

## DRAFT

### RACINE COUNTY ECONOMIC DEVELOPMENT & LAND USE PLANNING COMMITTEE SUMMARY MINUTES - MONDAY, February 17, 2020 - 6:00 p.m.

Ives Grove Office Complex Auditorium  
14200 Washington Avenue, Sturtevant, WI 53177

(NOTE: Audio recording from Racine County is available upon request. These minutes are intended as a summary of actions taken by the Committee and do not include verbatim or detailed accounts of all comments made by staff, the Committee and members of the general public present at the meeting.)

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Committee present: David Cooke, Kay Buske, Bob Grove, Tom Hincz, Monte Osterman,  
Tom Pringle, Tom Roanhouse

Youth in Government

Representatives present: Jarret Janes, present - Vincent Pulice, excused

Staff present: Brian Jensen, Development Services Superintendent  
Rhonda McCormick, Staff Secretary

Chairman Cooke called the February 17, 2020, Racine County Economic Development and Land Use Planning Committee public hearing and committee meeting to order at 6:00 p.m. He introduced the Committee and staff and explained public hearing and meeting procedures. Following are the agenda items and the Committee's actions.

#### **PUBLIC HEARING**

- |  |   |
|--|---|
| 1. Therese Blight<br>6:04 Harvey Rowder and Paul Franecki,<br>6:39 Applicants<br>Dave Hendrix, Agent | <u>Conditional Use</u> to utilize the existing building and site for the sale of automobiles, golf carts, and motorcycles, (DBA HP Customs); located in the B-3, Commercial Service District, 8204 Big Bend Rd.; Sec. 1, T4N, R19E, <b>Town of Waterford</b> (Parcel Id. 016041901046000) |
|--|---|

Brian Jensen reviewed the petition and public hearing testimony using text and maps. The applicants are proposing up to ten ready for sale automobiles. No inoperable vehicles and no vehicle repair onsite. Golf carts and motorcycles to be included in the ten auto sale spaces. Vehicle parts and accessories will be sold from the building. Most of the sales will be made over the internet. There will be no interior alterations. The Exterior of the building and landscaping will remain the unchanged. Future signage will adhere to the Racine County Zoning Ordinance. The site is served by municipal sewer. Hours of operation will be Monday through Saturday, 9:00 am – 9:00 p.m. No Sunday onsite car sales. Inside sales will occur between 8:00 am – 5 pm.

Dave Hendrix, the agent, was present and answered questions from the committee.

#### **STAFF RECOMMENDATION(S)**

Staff recommends approval as the use appears to comply with all other provisions of Chapter 20, such as parking, traffic and highway access. Based on other things going on in the area, the proposed use appears to fit with the uses in the district.

#### **DECISION**

**PRINGLE MOVED, seconded by Hincz, to approve the conditional use.**

**RACINE COUNTY ECONOMIC DEVELOPMENT & LAND USE PLANNING COMMITTEE**  
**SUMMARY MINUTES - MONDAY, February 17, 2020 - 6:00 p.m.**

Ives Grove Office Complex Auditorium  
14200 Washington Avenue, Sturtevant, WI 53177

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**PUBLIC HEARING**

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|------|----------------------------------|--|
| 1.   | Therese Blight                   | <u>Conditional Use</u> to utilize the existing building and site for |
| 6:04 | Harvey Rowder and Paul Franecki, | the sale of automobiles, golf carts, and motorcycles, (DBA           |
| 6:39 | Applicants                       | HP Customs); located in the B-3, Commercial Service                  |
|      | Dave Hendrix, Agent              | District, 8204 Big Bend Rd.; Sec. 1, T4N, R19E, <b>Town of</b>       |
|      |                                  | <b>Waterford</b> (Parcel Id. 016041901046000)                        |

Brian Jensen reviewed the petition and public hearing testimony using text and maps. The applicants are proposing up to ten ready for sale automobiles. No inoperable vehicles and no vehicle repair onsite. Golf carts and motorcycles to be included in the ten auto sale spaces. Vehicle parts and accessories will be sold from the building. Most of the sales will be made over the internet. There will be no interior alterations. The Exterior of the building and landscaping will remain the unchanged. Future signage will adhere to the Racine County Zoning Ordinance. The site is served by municipal sewer. Hours of operation will be Monday through Saturday, 9:00 am – 9:00 p.m. No Sunday onsite car sales. Inside sales will occur between 8:00 am – 5 pm.

Dave Hendrix, the agent, was present and answered questions from the committee.

**STAFF RECOMMENDATION(S)**

Staff recommends approval as the use appears to comply with all other provisions of Chapter 20, such as parking, traffic and highway access. Based on other things going on in the area, the proposed use appears to fit with the uses in the district.

**DECISION**

**PRINGLE MOVED, seconded by Hincz, to approve the conditional use.**

A discussion began regarding the hours of operation. The committee agreed to amend the hours of operation to Monday – Friday 9:00 am – 9:00 pm, Saturday, 9:00 am – 6 pm, No Sunday onsite car sales; inside sales from 8:00 am – 5:00 pm.

**PRINGLE MOVED, seconded by Buske** to amended and approve the conditional use as it is not hazardous, harmful, or adverse to property values in the County and its communities; this use appears to be permitted by underlying zoning; and, based on other things going on in the area, the proposed use appears to fit with the uses in the district.

**YOUTH REPRESENTATIVES' ADVISORY VOTES:**

Youth Representative Janes: aye

**Motion carried unanimously. VOTE: 7/0**

2. Aretas Bayley and Barbara Jamerson Rezone from A-1, Farmland Preservation District and A-3, General Farming District III to C-2, Upland Resource Conservation District; ±10-acres; immediately west of 29429 Raab Dr.; Sec. 2, T4N, R19E, **Town of Waterford** (Parcel Id. No. 016041902045000)

For informational purposes only:

*The purpose of this rezoning is to place one consistent zoning for the construction of a single-family residence and outbuilding.*

Jensen reviewed the petition and public hearing testimony using text and maps. The property is divided in half by the zoning districts A-1 (south half) & A-3 (north half). The approximately north ½ of the property lies within the sanitary sewer service area and the proposed residence will be served by municipal sewer. A Wetland Delineation Report was completed for this property on June 9, 2016, by Theran Stautz, PWS Ecologist/Project Manager. The Boundary Survey, prepared by Wisconsin Land Surveyor Grady L. Cosser, February 9, 2018, appear to accurately represent the Wetland Delineation Report.

Gary Igowski, the agent, was present and answered questions from the committee.

Aretas Bayley, the owner, was present and answered questions from the committee.

STAFF RECOMMENDATION(S)

Staff recommends approval of the rezoning as it is consistent with the existing 2035 Comprehensive Land Use Plan and the Farmland Preservation Plan and it is compatible with surrounding zoning and uses.

DECISION

**PRINGLE MOVED, seconded by Buske**, to approve the rezoning as it is compatible with surrounding zoning and uses; the rezoning will not adversely affect the surrounding property values; and, the rezoning is good zoning practice as the property is mapped Primary Environmental Corridor (P.E.C.) with wetlands and the C-2, Upland Conservation zoning district recognizes these attributes and should assist in environmental preservation of the site through limited development outside of the wetlands and limited tree removal within the P.E.C.

**YOUTH REPRESENTATIVES' ADVISORY VOTES:**

Youth Representative Janes: aye

**Motion carried unanimously. VOTE: 7/0**

3. Kenneth and Carina Walters  
6:18  
6:44
- Rezone from R-2, Suburban Residential District (Unsewered) to R-2S, Suburban Residential District (Sewered-Large Lot); ±1.56-acres; 34605 Chestnut St.; Sec. 30, T3N, R19E, **Town of Burlington** (Parcel Id. No. 002031930021010)  
For informational purposes only:  
The purpose of this rezoning is to recognize the availability of municipal sanitary sewer for construction of a single-family residence.

Jensen reviewed the petition and public hearing testimony using text and maps. On October 1, 2019, the City of Burlington Common Council approved the Walters request to allow a connection to the municipal sanitary sewer to provide service to the proposed single-family residence. The Town of Burlington Planning Committee and Town Board approved this request on February 13, 2020.

John Bjelajac, the attorney, was present and answered questions from the committee.

Carina Walters, the owner, was present and answered questions from the committee.

STAFF RECOMMENDATION(S)

Staff recommends approval as the rezoning is consistent with the overall local ordinances and the City of Burlington has approved allowing connection to municipal sewer. The rezoning is consistent with surrounding zoning and uses

DECISION

**PRINGLE MOVED, seconded by Grove**, to approve the rezoning as it will not adversely affect the surrounding property values; and, this rezoning is good zoning practice as the property will be serviced by municipal sewer and placing the correct zoning district recognizes this fact.

**YOUTH REPRESENTATIVES' ADVISORY VOTES:**

Youth Representative Janes: aye

**Motion carried unanimously. VOTE: 7/0**

4. Traci Himebauch & Gregory and  
6:23 Luann Himebauch  
6:45 Ryan Koch, Applicant
- Conditional Use to construct and utilize an 81'x125' pole building for storage and maintenance of construction equipment and vehicles (DBA No Limit Excavating); located in the A-2, General Farming and Residential District II; 5200 Deer Rd.; Sec. 19, T4N, R19E, **Town of Waterford** (Parcel ID No. 016041919008010 & part of 016041919008020)

Jensen reviewed the petition and public hearing testimony using text and maps. The owners are proposing to purchase an additional 5-acres and combine with the existing residential property to accommodate the construction of an 81'x125' pole building, which will be used for storage. A future Private Onsite Wastewater Treatment System is proposed in the future to service the pole building. The new pole building will be used for the storage of a quad axel dump truck, semi-tractor and trailer and excavation equipment. All vehicles and equipment will be stored and maintenance to occur inside the

proposed pole building. No Limit Excavating is employee operated and no other employees. Hours of operation will be 7:00 am to 6:00 pm. A home office will be in the existing residence.

Ryan Koch, the applicant, was present and answered questions from the committee.

STAFF RECOMMENDATION(S)

Staff does not support the conditional use as submitted. It is preferred to see a screening from the neighbors to the south or a relocation to the northern portion of the property so it will be less intrusive. Staff would like to hear comments from the Town of Waterford before approval.

DECISION

**GROVE MOVED, seconded by Pringle, to lay over the conditional use for 60 days.**

**YOUTH REPRESENTATIVES' ADVISORY VOTES:**

Youth Representative Janes: aye

**Motion carried unanimously. VOTE: 7/0**

5. Mathew Buchholtz  
6:34  
6:48

Conditional Use to for the construction of a non-farm residence; located in the A-1, Farmland Preservation District; 5420 Big Bend Rd.; Sec. 24, T4N, R19E, **Town of Waterford** (Parcel ID No. 016041924007010)

Jensen reviewed the petition and public hearing testimony using text and maps. In accordance with the zoning ordinance, any non-farm residence constructed in the A-1, Farmland Preservation District must meet the minimum A-2 lot width and area requirements (i.e. 150-foot width; 40,000-sq.ft.) This request meets that requirement. This proposal will not convert existing cropland or impair or limit the current or future agricultural use of other protected farmland. A sanitary permit was issued, for this parcel, on February 5, 2020. If approved, a Deed Restriction must be recorded with the Racine County Register of Deeds office stating the parcel split from the base farm tract and the remaining base farm tract may not be divided further unless in compliance with the Farmland Preservation requirements.

Mathew Bucholtz, the owner, was present and answered questions from the committee.

STAFF RECOMMENDATION(S)

Staff recommends approval as the use is in accordance with the purpose and intent of Chapter 20 as the conversion will not convert existing cropland or impair or limit the current or future agricultural use of other protected farmland and the use appears to be permitted by underlying zoning as the proposed land division appears to meet the ratio for non-farm residential acreage to farm acreage on the base farm tract. A Deed Restriction must be recorded with the Racine County Register of Deeds office.

DECISION

**PRINGLE MOVED, seconded by Buske, to approve the conditional use as the use appears to be permitted by underlying zoning as the proposed land division appears to meet the ration for non-farm residential acreage to farm acreage on the base farm tract and the conversion will not convert existing cropland or impair or limit the current or future agricultural use of other protected farmland; and, based on other things going on in the area, the proposed use appears to fit with the use in the district.**

**YOUTH REPRESENTATIVES' ADVISORY VOTES:**

Youth Representative Janes: aye

**Motion carried unanimously. VOTE: 7/0**

6:38 GROVE MOVED, seconded by Hincz, to close the Public Hearing portion of the meeting.

**YOUTH REPRESENTATIVES' ADVISORY VOTES:**

Youth Representative Janes: aye

**Motion carried unanimously. VOTE: 7/0**

**COMMITTEE MEETING**

***PLEASE NOTE: While the following agenda items are up for discussion and action before the Committee and the Committee may ask questions of the petitioners or affected neighbors, this portion of the agenda is a committee meeting and not a public hearing, and public hearing testimony may not be taken. All are welcome to attend.***

1. Decisions on preceding petitions
2. Review, discussion and possible approval of the January 20, 2020, summary minutes

**PRINGLE MOVED, seconded by Grove, to approve the January 20, 2020 summary minutes.**

**YOUTH REPRESENTATIVES' ADVISORY VOTES:**

Youth Representative Janes: aye

**Motion carried unanimously. VOTE: 7/0**

3. Landing Group, LLC.  
6:50 Timothy Richter, Applicant  
6:52

Site Plan Review to amend the conditional use to extend hours of operation for the existing event venue; located in the B-3, Commercial Service District; 3640 Bieneman Rd.; Sec. 30, T3N, R19E, Town of Burlington (Parcel Id. No. 002031930009000)

*Note: Conditional Use was initially approved October 19, 2015 and Site Plan Review March 19, 2018.*

Jensen reviewed the petition using text and maps. The original event hours were as Monday through Wednesday 9:00 am to 9:00 pm. Thursday 9:00 am to 10:00 pm. Friday and Saturday 9:00 am to 12:00 pm. Sunday 9:00 am to 6:00 pm. Music to end at 10:30 pm. And guests departing by 11:00 pm. And staff departing by 1:00 am. The applicant is requesting to change the hours, for guests on Monday through Sunday to be 8:00 am to 12:00 pm. And staff hours would be Monday through Sunday from 7:00 am to

1:00 am. The owner believes the change will make the business more competitive with other similar event venues in the area. There have been no complaints on this property.

STAFF RECOMMENDATION(S)

Staff recommends approval of event hours of operation.

DECISION

**PRINGLE MOVED, seconded by Grove** to approve the site plan.

**YOUTH REPRESENTATIVES' ADVISORY VOTES:**

Youth Representative Janes:            aye

**Motion carried unanimously. VOTE: 7/0**

4.    Review, discussion, & possible action on referrals from the Racine County Board of Supervisors  
6:54

**PRINGLE MOVED, seconded by Buske**, to receive and file the following referrals:

1. A Letter requesting the budgeted funds for the 2020 regional planning program from Southeastern Wisconsin Regional Planning Commission.
2. A Letter regarding Racine County's Community Development Block Grant RLF-ED CLOSE Report and request for payment from Wisconsin Department of Administration.

**YOUTH REPRESENTATIVE'S ADVISORY VOTE:**

Youth Representative Janes:    aye

**Motion carried unanimously. VOTE: 7/0**

5.    Other business as authorized by law

6.    Adjourn  
6:55

There being no further business, **PRINGLE MOVED, seconded by Grove**, to adjourn at 6:55 p.m.

**Motion carried unanimously. VOTE: 7/0**

PUBLIC HEARING ITEM #1

Vernon and Helen Brook Trust + Wayne + Ronda Kennedy  
29727 Plank Rd. 29641 Plank Rd.  
Burlington, WI 53105 Burlington, WI 53105  
Racine County, Wisconsin

REZONING APPLICATION

Owner: Arthur + Eileen Naber  
Address: 29929 Plank Rd.  
Burlington, WI 53105  
Telephone #: 262-206-9910  
Fax #: \_\_\_\_\_  
E-mail: art@bearburlington.com  
Date petition filed: February 6, 2020

Applicant/agent: Art Naber  
Address: 29929 Plank Rd  
Burlington, WI 53105  
Telephone #: 262-206-9910  
Fax #: \_\_\_\_\_  
E-mail: art@bearburlington.com  
Hearing date: March 16, 2020

TO THE RACINE COUNTY BOARD OF SUPERVISORS:

Please take notice that the undersigned hereby petitions the Economic Development & Land Use Planning Committee to consider a request to REZONE the land described in the attachment

FROM M-4 Quarrying District DISTRICT  
TO A-2 General Farming and Residential District II DISTRICT  
Town of Burlington # of Acres 4.14 1/4 Section NW+5W Section 23 T 3 N R 19 E  
Parcel # part of 002031923039000, 002031923045000 and part of  
Location/site address 29929 Plank Rd., 29727 Plank Rd and 29641 Plank Rd. 002031923015000

Attached are

- Survey or plot plan, prepared by a Wisconsin registered land surveyor, that identifies property ownership with dimensions (12 copies: 10 of the 12 copies should be individually folded to approximately 8.5" x 11")
- Legal description of land to be rezoned, prepared by a Wisconsin registered land surveyor
- Names & addresses of land owners within 300 feet of the boundary of the area requested to be rezoned (include across the street, highway, &/or Interstate)
- Hearing & publication fees as set by the adopted fee schedule, payable to Racine County Planning (Fees are non-refundable. Re-publication/amendment fees will be charged where applicable.)
- Report of existing & future land usage
- Proposed development plan

Art Naber  
signature

The completed petition with all required attachments must be submitted to: Racine County Planning, 14200 Washington Avenue, Sturtevant, WI 53177; phone: 262-886-8470; fax: 262-886-8488; hours: 8:00 a.m. to 12:00 noon & 12:30 p.m. to 4:30 p.m., Monday through Friday. This is the minimal required information that must be submitted to have a rezoning application processed. Additional information might be requested if the Department, the Committee, &/or the Town feel that such additional information is necessary to adequately evaluate the application.

cash or check #: 1141 amount received: \$ 600.00

The Economic Development & Land Use Planning Committee public hearings are generally held the 3<sup>rd</sup> Monday of each month. They start at 6:00 p.m. & are held in the Ives Grove Office Complex Auditorium, 14200 Washington Avenue (just west of the Sheriff's Patrol Station on Highway 20). Parking is available in the visitor parking lot on the north side of the building.

<p>STAFF USE ONLY:</p> <p>Recommend:</p> <p><input checked="" type="checkbox"/> approval</p> <p><input type="checkbox"/> denial</p>	<p>ECONOMIC DEVELOPMENT &amp; LAND USE PLANNING COMMITTEE</p> <p>Recommend:</p> <p><input type="checkbox"/> approval</p> <p><input type="checkbox"/> denial</p>
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EXHIBIT  
-FOR-  
PROPOSED REZONE  
-OF-

PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 AND PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 19 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE TOWN OF BURLINGTON, COUNTY OF RACINE, STATE OF WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE WEST 1/4 CORNER OF SAID SECTION 23; THENCE NORTH 88°27'10" EAST ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 SECTION 1319.73 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTHERLY ALONG THE EAST LINE OF THE WEST 1/2 OF SAID SOUTHWEST 1/4 SECTION 282 FEET; THENCE WESTERLY 228 FEET; THENCE NORTHERLY 533 FEET TO A POINT ON THE SOUTHERLY LINE OF COUNTY TRUNK HIGHWAY A; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY LINE 412 FEET TO THE EAST LINE OF LANDS OWNED BY BROOK TRUST 12/6/02; THENCE SOUTHERLY ALONG SAID EAST LINE 219 FEET; THENCE SOUTHWESTERLY 163 FEET TO A POINT ON THE EAST LINE OF THE WEST 1/2 OF SAID NORTHWEST 1/4 SECTION; THENCE SOUTHERLY ALONG SAID EAST LINE 363 FEET TO THE PLACE OF BEGINNING, ALSO INCLUDING ALL ABUTTING LANDS ZONED M-4 LYING NORTH OF SAID SOUTHERLY LINE OF COUNTY TRUNK HIGHWAY "A" AND THE CENTER LINE OF SAID HIGHWAY.

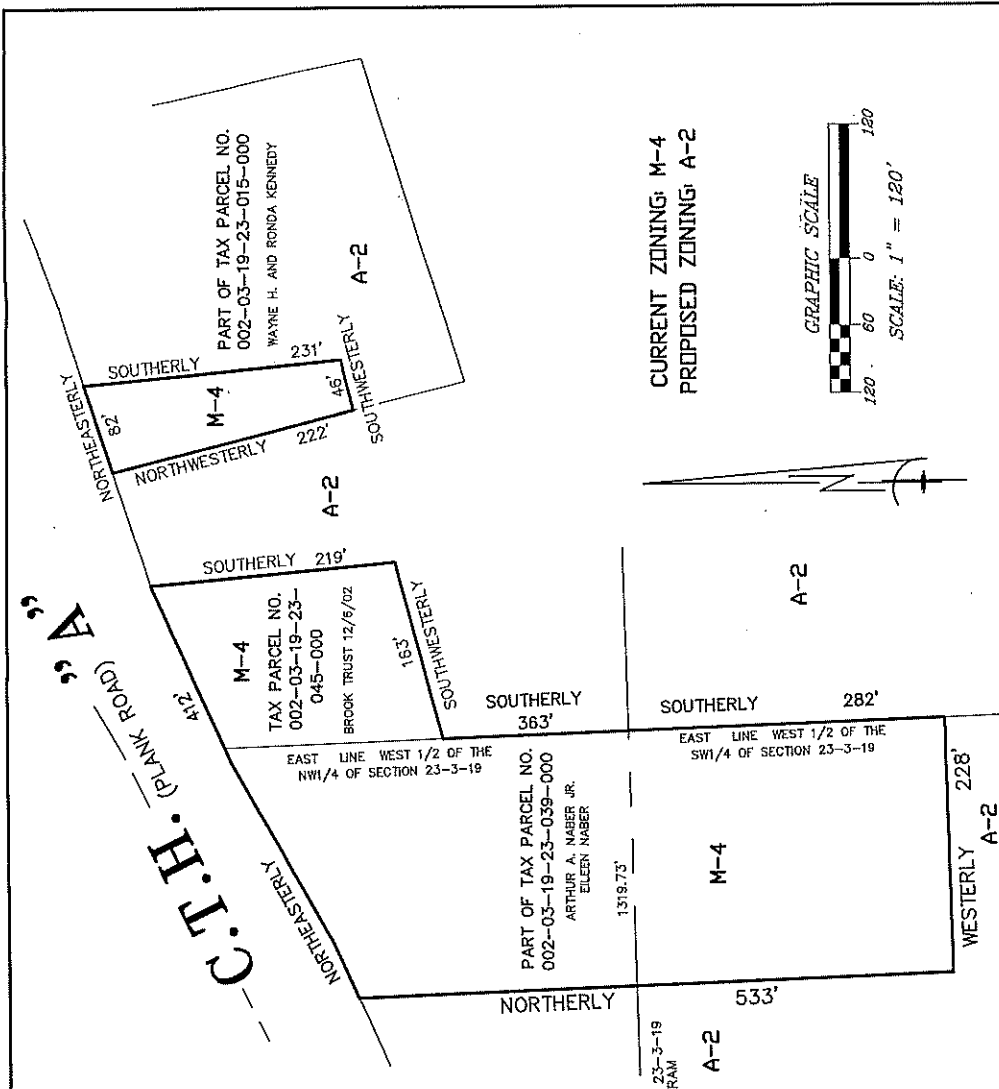
WEST 1/4 CORNER  
SECTION 23-3-19

NORTH LINE SW1/4 SECTION 23-3-19  
PER CONTROL SUMMARY DIAGRAM

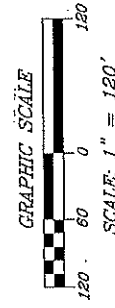
S88°27'10" W

ALSO:

PART OF THE SOUTHEAST 1/4 AND THE NORTHWEST 1/4 OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 19 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE TOWN OF BURLINGTON, COUNTY OF RACINE, STATE OF WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE NORTHWEST CORNER SOUTHERLY RIGHT OF WAY LINE OF COUNTY TRUNK HIGHWAY A; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY LINE 82 FEET; THENCE SOUTHERLY 231 FEET; THENCE SOUTHWESTERLY 46 FEET; THENCE NORTHWESTERLY 222 FEET TO THE PLACE OF BEGINNING, ALSO INCLUDING ALL ABUTTING LANDS ZONED M-4 LYING NORTH OF SAID SOUTHERLY LINE OF COUNTY TRUNK HIGHWAY "A" AND THE CENTER LINE OF SAID HIGHWAY.



CURRENT ZONING: M-4  
PROPOSED ZONING: A-2



DRAFT

Racine County  
Economic Development & Land Use  
Planning Committee Public Hearing Meeting  
**Monday, March 16, 2020 - 6:00 p.m.**

Ives Grove Office Complex Auditorium  
14200 Washington Avenue  
Sturtevant, WI 53177



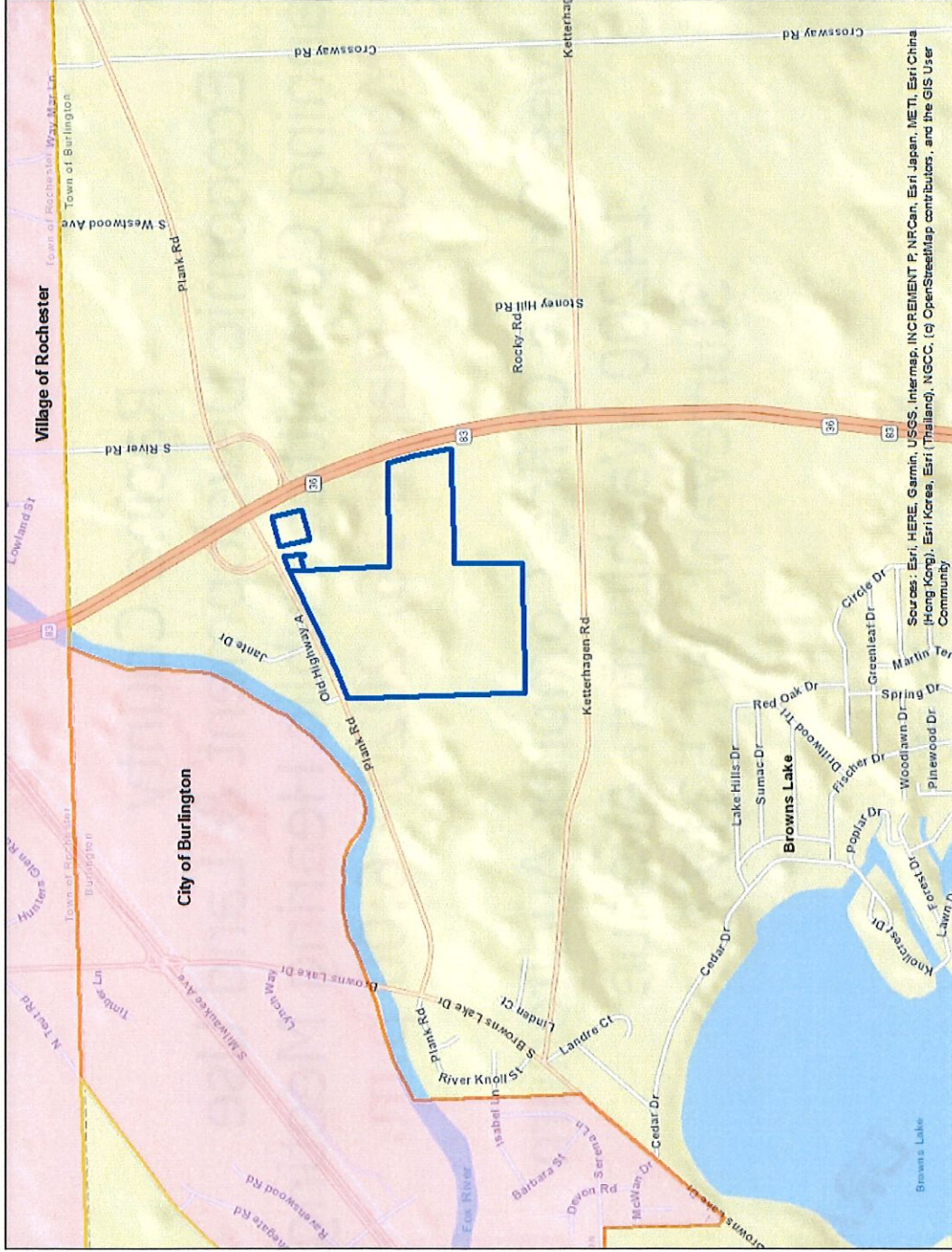
DRAFT

Arthur & Eileen Nabor; Vernon & Helen Brook Trust; and Wayne & Ronda Kennedy, Owners  
 Arthur Nabor, Agent

Site Address: 29929, 29727 & 29641 Plank Road

Rezone (4.14 acres) from M-4 Quarrying District to A-2 General Farming & Residential District II (to remove the M-4 designation and place a consistent zoning district on these properties/portions to be in harmony with surrounding designations & uses)

# Location Map



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



SEC 23 – T3N – R19E  
 Town of Burlington

# Zoning Map

Arthur & Eileen Nabor; Vernon & Helen Brook Trust; and Wayne & Ronda Kennedy, Owners  
Arthur Nabor, Agent

Site Address: 29929, 29727 & 29641 Plank Road  
Rezoning (4.14 acres) from M-4 Quarrying District to A-2 General Farming & Residential District II (to remove the M-4 designation and place a consistent zoning district on these properties/portions to be in harmony with surrounding designations & uses)

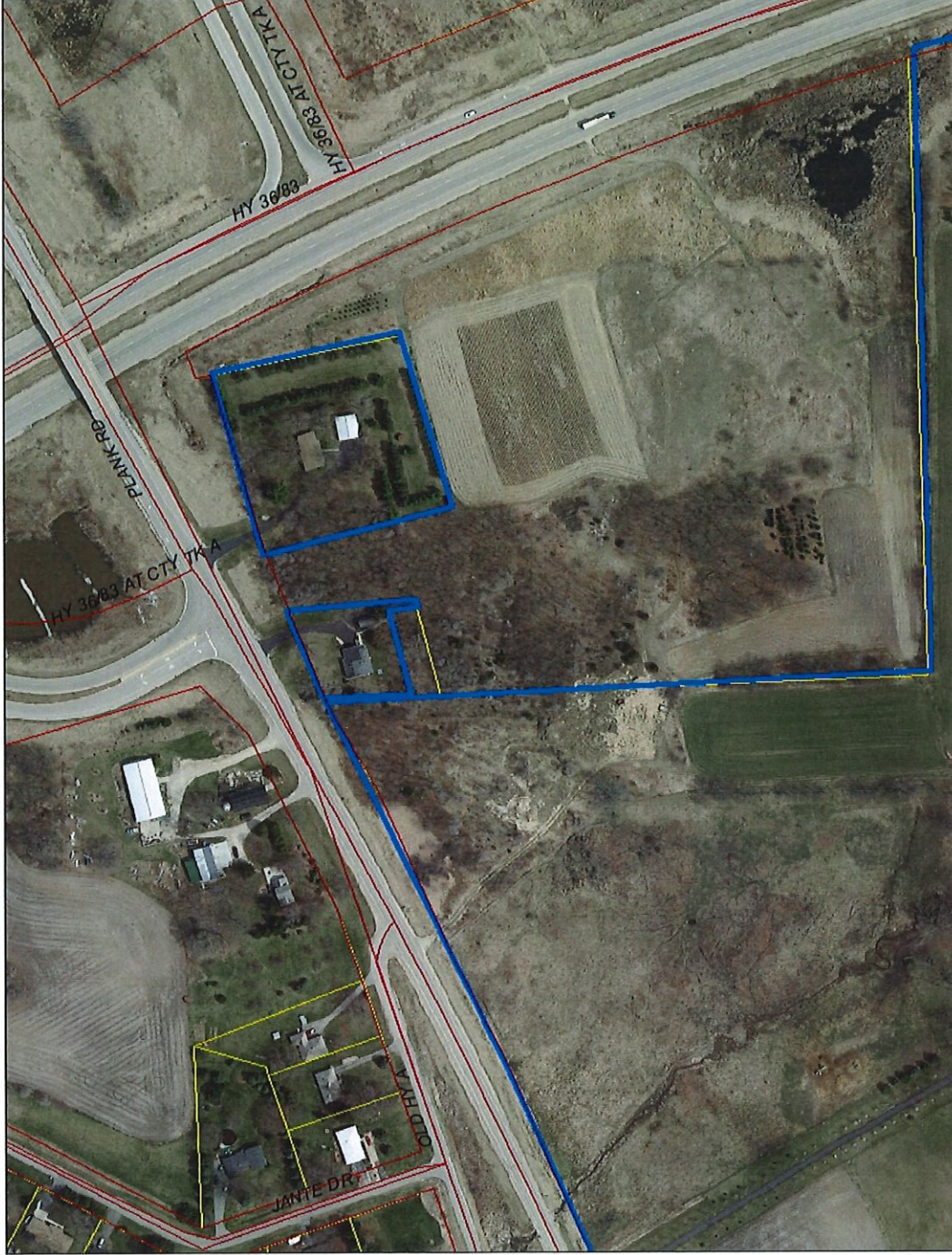


SEC 23 - T3N - R19E  
Town of Burlington

# 2015 Aerial Map (partial)

Arthur & Eileen Nabor; Vernon & Helen Brook Trust; and Wayne & Ronda Kennedy, Owners  
Arthur Nabor, Agent

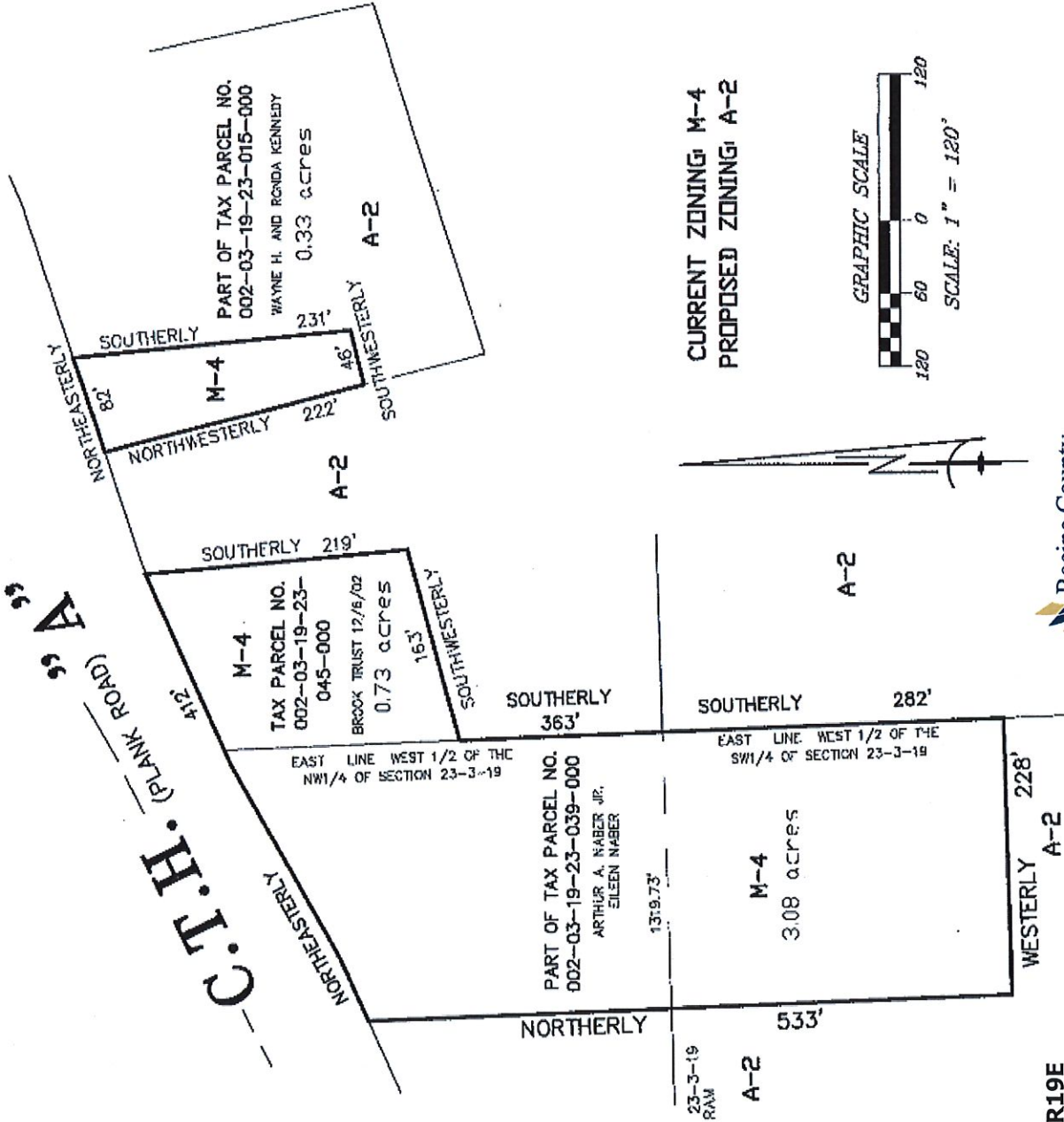
Site Address: 29929, 29727 & 29641 Plank Road  
Rezone (4.14 acres) from M-4 Quarrying District to A-2 General Farming & Residential District II (to remove the M-4 designation and place a consistent zoning district on these properties/ portions to be in harmony with surrounding designations & uses)



SEC 23 – T3N – R19E  
Town of Burlington

**Site Plan**

Arthur & Eileen Nabor; Vernon & Helen Brook Trust; and Wayne & Ronda Kennedy, Owners



CURRENT ZONING: M-4  
PROPOSED ZONING: A-2



SEC 23 - T3N - R19E  
Town of Burlington