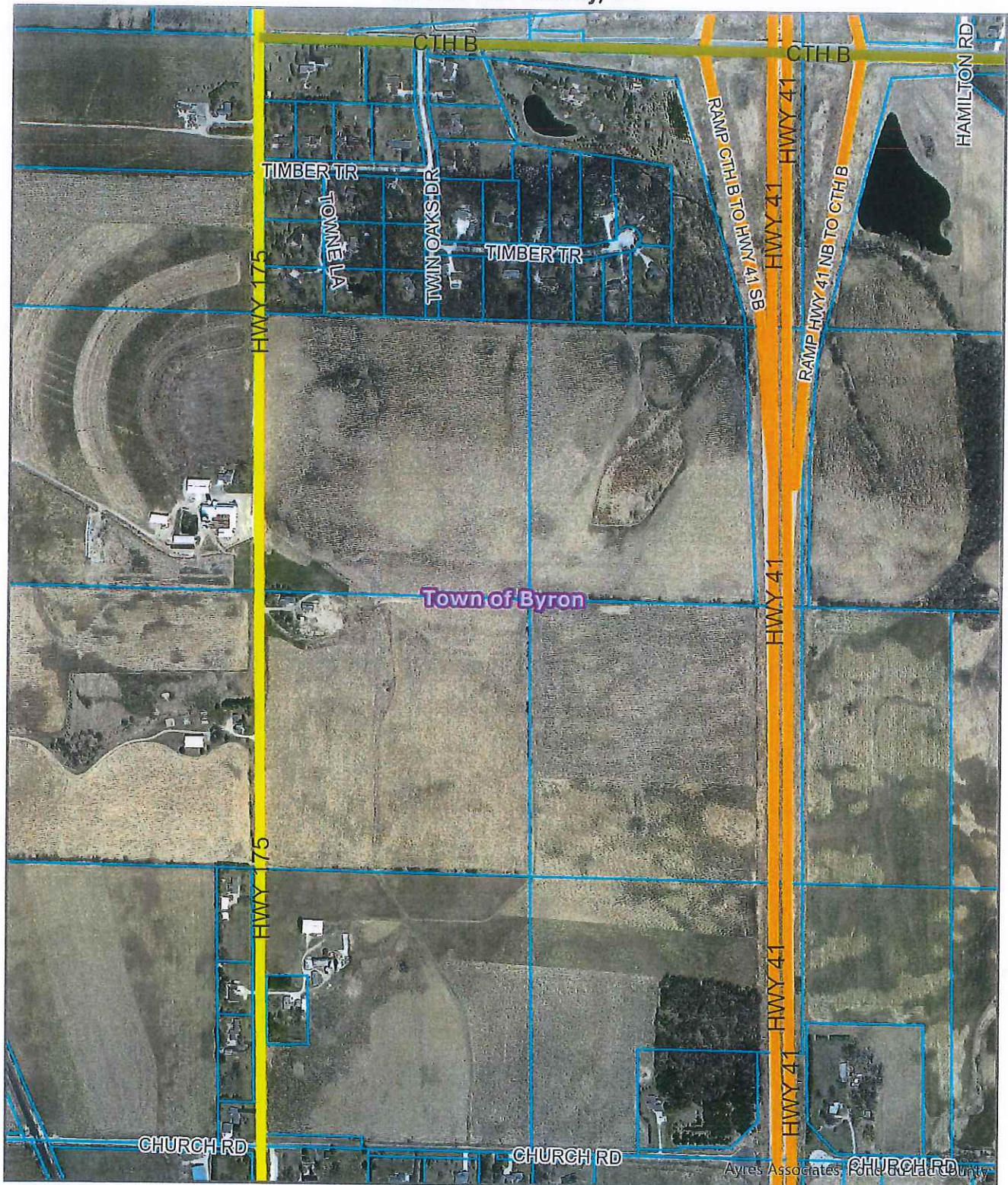
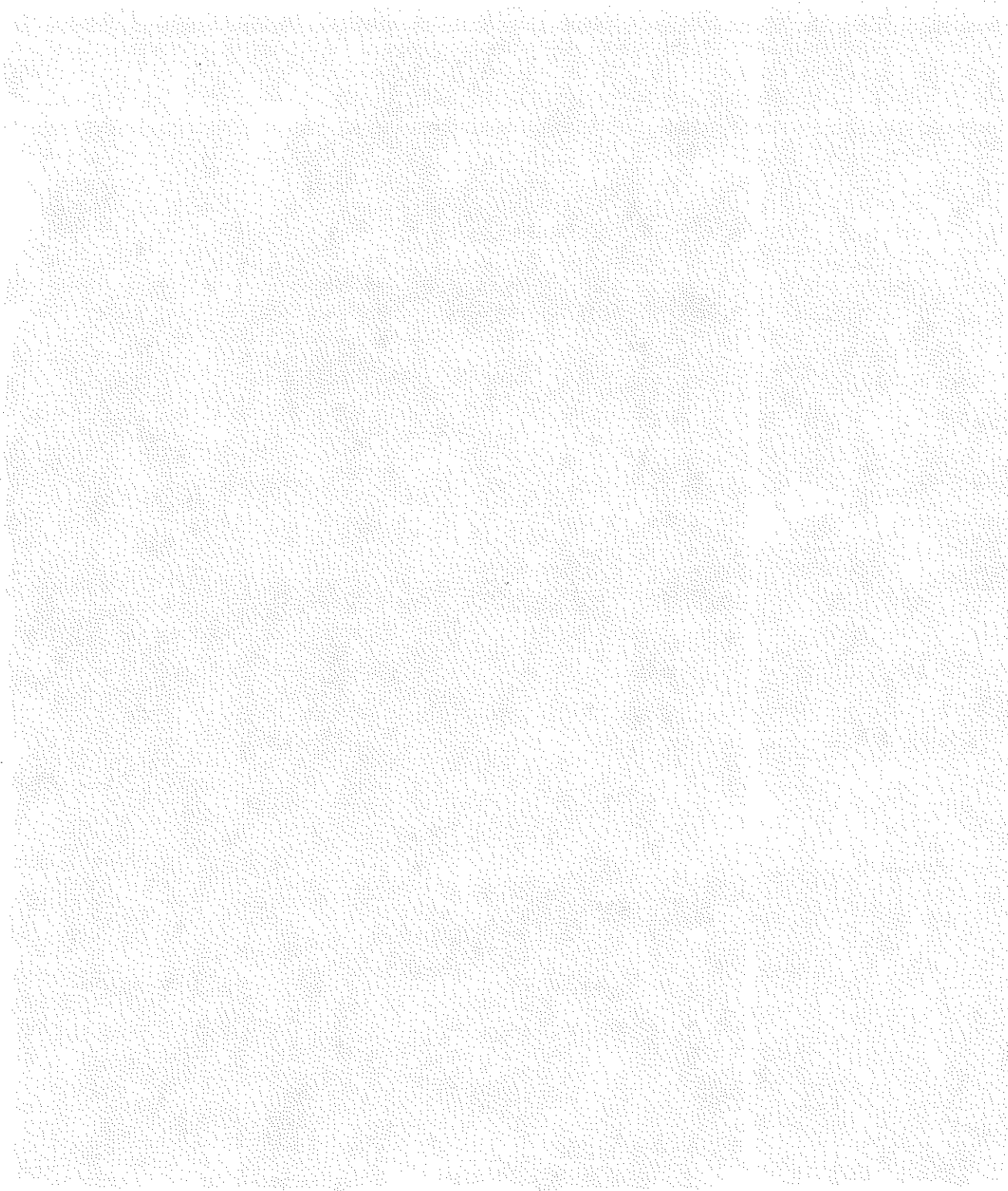


Fond du Lac County, WI

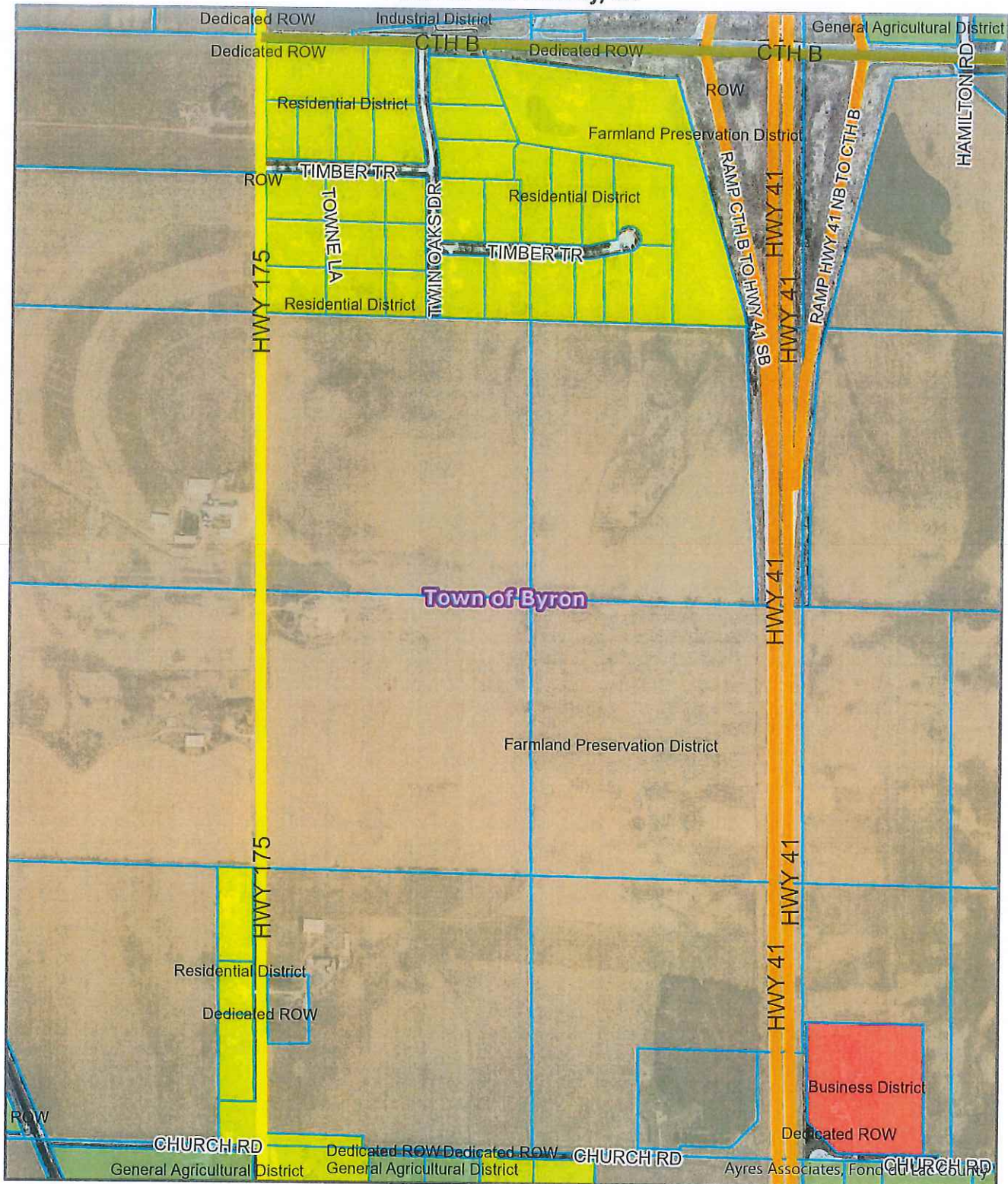


Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Map Scale
1 inch = 700 feet
7/29/2026



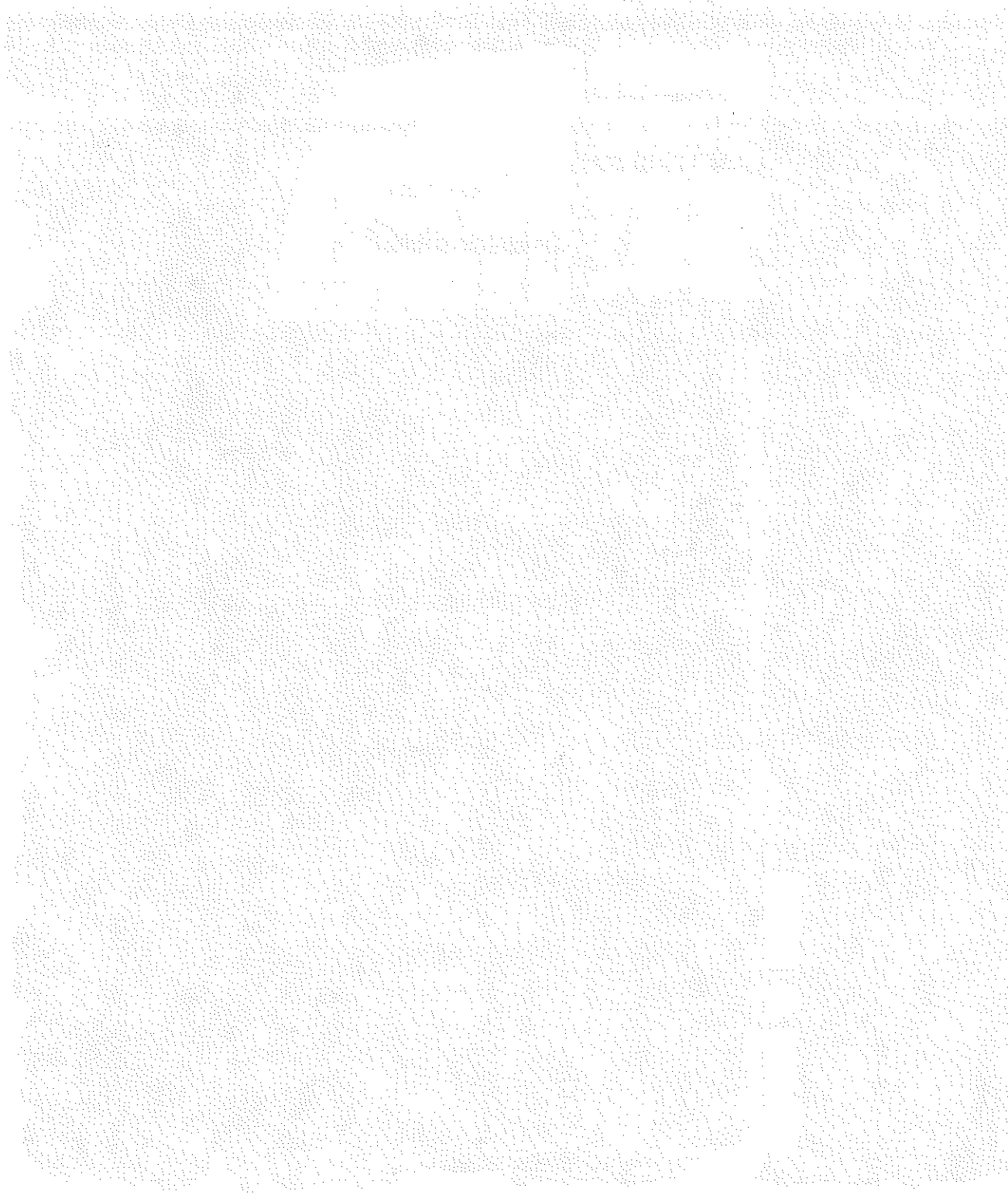
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Map Scale
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THE HISTORY OF THE



6.59 Minimum Lot Area. Minimum lot size shall be 45,000 square feet plus 7,500 additional square feet for each unit in excess of three units.

6.60 Minimum Open Space Area. Minimum open space area shall be 20% exclusive of private onsite wastewater treatment systems and parking.

ARTICLE VII

Section 7.0 Farmland Preservation District

7.1 Purposes. The purposes of the Farmland Preservation District are to (1) preserve productive agricultural land for food and fiber production; (2) preserve productive farms by preventing land use conflicts between incompatible uses and controlling public services; (3) maintain a viable agricultural base to support agricultural processing and service industries; (4) prevent conflicts between incompatible uses; (5) reduce costs of providing services to scattered, non-farm uses; (6) pace and shape urban growth; (7) implement the policies of the Fond du Lac County Farmland Preservation Plan; (8) and comply with the provisions of the Farmland Preservation Law to permit eligible landowners to receive tax credits under Wis. Stat. Ch. 91.

To comply with the Farmland Preservation Law, only uses identified in Wis. Stat. Sec. 91.42 are allowed. No building or use shall hereafter be established or enlarged within the Farmland Preservation District unless it conforms to the following regulations.

7.2 Lands Included Within This District: This district is generally intended to include prime agricultural lands historically exhibiting high crop yields, which generally consist of Class I, II and III soil capability classes established by the Soil Conservation Service, USDA. This district also includes other lands that are integral parts of productive farm operations.

7.3 Permitted Uses. The following are permitted uses unless regulated as special uses under 7.4:

7.31 Agricultural Uses as follows

7.311 Crop or forage production.

7.312 Keeping livestock of less than 500 animal units.

7.313 Beekeeping.

- 7.314 Nursery, sod, or Christmas tree production.
 - 7.315 Floriculture.
 - 7.316 Aquaculture.
 - 7.317 Fur farming.
 - 7.318 Forest management
 - 7.319 Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program.
 - 7.320 Any other use that DATCP, by rule, identifies as an agricultural use.
- 7.32 Veterinarian businesses that primarily serve livestock..
- 7.33 Accessory Uses:
- 7.331 A including a building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use. This may include, for example:
 - 1. A facility used to store or process raw agricultural commodities, all of which are produced on the farm.
 - 2. A facility used to keep livestock on the farm.
 - 3. A facility used to store or process inputs primarily for agricultural uses on the farm.
 - 4. A facility used to keep or service vehicles or equipment primarily employed in agricultural uses on the farm.
 - 5. A manure digester, bio-fuel facility, or other facility that produces energy primarily from materials grown or produced on the farm, primarily for use on the farm.
 - 6. A waste storage or processing facility used to store or process animal waste produced solely from livestock kept on the farm.
 - 7. Riding stables and boarding facilities.
 - 7.332 An activity or business operation that is an integral part of, or incidental to, an agricultural use.
 - 7.333 A farm residence.
 - 7.334 A business, activity, or enterprise, whether or not associated with an agricultural use, that is conducted by the owner or operator of a farm, that requires no buildings, structures, or improvements other than those described in 7.351. or 7.353., that employs no more than 4 full-time employees annually, and that does not impair or limit the current or future agricultural use of the farm or of other protected farmland.
 - 7.335 Any other use that DATCP, by rule, identifies as an accessory

use.

7.336 The accessory uses and regulations permitted in Section 4.51 1. and 4.51 2. are permitted in this district provided that solar energy system, building-mounted and solar energy, free standing located in a Farmland Preservation district meet the requirements of s. 91.01(1), 91.44(1)(f) or s. 91.46(4), Wis. Stats., as amended.

7.34 Undeveloped natural resource and open space areas

7.35 A transportation, utility, communication, or other use that is required under state or federal law to be located in a specific place or that is authorized to be located in a specific place under a state or federal law that preempts the requirement of a special use permit for that use.

7.36 Nonfarm residences constructed in a rural residential cluster in accordance with an approval of the cluster as a conditional use under Section 7.44.

7.37 Other uses identified by DATCP rule.

7.4 Special Uses. Special uses are also subject to the requirements in Section 12.0 Special Uses.

7.41 Keeping livestock at a new or expanded livestock facility of 500 or more animal units, subject to the Ordinance incorporating State Livestock Facility Siting Law into Town's Zoning Ordinance and subject to the setback requirements of ATCP 51.

7.42 Agriculture-Related Uses. A facility or use, whether or not located on a farm, that has at least one of the following as a primary and not merely incidental purpose:

Providing agricultural supplies, agricultural equipment, agricultural inputs or agricultural services directly to farms, including farms in the farmland preservation zoning district.
Storing, processing or handling raw agricultural commodities obtained directly from farms, including farms in the farmland preservation zoning district.

Slaughtering livestock, including livestock from farms in the farmland preservation zoning district.

Marketing livestock to or from farms, including farms in the

farmland preservation zoning district.
 Processing agricultural by-products or wastes received directly from farms, including farms in the farmland preservation zoning district.
 Any other use that DATCP, by rule, identifies as an agriculture-related use.

“Agriculture-Related Uses” exclude veterinarian businesses that primarily serve livestock, which are permitted uses under Section 7.33.

7.43 The creation of a nonfarm residence or a proposal to convert a farm residence to a nonfarm residence through a change in occupancy shall be subject to the following.

7.431 The ratio of nonfarm residential acreage to farm acreage on the base farm tract on which the residence is or will be located will not be greater than 1 to 20 after the residence is constructed or converted to a nonfarm residence.

7.432 There will not be more than 4 dwelling units in nonfarm residences, nor more than 5 dwelling units in residences of any kind, on the base farm tract after the residence is constructed or converted to a nonfarm residence.

7.433 The location and size of the proposed nonfarm residential parcel, and, for a new nonfarm residence, the location of the nonfarm residence on that nonfarm residential parcel, will not do any of the following:

1. Convert prime farmland from agricultural use or convert land previously used as cropland, other than a woodlot, from agricultural use if on the farm there is a reasonable alternative location or size for a nonfarm residential parcel or nonfarm residence.
2. Significantly impair or limit the current or future agricultural use of other protected farmland.

7.44 Nonfarm residential cluster created from a base farm tract that covers more than one nonfarm residence if all of the following apply:

7.441 The parcels on which the nonfarm residences would be located are contiguous.

7.442 Legal restrictions on the construction of the nonfarm residences so that if all of the nonfarm residences were constructed, each would satisfy the requirements under 7.43.

7.45 Transportation, communications, pipeline, electric transmission, utility, or drainage uses if the following apply:

7.451 The use and its location are consistent with the purposes of the district.

7.452 The use and its location are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.

7.453 The use is reasonably designed to minimize conversion of land, at and around the site of the use, from agricultural use or open space use.

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

7.455 Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

7.46 Governmental, institutional, religious, or nonprofit community uses if all of the following apply:

7.461 The use and its location are consistent with the purposes of the farmland preservation zoning district.

7.462 The use and its location are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.

7.463 The use is reasonably designed to minimize the conversion of land, at and around the site of the use, from agricultural use or open space use.

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

7.465 Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

7.47 Nonmetallic mineral extraction if all of the following apply:

7.471 The operation complies with Subchapter I of Wis. Stat. Ch. 295 as amended and rules promulgated under that subchapter, with 12.54 of this ordinance, and with any applicable requirements of the Wisconsin Department of Transportation concerning the restoration of nonmetallic mining sites.

7.472 The operation and its location are consistent with the purposes of the district.

7.473 The operation and its location are reasonable and appropriate, considering alternative locations outside the district, or are

specifically approved under state or federal law.

7.474 The operation is reasonably designed to minimize the conversion of land around the extraction site from agricultural use or open space use.

7.475 The operation does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

7.476 The owner restores the land to agricultural use, consistent with any required locally approved reclamation plan, when extraction is completed.

7.48 Oil and gas exploration or production that is licensed by the Wisconsin Department of Natural Resources under subch. II of ch 295.

7.5 Minimum Lot, Height and Yard Requirements

7.51 Livestock facilities that are subject to a special use permit per the Ordinance Incorporating State Livestock Facility Siting Law into Town's Zoning Ordinance are subject to the setback requirements of ATCP 51.

7.52 Minimum lot size: One and a half acres for all uses.

7.53 Minimum lot width: 150 feet.

7.54 Highway setbacks: As specified in Section 11 Highway Setback Lines.

7.55 Side and rear yard setbacks:

7.551 10 feet from the nearest lot line for farm and non-farm residences.

7.552 At least 50 feet from the nearest lot line for non-residential buildings in which animals are not housed.

7.553 At least 100 feet from the nearest lot line for animal waste and feed storage structures and for buildings housing animals other than fur-bearing animals.

7.554 At least 300 feet from the nearest lot line for structures or pens housing fur-bearing animals.

7.56 Accessory building setbacks: 5 feet in the side and rear yard for accessory buildings of 200 square feet or less.

7.57 Maximum building height: No building used for dwelling purposes shall be more than 35 feet in height.

7.6 Standards for Rezoning: The Plan Commission shall include a written "findings 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 of the following, after public hearing:

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

7.62 The rezoning 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.

7.7 Reporting Requirements: By March 1 of each year, the Town of Byron will provide to DATCP report of the number of acres that the Town of Byron has rezoned out of a farmland preservation zoning district the previous year and a map that clearly shows the location of those acres.

7.71 The Town of Byron shall, by March 1 of each year, submit a copy of the information that it reports to DATCP under 15.42 to Fond du Lac County.

ARTICLE VIII

Section 8.0 General Agricultural District

8.1 Purpose: The purpose of the General Agricultural District is to provide for the continuation of general agriculture and related uses in those areas that are generally suitable for farming but which do not necessarily meet the standards and objectives of the Farmland Preservation District. The intent is to conserve areas with soils, drainage and topography generally suitable for farming while permitting limited and regulated residential, commercial and industrial development in these areas.

8.2 Permitted Uses:

and 75 feet back from the intersection of such highway setback lines and such railway right-of-way line.

ARTICLE XII

Section 12.0 Special Uses.

A "Special Use" is a use which is necessary or desirable for the public welfare, but which is potentially incompatible with the uses normally permitted in the zoning districts established herein. It is hereby declared the policy and purpose of this ordinance to employ the Special Use as a flexible means of permitting certain exceptions to the districts established and the rules and regulations adopted herein, in cases where the public benefit of such uses outweighs the potential harm, and under such conditions imposed as are necessary to protect the public health, safety and welfare and individual property rights.

12.1 **Authorizing Special Use Permits.** Special Use Permits may be authorized by the Board of Appeals in accordance with the procedure set forth in Section 13.35 when it appears:

12.11 That it is reasonably necessary for the public convenience at that location.

12.12 That it is so designed, located and proposed as to be operated so that it will not be injurious to the district in which it shall be located or otherwise detrimental to the public welfare.

12.13 That it conforms to the applicable regulations and standards of and preserves the essential character of the district in which it shall be located.

12.14 That in the case of an existing non-conforming use, will make such use more compatible with its surroundings.

12.15 That in the case of a special use in the Farmland Preservation and the General Agriculture districts, the following relevant factors shall also be considered:

- A. The statement of purpose of the zoning ordinance and the Farmland Preservation district
- B. The potential for conflict with agricultural use.
- C. The need of the proposed use for a location in an agricultural area.
- D. The availability of alternative locations.

- E. Compatibility with existing or permitted uses on adjacent lands.
- F. The productivity of the lands involved.
- G. The location of the proposed use so as to reduce to a minimum the amount of productive agricultural land converted.
- H. The need for public services created by the proposed use.
- I. The availability of adequate public services and the ability of affected local units of government to provide them without an unreasonable burden.
- J. The effect of the proposed use on water or air pollution, soil erosion and rare or irreplaceable natural resources.

12.2 Application Requirements. The applicant shall provide the following information on the Special Use application form, which is available from the Town Zoning Administrator:

12.21 Applicant and property owner's name, address, and telephone number.

12.22 Parcel information, including tax key number, legal description, street address, if any, dimensions and existing zoning and land use designations.

12.23 Description of Special Use being requested.

12.24 Written justification for the Special Use being requested and supporting documentation describing how the applicant believes that the request conforms to the standards for Special Uses listed in subsection.

12.25 Filing fee on file in the Town Clerk's office.

Note: When applying for a nonfarm residential Special Use permit in a certified farmland preservation district, the petitioner should be aware of the following:

1. *To calculate the maximum non-farm residential acreage allowed in any base farm tract, divide the number of acres in the base farm tract by 21. Further divide the number of acres in non-farm residential acreage by 1.5 to determine the number of residential lots allowed in the base farm tract.*
2. *The number of residential lots that can be created by Special Use will be limited to 4 or 5 as stated in 7.432.*
3. *The amount of nonfarm acreage available for lot creation will be determined by the Zoning Administrator prior to accepting*

of repose in quarrying operation;

ii. All topsoil on the site shall be saved for future application, unless applicant is able to prove that it is not needed for reclamation;

iii. Permanent soil erosion control measures, including seeding, mulching and sodding, where necessary.

iv. Stabilization of drainage ways (including ditches and culverts) by rip rapping or other approved methods.

(4) The reclamation plan submitted by the applicant shall designate and contain appropriate provisions for one or a combination of the following four major land reuse alternatives based on site specific conditions and location:

i. A natural site where special attention is given to the preservation and restoration of natural features;

ii. A recreational site that is well suited for sports and other forms of recreation;

iii. A building site that is well-suited for building facilities to support community growth and development; and

iv. An agricultural site that has excellent soils and adequate drainage to support plant life.

E. Nonmetallic mining operations, whether new or existing, are subject to the following miscellaneous requirements:

(1) All property operation, site and phase boundaries shall be staked or otherwise marked and the applicant shall notify the board that the site is staked prior to commencing operations;

(2) The applicant shall comply with the following setback

requirements:

- i. 50' from adjacent property lines, but in no event closer than 250 feet to a residential dwelling;
- ii. 200' from adjacent property lines of parcels containing existing residences which are less than five (5) acres in size;
- iii. 100' from the centerline of existing private or public road right-of-ways;
- iv. 1200' from the property line of a landfill, unless a hydrogeologic study demonstrates that groundwater contamination will not occur and groundwater flow patterns will not be disrupted. The hydrogeologic study shall be conducted by a registered engineer showing the impact on existing groundwater flow patterns. Unless otherwise determined by the board, the determination of a landfill location shall be based on Wisconsin Department of Natural Resources, records of active, inactive and abandoned landfills in Wisconsin, as updated from time to time;
- v. A lesser setback may be negotiated between the operator and the relevant property owner(s), but in no event shall the negotiated setback be less than 50, from the adjacent property lines of parcels containing existing residences. The enforceability of such negotiated setback as against successors in interest of the operator or such property owner(s) shall be determined according to the laws of this state;
- vi. The area within the designated setbacks may be used for buildings and storage upon the approval of the board;
- vii. The minimum setbacks may be waived by the board if the relevant quarry boundary line is contiguous with another quarry boundary line.

(3) Except as provided below, no more than 40 acres may be open for nonmetallic mining at any time. More than 40 acres may be opened for nonmetallic mining at any time provided (i) the new operation for which a permit is sought is contiguous to an existing nonmetallic mining operation, and (ii) the Town's Compliance and Inspection Quarry Committee has determined that there is significant economic value in the remaining nonmetallic minerals located in the pre-existing nonmetallic site. In the event that more than 40 acres are allowed to remain open the operator shall nevertheless begin partial reclamation of the pre-existing nonmetallic site unless reclamation is economically infeasible, in which case the operator shall double the amount of the financial assurance required to be filed under this ordinance;

(4) Blasting activity shall be conducted in accordance with requirements of Chapter ILHR 7 of the Wisconsin Administrative Code, as amended, the Institute of Makers of Explosives, as amended, and the following additional requirements:

- a. Blasting activity shall be restricted from 10:00 a.m. to 6:00 p.m., Monday through Friday;
- b. The maximum charge shall not exceed 3,000 pounds;
- c. Neighbor(s) within 1/4 mile shall receive advance notice of the blasting, provided the neighbors has requested that the operator provided prior notice;
- d. A seismograph shall be provided to the neighbors or the Town Board, if reasonably requested; and
- e. The operator shall perform a home inspection upon the written request of the neighbors residing in the vicinity of the blasting activity. The operator may, at its option, and upon reasonable notice to the resident, inspect such

residences before and after blasting. The Town Building Inspector shall accompany the operator during the inspection;

- (5) The applicant shall obtain a permit from the Wisconsin Department of Natural Resources prior to the on-site burning of any materials. The applicant shall comply with all county, State, and Federal rules, regulations and laws applicable to on-site burning. Notwithstanding the preceding, only pallets, cardboard, brush, and wood generated from the normal operations of the quarry may be burned. Burning shall be restricted from 8:00 a.m. to 5:00 p.m., Monday through Friday;
 - (6) The applicant shall comply with any local, state and federal permits or approvals required for the operation. Copies of the permits or approvals shall be submitted to the board before a special use permit will be issued;
 - (7) The board may impose additional standards or conditions as are reasonably necessary to assure operation and reclamation in a manner consistent with the purposes of the special use permit.
 - (8) The Town Building Inspector shall conduct ordinance compliance inspections as needed, but in any event at least annually. The Building Inspector shall submit his report to the board and the board shall consider the report before a permit is issued or re-issued.
- F. No permit shall be granted for a period of time exceeding four years. A renewal may be granted upon application, provided that the applicant has met all permit restrictions. A renewal permit may not be considered by the board until all special use terms and conditions have been met or corrected.
- G. Sand and gravel operations shall comply with the following special requirements:
- (1) Except as may be otherwise approved by the board on a case-by-case basis, no more than 10 acres may be open for a sand and gravel operation at any time;

provided, however, that a sand and gravel operation may be expanded on an acre reclaimed to an acre opened basis;

- (2) The initial permit for a sand and gravel operation shall not exceed 2 years and the total term of the initial permit any renewal permits shall not exceed 10 years;
- (3) The entire sand and gravel operation shall be fully reclaimed upon the expiration of the initial term and renewal terms, if any; and
- (4) The same filing fees as set forth below shall apply to sand and gravel operations.

H. When an operator succeeds to the interest of another in an uncompleted site, the board shall release the first operator of the responsibilities imposed by the permit only if:

- (1) Both operators are in compliance with the requirements and standards of this chapter.
- (2) The new operator assumes the responsibility of the former operator's permit requirements.

I. A filing fee of \$500 shall be required for each initial application or registration, and a filing fee of \$150 for each permit renewal application. The applicant shall reimburse the town for any fees reasonably incurred by the town arising out of the review of the application, including engineers, surveyors, attorneys or independent consultants. In addition to the preceding, the applicant shall provide financial assurance in an amount equal to \$12,000 for each 40 acre (or less) parcel to secure the completion of the reclamation plan. Financial assurance shall be in the form of a bond, interest bearing cash escrow account, or comparable financial assurance approved by the board. The financial assurance submitted to the town shall be released for each individual phase of the operation not less than two years after inspection and approval by the board to insure that the slopes, seeding, drainage, etc. have been properly established. The board may re-evaluate and adjust accordingly the amount of the financial assurance based on unknown circumstances, changes in cost

estimates partial completion of, or modifications to the reclamation plan, or other factors determined by the board.

- J. Operators of existing nonmetallic mining operations shall register within one year after the effective date of this ordinance or cease all operations on the site.
- K. The Town Board shall appoint a 4 person Compliance and Inspection Quarry Committee consisting of a representative of the nonmetallic mining industry, a citizen unaffiliated with the nonmetallic mining industry, the Town Building Inspector, and a Town Board member. The responsibilities of the committee shall include, but not be limited to, the following:
 - (1) To inspect each existing operation at least annually in order to determine compliance with this ordinance;
 - (2) To make recommendations to the Town Board of any modifications to this ordinance;
 - (3) To submit a report on the committee's findings of its inspections and to state the degree of compliance or noncompliance of the operations that were inspected by the committee; and
 - (4) To receive complaints from operators, citizens, and other interested parties.
- L. Special use permits issued to existing nonmetallic mining operations prior to May 11, 1993 shall remain in full force and effect. Only that portion covered by the special use permit shall be considered an existing nonmetallic mining operation.

M. References to "applicant" shall include "registrant" unless the context indicates otherwise.

12.55 Micro-wave radio relay structures and mechanical appurtenances in the Industrial and Business Districts only.

12.56 Penal and correctional institutions in the Industrial and Business Districts only.

3. That the special conditions and circumstances do not result from the actions of the applicant.
4. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands or structures in the same district.
 - a. No non-conforming use of neighboring lands or structures in the same district, and no permitted use of land or structures in other districts shall be considered grounds for the issuance of a variance.
 - b. The application is in proper form and a fee as specified in Sections 14.3 and 15.2 has been paid. The Board shall hold a public hearing on such matter in accordance with the provisions of Section 12.31(b). Reasonable special conditions and safeguards for the protection of the public health, safety, and welfare may be imposed by the Board if it grants the application for variance.

13.35 Grant a Special Use.

- a) An application for a special use permit shall be made by filing a written application or petition to the Board. Such applications shall:
 - 1) State the name and address of applicant and owner.
 - 2) State the location of property for which the Special Use Permit is sought.
 - 3) State the specific Special Use desired.
 - 4) State the facts sufficient and demonstrate that the conditions prescribed in Section 11.2 exist and support such statement with any plans and/or data as are required by the Board.
- b) If the application for Special Use is in proper form and a fee as determined by Sections 14.3 and 15.2 has been paid, the

Board shall hold a public hearing on such matter and give notice as provided in Section 12.31(b). Reasonable special conditions and safeguards for the protection of the public health, safety and welfare may be imposed by the Board if it grants the application for Special Use.

c) Nothing herein contained shall be construed to give or grant to the Board of Appeals the power or authority to alter or change the zoning ordinance or the District Map; such power and authority being reserved to the Town Board.

d) No Special Use Permit shall be issued unless the Board shall find that the specially permitted use is consistent with the spirit, purpose and intent of this ordinance, will not substantially and permanently injure the appropriate use of neighboring property and will serve the public convenience and welfare and that such building or use shall comply with all other regulations in the district in which it is proposed to be located.

13.4 Exercise of Power:

13.41 In exercising the above mentioned powers such Board may, in conformity with the provisions of such section, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken, and may issue or direct the issue of a permit.

13.42 The concurring vote of 4 members of the Board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance, or to effect any variation in such ordinance. The grounds of every such determination shall be stated.

**FOND DU LAC STONE DEVELOPMENT SPECIAL USE PERMIT
STANDARD NO. 1 (Sec. 7.471)**

Does the operation comply with Subchapter I of Wis. Stat. Ch. 295 and the rules promulgated under that subchapter, with Section 12.54 of this ordinance, and with any applicable requirements of the Wisconsin Department of Transportation concerning the restoration of nonmetallic mining sites?

1. What "substantial evidence" contained in the record pertains to this review standard?

2. Based on the substantial evidence in the record, can this standard be met without imposing any conditions?

3. If the answer to the previous question is "no," are there conditions that can be imposed that would allow this standard to be met?

4. If the answer to the previous question is "yes," what are those conditions?

**FOND DU LAC STONE DEVELOPMENT SPECIAL USE PERMIT
STANDARD NO. 2 (Sec. 7.472)**

Are the operation and its location consistent with the purposes of the Farmland Preservation District as set forth in Section 7.1?

1. What "substantial evidence" contained in the record pertains to this review standard?

2. Based on the substantial evidence in the record, can this standard be met without imposing any conditions?

3. If the answer to the previous question is "no," are there conditions that can be imposed that would allow this standard to be met?

4. If the answer to the previous question is "yes," what are those conditions?

FOND DU LAC STONE DEVELOPMENT SPECIAL USE PERMIT
STANDARD NO. 3 (Sec. 7.473)

Are the operation and its location reasonable and appropriate, considering alternative locations outside the Farmland Preservation District, or are they specifically approved under state or federal law?

1. What "substantial evidence" contained in the record pertains to this review standard?

2. Based on the substantial evidence in the record, can this standard be met without imposing any conditions?

3. If the answer to the previous question is "no," are there conditions that can be imposed that would allow this standard to be met?

4. If the answer to the previous question is "yes," what are those conditions?

**FOND DU LAC STONE DEVELOPMENT SPECIAL USE PERMIT
STANDARD NO. 4 (Sec. 7.474)**

Is the operation reasonably designed to minimize the conversion of land around the extraction site from agricultural use or open space use?

1. What "substantial evidence" contained in the record pertains to this review standard?

2. Based on the substantial evidence in the record, can this standard be met without imposing any conditions?

3. If the answer to the previous question is "no," are there conditions that can be imposed that would allow this standard to be met?

4. If the answer to the previous question is "yes," what are those conditions?

**FOND DU LAC STONE DEVELOPMENT SPECIAL USE PERMIT
STANDARD NO. 5 (Sec. 7.475)**

Will the operation avoid substantially impairing or limiting the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use?

1. What "substantial evidence" contained in the record pertains to this review standard?

2. Based on the substantial evidence in the record, can this standard be met without imposing any conditions?

3. If the answer to the previous question is "no," are there conditions that can be imposed that would allow this standard to be met?

4. If the answer to the previous question is "yes," what are those conditions?

FOND DU LAC STONE DEVELOPMENT SPECIAL USE PERMIT
STANDARD NO. 6 (Sec. 7.476)

When extraction is completed, will the owner restore the land to agricultural use, consistent with any required locally approved reclamation plan?

1. What "substantial evidence" contained in the record pertains to this review standard?

2. Based on the substantial evidence in the record, can this standard be met without imposing any conditions?

3. If the answer to the previous question is "no," are there conditions that can be imposed that would allow this standard to be met?

4. If the answer to the previous question is "yes," what are those conditions?

**FOND DU LAC STONE DEVELOPMENT SPECIAL USE PERMIT
STANDARD NO. 7 (Sec. 12.11)**

Is the proposed special use reasonably necessary for the public convenience at that location?

1. What "substantial evidence" contained in the record pertains to this review standard?

2. Based on the substantial evidence in the record, can this standard be met without imposing any conditions?

3. If the answer to the previous question is "no," are there conditions that can be imposed that would allow this standard to be met?

4. If the answer to the previous question is "yes," what are those conditions?

FOND DU LAC STONE DEVELOPMENT SPECIAL USE PERMIT
STANDARD NO. 8 (Sec. 12.12)

Is the special use so designed, located, and proposed to be operated that it will not be injurious to the district in which it will be located or otherwise detrimental to the public welfare?

1. What "substantial evidence" contained in the record pertains to this review standard?

2. Based on the substantial evidence in the record, can this standard be met without imposing any conditions?

3. If the answer to the previous question is "no," are there conditions that can be imposed that would allow this standard to be met?

4. If the answer to the previous question is "yes," what are those conditions?

FOND DU LAC STONE DEVELOPMENT SPECIAL USE PERMIT
STANDARD NO. 9 (Sec. 12.13)

Does the special use conform to the applicable regulations and standards of the Farmland Preservation District, and does it preserve the essential character of that district?

1. What "substantial evidence" contained in the record pertains to this review standard?

2. Based on the substantial evidence in the record, can this standard be met without imposing any conditions?

3. If the answer to the previous question is "no," are there conditions that can be imposed that would allow this standard to be met?

4. If the answer to the previous question is "yes," what are those conditions?

FOND DU LAC STONE DEVELOPMENT SPECIAL USE PERMIT
STANDARD NO. 10 (Sec. 12.14)

In the case of an existing nonconforming use, will the proposed special use make such use more compatible with its surroundings?

1. What "substantial evidence" contained in the record pertains to this review standard?

2. Based on the substantial evidence in the record, can this standard be met without imposing any conditions?

3. If the answer to the previous question is "no," are there conditions that can be imposed that would allow this standard to be met?

4. If the answer to the previous question is "yes," what are those conditions?

**FOND DU LAC STONE DEVELOPMENT SPECIAL USE PERMIT
STANDARD NO. 11 (Sec. 12.15)**

Section 12.15 provides that, in the case of a special use in the Farmland Preservation District, the following relevant factors shall also be considered. These factors are not framed as a single yes-or-no standard. The Board of Appeals should consider each of them and record its thoughts on the following page.

- A. The statement of purpose of the zoning ordinance and the Farmland Preservation district.
- B. The potential for conflict with agricultural use.
- C. The need of the proposed use for a location in an agricultural area.
- D. The availability of alternative locations.
- E. Compatibility with existing or permitted uses on adjacent lands.
- F. The productivity of the lands involved.
- G. The location of the proposed use so as to reduce to a minimum the amount of productive agricultural land converted.
- H. The need for public services created by the proposed use.
- I. The availability of adequate public services and the ability of affected local units of government to provide them without an unreasonable burden.
- J. The effect of the proposed use on water or air pollution, soil erosion and rare or irreplaceable natural resources.

1. Record the Board's consideration of, and thoughts on, each of the factors listed above:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

- Figure 1. The distribution of the number of children per family in the sample. The x-axis represents the number of children (0 to 10), and the y-axis represents the percentage of families (0% to 100%). The distribution is highly skewed to the right, with a peak at 1 child (approximately 45%) and a long tail extending to 10 children (approximately 1%).

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**FOND DU LAC STONE DEVELOPMENT SPECIAL USE PERMIT
STANDARD NO. 12 (Sec. 13.35(d))**

Is the specially permitted use consistent with the spirit, purpose, and intent of this ordinance?

1. What "substantial evidence" contained in the record pertains to this review standard?

2. Based on the substantial evidence in the record, can this standard be met without imposing any conditions?

3. If the answer to the previous question is "no," are there conditions that can be imposed that would allow this standard to be met?

4. If the answer to the previous question is "yes," what are those conditions?

FOND DU LAC STONE DEVELOPMENT SPECIAL USE PERMIT
STANDARD NO. 13 (Sec. 13.35(d))

Will the specially permitted use avoid substantially and permanently injuring the appropriate use of neighboring property?

1. What "substantial evidence" contained in the record pertains to this review standard?

2. Based on the substantial evidence in the record, can this standard be met without imposing any conditions?

3. If the answer to the previous question is "no," are there conditions that can be imposed that would allow this standard to be met?

4. If the answer to the previous question is "yes," what are those conditions?

**FOND DU LAC STONE DEVELOPMENT SPECIAL USE PERMIT
STANDARD NO. 14 (Sec. 13.35(d))**

Will the specially permitted use serve the public convenience and welfare?

1. What "substantial evidence" contained in the record pertains to this review standard?

2. Based on the substantial evidence in the record, can this standard be met without imposing any conditions?

3. If the answer to the previous question is "no," are there conditions that can be imposed that would allow this standard to be met?

4. If the answer to the previous question is "yes," what are those conditions?

**FOND DU LAC STONE DEVELOPMENT SPECIAL USE PERMIT
STANDARD NO. 15 (Sec. 13.35(d))**

Will the use comply with all other regulations applicable in the district in which it is proposed to be located?

1. What "substantial evidence" contained in the record pertains to this review standard?

2. Based on the substantial evidence in the record, can this standard be met without imposing any conditions?

3. If the answer to the previous question is "no," are there conditions that can be imposed that would allow this standard to be met?

4. If the answer to the previous question is "yes," what are those conditions?
