

County Zoning Agency
MINUTES
June 15, 2023 – 4:36 P.M.
100 West Walworth Street
Elkhorn, Wisconsin

Vice-Chair Sue Pruessing called the meeting to order at 4:36 p.m.

Roll call – Committee members present in person were Supervisors Sue Pruessing, Dennis Karbowski, Al Stanek, Joanne Laufenberg and citizen members Richard Kuhnke, Sr. and Jim Van Dreser. Supervisors Ryan Simons was absent. A quorum was present.

County Staff present Land Use and Resource Management Department Director Michael P. Cotter, Senior Planner/Hearing Facilitator Katelyn Miner and Senior Zoning Officer Nicholas Sigmund.

A “sign-in” sheet listing attendees on June 15, 2023 is kept on file as a matter of record.

Details of the June 15, 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

Al Stanek motioned to approve the agenda as amended to table items 8.e.3.) Stephen Russo; and 8.e.4.) Alex Martzke. Seconded by Dennis Karbowski. Motion to Approve the agenda carried. 6-favor 0-oppose

Richard Kuhnke, Sr. motioned to approve the May 18, 2023 CZA Meeting Minutes. Seconded by Dennis Karbowski. Motion carried. 6-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement
Committee asks that Wendeberg be removed from this listing.
Disc Count # 4:43:03 - 4:45:01

Subdivision Items – Old Business – None

Subdivision Items – New Business – None

Old Business - Ordinance Amendments –

1. On April 26, 2022 an ordinance amendment was approved by the CZA and forwarded to County Board to clarify food truck usage, define junk yard, amend marina definition, allow 12 foot high sheds in planned campgrounds, amend parking requirements for residences and public assembly uses, and correct section references and typos. Portions of the approved language were inadvertently excluded in the proposed ordinance amendment formatted for County Board approval, and therefore not included correctly in the codification. The proposed amendment included in this packet correctly includes those portions previously excluded – Nick Sigmund

Staff reviews the proposed zoning ordinance amendment clean up language that was inadvertently omitted from the ordinance codification.

Questions if this new. Staff indicates these sections were inadvertently omitted from the language submitted that was previously approved.

Jim Van Dreser motions to approve and send to County Board. Seconded by Richard Kuhnke, Sr. Motion carried. 6-favor 0-oppose.

This item will move forward to the July 11, 2023 Walworth County Board for possible action.

Disc Count # 4:45:21 – 4:52:35

Old Business – Discussion Items –

- 1. 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 – Kate Miner

Amended June 15, 2023 – Continued outside storage of sheds with a sign for an extension of time until February 2025 (See # 1, 10, and 21).

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 June 15, 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 June 15, 2023 for an extension until February 2025 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~~ **two** 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.

/s/

COUNTY ZONING AGENCY
TIM BRELLENTHIN, CHAIRMAN

Dated this 17th day of February, 2022.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

Dated this 15th day of June, 2023.

COUNTY ZONING AGENCY
RYAN SIMONS, CHAIRMAN

Staff presents request and indicates the property owner has until 2025 to exercise the conditional use or ask for an extension of time.

Richard Kuhnke, Sr. motions to Approve with conditions as presented, with a term ending in February 2025 with the original conditional use. Seconded by Al Stanek.

Motion carried. 6-favor 0-oppose

Disc Count # 4:52:37 – 4:56:37

2. **One-Year Review: Transformative Arts, Inc. – Owner, Michael Duetsch – Applicant, Section 36, Delavan Township. Temporary reduction in the number of parking stalls required due to reduced capacity during the Covid-19 pandemic from 64 stalls to 29 stalls serving a capacity of the Belfrey Music Theater of 144 total occupants to be reviewed again in June 2023. Tax Parcel F D 3600001 – Kate Miner**

Staff discusses conversations regarding current plans and future expansion of parking.

Michael Deutsch speaks regarding parking at Mercy and expansion on-site.

No action is taken by the Committee.

Disc Count # 4:56:39 – 5:00:25

3. **One-Year Review: Conagra Foods Package Foods, LLC – Owner, Section 32 & 33, Darien Township. Offensive Environmental Odors in the Darien Community, Tax Parcel BA412100001 – Michael Cotter**

Staff discusses one complaint received.

Committee directs staff to bring these businesses (Walters and Conagra) back if there are at least 3 complaints received.

Disc Count # 5:00:26 – 5:07:26

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

General:

1. The Conditional Use for a recreational camp is approved as per the plan submitted for use by a groups of association identified as the Lake Geneva Hospitality Academy for educational opportunities for students interested in careers in the hospitality industry and culinary arts programs. The recreational camp may be used occasionally by Inspiration Ministries for events, activities, meetings, short term housing programs and other agreed upon

- arrangements in furtherance of Inspiration Ministries mission to assist developmentally disabled adults transition to independent living.
2. Use of the grounds shall be limited to the recreation camp activities as stated in the plan of operations. No business activities other than those specified in the plan of operations may be conducted from the recreational camp.
 3. Application with Walworth County for approval of a ~~certified survey map (CSM)~~ **parcel split**, recording of the ~~CSM~~ **parcel split** and the entire project plan shall occur within one year of this conditional use approval.
 4. All housing for the recreational camp users shall occur in the buildings identified on the plan for housing. There shall be no overnight stays in any structure not identified on the site plan as a camping cabin, the lodge or caretaker's residence.
 5. The project must meet with all State, Federal and local requirements prior to use as a recreational camps.
 6. The applicant must obtain all required County Zoning permit including a sign permit for an entrance sign to the recreational camp. Signage must be identified on the plan of operations and the applicant must obtain the required sign permit from the County Zoning Office.
 7. Hours of operation shall be 24 hours per day with quite hours between the hours of 11:00 p.m. to 7:00 a.m. The property owner shall be responsible for enforcing quite hours.
 8. No outside announcement speaker system may be used on site. Acoustical musical instruments may be played outside between the hours of 10:00 a.m. and 11:00 p.m. All performance by the camping clients requiring amplifiers or speaker systems must be conducted in the cabins or lodge buildings only.
 9. Sufficient adult supervision must be present at all times when the camp is used by children.
 10. The total capacity of the camp shall be ~~80~~ **124** camp guests and 12 staff as identified in the plan of operations per the available parking.
 11. The Recreational Camp conditional use permit allows for non-camp day users during specific stated and conditional use permit approved yearly recreational, educational, or religious purposes events so long as the non-camping day visitors do not exceed the number of on-site camping individuals. There shall be no more than ~~80~~ **124** non-camping day visitors allowed on site during recreational camp events.
 12. The number of recreational camp events allowing non-camping day visitors shall be set at 12 per year. When events are held the entire recreational camp must be used by a single associated camping group.
 13. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.
 14. The project site must meet with all sanitary sewerage requirements. The applicant shall provide verification of available sewerage capacity for the project prior to use of the site as a recreational camp under this conditional use approval.
 15. All perimeter fencing shall be maintained as identified on the project plan.
 16. The applicant must obtain adequate liability insurance and keep the insurance current during the life of this conditional use.
 17. All lighting must be shielded and directed on to the property.
 18. Parking must meet with requirements of the county zoning ordinance. All parking shall meet the exterior boundary setbacks established for a recreational camp. All parking must be in compliance with County requirements within 60 days of this approval.
 19. 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.
 20. 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:

21. The parking standards have been modified by this conditional use to allow overflow parking on the grass during the occasions of events as stated in the project narrative and depicted of the project plan. Normal recreational camp (non-event) use shall use the surfaced parking as depicted on the project plan.
22. Outdoor campfires shall be located in the specified fire ring areas identified on the recreational campsite plan.
23. The required exterior buffer for the recreational camp as shown on the approved site plan shall be a no mow area allowed to become a natural buffer.
24. There shall be no commercial use of the recreational camp for weddings, conferences and or other non- Lake Geneva Hospitality Academy or non- Inspiration Ministries use or events without additional zoning review and approval by the Town and County.
25. The existing RV Site Area has not been included in the plan of operations and shall not be used without specific approval from the Town and County.

Staff discusses recommendation to approve the conditional use as directed by the Circuit Court. Van Dreser indicates he would concur. Comm. Stanek asks if there is a way to inform the neighbors.

Dennis Karbowski motioned to approve the conditional use and rezone as directed by the Walworth County Circuit Court, and to notify the people who were here at the hearing speaking in opposition. Seconded by Al Stanek. Jim Van Dreser motioned to amend the motion to include a letter to the Town of Walworth in the notification. Agreed by first and second. Motion carried. 5-favor 0-oppose 1-Recused (Sue Pruessing)

The rezone petition will move forward to the July 11, 2023 Walworth County Board for possible action.

Disc Count # 5:07:27 – 5:13:54

New Business - 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 reviews the proposed zoning ordinance amendment.

Jim Van Dreser motions to approve and send to County Board. Seconded by Richard Kuhnke, Sr. Motion carried. 6-favor 0-oppose.

This item will move forward to the July 11, 2023 Walworth County Board for possible action.

Disc Count # 5:13:55 – 5:15:12

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 – Nick Sigmund

Staff reviews the proposed zoning ordinance amendment.

Richard Kuhnke, Sr. motions to approve and send to County Board. Seconded by Dennis Karbowski. Motion carried. 5-favor 1-oppose (JoAnne Laufenberg)

This item will move forward to the July 11, 2023 Walworth County Board for possible action.

Disc Count # 5:15:13 – 5:15:59

New Business – Discussion Items –

1. **Whiskey Delavan, LLC C/O Ilir Banushi – Owner.** Section 8, Darien Township. Amendment of Conditional Use for patio expansion, additional parking, and to bring existing parking into compliance. Tax Parcel BA255700001.

AMENDED 6.15.23 – Patio expansion, bring existing parking into compliance, and additional parking. See #1

NAME: **Whiskey Delavan LLC C/O Arben Useni and Ilir Banushi ~~Whiskey Ranch Bar and Restaurant~~**

TOWN: DARIEN

A conditional use permit for outdoor food and beverage **with amendment on 4/24/2018 allowing deck expansion and additional volley ball court and required parking** as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands zoned B-4 Highway Business District, and described as follows:

Tax Parcel #BA255700001

Has been APPROVED subject to the following conditions:

1. The Conditional Use for seasonal use of a deck/patio for outdoor food and beverage consumption **with amendment on 4/24/2018 allowing deck expansion and additional volley ball court and required parking** is approved as per the plan submitted dated 3/16/2018. **Amended 6/15/23 to allow for expanded patio and additional parking with removal of parking area in setback as per the plan submitted dated 5/2/23** 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 permits 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 keeping 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 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.
10. The property owner must obtain the required County sanitary permit approval for facilities to be located 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. The outdoor deck shall be used from May 1st to October 31st of each year. Hours of operation on the deck/patio shall be 10:00 a.m. to 10:00 p.m.
14. All outdoor seating and all outdoor food and beverage consumption must be on the deck/patio.
15. The deck must meet with the commercial building code including all proposed lighting. Open flame tiki torches may not be used as lighting.
16. **There shall be no organized concerts or bands playing outdoors on the property.**
17. **The property owner shall obtain a survey of the new parking area and driveway if required by the Zoning Office to meet condition #9.**

Dated this 21st day of October, 2010.

/s/

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

Dated this 24th day of April, 2018

COUNTY ZONING AGENCY
TIM BRELLENTHIN, CHAIRMAN

Dated this 15th day of June, 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.

Al Stanek motions to Approve with conditions as presented. Seconded by Jim Van Dreser. Motion carried. 6-favor 0-oppose
Disc Count # 5:16:00 – 5:17:56

2. **CST Holding, LLC C/O Glen Feltham – Owner**, Section 6, Walworth Township. Amendment of Conditional Use for additional storage building to act as an employee warming space and pay station during the Christmas season. Tax Parcel E W 600007.

AMENDED 6.15.23 – Additional building for storage, employee warming, and pay station during winter holiday season. (See #1)

NAME: ~~Glen and Becky Feltham~~ **CST Holding LLC C/O Glen & Becky Feltham**

TOWN: Walworth

A conditional use permit for a commercial nursery and sales area for landscaping and Christmas trees with ancillary retail sales of Christmas related items and elk meat from the farm, and a larger sign as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands proposed to be zoned A-4 Agricultural Related Manufacturing, Warehousing and Marketing District, and described as follows:

Part of Tax Parcel #E W 600007

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

1. Approved as per plan submitted for a commercial nursery for sales of Christmas trees and trees for landscaping with ancillary retail sales of wreaths, roping, swags, boughs, tree stands, tree bags, tree skirts, ornaments, on farm grown elk meat and handmade craft items. **Amended 6/15/23 for a building for storage, employee warming area, and a pay station during the winter holiday season.** and with all additional conditions.
2. Storage limited to material and goods directly associated with business. Outside storage shall be limited and located as identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.
3. On site hours of operation shall be from 9:00 a.m. to 5:00 p.m.
4. Must meet all applicable Federal, State, County and local regulations.
5. Outside lighting shall be shielded and directed on site.
6. The applicant must obtain all required zoning permit approvals including a sign permit.
7. No fill, debris, branches or leaves may be brought back and disposed of on site. 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. The applicant must submit and obtain approval of a landscaping plan from the County Conservation Office.
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.
10. The project site must be kept neat, clean, and mowed.
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.

Specific:

12. Ancillary retail sales are approved for wreaths, roping, swags, boughs, tree stands, tree bags, tree skirts, ornaments, on farm grown elk meat and handmade craft items. Retail sales shall be limited to 50% of all sales from the site.
13. The number of employees shall be limited to the owner and eight seasonal workers.

14. The conditional use includes approval for a 4 ft. by 6 ft. sign.

Dated this 8th day of June, 2010.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

Dated this 15th day of June, 2023.

COUNTY ZONING AGENCY
RYAN SIMONS, CHAIRMAN

cc: Town of Walworth, David Rowbotham, Chairman, W6741 Brick Church Road, PO Box 386, Walworth, WI 53184
Town of Walworth, Marie Baker, Clerk, W6741 Brick Church Road, PO Box 386, Walworth, WI 53184

Staff presents request.

Al Stanek motions to Approve with conditions as presented. Seconded by Dennis Karbowski. Motion carried. 6-favor 0-oppose

Disc Count # 5:17:58 – 5:19:18

3. **Ryan and Sarah Dexter – Owners, Section 28, LaFayette Township.** Amendment of Conditional Use for changes in the size, type, and location of additional building and access road, including removal of existing temporary structure, for landscaping business. Part of Tax Parcel KA453000001.

AMENDED 6.15.23 – Removal of temporary structure and addition of new permanent building with a change in size, type, and location of building on site plan and access road (See #1)

NAME: Ryan and Sarah Dexter

TOWN: LaFayette

The property owners are requesting to 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. Ryan owns and operates Home Town Lawn Care and wishes to construct buildings for his office and equipment/shop.

Tax Parcel #KA453000001

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

General:

1. Approved as per plan submitted for a contractor storage yard, office and storage for a lawn maintenance and landscaping business. **Amended 6/15/23 to allow for the change in the size, type, and location of pole barn and access road**, 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 property owner shall remove or disconnect driveway off of Plank Road within 60 days of this approval as per Town.
35. **New pole building meets all setbacks as per the Town.**
36. **The building is on A-4 zoning only as per the Town.**
37. **Driveway meets the required standards for the business as per the Town.**

Dated this 20th day of May, 2021.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

Dated this 15th day of June, 2023.

COUNTY ZONING AGENCY
RYAN SIMONS, CHAIRMAN

cc: Town of LaFayette, Barbara Fischer, Chair, N6221 Tamarack Court, Elkhorn, WI 53121
Town of LaFayette, Katherine Fuller, Clerk, N6221 Tamarack Court, Elkhorn, WI 53121

Staff presents request.

Jim Van Dreser motions to Approve with conditions as presented. Seconded by JoAnne Laufenberg. Motion carried. 6-favor 0-oppose
Disc Count # 5:19:20 – 5:21:11

4. **Shodeen Big Foot Subdivision** – Request for Refund on withdrawn rezone and conditional use applications – Michael Cotter

Staff presents request for a larger refund due to the amounts paid for the conservation subdivision.

JoAnne Laufenberg motions to issue a refund as presented by staff. Seconded by Dennis Karbowski. Motion carried. 6-favor 0-oppose
Disc Count # 5:21:12 – 5:25:23

5. **LaFayette County Resolution Number 10-23** – Request State to Revise Solar Energy System Law – Michael Cotter

Staff presents request. Recommends putting this matter on file as this matter was discussed last month and presented and approved by the County Board on 6/13/23.

Jim Van Dreser motions to draft a resolution regarding the issuing of solar panel conditional use permits ONLY in non-prime ag lands. Seconded by JoAnne Laufenberg. Motion carried. 6-favor 0-oppose
Staff clarifies this will return in July for review of a draft.
Disc Count # 5:25:24 – 5:31:03

6. **Adam Johnson, Duesterbeck’s Brewing Company** – Request for clarification on current Conditional Use Permit of what the term ‘event’ means and the total number of events allowed.

Staff presents request and provides current conditional use permit in 6/15/23 Supplemental Packet. Staff request clarification as requested in the packet information provided concerning “events”. Comm. Karbowski and Van Dreser questions opening windows/doors for indoor v. outdoor events. Vice Chair requests identification of “event” being a multi-day event. Discussion by the Committee regarding the term event.

Ben Johnson speaks on questions from the Committee regarding “big events” (multi day) and using Fri and Sat as one event. Committee continues discussion regarding event definition.

~~**Al Stanek motions to approve events from Memorial Day to Labor day with “event” meaning one or two 2 days, with Oktoberfest and Christmas Market to be included in the 18 outdoor events for more than 2 days.— Seconded by Dennis Karbowski.— Jim Van Dreser suggests inside means the band and seating is inside with no temporary outdoor seating, and to remove the time limit from Memorial Day to Labor Day.**~~

Restated Motion: Al Stanek motions to approve up to 18 outdoor events at the discretion of property owner with events to be no longer than 2 days. Indoor entertainment is defined as seating and performances inside with no temporary outside seating. Seconded by Dennis Karbowski. Motion carried. 6-favor 0-oppose

Comm. Karbowski addresses applicant regarding complaints received over the past weekend regarding sound carrying over 1 mile. Applicant indicates the sound suppression has now been received and will be installed this weekend, and requests any complaints Karbowski receives be forwarded to him.

Disc Count # 5:31:08 – 6:12:20

6:12 p.m.:

Ordinance Amendments – None

Rezones with Conditional Uses –

1. **Land Reserves, LLC C/O Jack Pease – Owner**, Sections 4 & 9, Sugar Creek Township. Rezone approximately 0.16 acres of A-1 to C-2, 12.69 acres of A-1 to M-3, 1.14 acres of A-4 to A-1NC, 2.76 acres of A-4 to M-3, 5.2 acres of C-2 to C-1, 9.36 acres of C-2 to M-3, 15.8 acres of M-3 to A-1NC, and 0.11 acres of M-3 to C-2 to obtain conditional use review for expansion of existing nonmetallic mineral extract site (sand and gravel pit), including washing and processing of materials and import of broken concrete and asphalt for recycling. All or parts of Tax Parcels GA167600001, G SC 900004, G SC 900004A, and G SC 400008.

General:

1. Approved as per the conditional use plan submitted and approved June 15, 2023 for expansion of the pit with mining, a wash plant, crushing operations and the import of offsite materials for recycling of concrete and asphalt and import of earthen materials for use in restoration of the pit.
2. Time limit for completion of the project shall be set at ~~August 15th, 2023~~ December 31, 2033.
3. Implementation of dust and noise control measures shall occur at all times on site.
4. The applicant must obtain a Land Disturbance, Erosion Control and Stormwater permit from The Land Conservation Department. The applicant must follow phases of excavation and restoration as part of the approval under the County's Land Disturbance Erosion Control and Stormwater Management Ordinance and mining reclamation standards. The applicant must submit a project-sequencing schedule as part of the restoration plan for each phase leading to completion prior to approval. The applicant will be responsible for paying all County fees associated with the reclamation plan review, approval and monitoring for compliance with this approval.
5. A non-metallic Mining Reclamation Permit and Plan must be approved by the Walworth County Land Conservation Division. The applicant shall submit an acceptable form of bonding as part of the restoration plan – The bond shall remain in place for the life of the pit plus one full year after final restoration to allow for final stability review. A copy of the bond and any renewals shall be submitted to the County Land Conservation section of the Land Use and Resource Management Office. Renewals of bonds shall be submitted prior to expiration on a two year limited basis. The bond shall be released after final restoration and application for rezone back to the approved post mining land use/zone district. The operator will certify to the County Land Conservation Division the completion of reclamation for a portion or the entire mining site.
6. The post mining land use for this site shall be agriculture requiring A-1 zone district designation. This conditional use shall not be valid without a current post mining land use rezone application being on file with Walworth County. The property owner shall submit an application, fee and a post mining reclamation plan to Walworth County allowing for rezone of the property back to the post mining land use /zone district as specified above. The post mining land use rezone application shall be required to be kept current by the property owner during excavation and reclamation of the site. Should ownership of the site transfer prior to receiving Certification of Completion of Reclamation from the County (Sec. 26-293 (a.7)), the new property owner must re-sign the post mining land use rezone application and pay a new post mining land use rezone application fee at the current rezone rate in order to keep this conditional use valid.
7. Hours and days of operation shall be set at 6:00 a.m. to 6:00 p.m. Monday through Friday and 6:00 a.m. to noon on Saturday. No work shall be conducted on Sundays or holidays.

8. Road access and maintenance agreements shall be filed with the Town and County prior to hauling materials off site.
9. The County will not be liable for any damage to neighboring wells due to the operation of the project.
10. Any additional office/trailer or structures shall obtain approved zoning and sanitary permits.
11. Approval of the project shall be subject to all applicable gravel pit policies.
12. The project shall meet all applicable Federal, State and local regulations.
13. All material storage locations must be in an approved zoning district.
14. No materials allowed to be brought in from off-site other than those materials specified in the approved operations plan.
15. All topsoil generated from the site must remain on site for use in restoration. All topsoil will be re-graded evenly on the disturbed area.
16. All site dewatering shall be conducted so as to prevent sedimentation outside of the project area. The site may not be dewatered until all sediment has settled in the open water area of the pit.
17. The applicant shall certify that the project plans and the conditions of this approval shall be provided and discussed with the property owner prior to excavation on site and must provide a copy of the certification signed by the owner.
18. Following restoration, the landowner shall petition to rezone the property back to the committee recommended zoning district. The owner of property approved for non-metallic mining shall be required to submit an up-front application and fee for rezoning the property back to the pre-existing zone district. Upon completion of restoration the County shall hold a public hearing for rezoning of the property back to the original zone district. The County shall not release the required performance bond or surety until the property of concern has been restored.
19. The applicant must obtain a sign permit from the County Zoning Office prior to construction of any new signs on site. No billboards will be allowed to be located in an M-3 district even under a State Hwy permit because the M-3 use is temporary and the signs must be consistent with the required zoning upon restoration.
20. No storage of chemicals and petroleum products shall occur on site unless stored in a containment facility meeting state requirements.
21. The applicant must stipulate that adequate liability insurance will be held at all times during excavation and restoration to cover any damages resulting from the project. The applicant has agreed to provide a copy of the liability insurance coverage document for the file.
22. The applicant will be held solely responsible for maintaining support rights of neighboring property owners. Adequate setbacks from the proposed excavation to neighboring properties shall be provided to prevent damages resulting from potential cave in of the excavation walls.
23. The County will not be responsible for loss of agricultural productivity of the property as a result of this project.
24. 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.
25. 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:

26. Recyclable concrete and asphalt material shall be limited to the location and quantities as specified on the approved plan of operations.
27. The property owner shall submit a new reclamation plan **and rezone application to be on file for after mining activities have ceased** for review and approval by the Walworth County Land Conservation Office and transfer the reclamation permit to the new operator prior to operations of the pit approved by this conditional use.

28. The grades in the proposed reclaimed area in the northwest corner of the site shall be returned to the original grades approved on the 2013 reclamation plan within 12 months of this conditional use approval. Otherwise the applicant shall obtain variance approval for the grade changes within 200ft of the property line and modify the current reclamation permit application within the same timeframe. Certification of reclamation shall be approved by the Land Conservation Division.
29. No excavation or grading shall take place within the 200 ft property line setback. Any existing areas deemed in violation by the LURM Department shall be brought into compliance as part of the reclamation certification

Staff presents request.

Comm. Stanek questions the approval of SEWRPC – staff explains this relates to the INRA (Isolated Natural Resource Areas) on the north portion of the property.

Jack Pease and Phil Brown speak regarding the application and specific questions regarding expansion into the INRA.

Committee questions load access and weights. Stanek questions the A-1 use as mining. Van Dreser explains these are not Class 1 soils and slopes.

Dennis Karbowski motioned to approve with staff conditions. Seconded by Richard Kuhne, Sr. Motion carried. 6-favor 0-oppose.

The rezone petition will move forward to the July 11, 2023 Walworth County Board for possible action.

Disc Count # 6:16:30 – 6:36:40

Rezones –

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.

Staff presents request.

Christina Green speaks regarding the application. Representative indicates the parcel would be able to be split for an additional residence, and the applicant is willing to record a deed restriction on the parcel that it will not be divided in the future.

Speaking in FAVOR: Lindy Ann Kloiber; Cathy Conrad.

Speaking in OPPOSITION: Gene Decker

Speaking in REBUTTAL: Christina Green speaks in rebuttal.

Jim Van Dreser motioned to approve. Seconded by Dennis Karbowski. Motion carried. 5-favor 1-oppose (Joanne Laufenberg).

The rezone petition will move forward to the July 11, 2023 Walworth County Board for possible action.

Disc Count # 6:36:49 – 7:12:16

2. **S. Terry Woods, LTD, Inc. – Owner**, Section 31, Linn Township. Rezone approximately 20.5 acres of A-2 Agricultural Land to C-2 Upland Resource Conservation District and divide out 4 lots into 5 acres each. Tax Parcel I L 3100007.

Staff presents request.

Terry Woods speaks regarding the application.

Jim Van Dreser motioned to approve. Seconded by Dennis Karbowski. Motion carried. 6-favor 0-oppose.

The rezone petition will move forward to the July 11, 2023 Walworth County Board for possible action.

Disc Count # 7:12:18 – 7:16:48

TABLED – NO TOWN DECISION

3. ~~**Stephen Russo – Owner**~~, Section 18, East Troy Township. Rezone approximately 0.365 acres of A-3 Lane Holding land to C-4 Shoreland Wetland District and 0.641 acres of C-4 Shoreland Wetland lands to A-3 Land Holding District in order to correct the wetland boundary on the property to build a house with a patio, sidewalk, and driveway in the A-3 Land Holding District. Tax Parcel P-ET1800019.

TABLED – NO TOWN DECISION

4. ~~**Alex Martzke – Owner**~~, Sections 11 & 14, Lyons Township. Rezone approximately 1.56 acres of C-3 Conservancy Residential land to B-2 General Business District, 0.8 acres of C-3 Conservancy Residential land to C-2 Upland Resource Conservation District, and 6.72 acres of B-2 General Business land to C-2 Upland Resource Conservation District in order to keep the residence and business portions of the properties separate. Tax Parcels N LY1100007A and N LY1400004.

5. **Vollmer Family Holdings, LLC C/O Gail Stephens**, Section 21, Delavan Township. Rezone approximately 0.17 acres of B-1 Local Business land to R-2 Single-Family Residence District (Sewered) in order to convert the existing building into a residence. Tax Parcels FVS 00022 and FVS 00024.

Staff presents request.

Dena Thiele speaks regarding the application.

Jim Van Dreser motioned to approve. Seconded by Richard Kuhnke, Sr. Motion carried. 6-favor 0-oppose.

The rezone petition will move forward to the July 11, 2023 Walworth County Board for possible action.

Disc Count # 7:16:53 – 7:21:02

Conditional Uses –

1. **2906 Willow Road, LLC** – Section 14, Linn Township. Conditional use review and approval for the storage and assembly of a pickle ball court, public assembly on an outdoor patio, a barber shop existing in the church building, and three vehicle storage spaces on approximately 1.6 acres of B-4 Highway Business District land. Tax Parcel IA 89000001.

General:

1. Approved as per plan submitted for a **6 unit (two buildings)** PUD with all additional conditions.
2. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land Disturbance, Erosion Control and Stormwater Management standards contained in Section 26 of the Walworth County Code of Ordinances. 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. The quantity of topsoil generated from one lot may not be located on another lot within the development at the expense of the lot from which the topsoil was generated. No materials may be removed from the site without County approval. An operation and maintenance plan for each stormwater best management practice must be prepared and included in the covenants and restrictions or other documents governing the homeowner association created for this development. The plat prepared for this subdivision must show the location and label each stormwater best management practice planned to serve the development.
3. The owner/applicant must obtain all required zoning and sanitary approvals prior to construction.
4. The owner must meet all Town, County and/or State highway access requirements.
5. No structures shall be placed in the open space without additional Committee approval.
6. The project must meet all Federal, State, County, and local Ordinances.
7. **The applicant must obtain all required County Zoning permit including a sign permit for any proposed signage.**
8. The owner/applicant must provide a tree cutting and restoration plan meeting ordinance requirements for review and approval. Tree cutting shall be limited to that specified on the approved plan of operations.
9. No alteration of the shoreland/wetland area shall be allowed without County required approval.
10. The roads shall meet with County road standards as provided for in the County Land Division Ordinance.
11. This Planned Unit Development (PUD) is approved as **a two building mixed use facility consisting of a barber shop in the existing building as well as storage facilities and a pickle ball court in the proposed building.** Any changes to the PUD that may affect County approval of must obtain additional County conditional use review and approval.
12. The proper preservation, care and maintenance by the original and all subsequent owners of the design of the PUD and all common structures, facilities, essential services, access and open spaces including use of the open space shall be assured by deed restriction referencing the plat.

13. The preliminary plat and final plat shall identify the building envelope each individual building.
14. The County reserves the right to rescind this conditional use upon any violation of County regulations.
15. The property owner shall be held solely responsible for addressing all restrictive covenants or association rules beyond those enforceable under County ordinance and regulations.
16. 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.
17. 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.
18. 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:

19. **The patio shall be limited to 12 people at one time with no daily scheduled activities or special events.**
20. **The hours of operation for the barber shop is 8:00 am to 5:00 pm.**
21. **The use of the storage units shall be limited to the property owners. Any changes to the use of the storage units shall be reviewed and approved by the Committee.**

Staff presents request.

Warren Hansen speaks regarding the application.

Dennis Karbowski motioned to approve with conditions as presented. Seconded by JoAnne Laufenberg. Motion carried. 6-favor 0-oppose
Disc Count # 7:21:03 – 7:28:32

2. **Gilbert Streiff II – Owner, Section 15, Spring Prairie Township. Conditional use review and approval for a home occupation in order to park a tow truck greater than 10,000 lbs. next to their residence on approximately 1.05 acres of R-1 Single-Family Residence District (Unsewered) land. Tax Parcel OH2 00016.**

General:

1. Approved per plans submitted as a home occupation for a **tow truck business** with all added conditions.
2. Must meet all applicable Federal, State, County, and local regulations.
3. 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 must be in compliance with County requirements within 60 days of this approval.
4. All Signage must be identified on the plan of operations and the applicant must obtain the required sign permit from the County Zoning Office.

5. Access to the site must be as identified on the plan.
6. All lighting shall be shielded and directed onto the property.
7. No outside storage of goods or materials shall be allowed on site.
8. No sales of goods shall occur on site.
9. Use of the site shall be limited to 25% of one floor of the residence.
10. Employees of the home occupation shall be limited to the residence of the home.
11. No alteration of the exterior design of the home may occur.
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. **One tow truck over 10,000 lbs. may be parked at the residence as per the submitted site plan.**

Staff presents request.

Gilbert Streiff speaks regarding the application.

Richard Kuhnke, Sr. motioned to approve with conditions as presented. Seconded by Jim Van Dreser. Motion carried. 6-favor 0-oppose
Disc Count # 7:28:33 – 7:31:39

3. **Hometown Sausage, LLC C/O Maria Bisabarro – Owner**, Section 15, East Troy Township. Conditional use review and approval for a caretakers residence, the canning, drying, and dehydrating of fruits, vegetables, preserves, jams, and jellies, sauces, seasoning, and salad dressing preparation, and retail sales related to items produced on the property on approximately 6.03 acres of A-4 Agricultural-Related Manufacturing, Warehousing, and Marketing District land. Tax Parcel P ET1500005B.

General:

1. Approved as per plan submitted with all additional conditions.
2. The applicant shall be required to obtain an approved Sanitary Permit from the County prior to construction of the caretaker's residence.
3. Use of the residence shall be limited to use by a caretaker's and shall be removed from premises at the time it is no longer needed in connection with the operation.
4. If the residence is no longer used for housing a caretaker, the applicant must notify the Walworth County Zoning Office.
5. The applicant must obtain the required County zoning permit prior to construction.
6. The site must meet with County, State, Federal, and local regulations.

7. Storage limited to material and goods directly associated with business. Outside storage shall be limited and located as identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.
8. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday through Saturday.
9. Outside lighting shall be shielded and directed on site.
10. 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.
11. The project site must be kept neat, clean, and mowed.
12. No filling shall be allowed in any wetland areas.
13. No filling shall occur on site without proper permit approvals.
14. The owners of the property shall release, indemnify and hold harmless Walworth County, the Town of East Troy 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. This hold harmless clause shall be added to the liability insurance to be provided by the property owner.
15. The owner shall notify the County if any changes are made regarding operation of this site including size, location and type of materials (as listed) to be on site.
16. The applicant must obtain all required zoning permit approvals including a sign permit.
17. 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.
18. The applicant shall certify that the project plans and the conditions of this approval have been provided and discussed with the property owner prior to excavation on site and must provide a letter certification signed by the owner specifying that review of the this approval has been completed.
19. 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:

20. No retail sales or customers shall be allowed in other buildings not specified as retail area on the plan of operations.
21. The number of employees shall be limited to the owner.

Staff presents request.

Maria Bisabarro speaks regarding the application.

Al Stanek motioned to approve with conditions as presented. Seconded by Dennis Karbowski. Motion carried. 6-favor 0-oppose
Disc Count # 7:31:40 – 7:38:44

4. **Longs Property Holdings, LLC** – Section 23, Delavan Township. Conditional use review and approval for a contractor storage yard to store equipment and supplies for a landscaping

company on approximately 0.75 acres of B-2 General Business District land. Tax Parcel FA388000002.

General:

1. Approved per plans submitted with all additional conditions.
2. All storage areas, materials and equipment shall be located as defined on the plan of operations.
3. The site shall meet all applicable Federal, State, County, and local regulations.
4. The applicant must obtain all required zoning permit approvals including a sign permit.
5. No filling shall be allowed in any wetland areas.
6. No filling shall occur on site without proper permit approvals.
7. Access approval must be obtained from the County Highway Department.
8. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land Disturbance, Erosion Control and Stormwater Mangement standards contained in Section 26 of the Walworth County Code of Ordinances.
9. Hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday – Saturday with hours for return of equipment from off site until 9:00 p.m.
10. No burning shall be allowed on site without a State burning facility license and any required local approvals.
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. The owner/applicant must obtain County Land Conservation Office approval of a spill prevention plan (SPP) and a stormwater pollution prevention plan for this site if required by ordinance.
14. No outside storage as per the Town.
15. Normal hours of operation are 6:00 AM to approximately 9:00 PM as per the Town.
16. Compliance with the Noise and Lighting Ordinance of the Town.

Staff presents request.

Carly Long speaks regarding the application.

Speaking in OPPOSITION: Ben Kostka confirming green space between property and apartments next door.

Speaking in REBUTTAL: Carly Long confirming opposition request.

Jim Van Dreser motioned to approve with conditions as presented. Seconded by Dennis Karbowski. Motion carried. 6-favor 0-oppose

Disc Count # 7:38:47 – 7:43:01

Michael Cotter thanks Staff and Katelyn Miner for efforts during this longer meeting and transition into the new Planning position.

Adjournment

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

The meeting was adjourned at 7:44 p.m.

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