

County Zoning Agency
MINUTES
February 17, 2022 – 4:30 P.M.
100 West Walworth Street
Elkhorn, Wisconsin

Committee Chair Rick Stacey called the meeting to order at 4:30 p.m.

Roll call – Committee members present in person were Supervisors Rick Stacey, Dave Weber, Sue Pruessing, Jerry Grant, Ryan Simons, and citizen members Richard Kuhnke, Sr. and Jim Van Dreser. A quorum was present.

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, Senior Planner/Hearing Facilitator Matt Weidensee. Present for a portion of the meeting / hearing Senior Zoning Officer Nicholas Sigmund.

A “sign-in” sheet listing attendees on February 17, 2022 was not presented due to the continued COVID-19 threat.

Details of the February 17, 2022 meeting / hearing are on a digital recording which is on file and available to the public upon request / video to view in the agenda center on the website:
www.co.walworth.wi.us

Dave Weber motioned to approve the agenda as amended to table item 9.b.3.) John Neighbors; 9.b.4.) North by Northwest / John Berget; 9.d.2.) Michelle Cleveland; 9.e.2.) Justin and Mary Rohrer; and 9.d.1.) Christian League for the Handicap. Seconded by Jim Van Dreser. Motion and second amended to table 9.d.1.) until April, 2022. Motion carried. 7-favor 0-oppose

Richard Kuhnke, Sr. motioned to approve the January 20, 2022 CZA Meeting Minutes. Seconded by Jerry Grant. Motion carried. 7-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement
Disc Count # 4:40:15 – 4:41:00

IT issues –

Jackie Giller / IT speaks to committee regarding overflow viewing issues. Parts replaced and initiation of monthly health checks of components and equipment. Staff requests overflow viewing in first floor hallway to be projected each meeting.

Disc Count # 4:41:02 – 4:49:19

Subdivision Items – Old Business – None

Subdivision Items – New Business – None

Old Business - Ordinance Amendments –

1. Possible ordinance amendment regarding food trucks – Matt Weidensee / Nick Sigmund

**Staff discusses the proposed ordinance amendment concerning food trucks.
Discussion by the Committee regarding areas and uses.**

Ryan Simons motions to move the proposed ordinance amendment to a public hearing at the County Zoning Agency meeting. Seconded by Jerry Grant. Motion carried. 7-favor 0-oppose.

This item will move forward to the March 17, 2022 County Zoning Agency meeting for a public hearing.

Disc Count # 4:49:25 – 4:58:30

Old Business – Discussion Items – None

New Business - Ordinance Amendments –

1. Discuss Shoreland zoning amendments including DNR mandated and 2021 Act 105.

Staff presents potential ordinance amendments to clean and clarify sections of the ordinances to address updates to required amendments and DNR requests, including updates regarding the Lake Geneva shore path, and new regulations concerning fencing.

Jim Van Dreser motions to TABLE this matter to the March CZA meeting for further discussion and potential exemptions. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose.

This item will move forward to the March 17, 2022 County Zoning Agency meeting for a public hearing.

Disc Count # 4:58:34 – 5:18:25

2. Discuss Possible general zoning amendments - Nick Sigmund

Staff presents potential ordinance amendments to clean and clarify sections of the zoning ordinances including typos, incorrect references, shed heights in Willow Run, parking regulations, definitions, etc.

Ryan Simons motions to move the proposed ordinance amendment to a public hearing at the County Zoning Agency meeting. Seconded by Richard Kuhnke, Sr. Motion carried. 7-favor 0-oppose.

This item will move forward to the March 17, 2022 County Zoning Agency meeting for a public hearing.

Disc Count # 5:18:27 – 5:28:30

3. Town of Richmond request for a “one-time event” ordinance amendment - Ryan Simons

Ryan Simons presents item for discussion concerning a potential ordinance amendment regarding “one-time” events.

Ryan Simons motions to begin work on a possible ordinance amendment concerning potential “one-time” events. Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose.

Disc Count # 5:28:32 – 5:32:59

New Business – Discussion Items –

1. Zioto Enterprises, LLC C/O George Paziotopolis – Owner, Section 8, Darien Township. Amendment of a conditional use for a three year time extension for outside storage of sheds/small barns in addition to agreement to amend an existing conditional for a gas station and convenience store on the same tax parcel by addition of a condition for three years to actively exercise the conditional use with potential for one year extension or need for new approval. Tax Parcel B D 800005.

Amended February 17th, 2022 to allow extension of time for outdoor sales of shed (see #1 and 10).

Amended June 18th, 2020 to eliminate fireworks stand and approve sheds for one-and- one-half years (see # 1, 8, 10, 11, 12, 13, 22)

NAME: Zioto Enterprises, LLC

TOWN: Darien

The property owner is requesting ~~six~~ three year extension starting February 17th, 2022 for conditional use approvals for outside storage and sales of portable barns and sheds ~~by Country Barns and temporary use for sales of firework from out of a truck. The fireworks stand is requested to be open from June 1st to July 15 of each year starting after the conditional use is approved with hours of operation from 9:00 a.m. to 9:00 p.m. There would be two employees for the fireworks truck.~~

Part of Tax Parcel B D 800005.

Has been APPROVED subject to the following conditions:

General:

1. Approved for ~~one and one-half years~~ one year extension starting February 17th, 2022 as per the Town as per plan submitted for outside storage ~~of sheds to be stored on site for sale.~~
2. All materials and parking of any nature will be as reflected in the Site Plan.
3. The applicant must obtain a Land Disturbance Erosion Control and Stormwater Management Permit from the County prior to any land disturbance activities taking place on the site.
4. All access to the site must be made as identified in the approved plan.
5. The applicant shall meet all applicable federal, state, and local regulations.
6. The applicant shall obtain all necessary permits for any temporary sanitary facilities and signs.
7. Storage-related activities, including parking, shall not occur within 25 feet of the right-of-way or within the required vision triangle.
8. With the exception of the shed display area no other uses shall be allowed on the site in conjunction with this approved temporary use. There shall be no other use of the premises during the term of the CUP without additional County approval.

- 9. Materials stored on site are limited to parking and the sheds for sale as per plan submitted.
- 10. Mini-storage sheds may be located on the premises for sale as reflected on the approved plan for ~~one and one-half~~ **one** years **as per the Town** starting on the date of this approval provided the applicant complies with all of the necessary conditions as itemized and the applicant provides the name contact phone number of the designated lessee displaying the sheds.
- 11. No permanent buildings shall be allowed on site as part of this approval.
- 12. Any changes to the character, intensity or use of this site not capable of being discerned by the Land Management Department as consistent with this approval must be brought before the County Zoning Agency for additional conditional use review.

Specific:

- 13. There shall be no contractor storage yard and related activities such as fabrication, painting, welding, washing of materials or equipment, cutting, milling, chipping, sorting etc. allowed on site.
- 14. Failure to make the required contact with the County and or provide the required information for review prior to use of the site shall result in County citation and/or enforcement.
- 15. The topsoil pile located on site shall be spread on the site.
- 16. No topsoil, fill or other earthen materials may be mined and/or removed from the site.
- 17. No earthen materials, debris and or spoils may be disposed of on site.
- 18. All area utilized for temporary storage shall be covered by gravel prior to use.
- 19. The sheds shall not be used for overnight stays.
- 20. There shall be no more than 12 sheds stored on site for sale as per the Town

Dated this 20th day of June, 2019.



COUNTY ZONING AGENCY
TIM BRELENTHIN, CHAIRMAN

cc: Town of Darien, Cecil R. Logterman, Chairman, N2826 Foundry Rd, Darien, WI 53114
Town of Darien, Marilyn Larson, Clerk, N2826 Foundry Rd., Darien, WI 53114

~ ~ ~ ~

Amended 12-16-2021 for three years to actively exercise or get extension or expires (See # 13)

AMENDED PLAN 12-21-01 **

NAME: Zioto Enterprises Inc. - GEORGE PAZIOTOPOULOS (DEPIETRO DESIGN ASSOCIATES,APPL.)

TOWN: **DARIEN**

A conditional use permit for a gas station and convenience store as specified in Section 4.0 of the Zoning Ordinances, Walworth County, Wisconsin, on lands zoned B-4 Highway Business District and described as follows:

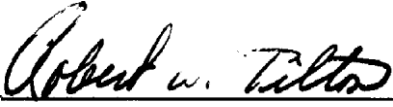
Tax Parcel #B D 800005

Beginning at the center of the intersections of Hwy 11 & 14, running thence South 405 feet along the center of Hwy 14, thence East 375 feet to a point, thence North 285 feet to the center of Hwy 11, thence in a Westerly direction along the centerline of said Hwy 420 feet to the Place of Beginning. All in Section 8, Township 2 North, Range 15 East, Darien Township, Walworth County, Wisconsin.

has been APPROVED subject to the following conditions:

- ** 1. Approve as per plans submitted.
- 2. No outside storage of goods or materials will be allowed onsite as part of business operations.
- 3. Parking and gas pump protection measures shall conform with all State, local and Federal regulations.
- 4. Outside lighting to be shielded and located as per plans submitted.
- 5. The general location, operation and design of the proposal approved per plans submitted.
- 6. Adequate noise and dust control measures to be taken during construction and continued measures shall be taken to keep the parking area clean and dust free,
- 7. Hours of operation will allow for 24-hour service.
- 8. A landscaping plan must be submitted to the County for approval prior to installation.
- 9. Must meet all applicable Federal, State, County and local regulations.
- 10. The petitioner shall be responsible for meeting all State Highway regulations for access to the site and the location of fuel tanks and canopy structures within the proposed future State highway right-of-way.
- 11. Must meet the County's Land Disturbance Erosion Control and Stormwater Management standards.
- 12. Must meet State storage requirements for fencing of garbage/waste area.
- 13. **Failure exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three-year period (Starting 12-16-2021). Any extension requested during the three-year active exercise period greater than one year beyond the original three-year period shall require additional Town and County committee approvals.**

Dated this 21st day of May, 1999.



PLANNING, ZONING, AND SANITATION COMMITTEE
ROBERT W. TILTON, CHAIRMAN

** The Committee has approved the amended plan as in the file as of 12-21-01.

Staff presents request. Discusses request and agreement by Applicant to incorporate the 3 year condition to exercise the existing conditional use, with potential of future extension.

No one appears regarding this matter.

Jim Van Dreser motioned to approve the requested amendment for sales of sheds for one (1) year and include the three year expiration on the original gas station conditional use as presented, without the potential for a one year staff extension. Seconded by Richard Kuhnke, Sr. Motion carried 7-favor 0-oppose. Disc Count # 5:33:00 – 5:39:32

- 2. Jeremy & Simona Ebner – Owner, Section 22, Troy Township. Amendment of a conditional use for adding three additional cabins and a pavilion to a recreational campground. Tax Parcel L T 2200002, L T 2200005A.**

Amended conditional use on 2/17/2022 for three additional cabins and a pavilion with associated camp guest numbers: See #1, 4, 5, 6, 7, 8.

Amended by conditional use approval 9/16/2021: See #1, 3, 4, 5, 6, 7, 8 and removal of #43.

NAME: Jeremy and Simona Ebner

TOWN: Troy

Currently Camp Kettlewood has conditional use approval for a campground facility containing a Public/Private Campground, a Planned Campground Development and Recreational Campgrounds that share a single exterior campground facility buffer, water, toilet and bathhouse facilities and allows a limited number of group family related events. The Public/Private Campground allows tent camping on an individual basis with the camping guest providing their own mean of shelter. The Planned Campground Development allows campsites for park model trailers used seasonally but allow to stay all year round for individual guest. The Recreational Camps allow for seven group recreational camp areas each that could be used by a separate group of association. The group sites contain between three and eight camp units which by the Zoning Ordinance may be permanent structures. The owner is approved to use permanent/seasonal tent like structure as the camp units. Parking, interior campground trails and road, water, bathhouses and toilet facilities must meet with State and local regulations.

The property owners are requesting the follow change exceeding 25% of the existing camp units and therefore requiring conditional use review as if establishing the use anew.

As per condition, #5 of the existing conditional use, an amendment is required prior to conversion of the seasonal tent structures within the recreational camps to permanent cabins. The request is to have five of the proposed 14 recreational camps to contain 13 permanent solid wall cabins. In addition, the current group recreational camps each had a minimum of three to eight camp units. The proposed plan reduces the group camps to two to seven units per group camp. The total changes per camp type are as follows:

On February 17th, 2022 the conditional use for the campground is further amended to include the changes as follows:

- ~~36-55-58~~ Units (Structure type shelters = **42 tents** and ~~of which 13~~ **16 are solid wall cabins**) in the recreational camp; ~~7~~ **14 16** Group Rec Camps "Sites"
- ~~13~~ **8** Units (~~trailer, park models~~) (**tents/pop-ups campers, trailers**) in the public campground; ~~13~~ **8** Camp Sites
- ~~8~~ **10 8** Units (~~tents/pop-ups campers, trailers~~) (**trailer Park Models**) in the planned campground; ~~8~~ **10 8** Camp Sites
- Total Campground Facility ~~57~~ **73 74** Units (shelter types) ; Total ~~28~~ **32** Camp Sites
- Parking spaces totaling 54 are increased to **97** regular parking spaces.
- Temporary grass parking spaces totaling 60 for events/overflow are expanded to **104**.
- Relocation of the family event area
- Added event bonfire pit location
- Restrooms totaling nine are proposed to be reduced to **eight** with updates and relocation.

14. No permanent liquor license shall be applied for or issued for the premises under this approval as a campground allowing seasonal family related events. No portion of the campground shall become a bar/tavern.
15. Alcoholic beverages sold on site must be purchased from and dispensed by a licensed provider. All alcoholic beverages sold on site must be served by a certified bartender in compliance with all laws and regulations established by appropriate governmental units including no service to underage or intoxicated guests.
16. No retail sales other than beverages during an event shall be allowed on site.
17. There shall be a detailed approved site plan identifying outdoor areas used for seasonal family related events including amenities such as but not limited to outside cooking, bonfires, outdoor music, party tents, the parking area and portable toilets if provided.
18. Outdoor bonfires shall be in an acceptable location within a fire ring as specified on the site plan.
19. There shall be no fireworks or firework displays launched from the campground during use for a seasonal family related event.
20. Garbage shall be removed from the property on the Monday after a seasonal family related event, at the latest.
21. The site shall be owner occupied with the current girls scout camp main structure to be used as a caretaker's quarters and home for the property owners. The caretaker's quarters shall not be rented out or used by camping guests. No use for the bathroom by campers.
22. Use of the grounds shall be limited to the recreation camp activities.
23. All housing for the campground users shall occur in the campground shelters as identified on the plan.
24. The project must meet with all State, Federal and local approvals.
25. The applicant must obtain all required County Zoning permit.
26. Hours of operation for the campgrounds shall be as stated in the plan of operations.
27. Quiet hours for the campgrounds shall be set between 10:00 p.m. and 6:00 a.m.
28. Sufficient adult supervision must be present at all times when the camp is used by children.
29. No animals for a petting zoo may be brought on site without additional conditional use approval.
30. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.
31. The project site must meet with all County sanitary requirements.
32. All perimeter fencing shall be maintained as identified on the project plan.
33. The applicant obtaining adequate liability insurance and keep the insurance current during the life of this conditional use.
34. All lighting must be shielded and directed on to the property.
35. Parking must meet with requirements of the county zoning ordinance. All parking must be in compliance with County requirements within 60 days of this approval.
36. The applicant shall obtain a Walworth County sign permit prior to placement of any sign on site.
37. The owner of the property shall release, indemnify and hold harmless Walworth County and its agents and employees from all liability, claims, demands, causes of action, costs, or losses for personal injuries, property damage or loss of life or property as a result of exercising this approval.
38. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
39. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

40. The parking standards have been modified by this conditional use to allow overflow parking on the grass during the occasions of events as depicted of the project plan. Normal campground (non-event) use shall use the surfaced parking as depicted on the project plan.
41. There shall be no more than two dogs or pets (by County Zoning Ordinance) allowed per camp unit and all pets shall be kept in the presents of the owner/caretaker on a leash or contained when on site.
42. Examples of glamping internet links provided are not accepted as part of the conditional use application or approval.

Dated this 16th day of September, 2021.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

cc: Town of Troy, **John Kendall, Chairman**, N8870 Briggs Street, East Troy, WI 53120
Town of Troy, **Tracey Raymond**, Clerk, N8870 Briggs Street, East Troy, WI 53120

Staff presents request.

Jim Van Dreser motioned to approve. Seconded by Jerry Grant. Motion carried 7-favor 0-oppose.

Disc Count # 5:39:56 – 5:41:50

TABLED – NO TOWN DECISION

- ~~3. **John Neighbors – Owner**, Section 25, Delavan Township. Amendment of a conditional use for a request for a one time exemption for a Thursday wedding using the outdoor food and beverage area, outdoor food and beverage for rehearsal dinners, clarification of non-event outdoor activities and activities that may occur under the existing coffee shop outdoor food and beverage conditional use approval. Tax Parcel F D 2500019.~~

TABLED – NO TOWN DECISION

- ~~4. **North by Northwest, LLC C/O John Berget – Owner**, Section 25, Delavan Township. Amendment of a conditional use for storage facilities in the A-4 Agricultural Related Manufacturing, Warehousing and Marketing District for modification of an allowable nine sq. ft. sign to a 40 sq. ft. sign. Tax Parcel FA499900002.~~

5: 41 p.m.:

Ordinance Amendments – None

Rezones with Conditional Uses –

TABLED – NO TOWN DECISION

- ~~1. **Christian League for the Handicapped, Inc. dba Inspiration Ministries – Owner, Abbey Provident Venture, LLC C/O Richard Donner – Applicant**, Section 2, Walworth Township. Rezone approximately 4.13 acres of P-2 Institutional Park District land to the C-2 Upland Resource Conservation District with conditional use for a separate approximately 20.9 acres parcel for an existing recreational camp to operate as the Lake Geneva Hospitality Academy. Part of Tax Parcel E W 200013.~~

TABLED – NO TOWN DECISION

- ~~2. **Michelle Cleveland – Owner**, SW ¼ of Section 10, Richmond Township. Rezone approximately .55 acres of A-1 Prime Agricultural Zone District property to the A-4~~

~~Agricultural Related Manufacturing, Warehousing and Marketing District. The rezone is requested in order to obtain conditional use approval for a commercial green house with sales of agricultural plant and ancillary non-agricultural items (decorative garden item such as pottery, concrete statuary, metal signs, sculptures and garden spinners) subject to a detailed plan approved by the Committee. Part of Tax Parcel CA337600001.~~

3. **Gerald D. and Michelle L. Morgan – Owners**, NW ¼ of Section 32, Sugar Creek Township. Rezone .64 acres of A-1 Prime Agricultural Zone District property to the A-4 Agricultural Related Manufacturing, Warehousing and Marketing District in order to obtain conditional use permit approval for a contractor storage yard for a landscaping business. Part of Tax Parcel GA492900001.

General:

1. Approved as per plan submitted for a contractor storage yard, for a landscaping business and with all additional conditions.
2. All uses of the site shall meet applicable Federal, State, County and local regulations including commercial building inspection.
3. Outside lighting shall be shielded and directed on site.
4. The applicant must obtain all required zoning permit approvals including sign permits.
5. The applicant must obtain the required County Highway Department approval for use of the access for the business.
6. No fill, debris, branches or leaves may be disposed of on-site outside of designated storage areas.
7. No burning of waste materials shall occur on site.
8. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office if required by ordinance.
9. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval. Vehicle parking shall be located as identified on the approved plan of operations.
10. The project site must be kept neat, clean, and mowed. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, fluid/oils spills, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.
11. Implementation of dust and noise control measures shall occur at all times on site.
12. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday through Saturday with extended hours until 9:00 p.m. for return of equipment from offsite work locations.
13. All perimeter fencing shall be maintained as identified on the project plan.
14. The operator shall obtain adequate liability insurance and keep the insurance current during the life of this conditional use.
15. No on-site general public sales shall be allowed from the contractor storage yard.
16. No business activities other than specified in the plan of operations may be conducted from out of the facilities.
17. No storage of chemicals, petroleum products and flammable materials shall occur on site unless stored in a containment facility meeting State requirements.
18. The owner must provide a waste disposal plan stating where all trash, metal filings, drain oil and other fluids are disposed and shall follow the approved plan during operations on site.

19. Outside storage is limited to the type, quantities and location of material associated with the business as identified on the plan of operations. No outside storage areas including displays of goods are allowed in the required setback areas.
20. No outside storage of chemicals shall occur on site.
21. No dumping of chemical waste shall be conducted outside of the building. All discharge of chemical waste to the holding tank or septic system shall be pre-approved by the County sanitarian.
22. All flammable waste materials shall be stored in a non-flammable, enclosed container and be gated in a non-combustible fence.
23. The owner shall obtain approval of a pollution prevention plan from the County Land Conservation Office and a hazardous spill plan from the State if required by law.
24. No occupancy shall be allowed for the business activity approved by this conditional use until all conditions of approval are met.
25. Walworth County staff may conduct inspections necessary to ensure site is operated and maintained according to applicable regulations.
26. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
27. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three-year period. Any extension requested during the three-year active exercise period greater than one year beyond the original three-year period shall require additional Town and County committee approvals.

Specific:

28. Only trucks, trailers and equipment owned by the property owner's landscaping business shall be allowed to be stored within the A-4 zoned area.
29. All equipment shall be stored behind the shed as per the Town.
30. The County reserves the authority to require any outside stored materials to be removed from the site within 48 hours of a determination the storage is inconsistent with this approval, has become unsightly or is detrimental to human health and safety.
31. There shall be no expansion of this contractor storage yard without new conditional use approval.
32. There shall be no extension of use on-site into industrial use without first obtaining required industrial zone district approval. Approval of industrial zoning at this location is not guaranteed and would require consistency review with the Town and County Land Use Plans.

Staff presents request and indicates this is consistent with Farmland Preservation and County 2050 Land Use Plan.

Gerald and Michelle Morgan speak regarding the application for questions.

Jerry Grant motioned to approve. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose.

The rezone petition will move forward to the March 8, 2022 Walworth County Board for possible action.

Disc Count # 5:47:45 – 5:51:50

Rezoning –

1. **Robert and Brenda Case – Owners**, NE ¼ of Section 15, Linn Township. Rezone of their lots from B-6 Bed and Breakfast District to the R-1 Single Family Residential District, as they are no longer running a bed and breakfast from their residential home. Tax Parcels I L 1500002 and 2B.

Staff presents request.

Applicant called in to the hearing and hung up/disconnected multiple times.

Richard Kuhnke, Sr. motioned to approve. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose.

The rezone petition will move forward to the March 8, 2022 Walworth County Board for possible action.

Disc Count # 5:51:53 – 5:55:25

TABLED – NO TOWN DECISION

- ~~2. **Justin and Mary Rohrer – Owners**, SE ¼ of Section 31, East Troy Township. Rezone 17.98 acres of A-1 Prime Agricultural Zone District property to the C-2 Upland Resource Conservation District in order to create three rural density residential single family lots. Tax Parcel P-ET3100008.~~

Conditional Uses –

1. **Wisconsin Resorts, Inc. C/O Bruce Firestone – Owner**, NE ¼ of Section 12, LaFayette Township. Conditional use approval for public assembly and outdoor food and beverage on land zoned B-5 Planned Commercial-Recreational Business District in order to hold summer and fall outdoor events for up to 3000 people per day. Tax Parcels K LF 1200001A, 1B and 10.

General:

1. Approved per plans submitted for seasonal use of an outdoor events area for public assembly and outdoor food and beverage in conjunction with a principle use indoor hotel and resort.
2. Use of the grounds shall be limited to the uses as stated in the plan of operations.
3. All public assembly outdoor seating and food and beverage consumption must be within the area as specified on the approved site plan.
4. All storage areas, materials and equipment shall be located as defined on the plan of operations.
5. The site shall meet all applicable Federal, State, County and local regulations.
6. The applicant must obtain all required zoning permit approvals including a sign permit.
7. The property owner must obtain the required County sanitary permit approval for facilities to be located on site.

8. Sufficient adult supervision by on site workers must be present at all times when facilities are in use.
9. The applicant is responsible for obtaining adequate liability insurance and keeping the insurance current during the life of this conditional use.
10. All lighting must be shielded and directed on to the property.
11. All parking must occur in the areas identified on the approved plan. Parking must meet with requirements of the county zoning ordinance. All parking must be graded and surfaced to be dust free. All parking must be in compliance with County requirements prior to use of this approval.
12. No filling shall occur on site without proper permit approvals.
13. Access approval must be obtained from the County Highway Department.
14. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land Disturbance, Erosion Control and Stormwater Management standards contained in Section 26 of the Walworth County Code of Ordinances.
15. No burning shall be allowed on site as part of this public assemble and outdoor food and beverage conditional use permit approval.
16. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
17. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three-year period. Any extension requested during the three-year active exercise period greater than one year beyond the original three-year period shall require additional Town and County committee approvals.

Specific:

18. Outdoor public assembly and outdoor food and beverage hours shall be allowed on Fridays, Saturdays and Sundays from 10:00 a.m. to 12:00 ~~p.m.~~ midnight each day during the months of May, June, July, August, September and October.
19. Outdoor use for events shall only occur during indoor event use of the commercial buildings.
20. The people using the proposed conditional use outdoor area shall be the same people using the principle use indoor area for the same event.
21. The maximum capacity of the events shall be 3000 guest per day using the 1500 parking stalls.
22. There shall be the potential to have guests arriving by alternate transportation (limousine, shuttles, bus, Uber, Lift) by use of a 24-foot wide continuous commercial drop off and pickup access loop.
23. There shall be no fireworks or firework displays launched from the site during events.
24. All music for onsite events both indoors and outdoors shall end by 11: p.m.
25. Use of the outside area for events shall conclude by 11:00 p.m.
26. All alcoholic beverage sales must follow required liquor license requirements.
27. Temporary exterior fencing shall be installed around the music event area.
28. The Town and County shall review the conditional use for public assembly and outdoor food and beverage in one year.
29. **Approval shall be effective upon receipt of Town approval.**

Staff presents request.

Susie Skyler / Alpine Valley Events Coordinator speaks regarding the application.

Ryan Simons motioned to approve adding a condition to receive the Town approval.

Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose.

Disc Count # 5:55:57 – 6:07:15

2. **Faye Blakeley – Owner, Kelsey Hartland – Applicant**, NE ¼ of Section 6, Walworth Township. Conditional use approval on property zoned B-2 General Business District for an athletic club called The Lofty Life Aerial Dance, LLC used for teaching circus-based fitness classes including aerial dance and other fitness classes such as yoga. Tax Parcel EA135900001.

General:

1. The Conditional Use for a dance studio in a barn as an athletic club with caretaker's residence in the existing house is approved as per the plan submitted with the following conditions.
2. Use of the grounds shall be limited to the uses as stated in the plan of operations.
3. The project must meet with all State, Federal and local approvals.
4. The applicant must obtain all required County Zoning permit including a sign permit for any proposed signage.
5. Sufficient adult supervision must be present at all times when facilities are in use.
6. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.
7. The applicant is responsible for obtaining adequate liability insurance and keeps the insurance current during the life of this conditional use.
8. All lighting must be shielded and directed on to the property.
9. All parking must occur in the areas identified on the approved plan. Parking must meet with requirements of the county zoning ordinance. All parking must be graded and surfaced to be dust free. All parking for business on site must be in compliance with County requirements. Use of the site shall limited by the number of parking spaces available as shown on the approved site plan.
10. The property owner must obtain the required County sanitary permit approval for use of the sanitary facilities on site.
11. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
12. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

13. Classes shall be held on Mondays through Fridays from 9:00 a.m. to 9:00 p.m. and on Saturdays and Sundays from 9a.m. to 4 p.m.
14. The property owner shall obtain any required commercial building permit prior to making alterations of the barn into a dance studio. This condition is specifically regarding approval needed prior to the remove of portion of the barn ceiling between the first and second floor of the barn structure.
15. Maximum capacity of the athletic club as a dance studio shall be three instructors and 22 students.

Staff presents request.

Kelsey Hartland speaks regarding the application.

**Dave Weber motioned to approve. Seconded by Jim Van Dreser. Motion carried.
7-favor 0-oppose.**

Disc Count # 6:07:25 – 6:12:50

3. **South Shore Storage, LLC – Owner, David and Donna Gustafson – Applicants, SE ¼ of Section 32, Delavan Township.** Conditional use permit review and approval for expansion of off-season storage facility by greater than 25% requiring conditional use approval as if establishing the use anew. In addition, the request is for a Planned Unit Development to allow multiple businesses of a storefront with dwelling, car repair shop and surveyors office along with the storage facility on a single parcel. Tax parcel FHO 00001.

General:

1. Approved per plans submitted for a Planned Unit Development for expansion of indoor off season/mini-warehouse storage, multiple businesses of a storefront with dwelling, car repair shop and surveyors office with all additional conditions.
2. All storage areas shall be located as defined on the plan of operations.
3. This conditional use contains an overall umbrella approval for the PUD for the indoor off season/mini-warehouse storage multiple businesses of a storefront with dwelling, car repair shop and surveyors office on one parcel and an individual conditional use for each enterprise. Enforcement actions may be taken on the PUD as a whole or the conditional use approvals individually.
4. No general public sales allowed from the indoor storage facility. No business activities other than specified in the plan of operations may be conducted from out of the facilities.
5. The site shall meet all applicable Federal, State, County and local regulations.
6. The applicant must obtain all required zoning permits including sign permits.
7. No filling shall occur on site without a site grading plan and proper permit approval.
8. All areas shall be kept neat, clean and mowed.
9. All outside lighting shall be shielded and directed on site.
10. No fuel storage shall be located on site.
11. Access approval must be obtained from the Town of Delavan and be submitted for the conditional use file prior to operation on site.
12. All cars and trucks shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. The off street parking area shall be graded and surfaced to be dust free and properly drained. All parking areas shall be clearly marked. All parking shall be properly install prior to use of the site.
13. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land Disturbance, Erosion Control and Stormwater Management standards contained in Section 26 of the Walworth County Code of Ordinances.
14. The storage facilities hours of operation shall be from 6:00 a.m. to 6:00 p.m.
15. No outside storage of building construction equipment or materials shall be allowed on site at the conclusion of building construction for the project.

16. The owner/applicant must obtain County Land Conservation Office approval of a spill prevention plan (SPP) and a stormwater pollution prevention plan for this site if require by ordinance.
17. No burning of waste materials shall occur on site.
18. The property owner must maintain adequate liability insurance during use of the property and keeps the insurance current during the life of this conditional use.
19. The owners of the property shall release, indemnify and hold harmless Walworth County, the Town of Delavan and their agents and employees from all liability, claims, demands, causes of action, costs, or losses for personal injuries, property damage or loss of life or property prior to this conditional use being valid.
20. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
21. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three-year period. Any extension requested during the three-year active exercise period greater than one year beyond the original three-year period shall require additional Town and County committee approvals.

Specific:

22. No hazardous materials shall be stored in the storage buildings as per the Town.
23. The site must comply with the Town's Lighting Ordinance as per the Town.

Staff presents request.

David/Donna Gustafson speak regarding the application for questions

Richard Kuhnke, Sr. motioned to approve. Seconded by Ryan Simons. Motion carried. 7-favor 0-oppose.

Disc Count # 6:13:10 – 6:16:18

Adjournment

Ryan Simons motioned to adjourn. Seconded by Jerry Grant. Motion carried. 7-favor 0-oppose

The meeting was adjourned at 6:19 p.m.

Submitted by Sheril Oldenburg, Recording Secretary.
Minutes are not final until approved by the committee at its next meeting.