

CHIPPEWA COUNTY
PLANNING & ZONING COMMITTEE
REGULAR MEETING
NOVEMBER 17, 2022
CHIPPEWA COUNTY COURTHOUSE, RM 302
4:30 PM

1. CALL TO ORDER

2. ROLL CALL

Attendee Name	Organization	Title	Status	Arrived
David Eisenhuth	Chippewa County	District 15 (Chair)	Present	
Jason Bergeron	Chippewa County	District 7 (Vice-Chair)	Present	
Dean Gullickson	Chippewa County	District 5	Present	
Caden Berg	Chippewa County	District 13	Present	
Chuck Hull	Chippewa County	District 19	Present	

3. MEMBERS OF THE PUBLIC WISHING TO BE HEARD

None.

4. CONSENT AGENDA

Motion to Approve.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dean Gullickson, District 5
SECONDER:	Jason Bergeron, District 7 (Vice-Chair)
AYES:	Eisenhuth, Bergeron, Gullickson, Berg, Hull

1. Approve the Agenda

2. Approve the Minutes

Planning & Zoning Committee - Regular Meeting - Oct 20, 2022 4:30 PM

3. Schedule Next Meeting Date - December 15, 2022 @ 4:30PM

5. PUBLIC HEARINGS - FOR DISCUSSION AND ACTION

1. 2022-0011 - Flackey Living Trust - Rezone - Town of Eagle Point
Motion to Approve

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dean Gullickson, District 5
SECONDER:	Caden Berg, District 13
AYES:	Eisenhuth, Bergeron, Gullickson, Berg, Hull

Planning & Zoning Committee

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

November 17, 2022
4:30 PM

2. 2022-0012 - Cory Pecha - Rezone - Town of Eagle Point
Motion to Approve.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jason Bergeron, District 7 (Vice-Chair)
SECONDER:	Chuck Hull, District 19
AYES:	Eisenhuth, Bergeron, Gullickson, Berg, Hull

6. BUSINESS ITEMS

1. 1992-0029 - Ray Michels - CUP Renewal - Town of Woodmohr
Motion to Approve with updating the parcel numbers and property owners names, if needed, four-year renewal with the four-years starting on 02-18-2023.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dean Gullickson, District 5
SECONDER:	Jason Bergeron, District 7 (Vice-Chair)
AYES:	Eisenhuth, Bergeron, Gullickson, Berg, Hull

2. 2012-0003 - Ray Michels - CUP Renewal - Town of Woodmohr
Motion to Approve with updating the parcel numbers and property owners names, if needed, four-year renewal with the four-years starting on 02-18-2023.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dean Gullickson, District 5
SECONDER:	Jason Bergeron, District 7 (Vice-Chair)
AYES:	Eisenhuth, Bergeron, Gullickson, Berg, Hull

3. Review and Action on Offers to Purchase Received on Tax Deed Property - Doug Clary
Motion to accept the following bids contingent on the successful bidder's submission of the remaining balance and the \$30 Register of Deeds Recording Fee by Cashier's Check or Certified Check in full within 15 days of delivery or written notification of Chippewa County's acceptance of their bid. The bid deposit submitted by the successful bidder shall be forfeited to Chippewa County in the event the successful bidder fails to make full payment for the property within 15 days of delivery to the successful bidder of written notification of Chippewa County's acceptance of the successful bid:

1. City of Chippewa Falls: 22808-0524-60431205 - Skyline Real Estate Services LLC for \$106.
2. City of Eau Claire: 22809-3343-05220000 - Skyline Real Estate Services LLC for \$207.
3. Town of Lake Holcombe: 23206-0811-75644OL1 - Meyer, Donald & Lana for \$100.

Planning & Zoning Committee

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

November 17, 2022
4:30 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chuck Hull, District 19
SECONDER:	Dean Gullickson, District 5
AYES:	Eisenhuth, Bergeron, Gullickson, Berg, Hull

4. Discussion & Direction on Future Sales of Tax Deeded Land - Doug Clary
Discussion to keep the remaining tax deeds parcels as the current minimum bid.

7. AGENDA ITEMS FOR FUTURE CONSIDERATION

Dates & Times of Future PZC meetings.

8. ADJOURN

Motion to Adjourn.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jason Bergeron, District 7 (Vice-Chair)
SECONDER:	Chuck Hull, District 19
AYES:	Eisenhuth, Bergeron, Gullickson, Berg, Hull

CHIPPEWA COUNTY
PLANNING & ZONING COMMITTEE
REGULAR MEETING
OCTOBER 20, 2022
CHIPPEWA COUNTY COURTHOUSE, RM 302
4:30 PM

1. CALL TO ORDER

2. ROLL CALL

Attendee Name	Organization	Title	Status	Arrived
David Eisenhuth	Chippewa County	District 15 (Chair)	Present	
Jason Bergeron	Chippewa County	District 7 (Vice-Chair)	Present	
Dean Gullickson	Chippewa County	District 5	Present	
Caden Berg	Chippewa County	District 13	Present	
Chuck Hull	Chippewa County	District 19	Present	

3. MEMBERS OF THE PUBLIC WISHING TO BE HEARD

None.

4. CONSENT AGENDA

Motion to Approve.

RESULT: APPROVED [UNANIMOUS]
MOVER: Dean Gullickson, District 5
SECONDER: Jason Bergeron, District 7 (Vice-Chair)
AYES: Eisenhuth, Bergeron, Gullickson, Berg, Hull

1. Approve the Agenda

2. Approve the Minutes

Planning & Zoning Committee - Regular Meeting - Sep 22, 2022 4:30 PM

3. Schedule Next Meeting Date - November 17, 2022

5. PUBLIC HEARINGS - FOR DISCUSSION AND ACTION

1. 2022-0010 - Wissota Straits LLC - Rezone - Town of Lafayette
Motion to Approve.

RESULT: APPROVED [UNANIMOUS]
MOVER: Jason Bergeron, District 7 (Vice-Chair)
SECONDER: Chuck Hull, District 19
AYES: Eisenhuth, Bergeron, Gullickson, Berg, Hull

Minutes Acceptance: Minutes of Oct 20, 2022 4:30 PM (Consent Agenda)

Planning & Zoning Committee

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

October 20, 2022
4:30 PM

6. BUSINESS ITEMS

1. Riverbelle II - State Plat - Final Review - Town of Lafayette
Motion to Approve.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Caden Berg, District 13
SECONDER:	Jason Bergeron, District 7 (Vice-Chair)
AYES:	Eisenhuth, Bergeron, Gullickson, Berg, Hull

2. Review and Action on Offers to Purchase Received on Type A Tax Deed Property - Doug Clary
Clary informed the PZC that a bid was received on parcel number 22809--3343-05220000. This parcel, being 33' x 200', is actually two different parcels measuring 33' x 100'. They were purchased individually through a previous tax-deed sale, but combined as the bidder was the same. The taxes were not paid and the County acquired the parcel (both together as one) via the tax deed process again.

Clary indicated that the deed for current owner, Yang (the western 33' of this parcel), shows the northern 33' of the parcel was actually a reservation. The deed for the eastern 33' (Yinmans), shows the northern 33' of the parcel was an exception. A reservation does not create a separate parcel of record, but the exception does. Clary indicated that the northern 33' of the Yang property probably should not have been taken on tax deed. While the paperwork was properly vetted and eventually signed by the appropriate jurisdictions, and the property is owned at this time by the county, the western 33' of this parcel should be returned to the property owner (Yang). However, the eastern 33' should remain as a tax deed parcel because it was an exception. Clary informed the Committee that he conferred with Todd Pauls (Corporation Counsel), Patty Schimmel (County Treasurer), Sam Wenz (County Surveyor) and Dennis Falkenberg (GIS Coordinator) on this direction. All were in agreement.

Given the above, Clary recommended that the PZC deny the bid received.

Motion to reject the bid on parcel number 22809-3343-05220000. Clary indicated that he would call the bidder and discuss the issue over the phone.

Discussion on review of existing tax deed parcels:

Motion to move the Minimum Bid for parcel number 23206-0811-75644OL1 to "ANY" and to keep all others at their existing minimum.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dean Gullickson, District 5
SECONDER:	Jason Bergeron, District 7 (Vice-Chair)
AYES:	Eisenhuth, Bergeron, Gullickson, Berg, Hull

7. AGENDA ITEMS FOR FUTURE CONSIDERATION

None.

8. ADJOURN

Motion to Adjourn.

Minutes Acceptance: Minutes of Oct 20, 2022 4:30 PM (Consent Agenda)

Planning & Zoning Committee

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

October 20, 2022
4:30 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chuck Hull, District 19
SECONDER:	Dean Gullickson, District 5
AYES:	Eisenhuth, Bergeron, Gullickson, Berg, Hull

Minutes Acceptance: Minutes of Oct 20, 2022 4:30 PM (Consent Agenda)



STATEMENT OF EXPLANATION

5.1

2022-0011 - FLACKEY LIVING TRUST - REZONE - TOWN OF EAGLE POINT

Parcel Number 23008-1014-00020003, which is located in the SE 1/4 of the NE 1/4, Section 10, Township 30 North, Range 08 West. Town of Eagle Point. Physical Address: 16877 175th Avenue.

From: Residential 2

To: Residential 1

(Publish – Chippewa Herald – November 3 and November 10, 2022)

CHIPPEWA COUNTY PLANNING & ZONING COMMITTEE
NOTICE OF PUBLIC HEARING
STATE OF WISCONSIN

PUBLIC NOTICE is hereby given to all persons in the County of Chippewa, Wisconsin, that a public hearing will be held on **November 17, 2022** beginning at **4:30 PM** at the Chippewa County Courthouse, Room 302, 711 N Bridge Street, Chippewa Falls, Wisconsin relative to the following requests:

Rezone Petition: 2022-0011

Petitioner: Flackey Living Trust

Agent: Stephen Flackey

Parcel Number 23008-1014-00020003, which is located in the SE ¼ of the NE ¼, Section 10, Township 30 North, Range 08 West, Town of Eagle Point. Physical Address: 16877 175th Avenue.

From: Residential 2

To: Residential 1

Rezone Petition: 2022-0012

Petitioner: Cory Pecha

Lot 1 of Certified Survey Map 5371 (Parcel Number: 22908-0344-75371001), which is located in the SE ¼ of the SE ¼, Section 03, Township 29 North, Range 08 West. Town of Eagle Point. Vacant Land.

From: Agricultural

To: Residential 1

Specific information regarding these public hearings can be obtained at the Chippewa County Department of Planning & Zoning. All persons interested are invited to attend these hearings.

Dated this 24th day of October, 2022

Douglas Clary, Director
Department of Planning & Zoning
Chippewa County

CHIPPEWA COUNTY DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone: 715.726.7940 • Fax: 715.726.4596 • www.co.chippewa.wi.us •

Land Management

Land Planning

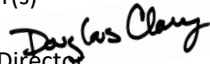
Land Records & G.I.S.

POWTS & Wells

Date: October 20, 2022

To: Property Owner(s)

From: Douglas Clary, Director



Re: Public Meetings & Public Hearing

Dear Property Owner(s):

The Chippewa County Department of Planning & Zoning has received a rezone petition for a parcel of land that is located either adjacent to or in the vicinity of property owned by you. You are receiving this notice because your property has been determined to be within the legal public hearing notification distance per county and state requirements. I have enclosed a map identifying the location of the parcels associated with the rezone petition. If you have any questions regarding this rezone petition, please contact me at (715) 726-7941.

REZONE PETITION: #2022-0011

Property Owner: Flackey Living Trust

Agent: Stephen Flackey

Parcel number 23008-1014-00020003, which is located in the SE ¼ of the NE ¼, Section 10, Township 30 North, Range 08 West. Town of Eagle Point. Physical Address: 16877 175th Avenue.

From: Residential 2

To: Residential 1

Eagle Point Plan Commission

The Eagle Point Plan Commission will **REVIEW** this request on **November 14, 2022 at 7:00 PM**, at the Eagle Point Town Hall, 14802 State Highway 124, Chippewa Falls, Wisconsin 54729. The Plan Commission will forward an **ADVISORY** recommendation to the Town Board to approve, disapprove or approve with conditions.

Chippewa County Planning & Zoning Committee:

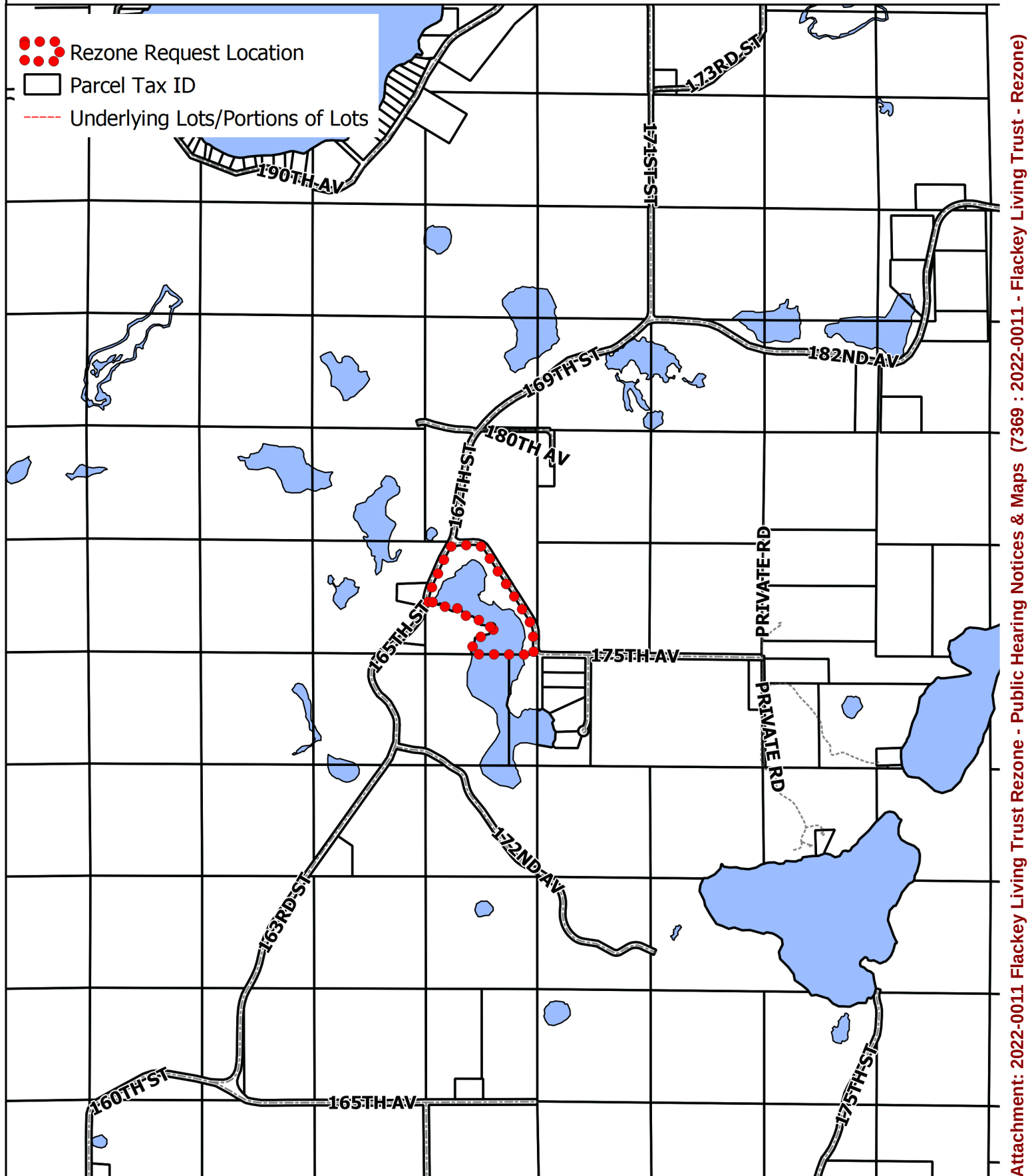
The Chippewa County Planning & Zoning Committee will hold a **PUBLIC HEARING** for this petition on **November 17, 2022 at 4:30 PM** in the Chippewa County Courthouse, Room 302, 711 N Bridge Street, Chippewa Falls, Wisconsin. The Committee will make a determination on the petition to approve, disapprove or approve with modification(s) and/or conditions. If the Planning & Zoning Committee approves or approves with modification/conditions, the petition will be forwarded to the County Board meeting on **December 13, 2022 at 6:00 PM** for their consideration. If the Planning & Zoning Committee disapproves, the petition will fail.

Eagle Point Town Board

The Eagle Point Town Board will **REVIEW** this request on **November 21, 2022 at 7:00 PM**, at the Eagle Point Town Hall, 14802 State Highway 124, Chippewa Falls, Wisconsin 54729. If the Town Board approval is granted, the petition will move forward to the County Board as indicated above. If the Town Board disapproves, the petition will fail.

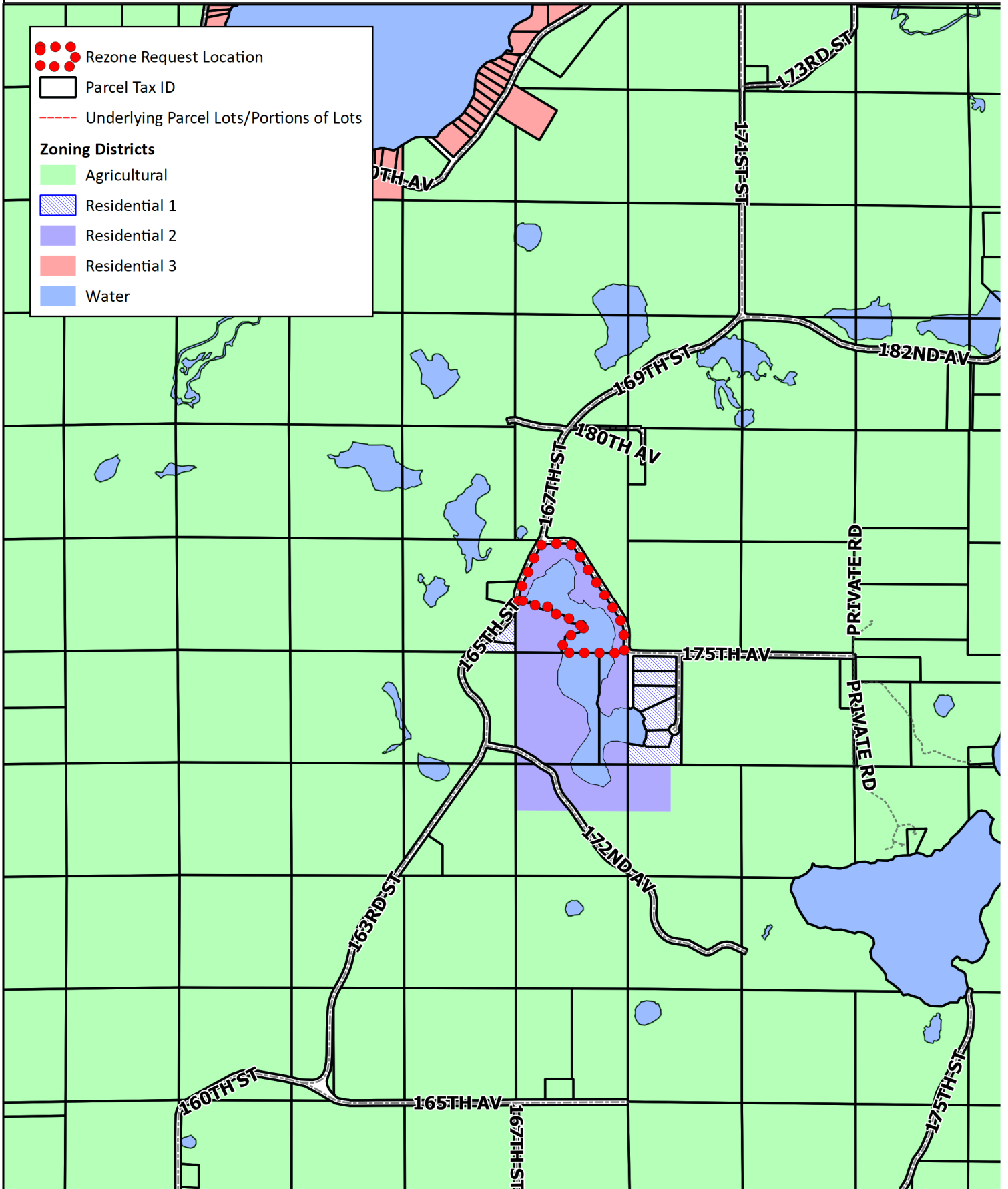
Attachment: 2022-0011 Flackey Living Trust Rezone - Public Hearing Notices & Maps (7369 : 2022-0011 - Flackey Living Trust - Rezone)

2022-0011 Flackey Living Trust - Rezone Request - Location Map



Attachment: 2022-0011 Flackey Living Trust Rezone - Public Hearing Notices & Maps (7369 : 2022-0011 - Flackey Living Trust - Rezone)

2022-0011 Flackey Living Trust - Rezone Request - Zoning Districts



Attachment: 2022-0011 Flackey Living Trust Rezone - Public Hearing Notices & Maps (7369 : 2022-0011 - Flackey Living Trust - Rezone)

2022-0011 Flackey Living Trust - Rezone Request - Aerial (2020)



Attachment: 2022-0011 Flackey Living Trust Rezoning - Public Hearing Notices & Maps (7369 : 2022-0011 - Flackey Living Trust - Rezoning)

CHIPPEWA COUNTY DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone: 715.726.7940 • Fax: 715.726.4596 • www.co.chippewa.wi.us •

2022 Rezone Application



Comprehensive zoning consists of written text (commonly referred to as the zoning ordinance) and an official zoning map. The zoning ordinance is a guideline for permitted and conditional uses, which are separated into zoning classifications or districts. The zoning map shows how a town board has designated the particular zoning classifications or districts to parcels of land within their particular jurisdiction. A **REZONE** is where a property owner or other authorized entity seeks to amend the official zoning map, which would allow a use that is currently not permitted on the parcels of land based on the existing zoning classification or district. This is referred to as a zoning map amendment or "rezoning". The requested rezoning change may not be granted if it does not fit with the comprehensive plan and community goals for the respective town and county.

SECTION I: Parcel Owner Information				SECTION II: Agent Information			
Name: <u>FLackey Living Trust</u>				Name: <u>Stephen Flackey</u>			
Mailing Address: <u>16877 175th Ave</u>				Mailing Address: <u>10529 25th Ave</u>			
City: <u>Bloomer</u>	State: <u>WI</u>	Zip: <u>54724</u>		City: <u>EAU Claire</u>	State: <u>WI</u>	Zip: <u>54703</u>	
Telephone: <u>715 828-1265</u>				Telephone: <u>715 828-1265</u>			
Email Address (Required): <u>SFLackey@Hotmail.Com</u>				Email Address (Required): <u>SFLackey@Hotmail.Com</u>			
SECTION III: Parcel Information							
Town of: <u>Eagle Point</u>				Property Address: <u>16877 175th Ave</u>			
Parcel Number(s): <u>23008-1014-0002003</u>				City: <u>Bloomer</u>	State: <u>WI</u>	Zip: <u>54724</u>	
Existing Zoning District(s): <u>R-2</u>				Proposed Zoning District(s): <u>R-1</u>			

GENERAL DIRECTIONS:

- Complete** this Application form and the required four (4) parts:
 - ☐ Part 1: General Questions related to the request
 - ☐ Part 2: Planning & Zoning Committee Schedule - 2022
 - ☐ Part 3: General Rezoning Process
 - ☐ Part 4: Applicant Acknowledgement/Signature
- Submit** the completed application, all required information and a **\$350.00** public hearing fee (Make check payable to: Chippewa County Treasurer) by the deadline (as listed in Part 2) to the Chippewa County Department of Planning & Zoning, Room 009, 711 N. Bridge Street, Chippewa Falls, Wisconsin 54729.
- Make arrangements** to attend or have a representative attend any local town plan commission or town board meetings, and the required Planning & Zoning public hearing. This presence is needed so that questions can be answered and concerns addressed.

FOR DEPARTMENT OF PLANNING & ZONING STAFF USE:

Receipt Number: <u>21340</u>	Appeal Number: <u>2022-0011</u>	Public Hearing Date: <u>11-17-22</u>
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Attachment: 2022-0011 Flackey Living Trust Rezone - Application (7369 : 2022-0011 - Flackey Living Trust - Rezone)

Chippewa County – 2022 Rezone Application

Once the completed application is received, the Department will prepare a public hearing notice and publish it within the Chippewa Herald. The public hearing notice will include the location and time of the required public hearing before the Chippewa County Planning & Zoning Committee. In addition, your neighbors, the Town Board and any appropriate county or state agencies will be notified. At the public hearing, any party may appear in person or may be represented by an agent or attorney to present information to the Planning & Zoning Committee in support or opposition of the rezone request.

Part 1: General Questions. Please use a separate 8.5" x 11" sheet to answer these questions.

1. As the applicant, do you have legal title to the parcel(s)? If you **do not** have legal title to the property, please have the property owner sign this application.
2. Identify the parcel(s) that are or will be part of this rezone request. If needed, an additional sheet listing those parcels can be attached.
3. Describe the present and, if known, any proposed improvements on each parcel of land.
4. Explain why you are requesting to rezone of each parcel. Please identify the proposed use of each parcel.
5. Explain the compatibility of your proposed use(s) with the existing use(s) on adjacent parcels and those in the vicinity of this parcel(s).
6. Discuss any additional issues you feel that supports the consistency of your proposed use with County ordinances and plans as well as any Town ordinances or plans.

Be prepared to give a detailed presentation when called upon at the public hearing before the Planning and Zoning Committee. Prepare an outline of your proposal, something similar to a "business plan", detailing for the Planning & Zoning Committee your proposal. Include any documentation you feel is necessary as part of your presentation in defining your proposal for the Committee and possibly the County Board. It is vital to your application to consult with professionals you feel may be able to assist with your application (i.e. surveyor, attorney, engineer, etc.)

Part 2: Planning & Zoning Committee Schedule - 2022

Applications will not be placed on the appropriate agenda unless they are properly completed and include **ALL** required supporting information or documents **and** payment of the public hearing fee. Applicants are encouraged to consult with staff of the Department of Planning & Zoning prior to the filing of the application. This is an important step to insure that all pertinent issues are identified and to determine what information in addition to the application forms might be necessary in order for the department to accept and process your application. Please **CIRCLE** or **HIGHLIGHT** the meeting you intend on attending:

Application Deadline: 12:00 Noon

Public Hearing

December 22, 2021	January 20, 2022
January 27, 2022	February 24, 2022
February 24, 2022	March 24, 2022
Due to the County Board Reorganization, the April meeting will not occur.	
April 21, 2022	May 19, 2022
May 26, 2022	June 23, 2022
June 23, 2022	July 21, 2022
July 21, 2022	August 18, 2022
August 25, 2022	September 22, 2022
September 22, 2022	October 20, 2022
October 20, 2022	November 17, 2022
November 17, 2022	December 15, 2022

*Note: Applications and all supporting information are due at **12:00 Noon** on the designated date.*

Note: Typically, the Planning & Zoning Committee meetings start at 4:30 PM on the designated dates above.

Note: Deadlines, public hearing dates and times after April 1st are subject to change due to the County Board Reorganization.

Part 3: General Rezoning Process:

- (A) The rezone application is filed with the Department of Planning & Zoning. This includes the legal description of the parcels to be rezoned, a written statement addressing the questions as listed in Part 1 and any other information your feel will aid in a decision on this request.

Chippewa County – 2022 Rezone Application

- (B) The Town Board will be notified of the rezone application. The Town Board can recommend approval or denial of a rezoning request. If the Town Board denies a rezone request, the Planning & Zoning Committee can only recommend an approval with modification to the rezone request or deny the rezone request.
- (C) A Class 2 Public Hearing Notice will be published in the Chippewa Herald detailing the request and the date and time of the Public Hearing.
- (D) Property owners of the land and those property owners within 400' (or maybe a greater distance) of the requested rezone change are notified directly by mail as well as the Town Board Chair and Town Clerk. The notice to the property owners will generally contain a portion of the public hearing notice and information pertaining to meetings to be held at the Town level (plan commission, town board, etc) as well as the Public Hearing in front of the Planning & Zoning Committee.
- (E) General maps (location map, aerial view and existing zoning districts map) will be prepared for the request by the Department.
- (F) A department staff report is prepared and sent to the Planning & Zoning Committee, while comments from the general public are solicited.
- (G) Following the Public Hearing, the Planning & Zoning Committee will make a motion to either approve, approve with modification or deny the rezoning request. If the rezone request receives an approval or approval with modification an ordinance amendment will be prepared and placed on the next County Board meeting agenda for their approval.
- (H) If the County Board approves the rezone and the town board files an objection to the approval, the town board will then have 45 days to veto the rezone request following the applicable state statutes.
- (I) If the rezone request receives County Board approval, the final step is the publication of the amendment in the Chippewa Herald. Once published, the zoning district amendment takes effect. The entire process from application deadline to final publication can take two months or more to complete depending upon the scheduling of hearing dates.

Part 4: Applicant Acknowledgement/Signature

This application must be signed by the property owner or in case of an agreement to purchase the property, a letter from the property owner acknowledging the potential buyer is seeking the rezone.

- I certify that the information I have provided in this application is true, accurate and complete.
- I or a representative will have an opportunity to present to the Planning & Zoning Committee information in favor of this request.
- I have the authority to allow the staff of the Department of Planning & Zoning and Planning & Zoning Committee member's access to the property to conduct necessary inspections related to this request.
- I understand that I cannot speak to any member of the Planning & Zoning Committee about this application, except at the public hearing.
- I understand that I cannot direct any written communication about this application to a member of the Planning & Zoning Committee, unless I also file a copy with the Department of Planning & Zoning and direct additional copies to each person who has registered an interest in this application.
- I also understand that if I or my representative fail to appear in front of the Planning & Zoning Committee during the designated public hearing or my failure to observe the above mentioned rules, my request may be **DENIED**.

Signed: _____

Owner/Agent

Date: 10-13-2022

Part 5: Planning & Zoning Department Mailing List

Applicant
 Property Owner Owners within 400'
 Planning & Zoning Committee Members
 Town Board Chair & Clerk
 County Board Supervisor
 News Media
 Others
 Wisconsin DNR

US Army Corp of Engineers
 Wisconsin DOT

To: CHIPPEWA COUNTY ZONING

DATE: 10-13-2022

I'm requesting that parcel 23008-1014-00020003 be rezoned from R-2 to R-1. Back in 1991, I built a house for my parents on that parcel, and it met the zoning requirements. My mother currently resides in that house on the above parcel.

My mother is getting to the point of her life where we may need to sell the property and would like it zoned to R-1 for resale purposes.

Thank you

The Flackey living trust

A handwritten signature in black ink, appearing to read 'Stephen Flackey', written over the printed name.

Stephen Flackey

Town of Eagle Point
Chippewa County



5.1.c

November 15, 2022

Doug Clary
Planning & Zoning Administrator
Chippewa County Courthouse
711 North Bridge Street
Chippewa Falls, WI 54729

RE: Flackey and Pecha Rezone Petitions

Dear Doug,

This is to confirm that the Eagle Point Planning Commission and Town Board met on November 14, 2022 and recommended approval of the following rezone petitions:

- Rezone Petition 2022-0011 Flackey rezone from Residential 2 to Residential 1
- Rezone Petition 2022-0012 Pecha rezone from Agricultural to Residential 1

If you have any questions, please contact me.

Sincerely,

Dennis A. Ferstenou
Town Chairman

c: Rick Bowe, Planning Commission Chairperson
Town File

Attachment: Eagle Point Recommendations Flackey Pecha Rezones 11-14-22 (7369 : 2022-0011 - Flackey Living Trust - Rezone)



STATEMENT OF EXPLANATION
2022-0012 - CORY PECHA - REZONE - TOWN OF EAGLE POINT

5.2

Lot 1 of Certified Survey Map 5371 (Parcel Number 22908-0344-75371001), which is located n the SE 1/4 of the SE 1/4, Section 03, Township 29 North, Range 08 West. Town of Eagle Point. Vacant land.

From: Agricultural

To: Residential 1

(Publish – Chippewa Herald – November 3 and November 10, 2022)

CHIPPEWA COUNTY PLANNING & ZONING COMMITTEE
NOTICE OF PUBLIC HEARING
STATE OF WISCONSIN

PUBLIC NOTICE is hereby given to all persons in the County of Chippewa, Wisconsin, that a public hearing will be held on **November 17, 2022** beginning at **4:30 PM** at the Chippewa County Courthouse, Room 302, 711 N Bridge Street, Chippewa Falls, Wisconsin relative to the following requests:

Rezone Petition: 2022-0011

Petitioner: Flackey Living Trust

Agent: Stephen Flackey

Parcel Number 23008-1014-00020003, which is located in the SE ¼ of the NE ¼, Section 10, Township 30 North, Range 08 West, Town of Eagle Point. Physical Address: 16877 175th Avenue.

From: Residential 2

To: Residential 1

Rezone Petition: 2022-0012

Petitioner: Cory Pecha

Lot 1 of Certified Survey Map 5371 (Parcel Number: 22908-0344-75371001), which is located in the SE ¼ of the SE ¼, Section 03, Township 29 North, Range 08 West. Town of Eagle Point. Vacant Land.

From: Agricultural

To: Residential 1

Specific information regarding these public hearings can be obtained at the Chippewa County Department of Planning & Zoning. All persons interested are invited to attend these hearings.

Dated this 24th day of October, 2022

Douglas Clary, Director
Department of Planning & Zoning
Chippewa County

Attachment: 2022-0012 Pecha Rezone - Public Hearing Notices & Maps (7370 : 2022-0012 - Cory Pecha - Rezone)

CHIPPEWA COUNTY DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone: 715.726.7940 • Fax: 715.726.4596 • www.co.chippewa.wi.us •

Land Management

Land Planning

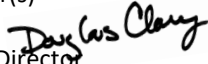
Land Records & G.I.S.

POWTS & Wells

Date: October 20, 2022

To: Property Owner(s)

From: Douglas Clary, Director



Re: Public Meetings & Public Hearing

Dear Property Owner(s):

The Chippewa County Department of Planning & Zoning has received a rezone petition for a parcel of land that is located either adjacent to or in the vicinity of property owned by you. You are receiving this notice because your property has been determined to be within the legal public hearing notification distance per county and state requirements. I have enclosed a map identifying the location of the parcels associated with the rezone petition. If you have any questions regarding this rezone petition, please contact me at (715) 726-7941.

REZONE PETITION: #2022-0012

Property Owner: Cory Pecha

Lot 1 of Certified Survey Map 5371 (Parcel number 22908-0344-75371001), which is located in the SE ¼ of the SE ¼, Section 03, Township 29 North, Range 08 West. Town of Eagle Point. Vacant Land.

From: Agricultural

To: Residential 1

Eagle Point Plan Commission

The Eagle Point Plan Commission will **REVIEW** this request on **November 14, 2022 at 7:00 PM**, at the Eagle Point Town Hall, 14802 State Highway 124, Chippewa Falls, Wisconsin 54729. The Plan Commission will forward an **ADVISORY** recommendation to the Town Board to approve, disapprove or approve with conditions.

Chippewa County Planning & Zoning Committee:

The Chippewa County Planning & Zoning Committee will hold a **PUBLIC HEARING** for this petition on **November 17, 2022 at 4:30 PM** in the Chippewa County Courthouse, Room 302, 711 N Bridge Street, Chippewa Falls, Wisconsin. The Committee will make a determination on the petition to approve, disapprove or approve with modification(s) and/or conditions. If the Planning & Zoning Committee approves or approves with modification/conditions, the petition will be forwarded to the County Board meeting on **December 13, 2022 at 6:00 PM** for their consideration. If the Planning & Zoning Committee disapproves, the petition will fail.

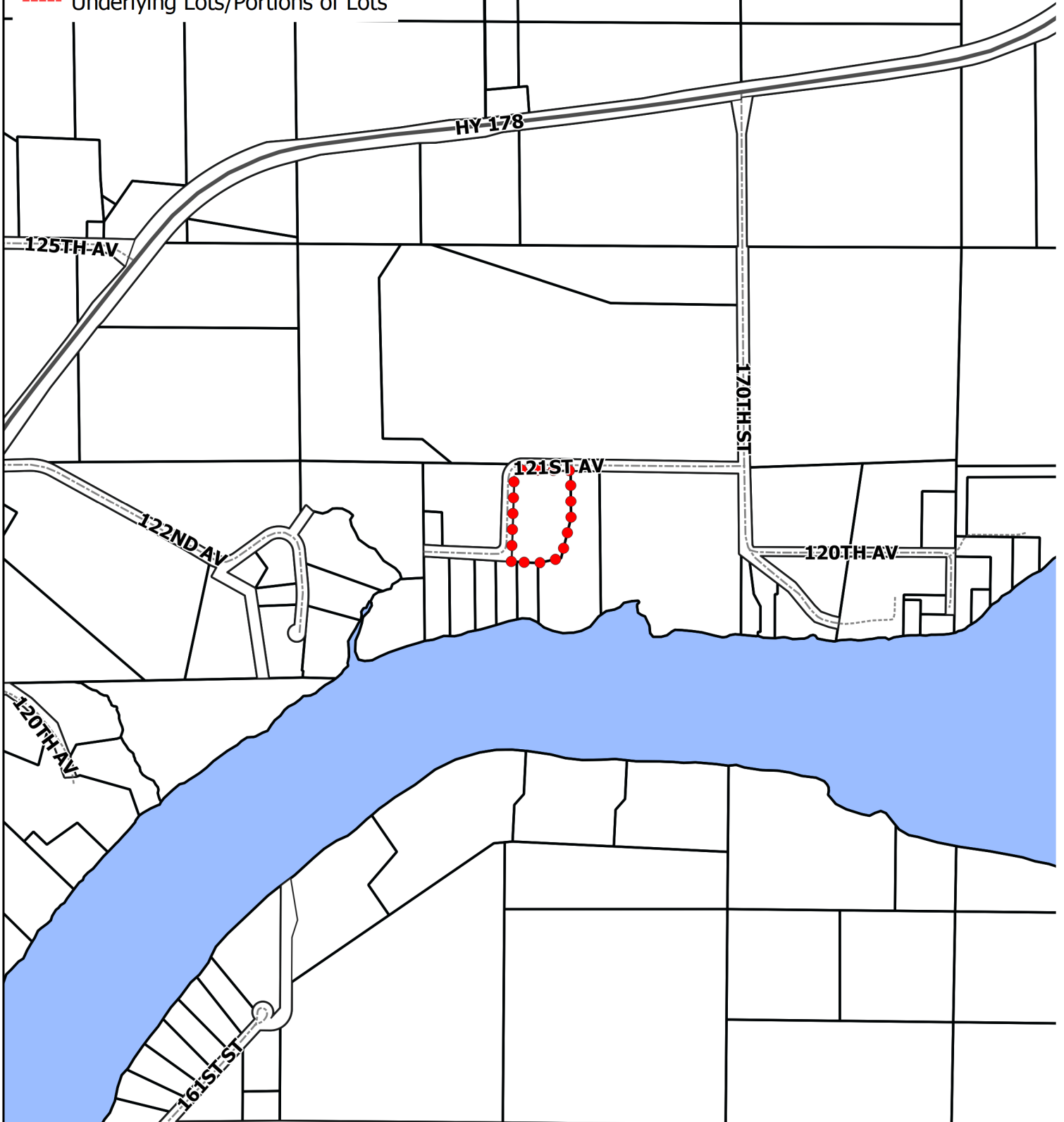
Eagle Point Town Board

The Eagle Point Town Board will **REVIEW** this request on **November 21, 2022 at 7:00 PM**, at the Eagle Point Town Hall, 14802 State Highway 124, Chippewa Falls, Wisconsin 54729. If the Town Board approval is granted, the petition will move forward to the County Board as indicated above. If the Town Board disapproves, the petition will fail.

Attachment: 2022-0012 Pecha Rezone - Public Hearing Notices & Maps (7370 : 2022-0012 - Cory Pecha - Rezone)

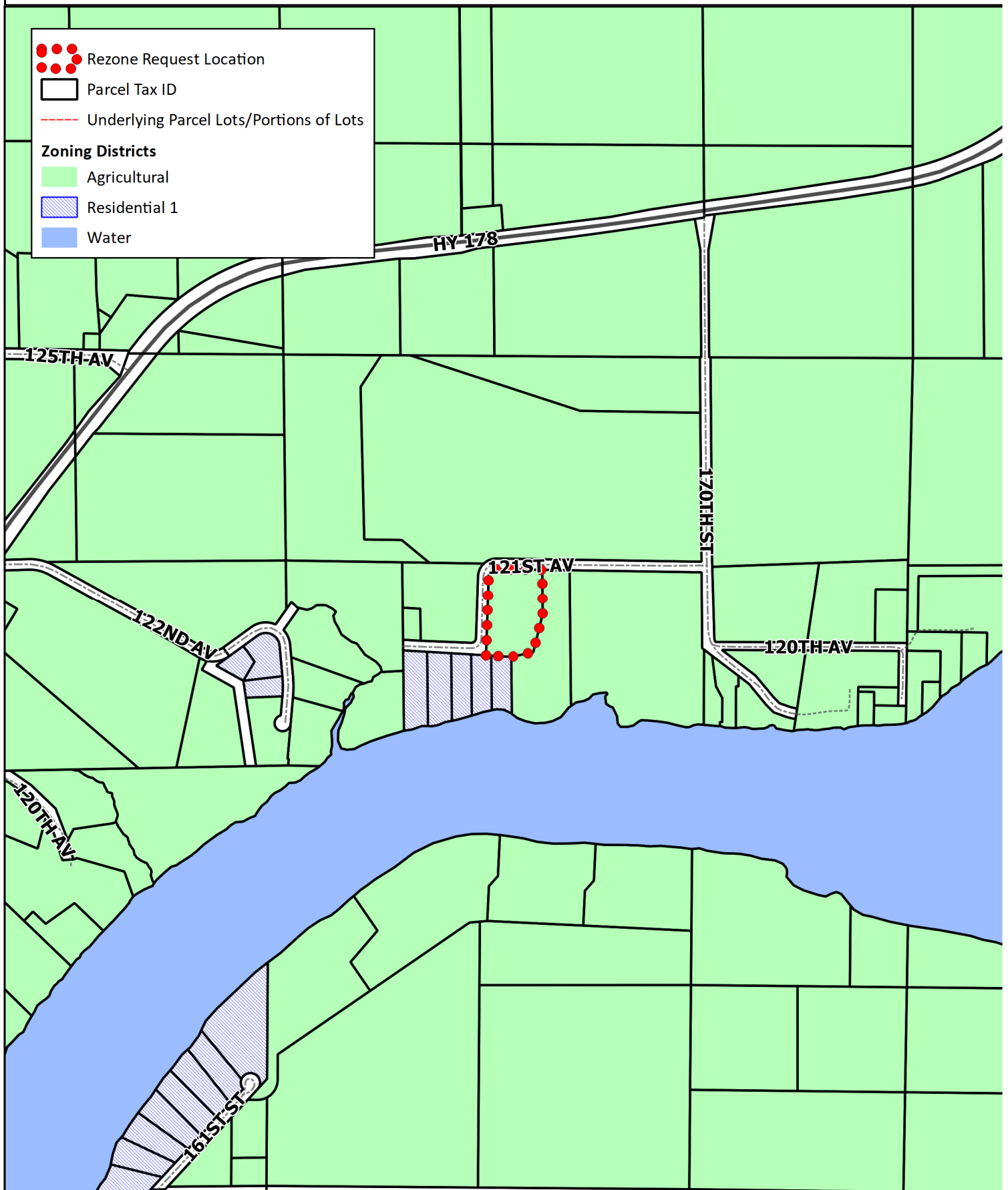
2022-0012 Pecha - Rezone Request - Location Map

-  Rezone Request Location
-  Parcel Tax ID
-  Underlying Lots/Portions of Lots



Attachment: 2022-0012 Pecha Rezone - Public Hearing Notices & Maps (7370 : 2022-0012 - Cory Pecha - Rezone)

2022-0012 Pecha - Rezone Request - Zoning Districts



Attachment: 2022-0012 Pecha Rezone - Public Hearing Notices & Maps (7370 : 2022-0012 - Cory Pecha - Rezone)

2022-0012 Pecha - Rezone Request - Aerial (2020)

- Rezone Request Location
- Parcel Tax ID



Attachment: 2022-0012 Pecha Rezone - Public Hearing Notices & Maps (7370 : 2022-0012 - Cory Pecha - Rezone)

CHIPPEWA COUNTY DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone: 715.726.7940 • Fax: 715.726.4596 • www.co.chippewa.wi.us •

2022 Rezone Application



Comprehensive zoning consists of written text (commonly referred to as the zoning ordinance) and an official zoning map. The zoning ordinance is a guideline for permitted and conditional uses, which are separated into zoning classifications or districts. The zoning map shows how a town board has designated the particular zoning classifications or districts to parcels of land within their particular jurisdiction. A **REZONE** is where a property owner or other authorized entity seeks to amend the official zoning map, which would allow a use that is currently not permitted on the parcels of land based on the existing zoning classification or district. This is referred to as a zoning map amendment or "rezoning". The requested rezoning change may not be granted if it does not fit with the comprehensive plan and community goals for the respective town and county.

SECTION I: Parcel Owner Information			SECTION II: Agent Information		
Name: <u>Cory Pecha</u>			Name:		
Mailing Address: <u>16779 121st Ave</u>			Mailing Address:		
City: <u>Chippewa Falls</u>	State: <u>WI</u>	Zip: <u>54729</u>	City:	State:	Zip:
Telephone: <u>715 - 214 - 3320</u>			Telephone: <u>BY: [Signature]</u>		
Email Address (Required): <u>corypecha@gmail.com</u>			Email Address (Required):		
SECTION III: Parcel Information					
Town of: <u>Eagle Point</u>			Property Address: <u>Vacant Land 121st Ave</u>		
Parcel Number(s): <u>0344 75371001</u> <u>22908-0343-5022021A</u>			City: <u>Chippewa Falls</u>	State: <u>WI</u>	Zip: <u>54729</u>
Existing Zoning District(s): <u>Ag</u>			Proposed Zoning District(s): <u>R1</u>		

GENERAL DIRECTIONS:

- Complete this Application form and the required four (4) parts:
 - ☐ Part 1: General Questions related to the request
 - ☐ Part 2: Planning & Zoning Committee Schedule - 2022
 - ☐ Part 3: General Rezoning Process
 - ☐ Part 4: Applicant Acknowledgement/Signature
- Submit the completed application, all required information and a **\$350.00** public hearing fee (Make check payable to: Chippewa County Treasurer) by the deadline (as listed in Part 2) to the Chippewa County Department of Planning & Zoning, Room 009, 711 N. Bridge Street, Chippewa Falls, Wisconsin 54729.
- Make arrangements to attend or have a representative attend any local town plan commission or town board meetings, and the required Planning & Zoning public hearing. This presence is needed so that questions can be answered and concerns addressed.

FOR DEPARTMENT OF PLANNING & ZONING STAFF USE:

Receipt Number: <u>21374</u>	Appeal Number: <u>2022-0012</u>	Public Hearing Date: <u>11/17/22</u>
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Attachment: 2022-0012 Pecha Rezone - Application (7370 : 2022-0012 - Cory Pecha - Rezone)

Chippewa County – 2022 Rezone Application

Once the completed application is received, the Department will prepare a public hearing notice and publish it within the Chippewa Herald. The public hearing notice will include the location and time of the required public hearing before the Chippewa County Planning & Zoning Committee. In addition, your neighbors, the Town Board and any appropriate county or state agencies will be notified. At the public hearing, any party may appear in person or may be represented by an agent or attorney to present information to the Planning & Zoning Committee in support or opposition of the rezone request.

Part 1: General Questions. Please use a separate 8.5" x 11" sheet to answer these questions.

1. As the applicant, do you have legal title to the parcel(s)? If you **do not** have legal title to the property, please have the property owner sign this application.
2. Identify the parcel(s) that are or will be part of this rezone request. If needed, an additional sheet listing those parcels can be attached.
3. Describe the present and, if known, any proposed improvements on each parcel of land.
4. Explain why you are requesting to rezone of each parcel. Please identify the proposed use of each parcel.
5. Explain the compatibility of your proposed use(s) with the existing use(s) on adjacent parcels and those in the vicinity of this parcel(s).
6. Discuss any additional issues you feel that supports the consistency of your proposed use with County ordinances and plans as well as any Town ordinances or plans.

Be prepared to give a detailed presentation when called upon at the public hearing before the Planning and Zoning Committee. Prepare an outline of your proposal, something similar to a "business plan", detailing for the Planning & Zoning Committee your proposal. Include any documentation you feel is necessary as part of your presentation in defining your proposal for the Committee and possibly the County Board. It is vital to your application to consult with professionals you feel may be able to assist with your application (i.e. surveyor, attorney, engineer, etc.)

Part 2: Planning & Zoning Committee Schedule - 2022

Applications will not be placed on the appropriate agenda unless they are properly completed and include **ALL** required supporting information or documents **and** payment of the public hearing fee. Applicants are encouraged to consult with staff of the Department of Planning & Zoning prior to the filing of the application. This is an important step to insure that all pertinent issues are identified and to determine what information in addition to the application forms might be necessary in order for the department to accept and process your application. Please **CIRCLE** or **HIGHLIGHT** the meeting you intend on attending:

<u>Application Deadline: 12:00 Noon</u>	<u>Public Hearing</u>
December 22, 2021	January 20, 2022
January 27, 2022	February 24, 2022
February 24, 2022	March 24, 2022
Due to the County Board Reorganization, the April meeting will not occur.	
April 21, 2022	May 19, 2022
May 26, 2022	June 23, 2022
June 23, 2022	July 21, 2022
July 21, 2022	August 18, 2022
August 25, 2022	September 22, 2022
September 22, 2022	October 20, 2022
October 20, 2022	November 17, 2022
November 17, 2022	December 15, 2022

*Note: Applications and all supporting information are due at **12:00 Noon** on the designated date.*

Note: Typically, the Planning & Zoning Committee meetings start at 4:30 PM on the designated dates above.

Note: Deadlines, public hearing dates and times after April 1st are subject to change due to the County Board Reorganization.

Part 3: General Rezoning Process:

- (A) The rezone application is filed with the Department of Planning & Zoning. This includes the legal description of the parcels to be rezoned, a written statement addressing the questions as listed in Part 1 and any other information your feel will aid in a decision on this request.

Chippewa County – 2022 Rezone Application

- (B) The Town Board will be notified of the rezone application. The Town Board can recommend approval or denial of a rezoning request. If the Town Board denies a rezone request, the Planning & Zoning Committee can only recommend an approval with modification to the rezone request or deny the rezone request.
- (C) A Class 2 Public Hearing Notice will be published in the Chippewa Herald detailing the request and the date and time of the Public Hearing.
- (D) Property owners of the land and those property owners within 400' (or maybe a greater distance) of the requested rezone change are notified directly by mail as well as the Town Board Chair and Town Clerk. The notice to the property owners will generally contain a portion of the public hearing notice and information pertaining to meetings to be held at the Town level (plan commission, town board, etc) as well as the Public Hearing in front of the Planning & Zoning Committee.
- (E) General maps (location map, aerial view and existing zoning districts map) will be prepared for the request by the Department.
- (F) A department staff report is prepared and sent to the Planning & Zoning Committee, while comments from the general public are solicited.
- (G) Following the Public Hearing, the Planning & Zoning Committee will make a motion to either approve, approve with modification or deny the rezoning request. If the rezone request receives an approval or approval with modification an ordinance amendment will be prepared and placed on the next County Board meeting agenda for their approval.
- (H) If the County Board approves the rezone and the town board files an objection to the approval, the town board will then have 45 days to veto the rezone request following the applicable state statutes.
- (I) If the rezone request receives County Board approval, the final step is the publication of the amendment in the Chippewa Herald. Once published, the zoning district amendment takes effect. The entire process from application deadline to final publication can take two months or more to complete depending upon the scheduling of hearing dates.

Part 4: Applicant Acknowledgement/Signature

This application must be signed by the property owner or in case of an agreement to purchase the property, a letter from the property owner acknowledging the potential buyer is seeking the rezone.

- I certify that the information I have provided in this application is true, accurate and complete.
- I or a representative will have an opportunity to present to the Planning & Zoning Committee information in favor of this request.
- I have the authority to allow the staff of the Department of Planning & Zoning and Planning & Zoning Committee member's access to the property to conduct necessary inspections related to this request.
- I understand that I cannot speak to any member of the Planning & Zoning Committee about this application, except at the public hearing.
- I understand that I cannot direct any written communication about this application to a member of the Planning & Zoning Committee, unless I also file a copy with the Department of Planning & Zoning and direct additional copies to each person who has registered an interest in this application.
- I also understand that if I or my representative fail to appear in front of the Planning & Zoning Committee during the designated public hearing or my failure to observe the above mentioned rules, my request may be **DENIED**.

Signed: _____



Owner/Agent

Date: _____

9-25-22

Part 5: Planning & Zoning Department Mailing List

Applicant
 Property Owner Owners within 400'
 Planning & Zoning Committee Members
 Town Board Chair & Clerk
 County Board Supervisor
 News Media
 Others
 Wisconsin DNR

US Army Corp of Engineers
 Wisconsin DOT

#1 - Yes

#2 - Lot 1 of map # 5371 (Provided)

#3 - Single family homes will be built on lots 1 and 2 of proposed lots. Map # 4581 (Provided)
Lot 3 will be kept by me , the owner Cory Pecha.

#4 - Build 2 single family homes on lot 1 and 2
On lot 3 we would eventually build a detached shed , I own adjoining property on the lake.

#5- The community is growing in the area with several new homes built in the last 2 years.

#6 - We plan on building homes that fit the neighborhood , each house will be roughly 2000 sq' with full basements. We will also offer to sell both lots to one owner if the buyer chooses. Lot 3 will be kept as natural as possible to keep privacy to surrounding neighbors.

CHIPPEWA Co. CERTIFIED SURVEY MAP No. 5371
 RECORDED IN VOL. 26 OF CERTIFIED SURVEY MAPS,
 PAGES(S) 58-59
Melanie K. McManus
 REGISTER

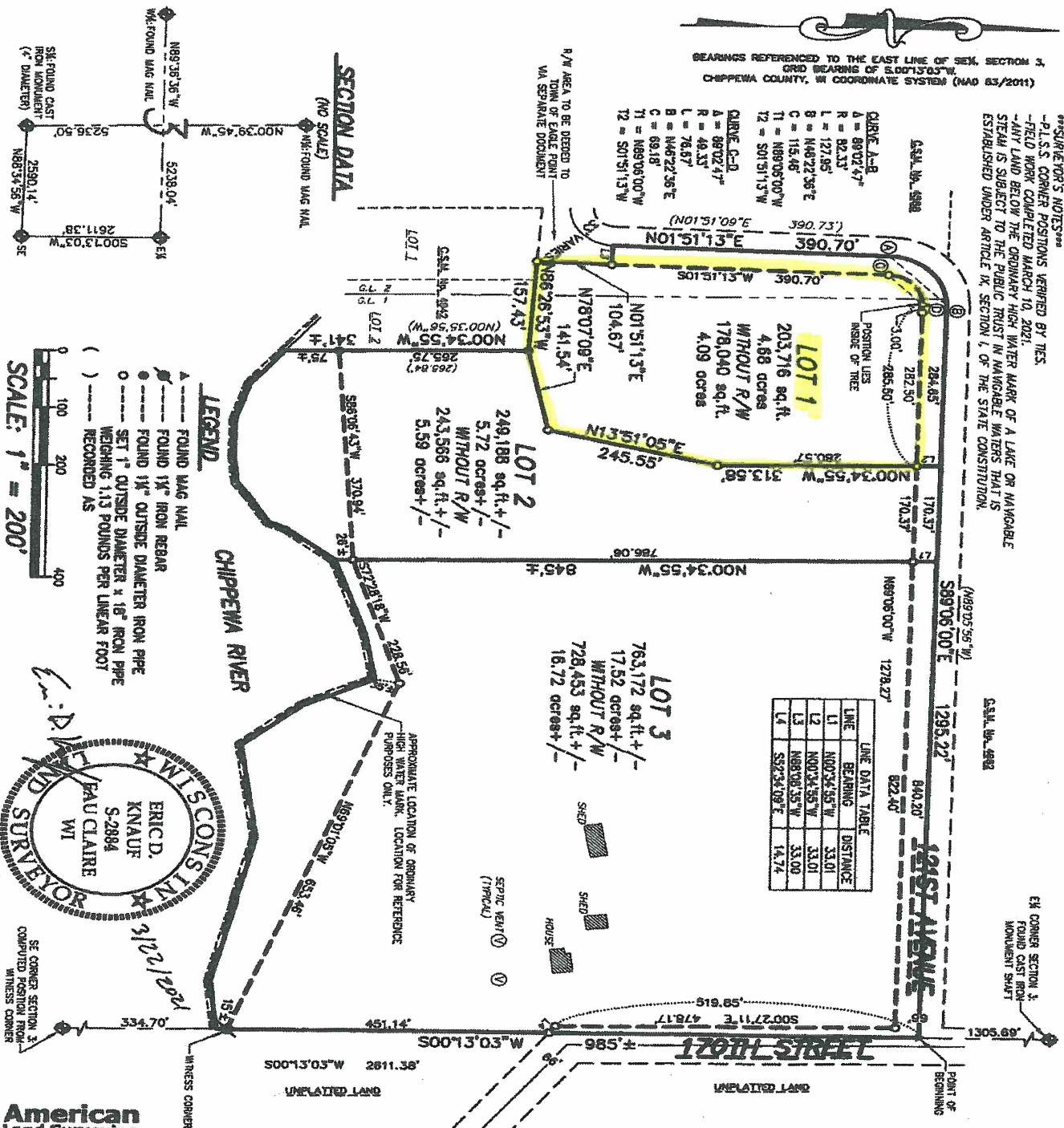
CERTIFIED SURVEY MAP, No. 5371

IN GOVERNMENT LOTS 1 & 2,
 SECTION 3, TOWNSHIP 29 NORTH, RANGE 8 WEST,
 TOWN OF EAGLE POINT, CHIPPEWA COUNTY,
 WISCONSIN



915397

RECORDED ON
 03/26/2021 03:22 PM
 MELANIE K. MCMANUS
 REGISTER OF DEEDS
 REC FEE: 30.00
 TRANSFER FEE:
 FEE EXEMPT:
 CHIPPEWA COUNTY, WI
 PAGES: 2



SURVEYOR'S NOTES
 -P.L.S. CORNER POSITIONS VERIFIED BY ME.
 -FIELD WORK COMPLETED MARCH 10, 2021.
 -ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1, OF THE STATE CONSTITUTION.

American Land Surveying
 3028 HARTWOOD DRIVE
 EAU CLAIRE, WI 54705
 PHONE: (715) 214-6508
 CAOD No. 20182

PAGE 58

DATE APPROVED 03/26/2021
 CHIPPEWA COUNTY PLANNING AGENCY
 BY Melanie K. McManus

SHEET 1 OF 2



November 15, 2022

Doug Clary
Planning & Zoning Administrator
Chippewa County Courthouse
711 North Bridge Street
Chippewa Falls, WI 54729

RE: Flackey and Pecha Rezone Petitions

Dear Doug,

This is to confirm that the Eagle Point Planning Commission and Town Board met on November 14, 2022 and recommended approval of the following rezone petitions:

- Rezone Petition 2022-0011 Flackey rezone from Residential 2 to Residential 1
- Rezone Petition 2022-0012 Pecha rezone from Agricultural to Residential 1

If you have any questions, please contact me.

Sincerely,

Dennis A. Ferstenou
Town Chairman

c: Rick Bowe, Planning Commission Chairperson
Town File

Attachment: Eagle Point Recommendations Flackey Pecha Rezones 11-14-22 (7370 : 2022-0012 - Cory Pecha - Rezone)



STATEMENT OF EXPLANATION

6.1

1992-0029 - RAY MICHELS - CUP RENEWAL - TOWN OF WOODMOHR

To allow renewal for extraction of natural minerals and resources in the Agricultural District pursuant to 70-71(b)(2), 70-108 and sections 70-180 through 70-187 of the Chippewa County Zoning Ordinance. The land associated with this particular conditional use permit is N $\frac{1}{2}$ and the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 06, Township 30N, Range 08W, Town of Woodmohr.

CHIPPEWA COUNTY – PLANNING & ZONING COMMITTEE

NOTICE OF ACTION

Conditional Use Permit for a Non-Metallic Mine Michels 64/124 Pit (Town of Woodmohr)

APPEAL NUMBER: 1992-0029

APPROVAL DATE: 02-18-2021

EXPIRATION DATE: 02-18-2023

LAND OWNER(S) for Operator A:

Raymond J & Lanna B Michels, 13601 State Highway 64, Bloomer, Wisconsin 54724	(Parcel #: 23008-0611-00020007)
Raymond J & Lanna B Michels, 13601 State Highway 64, Bloomer, Wisconsin 54724	(Parcel #: 23008-0612-00020000)
Raymond J & Lanna B Michels, 13601 State Highway 64, Bloomer, Wisconsin 54724	(Parcel #: 23008-0612-01750000)
Eric E & Debi Dee Lewis, 13399 State Highway 64, Bloomer, Wisconsin 54724	(Parcel #: 23008-0612-06000000)
Eric E & Debi Dee Lewis, 13399 State Highway 64, Bloomer, Wisconsin 54724	(Parcel #: 23008-0612-72186002)
Raymond J & Lanna B Michels, 13601 State Highway 64, Bloomer, Wisconsin 54724	(Parcel #: 23008-0613-02220000)
Raymond J & Lanna B Michels, 13601 State Highway 64, Bloomer, Wisconsin 54724	(Parcel #: 23008-0621-01000000)

OPERATOR A:

Michels Sand & Gravel, 13601 State Highway 64, Bloomer, Wisconsin 54724

LAND OWNER for Operator B:

Michels Materials LLC, 5265 186 th Avenue, Bloomer, Wisconsin 54724	(Parcel #: 23008-0614-00020000)
--	---------------------------------

OPERATOR B:

Michels Materials LLC, 5265 186th Avenue, Bloomer, Wisconsin 54724

Dear Mr. & Mrs. Michels, Mr. & Mrs. Lewis, Michels Sand & Gravel and Michels Materials LLC,

On February 18, 2021, the Planning & Zoning Committee considered your request for a Conditional Use Permit, which would allow for the extraction of natural minerals and resources in the Agricultural District pursuant to 70-71(b)(2), 70-108 and sections 70-180 through 70-187 of the Chippewa County Zoning Ordinance. The land associated with this particular conditional use permit is located in the N ½ and the E ½ of the NE ¼, the NE ¼ of the NW ¼ and the SW ¼ of the NE ¼, Section 06, Township 30N, Range 08W, Town of Woodmohr.

DECISION:

The Planning & Zoning Committee has **GRANTED** a conditional use permit with the following conditions:

- (1) This is a **2-year permit**, set for renewal prior to **February 18, 2023**. No off-site hauling of material following permit expiration and in case of revocation.
- (2) Permit granted to allow mining within the proposed Non-Metallic Mine Boundaries as shown on the submitted information for this Conditional Use Permit.
- (3) Activities to be in compliance with WDNR WPDES Permit.
- (4) Activities to be conducted in compliance with the approved Non-Metallic Mining Reclamation "Plan Narrative" dated October 10, 2016 and the "Initial Site Map", "Site Operations Map", and "Final Site Map" all dated October 10, 2016 and updated for the February 18, 2021 meeting.
- (5) Operator to follow: 1) All provisions of Chippewa County Non-Metallic Mining Reclamation Ordinance; 2) All applicable provisions of Chapter 70 – Chippewa County Zoning Ordinance and; 3) Wisconsin Administrative Rule NR 135.

- (6) Separation distance of 50' from all property lines must be maintained unless an agreement in writing is obtained from the property owners and submitted to the Department of Planning & Zoning.
 - a. A waiver agreement, dated October 23, 2016, has been reached between Brooke J Stuckert White (property owner of 23008-0611-74499001) and Raymond Michels (23008-0611-00020007). The agreement reduces the setback to the property line from 50' to 25' for this specific property.
 - b. A waiver agreement, dated July 6, 2020, has been reached between Haas Sons Properties LLC (property owner of 23008-0613-72772001) and Eric & Debbie Lewis (23008-0612-06000000). The agreement reduces the setback to the property line from 50' to 0' following for both parties.
 - c. A waiver agreement, dated July 6, 2020, has been reached between Haas Sons Properties LLC (property owner of 23008-0613-72772001) and Raymond Michels (23008-0612-00020000 and 23008-0613-02220000). The agreement reduces the setback to the property line from 50' to 0' for both parties.
 - d. A waiver agreement, dated October 14, 2016, has been reached between Charles Morning III (property owner of 23008-0641-00000000) and Michels Materials LLC (23308-0614-000020000). The agreement reduces the setback to the northern property line from 50' to 0' for both parties.
- (7) No discharge of water be allowed from the site or into identified wetlands.
- (8) Land filling of construction debris and refuse prohibited.
- (9) Completion of restoration activities within one year of permit expiration.
- (10) It is the responsibility of the landowner and/or operator to keep all permits current.
- (11) Hours of operation 6:00 a.m. to 9:00 p.m. Monday through Friday, 6:00 a.m. to 3:00 p.m. Saturdays. No Sundays or holidays. All other hours to be brought before the Planning & Zoning Committee for approval.
- (12) Sign by entrance stating pit owner and operator and the hours of operation.
- (13) No processing of material on site other than crushing, screening and washing gravel.
- (14) Dust control shall be required.
- (15) Each cell shall be managed independently for salvage of topsoil and subsoil which will be utilized for reclamation purposes. Stockpile reserves shall be segregated from material for sale.
- (16) Onsite gravel washing shall be allowed under this permit.

A complete record of the hearing and the decision of the Planning & Zoning Committee are available for inspection in the Chippewa County Planning & Zoning Department, Room 009, 711 N. Bridge Street, Chippewa Falls, Wisconsin. Information can be reviewed and/or requested between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays.

RENEWAL OF THE CONDITIONAL USE PERMIT:

The Planning & Zoning Committee may renew conditional use permits authorizing nonmetallic mining activities subject to the following:

- (1) Applications for the renewal of a conditional use permit must be submitted at least 45 calendar days prior to the expiration date of the existing conditional use permit. Applications are not required to include any items shown on previously submitted applications, unless the information has changed. Renewal applications may merely indicate no change in such items. Any proposed changes from prior applications shall be required to submit the applicable required information under this division.
- (2) Unless a public informational hearing is requested by a person who owns property within 660 feet of the proposed nonmetallic mining site, no public hearing shall be required to be held with the respect to the conditional use permit renewal application. However, if the application provides for an enlargement of a permitted nonmetallic mining site, or otherwise provides for an alteration or change in the method of operations or reclamation previously approved, a new conditional use permit shall be required and approved by the Committee only after finding such change will not adversely properties within 660'.

- (3) Conditional Use Permit renewals may be conditioned upon correction of any unanticipated environmental impacts, which occurred during the term of initial or renewal permits.
- (4) The conditional use permit may be renewed by the Committee for up to an additional 4 years based on the operators compliance with the requirements of the conditional use permit and this division. To ensure compliance, the Department shall bi-annually inspect the nonmetallic mining operation.

TERMINATION:

This conditional use permit shall not be terminated or denied without first providing the operator with a notice of a public hearing and a public hearing at which the operator shall be given the right to respond to any alleged noncompliance of the conditions of the permit and this division. Termination or non-renewal shall occur only in the event of an operator's failure to comply with any material term of the initial or renewed conditional use permit, the Reclamation Plan, the performance standards incorporated herein, or upon a significant change, as determined by the Committee, in material circumstances rendering continued operation under the conditional use permit to be contrary to the health, safety, or welfare of the County.

TRANSFER OF PERMIT:

In the event an operator succeeds the interest of another at an uncompleted non-metallic mine site, the former operator shall be released of the responsibilities imposed by the current permit issued to the former operator upon satisfaction of the following conditions.

- (1) The nonmetallic mine site is in compliance with the requirements of this division and the permit for the operation of the nonmetallic mine site.
- (2) The new operator assumes the responsibility of the former operator to complete the reclamation of the entire permitted nonmetallic mining site by a written, signed and notarized document and provides adequate financial assurance for approved reclamation of the nonmetallic mine site.

NONMETALLIC MINE SITE ENLARGEMENT:

Any proposed nonmetallic mining site enlargement shall be processed as a new application pursuant to this division. All provisions of this division shall apply to the proposed enlargement.

FAILURE TO OPEN AND OPERATE:

Failure of an operator to take substantial steps to open and operate a nonmetallic mining site within 1 year of the initial permit issuance shall invalidate the permit. A new permit application shall be required for any future nonmetallic mining activity.

ABANDONMENT OF NONMETALLIC MINE OPERATIONS:

Any nonmetallic mine site on which no nonmetallic mining activity has taken place for 24 consecutive months shall be determined to be abandoned. If the abandonment of a nonmetallic mine site occurs, the conditional use permit shall be terminated and all applicable reclamation standards and bonds shall be enforced or executed. Nonmetallic mining operations shall not be conducted within the boundaries of the previously permitted nonmetallic mine site, unless a new nonmetallic mine permit has been issued under this division.

WRIT OF CERTIORARI

Any person or persons jointly or severally aggrieved by this decision of the Planning & Zoning Committee or any taxpayer, or any officer, department, board or bureau of the County, may commence an action in the circuit court for writ of certiorari to review the legality of such decision.

Dated this 19th day of February, 2021.

By the Order of the Planning & Zoning Committee.



Douglas Clary, Director
 Department of Planning & Zoning

APPEAL NUMBER: 1992-0029
APPROVAL DATE: February 18, 2021

CC: Pete Hanson, Woodmohr Town Chair - *via email*
Dan Masterpole, County Land Conservationist, DLCFM – *via email*
File

Attachment: 1992-0029 Michels - Michels Pit - CUP 2021 - Final Decision (7367 : 1992-0029 - Ray Michels - CUP Renewal)

CHIPPEWA COUNTY DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone: 715.726.7940 • Fax: 715.726.4596 • www.co.chippewa.wi.us •

Land Management

Land Planning

Land Records & G.I.S.

POWTS & Wells

Date: October 13, 2022

To: Property Owner(s)

From: Doug Clary, Planning & Zoning, Director

Re: Request for a Renewal
1992-0029 – Conditional Use Permit for a Non-Metallic Mine
Hwy 64/124 Pit – Town of Woodmohr

Dear Property Owner(s):

On February 18, 2021, the Planning & Zoning Committee approved the Conditional Use Permit (CUP) 1992-0029, which allowed Raymond Michels and Michels Materials a non-metallic mine referred to as the Hwy 64/124 Pit. The CUP will expire on February 18, 2023. Section 70-184(d) of the Zoning Ordinance requires the non-metallic mine operators to submit a request for the renewal of a CUP at least 45 calendar days prior to the expiration date of the existing conditional use permit. On October 5, 2022, Raymond Michels submitted the renewal request.

Raymond Michels & Michels Materials renewal request indicates that they are not seeking any changes to the approved plans or requesting any changes to the conditions on the CUP. Thus, they are not required to include any items shown on previously submitted documents. A public hearing is not required on this CUP renewal request because there are no changes requested. However, a public informational hearing can be requested by a person who owns property within 660 feet of the proposed nonmetallic mining site.

Please be advised that the Planning & Zoning Committee will be reviewing this CUP renewal request at their **November 17, 2022** meeting. If the Department does not receive a request for a public hearing prior to this date, then I anticipate the CUP will be renewed by the Planning & Zoning Committee for up to an additional 4 years based on the operators compliance with the requirements of the conditional use permit and of the zoning ordinance.

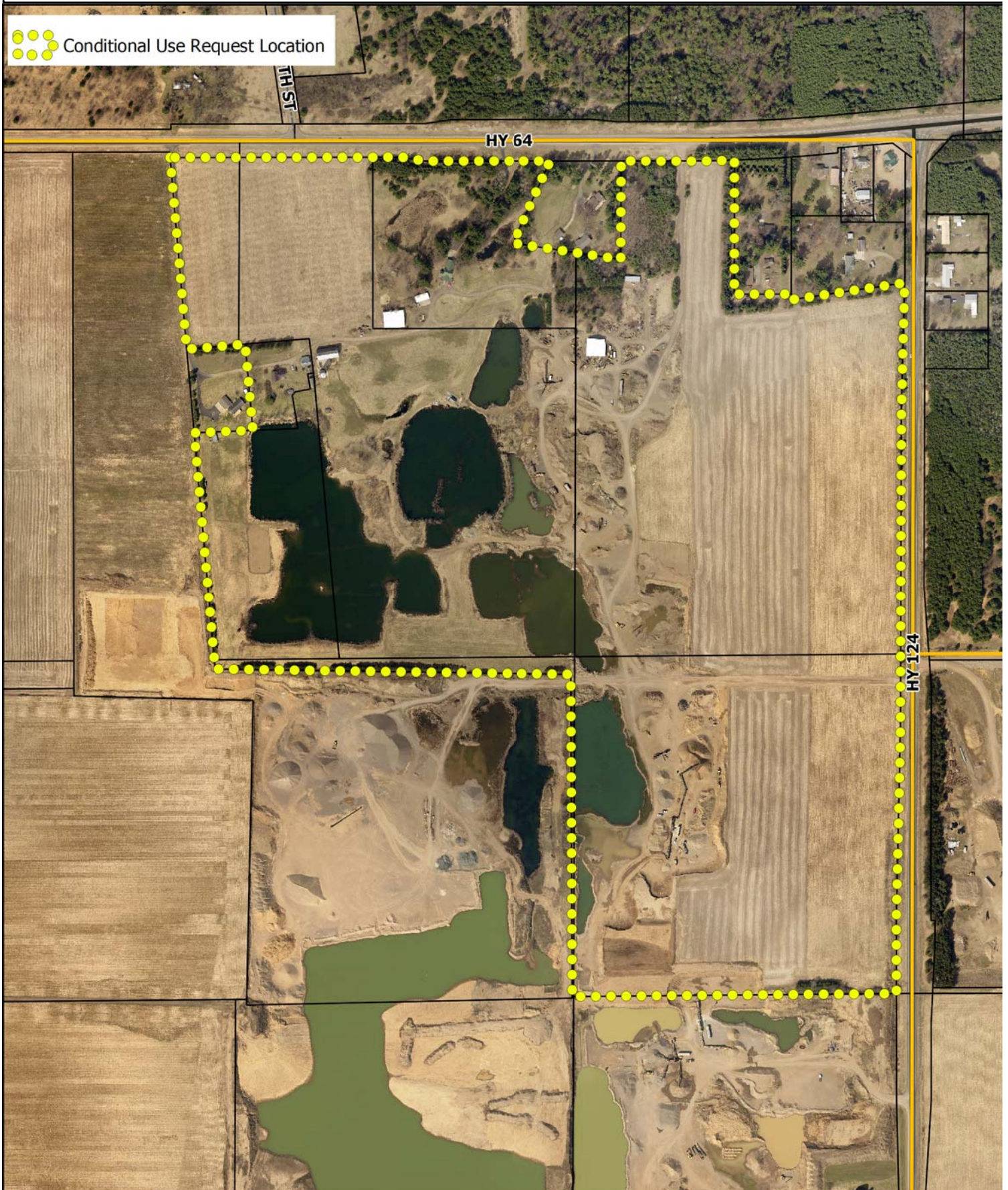
If you have any questions, please feel free to contact me at (715) 726-7941.

Attachment: Gravel Pit Renewal Letter (7367 : 1992-0029 - Ray Michels - CUP Renewal)

1992-0029 - Michels Materials & Michels Sand & Gravel (Hwy 64/124 Pit)
Conditional Use Permit - Aerial (2020)

6.1.c

Conditional Use Request Location



Attachment: 1992-0029 Michels - Michels Pit - Aerial (7367 : 1992-0029 - Ray Michels - CUP Renewal)



STATEMENT OF EXPLANATION

6.2

2012-0003 - RAY MICHELS - CUP RENEWAL - TOWN OF WOODMOHR

To allow renewal for the extraction of natural minerals and resources in the Agricultural District pursuant to 70-71(b)(2), 70-108 and sections 70-180 through 70-187 of the Chippewa County Zoning Ordinance. The lands associated with this particular conditional use permit are Lots 5, 6 & 7 of Certified Survey Map 62, and parcel number 23008-0644-01250001 which are located in the SE¼ of the SE ¼, Section 06, Township 30N, Range 08W, Town of Woodmohr.

CHIPPEWA COUNTY – PLANNING & ZONING COMMITTEE

NOTICE OF ACTION

Conditional Use Permit for a Non-Metallic Mine Michels HWY 124 Pit (Town of Woodmohr)

APPEAL NUMBER: 2012-0003

APPROVAL DATE: 02-18-2021

EXPIRATION DATE: 02-18-2023

LAND OWNER(S):

Raymond J Michels, 13601 State Hwy 64, Bloomer, Wisconsin 54724	(Parcel #: 23008-0644-01250001)
Raymond J & Lanna B Michels, 13601 State Hwy 64, Bloomer, Wisconsin 54724	(Parcel #: 23008-0644-70062005)
Raymond Michels, 13601 State Hwy 64 Bloomer, Wisconsin 54724	(Parcel #: 23008-0644-70062006)
Raymond Michels, 13601 State Hwy 64, Bloomer, Wisconsin 54724	(Parcel #: 23008-0644-70062007)

OPERATOR:

Michels Sand & Gravel, Raymond Michels, 13601 St Hwy 64, Bloomer, Wisconsin 54724

Dear Mr. Michels, Mr. & Mrs. Michels & Michels Sand & Gravel:

On February 18, 2021, the Planning & Zoning Committee considered your request for a Conditional Use Permit, which would allow for the extraction of natural minerals and resources in the Agricultural District pursuant to 70-71(b)(2), 70-108 and sections 70-180 through 70-187 of the Chippewa County Zoning Ordinance. The lands associated with this particular conditional use permit are Lots 5, 6 & 7 of Certified Survey Map 62, and parcel number 23008-0644-01250001 which are located in the SE¼ of the SE ¼, Section 06, Township 30N, Range 08W, Town of Woodmohr.

DECISION:

The Planning & Zoning Committee has **GRANTED** a conditional use permit with the following conditions:

- (1) This is a **2-year permit**, set for renewal prior to **February 18, 2023**. No off-site hauling of material following permit expiration and in case of revocation.
- (2) Permit granted to allow mining within the proposed Non-Metallic Mine Boundaries as shown on the submitted information for this Conditional Use Permit.
- (3) Activities are to be in compliance with the WDNR WPDES Permit.
- (4) Separation distance of 50' from all property lines must be maintained unless an agreement in writing is obtained from the property owners and submitted to the Department of Planning & Zoning
 - a. A waiver from 50' to 0' has been filed for the northern property line of parcel number 23008-0644-0125001, which abuts the Charles Morning III property.
 - b. A waiver from 50' to 5' has been filed for the southern property line of parcel number 23008-0644-70060005, which abuts the Edwin & Pamela Gehrig property.
- (5) No discharge of water is allowed from the site.
- (6) Mining activities cannot be any closer than 250' to a residence and/or well, except for the well located on parcel number 23008-0644-70062005, which is owned by Michels.
- (7) Non-Metallic Mining is allowed below the water table as shown in the submitted documents.
- (8) Hours of operation 6:00 a.m. to 9:00 p.m. Monday through Friday. Saturday 6:00 a.m. to 3:00 p.m. No Sundays or holidays. All other hours to be brought before the Planning & Zoning Committee for special approval.

Attachment: 2012-0003 Michels - HWY 124 Pit - 2021 CUP FINAL - Woodmohr (7368 : 2012-0003 - Ray Michels - CUP Renewal)

- (9) A sign must be placed by the entrance stating the property owners name and the operator as well as hours of operation. A driveway permit and 911 number will be required.
- (10) Operator to follow: 1) All provisions of Chippewa County Non-Metallic Mining Reclamation Ordinance and; 2) Wisconsin Administrative Rule NR 135.
- (11) Activities to be conducted in compliance with the approved Non-Metallic Mining Reclamation Plan Narrative dated October 13, 2017 and the "Initial Site Map", "Site Operations Map" and "Final Site Map" as approved by the Land Conservation and Forest Management Department and dated October 13, 2017.
- (12) Off-site hauling of material following permit expiration and in case of revocation will be prohibited. It is the responsibility of the land owner and/or operator to keep all applicable permits current.
- (13) Onsite temporary storage of recycled asphalt and/or concrete is allowed.
- (14) No burying of any materials will be allowed onsite.
- (15) Grade soil piles to a 3 to 1 slope & mulch with seeding.
- (16) The washing & crushing of sand and gravel will occur onsite, but is limited to the site specific material. The operator will not have a well for washing as the operation will be mining below the water table.
- (17) Operator has agreed that no chemicals or flocculants will be utilized and as part of this permit would be prohibited.
- (18) Ingress/Egress Access: Appropriately recorded documents showing ingress/egress to the site shall be submitted to the Department of Planning & Zoning and the Town of Woodmohr prior to non-metallic mining activities onsite. This would include access across other private property and the access point onto a state or local road.

A complete record of the hearing and the decision of the Planning & Zoning Committee are available for inspection in the Chippewa County Planning & Zoning Department, Room 009, 711 N. Bridge Street, Chippewa Falls, Wisconsin. Information can be reviewed and/or requested between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays.

RENEWAL OF THE CONDITIONAL USE PERMIT:

The Planning & Zoning Committee may renew conditional use permits authorizing nonmetallic mining activities subject to the following:

- (1) Applications for the renewal of a conditional use permit must be submitted at least 45 calendar days prior to the expiration date of the existing conditional use permit. Applications are not required to include any items shown on previously submitted applications, unless the information has changed. Renewal applications may merely indicate no change in such items. Any proposed changes from prior applications shall be required to submit the applicable required information under this division.
- (2) Unless a public informational hearing is requested by a person who owns property within 660 feet of the proposed nonmetallic mining site, no public hearing shall be required to be held with the respect to the conditional use permit renewal application. However, if the application provides for an enlargement of a permitted nonmetallic mining site, or otherwise provides for an alteration or change in the method of operations or reclamation previously approved, a new conditional use permit shall be required and approved by the Committee only after finding such change will not adversely properties within 660'.
- (3) Conditional Use Permit renewals may be conditioned upon correction of any unanticipated environmental impacts, which occurred during the term of initial or renewal permits.
- (4) The conditional use permit may be renewed by the Committee for up to an additional 4 years based on the operators compliance with the requirements of the conditional use permit and this division. To ensure compliance, the Department shall bi-annually inspect the nonmetallic mining operation.

TERMINATION:

This conditional use permit shall not be terminated or denied without first providing the operator with a notice of a public hearing and a public hearing at which the operator shall be given the right to respond to any alleged noncompliance of the conditions of the permit and this division. Termination or non-renewal shall occur only in the event of an operator's failure

to comply with any material term of the initial or renewed conditional use permit, the Reclamation Plan, the performance standards incorporated herein, or upon a significant change, as determined by the Committee, in material circumstances rendering continued operation under the conditional use permit to be contrary to the health, safety, or welfare of the County.

TRANSFER OF PERMIT:

In the event an operator succeeds the interest of another at an uncompleted non-metallic mine site, the former operator shall be released of the responsibilities imposed by the current permit issued to the former operator upon satisfaction of the following conditions.

- (1) The nonmetallic mine site is in compliance with the requirements of this division and the permit for the operation of the nonmetallic mine site.
- (2) The new operator assumes the responsibility of the former operator to complete the reclamation of the entire permitted nonmetallic mining site by a written, signed and notarized document and provides adequate financial assurance for approved reclamation of the nonmetallic mine site.

NONMETALLIC MINE SITE ENLARGEMENT:

Any proposed nonmetallic mining site enlargement shall be processed as a new application pursuant to this division. All provisions of this division shall apply to the proposed enlargement.

FAILURE TO OPEN AND OPERATE:

Failure of an operator to take substantial steps to open and operate a nonmetallic mining site within 1 year of the initial permit issuance shall invalidate the permit. A new permit application shall be required for any future nonmetallic mining activity.

ABANDONMENT OF NONMETALLIC MINE OPERATIONS:

Any nonmetallic mine site on which no nonmetallic mining activity has taken place for 24 consecutive months shall be determined to be abandoned. If the abandonment of a nonmetallic mine site occurs, the conditional use permit shall be terminated and all applicable reclamation standards and bonds shall be enforced or executed. Nonmetallic mining operations shall not be conducted within the boundaries of the previously permitted nonmetallic mine site, unless a new nonmetallic mine permit has been issued under this division.

WRIT OF CERTIORARI

Any person or persons jointly or severally aggrieved by this decision of the Planning & Zoning Committee or any taxpayer, or any officer, department, board or bureau of the County, may commence an action in the circuit court for writ of certiorari to review the legality of such decision.

Dated this 19th day of February, 2021.

By the Order of the Planning & Zoning Committee.



Douglas Clary, Director
 Department of Planning & Zoning

CC: Pete Hanson, Woodmohr Town Chair - *via email*
 Dan Masterpole, County Land Conservationist, DLCFM – *via email*
 File

Attachment: 2012-0003 Michels - HWY 124 Pit - 2021 CUP FINAL - Woodmohr (7368 : 2012-0003 - Ray Michels - CUP Renewal)

CHIPPEWA COUNTY DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone: 715.726.7940 • Fax: 715.726.4596 • www.co.chippewa.wi.us •

Land Management

Land Planning

Land Records & G.I.S.

POWTS & Wells

Date: October 13, 2022

To: Property Owner(s)

From: Doug Clary, Planning & Zoning, Director

Re: Request for a Renewal
2012-0003 – Conditional Use Permit for a Non-Metallic Mine
Hwy 124 Pit – Town of Woodmohr

Dear Property Owner(s):

On February 18, 2021, the Planning & Zoning Committee approved the Conditional Use Permit (CUP) 2012-0003, which allowed Raymond Michels a non-metallic mine referred to as the Hwy 124 Pit. The CUP will expire on February 18, 2023. Section 70-184(d) of the Zoning Ordinance requires the non-metallic mine operators to submit a request for the renewal of a CUP at least 45 calendar days prior to the expiration date of the existing conditional use permit. On October 5, 2022, Raymond Michels submitted the renewal request.

Raymond Michels renewal request indicates that they are not seeking any changes to the approved plans or requesting any changes to the conditions on the CUP. Thus, they are not required to include any items shown on previously submitted documents. A public hearing is not required on this CUP renewal request because there are no changes requested. However, a public informational hearing can be requested by a person who owns property within 660 feet of the proposed nonmetallic mining site.

Please be advised that the Planning & Zoning Committee will be reviewing this CUP renewal request at their **November 17, 2022** meeting. If the Department does not receive a request for a public hearing prior to this date, then I anticipate the CUP will be renewed by the Planning & Zoning Committee for up to an additional 4 years based on the operators compliance with the requirements of the conditional use permit and of the zoning ordinance.

If you have any questions, please feel free to contact me at (715) 726-7941.

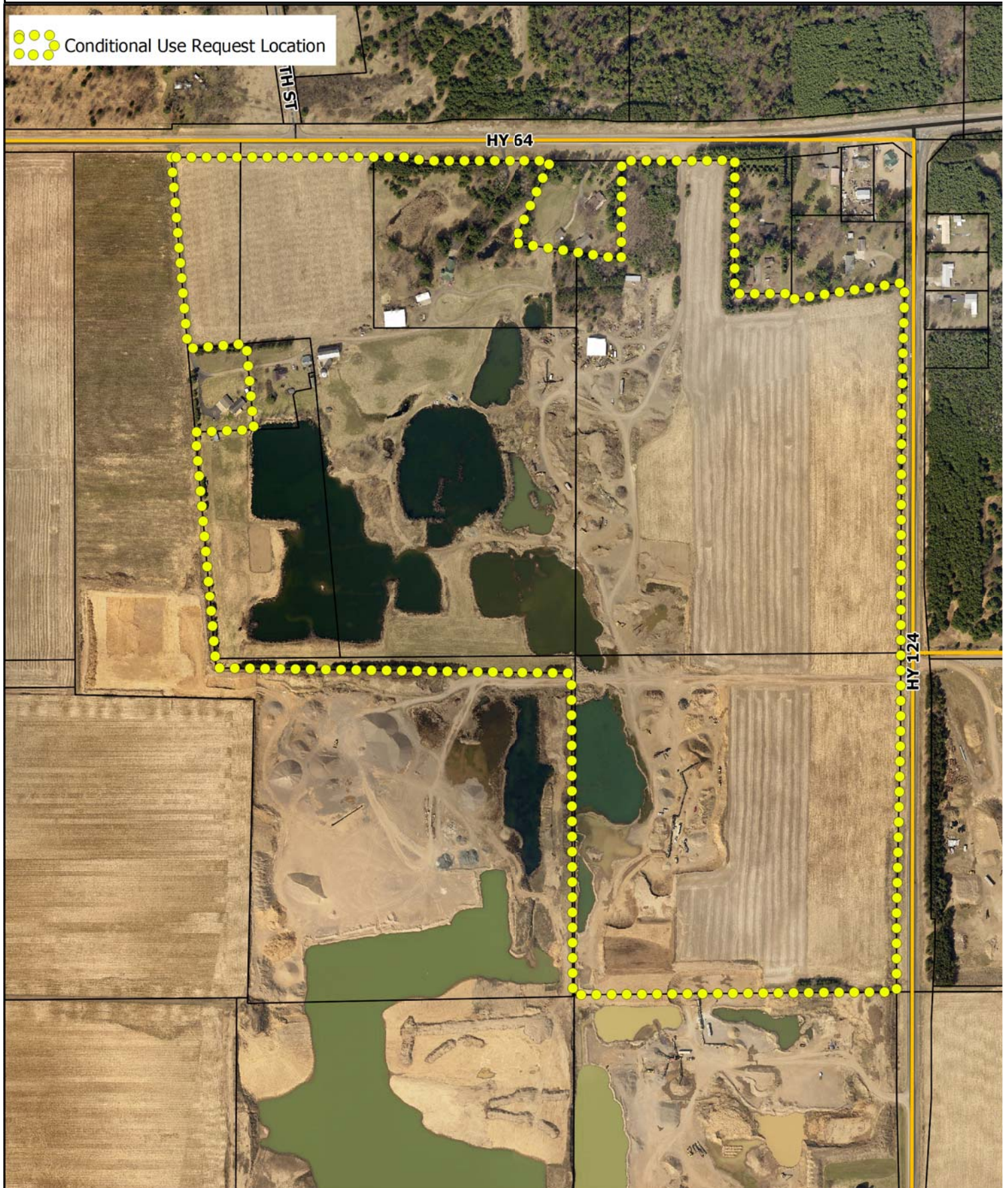
Attachment: Gravel Pit Renewal Letter (7368 : 2012-0003 - Ray Michels - CUP Renewal)

**1992-0029 - Michels Materials & Michels Sand & Gravel (Hwy 64/124 Pit)
Conditional Use Permit - Aerial (2020)**

6.2.c

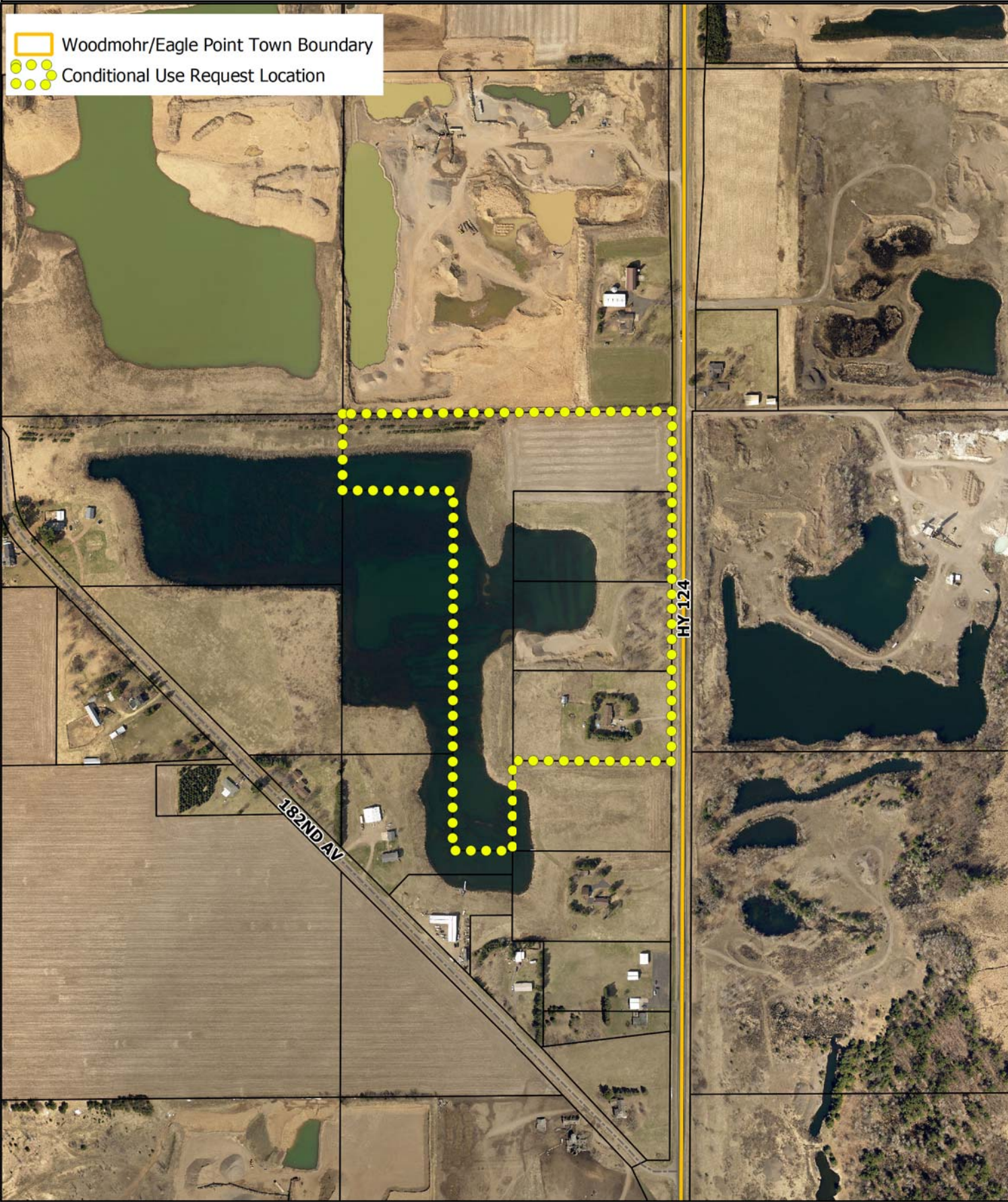


Conditional Use Request Location



Attachment: 1992-0029 Michels - Michels Pit - Aerial (7368 : 2012-0003 - Ray Michels - CUP Renewal)

2012-0003 - Michels Sand & Gravel (Hwy 124 Pit)
Conditional Use Permit - Aerial (2020)



Attachment: 2012-0003 Michels - CUP - HWY 124 Pit - Aerial (7368 : 2012-0003 - Ray Michels - CUP Renewal)



STATEMENT OF EXPLANATION
REVIEW AND ACTION ON OFFERS TO PURCHASE RECEIVED ON TAX
DEED PROPERTY - DOUG CLARY

6.3

The Planning & Zoning Committee will be reviewing sealed bids received on Tax Deed Property. Attached is the list of current Tax Deed properties for sale.

(Publish – Chippewa Herald – November 3 and November 10, 2022)

**PUBLIC NOTICE
SALE OF TAX DEED LAND**

Pursuant to Section 2-353 of the Code of Ordinances, County of Chippewa, Wisconsin, and Wisconsin State Statutes 75.69(1) notice is hereby given that Chippewa County offers for sale to the public the following described tax deed real estate:

Municipality: Town of Lake Holcombe - 2022

Parcel Number: 23206-0811-75644OL1
Address: Vacant Land
Description: Outlot 1 of Certified Survey Map 5644
Appraised Value: \$ 6,000
Minimum Bid: \$ ANY (*Lowered on 10-21-2022*)

Municipality: Town of Lake Holcombe - 2022

Parcel Number: 23206-0811-75644001
Address: Vacant Land
Description: Lot 1 of Certified Survey Map
Appraised Value: \$ 34,000
Minimum Bid: \$ 34,000

Municipality: City of Chippewa Falls – 2018

Parcel Number: 22808-0524-60431205
Address: Vacant Land
Description: EASTERN ADDITION LOT 5 BLK 12
Appraised Value: \$ 100
Minimum Bid: \$ ANY (*Lowered on 08-26-2019*)

Municipality: City of Eau Claire

Parcel Number: 22809-3343-05220000
Address: Vacant Land
Description: SW/SE PCL BEG 527' E OF NW COR OF THE S 1/2 SW SE; E 100', S 33', W 100', N 33' TO POB.
Appraised Value: \$ 200
Minimum Bid: \$ ANY

SEALED BID DEADLINE:

Sealed bids shall be sent to and received by the Chippewa County Department of Planning & Zoning, Room 009, 711 N. Bridge St., Chippewa Falls, WI 54729 prior to **12:00 Noon, Wednesday, November 16, 2022**. Sealed bids shall include the "Offer to Purchase" form, the applicable deposit and appropriately marked as described below. Bids will be opened by department staff and a bid sheet listing all bids will be submitted to the Planning & Zoning Committee for action.

COMMITTEE MEETING:

The Chippewa County Planning & Zoning Committee will meet at **4:30 PM on Thursday, November 17, 2022** in Room 302 of the Chippewa County Courthouse.

SEALED BID REQUIREMENTS:

All bidders must be at least eighteen (18) years or older to submit a bid.

A Chippewa County "Offer to Purchase" form must be submitted for each individual parcel. Bids shall be submitted in a sealed envelope and clearly marked on the outside "SEALED BID" along with the accompanying Parcel Identification Number. A minimum deposit by Cashier's Check or Certified Check in the amount of 10% of the bid (rounded to the nearest dollar) or \$1,000.00, whichever is greater, must accompany the bid. In situations where the bid amount is less than \$1,000.00, the full amount of the bid must be submitted. Checks shall be made payable to the Chippewa County Treasurer.

Chippewa County reserves the right to accept or reject any or all bids. The bid deposits of unsuccessful bidders will be returned following the acceptance of the successful bid.

Attachment: Tax Deed Properties Available_Sealed Bids 2022-11-17 (7403 : Review Bids Received on Tax Deeded Land)

The successful bidder must pay the accepted purchase price and all applicable fees by Cashier's Check or Certified Check in full within 15 days of delivery or written notification to the successful bidder of Chippewa County's acceptance of the successful bid or Chippewa County reserves the right to rescind the approval of the bid. The bid deposit submitted by the successful bidder shall be forfeited to Chippewa County in the event the successful bidder fails to make full payment for the property within 15 days of delivery to the successful bidder of written notification of Chippewa County's acceptance of the successful bid. ALL SALES ARE FINAL.

Upon completion of the sale, Chippewa County will prepare and record a quit claim deed (County Deed) conveying legal title from Chippewa County to the successful bidder as indicated on the submitted offer to purchase. The successful bidder shall be responsible for payment of the recording fee in the amount of \$30.00, which shall be included with the successful bidder's final payment for the property. No abstract or title insurance will be furnished by Chippewa County.

TERMS AND CONDITIONS:

All tax deed property will be sold "AS IS, WHERE IS and WITHOUT CONDITIONS". It is the responsibility of all prospective purchasers to determine any defects in the title or property. Chippewa County makes no representations, assurances or warranties as to, without limitation due to enumeration, the ability to build on the land, zoning and environmental condition such as the presence of toxins, contaminants, radon, hazardous wastes, hazardous substances or storage tanks, of and on the properties listed for sale.

Please contact Douglas Clary, Chippewa County Planning & Zoning Director at (715) 726-7941 with questions.



STATEMENT OF EXPLANATION
DISCUSSION & DIRECTION ON FUTURE SALES OF TAX DEEDED LAND -
DOUG CLARY

6.4

The Planning & Zoning Committee will discuss the future sale of the remaining tax-deeded parcels. This will also include a discussion on a possible reduction in the minimum accepted bid on the tax-deeded parcels.