

WINNEBAGO COUNTY
PLANNING & ZONING COMMITTEE
DELIBERATIVE MEETING

July 12th, 2024

7:30 A.M.

Third Floor Conference Room – County Administration Building

*** Deliberative held via Microsoft Teams**

PRESENT: Supervisors Howard Miller - Chairman, Maribeth Gabert, Frank Frassetto, Stefanie Holt (Excused), Christian Mueller

STAFF: Daniel Lefebvre– Assistant Zoning Administrator, Caleb Edwards Code Enforcement Officer, Brian O'Rourke- Land Use Planner

The meeting was called to order by Howard Miller, Chairperson, at 7:30 A.M.

1. HUGHES, RICHARD & JILL- PART OF PARCELS 032-0670-01, 032-0670, AND 032-0670-02- TOWN OF WOLF RIVER- ZONING MAP AMENDMENT.

C. Edwards read in staff report.

MOTION made by M. Gabert to approve the zoning map amendment. Seconded by F. Frassetto. Carried 3-0

2. RICKERT, AARON- FIELD ADJACENT TO 835 CLAIRVILLE RD- TOWN OF NEKIMI- ZONING MAP AMENDMENT

C. Edwards read in staff report.

MOTION made by M. Gabert to approve the zoning map amendment. Seconded by F. Frassetto. Carried 3-0

3. JN INVESTMENTS LLC- VACANT LOT SURROUNDING 4246 & 4226 STATE RD 44- TOWN OF NEKIMI- ZONING MAP AMENDMENT

C. Edwards read in staff report.

MOTION made by M. Gabert to approve the zoning map amendment. Seconded by F. Frassetto. Carried 3-0

4. BLANCK, CARVEN/JULIE- 6170 S US HIGHWAY 45- TOWN OF BLACK WOLF- ZONING MAP AMENDMENT

C. Edwards read in staff report.

H. Miller stated he was going to vote against request and then stated reasoning.

Staff stated an accessory structure is allowed in A-2 without a principal structure.

H. Miller brought up whether the County has authority over the Town in shoreland zoned areas. H. Miller stated general zoning in shoreland areas is up to debate and is up to committee members to determine which opinion to follow. Stated he believes Towns have authority over general zoning in shoreland zoned areas.

Staff stated allowed uses and recommended that the committee follow County Corporation Counsel guidance on general zoning authority within shoreland zoned areas.

F. Frassetto stated he sides with local control for general zoning. F. Frassetto also stated that the Town was against the request. F. Frassetto stated he would agree with local municipalities when it comes to general zoning.

M. Gabert brought up past items where County had superseded the Town. M. Gabert also stated they would side with the Town. M. Gabert asked what the applicant's recourse would be if request was denied.

Staff stated property would be non-conforming and could remain as it is. Staff also stated no recent permits were granted for the property. Staff also stated applicant could appeal the decision and read in the appeals process. Other discussion between the committee and staff included the property's permit history, potential use of the property, current use of the property, jurisdiction of general zoning in shoreland areas, future staff actions, occupancy requirements, and town requirements.

C. Mueller stated he was unclear on the intent of the application and was concerned if denying the application would prohibit applicant from building a house. H. Miller stated it does not appear remaining as R-1 would prohibit them from building a house. Staff stated that rezoning to A-2 would allow for existing structures to become conforming. Committee then stated that barn appears to be residential.

MOTION made by M. Gabert to approve. Seconded by F. Frassetto. Motion failed 0-4
MOTION made by H. Miller to deny. Seconded by C. Mueller. Motion carried 4-0

ADJOURNMENT

Motion to adjourn by M. Gabert. Seconded by C. Mueller. Motion carried 4-0.

Meeting adjourned at 8:09 A.M.

Respectfully submitted,

Caleb Edwards
Code Enforcement Officer