

County Zoning Agency
MINUTES
May 20, 2021 – 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, Jerry Grant, Sue Pruessing, and citizen member Richard Kuhnke, Sr. and Jim Van Dreser. A quorum was present. Supervisor Ryan Simons was absent.

Supervisor Ryan Simons appears at 4:35 p.m.

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, and 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 May 20, 2021 was not presented due to the continued COVID-19 threat.

Details of the May 20, 2021 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.d.2.) Adam and Jennifer Friemoth; and 9.f.1.) The Salvation Army – Army Lake Camp. Seconded by Jerry Grant. Motion carried. 7-favor 0-oppose

Richard Kuhnke, Sr. motioned to approve the April 22, 2021 CZA Meeting Minutes. Seconded by Sue Pruessing. Motion carried. 7-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement
Disc Count #4:33:18 – 4:49:33

Wendeberg Violation Update – Michael Cotter -
Discussion concerning the contractor and status of removal. Potential starting and turn-around times, weather dependent.
Disc Count #4:49:34 – 4:55:02

Subdivision Items – Old Business – None

Subdivision Items – New Business – None

Old Business - Ordinance Amendments – None

Old Business – Discussion Items –

THIS ITEM IS HEARD AFTER THE NEW BUSINESS DISCUSSION ITEMS:

- ~~1. Possible ordinance amendment options(s) related to increasing the height restriction for certain structures in Walworth County from 70 feet to 150 feet – Nick Sigmund.
Starting at 5:16:03~~

New Business - Ordinance Amendments – None

New Business – Discussion Items –

- 1. Town of Darien – Owner**, Section 17, Darien Township. Amendment of conditional use to allow additional structures in the Town of Darien Spooner Park in the floodplain. Tax parcel B D 1700005D.

NAME: Town of Darien

TOWN: Darien

Amended 5/22/2021 for additional gravel parking and stop boulders, kayak launch, gravel path connection to pavilion, grill stands and commercial playground equipment in the floodplain (See # 1)
Amended 6/29/2017 – Condition #12

The property owner is requesting conditional use approval for a Town park in the A-1 Prime Agricultural and A-1NC Prime Agricultural Land Holding Districts on an access easement and to create a park drive and turn around in the 100 year floodplain in P-1 Park District zoned area owned by the Town. The turnaround access is allowable so long as it is at grade not having any effect on the 100 year floodplain elevation as proposed. The access drive would be 16 foot wide with one way traffic control by a gate. The controlled gate would allow only one car at a time to access the park with approval and by obtaining a key or combination for the gate from the Town. The intent is not to allow the public to freely drive down to the P-1 park area. In most cases of park use, access would be walk in only from the proposed parking area by the road.

Part of Tax Parcels B D 1700005D and an easement on B D 1700005

Has been APPROVED subject to the following conditions:

General:

- Approved per plans submitted **and revised as follows** for a Town of Darien park and adjacent access driveway and parking easement **and amended 5/20/2021 for additional gravel parking and stop boulders, kayak launch, gravel path connection to pavilion, grill stands and commercial playground equipment** with all additional conditions.
- Outdoor lighting shall be shielded and directed on site.
- The Town shall be responsible for maintaining proper liability insurance at all times on the property.
- Must meet all Federal, State, County and local regulations.
- Access shall be as indicated on the approved plan with the grade of the access in the floodplain being at grade so not to have effect on the 100 year floodplain.
- The owner shall obtain Land Disturbance, Erosion Control and stormwater approval if required by Ordinance.
- 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.
- 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:

9. The property owner of Tax Parcel B D 1700005 shall record a perpetual access easement for the parking area and driveway to the park.
10. The driveway to the park shall be controlled by a locked gate with access approval obtained from the Town.
11. **Approval of this conditional use includes modification of the driveway access width to the width shown on the approved site plan.**
12. **The approval includes modification for location of a 25 sq. ft. sign on the adjacent A-1 zoned easement for the park.**

Dated this 15th day of June , 2017.

COUNTY ZONING AGENCY
TIM BRELLENTHIN, CHAIRMAN

cc: Charles G Spooner Trust, Hesperus L Spooner Trust, W7664 Hwy 11, Delavan, WI 53115
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 the request. Discussion regarding floodplain.

Richard Kuhnke, Sr. motions to approve. Seconded by Jerry Grant. Motion carried. 7-favor 0-oppose.
Disc Count #4:55:33 – 5:01:02

2. **Big Foot Airfield, LLC – Owner, Section 19, Walworth Township. Amendment of an existing conditional use for a private airport to allow for relocation of the approved 26 hangers to make more efficient use of the land. Tax Parcel EA474900001.**

Amended 5/20/2021 to relocated hangers (see #1).

NAME: ~~Barbara F. Ingalls Revocable Living Trust C/O Barbara Ingalls~~
~~—Owner,~~ Big Foot Airfield, LLC, **- Owner,** James C. Bair Agent – Applicant

TOWN: Walworth

The property owner is requesting to rezone approximately 7.2 acres of P-2 Institutional Park District property to the A-1NC Prime Agricultural Land Holding District in order to remove the east and west wings of an existing airfield landing strip from the Big Foot airfield and allow the P-2 zoned area to be divided off from the agricultural lands. The rezone is accompanied by a conditional use petition for an additional 14 hangers to be added to the P-2 area for a total of 26 hangers on the airfield.

Parts of Tax Parcels ~~E-W 1900005~~ and ~~E-W 1900006~~ FA474900001

Has been APPROVED subject to the related rezone passing County Board and the following conditions:

1. Approved per plans and plan of operations submitted as amended 5-21-09 **and Revised 11-16-2017 and further amended 5/20/2021 for relocation of the 26 approved hangers as per revised plan submitted** with all additional conditions.
2. Use of the site shall be limited as described by the plan of operations. No loading or unloading of cargo shall occur on site.
3. The project must meet all applicable Federal, State, County and local regulations including any existing or new regulations from the State Department of Transportation and the Federal Aviation Administration.
4. The applicant must obtain approval of a landscaping plan from the Land Conservation Office.
5. No outside storage of materials or cargo will be allowed on site.

6. The owner must meet all Town, County and/or State highway access requirements.
7. The applicant must obtain a Land Disturbance, Erosion Control and Stormwater Permit from the County Land Conservation Office.
8. All vehicles shall be parked in marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted during special events 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. All parking must be set back 25 feet from the roadway. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.
9. 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 Land Management Committee for additional conditional use review.

Specific:

10. Use of the airport shall be considered private and shall be open to the public on a limited basis for a special fly-in event as specified in the plan of operations and by members who lease the private hanger areas.
11. **There shall be one owner who shall use the 26 hangars on site as shown on the revised 11-16-2017 approved site plan.**
12. All driveways on site must be 24 feet in width prior to zoning permits being issued for the new proposed hangars. Special fly-in events shall be limited to those identified in the plan of operations.
13. All temporary parking shall be marked during fly-in events but need not be paved. The temporary parking may be grass as long as it is only used on a yearly basis for the fly-in.
14. No parking or driveways (temporary or otherwise) shall be located within 75 feet of the stream.
15. The owner must obtain the required sanitary approval for use of pot-a-potty units on site.
16. The owner must submit a copy of the Federal Aviation Administration and/or Department of Transportation approvals for use of the property as a public airport.
17. The owner must submit a copy of private liability insurance covering use of the property as an airport during special events.
18. **The property owner shall obtain approval of a C.S.M combining the airfield parcels together and assuring the remnant parent agricultural parcels meet the required minimum parcel size prior to exercising use of the airfield under this conditional use permit.**

Dated this 16th day of November, 2017.

COUNTY ZONING AGENCY
TIM BRELLENTHIN, CHAIRMAN

cc: Big Foot Airport, c/o James B. Baier, 1020 Tarrant Drive, Fontana, WI 53125
Atty David A. Rasmussen, 113 Kenosha Street, P.O. Box 250, Walworth, WI 53184-2600
Town of Walworth, David Rowbotham, Chairman, W6741 Brick Church Rd, P.O. Box 386, Walworth, WI 53184
Town of Walworth, Marie Baker, Clerk, W6741 Brick Church Rd, P.O. Box 386, Walworth, WI 53184

Staff presents request.

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

Disc Count #5:01:08 – 5:03:14

3. **Cournoyer/Hernandez** - Zenda Tap Outdoor food and beverage one year review.

Staff presents item. Applicant has indicated they are to appear before the town on June 14 and staff requests to have this matter put to the June CZA meeting.

Richard Kuhnke, Sr. motioned to TABLE for 30 days. Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose.

Disc Count #5:03:15 – 5:05:07

4. Discussion related to extremely tall artwork structures – Michael Cotter

Discussion by staff concerning a complaint on a tall structure. Discussion by the committee concerning potential actions or avenues to address the structure. No conclusion is reached by the Committee. Updates will be provided by staff of any future communication.

Disc Count #5:05:08 – 5:15:30

Old Business – Discussion Items –

1. Possible ordinance amendment options(s) related to increasing the height restriction for certain structures in Walworth County from 70 feet to 150 feet – Nick Sigmund.

Cecil Logterman – Darien Chairman – appears to speak regarding private discussions he has had with the applicant. No new information is provided at this time. Further meetings are to be held in June. Committee discusses potential solutions and ordinance amendments to accommodate.

Jim Van Dreser motions to draft an ordinance for committee review in June recommending 1.5 times height as setback and a label of food processing and storage. Seconded by Richard Kuhnke, Sr. Motion carried. 7-favor 0-oppose.

Disc Count #5:16:03 – 5:37:25

5:37 p.m.:

Ordinance Amendments – None

Rezoning with Conditional Uses –

**Supervisor Simons indicates a conflict on this matter and is excused from this hearing item:*

1. **John Leek Trust – Owner**, Section 26, Sharon Township. Rezone approximately 1.654 acres of A-1 Prime Agricultural Zoned property to the A-4 Agricultural Related Manufacturing warehousing and Marketing District in order to obtain conditional use approval for using

existing and proposed pole buildings for Recreational Vehicle and Boat Storage. Part of Tax Parcel AA411700001.

General:

- 1.Approved as per plan submitted for an indoor seasonal boat storage facility with all additional conditions.
- 2.No general public sales allowed from the boat storage facility. No business activities other than specified in the plan of operations may be conducted from out of the boat storage facilities.
- 3.The A-4 area may not be separated from the parent parcel without additional Town and County conditional use review.
- 4.All recreational vehicle and boat storage activities shall occur within the designated A-4 zoned area.
- 5.On site hours of operation shall be from 7:00 a.m. to 8:00 p.m. seven days a week.
- 6.Must meet all applicable Federal, State, County and local regulations.
- 7.Boats to be stored indoors may be located outside for drop-off and pick-up only. Any seasonal trailers and or other boat equipment (piers, boat lifts etc.) storage shall occur indoors.
8. No permanent outside storage of boats, trailers or other boat related equipment and materials (boat trailers, lifts, piers, parts etc.) shall be allowed.
9. The County reserves the authority to require any outside stored boats, or boat related equipment and materials to be removed from the site within 48 hours of a determination the storage is inconsistent with this approval.
10. No acid washing of boats shall be allowed on site.
11. There shall be no on-site repair or restoration of boats or boat related equipment (lifts, piers etc.) allowed.
12. Outside lighting shall be shielded and directed on site.
13. Any on-site fuel storage shall be conducted within a State approved containment facility.
14. The applicant must obtain all required zoning permit approvals including a sign permit if different from the present sign.
15. No burning of waste materials shall occur on site.
16. The applicant must obtain the required Town of Sharon access approval for the access as shown on the approved plan.
17. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management permit from the County Conservation Office if required by ordinance.
18. Parking must meet with requirements of the county zoning ordinance. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.
19. The project site must be kept neat, clean, and mowed in all areas.
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. The property owner shall apply for all required after the fact zoning permits for structures constructed without approval within 60 days of this conditional use approval and shall pay the required double fee for the after the fact zoning permits.

23. The property owner shall record an easement around the pond to be used for stormwater purposes and provide the maintenance access as specified in the preliminary stormwater review letter.

Staff presents request and indicates this is consistent with Farmland Preservation. Atty. Christina Green speaks regarding the application.

Jim Van Dreser motioned to approve. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose. (Ryan Simons is recused from hearing/vote).

The rezone petition will move forward to the June 8, 2021 Walworth County Board for possible action.

Disc Count #5:42:03 – 5:50:38

TABLED – NO TOWN DECISION / NO BOA DECISION

2. ~~Adam and Jennifer Friemoth—Owners, Randy Johnson, Johnson Sand & Gravel, Inc.—Applicant, Section 2, LaFayette Township. Rezone approximately 32.94 acres of A-1 Prime Agricultural land to the M-3 Mineral Extraction District in order to expand an existing sand and gravel mining operation by approval of a conditional use permit. Part of Tax Parcel K-LF-200002.~~

Nonmetallic Mining Reclamation Permit—

~~Johnson Sand & Gravel, Inc. (Adam and Jennifer Friemoth—owners), has applied for a Nonmetallic Mining Reclamation Plan and permit approval for a 32.94 acre expansion of an existing non-metallic mining site. The plans are available for review at the Walworth County Land Use & Resource Management Department. The mining site is located on Tax Key Parcel K-LF-200002, Town of LaFayette. The Walworth County Land Conservation Division will consider reclamation related public comments in their decision to approve the reclamation permit.~~

3. **Michael Landers – Owner, John Berget – Applicant, Section 25, Delavan Township.** Rezone approximately 8.72 acres of A-2 Agricultural Land District property to the A-4 Agricultural Related Manufacturing, Warehousing and Marketing District in order to obtain conditional use approval for a storage facility and to rezone .92 acres of A-2 Agricultural Land District to A-5 Agricultural-Rural Residential District to split off an existing dwelling on a residential lot. Tax Parcel F D 2500021A.

General:

1. Approved as per plan submitted for mini-warehouse storage facilities with all additional conditions.
2. No general public sales allowed from the storage facility. No business activities other than specified in the plan of operations may be conducted from out of the storage facilities.
3. Must meet all applicable Federal, State, County and local regulations.
4. Outside lighting shall be shielded and directed on site.

5. The applicant must obtain all required zoning permit approvals including a sign permit.
6. No burning of waste materials shall occur on site.
7. The applicant must obtain the required Town, County and/or State Highway approval for the access.
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 cars 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 so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.
10. The project site must be kept neat, clean, and mowed in all areas.
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 for mini-warehouse storage facilities 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. Mini-warehouse storage building construction must be occurring in order to be exercising this conditional use.

Specific:

13. The requirements of the stormwater implementation plan and grading plan shall be followed regardless of the phased construction of the buildings. Phase I of the development plan or construction plan must include the construction of all the planned stormwater management practices to serve the facility under full built-out conditions.
14. There shall be no black dirt mixing and grinding, materials or contractor storage or other business activities requiring zoning approvals on site without first obtaining the required zoning approvals.
15. On site hours of operation shall be from 4:30 a.m. to 10:00 p.m. seven days a week and shall be posted on site as per the Town.
16. There shall be no flammable chemical storage on site as per the Town.
17. There shall be perimeter fencing required as per the Town.
18. The project shall follow new lighting ordinance guidelines as per the Town.
19. There shall be no engine repair on site as per the Town.
20. Future approval of landscaping and stormwater maintenance agreements shall be required as per the Town.
21. The approval is subject to final engineering and stormwater plans as per the Town.
22. The project must meet with all applicable requirements of the preliminary stormwater review letter.

Staff presents request.

John Berget speaks regarding the application.

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

The rezone petition will move forward to the June 8, 2021 Walworth County Board for possible action.

Disc Count #5:50:47 – 5:56:23

4. **Ryan and Sarah Dexter – Owners, Section 28, LaFayette Township.** Rezone approximately 1.2 acres of A-1 Prime Agricultural Land District to the A-4 Agricultural Related Manufacturing, Warehousing and Marketing District in order to obtain conditional use approval for a lawn care business including a new shop/office and storage building. part of Tax Parcel KA453000001.

General:

1. Approved as per plan submitted for a contractor storage yard, office and storage for a lawn maintenance and 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 Town approval for any changes to the access.
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 7:00 a.m. to 5:00 p.m. Monday through Friday with No operation on Sundays or Holidays.
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, lawn maintenance business shall be allowed to be stored on site.
29. 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.
30. Any buildings use for welding must have proper ventilation meeting the requirements of the State and Federal codes. Exhaust system shall meet all requirements of the code including hours of operation and noise.
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.
33. Any commercial application, use and disposal of pesticides must conform to all State, local and Federal regulations.
34. ~~The driveway shall be extended to create a loop for equipment maneuvering as discussed by the Town.~~
35. The property owner shall remove or disconnect driveway off of Plank Road within 60 days of this approval as per Town.

Staff presents request and indicates this is consistent with Farmland Preservation. Ryan Dexter speaks regarding the application. Staff confirms with the Applicant that the Town conditions are acceptable concerning condition #34 and #35.

Jim Van Dreser motioned to approve removing second to last condition regarding driveway loop. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose.

The rezone petition will move forward to the June 8, 2021 Walworth County Board for possible action.

Disc Count #5:56:26 – 6:07:37

Rezoning – None

Conditional Uses –

TABLED – NO TOWN DECISION / INCOMPLETE PLAN

- ~~1. **The Salvation Army – Army Lake Camp**, Sections 9 and 16, East Troy Township. Expansion of the Army Lake Camp by review and approval of a conditional use request for a new master plan to add 93 additional camp beds, by addition of seasonal staff housing, additional adult housing, staff residences, a health center, a chapel, recreation pavilion, pool and pool house and maintenance building along with remodeling of some existing camp housing and addition of a boat ramp. Tax Parcels PA348300001, PA348300002, PA348300003, PA348300004.~~
- 2. Yggdrasil Land Foundation – Owner, Charles A. Self – Applicant**, Section 36, Troy Township. Conditional use to expand an existing conditional use for Farm Food Service by greater than 25%. The expansion would allow for construction of an addition on to a lean-to to create a State approved commercial kitchen for the purpose of prepping, storing and assembling and cooking pizzas on the farm on the A-4 zoned portion of Tax Parcel L T 3600003.

Amended 4/22/2021 for commercial kitchen and increase of pizzas per night (see narrative and #1).

NAME: Yggdrasil Land Foundation, Inc.

TOWN: Troy

The property owner is requesting to rezone approximately 5.26 acres of A-1 Prime Agricultural zoned property to the A-4 Agricultural Related Manufacturing, Warehousing and Marketing District in order to obtain conditional use approvals for a farm market with retail sales related to uses listed in the A-4 District subject to an approval of a detailed plan by the Committee and farm food service for sales of pizza on a farm subject to a detailed plan approved by the Committee. The farm marketing would occur in a portion of an existing barn previously used as an educational room. This area of the barn would be zoned A-4 along with a large outdoor area for the parking, driveway access and pizza on the farm events. The application indicated that more than 70% of products sold will be raised on Grassway Organics Farm. Products to be sold would be as follows: beef, cheese, turkeys, pork, eggs, chicken, honey, Grassway apparel, oat straw, small grains, herbs, nettle clover, lavender, elderberry, raspberry leaf. All Grassway goods will be sold either frozen, refrigerated or in bulk storage. The rest of the proposed building would be bulk ancillary sales of grains, herbs and spices according to an attached list. Grassway Organics would like to be open on Monday, Wednesday, Thursday, Friday and Saturday from 6:00 a.m. to 6:00 p.m. Grassway Organics has a mobile pizza trailer that was purchased in 2015. It is licensed through DATCP as a mobile restaurant. The request is to use the pizza trailer and the farm for agritourist and bring in supplemental income that helps the farm succeed. Pizza on the farm is requested for 20 Saturday night only dates where pizza is made from scratch with mostly products produced from the farm. The pizza events maintain an average of ~~50~~**100** pizzas a night sold to an average of about ~~100~~**200** people. Pizza events would last four hours from 4:00 p.m. to 8:00 p.m. Every pizza is cooked in a wood fired oven at 800 degrees for about four minutes. Patrons would eat the pizza in a meal setting at picnic tables and would have a choice of beverages including limited beer (two per patron of age). A class B beer license would be obtained and a person holding a Wisconsin beverage license would serve the beverages. On average six to eight people work the pizza events. There would be two portable toilets and a hand washing station. A large tent would be used that is roughly 24 feet long for shade and light rain days. Temporary parking on the grass would be provided as shown on the site plan. Local music for ambiance free for the event with no ticket sales would be provided during the pizza on a farm.

Part of Tax Parcel L T 3600003

Has been APPROVED subject to the following conditions:

General:

1. Approved as per plan submitted for a farm marketing including retail sales of ancillary non-agricultural items subject to a detailed plan approved by the committee and for farm food service as pizza on a farm **and amended 4/22/2021 5/20/2021 for a commercial kitchen addition to an existing lean-to as per plan submitted to be used for the purpose of prepping, storing and assembling and cooking pizzas on the farm and expansion of up to 100 pizzas a night for up to 200 people** with all additional conditions.
2. Sales allowed on site shall be limited to the products identified in the project narrative.
3. No business activities other than specified in the plan of operations may be conducted from out of the facilities.
4. Storage shall be limited to material and goods directly associated with business. There shall be no outside storage and outside use shall be limited to that described in the plan of operations.
5. On site hours of operation from 10:00 a.m. to 8:00 p.m. seven days a week for the farm market and on 20 Saturdays from 10:00 a.m. to 8:00 p.m. as per the approved plan of operations, as per the Town and agreed by applicant.
6. The site must meet all applicable Federal, State, County and local regulations.
7. Outside lighting shall be shielded and directed on site.
8. The applicant must obtain all required zoning permit approvals including sign permit approval.
9. The number of employees shall be limited to the owners and 4 employees.
10. There shall be no outside music or outside amplified sound on site.
11. No fill, debris, branches or leaves may be disposed of on site. No burning of waste materials shall occur on site.
12. 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.
13. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office if required by the ordinance.
14. Parking for farm marketing 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 so as to be dust free. All parking must be in compliance with County requirements within 60 days of this approval.
15. Parking for pizza on the farm shall be allowed to be grass so long as the turf remains full, absent of ruts and dust free.
16. The access to the site shall meet Town requirements.
17. The property owner must obtain the required County sanitary permit approval for facilities to be located on site.
18. The project site must be kept neat, clean, and mowed.
19. The owners of the property shall release, indemnify and hold harmless Walworth County, the Town of Walworth 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. The approval of a new conditional use to allow sales is limited to retail sales of ancillary non-agricultural and agricultural items not produced on the farm subject to a detailed plan approval (see attached list of items to be sold on site as specified): beef, cheese, turkeys, pork, eggs, chicken, honey, Grassway apparel, oat straw, small grains, herbs, nettle clover, lavender, elderberry, raspberry leaf. All Grassway goods will be sold either frozen, refrigerated or in bulk storage. The rest of the proposed building would be bulk ancillary sales of grains, herbs and spices according to an attached list.
23. The property owner shall provide a copy of approval from the appropriate building inspector for the County file prior to use of the structure for an agricultural market.
24. The property owner shall provide a fire protection plan that has received review from the fire department and submit a copy for the conditional use file prior to use of the buildings for the farmers market.
25. This conditional use allows for a sign in the A-1 zone district serving the A-4 district use. Sign modification shall be allowed for up to a 24 sq. ft. sign on each side at a location meeting the Walworth County Zoning Ordinance height and setback requirements as per plan submitted.
26. There shall be no self-service of retail products for sale on site.
27. The septic system shall comply with the capacity and design as specified for the restroom and non-domestic wastewater (vegetable /egg washing) as specified by the DNR for non-domestic wastewater source to a private on-site wastewater treatment system (POWTS)
28. All music played on a farm shall be acoustic with no amplified sound system. Music shall be allowed during pizza on the farm for ambiance, free for the event, with no ticket sales.
29. Service of beer on site shall be with pizza in a meal setting and limited to two 12 oz. beers per person of legal alcoholic beverage drinking age.
30. All pizza sold on site shall be made from scratch with ingredients produced on the farm.
31. Pizza on the farm shall be limited to a total of ~~400~~ 200 patrons per event.
- 32. There shall be no parking on the Town Roads as per The Town.**
- 33. Hours of operation shall be from 10:00 a.m. to 8:00 p.m. as per the Town.**
- 34. The owners of the property shall release, indemnify, and hold harmless the Town of Troy from all liability as per the Town.**
- 35. 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.**
- 36. The A-4 zoned area shall remain part of the farm and may not be separated from the parent parcel.**

Dated this 21st day of June, 2018

COUNTY ZONING AGENCY
TIM BRELLENTHIN, CHAIRMAN

cc: Charles Self, W2716 Friemoth Road, East Troy, WI 53120
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 and indicates this is consistent with Farmland Preservation.
Charles Self speaks regarding the application.**

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

Disc Count #6:07:43 – 6:12:45

3. **Walter and Bente Goldstein – Owners**, Section 18, Spring Prairie Township. Conditional use approval for a farm school to teach classes to children about farming on lands zoned A-2 Agricultural Land District. Tax parcel O SP1800002.

General:

1. Approved per plans submitted for a farm school with all additional conditions.
2. Outdoor lighting shall be shielded and directed on site.
3. The farm school shall not have ~~less~~ ~~more~~ than ~~12?~~ 1 adult per 6 children present on site at one time.
4. The school shall be responsible for maintaining proper liability insurance at all times on the property.
5. Must meet all Federal, State, County and local regulations.
6. Access shall be as indicated on the approved plan.
7. The owner shall obtain Land Disturbance, Erosion Control and stormwater approval if required by Ordinance.
8. 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.
9. 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:

10. The property owner shall receive and keep record of permission slips. The permission slips are to be signed and dated by the legal guardians for the days each child shall be present on site.
11. ~~Bed and breakfast shall not be in use on the same days as the farm school.~~

Staff presents request.

Bente Goldstein speaks regarding the application. Committee discusses with applicant the conditions.

Sue Pruessing motioned to approve amending condition #3 to 1 adult per 6 children and striking condition #11. Seconded by Dave Weber. Motion carried.

7-favor 0-oppose.

Disc Count #6:12:49 – 6:31:06

4. **Catherine Duesterbeck – Owner, Benjamin Johnson – Applicant**, Section 29, Sugar Creek Township. Expansion of an existing microbrewery by addition of 845 sq. ft. of production space to an existing shed, addition of a 1700 sq. ft. retail building to include restrooms and outdoor food and beverage approval for up to eight food trucks. The A-4 portion of Tax Parcel G SC2900004.

Amended 5/20/2021 for addition of 845 sq. ft. of production space to an existing shed, addition of a 1700 sq. ft. retail building to include restrooms and to include outdoor food and beverage approval for up to eight food trucks as per plan submitted. (See #1, 20)

Amended 6/18/2020 for addition of a 3204 sq. ft. building to be used as an additional tasting room and a summer pavilion in addition to use of existing sheds for beer production space, bottling, canning and storage area, two small events a week and up to 12 large events per year to be served by a 195 stall grass over flow parking area and a separate conditional use for a farmer's market on a portion of the A-4 zoned grass area.

Amended 10/18/2018 for restroom and breeze way addition (See #1).

NAME: Catherine Duesterbeck – Owner
(Benjamin Johnson – Applicant)

TOWN: Sugar Creek

The Property owner is requesting to rezone approximately .782 acres or 34,062 sq. ft. of A-1 Prime Agricultural zoned property to the A-4 Agricultural Related Manufacturing, Warehousing and Marketing District in order to obtain conditional use approval for a micro-brewery with a tasting room. The brewery would consist of one building (approx. 40' X 80') with a 430 sq. ft. restroom and breeze way addition added by CU Amendment replacing four existing buildings in the proposed A-4 area. The four existing buildings would be razed to make room for the new structure. The process of brewing beer will generally take place between the hours of 7 a.m. and 6:00 p.m. Mondays through Fridays. The hours of operation of the tasting room will generally take place between 4:00 p.m. and 10:00 p.m. Tuesdays through Saturdays. The application indicates the brewery would produce 900 barrels of beer a year in the first year from a ten-barrel system. The system would be considered micro due to time constraints it would never be capable of brewing more than 2000 barrels of beer in a year. There would be up to six employees. The brewery would create mostly organic waste. Solid waste can be truck to farms and be used as feed and the liquid waste once (ph) neutralized can be but through a septic system designed for the facility. The facility would have its own well for water and would be run on propane with a 1000 gallon tank and have 3 phase 400 amp electric. The tasting room would be a small area of 1080 sq. ft. with 500 sq. ft. of outside area. The site plan would allow for the required parking for the tasting room and outside area as retail sales area and temporary parking spaces would be made available for use for beer festivals or special events. The application proposes one summer and one fall festival or event. The parking lot and stalls would allow for up to 140 people on site at one time. The application requests a sign code modification to allow a 12 ft. by 4 ft. sign. The project would take about one year to complete and it takes about eight months to obtain the federal government license to brew beer.

At the June 18th, 2020 CZA Hearing the property owner requested the following additions to the micro-brewery. The property owner is requesting to rezone approximately 2.1 acres of A-1 Prime Agricultural Zoned land to the A-4 Agricultural Rural Residential Zone district in order to obtain conditional use permit approval for the expansion of an existing micro-brewery by addition of a 3204 sq. ft. building to be used as an additional tasting room and a summer pavilion separate from the micro-brewery structure in addition to use of existing sheds for beer production space, bottling, canning and storage area. The expansion includes request to have two small events a week and up to 12 large events per year to be served by a 195 parking space grass over flow parking on the micro-brewery A-4 zoned property and a separate conditional use for a farmer's market on a portion of the A-4 zoned grass area.

Parts of Tax Parcel G SC2900004

Has been APPROVED subject to the related rezone passing County Board and the following conditions:

General:

1. The Conditional Use for a micro-brewery with outdoor beverage consumption as part of the approved detailed retail sale plan is approved as per the plan submitted and amended 10/18/2018 and date stamped received by LURM 10/04/2018 for a mixed use 40 ft. X 80 ft. building to contain 1080 sq. ft. tap (tasting) room, 430 sq. foot addition for expanded restrooms and a breeze way with 500 sq. ft. of outdoor area and the remainder of the building to be used for production space for brewing of beer. On June 18th, 2020 the conditional use permit is further approved as per revised plan and approved narrative for addition of 2.1 acres of A-1 Prime Agricultural Zoned land to the A-4 Agricultural Rural Residential Zone district for the expansion of an existing micro-brewery by addition of a 3204 sq. ft. building to be used as an additional tasting room and a summer pavilion separate from the micro-brewery structure in addition to use of existing sheds for beer production space, bottling, canning and storage area. The expansion includes two small events a week and up to ~~12~~ 18 large events per year to be served by ~~195~~ 152 parking spaces ~~grassed over flow parking~~ on the microbrewery A-4 zoned property and a separate conditional use for a farmer's market on a portion of the A-4 zoned grass area. **Amended 5/20/2021 for addition of 845 sq. ft. of production space to an existing shed, addition of a 1700 sq. ft. retail building to include restrooms and to include outdoor food and beverage approval for up to eight food truck spaces as per plan submitted.**

2. Beer production as a microbrewery shall be set at a maximum ten-barrel production facility with a capacity of up to 2000 barrels of beer per year.
3. Use of the grounds shall be limited to the uses as stated in the plan of operations.
4. The project must meet with all State, Federal and local regulations and approvals.
5. The applicant must obtain all required County Zoning permits including sanitation approvals and a sign permit for any proposed signage.
6. Sufficient adult supervision must be present at all times when facilities are in use.
7. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.
8. The applicant is responsible for obtaining adequate liability insurance and keeping the insurance current during the life of this conditional use.
9. All lighting must be shielded and directed on to the property.
10. 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 so as to be dust free. All parking for business on site must be in compliance with County requirements within 60 days of this approval.
11. The property owner must obtain the required County sanitary permit approval for facilities to be located on site.
12. 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.
13. 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:

14. Hours of operation for brewing beer shall be 7 a.m. and 6:00 p.m. Mondays through Fridays. The hours of operation of the tap (tasting) room shall be 4:00 p.m. and 10:00 p.m. Tuesdays through Saturdays.
15. All outdoor seating and beverage consumption must be within the A-4 zoned area as specified on the approved site plan.
16. The patio must meet with the commercial building code including all proposed lighting. Open flame tiki torches may not be used as lighting.
17. ~~This approval allows for a maximum of six beer festivals with no more than 140 people in attendance.~~ **The conditional use is approved for 18 events which will have a maximum of 380 people at a rate of 2.5 people per parking stall with 96 permanent parking stalls and 56 grass stalls. Food trucks will be allowed during the 18 events at a rate of no more than 3 food trucks per event at the 8 food truck spaces identified on the site plan.**
18. The conditional use approval includes modification of the sign code to allow a 12 ft. by 4 ft. sign with zoning permit approval.
19. Any alcohol served shall be limited to products produced on site unless otherwise approved by the committee. Any service of alcohol shall be for tasting, promotional, and/or educational purposes and such activity must be discernible from a bar or tavern. The committee may consider limited quantities served, site design, or other operational methods to make such a distinction. Any retail sales of ancillary items are subject to a detailed list of those items approved by the Committee. All outdoor activities are subject to Committee review and approval.
20. ~~The use of the food trucks shall be limited to during the 12 approved large A-4 festival events only and not allowed on a daily basis.~~ **This CU Permit shall be subject to a one-year compliance review.**

Dated this 16th day of November, 2017.

COUNTY ZONING AGENCY
TIM BRELLENTHIN, CHAIRMAN

Dated this 18th day of October, 2018.

COUNTY ZONING AGENCY
TIM BRELLENTHIN, CHAIRMAN

cc: Benjamin Johnson, W8371 Springwood Lane, Delavan, WI 53115
Town of Sugar Creek, David Duwe, Chairman, N6641 County Road H, P.O. Box 287, Elkhorn, WI 53121
Town of Sugar Creek, Diane Boyd, Clerk, N6641 County Road H, P.O. Box 287, Elkhorn, WI 53121

Staff presents request.

Ben Johnson speaks regarding the application. Requests food trucks 1-3 food trucks 1-3 times per week on average in summer. No trucks in the winter. Committee addresses concerning regarding parking complaints. Applicant addresses road parking at past events.

Discussion of complaints of neighbors and potential phasing of future of the land.

Speaking in OPPOSITION: John Odling.

Jerry Grant motioned to approve with having no more than 3 food trucks at the 18 events, with a maximum of 380 persons calculated at 96 permanent and 56 grass parking spaces x 2.5 people per car; eliminating condition #17; and including a 1 year CZA review. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose. Disc Count #6:31:09 – 7:30:54

5. **Kurt Michael Hintz – Owner, Dianne Costanzo and Mary Komparda – Applicants, Section 21, Geneva Township. Conditional use approval for an Aikido Dojo facility as an athletic club in an existing business structure on property zoned B-4 Highway Business District. Tax Parcel JA 79200003.**

General:

1. The Conditional Use for a dojo as an athletic club 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 Monday, ~~Wednesday~~ and through Friday from 12 p.m. to 9 p.m. and on Saturday from 9a.m. to 5 p.m. as per the Town.**
14. **Lighting for the business shall conform to the Town of Geneva light ordinance as per the Town.**
15. **Parking will be limited to available asphalt surface, map showing 25 spots with one being handicap-accessible as per the Town.**
16. **The sign for the business will be within the existing monument base as per the Town. Subject to condition #4.**

Staff presents request.

Atty Nick Egert speaks regarding the application. Applicant would request Monday THROUGH Friday.

**Dave Weber motioned to approve, amending #13 classes to Monday Through Friday. Seconded by Jerry Grant. Motion carried. 7-favor 0-oppose.
Disc Count #7:31:06 – 7:37:03**

6. **Wisconsin Resorts, Inc. (Alpine Valley) – Owner, Warren Hansen, Farris Hansen & Assoc. – Applicant, Section 12, LaFayette Township. Expansion of an existing outdoor pavilion used for outdoor food and beverage events by greater than 25% of the existing facility to include restrooms, a warming kitchen, increased patio area and a golf course tee. Part of Tax Parcel K LF1200010.**

Amended 5/20/2021 for additional conditional use for expansion to include a restrooms and mechanics building, a small bar and warming kitchen building, increased patio area and a golf course tee as per revised approved site plan (see #1).

NAME: Wisconsin Resorts, Inc.

TOWN: LaFayette

The property owner is requesting expansion of an existing outdoor pavilion used for outdoor food and beverage events by greater than 25% of the existing facility to include a restrooms and mechanics building, a small bar and warming kitchen building, increased patio area and a golf course tee.

The property owner is requesting conditional use approval to conduct Public Assembly and Outdoor Food & Beverage activities on land zoned B-5 in a pavilion type structure on top of a proposed golf cart storage facility. The structure would have a masonry and precast concrete ceiling with deck above. The structure would be 54 ft. by 98 ft. The lower space would house golf carts in the winter

and other equipment in the summer. The deck area would have a roof over a part or all of it with open sides and railings. The deck will be used for golf related parties, small weddings and other group assemblies. Existing building and restroom facilities will be used for groups of 100 people initially, but if this grows, additional restrooms and services could be provided. Parking is provided in the ski resort parking lot which is available in the summer.

Part of Tax Parcels K LF1200010 and 1B

Has been APPROVED subject to the following conditions:

General:

1. The Conditional Use for seasonal use of a golf cart storage structure deck for outdoor food and beverage consumption and public assembly use is approved as per the plan submitted **and amended 5/20/2021 for additional conditional use for expansion to include a restrooms and mechanics building, a small bar and warming kitchen building, increased patio area and a golf course tee as per revised approved site plan** with the following conditions.
2. Use of the grounds shall be limited to the uses as stated in the plan of operations.
3. There shall be no retail sales or off street customer service of any type from the deck/pavilion.
4. The project must meet with all State, Federal and local requirements.
5. The applicant must obtain all required County Zoning permit including a sign permit for any proposed signage.
6. Sufficient adult supervision must be present at all times when facilities are in use.
7. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.
8. The golf cart storage structure deck/pavilion shall be use from May 1st to October 31st of each year. Hours of operation shall be 8:00 a.m. to 12:00a.m. (Midnight).
9. All outdoor seating and all outdoor food and beverage consumption must be within/on the deck/pavilion.
10. The deck/pavilion must meet with the commercial building code including all proposed lighting.
11. All lighting must be shielded and directed on to the property.
12. The applicant is responsible for obtaining adequate liability insurance and keeps the insurance current during the life of this conditional use.
13. 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 so as to be dust free. All parking for business on site must be in compliance with County requirements within 60 days of this approval.
14. The property owner must obtain the required County sanitary permit approval for facilities to be located on site.
15. 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.
16. 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:

17. The required Lot line adjustment has to meet all set-back requirements as per the Town.
18. The structure must satisfy DNR navigable stream set-back (stream was moved 40+ years ago) as per the Town. *DNR states in an e-mail to County staff upon site inspection the stream near the proposed structure is not navigable.*

Dated this 16th day of May, 2019.

COUNTY ZONING AGENCY
TIM BRELLENTHIN, CHAIRMAN

cc: Warren Hansen, Farris Hansen, 7 Ridgeway Court, Box 437, Elkhorn, WI 53121
Town of LaFayette, Daniel Cooper, Chairman, N6221 Tamarack Court, Elkhorn, WI 53121
Town of LaFayette, Barbara A. Fischer, Clerk, N6221 Tamarack Court, Elkhorn, WI 53121

Staff presents request.

Bruce Firestone speaks regarding the application. Applicant addresses a previous letter received from the Village of East Troy and its requests.

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

Disc Count #7:37:06 – 7:51:55

Staff announces a new hire of a Deputy Director starting in June, 2021 – Lindsey Motl.

Adjournment

Dave Weber motioned to adjourn. Seconded by Ryan Simons. Motion carried. 7-favor 0-oppose

The meeting was adjourned at 7:52 p.m.

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