

RACINE COUNTY ECONOMIC DEVELOPMENT & LAND USE PLANNING COMMITTEE  
SUMMARY MINUTES - MONDAY, NOVEMBER 15, 2021 - 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.)

Committee present: Supervisors Tom Hincz, Robert Grove, Jason Eckman, and Kelly Kruse

Committee excused: Supervisors Tom Kramer, Mike Dawson, and Brett Nielsen

Youth in Government  
Representatives: Evan Anschutz (present), Claudia Dieck (excused)

Staff present: Brian Jensen, Development Services Superintendent  
Emily Szabo, Development Services Analyst

Chairman Hincz called the November 15, 2021, Racine County Economic Development and Land Use Planning Committee public hearing and committee meeting to order at 6:00 p.m. He directed the Committee and staff to introduce themselves, then he explained public hearing and meeting procedures. Following are the agenda items and the Committee’s actions.

**PUBLIC HEARING**

1. George & Pamela Schroeder, Owners Rezone ±.92-acres of property from R-2, Suburban Residential District (unsewered) to A-2, General Farming and Residential District II; located at 35400 Ridge Rd.; Part of the NW ¼ Sec. 31, T3N, R19E, **Town of Burlington** (Parcel Id. No. 002031931053000)  
6:04 Heather Sanchez, Applicant

Brian Jensen reviewed the petition and public hearing testimony using text and maps. The rezoning is required as raising and selling dogs is not allowed in the R-2 district is not allowed by County ordinance. The A-2 zoning needs to be in place with a conditional use approval to conduct a dog breeding and sales type of business from this site.

Heather Sanchez was present to explain that she would like to sell puppies if her dogs have puppies. It will not change anything about the property as it stands. There is fencing, the building is fully enclosed and is insulated and heated. There are kennels set up outside.

Pamela Schroeder was also present. She explained that she and her husband purchased the property for her daughter and her family. Because they have four dogs, they checked with the Town and were told they were allowed to have that many dogs. They were not told they would need to rezone the property to breed the dogs. Her daughter does not have plans to make a large business; only a couple litters a year.

Supervisor Robert Grove asked for a clarification of the A-2 designation. Jensen confirmed that it is classified as General Farming and Residential.

Steven Clark, 35020 Ridge Rd., stated that he was present in support of his neighbors.

Charles Smith, 4445 Morman Rd., owns property adjacent to the applicant, spoke opposed to the rezoning. Rezoning a residential lot that is less than an acre to agricultural status and he disagrees with that and believes that others will want to rezone their lots so they can run businesses on less than an acre.

Elmer Swanson, 35212 Ridge Rd., is concerned if taxes are assessed at a lower rate as an agricultural property versus a residential property.

Jensen read into record a communication dated 11/11/21 from Brian Graziano of the Town of Burlington indicating that the petitioners had not applied to the Town for a rezone or conditional use. They have already built a shed and fenced-in dog run on the property. He had reached out to the County previously about operating a dog breeding business out of their home. They were told by Racine County and Town officials that they cannot build a shed for purposes of housing the dogs for breeding. We are in the process of enacting a new resolution which states, no person shall keep or harbor a dog which habitually barks for a period of ½ hour or more or which otherwise barks continuously as to constitute a disturbance to the peace of mind of adjacent residents or disturbs the general peace and tranquility of the public area. It shall be unlawful for any person knowingly to keep or harbor any dog that habitually barks, howls or yelps or any cat which habitually cries or howls to the great discomfort of the peace and quiet of the neighborhood or in such manner as to materially disturb or annoy persons in the neighborhood who are of ordinary sensibilities. Such dogs and cats are hereby declared to be a public nuisance. A dog or cat considered to be in violation of this section when two formal, written complaints are filed with a Town law enforcement officer within a four-week period. He also indicated that the prevailing attitude of the board is that they are opposed to this.

Pamela Schroeder spoke again to say that they did not apply to the Town because they were told they needed to go through the County first. It is not an oversight. They did not construct the building for the dogs for the purposes of breeding. They needed a heated and insulated building with an area for them to exercise and not be out.

**STAFF RECOMMENDATION(S)**

Staff recommends denial, the rezoning is not consistent with the existing 2035 Comprehensive Land Use Plan as residential and is not compatible to or with surrounding zoning uses.

**DECISION**

**Supervisor ROBERT GROVE MOVED, seconded by Supervisor Eckman to deny this rezone as it appears to be spot zoning.**

**YOUTH REPRESENTATIVES' ADVISORY VOTES:**

Youth Representative Anschutz: aye

**Motion carried unanimously. VOTE: 4/0**

2. George & Pamela Schroeder, Owners  
6:18 Heather Sanchez, Applicant Conditional Use to operate a commercial dog breeding business; located in the A-2, General Farming and Residential District II (proposed), at 35400 Ridge Rd.; Sec. 31, T3N, R19E, **Town of Burlington** (Parcel Id. No. 002031931053000)

Jensen reviewed the petition and public hearing testimony using text and maps.

Heather Sanchez and Pamela Schroeder both spoke regarding the use of the property. Past construction caused the dogs to bark; people incited the dogs to bark by shooting off fireworks and guns, and neighbors indicated that the dogs were not being taken care of properly. The dogs are not causing undue amounts of noise. One resident has lodged multiple complaints. The Town has not received any complaints. Law enforcement have been out to view the property and be sure the dogs were cared for.

Steven Clark 35020 Ridge Rd., he has spoken with a couple neighbors, there have been issues. He wishes to see the property stay residential. He supports his neighbors.

Kent Zahn, 35017 Ridge Rd., has concerns that the property owners, who do not live on the property, are not going to be responsible for the proper care and maintenance of the residential property. He also expressed concerns with how large the business could grow and wants to know if there is a limitation on the number of dogs on the size of that property.

In answer to Mr. Zahn's questions, Heather Sanchez stated that she would own no more than four adult dogs. The dogs would not be bred more than once a year. The income would be used for the dogs' care such as food and veterinary care. She would not have to apply for a breeder's license because she does not intend on having more than 25 puppies a year. A dog will only have between five and ten puppies per litter so the maximum would not be reached.

Charles Smith, 4445 Mormon Rd., spoke against the rezoning and conditional use. Since the tenants have moved in, there have been over 20 calls to that residence regarding the applicants' dogs barking. He is unable to work from home outside on his patio making calls due to the noise. He claims that a commercial business had been run out of that residence as soon as the building was put up as he has heard young pups squealing. As a tenant, the applicant has no concern about property value loss because she is not the owner.

3. Carol A. Hoppe, Owner  
6:39 AJ Scheryantz, Agent

Amendment of Land Use Plan from the plan designation of Prime Agricultural Land and Extractive Resource to Other Agricultural, Rural Residential and Open Land; located directly west of 33319 Hill Valley Rd.; Part of the NE ¼ of Sec. 29, T4N, R19E, Town of Waterford. (Parcel Id. No's: 016041929004010 & 016041929004001)

Rezone ±5.97-acres of property from A-1, Farmland Preservation to A-2, General Farming and Residential District II; located directly west of 33319 Hill Valley Rd.; Part of the NE ¼ of Sec. 29, T4N, R19E, Town of Waterford. (Parcel Id. No's: 016041929004010 & 016041929004001)

For informational purposes only:  
The purpose of this Land Use Plan amendment and rezone is to allow for construction of a single-family home.

Jensen reviewed the petition and public hearing testimony using text and maps. It is staff opinion that this is not Prime Agricultural Land based on soil survey maps, as it has been mined and it has a wetland in much of the north half of the property.

AJ Scheryantz, 33201 S Honey Lake Rd., was present for questions.

STAFF RECOMMENDATION(S)

Staff recommends approval as the request is compatible and consistent with existing land uses in the area and the property in question and the existing pond and map soils are not consistent with Prime Agricultural Land and this use is not hazardous or offensive or otherwise adverse to property values in the County or in this community.

DECISION

**Supervisor ROBERT GROVE MOVED, seconded by Supervisor Kruse** to approve the amendment to the land use plan and the rezone.

**YOUTH REPRESENTATIVES' ADVISORY VOTES:**

Youth Representative Anschutz: aye

**Motion carried unanimously. VOTE: 4/0**

4. 8231 Big Bend Rd. LLC., Sandra Senft, Owner  
Nick Draskovich, Endpoint Solutions, Agent
- Conditional Use to raze an existing commercial building and construct and utilize four (4) 4,960-sq.ft. self-storage facility buildings; located in the B-3, Commercial Service District, at 8231 Big Bend Rd.; Sec. 1, T4N, R19E, **Town of Waterford** (Parcel Id. No.016041901045010)

Jensen identified at the beginning of the public hearing (6:04) that the agent has requested layover so this petition was not heard.

5. Six M Farms, LLC, Owner  
6:43 Eric Mealy, Applicant, Agent
- Conditional Use for the creation of a nonfarm residence; located in the A-1, Farmland Preservation District, located directly south of 3235 Honey Creek Rd.; Sec. 31, T4N, R19E, **Town of Waterford** (Parcel Id. No.016041931012010)

Jensen reviewed the petition and public hearing testimony using text and maps. The property meets the minimum requirements for the land division to create a non-farm residence. It also meets the minimum acreage as far as ratio for the Farmland Preservation District.

Eric Mealy, 461 Rivermoor Dr., indicated that he plans to build a single-family home and pole shed on the property.

STAFF RECOMMENDATION(S)

Staff recommends approval as this use is in accordance with the proposed purpose and intent of Chapter 20 of the Land Use division and meets the maximum requirement of the non-farm residence allowed on the base farm track.

DECISION

**Supervisor ROBERT GROVE MOVED, seconded by Supervisor Eckman** to approve the conditional use.

**YOUTH REPRESENTATIVES' ADVISORY VOTES:**

Youth Representative Anschutz: aye

**Motion carried unanimously. VOTE: 4/0**

6. James & Deborah Liadis, Owners  
6:47 Custom Craft Carpentry, Inc.,  
Agent

Conditional Use shoreland/floodplain conditional use to place fill in the FFO, Urban Flood Fringe Overlay District and construct a single-family residence with a crawl space, attached garage, open deck, covered porch and detached garage; located in the R-3, Suburban Residential District (Sewered) at 25430 S. Wind Lake Rd. and across the street from 25430 S. Wind Lake Rd.; Sec. 16, T4N, R20E, **Town of Norway** (Parcel Id. No.010042016030000)

Jensen reviewed the petition and public hearing testimony using text and maps. The proposal is to raze the single-family residence on the property and construct a new single-family residence with a detached garage located on the southside of Wind Lake Rd. The residence would be on the northside between the road and the lake, the garage will be on the south. The applicants have received approval through the Racine County Board of Adjustment at their October 5, 2021, public hearing for an accessory building to be built on vacant property.

The plans meet the minimum requirements of a floodplain ordinance for building in the FFO District. The garage would be set right at flood elevation.

James Liadis spoke briefly about the desire to rebuild to get out of the floodplain.

#### STAFF RECOMMENDATION(S)

Staff recommends approval as this use is in accordance with Chapter 20 of the Floodplain regulations for the Flood Fringe Overlay District and, based on other things going on in the area, the proposed single-family resident and the attached garage and the detached garage across the street, appear to fit with the uses in the district and appear to meet the minimum requirements for construction in the FFO District.

#### DECISION

**Supervisor JASON ECKMAN MOVED, seconded by Supervisor Grove to approve.**

#### **YOUTH REPRESENTATIVES' ADVISORY VOTES:**

Youth Representative Anschutz: aye

**Motion carried unanimously. VOTE: 4/0**

6:53 **Chairman Hincz** closed the public hearing portion of the meeting.

#### 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. Decision on preceding petition  
6:53

2. Review, discussion and possible approval of the October 18, 2021, summary minutes  
6:59

**Supervisor ROBERT GROVE MOVED, seconded by Supervisor Eckman,** to approve the October 18, 2021, summary minutes.

**YOUTH REPRESENTATIVES' ADVISORY VOTES:**

Youth Representative Anschutz: aye

**Motion carried unanimously. VOTE: 5/0**

3. Review, discussion, and possible action on referrals from the Racine County Board of Supervisors

NONE

4. Other business as authorized by law

NONE

5. Next EDLUP Public Hearing/Committee meeting date is scheduled for Monday, December 20, 2021

6. Adjourn  
7:00

There being no further business, **Supervisor ROBERT GROVE MOVED, seconded by Supervisor Eckman** to adjourn at 7:00 p.m.