

**RESOLUTION #38-2010  
REZONE PETITION # 2-2010**

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 #2-  
6 2010, (copy attached) which was filed February 3, 2010, 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 3, 2010 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 **A) Section 11, T35N, R10E** – Gov't Lots 1, 2 and 3 all portions south of County  
13 Hwy Q to be rezoned from District #3 Multiple Family to District #2 Single Family  
14 Residential; balance of lands to remain zoned District #3 Multiple Family.  
15 Change involves area only within 1000' of lake or 300' of creek.  
16

17 **B) Section 14, T35N, R10E** – Gov't Lot 4; all portions west of County Hwy Q to be  
18 rezoned from District #3 Multiple Family to district #2 Single Family Residential;  
19 remainder zoned district #3 Multiple Family.  
20

21 **C) Section 15, T35N, R10E** – Gov't Lot 1; portion south of Norway Point Rd. to be  
22 rezoned from District #3 Multiple Family to District #2 Single Family Residential;  
23 remainder zoned District #3 multiple Family.  
24 Gov't Lot 2 – south of Uncle Ben Rd. and south of West Bay Rd. and south of all  
25 points in between the two Roads to be rezoned from District #3 Multiple Family to  
26 District #2 Single Family Residential.  
27 Balance to remain zoned District #3 Multiple Family.  
28 Gov't Lot 3 – to be rezoned from District #3 Multiple Family to District #2 Single  
29 Family Residential. Change involves area only within 1000' of lake.  
30 Gov't Lot 4 – rezoned from District #3 Multiple Family to District #2 Single Family  
31 Residential. Change involves area only within 1000' of lake.  
32 Gov't Lot 5 – portion east of County Hwy Q to be rezoned from District #3  
33 Multiple Family to District #2 Single Family Residential.  
34 Balance to remain zoned District #4 Residential Farming. Change involves area  
35 only within 1000' of lake.  
36

37 **D) Section 23, T35N, R10E** – All of Gov't Lot 2 (Crescent Island) to be zoned  
38 District #2 Single Family Residential  
39

40 **E) Section 18, T35N, R11E** – Gov't Lot 3 west of Hwy 45 and 47 rezone from  
41 District #2 Single Family Residential to District #5 Recreational.  
42 Portion east of Hwy 45 and Hwy 47 to remain District #4 Residential Farming.  
43 Gov't Lot 2, portion west of Hwy 45/47 and south of Hwy Q to be rezoned from

44 District #2 Single Family Residential to District #5 Recreational.  
45 Balance to be zoned District #4 Residential Farming. Change involves area only  
46 within 1000' of lake.  
47 NW SE portion west of Hwy 45 and Hwy 47 to be rezoned from District #2 Single  
48 Family Residential to District #5 Recreational.  
49 Balance to remain zoned District #4 Residential Farming.

50  
51 **F) Section 19, T35N, R11E** – Gov't Lot 1 west of Hwy 45 / 47 rezoned from District  
52 #2 Single Family Residential to District #5 Recreational; portion east of Hwy to  
53 remain zoned District #4 Residential Farming.  
54 Gov't Lot 2 west of Hwy 45 / 47 including the Loon Crest Resort Condominium to  
55 be rezoned from District #2 Single Family Residential to District #5 Recreational;  
56 portion east of Hwy 45 / 47 to remain zoned District #4 Residential Farming.  
57 Gov't Lot 5 to be rezoned from District #7 Business and District #3 Multiple  
58 Family to District #5 Recreational. Change includes area only within 1000' of  
59 lake.

60  
61 **G) Section 30, T35N, R11E** – Gov't Lot 1 west of Hwy 45 / 47 and north of County  
62 Hwy B to be rezoned from District #2 Single Family Residential to District #5  
63 Recreational; balance to remain zoned District #4 Residential Farming.  
64 SW NW portion north of County Hwy B within 1000' of lake to be rezoned from  
65 District #2 Single Family Residential to District #5 Recreational; balance to  
66 remain zoned District #4 Residential Farming.

67  
68 And being duly advised of the wishes of the people in the area affected as follows:

69  
70 As a result of the Town's work on developing a comprehensive land use plan, the  
71 Schoepke Town Board looked at all areas in the Town and identified areas in the Town  
72 which do not accurately reflect current land or business uses when compared to the  
73 existing zoning district designations. The Schoepke Town Board also wished to  
74 designate the easterly shore of Pelican Lake between Pelican Lake and Highway 45/47  
75 as a recreational zoning district. Presently this area is a mixed use. The Town Board  
76 wishes to encourage business use in this area and also discourage it elsewhere on  
77 Pelican Lake. This request has been considered as more of a correction.

78  
79 The Town of Schoepke authored the request in writing (copy attached). No letters of  
80 objection were received. No one at the Public hearing objected to this request. The  
81 Planning & Zoning Committee has reviewed the general standards as specified in  
82 Section 9.86F of the Oneida County Zoning & Shoreland Protection Ordinance and  
83 concluded that the standards have been met. The Planning & Zoning Committee  
84 unanimously recommends passage.

85  
86 **NOW THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS**  
87 **DOES ORDAIN AS FOLLOWS:** Petition #2-2010:

88  
89 Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict

90 with this ordinance shall be and are hereby repealed as far as any conflict exists.

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

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

96 Section 4: Rezone Petition # 2-2010 is hereby adopted amending the Master Zoning  
97 District Document and the Oneida County Official Zoning District Boundary Map, by  
98 changing the zoning district classification identified below:  
99

100 **A) Section 11, T35N, R10E** – Gov't Lots 1, 2 and 3 all portions south of County  
101 Hwy Q to be rezoned from District #3 Multiple Family to District #2 Single Family  
102 Residential; balance of lands to remain zoned District #3 Multiple Family.  
103 Change involves area only within 1000' of lake or 300' of creek.  
104

105 **B) Section 14, T35N, R10E** – Gov't Lot 4; all portions west of County Hwy Q to be  
106 rezoned from District #3 Multiple Family to district #2 Single Family Residential;  
107 remainder zoned district #3 Multiple Family.  
108

109 **C) Section 15, T35N, R10E** – Gov't Lot 1; portion south of Norway Point Rd. to be  
110 rezoned from District #3 Multiple Family to District #2 Single Family Residential;  
111 remainder zoned District #3 multiple Family.  
112 Gov't Lot 2 – south of Uncle Ben Rd. and south of West Bay Rd. and south of all  
113 points in between the two Roads to be rezoned from District #3 Multiple Family to  
114 District #2 Single Family Residential. Balance to remain zoned District #3  
115 Multiple Family.

116 Gov't Lot 3 – to be rezoned from District #3 Multiple Family to District #2 Single  
117 Family Residential. Change involves area only within 1000' of lake or 300' of  
118 creek.

119 Gov't Lot 4 – rezoned from District #3 Multiple Family to District #2 Single Family  
120 Residential. Change involves area only within 1000' of lake or 300' of creek.

121 Gov't Lot 5 – portion east of County Hwy Q to be rezoned from District #3  
122 Multiple Family to District #2 Single Family Residential.

123 Balance to remain zoned District #4 Residential Farming. Change involves area  
124 only within 1000' of lake or 300' of creek.  
125

126 **D) Section 23, T35N, R10E** – All of Gov't Lot 2 (Crescent Island) to be zoned  
127 District #2 Single Family Residential  
128

129 **E) Section 18, T35N, R11E** – Gov't Lot 3 west of Hwy 45 and 47 rezone from  
130 District #2 Single Family Residential to District #5 Recreational.  
131 Portion east of Hwy 45 and Hwy 47 to remain District #4 Residential Farming.  
132 Gov't Lot 2, portion west of Hwy 45/47 and south of Hwy Q to be rezoned from  
133 District #2 Single Family Residential to District #5 Recreational.  
134 Balance to be zoned District #4 Residential Farming.  
135 NW SE portion west of Hwy 45 and Hwy 47 to be rezoned from District #2 Single

136 Family Residential to District #5 Recreational.  
137 Balance to remain zoned District #4 Residential Farming.

138  
139 **F) Section 19, T35N, R11E** – Gov't Lot 1 west of Hwy 45 / 47 rezoned from District  
140 #2 Single Family Residential to District #5 Recreational; portion east of Hwy to  
141 remain zoned District #4 Residential Farming.

142 Gov't Lot 2 west of Hwy 45 / 47 including the Loon Crest Resort Condominium to  
143 be rezoned from District #2 Single Family Residential to District #5 Recreational;  
144 portion east of Hwy 45 / 47 to remain zoned District #4 Residential Farming.

145 Gov't Lot 5 to be rezoned from District #7 Business and District #3 Multiple  
146 Family to District #5 Recreational. Change involves area only within 1000' of  
147 lake or 300' of creek.

148  
149 **G) Section 30, T35N, R11E** – Gov't Lot 1 west of Hwy 45 / 47 and north of County  
150 Hwy B to be rezoned from District #2 Single Family Residential to District #5  
151 Recreational; balance to remain zoned District #4 Residential Farming.

152 SW NW portion north of County Hwy B within 1000' to lake to be rezoned from  
153 District #2 Single Family Residential to District #5 Recreational; balance to  
154 remain zoned District #4 Residential Farming.

155  
156 The County Clerk shall, within seven (7) days after adoption of Rezone Petition #2-2010  
157 by the Oneida County Board of Supervisors, cause a certified copy thereof to be  
158 transmitted by mail to the Schoepke Town Clerk.

159  
160 Approved by the Planning and Zoning Committee this 7<sup>th</sup> day of April, 2010.

161  
162 Vote Required: Majority = \_\_\_\_\_ 2/3 Majority = \_\_\_\_\_ 3/4 Majority = \_\_\_\_\_

163  
164 The County Board has the legal authority to adopt: Yes \_\_\_\_\_ No \_\_\_\_\_ as reviewed by the  
165 Corporation Counsel, \_\_\_\_\_, Date: \_\_\_\_\_

166  
167 Offered and passage moved by: \_\_\_\_\_  
168 Supervisor

169  
170 \_\_\_\_\_  
171 Supervisor

172  
173 \_\_\_\_\_  
174 Supervisor

175  
176 \_\_\_\_\_  
177 Supervisor

178  
179 \_\_\_\_\_  
180 Supervisor

181  
182

183 \_\_\_\_\_ Ayes

184

185 \_\_\_\_\_ Nays

186

187 \_\_\_\_\_ Absent

188

189 \_\_\_\_\_ Abstain

190

191 \_\_\_\_\_ Adopted

192

193 \_\_\_\_\_ by the County Board of Supervisors this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

194

195 \_\_\_\_\_ Defeated

196

197

198 \_\_\_\_\_ Robert Brusio, Clerk

---

County Board Chair

199

200

P&Z.ordinance.amendment