

ORDINANCE NO.: Z-4—2012-13

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 AN ORDINANCE TO AMEND THE OUTAGAMIE COUNTY ZONING
2 ORDINANCE. The subject matter of the ordinance having been duly referred and
3 considered by the Outagamie County Agriculture, Extension Education, Zoning and Land
4 Conservation Committee and public hearing having been held after giving requisite
5 notice of said hearing, and a recommendation as required by Section 59.69 of the
6 Wisconsin Statutes.

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8 Outagamie County Planning Department Rezoning Review recommends approval.
9 Agriculture, Extension Education, Zoning and Land Conservation Committee
10 recommends approval.

11
12 NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning
13 and Land Conservation Committee bring forward the following ordinance change for the Board's
14 consideration.

15 BE IT ORDAINED, that the Outagamie County Board of Supervisors does recommend adoption
16 of the petition from DGI Freedom, LLC in the Town of Freedom to rezone a single parcel containing
17 2.48 acres from General Agriculture District to Local Commercial District. The property which is
18 located approximately 2,000 feet south of the intersection of State Trunk Highway (STH) 55 and County
19 Trunk Highway E on the west side of STH 55 in the Town of Freedom, more fully described as Tax Key
20 Parcel #09-0-0410-00, being part of the Northeast ¼ of the Southeast ¼ of Section 15, Township 22
21 North, Range 18 East, in the Town of Freedom, Outagamie, WI, as depicted on the attached review and
22 map, which by reference is made a part hereof, and

23 BE IT FURTHER ORDAINED, that per Sec.54-7. Official zoning atlas., of the Outagamie
24 County Code of Ordinances, it is noted that location and boundaries of the districts shall be shown in a
25 map atlas entitled "Official Zoning Atlas of Outagamie County, Wisconsin." The official zoning
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atlas, with all notations, dimensions, designations, references and other data shown, is hereby adopted by reference and made a part of this chapter as if fully set forth herein and shall be kept in the office of the zoning administrator., and

BE IT STILL FURTHER ORDAINED, that this ordinance shall be in full force and effect in the Town of Freedom upon approval by the Outagamie County Board of Supervisors, publication per State Statute 59.14 and 66.0103, and the execution and recording of the above stated deed covenants, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a certified copy of this ordinance to the Town of Freedom Clerk, Municipal Code Corporation and the Outagamie County Zoning Administrator.

Dated this ____ day of February, 2013

Respectfully Submitted,
AGRICULTURE, EXTENSION
EDUCATION, ZONING & LAND
CONSERVATION COMMITTEE

Carl Anthony

Leroy Van Asten

Mark Rahmlow

Daniel Rettler

Jeff Nooyen

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Duly and officially adopted by the County Board on: _____

Signed: _____
Board Chairperson County Clerk

Approved: _____ Vetoed: _____

Signed: _____
County Executive

**OUTAGAMIE COUNTY PLANNING DEPARTMENT
REZONING REVIEW**

File Number:	Z-1-2013
Applicant:	DGI- Freedom LLC
Location:	Town of Freedom
	Parcels 09-0-0410-00

This proposed rezoning is a 2.48 acre parcel of land located approximately 2000 feet south of the intersection of State Trunk Highway (STH) 55 and County Trunk Highway E on the west side of STH 55 in the Town of Freedom. The requested zoning change is from a **General Agriculture District (AGD) to Local Commercial District (COM)**. According to the applicant the reason for this proposed rezoning is to build a 9,300 square foot retail store.

This site does have access to public facilities for sewer and water for development. The adjacent zoning in the area is both residential and industrial to the east across the highway, with general agriculture to the south and west. To the north is also general agriculture zoning for a 100 feet then the zoning changes to commercial. The Town of Freedom comprehensive plan shows this area along STH 55 developing as commercial and the County comprehensive plan show this area remaining in agriculture.

This location has no environmental issues at this location dealing with streams, wetlands, and floodplain. Additionally, there are no known cultural, ecological, and historical or other restrictions present.

The Town Board reviewed this proposed rezoning on November 28, 2012 and recommended to approve.

PLANNING STAFF RECOMMENDS APPROVAL of this proposed rezoning as submitted. The Wisconsin Department of Transportation will have to be contacted to obtain a commercial access onto STH 55. According to the Trip Generation statistics by the Institute of Transportation Engineers (ITE) a 9,300 square foot store will generate on average over 650 vehicle trips a day, which will create more traffic congestion in the area. This proposed rezoning fits with the Town comprehensive plan having commercial development along the west side STH 55. However, the County will have to amend its comprehensive plan to reflect this proposed commercial rezoning.

Z-1-13 Sec 15 Freedom

