

AGENDA

Eau Claire County

• **PLANNING & DEVELOPMENT COMMITTEE** •

Date: Tuesday, September 13, 2022

Time: 7:00 p.m.

Location: Eau Claire County Courthouse, 721 Oxford Ave, Room 1277, Eau Claire, Wisconsin 54703

*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: 2597 657 4308

Password: 3SpisNyVk92

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

Audio conference: 1-415-655-0001 Access Code: 25976574308##

For those wishing to make public comment, you must e-mail Rod Eslinger at 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. Public Comment **(15 minute maximum)**
3. Review/Approval of August 23, 2022 Meeting Minutes / Discussion – Action **Pages 2-5**
4. Public Hearings
 - a. A conditional use permit for cumulative area of all accessory structures exceeding 1,200 sq. ft. (1,360 sq. ft. requested). Owner: David Gilman. Legal: Lot 1 & West ½ of Lot 2 of Salter’s Addition Town of Seymour, Eau Claire County, Wisconsin. CUP-0023-22 **Pages 6-23**
 - b. A petition to rezone 20.0 +/- acres from A-P Agricultural Preservation District to the A-3 Agricultural District. Owner: Karlyn & Joy Rudy. Applicant: Garrett Halama. Legal: Part of the NW ¼ of the NE ¼ and part of the NE ¼ of the NE ¼, Section 27, Township 25 North, Range 9 West, Town of Pleasant Valley, Eau Claire County, Wisconsin. RZN-0014-22 **Pages 24-43**
5. Review of August bills / Discussion **Page 44**
6. Proposed Future Agenda Items / Discussion
 - a. Next scheduled meeting September 27, 2022
7. Adjourn

Prepared by: Holly Kuhl

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters, remote access, or other auxiliary aids. Contact the clerk of the committee or Administration for assistance (715-839-5106). For additional information on ADA requests, contact the County ADA Coordinator at 839-6945, (FAX) 839-1669 or 839-4735, TTY: use Relay (711) or by writing to the ADA Coordinator, Human Resources, Eau Claire County Courthouse, 721 Oxford Avenue, Eau Claire, WI 54703.

MINUTES

Eau Claire County

• PLANNING & DEVELOPMENT COMMITTEE •

Date: Tuesday, August 23, 2022

Time: 7:00 p.m.

Location: Eau Claire County Courthouse, 721 Oxford Ave, Room 1277, Eau Claire, Wisconsin 54703

For those wishing to make public comment, you must e-mail Rod Eslinger at

Rod.Eslinger@eauclairecounty.gov at least 30 minutes prior to the start of the meeting.

Members Present: James Dunning, Robin Leary, Dane Zook, Nancy Coffey, Todd Meyer

Members Absent:

Ex officio Present: Chair Smiar

Staff Present: Rodney J. Eslinger, Matt Michels, Regan Watts, Phil Schumacher, Alyssa Streveler

1. Call to Order and confirmation of meeting notice

Chairperson Leary called the meeting to order at 7:01 pm and Director Eslinger confirmed confirmation of the meeting notice.

2. Public Comment **(15 minute maximum)** -None

3. Review/Approval of July 26, 2022, Meeting Minutes / Discussion – Action

ACTION: Motion by Nancy Coffey to approve the July 26, 2022, committee meeting minutes as presented. Motion carried on a voice vote: 5-0-0

4. Review/Approval of August 9, 2022, Joint Budget and Planning & Development Committee Meeting Minutes / Discussion – Action

ACTION: Motion by James A. Dunning to approve the August 9, 2022, Joint Budget and Planning and Development committee meeting minutes as presented. Motion carried on a voice vote: 5-0-0

5. Public Hearings

New Business

a. A conditional use permit for cumulative area of all accessory structures exceeding 1,200 sq. ft. (2,304 sq. ft. requested). Owner: Kevin & Lori Bischoff. Legal: The NW ¼ of the SW ¼ of Section 1, Township 25 North, Range 9 West, Town of Pleasant Valley, Eau Claire County, Wisconsin.
CUP-0021-22

Rodney J. Eslinger, Director of Planning and Development for Eau Claire County, presented the request for the cumulative square footage of all accessory structures to exceed 1,200 square feet on the applicant's property. Director Eslinger reported that the proposed 36 by 48 sq. ft. garage will be used for personal storage. He noted that there is an existing 576 sq. ft. garage onsite that will remain while two smaller outbuildings will be torn down, which bring the combined square footage of the structures at 2,304 sq. ft. 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.

On August 8, 2022, the Town of Pleasant Valley Town Board met and recommended approval of the conditional use request.

Staff concluded that the applicant's request for a conditional use permit for an accessory structure more than 1,200 square feet (2,304 sq. ft. requested) 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. Ms. Wirth recommended approval subject to the conditions in the staff report.

Kevin Bischoff, property owner, explain his request to the committee.

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

ACTION: Motion by Nancy Coffey to approve the conditional use permit (CUP-0021-22) request for cumulative area of all accessory structures exceeding 1,200 sq. ft. (2,304 sq. ft. requested). Motion carried on a voice vote of 5-0-0.

b. **Proposed Ordinance: File No. 22-23/0044** "Amending the 1982 Zoning District Boundary Map for Town of Pleasant Valley" (Karlyn & Joy Rudy/Garrett Halama) / Discussion – Action

Matt Michels, Senior Planner for Eau Claire County provided an update to the committee regarding the status of the petition. Mr. Michels requested that the committee postpone the hearing to its September 13th meeting based on the recommendation from the Town of Pleasant Valley to support a A-3 rezoning rather than A-2 that was requested in the original application. This is required to allow addition time to re-notice the hearing.

ACTION: Motion by Todd Meyer to postpone the hearing until September 13, 2022, to allow time to re-notice the petition from AP to A3 consistent with the Town of Pleasant Valley's recommendation. Motion carried on a voice vote of 5-0-0.

Old Business

a. A conditional use permit for an eight-site campground in the A-2 zoning district. Owner: Michael & Kristine Larson. Legal: A parcel of land in the NW ¼ of the NW ¼ of Section 29, Township 27 North, Range 8 West, Town of Washington, Eau Claire County, Wisconsin. CUP-0019-22

Rod Eslinger presented the conditional use permit request for a 8-site campground in the A2 District. He noted that this matter was previously tabled by the committee at its meeting on July 26th and to allow time for the applicant to obtain a town recommendation. Mr. Eslinger said the Town of Washington Town Board met on August 18th and voted unanimously 5-0 to recommend denial of the request. Mr. Eslinger proceeded to refresh the committee as to the applicant's request for a conditional use permit to establish an 8 RV site campground. He noted any decision of the committee should consider the County Code conditional use standards of 18.21 along with Act 67. He noted the committee findings should be of substantial evidence based on Act 67.

Supervisor Meyer inquired about the fire danger at the campground. Mr. Eslinger indicated he spoke with Jed Kaurich, WDNR Forester Ranger, he said campfire rings are acceptable, but the owner would be responsible for fire control in the event of a fire response.

Supervisor Coffey noted inconsistencies with the application, owner's policies and conditions, tent requirement, concerned with the well testing, and quite hours.

Phil Schumacher, Environmental Health Specialist with the City/County Health Department addressed questions on the well and septic.

Speaking in support of the request:

Peter Deetz, 246 N. Eau Claire Street, Eau Claire, represented the applicant at the hearing. He clarified that the applicant has removed the camping units from the request and indicated that all eight sites would be for RVs. He stated the following reasons why the request should be supported: safety, aesthetics, it will only be open from the spring to the fall, no transients will be allowed, and this is a low traffic use.

Speaking on opposition of the request:

Linda Hays, 1791 Valley View Dr, Eau Claire
Mike McCluskey, 7525 9 Mile Creek Road, Eau Claire
Rich Hager, 1340 Valley View Dr, Eau Claire
Cory Sisk, 7301 9 Mile Creek Road, Eau Claire,
Scott Eslinger, 1720 S Edgewater Dr, Eau Claire
Michael Machak, 7455 9 Mile Creek Rd, Eau Claire
Katie Wolff, 7455 9 Mile Creek Rd, Eau Claire

A summary of those that spoke in opposition is as follows: traffic concerns, noise, contamination of the creek, fire hazard, feeling the repercussions from the last CUP issued for the land fill, setting precedent for future uses, safety for kids, well concerns, water quality, dust from excavation, insurance questions, water is undrinkable, water testing, and the validity of the highway access permit.

ACTION: Motion by Dane Zook to deny the conditional use permit (CUP-0019-22) request for an eight-site campground in the A-2 zoning district subject to the following conditions:

1. Proposed campground is in an established residential neighborhood and the proposed use is not compatible with a residential land use. The property is not used for agriculture.
2. The Town of Washington Town Board motioned to deny the conditional use permit at its meeting on August 18, 2022.
3. The use will be injurious to the use and enjoyment of the neighbors based on the testimony presented.
4. It's unknown whether the volatile organic compounds (VOC) from the closed landfill to the south impact wells in the areas; including the well recently dug onsite. Testimony presented during the hearing indicated there was water quality issues with wells in the vicinity of the applicant's property.
5. The campground use is similar to a cottage industry under the zoning code.

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

6. Review of July bills / Discussion

The committee reviewed the July bills.

7. Review 2017 Wisconsin Act 67-Related Conditional Uses / Discussion

Rod Eslinger reviewed Wisconsin Act 67 with the committee and focused the discussion on the main requirements (summarized on page 2 of the handout). The committee had a brief discussion on the act.

8. Sustainability Advisory Committee / Discussion – Direction

Regan Watts, Recycling & Sustainability Coordinator for Eau Claire County, lead the discussion on the creation of a County Sustainability Advisory Committee. Main discussion points regarding the creation

of the committee were around the term limits (alternative years), overall role of the committee, fiscal component, and defining the scope of the plan. Other considerations for the plan should include public transportation, carbon emissions from commuting, and involvement from community-based organizations (CBOs).

The committee gave direction to Mrs. Watts to define the scope of the plan, which will help define the stakeholders group. Regan will provide a work plan at a future P&D Committee meeting on the next steps.

9. Proposed Future Agenda Items / Discussion

- a. Next scheduled meeting September 13, 2022

10. Adjourn

ACTION: Meeting adjourned by unanimous consent at 9:05 pm

Respectfully Submitted,

Rodney Eslinger
Clerk, Committee on Planning & Development



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

CONDITIONAL USE PERMIT NUMBER: CUP-0023-22

COMPUTER NUMBERS: 020-1159-02-000

PUBLIC HEARING DATE: September 13, 2022

STAFF CONTACT: Ben Bublitz, Land Use Manager

OWNER: David Gilman, 4152 N Shore Drive, Eau Claire, WI 54703

AGENT: owner

REQUEST: Cumulative area of all accessory structures to exceed 1,200 square feet (1,360 total square feet requested).

LOCATION: 4152 N Shore Drive, Eau Claire, WI 54703

LEGAL DESCRIPTION: Lot 1 & West ½ of Lot 2 of Salter's Addition, Town of Seymour, Eau Claire County, Wisconsin.

SUMMARY

Cumulative area of all accessory structures to exceed 1,200 square feet (1,360 total square feet requested) in the Single-Family Residential District, Large Lot (R-1-L).

BACKGROUND

The applicant has requested a new accessory structure: 14-foot by 24-foot accessory structure (shed) for storage of personal items including. There is an existing 32-foot by 26-foot detached garage and 12-foot by 16-foot storage shed on the property. The proposed shed would be constructed in addition to the existing structures.

The application materials include site plan, building elevations and floor plan layout of the garage; exterior of the building will be colored to match the existing dwelling. The height of the proposed building is 9-feet which is compliant with the maximum height requirement of 20-feet.

SITE CHARACTERISTICS:

- The lot size is approximately 0.8 acres.
- The lot is located on the North side of North Shore Drive not fronting on Lake Altoona or the Eau Claire River.
- The proposal is to exceed the 1,200 square foot maximum by 160 square feet.

CURRENT ZONING: R1L Single-Family Residential, Large Lot District. The R-1-L single-family residential district is established to provide an area for large-lot development on public sewer and water systems or where public facilities may be feasibly extended.

ADJACENT ZONING & LAND USES:

	ZONING	LAND USE
North	R1L	Residential-Single Family
West	R1L	Residential-Single Family
South	R1L	Residential-Single Family
East	R1L	Residential-Single Family

LAND USE PLANS: The County Land Use Plan and Town of Seymour Comprehensive Plan include this property in a Rural Residential area.

Rural Residential (RR)

Intent and Description: The primary intent of this classification is to identify areas suitable for future non-farm residential development. Rural Residential areas include lands that are delineated as existing residential properties or vacant platted areas. In addition, some undeveloped land has been designated for RR development where subdivision expansion is likely to occur. These additional areas tend to be adjacent to existing rural subdivisions or where local roads and utilities exist to efficiently and economically serve the area.

APPLICABLE ZONING REGULATIONS

Section 18.01.010 Purpose. This section describes the purpose of the zoning code. Generally, the purpose of the zoning ordinance is as follows: to separate incompatible land uses from one another; to maintain public health and safety; to protect and conserve natural resources; to prevent overcrowding; to preserve property values; and to maintain the general welfare of the citizens.

Section 18.02.020 A.184.a Definition of an Accessory Structure. An “accessory structure” means a subordinate structure which is clearly and customarily incidental to and located on the same lot as a principal structure except that mobile/manufactured homes are not allowed as storage structures.

Section 18.08.001 Purpose. The R-1-L single-family residential district is established to provide an area for large-lot development on public sewer and water systems or where public facilities may be feasibly extended.

Section 18.08.040 B.2. Maximum Height for an Accessory Structure in the RH District. The maximum height for the eaves of an accessory structure is 14 feet, and the maximum height for the structure is 20 feet. Maximum height is measured as the height halfway between the peak of the roof and the eaves (mean height).

Section 18.08.045 C. Accessory structures in the RH, Rural Homes District. All accessory structures shall meet the requirements of 18.07.045 C.

18.07.045 C. A conditional use permit is required to for accessory structures in excess of 1,200 square feet in the RH District and/or where the cumulative square footage of accessory structures is in excess of 1,200 square feet. The regulations also require that the appearance of an accessory structure shall be compatible with the design, style, and appearance of the principal structure on the property.

Chapter 18.21 Conditional Uses. Standards for approval of conditional uses: 1) the use must be in conformance with the purpose of the zoning district it is located in; 2) the use will not be injurious to the use and enjoyment of other property in the immediate vicinity; 3) adequate utilities, access, drainage and other necessary facilities have been or are provided; 4) adequate off-street parking is provided; 5)

adequate measures have been taken to prevent or control offensive odors, fumes, dust, noise and vibration so these will not constitute a nuisance, and lighting is controlled so that it does not result in disturbance to neighboring properties; 6) soil conditions are adequate to support the use; 7) access does not pose traffic congestion or hazards.

ANALYSIS: The request meets the standards for accessory structures in residential districts, that the structure will be subordinate to the residence on the property, and that it will meet all the standards for conditional use permits. The exterior of the structure is required to be compatible with the residence on the property, and the application indicates it will be the same as the existing house. This request does not appear to be injurious to the use and enjoyment of other properties in the immediate vicinity. The lot is large enough to accommodate the additional accessory structure and the structure will meet minimum setbacks required in the RH district. It does not appear that the use of the structure will result in any nuisance factors such as noise, dust, or fumes.

TOWN BOARD ACTION: The Town of Seymour will meet on September 12, 2022 and will forward a recommendation.

STAFF CONCLUSIONS AND RECOMMENDATION: Staff concludes that the request for a conditional use permit for the cumulative area of all accessory structures to exceed 1,200 square feet (1,360 total square feet requested) will meet all the standards for accessory structures in the R1L District; will meet all the standards for approval of conditional use permits; and will be consistent with the purpose of the zoning code, and adheres to 2017 Wisconsin Act 67 and Wis. Stat. 59.69(5e).

Staff recommends that the committee approve the conditional use permit with the following conditions:

1. The site plan, floor plan, and elevation drawings submitted with the application shall be attached to and made a part of the permit. The structure shall be constructed in accord with the drawings submitted and located on the property as shown on the site plan.
2. The appearance of the accessory structure must be compatible with the design, style, and appearance of the principal structure on the property, in accord with 18.07.045 C. of the Eau Claire County Code.
3. Any outside lighting shall be shielded in a downward manner to reduce lighting pollution.
4. The structure shall comply with the height standards for accessory structures, including the limit of eave height of 14 feet, and maximum mean height of 20 feet.
5. Prior to construction, the applicant shall obtain all necessary permits including but not limited to a land use permit from the Department of Planning and Development.
6. Use of the structure shall be limited to personal storage and shall not contain any living areas.
7. The building cannot be used for commercial or manufacturing purposes.
8. The applicant shall notify the Land Use Manager upon completion of the accessory structure so that staff can verify compliance with the terms of this approval.
9. The Land Use Manager can approve minor alterations from the terms of the permit. A major change requires the approval of the committee at a public hearing.
10. The owners shall allow staff from the Department to enter the property at reasonable times to inspect the premises for compliance with the conditions of this permit.
11. The permit is subject to Sections 18.21.080 to 18.21.100 of the Zoning Code. These provisions establish when a conditional use permit lapses, the conditions under which it can be revoked, and when a CUP expires due to the abandonment of a use.



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

Office Use Only

Date Application Accepted:	8/18/22
Accepted By:	Ben
Receipt Number:	71152
Town Hearing Date:	
Scheduled Hearing Date:	

CONDITIONAL USE PERMIT APPLICATION

Property Owner Name:	DAVID GILMAN	Phone#	715-835-6154
Mailing Address:	4152 N SHORE DR EAU CLAIRE, WI 54703		
Email Address:			

Agent Name:	Phone#
Mailing Address:	
Email Address:	

SITE INFORMATION

Site Address:	4152 N SHORE DR EAU CLAIRE WI 54703		
Property Description:	SW ¼ NW ¼ Sec. 14, T 27N, R 9W, W, Town of SEYMOUR		
Zoning District:	R4L	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):	020115902000		
or PIN #(s):	1802022709142302000		

GENERAL APPLICATION REQUIREMENTS

Applications are due by 12:00 PM of the Tuesday three weeks prior to the Planning and Development Committee meeting. All information from the checklist below must be included. The department is allowed 10 working days after submitting an application to determine if an application is approved, conditionally approved or denied.

<input type="checkbox"/> Complete attached information sheet	<input type="checkbox"/> Site Plan Drawn to Scale	<input type="checkbox"/> Confirmed with the Town their submittal deadline and process.	<input type="checkbox"/> Provide \$525.00 application fee (non-refundable). Send application to landuse@co.eau-claire.wi.us or to the address above.
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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 David A. Gilman

Date 8-18-2022

NOTICE: PERMIT FEES DOUBLE WHEN WORK BEGINS PRIOR TO ISSUANCE OF PERMITS & APPROVALS.

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.

STANDARDS FOR CONDITIONAL USE PERMITS

The Committee on Planning and Development has the authority to grant conditional use permit only when the standards are met. The conditional use permit standards are located in Section 18.21.060 of the Eau Claire County Code. Those standards are as follows:

- A. The proposed use is in conformance with the purpose of the zoning district in which it is located.
- B. The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted.
- C. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
- D. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
- E. Adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.
- F. Soil conditions are adequate to accommodate the proposed use.
- G. Proper facilities and access points are provided which would eliminate any traffic congestion or hazard which may result from the proposed use.

SUPPLEMENTAL INFORMATION FOR A CONDITIONAL USE PERMIT

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

WRITTEN DESCRIPTION OF THE PROPOSED USE:

General description of the use (home occupation, accessory structure in excess of 1,200 square feet, filling in a floodplain, non-metallic mining, or any other listed conditional use in zoning districts).

24x14 Storage Shed Same as house +
Existing shed

26x32	Existing garage	832 sq	
12x16	Existing shed	192 sq	
	New shed	<u>336 sq</u>	
		1,360 sq	Total

IF THE PROPOSED USE INVOLVED A BUSINESS ACTIVITY, DESCRIBE THE PROPERTY

Description of the type of business activity:

Equipment used in the business activity:

Days and hours of operation:

Number of employees:

Nuisance abatement measures that will be implemented:

Noise abatement measures:

Vibration abatement measures:

Dust control measures:

Measures to control fumes or odors:

Visual screening measures (plants, fences, walls, etc.)

DESCRIPTION OF ANY OTHER FEATURES OR CHARACTERISTICS THAT MAY BE SUBJECT TO ZONING REGULATIONS

Exterior appearance of any structure, including a description of the building materials used, the height of eaves, the color of the structure, etc. (required for conditional use permit applications for accessory structures in excess of 1,200 square feet)

Any proposed excavation or fill, the amount of material that will be mined in a non-metallic mining operation, the amount of material that will be stockpiled, etc.

Other features or characteristics (signs, fences, outdoor display areas, etc.)

SCALED SITE PLAN-[EAU CLAIRE COUNTY, WI](#) » [WG XTREME](#)

- | | |
|---|---|
| <input type="checkbox"/> Show parcel and building dimensions of all existing and proposed structures | <input type="checkbox"/> Landscape and screening plans |
| <input type="checkbox"/> Show all signs, fences and other features that may be regulated by zoning | <input type="checkbox"/> Show the well and septic system |
| <input type="checkbox"/> Site access, driveway, and nearest road (labeled) | <input type="checkbox"/> Parking areas with spaces |
| <input type="checkbox"/> Drainage plans including the erosion control plan | <input type="checkbox"/> Show all navigable water ways, wetlands, floodplains, slopes in excess of 20%, and any other unique limiting condition of the property |
| <input type="checkbox"/> The layout of the use within the structure; if the use only occupies part of the structure, the floor plan should illustrate only the layout of that part of the structure occupied by the use and any access to the use through halls, doorways, etc. | |
| <input type="checkbox"/> The location of any equipment that will be used | |

FOR ALL NON-AGRICULTURAL ACCESSORY STRUCTURES

- | |
|--|
| <input type="checkbox"/> Show floor plan, including attics |
| <input type="checkbox"/> Show scaled building elevations |
| <input type="checkbox"/> Show color scheme |
| <input type="checkbox"/> Provide information addressing 59.69 (5e) with substantial evidence supporting your request |

Legend

- Addresses
- Parcels
- Parcel Labels
- ▒ Parks
- ▒ Sections
- ▒ Villages (Scale below 35K)
- ▒ Cities (Scale below 35K)
- ▒ Towns
- Surrounding Counties
- ▒ Rivers and Streams
- ▒ Lakes and Rivers
- ▒ Interstate
- ▒ US Highway
- ▒ State Highway
- ▒ Ramp
- ▒ Major Arterial
- ▒ Minor Arterial
- ▒ Collector
- ▒ Local
- ▒ Private Drive
- ▒ Recreation
- ▒ Service
- ▒ Other
- Ortho 6 Inch 2018 (Color)
- Ortho 6 Inch 2020 (Color)



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

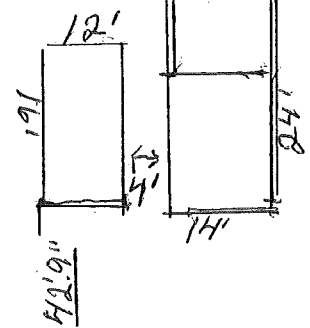
Author:	
Date Printed: 08/18/22 11:43 AM	
Source:	



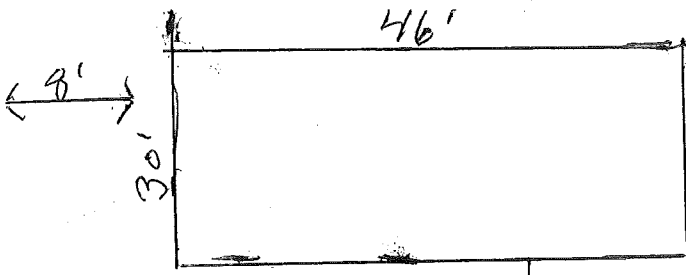
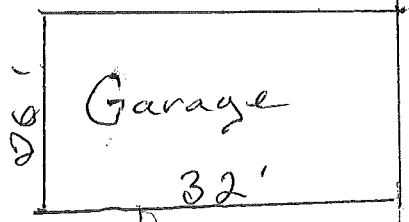
150'

84'

136'



53'



13'

4'

210'9"

235'

Drive way

75'

DAVE Gilman
4152 Northshore Drive

150'

Date: 7/15/2022 - 10:51 AM

Design ID: 305354465269

Estimate ID: 23272

Estimated Price: \$7,558.91

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

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YARD BUILDING

How to recall and purchase your design at home:



OR

1. On Menards.com, enter "Design & Buy" in the search bar
2. Select the Yard Buildings Designer
3. Recall your design by entering Design ID: 305354465269
4. Follow the on-screen purchasing instructions

How to purchase your design at the store:

1. Enter Design ID: 305354465269 at the Design-It Center Kiosk in the Building Materials Department
2. Follow the on-screen purchasing instructions



Floor type (concrete, dirt, gravel) is NOT included in estimated price. The floor type is used in the calculation of materials needed. Labor, foundation, steel beams, paint, electrical, heating, plumbing, and delivery are also NOT included in estimated price. This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions.

MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully.

MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS. THE PLANS AND/OR DESIGNS PROVIDED ARE NOT ENGINEERED. LOCAL CODE OR ZONING REGULATIONS MAY REQUIRE SUCH STRUCTURES TO BE PROFESSIONALLY ENGINEERED AND CERTIFIED PRIOR TO CONSTRUCTION.

For other design systems search "Design & Buy" on Menards.com

Date: 7/15/2022 - 10:51 AM

Design ID: 305354465269

Estimate ID: 23272

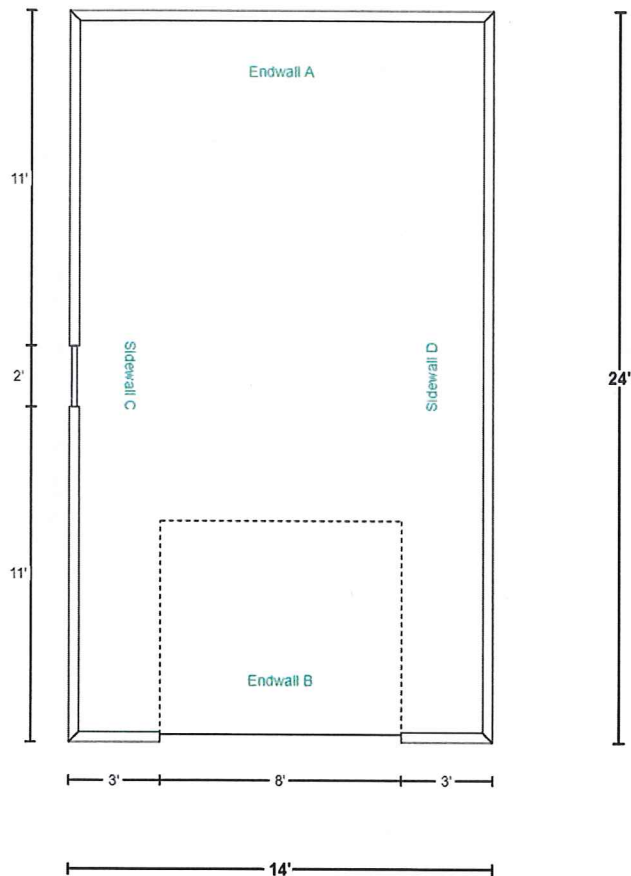
Estimated Price: \$7,558.91

*Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.

MENARDS®

Design & Buy™

YARD BUILDING



Date: 7/15/2022 - 10:51 AM

Design ID: 305354465269

Estimate ID: 23272

Estimated Price: \$7,558.91

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

MENARDS®

Design & Buy™

YARD BUILDING



Date: 7/15/2022 - 10:51 AM

Design ID: 305354465269

Estimate ID: 23272

Estimated Price: \$7,558.91

*Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.

MENARDS

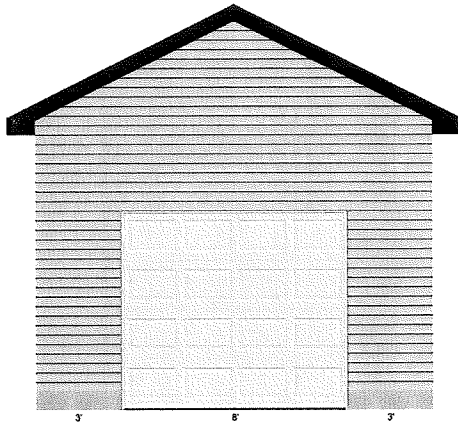
Design & Buy™

YARD BUILDING

Dimensions

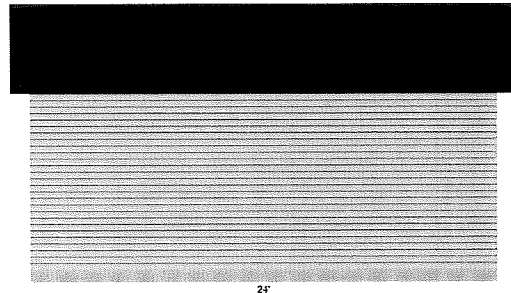
Wall Configurations

*Illustration may not depict all options selected.

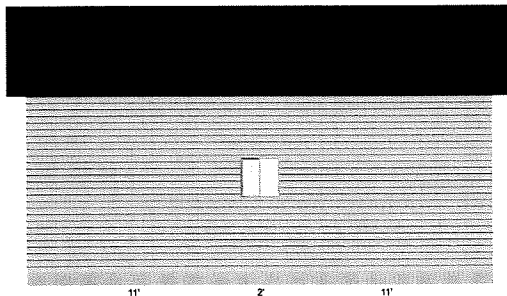


ENDWALL B

Ideal Door®; 4-Star 8' x 7' White Select Value Insulated

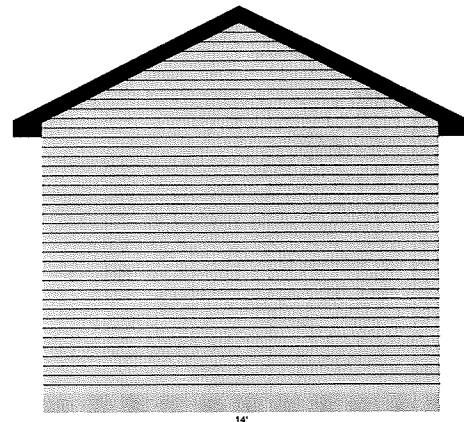


SIDEWALL D



SIDEWALL C

24"W x 24"H JELD-WEN® Vinyl Slider



ENDWALL A

Date: 7/15/2022 - 10:51 AM

Design ID: 305354465269

Estimate ID: 23272

Estimated Price: \$7,558.91

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

MENARDS®

Design & Buy™
YARD BUILDING

Materials

Building Info

Building Location Zip Code:	54701
Building Type:	Standard Studwall Construction
Building Width:	14'
Building Length:	24'
Building Height:	9'
Wall Framing Stud:	2" x 4"
Floor Materials:	Concrete (Concrete not included)
Roof Framing:	Truss Construction
Truss Type:	Common
Roof Pitch:	6/12 Pitch
Eave Overhang:	12"
Gable Overhang:	12"
Custom Yard Building Plan:	No I do not need a custom building plan
Concrete Block Rows:	1 Row
Concrete Block Type:	6" Standard

Wall Info

Siding Material Types:	Vinyl
Vinyl Siding:	ABTCO® Cedar Creek™ Double 4" - Prairie Wheat
Vinyl Corner Trim Color:	Prairie Wheat
Accent Material Type:	None
Wainscot Material Type:	None
Wall Sheathing:	7/16" OSB (Oriented Strand Board)
House Wrap:	None
Gable Vents:	None

Date: 7/15/2022 - 10:51 AM

Design ID: 305354465269

Estimate ID: 23272

Estimated Price: \$7,558.91

*Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.

MENARDS®

Design & Buy™

YARD BUILDING

Roof Info

Roof Sheathing:	7/16" OSB (Oriented Strand Board)
Roofing Material Type:	Exposed Fastener Steel Panel
Exposed Fastener Steel Roofing:	Cut to Length Pro-Rib® Steel Panel - Brown
SnowBar Trim:	None
Roof Underlayment:	#30 Felt Roofing Underlayment 3' x 72' (216 sq. ft.)
Ice and Water Barrier:	Hydraguard Dual Pro High Temperature Ice & Water Barrier 39-3/8" x 61' (200 sq. ft.)
Fascia Material Type:	Steel Fascia
Fascia:	12' Steel L-6 Fascia - Brown
Soffit Material Type:	Steel Soffit
Soffit:	Steel Vented Soffit Panel - Brown
Gutter Material Type:	None

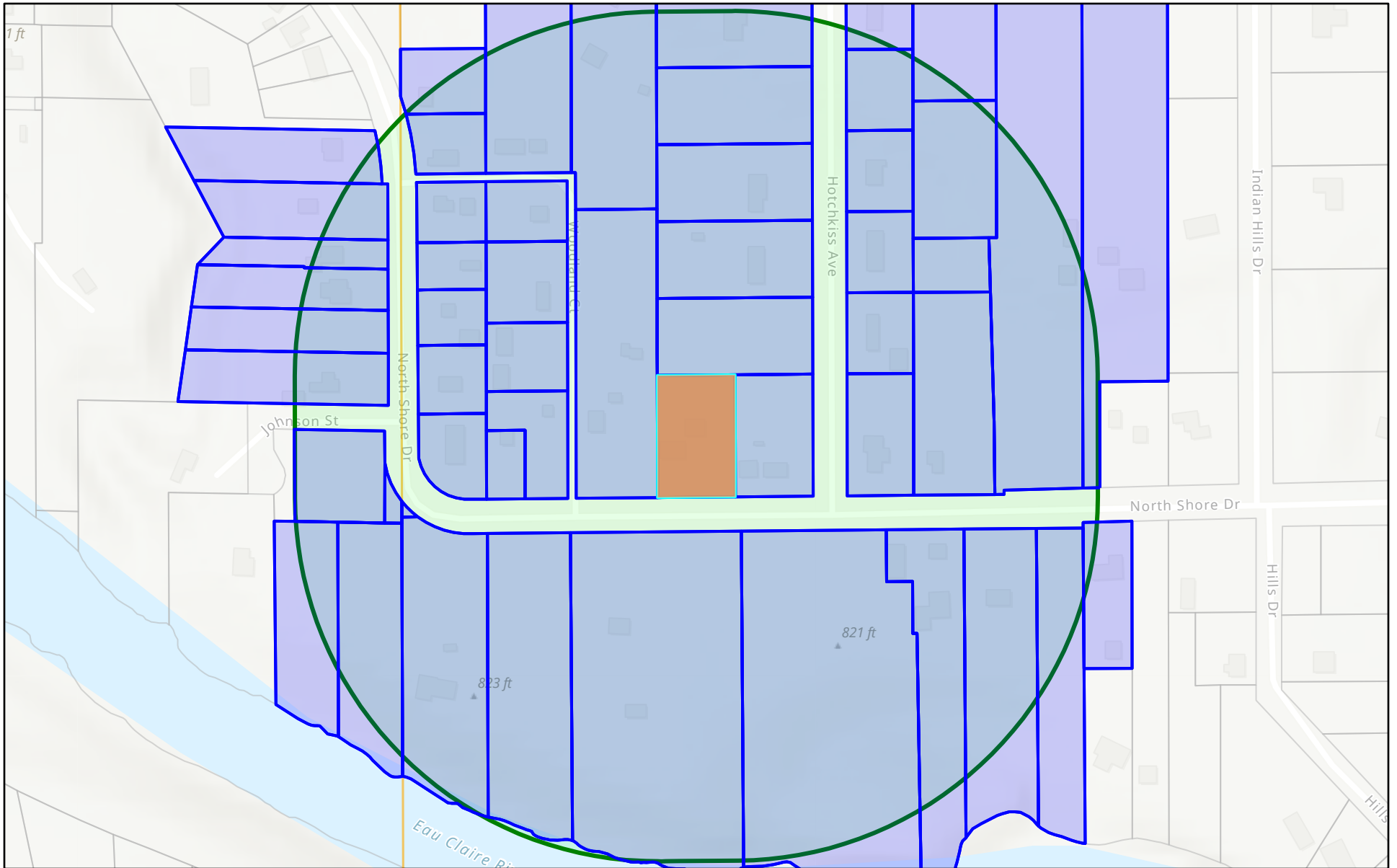
Openings

Overhead Door:	Ideal Door® 4-Star 8' x 7' White Select Value Insulated
Overhead Door Trim Type:	Vinyl
Windows:	24"W x 24"H JELD-WEN® Vinyl Slider
Vinyl Trim Color:	White




Additional Options

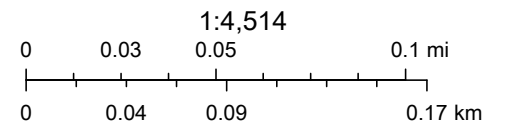
Ceiling Insulation:	None
Wall Insulation:	None
Ceiling Finish:	None
Wall Finish:	None
Anchor bolt:	Grip Fast® 1/2" x 10" HDG Anchor Bolt w/ Nut & Washer
Framing Fasteners:	Grip Fast® 3-1/2" 16D Vinyl-Coated Smooth Shank Sinker Nail - 5 lb. Box
Sheathing Fasteners:	Grip Fast® 2-1/2" 8D Vinyl-Coated Smooth Shank Sinker Nails
Truss Fastener:	FastenMaster® TimberLOK® 5/16" x 6" Hex Drive Black Hex Head Wood Screw - 50 Count
Overhead Opening Hardware:	No

Public Notification



8/18/2022, 2:26:14 PM

-  County Boundary
-  Tax Parcel
-  Section



Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,

FirstName LastName	Address	City State Zip
TESSA R GINDER	916 HOTCHKISS AVE	EAU CLAIRE WI 54703-2110
EAU CLAIRE COUNTY	721 OXFORD AVE	EAU CLAIRE WI 54703-5481
MITCHELL L & KATHLEEN M WELDON	814 HOTCHKISS AVE	EAU CLAIRE WI 54703-2109
BRUCE NAUMANN	2015 N HASTINGS WAY	EAU CLAIRE WI 54703-1753
ROBERT C DOUGHTY	1911 OVERLOOK RIDGE DR	KELLER TX 76248-6810
MARK A & KARON L NICOLAI	4160 NORTH SHORE DR	EAU CLAIRE WI 54703-2166
TED F & LINDA M MYERS	3875 NORTH SHORE DR	EAU CLAIRE WI 54703-2264
ISSAC KRAEMER	905 HOTCHKISS AVE	EAU CLAIRE WI 54703-2178
THOMAS LEIBHAM	105 MARIAN LN	TERRACE PARK OH 45174-1079
MACKENZIE WINGER	3903 WOODLAND CT	EAU CLAIRE WI 54703-2157
KASSIE FULLINGTON	3732 SHORE BLVD	OLDSMAR FL 34677-5612
CAROL J HOWARD	3920 WOODLAND CT	EAU CLAIRE WI 54703-2156
BENJAMIN WALKER	3914 NORTH SHORE DR	EAU CLAIRE WI 54703-2270
DENISE HOFFMAN	2851 5TH ST	EAU CLAIRE WI 54703-2926
SCOTT T SMITH	4280 NORTH SHORE DR	EAU CLAIRE WI 54703-2165
KEITH E & SHEILA C KRAEMER	4272 NORTH SHORE DR	EAU CLAIRE WI 54703-2165
KENNETH R & CAROL L BELKNAP	89 GRADY DR	CHIPPEWA FALLS WI 54729-3872
STEVEN GUNEM	3909 WOODLAND CT	EAU CLAIRE WI 54703-2157
WILLIAM PEAVEY	3907 NORTH SHORE DR	EAU CLAIRE WI 54703-2266
ALBERT EVANS	3906 WOODLAND CT	EAU CLAIRE WI 54703-2156
SARAH HAIDER	4285 NORTH SHORE DR	EAU CLAIRE WI 54703-2164
STEVEN RUNNING	915 HOTCHKISS AVE	EAU CLAIRE WI 54703-2178
MICHAEL WALKER	3870 NORTH SHORE DR	EAU CLAIRE WI 54703-2265
BRUCE C & SONJA M HUGHES	3939 NORTH SHORE DR	EAU CLAIRE WI 54703-2228
DANIEL CREVISTON	3915 WOODLAND CT	EAU CLAIRE WI 54703-2157
JON CHRISTOPHERSON	3921 WOODLAND CT	EAU CLAIRE WI 54703-2157
WAYNE T & JUDITH A DUBBERKE	815 HOTCHKISS AVE	EAU CLAIRE WI 54703-2177
JOHN HANSON	3926 NORTH SHORE DR	EAU CLAIRE WI 54703-2270
IVAN J & ASHLEY A GOSPODAR	3864 NORTH SHORE DR	EAU CLAIRE WI 54703-2265
TAMRA ZUREK	4040 NORTH SHORE DR	EAU CLAIRE WI 54703-2118
AMY L DELYEA-PETSKA	3921 NORTH SHORE DR	EAU CLAIRE WI 54703-2266
ERIC WITTIG	809 HOTCHKISS AVE	EAU CLAIRE WI 54703-2177
JOSEPH BAXTER	4289 NORTH SHORE DR	EAU CLAIRE WI 54703-2164

DONALD J & JUDITH M WOLF	4293 NORTH SHORE DR	EAU CLAIRE WI 54703-2270
BRUCE PAULSRUD	4049 NORTH SHORE DR	EAU CLAIRE WI 54703-2168
VANCE E & JULIE L MEAD	4027 NORTH SHORE DR	EAU CLAIRE WI 54703-2168
ELIZA SMITH	2222 LONDON RD	EAU CLAIRE WI 54701-4533
ERIK NANSTAD	4290 NORTH SHORE DR	EAU CLAIRE WI 54703-2165
MICHAEL LINEHAN	803 HOTCHKISS AVE	EAU CLAIRE WI 54703-2177
STEVEN RINDT	4271 NORTH SHORE DR	EAU CLAIRE WI 54703-2164
LINDA (LEAZOTT) DZIUK	904 HOTCHKISS AVE	EAU CLAIRE WI 54703-2110
CALVIN BUCHLI	3920 NORTH SHORE DR	EAU CLAIRE WI 54703-2270
GLORIA MCCANN	3903 NORTH SHORE DR	EAU CLAIRE WI 54703-2266
LARRY E & MARY E MARINO	3911 NORTH SHORE DR	EAU CLAIRE WI 54703-2266
DALE E & JANE E LARSON	3902 WOODLAND CT	EAU CLAIRE WI 54703-2156



EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

REZONE NUMBER: RZN-0014-22 **COMPUTER NUMBERS:** 018106603000
018106602000

PUBLIC HEARING DATE: September 13, 2022

STAFF CONTACT: Matt Michels, Senior Planner

OWNER: Karlyn & Joy Rudy, E 3380 Rudy Rd., Eleva, WI 54738

AGENT: Garrett Halama, High Point Land Co., 40245 Olson St., Osseo, WI 54758

AMENDED REQUEST: Rezone 20.0 acres +/- of land from A-P (Agricultural Preservation) District to A-3 (Agricultural) to divide the existing home and outbuildings and surrounding property from the agricultural land, which is to be auctioned

LOCATION: E 3380 Rudy Rd.

LEGAL DESCRIPTION: Part of the Northwest Quarter of the Northeast Quarter and part of the Northeast Quarter of the Northeast Quarter, Section 27, Township 25 North, Range 9 West, Town of Pleasant Valley, Eau Claire County, Wisconsin.

RECOMMENDATION Approval of request based on findings outlined on Page 6 of this report

BACKGROUND

At the August 23, 2022, Committee on Planning & Development meeting, the Committee postponed consideration of the rezoning petition based on the Town of Pleasant Valley's recommendation to rezone the property to the A-3 (20 ac. Minimum) District rather than the A-2 (5 ac. Minimum) District, as requested on the original application. This staff report is based on the revised request to rezone to A-3, which is reflected in the attached updated legal description and application reflecting the Town's recommendation.

SITE CHARACTERISTICS:

- The property is developed with a single-family residence and several outbuildings
- Portions of the property are wooded, and a small portion is cropped for agriculture
- 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;*

- C. *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;*
- D. *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;*
- E. *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-3 Agricultural District. *This district is established to protect the agricultural base of the county; preserve the county's natural resources and open space; provide an area for limited residential and hobby farm development in a rural atmosphere; and minimize urban sprawl and its associated public costs.*

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	A-P	Single-family residence & outbuildings; Woodlands
North	A-P	Agricultural fields
East	A-P	Agricultural fields
South	A-P	Woodlands
West	A-P	Agricultural fields; Woodlands

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 and Town of Pleasant Valley Rural Preservation Future Land Uses.

FARMLAND PRESERVATION PLAN:

The proposed A-3 District is not a certified farmland preservation district and 20 acres to be divided will not be eligible

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** – There are five (5) different soil types on the property to be divided, one of which is considered a prime agriculture soil. However, only a very small portion of the eastern part of the property contains this type of soil, and this area is developed with an outbuilding.

Map Unit Symbol	Description	Capability Class
115vC2	Seaton Silt Loam, driftless valley, 6-12%, moderately eroded	3
115vD2	Seaton Silt Loam, driftless valley, 12-20%, moderately eroded	4
254E2	Norden silt loam, 20-30% slopes, moderately eroded	6
254E2	Norden silt loam, 20-30% slopes, moderately eroded	6
255E2	Urne fine sandy loam, 20-30% slopes, moderately eroded	6

- **Historical Productivity** – Portions of the property have been previously used for agriculture.
- **Site Location** – The property is located on Rudy Road, farmland, and scattered residences and farmsteads.

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.* As discussed, only a very small portion of the property contains prime agricultural soils.

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 Pleasant Valley Town Board considered the rezoning petition on Monday, August 8, 2022, and recommended approval (3-0 vote) from A-P to A-3 (Agricultural; 20 Acre Minimum Lot Size) rather than to A-2 as originally requested. The property owner agreed with the recommendation and has amended their request and legal description consistent with the Town’s recommendation.

The rezoning petition has been evaluated for consistency with the purpose of the A-3 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 woodlands.
- There are numerous non-conforming parcels in the A-P District that do not meet the minimum 35-acre minimum lot size 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-3 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
2. The property has required road frontage on Rudy Road.
3. Agricultural potential of the property is limited by topography and soil capability.
4. Although most are zoned A-P, there are numerous non-conforming lots smaller than the 35 acres required in the A-P District in the area.



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

Application Accepted:	07/20/2022
Accepted By:	Matt Michels
Receipt Number:	70863
Town Hearing Date:	
Scheduled Hearing Date:	09/13/2022
Application No:	RZN-0014-22
Application Status:	Applied

Rezoning Petition

Owner/Applicant Name(s):

Owner: KARLYN D & JOY RUDY

Applicant: Garrett Halama, 40245 Olson St., Osseo, WI 54758

Telephone: 715-797-0442

Email: garrett@highpointlandcompany.com

RECEIVED

AUG 24 2022

COUNTY CLERK

Site Address(es):

E 3380 RUDY RD

Property Description:

Sec 27 Twn 25 Rge 09

Town of Pleasant Valley

Zoning District(s):

AP - Agricultural Preservation Distr

Lot Area(s) - Acres:

40.00

40.00

Overlay District(s):

PIN

1801822509271200001

Legal (partial)

NW-NE

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 following Zoning District from:

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.



Department of Planning and Development

Eau Claire County Courthouse
 721 Oxford Avenue, Room 3344
 Eau Claire, Wisconsin 54703
 (715) 839-4741

Office Use Only

Application Accepted:	
Accepted By:	
Application Number:	
Town Hearing Date:	
Scheduled Hearing Date:	9/13/2022

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): A3 (Proposed by township)
 Acres to be rezoned: 20

Property Owner Name: KARL & JOY RUDY Phone# 715-530-0980
 Mailing Address: E3380 RUDY RD. ELEVA, WI 54738
 Email Address: KARLRUDY61@YAHOO.COM

Agent Name: Garrett Halama Phone# 715-797-0442
 Mailing Address: 40245 OLSON ST. OSSEO, WI 54758
 Email Address: Garrett@HighPointLandCompany.com

SITE INFORMATION

Site Address: _____
 Property Description: _____ % _____ % Sec. _____, T _____ N, R _____ W, Town of _____
 Zoning District: Town of Pleasant Valley Code Section(s): _____
 Overlay District: _____
 Check Applicable Shoreland Floodplain Airport Wellhead Protection Non-Metallic Mining

COMPUTER #(S): _____ - _____ - _____ - _____

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 type="checkbox"/> Complete attached information sheet | <input type="checkbox"/> Confirmed with the Town their submittal deadline and process. |
| <input type="checkbox"/> Provide legal description of property to be rezoned | <input type="checkbox"/> Provide \$600.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$525.00 application processing fee and \$75.00 mapping surcharge fee) Acceptable forms of payment are check or online payment. Visit the Planning & Development website to pay online. |

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: Karl D. Rudy Date Aug 15, 22

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

REZONING APPLICATION CHECKLIST

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

Required Application Items:

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

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:

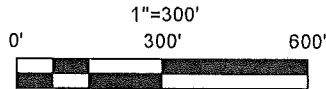
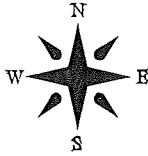
We would like to amend the previous application and change to A3 zoning so I have enough acres to keep my beef cattle.

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.

This will fit the A3 zoning since we want to keep 20 acres and I will continue to raise beef on this land.

CERTIFIED SURVEY MAP

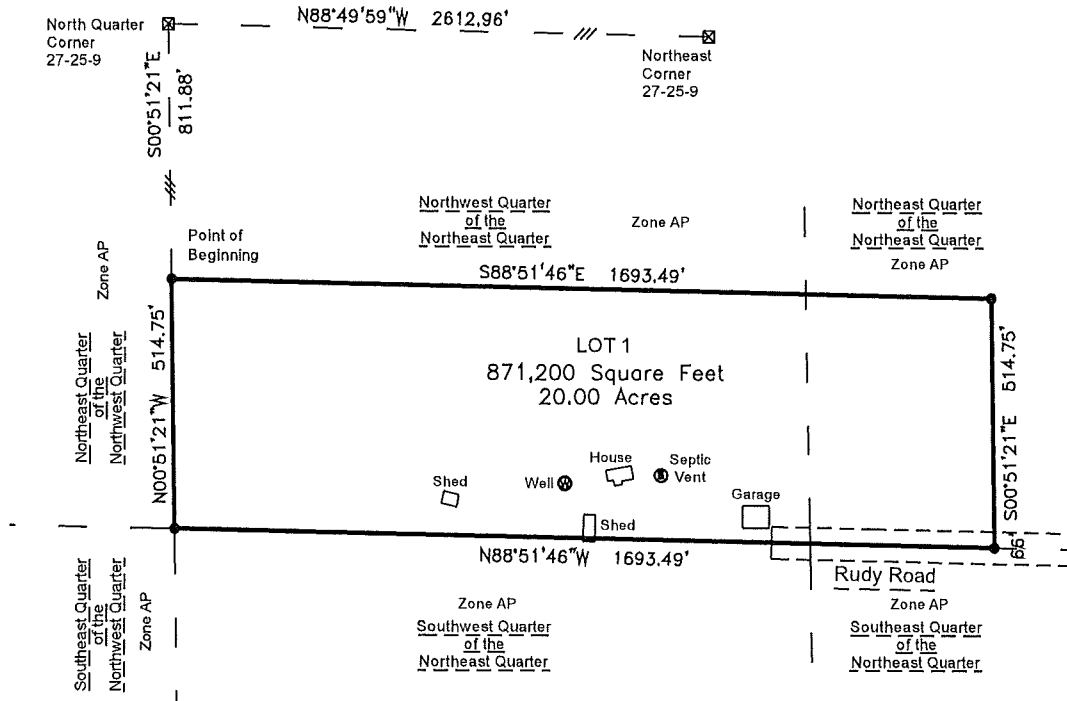
Part of the Northwest Quarter of the Northeast Quarter and part of the Northeast Quarter of the Northeast Quarter, Section 27, Township 25 North, Range 9 West, Town of Pleasant Valley, Eau Claire County, Wisconsin.



Bearings are referenced to the North Line of the Northeast Quarter of Section 27 which is assumed to bear N88°49'59"W.

LEGEND

- ☒ FOUND EAU CLAIRE COUNTY ALUMINUM MONUMENT (Unless Noted)
- SET 3/4" x 18" IRON REBAR, 1.50 POUNDS PER LINEAR FOOT.
- ✕ COMPUTED POINT



Property Owners:
 Karlyn & Joy Rudy
 E 3380 Rudy Road
 Eleva, WI 54738

Sheet 1 of 2 Sheets

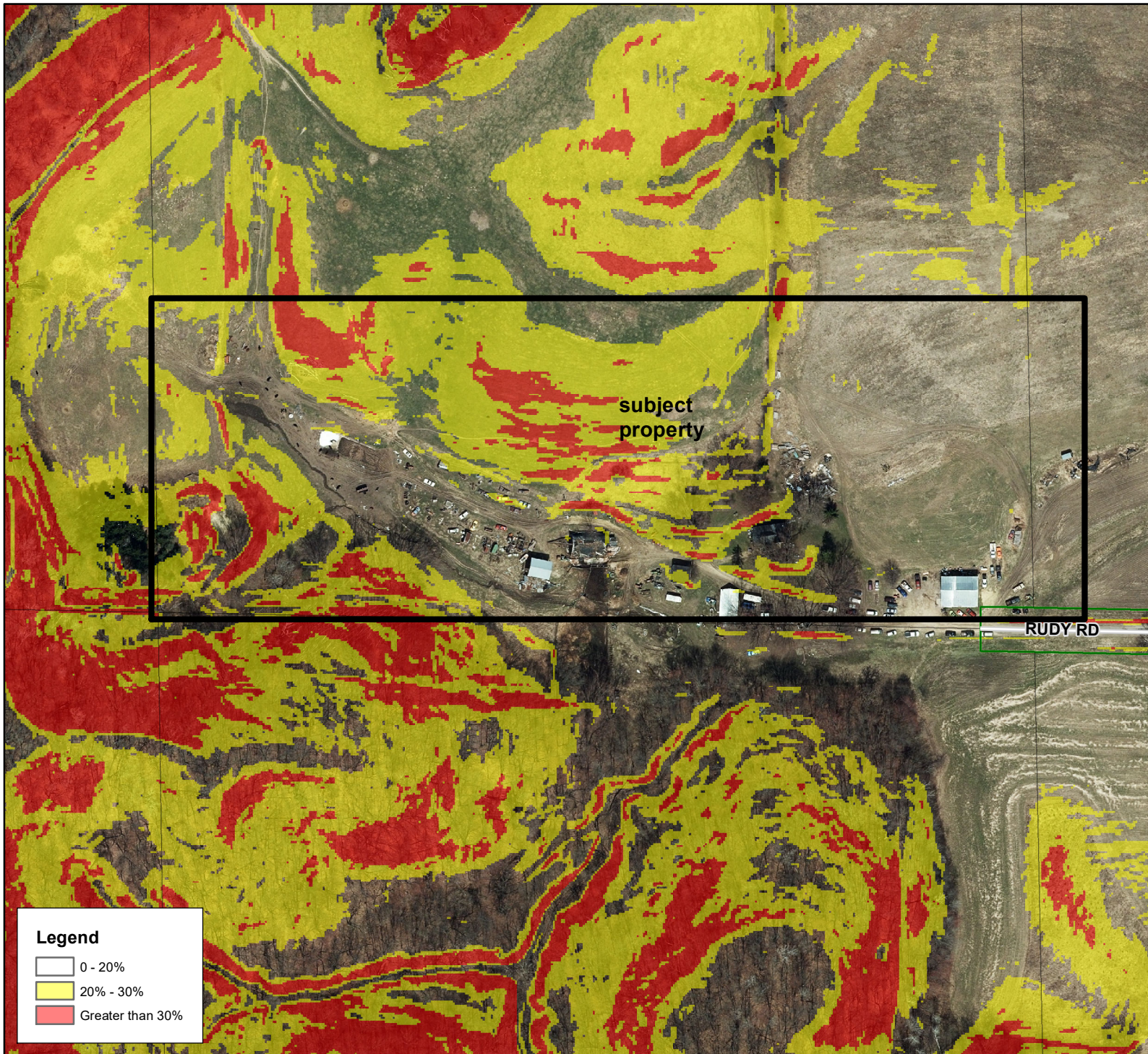
RAYMOND SURVEYING, LLC
 W19343 Hwy 10
 Strum, WI 54770
 www.raymond-surveying.com

Part of the Northwest Quarter of the Northeast Quarter and part of the Northeast Quarter of the Northeast Quarter, Section 27, Township 25 North, Range 9 West, Town of Pleasant Valley, Eau Claire County, Wisconsin.

Commencing at the Northeast corner of said section;
Thence N88°49'59"W, 2612.96 feet to the North Quarter corner of said section;
Thence S00°51'21"E, 811.88 feet to the point of beginning;
Thence S88°51'46"E, 1693.49 feet;
Thence S00°51'21"E, 514.75 feet;
Thence N88°51'46"W, 1693.49 feet;
Thence N00°51'21"W, 514.75 feet to the point of beginning.

Said parcel contains 20.00 acres or 871,200 square feet, more or less.

RUDY 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.





Rudy Rezoning: RZN-0014-22

Existing Zoning

1 inch = 1,250 feet

Future Land Use

1 inch = 1,250 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

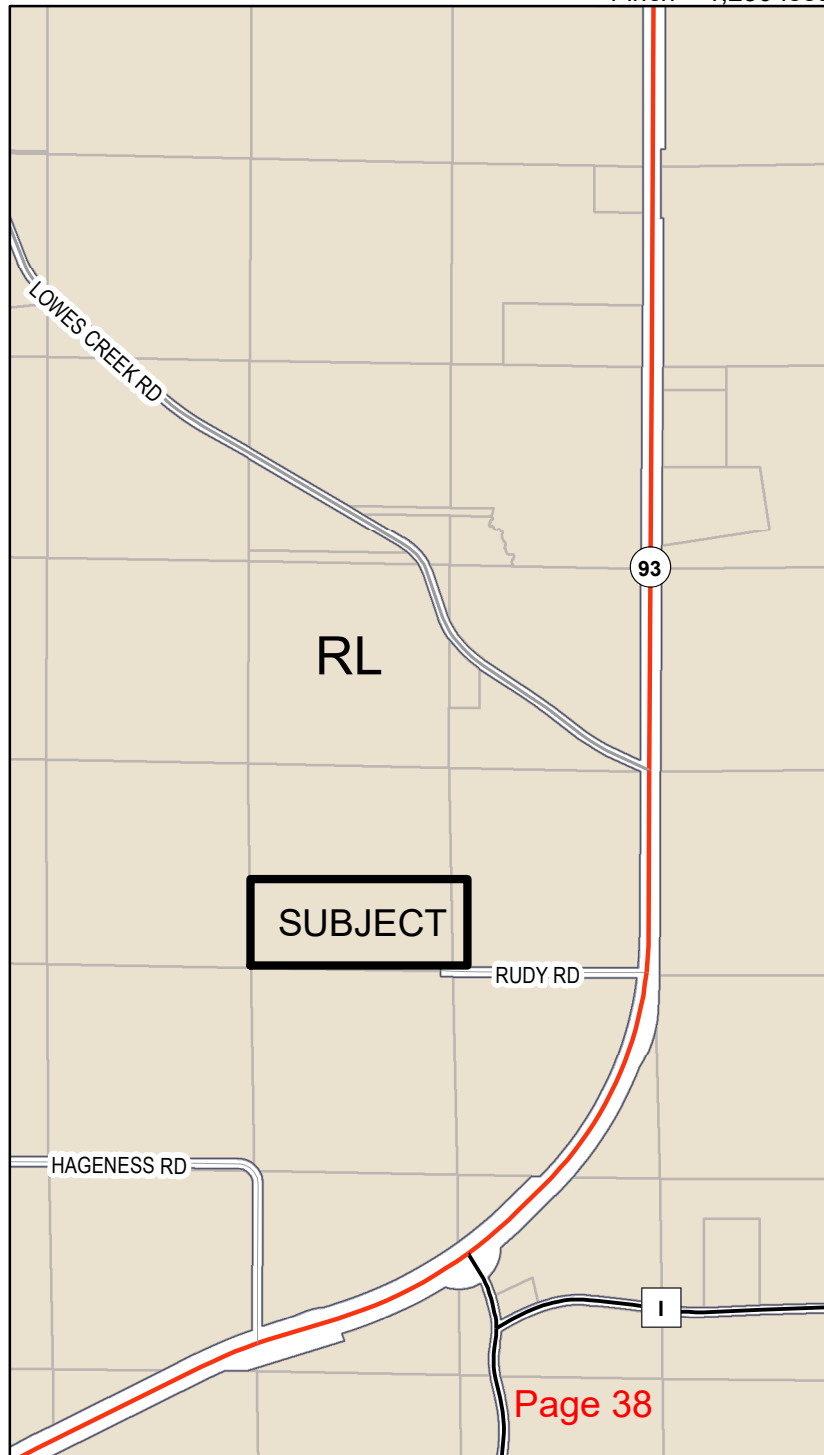
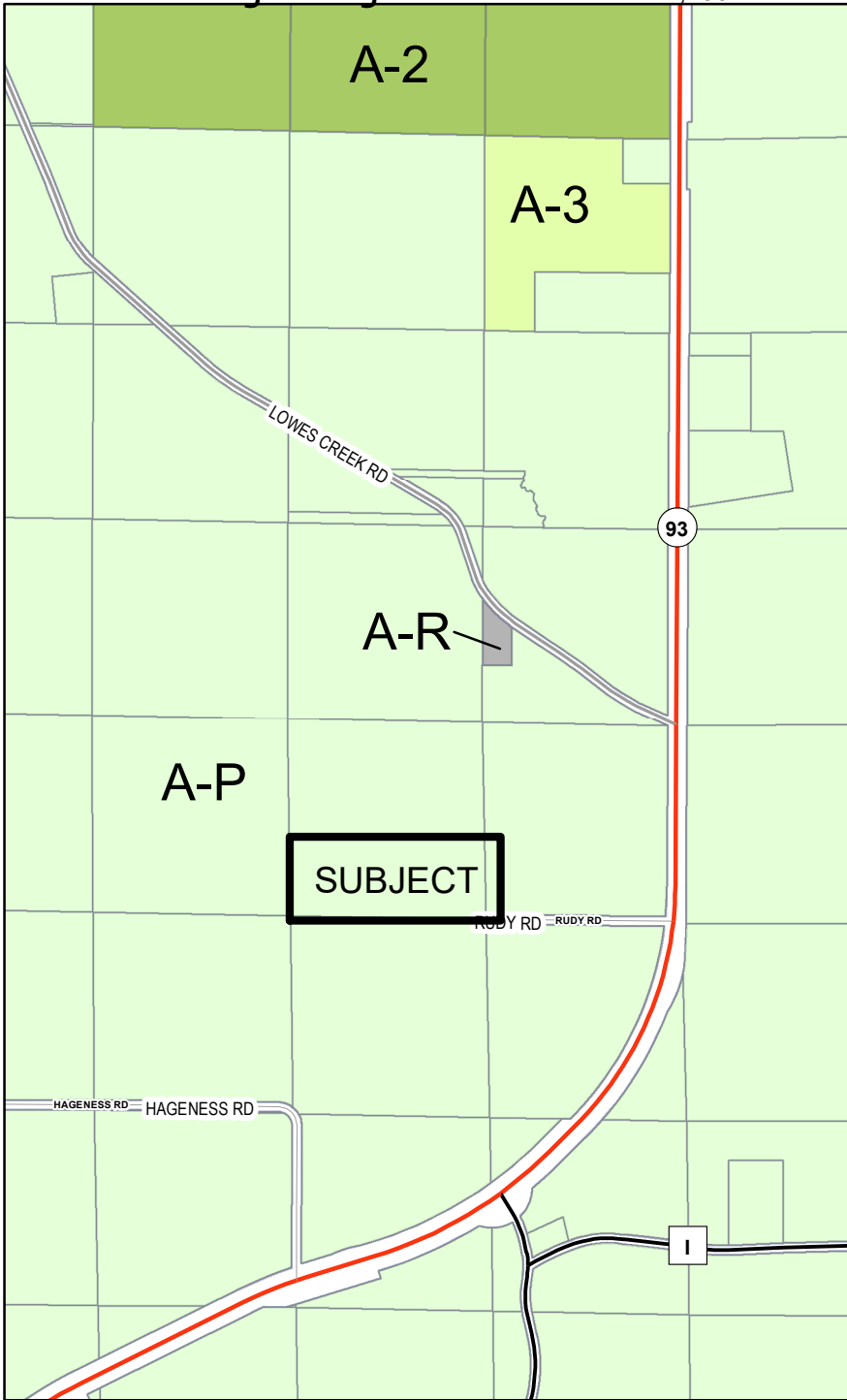


Parcel Mapping Notes:

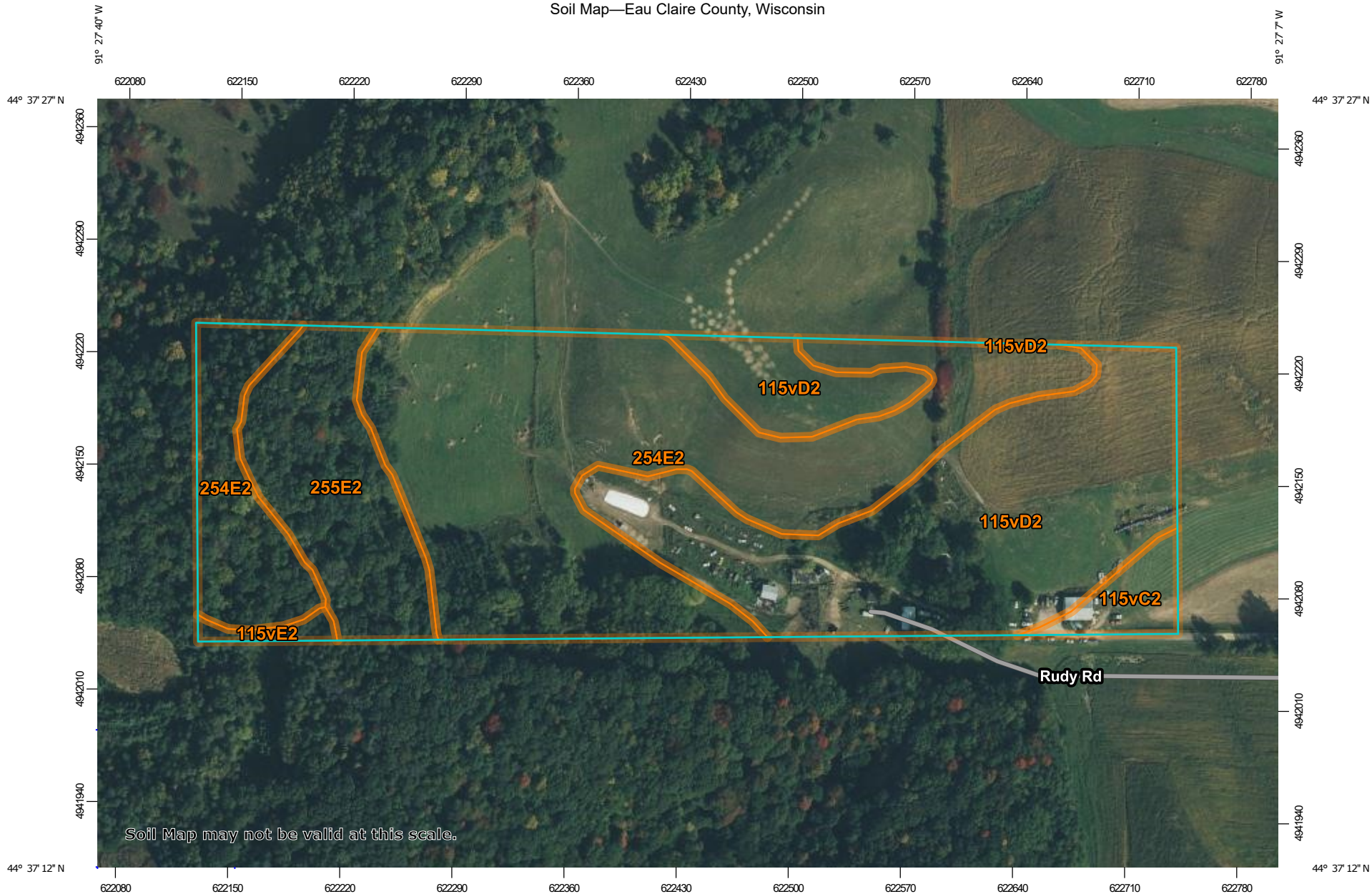
The horizontal datum is based on the Eau Claire County Coordinate System NAD_1983_HARN_Adj_WI_EauClaire_Feet

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.

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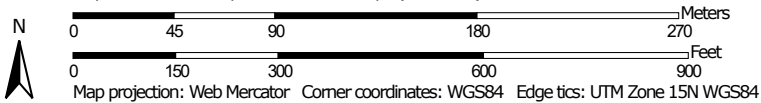


Soil Map—Eau Claire County, Wisconsin



Soil Map may not be valid at this scale.

Map Scale: 1:3,370 if printed on A landscape (11" x 8.5") sheet.



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Eau Claire County, Wisconsin

Survey Area Data: Version 20, Sep 7, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

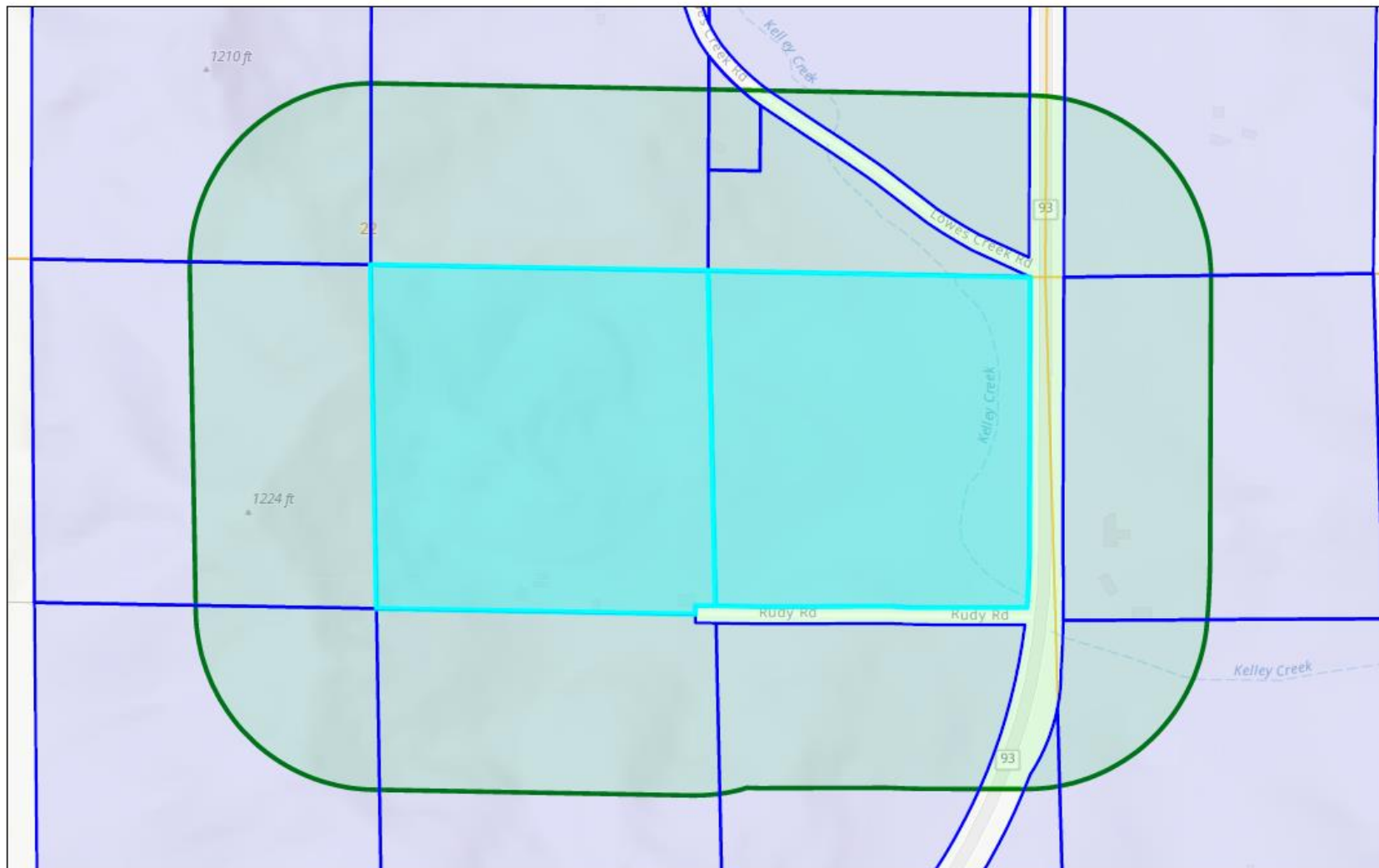
Date(s) aerial images were photographed: Aug 16, 2020—Sep 23, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

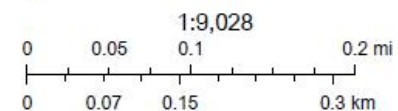
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
115vC2	Seaton silt loam, driftless valley, 6 to 12 percent slopes, moderately eroded	0.7	2.6%
115vD2	Seaton silt loam, driftless valley, 12 to 20 percent slopes, moderately eroded	10.0	35.0%
115vE2	Seaton silt loam, driftless valley, 20 to 30 percent slopes, moderately eroded	0.2	0.8%
254E2	Norden silt loam, 20 to 30 percent slopes, moderately eroded	14.0	49.0%
255E2	Urne fine sandy loam, 20 to 30 percent slopes, moderately eroded	3.6	12.5%
Totals for Area of Interest		28.6	100.0%

Public Notification



8/3/2022, 9:25:42 AM

- County Boundary
- Tax Parcel
- Section



Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph,

Eau Claire County, WI

FirstName LastName	Address	City State Zip
CLIFFORD BRULEY	S 13852 LOWES CREEK RD	ELEVA WI 54738-9049
SHELDON EMERSON	S13810 LOWES CREEK RD	ELEVA WI 54738-9049
JEFFREY BEMIS	E 2960 HAGENESS RD	ELEVA WI 54738-9423
WILLIAM B & VICKY L TEIGEN	S 13793 STATE ROAD 93	ELEVA WI 54738-4106
SCOTT KUNFERMAN	S 14345 STATE ROAD 93	ELEVA WI 54738-9145

**Planning and Development
August 2022**

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

Planning

Vendor	Amount	Description	Line Item#
Zach Felling	1,237.77	Esri Conference Expenses	100-15-51740-200-742
WRPLA	140.00	WRPLA Conference	100-15-56920-340-000
Eau Claire County Highway	579.18	Fuel - June 2022	100-15-56920-330-000
Voyager	294.99	Fuel-July 2022	100-15-56920-330-000
Rod Eslinger	54.67	Mileage	100-15-56920-330-000
APG Media of WI LLC	124.94	Pub Hearing 7.12 & 7.26 for Committee on P&D	100-15-56920-321-000
Peter Strand	123.75	Mileage	100-15-56920-330-000
Eau Claire County Highway	396.76	Fuel-July 2022	100-15-56920-330-000
All Season Tires-Pcard	94.79	Vehicle Maintenance	100-15-56920-241-000
Amazon-Pcard	386.44	Office Supplies	100-15-56920-310-000
WI Land Information Association	150.00	Virtual Workshop	100-15-56920-340-000
APG Media of WI LLC	62.40	Subscription	100-15-56922-326-000

Resurvey

Vendor	Amount	Description	Line Item#
Menards-Pcard	32.42	Supplies	100-15-51740-360-200
Menards-Pcard	11.98	Supplies	100-15-51740-360-200
Kluck Steel	2,100.00	Supplies	100-15-51740-360-200

Emergency Management

Vendor	Amount	Description	Line Item#
Eau Claire County Highway	108.94	Moving Command Trailer	100-15-52924-200-725
Office Depot	110.33	Folding Table	100-15-52924-813-000
Amazon-Pcard	38.74	EM Supplies	100-15-52924-390-000
United-Pcard	602.70	IAEM Conference Travel	100-15-52924-340-000
Intl Assn of EM-Pcard	659.00	IAEM Conference	100-15-52924-340-000
Intl Assn of EM-Pcard	199.00	IAEM Membership	100-15-52924-324-000
Survey Monkey-Pcard	99.00	Monthly Subscription Plan	100-15-52924-390-723

Recycling

Vendor	Amount	Description	Line Item#
Earthbound Environmental	3,253.14	Curbside Recycling	211-15-53635-201-000
Waste Management	44,653.56	Curbside Recycling	211-15-53635-201-000
Kersten Family Junk Removal	770.50	Mattress Transport (46 units)	211-15-53635-390-749
RightAway RollOff LLC	1,440.00	Mattress Transport (180 units)	211-15-53635-390-749
Cousins Subs	80.19	Mattress Event Food	211-15-53635-390-749
Hyvee Grocery	55.55	Mattress Event Food	211-15-53635-390-749
GFL Environmental	5,765.04	Dropsites	211-15-53635-208-000
Town of Wilson	102.60	recycling Attendant	211-15-53635-208-000

Land Conservation

Vendor	Amount	Description	Line Item#
Eau Claire County Highway	219.97	Flagging/Signage - Highway K	207-15-56924-390-716
DigiCopy	38.50	Envelopes	100-15-56920-313-000
Voyager	79.51	Fuel	100-15-56920-330-000
Kurt Tonn Excavating LLC	12,375.00	BD-22-01 Stream Crossing	207-15-56924-200-706
Kurt Tonn Excavating LLC	1,000.00	Bid Bond Release	100-00-23172-000-000
Paint Creek Nursery	1,720.00	Deposit for 2022-2023 Trees	100-15-56922-829-701

Division	Totals
Planning	3,645.69
Resurvey	2,144.40
Emergency Management	1,817.71
Recycling	56,120.58
Land Conservation	15,432.98
Total	63,728.38