

ORDINANCE NO.: Z-17—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 Henry Calmes to rezone a portion of Parcel 20-0-0189-00, a one acre parcel, located on
17 the north side of Hickory Drive and west of Buchanan Road approximately 750 feet in the Town of
18 Vandebroek. The proposed rezoning is from the General Agriculture District to the Residential Single
19 Family District in the Town of Vandebroek, Outagamie County, WI, as depicted on the attached review
20 and map, which by 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 Vandebroek upon approval by the Outagamie County Board of Supervisors, publication per State
23 Statute 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 Vandebroek Clerk, the Outagamie County Zoning
26 Administrator and the Municipal Code Corporation for inclusion in the Outagamie County Code of
27 Ordinances.

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Dated this ____ day of March, 2018.

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

Daniel Rettler

Keith Suprise

Daniel Melchert

BJ O'Connor-Schevers

Debra Vander Heiden

Duly and officially adopted by the County Board on: _____

Signed: _____
Board Chairperson

County Clerk

Approved: _____

Vetoed: _____

Signed: _____
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-6-18; Rezoning Review & Recommendation**

Background & Analysis:

Applicant: Henry Calmes
Request: *Rezoning From: AGD (General Agriculture District)*
To: RSF (Residential Single Family District)
Location: Town of Vandebroek
Parcel: 200018900
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 a 1 acre parcel located on the north side of Hickory Drive and west of Buchanan Road approximately 750 feet in the Town of Vandebroek (see attached map). The requested change is from the **General Agriculture District (AGD) to the Residential Single Family District (SFR)**.

This site will be serviced by onsite systems for sewer and water at this location. The neighboring zoning in the immediate area is general agriculture with commercial to the east. The existing land use in the area is agriculture with residential property east. Across the road to the south is the Village of Little Chute.

The site has no environmental concerns dealing with FEMA Floodplain, DNR Wetlands or hydric soils. However, there is a navigable stream to the north that may require a building setback of 75' from the stream and a conditional use permit for filling and grading within 300' of a stream. Additionally, there are no known cultural, ecological, historical or other restrictions present.

The Town Board reviewed this proposal on February 7, 2018 and recommended to the County for approval. The Town of Vandebroek 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. The Future Land Use map for the area illustrates future agriculture, open/forested land, and future residential in the vicinity of this request. Limited/unplatted residential is compatible with these future land use designations. Given the small scope of this rezoning request, and it being limited to a +/- 1 acre parcel (which allows for the construction of only one single-family dwelling), we find that this is consistent with the Comprehensive Plan's future land use map.

Planning Staff Recommendation

Based on our review of this proposed rezoning, **County Planning Staff Recommends for Approval.** Residential homes *are* allowed in the General Agriculture District; however, changing the zoning to Residential reduces the building setback requirement allowing for more flexibility on the property for building placement which the applicant desires. Planning Staff believes the proposed rezoning is an appropriate fit for the area and is consistent with the County Comprehensive Plan, per Sec. 66.1001(3) Wis. Stats.

Z-6-18 Vandebroek

