

## County Zoning Agency

### MINUTES

**April 18, 2019** – 4:30 p.m.

100 West Walworth Street  
Elkhorn, Wisconsin

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Committee Chair Tim Brellenthin called the meeting to order at 4:30 p.m.

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

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, Deputy Director Shannon Haydin, Site Planner/Hearing Facilitator Matt Weidensee. Present for a portion of the meeting / hearing David Bretl/County Administrator, Neal Frauenfelder/Senior Planner, Nick Sigmund/Senior Zoning Officer.

A “sign-in” sheet listing attendees on April 18, 2019 is kept on file as a matter of record.

Details of the April 18, 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.f.3.) Wisconsin Resorts Inc. – Owner, Warren Hansen, Farris Hansen & Assoc. – Applicant. Seconded by Rick Stacey. Motion carried. 7-favor 0-oppose.**

**Rick Stacey motioned to approve the March 21, 2019 Erosion Control Training and regular CZA Meeting minutes. Seconded by Jerry Grant. Motion carried. 7-favor 0-oppose**

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter  
Disc Count #4:33:53 – 4:34:23

Subdivision Items – Old Business – None

Subdivision Items – New Business –

1. **Steven P. DeRienzo**, proposed 1-lot, Certified Survey Map, Section 31, Town 2 North, Range 16 East, Town of Delavan. Parcel #'s FRA3 00016 (Lots 75 and 76 of Krumhaar's 3<sup>rd</sup> Addition to Ravenswood Subdivision) and FRA 00013 (Lot 15 of Krumhaar's Addition to Ravenswood Subdivision) The proposed CSM contains .386 acres of land (16,800~~0~~ sq. ft.) and is zoned R-2A Single Family Residence District (Sewered). The purpose of this CSM is to combine the above listed parcels into a 1-lot CSM. This CSM requires County Zoning Agency review and approval because it crosses the exterior boundary of two subdivision plats.

**Dave Weber suggests change in narrative to indicate 16,800 sq. ft. (removing the extra “0”).**

**Steve DeRienzo speaks regarding the application.**

**Dave Weber motioned to approve with the following conditions: 1) Approval is subject to meeting all applicable state statutes and Walworth County Ordinances. Seconded by Rick Stacey. Motion carried. 7-favor 0-oppose.**

**CSM is presented for signature.**

Disc Count #4:34:29 – 4:40:10

2. **Daniel and Andrea Pether** restriction removal and affidavit of correction request on lot 1 of Certified Survey Map # JA3961, also identified as Tax Parcel # JA396100001, located in Section 26, Town 2 North, Range 17 East, Town of Geneva. The applicant is requesting the County Zoning Agency to remove a previously recorded access restriction identified on the Certified Survey Map.

**Daniel Pether speaks regarding the application. He is in the process of obtaining a new CSM at the City's request. Neal indicates County can conditionally approve subject to town approvals. If a new CSM is being presented that CSM would come through LURM and possibly CZA for approval.**

**Dave Weber motioned to approve with the following conditions: 1) Approval is subject to obtaining Town of Linn Geneva and City of Lake Geneva approval of the restriction removal; 2) Approval is subject to obtaining access approval onto Marshall Lane; 3) Approval is subject to the applicant recording the Correction Instrument with the Register of Deeds Office; 4) Approval is subject to meeting all applicable state statutes and Walworth County Ordinances. Seconded by Rick Stacey. Motion carried. 7-favor 0-oppose.**

Disc Count #4:41:46 - 4:52:51

3. **Donald and Denise Sheldon Trust** proposed 3-lot, Certified Survey Map, Section 8, Town 1 North, Range 17 East, Town of Linn, Parcel #'s IA161700001 and IA161700002. The proposed CSM contains 10.53 acres of land and is zoned R-1: Single Family Residence District and C-3: Conservancy-Residential District. The proposed CSM needs County Zoning Agency Committee review and approval because a segment of the access easement to lot 1 of the CSM narrows down to 35 feet in width and does not meet the 50 foot access width requirement.

**Warren Hansen and Donald Sheldon speak regarding the application.**

**Dave Weber questions a maintenance agreement. Neal Frauenfelder clarifies it is not required, just a recommendation.**

**Jim Van Dreser motioned to approve with the following conditions: 1) Approval is subject to meeting all applicable state statutes and Walworth County Ordinances. Seconded by Rick Stacey. Motion carried. 7-favor 0-oppose.**

**CSM is presented for signature.**

Disc Count #4:52:55 – 4:59:00

Old Business - Ordinance Amendments – None

Old Business – Discussion Items –

1. **Short Term Rental** update – Shannon Haydin

**Discussion by Staff and the Committee regarding the recent court decision of dismissal and the current status of short term rental licensing. Appreciation expressed by the Committee for the efforts of Staff on this issue.**

Disc Count #4:59:00 – 5:06:48

New Business - Ordinance Amendments – None

New Business – Discussion Items – None

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

**Ordinance Amendments** –

1. Walworth County - Amendment to Section(s) 74-38, 74-43, 74-45, 74-49, 74-51, 74-53, 74-54, 74-55, 74-56, 74-58, 74-62, 74-64, 74-65, 74-66, 74-71.1, 74-89, 74-111, and 74-119 of the Walworth County Code of Ordinances - Zoning and Section(s) 74-165, 74-167, 74-174, 74-176, 74-178, 74-179, 74-180, 74-181, 74-182, 74-183, 74-185, 74-187, 74-189, 74-191, 74-192, 74-193, 4-222 74-232 74-240, 74-248, and 74-263 of the Walworth County Code of Ordinances - Shoreland Zoning.

**Staff presents the ordinance amendment with a summary of the proposed changes.**

This item will move forward to the May 16, 2019 Walworth County Zoning Agency meeting for possible action.

Disc Count #5:36:10 – 5:37:40

**Rezones with Conditional Uses** –

**THIS ITEM NOT HEARD-Incomplete application–no Preliminary Stormwater Review**

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.~~
2. **Emilia Castaneda – Owner, Mauricio Castaneda – Applicant**, Section 21, Darien Township. Rezone approximately .11 acres of A-1 Prime Agricultural Land District property

to the A-4 Agricultural Related Manufacturing, Warehousing and Marketing District in order to obtain conditional use approval for a parking area and a shed for an indoor contractor storage yard for a construction business. Part of Tax Parcel B D 2100002B.

General:

1. Approved per plans submitted for a contractor storage facility for a construction business with indoor storage for the business with all additional conditions.
2. All storage areas, materials and equipment shall be located as defined on the plan of operations.
3. No general public sales allowed from the indoor and outdoor contractor storage facility. No business activities other than specified in the plan of operations may be conducted from out of the contractor storage facilities.
4. The site shall meet all applicable Federal, State, County and local regulations.
5. The applicant must obtain all required zoning permits.
6. No filling shall be allowed in any wetland areas.
7. No filling shall occur on site without a site grading plan and proper permit approval.
8. All areas shall be kept neat, clean and mowed.
9. All outside lighting shall be shielded and directed on site.
10. All fuel storage shall be located within a State approved containment facility.
11. Access approval must be obtained from the Town Road Department and be submitted for the conditional use file prior to operation on site.
12. All cars 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 must be in compliance with County requirements within 60 days of this approval.
13. 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.
14. The building contractor storage facilities hours of operation shall be from 6:00 a.m. to 6:00 p.m. with hours for return of equipment from off site until 9:00 p.m.
15. No burning shall be allowed on site without a State burning facility license and any required local approval with submittal of copies of the approvals for the conditional use file.
16. 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.
17. The owners of the property shall release, indemnify and hold harmless Walworth County, the Town of Darien 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.
18. 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.
19. 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:

20. 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.
21. The property owner shall not rent the building for other storage use as per the Town.

**Mauricio Castaneda speaks regarding the application.**

**Richard Kuhnke, Sr. motioned to approve. Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose.**

The rezone petition will move forward to the May 14, 2019, Walworth County Board for possible action.

Disc Count #5:37:47 – 5:42:24

3. **Robert C. Swatek – Owner, Section 27, Sugar Creek Township.** Rezone approximately .4 acres of A-1 Prime Agricultural Land District property to the A-4 Agricultural Related Manufacturing, Warehousing and Marketing District in order obtain conditional use approval for a contractor storage yard for a welding business with modification for a larger sign. Part of Tax Parcel GA255500001.

General:

1. Approved per plans submitted for a contractor storage facility for a construction business with indoor storage for the business and a larger sign modification with all additional conditions.
2. All storage areas, materials and equipment shall be located as defined on the plan of operations. Equipment stored out front of the building shall be for drop off and pick up only.
3. No general public sales allowed from the indoor and outdoor contractor storage facility. No business activities other than specified in the plan of operations may be conducted from out of the contractor storage facilities.
4. The site shall meet all applicable Federal, State, County and local regulations.
5. The applicant must obtain all required zoning permits.
6. No filling shall be allowed in any wetland areas.
7. No filling shall occur on site without a site grading plan and proper permit approval.
8. All areas shall be kept neat, clean and mowed.
9. All outside lighting shall be shielded and directed on site.
10. All fuel storage shall be located within a State approved containment facility.
11. Access approval must be obtained from the Town Road Department and be submitted for the conditional use file prior to operation on site.
12. All cars 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 must be in compliance with County requirements within 60 days of this approval.
13. 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.

14. The building contractor storage facilities hours of operation shall be from 6:00 a.m. to 6:00 p.m. with hours for return of equipment from off site until 9:00 p.m.
15. No burning shall be allowed on site without a State burning facility license and any required local approval with submittal of approvals to the County for the conditional use file.
16. 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.
17. The owners of the property shall release, indemnify and hold harmless Walworth County, the Town of Sugar Creek 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.
18. 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.
19. 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:

20. 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.

**Robert Swatek speaks regarding the application. Discussion regarding the sign and lighting.**

**Speaking in FAVOR: Robert Mann, Mark Steinfest.**

**Rick Stacey motioned to approve. Seconded by Sue Pruessing. Motion carried. 7-favor 0-oppose.**

The rezone petition will move forward to the May 14, 2019, Walworth County Board for possible action.

Disc Count #5:42:27 – 5:48:43

4. **MJJS, LLC. C/O Jim Stoppie – Owner, Brittany Jordan – Applicant, Section 25, Walworth Township. Rezone approximately 5.23 acres of A-1 Prime Agricultural Land District property to the A-5 Agricultural-Rural Residential District with a requested conditional use for a one lot Planned Residential Development (PRD) in order to restrict the lot from further division. Part of Tax Parcel E W 2500002.**

General:

1. Approved as per plan submitted for a one lot PRD with one single family homes on one lot meeting the density and setback requirements if the County Zoning Ordinance with all additional conditions.
2. The owner must meet all Town, County and/or State highway access requirements.
3. The project must meet all Federal, State, County and local Ordinances.
4. The proper preservation, care and maintenance by the original and all subsequent owners of the design of the PRD and all common structures, facilities, essential services, access and open spaces shall be assured by **deed restriction referencing**

**the parcel and shall be recorded meeting standard document format as per 59.43(2m).** All property within the PRD must remain as part of the PRD and may not be removed from the PRD without County approval.

5. The County reserves the right to rescind this conditional use upon any violation of County regulations.
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. Application for a one lot C.S.M. must be made for the PRD within one year of this approval.

Specific:

**Staff indicates this is consistent with Farmland Preservation.**  
**Brian Sipple/Civil Engineer for Brittany Jordan speaks regarding the application.**  
**Dave Weber motioned to approve. Seconded by Jim Van Dreser. Motion carried.**  
**7-favor 0-oppose.**

The rezone petition will move forward to the May 14, 2019, Walworth County Board for possible action.

Disc Count #5:48:49 – 5:52:24

**Rezones** –

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.

**Staff indicates this is consistent with Farmland Preservation.**  
**No Appearance is made regarding the application.**  
**Dave Weber motioned to approve. Seconded by Richard Kuhnke, Sr. Motion carried.**  
**7-favor 0-oppose.**

The rezone petition will move forward to the May 14, 2019 Walworth County Board for possible action.

Disc Count #5:52:29 – 5:55:36

2. **Michael Field Institute Inc. C/O Perry Brown Executive Director, Michael A Greeson – Applicant**, Section 30, East Troy Township. Rezone approximately 1.06 acres of P-2 Institutional Park District to the R-1 Single Family Residential District (unsewered) in order to bring an existing single family residence into compliance with its historic use. Part of Tax Parcel PA120200001.

**Michael Greeson speaks regarding the application.**  
**Richard Kuhnke, Sr. motioned to approve. Seconded by Jim Van Dreser. Motion carried.**  
**7-favor 0-oppose.**

The rezone petition will move forward to the May 14, 2019 Walworth County Board for possible action.

Disc Count #5:55:40 – 5:58:23

3. **Robert F. and Cleone M. Nick Trusts – Owners, Robert F. Nick** – Applicant, Section 28, Geneva Township. Rezone approximately .55 acres of B-3 Waterfront Business District property to the R-1 Single Family Residential District (unsewered) to bring the zoning into compliance with the current use of the house. Tax Parcel JA480100001.

**Robert Nick speaks regarding the application.**

**Dave Weber motioned to approve. Seconded by Jerry Grant. Motion carried. 7-favor 0-oppose.**

The rezone petition will move forward to the May 14, 2019 Walworth County Board for possible action.

Disc Count #5:58:25 – 6:01:23

4. **Diana Tomasi Casteel – Owner**, Section 26, LaFayette Township. Rezone approximately .38 acres of B-1 General Business District property to the R-1 Single Family Residential District (unsewered) to bring the zoning into compliance with the current use of the house. Tax Parcel K LF2600008.

**Staff discusses notice was indicated to R-1, though A-5 zoning is appropriate. Per Michael Cotter, the committee may change the zoning to A-5 as it is a lateral zoning, and the Town had approved the rezone to the A-5 District.**

**Diana Tomasi Casteel speaks regarding the application and the request to rezone to A-5.**

**Jim Van Dreser motioned to approve the zoning to A-5. Seconded by Rick Stacey. Motion carried. 7-favor 0-oppose.**

The rezone petition will move forward to the May 14, 2019 Walworth County Board for possible action.

Disc Count #6:01:42 – 6:08:22

### **Conditional Uses –**

1. **Kenneth Jacobsen – Owner**, Section 20, Sugar Creek Township. Conditional use approval to place a temporary concrete batch plant in an existing gravel pit in order to supply concrete for a Wisconsin Department of Transportation project on Hwy 59 and Hwy 12 for the 2019 and 2020 construction season. Part of Tax Parcel G SC2000008.

General:

1. Approved as per plan submitted for a temporary concrete batch plant for use by the applicant, during the specified Hwy 59 and Hwy 12 Wis. DOT road improvement for the 2019 and 2020 construction season 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 brought back and 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.
7. 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.
8. The project site must be kept neat and clean.
9. Implementation of dust and noise control measures shall occur at all times on site.
10. 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:

11. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday through Friday. Saturday hours would only be required with notification to LURM if the project is running behind schedule. Saturday hours would be proposed as 6:00 a.m. to 3:00 p.m. with no hours on Sunday or holidays.
12. No operation involving concrete production shall occur after operation hours.
13. No general public sales of concrete shall be allowed on premises.
14. No storage of chemicals and petroleum products shall occur on site unless stored in a containment facility meeting State requirements.
15. The owner shall amend the reclamation plan for the gravel pit to include measures to be taken to remove the concrete batch plant from the site to the satisfaction of the County Conservation Office.
16. The concrete batch plant shall be required to be removed and the site shall be cleaned up and restored to pre-use conditions by December 31, 2020.
17. **A signed agreement to maintain roads (for any damages that may occur to Sugar Creek Road), as per the Town.**
18. **A signed cost recovery agreement with the Town of Sugar Creek, as per the Town.**
19. **A bond in the amount of \$250,000 (for any damages that may occur to Sugar Creek Road), as per the Town.**

**Robert Mann and Jake Zignego speak regarding the application.**

**Rick Stacey motioned to approve. Seconded by Jerry Grant. Motion carried.**

**7-favor 0-oppose.**

**Disc Count #6:08:26 – 6:13:58**

2. **Yggdrasil Land Foundation – Owner, Jeff Johnson – Applicant**, Section 11, LaFayette Township. Conditional use to allow the operator of a farm under a farm lease to operate a Farm Family Business Wedding Barn from out of an existing pole barn on the farm. Part of Tax Parcel K LF1100005.

General:

1. Approved as per plan submitted for use of an existing barn and ancillary outdoor use for seasonal rental for family events (weddings, baby showers, anniversaries, family reunions, and similar family related events) as a Farm Family Business Wedding Barn with all additional conditions.
2. The Farm Family Business Wedding Barn in the A-1 and A-2 zoning district is limited to a use that is conducted by the owner or operator of a farm that requires no buildings, structure or improvements other than the existing barn on the farm, is limited to two non-farm family employees and does not impair or limit the current or future agricultural use of the farm or of other protected farmland. Caterers and band members shall not be considered employees of the farm family business wedding barn if hired by the family renting the barn.
3. Farm Family Business wedding barn events shall be limited to 12 per year. The property owner shall keep of log of all family events held in the barn including the name of the family, purposes of the gathering, dates, times and total capacity proposed. The property owners shall make the log available to the Town and or County upon request. This conditional use approval is subject to annual review.
4. The site must meet all applicable Federal, State, County and local regulations.
5. Rental of the family event barn shall be by appointment only.
6. The barn must have been in existence on site as an agricultural structure five years prior to the request to use the barn for family events.
7. The structural design of the barn shall remain as a barn or (as it existed as a barn) with the exception of electrical, plumbing and ADA requirements necessary to meet the commercial building code. There shall be no furnaces, air conditioning or kitchens etc. installed in the barn.
8. The capacity of the wedding barn shall be no greater than that allowed by the State Commercial Building Code/Fire Code including caterers, band employees, and staff.
9. The property owner shall provide a copy of the commercial building permit and fire code permit approval from the appropriate building inspector/fire inspector for the County file prior to use of the barn for approved events. Bathrooms: No more than 2 bathroom stalls in a building. Portable toilets shall be provided for additional service and a pumping contract shall be provided to the county to assure maintenance and removal at the end of the season.
10. All food and beverages shall be brought on site by the family renting the barn for the specific family event or by a caterer hired by the family renting the barn.
11. No permanent liquor license shall be applied for or issued for the premises under this approval as a farm family business. The wedding barn shall not become a bar/tavern.
12. Alcoholic beverages sold on site must be purchased from and dispensed by a licensed provider. All alcoholic beverages sold on site must be served by a certified bartender in compliance with all laws and regulations established by appropriate governmental units including no service to underage or intoxicated guests.
13. No retail sales other than beverages during an event shall be allowed on site.
14. There shall be a detailed approved site plan identifying outdoor areas used for a farm family business wedding barn use such as but not limited to outside cooking, bonfires, outdoor music, party tents, the parking area and portable toilets if provided.
15. Outdoor bonfires shall be in an acceptable location within a fire ring as specified on the site plan.
16. There shall be no fireworks or firework displays launched from the Farm Family Business wedding barn during events.
17. Event hours shall be from Friday and Saturday from 9:00 a.m. to 12:00 a.m. (midnight) and Sundays 9:00 a.m. to 6:00 p.m. during the months of May, June, July, August, September and October.
18. Garbage shall be removed from the property on the Monday after the event, at the latest.
19. Parking shall be made available on site during the use of the wedding barn for family events. There shall be no parking on the public or private streets. Exclusive (non-burdened) access to the parking area must be provided. All parking shall meet the size, setback and separation distances of the County Zoning Ordinance. All parking must be graded and surfaced so as to be dust free. All parking must occur in the areas identified on the approved plan. All parking shall be marked on site by post and rope marking at a minimum.

20. Adult supervision must be present at all times when facilities are in use.
21. The property owner shall be responsible for obtaining adequate liability insurance and keeps the insurance current during the life of this conditional use.
22. The applicant shall obtain a Walworth County sign permit prior to placement of any sign on site. Signage is limited to one sign per parcel and does not exceed nine square feet in area, is located at least five feet from the road right-of-way, at least ten feet from a side property line and shall not exceed six feet in height and shall be located at least 50 feet from any intersection.
23. All lighting must be shielded and directed on to the property and extinguished at the close of each day's event.
24. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.
25. Any changes in the proposed use of the property shall require additional Town and County approvals including potential need for a rezone review and new decision to a zone district that allows public assembly prior to continued operations. A rezone and conditional use approval will be required for any proposal to expand the facilities beyond the use of existing barn and designated outside area.
26. This conditional use or a farm family business wedding barn shall be subject to an annual staff zoning review for compliance with zoning issues subject to an annual \$100 zoning request review fee.
27. There shall be no more than four pets allowed on site at any time without approval for a kennel from the Town and County.
28. The conditional use only applies to the use of the barn and outside area. There shall be no wedding barn use of the house.
29. 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.
30. 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.
31. 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:

**Jeff Johnson speaks regarding the application.**

**Altfred Krusenbaum/YGGDRASIL speaks in favor of the application.**

**Bill Jacques speaks in opposition of the application.**

**Altfred Krusenbaum speaks in rebuttal.**

**Staff clarifies discussions with the Town concerning amount of land rented by applicants.**

**Committee speaks to Bill Jacques as a Town of LaGrange Official regarding Town's denial and interpretation. Jacques indicates the Town considered "family".**

**Staff reviews with the Committee definitions concerning a farm family business.**

**Melissa Knox (Johnson's niece) speaks in response to discussions with the Town representative.**

**Dave Weber and Jim Van Dreser request clarification regarding the farm employee's portion of income.**

**Rick Stacey motioned to TABLE this matter to the May CZA meeting to have views of the property obtained by Staff. Seconded by Jerry Grant. Motion and second amended to include verification of farm employee income and possibly interior photos. Motion carried. 7-favor 0-oppose.**

Disc Count #6:14:02 – 6:57:05

**THIS ITEM NOT HEARD - Incomplete application – DNR Shoreland Review Needed**

3. ~~Wisconsin Resorts Inc. – Owner, Warren Hansen, Farris Hansen & Assoc. – Applicant, Section 12, LaFayette Township. Conditional use approval to conduct Public Assembly and Outdoor Food & Beverage activities on land zoned B-5 in a pavilion type structure on top of a proposed golf cart storage facility. Parts of Tax Parcels K-LF1200010 and 1B.~~
4. **Amy and Clyde Curtis – Owners, Amy Hagen Curtis – Applicant, Section 31, Whitewater Township. Conditional use approval for having a hair salon in a residential home as a home occupation. Part of Tax Parcel D W 3100006.**

General:

1. Approved per plans submitted as a hair salon on up to 25% of the floor area of the floor on which the salon is located with all added conditions.
2. Must meet all applicable Federal, State, County and local regulations.
3. All cars 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 must be in compliance with County requirements within 60 days of this approval.
4. Hours of operation shall be from 7:00 a.m. to 6:00 p.m. Monday through Saturday.
5. All signage must be identified on the plan of operations and the applicant must obtain the required sign permit from the County Zoning Office.
6. Access to the site must be as identified on the plan.
7. All lighting shall be shielded and directed onto the property.
8. No outside storage of goods or materials shall be allowed on site.
9. No sales of goods shall occur on site except ancillary hair products to hair salon customers (no off street product sales).
10. Use of the site shall be limited to 25% of one floor of the residence.
11. Employees of the home occupation shall be limited to the residence of the home plus two additional employees (either part time or full time).
12. No alteration of the exterior design of the home may occur.
13. 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.
14. Failure to actively exercise this conditional use within one years of the approval date shall result in automatic dismissal without prejudice. The home office must be used exclusively by a manufacturer's representatives for a senior living furniture business and is approved for one year with the potential for a one year extension by staff.

Specific:

**Staff indicates this is consistent with Farmland Preservation.**

**Amy Curtis speaks regarding the application.**

**Richard Kuhnke, Sr. motioned to approve. Seconded by Rick Stacey. Motion carried. 7-favor 0-oppose.**

Disc Count #6:57:09 – 7:01:30

### **Adjournment**

**Rick Stacey motioned to adjourn. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose**

The meeting was adjourned at 7:02 p.m.

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Submitted by Sheril Oldenburg, Recording Secretary.

Minutes are not final until approved by the committee at its next meeting.