

RESOLUTION NO. 2016-04

RESOLUTION DISAPPROVING PETITION FOR
COUNTY ZONING ORDINANCE AMENDMENT

State of Wisconsin
Town of Dekorra
Columbia County

The Town Board of the Town of Dekorra, Columbia County, Wisconsin, by this Resolution, adopted by a majority of the Town Board on a roll call vote with a quorum present and voting, and proper notice having been given, resolves and orders as follows:

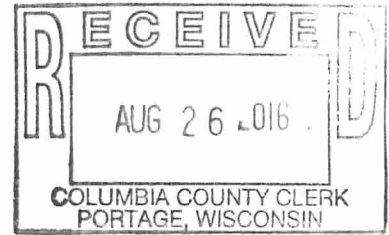
A Petition was filed relating to the Amendment of the Columbia County Zoning Ordinances relating to the change of the location of zoning district boundaries from A-1 Agriculture to I-2 General Industrial in the Town for the Petition of WB Sales – Leona Hutchinson, LLC, located at Lot 1, Certified Survey Map Number 3566, located in the Southwest ¼ of Section Three, Town of Dekorra, Columbia County, Wisconsin, Town 11 North, Range 9 East, Tax Parcel 51.01; and

On April 12, 2016, the Dekorra Town Board adopted a resolution disapproving of the said Petition for zoning ordinance amendment;

Under Wis. Stats. §59.69(5)(e)3m., the Town Board's disapproval meant that the Columbia County Planning and Zoning Committee could not recommend approval of the said Petition unless the Petition was changed. Nonetheless, the Columbia County Planning and Zoning Committee recommended approval of the zoning of the WB Sales property precisely as originally submitted. On July 20, 2016, the Columbia County Board of Supervisors adopted Ordinance Z450-16 approving the rezoning of the WB Sales property as originally submitted despite the previous disapproval of the Town Board under Wis. Stats. §59.69(5)(e)3m.

This resolution is enacted pursuant to Wis. Stats. §59.59(5)(e)6. despite the County disregarding the Town of Dekorra's prior disapproval of the rezoning on April 12, 2016. The WB Sales petition, upon investigation by Town Supervisors and careful review, is hereby disapproved for the following reasons:

1. The land use by WB Sales will generate odors that will constitute a public nuisance for residents living in the area of County Trunk Highway J-V, as specifically found by investigations by the Town Board of other gas tank operations;
2. The outdoor storage of large propane tanks as well as welding work outside, constitute a significant risk of groundwater contamination as well as



contamination of Rocky Run Creek, which lies immediately to the south of the property for which rezoning is sought;

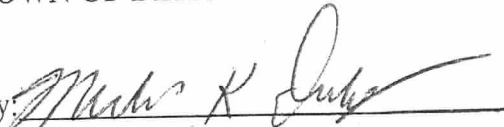
3. A substantial risk of loud noise, dust and idling of semis will cause significant problems for the persons residing in the vicinity of the subject property;
4. It is understood by the Town Board from WB Sales that it will have as many as 1,000 – 2,000 large propane tanks stored outside, leaving the possibility of degradation in the tanks resulting in further risk of soil contamination;
5. The outdoor activities contemplated by the Applicant constitute outside business operations prohibited by Section Four K.1. of the Town of Dekorra Comprehensive Plan;
6. The Town of Dekorra Comprehensive Plan calls for commercial and industrial uses for this area. Not all industrial uses are the same, and in fact the I-2 General Industrial zone is the least restrictive land use category in the Columbia County Zoning Ordinance. Thus, the general support for commercial and industrial uses in the Comprehensive Plan does not mean that any and all industrial uses are appropriate on this particular parcel given its location in the vicinity of single-family homes.

The Town Clerk shall file a certified copy of this Resolution with the Columbia County Zoning Agency and the County Clerk not later than forty (40) days after the date of enactment of Columbia County Zoning Ordinance Z450-16, pursuant to Resolution 2013-04 adopted by the Dekorra Town Board March 12, 2013 and certified by the Columbia County Clerk.

The Town Clerk shall properly post this Resolution pursuant to Wis. Stats. §60.80.

Adopted this 25 day of August, 2016.

TOWN OF DEKORRA

By: 
Michael Dorhorst,
Town Board Chairman