

## AGENDA

Eau Claire County Board of Supervisors  
**Wednesday, April 4, 2018 / 7 pm**

Courthouse, County Boardroom (Room 1277)  
721 Oxford Ave. Eau Claire, WI

### Eau Claire County Mission Statement:

"To provide quality, innovative and cost-effective services that safeguard and enhance the well-being of residents and resources"

- (1) Indicates 1<sup>st</sup> Reading
- (2) Indicates 2<sup>nd</sup> Reading
  
1. Call to Order
2. Honoring of the Flag and Moment of Reflection (Supervisor Colleen Bates)
  
3. Call of the Roll
4. Approval of the Journal of Proceedings (March 20, 2018) **(pg. 3-4)**
  
5. **PUBLIC COMMENT**
  
6. **REPORTS TO THE COUNTY BOARD UNDER 2.04.320**
  
7. **PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**  
Proclamation: Proclaiming April 15-21, 2018 as Nat'l. Volunteer Week in Eau Claire County  
**(pg. 5)**
  
8. **FIRST READING OF ORDINANCES BY COMMITTEES**
  
9. **FIRST READING OF ORDINANCES AND RESOLUTIONS BY MEMBERS**
  
10. **REPORTS OF STANDING COMMITTEES, COMMITTEES, COMMISSIONS AND BOARDS UNDER 2.04.160 AND SECOND READING OF ORDINANCES**

### **Committee on Administration**

#### **File No.**

- |               |  |
|---------------|--|
| 17-18/120 (2) | To Amend Section 2.52.010 F. of the Code: Definitions; To Amend Section 2.52.020 of the Code: Health Department Established; to Amend Section 2.52.040 C. & H. of the Code: Powers and Duties; To Amend Section 2.52.050 of the Code: Regulations <b>(pg. 6-7)</b> |
| 17-18/129 (1) | Recognizing, Commending and Thanking Eau Claire County Board Supervisors Upon Their Dedicated Years of Service <b>(Committee will meet prior to the county board meeting to review resolution) Copy of Resolution to be placed on desks.</b>                       |

10. **REPORTS OF STANDING COMMITTEES, COMMITTEES, COMMISSIONS AND BOARDS UNDER 2.04.160 AND SECOND READING OF ORDINANCES** (con't)

**Committee on Administration**

**File No.**

17-18/134 (1)

Purchasing Property in the Town of Seymour Consistent With a Section 404 Hazard Mitigation Grant For Flood Abatement  
**(Committee will meet prior to the county board meeting to review resolution) (pg. 8-10)**

**Committee on Human Resources**

**File No.**

17-18/133 (1)

Creating One 1.0 Correctional Officer-Utility Position (Resolution also endorsed by the Committee on Judiciary & Law Enforcement)  
**(pg. 11-13)**

**Committee on Planning and Development**

**File No.**

17-18/128 (1)

Amending the 1982 Official Zoning District Boundary Map for the Town of Washington  
**(pg. 14-15)**

**Committee on Finance and Budget**

**File No.**

17-18/135 (1)

Authorizing the Sale of Tax Deed Property to Former Owners Philip R. Spratt and Marci A. Spratt for \$20,667.11; Directing Corporation Counsel to Prepare a Quit Claim Deed on the Described Property; Directing the County Clerk to Execute Said Quit Claim Deed on Behalf of Eau Claire County **(Committee will meet prior to the county board meeting to review resolution) (pg. 16-18)**

11. **APPOINTMENTS**

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 839-4710, (FAX) 839-1669 or 839-4735, TTY: use Relay (711) or by writing to the ADA Coordinator, Human Resources, Eau Claire County Courthouse, 721 Oxford Avenue, Eau Claire, WI 54703.

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
OF SUPERVISORS**

**Tuesday, March 20, 2018**

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, March 20, 2018, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Kathleen Clark.

Roll Call: 26 present: Supervisors Sandra McKinney, Douglas Kranig, Stella Pagonis, Carl Anton, Katy Forsythe, Steve Chilson, Kevin Stelljes, Gordon C. Steinhauer, Mike Conlin, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Judy Gatlin, Nick Smiar, David P. Mortimer, Gregg Moore, James A. Dunning, Gerald L. Wilkie, John Richie, Sue Miller, Robin J. Leary, Heather DeLuka, Mark Olson, Tami Schraufnagel, Brandon Buchanan, Kimberly A. Cronk

3 absent: Supervisors Gary G. Gibson, Mark Beckfield, Patrick L. LaVelle

**JOURNAL OF PROCEEDINGS (March 6, 2018)**

On a motion by Supervisor Smiar, seconded by Supervisor DeLuka, the Journal of Proceedings was approved.

**PUBLIC COMMENT**

No one wished to speak.

**REPORTS TO THE COUNTY BOARD UNDER 2.04.320**

County Administrator Kathryn Schauf provided an oral update and handout on the strategic planning process.

The following written report was submitted:

-Contingency Fund Status Report as of March 14, 2018

Annual written reports regarding the following independent agencies were presented:

- County Housing Authority
- Eau Claire Area Economic Development Corporation
- Lake Altoona Rehabilitation and Protection District Board
- Chippewa-Eau Claire Metropolitan Planning Organization
- West Central Wisconsin Workforce Development Board
- West Central Wisconsin Regional Planning Commission
- Western Dairyland EOC

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

Chair Moore read a proclamation supporting "Serving the Underserved", proclaiming the month of April 2018 as National County Government Month.

On a motion by Supervisor Henning, seconded by Supervisor Cronk, the proclamation was approved.

**FIRST READING OF ORDINANCES BY COMMITTEES**

**Ordinance 17-18/120** TO AMEND SECTION 2.52.010 F. OF THE CODE: DEFINITIONS; TO AMEND SECTION 2.52.020 OF THE CODE: HEALTH DEPARTMENT ESTABLISHED; TO AMEND SECTION 2.52.040 C. & H. OF THE CODE: POWERS AND DUTIES; TO AMEND SECTION 2.52.050 OF THE CODE: REGULATIONS

Action on said ordinance was referred to the next meeting of the county board.

**REPORTS OF STANDING COMMITTEES, COMMITTEES, COMMISSIONS AND BOARDS UNDER  
2.04.160 AND SECOND READING OF ORDINANCES**

**Committee on Finance and Budget**

**Resolution 17-18/122** AUTHORIZING THE SALE OF TAX DEED PROPERTY TO FORMER OWNERS PHILIP R. SPRATT AND MARCI A. SPRATT FOR \$3,423.83; DIRECTING CORPORATION COUNSEL TO PREPARE A QUIT CLAIM DEED ON THE DESCRIBED PROPERTY; DIRECTING THE COUNTY CLERK TO EXECUTE SAID QUIT CLAIM DEED ON BEHALF OF EAU CLAIRE COUNTY

Motion by Supervisor Leary, seconded by Supervisor Smiar, for adoption.

On a roll call vote, the resolution was adopted as follows:

26 ayes: Supervisors McKinney, Kranig, Pagonis, Anton, Forsythe, Chilson, Stelljes, Steinhauer, Conlin, Henning, Bates, Clark, Gatlin, Smiar, Mortimer, Moore, Dunning, Wilkie, Richie, Miller, Leary, DeLuka, Olson,

Schraufnagel, Buchanan, Cronk

0 noes

3 absent: Supervisors Gibson, Beckfield, LaVelle

**Resolution 17-18/124** AUTHORIZING THE SALE OF TAX DEED PROPERTY TO THE CITY OF EAU CLAIRE, FOR \$8,693.67; DIRECTING CORPORATION COUNSEL TO PREPARE A QUIT CLAIM DEED ON THE DESCRIBED PROPERTY; DIRECTING THE COUNTY CLERK TO EXECUTE SAID QUIT CLAIM DEED ON BEHALF OF EAU CLAIRE COUNTY

Motion by Supervisor Gatlin, seconded by Supervisor Steinhauer, for adoption.

On a roll call vote, the resolution was unanimously adopted.

**Resolution 17-18/130** AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF FEBRUARY 2018

Motion by Supervisor Schraufnagel, seconded by Supervisor Leary, for adoption.

On a roll call vote, the resolution was unanimously adopted.

**Resolution 17-18/131** AUTHORIZING THE SALE OF TAX DEED PROPERTY TO RED CANNERY, LLC, FOR \$55,000.00; DIRECTING CORPORATION COUNSEL TO PREPARE A QUIT CLAIM DEED ON THE DESCRIBED PROPERTY; DIRECTING THE COUNTY CLERK TO EXECUTE SAID QUIT CLAIM DEED ON BEHALF OF EAU CLAIRE COUNTY

Motion by Supervisor Conlin, seconded by Supervisor Henning, for adoption.

On a roll call vote, the resolution was unanimously adopted.

**Resolution 17-18/132** AUTHORIZING A TRANSFER FROM THE 2018 CONTINGENCY FUND IN THE AMOUNT OF \$20,000 FOR STARTUP COSTS ASSOCIATED WITH FARM TECHNOLOGY DAYS, INC. TO BE HELD IN 2020

Motion by Supervisor Chilson, seconded by Supervisor Bates, for adoption.

On a roll call vote, the resolution was unanimously adopted.

**APPOINTMENTS**

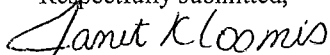
CONFIRMING CITIZEN APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS AND COUNCILS BY CHAIR GREGG MOORE

Motion by Supervisor Steinhauer, seconded by Supervisor Miller, for approval.

On a roll call vote, the appointment was unanimously approved.

The Board adjourned at 7:22 p.m.

Respectfully submitted,



Janet K. Loomis,  
County Clerk

1 **PROCLAMATION**

2  
3 - PROCLAIMING APRIL 15-21, 2018, AS NATIONAL VOLUNTEER WEEK  
4 IN EAU CLAIRE COUNTY-  
5

6 WHEREAS, the entire community can inspire, equip and mobilize people to take action that  
7 changes the world; and,  
8

9 WHEREAS, individuals and communities are at the center of social change, discovering their  
10 power to make a difference; and,  
11

12 WHEREAS, during this week all over the nation, service projects will be performed and  
13 volunteers recognized for their commitment to service; and,  
14

15 WHEREAS, the giving of oneself in service to another empowers the giver and the recipient;  
16 and,  
17

18 WHEREAS, experience teaches us that government by itself cannot solve all of our nation's  
19 social problems; and,  
20

21 WHEREAS, the Aging & Disability Resource Center of Eau Claire County could not provide  
22 many of the services it offers without volunteers; and,  
23

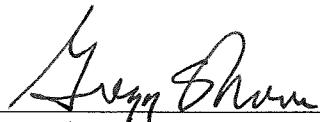
24 WHEREAS, our ADRC's volunteer force of more than 200 individuals, who contributed  
25 nearly 14,000 hours in 2017, is a great treasure valued at over \$335,000 annually; and,  
26

27 WHEREAS, volunteers are vital to our future as a caring and productive nation.  
28

29 NOW, THEREFORE, I, Gregg Moore, chair of the Eau Claire County Board of  
30 Supervisors, do hereby proclaim April 15-21, 2018:  
31

32 National Volunteer Week in Eau Claire County  
33

34 PRESENTED: This 20th day of March, 2018.  
35

36  
37  
38   
39 \_\_\_\_\_  
40 Gregg Moore, County Board Chair  
41

42 In Eau Claire County, we urge our fellow citizens to volunteer in their respective  
43 communities. By volunteering and recognizing those who serve, we can come together to make a  
44 difference.  
45

**FACT SHEET**

**TO FILE NO. 17-18/120**

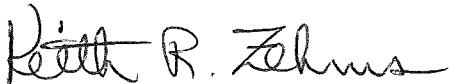
The review of Chapter 2.52 is part of the strategic plan process. The goal is to have all ordinances resulting from the review process submitted to the county board for consideration prior to January 1, 2019.

Sections 1, 3 and 4 update the code to reflect the change in name of the Wisconsin Department of Health and Family Services or DHFS to the Department of Health Services or DHS.

Section 2 corrects a citation to the Wisconsin Statutes.

Fiscal Impact: None.

Respectfully Submitted,

A handwritten signature in black ink that reads "Keith R. Zehms". The signature is written in a cursive style with a large initial "K".

Keith R. Zehms  
Corporation Counsel

KRZ/yk

Ordinance/17-18.120 Fact

2  
3 - TO AMEND SECTION 2.52.010 F. OF THE CODE: DEFINITIONS; TO  
4 AMEND SECTION 2.52.020 OF THE CODE: HEALTH DEPARTMENT  
5 ESTABLISHED; TO AMEND SECTION 2.52.040 C. & H. OF THE CODE: POWERS  
6 AND DUTIES; TO AMEND SECTION 2.52.050 OF THE CODE: REGULATIONS -  
7

8 The County Board of Supervisors of the County of Eau Claire does ordain as follows:  
9

10 SECTION 1. That Subsection F. of Section 2.52.010 of the code be amended to read:  
11

12 F. "DHFSDHS" means the State of Wisconsin Department of Health and Family  
13 Services.

14 SECTION 2. That Section 2.52.020 of the code be amended to read:  
15

16 2.52.020 Health department established. A city-county health department is hereby  
17 established as required under Wis. Stat. § 251.020(1m), to have jurisdiction within the city and  
18 county.  
19

20 SECTION 3. That Subsections C. and H. of Section 2.52.040 of the code be amended to  
21 read:  
22

23 C. Report to the DHFS DHS as required by rule.  
24

25 H. Employ qualified public health professionals, such other staff as are necessary to  
26 carry out the mission of the health department, and a public health nurse to conduct general  
27 public health nursing programs under the direction of the board of health and in cooperation with  
28 the DHFS DHS. The board of health may employ environmental health specialists, known as  
29 sanitarians, to conduct environmental programs and other public health programs not specifically  
30 designated by statute as functions of the public health nurse.  
31

32 SECTION 4. That Section 2.52.050 of the code be amended to read:  
33

34 2.52.050 Regulations. The board of health may adopt regulations that it considers  
35 necessary to protect and improve public health. The regulations shall be no less stringent than,  
36 and shall not conflict with, state statutes and rules and regulations of DHFS DHS. Such  
37 regulations shall be published as a class 1 notice under Wis. Stat. ch. 985, and, unless otherwise  
38 specifically provided, shall take effect immediately following publication. Such regulations shall  
39 be incorporated by reference as if fully set forth herein.  
40

41 ADOPTED:  
42

43  
44 \_\_\_\_\_  
45 Carleen Bates  
46 \_\_\_\_\_  
47 Kathleen Clark  
48 \_\_\_\_\_

49 \_\_\_\_\_  
50 Guy Shroy  
Donald Wilkie  
Committee on Administration

APPROVED BY  
COUNTY BOARD  
AS TO FORM

49 KRZ/YK

50 Dated this 13<sup>th</sup> day of March, 2018.

FACT SHEET

**RESOLUTION 17-18/134: PURCHASING PROPERTY IN THE TOWN OF SEYMOUR CONSISTENT WITH A SECTION 404 HAZARD MITIGATION GRANT FOR FLOOD ABATEMENT**

Pursuant to Resolution No. 16-17/101 the Eau Claire County Board of Supervisors authorized a Section 404 Hazard Mitigation Grant Application for two properties that received substantial flood damage in September 2016. One of those properties is located at 10110 Highway Q (Olson Drive) in the Town of Seymour and is owned by David and Ronnie Roll. The application is made to FEMA through the Wisconsin Emergency Management (WEM) Office.

The County has made the grant application and been awarded funds to purchase this property. This resolution authorizes the purchase of the property consistent with the grant requirements. The property has been appraised with a value of \$105,000.00, and the appraisal has been approved by WEM. The conditions of the grant require the County to remove the building from the property, and properly abandon the well and the septic system, the costs of which are covered by the grant. The grant requires that a deed restriction be filed requiring the property to remain as open space, and which provides limitations as to future owners, generally limiting ownership to the county or other municipalities.

An offer to purchase the property has been extended to the Roll's in the amount of \$105,000.00 contingent upon approval of the Eau Claire County Board of Supervisors authorizing the purchase. Previously the Roll's had verbally indicated acceptance of that purchase price.



2  
3 **-PURCHASING PROPERTY IN THE TOWN OF SEYMOUR CONSISTENT WITH A**  
4 **SECTION 404 HAZARD MITIGATION GRANT FOR FLOOD ABATEMENT -**  
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8  
9 WHEREAS, Eau Claire County has previously applied for and received a Section 404 Hazard  
10 Mitigation Grant from Wisconsin Emergency Management (WEM) and FEMA for the purchase of a  
11 parcel of land located at 10110 Olson Drive in the Town of Seymour owned by David Roll. The  
12 application for the grant was approved by the Eau Claire County Board as Resolution number 16-  
13 17/101.

14  
15 WHEREAS, Consistent with that grant, the parcel has been formally appraised and given a  
16 value of One Hundred and Five Thousand and No/100 Dollars (\$105,000.00); and  
17

18 WHEREAS, Consistent with the grant from FEMA the buildings on the land will need to be  
19 removed, the well and the septic system be properly abandoned, and the land will be deed restricted  
20 so that it can only be owned by Eau Claire County or other government agencies as approved by  
21 FEMA; and  
22

23 WHEREAS, An offer to purchase has been extended to the current owners in the amount of  
24 \$105,000.00 contingent upon approval by the Eau Claire County Board of Supervisors; and  
25

26 NOW THEREFORE BE IT RESOLVED, The Eau Claire County of Supervisors approves  
27 the purchase of the parcel of land located at 10110 Olson Drive in the Town of Seymour, otherwise  
28 described as:  
29

30 *Part of the Southwest Quarter(SW1/4) of the Southwest Quarter (SW1/4) described as*  
31 *beginning at a point on the North Line of County Highway said 40 being 487.6' East of the*  
32 *Northwest Corner of said 40, then S56°55'E 1125' to the East line of said 40, then N 577' to the*  
33 *Northeast Corner of said 40, then West on the North line of said 40 832.4' to the point of beginning,*  
34 *excluding that portion for highway as described in Vol.322/281. All located in Section 11,*  
35 *Township 27 North, Range 8 West in the Town of Seymour, approximately 3.4 acres more or less.*  
36

37 Said purchase being contingent upon the requirements of the FEMA grant, and by the use of  
38 funds from FEMA; and  
39

40  
41 BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors directs the  
42 county clerk to sign all documents as necessary to complete the purchase of the aforementioned  
43 property on behalf of Eau Claire County.  
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Committee on **Administration**

**17-18/134**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ORDINANC/17-18/134

**Reviewed by Finance Dept.  
for Fiscal Impact**

**APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM**

**Proposed Resolution / File No. 17-18/133 Authorizing New Position for 2018 Correctional Officer**

The Eau Claire County Sheriff's Office is requesting one FTE Correctional Officer Position (Correctional Officer Utility) created on July 1, 2018.

**Background:** The Eau Claire County Sheriff's Office Security Services Division, specifically the Jail, historically experiences annual staff turnover and approved leaves that creates long term staff shortages. This position will be utilized to fill in gaps to help maintain staffing levels. .

**Reason:** This position will provide for continuity in Jail operation to ensure safety, efficiency, and provide coverage for fluctuations in staffing. The Sheriff's Office agreed to minimum staffing levels in 2010 to assist with opening the new secure jail. The new secure jail when opened had approximately 150 inmates. We averaged 215 secure inmates in 2017. During the first quarter of 2018 the jail has averaged 224 secure inmates with 211 housed at the jail and 13 housed out of county. The number of secure inmates has at times surpassed 258 which is the jails rated capacity. The additional work load due to the increase in the number and type of inmates since we opened the new jail, without additional staff, creates many challenges and liabilities for jail staff and the county as a whole.

The Correctional Officer Utility Position includes the following benefits:

- Reduces forced order-ins of current employees
- Aids in maintaining minimum staffing levels
- Improves safety of the facility
- Increases employee morale
- Acknowledges a utility resource to address the number of inmates suffering from Mental Health and/or drug addiction issues which has increased the resources and time needed to deal with their issues

**Other Information:** In 2017 Human Resources and Sheriff's Office staff began collaborating on a strategic plan to identify long-term solutions to address recruitment needs. Through this collaboration, innovative solutions were generated; including ideas such as the open house and the creation of utility positions. With the success of the 2017 open house as well as other creative recruitment strategies this team is ready to pilot the next idea, the utility position.

We did consider hiring part time employees however our past history and that of other law enforcement agencies has shown this concept to be difficult as the longevity with part-time employees in agencies is quite low. In addition, employee market trends show the need to have hiring processes that adapt quickly to continue to ensure the county continues to obtain high quality candidates. The Sheriff's Office currently has a strong applicant pool and the creation of the utility position would result in the ability to add staff from a high quality applicant pool.

**Fiscal Impact:** The cost of a FTE Correctional Position with benefits is approximately \$78,038 including benefits. The position will be funded with current 2018 tax levy by:


- Utilizing the utility position to cover shifts vacated by attrition. In 2017 we had over 13 vacancies. We know the cost to fill vacated positions forces current staff to be ordered in which creates additional overtime. The cost difference between overtime and permanent salary regular pay of the utility position will save money.
- Utilizing the utility position to cover shifts of FMLA and Military Leave apply the same cost savings concept as stated above. In 2017 we had several leaves, for a variety of reasons, with eight (8) Correctional Officer leaves transpiring during one period of time.

**Fiscal Note:** Funding will be taken from a combination of personnel line items including overtime and regular salaries.

Respectfully Submitted,



Sheriff Ron Cramer



Jamie Gower, HR Director

4 - CREATING ONE 1.0 CORRECTIONAL OFFICER-UTILITY POSITION


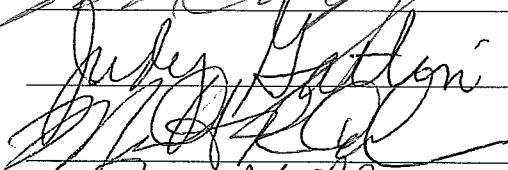

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6 WHEREAS, the Eau Claire County Code of General Ordinances requires that all regular  
7 positions or changes therein be submitted to the board for authorization; and

8  
9 WHEREAS, in a joint meeting on March 27<sup>th</sup>, 2018 the Human Resources and Judiciary and  
10 Law Enforcement Committees approved a request from the Sheriff's Office to create one full time  
11 correctional officer-utility position; and

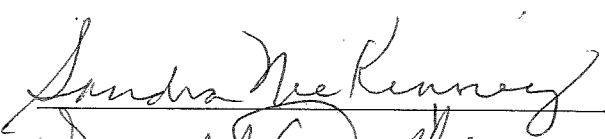

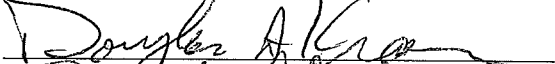
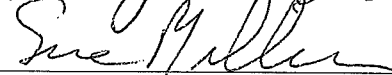
12  
13 WHEREAS, the cost for this change is \$78,037 and will be funded by the 2018 Sheriff's  
14 Office budget.

15  
16 NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board hereby approves  
17 creating one full time correctional officer-utility position.

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21 ADOPTED:

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34 Committee on Human Resources

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34 Judiciary & Law Enforcement Committee

35  
36 Dated this 27<sup>th</sup> day of March 2018.

37  
38 JG Reviewed by Finance Dept.  
39 for Fiscal Impact  
40

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

ORDINANC/17-18/133

**FACT SHEET**  
**File No. 17-18/128**

**RE:** Rezoning Petition from PEM Properties, LLC, represented by Bill Albright, to rezone .9 acres +/- of land from R-1-M (Single-family Residential) District to R-3 (Multiple-family Residential) District to allow the development of a multi-family residential building

**Legal Description and Location:** Lot 31, Blakeley's Addition, in Section 34, T27N, R9W, Town of Washington

**Size of area to be rezoned:** .9 acres +/-

**ADJACENT ZONING & LAND USES:**

LOCATION	ZONING	LAND USE
Subject	R-1-M	Single-family residence
North	R-1-M	Single-family residence
East	C-2	Commercial businesses
South	R-1-M	Single-family residence
West	R-1-M	Single-family residence

**LAND USE PLAN:** The Eau Claire County Future Land Use Map includes the property in the Urban Mixed Use (UM) planning area.

**Urban Mixed Use (UM)**

**Eau Claire County Intent and Description:**

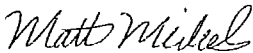
*The primary intent of this classification is to identify areas suitable for a broader range of commercial, institutional, recreational, and residential uses, which might be served by public services within the next 20 years. This classification is reserved for those areas that are immediately adjacent to the Cities of Eau Claire and Altoona. Land within the classification includes retail businesses and preexisting higher density residential developments. The existing land use pattern, transportation infrastructure, and availability of sanitary sewer make these areas suitable for mixed use neighborhoods with higher density residential development than what is permitted under the Rural Residential classification. Higher density development within these areas can require the use of public sanitary sewer or group septic systems.*

**Staff Conclusions and Recommendation:** Staff finds that the proposed rezoning request substantially conforms with the Eau Claire County Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed R-3 zoning district is consistent and therefore allowed within the mapped future land use designation.

**Town Board Action:** The Washington Town Board considered this rezoning petition on Thursday, March 15, 2018 and recommended approval (5-0 vote).

**Committee Action:** The Eau Claire County Committee on Planning and Development conducted the required public hearing on Tuesday, March 27, 2018 regarding the proposed rezoning. On a vote of in favor 3 and 2 against, the Committee recommends approval of the rezoning petition to the County Board. The committee considered the applicant's testimony as well as the Town Board's and staff's recommendations in their deliberations.

Respectfully submitted on behalf of the Committee on Planning and Development,



Matt Michels, AICP  
 Senior Planner

1 **Enrolled No.**

**ORDINANCE**

**File No. 17-18/128**

2  
3 - AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE  
4 TOWN OF WASHINGTON-

5  
6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7  
8 **SECTION 1** That the 1982 Official Zoning District Boundary Map for the Town of  
9 Washington, Eau Claire County described as follows:

10  
11 **A parcel of land located in Section 34, Township 27 North, Range 09**  
12 **West, Town of Washington, Eau Claire County, Wisconsin more**  
13 **particularly described as follows:**

14  
15 **Lot 31 of Blakeleys Addition to the Town of Washington.**

16  
17 **Said described lands contain approximately .9 acres and is subject to**  
18 **the easements and restrictions of record to be reclassified from the R-**  
19 **1-M Single-Family Residential District to the R-3 Multiple-Family**  
20 **Residential District.**

21  
22 **SECTION 2** Where a certified survey map is required and may alter the above  
23 described property description, the official zoning district map for the  
24 town shall be automatically amended to reflect the property description of  
25 the certified survey map.

26  
27 ENACTED: I hereby certify that the foregoing correctly represents the  
28 action taken by the undersigned Committee on  
29 March 27, 2018 by a vote of *3* for, *2* against.

30  
31   
32 \_\_\_\_\_  
33 Planning & Development Committee, Chairperson

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM



# EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

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**REZONE NUMBER:** RZN-0004-18                      **COMPUTER NUMBER:** 024207807000

**PUBLIC HEARING DATE:** March 27, 2018

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**STAFF CONTACT:** Matt Michels, AICP, Senior Planner

**OWNER:** PEM Properties, LLC, 3420 Mall Dr, Ste 4, Eau Claire, WI 54701

**AGENT:** Bill Albright, 7663 167<sup>th</sup>, Chippewa Falls, WI 54729

**REQUEST:** Rezone .9 acres +/- of land from R-1-M (Single-family Residential) District to R-3 (Multiple-family Residential) District to allow the development of a multi-family residential building

**LOCATION:** 3432 London Rd, Eau Claire, WI 54701

**LEGAL DESCRIPTION:** Lot 31, Blakeley's Addition, in Section 34, T27N, R9W, Town of Washington

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**RECOMMENDATION**                      Approval of request based on findings outlined on Page 5 of this report

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## SUMMARY

The applicant proposes to rezone .9 acres +/- of land from R-1-M (Single-family Residential) District to R-3 (Multiple-family Residential) District to allow the development of a multi-family residential building similar to the one depicted in the conceptual rendering submitted by the applicant (shown below). According to the applicant, the multi-family residential building would fill a housing need in the community.





**BACKGROUND**

**SITE CHARACTERISTICS:**

- The property has an existing single-family residence that has been divided into a rental duplex and garage on the eastern portion which are currently in poor condition. If approved, these structures will be demolished and removed.
- Property is served by City of Eau Claire public sewer and water
- Property is generally flat
- Adjacent uses include a mix of single-family and multi-family residential as well as commercial uses across London Road. Many of the single-family homes are rental units.



**EXISTING ZONING DISTRICT:**

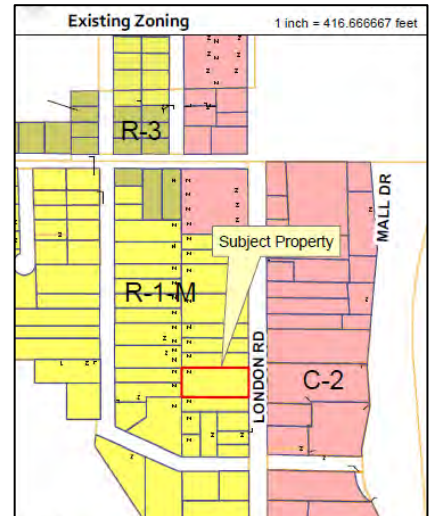
R-1-M Single-family residential district. The R-1-M District is established to provide an area for single-family residences at relatively high densities, and is served by public water and sewage disposal facilities.

**REQUESTED ZONING DISTRICT:**

R-3 Multi-family residential district: The R-3 District is established to provide an area for high-density residential development served by public sewer and water service.

**PREVIOUS ZONING ACTIONS:**

A rezoning petition to the R-3 District was denied by the Eau Claire County Board of Supervisors on November 6, 2007. Staff recommended approval based on the transitional multi-family use being appropriate for the area, but several nearby residents spoke in opposition to the rezoning petitions stating that “construction of a multiple family dwelling at this location would be disruptive to the neighborhood.” The Washington Town Board held a public hearing on October 18, 2007 and voted 2 in favor and 2 opposed to the rezoning petition. Staff’s position regarding the request is the same as it was in 2007, if not more so because of the poor condition of the existing structures on the property and high market demand for multi-family housing.



**ZONING/LAND USE CONTEXT:**

LOCATION	ZONING	LAND USE
Subject	R-1-M	Single-family residence
North	R-1-M	Single-family residence
East	C-2	Commercial businesses
South	R-1-M	Single-family residence
West	R-1-M	Single-family residence

**COMPREHENSIVE PLAN:**

The Eau Claire County Future Land Use Map includes the property in the Urban Mixed Use (UM) planning area. Following is a description of the intent of the applicable County comprehensive plan future land use category and applicable policies. Policies are quoted *in italics* and staff comments, as applicable, are provided thereafter:

- **Urban Mixed Use Intent and Description**

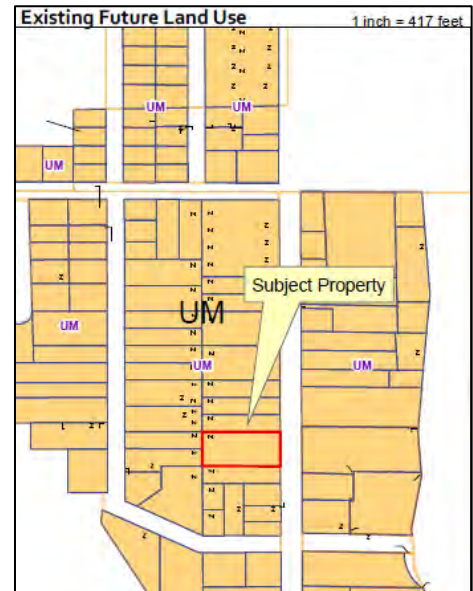
*The primary intent of this classification is to identify areas suitable for a broader range of commercial, institutional, recreational, and residential uses, which might be served by public services within the next 20 years. This classification is reserved for those areas that are immediately adjacent to the Cities of Eau Claire and Altoona. Land within the classification includes retail businesses and preexisting higher density residential developments. The existing land use pattern, transportation infrastructure, and availability of sanitary sewer make these areas suitable for mixed-use neighborhoods with higher density residential development than what is permitted under the Rural Residential classification. Higher density development within these areas can require the use of public sanitary sewer or group septic systems.*

**Applicable Policies:**

1. *The preferred housing density is two and a half (2 1/2) to eight (8) units per acre; however, local comprehensive plans may be more or less restrictive than this guideline. The Town of Washington recently amended the density policy in the UM land use area to reflect the density allowed by the Eau Claire County Zoning Ordinance.*

Theoretically, 23 units could be built on the .9 acre property per Section 18.11.040.A.1 of the Zoning Ordinance\*. In reality, it would be highly unlikely to get that many units on the property given other zoning restrictions such as maximum lot coverage (35%) and minimum open space requirements (30%), building setbacks, on-site parking requirements, storm water detention, height limitations (35'), etc.

\*23 units is calculated based on one (1) dwelling unit per 1,500 sq. ft. for the “remaining” 29,200 sq. ft. +/- of property after “deducting” 10,000 sq. ft. for the first four (4) dwelling units.  
 Note: .9 acres = 39,200 sq. ft. +/-



2. *The County or local community can require the use of public sanitary systems (particularly when located in an area where such service is available) or group/alternative on-site wastewater treatment facilities (particularly for businesses with high wastewater/water demands). Responsibility for long-term maintenance of these systems shall be determined prior to approval. As mentioned, the property is already served by public sewer and water.*
3. *For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within UM areas: R-1-L Single Family Residential Large Lot District, R-1-M Single Family Residential District, R-2 Two-Family Residential District, R-3 Multi-Family Residential, C-1 Neighborhood Business District, and the C-2 General Business District.*

The application has been found to be consistent with the intent and description and the applicable policies of the Eau Claire County Urban Mixed Use land use category.

#### Comprehensive Plan Summary

The proposed R-3 zoning district is consistent with the intent and description and the applicable policies of the Eau Claire County Comprehensive Plan and also appear to be consistent with the Town of Washington Comprehensive Plan.

#### **ANALYSIS**

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also to be made that the rezone is consistent with the County's Comprehensive Plan.

Town Board Action: The Washington Town Board considered this rezoning petition on March 15, 2017 and voted unanimously (5-0 vote) to recommend approval of the proposed rezoning.

The rezoning petition has been evaluated for consistency with the purpose of the R-3 District and the uses allowed in the district, which include multi-family residential development. The request is consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is consistent with the intent and purpose of the Eau Claire County Future Land Use plan
- Existing uses in the area include single and multi-family residential and commercial uses
- Zoning in the area is predominantly R-1-M, C-2, and R-3

#### **CONCLUSION**

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County Comprehensive Plan future land use designation
- Eau Claire County Comprehensive Plan goals, objectives and policies
- Eau Claire County Farmland Preservation Plan
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in the R-3 Districts

In addition, the following factors have also been considered:

- Input of surrounding property owners. Several nearby residents testified in opposition to the proposed rezoning and several testified in support of the proposed rezoning at the March 15, 2018 Washington Town Board hearing. No written correspondence in support or opposed to the proposed rezoning has been received, to date.

#### **RECOMMENDATION**

Staff recommends that the committee file a recommendation of approval to the County Board for the petition to rezone .9 acres of land +/- from R-2 (Single-family Residential) District to R-3 (Multiple-family Residential) District to allow the development of a multi-family residential building, as depicted on the attached map.

## **FINDINGS**

### Findings in Favor:

1. The request is consistent with the goals, objectives, and policies of the Eau Claire County Comprehensive Plan, as required by Section 19.01.020.B of the Eau Claire County Code; and Wisconsin Statutes §66.1001(1)(am) and §66.1001(3)(j), including the intent, description, and policies of the Urban Mixed Use Future Land Use classification in Section 3.3 of the Eau Claire County Comprehensive Plan and Map 9 (Future Land Use) of the Eau Claire County Comprehensive Plan
2. Similar multi-family uses exist within close proximity to the subject property.
3. The property is served by municipal sewer and water service.
4. The proposed rezoning provides an opportunity to redevelop a property that is in poor repair into an appropriate transitional use between existing commercial on the east side of London Road and single and multi-family residential to the west.

### Finding Against:

1. Several nearby residents oppose the proposed rezoning based on concerns related to higher density and compatibility with single-family residential land uses.

17-18/128

Sup Dst 20 - John Richie

Eau Claire County  
Department of Planning and Development  
Eau Claire County Courthouse  
721 Oxford Avenue, Room 3344  
Eau Claire, Wisconsin 54703  
(715) 839-4741

Application Accepted: 2/27/2018
Accepted By: Matt Michels
Receipt Number: 54842
Town Hearing Date: 03/15/2018
Scheduled Hearing Date: 3/27/2018
Application No: RZN-0004-18
Appl Status: Pending

**Rezoning - County**

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: **RM**      Proposed Zoning District(s): **R3**      Acres to be Rezoned: **.9**

Portion Of The Se1/4 Sw1/4 Of Section 9, T26N, R9W, Town Of Washington, Eau Claire County, Wisconsin

<b>Owner/Applicant Name(s):</b> Pem Properties Llc	<b>Address:</b> (ow) 3420 MALL DR STE 4 EAU CLAIRE	<b>Telephone:</b> 715-215-8484(W) 715-839-8484(H)
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<b>Site Address(es):</b> 3432 LONDON RD EAU CLAIRE	<b>Property Description:</b> Sec 34 Twn 27 Rge 09	<b>Town of Washington</b>	<b>Lot Area:</b>
<b>Zoning District(s):</b> RM			

<b>Overlay District:</b> Check Applicable	<input type="checkbox"/> Shoreland	<input type="checkbox"/> Flood Plain	<input type="checkbox"/> Airport	<input type="checkbox"/> Wellhead Protection	<input type="checkbox"/> Non-Metallic Mining
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PIN	Alternate No	Parcel No	Legal (partial)
1802422709342202052	024207807000	27.9.34.35:31	LOT 31 BLAKELEYS ADDITION TOWN OF WASHINGTON

I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature see attached application      Date 2/27/18

Check if DATCAP must be notified \_\_\_\_\_

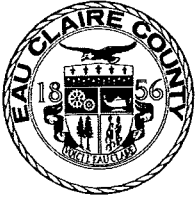
Check if DNR to Receive Copy \_\_\_\_\_

**RECEIVED**

FEB 27 2018

COUNTY CLERK

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



Eau Claire County  
 Department of Planning and Development  
 Eau Claire County Courthouse  
 721 Oxford Avenue, Room 3344  
 Eau Claire, Wisconsin 54703  
 (715) 839-4741

Application Accepted:	2/16/18
Accepted By:	mm
Receipt Number:	54842
Town Hearing Date:	3/15/18
Scheduled Hearing Date:	3/27/18

## REZONING APPLICATION

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: RM Proposed Zoning District(s): R3

Acres to be rezoned: 39,185.14 / .9 acres

Property Owner Name: PEM Properties, LLC Phone# 715-215-8484

Mailing Address: 3420 Mah Drive, Ste 4, Eau Claire, WI 54701

Email Address: pmadsen@rainmasterlawn.com

Agent Name: Bill Albright Phone# 715 831-8000

Mailing Address: 7663 161<sup>st</sup>, Chippewa Falls, WI 54729

Email Address: balbright@capvestpartner.com

RECEIVED  
 FEB 27 2018

### SITE INFORMATION

Site Address: 3432 London Rd

Property Description: 1/4 1/4 Sec. 34 T 27 N, R 9 W, Town of Washington

Zoning District: \_\_\_\_\_ Code Section(s): \_\_\_\_\_

Overlay District:  Shoreland  Floodplain  Airport  Wellhead Protection  Non-Metallic Mining  
 Check Applicable

Computer #(s): 024 - 207 - 807 - 000

### GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Complete attached information sheet                 | <input checked="" type="checkbox"/> Contact the Town to coordinate a recommendation on the application   |
| <input checked="" type="checkbox"/> Provide legal description of property to be rezoned | <input type="checkbox"/> Provide \$565.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$500.00 application processing fee and \$65.00 mapping surcharge fee) |

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature Bill Albright

Date 2-16-18

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

## REZONING APPLICATION CHECKLIST

Applications are due by Tuesday at 12:00 PM three weeks prior to the Committee on Planning and Development meeting. The application must include the items listed below. After a preliminary review, additional information may be needed. A hearing will not be scheduled until the application is deemed complete. Applications are considered complete when all materials and associated fees are received and approved by staff.

### Required Application Items:

- Application must be signed by the property owner(s)
- A legal description of land and address of land to be rezoned
- Complete the attached supplemental rezoning information sheet
  - Describe the reason for the request
  - Describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance
  - Explain and justify why this particular property is under consideration for rezoning
    - For rezoning requests from A-P to any zoning district other than the AR district must consider the factors in Section 18.32.055 A. – D.
    - For rezoning requests from the A-P to the AR zoning district must consider the factors in Section 18.06.050 A. – D.
    - For rezoning requests out of the Shoreland-wetland district must consider Section 18.19.100 B

The rezoning procedures and details have been outlined in the rezoning brochure, which is available at the Department of Planning and Development.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

Describe the reason(s) for your rezoning request:

To build a multi-family residential building that will meet the town of Washington's and the County of Eau Claire's building requirements and to fill a housing need in the area.

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

The selected parcel is in a transitional use area. London Rd has similar uses within close proximity to the selected parcel. Currently there is a duplex on the lot that is in need of major repairs and upgrades. The current building has had additions and other modifications done that are sub-par. This project and subsequent rezoning will consist of removing the current structure and constructing a new building that will fill the residential needs of the area. The east side of London Rd consists of a variety of commercial uses along with some multi-family uses. The west side of London Rd consists of multi-family uses and some older single-family homes. This area is projected to see redevelopment over the next several years. Going from Commercial uses on the west side of London Rd to transitional Multi-family uses on the east side of London Rd is smart transitional growth from a planning perspective. It's also important to note that the selected parcel is currently served by City of Eau Claire sewer/water.

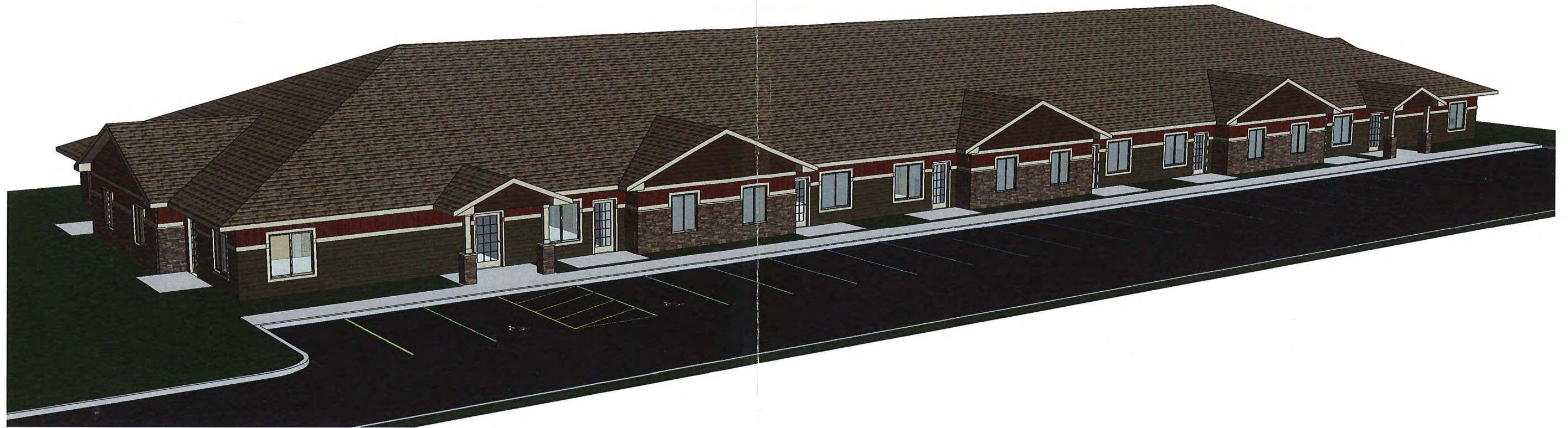


Rezoning petitions to change the zoning of a parcel from the A-P Agricultural Preservation District to any other District must be based upon findings that consider the following factors:

- 1) The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses;
- 2) The rezoning is consistent with any applicable comprehensive plans;
- 3) The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan; and
- 4) The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

If you are petitioning to rezone land from an A-P District to another district, please describe how the proposed change in zoning will be consistent with the four findings listed here.

*Not Applicable*



1 3D VIEW - AERIAL OVERALL  
A2



2 3D VIEW - ENTRANCE  
A2



3 3D VIEW - TYPICAL PATIO  
A2

1/26/2018 3:16:29 PM C:\Projects\18-London Road Apartments\Drawings\REV\118-London Road Apartments.rvt



1403 122nd STREET - SUITE C  
CHIPPewa FALLS, WI 54724  
PHONE: 715.832.0875  
FAX: 715.726.1668  
www.rivervalleyarchitects.com

THESE PLANS MAY NOT BE  
REPRODUCED OR DEVELOPED INTO  
WORKING DRAWINGS FOR  
CONSTRUCTION OR STATE APPROVAL  
PURPOSES WITHOUT THE EXPRESS  
WRITTEN CONSENT OF RIVER VALLEY  
ARCHITECTS, INC. 715.832.0875

## PROPOSED LONDON ROAD APARTMENTS

INFORMATION PERTAINING TO EXISTING CONDITIONS IS BASED  
ON AVAILABLE RECORDS AND/OR VISUAL INSPECTION OF THE  
EXISTING CONDITIONS. WHILE SUCH DATA HAS BEEN COLLECTED  
WITH REASONABLE CARE, THERE IS NO EXPRESSED OR IMPLIED  
GUARANTEE THAT CONDITIONS SO INDICATED ARE ENTIRELY  
REPRESENTATIVE OF THOSE ACTUALLY EXISTING. ALL EXISTING  
CONDITIONS SHALL BE FIELD VERIFIED.

DATE:  
01.26.2018  
JOB NO.  
18-

SHEET  
A2

# PEM REZONING AERIAL MAP



**Parcel Mapping Notes:**

The horizontal datum is based on the Eau Claire County Coordinate System NAD\_1983\_HARN\_Adj\_WI\_EauClaire\_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.

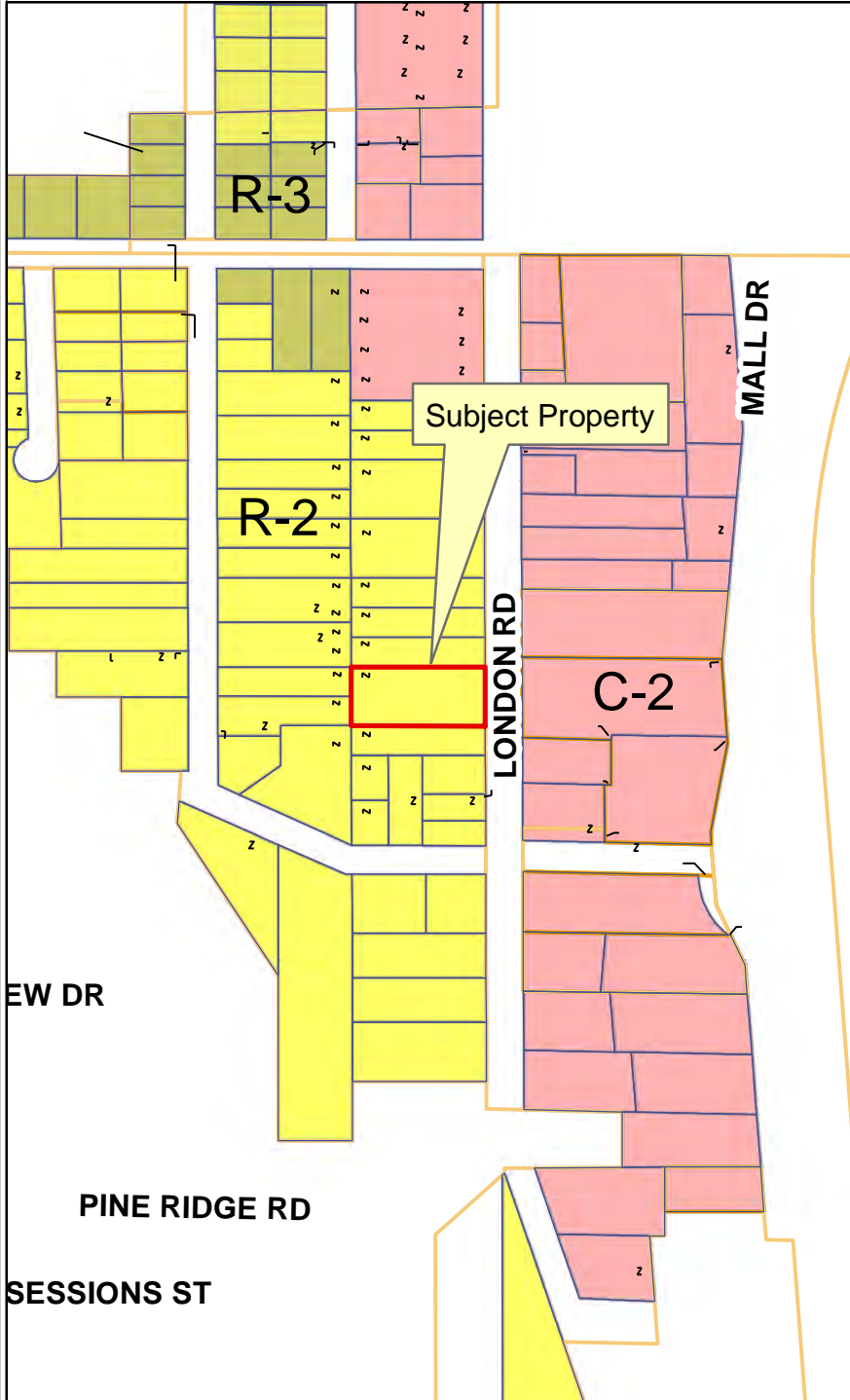




# PEM Rezoning: RZN-0004-18

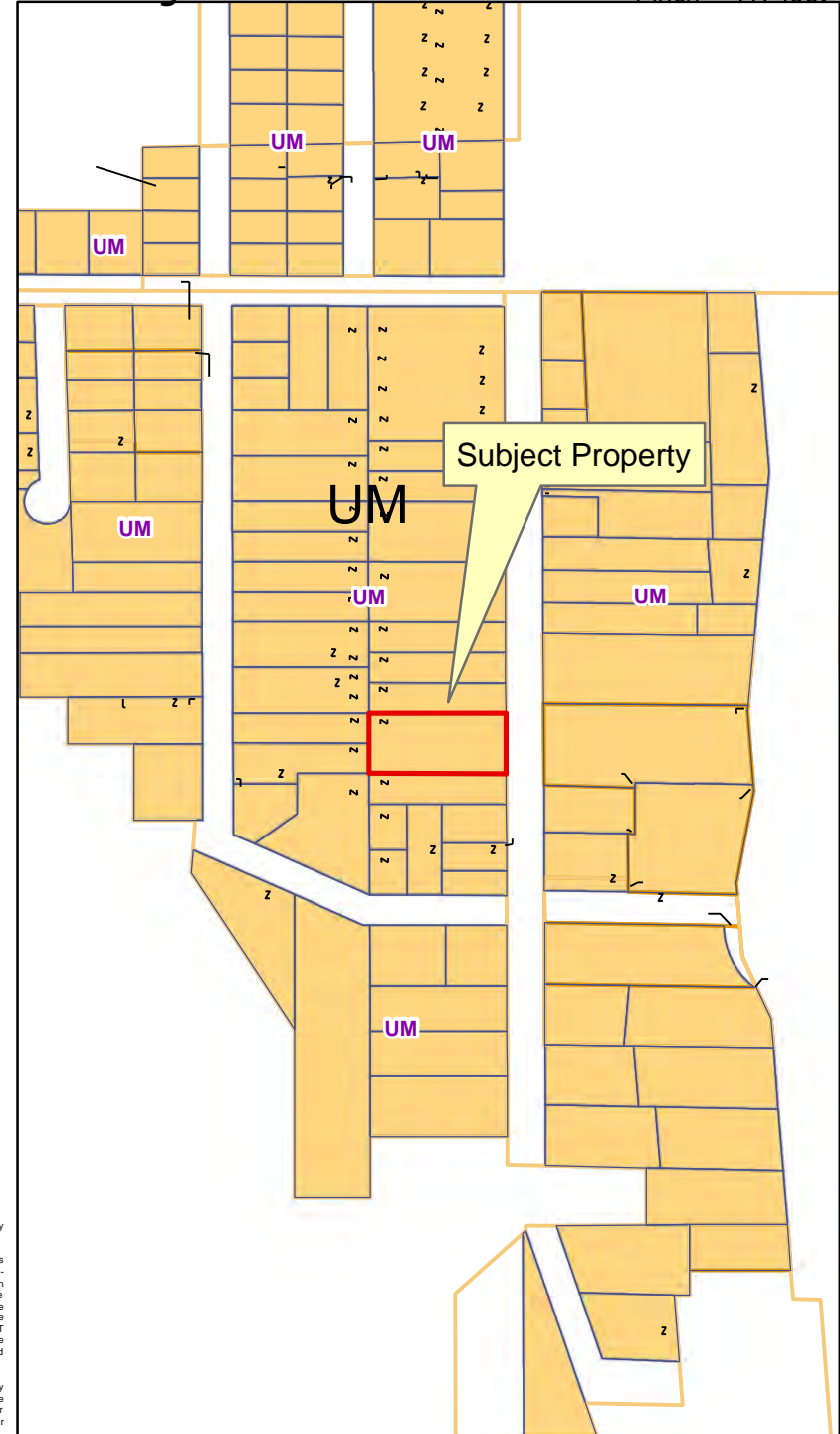
## Existing Zoning

1 inch = 416.666667 feet



## Existing Future Land Use

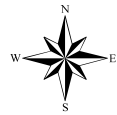
1 inch = 417 feet



**Legend**

**Future Land Use**

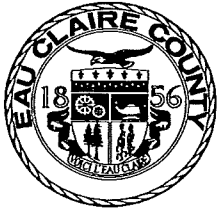
- Rural Residential Cluster Development
- Commercial/Industrial
- County Forest
- Natural Resource Protection
- Park & Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamelt
- Rural Industrial
- Rural Lands
- Rural Residential
- Rural Residential Mobile Home
- Rural Transition
- Urban Mixed Use



**Parcel Mapping Notes:**  
 The horizontal datum is based on the Eau Claire County Coordinate System NAD\_1983\_HARN\_Adj\_WI\_EauClaire\_Feet.

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.



County Of Eau Claire  
**OFFICE OF COUNTY CLERK**  
Courthouse  
721 Oxford Avenue  
Eau Claire, Wisconsin 54703  
Phone (715) 839-4803



Janet K. Loomis  
County Clerk

OFFICIAL NOTIFICATION OF ACTION ON REQUEST FOR REZONING

Official notification is hereby given to Paul Madsen, 3838 London Road, Eau Claire, Wisconsin, owner and applicant. Pursuant to your request for rezoning the land described as Lot 31, Blakeley's Addition to the Town of Washington from the R-1-M Single Family Residential District to the R-3 Multiple Family District, which came before the Eau Claire County Board of Supervisors for final action on November 6, 2007.

Where a certified survey map is required and may alter the above described property description, the official zoning district map for the town shall be automatically amended to reflect the property description of the certified survey map.

The following action was taken by the Eau Claire County Board of Supervisors:

\*PLACED ON FILE: November 6, 2007

\*The County Board approved the Report from the Planning and Development Committee which denied the rezoning request.

11-8-07

Date

  
Eau Claire County Clerk

- c: Janelle Henning, Clerk, Town of Washington
- Thomas Hanson, Chair, Town of Washington
- Bruce Willett, County Board Supervisor, District 8
- ✓ Barbara Heacox, Planning and Development

**EAU CLAIRE COUNTY PLANNING AND DEVELOPMENT STAFF RECOMMENDATIONS**

(RZN2007-15) Computer Numbers: 024-2078-07 000

**DATE PREPARED:** October 16, 2007

**PUBLIC HEARING DATE:** October 30, 2007

**LANDOWNER:** Paul Madsen, 3838 London Road, Eau Claire, WI 54701

**PETITIONER:** Same

**LOCATION:** Lot 31 of Blakeleys Addition to the Town of Washington. The property is located on the west side of London Road, about 850 feet south of the intersection of London Road and E. Hamilton Avenue.

**SIZE OF PARCEL:** .9 acres

**REQUEST:** To rezone the parcel to the R-3 Multiple-Family Residential District. The purpose of the R-3 District is to "provide an area for high density residential development served by public sewer and water service."

**CURRENT ZONING:** R-1 M Single Family Residential District. The purpose of R-1-M District is to "provide an area for single-family residences at relatively high densities, and is served by public water and sewage disposal facilities."

**ADJACENT ZONING & LAND USES:**

	ZONING	LAND USE
North	R-1-M	Single-family residences
West	R-1-M	Single-family residences
South	R-1-M	Single-family residences
East	C-2	Commercial business establishments

**LAND USE PLANS:** The County Land Use Plan, adopted in 1979, supports residential development at an urban density for this area. The site is designated as an existing developed area in the Farmland Preservation Plan. The Town of Washington Land Use Plan supports development consistent with the zoning in the area.

**DETAILS OF REQUEST:** The petition is to rezone the property to the R-3 Multiple-Family Residential District. There is currently a duplex on this property that is a legal non-conforming use.

**ANALYSIS:** When rezoning a parcel of land, **a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location.** As noted above, the purpose of the R-3 District is to provide locations for high density residential development where public sewer and water services are available. The purpose of this district and the uses that are allowed in the district appear to be appropriate for the location. Public sewer and water service are available to the property. Multiple family housing would be compatible with the commercial development on the east side of London Road, and the depth of the lots in the residential area to the west will provide adequate buffer between the uses.

**A finding should also be made that the proposed rezoning will uphold the purpose of the zoning ordinance.** Generally, the purpose of the zoning ordinance is as follows: to separate incompatible land uses from one another; to maintain public health and safety; to protect and conserve natural resources; to prevent overcrowding; to preserve property values; and to maintain the general welfare of the citizens. It appears that the purpose of the zoning ordinance will be upheld if the rezoning petition is approved.

**TOWN BOARD ACTION:** The Town Board of the Town of Washington will meet on Thursday, October 25, 2007, to consider this request.

**STAFF CONCLUSIONS AND RECOMMENDATION:** Staff has concluded that findings can be made that the purpose of the R-3 Multiple-Family Residential District and the uses allowed in the district are appropriate for the location and that the rezoning petition will be consistent with the purpose of the zoning ordinance. Staff recommends that the Committee recommend approval of the rezoning petition to the County Board of Supervisors.

## SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

Describe the reason for your rezoning request: to allow for construction  
of multi family housing which will provide  
affordable housing and increase our tax base

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

TO THE HONORABLE EAU CLAIRE COUNTY BOARD OF SUPERVISORS

Report of the Committee on Planning & Development

Rezoning Petition of Paul Madsen to rezone a parcel of land from  
the R-1-M Single Family Residential District to the R-3 Multiple Family Residential District

**ANALYSIS**

On Tuesday, October 30, 2007, the Committee on Planning and Development convened a public hearing to consider the rezoning petition of Paul Madsen, to rezone a parcel of land from the R-1-M Single Family Residential District to the R-3 Multiple Family District. The property is described as Lot 31 of Blakeley's Addition to the Town of Washington. The property is located on the west side of London Road about 850 feet south of the intersection of London Road and East Hamilton Avenue.

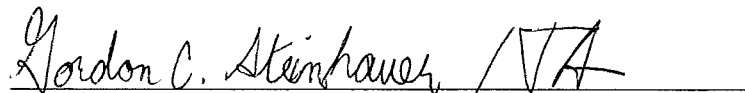
Staff presented a staff report, recommending that the Committee file a recommendation to the County Board to approve the rezoning petition. Staff had concluded that the area was in transition with land on the east side of London Road being converted to commercial business establishments and that multiple family housing on the west side of the road would be a preferable transition from the single family neighborhood further to the west and the commercial uses on the east side of the road. During the hearing several residents who lived in the neighborhood, including residents who lived in other residences along the west side of London Road, appeared and spoke in opposition to the rezoning petition, stating that constructing a multiple family dwelling at this location would be disruptive to the neighborhood. The Washington Town Board conducted a public hearing on this request on October 18, 2007, and voted 2 in favor and 2 opposed to the rezoning petition.

The Committee considered the public testimony, the Town Board's action, and staff's analysis, and voted to recommend denial of the petition.

**RECOMMENDATION**

BE IT RESOLVED by the Eau Claire County Board of Supervisors that the rezoning petition of Paul Madsen to rezone a parcel of land from the R-1-M Single Family Residential District to the R-3 Multiple Family Residential District and is hereby placed on file.

I hereby certify that the foregoing correctly represents the action taken by the undersigned Committee on October 30, 2007 by a vote of 4 for, 0 against.

  
\_\_\_\_\_  
Gordon C. Steinhauer, Chairperson  
Committee on Planning and Development



2  
3 AUTHORIZING THE SALE OF TAX DEED PROPERTY TO FORMER OWNERS PHILIP R.  
4 SPRATT AND MARCI A. SPRATT FOR \$20,667.11; DIRECTING CORPORATION COUNSEL  
5 TO PREPARE A QUIT CLAIM DEED ON THE DESCRIBED PROPERTY; DIRECTING THE  
6 COUNTY CLERK TO EXECUTE SAID QUIT CLAIM DEED ON BEHALF OF EAU CLAIRE  
7 COUNTY.

8  
9 WHEREAS, in accordance with the Eau Claire County Code, Chapter 4.20.100 - Sale to Former  
10 Owner; Philip R. Spratt and Marci A. Spratt formally applied to purchase said property in accordance  
11 with the County Code; and

12  
13 WHEREAS, said property can be described as follows:

14  
15 Lot 3, Block 31, Putnam and Hayden's Second Addition to East Eau Claire, now City of Altoona,  
16 Eau Claire County, Wisconsin.

17  
18 Computer #201-2030-06-000, 1219 Garfield Ave., City of Altoona

19			
20	Delinquent General Taxes	(2012-2017)	\$ 9,390.50
21	Delinquent Special Taxes	(2012-2017)	\$ 4,775.30
22	Interest, Penalties and Expenses	(2012-2017)	<u>\$ 6,501.31</u>
23		<b>TOTAL</b>	<b>\$20,667.11</b>
24			

25 NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of Supervisors that the  
26 sale of the aforementioned described property to Philip R. Spratt and Marci A. Spratt the former  
27 owners, is hereby authorized for \$20,667.11.

28  
29 BE IT FURTHER RESOLVED that said sale must take place no later than 30 days after County Board  
30 Approval.

31  
32 BE IT FURTHER RESOLVED that the Corporation Counsel is hereby directed to prepare a quit claim deed  
33 to: Philip R. Spratt and Marci A. Spratt.

34  
35 BE IT FURTHER RESOLVED that the County Clerk is hereby directed to execute said quit claim deed on  
36 behalf of Eau Claire County.

ADOPTED:

37  
38  
39  
40  
41  
42  
43  
44

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

45  
46  
47  
48  
49  
Reviewed by Finance Dept.  
for Fiscal Impact

Committee on Finance & Budget

Dated: \_\_\_\_\_



