

TOWN OF ALGOMA
WINNEBAGO COUNTY, WISCONSIN
PLANNING COMMISSION MEETING
Wednesday, October 11, 2017 at 6:00 pm
Algoma Town Hall
15 N. Oakwood Road, Oshkosh, WI 54904

AGENDA

The Commission may discuss and act on the following:

1. Call to Order.
2. Roll Call.
3. Public Forum (Only items on the agenda).
4. Discussion and possible action re: Minutes of the August 9, 2017 meeting.
5. Discussion and possible action re: CSM for AF Group, LLC.
6. Adjourn.

NOTE: It is possible that members of other governmental bodies of the municipality may be present at the above scheduled meeting to gather information about a subject over which they have decision-making responsibility. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Town Hall Office at 920-235-3789.

Posted at Service Oil Inc., Algoma Town Hall, www.townofalgoma.org

Posted on: October 05, 2017

TOWN OF ALGOMA
WINNEBAGO COUNTY, WISCONSIN
PLAN COMMISSION MEETING
Wednesday, August 9, 2017

Summary of Proceedings

1. Call to Order:

The Town of Algoma Plan Commission meeting was called to order by Mrs. Clark at 6:02 p.m.

2. Roll Call:

The following Committee Members were in attendance: Petey Clark, Dewey Nelson, Mark Thompson, Jeff Lytle.

The following were also present: Benjamin Krumenauer; Administrator

3. Public Forum:

No one came forward for the Public Forum.

4. Discussion and possible action re: Minutes of the July 12, 2017 meeting.

Motion to approve the minutes of the July 12, 2017 meeting was made by Mr. Nelson seconded by Mr. Thompson.

Motion carried (4-0)

5. Discussion and possible action re: Zoning Map Amendment requested by Nicolas and Robyn Schertz.

Mr. Krumenauer explained the item details. Details include no change of the underlying residential zoning designation but does include a re-draw of the wetland designation. Mr. Krumenauer explained that these changes are common after wetland delineations are completed.

Mr. Lytle stated that he talked with WisDNR and found no issues with the proposed alternations to the wetland designation.

Motion made by Mr. Lytle to approve Item 5 as stated, seconded by Mr. Nelson. Motion carried (4-0)

6. Adjourn

A motion to adjourn was made by Mr. Thompson and seconded by Mr. Nelson. The meeting was adjourned unanimously at 6:10 p.m.

Submitted by,
Deborah L Stark, WCMC
Clerk

Recording Secretary,
Benjamin Krumenauer
Administrator

ITEM 5: DISCUSSION AND POSSIBLE ACTION RE:

GENERAL INFORMATION

Applicant: Martenson & Eisele, Inc.
101 West Main Street, Omro, WI 54963

Owner: Jones, Dina M & Jay R
1762 Leonard Point Rd, Oshkosh, WI 54904

AF Group LLC
1445 Candlelight Ct, Oshkosh, WI 54904

Action(s) Requested

Action 1: Applicant is requesting approval of a certified survey map creating four new lots wholly within the Town of Algoma.

Action 2: Applicant is requesting a zoning map amendment to R-1, R-2 and A-2 that removes dual zoning designations.

Applicable Provisions

Section 18.16(1) of the Winnebago County Subdivision Ordinance
Section 225 of the Town of Algoma Municipal Code
Chapter 23: Town/County Zoning of the Winnebago County Municipal Code

Property Location and Type

The subject properties totaling 30.70 acres in scope are currently farmable (29.84 acres) and residential (0.86 acre) in nature. The subject properties are generally consistent with current land-use and zoning designations but are fairly unique in that the larger parcel has dual zoning designations of R-1 and A-2. The subject area is located approximately 650 feet north of Duchess Lane and east of Leonard Point Road. The subject property also has frontage on Addie Parkway to the southeast and Leonard Point Lane (private) to the north. In addition to road frontage, the parcels also have approximately 1395 feet of frontage along Jones Park.

Subject Site

<i>Existing Land Use</i>	<i>Zoning</i>
Lot A: Vacant (agricultural use)	A-2 General Agricultural Zoning District
Lot B: Residential	R-1 Rural Residential Zoning District

Adjacent Land Use and Zoning

<i>Existing Land Uses</i>		<i>Zoning</i>
North	Agricultural	A-2 General Agricultural Zoning District
	Residential	R-2 Suburban Residential Zoning District
East	Residential	R-2 Suburban Residential Zoning District

	Mining	A-2 General Agricultural Zoning District
South	Residential	R-2 Suburban Residential Zoning District
	Recreational	A-2 General Agricultural Zoning District
West	Agricultural	A-2 General Agricultural Zoning District

Comprehensive Plan

<i>Land Use Recommendation</i>	<i>Use Category</i>
Current Land Use	Agricultural/Vacant/Undeveloped Lands/Residential
Future Land Use	Residential

Background Information

The subject properties total 30.73 acres per proposed Certified Survey Map and is in full compliance of existing land use and Winnebago County Zoning Code. The applicant is requesting approval of a Certified Survey Map that divides the current parcels into four individual lots. Lots 1 and 2 will have a proposed residential zoning designation of R-2 Suburban Residential Zoning while Lots 3 and 4 will continue to maintain an A-2 General Agricultural Zoning Designation. The proposed lots will be realigned for future development opportunities and have a proposed acreage of:

<i>Lot No:</i>	<i>Current (acres)</i>	<i>Proposed (acres)</i>
Existing Lot A (Parcel # 002002819)	29.84	-
Existing Lot B (Parcel # 0020028)	0.86	-
Lot 1	-	1.199
Lot 2	-	1.699
Lot 3	-	5.904
Lot 4	-	21.924

In addition to the proposed Certified Survey Map (CSM), the applicant is requesting a zoning map amendment to allow for the creation of residential properties on Lots 1 and 2. Lot 1 is being proposed as a future single family residence while lot 2 will maintain its current single family use.

ANALYSIS

When reviewing certified survey maps, future land use and potential road placement is important to take into account. The proposed CSM will likely be the first stage of a future residential development within proposed Lots 3 or 4. In anticipation of this eventuality, the applicant has created a 66 ft. wide future corridor and access point to Lots 3 and 4. At this time, the corridor is not being developed into a public roadway but is designed to accommodate future roadway requirements. Under the A-2 designation, a parcel is allowed to create such a corridor. Any future rezone will require a future dedication.

Proposed Lot 1 will have a street frontage of 75 feet at the required setback line. This lot width at setback is 25 feet less than the 100 foot town minimum (Town of Algoma Municipal Code: 225-59 (P)(8)). Administrator feels the reduction of lot width is warranted as existing utilities for proposed Lot 2 are north of the existing residence and should stay wholly within proposed lot 2.

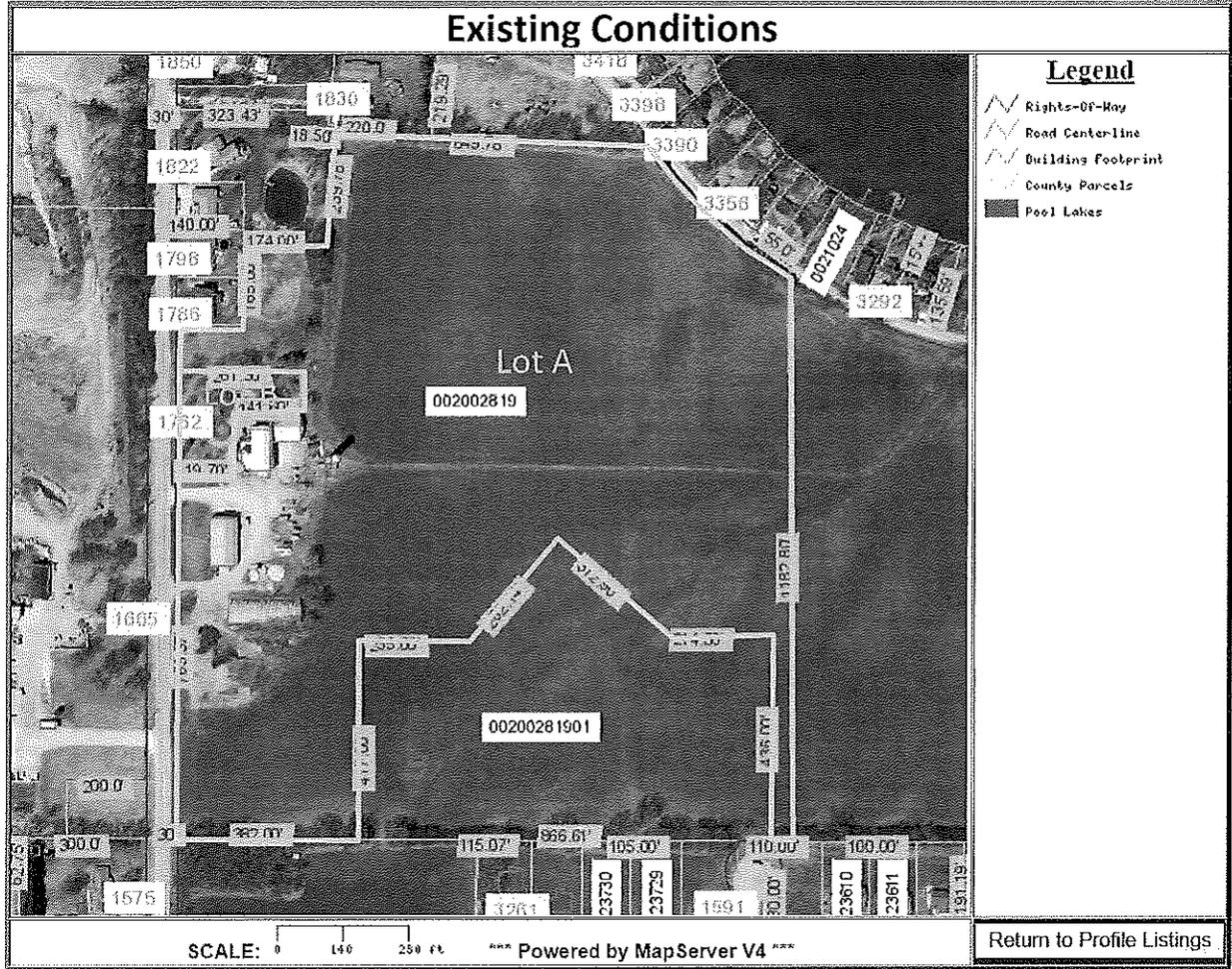
Given the unique nature of the existing site plan and future subdivisions of the surroundings farm fields, the Administrator is also in support of an exception to Town of Algoma Municipal Code: 225-59 (P)(9). This section pertains to the maximum allowable lot size in a given zoning designation. Town code states that oversized lots (at least double minimum requirements) must be oriented in such a manner that to allow redivision at a future date. Lot 1 will be over twice the proposed minimum and would normally be required to show future redivision options. The unique nature of this proposal in relation to existing lot lines to the north create a situation where undue hardship may be occurring.

Lastly, Administrator recommends an additional 3 feet of right-of-way be dedicated to the Town of Algoma on the east side of Leonard Point Road. This additional ROW will keep this proposal consistent with the recently approved CSM to the south and will also provide additional width along Leonard Point Road for future corridor needs. The applicant and owner have been made aware of this request and are in support of this requirement. The 22' wide trail easement providing access to Jones Park will remain as approved per CSM 6578.

RECOMMENDATION(S)

Town of Algoma Administrator recommends approval of Item 5 actions 1 and 2 as requested with the following condition(s):

1. Dedication of an additional 3 feet of Leonard Point Road right-of-way to be allocated in such a way from centerline of Leonard Point Road east a total of 33 feet.



Winnebago County Planning and Zoning Department

NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE 10/24/2017

TO WHOM IT MAY CONCERN:

The applicant(s) listed below has requested a Zoning Map Amendment which is regulated by the Town/County Zoning Code, Chapter 23. You are receiving this notice because this application or petition for action: 1. affects area in the immediate vicinity of property which you own; 2. requires your agency to be notified; 3. requires your Town to be notified; or 4. requires you, as the applicant, to be notified.

The Winnebago County Planning and Zoning Committee will be holding a public hearing on 10/24/2017 at 6:30 p.m. in the 3RD floor Conference Room of the County Administration Building located at 112 Otter Ave, Oshkosh, WI.

All interested persons wishing to be heard at the public hearing are invited to be present. For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning Office, where the application is available for viewing.

INFORMATION ON ZONING MAP AMENDMENT REQUEST

Application No.:
2017-ZC-4300

Applicant:
GROUP LLC, AF

Agent:
None

Location of Premises:
NORTH AND EAST OF 1762 LEONARD POINT RD
OSHKOSH, WI 54904

Tax Parcel No.:
002-0028-19(p)

Legal Description:
Being a part of Government Lot 4, Section 8, Township 18 North, Range 16 East, Town of Algoma, Winnebago County, Wisconsin.

Explanation:
Applicant is requesting a zoning map amendment to R-1, R-2 and A-2 to create new lots and eliminate dual zoning

INITIAL STAFF REPORT

Sanitation:
System Required
Municipal System

Overlays:
Microwave Radio Path
Shoreland

Current Zoning:
R-1 Rural Residential,
A-2 General Agriculture

Proposed Zoning:
R-2 Suburban Low Density Residential,
R-1 Rural Residential,
A-2 General Agriculture

Surrounding Zoning:
North: R-2;R-1
South: R-2;A-2
East: R-2;A-2
West: R-1;A-2

THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT

Describe Present Use(s):
Vacant land.

Describe Proposed Use(s):
Single family residence as Lot 1 of attached CSM.

Describe The Essential Services For Present And Future Uses:
Public sewer & water.

Describe Why The Proposed Use Would Be The Highest And Best Use For The Property:
Surrounding land use is single family residential and future land use to the east is planned to be single family residential. Subdivision.

Describe The Proposed Use(s) Compatibility With Surrounding Land Uses:
Surrounding parcels are single family residential. Future plans for the lands to east is single family residential.

SECTION REFERENCE AND BASIS OF DECISION

23.7-5 Basis of decision

(b) Zoning map amendment initiated by a property owner. If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of a parcel not classified as A-1, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:

- (1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;
- (2) the extent to which the lot and structures on the subject property conform to the dimensional standards that apply to the proposed zoning district; and
- (3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of land classified as A-1, the Planning and Zoning Committee shall only recommend approval and the Board of County Supervisors shall only approve the proposed amendment when all of the following findings can be made:

- (1) Such land is better suited for a use not otherwise allowed in the A-1 district.
- (2) The amendment is consistent with the county's comprehensive plan.
- (3) The amendment is substantially consistent with the county's farmland preservation plan as certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection.
- (4) The amendment will not substantially impair or limit current or future agricultural use of other protected farmland in the area.

The special requirements stated above relating to the rezoning of land in a A-1 district do not apply to a map amendment that (1) is certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection under ch. 91, Wis. Stats., or (2) makes the zoning map more consistent with county's farmland preservation plan map, certified under ch. 91, Wis. Stats., which is in effect at the time of the amendment.

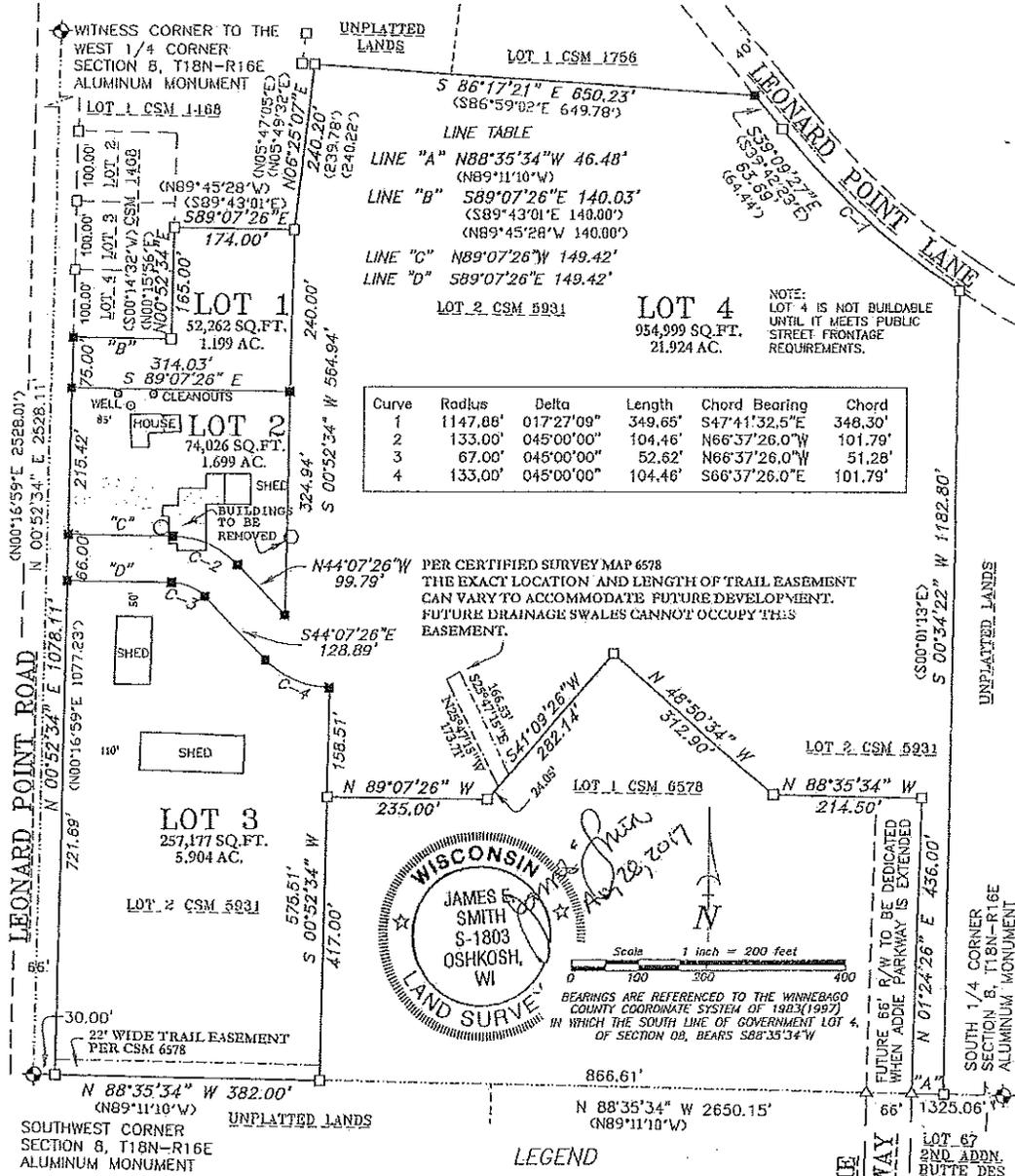
(c) Zoning map amendment initiated by the county. If a proposed zoning map amendment is initiated by the county, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:

- (1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;
- (2) whether the amendment is consistent with other planning documents adopted by the Board of County Supervisors; and
- (3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

CERTIFIED SURVEY MAP NO.

ALL OF LOT 1 AND PART OF LOT 2 OF CERTIFIED SURVEY MAP 5931, BEING PART OF FRACTIONAL LOT 4 IN SECTION 8, TOWNSHIP 18 NORTH, RANGE 16 EAST, TOWN OF ALGOMA, WINNEBAGO COUNTY, WISCONSIN.

SURVEY FOR:
JUDY JONES
1445 CANDLELIGHT CT
OSHKOSH, WI 54904



Martenson & Eisele, Inc.

101 West Main Street
Omro, WI 54963
www.martenson-eisele.com
P 920.685.6240 F 920.685.6340

Planning
Environmental
Surveying
Engineering
Architecture

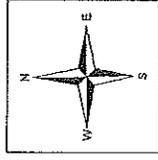
PROJECT NO. 0-1764-003
FILE 1764003CSM SHEET 1 OF 3
This instrument was drafted by: DSL

Application #17-ZC-4300

Date of Hearing:
October 24, 2017

Owner(s):
AF Group, LLC

Subject Parcel(s):
002002819(P)



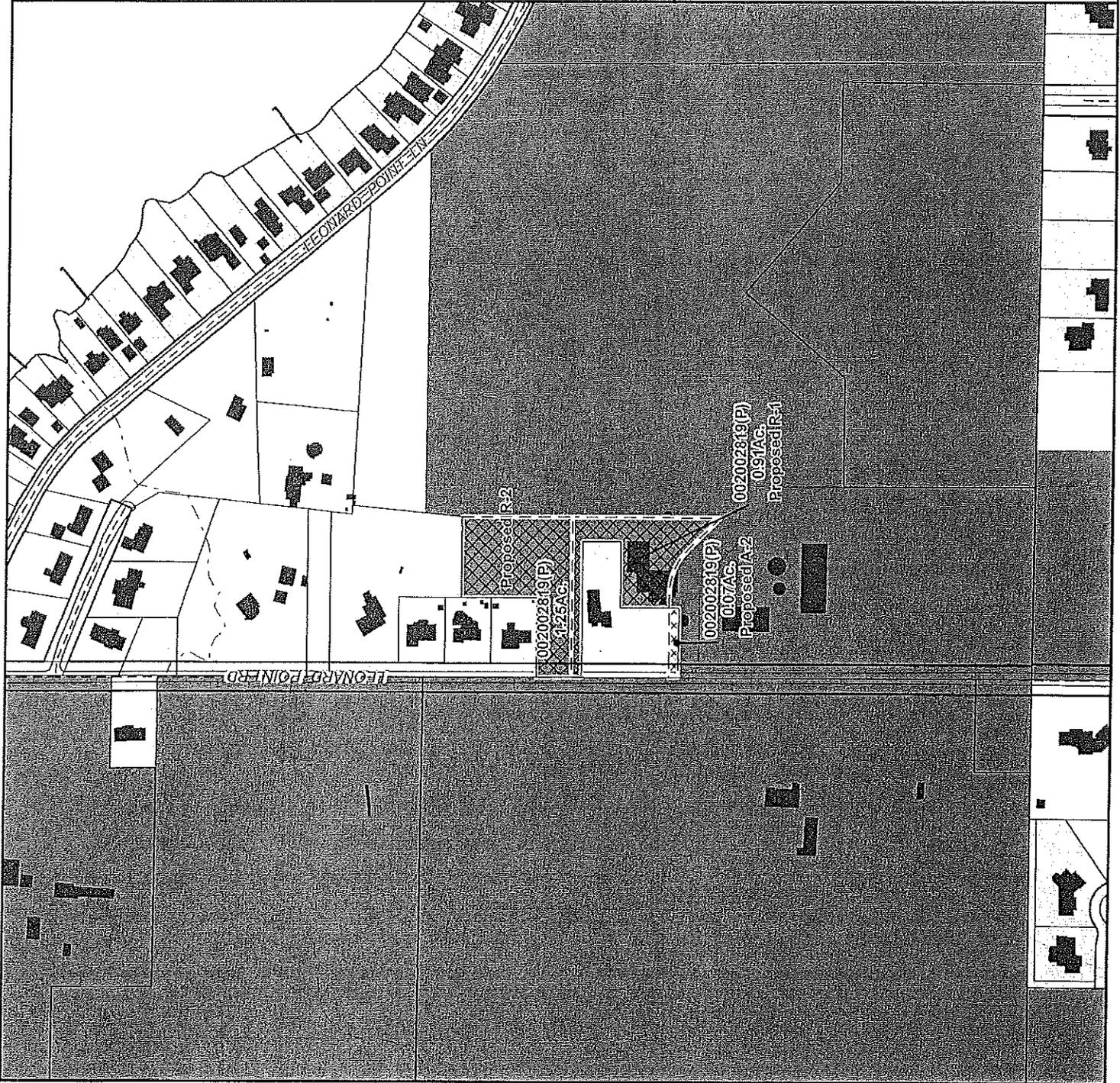
Winnebago County
WINGS Project

Scale
1 inch : 300 feet

County Zoning Districts

R-1	PDD	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-5	I-2	Town Zoning

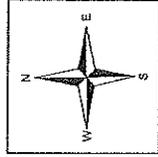
City of Oshkosh Extrajurisdictional Zoning Jurisdiction



○ = SITE

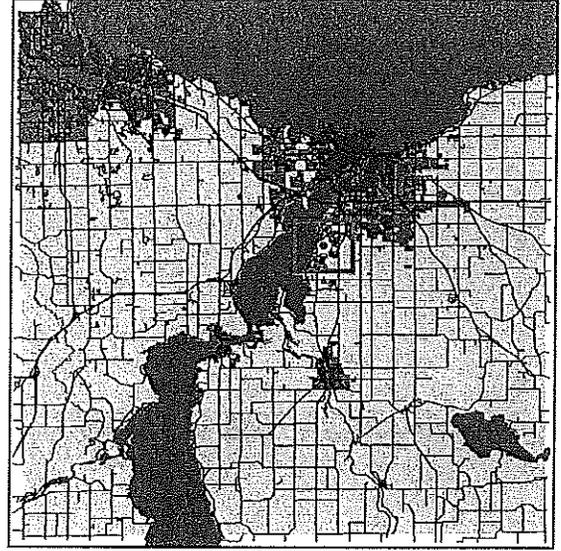
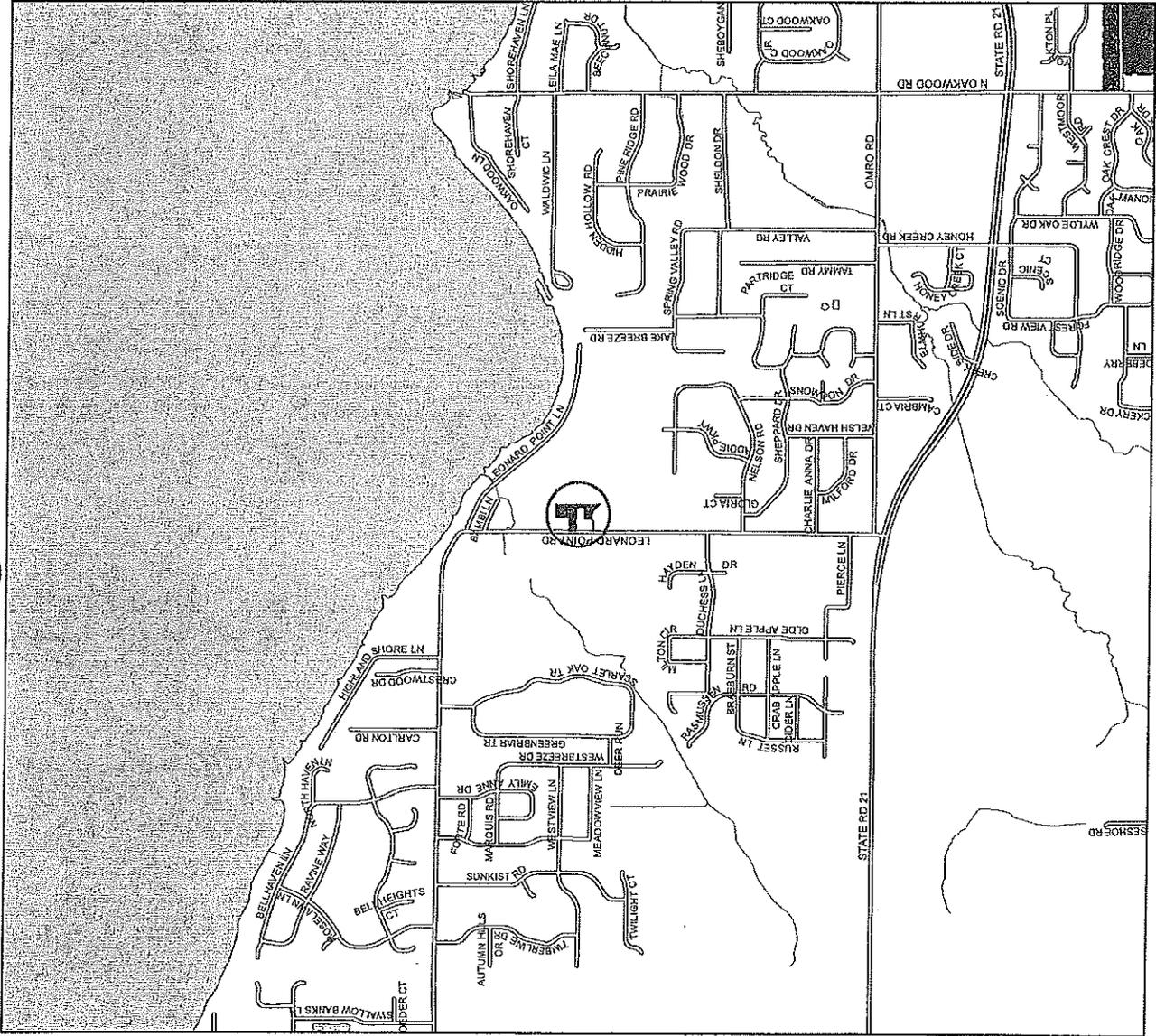
Application #17-ZC-4300

Date of Hearing: October 24, 2017
Owner(s): AF Group, LLC
Subject Parcel(s): 002002819(P)



Winnebago County
WINGS Project

● = SITE



1 inch : 2,000 feet

WINNEBAGO COUNTY

RESOLUTION
of the
Town Board of the Town of ALGOMA
Winnebago County, Wisconsin

RE: Petition for the proposed zoning map amendment listed below affecting the Winnebago County Zoning Ordinance and the Official Map of the Town of ALGOMA.

Applicant:
GROUP LLC, AF

Agent:
None

Location of Premises Affected:
NORTH AND EAST OF 1762 LEONARD POINT RD
OSHKOSH, WI 54904

Legal Description:
Being a part of Government Lot 4, Section 8, Township 18 North, Range 16 East, Town of Algoma, Winnebago County, Wisconsin.

Current Zoning:
R-1 Rural Residential,
A-2 General Agriculture

Proposed Zoning:
R-2 Suburban Low Density Residential,
R-1 Rural Residential,
A-2 General Agriculture

Explanation:
Applicant is requesting a zoning map amendment to R-1, R-2 and A-2 to create new lots and eliminate dual zoning

Resolved, by the Town Board of the Town of ALGOMA, Winnebago County, Wisconsin, that the above indicated proposed amendment to the Town/County Zoning Code (Chapter 23) be and the same is hereby

Approved Disapproved

Town Findings (Reasons):

1. The requested Zoning Map Amendment **DOES/DOES NOT** agree with the adopted plan. (Circle **DOES** or **DOES NOT**)

Other Findings:

I, Deborah Stark, Town Clerk of the above named town, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Town Board of the Town of ALGOMA.

DATED THIS _____ DAY OF _____, 20_____