

RESOLUTION NO.: Z-13—2024-25

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 The Town of Black Creek has adopted a comprehensive Zoning Ordinance separate from
2 that of Outagamie County. Section 60.62 (3) of the Wisconsin State Statutes require that
3 all zoning amendments made by the Town of Black Creek be approved by Outagamie
4 County before they are effective. The Outagamie County Planning Staff and Zoning
5 Committee both recommend approval.
6

7 NOW THEREFORE, the undersigned members of the Agriculture, Extension Education, Zoning
8 and Land Conservation Committee recommend adoption of the following resolution.

9 BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve of the
10 proposed rezoning request for Heiden Rev Family Trust. The proposed rezoning is for parcel 010048502
11 from the AED Exclusive Agriculture District to the AGD General Agriculture District. The parcel is
12 located north of the intersection of Wolf Road and County Road PP, in the Town of Black Creek,
13 Outagamie County, WI, as depicted on the attached review and map, which by reference are made a part
14 hereof, and

15 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a certified
16 copy of this resolution to the Outagamie County Zoning Administrator and the Clerk of the Town of Black
17 Creek.

18 Dated this ____ day of March, 2025
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Respectfully Submitted,

AGRICULTURE, EXTENSION
EDUCATION, ZONING & LAND
CONSERVATION COMMITTEE

Debbie Vander Heiden

Mike Janke

Jayme Heiser

Daniel Rettler

Mark Mitchell

Duly and officially adopted by the County Board on: _____

Signed:

Board Chairperson

County Clerk

Approved: _____

Vetoed: _____

Signed:

County Executive



Department of Development and Land Services
Planning & Zoning | GIS & Land Information
320 S. Walnut St. | Appleton, WI 54911
Outagamie County Government Center, 3rd Floor
Phone: (920) 832-5255 Fax: (920) 832-4770
www.outagamie.org

MEMORANDUM

TO: Outagamie County Zoning Committee
FROM: Austin Dyb, Land Use Specialist
DATE: February 11th, 2025
RE: PL202500025: Town Rezoning - Review and Recommendation

Application Details:

Applicant/Owner: HEIDEN REV FAMILY TRUST (Owners)
TOWN OF BLACK CREEK (Applicant)

Request: Rezoning - Town

Parcel: 010048502

Location: Lot 1 CSM 8635

Public Hearing: September 9th, 2024 at 7:00 PM held by the Town of Black Creek

Background:

Outagamie County received a Town Rezoning request from the Town of Black Creek, as depicted on the attached Rezoning Map. The proposal would rezone parcel 010048502 (3.3 acres) from the AED Exclusive Agriculture District to the AGD General Agriculture District. The rezone to AGD is to accommodate the future construction of a Single Family Home.

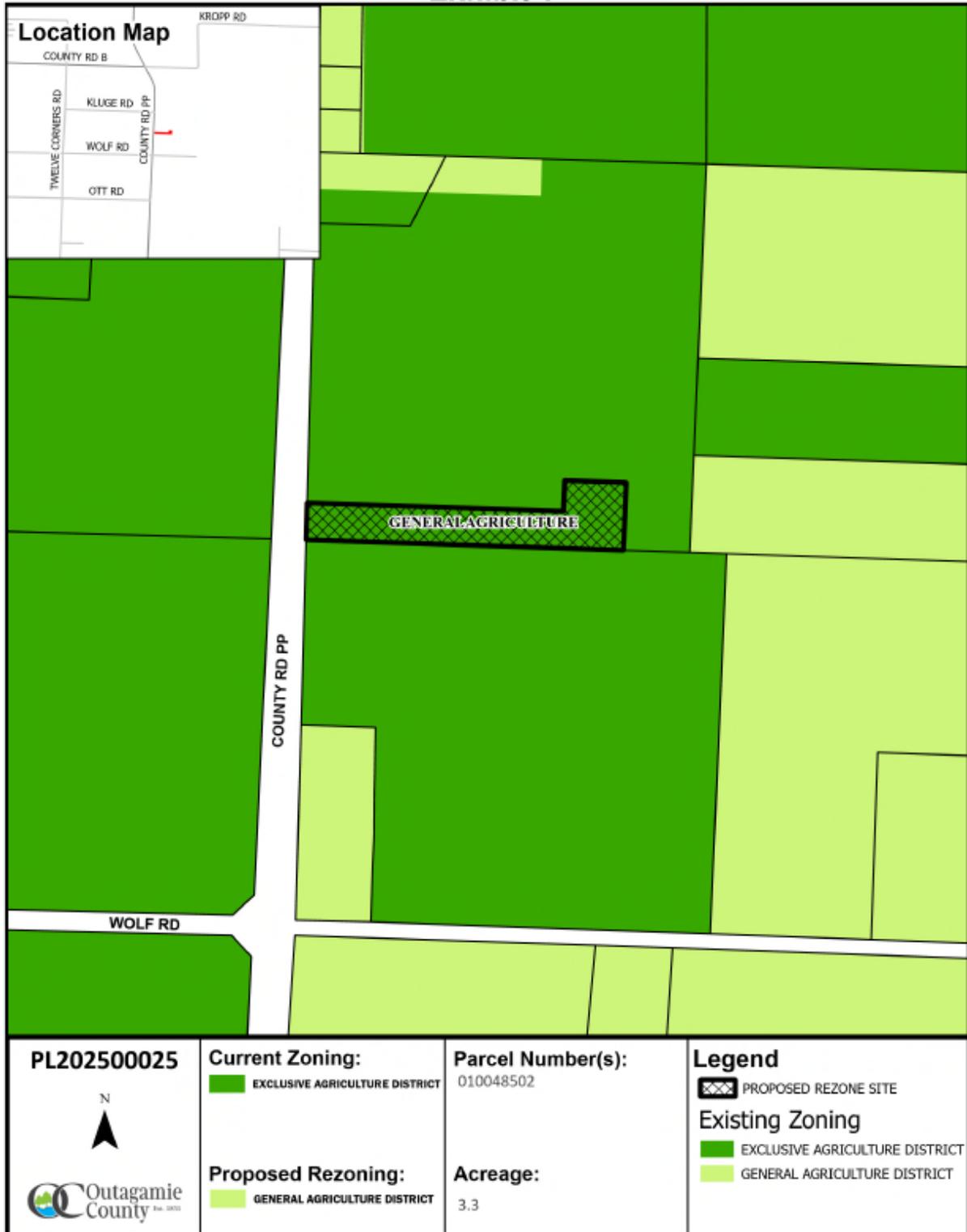
The Town of Black Creek has adopted General Town Zoning. The Town of Black Creek is required to find this rezoning consistent with its Comprehensive Plan. They identified the rezoning to be consistent with its Comprehensive Plan and recommended approval at their September 9th, 2024 Town Board Meeting.

Outagamie County typically finds rezones from AED to AGD to be consistent with its Comprehensive plan. Therefore, Outagamie County concurs that the rezone is consistent, as the County Comprehensive Plan Future Land Use Map identifies this area as Agriculture and Open Space.

Staff Recommendation:

Based on County staff's review of this proposed Town Rezoning, Staff recommends to **Approve the rezoning of parcel 010048502** from the AED Exclusive Agriculture District to the AGD General Agriculture District.

Exhibit 1





Department of Development and Land Services
 Planning & Zoning | GIS & Land Information
 320 S. Walnut St. | Appleton, WI 54911
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TOWN RECOMMENDATION FORM

This form must accompany any County petition requesting a rezone (map amendment), special exception permit, special exception airport permit, conditional use permit, variance, or appeal. Towns must provide a signed copy of this form to the applicant/petitioner and should retain a copy.

OVERVIEW OF REQUEST:

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|--|---|
| Town (or Applicable Village): | |
| Request: | Rezoning |
| Applicant or Petitioner Name: | Kyle Heiden |
| Applicant Contact Information (Preferred): | W5172 Wolf Road, Black Creek WI 54106 |
| Site Parcel Number(s): | 010048500 |
| Site Address (if applicable): | |
| Pre-Application Meeting Number (if applicable): | |
| Description of the Request: <i>(Please summarize the purpose of this request and/or attach a copy of the pre-application meeting summary, if applicable.)</i> | Kyle Heiden, has requested that parcel no. 010048500, part of the NW ¼ of the NW ¼, of Section 23, Township 23 N, Range 17 E, Town of Black Creek, Outagamie County, Lot #2, 3.299 acres currently zoned exclusive agriculture be rezoned to general agriculture. |

COMPLETED BY THE CLERK:

Certification:

I hereby certify that the Board of Black Creek, at a legally convened meeting of the Board held on 09/09/2024, voted to Approve the Rezoning request:

Barbara A Chizak Clerk Signature 9/23/2024 Date

| | | | | |
|---|---|-----|---|---------|
| Motion Outcome by a Vote of: | 3 | For | 0 | Against |
| General Comments/Reasons for the Decision: <i>(See next page for instructions. If needed, you may include additional pages.)</i> | | | | |