

# Minutes

## Town of Byron Plan Commission

### Town of Byron Hall

**March 21, 2017**

Chairman Steve Wessing called the meeting to order at 6:30 p.m. Roll call was taken, committee members present were: Steve Wessing, Rudy Dubnicka, Gary LangBruttig, George Trewin, and Robert Geiger. Also present were Kay Murre, Mary Laudolff, Douglas Bartelt, Rick Arndt, Jeffery S Butzke representing Compass Surveying , LLC, Joshua Wiesner owner of the property being rezoned.

Chairman Steve Wessing opened the meeting with a statement: The Byron Plan Commission is conducting a public hearing on a proposed rezoning of property owned by Joshua and Amy Wiesner located at W6367 Church Rd in the Town of Byron, Fond du Lac County, Wisconsin. The property is currently zoned Farmland Preservation and the applicants seek to rezone the property to Residential. The total acreage to be rezoned is 3.501 acres and is further described in the Legal Notice. Chairman Steve Wessing mentioned that the Legal Notice is posted at: Byron Town Hall, W3097 State Road 175, Fond du Lac, WI 54937, the Town of Byron website at <http://townofbyron.com>, and Kelley Country Creamery, W5215, County Road B, Fond du Lac, WI 54937, South Byron at W6648 County Y, Brownsville, WI 53006.

Chairman Steve Wessing introduced Joshua Wiesner and ask him to make a statement on the proposed rezoning property located W6367 Church Rd, Fond du Lac, WI 54937. Joshua Wiesner said he bought the 40 acre property, which attaches to his 13 acre property he owned

before purchasing the Church Rd property, and does not need the house on the property. He wants to have 3.501 acres, which the house is located on, be rezoned from Farmland Preservation to Residential, so he can sell that property being rezoned.

Chairman Steve Wessing then opened the floor for discussion and Gary LangBruttig asked how far the driveway was from the property line on both the east side and west side of the proposed rezoned property. The answer was within the guideline of the zoning law.

Chairman Steve Wessing informed the Plan Commission Board that it shall include a written: "finding of fact" in their recommendation to rezone land out of the Farmland Preservation District. If a petitioner is rezoning lands out of the Farmland Preservation District, the Plan Commission must find all the following, after the public hearing:

7.61

The land is better suited for the use not allowed in the farmland preservation zoning district.

7.62

The zoning is consistent with any applicable comprehensive plan.

7.63

The rezoning is substantially consistent with the county certified farmland preservation plan.

7.64

The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

The committee agreed on 7.61. 7.62 and 7.64. but referred 7.63 to the County Board. If the county agrees that this proposal is consistent with the county's certified Farmland Preservation Plan, a stipulation was made that the vote made by the town board on the proposal, would then stand.

The motion was made by George Trewin to rezone the proposed land from Farmland preservation to Residential. Gary LangBruttig seconded and the motion carried.

Chairman Steve Wessing then asked for a motion that the November 28, 2016 minutes be approved. Robert Geiger made the motion to approve as written, George Trewin seconded. The minutes were approved as written.

A motion was made to adjourn by George Trewin and seconded by Gary LangBruttig. Motion carried at 7:00 p.m.

Respectfully

Gary LangBruttig