

RESOLUTION #42-2009

REZONE PETITION # 3-2009

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

2
3 Resolved by the Board of Supervisors of Oneida County, Wisconsin:

4
5 **WHEREAS**, the Planning & Zoning Committee, having considered Petition #3-
6 2009, (copy attached) which was filed January 22, 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 April 29, 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:

11
12 Part of Gov't Lot 4, Section 9, T39N, R6E from District #5 Recreational to District #7
13 Business. Said property is the former Circle M property and is located at the
14 intersection of Highway 70 West and Pinemere Road, PIN# MI 2148, Town of
15 Minocqua.

16
17 And being duly advised of the wishes of the people in the area affected as follows:

18
19 The landowners stated the change is necessary to allow for future development of a
20 Minocqua Business park and to eliminate the split zoning district on this property. The
21 northerly portion of this parcel (500' north and south of Hwy 70) is currently zoned
22 business so this change only involves the southerly part. This request, if approved, will
23 have all of this property zoned identically, District #07 Business. The size of this parcel
24 is 28.08 acres.

25
26 The Town of Minocqua approved the request in writing (copy attached). The Minocqua
27 Town Chairman appeared at the public hearing in support of the proposed change.
28 Adjoining and all affected landowners were provided with a written notice of the change
29 and no one objected to this request. The Planning and Zoning Committee also
30 reviewed the amended legal description and certified survey map and therefore
31 recognized the technical need to correct the legal description and boundary. The
32 Planning & Zoning Committee has reviewed the general standards as specified in
33 Section 9.86F of the Oneida County Zoning & Shoreland Protection Ordinance and
34 concluded that the standards have been met. The Planning & Zoning Committee
35 recommends passage as amended.

36
37 **NOW THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS**
38 **DOES ORDAIN AS FOLLOWS:** Petition #3-2009:

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41 with this ordinance shall be and are hereby repealed as far as any conflict exists.

42 Section 2: The ordinance shall take effect the day after passage and publication as

43 required by law.

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

47 Section 4: Rezone Petition # 3-2009 is hereby adopted amending the Master Zoning
48 District Document and the Oneida County Official Zoning District Boundary Map, by
49 changing the zoning district classification from District #5 Recreational to District #7
50 Business on property described as follows:

51
52 Lot 1 Certified Survey Map Volume 16 Page 3690 further described as Part of Gov't
53 Lots 1 and 4 and parts lying outside the original meander (NW SW), Section 9, T39N,
54 R6E from District #5 Recreational to District #7 Business. Said property is the former
55 Circle M property and is located at the intersection of Highway 70 West and Pinemere
56 Road, PIN# MI 2148, Town of Minocqua.

57
58 The County Clerk shall, within seven (7) days after adoption of Rezone Petition #3-2009
59 by the Oneida County Board of Supervisors, cause a certified copy thereof to be
60 transmitted by mail to the Minocqua Town Clerk.

61
62 Approved by the Planning and Zoning Committee this 6th day of May, 2009.

63
64 Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____

65
66 The County Board has the legal authority to adopt: Yes _____ No _____ as reviewed by the
67 Corporation Counsel, _____, Date: _____

68
69 Offered and passage moved by: _____
70 Supervisor
71
72 _____
73 Supervisor
74
75 _____
76 Supervisor
77
78 _____
79 Supervisor
80
81 _____
82 Supervisor

83
84 Seconded by: _____

85
86 _____ Ayes

87
88 _____ Nays

89

90 _____ Absent

91

92 _____ Abstain

93

94 _____ Adopted

95

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

97

98 _____ Defeated

99

100

101 _____
Robert Brusio, Clerk

Andrew P. Smith, County Board Chair

102

103

P&Z.ordinance.amendment