

**TOWN OF BYRON - Planning Commission Meeting**  
**MINUTES**  
**N3861 Hickory Rd. Fond du Lac, WI 54937**  
**Thursday, November 2nd 2023 7:00 p.m.**  
**Byron Town Hall**

**Call to Order:** Steve Wessing called the meeting to order at 7:00 pm and noted that a quorum was present. He also noted that the notice for the meeting was properly posted.

**Roll Call:** Rudy Dubnicka, Katie Trewin, Steve Wessing, Randy Faber, George Trewin, Tom Kelroy all present.

**Public Present:** Dan and Luanne Bauer, Mary Laudolff, Aaron Buckarma, Dustin Westphal, Tim Hackbarth.

The Town of Byron Plan Commission met to consider the rezoning from Farmland Preservation to Residential the 1.41 acre parcel located in Sec.16, T14N R17E Lot 3, CSM #6696-46-92 loc in N1/2 SW1/4 by Daniel Bauer and Luann Bauer Family Trust.

This property (lot) was established prior to 2004, when our current zoning requirements took effect, thus it would be a “nonconforming” lot and grandfathered in as an established lot and would not require a variance to change the current Farmland Preservation zoning to Residential zoning.

**Public Comment:** In reference to the lot in question Dan mentioned that the land is smaller than 1.5 acres currently in our Residential zoning section. Daughter and son in law are planning to build a house on the lot on the high ground. The property was grandfathered in due to being prior to '04 skipped variance meeting. Expressed concerns about driveway, could cross wetland, needs to talk to the DNR again. Will decide driveway location at a later date. What is determined as wetland is going to stay wetland. Discussed a possible driveway from the west, would be safest since there is a stop sign at the T.

The Plan Commission reviewed the current standards for rezoning from Farmland Preservation zoning to Residential zoning.

- 1) Land is better suited for a use not allowed in the farmland preservation zoning district.  
**Yes, its wet and a small parcel, hard to farm.**
- 2) The rezoning is consistent with any applicable comprehensive plan. **Yes, most of the surrounding is residential.**
- 3) Rezoning is substantially consistent with the county certified farmland preservation plan.  
**Yes.**
- 4) 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.  
**Correct, not any surrounding farms that this impedes on.**

**Discussion:** The plan commission did not have any notable concerns about the rezoning of this property. Randy expressed concern of how close the neighbors (the parents) septic was to the lot. Overall, the board thought Dan should talk to the county about the septic situation before the town board meeting to make sure this lot will work for building a house on.

**Action:** 6 ayes recorded in favor of rezoning the property to residential. Zero opposed. We will make a recommendation to the town board to rezone this land to residential.

**Storage Container discussion:** The Plan Commission discussed the current storage container situation within the Township. Discussion ensued as to whether storage containers should be allowed/permitted in the Township. The Town's attorney expressed that the language needs to be clear as to the description and location of these units within our allowed uses in our current zoning districts should this be passed. Town Chairman, Dustin Westphal, visited recently with the Town of Lomira officials and stated they currently have very clear rules as to where storage containers are allowed, can be located on the property, vision restrictions, etc. Tom Kelroy made a motion to recommend that the Town board deny allowing steel storage/shipping containers within the Township. The Plan Commission voted **4-2** in favor of recommending to the Town Board to deny storage containers within the Township. The Plan Commission will recommend to the Town Board that they come up with any restrictions on the use of storage containers in the township.

**Adjournment:** Randy made a motion to adjourn the meeting, Katie seconded that motion. Meeting adjourned at 7:57.