



**MONROECOUNTY
PLANNING & ZONING DEPARTMENT**
14345 County Highway B, Suite 5, Sparta WI 54656-4509
FAX: 608-366-1809
Administrator-Alison Elliott, 608-269-8939

NOTICE OF MEETING

COMMITTEE: Sanitation, Planning & Zoning, & Dog Control
DATE: March 16, 2020
TIME: 6:00 P.M.
PLACE: Monroe County Justice Center
Monroe County Board Assembly Room
1st Floor - Room #1200, 112 South Court Street, Sparta, WI 54656
***(Please use the South Side/Oak Street Entrance)

SUBJECT MATTER TO BE CONSIDERED
Discussion and possible action of the following:

a. Roll Call

b. Possible Corrections and Approval of February 17, 2020 Meeting Minutes

c. Public Comment (3 minutes each one time only)

d. Public Hearings:

Application of Urias I. Borntreger for a conditional use permit to operate a small business-bent & dent grocery store on property located at 5135 Iberia Ave, in part of the NW 1/4, NW 1/4, Section 32, T17N, R4W, Town of Sparta, parcel number 040-01056-5000, 31.9 acre parcel. The adjoining land use is agriculture and residential.

e. Final Plat for "Sunset Trace" subdivision

f. Preliminary Plat for "Farmers Valley Estates" subdivision

g. Dog Control

Proposed Amendments to Ch 5 Animals

h. Recommendation To Amend Monroe County Ordinance 11-29, And To Repeal Monroe County Board Of Supervisors Amended Resolution 95-6-3, Purchase Of Road Name Signs

i. Sanitation & Zoning

FEMA Floodplain Mitigation Grant

DNR Municipal Flood Control Grant

Proposed Amendments to Ch 47-Zoning and Ch 50-Floodplain

j. Financial Report - Vouchers - Inter-departmental Transfers - Line Item Transfers – Budget Adjustments

k. Set Date for Next Meeting, Possible Agenda Items.

l. Adjournment

Douglas Path, Chairman

Note: A quorum of the Monroe County Board of Supervisors or Committees may be present but no County Board or Committee business other than the Sanitation, Planning & Zoning and Dog Control Committee will be conducted.

February 17, 2020

Sanitation/Planning & Zoning/Dog Control

Meeting called to order 6:00 p.m. by Vice-Chairman, Paul Steele.

Present: Paul Steele, Alan McCoy and Sharon Folcey. Absent: Douglas Path and Mary Cook.

Also Present: Alison Elliott-Sanitation, Zoning, Dog Control Administrator, and Amber Dvorak, Humane Officer.

Possible Corrections and Approval of January 20, 2020 Meeting Minutes.

A **Motion** was made by Alan McCoy and seconded by Paul Steele to approve the minutes from the January 20, 2020 meeting. Motion carried: 3-0.

Public Comments: (3 minutes each, one time only)- None

Dog Control:

Dog Control Vehicles

At last month's meeting the question came up whether or not to keep the old truck (after our new vehicle arrives) for the on-call Humane Officer or continue paying mileage for use of his personal vehicle. The committee wanted Alison to research what it would cost to pay mileage vs. keeping the vehicle.

A handout was provided to the Committee in their packets comparing cost of paying mileage for the last 4 years vs. what the cost of gas would have been if a county vehicle would have been provided. The handout also showed total miles on the current vehicle and the Retail value of the Truck (Kelly Blue Book) as of 1-27-2020.

Discussion was held:

A **motion** was made by Alan McCoy and seconded by Sharon Folcey to keep the truck for use by on-call Humane Officer. Motion carried: 3-0.

Proposed Amendments to Ch 5 Animals.

Amber Dvorak-Humane Officer presented the Committee with proposed changes to the Animals ordinance. The changes would add wording to require the insulation of dog houses and list various situations that would constitute cruelty to animals. Currently these types of violations are listed in state statute and must be prosecuted through the District Attorney's office as a criminal charge. By adding this language to the County's Ordinances it allows citations to be issued through the Corporation Counsel's Office.

Discussion was held.

The Committee requested Alison and Amber research possible ordinance wording regarding barking/howling as a nuisance. The Committee also requested that Alison talk with Shirley from Clerk of Courts to see how citation funds are dispersed and find out if a portion can be returned to the Dog Control Department.

Sanitation & Zoning:

February 17, 2020

FEMA Floodplain Mitigation Grant DNR Municipal Flood Control Grant

Alison and Roxie Anderson from Land Conservation continue to work on preparing the DNR Grant application which is due Mid-March. The State is waiting on DNR Grant awards to determine how much funding will be available for the FEMA Grant applicants. Alison reported that we might know as early as Mid-April the status of the FEMA Grant.

Discussion was held:

Proposed Amendments to Ch 47-Zoning

Alison presented the Committee with proposed amendments to Ch 47

Corey Revels was present to address an issue he has been working on for the past 3 years regarding access across the DNR owned bike trail. Corey has a parcel of land that is land locked by the bike trail. The current wording in the zoning code requires a letter of permission from the DNR for a specific purpose. Corey has a letter from the DNR granting permission to cross the trail for Ag use, not residential.

Alison stated that in section (d)(1) if we would dropped the part requiring the letter to state the use this would allow Corey to get a zoning permit.

Committee was in agreement to move forward to strike.

Other amendments discussed included changes to the campground definitions and section to conform to State requirements, adding wording for clarification that only one dwelling is allowed per parcel in most situations, adding a definition of tourist rooming house and adding it as a Conditional Use in the General Agriculture and General Forestry Zoning Districts to accommodate increased interest in this type of business.

The Committee also discussed doubling the fee for "after-the-fact" Conditional Use Permits, Changes of Zoning and Board of Adjustment Variances to deter using these measures to correct issues when buildings have been built prior to obtaining a permit. Committee was in agreement with this.

Alison will send out notices to all zoned towns to get feedback for discussion at next month's meeting. After that it will proceed to public hearing and then be forwarded to the full County Board for approval. The zoned Towns will then have 40 days to review and vote whether or not to approve the amendments.

Ch 50-Floodplain

Alison presented the Committee with changes to ch 50-Floodplain removing the flood studies out of the appendix and into the official mapping section of the ordinance. These changes are being required by the Department of Natural Resources to bring the County ordinance into compliance with State and Federal regulations.

Annual Departmental Reports

February 17, 2020

2019 annual reports for the Dog Control, Land Information, Sanitation and Zoning Departments were provided to the Committee for review.

Discussion was held:

Financial Report

FINANCIAL REPORT - VOUCHERS - INTER-DEPARTMENTAL TRANSFERS – CREDIT CARD EXPENDITURES – LINE ITEM TRANSFERS – BUDGET ADJUSTMENTS

The Committee reviewed December 2019/January 2020 expenses. Discussion was held:

December 2019

Department Vouchers		Interdepartmental Transfers		Credit Card Voucher	
Sanitation	12.00	Sanitation		Sanitation	0
Zoning	76.00	Zoning		Zoning	0
Dog Control BOA	610.37	Dog Control	61.68	Dog Control	
Total	\$698.37	0			

January 2020

Department Vouchers		Interdepartmental Transfers		Credit Card Voucher	
Sanitation	647.74	Sanitation		Sanitation	0
Zoning	313.04	Zoning		Zoning	0
Dog Control BOA	360.06 41.58	Dog Control		Dog Control	210.47
Total	\$1,362.42	0			\$210.47

Set Date for Next Meeting and Possible Agenda Items.

The next meeting will be held March 16, 2020 and will start at 6:00 pm in the County Board meeting room in the Justice Center. There is (1) public hearing-Conditional Use Permit. Topics for discussion include: Preliminary Plat review for "Farmers Valley Estates" (Brooks)

Both Paul Steel and Sharon Folcey will not be able to attend the March meeting. Alison will contact Pete Peterson to have as a back-up if needed for a quorum.

Discussion was also held regarding the April SZD meeting. Due to scheduling conflicts the Committee is looking at changing the April meeting to Thursday, April 16th at 6:00 p.m. Alison will check with the rest of the Committee members and get back to all members with a final date.

A **motion** to adjourn was made by Alan McCoy and seconded by Sharon Folcey. Motion carried: 3-0.

Meeting adjourned at 7:55 p.m.

Recorded by Gretchen Jilek.

Staff Report
Monroe County Planning & Zoning Department
Urias I. Borntreger
Hearing Date: March 16, 2020

Property Owner(s): Urias I. Borntreger
Town: Sparta
Site Address: 5135 Iberia Ave
Parcel Id: 040-01056-5000
Legal Description: Part of NW 1/4, NW 1/4, Section 32, T17N, R4W
Total Acres: 31.9 Acres
Current Zoning: GA General Agriculture
CUP Requested: Small Business-Bent & Dent Grocery Store
Link to Monroe County Comprehensive Plan referenced below: http://www.co.monroe.wi.us/wp-content/uploads/2015/02/MonroeCounty_ComprehensivePlan_Revised%209-24-14.pdf
Attachments: 1. Application
2. Site Map

Background:

Purposed for Request:

To take over existing bent and dent store and move it from 17909 Icarus to 5135 Iberia.

General Features of the Property:

Based on the county zoning map the parcel is bounded on all sides by parcels zoned General Agriculture. Access for this parcel is off of Iberia Ave.

Current land use is indicated as Agriculture/Open Land. (see *Existing Land Use-Map 12*) Adjoining land use to the site is currently agricultural, woodlands and some residential.

Monroe County Comprehensive Plan:

This parcel contains an Intermittent Stream, Shorelands, Wetlands and Pond but does not contain Floodplain.

Governmental Agency Review:

Staff has received a recommendation of approval from the Town of Sparta with the following conditions:

1. New driveway must be installed at proposed store location for better visibility.

Technical Review Findings:

Sec. 47-292(15) of the Monroe County Zoning Ordinance requires a Conditional Use Permit for Small Business in a General Agriculture Zoning District. Sec 47-7 defines Small Business as any occupation for gain or support conducted on property by resident occupants which is customarily incidental to the principal use of the premises.

Applicable Statutes and Criteria:

The Planning & Zoning Committee may consider the following provisions before granting approval for the Conditional Use Permit:

1. The proposed use is consistent with Monroe County Zoning Ordinance and all other applicable Ordinances.
2. The proposed use is consistent with surrounding land uses.
3. The Town's approval or disapproval of the request.

March 2, 2020

4. Conditions to be placed on the permit per Sec. 47-584(d) of the Zoning Ordinance.

Under Section 59.69(5e) of Wis. Stats created by 2017 Act 67: Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence as defined below. The requirements and conditions must be reasonable and, to the extent practicable, measurable. The applicant must demonstrate that the application and all requirements and conditions established by the county relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence.

Planning and Zoning Committee Action:

Pursuant to Section 47-584 of the Zoning Ordinance, The Planning and Zoning Committee may do one of the following:

1. Approve the Conditional Use Permit as requested.
2. Approve the Conditional Use Permit with Conditions.
3. Deny the Conditional Use Permit with reason.

Section 59.69(5e) of Wis. Stats States that If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the county ordinance or those imposed by the county zoning committee, the county shall grant the conditional use permit. The county's decision to approve or deny the permit must be supported by substantial evidence.

Definitions: Wis Stats Section 59.69(5e)(a)(2) "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

Town of Sparta

Permit No. _____

**APPLICATION FOR CONDITIONAL/SPECIAL USE PERMIT
MONROE COUNTY, WISCONSIN**

TO THE MONROE COUNTY ZONING COMMITTEE:

The undersigned hereby applies to the Monroe County Zoning Committee for a determination that the following site is suitable for the purpose indicated, and that suitable safeguards are met, in accordance with the provisions and requirements of the Monroe County Zoning Ordinance.

1) Name of Current Property Owner (please print): URIAS I BORNTRAGER

Signature of Owner: [Signature] Phone: _____

Mailing Address 5135 Iberia Ave City, State Zip SPARTA WI 54656

2) Name Co-applicant: (please print) _____

Co-applicant Signature: _____ Co-applicant Phone: _____

Co-applicant Address _____ City, State Zip _____



PROPOSED USE

Small business - dent + dent grocery store

DESCRIPTION OF SITE

NW ¼ of NW ¼ Section 32 T 17 N, R 4 W/E, 31.9 acres

Lot No. _____ Block No. _____ Subdivision or CSM No. _____

Town of Sparta Tax Parcel ID: 040-61056-5000

Zoning District CA Property Address: 5135 Iberia Ave

BUILDINGS AND AREA USED

New Buildings	Width (ft.) <u>32</u>	Length (ft.) <u>80</u>	Height (ft.) <u>16</u>	Stories <u>1</u>
Existing Buildings	Width (ft.) _____	Length (ft.) _____	Height (ft.) _____	Stories _____

Use of Adjoining Property and Other Details Agriculture + residential

YOU ARE RESPONSIBLE FOR COMPLYING WITH STATE AND FEDERAL LAWS CONCERNING CONSTRUCTION NEAR OR ON **WETLANDS, LAKES, AND STREAMS**. WETLANDS THAT ARE NOT ASSOCIATED WITH OPEN WATER CAN BE DIFFICULT TO IDENTIFY. FAILURE TO COMPLY MAY RESULT IN **REMOVAL OR MODIFICATION** OF CONSTRUCTION THAT VIOLATES THE LAW OR OTHER PENALTIES OR COSTS. FOR MORE INFORMATION, VISIT THE DEPARTMENT OF NATURAL RESOURCES WETLANDS IDENTIFICATION WEB PAGE www.dnr.wi.gov/wetlands/delineation.html OR CONTACT A DEPARTMENT OF NATURAL RESOURCES SERVICE CENTER.

[Signature]
Signature of Property Owner

2-4-20
Date

By signing this, I acknowledge that I have received this notice.

Monroe County, WI

Legend

- Addresses
- Lakes and Rivers
- Rivers and Streams
- FX
- IT
- PN
- Parcels
- Parcel Labels
- Towns
- Monroe County
- Other Counties
- Interstates
- US Highways
- State Highways
- County Roads
- Town Roads
- Fort McCoy Roads
- City and Village Roads
- Railroads



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

02/28/20 10:23 AM User:	User:



63 minimum to center of road

IBERAAVE

5031

040010590000

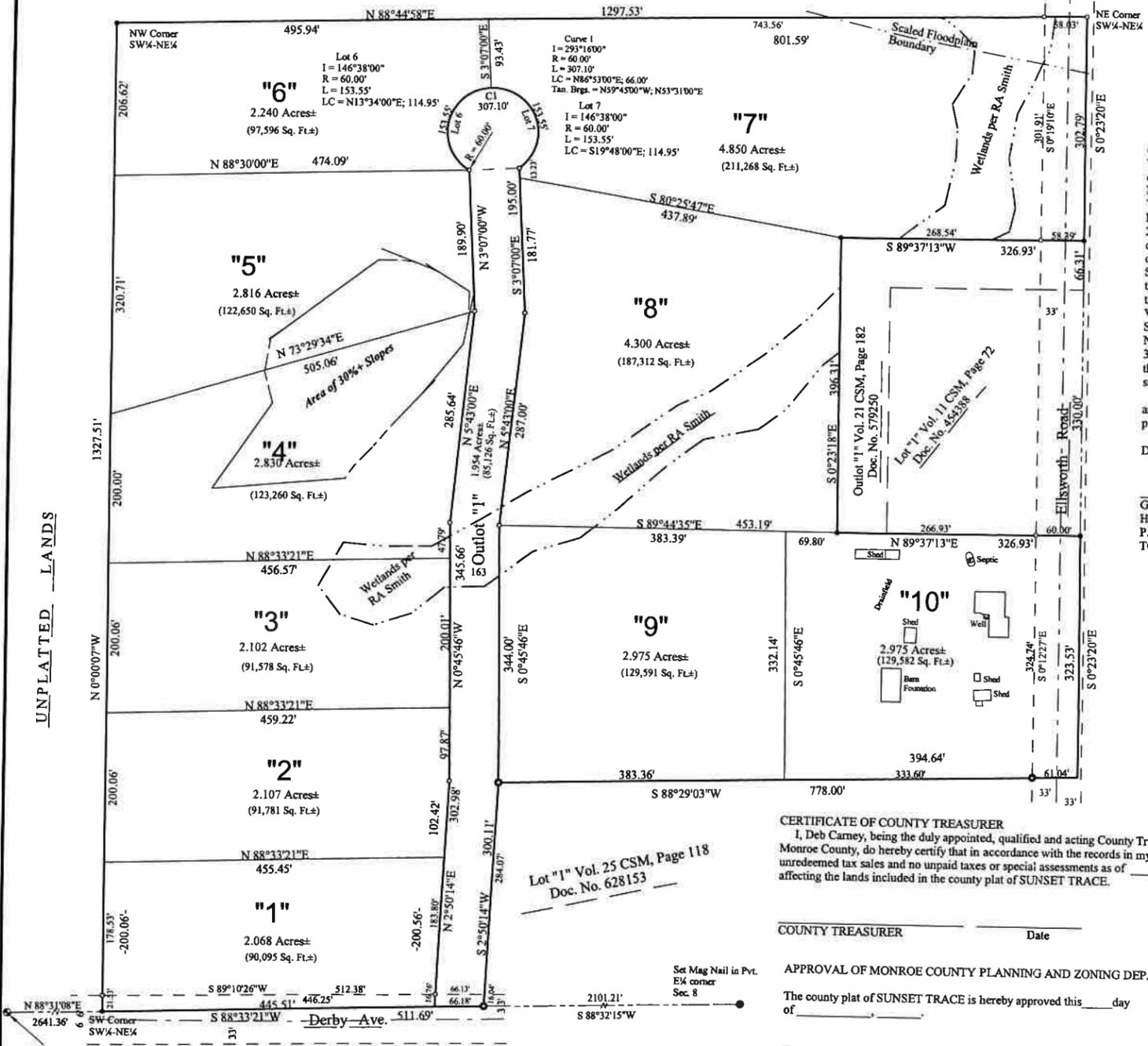
040010565000

Spruce

040009780000

5135

UNPLATTED LANDS



Surveyor's Certificate
 I, Garold A. Sime, being a duly qualified Surveyor, do hereby certify: that I have surveyed, divided and mapped the county plat of SUNSET TRACE, located in Lot 1 of Vol. 21 Certified Survey Maps, Page 038, Document Number 573692 in the SW¼-NE¼, Section 8, T18N-R1W, Town of LaGrange, Monroe County, Wisconsin; that I have made such survey and plat by the order and under the direction of Patrick G. and Cynthia T. Laughlin, owners of lands described as follows: Lot 1 of Vol. 21 Certified Survey Maps, Page 038, Document Number 573692, excepting therefrom Lot 1 of Vol. 11 Certified Survey Maps, Page 72, Document Number 454388, Outlet "1" of Vol. 21 Certified Survey Maps, Page 182, Document Number 579250 and Lot 1 of Vol 25 Certified Survey Maps, Page 118, Document Number 628153, also described as follows: Commencing at the E¼ corner of said Section 8; thence N88°32'15"W, a distance of 2101.25 feet to the Southwest corner of Lot 1 of Vol. 25 Certified Survey Maps, Page 118, Document Number 628153, being the Point of Beginning; thence S88°33'21"W, a distance of 511.69 feet to the Southwest corner of said SW¼-NE¼; thence N88°44'58"E, a distance of 1297.53 feet to the Northeast corner of said SW¼-NE¼; thence S0°23'20"E, a distance of 302.79 feet to the Northeast corner of Outlet "1" of Vol. 21 Certified Survey Maps, Page 182; thence S89°37'13"W, a distance of 326.93 feet to the Northwest corner of said Outlet "1"; thence S0°23'18"E, a distance of 396.31 feet to the Southwest corner of said Outlet "1"; thence N89°37'13"E, along the south line of said Outlet "1" and the south line of Lot 1 of Vol. 11 Certified Survey Maps, Page 72, Document Number 454388, a distance of 326.93 feet to the Southeast corner of said Lot 1; thence S0°23'20"E, a distance of 323.53 feet to the Northeast corner of said Lot 1 of Vol. 25 Certified Survey Maps, Page 118, Document Number 628153; thence S88°29'03"W, a distance of 778.00 feet to the Northwest corner of said Lot 1; thence S2°50'14"W, a distance of 300.11 feet to the Point of Beginning. Subject to all easements and right-of-ways of record, that said plat is a true and correct representation of the exterior boundaries of the land surveyed and the subdivision thereof made; that I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and the Subdivision Regulations of the County of Monroe in surveying, dividing and mapping said plat.

Dated this ____ day of _____, 2020.

GAROLD A. SIME, PROFESSIONAL LAND SURVEYOR S-1261
 H. A. SIME & ASSOCIATES
 P.O. BOX 50
 TOMAH, WI 54660

OWNER'S CERTIFICATE OF DEDICATION

As the owner, I hereby certify that I have caused the land described on this plat of SUNSET TRACE to be surveyed, divided, mapped and dedicated as represented on the plat. I also certify that this plat is required by s.236.10 or 236.12 to be submitted to the following for approval or objection.

Patrick G. Laughlin Cynthia T. Laughlin

WITNESS THE hand and seal of said owners this ____ day of _____, 2020.

STATE OF _____
 COUNTY) SS

Personally came before me this ____ day of _____, 2020, the above named, to me known to be the persons who executed the foregoing instrument and acknowledge same.

NOTARY PUBLIC, _____ COUNTY, _____
 My commission expires _____

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF LAGRANGE
 RESOLVED that the county plat of SUNSET TRACE in the Town of LaGrange, Patrick G. and Cynthia T. Laughlin, owners, is hereby approved by the Town Board of the Town of LaGrange.

Date _____ CHAIRMAN _____ TOWN CLERK _____

CERTIFICATE OF TOWN TREASURER
 I, Kate Schanhofer, being the duly elected, qualified and acting Town Treasurer of the Town of LaGrange, Monroe County, do hereby certify that in accordance with the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments as of _____ affecting the lands included in the county plat of SUNSET TRACE.

TOWN TREASURER _____ Date _____

CERTIFICATE OF REGISTER OF DEEDS
 I, Deb Brandt, hereby certify that the county plat of SUNSET TRACE, was received for record this ____ day of _____, at ____ o'clock ____ M.

MONROE COUNTY REGISTER OF DEEDS

SUNSET TRACE
"COUNTY PLAT"

Located in Lot 1 of Vol. 21 Certified Survey Maps, Page 038, Document Number 573692 in the SW¼-NE¼, Section 8, T18N-R1W, Town of LaGrange, Monroe County, Wisconsin

File No. 5526

CERTIFICATE OF COUNTY TREASURER
 I, Deb Carney, being the duly appointed, qualified and acting County Treasurer of Monroe County, do hereby certify that in accordance with the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments as of _____ affecting the lands included in the county plat of SUNSET TRACE.

COUNTY TREASURER _____ Date _____

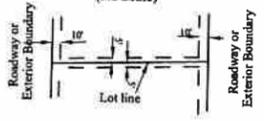
APPROVAL OF MONROE COUNTY PLANNING AND ZONING DEPARTMENT

The county plat of SUNSET TRACE is hereby approved this ____ day of _____

Dated _____ CHAIRMAN _____

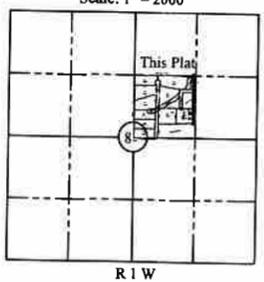
Lot "1" Vol. 25 CSM, Page 118
 Doc. No. 628153

TYPICAL UTILITY EASEMENT DETAIL
 (No Scale)



Owners: Patrick G. and Cynthia T. Laughlin
 P. O. Box 2149
 Palm City, FL 34991

LOCATION SKETCH
 Scale: 1" = 2000'



The south line of the NE¼ of Sec. 8 is ASSUMED to bear S88°32'15"W. (Monroe County Grid)

SCALE: 1" = 100'



- = Set 1¼" x 18" Rd. Iron Bar Weighting 4.17 lbs./lin.ft.
- = Found ¾" Rd. Iron Bar
- = Found 1" Iron Pipe

All other lot corners are monumented with ¾" x 18" Round Iron Bars

Notes: Access to Lots 1 thru 9 is by partial ownership of Outlet "1"

Outlet "1" is for the benefit of the neighborhood for utility easements and access purposes. The installation of anything that would obstruct or encumber these uses

Property is Zoned R3 and adjoining lands are Zoned GA

Reduction

PRELIMINARY PLAT FARMERS VALLEY ESTATES

PROPOSED 14 RESIDENTIAL LOTS AND 2 OUTLOTS
 LOCATED IN THE SW ¼ OF THE SE ¼ OF SECTION 19 AND THE NW ¼ OF THE NE ¼ OF SECTION 30, T17N, R3W, TOWN OF ANGELO, MONROE COUNTY, WISCONSIN.

APPROVING AUTHORITIES
 MONROE COUNTY
 TOWN OF ANGELO
 CITY OF SPARTA

OWNER/SUBDIVIDER
 TRAVIS L BROOKS
 10754 COUNTY HIGHWAY XX
 SPARTA WI 54656

OBJECTING AUTHORITY
 WI DEPARTMENT OF TRANSPORTATION

SURVEYOR
 POINT SURVEYING LLC
 JONATHAN A SCHMITZ PLS 2465
 18286 CHT "A"
 NORWALK WI 54648

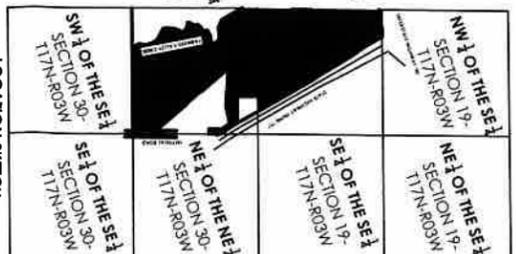
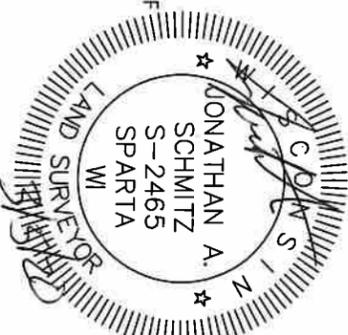
CONSULTING ENGINEER
 GERKE EXCAVATING
 15341 5TH 131
 TOMAH, WI 54660
 P. 608.372.420

ACREAGE
 +/-46.76 Acres
 +/-2037052 Sq. Feet

EXTRA TERRITORIAL REVIEW
 THE PROPOSED SUBDIVISION LIES WITHIN THE CITY OF SPARTAS EXTRA TERRITORIAL REVIEW

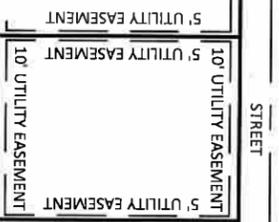
SURVEYOR'S CERTIFICATE
 I, JONATHAN A SCHMITZ, WISCONSIN LAND SURVEYOR NO. 2465, DO HEREBY CERTIFY THAT I HAVE SHOWN THE LAND DIVISIONS AND FEATURES REQUIRED BY CHAPTER 35 OF THE MONROE COUNTY LAND DIVISION ORDINANCE AND THAT I HAVE FULLY COMPLIED WITH THE APPLICABLE PROVISIONS OF THE CITY OF SPARTAS' LAND DIVISION ORDINANCE AND APPLICABLE STATE STATUTES TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JONATHAN A SCHMITZ, PLS #2465



SE CORNER SEC 19-T17N-R3W
 S 89°10'15" W 2657.68'

TYPICAL UTILITY EASEMENT



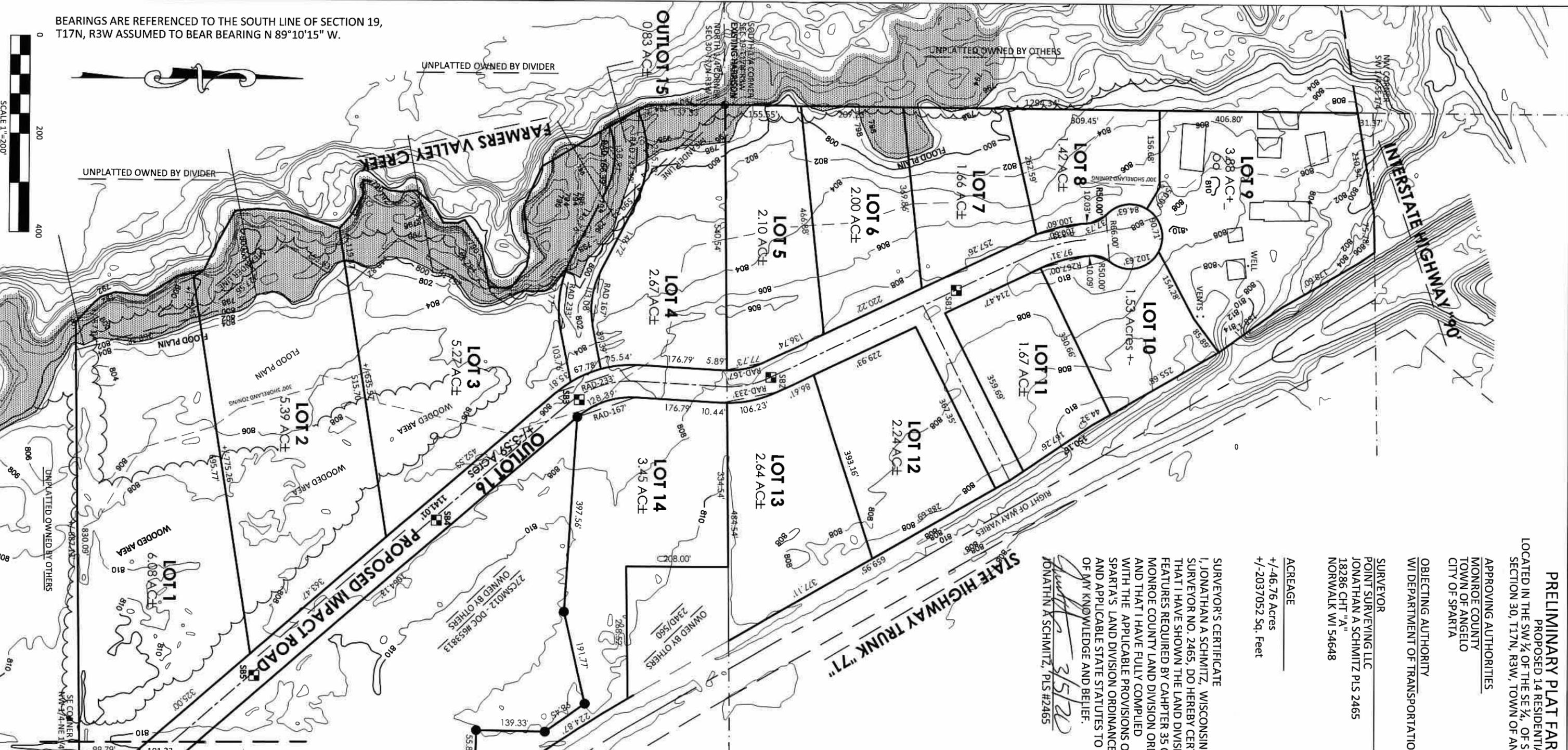
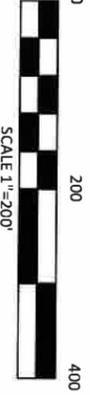
NOTES

- PORTIONS OF THE PROPOSED SUBDIVISION LIE WITHIN THE FLOODPLAIN.
- OUTLOT 15 WILL NOT BE DEDICATED AS A TOWN ROAD AS PART OF THIS PLAT. OWNER TO RETAIN THIS PARCEL FOR ACCESS TO ADJOINING LANDS.
- ELEVATIONS ARE REFERENCED NAVD 88.
- PORTIONS OF THE PROPOSED SUBDIVISION LIE WITHIN SHORELAND ZONING. ANY AREA THAT LIES WITHIN 300' FROM THE CENTERLINE OF FARMERS VALLEY CREEK ARE INCLUDED IN THIS ZONING DESIGNATION.
- THE CURRENT ZONING OF THE PROPERTY IS GENERAL AGRICULTURE UNDER THE CITY OF SPARTA EXTRA-TERRITORIAL ZONING. THE LOTS SHOWN WITHIN WILL NEED TO BE REZONED TO SUBURBAN-R2 PER THE CITIES COMPREHENSIVE PLAN.

IMPERIAL ROAD

SE CORNER NW ¼-NE ¼-4

BEARINGS ARE REFERENCED TO THE SOUTH LINE OF SECTION 19, T17N, R3W ASSUMED TO BEAR BEARING N 89°10'15" W.



Proposed changes to Ch 5 Animals Ordinance

Text to be deleted is struck through. Text to be added is bold and in italics.

ARTICLE IV. - DOG LICENSING AND RABIES CONTROL DIVISION 8. - ANIMAL CARE REQUIREMENTS

- Sec. 5-294. - Proper shelter requirement.
 - (1) Minimum outdoor standards of shelter shall include:
 - b. If a dog is tied or confined unattended outdoors under weather conditions which adversely affect the health of the dog, a shelter of suitable size to accommodate the dog shall be provided. The shelter shall:
 2. Be made of durable material *and be able to insulate against temperature extremes.*

Sec. 5-297. -. Cruelty to animals

- (1) *No person shall confine and allow their animals to remain outside during adverse weather conditions constituting a health hazard to such animals; such act shall be deemed cruelty to animals and such animals may be impounded by the Humane Officer or law enforcement officers.*
- (2) *No person shall leave or confine an animal in any unattended motor vehicle under conditions that endanger the health or well-being of an animal due to heat, cold, lack of adequate ventilation, or lack of food or water, or other circumstances that could reasonably be expected to cause suffering, disability, or death to the animal.*
- (3) *No person shall beat, cruelly ill-treat, torment, overload, overwork or otherwise abuse any animal.*
- (4) *No person shall cause or permit any dogfight, cockfight, bullfight, beta fish fights or other combat between animals or between animals and humans.*
- (5) *No owner of an animal shall abandon such animal.*
- (6) *No theatrical exhibit or act shall be held in which animals are forced or encouraged to perform through the use of chemical, electrical or mechanical devices.*
- (7) *Grooming requirement. Every person in charge or control of any dog, cat or other animal shall provide adequate grooming necessary to maintain the animal's health and wellbeing.*

Sec. 5-83

La Crosse County:

Public Nuisance. Any animal or animals which: Barks, whines, howls or makes other sounds common to its species in an excessive, continuous or untimely fashion.

Juneau County:

No person shall own, keep, possess or harbor any animal within the county which by frequent or habitual howling, yelping, barking or wailing disturbs other persons, provided that the provision of this section shall not apply to agricultural livestock operations or to the premises used and occupied by the county or its designee for impounding animals.

Trempealeau County:

10.06 HARBORING OR KEEPING BARKING DOGS. (1) Prohibited. It shall be unlawful for any person knowingly to keep or harbor any dog which habitually barks, howls or yelps to the great discomfort of the peace and quiet of the neighborhood, or in such manner as to materially disturb or annoy persons in the neighborhood who are of ordinary sensibilities. Such dogs are hereby declared to be a public nuisance. (2) Penalty. (a) Any person who violates this section may be required to forfeit not more than \$1,000.00, plus costs of prosecution and in default of payment thereof, may be incarcerated in the Trempealeau County jail for not more than 30 days. (b) Any county deputy or humane officer is authorized, in the enforcement of this section, to impound

RESOLUTION NO. _____

RESOLUTION TO AMEND MONROE COUNTY ORDINANCE SEC. 11-29, AND TO AMEND
AMENDED RESOLUTION 95-6-3, IN REGARDS TO TOWN ROAD NAME SIGNS

1 WHEREAS, §59.54(4) Wis. Stats. authorizes Monroe County to establish a rural naming and numbering
2 system to aid the delivery of E-9-1-1 services; and
3

4 WHEREAS, Monroe County did create a rural road naming system which is administered pursuant to
5 Chapter 11, Article IV of the Monroe County Code;
6

7 WHEREAS, on June 7, 1995, Monroe County passed Amended Resolution 95-6-3, which provides, in
8 part, "that Monroe County shall be responsible for purchase of any Township road signs"; and
9

10 WHEREAS, Chapter 11, Article II, §11-29, Monroe County Code of Ordinances, provides that
11

12 The department of emergency management shall continue to supervise, maintain and provide
13 county funding for major maintenance of the approximately 900 road name signs in the county,
14 with the understanding that assistance will be requested to keep signs straight and other minor,
15 noncapital maintenance, from the highway department and townships in the county.; and
16

17 WHEREAS, the Manual on Uniform Traffic Control Devices, published by the Federal Highway
18 Administration of the United States Department of Transportation, sets national standards for all traffic
19 control devices installed on any street, highway, bikeway, or private road open to public travel" and
20 provides for the design and placement of street name signs; and
21

22 WHEREAS, under Wisconsin state law and administrative code and Monroe County code and policy,
23 the Monroe County Highway Department installs and maintains all signs within county highway rights-
24 of-way; and
25

26 WHEREAS, §82.03(1)(a) of the Wisconsin Statutes provides that "The town board shall have the care
27 and supervision of all highways under the town's jurisdiction".
28

29 WHEREAS, the Monroe County Board has determined by resolution to replace aging town road name
30 signs with signs that meet current standards by the end of 2020, and to transfer responsibility for care
31 and maintenance of signs to the towns thereafter as of January 1, 2021; and
32

33 NOW, THEREFORE, BE IT RESOLVED that the Monroe County Board of Supervisors ordains
34 amendment of Chapter 11, Article II, §11-29 of the Monroe County Code to read as follows:
35

36 The department of emergency management shall provide administrative supervision and
37 direction on the placement of town road name signs in the county. Towns will be responsible
38 for the expense, installation and maintenance of town road name signs except, the county
39 highway department will, at the town's expense, be responsible for the installation and
40 maintenance of town road name signs that are placed within the state and county highway
41 right-of-ways.
42

43 FURTHER BE IT RESOLVED that the amendment to §11-29, Monroe County Code of Ordinances,
44 shall be effective January 1, 2021; and
45

46 FURTHER BE IT RESOLVED that the Monroe County Board amends Amended Resolution 95-6-3 to
 47 end the County's responsibility for town road name sign purchase and transfers future care, maintenance
 48 and purchase of town road signs to the towns as of January 1, 2021; and

49
 50 FUTHER BE IT RESOLVED that all town road name signs may be ordered through the Monroe County
 51 Highway Department, at the towns' expense.

52 Offered this 25th of March, 2020 by the Highway Committee.

Fiscal note: The indirect costs of amending county ordinances. This would include publication and ordinance update costs.

Statement of purpose: To end Amended Resolution 95-6-3 responsibility for the County transferring town road name sign costs to the townships and update Chapter 11, Article, §11-29 of the Monroe County Ordinance as of January 1, 2021.

<p>Finance Vote (If required): ____ Yes ____ No ____ Absent</p> <p>.....</p> <p>Approved as to form: _____ Andrew C. Kaftan, Corporation Counsel</p>	<p>Committee of Jurisdiction Forwarded on: _____, 20__</p> <p>VOTE: ____ Yes ____ No ____ Absent</p> <p>Committee Chair: _____ _____ _____</p>
<p><input type="checkbox"/> ADOPTED <input type="checkbox"/> FAILED <input type="checkbox"/> AMENDED</p> <p><input type="checkbox"/> OTHER _____</p> <p>County Board Vote on: _____ 20__</p> <p>____ Yes ____ No ____ Absent</p>	<p>STATE OF WISCONSIN COUNTY OF MONROE I, SHELLEY R. BOHL, Monroe County Clerk, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution # _____ acted on by the Monroe County Board of Supervisors at the meeting held on _____.</p> <p>_____ SHELLEY R. BOHL, MONROE COUNTY CLERK <i>A raised seal certifies an official document.</i></p>

AUTHORIZING FUNDING FOR TOWN ROAD NAME SIGNS

1 WHEREAS, §59.54(4) Wis. Stats. authorizes Monroe County to establish a rural naming and numbering
 2 system to aid the delivery of E-9-1-1 services; and
 3
 4 WHEREAS, Monroe County did create a rural road naming system and, on June 7, 1995, passed
 5 Amended Resolution 95-6-3, which provides, in part, “that Monroe County shall be responsible for
 6 purchase of any Township road signs”; and
 7
 8 WHEREAS, prior to December 31, 2020, Monroe County plans to purchase Town Road name signs to
 9 replace those signs that do not conform to current design standards; and
 10
 11 WHEREAS, Monroe County proposes, in conjunction with this Resolution, to amend Amended
 12 Resolution 95-6-3 and transfer responsibility for the purchase of Town Road name signs to the towns
 13 effective as of January 1, 2021; and
 14
 15 WHEREAS, no current budget line item has been established to fund the replacement signs; and
 16
 17 WHEREAS, an estimate of 1,754 Town Road name signs exist in the county, and the average estimated
 18 price per sign is \$35.00, therefore the estimated funds needed to purchase said signs would be
 19 \$61,390.00.
 20
 21 NOW, THEREFORE, BE IT RESOLVED, by the Monroe County Board of Supervisors that funds from
 22 the 2020 Contingency Fund shall be used for a Highway Department line item budget for the purchase
 23 of replacement Town Road name signs in 2020.

Offered this 25th day of March, 2020 by the Highway Committee.

Fiscal note: Designating up to \$61,390 from the 2020 contingency fund for reimbursement to the Highway Department for purchase of the signs. The current contingency fund balance is \$116,046.00. A two-thirds majority vote would be required for the resolution to pass.

Statement of purpose: To budget for town road name replacement signs as required per Amended Resolution 95-6-3.

<p>Finance Vote (If required): _____ Yes _____ No _____ Absent </p> <p>Approved as to form: _____ Andrew C. Kaftan, Corporation Counsel</p>	<p>Committee of Jurisdiction Forwarded on: _____, 20__ VOTE: _____ Yes _____ No _____ Absent Committee Chair: _____ _____ _____</p>
<p><input type="checkbox"/> ADOPTED <input type="checkbox"/> FAILED <input type="checkbox"/> AMENDED <input type="checkbox"/> OTHER _____ County Board Vote on: _____ 20__ _____ Yes _____ No _____ Absent</p>	<p>STATE OF WISCONSIN COUNTY OF MONROE I, SHELLEY R. BOHL, Monroe County Clerk, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution # _____ acted on by the Monroe County Board of Supervisors at the meeting held on _____ _____ SHELLEY R. BOHL, MONROE COUNTY CLERK A raised seal certifies an official document.</p>

Proposed amendments to Ch 47 Zoning Code

Text to be deleted is struck through. Text to be added is bold and in italics.

Amendments made to campground regulations will make county codes consistent with State regulations.

Amendments pertaining to signs are in response to Case law: Reed vs. Town of Gilbert 135 S. Ct. 2218 (2015) US Supreme Court Decision which ruled that signs cannot be regulated based on content.

ARTICLE I. - IN GENERAL

Sec. 47-7. - Definitions.

~~Campground means a privately or municipally owned parcel or tract of land, maintained, intended or used for the purpose of supplying temporary or overnight living accommodations to the public by providing designated areas for the placement of trailers, tents, buses, automobiles or sleeping bags, and may include structures to provide services to the patrons, such as restrooms, bathing and laundry facilities.~~ *means a parcel or tract of land owned by a person, state, or local government that is designed, maintained, intended, or used for the purpose of providing campsites offered with or without charge, for temporary overnight sleeping accommodations.*

"Camping cabin" means a building or other structure that is 400 square feet or less in area. A camping cabin includes a yurt, but does not include a tent, recreational vehicle, tourist rooming house, mobile home, or manufactured home.

"Camping unit" means a structure, including a tent, camping cabin, yurt, recreational vehicle, mobile home, or manufactured home, bus, van, or pickup truck.

"Campsite" means an area of a campground that is designated by the operator as capable of accommodating an independent or dependent camping unit. A campsite may be one or a combination of the following:

- (a) Individual campsite.*
- (b) Group campsite.*
- (c) Seasonal campsite.*
- (d) Rustic campsite.*

"Tourist rooming house" means all lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients. It does not include private boarding or rooming houses not accommodating tourists or transients, or bed and breakfast establishments regulated under ch. ATCP 73.

Sec. 47-13. - Site restrictions.

(d) Physical access has been granted across the Elroy-Sparta State Trail or La Crosse River State Trail by the state department of natural resources. A zoning permit granted under this section has the following requirements:

- (1) Written permission from the state department of natural resources to cross the trail ~~for the intended use of the zoning permit request. (residential, agriculture, etc.)~~

ARTICLE III. - ZONING DISTRICTS

DIVISION 1. – GENERALLY

Sec. 47-64. - Limited number of buildings. There shall be not more than one principal dwelling structure and two accessory structures, including a private garage, on any lot in either the R-1 or R-2 residential district. *There shall be not more than one principal dwelling structure on any lot in the R-3 Rural Residential, Business, General Agriculture, Community, or General Forestry districts unless otherwise indicated in this chapter.*

DIVISION 8. - GA GENERAL AGRICULTURE

Sec. 47-292. - Conditional uses.

(24) Tourist rooming houses

DIVISION 12. - GF GENERAL FORESTRY

Sec. 47-430. - Conditional uses.

(21) Tourist rooming houses

ARTICLE V. - SUPPLEMENTARY DISTRICT REGULATIONS

DIVISION 1. – GENERALLY

Sec. 47-605. - Campgrounds. All campgrounds shall be conditional uses and shall conform to the following standards:

- (1) The minimum size of any campground shall be ten acres in gross area.
- (2) ~~The maximum number of travel trailers or campsites shall be 20 per acre as computed from the gross area of the park or campground, and in no case shall the square feet of each site be less than 2,000 square feet.~~ *Campsite density shall conform to ATCP 79 regulations.*
- (3) Before beginning operation of any camp, 50 percent of the sites and 100 percent of the facilities shall be completed.
- (4) In addition to the setback from the right-of-way of any state, county or town road, all campgrounds shall have a boundary zone of 40 feet between any campsite and any side or rear lot line.
- (5) Every campground shall conform to all applicable state laws and Wis. Admin. Code ch. ATCP 79.
- (6) Designated spots on each site will be marked or constructed for outside cooking or the building of campfires, and no fires will be allowed outside of these designated areas.
- (7) *The Committee may require the perimeter of the camping area or perimeter of the parcel must to be fenced.*

ARTICLE VI. – SIGNS

~~Sec. 47-795. – On-premises signs.~~

~~(a) Location.~~

~~(1) On-premises signs may be attached to the building they are intended to serve.~~

~~(2) Freestanding on-premises signs shall be located within the required yards of the building it is intended to serve.~~

~~(3) If the business, service or entertainment is located at a highway intersection, an on-premises sign shall not be located within the vision clearance triangle.~~

~~(b) Height . On-premises signs shall not exceed the height of any building permitted in the zoning district in which the sign is located.~~

~~(c) Size . The gross size of the on-premises signs for each business establishment shall be 150 square feet or less.~~

~~(d) Permitted uses . On-premises signs shall be a permitted use in the following zoning districts: B business, IB interstate business, I industrial, C community, GA general agriculture, EA exclusive agriculture, AO agriculture only, GF general forestry, R residential.~~

ARTICLE VIII. - ADMINISTRATION

DIVISION 1. - GENERALLY

Sec. 47-854. - Fees.

(a) An applicant, upon filing his application, shall pay the appropriate fee. Permit fees shall be established and reviewed when necessary by the county board of supervisors committee having jurisdiction over this chapter, approved by a majority of the zoned towns and approved by the full county board of supervisors. A revision of fees shall be published in the official newspaper of the county. Fees shall be established for the following:

~~(7) Signs: real estate, development, temporary farm. (Recommend flat fee of \$25)~~

~~(8) Signs up to eight square feet.~~

~~(9) Signs more than eight square feet, but less than 12 square feet.~~

~~(10) Signs more than 12 square feet, but less than 33 square feet.~~

~~(11) Signs more than 33 square feet, but less than 150 square feet.~~

~~(12) Signs more than 150 square feet.~~

~~(17) After-the-fact Variance Fee. (Board of Adjustment Members recommend \$1,200 which is three times the regular variance fee of \$400. See attached letter from the Board of Adjustment Chairman)~~

~~(18) After-the-fact Zoning change. (Zoning Committee recommends \$400 which is double regular fee)~~

~~(19) After-the-fact Conditional Use. (Zoning Committee recommends \$400 which is double regular fee)~~

(b) All fees in this chapter shall be collected by the county. The county clerk shall, on an *quarterly annual* basis, return to the appropriate towns, fees collected by the county on behalf of the town.

To: Chairman, Monroe County Board
Thru: Corporate Council

Re: After-the-fact Variance

It is proposed that Monroe County Board adopt a resolution to approve an additional application fee for those who applied for a variance to the Board of Adjustment (BOA) and then proceed to build/erect, either partially or wholly, a structure when it would be contrary to the relevant ordinances of the County of Monroe, State of Wisconsin.

Currently, there exists a requirement that no building or construction may begin prior to an approval from the Board of Adjustment of Monroe County. Nor is it permissible to begin construction prior to the 30 day mandatory waiting period for all who request a variance.

It is recommended that a penalty of 2.5 times the regular variance application fee with the additional fee to cover the cost of per diem and mileage to the Board members for an on sight visit, to those who disregard the requirements of the Board of Adjustment. The zoning office should be allowed to charge a higher application fee because it involves more staff time in enforcement. The legal standards for granting an after-the-fact variance are the same as for any variance.

In consultation with Lynn Markham, Land Use Specialist, College of Natural Resources, UW-Stevens Point, she provided the following information: Rusk County charges 2.5X the regular fee up to \$500.00 for an after-the fact-permit. Oneida County charges \$750.00 for a variance application (appeal to the BOA and triples the fee it its after-the-fact.

In 2018 we had three instances of non-compliance with the BOA legal process; hence, the recommendation of the BOA to impose the additional charge to the regular variance application fee for an after-the-fact variance.

Respectfully

Kenneth Kuhn,
Chairman, BOA

2020 Summary of Proposed Changes to Chapter 50 - ZONING— FLOODPLAIN

Changes to ch 50-Floodplain are required to bring the county ordinance into compliance with State and Federal regulations. Link to full ordinance:

https://library.municode.com/wi/monroe_county/codes/code_of_ordinances?nodeId=CH50ZOL

O

Key: Text to be deleted is struck through.
Text to be added is in italics.

Under ARTICLE I. - IN GENERAL

Sec. 50-6. - Official maps and revisions. The boundaries of all floodplain districts are designated as A, AE, AH, AO or A1-30 on the maps based on the flood insurance study (FIS) listed below ~~and the revisions in the Monroe County Floodplain Study Appendix.~~

(2) Official maps, based on other studies: Any maps referenced in this section must be approved by the DNR and be more restrictive than those based on the FIS at the site of the proposed development.

- ~~a. Hydraulic and hydrologic analyses and assignment of primary hazard rating for Coon Creek Structures Nos. 23 and 21, dated October 22, 1996, prepared by Ayres Associates and approved by the DNR;~~
- ~~b. Hydraulic and hydrologic analyses and assignment of primary hazard rating for Coon Creek Structure No. 25, dated December 2, 1996, prepared by Ayres Associates and approved by the DNR;~~
- ~~c. Hydraulic and hydrologic analyses and assignment of primary hazard rating for Coon Creek Structures Nos. 24, 29, 31 and 53, dated April 3, 2000, prepared by Ayres Associates and approved by the DNR;~~
- ~~d. Floodplain study appendix: All DNR approved and FEMA approved floodplain maps, flood profiles, floodway data tables, regional or base flood elevations and other information located in the floodplain study appendix in section 50-233. The community shall provide the most up-to-date appendix to the DNR and FEMA regional offices.~~
- a. *Coon Creek #31 Dam Failure analysis approved by the Department of Natural Resources on April 4, 2000, including:*
 - *Map dated May 1996 and titled "Coon Creek Structure 31, Exhibit 4". Cross Sections 1 through 13.*
 - *Floodway data table dated May 1996 and titled "Table 4 Hydraulic Shadow*

- Floodway Data*".
- *Flood profiles dated May 1996 and titled Coon Creek Structure 31, Exhibit 5". Cross Sections 1 through 13.*
- b. *Coon Creek #29 Dam Failure analysis approved by the Department of Natural Resources on April 4, 2000, including:*
- *Map dated May 1996 and titled "Coon Creek Structure 29, Exhibit 4". Cross Sections 1 through 11.*
 - *Floodway data table dated May 1996 and titled "Table 4 Hydraulic Shadow Floodway Data".*
 - *Flood profiles dated May 1996 and titled Coon Creek Structure 29, Exhibit 5". Cross Sections 1 through 11.*
- c. *Coon Creek #24 Dam Failure analysis approved by the Department of Natural Resources on April 4, 2000, including:*
- *Map dated March 1996 and titled "Coon Creek Structure 24, Exhibit 4". Cross Sections 1 through 14.*
 - *Floodway data table dated March 1996 and titled "Table 4 Hydraulic Shadow Floodway Data".*
 - *Flood profiles dated November 1996 and titled Coon Creek Structure 24, Exhibit 5". Cross Sections 1 through 14.*
- d. *Coon Creek #23 Dam Failure analysis approved by the Department of Natural Resources on October 22, 1996, including:*
- *Map dated March 1996 and titled "Coon Creek Structure 23, Exhibit 4". Cross Sections 1 through 10.*
 - *Floodway data table dated July 1996 and titled "Table 4 Hydraulic Shadow Floodway Data".*
 - *Flood profiles dated March 1996 and titled Coon Creek Structure 23, Exhibit 5". Cross Sections 1 through 10.*
- e. *Coon Creek #25 Dam Failure analysis approved by the Department of Natural Resources on December 2, 1996, including:*
- *Map dated March 1996 and titled "Coon Creek Structure 25, Exhibit 4". Cross Sections 1 through 6.*
 - *Floodway data table dated July 1996 and titled "Table 4 Hydraulic Shadow Floodway Data".*
 - *Flood profiles dated March 1996 and titled Coon Creek Structure 25, Exhibit 5". Cross Sections 1 through 6.*
- f. *Coon Creek #53 Dam Failure analysis approved by the Department of Natural Resources on April 4, 2000, including:*

- *Map dated April 1996 and titled "Coon Creek Structure 53, Exhibit 4". Cross Sections 1 through 8.*
 - *Floodway data table dated April 1996 and titled "Table 4 Hydraulic Shadow Floodway Data".*
 - *Flood profiles dated April 1996 and titled Coon Creek Structure 53, Exhibit 5". Cross Sections 1 through 8.*
- g. Coon Creek #21 Dam Failure analysis approved by the Department of Natural Resources on October 22, 1996, including:*
- *Map dated March 1996 and titled "Coon Creek Structure 21, Exhibit 4". Cross Sections 1 through 13.*
 - *Floodway data table dated July 1996 and titled "Table 4 Hydraulic Shadow Floodway Data".*
 - *Flood profiles dated March 1996 and titled Coon Creek Structure 21, Exhibit 5". Cross Sections 1 through 13.*
- h. Tri Creek Structure #1 Dam Failure analysis approved by the Department of Natural Resources on August 21, 1991, including:*
- *Map dated December 1989 and titled "Tri Creek Structure No.1 Inundation Map D/S of Tri Creek Dam, Exhibit C-1 through Exhibit C-5".*
 - *Floodway data table dated December 1989 and titled "Tri Creek Structure No. 1, Table B-3 Flood Wave Summary and Comparison". The elevations to use are the "Maximum Water Surface Elevation – With Breach".*
 - *Flood profiles dated February 2020 and titled "Tri Creek Structure No. 1, With Breach Flood Profile*
- i. Town of Byron, 18-1E, Part of Sec 21, LOMR Dated September 23, 1997, Case No.: 97-05-4892A*

~~(3) Dam hazard assessment studies, including maps and elevations completed in 2000 for PL 566 watershed structures by Ayres and Associates. Elevations shall supersede map delineation (see section 50-233).~~

Under ARTICLE IX. – ADMINISTRATION

Delete all of Sec. 50-233. - Floodplain study appendix.

