

RESOLUTION # 05 - 2023
REZONE PETITION FOR THE TOWN OF MINOCQUA
REZONE PETITION #14-2022

Resolution offered by the Planning and Development Committee

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, the Planning and Development Committee having considered Rezone Petition 14-2022 (copy attached), which was filed August 22, 2022, to amend the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, and having given notice thereof as provided by law and having held a public hearing thereon November 16, 2022 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

To rezone land from District #03, Multiple Family to District #B-2, Business on property described as Lot 1, CSM 2868, being parts of Government Lot 2, SW NE, NW SE, Section 10, T39N, R6E, PIN MI 2166-17, Town of Minocqua, Oneida County, Wisconsin.

And being duly advised of the wishes of the people in the area affected as follows:

WHEREAS, the owner of the property is requesting the rezone to allow for a multifamily development and;

WHEREAS, the Town of Minocqua and the Oneida County Planning and Development Committee realize that there is a need for additional affordable housing in the Town of Minocqua and;

WHEREAS, the Town of Minocqua approved the request (copy attached) and;

WHEREAS, On November 16, 2022, the Planning and Development Committee held a public hearing and the adjoining landowners were provided with a written notice of the change and one individual had concerns for the change and;

WHEREAS, the Planning & Development Committee has reviewed the general standards as specified in Section 9.86(F) of the Oneida County Zoning & Shoreland Protection Ordinance and concluded that the standards have been met. The Planning & Development Committee recommends passage.

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NOW THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES
ORDAIN AS FOLLOWS: Petition #14-2022:

Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict with this ordinance shall be and are hereby repealed as far as any conflict exists.

Section 2: The ordinance shall take effect the day after passage and publication as required by law.

Section 3: If any claims, provisions, or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Section 4: Rezone Petition #14-2022 is hereby adopted amending the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, by changing the zoning district classification from District #03, Multiple Family to District #B2, Business on property described as follows:

Lot 1, CSM 2868, being parts of Government Lot 2, SW NE, NW SE, Section 10, T39N, R6E, PIN MI 2166-17, Town of Minocqua, Oneida County, Wisconsin.

The County Clerk shall, within seven (7) days after adoption of Rezone Petition # 14-2022 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to Minocqua Town Clerk.

Approved for presentation to the County Board by the Planning and Development Committee this 26th day of December, 2022.

Consent Agenda Item: YES NO

Vote Required: Majority = 2/3 Majority = _____ 3/4 Majority = _____

The County Board has the legal authority to adopt: Yes No _____ as reviewed by the Corporation Counsel, _____, Date: 1.3.23

Offered and passage moved by:

Scott Holwisch
Supervisor

Mike Reach
Supervisor

Paul Olszewski
Supervisor

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Supervisor

Supervisor

20 Ayes

0 Nays

1 Absent

0 Abstain

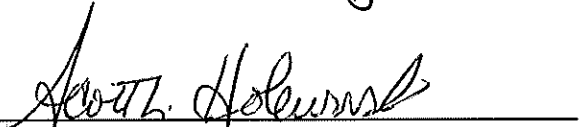
1 Adopted

by the County Board of Supervisors this 17 day of January 2022.

 Defeated



Tracy Hartman, County Clerk



Scott Holewinski, County Board Chair

Consent Agenda - 1-17-2023

Supervisors	AYE	NAY	ABS	ABSTAIN
Schultz	X			
Thome	X			
Fried	X			
Condado	X			
Kelly	X			
Winkler	X			
Roach	X			
Ryden	X			
Schreier	X			
Almekinder	X			
Briggs	X			
Rio	X			
Timmons	X			
Cushing	X			
Showalter	X			
Newman	X			
Sorgel	X			
Oettinger	X			
Harris	X			
Fisher	—		X	
Holewinski	X			
TOTALS	20		1	
TAGS				

Resolution # 01 – 2023: Offered by the Supervisors of the Land Records Committee to convey the following tax foreclosed and other county real estate: PE-171-4 to Dean A & Mary Kay Adamski Jr. Rev. Trust, RH-1953 to Jeffery T. Eaton, RH-3511 to James R. & Margaret L. Barnes, ST-557-10 to Andrea & Matthew Krueger, SU-1145-2 to Brian Topp, TL-297-4 to Robert Houg, WB-381-2 to Kern Trust, WR-13-18 to Mark A. Trapp, WR-420-17 to Christopher S. & Renee M. Schwass, WR-460 to WB No. 1 LLC and WR-461 to WB No. 1 LLC.

Resolution # 02 – 2023: Offered by the Supervisors of the Land Records Committee to convey excess county land to Betty Cooper.

Resolution # 03 – 2023: Offered by the Supervisors of the Forestry, Land and Recreation Committee to approve the Forestry Department 2023 annual work plan.

Resolution # 04 – 2023: Offered by the Supervisors of the Public Works Committee to approve \$36,622.50 to be paid to the Town of Sugar Camp from the County Bridge Aid Account.

Resolution # 05 – 2023/Rezoning Petition # 14 – 2022: Offered by the Supervisors of the Planning and Development Committee to rezone land from District # 03, Multiple Family to District # B-2, Business on Property described as Lot 1, CSM 2868, being part of Government Lot 2, SW/NE, NW SE, section 10, T39N, R6E, PIN MI 2166-17m Town of Minocqua, Oneida County.

Resolution # 06 – 2023: Offered by the Supervisors of the Administration Committee to request Coronavirus Local Fiscal Recovery Fund (CLFRF) allocated to Oneida County through the American Rescue Plan Act (ARPA) for the purpose of matching funds for the Treatment Alternative and Diversion (TAD) Grant and other substance abuse mitigation efforts.

Resolution # 07 – 2023: Offered by the Supervisors of the Labor Relations Employee Services (LRES) Committee to award an amended compensation packet to a newly hired employee.

Resolution # 08 – 2023: Offered by the Supervisors of the Labor Relations Employee Services (LRES) Committee to increase an 80% office coordinator to 100% at UW Extension.

Resolution # 09 – 2023: Offered by the Supervisors of the Labor Relations Employee Services (LRES) Committee to create a Children Services Worker.

Resolution # 10 – 2023: Offered by the Supervisors of the Labor Relations Employee Services (LRES) Committee to create a Network Analyst – Helpdesk Supervisor position.

Resolution # 11 – 2023: Offered by the Supervisors of the Labor Relations Employee Services (LRES) Committee to restructure positions at the Solid Waste Department.

Resolution # 12 – 2023: Offered by the Supervisors of the Labor Relations Employee Services (LRES) Committee to restructure wages at the Highway Department.

Appointments to Committees, Commissions and other Organizations:
 Re-Appoint Dennis Carriere to the Library Board for a 3-year term to expire in December 2025.
 Appoint Kathleen Olkowski to the Library Board to complete the vacant seat expiring in December 2023.
 Appoint Petra Pietrzak to the Wisconsin Valley Library Services Board of Trustees for a 3-year term to expire December 2025.
 Appoint Supervisors Steven Schreier and Tom Kelly to the Criminal Justice Coordinating Committee.
 Appoint James Henry, Northwoods Store, to act as an authorized Emergency Fire Warden in Oneida County.
 Appoint Charlie Gahler, Woodruff Ace Hardware, to act as an authorized Emergency Fire Warden in Oneida County
 Re-Appoint Tim Meilms to the Civil Service Commission for a 5-year term to expire in December 2027.
 Re-Appoint Pat Schilling and Barbara Wolosz to the Housing Authority for 5-year terms to expire in August 2027.
 Appoint Pearl Fessenden to the Veterans Service Commission for a 3-year term expiring in January 2026.

PETITION

Petition No. 14-2022
Receipt No. 22-954

To: Oneida County Board of Supervisors
Oneida County Clerk, Courthouse
P.O. Box 400
Rhinelander, WI 54501

OFFICE OF COUNTY CLERK
ONEIDA COUNTY
AUG 22 2022
ONEIDA COUNTY CLERK

RECEIVED
AUG 17 2022
ONEIDA COUNTY
PLANNING & ZONING

\$600.00

Ladies and Gentlemen:

The undersigned hereby petitions the Oneida County Board of Supervisors to change the zoning district classification of the following described land in the Town of MINOCQUA, Oneida County, Wisconsin, from MULTI-FAMILY zoning district to BUSINESS B-2 zoning district:

Insert property description. Attach map.

SEE ATTACHED

Reason for rezone:

SEE ATTACHED

Respectfully submitted on the 15 day of Aug 20 22 by:

Owner	Agent
Name: <u>ISLAND CITY ESTATES, LLC</u>	Name: <u>JAMES L. REIN</u> <u>WILDERNESS SURVEYING</u>
Address: <u>8783 HANSEN RD.</u>	Address: <u>PO BOX 1111</u>
City/State/Zip: <u>MINOCQUA, WI. 54548</u>	City/State/Zip: <u>MINOCQUA, WI. 54548</u>
Telephone No: <u>[Signature]</u>	Telephone No: <u>715-356-5100</u>
Signature <u>[Signature]</u>	Signature

NOTICE TO PETITIONERS

Procedures to rezone/amend this ordinance are required to comply with the provisions of statute and administrative rule as described in Section 9.86 of the Oneida County Zoning and Shoreland Protection Ordinance.

1. You are required to pay a fee in the amount of \$600.00 payable to Oneida County Planning and Zoning at the time your petition is filed.
2. Petitions shall be filed with the County Clerk at least two weeks in advance of the County Board meeting at which your petition will be considered.
3. Notice of Public Hearing on your petition will be published as a Class II Notice under Chapter 985, Wisconsin Statutes. You or your agent are required to attend the hearing and will be notified of the time and location.
4. You must provide a (plat/wetland/floodplain) map with the boundaries of any area you wish to rezone clearly depicted.
5. The criteria which the Planning & Development Committee must consider in order to reach a decision on your petition are stated in the ordinance:

Section 9.86 – Floodplain & Comprehensive
Section 9.91 (F) – Shoreland – Wetland

You must provide a written statement to the committee addressing each of these criteria as they relate to your proposed amendment/rezoning.

Shoreland-Wetland Rezoning/Amendment Criteria

Section 9.91 (F)(2) A wetland, or a portion thereof, in the Shoreland-Wetland district shall not be rezoned if the proposed rezoning may result in a significant adverse impact upon any of the following:

1. Storm and flood water storage capacity.
2. Maintenance of dry season stream flow, the discharge of groundwater to a wetland, the recharge of groundwater from a wetland to another area, or the flow of groundwater through a wetland.
3. Filtering or storage of sediments, nutrients, heavy metals or organic compounds that would otherwise drain into navigable waters.
4. Shoreline protection against soil erosion.
5. Fish spawning, breeding, nursery or feeding grounds.
6. Wildlife habitat.
7. Areas of special recreational, scenic or scientific interest, including scarce wetland types.

Section 9.91 (F)(3) If the Department of Natural Resources (DNR) has notified the committee that a proposed amendment to the Shoreland-Wetland District may have a significant adverse impact upon any of the criteria listed in Section 9.91 (F)(2) of this ordinance, that amendment, if approved by the County Board, shall contain the following provision: "This amendment shall not take effect until more than thirty (30) days have elapsed since written notice of the County Board's approval of this amendment was mailed to the DNR. During that 30-day period the DNR may notify the County Board that it will adopt a superseding Shoreland Ordinance for the county under sec. 59.692 (6), Wis. Stats. If the DNR does so notify the County Board, the effect of this amendment shall be stayed until sec. 59.692 (6), Wis. Stats., adoption procedure is completed and otherwise terminated."

Rezone Details

We are looking to rezone the entire Island Estates property to Business B-2 District. Currently the northerly portion of the lot is zoned Business B-2 and the southerly portion is zoned Multi-Family.

In 2000 there was a CUP approved for 6 buildings, 5 buildings had 36 units in each and the 6th building had 96 units. In 2002 the CUP was amended to have 7 buildings, 6 buildings with 36 units each and the 1 as a 96 unit assisted living center.

Currently there are two 36 units apartment buildings constructed on the property. The new owner would like to move forward and complete the entire project. Federal housing loans require the new owner to separate the existing constructed buildings from the newly proposed. This requires us to complete a CSM to divide off the existing buildings from the proposed. Once we do the CSM to create the division we no longer comply with the zoning requirements for zoning on the property. If we rezone the property all into Business B-2 district we will comply with the current zoning requirements. Therefore, we would like to proceed with the requested zoning change.

582673

ONEIDA COUNTY CERTIFIED SURVEY MAP NO. 002868

REGISTER'S OFFICE
Oneida County, WI

Received for Record the 18th day of
August A.D. 2003 at
3:40 o'clock P.M. and recorded in
Vol. 12, 5th on page 2828-2828-A
Teresa H. Jorgensen
Register

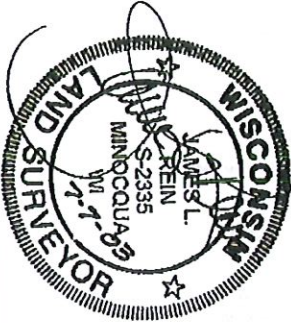
1 1/4" dia. iron pipe
Found in place.
See U.S.P.S. Mon. Rec.



1 1/4" dia. iron pipe
Found in place.

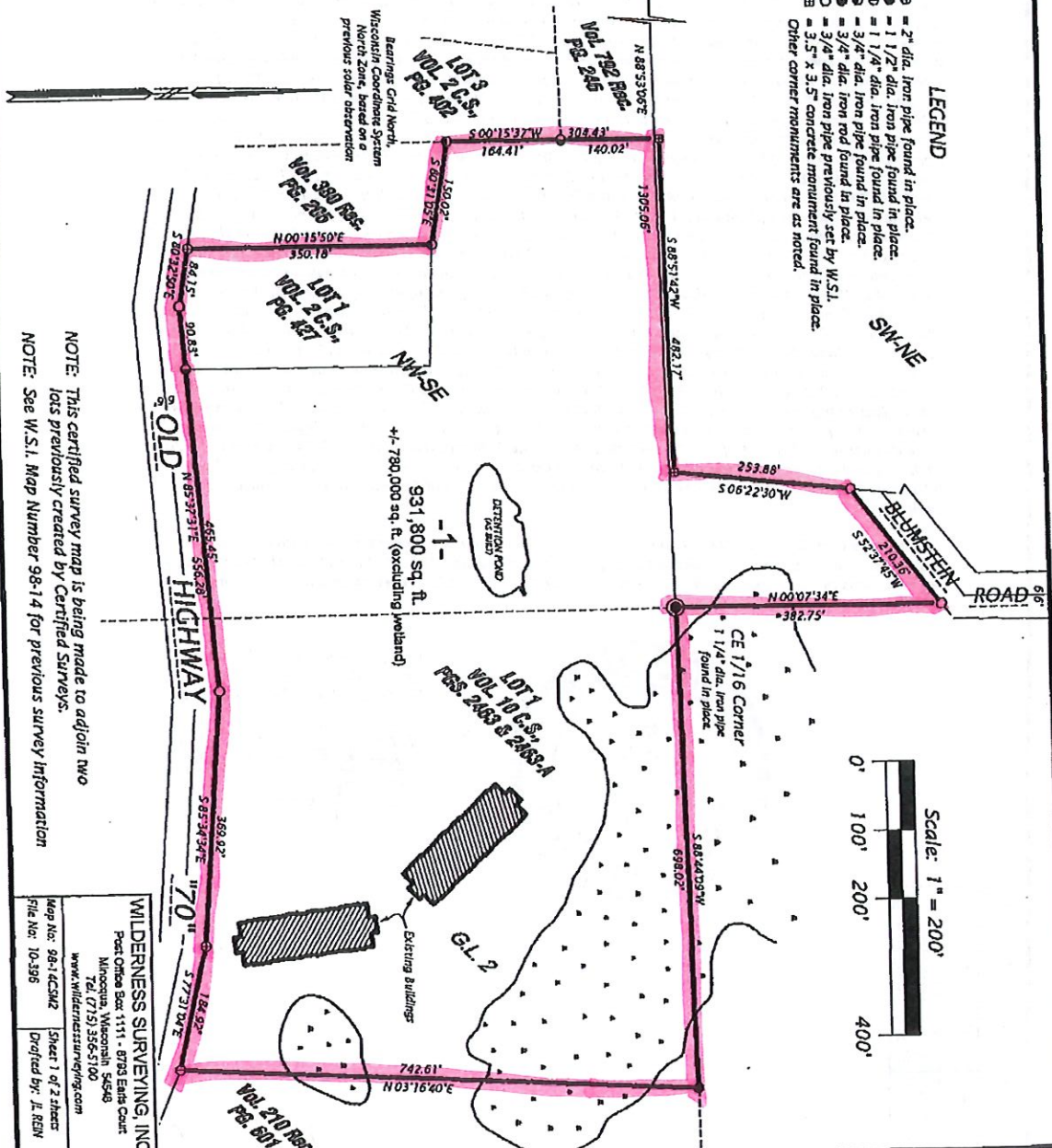


Part of
Gov't. Lot 2
and part of the
SW 1/4 of the NE 1/4
and part of the
NW 1/4 of the SE 1/4
Section 10, T39N, R6E
Minocqua Township
Oneida County, Wisconsin



LEGEND

- = 2" dia. iron pipe found in place.
 - = 1 1/2" dia. iron pipe found in place.
 - = 1 1/4" dia. iron pipe found in place.
 - = 3/4" dia. iron pipe found in place.
 - = 3/4" dia. iron rod found in place.
 - = 3/4" dia. iron pipe previously set by W.S.L.
 - ⊞ = 3.5" x 3.5" concrete monument found in place.
- Other corner monuments are as noted.



NOTE: This certified survey map is being made to adjoin two
lots previously created by Certified Surveys.
NOTE: See W.S.L. Map Number 98-14 for previous survey information

WILDERNESS SURVEYING, INC.
P.O. Box 1111 - 8793 Edin Court
Minocqua, Wisconsin 54450
Tel. (715) 356-5100
www.wildernesssurveying.com

Map No. 98-14CSM2
File No. 10-396
Sheet 1 of 2 sheets
Drafted by: J.L. REIN

ONEIDA COUNTY CERTIFIED SURVEY MAP NO. _____

SURVEYOR'S CERTIFICATE

I, James L. Rein, Registered Land Surveyor No. S-2335, hereby certify that by the direction of Robert A. Rynders, I have surveyed and mapped Lot 1, which is represented by this Certified Survey Map; that the exterior boundary of the parcel of land surveyed and mapped is described as follows:

Lot 1, being part of Government Lot 2, the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter, Section 10, Township 39 North, Range 6 East, Minocqua Township, Oneida County, Wisconsin, more particularly described as follows:

Commencing at the west quarter corner of Section 10, marked by an iron pipe; thence North 88 degrees 34 minutes 07 seconds East for a distance of 2313.98 feet along the quarter line to the center quarter corner, marked by an iron pipe; thence continuing along the quarter line North 88 degrees 53 minutes 06 seconds East for a distance of 1305.06 feet to the place of beginning, being the CE 1/16 Corner, marked by an iron pipe.

Thence North 00 degrees 07 minutes 34 seconds East for a distance of 382.75 feet along the easterly line of the Southwest Quarter of the Northeast Quarter to an iron pipe on the southerly right of way line of Blumstein Road; thence South 52 degrees 37 minutes 45 seconds West for a distance of 210.36 feet along the southerly right of way line of Blumstein Road to an iron pipe on the easterly line of that parcel of land described in Volume 137 Deeds, page 278; thence South 06 degrees 22 minutes 30 seconds West for a distance of 253.88 feet along the easterly line of that parcel of land described in Volume 137 Deeds, page 278 to a concrete monument; thence South 88 degrees 51 minutes 42 seconds West for a distance of 482.17 feet along the southerly line of that parcel of land described in Volume 137 Deeds, page 278 to a concrete monument; thence South 00 degrees 15 minutes 37 seconds West for a distance of 140.02 feet along the easterly line of that parcel of land described Volume 792 Records, page 246 to the northeasterly corner of Lot 3 of Oneida County Certified Survey Map No. 402, marked by an iron rod; thence continuing South 00 degrees 15 minutes 37 seconds West for a distance of 164.41 feet along the easterly line of Lot 3 of Oneida County Certified Survey Map No. 402 to an iron pipe at an intersection with the northerly line of that parcel of land described in Volume 380 of Records, page 205; thence South 80 degrees 31 minutes 05 seconds East for a distance of 150.02 feet along the northerly line of that parcel of land described in Volume 380 Records, on page 205 to an iron pipe; thence South 00 degrees 15 minutes 50 seconds West for a distance of 350.18 feet along the westerly line of Lot 1 of Oneida County Certified Survey Map No. 427 to an iron pipe on the northerly right of way line of Old Highway "70"; thence South 80 degrees 32 minutes 50 seconds East for a distance of 84.15 feet along the northerly right of way line of Old Highway "70" to an iron pipe; thence North 85 degrees 37 minutes 31 seconds East for a distance of 556.28 feet along the northerly right of way line of Old Highway "70" to an iron pipe; thence South 85 degrees 34 minutes 34 seconds East for a distance of 369.92 feet along the northerly right of way line of Old Highway "70" to an iron pipe; thence South 77 degrees 31 minutes 04 seconds East for a distance of 184.92 feet along the northerly right of way line of Old Highway "70" to an iron pipe at the southwesterly corner of that parcel of land described in Volume 210, page 601; thence North 03 degrees 16 minutes 40 seconds East for a distance of 742.61 feet along the westerly line of that parcel of land described in Volume 210, page 601, to an iron pipe on the north line of Government Lot 2; thence South 88 degrees 44 minutes 09 seconds West for a distance of 698.02 feet along the north line of Government Lot 2 to the place of beginning.

That this Certified Survey Map is a correct representation of the exterior boundary surveyed and described; that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Provisions of the Oneida County Subdivision Control Ordinance in surveying and mapping same.



Certified at Minocqua, Wisconsin this 7th day of July, 2003. WILDERNESS SURVEYING, INC.

Handwritten signature of James L. Rein, Registered Land Surveyor S-2335.

Map No. 98-1425WZ
File No. 10-386
WILDERNESS SURVEYING, INC.
P.O. Box 1111, 4025 54th Court
Minocqua, Wisconsin 54858
Tel: (715) 356-8100
www.wildernesssurveying.com
Sheet 2 of 2 sheets
Drafted by: J. REIN

13-13899

"The Island City"™

TOWN OF MINOCQUA

MARK P. HARTZHEIM, Chairman
JOHN L. THOMPSON, Supervisor
SUSAN M. HEIL, Supervisor
BRIAN L. FRICKE, Supervisor
ERIKA L. PETERSEN, Supervisor

415 Menominee Street, Suite 300
Minocqua, Wisconsin 54548
Phone: 715.356.5296
Fax: 715.356.1132
www.townofminocqua.org

ROBEN A. HAGGART, Clerk
KIM STRASBURG, Treasurer
MARK A. PERTILE, Public Works Dir.
DAVID J. JAEGER, Chief of Police
LUKE E. TAYLOR, Fire Chief

October 19, 2022

Oneida County Planning & Zoning Department
Attn: Mr. Karl Jennrich, Director
P.O. Box 400
Rhineland, Wisconsin 54501

RECEIVED
OCT 21 2022
ONEIDA COUNTY
PLANNING & ZONING

Subject: REZONE PETITION #52-22 by Island City Estates, LLC, owner, to rezone property from District #3 Multiple Family to District #7 Business B-2 for properties described as being Lot 1, CSM 2868, being parts of Government Lot 2, SW NE, NW SE, Section 10, T39N, R6E, PIN# MI-2166-17, 9752 Old Hwy 70, Town of Minocqua, Oneida County, Wisconsin.


Dear Mr. Jennrich:

The subject rezone petition was on the October 18th, 2022 meeting agenda of the Minocqua Town Board of Supervisors. The Town Board voted to recommend approval of the rezone petition by a vote of 3-1.

The Town is aware that "conditional rezoning" (approving change of zoning classification contingent upon a specific use) is not legal, and its legal counsel has advised that there is not a legal workaround for this.

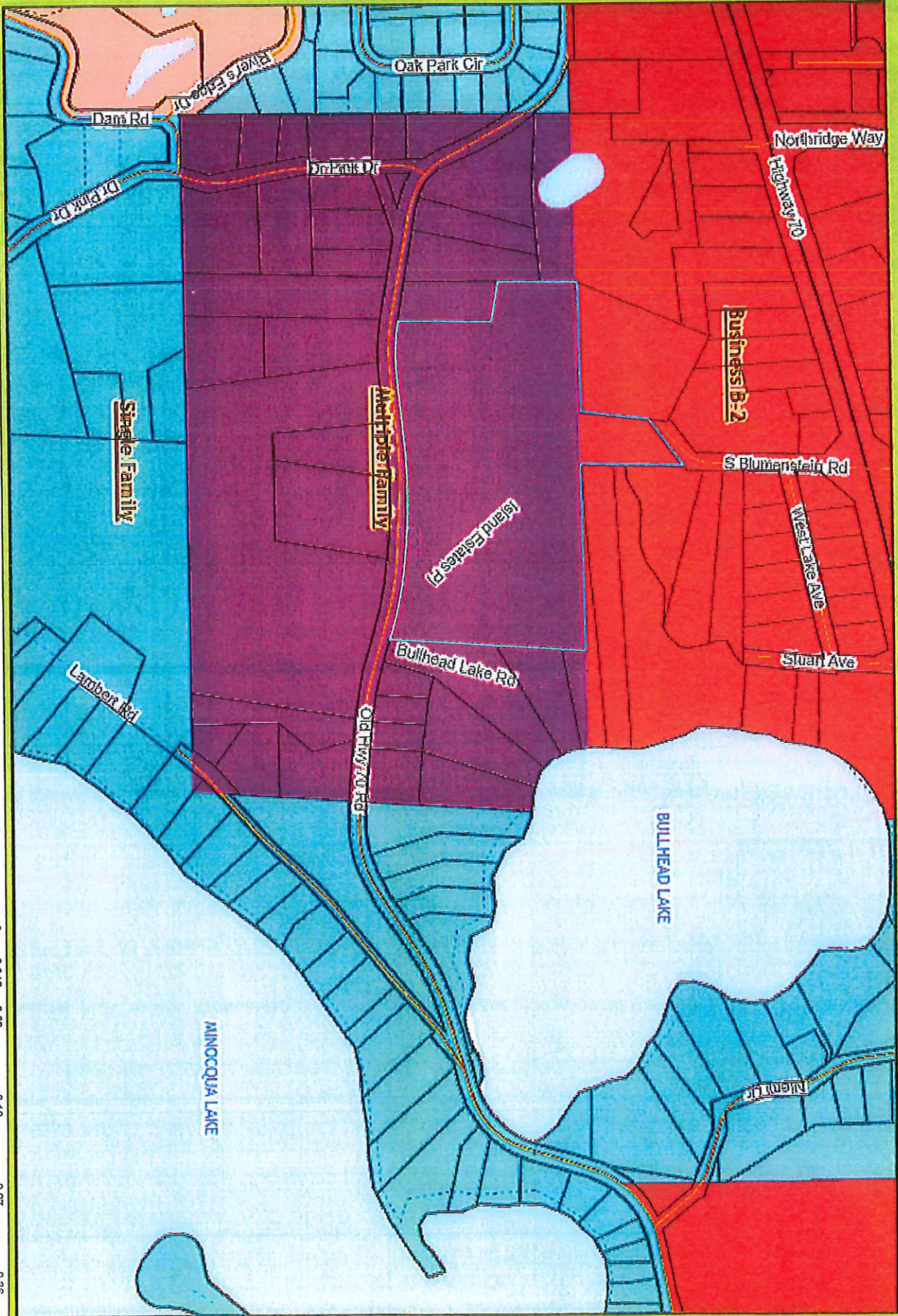
Jimmy Rein, Jr., the agent representing the property owner, has stated that the owner, Matt Ritchie, gives his personal assurance that he has no other desire or intention to develop the property other than for development of residential housing, and that if there was a legal means of making the petition contingent upon his proposed construction of apartment buildings, he would sign off on it.

Sincerely,



Mark Hartzheim, Chairman
Town of Minocqua

cc: Clerk Haggart.



- this is not a survey map
Oneida County, Wisconsin

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This map is courtesy of the Oneida County Land Information office and is a general sketch of areas in Oneida County. It should not be used to represent surveys of property. See original source documents for more information.

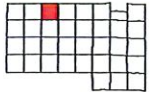
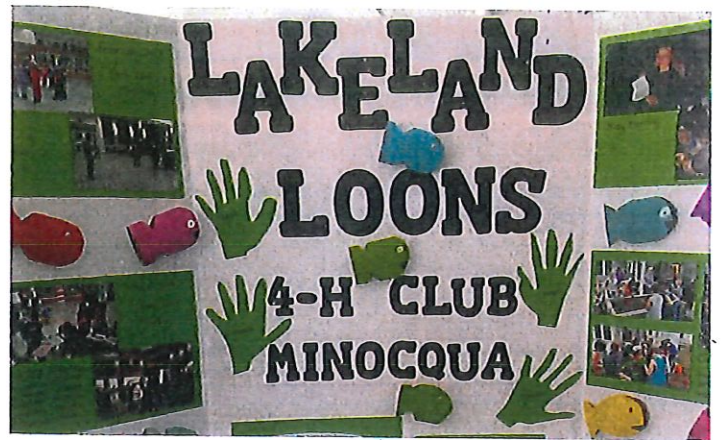


Need Additional Plat Books?

Oneida County UW-Extension
4-H Leaders' Association

3375 Airport Road, #10 • Rhinelander, Wisconsin 54501
715-365-2750

Call for additional purchase locations.



Minocqua (NE) & Woodruff (W)
See Aerial Map Page 97

Township 39N - Range 6E

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Rezone # 14-2022

