

RESOLUTION # 8-2010
ORDINANCE AMENDMENT #11-2009

1 Ordinance Amendment offered by Supervisors of the Planning and Zoning Committee.
2 Resolved by the Board of Supervisors of Oneida County, Wisconsin:
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4 **WHEREAS**, the Planning & Zoning Committee, having considered Petition 11-
5 2009, (copy attached) which was filed October 8, 2009, to amend the Oneida County
6 Zoning District Boundary Map and the Oneida County Shoreland Protection Ordinance,
7 and having given notice thereof as provided by law and having held a public hearing
8 thereon on December 16, 2009, pursuant to Section 59.69(5), Wisconsin Statutes, and
9 having been informed of the facts pertinent to the changes which are as follows:

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11 This request was filed to allow for placement of fill material into a shoreland wetland to
12 rebuild a section of an old forest road that has reverted to wetland. The area involves
13 approximately 3233 square feet. This area to be filled is depicted on a map supplied by
14 Genisot and Associates and is included with this submittal.
15

16 And being duly advised of the wishes of the people in the area affected as follows:
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18 The petitioners, landowner and neighboring landowners were provided with a public
19 hearing notice of this request. The area to be filled is or situated on an easement for
20 ingress / egress for the petitioners use. The Three Lakes Town board supports this
21 rezoning request. No written objections were received and no one appeared at the
22 public hearing in opposition to said request. The Wisconsin Department of Natural
23 Resources has approved this request. The US Army Corp of Engineers has also
24 approved this request. Copies of both approvals are included in this request.
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26 **WHEREAS**, the Planning and Zoning Committee understood the necessity for
27 placement of the fill to allow for road rebuilding to gain access to the petitioners lake lot.
28 The Planning and Zoning Committee realized the request disrupted the least amount of
29 wetlands. The Planning and Zoning Committee affirmed that the standards for rezoning
30 shoreland wetlands identified in Section 9.91(F) of the Oneida County Zoning and
31 Shoreland Protection Ordinance were satisfied. Therefore the Planning and Zoning
32 Committee unanimously urges passage of this request.
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34 **NOW THEREFORE, BE IT RESOLVED**, that the Oneida County Board of
35 Supervisors hereby accepts and approves Petition # 11-2009 and ordains as follows:

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

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

41 Section 3: Ordinance Amendment #11-2009 is hereby adopted amending the Oneida
42 County Zoning District Boundary Map by changing the zoning district classification from
43 District #11 Shoreland Wetland to District #2 Single Family Residential on the property

44 described as follows:

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46 Part of Gov't Lot 3, Section 15, T38N, R10E. Said area consists of 3233 square feet
47 (.07 acre) as depicted on Genisot and Associates Map #10994

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49 The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment
50 #11-2009 by the Oneida County Board of Supervisors, cause a certified copy thereof to
51 be transmitted by mail to the Three Lakes Town Clerk and to the Department of Natural
52 Resources. Ordinance Amendment #11-2009 shall become effective immediately upon
53 passage and publication as provided by law.

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55 Approved by the Planning and Zoning Committee this 8th day of January, 2010.

56
57 Vote Required: Majority = _____ 2/3 Majority = _____ ¾ Majority = _____

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

61
62 Offered and passage moved by: _____

63 _____
64 Supervisor

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66 _____

67 _____
68 Supervisor

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71 _____
72 Supervisor

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75 _____
76 Supervisor

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78 Seconded by: _____

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80 _____ Ayes

81 _____ Nays

82 _____ Absent

83 _____ Abstain

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85 _____ Adopted

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by the County Board of Supervisors this day of 2010.

_____ Defeated

Robert Brusio, Clerk

Andrew P. Smith, County Board Chair

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