

Eau Claire County
PLANNING & DEVELOPMENT COMMITTEE AGENDA

Tuesday, March 22, 2016 • 7:00 PM
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. **Proposed Ordinance: File No. 15-16/132** "Amending the 1982 Official Zoning District Boundary for the Town of Pleasant Valley" (Welke) RZN-0007-16 / Discussion – Action **p. 2 - 17**
 - b. A conditional use permit request for a duplex in the A-2 Agriculture-Residential District (Atkinson – Town of Pleasant Valley) CUP-0003-16 / Discussion – Action **p. 18 - 37**
 - c. **Proposed Ordinance: File No. 15-16/146** "Amending the 1982 Official Zoning District Boundary for the Town of Drammen" (Wolf) RZN-0008-16 / Discussion – Action **p. 38 - 60**
 - d. **Proposed Ordinance: File No. 15-16/149** "Amending the 1982 Official Zoning District Boundary for the Town of Clear Creek" (Green) RZN-0009-16 / Discussion – Action **p. 61 - 81**
4. Screening for the Commercial and Industrial Districts Waiver (Hase – Town of Union) / Discussion – Action **p. 82 - 86**
5. **Proposed Resolution: File No. 15-16/137** "Resolution Adopting the Eau Claire County Outdoor Recreation Plan for 2016-2020" / Discussion – Action **p. 87 - 89**
6. **Proposed Resolution: File No. 15-16/144** "Requesting the Legislature Discontinue the Practice of Putting Forth and Fast-tracking Piecemeal Bills Regarding Planning, Zoning and Land Use" / Discussion – Action **p. 90 - 92**
7. Correspondence: Richard Eaton, Assistant Corporation Counsel / RE: Title 18, General Zoning – Application in Shoreland Areas / Discussion **p. 93 - 94**
8. Legislative Act Update / Discussion
9. Review of February Bills / Discussion
 - a. Planning **p. 95**
 - b. Land Conservation **p. 96**
10. Review/Approval of February 23, 2016 Meeting Minutes / Discussion – Action **p. 97 - 101**
11. Proposed Future Agenda Items / Discussion
12. Adjourn

Post: 3/16/2016

Please note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 839-4710 (FAX) 839-1669 or (TDD) 839-4735 or by writing to the ADA Coordinator, Human Resources Department, Eau Claire County Courthouse, 721 Oxford Ave., Eau Claire, Wisconsin 54703.



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0007-16 **COMPUTER NUMBER:** 018100204040

PUBLIC HEARING DATE: March 22, 2016

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER: Ronald R & Judy A Welke, S 10580 Co RD HH & I, Eleva, WI 54738

AGENT: Peter J Gartmann, 635 Fairfax St, Altoona, WI 54720

REQUEST: Rezone 1.59 acres +/- from A-2 (Agriculture-Residential) District to R-H (Rural Homes) District to align the rear zoning line with the existing lot line in order to eliminate a 172-foot remnant strip of A-2 zoned property.

LOCATION: County Rd HH & I, north of Evergreen Rd

LEGAL DESCRIPTION: Portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, T25N, R9W, Town of Pleasant Valley (complete legal description attached)

SUMMARY

The applicant proposes to rezone 1.59 acres +/- from A-2 (Agriculture-Residential) District to R-H (Rural Homes) District to align the rear zoning line with the existing lot line in order to eliminate a 172-foot remnant strip of A-2 zoned property.

BACKGROUND

SITE CHARACTERISTICS:

- Property is vacant
- Southern two-thirds of property contains woodlands
- Northern third of property contains tilled agricultural fields

CURRENT ZONING:

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.

REQUESTED ZONING DISTRICT:

The petition is to rezone the property described above from the A-2 Agriculture-Residential 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	RH & A-2	Undeveloped
North	RH & A-2	Agricultural fields
East	A-2 (NE) & A-1 (SE)	Agricultural fields and outbuildings
South	RH & A-2	Single family residence and woodlands
West	A-2	Agricultural fields

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes this property in the Rural Hamlet (RH) planning area, and the Town of Pleasant Valley Future Land Use Map includes this property in the Rural Hamlet (RH) planning area. 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 Hamlet Intent and Description: The primary intent of this classification is to, “*identify areas suitable for a broader range of commercial, institutional, recreational, and residential uses, but not including uses that require extensive public services. Rural hamlets are clusters of nonagricultural development centered near an unincorporated village, town hall or rural school. Rural hamlets typically include one or more retail businesses located at the crossroads of two or more County or State highways. In addition, these areas typically include pre-existing higher density residential developments. The existing land use pattern, transportation infrastructure, infill and redevelopment opportunities make these areas suitable for mixed-use neighborhoods with higher density residential development than what is permitted under the Rural Residential classification. Areas included in RH could potentially represent prime candidates for “receiving areas” under a countywide Transfer of Development Rights program.*”
- Applicable Policies: The following policies are applicable to this rezoning petition.
 1. *The preferred housing density is two (2) units per acre; however, local comprehensive plans may be more or less restrictive than this guideline.*
 2. *The County or local community can require the use of public sanitary systems (particularly when located in an area where such service is available) or group/alternative on-site wastewater treatment facilities (particularly for businesses with high wastewater/water demands). Responsibility for long-term maintenance of these systems shall be determined prior to approval.*
 3. *For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RH areas: R-1-L Single Family Residential Large Lot District, R-1-M Single Family Residential District, R-2 Two-Family Residential District, R-3 Multi-Family Residential, C-1 Neighborhood Business District, and the C-2 General Business District. Proposals for more intensive business developments (C-3 Highway Business, I-1 Non-sewered Industrial, or I-2 Sewered Industrial) will require an amendment to the Future Land Use Map to either Rural Commercial or Industrial status prior to approving a rezoning petition.*

Town of Pleasant Valley:

- Rural Hamlet Comprehensive Plan Intent and Description: The primary intent of this classification is to, *“identify areas suitable for a broader range of commercial, institutional, recreational, and residential uses, but not including uses that require extensive public services. Rural hamlets are clusters of nonagricultural development centered near an unincorporated village, town hall or rural school. Rural hamlets typically include one or more retail businesses located at the crossroads of two or more County or State highways. In addition, these areas typically include pre-existing higher density residential developments. The existing land use pattern and transportation infrastructure make these areas suitable for mixed-use neighborhoods with higher density residential development than what is permitted under the Rural Residential classification.”*

- Applicable Policies: The following policies are applicable to this rezoning petition. Staff comments, where provided, follow the policy *in italics*.
 1. *Within the RH classification, limit new development to a maximum gross density of two (2) residential dwelling units per acre held in single ownership.*
...

 4. *The following Eau Claire County zoning districts will be considered for approval within RH areas: R-1-L Single Family Residential Large Lot District, R-1-M Single Family Residential District, R-2 Two-Family Residential District, R-3 Multi-Family Residential, C-1 Neighborhood Business District, and the C-2 General Business District.*

The proposed rezoning is generally consistent with the intent and description of the Eau Claire County and of Pleasant Valley Comprehensive Plans. While the RH Zoning District is not specifically permitted in the Rural Hamlet classification, the intent of this rezoning is to slightly modify the existing zoning district line. Further, the intent of the applicable Comprehensive Plan policies is primarily to regulate maximum density and preferred land use patterns. In other words, the property is in close proximity to the community of Cleghorn and would be eligible for increased density should the property owner desire to divide the property into smaller lots.

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 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 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 RH zoning
- Existing uses in the area include a mixture of single-family residences, agricultural uses, commercial businesses, and vacant property

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 to allow single-family residential development and other accessory uses in the RH District.

Town Board Action: The Pleasant Valley Town Board considered this rezoning petition on Monday, February 8, 2016 and recommended approval.

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). 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.

RECOMMENDATION

Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the rezoning petition to rezone approximately 1.59 acres of property from the A-2 District to the RH 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 PLEASANT VALLEY -

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 Pleasant Valley, Eau Claire County described as follows:

11 **A parcel of land located in the SW ¼ of the NW ¼ Section 1, T25N,**
12 **R9W Town of Pleasant Valley, Eau Claire County Wisconsin, being**
13 **part of Lot 2, Certified Survey Map #1980, Volume 10 of certified**
14 **survey maps, Pages 386-387, described as follows:**

15
16 **Commencing at the SW corner of said Lot 2; thence S87°24'27"E**
17 **along the south line of said Lot 2 a distance of 250.01 feet; Thence**
18 **S01°59'34"W along the boundary of said Lot 2 a distance of 202.01**
19 **feet; Thence S87°24'27"E along said boundary a distance of 184.00**
20 **feet more or less to the easterly line of the existing RH zoning**
21 **boundary and the point of beginning; Thence N01°59'34"E along said**
22 **easterly line of the existing RH zoning boundary a distance of 402.01**
23 **feet; Thence S87°24'27"E a distance of 172.02 feet; Thence**
24 **S01°59'34"W along an extension and the boundary of said Lot 2 a**
25 **distance of 402.01; Thence N87°24'27"W along the boundary of said**
26 **Lot 2 a distance of 172.02 feet to the point of beginning.**

27
28 **Said parcel containing 1.59 acres, more or less, to be reclassified from**
29 **the A-2 Agriculture-Residential District to the RH Rural Homes**
30 **District.**

31
32 **SECTION 2**

33 Where a certified survey map is required and may alter the above
34 described property description, the official zoning district map for the
35 town shall be automatically amended to reflect the property description of
36 the certified survey map.

37 ENACTED: I hereby certify that the foregoing correctly represents the
38 action taken by the undersigned Committee on
39 March 22, 2016 by a vote of for, against.

40
41
42 _____
43 Planning & Development Committee, Chairperson

15-16/132

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: 45376
Town Hearing Date: 02/08/2016
Scheduled Hearing Date: 3/22/2016
Application No: RZN-0007-16
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: **A2** Proposed Zoning District(s): **RH** Acres to be Rezoned: **.92**

Portion Of The Sw1/4 Nw1/4 Of Section 1, T25N, 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)
Ronald R & Judy A Welke	(ow) S 10580 COUNTY RD HH & I ELEVA	715-539-0229(H)

Site Address(es):

Property Description: Sec 01 Twn 25 Rge 09 **Town of Pleasant Valley** **Lot Area:** 24.870 ACRES

Zoning District(s): A2 RH

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

PIN	Alternate No	Parcel No	Legal (partial)
1801822509012309001	018100204040	25.9.1.2-3-E & :	LOT 2 OF CSM V.10 PG.386 (#1980) LYG IN THE SW-NW & SE-N

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

Table with 2 columns: Field Name, Value. Fields include Application Accepted (1/29/16), Accepted By (JMM), Receipt Number (45376), 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: A-2 Proposed Zoning District(s): R-14
Acres to be rezoned: 0.92

Property Owner Name: Ronald & Judy Welke Phone# 715-539-0229 878-4782
Mailing Address: S 10580 County Rd HH & I, ELONA WI 54738
Email Address:

Agent Name: Pete Gnatmann (Real Land Survi) Phone# 715-514-4116
Mailing Address: 635 FAIRFAX ST. ALTONA WI 54720 RECEIVED
Email Address: pgnatmann@rls-rec.com

SITE INFORMATION

JAN 29 2016

Site Address: COUNTY CLERK
Property Description: SW 1/4 NW 1/4 Sec. 1, T 25 N, R 9 W, Town of Pleasant Valley
Zoning District: A-2 Code Section(s):
Overlay District: Check Applicable [] Shoreland [] Floodplain [] Airport [] Wellhead Protection [] Non-Metallic Mining
Computer #(s): 0181-0020-4040

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 [Signature]

Date 1/21/16

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:

LAND Division

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 LAND DIVISION WOULD SQUARE THE REAR LINE UP WITH THE EXISTING LOT LINE. NOT LEAVING A REMNANT 100' STRIP.

CREATE A CLEAN ZONED LOT.

W¹/₄ COR. SEC. 1
FND BC MON.

UNPLATTED LAND

C.T.H. "HH"

N01°59'34"E

402.37'

33'

235.01'
N01°59'34"E

N87°24'27"W
250.01'

33.00'
217.01'

33.00'
248.00'

281.00'

S87°29'04"E

310.00'

N87°29'04"W

281.00'

448.00'

R-H

606.03'

202.01'

N01°59'34"E

N87°24'27"W

356.02'
256.02'

100'

A-2

402.01'

100'

S01°59'34"W

257.01'

= AREA to RE
RE-zoned

= Proposed Lot

LOT 2

1,083,164 SQ.FT.

24.87 ACRES

Re-zone Description

Parcel of land located in the SW ¼ of the NW ¼ Section 1, T25N, R9W Town of Pleasant Valley, Eau Claire County Wisconsin, being part of Lot 2, Certified Survey Map #1980, Volume 10 of certified survey maps, Pages 386-387, described as follows:

Commencing at the SW corner of said Lot 2; thence S87°24'27"E along the south line of said Lot 2 a distance of 250.01 feet;

Thence S01°59'34"W along the boundary of said Lot 2 a distance of 202.01 feet;

Thence S87°24'27"E along said boundary a distance of 256.02 feet more or less to the easterly line of the existing RH zoning boundary and the point of beginning;

Thence N01°59'34"E along said easterly line of the existing RH zoning boundary a distance of 402.01 feet;

Thence S87°24'27"E a distance of 100 feet;

Thence S01°59'34"W along an extension and the boundary of said Lot 2 a distance of 402.01;

Thence N87°24'27"W along the boundary of said Lot 2 a distance of 100 feet to the point of beginning.



2015 Property Record | Eau Claire County, WI

Assessed values not finalized until after Board of Review
Property information is valid as of 2015-01-02

OWNERS

RONALD R & JUDY A WELKE

IN CARE OF

PROPERTY INFORMATION

Computer No: 018100204040
PIN: 1801822509012309001
Historical Map ID: 25.9.1.2-3-E & 2-4-D
School District: Eau Claire

Section	Town	Range
01	25N	09W

Property Address:
Municipality: Town Of Pleasant Valley
Document History:
1232/260 C599/684

MAILING ADDRESS

RONALD R & JUDY A WELKE
S 10580 COUNTY RD HH A1
ELEV A WI
54738

PROPERTY DESCRIPTION

LOT 2 OF CSM V.10 PG.386 (#1980) LYG IN THE SW-NW & SE-NW
CONT 24.87 AC WITH RD R/W OR 24.58 AC WITHOUT RD R/W

ZONING

Zoning Code	Description
RH A2	

TAX INFORMATION

Gross Tax: 82.67
School Credit: 8.34
Lottery Credit: .00
First Dollar Credit: .00
Net Tax: 74.33

	Amt Due	Amt Paid	Balance
RE Net Tax	74.33	74.33	.00
Special Assmnt	.00	.00	.00
Special Chrg	.00	.00	.00
Delq Utility	.00	.00	.00
MFL	.00	.00	.00
RE Interest	.00	.00	.00
Other Interest	.00	.00	.00
Penalty	.00	.00	.00
TOTAL	74.33	74.33	.00

LAND USE

Land Use Code	Description
AA	Agriculture-General

LAND VALUATION

	Acres	Land	Improve	Total
G4	24.870	4,600.00	.00	4,600.00
	24.870	4,600.00	.00	4,600.00
Total Acres:				24.870
Mill Rate:				0.016157964
Fair Market Value:				4,900.00
Assessment Ratio:				.9400

INSTALLMENTS

Period	End Date	Amount
1	1/31/2016	74.33
2	7/31/2016	.00

PAYMENT HISTORY (POSTED PAYMENTS)

Please allow up to 7 days for your payments to display.

Date	Receipt #	RE Tax	Other Tax	RE Int	Other Int	Penalty	Total	Payor Name
12/18/2015	018015353-15	74.33	.00	.00	.00	.00	74.33	RONALD R & JUDY A WELKE

NOTES

WELKE REZONING LOCATION 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.

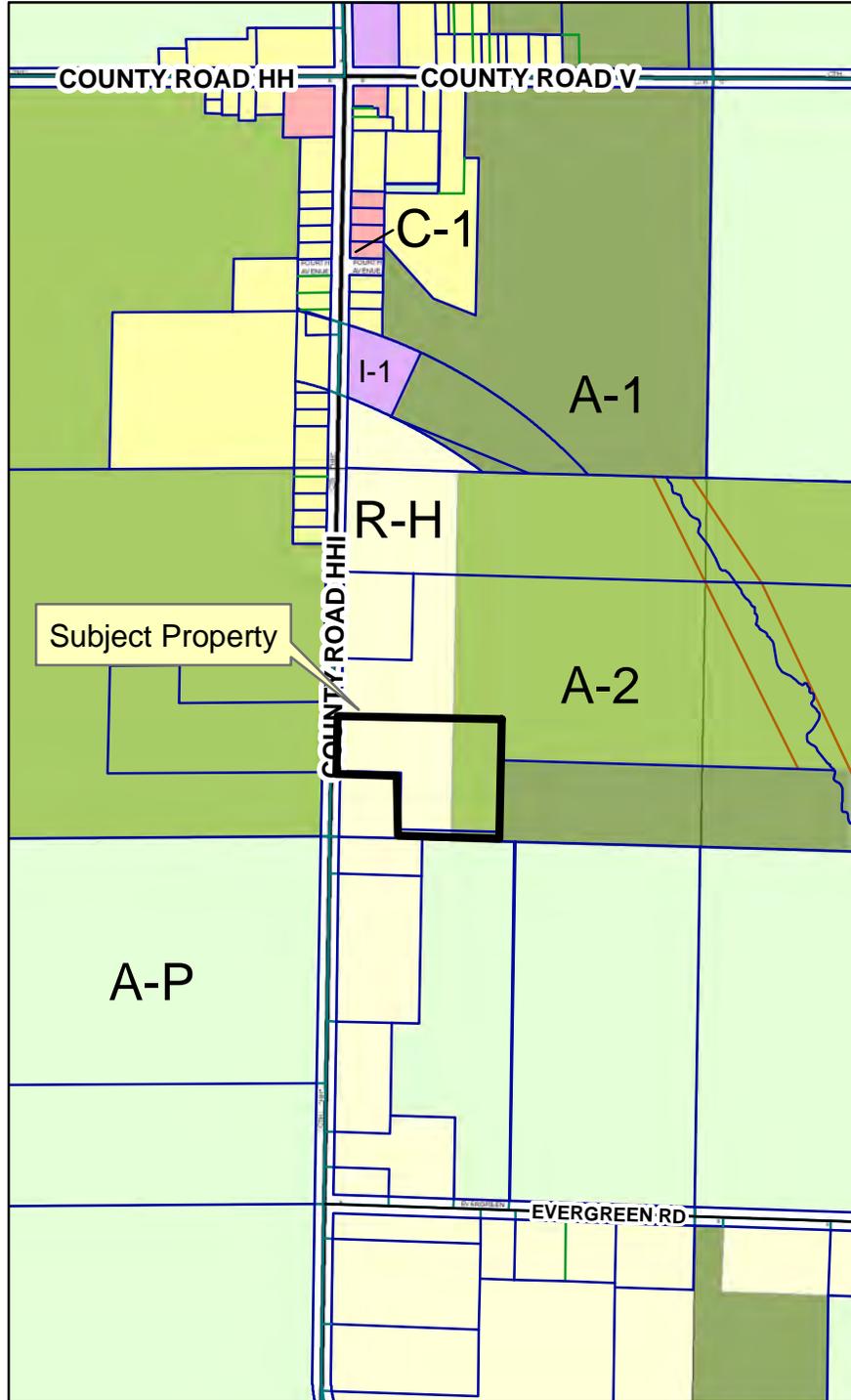




Welke Rezoning: RZN-0007-16

Existing Zoning

1 inch = 666.666667 feet



- all other values-
- A1 - Exclusive Agricultural District
- A2 - Agricultural-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:

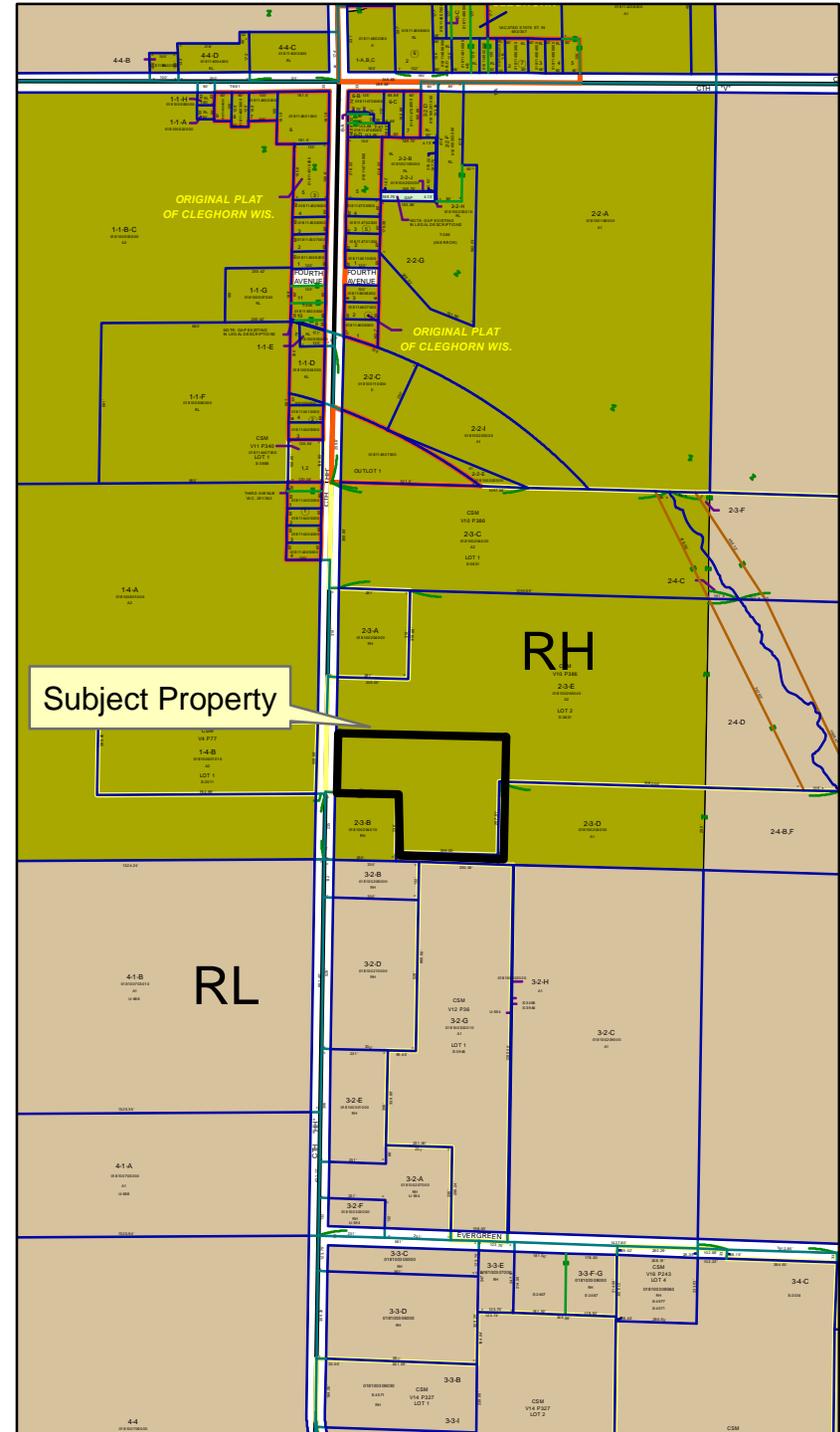
The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

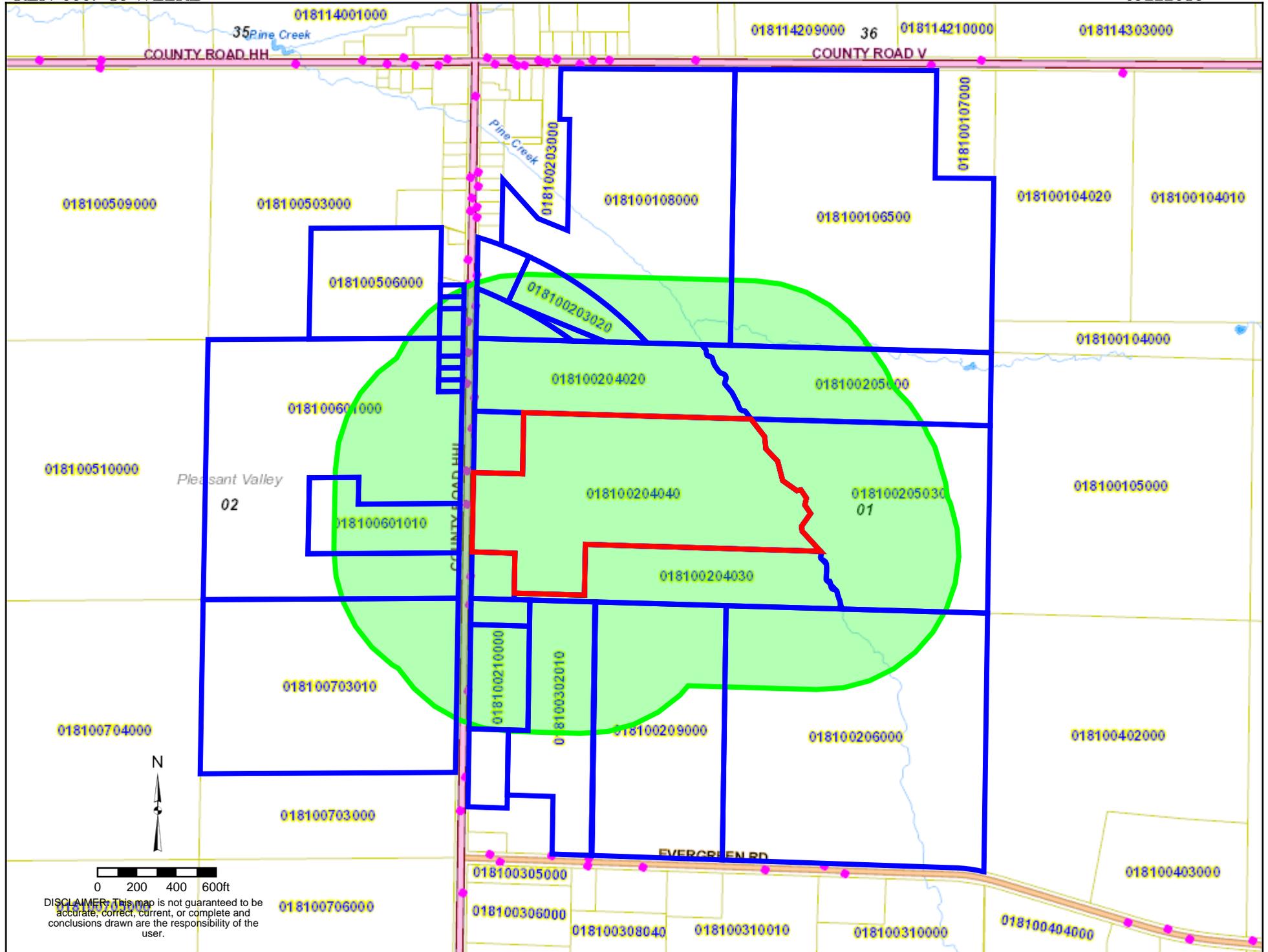
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Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results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

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
1801822509021400002	BARNHARDT, RONALD H	S 10480 COUNTY RD HH & I	ELEVA	WI	54738
1801822509013200004	BEHLKE, MARK & SHARON	S 10425 COUNTY RD HH & I	ELEVA	WI	54738
1801822509012100003	BIRTZER TRUST	E 5515 COUNTY RD V	ELEVA	WI	54738
1801822509012200005	BROTT, BRIAN W & KRISTAL R	S 10461 COUNTY RD HH & I	ELEVA	WI	54738
1801822509021109000	CLARK, GLEN J & MARTHA S	S 10464 COUNTY RD HH & I	ELEVA	WI	54738
1801822509013209000	FALBO, THOMAS L & NENNETTE	E 5520 EVERGREEN RD	ELEVA	WI	54738
1801822509013100001	FELTES, DARWIN M & CINDY M	E 5730 EVERGREEN RD	ELEVA	WI	54738-9129
1801822509021402002	GUTHRIE, BRENDA	E 10520 COUNTY ROAD HH & I	ELEVA	WI	54738
1801822509013200005	HAYDEN, LAWRENCE & HARRIETT	S 10777 COUNTY RD HH & I	ELEVA	WI	54738
1801822509013200002	KWIATKOWSKI, TRACY J	S 10665 COUNTY RD HH & I	ELEVA	WI	54738
1801822509012309000	PHILLIPS, RICHARD W & MICHELLE M	S 10525 COUNTY RD HH & I	ELEVA	WI	54738
1801822509021102002	TEPIEW, VICTOR G	S 10454 COUNTY ROAD HH & I	ELEVA	WI	54738-9107
1801822509012200003	TOWN OF PLEASANT VALLEY	W 165 WOODRIDGE DR	EAU CLAIRE	WI	54701-9671
1801822509021409000	WELKE, SHERIDA L	S 10592 COUNTY RD HH & I	ELEVA	WI	54738
1801822509012300002	YULE, FRANK M JR & ELLEN R	S 10637 COUNTY ROAD HH & I	ELEVA	WI	54738-9219
1801822509012300001	YULE, RYAN	S 10555 COUNTY ROAD HH I	ELEVA	WI	54738-9220



EAU CLAIRE COUNTY PLANNING AND DEVELOPMENT STAFF RECOMMENDATION

CONDITIONAL USE PERMIT NUMBER: CUP-0003-16

COMPUTER NUMBERS: 018-1040-04-000

PUBLIC HEARING DATE: March 22, 2016

STAFF CONTACT: Rod Eslinger, Land Use Supervisor

OWNER: Joann Atkinson, S 12290 Lowes Creek Road, Eleva, WI 54738

APPLICANT: Same as owner

REQUEST: Conditional use permit request for a duplex in the A-2 District

LOCATION: S 12290 Lowes Creek Road, Eleva, WI 54738

LEGAL DESCRIPTION: The SW of the NE, Section 16, T25N-R9W, Town of Pleasant Valley, Eau Claire County, Wisconsin

SUMMARY

The request is for a two family dwelling (duplex) in the A-2 District for family use.

BACKGROUND

SITE CHARACTERISTICS:

- The applicant owns 252 acres.
- Currently situated on the property is a single family home with several Ag. outbuildings.
- The property is located at the intersection of Willow Road and Lowes Creek Road, approximately a mile and quarter west of State Highway 93.
- The new unit will have two bedrooms per floor plans submitted with the application.
- Each unit will have an individual septic system, and parking areas.

CURRENT ZONING: 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."

ADJACENT ZONING & LAND USES:

DIRECTION	ZONING	LAND USE
Existing parcel	A-2	Farmstead, ag. fields, and woodlands
North	A-2	Woodlands
West	A-2	Woodlands
South	A-2	Woodlands
East	A-2	Woodlands

LAND USE PLANS: The County Land Use Plan, adopted in 2010, includes this property in a Rural Lands planning area. The Town of Pleasant Valley's Comprehensive Plan places this property in rural preservation planning area.

Rural Lands (RL)

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.

Rural Preservation (RP) – 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 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 18.05.030 Conditional uses. In the A-2 district, the following uses are conditional, and are subject to the provisions of Chapter 18.21:

- L. Two-family housing (duplexes);

Section 18.05.035 Structures subject to conditional use permits. In the A-2 district, the following structures are conditional and are subject to the provisions of Chapter 18.21:

- N. Duplexes and seasonal structures;

Section 18.05.040 Lot, height and yard requirements. The following lot, height and yard requirements are established for the A-2 district:

A. Lot Size and Area.

1. The minimum lot size is 5 acres, excepting duplexes which minimum lot size shall be 10 acres.

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: The following discussion provides an analysis of the conditional use permit based upon the standards in the zoning code:

- The request for a conditional use permit for a duplex is consistent with the standards for conditional use permits and the purpose of the zoning ordinance.
- The duplex would not be injurious to the use and enjoyment of other property in the immediate vicinity.
- There are adequate utilities, and access to the property is safe. The lot has adequate space for off-street parking. It does not appear that the use would be incompatible with nearby and neighboring uses.
- The use will be consistent with the purpose of the zoning ordinance, provided the use conforms to the terms of this permit.
- 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: It is the Pleasant Valley Town Board's policy not to make recommendations on conditional use permit applications.

STAFF CONCLUSIONS AND RECOMMENDATION: Staff has concluded that the request to create a duplex at S 12290 Lowes Creek Road is consistent with the standards for conditional use permits, and will be consistent with the purpose of the zoning code. Staff recommends that the committee approve the conditional use permit with the following conditions:

1. The sketch drawings and the site plan submitted with the application shall be attached to and made a part of the permit, and all development of the site shall be done in accord with the plan and drawings.
2. Adequate parking shall be provided for and maintained for the duplex as required under Chapter 18.25 of the Zoning Code.
3. Prior to construction, the applicant shall obtain a Uniform Dwelling Code (UDC) permit and a Land Use permit from the Department of Planning and Development.
4. The applicant shall notify the Land Use Manager upon completion of the accessory structure so that staff can verify compliance with the terms of this approval.
5. The Land Use Supervisor can approve minor alterations from the terms of the permit. A major change does require the approval of the committee at a public hearing.
6. 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.
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.

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

District Supervisor #7 Steve Carlson

Application Accepted:	2/9/2016
Accepted By:	Rod Eslinger
Receipt Number:	45428
Town Hearing Date:	N/A
Scheduled Hearing Date:	3/22/16
Application No:	CUP-0003-16
Appl Status:	Pending

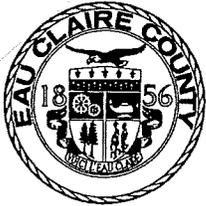
Conditional Use Permit - County

Owner/Applicant Name(s): Joann M Atkinson	Address: (ow) S 12290 LOWES CREEK RD ELEVA	Telephone: 715-797-0972(C) 715-878-4822(H)
Site Address(es): S 12290 LOWES CREEK RD ELEVA		
Property Description: Sec 16 Twn 25 Rge 09 Town of Pleasant Valley Lot Area: 40.000 ACRES		
Zoning District(s): A2		
Overlay District: <input type="checkbox"/> Shoreland <input type="checkbox"/> Flood Plain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining Check Applicable		
PIN 1801822509161300001	Alternate No 018104004000	Parcel No 25.9.16.1-3
Legal (partial) SW-NE		
General Description: Type: Duplexes and multifamily dwellings Description of Proposed Use: DUPLEX		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 *Joanna Mathew* Date 2-9-16
 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

City Bd Supervisor #7 Steve Chilson

Application Accepted:	2/9/16
Accepted By:	Red Eslinger
Receipt Number:	45428
Town Hearing Date:	N/A
Scheduled Hearing Date:	March 22, 16

CONDITIONAL USE PERMIT APPLICATION CUP-0003-16

Property Owner Name: <u>JOANN ATKINSON</u>	Phone# <u>715-878-4822</u>
Mailing Address: <u>S. 12290 LOWES CREEK RD. ELEVA, WI. 54738</u>	
Email Address: _____	
Cell <u>715-797-0972</u>	

Agent Name: _____	Phone# _____
Mailing Address: _____	
Email Address: _____	

SITE INFORMATION

Site Address: <u>S. 12290 LOWES CREEK ROAD</u>	
Property Description: <u>SW 1/4 NE 1/4 Sec. 16, T 25 N, R 09 W, Town of PLEASANT VALLEY</u>	
Zoning District: <u>A2</u>	Code Section(s): <u>18.05.030 L.</u>
Overlay District: <input type="checkbox"/> Shoreland <input checked="" type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining Check Applicable <u>wetlands</u>	
Computer #(s): <u>018 - 1040 - 04 - 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 checked="" type="checkbox"/> Provide \$500.00 application fee (non-refundable), payable to the Eau Claire County Treasurer
---	--	---	--

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 Joann Atkinson Date 2/8/16

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:

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).

* A DUPLEX W/ ATTACHED GARAGE FOR FAMILY USE.

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

Description of the type of business activity:

Equipment used in the business activity:

Days and hours of operation:

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)

Structure will have the same siding (cedar)

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.

N/A

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

N/A

SCALED SITE PLAN - To be attached - okay.

Show parcel and building dimensions of all existing and proposed structures

Landscape and screening plans

Show all signs, fences and other features that may be regulated by zoning

Show the well and septic system

Site access, driveway, and nearest road (labeled)

Parking areas with spaces

Drainage plans including the erosion control plan

Show all navigable water ways, wetlands, floodplains, slopes in excess of 20%, and any other unique limiting condition of the property

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.

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

Eau Claire County Parcel Mapping



1 inch = 200 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_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:

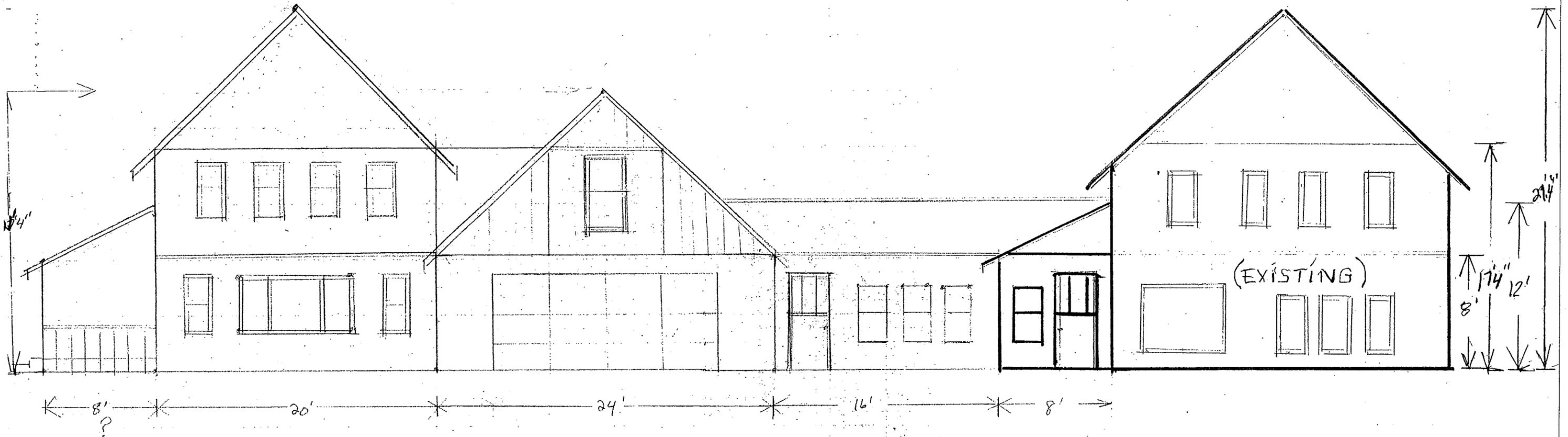
Aerial Photography Flight Spring 2013
Information Current January 1, 2013





1-3
018104004000
A2

018104004000

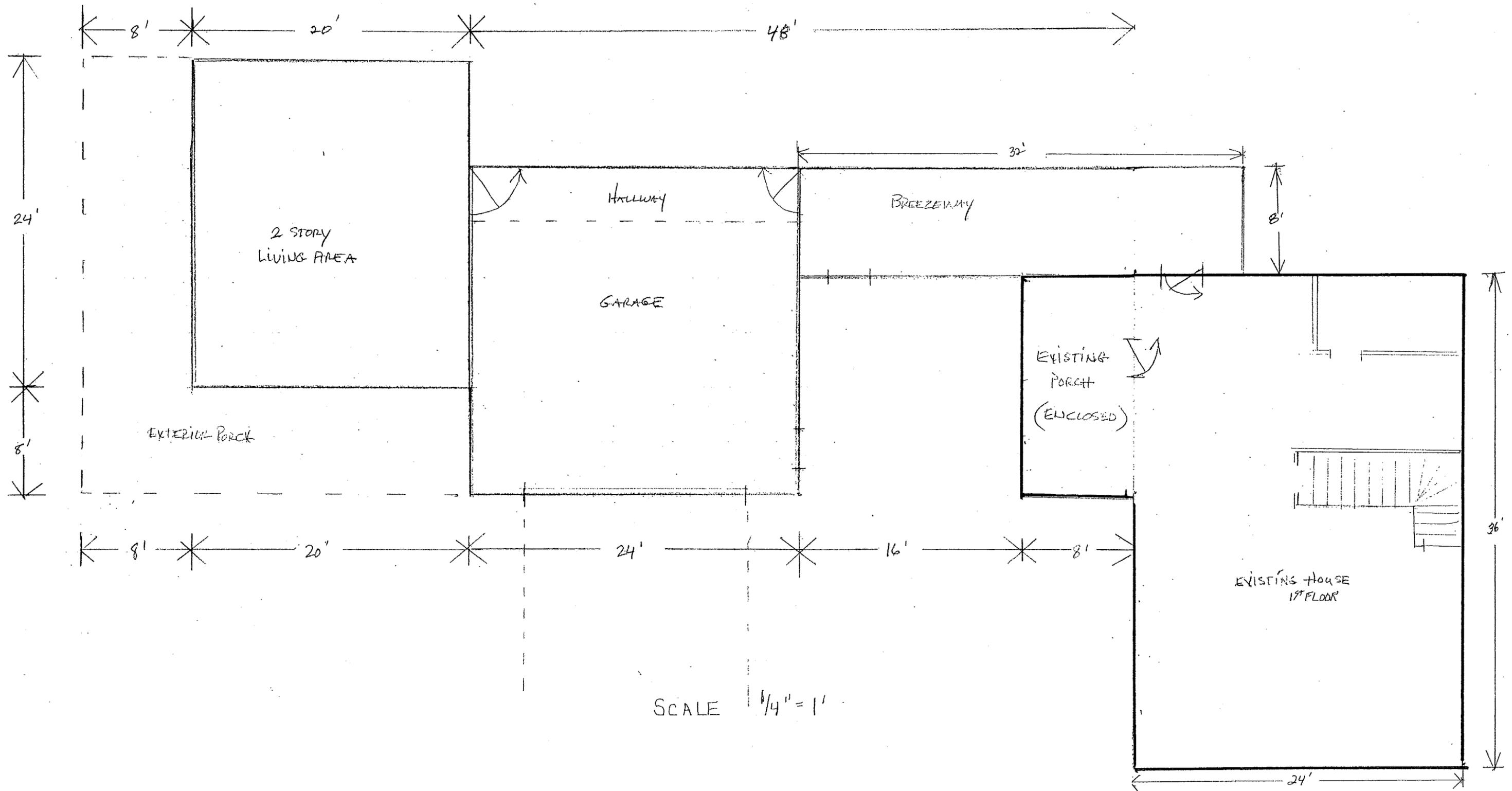


- South Elevation -
(FRONT)

EXISTING

W ← → E

SCALE 1/4" = 1'



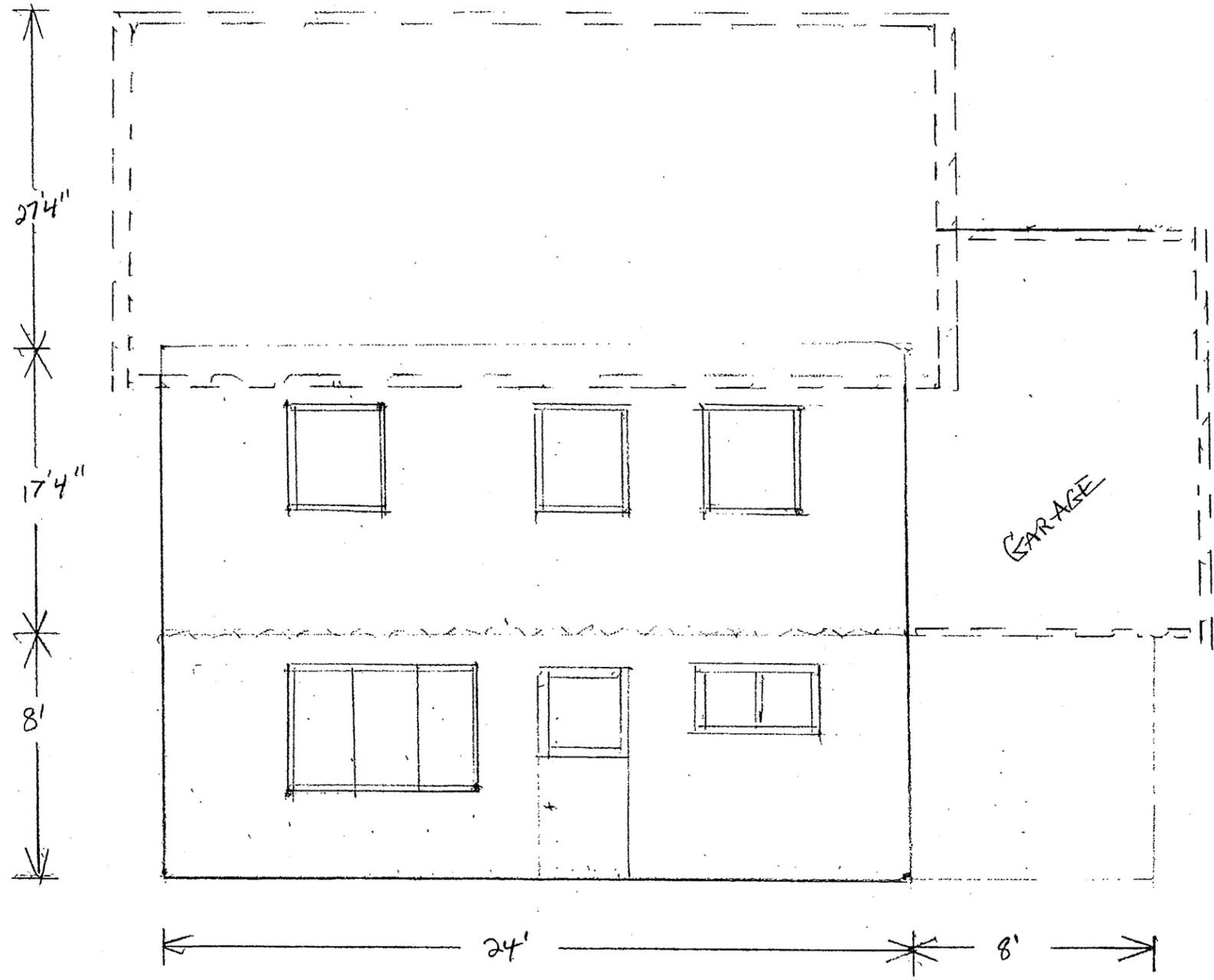
SCALE 1/4" = 1'

Proposed



- NORTH ELEVATION -
(BACK)

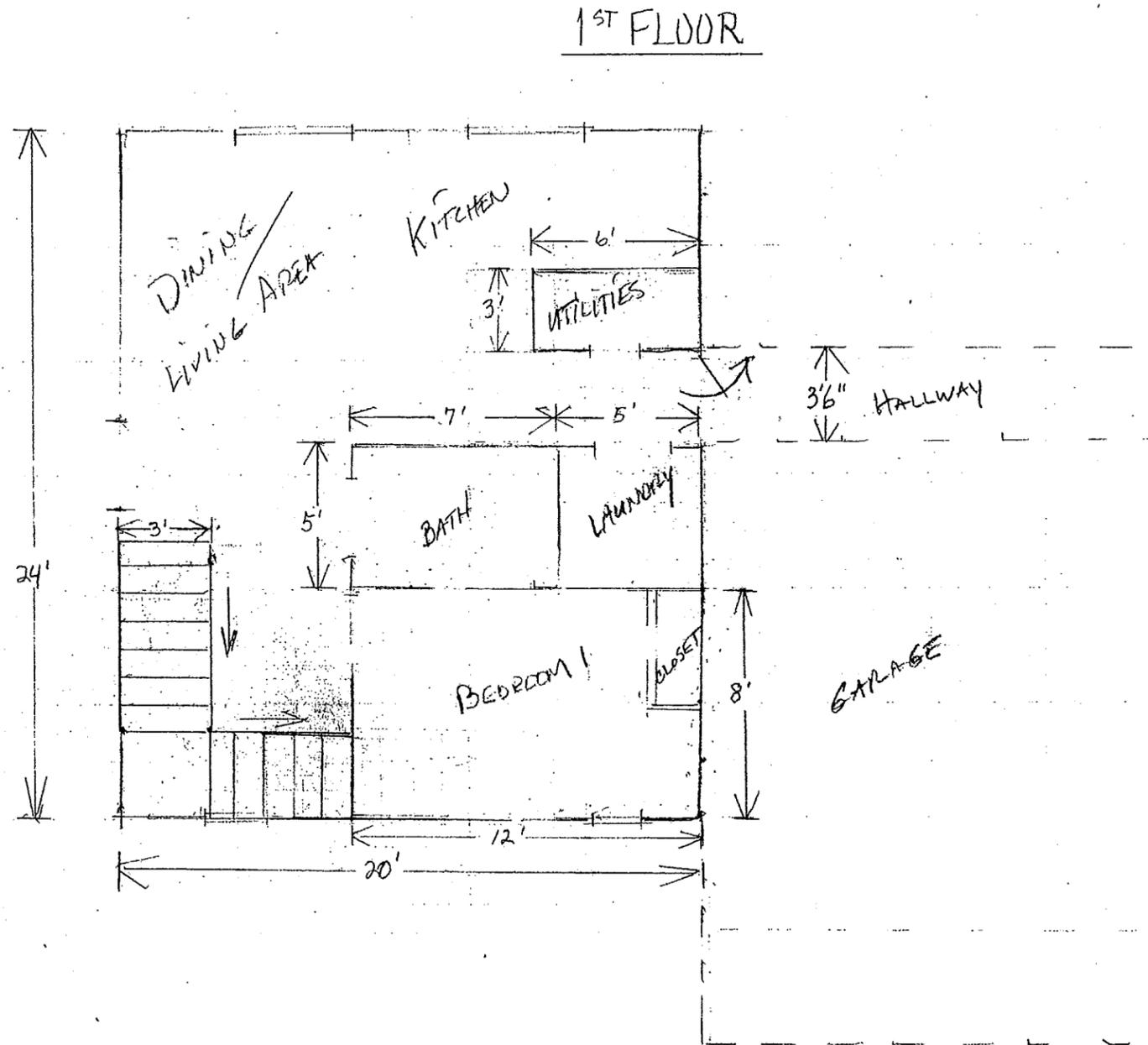
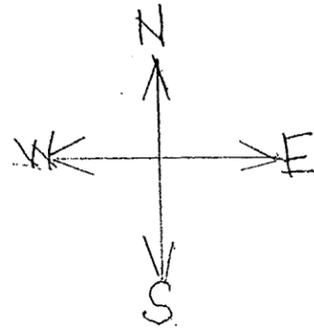
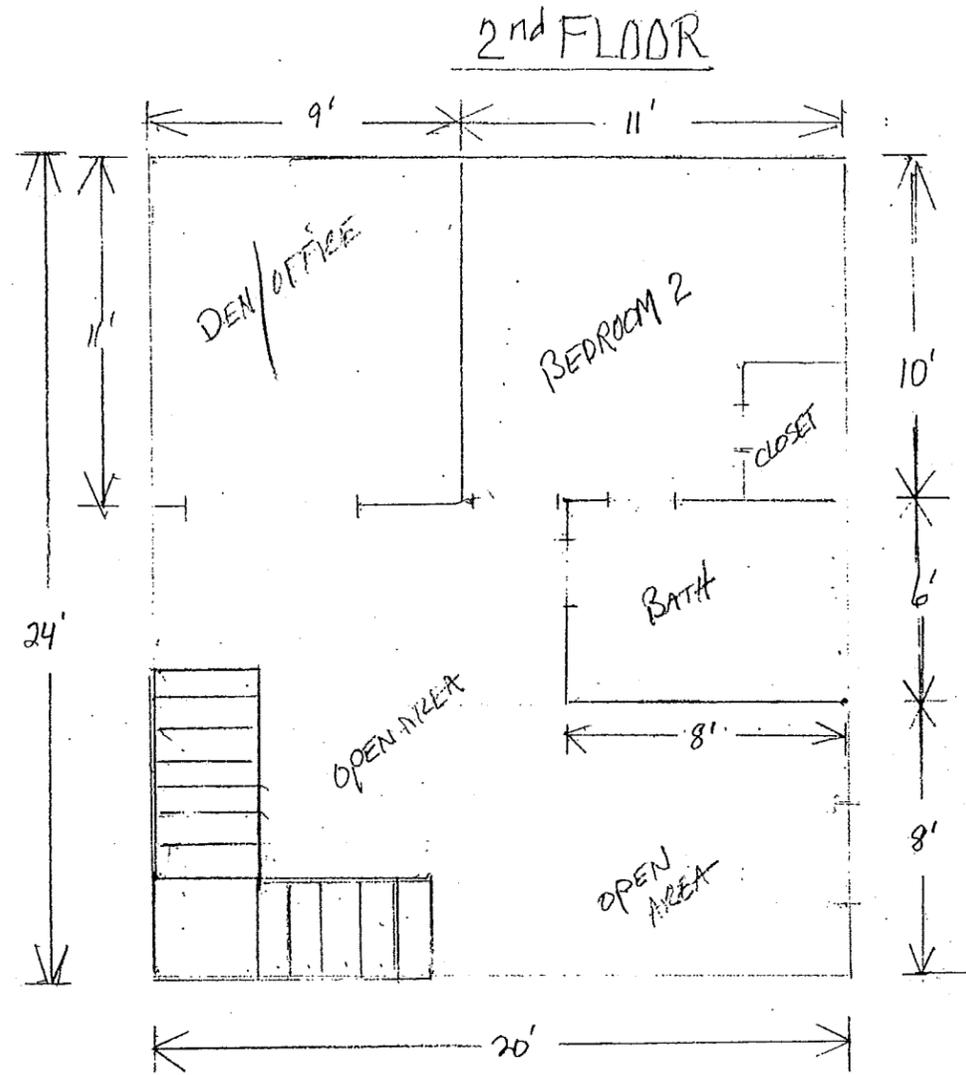
Proposed



WEST ELEVATION

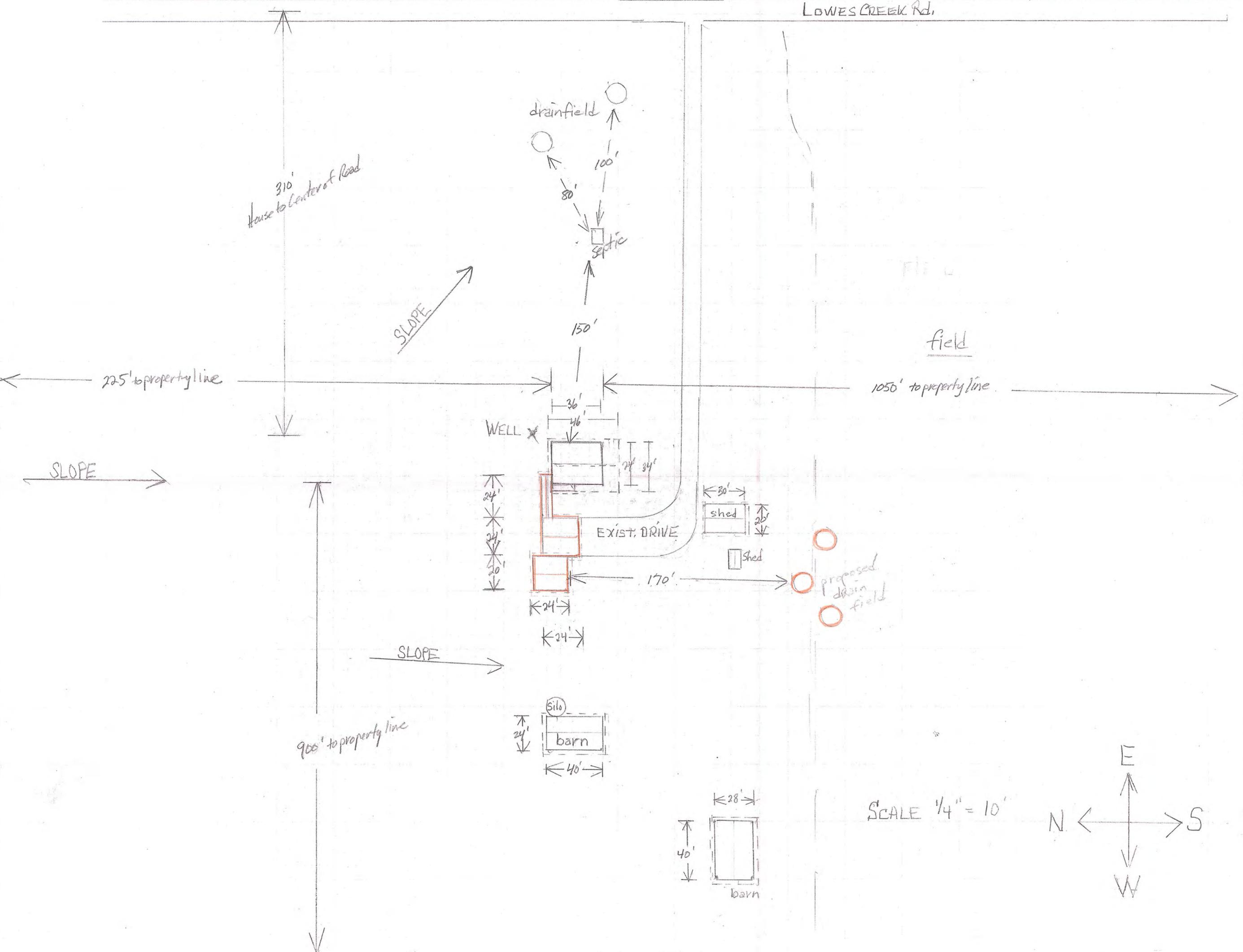
SCALE 1/4" = 1'

Proposed - New dwelling unit



SCALE 1/4" = 1'

LOWES CREEK Rd.



TOWN OF PLEASANT VALLEY

March 14, 2016

TOWN BOARD MEETING

CALL THE MEETING TO ORDER

Chairman Dan Hanson called a Town Board Meeting of the Town of Pleasant Valley to order on Monday, March 14, 2016 in the Town Hall Meeting Room in Cleghorn at 7:30 p.m.

PLEDGE OF ALLEGIANCE

The chairman called for the honoring of the flag with the pledge of allegiance.

INTRODUCTION OF TOWN OFFICIALS

Board members present: Chairman Dan Hanson, Supervisor Doug Nelson and Supervisor Dan Green. Staff members present: Jen Meyer, Clerk/Treasurer, Dale Welke, Deputy Clerk/Treasurer and Highway Foreman Mark Behlke.

TOWN ATTORNEY

Attorneys Garrett Nix and Grant Beardsley of Weld Riley Law Office introduced themselves to the board. With the retirement of Attorney Wm. Thiel, they are the new attorneys for the town.

PROCEDURES

Motion (Nelson/Green) to dispense with the reading of minutes of the February 8, 2016 Town Board Meeting minutes and approve as printed.

Chairman announced the ayes carry 3-0 and the motion is carried.

Motion (Green/Nelson) to approve the Treasurers report for the month of February 2016 as presented and printed.

Chairman announced the ayes carry 3-0 and the motion is carried.

LETTERS & REPORTS

Town Chairman

-Dan Hanson is applying for rebates through Focus on Energy and Eau Claire Energy Cooperative for the LED lights that are in the new building. He anticipates approximately \$4000 in rebates.

-Dan received a letter and phone call from resident Gordon Peschow regarding his concerns with the loss of agricultural land in the County.

-The Town Chairs are working together regarding a discrepancy in the Intergovernmental Agreement with the City of Eau Claire and how it pertains to the amount of slope allowed in a subdivision.

- The town has received the copy of an application made to Eau Claire County from property owner Joann Atkinson for a Conditional Use permit allowing a duplex in an A2 zoned area. Although the board does not have the authority to approve or deny conditional use permits, the board has concerns regarding this application and is not in favor of allowing duplexes within the Town.

Town Supervisors

-none

Highway Supervisor

-Mark has been in contact with the Town of Washington. Washington is planning on resurfacing their portion of Hillview Road and is looking into redesigning the intersection of Hillview and Hickory Road to make it safer. Mark has suggested making the intersection a 3-way stop as it was in the past.

-The new ditch mower has been ordered and should arrive soon.

-The salt shed was inspected by the State. We will need to blacktop the base.

-Mark will work on putting together road bids.

-Willow Road and Hemlock Road are in rough shape and will need additional base added this year.

Town Clerk/Treasurer

-The date of the Open House for the new building will be May 22nd from 2-4pm. Coffee and cake will be served.

-Mark and Jen met with the Geoff Liddle from Rural Insurance. It was determined we need to increase coverage for the personal property in the new building as well as increase coverage for Mark's tools which are stored in the shop. Geoff will meet with the Board in April to discuss our policy.

Deputy Clerk/Treasurer

-Dale has met with sextons from surrounding cemeteries. They have compared records and were able to identify and locate some missing records.

-Dale met with EC County Planning and Developing and discussed some mapping options that may be available to the town regarding the cemetery.

-There is a possibility of having some UWEC Geography students work on the project to help with the mapping.

-There is brushing that still needs to be done in the cemetery.

CITIZEN INPUT

Scott Stratton and Scott Kurth from the Clear Creek Addition expressed concerns regarding the resurfacing of the Clear Creek Addition in 2015. Representatives from Scott Construction will be meeting with Mark Behlke and members of the town board regarding what needs to be done to bring this road to a satisfactory level.

COMPLAINTS

All members of the board received an email concerning the road work in Clear Creek from resident Jill Modl.

OLD BUSINESS

None

NEW BUSINESS

Schedule of Cash Deposits – Resolution No. 16-16-05

With the addition of the Fireworks Ordinance, the Schedule of Cash Deposits needs to be updated. All forfeitures remained the same and the fireworks forfeiture was added. The Eau Claire County Clerk of Courts suggested adding the wording “plus court costs” instead of listing the actual amount as court costs are occasionally increased. This update was also made to the resolution.

Motion (Nelson/Green) to approve Resolution No 16-16-05 as presented.
Chairman announced the ayes carry 3-0 and the motion is carried.

2015 Annual Report

Clerk/Treasurer Jen Meyer distributed the 2015 Annual Report for the board to review before the April 19, 2016 Annual Meeting. Dan Hanson will be out of town for the Annual Meeting and Supervisor Doug Nelson will chair the meeting.

2016 Budget Review

The 2016 budget as of March 14, 2016 was presented and reviewed.

Operator Licenses

None

REVIEW/APPROVE ORDERS

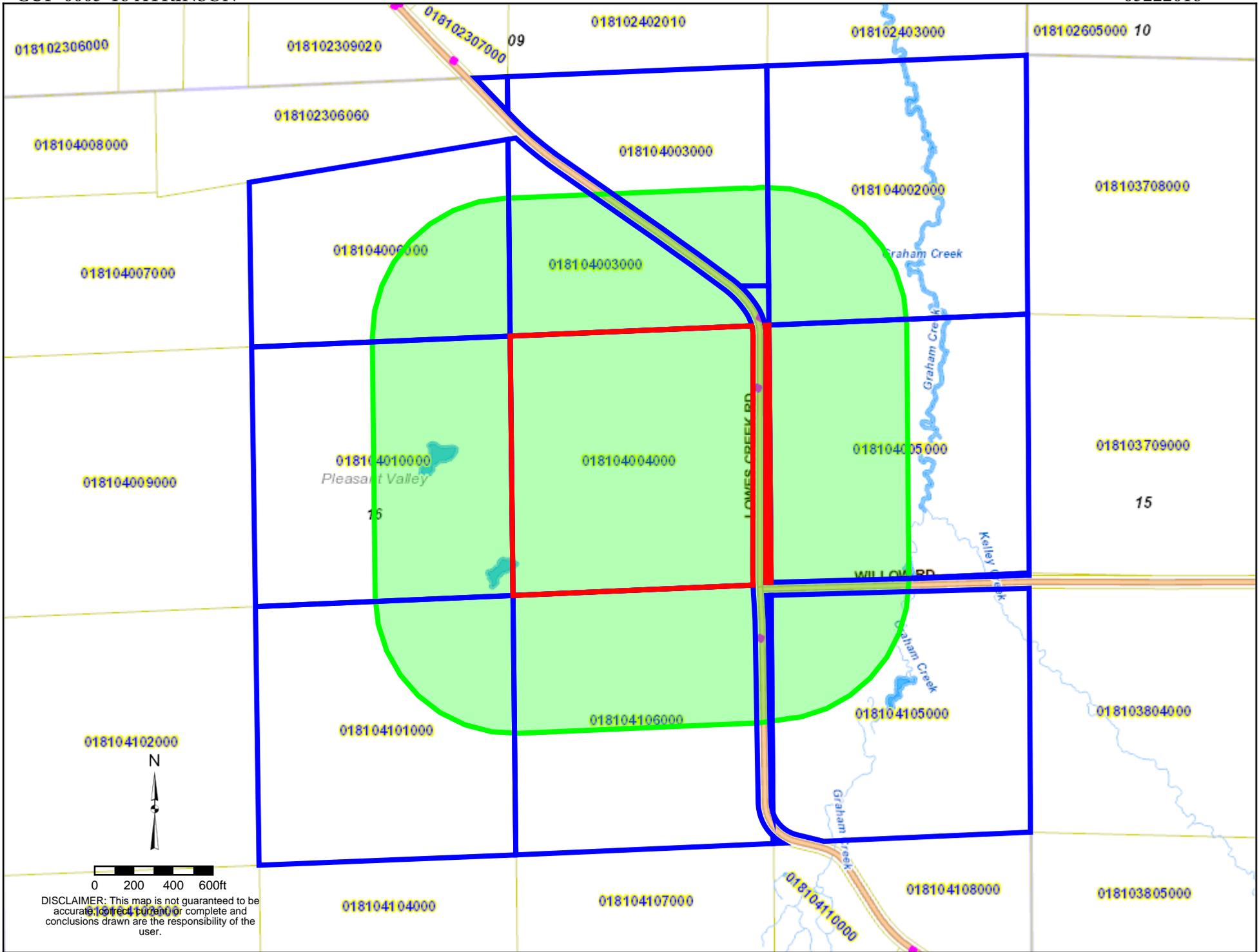
The bills / orders for the month of February 2016 and the alternative of claims paid report were presented by the clerk and approved by the town board for payment.

ADJOURNMENT

Motion (Nelson/Green) to move this meeting is adjourned.
Chairman announced the ayes carry 3-0 and the motion is adopted.
Adjourned at 9:20 p.m.

Respectfully submitted,
Jen Meyer, Clerk / Treasurer

Posted at town hall 4-11-2016
Placed on Website 4-11-2016



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
1801822509164100001	BROWN, THOMAS M	S 7828 LOWES CREEK RD	EAU CLAIRE	WI	54701
1801822509163100001	HAGEN, WILLARD A & LEONA C	4705 SHIRLEY AVE	RACINE	WI	53406
1801822509161400001	KENNEDY, JANICE	2149 EAST ST	GOLDEN	CO	80401-2458
1801822509164200001	MALONEY, MICHAEL J & CYNTHIA L	S 12540 LOWES CREEK RD	ELEVA	WI	54738
1801822509161100001	MARINO, JOHN M & RENEE D	S 12225 LOWES CREEK RD	ELEVA	WI	54738



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0008-16 **COMPUTER NUMBER:** 024116810000

PUBLIC HEARING DATE: March 22, 2016

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER/AGENT: Ronald W & Laura A Wolf, S 15505 State Road 37, Mondovi, WI 54755

REQUEST: Rezone 6.92 acres +/- of land from A-P (Agriculture Preservation) District to A-2 (Agriculture Residential) District to allow a family member to sell the existing home and retain hunting land for family use

LOCATION: East side of Highway 37 at Bridge Road

LEGAL DESCRIPTION: Portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, and a portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and a portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T25N, R10W, Town of Drammen (complete legal description attached)

SUMMARY

Applicant proposes to rezone 6.92 acres +/- of land from A-P (Agriculture Preservation) District to A-2 (Agriculture Residential) District to allow a family member to sell the existing home and retain hunting land for family use. If approved, the proposed irregular lot shape will require Committee approval subsequent to the rezoning.

BACKGROUND

SITE CHARACTERISTICS:

- Parent parcel is approximately 89 acres
- Property is predominantly wooded with a small amount of tilled fields

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	Single-family residence
North	A-P	Agricultural fields & woodlands
East	A-P	Agricultural fields & woodlands
South	A-P	Agricultural fields & woodlands
West	A-P	Single-family residence; agricultural fields & woodlands

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) planning area and the Town of Drammen Future Land Use Map includes the property in the Rural Preservation (RP) 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 Drammen:

- Rural Preservation (RP) Comprehensive Plan Intent and Description: The primary intent of this classification is to, “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. As mapped, this designation includes farmland, scattered open lands, woodlots, agricultural-related uses, cottage industries, mineral extraction operations, farmsteads, and existing non-farm single-family residences. Future development in the RP area is expected to be consistent with the existing pattern of development, and the policies specified below for RP areas and other policies included in this Plan. Any new development shall be located in order to minimize the fragmentation of productive agricultural or forest land and to minimize any disruption to existing uses. Requests to change the future land use designation of parcels shall be considered using the criteria listed within this chapter. The use of conservation subdivisions in any request for reclassification is strongly encouraged and will be considered as part of the request. 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 Drammen.”
- Applicable Policies:
 2. 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. Agriculturally related businesses, cottage industries, utility, recreation, mineral extraction, religious and government uses may be permitted based on the conditional use requirements of the appropriate Eau Claire County base zoning districts for RP areas (See policy 4 below).
 - ...
 5. 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:
 - a. Policies for the Rural Preservation area only apply to rezoning, land division, or subdivision petitions. Development that requires none of these is not subject to the requirements of this subsection. This policy is intended to address existing parcels

- within the RP area that are not zoned according to policy 5 or were vacant at the time of adoption of this Plan.13
- 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.
 - d. In addition to the criteria listed herein, rezoning land from A1 to one of the classifications listed in policy 5, shall require adherence to Section 18.04.055 of the Eau Claire County Zoning Code and, if part of a farmland preservation agreement, Section 91.77 Wis. State Statutes.

FARMLAND PRESERVATION PLAN:

The property is included in the Farmland Preservation Plan Map to allow the property owner to claim Farmland Preservation tax credits.

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 Future Land Use plans for the County and the Town of Drammen
- The property is appropriately situated for the intended A-2 zoning with the required 250 of roadway frontage on Highway 37
- 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 82 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 types on the property to be rezoned are Gotham loamy sand, 6 to 12% slopes, and Boone-Plainbo complex, 12 to 45% slopes, 2 to 6 percent slopes, which are classified as Capability Class 4 and 7, respectively. Neither of these soil types is considered prime agricultural soils.
- **Historical Productivity** – The area to be rezoned contains very little tilled land.
- **Site Location** – The site is located on the south side of Highway 37 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 primarily A-P, with some A-1 and A-3 zoning in the vicinity. 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 Drammen Comprehensive Plans.

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

There will be no impact on highly productive agricultural soils. The Farmland Preservation Plan allows for and anticipates some transition of lands out of the certified farmland preservation zoning district (up to 20% of the lands included in the plan). The requested rezoning conforms with this standard.

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 is compatible with nearby agricultural operations.

Town Board Action: The Drammen Town Board held a public hearing regarding this rezoning petition on May 11, 2015 and recommended approval subject to a condition that an easement be obtained on the front of the property to ensure legal access to the back parcel, which could otherwise be landlocked.

CONCLUSION

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

- Eau Claire County and Town of Drammen Comprehensive Plan future land use designations
- Eau Claire County and Town of Drammen 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). Two neighboring property owners have called with questions regarding the proposed rezoning.

Staff finds that the proposed rezoning request is consistent with the Eau Claire County Comprehensive Plan and the Town of Drammen 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 Drammen 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 6.92-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 DRAMMEN -

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 Drammen, Eau Claire County described as follows:

11 **A parcel of land located in part of the Southeast ¼ of the Northwest ¼**
12 **and the Northeast ¼ of the Southwest ¼ and the Northwest ¼ of the**
13 **Southeast ¼, all in Section 32, Town 25 North, Range 10 West, Town**
14 **of Drammen, Eau Claire County, Wisconsin. This parcel is more**
15 **particularly described as follows:**

16
17 **Commencing at the East ¼ corner of said section 32; thence,**
18 **N89°10'26"W along the east-west ¼ line, 2331.46 feet to the Point of**
19 **Beginning; thence, N89°10'26"W, 338.47 feet; thence, N00°16'07"E,**
20 **201.96 feet; thence, S55°37'53"W along the south right of way line of**
21 **STH 37, 350.38 feet; thence, S89°10'26"E, 47.30 feet; thence,**
22 **S43°58'09"W, 85.82 feet; thence, S40°10'00"E, 686.32 feet; thence,**
23 **N70°14'23"E, 312.74 feet; thence, N11°43'42"W, 482.21 feet to the**
24 **Point of Beginning.**

25
26 **Said described lands contain 6.92 acres, more or less, to be reclassified**
27 **from the A-P Agricultural Preservation District to the A-2**
28 **Agriculture-Residential District.**

29
30 **Said parcel containing .92 acres to be reclassified from the A-2**
31 **Agriculture-Residential District to the RH Rural Homes District.**

32
33 **SECTION 2**

34 Where a certified survey map is required and may alter the above
35 described property description, the official zoning district map for the
36 town shall be automatically amended to reflect the property description of
37 the certified survey map.

38 **ENACTED:** I hereby certify that the foregoing correctly represents the
39 action taken by the undersigned Committee on
40 March 22, 2016 by a vote of for, against.

41
42
43
44 _____
Planning & Development Committee, Chairperson

15-116/146

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:	2/29/2016
Accepted By:	Matt Michels
Receipt Number:	45611
Town Hearing Date:	05/11/2015
Scheduled Hearing Date:	3/22/2016
Application No:	RZN-0008-16
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: **AP** Proposed Zoning District(s): **A2** Acres to be Rezoned: **6.92**

Portion Of The Se1/4 Nw1/4 And Ne1/4 Sw1/4 And The Nw1/4 Se1/4 Of Section 32, T25N, R10W, Town Of Drammen, Eau Claire County, Wi (Complete Legal Description Attached)

Owner/Applicant Name(s): Ronald W & Laura A Wolf	Address: (ow) S 15505 STATE ROAD 37 MONDOVI	Telephone: 715-926-3919(W) 715-926-5531(H)
--	---	--

Site Address(es):
S 15505 STATE ROAD 37 MONDOVI

Property Description: Sec 32 Twn 25 Rge 10 **Town of Drammen** **Lot Area:** .500 ACRES
9.030 ACRES
40.000 ACRES

Zoning District(s): AP

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

Check Applicable

PIN	Alternate No	Parcel No	Legal (partial)
1800822510322400002	008107905000	25.10.32.2-4-B	SE-NW LYG S & E OF STH 37
1800822510323100001	008107906000	25.10.32.3-1-A	PRT OF THE NE-SW LYG S & E OF FORMER STH 37 EX PCL IN
1800822510324200001	008108006000	25.10.32.4-2	NW-SE ALG WITH EASMT ALG NLY 2 RDS (33').

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 _____

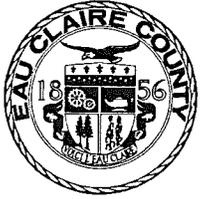
Check if DNR to Receive Copy _____

RECEIVED

FEB 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.



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

Supervisory Dist: 9: Gordon
 Steinhauer
 RZN-0008-16

Application Accepted:	2/29/16
Accepted By:	Matt M
Receipt Number:	
Town Hearing Date:	5/11, 2015
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: A-P Proposed Zoning District(s): AZ

Acres to be rezoned: 6.92 acres +/-

Property Owner Name: Ronald and Laura Wolf Phone# 715 926 5531

Mailing Address: 515505 St Rd 37 Mondovi WI 54755

Email Address: fiwewolfs@frontier.net.net

Agent Name: _____ Phone# _____

Mailing Address: _____

Email Address: _____

RECEIVED
FEB 29 2016

SITE INFORMATION COUNTY CLERK

Site Address: 515505 St Rd 37 Mondovi, WI 54755

Property Description: _____ 1/4 _____ 1/4 Sec. 32 T 25 N, R 10 W, Town of Drammen

Zoning District: _____ Code Section(s): _____

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

Computer #(s): 008 - 1079 - 06 - 000 008 - 1079 - 05 - 000
608 - 1080 - 06 - 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 \$565.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$500.00 application processing fee and \$65.00 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 Laura Wolf Date 2/29/16

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 12:00 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-P to any zoning district other than the AR district must consider the factors in Section 18.32.055 A. – D.
 - For rezoning requests from the A-P 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(s) for your rezoning request:

We are requesting a rezoning of a parcel of our property to allow us to sell our house. We would like to keep the hunting land for our family's use.

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 uses of either property will not be changed from current usage. The proposed residential parcel will include the house, pole shed, garage, and a small front field that is the location of the septic and drain fields for the residence.
- The rezoning will not affect the neighboring properties and will uphold all the purposes of the zoning ordinance.
- We have permission from the board of Drammen Township to rezone the property as indicated. Unanimous approval 5/11/15.
- We have permission from Chris Michels at WI Doi to allow one other owner access at the common driveway off of State Hwy 37. This driveway is an easement from Marjorie Rice. The original parcel is essentially land locked because of a lack of a feasible driveway location. This occurred when Hwy 37 was rerouted and took away the property's access to the highway. This, of course, was out of our control. The proposed parcel would retain the actual land frontage, although would still essentially remain land locked due to no feasible driveway location. We spoke to Marjorie Rice, the owner of the common driveway and of the frontage property to the south of the driveway, but she is unwilling to sell any of that property to us.

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

- 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;
- 2) The rezoning is consistent with any applicable comprehensive plans; RL Rural Lands (co.); Rural Preservation (Drammen)
- 3) The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan; and
- 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.

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

1) The proposed parcel has been used as the residential area of the original parcel in the past, so its future use will not be changing from its historical usage.

2) The rezoning is consistent with the County's Rural Lands plan and consistent with the Rural Preservation of Drammen Township.

3) As the agricultural usage of both parcels is essentially unchanged, the rezoning is consistent with the Farm Preservation Plan.

4) The rezoning will not in any way impair or limit agricultural use of the current land parcel, the proposed residential parcel, or any surrounding pieces of land.

REZONE DESCRIPTION

A parcel of land located in part of the Southeast 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4, All in Section 32, Town 25 North, Range 10 West, Town of Drammen, Eau Claire County, Wisconsin. This parcel is more particularly described as follows:

COMMENCING at the East 1/4 corner of said section 32; thence, N89°10'26"W along the east-west 1/4 line, 2331.46 feet to the POINT OF BEGINNING; thence, N89°10'26"W, 338.47 feet; thence, N00°16'07"E, 201.96 feet; thence, S55°37'53"W along the south right of way line of STH 37, 350.38 feet; thence, S89°10'26"E, 47.30 feet; thence, S43°58'09"W, 85.82 feet; thence, S40°10'00"E, 686.32 feet; thence, N70°14'23"E, 312.74 feet; thence, N11°43'42"W, 482.21 feet to the POINT OF BEGINNING. Said described lands contain 301,304 square feet or 6.92 acres, more or less.

We are requesting a rezoning of our property to allow us to sell our home. We would like to keep the remainder of the land for our family's hunting privileges.

The uses of either property will not be changed from current usage. The proposed parcel will include the house, pole shed, and garage, along with a small front field that is not totally used for agriculture anyway because it holds the septic and drain fields for the residence.

The rezoning will not affect the neighboring properties and will uphold all of the purposes of the zoning ordinance.

The proposed parcel has been used as the residential area of the original parcel in the past, so its future use will not be changing from its historical usage.

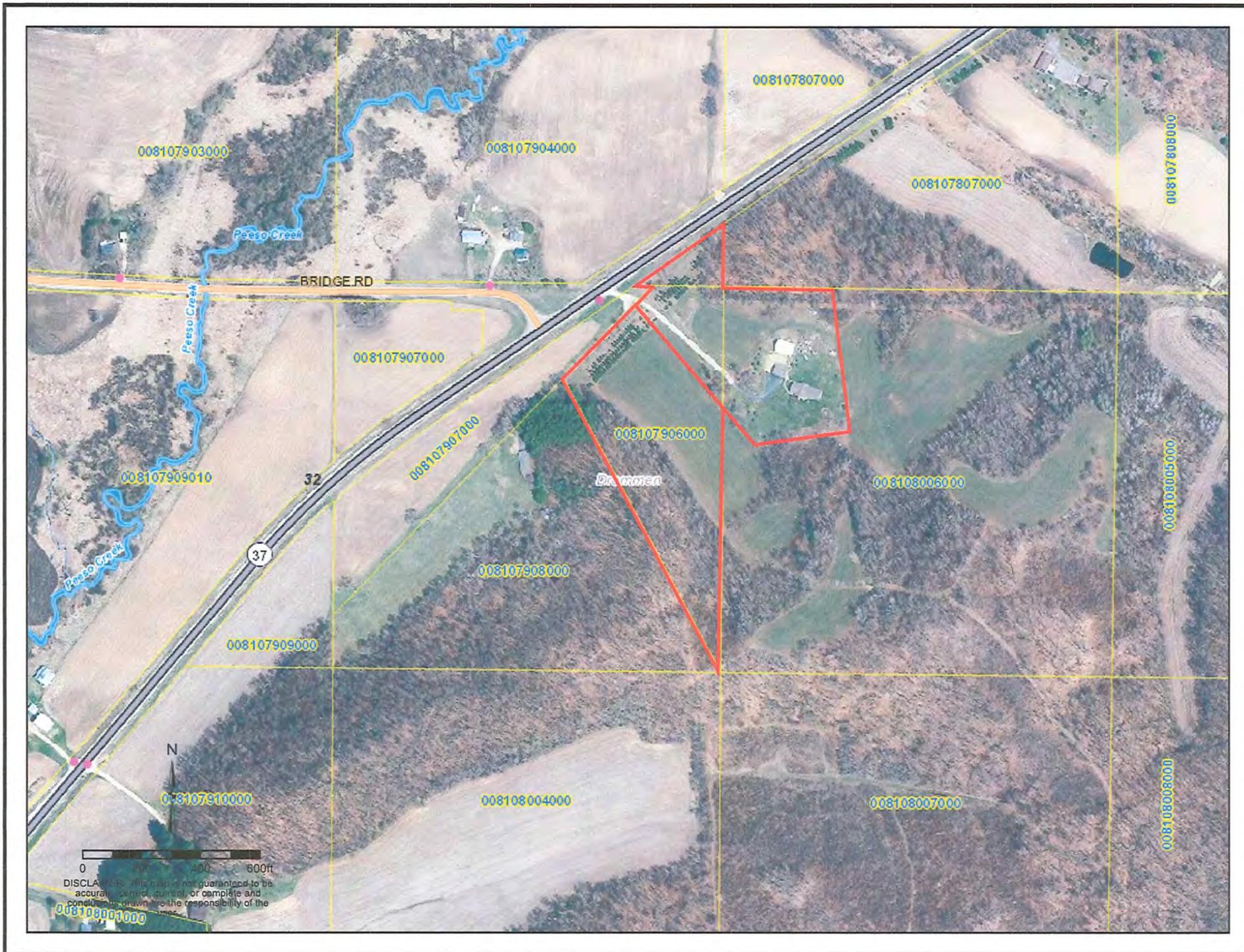
The rezoning is consistent with the Rural Lands Plan of the County and with the Rural Preservation of the Township of Drammen.

As the agricultural usage of either parcel is essentially unchanged, the rezoning is consistent with the Farm Preservation Plan.

The rezoning will not in anyway impair or limit agricultural use of the current parcel, the proposed parcel, or any surrounding parcels of land.

We have permission from Chris Michels of the Wisconsin DOT to allow one other owner access at the common driveway off of Highway 37. This driveway is an easement from Marjorie Rice. The original parcel is essentially landlocked because of a lack of feasible driveway location. This occurred when Highway 37 was rerouted and took away the property's access to the highway. This, of course, was out of our control. The proposed parcel would retain the actual land frontage, although would still essentially remain landlocked due to no feasible driveway location. We spoke on several occasions with Marjorie Rice, the owner of the common driveway and frontage property to the south of the driveway, but she is unwilling to sell any of that property to us.

We have permission from the Board of the Township of Drammen to rezone the property as indicated. The unanimous approval was given at the May 11, 2015 township meeting.



Town of Drammen
Meeting Minutes
Monday, May 11, 2015

The meeting was called to order by Chairman Ed Risler at 7:30 pm with all board members present.

Motion to approve the April, 2015 meeting minutes made by Joe Becker and seconded by Jeff Larson.
Motion carried.

Motion to approve the April, 2015 Treasurer's report made by Joe Becker and seconded by Jeff Larson.
Motion carried.

Motion to approve monthly bills with the addition of Chimney Rock Appraisals for \$1500.00 and the deletion of Fabco made by Joe Becker and seconded by Jeff Larson. Motion carried,

Motion to approve changing the zoning for Ron and Laura Wolf with the following address, S15505 State Road 37, Mondovi, WI 54755 parcel number 25.10.32.4-2, Pin number 18008-2-251032-420-0001 for the lot which would be approximately 8 acres in size to A2 from A1 and to keep the rest of the parcel /parcels at A1 zoning if variances from the county could be obtained and easements are obtained if needed. In the discussion the board was told that the DOT would allow the current driveway to remain where it is and not have to move it to be across from Bridge Road.

Motion to approve a zoning change for Vern and Debra Becker located at S14920 CTY RD WW, Eleva, WI 54738 parcel number 25.10.25.4-3-B, pin number 18008-2-251025-430-0002 from A1 to A3 if the plan of the land owner would be okay by Eau Claire County and the DNR for the southern part of entry into the land being sold in the back made by Joe Becker and seconded by Jeff Larson. Motion carried.

Motion to approve the Rural Roads agreement with the county made by Jeff Larson and seconded by Joe Becker. Motion carried.

Road report given by Chairman Risler:

Moe Rd – grind the lower part and put on crushed rock with a paver let sit for a year.
W Walnut Rd, Coon Creek will be evaluated by Scott Construction and Ed Risler
Maple Ridge Court Rd and Oak Court may be blade patch along with Dutter Rd.

The upcoming Extension workshop for new officials will be held on Wednesday, June 3, 2015 at the Sleep Inn in Eau Claire. Reservations will be sent in for three people.

Planning and Development has requested someone from the Town to work on County revising of the Comp Plan.

Donna Lund updated the board on the request from the Eau Claire County Treasurer's office.

Fire Calls were discussed.

The garbage collection and recycling station was discussed about manning the site for three dates. Work permit will be obtained.

Motion to adjourn made by Joe Becker and seconded by Jeff Larson. Motion carried.

Submitted

Mark Zuber

Town of Drammen
Meeting Minutes
Monday, March 14, 2016

Meeting was called to order by Chairman Ed Risler at 7:30 pm with the following board members present: Ed Risler, Donna Lund, Mark Zuber and Joe Becker. Community members Nick and Elizabeth Lutes, Laura Wolf and Jim Williams were also present.

Motion to approve the February 8, 2016 minutes made by Joe Becker and seconded by Ed Risler.
Motion carried.

Motion to approve the February 2016 Treasurer's Report made by Joe Becker and seconded by Ed Risler.
Motion carried.

Motion to approve the Mondovi Ambulance Contract for 2016 for \$9576.00 (798 people @ \$12.00) and a special assessment of \$2761.00 (798 people @ 3.46) for a total of \$12,337.00 made by Joe Becker and seconded by Ed Risler. Motion carried.

Motion to approve a fuel contract with the Countryside Coop for 1500 gallons at a cost of 1.91 per gallon made by Joe Becker and seconded by Ed Risler. Motion carried.

Motion to approve the monthly bills with the addition of \$72.00 for Ed Risler for the pork for the monthly Eau Claire County Towns Association made by Joe Becker and seconded by Ed Risler. Motion carried.

Laura Wolf addressed the board about the rezoning request which she and her husband have applied for. Motion by Joe Becker and seconded by Ed Risler to support the rezoning plan as long as there is language in the deed that an easement will be in the new deed to insure access to the property they the Wolf's will retain. Motion carried.

Board was informed of transfer of Managed Forest Land (MFL) property transfer from Feeney Trust to Brent Everson for the remaining of the 25 year term.

Town Hall Maintenance was discussed with repairs to the front door needed.

Motion by Joe Becker and seconded by Ed Risler to make a sign which will be made for the garbage recycling area. Motion carried.

The 2016 mobile home settlement was discussed and explained.

Motion to approve a request for a person to do community service with the hours to be completed by June 2016 made by Ed Risler and seconded by Joe Becker. Motion carried.

Board was reminded of the Board of Review Training on Saturday, March 19, 2016 at the Florian Gardens.

Motion by Joe Becker and seconded by Ed Risler to have no credit extended for bags of garbage put in the garbage containers. Motion carried.

A County Forum meeting will be held at the Town of Washington on Thursday, March 31, 2016 at 7:00 pm.

Jim Williams attended the meeting to ask about the trimming of trees along Sunnynook Road. Board will look into the situation.

Joe Becker brought up the issue on South Oak Rd about a Turn around which is not kept up.

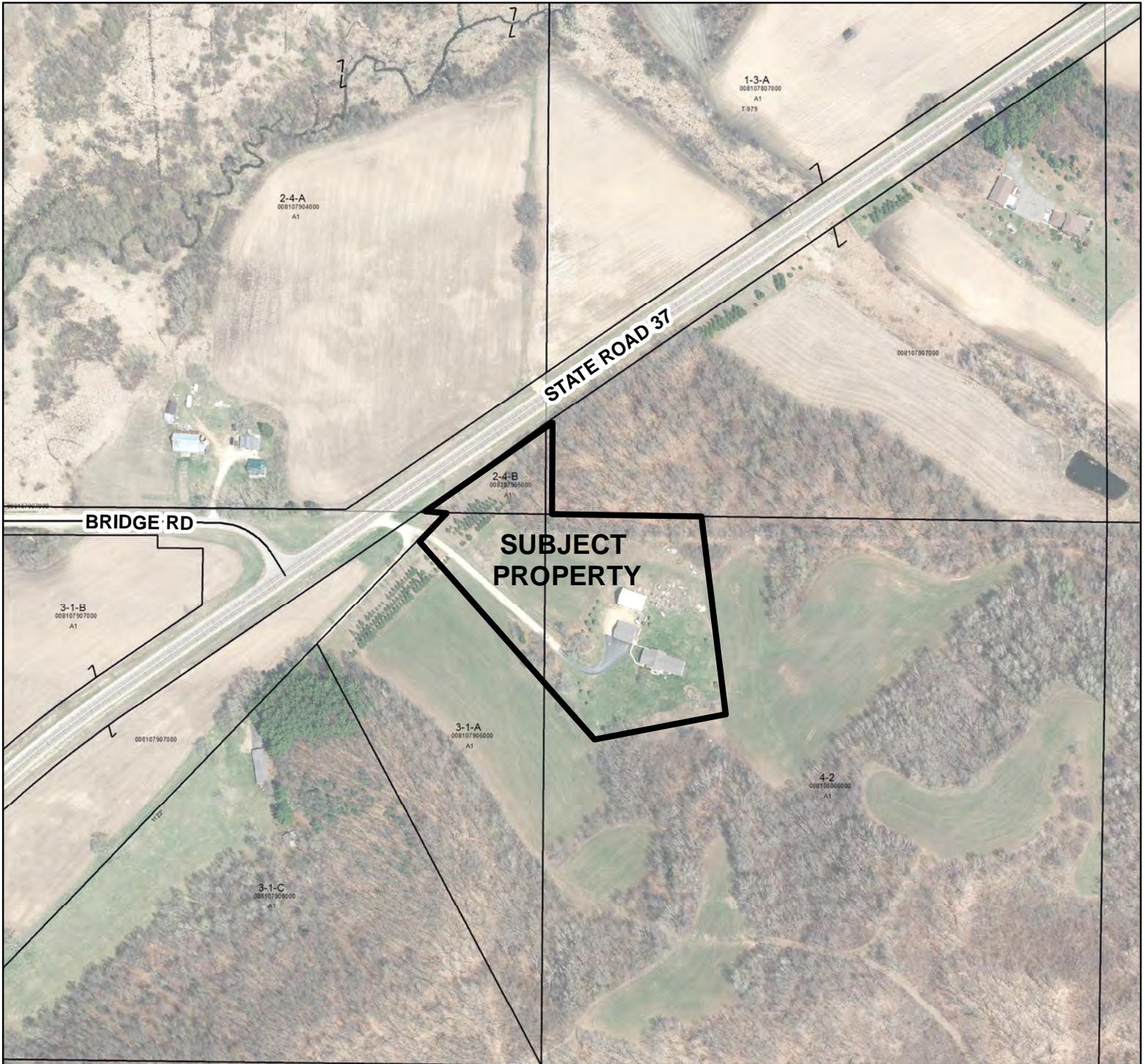
Report given by Joe Becker on the Ag Community Engagement Workshop that he and Jeff Larson attended.

Motion to adjourn made by Joe Becker and seconded by Ed Risler. Motion carried.

Submitted

Mark Zuber

WOLF REZONING AERIAL 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.

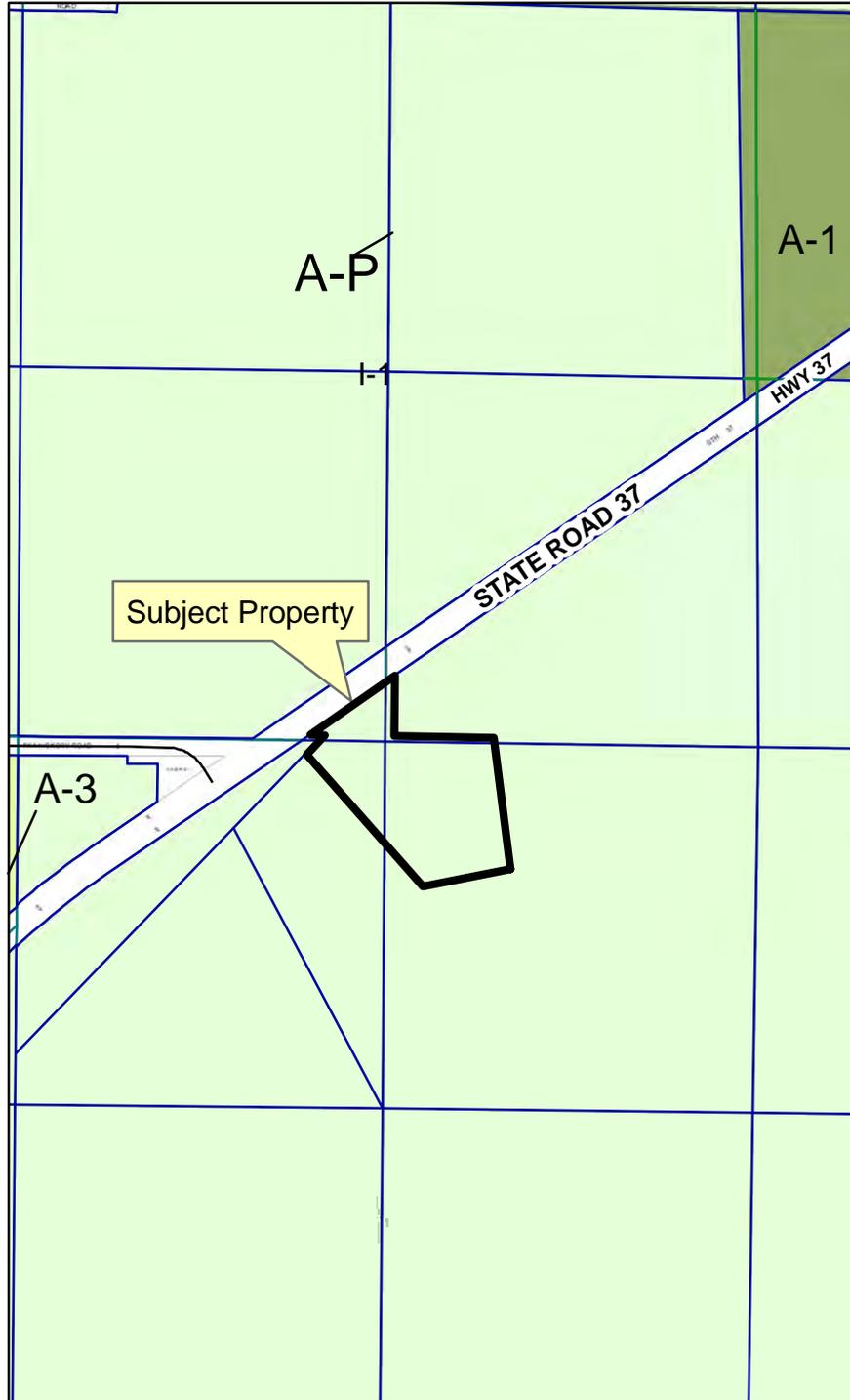




Wolf Rezoning: RZN-0008-16

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

- 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:

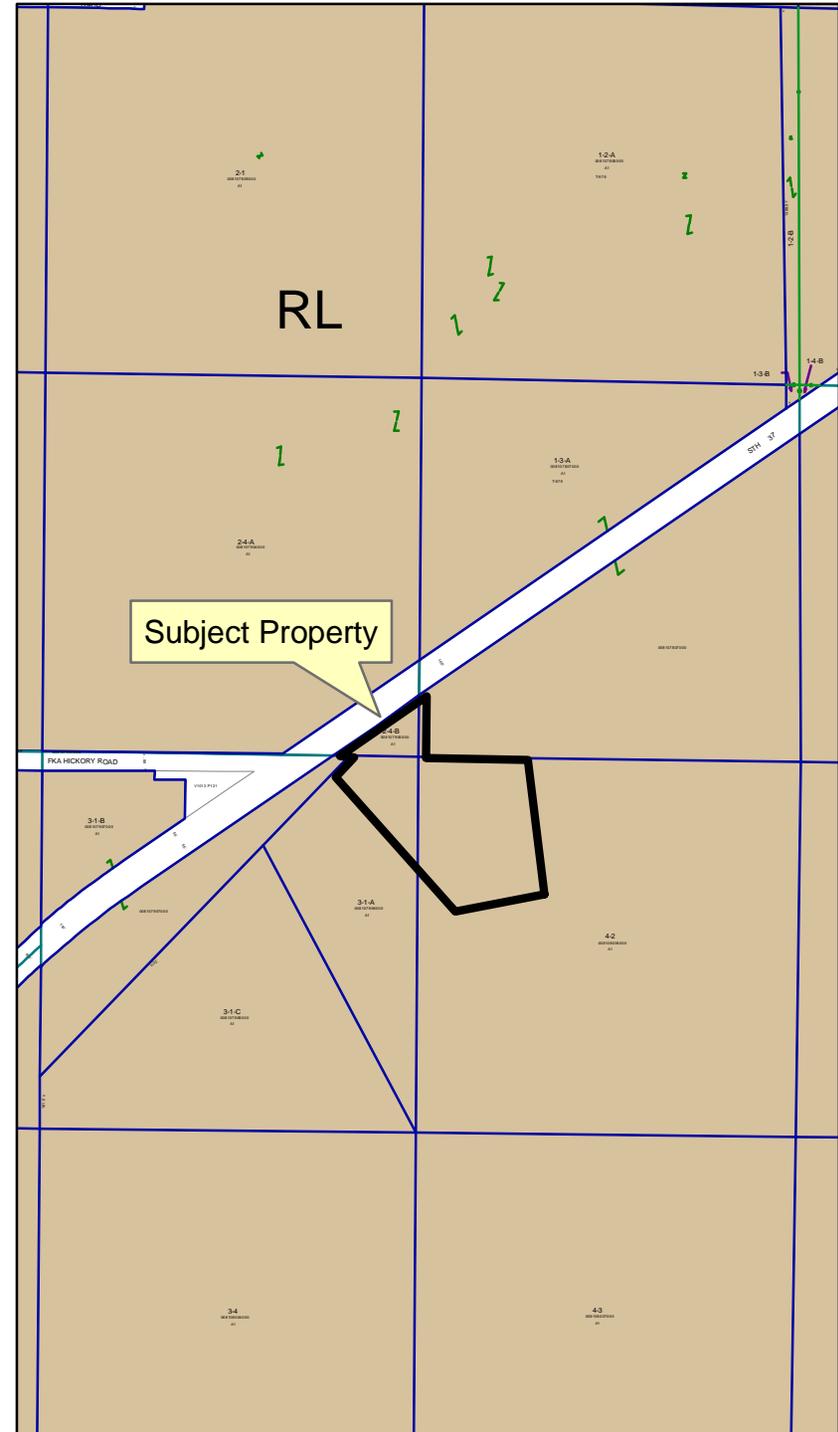
The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

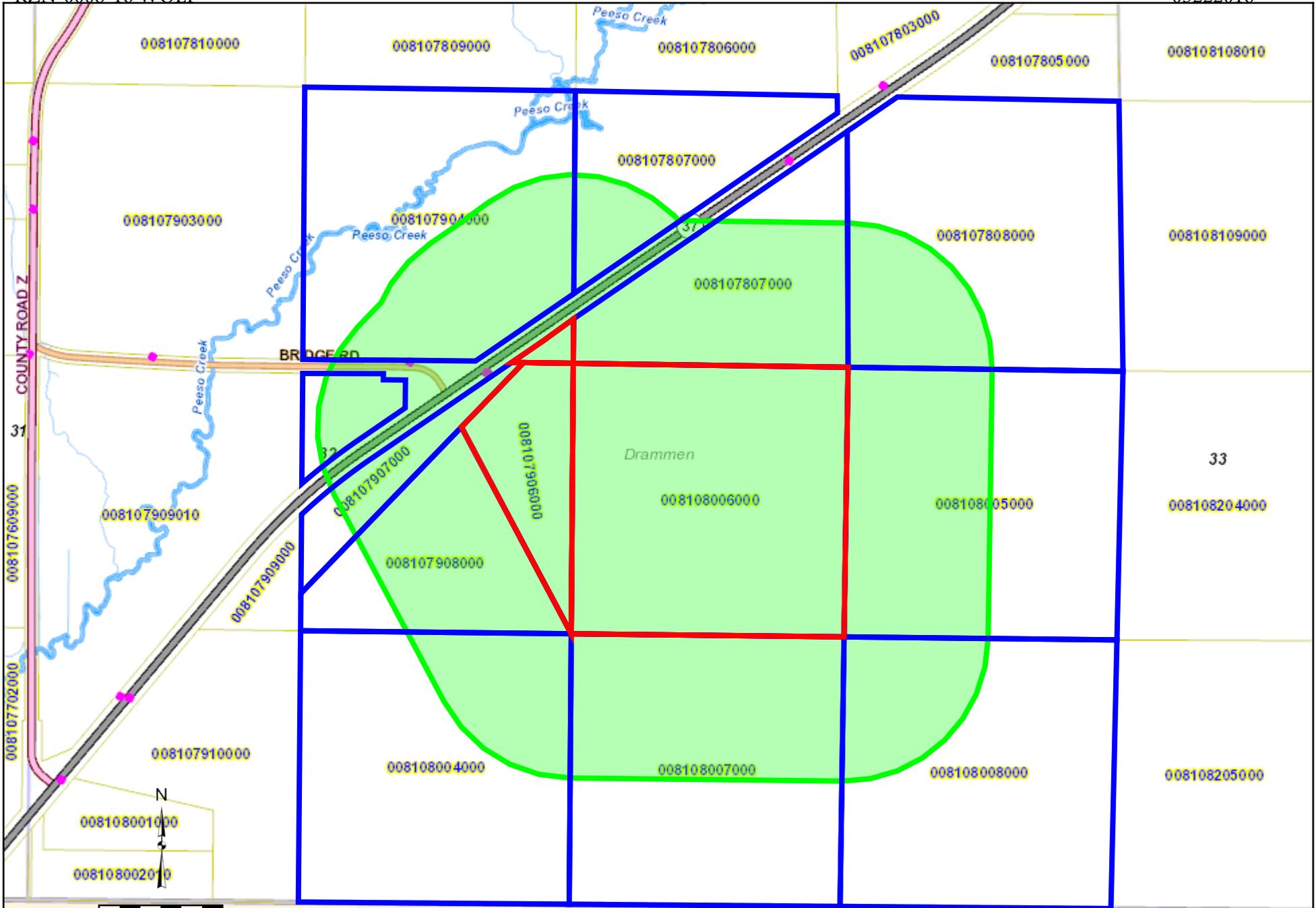
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Existing Future Land Use

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.

Buffalo

Parcel Id	NAME	ADDRESS	CITY	STATE	ZIP
1800822510323400001	ANDRESS, JOHN & VICKI	S 15801 STATE ROAD 37	MONDOVI	WI	54755-8572
1800822510321300001	DENK, GLEN A & VICKI A	S 15305 STATE ROAD 37	MONDOVI	WI	54755-8593
1800822510324100001	HERFEL, THOMAS E & KATHLEEN A	S 15570 COUNTY RD BB	MONDOVI	WI	54755
1800822510322400001	RICE, MARJORIE	W 6890 BRIDGE RD	MONDOVI	WI	54755
1800822510323100003	WEISS REVOCABLE TRUST	S 15511 STATE ROAD 37	MONDOVI	WI	54755-8570



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0009-16 **COMPUTER NUMBER:** 006101507010

PUBLIC HEARING DATE: March 22, 2016

STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER/AGENT: Daniel Green, E 6295 Evergreen Rd, Eleva, WI 54738

REQUEST: Rezone 9.3 acres +/- from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) District to develop a single family home for a family member

LOCATION: East side of Hillview Road approximately one-quarter mile south of Evergreen Road

LEGAL DESCRIPTION: Portion of the NW¹/₄ NW¹/₄ of Section 7, T25N, R8W, Town of Clear Creek (complete legal description attached)

SUMMARY

The applicant proposes to rezone 9.3 acres +/- of property from A-P (Agriculture Preservation) District to A-2 (Agriculture-Residential) District to develop a single-family residence for a family member. The remainder of the property (approximately 51.8 acres) will remain zoned A-P, with the eastern portion of the property remaining in agricultural cultivation.

BACKGROUND

SITE CHARACTERISTICS:

- Parent parcel is approximately 61.16 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 Clear Creek 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 Clear Creek:

- 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 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.*

...

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.

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 generally consistent with the Future Land Use plans for the County and the Town of Clear Creek
- The property is appropriately situated for the intended A-2 zoning with frontage on Hillview Dr.
- 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** – Although the majority of the property is tilled, the soils are generally marginal for agriculture. Several soil types are found on the property to be rezoned, including:

Soil Type	Description	Capability Class
AtD2	Arland sandy loam, 12-20% slopes	4
BiB	Billett sandy loam, 1-6% slopes	3
E1C2	Eleva sandy loam, 6-12% slopes	3
La	Lows loam	6

- **Historical Productivity** – The majority of the property to be rezoned has been historically cultivated for agriculture.
- **Site Location** – The site is located on the east side of Hillview Road
- **Adjacent Land Uses** – Uses in the area are a mixture of cropland, woodlands, and single-family residences. Zoning in the area is also a mixture of A-P, A-2, and A-R 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 Clear Creek 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 will not substantially impair or limit current or future agricultural use.

Town Board Action: The Clear Creek Town Board will consider this rezoning petition on Monday, March 14, 2016.

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 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 Clear Creek Board action

Staff finds that the proposed rezoning request substantially conforms with the Eau Claire County Comprehensive Plan and the Town of Clear Creek 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 Clear Creek 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 9.3-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 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 **Being part of the NW ¼ of the NW ¼, Section 7, T25N – R8W, Town**
12 **of Clear Creek, Eau Claire County Wisconsin described as follows:**

13
14 **Commencing at the NW corner of Lot 1, CSM recorded in Volume 2**
15 **of Certified Survey Maps, page 32; thence S.89°53'19"E. along the**
16 **northerly boundary of said Lot 1 a distance of 125.46 feet; Thence**
17 **S.11°33'02"E. along said northerly boundary of said Lot 1, a distance**
18 **of 50.80 feet; Thence N.87°03'47"E. along said northerly boundary of**
19 **said Lot 1, a distance of 152.84 feet; Thence S.06°48'29"E. along said**
20 **northerly boundary of said Lot 1, a distance of 184.30'; Thence**
21 **S.89°20'05"E. along said northerly boundary of said Lot 1, a distance**
22 **of 253.24 feet; Thence S.72°43'10"E. along said northerly boundary of**
23 **said Lot 1, a distance of 175.90 feet; Thence S.88°16'39"E. along said**
24 **northerly boundary of said Lot 1, a distance of 311.26 feet to the**
25 **northeast corner of said Lot 1; Thence N.00°03'16"E. a distance of**
26 **491.28 feet; Thence S.89°40'53"W. a distance of 1040.44 feet;**
27 **Thence S.00°43'19"W. a distance of 195.78 feet to the point of**
28 **beginning.**

29
30 **Said described lands contain 9.32 acres, more or less, to be reclassified**
31 **from the A-P Agricultural Preservation District to the A-2**
32 **Agriculture-Residential District.**

33
34 **SECTION 2**

35 Where a certified survey map is required and may alter the above
36 described property description, the official zoning district map for the
37 town shall be automatically amended to reflect the property description of
38 the certified survey map.

39 ENACTED: I hereby certify that the foregoing correctly represents the
40 action taken by the undersigned Committee on
41 March 22, 2016 by a vote of for, against.

42
43
44
45 _____
Planning & Development Committee, Chairperson

15-16/149

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:	3/1/2016
Accepted By:	Matt Michels
Receipt Number:	45614
Town Hearing Date:	03/15/2016
Scheduled Hearing Date:	3/22/2016
Application No:	RZN-0009-16
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: **AP** Proposed Zoning District(s): **A2** Acres to be Rezoned: **9.34**

Portion Of The Nw1/4 Nw1/4 Of Section 7, T25N, R8W, Town Of Clear Creek, Eau Claire County, Wisconsin

Owner/Applicant Name(s): Daniel P & Patricia L Green	Address: (ow) E 6295 EVERGREEN RD ELEVA	Telephone: 715-577-9951(C) 715-833-9001(W)
--	---	--

Site Address(es):

Property Description: Sec 07 Twn 25 Rge 08 **Town of Clear Creek** **Lot Area:** 21.163 ACRES

Zoning District(s): AP

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

Check Applicable

PIN 1800622508072200001	Alternate No 006101507010	Parcel No 25.8.7.2-2-B	Legal (partial) FRAC NW-NW EX LOTS 1 & 2 OF C.S.M. VOL 2 PG 32
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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 see attached application Date _____

Check if DATCAP must be notified _____

Check if DNR to Receive Copy _____

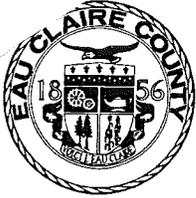
RECEIVED

MAR 01 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.

Supervisory 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

Table with 2 columns: Field Name, Value. Fields include Application Accepted (3/29), Accepted By (MM), Receipt Number (45614), Town Hearing Date (3/15/16), 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: AP Proposed Zoning District(s): A2
Acres to be rezoned: APPROX. 9.25

Property Owner Name: DANIEL GREEN Phone# 715-878-4476
Mailing Address: EG295 EVERGREEN RD. ELEVA, WI 54738
Email Address: GWHP@AOL.COM

Agent Name: Phone#
Mailing Address:
Email Address: RECEIVED

SITE INFORMATION MAR 01 2016

Site Address: COUNTY CLERK
Property Description: NW 1/4 NW 1/4 Sec. 7, T 25 N, R 8 W, Town of CLEAR CREEK
Zoning District: Code Section(s):
Overlay District: Check Applicable [] Shoreland [] Floodplain [] Airport [] Wellhead Protection [] Non-Metallic Mining
Computer #(s): 006 - 1015 - 07 - 010

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 [x] Contact the Town to coordinate a recommendation on the application March 14, 2016
[] Provide legal description of property to be rezoned [] Provide \$565.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$500.00 application processing fee and \$65.00 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 [Signature] Date 2-27-16

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 12:00 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-P to any zoning district other than the AR district must consider the factors in Section 18.32.055 A. – D.
 - For rezoning requests from the A-P 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(s) for your rezoning request:

TO PROVIDE A BUILDING SITE FOR MY DAUGHTER AND SON IN LAW

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.

THIS SITE IS ADJACENT TO AN EXISTING 5 ACRE AND A 10 ACRE SITES.

THIS WILL ALLOW US TO STRAIGHTEN OUT AN IRREGULAR LOT LINE WITH ADJACENT PROPERTY.

ROAD ACCESS OK WITH TOWN OF PLEASANT VALLEY TOWN ROAD MAINTENANCE SUPERVISOR.

THE MAJORITY OF THE LAND WILL REMAIN IN CROP PRODUCTION. THE HOUSE IS SITUATED ON A HILLTOP WHICH IS POORER QUALITY FOR CROPLAND.

Eau Claire County Parcel Mapping



1 inch = 200 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.

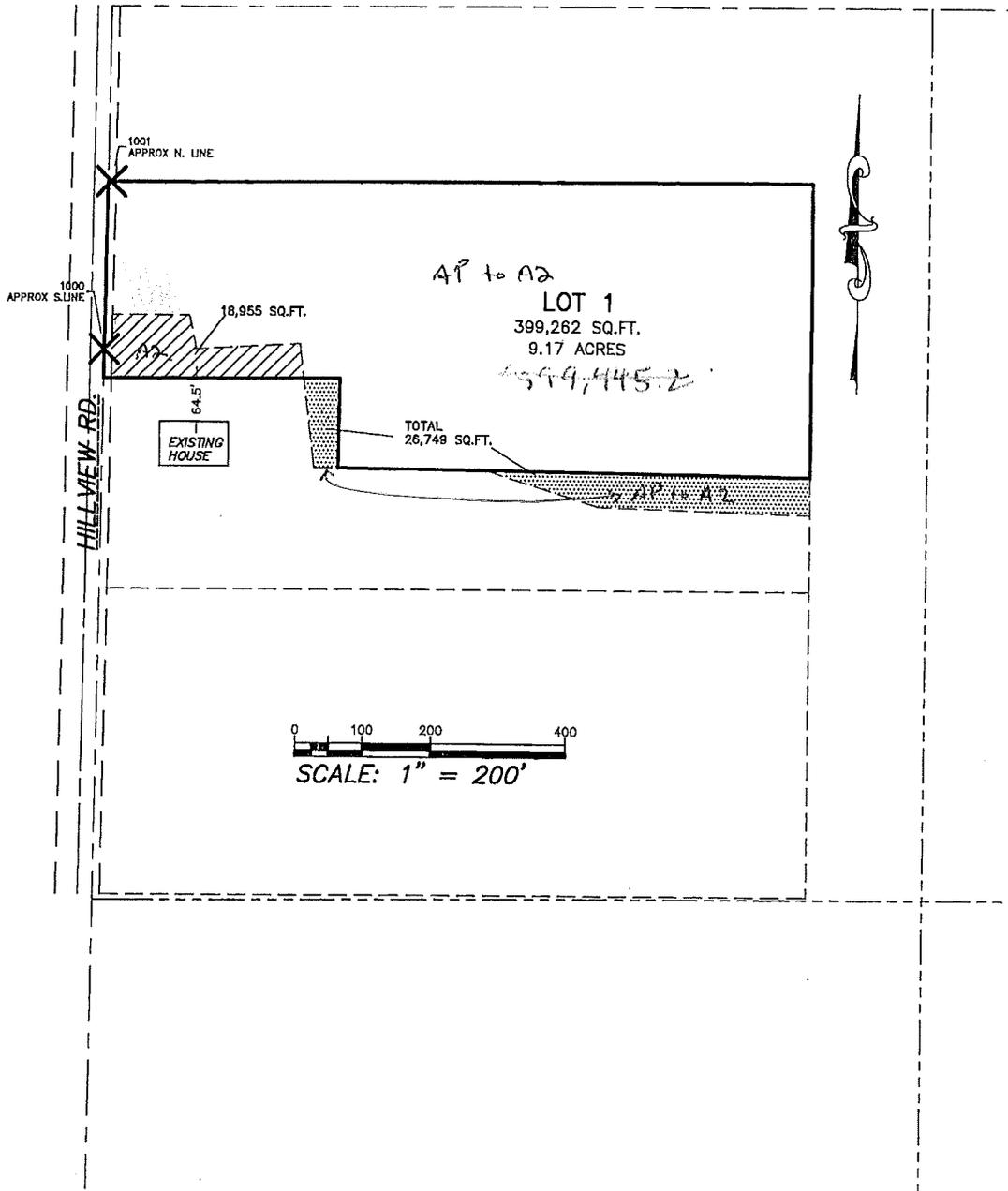
Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise, and the user relies on the map and results solely at their own risk.

Date:
Aerial Photography Flight Spring 2013
Information Current January 1, 2013



CERTIFIED SURVEY MAP, No. _____

IN THE 1/4 OF THE 1/4,
SECTION, TN, RW,
OF, COUNTY, WISCONSIN



REAL LAND SURVEYING, LLC
635 FAIRFAX ST.
ALTOONA, WI 54720
(715)514-4116
CADD No. 16039

total AP to A2 = SHEET 1 OF 2
407,056 #, 9.34 ac +/-
74

VOL. _____ OF CSM, PAGE _____

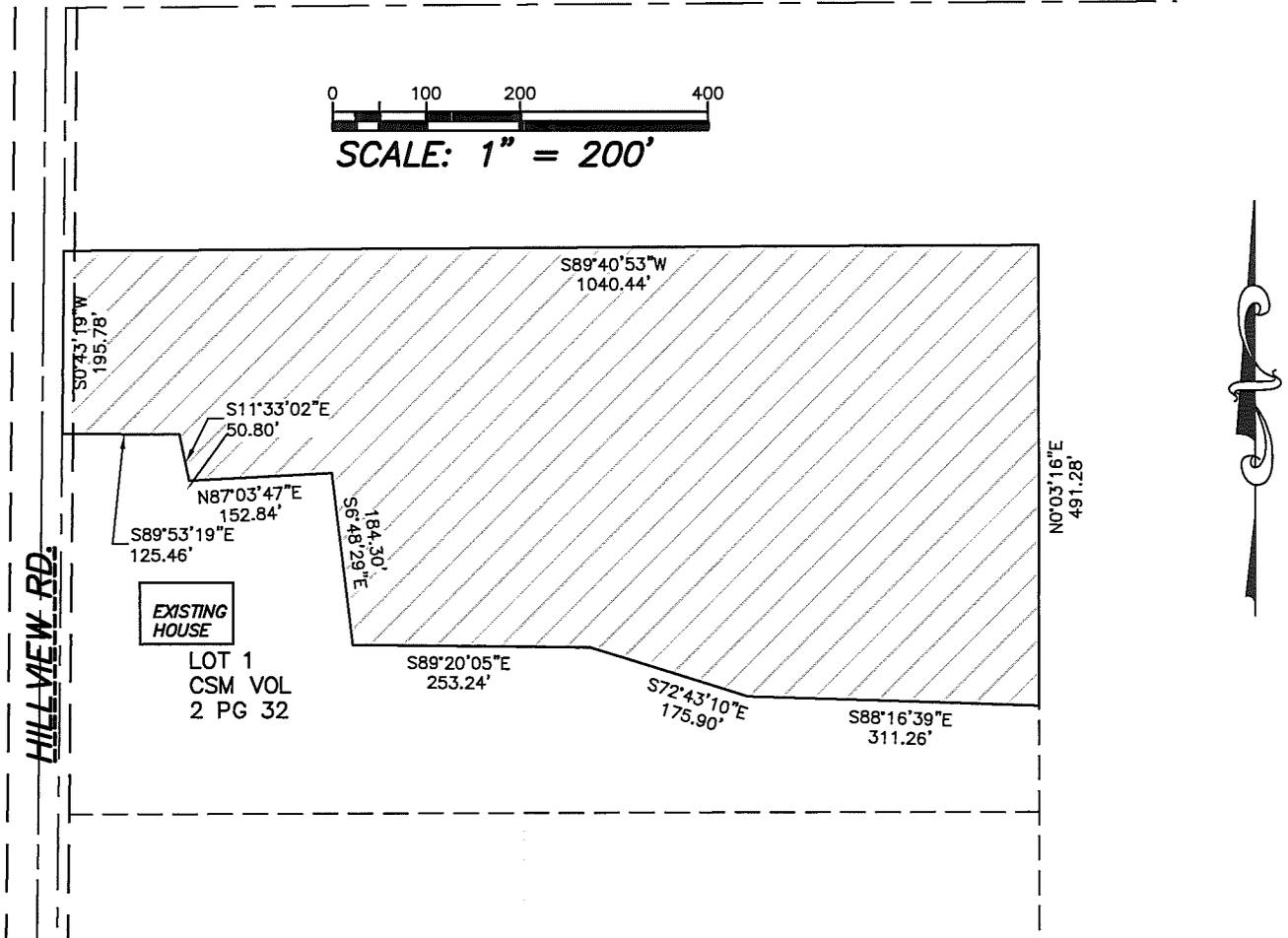
CERTIFIED SURVEY MAP, No. _____

IN THE $\frac{1}{4}$ OF THE $\frac{1}{4}$,
SECTION , TN, RW,
OF , COUNTY, WISCONSIN



BEAL LAND SURVEYING, LLC
839 FAIRFAX ST.
ALTOONA, WI 54720
(715) 314-4118
CADD No. 16039

RE-ZONE SKETCH
 IN THE NW ¼ OF THE NW ¼,
 SECTION 7, T25N, R8W,
 TOWN OF CLEAR CREEK, EAU CLAIRE COUNTY,
 WISCONSIN



Re-ZONE DESCRIPTION FOR Dan Green

Being part of the NW ¼ of the NW ¼, Section 7, T25N - R8W, Town of Clear Creek, Eau Claire County Wisconsin described as follows.

Commencing at the NW corner of Lot 1, CSM recorded in Volume 2 of Certified Survey Maps, page 32; thence S.89°53'19"E. along the northerly boundary of said Lot 1 a distance of 125.46 feet;

Thence S.11°33'02"E. along said northerly boundary of said Lot 1, a distance of 50.80 feet

Thence N.87°03'47"E. along said northerly boundary of said Lot 1, a distance of 152.84 feet;

Thence S.06°48'29"E. along said northerly boundary of said Lot 1, a distance of 184.30'

Thence S.89°20'05"E. along said northerly boundary of said Lot 1, a distance of 253.24 feet;

Thence S.72°43'10"E. along said northerly boundary of said Lot 1, a distance of 175.90 feet;

Thence S.88°16'39"E. along said northerly boundary of said Lot 1, a distance of 311.26 feet to the northeast corner of said Lot 1;

Thence N.00°03'16"E. a distance of 491.28 feet;

Thence S.89°40'53"W. a distance of 1040.44 feet;

Thence S.00°43'19"W. a distance of 195.78 feet to the point of beginning

REAL LAND SURVEYING, LLC
 635 FAIRFAX ST.
 ALTOONA, WI 54720
 (715)514-4116
 CADD No. 16039

RE-ZONE DESCRIPTION FOR Dan Green

Being part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 7, T25N – R8W, Town of Clear Creek, Eau Claire County Wisconsin described as follows.

Commencing at the NW corner of Lot 1, CSM recorded in Volume 2 of Certified Survey Maps, page 32; thence S.89°53'19"E. along the northerly boundary of said Lot 1 a distance of 125.46 feet;

Thence S.11°33'02"E. along said northerly boundary of said Lot 1, a distance of 50.80 feet

Thence N.87°03'47"E. along said northerly boundary of said Lot 1, a distance of 152.84 feet;

Thence S.06°48'29"E. along said northerly boundary of said Lot 1, a distance of 184.30'

Thence S.89°20'05"E. along said northerly boundary of said Lot 1, a distance of 253.24 feet;

Thence S.72°43'10"E. along said northerly boundary of said Lot 1, a distance of 175.90 feet;

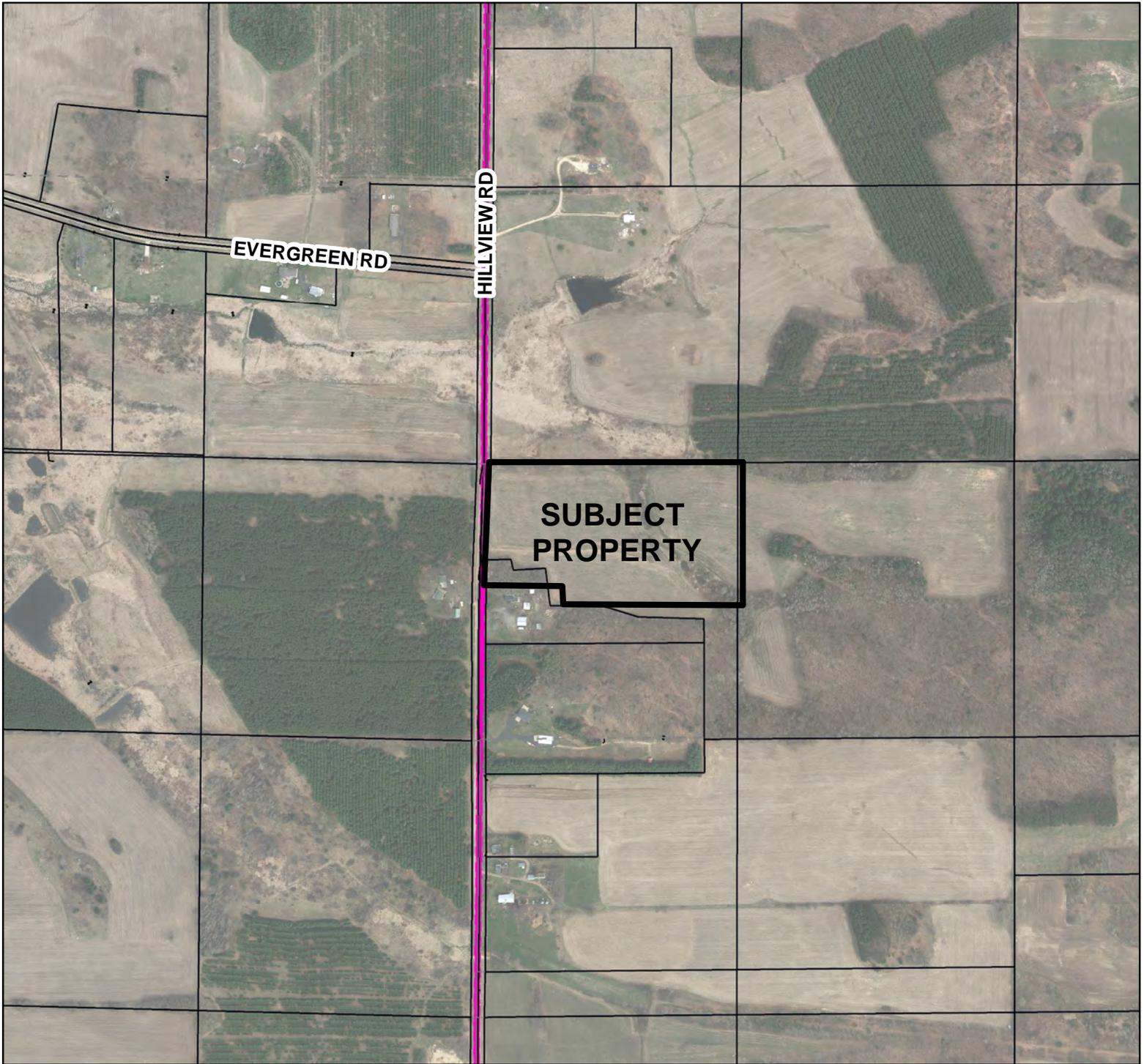
Thence S.88°16'39"E. along said northerly boundary of said Lot 1, a distance of 311.26 feet to the northeast corner of said Lot 1;

Thence N.00°03'16"E. a distance of 491.28 feet;

Thence S.89°40'53"W. a distance of 1040.44 feet;

Thence S.00°43'19"W. a distance of 195.78 feet to the point of beginning

GREEN REZONING AERIAL 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.

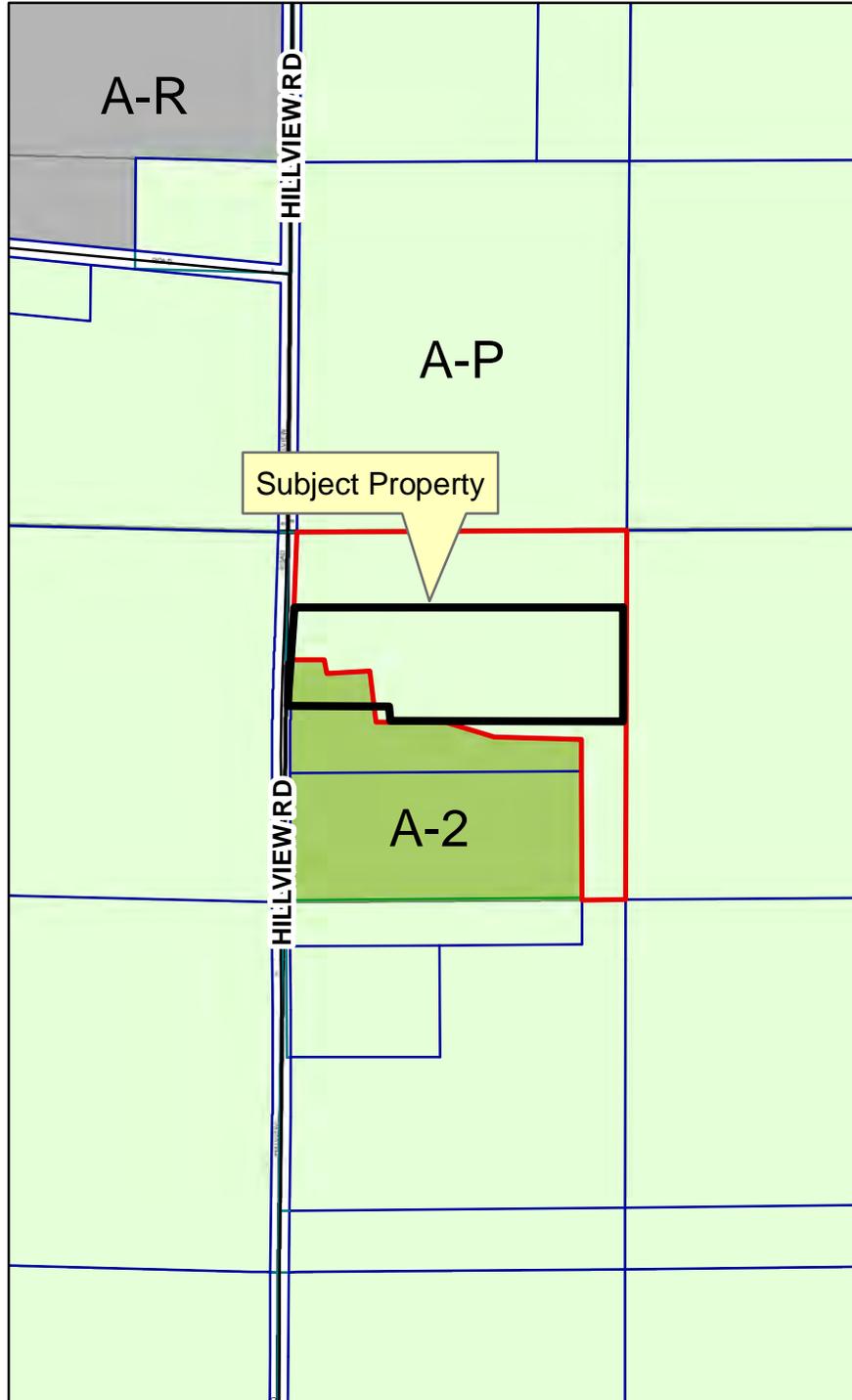




Green Rezoning: RZN-0009-16

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

- 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:

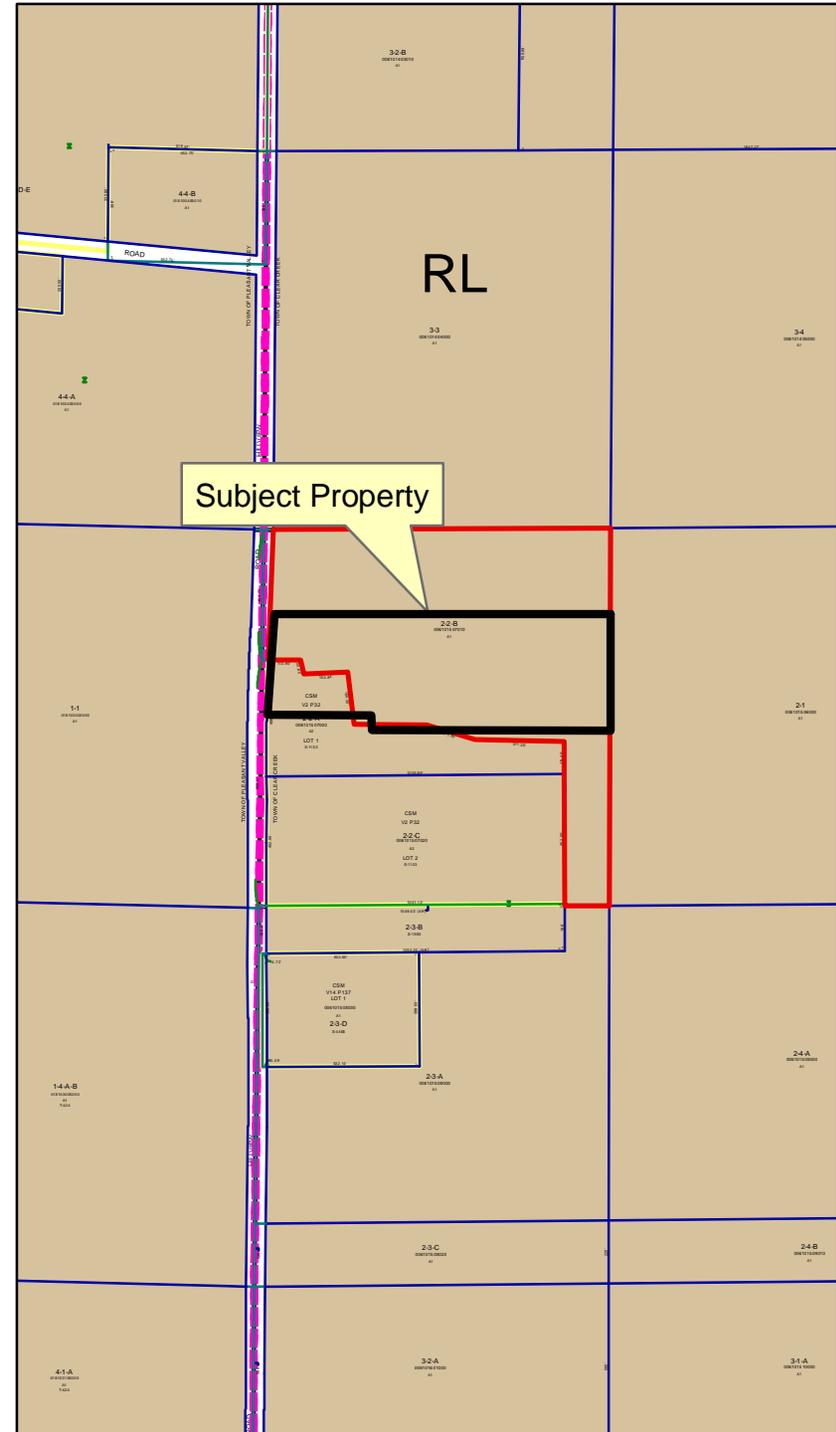
The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

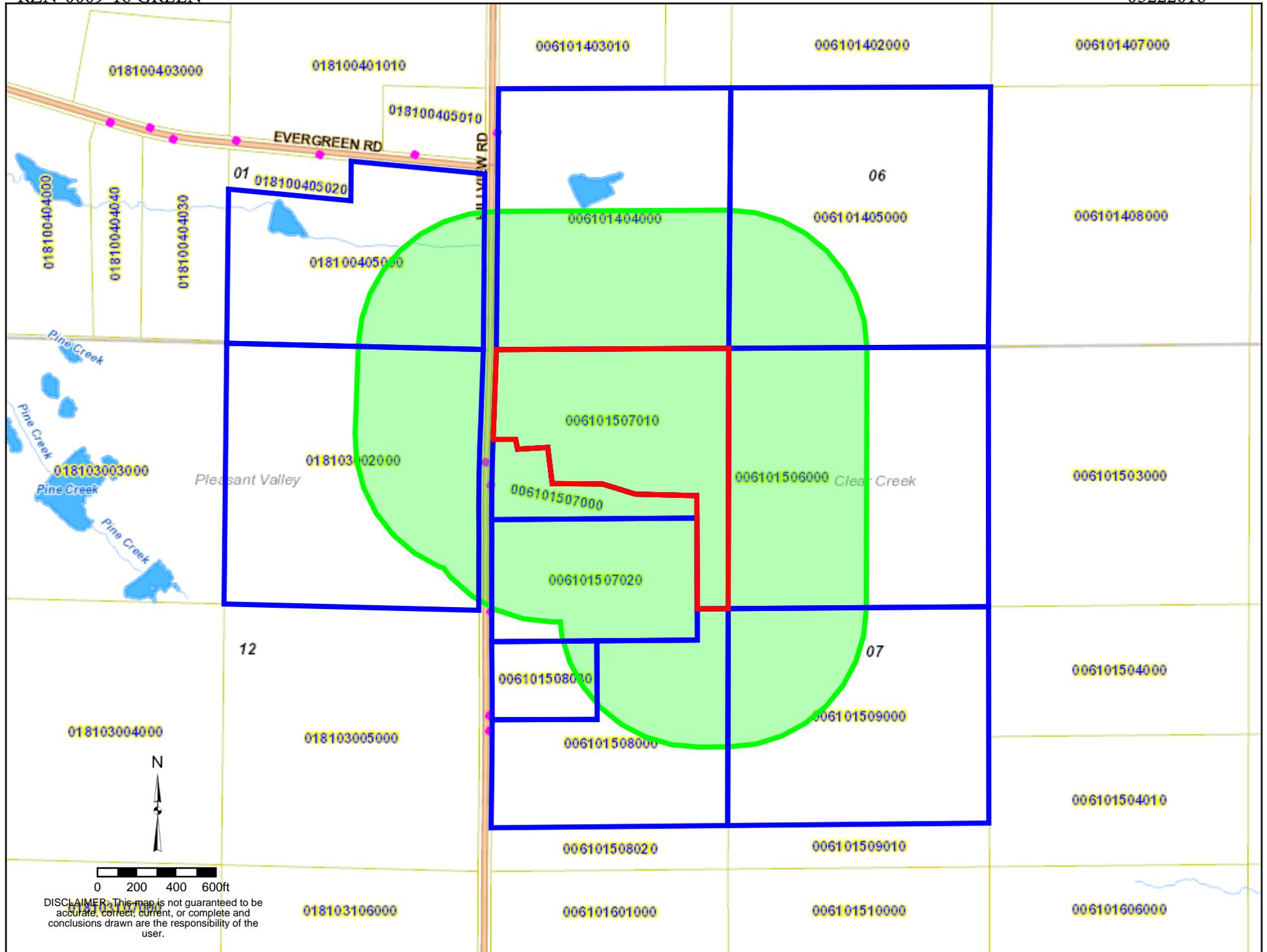
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Existing Future Land Use

1 inch = 667 feet





Parcel Id	NAME	ADDRESS	CITY	STATE	ZIP
1800622508072300001	GREEN, TERRY	S 11249 HILLVIEW RD	ELEVA	WI	54738-9157
1800622508072209001	KRANTZ, PAUL W & LISSA A	S 11189 HILLVIEW RD	ELEVA	WI	54738-9157
1800622508063300001	MORSE, WADE E	S 10835 HILLVIEW RD	ELEVA	WI	54738
1801822509121100001	VENESS, EDDIE A & KAREN L	S 11100 HILLVIEW RD	ELEVA	WI	54738-9157
1800622508072209000	ZILLMER, ROBERT G	S 11101 HILLVIEW RD	ELEVA	WI	54738-9157



Eau Claire County
DEPARTMENT OF PLANNING
AND DEVELOPMENT
Eau Claire County Courthouse, Rm. 3344
721 Oxford Avenue
Eau Claire, Wisconsin 54703-5212
(715) 839-4741

Housing & Community Development
839-6240
Emergency Services Management
839-4736
Land Information
839-4742
Land Use Controls
839-4743
Building Inspection
839-2944
Land Conservation
839-6226
Planning
839-5055

REPORT:

TO: COMMITTEE ON PLANNING AND DEVELOPMENT

FROM: Jared Grande, Land Use Technician

DATE: February 19, 2016

RE: Waiver requiring Screening for the commercial and industrial districts

Michael Hase, owner of Interstate Auto & Towing, has requested a waiver on the requirement for screening on a property being developed or expanded in a commercial or industrial district having effective solid screening along all lot lines adjoining any residential district. The location of project is 6111 Chuck Lane, Section 4, T27N-R10W, Town of Union.

Provided with the request of the waiver is a signed letter from the adjacent residential property owners, Herbert and Irene Horlacher, at 4606 N Town Hall Road. The other document is a photo provided by Michael Hase to help demonstrate the view of the existing fence as described in the letter.

18.30.200.B. states the waiver conditions:

1. A reasonable probability that the adjoining properties will be rezoned for commercial or industrial use.
2. There is an existing natural topographic or vegetative screen.
3. If written agreements are arrived at with the affected property owners.

Staff recommends granting the waiver based on the three waiver conditions being satisfied per 18.30.200.B. Maps showing the existing zoning and future land use map have been provided for the Committee's review.

Eau Claire County Parcel Mapping



1 inch = 113.671339 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:

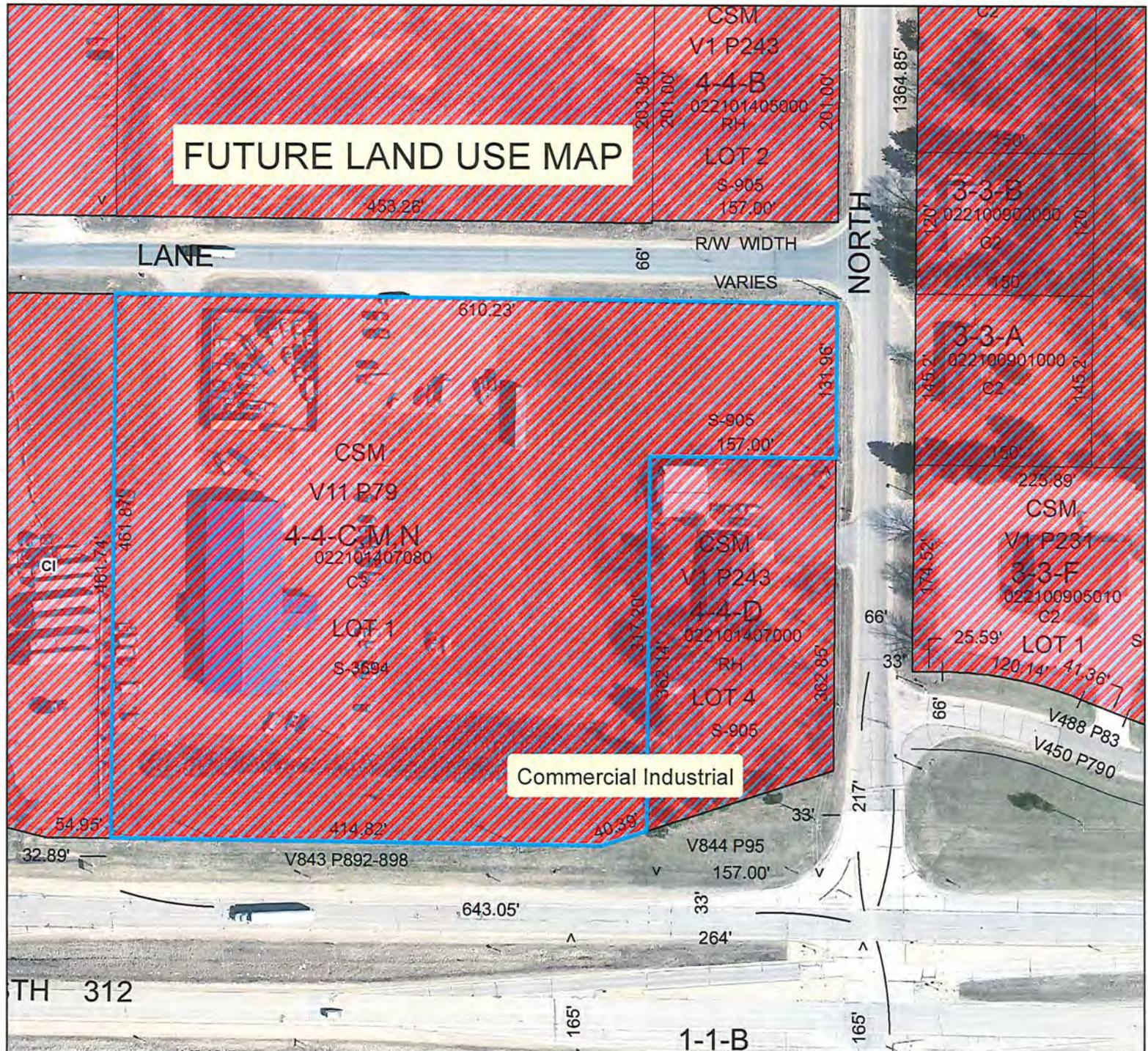
The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Atlas_EauClaire_Feet

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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



February 16, 2016

To Whom It May Concern,

Our names are Herbert and Irene Horlacher. We reside at 4606 N Town Hall Road, Eau Claire, WI 54703, in the town of Union. Our neighbors to the West, Interstate Auto (located at 6111 Chuck Lane, Eau Claire, WI 54703), have informed us that they must put up a six foot, solid fence for screening under Section 18.30.200 of the Eau Claire County Code. We disagree with this code and are not in favor of having a six foot solid fence along our property line. We currently have a nearly five foot, 3-rail fence and think that this adds beauty to our property. We enjoy our neighbor's red, white, and blue colors on their buildings and fences, and we have no problem with leaving the screening the way it is now. We also feel that a six foot solid fence would lower the value of our property. Therefore, we are asking the board to grant a waiver to Interstate Auto under section 18.30.200 paragraph B so that we may continue to enjoy our fence and scenery the way it is now. We appreciate your time and attention to this matter.

Thank you,

Herbert Horlacher
Irene Horlacher

Herbert and Irene Horlacher

715-874-5778





EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

PUBLIC HEARING DATE: March 22, 2016

STAFF CONTACT: Matt Michels, AICP, Senior Planner

REQUEST: Approval of Resolution 15-16/137, 2016-2020 County Outdoor Recreation Plan (CORP)

BACKGROUND

The first Eau Claire County Outdoor Recreation Plan (CORP) was first adopted in 1973. Since that time, the County has routinely updated the CORP every 5 years to meet the requirements of the Wisconsin Department of Natural Resources (DNR) and maintain eligibility for grant funding opportunities through various state and federal programs. The requirements and funding authorization for outdoor recreation programs is set forth in Wisconsin Statutes Section 23.30. The main purpose of the program is to, “promote, encourage, coordinate, and implement a comprehensive long-range plan to acquire, maintain and develop for public use those areas of the state best adapted to the development of a comprehensive system of state and local outdoor recreation facilities and services.”

The proposed 2016-2020 CORP would replace the 2011-2015 plans that is currently in effect. The draft plan includes several updates and modifications to past plans and has been developed with the assistance of a stakeholder committee composed of various county park users, as well as input received through a user survey administered in June, 2015.

REQUIRED PLAN ELEMENTS

Eau Claire County Parks & Recreational Areas

Section 4 includes the Action Program, including general and specific recommendations for County projects designed to address the needs identified in Section 3. The following elements are provided:

1. Eau Claire County Vision Statement and specific goals as determined by the Outdoor Recreation Plan Stakeholder Committee, Parks and Forest Advisory Committee and Parks and Forest Committee
2. Social and physical characteristics data relating to Eau Claire County
3. An inventory of supply of outdoor recreational facilities and activities
4. An assessment of “needs” standards based on NRPA guidelines compared to inventory
5. An assessment of the SCORP and comparison to the Eau Claire CORP to incorporate consistent measures and efforts
6. Series of maps of County facilities
7. 5-year Eau Claire County Action Plan – items identified here may be eligible for funding assistance through LAWCON programs

Participating Municipalities

Section 5 addresses community programs in the cities of Altoona and Augusta and the villages of Fall Creek and Fairchild. Recreation plans and community action programs for the towns of Brunswick, Pleasant Valley, Union, Seymour, Washington and Wilson are also included. The following elements are included:

1. An inventory of supply of outdoor recreational facilities and activities
2. Historic population information and projections for each municipality
3. An assessment of “needs” standards based on NRPA guidelines compared to inventory
4. 5-year Action Plan based on recommendations developed by each municipality to meet their current or anticipated needs – with priority rankings
5. Map of existing municipality facilities

UPDATES TO CORP

The current 2011-2015 CORP was adopted by the County Board on December 18, 2012. The 2016-2020 plan has been updated in a number of areas, including:

1. Addition of Eau Claire River access map, table, and plan for improvements
2. Addition of equestrian-related improvements
3. User survey (Appendix A)
4. New, updated maps
5. New photographs
6. Updated recreation inventory and needs assessment for County parks and each participating municipality
7. Updated 5-year plans for each participating municipality
8. Updates and revisions to plan text and statistical data throughout document

PARKS & FOREST COMMITTEE ACTION

The Parks and Forest Committee considered the 2016-2020 CORP and recommended approval (4-0 vote) at their March 8, 2016 meeting, with the following recommended edits:

- Additional information regarding target shooting and plinking in the county forest
- Additional discussion of efforts to control illegal dumping and litter control in the county forest

RECOMMENDATION

Staff and the Parks & Forest Committee recommend that the Planning and Development Committee file a recommendation of approval to the County Board for the 2016-2020 CORP.

4 - ADOPTING THE EAU CLAIRE COUNTY OUTDOOR RECREATION PLAN FOR
5 2016-2020 -

6 WHEREAS, every five (5) years, a county outdoor recreation plan is prepared to plan for
7 proposed improvements to the outdoor recreation facilities within the county; and
8

9 WHEREAS, adoption of the plan maintains the county and other municipalities within
10 the county eligibility to receive state and federal recreation grants including LAWCON (Land
11 and Water Conservation Fund), Stewardship, and other programs that may be administered by
12 the WDNR; and
13

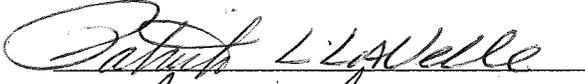
14 WHEREAS, inclusion of projects in the plan does not guarantee or insure their
15 development because all projects are subject to review and approval through the annual budget
16 process; and
17

18 WHEREAS, the cities of Altoona and Augusta; the villages of Fall Creek and Fairchild;
19 and the townships of Brunswick, Pleasant Valley, Seymour, Union, Washington, and Wilson will
20 approve the sections of the plan which pertain to their respective jurisdictions.
21

22 NOW, THEREFORE, BE IT RESOLVED, by the Eau Claire County Board of
23 Supervisors that the Eau Claire County Outdoor Recreation Plan for 2016-2020 is hereby
24 adopted.
25

26 BE IT FURTHER RESOLVED, that the Parks & Forest Department will administer the
27 plan and oversee its implementation as it pertains to county recreation facilities.
28

29 ADOPTED:

30 	_____
31 _____	_____
32 	_____
33 _____	_____
34 	_____
35 _____	_____
36 _____	_____
37 _____	_____
38 _____	_____

39 _____
40 Committee on Parks & Forest

40 _____
41 Committee on Planning and Development

42
43
44 Dated this ____ day of ____, 2016.
45

FACT SHEET

TO FILE NO. 15-16/144

RESOLUTION REQUESTING THE LEGISLATIVE DISCONTINUE THE PRACTICE OF PUTTING FORTH AND FAST-TRACKING PIECEMEAL BILLS REGARDING PLANNING, ZONING AND LAND USE

The Committee on Planning and Development will be acting on this resolution at 7:00 p.m., March 22, 2016.

Resolution No. 15-16/144 requests that the Wisconsin Legislature discontinue the practice of fast-tracking bills that have not been appropriately vetted and given the opportunity for meaningful analysis on the proposed laws would interact with existing statutes and administrative codes relating to planning, zoning, and land use.

The State of Wisconsin's 2015-2017 (2015 Wisconsin Act 55) budget amended certain shoreland zoning standards that significantly change the standards for regulation of structures in shoreland areas contrary to the adopted standards of Wisconsin Administrative Code NR 115 (NR 115). These changes to the state's shoreland regulations were enacted without meaningful notice, public input opportunity, review by and input from local units of governmental or analysis by the Wisconsin Department of Natural Resources.

The changes made to the State's shoreland regulations with Wisconsin Act 55 have created a general state of confusion as to interpretation and implementation for administrators and property owners.

In December of 2015, AB 563, AB 582, AB 583 and AB 600 were introduced with the hearings being held the following week on the bills. This process provided little to no time to allow for public input, or analysis by the state or local regulators of meaning or impacts of the bills.

This resolution encourages that the state legislature involve all stakeholders of state laws related to planning, zoning, and land use that will result in a comprehensive analysis on how the proposed bills would interact with existing laws.

Respectfully submitted,

Rod Eslinger,
Land Use Manger

2
3 - REQUESTING THE LEGISLATURE DISCONTINUE THE PRACTICE OF PUTTING
4 FORTH AND FAST-TRACKING PIECEMEAL BILLS REGARDING PLANNING, ZONING
5 AND LAND USE -
6

7 WHEREAS, on November 3, 2015 Eau Claire County adopted Resolution R159-047 to
8 repeal statutory provisions enacted in the State of Wisconsin 2015-2017 budget concerning shoreland
9 zoning standards (Sections 1922am – 1922L of 2015 Wisconsin Act 55); and

10
11 WHEREAS, 2015 Wisconsin Act 55 (the biennial budget bill), including the revisions to
12 Wis. Stat. § 59.692 was enacted on July 12, 2015, published July 13, 2015 and in full force and
13 effect from and after July 14, 2015, significantly and immediately changed that state’s shoreland
14 zoning policy, purpose and regulations. These changes were enacted without meaningful notice,
15 public input opportunity, review by and input from local units of government or analysis by the
16 Wisconsin Department of Natural Resources; and

17
18 WHEREAS, predictably the manner in which this legislation came about has resulted in a
19 general state of confusion as to interpretation and implementation of the 2015 Wisconsin Act 55
20 shoreland zoning revisions. Opinions and interpretations have been put forth by the Wisconsin
21 Department of Natural Resources (DNR), the Wisconsin Counties Association (WCA), the
22 Wisconsin Legislative Council, and others regarding the meaning and impact of the 2015 Wisconsin
23 Act 55 shoreland zoning revisions. These opinions and interpretations are not entirely consistent
24 regarding the interplay of the 2015 Wisconsin Act 55 shoreland zoning revisions with existing law,
25 including Wis. Admin Code § NR 115 and Wis. Stats. §§ 59.69, 59.692 and 281. Consequently
26 there is a lack of clear guidance regarding what the 2015 Wisconsin Act 55 shoreland zoning
27 revisions require and allow, and a resulting uncertainty as to implementation, administration and
28 enforcement of shoreland zoning at the county level; and

29
30 WHEREAS, Wisconsin counties have been authorized by state statutes since 1968 to enact
31 and administer general zoning regulations in towns choosing to be subject to those regulations. The
32 enabling legislation is currently codified in Wis. Stat. § 59.69; and

33
34 WHEREAS, Wisconsin counties have been required by state statutes since 1968 to enact and
35 administer shoreland zoning regulations. The enabling legislation is codified in Wis. Stat. § 59.692
36 with rules and standards promulgated by the DNR and set for in Wis. Admin Code § NR 115; and

37
38 WHEREAS, state statutes dictate the process by which counties may revise shoreland or
39 zoning regulations, said process typically involves numerous steps and notifications and
40 opportunities for town board and public input. This process generally takes anywhere from 4-8
41 weeks to complete; and

42
43 WHEREAS, subsequent to enactment of the 2015 Wisconsin Act 55 shoreland zoning
44 revisions, a number of bills were proposed, including AB563, AB582, AB583 and AB600, that
45 impact planning, zoning and land-use at the local level. These bills were introduced one week, and
46 several were sent to public hearing the next, offering little or no opportunity for public input, or
47 analysis by state or local regulators of the meaning of the bills or how the proposed law would
48 interact with existing laws.

1 WHEREAS, the development community and property owners typically seek information
2 from county code administrators regarding pertinent zoning regulations months before submitting
3 final applications, relying on the code administrators to provide accurate information as to the zoning
4 regulations surrounding a project. The changes brought about the 2015 Wisconsin Act 55 shoreland
5 zoning revisions, and the piecemeal bills subsequently introduced and fast-tracked, have created a
6 climate of uncertainty and frustration for the development community, property owners, and county
7 code administrators, all of which contributes to a loss of efficiency and productivity.
8

9 NOW THEREFORE BE IT RESOLVED the Eau Claire County Board of Supervisors
10 respectfully requests that the legislature discontinue the practice of putting forth and fast-tracking
11 piecemeal bills regarding planning, zoning and land use.
12

13 BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors urges the
14 state legislature to instead adopt a systematic review by a group of primary stakeholders of state laws
15 (existing or proposed) that impact planning, zoning, and land use, with a concurrent process
16 involving notice and public input opportunities. This will result in the thoughtful and deliberate
17 consideration that is certainly due planning, zoning, and land use laws.
18

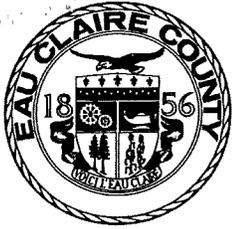
19 BE IT FURTHER RESOLVED by the Eau Claire County Board of Supervisors that Eau
20 Claire County would welcome the opportunity to participate in comprehensive, collaborative
21 discussions, public listening sessions, and hearings regarding state shoreland and comprehensive
22 zoning regulations to discuss manners in which each could be improved.
23

24 BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors directs the
25 county clerk to forward this resolution to the governor, assembly members and senators representing
26 Eau Claire County, the Secretary of the DNR and the Wisconsin Counties Association.
27

28 _____
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40 _____
41 _____
42 _____
43 _____
44 _____
Committee on Planning & Development

KRZ/yk

Dated this _____ day of _____, 2016.



OFFICE OF CORPORATION COUNSEL

EAU CLAIRE COUNTY
EAU CLAIRE COUNTY COURTHOUSE
721 OXFORD AVE., SUITE 3520
EAU CLAIRE, WI 54703

PH: (715) 839-4836 Fax: (715) 839-6243



ASSISTANT
CORPORATION COUNSEL

Timothy J. Sullivan
Sharon G. McIlquham
Richard A. Eaton

CORPORATION COUNSEL

Keith R. Zehms

MEMORANDUM

TO: Rod Eslinger
FROM: Richard A. Eaton, Assistant Corporation Counsel
DATE: February 29, 2016
SUBJECT: Title 18, General Zoning

Does Chapter 18.01.020(A), preclude the county's ability to apply general, underlying zoning in unincorporated shoreland areas?

This question came to light due to WI Act 55, after Rod Eslinger looked closely at the county's ordinances related to shoreland zoning. Simply stated, Act 55 eliminates, or limits, a county's ability to regulate shoreland areas in a manner which is more restrictive than DNR shoreland zoning standards.

Section 18.01.020 Jurisdiction states as follows:

The jurisdiction of this subtitle shall apply to all land and water located outside the limits of incorporated cities and villages subject to town approval as provided in Wis. Stat. §59.69.

Section 18.19.010 Underlying Zoning states as follows:

All shorelands in the unincorporated areas of the county are included in one of the zoning districts created by this subtitle and are subject to the applicable provisions of this subtitle as well as to the requirements of this chapter.

The two sections above clearly conflict with one another. Section 18.01.020 refers to Wis. Stats. §59.69, where subsection (5)(c) states as follows.

A county ordinance enacted under this section shall not be effective in any town until it has been approved by the town board...

Wis. Stats. §59.69(5)(c) is not ambiguous. County zoning should not be applied in those townships which have not adopted it. It appears Eau Claire County has been applying general

zoning in unincorporated shoreland areas for many years, and the practice was accepted by both county and town officials.

From this point forward the county should not apply general zoning, in shoreland areas, in those townships which have not adopted county zoning. It would be appropriate to notify the 4 towns of the county's position. It would also be appropriate to apprise the towns of the ramifications.

RAE

**Planning and Development
February 2016**

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

Planning

Vendor	Amount	Description	Line Item#
Rod Eslinger	118.10	Mileage - January	51820-330-000
American Planning Association	495.00	Membership - Gurney	51820-324-000
West Central Zoning Association	20.00	Membership - Eslinger/Grande	51820-324-000
Office Depot	520.44	Supplies - January	51820-310-000
United	222.70	Air Fare	51820-340-000
Hyatt Place Phoenix	360.68	Hotel	51820-340-000
Everbrite	(\$60.00)	Registration refund	51820-340-000
Lance Gurney	43.26	Mileage - January	51820-330-000
Steve Maley	446.25	Mileage - January	51820-330-000
Eau Claire Press Company	216.04	Public Notice	51820-321-000
EO Johnson	141.50	Printer Cartridge	51820-310-000
EO Johnson	77.50	Printer Cartridge	51820-310-000
Jared Grande	146.39	Mileage - January	51820-330-000
Jeanna Allen	19.32	Reimbursement - Postage	51820-311-000
American Planning Association	460.00	Membership - Michels	51820-324-000
American Planning Association	735.00	Conference	51820-340-000
Zach Felling	553.59	WLIA Conference	51820-340-000
Peter Strand	480.27	WLIA Conference	51820-340-000
Peter Strand	357.00	Mileage - February	51820-330-000
Matt Michels	78.20	Mileage - Jan/Feb	51820-330-000

Resurvey

Vendor	Amount	Description	Line Item#
Dean Roth	510.58	Travel Training	51740-340-000
JC Auto Sales	36.44	Oil Changed	51740-240-200
Eau Claire Ford Lincoln	254.78	Truck maintenance	51740-241-200

Emergency Management

Vendor	Amount	Description	Line Item#
Lance Gurney	36.75	EM Interview Panel Lunch	52410-390-000
Jeanna Allen	62.99	Mileage	52410-330-000

Recycling

Vendor	Amount	Description	Line Item#
Town of Drammen	1,560.00	Reimbursement Recycling	54885-208-000
Town of Bridge Creek	1,586.10	Attendant hours	54885-208-000
Town of Ludington	444.00	Attendant hours	54885-208-000
Village of Fairchild	132.18	Attendant hours	54885-208-000
Earthbound	193.28	Recycling Services - Curbside	54885-201-000
Boxx Sanitation	21,695.68	Recycling Services - Curbside	54885-201-000
Waste Management	15,296.30	Recycling Services - Curbside	54885-201-000

Division	Totals
Planning	5,431.24
Resurvey	801.80
Emergency Management	99.74
Recycling	40,907.54
Total	47,240.32

**Land Conservation Division
February 2016**

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

Vendor	Line Item #	Amount	Description
<u>Paid from 2015 accounts</u>			
<u>Paid from 2016 accounts</u>			
Alpha Nurseries, Inc.	57410-829-000	\$ 811.76	Tree Deposit
Bosch's Countryview Nursery	57410-829-000	\$ 852.00	Tree Deposit
Eau Claire Co. Expo Center	57410-829-000	\$ 150.00	Building Rental Tree Program
Eau Claire Co. Hwy	57410-241-000	\$ 993.77	Fuel (3 trucks) 1/1/16 - 1/23/16
Eau Claire Energy Cooperative	23172-000-000	\$ 2,875.00	Refund Balance of Financial Assurance
Engel's Nursery	57410-829-000	\$ 472.89	Tree Deposit
Jacobs, Kelly	57410-330-000	\$ 88.74	Jan/Feb Expense Sheet
Jacobs, Kelly	57410-340-000	\$ 11.73	Jan/Feb Expense Sheet
Strauch, Ricky	57410-200-235	\$ 6,492.00	DATCP Nutrient Management
W C Area Land & Water Cons. Assoc.	57410-903-000	\$ 50.00	Winter Meeting & Speaking Contest
TOTAL		\$ 12,797.89	

PLANNING & DEVELOPMENT COMMITTEE MINUTES

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

Eau Claire County Courthouse • 721 Oxford Avenue • Room 1277

Eau Claire, Wisconsin

Members Present: Gary Gibson, Jim Dunning, Jim Dunning, Gordon Steinhauer

Members Absent: Steve Chilson

Staff Present: Lance Gurney, Rod Eslinger, Matt Michels

1. Call to order

Gary Gibson called the meeting to order at 6:00 p.m.

2. Public Input Session: None.

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

Rod Eslinger presented background information and the staff report to consider a conditional use permit to allow accessory structures in excess of 1,200 square feet in the RH zoning district, applicant Ann German and Dean Schultz. The applicant would like to build a new garage of roughly 672 square feet, which would be in addition to an existing 960 square foot accessory structure for a total of 1,632 square feet. Town of Union has considered the request and has recommended approval with the condition that the accessory buildings for personal storage purposes and not be used for any commercial purposes. Staff verified that the standards for a conditional use permit can be met and recommends approval with 9 conditions contained with the Staff Report dated February 23, 2016. A short video of the subject property was viewed. Applicant Dean Schultz appeared as the applicant and agreed with the staff report.

ACTION: Motion by Stella Pagonis to approve the conditional use permit request with staff conditions as presented. Motion carried, 3-0.

- 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

Rod Eslinger presented background information and the staff report to consider a conditional use permit to allow commercial Planned Unit Development (PUD). Site has historically been used as a commercial PUD since 2003 and the request is to amend the commercial PUD which would allow for the applicant's landscape (inclusive of contractor storage yard) business as well as allow for rent of the existing office space and separate residential structure to separate third parties. Uses in the area are a mix of commercial, industrial and residential uses. Mr. Eslinger reviewed the business plans and use of the grounds in addition to existing buildings. Commercial access to the property is provided via Pleasant Street while the residential access is off of USH 12. Screening the commercial property from adjacent residential property to the east is intended to be provided through solid fencing. The Town of Washington is recommending approval of the request as presented with staff conditions. Mr. Eslinger did verify that the standards for a conditional use permit can be met and

recommends approval with 14 conditions listed on page 17 of the meeting packet. A short video of the subject property was viewed. Jim Overgard appeared as applicant and did not have anything to add. Stella Pagonis asked about the potential for noise impacts on adjacent properties. Mr. Overgard indicated that they do have diesel dump trucks and other equipment with back-up beepers and will be loading materials. The Committee discussed hours of operation from 6 am to 10 pm.

ACTION: Motion by Jim Dunning to approve the conditional use permit request with an amendment to Condition #6 to “restrict hours of operation as 6 am through 10 pm”. Motion carried, 3-0.

- 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
Matt Michels presented background information and the staff report for a rezoning request by Jeanie Brovold to rezone the westerly 19 acres of land from A-3 to A-2 and to rezone 6.8 acres of land in the easterly half of the property from A-2 to A-3, so that the entire eastern half of the property, being 20 acres would be zoned as A-3. Staff verified consistency with applicable comp plans. The Town of Clear Creek approved the requested at a meeting held on December 14, 2015. Staff is recommending approval of the request as submitted resulting in the eastern 20 acres of the property zoned as A-3 and the western 19 acres of the property zoned as A-2. Jerry Brovold appeared on behalf of Jeanie Brovold to state the intent to sell of the agricultural acreage presented as Lot 2 to an area farmer who has rented the property for the last 15 years, and to continue to reside on the 19 acre property (Lot 1).

ACTION: Motion by Stella Pagonis to approve file 15-16/120 as recommended on Page 33. Motion carried, 3-0.

- 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
Matt Michels presented background information and the staff report for a rezoning request by Michael and Mary Bolle to rezone approximately 15.75 acres of land from the A-1 zoning district to the A-2 zoning district. The applicant owns approximately 70 acres of land, so the remaining 54 acres of land would remain zoned as A-1. The applicants stated intention is to sell the property to be rezoned to a separate party for the purpose of building a residence. Mr. Michels reviewed the existing zoning, soils, and adjacent land use patterns. A short video of the property was viewed. It was noted that the property is no longer included within the Preservation Area of the Eau Claire County Farmland Preservation Plan. Michael Bolle appeared as applicant. The Town of Washington approved the request on January 21, 2016.

ACTION: Motion by Jim Dunning to approve file 15-16/0126 as recommended on Page 52. Motion carried, 4-0.

- 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
Matt Michels presented background information and the staff report for a rezoning request by Michael and Mary Bolle to rezone approximately 6.1 acres of land from the A-P zoning district to the A-2 zoning district. The applicant owns approximately 160 acres of land, so the remaining land would remain zoned as A-P and continued in agricultural production. The applicants stated intention is to allow a family member to build a residence on a separate parcel. Mr. Michels reviewed the existing zoning, soils, and adjacent land use patterns. It was noted that the property is planned as a Preservation Area of the Eau Claire County Farmland Preservation Plan, so standards to permit the rezoning must be considered. A short video of the property was viewed. The Town of Washington approved the request on January 21, 2016. After verifying the rezoning standards from the certified A-P zoning district, staff is recommending approval. Doug Graf appeared as applicant. The farm has been in the family since 1920. Their son would like to build a home on the family farm and will most likely continue to crop a portion of the property.

ACTION: Motion by Gordon Steinhauer to approve file 15-16/130 as recommended on Page 69 for 6.14 acres. Motion carried, 4-0.

- 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
Matt Michels presented background information and the staff report for a rezoning request by agent Wade and Sonia Ostrander on behalf of owner Carol Dapp. The request is to rezone approximately 5 acres of land from the A-P zoning district to the A-2 zoning district, which would allow the remaining 35 to stay zoned as A-P. The agent is looking to construct a residence which would allow them to provide care for a family member who is the property owner. The proposed rezone and lot layout is intended to minimize the conversion of agricultural lands while also meeting minimum lot size requirements. Mr. Michels reviewed the existing zoning, soils, and adjacent land use patterns. A short video of the property was viewed. Mr. Michels verified that the proposed rezoning is consistent with the standards for rezoning from the A-P zoning district. Frontage on Cedar Road was confirmed. Staff is recommending approval as stated on Page 87. Wade Ostrander appeared as agent to verify family ownership in the area and verify care that was taken to minimize impacts to continued agricultural use.

ACTION: Motion by Stella Pagonis to approve file 15-16/129 as recommended on Page 87. Motion carried, 4-0.

- 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
Matt Michels presented background information and the staff report for a rezoning request to rezone approximately 110 acres from the A-1 zoning district to the R-H zoning district for the purpose of creating a residential subdivision, Peter Gartmann-agent. The purpose of the hearing is consideration of the proposed use, not the actual design or layout. Mr. Michels reviewed consistency with the Town of Pleasant Valley and Eau Claire County Comprehensive Plans. A concept of the development was then reviewed. Mr. Michels summarized some of

the concerns or issues that have been raised by adjacent property owners. Mr. Michels reviewed the existing zoning, soils, and adjacent land use patterns. A short video of the property was viewed. Cody Filipczak appeared as agent for the proposed rezone and developer for the residential development. He discussed efforts to work with the Town of Pleasant Valley and their interest in building a quality development. Jeff Reitz appeared with regard to the extension of Cedar Road. That will be addressed during the platting process.

ACTION: Motion by Jim Dunning to approve file 15-16/131 as recommended on Page 104. Motion carried, 4-0.

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

Lance Gurney presented the resolution and cooperative effort between the Counties of Eau Claire, Chippewa and Dunn to submit a TAP application to the DOT for grant funding that would allow each County to develop a "Bike and Pedestrian Plan" independently. The individual county plans would then be used to identify major connections within the region. Eau Claire County previously submitted a grant application in 2014 that was unfunded. Both the Eau Claire County Comprehensive Plan and the Long Range Transportation Plan of the Chippewa-Eau Claire Metropolitan Planning Area have identified the need for a long-range bike and pedestrian plan. Discussion ensued regarding impacts and benefits to the Eau Claire County highway system.

ACTION: Motion by Gordon Steinhauer to approve file 15-16/128. Motion carried, 4-0.

5. Quarterly Fiscal/Departmental Report / Discussion

Lance Gurney provided an staffing update to the Committee. Michael Morlan has been appointed as the new Emergency Management Coordinator for Eau Claire County and will begin employment on March 14th. Assistant Surveyor Dean Roth has been promoted to County Surveyor and Division Supervisor for the Land Records Division within the Department. Dean has been an employee of Eau Claire County since 1999. GIS Administrator Peter Strand will now serve as the Land Information Officer for Eau Claire County in accord with §16.967(7), who will serve as chair of Eau Claire County's Land Information Council. Retired County Surveyor Matt Janiak previously served in this role. Lance Gurney the provided the Committee with the quarterly financial report through 12.31.2015. Of significant note, Fund 100 saw a very good positive balance in 2015, with revenues exceeding budgeted amounts by more than \$100,000 while expenses were held below budgeted amounts by more than \$100,000, due in part to vacant staff positions. The Recycling Program also had a very strong year, with revenues exceeding expenses by more than \$70,000. The Housing Program was reviewed, although a few reimbursements are still expected to balance the 2015 budget. The Committee was reminded that this program is fully funded through grant resources, with no local levy support. Fund 207, which serve as the Land Conservation project fund was then reviewed. Due to several large projects, revenues and expenses were nearly triple that of budgeted amounts. The projects are funded through grant reimbursements. All reimbursement requests have been submitted to close out the projects and it is anticipated that those payments will be received by the end of March. Mr. Gurney then discussed the Rain2Rivers program and how program funding and expenses have been handled in the past and what changes will be made to better track expenses in

the future.

6. Review of January Bills / Discussion

No discussion. Bills were accepted.

7. Review/Approval of January 26, 2016 Meeting Minutes / Discussion – Action

ACTION: Motion by Gordon Steinhauer to approve the minutes as submitted. Motion carried, 4-0.

8. Proposed Future Agenda Items / Discussion

County Outdoor Recreation Plan will be on agenda for consideration. Gary Gibson asked about resolution relating to opposing the practice of fast-tracking legislation in Wisconsin.

9. Adjourn

ACTION: Gary Gibson to adjourn the meeting at 8:20 p.m.

Respectfully submitted,

Lance J. Gurney
Clerk, Committee on Planning & Development