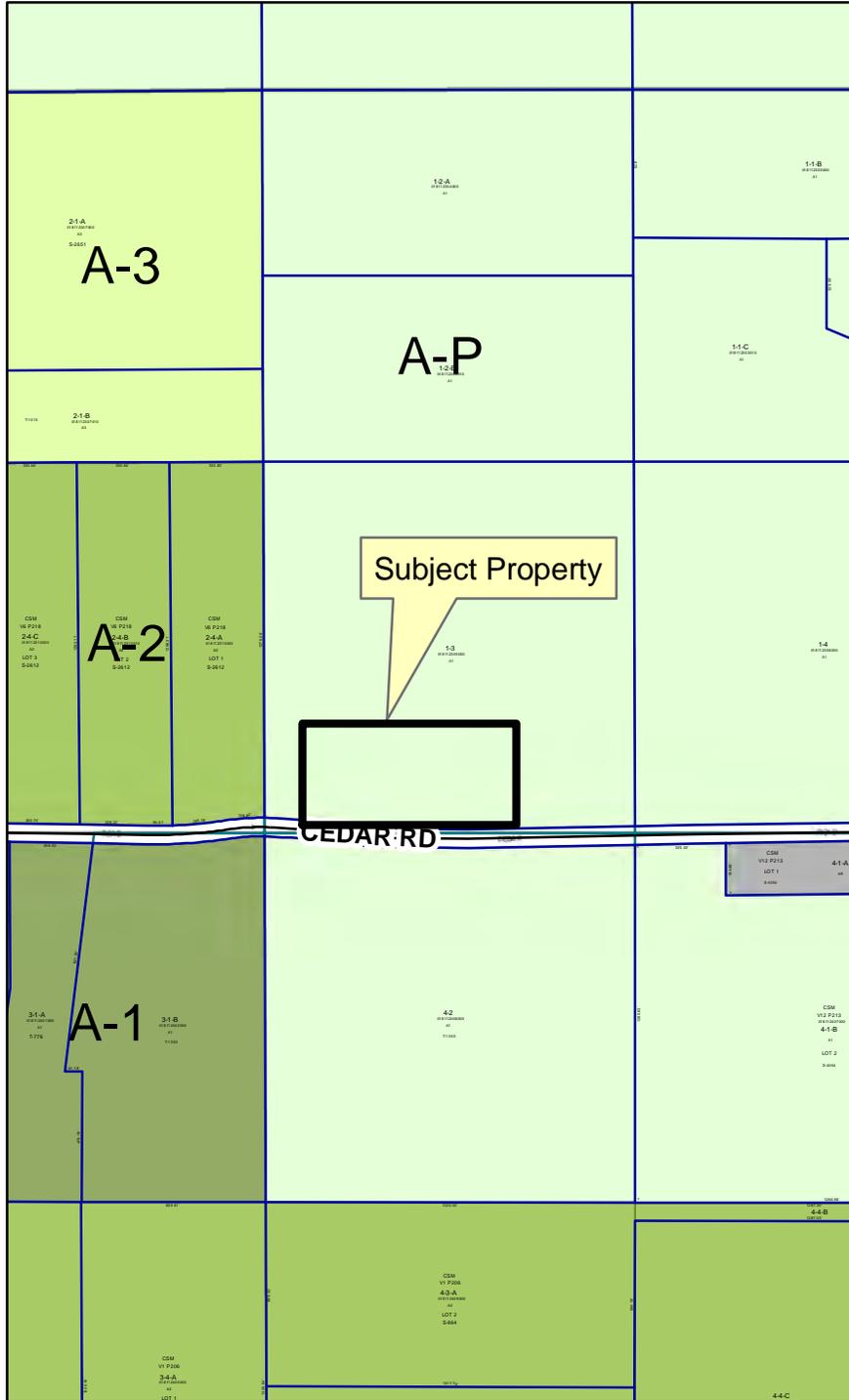




Ostrander Rezoning: RZN-0005-16

Existing Zoning

1 inch = 666.666667 feet



- all other values-
- A1 - Exclusive Agricultural District
- A2 - Agriculture-Residential District
- A3 - Agricultural District
- AP - Agricultural Preservation
- AR - Floating Agricultural-Residential District
- C1 - Neighborhood Business District
- C2 - General Business District
- C3 - Highway Business District
- F1 - Exclusive Forestry District
- F2 - Forestry District
- I1 - Nonsewered Industrial District
- I2 - Sewered Industrial District
- R1L - Single-Family Residential District, Large Lot
- R1M - Single-Family Residential District
- R2 - Two-Family Residential District
- R3 - Multiple-Family Residential District
- RH - Rural Homes District

- Legend**
Future Land Use
- Rural Residential Cluster Development
 - Commercial/Industrial
 - County Forest
 - Natural Resource Protection
 - Park & Recreational
 - Public Institutional
 - Recreational Commercial
 - Rural Commercial
 - Rural Hamelt
 - Rural Industrial
 - Rural Lands
 - Rural Residential
 - Rural Residential Mobile Home
 - Rural Transition
 - Urban Mixed Use



Parcel Mapping Notes:

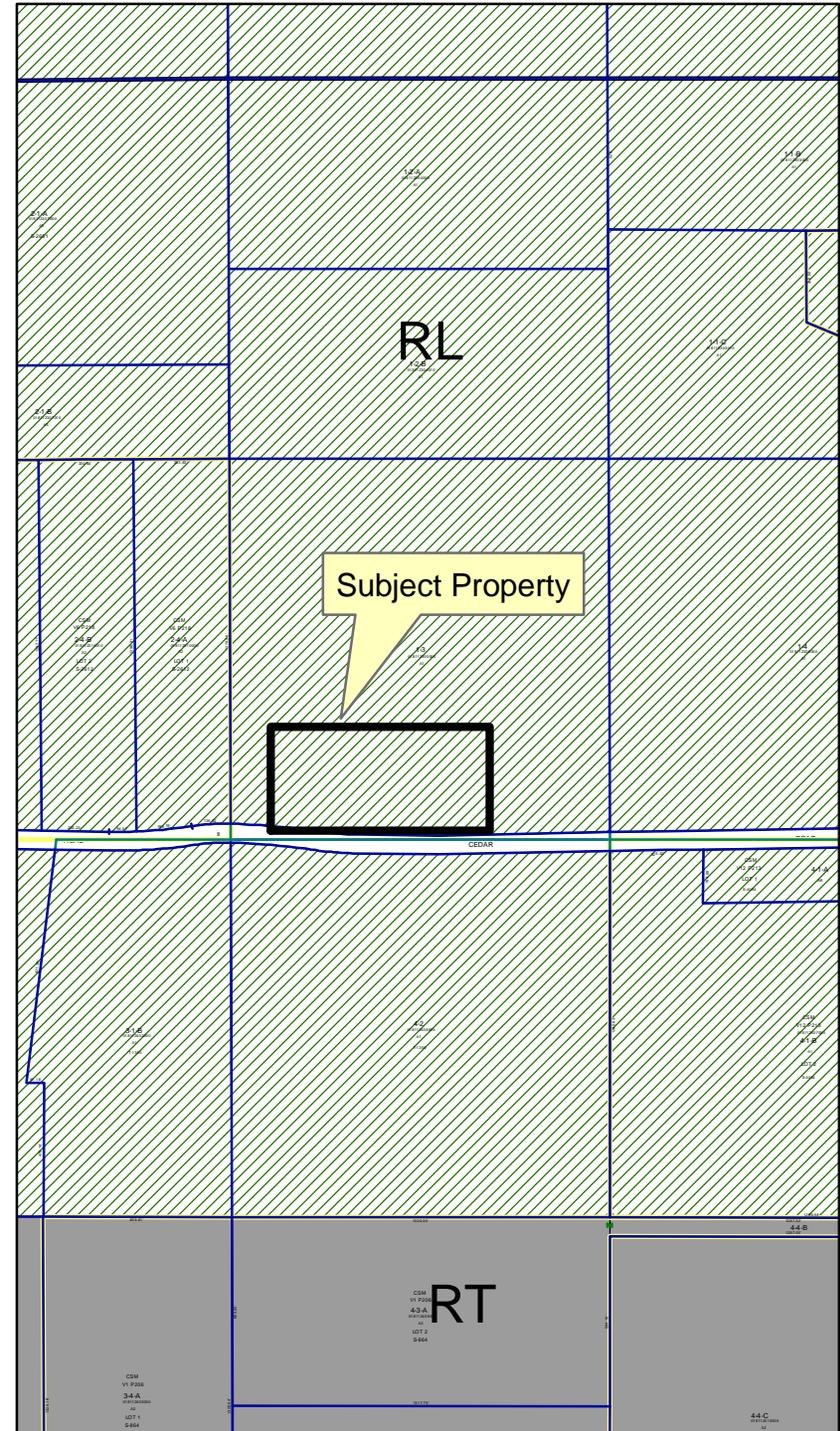
The horizontal datum is based on the Eau Claire County Coordinate System NAD, 1983_HARN_Adj_WI_EauClaire_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

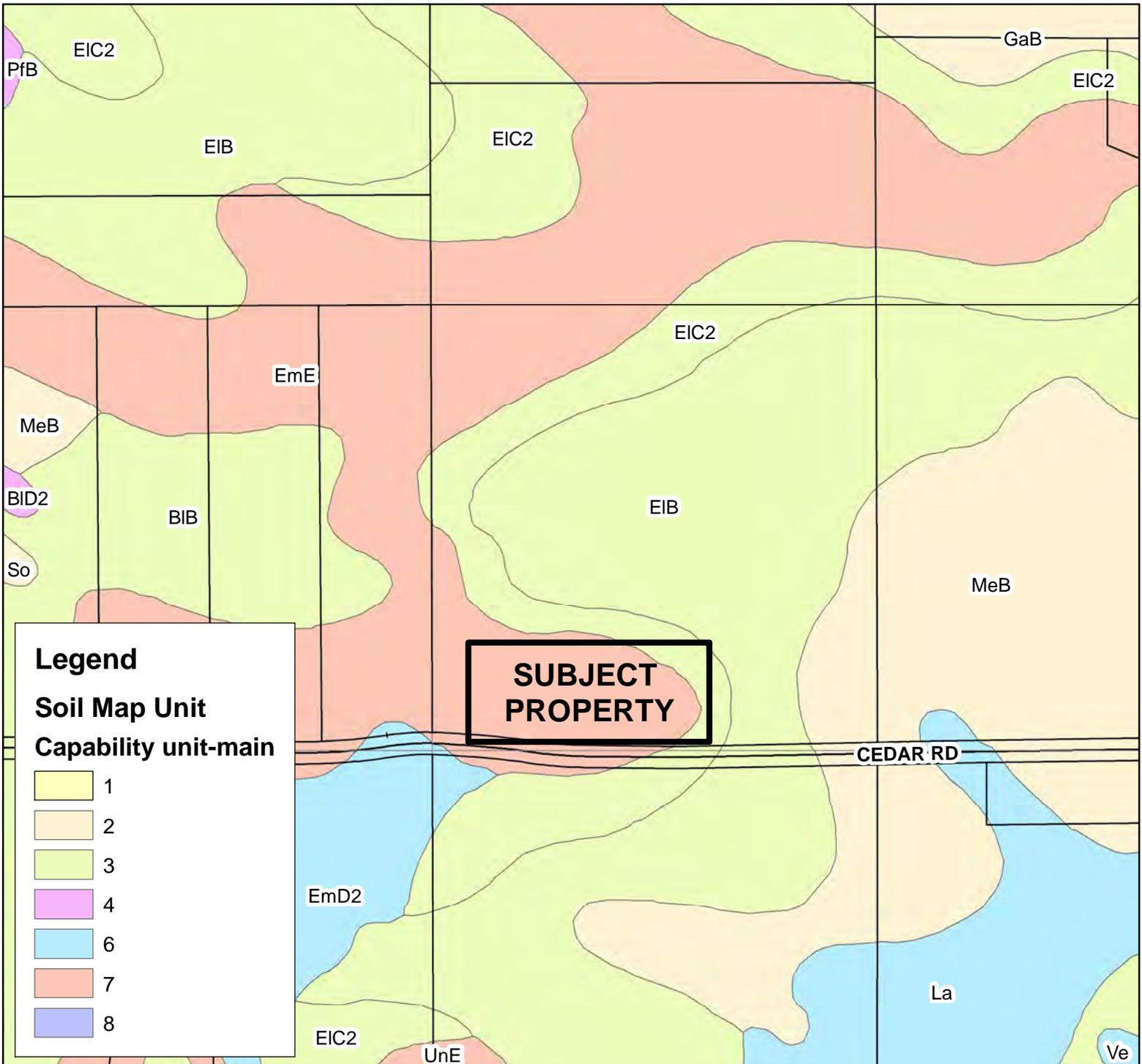
Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user assumes all liability for the map and results solely at their own risk.

Existing Future Land Use

1 inch = 667 feet



OSTRANDER REZONING SOILS MAP



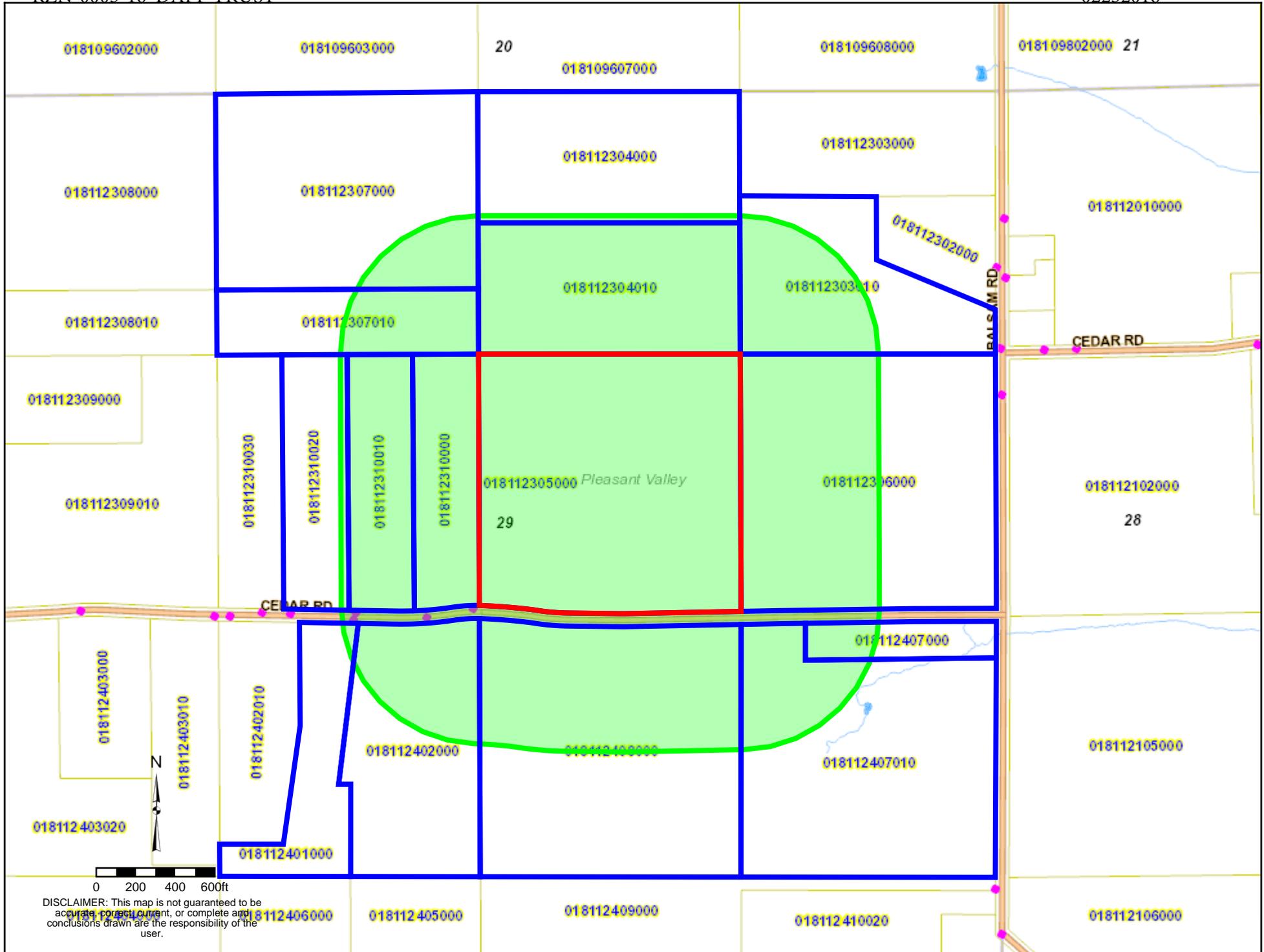
Parcel Mapping Notes:

The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.





DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

RZN-0005-16 DAPP TRUST

02232016

Parcel Id	NAME	ADDRESS	CITY	STATE	ZIP
1801822609291400001	ANKLAM, VIRGINIA	S 8610 BALSAM RD	EAU CLAIRE	WI	54701
1801822609292100002	BECKER, GERALD A & JANE A	W 860 CEDAR RD	EAU CLAIRE	WI	54701
1801822609292409001	JOHNSON, DANIEL N & JACQUELINE S	W 190 CEDAR RD	EAU CLAIRE	WI	54701
1801822609291200002	KRUEGER, KENNETH R	S 8562 BALSAM RD	EAU CLAIRE	WI	54701
1801822609293100002	LARSON, CHRISTOPHER	1228 PO BOX	EAU CLAIRE	WI	54701-1228
1801822609292409002	LIEN, DAVID	W 280 CEDAR RD	EAU CLAIRE	WI	54701
1801822609291100002	MLB PROPERTIES LLC	S 9030 STONEBROOK DR	ELEVA	WI	54738-8500
1801822609292409000	PRIBYL, JASON	4345 MEADOW LN	EAU CLAIRE	WI	54701-7408
1801822609292100001	PROETT, ALOIS	W 880 CEDAR RD	EAU CLAIRE	WI	54701-9672
1801822609294109000	ROSS, CORY J & JAMIE L	E 615 CEDAR RD	EAU CLAIRE	WI	54701
1801822609293100001	SMITH, SPENCER H & CHERYL D	W 195 CEDAR RD	EAU CLAIRE	WI	54701



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0006-16 **COMPUTER NUMBERS:** 018111402000
018111403000
018111404000

PUBLIC HEARING DATE: February 23, 2016

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER: Esther E Gonitzke Estate, 1090 S Weldon Rd, Rockford, IL 61102

AGENT: Pete Gartmann, 635 Fairfax St, Altoona, WI 54720

REQUEST: Rezone 110 acres +/- from A-1 (Exclusive Agriculture) District to R-H (Rural Homes) District to develop a single-family residential subdivision

LOCATION: Southwest of the intersection of Hickory Road and County Highway I

LEGAL DESCRIPTION: Part of the SW $\frac{1}{4}$ of Section 26, T29N, R9W, Town of Pleasant Valley (complete legal description attached)

SUMMARY

The applicant proposes to rezone 110 acres +/- from A-1 (Exclusive Agriculture) District to R-H (Rural Homes) District to develop a single-family residential subdivision

BACKGROUND

SITE CHARACTERISTICS:

- Property is currently undeveloped
- Property to the north contains agricultural fields
- Property slopes generally to the south

CURRENT ZONING:

A-1 Exclusive Agriculture District. The A-1 exclusive agricultural district is established to “*preserve areas for farming or agricultural use and to minimize land use conflicts between farms and non-farms.*” Note that as of December 15, 2015 the A-1 zoning district is no longer a certified farmland preservation and is being revised the “de-certified” status. The changed status of the A-1 district should be considered when evaluating rezoning requests in this district.

REQUESTED ZONING DISTRICT:

The petition is to rezone the property described above from the A-1 Exclusive Agriculture District to the RH Rural Homes District. The purpose of the RH District is to “*provide for suburban large-lot development with individual on-site water and sewage disposal facilities.*” Minimum lot size in the RH District is one (1) acre.

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-1	Single family residence & woodland
North	A-1	Agricultural fields
East	RH	Single family residences
South	A-1	Agricultural fields
West	RH	Golf course & single family residences

COMPREHENSIVE PLANS:

Both the Eau Claire County and the Town of Pleasant Valley Future Land Use Maps include this property in the Rural Transition (RT) planning area, which is consistent with this rezone request. Following is a description of the intent of the applicable County and Town comprehensive plan future land use category and applicable policies:

Eau Claire County:

- Rural Transition Intent and Description: *“The primary intent of this classification is to identify certain lands in proximity to developed areas, to be preserved in mainly agricultural and open space uses until such time as more intensive development is appropriate. As mapped, this designation includes farmland, scattered open lands, woodlots, agricultural-related uses, cottage industries, mineral extraction operations, and limited low density single-family residential development. The RT areas potentially represent prime candidates for intergovernmental agreements that lay out specific plans for land use, boundary changes, and fiscal arrangements.”*
- Applicable Policies: The following policies are applicable to this rezoning petition.
 1. Continue to maintain and support farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utility uses until such time as it has been determined by local plans that these areas are needed for additional non-farm development.
 2. For those Towns under County Zoning, density and zoning districts to be considered for new development shall be limited in accordance with all policies applicable to the Rural Lands classification, until such time as it has been determined by local officials in accordance with local plans, and the County Plan, that these areas are needed for additional non-farm development.

Town of Pleasant Valley:

- Rural Transition Comprehensive Plan Intent and Description: The primary intent of this classification is to, *“identify certain lands in proximity to developed areas, to be preserved in mainly agricultural and open space uses until such time as more intensive development may be appropriate. As mapped, this designation may include farmland, scattered open lands, woodlots, agricultural-related uses, cottage industries, mineral extraction operations, and limited low density single-family residential development. Within the horizon of this Plan, future development in the RT areas is expected to be consistent with the existing pattern of development; however, it is anticipated that over time these lands may be transitioned to more intensive development.”*

- Applicable Policies: The following policies are applicable to this rezoning petition.
 1. Within the RT classification, new development shall be limited in accordance with all policies applicable to the Rural Preservation classification, until such time when the Town identifies that particular mapped area as appropriate for more intensive development using the following criteria. a. The Town shall prohibit new residential subdivision development within the Rural Transition areas until 75% of the lots within all existing improved subdivisions are developed, calculated at the time a development request is submitted. (Improved = lots which are ready to build, public road and electric service are constructed)
 2. If and when development is warranted, areas within the RT classification shall be transitioned and new development shall be limited in accordance with all policies applicable to the approved future land use classification, which may include Rural Residential, Rural Commercial, or Rural Industrial.
 3. The Town does not intend to require an amendment to the Future Land Use Map if and when it determines that land within the RT classification is appropriate for more intensive development. However, following such a determination, the rezoning of said land shall be required to accommodate the proposed development. Map updates should be done as part of annual or decennial updates to this Plan (Refer to Chapter 4 Implementation).

FARMLAND PRESERVATION PLAN:

Property is shown as Transition on the Farmland Preservation Plan Map. These lands are anticipated over time to be developed and therefore excluded from participation in the Farmland Preservation program.

Comprehensive Plan Summary:

The application has been found to be consistent with the intent and description and the applicable policies of the Eau Claire County and also appears to be consistent with the Town of Pleasant Valley Comprehensive Plan.

ANALYSIS

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also to be made that the rezone is consistent with the County's Comprehensive Plan.

The rezoning petition has been evaluated for consistency with the purpose of RH District and the uses allowed in the district. The request is consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is consistent with the Future Land Use plans for the County and the Town of Pleasant Valley
- The property is appropriately situated for the intended RH zoning and has access from Hickory Road and County Road I.

A-1 Rezoning Standards

In addition, there are four standards for approving a rezoning of land from the A-1 Exclusive Agricultural zoning district to any other district. The following provides an analysis of this rezoning petition based on those standards. Note that these standards, although still technically a part of the A-1 district standards

for the time being, will be modified in the near future to reflect that the A-1 district is no longer a certified farmland preservation zoning district:

Standard 1 - *The land considered for rezoning is suitable for uses allowed in the proposed zoning district based upon soil types, the site's location, and adjacent land uses*

- **Soils** – As depicted on the attached Soils Map, the main soil type on the property is Plainfield loamy sand (Pfb), 1 to 6 percent slopes, which is Capability Class 4, not a prime agricultural soil. Other soil types include Billett Sandy Loam, which is considered to be Capability Class 3, a prime soil. However, the property is in a transition area in the Farmland Preservation Plan and the County and Town Comprehensive Plans, which indicates that the property is expected to be developed.
- **Site Location** – The site is located on the southwest corner of Hickory Road and County Highway I.
- **Adjacent Land Uses** – Uses in the area are a mixture residential, agricultural, and woodland uses. Zoning in the area is also a mixture of R-H, A-1, A-2, and R-H zoning in the near vicinity of this property. Agriculture is limited by topography and soil capability.

Standard 2 - *The uses allowed in the proposed zoning district will be in conflict with remaining agricultural uses* – There is a minor potential for conflicts between non-farm residents and surrounding agricultural uses on the north and east due to noises, odors, and other conditions or characteristics associated with farming.

Standard 3 - *Whether adequate public facilities and services are available or will be provided for uses allowed in the new zoning district* – Adequate facilities and services are available.

Standard 4 - *Whether the development allowed by the new zoning district will cause undue environmental degradation* –The proposed rezoning would not result in undue environmental degradation.

Town Board Action: The Pleasant Valley Town Board met on Monday, February 8, 2016 to consider the rezoning petition and voted unanimously (3-0 vote) to recommend approval of the proposed rezoning.

CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County and Town of Pleasant Valley Comprehensive Plan future land use designations
- Eau Claire County and Town of Pleasant Valley Comprehensive Plan goals, objectives and policies
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in the RH District

In addition, the following factors have also been considered:

- Input of surrounding property owners (within 660 feet). At least one adjacent resident opposes the proposed road connection to Cedar Road. Vehicular access and circulation will be addressed in greater detail during the subdivision platting stage.
- Town of Pleasant Valley Board action

Staff finds that the proposed rezoning request is consistent with the Eau Claire County Comprehensive Plan and the Town of Pleasant Valley Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed RH zoning district is consistent and therefore allowed within the mapped Eau Claire County and Town of Pleasant Valley Rural Transition future land use designation. Other single-family residential subdivisions exist in proximity to this property, and the proposed development would be consistent with nearby subdivisions, including Interlachen, Evergreen Terrace, Monterey Meadows, and other subdivisions with similar lot sizes.

Staff finds that the proposed rezoning request is consistent with the Eau Claire County Comprehensive Plan and the Town of Pleasant Valley Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed RH zoning district is consistent and therefore allowed within the mapped Eau Claire County and Town of Pleasant Valley Rural Transition future land use designations.

RECOMMENDATION

Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the rezoning petition to rezone the approximately 110-acre +/- property from the A-1 District to the RH District as depicted on the attached map and described in the attached legal description.

2
3 - AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE
4 TOWN OF PLEASANT VALLEY -

5
6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7
8 **SECTION 1** That the 1982 Official Zoning District Boundary Map for the Town of
9 Pleasant Valley, Eau Claire County described as follows:

10
11 **Being all of SW ¼ of the NE ¼, NW ¼ of the NE ¼, and the NE ¼ of**
12 **the NE ¼, Section 26, Township 26 North, Range 9 West, Town of**
13 **Pleasant Valley, except Certified Survey Map #3114, Volume 17,**
14 **Pages 283-284 described as follows:**

15
16 **Beginning at the NE corner of said NE ¼; thence N89°05'58"W 943.78**
17 **feet; thence S01°00'24"W 410.00 feet; thence N89°05'58"W 1,052.00**
18 **feet; thence N01°00'24"E 410.00 feet; thence N89°05'58"W 642.76**
19 **feet; thence S00°19'27"W 2,664.13 feet; thence S89°20'36"E 1,325.46**
20 **feet; thence N00°11'23"E 1,329.28 feet; thence S89°13'18"E 1,322.36**
21 **feet; thence N00°03'17"E 1,326.50 feet to the Point of Beginning.**

22
23 **Said parcels containing 110 acres to be reclassified from the A-1**
24 **Exclusive Agricultural District to the RH Rural Homes District.**

25
26
27 **SECTION 2** Where a certified survey map is required and may alter the above
28 described property description, the official zoning district map for the
29 town shall be automatically amended to reflect the property description of
30 the certified survey map.

31
32 **ENACTED:** I hereby certify that the foregoing correctly represents the
33 action taken by the undersigned Committee on
34 February 23, 2016 by a vote of for, against.

35
36
37
38 _____
Planning & Development Committee, Chairperson

15-16/131

Eau Claire County
Department of Planning and Development
Eau Claire County Courthouse
721 Oxford Avenue, Room 3344
Eau Claire, Wisconsin 54703
(715) 839-4741

Application Accepted: 1/29/2016
Accepted By: Matt Michels
Receipt Number: 45373
Town Hearing Date: 02/08/2016
Scheduled Hearing Date: 3/22/2016
Application No: RZN-0006-16
Appl Status: Pending

Rezoning - County

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: **A1** Proposed Zoning District(s): **RH** Acres to be Rezoned: **110**

All Of The Sw1/4 Of The Ne1/4, Nw1/4 Of The Ne1/4, And The Ne1/4 Of The Ne1/4, Section 26, T26N, R9W (Complete Legal Description Attached)

Owner/Applicant Name(s):	Address:	Telephone:
Peter J & Ann K Gartmann	(appl) 635 FAIRFAX ST ALTOONA	715-514-4116(H)
Esther E Gonitzke	(ow) 1090 S WELDON RD ROCKFORD	815-965-4897(H)

Site Address(es): E 5045 HICKORY RD EAU CLAIRE			
Property Description:	Sec 26 Twn 26 Rge 09	Town of Pleasant Valley	Lot Area: 40.000 ACRES 40.000 ACRES 40.000 ACRES
Zoning District(s):	A1 RH A1 RH A1		

Overlay District: Shoreland Flood Plain Airport Wellhead Protection Non-Metallic Mining

Check Applicable

PIN	Alternate No	Parcel No	Legal (partial)
1801822609261100001	018111402000	26.9.26.1-1	NE-NE
1801822609261200001	018111403000	26.9.26.1-2	NW-NE
1801822609261300001	018111404000	26.9.26.1-3	SW-NE

I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature see attached application Date _____

Check if DATCAP must be notified _____

Check if DNR to Receive Copy _____

RECEIVED

JAN 29 2016

COUNTY CLERK

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

Sup. dist 7: Steve Chilson



Eau Claire County
Department of Planning and Development
 Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Application Accepted:	1/29/16
Accepted By:	mm
Receipt Number:	45373
Town Hearing Date:	2/8/16
Scheduled Hearing Date:	3/22/16

REZONING APPLICATION

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: A1	Proposed Zoning District(s): RH
Acres to be rezoned: 111 Acres	

Property Owner Name: Esther Gonitzke Estate	Phone# (815) 980-3256
Mailing Address: 1090 S. Weldon Rd., Rockford, IL 61102	
Email Address: dgonitzke@gmail.com	

Agent Name: Pete Gartmann	Phone# (715) 514-4116
Mailing Address: 635 Fairfax St., Altoona, WI 54720	
Email Address: pgartmann@rls-aec.com	

RECEIVED

JAN 29 2016

COUNTY CLERK

SITE INFORMATION

Site Address:	(SW-NE, NW-NE, NE-NE)
Property Description:	_____ ¼ _____ ¼ Sec. 26, T 26 N, R 9 W, Town of Pleasant Valley
Zoning District: Exclusive Agriculture	Code Section(s): A1
Overlay District: Check Applicable	<input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining
Computer #(s):	018 - 111 - 404 - 000 018 - 111 - 402 - 000 018 - 111 - 403 - 000

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

<input checked="" type="checkbox"/> Complete attached information sheet	<input checked="" type="checkbox"/> Contact the Town to coordinate a recommendation on the application
<input checked="" type="checkbox"/> Provide legal description of property to be rezoned	<input checked="" type="checkbox"/> Provide \$550.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$490.00 application processing fee and \$60.00 mapping surcharge fee)

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature *Esther Gonitzke* (POA for Esther Gonitzke) Date 1-21-2016

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

Describe the reason for your rezoning request:

Having the 111 acres rezoned from A1 to RH would allow a new subdivision to be created.

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

■ Rezoning petitions to change the zoning of a parcel from the A-1 Exclusive Agricultural Zoning District to any other District must be based upon findings that consider the following factors:

- 1) Whether the land considered for rezoning is suitable for uses allowed in the proposed zoning district based upon soil types, the site's location, and adjacent land uses
- 2) Whether the uses allowed in the proposed zoning district will be in conflict with remaining agricultural uses
- 3) Whether adequate public facilities and services are available or will be provided for uses allowed in the new zoning district
- 4) Whether the development allowed by the new zoning district will cause undue environmental degradation

If you are petitioning to rezone land from an A-1 District to another district, please describe how the proposed change in zoning will be consistent with the four findings listed here.

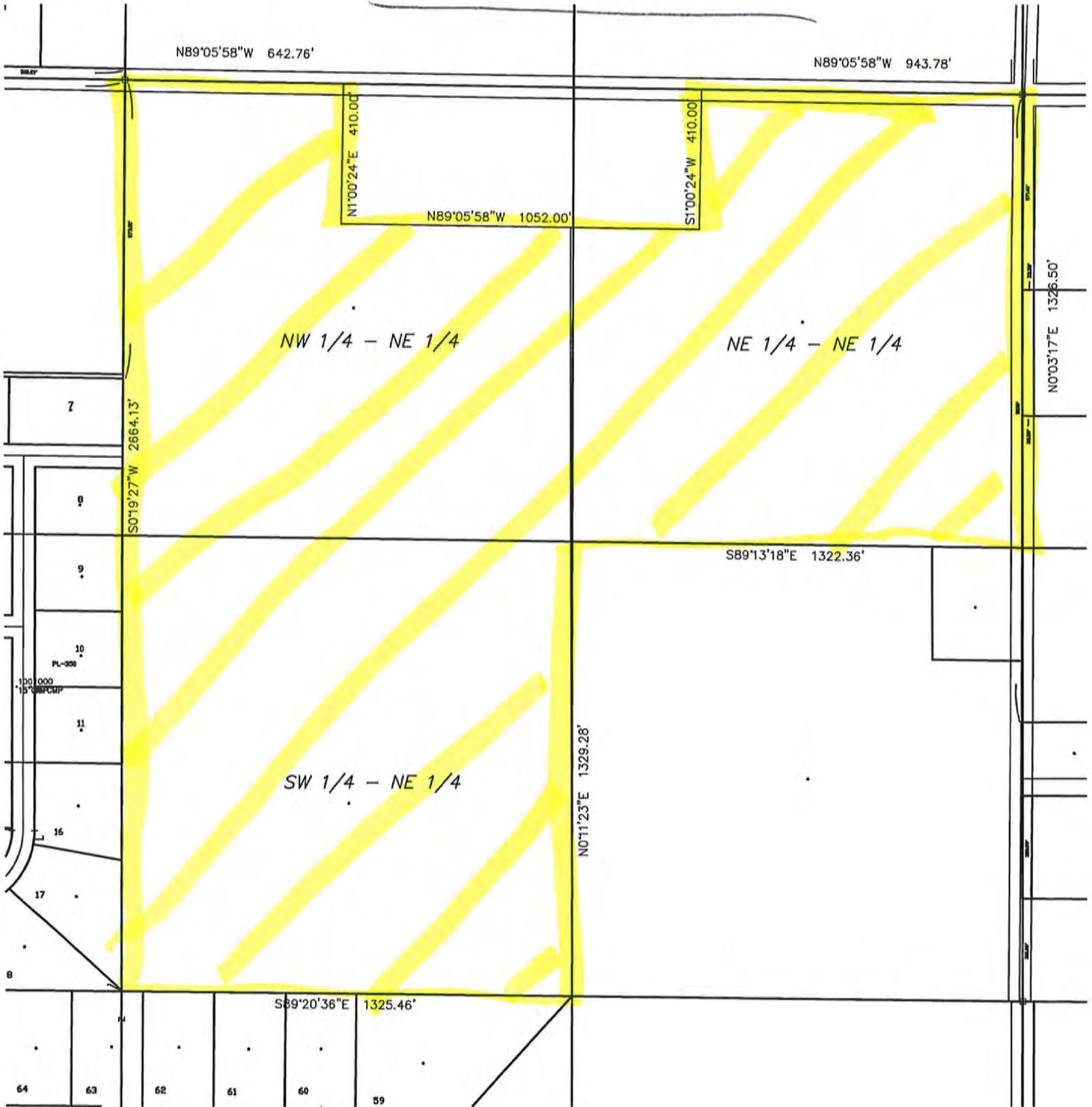
Monterey Meadows, Pleasant Ridge, Evergreen Terrace, Heathrow, & Interlachen Estates are all subdivisions with 1/4 mile of the subject property. These five subdivision are all zoned RH and possess similar features of the proposed subdivision for the subject property.

- 1) The five aforementioned subdivisions have soils comprised of mostly loamy sands, sandy loams, and loams. The subject property contains soils of comparable physical qualities.
- 2) This parcel is bounded by roads on the north and east side; platted lands to the west and southwest, the southeast corner is buffered by wooded area.
- 3) The parcel has Hickory Road on the North, County Trunk Highway I to the East and Cedar Road is Platted to the west for connectivity to Monterey Meadows and adjoining platted areas. The surrounding area has Gas mains, Electric and Telephone lines to serve this property.
- 4) By reviewing the existing adjoining Platted lands we feel that no undue environmental degradation will occur. Eau Claire Land and Water will be reviewing the development plans to ensure the integrity of the ordinance is upheld.

Town of Pleasant Valley Comprehensive Plan has designated this area for high density development.

By Re-zoning this parcel and allowing high density will decrease the development pressure on other agricultural lands within the Town.

RE-ZONE Sketch



Being all of SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 26, T26N, R9W, Town of Pleasant Valley, except Certified Survey Map # 3114, Volume 17, Pages 283-284 described as follows.

Beginning at the NE corner of said NE $\frac{1}{4}$; thence N89°05'58"W 948.78 feet;

Thence S01°00'24"W 410.00 feet;

Thence N89°05'58"W 1052.00 feet;

Thence N01°00'24"E 410.00 feet;

Thence N89°05'58"W 642.76 feet;

Thence S00°19'27"W 2664.13 feet;

Thence S89°20'36"E 1325.46 feet;

Thence N00°11'23"E 1329.28 feet;

Thence S89°13'18"E 1322.36 feet;

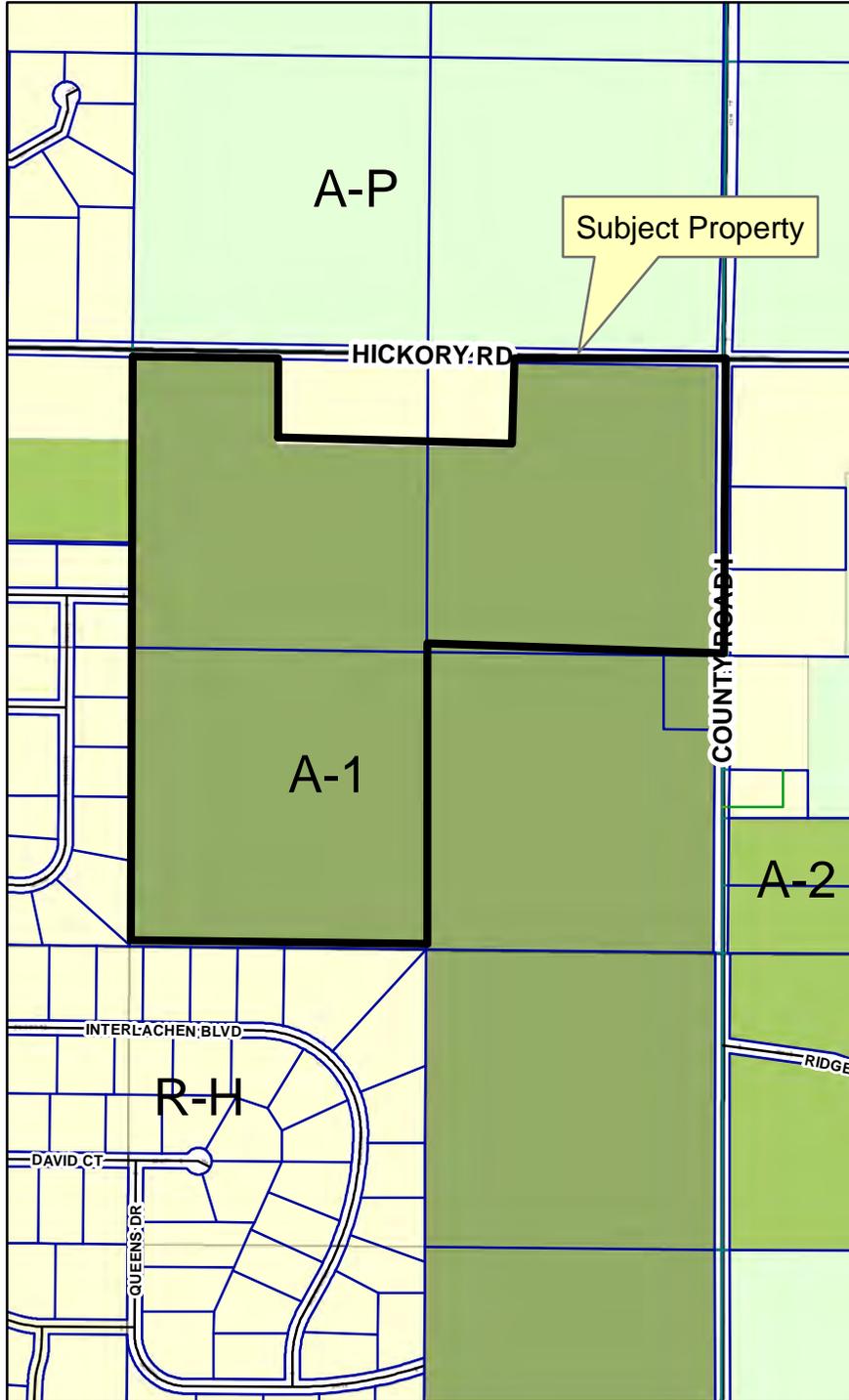
Thence N00°03'17"E 1326.50 feet to the point of beginning.



Gonitzke Rezoning: RZN-0006-16

Existing Zoning

1 inch = 833.333333 feet



- all other values-
- A1 - Exclusive Agricultural District
- A2 - Agriculture-Residential District
- A3 - Agricultural District
- AP - Agricultural Preservation
- AR - Floating Agricultural-Residential District
- C1 - Neighborhood Business District
- C2 - General Business District
- C3 - Highway Business District
- F1 - Exclusive Forestry District
- F2 - Forestry District
- I1 - Nonsewered Industrial District
- I2 - Sewered Industrial District
- R1L - Single-Family Residential District, Large Lot
- R1M - Single-Family Residential District
- R2 - Two-Family Residential District
- R3 - Multiple-Family Residential District
- RH - Rural Homes District

- Commercial Industrial
- County Forest
- Natural Resource Protection
- Park and Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamlet
- Rural Industrial
- Rural Lands
- Rural Residential
- Rural Residential - Mobile Home
- Rural Transition
- Urban Mixed Use



Parcel Mapping Notes:

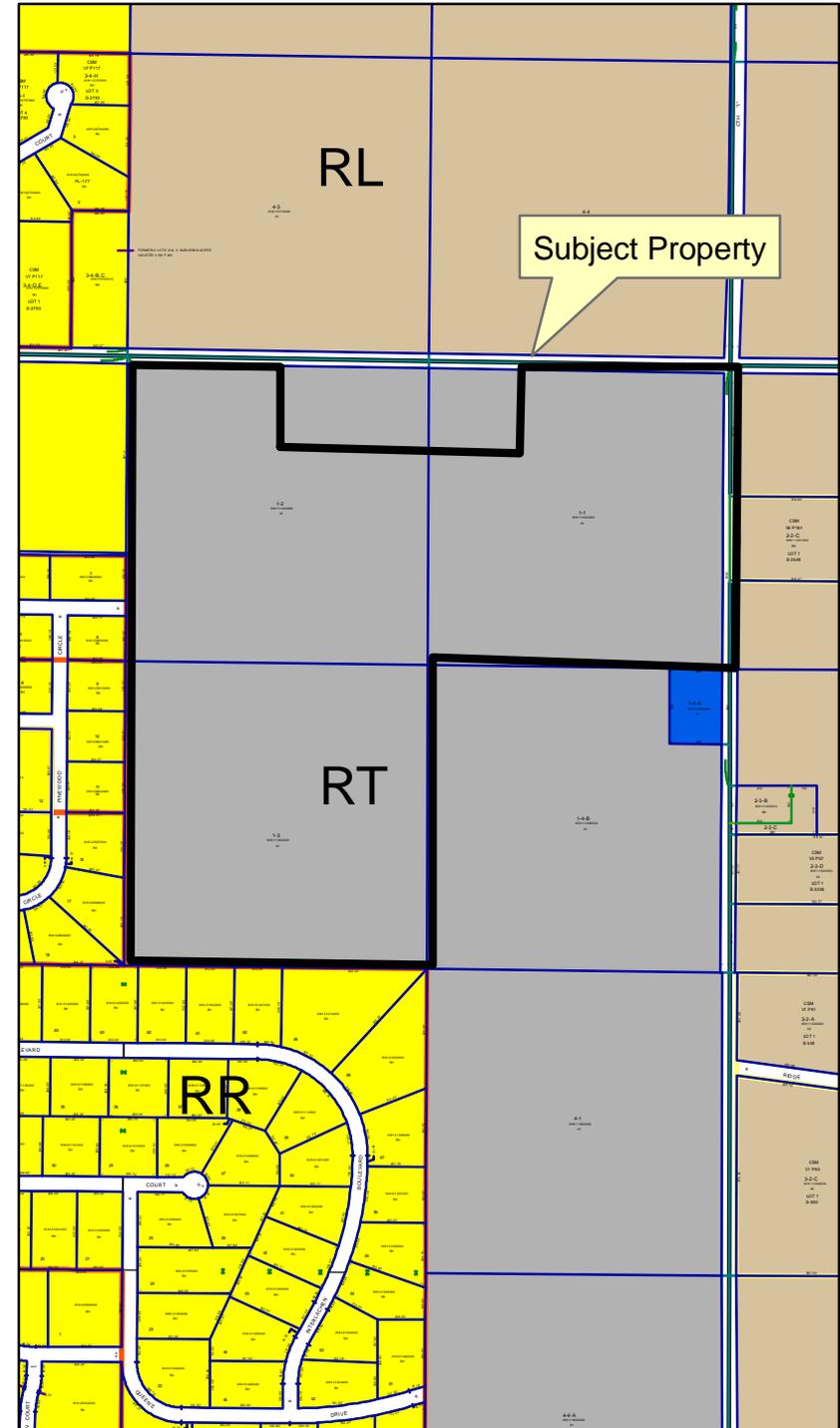
The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of completeness, accuracy, reliability, currentness, or otherwise; and the user shall own the map and results solely at their own risk.

Existing Future Land Use

1 inch = 833 feet



Parcel Id	NAME	ADDRESS	CITY	STATE	ZIP
1801822609262102005	AHLUWALIA, ARUNDHATHI & SHARAT	190 MONTE CARLO DR	EAU CLAIRE	WI	54703-5995
1801822609262402015	ARNDT, RICHARD	E 4670 453RD AVE	MENOMONIE	WI	54751-7424
1801822609262102003	BECKER, JOHN	E 4580 CEDAR RD	ELEVA	WI	54738-5008
1801822609262402008	BENIKE, HEATH	S 8775 DAVID CT	ELEVA	WI	54738-9463
1801822609262409000	BENRUD, MICHAEL K	3311 GOLF RD	EAU CLAIRE	WI	54701
1801822609264202005	BERG, LESLIE E & LORI K	S 9045 DAVID CT	ELEVA	WI	54738
1801822609264202013	CARLSON, GARY C & PAULETTE L	E 4950 INTERLACHEN BLVD	ELEVA	WI	54738
1801822609264202007	CATERER, JAMES C & SUSAN L	E 4785 INTERLACHEN BLVD	ELEVA	WI	54738-9426
1801822609263102012	COLE, SCOTT J & HEATHER L	S 9035 DAVID CT	ELEVA	WI	54738
1801822609233409000	CUYKENDALL, RAE	E 4500 HICKORY RD	EAU CLAIRE	WI	54701
1801822609262402003	DECKER TRUST	E 4470 PINWOOD CIR	ELEVA	WI	54738
1801822609263102016	DUDASH, RONALD L & MARY L	E 4535 INTERLACHEN BLVD	ELEVA	WI	54738
1801822609252300002	ENGSTROM, JOHN R & JOAN M	S 8635 COUNTY RD I	EAU CLAIRE	WI	54701
1801822609261400001	EVANGELICAL LUTHERAN ZION'S CONGREGATION	E 3720 COUNTY ROAD HH	ELEVA	WI	54738-9018
1801822609262402014	FARLEY, KEVIN	E 4440 THERON LN	ELEVA	WI	54738-5014
1801822609264202020	FLETCHER, LELAND B & JILL C	E 4850 INTERLACHEN BLVD	ELEVA	WI	54738
1801822609262409000	FORSTER, TIMOTHY	E 4485 THERON LN	ELEVA	WI	54738-5014
1801822609233402007	FRANKLIN, JAMES P & SUSAN E	S 8235 GOLF VIEW DR	EAU CLAIRE	WI	54701
1801822609262402018	FREDERIKSON, CYNTHIA	E 4505 PINWOOD CIR	ELEVA	WI	54738-8405
1801822609264202004	FRIEDERICHS, KEVIN	S 9061 DAVID CT	ELEVA	WI	54738-9422
1801822609262102001	GRZYB, ROBERT	3609 DAMON ST	EAU CLAIRE	WI	54701-9207
1801822609262100001	HICKORY HILLS GOLF LLP	S 9825 LOWES CREEK RD	ELEVA	WI	54738
1801822609252209000	HIEB, DANIEL	S 8455 COUNTY ROAD I	EAU CLAIRE	WI	54701
1801822609264202009	HOELSCHER, AARON J & ERIN R	E 4965 INTERLACHEN BLVD	ELEVA	WI	54738-9443
1801822609263102019	HOILIEN, PHILIP E & JEANNE E	E 4660 INTERLACHEN BLVD	ELEVA	WI	54738
1801822609262402005	JENNIFER M THOMAS & DAVID E SCOTT TRUST	E 4485 PINWOOD CIR	ELEVA	WI	54738-8401
1801822609233402009	JOHNSEN TRUST	4408 HEARTLAND DR	EAU CLAIRE	WI	54701-7991
1801822609243300001	JOHNSON, HOWARD C & DONNA J	E 5566 HICKORY RD	EAU CLAIRE	WI	54701
1801822609234300001	KINDERMAN TRUST	S 7523 COUNTY ROAD I	EAU CLAIRE	WI	54701-8524
1801822609264202008	KLINK, JON M & CYNTHIA A	E 4865 INTERLACHEN BLVD	ELEVA	WI	54738-9447
1801822609264202021	LABERGE, STEVEN J & TERESA K	E 4800 INTERLACHEN BLVD	ELEVA	WI	54738-9447
1801822609263102017	LITTFIN, TODD D & SUSAN M	10193 HIGHLAND MEADOW LOOP 107 APT	PARKER	CO	80134-9482
1801822609262102002	LORUSSO, FRANK P & CATHERINE A	E 4470 CEDAR RD	ELEVA	WI	54738

Parcel Id	NAME	ADDRESS	CITY	STATE	ZIP
1801822609233400002	MALNORY, MARK P & LAURI R	E 4600 HICKORY RD	EAU CLAIRE	WI	54701
1801822609262402007	MCCANN, TIMOTHY S & JANET L	E 4455 PINWOOD CIR	ELEVA	WI	54738
1801822609264202006	MCHUGH, GLENN D & FAYE A	E 4715 INTERLACHEN BLVD	ELEVA	WI	54738-9426
1801822609262402017	NEMITZ, BENJAMIN A & GWEN M	E 4515 PINWOOD CIR	ELEVA	WI	54738-8405
1801822609263102020	NICOLET, ROBERT D	E 2705 BENRUD LN	EAU CLAIRE	WI	54701
1801822609252200001	PAPKE, EVERETT J & LOIS J	S 8020 HILLVIEW RD	EAU CLAIRE	WI	54701
1801822609262402016	PATEL, ATUL	4608 ROYAL DR	EAU CLAIRE	WI	54701
1801822609233402008	PURDIAK, PATRICK & VIRGINIA	S 8255 GOLF VIEW DR	EAU CLAIRE	WI	54701
1801822609264202010	ROGSTAD, RICKY R & CARLA J	E 5055 INTERLACHEN BLVD	ELEVA	WI	54738
1801822609262402002	RUDOLPH, TODD M & KATHERINE M	E 4420 PINWOOD CIR	ELEVA	WI	54738
1801822609262402004	SANTOLIN TRUST, CRAIG J & BARBARA E	E 4490 PINWOOD CIR	ELEVA	WI	54738-8401
1801822609263102015	SECKER, STEPHEN J & STACY A	S 8875 DAVID CT	ELEVA	WI	54738
1801822609261400002	SPICKLER, CLIFFORD V & DEBRA L	1500 BIRCH HILLS DR	EAU CLAIRE	WI	54701
1801822609262102004	SWANSON HOMES LLC	2127 PO BOX	EAU CLAIRE	WI	54702-2127
1801822609264202018	TAPE, STEVEN M & DENISE L	E 4980 INTERLACHEN BLVD	ELEVA	WI	54738-9443
1801822609263102022	TOMAN, DANIEL R & TAMARA A	E 4460 INTERLACHEN BLVD	ELEVA	WI	54738-9449
1801822609264202017	TRIVEDI, VIPUL & JULIE	E 5040 INTERLACHEN BLVD	ELEVA	WI	54738
1801822609262402021	VACHOWIAK, AARON L & SHANTEL M	E 4401 THERON LN	ELEVA	WI	54738-5014
1801822609233402010	VALENTINE TRUST, JOHN P & MILDRED M	E 4455 GOLF VIEW CT	EAU CLAIRE	WI	54701-8474
1801822609264202022	WEISENBERGER, ROBERT & CINDI	E 4000 CEDAR RD	ELEVA	WI	54738-5018
1801822609262402006	WINTER, MARK	E 4465 PINWOOD CIR	ELEVA	WI	54738-8401
1801822609264202003	ZALESKI, DARREL J & KIMBERLY K	S 9065 DAVID CT	ELEVA	WI	54738

4 - AUTHORIZING THE SUBMITTAL OF A
 5 WISCONSIN DEPARTMENT OF TRANSPORTATION (WISDOT) 2016-2020
 6 TRANSPORTATION ALTERNATIVES PROGRAM (TAP) GRANT APPLICATION
 7

8 WHEREAS, Eau Claire County, and neighboring Chippewa and Dunn Counties, desire to
 9 receive grant funding from the Wisconsin Department of Transportation (WisDOT) through the
 10 Transportation Alternatives Program (TAP) 2016-2020 award cycle for the purpose of developing
 11 individual county bike and pedestrian plans, and further connecting those plans to create one regional
 12 bike and pedestrian plan; and

13
 14 WHEREAS, one county must act as the primary sponsor and lead for the application and
 15 project if funded, and Eau Claire County has agreed to act in that role; and

16
 17 WHEREAS, the three counties recognize that WisDOT reimburses project sponsors the
 18 federal share of 80% of the approved TAP project costs, up to the limit of the federal award amount,
 19 and that local units of government must contribute the remaining 20% of the approved TAP project
 20 costs; and

21
 22 WHEREAS, each county agrees to contribute 20% of the project cost for their individual
 23 component, and that these obligations will be further solidified in a Memorandum of Understanding
 24 upon project award.

25
 26 NOW THEREFORE BE IT RESOLVED if Eau Claire County, as the project lead, is
 27 awarded funding by WisDOT for the 2016-2020 TAP award cycle, Eau Claire County is authorized
 28 to and has agreed to accept the award and enter into all necessary agreements with WisDOT for the
 29 above-referenced project on behalf of the three involved counties.

30
 31 BE IT FURTHER RESOLVED that Eau Claire County agrees to comply with all applicable
 32 laws, requirements, and regulations as outlined in the WisDOT 2016-2020 TAP application
 33 materials, the state-municipal agreement between WisDOT and Eau Claire County, and any other
 34 program and/or project documentation.

35 _____
 36 _____
 37 _____
 38 _____
 39 _____
 40 _____
 41 _____
 42 _____
 43 _____
 44 _____
 45 _____
 46 _____
 47 _____
 48 _____
 49 _____
 Committee on Planning & Development

KRZ/yk

Dated this _____ day of _____, 2015.

**Planning and Development
January 2016**

The following bills were sent to the Finance Department for payment:

Planning

Vendor	Amount	Description	Line Item#
WRPLA	60.00	Membership Dues	51820-324-000
Peter Strand	265.00	Mileage (2015)	51820-330-000
Eau Claire Press Company	113.57	Public Notice (2015)	51820-321-000
Rod Eslinger	52.07	Mileage	51820-330-000
Matt Michels	113.42	Mileage	51820-330-000
Leader Telegram	242.44	Subscription Service	51820-310-000
NWBIA	485.00	Continuing Ed. (Maley/Grande)	51820-340-000
NWBIA	40.00	Membership Dues (Maley/Grande)	51820-324-000

Resurvey

Vendor	Amount	Description	Line Item#
UW-Stevens Point	240.00	Conference/Training	51740-340-000
WI Society of Land Surveyors	170.00	Membership Dues	51820-324-000
Peter Strand	189.34	Conference/Training (2015)	51740-340-000
Zach Felling	330.00	Conference/Training (2015)	51740-340-000
Xcel Energy	15.00	Conference/Training	51820-340-000
ATV Renewal Processing Center	5.00	ATV/UTV Renewal	51740-390-200

Emergency Management

Vendor	Amount	Description	Line Item#
1st Ave Mini Storage	540.00	Annual Rent	52410-200-000
City of Eau Claire	20,400.00	Haz Mat Level B Contract (2015)	52610-200-000
City of Eau Claire	8,881.72	Haz Mat Level B Spill Equip (2015)	52610-812-000
Jeanna Allen	102.93	Mileage/Training (PIO Course)	52410-340-000

Recycling

Vendor	Amount	Description	Line Item#
Associated Recyclers of Wisconsin	165.00	Membership dues (2016)	54885-324-000
Village of Fairchild	135.64	Recycling attendant	54885-208-000
Waste Management	15,595.20	Curbside recycling	54885-201-000
Boxx Sanitation	21,754.24	Curbside recycling	54885-201-000
Earthbound Environmental Solutions	139.84	Recycling Reimbursement	54885-201-000
Advanced Disposal	2,852.63	Recycling (2015)	54885-208-000
Ken Traaseth	500.00	Rent - 2016 (Brunswick Station)	54885-912-000
Town of Wilson Treasurer	82.08	Drop Box (2015)	54885-208-000
Advanced Disposal	41,344.00	Curbside recycling (2015)	54885-201-000
Advanced Disposal	2,422.36	Recycling Services - Dropbox (2015)	54885-208-000
Dunn County Recycling	214.34	Recycling Coordinator (2015)	54885-912-000
ProVyro Waste	7,937.44	Recycling Services - Curbside (2015)	54885-201-000

Division	Totals
Planning	\$ 1,371.50
Resurvey	949.34
Emergency Management	29,924.65
Recycling	93,142.77
Total	\$ 125,388.26

Land Conservation Division
January 2016

The following bills were sent to the Finance Department for payment.

Vendor	Line Item #	Amount	Description
<u>Paid from 2015 accounts</u>			
Bischoff, Lonnie	57410-200-235	\$ 3,136.00	Nutrient Management - DATCP
Community Television	57410-326-000	\$ 10.00	Co. Bd. Conservation Award DVD
Eau Claire Co. Hwy.	57410-241-000	\$ 124.05	Fuel (3 trucks) 11/29/15-12/31/15
Investors Community Bank	57410-200-232	\$ 163,400.00	Mark Kaeding - Manure Storage System
Jacobs, Kelly	57410-330-000	\$ 48.96	Nov/Dec Expense Sheet Mileage
Jacobs, Kelly	57410-340-000	\$ 26.31	Nov/Dec Expense Sheet Travel/Training
Mike's Star Market	57410-477-000	\$ 1,320.00	Venison Processing - Deer Donation Program
US Bank	23350-000-000	\$ 295.00	R2R - Smartlite Display Ad
Weiss, Mike	57410-483-229	\$ 285.08	Grassed Waterway (2014 Extension)
Weiss, Mike	57410-200-232	\$ 3,991.18	Grassed Waterway (2014 Extension)
<u>Paid from 2016 accounts</u>			
Eau Claire Co. UW Ext.	57410-340-000	\$ 40.00	Agronomy Update Meeting (GL)
Eau Claire Co. UW Ext.	57410-340-000	\$ 40.00	Pesticide Applicator Recertification (GL)
National Assoc. of Conservation Districts	57410-324-000	\$ 500.00	2016 Dues
US Bank	57410-340-000	\$ 205.00	MOSES Conference (KJ)
US Bank	57410-340-000	\$ 612.00	Osthoff Resort (CB, KJ, GL, SW, GA)
US Bank	51110-340-000	\$ 112.00	Osthoff Resort (RL)
USDA APHIS Wildlife Service	57410-477-000	\$ 500.00	2016 Bear Abatement
WI Land + Water Conservation Assoc.	57410-324-000	\$ 1,749.00	2016 Dues
TOTAL		\$ 176,394.58	

Eau Claire County
PLANNING & DEVELOPMENT COMMITTEE MINUTES

Tuesday, January 26, 2016 • 7:00 PM
Eau Claire County Courthouse • 721 Oxford Avenue • Room 1277
Eau Claire, Wisconsin

Members Present: Gary Gibson, Jim Dunning, Stella Pagonis, Steve Chilson, Gordon Steinhauer

Members Absent: None.

Staff Present: Lance Gurney, Rod Eslinger, Matt Michels, Jared Grande

1. Call to order

Gary Gibson called the meeting to order at 7:00 p.m.

2. Public Input Session: None.

3. Public Hearing:

- a. **Proposed Ordinance: File No. 15-16/114** "Amending the 1982 Official Zoning District Boundary for the Town of Clear Creek" (Kastel) RZN-0016-15 / Discussion – Action
Matt Michels presented the staff report and background of the request to rezone approximately 4.66 acres of the AR zoning district and .34 acres of the A-P zoning district to the A-2 zoning district. The intent of the applicant is to remove the building restriction on the quarter quarter section through the rezone to A-2, which will then allow a family member to build a new residence on that same parcel. Mr. Michels confirmed compliance with the standards for rezoning out of the A-P zoning district. The Town of Clear Creek has approved the request as submitted. Mr. Chilson questioned what would become of the deed restriction associated with the AR zoning district. Mr. Michels answered that this particular property does not contain a deed restriction, but the rezoning would remove the density restriction associated with the A-R zoning district, thereby allowing the family to construct an additional home on the farm parcel. Rod Eslinger and Lance Gurney provided background and clarification on the zoning requirements. Colleen Kastel appeared as applicant to indicate that the intention is to remove the density restriction to allow for a family member to construct a new residence on the property.

ACTION: Motion by Stella Pagonis to approve file 15-16/114 with correction to staff recommendation as 4.66 acres changing from A-R and .34 acres changing from A-P. Motion carried, 5-0.

- b. **Proposed Ordinance: File No. 15-16/104** "Amending the 1982 Official Zoning District Boundary for the Town of Brunswick" (Zacho Trust) RZN-0014-15 / Discussion – Action
Matt Michels presented the staff report and background of the request to rezone approximately 5.38 acres from the A-P zoning district to the A-2 zoning district. The intent of the applicant is to divide the existing residence onto a parcel of roughly 5 acres from the remaining agricultural lands in compliance with the minimum zoning requirements of the A-2 zoning district. Mr. Michels confirmed compliance with the standards to rezone lands from the A-P zoning district. The Town of Brunswick has approved the request as submitted. Randy Belsky appeared as an agent for the request who will be the purchaser of the 5 acre parcel with the existing residence. He provided some additional background on the request.

ACTION: Motion by Gordon Steinhauer to approve file 15-16/104. Motion carried, 5-0.

- c. A conditional use permit request for a planned unit development in the C-3 Highway Business District (Bergee - Town of Brunswick) CUP-0021-15 / Discussion – Action
Rod Eslinger presented background information and the staff report to amend an existing conditional use permit to operate a Commercial Planned Unit Development site within the C-3 zoning district. The site includes several separate businesses that have or are operating on the site. The applicant is seeking to obtain approval to add a mini warehouse business to the property as a Planned Unit Development. Mr. Eslinger indicated that the proposed use is consistent with the zoning district provisions as part of a planned unit development and that there is adequate space to accommodate the storage units. Mr. Eslinger did note that additional plantings are necessary on the existing eastern berm to meet the requirements of 18.30.200 and indicated a concern was expressed relating to lighting on the signage that will need to be followed up on. Staff recommended conditions were then reviewed. A short video of the site was presented to the Committee. The Town of Brunswick voted to recommend approval of the request. Peter Bergee appeared as applicant of the request. He has owned the property for approximately 3 years ago, and has summarized improvements made to the property in recent years. He explained his plans for the mini warehouse business, discussed the U-Haul business, outdoor lighting, screening and berms, and other relevant information. Doug Carlson appeared as a resident of the Town of Brunswick and spoke in favor of the request and the improvements he has made in the last three years. Eric Peterson appeared as a neighbor that lives off of Clarissa Drive. His concern is related to future traffic from development on the site and to indicate that the berm is ineffective so far. He has concerns about the continued development of this property and its impacts on the surrounding residential property. He also has not received any contact from the applicant as a neighboring property owner. Stella Pagonis asked about future development and changes to the site. Rod Eslinger indicated that any deviation from the site plan in terms of additional development or density would need to come before the committee in the future. Adequate screening was further discussed.

ACTION: Motion by Jim Dunning to approve the conditional use permit request with an amendment to staff condition #8 to require vegetative plantings or solid fence of at least 5 feet high on the eastern berm near Karissa Drive. Motion carried, 5-0.

- d. A conditional use permit request for in the I-1 Nonsewered Industrial District (Wilkinson/Strenke – Town of Brunswick) CUP-0001-16 / Discussion – Action
Rod Eslinger presented background information and the staff report to consider a conditional use permit to operate a planned industrial development site on the property currently zoned as I-1, non-sewered industrial. The site includes a residence and several separate buildings that have been previously used for both industrial and commercial business ventures. The applicant is seeking to obtain approval to operate a lawn maintenance, tree service business, and auto sales and service business from the location. Mr. Eslinger indicated that the proposed use is consistent with the zoning district provisions as part of a planned industrial development and that any issues or concerns relating to access from Hwy 37 will be addressed through the WisDOT. In review of the recommended conditions, #14 should be removed. A short video of the site was presented to the Committee. The Town of Brunswick

voted to recommend approval of the request. Rick Strenke appeared as the applicant to indicate desires to run an auto sales and service business in addition to his lawn maintenance and tree service business. Hours of the operation were discussed further, as lawn care and snow plowing may occur outside of the indicated hours of operation. Discussion regarding appropriate parking surfaces for the site. Doug Carlson appeared to express concerns regarding the business having been delinquent financially in the past and that the applicant has had other legal issues. He would only like to see the business run in a good manner. Committee reviewed the recommended staff conditions.

ACTION: Motion by Steve Chilson to approve the conditional use permit request with with the following amendments to staff conditions: #10 - the existing parking surface be allowed to remain and appropriately maintained, #7 - hours of operation indicated in the staff report shall relate to the auto sales and service business only (thereby excluding the lawn, tree service and snow removal businesses), and that #14 be removed in its entirety. Motion carried, 5-0.

- e. **Proposed Ordinance: File No. 15-16/109** “Amending the 1982 Official Zoning District Boundary for the Town of Union” (Volbrecht) RZN-0015-15 / Discussion – Action
Matt Michels presented the staff report and background of the request to rezone approximately 60 acres from the A-1 zoning district to the A-3 zoning district. The intent of the applicant is to divide the existing parcel into two separate 30-acre parcels to allow for a single family residence to be constructed on the east 30 acre parcel and to sell the western 30 acres to a separate party. The owner indicates that a large majority of the property will continue in use as productive agricultural lands. Mr. Michels confirmed compliance with applicable comprehensive plans and noted that this property lies outside of the mapped preservation areas of the Farmland Preservation Plan. The Town of Union approved the request as submitted. A short video of the property and surrounding land uses was presented to the Committee. James Volbrecht appeared as the applicant with the intention of selling thirty acres and constructing a single family residence while continuing to farm a majority of the property.

ACTION: Motion by Gordon Steinhauer to approve file 15-16/109 as presented. Motion carried, 5-0.

- f. **Proposed Ordinance: File No. 15-16/119** “Amending the 1982 Official Zoning District Boundary for the Town of Washington” (Southern Oaks Land Company) RZN-0002-16 / Discussion – Action
Matt Michels presented the staff report and background of the request to rezone approximately 75.72 acres from the A-2 zoning district to the C-3 and R-H zoning district. The intent of the applicant is to develop a single-family residential subdivision and with commercial development along the western side of the property in proximity to Hwy 93. The request is consistent with the applicable comprehensive plans of Eau Claire County and the Town of Washington, which calls for the area to be developed as Rural Residential Cluster. Mr. Michels reviewed the proposed transportation connectivity, possible development layout, and provision for commercial lands adjacent to Hwy 93 and open spaces. The lands are within the ETJ of the City of Eau Claire and also subject to the policies of the

Intergovernmental Agreement between the City of Eau Claire and the Town of Washington. The Town of Washington approved the request as submitted to rezone the property to C-3 and R-H. A short video of the site was then presented. Cody Filipzcak appeared as applicant and owner of C&M Home Builders. He indicated that there is a significant need for additional residential lots on the south side of Eau Claire. He discussed some of the potential amenities and development of the property as an upscale residential development. William Kramer appeared in opposition as a property owner to the northeast of the proposed development and expressed concerns relating to the density and the number of new wells and septic systems and impacts to the local aquifer. He would also like to see a significant buffer on the north end of the property. Burt Spangler appeared in opposition as an adjacent owner to the north of the proposed development and would echo the same concerns expressed by Mr. Kramer. Frank Edwards appeared in opposition as a property owner to the north of the development and reiterated the same concerns. Paul Diemert appeared as a representative of Thistledown to express concerns and interest in the development plan itself and Talmadge Road.

ACTION: Motion by Stella Pagonis to approve file 15-16/119 as recommended to rezone 71.29 acres to RH and 5.04 acres to C-3 as requested by the applicant. Motion carried, 5-0.

4. Administrative Referral – Review (Friedeck Road Mini Storage Units) / Discussion – Action
Jared Grande presented the background of the request and ordinance language which provides referral to the Committee in complex situations within the Highway Corridor Site Plan Review Area, which includes within 1,000 feet of Hwy 93 per the Intergovernmental Agreement between the City of Eau Claire and the Town of Washington. The subject property and adjacent land uses were reviewed along with a simple site plan. Several videos of the subject property were then presented. Mr. Grande then reviewed several pieces of communication received from the City of Eau Claire, Town of Washington, and Township Fire Department highlighting concerns of the site development, including access, slope of interior roads, screening, and circular flow of the site, and provisions for fire protection. With regard to adequate provisions for fire protection, the remaining concern of the site relates to proper access and flow throughout the interior of the site. In addition, the Town of Washington does not feel that adequate screening has been provided, although planted screening may meet the minimum code standards. The issues with the site plan relate to the site plan criteria under Section 18.31.030, specifically relating to interior circulation, the provision for screening and adequate provisions for emergency services. Additional discussion regarding emergency access and effective screening based on the communication received from Town of Washington dated January 26, 2016.

ACTION: Motion by Gary Gibson to approve the request with the following conditions: 1) Applicant shall install signage to ensure adequate emergency access on the south and east sides of the site to restrict parking and other obstructions. 2) The screening plan submitted as part of the site plan and located on Page 113 of the Committee packet is deemed to be compliant with code requirements and therefore adequate. . Motion carried, 5-0.

5. Rain to Rivers Intergovernmental Agreement for Stormwater Education / Discussion – Action

ACTION: Motion by Stella Pagonis to approve the agreement as presented. Motion carried, 5-0.

6. Review of December Bills / Discussion – No discussion or issues.
 - a. Planning
 - b. Land Conservation
7. Review/Approval of December 8, 2015 Meeting Minutes / Discussion – Action

ACTION: Motion by Jim Dunning to approve the minutes as submitted. Motion carried, 5-0.

8. Proposed Future Agenda Items / Discussion
February 23rd meeting will be held at 6:00 p.m.
9. Adjourn: Gary Gibson adjourned the meeting at 10:20 p.m.

Respectfully submitted,

Lance J. Gurney
Clerk, Committee on Planning & Development