

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING COMMITTEE
Business Meeting – 4:30 p.m.
Public Hearing Minutes – 6:00 p.m.
January 6, 2010**

CALL TO ORDER

Committee Chair Sue McConnell called the meeting of the Land Use Planning and Zoning Committee to order at 4:37 p.m. in the Green Lake County Courthouse, County Board Room, Green Lake, Wis. The requirements of the open meeting law were certified as being met.

Present: **Roberta Erdmann, Eugene Henke, Susan McConnell, Howard Sell, Thomas Traxler, Jr.**

Absent:

Also Present: **Al Shute, County Surveyor/Land Development Director
Carole DeCramer, Committee Secretary**

APPROVAL OF AGENDA

Motion by Sell/Traxler, unanimously carried, to approve the agenda. Motion carried.

APPROVAL OF MINUTES

Motion by Erdmann/Henke, unanimously carried, to approve the December 2, 2009, minutes with the following two corrections: Page 1 – Henke stated that the Town of Mackford allowed *two* urns (not four or five), and Page 4, under the motion for Item III, strike the word *unanimously*. Motion carried.

PUBLIC APPEARANCES – None

PUBLIC COMMENT – None

CORRESPONDENCE – None

PURCHASES – None

CLAIMS

Claims totaling \$1,274.54 (2009) and \$170.00 (2010) were submitted.

Motion by Traxler/Henke, unanimously carried, to approve the claims in the amount of \$1,444.54 for payment. Motion carried.

APPROVAL OF DEPARTMENT ACTIVITY REPORT

Motion by Erdmann/Sell, unanimously carried, to approve the November, 2009, monthly report. Motion carried.

DEPARTMENT/COMMITTEE ACTIVITY

- a. **Agricultural Zoning Districts**
- b. **Rural Residential Zoning Districts**

After discussing the time frame for amending the above proposed ordinance amendments, it was decided that the committee will begin discussion of these zoning districts and to hold workshops for the towns and general public as needed.

GENERAL COMMITTEE DISCUSSION

- a. Such other matters as authorized by law
- b. Future activities

CLOSED SESSION PER WISCONSIN STATE STATUTE 19.85 (1)(G) CONFERRING WITH LEGAL COUNSEL REGARDING LITIGATION, WHICH THE COUNTY IS INVOLVED AND/OR IS LIKELY TO BECOME INVOLVED. (DISCUSSION OF LEGAL ISSUES)

5:24 p.m. Motion by Erdmann/Henke, unanimously carried on roll call (5-ayes, 0-nays), to move to closed session per Wisconsin State Statute 19.85 (1)(G) Conferring with Legal Counsel regarding litigation, which the County is involved and/or is likely to become involved. Motion carried.

RESUME INTO OPEN SESSION TO DISCUSS FINDINGS OF CLOSED SESSION

5:49 p.m. Motion by Erdmann/Sell, unanimously carried on roll call (5-ayes, 0-nays), to resume into open session. Motion carried.

5:50 p.m. Ten-minute recess.

PUBLIC HEARING MATTERS

Audio of committee discussion is available upon request from the Green Lake County Land Use Planning and Zoning Department.

Committee Chair Sue McConnell reconvened the meeting of the Land Use Planning and Zoning Committee at 6:00 p.m. for public hearing items and read the rules of public hearing.

DISCUSS/TAKE ACTION ON CLARENCE THIEL AND MARK SCHNEIDER REZONE REQUEST. (PUBLIC HEARING FOR THIS ITEM WAS HELD 12/2/09)

- b) Committee Discussion and Deliberation; continuation from 12/2/09

Erdmann – We are finding discrepancies in the Town of Marquette resolution that are not consistent with their comprehensive plan and, therefore, I don't think we can accept the resolution as presented.

Shute – Discussed the Town of Marquette resolution (using the overhead projector) . There are two inaccurate statements within the resolution.

Teresa Klawitter, N2279 Indian Mound Road, Dalton – Questioned why the residential zoning wouldn't be appropriate since there is a home there already.

McConnell – Explained that this would be spot-zoning and is not compatible with the Town of Marquette comprehensive plan.

Paul Gettelman, W6202 Lakeview Drive, Markesan, property owner to the northwest of the applicant – Explained that he attended the town board meeting and what his perception was of the resolution.

Erdmann – The problem is spot zoning.

Shute – The town has to deal with the fact that the comprehensive plan is an applicable decision-making document. The future land use is designated as agricultural with no residential. The only way to change that is to amend the comprehensive plan to allow for residential use in this area.

c) Committee Decision

Motion by Erdmann/Sell, unanimously carried on roll call (5-eyes, 0-nayes), to deny the rezone request as presented and forward to the county board for action. Motion carried.

d) Execute Determination Form/Ordinance

Item I: Owner/Applicant: Kenneth & LaDean Pollesch **Site Address:** W1899 Hickory Dr, Parcel #010-00355-0000 - Part of the NE¼ of the SW¼, and Parcel #010-00363-0000 - Part of the NW¼ of the SE¼; Both parcels in Section 17, T14N R13E in the Town of Mackford; area proposed for rezoning is 11.4 acres. To be identified by Certified Survey Map. **Explanation:** The owners are requesting a rezone from A-1 Exclusive Agriculture District to A-3 Light Agriculture District.

a) Public Hearing

Steve Meilhan, N718 State Road 73, Markesan - Spoke in favor of the request.

Carlton Schley, W10780 CTH O, Fox Lake – Spoke in favor of the request.

Henke – The Town of Mackford is in favor of the rezone request.

Public hearing closed.

b) Committee Discussion and Deliberation

c) Committee Decision

Motion by Henke/Traxler, unanimously carried on roll call (5-eyes, 0-nays), to recommend approval of the rezone request as presented and forward to the county board for action. Motion carried.

d) Execute Determination Form/Ordinance

NEXT MEETING DATE

February 3, 2010

– Business Meeting 4:30 p.m.

– Public Hearing 6:00 p.m.

ADJOURN

Motion by Sell/Henke, unanimously carried, to adjourn. Motion carried.

Time: 6:37 p.m.

Recorded by Carole DeCramer
Committee Secretary

APPROVED ON:

February 3, 2010