

County Zoning Agency
MINUTES
September 16, 2021 – 5:00 P.M.
100 West Walworth Street
Elkhorn, Wisconsin

Committee Chair Rick Stacey called the meeting to order at 5:01 p.m.

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

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, Deputy Director/County Conservationist Lindsay Motl, Senior Planner/Hearing Facilitator Matt Weidensee, and Josie Hanrahan controlling telephonic appearances.

A “sign-in” sheet listing attendees on September 16, 2021 was not presented due to the continued COVID-19 threat.

Details of the September 16, 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.b.1.) Lakeland Community Church; 9.b.3.) Shaw Partnership, LP; 9.d.1.) Wilson Aggregate Trust C/O Scott Wilson and Mary and Robert Skwierawski Trust – Owners; 9.d.2.) Millard Properties, LLC C/O Sarah M. Cook – Owner, Randy Johnson, Johnson Sand and Gravel, Inc. – Applicant; 9.f.1.) S.T. Evenignasiak, LLC C/O Steven Ignasiak – Owner, Bulk Materials Trucking – Applicant; 9.f.2.) Biwer Investments, LLC C/O John Biwer – Owner, Michael Jonas – Applicant; 9.f.5.) Payne & Dolan, Inc.; and 9.f.7.) Anthony and Michelle DiMauro - Owners. Seconded by Jerry Grant. Motion carried. 7-favor 0-oppose

Richard Kuhnke, Sr. motioned to approve the August 19, 2021 CZA Meeting Minutes. Seconded by Jerry Grant. Motion carried. 7-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement
Disc Count #5:06:58 – 5:07:51

Wendeberg Violation Update – Michael Cotter
Disc Count #5:07:51 – 5:12:57

Subdivision Items – Old Business – None

Subdivision Items – New Business – None

Old Business - Ordinance Amendments – None

Old Business – Discussion Items –

1. **Land Reserves LLC C/O Jack Pease Super Aggregates (Old JHGKL Gravel Pit)**

Tabled for compliance review prior to proposed conditional use for expansion, Section 9, Sugar Creek Township. Site in compliance with 2013 approved plan. Application for expansion of the conditional use withdrawn. Application for certification of reclamation to be made for front gate and northwest corner prior to future request for expansion. Tax Parcels G SC 900004 and 4A.

Staff presents current status. The applicant has withdrawn the application. The applicant is now in compliance with the 2013 approved plan with minor adjustments on the pond. L. Motl indicates the application for certification of the reclamation is not yet complete as further documents have been requested. No response yet received. No action is needed by the Committee.

Disc Count #5:13:52 – 5:20:01

New Business - Ordinance Amendments – None

New Business – Discussion Items –

TABLED – NO TOWN DECISION

1. ~~**Lakeland Community Church – Owner**, Section 25, Delavan Township. Amendment of a CU for a church by addition of two wood pergolas and a small in fill building addition on the west side of the building and a new access drive with parking, an entrance pergola and a wood privacy screening structure on the northeast side of the building being less than 25% of existing structures. Tax Key Parcel FA395600002.~~
2. **Reek and Zenda School, Linn J6 School District, Reek Elementary School**, Section 16, Linn Township. Amendment of a CU for a School by demolish of an existing 20 ft. by 20 ft. storage building and request to construct a new storage building up to approximately 1,500 sq. ft. in size being less than 25% of existing structures. Tax Parcel I L 1600011.

Amended 9/16/2021 for removal and addition of a storage shed (See # s 3-9)



**WALWORTH COUNTY
WISCONSIN**

Department of Planning, Zoning and Sanitation

Lakeland Complex
Courthouse Annex
W3829 County NH
Elkhorn, WI 53121-4382
Telephone (414) 741-3394
FAX (414) 741-3286
Frank Dobbs - Director

NAME: LINN JOINT #6 SCHOOL DISTRICT

TOWN: LINN

A conditional use permit to expand an existing conditional use by adding classrooms and a gymnasium to the existing school as specified in Section 4.0 of the Zoning Ordinance, Walworth County, Wisconsin on lands zoned P-1 Recreational Park District and described as follows:

Tax Parcel #I L 1600011. Commencing at the West quarter of Section 16, North 492.5 feet, East 464 feet, South 492.5 feet and West to the point of beginning. Town of Linn.

has been **APPROVED** subject to the following conditions:

1. Petition is approved as per plans submitted at the public hearing.
2. Applicant must meet all Federal, State, County and local requirements.

Dated this 22nd day of April, 1993.


WALWORTH COUNTY PARK & PLANNING COMMISSION
JAMES VAN DRESER, SECRETARY

General:

3. Approved per revised plans submitted for a school expansion by removal of and addition of a storage shed with all additional conditions.
4. Outdoor lighting shall be shielded and directed on site. The owner will need to obtain approval of a lighting plan prior to installing any type of sports field lights for nighttime use.
5. The school shall be responsible for maintaining proper liability insurance at all times on the property.
6. Access shall be as indicated on the approved plan. Use of the athletic field shall be by the school and the parking for the school shall be used exclusively during use of the field.
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 expansion by removal and addition of a shed 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:

Staff presents request.

Dave Weber motioned to approve. Seconded by Richard Kuhnke, Sr. Motion carried. 7-favor 0-oppose.
Disc Count #5:20:02 – 5:23:07

TABLED – NO TOWN DECISION

- ~~10. Shaw Partnership LP— Scenic Ridge Campground, Section 2, Richmond Township. Amendment of CU by less than 25% of existing structures for addition of an accessory structure to the caretaker’s quarters to be use for camp storage and a garage. Part of Tax Parcel C R 200008.~~

5:30 p.m.:

Ordinance Amendments – None

Rezones with Conditional Uses –

TABLED FOR BOA VARIANCE IN OCTOBER

- ~~1. Wilson Aggregate Trust C/O Scott Wilson and Mary and Robert Skwierawski Trust— Owners, Section 25, Spring Prairie Township. Rezone approximately 91.48 acres of A-1 Prime Agricultural Land District to the M-3 Mineral Extraction District on four different parcels in order to get conditional use review and approval for the expansion of an existing nonmetallic mineral extraction site (gravel pit). Parts of Tax Parcels O SP2500001A, 1C, 2 and 5.~~

Nonmetallic Mining Reclamation Permit—

~~Johnson Sand & Gravel, Inc. (Wilson Aggregate Trust C/O Scott Wilson and Mary and Robert Skwierawski Trust— Owners), has applied for a Nonmetallic Mining Reclamation Plan and permit approval for a 91.48 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 Parcels O SP2500001A, 1C, 2 and 5, Town of Spring Prairie. The Walworth County Land Conservation Division will consider reclamation-related public comments in their decision to approve the reclamation permit.~~

NO TOWN DECISION UNTIL SEPT. 20TH, TABLED TO OCTOBER 21ST.

- ~~2. Millard Properties, LLC C/O Sarah M. Cook— Owner, Randy Johnson, Johnson Sand and Gravel, Inc.— Applicant, Section 4, Sugar Creek Township. Rezone Approximately 90.64 acres of A-1 Prime Agricultural Land District to the M-3 Mineral Extraction District in order to obtain conditional use permit approval for a non-metallic mine (gravel pit). Part of Tax Parcel G SC 400001.~~

Nonmetallic Mining Reclamation Permit

~~Johnson Sand & Gravel, Inc. (Millard Properties, LLC C/O Sarah M. Cook—Owner), has applied for a Nonmetallic Mining Reclamation Plan and permit approval for a 90.64 acre 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 G SC 400001, Town of Sugar Creek. The Walworth County Land Conservation Division will consider reclamation-related public comments in their decision to approve the reclamation permit.~~

3. **Barbara J. Werhane – Owner**, Section 18, Sharon Township. The property owner is requesting rezone of 3.84 acres of A-1 Prime Agricultural Zoned land to the A-4 Agricultural Related Manufacturing, Warehousing and Marketing District in order to obtain conditional use approval for a commercial stable with a maximum of 50 horses on site. The property of concern is located on the north side of Hwy B approximately 2000 feet east of the intersection of Hwy B and South County Line Road identified as Tax Parcel A S 1800005.

General:

1. Approved as per plan submitted for a commercial stable with a maximum of 50 horses with all additional conditions.
2. Retail sales shall be allowed on site to customers of the horse operation only. The tack shop will not promote off street traffic sales.
3. All parking for the commercial stable shall be located as identified on the approved site plan.
4. Any changes in the proposed use of the property will require additional County approvals.
5. Business hours shall be from 6:00 a.m. till 8:00 p.m. with extended hours from 6:00 a.m. to 10:00 p.m. during daylight savings time. On site horse care shall be allowed on a 24-hour basis during emergencies.
6. The applicant shall obtain adequate liability insurance and keep the insurance current during the life of this conditional use.
7. The site must meet all applicable Federal, State, County and local regulations.
8. All buildings proposed to house animals shall be located a minimum of 100 feet from all property lines including run in structures in the pasture.
9. The applicant must create a designed management plan including designed rotational grazing areas, animal confinement (paddock locations), and manure stacking, surface water drainage, nutrient management and spreading locations. Once the plan is created the applicant must obtain approval of a plan from the County Land Conservation Office and comply with all recommendations.
10. All perimeter fencing shall be maintained as identified on the project plan.
11. All lighting must be shielded and directed on to the property.
12. Parking must meet with requirements of the county zoning ordinance. All parking must comply with County requirements prior to use of the site as a commercial stable.
13. The applicant shall obtain a Walworth County sign permit prior to placement of any sign on site.
14. 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.
15. 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:

16. **No horses from this property shall be allowed to ride on County Rd. B, as per the Town. The County will not be responsible for enforcing or monitoring this condition.**
17. **This matter shall come back for review at the County Zoning Agency on February 16, 2023 meeting for an 18 month review.**

Staff presents request and indicates this is consistent with Farmland Preservation.

Jessica Recknagel speaks regarding the application.

Speaking in FAVOR: Brandon Recknagel, Thomas Collins, Rachel Schinke, Diane Talabaz, Sarah White, Kris White, Lisa Helzing.

Speaking AGAINST: Thelma Kuntz

Jim Van Dreser motioned to approve, amending the specific condition to indicate the County has no enforcement responsibility. Seconded by Dave Weber. Rick Stacey requests a friendly amendment for staff review in 18 months. Friendly amendment is approved by motion and second. Motion carried. 7-favor 0-oppose.

The rezone petition will move forward to the October 12, 2021 Walworth County Board for possible action.

Disc Count #5:41:12 – 6:11:28

Rezones – None

Conditional Uses –

TABLED – TO BE RENOTICED IN OCTOBER

1. ~~**S.T. Evenignasiak, LLC C/O Steven Ignasiak – Owner, Bulk Materials Trucking – Applicant, Section 26, LaFayette Township. Conditional Use to add a trucking company office, repair shop and parking area to an existing Planned Unit Development (PUD) providing for other similar uses on property zoned M-2 Heavy Industrial District. Part of Tax Parcel K-LF 2600001.**~~

TABLED TO OCTOBER AT THE TOWN

2. ~~**Biwer Investments, LLC C/O John Biwer – Owner, Michael Jonas – Applicant, Section 28, Delavan Township. Outdoor food and beverage conditional use approval on a patio for a bar located in the B-2 General Business District. Tax Parcel F-D 2800019.**~~
3. **Salvatore J. Dimiceli Sr. Trust c/o Salvatore Dimiceli Sr. – Owner, Section 13, Geneva Township. The property owner is requesting conditional use review and approval to add 3 lots to a Planned Residential Development (PRD) named Trinity Mountain Estates on land zoned C-2 Upland Resource Conservation District greater than 25% of the existing conditional use requiring conditional use approval as if establishing the conditional use anew. The**

property of concern is located on the north side of Krueger Road approximately 5600 feet east of the intersection of Krueger Road and Hwy NN identified as Tax Parcel JA361000001.

Amended 9-16-2021 by approval of a conditional use to add three additional CSM lot to the west side of Trinity Mt. Estates as part of a 26 lot Planned Residential Development (PRD) exceed 25% expansion requiring conditional use approval as if establishing the conditional use anew (see #1 and 10)

Amend 3/18/2021 for allowing access to the Trinity Mt. Estates private road for three CSM lot to the east of the development (See #1).

A conditional use permit for creation of a Planned Residential Development with 20 homesites and approximately a 30 acre parcel of C-2 for future lots as specified in Section 4.0 of the Zoning Ordinances, on lands proposed to be zoned C-2 Upland Resource Conservation District, and described as follows:

Tax Parcel #'s ~~J-G 1300010 and J-G 2400001B~~ **JTR-All, JA495500001-3, JA361000001**

A parcel of land located in the NW1/4, NE1/4, SW1/4 and SE1/4 of the Southeast ¼ of Section 13, and the NW1/4 of the Northeast ¼ of Section 24, Town 2 North, Range 17 East, Town of Geneva, Walworth County, Wisconsin. Commencing at the East ¼ corner of said Section 13, said point being the Point of Beginning; thence S 00°46'52" E, a distance of 355.92 feet; thence S 79°22'15" W, a distance of 599.73 feet; thence S 10°13'09" W, a distance of 1325.42 feet; thence S 01°00'51" E, a distance of 993.12 feet; thence S 58°00'24" W, a distance of 1072.22 feet; thence N 44°21'19" W, a distance of 400.56 feet; thence N 12°17'29" W, a distance of 327.92 feet; thence N 01°18'15" E, a distance of 264.33 feet; thence N 59°31'31" E, a distance of 90.04 feet to the point of curvature of a non-tangent curve, concave to the east, having a radius of 60.00 feet a central angle of 96°52'10", and a chord of 89.78 feet bearing S 06°30'41" W; thence Northwest along said curve, a distance of 101.44 feet; thence S 83°35'38" W, a distance of 100.00 feet; thence N 00°55'25" W, a distance of 1074.45 feet; thence N 69°29'04" E, a distance of 100.00 feet to the point of curvature of a non-tangent curve, concave to the east, having a radius of 60.00 feet a central angle of 98°04'44", and a chord of 90.62 feet bearing N 02°41'09" W; thence Northwest along said curve, a distance of 102.71 feet; thence N 02°46'36" W, a distance of 165.53 feet; thence N 15°31'03" W, a distance of 63.18 feet; thence N 68°25'24" W, a distance of 634.95 feet; thence N 01°03'20" W, a distance of 637.48 feet; thence N 89°07'18" E, a distance of 2622.28 feet to the Point of Beginning; said described tract containing 4700540.2 square feet, more or less.

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

1. Approved as per plan submitted **for creation of a Planned Residential Development with 20 homesites and approximately a 30 acre parcel of C-2 for future lots and amended 3/18/2021 to allow three additional CSM lots to the east of Trinity Mt. Estates to have legal access to the private roadways within the Trinity Mt. Estates development including agreement to include the three CSM lots in the maintenance agreement for the Trinity Mt. Estates roadway and further amended by conditional use approval for the addition of three lots to the west side of Trinity Mountain Estates on part of the 30 acre C-2 expansion area state above for a total of a 26 lot PRD** with all additional conditions.
2. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction. The applicant will need to identify all stormwater easements on the subdivision plat and indicate that the maintenance of the basins to County standards shall be the responsibility of the subdivision association.
3. The applicant must obtain all required zoning and sanitary approvals prior to construction.
4. The applicant must obtain an approval of the access to the site from the Township. The requirement for the roadway to be dedicated to the Town has been varied to allow the roadway to remain as a private road to be maintained to township road standards by the subdivision association.
5. The open space shall be restricted to remain open, jointly owned and used by the owners of the subdivision for park and recreational purposes. No structures shall be placed in the open space without additional Committee approval.
7. The project must meet all Federal, State, County and local Ordinances.
8. The 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. The roads shall meet with County road standards as provided for in the County Land Division Ordinance. The applicant must obtain a variance to the road grade standard if the roadway exceeds the ordinance requirement.
10. This Planned Residential Development (PRD) is approved as a 20 lot single family subdivision **and two separate three lot CSMs development** subject to subdivision association rules. The governing rules for the subdivision association shall be submitted to the County Land Management Department for review for consistency with County ordinances and requirements. Any changes to the subdivision association rules that may affect County approval of the PRD must obtain additional County conditional use

review and approval. The subdivision association covenants must indicate how the expansion area may be brought into the subdivision in the future.

11. The proper preservation, care and maintenance by the original and all subsequent owners of the design of the PRD and all common structures, facilities, essential services, access and open spaces shall be assured by deed restriction referencing the subdivision plat and association rules. All property within the subdivision must remain as part of the subdivision and may not be removed from the subdivision without County approval.
12. The County reserves the right to rescind this conditional use upon any violation of County regulations.
13. The property owner shall be held solely responsible for addressing all restrictive covenants or association rules beyond those enforceable under County ordinance and regulations.
14. 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.

Dated this 14th day of May, 2002.

LAND MANAGEMENT COMMITTEE
ROBERT W. TILTON, CHAIRMAN

Staff presents request.

Atty Richard Torhorst, Salvatore Dimiceli speaks regarding the application.

Speaking FAVOR: Margaret Denten – with questions

Speaking in REBUTTAL to address questions Atty Richard Torhorst

Dave Weber motioned to approve. Seconded by Ryan Simons. Motion carried.

7-favor 0-oppose.

Disc Count #6:11:34 – 6:24:46

11. **Samaritan of Geneva, LLC c/o Richard W. Torhorst, Manager – Owner**, Section 13, Geneva Township. The property owner is requesting conditional use approval for a three lot Planned Residential Development (PRD) on land zoned C-2 Upland Resource Conservation District. The property of concern is located on the north side of Krueger Road approximately 2900 feet west of the intersection of Krueger Road and Hwy 120 identified as Tax Parcel J G 1300010A.

General:

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

Specific:

8. There shall be no access to Trinity Lane by any of the lots approved by this PRD.
9. There shall be no agricultural animals allowed on the 3 lots, as per the Town
10. **Per the City of Lake Geneva Fire Department report dated August 9, 2021 to request year round unobstructed access clearance measuring 20 feet from Trinity Mountain Estates and their neighbors as required by NFPA1 Chapter 18. The letter was signed by Fire Chief John Peters of the Lake Geneva Fire Department, as per the Town.**

Staff presents request.

Atty Richard Torhorst speaks regarding the application.

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

Disc Count #6:24:49 – 6:31:25

TABLED – NO TOWN DECISION

12. ~~Payne & Dolan, Inc. c/o Brian Endres V.P., Clint Weninger Land Resource Manager for Payne & Dolan – Applicant, Section 1, LaFayette Township. The property owner is requesting conditional use approval for 10-year intermittent placement and use of a portable asphalt plant within an existing nonmetallic mineral extraction site zoned M-3 Mineral Extraction District with opportunity to renew the use for an additional 10 years. The property of concern is located on the north side of Hwy D approximately 3700 feet east of the intersection of Hwy D and Bowers Road identified as part of Tax Parcel K LF 100001B.~~
13. **Jeremy and Simona Ebner - Owner, Section 22, Troy Township. The property owner is requesting conditional use approval to expand an existing campground from 28 total sites consisting of 57 units to 32 campsites consisting of 73 units resulting in a greater than 25% increase in camp users therefore requiring conditional use approval as if requesting the conditional use approval anew. The property of concern is located on the north side of Hwy 20 approximately 2000 feet west of the intersection of Hwy 20 and Marsh Road identified as Tax Parcels L T 2200002 and 5A.**

General:

1. The requested encampment is approved as per the plan submitted and amended 9/16/2021 for a campground facility containing a Public/Private Campground, a Planned Campground Development and a Recreational Campground with all additional conditions.
2. The total campground facility (all three campground) shall share a single exterior campground facility yard/buffer, parking, water, toilets and bathhouse facilities meeting all State and local regulations and requirements of the zoning ordinance with exception of variances granted for exterior boundary setbacks as specified in the variance approval.
3. The Public/Private Campground would have a total of ~~thirteen (13)~~ **eight (8)** campsites allowing tent camping on an individual basis with the camping guest providing their own mean of shelter.
4. The Planned Campground Development would allow ~~eight~~ **ten (10)** campsites for park model trailers to be seasonally used but allow to stay in place year round and used by individual guest.
5. The Recreational Camp shall allow for ~~seven~~ **14**-group recreational campsite areas each to be used by a separate group of association. The group sites contain between ~~three and eight~~ **two and seven** camp units for a total of ~~36~~ **54** camp units or shelters as specified on the approved plan. The recreational camp structures shall be permanent/seasonal tent structure **or 13 walled cabins**. An amendment of this conditional use approval shall be required prior to conversion of the seasonal tent structures to more permanent cabins.

~~36~~ **54**Units (permanent/seasonal tent structure **of which 13 are solid wall cabins**) in the recreational camp;

~~7~~ **14** Group Rec Camp

~~43~~ 8 Units (tents/pop-up campers, trailers) in the public/private camp; ~~43~~ 8 Camp Sites

8 10 Units (park model trailers) in the planned campground;

8 10 Camp Sites

Total ~~57~~ 73 Units (shelter types);

Total ~~28~~ 32 Camp Sites

6. The total capacity of the campground facility for camping guests shall be ~~450~~ 192.
7. The campground facility (all three campground together) shall allow for up to 12 family related event (events as defined by Farm Family Business Wedding Barns definition as weddings, baby showers, anniversaries, family reunions, and similar family related events) to be allowed on the whole ~~57~~ 73 unit/~~28~~ 32 site campground facility per year.
8. The whole campground facility shall be rented or occupied by a single associated group when having an event. The maximum number of attendees for each event shall be ~~300~~ 384 people made up of ~~150~~ 192 guest consisting of the campground facility capacity and ~~150~~ 192 day visitors. Seasonal family related events are limited to a use that requires no buildings, structures or improvements other than those existing on the recreational camp, and does not impair or limit the current or future use of the site for camp purposes. No public assembly uses shall be allowed on site with the exception of the seasonal family related events.
9. Rental of the camp for seasonal family related events shall be by appointment only. The property owner shall keep of log of all family related events held including the name of the family or group, purposes of the gathering, dates, times and total capacity proposed. The property owners shall make the log available to the Town and or County upon request.
10. Seasonal family related event hours shall be from Friday and Saturday from 9:00 a.m. to 12:00 a.m. (midnight) and Sundays 9:00 a.m. to 6:00 p.m. during the months of May, June, July, August, September and October.
11. The property owner's responsibility to obtain any commercial building permit and fire code permit approval necessary from the appropriate building inspector/fire inspector prior to use of the campgrounds for approved seasonal family related events.
12. Bathrooms: Portable toilets shall be provided for additional service and a pumping contract shall be provided to the county to assure maintenance and removal at the end of the any seasonal family related event.
13. All food and beverages shall be brought on site by the family renting the campground for the specific seasonal related family event or by a caterer hired by the family renting the campground.
14. No permanent liquor license shall be applied for or issued for the premises under this approval as a campground allowing seasonal family related events. No portion of the campground shall become a bar/tavern.
15. Alcoholic beverages sold on site must be purchased from and dispensed by a licensed provider. All alcoholic beverages sold on site must be served by a certified bartender in compliance with all laws and regulations established by appropriate governmental units including no service to underage or intoxicated guests.
16. No retail sales other than beverages during an event shall be allowed on site.
17. There shall be a detailed approved site plan identifying outdoor areas used for seasonal family related events including amenities such as but not limited to outside cooking, bonfires, outdoor music, party tents, the parking area and portable toilets if provided.
18. Outdoor bonfires shall be in an acceptable location within a fire ring as specified on the site plan.
19. There shall be no fireworks or firework displays launched from the campground during use for a seasonal family related event.
20. Garbage shall be removed from the property on the Monday after a seasonal family related event, at the latest.
21. The site shall be owner occupied with the current girls scout camp main structure to be used as a caretaker's quarters and home for the property owners. The caretaker's quarters shall not be rented out or used by camping guests. No use for the bathroom by campers.
22. Use of the grounds shall be limited to the recreation camp activities.
23. All housing for the campground users shall occur in the campground shelters as identified on the plan.
24. The project must meet with all State, Federal and local approvals.
25. The applicant must obtain all required County Zoning permit.
26. Hours of operation for the campgrounds shall be as stated in the plan of operations.
27. Quiet hours for the campgrounds shall be set between 10:00 p.m. and 6:00 a.m.
28. Sufficient adult supervision must be present at all times when the camp is used by children.
29. No animals for a petting zoo may be brought on site without additional conditional use approval.
30. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.
31. The project site must meet with all County sanitary requirements.

32. All perimeter fencing shall be maintained as identified on the project plan.
33. The applicant obtaining adequate liability insurance and keep the insurance current during the life of this conditional use.
34. All lighting must be shielded and directed on to the property.
35. Parking must meet with requirements of the county zoning ordinance. All parking must be in compliance with County requirements within 60 days of this approval.
36. The applicant shall obtain a Walworth County sign permit prior to placement of any sign on site.
37. The owner of the property shall release, indemnify and hold harmless Walworth County and its agents and employees from all liability, claims, demands, causes of action, costs, or losses for personal injuries, property damage or loss of life or property as a result of exercising this approval.
38. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
39. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

40. The parking standards have been modified by this conditional use to allow overflow parking on the grass during the occasions of events as depicted of the project plan. Normal campground (non-event) use shall use the surfaced parking as depicted on the project plan.
41. There shall be no more than two dogs or pets (by County Zoning Ordinance) allowed per camp unit and all pets shall be kept in the presents of the owner/caretaker on a leash or contained when on site.
42. Examples of glamping internet links provided are not accepted as part of the conditional use application or approval.
43. ~~The site plan shall be revised to move group site C-5 of the Rec. Camp out of the exterior buffer.~~

~~The Town approved of the conditional use to add to the campground with the recommendation the County review the max event population allowed for the property and contain written confirmation the Walworth County Sheriff Department will assist with traffic departing the property on to State Hwy 20 after Events.~~

Staff presents request.

Jeremy Ebner speaks regarding the application. Requests to amend the number of guests as per staff statement. Requests the same increase for visitors if allowed.

Applicant states he has spoken with the Sheriff's office and they will attend when they call.

Richard Kuhnke, Sr. motioned to approve as amended by Staff with number of guests and visitors, striking #43 and the sheriff's office request. Seconded by Dave Weber.

Motion carried. 7-favor 0-oppose.

Disc Count #6:31:27 – 6:51:20

TABLED – NO TOWN DECISION

14. ~~Anthony and Michelle DiMauro – Owners, Section 10, Sugar Creek Township. The property owners are requesting conditional use review and approval for a farm family business wedding barn, farm food service and a farm school. The property of concern is located on the north side of Hwy A approximately 1800 feet west of the intersection of Hwy A and Hwy H north identified as part of Tax Parcel GA282100001.~~
15. **SRE Properties, LLC c/o Steve Edinger – Owner, Warren Hansen, Farris Hansen and Assoc. – Applicant, Section 10, East Troy Township. The property owner is requesting**

review and approval for mini-warehouse storage facilities on property zoned B-4 Highway Business District. The property of concern is located on the southeast corner of the intersection of Hwy ES and Miramar Drive identified as Tax Parcel PA452100001.

General:

1. Approved as per plan submitted for a phased mini-warehouse storage facility 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. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. seven days a week.
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 if different from the present sign.
7. No burning of waste materials shall occur on site.
8. The applicant must obtain the required Town, County and/or State Highway approval for the access.
9. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management permit from the County Conservation Office if required by ordinance.
10. 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.
11. The project site must be kept neat, clean, and mowed in all areas.
12. No equipment other than the property owner's vehicle and maintenance equipment may be stored in the outside storage area without County approval.
13. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
14. Failure to 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:

15. The stormwater easement and facilities on the neighboring property Tax Parcel NA452100002 shall be maintained so long as this facility exists on Tax Parcel NA452100001 or until such time as alternate approvals are granted for stormwater control for this site.
16. A maintenance agreement indicating the party or parties responsible for maintenance of the stormwater facility shall be required to be recorded within 60 days of this approval.
17. A Berm with landscaping, trees and shrubs shall be planted along Hwy ES and Miramar Drive with the intent storage sheds will be concealed as per the Town.

Staff presents request.
Warren Hansen speaks regarding the application.

**Dave Weber motioned to approve. Seconded by Ryan Simons. Motion carried.
7-favor 0-oppose.
Disc Count #6:51:22 – 6:57:45**

16. **Robert A. Pearce Farms c/o Robert W. Pearce – Owner**, Section 3, Walworth Township. The property owner is requesting conditional use review and approval for expansion of a farm market vegetable stand by greater than 25% by expansion of car show from 50 cars to 250 cars/tractors, addition of outdoor grilling area, increase in employees from five to 40, increase in the months and hours of operation of the farm stand and associated concession stand and kitchen for bakery, expansion into canning of can goods, increase in retail items for sale, change of nonprofit events to for profit events, and expansion of hours of operation for events. The property of concern is located on the northwest corner of the intersection of North Walworth Road, Hwy F and Hwy 67 identified as the A-4 portion of Tax parcel E W 300001.

Amended 9/16/2021 for expansion of a farm market vegetable stand by greater than 25%. The request is for expansion of car show from one show to two shows and from 50 cars to 250 cars/tractors, addition of outdoor grilling area, increase in employees from five to the property owners plus eight full time 40 seasonal part time employees, increase in the months and hours of operation of the farm stand and associated concession stand and kitchen for bakery, expansion into canning of can goods, increase in retail items for sale, ~~change of nonprofit events to for profit events, removal of fund raising as a requirement for non-profit events, and expansion of hours of operation for events.~~ (See #s 1, 2, 4, 9, 12, 18, 19, 20, 22)
Amended 8/16/2018 for a lean-to addition see #1.

Amended 4/20/2017 add one year review as per the Town #22

Amended 3/23/2017: add four non-profit fund raising events #1, 20, 21

Amended 3/17/2016: add new CU for Farm Food Service # 1, 18, 19, expand vegetable stand by 2625 square feet, nonprofit human foosball and adjust the dates of operation # 1, 4

Amended 5/15/14

Amended 2/20/14

Amended 4/18/13

NAME: Robert A. Pearce Farms, Inc. – Owner, Robert W. Pearce - Applicant

TOWN: Walworth

The application indicates: The property owner is requesting conditional use review and approval for expansion of a farm market vegetable stand by greater than 25%. The request is for expansion of car show from 50 cars to 250 cars/tractors, addition of outdoor grilling area, increase in employees from five to the property owners plus eight full time 40 seasonal part time employees, increase in the months and hours of operation of the farm stand and associated concession stand and kitchen for bakery, expansion into canning of can goods, increase in retail items for sale, change of nonprofit events to for profit events, and expansion of hours of operation for events.

Part of Tax Parcel E W 300001

Has been APPROVED subject to the following conditions:

General:

1. Approved as per plan submitted and amended 3/23/2017 to allow non-profit groups to use the property for up to four fund raising events (three consecutive days) per year and amended 3/17/2016 to add a new CU for Farm Food Service subject to an approved detailed plan of all ancillary item to be sold, expand the vegetable stand by 2625 square feet, add non for profit human foosball and adjust the dates of operation. Amended 5/15/2014 for a farmer's market with a haunted house with a 16' x 80' mobile trailer, ~~helicopter rides~~, hayrides crossing Hwy F, a petting zoo, non-concert/non-paid venue stage and concession stand, a 40' x 60' expanded pavilion, * two small car shows/ year (maximum of 50 cars 250 cars/tractors), tethered hot air balloon rides (~~only on days when the helicopter is not present~~), craft fair (max 30 vendors with 25% of vendors presenting agricultural products), food demonstrations (using foods that are locally grown and prepared in a healthy manner), BBQ cook offs (entries open to the public), corn maze and pick your own apples on the adjacent A-1 land and pumpkin launching events, amended 8/16/2018 as per revised plan submitted for a 15 ft. x 145 ft. lean-to addition to the farm stand with no new use for a total CUP increase of 20% as calculated so far and further amended 9/16/2021 for increased car shows as stated above, an outdoor grilling area, increase in employees from five to the property owners plus eight full time and 40 seasonal part time employees, increase in the

months and hours of operation of the farm stand and associated concession stand and kitchen for bakery, expansion into canning of can goods, increase in retail items for sale, change of nonprofit events to for profit events, and expansion of hours of operation for events. with all additional conditions.

2. Sales allowed on site shall be limited to the products identified in the project narrative on a seasonal basis. The business shall be open during the months of April, May June, July, August, September, October and November to the 15th.
3. Storage shall be 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.
4. On site ~~seasonal~~ hours of operation from April May August July through October November 15 shall be from ~~6:00~~ 7:00 a.m. to ~~6:00~~ 8:00 p.m. seven days a week for the farm market, commercial kitchen with concession stand and all events (helicopter rides, petting zoo, non-concert/non-paid venue stage, small car shows (maximum 250 car/tractors), balloon rides, craft fairs, food demonstrations, BBQ cook offs, pick your own apples, pumpkin launching) and with hayrides and corn maze until 11:00 p.m. and the haunted house from 11:00 a.m. to 4:00 p.m. and 6:00 p.m. to 11:00 p.m. and hour of operation for the concession stand during special and other approved events from 7:00 a.m. to 11:00 p.m.
5. A Special one-year hour of operation shall allow the haunted house to be open until 12:00 a.m. (midnight) on Friday, Saturday and Sunday of Columbus Day weekend and all weekends during the month of September and October ~~for 2014~~. The Special one year midnight extra hour of operation shall become permanent upon staff review if there is no complaint filed during the year. If there is a complaint filed the Special midnight hour of operation for the haunted house shall need additional Town and County review and approval.
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 a sign permit.
9. The number of employees shall be limited to the owners and ~~five~~ eight full time and up to 40 part time seasonal employees.
10. No fill, debris, branches or leaves may be disposed of on site. No burning of waste materials shall occur on site.
11. The property owner must maintain adequate liability insurance during use of the property.
12. ~~The helicopter landing pad must meet all requirement of the Federal Aviation Administration.~~
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. All parking and access to the site shall meet County and State D.O.T. requirements. All parking shall be installed according to County requirements within 60 days of this approval.
15. The project site must be kept neat, clean, and mowed.
16. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

Specific:

17. ~~Helicopter rides and~~ balloon rides shall not occur on site during the pumpkin launching events.
18. The approval of a new conditional use to allow Farm Food Service with a commercial kitchen for baked goods and can goods 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). Fruits, vegetables, herbs, jams, jellies, mustard, jarred goods, honey syrup, nuts, cheese, cheese spreads, meat, butter, popcorn, soda, bottled water, juice, milk, apple cider, candy, pizza (concessions only), chips, pretzels, crackers, hot drinks, nachos, donuts, bread, bake good mixes, pies, cookies, fudge, caramel apples, knives, corn butterers, vegetable brushes, wood produce baskets, fresh cut flowers, dried flowers, sunflowers, live plants, pumpkins, squash, gourds, hay, straw, Indian corn, broom corn, corn stalks, painted pumpkins, painted gourds, firewood, eggs, cold drinks (nonalcoholic) grains, soup mixes, ice cream, fruit cups, painted rocks, dog treats, bagged ice, concessions to include brats, hamburgers, hotdogs, nachos, caramel apple in a dish, pulled pork and cooked sweetcorn sold to customers to eat on site, and not sold in bulk.

19. ~~The commercial kitchen for bake good preparation~~ and can goods production shall operate seasonally from ~~April May July~~ through ~~October~~ November 15th ~~a maximum of three days a week~~ daily. All bake goods and can goods prepared on site ~~shall may~~ be sold at check out on-site from the or concessions area seven days a week.
20. The property owner shall notify the County LURM Office one week prior to the use of the property by non-profit groups for the four approved ~~fund-raising~~ events, said events with concessions open may occur during or after normal business hours up until 11:00 p.m.
21. The non-profit ~~fund-raising~~ events must be deemed by the County LURM Department to be consistent with and ancillary to the use of the site as a farmers market as approved or shall be required to obtain specific approval from the Walworth County Zoning Agency.
22. ~~The use of the property for four annual non-profit group fund-raising events shall come back for review in one year as per the Town.~~

Dated this 23rd day of March, 2017.

COUNTY ZONING AGENCY
TIM BRELLENTHIN, CHAIRMAN

Dated this 20th day of April, 2017.

COUNTY ZONING AGENCY
TIM BRELLENTHIN, CHAIRMAN

Dated this 16th day of August, 2018.

COUNTY ZONING AGENCY
TIM BRELLENTHIN, CHAIRMAN

cc: Town of Walworth, Joe Abell, 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 and indicates this is consistent with Farmland Preservation. Robert Pearce speaks regarding the application. Helicopter rides can be removed. Applicant would agree that the commercial kitchen would only be operated when the stand is open.

Ryan Simons motioned to approve with staff amendments. Seconded by Jerry Grant. Motion carried. 7-favor 0-oppose.
Disc Count #6:57:48 – 7:27:03

Adjournment

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

The meeting was adjourned at 7:27 p.m.