

**Town of Lawrence**  
Proceedings of Planning and Zoning Committee Meeting  
Wednesday, September 19, 2001  
Meeting Time 7:00PM – Town Hall 2595 French Road

**Call to Order**

The meeting was called to order at 7:05PM by John Klasen.

**Roll Call**

Present: Pieter Cabout  
John Klasen  
John Krawczyk  
Jim Van Gheem  
Judy Benz  
Excused: Skip Lee  
Mary Jo Kussow  
Absent: Randy Vandenack

**Approval of Minutes** A motion was made by John Krawczyk to approve the minutes from the meeting held on August 15, 2001. Seconded by Pieter Cabout. Motion carried.

**1. Zoning Change Request from Exclusive Agricultural to Agricultural on a portion of Parcel L-32 located on Golden Glow Road/Jody Hakes**

Jody Hakes was present to request a zoning change from Exclusive Agriculture to Agriculture on his property located on Golden Glow (portion of Parcel L-32) recently purchased from Don Zittlow. Mr. Hakes intends to build a house and a barn to raise exotic birds. The property to be rezoned consists of 22 acres. A motion was made by John Krawczyk to recommend approval. Seconded by Jim VanGheem. Motion carried.

**2. Split Parcel L-5-6 located on Williams Grant/Mark Soderlund**

A representative for this agenda item was not present. No discussion or action.

**3. Development Plan/Gene Micke**

Gene and Kathy Micke were present along with Surveyor, Dick Huxford and Marty Olejniczak from Brown County Planning to propose a development on a portion of the Micke Farm that included a cul de sac with the construction of 10 lots. The cul de sac was approximately 1500' long which exceeds the town and county maximum standard of 1000'. The cul de sac was to be constructed from County Highway "U" east to the creek. Mr. Olejniczak stated that a variance would be needed from the Town and the County. Olejniczak thought that perhaps the county may grant a variance because of the practical difficulties with terrains and creeks. John Klasen asked what the other plans were for the remainder of

the farm. Mr. Micke said there are no immediate plans but it may be developed in the future. It was the consensus of the Board for Mr. Micke to come back with an area development plan for his entire property.

**4. Preliminary Plan for Office Building in Business Park/VanRite**

Architect Gerry Kocken and Developer Dan Van Rite were present to propose a preliminary plan for lot 10 and 11 in the Lawrence Business Park. Mr. Van Rite is proposing 4 buildings consisting of 16000 square feet each with one building to begin construction as soon as possible on Lot #10. The Plan displayed 34% green space with a berm along the north side near the residential area. The entrance to the parking lot for all buildings will be from Eisenhower eliminating most business traffic on Sand Acres Drive. A motion was made by John Krawczyk to recommend approval. Seconded by Jim Van Gheem. Motion carried.

**5. Any other Issues as Authorized by Law**

No other issues. A motion was made by Pieter Cabout to adjourn the meeting. Seconded by John Krawczyk. Motion carried. The meeting adjourned at 8:35PM.

Respectfully Submitted,

Judy Benz for Mary Jo Kussow  
Planning and Zoning Board

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5. Any other Issues as Authorized by Law

Judy Benz

For

Randy Vandack

Planning and Zoning Board



COPY

100 North Jefferson Street Room 608  
Green Bay, Wisconsin 54301-5026  
920 448 3400  
fax 920 448 3426

Chuck Lamine, AICP  
Planning Director

May 22, 2001

Gene & Kathy Micke  
3076 Freedom Road  
De Pere, WI 54115-9451

Dear Mr. and Mrs. Micke:

I am writing as a follow-up to our meeting regarding the future development of your property in the Town of Lawrence. The biggest concern was the proposed future road leading eastward from County Line Road. The concern was whether this road would be required to cross either of the creeks and extend into the rest of your property or whether a cul-de-sac could be used to just service the land between the creeks. The problem with the through road is the engineering and construction expense of crossing either creek, while the problem with the cul-de-sac is that it might conflict with Brown County's current maximum length of 1000 feet. I offer the following considerations.

Of course, one possibility is to seek a variance from the maximum cul-de-sac length rule. Variances are decided by the Brown County Board of Directors based upon "extraordinary hardship" or "practical difficulties" and/or whether the alternative proposal serves the purposes of the subdivision regulations to a greater extent. It is possible a variance could be granted in your instance. Although the extra cost of constructing a road crossing the creek is probably not sufficient grounds for granting the variance, avoiding interference with the natural feature (creek) and the floodplain would also be considered. Based on the preliminary FEMA flood data, the floodplain is very wide at this location (over 400 feet). Generally, the County has promoted the policy of keeping development away from environmentally sensitive areas such as floodplains. The problem with relying on the granting of a variance is that there is no guarantee that the Planning Commission Board of Directors will grant it. Another concern is that the variance would be difficult to support unless there was at least a general alternative proposal for developing the land. In other words, the variance cannot be purely speculative, but based on a preliminary concept for dividing the property.

A second possibility for your land would be to keep the cul-de-sac length at 1000 feet and use deeper lots for the land at the end. An example would be the use of "flag lots" with minimum frontage on the road and a relatively long strip of land (flagpole) leading to the main portion of the lot. Sometimes, a joint driveway can be used to minimize the cost of the longer driveways. An advantage to this approach is that the two or three lots at the end of the cul-de-sac would be more isolated and private, thereby potentially increasing their value. Road construction costs can also be reduced. Drawbacks are that the lots are less compact in shape and sometimes a variance from the minimum lot width is needed, which basically defeats the purpose of avoiding a variance for cul-de-sac length.

Gene & Kathy Micke  
Page 2  
May 22, 2001

A third option is to create a conservation subdivision. The basic concept is to create permanently preserved common open space within the development. The number of lots would remain the same, but flexibility in their size and arrangement would be allowed in exchange for the open space. This concept has been supported by Brown County and is included in the recently approved Town of Lawrence Comprehensive Plan Update. Currently, these subdivisions are reviewed as Planned Unit Developments (PUD). The cul-de-sac could be longer than 1000 feet under this option, provided the overall development is approved by the county. You do not have to show hardship, but merely show that your development meets the intent of the ordinance. Land along the creek could be maintained in a natural state as open space, with the lots backing up to the open space. The open space could be deeded to the public (if desired and accepted by the town); could be owned in common by the lot owners (e.g. homeowners association); or could be owned by a conservation organization or even left in your ownership. I believe a conservation subdivision would be a good option for your property and would be happy to discuss it further with you. I have enclosed a very rough sketch of how this might be applied to your property.

A final consideration is that Brown County Planning Commission is currently updating the Subdivision Ordinance. Among the many proposals being discussed is revising the maximum 1000-foot cul-de-sac rule. One possibility is to allow longer cul-de-sacs provided the number of lots are restricted. For example, cul-de-sacs could be 1500 feet long if not more than 16 lots front on it. The draft of the updated ordinance is still being worked on so it is unclear what the new regulation will be (if it gets changed at all). The Planning Commission hopes to have the updated ordinance finalized by the end of this year.

It is important to keep in mind that even if Brown County approves your development without road crossing the creek(s), the Town of Lawrence may still require a creek crossing during its review. As I urged during our meeting, I believe it is important that you develop a concept plan of how your property can be developed. These are commonly called Area Development Plans and would allow the town and county to react better to your proposal for a long cul-de-sac. This plan can be very conceptual at this point and proposed lots and roads do not have to be surveyed. It can be drawn by yourself or your surveyor or can be done in conjunction with the Town and/or County.

I hope this letter gives you some ideas and options for proceeding. If you have any questions, please contact me.

Sincerely,



Martin Olejniczak, AICP  
Senior Planner

MO:ks

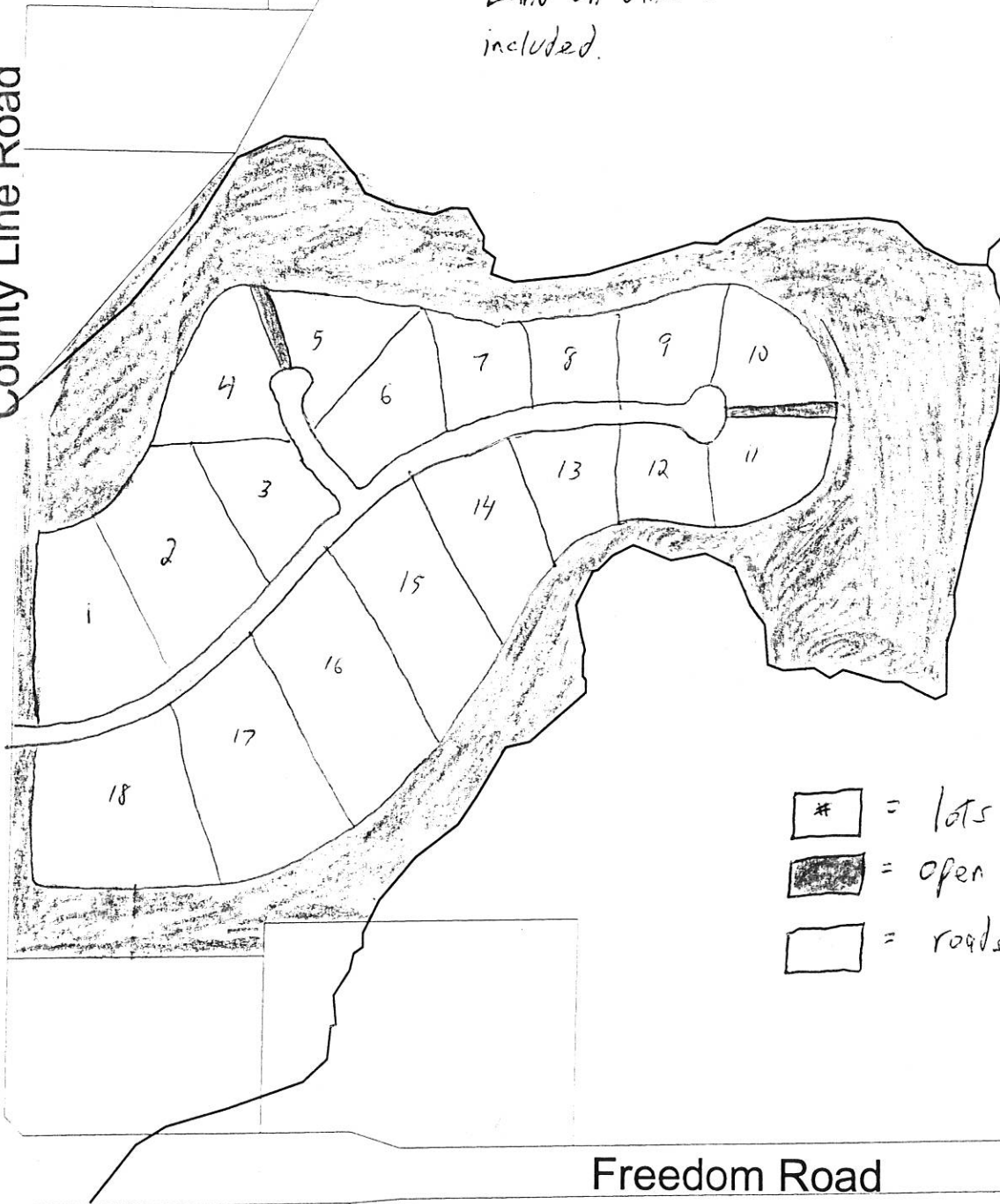
c: Tom Perock, Town of Lawrence  
Dick Huxford

Enclosure

↑ North

rough sketch of Conservation Subdivision  
Not to scale! Ultimate number of lots  
would be based on Lawrence Zoning Ordinance.  
Land on other side of creek could also be  
included.

County Line Road



- # = lots
- █ = open space
- = roads

Freedom Road

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