

ORDINANCE NO.: Z-16—2017-18

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 State Statutes.

7
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 of Rick Mueller to rezone a portion of Parcel 04-0-0940-10; the request is to rezone 4.34
17 acres of the 7.67 acre parcel located at the northwest corner of STH 47 and Broadway Drive in the Town
18 of Center. The proposed rezoning is from the General Agriculture District to the Commercial District in
19 the Town of Center, Outagamie County, WI, as depicted on the attached review and map, which by
20 reference is made a part hereof, and

21 BE IT FURTHER ORDAINED, that this ordinance shall be in full force and effect in the Town
22 of Center upon approval by the Outagamie County Board of Supervisors, publication per State Statute
23 59.14 and 66.0103, and the execution and recording of the above stated deed covenants, and

24 BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a
25 certified copy of this ordinance to the Town of Center Clerk, the Outagamie County Zoning

1 Administrator and the Municipal Code Corporation for inclusion in the Outagamie County Code of
2 Ordinances.

3 Dated this ____ day of March, 2018.

4
5 Respectfully Submitted,
6 AGRICULTURE, EXTENSION
7 EDUCATION, ZONING & LAND
8 CONSERVATION COMMITTEE
9

10
11
12 _____
13 Daniel Rettler

Keith Suprise

14
15
16
17 _____
18 Daniel Melchert

BJ O'Connor-Schevers

19
20
21
22 _____
23 Debra Vander Heiden

24
25
26
27 Duly and officially adopted by the County Board on: _____

28
29 Signed: _____
30 Board Chairperson

County Clerk

31
32 Approved: _____

Vetoed: _____

33
34 Signed: _____
35 County Executive



Department of Development and Land Services
Zoning Administration
410 S. Walnut St | Appleton, WI 54911
Administration Building, 3rd Floor
Phone: 920-832-5255 | Fax: 920-920-832-4770
www.outagamie.org

TO: Outagamie County Agriculture, Extension Education, Zoning & Land Conservation Committee
FROM: David Johnson, Principal Planner
DATE: March 1, 2018
RE: **Z-5-18; Rezoning Review & Recommendation**

Background & Analysis:

Applicant: Rick Mueller, Wanderick Properties
Request: *Rezoning From: AGD (General Agriculture District)*
To: COM (Commercial District)
Location: Town of Center
Parcel: 040094010

Hearing Notice: Published in the Appleton Post Crescent, February 27, and March 6, 2018
Public Hearing: March 13, 2018

This proposal is requesting to rezone 4.34 acres of a 7.67 acre parcel located at the northwest corner of STH 47 and Broadway Drive in the Town of Center (see attached map). The requested change is from the **General Agriculture District (AGD) to the Commercial District (COM)**.

This site is serviced by onsite systems for sewer and water at this location. The neighboring zoning in the immediate area is agriculture with commercial to the southeast. The existing land use in the area is a mix of agriculture, residential, and commercial to the southwest. . The County Comprehensive Plan shows this location developing as commercial with amendment Z-4-18, with a public hearing that was held on February 27, 2018.

The site is already developed with storage units and, prior to development, wetland boundaries were identified and setbacks determined. There are no navigable streams or FEMA Floodplain on this site. Additionally, there are no known cultural, ecological, historical or other restrictions present.

The Town Board reviewed this proposal for rezoning on January 24, 2018 and recommended to the County for approval. The Town of Center general zoning is administered by the County and the Development and Land Services Department is statutorily obligated to document consistency with the County Comprehensive Plan, pursuant to Sec. 66.1001(3) Wis. Stats. Please reference the Z-4-18 Comprehensive Plan Amendment & Recommendation Memo for details pertaining to the history of this development and Comprehensive Plan consistency analysis/amendment recommendation.

Planning Staff Recommendation

Based on our review of this proposed rezoning, **County Planning Staff Recommends for Approval.** The property is developed and the owner wants to split the parcel by CSM to separate the commercial portion of the property from the existing home. The DOT has access controls in place for STH 47 and access will not be permitted to Hwy 47. The existing commercial zoning in the area to southeast makes this proposed rezoning an appropriate fit for the area.

*****CONDITION APPLICABLE TO STAFF RECOMMENDATION***** This recommendation is based on the condition that the County Comprehensive Plan Amendment request (Z-4-18) be approved *prior to* this rezoning request (Z-5-18). The review process for the Comprehensive Plan Amendment and rezoning requests can run concurrently, however the rezoning action must occur *after* the Comprehensive Plan amendment both for the Zoning Committees recommendation, and final action by the County Board. This ensures that the rezoning would be completed in a manner that is consistent with the County Comprehensive Plan, per Sec. 66.1001(3) Wis. Stats.

Z-5-18 Center

