

# CHIPPEWA COUNTY DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone:715.726.7940 • Fax:715.726.4596 • www.co.chippewa.wi.us •

## 2020 Rezone Application



Comprehensive zoning consists of written text (commonly referred to as the zoning ordinance) and an official zoning map. The zoning ordinance is a guideline for permitted and conditional uses, which are separated into zoning classifications or districts. The zoning map shows how a town board has designated the particular zoning classifications or districts to parcels of land within their particular jurisdiction. A **REZONE** is where a property owner or other authorized entity seeks to amend the official zoning map, which would allow a use that is currently not permitted on the parcels of land based on the existing zoning classification or district. This is referred to as a zoning map amendment or "rezoning". The requested rezoning change may not be granted if it does not fit with the comprehensive plan and community goals for the respective town and county.

SECTION I: Parcel Owner Information			SECTION II: Agent Information		
Name: DENNIS LYBERG, SOUTH WIND LLC-BUTAK-SCHNEIDER			Name: JASON HIESS, HIESS-LOKEN & ASSOC., LLC		
Mailing Address: CO/LYBERG 14262 42ND AVE.			Mailing Address: 4905 WEST PARK AVE.		
City: CHIPPEWA FALLS	State: WI	Zip: 54729	City: CHIPPEWA FALLS	State: WI	Zip: 54729
Telephone: 715-829-1853			Telephone: 715-720-4000		
Email Address (Required): LYBERGHOMES@GMAIL.COM			Email Address (Required): HLSURVEY@SBCGLOBAL.NET		
SECTION III: Parcel Information					
Town of: LAFAYETTE			Property Address: NONE		
Parcel Number(s): 22808-1424-00020000 22808-1413-00020000 22808-1431-70503001 22808-1442-74107001			City: NONE	State: WI	Zip: 54729
Existing Zoning District(s): AG			Proposed Zoning District(s): R-1		

### GENERAL DIRECTIONS:

- Complete this Application form and the required four (4) parts:
  - Part 1: General Questions related to the request
  - Part 2: Planning & Zoning Committee Schedule - 2020
  - Part 3: General Rezoning Process
  - Part 4: Applicant Acknowledgement/Signature
- Submit the completed application, all required information and a **\$350.00** public hearing fee (Make check payable to: Chippewa County Treasurer) by the deadline (as listed in Part 2) to the Chippewa County Department of Planning & Zoning, Room 009, 711 N. Bridge Street, Chippewa Falls, Wisconsin 54729.
- Make arrangements to attend or have a representative attend any local town plan commission or town board meetings, and the required Planning & Zoning public hearing. This presence is needed so that questions can be answered and concerns addressed.

### FOR DEPARTMENT OF PLANNING & ZONING STAFF USE:

Receipt Number:	Appeal Number:	Public Hearing Date:
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## Chippewa County – 2020 Rezone Application

Once the completed application is received, the Department will prepare a public hearing notice and publish it within the Chippewa Herald. The public hearing notice will include the location and time of the required public hearing before the Chippewa County Planning & Zoning Committee. In addition, your neighbors, the Town Board and any appropriate county or state agencies will be notified. At the public hearing, any party may appear in person or may be represented by an agent or attorney to present information to the Planning & Zoning Committee in support or opposition of the rezone request.

### Part 1: General Questions. Please use a separate 8.5" x 11" sheet to answer these questions.

1. As the applicant, do you have legal title to the parcel(s)? If you **do not** have legal title to the property, please have the property owner sign this application.
2. Identify the parcel(s) that are or will be part of this rezone request. If needed, an additional sheet listing those parcels can be attached.
3. Describe the present and, if known, any proposed improvements on each parcel of land.
4. Explain why you are requesting to rezone of each parcel. Please identify the proposed use of each parcel.
5. Explain the compatibility of your proposed use(s) with the existing use(s) on adjacent parcels and those in the vicinity of this parcel(s).
6. Discuss any additional issues you feel that supports the consistency of your proposed use with County ordinances and plans as well as any Town ordinances or plans.

Be prepared to give a detailed presentation when called upon at the public hearing before the Planning and Zoning Committee. Prepare an outline of your proposal, something similar to a "business plan", detailing for the Planning & Zoning Committee your proposal. Include any documentation you feel is necessary as part of your presentation in defining your proposal for the Committee and possibly the County Board. It is vital to your application to consult with professionals you feel may be able to assist with your application (i.e. surveyor, attorney, engineer, etc.)

### Part 2: Planning & Zoning Committee Schedule - 2020

Applications will not be placed on the appropriate agenda unless they are properly completed and include **ALL** required supporting information or documents **and** payment of the public hearing fee. Applicants are encouraged to consult with staff of the Department of Planning & Zoning prior to the filing of the application. This is an important step to insure that all pertinent issues are identified and to determine what information in addition to the application forms might be necessary in order for the department to accept and process your application. Please **CIRCLE** or **HIGHLIGHT** the meeting you intend on attending:

<u>Application Deadline</u>	<u>Public Hearing</u>
December 26, 2019 .....	January 23, 2020
January 23, 2020 .....	February 20, 2020
February 20, 2020 .....	March 19, 2020
<b><i>April Regular Meeting will not occur due to County Board Elections</i></b>	
April 23, 2020.....	May 21, 2020
May 21, 2020 .....	June 18, 2020
June 25, 2020 .....	July 23, 2020
July 23, 2020 .....	August 20, 2020
August 27, 2020 .....	September 24, 2020
September 24, 2020 .....	October 22, 2020
October 22, 2020 .....	November 19, 2020
November 19, 2020 .....	December 17, 2020

*Note: Applications and all supporting information are due at **12:00 Noon** on the designated date.*

*Note: Typically, the Planning & Zoning Committee meetings start at 4:30 PM on the designated dates above.*

### Part 3: General Rezoning Process:

- (A) The rezone application is filed with the Department of Planning & Zoning. This includes the legal description of the parcels to be rezoned, a written statement addressing the questions as listed in Part 1 and any other information your feel will aid in a decision on this request.

## Chippewa County – 2020 Rezone Application

- (B) The Town Board will be notified of the rezone application. The Town Board can recommend approval or denial of a rezoning request. If the Town Board denies a rezone request, the Planning & Zoning Committee can only recommend an approval with modification to the rezone request or deny the rezone request.
- (C) A Class 2 Public Hearing Notice will be published in the Chippewa Herald detailing the request and the date and time of the Public Hearing.
- (D) Property owners of the land and those property owners within 400' (or maybe a greater distance) of the requested rezone change are notified directly by mail as well as the Town Board Chair and Town Clerk. The notice to the property owners will generally contain a portion of the public hearing notice and information pertaining to meetings to be held at the Town level (plan commission, town board, etc) as well as the Public Hearing in front of the Planning & Zoning Committee.
- (E) General maps (location map, aerial view and existing zoning districts map) will be prepared for the request by the Department.
- (F) A department staff report is prepared and sent to the Planning & Zoning Committee, while comments from the general public are solicited.
- (G) Following the Public Hearing, the Planning & Zoning Committee will make a motion to either approve, approve with modification or deny the rezoning request. If the rezone request receives an approval or approval with modification an ordinance amendment will be prepared and placed on the next County Board meeting agenda for their approval.
- (H) If the County Board approves the rezone and the town board files an objection to the approval, the town board will then have 45 days to veto the rezone request following the applicable state statutes.
- (I) If the rezone request receives County Board approval, the final step is the publication of the amendment in the Chippewa Herald. Once published, the zoning district amendment takes effect. The entire process from application deadline to final publication can take two months or more to complete depending upon the scheduling of hearing dates.

### Part 4: Applicant Acknowledgement/Signature

This application must be signed by the property owner or in case of an agreement to purchase the property, a letter from the property owner acknowledging the potential buyer is seeking the rezone.

- I certify that the information I have provided in this application is true, accurate and complete.
- I or a representative will have an opportunity to present to the Planning & Zoning Committee information in favor of this request.
- I have the authority to allow the staff of the Department of Planning & Zoning and Planning & Zoning Committee member's access to the property to conduct necessary inspections related to this request.
- I understand that I cannot speak to any member of the Planning & Zoning Committee about this application, except at the public hearing.
- I understand that I cannot direct any written communication about this application to a member of the Planning & Zoning Committee, unless I also file a copy with the Department of Planning & Zoning and direct additional copies to each person who has registered an interest in this application.
- I also understand that if I or my representative fail to appear in front of the Planning & Zoning Committee during the designated public hearing or my failure to observe the above mentioned rules, my request may be **DENIED**.

Signed: Jan R. H. Date: 3-19-20  
Owner/Agent

### Part 5: Planning & Zoning Department Mailing List

Applicant  
Property Owner Owners within 400'  
Planning & Zoning Committee Members  
Town Board Chair & Clerk  
County Board Supervisor  
News Media  
Others  
Wisconsin DNR

US Army Corp of Engineers  
Wisconsin DOT

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4905 WEST PARK AVENUE  
CHIPPEWA FALLS, WI 54729

March 19, 2020

Mr. Doug Clary  
Chippewa Co. Zoning Admin.  
711 N. Bridge St.  
Room 009  
Chippewa Falls, WI 54729

Dear Doug,

I, Jason Hiess, P.L.S., representing Dennis Lyberg Homes and or South Winds, LLC, Dean Schneider, and James and Kathy Butak, hereby request that the lands shown on the attached parcel map namely, parcel numbers: 22808-1424-00020000, 22808-1413-00020000, 22808-1437-70503001, 22808-1442-75107001, located in part of the SW-NE, NW-SE, NE-SW and the SE-NW, Section 14, T28N, R8W, Town of Lafayette, be re-zoned from the Agricultural District to the Residential-1 District. Parcel 22808-1442-75107001 currently has a single-family residence on it, all other parcels are vacant lands.

The adjoining parcels are a mix of zoning. Northerly is STH '29', Easterly A-1, Southerly AG, Southwesterly HC and Westerly AG. Please see the attached exhibits.

Re-zoning is the first step of many in the development of these lands. Currently I have proposed to the owners, Certified Survey Maps and a multi lot subdivision. I will work with your office and the Town of Lafayette to ensure all applicable ordinances are addressed during the creation of the new parcels.

Please schedule the appropriate meetings and reviews to accomplish this rezoning. Also please send me and my clients notifications of those meetings.

If you have any questions or need supplemental information please feel free to contact me.

Thank you.

Respectfully submitted,



Jason R. Hiess, P.L.S.

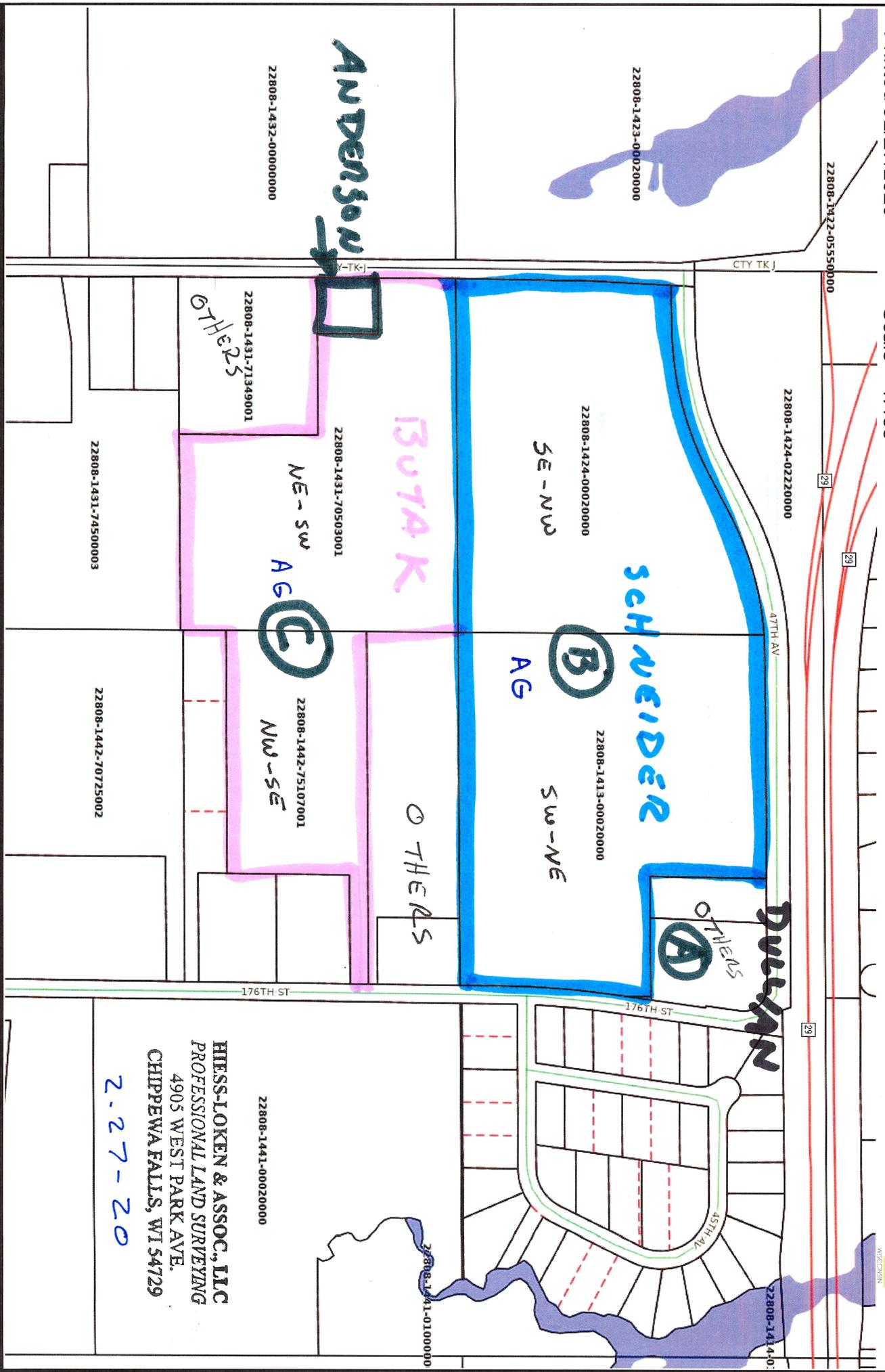
Attachments and fees incl.  
Cc Dennis Lyberg

# Map

Printed 02/27/2020

Scale = 1:463'

CHIPPEWA COUNTY  
WISCONSIN



HIESS-LOKEN & ASSOC., LLC  
PROFESSIONAL LAND SURVEYING  
4905 WEST PARK AVE.  
CHIPPEWA FALLS, WI 54729

2-27-20

### Disclaimer:

This map is a compilation of records as they appear in the Chippewa County Offices affecting the area shown and is to be used only for reference purposes.

# Map

Printed 03/02/2020

Scale = 1:410'

**HRESS-LOKEN & ASSOC., LLC**  
**PROFESSIONAL LAND SURVEYING**  
4905 WEST PARK AVE.  
CHIPPEWA FALLS, WI 54729



**Disclaimer:**

This map is a compilation of records as they appear in the Chippewa County Offices affecting the area shown and is to be used only for reference purposes.

To Whom it May Concern,

We the undersigned owner's of parcels 22808-1431-70503001 & 22808-1442-75107001 are currently working on a sale to Dennis Lyberg (South Wind LLC). AS part of the sale is contingent on our parcels being rezoned to Residential lots we give Dennis Lyberg and/or any of his agents permission to represent us in this matter.

Sincerely,

James Butak

James Butak

3/11/20 Date

Kathy K. Butak

Kathy Butak

3-11-20 Date

To Whom it May Concern,

We the undersigned owner's of parcels 22808-1413-00020000 & 22808-1424-00020000 are currently working on a sale to Dennis Lyberg (South Wind LLC). AS part of the sale is contingent on our parcels being rezoned to Residential lots we give Dennis Lyberg and/or any of his agents permission to represent us in this matter.

Sincerely,

DocuSigned by:  
*Dean A Schneider*  
0DD1C05F89BF4AB...

Dean Schnieder, Owner

3/11/2020

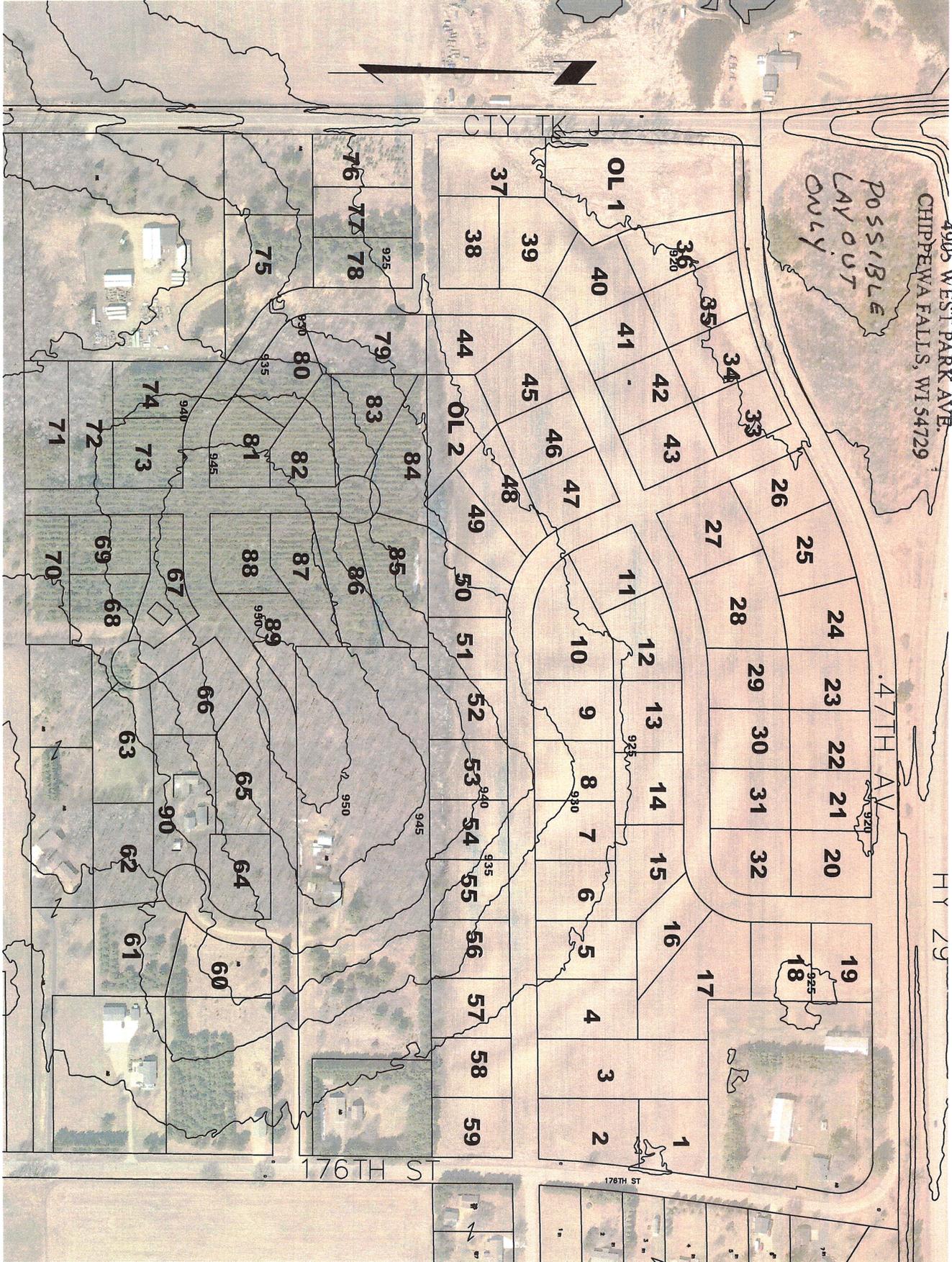
Date

HESS-LOKEN & ASSOC., LLC  
PROFESSIONAL LAND SURVEYING

4905 WEST PARK AVE.  
CHIPPEWA FALLS, WI 54729

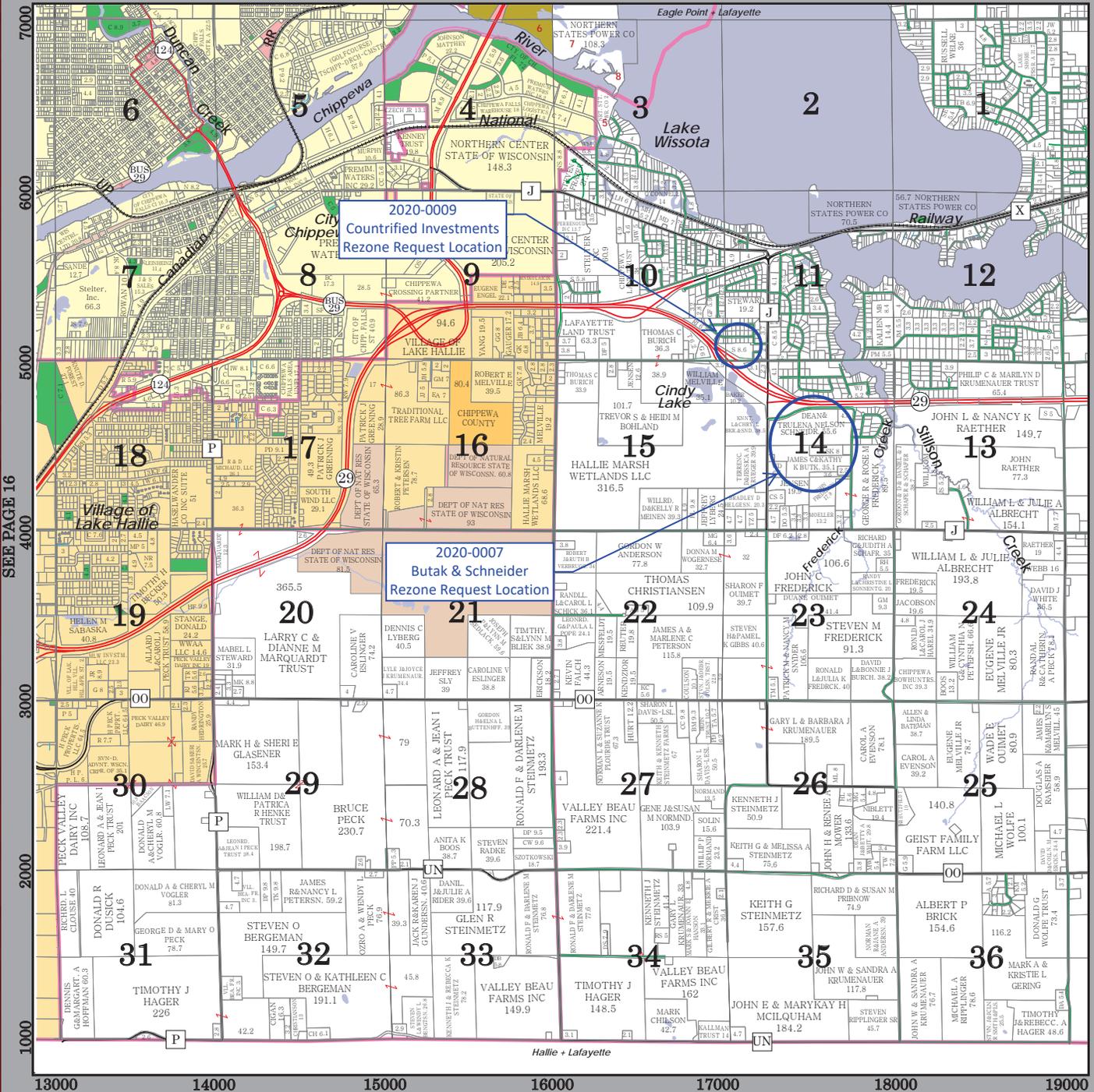
POSSIBLE  
LAYOUT  
ONLY

3-10-20 NOT TO SCALE





SEE PAGE 30



Hallie + Lafayette

EAU CLAIRE COUNTY

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All acreages are computed & rounded to the closest tenth acre, roadways are excluded from totals. All mapping is for reference only and is not intended, or to be used for any legal purpose.



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### ROBERT A THORSON ATTORNEY AT LAW

220 W. Willow Street  
P.O. Box 636  
Chippewa Falls, WI 54729

Telephone: (715) 723-0375  
Facsimile: (715) 723-7222  
Email: bobthorson@sbcglobal.net

Website: www.Thorsonlawoffice.com

CHIPPEWA COUNTY  
**DEPARTMENT OF PLANNING & ZONING**

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Land Management

Land Planning

Land Records & G.I.S.

POWTS & Wells

Date: May 5, 2020

To: Property Owner(s)

From: Douglas Clary, Director



Re: Public Meetings & Hearing

**Rezone Petition #2020-0007**

**Petitioner:** Hiess Loken Surveying/Jason Hiess Agent

**Property Owners:** Butak & Schneider

Part of the SW ¼ of the NE ¼ and part of SE ¼ of the NW ¼ lying south of 47<sup>th</sup> Avenue, Lot 1 of Certified Survey Map 503 located in the NE ¼ of the SW ¼, and Lot 1 of Certified Survey Map 5107 located in the NW ¼ of the SE ¼. All parcels are located in Section 14, Township 28 North, Range 08 West. Town of Lafayette.

**From:** Agricultural

**To:** Residential 1

**Proposal:** Single-Family Home Development

Dear Property Owner(s):

The Chippewa County Department of Planning & Zoning has received a rezone petition for parcels of land that are located either adjacent to or in the vicinity of property owned by you. Your property has been determined to be within the legal public hearing notification distance per county and state requirements. Below I have listed the meetings at which this petition will be reviewed. In addition, I have enclosed the rezone location map for your review.

**Lafayette Town Park, Recreation & Land Use Planning Commission (PRLPC) – In Person Meeting:**

The PRLPC will **REVIEW** this request on **May 11<sup>th</sup>, 2020** at approximately **7:00 PM**. Please note this meeting will be held in person and will adhere to the social distancing guidelines. The PRLPC will make an **ADVISORY** recommendation to the Lafayette Town Board to approve, disapprove or approve with conditions. This meeting will be held at the Lafayette Town Hall, 5765 197<sup>th</sup> Street, Chippewa Falls, Wisconsin 54729.

**Lafayette Town Board – Zoom Meeting (Video & Teleconference Meeting):**

The Town Board will **REVIEW** this request on **May 18<sup>th</sup>, 2020** at approximately **7:00 PM**. Due to the COVID-19 pandemic and to comply with the social distancing guidelines the Town Board meeting will be held via “Zoom” with computer or telephone access to the meeting. If you are a member of the public and wish to speak on this rezone petition during the Town Board meeting, please follow these steps:

1. **Zoom Meeting via Computer:** Here is the link to join the meeting via Computer:
  - a. <https://us02web.zoom.us/j/88043416025?pwd=TVhMTTVXdGxQUmd2QUd4L2hsU05QUt09>
  - b. When prompted, please enter this **Meeting ID:** 880 4341 6025
  - c. When prompted, please enter this **Meeting Password:** 022040
  - d. Once access to the Telephone Conference Call meeting is gained, the Committee Chair will acknowledge all callers.
  
2. **Zoom Meeting Via Telephone/Cellphone:**
  - a. Please call **1-312-626-6799**.
  - b. When prompted, please enter this **Meeting ID:** 880 4341 6025
  - c. When prompted, please enter this **Meeting Password:** 022040
  - d. Once access to the Telephone Conference Call meeting is gained, the Committee Chair will acknowledge all callers.

The Town Board will forward an **ADVISORY** recommendation to the Chippewa County Planning & Zoning Committee to approve, disapprove or approve with modification(s) and/or condition(s). This meeting will be held at the Lafayette Town Hall, 5765 197<sup>th</sup> Street, Chippewa Falls, Wisconsin 54729.

(Continued on next page)

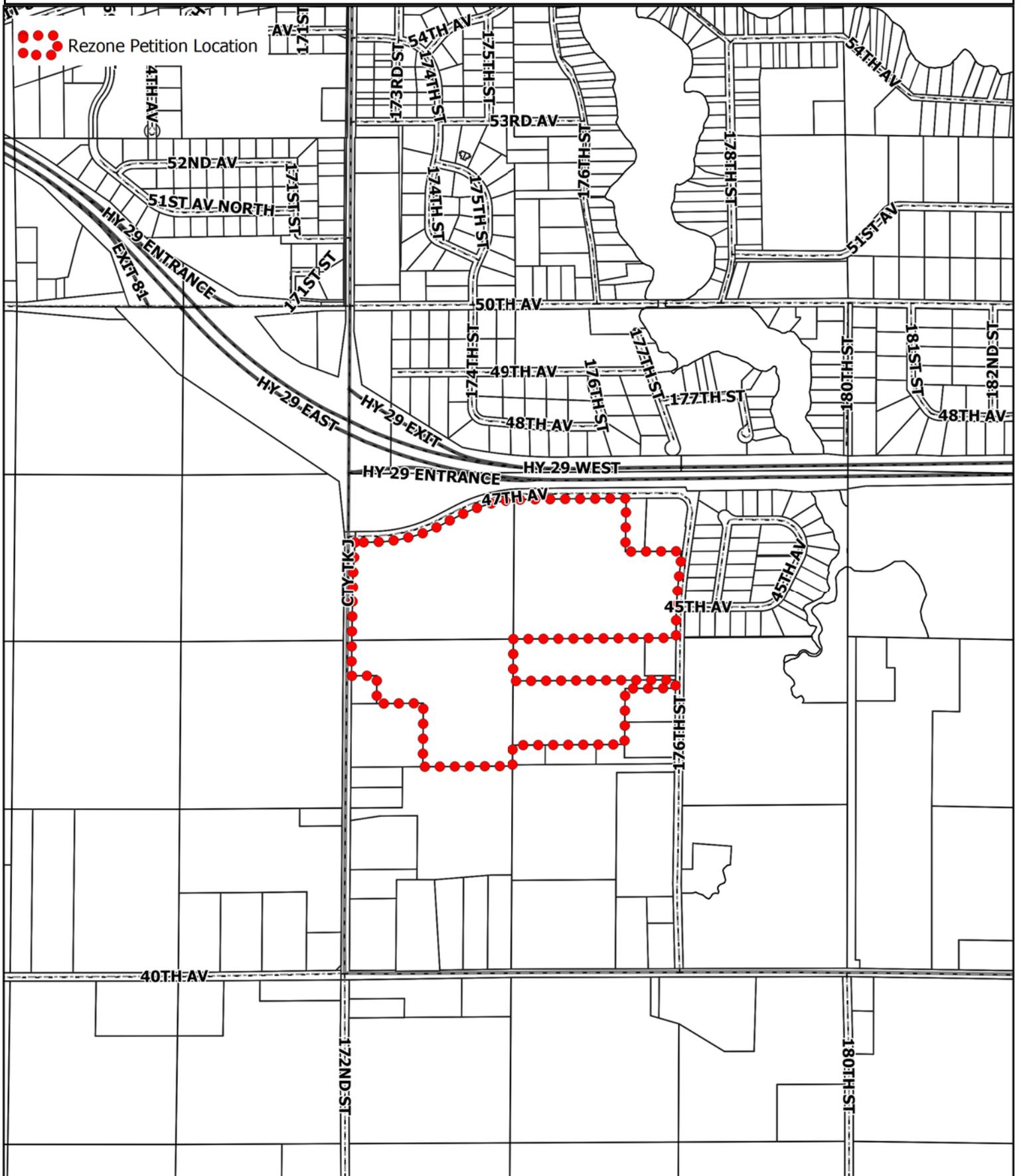
**Chippewa County Planning & Zoning Committee – WebEx Meeting (Telephone/Cellphone):**

The Chippewa County Planning & Zoning Committee will hold a **PUBLIC HEARING** on **May 21, 2020** at **4:30 PM**. Due to the COVID-19 pandemic and to comply with the social distancing guidelines the public hearing will be held via “Telephone Conference Call” (*i.e. access to the meeting will be by a telephone or cellphone only*). If you are a member of the public and wish to speak on this rezone petition during the public hearing, please follow these steps:

1. Please call **1-408-418-9388**. The Telephone Conference Call line will be open at 10 minutes prior to the meeting start time.
2. When prompted, please enter this **WebEx Access Code**: 624 921 020
3. When prompted, please enter this **Meeting Password**: 75722487
4. Once access to the Telephone Conference Call meeting is gained, the Committee Chair will acknowledge all callers.

If you have any questions regarding this rezone petition or access to the Planning & Zoning Committee meeting via the “Telephone Conference Call”, please feel free to contact me at (715) 726-7941.

# 2020-0007 Butak & Schneider - Rezone Request - Location Map



2020-0007 Butak & Schneider - Rezone Request - Aerial (2018)



Produced on May 5, 2020 by the Chippewa County Department of Planning & Zoning and is for reference purposes only.

Scale: 1" = 500'

# 2020-0007 Butak & Schneider - Rezone Request - Zoning Districts

