

County Zoning Agency
MINUTES
May 18, 2023 – 4:30 P.M.
100 West Walworth Street
Elkhorn, Wisconsin

Chairman Ryan Simons called the meeting to order at 4:30 p.m.

Roll call – Committee members present in person were Supervisors Ryan Simons, Sue Pruessing, Dennis Karbowski, Al Stanek, Joanne Laufenberg 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, Deputy Director Mandy Bonneville, Senior Planner/Hearing Facilitator Katelyn Miner and Senior Zoning Officer Nicholas Sigmund.

A “sign-in” sheet listing attendees on May 18, 2023 is kept on file as a matter of record.

Details of the May 18, 2023 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

Sue Pruessing motioned to approve the agenda as amended to table items 8.d.1.) Zan Enterprises, LLC; and 8.f.1.) Shodeen Family Property Company, LLC. Seconded by Dennis Karbowski. Motion to Approve the agenda carried. 7-favor 0-oppose

Richard Kuhnke, Sr. motioned to approve the April 20, 2023 CZA Workshop and Regular CZA Meeting Minutes, and April 5, 2023 Joint CZA / Walworth Shodeen site meeting. Seconded by Sue Pruessing. Al Stanek asked to include in the minutes his absence from the vote on each of the items heard on pages 18 to 21 of the meeting packet with the vote of “6-favor 0-oppose 1-Absent – Al Stanek” Motion carried. 7-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement
Disc Count # 4:37:44 – 4:38:02

Subdivision Items – Old Business – None

Subdivision Items – New Business –

- 1. Lyons Hillside Subdivision Addition No.1** Final Plat, Paul Mueller & Dennis Tully, applicants. Proposed 12 lot and 1 outlot subdivision plat located in Section 10, Town 2 North, Range 18 East, Town of Lyons. Parcel # NA287500001. The proposed plat contains 6.04 acres of land and is zoned R-3, Two-Family Residence District.

Staff presents request with the following recommended conditions: 1. Approval is subject to addressing all LURM staff requirements: a. Add approved storm water management practices and easements; b. Add the wetland area, screening information,

and protective note; c. Add floodplain and shoreland boundaries within 100 feet; d. Add the note stating the purpose of the outlot; e. approval is subject to recoding the Declaration of Restrictions indicating that each lot owner will have a 1/12th interest in the outlot and that the HOA will be responsible for the maintenance and repair of the stormwater management facilities on the outlot; and 2. ~~Approval is subject to meeting all requirements of state statutes and county ordinances.~~ (removed by motion and second)

Paul Mueller speaks regarding the application.

Al Stanek motioned to approve with conditions 1 a-e. Seconded by Dennis Karbowski. Motion carried. 7-favor 0-oppose.
Disc Count # 4:38:07 – 4:43:41

Old Business - Ordinance Amendments – None

Old Business – Discussion Items –

1. **Public Hearing Held 4/20/2023: RM Krueger Investments, LLC C/O Ron Krueger – Owner, Tom Jurasinski – Applicant**, Section 16, East Troy Township. Rezone approximately 2.6 acres of A-1 Prime Agricultural District land, 2.2 acres of C-4 Shoreland Wetland District land and 16.6 acres of C-2 Upland Resource Conservation District land to the B-5 Planned Commercial-Recreation Business District. Conditional use petition to bring an existing Planned Campground Development known as the Sheltering Oaks Campground into compliance with the Walworth County Zoning Ordinance. Tax Parcel PO 00011 and part of Tax Parcel P ET 1600005A.

General:

1. The Conditional Use for a Planned Development Campground with five single family dwellings for caretaker's and family members of the owner of the campground is approved as per the plan submitted with all additional conditions.
2. This approval is for a broad scoping master conditional use for the entire campground as a whole including individual conditional use approval for each of the 100-planned campground sites and five single-family residences.
3. The campground use shall be in compliance with all State, Federal and local regulations including but not limited to State Chapter DHS 178 Campgrounds.
4. The property owner shall provide a copy of the Chapter DHS 178 State Campground permit for the conditional use file.
5. The planned campground sites may contain associated structures approved by a zoning permit or review.
6. There shall be no camp operations allowed in the perimeter yard buffer areas with the exception of units that have obtain variances as specified in the variance approvals. All perimeter yard buffer vegetation shall be maintained according to County Ordinance standards. Camping operations shall include parking of boats and garbage dumpster locations.
7. The County may take enforcement actions for violation of the master conditional use against the campground owner on the campground as a whole and/or a violation of the conditional use for the individual campsites and campsite users.
8. Use of the grounds shall be limited to normal camping use as stated in the plan of operations.
9. The Campground shall be used for seasonal camping from April 1st to October 31st of each year. Campsite check in hours shall be from 8:00 a.m. to 11:00 p.m.

10. The property owner shall implement quiet hours after 10:00 p.m. until 8:00 a.m. every day.
11. Only the registered campers and their guests shall use the campground. Use of the campground by camping guests shall be limited as stated in the "Seasonal Campers Rules and Regulation Manual".
12. The capacity of the campground shall not exceed six (6) camp users per campsite. The capacity cap of 6 campsite users per campsite may be exceeded if the users of a campsite are members of an immediate family as specified by State law.
13. After hours check in shall be discouraged and allowed by the owner on emergency basis only. The property owner shall be required to keep record of all emergency check in activities and shall submit the record to the County during the annual review and upon any additional request for review by the County. After hours check in records shall state the reason for allowing the check in.
14. The camping sites and camp **units on site** shall not be used as a permanent residence or become permanent residential homes.
15. There shall be no day camping during the period when the camp is closed. Campsite users may schedule emergency off-season maintenance visits to the camp units with camp owner's approval. Scheduled emergency off-season maintenance visits shall be discouraged and only allowed by the property owner to insure human health and safety and for weather protection of private property. Off-season emergency maintenance visits shall be limited by the camp owner to one maximum two-day emergency visit per Planned Development campsite. The property owner may request additional emergency visits to a campsite beyond the allowable two-day visit from the County Zoning Office. The property owner shall be required to keep record of all emergency visits made when the camp is closed for each campsite and shall submit the record to the County during the annual review and upon any additional request for review by the County. Scheduled off-season maintenance visits records shall include a statement regarding the purpose of the proposed maintenance visit.
16. The property owner shall submit a plat of survey for a lot line adjustment combining all parcels covered by this conditional use into one parcel and record the document within 6 months of this approval.
17. Use of the common area, shall be restricted to those identified in the plan of operations and the approved site plan. There shall be no camping allowed outside of the campsites as located.
18. The master conditional use plan shall identify 300-foot service rings from all water service and 400-foot service rings from all restroom service. All campsites shall be required to be located in at least one of both types of these service rings. However, camping units with self-contained toilet facilities may be located outside of the 400-foot restroom service rings and campsites with on-site water spigots may be outside the 300-foot water service rings. Sites outside of the required service rings shall not be used until water, restroom, roadway and pathway access, services are provided consistent with all required codes. The master conditional use plan shall show the exterior boundary of each campsite and the location of all structures within each campsite. All roadway and pathway access to the campsites shall be shown on the plan.
19. Each campsite shall abut upon a minimum of at least one roadway access or pathway access leading to the roadway.
20. The master conditional use plan shall provide for off street, and on premise parking for all camping areas in the ratio of not less than one parking space for each camping unit, plus one additional parking space for each motor vehicle **operating** in connection with such camping. Parking may not be located in any required yard. In addition, parking for motorized vehicles shall be restricted to a maximum of 2 vehicles per campsite. Parking may not occur on any roadway. All parking shall be identified on the plan. All parking shall be in compliance with County requirements within 60 days of approval.
21. All perimeter fencing shall be maintained as identified on the project plan.
22. The property owner shall keep the trees above the roadways trimmed to a height of 14 feet for fire and safety equipment access.
23. There shall be no alterations of the shoreland setbacks or wetlands without obtaining County and State required approvals.
24. All existing roads show on the plan as greater than 12 foot wide shall be maintained at the existing width or a minimum of 16 feet. All roads less than 12 feet wide on the plan shall be widened to 12 foot wide. All proposed future roadways shall be a minimum of 16 feet wide. All road maintenance shall be conducted as agreed to and specified in the plan of operations. The property owner shall show all historical off-street parking for the campsites in the shoreland area by the lake.
25. Campers' golf carts may not be parked or operated on the public roads. ATVs shall not be allowed to operate on site except for the property owner's private use of ATVs.
26. The activities pavilion may contain vending machines but shall not be converted into a retail store or contain outside vendors (retail sale persons).

27. All septic waste treatment and storage facilities must be approved by the County and or State agencies. The property owner must assure that septic waste loads will not increase over time without providing necessary capacity.
28. All existing and new structures shall be required to meet the standards of the County Zoning Ordinance and have required permits and inspections. No additional structures shall be added to the plan without obtaining County zoning permit approval. Structures to be placed on individual Planned Campsites by the site user shall be added to the master conditional use plan for the campground upon zoning permit approval. The owner shall attach a photocopy of the updated master plan showing any new structure to the required zoning permit application. The Zoning Office prior to issuance of a zoning permit shall further review all structure locations. All zoning permit applications shall be signed by the property owner.
29. This permit does not include conditional use approval for any structure (decks, additions, porches, sheds, retain walls etc.) or use that is not specifically identified on the master plans for the entire campground as approved and/or amended.
30. Any proposed special event use outside of specified activities for the registered camp users shall require additional conditional use approval or amendment.
31. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction. All stormwater amenities and areas shall be identified as common areas to be maintained by property owner. All grading must be conducted consistent with the approved Land Disturbance Erosion Control and Stormwater Management plan. All topsoil generated from the site must be evenly distributed back onto the site on the areas from which it was removed or in areas in need of the topsoil. No materials may be removed from the site.
32. The applicant shall submit an outdoor lighting plan for review and approval prior to construction. All lighting shall be shielded and directed on site. There shall be no additional lighting allowed on site except as required by ordinance.
33. The seasonal campground is approved subject to the **owner maintaining a “Seasonal Campers Rules and Regulation Manual” consistent with all conditions of this conditional use.** The property owner shall be held solely responsible for addressing all rules and or restrictive covenants beyond those enforceable by County, State or Federal regulations. The **“Seasonal Campers Rules and Regulation Manual”** shall be submitted to the County Land Management Department for review for consistency with County ordinances and requirements and the conditional use approval. Any wording of the rules **within the “Seasonal Campers Rules and Regulation Manual”** for operation of the campground which in the opinion of the County Land Management Department are inconsistent with County approvals including the plan, amended narrative, ordinances or requirements will require County conditional use review and approval.
34. The master conditional use plan for the campground shall identify the building envelope on each individual campsite within the development and all existing structures meeting the required setbacks prior to approval. A typical envelope diagram shall not be acceptable.
35. The property owner shall locate (stake) the corners of each camping unit pad on each Planned Campground site. A zoning permit shall be required for each camping pad within the Planned Campground sites. Camping units may be replaced within the camping unit pad once a zoning permit is issued so long as the new camping unit fits within the pad as staked. The camping unit located on a Planned Campground site shall be required to be located within the boundaries of the staked camping unit pad. The unit pads shown on the master conditional use plan submitted for the hearing are not approved by this conditional use. All unit pads shall be approved upon review and or issuance of the required zoning permits.
36. The County will review the **master** conditional use plan and require all structures that have not received zoning permit approval obtain an after the fact zoning permit if they comply with the required zoning regulations. Zoning permits shall be applied for **by September 1st, 2023.** If structures identified on the plan do not meet the required zoning regulation or have not obtained a zoning permit, the County will send notice to the property owner indicating that the structures will be required to be removed or brought into compliance with the zoning regulations in the time frame agree to by the Land Use and Resource Management Department. Failure to bring the individual structures into conformance with County ordinances and this approval shall result County enforcement actions as specified by ordinance.
37. The owner shall provide the Town and County with current “Expansion and Transition Construction Phases” and notify the Town and County in advance of any and all intended construction and improvements.
38. It shall be the property owner’s responsibility to assure that all pets are limited to a maximum of three per campsite and all pets shall meet the definition of a household pet as specified in the County Zoning Ordinance.
39. 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.
40. Sufficient adult supervision must be present at all times when the camp is used by children. The property owner shall provide security personnel as specified in the plan of operations.

41. It shall be the property owner's responsibility to maintain adequate liability insurance for the campground activities and structures and keep the insurance current during the life of this conditional use.
42. The property owner shall immediately notify the County Land Use and Resource Management Department if the caretaker's residence is no longer occupied by a caretaker.
43. This conditional use shall be subject to an annual **campground operational permit issuance** by the County staff.
44. 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:

45. The County reserves the right to rescind this conditional use upon any violation of County regulations.
46. There shall be no additional tree cutting other than that specified in the "Seasonal Camper Rules and Regulations or as specified on the approved master conditional use plan.
47. There shall be no campground related use on adjacent properties under the same ownership.
48. The campground is approved for a maximum 100 camping units with a maximum of 4000 sq. ft. per campsite with a 400 sq. ft. of camp unit and 400 sq. ft. of adjacent deck area.
49. The larger open space areas identified on the site plan shall be required to be maintained regardless of not meeting the one half acre open space area size requirement or 4 to 1 area width to depth requirements of the open space definition of the zoning code. The interstitial areas between campsites may be used for adjustment of the campsite areas sizes and locations.
50. This conditional use approval includes modification to the road access requirement from the required 16 ft. width requirements to the widths as identified on the approved site plan.
51. **Camping units and their accessories that have received Walworth County BOA variance approval shall be brought into compliance upon replacement, or go back to the BOA for a new hearing specific to the site in question, or be replaced in the same footprint as per State Statute 59.692, if applicable to the structure in question.**

Staff discussed the issues presented at the public hearing in April, 2023 and discussions with the Applicant. Staff reviews the clarifying condition.

Jim Van Dreser motioned to approve with conditions as presented. Seconded by Richard Kuhnke, Sr. Motion carried. 7-favor 0-oppose.
Disc Count # 4:43:43 – 4:46:53

2. **Public Hearing Held 4/20/2023: Dean Kincaid, Inc. C/O Dean Kincaid – Owner, Malaquias Encarnacion of ~~EDF Emmons & Olivier Resources, Inc. (EOR)~~ – Applicant**, Section 22 and 23, LaGrange Township. The property owner is requesting conditional use review and approval to install and operate an eight Megawatt (MW) solar array facility as a utility on approximately 48 acres of A-1 zoned land. The project includes request for modification of the interior side yard setback to zero to allow the solar array to cross the interior property boundary. The property of concern is located on the south side of Hwy 12 approximately 1500 feet west of the intersection of Hwy 12 and Tamarack Road identified as parts of Tax Parcels H LG2200001 and H LG2300005.

General:

1. Approved as per plan submitted for an eight-megawatt ground mounted solar array facility with all additional conditions as stated.
2. Construction plans for the site shall be submitted to the County Zoning Office for review and permit approvals prior to the project beginning.
3. Construction related activities are only allowed on site between sunrises to sunset.
4. All easements must be use for the purposes granted.
5. The applicant must obtain a Land Disturbance Erosion Control and Stormwater Management permit from the County Land Conservation Office prior to any construction activities occurring on site.
6. All spoils spreading activities must be conducted in the approved identified locations.
7. All access to the site must be made as identified on the approved plan.
8. All contractor storage yards shall be located as identified on the approved plan and used as specified.
9. The applicant shall meet all applicable Federal, State and local regulations.
10. All lighting shall be shielded and directed on site.
11. There shall be no fill allowed in any designated wetland area.
12. The applicant shall make all necessary arrangements for use and crossing of public roadways with the State, County and Town Highway Departments.
13. 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.
14. Failure to 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.
15. The applicant is responsible for removal of the solar panel arrays if they are no longer in use. If the solar panel arrays are not operated during a 12 months period, the project shall be considered abandoned. Abandoned solar panel arrays may be required to be removed within 90 days.
16. 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.
17. All installation of the solar panel arrays must comply with Wisconsin Administrative Code Chapter PSC 119 for interconnection distributed generation facilities.

Specific:

18. Any on-site materials lay down area for contractor storage of materials, equipment including job trailers will be required to be added to the site plan and obtain zoning permit and erosion control and stormwater permit approval if required by ordinance.
19. This approval includes modification of the interior side yard setback to zero feet to allow the solar arrays to span the interior lot line between the two tax parcels.
20. **The applicant shall obtain approval of a screening plan on the north end of the project along Hwy 12 as per the Town.**
21. **There shall be containment facilities incorporated into equipment such as transformers to be located on site as per the Town.**

Staff discussed the issues presented at the public hearing in April, 2023. Chairman indicates the inclusion of the 2 conditions read at the April CZA meeting contained in the supplemental packet. CZA reviews the drone footage of the property.

Malaquias Encarnacion/EDF speaks regarding questions of funding and setbacks and property ownership.

Al Stanek motioned to approve with conditions as presented. Seconded by Dennis Karbowski. Roll call vote:

Ryan Simons:	Yes	Jim Van Dreser	No
Sue Pruessing:	Yes	JoAnne Laufenberg	No
Richard Kuhnke, Sr.	Yes	Dennis Karbowski	Yes

Al Stanek Yes

Motion carried. 5-favor 2-oppose.

Disc Count # 4:46:53 – 5:02:10

New Business - Ordinance Amendments – None

New Business – Discussion Items –

1. Columbia County Resolution Number 14-23 – Request State to Revise Solar Energy System Law – Mandy Bonneville/Michael Cotter

CZA HEARS ITEM #1 AND #2 TOGETHER.

2. Clark County Resolution Number 3-1-23 – Recommending Revision to State Wind Energy Regulations – Mandy Bonneville/Michael Cotter

Staff discusses options for Committee concerning the resolution.

JoAnne Laufenberg motions to instruct staff to send a letter of support to the Wisconsin Counties Association and to prepare a mirror resolution to send to the Walworth County Board. Seconded by Sue Pruessing. Roll call vote:

Ryan Simons:	Yes	Jim Van Dreser	No
Sue Pruessing:	Yes	JoAnne Laufenberg	Yes
Richard Kuhnke, Sr.	Yes	Dennis Karbowski	No

Al Stanek No

Motion carried. 4-favor 3-oppose.

Disc Count # 5:02:18 – 5:14:41

3. **Zioto Enterprises, LLC – Owner.** Section 8, Darien Township. Amendment of Conditional Use for continued outside storage of sheds with signage for an additional three years. Tax Parcel B D 800005.

Amended May 18, 2023 for continued outside storage of sheds with a sign for an additional three years.

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 **three year extension starting February 17th, 2022** for conditional use approvals for outside storage and sales of portable barns and sheds, **and further amended on May 18, 2023 for continued outside storage of sheds with signage for an additional three years.**

Part of Tax Parcel B D 800005.

Has been APPROVED subject to the following conditions:

General:

1. Approved for **one year extension starting February 17th, 2022 as per the Town** as per plan submitted **and further amended on May 18, 2023** for outside storage of sheds to be stored on site for sale **with a sign as per plan submitted.**
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~~ **three** 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.
21. **The sign cannot be placed within the 100 ft. vision triangle from the corner of the property facing the road. It must also be at least 5 ft. from the road right-of-way.**

Dated this 20th day of June, 2019.

COUNTY ZONING AGENCY
TIM BRELLENTHIN, CHAIRMAN

Dated this 17th day of February, 2022.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

Dated this 18th day of May, 2023.

COUNTY ZONING AGENCY
RYAN SIMONS, 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

Staff presents request.

Jim Van Dreser motions to TABLE to get an updated plan for the property. Seconded by Al Stanek.

Motion carried. 6-favor 1-oppose (JoAnne Laufenberg voting in opposition)
Disc Count # 5:14:45 – 5:24:49

4. **Circuit Court Decision: Abbey Provident Venture, LLC v. Walworth County, et al. – Michael Cotter**

Sue Pruessing recuses herself from this discussion as she was recused at the original decision hearing.

Staff and Walworth County Atty Estee Scholtz discusses the decision provided in a supplemental packet and options available to the Committee. Jim Van Dreser questions the issue for the decision being his discussions. Staff indicates the decision said those were not addressed. Atty Estee Scholtz explains appeal or motion for reconsideration options.

No action is required of the Committee at this time. Updates will come to the Committee at a future meeting(s).
Disc Count # 5:24:50 – 5:37:20

5: 37 p.m.:

Ordinance Amendments –

1. Walworth County - Amendment to sections 74-55, 74,-64, 74-74, and 74-131 of the Walworth County Code of Ordinances – Zoning and sections 74-182, 74-191, 74-203, and 74-263 of the Walworth County Code of Ordinances - Shoreland Zoning to provide an option for a conditional use permit in the B-5 zone district allowing up to 8 occupants in a dwelling unit for temporary seasonal employees when the housing is located on the same site as the employment – Nick Sigmund

Staff presents review of ordinance amendment.

Speaking in FAVOR: Atty Chad Pollard.

This item will move forward to the June 15, 2023 Walworth County Zoning Agency meeting for possible action.

Disc Count # 5:40:47 – 5:47:53

2. Walworth County - Amendment to Section 74-174 of the Walworth County Code of Ordinances - Shoreland Zoning to incorporate 2021 Wisconsin Act 200 language and to clarify the intent and interpretation of existing language.

Staff presents review of ordinance amendment.

No public to speak on the amendment

This item will move forward to the June 15, 2023 Walworth County Zoning Agency meeting for possible action.

Disc Count # 5:47:53 – 5:50:30

Rezoning –

TABLED – NO TOWN RECOMMENDATION

1. ~~Zan Enterprises, LLC C/O Edmund Doran – Owners, Section 22, Geneva Township. The property owner is requesting to rezone approximately .55 acres of R-2 Single Family Residential (sewered) property to the R-3 Two Family Residence District (Sewered) in order to bring an illegally created duplex into compliance with the Zoning Ordinance. The property of concern is located on the west side of Narcissus Road approximately 100 feet south of the intersection of Narcissus Road and Hwy H identified as Tax Parcel JLCB 00218.~~
2. **Sunset Investment Holdings LLC C/O Roberta Wagner – Owner, Robert O’Neill – Applicant, Section 3, Lyons Township. Rezone approximately 6.01 acres of M-1 Industrial District and A-2 Agricultural Land District to C-2 Upland Resource Conservation District and 2.07 acres of M-1 Industrial District and A-1 Prime Agricultural Land District to A-2 Agricultural Land District in order to create a new C-2 Upland Resource Conservation**

District 6 acre lot with shared access, provide an access point in the rezoned A-2 area for an existing lot, and build a single-family residence. Tax Parcels N LY 300006A, N LY 300007, NA376300001, and NA24400004.

Staff presents request and indicates this is consistent with Farmland Preservation as the .7 acres is a small remnant parcel with an existing house that has not been historically farmed and is used as an access corridor to the larger agricultural A-2 zone property to the west.

Christina Green speaks regarding the application.

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

The rezone petition will move forward to the June 13, 2023 Walworth County Board for possible action.

Disc Count # 5:50:30 – 6:03:08

Conditional Uses –

1. **Copper Top Farms, LLC C/O Lawrence and Maegan Jacob – Owner**, Section 5, Richmond Township. Conditional Use review and approval for a 2 lot Planned Residential Development (PRD) on approximately 31.909 acres of A-1 and C-2 zoned land. The 31.909 acres is made up of 8.5 acres of C-2 and 21.909 acres of A-1 on a C-2/A-1 dual zone lot averaged with a 1.5 acre C-2 lot. The averaging of the lots results in a 5 acre lot C-2 density. Part of Tax Parcel C R 500004.

General:

1. Approved as per plan submitted for a two lot PRD allowing one single-family homes per lot meeting the density and setback requirements of the County Zoning Ordinance with all additional conditions.
2. The owner must meet all Town, County and/or State highway access requirements.
3. The project must meet all Federal, State, County and local Ordinances.
4. The proper preservation, care, and maintenance by the original and all subsequent owners of the design of the PRD and all common structures, facilities, essential services, access, and open spaces shall be assured by **deed restriction referencing the parcel and shall be recorded meeting standard document format as per 59.43(2m)**. All property within the PRD must remain as part of the PRD and may not be removed from the PRD without County approval.
5. The County reserves the right to rescind this conditional use upon any violation of County regulations.
6. 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.
7. Application for a C.S.M. with the required restrictions must be made for the PRD within one year of this approval.

Specific:

8. The 8.5 acres of C-2, proposed be to a lot in conjunction with the A-1 area, may not be separated without adding the A-1 area to another standard residential zone district property.
9. The 8.5 acres of C-2 must be deed restricted to remain 8.5 acres.

10. The 8.5 acre C-2 parcel will require an easement for driveway access utilizing an existing driveway on an adjacent parcel of land owned by the property owner.

Staff presents request.

Larry Jacob speaks regarding the application.

Dennis Karbowski motioned to approve with conditions as presented. Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose
Disc Count # 6:03:13 – 6:10:17

Rezones with Conditional Uses –

APPLICATION WITHDRAWN BY APPLICANT

1. ~~**Shodeen Family Property Company, LLC – Owner C/O Craig A. Shodeen, David Patzelt – Applicant**, Sections 23, 25, 26, and 27, Walworth Township. The property owner is requesting to rezone approximately 471.24 acres of A-1 Prime Agricultural land to R-1 Single Family Residential (unsewered) District, 62.8 acres of A-2 Agricultural District land to R-1, 18.99 acres of A-1 to C-2 Upland Resource Conservation District, 11.25 acres of A-1 to B-4 Highway Business District, 6.06 acres of A-1 to C-4 Shoreland Wetland District, 7.03 acres of A-1 to C-1 Lowland Resource Conservation District, 6.7 acres of A-5 Agricultural-Rural Residential District to R-1 and .31 acres of C-1 to C-4. The rezone is requested in order to obtain conditional use review for a 427 lot Planned Residential Conservation Design Development with an 11.25 acre future business area and wetlands corrected to meet field delineated wetland boundaries. The property of concern is located on the west side of Ridge Road approximately 3000 feet north of the intersection of Ridge Road and Lakeville Road. The rezone areas are located on all or parts of tax parcels E W 2300008, E W 2500005, 7,7B, 7C and 7D, E W 2600001, 2, 2A, 5 and 6, E W 2700002, EA428400001, EK 00002A, EA182700004A and EA148800001 as described by a digital legal description available for review at the Walworth County Land Use and Resource Management Department.~~

Adjournment

Al Stanek motioned to adjourn. Seconded by Dennis Karbowski. Motion carried. 7-favor 0-oppose.

The meeting was adjourned at 6:10 p.m.

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