

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
July 19, 2017  
7:01 p.m.

The Board of Supervisors of Columbia County convened in regular session at the Administration Building at 112 East Edgewater Street, Portage pursuant to law. The meeting was called to order by Chair Gove and was certified to be in compliance with the Wisconsin Open Meetings Law.

All Supervisors were present.

Members stood and recited the Pledge of Allegiance.

A motion was made by De Young, second by Wingers to approve the Journal of June 21, 2017. Motion carried.

A motion to approve the agenda as printed was made by Bradley, second by McClyman. Motion carried.

Chair Gove reminded those in attendance of Rule 2 (3) of the Standing Rules, no member shall speak more than twice on the same subject or question without approval of the Chair. A member may only speak for a total of 10 minutes or 5 minutes twice on a particular motion...

County Clerk Moll reviewed keypad instructions for supervisors wishing to speak.

Chair Gove introduced Steve Klaven, Tanner Davis, Kyle Olson, Matt Giessel, Henry Igaro - Intern (Findorff) and Chad Oistad (Potter Lawson), thanking them for their time and presented them with a commemorative coin with a picture of the new Administration building on one side and Health and Human Services building on the other side. Klaven spoke briefly to the Board.

Supervisor Pufahl presented Chair Gove with a plaque recognizing him as the first person in history re-elected as Chair of the Columbia County Board of Supervisors and for his leadership in the planning and construction of the new Administration building and Health and Human Services building.

Stacy Davenport from Health and Human Services gave an update on the Medication Assisted Treatment Recovery and Support Program and referred to a handout placed on supervisor's desks.

Attorney Mark Hazelbaker and City of Portage Administrator Shawn Murphy were presented with a commemorative coin for their participation on the building projects.

Jessica Bergin (Portage Public Library) and Lindsey Ganz (Poynette Area Public Library), gave a power-point presentation on Columbia County Libraries – Quality library service for all residents of Columbia County. They thanked the Board for their continued support and asked them to consider the positive impact libraries have on the lives/communities of Columbia County during consideration of the 2018 budget.

Greg Kaminski, Solid Waste Director, gave a brief Recycling Report and indicated the monthly Columbia County Recycling report is always included in their County Board packets.

Dawn Woodard, Health and Human Services Director, reported on the recovery efforts provided by the Health and Human Services Department for the employees, their families, area residents and emergency responders affected by the Didion Milling explosion in Cambria.

Konkel gave an update of the Ad Hoc Building Committee. The court related offices were relocated in the first week of July to the new Health and Human Services building; the DHIA/Shop has been completed with landscaping to be completed soon; Wisconsin Department of Natural Resources has approved the demolition permit and remodeling has begun at the Courthouse. Field expressed concern that the courthouse project is estimated to be over budget by \$563,000 and would like to see the final budget come before the full County Board for approval. Ruf addressed Field's concern stating the Ad Hoc Building Committee will try to stay within budget and Konkel added the figures are based on a budget estimate. The request was referred to the Ad Hoc Building Committee.

**REPORT OF THE PLANNING AND ZONING COMMITTEE**

The Planning and Zoning committee having held a public hearing thereon pursuant to Section 59.69 Wisconsin Statutes, notice thereof have been given as provided by law and being duly advised of the wishes of the people in the areas affected hereby recommend as follows:

1. A petition by, William J Mautz, Petitioner and Owner, Portage, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 327.01, Section 16, T13N, R9E, Town of Fort Winnebago to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 327.01, Section 16, T13N, R9E, Town of Fort Winnebago.
2. A petition by, Kensel J Disrud & Maria K Disrud, Petitioners and Owners, Lodi, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 43.01, Section 3, T10N, R8E, Town of Lodi to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 43.01, Section 3, T10N, R8E, Town of Lodi.
3. A petition by, Stephen & Paula Barans Revocable Trust, Petitioners & Owners, Portage, WI, to rezone from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 363.01 Section 19, T13N, R10E, Town of Marcellon to be approved as follows: To change from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 363.01 Section 19, T13N, R10E, Town of Marcellon.
4. A petition by, Gary Selje, Petitioner, Columbus, WI, for Beatrice Selje, Owner, Columbus, WI, to rezone from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 48 & 52, Section 3, T10N, R11E, Town of Hampden to be approved as follows: To change from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 48 & 52, Section 3, T10N, R11E, Town of Hampden.
5. A petition by, William Hoffman, Petitioner, Columbus, WI, for Shirley Wachholz, Owner, Columbus, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 477.01, Section 24, T10N, R11E, Town of Hampden to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 477.01, Section 24, T10N, R11E, Town of Hampden.
6. A petition by, Timothy & Tammie Simonson, Petitioners and Owners, Rio, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 52.02 & 52.03, Section 3, T11N, R10E, Town of Lowville to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 52.02 & 52.03, Section 3, T11N, R10E, Town of Lowville.
7. A petition by, Richard Kutz, Petitioner and Owner, Pardeeville, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence, Parcel 421, Section 23, T11N, R10E, Town of Lowville to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence, Parcel 421, Section 23, T11N, R10E, Town of Lowville.

Fred C. Teitgen  
Kevin Kessler  
Susanna R. Bradley  
Harlan Baumgartner  
John A. Stevenson  
PLANNING AND ZONING COMMITTEE

Upon hearing no objection, Chair Gove directed the report be accepted and placed on file.

Bernard Spink was reappointed to the Zoning Board of Adjustment for a three year term to July, 2020. Motion by Teitgen, second by Foley, the appointment was approved.

**ORDINANCE NO. 178-17**

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 100, entitled “Zoning”, of the County Code, as passed by the Board of Supervisors on May 14, 2014 is hereby amended and added thereto as follows:

**16-101-100 ZONING MAP AND INTERPRETATION OF ZONING DISTRICT BOUNDARIES**

D. No new lot shall be divided into more than one base zoning district, unless that lot is legally divided so that new lot lines and new zoning district boundaries coincide.

**Table 16-105-020(1)**

LAND USES	A-1	AO-1	A-2	A-3	A-4	RC-1	
Farm animal and commodity trucking service	C	C	<u>C</u>	P			Section 16-125-080 Section 16-155-070E

**Table 16-110-030(1): Parcel and Building Standards in Residential Zoning Districts**

	Residential Zoning Districts			
	Rural Residence (RR-1)	Single-Family Residence (R-1)	Multiple-Family Residence (R-2)	Manufactured or Mobile Home Park (R-3)
<b>Minimum Lot Specifications</b>				
Minimum Net Lot Size in Conventional Development (square feet except where indicated)	43,560	<b>POWTS:</b> 43,560 <b>PSSS/PGWTS:</b> SF = 12,000 TF/Other = 16,000	<b>POWTS:</b> 43,560 <b>PSSS:</b> SF: 12,000 TF/Other: 16,000 MF: 16,000 for first two units + 6,000 for every unit thereafter.	Min. Individual Site Size: 6,000 Min. Park Size: 10 acres

	Commercial and Industrial Zoning Districts					
LAND USES ↓	Light Commercial (C-1)	General Commercial (C-2)	Highway Interchange (C-3)	Light Industrial (I-1)	General Industrial (I-2)	Subject to Use and Building Specific Standards in <a href="#">Subchapter 16-125</a>
<b>Commercial Use Group</b>						
• Hotel, motel, or lodging resort	C	P	C			See Section 16-125-110 for details
Retail sales						
• Retail sales, indoor	P	P	C	C		
• Retail sales, outdoor	C	C	C	C	C	
Vehicle repair or maintenance service	C	C	C	C	C	See Section 16-125-140 for details

**Table 16-115-020(1): Allowed Uses in Commercial and Industrial Districts**

**16-120-010 GENERAL STANDARDS**

- A. In the Planned Development overlay districts, no building or premises shall be used and no building erected, moved, or structurally altered until a development plan is approved in accordance with the provisions of this Subchapter and [Section 16-150-060](#).
- B. Each ~~planned individual development within a~~ Planned Development overlay district shall have a minimum area of 1 acre.
- C. Where the application (or attached documents to the application) for rezoning to a Planned Development) overlay district is silent on particular zoning regulations that may affect the development characteristic of individual building sites within the Planned Development area, the Zoning Administrator shall apply applicable standards of this chapter, including but not limited to the standards applicable within the underlying base zoning district, landscape standards; lighting standards; and off-street parking, access, loading standards.
- D. In its review and action on an application for a Planned Development Overlay District and a development plan or amendment to a development plan, the Planning and Zoning Committee shall find that the proposed development meets each of the following standards:
  - 1. The proposed ~~project~~ rezone shall meet all relevant criteria listed in [Section 16-150-060](#) ~~D~~ for rezonings.

**16-120-060 REVIEW PROCEDURE RESERVED**

See [Section 16-150-060](#) for application and review procedures applicable to all Planned Development overlay districts.

**16-125-020 A-1 AND AO-1 PREEXISTING RESIDENCES AND ACCESSORY STRUCTURES**

- A. Preexisting residences in the A-1 or AO-1 Districts.
  - 1. Preexisting residences may be replaced as long as the replacement is within ~~±100~~ 200 feet of the current location unless otherwise approved by the Planning and Zoning Committee (except that mobile homes as indicated below may not be replaced).

**16-125-030 A-2 DISTRICT DWELLINGS**

- A. Qualifying Lands
  - 1. The only lands which qualify to be placed in this district are those vacant A-1 Agriculture or AO-1 Agriculture and Open Space lands which were parcels of record as of November 1, 1984, or approved portions of such parcels. Such parcels of record shall not be under common ownership with any other vacant contiguous A-1 Agriculture or AO-1 Agriculture and Open Space lands that bring the total acreage under contiguous common ownership to 35 acres or greater. If the total acreage under contiguous common ownership is 35 acres or greater Section 16-125-050 is applicable.

2. In order to be rezoned to A-2 General Agriculture District, the County shall require that contiguous vacant individual parcels of record under common ownership that total less than 35 acres be combined to allow only one new dwelling. The parcel(s) combination is not required if the contiguous parcel(s) which will not be used for a residence are restricted by applying the A-4 Agriculture Overlay District.

B.

1. On each vacant lot or parcel within the A-2, the construction of an agricultural accessory structure is permitted, provided that associated standards within this Chapter are met and the associated town board or its designee has first verified, in writing, that the use of the structure and its location on the lot or parcel will be consistent with agricultural use.
2. On a lot or parcel that already contains one or more agricultural accessory structures, the construction, reconstruction, replacement, or expansion of an agricultural accessory structure is permitted without additional review, provided that the associated standards within this Chapter are met. Town siting approval may be required if the associated town has an ordinance which requires siting approval for such structures.
3. On an A-2 parcel that contains a legal dwelling, non-agricultural accessory structures associated with the residential use, including but not limited to garages, workshops, and personal storage, are permitted provided that the associated standards within this Chapter are met. Town siting approval may be required if the associated town has an ordinance which requires siting approval for such structures.

**16-125-060 KEEPING OF FARM ANIMALS ON SMALL PARCELS**

~~The following standards shall apply when (1) any owner of lands zoned A-2 or RR-1 wishes to keep and maintain farm animals or (2) any owner of fewer than 35 contiguous acres zoned A-1 or AO-1 wishes to keep and maintain farm animals, except for livestock as that term is defined in Subchapter 16-160. The standards in this section shall apply to properties zoned A-1 Agriculture, AO-1 Agriculture and Open Space, A-2 General Agriculture and RR-1 Rural Residence. This use classification and the associated standards shall apply regardless of whether the use functions as an accessory use or a principal use. The intent of the performance standards in this subsection is to allow for hobby and recreational farming in appropriate zoning districts; avoid nuisances, excessive undesirable odor, and other negative impact on neighboring properties; protect human and animal health; satisfy the needs of farm animals for exercise space; and protect water quality and the environment. ~~Where permitted, such uses shall be subject to the following performance standards: Table 16-125-060 indicates when farm animals are allowed on a property and in what quantities animals are permitted. Uses designated with a "U" are permitted an unlimited number of farm animals and/or livestock. Uses designated "P" are permitted subject to the following performance standards:~~~~

**TABLE 16-125-060(1) KEEPING OF FARM ANIMALS AND LIVESTOCK ON SMALL PARCEL**

ZONING DISTRICT	FARM ANIMALS	LIVESTOCK
A-1 (35 ACRES +)	U	U
A-1 (≤ 35 ACRES)	P	U
AO-1	P	P
A-2	P	P
RR-1	P	P

**CAMPGROUND**

- W. The number of resort camping cabins within a campground shall not exceed 15 percent of the total number of camping units in the campground.

**16-125-220 MOBILE AND RADIO BROADCAST SERVICES**

**C. EXEMPT FROM PERMITTING.** The following shall be exempt from the requirement to obtain a land use zoning permit, unless otherwise noted.

**D. SITING AND CONSTRUCTION OF ANY NEW MOBILE SERVICE SUPPORT STRUCTURE AND FACILITIES AND CLASS 1 COLLOCATION.**

1. Application Process
  - a. A land use zoning permit is required for the siting and construction of any new mobile service support structure and facilities and for Class 1 Collocation.

**H. STRUCTURAL, DESIGN AND ENVIRONMENTAL STANDARDS**

- 3. Vegetation protection and facility screening.
  - a. Except exempt facilities as defined in subsection (e) C, all mobile service facilities shall be installed in a manner to as to minimize disturbance to existing native vegetation and shall include suitable mature landscaping to screen the facility, where determined necessary by the Department. For purposes of this section, "mature landscaping" shall mean trees, shrubs or other vegetation of a minimum initial height of five (5) feet that will provide the appropriate level of visual screening immediately upon installation.
- 7. Radio and television transmission and relay tower, cellular and digital communication towers (mobile service support structures as defined in Wis. Stat. §66.0404(1) (n)), and aerials provided however, that said structures shall not exceed in height their distance from the nearest lot line unless designed to collapse within a smaller area as evidence by an engineering certification submitted to Planning & Zoning.

**16-125-240 LIGHT MANUFACTURING**

- A. All light manufacturing activities, aside from parking, loading, and outdoor storage, shall take place inside of an enclosed building,
- B. All loading docks and outdoor storage areas shall be completely screened so as not to be visible from public streets and any nearby residentially zoned property.
- C. ~~Light manufacturing uses shall not create any odor, noise, heat, vibration, or radiation that is or has the potential to be detectable at the lot line.~~ No one can create or release any emissions with odors that can be considered objectionable by the Department of Natural Resources under applicable State of Wisconsin rules. Except for vehicles entering and leaving the property the noise level generated by the light manufacturing facility or equipment shall not exceed 65 decibels at the property line.
- D. The appropriate County approval authority may require a landscaped transitional yard, in accordance with the standards in [Section 16-140-060B4](#)
- E. ~~Uses that do not comply with one or more of these performance standards shall instead be classified as a "general manufacturing" use.~~

**16-130-020 ACCESSORY USES AND STRUCTURES, DEFINITIONS AND GENERAL STANDARDS**

- B. 1.
  - b. Minimum parcel area must be sufficient for accessory structure ~~to~~ to meet required setbacks standards.
- I. 3. In all Residential Districts, except RR-1 Rural Residence, the footprint of the accessory structure ~~is subordinate to~~ shall be smaller than the principal structure.

**Table 16-130-040(1): Permitted Intrusions into Minimum Setbacks for Accessory Structures**

	Accessory Structure May Intrude into Normal Minimum Required Setback within...			
Open fence 3 and one-half feet or less in height	Yes	Yes	<u>Yes</u>	<u>Yes</u>

**16-130-050 TEMPORARY USE AND STRUCTURE DESCRIPTIONS AND STANDARDS**

**D. Standards for Temporary Uses.**

- 5. i. ~~Camping may take place on an interim basis on a lot where construction of a permitted dwelling is in progress, not to exceed one year.~~ Camping, parking and or storing a unit on a lot shall only be permitted from April 15, through December 1 except as provided for below.
  - 1) Unless an extension is granted by the Zoning Administrator in writing, if a camping unit is not removed from the property by December 1 a camping permit shall not be issued for the next season.
- ~~k.~~ j. Camping, parking and/or storing a camping unit on a year-round basis is subject to the following conditions:
  - 9. Camping may take place on an interim basis on a lot where construction of a permitted dwelling is in progress, not to exceed one year.

## 16-135-050 SUBSTANDARD LOTS

- ~~B. **Effect of modifications to make structure conforming:** When any lawful nonconforming structure in any district is modified so as to be in conformance with the provisions of this chapter, any future modification of said structure shall also be in full conformance with the provisions of the chapter.~~
- D. **Combining Lots:** Substandard sized lots may be combined even if the combination does not result in the new lot meeting current district size standards.

## 16-140-030 MEASUREMENTS AND EXCEPTIONS

- F. **Setbacks:** The distance between a structure and any property line. All distances are measured along a horizontal plane from the appropriate property line to a foundation, building wall edge of structure, storage or parking area. These distances are not measured by following the topography of the land and are the shortest distance between the lot line and the structure.
1. **Front Setback:** The minimum setback required from the ~~buildings structure~~, through the front yard, to the front lot line or the centerline of the public street, whichever is greater, extending along the full length of the front lot line between the side lot lines. See Figure 16-140-030(1) .
  2. **Interior Side Setback:** The shortest distance from the ~~building structure~~, through the interior side yard, to the nearest point on the interior side lot line, and measured at right angles to the interior side lot line. See Figure 16-140-030(1).
  3. **Rear Setback:** The shortest distance from the ~~building structure~~, through the rear yard, to the nearest point on the rear lot line, and measured at right angles to the rear lot line. See Figure 16-140-030(1).
  4. **Street Side Setback:** The shortest distance from the ~~building structure~~, through the street side yard, to the street side lot line or the centerline of the public street, whichever is greater. See Figure 16-140-030(1).
- G. **Foundation survey:** Where a structure issued a zoning permit under this Chapter is proposed to be located within five feet of any minimum required yard area or setback under this Chapter or another chapter in the County Code of Ordinances, or in other cases where the Zoning Administrator cannot with confidence determine compliance with the provisions of county ordinances, the zoning permit grantee shall, immediately upon completion of the construction of footings, concrete slab, or other foundations, designate a ~~registered professional~~ land surveyor ....
- K. **Exceptions to maximum building heights:** The following are permitted exceptions to maximum building heights normally required under tables [16-105-030\(1\)](#), [16-110-030\(1\)](#), and [16-115-030\(1\)](#):
5. Mobile service and radio support structures and facilities in accordance with the requirements of [Section 16-125-22000](#).

## 16-145-030 STANDARDS

### C. **Illumination standards:**

- 1) a. 5) Electronic changeable copy and electronic graphic display signs are prohibited in A-1 Agriculture, A-2 General Agriculture, A-4 Agriculture Overlay, RR-1 Rural Residence, R-1 Single Family Residence, R-2 Multiple Family Residence, R-3 Manufactured or Mobile Home Park, and RC-1 Recreation districts.

## 16-150-040 ZONING BOARD OF ADJUSTMENT—DESCRIPTION AND ROLES

### D. **Rules:**

4. Each notice of public hearing held by the Zoning Board of Adjustment shall specify the date, time and place of hearing and the matters to come before the Zoning Board of Adjustment at such hearing, and such notice shall be given by Class 2 Notice in accordance with Chapter 985 Wis. Stats. ~~publication in the official newspaper of the County at least once, not less than ten days prior to the date of such hearing~~ and by certified mail to the parties having a legal interest in any of the matters to come before the Zoning Board of Adjustment at such hearing.

**E. Appeals:**

1. Appeals to the Zoning Board of Adjustment may be taken by any person aggrieved or by any officer, department, board, or bureau of ~~Columbia County~~ the municipality affected by any decision of the Zoning Administrator. Such appeal shall be ~~taken~~ filed within 30 days after receiving notice of the decision appealed from of the date of the decision, by filing with the Zoning Administrator and the Zoning Board of Adjustment a notice of appeal specifying the grounds thereof.
2. The Zoning Board of Adjustment shall fix a reasonable time for the hearing of the appeal not to exceed 90 days from the date the notice of appeal was filed with the Board. Publish a give a Class 1 Notice thereof in accordance with Chapter 985 Wis. Stats., as well as provide due notice to the appellants and their legal counsel and parties in interest who have made written request for such notice, and decide the same within 15 days after the hearing, a reasonable time. Upon the hearing, the appellants or any party in interest may appear in person or by agent or attorney.

- F. Review by court of record:** Any persons aggrieved by any decision of the Board of Adjustment may appeal the decision by filing an action in certiorari in the Columbia County Circuit Court within 30 days of the decision, setting forth that such decision is illegal and specifying the grounds of the illegality. Columbia County assumes no liability for and makes no warranty as to the reliance on this decision if construction is commenced prior to expiration of this 30 day period or until an appeal to the courts is decided.

**16-150-060 AMENDMENTS TO OFFICIAL ZONING MAP (REZONINGS)—REVIEW PROCEDURE AND STANDARDS**

- J. Delayed effective date:** If a Certified Survey Map must be recorded to effectuate a rezoning ordinance under this Subchapter, the Certified Survey Map shall be recorded within twelve months from the date of final County Board action. If this deadline is not met it shall be considered a denial.

**6-150-090 ENFORCEMENT AND PENALTIES**

- B. Authority:** In the enforcement of this Ordinance, the Zoning Administrator shall have the power and authority for the following:
2. Upon reasonable cause or question as to proper compliance, to revoke any zoning or occupancy and use permit, except a conditional use permit, and issue stop work orders requiring the cessation of any building, moving, alteration or use which is violation of the provisions of this Ordinance. Notice ....

**16-155-050 COMMERCIAL USE GROUP**

**L. Lodging facility:**

2. **Hotel, motel, or lodging resort:** Includes land uses that provide two or more overnight housing units on one lot or on contiguous lots, including groups of individual cabins, rooms, or suites of rooms, with each cabin, room, or suite having a private bathroom. ~~A lodging resort can also include a camping resort which is a campground that includes camping units, manufactured homes or mobile homes, and resort cabins on one lot or contiguous lots under the same ownership. These uses may also provide indoor and outdoor recreational facilities for the exclusive use of their customers.~~

**16-155-080 HOME OCCUPATION**

- A. Minor home occupation.** An accessory use that provides a means to accommodate a small home-based family, commercial service or professional business on a parcel with a principal residential use without the necessity of a rezoning to a commercial zoning district. Examples include, but are not limited to, personal and professional services, home offices, handicrafts, and small machine repair, subject to the associated limitations and standards in Section 16-125-280(A).
- B. Major home occupation:** An accessory use that, compared to a minor home occupation, provides a means to accommodate a more intensive home-based family, commercial service or professional business on a parcel with a principal residential use without the necessity of a rezoning to a commercial zoning district. The performance standards for major home occupations, within Section 16-125-280(B), are more flexible than for minor home occupations; as such, where allowed major home occupations require the issuance of a conditional use permit.

Vern E. Gove, Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Susan M. Moll  
COLUMBIA COUNTY CLERK

DATE PASSED: July 19, 2017  
DATE PUBLISHED: July 24, 2017

Motion was made by Teitgen, second by Baumgartner, to adopt.

Pufahl stated he would support the amending ordinance, however, he expressed concern in the wording in section 16-125-240 (C) "No one can create or release any emissions with odors that can be considered objectionable by the Department of Natural Resources under applicable State of Wisconsin rules." Drew stated it was not in the best interest of Columbia County residents to defer responsibility to the Department of Natural Resources. Teitgen explained the ordinance as written "Light manufacturing uses shall not create any odor, noise, heat, vibration, or radiation that is or has the potential to be detectable at the lot line" would be impossible to enforce and could keep potential manufacturers out of the County. He urged supervisors to vote in favor of the proposed amendments. Rashke asked for clarification on who would enforce the ordinance. Ruf stated the Columbia County Planning and Zoning Department would be the primary entity enforcing the ordinance and DNR would set the standards for determining whether an odor is "objectionable" per statutory requirements.

Chair Gove requested a roll call vote.

YES: 25; NO: 3

YES: Pufahl, Rashke, Robson, Rohrbeck, Ross, Sleger, St. Maurice, Stevenson, Sumnicht, Teitgen, Tramburg, Weyh, Wingers, Attoe, Baumgartner, Bradley, Brooks, Cupery, De Young, Foley, Kessler, Konkell, Long, McClyman and Gove.

NO: Zander, Drew and Field.

The Ordinance was declared passed and is to be known as Ordinance 178-17.

#### **ORDINANCE NO. 2462-17**

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 100, entitled "Zoning", of the County Code, as passed by the Board of Supervisors on May 14, 2014 is hereby amended and added thereto as follows:

- (1) "To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (William Mautz, Petitioner and Owner), parcels of land located in Section 16, Town 13 North, Range 9 East, Town of Fort Winnebago, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of Lot 1, Certified Survey Map No. 3704, recorded in Volume 25 of Certified Survey Maps, page 72, as Document No. 649513, located in the Southwest Quarter of the Southwest Quarter of Section 16, Town 13 North, Range 9 East, Town of Fort Winnebago, Columbia County, Wisconsin, described as follows: Commencing at the West Quarter corner of said Section 16; thence South 00°31'07" East along the West line of the Southwest Quarter of said Section 16, 1,587.49 feet to the Northwest corner of Lot 1, Certified Survey Map No. 3704 and the point of beginning; thence North 89°01'25" East along the North line of said Lot 1, 360.00 feet; thence North 63°53'09" East along said North line, 350.01 feet; thence South 00°58'35" East, 352.41 feet; thence South 74°28'53" West, 531.58 feet; thence South 89°28'53" West, 165.00 feet to a point in the centerline of Currie Road and a point in the West line of the Southwest Quarter of said Section 16; thence North 00°31'07" West along said centerline and the West line of the Southwest Quarter of said Section 16, 335.89 feet to the point of beginning. Containing 217,800 square feet, (5.00 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Being a part of Lot 1, Certified Survey Map No. 3704, recorded in Volume 25 of Certified Survey Maps, page 72, as Document No. 649513, located in the Southwest Quarter of the Southwest Quarter, the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter of Section 16, Town 13 North, Range 9 East, Town of Fort Winnebago, Columbia County, Wisconsin,

described as follows: Commencing at the Southwest corner of said Section 16; thence North 00°31'07" West along the West line of the Southwest Quarter of said Section 16, 483.44 feet to the Southwest corner of Lot 1, Certified Survey Map No. 3704 and the point of beginning; thence continuing North 00°31'07" West along the West line of the Southwest Quarter of said Section 16, 248.24 feet; thence North 89°28'53" East, 165.00 feet; thence North 74°28'53" East, 531.58 feet; thence North 00°58'35" West, 352.41 feet to a point in the North line of said Lot 1; thence North 63°53'09" East along the North line of said Lot 1, 106.55 feet; thence North 89°01'25" East along the North line of said Lot 1, 1,150.00 feet; thence South 00°31'25" East along the East line of said Lot 1, 662.93 feet; thence North 89°01'25" East along the North line of said Lot 1, 702.95 to a point in the North - South Quarter line of said Section 16; thence North 88°54'46" East along the North line of said Lot 1, 529.66 feet to the Northeast corner of said Lot 1; thence South 00°31'12" East along the East line of said Lot 1, 114.17 feet to the Southeast corner of said Lot 1; thence South 88°59'13" West, (recorded as South 88°59'33" West), 3,154.46 feet to the point of beginning. Containing 1,306,800 square feet, (30.00 acres), more or less.

- (2) "To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Kensel & Maria Disrud, Petitioners and Owners), parcels of land located in Section 3, Town 10 North, Range 8 East, Town of Lodi, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of Lot 1, Certified Survey Map No. 4510, recorded in Volume 31 of Certified Survey Maps, page 123, as Document No. 741558, located in the Southwest Quarter of the Southeast Quarter, the Northeast Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter all located in Section 3, Town 10 North, Range 8 East, Town of Lodi, Columbia County, Wisconsin, described as follows: Commencing at the South Quarter corner of Section 3; thence North 00°26'15" East along the North - South Quarter line of said Section 3, 872.51 feet to a point in the South line of Lot 2, Certified Survey Map No. 4617; thence South 89°19'03" West along the South line said Lot 2, 29.47 feet to the Southwest corner thereof, said point being in the East line of Lot 1, Certified Survey Map No. 4510 and the point of beginning; thence South 00°35'40" East along the East line of said Lot 1, 66.20 feet; thence South 89°19'03" West, 325.52 feet; thence North 00°35'40" West, 819.99 feet to a point in the North line of said Lot 1; thence South 43°30'37" East along the North line of said Lot 1, 563.24 feet; thence South 00°35'40" East along the East line of said Lot 1, 105.70 feet; thence South 89°19'03" West along the East line of said Lot 1, 58.00 feet; thence South 00°35'40" East along the East line of said Lot 1, 235.00 feet to the point of beginning. Containing 217,800 square feet, (5.00 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Being a part of Lot 1, Certified Survey Map No. 4510, recorded in Volume 31 of Certified Survey Maps, page 123, as Document No. 741558, located in the Southeast Quarter of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter, the Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter all located in Section 3, Town 10 North, Range 8 East, Town of Lodi, Columbia County, Wisconsin, described as follows: Commencing at the South Quarter corner of Section 3; thence North 00°26'15" East along the North - South Quarter line of said Section 3, 872.51 feet to a point in the South line of Lot 2, Certified Survey Map No. 4617; thence South 89°19'03" West along the South line of said Lot 2, 29.47 feet to the Southwest corner thereof, said point being in the East line of Lot 1, Certified Survey Map No. 4510; thence South 00°35'40" East along the East line of said Lot 1, 66.20 feet to the point of beginning; thence continuing South 00°35'40" East along the East line of said Lot 1, 266.22 feet; thence North 82°20'38" West along the South line of said Lot 1, 250.14 feet; thence North 68°24'05" West along the South line of said Lot 1, 382.43 feet; thence North 61°38'53" West along the South line of said Lot 1, 311.44 feet; thence North 64°04'21" West along the South line of said Lot 1, 901.83 feet to the Southwest corner thereof; thence North 00°02'04" East, along the West line of said Lot 1, 637.45 feet; thence South 89°59'21" East along the North line of said Lot 1, 399.94 feet; thence North 00°02'59" East along the North line of said Lot 1, 150.20 feet to a point in the South right-of-way line of County Trunk Highway V; thence South 89°51'04" East along the North line of said Lot 1

- and the South right-of-way line of County Trunk Highway V, 60.00 feet; thence South 00°02'59" West along the North line of said Lot 1, 150.20 feet; thence South 89°51'04" East along the North line of said Lot 1, 99.85 feet; thence South 78°30'58" East along the North line of said Lot 1, 368.55 feet; thence South 65°34'15" East along the North line of said Lot 1, 469.05 feet; thence South 43°30'37" East along the North line of said Lot 1, 5.00 feet; thence South 00°35'40" East, 819.99 feet; thence North 89°19'03" East, 325.52 feet to the point of beginning. Containing 1,313,631 square feet, (30.16 acres), more or less.
- (3) "To change from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Stephen & Paula Barans Revocable Trust, Petitioners and Owners), a parcel of land located in Section 19, Town 13 North, Range 10 East, Town of Marcellon, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Being a part of the Southeast Quarter of the Southeast Quarter of Section 19, Town 13 North, Range 10 East, Town of Marcellon, Columbia County, Wisconsin, described as follows: Beginning at the Southeast corner of Section 19; thence North 89°52'06" West along the South line of the Southeast Quarter of said Section 19, 1,149.69 feet to the Southeast corner of Lot 2, Certified Survey Map No. 4751; thence North 00°15'42" East along the East line of said Lot 2, 445.00 feet; thence South 89°52'06" East, 490.00 feet; thence North 00°15'41" East, 215.31 feet; thence South 89°52'06" East, 659.69 feet to a point in the East line of the Southeast Quarter of said Section 19 and the centerline of Starr Road; thence South 00°15'42" West along the East line of the Southeast Quarter of said Section 19 and the centerline of Starr Road. 660.31 feet to the point of beginning. Containing 653,641 square feet, (15.00 acres), more or less.
- (4) "To change from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Gary Selje, Petitioner, & Beatrice Selje, Owner), a parcel of land located in Section 3, Town 10 North, Range 11 East, Town of Hampden, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Being a part of the Southeast Quarter of the Southeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 3, Town 10 North, Range 11 East, Town of Hampden, Columbia County, Wisconsin, described as follows: Beginning at the Southeast corner of said Section 3; thence North 89°04'24" West along the South line of the Southeast Quarter of said Section 3, 1,348.38 feet to the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 3; thence North 00°45'13" West along the West line of the Southeast Quarter of the Southeast Quarter and the West line of the Northeast Quarter of the Southeast Quarter of said Section 3, 1,985.50 feet to the Northwest corner of the South half of the Northeast Quarter of the Southeast Quarter of said Section 3; thence South 89°16'21" East along the North line of the South half of the Northeast Quarter of the Southeast Quarter of said Section 3, 1,335.14 feet to the Northeast corner thereof; thence South 01°07'50" East along the East line of the Southeast Quarter of said Section 3, 420.15 feet; thence North 88°34'35" West, 643.80 feet; thence South 02°10'00" West, 203.50 feet; thence South 07°32'30" East, 189.00 feet; thence South 51°14'00" East, 49.67 feet; thence North 88°16'00" East, 595.68 feet to the East line of the Southeast Quarter of said Section 3; thence South 01°07'50" East along the East line of the Southeast Quarter of said Section 3, 1,182.53 feet to the point of beginning. Containing 2,404,806 square feet, (55.21 acres), more or less.
- (5) "To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (William Hoffman, Petitioner, & Shirley Wachholz, Owner), parcels of land located in Section 24, Town 10 North, Range 11 East, Town of Hampden, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of the Southwest Quarter of the Southwest Quarter of Section 24, Town 10 North, Range 11 East, Town of Hampden, Columbia County, Wisconsin, described as follows: Commencing at the Southwest corner of said Section 24; thence South 89°57'03" East along the South line of the Southwest Quarter of said Section 24 and the centerline of Sanderson Road, 615.84 feet to the point of beginning; thence North 00°17'38" East, 331.01 feet; thence South 89°57'03" East, 724.00 feet to a point in the East line of the Southwest Quarter of the Southwest Quarter of said Section 24 and the centerline of Loeffler Road; thence South 00°17'38" West along the East line of the

Southwest Quarter of the Southwest Quarter of said Section 24 and the centerline of Loeffler Road, 331.01 feet to the Southeast corner of the Southwest Quarter of the Southwest Quarter; thence North 89°57'03" West along the South line of the Southwest Quarter of said Section 24 and the centerline of Sanderson Road, 724.00 feet to the point of beginning. Containing 239,649 square feet, (5.50 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Being the West Half of the Southwest Quarter of Section 24, Town 10 North, Range 11 East, Town of Hampden, Columbia County, Wisconsin, except the following described parcel: Commencing at the Southwest corner of said Section 24; thence South 89°57'03" East along the South line of the Southwest Quarter of said Section 24 and the centerline of Sanderson Road, 615.84 feet to the point of beginning; thence North 00°17'38" East, 331.01 feet; thence South 89°57'03" East, 724.00 feet to a point in the East line of the Southwest Quarter of the Southwest Quarter of said Section 24 and the centerline of Loeffler Road; thence South 00°17'38" West along the East line of the Southwest Quarter of the Southwest Quarter of said Section 24 and the centerline of Loeffler Road, 331.01 feet to the Southeast corner of the Southwest Quarter of the Southwest Quarter; thence North 89°57'03" West along the South line of the Southwest Quarter of said Section 24 and the centerline of Sanderson Road, 724.00 feet to the point of beginning. Containing 3,245,151 square feet, (74.49 acres), more or less.

- (6) "To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Timothy & Tammy Simonson, Petitioners and Owners), parcels of land located in Section 3, Town 11 North, Range 10 East, Town of Lowville, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of Lot 1, Certified Survey Map No. 4147, recorded in Volume 29 of Certified Survey Maps, page 26, as Document No. 706520, located in the Southeast Quarter of the Northeast Quarter of Section 3, Town 11 North, Range 10 East, Town of Lowville, Columbia County, Wisconsin, described as follows: Commencing at the East Quarter corner of Section 3; thence North 00°40'38" West along the East line of said Section 3, 924.64 feet to the Northeast corner of Lot 3, Certified Survey Map No. 4147 and the point of beginning; thence North 87°38'14" West along the North line of said Lot 3, 208.00 feet to the Northwest corner of said Lot 3; thence South 89°01'22" West, 347.09 feet; thence North 00°40'38" West, 353.54 feet; thence North 89°01'22" East, 554.80 feet to a point in the East line of said Section 3; thence South 00°40'38" East along the East line of said Section 3, 365.66 feet to the point of beginning. Containing 199,302 square feet, (4.57 acres), more or less. And; Being a part of Lot 2, Certified Survey Map No. 4147, recorded in Volume 29 of Certified Survey Maps, page 26, as Document No. 706520, located in the Southeast Quarter of the Northeast Quarter of Section 3, Town 11 North, Range 10 East, Town of Lowville, Columbia County, Wisconsin, described as follows: Commencing at the East Quarter corner of Section 3; thence North 00°40'38" West along the East line of said Section 3, 33.01 feet to the point of beginning; thence South 88°03'57" West, 420.35 feet; thence North 00°40'38" West, 468.33 feet; thence North 82°50'58" East, 213.90 feet to the Southwest corner of Lot 3, Certified Survey Map No. 4147; thence South 87°38'14" East along the South line of said Lot 3, 208.00 feet to the Southeast corner of said Lot 3 and a point in the East line of said Section 3; thence South 00°40'38" East along the East line of said Section 3, 505.20 feet to the point of beginning. Containing 201,300 square feet, (4.62 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Lot 1, Certified Survey Map No. 4147, recorded in Volume 29 of Certified Survey Maps, page 26, as Document No. 706520, located in the Southeast Quarter of the Northeast Quarter of Section 3, Town 11 North, Range 10 East, Town of Lowville, Columbia County, Wisconsin, except the following described parcel: Commencing at the East Quarter corner of Section 3; thence North 00°40'38" West along the East line of said Section 3, 924.64 feet to the Northeast corner of Lot 3, Certified Survey Map No. 4147 and the point of beginning; thence North 87°38'14" West along the North line of said Lot 3, 208.00 feet to the Northwest corner of said Lot 3; thence South 89°01'22" West, 347.09 feet; thence North 00°40'38" West, 353.54 feet; thence North 89°01'22" East, 554.80 feet to a point in the East line of said Section 3; thence South 00°40'38" East

along the East line of said Section 3, 365.66 feet to the point of beginning. Containing 1,535,751 square feet, (35.26 acres), more or less.

And; Lot 2, Certified Survey Map No. 4147, recorded in Volume 29 of Certified Survey Maps, page 26, as Document No. 706520, located in the Southeast Quarter of the Northeast Quarter of Section 3, Town 11 North, Range 10 East, Town of Lowville, Columbia County, Wisconsin, except the following described parcel: Commencing at the East Quarter corner of Section 3; thence North 00°40'38" West along the East line of said Section 3, 33.01 feet to the point of beginning; thence South 88°03'57" West, 420.35 feet; thence North 00°40'38" West, 468.33 feet; thence North 82°50'58" East, 213.90 feet to the Southwest corner of Lot 3, Certified Survey Map No. 4147; thence South 87°38'14" East along the South line of said Lot 3, 208.00 feet to the Southeast corner of said Lot 3 and a point in the East line of said Section 3; thence South 00°40'38" East along the East line of said Section 3, 505.20 feet to the point of beginning. Containing 1,533,839 square feet, (35.21 acres), more or less.

- (7) "To change from A-1 Agriculture to RR-1 Rural Residence", (Richard Kutz, Petitioner and Owner), parcels of land located in Section 23, Town 11 North, Range 10 East, Town of Lowville, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of the Northeast Quarter of the Northeast Quarter of Section 23, Town 11 North, Range 10 East, Town of Lowville, Columbia County, Wisconsin, described as follows: Commencing 24 rods North of the Southeast corner of the Northeast Quarter of the Northeast Quarter of Section 23, thence West 9 rods, thence North 9 rods, thence East 9 rods, thence South 9 rods to the point of beginning. Containing 21,780 square feet, (0.50 acres), more or less.

Vern E. Gove, Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Susan M. Moll  
COLUMBIA COUNTY CLERK

DATE PASSED: July 19, 2017

DATE PUBLISHED: July 24, 2017

Motion was made by Sleger, second by Ross, to approve the rezone request for William Mautz, Petitioner and Owner; Kensel and Marie Disrud, Petitioners and Owners; Stephen and Paula Barans Revocable Trust, Petitioners and Owners; Gary Selje, Petitioner and Beatrice Selje, Owner; William Hoffman, Petitioner and Shirley Wacholz, Owner; Timothy and Tammy Simonson, Petitioners and Owners; and Richard Kutz, Petitioner and Owner. Konkel inquired about the map for Hoffman/Wacholz request and Bluemke clarified the lot numbers where incorrectly labeled on the map. The motion carried. The Ordinance was declared passed and is to be known as Ordinance Z462-17.

Chair Gove welcomed Supervisor McClyman back.

Rohrbeck moved adjournment of this meeting to Wednesday, September 20, 2017 at 7:00 p.m. in the County Board Room at the Administration Building. Second was made by Weyh. The motion carried. The meeting adjourned at 8:41 p.m.