

## AGENDA

Eau Claire County

### • PLANNING & DEVELOPMENT COMMITTEE •

**Date:** Tuesday, March 26, 2024

**Time:** 6:00 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: 2533 042 1206

Password: ZqCh2JbmJ58

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

**Audio conference:** 1-415-655-0001 Access Code: 25330421206##

**For those wishing to make public comment, you must e-mail Rod Eslinger at [Rod.Eslinger@eauclairecounty.gov](mailto:Rod.Eslinger@eauclairecounty.gov) at least 60 minutes prior to the start of the meeting.**

*\*Please mute personal devices upon entry*

*A majority of the county board may be in attendance at this meeting, however, only members of the committee may take action on an agenda item.*

1. Call to Order and confirmation of meeting notice
2. Roll Call
3. Public Comment
4. Review/Approval of February 27, 2024 Meeting Minutes / Discussion – Action **Pages 3-4**
5. Public Hearings
  - a. **Proposed Ordinance: File No. 23-24/078** to rezone 40.0 acres +/- from A-P Agricultural Preservation District to the A-1 Exclusive Agricultural District. Owner: Gina Rumpel Legal: The SE ¼ of the NW ¼, Section 33, Township 26 North, Range 10 West, Town of Brunswick, Eau Claire County, Wisconsin. RZN-0005-24  
**Pages 5-22**
  - b. **Proposed Ordinance: File No. 23-24/086** to rezone 5.0 acres +/- from A-P Agricultural Preservation District to the A-2 Agriculture-Residential District. Owner: Ed & Nancy Hink. Applicant: Eric Knauf-American Land Surveying. Legal: A parcel of land being part of the SE ¼ of the SW ¼ of Section 35, Township 26 North, Range 9 West, Town of Pleasant Valley, Eau Claire County, Wisconsin. RZN-0006-24 **Pages 23-39**
  - c. **Proposed Ordinance: File No. 23-24/089** to rezone 15.0 acres +/- from A-P Agricultural Preservation District to the A-2 Agriculture-Residential District. Owner: Dale & Geraldine Erdman Legal: The NE ¼ of the SE ¼, Section 15, Township 25 North, Range 7 West, Town of Otter Creek, Eau Claire County, EXCEPT the E ½ thereof ALSO EXCEPTING the W ½ of the NW ¼ of the NE ¼ of the SE ¼ thereof. RZN-0008-24  
**Pages 40-57**
  - d. **Proposed Ordinance: File No. 23-24/090** to rezone 5.0 acres +/- from A-P Agricultural Preservation District to the A-2 Agriculture-Residential District. Owner: Gerald Kreider. Legal: The North ½ of the NW ¼ of the NE ¼ of the SW ¼, Section 10, Township 25 North, Range 7 West, Town of Otter Creek, Eau Claire County, Wisconsin. RZN-0009-24  
**Pages 58-75**

Prepared by: Heidi Pederson

*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 839-7335, (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.*

- e. A conditional use permit request for cumulative area of all accessory structures to exceed 1,800 sq. ft. on a lot with an area between 1 and 2.99 acres. Owner: Michael McIntrye. Legal: The South 20 rods of the SE ¼ of the SE ¼ of Section 16, Township 27 North, Range 10 West, EXCEPT the West 300 feet and EXCEPT the East 46 rods, Town of Union, Eau Claire County, Wisconsin. CUP-0001-24 **Pages 76-89**
- f. A conditional use permit request for a religious use for an “Old Order Amish” cemetery. Owner: Daniel Bornreger. Legal: The SE ¼ of the SW ¼ of Section 25, Township 26 North, Range 8 West, Town of Lincoln, Eau Claire County, WI. CUP-0002-24 **Pages 90-100**
- g. A conditional use permit request for temporary asphalt & concrete batching, ready-mix operations, or concrete crushing. Owner: James Strauch. Applicant: Nick Petit. Legal: A parcel of land being part of the NE ¼ of the SW ¼, Section 21, Township 26 North, Range 8 West, Town of Washington, Eau Claire County, WI. CUP-0003-24 **Pages 101-141**
6. Committee Review– To modify the existing building envelopes of Lot 13 & 14 of Thistledown, Town of Washington, Eau Claire County, Wisconsin. (Harpreet S Anand Living Trust/Stockburger) / Discussion – Action **Pages 142-148**
7. File no. 23-24/088 to amend section 17.020.010 of the code: Membership / Discussion – Action **Pages 149-150**
8. Review of February bills / Discussion **Page 151**
9. Proposed Future Agenda Items / Discussion
  - a. Next scheduled meeting April 9, 2024
10. Adjourn

Prepared by: Heidi Pederson

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## MINUTES

Eau Claire County

### • PLANNING & DEVELOPMENT COMMITTEE •

**Date:** Tuesday, February 27, 2024

**Time:** 6:00 p.m.

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

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Password: 98wGdfyqM7d

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**Audio conference:** 1-415-655-0001 Access Code: 25301452114##

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*A majority of the county board may be in attendance at this meeting, however, only members of the committee may take action on an agenda item.*

Members Present: Robin Leary, James Dunning, Dane Zook, Nick Smiar, Todd Meyer (arrived at 6:50 PM)

Members Absent:

Ex officio Present:

Staff Present: Rodney J. Eslinger, Matt Michels, Regan Watts

1. Call to Order and confirmation of meeting notice.

Chair Leary called the meeting order at 7 PM and confirmed with Director Eslinger that the meeting was properly noticed.

2. Roll Call – Director Eslinger called roll of the committee: Members present are noted above.
3. Public Comment - None
4. Review/Approval of January 23, 2024 Meeting Minutes / Discussion – Action

**ACTION:** Motion by Dane Zook to approve the January 23, 2024 committee meeting minutes as amended (top of page 3 severed s/b served). Motion carried on a voice vote: 4-0-0

5. Public Hearings

a. **Proposed Ordinance: File No. 23-24/070** to rezone 11.4 acres +/- from F-1 Exclusive Forestry District to A-2 Agriculture-Residential District. Owner: HG Anderson Land LLC-Paul Anderson. Applicant: Patrick Sullivan, Attorney Paul J. Mirr and Attorney Ian Colby. Legal: Located in the Northwest ¼ of the Southwest ¼, Section 2, Township 26 North, Range 7 West, Town of Lincoln, Eau Claire County, Wisconsin. RZN-0001-24

Matt Michels, Senior Planner for Eau Claire County gave the staff presentation to the committee. He updated the committee as to the location of the rezoning petition within the town and shared the following with the committee; an aerial map, the zoning and future land use map, and a soil map of the property to be rezoned. The request is to rezone 11.4 acres from the F-1 Exclusive Forestry District to the A-2 Agriculture-Residential District for the purpose of constructing a new single-family home on the property. Mr. Michels said the Town of Lincoln Town Board reviewed the rezoning petition at their meeting on February 12, and voted to recommend approval of the petition.

Matt concluded his presentation by recommending that the committee approve the rezoning petition based on the following findings: 1. The proposed rezoning is substantially consistent with the intent and purpose of the Eau Claire County Future Land Use plan. 2. There are numerous A-2 zoned lots near the property in question, and adjacent lands are planned for Rural Residential uses. 3. The property has the required frontage on Lincoln Drive. 4. The applicant indicated that they plan to keep the remaining 120 acres in the DNR Managed Forest Law (MFL).

He also noted that no one provided documentation to support or oppose the rezoning petition as presented.

John Behling, Attorney with Weld Riley, represented the buyer, Patrick Sullivan and spoke in favor of the request.

No one else spoke in favor or in oppose to the rezoning petition.

**ACTION:** Motion by Dane Zook to approve the Proposed Ordinance: File No. 23-24/070. Motion carried on a voice vote: 4-0-0

6. Climate Action & Resilience Plan / Discussion

Regan Watts, Eau Claire County's Recycling and Sustainability Coordinator presented an overview of the Climate Action & Resilience Plan (CARP) to the committee and responded to their questions. The Community CARP outlines strategies and action steps to leverage the current work being done in the community and how Eau Claire County can support community action to reach its emissions goals by 2030.

The resolution was not prepared for the committee to act on at this meeting. The committee recommended that a joint meeting be scheduled with the Committee on Administration at 6:30 before the March 19<sup>th</sup> County Board meeting.

Supervisor Meyer arrived at 6:50 PM.

7. 2023 Planning & Development Dept. 4<sup>th</sup> Quarter Review – Discussion

Director Eslinger presented the 4<sup>th</sup> quarter P&D report along with the financial report.

8. Review of January bills / Discussion

The committee reviewed the January bills.

9. Proposed Future Agenda Items / Discussion

- a. Next scheduled meeting March 26, 2024

10. Adjourn

**ACTION:** Meeting adjourned by unanimous consent at 7:20 PM.

Respectfully Submitted,

Rodney Eslinger  
Clerk, Committee on Planning & Development



# EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

**REZONE NUMBER:** RZN-0005-24      **COMPUTER NUMBER:** 004110601000

**PUBLIC HEARING DATE:** March 26, 2024

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

**OWNER/AGENT:** Gina Rumpel, 6365 Prairie Cir N, Eau Claire, WI 54701

**REQUEST:** Rezone 40 acres +/- of land from A-P (Exclusive Forestry) District to A-1 (Agricultural-Residential) District to allow the property owner to construct a home without the A-P farm income restrictions

**LOCATION:** North side of Nelson Rd and west of State Highway 37

**LEGAL DESCRIPTION:** The SE ¼ of the NW ¼ of Section 33, Township 26 North, Range 10 West, Town of Brunswick, Eau Claire County, Wisconsin.

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

## BACKGROUND

### SITE CHARACTERISTICS:

- The property to be rezoned is mostly wooded.
- The property contains mapped wetlands.
- According to the applicant, the DNR has granted access to the northern portion of the property through an existing drive.

### EXISTING ZONING DISTRICT:

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

- A. *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;*
- B. *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-1 Exclusive Agricultural District. The A-1 Exclusive Agricultural 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, livestock facilities, and nurseries.

**ZONING/LAND USE CONTEXT:**

LOCATION	ZONING	LAND USE
<b>Subject</b>	A-P	Woodlands; Existing outbuildings
<b>North</b>	A-P	Woodlands; Pasture
<b>East</b>	A-P	Single-family residence; Woodlands; Ag fields
<b>South</b>	A-P	Woodlands; Ag fields
<b>West</b>	A-P	Ag 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 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. *For those Towns under County Zoning, 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 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 substantially consistent with the intent, description, and the applicable policies of the Eau Claire County Rural Lands land use category.

**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 Zoning District is not a certified farmland preservation district and would not qualify for Farmland Preservation tax credits.

**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** – The soils are typical of the area, which is generally sandy and lower productivity, which is a primary reason the property is wooded rather than tilled for agriculture.
- **Historical Productivity** – There is no evidence that the property has been tilled for agriculture.
- **Site Location** – The property is located on Nelson Road.
- **Adjacent Land Uses** – Uses in the area include a mixture of farmland, woodlands, farm and non-farm single-family residences, and vacant open areas.

**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.* No farmland will be impacted with this rezoning.

**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.

## 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.

Town Board Action: The Brunswick Town Board considered the rezoning petition on Tuesday, March 12, 2024 and voted to recommend approval.

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 substantially consistent with the intent and purpose of the Eau Claire County Future Land Use plan.
- Existing uses in the area include woodlands, agricultural fields, and farm and non-farm single-family residences.
- Zoning is predominantly A-P, A-3, and A-2 in 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 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. There are numerous A-2 zoned lots near the subject property, and adjacent lands are planned for Rural Residential uses.
3. The property has required road frontage on Nelson Road.



**Department of Planning and Development**

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

Application Accepted:	02/13/2024
Accepted By:	Matt Michels
Receipt Number:	76439
Town Hearing Date:	3/12/24
Scheduled Hearing Date:	03/26/2024
Application No:	RZN-0005-24
Application Status:	Applied

**Rezoning Petition**

**RECEIVED**

**FEB 14 2024**

**COUNTY CLERK**

**Owner/Applicant Name(s):**

**Owner:** GINA RUMPEL

**Applicant:** Gina Rumpel 6365 Prairie Circle N, Eau Claire, WI 54701

**Telephone:** 715-559-9238

**EMAIL:** ginarumpel@yahoo.com

**Site Address(es):**

W 5538 NELSON RD

**Property Description:**

Sec 33 Twn 26 Rge 10  
 Town of Brunswick

**Zoning District(s):**

AP - Agricultural Preservation Distr

**Lot Area(s) - Acres:**

40.00  
~~40.00~~  
~~40.00~~  
~~40.00~~

**Overlay District(s):**

**PIN**

1800422610332400001

**Legal (partial)**

SE-NW

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:	2/13/24
Accepted By:	MM
Application Number:	R2N-0005-24
Town Hearing Date:	3/12/24
Scheduled Hearing Date:	3/26/24

**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): A1
Acres to be rezoned: 40	

Property Owner Name: Gina Rumpel	Phone# (715) 559-9238
Mailing Address: 6365 Prairie Circle N Eau Claire, WI 54701	
Email Address: ginarumpel@yahoo.com	

Agent Name:	Phone#
Mailing Address:	
Email Address:	

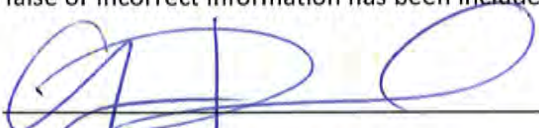
**SITE INFORMATION**

Site Address: W 5538 Nelson Rd Mondovi, WI 54755
Property Description: SE ¼ NW ¼ Sec. 33, T 26 N, R 10 W, Town of Brunswick
Zoning District: Code Section(s):
Overlay District: <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): 1800422610332400001
PIN #(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 checked="" type="checkbox"/> Provide legal description of property to be rezoned	<input type="checkbox"/> Provide \$630.00 application fee (non-refundable), (\$550.00 application processing fee and \$80.00 mapping surcharge fee). Send application to <a href="mailto:landuse@eau Claire County.gov">landuse@eau Claire County.gov</a> or to the address above.

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: 2/13/24

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:

There are not enough agricultural resources to fulfill the AP farm residence income requirements. I want to build a single family residence on the property.

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.

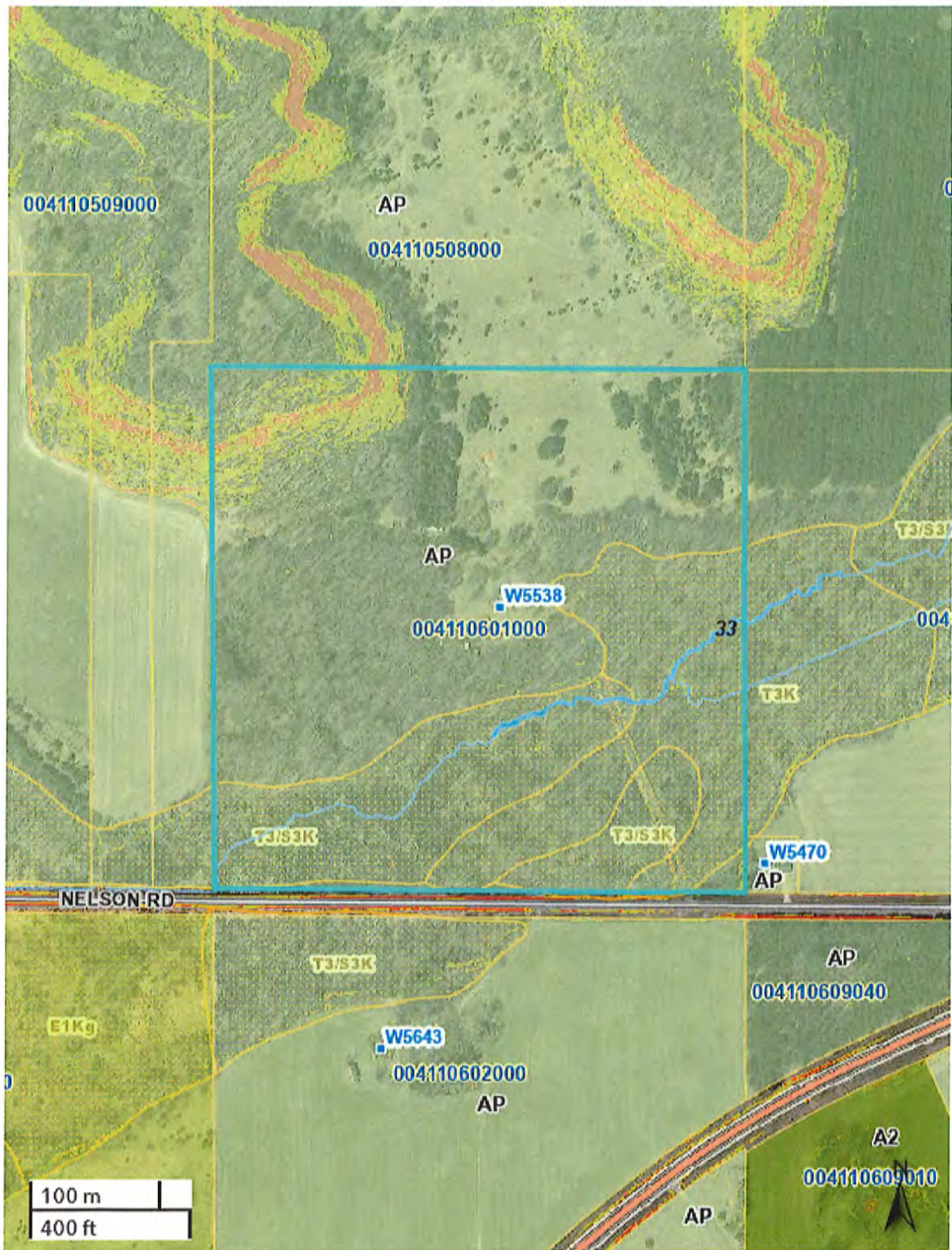
It will stay as a 40 acre lot and will have one single family residence on it.

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.

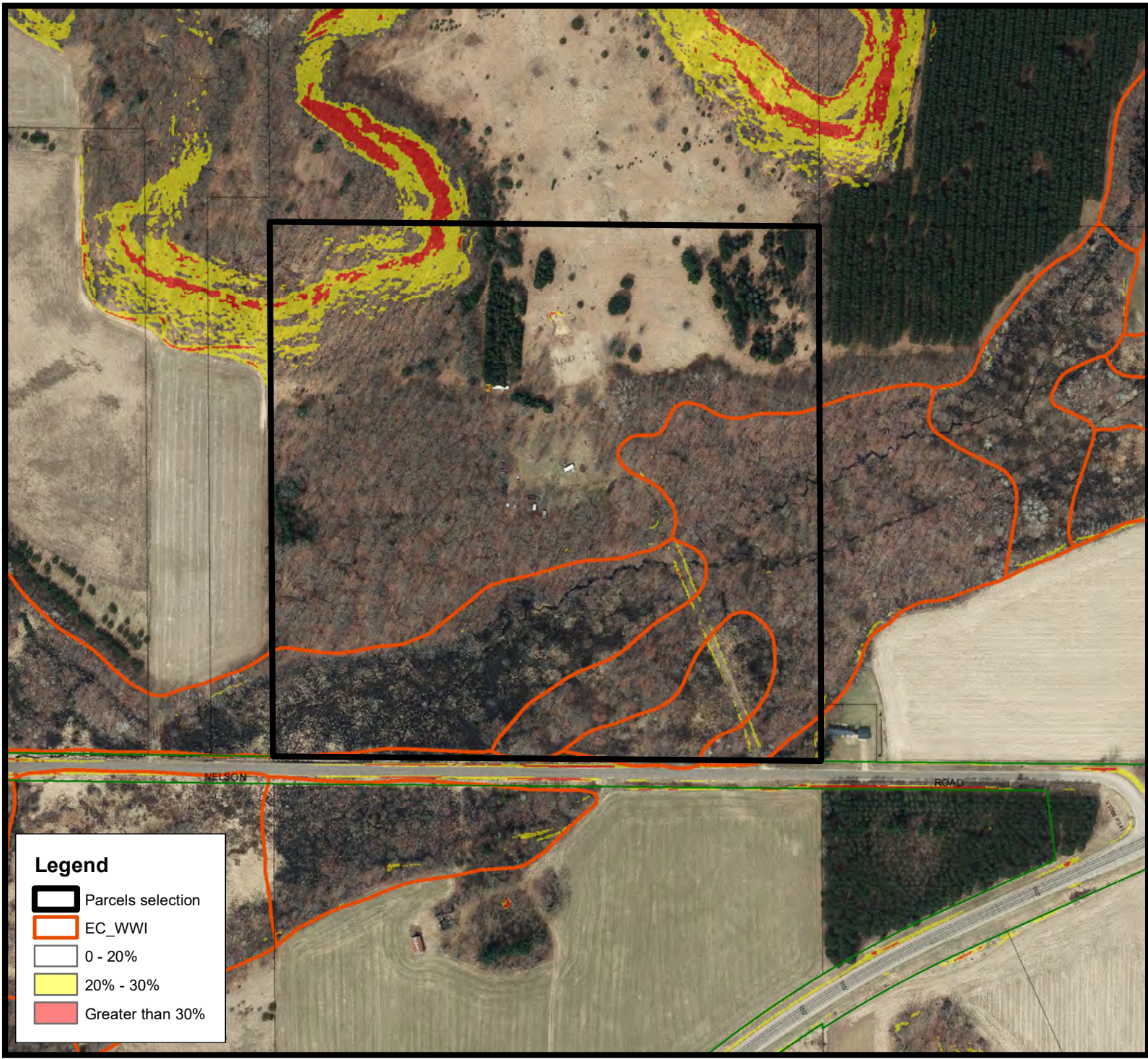
The plot is heavily wooded so I am not able to fulfill the farm residence income requirements. I want to keep the 40 acre plot together also. The little bit of open land on the property is sand and not very viable for crop growth either.



- Addresses
- Address Labels
- Parcels
- Parcel Numbers
- Parks
- County Zoning
- Not Zoned By County
- 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
- Surrounding Counties
- Eau Claire
- Surrounding
- Sections
- Rivers and Streams
- Lakes and Rivers
- Interstate
- US Highway
- State Highway
- Ramp
- Major Arterial
- Minor Arterial
- Collector
- Local
- Private Drive
- Recreation
- Service
- Other
- Percent Slope
- 0 - 20%
- 20% - 30%
- Greater than 30%

Date created: 2/13/2024  
 Last Data Uploaded: 2/13/2024 2:19:48 AM  
 Developed by  
 Schneider  
 GEOSPATIAL

# RUMPEL REZONE AERIAL - SLOPE - WETLANDS MAP



**Legend**

- Parcels selection
- EC\_WWI
- 0 - 20%
- 20% - 30%
- Greater than 30%

**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.



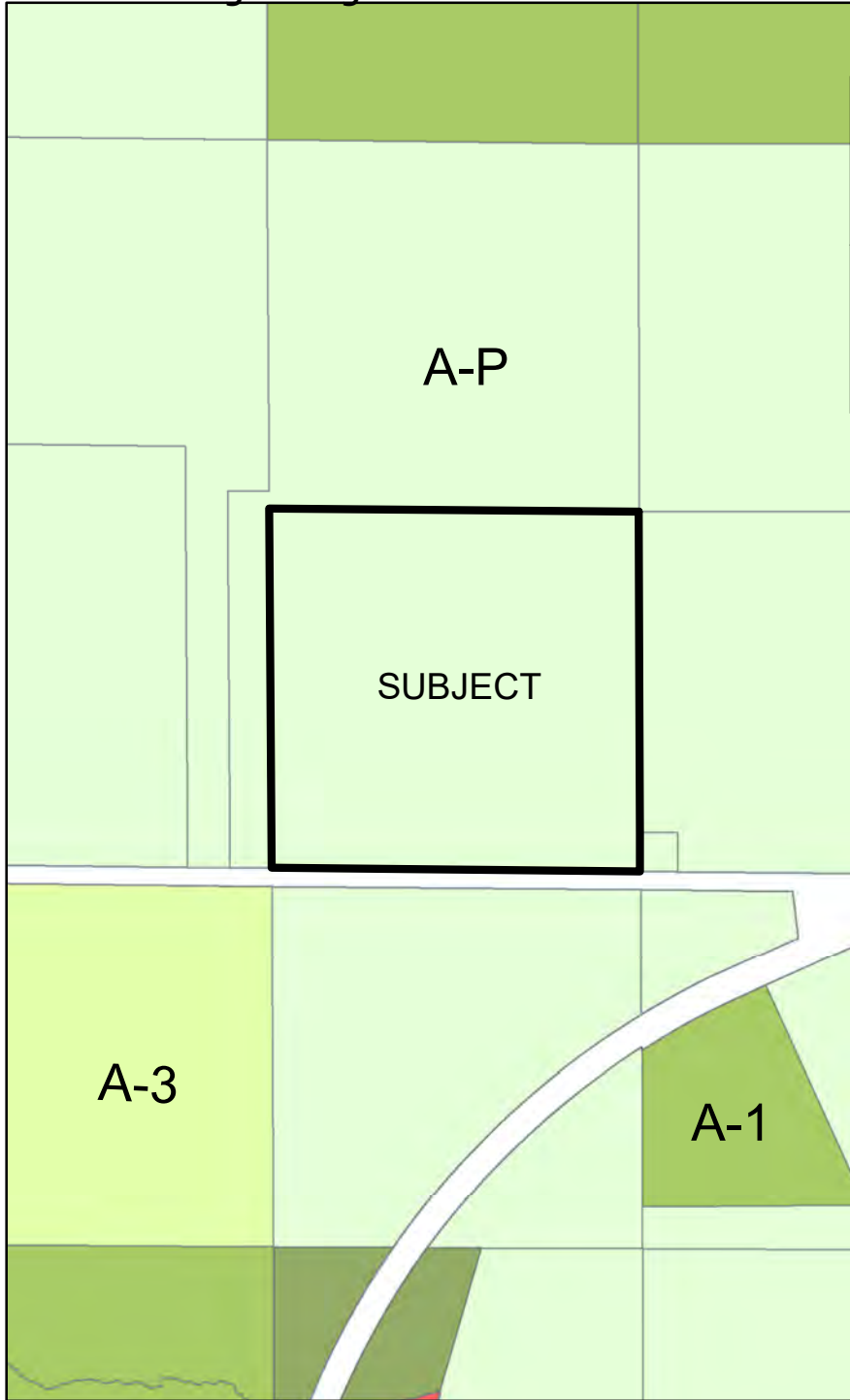




# Rumpel Rezoning

## Existing Zoning

1 inch = 666.666667 feet



- Legend**
- Parcels selection
  - 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

- Parcels selection
- 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:

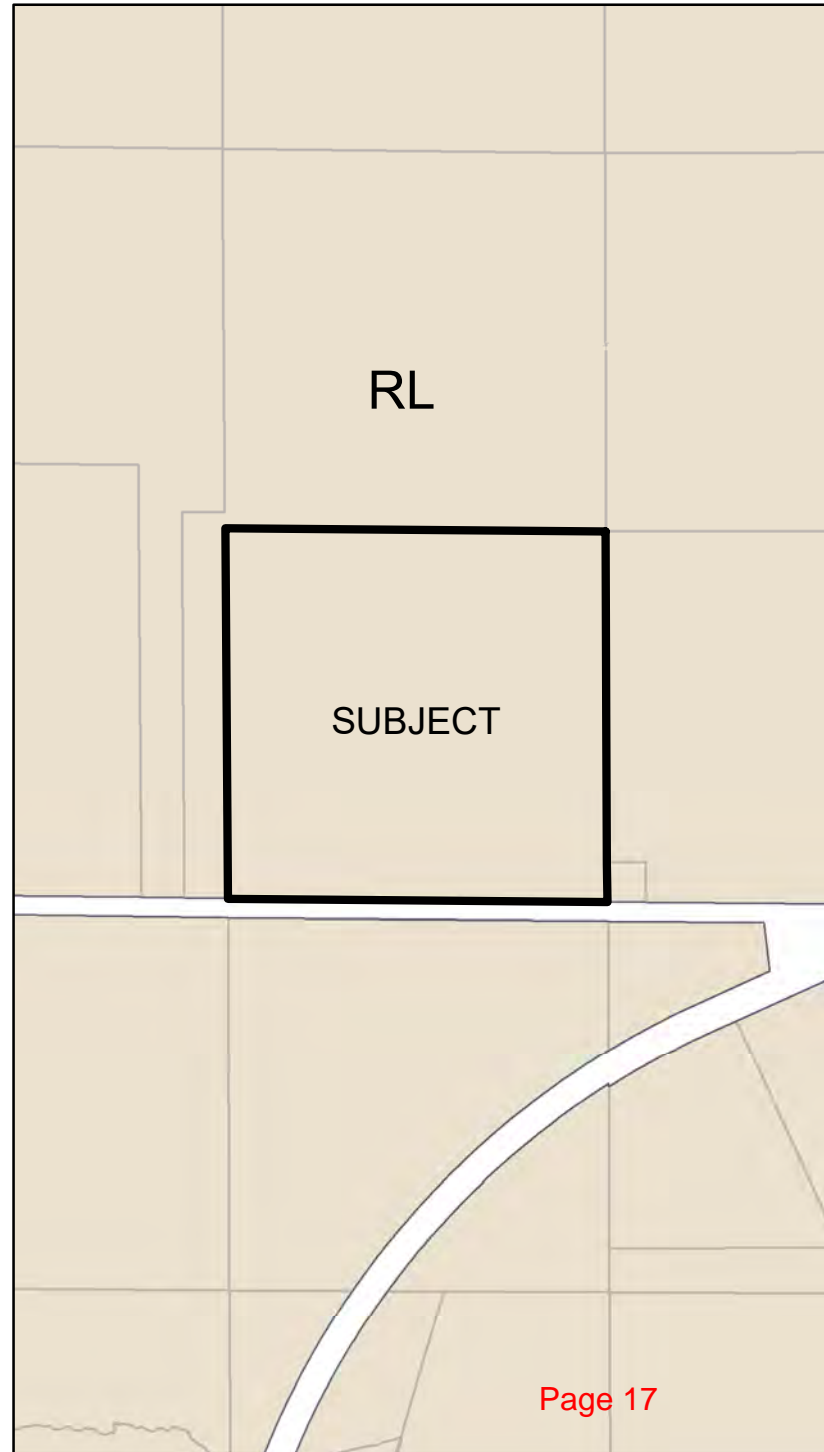
The horizontal datum is based on the Eau Claire County Coordinate System NAD\_1983\_HARN\_Adj\_WI\_EauClaire\_Feet

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.

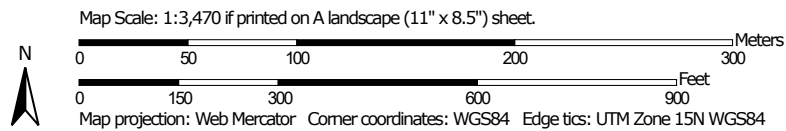
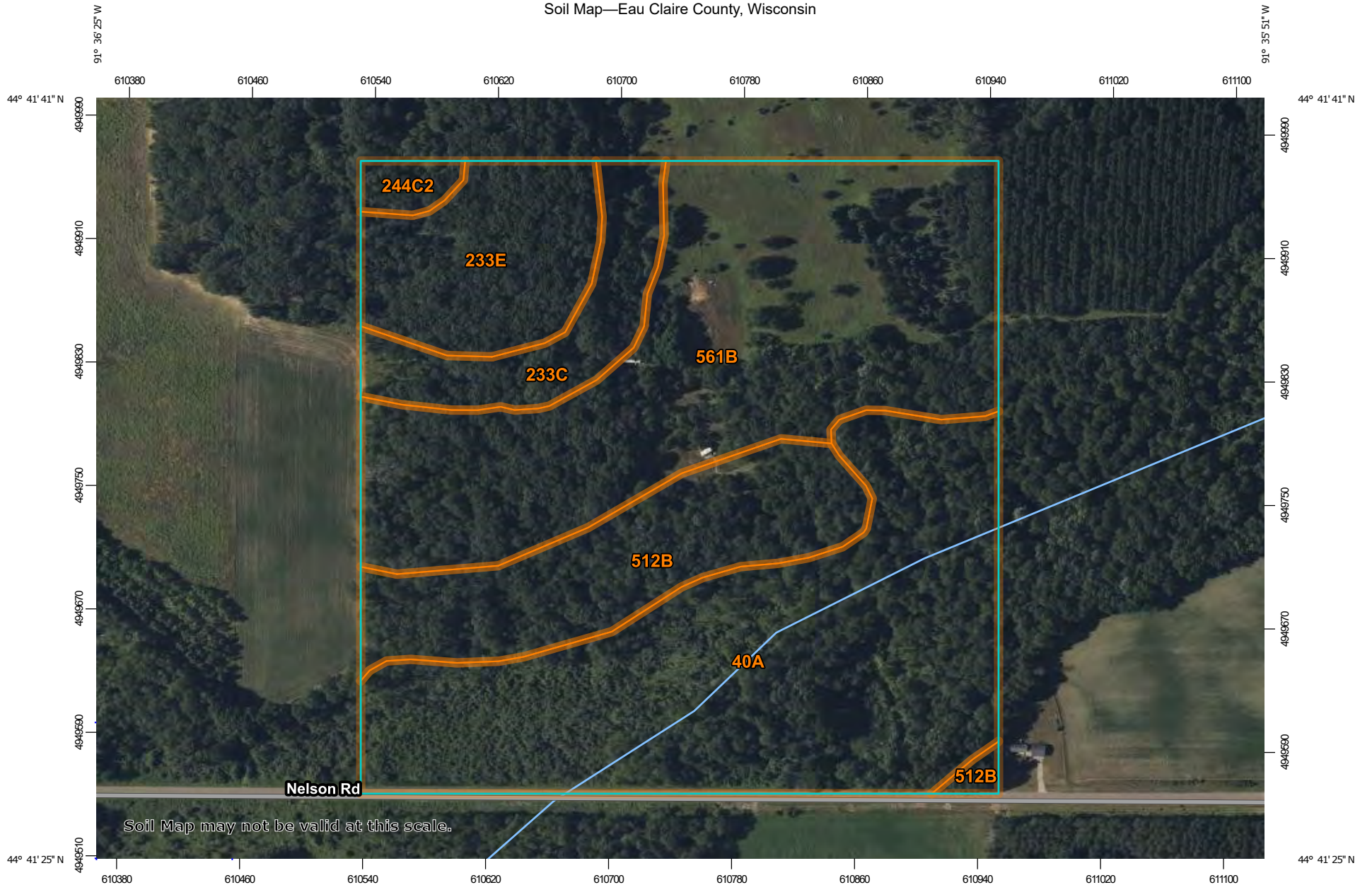
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## Future Land Use

1 inch = 667 feet



Soil Map—Eau Claire County, Wisconsin



## 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 22, Sep 8, 2023

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

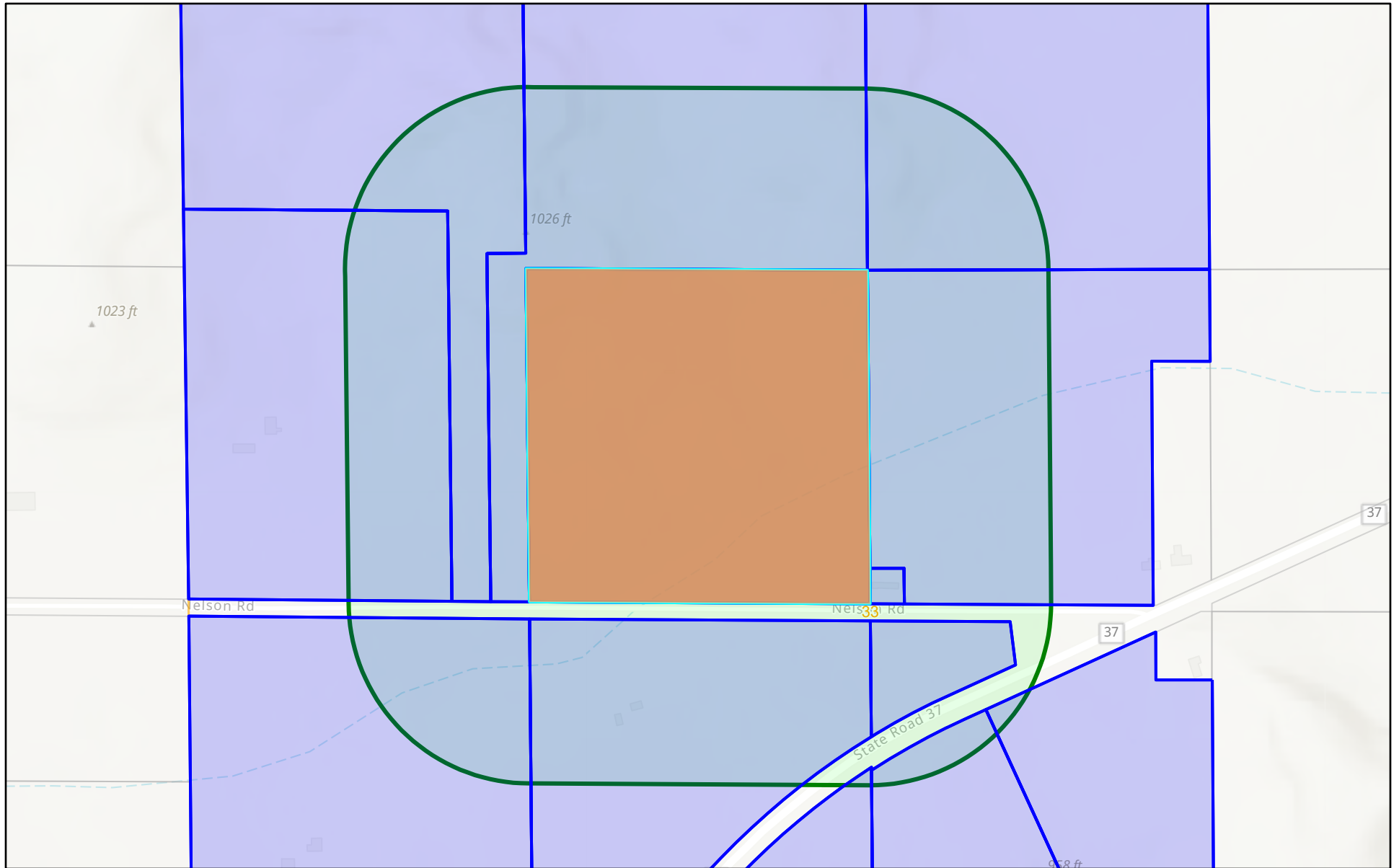
Date(s) aerial images were photographed: Jul 21, 2022—Sep 13, 2022

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

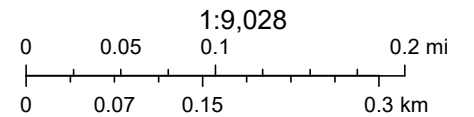
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
40A	Markey and Seelyville mucks, 0 to 1 percent slopes	14.7	34.7%
233C	Boone sand, 6 to 15 percent slopes	2.8	6.5%
233E	Boone sand, 15 to 30 percent slopes	4.0	9.4%
244C2	Elkmount loam, 6 to 12 percent slopes, moderately eroded	0.5	1.2%
512B	Drammen loamy sand, 1 to 6 percent slopes	5.7	13.6%
561B	Tarr sand, 1 to 6 percent slopes	14.6	34.6%
<b>Totals for Area of Interest</b>		<b>42.2</b>	<b>100.0%</b>

# Public Notification



2/14/2024, 3:01:37 PM

-  County Boundary
-  Tax Parcel
-  Section



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

FirstName LastName	Address	City State Zip
R WAYNE & ALICE M TERNBERG	W 5252 STATE ROAD 37	MONDOVI WI 54755-8502
CHERYL PECHA	S10789 STATE ROAD 37	MONDOVI WI 54755-8540
RAE CUYKENDALL	W 5995 NELSON RD	MONDOVI WI 54755-8612
WILLIAM MEYER	1301 N IRISH HOLLOW RD	GALENA IL 61036-9420
GRANT WEWERKA	4650 S OAKWOOD HILLS PKWY	EAU CLAIRE WI 54701-7797
ANGELA SCHULTZ	108 OAK RIDGE DR SE	MOUNT VERNON IA 52314-1575
DENNIS H ZACHO TRUST	311 E LOWES CREEK RD	EAU CLAIRE WI 54701-7253
FRANK G OLSON REV TRUST	S10490 STATE ROAD 37	MONDOVI WI 54755-8539
DUANE TEIGEN	W 5930 NELSON RD	MONDOVI WI 54755-8505
JON LELAND	W5455 STATE ROAD 37	MONDOVI WI 54755-8501



# EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

**REZONE NUMBER:** RZN-0006-24      **COMPUTER NUMBER:** 018113905000

**PUBLIC HEARING DATE:** March 26, 2024

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

**OWNER/AGENT:** Ed and Nancy Hink, S9975 STH 93, Eleva, WI 54738

**REQUEST:** Rezone 5 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) District to allow a family member to construct a home.

**LOCATION:** North side of County Highway HH approximately ¼ mile east of STH 93

**LEGAL DESCRIPTION:** Part of the SE¼ SW¼ of Section 35, T26N, R9W, Town of Pleasant Valley, Eau Claire County, Wisconsin (complete legal description attached)

**RECOMMENDATION** Approval of request based on findings outlined on Page 4 of this report.

## BACKGROUND

### SITE CHARACTERISTICS:

- The property to be rezoned is currently utilized for agriculture.
- The property to be rezoned is within FEMA Zone A (100-year floodplain, or 1% annual chance of flooding).
- The owner’s agent, surveyor Eric Knauf, indicates that he has successfully completed Letters of Map Amendment (LOMA) to remove areas from the floodplain on properties immediately to the east of the subject property and is confident that this property will qualify for removal as well. Staff concurs as the land to be rezoned is approximately 10+ feet higher (approx. 950’) than the elevation of Pine Creek to the west (approx. 940’; see attached topo map).

### EXISTING ZONING DISTRICT:

A-1 Exclusive Agricultural District. The A-1 Exclusive Agricultural 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.

### 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
Subject	A-P	Agricultural fields
North	A-P	Agricultural fields
East	A-P	Agricultural fields
South	A-P	Creek; Agricultural fields
West	A-P	Pine Creek

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map and the Town of Pleasant Valley Future Land Use Map both include the property in the Rural Lands (RL) 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 Residential 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 Policies: The following policies are applicable to this rezoning petition.
  1. The preferred housing density is one (1) unit per two (2) acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per two (2) acres to one (1) unit per 10 acres.
  - ...
  3. For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RR areas: RH Rural Homes District and the R-1-L Single Family Residential

**Town of Pleasant Valley:**

- Rural Residential (RR) Comprehensive Plan Intent and Description: The primary intent of this classification is to identify areas suitable for future rural residential neighborhoods. Rural Residential areas include lands with 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 Policies: The following policies are applicable to this rezoning petition.
  1. Within the RR classification, limit new development to a maximum gross density of one residential dwelling unit per two (2) acres held in single ownership.
  - ...



4. The following Eau Claire County zoning districts will be considered for approval within RR areas: RH Rural Homes District and the R-1-L Single Family Residential Large Lot (with approved conservation subdivisions).

The application has been found to be substantially consistent with the intent, description, and the applicable policies of the Eau Claire County Rural Lands land use category. Although A-2 is not listed as a Zoning District to be considered within the RR Future Land Use area, the intent is to limit density and A-2, being lower density than RH and R-1-L, is substantially consistent with the purpose and intent of the RR 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 Zoning District is not a certified farmland preservation district and would not qualify for Farmland Preservation tax credits.

#### 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** – The property includes a mix of non-prime and prime soil types, including Class III soils (Billett sandy loam, 1-6% slopes).
- **Historical Productivity** – The property has been used for agriculture.
- **Site Location** – The property is located on COH HH.
- **Adjacent Land Uses** – Uses in the area include a mixture of farmland, woodlands, and farm and 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. There is also a policy in the RL Future Land Use area that supports providing opportunities for farmer's families to move back onto family property.

**Standard 3** - *The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan.* The proposed rezoning will result in the loss of a small amount of farmland to develop a home and associated improvements.

**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 except as necessary to develop a home, as discussed under Standard 3, above.

#### **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.

Town Board Action: The Pleasant Valley Town Board considered the rezoning petition on Monday, March 11, 2024 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 substantially consistent with the intent and purpose of the Eau Claire County Future Land Use plan.
- Existing uses in the area include woodlands, agricultural fields, and farm and non-farm single-family residences.
- Zoning is predominantly A-P, A-3, and A-2 in 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 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. There are numerous A-2 zoned lots near the subject property, and the property is planned for Rural Residential uses.
3. The property has required road frontage on County Road HH.



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

Application Accepted:	02/21/2024
Accepted By:	Matt Michels
Receipt Number:	<del>76490</del> 076502
Town Hearing Date:	3/11/24
Scheduled Hearing Date:	03/26/2024
Application No:	RZN-0006-24
Application Status:	Approved

**Rezoning Petition**

**Owner/Applicant Name(s):**  
**Owner:** NANCY HINK  
**Applicant:** Eric Knauf - American Land Surveying, 3028 Hartwood Dr, Eau Claire, WI  
**Telephone:** 715-214-6508      **EMail:** amsurv@charter.net

**RECEIVED**

**FEB 22 2024**

**COUNTY CLERK**

**Site Address(es):** No Address Available      **Property Description:** Sec 35 Tw 26 Rge 09  
 Town of Pleasant Valley

**Zoning District(s):** AP - Agricultural Preservation Distr      **Lot Area(s) - Acres:** 38.15      **Overlay District(s):** Shoreland  
 Flood Zone

**PIN** 1801822609353400001      **Legal (partial)** SE-SW, EX BEG AT SE COR OF SD 40 TH N 281', TH SWLY 346' TO A PT 281' W OF THE

**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:	2/21/24
Accepted By:	MM
Application Number:	R2N-0006-24
Town Hearing Date:	3/11/24
Scheduled Hearing Date:	3/26/24

**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: <u>AP</u>	Proposed Zoning District(s): <u>AZ</u>
Acres to be rezoned: <u>5</u>	

Property Owner Name: <u>Ed + Nancy Hink</u>	Phone# <u>715-878-4475</u>
Mailing Address: <u>59975 STH "93", Eleva, WI 54738</u>	
Email Address:	

Agent Name: <u>Eric Knapp (American Land Surveying)</u>	Phone# <u>715-214-6508</u>
Mailing Address: <u>3028 Hartwood Drive</u>	
Email Address: <u>amsurv@charter.net</u>	

**SITE INFORMATION**

Site Address: <u>NA</u>	
Property Description: <u>SE ¼ SW ¼ Sec. 35, T 26 N, R 9 W, Town of Pleasant Valley</u>	
Zoning District: <u>AP</u>	Code Section(s):
Overlay District: Check Applicable	<input type="checkbox"/> Shoreland <input checked="" type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining
Computer #(s): or PIN #(s):	<u>18018-2-260935-340-0001</u>

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 \$630.00 application fee (non-refundable), (\$550.00 application processing fee and \$80.00 mapping surcharge fee). Send application to <a href="mailto:landuse@eauclairecounty.gov">landuse@eauclairecounty.gov</a> or to the address above.

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 2/19/2024

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.

2-19-2024  
Nancy A Hink 2-19-2024

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:

The owner, Ed Hink, is wanting to sell 5 acres of land to his son, Steve Hink. Steve would like to build a house on the farm. Rezoning is required to allow for a transfer land ownership of a 5 acre parcel of land for residential purposes. Parties involved have expressed a mutual interest for having their son nearby as they are elderly and require help from time to time.

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.

Rezoning said parcel to A2 allows the proposed change to remain in an agricultural based zoning classification. This parcel is also located within the interior of a parcel of land owned by Ed Hink, thus minimizing the potential for conflict with adjoining land owners. The proposed rezoning also complies with the town's land-use plan. Said rezoning also does not pose any threat to natural resources any greater than the current land use (row-cropping).

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.

The land in the proposed rezoning include Plainfield loamy sand and Billet loamy sands. The majority of the site contains soils, which are classified by the NRCS as "not prime" agricultural soils. The site is set against the east side of Pine Creek. This location makes the rest of the farm field still arable. Further subdivision of lands in this area will be difficult as access to the site is limited by the proximity of Pine Creek and existing wetlands to the east.

The Town of Pleasant Valley's comprehensive plan and the proposed rezoning are not in conflict.

Access to the proposed area of rezoning and to existing farm field will use an existing driveway, E.C. County Highway. Department staff have reviewed the access point and finds not objections.

AREA OF PROPOSED REZONING

A PARCEL OF LAND BEING PART OF THE SE¼ OF THE SW¼ OF SECTION 35, TOWNSHIP 26 NORTH, RANGE 9 WEST, TOWN OF PLEASANT VALLEY, EAU CLAIRE COUNTY, WISCONSIN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION;

- THENCE N. 89°55'50" W., A DISTANCE OF 609.95 FEET;
- THENCE N. 00°04'10" E., A DISTANCE OF 39.04 FEET TO THE POINT OF BEGINNING;
- THENCE N. 00°04'10" E., A DISTANCE OF 595.38 FEET;
- THENCE N. 89°55'01" W., A DISTANCE OF 365.82 FEET;
- THENCE S. 00°04'10" W., A DISTANCE OF 595.38 FEET;
- THENCE S. 89°55'01" E., A DISTANCE OF 365.82 FEET TO THE POINT OF BEGINNING.

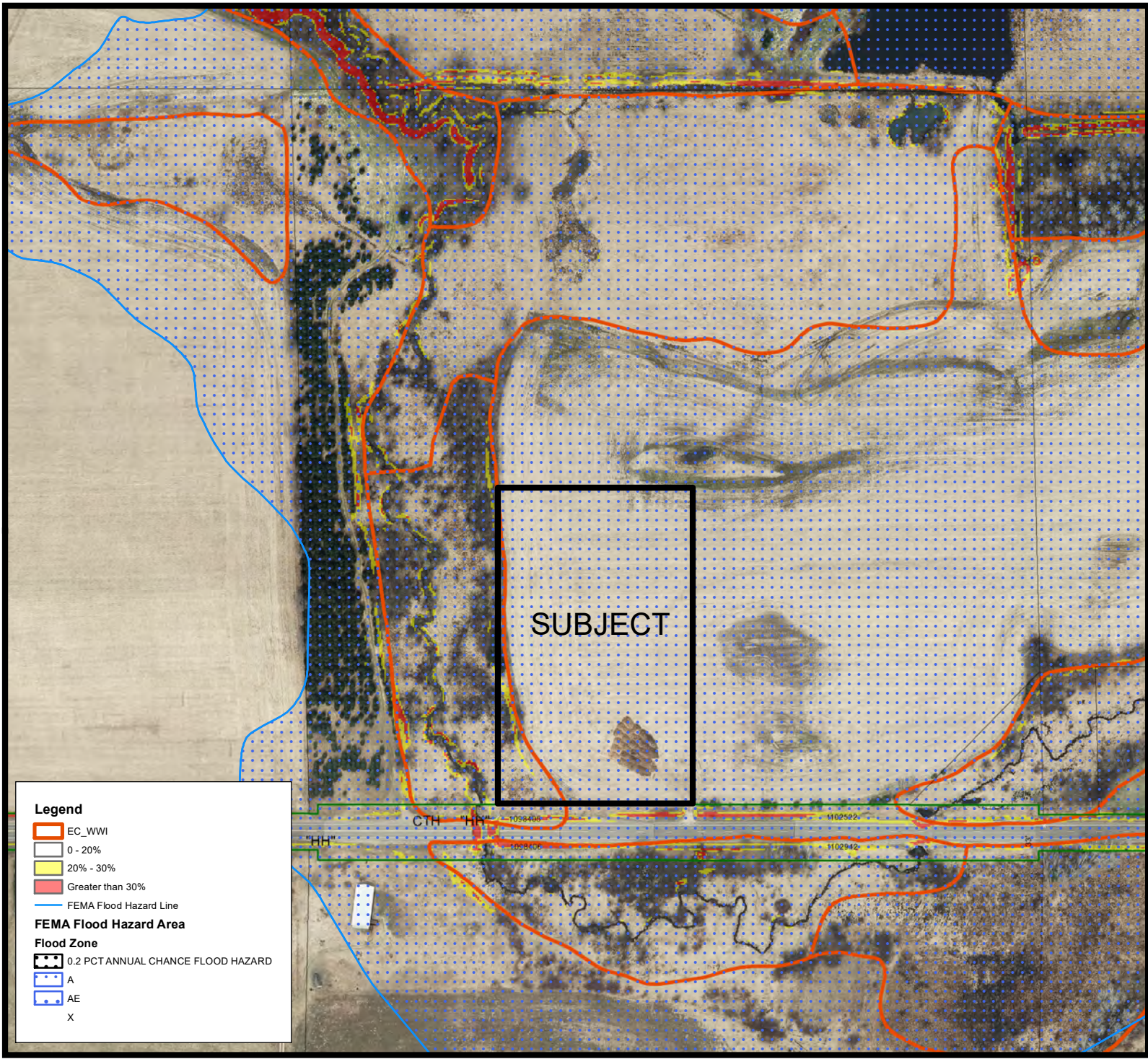


- SurveySearch
- PLSS Corners
  - Center Of Section
  - Meander Corner
  - Quarter Corner
  - Section Corner
  - Witness Corner
  - Addresses
  - Address Labels
- Parcels
- Parcel Numbers
- Surrounding Counties
  - Eau Claire
  - Surrounding
- Corners
  - Center Of Section
  - Meander Corner
  - Quarter Corner
  - Section Corner
  - Witness Corner
- Sections
- Rivers and Streams
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- Minor Arterial
- Collector
- Local
- Private Drive
- Recreation
- Service
- Other

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# HINK REZONE AERIAL - SLOPE - WETLANDS MAP



**Legend**

- EC\_WWI
- 0 - 20%
- 20% - 30%
- Greater than 30%
- FEMA Flood Hazard Line

**FEMA Flood Hazard Area**

**Flood Zone**

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

**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.

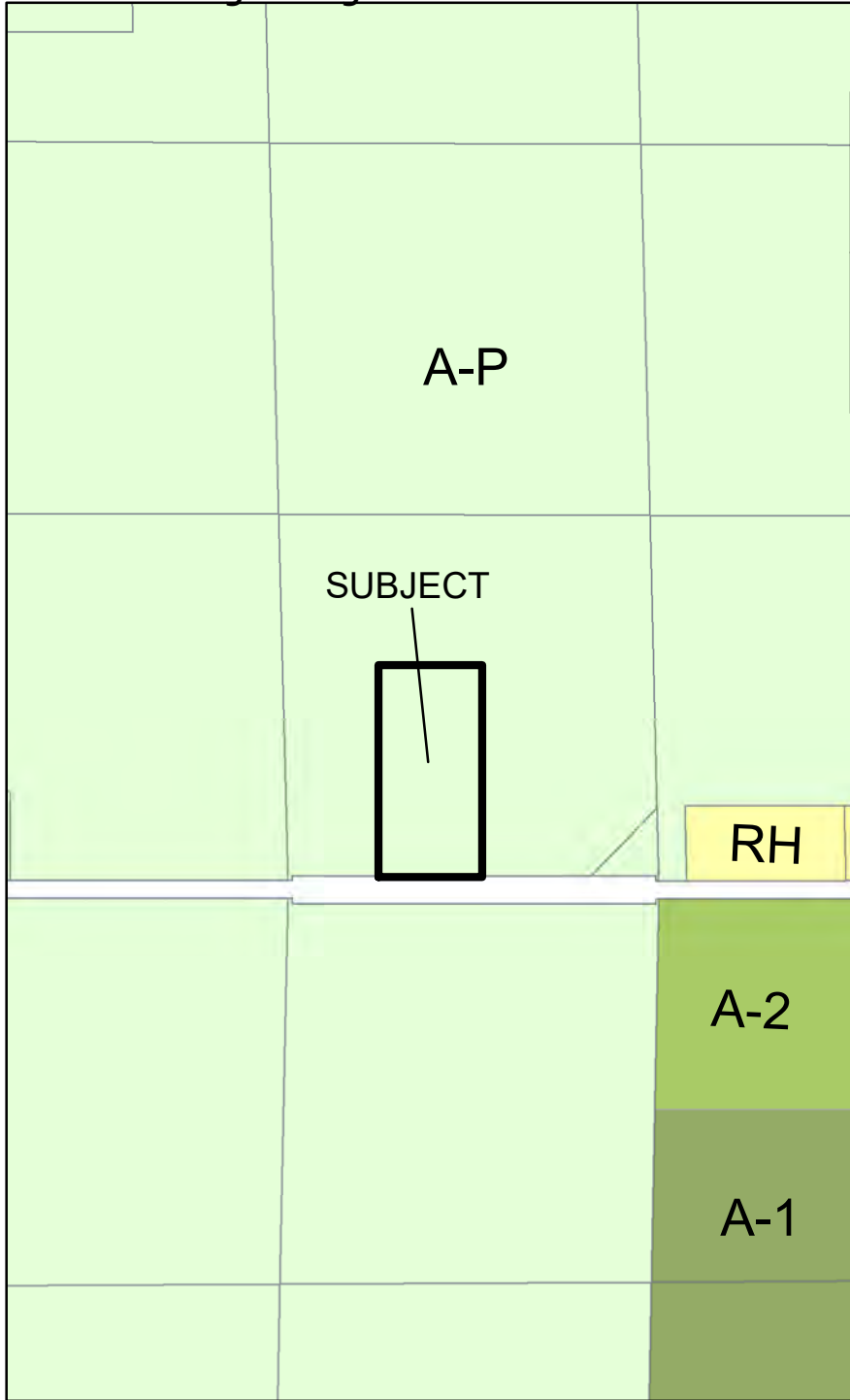




# Hink Rezoning

## Existing Zoning

1 inch = 666.666667 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

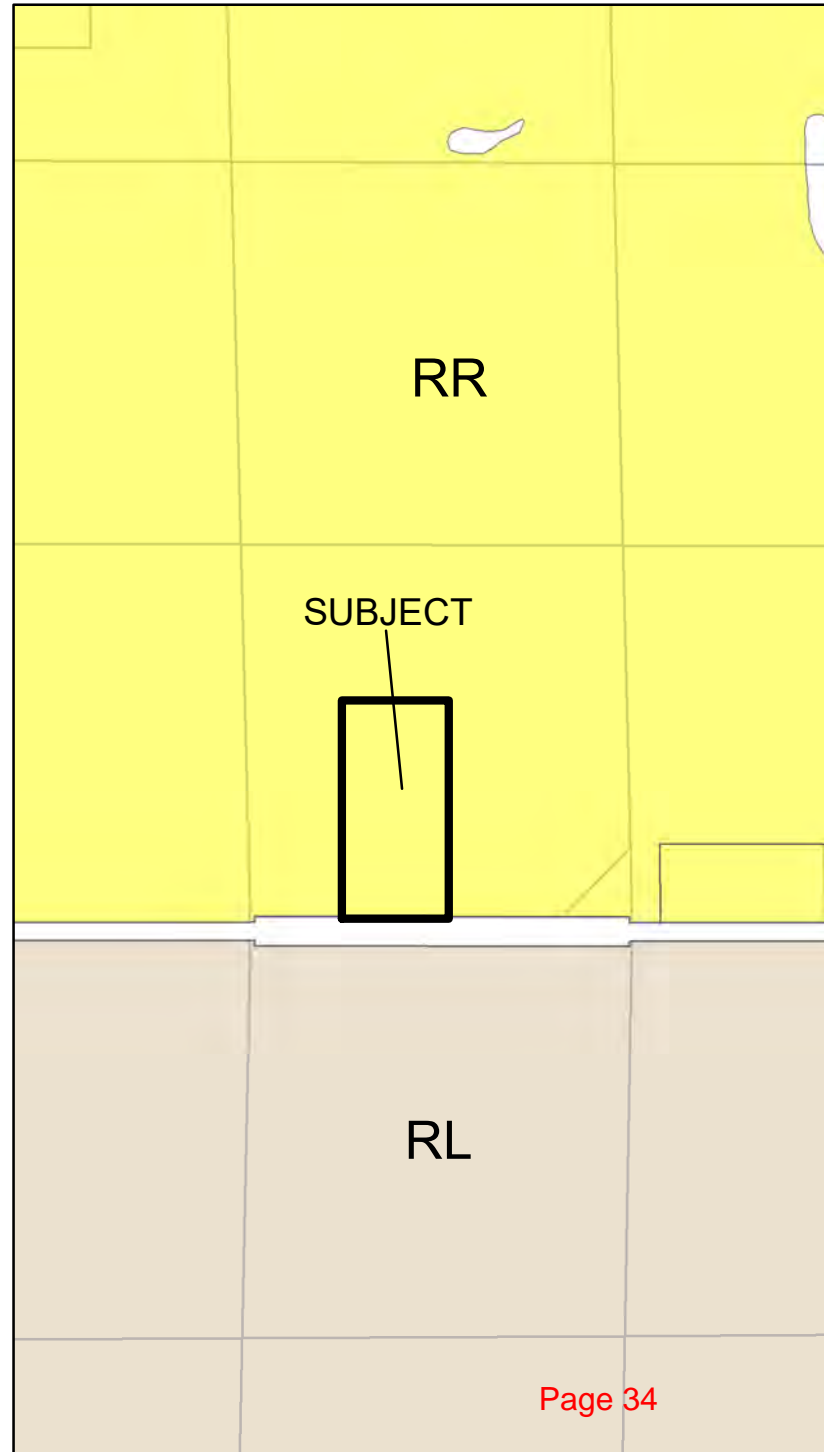
- Commercial Industrial
- County Forest
- Natural Resource Protection
- Park and Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamlet
- Rural Industrial
- Rural Lands
- Rural Residential
- Rural Residential - Mobile Home
- Rural Transition
- Urban Mixed Use



**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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## Future Land Use

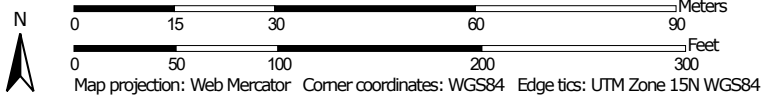
1 inch = 667 feet



Soil Map—Eau Claire County, Wisconsin



Map Scale: 1:1,130 if printed on A portrait (8.5" x 11") 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 22, Sep 8, 2023

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

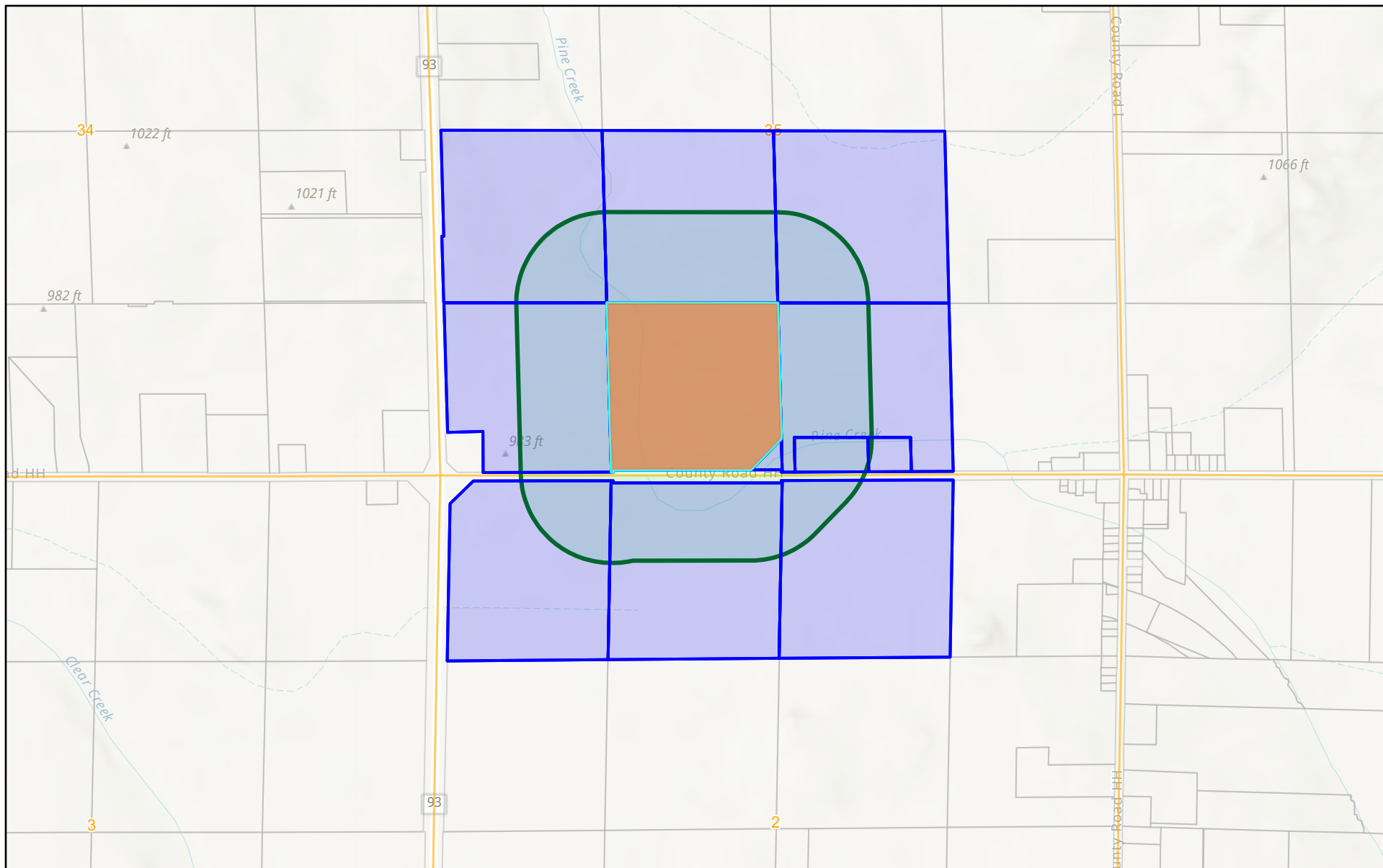
Date(s) aerial images were photographed: Jul 21, 2022—Sep 13, 2022

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

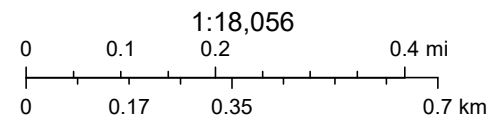
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
429A	Lows loam, 0 to 2 percent slopes, rarely flooded	0.1	1.0%
511B	Plainfield loamy sand, river valley, 1 to 6 percent slopes	2.3	40.6%
589A	Newson mucky loamy sand, valley train, 0 to 1 percent slopes	0.9	15.7%
BIB	Billett sandy loam, 1 to 6 percent slopes	2.4	42.8%
<b>Totals for Area of Interest</b>		<b>5.7</b>	<b>100.0%</b>

# Public Notification



2/22/2024, 12:57:56 PM

 County Boundary  Tax Parcel  
 Section



Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,

FirstName LastName	Address	City State Zip
LARAE KNECHT	E 4750 COUNTY ROAD HH	ELEVA WI 54738-9102
PATRICK SCHAFFER	E 950 CEDAR RD	EAU CLAIRE WI 54701-9629
LLOYD J & ELAINE S PETERS TRUST	S 9945 COUNTY ROAD I	ELEVA WI 54738-9163
STEVEN L & ROSEMARY K MILES	E 4860 COUNTY ROAD HH	ELEVA WI 54738-9193
LOVELL PEDERSON	N 1656 TIMBER LN	LA CROSSE WI 54601-8447
STEPHEN M & BARBARA J CHILSON	E 4855 COUNTY ROAD HH	ELEVA WI 54738-9430



# EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

**REZONE NUMBER:** RZN-0008-24      **COMPUTER NUMBER:** 016103408000

**PUBLIC HEARING DATE:** March 26, 2024

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

**OWNER/AGENT:** Dale Erdman, S11369 Pease St, Augusta, WI 54722

**REQUEST:** Rezone 15 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) District to sell the property.

**LOCATION:** South side of Barka Road approximately 3/8 mile east of Schultz Road

**LEGAL DESCRIPTION:** The NE ¼ of the SE ¼, Section 15, Township 25 North, Range 7 West, Town of Otter Creek, Eau Claire County, EXCEPT the E ½ thereof ALSO EXCEPTING the W ½ of the NW ¼ of the NE ¼ of the SE ¼ thereof.

**RECOMMENDATION** Approval of request based on findings outlined on Page 4 of this report.

## BACKGROUND

### SITE CHARACTERISTICS:

- The property is completely wooded.
- 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*
- 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
Subject	A-P	Woodlands
North	A-P	Agricultural fields
East	A-P	Agricultural fields
South	A-P	Woodlands
West	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 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. *For those Towns under County Zoning, 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 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.*
  - ...
  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-2 Zoning District is not a certified farmland preservation district and would not qualify for Farmland Preservation tax credits. However, the property is primarily woodlands and little, if any, farmland would potentially be impacted with this rezoning.

**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** – The soils on the property (Elevasil sandy loam, 6-12%, moderately eroded and Elkmound loam, 20-45% slopes) are not prime agricultural soils.
- **Historical Productivity** – The property has not been used for agriculture, due primarily to steep topography.
- **Site Location** – The property is located on Burka Road.
- **Adjacent Land Uses** – Uses in the area include a mixture of farmland, woodlands, and farm and 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 will not likely impact 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 the construction of non-farm residential uses is not encouraged as it may be incompatible with existing agricultural uses.

## 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.

Town Board Action: The Otter Creek Town Board considered the rezoning petition on Monday, March 18, 2024 and recommended approval.

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 substantially consistent with the intent and purpose of the Eau Claire County Future Land Use plan.
- Existing uses in the area include agricultural fields, woodlands, and farm and non-farm single-family residences.
- Zoning is predominantly A-P in vicinity of the subject property, with widely scattered A-2 zoning in the vicinity.

## 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 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. The property is not suitable for agricultural use and will not adversely impact productive farmland.
3. The property has required road frontage on Burka Road.



**Department of Planning and Development**

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

Application Accepted:	03/01/2024
Accepted By:	Matt Michels
Receipt Number:	76597
Town Hearing Date:	3/18/2024 (?)
Scheduled Hearing Date:	03/26/2024
Application No:	RZN-0008-24
Application Status:	Applied

**Rezoning Petition**

**Owner/Applicant Name(s):**

**Owner:** DALE & GERALDINE ERDMAN TRUST

**Applicant:**

**Telephone:** 715-210-5404

**EMail:** daleerdman@aol.com

**RECEIVED**

**MAR 04 2024**

**COUNTY CLERK**

**Site Address(es):**

No Address Available

**Property Description:**

Sec 15 Twn 25 Rge 07

Town of Otter Creek

**Zoning District(s):**

**Lot Area(s) - Acres:**

15.00

**Overlay District(s):**

**PIN**

1801622507154100001

**Legal (partial)**

THE NE-SE, EX THE E 1/2 THEREOF & EX THE W 1/2 OF THE NW-NE-SE

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:	MM
Application Number:	RZN-0008-24
Town Hearing Date:	3/18/24 (?)
Scheduled Hearing Date:	3/26/24

**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-2

Acres to be rezoned:

Property Owner Name: DALE EROMAN Phone# 715-210-5404

Mailing Address: 511369 Bease ST

Email Address: daleedroman@AOL.com

Agent Name: Phone#

Mailing Address:

Email Address:

**SITE INFORMATION**

Site Address:

Property Description: NE 1/4 SE 1/4 Sec. 15 T 25 N, R. 7 W, Town of Otter Creek

Zoning District: Code Section(s):

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

Check Applicable

Computer #(s): 016103408000

or PIN #(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.

Complete attached information sheet  Confirmed with the Town their submittal deadline and process.

Provide legal description of property to be rezoned  Provide \$620.00 application fee (non-refundable), (\$545.00 application processing fee and \$75.00 mapping surcharge fee). Send application to [landuse@eauclairecounty.gov](mailto:landuse@eauclairecounty.gov) or to the address above.

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: Dale Eroman Date 2-29-2024

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:

The parcel is to be sold for a building project

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.





# Eau Claire County, WI

## Summary

Parcel Number 1801622507154100001  
 Alternate No 016103408000  
 Property Address  
 Legal Description THE NE-SE, EX THE E 1/2 THEREOF & EX THE W 1/2 OF THE NW-NE-SE  
 Sec-Twp-Rng S15-T25N-R7W  
 Acres 15  
 School District AUGUSTA SCHOOL DISTRICT  
 Tax District 016 - TOWN OF OTTER CREEK

[View Map](#)

## Owners

Mailing Address  
[DALE & GERALDINE ERDMAN TRUST](#)  
 S 11369 PEASE ST  
 AUGUSTA, WI 54722

Owner  
[DALE & GERALDINE ERDMAN TRUST](#)

## Sales

Description	Document Number	Recorded Date	Document Date	Vol./Pg.
WARRANTY DEED	1069125	8/1/2012	7/30/2012	-
WARRANTY DEED	957645	10/6/2006	9/29/2006	-

## Valuation

Assessed Year	2023	2022	2021	2020
Land Value	\$21,900.00	\$21,900.00	\$21,900.00	\$21,900.00
Building Value	\$0.00	\$0.00	\$0.00	\$0.00
Total Value	\$21,900.00	\$21,900.00	\$21,900.00	\$21,900.00
Estimated Fair Market Value	\$55,700.00	\$51,200.00	\$47,700.00	\$46,100.00

## Tax History

Tax Year	2023	2022	2021	2020
Gross Property Tax	\$420.94	\$429.30	\$399.69	\$403.49
Managed Forest Tax	\$0.00	\$0.00	\$0.00	\$0.00
First Dollar Credit	\$0.00	\$0.00	\$0.00	\$0.00
Lottery Credit	\$0.00	\$0.00	\$0.00	\$0.00
Net Property Tax	\$420.94	\$429.30	\$399.69	\$403.49
Other Fees	\$0.00	\$0.00	\$0.00	\$0.00
SA Fees	\$0.00	\$0.00	\$0.00	\$0.00
Total Tax	\$420.94	\$429.30	\$399.69	\$403.49

The Eau Claire County, WI Geographic Information Web Server provides online access to geographic and assessment record info currently maintained by Eau Claire for individual parcels of property. The maps and data are for illustration purposes and may not be suitable for site-specific decision making. Information found within should not be used for making financial or other commitments. Eau Claire County provides this information with the understanding that it is not guaranteed to be accurate.

[User Privacy Policy](#) | [GDPR Privacy Notice](#)  
 Last Data Upload: 3/1/2024, 9:11:19 AM

[Contact Us](#)

Developed by  
 Schneider  
 GEOSPATIAL







- Addresses
- Address Labels
- ▭ Parcels
- Parcel Numbers
- ▭ Parks
- County Zoning
- ▭ Not Zoned By County
- ▭ 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
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- ▭ I1 - Nonsewered Industrial District
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- ▭ 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
- Surrounding Counties
- ▭ Eau Claire
- ▭ Surrounding
- ▭ Sections
- ▭ Rivers and Streams
- ▭ Lakes and Rivers
- Flood Hazard Zones
- ▭ 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- ▭ A
- ▭ AE
- X
- ▭ Interstate
- ▭ US Highway
- ▭ State Highway
- ▭ Ramp
- ▭ Major Arterial
- ▭ Minor Arterial
- ▭ Collector
- ▭ Local
- ▭ Private Drive
- ▭ Recreation
- ▭ Service
- ▭ Other
- Percent Slope
- 0 - 20%
- 20% - 30%
- Greater than 30%

Date created: 3/4/2024  
 Last Data Uploaded: 3/4/2024 7:38:02 AM  
 Developed by  
 Schneider  
 GEOSPATIAL

# ERDMAN REZONE AERIAL - SLOPE MAP



## Legend

-  Parcels selection
-  0 - 20%
-  20% - 30%
-  Greater than 30%

### 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.

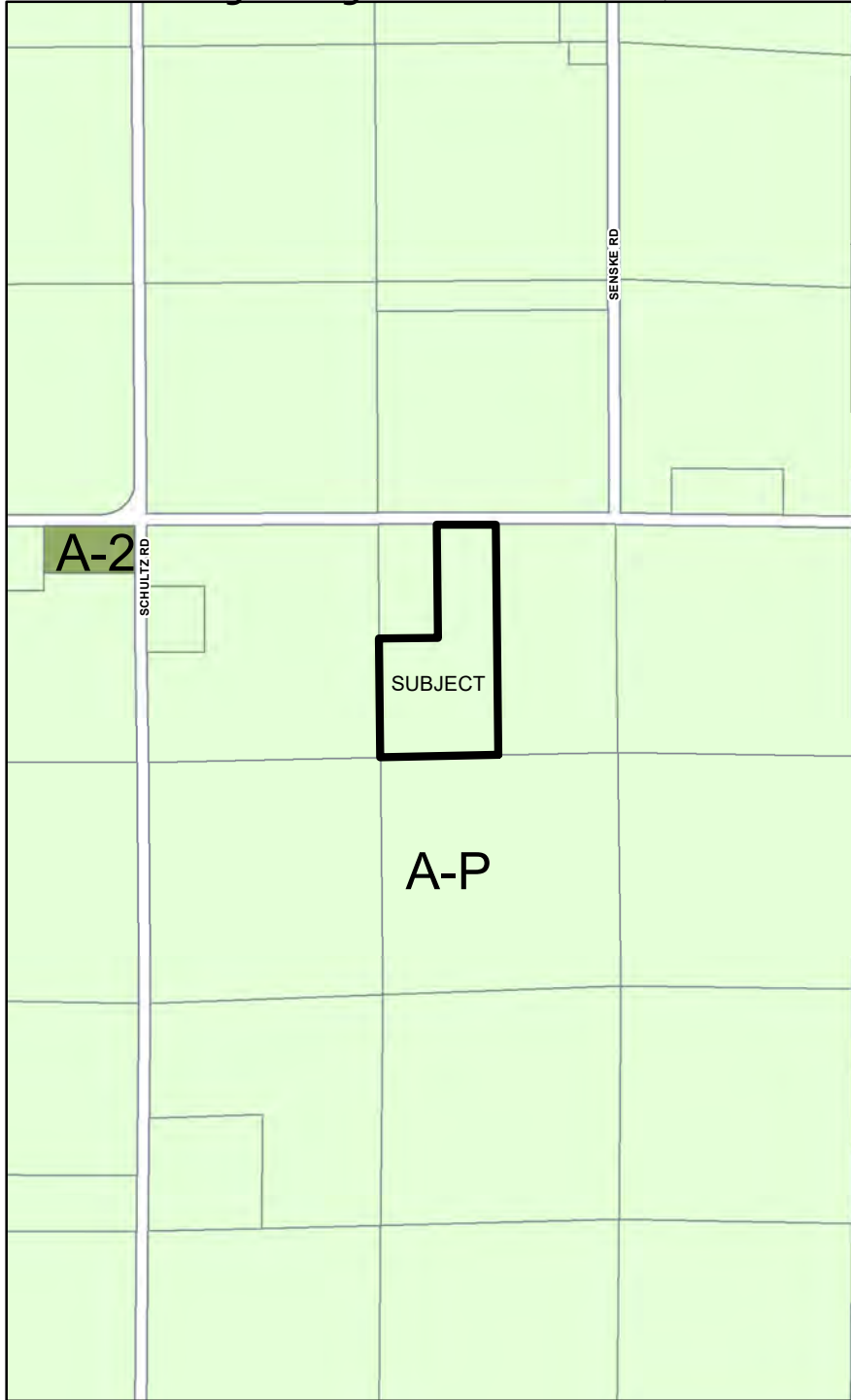




# Erdman Rezoning

## Existing Zoning

1 inch = 1,041.666667 feet



- Legend**
- Parcels selection
  - 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

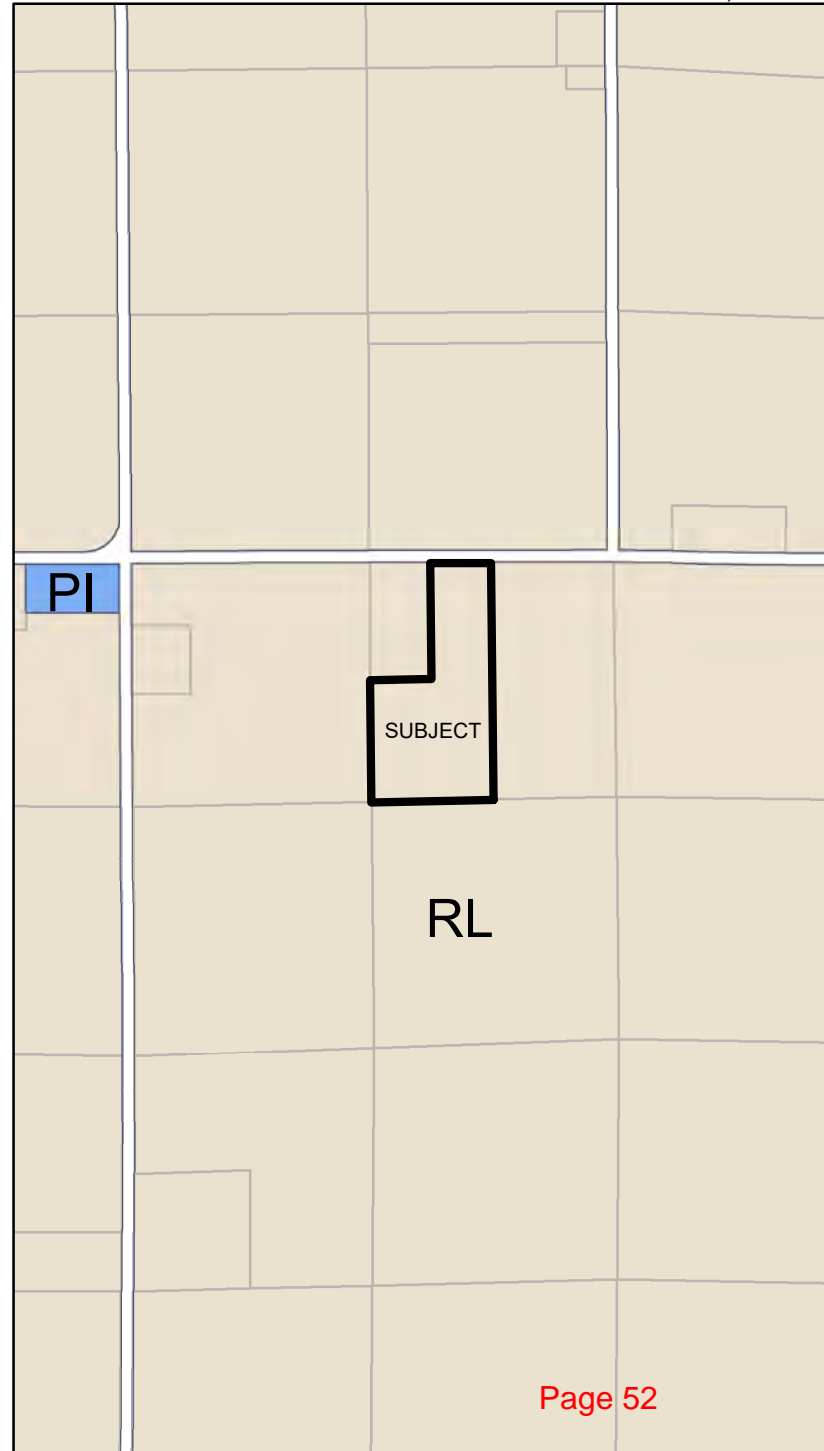
- Parcels selection
- Commercial Industrial
- County Forest
- Natural Resource Protection
- Park and Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamlet
- Rural Industrial
- Rural Lands
- Rural Residential
- Rural Residential - Mobile Home
- Rural Transition
- 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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## Future Land Use

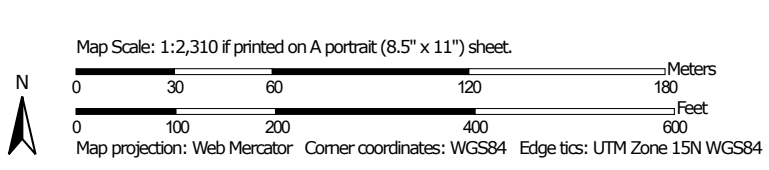
1 inch = 1,042 feet



Soil Map—Eau Claire County, Wisconsin



Soil Map may not be valid at this scale.




## 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 22, Sep 8, 2023

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

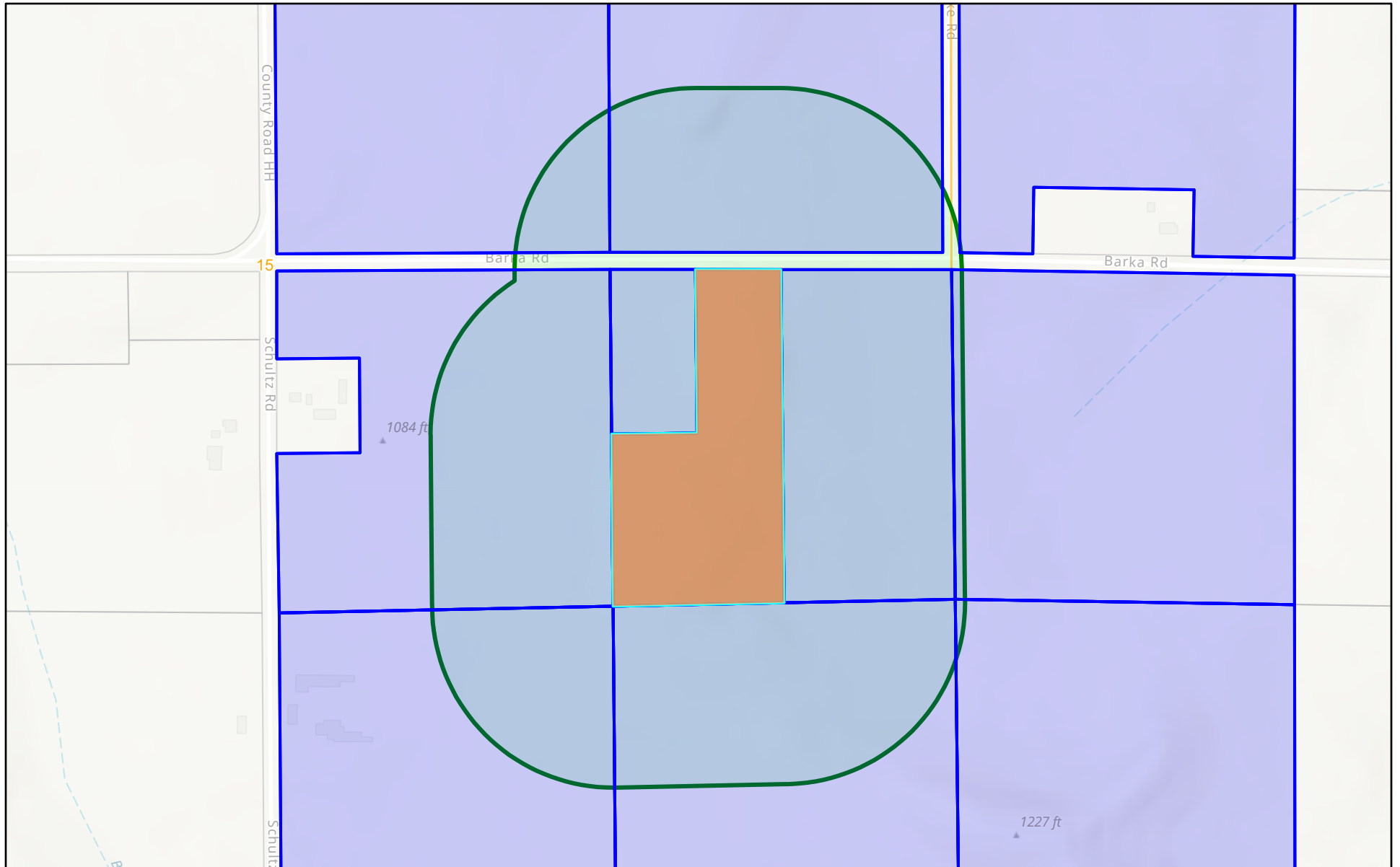
Date(s) aerial images were photographed: Jul 21, 2022—Sep 13, 2022

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

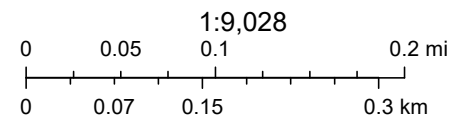
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
224C2	Elevasil sandy loam, 6 to 12 percent slopes, moderately eroded	4.8	31.5%
244E	Elkmount loam, 20 to 45 percent slopes	10.4	68.5%
<b>Totals for Area of Interest</b>		<b>15.1</b>	<b>100.0%</b>

# Public Notification



3/4/2024, 10:57:30 AM

-  County Boundary
-  Tax Parcel
-  Section



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



FirstName LastName	Address	City State Zip
MATTHEW & PATRICIA GABLER TRUST	S 9125 S RODELL RD	AUGUSTA WI 54722-7461
KEVIN WAGNER	E 7835 STARLING RD	STRUM WI 54770-3400
ERIC PETTIS	E16460 BARKA RD	AUGUSTA WI 54722-7409
DEREK FRANK	S12198 SENSKE RD	AUGUSTA WI 54722-7412
KEVIN WAGNER	E7835 STARLING RD	STRUM WI 54770-3400
MARVIN SCHWOCH	S12825 SCHULTZ RD	OSSEO WI 54758-9394



# EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

**REZONE NUMBER:** RZN-0009-24      **COMPUTER NUMBER:** 016102010000

**PUBLIC HEARING DATE:** March 26, 2024

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

**OWNER/AGENT:** Gerald & Esther Kreider, 28364 Hwy 22, South English, IA 52335

**REQUEST:** Rezone 5 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agricultural-Residential) District build a residence.

**LOCATION:** E 15251 County Road VV, Augusta, WI 54722

**LEGAL DESCRIPTION:** The North 1/2 of the NW 1/4 of the NE 1/4 of the SW 1/4, Section 10, Township 25 North, Range 7 West, Town of Otter Creek, Eau Claire County, Wisconsin.

**RECOMMENDATION** Approval of request based on findings outlined on Page 4 of this report.

## BACKGROUND

### SITE CHARACTERISTICS:

- The property is currently undeveloped, except for an agricultural building on the western side.
- The property was historically used as a farmstead.
- There is no active farmland on the property.

### 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-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	Partially wooded; Ag building on west side
<b>North</b>	A-P	Single family residence; 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 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. *For those Towns under County Zoning, 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 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.*
  
  - ...
  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-2 Zoning District is not a certified farmland preservation district and would not qualify for Farmland Preservation tax credits. However, no farmland would be impacted with this rezoning.

**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** – Although the soils are a mix of prime and non-prime types, the property is not used for agriculture.
- **Historical Productivity** – The property has not been used for agriculture as it was historically a farmstead.
- **Site Location** – The property is located on County Road VV.
- **Adjacent Land Uses** – Uses in the area include a mixture of farmland, woodlands, and farm and 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 will not impact 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.

## 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.

Town Board Action: The Otter Creek Town Board considered the rezoning petition on Monday, March 18, 2024 and recommended approval.

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 substantially consistent with the intent and purpose of the Eau Claire County Future Land Use plan.
- Existing uses in the area include agricultural fields, woodlands, and farm residences.
- Zoning is predominantly A-P in vicinity of the subject property, with widely scattered A-2 and A-3 zoning in the vicinity.

## 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 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. The property is not used for agriculture and will not adversely impact productive farmland.
3. The property has required road frontage on County Road VV.



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

Application Accepted:	03/04/2024
Accepted By:	MM
Receipt Number:	76606
Town Hearing Date:	3/18/24 (?)
Scheduled Hearing Date:	03/26/2024
Application No:	RZN-0009-24
Application Status:	Approved

### Rezoning Petition

**Owner/Applicant Name(s):**

Owner: GERALD KREIDER

**Applicant:**

**Telephone:**

**E-Mail:**

**RECEIVED**

**MAR 04 2024**

**COUNTY CLERK**

**Site Address(es):**

E 15251 COUNTY ROAD VV

**Property Description:**

Sec 10 Twn 25 Rge 07  
 Town of Otter Creek

**Zoning District(s):**

**Lot Area(s) - Acres:**

5.00

**Overlay District(s):**

**PIN**

1801622507103100001

**Legal (partial)**

THE N 1/2 OF THE NW-NE-SW

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:	3/4/24
Accepted By:	mm
Application Number:	3/18/24 (?)
Town Hearing Date:	RZN-0009-24
Scheduled Hearing Date:	3/26/24

**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): A-2  
 Acres to be rezoned: 5

Property Owner Name: Gerald & Esther Kreider Phone# 319-430-2210 - 319-458-0646  
 Mailing Address: 28364 Hwy 22 South English, IA 52335  
 Email Address: g1Kreider@gmail.com

Agent Name: \_\_\_\_\_ Phone# \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

**SITE INFORMATION**

Site Address: E 15251 County Road VV Augusta, WI 54722  
 Property Description: NE 1/4 SW 1/4 Sec. 10, T. 25 N, R. 7 W, Town of Otter Creek  
 Zoning District: \_\_\_\_\_ Code Section(s): \_\_\_\_\_  
 Overlay District:  Shoreland  Floodplain  Airport  Wellhead Protection  Non-Metallic Mining  
 Check Applicable  
 Computer #(s): 016102010000  
 or PIN #(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.

- Complete attached information sheet
- Provide legal description of property to be rezoned
- Confirmed with the Town their submittal deadline and process.
- Provide \$630.00 application fee (non-refundable), (\$550.00 application processing fee and \$80.00 mapping surcharge fee). Send application to [landuse@eauclairecounty.gov](mailto:landuse@eauclairecounty.gov) or to the address above.

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: Gerald J. Kreider Date 3-4-2024

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 build a house*

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 A2 district seems to be the best option to build a house in a agricultural District*

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.

*The property was historically a farmstead and has not been farmed for many years. Rezoning as A2 will not impact farmland.*

# Eau Claire County, WI

## Summary

Parcel Number 1801622507103100001  
Alternate No 016102010000  
Property Address E 15251 COUNTY ROAD VV  
AUGUSTA, WI 54722  
Legal Description THE N 1/2 OF THE NW-NE-SW  
Sec-Twp-Rng S10-T25N-R7W  
Acres 5  
School District AUGUSTA SCHOOL DISTRICT  
Tax District 016 - TOWN OF OTTER CREEK

[View Map](#)

## Owners

Mailing Address  
GERALD KREIDER  
ESTHER KREIDER  
28364 HIGHWAY 22  
SOUTH ENGLISH, IA 52335

Owner  
ESTHER H KREIDER

Owner  
GERALD L KREIDER

## Valuation

Assessed Year	2023	2022	2021	2020
Land Value	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00
Building Value	\$2,400.00	\$2,400.00	\$2,400.00	\$2,400.00
Total Value	\$4,200.00	\$4,200.00	\$4,200.00	\$4,200.00
Estimated Fair Market Value	\$5,200.00	\$4,700.00	\$4,400.00	\$4,200.00

## Tax History

Tax Year	2023	2022	2021	2020
Gross Property Tax	\$80.73	\$82.34	\$76.66	\$77.38
Managed Forest Tax	\$0.00	\$0.00	\$0.00	\$0.00
First Dollar Credit	(\$48.84)	(\$47.35)	(\$42.60)	(\$43.61)
Lottery Credit	\$0.00	\$0.00	\$0.00	\$0.00
Net Property Tax	\$31.89	\$34.99	\$34.06	\$33.77
Other Fees	\$0.00	\$0.00	\$0.00	\$0.00
SA Fees	\$0.00	\$0.00	\$0.00	\$0.00
Total Tax	\$31.89	\$34.99	\$34.06	\$33.77

No data available for the following modules: Sales.

The Eau Claire County, WI Geographic Information Web Server provides online access to geographic and assessment record info currently maintained by Eau Claire for individual parcels of property. The maps and data are for illustration purposes and may not be suitable for site-specific decision making. Information found within should not be used for making financial or other commitments. Eau Claire County provides this information with the understanding that it is not guaranteed to be accurate.

[User Privacy Policy](#) | [GDPR Privacy Notice](#)  
Last Data Upload: 3/4/2024, 6:38:02 AM

[Contact Us](#)

Developed by  
 Schneider  
GEOSPATIAL



- Addresses
- Address Labels
- Parcels
- Parcel Numbers
- Parks
- County Zoning
- Not Zoned By County
- 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
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- 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
- Surrounding Counties
- Eau Claire
- Surrounding
- Sections
- Rivers and Streams
- Lakes and Rivers
- Flood Hazard Zones
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X
- Interstate
- US Highway
- State Highway

Date created: 3/4/2024  
 Last Data Uploaded: 3/4/2024 7:38:02 AM  
 Developed by



# KREIDER REZONE AERIAL - SLOPE MAP



**Legend**

- Parcels selection
- 0 - 20%
- 20% - 30%
- Greater than 30%

**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.

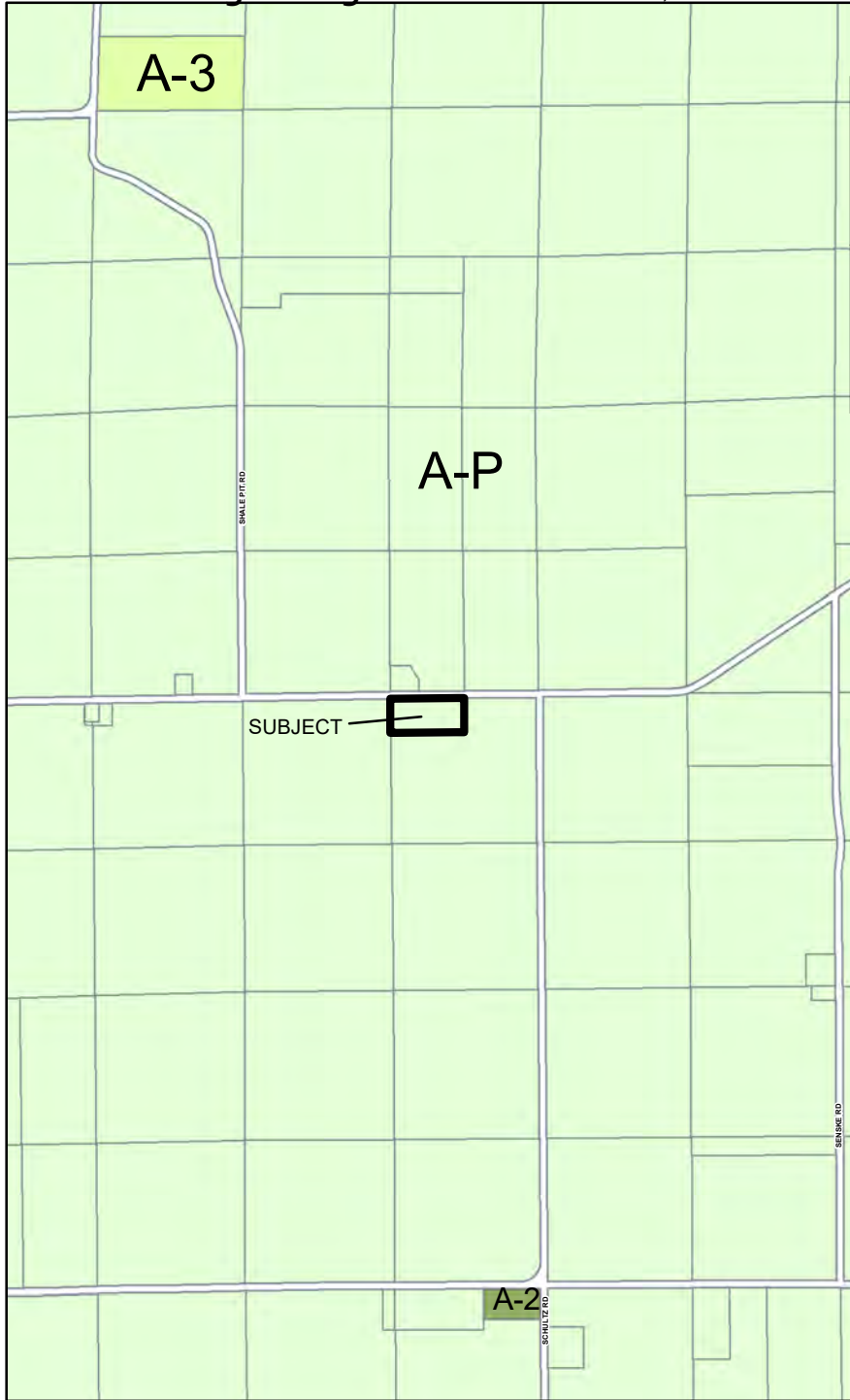




# Kreider Rezoning

## Existing Zoning

1 inch = 1,666.666667 feet



- Legend**
- Parcels selection
  - 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

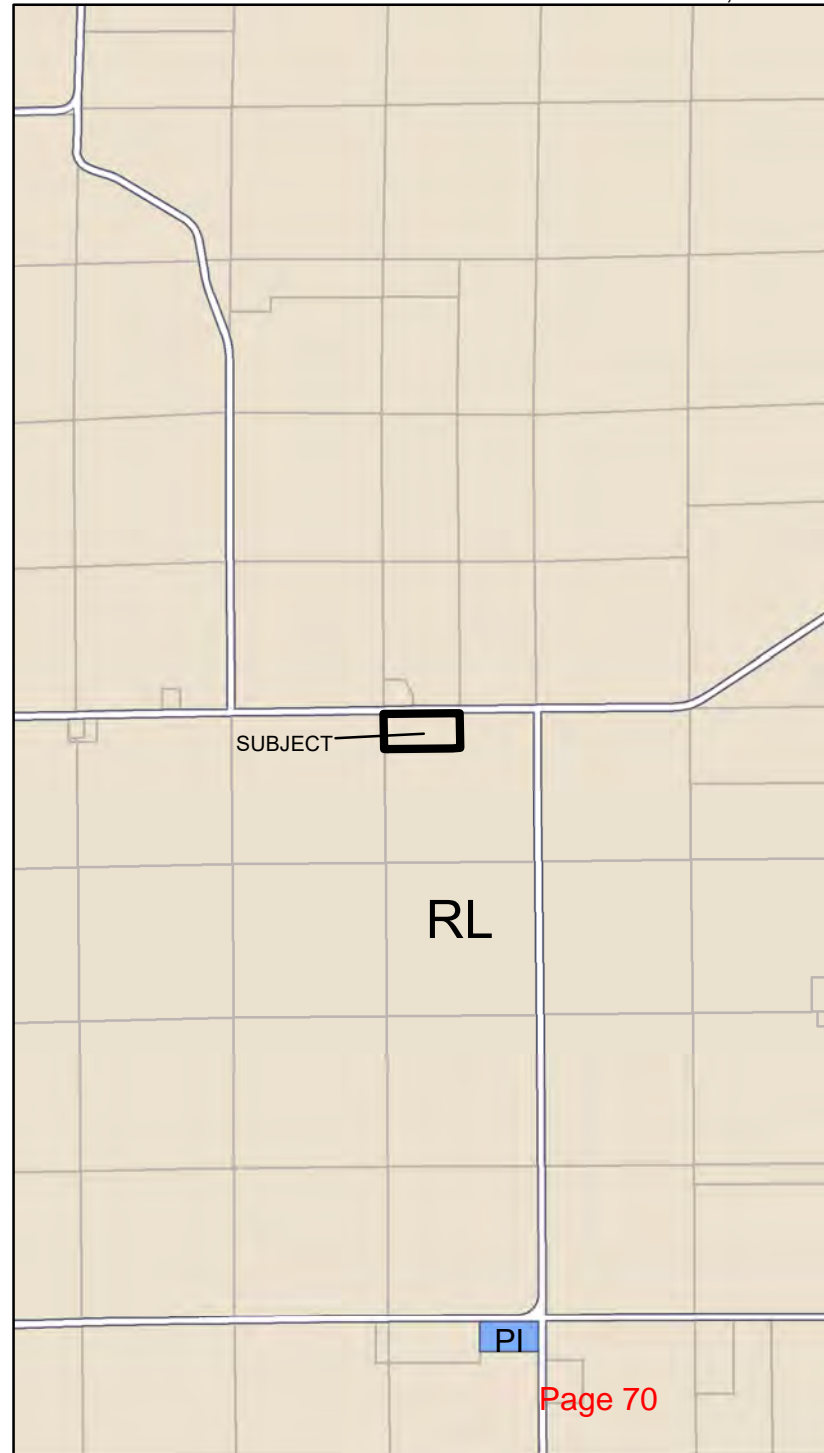
- Parcels selection
- Commercial Industrial
- County Forest
- Natural Resource Protection
- Park and Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamlet
- Rural Industrial
- Rural Lands
- Rural Residential
- Rural Residential - Mobile Home
- Rural Transition
- 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.  
 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.

## Future Land Use

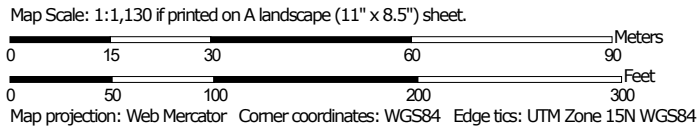
1 inch = 1,667 feet



Soil Map—Eau Claire County, Wisconsin



Soil Map may not be valid at this scale.





## 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 22, Sep 8, 2023

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

Date(s) aerial images were photographed: Jul 21, 2022—Sep 13, 2022

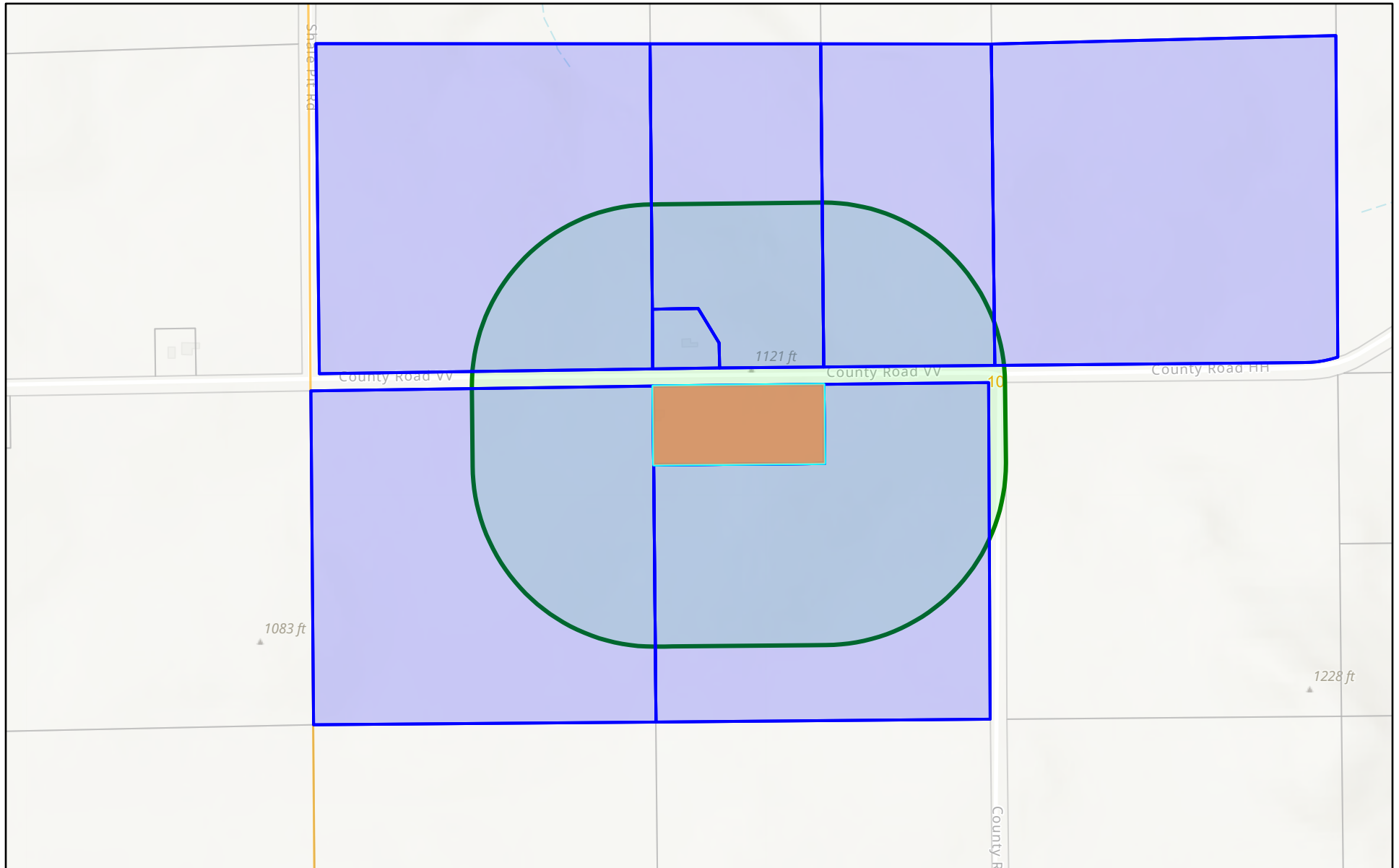
The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.






## Map Unit Legend

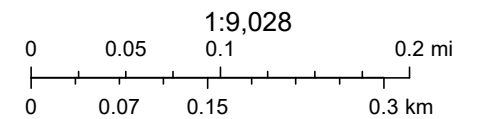
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
115vB	Seaton silt loam, driftless valley, 2 to 6 percent slopes	2.0	41.3%
115vC2	Seaton silt loam, driftless valley, 6 to 12 percent slopes, moderately eroded	0.2	4.8%
213C2	Hixton silt loam, 6 to 12 percent slopes, moderately eroded	1.6	32.9%
224D2	Elevasil sandy loam, 12 to 20 percent slopes, moderately eroded	1.0	21.1%
<b>Totals for Area of Interest</b>		<b>4.9</b>	<b>100.0%</b>

# Public Notification



3/4/2024, 4:04:53 PM

-  County Boundary
-  Tax Parcel
-  Section



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

FirstName LastName	Address	City State Zip
DUDLEY C & MARIAN J SMITH TRUST	E 15801 COUNTY ROAD HH	AUGUSTA WI 54722-7415
ANGELA GUNDERSON	E15290 COUNTY ROAD WV	AUGUSTA WI 54722-7478
HUFF REVOCABLE TRUST	E21060 SD CIR	AUGUSTA WI 54722-5052
JESSIE TRESCHER	E12815 COUNTY ROAD V	AUGUSTA WI 54722-7442



# EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

**CONDITIONAL USE PERMIT NUMBER:** CUP-0001-24

**COMPUTER NUMBERS:** 022-1054-03-000

**PUBLIC HEARING DATE:** March 26, 2024

**STAFF CONTACT:** Ben Bublitz, Land Use Manager

**OWNER:** Michael & Bernadette McIntyre, 6178 W Cameron St, Eau Claire, WI 54703

**AGENT:** Owner

**REQUEST:** Cumulative area of all accessory structures to exceed 1,800 sq. ft. on a lot with an area between 1 and 2.99 acres. (1,920 total square feet requested).

**LOCATION:** 6178 W Cameron St, Eau Claire, WI 54703

**LEGAL DESCRIPTION:** The South 20 rods of the SE ¼ of the SE ¼ of Section 16, Township 27 North, Range 10 West, EXCEPT the West 300 feet and EXCEPT the East 46 rods, Town of Union, Eau Claire County, Wisconsin.

## SUMMARY

Cumulative area of all accessory structures to exceed 1,800 sq. ft. on a lot with an area between 1 and 2.99 acres (1,920 total square feet requested) in the Rural Homes District (R-H).

## BACKGROUND

The applicant has requested an addition to an existing accessory structure: approximately 14-foot by 30-foot addition (private garage) for personal storage. The proposed structure would be situated in the corner of the lot meeting setbacks from both lot lines.

The application materials include site plan, building elevations and floor plan layout of the garage; exterior of the building will be colored be compatible with the dwelling.

### SITE CHARACTERISTICS:

- The lot size is approximately 1.963 acres.
- The lot is located on the north side of County Road E.
- The proposal is to exceed the 1,800 square foot maximum by 120 square feet.

**CURRENT ZONING:** RH Rural Homes District. The RH rural homes district is established to provide for suburban large-lot development with individual on-site water and sewage disposal facilities.

### **ADJACENT ZONING & LAND USES:**

	ZONING	LAND USE
North	A1	Exclusive Agricultural District

West	RH	Residential-Single Family
South	RH	Residential-Single Family
East	RH	Residential-Single Family

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

**Rural Transition (RT)**

**Intent and Description:** The primary intent of this classification is to manage residential growth and reduce sprawl, with its attendant infrastructure costs, by identifying lands in proximity to developed areas to be maintained in mainly agricultural and open space uses until such time as more intensive residential development may be appropriate. As mapped, this designation may include farmland, open lands, woodlots, agricultural-related uses, cottage industries, mineral extraction operations, and limited low density residential development. These lands are also outside of the certified Farmland Preservation area and are recognized as transitional areas within the 2015 Eau Claire County Farmland Preservation Plan. Within the horizon of this Plan, future development in the RT areas is expected to be consistent with the existing pattern of development. However, it is anticipated that over time these lands may be transitioned to more intensive residential development as Rural Residential lands are developed and built out.

**APPLICABLE ZONING REGULATIONS**

**Section 18.02 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 18.162.010 A.2 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 18.19.010 Purpose.** The RH rural homes district was established to provide for suburban large-lot development with individual on-site water and sewage disposal facilities.

**Section 18.19.030 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 18.41.010 B.** All accessory structures shall meet the following criteria:

1. The cumulative area of all accessory structures shall not exceed 1,800 square feet on a lot with an area between 1 and 2.99 acres without the approval of a conditional use permit. Private swimming pools and structures 150 square feet or less in size shall not count towards the cumulative area of all accessory structures.
2. They shall not contain any living area within the structure which shall include but not be limited to bedrooms, living rooms, bathrooms, or kitchens.
3. The appearance of the structure shall be compatible with the design, style, and appearance of the principal structure on the property.

**Chapter 18.103 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. The structure will be subordinate to the residence on the property, and 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. 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 Union Board met March 12, 2024, and voted to recommend approval of the request.

**STAFF CONCLUSIONS AND RECOMMENDATION:** Staff concludes that the request for a conditional use permit for the cumulative area of all accessory structures to exceed 1,800 sq. ft. on a lot with an area between 1 and 2.99 acres, will meet all the standards for accessory structures in the RH 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 accordance with 18.41.010 B.3. 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 18.155 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.

Plan Comm. - 1<sup>st</sup> Thursday - Feb. 26<sup>th</sup> - Application to the County  
 Town Board 2<sup>nd</sup> Tuesday - March 7<sup>th</sup>

14230 1500  
 = 420  
 1920



**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:	02/26/2024
Accepted By:	Heidi
Receipt Number:	076463
Town Hearing Date:	3/7/2024 & 3/12/2024
Scheduled Hearing Date:	03/26/2024 <i>at the</i>

March 26<sup>th</sup> - County hearing

**CONDITIONAL USE PERMIT APPLICATION**

Property Owner Name:	Michael J. McIntyre	Phone#	715 379-8299
Mailing Address:	6178 W Cameron St Eau Claire WI 54703		
Email Address:	MSMTRUCKING@yahoo.com		

Agent Name:	Phone#
Mailing Address:	
Email Address:	

**SITE INFORMATION**

Site Address:	6178 W CAMERON ST Eau Claire		
Property Description:	SE ¼ SE ¼ Sec. 16, T 27 N, R 10 W, Town of Union		
Zoning District:	RH	Code Section(s):	18.41.010
Overlay District:	<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):	18022 2 271016 440 0004		
PIN #(s):			

**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 \$550.00 application fee (non-refundable). Send application to <a href="mailto:landuse@eauclairecounty.gov">landuse@eauclairecounty.gov</a> or to the address above.
--	---	--	---

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 Michael J. McIntyre Date 2/12/24

**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).

*I wish to add a 14x30 w Building to my Existing shed which is 30'x50'. I am going to make it poles & steel like the current one*

**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-<https://beaconschneidercorp.com/> (Select Wisconsin and then Eau Claire County, WI-View Map)

- |   |   |
|---|---|
| <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 |

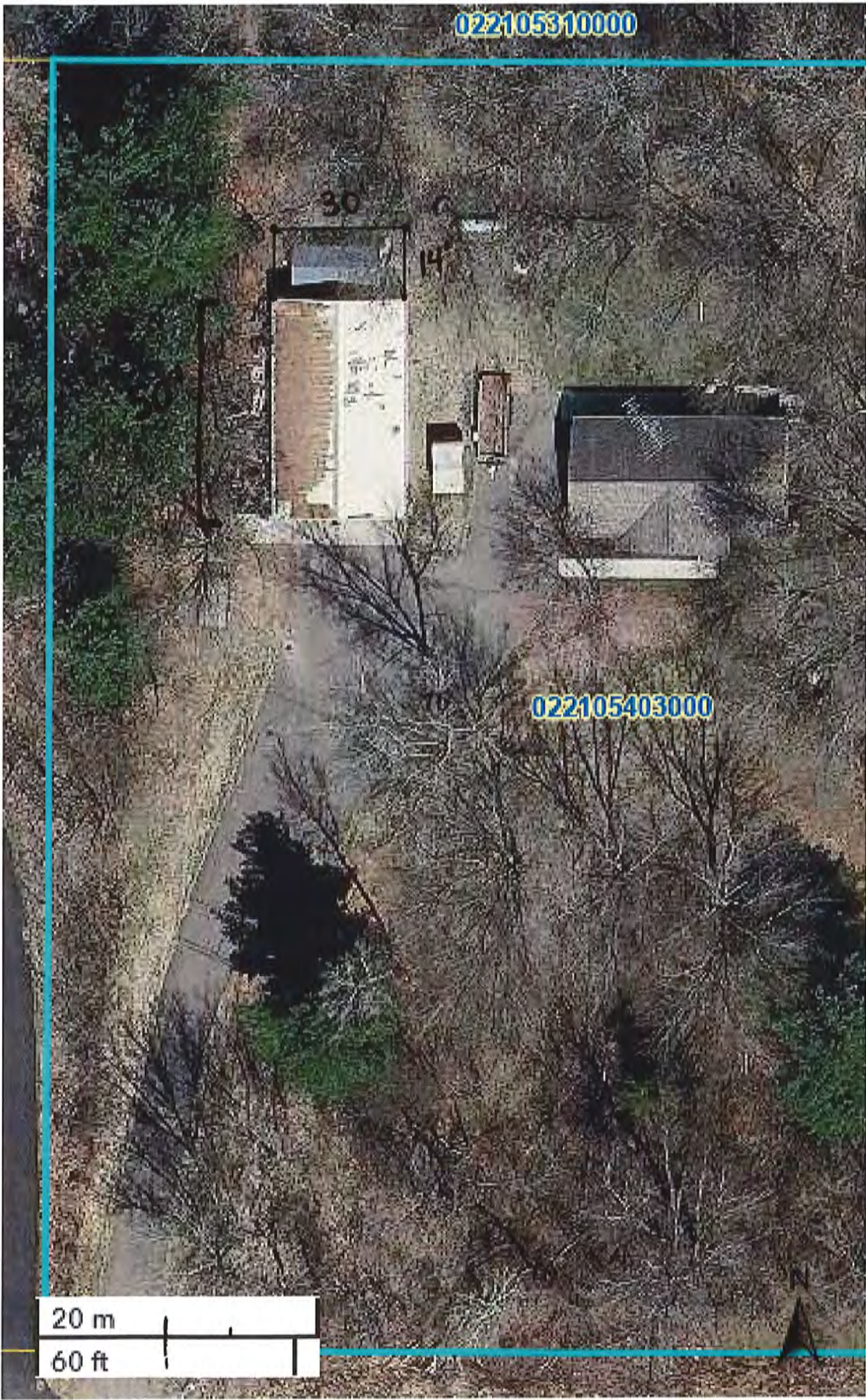


existing

open

30'

14'

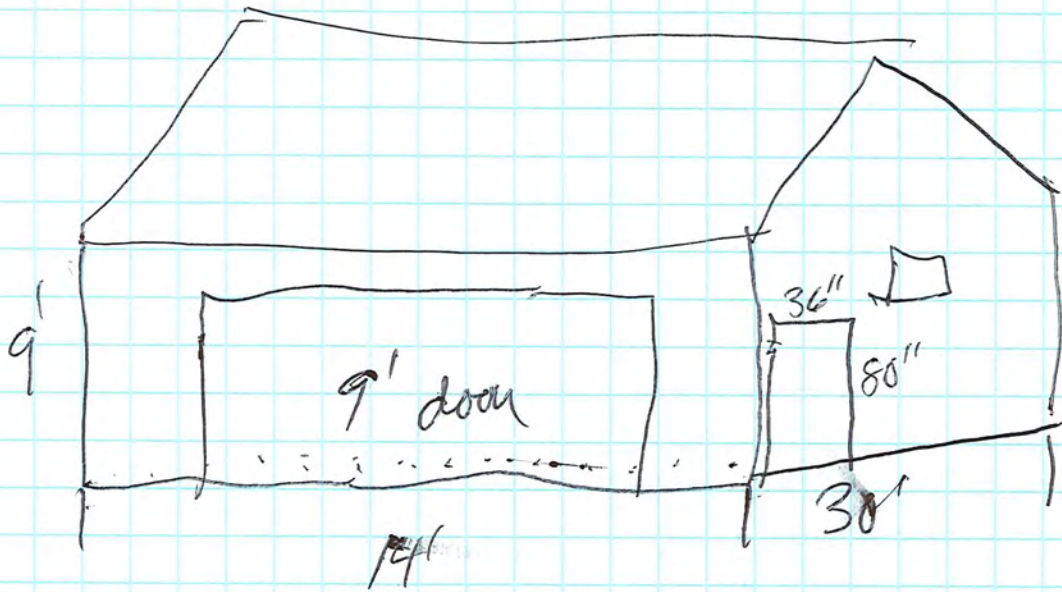


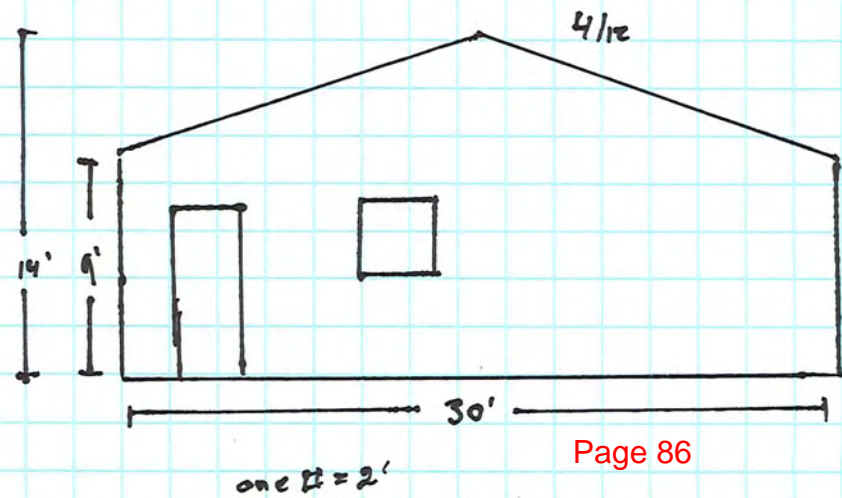
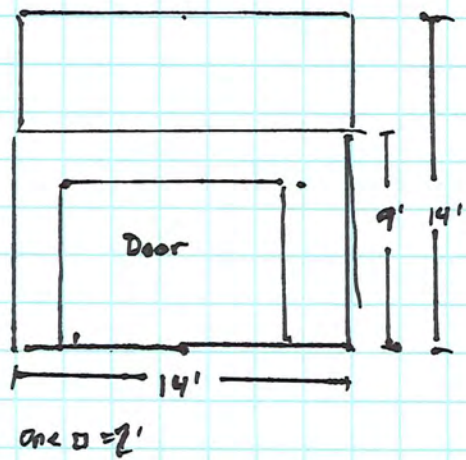
022105310000

022105403000

20 m  
60 ft

- Addresses
- Address Labels
- ▭ Parcels
- ▭ Parcel Numbers
- ▭ Parks
- Surrounding Counties
- ▭ Eau Claire
- ▭ Surrounding
- ▭ Sections
- Interstate
- US Highway
- State Highway
- Ramp
- Major Arterial
- Minor Arterial
- Collector
- Local
- Private Drive
- Recreation
- Service
- Other





**From:** [Ben Bublitz](#)  
**To:** [Heidi Pederson](#)  
**Subject:** FW: CUP McIntyre  
**Date:** Thursday, March 21, 2024 8:20:20 AM

---

Ben Bublitz | Land Use Manager  
721 Oxford Ave., Suite 3344 • Eau Claire, WI 54703  
Office: 715-839-4743 Cell: 715-829-2877 Fax: 715-831-5802  
Email: [ben.bublitz@eauclairecounty.gov](mailto:ben.bublitz@eauclairecounty.gov)

Planning and Development

-----Original Message-----

From: Town Of Union Chair <[meyerjennifer@wwt.net](mailto:meyerjennifer@wwt.net)>  
Sent: Wednesday, March 20, 2024 1:24 PM  
To: Ben Bublitz <[Ben.Bublitz@eauclairecounty.gov](mailto:Ben.Bublitz@eauclairecounty.gov)>  
Subject: CUP McIntyre

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

hello Ben

The Town of Union Comp Plan and Town Board did not have a problem with this CUP accessory building exceeding the 1800 square footage.

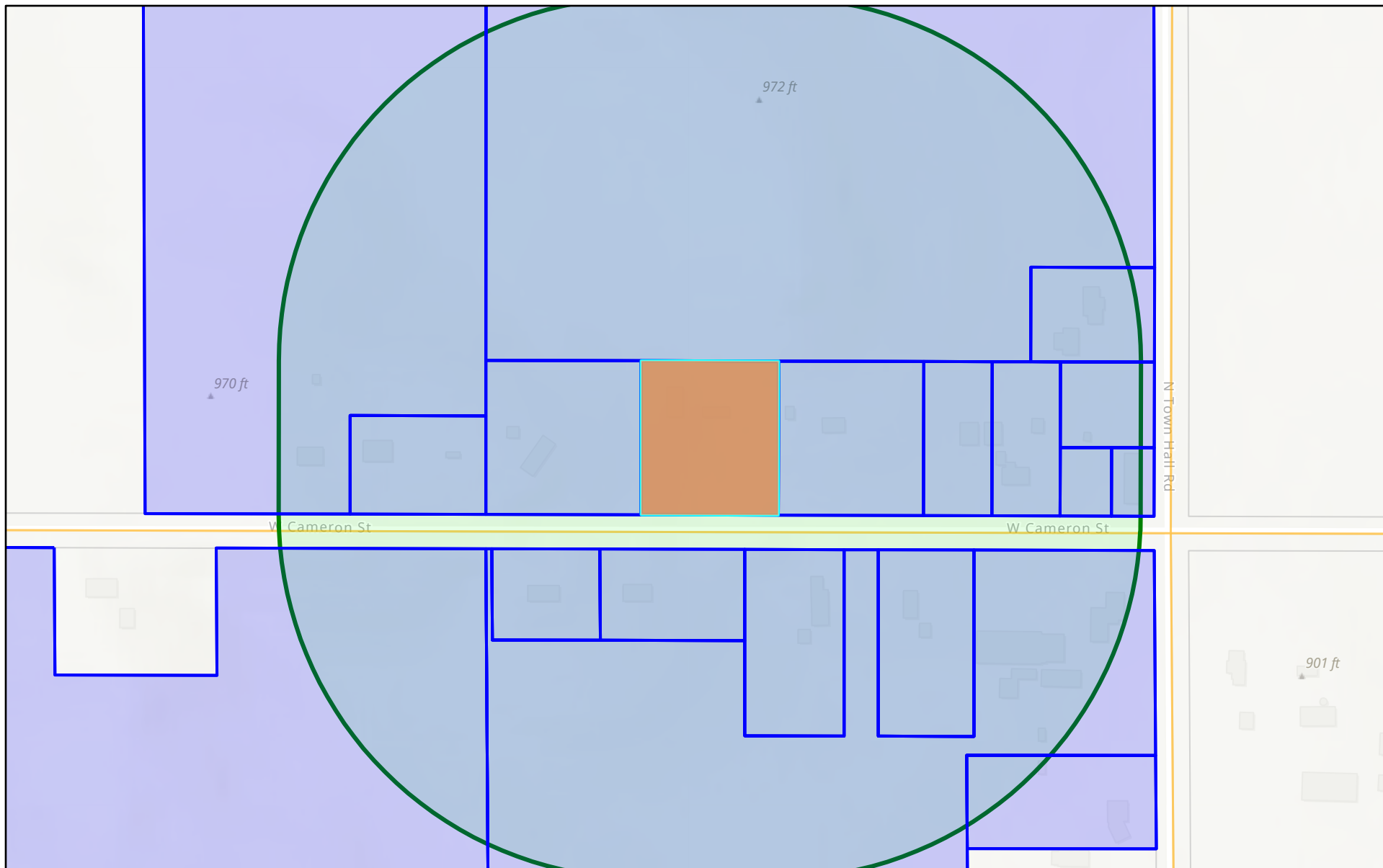
No outside parties made contact with any Town Officials nor was there any comments.

The owner did not show at either meeting, which would have been good. We did have questions, but in the end we did not have any opposition.




Passed 5-0

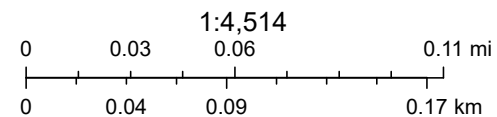
Sent from my iPhone  
Jennifer Meyer  
Town of Union Chair

# Public Notification



2/26/2024, 3:34:50 PM

-  County Boundary
-  Tax Parcel
-  Section



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA,



FirstName LastName	Address	City State Zip
LEWIS HANSON	1804 ANDERSON RD	EAU CLAIRE WI 54703-9684
RAYMOND CHAPEK	6226 W CAMERON ST	EAU CLAIRE WI 54703-9034
P & S PROPERTIES FARMLAND LLC	1556 N TOWN HALL RD	EAU CLAIRE WI 54703-9018
CYNTHIA EHLERT-MAKI	6215 W CAMERON ST	EAU CLAIRE WI 54703-9036
JONATHAN VANDERHYDE	6201 W CAMERON ST	EAU CLAIRE WI 54703-9036
JEFFREY C & TAMARA K WHYTE	1440 N TOWN HALL RD	EAU CLAIRE WI 54703-9556
DAVID J & PHYLLIS A STAHLBUSCH	6502 CURVUE RD	EAU CLAIRE WI 54703-9002
TOWN HALL TOWN OF UNION	1506 N TOWN HALL RD	EAU CLAIRE WI 54703-9018
KATELYN E CLIFFORD	6120 W CAMERON ST	EAU CLAIRE WI 54703-9034
RUTH KRUSCHKE	6020 W CAMERON ST	EAU CLAIRE WI 54703-9143
KYLE SEYER	6206 W CAMERON ST	EAU CLAIRE WI 54703-9034

---

**CONDITIONAL USE PERMIT NUMBER:** CUP-0002-24

**COMPUTER NUMBERS:** 012-1109-03-000

**PUBLIC HEARING DATE:** March 26, 2024

---

**STAFF CONTACT:** Ben Bublitz, Land Use Manager

**OWNER:** Daniel Borntreger, S9230 South Shaler Ridge Road Fall Creek, WI 54742

**AGENT:** N/A

**REQUEST:** Religious use for an “Old Order Amish” cemetery.

**LOCATION:** 012-1109-03-000 – East of S. Shale Ridge Road.

**LEGAL DESCRIPTION:** The SE ¼ of the SW ¼ of Section 25, Township 26 North, Range 8 West, Town of Lincoln, Eau Claire County, WI.

---

## SUMMARY

The request is for a conditional use permit for religious use to place an ‘Old Order Amish’ cemetery on a zoning lot. The proposal is in the A-P zoning district that allows religious uses as a conditional use. The cemetery will use an existing access location and be quadrilateral in shape measuring 105’x110’x100’x134’ with fencing located around the cemetery area. There are no specific full body burial requirements beyond those specified for platting of the cemetery location and sites. The platting requirements are exempt for religious uses, so the Department recommends platting the cemetery, but cannot require it.

---

## BACKGROUND

### REQUEST CHARACTERISTICS:

- Parcel size is 40 acres.
- The site is located on S. Shale Ridge Road.
- The existing parcel is vacant and utilized for farmland other than a wooded ravine on the norther portion of the property.

**CURRENT ZONING:** A-P Agriculture-Preservation District. A. 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; B. 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.

**ADJACENT ZONING & LAND USES:**

	ZONING	LAND USE
North	A-P	Agricultural
West	A-P	Agricultural
South	A-P	Agricultural
East	A-P	Agricultural

**LAND USE PLANS:** The County and Town of Lincoln Comprehensive Plan Future Land Use Maps both include this property in the Rural Lands area.

**Rural Lands (RL):**

**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 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 18.32.030 A-P Conditional Uses.**

D. Governmental, institutional, religious, or nonprofit community uses.

**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 following is an analysis of the request based upon the standards for approval of conditional use permits:

**Chapter 18.21 Conditional Uses.** Standards for approval of conditional uses:

It appears that findings can be made that the request meets the standards for conditional use permit approval. 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 religious use of a cemetery and does not appear the cemetery will result in any nuisance factors such as noise, dust, or fumes. Little to no utilities and/or facilities are required for the request. Access to the property would come via the existing driveway. It may be appropriate to require a perpetual ingress/egress easement to access the private cemetery for visiting maintenance and upkeep over time.

**TOWN BOARD ACTION:** The Town of Lincoln met on March 11, 2024, to review the request and they indicated the Board was in agreement to approve the application.

**STAFF CONCLUSIONS AND RECOMMENDATION:** Staff has concluded that the proposed religious use of an 'Old Order Amish' cemetery is consistent with the purpose of the zoning code, consistent with the standards for conditional use permits, adheres to applicable zoning regulations, and adheres to 2017 Wisconsin Act 67 and Wis. Stat. 59.69(5e).

Staff recommends approval of the conditional use permit with the following conditions:

1. The materials submitted with the application shall be attached to and made a part of the permit, and all development of the site shall be done in accord with the site plans.
2. The cemetery shall comply with all local and state laws.
3. Uses authorized under this conditional use permit shall be limited to the religious use proposed in the application. However, future changes to the religious use located at this site shall require approval from the Land Use Manager and may require approval by the committee at a public hearing.
4. The owner shall allow staff from the Eau Claire County Department of Planning and Development to enter the property at reasonable times to inspect the premises for compliance with the conditions of this permit.
5. 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 conditional use permit 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

Date Application Accepted:	2/6/24
Accepted By:	Ben
Receipt Number:	76368
Town Hearing Date:	3/11/24
Scheduled Hearing Date:	3/26/24

### CONDITIONAL USE PERMIT APPLICATION

Property Owner Name: Daniel Borntreger	Phone#
Mailing Address: S9230 South Shaleridge Road Fall Creek, WI 54742	
Email Address:	
Agent Name:	Phone#
Mailing Address:	
Email Address:	

#### SITE INFORMATION

Site Address: Parcel #: 1801222608253400001	
Property Description: SE ¼ SW ¼ Sec. 25, T 26 N, R 8 W, Town of Lincoln	
Zoning District: AP	Code Section(s): 18.32.030.D
Overlay District: <input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining Check Applicable	
Computer #(s): 1801222608253400001	
PIN #(s):	

#### 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 <b>\$550.00</b> application fee (non-refundable). Send application to <a href="mailto:landuse@eauclairecounty.gov">landuse@eauclairecounty.gov</a> or to the address above.
--	---	--	--

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 Daniel S. Borntreger Date 2-6-24

**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.

*Continue to next page*

Updated 11/27/2023

#### **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).

Proposed cemetery for a religious "Old Order Amish" group for Fall Creek community. Proposed area to be available as needed. Proposed area (Quadrilateral in orientation to stay out of steep elevation layers) 105'x110'x100'x134' near South Shaleridge Road on Parcel #:1801222608253400001. The cemetery will be located 350' North of Parcel #1801222608253400001 access point from South Shaleridge Road. Fencing will be added around the cemetery. The access point to the cemetery will be the driveway just east of the driveway for S9230 S. Shaleridge Road.

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

Description of the type of business activity:

(Intentionally Left Blank)

Equipment used in the business activity:

(Intentionally Left Blank)

Days and hours of operation: N/A

Number of employees: N/A

Nuisance abatement measures that will be implemented: N/A

Noise abatement measures: N/A

Vibration abatement measures: N/A

Dust control measures: N/A

Measures to control fumes or odors: N/A

Visual screening measures (plants, fences, walls, etc.) N/A

Updated 11/27/2023

**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-<https://beaconschneidercorp.com/> (Select Wisconsin and then Eau Claire County, WI-View Map)**

<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**

Show floor plan, including attics

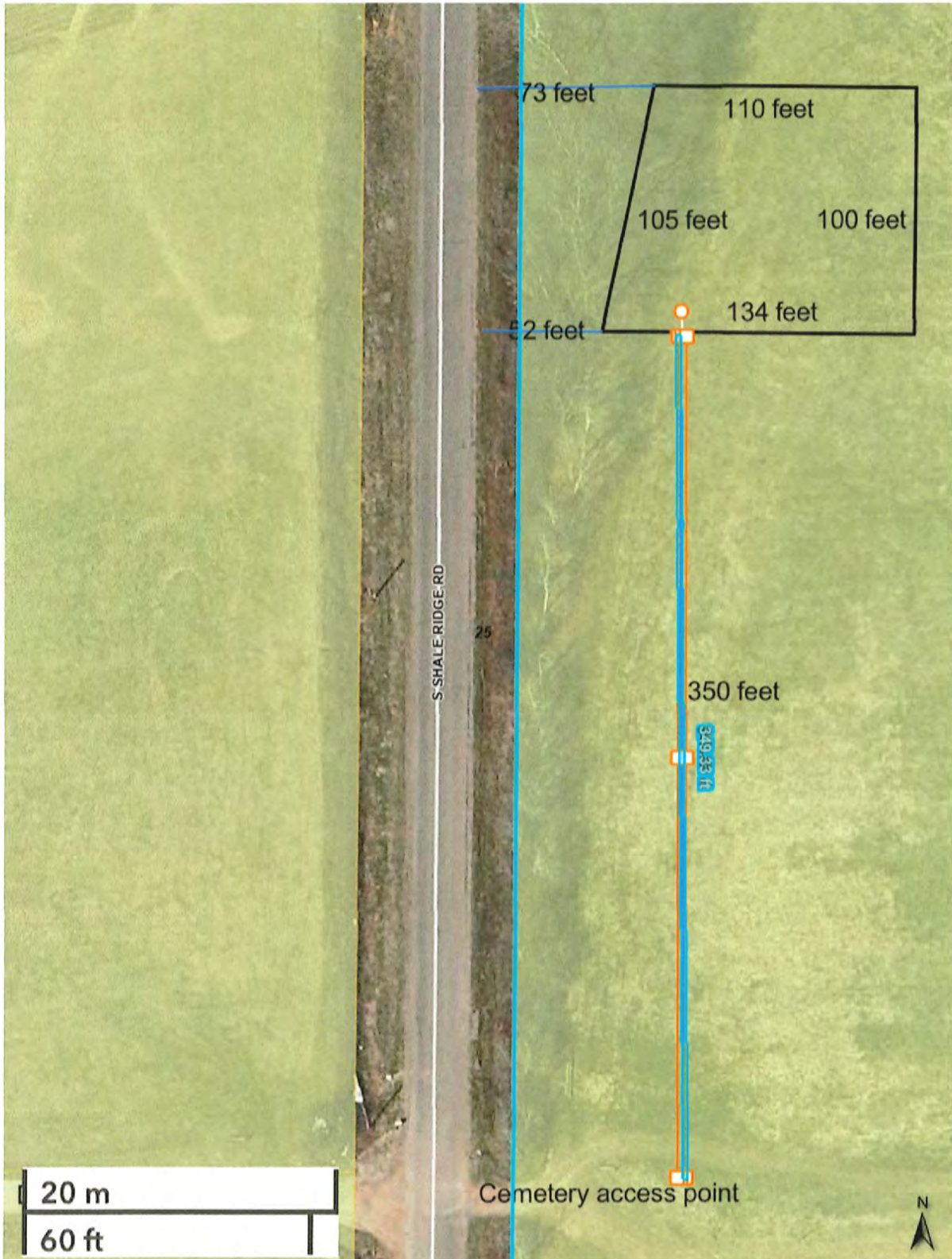
Show scaled building elevations

Show color scheme

Provide information addressing 59.69 (5e) with substantial evidence supporting your request

Updated 11/27/2023





- Addresses
- Address Labels
- ▭ Parcels
- ▭ Parcel Numbers
- ▭ Parks
- ▭ Building Footprints
- County Zoning
- ▭ Not Zoned By County
- ▭ 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
- ▭ GoldenTriangle\_AEA
- Surrounding Counties
- ▭ Eau Claire
- ▭ Surrounding
- ▭ Sections
- ▭ Rivers and Streams
- ▭ Lakes and Rivers
- Flood Hazard Zones
- ▭ 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- ▭ A
- ▭ AE
- ▭ X
- Groundwater Protection District
- ▭ Zone 1
- ▭ Zone 2
- ▭ Zone 3
- ▭ Interstate
- ▭ US Highway
- ▭ State Highway
- ▭ Ramp
- ▭ Major Arterial
- ▭ Minor Arterial
- ▭ Collector
- ▭ Local
- ▭ Private Drive
- ▭ Recreation
- ▭ Service
- ▭ Other

Date created: 1/28/2024  
 Last Data Uploaded: 1/27/2024 1:12:23 AM  
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 Schneider  
 GEOSPATIAL

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# Town of Lincoln Eau Claire County

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03/12/2024

To: Department of Planning and Development Eau Claire County

RE: RZN-0002-24

**Owner:** Daniel Borntreger

**Applicant:** Owner

**Application Number:** CUP-0002-24

**Legal Description:** The SE 1/4 of the SW 1/4 of Section 25, Township 26 North, Range 8 West, Town of Lincoln, Eau Claire County, WI.

**Zoning District:** A-P Agricultural Preservation

**Site Address:** Located South of County Highway D

**Purpose:** Religious use for an "Old Order Amish" cemetery

**Date Received:** 2/26/2024

The Town of Lincoln board met on March 11, 2024 and discussed the above Rezoning Petition. The full board was in attendance and was in full agreement to approve the applicant's request as outlined in the zoning petition.

Matthew Krenz, Chairman

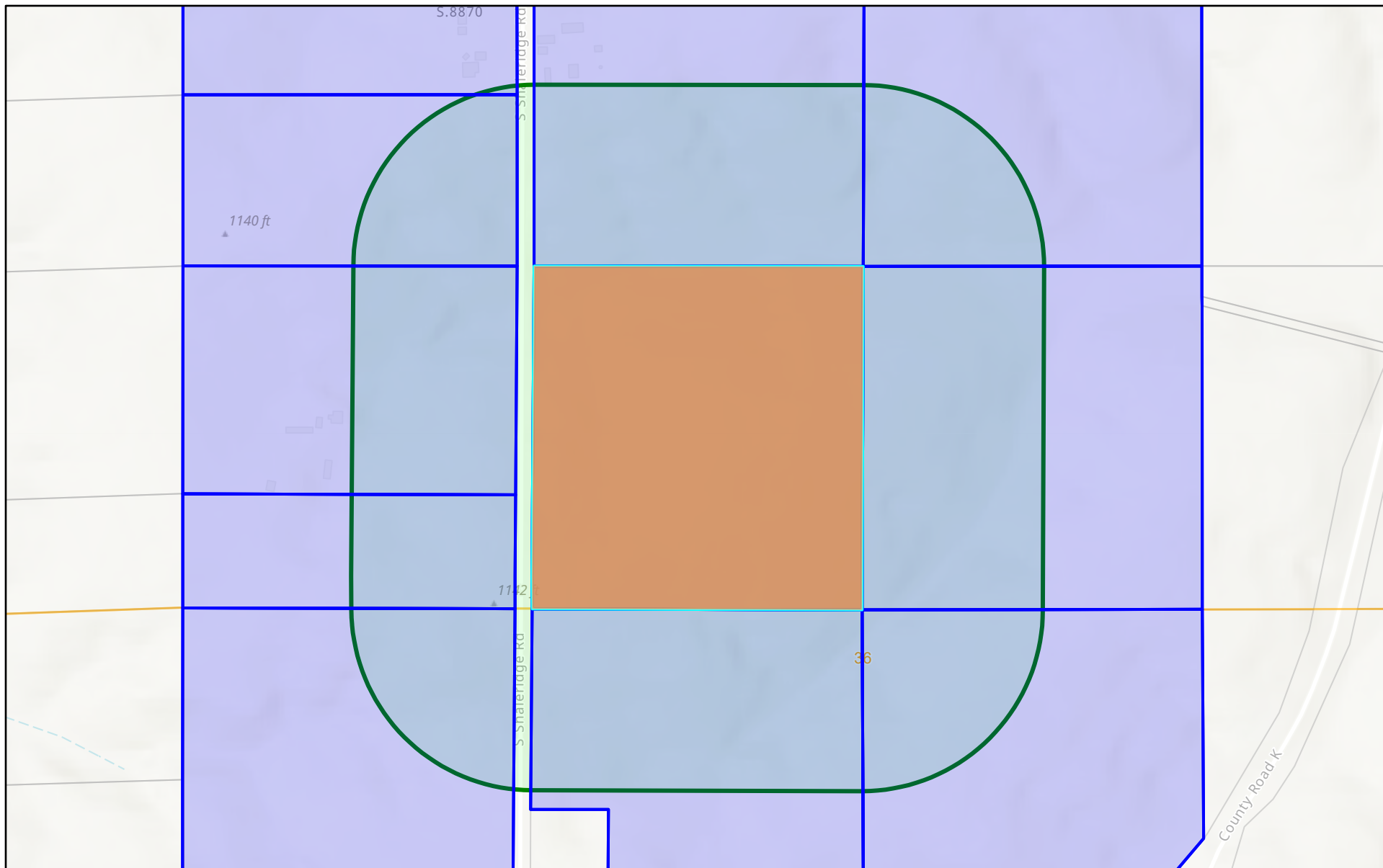
Dean Klingbeil, Supervisor

Matthew Orysen, Supervisor




Sherri McCormick, clerk

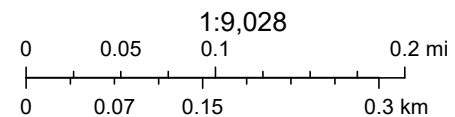
On behalf of the Town of Lincoln Board

# Public Notification



2/26/2024, 3:57:50 PM

-  County Boundary
-  Tax Parcel
-  Section



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

FirstName LastName	Address	City State Zip
CARL R & JEAN M KNUDTSON	S 5595 COUNTY ROAD K	FALL CREEK WI 54742-4001
DONALD SELL	S9010 COUNTY ROAD K	FALL CREEK WI 54742-4203
WAYNE DEHNKE	E 11890 BRIDGEWATER DR	FALL CREEK WI 54742-4008
TERRY & SUSAN MILLER TRUST	S 8870 S SHALE RIDGE RD	FALL CREEK WI 54742-4118
RUSSELL KRENZ	S 8400 COUNTY ROAD K	FALL CREEK WI 54742-4103
BEN BORNTREGER	E 11381 COUNTY ROAD D	FALL CREEK WI 54742-4129



# EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

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**CONDITIONAL USE PERMIT NUMBER:** CUP-0003-24

**COMPUTER NUMBERS:** 024-1042-09-000

**PUBLIC HEARING DATE:** March 26, 2024

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**STAFF CONTACT:** Ben Bublitz, Land Use Manager

**OWNER:** James Strauch, 8809 Hickory Road, Eau Claire, WI 54701

**AGENT:** Nick Petit, Trierweler Construction & Supply Co., Inc., 2916 South Cherry Avenue Marshfield, WI 54701

**REQUEST:** Conditional use permit request for temporary asphalt & concrete batching, ready-mix operations, or concrete crushing.

**LOCATION:** 7835 USH 53, Eau Claire, WI 54701

**LEGAL DESCRIPTION:** A parcel of land located in the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Section 21, Township 26 North, Range 8 West, Town of Washington, Eau Claire County, WI.

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## SUMMARY

The request is to locate and operate a portable, temporary ready mix concrete plant to be utilized during the I94 construction project. The ready-mix plant will be used between July 1, 2024, and December 31, 2026. The total area to be dedicated to the ready-mix plant operations will be approximately five acres. The number of employees onsite will vary from 3-15 with general operating hours being between 6:00AM and 8:00PM, Monday- Friday. Occasional work will take place overnight or during the weekends to improve driver safety when mandated in the WisDOT plans. Along with the plant itself there will also be piles of aggregates and sand stored onsite. The application indicates that operation of the plant will total approximately 50-days over the duration of the project. When the use of the plant is concluded the property will be reclaimed to a state equivalent to use previous land disturbance.

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## BACKGROUND

### REQUEST CHARACTERISTICS:

- Overall project site size is approximately 5 acres.
- The property is zoned A-P, Agricultural Preservation. The A-P permits temporary asphalt & concrete batching, ready-mix operations, or concrete crushing as a conditional use.
- The site is located on US Highway 53.

**CURRENT ZONING:** A-P Agricultural Preservation District. The purpose of the A-P District is to: A. 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; B. 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.

**ADJACENT ZONING & LAND USES:**

	ZONING	LAND USE
North	A-P	Agricultural/Residential
West	A-P	Agricultural
South	A-P/A-2	Agricultural/Residential
East	A-P	Agricultural/I94

**LAND USE PLANS:** The County Land Use Plan includes this property in a Rural Lands planning area.

**Rural Lands (RL)**

**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 ZONING REGULATIONS**

**Section 18.02. 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.

**Chapter 18.103.070 Conditional Uses.** Approval criteria for 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.

**Chapter 18.33 Use Table.** The use table establishes uses permitted within each zoning district, and how they are permitted.

**ANALYSIS:** The following is an analysis of the request based upon the standards for approval of conditional use permits:

**Chapter 18.103.070 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; *temporary asphalt & concrete batching, ready-mix operations, or concrete crushing are allowed in the A-P District with a conditional use permit approval.*
- 2) The use will not be injurious to the use and enjoyment of other property in the immediate vicinity; *it appears that proposed use will have a minimal impact on the use and enjoyment of other nearby properties. The residence to the North is owned by the property owner, with the next nearest residence being to the South. The surrounding properties are largely vacant planted as farm fields. It should also be noted that the property is between two busy highways, US Highway 53 and Interstate 94.*
- 3) Adequate utilities, access, drainage and other necessary facilities have been or are provided; *the proposal will have adequate facilities requiring stormwater and erosion control permits.*
- 4) Adequate off-street parking is provided; *adequate off-street parking exists. The site plan reveals that there is adequate off-street parking available for use for both employees and company vehicles; Utilizing five acres of land for the entire project will provide enough space for off-street parking and truck turnaround.*
- 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; *the applicant has indicated water will be sprayed onsite as needed if any fugitive dust occurs, any night lighting will only take place if there is night work taking place with all lighting directed away from roadways and neighboring properties, and that the noise level will be similar to the noise level created by traffic along the nearby roadways.*
- 6) Soil conditions are adequate to support the use; *it appears the soils are adequate to support the use.*
- 7) Access does not pose traffic congestion or hazards; *County staff reached out to WisDOT staff to verify the access is approved and permitted. At the time of drafting this report County staff has not received feedback from WisDOT.*

**TOWN BOARD ACTION:** The Town of Washington will meet on March 19, 2024, to review the request.

**STAFF CONCLUSIONS AND RECOMMENDATION:** Staff has concluded that the proposal is consistent with the standards for conditional use permits and the purpose of the zoning code.

Staff recommends approval of the conditional use permit with the following conditions:

1. The conditional use permit is granted for a temporary ready mix concrete plant. The site plan, building drawings and the narrative shall be attached to and made part of the permit.
2. Property shall comply with all applicable laws and regulations including, but not limited to, land use, building, erosion control, and sanitary provisions.
3. Access approval shall be verified by WisDOT.
4. All outside lighting shall be shielded downward to reduce glare to adjacent properties and not to cause light pollution. Any new lighting will be required to be shielded to direct the light source downward.
5. The applicant shall notify the Town of Washington and the Planning and Development Department when work activities are planned outside 6:00AM and 8:00PM, Monday- Friday.
6. All parking shall be onsite on an improved surface. An example of improved surface is gravel or basecourse.
7. A sufficient tracking pad shall be installed to keep any debris off Highway 53. If debris is brought on to highway 53 through truck traffic, an alternate mitigation plan shall immediately be implemented.
8. There shall be adequate bathroom facilities onsite as approved by the Eau Claire Health Department.

9. The applicant shall submit financial assurance to the Planning and Development Departments in an amount sufficient to reclaim the disturbed acres to an agricultural field. After the disturbed land is reclaimed, the financial assurance will be released to the applicant.
10. Uses authorized under this conditional use permit shall be limited to the temporary ready mix concrete plant in the application. However, future changes shall require approval from the Land Use Manager and may require approval by the committee at a public hearing.
11. The owner shall allow staff from the Eau Claire County Department of Planning and Development to enter the property at reasonable times to inspect the premises for compliance with the conditions of this permit.
12. The permit is subject to Section 18.103.100 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:	2/26/2024
Accepted By:	Ben
Receipt Number:	076540
Town Hearing Date:	03/21/2024
Scheduled Hearing Date:	03/26/2024

**CONDITIONAL USE PERMIT APPLICATION**

Property Owner Name: James Strauch	Phone# 715-450-2665
Mailing Address: 8809 Hickory Rd Eau Claire WI 54701	
Email Address: N/A	

Agent Name: Nick Petit	Phone# 715-240-0315
Mailing Address: 2916 South Cherry Ave Marshfield, WI 54449	
Email Address: nick@tpaving.com	

**SITE INFORMATION**


Site Address: 7835 USH 53 Eau Claire WI 54701	
Property Description: _____ ¼ _____ ¼ Sec. 21, T 26, N, R 8 W, Town of Washington	
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): or PIN #(s):	1802422608213100001

**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 checked="" type="checkbox"/> Complete attached information sheet	<input checked="" type="checkbox"/> Site Plan Drawn to Scale	<input checked="" type="checkbox"/> Confirmed with the Town their submittal deadline and process.	<input checked="" type="checkbox"/> Provide <b>\$550.00</b> application fee (non-refundable). Send application to <a href="mailto:landuse@eauclairecounty.gov">landuse@eauclairecounty.gov</a> 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  Date 1-11-24

**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).

Please see attached documents

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

Description of the type of business activity:

Please see attached documents

Equipment used in the business activity:

Please see attached documents

Days and hours of operation: Please see attached documents

Number of employees: Please see attached documents

Nuisance abatement measures that will be implemented: Please see attached documents

Noise abatement measures: Please see attached documents

Vibration abatement measures: Please see attached documents

Dust control measures: Please see attached documents

Measures to control fumes or odors:

Visual screening measures (plants, fences, walls, etc.) Please see attached documents

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)

Please see attached documents

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.

Please see attached documents

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

Please see attached documents

SCALED SITE PLAN- <https://beacon.schneidercorp.com/> (Select Wisconsin and then Eau Claire County, WI-View Map)

- |   |   |
|---|---|
| <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 |

# TRIERWEILER

## CONSTRUCTION & SUPPLY CO. INC.

*Heavy & Highway Contracting*

*2916 South Cherry Avenue  
Marshfield, WI 54449*

*Phone 715-387-8451*

*Fax 715-384-5599*

January 10th, 2024

Eau Claire County / Town of Washington  
Plan Commission

**Subject: Special Exception; Parcel Pin 1802422608213100001**

Trierweiler Construction, as agent on behalf of James Strauch (property owner), is submitting the enclosed applications, drawings, and supporting documentation for your review regarding the proposed temporary ready mix concrete plant on a portion of the property listed above.

**Contact Information**

**Site:**  
Parcel Pin: 1802422608213100001  
Legal Description: See Attached  
Town of Wasgington, WI 54701

**Property Owner:**  
James Strauch  
8809 Hickory Rd  
Eau Claire, WI 54701

Sincerely,  
*Nick Petit*

Trierweiler Construction & Supply Co., Inc.  
Nick Petit  
715-240-0315  
nick@tpaving.com



An Equal Opportunity Employer

# TRIERWEILER

CONSTRUCTION & SUPPLY CO. INC.

*Heavy & Highway Contracting*



## Eau Claire County – Land Use Permit

2916 South Cherry Ave  
Marshfield WI 54449  
(715) 387-8451

# Table of Contents

- Introductions & Intentions
- Closing Statement
- Land Use Permit Application
- Written Brief
- General Overview Location Map
- Scaled Site Layout
- DNR Surface Water Map
- Contour Map
- Pollution Prevention & Spill Response Plan
- Plant Overview
- Legal Description

## Introductions & Intentions



## Introduction & Intentions

### Ready Mix Concrete

Ready mix concrete (RMC) is an essential building material for use in a variety of civil construction projects such as buildings, roads, bridges, and a variety of other structures. As the Wisconsin Department of Transportation (WisDOT) and a variety of other municipalities continue efforts to update and expand I94 in Eau Claire County, the demand for a locally available and economical option for the production and distribution of RMC is critically important to on-time and on-budget projects to reduce the costs to taxpayers and impacts on commuters for these projects.

Based upon the availability of some ingredient aggregate materials nearby as well as the proximity to the awarded construction work, the Strauch Site on USH 53 offers an ideal location for the staging of a portable, temporary RMC plant to be used on the I94 construction. The site is currently zoned G4 agricultural and is being used as farmable land. Trierweiler Construction is requesting this special exception permit beginning on July 1<sup>st</sup>, 2024, to December 31<sup>st</sup>, 2026.

### Siting

The site, consisting of Parcel Pin 1802422608213100001, is currently being used as a farmable field. The special exception permit area is approximately 5 acres in size, for the exact location and layout please see the attached map. No building or structure beyond the mechanical equipment is proposed as part of the application. The RMC batch plant will be temporary and portable in nature to be located adjacent to where the aggregate stockpiling is occurring.

### Site Preparation

5 acres will be stripped of topsoil, once the site is stripped, we will haul in gravel to cover the 5 acres. Once work on the WisDOT project is completed the temporary batch plant will be removed and the site will be restored to its original condition.

### Operation Description

The proposed temporary/ portable installation of an RMC plant would be utilized to mix concrete and load trucks to the adjacent WisDOT I94 project. The exact number of employees varies between 3 and 15 on the RMC operations team. Access to the site will be via the existing driveway currently in use. Parking for the operators will be adjacent to the plant. Operational periods will include generally daytime operating hours (6:00 AM – 8:00 PM) during weekdays and intermittent operation during weekends only as project demands necessitate. However, WisDOT does sometimes require nighttime work to limit impacts to drivers and to improve worker and driver safety. As such, for some segments of the project this special exception permit application requests 24-hour operation to accommodate the WisDOT I94 construction schedules. It should be worth mentioning that nighttime operation will only be utilized when mandated in the plans and proposals by WisDOT.

Outdoor storage would consist of piles of aggregates and sand stored within the existing site. Cement materials would be stored in portable enclosed bins and handled in such a manner to minimize any dust exposure. Activities conducted outdoors at the site would include the staging, handling, and mixing of

materials, loading of delivery trucks, and washout of trucks into internally drained ponds. Waste generated from washing activities would be handled by removal offsite to an appropriate disposal facility. Domestic waste generation would be handled by an onsite dumpster that is regularly emptied by a local waste management service.

### **Zoning and Setbacks**

The plant will be sited on the property to adhere to all setbacks as set forth in the current Eau Claire County and Town of Washington zoning regulations that govern the property. See attached mapping for the proposed location within the property.

### **Erosion Control/ Storm Water Management**

As part of participating in WisDOT construction work strict environmental and erosion control standards must be adhered to and are regularly monitored by WisDOT project staff. Trierweiler Construction also holds a current and valid plant specific WPDES general permit for storm water runoff.

### **Noise**

The noise emitted by the plant's operations will be less than or equal to the current noise generated by the traffic on USH 53. Additionally, the plant will only be in operation for approximately 50 total days during the 3-year duration of the project to complete the concrete paving work.

### **Dust Control**

Dust will be controlled through the use of enclosed bins for the storage of fine particle materials such as cement. Water is used extensively around the plant site during plant operations as needed to control the dust of the moving trucks. Water as well as sweeping is used on any adjacent roads to control both dust and any debris that may track on to public roadways.

### **Lighting**

If operations occur at night, outdoor lighting will be provided by portable lighting plants for the purpose of employee visibility and safety. The lights would be operated only during periods of night-time operation and as needed for visibility and safety. To mitigate impacts to neighboring residences and roadways, the lights will be directed away from property lines, neighboring parcels, and roads.

## Closing Statement

## Closing Statement

Trierweiler Construction (agent) on behalf of James Strauch (property owner) is submitting the enclosed Special Exception Permit for the proposed temporary ready-mix concrete batch plant along with the required fees and attachments. We are requesting approval for the operation from July 1<sup>st</sup>, 2024 to December 31<sup>st</sup>, 2026 in support of the WisDOT Interstate I94 construction projects. If you have any questions or concerns, or require additional information, or clarification, please feel free to contact me via the contact information listed on the front page.

Sincerely,

Nick Petit

Trierweiler Construction

# Land Use Permit Application

## Written Brief

### Written Brief

The granting of the special exception for the placement of the temporary concrete batch plant is well within the spirit of the ordinance. The placement of the concrete plant will not be a nuisance to neighboring property owners, through noise, dust, or any aspect of public safety. The plant will not affect property values of neighboring properties as it will be temporary and the property will go back to general agriculture use once construction is completed. The property is not in a flood plain and no wetlands or forest resources will be affected by the proposed plant. Lastly, the siting of the plant at this particular location will provide the most effective and efficient use of taxpayer's funds by allowing the close proximity of the plant to reduce travel and trucking costs which in turn reduces the time necessary to complete the work. The reduced cost in terms of both money and user delay due to construction is a win-win for the traveling public.

The granting of the special exception will be in the best interest of both the local population as well as the travelling public. The plant will be placed in a rural area near the Interstate and next to the WisDOT project it is intended for. This placement will greatly limit the amount of time the loaded concrete trucks are on the open road and maximize their travel directly onto the project, therefore minimizing potential conflicts with the travelling public. Additionally, the drivers at Trierweiler Construction take pride in their driving with common sense and safety when on the road. The general welfare, public health, or safety of the local population will not be significantly impacted due to the placement away from a populated area along with the efforts made by Trierweiler Construction to limit dust through contained storage tanks, the use of water (as mentioned below), and emission of comparable amounts of background noise caused by the Interstate.

Trierweiler Construction makes every effort to be good neighbors, and part of being good neighbors is making are best effort to eliminate as much as possible any issues with noise, dust, smoke, and odors. The noise made by the concrete plant is comparable to the current level of noise created by normal traffic on the USH 53. The noise created by the other equipment and concrete trucks is similar in nature to the other construction equipment that will be operating in the area of the interstate to complete the construction project. Dust will be controlled by the use of storage tanks for the cement and fly ash, and water in and around the plant site as needed to prevent dust. As stated below odor will be eliminated through regular and timely emptying of the waste storage facilities by a local waste management company.

Trierweiler will follow any and all county ordinance along with any town ordinances that apply to this Land Use Permit.

Our request will not impact public health, safety or general welfare.

The noise emitted by the plant's operations will be less than or equal to the current noise generated by the traffic on USH 53. Additionally, the plant will only be in operation for approximately 50 total days during the 3-year duration of the project to complete the concrete paving work.

Dust will be controlled through the use of enclosed bin for the storage of fine particle materials such as cement. Water is used extensively around the plant site during plant operations as needed to control the dust of the moving trucks. Water as well as sweeping is used on any adjacent roads that to control both dust and any debris that may track on to public roadways

Granting this special exception to Trierweiler Construction provides an important service to the community because it is the most prudent choice to preserve tax payer dollars. The ability to locate the temporary concrete plant as close as possible to the project allows the contractors the ability to provide to most competitive pricing to the Department of Transportation and in turn the best value to the Wisconsin tax payers. The close location to the project also limits the amount of on road traffic by construction vehicles which minimizes any potential issues with local traffic. Lastly the efficient repair and replacement of the interstate will provide economic impacts to the local communities by safer and more efficient travel, and one of the most efficient way to complete the construction is in a timely manner is the close placement of equipment and materials to the project.

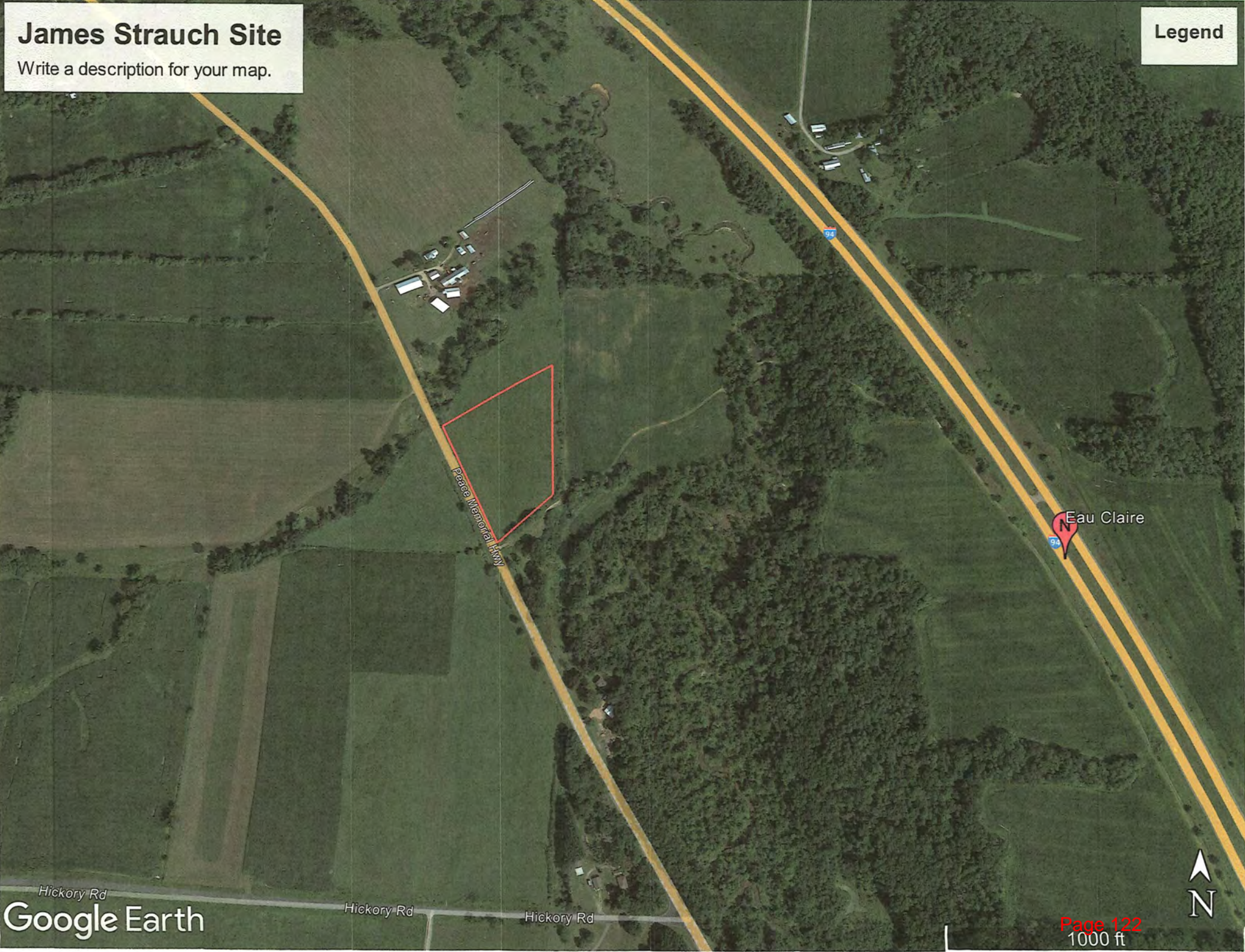


## General Overview Location Map

# James Strauch Site

Write a description for your map.

Legend



Peace Memorial Hwy

Eau Claire

Hickory Rd

Hickory Rd

Hickory Rd

Google Earth

Page 122  
1000 ft



## Scaled Site Layout

# James Strauch Site

Write a description for your map.

Legend



## DNR Surface Water Map



# Surface Water Data Viewer Map



## Legend

- Lake Class Areas
- Riverine/ditch Class Areas
- Wetland Class Areas
- Wetland Class Points**
- Dammed pond
- Excavated pond
- Filled/draind wetland
- Wetland too small to delineate
- Filled excavated pond
- Filled Points
- Wetland Class Areas
- Filled Areas
- Lake Class Areas
- Riverine/ditch Class Areas
- Wetland Class Areas
- Wetland Class Points**
- Dammed pond
- Excavated pond
- Filled/draind wetland
- Wetland too small to delineate
- Filled excavated pond
- Filled Points
- Wetland Class Areas
- Filled Areas
- 2D Water Surface Elevation Grid**
- High : 937.629
- Low : 853.184
- Dams**
- Dam
- FERC and FERC Exempt Dam
- Cranberry Dam
- Removed Dam
- Structure not on Watersway

0.1 0 0.06 0.1 Miles

NAD\_1983\_HARN\_Wisconsin\_TM

1: 3,960

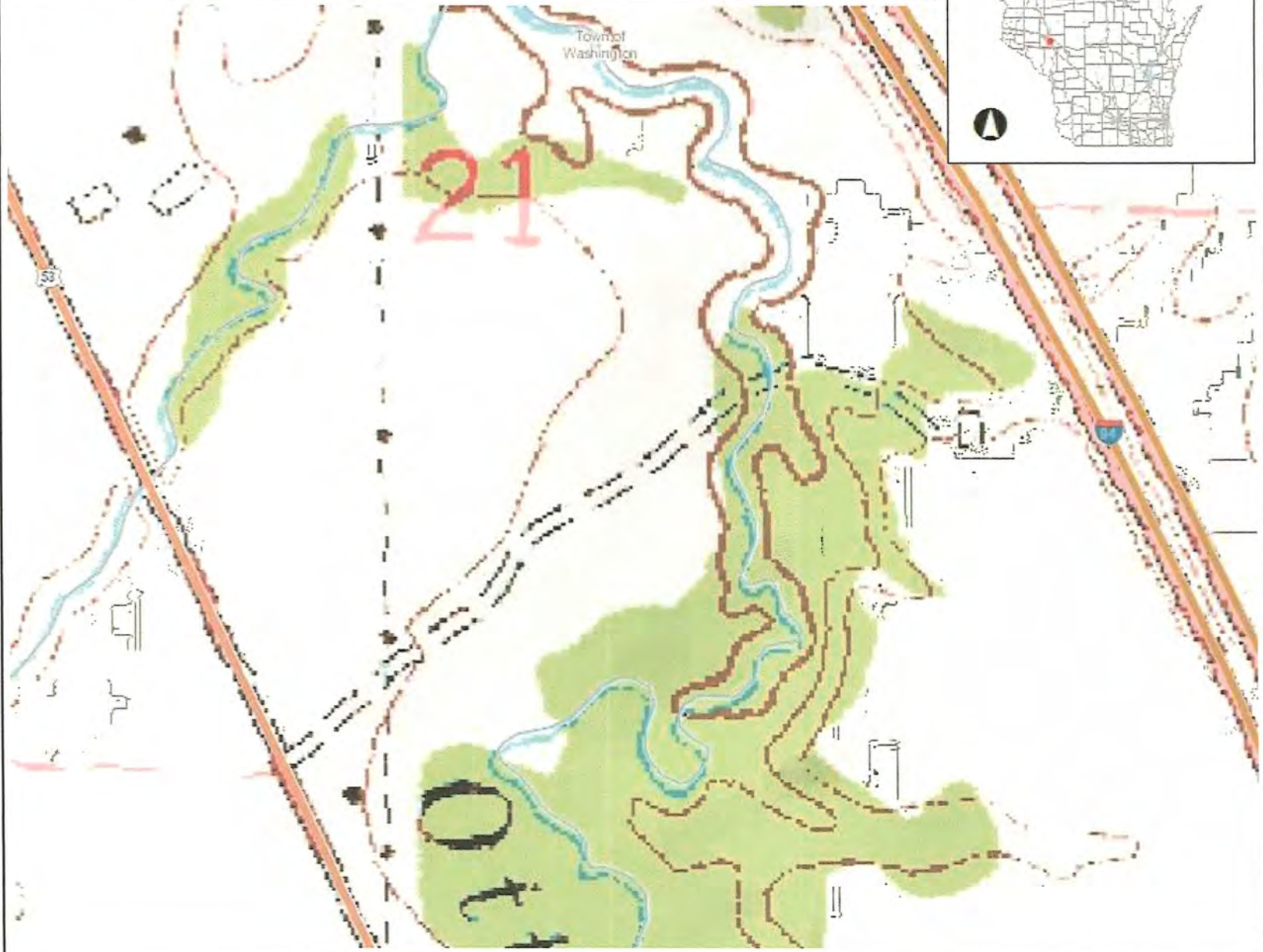
DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: <http://dnr.wi.gov/legal/>

## Notes

# Contour Map



# Contour Map



## Legend

- Municipality
- State Boundaries
- County Boundaries
- Major Roads**
  - Interstate Highway
  - State Highway
  - US Highway
- County and Local Roads**
  - County HWY
  - Local Road
- Railroads
- Tribal Lands
- Railroads
- Rivers and Streams
- Intermittent Streams
- Lakes and Open water

0.1 0 0.06 0.1 Miles

NAD\_1983\_HARN\_Wisconsin\_TM

1: 3,960

DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: <http://dnr.wi.gov/legal/>

## Notes



# Spill Prevention Plan

# **TRIERWEILER**

## **CONSTRUCTION & SUPPLY CO. INC.**

**Ground Water and Storm Water  
Pollution Prevention and Spill Response Plan  
For  
Temporary Concrete Batch Plant**

### **Purpose and Scope**

This pollution prevention plan concentrates on identifying potential pollutants at the work site, and adopting management practices that eliminate their contact with sensitive waters of the state. The primary focus of this plan is to provide education for field employees, thereby reducing human error as a contributor to environmental pollution.

## **I. Potential Pollutants**

### **A. #2 Fuel Oil**

1. Spills during equipment refueling
2. Bulk Shipment deliveries – overfill
3. Broken or leaking fuel lines and hoses

### **B. Lubricating Oils**

1. Overfilling gearboxes
2. Leaking seals and mechanical equipment
3. Engine breather pipes
4. Spills during oil changes
5. Improper storage of oil inventory

### **C. Grease**

1. Over greasing bearings and wear surfaces
2. Improper disposal of cleaning towels

### **D. Antifreeze**

1. Leakage from damaged radiators

2. Overfill/Spill

**E. Sediment**

1. Runoff not contained on site
2. Poor operating techniques

**II. Implementation of Best Management Practices (BMP)**

**A. Education**

1. The pollution prevention plan is reviewed at the Trierweiler annual safety meeting. The intent of the plan is stressed, changes or improvement are noted. Field employees discuss the plan, and exchange ideas for potential plan improvement. Any new ideas that contribute to the intent of the plan are included in the written pollution prevention plan for the next year.
2. Information about the importance of pollution prevention is routinely stressed at scheduled tailgate safety meetings. Topics for discussion include safe petroleum product handling, proper maintenance procedures and routine inspection of the equipment during operation. Personnel are encouraged to take a pro-active role in prevention of spills. Good housekeeping practices are stressed for control of minor drips and leaks from daily maintenance and operation.

**B. Inspection and Supervision**

1. The temporary Concrete Batch Plant is routinely inspected each day of operation to ensure that all equipment is functioning properly, all valves are closed, and significant materials are properly stored and secure.
2. Fuel Transfers are supervised to ensure that spills do not occur. Plant personnel assist tanker drivers as needed to provide safe and effective transfer of fuels.
3. Refueling of the Batch Plant equipment is monitored at all times to eliminate overfilling.

**C. Communication and Response**

1. The emergency response plan for spills is posted in the repair trailer for the Batch Plant operations. Employees are aware of the location of the listing and follow the outlined procedure in a spill situation.
2. Plant personnel respond immediately to a spill situation to mitigate effects and isolate/control source of spill. Operations are immediately shut down when necessary to redirect on-site resources and manpower in spill response.

3. Company contact personnel and emergency phone numbers are posted in the repair trailer to provide operators with immediate access to company support. Contact with Jeremy Iwanski is established as soon as possible after the spill so that proper reporting requirements can be met.

**D. Selection of Plant Sites**

1. Environmental impacts in equipment and work areas are considered prior to set up in and location.
2. Whenever possible, Batch Plant equipment is located in a pit or quarry that provides natural, on site containment of storm water runoff, and ample protection for sensitive ground water supplies.
3. In locations where there is increased environmental sensitivity because of proximity to receiving waters, lack of natural containment, or other critical factors, berms or diking will be constructed that will contain runoff or protect a potential spill from releasing into the ground water in the immediate equipment area.

**E. Petroleum Product Storage**

1. All fuel tanks shall have drip pans or absorbent material available for nozzle storage between refueling. Tanks and hoses are inspected daily for integrity and any problems are corrected.
2. Lubricants and grease are stored in the repair or service trailer until needed. The storage area is secured at the end of each operating cycle.
3. Drip pans and contaminated absorbent material are replaced at the end of each work shift and at the onset of precipitation to eliminate ground water and surface water exposure to petroleum products. Containers are located in the service trailer for storage of used absorbents and other cleanup materials.
4. Used oil and grease from equipment service and repair is stored inside the plant service trailer until collected for off-site disposal.

**F. Repair and Maintenance**

1. Engines and gearboxes will be inspected and fully serviced as needed during the off-season to eliminate leaking seals, fuel lines, and gaskets. Leaks that develop during operations are contained by drip pans, absorbents, or other acceptable means, until company maintenance personnel repair the problem. In cases where continued

operation may cause uncontrollable fluid losses, plant operations will cease until the problem is corrected.

2. Batch Plant employees are instructed in proper lubrication procedures for plant equipment. Manufacturer's specifications are followed to eliminate over-fills of gearboxes and crankcases. Greasing of bearings and wear surfaces is carefully monitored to eliminate unnecessary grease contact with the ground. Overflow from bearings is collected and disposed of with contaminated absorbent material.

3. Routine engine oil changes are done with adequate absorbent material to provide for drips and spills associated with maintenance operations. Waste oil is stored in spill proof containers until picked up for off-site disposal.

4. Any leaks that develop during the course of operation may, at the foeman's discretion, be contained with drip pans or petroleum absorbent material, as long as plant operation ceases prior to a storm event and containment vessels are cleaned and free of petroleum to prevent contact with ground water or storm water.

5. Repair and maintenance procedures are conducted in the shop, service trailer or outside with adequate containment for degreasing and cleaning. Petroleum absorbent material is available as needed to supplement containment.

**G. Use of Available Resources**

1. Housekeeping supplies, including drip pans and absorbent materials, are kept on inventory in the repair trailer at all times. All plant personnel have access to these materials, and are instructed in their use. Additional booms or pads are available upon request.

2. All plant personnel are available to respond to petroleum spills as needed. Other resources may be mobilized to mitigate the effects of a petroleum release, such as subcontractors, additional equipment, or additional personnel.

3. If necessary, plant loading equipment may be used to construct temporary berms or place aggregates for absorbing free flowing liquids. Loading equipment can also be used for backfilling or removing impacted soils or aggregates.

**H. Construction of Containment**

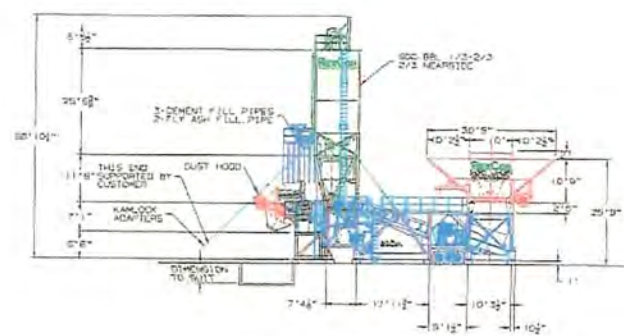
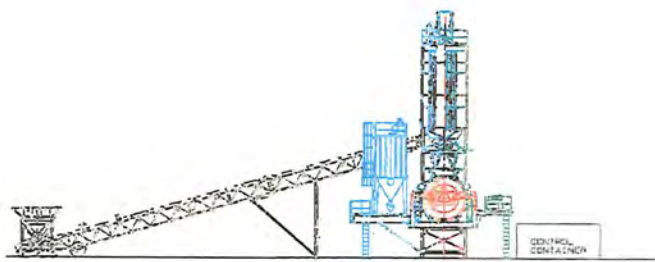
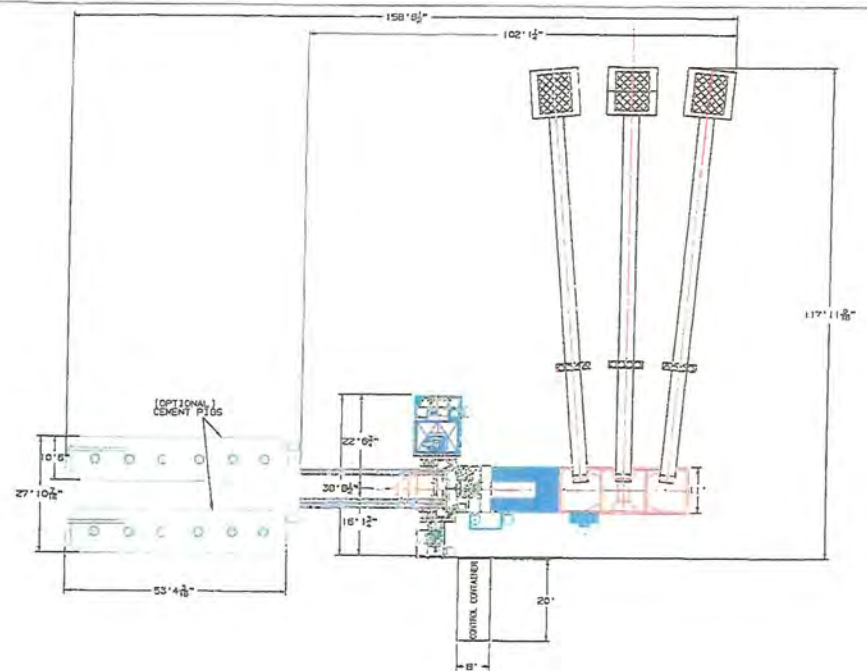
1. When a plant must be placed in an area where additional containment is needed because of the amount of fines being produced; field employees may elect to construct berms or temporary basins for collection and control of contaminated water.

Necessity of construction is based on slope of plant site, area drained, soil type, and proximity to receiving waters. Other influences may be considered on a site-specific basis as needed to fulfill the purpose of the plan.

2. Water collected in on-site-basins is routinely inspected by field personnel for evidence of petroleum sheen or odor. If no evidence of contamination is apparent, the water may be released by gravity flow or by pumping. Release of water must be done in a manner that will not induce erosion or release water with high sediment loadings into receiving waters. Water collected on-site basins that show evidence of petroleum contamination is pumped into disposal tanks for transport to approved facilities.

3. Erosion control measures outside of plant and equipment work areas may be identified by field personnel. In these situations, company officials should be notified, so that site-specific BMP's can be implanted.

## Plant Overview

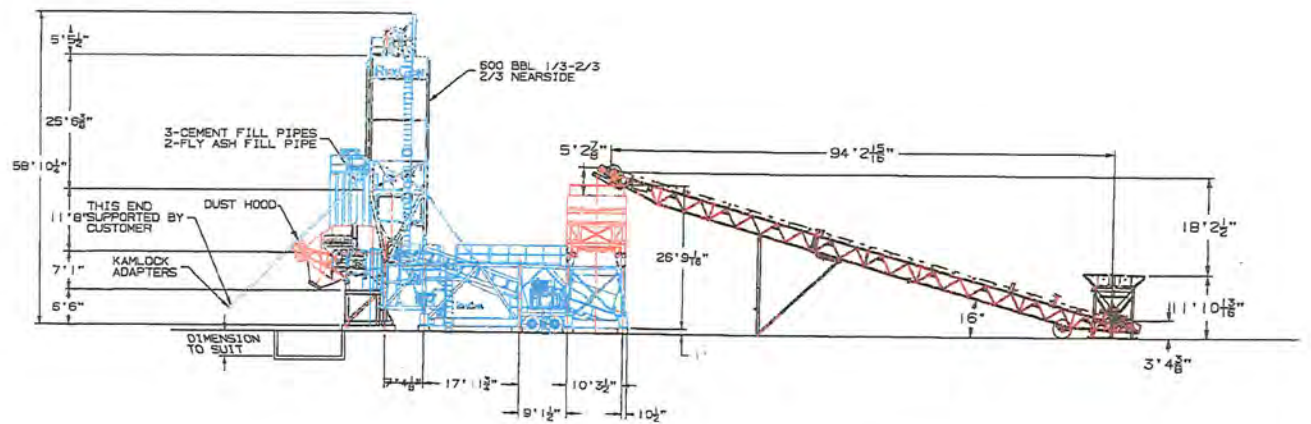
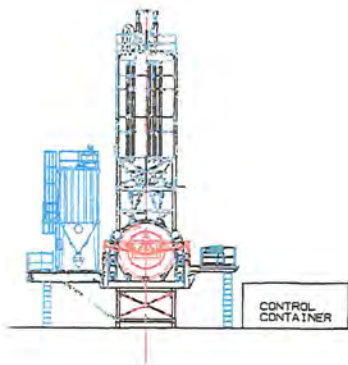
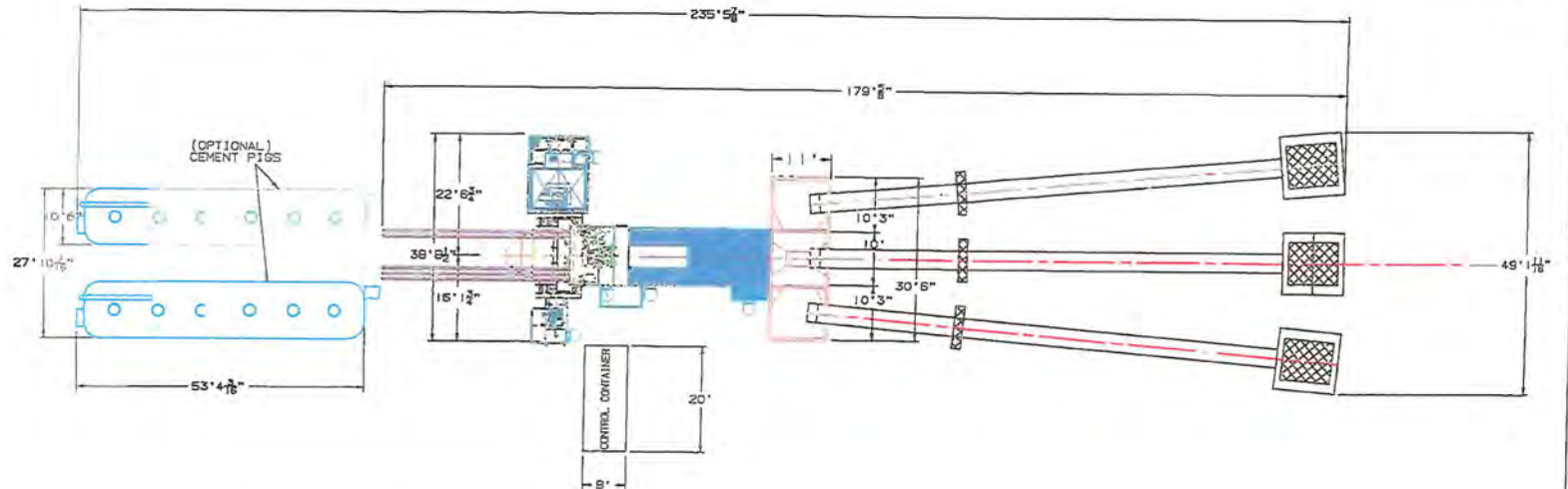


TRIERWEILER CONSTRUCTION

PRELIMINARY DRAWING  
NOT FOR CONSTRUCTION

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				SCALE 1/2" = 1'-0"			
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				BY JAR			
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				PAGE 18 OF 18			
				D2Z-18-1850			





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DATE: 11/27/15				135 TON 3-COMP AGGREGATE 500 bbl. SILO.			
REV. NO.	DATE	BY	APPROVED	REV. NO.	DATE	BY	APPROVED
1		JAR					
PART OF PATTERN NO. D22-18				DRAWING NO. D22-18-1950			

## Legal Description

# Eau Claire County, WI

## Summary

**Parcel Number** 1802422608213100001  
**Alternate No** 024104209000  
**Property Address** 7835 US HIGHWAY 53  
 EAU CLAIRE, WI 54701  
**Legal Description** NE-SW EX COM SE COR 40, W 16 RDS TO C HWY TN NWLY ON C HWY 2 RDS TN NELY TO E LN 40 16 RDS N OF BEG TN S TO BG.  
**Sec-Twp-Rng** S21-T26N-R8W  
**Acres** 39  
**School District** EAU CLAIRE AREA SCHOOL DISTRICT  
**Tax District** 024 - TOWN OF WASHINGTON

[View Map](#)

## Owners

[JAMES STRAUCH](#)  
 8809 HICKORY RD  
 EAU CLAIRE, WI 54701

## Valuation

Assessed Year	2023	2022	2021	2020	2019
Land Value	\$56,900.00	\$39,600.00	\$40,000.00	\$40,100.00	\$39,900.00
Building Value	\$172,300.00	\$137,400.00	\$137,400.00	\$137,400.00	\$137,400.00
<b>Total Value</b>	<b>\$229,200.00</b>	<b>\$177,000.00</b>	<b>\$177,400.00</b>	<b>\$177,500.00</b>	<b>\$177,300.00</b>
Estimated Fair Market Value	\$220,200.00	\$225,300.00	\$198,500.00	\$186,500.00	\$0.00

## Tax History

Tax Year	2023	2022	2021	2020
Gross Property Tax	\$2,385.47	\$2,601.98	\$2,513.46	\$2,454.45
Managed Forest Tax	\$0.00	\$0.00	\$0.00	\$0.00
First Dollar Credit	(\$56.89)	(\$53.78)	(\$52.64)	(\$52.85)
Lottery Credit	\$0.00	\$0.00	\$0.00	\$0.00
Net Property Tax	\$2,328.58	\$2,548.20	\$2,460.82	\$2,401.60
Other Fees	\$27.00	\$27.00	\$27.00	\$22.00
SA Fees	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Tax</b>	<b>\$2,355.58</b>	<b>\$2,575.20</b>	<b>\$2,487.82</b>	<b>\$2,423.60</b>

No data available for the following modules: Sales.

The Eau Claire County, WI Geographic Information Web Server provides online access to geographic and assessment record info currently maintained by Eau Claire for individual parcels of property. The maps and data are for illustration purposes and may not be suitable for site-specific decision making. Information found within should not be used for making financial or other commitments. Eau Claire County provides this information with the understanding that it is not guaranteed to be accurate.

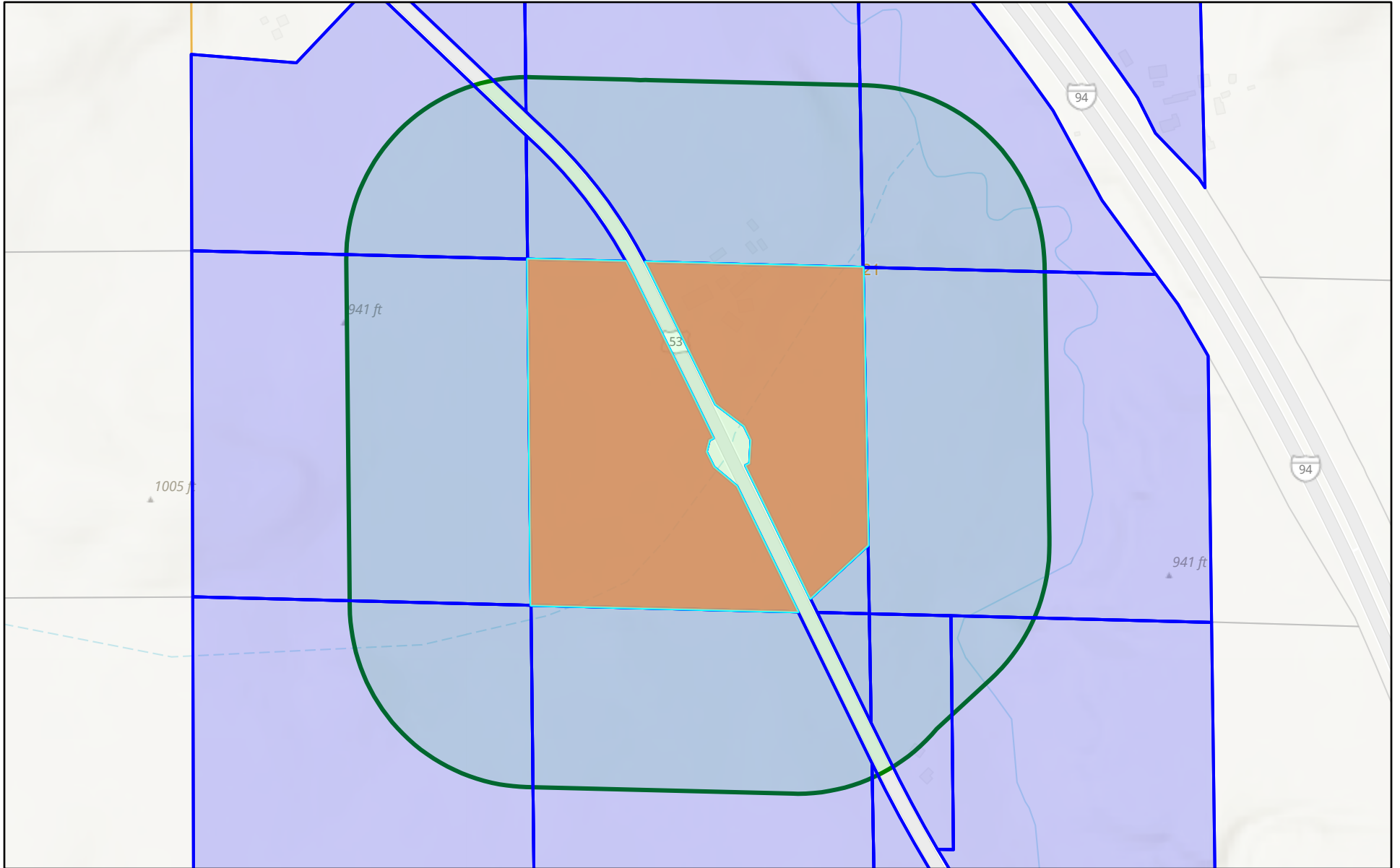
[User Privacy Policy](#) | [GDPR Privacy Notice](#)  
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[Contact Us](#)




Developed by  

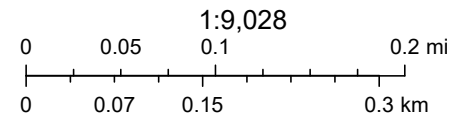
**Schneider**  
 GEOSPATIAL

# Public Notification



2/27/2024, 9:40:57 AM

-  County Boundary
-  Tax Parcel
-  Section



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FirstName LastName	Address	City State Zip
RANDY W LARSON	7445 US HIGHWAY 53	EAU CLAIRE WI 54701-8826
DEBRA STURZ	9119 MATHWIG RD	FALL CREEK WI 54742-9750
BETTY BOWE TRUST	6683 US HIGHWAY 53	EAU CLAIRE WI 54701-8844
JORDAN ELLIFSON	8085 US HIGHWAY 53	EAU CLAIRE WI 54701-8804
ANDREW MUELLER	8270 US HIGHWAY 53	EAU CLAIRE WI 54701-8804
JAMES H GERMANN TRUST	8169 US HIGHWAY 53	EAU CLAIRE WI 54701-8804
TRAVIS SIMET	6280 US HIGHWAY 53	EAU CLAIRE WI 54701-8805



**Eau Claire County**  
**DEPARTMENT OF PLANNING**  
**AND DEVELOPMENT**  
**Eau Claire County Courthouse - Room 3344**  
**721 Oxford Avenue**  
**Eau Claire, Wisconsin 54703-5212**  
**(715) 839-4741**

**Building Inspection**  
839-2944  
**Emergency Management**  
839-4736  
**Geographical Information Systems**  
839-4730  
**Land Conservation**  
839-6226  
**Land Records**  
839-4742  
**Land Use Management**  
839-4743  
**Planning**  
839-5055  
**Recycling**  
839-2756

## **REPORT:**

**TO:** COMMITTEE ON PLANNING AND DEVELOPMENT

**FROM:** Ben Bublitz, Land Use Manager

**DATE:** March 26, 2024

**RE:** Request to amend the building pad locations on lots 13 &14 of Thistledown.

Jeff Stockburger, Professional Land Surveyor, has requested approval to amend the “building pad area” as platted for lots 13 and 14 of Thistledown. The Thistledown Subdivision is located in Section 11, T26N-R9W, Town of Washington. The affidavit to enlarge the building pad requires the approval of the following approving authorities: City of Eau Claire, Town of Washington, and Eau Claire County.

The application shows both the platted lot’s “existing building pad” and the new proposed buildable area. The owner’s intent is to combine both lots and have one buildable area on a single large lot. The owner has already worked with the Town of Washington to vacate the existing road right-of-way that separates the two lots on the original plat. The pre-designed building pad areas was a condition of approval from the City of Eau Claire when the Plat of Thistledown was originally developed.

The City of Eau Claire and the Town of Washington are required to approve the requested change as outlined in the affidavit. The affidavit needs to be recorded in the Register of Deeds office before the change is effective.

**STAFF RECOMMENDATION:** Staff has reviewed this request and recommends that the committee approve the adjustments for the building pad locations for Lot 2 of Thistledown subject to the following conditions:

1. After all certificates have been executed, the final correction affidavit shall be recorded in the Register of Deeds office.
2. A copy of the recorded correction affidavit shall be provided to the department for filing in the property 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:	03/18/2024
Accepted By:	Heidi
Receipt Number:	076744
Scheduled Hearing Date:	03/26/2024

COMMITTEE REVIEW APPLICATION

Property Owner Name: Harpreet S Anand Liv Trust	Phone# 715-220-9659
Mailing Address: 755 Willow Lane, Mendota Heights, MN 55118	
Email Address: harpreetanand3060@gmail.com	

Agent Name: Jeff Stockburger	Phone# 715-831-0654
Mailing Address: 711 S Hillcrest Parkway, Altoona, WI 54720	
Email Address: jeff@esellc.co	

SITE INFORMATION

Site Address: NA			
Property Description: NE ¼ SE ¼ Sec. 11, T 26 N, R 9 W, Town of Washington			
Zoning District: RH		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):	1802422609114102002	1802422609114100001	1802422609114100002
or PIN #(s):	1802422609114102003		

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.

- A detailed written statement that specifically identifies what is being requested for review.
- Written narrative that justifies the need for the request. When applicable, it is the applicant's responsibility to prove that an "unnecessary hardship" exists.
- The applicant may be required to flag/stake the property/project corners and label them accordingly (e.g. NE Lot corner, NE building corner).
- A scaled site plan of the site and surrounding area for a distance of 100 feet, including buildings and other structures. Also, include the proposed addition/structure/location of septic system, well, driveway, property lines, navigable water ways, wetlands, floodplains, slopes in excess of 20%, and any other unique limiting condition of the property. All maps and engineering data to be no larger than 11" x 17".
- Provide a \$220.00 application fee (non-refundable). Send application to [landuse@eauclairecounty.gov](mailto:landuse@eauclairecounty.gov) or to the address above. \*\* Review by the committee is not a public hearing\*\*

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 Jeffrey C. Stockburger Date 2-26-24

At the meeting, 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.

# Everyday Surveying and Engineering, LLC

Civil Engineering • Land Surveying



December 8, 2023

Mr. Ben Bublitz  
Eau Claire County  
Land Use Manager  
721 Oxford Avenue  
Eau Claire, WI 54701

RE: **Lot 13 & 14 Thistledown – Building Envelope Modification**

Dear Mr. Bublitz and To Whom It May Concern:

The intention of this letter is to formally request a change / modification to the existing building envelopes found on Lot 13 & 14 of the Thistledown Plat.

The owners of the two lots have successfully gone through the process with the Town of Washington to discontinue the public street located between Lots 13 & 14. The two 10-foot-wide utility easements, adjacent east and west of the discontinued street have easement releases recorded by all utilities affected. The owners will be consolidating the lots into one lot by Certified Survey Map upon approval of the affidavit to modify the contiguous buildable area. Their desire is to build a home in the location of the discontinued public street.

Lot 13 & 14 each have two (2) existing building envelopes and unfortunately these envelopes do not recognize the existing lot's vertical challenges or allow construction in the locations best suited.

As you are aware, this is not the first time someone has requested that the existing building envelope(s) be modified within the Thistledown Plat. Over the years our firm has assisted on several other approved modification requests within the Thistledown plat.

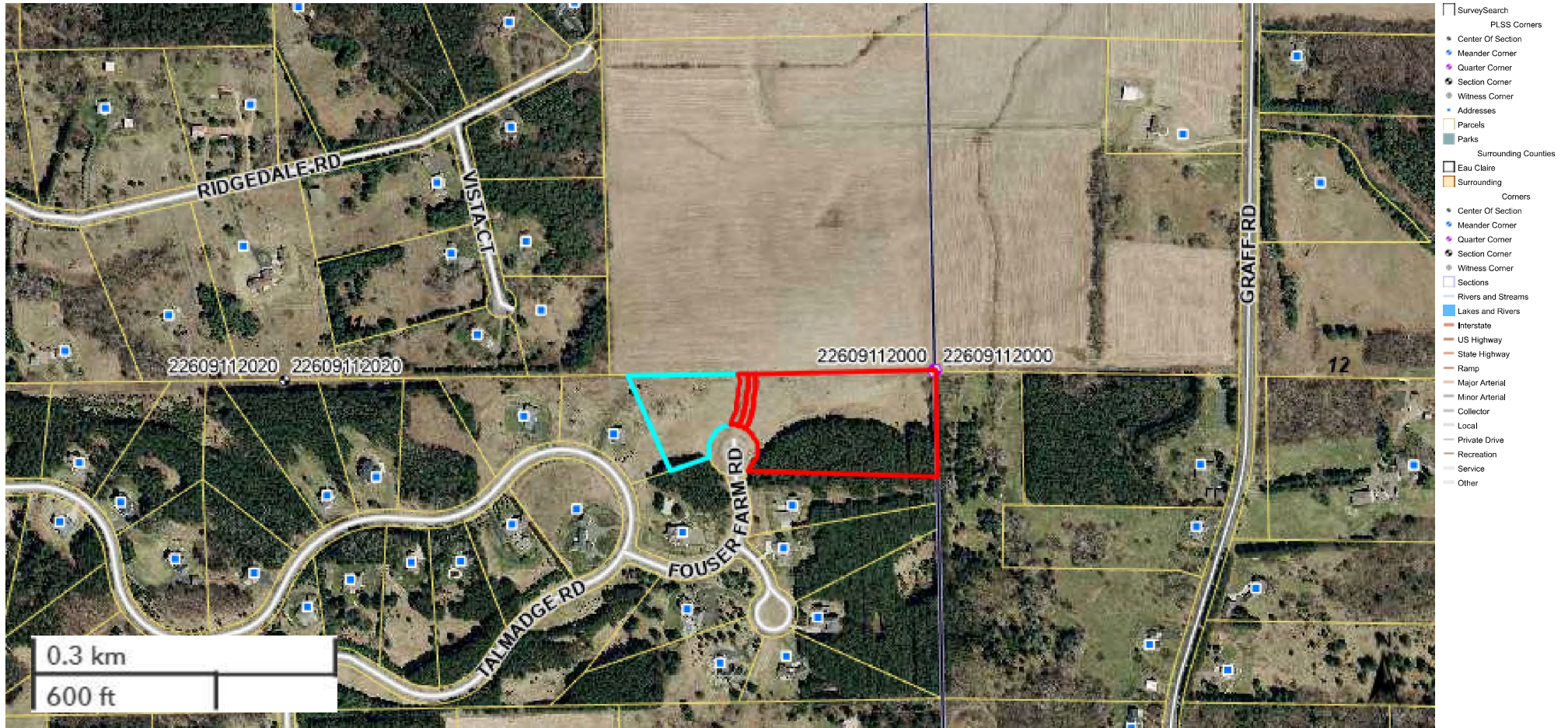
If you have any questions, please let us know.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey C. Stockburger".

Jeffrey Stockburger, P.L.S.  
Survey Manager





Date created: 2/26/2024

Last Data Uploaded: 2/26/2024 8:49:33 AM

Developed by



AFFIDAVIT

STATE OF WISCONSIN    ss  
COUNTY OF EAU CLAIRE

I, Jeffrey C. Stockburger, Wisconsin Professional Land Surveyor No. 2708, hereby depose and state:

That I am a Professional Land Surveyor licensed in the State of Wisconsin:

That "Thistledown" is a recorded plat located in Section 11, Township 26 North, Range 9 West, Town of Washington, Eau Claire County, Wisconsin:

That "Lot 13 & 14" are a part of the said recorded plat of "Thistledown":

That there are four areas within said "Lot 13 & 14" defined on the plat of "Thistledown" as "Building Pad Locations":

That the purpose of this document is to alter the shape and size of the said "Building Pad Locations" within said "Lot 13 & 14" as recorded on the original plat of "Thistledown" to the size and shape as shown Attachment B:

That the Town of Washington, Eau Claire County, and the City of Eau Claire have approved these changes of the "Building Pad Locations" within "Lot 13 & 14 of the plat of Thistledown", as shown by the certificates, dated and signed, on Attachment A:

That I have created this Affidavit for the purpose of defining the said changes in the "Building Pad Locations" on "Lot 13 & 14 of the plat of Thistledown" and for no other purpose.

\_\_\_\_\_  
Jeffrey C. Stockburger, PLS 2708

Subscribed and sworn before me

This \_\_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Lisa M. Lanners, Notary Public, State of Wisconsin  
My commission expires \_\_\_\_\_

This instrument drafted by:  
Jeffrey C. Stockburger  
Everyday Surveying & Engineering, LLC  
711 S Hillcrest Parkway  
Altoona, WI 54720

ATTACHMENT A

TOWN OF WASHINGTON APPROVAL

The changes to the Building Pad Locations, Lot 13 & 14, Thistledown as shown on Attachment B are hereby approved by the Town of Washington, Eau Claire County, Wisconsin.

\_\_\_\_\_  
Janelle Henning, Town Administrator

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024

CERTIFICATE OF EAU CLAIRE COUNTY PLANNING AND DEVELOPMENT

I, Rodney J. Eslinger, Director of the Eau Claire County Department of Planning and Development, hereby certify that the changes to the Building Pad Locations, Lot 13 & 14, Thistledown as shown on Attachment B are approved of as complying with Subtitle III, Subdivision Control Code of Title 18 of the Eau Claire County Code.

\_\_\_\_\_  
Lance J. Gurney

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024

CERTIFICATE OF CITY EAU CLAIRE EXTRATERRITORIAL JURISDICTION APPROVAL

Aaron J. White, Department of Community Development Director, City of Eau Claire, hereby certify that the changes to the Building Pad Locations, Lot 13 & 14, Thistledown as shown on Attachment B are approved.

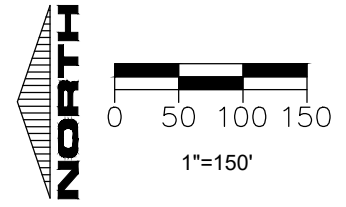
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Aaron J. White, Director

# ATTACHMENT B

Lot 13 and 14, Thistledown, recorded in Volume 12 of Plats on Page 73A-74B, as Document Number 891242, and part of discontinued public street, located in the Northeast Quarter of the Southeast Quarter, Section 11, Township 26 North, Range 9 West, Town of Washington, Eau Claire County, Wisconsin.

LOT 5  
CERTIFIED SURVEY MAP 2811  
VOLUME 16 PAGE 19



BEARINGS ARE REFERENCED TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 11, WHICH IS ASSUMED TO BEAR S01°22'35"E.

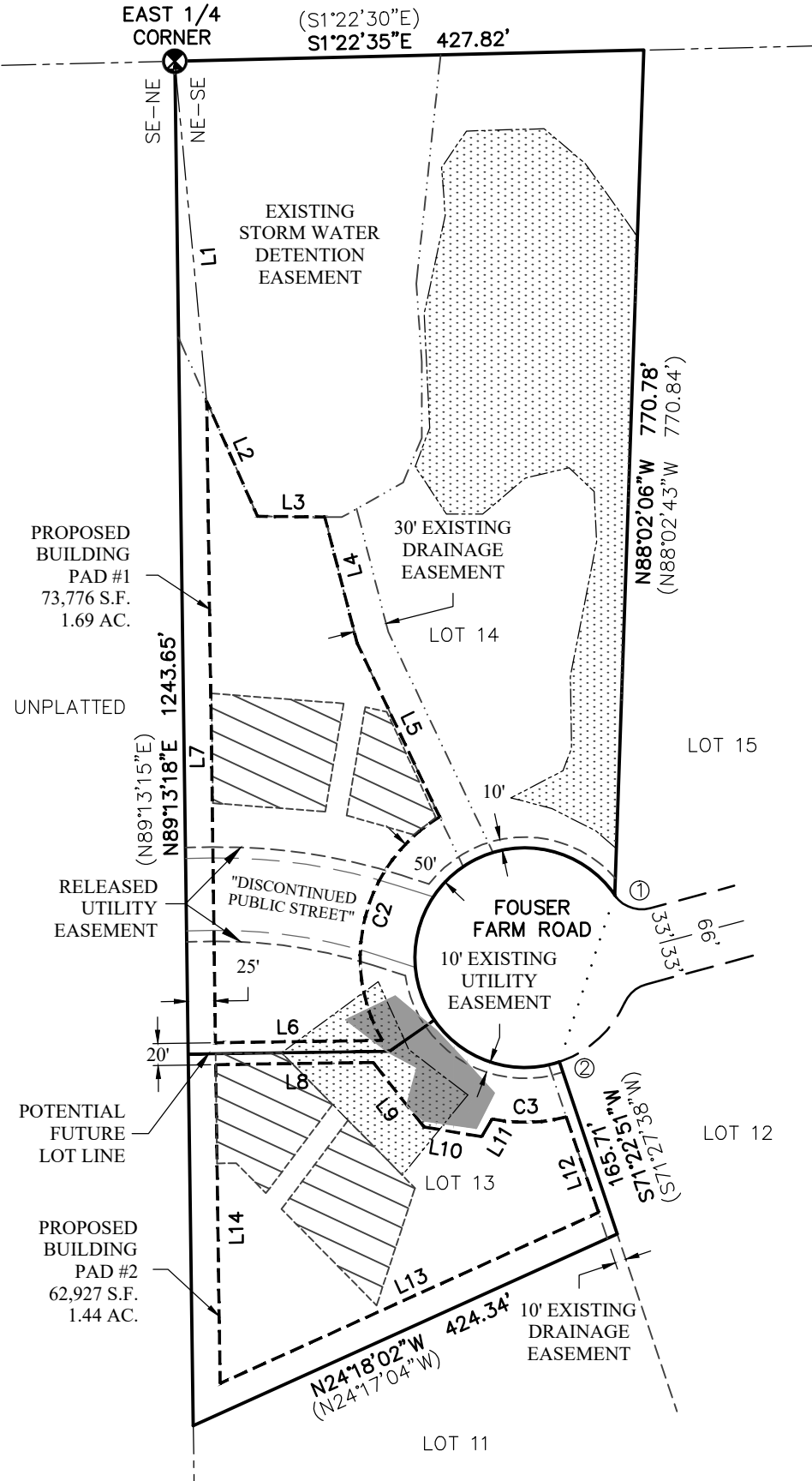
CURVE TABLE 1-2

CHORD BEARING = N71°35'23"W  
CHORD LENGTH = 160.01'  
ARC LENGTH = 442.84'  
RADIUS = 100.00'  
DELTA = 253°43'42"  
TANGENT IN = N55°16'28"E  
TANGENT OUT = S18°27'14"E

LEGEND

- EXISTING BUILDING PAD PER PLAT
- SENSITIVE SLOPED AREA PER PLAT
- SLOPES EXCEEDING 20% GRADE (GROUND SURVEY)

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S84°36'59"W	311.17
L2	S66°08'56"W	114.46
L3	S00°36'15"W	61.34
L4	S75°35'58"W	118.81
L5	S64°35'09"W	175.15
L6	N00°46'47"W	152.24
L7	N89°13'18"E	584.51
L8	S00°46'47"E	143.59
L9	S51°44'42"W	74.95
L10	S09°26'22"W	53.20
L11	S59°28'26"E	18.62
L12	S71°22'51"W	91.93
L13	N24°18'02"W	378.63
L14	N89°13'18"E	290.63



**CURVE TABLE**

CURVE	RADIUS	CHORD BEARING	CHORD	ARC	DELTA
C2	150.00'	N75°38'30"W	210.35'	233.11'	089°02'27"
C3	150.00'	S01°37'35"E	67.79'	68.38'	026°07'09"

EVERYDAY SURVEYING & ENGINEERING

711 S HILLCREST PARKWAY • ALTOONA, WI 54720  
PH: (715) 831-0654 • EMAIL: INFO@ESELLC.CO

FACT SHEET to  
FILE NO. 23-24/088

Through Act 32, state statute no longer requires a person from the Farm Service Agency (FSA) to hold a seat on the Land Conservation Commission. This ordinance changes the wording in the county code to conform with Wisconsin State Statutes.

This ordinance also updates the code in accordance with state statutes that indicates all terms shall be 2 years, expiring in even numbered years.

Fiscal Impact: Individual would be eligible for a \$30/meeting per diem plus mileage.

Respectfully submitted,

Chad Berge

4 TO AMEND SECTION 17.02.010 OF THE CODE: MEMBERSHIP

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

6 SECTION 1. That Subsection B. of Section 17.02.010 be amended to read:

7  
8 A. The commission shall consist of 8 county citizen members interested and  
9 knowledgeable in the fields of soil and water conservation and natural resource  
10 management, and representing a broad cross-section of those interests.  
11 Recognizing that most of the soil and water resources of the county are in less  
12 densely populated areas, commission appointments shall afford balanced  
13 geographic representation of the county.  
14

15  
16 B. Members shall be appointed by the chair of the county board, subject to the  
17 confirmation of the board as follows:

- 18 1. 2 members of the UW-Extension education committee;
- 19 2. 3 members of the county board at large;
- 20 3. ~~The chair of the county farm service agency committee created under~~  
21 ~~16 U.S.C. § 590h(b) or another member thereof designated by said chair~~  
22 ~~ex officio, for an indefinite term;~~ A person who is engaged in an  
23 agricultural use, as defined in § 91.01 (2) (a) 1. to 7.
- 24 4. 2 county citizens not members of the county board, at least one of  
25 whom shall be actively engaged in farming.  
26

27  
28 C. ~~All terms shall expire on the 3rd Tuesday of April in even numbered years~~  
29 ~~except for B.4.~~ Each member of the land conservation commission shall serve a  
30 term of 2 years. All terms shall expire on the 3<sup>rd</sup> Tuesday of April in even  
31 numbered years.  
32

33 ENACTED:

34 \_\_\_\_\_

35 \_\_\_\_\_

36 \_\_\_\_\_

37 \_\_\_\_\_

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39 \_\_\_\_\_

40 \_\_\_\_\_

41 \_\_\_\_\_

42 \_\_\_\_\_

43 \_\_\_\_\_

44 \_\_\_\_\_

45 Committee on Planning & Development

46 VOTE: \_\_\_\_\_ Aye \_\_\_\_\_ Nay

47 SM/sk

48 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023

**Planning and Development  
February 2024**

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

**Planning**

Vendor	Amount	Description	Line Item#
Ayres Associates	5,220.80	2023 Aerial Imagery	202-15-51740-200-742
Dave Hayden	750.00	BEAD Broadband Consulting Services	100-15-56924-200-749
APG	80.10	PD Public Hearing Notice for 1/23	100-15-56920-321-000
NWBIA	75.00	NWBIA Membership Dues	100-15-56920-324-000
WCCA	100.00	WCCA Membership Dues	100-15-56920-324-000
Dean Roth	42.67	Conference Expenses	100-15-56920-340-000
Voyager	54.36	January Fuel	100-15-56920-330-000
Menards (Pcard)	12.40	Vehicle Supplies	100-15-56920-241-000
Amazon (Pcard)	66.87	Office Supplies	100-15-56920-310-000
FedEx (Pcard)	18.45	Laminating	100-15-56920-390-000
Ewalds (Pcard)	4.00	Plates	201-15-57730-811-023
DMV (Pcard)	172.89	Vehicle Registration	100-15-56920-241-000
ECC Highway	101.62	January Fuel	100-15-56920-330-000
APG	65.95	PD Public Hearing Notice for 12/12 (2023)	100-15-56920-321-000

**Resurvey**

Vendor	Amount	Description	Line Item#
WSLS (Pcard)	180.00	WSLS Membership	100-15-56920-324-000

**Emergency Management**

Vendor	Amount	Description	Line Item#
--------	--------	-------------	------------

**Recycling**

Vendor	Amount	Description	Line Item#
Earthbound	6,296.40	Curbside-2023 Dec	211-15-53635-201-000
Village of Fairchild	274.86	Recycling Attendant-2023 Nov & Dec	211-15-53635-208-000
Waste Management	42,230.40	Curbside-2023 Dec	211-15-53635-201-000
Town of Bridge Creek	2,819.30	Recycling Attendant-2023 Jan-Dec	211-15-53635-208-000
First Choice Computer Recycling	3,333.33	Residential Electronics-Jan	211-15-53636-309-745
GFL Environmental	44,485.02	Curbside-Jan	211-15-53635-201-000
GFL Environmental	7,106.07	Dropsite-Jan	211-15-53635-208-000
Trash on Trucks	4,525.14	Curbside-Jan	211-15-53635-201-000
Village of Fairchild	140.09	Recycling Attendant-Jan	211-15-53635-208-000
Waste Management	42,071.40	Curbside January	211-15-53635-201-000
Regan Watts	116.57	Mileage/Meal Expenses	211-15-53635-330-000
The Brewing Projekt	50.00	Event Space Rental	100-15-54110-200-740
Facebook (Pcard)	63.99	Facebook Ads	211-15-53637-310-748
Mainstay Suites (Pcard)	90.11	Conference	100-15-56920-330-000
Chula Vista Resort (Pcard)	220.02	Conference	211-15-53635-340-000
WIRMC (Pcard)	820.00	Conference	211-15-53635-340-000
City of Dubuque (Pcard)	535.00	Conference	100-15-56923-340-746
Canva (Pcard)	119.99	Subscription	211-15-53635-324-000

**Land Conservation**

Vendor	Amount	Description	Line Item#
Brian Stark	240.00	Cancelled Tree Order (2023)	100-15-46810-000-701
Mike's Star Market	4,240.00	Deer Donation (2023)	100-15-56922-390-702
Lake Altoona District	5,337.63	Lake Altoona Sediment Trap Expenses (2023)	201-15-57730-829-000
Lake Altoona District	53,816.12	Lake Altoona Sediment Trap Expenses (2023)	201-15-57730-829-000
Cynthia Weir	311.34	SW-24-01 Overpayment Refund	100-15-46820-000-000
John Froehlich	60.00	Tree Sale Refund	100-15-46810-000-701
John Klemp	25.00	Tree Sale Refund	100-15-46810-000-701
Lake Altoona District	131,808.88	Lake Altoona Sediment Trap Expenses (2024)	405-15-57730-829-000
Rain to Rivers Western WI	2,000.00	Rain to Rivers Annual Membership	100-15-56922-821-000
Voyager	142.90	January Fuel	100-15-56920-330-000
Land +Water (Pcard)	325.00	Land + Water Conference	100-15-56920-340-000
Sammy's Pizza (Pcard)	306.73	NMFE Lunch/Supplies	207-15-56924-200-708
Awards & More (Pcard)	235.68	Land Conservation Awards	100-15-56922-326-000
Walmart (Pcard)	26.96	NMFE Lunch/Supplies	207-15-56924-200-708
Land +Water (Pcard)	325.00	Land + Water Conference	100-15-56920-340-000
RTK Mobile (Pcard)	30.00	GPS Data	100-15-56920-226-000
Fleet Farm (Pcard)	8.99	Vehicle Supplies	100-15-56920-241-000
Chad Berge	450.00	Conference Reimbursement	100-15-56920-340-000
Hoefl Builders	5,000.00	SW-21-05 Financial Assurance Release	100-00-23172-000-000
USDA	1,000.00	2024 Bear Abatement	100-15-56922-390-702
WI Land+Water	1,979.70	2024 Dues	100-15-56922-324-000

Division	Totals
Planning	6,765.11
Resurvey	180.00
Emergency Management	-
Recycling	155,297.69
Land Conservation	207,669.93
<b>Total</b>	<b>162,242.80</b>