

RESOLUTION #26-2009

REZONE PETITION #05-2009

1 Ordinance Amendment offered by Supervisors of the Planning and Zoning Committee.

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3 Resolved by the Board of Supervisors of Oneida County, Wisconsin:

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5 **WHEREAS**, the Planning & Zoning Committee, having considered Petition #05-
6 2009, (copy attached) which was filed February 17, 2009, to amend the Master Zoning
7 District Document and the Oneida County Official Zoning District Boundary Map, and
8 having given notice thereof as provided by law and having held a public hearing thereon
9 March 4, 2009 pursuant to Section 59.69(5), Wisconsin Statutes, and having been
10 informed of the facts pertinent to the changes which are as follows:

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12 To rezone the following lands from District #02 Single Family Residential to District #07
13 Business.

14 Part A: That part of Gov't Lot 2 lying north of Bearskin Creek, parcels NO 24-2 and NO
15 24-1 located in Section 2, T36N, R6E and

16 Part B: That part of the SW NE lying north of Bearskin Creek parcel NO 19 located in
17 Section 2, T36N, R6E. Said lands being located in Nokomis, Oneida County Wisconsin.

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19 And being duly advised of the wishes of the people in the area affected as follows:

20 This area involves three (3) parcels. All owners have been notified of said request. The
21 largest of the three parcels has recently been sold. The new owner wishes to develop
22 his parcel for business purposes, which is currently prohibited pursuant to single family
23 residential zoning district requirements. The Town of Nokomis authored the request in
24 writing (copy attached) and also owns one (1) of the parcels within this request. No
25 written objections were received and no one appeared at the public hearing in
26 opposition to the change. The Planning and Zoning Committee has reviewed the
27 general standards as specified in Section 9.86 F of the Oneida County Zoning and
28 Shoreland Protection Ordinance and concluded that the standards have been met. The
29 Planning and Zoning Committee unanimously recommends passage.

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31 The Planning & Zoning Committee has reviewed the general standards as specified in
32 Section 9.86F of the Oneida County Zoning & Shoreland Protection Ordinance and
33 concluded that the standards have been met. The Planning & Zoning Committee
34 recommends passage.

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36 **NOW THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS**
37 **DOES ORDAIN AS FOLLOWS:** Petition #5-2009:

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39 Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict
40 with this ordinance shall be and are hereby repealed as far as any conflict exists.

41 Section 2: The ordinance shall take effect the day after passage and publication as
42 required by law.

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Section 3: If any claims, provisions, or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Section 4: Rezone Petition #5-2009 is hereby adopted amending the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, by changing the zoning district classification from District #02 Single Family Residential to District #7 Business on property described as follows:

Part A: That part of Gov't Lot 2 lying north of Bearskin Creek, parcels NO 24-2 and NO 24-1 located in Section 2, T36N, R6E and

Part B: That part of the SW NE lying north of Bearskin Creek parcel NO 19 located in Section 2, T36N, R6E. Said lands being located in Nokomis, Oneida County Wisconsin.

The County Clerk shall, within seven (7) days after adoption of Rezone Petition #5-2009 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Nokomis Town Clerk.

Approved by the Planning and Zoning Committee this 4th day of March, 2009.

Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____

The County Board has the legal authority to adopt: Yes _____ No _____ as reviewed by the Corporation Counsel, _____, Date: _____

Offered and passage moved by: _____
Supervisor

Supervisor

Supervisor

Supervisor

Seconded by: _____

_____ Ayes

_____ Nays

90 _____ Absent

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92 _____ Abstain

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94 _____ Adopted

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96 _____ by the County Board of Supervisors this _____ day of _____ 2009.

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98 _____ Defeated

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100 _____
101 Robert Brusio, Clerk _____ Andrew P. Smith, County Board Chair

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103 _____ P&Z.ordinance.amendment