

**County Zoning Agency**  
MINUTES  
**March 21, 2019** – 4:30 p.m.  
100 West Walworth Street  
Elkhorn, Wisconsin

---

Committee Chair Tim Brellenthin called the meeting to order at 4:35 p.m.

Roll call – Committee members present were Supervisors Tim Brellenthin, Dave Weber, Rick Stacey and Jerry Grant, and Citizen Members Richard Kuhnke, Sr. and Jim Van Dreser. Supervisor Susan Pruessing was absent. A quorum was present.

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, Deputy Director/Shannon Haydin, and Site Planner/Hearing Facilitator Matt Weidensee. Present for a portion of the meeting / hearing were Nick Sigmund/Senior Zoning Officer, Brian Smetana/Agricultural Conservation Technician.

A “sign-in” sheet listing attendees on March 21, 2019 is kept on file as a matter of record.

Details of the March 21, 2019 meeting / hearing are on a digital recording which is on file and available to the public upon request / video to view on our website: [www.co.walworth.wi.us](http://www.co.walworth.wi.us)

**Dave Weber motioned to approve the agenda as amended to table items 8.d.1.) Karl Sawyer – Owner; 8.e.1.) Dustin and Jennifer Henningfeld – Owners; 8.f.1.) JHGKL, LLC- Owner, Super Aggregates C/O Jack Pease- Applicant. Seconded by Richard Kuhnke, Sr. Motion carried. 6-favor 0-oppose.**

**Dave Weber motioned to approve the February 21, 2019 CZA Meeting minutes. Seconded by Jerry Grant. Motion carried. 6-favor 0-oppose**

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter  
Disc Count #4:37:30 – 4:37:47

Subdivision Items – Old Business – None

Subdivision Items – New Business – None

Old Business - Ordinance Amendments – None

Old Business – Discussion Items –

1. Future of **Livestock Siting** in Walworth County

**Discussion by Staff and the Committee regarding the current status of livestock siting and limitations.**

**Jim Van Dreser motioned to rescind Walworth County livestock siting regulation. Seconded by Richard Kuhnke, Sr. Motion carried. 6-favor 0-oppose.**  
Disc Count #4:37:55 – 4:45:16

2. Time limits for presentations and public comment

**Committee discusses proposal submitted by Staff concerning presentation time limits. Recommendation by Michael Cotter to send any recommendations to the Executive Committee to have an Ordinance enacted county-wide regarding these limits. Rick Stacey motioned to approve the hearing time limits as presented by Staff on page 28 of the March CZA packet for 15 minutes, 3 minutes, 15 minutes, 3 minutes and 10 minutes for the CZA and then to the Executive Committee. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose.**  
Disc Count #4:45:18 – 4:55:13

New Business - Ordinance Amendments – None

1. Zoning Ordinance Amendments / Updates

**Nick Sigmund presents summary of proposed ordinance changes and clarifications proposed. Public hearing will be held on these changes at the April 18, 2019 CZA meeting.**  
Disc Count #4:55:16 – 5:00:46

New Business – Discussion Items –

1. **David A. Hernandez and Tereasa Surratt – Owners, Robert T. VanScoyoc, Sweet & Maier, S.C. – Applicant** – Amendment of a conditional use on lands zoned P-1 and C-2 to relocate recreational camp areas #2 and #3 and a wildlife observation tower in an approved recreational camp, Tax Parcels GA455200001 and 2 and GLVPC 00001, 2, 3, and 4, Sugar Creek Township.

\*\*\* AMENDED \*\*\* (\* 7/10/2013)

\*\*\* SECOND AMENDED \*\*\* (\*\* 9/4/2013)

**Amended January 17<sup>th</sup>, 2019 for 22.3 acre land addition and 46 additional guest camping individuals. (see #1, 3, 5, 8, 14, 17, 19, 20, 21, 22.**

**Amended March 21, 2019 for relocation of recreation camp areas #2 and #3 and a wildlife stand.**

NAME: David A. Hernandez  
Tereasa Surratt  
\*\*JMA Pleasant Lake Properties

TOWN: Sugar Creek

The application indicates: The property owners are requesting to rezone 3.12 acres of land from R-1 to P-1 in order to bring a historic recreational camp into compliance with the County Zoning Ordinance. The recreational camp is regulated by a conditional use permit allowing for the following uses: Kids' Camp, Art Camp, Band Camp, public assembly uses for weddings, Mass in the Grass (outside church activities during the spring through summer on Sundays) and a caretaker's quarters for the owners of the property. **The CU is amended January 17<sup>th</sup>, 2019 to add approximately 22.3 acres of C-2 land to the recreational camp to provide for three Recreational Camps and one Public/Private group tent camp to the existing recreational campground. The additional three recreational camps would consist of camp #1 a six unit (structure) camp for a group of 12 people and camp #2 & 3 two four unit (structure) camps for use by groups of 12 people each for a total of 36 new recreational campers to the overall campground. Camp #4, a proposed group Public/Private Campground facility with five proposed, two person tents for a total of a group of 10 people tent camping is also proposed to be added to the overall campground.**

Tax Parcels ~~GLW 00280 and GLW00 381 and Parts of Tax Parcels G SC 200007 and~~

~~\*\*G SC 200001, GA455200001 & 2 and GLVPC 00001 through 4 and all common area~~

Has been APPROVED subject to the following conditions:

General:

1. The Conditional Use for the recreational ~~\*youth~~ camp is approved as per the plan submitted **and amended January 17<sup>th</sup>, 2019 to add approximately 22.3 acres of C-2 land to the recreational camp to provide for three recreational camps and one public/private group tent camp to the existing recreational campground. The additional three recreational camps would consist of camp #1 a six unit (structure) camp for a group of 12 people and camp #2 & 3 two four unit (structure) camps for use by groups of 12 people each for a total of 36 new recreational campers to the overall campground. Camp #4, a proposed group public/private campground facility with five proposed, two person tents for a total of a group of 10 people tent camping is also proposed to be added to the overall campground and amended 3/21/2019 for relocation of recreational camp areas #2 and #3 and a wildlife stand as per plans stamped received 2/6/2019.**
2. Use of the grounds shall be limited to the recreation camp activities as stated in the plan of operations excluding shared parking.
3. All housing for the recreational camp users shall occur in the buildings identified on the plan **for camp guest housing**. There shall be no overnight stays in any structure not identified on the site plan as a **camping** cabin, guest room or caretaker's residence **or approved tent**. (i.e. **There shall be no camp guests allowed to stay in the caretaker's quarters, picnic pavilion, nature watching stand areas, storage shed, craft cabin, camp shower house, garage, shed, treehouse, gazebo, unlabeled structures, etc.**)
4. The project must meet with all State, Federal and local approvals.
5. The applicant must obtain all required County Zoning permit. **The location or labeling of a potential structure on the approved conditional use site plan shall not be determinative of zoning permit requirements, setbacks, size or locational approvals (i.e. see - reported grey water tank location, shed, etc.).**
6. Hours of operation shall be as stated in the plan of operations.
7. Sufficient adult supervision must be present at all times when the camp is used by children.
8. The total capacity of the camp shall be as identified in the plan of operations with 25 onsite beds with a **total of 25 50 camping guests in the existing recreational camp, 36 new recreational campers in sites # 1-3, a group of 10 people tent camping as a group public/private camp in site #4 for total of 71 96 overnight camp users and an overall total of 150** attendees for public assembly of weddings and Sunday outdoor church services.
9. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.
10. The project site must meet with all County sanitary requirements.
11. All perimeter fencing shall be maintained as identified on the project plan.
12. The applicant obtaining adequate liability insurance and keep the insurance current during the life of this conditional use.
13. All lighting must be shielded and directed on to the property.
14. Parking must meet with requirements of the county zoning ordinance. All parking **shall meet the exterior boundary setbacks established for a recreational camp with exception for the street yard setback from the roadway to the existing and expanded parking lot as shown shall be granted established street yard** ~~across from residential zoning must be setback 25 feet from the roadway.~~ All parking must be in compliance with County requirements within 60 days of this approval.
15. 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.
16. 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.

17. **Quiet hours shall be from 10:30 p.m. to 8:00 a.m. Friday to Sunday and holidays; 9:30 p.m. to 8:00 a.m. Monday to Thursday.**

Specific:

18. The parking standards have been modified by this conditional use to allow overflow parking on the grass during the occasions of events as stated in the project narrative and depicted of the project plan. Normal recreational camp (non-event) use shall use the surfaced parking as depicted on the project plan.
19. **The approved parking for the public/private group tent camp #4 shall be shown on the site plan meeting all parking requirements and may remain unsurfaced and shall be surfaced prior to the group tent camp area #4 use.**
20. **There shall be no new disturbance to the exterior buffer for the recreational camp as shown on the approved site plan.**
21. **The grass event parking shall be used solely for approved events for public assembly of weddings and Sunday outdoor church services, as specified in the conditional use narrative above.**
22. **The proposed primary water, toilet and shower facility and second water source as labeled on the site plan shall be installed and functional prior to a campsite needing the water supply within 300 feet and or toilet within 400 feet being used for camping.**

Dated this 20<sup>th</sup> of June, 2013. /  
Dated this 10<sup>th</sup> day of July, 2013

\_\_\_\_\_  
COUNTY ZONING AGENCY  
RICK STACEY, CHAIRMAN

Dated this 4<sup>th</sup> of September, 2013.

\_\_\_\_\_  
COUNTY ZONING AGENCY  
RICK STACEY, CHAIRMAN

Dated this 21<sup>st</sup> day of January, 2019.

\_\_\_\_\_  
COUNTY ZONING AGENCY  
TIM BRELLENTHIN, CHAIRMAN

**Jim Van Dreser motioned to approve. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose.**  
Disc Count #5:00:47 – 5:03:30

2. **Sugar Creek Lutheran Church – Owner, Ervin Schlepp / representative – Applicant –** Amendment of a conditional use for an existing P-1 and P-2 zoned cemetery by addition of an 80 unit columbarium for placement of cremated ashes of individuals. The expansion is 15.2% of the existing cemetery units qualifying for a less than 25% conditional use expansion by amendment. Tax Parcel G SC2800002 and 3, Sugar Creek Township.

Amended 3/21/2019 for addition of columbarium See #1 and 9.

NAME: SUGAR CREEK LUTHERAN CHURCH CEMETERY

TOWN: SUGAR CREEK

A conditional use permit for expansion of an existing cemetery as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands proposed to be zoned P-2 Institutional Park District, and **for the addition of columbarium structures** described as follows:

Part of Tax Parcel #'s G SC2800003 and G SC2800002

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

1. Approved per plans submitted **and amended 3/21/2019 for addition of columbarium structures** with all additional conditions.
2. Outdoor lighting shall be shielded and directed on site.
3. Must meet all Federal, State, County and local regulations.
4. The Township Highway Department must approve the access to the facility if different from the existing access locations.
5. The applicant must obtain a Land Disturbance, Erosion Control and stormwater approval if required by Ordinance.
6. The applicant must meet all requirements for cemetery expansion under State Statute 157.065.
7. All grave monuments that do not meet the definition of a minor structure will need to meet with the required sideyard, rearyard and streetyard setbacks for structures.
8. 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.
9. **The property owner shall relocate the property boundary to the outside for the park zoned districts within six months of this approval and prior to obtaining zoning permit approval for the columbarium structures.**

Dated this 21<sup>st</sup> day of April, 2009.

COUNTY ZONING AGENCY  
RICK STACEY, CHAIRMAN

**Richard Kuhnke, Sr. motioned to approve. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose.**  
Disc Count #5:03:31 – 5:06:30

**Public Hearing: 5:30 p.m.**

**Ordinance Amendments** – None

**Rezoning with Conditional Uses** –

**THIS ITEM NOT HEARD - Incomplete application**

1. ~~**Karl Sawyer – Owner, Section 16, East Troy Township.** The property owner is requesting to rezone approximately 9.85 acres of R-1 Single Family Residential (unsewered) property to the B-4 Highway Business District in addition to rezoning small areas of A-1 Prime Agricultural, B-4, and C-1 and C-4 shoreland and non-shoreland wetland areas to match wetland boundaries to delineated field conditions and correct zone boundaries to lot lines in order to obtain conditional use approval for a mini-warehouse storage facility. Parts of Tax Parcels P-ET1600001 and 6B.~~

**Rezones –**

**THIS ITEM NOT HEARD - No Town Decision**

- ~~1. **Dustin and Jennifer Henningfeld – Owners**, Section 33, Spring Prairie Township. Rezone approximately 1.9 acres of C-2 Upland Resource Conservation district and .2 acres of A-1 Prime Agricultural zoned district property to the C-1 Lowland Resource Conservation district (non-shoreland wetland) in order to match wetland boundaries to delineated field conditions to provide for an access to two potential future C-2 zoned lots and map unmapped wetland area to the proper zone district. Parts of Tax Parcel O SP3300002.~~

**Conditional Uses –**

**THIS ITEM NOT HEARD - Withdrawn by Applicant**

- ~~1. **JHGKL, LLC – Owner, Super Aggregates C/O Jack Pease – Applicant** – Amendment of a conditional use for a M-3 zoned gravel pit for grading and excavation within the 100-foot stockpile setback and 200-foot excavation setback and relocation of stockpile storage to within zero to fifty feet of property lines as per plans submitted with variance approvals required. Tax Parcels G SC 900004 and 4A, Sugar Creek Township.~~
- 2. Millard Community Church – Owner, Neil Watson, Representative – Applicant**, Section 8, Sugar Creek Township. Conditional use for installation of a second sign for the Church and for modification of the new sign from the code maximum of 25 sq. ft. to 48 sq. ft. Tax Parcels GA404800001 and G SC 800002 and 5A.

General:

1. Approved as per plan submitted for two on site ground signs and modification of the new sign from 25 sq. ft. to 48 sq. ft. with all additional conditions as stated by this conditional use.
2. All signs approved by this conditional use shall conform to dimensions including height, width and lettering size as specified.
3. All lighting shall be as specified on the approved plan and shall follow the hours of elimination as stated in the approved plan of operations.
4. All landscape screening for the signs shall be located as identified on the approved plan.
5. The sign may not encroach into any required vision triangle at street intersections without variance approval from the County Board of Adjustment.
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.

**To Steeping/360 Signs speaks regarding the application.**

**Richard Kuhnke, Sr. motioned to approve. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose.**

**Disc Count #5:31: XX - 5:35:30**

**Adjournment**

**Rick Stacey motioned to adjourn. Seconded by Dave Weber. Motion carried.  
6-favor 0-oppose**

The meeting was adjourned at 5:35 p.m.

---

Submitted by Sheril Oldenburg, Recording Secretary.  
Minutes are not final until approved by the committee at its next meeting.