

TOWN OF NEENAH
Plan Commission
Regular Meeting Agenda

DATE: MONDAY, November 21, 2022

TIME: Immediately Following the 7:00 p.m. Public Hearing

LOCATION: 1600 Breezewood Lane, Neenah WI 54956

The meeting will be held in person with an option to join virtually

Meeting ID: 872 1465 3742 / Passcode: 899317 Phone (312)626-6799

Zoom Link: <https://us02web.zoom.us/j/87214653742?pwd=Ymppd0psUWtVOTZtZkZ3ZWZPd1RPZz09>

1. Call Meeting to Order / Pledge of Allegiance.
2. Public Forum
3. Approve Meeting Minutes from October 17, 2022 Plan Commission Meeting
4. Input/Discussion/Action:
 - a. Recommendation to Town Board for response to Winnebago County Zoning Department Letter received 10-30-2022 regarding Town owned Parcel 010-0348.
 - b. Resolution 2022-17 – Zoning Map Amendment
Applicant: Winnebago county Zoning Department
Agent: O'Rourke, Brian, Winnebago County Zoning Department
Location of Premises Affected: Town-wide parcels that are currently zoned A-1
Tax Parcel No: Various
Current Zoning: A-1 Agribusiness
Proposed Zoning: A-2 General Agriculture
Explanation: Applicant is requesting a Zoning Map Amendment to rezone parcels from A-1 (Agribusiness) to A-2 (General Agriculture)
 - c. Resolution 2022-18 – Certified Survey Map, Radcliff Road
Property Owner(s): Van Dyke, Eric & Michelle
Location of Premises Affected: 1288 Radcliff Rd, Neenah, WI 54956
Tax Parcel No: 010-1939
 - d. Resolution 2022-19 – Certified Survey Map, Sherri-Lea Lane
Property owner(s) Murphy, Derek & Kimberly
Sorensen, James & Sharon
Location of Premises Affected: 103 and 108 Sherri-Lea Ln, Neenah, WI 54956
Tax Parcel No: 010-017207 & 010-01720902
 - e. Resolution 2022-20 – Certified Survey Map, Dartmouth Drive
Applicant: Baer, Jerome & Virginia
Location of Premises Affected: 706 Dartmouth Dr, Neenah, WI 54956
Tax Parcel No: 010-1518 & 010-151602
 - f. Review status of Conditional Use Permit # 2020-CU-5430 issued to Parcel 010-010-034415, 1995 Breezewood Lane.
5. New Business
6. Old Business
7. Future Meetings / Agenda Items
 - a. Next Plan Commission Meeting, pending agenda items, Monday, January 16, 2022.
8. Adjourn

Closed Session Contemplated: **NO**

Respectfully Submitted,



Ellen Skerke
Administrator-Clerk-Treasurer
November 17, 2022

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Town Clerk at 725-0916

A quorum of Town Board, Sanitary Commissions or other committees may attend, but no official action will be taken by them.

Notice was posted on November 17, 2022 at www.townofneenah.com and Town of Neenah Municipal Building, 1600 Breezewood Lane,

TOWN OF NEENAH PLAN COMMISSION MEETING

Monday, October 17, 2022

Held at Town of Neenah Municipal Building, 1600 Breezewood Lane and offered virtually via Zoom

Present for Plan Commission: Plan Commission Chair Pete Weyenberg, Commissioner Brett Armstrong, Commissioner Russ Meerdink, and Commissioner Don Nussbaum.**Present for Plan Commission via Zoom:** Commissioner Joshua Lautenschlager.**Excused:** Commissioner Jody Andres**Also Present:** Gary Rathsack, Sherry Kolodziej, one other guest, Town Board Supervisor James Weiss and Administrator-Clerk-Treasurer Ellen Skerke.

P. Weyenberg called the Public Hearing to order at 7:00 pm. The Plédege of Allegiance was recited.

Public Hearing for Variance Request

Applicant:	Rathsack, Gary
Agent:	None
Location of Premises Affected:	164 Rickers Bay Road, Neenah WI 54956
Tax Parcel No:	010-001304
Legal Description:	Being part of the Plat of Ricker's Bay, Lot 16, located in Government Lot 4 of Section 9, Township 19 North, Range 17 East, Town of Neenah, Winnebago County, Wisconsin.
Explanation:	Applicant is requesting a variance for a substandard floodplain fill requirement.

The following comments were made in the Public Hearing:

- Property Owner Gary Rathsack spoke regarding the request. He would like to "remodel in place", basically remove the existing structure, raise the foundation about 2 feet to get the new house out of the flood plain. This would be raised to the same height as the existing garage. He is required to bring in fill to taper to property from the new height to the neighboring property. The property to the south, parcel 010-0717 (168 Rickers Bay Road) has already been raised out of the floodplain and there was a retaining wall built when that property had to taper the property. His fill would meet up with the existing retaining wall.
- R. Meerdink questioned if the County has agreed that this is an OK request, the information from the County is unclear regarding the FEMA regulations related to property less than one acre and existing structures. Does this project meet FEMA regulations. G. Rathsack responded that he has been in contact with the County, this was the recommendation from them as his property is too close to the lot line to have the 15' taper required. The other side of the lot has enough room so there is not an issue on that side (the north side of the lot).
- Sherrie Kolodziej spoke about her concerns with the existing retaining wall and the impact of this project on it. P. Weyenberg stated the project should benefit both of the properties as it will bring the fill for both properties to the same level. The two property owners should talk with each other to make sure the neighboring property is not impacted negatively.
- G. Rathsack stated this should cover most of the existing retaining wall and will benefit both properties. He will stay in communications with the neighbor and work with her.

There were no further public comments. Chair Pete Weyenberg closed the Public Hearing at 7:15 p.m.

Plan Commission Meeting

Plan Commission Meeting was called to order at 7:20 p.m.

Approve August 15, 2022 Plan Commission Meeting Minutes

Motion: D. Nussbaum/ B. Armstrong to approve.

Motion carried by voice vote.

Public Forum

None

Input/Discussion/Action

Variance Request

Resolution 2022-14 – Variance Request

<i>Applicant:</i>	<i>Rathsack, Gary</i>
<i>Agent:</i>	<i>None</i>
<i>Location of Premises Affected:</i>	<i>164 Rickers Bay Rd, Neenah, WI 54956</i>
<i>Tax Parcel No:</i>	<i>010-0716</i>
<i>Explanation:</i>	<i>Applicant is requesting a variance for a sub-standard floodplain fill requirement</i>

- P. Weyenberg stated this will be a huge improvement to the property and the variance request is required as it is within 1000' feet of the shoreland.

Motion: B. Armstrong / J. Lautenschlager to make a recommendation to approve the variance request.

Motion Carried by voice vote

Town Findings:

- Proper improvement to the property
- The proposed level of the lot will make it consistent with neighboring property
- No objections from the adjoining property.

Town Conditions:

- None

Old Business

- None

New Business

- R. Meerdink questioned the status of the landscape plan for the We Energies site on Breezewood Lane.
- E. Skerke shared a copy of the landscape plan and stated that the property owner to the north was compensated by WE Energies at the time of sale to allow for the property owner to manage the plantings north of the WE Energies property on their own property.
- R. Meerdink stated the landscape plan did not comply with County Ordinance which states that there must be trees and landscaping along both Breezewood and Woodenshoe and along north property line of the substation. He further questioned the reimbursement arrangement. E. Skerke did not have any further information other than this is the information she was given by WE Energies Engineering firm and that the property owner at the time of the We Energies purchase is not the current property owner.
- R. Meerdink questioned if the Town of Neenah issued a building permit, E. Skerke did not know the answer, she will have to check the building inspection reports.

- R. Meerdink to follow up with an email to the Plan Commission detailing the County Ordinance with requirements for the planting.
- R. Meerdink questioned if the Town had any new information about the status of the Ogden Development project moving forward. E. Skerke did not have any new information to report.
- E. Skerke reported that Winnebago County Planning and Zoning is moving forward with the A-1 Rezoning Project, the revised schedule is to send letters to property owners soon. The county will provide a list of properties involved and report on how many have chosen not to rezone.

Next regularly scheduled Plan Commission Meeting, pending agenda items, Monday November 21, 2022 at 7:00 p.m.

Adjourn

Motion: B. Armstrong / D. Nussbaum to adjourn
Motion carried. Meeting Adjourned at 7:40 pm

Respectfully submitted,



Ellen Skerke
Administrator-Clerk-Treasurer

Approved: DRAFT – Pending Approval

BRIAN P O'ROURKE

Associate Planner

zoningdepartment@winnebagocountywi.gov



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OSHKOSH, WI 54903-2808

OSHKOSH (920) 232-3340
FOX CITIES (920) 727-2880
FAX (920) 232-3347

Winnebago County

Zoning Department

The Wave of the Future

10/11/2022

*FILED -
THIS IS NOW TOWN
OWNED 10 ACRES !!
JIM KEATING*

~~KEATING, JAMES P, JR
232 LIMEKILN DR
NEENAH, WI 54956~~

Town of Neenah

Property Owner:

The Town of Neenah has opted to no longer participate in the Farmland Preservation Program (A-1 Zoning District). With the cessation of the Farmland Preservation Program in your town, **the \$7.50/acre tax credit for A-1 zoning districts will no longer apply.**

Therefore, Winnebago County is providing property owners the option to rezone their property to the less restrictive* A-2 (General Farming) zoning district, at no cost, or to remain in the A-1 zoning district. If an owner chooses to have these parcel(s) remain in the A-1 zoning district at this time, any costs for future zoning changes will be the responsibility of the owner(s).

1. To remain in the A-1 (Agribusiness) district, no future action is required.
2. To change the zoning district to A-2 (General Farming), you must return this signed letter to our office **on or before Friday, November 11, 2022**. A self-addressed stamped envelope is provided for your convenience. Requests received after November 11, 2022 will not be valid.

*An explanation of the zoning districts and allowable uses can be found on the Winnebago County website at: [Town County Zoning Code Chapter 23, Article 8 - Land Uses](#).

The parcel(s) on the enclosed list are currently zoned A-1.

By taking no further action, you are consenting for the parcel(s) on the enclosed list TO REMAIN IN THE A-1 ZONING DISTRICT.

Feel free to contact our office you have any questions concerning this matter.

Sincerely,

Brian O'Rourke
Land Use Planner

enclosure



**TO REZONE THESE PARCELS TO A-2 (GENERAL AGRICULTURAL),
sign and return this letter to our office on or before November 11, 2022.**

KEATING, JAMES P, JR
232 LIMEKILN DR
NEENAH, WI 54956

PARCEL(S)
0100348

TOWN OF
Neenah

I am requesting that the above listed parcel(s) be rezoned to the A-2 (General Agriculture) zoning district. I acknowledge that I have the right to make this decision as the owner or representative.

Signature


Date

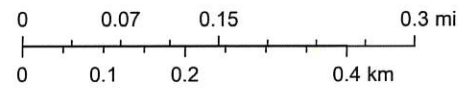
Site Map



11/17/2022, 2:35:49 PM

1:8,932

- | | |
|--|--|
|  Adjacent Counties |  Navigable - Permanent (checked) |
|  Lakes, Ponds and Rivers |  Navigable - Intermittent (checked) |
| Navigable Waterways | |
|  Navigable - Permanent (unchecked) |  Tax Parcel Boundary |
|  Navigable - Intermittent (unchecked) |  Road ROW |
|  Navigable - Stream (unchecked) |  Municipal Boundary |



Winnebago County GIS, Imagery Date: April 2020

**DIVISION 2
ZONING DISTRICTS AND ZONING MAP**

Sections

<p>23.8-21 Generally</p> <p>23.8-22 Establishment and purpose of zoning districts</p> <p>23.8-23 Necessity of zoning district designation</p> <p>23.8-24 Effect of boundary line relocation on zoning designation</p>	<p>23.8-25 Continued effect of this chapter on annexed land</p> <p>23.8-26 Zoning map</p>
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23.8-21 Generally

The county is divided into a number of base zoning districts so that each parcel of land is located in at least one district. For each of these districts, appropriate types of land uses are identified along with development standards when applicable. In addition to these zoning districts, overlay districts are established to accomplish specific purposes not generally applicable to the entire base district. Where the requirements of a base district and overlay district conflict, the most restrictive applies. The zoning map depicts the location of the base districts used in this chapter along with some of the overlay districts as may be appropriate.

23.8-22 Establishment and purpose of zoning districts

(a) **Base zoning districts.** Recognizing that different areas of the county serve unique functions, the county is divided into a number of base zoning districts. Even though some of the districts may share similar characteristics, they possess one or more unique qualities that set them apart from the other districts. Although these districts may not now possess each of the attributes in these descriptions, it is intended that as land uses change over time they more closely reflect the intended uses. Uses are allowed in the various districts consistent with the development standards in this article and development limitations as described in s. 23.8-49. The base districts are as follows:

- (1) **Agribusiness (A-1) district.** This district is intended to accommodate large-scale agricultural uses and related support services. It includes those areas of the county where productive agricultural lands predominate and can be used for the production of forest products, crops, and livestock, including large livestock operations. Because the primary intent of this district is agricultural production, incompatible urban uses are not permitted. It is designed to meet the requirements of a certified farmland preservation zoning ordinance under ch. 91, Wis. Stats.
- (2) **General agriculture (A-2) district.** This district is intended to accommodate both large and small-scale farms and hobby farms. Although scattered residential lots are allowed, agriculture is the predominant land use. This district should be located in those areas suitable for agriculture, but not for large-scale agricultural operations, and adjacent to urbanizing areas.
- (3) **Rural residential (R-1) district.** This district is intended to accommodate single-family residences on scattered lots to foster and maintain the rural character and lifestyle of the surrounding area. Lots are generally served by on-site wastewater treatment systems.
- (4) **Suburban residential (R-2) district.** This district is intended to accommodate low- and medium-density residential lots in a duly recorded and legally maintained subdivision. This district provides a “suburban” arrangement of amenities, services, and facilities. Lots are connected to a public sanitary sewer system or have an on-site sewage disposal system.
- (5) **Two-family residential (R-3) district.** This district is intended to accommodate two-family dwellings, twin homes, and single-family dwellings. This district provides a “suburban” arrangement of amenities, services, and facilities. Since the two-family dwelling produces a divergent occupancy pattern from that of the traditional single-family dwelling, this district is generally adjacent to, but not within, a single-family neighborhood. Lots are connected to a public sanitary sewer system or have an on-site sewage disposal system.
- (6) **Multifamily residential (R-4) district.** This district is intended to accommodate multifamily buildings and townhouses at urban densities. This district provides a “suburban” arrangement of amenities, services, and facilities. Lots are connected to a public sanitary sewer.

(f) **Archive of superseded maps.** The county clerk shall maintain a permanent archive of superseded zoning maps that are created after April 29, 2012.

(g) **Amendment.** The procedure and requirements to amend the zoning map are provided in article 7 of this chapter.

23.8-27 to 23.8-40 Reserved

**DIVISION 3
ALLOWABLE LAND USES**

Sections

23.8-41	Land uses generally allowable within zoning districts	23.8-47	Special provisions for community living arrangements
23.8-42	Similarity of land uses	23.8-48	Special provisions for specified foster homes and treatment foster homes
23.8-43	Land uses not listed	23.8-49	Site restrictions
23.8-44	Project classified in more than one land use category	23.8-50	Map of conditional uses
23.8-45	Establishment of an accessory land use prior to establishment of principal use	23.8-51	Special provisions for structures located on multiple parcels under the same ownership
23.8-46	Reserved	23.8-52	Residential accessory use limitations

23.8-41 Land uses generally allowed within zoning districts

(a) **General purpose zoning districts.** For the purposes of this chapter, land uses, as defined in article 3 of this chapter, are classified as principal, accessory, or temporary. Exhibit 8-1 lists principal land uses (Series 1 to 16), accessory uses (Series 17), and temporary uses (Series 18). Each of the land uses are designated as one of the following:

- (1) permitted in the zoning district by right provided that all other provisions of this chapter are met,
- (2) allowed in the zoning district as a conditional use provided that all other provisions of this chapter are met, or
- (3) not permitted in the zoning district.

Any commercial or industrial land use that is shown as permitted by right that emits air contaminants, fugitive dust, or potentially offensive odors outside of the building; incinerates any substance; or handles radioactive materials, hazardous substances, hazardous waste, or regulated substances is considered a conditional use.

(b) **Planned development districts.** Land uses that are permitted in a planned development district are enumerated in the general development plan for the district, along with development standards, if any.



Exhibit 8-1 Land use matrix

1	Agriculture	Review	Special Standards	Base Zoning District													
				A-1	A-2	R-1	R-2	R-3	R-4	R-8	B-1	B-2	B-3	M-1	I-1	I-2	
1.01	Agriculture-related use	ZP,SP,PO	23.8-231	C	C	-	-	-	-	-	-	-	-	-	-	P	C
1.02	Agriculture, crop	-	23.8-232	P	P	P	P	P	P	P	P	P	P	P	P	P	P
1.03	Agriculture, general	ZP	23.8-233	P	P	-	-	-	-	-	-	-	-	-	-	-	-
1.03	Agriculture, general, 500 animal units or more	ZP	23.8-233	C	C	-	-	-	-	-	-	-	-	-	-	-	-
1.04	Greenhouse	ZP,SP,PO	23.8-234	P	P	-	-	-	-	-	-	-	C	C	-	C	C
2 Resource-Based Uses																	
2.01	Dam	ZP,SP,PO	23.8-241	C	C	C	C	C	C	C	C	C	C	C	C	C	C
2.02	Forestry	-	23.8-242	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2.03	Hunting preserve	ZP,SP,PO	23.8-243	-	C	-	-	-	-	-	-	-	-	-	-	C	C
2.04	Sewage sludge disposal	-	23.8-244	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2.05	Wildlife park	ZP,SP,PO	23.8-245	-	C	-	-	-	-	-	-	-	-	-	-	C	C
3 Residential																	
3.01	Mixed-use housing	ZP,SP	23.8-251	-	-	-	-	-	-	-	-	-	C	P	P	-	-
3.02	Manufactured/mobile home community	ZP,SP,PO	23.8-252	-	-	-	-	-	-	P	-	-	-	-	-	-	-
3.03	Multifamily building, 2 units	ZP	23.8-253	-	-	-	-	P	P	-	-	-	-	P	-	-	-
3.04	Multifamily building, 3–4 units	ZP	23.8-254	-	-	-	-	-	P	-	-	-	C	P	-	-	-
3.04	Multifamily building, 5–8 units	ZP	23.8-254	-	-	-	-	-	P	-	-	-	C	C	-	-	-
3.04	Multifamily building, 9 or more units	ZP	23.8-254	-	-	-	-	-	C	-	-	-	-	C	-	-	-
3.05	Nonfarm residence	ZP	23.8-255	C	-	-	-	-	-	-	-	-	-	-	-	-	-
3.06	Single-family dwelling [1]	ZP	23.8-256	-	P	P	P	P	-	-	-	-	-	-	-	-	-
3.07	Townhouse, 3–4 units	ZP,SP	23.8-257	-	-	-	-	-	P	-	-	-	C	P	-	-	-
3.07	Townhouse, 5–8 units	ZP,SP	23.8-257	-	-	-	-	-	P	-	-	-	C	C	-	-	-
3.07	Townhouse, 9 or more units	ZP,SP	23.8-257	-	-	-	-	-	C	-	-	-	-	C	-	-	-
3.08	Twin home	ZP	23.8-258	-	-	-	-	P	P	-	-	-	-	P	-	-	-
4 Special Care Facilities																	
4.01	Adult family home	ZP	23.8-261	-	-	P	P	P	P	-	-	-	-	-	-	-	-
4.02	Community living arrangement, 8 or fewer residents [2]	ZP	23.8-262	-	-	P	P	P	P	-	-	-	-	-	-	-	-
4.02	Community living arrangement, 9–15 residents [2]	ZP	23.8-262	-	-	P	P	P	P	-	-	-	-	-	-	-	-
4.02	Community living arrangement, 16 or more residents [2]	ZP,SP, PO	23.8-262	-	-	P	P	P	P	-	-	-	-	-	-	-	-
4.03	Foster home and treatment foster home [3]	ZP	23.8-263	-	-	P	P	P	P	-	-	-	-	-	-	-	-
4.04	Group day care center [4]	ZP,SP	23.8-264	-	-	-	-	C	C	-	P	P	P	P	C	C	C
4.05	Hospice care center	ZP,SP	23.8-265	-	C	C	C	C	P	-	C	C	P	C	-	-	-
4.06	Nursing home	ZP,SP	23.8-266	-	-	C	C	C	P	-	-	C	P	C	-	-	-
4.07	Retirement home	ZP,SP	23.8-267	-	-	C	C	C	P	-	-	C	P	C	-	-	-
4.08	Temporary shelter [5]	ZP,SP, PO	23.8-268	-	-	-	-	-	-	-	C	C	C	-	-	-	-
5 Group Accommodations [6]																	
5.01	Boardinghouse	ZP,SP, PO	23.8-271	-	-	-	-	-	C	-	-	C	P	C	-	-	-
5.02	Campground	ZP,SP,PO	23.8-272	-	C	-	-	-	-	-	-	-	C	-	-	-	-
5.03	Group recreation camp	ZP,SP,PO	23.8-273	-	C	-	-	-	-	-	-	-	C	-	-	-	-
5.04	Migrant labor camp	ZP,SP,PO	23.8-274	C	C	-	-	-	-	-	-	-	-	-	-	-	-
5.05	Overnight lodging	ZP,SP,PO	23.8-275	-	-	-	-	-	-	-	-	C	P	P	-	-	-
5.06	Resort	ZP,SP,PO	23.8-276	-	C	-	-	-	-	-	-	C	P	C	-	-	-
6 Food and Beverage Sales																	
6.01	Brewpub	SP,PO	23.8-281	-	-	-	-	-	-	-	-	C	P	P	C	-	-
6.02	Restaurant	SP,PO	23.8-282	-	-	-	-	-	-	-	C	P	P	P	-	-	-
6.03	Tavern	SP,PO	23.8-283	-	-	-	-	-	-	-	C	P	P	C	-	-	-

continued on next page



Exhibit 8-1 Land use matrix – continued

7 Vehicle Rental, Sales, and Service	Review	Special Standards	Base Zoning District													
			A-1	A-2	R-1	R-2	R-3	R-4	R-8	B-1	B-2	B-3	M-1	I-1	I-2	
7.01 Heavy vehicle sales and rental	ZP,SP,PO	23.8-291	-	-	-	-	-	-	-	-	-	-	C	-	P	C
7.02 Truck stop	ZP,SP,PO	23.8-292	-	-	-	-	-	-	-	-	-	-	C	-	C	C
7.03 Vehicle fuel station	ZP,SP,PO	23.8-293	-	-	-	-	-	-	-	-	-	C	P	C	C	C
7.04 Vehicle repair shop	ZP,SP,PO	23.8-294	-	-	-	-	-	-	-	-	-	C	P	-	C	C
7.05 Vehicle sales and rental	ZP,SP,PO	23.8-295	-	-	-	-	-	-	-	-	-	C	P	-	C	-
7.06 Vehicle service shop	ZP,SP,PO	23.8-296	-	-	-	-	-	-	-	-	-	C	P	-	C	C
7.07 Vehicle storage yard	ZP,SP,PO	23.8-297	-	-	-	-	-	-	-	-	-	-	-	-	C	C
8 General Sales																
8.01 Convenience retail sales	ZP,SP,PO	23.8-301	-	-	-	-	-	-	-	-	-	P	P	P	P	-
8.02 General retail sales	ZP,SP,PO	23.8-302	-	-	-	-	-	-	-	-	-	C	P	P	C	-
8.03 General retail sales, large format	ZP,SP,PO	23.8-303	-	-	-	-	-	-	-	-	-	-	-	P	-	-
8.04 Outdoor sales	ZP,SP,PO	23.8-304	-	-	-	-	-	-	-	-	-	C	C	P	-	C
9 General Services																
9.01 Administrative services	ZP,SP,PO	23.8-311	-	-	-	-	-	-	-	-	-	C	P	P	P	-
9.02 Adult-oriented establishment	ZP,SP,PO	23.8-312	-	-	-	-	-	-	-	-	-	-	-	P	-	-
9.03 Body-piercing establishment	ZP,SP,PO	23.8-313	-	-	-	-	-	-	-	-	-	C	P	P	P	-
9.04 Commercial kennel	ZP,SP,PO	23.8-314	-	C	-	-	-	-	-	-	-	-	C	P	P	C
9.05 Commercial stable	ZP,SP,PO	23.8-315	-	C	-	-	-	-	-	-	-	-	-	-	-	C
9.06 Equipment rental, large	ZP,SP,PO	23.8-316	-	-	-	-	-	-	-	-	-	-	-	C	-	P
9.07 Equipment rental, small	ZP,SP,PO	23.8-317	-	-	-	-	-	-	-	-	-	-	C	P	-	-
9.08 Financial services	ZP,SP,PO	23.8-318	-	-	-	-	-	-	-	-	-	P	P	P	P	-
9.09 Funeral home	ZP,SP,PO	23.8-319	-	-	-	-	-	-	-	-	-	C	P	P	P	-
9.10 General repair	ZP,SP,PO	23.8-320	-	-	-	-	-	-	-	-	-	C	P	P	P	C
9.11 General services	ZP,SP,PO	23.8-321	-	-	-	-	-	-	-	-	-	C	P	P	P	-
9.12 Health care clinic	ZP,SP,PO	23.8-322	-	-	-	-	-	-	-	-	-	C	P	P	P	-
9.13 Health care center	ZP,SP,PO	23.8-323	-	-	-	-	-	-	-	-	-	-	C	P	P	-
9.14 Instructional services	ZP,SP,PO	23.8-324	-	-	-	-	-	-	-	-	-	C	P	P	P	C
9.15 Landscape business	ZP,SP,PO	23.8-325	-	C	-	-	-	-	-	-	-	-	-	C	-	P
9.16 Professional services	ZP,SP,PO	23.8-326	-	-	-	-	-	-	-	-	-	P	P	P	P	-
9.17 Tattoo establishment	ZP,SP,PO	23.8-327	-	-	-	-	-	-	-	-	-	C	P	P	P	-
9.18 Veterinary clinic, general	ZP,SP,PO	23.8-328	C	C	-	-	-	-	-	-	-	-	-	C	-	C
9.19 Veterinary clinic, small animal	ZP,SP,PO	23.8-329	-	-	-	-	-	-	-	-	-	C	P	P	P	C
10 Recreation and Entertainment																
10.01 Driving range	ZP,SP,PO	23.8-341	-	C	-	-	-	-	-	-	-	-	-	C	-	C
10.02 Golf course	ZP,SP,PO	23.8-342	-	C	C	C	C	C	C	-	-	-	-	-	-	C
10.03 Indoor entertainment	ZP,SP,PO	23.8-343	-	-	-	-	-	-	-	-	-	-	P	P	P	-
10.04 Indoor recreation	ZP,SP,PO	23.8-344	-	-	-	-	-	-	-	-	-	-	P	P	P	-
10.05 Outdoor entertainment	ZP,SP,PO	23.8-345	-	-	-	-	-	-	-	-	-	-	C	P	-	C
10.06 Outdoor recreation	ZP,SP,PO	23.8-346	-	-	-	-	-	-	-	-	-	-	C	C	-	C
10.07 Outdoor shooting range	ZP,SP,PO	23.8-347	-	C	-	-	-	-	-	-	-	-	-	-	-	C
11 Government and Community Services																
11.01 Administrative government center	ZP,SP,PO	23.8-351	-	C	C	C	C	C	C	-	-	P	P	P	C	C
11.02 Animal shelter	ZP,SP,PO	23.8-352	-	C	-	-	-	-	-	-	-	-	-	C	-	P
11.03 Cemetery	ZP,SP,PO	23.8-353	C	C	C	C	C	C	C	-	-	C	C	C	-	-
11.04 Civic use facility	ZP,SP,PO	23.8-354	-	-	-	-	-	-	-	-	-	-	-	P	-	C
11.05 Community center	ZP,SP,PO	23.8-355	-	C	C	C	C	C	C	-	-	C	P	P	C	-
11.06 Community cultural facility	ZP,SP,PO	23.8-356	-	-	-	-	-	-	-	-	-	C	P	P	P	-
11.07 Community garden	ZP,SP,PO	23.8-357	C	P	P	P	P	P	P	-	-	P	P	P	P	-

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Exhibit 8-1 Land use matrix – continued

11 Government and Community Services - cont.	Review	Special Standards	Base Zoning District													
			A-1	A-2	R-1	R-2	R-3	R-4	R-8	B-1	B-2	B-3	M-1	I-1	I-2	
11.08 Correctional facility	ZP,SP,PO	23.8-358	-	C	-	-	-	-	-	-	-	-	-	-	P	C
11.09 Educational facility, pre-K through 12	ZP,SP,PO	23.8-359	-	C	C	C	C	C	C	-	C	P	P	P	-	-
11.10 Educational facility, post-secondary	ZP,SP,PO	23.8-360	-	-	-	-	-	-	-	-	C	P	P	P	C	-
11.11 Maintenance garage	ZP,SP,PO	23.8-361	-	C	C	-	-	-	-	-	-	-	C	-	P	C
11.12 Park	ZP,SP,PO	23.8-362	-	P	P	P	P	P	P	P	P	P	P	P	P	P
11.13 Public safety facility	ZP,SP,PO	23.8-363	-	C	C	C	C	C	C	-	P	P	P	P	P	C
11.14 Recreation trail	SP, PO	23.8-364	C	P	P	P	P	P	P	P	P	P	P	P	P	P
11.15 Unspecified public use	ZP,SP,PO	23.8-365	-	C	C	C	C	C	C	C	C	C	C	C	C	C
11.16 Worship facility	ZP,SP,PO	23.8-366	C	C	C	C	P	P	-	P	P	P	P	P	C	-
12 Telecommunications and Utilities [7]																
12.01 Solar energy system	ZP,SP,PO	23.8-371	C	C	C	C	C	C	C	C	C	C	C	C	C	C
12.02 Stormwater management facility	ZP,SP,PO	23.8-372	C	P	P	P	P	P	P	P	P	P	P	P	P	P
12.03 Telecommunication facility, concealed	ZP	23.8-373	P	P	P	P	P	P	P	P	P	P	P	P	P	P
12.04 Telecommunication facility, unconcealed	ZP	23.8-374	P	P	P	P	P	P	P	P	P	P	P	P	P	P
12.05 Utility installation, major	ZP,SP,PO	23.8-375	C	C	C	C	C	C	C	C	C	C	C	C	P	P
12.06 Utility installation, minor	ZP,SP,PO	23.8-376	P	P	P	P	P	P	P	P	P	P	P	P	P	P
12.07 Utility maintenance yard	ZP,SP,PO	23.8-377	C	C	-	-	-	-	-	-	-	-	-	-	P	P
12.08 Wind energy system, large	-	23.8-378	P	P	P	P	P	P	P	P	P	P	P	P	P	P
12.09 Wind energy system, small	ZP,SP,PO	23.8-379	P	P	P	P	P	P	P	P	P	P	P	P	P	P
13 Transportation																
13.01 Airport	ZP,SP,PO	23.8-381	-	C	C	C	-	-	-	-	-	-	-	-	P	P
13.02 Bus storage facility	ZP,SP,PO	23.8-382	-	C	-	-	-	-	-	-	-	C	C	C	P	P
13.03 Marina	ZP,SP,PO	23.8-383	-	C	C	C	C	C	C	C	C	C	C	C	C	C
13.04 Mass transit terminal	ZP,SP,PO	23.8-384	-	-	-	-	-	-	-	-	-	P	P	P	C	-
13.05 Off-site parking lot	ZP,SP,PO	23.8-385	-	-	-	-	-	-	-	-	C	P	P	P	C	-
13.06 Parking structure	ZP,SP	23.8-386	-	-	-	-	-	-	-	-	-	-	P	P	C	-
13.07 Park-and-ride lot	ZP,SP	23.8-387	-	C	C	C	C	C	-	C	P	P	C	C	C	C
13.08 Railroad line	ZP, BP, SP PO	23.8-388	C	P	P	P	P	P	P	P	P	P	P	P	P	P
13.09 Street	-	23.8-389	P	P	P	P	P	P	P	P	P	P	P	P	P	P
14 General Storage																
14.01 Bulk fuel storage	ZP,SP,PO	23.8-401	-	-	-	-	-	-	-	-	-	-	-	-	P	P
14.02 Personal storage facility	ZP,SP,PO	23.8-402	-	C	-	-	-	-	-	-	-	-	C	-	P	C
14.03 Truck terminal	ZP,SP,PO	23.8-403	-	-	-	-	-	-	-	-	-	-	-	-	P	P
14.04 Warehouse	ZP,SP,PO	23.8-404	-	-	-	-	-	-	-	-	-	-	-	-	P	P
15 Industrial Uses																
15.01 Artisan shop	ZP,SP,PO	23.8-411	-	C	-	-	-	-	-	-	C	C	P	P	P	C
15.02 Batching plant associated with a nonmetallic mine [21]	ZP,SP,PO	23.4-412	C	C	-	-	-	-	-	-	-	-	-	-	C	C
15.03 Biofuels production plant	ZP,SP,PO	23.8-413	C	C	-	-	-	-	-	-	-	-	-	-	-	C
15.04 Construction equipment repair	ZP,SP,PO	23.8-414	-	-	-	-	-	-	-	-	-	-	C	-	P	P
15.05 Construction equipment sales and service	ZP,SP,PO	23.4-415	-	-	-	-	-	-	-	-	-	-	C	-	P	P
15.06 Contractor yard	ZP,SP,PO	23.8-416	-	-	-	-	-	-	-	-	-	-	-	-	P	C
15.07 Industrial, heavy	ZP,SP,PO	23.8-417	-	-	-	-	-	-	-	-	-	-	-	-	-	P
15.08 Industrial, light	ZP,SP,PO	23.8-418	-	-	-	-	-	-	-	-	-	-	-	-	P	P
15.09 Nonmetallic mine	ZP,SP,PO	23.8-419	C	C	-	-	-	-	-	-	-	-	-	-	C	C
15.10 Salvage yard	ZP,SP,PO	23.8-420	-	-	-	-	-	-	-	-	-	-	-	-	-	C

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Exhibit 8-1 Land use matrix – continued

16 Solid Waste	Review	Special Standards	Base Zoning District													
			A-1	A-2	R-1	R-2	R-3	R-4	R-8	B-1	B-2	B-3	M-1	I-1	I-2	
16.01 Composting facility	ZP,SP,PO	23.8-431	P	P	-	-	-	-	-	-	-	-	-	-	P	P
16.02 Recycling center	ZP,SP,PO	23.8-432	-	-	-	-	-	-	-	-	-	-	-	-	P	P
16.03 Solid waste landfill	ZP,SP,PO	23.8-433	-	C	-	-	-	-	-	-	-	-	-	-	C	C
16.04 Solid waste transfer station	ZP,SP,PO	23.8-434	-	C	-	-	-	-	-	-	-	-	-	-	P	P
17 Accessory Uses																
17.01 Adult family home [9]	ZP	23.8-441	P	P	P	P	P	P	P	P	P	P	P	P	-	-
17.02 Amateur radio antenna [8]	-	23.8-442	P	P	P	P	P	P	P	P	P	P	P	P	-	-
17.03 Automated teller machine	ZP	23.8-443	-	-	-	-	-	-	-	P	P	P	P	P	-	-
17.04 Backyard chickens	-	23.8-444	P	P	P	P	P	-	P	-	-	-	-	-	P	P
17.05 Bed and breakfast [8]	ZP,SP,PO	23.8-445	C	C	C	C	C	-	-	P	P	-	P	-	-	-
17.06 Boat dock	-	23.8-446	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.07 Boathouse [8][24]	ZP	23.8-447	P	P	P	P	P	P	-	-	-	-	-	-	-	-
17.08 Boathouse, off-site [24]	ZP	23.8-448	-	-	P	P	-	-	-	-	-	-	-	-	-	-
17.09 Commercial truck parking [8]	-	23.8-449	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.10 Deck [23]	ZP	23.8-450	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.11 Exterior communication device [8]	-	23.8-451	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.12 Family day care home [8]	ZP	23.8-452	P	P	P	P	P	P	P	P	P	P	P	P	-	-
17.12 Farm building storage	ZP	23.8-453	P	C	-	-	-	-	-	-	-	-	-	-	-	-
17.14 Farm residence [20]	ZP	23.8-454	P	P	-	-	-	-	-	-	-	-	-	-	-	-
17.15 Farmstead retail outlet	ZP,SP,PO	23.8-455	C	C	-	-	-	-	-	-	-	-	-	-	-	-
17.16 Fence	ZP	23.8-456	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.17 Foster home and treatment foster home [8]	ZP	23.8-457	P	P	P	P	P	P	P	P	P	P	P	P	-	-
17.18 Garage, nonresidential [10]	ZP	23.8-458	-	-	-	-	-	-	-	P	P	P	P	P	P	P
17.19 Garage, off-site residential	ZP	23.8-459	-	-	P	P	-	-	-	-	-	-	-	-	-	-
17.20 Garage, residential [8,22]	ZP	23.8-460	P	P	P	P	P	P	P	P	P	P	P	P	-	-
17.21 Garden	-	23.8-461	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.22 Gazebo [23]	ZP	23.8-462	P	P	P	P	P	P	P	P	P	P	P	P	P	-
17.23 Greenhouse [8,13]	ZP	23.8-463	P	P	P	P	P	P	P	-	-	-	-	-	-	-
17.24 Helipad [11, 12]	ZP,SP,PO	23.8-464	-	-	-	-	-	-	-	-	-	-	-	-	-	-
17.25 Home occupation, major [8]	ZP,SP,PO	23.8-465	-	C	C	C	C	C	-	C	C	C	C	-	-	-
17.26 Home occupation, minor [8]	ZP	23.8-466	P	P	P	P	P	P	P	P	P	P	P	P	-	-
17.27 Hot tub [8]	-	23.8-467	P	P	P	P	P	P	P	P	P	P	P	P	-	-
17.28 Household livestock, 2.5 acres or more but less than 5 acres [8]	ZP	23.8-468	P	C	C	-	-	-	-	-	-	-	-	-	-	-
17.29 Household livestock, 5 acres or more [8]	ZP	23.8-468	P	P	C	-	-	-	-	-	-	-	-	-	-	-
17.30 Indoor sales incidental to light industrial use	ZP	23.8-469	-	-	-	-	-	-	-	-	-	-	-	-	C	-
17.31 Kennel, hobby [8]	ZP,SP,PO	23.8-470	C	C	C	C	C	C	C	C	C	C	C	C	-	-
17.32 Kennel, private [8]	-	23.8-471	P	P	P	P	P	P	P	P	P	P	P	P	-	-
17.33 Lean-to	ZP	23.8-472	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.34 Light industrial use incidental to indoor sales	ZP,SP,PO	23.8-473	-	-	-	-	-	-	-	-	-	-	-	-	C	-
17.35 Mother-in-law suite [8, 23]	ZP	23.8-474	P	P	P	P	P	-	-	-	-	-	-	-	-	-
17.36 Outdoor display incidental to indoor sales	ZP,SP,PO	23.8-475	-	-	-	-	-	-	-	-	C	C	C	C	-	-
17.37 Outdoor food and beverage service	ZP,SP,PO	23.8-476	-	-	-	-	-	-	-	C	C	C	C	C	-	-
17.38 Outdoor furnace	ZP	23.8-477	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.39 Parking lot (on-site)	ZP	23.8-478	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.40 Patio	-	23.8-479	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.41 Pergola [23]	ZP	23.8-480	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.42 Play structure [8]	-	23.8-481	P	P	P	P	P	P	P	P	P	P	P	P	P	-
17.43 Pond	ZP,SP	23.8-482	P	P	C	C	C	C	C	P	P	P	P	P	P	P
17.44 Private reception venue	ZP	23.8-483	-	P	-	-	-	-	-	-	-	-	-	-	-	-
17.45 Rural accessory building [8]	ZP	23.8-484	P	P	P	P	P	P	P	-	-	-	-	-	-	-

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Exhibit 8-1 Land use matrix – continued

17 Accessory Uses – continued	Review	Special Standards	Base Zoning District													
			A-1	A-2	R-1	R-2	R-3	R-4	R-8	B-1	B-2	B-3	M-1	I-1	I-2	
17.46 Service window, drive-up	ZP,SP	23.8-485	-	-	-	-	-	-	-	-	C	C	C	C	-	-
17.47 Service window, walk-up	ZP,SP	23.8-486	-	-	-	-	-	-	-	-	C	C	C	C	-	-
17.48 Solar energy system, building-mounted	-	23.8-487	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.49 Solar energy system, free-standing	ZP	23.8-488	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.50 Storage container, 1 or 2 units	ZP	23.8-489	-	-	-	-	-	-	-	-	P	P	P	-	P	P
17.51 Storage container, 3 or more units	ZP,SP	23.8-489	-	-	-	-	-	-	-	-	C	C	C	-	C	C
17.52 Swimming pool	ZP	23.8-490	P	P	P	P	P	P	P	P	P	P	P	P	-	-
17.53 Temporary shelter [10]	ZP,SP,PO	23.8-491	-	-	-	-	-	-	-	-	C	C	C	C	-	-
17.54 Utility cabinet	-	23.8-492	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17.55 Yard shed [13][24]	-	23.8-493	P	P	P	P	P	P	P	P	P	P	P	P	P	P
18 Temporary Uses																
18.01 Agricultural product sales, off-site	-	23.8-501	-	P	P	-	-	-	-	-	P	P	P	P	P	P
18.02 Agricultural product sales, on-site	-	23.8-502	P	P	P	P	P	P	P	P	P	P	P	P	P	P
18.03 Earth materials stockpile, off-site [14]	ZP,SP,PO	23.8-503	-	C	-	-	-	-	-	-	-	-	-	-	C	C
18.03 Earth materials stockpile, on-site [15]	-	23.8-503	-	P	P	P	P	P	P	P	P	P	P	P	P	P
18.04 Farmers market [16]	TU,SP,PO	23.8-504	P	P	P	-	-	-	-	-	C	P	P	P	C	-
18.05 General outdoor sales	TU,SP,PO	23.8-505	-	-	-	-	-	-	-	-	-	C	P	-	C	-
18.06 Model home	ZP	23.8-506	-	-	P	P	P	P	-	-	-	-	-	-	-	-
18.07 Off-site construction yard	SP,PO	23.8-507	-	C	C	C	C	C	C	C	C	C	C	C	C	C
18.08 On-site construction office [17]	-	23.8-508	-	-	P	P	P	P	-	-	P	P	P	P	P	P
18.09 On-site construction yard [17]	-	23.8-509	-	-	P	P	P	P	-	-	P	P	P	P	P	P
18.10 Portable storage container	-	23.8-510	-	P	P	P	P	P	P	P	P	P	P	P	P	P
18.11 Re-locatable building [18]	ZP,SP,PO	23.8-511	-	-	-	-	-	-	-	-	C	C	C	C	-	-
18.12 Seasonal product sales	-	23.8-512	C	P	P	-	-	-	-	-	P	P	P	P	P	P
18.13 Snow disposal site	ZP,SP,PO	23.8-513	C	C	-	-	-	-	-	-	C	C	C	C	C	C
18.14 Special event	TU,SP,PO	23.8-514	-	P	P	P	-	-	-	-	P	P	P	P	P	-
18.15 Special event of regional significance	TU,SP,PO	23.8-515	-	C	C	C	-	-	-	-	C	C	C	C	C	-
18.16 Special event of regional significance - camping	TU	23.8-516	-	P	P	P	P	P	-	-	P	P	P	P	P	P
18.17 Special event of reg. significance - concessions	TU	23.8-517	-	P	P	P	P	P	-	-	P	P	P	P	P	P
18.18 Special event of regional significance - parking	TU	23.8-518	-	P	P	P	P	P	-	-	P	P	P	P	P	P
18.19 Wind test tower	-	23.8-519	P	P	P	P	P	P	P	P	P	P	P	P	P	P
18.20 Yard sale [19]	-	23.8-520	P	P	P	P	P	P	P	P	P	P	P	P	-	-

Zoning Districts:

A-1 Agribusiness; A-2 General agriculture; R-1 Rural residential; R-2 Suburban residential; R-3 Two-family residential; R-4 Multi-family residential; R-8 Manufactured/mobile home community; B-1 Local service; B-2 Community business; B-3 General business; M-1 Mixed use; I-1 Light industrial; I-2 Heavy industrial

Table Key:

A "P" indicates that the use is permitted in the zoning district by right, provided that all other provisions of this chapter are met. These uses generally do not undergo public review, but are reviewed at the administrative level to ensure compliance.

A "C" indicates that the use is permitted in the zoning district as a conditional use provided that all other provisions of this chapter are met.

A "-" indicates that the use is not permitted in the zoning district.

"ZP" indicates zoning permit; "SP" indicates site plan; "PO" indicates plan of operation; "TU" indicates temporary use permit



Notes:

1. In the A-1 zoning district, a single-family dwelling may be located on a parcel not constituting a farm or on a parcel of land created after April 29, 2012.
2. See s. 23.8-47 for special provisions that may apply.
3. See s. 23.8-48 for special provisions that may apply.
4. A family day care home (4-8 children) is an accessory use and is therefore listed in Series 17.
5. This use may be an accessory use when associated with a worship facility, community center, and the like.
6. A bed and breakfast is an accessory use and is therefore listed in Series 17.
7. An amateur radio station is an accessory use and is therefore listed in Series 17.
8. This use may only occur with a principal residential use.
9. This use may only occur with a principal residential use or with a group day care center.
10. In addition to the zoning districts listed, this use may occur with a governmental or institutional use as a conditional use. This use may also be a principal use; see series 1 through 16.
11. In addition to the zoning districts listed, this use may occur with a governmental or institutional use (e.g., school or church) as a permitted use.
12. This use may only occur with a health care center as a conditional use.
13. A zoning permit is not required for this use if less than 8 feet in height and occupies a horizontal area of not more than 100 square feet.
14. Earth materials are obtained in whole or in part from another location.
15. Earth materials are obtained on the parcel as part of the land development process.
16. In addition to the zoning districts listed, this use may occur with a public park as a permitted use or with a governmental or institutional use (e.g., church, library or school) as a conditional use.
17. When this use is in place for more than 365 days, it is considered a conditional use.
18. This use may only occur with a governmental or institutional use (e.g., church, library, or school) as a conditional use.
19. This use may only occur with a principal residential use or with a governmental or institutional use (e.g., church, library, or school).
20. In the A-1 zoning district, no more than one farm residence may be located on a base farm tract as designated by the Board of Supervisors by resolution.
21. A batching plant when not associated with an approved nonmetallic mine is classified as heavy industrial (See 15.07).
22. See s. 23.8-45(d).
23. This structure shall be considered an accessory structure even though principal building setbacks may apply.
24. These structures do not count towards the maximum number of detached accessory buildings or towards the maximum accessory area allowed in the zoning district.

FOR TOWN USE ONLY

**TOWN ACTION FOR ZONING MAP AMENDMENT
TOWN OF NEENAH
WINNEBAGO COUNTY, WISCONSIN**

RE: Petition for proposed zoning map amendment listed below affecting the Winnebago County Zoning Ordinance and the Office Map of the Town of NEENAH.

Owner(s): WINNEBAGO CO. PLANNING & ZONING
Agent: O'ROURKE, BRIAN WINNEBAGO COUNTY ZONING DEPARTMENT
Parcel No.: VARIOUS
Location of Premises Affected: MULTIPLE COUNTY-WIDE PARCELS
Legal Description: VARIOUS
Current Zoning: A-1 Agribusiness
Proposed Zoning: A-2 General Agriculture
Explanation: Applicant is requesting a zoning map amendment to rezone parcels from A-1 to A-2.

Resolved, by the Town Board of the Town of NEENAH, Winnebago County, Wisconsin, that the above indicated proposed amendment to the Town/County Zoning Code (Chapter 23) be and the same is hereby:

Approved Disapproved

TOWN FINDINGS:

- Town has an adopted land use plan Town does not have an adopted land use plan
- Action agrees with town land use plan Action does not agree with town land use plan

Other: _____

I, Ellen Skerke, Town Clerk of the above named town, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Town Board of the Town of NEENAH.

DATED THIS _____ DAY OF _____, 20____

SIGNED: _____

Winnebago County Planning and Zoning Department

PLANNING AND ZONING COMMITTEE

November 16, 2022

TO WHOM IT MAY CONCERN:

The applicant(s) listed below has requested a Zoning Map Amendment which is regulated by the Town/County Zoning Code, Chapter 23. You are receiving this notice because this application or petition for action: 1. affects area in the immediate vicinity of property which you own; 2. requires your agency to be notified; 3. requires your Town to be notified; or 4. requires you, as the applicant, to be notified.

The Winnebago County Planning and Zoning Committee will be holding a public hearing on November 16, 2022 at 6:30 PM in Conference Room 120 of the County Administration Building located at 112 Otter Ave, Oshkosh, WI.

All interested persons wishing to be heard at the public hearing may appear in person or via Zoom using the meeting information below. A direct link to the Zoom Meeting is available on the Winnebago County Meetings and Agenda calendar on the above indicated date.

Zoom Meeting Information Link: <https://www.co.winnebago.wi.us/planning-and-zoning/p-z-meeting-links>

Additional Instructions can be found at: <https://www.co.winnebago.wi.us/planning-and-zoning>. For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning office, where the application is available for viewing.

INFORMATION ON ZONING MAP AMENDMENT REQUEST

Application No.: 2022-ZC-6230

Applicant: WINNEBAGO CO. PLANNING & ZONING

Agent: O'ROURKE, BRIAN WINNEBAGO COUNTY ZONING DEPARTMENT

Location of Premises: MULTIPLE COUNTY-WIDE PARCELS

Tax Parcel No.: Various

Legal Description: Various

Explanation: Applicant is requesting a zoning map amendment to rezone parcels from A-1 to A-2.

INITIAL STAFF REPORT

Sanitation: NA

Overlays: NA

Current Zoning: A-1 Agribusiness

Proposed Zoning: A-2 General Agriculture

Surrounding Zoning: North: N/A; South: N/A; East: N/A; West: N/A;

THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER/APPLICANT

Describe present use(s): NA

Describe proposed use(s): Winnebago County is proposing to change multiple parcels from A-1 (Agribusiness) to A-2 (General Agriculture) with the property owner's permission. This proposed zoning change is in conjunction with the recently amended County Farmland Preservation Plan.

Describe the essential services for present and future use(s): NA

Describe why the proposed use would be the highest and best use for the property: NA

Describe the proposed use(s) compatibility with surrounding land use(s): NA

SECTION REFERENCE AND BASIS OF DECISION

23.7-5 Basis of Decision

Zoning map amendment initiated by a property owner. If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of a parcel not classified as A-1, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:

- (1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;
- (2) the extent to which the lot and structures on the subject property conform to the dimensional standards that apply to the proposed zoning district; and
- (3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of land classified as A-1, the Planning and Zoning Committee shall only recommend approval and the Board of County Supervisors shall only approve the proposed amendment when all of the following findings can be made:

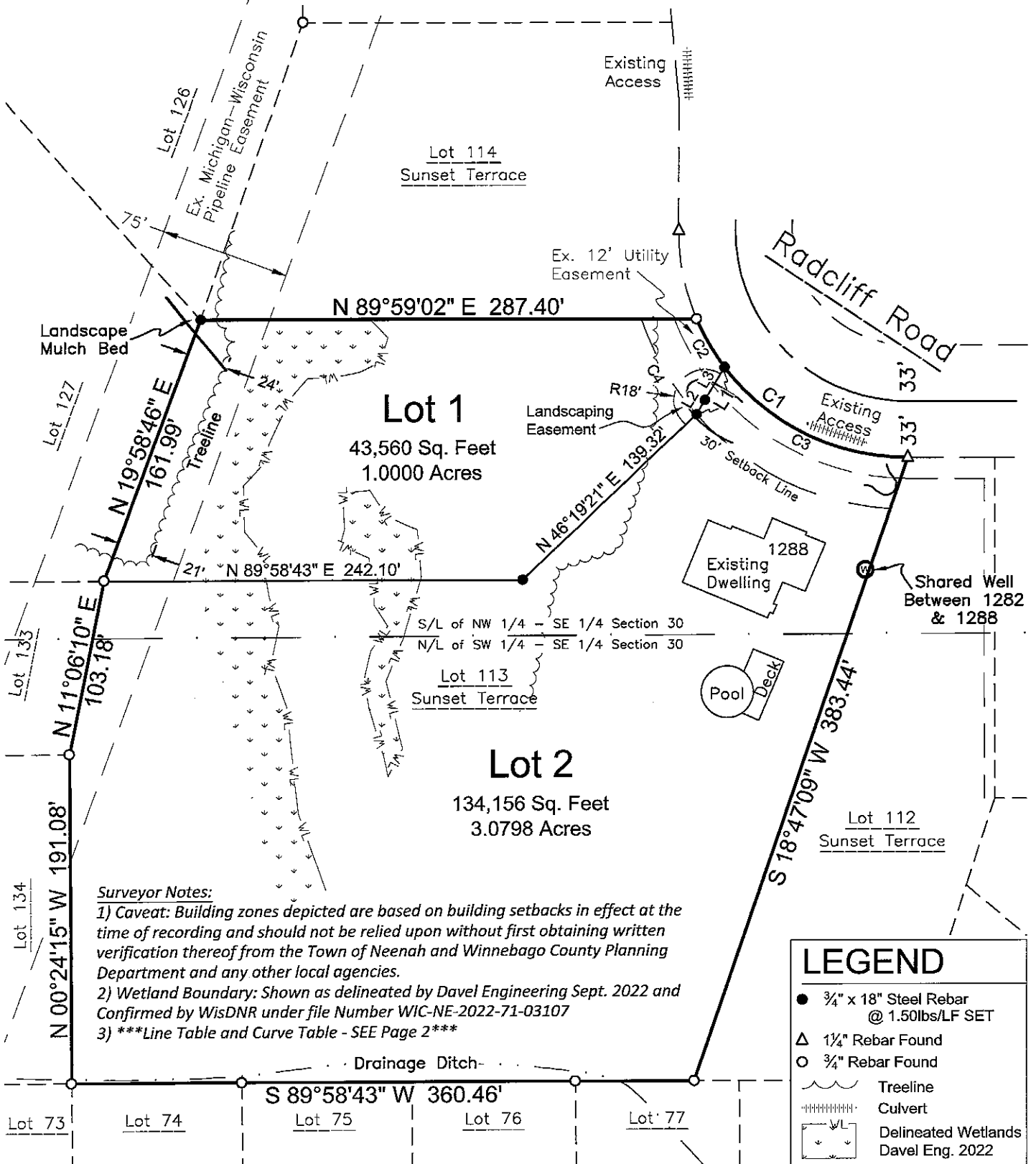
- (1) Such land is better suited for a use not otherwise allowed in the A-1 district.
- (2) The amendment is consistent with the county's comprehensive plan.
- (3) The amendment is substantially consistent with the county's farmland preservation plan as certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection.
- (4) The amendment will not substantially impair or limit current or future agricultural use of other protected farmland in the area.

The special requirements stated above relating to the rezoning of land in a A-1 district do not apply to a map amendment that (1) is certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection under Ch. 91, Wis. Stats., or (2) makes the zoning map more consistent with county's farmland preservation plan map, certified under Ch. 91, Wis. Stats., which is in effect at the time of the amendment.

<u>PARCEL</u>	<u>TOWN</u>	<u>Response</u>	<u>OWNER NAME</u>
010017212	TOWN OF NEENAH	None	ABENDSCHEIN REV LIV TST, WILLIAM W
0100099	TOWN OF NEENAH	Yes	ARMSTRONG FAM IRREV TST
0100104	TOWN OF NEENAH	Yes	ARMSTRONG FAM IRREV TST
0100133	TOWN OF NEENAH	Yes	ARMSTRONG FAM IRREV TST
0100143	TOWN OF NEENAH	Yes	ARMSTRONG FAM IRREV TST
0100144	TOWN OF NEENAH	Yes	ARMSTRONG FAM IRREV TST
010016904	TOWN OF NEENAH	Yes	BLOHM, THOMAS
0100103	TOWN OF NEENAH	Yes	BUSER TST
01001110101	TOWN OF NEENAH	Yes	BUSER TST
0100112	TOWN OF NEENAH	Yes	BUSER TST
0100114	TOWN OF NEENAH	Yes	BUSER, GILBERT E
010011602	TOWN OF NEENAH	Yes	BUSER, GILBERT E
010011401	TOWN OF NEENAH	Yes	BUSER, MICHAEL EDWARD
0100115	TOWN OF NEENAH	Yes	BUSER, MICHAEL EDWARD
010004301	TOWN OF NEENAH	Yes	DEKEYSER FAM IRREV TST
0100118	TOWN OF NEENAH	Yes	GROELL, PAUL ALLAN
0100121	TOWN OF NEENAH	Yes	GROELL, PAUL ALLAN
010016902	TOWN OF NEENAH	NONE	HORN, VERNON J
0100157	TOWN OF NEENAH	Yes	JENSEN TST, JAMES W
0100348	TOWN OF NEENAH	PENDING	KEATING, JAMES P, JR TOWN OF NEENAH
0100116	TOWN OF NEENAH	Yes	KINJERSKI, MICHAEL M
0100122	TOWN OF NEENAH	None	KUEHNL FAM TST
0100123	TOWN OF NEENAH	None	KUEHNL FAM TST
0100145	TOWN OF NEENAH	None	KUEHNL FAM TST
0100146	TOWN OF NEENAH	None	KUEHNL FAM TST
010014604	TOWN OF NEENAH	None	KUEHNL FARMS INC
0100124	TOWN OF NEENAH	None	LEE, JOSEPH J
010036701	TOWN OF NEENAH	None	MCCORMICK, BRETT T
0100125	TOWN OF NEENAH	Yes	MUTTART REV TST, NATHAN L
0100128	TOWN OF NEENAH	Yes	MUTTART REV TST, NATHAN L
010035001	TOWN OF NEENAH	None	NEENAH JOINT SCHOOL DISTRICT
0100346	TOWN OF NEENAH	Yes	NORTHEAST WISCONSIN LAND TRUST INC
0100347	TOWN OF NEENAH	Yes	NORTHEAST WISCONSIN LAND TRUST INC
0100349	TOWN OF NEENAH	Yes	NORTHEAST WISCONSIN LAND TRUST INC
010034901	TOWN OF NEENAH	Yes	NORTHEAST WISCONSIN LAND TRUST INC
0100351	TOWN OF NEENAH	Yes	NORTHEAST WISCONSIN LAND TRUST INC
010016903	TOWN OF NEENAH	None	SCHROEDER, MITCH
010017213	TOWN OF NEENAH	Yes	SKOWRONSKI, DEBORAH N
010017801	TOWN OF NEENAH	Yes	SOUTH FARM RENTALS LLC
0100043	TOWN OF NEENAH	Yes	TIL THE COWS COME HOME LLC
0100174	TOWN OF NEENAH	Yes	TIL THE COWS COME HOME LLC
0100176	TOWN OF NEENAH	Yes	TIL THE COWS COME HOME LLC
0100367	TOWN OF NEENAH	None	VANS REALTY & CONSTRUCTION APPLETON INC
0100170	TOWN OF NEENAH	Yes	WEISS, DAVID M
0100171	TOWN OF NEENAH	Yes	WEISS, DAVID M

Certified Survey Map No. _____

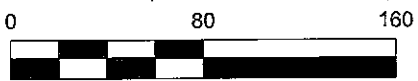
All of Lot 113 of Sunset Terrace,
located in part of the Northwest 1/4 of the Southeast 1/4
and part of the Southwest of the Southeast 1/4 of
of Section 30, Township 20 North, Range 17 East,
Town of Neenah, Winnebago County, Wisconsin.



Surveyor Notes:
 1) *Caveat: Building zones depicted are based on building setbacks in effect at the time of recording and should not be relied upon without first obtaining written verification thereof from the Town of Neenah and Winnebago County Planning Department and any other local agencies.*
 2) *Wetland Boundary: Shown as delineated by Davel Engineering Sept. 2022 and Confirmed by WisDNR under file Number WIC-NE-2022-71-03107*
 3) ****Line Table and Curve Table - SEE Page 2****

LEGEND	
●	3/4" x 18" Steel Rebar @ 1.50lbs/LF SET
△	1/4" Rebar Found
○	3/4" Rebar Found
~~~~~	Treeline
	Culvert
▭	Delineated Wetlands Davel Eng. 2022

Survey for:  
Eric & Michelle Van Dyke  
1288 Radcliff Road  
Neenah, WI 54956



Bearings are referenced to the Final Plat of Sunset Terrace



**DAVEL ENGINEERING & ENVIRONMENTAL, INC.**  
Civil Engineers and Land Surveyors

1164 Province Terrace, Menasha, WI 54952  
Ph: 920-991-1866 Fax: 920-441-0804  
www.davel.pro

Drafted by: scott  
Sheet : 1 of 4



## Certified Survey Map No. _____

All of Lot 113 of Sunset Terrace,  
located in part of the Northwest 1/4 of the Southeast 1/4  
and part of the Southwest of the Southeast 1/4 of  
of Section 30, Township 20 North, Range 17 East,  
Town of Neenah, Winnebago County, Wisconsin.

### Surveyor's Certificate

I, Scott R. Andersen, Professional land surveyor, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the Town of Neenah and Winnebago County, and under the direction of Eric B. Van Dyke and Michelle A. Van Dyke, the property owners of said land, 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 All of Lot 113 of Sunset Terrace, located in part of the Northwest 1/4 of the Southeast 1/4 and part of the Southwest of the Southeast 1/4 of of Section 30, Township 20 North, Range 17 East, Town of Neenah, Winnebago County, Wisconsin, containing 177,716 Square Feet (4.0798 Acres) and is subject to all easements, and restrictions of record.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 30°39'27" E	31.95'
L2	N 30°39'27" E	9.63'
L3	N 30°39'27" E	22.31'

CURVE TABLE					
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	156.08'	133.00'	67°14'18"	S 56°23'49" E	147.28'
C2	33.00'	133.00'	14°12'54"	S 29°53'07" E	32.91'
C3	123.08'	133.00'	53°01'24"	S 63°30'16" E	118.74'
C4	65.00'	163.00'	22°50'54"	S 29°50'34" E	64.57'

Certified Survey Map No. _____

All of Lot 113 of Sunset Terrace,  
located in part of the Northwest 1/4 of the Southeast 1/4  
and part of the Southwest of the Southeast 1/4 of  
of Section 30, Township 20 North, Range 17 East,  
Town of Neenah, Winnebago County, Wisconsin.

Owners' Certificate

As the property owners, we hereby certify that we caused the land described on this certified survey map to be surveyed, divided, dedicated and mapped all as shown and represented on this map.

We do further certify this Certified Survey Map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

Winnebago County  
Town of Neenah  
City of Neenah (Extraterritorial)

Dated this _____ day of _____, 20_____

_____  
Eric B. Van Dyke, Owner

_____  
Michelle A. Van Dyke, Owner

State of Wisconsin )  
 )SS  
_____ County)

Personally came before me on the _____ day of _____, 20_____, the above the property owner(s) to me known to be the persons who executed the foregoing instrument and acknowledge the same.

_____ My Commission Expires _____  
Notary Public, Wisconsin

18' Radius Landscaping Easement Defined

An unobstructed easement for the maintenance and enjoyment of an existing Landscape Berm which runs over Lot 1 of This Certified Survey Map yet is fully contained within this easement. Said Easement is defined as 18' Radius Landscaping Easement which encumbers part of Lot 1 of This Certified Survey Map for the benefit of Lot 2 of This Certified Survey Map. Radius point of this easement is a 3/4" Iron Rod as shown between L2 and L3 of Line Table. This easement is subject to all existing easements, and restrictions of record.

Certified Survey Map No. _____

All of Lot 113 of Sunset Terrace,  
located in part of the Northwest 1/4 of the Southeast 1/4  
and part of the Southwest of the Southeast 1/4 of  
of Section 30, Township 20 North, Range 17 East,  
Town of Neenah, Winnebago County, Wisconsin.

Town Board Approval Certificate

Resolved, that this certified survey map in the Town of Neenah, Winnebago County, Eric B. & Michelle A. Van Dyke, the property owner, is hereby approved by the Town Board of the Town of Neenah.

_____  
Chairman Date

I hereby certify that the foregoing is a copy of a resolution adopted by the Town Board of the Town of Neenah.

_____  
Clerk Date

Treasurers' Certificate

We, being the duly elected, qualified and acting Treasurers' of the Town of Neenah and Winnebago County, do hereby certify that in accordance with the records in our office, there are no unredeemed tax sales and unpaid taxes, or special assessments on and of the land included in this certified survey map.

_____  
Town Treasurer Date

_____  
County Treasurer Date

County Planning & Zoning Committee Approval

Resolved, that this certified survey map in the Town of Neenah, Winnebago County, Eric B. & Michelle A. Van Dyke, the property owner, is hereby approved by Winnebago County.

_____  
Chairman, Planning and Zoning Committee Date

City of Neenah Approval Certificate

Resolved, that this certified survey map in the Town of Neenah, Winnebago County, Eric B. & Michelle A. Van Dyke, the property owner, is hereby approved by the City of Neenah.

_____  
Community Development Department Date

This Certified Survey Map is contained wholly within the property described in the following recorded instruments:

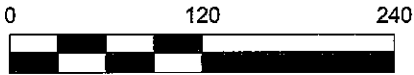
the property owners of record: Recording Information: Parcel Number(s):  
Eric B. & Michelle A. Van Dyke Doc. 1541774 010-1939

# Certified Survey Map No. _____

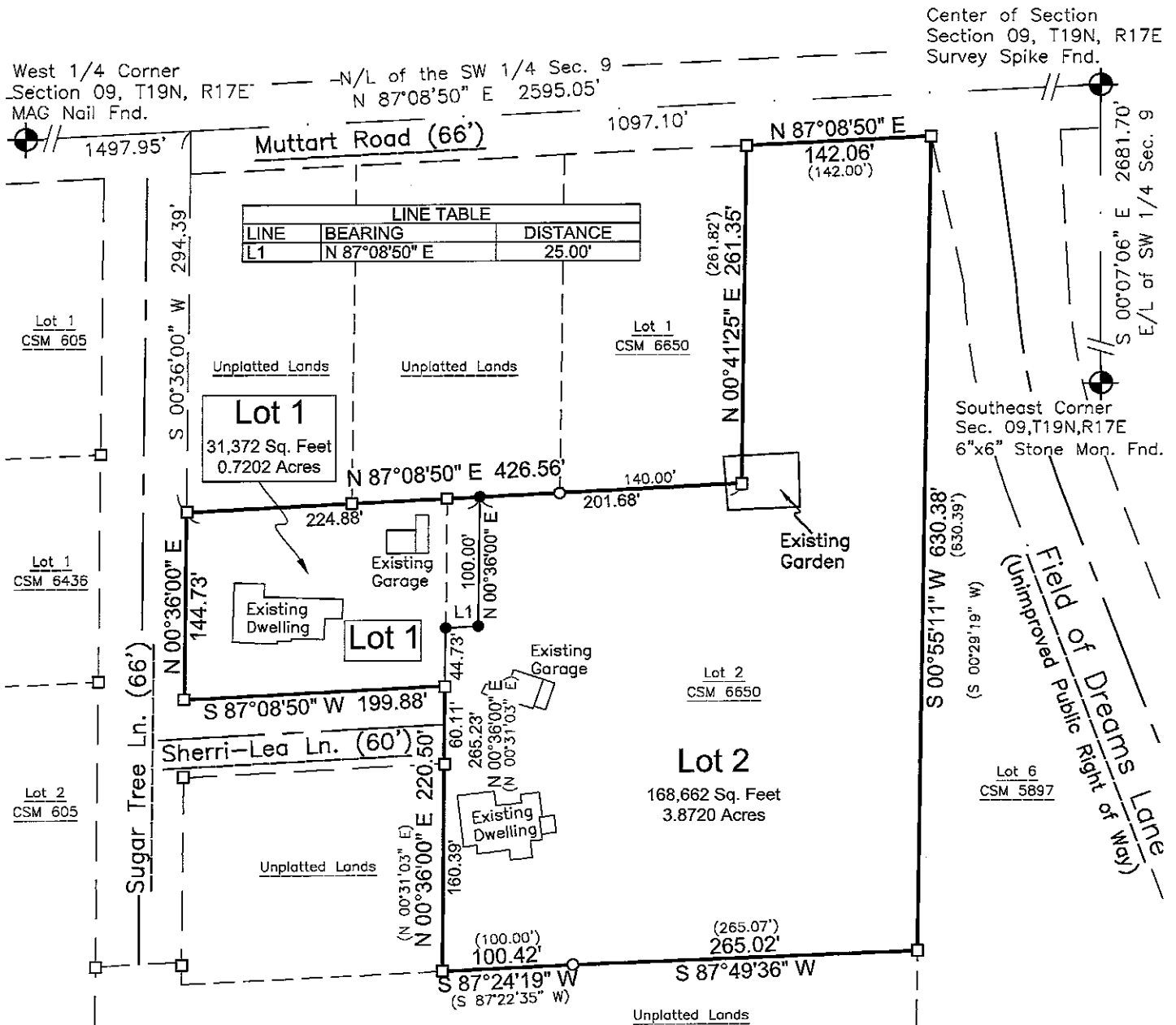
All of Lot 2 of Certified Survey Map No. 6650 (Doc. 1610538)  
and Part of the Northeast 1/4 of the Southwest 1/4 of  
Section 09, Township 19 North, Range 17 East,  
Town of Neenah, Winnebago County, Wisconsin.

**LEGEND**

- 3/4" x 18" Steel Rebar @ 1.50lbs/LF SET
- 3/4" Rebar Found
- 1" Iron Pipe Found
- ⊙ Government Corner
- ( ) Recorded As



Bearings are referenced to the North line of the Southwest 1/4, Section 09, T19N, R17E, assumed to bear N87°08'50"E, base on the Winnebago County Coordinate System.



*Caveat: Building zones depicted are based on building setbacks in effect at the time of recording and should not be relied upon without first obtaining written verification thereof from the the Town of Neenah and Winnebago County Planning Department and any other local agencies.*

Survey for:  
Derek & Kimberly Murphy  
103 Sherri-Lea Lane  
Neenah, WI 54956



**DAVEL ENGINEERING & ENVIRONMENTAL, INC.**  
Civil Engineers and Land Surveyors

1164 Province Terrace, Menasha, WI 54952  
Ph: 920-991-1866 Fax: 920-441-0804  
www.davel.pro

Drafted by: scott  
Sheet : 1 of 7



## Certified Survey Map No. _____

All of Lot 2 of Certified Survey Map No. 6650 (Doc. 1610538)  
and Part of the Northeast 1/4 of the Southwest 1/4 of  
Section 09, Township 19 North, Range 17 East,  
Town of Neenah, Winnebago County, Wisconsin.

### Surveyor's Certificate

I, Scott R. Andersen, Professional land surveyor, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the Town of Neenah and Winnebago County, and under the direction of Derek & Kimberly Murphy and James & Sharon Sorensen and Tracy A. Fisher, the property owners of said lands, 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 is All of Lot 2 of Certified Survey Map No. 6650 (Doc. 1610538) and Part of the Northeast 1/4 of the Southwest 1/4 of Section 09, Township 19 North, Range 17 East, Town of Neenah, Winnebago County, Wisconsin. containing 200,034 Square Feet (4.5922 Acres) of land described as follows:

Commencing at the West 1/4 corner of Section 09; thence N87°08'50"E, along the north line of the Southwest 1/4 of said Section 09, 1497.95 feet to the intersection of the extended east right of way of Sugar Tree Lane; thence S00°36'00"W along said right of way line and it's extension, 294.39 feet to the point of beginning of the parcels being described; thence N87°08'50" E parallel to the north line of the Southwest 1/4 of Section 09 and along a line of found monuments and along the north line of Lot 2 of Certified Survey Map No. 6650, 426.56 feet to the east line of Lot 1 of Certified Survey Map No. 6650; thence N00°41'25"E along said east line, 261.35 feet to the south right of way of Muttart Road; thence N87°08'50"E along said south right of way line, 142.06 feet to the east line of Lot 2 of Certified Survey Map No. 6650 and to the west line of Lot 6 of Certified Survey Map No. 5897; thence S00°55'11"W along said common line, 630.38 feet to the south line of Lot 2 of Certified Survey Map No. 6650; thence S87°49'36"W along said south line, 265.02 feet; thence S87°24'19"W along said south line, 100.42 feet to the west line of said Lot 2; thence N00°36'00"E along said west line and along the east end of Sherri-Lea Lane, 220.50 feet to the north right of way line of Sherri-Lea Lane; thence S87°08'50"W along said north right of way, 199.88 feet to the east right of way line of Sugar Tree Lane; thence N00°36'00"E along said east right of way line, 144.73 feet to the point of beginning. Described parcels are subject to all easements, and restrictions of record.

Certified Survey Map No. _____

All of Lot 2 of Certified Survey Map No. 6650 (Doc. 1610538)  
and Part of the Northeast 1/4 of the Southwest 1/4 of  
Section 09, Township 19 North, Range 17 East,  
Town of Neenah, Winnebago County, Wisconsin.

Owners' Certificate

As the property owners, we hereby certify that we caused the land described on this certified survey map to be surveyed, divided, and mapped all as shown and represented on this map.

We do further certify this Certified Survey Map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

Winnebago County  
Town of Neenah  
City of Neenah (Extraterritorial)

Dated this _____ day of _____, 20_____

_____  
Derek A. Murphy, Owner

_____  
Kimberly A. Murphy, Owner

State of Wisconsin            )  
                                          )SS  
_____ County)

Personally came before me on the _____ day of _____, 20_____, the above the property owner(s) to me known to be the persons who executed the foregoing instrument and acknowledge the same.

_____ My Commission Expires _____  
Notary Public, Wisconsin

Certified Survey Map No. _____

All of Lot 2 of Certified Survey Map No. 6650 (Doc. 1610538)  
and Part of the Northeast 1/4 of the Southwest 1/4 of  
Section 09, Township 19 North, Range 17 East,  
Town of Neenah, Winnebago County, Wisconsin.

Consent of Corporate Mortgagee

BMO Harris Bank N.A., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the herein described lands, does hereby consent to the survey, combining, mapping & dedicating as described and represented on this map, and does consent to the certificate of Derek A. Murphy and Kimberly A. Murphy, owners of said lands.

IN WITNESS WHEREOF, the said BMO Harris Bank N.A., has caused these presents to be signed by it's

Authorized Financial Officers, at _____, Wisconsin and it's Corporate seal to be affixed hereon

this _____ day of _____, 20____

_____	_____
Authorized Financial Officer	Date
_____	_____
Print Name	Title
_____	_____
Authorized Financial Officer	Date
_____	_____
Print Name	Title

State of Wisconsin            )  
                                          )SS  
_____ County)

Personally came before me on the _____ day of _____, 20____, the above named Authorized Financial Officers of BMO Harris Bank N.A., to me known to be the persons who executed the foregoing certificate and acknowledge the same.

_____ My Commission Expires _____  
Notary Public, Wisconsin

Certified Survey Map No. _____

All of Lot 2 of Certified Survey Map No. 6650 (Doc. 1610538)  
and Part of the Northeast 1/4 of the Southwest 1/4 of  
Section 09, Township 19 North, Range 17 East,  
Town of Neenah, Winnebago County, Wisconsin.

Owners' Certificate

As the property owners, we hereby certify that we caused the land described on this certified survey map to be surveyed, divided, and mapped all as shown and represented on this map.

We do further certify this Certified Survey Map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

Winnebago County  
Town of Neenah  
City of Neenah (Extraterritorial)

Dated this _____ day of _____, 20_____

_____  
James A. Sorensen, Owner

_____  
Sharon A. Sorenson, Owner

_____  
Tracy Fisher, Owner

State of Wisconsin            )  
                                          )SS  
_____ County)

Personally came before me on the _____ day of _____, 20_____, the above the property owner(s) to me known to be the persons who executed the foregoing instrument and acknowledge the same.

_____ My Commission Expires _____

Notary Public, Wisconsin

Certified Survey Map No. _____

All of Lot 2 of Certified Survey Map No. 6650 (Doc. 1610538)  
and Part of the Northeast 1/4 of the Southwest 1/4 of  
Section 09, Township 19 North, Range 17 East,  
Town of Neenah, Winnebago County, Wisconsin.

Owners' Certificate

As the property owners, James A Sorensen and Sharon A. Sorenson Joint Revocable Trust Dated January 29, 1997, we hereby certify that we caused the land described on this certified survey map to be surveyed, divided, and mapped all as shown and represented on this map.

We do further certify this Certified Survey Map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

Winnebago County  
Town of Neenah  
City of Neenah (Extraterritorial)

Dated this _____ day of _____, 20_____

_____  
James A. Sorensen  
Trustee

_____  
Sharon A. Sorensen  
Trustee

State of Wisconsin )  
                                  )SS  
_____ County)

Personally came before me on the _____ day of _____, 20_____, the above the property owner(s) to me known to be the persons who executed the foregoing instrument and acknowledge the same.

_____ My Commission Expires _____  
Notary Public, Wisconsin



Certified Survey Map No. _____

All of Lot 2 of Certified Survey Map No. 6650 (Doc. 1610538)  
and Part of the Northeast 1/4 of the Southwest 1/4 of  
Section 09, Township 19 North, Range 17 East,  
Town of Neenah, Winnebago County, Wisconsin.

Town Board Approval Certificate

Resolved, that this certified survey map in the Town of Neenah, Winnebago County, Derek A. & Kimberly A. Murphy; James A. & Sharon A. Sorensen and Tracy A. Fisher; the property owner, is hereby approved by the Town Board of the Town of Neenah.

_____  
Chairman Date

I hereby certify that the foregoing is a copy of a resolution adopted by the Town Board of the Town of Neenah.

_____  
Clerk Date

Treasurers' Certificate

We, being the duly elected, qualified and acting Treasurers' of the Town of Neenah and Winnebago County, do hereby certify that in accordance with the records in our office, there are no unredeemed tax sales and unpaid taxes, or special assessments on and of the land included in this certified survey map.

_____  
Town Treasurer Date

_____  
County Treasurer Date

County Planning & Zoning Committee Approval

Resolved, that this certified survey map in the Town of Neenah, Winnebago County, Derek A. & Kimberly A. Murphy; James A. & Sharon A. Sorensen and Tracy A. Fisher; the property owner, is hereby approved by Winnebago County.

_____  
Chairman, Planning and Zoning Committee Date

City of Neenah Approval Certificate

Resolved, that this certified survey map in the Town of Neenah, Winnebago County, Derek A. & Kimberly A. Murphy; James A. & Sharon A. Sorensen and Tracy A. Fisher; the property owner, is hereby approved by the City of Neenah.

_____  
Community Development Department Date

This Certified Survey Map is contained wholly within the property described in the following recorded instruments:

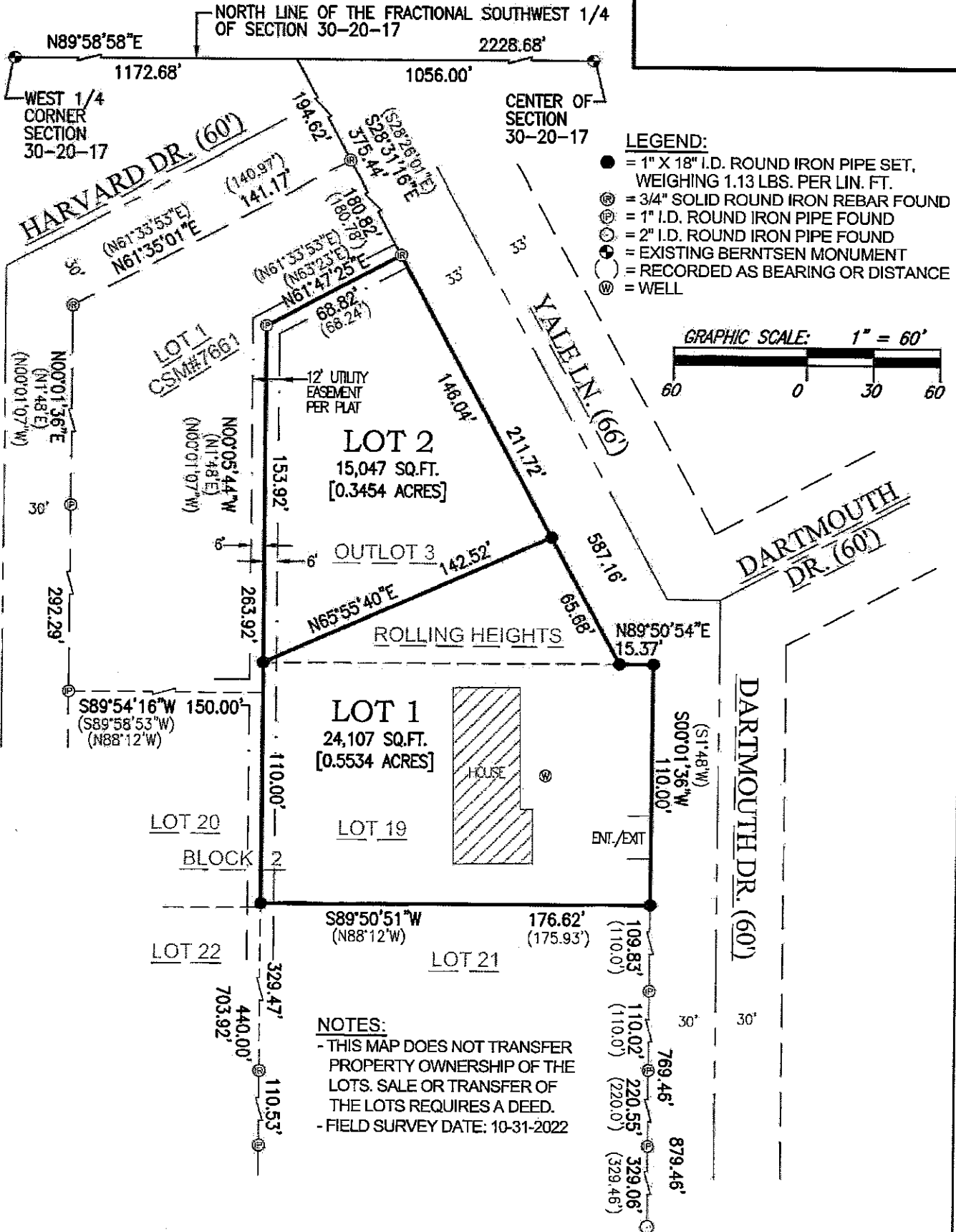
the property owners of record:	Recording Information:	Parcel Number(s):
Derek A. & Kimberly A. Murphy	Doc. 1726670	010-0172-07
James A. & Sharon A. Sorensen and Tracy A. Fisher	Doc. 1115994	010-0172-09-02
James A. Sorensen & Sharon A. Sorensen Joint Revocable Living Trust	Doc. 960714	010-0172-09-02

# CERTIFIED SURVEY MAP NO. _____

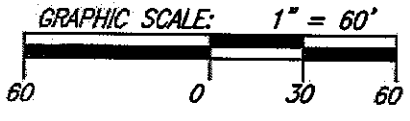
BEING ALL OF LOT 19 AND PART OF OUTLOT 3, BLOCK 2, ROLLING HEIGHTS, LOCATED IN THE NORTHEAST 1/4 OF THE FRACTIONAL SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 20 NORTH, RANGE 17 EAST, TOWN OF NEENAH, WINNEBAGO COUNTY, WISCONSIN.

**OWNER(S) OF RECORD:**  
JEROME W. & VIRGINIA G. BAER

**TAX PARCEL NO.(S):**  
0101518 & 010151602



- LEGEND:**
- = 1" X 18" I.D. ROUND IRON PIPE SET, WEIGHING 1.13 LBS. PER LIN. FT.
  - ⊙ = 3/4" SOLID ROUND IRON REBAR FOUND
  - ⊘ = 1" I.D. ROUND IRON PIPE FOUND
  - ⊚ = 2" I.D. ROUND IRON PIPE FOUND
  - ⊕ = EXISTING BERNTSEN MONUMENT
  - ⊖ = RECORDED AS BEARING OR DISTANCE
  - ⊗ = WELL



**NOTES:**  
 - THIS MAP DOES NOT TRANSFER PROPERTY OWNERSHIP OF THE LOTS. SALE OR TRANSFER OF THE LOTS REQUIRES A DEED.  
 - FIELD SURVEY DATE: 10-31-2022

ANDREW S. CLEVELAND, PLS-2787 DATED  
 CAROW LAND SURVEYING CO., INC.  
 615 N. LYNNDAL DR., P.O. BOX 1297  
 APPLETON, WISCONSIN 54912-1297  
 PHONE: (920)731-4168  
 A2210.11 DATED: 11-10-2022  
 DRAFTED BY: asc MRH

NORTH IS REFERENCED TO THE NORTH LINE OF THE FRACTIONAL SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 20 NORTH, RANGE 17 EAST, TOWN OF NEENAH, WINNEBAGO COUNTY, WISCONSIN, WHICH BEARS N89°58'25"E PER THE WISCONSIN COUNTY COORDINATE SYSTEM (WINNEBAGO COUNTY)

**CERTIFIED SURVEY MAP NO. _____**

BEING ALL OF LOT 19 AND PART OF OUTLOT 3, BLOCK 2, ROLLING HEIGHTS, LOCATED IN THE NORTHEAST ¼ OF THE FRACTIONAL SOUTHWEST ¼ OF SECTION 30, TOWNSHIP 20 NORTH, RANGE 17 EAST, TOWN OF NEENAH, WINNEBAGO COUNTY, WISCONSIN.

**SURVEYOR'S CERTIFICATE:**

I, ANDREW S. CLEVELAND, PROFESSIONAL WISCONSIN LAND SURVEYOR, CERTIFY THAT I HAVE SURVEYED, DIVIDED, AND MAPPED ALL OF LOT 19 AND PART OF OUTLOT 3, BLOCK 2, ROLLING HEIGHTS, LOCATED IN THE NORTHEAST ¼ OF THE FRACTIONAL SOUTHWEST ¼ OF SECTION 30, TOWNSHIP 20 NORTH, RANGE 17 EAST, TOWN OF NEENAH, WINNEBAGO COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST ¼ CORNER OF SECTION 30; THENCE S89°58'58"E, 1172.68 FEET ALONG THE NORTH LINE OF THE FRACTIONAL SOUTHWEST ¼ OF SECTION 30 TO THE NORTHWESTERLY EXTENSION OF A SOUTHWESTERLY LINE OF YALE LANE; THENCE S28°31'16"E, 375.44 FEET ALONG EXTENSION TO THE POINT OF BEGINNING; THENCE CONTINUING S28°31'16"E, 211.72 FEET ALONG SAID SOUTHWESTERLY LINE; THENCE N89°50'54"E, 15.37 FEET ALONG SAID SOUTHWESTERLY LINE TO THE WEST LINE OF DARTMOUTH DRIVE; THENCE S00°01'36"W, 110.00 FEET ALONG SAID WEST LINE TO THE SOUTH LINE OF LOT 19, BLOCK 2, ROLLING HEIGHTS; THENCE S89°50'51"W, 176.62 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF SAID LOT 19; THENCE N00°05'44"W, 263.92 FEET ALONG SAID WEST LINE AND THE WEST LINE OF OUTLOT 3, BLOCK 2, ROLLING HEIGHTS TO THE NORTHWESTERLY LINE OF SAID OUTLOT 3; THENCE N61°47'25"E, 68.82 FEET ALONG SAID NORTHWESTERLY LINE TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT I HAVE MADE SUCH SURVEY UNDER THE DIRECTION OF JEROME BAER, 706 DARTMOUTH DR., NEENAH, WI 54956.

THAT THIS MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARY LINES OF THE LAND SURVEYED.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION ORDINANCE OF WINNEBAGO COUNTY AND THE TOWN OF NEENAH.

**NOTES:**

- (1) THIS CSM IS ALL OF TAX PARCEL NO. (S): 0101516 & 010151602.
- (2) THE PROPERTY OWNER (S) OF RECORD IS (ARE): JEROME W. & VIRGINIA G. BAER.
- (3) THE CSM IS WHOLLY CONTAINED WITHIN THE PROPERTY DESCRIBED IN THE FOLLOWING RECORDED INSTRUMENT (S): DOCUMENT NO.S:1670826.

ANDREW S. CLEVELAND, PLS-2787 DATED  
CAROW LAND SURVEYING CO., INC.  
615 N. LYNNDALE DRIVE, P.O. BOX 1297  
APPLETON, WISCONSIN 54912-1297  
PHONE: (920)731-4168  
A2210.11 (RFR) DATED: 11-16-2022

**COUNTY PLANNING AND ZONING COMMITTEE APPROVAL:**

PURSUANT TO THE WINNEBAGO COUNTY SUBDIVISION ORDINANCE, ALL REQUIREMENTS FOR APPROVAL HAVE BEEN FULFILLED. THIS CERTIFIED SURVEY MAP WAS APPROVED THIS _____ DAY OF _____, 20 ____.

_____  
CHAIRPERSON, WINNEBAGO COUNTY PLANNING AND ZONING COMMITTEE.

**TOWN BOARD CERTIFICATE:**

WE HEREBY CERTIFY THAT THIS CERTIFIED SURVEY MAP WAS APPROVED BY THE TOWN BOARD OF THE TOWN OF NEENAH ON THE _____ DAY OF _____, 20 ____.

_____  
TOWN CHAIRMAN

_____  
TOWN CLERK





November 10, 2022

TO: Town of Neenah Board  
Town of Neenah Planning Commission  
Town of Neenah Building Inspector  
From: Russell Meerdink

Subject: Landscape Requirements for WPS Project

1. In the summer of 2020, Wisconsin Public Service (WPS) began negotiations for the purchase of a land parcel on the NE intersection of Woodenshoe Road and Breezewood Lane which is zoned R-1 (rural residential). WPS's plan for the land was for the construction of a major natural gas distribution facility.
2. This parcel is in the heart of one of the Town's most desirable semi-rural residential areas and adjacent to large areas in both the Towns of Clayton and Vinland that are ripe for more residential development. Early on, the prospect of this facility being constructed here was seen by many in the town as an unsightly and an undesirable use in a prime area designated for rural residential development. Unfortunately, there are no alternative sites along the underground gas pipeline that are workable for the WPS project.
3. The County's zoning ordinance does not permit a natural gas distribution facility to be erected in R-1 zoning.
4. In October 2020, the landowners (Steve & Eileen Swanson) filed an application for a Conditional Use Permit which would allow this use in R-1.
5. On October 19, 2020, the Town's Planning Commission held a public hearing on the application from WPS for a Conditional Use exception to construct the facility on the R-1 zoned land. Members of the public and members of the Planning Commission expressed the need for significant landscaping to soften the appearance of this unattractive project. The discussion resulted in the following motion which was passed unanimously: Final motions - P Weyenberg / J . Andres to recommend approval with the following condition 1) WPS to provide a landscape site plan for approval by the Town 2) Current facility removed within 365 days of on-line operation of new facility
6. Later, on October 19, the Town Board accepted the Planning Commission's recommendations with some modification Final Motion: B. Cardoza / J. Weiss to approve Conditional Use Request with the following conditions: 1) WPS provide a landscape plan to be approved by Bob Schmeichel (rather than "the Town" in the Planning Commissions version); 2) The existing building is removed within 365 days of the new building becoming operational. 3) Drainage is maintained in accordance with DNR standards. Motion approved by voice vote.

7. The Winnebago County Board is the final approving authority for the granting of Conditional Use Permits. On October 30, 2020, after passage by the County Board, the Conditional Use was approved with, among others, the following conditions:
  - a. Agent provides a landscape plan and has it approved by the Town of Neenah.
  - b. Note that the County accepted the Planning Commission's recommendation that the plan be approved by "the Town" rather than the Town Board's recommendation that the Town Chairman be the approving authority).
  - c. The Winnebago County Planning and Zoning Committee shall review this Conditional Use Permit in twelve months (from 10/30/2020).
  
8. Clearly, the Planning Commission, the Town Board and the County Board all anticipated and agreed that the landscaping standards should be greater for this project than those required in the Winnebago County Zoning code.
  
9. Here are the minimum landscaping requirements for this project under the County's Zoning Code (See attached copy of Code for actual language).
  - a. Section 23 of chapter 29 of the County's Zoning Code establishes landscaping requirements for all structures except agricultural buildings, single family, and two-family residences.
  - b. **Section 23-9-8 Street frontage landscaping.** Street frontage landscaping is required along any road, road right-of-way, or ingress/egress easement. Clearly, Landscaping is required along both Breezewood and Woodenshoe, the only exception is for maintaining a vision corner clearance.
  - c. **Section 23-9-8 – (b) Street frontage landscaping requirements.** Street frontage landscaping shall meet the following standards: (1) A minimum of three trees shall be provided for every 100 linear feet of frontage, rounding up to the nearest whole tree. (2) Trees required by this section shall be located within the street yard setback area of the lot.
  - d. **Section 23-9-4-Specifications for landscaping materials** (a) Generally. Deciduous and non-deciduous trees may be used provided that they meet all other standards of this article. Plant material shall be healthy, vigorous, and free of disease and insects. (b) Minimum planting size. Required trees shall be at least four feet in height at the time of planting. (c) Mature heights required. Required trees shall be capable of attaining mature heights of at least 15 feet. (d) Vision clearance triangle. Landscaping within a vision clearance triangle shall be consistent with the standards in the county code of Winnebago County.
  - e. **Section 23-9-9 - Buffer yards** (a) Generally. A buffer yard consists of a strip of undeveloped land with landscaping or other visual screening and is intended to provide a physical and visual separation between two incompatible land uses. (b) Applicability. A buffer yard shall be required when the proposed development meets the applicability standards in s. 23.9-3 and when the lot abuts another lot in a different zoning district, per Exhibit 9-1. **Meerdink Note.** The clear intent of this section is to require a landscape buffer between this project and the property to the north. However, there is contradictory language in this section. Without a doubt, there is an "incompatible land

use” between the project and the residence to the north but the ordinance also states that the two lots must be “in a different zoning district.” Both parcels are zoned R-1 but a lot granted a special use is without doubt meets the intent of a different zoning district.

- f. **Section 23-9-9 (d) Buffer yard requirements** – This section lays out specific planting requirements and too long to reproduce here.

10. When does a Conditional Use Permit take effect? Who enforces the provisions of such a permit? Here is the County’s procedure for ensuring that zoning, Conditional Use Permits, and all other statutory and local ordinances are met:

- a. Before a building permit may be issued, the County’s zoning office must issue a Zoning Permit- The ordinance states - 23.6-17 Building permit - A building permit for the construction of a new building or the expansion of an existing building shall not be issued until such time as a zoning permit has been issued or a written determination is made that one is not required. 23.6.31 - Administrative decisions, such as a zoning permit, involve very little discretion. Either the proposed development meets the standards in this chapter, or it does not.
- b. Clearly, a Zoning Permit cannot be issued until a landscaping plan is approved. In this instance, a landscaping plan is required both by the County’s ordinance and by the Conditional Use Permit. No landscaping plan was submitted to either the County or the Town prior to the issuance of the Zoning Permit.

11. On April 22, 2022, the County erroneously issued the Zoning Permit which resulted in a building permit being issued for this project. The County erred in the following areas:

- a. No landscaping plan was presented to the Town and thus could not be approved by the Town County prior to the issuance of the Zoning Permit. Such an approved plan was required by the Conditional use permit.
- b. The County erred when issuing the Zoning permit by indicating on the permit that requirements for “Landscaping/Buffer Yards” was N/A (not applicable). Clearly the County Zoning Code requires such buffering which could be adjusted by the Town under its power granted it by the Conditional Use Permit.
- c. The County appears to have taken the erroneous position that: (1) it is the responsibility of the Town to enforce any landscaping requirements it may desire; (2)the County ignores that the fact that the Town has no power to enforce County Zoning ordinances or Conditional Use Permits approved by the County Board; and, (3) the entire purpose of County Zoning is for the County to provide professional staff for the administration of complicated zoning issues.
- d. No landscaping approved by the Town was received by the County prior to the issuance of the Zoning Permit. Such an approved plan was required by the Conditional use permit.
- e. The Conditional Use Permit required that it again be reviewed by the County Planning & Zoning Committee in 12 months of its issuance. Such a review was never held.

12. WPS has been able to skirt the landscaping requirements in the Zoning Ordinance and the Conditional Use Permit because of procedural errors by the County. The WPS landscape plan



provided to the Planning Commission on October 17, 2022, does not meet standards of the Zoning Ordinance and has not been acted upon by either the Planning Commission or the Town Board.

13. Where do we go from here?

- a. The Planning Commission should have this matter on its agenda for the next meeting and make a recommendation to the Town Board on how to proceed.
- b. It would be wise to invite the County's Zoning Administrator to the Planning Commission to discuss this issue.
- c. . Most communities have a requirement for an Occupancy Permit issued by the Building Inspector before a new structure may be put into service. It is unclear whether the Town has such a requirement. If it does, the Building Inspector should be directed to not issue the permit until the landscaping issue is resolved.
- d. Finally, the Winnebago County Planning and Zoning Committee was supposed to review the Conditional Use Permit in November 2021. As far as I know, this has not happened. If we hit a dead end, it would be appropriate that we ask for this review.

Attachments –

Copy of the Conditional Use Permit  
Copy of the County's Landscape Ordinance  
Copy of the Zoning Permit

CARY A ROWE  
Zoning Administrator



112 OTTER AVE, PO BOX 2808  
OSHKOSH, WI 54903-2808

OSHKOSH (920) 232-3344  
FOX CITIES (920) 727-2880  
FAX (920) 232-3347

Winnebago County  
Zoning Department

Zoningdepartment@co.winnebago.wi.us

The Wave of the Future

**CONDITIONAL USE PERMIT #2020-CU-5430**

Owner: SWANSON, EILEEN M ; SWANSON, STEVEN G  
7320 WOODENSHOE RD NEENAH, WI 54956

Agent: TREML, BRAD - ROBERT E LEE & ASSOCIATES  
120 CENTENNIAL CENTRE BLVD HOBART, WI 54155

Location: SOUTH OF 7320 WOODENSHOE RD NEENAH, WI 54956 Tax Parcel No: 010-0344-15

Legal: Being all of Lot 3 of CSM-7635 located in part of the SW 1/4 of the SW 1/4, Section 31, Township 20 North, Range 17 East, Town of Neenah, Winnebago County, Wisconsin.

On 10/30/2020, a Conditional Use Permit was **GRANTED WITH CONDITIONS** to locate a natural gas distribution facility (Major Utility) on a vacant parcel.

**Conditions:**

Town:

1. Agent provides a landscape plan and has it approved by the Town of Neenah.
2. The existing building is removed within 365 days after the new building is put into operations.
3. Drainage should be managed in accordance with DNR standards.

County:

1. All required commercial storm water and erosion control review and permits are required prior to construction.
2. All required Federal, State, County, and Local permits shall be issued prior to construction.
3. The Winnebago County Planning and Zoning Committee shall review this Conditional Use Permit in twelve months.

SWANSON, EILEEN M ; SWANSON, STEVEN G *must sign and return this letter to the Winnebago County Zoning Dept, 112 Otter Ave, Oshkosh WI 54901, within 45 days of 10/30/2020. Their signature states that they are in agreement with the conditions that have been placed on the Conditional Use Permit. Failure to sign and return the decision notice within 45 days of the committee's decision shall void the approval. The decision notice shall become effective upon the property's owner signature.*

Handwritten signatures of Eileen M. Swanson and Steven G. Swanson in black ink.  
SWANSON, EILEEN M ; SWANSON, STEVEN G

The findings used to grant the conditional use have been made in accordance with section 23.7-114, 27.6-7(c) (Shoreland), and are as follows:

Town:

- 1) Plan Commission held a public hearing on October 19, 2020 and heard concerns from two neighbors regarding the aesthetics on the planned structure.
- 2) This is consistent with the utility structure located on the neighboring property.

County:

- 1) The Town of Neenah has approved with conditions.
- 2) There were no objections.
- 3) Proposed use is compatible with adjacent uses.

**APPLICANTS RIGHTS:**

23.7-119(a)

- (8) The applicant may appeal the decision to a court of competent jurisdiction.
- (9) An aggrieved person, other than the applicant, may appeal the decision to a court of competent jurisdiction and that any work done by the applicant as authorized by the approval is done at the applicant's risk.

11/02/2020  
Date

*Carol Roux*  
Zoning Officer

**NOTES:**

1. Conditional Use granted by the Planning & Zoning Committee **shall expire within twelve (12) months** unless substantial work has commenced.
2. Approval of your Conditional Use application does not exclude the need to obtain the required building and zoning permits. **Please make application for these permits through your town building inspector and zoning department.**
3. For additional information regarding the appeal process relating to procedural requirements, contact the Zoning Office.

**ARTICLE 9  
BUFFER YARDS AND LANDSCAPING**

**Sections**

23.9-1	Legislative findings	23.9-6	Credit for preserving trees
23.9-2	Purpose	23.9-7	Maintenance
23.9-3	General applicability	23.9-8	Street frontage landscaping
23.9-4	Landscape plan	23.9-9	Buffer yards
23.9-5	Specifications for landscaping materials		

**23.9-1 Legislative findings**

The Board of County Supervisors makes the following legislative findings:

- (1) A healthy environment is an indication of a healthy community.
- (2) Landscaping helps to maintain and increase property values, which helps to protect public and private investment in a community.
- (3) Landscaping provides lasting social, economic, environmental, and aesthetic benefits to the community.
- (4) Landscaping helps to reduce the "heat island" effect by shading parking lots, streets, and other hard-surfaced areas.
- (5) Flexible standards allow alternative design options that may better fit the needs of the landowner and that may be needed to address unique site characteristics.
- (6) Landscaped buffers are needed between parcels of incompatible land uses, and as the degree of incompatibility increases, the amount of buffering (width and landscaping) should increase.
- (7) Xeriscape planting techniques help promote water and energy conservation.
- (8) A variety of landscape plants is needed to ensure that the effect of a single disease (e.g., Dutch elm disease) or pest (e.g., emerald ash borer) on landscape plants is minimized.

**23.9-2 Purpose**

This article is established to promote the public health, safety, and welfare and is intended to accomplish the following purposes:

- (1) make the developed areas of the county more attractive and aesthetically pleasing;
- (2) provide flexible standards where possible, rather than overly prescriptive requirements;
- (3) promote and improve public health and safety through the abatement of noise, the glare of lights, dust, and air pollution;
- (4) improve the aesthetic appearance of the built environment;
- (5) ensure that land uses of different intensity have sufficient buffering between them to minimize negative effects;
- (6) create aesthetically pleasing tree-lined streetscapes;
- (7) promote economic development by providing a high quality of life;
- (8) enhance ambient environmental conditions by providing shade, air purification, oxygen regeneration, groundwater recharge, storm water runoff retardation, and noise, glare, and heat abatement; and
- (9) encourage the preservation, expansion, protection, and proper maintenance of the community forest.

**23.9-3 General applicability**

The provisions of this article apply to the following:



- (1) construction of a principal building, except for single family and two-family residences and agricultural buildings;
- (2) accumulative expansion of a principal building, that is subject to this article, by 50 percent or more of the original square footage of the building;
- (3) construction of a principal structure such as fueling stations and telecommunication towers, when the principal structure is the only structure or use on the lot; and
- (4) as a condition of a conditional use permit approved by the Planning and Zoning Committee.

#### 23.9-4 Landscape plan

A landscape plan shall consist of a completed worksheet as may be used by the zoning administrator and a plan view drawing that shows where the required plants will generally be planted. Such drawing shall be drawn at the same scale as the site plan drawing.

#### 23.9-5 Specifications for landscaping materials

- (a) **Generally.** Deciduous and non-deciduous trees may be used provided that they meet all other standards of this article. Plant material shall be healthy, vigorous, and free of disease and insects.
- (b) **Minimum planting size.** Required trees shall be at least four feet in height at the time of planting.
- (c) **Mature heights required.** Required trees shall be capable of attaining mature heights of at least 15 feet.
- (d) **Vision clearance triangle.** Landscaping within a vision clearance triangle shall be consistent with the standards in the county code of Winnebago County.

#### 23.9-6 Credit for preserving trees

Existing trees, which meet the requirements of this article, may be used to meet the landscape buffer or street frontage landscaping requirements.

#### 23.9-7 Maintenance

All landscaping shall be maintained in good condition. Plant materials which were planted as required by this article or existing plant materials that were incorporated into a required landscape plan and which die or are irreparably damaged shall be removed and replaced with living plant materials consistent with the approved landscape plan or as required by this article.

#### 23.9-8 Street frontage landscaping

- (a) **Applicability.** Street frontage landscaping shall be required along any road, road right-of-way, or ingress/egress easement frontage when the proposed development meets the applicability standards in s. 23.9-3.
- (b) **Street frontage landscaping requirements.** Street frontage landscaping shall meet the following standards:
  - (1) A minimum of three trees shall be provided for every 100 linear feet of frontage, rounding up to the nearest whole tree.
  - (2) Trees required by this section shall be located within the street yard setback area of the lot.

#### 23.9-9 Buffer yards

- (a) **Generally.** A buffer yard consists of a strip of undeveloped land with landscaping or other visual screening and is intended to provide a physical and visual separation between two incompatible land uses.
- (b) **Applicability.** A buffer yard shall be required when the proposed development meets the applicability standards in s. 23.9-3 and when the lot abuts another lot in a different zoning district, per exhibit 9-1.
- (c) **Determination of required buffer yard.** The required buffer yard standard is determined using Exhibit 9-1. First determine which of the two zoning districts allows the most intense development. Next, find that zoning designation at the top of the table and then move down the column to the cell where the zoning designation of the other district intersects. If a buffer yard is required, the letter "R" will be shown in that cell. If the parcel being developed adjoins land in a city or village, that municipality's zoning classification that most closely corresponds to the county's zoning classification shall be used to determine buffer yard requirements.

(d) **Buffer yard requirements.** A buffer yard shall meet the following standards:

- (1) There shall be at least 10 non-deciduous trees per 100 linear feet of landscape buffer, or 15 deciduous trees per 100 linear feet of landscape buffer, or a combination of 70 percent non-deciduous and 30 percent deciduous accounting for at least 15 trees per 100 linear feet of landscape buffer.
- (2) The trees may be staggered provided that the centers of the trees are not greater than 15 feet apart, and provided there is at least one tree within each 15-foot horizontal segment of the landscape buffer,
- (3) The trees shall be located within 25 feet of the subject lot line that divides the incompatible land uses.
- (4) Alternative planting locations or other deviations from this section may be administratively approved due to unique limitations of the property, such as the locations of stormwater facilities, private onsite wastewater system (POWTS), or easements,

**Exhibit 9-1 Standards for a buffer yard between different zoning districts**

Other Zoning District	Zoning District Allowing the Greatest Intensity or Density												
	R-1	R-2	R-3	R-4	R-8	SP-1	SP-2	B-1	M-1	I-1	I-2		
R-1	-	-	-	-	-	-	-	R	-	R	R		
R-2	-	-	-	-	-	-	-	R	-	R	R		
R-3	-	-	-	-	-	-	-	R	-	R	R		
R-4	-	-	-	-	-	-	-	R	-	R	R		
R-8	-	-	-	-	-	-	-	R	-	R	R		
B-1	-	-	-	-	-	-	-	-	-	R	R		
B-2	-	-	-	-	-	-	-	-	-	-	R		
B-3	-	-	-	-	-	-	-	-	-	-	R		
M-1	-	-	-	-	-	-	-	-	-	-	R		
I-1	-	-	-	-	-	-	-	-	-	-	-	R	
I-2	-	-	-	-	-	-	-	-	-	-	-	-	R

- Notes:
1. A dash "-" means that a buffer yard is not required.
  2. A "R" means that a buffer yard is required.

*** THIS IS NOT A BUILDING PERMIT - CONTACT YOUR LOCAL TOWNSHIP TO DETERMINE IF OTHER PERMITS ARE REQUIRED ***



IT IS UNLAWFUL TO COMMENCE WORK BEFORE THIS PERMIT IS PLACED IN A CONSPICUOUS PLACE ON THE PREMISES

# WINNEBAGO COUNTY ZONING PERMIT

IN COMPLIANCE WITH THE WINNEBAGO COUNTY ZONING ORDINANCE

## CONDITIONS

CONSTRUCTION SHALL FOLLOW ALL  
CONDITIONS STATED IN CONDITIONAL  
USE PERMIT 2020-CU-5430.

HAS BEEN ISSUED TO:  
**PAPLHAM, STEVE**

FOR THE FOLLOWING WORK:

**CONSTRUCTION OF A GAS GATE STATION**

PROPERTY LOCATED AT:

**1995 BREEZEWOOD LN NEENAH, WI 54956**

SEC. 31 T. 20 N. R. 17 E. LOT: 3 BLK:

PLAT: CSM-7635  
TOWN OF NEENAH

**PARCEL ID: 010-034415**

NOTE: PERMIT EXPIRES ONE YEAR FROM DATE OF ISSUE  
UNLESS SUBSTANTIAL WORK HAS STARTED. REVISION  
REQUIRES REVIEW / FEE / APPROVAL. NO FEE FOR LOCATION  
CHANGES ONLY FOR 6 MO'S FROM ORIGINAL DATE.

ZONING OFFICER: *Daniel Lefebvre* LEFEBVRE, DANIEL

PERMIT NO: 213307      DATE ISSUED: 04/22/2022  
SANITARY PERMIT: N/A

STAFF REVIEW ONLY

Zoning and Overlays:

Current Zoning R-1 SL Up WL Nb  
Pot. WL Up FP Nb AIR Nb  
SWDD Nb

Special Standards Section: 23.8-385  
Access Controlled? Nb  
Site Plan? Up Plan of Operation? N/A  
Parking? N/A Landscaping/Buffer Yards? N/A

Sanitary Facilities: X N/A  
Sewer: Sanitary District: _____  
Private: Permit No.: / Date: _____

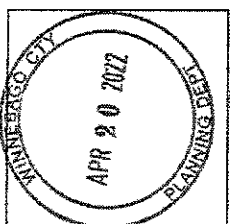
Erosion Control/Storm Water: X N/A  
Y Permit No.: _____ Date Issued: _____

Setbacks:  
Principal  
Street ' / ' Rear ' / ' Shore ' / '  
Side ' / ' Side ' / ' Other ' / '

Accessory  
Street 30' / >100' Rear 25' / 30' Shore 75' / >100'  
Side 10' / 48' Side ' / ' Other ' / '

Issued by: David J. [Signature] Date: 4/27/2022  
Permit #: 213307 Census #: 100

Fee Received: \$165.00  
Received By: plh  
Assigned CEO: DRL  
Log No.: 213307  
Receipt #: 30777



Notes/Conditions:  
Construction shall follow all conditions stated in conditional use permit 2020-CM-5430.



112 Otter Ave, 3rd Floor  
Oshkosh, WI 54901  
920-232-3344

**WINNEBAGO COUNTY  
ZONING PERMIT APPLICATION**

Review fee: \$165.00  
Complete & sign only this side of application

Town of: Neenah Tax Parcel No.: 010034415  
(STOP - if this property does not have an address assigned by OUR office, submit an on-line Address Request Application prior to submitting any permit applications)

Address of affected property: Breezewood ~ 1495  
Postal City: Neenah Zip: _____

Property Owner of Record: Wisconsin Public Service  
Applicant/Builder: Brad Tremel - btremel@releeinc.com

(We can fill in the information below if you're not sure)  
Plat name/CSM: 7635 Block _____ Lot # 3

Contact information below is for:  Owner  Applicant/Builder  
Contact Name: Steve Papham

Mailing Address: 728 N. Main Street  
City: Kewaunee ST WI Zip 54216

Contact Phone: (920) 660-4784 Cell Phone: _____  
E-mail Address: steven.papham@wisconsinpublicservice.com

I would like to receive my permit by:  E-Mail  Mail

**Applicant must read and sign:**

- In accordance with Wisconsin State Statute 59.691, the information provided herein is to give you notice regarding potential wetlands. You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open waters can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources Wetland Identification web page <http://dnr.wi.gov/topic/surfacewater/swdvw> or contact your local DNR office.
- As the applicant, I hereby acknowledge notice of this wetland information.
- As the applicant I hereby grant permission for County Zoning Staff to enter the property for inspection purposes.
- As the applicant I hereby acknowledge that this permit is null & void if issued in error or if any facts are misrepresented.

Signature: 

Date: 3-10-22

Proposed start date: Mid April Estimated Cost: _____

Type of Construction:  New  Addition  Alteration  
 Other: _____

Existing Use:  Vacant  Single Family Dwelling  
 Other: _____

Existing Structures:  Vacant  House  Attached Garage  
Other/Additional Structures:  Detached Garage

Describe your building/project (structure type, size, material, etc.):  
Constructing a new gas gate station which will have a new 15'x40' building onsite.

All single and multi-family dwelling zoning permit applications MUST include first floor blueprints.

Is there a walk-out basement?:  Yes  No

1st Floor Garage 2nd Floor _____  
Wall Hgt: 9' - 10 3/4"

Sq. Ft: 600 Mid-Peak Height: _____

Submit application to our office with the ORIGINAL INK signature along with a complete site plan and the fee by mail or in person. DO NOT E-MAIL