



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: 920-920-832-4770
www.outagamie.org

AGENDA

**OUTAGAMIE COUNTY BOARD OF ADJUSTMENT
FRIDAY, SEPTEMBER 2, 2022 – 8:30 A.M.
COUNTY BOARD ROOM – LEVEL 2
COUNTY GOVERNMENT CENTER
320 S. WALNUT STREET
APPLETON WI 54911**

- I. 8:30 A.M. MEETING CALLED TO ORDER
- II. SELECT CHAIR FOR BOARD OF ADJUSTMENT, PURSUANT TO 54-885(a) OUTAGAMIE CO. CODE OF ORDINANCES
- III. APPROVAL OF MINUTES FROM MAY 23, 2019
- IV. PUBLIC HEARING
 - a. Variance Request for Harris & Associates, applicant on behalf of Garrow Properties, owner, V-1-2022; Town of Grand Chute
 - i. **THE BOARD OF ADJUSTMENT MAY ELECT TO GO INTO CLOSED SESSION PURSUANT TO CHAPTER 19.85(1)(a), WISCONSIN STATUTES, TO DELIBERATE THE ABOVE APPLICATION(S) FOR VARIANCE OR APPEAL.**
- V. ADJOURNMENT

CC: County Clerk
Legislative Services
Petitioner(s)
Steven Swanson
Kara Homan
Town of Grand Chute Clerk

Accommodation Notice:
Any person requiring special accommodation who wishes to attend this meeting should call (920) 832-5255 at least 48 hours in advance.

DRAFT MINUTES
BOARD OF ADJUSTMENT
THURSDAY, MAY 23, 2019

Members Present: Mr. Robert Stadel, Mr. Roy Hegard, and Mr. George Fickau

Others Present: Steve Swanson, Zoning Administrator
Hilary Pattermann, DLS Administrative Assistant
Isaac Uitenbroek, Land Use Specialist
Kara Homan, Director

I. CALL TO ORDER

THE MEETING WAS CALLED TO ORDER AT 9:30 A.M.

II. MINUTES

MOTION: AT 9:30 A.M. R. HEGARD / G. FICKAU MOVED TO APPROVE THE MINUTES OF MAY 3, 2019. MOTION CARRIED 3-0.

III. WRITTEN DECISIONS

Administrative Appeal for Steven Jenkel, V-1-2019; Town of Center

ZA Swanson provided the application details as a review of the file and read the written decision to the board. The board did not have any further questions or comments of the written decision.

MOTION: AT 9:37 A.M. R. HEGARD / G. FICKAU MOVED TO APPROVE THE WRITTEN DECISION OF THE ADMINISTRATIVE APPEAL. MOTION CARRIED 3-0.

IV. ADJOURNMENT

MOTION: R. HEGARD / G. FICKAU MOVED TO ADJOURN AT 9:38 A.M.
MOTION CARRIED. 3-0

Respectfully Submitted,

Hilary Pattermann, Administrative Assistant
Development and Land Services

would require a Comprehensive Plan amendment and a rezoning from AGD to Residential Single Family to be considered buildable for residences. Planning staff has stated they would not recommend approval of the Comprehensive Plan amendment or the rezoning. Planning Staff has determined that the Comprehensive Plan designates the area as “future agriculture” and the property is within proximity to an active non-metallic mine and there is an incompatibility between higher intensity residential uses and an active quarry. Staff did inform Mr. Jenkel he could pursue a Comprehensive Plan amendment and the rezoning because it would ultimately be the decision of the Zoning Committee and County Board to approve or deny it. ZA Swanson also stated he determined the ordinance was accurate and no ambiguity was found, then no further action would be required.

ZA stated the purpose of the general agriculture district is for open land areas for farming and agricultural uses along with certain areas for limited residential.

ZA Swanson provided the excerpts from the Outagamie County Code of Ordinances Section 54:

Section 54 – 128 identifies the permitted principal uses and structures within the AGD district (emphasis added):

Sec. 54-128. - Permitted principal uses and structures.

Permitted principal uses and structures within the AGD general agricultural district are as follows:

- (1) Permitted principal uses and structures in the AED exclusive agricultural district.
- (2) Public and semipublic nonprofit institutional uses, including churches, schools, libraries, museums and uses of a similar nature.
- (3) Parks, preserves and golf courses.
- (4) Single-family detached dwellings and mobile homes unrelated to any farm operation as a principal use and structure on individual lots, which are not part of a recorded subdivision plat as defined in chapter 52 of this Code of Ordinances.

Code 1992, § 17.32(2); Ord. of 6-27-2000, § 17.32(2); Ord. No. M-2013-14, 2-25-2014)

Section 54-100 identifies the permitted principal uses and structures within the AED district (referenced above in Section 54-128 (1)):

Sec. 54-100. - Permitted principal uses and structures.

Permitted principal uses and structures within the AED exclusive agricultural district are as follows:

- (1) The following agricultural uses, conducted for the purpose of earning an income or livelihood:
 - a. Crop or forage production.
 - b. Keeping livestock.
 - c. Beekeeping.
 - d. Nursery, sod, or Christmas tree production.
 - e. Floriculture.
 - f. Aquaculture.

- g. Forest management.
 - h. Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program.
 - i. Any other use that department, by rule, identifies as an agricultural use.
- (2) Undeveloped natural resources and open spaces areas.
- (3) Dwellings existing before the effective date of adoption of the ordinance from which this chapter is derived, which are not accessory to or associated with agricultural uses. Until ATCP 49 is in effect, pre-existing nonfarm residences are nonconforming uses.

(Code 1992, § 17.31(2); Ord. No. Z-3-2012-13, 1-8-2013; Ord. No. M-2013-14, 2-25-2014)

Staff recommends denial of the request because the pertinent code provision Section 54-128(4) is not ambiguous and was consistently and uniformly applied by County Planning and Zoning staff, and meets the purpose of Chapter 54, Outagamie County Zoning Ordinance.

ZA Swanson provided the committee members with copies of correspondence from an adjacent property owner. ZA Swanson read the letter from the property owner, located west of the subject property that Mr. Jenkel owns. The property owner is opposed to the administrative appeal and provided pictures of flooding issues on his property and stated he is against any further development Mr. Jenkel proposes.

Mr. Jenkel stated he is in favor of the administrative appeal. He asked the committee members to look at the pictures from the adjacent property owner and where the home is located in relation to the floodplain. Mr. Jenkel stated he does not get along with the adjacent property owner because he is married to Mr. Jenkel's sister and believes it is a personal attack and it is a family issue and does not want the committee to be swayed based on this information. Mr. Jenkel stated that before the floodplain maps went into effect, the adjacent neighbors were able to get a permit to build a house with a basement and that is why he believes he has flooding issues. Mr. Jenkel discussed requirements of culverts because the adjacent property owner mentioned water was being blocked, creating additional flooding and Mr. Jenkel disagrees with that statement. Mr. Jenkel stated he is proposing to split a lot because of a navigable water way that creates a natural boundary.

Mr. Jenkel provided the committee a copy of Chapter 91 State Statutes and stated "it doesn't make the Comprehensive Plan by its self a regulation". Mr. Jenkel read multiple lines from the State Statutes in regards to a provision of the zoning ordinance being unambiguous. He also stated he had a spreadsheet of past and present staff and mentioned that past staff had a change of wording in the ordinance which was approved by the County Board February 25, 2014. Mr. Jenkel mentioned that the Grandview Road Plat was approved in November of 2014, and stated that it was identical to the plat that he is proposing. He stated that approving the Grandview Road Plat set a precedent and it is the duty and responsibility of the County to treat everyone the same. Mr. Jenkel would like to see staff follow procedure as the same as the Grandview Road Plat and the lots were zoned agricultural and were allowed to build single family residences on the lots. Mr.

Jenkel stated that it would only be fair to treat everyone the same as how the Grandview Road Plat was handled and approved.

No one else appeared in favor.

Wayne DeBruin, Town of Center, stated he was opposed and stated that the land should have originally been split as a subdivision plat then. Mr. DeBruin is against Mr. Jenkel's request for spot zoning. Mr. DeBruin also discussed the water issues of the adjacent property.

Mr. Stadel asked if any others wished to speak in opposition, no one spoke up but Mr. Jenkel asked to speak again.

Mr. Jenkel explained to Mr. DeBruin that he is not trying to rezone the property, he wants to keep it agricultural. Mr. DeBruin stated that he should have made it a subdivision right away and he should not try to get the County to change the subdivision ordinance. Mr. Jenkel stated he is not trying to change the ordinance, he would like for staff to be consistent.

MOTION: R. SCHUH MOVED TO CLOSE THE PUBLIC HEARING. R HEGARD REQUESTED FURTHER CLARIFIATION FROM THE APPLICANT. R. STADEL ALLOWED THE REQUEST.

R. Hegard asked Mr. Jenkel if he believes the Subdivision Ordinance is ambiguous; Mr. Jenkel agreed, stating he believes the Subdivision Ordinance is not meeting the standards of being very clear. R. Hegard asked for Mr. Jenkel to review his argument based on why he believes that.

Mr. Jenkel stated that when he reads the ordinance he does not think it states clearly that it has to be rezoned and does not believe there is a connection between the two. Mr. Jenkel said that in the Subdivision Ordinance, Chapter 54, it does not state that if it is not split by CSM that it has to be rezoned. He also stated that the past staff's interpretation allowed the Grandview Road Plat to be kept general agriculture and build single family residences. R. Hegard stated that the Committee and County staff are not bound by past decisions; as such, past decisions do not set a legal precedent. Mr. Jenkel mentioned that if he went to court, the court would look back to see that it had previously been done. He also discussed that the past staff allowed a plat to be approved and allowed single family residences nine months after the ordinance wording was changed to what it currently is. R. Hegard asked Mr. Jenkel to confirm whose plat Grandview Road was. Mr. Jenkel stated it was another person's plat and R. Hegard stated again that it would not hold precedent. Mr. Jenkel believes the decision was ambiguous by the actions that were made. R. Hegard stated that Staff could have approved the plat for other reasons than it being ambiguous. Mr. Jenkel was upset that the ordinance wasn't followed strictly with the previous plat for Grandview Road. R. Stadel wanted an explanation of what the Grandview Road Subdivision Plat was allowed to do that Mr. Jenkel is not being allowed. Mr. Jenkel stated that they were allowed to exceed the number of lots and not rezone. He

stated that the lot he is planning on splitting has a natural waterway and the Grandview Road Plat did not have that feature. He stated that the plat was allowed to exceed four lots without rezoning. Mr. Jenkel believes that no one would want to buy a property zoned residential and they would not be able to have a hobby farm.

R. Hegard asked for staff's input in regards to the previous plat that was approved. R. Stadel mentioned he would like to see the decision outside of the public hearing. R. Hegard wanted the applicant to be able to respond based on what staff's response was. R. Stadel stated the applicant had enough time to speak.

MOTION: AT 9:01 A.M. R. SCHUH / R. STADEL MOVED TO CLOSE THE PUBLIC HEARING. MOTION CARRIED 2-0. R. HEGARD DID NOT VOTE.

ZA Swanson stated that he stands by his statement that Section 54-128(4) is not ambiguous. ZA Swanson believes Mr. Jenkel deserves his response to his concerns about the previously approved plat and stated that it was the only plat that was not consistent with the standard practices and was not rezoned. ZA Swanson stated the approval of the plat occurred the same year the change of ordinances occurred and under a different Zoning Administrator, Timothy Roach. ZA Swanson stated that staff is consistent with rezonings and Comprehensive Plan amendments. R. Hegard asked ZA Swanson if he had knowledge of why the plat was granted without the rezoning; ZA Swanson did not. R. Hegard stated again that the committee is not bound by precedent. R. Stadel asked ZA Swanson to confirm that the timeframe the Grandview Road Plat was approved in, was the same year that the ordinance was modified to change the wording and require a subdivision to be rezoned; ZA Swanson confirmed.

R. Hegard asked how staff applied the ordinance to the application; ZA Swanson read an excerpt from Section 54-128(4):

"(4) Single-family detached dwellings and mobile homes unrelated to any farm operation as a principal use and structure on individual lots, which are not part of a recorded subdivision plat as defined in chapter 52 of this Code of Ordinances."

ZA Swanson stated that that language requires a platted subdivision to be rezoned. The lots created by CSM are buildable but Mr. Jenkel is looking to split a lot by subdivision plat, which would require it to be rezoned to allow single family residences and it would not be supported by staff.

R. Hegard mentioned that Mr. Jenkel had previously come to the board to appeal the interpretation of the number of lot splits from the parent parcel; ZA Swanson confirmed that was settled with Mr. Jenkel.

R. Hegard asked about the permitted uses and structures of Section 54-128(4) General Agriculture District. R. Hegard stated it did not mention anything about subdividing a parcel, meaning the applicant could split the parcel but he would be allowed to build on it; ZA Swanson confirmed that to be true. ZA Swanson stated that Mr. Jenkel could subdivide the property but he wouldn't be able to build anything on it without rezoning or

requesting a Comprehensive Plan amendment.

R. Hegard asked ZA Swanson to state what the applicant was appealing. ZA Swanson read the application request “Interpretation of the Development & Land Services, that a land division of two lots by plat is required to be rezoned from agriculture to single family (to allow a single family residence as a permitted use)”.

MOTION: 9:23 A.M. R. HEGARD MOVED TO DENY THE VARIANCE TO BUILD ON THE PROPERTY IF SUBDIVIDED. MOTION CARRIED 3-0.

ZA Swanson asked the committee to provide further details on the decision they made; R. Stadel stated they would discuss the findings of fact.

The committee discussed the findings of fact to allow ZA Swanson to provide a written decision.

R. Hegard stated he believed the public hearing was properly published and notice was provided; ZA Swanson confirmed it had been published in the Appleton Post Crescent.

R. Schuh restated a point that R. Hegard made that the parcel would be allowed to be split by subdivision plat but would not be buildable without rezoning the property.

R. Hegard stated they did not find ambiguity; therefore, in the provision of the Outagamie County Ordinance, no further actions are required.

The committee members agreed that the discussion of floodplains with the adjacent owner did not need to be involved in the decisions and the land clearly flooded before the development occurred.

The applicant created more than four new parcels from the parent parcel and a split of the remaining parcel would define it as a subdivision as stated in Section 52-8 and not permitted for single-family detached dwellings in the AGD – General Agricultural District as stated in Section 54-128(4).

R. Stadel asked if there was enough information provided from the committee for ZA Swanson to draft a written decision. ZA Swanson confirmed he did have enough information and would prepare the draft decision for the next scheduled meeting.

Director Homan pointed out to the committee that the original motion was in regards to a variance and this application was for an administrative appeal. R. Stadel agreed the motion should be amended.

MOTION AMENDED: 9:28 A.M. R. HEGARD / R. SCHUH AMENDED THE MOTION TO DENY THE ADMINISTRATIVE APPEAL. MOTION CARRIED 3-0.

IV. ADJOURNMENT

MOTION: R. SCHUH / R. HEGARD MOVED TO ADJOURN AT 9:29 A.M. MOTION CARRIED. 3-0

Respectfully Submitted,

Hilary Pattermann, Administrative Assistant
Development and Land Services

Find us on  @Outagamie County Highway Department**MEMORANDUM**

TO: Zoning Board of Adjustment
FROM: Michael Morman, Assistant Highway Engineer
DATE: August 5, 2022
RE: Garrow Properties Variance Request - PL202200340

Background

Applicant: Harris & Associates, agent for owner

Owner: Garrow Properties LLC

Variance Location: north side of CTH JJ right-of-way, (adjacent to Parcel #101009606) Town of Grand Chute

Garrow Properties LLC, owner, has been in consultation with the Highway Department since late 2020 to install a new private access (abutting owner's Parcel #101009606) off of CTH JJ in the Town of Grand Chute (owner's site is also comprised 101009605 and 101009604). A private access as defined in Sec. 50-257 of the county code is, "a private driveway used primarily for residential, commercial or industrial purposes." The site currently has access off of CTH JJ through a shared driveway/easement with Valley Petroleum on the west side of the property and a shared driveway with Bob Burns Golf on the east side of the property. CTH JJ is a controlled access highway which is defined in county code Sec. 50-257 as, "a highway on which the traffic is such that the County Board has found, determined and declared it to be necessary in the interest of the public safety, convenience and the general welfare to regulate entrance upon and departure from the highway or street, except at places specially designated and provided for such purposes, and to exercise special controls over traffic on such highway or street."

The applicant has expressed concerns with trucks being able to enter and exit the property during the morning and afternoon rush hours. Due to the close proximity of the Valley Petroleum access to STH 47, westbound traffic will back up past the driveway and will not allow trucks to access the site. This causes eastbound trucks to wait for an opening which in turn causes eastbound traffic to back up into the STH 47 and CTH JJ intersection.

An access permit was applied for in October of 2020. The Highway Department met with the owner and discussed their concerns and need for a new access. The Highway Department explained that CTH JJ is an access controlled highway and certain requirements need to be met in order to approve a new driveway. The Highway Department reviewed the permit application and ultimately denied the permit because the proposed driveway did not meet the access control requirements of spacing and number of driveways as stated in the county code (see Sec. 50-307). A formal denial letter was sent explaining why the permit was denied and what his options are moving forward (attached). A few months later a variance request was submitted to allow the new access to be approved.

Analysis

The first step in reviewing the permit application is to determine if the new access is on an access controlled highway or not. Per Sec. 50-279 CTH JJ is access controlled from STH 45 to STH 55. The access control ordinance has the following criteria that need to be met in order to permit a new access:

- a) One access may be permitted for each parcel of land as defined under section 50-257, but whenever possible, access should be granted on minor roads instead of controlled access highways when there is a choice between the two types of roads;
- b) Access permits shall not be issued where the horizontal distances between access points on a controlled access highway will be less than 600 feet, unless there is no other way to provide access to an existing parcel;
- c) A maximum of eight access points per side per mile of highway shall be permitted, unless there is no other way to provide access to an existing parcel.

The Highway Department reviewed the permit to ensure it meets all criteria within the access control ordinance. The current property has access utilizing shared driveways on both the east and west end of the properties and therefore does not need a new access to the parcel. The spacing from the existing driveways to the new proposed driveways is less than the required 600' (400' to the west and 370' to the east). This spacing does not meet the 600' spacing required by ordinance.

The next criteria is a maximum number of driveways per side per mile of highway. In this case, there are four (4) driveways to the west and six (6) driveways to the east for a total of ten (10) driveways per mile of highway. By adding the proposed driveway, the total number of driveways would be eleven (11) which is more than allowed by the ordinance.

Section 50-349 of the Outagamie County code of ordinances stipulates that variances to Chapter 50 are to be heard and adjudicated by the Board of Adjustment. Further, Sect 50-349(b) states that in granting variances to Chapter 50, the "Board of Adjustment shall require evidence of hardship and record its reasons for which the variance was granted..." Further, Sec. 54-887(b) – (governing the Powers and Duties of the Board of Adjustment) stipulates that variances shall only be granted when the board of adjustment finds that the following criteria are met:

- a) **The variance is not contrary to the public interest and that such a variance will be in general harmony with the purposes and intent of this chapter.**

Staff analysis: The variance will improve access to the Garrow property and greatly reduce any backups associated with Garrow trucks entering the property.

- b) **The variance will not permit the establishment of a use which is not permitted or permissible in the district.**

Staff analysis: The permitted use of the property will remain the same, and no changes to underlying zoning are proposed (note: general zoning for this parcel is under the jurisdiction of the Town of Grand Chute).

- c) **Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.**

Staff analysis: The Garrow/Valley Petroleum driveway is located approximately 270' east of the STH 47 and CTH JJ intersection. Eastbound traffic waiting to turn into this driveway backs up into the intersection causing a traffic hazard. No left turn lane into the property is available due to close proximity to the intersection. In addition, there are numerous other commercial properties abutting controlled access highways throughout the county (in particular, in the urban and suburban areas) where parcels may not have their own direct access OR share access with an abutting property. This is common in urban development's abutting high volume roads, whether they are local, county or state.

- d) **The literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district.**

Staff analysis: The property has two ways to access the property, one to the east, which is a shared driveway, and one to the west that traverses a property the applicant previously owned, and of which an access easement exists. Therefore the applicant's rights would not be deprived as access already exists.

- e) **The hardship is not shared generally by other land or buildings in the area.**

Staff analysis. *Neighboring properties in the area have not expressed the same concerns.*

f) **The hardship results from the strict application of this chapter and is not the result of self-created or self-imposed circumstances.**

a. Staff analysis. *The applicant owned the surrounding properties and sold off portions of the land. The applicant still has access to his property through a shared driveway and an easement with the neighboring property.*

Recommendation

Based on the analysis above, the Highway Department recommends denial of the applicant's variance request to the spacing and frequency standards prescribed in Sec. 50-307 County Code of Ordinances.

Attachments: Garrow driveway application denial letter 05/04/2022

Pertinent Code References:

DIVISION 3. - COUNTY TRUNK HIGHWAY ACCESS CONTROL REGULATIONS AND UTILITY PERMITS AND FEES⁽⁴⁾

...

Sec. 50-256. - Purpose and intent.

The purpose of this section to promote the safe and efficient ingress and egress to certain county trunk highways in the interest of public safety, convenience and general welfare; protect the public investment in highways by preventing premature functional obsolescence; reduce highway accidents caused by frequent and poorly designed points of access; promote the balanced use of land for the mutual protection of landowners, motorists and the county; enhance the highway appearance for making highway travel more pleasant; and permit utilities to construct and operate telegraph, telephone or electric lines or pipe lines for the purpose of transmitting messages, water, heat, light or power along, across or within the limits of any county trunk highway, provided permits have been obtained and established fees paid therefor.

...

Sec. 50-257. - Definitions.

Controlled access highway means a highway on which the traffic is such that the County Board has found, determined and declared it to be necessary in the interest of the public safety, convenience and the general welfare to regulate entrance upon and departure from the highway or street, except at places specially designated and provided for such purposes, and to exercise special controls over traffic on such highway or street.

Private access means a private driveway used primarily for residential, commercial or industrial purposes.

Parcel means contiguous lands under the control of a developer, not separated by streets, highways or railroad rights-of-way, established prior to the adoption date of this section or any amendments hereto.

...

Sec. 50-279. - Jurisdiction.

(11) CTH "JJ" from STH 45 to STH 55.

...

Sec. 50-307. - Spacing and frequency.

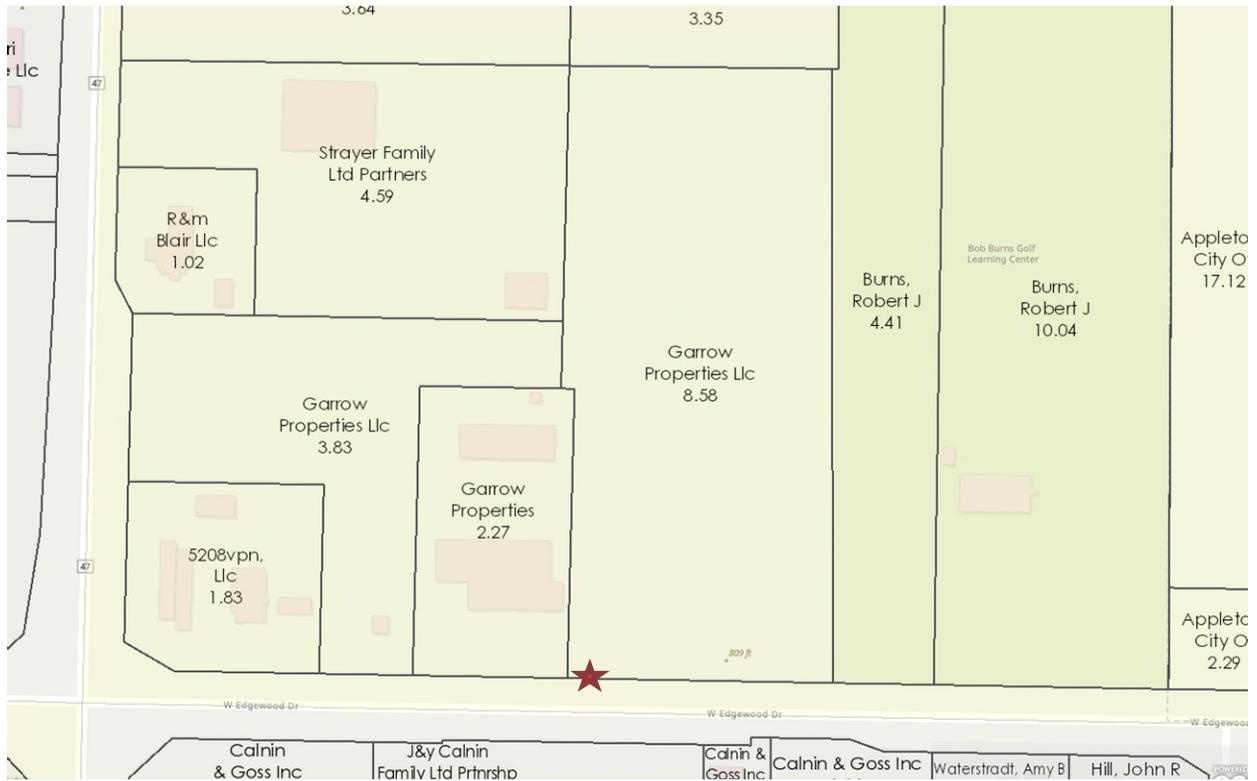
(a) One access may be permitted for each parcel of land as defined under [section 50-257](#), but whenever possible, access should be granted on minor roads instead of controlled access highways when there is a choice between the two types of roads.

(b) Access permits shall not be issued where the horizontal distances between access points on a controlled access highway will be less than 600 feet, unless there is no other way to provide access to an existing parcel.

(c) A maximum of eight access points per side per mile of highway shall be permitted, unless there is no other way to provide access to an existing parcel.

ILLUSTRATION OF PROPERTY OWNERSHIP:

Star illustrates apprx. location of proposed driveway.



Source: Outagamie Co. GIS



Highway Department

1313 Holland Road, Appleton, WI 54911-8947
Phone: (920) 832--5673 Fax: (920) 832--2032
Visit our website at www.outagamie.org

May 4, 2022

Abby Bonnet
504 W Edgewood Dr.
Appleton, WI 54913

RE: Application for Driveway on Edgewood Dr. (CTH JJ) Parcel No. 101009606

Dear Ms. Bonnet:

We reviewed your application for a new access on the north side of County Highway (CTH) JJ, approximately 750 feet east of STH 47 in the Town of Grand Chute. Unfortunately, we are unable to grant your request for a commercial driveway. This application does not meet the requirements of Section 50-307 of the County Trunk Highway Access Control Regulations.

The Highway Department cannot issue a new access for this parcel. Per the County ordinance, new access permits shall not be issued where the distance between access points on a controlled access highway will be less than 600 feet. There is approximately 450 feet between the proposed driveway and your current shared driveway to the west and approximately 350 feet between the proposed driveway and your shared driveway to the east. Additionally, per the County ordinance, a maximum of eight access points per side per mile of highway shall be permitted. The access request is in a location that exceeds the number of access points allowed per mile.

You may appeal the above decision to the Outagamie County Board of Adjustment by contacting the Outagamie County Zoning Administrator at (920) 832-5255.

Sincerely,

OUTAGAMIE COUNTY HIGHWAY DEPARTMENT

Dean Steingraber, P.E.
Highway Commissioner

DES/mrm

cc: Steve Swanson – Zoning Administrator (E-mail)
Kara Homan – Development and Land Services Director (E-mail)

Enclosure: Chapter 50, COUNTY TRUNK HIGHWAY ACCESS CONTROL REGULATIONS



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

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:

Town (or Applicable Village):	Grand Chute
Request:	Other
Applicant or Petitioner Name:	Garrow Oil
Applicant Contact Information (Preferred):	Rob Harris – Harris & Associates rharris@harrisinc.net
Site Parcel Number(s):	101-1009606
Site Address (if applicable):	W. Edgewood Drive
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>	Applicant is requesting a new driveway on W. Edgewood Drive/ CTH JJ. The Site Plan Review Committee discussed the project on July 13 th , 2022 and there were no objections to the project from Town Staff.

COMPLETED BY THE CLERK:

Certification:

I hereby certify that the Committee of Grand Chute, at a legally convened meeting of the Board held on 07-13-2022, voted to Approve the Other request:

Mark Van DW

07/15/2022

Town Engineer Signature

Date

Motion Outcome by a Vote of:	All	For	None	Against
General Comments/Reasons for the Decision: <i>(See next page for instructions. If needed, you may include additional pages.)</i>	The Site Plan Review is a committee that discusses the projects and then proceeds with the project if there are no objections from Town Staff. The Town Plan Commission and Town Board does not act on new driveway request.			

NOTICE OF PUBLIC HEARING

TOWN OF GRAND CHUTE
OUTAGAMIE COUNTY

TO WHOM IT MAY CONCERN

Notice is hereby given that the Outagamie County Board of Adjustment will hold a public hearing at the Outagamie County Government Center, County Board Room, 320 S. Walnut St., Appleton, WI 54911, on September 2, 2022 at 8:30 AM to consider the petition of Harris & Associates Inc., applicant on behalf of Garrow Properties LLC, owner, for a variance to Chapter 50, Article III, Division 3, County Trunk Highway Access Control Regulations, Outagamie County Code of Ordinances; more specifically Section 50-307 Spacing and Frequency standards, as it applies to parcel no. 101009606, CSM 5557 Lot 1, Town of Grand Chute, Outagamie County, Wisconsin.

For more details, this variance can be viewed at <https://cityview.outagamie.org> by referencing the below File Number under Planning Application Search.

Any interested person may address the Board of Adjustment by mailing a letter to Outagamie County DLS, 320 S. Walnut St., Appleton, WI 54911, emailing zoningemail@outagamie.org, or attending on the date and time listed above.

Dated this 16 day of August, 2022

OUTAGAMIE COUNTY BOARD OF ADJUSTMENT
ROBERT STADEL, CHAIRMAN

File No: PL202200340

Published: AUGUST 19 AND 26, 2022

Accommodation Notice

Any person requiring special accommodation who wishes to attend this meeting should call (920) 832-5255 at least 48 hours in advance.

CONFIRMATION



PART OF THE USA TODAY NETWORK

435 E. Walnut
Green Bay, WI 54301
(888)774-7744

OUTAGAMIE COUNTY DEVELOPMENT
320 S WALNUT ST
APPLETON WI 54911-5918

<u>Account</u>	<u>AD#</u>	<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
GWM-1014358	0005380063	\$93.31	\$0.00	\$93.31	Credit Card	\$0.00	\$93.31

Sales Rep: KSchmidt

Order Taker: KSchmidt

Order Created 08/16/2022

<u>Product</u>	<u># Ins</u>	<u>Start Date</u>	<u>End Date</u>
GWM-APC-Appleton Post Crescent	2	08/19/2022	08/26/2022
GWM-APCW-Appleton Post Crescent Digital	28	08/19/2022	09/15/2022

* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

Text of Ad: 08/16/2022

NOTICE OF PUBLIC HEARING

TOWN OF GRAND CHUTE
OUTAGAMIE COUNTY

TO WHOM IT MAY CONCERN

Notice is hereby given that the Outagamie County Board of Adjustment will hold a public hearing at the Outagamie County Government Center, County Board Room, 320 S. Walnut St., Appleton, WI 54911, on September 2, 2022 at 8:30 AM to consider the petition of Harris & Associates Inc., applicant on behalf of Garrow Properties LLC, owner, for a variance to Chapter 50, Article III, Division 3, County Trunk Highway Access Control Regulations, Outagamie County Code of Ordinances; more specifically Section 50-307 Spacing and Frequency standards, as it applies to parcel no. 101009606, CSM 5557 Lot 1, Town of Grand Chute, Outagamie County, Wisconsin.

For more details, this variance can be viewed at <https://cityview.outagamie.org> by referencing the below File Number under Planning Application Search.

Any interested person may address the Board of Adjustment by mailing a letter to Outagamie County DLS, 320 S. Walnut St., Appleton, WI 54911, emailing zoningemail@outagamie.org, or attending on the date and time listed above.

Dated this 16 day of August, 2022

OUTAGAMIE COUNTY BOARD
OF ADJUSTMENT
ROBERT STADEL, CHAIRMAN

File No: PL202200340

Accommodation Notice

Any person requiring special accommodation who wishes to attend this meeting should call (920) 832-5255 at least 48 hours in advance.

Run: August 19, 26, 2022 WNAFLP