

# ***ORDINANCE NO.: Z-1—2019-20***

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 Staff Rezoning Review recommends approval. Agriculture,  
9 Extension Education, Zoning and Land Conservation Committee recommends approval.

10  
11 NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning  
12 and Land Conservation Committee bring forward the following ordinance change for the Board's  
13 consideration.

14 BE IT ORDAINED, that the Outagamie County Board of Supervisors does recommend adoption  
15 of the petition of Nathan D. Bougie, registered agent for Bougie Properties LLC, owner, to rezone parcel  
16 090036605, totaling 0.39 acres, from RSF Single Family Residential to RTF Two-Family Residential.  
17 The parcel is located southeast of the intersection of Vandenberg Street and Mc Hugh Road in the Town  
18 of Freedom, Outagamie County, WI, as depicted on the attached review and map, which by reference is  
19 made a part hereof, and

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

23 BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a  
24 certified copy of this ordinance to the Town of Freedom Clerk, the Outagamie County Zoning  
25 Administrator and the Municipal Code Corporation for inclusion in the Outagamie County Code of  
26 Ordinances.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40

Dated this \_\_\_\_ day of May, 2019.

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  
Planning & Zoning | GIS & Land Information  
320 S. Walnut St | Appleton, WI 54911  
Administration Building, 3rd Floor  
Phone: 920-832-5255 | Fax: 920-920-832-4770  
www.outagamie.org

**MEMORANDUM**

TO: Outagamie County Agriculture, Extension Education, Zoning & Land Conservation Committee  
FROM: Kara Homan, AICP, Director  
DATE: April 16, 2019  
RE: **Z-4-19; Parcel # 090036605; Rezoning Review & Recommendation**

**Background & Analysis:**

*Applicant:* Nathan D. Bougie  
*Owner:* Bougie Properties LLC  
*Request:* Rezoning From: RSF Single Family Residential  
To: RTF Two-Family Residential  
*Location:* Town of Freedom; Parcel: 090036605  
*Public Hearing:* April 23, 2019, Outagamie County Highway Garage

This proposed rezoning, totaling 0.39 acres, will allow for the construction of a duplex. The property is located southeast of the intersection of Vandenberg Street and Mc Hugh Road (see Exhibit A). The neighboring zoning & land use in the immediate area is as follows:

	<i>Existing Zoning</i>	<i>Existing Land Use</i>
<i>North</i>	Local Commercial	Vacant
<i>South</i>	Single Family Residential & Two-Family Residential	Vacant
<i>East</i>	General Agriculture	Agriculture
<i>West</i>	Single Family Residential	Single Family Residential & Parkland

There are no navigable streams or floodplains present on this site. There are no DNR mapped wetlands present, however wetland indicator soils are present and will required a wetland delineation be conducted prior to development, if one has not already occurred. Additionally, there are no known cultural or historical attributes present.

The Freedom Town Board reviewed this rezoning on April 25<sup>th</sup>, 2018 and recommended it for approval.

The Town of Freedom general zoning is administered by the County and the County 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 residential along the east side of Mc Hugh Road immediately south of future commercial along CTH S. Planning staff finds that this request is consistent with the Comprehensive Plan’s future land use map and the following plan goals:

- Land Use Goal 4: Provide an adequate amount of land for a variety of housing choices throughout the County.
- Land Use Goal 6: Encourage a development pattern that is efficient and utilizes public facilities where feasible.

- Community Facilities Goal 2: Encourage land uses, densities and regulations that promote efficient development patterns and relatively low governmental and utility costs.

Planning staff has also reviewed the Town of Freedom’s Comprehensive Plan Future Land Use Map, which designates this particular area for Future Residential (including single and two family residences). For this reason, this rezoning appears to conform with the Town’s Comprehensive Plan as well.

**Planning Staff Recommendation**

Based on our review and the above analysis of this proposed rezoning, **County Planning Staff recommends approval to rezone parcel #090036605 from RSF Single Family Residential to RTF Two Family Residential; as requested.**

**EXHIBIT A – REZONING OVERVIEW MAP**

