

ZONING COMMITTEE MEETING
Wednesday, May 3, 2023 – 1:30 p.m.
Zoning Office Conference Room
Barron County Government Center
335 E. Monroe Avenue - Rm. 2106, Barron, Wisconsin

AGENDA

1. Call to order.
2. Acknowledgement of Public Posting Requirements
3. Approve Agenda
4. Public Comment
5. Approve April 12, 2023 meeting minutes
6. Edit List Review – April expenses – discussion only (no motion required)
7. **Public Hearings:**

1:30 p.m. – A rezoning request from the Residential-1 district to the Agricultural-2 district on property described as Prt NE-NW shown as Lot 2 CSM 46/54, consisting of 2.684 acres, located in Section 21, T34N, R11W, Town of Stanley. Property owned by Mayo Clinic Health System NW WI Region, Inc. Applicant: Adam C. Staff, ACS Properties, LLC

8. Proposed Land Use Ordinance Amendments
 - a. Discussion: Language Change 17.32 (f)
 - b. Resolution: Proposed Land Use Ordinance Amendments – action item
9. Discussion: Zoning office activities and actions
10. Future Agenda Items:
11. Set next meeting date. June 7, 2023
12. Adjournment.

PLEASE CALL 537-6375 IF YOU ARE NOT ABLE TO ATTEND THE MEETING

NOTE: Any person who has a qualifying disability under the Americans with Disabilities Act and requires the meeting or materials at the meeting to be in an accessible format must contact the County Clerk's office at 715-537-6200 at least 24 hours prior to the meeting so that arrangements may be made to accommodate your request.

cc: Heinecke, Rogers, Thompson, Cook, Kusilek, Corporation Counsel, Deputy Corporation Counsel, County Administrator, County Clerk, Webmaster, Public posting

ZONING COMMITTEE MEETING MINUTES

April 12, 2023 – 1:30 P.M.

Present: Heinecke, Cook, Kusilek, Rogers.

Zoning Office Staff: Gifford, Collins.

Absent: Thompson.

Rogers called the meeting to order at 1:30 p.m. and Collins confirmed that proper posting of the notice was done in accordance with the Wisconsin Open Meeting Law.

#3. Rogers opened the public hearing for proposed Land Use Ordinance amendments and read the public notice. Public comments were received and committee questions and discussion followed.

Motion: (Kusilek/Heinecke) to close the public hearing; carried.

Motion: (Kusilek/Cook) to amend the agenda to move Item #8 to #4a; carried. **Motion:** (Cook/Kusilek) to approve the agenda as amended; carried.

#4. Public Comment – Town Chair Ken Leners addressed the committee regarding the Town Board initiating changes in the zoning classification in areas of the Town of Cedar Lake.

#8. Loch Lomond Beach Club/Town of Cedar Lake Update – Gifford presented information he has been provided regarding LLBC changes, stating the Zoning office will continue to administer the Recreational-Residential district in this area as it does all properties in Barron County in this zoning district.

Chairman Leners questioned the procedure of the Town of Cedar Lake applying for a zoning change and the position of the committee of such a request. Gifford stated that a discussion of this topic involving Zoning Office staff and the Town Board is necessary and the Zoning Committee may only act on petitions submitted to them.

#5. Minutes – The minutes of March 8, 2023 were presented; **motion:** (Cook/Kusilek) to approve the minutes. Motion carried.

#6. Edit List – No questions or comments.

#7. After a brief discussion, committee consensus is to bring the proposed amendments back to the May Zoning Committee meeting, allowing time to review the proposed language of Section 17.32 (f)(1)a.

#9. Discussion: Office Activities – Gifford updated the committee on permitting and court proceedings.

#10. Future Agenda Items: *Ordinance Amendments*

#11. Next meeting date: May 3, 2023 at 1:30 p.m.

#12. Motion: (Cook/Rogers) to adjourn the meeting at 2:57 p.m.; carried.

Kim Russell-Collins, Secretary

Marv Thompson, Committee Secretary

Minutes are not official until approved by the Zoning Committee

COUNTY OF BARRON

Payment Request Edit

On-Line Vouchers

FPEDT01G

LAND SERVICES DEPT

Vendor No/Name	Line#	voucher#	Account Desc	Date	Description	Amount
123749 WI COUNTY SURVEYORS ASSN INC	1	C0084241	ASSOCIATION/MEMBERSHIP DUES	04/13/23	LIO-2023 MEMBERSHIP/PHELPS	100.00
320978 SCHNEIDER GEOSPITAL LLC	1	C0084242	OTHER PROFESSIONAL SERVICES	04/13/23	LIO-ANNUAL MAINT/MAY-DEC 2023	2,184.00
10057 LAURA'S LANE NURSERY	1	C0084243	TREE PURCHASES	04/13/23	SWCD-TREES/'23 TREE PROGRAM	5,140.00
17795 PETTY CASH	1	C0084244	TREE PURCHASES	04/13/23	SWCD-PETTY CASH FOR TREE SALE	250.00
113468 US DEPARTMENT OF AGRICULTURE	1	C0084245	PROFESSIONAL SERVICES	04/13/23	SWCD-1ST QUARTER/WILDLIFE DAMAG	5,516.25
274259 APG MEDIA OF WISCONSIN LLC	1	C0084246	PUBLICATIONS	04/13/23	ZA-VARIOUS PUBLIC NOTICES	165.98
1015 CUMBERLAND ADVOCATE	1	C0084247	PUBLICATIONS	04/13/23	ZA-LUO AMENDMENT/PUB NOTICE	25.04
1686 HALCO PRESS	1	C0084248	PUBLICATIONS	04/13/23	ZA-L HANSEN/PUB NOTICE	47.02
289493 BUREAU OF CORRECTIONAL ENTERPRISE	1	C0084249	ADDRESS SIGNING	04/13/23	ZA-RURAL ADDRESS FEES	234.00
3565 SAFETY AND BUILDINGS DIVISION	1	C0084250	DUE TO STATE - SANITATION FEES	04/13/23	ZA-STATE SAN FEES/MARCH 2023	900.00

Totals: 14,562.29

MANUAL VOUCHERS/JOURNAL ENTRIES

DEPT	NAME	ACCOUNT	DESCRIPTION	AMOUNT
LS	BC HIGHWAY DEPT	220-12-53400-332-000	FUEL 1/21 - 2/17	\$180.70
SWCD	WI DEPT NATURAL RESOURCES	811-00-24226-000-000	STATE NR 135 FEES	\$7,205.00

MANUAL VOUCHERS TOTAL: \$7,385.70

GRAND TOTAL: \$21,947.99

Dept Approval

Admin Approval

Land Services Total:	\$280.70
Land Information Total:	\$2,184.00
Soil & Water Conservation Total:	\$18,111.25
Zoning Administration Total:	\$1,372.04

RZ2023-3

NOTICE OF PUBLIC HEARING

STATE OF WISCONSIN SS

COUNTY OF BARRON

TO WHOM IT MAY CONCERN:

PUBLIC NOTICE is hereby given to all persons in the County of Barron, Wisconsin, that the Barron County Zoning Committee will consider at public hearing on **Wednesday, May 3, 2023 at 1:30 p.m.** in Room 2106 of the Barron County Government Center, 335 E. Monroe Ave., Barron, Wisconsin, the following request relative to rezoning amendments of the official zoning maps:

Request to rezone Prt NE-NW shown as Lot 2 CSM 46/54, consisting of 2.684 acres, located in Section 21, T34N, R11W, Town of Stanley, from the Residential-1 to the Agricultural-2 district.

Property owned by Mayo Clinic Health System NW WI Region, Inc.
Applicant: Adam C. Staff, ACS Properties, LLC

The Zoning Committee reserves the right to view the property and convene in executive session prior to rendering a decision.

All persons interested are invited to attend said hearing.

Dated at Barron, Wisconsin, this 19th day of April, 2023.

Barron County Zoning Committee
Bob Rogers, Chairman

BARRON COUNTY PETITION FOR REZONING

The undersigned do hereby petition the County Board to amend the Barron County Zoning Map as follows:

Present Zoning RES 1 Requested Zoning AG 2

Property Owner: <u>Mayo Clinic Health System NW WI</u>	Phone: <u>715-464-0022</u>
Mailing Address: <u>1221 Whipple Street, Rice Lake, WI</u>	Email: <u>craig.jason@mayo.edu</u>
Agent: <u>Adam C. Staff d/b/a ACS Properties LLC</u>	Phone: <u>715-764-9100</u>
Mailing Address: <u>202 Kleve Street, Chetek, WI</u>	Email: <u>say910@yahoo.com</u>

LEGAL DESCRIPTION OF PROPERTY TO BE REZONED:

Gov't Lot 2, NE 1/4, NW1/4, Section 21, T 34 N, R 11 W, Town of Stanley
 Parcel I.D. # 044 - 2100 - 15 - 010 Lot Size: _____ Sq. Ft. OR 2.684 Parcel Acres

DETAILED DESCRIPTION OF PROPERTY TO BE REZONED ONLY (include acreage):

2.684 AC Parcel. 2049 15th Avenue / SW Corner of 15th and CTH SS

REASONS FOR REQUESTED CHANGE: State briefly why you are requesting to rezone this property.

Former Mayo Clinic to be purchased and operated as a Veterinary Clinic

PLEASE ATTACH THE FOLLOWING INFORMATION:

- **Plot Plan:** Show the area involved, its location, dimensions, and location of any structures on the property.

NOTE:

- It is required that the owner/applicant set up a meeting with your respective Town Board to discuss your request, prior to submitting the completed application to the County.
- All adjacent property owners and anyone within a 300 foot radius of the property are notified of this
- Location of driveways onto Township, County, State and Federal Highways REQUIRE a driveway permit.
- Applicant/Agent must appear at the hearing.

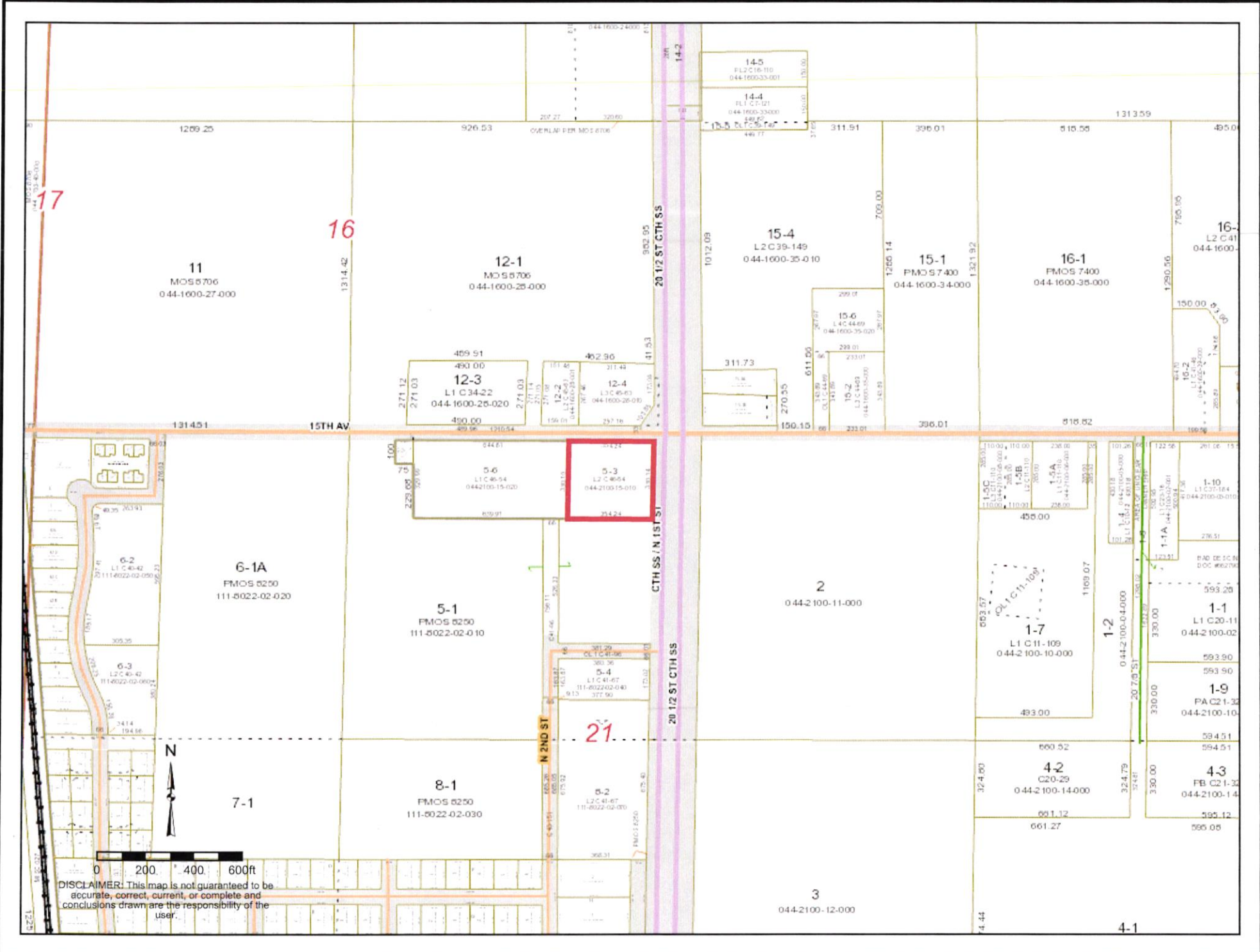
I HAVE READ AND UNDERSTAND THE PROCEDURES AND REQUIRMENTS FOR APPLYING FOR A REZONING. I UNDERSTAND THAT MY APPLICATION MAY BE RETURNED IF INFORMATION IS INCOMPLETE OR ILLEGIBLE.

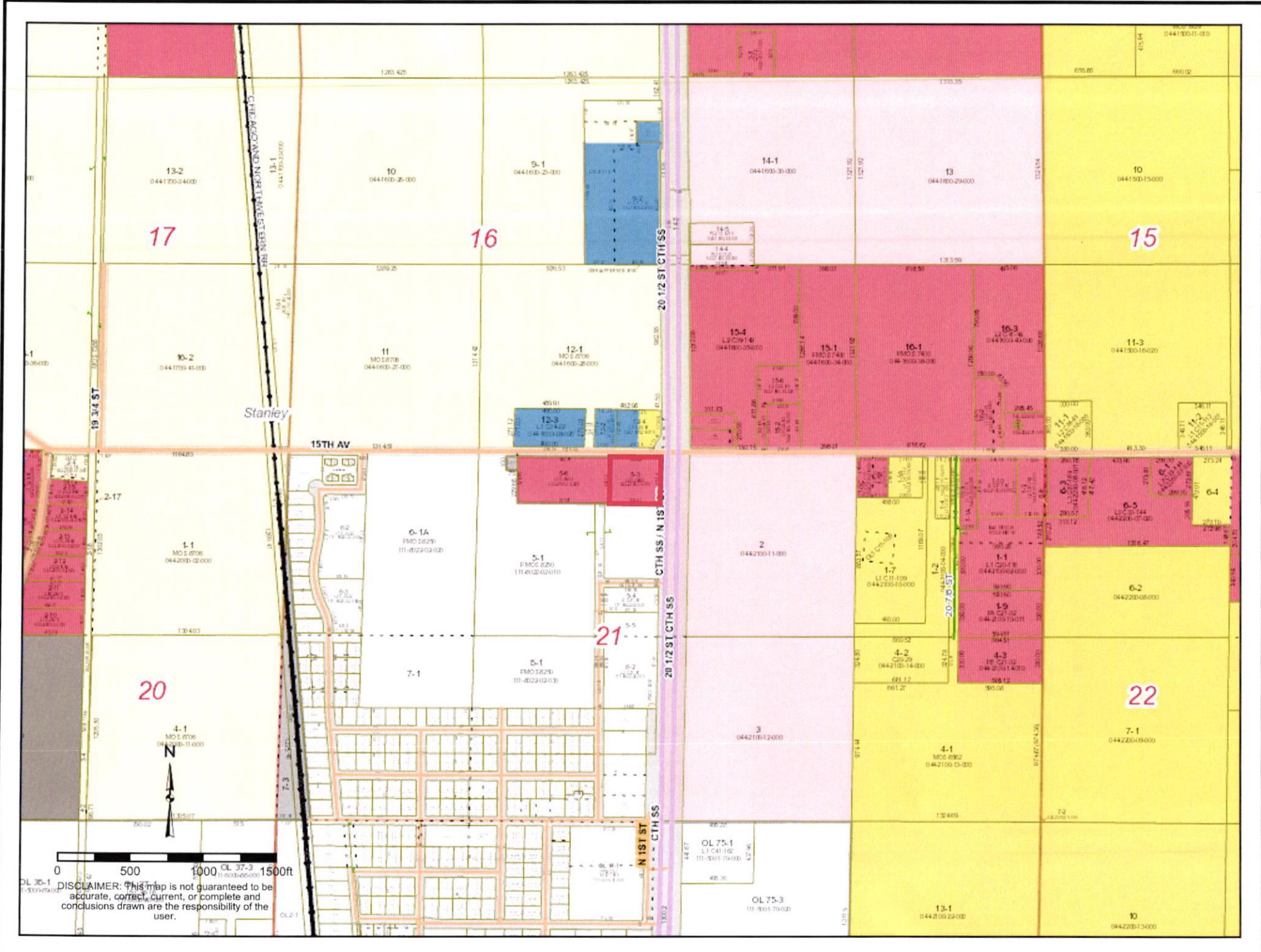
<u>[Signature]</u>	<u>3, 6, 23</u>
Owner's Signature	Date
<u>[Signature]</u>	<u>3, 7, 23</u>
Agent Signature	Date



R2023-3
 Fee: \$500.00 Paid Unpaid _____ Date Received: _____

RECEIVED
 DATE 4-13-23
 BY KRP
 ONG to Clerk's





17

16

15

20

21

22

Stanley

15TH AV

20 1/2 ST CTH SS

20 7/8 ST

N 1ST ST



0 500 1000 1500ft

DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

DL 36-1
1-300-29-07

OL 75-3
111-901-75-03

OL 75-1
L1 C41-10
111-901-75-01

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REZONING TOWNSHIP CONSIDERATION FORM

Instructions: This form must be completed and presented to the Town Board for their consideration of the proposed rezoning request. The completed form shall be submitted with the Barron County Application for Rezoning prior to scheduling your public hearing.

Section A – to be completed by the property owner and/or agent:

Town of Stanley

Owner: Mayo Clinic Health System NW WI

Applicant/Agent: Adam C. Staff d/b/a ACS Properties LLC

Property Address: 2049 15th Avenue Property Tax I.D. #: 044-2100-15-010

Present Zoning District: RES 1 Proposed Zoning District: AG 2

Total acres to be rezoned: 2.684

Explain your request: Former Mayo Clinic to be purchased and operated as a
Veterinary Clinic

Section B – to be completed by the Township

The property owner/applicant appeared before the Town Board and we have been informed of their request.

TOWNSHIP CONSIDERATION: NOT OPPOSED OPPOSED

Proposed driveway(s) location will meet township standards. Yes No N/A

TOWN BOARD COMMENTS: No concerns.

Date: April 12, 2023

Signed: _____ OR Signed: James M. Havel
(Town Chair.) (Town Clerk)

❖ Only the signature of the Chair or the Clerk is required.

Note: THIS FORM IS NOT INTENDED, AND SHALL NOT BE USED, TO MEET THE REQUIREMENTS OF § 59.69(5)(e)(3), WIS. STATS.

\\barron\shares\zoning\SHARED\FORMS\Rezoning\Township Consideration for Rezoning-REVISED.doc

RECEIVED

APR 13 2023

BARRON COUNTY ZONING OFFICE

Amended Fowl Ordinance - Adjoining Parcel

17.32 RESIDENTIAL DISTRICTS

1. **LOTS LESS THAN 2 ACRES:** Livestock, excluding fowl, is prohibited. Fowl are allowed to be owned, harbored, or kept subject to the following standards:

- (a) Restricted to parcels developed with a single family home
- (b) Suitable enclosures shall be provided for shelter and containment (no free range fowl).
- (c) Accessory structures to house fowl shall meet the standards of Section 17.32(1)(b).
- (d) Fowl includes the following:
 - 1. Chickens (not roosters)
 - 2. Ducks
 - 3. Swans
 - 4. Geese
 - 5. Turkeys (domesticated)
 - 6. Pigeons
 - 7. Quail
 - 8. Pheasant
- (e) Maximum number of fowl allowed under this section is twelve (12).
- (f) Use of an adjoining parcel;

1. Fowl may be kept on one adjoining parcel with no residence that is under the same ownership of (a) as an alternative location. Fowl may only be kept on one parcel, meeting the standards of (e).

2. **LOTS OF 2 ACRES, BUT LESS THAN 5 ACRES**

(a) Standards as **of** sub. (f)1 **(a) thru (d) apply** except the maximum number of fowl allowed under this section is twenty five (25).

(b) The maximum number of fowl allowed under this section is twenty five (25).

3. **LOTS OF 5 ACRES, BUT LESS THAN 10 ACRES:** Livestock, except hogs, are allowed to be owned, harbored, or kept, provided that suitable enclosures are provided for shelter and containment, subject to the following standards:

- (a) Fowl, in accordance with 17.32(1)(f)1 (a) through (d)
- (b) Maximum of two (2) animals, and their offspring up to 10 months of age.

4. **LOTS OF 10 ACRES OR MORE:** Livestock, except hogs, are allowed to be owned, harbored, or kept, provided that suitable enclosures are provided for shelter and containment, subject to the following standards:

- (a) Fowl, in accordance with 17.32(1)(f)1 (b) through (d)
- (b) Maximum of two (2) animals, and their offspring up to 10 months of age, except:
 - (1) Animals in excess of two (2) may be kept, subject to the following standards:
 - (a) A plan shall be submitted to and approved by the Zoning Administrator for satisfactory disposal of wastes generated by such animals.
- (b) Buildings in which any such animals or fowl are kept, shall be distant no less than 100 ft. from the nearest lot line of an adjoining residential lot.

2023 PROPOSED LUO AMENDMENTS

17.32 RESIDENTIAL DISTRICTS

1. **LOTS LESS THAN 2 ACRES:** Livestock, excluding fowl, is prohibited. Fowl are allowed to be owned, harbored, or kept subject to the following standards:

- (a) Restricted to parcels developed with a single family home
- (b) Suitable enclosures shall be provided for shelter and containment (no free range fowl).
- (c) Accessory structures to house fowl shall meet the standards of Section 17.32(1)(b).
- (d) Fowl includes the following:
 - 1. Chickens (not roosters)
 - 2. Ducks
 - 3. Swans
 - 4. Geese
 - 5. Turkeys (domesticated)
 - 6. Pigeons
 - 7. Quail
 - 8. Pheasant
- (e) Maximum number of fowl allowed under this section is twelve (12).
- (f) Use of an adjoining parcel;
 - 1. Fowl may be kept on one adjoining parcel with no residence that is under the same ownership of (a) as an alternative location. Fowl may only be kept on one parcel, meeting the standards of (e).

2. **LOTS OF 2 ACRES, BUT LESS THAN 5 ACRES**

- (a) Standards ~~as~~ *of* sub. (f)1(a) thru (d) apply.
- (b) The maximum number of fowl allowed under this section is twenty five (25).

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- (b) Maximum of two (2) animals, and their offspring up to 10 months of age, except:
 - (1) Animals in excess of two (2) may be kept, subject to the following standards:
 - (a) A plan shall be submitted to and approved by the Zoning Administrator for satisfactory disposal of wastes generated by such animals.
- (b) Buildings in which any such animals or fowl are kept, shall be distant no less than 100 ft. from the nearest lot line of an adjoining residential lot.

17.32(2)(g) : Remove Tourist Rooming House from list of Special Exceptions.

17.36(1)(c)5.a. Change wording from “an annual” to “a current”.

17.64(22)(a) Sanitary Ordinance: Amending Transfer Tank permitting from an annual permit to a one-time permit. Strike “annual”

17.74(6)(a)9 Tourist Rooming House

9. NOTIFYING NEARBY PROPERTY OWNERS: The property owner requesting a zoning land use permit to use the property as a tourist rooming house shall, by certified ~~return receipt~~ mail, notify all property owners within 200 feet of the property where the tourist rooming house will be located of their intent to use the property for a tourist rooming house. The notification shall include a copy of this section of the zoning ordinance, the property owner’s mailing address and the property owner’s 24 hour contact number.

- A. The certified mail receipts ~~and signed return receipt card~~ shall be presented to the Department and placed with the property file prior to the issuance of the zoning land use permit under this section.

17.73(6)(f) Special Exceptions & 17.73(7)(e) Variances:

EXPIRATION OF B.O.A. APPROVAL: Any privilege granted by this decision must be performed within 24 months of the date of the decision unless an extended timeline is specifically approved by the Board. Performance measures include, but are not limited to, obtaining necessary land use permits, completion of structures, and establishment of permitted activities. This period may be extended if the decision is stayed by court order or operation of law.

BARRON COUNTY ORDINANCE NO. 2023 -

Ordinance Repealing and Recreating Section 17.32(f), Amending Sections 17.32(2)(g), 17.36(1)(c)5a, 17.64(22)(a), and 17.74(6)(a)9 , and Creating Sections 17.74(6)(f) & (7)(e) of the Barron County Land Use Ordinance

The Barron County Board of Supervisors ordains as follows

1 **WHEREAS**, The Zoning Office shall periodically review the Land Use Ordinance
2 and make recommendations that reflect changes in land use trends in Barron County; and
3

4 **WHEREAS**, the Zoning Committee has engaged in amending of Sections
5 17.32(2)(g), 17.36(1)(c)5a, 17.64(22)(a) and 17.74(6)(a)9 of the Land Use Ordinance
6 pertaining to tourist rooming house use, transfer tanks, ; and
7

8 **WHEREAS**, the Zoning Committee has engaged in repealing and recreating
9 Section 17.32(f) of the Land Use Ordinance pertaining to the keeping of livestock; and
10

11 **WHEREAS**, the Zoning Committee has engaged in creating Sections 17.73(6)(f)
12 and (7)(e) of the Land Use Ordinance pertaining to special exception and variance approval
13 expiration, and
14

15 **WHEREAS**, it is the recommendation of the Zoning Committee that the Barron
16 County Board of Supervisors adopt the ordinance creating Sections 17.73(6)(f) & (7)(e),
17 repealing and recreating 17.32(f), and amending Sections 17.32(2)(g), 17.36(1)(c)5a,
18 17.64(22)(a) and 17.74(6)(a)9 of the Barron County Land Use Ordinance; and

19 **WHEREAS**, this ordinance was approved by the Zoning Committee on May 3,
20 2023, on a vote of [REDACTED], with Heinecke, Cook, Kusilek, Rogers and Thompson voting in
21 favor and no members voting against.
22

23 **NOW, THEREFORE, BE IT ORDAINED**, that the Barron County Board of
24 Supervisors does hereby create Sections 17.73(6)(f) & (7)(e), repeal and recreate Sections
25 17.32(f), and amend Sections 17.32(2)(g), 17.36(1)(c)5a, 17.64(22)(a) and 17.74(6)(a)9 of
26 the Barron County Land Use Ordinance.
27

28 **BE IT FURTHER ORDAINED**, that this Ordinance shall be effective upon its
29 adoption and publication and that publication of this ordinance may occur through posting
30 in accordance with Section 985.02 of the Wisconsin Statutes.

BARRON COUNTY ORDINANCE NO. 2023 -

Ordinance Repealing and Recreating Section 17.32(f), Amending Sections 17.32(2)(g), 17.36(1)(c)5a, 17.64(22)(a), and 17.74(6)(a)9 , and Creating Sections 17.74(6)(f) & (7)(e) of the Barron County Land Use Ordinance

OFFERED THIS 15th day of May, 2023.

<p>Number of readings required: One (<input checked="" type="checkbox"/>) Two ()</p> <p>Vote required for passage: Majority (<input checked="" type="checkbox"/>) 2/3 Entire Board (20) ()</p> <p>Source of funding: Budgeted () General Fund () Grant () Contingency () Other (<input checked="" type="checkbox"/>) Details: N/A</p> <p>Fiscal impact: - Current year total amount: \$ - 0 - - Future years total amount: \$ - 0 - - Effect on tax levy – current year - \$ - 0 - - Effect on tax levy – future years - \$ - 0 -</p> <p>Fiscal impact reviewed by: _____ Jodi Busch, Finance Director</p> <p>Approved as to form by: _____ Jeffrey French, Administrator</p> <p>_____ John Muench, Corporation Counsel</p>	<p>_____ Bob Rogers, Zoning Committee Chair</p> <p>(The Committee Chair signature verifies the action taken by the Committee.)</p> <p>Board Action: Adopted (<input checked="" type="checkbox"/>) Failed () Tabled ()</p> <p>Motion: () to approve. .</p>
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