

## **AGENDA**

Eau Claire County

### • PLANNING & DEVELOPMENT COMMITTEE •

**Date:** Tuesday, October 27, 2020

**Time:** 7:00 p.m.

\*via remote access **ONLY**.

\*Event link below can be used to connect to meeting and interact (by the chair) from computer or through the WebEx Meeting smartphone app.

**Join WebEx Meeting:** <https://eauclairecounty.webex.com> Meeting ID: **145 246 9605** Password: **jmTcd22DRs4**

\*Meeting audio can be listened to using this Audio conference dial in information.

**Audio conference:** 1-415-655-0001 Access Code: **1452469605##**

***For those wishing to make public comment, you must e-mail Rod Eslinger at [Rod.Eslinger@co.eau-claire.wi.us](mailto:Rod.Eslinger@co.eau-claire.wi.us) at least 30 minutes prior to the start of the meeting. You will be called on during the public comment period to make your comments.***

*\*Please mute personal devices upon entry*

1. Call to Order and confirmation of meeting notice
2. Roll Call
3. Public Comment **(15 minute maximum)**
4. Public Hearings
  - a. **Proposed Ordinance: File No. 20-21/074** “Amending the 1982 Zoning District Boundary Map for the Town of Pleasant Valley” (Troy Schneider) / Discussion – Action **PAGES 3 - 23**
  - b. **Proposed Ordinance: File No. 20-21/076** “Amending the 1982 Zoning District Boundary Map for the Town of Otter Creek” (Paul & Joella Roach) / Discussion – Action **PAGES 24 - 40**
  - c. **Proposed Ordinance: File No. 20-21/081** “Amending the 1982 Zoning District Boundary Map for the Town of Brunswick” (Dana P & Sheryl L Turner/Peter Gartmann) / Discussion – Action **PAGES 41 - 64**
5. Resolution 20-21/079 Supporting the Public Safety Answering Point (PSAP) Grant – Discussion / Action. **PAGES 65-66**
6. Violation Status Report / Discussion **PAGE 67**
7. Fall Clean Sweep Update / Discussion **PAGES 68 - 76**
8. 2021 Meeting Schedule / Discussion – Action **PAGE 77**
9. Quarterly Departmental Report/Fiscal Report / Discussion
10. Review of September bills / Discussion **PAGE 78**
11. Review/Approval of September 22, 2020 Meeting Minutes / Discussion – Action **PAGES 79 - 82**

Prepared by: Samuel Simmons, Administrative Specialist III, Planning & Development

Please note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 715-839-6945 (FAX) 715-839-1669 or (TDD) 715-839-4735 or by writing to the ADA Coordinator, Human Resources Department, Eau Claire County Courthouse, 721 Oxford Ave., Eau Claire, Wisconsin 54703

12. Proposed Future Agenda Items / Discussion

- a. Next scheduled meeting – November 17, 2020

13. Adjourn

Prepared by: Samuel Simmons, Administrative Specialist III, Planning & Development

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## EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

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**REZONE NUMBER:** RZN-0023-20      **COMPUTER NUMBER:** 018112305020

**PUBLIC HEARING DATE:** October 27, 2020

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

**OWNER/AGENT:** Troy and Lindy Schneider

**REQUEST:** Rezone 35 acres +/- of land from A-P (Agricultural Preservation) District to A-1 (Exclusive Agriculture) District to allow the applicant to construct a single-family residence and pole shed without the annual agricultural income requirement for a farm residence.

**LOCATION:** north side of Cedar Road approximately one-quarter mile west of Balsam Road

**LEGAL DESCRIPTION:** Lot 1 CSM 3490 (Vol 19 Pg 334 #1178964).

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

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### BACKGROUND

#### SITE CHARACTERISTICS:

- The property is vacant
- Approximately three-quarters of the property is wooded and approximately one-quarter is cultivated for agriculture
- The western portion of the property contains areas of steep slopes

#### EXISTING ZONING DISTRICT:

A-P Agricultural Preservation District. The A-P Agricultural Preservation District is established to:

- Preserve and protect those areas best suited for agricultural, forestry or open-space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;*
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;*
- Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;*
- Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;*
- Preserve rural character and promote the efficient use of public infrastructure and utilities by minimizing the adverse effects of urban sprawl along with its associated expense;*
- Promote environmental quality through the use of conservation practices designed to minimize erosion of productive soils and deter the delivery of sediment and nutrients to the waters of our state;*
- Minimize land use conflicts which occur when agricultural and non-agricultural uses are intermixed or not adequately separated; and*

H. Provide for carefully regulated extraction of nonmetallic mineral resources through Eau Claire County’s permitting processes to ensure compatibility with adjacent land uses, minimize impacts to natural resources, and to restore lands to productive agricultural use consistent with locally approved reclamation plans.

**REQUESTED ZONING DISTRICT:**

A-1 Exclusive Agricultural District. The A-1 Agricultural Preservation District is established to “preserve areas for farming or agricultural use and to minimize land use conflicts between farms and non-farms.” Permitted principal uses include agricultural uses, nurseries and livestock facilities. Note that as of December 15, 2015 the A-1 zoning district is no longer a certified farmland preservation zoning district.

**ZONING/LAND USE CONTEXT:**

LOCATION	ZONING	LAND USE
Subject	A-P	Woodlands; Agricultural fields
North	A-P	Woodlands
East	A-P	Agricultural fields
South	A-2: A-P	Single-family residence; Woodlands; Agricultural Fields
West	A-2	Woodlands, Single-family residence

**COMPREHENSIVE PLANS:**

The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) planning area and the Town of Pleasant Valley Future Land Use Map includes the property in the Rural Preservation (RP) planning area. Following are descriptions of the intent of the applicable County and Town comprehensive plan future land use categories and applicable policies.

**Eau Claire County:**

- Rural Lands Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- Applicable Policies:
  1. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property.*
  2. *The preferred housing density is one (1) unit per 20 or more acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per five (5) acres to one (1) unit per 35 acres.*
  3. *The following Eau Claire County Zoning Districts will be considered for approval within RL areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted below. The following additional policies shall apply to rezoning petitions:*
    - a. *Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm A-2 or A-3 parcels, unless rezoning land to either of these districts will not interfere*

*with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.*

**Town of Pleasant Valley:**

- Rural Preservation Comprehensive Plan Intent and Description: The primary intent of these areas is to, *“preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas. However, the term rural preservation is not intended to imply that changes in land use will not occur in these areas.”*
  
- Applicable Policies:
  1. Farming and agricultural uses shall be established as the primary land uses within these areas. Non-farm development shall only be allowed if it will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take significant tracts of land suitable for cultivation or other agricultural use out of production.  
...
  3. *Proposals for any new non-farm residential development shall be consistent with the following policies:*
    - a. *The maximum gross density for non-farm residential lots shall be one unit per five (5) acres held in single ownership, except as otherwise provided below for conservation subdivisions. The minimum lot size for non-farm residential lots shall be one (1) acre. The balance of the land not included in the residential lots shall be placed in a permanent conservation easement for agriculture, forestry, and open space use.*
    - b. *Any new non-farm residential lot shall have a “Right to Farm” disclosure attached to it acknowledging that the potential non-farm owner has been informed that his lot has been established in an area where farming is the preferred land use, and stating that the owner understands that he must abide by the State of Wisconsin “Right to Farm” statute (WI Stat. 823.08). This language shall be recorded on the deed to the property, transferable to subsequent owners.*
    - c. *Non-farm residential development shall only occur on land that is marginal for agricultural productivity. At least 80% of any proposed new lot shall not contain Class I, II, or III soils. In addition, it is the preference of the Town of Pleasant Valley that new non-farm residential lots that are approved in accord with these policies be located adjacent to or near existing non-farm development.*  
...
  4. *The following Eau Claire County zoning districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted above. The following additional policies shall apply to zoning petitions:*  
...
    - b. *Rezoning land to the A-2 Agriculture-Residential District or the A-3 Agriculture District is discouraged for new non-farm residential development, unless findings can be made that rezoning land to either of these districts will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.*

- c. *Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm residential A-2 or A-3 parcels.*

The application has been found to be generally consistent with the intent, description, and the applicable policies of the Eau Claire County Rural Lands Future Land Use and Town of Pleasant Valley Rural Preservation Future Land Uses.

**FARMLAND PRESERVATION PLAN:**

The property is included in the Farmland Preservation Plan Map, which allows the property owner to claim Farmland Preservation tax credits. The proposed A-1 District is not a certified farmland preservation district and the proposed lot would not qualify for Farmland Preservation tax credits. However, according to the applicant no farmland would be impacted with this rezoning action.

**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 be made that the rezone is consistent with the County’s Comprehensive Plan.

**A-P Rezoning Standards**

In addition, there are four standards for approving a rezoning of land from the A-P Agricultural Preservation zoning district to any other district. The following provides an analysis of this rezoning petition based on those standards:

**Standard 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.*

- **Soil Types** – There are three (3) different soil types on the property to be divided, two of which are considered prime agriculture soils. However, only a portion of the area of prime soils has been cleared for agricultural use and, according to the applicant, no productive farmland will be impacted with this rezoning action

<b>Soil Type</b>	<b>Description</b>	<b>Capability Class</b>
EiB	Eleva sandy loam, 2-6% slopes	3
MeB	Meridian loam, 2-6% slopes	2
EmE	Elkmound loam, 20-45% slopes	7

- **Historical Productivity** – Approximately one-quarter of the property to be rezoned has been cleared and farmed. The remainder of the parcel is covered with woodlands
- **Site Location** – The property is located on Cedar Road
- **Adjacent Land Uses** – Uses in the area include a mixture of woodlands, farmland, and single-family residences.

**Standard 2** - *The rezoning is consistent with any applicable comprehensive plans.*

The proposed rezoning substantially conforms to the future land use intent, purpose, and policies for the Eau Claire County Comprehensive Plan, including policies related to limiting residential density in rural areas of the County and limiting conversion of productive farmland.

**Standard 3** - *The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan. According to the applicant, the proposed rezoning would not remove productive farmland from cultivation, which is consistent with the Eau Claire County Farmland Preservation Plan.*

**Standard 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.*

The proposed rezoning will not impair or limit current or future agricultural use.

Town Board Action: The Pleasant Valley Town Board considered the rezoning petition on Monday, October 12, 2020 and recommended approval (3-0 vote).

The rezoning petition has been evaluated for consistency with the purpose of the A-1 District and the uses allowed in the district. The request is generally 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 woodlands, agricultural fields, farmsteads, and scattered non-farm single-family residences.
- Zoning in the area is predominantly A-P, with some A-1, A-2, A-R and A-3 zoning in the vicinity of the subject property.

## 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 A-1 District

In addition, the following factors have also been considered:

- Input of surrounding property owners. No correspondence has been received, to date.

## FINDINGS

Findings in Favor:

1. The request is generally 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 Rural Lands 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. According to the applicant, the 10 acres currently farmed will continue to be farmed for the indefinite future.
3. Only one single-family residence is proposed with this rezoning action. No additional land divisions are proposed.
4. The proposed zoning and land use are consistent with adjacent and nearby properties.

1 **Enrolled No.**

2 **ORDINANCE**

3 **File No. 20-21/074**

4 -AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE  
5 TOWN OF PLEASANT VALLEY -

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 Pleasant Valley, described as follows:

10  
11 A parcel of land being part of the Southwest ¼ of the Northeast ¼ of  
12 Section 29, Township 26 North, Range 9 West, described as follows:

13  
14 Lot 1 of Certified Survey Map No. 3490 as recorded in Volume 19 of  
15 Certified Survey Maps on Page 335 as Document No. 1178964; located in  
16 a part of the Southwest ¼ of the Northeast ¼ of Section 29, Township 26  
17 North, Range 9 West, Town of Pleasant Valley, Eau Claire County,  
18 Wisconsin.

19  
20 Said described parcel of land containing 35 acres +/-, of land and is  
21 subject to the easements and restrictions of record to be reclassified from  
22 the A-P Agricultural Preservation District to the A-1 Exclusive  
23 Agricultural District.

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

29  
30  
31 **ENACTED:** I hereby certify that the foregoing correctly represents the  
32 action taken by the undersigned Committee on October 27,  
33 2020 by a vote of for, against.

34  
35  
36  
37 \_\_\_\_\_  
38 Planning & Development Committee, Chairperson

39  
40  
41 **SS**

42  
43 Dated this 27<sup>th</sup> day of October 2020

44  
45 **ORDINANCE 20-21/074**





Eau Claire County, Wisconsin  
Rezoning Request - County

~~20-21/074~~ Sup. dist. 7: Steve Chilson

RECEIVED

SEP 14 2020

COUNTY CLERK

<u>Permit Type:</u>	Land Use	<u>Permit Fee:</u>	\$595.00
<u>Permit Number:</u>	RZN-0023-20		
<u>Issued To:</u>	TROY SCHNEIDER W 980 MAPLE RD EAU CLAIRE, WI 54701-9145		

<u>Site Address:</u>	No Address Available
<u>Parcel Number:</u>	1801822609291309001
<u>Municipality:</u>	Town of Pleasant Valley

<u>Property Owner:</u>	TROY SCHNEIDER W 980 MAPLE RD EAU CLAIRE, WI 54701-9145
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Applicable Zoning District(s):

A-P

Summary of Rezoning Request:

Rezoning of 35 acres +/- from A-P to A-1 to allow construction of a single-family residence and pole shed without the annual agricultural income requirements for a farm residence in the A-P zoning district.

Area to be Rezoned:

35 acres +/-

<u>Signature:</u>	<u>Matt Michels</u>
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**Department of Planning and Development**  
Eau Claire County Courthouse  
721 Oxford Avenue, Room 3344  
Eau Claire, Wisconsin 54703  
(715) 839-4741



**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:	9/14/20
Accepted By:	mm
Receipt Number:	64836
Town Hearing Date:	<del>9/18/20</del> 10/12/20
Scheduled Hearing Date:	10/27/20

## 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: A-P	Proposed Zoning District(s): A-1 <sup>mm</sup> (change per applicant; see attached email)
Acres to be rezoned: 35	

Property Owner Name: Troy and Lindy Schneider	Phone#: (715) 529-2118
Mailing Address: W980 Maple Rd., Eau Claire, WI 54701	
Email Address: troydschneider32@gmail.com	

Agent Name:	Phone#
Mailing Address:	
Email Address:	

### SITE INFORMATION

Site Address:	
Property Description: SW ¼ NE ¼ Sec. 29, T26N N, R09W W, Town of Pleasant Valley	
Zoning District: A-P	Code Section(s):
Overlay District: Check Applicable	<input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining
Computer #(s):	018 - 112 - 305 - 020

### 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 checked="" 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

Date 09/13/2020

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.

## Matt Michels

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**From:** Lindy Schneider <[gildernickl@gmail.com](mailto:gildernickl@gmail.com)>  
**Sent:** Tuesday, September 15, 2020 11:13 AM  
**To:** Matt Michels  
**Subject:** Re: Potential rezone of computer #018112305020 from A-P to A-1

**WARNING!! This email originated outside Eau Claire County. Do not click any links or attachments unless you know the sender.**

Hi Matt,

Great, thanks! Yes, we confirm that we would like to make the change on our application to indicate A-1 zoning.

Thanks,  
Lindy

On Tue, Sep 15, 2020 at 11:10 AM Matt Michels <[Matt.Michels@co.eau-claire.wi.us](mailto:Matt.Michels@co.eau-claire.wi.us)> wrote:

Thanks. I can make the change if you give me the OK. I can attach this email to the application to confirm your approval of A-1.

Thank you,

Matt M

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**From:** Lindy Schneider <[gildernickl@gmail.com](mailto:gildernickl@gmail.com)>  
**Sent:** Tuesday, September 15, 2020 11:09 AM  
**To:** Matt Michels <[Matt.Michels@co.eau-claire.wi.us](mailto:Matt.Michels@co.eau-claire.wi.us)>  
**Cc:** Troy Schneider <[troydschneider32@gmail.com](mailto:troydschneider32@gmail.com)>  
**Subject:** Re: Potential rezone of computer #018112305020 from A-P to A-1

**WARNING!! This email originated outside Eau Claire County. Do not click any links or attachments unless you know the sender.**

Hi Matt,

Based on your explanation, it sounds like A-1 zoning makes more sense in our case. Do we need to fill out a new application or can you make this note on the one handed in yesterday?

## **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:

Our family purchased this property to build a home and a pole shed. We do not feel confident that we would be able to meet the annual farm income requirements for the current A-P zoning.

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.

We would like to have the property rezoned so we can build a house and a pole shed. We have no intention of disrupting the integrity of the land on the rest of the property in order to protect and conserve natural resources. Our intention for the 10 acres that are currently being farmed, is to continue to be farmed for the foreseeable future. We met with the Town of Pleasant Valley in June 2020 to discuss having this land rezoned and they have no issue with us moving forward.

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.

- 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;
  - Approximately 25 acres is wooded and has never been farmed. A large part of the surrounding land has already been rezoned to A-2 with residential housing on it.
- 2) The rezoning is consistent with any applicable comprehensive plans;
  - The rezoning is consistent with the county comprehensive plan since A-1 is an allowable zoning district in the Rural Lands (RL) planning area.
- 3) The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan;
  - We do not feel confident that we will be able to meet the annual farm income requirements for A-P. We do not intend to take any land being farmed out of production, with the possible exception of the small portion needed to make a driveway on the east edge of the 5 acre parcel (E560 Cedar Rd.) that sits in front of our 35 acres. Where we intend to build our house and pole shed is set back in the woods, and would not utilize any of the tillable acreage. Patt Schaeffer, the farmer currently using the 10 acres for crops, suggested the idea of using the driveway shared by S8560 and S8562 Balsam Rd., which is located on the north side of our 35 acres. We are open to exploring this option, especially if it means not disrupting any of the current acreage used for crops.
- 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;
  - We do not block any access to or limit use of any surrounding parcels of land that are restricted to agricultural use.

EXHIBIT "A"

Lot 1 of Certified Survey Map No. 3490 as recorded in Volume 19 of Certified Survey Maps on Page 335 as Document No. 1178964; being all of Outlot 1 of Certified Survey Map No. 3160 as recorded in Volume 17 of Certified Survey Maps on Page 386 as Document No. 1128462; located in a part of the SW 1/4 of the NE 1/4 of Section 29, Township 26 North, Range 9 West, Town of Pleasant Valley, Eau Claire County, Wisconsin.

*(Signatures may be authenticated or acknowledged. Both are not necessary.)*

**NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.**

**WARRANTY DEED**

**2003 STATE BAR OF WISCONSIN**

**FORM NO. 1-2003**

*\*Type name below signatures*

**TOWN OF PLEASANT VALLEY**

**June 8, 2020**

**TOWN BOARD MEETING**

CALL THE MEETING TO ORDER

Chairman Dan Hanson called a Town Board Meeting of the Town of Pleasant Valley to order on Monday, June 8, 2020 in the Pleasant Valley Town Hall in Cleghorn at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Chairman Hanson called for the honoring of the flag with the Pledge of Allegiance.

INTRODUCTION OF TOWN OFFICIALS

Board members present: Chairman Dan Hanson, Supervisor Dan Green and Supervisor Doug Nelson. Staff members present: Jen Meyer, Clerk/Treasurer and Highway Foreman Mark Behlke. Supervisor Nelson arrived around 7:20pm.

OPEN SEALED BIDS

Individual sealed bids were received from Monarch Paving and Senn Blacktop for the Woodridge and Interlachen projects. Bid amounts were as follow: Senn Blacktop: Woodridge \$106,524 and Interlachen \$16,449.84. Monarch Paving: Woodridge \$95,943.02 and Interlachen \$16,204.72. The budget will be discussed and bids will be awarded on Monday, June 15<sup>th</sup> at a 10am Town Board Meeting.

REZONE DISCUSSION

Troy and Lindy Schneider, owners of a 35 acre parcel (#018-1123-05-020) on Cedar Rd. presented their plans to build on the parcel which is currently zoned AP. The board is in support of the property either remaining AP or being rezoned to A2, dependent on what the County requires.

PROCEDURES

**Motion (Hanson/Green)** to dispense with the reading of the May 11, 2020 Town Board Meeting minutes (Interlachen Meeting, Town Board Meeting and closed session) emailed to the board and approve the minutes as printed.

Chairman announced the ayes carry 2-0 and the motion is carried.

**Motion (Green/Hanson)** to approve the Treasurers report for the month of May 2020 as presented and printed.

Chairman announced the ayes carry 2-0 and the motion is carried.

LETTERS & REPORTS

Town Chairman

-none

Town Supervisors

-none

Town Highway Supervisor

-Mark presented an engineering report received from Eau Claire County Highway Department. The report indicates the failure on Spruce Road is the fault of Fahrner Construction. Discussions are ongoing regarding the replacement of the chip seal.

-The park parking lot has been crack filled and the chip seal will be applied within the next couple of weeks.

-Some blade patching is complete. More will be complete when the plant mixes more the patch material.

-Royal Construction has repaired the roof on the community center.

-Ditch mowing will begin shortly.



Town Clerk/Treasurer

- A letter of support is being sent to the Kriese's, owners of Cleghorn Keg, in support of a grant they are applying for.
- The county has begun the process of obtaining the Kitelinger property due to tax delinquency.
- The gate on Lowes Creek has been removed and the logs on Quail Run have been removed.

Park Committee/Lions Club

-none.

CITIZEN INPUT

-none

COMPLAINT

-none

OLD BUSINESS

-none

NEW BUSINESS

Waste Management - Ordinance No 20-15-03

The waste management ordinance was updated to allow ES Sanitation from Eleva to have a reduced annual fee if they have 10 or fewer customers in the southern portion of the Town. If the customer base increases, the full fee will be required.

**Motion (Green/Nelson)** to approve Ordinance No 20-15-03 Waste Management  
Chairman announced the ayes carry 3-0 and the motion carries

Garbage Hauler Licenses 2020-21

**Motion (Nelson/Green)** to approve the refuse licenses to Boxx Sanitation LLC, Advanced Disposal Services Solid Waste Midwest LLC, ES Sanitation and Waste Management for license year of July 1, 2020 to June 30, 2021 upon receipt of all required documents per ordinance.

Chairman announced the ayes carry 3-0 and the motion is adopted.

Alcohol Beverage Licenses 2020/21

**Motion (Nelson/Green)** to approve the following licenses:

Renewal of the Combination Class B alcohol beverage licenses for the license year July 1, 2020 to June 30, 2021 to: Teresa Kriese, Owner, Kriese Enterprises dba Cleghorn Keg, and John T. Norby, Partner, Hickory Hills L.L.P. , and

Renewal of a Special Class B Retailers Winery license to:

Jeffery Bemis, owner, Bemis Bluff Custom Fruit Wines for the license year July 1, 2020 to June 30, 2021, and

Renewal of a Class B (fermented beverages) alcohol beverage license application license to:

Jeffery Bemis, owner, Bemis Bluff Custom Fruit Wines for the license year July 1, 2020 to June 30, 2021, and

Renewal of a Class B(fermented beverages) alcohol beverage license application to:

Frank Neibauer, Agent, Cleghorn Lions Club, Cleghorn Park & Town Hall/Fire Station premises, with said license fee being waived for the license year July 1, 2020 to June 30, 2021.

Chair announced the ayes carry 3-0 and motion is adopted.

Granting Operator Licenses 2020/21

**Motion (Green/Nelson)** to approve the applications for an "Operator's" (Bartender) license's per list presented, numbers PV20/21-01 to PV20/21-29 for the period ending June 30, 2021 upon receipt of requirements for issuing operator licenses.

Chair announced the ayes carry 3-0 and the motion is adopted.

June 8, 2020 meeting minutes con't

Granting Tobacco License 2020/21

**Motion (Nelson/Green)** to approve the Cigarette and Tobacco Products Retail License application for the license year July 1, 2020 to June 30, 2021 to Teresa Kriese, Owner, Cleghorn Keg.

Chair announced the ayes carry 3-0 and motion is adopted.

COVID-19

REOPENING FACILITIES:

The current Eau Claire County Health Dept order is in effect thru June 11<sup>th</sup> with a new order expected immediately after. Currently 10 people are allowed to gather inside and 20 outside. The Town facilities will all remain closed at this time. Further discussion will occur when new orders are effective. Signage will be created for users. Protocol to disinfect will be created and supplies purchased.

COVID GRANTS:

There are currently two grants the Town can apply for to help recover extra costs associated with the pandemic. The Wisconsin Election Commission has a grant as well as the State of WI. Jen will apply for grants as appropriate.

**Motion(Green/Nelson)** to authorize Clerk Jen Meyer to sign on behalf of the Town on the grant applications.

Chair announced the ayes carry 3-0 and motion is adopted.

ATV/UTV Route

No requests at this time.

2020 Budget Review

The budget as of June 8, 2020 was presented and reviewed.

REVIEW/APPROVE ORDERS

The bills /orders for the months of May 2020 and the alternative of claims paid report were presented by the clerk and approved by the town board for payment.

ADJOURNMENT

**Motion (Nelson/Green)** to move this meeting is adjourned.

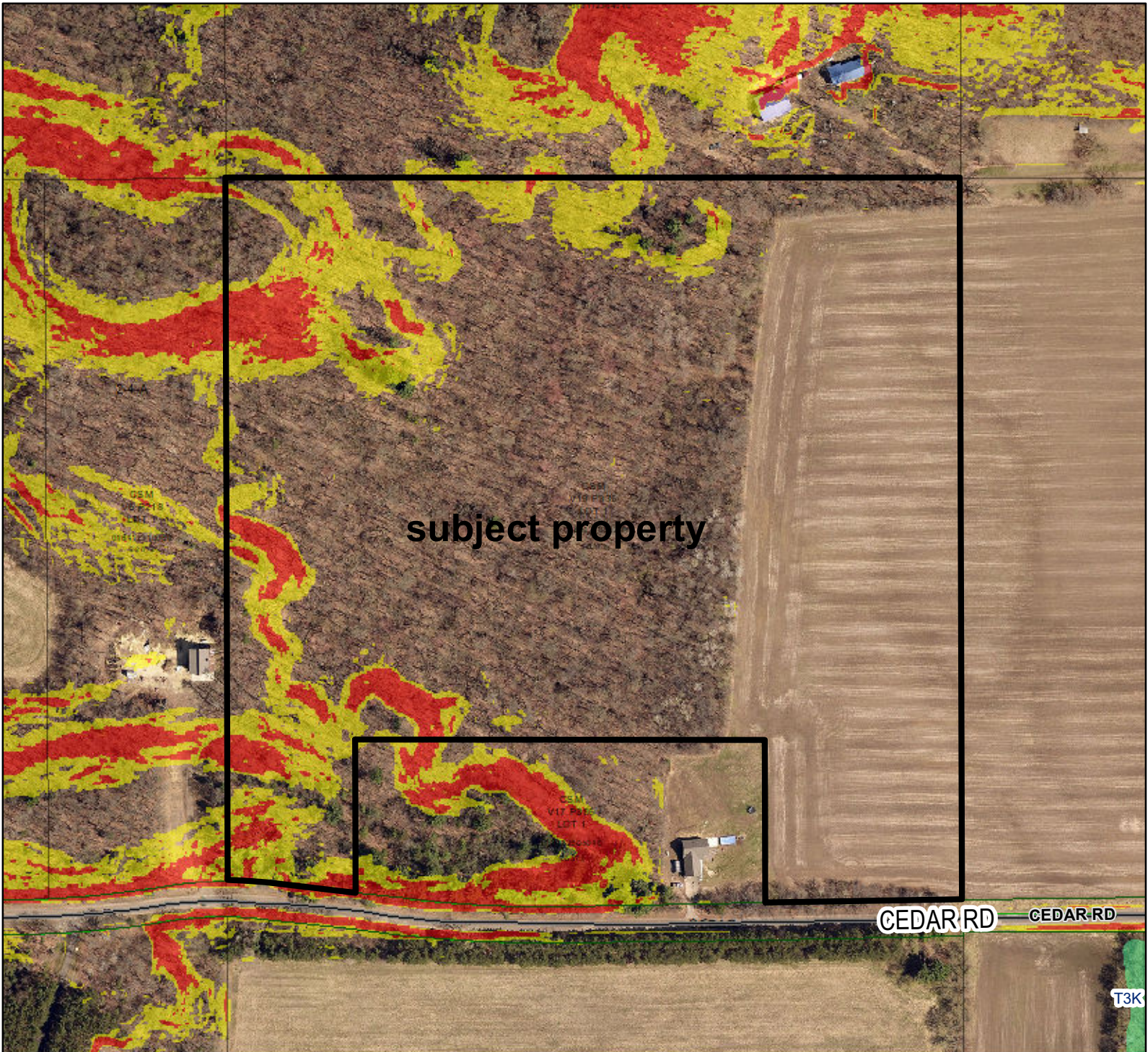
Chairman announced the ayes carry 3-0 and the motion is adopted.

Adjourned at 9:00pm

Respectfully submitted,  
Jen Meyer, Clerk / Treasurer

Posted at town hall 7-8-2020  
Placed on Website 7-8-2020

# SCHNEIDER REZONE AERIAL- SLOPE 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.





# Schneider Rezoning: RZN-0023-20

## Existing Zoning

1 inch = 666.666667 feet

## Future Land Use

1 inch = 667 feet

- Legend
- A1 - Exclusive Agricultural District
  - A2 - Agriculture-Residential District
  - A3 - Agricultural District
  - AP - Agricultural Preservation
  - AR - Floating Agricultural-Residential District
  - C1 - Neighborhood Business District
  - C2 - General Business District
  - C3 - Highway Business District
  - F1 - Exclusive Forestry District
  - F2 - Forestry District
  - I1 - Nonsewered Industrial District
  - I2 - Sewered Industrial District
  - R1L - Single-Family Residential District, Large Lot
  - R1M - Single-Family Residential District
  - R2 - Two-Family Residential District
  - R3 - Multiple-Family Residential District
  - RH - Rural Homes District

- Commercial Industrial
- County Forest
- Natural Resource Protection
- Park and Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamlet
- Rural Industrial
- Rural Lands
- Rural Residential
- Rural Residential - Mobile Home
- Rural Transition
- Urban Mixed Use



### Parcel Mapping Notes:

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A-3

A-2

A-P

A-R

A-1

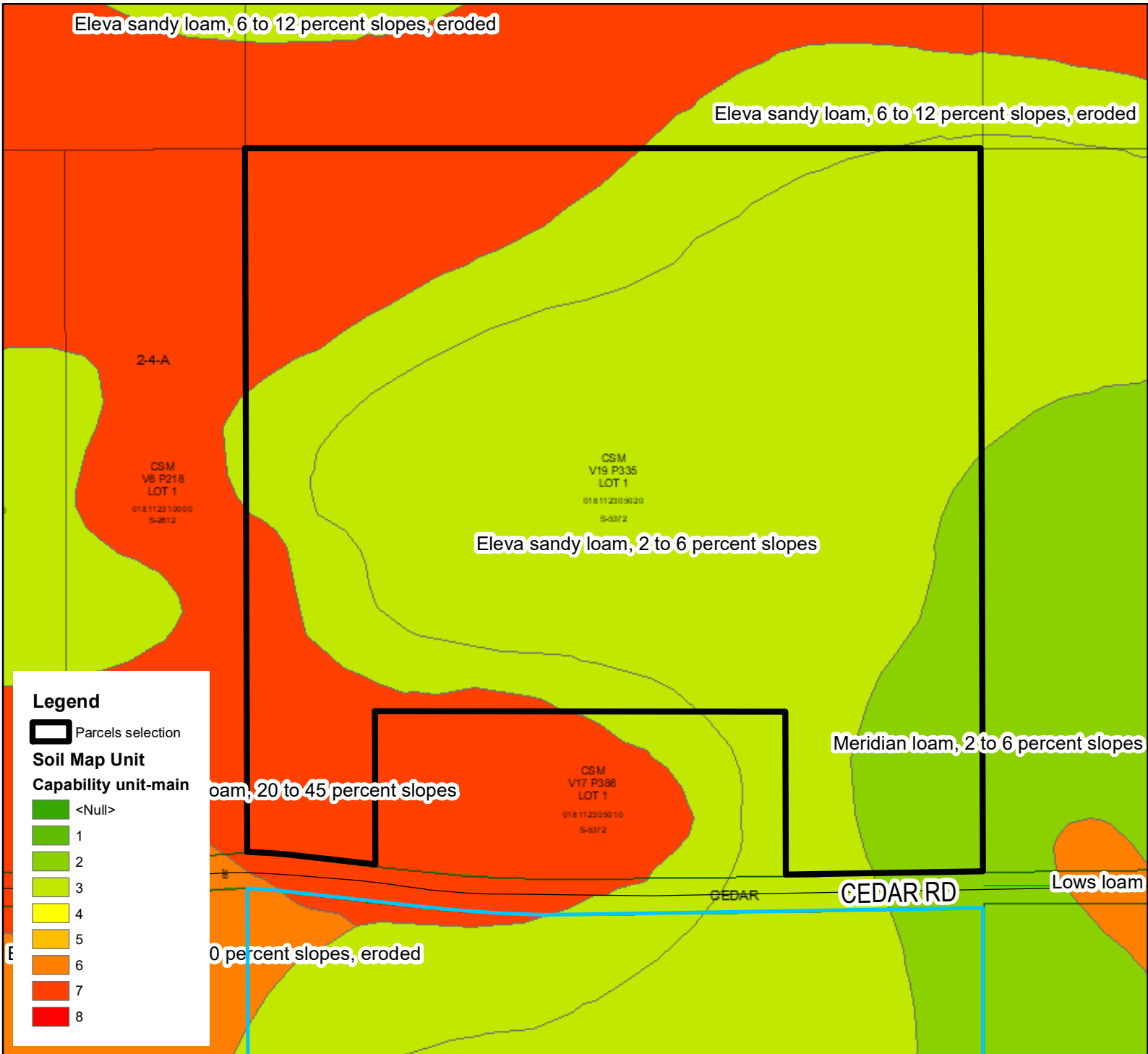
CEDAR RD

RL

CEDAR RD

RR

# SOILS MAP



**Parcel Mapping Notes:**

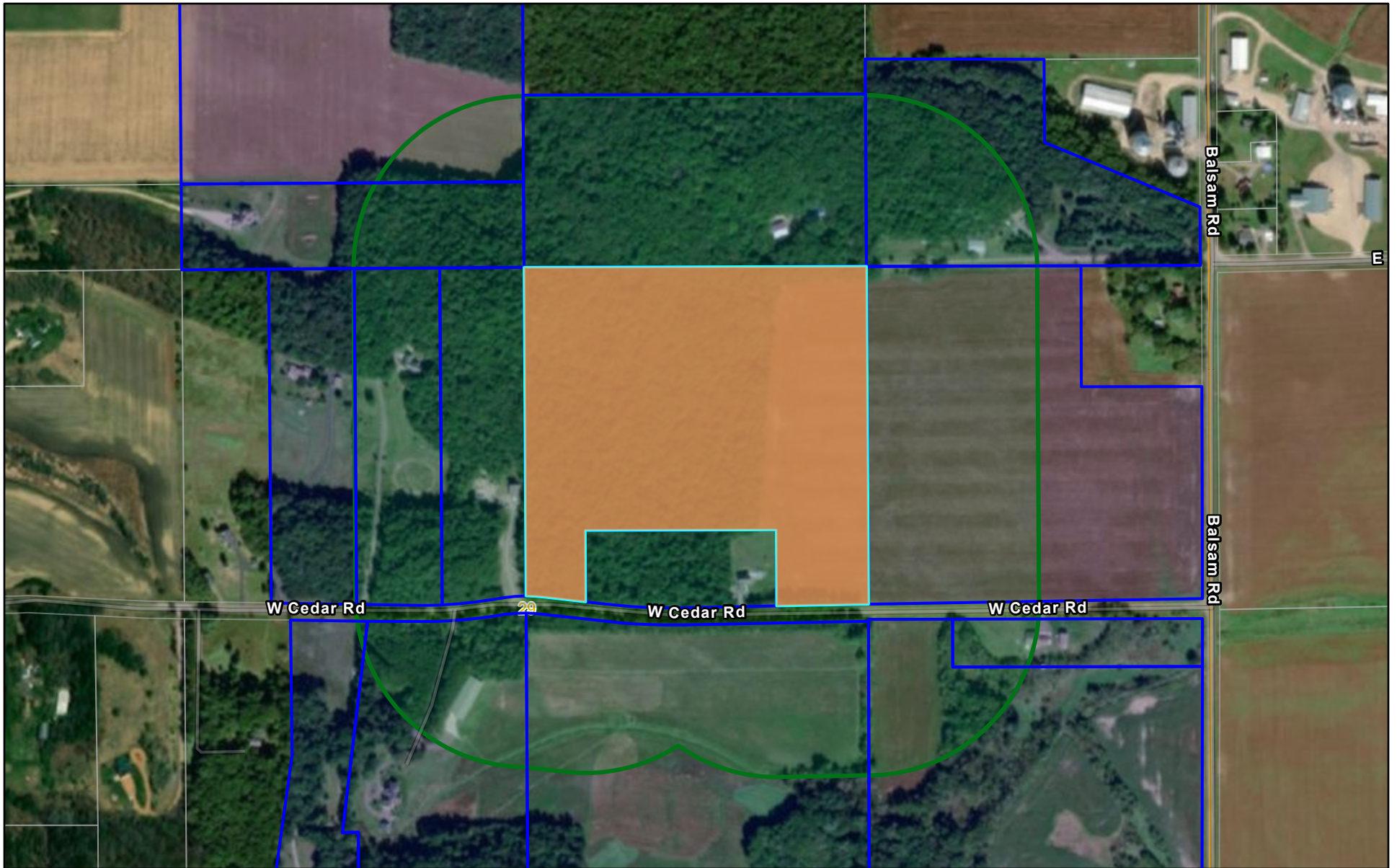
The horizontal datum is based on the Eau Claire County Coordinate System NAD\_1983\_HARN\_Adj\_WI\_EauClaire\_Feet

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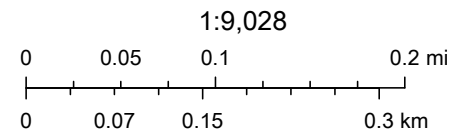


# Public Notification



9/15/2020, 1:00:03 PM

-  County Boundary
-  Tax Parcel
-  Section



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap

Eau Claire County, WI

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community | Esri Community Maps Contributors, BuildingFootprintUSA, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA,

PIN	FirstName LastName	Address	City State Zip
1.80E+18	PATRICK SCHAFFER	E 950 CEDAR RD	EAU CLAIRE WI 54701-9629
1.80E+18	ALOIS PROETT	W 880 CEDAR RD	EAU CLAIRE WI 54701-9672
1.80E+18	CHIP M & JILL R LEWIS TRUST	W 860 CEDAR RD	EAU CLAIRE WI 54701-9672
1.80E+18	LIEN TRUST	W 280 CEDAR RD	EAU CLAIRE WI 54701-9696
1.80E+18	SPENCER H & CHERYL D SMITH	W 195 CEDAR RD	EAU CLAIRE WI 54701-1606
1.80E+18	ALLEN CAMPBELL	W 55 CEDAR RD	EAU CLAIRE WI 54701-1605
1.80E+18	ALLEN CAMPBELL	W 55 CEDAR RD	EAU CLAIRE WI 54701-1605
1.80E+18	DANIEL N & JACQUELINE S JOHNSON	W 190 CEDAR RD	EAU CLAIRE WI 54701-1606
1.80E+18	MLB PROPERTIES LLC	2625 MORNINGSIDE DR	EAU CLAIRE WI 54703-3422
1.80E+18	WADE OSTRANDER	E 560 CEDAR RD	EAU CLAIRE WI 54701-2659
1.80E+18	RUSSELL JOHNSON	W 20 CEDAR RD	EAU CLAIRE WI 54701-2661
1.80E+18	KENNETH KRUEGER	S 8562 BALSAM RD	EAU CLAIRE WI 54701-9623
1.80E+18	TROY SCHNEIDER	W 980 MAPLE RD	EAU CLAIRE WI 54701-9145
1.80E+18	ALLEN CAMPBELL	W 55 CEDAR RD	EAU CLAIRE WI 54701-1605
1.80E+18	CORY J & JAMIE L ROSS	E 615 CEDAR RD	EAU CLAIRE WI 54701-9735



## EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

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**REZONE NUMBER:** RZN-0024-20      **COMPUTER NUMBERS:** 016101502000  
016101409000

**PUBLIC HEARING DATE:** October 27, 2020

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

**OWNER/AGENT:** Paul & Joella Rauch, S 8855 Rainbow Rd., Fall Creek, WI 54742

**REQUEST:** Rezone 10.7 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) District to divide the existing single-family residence and outbuildings from the balance of the property, which will remain in agricultural production.

**LOCATION:** S 11260 Co. Rd. K, Augusta, WI 54722

**LEGAL DESCRIPTION:** Part of the NE ¼ NW ¼ and SE ¼ NW ¼ of Section 7, Township 25 North, Range 7 West, Town of Otter Creek, Eau Claire County, Wisconsin (complete legal description attached).

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

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### BACKGROUND

#### SITE CHARACTERISTICS:

- The property contains a single-family residence, agricultural outbuildings, and agricultural fields
- The southern portion of the property contains mapped wetlands.
- The remaining property will remain zoned A-P since it is contiguous to other A-P zoned property, which makes the zoning lot greater than the required 35 acres.

#### EXISTING ZONING DISTRICT:

A-P Agricultural Preservation District. The A-P Agricultural Preservation District is established to:

- Preserve and protect those areas best suited for agricultural, forestry or open-space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;*
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;*
- Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;*
- Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;*
- Preserve rural character and promote the efficient use of public infrastructure and utilities by minimizing the adverse effects of urban sprawl along with its associated expense;*



- F. *Promote environmental quality through the use of conservation practices designed to minimize erosion of productive soils and deter the delivery of sediment and nutrients to the waters of our state;*
- G. *Minimize land use conflicts which occur when agricultural and non-agricultural uses are intermixed or not adequately separated; and*
- H. *Provide for carefully regulated extraction of nonmetallic mineral resources through Eau Claire County’s permitting processes to ensure compatibility with adjacent land uses, minimize impacts to natural resources, and to restore lands to productive agricultural use consistent with locally approved reclamation plans.*

**REQUESTED ZONING DISTRICT:**

A-2 Agriculture-Residential District. *This district is established to “provide an area for limited residential and hobby farm development in a rural atmosphere.”*

**ZONING/LAND USE CONTEXT:**

LOCATION	ZONING	LAND USE
<b>Subject</b>	A-P	Farmstead; Agricultural Fields
<b>North</b>	A-P	Agricultural Fields
<b>East</b>	A-P	Agricultural Fields
<b>South</b>	A-P	Agricultural Fields
<b>West</b>	A-P	Agricultural Fields

**COMPREHENSIVE PLANS:**

The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) planning area and the Town of Otter Creek includes the property in the Rural Preservation (RP) planning area. Following are descriptions of the intent of the applicable County and Town comprehensive plan future land use categories and applicable policies.

**Eau Claire County:**

- **Rural Lands Intent and Description:** *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- **Applicable Policies:**
  1. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property.*
  2. *The preferred housing density is one (1) unit per 20 or more acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per five (5) acres to one (1) unit per 35 acres.*
  3. *The following Eau Claire County Zoning Districts will be considered for approval within RL areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted below. The following additional policies shall apply to rezoning petitions:*

- a. *Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm A-2 or A-3 parcels, unless rezoning land to either of these districts will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.*

**Town of Otter Creek:**

- Rural Preservation Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- Applicable Policies:
  1. *Farming and agricultural uses shall be established as the primary land uses within these areas. Uses that are incompatible with farming and agriculture shall be discouraged or prohibited (see policy 3 & 4).*
  2. *Within the RP classification, the gross density for any development shall be one (1) unit per 35 contiguous acres held in single ownership.*
  3. *Agriculturally related businesses, cottage industries, utility, recreation, mineral extraction, religious and government uses may be permitted based on the conditional use requirements of the appropriate Eau Claire County base zoning districts for RP areas (See policy 5).*
  5. *The following Eau Claire County zoning districts will be considered for approval within RP areas: A-1 Exclusive 5. Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, and F-1 Forestry District.*

The application has been found to be generally consistent with the intent, description, and the applicable policies of the Eau Claire County Rural Lands Future Land Use. Note that the Town of Otter Creek Rural Preservation Future Land Use does not specifically include A-2 as a permitted zoning district in the RP area.

FARMLAND PRESERVATION PLAN:

The property is included in the Farmland Preservation Plan Map, which allows the property owner to claim Farmland Preservation tax credits. The proposed A-3 District is not a certified farmland preservation district and the proposed lot would not qualify for Farmland Preservation tax credits.

Comprehensive Plan Summary

The proposed A-3 zoning district is consistent with the intent and description and the applicable policies of the Eau Claire County Comprehensive Plan Rural Lands Planning Area.

**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 be made that the rezone is consistent with the County's Comprehensive Plan.

A-P Rezoning Standards

In addition, there are four standards for approving a rezoning of land from the A-P Agricultural Preservation zoning district to any other district. The following provides an analysis of this rezoning petition based on those standards:

**Standard 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.*

- **Soil Types** – One (1) of the three (3) soil types on the property is considered a prime agriculture soil. However, this portion of the property is developed with buildings so no productive agricultural land will be impacted with this rezoning action.

Soil Type	Description	Capability Class
SeB	Seaton silt loam, 2-6% slopes	2
SeD2	Seaton silt loam, 12-20% slopes, eroded	4
Or	Otter silt loam, overwash	6

- **Historical Productivity** – The parcel is currently developed with a single-family residence, agricultural buildings, and agricultural fields. No changes to land use are proposed with this rezoning.
- **Site Location** – The property is located on County Highway K
- **Adjacent Land Uses** – Uses in the area include a mixture of farmlands, woodlands, farmlands, and scattered non-farm single-family residences.

**Standard 2** - *The rezoning is consistent with any applicable comprehensive plans.*

The proposed rezoning substantially conforms to the future land use intent, purpose, and policies for the Eau Claire County Comprehensive Plan, including policies related to limiting residential density in rural areas of the County and limiting conversion of productive farmland.

**Standard 3** - *The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan.* The proposed rezoning would not remove productive farmland from cultivation.

**Standard 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.*

The proposed rezoning will not likely impair or limit current or future agricultural use.

Town Board Action: The Otter Creek Town Board considered the rezone petition at their Tuesday, February 25 meeting and recommended approval (see attached minutes).

The rezoning petition has been evaluated for consistency with the purpose of the A-2 District and the uses allowed in the district. The request is generally 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 agricultural fields, farmsteads, scattered single-family residences, and scattered woodlands
- Zoning in the area is predominantly A-P

**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 A-2 District

In addition, the following factors have also been considered:

- Input of surrounding property owners. No correspondence in support or opposed to the proposed rezoning has been received, to date.

## **FINDINGS**

Findings in Favor:

1. The request is generally 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 Rural Lands 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. No agricultural property will be impacted with this rezoning action.
3. The remainder of the property will remain A-P and will remain in agricultural production.
4. No additional development is entailed with this rezoning action.
5. The property has existing road frontage on County Highway K.

Finding Against:

1. The area is primarily A-P zoning. However, a farm consolidation, which is permitted without the requirement of a rezoning petition, is not possible in this case as the farmstead to be divided is greater than the maximum 5 acres allowed with a farm consolidation.

4 -AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE TOWN OF  
5 OTTER CREEK -

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 Otter  
9 Creek, described as follows:

10  
11 A parcel of land being Part of the Northeast Quarter of the Northwest Quarter and  
12 part of the Southeast Quarter of the Northwest Quarter of Section 7, Township 25  
13 North, Range 7 West, Town of Otter Creek, Eau Claire County, Wisconsin.  
14 Bounded by a line described as follows:

15  
16 Commencing at the North Quarter corner of said Section 7;  
17 Thence S00°17'50"W, on the North-South quarter line of Section 7, 1309.47 feet  
18 to the point of beginning;  
19 Thence S00°17'50"E, on said line, 418.88 feet;  
20 Thence S88°39'48"W, 148.71 feet;  
21 Thence S33°00'48"W, 226.34 feet;  
22 Thence N85°04'50"W, 538.28 feet;  
23 Thence N55°40'02"W, 99.40 feet;  
24 Thence N31°31'22"E, 102.75 feet;  
25 Thence N00°17'50"W, 231.25 feet;  
26 Thence N43°03'21"E, 118.97 feet;  
27 Thence N01°51'54"E, 182.84 feet;  
28 Thence S88°42'23"E, 165.65 feet;  
29 Thence S00°17'50"E, 61.63 feet;  
30 Thence S88°42'23"E, 585.32 feet to the point of beginning.

31  
32 Said described parcel of land containing 10.70 acres +/-, of land and is subject to  
33 the easements and restrictions of record to be reclassified from the A-P  
34 Agricultural Preservation District to the A-2 Agricultural-Residential District.

35  
36 **SECTION 2.** Where a certified survey map is required and may alter the above described  
37 property description, the official zoning district map for the town shall be  
38 automatically amended to reflect the property description of the certified survey  
39 map.

40  
41 **ENACTED:** I hereby certify that the foregoing correctly represents the action  
42 taken by the undersigned Committee on October 27, 2020 by a  
43 vote of for, against.

44  
45  
46  
47 \_\_\_\_\_  
48 Planning & Development Committee, Chairperson

49 SS

50  
51 Dated this 27<sup>th</sup> day of October 2020

52  
53 **ORDINANCE 20-21/076**

20-21/076 sup. Dist. 5: Carl Anton



Eau Claire County, Wisconsin  
Rezone Request - County

**RECEIVED**  
**SEP 24 2020**

**COUNTY CLERK**

<u>Permit Type:</u>	Land Use	<u>Permit Fee:</u>	\$595.00
<u>Permit Number:</u>	RZN-0024-20		
<u>Issued To:</u>	PAUL W & JOELLA RAUCH S 11260 COUNTY ROAD K AUGUSTA, WI 54722-7445		

<u>Site Address:</u>	S 11260 COUNTY ROAD K
<u>Parcel Number:</u>	1801622507072400001
<u>Municipality:</u>	Town of Otter Creek

<u>Property Owner:</u>	PAUL W & JOELLA RAUCH S 11260 COUNTY ROAD K AUGUSTA, WI 54722-7445
------------------------	--

Applicable Zoning District(s):

A-P

Summary of Rezone Request:

Rezone 10.7 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) District to divide farmstead and outbuildings from the balance of the agricultural land.

Area to be Rezoned:

10.7 acres +/-

<u>Signature:</u>	<u>Matt Michels</u>
-------------------	---------------------

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



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: 9/24/20  
 Accepted By: JMM  
 Application Number: 64935 RZN0024-20  
 Town Hearing Date: 2/25/20  
 Scheduled Hearing Date: 10/27/20

## 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: AP Proposed Zoning District(s): A2  
 Acres to be rezoned: 10.7

Property Owner Name: Paul & Joella Ranch Phone# 715-533-5418  
 Mailing Address: S8855 Rainbow Rd Fall Creek, WI 54742  
 Email Address: JoellanPaul@yahoo.com

Agent Name: Tom Fedie Phone#  
 Mailing Address: 8139 S Eau Claire St. Mondak WI  
 Email Address: TomFedie@edina-realty.com

### SITE INFORMATION

Site Address: S 11260 Cty Rd K Augusta W. 54722  
 Property Description: \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 Sec. \_\_\_\_\_, T \_\_\_\_\_, N, R \_\_\_\_\_ W, Town of Other Creek  
 Zoning District: AP Code Section(s): \_\_\_\_\_  
 Overlay District:  Shoreland  Floodplain  Airport  Wellhead Protection  Non-Metallic Mining  
 Check Applicable  
 Computer #(s): 016-101-502-000 \_\_\_\_\_  
016-101-409-000 \_\_\_\_\_

### 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.

- Complete attached information sheet
- Contact the Town to coordinate a recommendation on the application
- Provide legal description of property to be rezoned
- Provide \$595.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$525.00 application processing fee and \$70.00 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 Paul Ranch Date 9-24-20

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.

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:

We have ~~opportunity~~ to purchased a neighboring residence to our Dairy Farm operations in Lincoln townshp. ~~which would allow more time spent~~ which would increase ~~Product~~ efficiency to our Farm.

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 rezoning of this property from A1 to A2 should coincide with the current plan of the town and county.



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.

1) Our goal is not to change the use of the land only the zoning.

2) yes because property can still be used for Agricultural purposes.

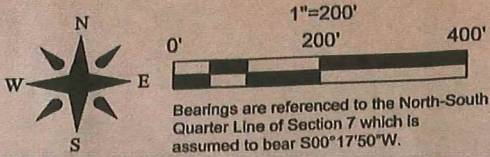
3) yes

4) no

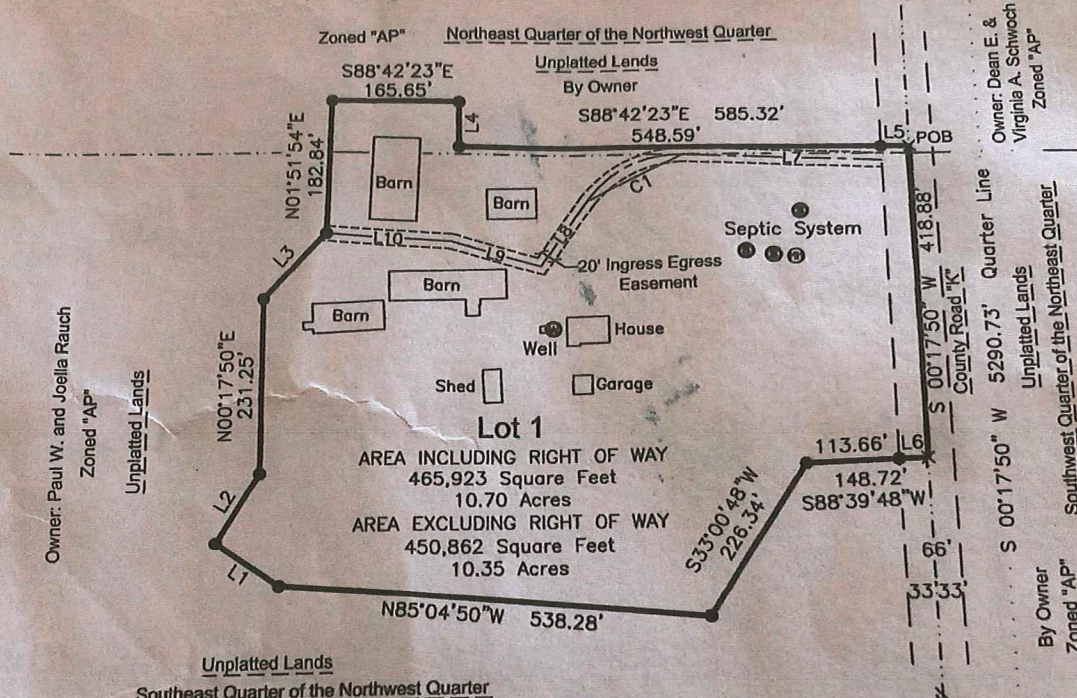
# PRELIMINARY

## CERTIFIED SURVEY MAP

Part of the Northeast Quarter of the Northwest Quarter and part of the Southeast Quarter of the Northwest Quarter of Section 7, Township 27 North, Range 7 West, Town of Otter Creek, Eau Claire County, Wisconsin.



- LEGEND**
- ☒ FOUND EAU CLAIRE COUNTY ALUMINUM MONUMENT (Tie Sheets on File)
  - SET 3/4" X 18" IRON REBAR, 1.50 POUNDS PER LINEAR FOOT
  - ✕ POSITION NOT MONUMENTED
  - POB POINT OF BEGINNING
  - ⊙ SEPTIC VENT
  - ⊕ MANHOLE COVER



**COURSE TABLE**

LINE	BEARING	DISTANCE
L1	N 55°40'02" W	99.40'
L2	N 31°31'22" E	102.75'
L3	N 43°03'21" E	118.97'
L4	S 00°17'50" W	61.63'
L5	S 88°42'23" E	36.73'
L6	S 88°39'48" W	35.06'
L7	N 86°38'17" W	256.76'
L8	S 35°09'07" W	106.29'
L9	N 72°58'01" W	122.01'
L10	N 86°00'42" W	160.74'

**CURVE TABLE**

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	TANGENT BEARING-IN	TANGENT BEARING-OUT
C1	145.09'	142.81'	58°12'38"	S 64°15'25" W	138.93'	N 86°38'16" W	S 35°09'06" W

Property Owners:  
Paul & Joella Rauch  
S 11260 County Road K  
Augusta, WI 54722

Survey Complies with A-E 7  
Requirements  
Date of Completion of Field Work:  
xx/xx/2020  
Ties Verified for PLSS Monuments used

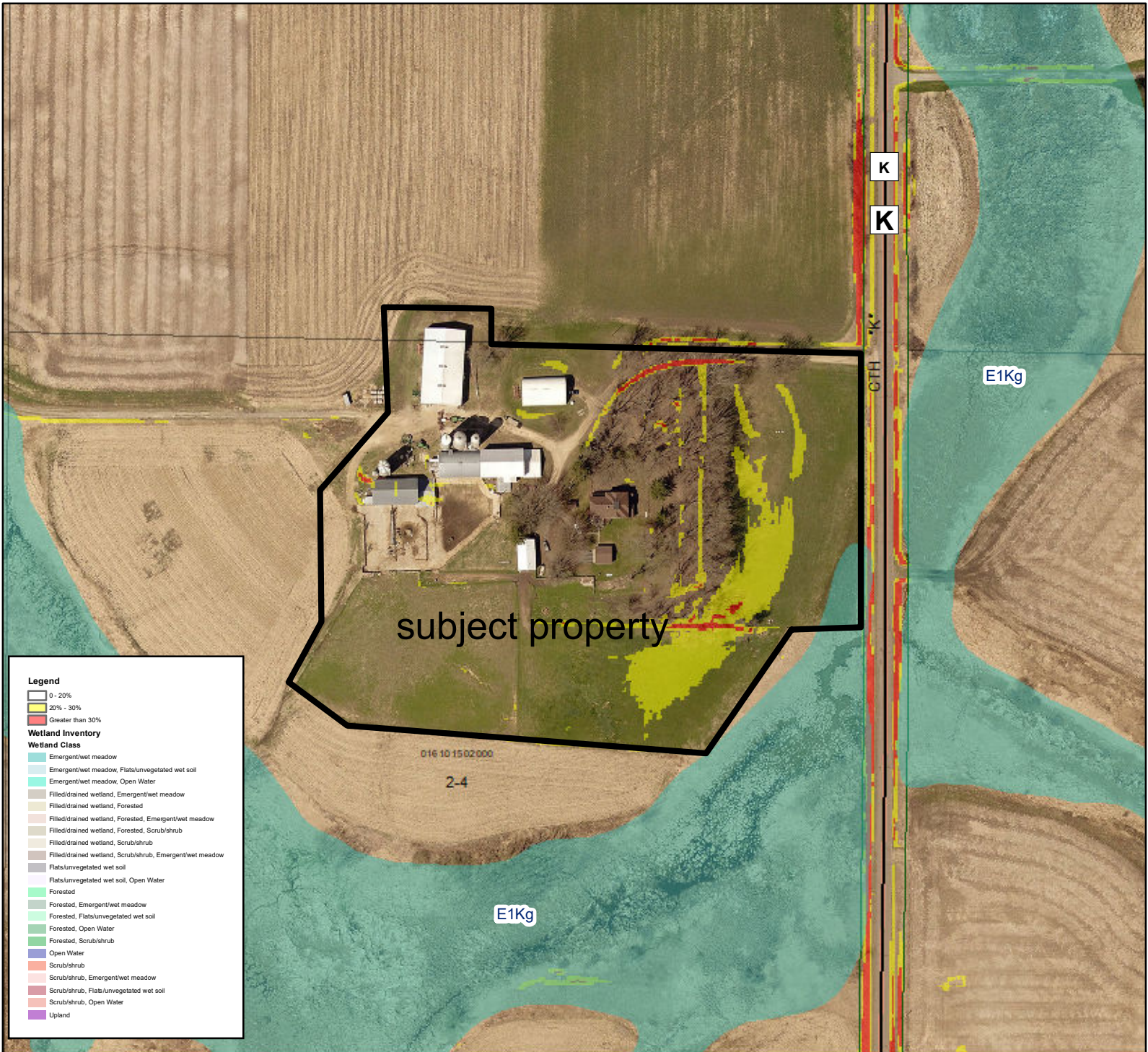
**RAYMOND SURVEYING, LLC**  
W19343 Hwy 10  
Strum, WI 54770  
www.raymond-surveying.com

Part of the Northeast Quarter of the Northwest Quarter and part of the Southeast Quarter of the Northwest Quarter of Section 7, Township ~~24~~ North, Range 7 West, Town of Otter Creek, Eau Claire County, Wisconsin. *25*  
Bounded by a line described as follows.

Commencing at the North Quarter corner of said Section 7;  
Thence S00°17'50"W, on the North-South quarter line of Section 7, 1309.47 feet to the point of beginning;  
Thence S00°17'50"E, on said line, 418.88 feet;  
Thence S88°39'48"W, 148.71 feet;  
Thence S33°00'48"W, 226.34 feet;  
Thence N85°04'50"E, 538.28 feet; *———— NW*  
Thence N55°40'02"E, 99.40 feet; *———— NW*  
Thence N31°31'22"E, 102.75 feet;  
Thence N00°17'50"W, 231.25 feet;  
Thence N43°03'21"E, 118.97 feet;  
Thence N01°51'54"E, 182.84 feet;  
Thence S88°42'23"E, 165.65 feet;  
Thence S00°17'50"E, 61.63 feet;  
Thence S88°42'23"E, 585.32 feet to the point of beginning.

Parcel contains 465,923 square feet or 10.70 acres of land.

# RAUCH REZONE AERIAL-WETLANDS- SLOPE 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.





# Rauch Rezoning: RZN-0024-20

## Existing Zoning

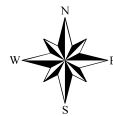
1 inch = 666.666667 feet

## Future Land Use

1 inch = 667 feet

- Legend
- A1 - Exclusive Agricultural District
  - A2 - Agriculture-Residential District
  - A3 - Agricultural District
  - AP - Agricultural Preservation
  - AR - Floating Agricultural-Residential District
  - C1 - Neighborhood Business District
  - C2 - General Business District
  - C3 - Highway Business District
  - F1 - Exclusive Forestry District
  - F2 - Forestry District
  - I1 - Nonsewered Industrial District
  - I2 - Sewered Industrial District
  - R1L - Single-Family Residential District, Large Lot
  - R1M - Single-Family Residential District
  - R2 - Two-Family Residential District
  - R3 - Multiple-Family Residential District
  - RH - Rural Homes District

- Commercial Industrial
- County Forest
- Natural Resource Protection
- Park and Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamlet
- Rural Industrial
- Rural Lands
- Rural Residential
- Rural Residential - Mobile Home
- Rural Transition
- Urban Mixed Use



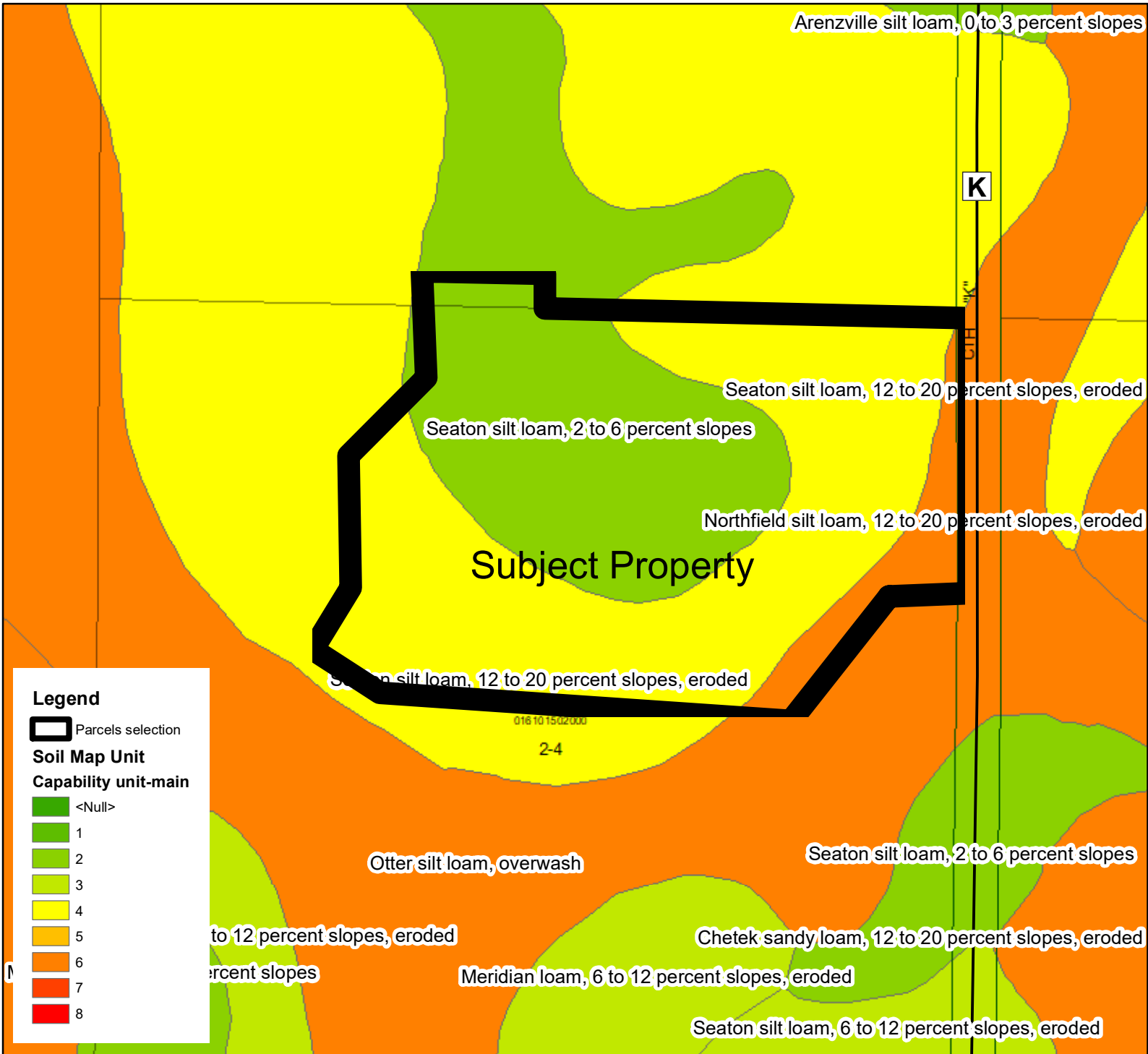
### Parcel Mapping Notes:

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

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# RAUCH REZONE SOILS MAP



**Parcel Mapping Notes:**

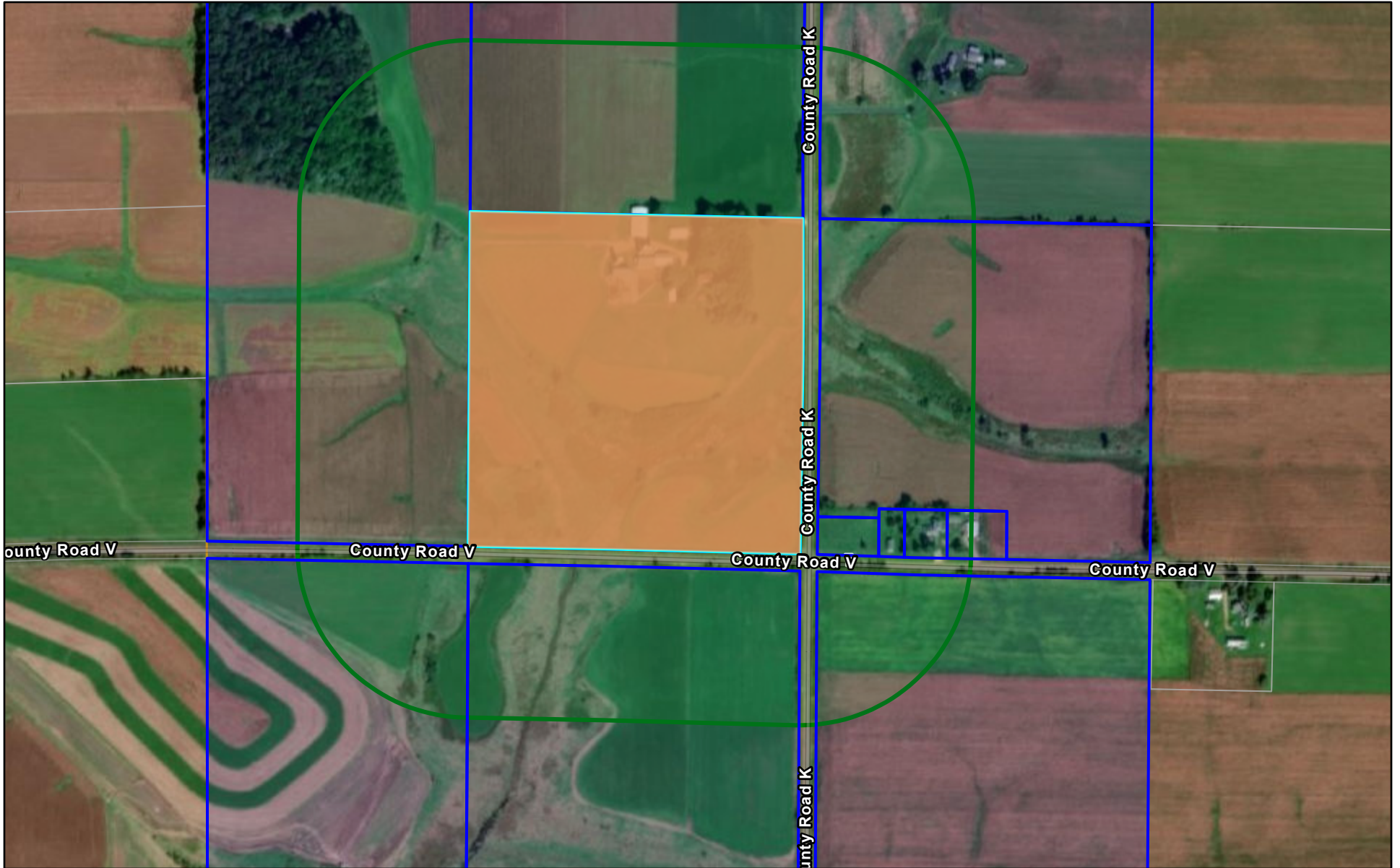
The horizontal datum is based on the Eau Claire County Coordinate System NAD\_1983\_HARN\_Adj\_WI\_EauClaire\_Feet

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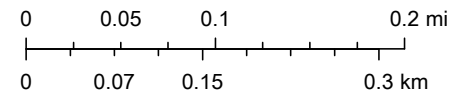
# Public Notification



9/28/2020, 10:41:46 AM

-  County Boundary
-  Tax Parcel
-  Section

1:9,028



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS,

Eau Claire County, WI

FirstName LastName	Address	City State Zip
SCOTTS VALLEY CEMETERY	E 14125 COUNTY RD VV	AUGUSTA WI 54722-7439
PAUL W & JOELLA RAUCH	S 11260 COUNTY ROAD K	AUGUSTA WI 54722-7445
LANCE WIER	S 12205 COUNTY ROAD K	OSSEO WI 54758-7728
DEAN E & VIRGINIA A SCHWOCH	S 11175 COUNTY ROAD K	AUGUSTA WI 54722-7446
LANCE WIER	S 12205 COUNTY ROAD K	OSSEO WI 54758-7728
RONALD HAAS	S 12795 COUNTY ROAD K	OSSEO WI 54758-9791
RONALD HAAS	S 12795 COUNTY ROAD K	OSSEO WI 54758-9791
RONALD HAAS	S 12795 COUNTY ROAD K	OSSEO WI 54758-9791
PAUL W & JOELLA RAUCH	S 11260 COUNTY ROAD K	AUGUSTA WI 54722-7445
BRUCE E & STACEY L KRENZ	S 11800 COUNTY ROAD K	AUGUSTA WI 54722-7444
PAUL W & JOELLA RAUCH	S 11260 COUNTY ROAD K	AUGUSTA WI 54722-7445
BRUCE E & STACEY L KRENZ	S 11800 COUNTY ROAD K	AUGUSTA WI 54722-7444





## EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

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**REZONE NUMBER:** RZN-0025-20                      **COMPUTER NUMBERS:** 004103403000  
004106507000

**PUBLIC HEARING DATE:** October 27, 2020

---

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

**OWNER:** Dana P. & Sheryl L. Turner, 5146 197<sup>th</sup> Ave NE, Wyoming, MN 55092

**AGENT:** Peter Gartmann, 1360 International Dr., Eau Claire, WI 54701

**REQUEST:** Rezone 38.5 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agriculture-Residential) District to allow the development of a six-lot agricultural-residential subdivision.

**LOCATION:** west side of Spehle Road, north of Town Hall Road

**LEGAL DESCRIPTION:** Portion of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 8 and a portion of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 17, Township 26 North, Range 10 West, Town of Brunswick, Eau Claire County, Wisconsin (complete legal description attached).

---

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

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### BACKGROUND

#### SITE CHARACTERISTICS:

- Majority of the property is tilled for agricultural uses
- The northwest portion of the property contains a large ravine and floodplain area
- The property is generally flat

#### EXISTING ZONING DISTRICT:

A-P Agricultural Preservation District. The A-P Agricultural Preservation District is established to:

- Preserve and protect those areas best suited for agricultural, forestry or open space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;*
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;*
- Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;*
- Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;*
- Preserve rural character and promote the efficient use of public infrastructure and utilities by minimizing the adverse effects of urban sprawl along with its associated expense;*
- Promote environmental quality through the use of conservation practices designed to minimize erosion of productive soils and deter the delivery of sediment and nutrients to the waters of our state;*

- G. Minimize land use conflicts which occur when agricultural and non-agricultural uses are intermixed or not adequately separated; and
- H. Provide for carefully regulated extraction of nonmetallic mineral resources through Eau Claire County’s permitting processes to ensure compatibility with adjacent land uses, minimize impacts to natural resources, and to restore lands to productive agricultural use consistent with locally approved reclamation plans.

**REQUESTED ZONING DISTRICT:**

A-2 Agriculture-Residential District. *This district is established to “provide an area for limited residential and hobby farm development in a rural atmosphere.”*

**ZONING/LAND USE CONTEXT:**

LOCATION	ZONING	LAND USE
<b>Subject</b>	A-P	Agricultural
<b>North</b>	A-2; A-P	Single-family residences; Agricultural
<b>East</b>	A-2; A-P	Single-Family Residence; Agricultural
<b>South</b>	A-P	Agricultural
<b>West</b>	A-P	Agricultural

**COMPREHENSIVE PLANS:**

The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) planning area and the Town of Brunswick Future Land Use Map includes the property in the Rural Preservation (RP) planning area. Following are descriptions of the intent of the applicable County and Town comprehensive plan future land use categories and applicable policies.

**Eau Claire County:**

- Rural Lands Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- Applicable Policies:
  1. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property.*
  2. *The preferred housing density is one (1) unit per 20 or more acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per five (5) acres to one (1) unit per 35 acres.*
  3. *The following Eau Claire County Zoning Districts will be considered for approval within RL areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted below. The following additional policies shall apply to rezoning petitions:*
    - a. *Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm A-2 or A-3 parcels, unless rezoning land to either of these districts will not interfere*

*with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.*

**Town of Brunswick:**

- Rural Preservation Comprehensive Plan Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas. However, the term rural preservation is not intended to imply that changes in land use will not occur in these areas. As mapped, this designation includes farmland, scattered open lands, woodlots, agricultural-related uses, cottage industries, mineral extraction operations, farmsteads, and limited low density single-family residential development. Future development in the RP area is expected to be consistent with the existing pattern of development, and the policies specified below for RP areas and other policies included in this Plan. Any new development shall be located in order to minimize the fragmentation of productive agricultural or forest land and to minimize any disruption to existing uses.*
- Applicable Policies:
  - a. *Non-farm residential lots shall be a minimum of two (2) acres per unit, with the number of lots allowed being based upon a gross density of one (1) residential dwelling unit per five (5) acres held in single ownership. The balance of the land not included in the residential lots shall be placed in a permanent conservation easement for agriculture, forestry, and open space use.*
  - b. *Any new non-farm residential lot shall have a "Right to Farm" disclosure attached to it acknowledging that the potential non-farm owner has been informed that his lot has been established in an area where farming is the preferred land use, and stating that the owner understands that he must abide by the State of Wisconsin "Right to Farm" statute (WI Stat. 823.08). This language shall be recorded on the deed to the property, transferable to subsequent owners.*
  - c. *Non-farm residential development shall only occur on land that is marginal for agricultural productivity. At least 80% of any proposed new lot shall not contain Class I, II, or III soils. In addition, it is the preference of the Town of Brunswick that new non-farm residential lots that are approved in accord with these policies be located adjacent to or near existing non-farm development.*

The application has been found to be generally consistent with the intent, description, and the applicable policies of the Eau Claire County Rural Lands Future Land Use designation.

**FARMLAND PRESERVATION PLAN:**

The property is included in the Farmland Preservation Plan Map, which allows the property owner to claim Farmland Preservation tax credits. The proposed A-2 District is not a certified farmland preservation district and the proposed lots would not qualify for Farmland Preservation tax credits.

**Comprehensive Plan Summary**

The proposed A-2 zoning district is consistent with the intent and description and the applicable policies of the Eau Claire County Comprehensive Plan Rural Lands Planning Area.

**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 be made that the rezone is consistent with the County’s Comprehensive Plan.

A-P Rezoning Standards

In addition, there are four standards for approving a rezoning of land from the A-P Agricultural Preservation zoning district to any other district. The following provides an analysis of this rezoning petition based on those standards:

**Standard 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.*

- **Soil Types** – There are four (7) different soil types on the property to be divided, only one of which is considered a prime agricultural soil. However, the small area of marginally prime soil lies within a floodplain and is not viable for agricultural use.

Soil Type	Description	Capability Class
SpB	Sparta loamy sand, 1-6% slopes	4
BuA	Burkhardt sandy loam, 0-3% slopes	3
FrA	Friendship loamy sand, 0-3% slopes	4
PfB	Plainfield loamy sand, 1-6% slopes	4
TrB	Trempe loamy sand, 1-6% slopes	4
Tn	Terrace escarpments, sandy	7

- **Historical Productivity** – The property has been cultivated for agricultural; however, the applicant states that yields are low, likely due to the sandy nature of the soils, which is typical for this area of the county
- **Site Location** – The property is located on Spehle Road
- **Adjacent Land Uses** – Uses in the area include a mixture of non-farm single-family residences, farmland, and scattered woodlands

**Standard 2** - *The rezoning is consistent with any applicable comprehensive plans.*

The proposed rezoning substantially conforms to the future land use intent, purpose, and policies for the Eau Claire County Comprehensive Plan, including policies related to limiting residential density in rural areas of the County and limiting conversion of productive farmland. Note that while the soils are marginal, the proposed rezoning would result in the loss of farmland, which is discouraged by the comprehensive plan.

**Standard 3** - *The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan. As discussed, some farmland would be impacted with this rezoning, which is generally discouraged by the Farmland Preservation Plan to limit conversion of productive farmland.*

**Standard 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.*

The proposed rezoning will not likely impair or limit current or future agricultural use, although non-farm residential development is discouraged in the Rural Lands (RL) Planning Area.

Town Board Action: The Brunswick Town Board considered the rezoning petition on Tuesday, October 13, 2020, and recommended approval (2-0 vote).

The rezoning petition has been evaluated for consistency with the purpose of the A-2 District and the uses allowed in the district. The request is generally consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is generally consistent with the intent and purpose of the Eau Claire County Future Land Use plan as the A-2 District promotes and facilitates agricultural activities.
- Existing uses in the area include agricultural fields, scattered single-family residences, and scattered woodlands.
- Zoning in the area is predominantly A-P, with A-2 zoning to the east and south of the subject property.

## 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 A-2 District

In addition, the following factors have also been considered:

- Input of surrounding property owners. To date, no correspondence has been received.

## FINDINGS

Findings in Favor:

1. The request is generally 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 Rural Lands 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. No prime agricultural land will be impacted with this rezoning action. The property to be rezoned contains primarily non-prime soils and, according to the applicant, has low yields.
3. There are numerous A-2 zoned agricultural-residential parcels adjacent to the subject property.
4. The proposed development is generally consistent with other existing lots in the area.

Findings Against:

1. Although the applicant states that the land is marginal for agricultural uses, the proposed rezoning would result in loss of agricultural land and the proposed non-farm single-family residential development will be adjacent to active farmland.
2. Non-farm residential development is generally discouraged in the Rural Lands planning area.

4 -AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE  
5 TOWN OF BRUNSWICK -

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 Brunswick, described as follows:

10  
11 A parcel of land being part of the Northwest ¼ of the Northwest ¼,  
12 Section 17 and part of the Southwest ¼ of the Southwest ¼, Section 8,  
13 Township 26 North, Range 10 West, Town of Brunswick, Eau Claire  
14 County, Wisconsin described as follows:

15  
16 Beginning at the Southwest corner of said Section 8; Thence  
17 N00°11'37"W along the West line of said Southwest ¼ a distance of  
18 1002.06 feet; Thence S89°50'43"E 655.68 feet; Thence S00°10'47"E  
19 1001.51 feet; Thence S89°53'36"E 655.43 feet; Thence S00°01'47"W  
20 769.80 feet; Thence N89°47'48"W 1311.60 feet; Thence N00°05'02"E  
21 767.59 feet to the point of beginning.

22  
23 Said described parcel of land containing 38.5 acres +/-, of land and is  
24 subject to the easements and restrictions of record to be reclassified from  
25 the A-P Agricultural Preservation District to the A-2 Agriculture-  
26 Residential District.

27  
28 **SECTION 2.** Where a certified survey map is required and may alter the above  
29 described property description, the official zoning district map for the  
30 town shall be automatically amended to reflect the property description of  
31 the certified survey map.

32  
33  
34 **ENACTED:** I hereby certify that the foregoing correctly represents the  
35 action taken by the undersigned Committee on October 27,  
36 2020 by a vote of for, against.

37  
38  
39  
40 \_\_\_\_\_  
41 Planning & Development Committee, Chairperson

42  
43 **SS**

44  
45 Dated this 27<sup>th</sup> day of October 2020

46  
47 ORDINANCE 20-21/081  
48  
49

20-21/081

RECEIVED

OCT 05 2020

COUNTY CLERK



Eau Claire County, Wisconsin  
Rezone Request - County

<u>Permit Type:</u>	Land Use		
<u>Permit Number:</u>	RZN-0025-20		
<u>Issued To:</u>	DANA P & SHERYL L TURNER	<u>Application Fee:</u>	\$595.00
	5146 197TH AVE NE		
	WYOMING, MN 55092-8510		
<u>Agent:</u>	Peter Gartmann, 1360 International Dr., Eau Claire, WI 54701		

<u>Site Address:</u>	No Address Available
<u>Computer Numbers:</u>	004103403000
<u>Municipality:</u>	Town of Brunswick

<u>Property Owner:</u>	DANA P & SHERYL L TURNER
	5146 197TH AVE NE
	WYOMING, MN 55092- 8510

Applicable Zoning District(s):

A-P

Summary of Rezone Request:

Rezone 38.5 acres +/- from A-P to A-2 to allow division of property into six (6) single-family residential lots. If approved, a subdivision plat will be required.

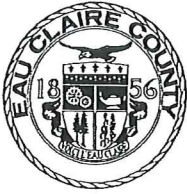
Area to be Rezoned:

38.5 acres +/-

<u>Signature:</u>	<u>Matt Michels</u>
-------------------	---------------------

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

Sup. dist. 9 - Don Mowry



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:	10/5/20
Accepted By:	MM
Receipt Number:	65046
Town Hearing Date:	
Scheduled Hearing Date:	10/27/20

### 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: AP	Proposed Zoning District(s): A2
Acres to be rezoned: 38.5	

Property Owner Name: Dana and Sheryl Turner	Phone# 715-338-0166
Mailing Address: 5146 197th Ave Northeast Wyoming MN 55092	
Email Address: sonadorfarm@hotmail.com	

Agent Name: Peter Gartmann	Phone# 715-497-8237
Mailing Address: 1360 International Dr Eau Claire WI 54701	
Email Address: pgartmann@rlswi.com	

RECEIVED

OCT 05 2020

COUNTY CLERK

#### SITE INFORMATION

Site Address: NA	
Property Description: SW-SW ¼ NW-NW ¼ Sec. 8 / 17 T <sub>26</sub> N, R 10 W, Town of Brunswick	
Zoning District:	Code Section(s):
Overlay District: Check Applicable	<input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining
Computer #(s):	004 _ 103 _ 4036 _ 000                      004 _ 106 _ 6507 _ 000

#### GENERAL APPLICATION REQUIREMENTS

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<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 checked="" type="checkbox"/> Provide \$595.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$525.00 application processing fee and \$70.00 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 Dana Turner

Date 9/17/20

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.



**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:

see attached letter

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.

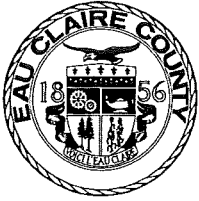
see attached letter

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.

see attached letter



**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:	
Accepted By:	
Receipt Number:	
Town Hearing Date:	
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Agent Name: Peter Gartmann	Phone# 715-497-8237
Mailing Address: 1360 International Dr Eau Claire WI 54701	
Email Address: pgartmann@rlswi.com	

### SITE INFORMATION

Site Address: NA	
Property Description: <u>SW-SW ¼ NW-NW ¼</u> Sec. <u>8 / 17</u> , T <u>26</u> N, R <u>10</u> W, Town of <u>Brunswick</u>	
Zoning District:	Code Section(s):
Overlay District: Check Applicable	<input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining
Computer #(s):	<u>004</u> - <u>103</u> - <u>4030</u> - <u>000</u> <u>004</u> - <u>106</u> - <u>6507</u> - <u>000</u> _____ - _____ - _____ - _____                              _____ - _____ - _____ - _____

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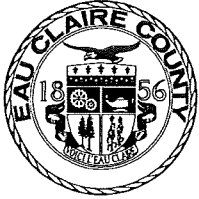
## REZONING APPLICATION CHECKLIST

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.
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**Eau Claire County**  
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see attached letter



## Proposal to rezone and subdivide Turner property on Spehle Road

This small agricultural parcel of lands is sandwiched between 5-acre parcels to the east and south, to the north lies an oxbow of the Chippewa river that is within the flood zone. The parcel is situated 3.8 miles from the city of Eau Claire, just outside the City extra territorial jurisdiction limits.

The USDA has classified these soils as (501A) Finchford, Loamy sand with slopes of 0-3%, excessively drained and non-prime. Most areas are pastured. Corn and soybeans are grown occasionally, but yields generally are low. In some areas, irrigated corn, soybeans, and specialty crops are grown. The native vegetation is big bluestem, indiangrass, switchgrass, and other grasses of the tall grass prairie.

We have discussed the application with the Town supervisors and have preliminary support from the Town. According to the Town of Brunswick Comprehensive plan the existing land use is residential / agricultural, no development limitations and is located within the agricultural preservation area just like the neighboring A-2 lots surrounding the parcel.

We would like to rezone our 38 acres on Spehle Road from AP to A2 and subdivide it into 7 lots. 4 of the lots would be slightly over 5 acres, 2 of the lots would be a little over 7 acres.

We propose to build a road to the Town of Brunswick's specifications and give that road and the appropriate easements to the Town of Brunswick. The road would be approximately 1000 feet long and have a circle at the end. Storm water would be handled by building a series of small ponding areas along the proposed road. We would remove some pine trees along Spehle Road to accommodate our new road. These would be the only trees we would disturb.

There is a creek on the property to the South of ours adjacent to the backside of the 5 acre lots. Dividing the property the way we propose would avoid disturbing the creek or the area adjacent to it that floods on rare occasions.

Much of the property to the South and East of ours is zoned A2 or smaller partials. The properties to the West of ours is Zoned AP and are 2 large farm fields that we would not be affecting. The property to the North of ours is below the ridge has been used for gravel mining. We believe our proposal would fit very well into the neighborhood.

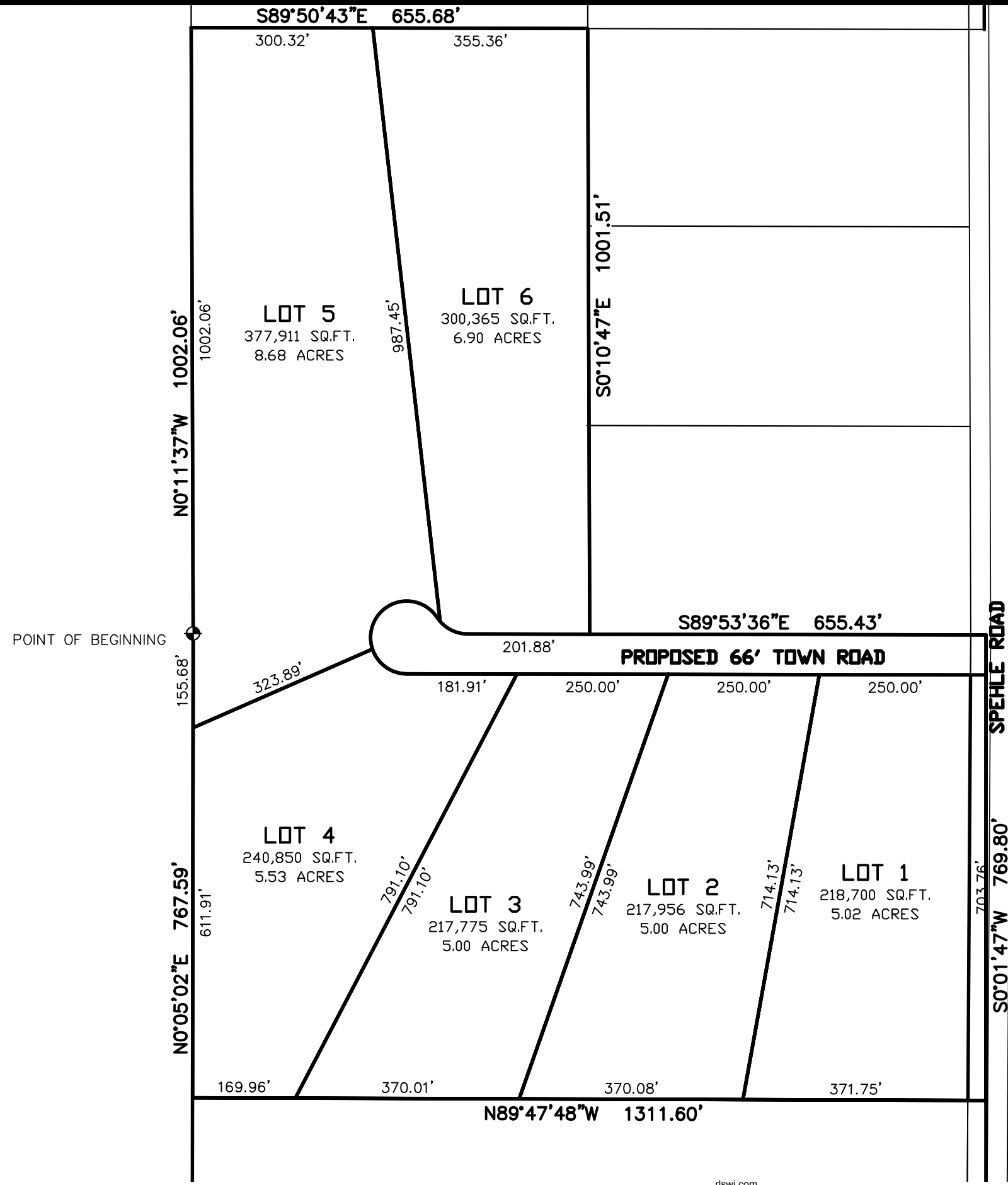
We appreciate your taking the time to look at our proposal and would be happy to answer any questions you may have.

Dana & Sheryl Turner

715-338-0166

BEING PART OF THE NORTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  SECTION 17 AND PART OF THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  SECTION 8, TOWNSHIP 26 NORTH RANGE 10 WEST TOWN OF BRUNSWICK, EAU CLAIRE COUNTY WISCONSIN DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 8; THENCE N00°11'37"W ALONG THE WEST LINE OF SAID SOUTHWEST  $\frac{1}{4}$  A DISTANCE OF 1002.06 FEET; THENCE S89°50'43"E 655.68 FEET; THENCE S00°10'47"E 1001.51 FEET; THENCE S89°53'36"E 655.43 FEET; THENCE S00°01'47"W 769.80 FEET; THENCE N89°47'48"W 1311.60 FEET; THENCE N00°05'02"E 767.59 FEET TO THE POINT OF BEGINNING.

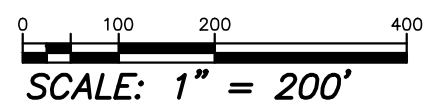


# REAL LAND SURVEYING

1360 INTERNATIONAL DRIVE  
 SUITE 2  
 EAU CLAIRE, WI 54701  
 (715) 514-4116

BEING PART OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ SECTION 17 AND PART OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ SECTION 8, TOWNSHIP 26 NORTH RANGE 10 WEST TOWN OF BRUNSWICK, EAU CLAIRE COUNTY WISCONSIN DESCRIBED AS FOLLOWS:

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## *RE-ZONE SKETCH*

IN THE SW ¼ OF THE SW¼, SECTION 8,  
 NW ¼ OF THE NW ¼, SECTION 17  
 TOWNSHIP 26 NORTH, RANGE 10 WEST,  
 TOWN OF BRUNSWICK, EAU CLAIRE COUNTY, WISCONSIN

# TURNER REZONE AERIAL-FLOODPLAIN-SLOPE MAP



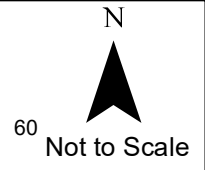
subject property

**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.





# Turner Rezoning: RZN-0025-20

## Existing Zoning

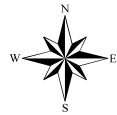
1 inch = 666.666667 feet

## Future Land Use

1 inch = 667 feet

- Legend
- A1 - Exclusive Agricultural District
  - A2 - Agriculture-Residential District
  - A3 - Agricultural District
  - AP - Agricultural Preservation
  - AR - Floating Agricultural-Residential District
  - C1 - Neighborhood Business District
  - C2 - General Business District
  - C3 - Highway Business District
  - F1 - Exclusive Forestry District
  - F2 - Forestry District
  - I1 - Nonsewered Industrial District
  - I2 - Sewered Industrial District
  - R1L - Single-Family Residential District, Large Lot
  - R1M - Single-Family Residential District
  - R2 - Two-Family Residential District
  - R3 - Multiple-Family Residential District
  - RH - Rural Homes District

- Commercial Industrial
- County Forest
- Natural Resource Protection
- Park and Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamlet
- Rural Industrial
- Rural Lands
- Rural Residential - Mobile Home
- Rural Transition
- Urban Mixed Use



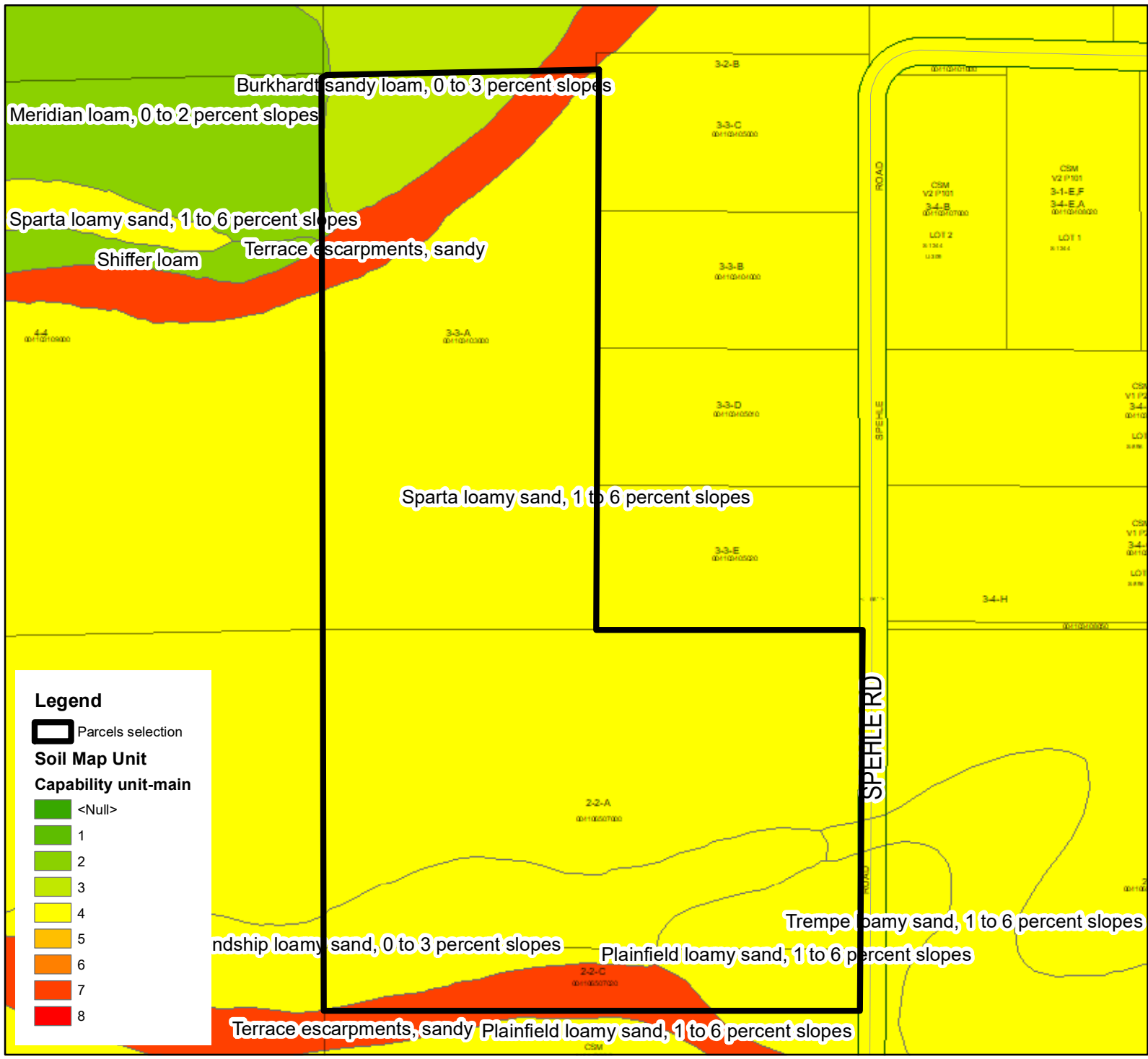
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# TURNER SOILS MAP



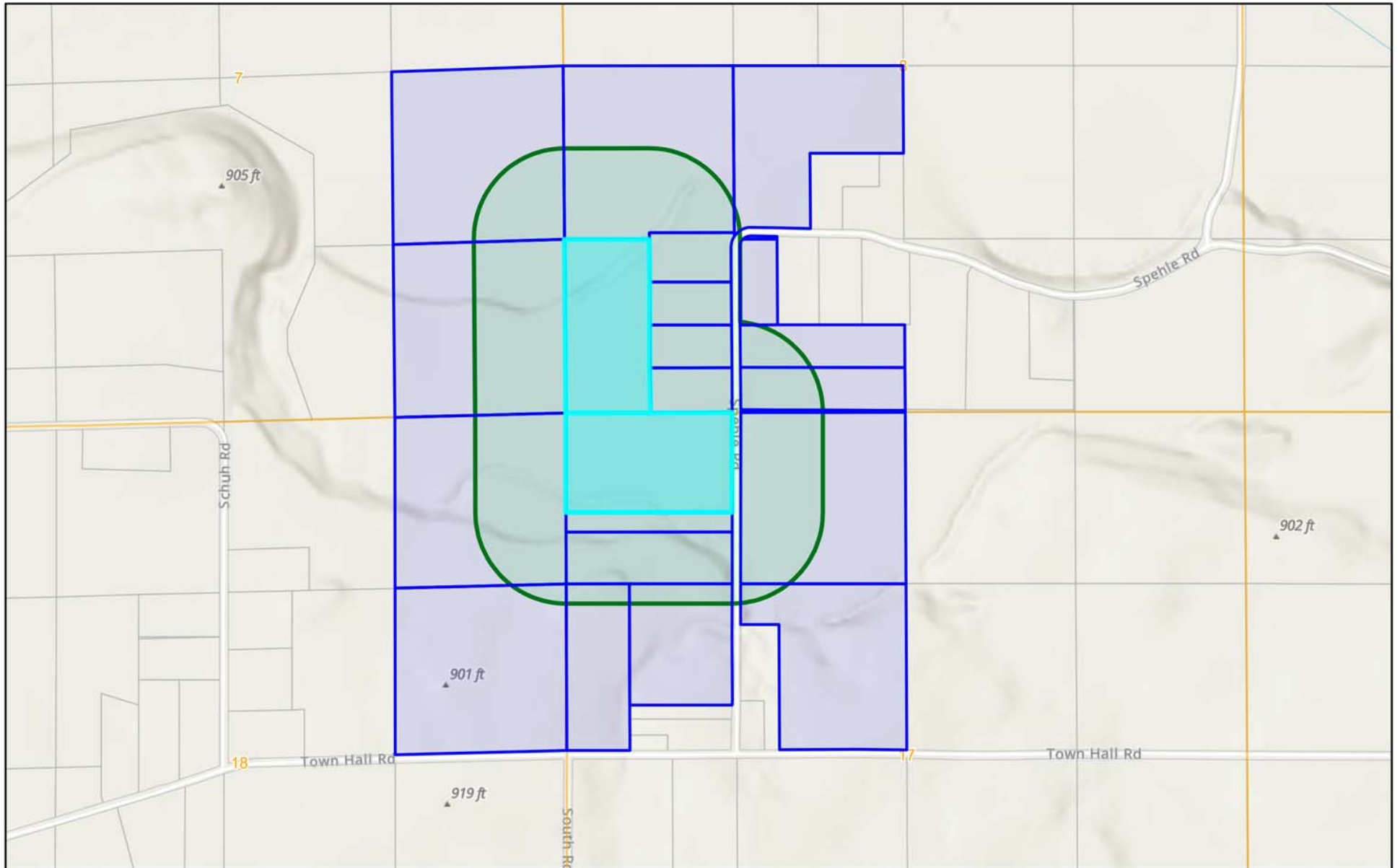
**Parcel Mapping Notes:**  
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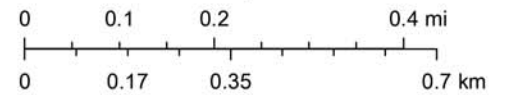
# Public Notification



10/6/2020, 3:17:03 PM

-  County Boundary
-  Tax Parcel
-  Section

1:18,056



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS,

Eau Claire County, WI

FirstName LastName	Address	City State Zip
DANIEL R & JANICE M LARSON	W 6860 SPEHLE RD	EAU CLAIRE WI 54701-9555
MARK & CAMILLA LARSON TRUST	W 6815 SPEHLE RD	EAU CLAIRE WI 54701-8727
RICHARD E & JACKIE L PAHL	W 6855 SPEHLE RD	EAU CLAIRE WI 54701-9554
AGNES HADDEMAN	W 6716 SPEHLE RD	EAU CLAIRE WI 54701-9552
TREVOR BAUER	W 6625 TOWN HALL RD	EAU CLAIRE WI 54701-9550
JEFFREY T & JENNIFER A WHITE	E 3057 550TH AVE	MENOMONIE WI 54751-4742
DANA P & SHERYL L TURNER	5146 197TH AVE NE	WYOMING MN 55092-8510
WILLIAM H & PEGGY B SCHWENGEL	W 6872 SPEHLE RD	EAU CLAIRE WI 54701-9555
MICHAEL J & GRETCHEN A CAMPBELL	W 6898 SPEHLE RD	EAU CLAIRE WI 54701-9555
PETER J & DAWN S WAGNER	W 7130 TOWN HALL RD	EAU CLAIRE WI 54701-9548
MARY STANEK	S 6375 SCHUH RD	EAU CLAIRE WI 54701-9544
JEREMY VLCEK	W 6798 SPEHLE RD	EAU CLAIRE WI 54701-9537
MELISSA MEIER	W 6776 SPEHLE RD	EAU CLAIRE WI 54701-9537
SETH RENZ	W 6752 SPEHLE RD	EAU CLAIRE WI 54701-9537
JOHN MANKA	W 6765 SPEHLE RD	EAU CLAIRE WI 54701-9554



REQUESTING THAT THE GOVERNOR AND THE WISCONSIN STATE LEGISLATURE ALLOCATE \$15 MILLION ANNUALLY FOR GRANTS TO PUBLIC SAFETY ANSWERING POINTS (PSAP'S) THROUGH THE POLICE AND FIRE PROTECTION FUND FOR THE UPGRADE AND MAINTENANCE OF EQUIPMENT TO SUPPORT THE TRANSITION TO A DIGITAL NEXT GENERATION 911 (NG911); REQUESTING THE GOVERNOR AND WISCONSIN STATE LEGISLATURE TO SUPPORT THE DEPARTMENT OF MILITARY AFFAIRS BUDGET REQUEST TO CONTINUE THE BUILD OF THE ESINET FOR AN ANNUAL APPROPRIATION FOR THE ONGOING MAINTENANCE OF THE SYSTEM

WHEREAS, modernizing Wisconsin's 911 system has been a priority for local governments, Public Safety Answering Points (PSAPs), law enforcement, and the telecommunications industry since the early 2000s; and

WHEREAS, the 2017-19 and the 2019-21 state biennial budgets provided funding for creation of a statewide emergency services IP network (ESInet), which is the first step in the transition to a digital Next Generation 911 (NG911) system; and

WHEREAS, a NG911 system utilizes advancements in technology to improve communication with 911 operators and provides greater efficiency in assisting individuals in crisis; and

WHEREAS, local 911 centers (PSAPs) require NG911 capable equipment to connect to the digital system; and

WHEREAS, currently many PSAPs require an upgrade of their equipment to NG911 or will require maintenance and security upgrades to their current NG911 capable equipment; and

WHEREAS, the average cost for the necessary equipment upgrades will likely exceed \$250,000 per county in addition to ongoing maintenance costs based on the number of call stations in the PSAP; and

WHEREAS, while the state has provided grant funding for counties in the past to upgrade local PSAPs, state funding has not existed in over a decade; and

WHEREAS, the state currently has a fund—the Police and Fire Protection Fund—which its original intent was to fund county PSAP upgrades; and

WHEREAS, revenue from the Police and Fire Protection Fund has been diverted to the state general fund and had never been utilized for its intended purpose.

NOW, THEREFORE, BE IT RESOLVED that Eau Claire County board of supervisors hereby request the Governor and Wisconsin State Legislature to allocate \$15 million annually for grants to PSAPS through the Police and Fire Protection Fund for the upgrade of their equipment and the ongoing maintenance and upgrades required; and

BE IT FURTHER RESOLVED that the Eau Claire County Board of supervisors request that the Governor and Wisconsin State Legislature support the Department of Military Affairs budget request to continue the build of the ESInet for an annual appropriation for the ongoing maintenance of the system.

BE IT FURTHER RESOLVED the Eau Claire County Clerk is directed to send a copy of this resolution to the Governor, Wisconsin State Legislature, members of the Assembly who represent Eau Claire County, and the Wisconsin County's Association.

I hereby certify that the foregoing represents the action taken by the undersigned Committee on October 27, 2020 by a vote of \_\_\_ for, \_\_\_ against.

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Chair, Gary Gibson  
Committee on Planning and Development

re

Parcel Number	Site Address	Owner Name	Violation Type	Violation Description	Violation Date	Number of Violations	Mailing Addr	City	State	Zip	Zip4
1.80E+18	S 14020 COUNTY ROAD M	GINGERICH RUDY E; GINGERICH VIOLA H	Clearing of Shoreline Vegetation	Drain tile installation within the shoreland wetland district.	8/5/2019	1	S 13365 COUNTY ROAD M	AUGUSTA	WI	54722	7600
1.80E+18	S 15330 COUNTY ROAD M	WAGLER AMMON L & IDA E	Construct Structure w/o Permit	Construction of a sawmill without the required land use permit.	2/28/2020	1	E 20382 DOLOTTA RD	AUGUSTA	WI	54722	
1.80E+18	W 4505 STATE ROAD 85	EAU CLAIRE COUNTY	Construct Structure within Setback	American Express utilizing land that was acquired through hazard mitigation assistance program.	10/15/2020	1	721 OXFORD AVE	EAU CLAIRE	WI	54703	5481
1.80E+18	No Address Available	NIX STEVEN J & BETTY L	Construct Structure w/o Permit	Construction w/o permit after land use permit was denied 8/5/2020	9/29/2020	1	E 8394 CROWE AVE	STRUM	WI	54770	9453
1.80E+18	S 12820 US HIGHWAY 53	HOLDEN SHAWN	Construct Structure w/o Permit	Addition to structure without required permits.	5/24/2019	1	S 12735 WREN RD	OSSEO	WI	54758	9790
1.80E+18	W 5381 COUNTY ROAD ZZ	KNUTSON ROBERT E & VANETTA M	Clearing of Shoreline Vegetation	Refer to letter sent July 5 2016. Violations along Rock Creek.	3/1/2018	1	W 5381 COUNTY ROAD ZZ	MONDOVI	WI	54755	8125
1.80E+18	E 11795 BIRCH TREE LN	HEMENWAY SCOT L	Accumulation of Junk	Accumulation of junkyard materials as defined in county code.	6/14/2016	1	E 11795 BIRCH TREE LN	FALL CREEK	WI	54742	4404
1.80E+18	W 1250 PINE RD	WERLEIN DANIEL H & JULIA A	Construct Structure w/o Permit	Construction of a pole shed without an approved land use permit.	9/1/2020	1	W 1250 PINE RD	ELEVA	WI	54738	9253
1.80E+18	1633 S 72ND AVE	STEINDL DAVID C	Construct Structure w/o Permit	Violation of CUP 0013-16 conditions	10/9/2019	1	1633 S 72ND AVE	EAU CLAIRE	WI	54703	9728
1.80E+18	1597 S 82ND AVE	SCHLEUSNER DEANNA M; SCHLEUSNER GENE D	Construct Structure w/o Permit	construction of an accessory structure without having a principal structure onsite.	3/15/2018	1	PO BOX 51	WINTER	WI	54896	51
1.80E+18	4312 TOWER DR	FOREST KNUTE D	Accumulation of Junk	Accumulation of junkyard materials as defined in county code.	11/6/2019	1	4312 TOWER DR	EAU CLAIRE	WI	54703	2152
1.80E+18	4680 TOWER DR	HERRICK RONALD G	Accumulation of Junk	Accumulation of junkyard materials as defined in county code.	5/20/2019	1	4680 TOWER DR	EAU CLAIRE	WI	54703	9706
1.80E+18	5461 NORTH SHORE DR	MEIER KAYLA L; MEIER MATTHEW R	Construct Structure w/o Permit	Multiple shore land overlay violations.	5/15/2020	1	522 SUPERIOR ST	CHIPPEWA FALLS	WI	54729	2237
1.80E+18	7911 PARTRIDGE RD	PETERS WAYNE R & MARJORIE N	Accumulation of Junk	Accumulation of junkyard materials as defined in County zoning code.	10/16/2015	1	1620 S HASTINGS WAY	EAU CLAIRE	WI	54701	4620
1.80E+18	7754 BLUE VALLEY DR N	METCALFE THOMAS M	Construct Structure within Setback	Construction of structure over property line.	11/20/2019	1	7754 BLUE VALLEY DR N	EAU CLAIRE	WI	54703	9172
1.80E+18	7403 BERNHARDT RD	SMALSTIG JONATHAN P & JESSICA	Accumulation of Junk	Accumulation of junkyard materials as defined in county code.	3/1/2018	1	7403 BERNHARDT RD	EAU CLAIRE	WI	54701	8998
1.80E+18	9060 US HIGHWAY 53	SATHER AMY M; SATHER KELLY P	Construct Structure w/o Permit	Conversion of a pole shed to a dwelling without obtaining required permits.	8/29/2017	1	9060 US HIGHWAY 53	FALL CREEK	WI	54742	9742
1.80E+18	6176 SANDSTONE RD	CMJM PROPERTIES LLC	Construct Structure w/o Permit	Construction of a sign without obtaining required land use permit.	6/9/2020	1	6176 SANDSTONE RD	EAU CLAIRE	WI	54701	5138
1.80E+18	2910 KERN DR	OLSEN ELIZABETH A; TUBBS DANIEL E	Construct Structure w/o Permit	operation of a contractors business on a parcel zoned RH	4/30/2020	1	2910 KERN DR	EAU CLAIRE	WI	54701	9497
1.80E+18	7736 BEULAH LN	BORST ERIC T & BETH M	Construct Structure w/o Permit	CONSTRUCTION OF A STRUCTURE WITHOUT FIRST OBTAINING THE REQUIRED PERMIT(S). A LAND USE	9/21/2020	1	7736 BEULAH LN	EAU CLAIRE	WI	54701	8311
1.80E+18	7247 NINE MILE CREEK RD	BENSON PATRICIA A; BENSON WILLIAM J	Construct Structure w/o Permit	Operation of a contractors business without a CUP.	9/29/2020	1	7247 NINE MILE CREEK RD	EAU CLAIRE	WI	54701	8307
1.80E+18	3903 STATE ST	ALBRECHT JASON R & MARIE L	Construct Structure w/o Permit	Northwoods Unlimited LLC without acceptable Permit	10/12/2020	1	3903 STATE ST	EAU CLAIRE	WI	54701	7165
1.80E+18	3334 LONDON RD	SB HOLDINGS LLC	Accumulation of Junk		6/25/2020	1	3112 GOLF RD	EAU CLAIRE	WI	54701	8013



**First Choice Clean Sweep  
Eau Claire County  
September 12, 2020**

<b>Item</b>	<b>Net Weight</b>
CRT TV	22,036
LCD TV	4,294
PROJ/WOOD TV	3,337
PRINTER	3,218
DVD/VCR/RADIO	2,118
A/C UNIT	2,716
DEHUMIDIFIER	4,293
CPU/LAPTOP	4,911
MISC. E-WASTE	6,213
PHONES/TABLETS	500
BULBS	87
FRIDGE/FREEZER	7,200
STEEL/APPLIANCE	24,000
<b>TOTAL WEIGHT</b>	<b>84,923</b>

## Eau Claire Clean Sweep Invoicing

Date: September 12, 2020

Load #: 203631

<i>Item</i>	<i>Quantity</i>	<i>Price / Unit</i>	<i>Total</i>
<b>Containers</b>			<b>\$1,763.00</b>
55 Gallon Steel Open Head Drums	10	\$48.00 each	\$480.00
55 Gallon Steel Tight Head Drums	11	\$48.00 each	\$528.00
55 Gallon Poly Open Head Drums	2	\$35.00 each	\$70.00
30 Gallon Poly Open Head Drums	1	\$30.00 each	\$30.00
5 Gallon Poly Pail	1	\$10.00 each	\$10.00
Cubic Yard Boxes & Liners	35	\$15.00 box	\$525.00
Vermiculite	4	\$30.00 bag	\$120.00

<b>Disposal Cost</b>			<b>\$18,448.85</b>
Paint / Adhesives / Solvents	20509	\$0.40 lb	\$8,203.60
Flammable Liquid (Gasoline-Bulk)	2	\$60.00 drum	\$120.00
Mercury	5	\$6.00 lb	\$30.00
Pesticides	2441	\$2.15 lb	\$5,248.15
Acids & Bases (LP)	813	\$2.15 lb	\$1,747.95
Oxidizers	40	\$2.15 lb	\$86.00
1 lb Cylinders	291	\$2.40 lb	\$698.40
Aerosols	1488	\$1.25 lb	\$1,860.00
Ethylene Glycol (Bulk)	2	\$90.00 drum	\$180.00
Non Hazardous Liquids	1099	\$0.25 lb	\$274.75

<b>Labor &amp; Transportation</b>			<b>\$4,000.00</b>
Labor Fees	1	\$4,000.00 event	\$4,000.00

Environmental Fees (8% of Disposal Fee) \$1,475.91

**Total: \$25,687.76**

<b>Latex Paint Collection</b>		
Money Collected	5504	\$5,504.00
5% Administrative Fee for WRR		(\$275.20)
Net Total		\$5,228.80

<b>Credit for overcharge of 100 drums on July Invoice</b>				
55 Gallon Steel Tight Head Drums	100	\$48.00 each	\$4,800.00	55MTHREC

**Grand Total: \$15,658.96**

Eau Claire Cty Weights for: September 12, 2020

Load #: 203631

<u>Drum #</u>	<u>Material</u>	<u>Container</u>	<u>Weight</u>	
1	Latex Paint	Cubic Yard Box	775	lb
2	Latex Paint	Cubic Yard Box	701	lb
3	Latex Paint	Cubic Yard Box	626	lb
4	Latex Paint	Cubic Yard Box	720	lb
5	Latex Paint	Cubic Yard Box	737	lb
6	Latex Paint	Cubic Yard Box	821	lb
7	Latex Paint	Cubic Yard Box	824	lb
8	Latex Paint	Cubic Yard Box	718	lb
9	Latex Paint	Cubic Yard Box	659	lb
10	Latex Paint	Cubic Yard Box	752	lb
11	Latex Paint	Cubic Yard Box	710	lb
12	Pesticides	Cubic Yard Box	599	lb
13	Flam Resins / Adhesives	Cubic Yard Box	659	lb
14	Pesticides	Cubic Yard Box	596	lb
15	Pesticides	Cubic Yard Box	543	lb
16	Paint Related Material	Cubic Yard Box	790	lb
17	Paint Related Material	Cubic Yard Box	738	lb
18	Aerosols	Cubic Yard Box	426	lb
19	Paint Related Material	Cubic Yard Box	905	lb
20	Aerosols	Cubic Yard Box	479	lb
21	Paint Related Material	Cubic Yard Box	625	lb
22	Aerosols	Cubic Yard Box	521	lb
23	Paint Related Material	Cubic Yard Box	668	lb
24	Non Reg Resins / Cleaners	Cubic Yard Box	756	lb
25	Pesticides	Cubic Yard Box	669	lb
26	Paint Related Material	Cubic Yard Box	632	lb
27	Paint Related Material	Cubic Yard Box	730	lb
28	Paint Related Material	Cubic Yard Box	695	lb
29	Paint Related Material	Cubic Yard Box	773	lb
30	Paint Related Material	Cubic Yard Box	756	lb
31	Paint Related Material	Cubic Yard Box	498	lb
32	Paint Related Material	Cubic Yard Box	694	lb
33	Paint Related Material	Cubic Yard Box	774	lb
34	Paint Related Material	Cubic Yard Box	809	lb
35	Paint Related Material	Cubic Yard Box	735	lb
36	Basic Liquids	55 Gallon	103	lb
37	Antifreeze	55 Gallon	437	lb
38				lb
39	Gasoline	55 Gallon	369	lb
40	Used Oil	55 Gallon	375	lb
41	Basic Liquids	55 Gallon	201	lb
42	Used Oil	55 Gallon	387	lb
43	Used Oil	55 Gallon	383	lb
44	Used Oil Filters	55 Gallon	107	lb

**Eau Claire Cty Weights for: September 12, 2020**

<u>Drum #</u>	<u>Material</u>	<u>Container</u>	<u>Weight</u>
45	1 lb Propane Cylinders	55 Gallon	183 lb
46	Mercury	5 Gallon	5 lb
47	20 lb Propane Cylinders	55 Gallon	106 lb
48	Flam Liquids in Glass	55 Gallon	152 lb
49	Used Oil	55 Gallon	400 lb
50	Antifreeze	55 Gallon	418 lb
51	Gasoline	55 Gallon	364 lb
52	Used Oil	55 Gallon	350 lb
53	Acidic Liquids	55 Gallon	56 lb
54	20 lb Propane Cylinders	55 Gallon	137 lb
55	1 lb Propane Cylinders	55 Gallon	101 lb
56	Mixed Batteries	55 Gallon	277 lb
57	Used Oil	55 Gallon	370 lb
58	Basic Liquids	55 Gallon	202 lb
59	Acidic Liquids	55 Gallon	204 lb
60	Used Oil	55 Gallon	418 lb
61	Compact Lamps	Box	330 Lamps
62	U-Shaped Lamps	Box	4 Lamps
63	Compact Lamps	Box	92 Lamps
64	Compact Lamps	Box	130 Lamps
65	4 Ft Lamps	Tube	175 Lamps
66	4 Ft Lamps	Tube	146 Lamps
67	8 Ft Lamps	Tube	4 Lamps
68	Oxidizer	30 Gallon	33 lb

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**Total Weight: 30,251 lb**

Eau Claire Weights for: September 12, 2020

Load #: 203631

Households / Cars: 392

Latex Paint	8,043	lbs
Paints	11,633	lbs
Acids & Bases	766	lbs
Pesticides	2,407	lbs
Mercury	5	lbs
Gas / Oil	733	lbs (2 drums)
PCB'S		lbs
Oxidizers	33	lbs
Aerosols	1,426	lbs
1 lb Cylinders	284	lbs
Non Reg Resins/Cleaners	756	lbs
Ethylene Glycol	855	lbs (2 drums)
20 lb Cylinders	243	lbs (6 Cylinders)
Batteries	277	lbs
Used Oil	2,683	lbs
Used Oil Filters	107	lbs
4' Fluorescent Lamps	321	bulbs
8' Fluorescent Lamps	4	bulbs
Compacts	552	bulbs
U-Shaped	4	bulbs
Circular Shaped		bulbs
High Intensity Discharge		bulbs

**TOTAL 30,251 lbs**

In-between Events		
Latex Paint	78	lbs
Paints	755	lbs
Non Hazardous Liquids	343	lbs
Acids & Bases	47	lbs
Pesticides	34	lbs
Aerosols	62	lbs
1 lb Propane Cylinders	7	lbs
Oxidizers	7	lbs
<b>TOTAL</b>	<b>1,333</b>	<b>lbs</b>

**These Weights are added into the quote page**



## Community of Residence

	Event	Between Events
Altoona	21	
Augusta	2	
Bridge Creek	1	
Brunswick	6	
Clear Creek	2	
Drammen		
Eau Claire	263	9
Fairchild (T)	1	
Fairchild (V)	2	

	Event	Between Events
Fall Creek	8	
Lincoln	2	
Ludington	3	
Otter Creek	1	
Pleasant Valley	17	
Seymour	8	
Union	10	
Washington	44	
Wilson	1	

## Clean Sweep Advertising

	Event	Between Events
The Recycler	44	1
Newspaper	133	1
Posters/Flyers	62	1
Word of Mouth	59	2
Web / Internet	127	5
Radio	6	

Event Day = Residents  
 Between Events: July & Sept 2020 = Residents (Moving)

**VSQG Weights for Businesses from October 2019 through Sept 2020 for the Eau Claire County Clean Sweep Program.**

**Indianhead Food Service (10/17/2019)**

Paint Related – 55 lbs  
Toxics/Pesticides – 2 lbs  
Non Reg Chemicals – 106 lbs

**50/50 Factory Outlet (10/17/2019)**

4 Ft Lamps – 4 lamps  
8 Ft Lamps – 32 lamps

**Bullseye Lawn & Tree LLC (10/22/2019)**

Herbicide/Pesticide – 131 lbs  
Non Reg Chemicals – 6 lbs

**Alter Metal (10/23/2019)**

Paint Related – 25 lbs

**B & B Electric Inc (11/19/2019)**

4 Foot Lamps – 177 lamps  
8 Foot Lamps – 19 lamps  
HID Lamps – 56 lamps  
Compact Lamps – 10 lamps

**Jays Sign Service (11/5/2019)**

4 Ft Lamps – 79 lamps  
8 Ft Lamps – 327 lamps

**Eau Claire Mack (12/19/2019)**

4 Ft Lamps – 196 lamps  
8 Ft Lamps – 77 lamps

**Legend Technical Services (12/30/2019)**

Flam Liquids – 7 lbs  
Mercury – 1 lb  
Aerosols – 8 lbs  
4 Ft Lamp – 1 lamp

**Sign Art (1/7/2020)**

4 Ft Lamps – 75 lamps  
8 Ft Lamps – 188 lamps

**Jays Sign Service (1/24/2020)**

4 Ft Lamps – 246 lamps  
8 Ft Lamps – 14 lamps

**First Choice Computer Recycling (1/31/2020)**

Corrosive – 12 lbs

**Haas & Sons Construction (3/10/2020)**

8 Ft Lamps – 461 lamps

**Steamatic (2/19/2020)**

Flam Liquids – 250 lbs  
Corrosives – 167 lbs  
Toxic Liquids – 9 lbs

**USPS (3/10/2020)**

Paint Related – 45 lbs  
8 Ft Lamps – 11 lamps

**B & B Electric (3/13/2020)**

4 Ft Lamps – 298 lamps  
8 Ft Lamps – 24 lamps  
HID Lamps – 63 lamps

**Eclipse Powder Coating (3/19/2020)**

Flam Liquids – 1559 lbs  
Toxic Liquids – 12 lbs  
Flam Adhesives – 2 lbs  
Corrosives – 123 lbs  
Aerosols – 5 lbs  
Non Reg Liquids – 29 lbs

**North Country Aire Properties (4/20/2020)**

Paint Related – 99 lbs  
Latex Paint – 250 lbs  
Non Reg Liquids – 133 lbs

**B & B Electric (5/18/2020)**

4 Ft Lamps – 455 lamps  
8 Ft Lamps – 144 lamps  
HID Lamps – 14 lamps  
Compact Lamps – 131 lamps

**Haas & Sons Construction (5/29/2020)**

4 Ft Lamps – 279 lamps  
8 Ft Lamps – 113 lamps

**Cornerstone Properties (7/3/2020)**

Paint Related – 167 lbs  
Pesticides/Herbicides – 47 lbs  
Aerosols – 8 lbs  
Latex Paint – 816 lbs

**Chippewa Valley Electrical Contractors (3/16/2020)**

4 Ft Lamps – 1073 lamps  
8 Ft Lamps – 93 lamps

**Johnson Litho Graphics (3/18/2020)**

Antifreeze – 175 lbs

**The Classic at Hillcrest Green (Golf) (3/24/2020)**

Flam Adhesives – 77 lbs  
Non Reg Liquids – 30 lbs

**Sign Art (4/3/2020)**

4 Ft Lamps – 40 lamps  
8 Ft Lamps – 125 lamps

**Alloy Metal Finishing (5/1/2020)**

Non Reg Liquids – 2 drums (~800 lbs)

**Alloy Metal Finishing (5/29/2020)**

Corrosives – 697 lbs  
Paint Related – 375 lbs  
Latex Paint – 400 lbs  
Non Reg Adhesive – 427 lbs

**Chippewa Valley Museum (6/19/2020)**

Paint Related – 209 lbs  
Flam Adhesives – 8 lbs  
Corrosives – 8 lbs  
Non Haz Liquids – 117 lbs  
4 Ft Lamps – 118 Lamps

**Eau Claire Ford (7/11/2020)**

Gasoline – 1 drum  
Antifreeze – 1 drum

**PPG (Justin Solberg) (7/23/2020)**

Paint Related – 510 lbs  
Latex Paint – 1510 lbs

**Altoona Post Office (7/30/2020)**

4 Ft Lamps – 42 lamps  
8 Ft Lamps – 21 lamps

**City of Eau Claire (Street Dept) (7/30/2020)**

Latex Paint – 57 lbs

**Eagles Printing (7/3/2020)**

Paint Related – 178 lbs  
Corrosives – 3 lbs  
Non Reg Liquids – 22 lbs

**B & B Electric (8/12/2020)**

4 Ft Lamps – 1565 lamps  
8 Ft Lamps – 13 lamps  
U-Shaped Lamps – 11 lamps  
Compact Lamps – 38 lamps

**Sterling Optical (8/12/2020)**

4 Ft Lamps – 13 lamps

**Sign Art (8/25/2020)**

4 Ft Lamps – 73 lamps  
8 Ft Lamps – 179 lamps

**Auto Value (8/28/2020)**

4 Ft Lamps – 525 lamps  
8 Ft Lamps – 93 lamps

**RJP Company (9/14/2020)**

Paint Related – 305 lbs



## 2021 Committee on Planning and Development Meeting Schedule

January 12

February 23

March 23

April 13

April 27

May 11

May 25

June 8

June 22

July 13

July 27

August 10

August 24

September 14

September 28

October 26

November 16

December 14

**Planning and Development  
September 2020**

The following bills were sent to the Finance Department for payment:

**Sep-20**

**Planning**

<b>Vendor</b>	<b>Amount</b>	<b>Description</b>	<b>Line Item#</b>
MSA	417.4	Constract services	56920-200-000
APG Media	338.99	Legal Notice	56920-321-000
Ayres	14929.5	Aerial Imagery 2020	57730-820-000
Ayres	11765.5	Aerial Imagery 2020	51740-200-742
Office Depot	111.92	Office Supplies	56920-310-000
Voyager	205.05	Fuel	56920-330-000
Cell Phone	616.15	Phone	56920-226-000
Highway	174.61	Fuel	56920-330-000
Ayres	13,347.50	Aerial Imagery 2020	57730-820-000
State of Wisconsin-Pcard	1,654.54	UDC Seals	56920-310-000
Vakvoline Express - Pcard	74.65	Oil Change	56920-241-000

**Resurvey**

<b>Vendor</b>	<b>Amount</b>	<b>Description</b>	<b>Line Item#</b>
Cell Phone	46.92	Phone	51740-226-200
Highway	1,182.27	vehicle repairs	51740-720-000
Berntsen - Pcard	159.00	Steel nail marker	51740-360-200

**Emergency Management**

<b>Vendor</b>	<b>Amount</b>	<b>Description</b>	<b>Line Item#</b>
Cell Phone	107.89	Phone	52924-226-000

**Land Conservation**

<b>Vendor</b>	<b>Amount</b>	<b>Description</b>	<b>Line Item#</b>
Ad Delite	\$ 48.00	NTD Fall Advertisement	56920-
Northland Excavating	\$ 499.81	BD-19-02 CCS	56924-483-703
Northland Excavating	\$ 4,998.09	BD-19-02 BOND	56924-200-706
Northland Excavating	\$ 1,000.00	Bid Bond Refund	23172-000-000
PC_Datcp_Refund	\$ (45.00)	Datcp Partner Meeting Cancelation	56920-340-000
PC_Fleet Farm	\$ 25.35	NTD Parts	56930-370-720
PC_Express Lube	\$ 46.97	2015 Dodge Oil Change	56920-241-000

**Recycling**

<b>Vendor</b>	<b>Amount</b>	<b>Description</b>	<b>Line Item#</b>
Advanced Disposal	\$6,747.02	Drop Box Service for Aug	211-15-53635-208-000
Advanced Disposal	\$39,327.06	Curbside Services Aug	211-15-53635-201-000
Boxx Sanitation	\$43,041.30	Curbside Services Aug	211-15-53635-201-000
Earthbound Environmental	\$1,644.06	Curbside Services Aug	211-15-53635-201-000
Express Disposal	\$566.04	Curbside Services Aug	211-15-53635-201-000
Waste management	\$12,386.10	Curbside Service-Aug	211-15-53635-201-000
Village of Fairchild	\$122.40	Drop Box Service for Aug	211-15-53635-208-000
Town of Wilson	\$102.60	Drop Box Service for Aug	211-15-53635-208-000

<b>Division</b>	<b>Totals</b>
Planning	\$ 43,635.81
Resurvey	1,388.19
Emergency Management	107.89
Land Conservation	6,573.22
Recycling	103,936.58
<b>Total</b>	<b>155,641.69</b>

## MINUTES

Eau Claire County

### • PLANNING & DEVELOPMENT COMMITTEE •

**Date:** Tuesday, September 22, 2020

**Time:** 7:00 p.m.

\*via remote access **ONLY**.

\*Event link below can be used to connect to meeting and interact (by the chair) from computer or through the WebEx Meeting smartphone app.

**Join WebEx Meeting:** <https://eauclairecounty.webex.com> Meeting ID: **145 792 3426** Password: **NSv3K8ij9ny**

\*Meeting audio can be listened to using this Audio conference dial in information.

**Audio conference:** 1-415-655-0001 Access Code: **145 792 3426##**

***For those wishing to make public comment, you must e-mail Rod Eslinger at [Rod.Eslinger@co.eau-claire.wi.us](mailto:Rod.Eslinger@co.eau-claire.wi.us) at least 30 minutes prior to the start of the meeting. You will be called on during the public comment period to make your comments.***

*\*Please mute personal devices upon entry*

Members Present: Gary Gibson, Robin Leary, Nancy Coffey, James A. Dunning, Dane Zook

Members Absent:

Ex officio Present:

Staff Present: Rodney J. Eslinger, Matt Michels, Jared Grande

#### 1. Call to Order and confirmation of meeting notice

Chairperson Gibson called the meeting to order at 7 pm and confirmed that the meeting was properly noticed.

#### 2. Roll Call

Chairperson Gibson – present, Supervisor Leary – present, Supervisor Coffey – present, Supervisor Dunning – present, Supervisor Zook – present.

#### 3. Public Comment **(15-minute maximum)**

None

#### 4. Public Hearings

- a. **Proposed Ordinance: File No. 20-21/065** “Amending the 1982 Zoning District Boundary Map for the Town of Pleasant Valley” (Helge E. and Rachel H. Vestnes) / Discussion – Action

Matt Michels, Senior Planner for Eau Claire County, presented the staff report for the request. The applicant has petitioned to rezone 11.7 acres of land from the from A-P, Agricultural-Preservation District to the A-2 Agricultural Residential District to divide the existing residence from the remainder of the property. If approved, the result will create an irregular shaped lot that will require committee. The remaining 65.5 acres will remain zoned A-P. The land uses in this area are a mix of woodlands, ag. fields, and single-family residences. The property is accessed off Easterson Road. Matt reviewed an aerial map, site plan, the current zoning and planning designations, with the committee.

Matt reviewed staff findings with the committee and gave his recommendation to approve the rezoning. The town board met on September 21<sup>st</sup> and recommended approval of the request with findings.

Supervisor Coffey inquired about the lot configuration and frontage of the cul-de-sac. Mr. Michels clarify that the applicant was trying to satisfy the County's road frontage requirements.

No one else spoke in favor or against the request.

**Action:** Motion by Dane Zook to approve the Proposed Resolution: File No. 20-21/065. Motion carried on a roll call vote: 5-0-0.

- b. **Proposed Ordinance: File No. 20-21/066** "Amending the 1982 Zoning District Boundary Map for the Town of Washington" (Jeffrey and Bonnaly Goss) / Discussion – Action

Matt Michels, Senior Planner for Eau Claire County, presented the petition to the committee. The applicant is requesting to rezone 5.5 acres of property from the from A-1, Exclusive Agricultural District to the A-2, Agriculture-Residential District to divide the existing single-family residence and outbuildings to sell the land to his son. The applicant will retain the remaining acreage with the intent to build a single-family residence for themselves in the future. The property is in the SW ¼ of the SE ¼ of Section 28, T26N-R8W, Town of Washington. Matt reviewed an aerial map, site plan, the current zoning and planning designations, and adjacent land uses with the committee. He noted that the rezoning will not have impacts on agriculture in the area as there already a residence located on each lot.

Matt reviewed staff findings with the committee and gave his recommendation to approve the rezoning. The town board met on September 17<sup>th</sup> and recommended approval of the request on a 4-0 vote.

Bonnaly Goss was on the WebEx but was not able to speak due to a technical issue.

No one else spoke in favor or against the request.

**Action:** Motion by Robin Leary to approve the Proposed Resolution: File No. 20-21/066. Motion carried on a roll call vote: 5-0-0.

- c. A conditional use permit request for the cumulative area of all accessory structures to exceed 1,200 square feet (2,500 square feet requested) in the R-H Rural Homes District. (Paul Slaby) Town of Pleasant Valley / Discussion – Action

Jared Grande, Land Use Manager for Eau Claire County, presented the request for the cumulative square footage of all accessory structures to exceed 1,200 square feet (2,500 sq. ft. requested) on the applicant's property. Mr. Grande reported that the proposed 50-foot by 50-foot garage will be used for personal storage. He reviewed the location of the site within the Town of Pleasant Valley. The new garage would meet the setback requirements of the district, comply with the height requirements, the structure's exterior will match the single-family residence that will be built on the lot within two years, and that the lot is large enough to support a garage of this size.



The Town of Pleasant Valley Town Board does not hold hearings on conditional use requests.

Staff concluded that the applicant's request for a conditional use permit for an accessory structure in excess of 1,200 square feet (2,500 sq. ft.) in the RH District complies with the code standards for accessory structures in the district, is consistent with the purpose of the code and the standards for granting a conditional use. Mr. Grande recommended approval subject to the conditions in the staff report. Jared recommend that exhibit A replace the site plan in the original application.

Paul Slaby, owner, spoke in favor the request and did not have any additional comments.

Michael Dudzik, neighbor to the property asked about the site plan which showed a skid loader and fork-lift and how is that not business related.

No one else spoke in favor of or against the request.

**Action:** Motion by James A. Dunning to approve conditional use permit subject to staff's recommended conditions and the following conditions:

- The applicant shall provide a landscaping/screening plan consisting of natural/manmade materials for the west property line from the rear of the proposed garage along the property line where the driveway is located seven (7) feet from the property line as shown on Exhibit A. Trees shall be at least six feet tall at the time of planting and a manmade fence shall not exceed six feet in height. The landscaping/screening plan shall be approved by the Land Use Manager.
- Exhibit A shall be incorporated into the conditional use permit request and shall replace the original submitted site plan.

Motion carried on a roll call vote: 5-0-0.

#### 5. Zoning Code (Title 18) Updated – Discussion

Jared Grande, Land Use Manager, presented the committee an updated timeline for the adoption of the zoning code.

#### 6. Comprehensive Plan Update – Discussion

Matt Michels, Senior Planner, presented a power point outlining the updated comprehensive plan adoption schedule.

#### 7. No-till Drill Update – Discussion

Rodney Eslinger, Director, gave an update on the no till planter (drill) purchase. He noted that over 350 acres have been planted and \$3,000 in rental fees have been collected year to date.

#### 8. Review/Approval of September 8, 2020 Meeting Minutes / Discussion – Action

The committee reviewed the September 8<sup>th</sup> meeting minutes.

**Action:** Motion by Robin Leary to approve the September 8, 2020 meeting minutes as presented. Motion carried on a roll call vote: 5-0-0.

9. Review/ Approval of August 25<sup>th</sup> & 8<sup>th</sup>, 2020 Joint Finance & Budget and Planning & Development meeting minutes - Discussion / Action

The committee reviewed the joint Finance and Budget and Planning and Development meeting minutes.

**Action:** Motion by Nancy Coffey to approve the August 25<sup>th</sup> & 8<sup>th</sup>, 2020 Joint Finance & Budget and Planning & Development meeting minutes as presented. Motion carried on a roll call vote: 5-0-0.

10. Proposed Future Agenda Items / Discussion

- a. Next scheduled meeting – October 27, 2020

11. Adjourn

**Action:** Meeting adjourned by unanimous consent at 8:47 p.m.

Respectfully Submitted,

Rodney Eslinger  
Clerk, Committee on Planning & Development