

**RESOLUTION #85-2008**  
**REZONE PETITION #10-2008**

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

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

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5 **WHEREAS**, the Planning & Zoning Committee, having considered Petition #10-  
6 2008, (copy attached) which was filed May 20, 2008, 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 August 5, 2008 pursuant to Section 59.69(5), Wisconsin Statutes, and having been  
10 informed of the facts pertinent to the changes which are as follows:

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12 To rezone lands from District 1-A Forestry to District #15 Rural Residential on property  
13 described as:

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15 All that part of the NW NW lying easterly of Sutton Road and all that part of the SW NW,  
16 lying easterly of Sutton Road all in Section 20, T39N, R6E, Town of Minocqua.

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18 NE NW, SE NW, NW NE, SW NE, Section 20, T39N, R6E, Town of Minocqua.

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20 NE SE, SW NE, NW SE, SW SE, SE NW, NE SW, SE SW, SW NW, NW SW, SW SW,  
21 all in Section 17, T39N, R6E Town of Minocqua.

22  
23 SE NE, NE SE, SE SE, SW NE, NW SE, SW SE, Section 18, T39N, R6E, Town of  
24 Minocqua.

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

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28 The owner sought the change to allow for year 'round residential dwellings to be  
29 constructed. The petitioner originally included a much larger area, approximately 840  
30 acres, to be rezoned. During the August 5, 2008 public hearing in Minocqua eleven  
31 (11) letters of objection were listed. Nine (9) individuals spoke opposed and three (3)  
32 individuals supported the request. A petition with two-hundred thirty-six (236)  
33 signatures was submitted in opposition and stated the rezone would "negatively affect  
34 our increasingly over-developed beautiful Northwoods." The Planning and Zoning  
35 Committee took no action at this meeting, pending a written position from the Minocqua  
36 Town Board. The Minocqua Town Board subsequently met and were advised from their  
37 attorney they could not include a development agreement as part of their rezoning  
38 consideration. The Town Board and the Petitioner then agreed to rezone a much  
39 smaller area, approximately 280 acres. Petition amendment letter and Town Board  
40 approval letter attached.

41  
42 The Planning and Zoning Committee met again on August 20, 2008 with the Minocqua  
43 Town Chairman and the Petitioner's agent present.

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45 The Planning and Zoning Committee accepted the amended request. The Planning &  
46 Zoning Committee has reviewed the general standards as specified in Section 9.86F of  
47 the Oneida County Zoning & Shoreland Protection Ordinance and concluded that the  
48 standards have been met. The Planning & Zoning Committee recommends passage.  
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50 **NOW THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS**  
51 **DOES ORDAIN AS FOLLOWS:** Petition #10-2008:  
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53 Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict  
54 with this ordinance shall be and are hereby repealed as far as any conflict exists.

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

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

60 Section 4: Rezone Petition # 10-2008, as amended is hereby adopted amending the  
61 Master Zoning District Document and the Oneida County Official Zoning District  
62 Boundary Map, by changing the zoning district classification from District 1-A Forestry to  
63 District #15 Rural Residential on property described as follows:  
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66 SW NE, SE NW, SW NW, NW SW, NE SW, Section 17, T39N, R6E, Town of Minocqua.  
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68 SE NE, NE SE, Section 18, T39N, R6E, Town of Minocqua.  
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70 The County Clerk shall, within seven (7) days after adoption of Rezone Petition #10-  
71 2008 by the Oneida County Board of Supervisors, cause a certified copy thereof to be  
72 transmitted by mail to the Minocqua Town Clerk.  
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74 Approved by the Planning and Zoning Committee this 17th day of September, 2008.  
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76 Vote Required: Majority = \_\_\_\_\_ 2/3 Majority = \_\_\_\_\_ ¾ Majority = \_\_\_\_\_  
77

78 The County Board has the legal authority to adopt: Yes \_\_\_\_\_ No \_\_\_\_\_ as reviewed by the  
79 Corporation Counsel, \_\_\_\_\_, Date: \_\_\_\_\_  
80

81 Offered and passage moved by: \_\_\_\_\_  
82 Supervisor

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84 \_\_\_\_\_  
85 Supervisor

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88 Supervisor

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Supervisor

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Supervisor

Seconded by: \_\_\_\_\_

\_\_\_\_\_ Ayes

\_\_\_\_\_ Nays

\_\_\_\_\_ Absent

\_\_\_\_\_ Abstain

\_\_\_\_\_ Adopted

by the County Board of Supervisors this        day of        2008.

\_\_\_\_\_ Defeated

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Robert Brusio, Clerk

Andrew P. Smith, County Board Chair