

**RESOLUTION #82-2009**  
**ORDINANCE AMENDMENT #19-2008**

1 Ordinance Amendment offered by Supervisors of the Planning and Zoning Committee.  
2 Resolved by the Board of Supervisors of Oneida County, Wisconsin:

3 WHEREAS, the Planning & Zoning Committee, having considered Petition 19-  
4 2008, (copy attached) which was filed October 29, 2008, to amend the Oneida County  
5 Zoning District Boundary Map and the Oneida County Shoreland Protection Ordinance,  
6 and having given notice thereof as provided by law and having held a public hearing  
7 thereon on September 2, 2009, pursuant to Section 59.69(5), Wisconsin Statutes, and  
8 having been informed of the facts pertinent to the changes which are as follows:  
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10 This request was filed to allow for placement of fill material into a shoreland wetland for  
11 construction of a roadway. Seven (7) areas totaling 8100 square feet are involved. The  
12 areas are depicted on a map supplied by Genisot and Associates and is included with  
13 this submittal.  
14

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

17 The petitioners and neighboring landowners were provided with a public hearing notice  
18 of this request. No written objections were received and no one appeared at the public  
19 hearing in opposition to said request. The Wisconsin Department of Natural Resources  
20 has approved this request. The Wisconsin Department of Natural Resources has  
21 reviewed and approved the practical alternative analysis. The US Army Corp of  
22 Engineers has also approved this request. Copies of both approvals are included in this  
23 request.

24 WHEREAS, the Planning and Zoning Committee understood the necessity for  
25 placement of the fill to allow for road construction to conform to minimum standards to  
26 satisfy Crescent Town road specifications. The Planning and Zoning Committee  
27 realized the request disrupted the least amount of wetlands. The Planning and Zoning  
28 Committee unanimously affirmed that the standards for rezoning shoreland wetlands  
29 identified in Section 9.91(F) of the Oneida County Zoning and Shoreland Protection  
30 Ordinance were satisfied. Therefore the Planning and Zoning Committee urges  
31 passage of this request.  
32

33 NOW THEREFORE, BE IT RESOLVED, that the Oneida County Board of  
34 Supervisors hereby accepts and approves Petition # 19-2008 and ordains as follows:

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

37 Section 2: If any claims, provisions, or portions of this ordinance are adjudged  
38 unconstitutional or invalid by a court of competent jurisdiction, the remainder of the  
39 ordinance shall not be affected thereby.

40 Section 3: Ordinance Amendment #19-2008 is hereby adopted amending the Oneida  
41 County Zoning District Boundary Map by changing the zoning district classification from  
42 District #11 Shoreland Wetland to District #10 General Use on the property described  
43 as follows:

44  
45 Part of Gov't Lots 1 & 5, Section 12, T36N, R8E. Said area consists of seven (7) areas  
46 consisting of 8100 square feet as depicted on Genisot and Associates Map #10436p  
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48 The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment  
49 #19-2008 by the Oneida County Board of Supervisors, cause a certified copy thereof to  
50 be transmitted by mail to the Crescent Town Clerk and to the Department of Natural  
51 Resources. Ordinance Amendment #19-2008 shall become effective immediately upon  
52 passage and publication as provided by law.  
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54 Approved by the Planning and Zoning Committee this 2<sup>nd</sup> day of September, 2009.  
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56 Vote Required: Majority = \_\_\_\_\_ 2/3 Majority = \_\_\_\_\_ 3/4 Majority = \_\_\_\_\_  
57

58 The County Board has the legal authority to adopt: Yes \_\_\_\_\_ No \_\_\_\_\_ as reviewed by the  
59 Corporation Counsel, \_\_\_\_\_, Date: \_\_\_\_\_  
60

61 Offered and passage moved by: \_\_\_\_\_  
62 Supervisor  
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64 \_\_\_\_\_  
65 Supervisor  
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67 \_\_\_\_\_  
68 Supervisor  
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70 \_\_\_\_\_  
71 Supervisor  
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73 \_\_\_\_\_  
74 Supervisor  
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76 \_\_\_\_\_  
77 Supervisor

77 Seconded by: \_\_\_\_\_  
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80 \_\_\_\_\_ Ayes

81  
82 \_\_\_\_\_ Nays

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84 \_\_\_\_\_ Absent

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86 \_\_\_\_\_ Abstain

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89 \_\_\_\_\_ Adopted  
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by the County Board of Supervisors this        day of        2009.

\_\_\_\_\_ Defeated

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Robert Brusio, Clerk

Andrew P. Smith, County Board Chair

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