1. October 15, 2020 CZA Meeting Agenda

   Documents:

   CZA OCT 20 · AGENDA.PDF

2. October 15, 2020 CZA Meeting Packet

   Documents:

   CZA OCT 20 · PACKET.PDF

3. October 15, 2020 CZA Meeting SUPPLEMENTAL Packet

   Documents:

   CZA OCT 20 · SUPPLEMENTAL PACKET.PDF
County Zoning Agency
MEETING NOTICE
Thursday, October 15, 2020 at 5:15 p.m.

County Board Room 114
Walworth County Government Center
100 West Walworth Street
Elkhorn, WI 53121

Rick Stacey, Chair – Dave Weber, Vice-Chair
Susan Pruessing, Supervisor – Jerry Grant, Supervisor – Ryan Simons, Supervisor
Richard Kuhnke, Sr., Citizen Member – Jim Van Dreser, Citizen Member

NOTICE: DUE TO THE CONTINUING PUBLIC HEALTH EMERGENCY,
THIS MEETING IS PLANNED TO PROVIDE FOR REMOTE OR OFF-SITE ATTENDANCE BY COMMITTEE MEMBERS.

The Walworth County Government Center remains open, but in-person attendance may be limited to help ensure appropriate social distancing is observed.

ALL INDIVIDUALS ARE STRONGLY ENCOURAGED TO WATCH THE MEETING STREAMING LIVE AT
https://tinyurl.com/Oct15CZA

Individuals wanting to provide a Public Comment can do so remotely by telephone, but must contact Shannon Haydin at shaydin@co.walworth.wi.us or at 262-741-7912 by 12:00 p.m. on the meeting date to obtain the call-in access code.

(Posted in compliance with Sec. 19.84, Wis. Stats.)

It is possible that a quorum of the County Board or a Committee of the County Board could be in attendance

All discussion items are subject to possible action

AGENDA

V=Items on Videotape

1. Call to Order
2. Roll Call
3. Approval of the Agenda
4. Approval of the Minutes, September 17, 2020 CZA Meeting
6. Subdivision Items:
   a. Old Business – None
b. New Business – None

7. **Old Business:**
   a. Ordinance Amendments – None
   b. Discussion Items – None

8. **New Business:**
   a. Ordinance Amendments – None
   b. Discussion Items –

   1. **Michael Fields Agricultural Institute – Owner, BLDG Orange, LLC/ doing business as The Hive Taproom – Applicant**, Section 30, East Troy Township. Amendment of an existing conditional use by less than 25% of existing outdoor food and beverage area for expansion of an outdoor concrete pad for a pergola at the Hive Taproom. Part of Tax Parcel PA120200002.

If the above items are completed prior to 5:30 p.m., the committee will recess and reconvene at 5:30 p.m. to continue the public hearing portion of the meeting on Ordinance Amendments, Comprehensive Map Amendments, Rezones and Conditional Uses.

5:30 p.m.

c. Ordinance Amendments – None

d. Amendments to Multi-Jurisdictional Comprehensive Plan Map for Walworth County 2035 with Update (2050) –

   1. **Arthur W. Zabierek, Revocable Trust C/O Mark Traiforos, Trustee – Owner**, Section 32, Lyons Township. Amend the 2035 Land Use Plan with Update (2050) Map to change 11.8 acres of land from the AG1 Other Agricultural Rural Residential and Other Open Land (five to 34 acres per dwelling) land use category to the (R) Recreational land use category in order to allow a potential rezone of the M-3 Mineral Extractive zoned lands to the P-1 Recreational Park zone district. Tax Parcel N LY3200001.

e. Rezones with Conditional Uses –

   TO BE HEARD AT 5:35 P.M. OR AS SOON THEREAFTER.

   1. **Michael Fields Agricultural Institute Inc. – Owner**, Section 30, East Troy Township. Rezone approximately 2.3 acres being all of the P-2 Institutional Park District zoned property on the parcel to the B-2 General Business District in order to obtain a conditional use permit approval for a Planned Unit Development (PUD) for multiple offices, businesses and retail uses on site including use by a church. P-2 portion of Tax Parcel PA120200001.
2. **Thomas Weber** – Owner, Sections 17 and 20, LaFayette Township. Rezone approximately 6.68 acres of M-3 Mineral Extraction District to the A-4 Agricultural Related Manufacturing, Warehousing and Marketing District for the creation of a contractor storage yard for a landscaping, lawn maintenance and snow removal business and caretaker’s quarters with conditional use approval. The request also includes a rezone of 40 acres of M-3 Mineral Extraction District to the A-2 Agricultural Land District to return the reclaimed 40 acres back to agricultural use. Tax Parcel K LF 2000001 and part of Tax Parcel K LF1700006A.

**TO BE HEARD AT 5:40 P.M. OR AS SOON THEREAFTER.**

3. **Lauderdale Shores Condominium Association, Inc.** – Owner, Attorney Anthony A. Coletti – Applicant, Section 25, LaGrange Township. Rezone approximately .92 acres of R-1 Single Family Residential District zoned property to the B-5 Planned Commercial Recreational District to have the rezone property and additional B-5 zoned property to the north and east added by conditional use amendment to the existing Lauderdale Shores Recreational camp as open space and boat storage area. Tax Parcel H LG2500028A2A for the rezone and includes H LG2500028A2 for the amendment of the conditional use to add the properties to Lauderdale Shores Recreational Camp.

**TO BE HEARD AT 5:45 P.M. OR AS SOON THEREAFTER.**

4. **Klint Trust C/O Ryan Southwick Agent**, Section 9, Linn Township. Rezone property zoned C-2 Upland Conservation District and C-4 Shoreland Wetland District to the C-4 Shoreland Wetland District and C-2 Upland Conservation District per digital wetland description in order to match the delineated wetland boundary to existing field conditions. Part of Tax Parcel I L 900001.

**TO BE HEARD AT 5:50 P.M. OR AS SOON THEREAFTER.**

5. **Northern Cross Capital LLC** – Owner, Kevin Batz – Applicant, Section 14, Lyons Township. Rezone C-1 Lowland Resource Conservation District property to the C-2 Upland Resource Conservation District per digital wetland description in order to match the delineated wetland boundary to existing field conditions to removing an existing driveway from the wetland designation. Parts of Tax Parcels N LY1400003A and N LY1400005.

**TO BE HEARD AT 5:55 P.M. OR AS SOON THEREAFTER.**

6. **Alex and Helen Wasylw** – Owners, S&P Premier Investments & Greg Dziedzic of Pinno Buildings – Applicants, Section 23, Delavan Township. Conditional use review and approval for a Planned Unit Development for office space, retail and off season mini-
warehouse storage facilities on lands zoned B-2 General Business District. Tax Parcel FA186700001.

**TO BE HEARD AT 6:05 P.M. OR AS SOON THEREAFTER.**

2. **Jack Shaffer – Owner**, Section 36, East Troy Township. Conditional use review and approval for land restoration for the creation of a 10 acre, 12 foot deep pond and associated spoil berms. Part of Tax Parcel PET3600007.

**TO BE HEARD AT 6:10 P.M. OR AS SOON THEREAFTER.**

3. **Jeffery Way – Owner**, Section 21, Spring Prairie Township. Conditional use review and approval to build on a farm separation remnant. Tax Parcel O SP2100007A.

**TO BE HEARD AT 6:15 P.M. OR AS SOON THEREAFTER.**

4. **Darien Partners II, LLC – Owner**, Aldridge Electric - Applicant, Section 28, Darien Township. Conditional use review and approval for expansion of a contractor storage yard by addition of a 17,880 sq. ft. building on lands zoned M-1 Industrial District to be used for a commercial electrical business office, minor maintenance of equipment and storage of supplies. Tax Parcel B D 2800004.

**TO BE HEARD AT 6:20 P.M. OR AS SOON THEREAFTER.**

5. **Henry D. Keizer – Owner**, Rajan Chadha, Applicant, Section 23, Darien Township. Conditional use review and approval for a Farm Family Business to use an existing farm building for an indoor contractor storage yard for a tree cutting service business. An indoor building portion of Tax Parcel BA115500001.

**No Town Decision**

6. **P&H Real Estate Investment, LLC – Owner**, Section 28, Sugar Creek Township. The property owner is requesting conditional use review and approval for land restoration conducted for creation of a half acre pond. The property of concern is located on the west side of Cobblestone Road approximately 1400 feet south of the intersection of Cobblestone Road and Dunham School Road and is identified as Tax Parcel G SC2800011A.

**Incomplete Plan**

7. **Daniel Boss Trust & Cindy Boss Trust C/O Daniel Boss – Owner**, Section 7, Darien Township. Conditional use review and approval to allow Payne & Dolan, Inc. to conduct nonmetallic mining for sand and gravel along with earthmoving, crushing, washing, sorting, stockpiling, transporting and reclamation on the site. Operations are also proposed to conduct intermittent use of a portable hot mix asphalt plant and temporary concrete plant and associated trucking and loading of asphalt and concrete products from the site. Tax Parcel B D 700003.

**Nonmetallic Mining Reclamation Permit**

Payne & Dolan, operator, (Daniel Boss Trust – owner), has applied for a Nonmetallic Mining Reclamation Plan and permit approval for a new non-metallic mining site covering 29.74 acres. The plans are available for review at the Walworth County Land Use & Resource Management Department. The mining site is located on Tax Key Parcel B D
700003, Town of Darien. The Walworth County Land Conservation Division will consider reclamation-related public comments in their decision to approve the reclamation permit.

TO BE HEARD AT 6:25 P.M. OR AS SOON THEREAFTER.

8. 1341 Beach Road LLC - Owner, D1341 Associates, LLC – c/o Tom P. Demuth Member, / Managing Director Summit Smith Development - Applicant, Section 9, East Troy Township. Conditional use approval for a hotel with 68 guest rooms containing no kitchens, a coffee shop, a central commercial kitchen and retaining walls all served by a holding tank and on-site well and use of boat slips by guests of the hotel on an approximately 2.94 acre parcel of land zoned B-3 and R-1. Tax Parcel P ET 900001D.

9. Adjournment

Submitted by: Rick Stacey, Committee Chairman
           Michael P. Cotter, Director, Land Use and Resource Management Department

           Posted: October 9, 2020
County Zoning Agency
MEETING NOTICE

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a. Ordinance Amendments – None

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9. Adjournment

Submitted by: Rick Stacey, Committee Chairman
Michael P. Cotter, Director, Land Use and Resource Management Department

Posted: October 9, 2020
Committee Chair Rick Stacey called the meeting to order at 5:01 p.m.

Roll call – Committee members present in person were Supervisors Rick Stacey, Dave Weber, Susan Pruessing, Ryan Simons and Citizen Members Richard Kuhnke, Sr. and Jim Van Dreser. Appearing via telephone was Supervisor Jerry Grant. A quorum was present.

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, Department Deputy Director Shannon Haydin via video, Senior Planner/Hearing Facilitator Matt Weidensee via video.

A “sign-in” sheet listing attendees on September 17, 2020 was not presented due to the continued COVID-19 threat.

Details of the September 17, 2020 meeting/ hearing are on a digital recording which is on file and available to the public upon request / video to view in the agenda center on the website: www.co.walworth.wi.us

Dave Weber motioned to approve the agenda as amended to table item 8.d.1.) Michael Fields Agricultural Institute Inc. – Owner; 8.f.5.) Alex and Helen Wasyliw – Owners, S&P Premier Investments & Greg Dziedzic of Pinno Buildings – Applicants; 8.f.4.) Jack Shaffer – Owner; and 8.f.5.) Daniel Boss Trust & Cindy Boss Trust C/O Daniel Boss – Owner Seconded by Ryan Simons. Motion carried. 7-favor 0-oppose.

Richard Kuhnke, Sr. motioned to approve the August 20, 2020 CZA Meeting Minutes. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter
Disc Count #5:06:34 – 5:06:51

Subdivision Items – Old Business – None

Subdivision Items – New Business – None

Old Business - Ordinance Amendments – None

Old Business – Discussion Items –

1. Short Term Rental Fees – Shannon Haydin

Shannon Haydin summarizes Finance changes to fees indicating new application cost at $500.00; Renewal application cost at $200.00
Disc Count #5:07:04 – 5:08:28
Hearing held in June, 2020 = Decision only

2. JHGKL, c/o Helga Wantschik – Owner, Jack Pease of Super Aggregates – Applicant, Section 9, Sugar Creek Township. Conditional use approval for expansion of a non-metallic mineral extraction site (gravel pit) by greater than 25% requiring conditional use approval as if establishing the project anew along with a requested 10-year time extension for operation within the gravel pit. The request is to enlarge a pond within the gravel pit from 12.3 acres 32 feet deep to 27 acres 45 feet deep requiring variances from exterior setbacks from the Walworth County Board of Adjustment. Part of Tax Parcels G SC 900004 and 4A.

Staff presents outcome of BOA decision. Staff presents options for motions including option no. 3 to have the property owner / applicant withdraw the site plan for the current application and pay a re-notice fee for a new public hearing. The owner / applicant shall then submit a new revised plan, meeting all required setback requirements to the extent practicable as determined by LURM. Statement by JHGKL/Jack Pease regarding options presented. JHGKL would like to present a new plan.

Ryan Simons motioned to have applicant follow option no. 3 as presented by staff. Seconded by Richard Kuhnke, Sr. Motion carried. 7-favor 0-oppose.

Disc Count #5:08:33 – 5:19:49

3. JMO Properties, LTD – Owner, Section 35, Walworth Township. Amendment of a conditional use for Farm Family Business for recreational vehicle and boat storage, contractor storage with office and a caretaker’s residence by elimination of the caretaker’s residence by replacement with a full single family residence for the parcel and relocation of the office to the location of the eliminated caretaker’s residence. Part of Tax Parcel EA271100001

Amend 9/17/2020 to eliminate caretaker's residence replacing it with SFR principle use and relocate office as per plan submitted (see #1, 13)

NAME: JMO PROPERTIES, INC. (JOHN M. O'NEILL, APP.)

TOWN: WALWORTH

A conditional use permit for contractor storage and recreational vehicle and boat storage as a farm family business in existing farm buildings as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands zoned A-1 Prime Agricultural Land District, and described as follows:

Tax Parcel #EA271100001

Has been APPROVED after the appropriate findings were made as required by State Farmland Preservation Program s91.75(5) and subject to the following conditions:

1. Approved as per plan submitted and amended 9/17/2020 for use of existing farm building for a farm family business including and limited to indoor recreational vehicle and boat storage, indoor contractor storage, and office and a caretaker's residence for monitoring the storage with all additional conditions.

2. Any changes in the proposed use of the property will require additional County approvals.

3. The site must meet all applicable Federal, State, County and local regulations.

4. The applicant shall obtain a Walworth County sign permit prior to placement of any sign on site.
5. A rezone and conditional use approval will be required for any proposal to expand the business beyond the use of existing buildings on site.

6. The business is limited to two non-farm family employees.

7. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

8. The property shall be kept neat, clean and mowed.

9. All lighting shall be shielded and directed on site.

10. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

11. Hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday – Friday and 6:00 a.m. to noon on Saturday with hours for return of equipment from off site until 9:00 p.m.

12. All equipment and boats stored on site must be in the existing farm buildings as identified on the plan of operations.

13. The boat storage, office and contractor storage shall be used/conducted by the farm family living on site and no more than two non-farm family member employees.

Findings: Use of the buildings for a farm family business would be allowable and consistent with the farmland preservation statutes.

Dated this 15th day of July, 2010.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

Staff presents request. Acreage is clarified (5 acres).

Dave Weber motioned to approve. Seconded by Ryan Simons. Motion carried.
7-favor 0-oppose.
Disc Count #5:19:51 – 5:24:49

New Business - Ordinance Amendments – None

New Business – Discussion Items – None

5:39 p.m. meeting continues to public hearings.

Ordinance Amendments – None

Rezones with Conditional Uses –

**TABLED – NEED VARIANCE / INCOMPLETE SITE PLAN**

1. Michael Fields Agricultural Institute Inc. Owner, Section 30, East Troy Township. Rezone approximately 2.3 acres being all of the P-2 Institutional Park District zoned property.
on the parcel to the B-2 General Business District in order to obtain a conditional use permit approval for a Planned Unit Development (PUD) for multiple offices, businesses and retail uses on site including use by a church. P-2 portion of Tax Parcel PA12020001.

Rezones – None

Conditional Uses –

5:40 p.m.
1. Maple Lawn Estates, LLC – Owner, Zenda Rail, LLC C/O Allen Polyock – Applicant, Section 33, Linn Township. Conditional use permit review for the installation of new 156 diameter grain storage bin that will be capable of holding 1.4 million bushels of grain, relocation of an existing 15 ft. by 30 ft. block building and to expand an approved 27 ft. diameter storage bin to a 48 ft. diameter bin all as part of an existing grain storage facility as per plan submitted. A-4 portion of Tax Parcel I L 3300003.

Amended 9-17-20 for expansion of an approved 27 ft. diameter grain storage bin to a 48 ft. diameter bin and a new conditional use approval for a 156 foot diameter grain bin and relocation of an existing 15 ft. by 30 ft. block building.

Amended for additional leg elevator and dump pit 3-20-2014

NAME: Maple Lawn Estates, LLC c/o Allen, Gail, – Owners, Zenda Rail, LLC C/O Jake Polyock - Applicant

Gordon Polyock Family Trust / Jeanette H Polyock Trust

TOWN: Linn

AMENDED Conditional Use to allow expansion of an approved 27 ft. diameter grain storage bin to a 48 ft. diameter bin resulting in less than 25% of the size of existing structures approved by a conditional use and a new conditional use approval for a 156 foot diameter grain bin and relocation of an existing 15 ft. by 30 ft. block building.

The application indicates: An amendment of the existing conditional use is proposed for the addition of a leg elevator and dump pit to serve existing approved grain silos. The elevator and dump pit will improve grain routing between the storage silos.

Tax Parcel(s) I L3300003

Has been APPROVED subject to the following conditions:

General:

1. Approved as per revised plan submitted June 23, 2011 and amended to allow an additional 78 foot diameter grain storage bin and a dual zoned driveway as recommended by the Town and amended as per plan submitted March 14, 2013 to allow the addition of a 60 ft. diameter grain silo, a grain dryer alteration from a 20 ft. X 20 ft. dryer to a 30 ft. diameter dryer and a leg elevator tower and amended March 20, 2014 for an additional leg elevator and dump pit and further amended September 17th, 2020 to allow expansion of an approved 27 ft. diameter grain storage bin to a 48 ft. diameter bin and a new conditional use approval for a 156 foot diameter grain bin and relocation of an existing 15 ft. by 30 ft. block building as per plan submitted as a grain elevator facility with all additional conditions.

2. Must meet all applicable Federal, State, County and local regulations.

3. Outside lighting shall be shielded and directed on site.

4. The applicant must obtain all required zoning permit approvals including a sign permit.

5. No fill, debris, branches or leaves may be disposed of on site. No burning of waste materials shall occur on site.

6. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the County Conservation Office.

7. The applicant must submit a road access and maintenance agreements with the governing municipality prior to hauling to the site.
8. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval. Vehicle parking for trucks arriving prior to operation hours shall be located as identified on the approved plan of operations.

9. The project site must be kept neat, clean, and mowed. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.

10. Implementation of dust and noise control measures shall occur at all times on site.

11. Any additional Office/trailer or structures shall obtain conditional use approval and an approved zoning and sanitary permit.

12. No general public sales allowed on premises.

13. No business activities other than specified in the plan of operations may be conducted from out of the facilities.

14. Outside storage shall be limited to the type, quantities and location of material identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.

15. No storage of chemicals, petroleum products and flammable materials shall occur on site unless stored in a containment facility meeting State requirements.

16. Staff may conduct inspections necessary to ensure site is operated and maintained according to applicable regulations.

17. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

Specific conditions:

18. Grain elevators must have proper ventilation meeting the requirements of the State and Federal codes. Exhaust systems shall meet all requirements of the State and Federal code including hours of operation and noise.

19. The owner shall obtain approval of a pollution prevention plan from the County Land Conservation Office and a hazardous spill plan from the State if required by law.

20. The property owner must provide a copy of the easement crossing the neighboring property for the railroad spur for the conditional use file prior to this conditional use being valid.

21. The property owner must provide a copy of the agreement with the railroad company providing for the installation and use of the railroad spur for the conditional use file.

22. Construction on the new approval on September 17, 2020 shall not start without an approved road maintenance agreement with the Town as per the Town.

Dated this 18th of April, 2013.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

Dated this 20th day of March, 2014.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

Staff presents request.
Atty Nick Egert representing Zenda Rail speaks regarding the application. Jake Polyock speaks regarding application and town meetings. Applicant reads letter from Farm City Elevator, Inc.
Speaking in FAVOR: Christine Jones, Kathy Leith, Allen Polyock, Matt Polyock.

Sue Pruessing motioned to approve removing condition #22 and amending to include striking #7. Seconded by Richard Kuhnke, Sr. Discussion by the Committee
concerning former and current storage amounts. Motion carried. 7-favor 0-oppose.
Disc Count #5:43:10 – 6:15:23

**TABLED – INCOMPLETE SITE PLAN**

2. **Alex and Helen Wasyliw – Owners, S&P Premier Investments & Greg Dziedzic of Pinno Buildings – Applicants, Section 23, Delavan Township.** Conditional use review and approval for a Planned Unit Development for office space, retail and off season mini-warehouse storage facilities on lands zoned B-2 General Business District. Tax Parcel FA186700001.

6:15 p.m.

3. **Caryn and Alan Hayden – Owners, Section 11, Sugar Creek Township.** Conditional use permit review and approval for a 10 ft. 3 inch by 19 ft. 4 inch utility building for the storage of high speed internet/broadband and phone service including routers, switches, servers and battery backup systems for Edge Broadband on lands zoned A-2 Agricultural. Part of Tax Parcel G SC11000091C.

**General:**

1. Approved as per plan submitted for a 10 ft. 3 inch by 19 ft. 4 inch utility building for the storage of high speed internet/broadband and phone service equipment including routers, switches, servers and battery backup systems with all additional conditions as added.

2. Any proposed buildings shall be of an earth tone or neutral color (I.E. beige or tan).

3. Construction plans for the site shall be submitted to the County Zoning Office for review and permit approvals prior to the project beginning.

4. Construction related activities are only allowed on site between sunrises to sunsets.

5. The applicant must obtain a Land Disturbance Erosion Control and Stormwater Management permit from the County Land Conservation Office prior to any construction activities occurring on site.

6. All spoils spreading activities must be conducted in the approved identified locations.

7. All access to the site must be made as identified on the approved plan.

8. All contractor storage yards shall be located as identified on the approved plan and used as specified.

9. The applicant shall meet all applicable Federal, State and local regulations.

10. The applicant shall make all necessary arrangements for use and crossing of public roadways with the State, County and Town Highway Departments.

11. The pre-existing contours of all floodplain areas affected by the utility installation must be adequately matched during restoration so as to meet the requirements of the County shoreland/floodplain regulations.

12. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

13. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

14. The applicant is responsible for removal of the utility building if it is no longer in use. If the utility discontinued for a continuous period of 12 months, it may be considered abandoned. Abandoned utilities may be required to be removed within 90 days.
15. The owner of the property shall release, indemnify and hold harmless Walworth County and its agents and employees from all liability, claims, demands, causes of action, costs, or losses for personal injuries, property damage or loss of life or property as a result of exercising this approval.

Specific:

Staff presents request.
Brian Madl speaks regarding the application.

Richard Kuhnke, Sr. motioned to approve. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose.

Disc Count # 6:15:52 – 6:19:38

TABLED – NO TOWN DECISION

4. Jack Shaffer — Owner, Section 36, East Troy Township — Conditional use review and approval for land restoration for the creation of a 10 acre, 12 foot deep pond and associated spoils berms. Part of Tax Parcel P ET3600007.

TABLED – NEED WETLAND DELINEATION / INCOMPLETE SITE PLAN DRAINAGE ISSUES

5. Daniel Boss Trust & Cindy Boss Trust C/O Daniel Boss — Owner, Section 7, Darien Township — Conditional use review and approval to allow Payne & Dolan, Inc. to conduct nonmetallic mining for sand and gravel along with earthmoving, crushing, washing, sorting, sizing stockpiling, transporting and reclamation on the site. Operations are also proposed to conduct intermittent use of a portable hot mix asphalt plant and temporary concrete plant and associated trucking and loading of asphalt and concrete products from the site. Tax Parcel B D 700003.

Nonmetallic Mining Reclamation Permit
Payne & Dolan, operator, (Daniel Boss Trust — owner), has applied for a Nonmetallic Mining Reclamation Plan and permit approval for a new non-metallic mining site covering 29.74 acres. The plans are available for review at the Walworth County Land Use & Resource Management Department. The mining site is located on Tax Key Parcel B D 700003, Town of Darien. The Walworth County Land Conservation Division will consider reclamation-related public comments in their decision to approve the reclamation permit.

Adjournment

Dave Weber motioned to adjourn. Seconded by Ryan Simons. Motion carried. 7-favor 0-oppose

The meeting was adjourned at 6:19 p.m.

Submitted by Sheril Oldenburg, Recording Secretary.
Minutes are not final until approved by the committee at its next meeting.
<table>
<thead>
<tr>
<th>Township</th>
<th>Complainant</th>
<th>Description of Complaint(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>BLOOMFIELD</td>
<td>Nick</td>
<td>Ex: 7 inoperable vehicles</td>
</tr>
<tr>
<td>DARIEN</td>
<td>Heather</td>
<td>Ex: Anonymous</td>
</tr>
<tr>
<td>DELAVAN</td>
<td>Heather</td>
<td>Section 31 Remodeling &amp; Construction without permits</td>
</tr>
<tr>
<td>EAST TROY</td>
<td>Darrin</td>
<td>Anonymous Owner has more than one unlicensed / inoperable vehicle.</td>
</tr>
<tr>
<td>GENEVA</td>
<td>Heather</td>
<td>Ex: Anonymous</td>
</tr>
<tr>
<td>LAFAYETTE</td>
<td>Nick</td>
<td>Ex: Anonymous</td>
</tr>
<tr>
<td>LAGRANGE</td>
<td>Darrin</td>
<td>Section 35 Owner installed steppers or a walkway within 75’ of Lauderdale Lake.</td>
</tr>
<tr>
<td>LAFAYETTE</td>
<td>Nick</td>
<td>Section 14 Several vehicles that could be unlicensed/inoperable</td>
</tr>
<tr>
<td>LINN</td>
<td>Heather</td>
<td>Anonymous Accessory structure being used for overnight stays</td>
</tr>
<tr>
<td>LAFAYETTE</td>
<td>Nick</td>
<td>Anonymous Accessory building exists on vacant property</td>
</tr>
<tr>
<td>RICHMOND</td>
<td>Darrin</td>
<td>Ex: Anonymous</td>
</tr>
<tr>
<td>SHARON</td>
<td>Heather</td>
<td>Ex: Anonymous</td>
</tr>
<tr>
<td>SPRING PRAIRIE</td>
<td>Nick</td>
<td>Ex: Anonymous</td>
</tr>
<tr>
<td>SUGAR CREEK</td>
<td>Darrin</td>
<td>Ex: Anonymous</td>
</tr>
<tr>
<td>TROY</td>
<td>Darrin</td>
<td>Ex: Anonymous</td>
</tr>
<tr>
<td>WALWORTH</td>
<td>Heather</td>
<td>Section 3 Anonymous Accessory structure may contain dwelling unit</td>
</tr>
<tr>
<td>WHITEWATER</td>
<td>Darrin</td>
<td>Ex: Anonymous</td>
</tr>
<tr>
<td>Township/Tax Key</td>
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<tr>
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</tr>
<tr>
<td>Ex:B D 100001</td>
<td>Ex:Anonymous</td>
<td>Ex: 7 inoperable vehicles</td>
</tr>
<tr>
<td>BLOOMFIELD</td>
<td>(Nick)</td>
<td></td>
</tr>
<tr>
<td>B D 34000004C</td>
<td>Town</td>
<td>Using commercial property for two businesses when only one business is permitted. Questionable septic system. Inspection on 1-31-2014 with Sanitation. Zoning violation letter sent/ 3000 pallets removed - extension granted till 4/6/2014/ pallet company is moving out HOLD till July 1, 2014/ Scheduled for July 17, 2014 public hearing before CZA/ 7-17-14 CZA denied/ Owner will do auto repair per previously approved CJ/ Jan, 2015 Owner is now removing inoperable vehicles, working on sanitation issues and removing addition to rear of garage/ Owner is working on correcting septic system - waiting on weather. 4/15/15 zoning on-site, returned to auto repair. HOLD for Sanitation/ 3-3-17 Town informed County that tires and cars are collecting on the property. Needs inspection/ 4-6-17 violation letter sent/ 4-11-17owner responded- his tenant left and now he will clean up property within 30 days.</td>
</tr>
<tr>
<td>BSU 00009</td>
<td>Anonymous</td>
<td>Contractor’s storage yard on C-3 property, cutting trees, selling wood, etc. Sent violation letter 6/15/20. Owner called, asked about rezoning and CUP. Spoke to planner, who said not a good probability. Needs to remove equipment. Rajan is moved his equipment to a property that would require a CUP to allow a contractor’s storage yard... he is currently looking for property to get CUP to allow his equipment.</td>
</tr>
<tr>
<td>DELAVAN</td>
<td>(Heather)</td>
<td>Structures constructed &amp; grade changes within 75ft of OHWM of Delavan Lk w/o approvals. 12/4/18/Site visit. 12/5/18:Sent violation letter. 12/18/18:Violation letter returned to office- forwarded to different address for reg. agent. 12/19/18/1. 1/2/19:Spoke to Mike McCarthy (RA for association), he will work w/ us to get permits &amp; bring property into compliance.</td>
</tr>
<tr>
<td>PM11 00002</td>
<td>Staff</td>
<td>2nd walkway constructed in shoreyard, exists within floodplain. 10/24/19:Applied for after-the-fact permits. 10/31/19:Sent violation letter w/ 30 days to comply (after permits to remove portion of walkway within floodplain). 11/5/19:Spoke to Greg Doherty from Shodeen- discussed violation. Need elevation survey, erosion permit, dbi permit fee w/ altered 2n permit. Documents submitted. Still waiting for OSLSD approval of walkway within easement, and erosion control permit. Permits issued. Need walkway removed for compliance.</td>
</tr>
<tr>
<td>F D 3200013</td>
<td>Staff</td>
<td>Pool too close to lake, grade changes within shoreyard, unpermitted deck too close to lot line, unpermitted increase to impervious surface. 9/19/19:Site visited- confirmed complaint. 9/20/19:Sent violation letter, and letter requesting as-built for zoning permit for pool. 10/21/19:Landscaper called- need as-built of parcel including all surfaces, and 1-foot contours.</td>
</tr>
<tr>
<td>FIA 00023</td>
<td>Anonymous</td>
<td>Small-engine repair biz on residential property. Sent violation letter 6/9/20. Owner called- says he is a ‘hobbyist’, and collects small engine items. He will clean up yard.</td>
</tr>
<tr>
<td>FIN4 00077A</td>
<td>Anonymous</td>
<td>Owner is running a contractor storage yard and has unlicensed inoperable vehicles on their property.</td>
</tr>
<tr>
<td>EAST TROY</td>
<td>(Darrin)</td>
<td>Owner is running a contractor storage yard from their property zoned R-2.</td>
</tr>
<tr>
<td>PA150600001</td>
<td>Anonymous</td>
<td>Owner is running a contractor storage yard from their property zoned A-2.</td>
</tr>
<tr>
<td>PA260300003</td>
<td>Anonymous</td>
<td>Owner has brought tires back onto the property.</td>
</tr>
<tr>
<td>PA430200001</td>
<td>Anonymous</td>
<td>Owner has several unlicensed /inoperable vehicles on his property that is zoned C-3</td>
</tr>
<tr>
<td>GENEVA</td>
<td>(Heather)</td>
<td></td>
</tr>
<tr>
<td>Township/Tax Key</td>
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</tr>
<tr>
<td>JA342300001</td>
<td>Staff</td>
<td>Patio in shoreland w/o permits. 5/8/18: Violation letter sent- 30 days to respond. 6/7/18: Bldr came in to office, is helping owner get started w/ permit process- gave until Aug. 1 2018 to have submitted paperwork. 9/5/18:Sent second (reminder) violation letter. Called Builder- said I needed submittal; he said he’d bring in paperwork the next day. 1/30/19:Sent 2nd violation letter w/ 30 days to apply for permit/compliance. 4/8/19: Spoke to a builder, who is working on getting permits for Donald Kuta. Gave 1.5 months to get a survey done &amp; come meet w/ staff or apply for permits.</td>
</tr>
<tr>
<td>JLCB 00758</td>
<td>Staff</td>
<td>Accessory structure on parcel without permit approval, and possibly in non-compliant location. 8/15/18: Violation letter sent w/ 30 days to comply. 8/27/18: Met w/ Sandy Busking- gave her permit paperwork, discussed compliant locations for structure. She agreed to apply for permits &amp; move structure to compliant location.</td>
</tr>
<tr>
<td>JCOM 00005, JCOM 00005A, JCOM 00005B</td>
<td>Staff</td>
<td>Illegal separation of parcels, creating violation of accessory structure on vacant parcel. 1/7/19:Sent violation letter w/ 30 days. 2/15/19: Marty Murphy called &amp; spoke to HM- I told him county review is required for this parcel split, and he doesn’t think that is the case. (This was in the same conversation as listed above on J G 3200009.) 11/21/19:Sent email to owners- requesting cooperation toward compliance or citations. 12/11/19: Owner came in for mtg; owner is working on bringing into compliance.</td>
</tr>
<tr>
<td>JLCB 02313</td>
<td>Anonymous</td>
<td>New structures within shoreyard, new parking area within setbacks &amp; road right-of-way, impervious surface increase w/o permits which may exceed allowance, unpermitted vegetation removal within vegetative buffer zone, implied CUP for outdoor food &amp; bev significantly expanded, new non-compliant signs w/o permits. 10/23/19: Site inspection posted 'stop work order' on site while working on parking area. 10/28/19: Mtg w/ owner- he denied expansion of implied CUP; new structures, new signage, and most vegetation removal. 11/1/19: Violation letter sent. 12/3/19: Met w/ owner &amp; aty- went over all violations and game plan to move forward for compliance.</td>
</tr>
<tr>
<td>JCON 00017</td>
<td>Staff</td>
<td>Structures have been placed within floodplain &amp; shoreyard. New gravel parking area constructed without permit approvals, may not meet required septic setbacks. 11/5/19:Posted Stop Work Order @ site. Piles of dirt in yard intended for filling floodplain/shoreland area- no permits. 11/6/19: Spoke to house builder- discussed requirement for as-built, no filling within shoreyard/floodplain. Also spoke to owner (Lester)- told him requirements of floodplain/shoreland/shoreyard. Discussed timeline for permits/compliance. Discussed as-built survey for house that is required. 11/12/19: Violation letter sent, memo for as-built sent. Owner currently working with staff for permitting and compliance.</td>
</tr>
<tr>
<td>J G 3500005L</td>
<td>Anonymous</td>
<td>Accessory structure too close to road. Sent violation letter 5/21/20. Owner called, removed structure. Need to site verify.</td>
</tr>
<tr>
<td>JLCB 02234, JLCB 02234A, JLCB 02315</td>
<td>Eric Seaver</td>
<td>Changed SFD into multi-family home w/ 2 apts., using business properties as long-term rental units. Gary Duffy (this has been ongoing discussion with Mr. Duffy- but we have hashed out what we believe to be all the violations on the 3 sites) - 9/2/20 MW, Cty Planner sent email describing all violations</td>
</tr>
<tr>
<td>JA299300002</td>
<td>Town</td>
<td>Building addition under construction w/o permits, contractor’s storage yard for a landscaping business on property</td>
</tr>
<tr>
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</tr>
<tr>
<td>KA129500002</td>
<td>Anonymous</td>
<td>5-7-18: Compliant digging in stream and people living in campers on property. 5-8-18: Inspected and spoke to owner. Was asked to leave property. 5-11-18: Sent letter requesting inspection and referencing violations I had seen. 5-23-18: Met owner and his attorney on site. Found a large number of violations. Most violations had to do with the shoreyard and floodplain. There were also approx 7 structures without permits. Met with owners and attorney. They should have a current survey by mid July. We agreed to wait on the survey as it will help everyone involved. 7-24-18: Survey is done, but they are getting the surveyor to add the setback from the stream. 8-7-18: Got message that survey is done. 8-17-18: Attorney says client is going out of town for a week and then they will get me a plan to review.</td>
</tr>
</tbody>
</table>

**LAGRANGE (Darrin)**

<table>
<thead>
<tr>
<th>Township/Tax Key</th>
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</tr>
</thead>
<tbody>
<tr>
<td>HA 965000002</td>
<td>Anonymous</td>
<td>Owner is using an accessory structure to house agricultural animals, but the building is not 100’ from the side lot line. Only permitted for residential use.</td>
<td>74-51</td>
<td>Jake &amp; Nicole Martin</td>
</tr>
</tbody>
</table>

**LINN (Heather)**

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<thead>
<tr>
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<tbody>
<tr>
<td>IL 2700012</td>
<td>Neighbor</td>
<td>Structures constructed w/o permits. 5/9/18: Site visit, new structures present. 5/10/18: Violation letter sent. 5/16/18: Mtg w/ owner- told him what is needed for permits, need apt w/ staff &amp; Matt W to discuss use. Owner met w/Matt W, getting paperwork together for permits. 12/5/18: Issued citation. 12/10/18: Met w/ Leonor Hernandez- told her to get updated survey &amp; re-meet to apply for after-the-fact permits, and keep in-touch w/ progress of survey. 1/16/19/Mtg w/ Leonor &amp; bldr? Still need CUP for outdoor food &amp; beverage. Working on getting a survey, then will meet again to discuss what permits are needed. Extended court hearing to April 3rd 2019. 3/6/19/HM, MW mtg w/ Leonor- survey was performed; next applying for CUP for outdoor food &amp; bev, then zoning permits. Requested to extend court hearing to July 10 2019.</td>
<td>74-37</td>
<td>Marion J Courmoyer, Leonor I Hernandez (Zenda Tap) - 7/10/19: Spoke to property owner- CUP being submitted. Extended hearing date to Aug. 21 2019. 8/13/19: Staff called owner- recommended upcoming event be moved or canceled- that they did not have proper permits to hold such event. 8/21/19: Owner met w/ planning staff- re: CUP. I told owner after-the-fact zoning permits must be submitted before court or they will have to appear &amp; enter plea. Permits submitted later same day. Court hearing extended to Oct. 2 2019. Zoning permit applied for. Cdt'l Use permit applied for. Extending court hearing to December 4th. 12/4/19: Default judgment entered at court hearing- no-one showed up for Zenda Tap. 12/11/19: Owner met w/ LURM staff- submitted final materials for CUP hearing. 1/27/20: Site visit- site still noncompliant. 2/11/20: Town called- they are on the Feb. 24th town agenda for CUP.</td>
</tr>
</tbody>
</table>

**IE 0055**

<table>
<thead>
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</tr>
</thead>
<tbody>
<tr>
<td>F 00003</td>
<td>Staff</td>
<td>Structure (patio) constructed on parcel without permit approvals- and not in compliance with zoning permit issued, nor BOA decisions. Also exceedance of impervious surface allowed on parcel. 12/5/18: Site visit performed. Waiting for site visit to verify compliance. Landscaper notified office that the mitigation (vegetation planting) has been completed for the patio within the shoreyard allowance.</td>
<td>74-162</td>
<td>Jim &amp; Wendy Becker</td>
</tr>
</tbody>
</table>

**IFR 00003**

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>ILGH 00001-ILGH 00110</td>
<td>Staff</td>
<td>As-built survey for replacement of existing shorepath, walks &amp; drives not in compliance with permit issued, nor with shoreland ordinance. New retaining walls added &amp; existing ones expanded within 75ft of OHWM. 1/30/19: Sent memo of noncompliance.</td>
<td>74-162, 74-174</td>
<td>Lake Geneva Highlands - 3/6/19: Mtg @ LURM: Applicants are going to work w/ engineer, then talk to staff w/ ideas &amp; plans to bring into compliance.</td>
</tr>
</tbody>
</table>

**IRB3 00090**

<table>
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</thead>
<tbody>
<tr>
<td>IRB3 00090</td>
<td>Staff</td>
<td>Garage converted into dwelling, used for overnight stays/short-term rentals. 1/31/19: Sent violation letter w/ 30 days.</td>
<td>74-37, 74-54</td>
<td>Barry Hinkeldey - 3/8/19: HM performed site visit- spoke to Chris (wife) &amp; took photos of inside of accessory structure apartment. 3/14/19: Mtg @ LURM w/ owners- they are going to work on finding substantiation that dwelling unit is pre-1974. 11/18/19: Sent follow-up letter requesting information. 12/6/19: Owners came into office- discussed more options on how they could prove dwelling existed prior to ordinance. Gave them more time.</td>
</tr>
<tr>
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</tr>
<tr>
<td>IGV 00015</td>
<td>Staff</td>
<td>2/4/19: Posted STOP WORK ORDER on site- large deck being built as well as large enclosed porch. No permits. Sent violation letter. 2/13/19: Builder came into office, got application for zoning permit. 2/20/19: Zoning permit submitted. On hold for sanitation location verification. Issues with septic setbacks. 6/28/19: Sent 2nd violation letter to owner- need some action toward compliance, site still in violation. 7/8/19: Owner’s husband called- upset that we cannot permit other parts of permit while this part gets worked out. I told him site needs to be brought into compliance. I told him if deck is required for safety, we would issue permit for addtl deck aside from this permit. Sanitation needs to be addressed- he is working on permits for this.</td>
<td>74-37</td>
<td>Maureen O’connell - Rec’d letter from fire dept that deck out rear door necessary for fire escape. Permits applied for. Permit approved for rear, required deck. Still working with owners for unpermitted deck compliance. Need sanitation resolved first.</td>
</tr>
<tr>
<td>IL 1000003A</td>
<td>Staff</td>
<td>3/8/19:HM observed 2 new structures in open field w/o permits. 3/13/19: Sent violation letter; 30 days to reply. 3/19/19: Mfg @ LURM w/ owners- owners are going to work w/ an atty &amp; surveyor, may take bids down, may work on permits. Will let staff know. Working on getting wetland delineation.</td>
<td>74-37</td>
<td>David &amp; Susan Kronwall</td>
</tr>
<tr>
<td>IL 1100001A1</td>
<td>Anonymous</td>
<td>New fence constructed within shoreyard setback. 6/4/19: Site visit by HM, photos of new fence. 6/21/19: Sent viol. Letter 10/30 to comply. 7/8/19: Spoke to Atty on behalf of owner- gave fence regs from ordinance- currently working on getting permits to remove noncompliant fence.</td>
<td>74-174</td>
<td>Claudia Bauer Trust</td>
</tr>
<tr>
<td>ICI 00001</td>
<td>Staff</td>
<td>Vegetation removal along shoreline, increase in impervious surface w/o permits. 6/17/19: Site visit. 6/19/19: Sent memo- need as-built for recently constructed garage. Met w/ contractor- went over permit requirements and submittals needed. 2/24/20: Sent certified letter giving 15 days to have permits &amp; as-built submitted.</td>
<td>74-162</td>
<td>Solhous</td>
</tr>
<tr>
<td>IBA 000014</td>
<td>Staff</td>
<td>Patio on boathouse w/o permit approvals &amp; within shoreyard. 4/2019: Staff inspection- concrete patio present. Contractor agreed to remove patio area &amp; replace w/ vegetation. 8/16/19: Staff inspection- concrete patio removed &amp; gravel patio in its place. Contractor notified- disputes that it is a ‘patio’. 8/26/19: Violation letter sent to owner &amp; contractor. Working w/ contractor for permits to construct walkway by boathouse. Currently working on permit for walkway on site- may go for variance. Appealing interpretation at BOA on Jan. 8, 2020.</td>
<td>74-162, 74-174</td>
<td>Feldstein/Bovis - 1/8, 9/20 BOA appeal hearing- BOA upheld county’s interp that gravel area is structure &amp; needs to meet setback. Applicant is currently working on applying for setback variance for the structure. Permit approved for walkway in shoreyard down to water, going alongside boathouse. Applicants are now re-applying for zoning permit for small gravel structure, then plan on going for a variance for said structure.</td>
</tr>
<tr>
<td>IL 1200003</td>
<td>Anonymous</td>
<td>Signs in noncompliant locations. 1/27/20: Site visit- sandwich board sign in/near road right-of-way. Will send violation letter. 2/24/20: Sent violation letter; 30 days for compliance.</td>
<td>74-162, 74-165</td>
<td>Lake Geneva Family Estate</td>
</tr>
<tr>
<td>IA303000002</td>
<td>Staff review on plans</td>
<td>Accessory structure on vacant parcel. 1/13/20: Violation letter; 1/22/20: Spoke to atty Ed Thompson- told him structure needs to be removed w/ EC permit or needs variance approval.</td>
<td>74-38, 74-162</td>
<td>Nurnberg - 8/27/20 HM performed site visit. 8/31/20 Sent violation letter w/ 30 days to comply.</td>
</tr>
<tr>
<td>ILGT 00024A2</td>
<td>Anonymous</td>
<td>Fence &gt;6ft built on property line, pool exists w/o permit approval.</td>
<td>74-174, 74-162</td>
<td>The Oak Shores Club Association, Inc. 9/1/20 Sent violation letter w/ 30 days to comply.</td>
</tr>
</tbody>
</table>

**LYONS (Nick)**

<table>
<thead>
<tr>
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<tr>
<td>NLC 00081</td>
<td>Town of Lyons</td>
<td>11-29-18: Complaint of junk cars. 11-30-18: Inspection. Spoke to owner. They agreed to work on it. 12-3-18: Letter sent to follow up. 2-5-19: On-site. Spoke to owner. Two vehicles remain. One is being sold and one towed. Owner agreed that property would be compliant by March 1. 3-4-19: Owner called. She inherited vehicles from her dad. She recently found that her dad never put them in his name when he inherited from her grandfather. She is sorting this out with her attorney and DMV. I gave her until April 4.</td>
<td>74-54</td>
<td>Hobbick-6-5-19: Onsite. Vehicles are still there as well as a third now. 6-6-19: Citation issued. <em>see citation section.</em></td>
</tr>
</tbody>
</table>

**NIP 00014**

| Town of Lyons | 8-21-17: Received a complaint about a large number of inoperable vehicles and other scrap on a property in an industrial park. Did on-site inspection and spoke briefly to the owner. He has an auto repair shop, but the property is covered in old vehicles, demolished trailers, etc. Owner was not in a mood to discuss the situation. Told him I would send a letter. Letter sent informing him that he is not zoned properly for an automobile salvage yard/scrap yard. 8-29-17: Spoke to owner. He will work on it and call me back in a couple weeks with a progress report. | 74-56        | Herbert Otto-10-20-17 did an inspection. Nobody was on site, but a substantial amount of progress has been made. I called the owner and he said he is still working on it, but progress will slow as the easy stuff went first. He is reliant on others to take the vehicles without titles, etc. He could not give me any kind of timeframe, but I was satisfied for now that he is taking the task seriously so I agreed to give him more time. *See Citation Section* |

**RICHMOND (Darrin)**

<p>| Anonymous | Owner is running a kennel on the property without proper review and approval. | 74-52        | Robert Wierenga Letter sent 11/9/19 Owner sent in a letter stating they do not have a kennel. |</p>
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<tr>
<td>C R 1700003A</td>
<td>Township</td>
<td>Owner is doing alterations to the structure without proper review and approvals. Owner is also storing and displaying boat lifts and pier sections. Depending on plan for the property this may not be allowed without a conditional use permit.</td>
<td>74-55</td>
<td>Turbo LLC Letter sent 10/2/19 - Owner is working through the Township to get a conditional use permit and then will proceed to the CZA.</td>
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<tr>
<td>SHARON (Heather)</td>
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<tr>
<td>AA301600001</td>
<td>Town FD</td>
<td>Dwelling in part of accessory structure. Contractor's storage yard w/o proper zoning or CUP. 2/11/19: sent violation letter. Was returned as 'unclaimed'. 3/8/19: Site visit - spoke to renter- she said half of detached garage she uses- she didn't know what other half was used for. Gave her my card to give to Philip- that he should call me. Took photos- business equipment in barn. 11/21/19: Re-sent violation letter- 1 certified, 2 uncertified- 30 days or citation. Staff to discuss with Nass' attorney, 1/16/19: Talked to Atty Schroeder- he will have owner try to find proof that dwelling existed in garage prior to 1974. Equipment that may have been contractor storage yard is no longer present on property.</td>
<td>74-37, 74-51</td>
<td>Philip Nass</td>
</tr>
<tr>
<td>AA307100001</td>
<td>Anonymous</td>
<td>Structure being constructed w/o permit approvals, auto salvage yard on A-1 zoned parcel. 7/11/19: Issued 2 citations. 8/8/19: Atty called on behalf of STE- wants to get site into compliance. I explained permit process, gave info on auto salvage yards. 8/19/19: Owner submitted after-the-fact zoning permit. 8/21/19: Owner called, scheduled site visit. Extended hearing to Oct. 2 2019. 8/27/19: Met owner on site- discussed auto salv yard violations. Owner agreed to have site in compliance by Oct. 2 2019.</td>
<td>74-37, 74-51</td>
<td>STE Properties LLC - 11/25/19: Violation letter for bus business sent. Will perform future site visit to ensure business busses are removed from site.</td>
</tr>
<tr>
<td>AA452800001</td>
<td>Neighbor</td>
<td>Septic system exists on neighbor's property- not ever permitted, tiny home on property w/o permits. 12/20/19: Site visit- these violations exist, plus unpermitted accessory structure. Owner has removed septic, working on selling tiny home, working on permit for accessory structure. 7/4/20 KD performed site visit- shed still in back yard.</td>
<td>74-37, 74-51 and 74-62</td>
<td>Richard Oros</td>
</tr>
<tr>
<td>SPRING PRAIRIE (Nick)</td>
<td></td>
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</tr>
<tr>
<td>O SP0700002</td>
<td>Neighbor</td>
<td>Complaint of individual living in a motorhome. 8-12-20: Onsite inspection finds motorhome as described in complaint. 8-13-20: Violation notice sent. 8-17-20: Spoke to individual living in motorhome. He said he would move on within the time frame provided.</td>
<td>74-37, 74-51</td>
<td>Lyle Robers Trust/Marie Robers Trust</td>
</tr>
<tr>
<td>SUGAR CREEK (Darrin)</td>
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</tr>
<tr>
<td>GLW 00250</td>
<td>Neighbor</td>
<td>7/20/20 - Complaint of multiple vehicles on properties. Inspection conducted. Multiple unregistered/inoperable vehicles found on site. Violation notice sent on 7/20/20.</td>
<td>74-162 &amp; 74-181</td>
<td></td>
</tr>
<tr>
<td>GLW 00349</td>
<td>Anonymous</td>
<td>Owner has more than one unlicensed or inoperable vehicle on the property.</td>
<td>74-181</td>
<td>Joel Matrenga - Letter sent 12/6/19</td>
</tr>
<tr>
<td>GLW 00949</td>
<td>Anonymous</td>
<td>Owner has more than one unlicensed or inoperable vehicle on the property.</td>
<td>74-51</td>
<td>Vicky Brockmann - Letter sent 12/6/19</td>
</tr>
<tr>
<td>GA421300002</td>
<td>Anonymous</td>
<td>Owner has installed an outside light on their building that is shining onto the neighbors property.</td>
<td>74-96</td>
<td>Interfaken LLC, C/O Jacqueline Jennison Letter sent 10/2/19. Letter came back resent to different address. Spoke to the owner and they will take care of the light issue. Will inspect early December to check for compliance.</td>
</tr>
<tr>
<td>GLW 00094</td>
<td>Anonymous</td>
<td>Owner has more than 6 chickens and also has a rooster on property that is zoned R-1</td>
<td></td>
<td>Nathaniel Boas Letter sent and came back twice. Try again with unmarked envelope.</td>
</tr>
<tr>
<td>GI 00465</td>
<td>Anonymous</td>
<td>Owner has constructed an accessory structure on their property and the neighbors property without proper review and approval</td>
<td>74-37</td>
<td>Jenny Krueger Scott Site inspection 11/30/17 Letter sent. Either going to work with the neighbor to buy the property or going to bring the property into compliance by June 1, 2018. Property has changed hands and now working on survey. 7/6/18. Working on completing moving or removing the accessory buildings by 8/1/19.</td>
</tr>
<tr>
<td>GLW 00216</td>
<td>NA</td>
<td>Short Term Rental</td>
<td>74-181</td>
<td>Piper Ginsburg (Dolan), three citations issued for short term rentals conducted during the summer of 2017. Attempts to gain compliance have been unsuccessful. Court is scheduled for September 20, 2017. (Shannon)</td>
</tr>
<tr>
<td>TROY (Darrin)</td>
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<tr>
<td>L T 3400008A</td>
<td>Anonymous</td>
<td>Owner has a light that is creating a glare that is leaving the property.</td>
<td>74-96</td>
<td>Ryan Mahnke Letter sent 12/18/19</td>
</tr>
<tr>
<td>L T 2600011</td>
<td>Township</td>
<td>Owner has a couple of unlicensed inoperable vehicles on the property</td>
<td>74-51</td>
<td>Karen Braam Letter sent 11/8/19</td>
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<tr>
<td>LT 3600003</td>
<td>Township</td>
<td>Owner is allowing camping on their property without proper approval</td>
<td>74-51</td>
<td>Yggdrasil Land Foundation Inc. Letter sent 9/5/19. Owner contacted the office and stated they will not allow camping anymore. They took the listing off the webpage.</td>
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<tr>
<td>WALWORTH</td>
<td>(Heather)</td>
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<tr>
<td>E W 2800006</td>
<td>Neighbors</td>
<td>May 23, 1986 Junk/scrap yard in a A-4/A-1. Violation since 1986/ citations issued/ waiting for fire inspection reports from Village of Walworth/ received fire inspection reports/ 2017-Mr. Wendeberg wants to build a new building. Property is out of compliance. No permits till property is brought into compliance./ 2-14-17 Mr. Wendeberg stopped in office to try and get permit for new building. No new building until property is brought into compliance./ March, 2017 Mr. Wendeberg was in office to try and get permit for building. No permits until property is cleaned up. (threats made to staff) September, 2017: Mr. Wendeberg in office asking what is needed for a building permit. Told him no permits until property is cleaned up again.</td>
<td>74-28, 74-29, 74-37, 74-51, 74-65, and 74-131</td>
<td>William Wendeberg- See citation section.</td>
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<tr>
<td>EA177000001</td>
<td>Town</td>
<td>Violations of existing CUP for contractors storage yard for landscaping &amp; snowplowing business. Took photos from road; send violation letter on 5/6/19. 5/10/19: Met w/ owner- will work on getting after-the-fact permits for structures, will bring site back into compliance w/ CUP &amp; CUP site plan. 6/28/19: Have heard nothing since 5/10, no permits submitted yet. Sent letter w/ 15 days to submit permits. 7/23/19:Permits submitted. 7/30/19: ZN permit approved, still need to verify site compliance w/ CUP.</td>
<td>74-37, 74-51, 74-59</td>
<td>Deborah Moore 10/10/19:Planning Dept. sent letter- deadline of Oct. 24th to apply for amendment or be compliant. 11/6/19:Site drive-by: noncompliant. Matt Moore called today- will have sie compliant by today. Discussed CUP conditions &amp; site plan. Will check site again for compliance. See citation section.</td>
</tr>
<tr>
<td>EA155300001</td>
<td>Town</td>
<td>Automobile salvage yard on A-1 zoned parcel, as well as a potential auto-repair business. 6/18/19:Site visit- photos. 6/19/19: Sent violation letter w/ 30 days to comply. 6/24/19: Owner called HM- he said he only works on his own vehicles/family vehicles- no incentive. I told him no business can be operated as such on this parcel as-is. He said he’d move the unlicensed/inoperable vehicles in doors or off-site. 7/3/19: Owner let staff know he is working on getting things together to apply for an addition to existing acc struct to store vehicles.</td>
<td>74-37, 74-51</td>
<td>Casey Britton</td>
</tr>
<tr>
<td>EA135000004</td>
<td>Town</td>
<td>Deck constructed on barn w/o permit approvals. 1/23/20: Sent violation letter. 2/25/20: Dave Woodhouse applied for after-the-fact ZN permit for deck. Dave is actively working on pursuing a conditional use permit to bring property into zoning district compliance, then can issue deck permit.</td>
<td>74-37</td>
<td>David Woodhouse</td>
</tr>
<tr>
<td>E W 1600010</td>
<td>Town</td>
<td>Outside storage area expanded into unapproved area on lot- per CUP. 1/30/20: Sent violation letter. 2/4/20: Darrel Frederick called- I explained violation- he will move equipment by mid-March or apply for amendment to CUP. Cdtl use applied for. They have applied for a new CUP.</td>
<td>74-37, CUP</td>
<td>Frederick Enterprises LLC</td>
</tr>
<tr>
<td>WHITEWATER</td>
<td>(Darrin)</td>
<td></td>
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<tr>
<td>DSO 00031</td>
<td>Anonymous</td>
<td>Constructed a broadband tower on a property without proper review and approval.</td>
<td>74-37</td>
<td>Brian Madl Letter sent 11/19/19  See citation section.</td>
</tr>
<tr>
<td>DMP 00005</td>
<td>Anonymous</td>
<td>Owner is allowing overnight stays in an accessory structure</td>
<td>74-165, 74-162</td>
<td>WWP LLC Letter sent 11/14/17  Site inspection 12/1/17. Nobody is living in the shed, but the shed is not in a compliant location and was placed on the property without proper review and approval. Owner deciding best course of action to bring into compliance.</td>
</tr>
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<tr>
<td>Ex:B D 1000001</td>
<td>Ex: Anonymous</td>
<td>Ex: 7 inoperable vehicles</td>
<td>Ex: 74-54/56/65/131</td>
<td>Smith, Joe</td>
</tr>
<tr>
<td>BLOOMFIELD (Nick)</td>
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<tr>
<td>DARIEN (Heather)</td>
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<tr>
<td>DELAVAN (Heather)</td>
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<tr>
<td>F D 3200009</td>
<td>Anonymous</td>
<td>Spa/hot tub placed on parcel w/o permit approvals, deck built w/o permits, impervious surface increase w/o permits. 2/25/20:Zoning permit submitted. Requested hearing extension to May 20th 2020.</td>
<td>74-162</td>
<td>Patricia tiltman - Court date changed to August 19, 2020. 8/19/10: 1 citation paid, default judgment on other 2 citations.</td>
</tr>
<tr>
<td>F D 3200008</td>
<td>Anonymous</td>
<td>Removal of vegetation within veg buffer zone of lake, structure constructed within shoreyard of lake, impervious surface increase on parcel w/o permits.</td>
<td>74-174, 74-162</td>
<td>Delavan Lake Sanitary District - Issued citations (3 total) on 6/3/20, hearing date scheduled for 7/22/20. DLSD has petitioned for dismissal of citations, the County responded- currently in works w/ court.</td>
</tr>
<tr>
<td>EAST TROY (Darrin)</td>
<td></td>
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<tr>
<td>PA 50000001</td>
<td>Anonymous</td>
<td>The defendant has several unlicensed/inoperable vehicles on land that is zoned A-2.</td>
<td>74-51</td>
<td>Richard Young - citation issued Court set 2/6/19 Continued to 6/5/19. Continued to 10/2/19. Owner plead not guilty and will go to trial.</td>
</tr>
<tr>
<td>P ET900008/PMGH 00001</td>
<td>Anonymous</td>
<td>The defendant constructed an accessory structure without proper zoning review and approval.</td>
<td>74-162</td>
<td>Robert Bern - citation issued 12/5/17. Resent 2 more times as the citations came back undelivered. - Continued citations to 5/16/18 - Issued citation 10/1/18 - Re-issue citations - court date 2/6/19. Owner has Certified Survey Map done and getting approval from Township and State first and then onto the CZA. CSM approved. Closed</td>
</tr>
<tr>
<td>GENEVA (Heather)</td>
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<tr>
<td>Town</td>
<td></td>
<td>Addition to existing structure without approved zoning permit. Date of violation: 2/27/20. Court hearing scheduled for 4/15/20. Changed to July 15, 2020.</td>
<td>74-162</td>
<td>Inn Crow for Como, Inc. 9/220 Citation hearing; defendant wants to enter &quot;not guilty&quot; plea, but caller was not an atty, so judge is giving them opportunity to hire representation for the business to enter plea.</td>
</tr>
<tr>
<td>LAGRANGE (Darrin)</td>
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<tr>
<td>H LG2300001</td>
<td>Staff</td>
<td>Placed a trailer and signage for the sale of fireworks without obtaining the proper Zoning permits.</td>
<td>74-37</td>
<td>Freedom Fireworks LLC - Plead no contest to 2 citations and the remaining are continued for 18 months.</td>
</tr>
<tr>
<td>LINN (Heather)</td>
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<tr>
<td>IA13130001</td>
<td>Staff inspection</td>
<td>Grade changes within shoreyard, conditions of zoning permit violated, structures w/o permits, structures in shoreyard w/o approvals, impervious surface increased w/o permit approvals.</td>
<td>74-162, 74-174</td>
<td>Christine Taylor Trust - 1/7/20. Site inspection for permits- violations exist. 1/11/20: Issued 4 zoning citations w/ Feb. 19 2020 hearing date. 1/31/20: Contractor of permits called to discuss citations &amp; compliance. Also discussed tree removal violations in shoreyard- this also needs to be addressed. 2/26/20: Met w/ LC, ZN, contractors- discussed site compliance and permits required. Extended court hearing to April 1st 2020. Court date changed to July 1, 2020. Hearing rescheduled to August, 2020. 1 citation paid, site in compliance, dismissal of other 3 citations.</td>
</tr>
<tr>
<td>I L 1200003A</td>
<td>Staff inspection</td>
<td>Signs exist, noncompliant with code, no permits</td>
<td>74-210, 74-215, 74-162</td>
<td>Buttons Bay Land Development</td>
</tr>
<tr>
<td>LAFAYETTE (NICK)</td>
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**Note:** The data includes a mix of violations, owner's names, and court dates, among other details. Each entry under 'Description of Violation(s)' contains specific details about the violation. The 'Owner’s Name/Status' column provides information about the person or entity responsible for the violation, including court dates and actions taken.
**Township/Tax Key** | **Complainant** | **Description of Violation(s)** | **Section(s) violated** | **Owner’s Name/Status**
---|---|---|---|---
**KA129500002** Anonymous | 5-7-18: Complaint of digging in stream and people living in campers on property. 5-8-18: Inspected and spoke to owner. Was asked to leave property. 5-11-18: Sent letter requesting inspection and referencing violations I had seen. 5-23-18: Met owner and his attorney on the site. Found a large number of violations. Met with owners and attorney. They should have a current survey by mid July. We agreed to wait on the site as it will help everyone involved. 7-24-18: Site is being surveyed, but they are getting the surveyor to add the setbacks from the stream. 8-17-18: Got message that survey is done. 8-17-18: Attorney says client is going out of town for a week and then they will get me a plan to review. 9-18-18: Met with attorney. I have not gotten anything yet. He agreed that they need to get moving toward compliance. Owner and attorney have a meeting with staff set for Oct 31st. Attorney will submit applications. 12-17-18: I sent email to check status. 12-31-18: Attorney said permit will be in 1-2-19. 1-9-19: Permit rcvd. 1-16-19: Email sent that permit is incomplete. Owner’s attorney has appointment for 4-23-19. | 74-162, 74-173, 74-174, and 74-178 | Dewey and Rebecca Degrave- 5-1-19: Attorney dropped off missing zoning info. Zoning permit is complete, but owner has not submitted the erosion control permit yet. 5-21-19: I emailed attorney. He said owner was going to take care of that part. 6-6-19: Erosion control application still not submitted, but owner has reached out to conservation staff. 6-20-19: Owner met with conservation staff. Owner has applied for permit. Permit has been issued. 2-26-20: Rcvd letter from attorney. They have all Town permits. They want to come in and discuss one of the structures. 4-14-20: Corrective measures are underway. 8-18-20: Met with attorney on site. Several issues have been resolved. Owner has built more structures without permits. Garage building appears to be used for living quarters with improper plumbing hook-ups. Access to that building was denied. 8-19-20: 3 citations issued for unresolved violations. 8-26-20: Garage inspection requested in writing. 9-4-20: Garage inspection set up for 9-15-20. Garage inspection found bathroom, kitchen, laundry room. Request to try to further investigate path of plumbing denied. 9-23-20: No contest plea entered on previous violations. 9-30-20: New citations issued for previous violations.

**LYONS (Nick)**

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<td>74-54</td>
<td>Hobick- 6-5-19: On-site. Vehicles are still there as well as a third now. 6-6-19: Citation issued with 7-24-19 court date. Owner did not appear in court. Citation defaulted. 9-17-19: Inspection. No improvement. Citation issued. Service of citation was not achieved. Property is tied up in an unsettled estate.</td>
</tr>
</tbody>
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**NIP 00014**

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<td>8-21-17: Received a complaint about a large number of inoperable vehicles and other scrap on a property in an industrial park. Did on-site inspection and spoke briefly to the owner. He has an auto repair shop, but the property is covered in old vehicles, demolished trailers, etc. Owner was not in a mood to discuss the situation. Called him and he said he is still working on it, but progress will slow as the easy stuff went first. He is reliant on others to take the vehicles without titles, etc. He could not give me any kind of timeframe, but I was satisfied for now that he is taking the task seriously so I agreed to give him more time.</td>
<td>74-56</td>
<td>Herbert Otto- 11-27-17: Inspection found little/no improvement. Citation issued with 1-10-18 court date. Citation was Paid. 2-22-18: Inspection. Still out of compliance. Citation issued w/ 4-14-18 court date. Citation was paid. 7-20-18: Inspection. Still out of compliance. Citation issued w/ 8-22-18 Court date. 8-22-18: Owner paid citation and did not appear at court. 2-5-19: On-site. No improvement. Citation issued with 3-6-19 court date. Citation has been Paid. 9-17-19: Inspection. No improvement; has gotten worse. Citation issued (5th one). 10-16-19: Owner did not appear. Default judgement entered. 6th citation issued on 12-6-19. Jan 8, 2020 court date. 1-8-20: Owner did not appear. Court ordered forfeiture.</td>
<td></td>
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</tr>
</tbody>
</table>

**RICHMOND (Darrin)**

**Town Building Inspector and Fire Inspector**

<table>
<thead>
<tr>
<th>Township/Tax Key</th>
<th>Complainant</th>
<th>Description of Violation(s)</th>
<th>Section(s) violated</th>
<th>Owner’s Name/Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>NA356600001</td>
<td>Converted single family house into a multi-family house or a boarding house. There was a fire call and the firemen that entered the house were very concerned with the layout/safety. Tax assessor reports confirm it is a 4-unit multi-family. Violation letter sent. Rcvd. 1-15-11. On 2-3-11 I rcvd. A call from a local surveyor who is friends with Mr. Comstock. He is going to try to help resolve the issue. 2-18-11: Attorney called and set up an appt. for March 16 to discuss the issue. 3-16-11: Met with Don and his attorney. I explained the concerns. They will get back to me in the first week of April 4-12-11: Walk-through inspection set for May 12th. 4-18-11: Fire Inspector called for update. 5-12-11: Inspection found structure is a 5 unit multi-family dwelling. 5-13-11: Letter sent requiring a plan and permits to convert to SFR w/in 30 days. Attorney has discussed plans with me. Owner is going to get another attorney’s opinion/suggestions on 7-14-11 before we proceed with the permitting/construction. 7-18-11: I left a message for Attorney Rasmussen. 7-19-11: Attorney Koch called me back and said he would like to talk to me about this when he gets back from vacation 8-1-11. 7-25-11: Town of Lyons called to check on status. 8-1-11: I called Koch. Koch said he would get back to me by 8-8-11. 8-11-11: I have not heard anything. Citation issued. 9-11-11: Met with attorney Koch and brought him up to speed. 9-14-11: Koch requested a jury trial. Trial set for 2-29-12 (canceled w/ stip). 2-16-12: Stip filed with a no contest plea and agreement to pay forfeiture. 2-21-12: New citation issued for same offense. 3-28-12: Nobody showed up at court. Default judgment granted.</td>
<td>74-37, 74-51</td>
<td>Vernell and Donald Comstock- 4-5-12: Sent draft request for inspection warrant to Corp.Counsel. 5-23-12: Called and spoke to Vernell. She said no changes to the house have been made. I asked to have Don call me back. 5-31-12: Called and spoke to Vernell. She hung up on me. Sought advice from Corp. Counsel. 6-4-12: Citation issued. 7-11-12: Trial requested. Set for a Jan 24, 2013 jury trial. 1-23-13: Stip filed with a no contest plea and agreement to pay forfeiture. 2-5-13: Email sent to Corp. Counsel re: Summons and Complaint. CC suggests one last inspection request. 4-1-13: Owners deny inspection request. 4-2-13: Request for S&amp;C sent to Corp.Counsel.</td>
<td></td>
</tr>
</tbody>
</table>

**SHARON (Heather)**
<table>
<thead>
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</thead>
<tbody>
<tr>
<td>SPRING PRAIRIE</td>
<td>Nick</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SUGAR CREEK</td>
<td>Darrin</td>
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<tr>
<td>TROY</td>
<td>Darrin</td>
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<tr>
<td>WALWORTH</td>
<td>Heather</td>
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<tr>
<td>E W 2800006</td>
<td>Nick</td>
<td>Neighbors 3-2-18: Inspection found junk/scrap covering approximately 5 acres of property zoned A-1 and A-4. 3-2-18: 4 citations issued related to operating a junk/scrap yard. 3-8-18: Owner came in to discuss situation. No agreements made. 4-4-18: Owner requested a trial. Trial set for 7-30-18. Owner was found guilty on all 4 citations and ordered to pay the full forfeitures. 9-2-18: Owner came into office with several page petition indicating he should be left alone. He indicated he has been cleaning up. He gave me his phone number and we agreed I would call him mid October about an inspection of his progress. 10-22-18: called owner. He said he hadn't made much progress. We agreed I would check back soon.</td>
<td>74-28, 74-29, 74-37, 74-51, 74-65, and 74-131</td>
<td>William Wendeberg-11-15 and 11-16-18: called and got no answer (no voicemail option). 12-3-18: Inspection made from road. 12-5-18: Request for Summons &amp; Complaint sent to Corp Counsel. 5-6-19: Spoke to Corp Counsel. Corp Counsel wants a site inspection to confirm it is still out of compliance. 5-10-19: Inspection done. Still out of compliance. Summons and Complaint filed. 7-30-19: Owner filed answer. 8-21-20: Stipulation filed with the court prior to trial. Site must be compliant with stip by 12-1-20.</td>
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<tr>
<td>WHITEWATER</td>
<td>Darrin</td>
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<td></td>
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</table>
NO

➢ SANITATION

➢ LAND CONSERVATION

CITATION LIST
FOR
OCTOBER
2020
APPLICATION TO AMEND AN EXISTING CONDITIONAL USE PERMIT

The undersigned hereby applies to the Walworth County Zoning Agency pursuant to Division 4.0 of Chapter 74 of the Walworth County Code of Ordinances (Zoning / Shoreland Zoning) for AMENDMENT TO AN EXISTING CONDITIONAL USE APPLICATION and represents as follows:

OWNER OF SITE: Michael Fields Agricultural Institute
ADDRESS: N 8030 Townline Road, PO Box 990, East Troy, WI

APPLICANT (If other than owner): BLDG Orange LLC DBA The Hive Taproom
ADDRESS: 12463 Co. Rd. ES, East Troy WI 53120

PHONE NUMBER (Owner): 262-649-3303
PHONE NUMBER (Applicant): (262) 812-6883

TAX KEY NUMBER OF SITE: PA120200002

LEGAL DESCRIPTION OF SITE: Winery

ZONING DISTRICT: A-4
TYPE OF STRUCTURE: Commercial Building
USE OF STRUCTURE OR SITE IN DETAIL (including proposed amendment):
- Proposed amendment: Food truck, 25% outdoor square footage & outdoor music.

ONLY TO BE COMPLETED IF THE CONDITIONAL USE IS IN AN A-1 ZONING DISTRICT:
I understand that if a non-agricultural conditional use is granted in the A-1 zoning district that has been enrolled in the Farmland Preservation Tax Credit Program, there may be a payback of credits received due to the State of Wisconsin.

PROPERTY OWNER'S SIGNATURE

The following information must be contained in the file before this application will be placed on the Committee agenda for review. (Refer to Division 4.0 of Chapter 74 if applicable.)
- Plat of survey or scale map of subject site.
- Site Plan showing location of buildings, roads and other pertinent facilities.
- Highway access locations.
- Drainage plan.
- Waste Disposal Plan.
- Operational Plan (including description of proposed amendment).
- Number of employees or users to be accommodated.
- Special plans required to specific operation to control the following:
  - Screening, tree cutting, earthmoving, dust, noise, odors, air and water pollution, fire, explosion, glare, heat, radioactivity, electrical disturbance or vibration.

DATE: 9-29-2020 SIGNED

Fee: ___ (see schedule)

APPLICATIONS SHALL BE ACOMPANIED BY A RECOMMENDATION FROM THE TOWNSHIP. ATTACH THE LETTER OF RECOMMENDATION TO THIS APPLICATION.

The Walworth County Land Zoning Agency may request more information if deemed necessary to properly evaluate your request. LACK OF INFORMATION REQUESTED MAY IN ITSELF BE SUFFICIENT CAUSE TO DENY AMENDMENT TO AN EXISTING CONDITIONAL USE.

Any changes to the character, intensity or use of this site not capable of being discerned by the Land Use and Resource Management Department as consistent with information provided at the original public hearing and the existing conditional use approval must be brought back before the Walworth County Zoning Agency for new conditional use hearing.

Applicants shall schedule a pre-application review of their completed application prior to submittal to the Walworth County Land Use and Resource Management Department. If you have any questions regarding the procedure, please contact the office at 262-741-4972.
CERTIFIED SURVEY MAP NO.

BEING A RE-DIVISION OF LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NUMBER 1202, LOCATED IN PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 4 NORTH, RANGE 18 EAST, TOWN OF EAST TROY, WALWORTH COUNTY, WISCONSIN.

WALWORTH COUNTY LAND USE
RESOURCE MANAGEMENT DEPT.

CZA October 15, 2020
Proposed Concrete Pad & Pergola
- Outside Amplified Music
- Food Truck

RECEIVED
SEP 3 0 2020
WALWORTH COUNTY LAND USE
RESOURCE MANAGEMENT DEPT.

Outdoor Seating
25' x 25'
625 ft²

Outdoor Patio Seating

Storage

Utility

Air Conditioners

Fencing

Food Truck Parking
Michael Fields Agricultural Institute
The Hive Taproom
Amend of CU
Section 30, East Troy Township
Zoning Map

Approved Outdoor Service Areas

New Additional Outdoor service area And Proposed Pergola
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION: Land Use Plan Amendment

NAME: Arthur W. Zabierek Revocable Trust

LOCATION: The property of concern is located in the NE ¼ of Section 32, Lyons Township and is identified as the AG1 portion of Tax Parcel N LY3200001.

TOWN RESPONSE: Approved __ X__ Denied: ______ No Action: ___ Tabled_____

LAND USE PLAN land use categories change:

The existing land use category is AG1 Other Agricultural Rural Residential and Other Open Lands (five to 34 acres per dwelling) and is proposed to be amended to the R Recreational Land Use Category.

ZONING:

The property is zoned M-3 Mineral Extraction District, R-5 Planned Residential Development District and C-1 and C-4 Non-Shoreland and Shoreland Wetland Districts.

PROJECT DESCRIPTION:

The application indicates: The property owner is proposing a Land Use Plan Map Amendment (LUPMA) from the AG1 Other Agricultural Rural Residential and Other Open Lands (five to 34 acres per dwelling) to the R Recreational Land Use Category in order to obtain a future rezone from R-5 and M-3 to P-1 with a conditional use to construct an indoor firing arms shooting range. The shooting range is proposed to include a retail area, training classrooms and a dining establishment to serve the customers of the range. The mission of the business would be to provide a community focused educational facility for developing and promoting the sport of shooting within a safe and controlled environment.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north of the property are lands in the PEC and RU land use categories.
To the east is land in the PEC and AG1 land use categories.
To the south and west are lands in the PEC land use categories.

SITE CHARACTERISTICS: The following soil types are found on this site: %Soils

CeB2 Class III Casco Loam, 2 to 6% slope, eroded 20%
CeC2 Class IV Casco Loam, 6 to 12% slope, eroded 20%
CrD2 Class VI Casco loam, 12 to 20% slopes, eroded 30%
CIC2 Class IV Casco-Fox silt loams, 6 to 12% slope, eroded 20%
The area of the Land Use Map Amendment contains 30% prime farm soils.

**IMPACT ON ROADS AND TRAFFIC:**

The site is served by Hwy 50 to the north of the parcel.

**OTHER RELEVANT DATA – RECOMMENDATIONS:**

**APPLICATION STATUS: ____X_____COMPLETE ________INCOMPLETE**

The site is steep sloped and contains 70% non-prime farm soils. A decision to change the land use category to facilitate a rezone from M-3 to P-1 could be considered a down zoning as the property was zoned R-5 prior to being rezoned to the M-3 Mineral Extraction District for a material borrow for a Hwy 50 project which never used the site.
Arthur Zabierek Revocable Trust
Comp. Plan Map Amend
AG1 to R Land Use Category
Section 32, Lyons Township
Land Use Plan Map
AG1 to R Land Use Category
Section 32, Lyons Township
Zoning Map
Arthur Zabierek Revocable Trust
Comp. Plan Map Amend
AG1 to R Land Use Category
Section 32, Lyons Township
Soils and Topo Map
Arthur Zabierek Revocable Trust Comp. Plan Map Amend AG1 to R Land Use Category Section 32, Lyons Township Site Plan
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION: __X____ REZONE

_________CONDITIONAL USE

NAME: Michael Fields Agricultural Institute – Owner

LOCATION: The property of concern is located in the NW ¼ of Section 30, East Troy Township and is identified a part of Tax Parcel PA120200001

TOWN RESPONSE: Approved __X__ Denied: _____ No Action: ___ Tabled____

ZONING: The property of concern is zoned P-2 Institutional Park District.

The requested zoning is B-2 General Business District. The rezone is accompanied by a conditional use petition for a Planned Unit Development with Church use.

PROJECT DESCRIPTION:

The application indicates: The property owner is requesting to rezone approximately 2.3 acres being all of the P-2 Institutional Park District zoned property on the parcel to the B-2 General Business District in order to obtain a conditional use permit approval for a Planned Unit Development (PUD) for multiple offices, businesses and retail uses on site including use by a church. The property is intended to be transferred to the Yggdrasil Land Foundation. Michael Fields Agricultural Institute Inc. would continue to be a tenant user of the site along with multiple other proposed businesses and a church with up to 40 people.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Walworth County 2050 Land Use Plan identifies this area as the G Governmental and Institutional land use categories for the rezone area and PEC Primary Environmental Corridor in the wetland portion of the property.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north is property zoned R-1 and the Village of East Troy.
To the east are properties zoned A-4.
To the west is land zoned A-2
To the south is property zoned C-4, C-1 and A-1.
SITE CHARACTERISTICS: The following soil types are found on this site:

- WhB Class II Warsaw silt loam, 2 to 6% slope
- WhA Class II Warsaw silt loam, 0 to 2% slope
- Ac Class IV Adrian muck

IMPACT ON ROADS AND TRAFFIC:

The site is served by a two private drive off of Townline road to the west of the parcel. One paved drive and one gravel drive.

OTHER RELEVANT DATA – RECOMMENDATIONS:

The barn would have to obtain variances for changing the zone district and use of the building.

Proposed church would be a change of use. Structures with a change of use not meeting the required setbacks would require a variance from the Board of Adjustment. Depending on the structure that is going to be used for church activities a variance may be needed as the Zoning Ordinance states church structures shall not be less than 50 ft. from any lot line. The site plan needs to show the location, seating capacity and size of church use area. Parking and any possible signage for the church shall be required to be shown on the site plan and demonstrate both shall adhere to the Zoning Ordinance standards.

The area for the retail space would have to be shown on the site plan so as to come up with the proper parking requirements. The park would also need to be shown on the plan. If the retail space for the farming and gardening is on the neighboring property in the A-4 zoned area then a separate conditional use for a Farmer’s Market would be required.

Wedding and events (Public Assembly Uses) have not been reviewed as the narrative stated they are not being done at this time.

All uses proposed under a PUD conditional use must be defined so that proper parking and setbacks can be known. The parking lot should be drawn out showing the layout of the drives, stalls, and size. Each stall has to be at least 180 sq. ft. and the drives at least 24 ft. wide. Parking in a B-2 district is required to be setback 25 feet from the road right of way and 25 ft. from any residential (i.e. R-1) zoned property.

A septic designer must evaluate the existing septic systems for each building based on current use and proposed use. The Sanitation Department will need to be provided a baseline showing what is existing vs. what may be needed based on the proposed uses. The proposed tenants/ businesses create different waste flows/ waste streams that need to be taken into account to ensure any current or proposed system can handle these wastes. Anytime change or modify of the waste flows are proposed by change of the uses on site such as in this case, there needs to be documentation showing the existing septic systems can handle the proposed modifications.

A proposed four lot certified survey map of approximately 20 acres of Michael Fields Agricultural Institute property was submitted August 28, 2019. A conditional CSM approval letter was sent September 11, 2019. This conditional approval required several items to be addressed before providing a revised copy for final review and approval. The CSM will need to be approved prior to action on the rezone and conditional use.
On June 1, 2020 LURM received an email from the surveyor including a draft copy of the CSM with revisions for review. Some additional minor changes still needed to be made. In addition, this draft had changed the proposed CSM from 4 lots to 3 lots. That change will require the proposed CSM to go back through the review process at the State of Wisconsin Department of Administration. The applicants must reach out to the Town of East Troy and the Village of East Troy to determine if the Town and/or Village feels they need to re-review a change of that type.

The request for a Planned Unit Development (PUD) which includes Commercial land uses in the Governmental and Institutional land use area will need to be justified as consistent with the Land Use Plan prior to County action on the rezone petition.

In order to review a conditional use petition LURM must have a plan of the areas to be used by the various uses. The area may not be labeled as likely or potential. If a conditional use permit is issued for areas designated on the site plan and the designated areas change then an amendment to the conditional use for the PUD would be required at the time of the proposed change.

The asphalt within the 25 foot setback from the R-1 zoned area labeled on the site plan as pavement to be removed should be drawn as removed rather than to be removed and if the asphalt is still present then have it removed prior to the hearing on the rezone and conditional use.

There is a 100 year floodplain boundary line extending to the east side of the barn along a drainage channel that may or may not be present on site. Explanation of the drainage along this area will need to be provided prior to a decision on the rezone and conditional use.

APPLICATION STATUS: __________COMPLETE  ____X_____INCOMPLETE
the summer of 2020. YLF is seeking to rezone the western 2.04 acres, currently P2, to B2 and has received approval from the Town of East Troy to do so (letter from the town has been submitted previously). In addition, Yggdrasill is requesting two Conditional Use Permits:

1) Planned Unit Development for multiple business tenants
2) Church conditional use for up to 40 people

Figure 2: Survey Map showing the remaining 8.87 acres that will transfer to Yggdrasil Land Foundation in summer 2020. Approximately 2.04 acres is zoned P2, and applicant is requesting this portion to be zoned B2. See full CSM attached.

The transfer of the 8.87 acres to YLF is taking place because a) MFAI no longer needs the whole campus to carry out their work b) MFAI is presently unable to make the necessary investments in deferred maintenance that are needed on the campus and c) because all parties concur that a new vision is needed for the campus. MFAI will continue as one tenant on the campus and YLF will make major investments in upgrades and needed repairs.
Michael Fields Agricultural Institute

Rezone and CU
P-2 to B-2 W/
CU for PUD and Church
Section 30, East Troy Township
Zoning Map
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION:  _______ REZONE  
___X___ CONDITIONAL USE

NAME: Michael Fields Agricultural Institute – Owner

LOCATION: The property of concern is located in the NW ¼ of Section 30, East Troy Township and is identified a part of Tax Parcel PA120200001

TOWN RESPONSE: Approved ___X___ Denied: ______ No Action: ___ Tabled____

ZONING: The property of concern is zoned P-2 Institutional Park District. The requested zoning is B-2 General Business District. The rezone is accompanied by a conditional use petition for a Planned Unit Development with Church use.

PROJECT DESCRIPTION:

The application indicates: The property owner is requesting to rezone approximately 2.3 acres being all of the P-2 Institutional Park District zoned property on the parcel to the B-2 General Business District in order to obtain a conditional use permit approval for a Planned Unit Development (PUD) for multiple offices, businesses, commercial kitchen rental and retail uses on site including use by a church. The property is intended to be transferred to the Yggdrasil Land Foundation. Michael Fields Agricultural Institute Inc. would continue to be a tenant user of the site along with multiple other proposed businesses and a church with up to 40 people.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Walworth County 2050 Land Use Plan identifies this area as the G Governmental and Institutional land use categories for the rezone area and PEC Primary Environmental Corridor in the wetland portion of the property.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north is property zoned R-1 and the Village of East Troy. To the east are properties zoned A-4. To the west is land zoned A-2. To the south is property zoned C-4, C-1 and A-1.
SITE CHARACTERISTICS: The following soil types are found on this site:

- WhB Class II Warsaw silt loam, 2 to 6% slope
- WhA Class II Warsaw silt loam, 0 to 2% slope
- Ac Class IV Adrian muck

IMPACT ON ROADS AND TRAFFIC:

The site is served by a two private drive off of Townline road to the west of the parcel. One paved drive and one gravel drive.

OTHER RELEVANT DATA – RECOMMENDATIONS:

The barn would have to obtain variances for changing the zone district and use of the building.

Proposed church would be a change of use. Structures with a change of use not meeting the required setbacks would require a variance from the Board of Adjustment. Depending on the structure that is going to be used for church activities a variance may be needed as the Zoning Ordinance states church structures shall not be less than 50 ft. from any lot line. The site plan needs to show the location, seating capacity and size of church use area. Parking and any possible signage for the church shall be required to be shown on the site plan and demonstrate both shall adhere to the Zoning Ordinance standards.

The area for the retail space would have to be shown on the site plan so as to come up with the proper parking requirements. The park would also need to be shown on the plan. If the retail space for the farming and gardening is on the neighboring property in the A-4 zoned area then a separate conditional use for a Farmer’s Market would be required.

Wedding and events (Public Assembly Uses) have not been reviewed as the narrative stated they are not being done at this time.

All uses proposed under a PUD conditional use must be defined so that proper parking and setbacks can be known. The parking lot should be drawn out showing the layout of the drives, stalls, and size. Each stall has to be at least 180 sq. ft. and the drives at least 24 ft. wide. Parking in a B-2 district is required to be setback 25 feet from the road right of way and 25 ft. from any residential (i.e. R-1) zoned property.

A septic designer must evaluate the existing septic systems for each building based on current use and proposed use. The Sanitation Department will need to be provided a baseline showing what is existing vs. what may be needed based on the proposed uses. The proposed tenants/ businesses create different waste flows/waste streams that need to be taken into account to ensure any current or proposed system can handle these wastes. Anytime change or modify of the waste flows are proposed by change of the uses on site such as in this case, there needs to be documentation showing the existing septic systems can handle the proposed modifications.

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The request for a Planned Unit Development (PUD) which includes Commercial land uses in the Governmental and Institutional land use area will need to be justified as consistent with the Land Use Plan prior to County action on the rezone petition.

In order to review a conditional use petition LURM must have a plan of the areas to be used by the various uses. The area may not be labeled as likely or potential. If a conditional use permit is issued for areas designated on the site plan and the designated areas change then an amendment to the conditional use for the PUD would be required at the time of the proposed change.

The asphalt within the 25 foot setback from the R-1 zoned area labeled on the site plan as pavement to be removed should be drawn as removed rather than to be removed and if the asphalt is still present then have it removed prior to the hearing on the rezone and conditional use.

There is a 100 year floodplain boundary line extending to the east side of the barn along a drainage channel that may or may not be present on site. Explanation of the drainage along this area will need to be provided prior to a decision on the rezone and conditional use.

APPLICATION STATUS: ________COMPLETE  ____X_____INCOMPLETE

General:

1. Approved per plans submitted for a Planned Unit Development (PUD) for multiple offices, businesses, commercial kitchen rental and retail uses on site including use by a church with all additional conditions.

2. All uses shall be located as defined on the plan of operations.

3. This conditional use contains an overall umbrella approval for the PUD for multiple offices, businesses, commercial kitchen rental and retail uses on site including use by a church on one parcel and an individual conditional use for each enterprise. Enforcement actions may be taken on the PUD as a whole or the conditional use approvals individually.

4. No business activities other than specified in the plan of operations may be conducted from out of the multiple offices, businesses, commercial kitchen rental and retail uses on site including use by a church.

5. The site shall meet all applicable Federal, State, County and local regulations.

6. The applicant must obtain all required zoning permits including sign permits.

7. No filling shall be allowed in any wetland areas.

8. No filling shall occur on site without a site grading plan and proper permit approval.
9. All areas shall be kept neat, clean and mowed.

10. All outside lighting shall be shielded and directed on site.

11. No fuel storage shall be located on site.

12. Access approval must be obtained from the Town of East Troy and be submitted for the conditional use file prior to operation on site.

13. All cars and trucks shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking shall be properly install prior to use of the site.

14. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land Disturbance, Erosion Control and Stormwater Management standards contained in Section 26 of the Walworth County Code of Ordinances.

15. The hours of operation shall be from 6:00 a.m. to 9:00 p.m.

16. No outside storage of building construction equipment or materials shall be allowed on site at the conclusion of building construction for the project.

17. The owner/applicant must obtain County Land Conservation Office approval of a spill prevention plan (SPP) and a stormwater pollution prevention plan for this site if require by ordinance.

18. No burning of waste materials shall occur on site.

19. The property owner must maintain adequate liability insurance during use of the property and keeps the insurance current during the life of this conditional use.

20. The owners of the property shall release, indemnify and hold harmless Walworth County, the Town of Linn and their agents and employees from all liability, claims, demands, causes of action, costs, or losses for personal injuries, property damage or loss of life or property prior to this conditional use being valid.

21. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

22. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals. Both office building and mini-warehouse storage building construction must be occurring in order to be considered exercising this conditional use.

Specific:
23. There shall be no through access from other property outside of the lot development allowed on the private drive without additional Town and County approval.

24. The property owner must obtain specific Town approval for the type of surface to be installed for the drives providing access to the facilities.
White Barn: 2925 rentable square feet

2nd floor (Main Floor)
Offices: 450 sq feet

3rd floor Offices: 475 sq feet

Lower level Offices: 2000 sq
VII. Floodplain/drainage

There is a small section of 100-year flood plain that extends north into the P2 parcel, along the east side of the main building (pictured in blue outline below). We are aware of this issue and will not alter the floodplain area without first consulting with zoning officials. Currently, this is a somewhat wet area and water drains south to Honey Creek, as indicated with the orange arrow.

VIII. Septic and Fire Considerations

We will be consulting with County Sanitation and Fire officials to ensure that we are in compliance in those areas.

IX. Parking Needs and Plan

Please see the attached Parking Plan from Kapur, showing 36 spaces. Parking calculations are as follows:
### Parking Calculations

<table>
<thead>
<tr>
<th>Main Building</th>
<th>Total Sq feet</th>
<th>Office</th>
<th>Lab</th>
<th>Church</th>
<th>Commercial Kitchen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Kitchen</td>
<td>500</td>
<td></td>
<td></td>
<td></td>
<td>2 FTE employees</td>
</tr>
<tr>
<td>1st Floor Office</td>
<td>840</td>
<td>840</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2nd floor office</td>
<td>1300</td>
<td></td>
<td>1300</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2nd floor Meeting space</td>
<td>1500</td>
<td></td>
<td></td>
<td></td>
<td>40 attendees</td>
</tr>
<tr>
<td>Mezzanine</td>
<td>780</td>
<td></td>
<td>780</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Basement Lab</td>
<td>2000</td>
<td></td>
<td></td>
<td></td>
<td>2 employees</td>
</tr>
<tr>
<td><strong>White Barn:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lower level</td>
<td>2000</td>
<td>2000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Second Floor</td>
<td>450</td>
<td></td>
<td>450</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Third floor</td>
<td>475</td>
<td></td>
<td>475</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sq footage:</th>
<th>Office</th>
<th>Lab</th>
<th>Church</th>
<th>Commercial Kitchen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Calculation</td>
<td>5845</td>
<td>2 employees</td>
<td>40 attendees</td>
<td>2 FTE employees</td>
</tr>
<tr>
<td>1 stall per 300 ft²</td>
<td>1 stall for each 3 employees</td>
<td>1 stall for each 5 seats (Sunday only)</td>
<td>1 stall for each 3 employees</td>
<td></td>
</tr>
<tr>
<td>Stalls</td>
<td>19.5</td>
<td>0.7</td>
<td>8.0</td>
<td>0.7</td>
</tr>
</tbody>
</table>

Total Stalls Calculated: 28.82
Round up: 29

### XI. Our Requests

1. Rezone of P2 to B2 for PA120200001.
2. CUP for Planned Unit Development
3. CUP for a Church

**Contact:**
Darrell Smith and Robert Karp, Project Manager/Consultants for Yggdrasil Land Foundation
naturalo@sbcglobal.net  Cell: 414-313-4323

**RECEIVED**
JUL 08 2020
WALWORTH COUNTY LAND USE RESOURCE MANAGEMENT DEPT.
CERTIFIED SURVEY MAP NO. 

BEING A RE-DIVISION OF LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 1262, LOCATED IN PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 4 NORTH, RANGE 18 EAST, TOWN OF EAST TROY, WALWORTH COUNTY, WISCONSIN.
CERTIFIED SURVEY MAP NO. ___

BEING A RE-DIVISION OF LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 1202, LOCATED IN PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 4 NORTH, RANGE 18 EAST, TOWN OF EAST TROY, WALWORTH COUNTY, WISCONSIN.

SURVEYORS CERTIFICATE:
I, Michael A. Greeson, professional land surveyor, hereby certify: That in full compliance with the provisions of Chapter 236.34 of the Wisconsin Statutes and the subdivision regulations of the Town of East Troy and the County of Walworth, and under the direction of Perry Brown, I have surveyed, divided and mapped this Certified Survey Map; that such map correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is located in part of the Northwest 1/4 and Southwest 1/4 of Section 30, Township 4 North, Range 18 East, Town of East Troy, Walworth County, Wisconsin, containing approximately 21.26 acres of land to the center of Honey Creek and described as follows: All that part of Lots 1 and 2 of Certified Survey Map number 1202 as previously recorded in Volume 5, CS page 288, Walworth County Register of Deeds office and additional lands located in part of the Northwest 1/4 of Section 30, Township 4 North, Range 18 East, Town of East Troy, Walworth County, Wisconsin. Being further described as follows: Commencing at the Concrete Monument marking the Northwest corner of the Northwest 1/4 of Section 30; thence along the West line of said Northwest 1/4 S00°06'57''E, 706.18' to the intersection of said West line and the South Right of Way for C.T.H. "ES"; thence N81°59'03''E, 25.25' to the point of beginning; thence continuing along said South Right of Way Line N81°59'03''E, 1235.53' to the Northeast corner of Lot 2, Certified Survey Map No. 1202; thence along the East line of said Lot 2 S00°18'00''E, 512.19' to a found 1" iron pipe; thence N81°36'00''E, 120.11' to a found 1" iron pipe; thence S00°18'00''E along said East line of Lot 2 Certified Survey Map No. 1202, 212.36' to the centerline of Honey Creek; thence Westerly along the centerline of said Honey Creek to a point that is S00°06'57''E, 695.27' from said point of beginning, said point being on the Easterly line of Right of Way for Town line Road; thence N00°06'57''W along said Easterly Right of Way, 896.27' to the point of beginning. Said area containing 21.26 acres more or less to the centerline of Honey Creek.

Dated this 7th day of July, 2020.

Michael A. Greeson, P.L.S. # 2770

Corporate Owner’s Certificate
Michael Fields Agricultural Institute, INC., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said corporation described on this plat to be surveyed, divided, mapped, and dedicated as represented on this plat.

Michael Fields Agricultural Institute, INC., does further certify that this plat is required to be submitted to the following for approval or objection: Town of East Troy, Village of East Troy and Walworth County.

IN WITNESS WHEREOF, the said Michael Fields Agricultural Institute, INC. has caused these presents to be signed by Perry Brown, Executive Director, and countersigned by Jamshed Patel, its secretary/Treasurer, at _____________, Wisconsin, and its corporate seal to be hereunto affixed on this ___ day of ___ , 2020. In the presence of: Michael Fields Agricultural Institute, INC.

Perry Brown, Executive Director

Countersigned; _____________ Jamshed Patel, Secretary/Treasurer.

Corporate Owner’s Notary Certificate
STATE OF WISCONSIN
_________________________ (County) SS

Personally came before me this ___ day of __________, 2020.

Perry Brown, Executive Director, and Jamshed Patel, Secretary/Treasurer of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such Executive Director and Secretary/Treasurer of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

Notary Seal

Notary Public: _____________, Wisconsin

My commission expires _____________.

RECEIVED

V2G SURVEYING, LLC

WALWORTH COUNTY LAND USE
RESOURCES MANAGEMENT DEPT.

JUL 08 2020

SHEET 5 OF 6

DRAFT DATE: 07/08/2020
V2G JOB NO.: 2016-196
CERTIFIED SURVEY MAP NO. ______

BEING A RE-DIVISION OF LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 1202, LOCATED IN PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 4 NORTH, RANGE 18 EAST, TOWN OF EAST TROY, WALWORTH COUNTY, WISCONSIN.

TOWN OF EAST TROY BOARD APPROVAL CERTIFICATE:

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE TOWN BOARD OF THE TOWN OF EAST TROY,

ON THIS ______DAY OF ______, 2020.

JOSEPH KLARKOWSKI, CHAIRMAN
KIM BUCHANAN, CLERK

VILLAGE OF EAST TROY EXTRATERRITORIAL APPROVAL CERTIFICATE:

THIS CERTIFIED SURVEY MAP BEING LOCATED IN THE TOWN OF EAST TROY AND WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE VILLAGE OF EAST TROY IS HEREBY APPROVED BY THE VILLAGE OF EAST TROY,

ON THIS ______DAY OF _______, 2020.

SCOTT SEAGER, PRESIDENT

WALWORTH COUNTY ZONING AGENCY APPROVAL CERTIFICATE:

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE WALWORTH COUNTY ZONING AGENCY, ON


RICK STACEY, CHAIRMAN

RECEIVED
JUL 08 2020

WALWORTH COUNTY LAND USE
RESOURCE MANAGEMENT DEPT.

V²G
SURVEYING, LLC

SHEET 6 OF 5
DRAFT DATE: 07/05/2020
V2G JOB NO.: 2018-196
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION:  ___X____REZONE

________CONDITIONAL USE

NAME: Thomas Weber - Owner

LOCATION: The property of concern is located in the SE ¼ and NE ¼ of Sections 17 and 20 respectively of LaFayette Township and is identified a Tax Parcel K LF2000001 and part of Tax Parcel K LF1700006A.

TOWN RESPONSE:  Approved__X__ Denied: ______ No Action: ___ Tabled____

ZONING: The property of concern is zoned M-3 Mineral Extraction District.

The requested zoning is A-4 Agricultural Related Manufacturing, Warehousing and Marketing District and A-2 Agricultural District.

PROJECT DESCRIPTION:

The application indicates: The property owner is requesting review and approval to rezone approximately 6.68 acres of M-3 Mineral Extraction District to the A-4 Agricultural Related Manufacturing, Warehousing and Marketing District for the creation of a contractor storage yard for a landscaping, lawn maintenance and snow removal business with conditional use approval called Weber Landscaping. The request also includes a rezone of 40 acres of M-3 Mineral Extraction District to the A-2 Agricultural Land District to return the reclaimed 40 acres back to agricultural use. The site would be used by the Weber family members and one other employee. There would be storage of some extra equipment, trailers and trucks on site. The trucks would be in compliance with Town road limits. Some sand, stone, salt, topsoil, firewood, logs, mulch and wood chips would be stored on the storage yard site. Salt would be stored in a concrete wall and floor structure with heavy steel hoops and heavy fabric covering. Hour of operation would be from 7:00 a.m. to 5:00 p.m. When it snows the owner, owner’s son and possibly one other employee would leave in plow trucks with salt to the Milwaukee, Waukesha, Washington and Ozaukee County areas and come back when the storm is done. There are no customers in the Walworth County area.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Walworth County 2050 Land Use Plan identifies this area as the E Extractive land use categories.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north is property zoned C-4.
To the east is property zoned C-4, A-2, C-2 and M-3.
To the west is land zoned M-3.
To the south is property zoned M-3 and A-1.

SITE CHARACTERISTICS: The following soil types are found on this site:

GP Gravel Pit

IMPACT ON ROADS AND TRAFFIC:

The site is served by a private easement and private road off of Potter Road to the south of the parcel.

OTHER RELEVANT DATA – RECOMMENDATIONS:

The Land Use Plan 2050 allows A-4 zoning in the AP Prime Agricultural land use category area so the Committee may make inference that the A-4 zoning would also be allowed in the E Extractive land use category and be consistent with the Land Use Plan.

APPLICATION STATUS: _____X____ COMPLETE  _____INCOMPLETE
EXHIBIT "A"
FOR: AREA TO BE REZONED A-4

BEING UNPLATTED LANDS LYING WITHIN AND BEING A PART OF THE SOUTHEAST 1/4 OF THE
SOUTHEAST 1/4 OF SECTION 17, AND THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 20,
ALL BEING IN TOWN 3 NORTH, RANGE 17 EAST, TOWN OF LAFAYETTE, WALWORTH COUNTY,
WISCONSIN

EXISTING ZONING: M-3
PROPOSED ZONING: A-4

LEGAL DESCRIPTION
BEING UNPLATTED LANDS LYING WITHIN AND BEING A PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST
1/4 OF SECTION 17, AND THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 20, ALL BEING IN
TOWN 3 NORTH, RANGE 17 EAST, TOWN OF LAFAYETTE, WALWORTH COUNTY, WISCONSIN. SAID LANDS
TO BE REZONED ARE BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE CONCRETE MONUMENT WITH ALUMINUM CAP MARKING THE NORTHEAST CORNER
OF AFORESAID SECTION 20; THENCE S 89°29’18” W, A DISTANCE OF 175.00 FEET TO A POINT;
THENCE S 50°24’58” W, A DISTANCE OF 499.49 FEET TO A POINT; THENCE S 02°11’09" E, A DISTANCE OF
100.28 FEET TO A POINT; THENCE S 89°29’18” W, A DISTANCE OF 300.00 FEET TO A POINT; THENCE N
02°11’09" W, A DISTANCE OF 315.26 FEET TO A POINT; THENCE N 89°29’18” E, A DISTANCE OF 422.56 FEET
TO A POINT; THENCE N 02°31’03” W, A DISTANCE OF 425.00 FEET TO A POINT; THENCE N 89°29’18” E, A
DISTANCE OF 450.00 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF AFORESAID
SECTION 17; THENCE S 02°31’03” E ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF AFORESAID
SECTION 17, A DISTANCE OF 325.00 FEET TO AFORESAID CONCRETE MONUMENT WITH ALUMINUM CAP
AND THE POINT OF BEGINNING OF LANDS HEREIN DESCRIBED. SAID DESCRIBED LANDS CONTAINING
290,970 S.F. (6.6798 ACRES), MORE OR LESS OF LAND.

PROPERTY TO BE REZONED
Part of Tax Keys:
K LF2000001
K LF1700006A

EXISTING ZONING: M-3
PROPOSED ZONING: A-4

James R. Beaty, PLS 1834
DATED: JANUARY 15, 2020

PREPARED BY / SURVEYOR:
Horizon Land Development Services, LLC
W313 S2562 Penny Lane
Wales, Wisconsin 53183
1-262-349-1575

THIS INSTRUMENT WAS DRAFTED BY JAMES R. BEATY PLS PAGE 2 OF 3
EXHIBIT "A"
FOR: AREA TO BE REZONED

BEING UNPLATTED LANDS LYING WITHIN AND BEING A PART OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4
OF THE NORTHEAST 1/4 OF SECTION 20, TOWN 3 NORTH, RANGE 17 EAST, TOWN OF LAFAYETTE, WALWORTH
COUNTY, WISCONSIN

LOT 1
CSM 4579
KA457600001

UNPLATTED LANDS
K LF-2000028

3/4" lr
FND

N89°9'21.7"W 128.33'

E, LINE
NE 1/4
SEC 20-3-17

3/4" lr
FND

W, LINE
NW 1/4
SEC 21-3-17

N89°9'21.7"W 128.33'

LEGEND

× OR ¼ SECTION CORNER
AS DESCRIBED

• 17/8-0.315 O.D. IRON FND
(UNLESS OTHERWISE NOTED)

• 3/4" O.D. IRON ROD SET
(UNLESS OTHERWISE NOTED)

50 ft. access easement

AREA TO BE REZONED A2
(40.063 Acres)

AREA TO BE REZONED A4

17/8-0.315 O.D. IRON FND

E9°29'18"W 422.36'

This instrument was drafted by James R. Beaty

LOT 1
CSM 4906

UNPLATTED LANDS (M-3)
K LF2100005

PAGE 2 OF 2
EXHIBIT "A"
FOR: AREA TO BE REZONED

BEING UNPLATTED LANDS LYING WITHIN AND BEING A PART OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 20, TOWN 3 NORTH, RANGE 17 EAST, TOWN OF LAFAYETTE, WALWORTH COUNTY, WISCONSIN

EXISTING ZONING: M-3
PROPOSED ZONING: A-2

LEGAL DESCRIPTION
BEING UNPLATTED LANDS LYING WITHIN AND BEING A PART OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 20, TOWN 3 NORTH, RANGE 17 EAST, TOWN OF LAFAYETTE, WALWORTH COUNTY, WISCONSIN. SAID LANDS TO BE REZONED ARE BOUNDED AND DESCRIBED AS FOLLOWS: (see graphics on Exhibit "A" page 2)

COMMENCING AND BEGINNING AT THE CONCRETE MONUMENT WITH ALUMINUM CAP MARKING THE NORTHEAST CORNER OF AFORESAID SECTION 20; THENCE S 02°11'09" E ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF AFORESAID SECTION 20, A DISTANCE OF 1469.95 FEET; THENCE N 88°59'21" W, A DISTANCE OF 1328.53 FEET TO THE SOUTHEAST CORNER OF LOT 1 OF CSM 4579; THENCE N 02°40'25" W, A DISTANCE OF 1435.05 FEET TO A POINT; THENCE N 89°29'18" E, A DISTANCE OF 889.25 FEET TO A POINT; THENCE S 02°31'03" E., A DISTANCE OF 100.00 FEET; THENCE S 89°29'18" W, A DISTANCE OF 422.56 FEET TO A POINT; THENCE S 02°11'09" E, A DISTANCE OF 315.26 FEET TO A POINT; THENCE N 89°29'18" E, A DISTANCE OF 300.00 FEET TO A POINT; THENCE N 02°31'03" W, A DISTANCE OF 100.28 FEET; THENCE N 50°24'58" E, A DISTANCE OF 499.49 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST 1/4 OF AFORESAID SECTION 20; THENCE N 89°29'18" W, A DISTANCE OF 175.00 FEET TO THE NE CORNER OF SECTION 20, TOWN 3 NORTH, RANGE 17 EAST AND THE POINT OF BEGINNING OF LANDS HEREIN DESCRIBED. SAID DESCRIBED LANDS CONTAINING 1,744,983 S.F. (40.0593 ACRES), MORE OR LESS OF LAND.

PROPERTY TO BE REZONED
Part of Tax Key: K LF2000001
EXISTING ZONING: M-3
PROPOSED ZONING: A-2

LOCATION MAP

James R. Beaty, PLS 1834
DATED: SEPTEMBER 08, 2020

PREPARED BY / SURVEYOR:
Horizon Land Development Services, LLC
W313 S2562 Penny Lane
Wales, Wisconsin 53183
1-262-349-1575

THIS INSTRUMENT WAS DRAFTED BY JAMES R. BEATY PLS PAGE 1 OF 2

CZA October 15, 2020
Thomas Weber – Owner
Rezone M-3 to A-4 and A-2
W/ CU for Contractor Storage
Section 17 & 20 LaFayette Township
Zoning Map
Thomas Weber – Owner
Rezone M-3 to A-4 and A-2
W/ CU for Contractor Storage
Section 17 & 20 LaFayette Township
Land Use Plan Map
Thomas Weber – Owner
Rezone M-3 to A-4 and A-2
W/ CU for Contractor Storage
Section 17 & 20 LaFayette Township
Soils & Topo Map
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION:  

_____ REZONE  

___X ___CONDITIONAL USE

NAME:  Thomas Weber - Owner

LOCATION:  The property of concern is located in the SE ¼ and NE ¼ of Sections 17 and 20 respectively of LaFayette Township and is identified a Tax Parcel K LF2000001 and part of Tax Parcel K LF1700006A.

TOWN RESPONSE:  Approved ___X__  Denied: ______  No Action: ___  Tabled_____

ZONING:  The property of concern is zoned M-3 Mineral Extraction District.

The requested zoning is A-4 Agricultural Related Manufacturing, Warehousing and Marketing District and A-2 Agricultural District.

PROJECT DESCRIPTION:

The application indicates:  The property owner is requesting review and approval to rezone approximately 6.68 acres of M-3 Mineral Extraction District to the A-4 Agricultural Related Manufacturing, Warehousing and Marketing District for the creation of a contractor storage yard for a landscaping, lawn maintenance and snow removal business and caretaker’s quarters with conditional use approval called Weber Landscaping.  The request also includes a rezone of 40 acres of M-3 Mineral Extraction District to the A-2 Agricultural Land District to return the reclaimed 40 acres back to agricultural use.  The site would be used by the Weber family members and one other employee.  There would be storage of some extra equipment, trailers and trucks on site.  The trucks would be in compliance with Town road limits.  Some sand, stone, salt, topsoil, firewood, logs, mulch and wood chips would be stored on the storage yard site.  Salt would be stored in a concrete wall and floor structure with heavy steel hoops and heavy fabric covering.  Hour of operation would be from 7:00 a.m. to 5:00 p.m.  When it snows the owner, owner’s son and possibly one other employee would leave in plow trucks with salt to the Milwaukee, Waukesha, Washington and Ozaukee County areas and come back when the storm is done.  There are no customers in the Walworth County area.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Walworth County 2050 Land Use Plan identifies this area as the E Extractive land use categories.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north is property zoned C-4.
To the east is property zoned C-4, A-2, C-2 and M-3.
To the west is land zoned M-3.
To the south is property zoned M-3 and A-1.

SITE CHARACTERISTICS: The following soil types are found on this site:

GP Gravel Pit

IMPACT ON ROADS AND TRAFFIC:

The site is served by a private easement and private road off of Potter Road to the south of the parcel.

OTHER RELEVANT DATA – RECOMMENDATIONS:

The Land Use Plan 2050 allows A-4 zoning in the AP Prime Agricultural land use category area so the Committee may make inference that the A-4 zoning would also be allowed in the E Extractive land use category and be consistent with the Land Use Plan.

APPLICATION STATUS: ___X____COMPLETE _________INCOMPLETE

Has been APPROVED subject to the related rezone passing County Board and the following conditions:

General:

1. Approved as per plan submitted for a contractor storage yard for a landscaping, lawn maintenance and snow removal business and caretaker’s quarters with all additional conditions.

2. All uses of the site shall meet applicable Federal, State, County and local regulations including commercial building inspection.

3. Outside lighting shall be shielded and directed on site.

4. The applicant must obtain all required zoning permit approvals including sign permits.

5. The applicant must obtain the required Town approval for any changes to the access.

6. No fill, debris, branches or leaves may be disposed of on-site outside of designated storage areas.

7. No burning of waste materials shall occur on site.

8. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office if required by ordinance.

9. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval. Vehicle parking shall be located as identified on the approved plan of operations.

10. The project site must be kept neat, clean, and mowed. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, fluid/oils spills, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.
11. Implementation of dust and noise control measures shall occur at all times on site.

12. On site hours of operation shall be from 7:00 a.m. to 5:00 p.m. Monday through Friday with No operation on Sundays or Holidays. Hours of operation shall be 24 hours per day during snow and ice removal activities.

13. All perimeter fencing shall be maintained as identified on the project plan.

14. The operator shall obtain adequate liability insurance and keep the insurance current during the life of this conditional use.

15. No on-site general public sales shall be allowed from the contractor storage yard.

16. No business activities other than specified in the plan of operations may be conducted from out of the facilities.

17. No storage of chemicals, petroleum products and flammable materials shall occur on site unless stored in a containment facility meeting State requirements.

18. The owner must provide a waste disposal plan stating where all trash, metal filings, drain oil and other fluids are disposed and shall follow the approved plan during operations on site.

19. Outside storage is limited to the type, quantities and location of material associated with the business as identified on the plan of operations. No outside storage areas including displays of goods are allowed in the required setback areas.

20. No outside storage of chemicals shall occur on site.

21. No dumping of chemical waste shall be conducted outside of the building. All discharge of chemical waste to the holding tank or septic system shall be pre-approved by the County Sanitarian.

22. All flammable waste materials shall be stored in a non-flammable, enclosed container and be gated in a non-combustible fence.

23. The owner shall obtain approval of a pollution prevention plan from the County Land Conservation Office and a hazardous spill plan from the State if required by law.

24. No occupancy shall be allowed for the business activity approved by this conditional use until all conditions of approval are met.

25. Walworth County staff may conduct inspections necessary to ensure site is operated and maintained according to applicable regulations.

26. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, those changes must be brought before the County Zoning Agency for approval.

27. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year
active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

28. Only trucks, trailers and equipment owned by the property owner’s landscaping, lawn maintenance and snow removal business shall be allowed to be stored on site.

29. The County reserves the authority to require any outside stored materials to be removed from the site within 48 hours of a determination the storage is inconsistent with this approval, has become unsightly or is detrimental to human health and safety.

30. Any buildings use for welding must have proper ventilation meeting the requirements of the State and Federal codes. Exhaust system shall meet all requirements of the code including hours of operation and noise.

31. There shall be no expansion of this contractor storage yard without new conditional use approval.

32. There shall be no extension of use on-site into industrial use without first obtaining required industrial zone district approval. Approval of industrial zoning at this location is not guaranteed and would require consistency review with the Town and County Land Use Plans.

33. Quad axles can only run from the easement from his property on Potter to Plank to State Road 11, with no more than 10 trucks a day as per the Town.

34. Any commercial application, use and disposal of pesticides must conform to all State, local and Federal regulations as per the Town.

35. Bulk salt storage will be allowed per DNR regulations as per the Town.

36. Trucks loaded with salt must be stored inside when on-site as per the Town.

37. All restoration of the site to control erosion must be done as per the Town.

38. No fill or debris is to be brought on site to be buried as per the Town.

39. Any burning will comply with County regulations as per the Town.
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION:  
____X_____REZONE

_______CONDITIONAL USE

NAME: Lauderdale Shores Condominium Association, Inc. – Owner, Anthony A. Coletti – Applicant.

LOCATION: The property of concern is located in of NW ¼ of Section 25, LaGrange Township and is identified as Tax Parcel H LG2500028A2A.

TOWN RESPONSE: Approved X  Denied: _____  No Action: ___  Tabled_____ 

ZONING: The property of concern is zoned R-1 Single Family Residential (unsewered).

The requested zoning is B-5 Planned Commercial-Recreation Business District. The rezone is accompanied by an amendment of an existing CU for a Planned Recreational Camp to add the rezone area and additional lands already zoned B-5 to the camp as open space and area to seasonally store boats and trailers.

PROJECT DESCRIPTION:

The application indicates: The owner is requesting to rezone the property to B-5 as the first step to incorporate the property into Lauderdale Shores Condominium for use of the majority of the land for outdoor boat and recreational vehicle storage as required in condition #18 of the Conditional Use for Tax Parcel H LG2500028A2. The remainder of the Property is to be declared as limited common element of the Condominium as is more particularly described in the application for Amendment of the Conditional Use which is filed concurrent herewith.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Walworth County 2050 Land Use Plan identifies this area as the RU Urban Density Residential land use categories.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north east and west are properties zoned R-1.
To the south is property zoned P-1 and Lauderdale Lakes.

SITE CHARACTERISTICS: The following soil types are found on this site:

FmB  Class III  Fox sandy loam, 1 to 6% slopes
HeB  Class II  Hebron loam, 1 to 6% slopes
IMPACT ON ROADS AND TRAFFIC:

The site is served by a private drive within the Lauderdale Shores Recreational Camp to the east of the parcel.

OTHER RELEVANT DATA – RECOMMENDATIONS:

APPLICATION STATUS: _____X_____COMPLETE   _____INCOMPLETE
Lauderdale Shores Condo Assoc.  
Rezone R-1 to B-5  
W/ Amend of CU to add to Rec. Camp  
Site Plan
Lauderdale Shores Condominium Assoc. Inc.  
Rezone R-1 to B-5  
W/ CU for Planned Recreational Camp  
Section 25, LaGrange Township  
Zoning Map
APPLICATION TO AMEND AN EXISTING CONDITIONAL USE PERMIT

The undersigned hereby applies to the Walworth County Zoning Agency pursuant to Division 4.0 of Chapter 74 of the Walworth County Code of Ordinances (Zoning / Shoreland Zoning) for AMENDMENT TO AN EXISTING CONDITIONAL USE APPLICATION and represents as follows:

OWNER OF SITE: Lauderdale Shores Condominium Association, Inc.

ADDRESS: c/o Anthony A. Coletti, Esq., Registered Agent, 101 Evergreen Parkway, # 3, Elkhorn, WI 53121

APPLICANT (If other than owner): Anthony A. Coletti, Esq.

ADDRESS: c/o Law Offices of Anthony A. Coletti, S.C., 101 Evergreen Parkway, # 3, Elkhorn, WI 53121

PHONE NUMBER (Owner):

PHONE NUMBER (Applicant): 262.723.8000

TAX KEY NUMBER OF SITE: HL.G2500028A2 and HL.G2500028A2A

LEGAL DESCRIPTION OF SITE:
See draft Condominium Addendum No. 3 attached hereto, marked Exhibit A, and incorporated herein by reference.

ZONING DISTRICT: B-5 Planned Commercial—Recreation/Business District (HL.G2500028A2) R-1 Single-Family Residential District (HL.G2500028A2A) (to be rezoned to B-5)

TYPE OF STRUCTURE: See draft Condominium Addendum No. 3 attached hereto, marked Exhibit A, and incorporated herein by reference.

USE OF STRUCTURE OR SITE IN DETAIL (including proposed amendment):
See attached Exhibit B which is incorporated herein by reference.

ONLY TO BE COMPLETED IF THE CONDITIONAL USE IS IN AN A-1 ZONING DISTRICT:
I understand that if a non-agricultural conditional use is granted in the A-1 zoning district that has been enrolled in the Farmland Preservation Tax Credit Program, there may be a payback of credits received due the State of Wisconsin.

PROPERTY OWNER'S SIGNATURE

APPLICANT'S SIGNATURE

The following information must be contained in the file before this application will be placed on the Committee agenda for review. (Refer to Division 4 of Chapter 74 if applicable.)
- Plat of survey or scale map of subject site.
- Site Plan showing location of buildings, roads and other pertinent facilities.
- Highway access locations.
- Drainage plan.
- Waste Disposal Plan.
- Operational Plans (including description of proposed amendment).
- Number of employees or users to be accommodated:
- Special plans required to specific operation to control the following:
  - Screening, tree cutting, earthmoving, dust, noise, odors, air and water pollution, fire, explosion, glare, heat, radioactivity, electrical disturbance or vibration.

DATE: 7/14/20  SIGNED: Property Owner's Signature

Fee: _______ (see schedule)

APPLICATIONS SHALL BE ACCOMPANIED BY A RECOMMENDATION FROM THE TOWNSHIP. ATTACH THE LETTER OF RECOMMENDATION TO THIS APPLICATION.

The Walworth County Land Zoning Agency may request more information if deemed necessary to properly evaluate your request. LACK OF INFORMATION REQUESTED MAY IN ITSELF BE SUFFICIENT CAUSE TO DENY AMENDMENT TO AN EXISTING CONDITIONAL USE.

Any changes to the character, intensity or use of this site not capable of being discerned by the Land Use and Resource Management Department as consistent with information provided at the original public hearing and the existing conditional use approval must be brought back before the Walworth County Zoning Agency for new conditional use hearing.

Applicants shall schedule a pre-application review of their completed application prior to submittal to the Walworth County Land Use and Resource Management Department. If you have any questions regarding the procedure, please contact the office at 262-741-4972.
EXHIBIT B

Tax Parcel No. HLG2500028A2 is currently owned by Lauderdale Shores Condominium Association, Inc. (the “Association”). In 2018, the Association rezoned Tax Parcel No. HLG2500028A2 to B-5 Planned Commercial—Recreation Business District (the “B-5 District”). The Association also obtained a Conditional Use for Tax Parcel No. HLG2500028A2 to allow outdoor storage of boats and recreational vehicles of Association members thereon (the “Conditional Use”).

Concurrent herewith, the Association has now applied to rezone Tax Parcel No. HLG2500028A2A to B-5. The Association also requests addition of Tax Parcel No. HLG2500028A2A to the lands governed by the Conditional Use.

The Association wishes to incorporate Tax Parcel No. HLG2500028A2 and Tax Parcel No. HLG2500028A2A (collectively referred to as the “Property”) into Lauderdale Shores Condominium (the "Condominium") by means of an Addendum to the Plat of Condominium for Lauderdale Shores Condominium. A draft Plat Addendum is attached hereto as Exhibit A and incorporated herein by reference.

As is more particularly depicted and described on Exhibit A, the majority of the Property is to be declared as a common element of the Condominium for use for outdoor boat and recreational vehicle storage. The remaining portion of the
Property is to be declared as limited common elements appurtenant to the adjoining Units as is also more particularly depicted and described on Exhibit A.

The Plat Addendum will eliminate the encroachment of several structures onto the Property which is not presently included within the Condominium. However, the structures will lie within the interior setbacks of the B-5 District.

The County Zoning Agency has the discretion to waive the interior setbacks and approve the Amendment to the Conditional Use as set forth on Exhibit A. On July 13, 2020, the LaGrange Town Board recommended approval the Amendment to the Conditional Use per plans submitted, to wit, Exhibit A.

Most, if not all, of these structures have been in the same locations for decades. The adjoining four (4) acres (i.e. the balance of the Property) is vacant land used for outdoor storage of boats and recreational vehicles owned by Association members. No one would suffer any harm from continued location of the structures. As such, the Amendment is reasonable and appropriate.
Amend of CU 10/15/2020 to include both Tax Parcels H LG2500028A2 and 28A2A as part of Lauderdale Shores Recreational Camp as open space and recreational vehicle and boat storage area. (See #1 and 18).

NAME: Lauderdale Shore Condominium Association

TOWN: LaGrange

The property owner is requesting to rezone approximately 4.48 acres of R-1 Single Family Residential (unsewered) District land to the B-5 Planned Commercial-Recreation Business District in order to obtain a conditional use permit to use a field area for outdoor storage of boats and recreational vehicles owned by the Lauderdale Shores Condominium Association members. The rezone of the property would provide the same zoning as the remainder of the recreational camp.

Tax Parcel H LG2500028A2.

Has been APPROVED subject to the related rezone passing County Board and the following conditions:

General:
1. Approved as per plan submitted and amended 10/15/2020 for an outdoor recreational vehicle and boat storage area to be used by members of the recreational camp exclusively with all additional conditions.

2. No general public sales allowed from the outdoor recreational vehicle and boat storage area. No business activities other than specified in the plan of operations may be conducted from out of the storage area.

3. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. seven days a week.

4. Must meet all applicable Federal, State, County and local regulations.

5. Outside lighting shall be shielded and directed on site.

6. The applicant must obtain all required zoning permit approvals including a sign permit if different from the present sign.

7. No burning of waste materials shall occur on site.

8. The applicant must obtain the required Town and or County approvals for the access.

9. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management permit from the County Conservation Office if required by ordinance.

10. Parking must meet with requirements of the county zoning ordinance. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.

11. The project site must be kept neat, clean, and mowed in all areas.
12. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

13. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

14. No permanent outside storage of boats, trailers or other equipment shall be allowed. The outdoor area is for seasonal off season storage and shall not serve as permanent year round storage for boats and recreational equipment. The Condominium Association shall be responsible for monitoring the outdoor storage area and having members remove their boats and recreational equipment not being used on a seasonal basis.

15. No acid washing of boats shall be allowed on site.

16. No maintenance or repairs of recreational vehicles or boats shall occur on site without additional Town and County review.

17. No storage containers will be allowed on site.

18. The Tax parcel H LG2500028A2 and 28A2A containing the outdoor boat and recreational vehicle storage area shall be attached to the Lauderdale Shores Condominium as a common element by addendum of the condominium plat prior to continued use of the parcel in conjunction with the camp.

19. There shall be no camp unit expansion of the recreational camp into the newly attached B-5 area without first meeting all requirements of the B-5 zone district for the entire camp.

Dated this 20th day of December, 2018.

COUNTY ZONING AGENCY
TIM BRELLENTIN, CHAIRMAN

cc: Mary Churillo, 443 Woodhill Drive, Carol Stream, Il  60188
Town of LaGrange, Frank Taylor, Chairman, N7899 County Rd H, P.O. Box 359, Whitewater, WI 53190
Town of LaGrange, Crystal Hoffmann, Clerk, N7899 County Rd H, P.O. Box 359, Whitewater, WI 53190
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION:  

_X_____ REZONE

_______CONDITIONAL USE

NAME:    Klint Family Trust - Owner

LOCATION: The property of concern is located in SE ¼ of Section 9, Linn Township and is identified a part of Tax Parcel I L 900001.

TOWN RESPONSE:  Approved __X__ Denied: ______ No Action: ___ Tabled_____

ZONING: The property of concern is zoned C-2 Upland Resource Conservation District and C-4 Shoreland Wetland District.

The requested zoning is C-4 Shoreland Wetland District and C-2 Upland Resource Conservation District.

PROJECT DESCRIPTION:

The application indicates: The property owner is requesting review and approval to rezone approximately .7 acres of C-2 Upland Conservation District zoned property to the C-4 Shoreland Wetland District and approximately 1.2 acres of C-4 Shoreland Wetland District property to the C-2 Upland Conservation District per digital wetland description in order to match the delineated wetland boundary to existing field conditions. The property is proposed to be divided by a pending C.S.M and the correct wetland boundary was required to determine the acreage of upland area available.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Walworth County 2050 Land Use Plan identifies this area as the PEC Primary Environmental land use categories and is partially in the Shoreland area of Geneva Lake and a stream corridor.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north are properties zoned R-1 on Geneva Lake.
To the east are properties zoned C-4 and R-1.
To the west are lands zoned R-1
To the south is property zoned C-2 and C-4.
SITE CHARACTERISTICS: The following soil types are found on this site:

Ht    Class III    Houghton Muck
Sm-   Class IIw    Sebewa silt loam.
EbA   Class II     Elburn Silt Loam, 1 to 3% slopes

IMPACT ON ROADS AND TRAFFIC:

The site is served by Lackey Lane to the north of the parcel.

OTHER RELEVANT DATA – RECOMMENDATIONS:

The wetland delineation was conducted by Wetland and Waterway Consulting LLC with Dave Meyer as an assured wetland delineator.

APPLICATION STATUS: ____X_____COMPLETE   _________INCOMPLETE
Klint Trust
Rezone C-2 & C-4 to C-4 & C-2
Section 9, Linn Township
Zoning Map
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION:  

X REZONE

CONDITIONAL USE

NAME:  Northern Cross Capital, LLC – Owner, Kevin Batz - Applicant

LOCATION:  The property of concern is located in the SW ¼ of Section 14, Lyons Township and is identified as parts of Tax Parcels N LY1400003A and N LY1400005.

TOWN RESPONSE:  Approved ___  Denied: _____  No Action: ___  X  Tabled__

ZONING:  The property of concern is zoned C-1 Non-Shoreland Wetlands.

The requested zoning is C-2 Upland Resource Conservation District.

PROJECT DESCRIPTION:

The application indicates: The property owner is requesting rezone review and approval to rezone approximately .4 acres of C-1 Lowland Resource Conservation District property to the C-2 Upland Resource Conservation District per digital wetland description in order to match the delineated wetland boundary to existing field conditions to removing an existing driveway from the wetland designation.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Walworth County 2050 Land Use Plan identifies this area as the PEC Primary Environmental land use categories.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north are properties zoned C-3, C-2, A-1.
To the east and south are properties zoned A-2 and C-2.
To the west are lands zoned C-1, C-4 and C-2.

SITE CHARACTERISTICS: The following soil types are found on the rezone site:

Ph  Class II    Pella Silt Loam
Pa  Class III   Palms Muck
FsB Class II    Fox Silt Loam, 2 to 6% Slope

IMPACT ON ROADS AND TRAFFIC:

The site is served by Alvin Howe Road to the south of the parcel.
OTHER RELEVANT DATA – RECOMMENDATIONS:

The wetland delineation was conducted by Tina Myers as a DNR assured delineator.

APPLICATION STATUS: _____X____COMPLETE  _________INCOMPLETE
Northern Cross Capital, LLC
Rezone C-1 to C-2
Section 14, Lyons Township
Zoning Map
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION:  _______ REZONE

___X___ CONDITIONAL USE

NAME:  RA Pinno and Sons Construction Inc. formally Alex and Helen Wasyliw – Owners, S&P Premier Investments/Pinno Buildings C/O Greg Dziedzic - Applicant

LOCATION:  The property of concern is located in the SW ¼ of Section 23, Delavan Township and is identified as Tax Parcel FA186700001.

TOWN RESPONSE:  Approved ___  Denied: ______  No Action: ____X____ Tabled____

ZONING:  The property of concern is zoned B-2 General Business District.

PROJECT DESCRIPTION:
The application indicates:  The property owners are requesting conditional use review and approval for a Planned Unit Development (PUD) for office space, retail and off season mini-warehouse storage principle uses on a proposed C.S.M. lot on lands zoned B-2 General Business District.  The property is to be served by public sewer and proposed a private road.  The private road crosses the lot containing the PUD and serves two other lots of a proposed three lot C.S.M. The PUD lot is served by stormwater management basins on easements.

CONFORMANCE WITH COUNTY LAND USE PLAN:
The Walworth County 2050 Land Use Plan identifies this area as the C Commercial land use categories. Approximately half of the 3 lot development is in the shoreland area of Delavan Lake.

COMPATIBILITY WITH SURROUNDING LAND USES:
To the north is property zoned B-2, A-1 and P-2
To the east is property zoned B-2, R-5 and P-2
To the west is land zoned B-4.
To the south is property zoned B-2.

SITE CHARACTERISTICS:  The following soil types are found on this site:

MyB Class II  Miami silt loam, 2 to 6% slopes
RaA- Class IIw  Radford silt loam, 0-3% slopes.
IMPACT ON ROADS AND TRAFFIC:

The site is served by one parcel of a proposed private road off of Town Hall Road to the north of the property.

OTHER RELEVANT DATA – RECOMMENDATIONS:

The application will need to be filled out correctly including the property owner’s name and address on the ownership line and have the signature of the current property owner.

The project indicates the road would be private and on an easement but shows a T-turnaround rather than the required 60 foot diameter cul-du-sac. The Walworth County Subdivision Control Ordinance requires all private roads that terminate to have the required cul-du-sac. A T-turnaround could be approved as a modification of the road standard for a roadway that will be dedicated to the Town. If the roadway is to remain private on an easement then the site plan must be revised to show the required cul-du-sac. A roadway on an easement would not allow for future through access from the neighboring property. A maintenance agreement shall be required to be provided demonstrating how the roadway in the easement will be managed.

The Conservation Office has reviewed the site development plan and the preliminary storm water management plan for the application referenced above and respectfully provide the following comments.

1. The site development plan includes the construction of a private roadway to access three proposed commercial lots. The preliminary storm water management plan review application indicated this development will require approximately 146,000 square feet of land disturbance and will result in the establishment of over 112,461 square feet of impervious surfaces, (driveways, rooftop, parking lots). An exhibit should be prepared to determine how the impervious surfaces under full build-out conditions was calculated.

2. A preliminary storm water management plan was submitted to the Walworth County Land Conservation Division on June 25, 2020 and was prepared by Cardinal Engineering. The submittal was incomplete. A soil investigation and evaluation of the site for infiltration and within the footprint of the proposed storm water management facilities was not provided. The Land Conservation Division Staff will prepare a storm water management review letter after the required soil morphological investigation and evaluation for infiltration and the planned storm water management facilities has been submitted.

3. The site development plan shows the location of two storm water management practices and a storm water conveyance system consisting of vegetated swales. It appears a wet detention pond and a "dry-basin" are planned to manage storm water runoff under developed conditions. The planned storm water management best management practices must be labeled on the development plan and the storm water management plan with the correct technical name, (wet detention pond, vegetated swale and infiltration basin or bioretention device.)

4. The storm water management practices must be located on an outlot(s). Section 26-16 of the Walworth County Storm Water Management Ordinance states:

   Ownership (of the storm water BMPs) shall be the same as those assigned the maintenance responsibilities....
   For subdivisions, all storm water BMPs that collect runoff from more than one lot shall be located on outlots. For all privately owned outlots, ownership shall be by proportional undivided interest for all property that are within the control of applicant and drain to the BMP. However, the applicant may combine ownership of more than on BMP within the site.

CZA October 15, 2020
5. Access. The development plan and the storm water management plan must include a 15' wide access easement of adequate soil conditions or surfacing to withstand loads produced by standard construction equipment to perform inspection and maintenance of all features of storm water management practices.

6. The operation and maintenance plan for the storm water management plan should include a method to dewater the wet detention pond to facilitate dredging accumulated sediment, when needed.

7. The storm water management plan should consider the establishment of native plantings and not mowing around the perimeter of the wet detention pond to discourage geese.

8. The WisDOT should review and approval of the location of the proposed wet detention pond to insure that the location and the discharge point is acceptable within or near their ROW.

9. Well Separation. The location of any storm water management facility must be certain distances from public, community and private wells. The preliminary storm water management plan should insure these clearances will be met by locating the wells near the development site.

APPLICATION STATUS: _________COMPLETE   ____X_____INCOMPLETE

General:

1. Approved per plans submitted for a Planned Unit Development for indoor off season/mini-warehouse storage and an office building with offices and potential retail sales with all additional conditions.

2. All storage areas shall be located as defined on the plan of operations.

3. This conditional use contains an overall umbrella approval for the PUD for the indoor off season/mini-warehouse storage and an office building with offices and potential retail sales on one parcel and an individual conditional use for each enterprise. Enforcement actions may be taken on the PUD as a whole or the conditional use approvals individually.

4. No general public sales allowed from the indoor storage facility. No business activities other than specified in the plan of operations may be conducted from out of the contractor storage facilities or proposed office building.

5. The site shall meet all applicable Federal, State, County and local regulations.

6. The applicant must obtain all required zoning permits including sign permits.

7. No filling shall be allowed in any wetland areas.

8. No filling shall occur on site without a site grading plan and proper permit approval.

9. All areas shall be kept neat, clean and mowed.

10. All outside lighting shall be shielded and directed on site.

11. No fuel storage shall be located on site.

12. Access approval must be obtained from the Town of Delavan and be submitted for the conditional use file prior to operation on site.
13. All cars and trucks shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking shall be properly install prior to use of the site.

14. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land Disturbance, Erosion Control and Stormwater Management standards contained in Section 26 of the Walworth County Code of Ordinances.

15. The storage facilities hours of operation shall be from 6:00 a.m. to 6:00 p.m.

16. No outside storage of building construction equipment or materials shall be allowed on site at the conclusion of building construction for the project.

17. The owner/applicant must obtain County Land Conservation Office approval of a spill prevention plan (SPP) and a stormwater pollution prevention plan for this site if require by ordinance.

18. No burning of waste materials shall occur on site.

19. The property owner must maintain adequate liability insurance during use of the property and keeps the insurance current during the life of this conditional use.

20. The owners of the property shall release, indemnify and hold harmless Walworth County, the Town of Linn and their agents and employees from all liability, claims, demands, causes of action, costs, or losses for personal injuries, property damage or loss of life or property prior to this conditional use being valid.

21. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

22. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals. Both office building and mini-warehouse storage building construction must be occurring in order to be considered exercising this conditional use.

Specific:

23. The tee turnaround on the private road shall be replaced with the required 60 foot diameter cul-du-sac and all setbacks shall be adjusted for the change in the roadway easement.

24. There shall be no through access from other property outside of the three lot development allowed on the private drive without additional Town and County approval. There shall never be more that 10 lots or units served by the private roadway.
25. The building envelope for the office building must be removed from the portion of the property affected by the stormwater basin drainage easement.

26. The property owner must obtain specific Town approval for the type of surface to be installed for the drives providing access to the storage units.

27. Phase I of the development plan or construction plan must include the construction of all the planned stormwater management practices to serve the facility on all three lots under full built-out conditions.
RA Pinno and Sons Construction Inc.  
S&P Premier Investments  
CU for PUD  
Section 23, Delavan Township  
Zoning Map
RA Pinno and Sons Construction Inc.
S&P Premier Investments
CU for PUD
Section 23, Delavan Township
Land Use Plan

CZA October 15, 2020
Preliminary Storm Water Management Plan Review
Pinno Site Development

Applicant: Greg Dziedzic
Site Location: Town Hall Road and STH 50
Township: Town of Delavan

Preliminary storm water management plan prepared by: Cardinal Engineering, Ryan Cardinal, P.E.

Preliminary Plans Reviewed: This review is based on a Storm Water Management Plan submitted to the Walworth County Land Conservation Division on June 25, 2020, August 14, 2020 and October 7, 2020.

County Authority: Chapter 26 (Environment) Walworth County Code of Ordinances (Article I and Article II)
State Performance Standards: NR 151 (Runoff Management) Subchapter III, Non-Agricultural Performance Standards

Purpose of Review: The purpose of this preliminary storm water review letter is to insure site planning for any land development proposal accounts for compliance with State and County Storm Water Management Performance Standards and to insure the development plan demonstrates sufficient land is allocated to manage storm water runoff generated under the full development conditions proposed. A preliminary storm water plan identifies site limitations and opportunities early in the site-planning phase and serves to prevent conflicts with other requirements or development features. The preliminary storm water management review provides the applicant with information relevant to state and county storm water management performance standards applicable to the proposed development and provides guidance and recommendations for the preparation of final engineering plans.

Current Land Use Conditions: Vacant Land (Grass cover)

Development Plans. Two commercial lots, a private roadway to access the parcels, and two outlots to manage storm water runoff under development conditions are shown on a plan titled, “Pinno Development Plan.” Development details have been prepared for the planned commercial self-storage facility and business office planned for Lot #1. The developed conditions of Lot #1 will include 4 buildings, parking areas and internal driveways, resulting in 107,500 square feet of impervious surfaces.

Specific development plans for Lot #2 are not known at this time.

The developed parcels will be served by the Delavan Lake Sanitary District and private wells.

Planned Storm Water Management Practices: A preliminary storm water management plan with construction details has been prepared for the planned development of Lot #1 and will include the following storm water best management practices.

- Wet Detention Pond
- A Dry Storm Water Management basin
- Vegetated Swale

An estimate of the development conditions for Lot #2 was considered and the Development Plan includes an additional Outlot of sufficient size and in a preferred location for the establishment of storm water management practices to serve the estimated development conditions.

County Land Conservation Division Comments.

The Walworth County Land Conservation Division has reviewed the site development plan and the preliminary storm water management plan and determined the preliminary storm water management plan is complete.

1. A wetland delineation and delineation report has been completed and reviewed by the Conservation Division.

2. Soil and Site Evaluation Report. Additional soil investigation and evaluation is required to comply with the infiltration performance standard. A soil investigation and evaluation for Outlot #2 must be conducted to identify limitations and opportunities in storm water management practice design for that location.

3. Compliance with County and WDNR Technical Standards.
   - All proposed storm water management practices must comply with WDNR technical standards and specifications or the NRCS Field Office Technical Guide.
   - The wet detention pond shall be planned, designed, constructed and maintained according to the standards and specifications contained in WDNR Technical Standard #1001, Wet detention Pond.
   - The vegetated swale shall be planned, constructed and maintained according to the standards and specifications contained in WDNR Technical Standard #1005. A construction detail for the vegetated swale shall be included in the Final Engineering Plan.
and shall include a swale cross-section and profile. The swale must be established in deep-rooted vegetation. The Final Engineering shall include a seeding plan for the vegetated swale.

4. The Wisconsin Department of Transportation should review the location of the proposed storm water management practices to insure that the location and the discharge points are acceptable since they are either within or near their right-of-way.

5. **Separation from Wells.** The wet detention basin shall be constructed 25 feet from non-community and private wells (NR 812, Wis. Adm. Code). The Final Engineering should verify this separation from the proposed wet detention basin.

6. **Other Storm Water Management Practice Design and Maintenance Considerations:**
   - For the ease of maintenance, a sediment forebay should be located at the inlet of the wet detention pond.
   - Consider adding a baffle to lengthen the flow path through the wet detention pond.
   - Consider providing a method to dewater the wet detention pond to facilitate dredging accumulated sediment, when needed. (Include method in Operation and Maintenance Plan)
   - Consider native plantings and not mowing around the perimeter of the wet detention to discourage geese from using this water feature.

7. **Operation and Maintenance Plan and Agreement for the Storm Water Management Practices**
   - The required 15’ wide access lane to perform maintenance of the wet detention pond must be clearly shown on the Final Engineering and the operation and maintenance plan.
   - The operation and maintenance plan for the wet detention basin shall specify the frequency of inspections, the inspection tasks, provisions for litter and sediment removal, disposal locations for sediment removed, pH testing of the soil, frequency of soil, mulch and plant replacement, and inlet and outlet maintenance.
   - The final operation and maintenance plan shall include maintenance specifications for the vegetated swale.
   - The final operation and maintenance plan shall include a method to dewater the wet detention pond to facilitate dredging of accumulated sediment, when needed.
   - The final operation and maintenance plan should include provisions for monitoring for the presence of aquatic invasive species (AIS) in the pond and a description of the response, if AIS are present.
   - A Storm Water Management Practice Operation and Maintenance Plan and Agreement must be prepared and submitted to the Walworth County Land Conservation Division and must comply with the provisions listed in Section 26-16 of the Walworth County Code of Ordinances.

8. **Storm Water Management and Construction Site Erosion and Sediment Control Plan and Permit Coverage.**

A storm water management and construction site erosion and sediment control plan and permit must be approved by Walworth County and the WDNR prior to the start of any demolition, land disturbance or construction on the parcel. The plan must include the mandated erosion and sediment control practices and control methods listed in Chapter 26, Article I and II of the Walworth County Code of Ordinances. The final plan must meet all applicable performance standards for construction site erosion and sediment control and post-construction storm water management.

A final engineering plan must be include a construction site erosion and sediment control plan, site stabilization plan, and construction sequencing plan and schedule. Temporary erosion and sediment control best management practices must be designed and described in the final engineering plan.
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION  __________REZONE

____X____CONDITIONAL USE

NAME: Katheryn Babcock Shaffer Trust C/O Jack Shaffer - Owner

LOCATION: The property of concern is located in the SW ¼ of Section 36, East Troy Township and is identified as part of Tax Parcel P ET360007.

TOWN RESPONSE: Approved: _____ Denied:_____ No Action:__X___ Tabled:_____

ZONING: The property is zoned as the A-1 Prime Agricultural District.

PROJECT DESCRIPTION:

The application indicates: The property owner is requesting conditional use review and approval for land restoration for the creation of a 10 acre, 12 foot deep pond and associated spoils area and berms. The pond is intended to serve as a recreational pond and wildlife viewing area.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The County 2035 Land Use Plan identifies this area as the AP Prime Agricultural land use categories.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north west and south are land zoned C-2 and A-1.
To the east are lands zoned A-1 and A-2.

SITE CHARACTERISTICS: The following soils are found on the site: % of Site

<table>
<thead>
<tr>
<th>Soil Code</th>
<th>Class</th>
<th>Description</th>
<th>% of Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>FsC2</td>
<td>Class III</td>
<td>Fox Loam, 6 to 12% slope, eroded</td>
<td>20%</td>
</tr>
<tr>
<td>MgA</td>
<td>Class II</td>
<td>Martinton silt loam 1 to 3% slope</td>
<td>15%</td>
</tr>
<tr>
<td>MmA</td>
<td>Class II</td>
<td>Matherton silt loam, 1 to 3% slopes</td>
<td>15%</td>
</tr>
<tr>
<td>MzFA</td>
<td>Class III</td>
<td>Mundelein silt loam, 1 to 3% slopes</td>
<td>10%</td>
</tr>
<tr>
<td>Sm-</td>
<td>Class IIw</td>
<td>Sebewa silt loam.</td>
<td>10%</td>
</tr>
<tr>
<td>SeA</td>
<td>Class I</td>
<td>St. Charles Silt Loam, gravelly Substratum, 0 to 2% slope</td>
<td>10%</td>
</tr>
<tr>
<td>ShA</td>
<td>Class II</td>
<td>Saylesville silt loam, 0 to 2% slope</td>
<td>10%</td>
</tr>
<tr>
<td>FsB</td>
<td>Class II</td>
<td>Fox Silt Loam, 2 to 6% slope</td>
<td>5%</td>
</tr>
<tr>
<td>MxC2</td>
<td>Class III</td>
<td>Miami Loam, Sandy Loam Substratum, 6 to 12% slope, eroded</td>
<td>5%</td>
</tr>
</tbody>
</table>
The site contains 100% prime farm soils.

IMPACT ON ROADS AND TRAFFIC:

The site is served by Honey Creek Road to the south and Bell School Road to the east of the parcel.

OTHER RELEVANT DATA – RECOMMENDATIONS:

The location of the pond is separated from the proposed spoils disposal location by an intermittent stream/farm ditch. The Committee may wish to inquire how the spoils are going to be transported to the disposal location on the other side of the channel. Will spoils be transported on the Town Road or some type of temporary wetland fill crossing?

APPLICATION STATUS: _____X_____COMPLETE  __________INCOMPLETE

FINDINGS FOR CUP:

Please confirm that finding were made that the CUP is consistent with agricultural use base on consideration of the following as required by s. 91.46 Wisconsin Statutes:

[ ]  The activity will not convert land that has been devoted primarily to agricultural use.

[ ]  The activity will not limit the surrounding land’s potential for agricultural use.

[ ]  The activity will not conflict with agricultural operations on land subject to farmland preservation agreements.

[ ]  The activity will not conflict with agricultural operations on other properties.

General:

1. This facility is approved per plan submitted for land restoration for the creation of a 10 acre, 12 foot deep pond and associated spoils area and berms with all additional conditions.

2. Use of the site shall be strictly limited to the materials specified in the plan of operations. All materials generated from the site must remain on site.

3. There shall be no other users of the pond other than recreation and wildlife viewing.

4. The owner/operator must comply with all Federal, State, County and local regulations. The property owner shall meet all testing and monitoring requirement prior to land application of the spoils.

5. There shall be no filling in designated wetlands without first obtaining the required agency approvals.

6. Proper access and any required road maintenance approval must be granted by the Town prior to operations.

7. There shall be no signage for the project.

8. The owner shall notify the County if any changes are made regarding operation of this site including quantity, location and type of materials to be placed on site.
9. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.

10. If applicable conditions are violated, Walworth County may require a clean-up schedule, modification of the process operation or termination of the operation and this conditional use permit.

11. Staff may conduct inspections necessary to ensure site is operated and maintained according to all applicable regulations.

12. The owner must obtain a Land Disturbance, Erosion Control and Stormwater Permit from Land Conservation Office. This permit may require the installation of a stormwater catch basin for drainage from off the spoils loading and storage areas.

13. The owner/operator shall provide a copy of all required approval from D.N.R. for the conditional use file.

14. The owner of the property shall release, indemnify and hold harmless Walworth County and its agents and employees from all liability, claims, demands, causes of action, costs, or losses for personal injuries, property damage or loss of life or property as a result of exercising this approval.

15. The County will not be liable for any damage to neighboring wells due to the project.

16. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

17. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION  __________REZONE

_____X_____CONDITIONAL USE

NAME:    Jeff Way - Owner

LOCATION: The property of concern is located in the SW ¼ of Section 21, Spring Prairie Township and is identified as Tax Parcel O SP2100007A.

TOWN RESPONSE:  Approved: _____ Denied:_____ No Action:__X___ Tabled:_____

ZONING: The property is zoned A-1 Prime Agricultural District.

PROJECT DESCRIPTION:

The application indicates: The property owner is requesting conditional use review and approval to build a single family home and out building on a farm separation remnant.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The County 2035 Land Use Plan identifies this area as the land use categories.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north is land zoned A-1 and C-2.
To the east and south are lands zoned A-1.
To the west are lands zoned A-2.

SITE CHARACTERISTICS: The following soils are found on the site: % of Site

<table>
<thead>
<tr>
<th>Soil Code</th>
<th>Class</th>
<th>Description</th>
<th>% of Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>MpC2</td>
<td>Class III</td>
<td>McHenry Silt Loam, 2 to 6% slopes, eroded</td>
<td>70%</td>
</tr>
<tr>
<td>MpB</td>
<td>Class II</td>
<td>McHenry Silt Loam, 2 to 6% slopes</td>
<td>10%</td>
</tr>
<tr>
<td>PsB</td>
<td>Class II</td>
<td>Plano silt loam, 2 to 6% slopes</td>
<td>20%</td>
</tr>
</tbody>
</table>

The site contains 100% prime farm soils.
IMPACT ON ROADS AND TRAFFIC:

The site is served by Hardgraves Road to the east of the parcel.

OTHER RELEVANT DATA – RECOMMENDATIONS:

The location of the proposed single family residence will require approval of a lot width variance from the Walworth County Board of Adjustment prior to action on the conditional use request.

APPLICATION STATUS: ________COMPLETE _______X______INCOMPLETE

FINDINGS FOR CUP:

Please confirm that finding were made that the CUP is consistent with agricultural use base on consideration of the following as required by s. 91.46 Wisconsin Statutes:

[  ] The activity will not convert land that has been devoted primarily to agricultural use.

[  ] The activity will not limit the surrounding land’s potential for agricultural use.

[  ] The activity will not conflict with agricultural operations on land subject to farmland preservation agreements.

[  ] The activity will not conflict with agricultural operations on other properties.

Construction of a farm residence and out buildings is an allowable agricultural related use on a farm separation parcel and would be consistent with Farmland Preservation standards.

General:

1. Approved per plan submitted to build a residence and out building on farm use on a farm separation remnant with all additional conditions.

2. Must meet all applicable Federal, State, County and local regulations.

3. The applicant must obtain Township approval for access prior to construction on site.

4. No further land divisions of the A-1 area of the parcel will be allowed without proper County approvals.

5. The buildings shall serve the stated agricultural purpose.

6. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

7. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year
active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION:  _______REZONE

___X___CONDITIONAL USE

NAME:   Darien Partners II, LLC/ Aldridge Electric – Owner, David Roberts – JSD Professional Services, Inc. – Applicant.

LOCATION:  The property of concern is located in the NW ¼ of Section 28, Darien Township and is identified as Tax Parcel B D 2800004.

TOWN RESPONSE:  Approved  __  Denied:  ______  No Action:  _X_  Tabled  _____

ZONING:   The property of concern is zoned M-1 Industrial District.

PROJECT DESCRIPTION:

The application indicates:  The property owner is requesting conditional use review and approval for expansion of a contractor storage yard by addition of a 17,880 sq. ft. building on lands zoned M-1 Industrial District to be used for a commercial electrical business office, minor maintenance of equipment and storage of supplies.  The current conditional use for a contractor storage yard is located on both Tax Parcel B D 2800004 and B D 2100005 both owned by Darien Partners II, LLC.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Walworth County 2050 Land Use Plan identifies this area as the I Industrial land use categories.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north is property zoned M-2.
To the east is property zoned M-2, A-1 and I-43.
To the west and south are lands zoned A-1.

SITE CHARACTERISTICS:  The following soil types are found on this site:

PtA  Class I  Plano Silt Loam, gravelly substratum, 0 to 2% slope
WhB  Class II  Warsaw silt loam, 2 to 6% slope
IMPACT ON ROADS AND TRAFFIC:

The site is served by Foundry Road to the East of the parcel.

OTHER RELEVANT DATA – RECOMMENDATIONS:

The current conditional use for a contractor storage yard is located on both Tax Parcel B D 2800004 and B D 2100005 both owned by Darien Partners II, LLC.

APPLICATION STATUS: _____X____ COMPLETE  _________INCOMPLETE

New approval granted expanding the conditional use 10/15/2020 for construction of a building (see #1 and 9).

NAME: ODLING INVESTMENTS, LLC  Darien Partners II, LLC (ALDRIDGE ELECTRIC, INC., APP.)

TOWN: DARIEN

A conditional use permit for outdoor contractor storage as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands zoned M-1 Industrial District, and described as follows:

Tax Parcel #’s B D 2100005 and B D 2800004

Has been APPROVED subject to the following conditions:

1. Approved per plans submitted and amended 10/15/2020 with all additional conditions.

2. All storage areas, materials and equipment shall be located as defined on the plan of operations.

3. The site shall meet all applicable federal, state, county and local regulations.

4. The owner/applicant must obtain all required zoning and sanitary approvals prior to construction. Permits shall be required for the office trailer.

5. No filling shall be allowed in any wetland areas.

6. No filling shall occur on site without proper permit approvals.

7. Access approval must be obtained from the town highway department.

8. The applicant must obtain a Walworth County Land Disturbance, Erosion Control & Stormwater approval from Walworth County Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land Disturbance, Erosion Control and Stormwater Management standards contained in Section 26 of the Walworth County Code of Ordinances. An operation and maintenance plan for each stormwater best management practice must be prepared. The plat prepared for this property must show the location and label each stormwater best management practice planned to serve the development. All grading must be conducted consistent with the approved Walworth County...
Land Disturbance Erosion Control and Stormwater Management plan. All topsoil generated from the site must be evenly distributed back onto the site on the areas from which it was removed or in areas in need of the topsoil. No materials may be removed from the site without county approval. The applicant must submit and obtain approval of a landscaping plan from the Walworth County Conservation Office.

9. Hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday – Friday and 6:00 a.m. to noon on Saturday with return of equipment from off site work up to 9:00 p.m.

10. No burning shall be allowed on site without a state burning facility license and any required local approvals.

11. Any changes to the character, intensity or use of this site not capable of being discerned by the Walworth County Land Management Department as consistent with this approval must be brought before the Walworth County Zoning Agency for additional conditional use review.

Specific Conditions:

12. The owner/applicant must obtain Walworth County Land Conservation Office approval of a spill prevention plan (SPP) and a stormwater pollution prevention plan for this site.

13. The landscape plan must include trees for screening of the site and must obtain approval from the town.

14. The applicant shall upgrade Foundry Road to Class A standards from Highway 14 to the second driveway as required by the town.

15. The storage area may not be leased to other users without amendment of this conditional use.

Dated this 18th day of January, 2007.

___________________________________________
COUNTY ZONING AGENCY
RICHARD KUHNKE, SR., CHAIRMAN
Darien Partners 2, LLC – Owner
CU for Expansion of Contractor Storage Yard
Addition of Storage Bld.
Section 28, Darien Township
Zoning Map

[Map Image]
Applicant: Aldridge Electric – Darien Partners II, LLC
Property Owner: Same
Township: Darien
Site Location: Foundry Road
Tax Key Parcel #: B1 280004

Preliminary storm water management plan prepared by: JSD Professional Services, Inc. (David Roberts, P.E.)

Preliminary Plans Reviewed: This review is based on a Preliminary Storm Water Management Plan and Supplemental documents submitted to the Walworth County Land Conservation Division on September 09, 2020.

County Authority: Chapter 26 (Environment) Walworth County Code of Ordinances (Article I and Article II)

Purpose of Review: The purpose of this preliminary storm water review letter is to insure site planning for any land development proposal accounts for compliance with State and County Storm Water Management Performance Standards. The preliminary storm water management review provides the applicant with information relevant to state and county storm water management performance standards applicable for the proposed development and provides guidance and recommendations for the preparation of final engineering plans.

Current Land Use Conditions: The current land cover is Industrial Use. The facility stores, repairs, and modifies components for large-scale electrical contracting projects.

Development Plans. The site development plan includes construction a 17,880 square foot building and associated parking areas, and walkways. Site development and the proposed improvements will require approximately 71,656 square feet of land disturbance.

Storm Water Management practices: A storm water management plan was prepared for this facility in 2007 and accounted for the impervious surfaces included in the proposed development plans Storm water runoff from the new building and associated parking areas will be directed to two existing wet detention ponds. A site inspection of the Aldridge/Darien Partners facility was conducted by the Walworth County Land Conservation Division Staff and the WDNR Storm Water Staff on 09/02/2020. The purpose of this site inspection was to review the uses of the facility, the proposed development plans and to verify the location, dimensions and conditions of the existing ponds. David Roberts, P.E., and the facility manager were present during the site inspection.

County Land Conservation Division Comments.

1. An inspection and an as-built survey for the two existing wet detention ponds should be prepared and submitted to Walworth County. This inspection and as-built survey will verify the wet detention ponds comply with the standards and specifications contained in WDNR Technical Standard #1001. The inspection should identify and document any deficiencies and repairs and maintenance needed for the existing ponds.

2. Storm Water Management Practice Operation and Maintenance Plan. An operation and maintenance plan for the permanent storm water management practices was prepared and submitted to the Walworth County Conservation Division. Following the preparation of the inspection report and the as-built survey for the wet detention ponds, the operation and maintenance plan, and the as-built survey shall be recorded, according to the requirements outlined in Section 26-16 of the Walworth County Code of Ordinances, related to Storm Water Management.

3. The WDNR determined this facility is a Tier 2 Industrial Facility and shall obtain Industrial Storm Water Discharge Permit Coverage. A copy of the WDNR Industrial Storm Water permit and the required Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the Walworth County Land Conservation Division.

4. A Wetland Delineation and Delineation Report has been submitted and reviewed. Wetlands will not be disturbed as part of the planned improvements. It is recommended that Marty Dillenburg, WDNR wetland specialist, be consulted to determine if the wetlands present are “artificial wetlands.”

5. Construction Site Erosion and Sediment Control Plan. A separate construction site erosion and sediment control plan shall be prepared and submitted to the Walworth County Land Conservation Division for approval. The construction site erosion and sediment control plan shall include the plan elements listed in Section 26, Article II of the Walworth County Code of Ordinances.

Preliminary Storm Water Review Prepared by: Fay U. Amerson
Date: 10/5/2020
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION   ________REZONE

_____X____CONDITIONAL USE

NAME:  Henry D. Keizer – Owner, Rajan C. Chadha – Applicant.

LOCATION:  The property of concern is located in the NW¼ of Section 23, Darien Township and is identified as part of Tax Parcel BA115500001.

TOWN RESPONSE:  Approved: _____  Denied:_____  No Action:___X___  Tabled:_____

ZONING:  The property is zoned A-1 Prime Agricultural District.

PROJECT DESCRIPTION:

The application indicates:  The property owner is requesting conditional use review and approval for a Farm Family Business to use an existing farm building for an indoor contractor storage yard for a tree cutting service business. All equipment and materials associated with the business would occur within the existing agricultural structure. The applicant and his family intend to purchase the property and live on site in the single family residential home and run the business if the conditional use is approved. There would be no more than two non-farm family employees working for the tree service. There is a designated 40 ft. by 60 ft. shown for storage of wood used in the wood stove in the home that is not part of the tree service.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The County 2035 Land Use Plan identifies this area as the land use categories.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north is land zoned.
To the west are lands zoned.
To the south are properties.
To the west are lands zoned.

SITE CHARACTERISTICS:  The following soils are found on the site:  % of Site

20%
The site contains % prime farm soils.

**IMPACT ON ROADS AND TRAFFIC:**

The site is served by a of the parcel.

**OTHER RELEVANT DATA – RECOMMENDATIONS:**

A lean too shown as proposed to be attached to the existing structure would not be allowed to be used for a farm family business without additional future conditional use approval as a farm family business conditional use can only be approved for the use of existing farm structures.

Garbage storage for the business would need to occur within the existing agricultural building. A dumpster outside of the agricultural building is not approvable as part of a farm family business conditional use.

The 40 ft. by 60 ft. fire wood storage area for the wood stove would be required to be use for fire wood storage only and not for offsite fire wood production and sales.

**APPLICATION STATUS: _____X_____COMPLETE  __________INCOMPLETE**

**FINDINGS FOR CUP:**

Please confirm that finding were made that the CUP is consistent with agricultural use base on consideration of the following as required by s. 91.46 Wisconsin Statutes:

[ ] The activity will not convert land that has been devoted primarily to agricultural use.

[ ] The activity will not limit the surrounding land’s potential for agricultural use.

[ ] The activity will not conflict with agricultural operations on land subject to farmland preservation agreements.

[ ] The activity will not conflict with agricultural operations on other properties.

A farm family business for a tree service conducted entirely within an existing agricultural structure would be allowable in the A-1 Prime Agricultural Zone District and be consistent with Farmland Preservation Statutes.

General:

1. Approved as per plan submitted for an indoor Farm Family Business in a shed on A-1 zone land for a tree cutting service business with no more than two non-farm family employees and all additional conditions as stated.

2. No business activities other than a tree cutting service as specified in the plan of operations may be conducted from out of the facilities.

3. Hours of operation shall be from 7:00 a.m. to 6:00 p.m. Monday through Saturday with return of equipment from off site until 9:00 p.m.

4. All uses of the site shall meet applicable Federal, State, County and local regulations including commercial building inspection.
5. Outside lighting shall be shielded and directed on site.

6. The applicant must obtain all required zoning permit approvals including sign permits. Signage shall not be allowed in the road right of way and shall be setback as required.

7. The applicant must obtain any required Town access approval.

8. No fill, debris, branches or leaves may be disposed of on site.

9. No outside burning of any materials shall occur on site.

10. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office if required by ordinance.

11. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval. All parking must be setback 25 feet from the roadway.

12. The project site must be kept neat, clean, and mowed. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, fluid/oils spills, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.

13. Implementation of dust and noise control measures shall occur at all times on site.

14. All perimeter fencing shall be maintained as identified on the project plan.

15. The operator shall obtain adequate liability insurance and keep the insurance current during the life of this conditional use.

16. No storage of chemicals, petroleum products and flammable materials shall occur on site unless stored in a containment facility meeting State requirements.

17. Walworth County staff may conduct inspections necessary to ensure site is operated and maintained according to applicable regulations.

18. All use of the site shall occur within the identified farm structure. There shall be no outside storage allowed on site.

19. The business operator shall be responsible for maintaining proper on-site waste management practices to avoid environmental contamination.

20. There shall be no expansion of this facilities into business or industrial manufacturing without first obtaining required zone district approval. Approval of business or industrial zoning at this location is not guaranteed and would require consistency review with the Town and County Land Use Plans.

21. There shall be no loitering on the site by non-family member employees after business hours.

22. No occupancy shall be allowed for the business activity approved by this conditional use until all conditions of approval are met.
23. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

24. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

25. The lean too shown on the site plan as proposed to be attached to the existing structure shall not be allowed to be used for a farm family business without additional future conditional use approval as a farm family business conditional use can only be approved for the use of existing farm structures.

26. A dumpster outside of the agricultural building is not approvable as part of a farm family business conditional use.

27. The 40 ft. by 60 ft. fire wood storage area for wood to serve the onsite wood stove shall be limited to use for fire wood storage only and not for offsite fire wood production and sales.
CERTIFIED SURVEY NO.______________________________

Located in the NAWA Sec. 23-2-15, Walworth County, Wisconsin.

Fence corner at correct property corner, I.P. located 0.55', N26°18'17"E of correct corner.

N

NW corner of Sec. 23-2-15.

Owner: Jacob Logterman
Creek Road
Delavan, WI

Soil types: Dodge Silt Loam, Fox Silt Loam, St. Charles Silt Loam, Miami Silt Loam, Kendall Silt Loam.

\[\text{Scale - 1" = 200'}\]

- Iron Pipe 1"x24" 1.13 lbs/ft
- Concrete Monument

Approved by resolution of the Walworth County Park & Planning Commission this ___ day of ___

Harold H. Kolb, Chairman

Note: Bearing of the north line of the Northwest ¼ assumed to be N88°09'43"E as recorded by the Southeastern Wisconsin Regional Planning Commission.

CERTIFIED SURVEY OF:
A parcel of land located in the North ¼ of the Northwest ¼ of Section 23, T22N, R15E, Walworth County, Wisconsin, described as follows: Commencing at the northwest corner of said Section 23; thence N88°09'43"E along the north line of said section, 1528.16 feet to the place of beginning; thence S26°18'17"E 930.33 feet (previously described as S25°26'W, 930.80 feet) to the centerline of Creek Road; thence S59°34'31"W (previously described as S59°36'19"W) along said centerline 279.22 feet; thence N26°18'17"W 1077.04 feet to the place of beginning containing 6.42 acres of land.

SURVEYOR'S CERTIFICATE:
I, James M. Dunham, Surveyor, certify that I have surveyed the property described above and that the plat shown above is a correct representation of all lot lines and that I have fully complied with Chapter 236.34 of Wisconsin Statutes and of the Land Division (Subdivision) Ordinance for Walworth County, Wisconsin.

April 27, 1981

James M. Dunham, Surveyor

Waste management practices will be completed by Private Garbage Company on a weekly basis.

Parking of equipment will take place once we get the approval of the conditional use permit and close on the real estate transaction.

Hours of operation will not be prior to 7am and between 7am - 9pm.

Proposed Employees 2 non farm family employees.
Henry Keizer – Owner
CU Farm Family Business
Contractor Storage in existing Bld.
Section 23, Darien Township
Zoning Map
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION:  
_____ REZONE

___X____CONDITIONAL USE

NAME:  1341 Beach Road LLC - Owner, D1341 Associates, LLC – c/o Tom P. Demuth (Member)

LOCATION:  The property of concern is located in the NE ¼ of Section 9, East Troy Township and is identified as Tax Parcel P ET 900001D.

TOWN RESPONSE:  Approved____  Denied:  __X____  No Action:  ____  Tabled_____  

ZONING:  The property of concern is zoned B-3 Waterfront Business District and R-1 Single Family Residential District (unsewered).

PROJECT DESCRIPTION:

The application indicates:  The property owner is requesting conditional use approval for a hotel with 68 guest rooms containing no kitchens, a coffee shop, a central commercial kitchen and retaining walls all served by a holding tank and on-site well currently serving the property and use of boat slips by guests of the hotel on an approximately 2.94 acre parcel of land zoned B-3 and R-1.  The guess rooms would not have full kitchens.  No portion of the hotel building, parking areas, retaining walls or structures would be located in the R-1 zoned area.  The hours of operation would be 24 hours per day 365 days per year.  The coffee shop hours or operation are proposed as 6:00 a.m. to 11:00 p.m. daily.  The total employees for the hotel would be 15 with four employees working at the hotel at any one time.  Guests would not be prohibited from having overnight guests.  The number of people allowed per room shall be regulated by the hotel management.  There are a total of 88 parking spaces proposed with 68 stalls required for the guest rooms, three parking spaces for the employees and two spaces for the coffee shop.  The sanitary waste for the hotel would be handled by a holding tank and garbage would be removed by John’s Disposal.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Walworth County 2050 Land Use Plan identifies this area as the C Commercial land use categories with a small portion of PEC Primary Environmental Corridor on the north end of the parcel.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the east, west and north are properties zoned R-1 Single Family Residential.
To the south are properties zoned B-3.

SITE CHARACTERISTICS:  The following soil types are found on this site:

CeC2  Class IV  Casco Loam, 6 to 12% slope, eroded
FmC2  Class III  Fox sandy loam, 6 to 12 % slope, eroded
IMPACT ON ROADS AND TRAFFIC:
The site is served by First Avenue to the east and East Shore Drive and Beach Road to the south of the parcel.

OTHER RELEVANT DATA – RECOMMENDATIONS:
There are _0_ letters on file in support and _26_ in opposition to the conditional use request as of 10/7/20.

APPLICATION STATUS: ____X____COMPLETE __________INCOMPLETE

General Conditions:

1. The conditional use is approved for a hotel with 68 guest rooms containing no kitchens, a coffee shop, a central commercial kitchen and retaining walls all served by a holding tank and on-site well currently serving the property and use of boat slips by guests of the hotel on an approximately 2.94 acre parcel of land zoned B-3 and R-1 as per the plan submitted with all additional conditions.

2. The project must meet with all State, Federal and local approvals.

3. The applicant must obtain the required County Zoning permits including sign permits meeting with all ordinance requirements for construction of structures on site.

4. This permit does not include conditional use approval for any amenity that is not specifically identified on the project plans as approved.

5. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from the Land Conservation Department if required by Ordinance.

6. The project site must meet with all County sanitary requirements prior to being used as a hotel.

7. The property owner shall be responsible for removal of all garbage and refuse from the site on the regular scheduled garbage pick-up days.

8. All lighting must be shielded and directed on to the property.

9. All parking shall be as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance parking standards. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked.

10. Access to the site must be as identified on the site plan.

11. The property owner shall be responsible for monitoring parking for the hotel. It shall be the responsibility of the hotel management to assure that all guest vehicles including boat trailers and recreational vehicles and recreational equipment all park in the approved hotel parking areas (Add to the on-site rules of operation).
12. There shall be no parking on the public roadways by users of the hotel (Add to the on-site rules of operation).

13. Use of the grounds shall be limited to normal use as a hotel as stated in the plan of operations. The hotel shall be for transient use only. No stays of 30 days or longer shall be allowed. The units shall be rented out as hotel rooms by a hotel management agency (Agency). The Agency shall keep records of all occupancies and lengths of occupancies for each unit that may be reviewed at any time by the County or Town to assure the transient use of units.

14. The applicant must obtain adequate liability insurance and keep the insurance current during the life of this conditional use.

15. The total capacity of the hotel shall be limited to that specified in the approved plan of operations as ___ guests per hotel room and be consistent with capacity stated for sizing of the sanitation holding tank.

16. The property owner shall be held solely responsible for addressing all restrictive covenants beyond those enforceable by County regulations.

17. All perimeter fencing shall be maintained as identified on the project plan.

18. The property owner shall submit a list of all contact information for parties responsible for management of the use of the hotel to the County and Town and keep the list current after any transfer of property ownership or management change.

19. The owner of the property shall release, indemnify and hold harmless Walworth County and its agents and employees from all liability, claims, demands, causes of action, costs, or losses for personal injuries, property damage or loss of life or property as a result of exercising this approval.

20. Any changes to the character, intensity or use of this site not capable of being discerned by the Land Management Department as consistent with this approval must be brought before the County Zoning Agency for additional conditional use review.

21. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific Conditions:

22. This approval is for use of the structure as a hotel. There shall be no conversion of the hotel or hotel unit into a multi-family residential structure or use of the commercial kitchen as restaurant without proper zoning approval.

23. All outside burning shall be required to obtain local burn permit approval if required prior to being conducted on site.

24. This conditional use is subject to approval of the on-site rule of operation by the Zoning Office consistent with the zoning code and this conditional use approval.
25. A copy of the on-site rules of operation shall be provided for the conditional use file.

26. A copy of the on-site rules of operation shall be provided to each registered occupant of the hotel. (Add to the on-site rules of operation)

27. No camping shall be allowed outside of the hotel identified on the approved plan. (Add to the on-site rules of operation)

28. Check-in for the hotel shall be from 7:00 a.m. to 9:00 p.m. Checkout from the Lodge shall be from 7:00 a.m. to 11:00 a.m. (Add to the on-site rules of operation)

29. Sufficient adult supervision must be present at all times on the hotel property. (Add to the on-site rules of operation)

30. There shall be no special events held on the property involving visitation by day guests outside of the registered occupants of the hotel. (Add to the on-site rules of operation)

31. Use of the lake pier(s) shall be limited to the registered occupants of the hotel. (Add to the on-site rules of operation)

32. There shall be no off shore mooring of boats without proper State and local approvals. (Add to the on-site rules of operation)

33. There shall be no more than four household pets, which shall be required to be owned by the registered occupants of the hotel, allowed on the property without zoning approval for a kennel. (Add to the on-site rules of operation)

34. Property owner shall be responsible for the enforcement of quiet hours between the hours of 11:00 p.m. and 7:00 a.m. (Add to the on-site rules of operation)

35. There shall be no burning of any type allowed outside including the use of fireworks (Add to the on-site rules of operation).

36. There shall be no burning of garbage or refuse allowed on site. (Add to the on-site rules of operation)
D1341 Associates, LLC – Owner
CU for Hotel
Section 9, East Troy Township
Land Use Plan Map
D1341 Associates, LLC – Owner
CU for Hotel
Section 9, East Troy Township
Soils & Topo Map
TOWN OF EAST TROY
N9330 Stewart School Road • P.O. Box 872
East Troy, Wisconsin 53120
Telephone (262) 642-5386
Fax (262) 642-9701

August 18, 2020

Walworth County Planning & Zoning
P.O. Box 1001
Elkhorn, WI 53121

Via Fax No. 262-741-4973

RE: Application: Conditional Use
W1340 Beach Road
Parcel No. PET 900001D
Town of East Troy

Dear Sir/Madam:

Please find enclosed a Resolution Denying the Conditional Use, W1340 Beach Road,
Parcel No. PET 900001D, along with several attachments.

Sincerely,

Christine E. Kniep, Secretary
Town of East Troy Planning Commission

Enc.

cc: 1341 LLC w/enc.
Mr. Tom Demuth w/enc.
TOWN OF EAST TROY
N9330 Stewart School Road • P.O. Box 872
East Troy, Wisconsin 53120
Telephone (262) 642-5386
Fax (262) 642-9701

RESOLUTION DENYING PETITION CONDITIONAL USE

Whereas, the Planning Commission for the Town of East Troy convened on July 15, 2020; and Whereas, 1341 LLC, Owner/Applicant, W1340 Beach Road, Parcel No. PET 900001D applied for a Conditional Use; and Whereas, the Planning Commission voted to approve the Applicant’s Conditional Use on July 15, 2020; and Whereas, the Town Board met on August 17, 2020 to consider the recommendation of the Planning Commission as it related to this Applicant’s Conditional Use at the location described above and denied the same:

NOW, THEREFORE, BE IT RESOLVED that the Conditional Use, W1340 Beach Road, Parcel No. PET 900001D is denied for the following reasons:

1. The mini traffic impact analysis is insufficient according to the WDOT. Traffic counts obtained between 3/01/2020 and 07/31/2020 are not valid due to COVID-19. In addition, the intersections of Beach Road and East Shore Drive with CTH ES and CTH I respectively were not considered.

2. Concerns with the increased well pumping with this proposal. Test pumping @ 20GPM for 2 hours showed a drawdown of 30 feet, from 30’ to 60’ BGS. The estimated total water demand is 72,000 GPD or 50 GPM. The concerns of nearby residents about their well integrity is valid. (Town condition would be a well guarantee for wells within a reasonable distance). Hydrogeologist input is needed on this issue as well as a technical analysis on the well itself. The referenced test pumping occurred 61 years ago.

3. Septic system is proposed as a holding tank(s) system, at front entrance to building. At full capacity this hotel could generate 30,000 GPD of waste water. The concerns are valid in regards to the odor as well as road damage caused by the frequent waste
hauling down East Shore Drive to CTH J. State statutes govern road damage. A road bond should be required for construction as well as operation of the hotel. Even with a larger 3,000 gallon pumper truck, that would result in 10 loads per day and the last consideration is that seasonal roadway weight restrictions have a basis in fact.

4. The proposed plan shows 24 parking spaces in Town road right of ways. This is not allowed by Town Ordinance. There has been references to these parking spaces being "grandfathered." We are not aware of this theory or precedent. Adverse possession cannot be applied against a government body. Addition, (3) of the B-3 Walworth County Zoning Code requires "sufficient area to meet off-street parking and loading requirements". The rear and side yard setbacks are also questionable due to multiple zoning districts. Long term concerns have been raised by residents concerning pedestrian and vehicular traffic in this area. This proposal will add to this safety issue. Hotels are NOT allowed in R-1 Zoning Districts.

STATE OF WISCONSIN
SS
COUNTY OF WALWORTH

I, KIM BUCHANAN do hereby certify that I am the duly appointed, qualified and acting Clerk of the Town of East Troy and that the foregoing is a true and correct copy of a resolution duly adopted at a meeting of the Board of Supervisors of the Town of East Troy held in said Town on the 17th day of August, 2020, at which meeting a quorum was present and that said resolution is duly recorded in the minutes of said meeting.

IN WITNESS WHEREOF, I have affixed my name as Clerk and have caused the seal of said Town to be affixed this 17th day of August, 2020.

KIM BUCHANAN, CLERK/TREASURER
Town of East Troy

RECEIVED
AUG 19 2020
WALWORTH COUNTY LAND USE RESOURCE MANAGEMENT DEPT.
TOWN OF EAST TROY

N9330 Stewart School Road • P.O. Box 872
East Troy, Wisconsin 53120
Telephone (262) 642-5386
Fax (262) 642-9701
Website: TownofEastTroy.com

Lake Beulah Hotel.

The Plan Commission is advisory to the Town Board and the Town Board is advisory to Walworth County. WALCO Land Use and Resource Management has the final say. Since the county has many issues, some large to deal with, the Town’s concerns might pale in comparison.

CONCERNING ISSUES

1. Letter by Owner to Plan Commission and Board dated 06/30/2020.

2. The referenced letter states that the county has already approved this project. If that is the case, why is Town input needed? The county has NOT acted on this proposal.

3. It has been stated that the county has suggested a hotel for this site. According to Matthew Weidensee of WALCO, this is not the case. It is something that they will not do.

4. Area hotels have struggled with occupancy rates. There are concerns expressed by residents of Town of East Troy that if the hotel fails, that a request will be made to convert the hotel to condominiums or some type of rental arrangement. This is admitted speculation.

OBJECTIONS

1. The mini traffic impact analysis is insufficient according to the WDOT. Traffic counts obtained between 03/01/2020 and 07/31-2020 are not valid due to COVID-19. In addition, the intersections of Beach Road and East Shore Drive with CTH ES and CTH J respectively were not considered.

2. Concerns with the increased well pumping with this proposal. Test pumping @ 20GPM for 2 hours showed a drawdown of 30 feet, from 30’ to 60’ BGS. The estimated total water demand is 72,000 GPD or 50GPM. The concerns of nearby residents about their well integrity is valid. (Town condition would be a well guarantee for wells within a reasonable distance). Hydrogeologist input is needed on this issue as well as a technical analysis on the well itself. The referenced test pumping occurred 61 years ago.
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4. The proposed plan shows 24 parking spaces in Town Road Right of Ways. This is not allowed by Town Ordinance. There has been references to these parking spaces being "grandfathered." We are not aware of this theory or precedent. Adverse possession cannot be applied against a government body. Addition, (3) of the B-3 Walworth County Zoning Code requires "sufficient area to meet off-street parking and loading requirements. The rear and side yard setbacks are also questionable due to multiple zoning districts. Long term concerns have been raised by residents concerning pedestrian and vehicular traffic in this area. This proposal will add to this safety issue. Hotels are NOT allowed in R-1 Zoning Districts.

We believe the objections comply with the requirements of 2017 Wisconsin Act 67 with a publication date of November 28, 2017.

If Walworth County proves that the Town of East Troy objections are invalid, then the Town shall consider the objections withdrawn. We have read the letters of objection by the LBMD and are in general agreement with the District. Indeed, most of the objections are one in the same.

The well guarantee and analysis, complete traffic study taking into account COVID-19 and a road bond will remain as conditions requested by the Town of East Troy.
To the Town of East Troy Planning Commission, 

June 30, 2020

In November 2017 The Wisconsin State Legislature passed Act 67, (Changes to Zoning and Land Use).

Act 67 requires a city, village, town or county to grant a conditional use permit (not a variance), if the applicant meets or agrees to meet all of the requirements and conditions specified in the relevant ordinance or imposed by the relevant zoning board, in this case the Shoreland Zoning Code. These conditions must be related to the purpose of the ordinance and based on substantial evidence, not merely personal preference (like "I won't be able to see the lake") or speculation of what the final project might "be like", or density of the project.

Residents of this area know how busy the present location is with a bar, live music, ice fishing jamborees, special events, etc. They also must be aware of the busy lake days, weekends, holidays, regattas with 100 plus sailboats, spectators, wedding and funeral receptions.

There has not been any substantial evidence presented by the Planning Commission that the Lake Beulah Hotel would have an adverse effect on the water supply and wells in the area. The County has determined that it would have a density of 1, not 68, because the applicant is following county ordinance.

The speculation by Supervisor Barb Church regarding Section 9 Housing is borderline discriminatory and inflammatory. There is no basis for this allegation. I have sat through meeting after meeting and listened to your negative comments, most of which would be deemed illegal if challenged in court.

The relevant zoning board—in this case, the County has already approved this project, as the applicant has agreed to meet the Shoreland requirements. Therefore, the developer should be granted a conditional use permit and be allowed to proceed with the project.
INTRODUCTION

In response to the COVID-19 Coronavirus, Governor Evers signed Executive Order #72 declaring a public health emergency on March 13, 2020. On March 24, 2020, Governor Evers issued a “Safer at Home Order.” These orders resulted in the statewide closure of all K-12, primary and secondary, Wisconsin schools effective March 16, 2020 followed by the closure of all non-essential businesses starting on March 25, 2020. Most Wisconsin universities started closing dormitories and moving all instruction to online classes beginning the week of March 15th. Where possible, non-essential workers began to telework as early as March 1, 2020.

The Wisconsin Supreme Court overturned the statewide “Safer at Home Order” on May 13, 2020. Wisconsin K-12 schools continue to remain closed for the duration of the 2019-2020 school year. Immediately after the May 13, 2020 Supreme Court ruling, some individual counties within the State of Wisconsin began to issue their own county-specific safer at home orders, while other counties began to allow the gradual reopening of the non-essential businesses.

The reopening of Wisconsin businesses is occurring in a phased approach following the gating criteria outlined in the Badger Bounce Back Plan. As such, it is unknown when Wisconsin businesses and schools will be fully open. Even when businesses and schools are fully operational, it will take months or even years to rebound from the impacts of COVID-19, and post-COVID conditions may be very different from pre-COVID conditions.

Even in this time of uncertainty, improvement projects and new development continues, creating the need for guidance as it pertains to the collection of traffic data including: link and turning movement traffic volumes, pedestrian and bicycle volumes, truck volumes/percentages, speeds, travel times, origin-destination patterns, and queue lengths among others. This memorandum will serve as the COVID-19 Traffic Data Collection Interim Policy. This interim policy is effective immediately and will remain in effect until rescinded.

NEW TRAFFIC DATA COLLECTION

The following traffic data collection criteria shall apply to all projects on the Wisconsin State Trunk Network (STN), including those on connecting highways. Although not a requirement, the Wisconsin Department of Transportation (WisDOT) encourages local projects, specifically those interested in receiving federal or state funds, to follow the COVID-19 Traffic Data Collection Interim Policy outlined below.
Prior to March 1, 2020:

- Traffic data considered to represent pre-COVID conditions.
- Apply adjustments factors per the Wisconsin Facilities Development Manual Chapter 11, Section 5-3.5 (FDM 11-5-3) and Transportation Planning Manual Chapter 9, Section 40 (TPM 9-40).
- Refer to the Traffic Engineering, Operations and Safety Manual Chapter 16, Section 5 (TEOps 16-5) for additional information on data assembly and preparation.

Between March 1, 2020 and July 31, 2020:

- Considered to represent COVID-19 conditions.
- Analyst shall not use traffic data collected during this time for planning or design.
- Traffic data may serve as a reference for COVID-19 impacts.
- Refer to the following section to develop existing traffic conditions.

After July 31, 2020

- Traffic is unlikely to return to normal prior to July 31, 2020, and normal post-COVID may be very different from normal pre-COVID. This date is subject to change and may vary by location. Consult with the WisDOT regional traffic engineer to confirm prior to any new data collection efforts.
- Project influence area, as referenced below, is the geographical area surrounding the site from which the project is likely to draw a high percentage of its trips.
- WisDOT regional traffic engineer shall use professional judgment and consider the following questions when assessing whether to go ahead with new traffic data collection:
  1) Have traffic volumes in the project influence area been stable for at least one month?
     - Traffic volumes are stable when the weekly fluctuation in traffic is minimal, typically no more than 20%. In other words, the traffic count (daily and hourly) for a given day of the week for the past four weeks (e.g., Tuesday from week 1, week 2, week 3 and week 4) are all within 20% of one another with no apparent trend of decreasing or increasing volumes.
     - Although typically 20%, the acceptable range of variance may differ depending on the type of facility (primary arterial, minor arterial, etc.) and location. Other factors, such as special events, holidays, and incidents to name a few, may also affect the acceptable range of variance.
     - Stabilization of traffic volumes may vary by region, county, and municipality.
     - Traffic volumes may stabilize on recreational/tourism routes before they stabilize on commuter routes, or vice versa.
     - Coordinate with the WisDOT Traffic Data Unit (traffic.counts@dot.wi.gov) to obtain traffic volume patterns, acceptable range of variance and other criteria for determining volatility of traffic volumes.
  2) Are businesses in the project influence area open and have they resumed normal operations?
     - The WisDOT regional traffic engineer or project manager shall coordinate with local business owners to assess if the business has resumed operation and if not to assess when or if the business plans to reopen.
     - Ideally, all businesses in the project influence area should be open prior to proceeding with data collection. However, post-COVID operations may never return fully to pre-COVID conditions. Some businesses may close permanently,
other businesses may re-open but have fewer customers, while some businesses may continue to promote teleworking and thus have fewer on-site employees. Additionally, there may be other unknown permanent impacts to businesses.

- If a business that plans to re-open is closed at the time of the traffic data collection, the analyst shall add the trip generation potential from the closed businesses in accordance with the WisDOT Traffic Impact Analysis (TIA) Guidelines.

- It may be acceptable to use historical counts (e.g., driveway counts, intersection counts where the business is the primary generator of traffic on one or more of the intersection legs) to estimate the trip generation of temporarily-closed businesses. If using historical count data, the analyst shall take into consideration any potential reduction or increase in trip generation associated with permanent changes from the COVID-19 pandemic (e.g., fewer in store customers, less staff, increase in deliveries, etc.).

3) **Are schools in the project influence area open per normal, pre-COVID conditions?**

- The WisDOT regional traffic engineer or project manager shall coordinate with the local school district and universities to assess if the school/university has resumed normal operation and if not to find out when the school/university plans to resume normal operation.

- Ideally, all K-12, primary and secondary, schools and universities in the project influence area should have resumed on-site/classroom instruction. Some educational facilities, however, may never fully return to pre-COVID operations.

- As of the publication of this document, it is unknown whether K-12, primary and secondary, schools in Wisconsin will continue full or partial virtual learning into the fall 2020 semester.

- Universities may choose to convert some or all curriculum to full-time online classes.

- Any counts taken when schools are operating at atypical conditions, shall be adjusted either through the use of the WisDOT TIA Guidelines trip generation procedures or through utilization of historical school driveway/access counts. Confirm the methodology for adjusting the traffic counts with the WisDOT regional traffic engineer.

- If the answer to all three of the questions above is Yes, then traffic data collection may resume. Apply adjustments factors per the FDM 11-5-3 and TPM 9-40. Refer to TEOps 16-5 for additional information on data assembly and preparation.

- If the answer to any of the questions above is No, the COVID-19 pandemic is still affecting traffic conditions in the area. The WisDOT regional traffic engineer should defer the collection of any new traffic data. Refer to the following section to develop existing traffic conditions.

**ESTABLISHING EXISTING TRAFFIC CONDITIONS UNDER COVID-19 CONDITIONS**

Under COVID-19 conditions, traffic volumes and other traffic data such as travel speeds and travel times, may not give a realistic representation of existing conditions. Analyst may use the following alternate methods to supplement or replace existing traffic data under COVID-19 conditions.

**Use of Historical Data**

Under COVID-19 conditions, instead of collecting new traffic data, the analyst should assemble the most recent historical traffic data available.
WisDOT has access to or maintains existing databases of traffic count, speed, and other transportation data. The Bureau of Traffic Operations (BTO) - Traffic Analysis and Safety Unit (TASU) Data Hub provides a list of potential sources of historical data. Coordinate with WisDOT regional traffic staff to verify other potential sources of data. Other resources for finding data sources include WisDOT Bureau of State Highway Programs (BSHP) and WisDOT Traffic Forecasting Section (TFS).

Where possible, try to assemble historical traffic volume, speed, travel time, and origin-destination data from the same month and year.

When using historical traffic data, consider the following:

- WisDOT will typically accept traffic data collected between January 1, 2017 and February 29, 2020 as being reflective of existing conditions.\(^1\) Coordinate with the WisDOT regional traffic staff to confirm validity of traffic data.

- If there have been no major changes in land use or roadway network (e.g., addition of a new by-pass route), historical counts may be valid regardless of age.

- Coordinate with WisDOT TFS (DOTTrafficForecasting@dot.wi.gov) to select applicable growth rates or obtain traffic forecasts as necessary to adjust the historical traffic data to reflect existing conditions.

- For microsimulation analyses, for traffic data (volumes, speeds, travel times, origin-destination patterns, etc.) collected between January 1, 2017 and February 29, 2020, use the historical data as the base year for the traffic model as this will allow for easier model calibration. For traffic data collected prior to January 1, 2017, coordinate with BTO-TASU (DOTTrafficAnalysisModeling@dot.wi.gov) to identify the appropriate year to use for the microsimulation base year model.

- When using historical data prior to January 1, 2017, consider performing sensitivity analyses specifically when the need for improvements are borderline.

**Use of Supplemental Traffic Data**

Supplemental data may be necessary to fill in gaps where historical traffic data, specifically turning movement counts, is not available. Following are some supplemental sources of data:

- Historical origin-destination data, and corresponding proportion of turning movements, may be available from third-party vendor big data providers (e.g., Streetlight, INRIX). The WisDOT TFS may be able to aid with the use of big data, specifically Streetlight data.

- Use the relative turning movement ratios from the big data provider in combination with hourly or annual average daily traffic (AADT) volumes on the intersection approaches to estimate turning movement volumes.

- More research is necessary to confirm the validity of third-party big data turning movement counts. As such, until further notice, do not use the third-party big data turning movement volume counts directly.

- In absence of turning movement count data, Fratar Factoring\(^2\) may be useful for transforming relative turning movement ratios, origin-destination matrices, or daily intersection approach volumes into turning movement counts.

- Use the BTO-TASU volume balancing tools, or similar tools, to smooth out differences between events over various times, days or years or to fill in data gaps along a corridor. TECpS 16-5-15.4.3 provides additional details on the BTO-TASU volume balancing tools.

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\(^1\) For this to be true, no new development, construction, or modifications to the roadway network shall have occurred since the collection of the traffic data.

\(^2\) Fratar Factoring is a statistical technique where the rows and columns of an origin-destination matrix have multipliers optimized to factor up the sample to match (as close as possible) the target values by minimizing the sum of least squares.
Use the trip generation and distribution methodologies outlined in the WisDOT TIA Guidelines to estimate additional traffic associated with new development or temporarily closed facilities. Coordinate with the WisDOT regional traffic engineer to assess when and how to use supplemental data.

TRAFFIC VOLUME PROJECTIONS

It is unknown what the long-term impacts from the COVID-19 pandemic will be. Professional judgment and thorough documentation of all assumptions will be necessary to support any future traffic volume projections. Coordinate with WisDOT TFS (DOTTrafficForecasting@dot.wi.gov) on the development of future traffic forecasts.

FUTURE EVALUATION

Where possible, projects analyzed under COVID-19 conditions, should be reevaluated after traffic conditions reflect the "new" normal and prior to going to construction.

Should you have any questions or require additional information on the COVID-19 Traffic Data Collection Interim Policy, please contact BTO-TASU (DOTTrafficAnalysisModeling@dot.wi.gov).
To Whom it may concern,

Our Conditional Use Amendment is for the following:

1. Expanding our outdoor patio space by 25% (as depicted in attached documents) to include a pergola (image of similar pergola design also included)

2. Providing outdoor music to our patrons at no additional cost. No tickets will be sold as music will be provided outside when weather permits.
Finished wood decking, heavy mesh screens, and translucent ceiling panels are durable, attractive elements that seamlessly blend this dramatic porch with its surroundings.

Exhausting energy, overlooking tile.

I really

outdoor

red

file

-12
Amended 10/15/2020 for increase concrete apron for outdoor food and beverage seating area, an open sided pergola and outdoor music as specified. (See # 1, 9, 10 and 25).
AMENDED 5-10-2018 (paragraph 16)

NAME: Michael Fields Agricultural Institute – The Hive Taproom
TOWN: East Troy

The property owner is requesting to rezone approximately 1.9 acres of B-2 General Business Zoned property to the A-4 Agricultural related Manufacturing, Warehousing and Marketing District in order to obtain conditional use approval for a winery for making of mead from honey with a tap room, ancillary retail sales and outdoor food and beverage area. The applicant states The Hive Taproom would be a winery focusing on making and selling honey fermented beverages sourced from local Wisconsin honey, hops, and produce. Along with honey fermented beverages; food will be purchased from off-site vendors to be sold on locations. Local small batch honey used to make the beverages will be available for purchase. Live music would be performed on a small stage inside, yoga classes would be offered, group cycling rides would start/finish at location, card/board game nights would be offered. The Hive Taproom logo specific merchandise would be available for sale including clothing and glassware. Business hours are proposed as 6:00 a.m. to 9:00 p.m. There would be five employees.

Part of Tax Parcel PA120200002.

Has been APPROVED subject to the following conditions:

General:

1. Approved as per plan submitted for a for a winery for making of mead from honey with a tap room, ancillary retail sales, increased subject to a detailed plan approved by the committee, and outdoor food and beverage area and amended 10/15/2020 for increase of a concrete apron for outdoor food and beverage area by less than 25% of outdoor service area, for a pergola to be less than 25% of existing approved structures and for outdoor music as specified.

2. Sales allowed on site shall be limited to the products identified in the project narrative.

3. No business activities other than specified in the plan of operations may be conducted from out of the facilities.

4. Storage shall be limited to material and goods directly associated with business. There shall be no outside storage area.

5. On site hours of operation from 6:00 a.m. to 9:00 p.m. seven days a week for the winery.

6. The site must meet all applicable Federal, State, County and local regulations.
7. Outside lighting shall be shielded and directed on site.

8. The applicant must obtain all required zoning permit approvals including sanitation review and approval. The property owner shall obtain a zoning permit for the proposed pergola.

9. The number of employees shall be limited to the owners and 5 employees.

10. There shall be no outside music or outside amplified sound on site. Outdoor music shall be allowed free, with no ticket required for customers of the hive taproom. Outdoor music shall be considered ancillary entertainment for customers and shall not have more customers in attendance that allowed by the building occupancy. There shall be no stage, portable toilets, outdoor crowd protection fencing, or expansion of parking without full conditional use review for music events.

11. No fill, debris, branches or leaves may be disposed of on site. No burning of waste materials shall occur on site.

12. The property owner must maintain adequate liability insurance during use of the property and keeps the insurance current during the life of this conditional use.

13. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office if required by the ordinance.

14. All parking must occur in the areas identified on the approved plan. Parking must meet with requirements of the county zoning ordinance. All parking must be graded and surfaced so as to be dust free. All parking must be in compliance with County requirements within 60 days of this approval. The access to the site shall meet Town requirements.

15. The project site must be kept neat, clean, and mowed.

16. The owners of the property shall release, indemnify and hold harmless Walworth County, the Town of Walworth East Troy and their agents and employees from all liability, claims, demands, causes of action, costs, or losses for personal injuries, property damage or loss of life or property prior to this conditional use being valid.

17. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

18. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner
may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

19. The approval of a new conditional use to allow sales is limited to retail sales of ancillary non-agricultural and agricultural items not produced on site subject to a detailed plan approval (see attached list of items to be sold on site as specified): Food purchased from off-site vendors to be sold on locations and logo specific clothing and glassware merchandise for sale.

20. The conditional use approval includes the modified sign permit for a maximum 100 sq. ft. on each side on premise ground sign meeting all other sign code requirements.

21. A DNR letter of concurrence for comingling of waste flows for the winery operation and human waste must be provide prior to this conditional use being valid or the property owner must keep human waste to the on-site waste water treatment system separate from the winery operations waste by use of a holding tank for the winery operations.

22. The property owner shall provide a copy of approval from the appropriate building inspector for the County file prior to use of the structure.

23. The property owner shall provide a fire protection plan that has received review from the fire department and submit a copy for the conditional use file prior to use of the building.

24. There shall be no self-service of retail products for sale on site.

25. **There shall be no food trucks allowed on site without specific conditional use approval.**

Dated this 24th day of April, 2018

_________________________________
COUNTY ZONING AGENCY
TIM BRELLENTHIN, CHAIRMAN

cc: Tim Guild, W2463 County Rd. ES, East Troy, WI 53120
Town of East Troy, Joe Klarkowski, Chairman, N9330 Stewart School Road, P.O. Box 872, East Troy, WI 53120
Town of East Troy, Kim Buchanan, Clerk, N9330 Stewart School Rd, P.O. Box 872, East Troy, WI 53120
Walworth County Land Use and Resource Management Department
Land Conservation Division
Preliminary Storm Water Management Plan Review Letter

Landscape Contractor Facility - Equipment and Materials Storage and Office

Applicant: Thomas Joseph Weber
Property Owner: Same
Township: Town of Lafayette

Site Location: W4186 Potters Road
Tax Key Parcels #: K LF 170006A/#K LF 2000001

Preliminary storm water management plan prepared by: Todd Weik, CBC Engineering.

Preliminary Plans Reviewed: This review is based on a Preliminary Storm Water Management Plan submitted to Walworth County Land Conservation Division on October 9, 2020 and a site inspection conducted on October 9, 2020.

County Authority: Chapter 26 (Environment) Walworth County Code of Ordinances (Article I and Article II)
Purpose of Review: The purpose of this preliminary storm water review letter is to insure site planning for any land development proposal accounts for compliance with State and County Storm Water Management Performance Standards and to insure the development plan demonstrates sufficient land is allocated to manage storm water runoff generated under full development conditions proposed. The preliminary storm water management review provides the applicant with information relevant to state and county storm water management performance standards applicable for the proposed development and provides guidance and recommendations for the preparation of final engineering plans.

Current Land Use Conditions: The current land cover includes a nonmetallic mining site restored to vegetative cover and an abandoned industrial site with a large paved area and abandoned stockpiles following the receivership proceedings for BR Amon and Sons.

Development Plans: The development plan includes the establishment of a landscape contractor’s business with outside storage of landscape materials (gravel, stone, mulch, tree trimmings and logs, etc.) and landscaping and construction equipment. The construction of a watertight and roofed structure for the storage of salt, a building for the indoor storage of materials and equipment and a proposed watchman’s quarters are included on the development plan.

Planned Storm Water Management practices: The following storm water management practices are planned to serve the developed conditions:

- A storm water management basin will be recommissioned. This basin was partially constructed by BR Amon and Sons for their facility and decommissioned during the receivership proceedings.
- Vegetated swales and filters for storm water conveyance system will be established to collect, filter and direct runoff to the reconstructed storm water basin.

County Land Conservation Division Comments:

The Walworth County Land Conservation Division has reviewed the site development plan and the preliminary storm water management plan and determined the preliminary storm water management plan is complete.

1. Total Proposed Land Disturbed. The preliminary storm water management review letter application, indicates 115,200 square feet will be disturbed to implement the proposed development plan. A preliminary grading plan has been prepared for site improvements planned.


The final engineering shall include additional construction details for the storm water management basin and the conveyance system. An as-built survey and certification of the recommissioned basin shall be prepared and submitted to the Walworth County Land Conservation Division. The swale should be planned and designed to meet the standards and specifications in WDNR Technical Standard #1005, Vegetated Swale or NRCS Conservation Practice Code #412, Grassed Waterway. A cross-section and profile of swale shall be prepared and submitted to the Walworth County Land Conservation Division.

3. Operation and Maintenance Plan. An operation and maintenance plan for the planned storm water management practice (recommissioned basin and grassed filter and conveyance system) must be prepared and recorded according to the requirements outlined in Section 26-16 of the Walworth County Code of Ordinances, related to Storm Water Management.

4. The final storm water management plan and the construction site erosion and sediment control plan and permit coverage must be approved by the Walworth County Land Conservation Division.

5. Copies of all required WDNR permits must be submitted to Walworth County Land Conservation Division, prior to any land disturbing activities commence on the parcels.

Preliminary Storm Water Review Prepared by: Fay U. Amerson Date: 10/13/2020
October 8, 2020

Preliminary Stormwater Management Plan
Weber Parcel’s KLF 1700006A and KLF 200001
Town of Lafayette, Walworth County, WI.

Introduction

Thomas Weber, Weber Landscaping, S110 W19414 Muskego Dam Road, Muskego, WI., has applied to Walworth County for a Conditional Use Permit to establish a business and outside storage yard with multi-uses and structures to compliment his Landscape business at W4186 Potter Road, tax key parcels KLF 1700006A and KLF 200001 in the Town of Lafayette. Because of the extent of the development and the land disturbance associated with the proposed improvements, a preliminary stormwater management plan must be approved by Walworth County. The following stormwater management plan is based upon the requirements of Section 26 of the Walworth County Code of Ordinances and guidance documents from the County.

Required Plan Items:

1. The existing and proposed watersheds have been delineated based upon existing County topographic data and field surveys completed Horizon Land Development, LLC. Flow paths and discharge points are depicted on the plans. The plans are presented in Appendix A.

2. The existing mapped wetlands, surface water features and floodplains are presented in Appendix B. There are no wetlands, surface waters or floodplains impacted by the proposed development. The ultimate receiving water from these lands is Sugar Creek.

3. The proposed drainage and conveyance facilities and stormwater management best management practices that will facilitate the stormwater runoff control from the proposed development is presented in Appendix C. This facility is an existing pond that was partially constructed in 2014. CBC staff completed a volumetric evaluation of the current pond configuration to determine if the pond was of sufficient size to control the runoff from proposed development site. This data was applied to the hydraulic evaluation of the proposed site.

4. There is no drainage or stormwater management easements that will be proposed for this development.
5. There have been no soil borings on the site to determine permeability. This is an old sand and gravel quarry. The NRCS soils report for this project is presented in Appendix D. The hydrologic soil group used in the hydrologic calculations was a "B" type soil.

6. The access roads to the stormwater management facilities are in place as part of the old quarry operations and the proposed development. The roads have been shown on the plans and are not proposed to be changed.

7. The preliminary stormwater management hydrologic and hydraulic calculations have been completed utilizing the HydroCadd stormwater modeling software. A summary of the results are as follows:

The watershed associated with this development encompasses approximately 40.2 acres and is broken into three distinct watersheds. The watershed delineations are presented in Appendix A. The existing condition watershed characteristics are presented in Table 1.

<table>
<thead>
<tr>
<th>Subbasin ID</th>
<th>Area (acre)</th>
<th>TC (min)</th>
<th>RCN</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>18.0</td>
<td>28.3</td>
<td>61</td>
</tr>
<tr>
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<td>61</td>
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<tr>
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<td>4.4</td>
<td>61</td>
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</table>

The runoff from the 1, 2, 10 and 100-year, 24-hour storm events was calculated based upon the precipitation values presented in the Walworth County Ordinance. The calculated existing conditions runoff results are presented in Table 2.

<table>
<thead>
<tr>
<th>Subbasin ID</th>
<th>1 year (cfs)</th>
<th>2 year (cfs)</th>
<th>10 year (cfs)</th>
<th>100 yr (cfs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1.37</td>
<td>2.65</td>
<td>9.81</td>
<td>30.46</td>
</tr>
<tr>
<td>2</td>
<td>1.63</td>
<td>3.16</td>
<td>11.63</td>
<td>36.09</td>
</tr>
<tr>
<td>3</td>
<td>0.08</td>
<td>0.20</td>
<td>0.82</td>
<td>2.43</td>
</tr>
</tbody>
</table>

The proposed conditions analysis resulted in modifications to Subbasins 1 and 3. The hydrologic results of the proposed conditions is presented in Table 3.

<table>
<thead>
<tr>
<th>Subbasin ID</th>
<th>1 year (cfs)</th>
<th>2 year (cfs)</th>
<th>10 year (cfs)</th>
<th>100 yr (cfs)</th>
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</thead>
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<tr>
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<td>1.63</td>
<td>3.16</td>
<td>11.63</td>
<td>36.09</td>
</tr>
<tr>
<td>3</td>
<td>0.52</td>
<td>0.75</td>
<td>1.65</td>
<td>3.69</td>
</tr>
</tbody>
</table>
The Walworth County Ordinance requires the post development stormwater discharge from the site cannot exceed the discharge from the site under existing conditions. To manage the stormwater from the site, an existing pond, that was partially constructed in 2014, was considered as a potential facility that could store the required volumes and reduce the post construction storm flows to preconstruction levels. The results of the hydraulic analysis indicate that the existing stormwater pond can accept and store the post stormwater runoff from the 1, 2, 10 and 100-year, 24-hour storm events with zero discharge. Table 4 summarizes the results.

Table 4

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<tr>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>1.37</td>
<td>1.63</td>
<td>0.08</td>
<td>0.00</td>
<td>1.63</td>
<td>0.52</td>
</tr>
<tr>
<td>2</td>
<td>2.65</td>
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<td>0.20</td>
<td>0.00</td>
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<td>0.75</td>
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<tr>
<td>10</td>
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<td>11.63</td>
<td>0.82</td>
<td>0.00</td>
<td>11.63</td>
<td>1.65</td>
</tr>
<tr>
<td>100</td>
<td>30.46</td>
<td>36.09</td>
<td>2.43</td>
<td>0.00</td>
<td>36.09</td>
<td>3.69</td>
</tr>
</tbody>
</table>

The impact of the proposed development can be mitigated with the existing stormwater pond. Subbasins 1 and 3 are impacted by the development. Subbasin 2 is not. The total existing condition discharges allowed versus the total discharge that will occur is presented in Table 5.

Table 5

<table>
<thead>
<tr>
<th>Subbasin ID</th>
<th>Total 1 Year (cfs)</th>
<th>Total 2 Year (cfs)</th>
<th>Total 10 Year (cfs)</th>
<th>Total 100 Year (cfs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 and 3 - Existing</td>
<td>1.45</td>
<td>2.85</td>
<td>10.63</td>
<td>32.89</td>
</tr>
<tr>
<td></td>
<td>Total 1 Year (cfs)</td>
<td>Total 2 Year (cfs)</td>
<td>Total 10 Year (cfs)</td>
<td>Total 100 Year (cfs)</td>
</tr>
<tr>
<td>1 and 3 - Proposed</td>
<td>0.52</td>
<td>.75</td>
<td>1.65</td>
<td>3.69</td>
</tr>
<tr>
<td>Delta</td>
<td>0.90</td>
<td>2.10</td>
<td>8.98</td>
<td>29.20</td>
</tr>
</tbody>
</table>

The results of the analysis show that the proposed development will not result in stormwater flows that will exceed that predevelopment conditions of the site. Additionally, because the existing pond can capture and store the stormwater runoff from the site with no discharge, 100-percent of the total suspended solids and 100-percent of the total phosphorus will be removed. Detailed HydroCadd summary data is presented in Appendix E.

8. The ownership and maintenance of the facilities will be Thomas Weber, the applicant.
9. The completion of this plan and the primary engineering contact for this project is Todd Weik, PLA, CPESC with CBC Engineers and Associates. His contact information is toddweik@cbceng.com and 262-219-2938. The principal Wisconsin Professional Engineer overseeing the completion of the project and sealing the plans is Mitchell Hardert, PE, 125 Westpark Road, Centerville, Ohio 45459. His contact information is mitchhardert@cbceng.com and 937-428-6150.

10. There are no known setbacks associated with wells, wetlands and shorelands or road right of ways on this project site.