



COLUMBIA COUNTY

Planning and Zoning Department

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112 E. Edgewater Street
Portage, WI 53901

Access Variance: Behnke

Planning & Zoning Committee • October 7, 2025

Property Owner(s):

Behnke, Charles M; Behnke, Kelly

Property Location:

Located in the Northeast Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 27, Town 13 North, Range 9 East

Town:

Fort Winnebago

Parcel(s) Affected:

529, 532

Site Address:

Bornick Road

Background:

Charles and Kelly Behnke, owners, request the Planning and Zoning Committee review and approve an access variance to Section 12.210.04(5) of the Columbia County Land Division and Subdivision Ordinance. Parcel 529 is 20.82 acres in size and parcel 532 is 20 acres. Both parcels are zoned A-1 Agriculture and are vacant. The land is planned for Agricultural or Open Space land use on the Columbia County Future Land Use map. Wetlands are present in the southwestern corner of the property, and there is nonregulatory floodplain in this area as well. There is a small band of regulatory flood fringe along the southern property line of parcel 532. There are approximately 4.5 acres of prime farmland in the center of the property and lands in the northeastern corner are considered to be potentially highly erodible per NRCS. The property owners are proposing to create a 5-acre lot in order to construct a new single-family home. This lot will be rezoned to the RR-1 Rural Residence zoning district. The land does not front directly on Bornick Road because the road right-of-way is 49.5 feet wide instead of the standard 66'. The property is accessed via an existing easement through parcel 528 that is approximately 16.5 feet in depth to reach the road right-of-way. This division will require an access variance per Section 12.210.04(5) of the Columbia County Land Division and Subdivision Ordinance, which requires every lot or parcel to abut a public road. This section also gives the County Planning and Zoning Committee the ability to waive or vary the road frontage requirement without scheduling a public hearing.

Subsection 12.210.04(5)b. of the Columbia County Land and Subdivision Ordinance requires a unique property limitation must be present in order to request an access variance. This subsection states the following, "when a variance to the road frontage requirement is requested, a unique property limitation must be present. The application for a variance must include a description of the unique limitation. These limitations can include, but are not limited to, land suitability issues or limited/no access on the existing parcel of land." The two new lots cannot meet road frontage requirements under the Columbia County Land Division Ordinance, since parcels 529 and 532 do not front on a public road. Because of the smaller road right-of-way, and the lack of frontage on the existing parcels, the owner believes a unique limitation is present. The land will continue to be accessed via easement, as shown on the preliminary Certified Survey Map.

Town Board Action:

The Fort Winnebago Town Board recommended approval of the access variance request with the associated rezoning request on September 1, 2025.

Recommendation:

If the Planning and Zoning Committee chooses to grant the access variance for proposed Lots 1 and 2 of the attached Certified Survey Map, Staff recommends adding the condition that a note be placed on the Certified Survey Map stating, "A variance to Section 12.210.04(5) was approved by the Planning and Zoning Committee on October 7, 2025, to waive road frontage requirements for Lots 1 and 2 with access being provided via easement." The access variance shall become effective upon recording of the Certified Survey Map.