



PLAN COMMISSION

Wednesday, May 08, 2024 – 6:30 PM

Town Hall Meeting Room, 8348 Hickory Ave, Larsen, WI 54947

AGENDA

CALL TO ORDER

- A. Pledge of Allegiance
- B. Verification of Notice
- C. Meeting Roll

PUBLIC HEARING(S) AND/OR PUBLIC INFORMATION MEETINGS

- A. Plan Commission Public Hearing on a Conditional Use Application submitted by Daniel & Shannon Allen for a proposed short-term rental accessory use on Tax ID #006-1505 addressed as 2746 Cassy Lane.

APPROVAL OF MINUTES

- A. Approval of the Minutes of the Wednesday, April 10, 2024 Plan Commission Meeting

OPEN FORUM – Public comments addressed to the Plan Commission

Individuals properly signed in may speak directly to the Plan Commission on non-repetitive Planning and Zoning matters whether on or not on the agenda. Commentators must wait to be called, must speak from the podium, directing their comments to the Commission. Comments must be orderly, and will be limited to a maximum of **2 minutes** per person. **Public comment is not permitted outside of this public comment period. Note:** The Commission’s ability to act on or respond to the public comments is limited by Chapter 19, Wis. Stats. Please complete the “Request to Speak at Meeting” form located on the agenda/sign-in table and submit the form to the Town Clerk for in-person attendance.

CORRESPONDENCE

- A. Distribution of the April 2024 Building Inspection Report

BUSINESS

- A. Review/Recommendation: Plan Commission review & recommendation on a Conditional Use Permit Application submitted by Daniel & Shannon Allen for a proposed short-term rental accessory use on Tax ID #006-1505 addressed as 2746 Cassy Lane.

UPCOMING MEETING ATTENDANCE

- A. Plan Commission (6:30 pm start unless otherwise noted) - June 12; July 10; Aug 14
- B. Town Board (6:30 pm start unless otherwise noted) - May 15; June 5 & 19; July 3 & 17
- C. Board of Review - May 28 starting at 10 am

ADJOURNMENT

Respectfully submitted,

Rebecca Haskell
Plan Commission Vice Chair

Pursuant to Wisconsin Statute 19.84 (2) and (3) notice is hereby given to the public and the media that two or more members of any or all Boards, Commissions, and Committees of the Town of Clayton, may attend the meeting of the Plan Commission in order to gather information. For purposes of the Open Meetings Law only; attendance at a meeting by a quorum of members of the Town Boards, Commissions, and Committees constitutes a meeting of the Board, Commission, or Committee, pursuant to Badke Vs. Village Board of Village of Greendale, 173 Wis2d 553, 494 NW2d 408 (1993), and must be noticed as such, although it is not contemplated that any formal action by those bodies will be taken. The only business to be conducted is for Plan Commission action.

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, please call the Town Office at 920.836.2007.

This agenda has been posted at the following locations in the Town of Clayton:

1. The Town Hall Posting Board – 8348 Hickory Ave, Larsen, WI 54947
2. The Town's Web Page: --

**TOWN OF CLAYTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Plan Commission of the Town of Clayton will hold a Public Hearing at 6:30 pm on Wednesday, May 8, 2024 in the Town Hall Meeting Room located at 8348 Hickory Ave, Larsen WI 54947. The purpose of the Public Hearing is to receive public comment regarding the following Conditional Use Application:

THE PETITIONER(S): Daniel & Shannon Allen request approval of a Conditional Use Application for a proposed short-term rental accessory use on Tax ID #006-1505 addressed 2746 Cassy Lane.

Copies of the Conditional Use Application are available at the Town Hall, or by contacting the Town Clerk at (920) 836-2007. All interested parties and any objections to this request being granted will be heard at the Public Hearing. If you cannot attend the Public Hearing, you may submit written comments to the Town Clerk before 4:00 pm on the date of the Public Hearing.

Dated this 22nd day of April, 2024
Kelsey Faust-Kubale, Clerk

Publish Wednesday, April 24, 2024
and
Wednesday, May 1, 2024

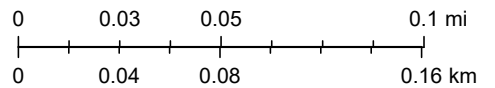
Post on or before April 24, 2024



4/12/2024, 11:59:54 AM

1:3,000

- Adjacent Counties
- Lakes, Ponds and Rivers
- Navigable Waterways
 - Navigable - Permanent (unchecked)
 - Navigable - Intermittent (unchecked)
 - Navigable - Stream (unchecked)
 - Navigable - Permanent (checked)
- Navigable - Intermittent (checked)
- Navigable - Stream (checked)
- Tax Parcel Boundary
- Road ROW
- Municipal Boundary



Winnebago County GIS, Nearmap, Imagery Date: April 2020



PLAN COMMISSION

Wednesday, April 10, 2024 – 6:30 PM

Item A.

Town Hall Meeting Room, 8348 Hickory Ave, Larsen, WI 54947

MINUTES

CALL TO ORDER

Chair Knapinski called the meeting to order at 6:31 pm

- A. Pledge of Allegiance
- B. Verification of Notice
- C. Meeting Roll

PRESENT

Chair Knapinski
Commissioner Haskell
Commissioner Nemecek
Commissioner Dorow
Commissioner Hopkins
Town Board Rep. Christianson

EXCUSED

Commissioner Ketter

STAFF

Administrator Wisnepske
Clerk Faust-Kubale
Code Administrator Kussow
Planner Jaworski

APPROVAL OF MINUTES

- A. Approval of the Minutes of the Wednesday, March 13, 2024 Plan Commission Meeting

MOTION

Motion made by Commissioner Nemecek, **Seconded** by Commissioner Haskell to approve the Minutes of the Wednesday, March 13, 2024 Plan Commission Meeting as presented.

Voting Yea: Chair Knapinski, Commissioner Haskell, Commissioner Nemecek, Commissioner Dorow, Commissioner Hopkins, Town Board Rep. Christianson

Motion carried 6-0.

OPEN FORUM – Public comments addressed to the Plan Commission – NONE

CORRESPONDENCE

- A. Distribution of the February 2024 Building Inspection Report

BUSINESS

- A. Review/Recommendation: Plan Commission review & recommendation on a Certified Survey Map (CSM) Review Application submitted by Scott Andersen on behalf of the Arden & June Schroeder Joint Revocable Trust, for a proposed CSM

dividing/reconfiguring Tax ID #006-0035, Tax ID #006-0033 (9457 State Rd 76), and Tax ID #006-1204-01 into two lots with a proposed road extension of Memory Lane.

MOTION

Motion made by Commissioner Nemecek, **Seconded** by Commissioner Haskell to recommend approval of the CSM Review Application submitted by Scott Andersen on behalf of the Arden & June Schroeder Joint Revocable Trust with the following conditions:

1. The subdivider shall provide the Town with a copy of the Winnebago County Erosion Control Permit and approved plans prior to official approval/release of the CSM (i.e., Town approval signature on the CSM) and prior to commencing construction of the road extension of Memory Lane.
2. Memory Lane Extension Improvement Plans (i.e., road construction plans) shall be reviewed for compliance with the Town Minimum Road Design Standards and approved by the Town Engineer prior to:
 - Executing the required Public Improvement Agreement;
 - Official approval/release of the CSM (i.e., Town approval signature on the CSM); and
 - Commencing construction of the road extension of Memory Lane
3. The subdivider shall execute a Public Improvement Agreement with the Town and provide the requisite financial security, as approved by the Town Board and in accordance with the Town Subdivision Ordinance, prior to official approval/release of the CSM (i.e., Town approval signature on the CSM) and prior to commencing construction on the road extension of Memory Lane.
4. Addition of the "Right to Farm" language on the face of the CSM.

Voting Yea: Chair Knapinski, Commissioner Haskell, Commissioner Nemecek, Commissioner Dorow, Commissioner Hopkins, Town Board Rep. Christianson

Motion carried 6-0.

- B. Review/Recommendation: Plan Commission review & recommendation on a Conditional Use Application submitted by Kunes Appleton Properties for a proposed addition to the existing heavy vehicle sales and rental principal building located at 2615 West American Drive, specifically described as Tax ID #006-0341-01.

MOTION

Motion made by Commissioner Nemecek, **Seconded** by Commissioner Haskell to postpone the Conditional Use Application submitted by Kunes Appleton Properties LLC until no later than August 31, 2024 to resolve the following outstanding items:

1. Proposed new driveway in eastern portion of property exceeds the 36 ft. maximum width requirement at the juncture with the street pavement.
2. Applicant did not provide Winnebago County and Wisconsin Department of Natural Resources (DNR) stormwater management and erosion control permits/approvals.
3. Applicant did not provide DNR approval for wetland disturbance/filling.
4. Applicant did not provide specifications identifying compliance with the Solar Reflective Index (SRI) requirement for roofing material.
5. Applicant may be required to revise the submitted landscaping plan to allow for additional landscaping points.
6. Exploration of an alternate location for the location of the garbage/recycling/waste receptacles.

Voting Yea: Chair Knapinski, Commissioner Haskell, Commissioner Nemecek, Commissioner Dorow, Commissioner Hopkins, Town Board Rep. Christianson

Motion carried 6-0.

- C. Review/Recommendation: Plan Commission review & recommendation on a Site Plan Application submitted by Kunes Appleton Properties for a proposed addition to the existing heavy vehicle sales and rental principal building located at 2615 West American Drive, specifically described as Tax ID #006-0341-01.

MOTION

Motion made by Commissioner Nemecek, **Seconded** by Commissioner Haskell to postpone the Site Plan Application submitted by Kunes Appleton Properties LLC until no later than August 31, 2024 to resolve the following outstanding items:

1. Proposed new driveway in eastern portion of property exceeds the 36 ft. maximum width requirement at the juncture with the street pavement.
2. Applicant did not provide Winnebago County and Wisconsin Department of Natural Resources (DNR) stormwater management and erosion control permits/approvals.
3. Applicant did not provide DNR approval for wetland disturbance/filling.
4. Applicant did not provide specifications identifying compliance with the Solar Reflective Index (SRI) requirement for roofing material.
5. Applicant may be required to revise the submitted landscaping plan to allow for additional landscaping points.
6. Exploration of an alternate location for the location of the garbage/recycling/waste receptacles.

Voting Yea: Chair Knapinski, Commissioner Haskell, Commissioner Nemecek, Commissioner Dorow, Commissioner Hopkins, Town Board Rep. Christianson

Motion carried 6-0.

UPCOMING MEETING ATTENDANCE

- A. Town Board (6:30 pm start unless otherwise noted) - Apr 17; May 1 & 15; June 5 & 19
The April 17th meeting will begin immediately following the Annual Reorganizational Meeting
- B. Plan Commission (6:30 pm start unless otherwise noted) - May 8; June 12; July 10
- C. Annual Town Meeting - April 16 at 6:30 pm
- D. Annual Reorganizational Meeting - April 17 at 6:00 pm
- E. Open Book - May 8 from 12 pm - 2 pm
- F. Board of Review - May 28 starting at 10 am

ADJOURNMENT

MOTION

Motion made by Commissioner Haskell, **Seconded** by Commissioner Nemecek to adjourn at 7:21 pm.

Voting Yea: Chair Knapinski, Commissioner Haskell, Commissioner Nemecek, Commissioner Dorow, Commissioner Hopkins, Town Board Rep. Christianson

Motion carried 6-0.

Respectfully submitted,

Kelsey Faust-Kubale
Town Clerk

INTERMUNICIPAL REPORT APRIL 2023 PERMITTING

YEAR TO DATE SUMMARY

Item A.

DATE	PERMIT #	OWNER	ADDRESS	DESCRIPTION	CONTRACTOR	EST. PROJECT COST	PERMIT FEE	BLDING INSPECTOR FEE	TOWN	EST. PROJECT COST	PERMIT FEE	BLDING INSPECTOR FEE	YEAR TO DATE TOTAL	
TOWN OF CLAYTON PERMITS:										Town of Clayton	\$ 2,252,658.00	\$ 8,467.64	\$ 6,774.11	\$ 22,833.97
4/3/2024	56-24-4B	MIKE SCHULTZ	8380 WHISPERING MEADOWS	NSFD	VIRTUE HOMES	\$ 643,000.00	\$ 969.60	\$ 775.68	Town of Winneconne	\$ 142,356.00	\$ 718.54	\$ 574.83	\$ 3,735.86	
4/9/2024	57-24-4B	TROY RIBBLE	9616 LIND	REMOD	RED BARN CONT	\$ 9,850.00	\$ 175.00	\$ 140.00	Total	\$ 2,395,014.00	\$ 9,186.18	\$ 7,348.94	\$ 26,569.83	
4/10/2024	58-24-4B	KYLE CADA	2772 FAIRVIEW	REROOF	SECURITY LUEBKE	\$ 23,289.00	\$ 75.00	\$ 60.00	Full Burden Wage				\$ -	
4/10/2024	59-24-4P	GENERATION BLDGS	8372 ST NORBERT	NSFD PLUMB	EDW RADTKE	\$ 21,000.00	\$ 365.10	\$ 292.08	Net Profit (Loss)	\$ (7,348.94)			\$ 26,569.83	
4/10/2024	60-24-4B	BARB DUFFEK	2671 CASSY	BASMENT PLUMB REMOD	ALL AREA PLUMB	\$ 16,000.00	\$ 165.00	\$ 132.00						
4/10/2024	61-24-4B	BRADLEY SANKEY	7969 CENTER	HOT TUB	SELF		\$ 100.00	\$ 80.00						
4/10/2024	62-24-4B	SCOTT LEHMANN	2722 FAIRVIEW	DETACHED GARAGE	GARAGE BUILDERS OF WIS	\$ 65,000.00	\$ 307.36	\$ 245.89						
4/11/2024	63-24-4B	SCOTT VANDEN BOOM	8394 WHISPERING MEADOWS	NSFD	MEIERS BLDERS	\$ 450,000.00	\$ 910.40	\$ 728.32						
4/15/2024	64-24-4B	KEN CHRISTIAN	4711 NORTH LOOP	DETACHED GARAGE	SELF	\$ 10,000.00	\$ 177.76	\$ 142.21						
4/15/2024	65-24-4B	ANGIE GEIGER	3007 WINNEGAMIE	DETACHED GARAGE	VKB HOMES	\$ 179,657.00	\$ 388.00	\$ 310.40						
4/23/2024	66-24-4B	DEREK LIEBHAUSER	2689 CTY II	EARLY STATE 5 MULTI FAMILY	RODAC		\$ 500.00	\$ 400.00						
4/23/2024	67-24-4E	CHARTER COMM	MARLO AVE LOT8	SERVICE UTILITY CABINET	EISCH ELECT	\$ 1,500.00	\$ 100.00	\$ 80.00						
4/23/2024	68-24-4E	MIKE SCHULTZ	8380 WHISPERING MEADOWS	NSFD ELECT	1ST ELECT	\$ 13,100.00	\$ 447.30	\$ 357.84						
4/23/2024	69-24-4P	MIKE SCHULTZ	8380 WHISPERING MEADOWS	NSFD PLUMB	WATTERS PLUMB	\$ 24,543.00	\$ 447.30	\$ 357.84						
4/23/2024	70-24-4H	MIKE SCHULTZ	8380 WHISPERING MEADOWS	NSFD HVAC	JOHN KRAMER HVAC	\$ 15,800.00	\$ 447.30	\$ 357.84						
4/23/2024	71-24-4H	GENERATION BLDGS	8372 ST NORBERT	NSFD HVAC	JOHN KRAMER HVAC	\$ 4,836.00	\$ 365.16	\$ 292.13						
4/24/2024	72-24-4B	VANS REALTY	8364 ST NORBERT	NSFD	VANS REALTY	\$ 328,000.00	\$ 785.00	\$ 628.00						
4/24/2024	73-24-4B	MARK WINTER HOMES	8373 ST NORBERT	NSFD	MARK WINTER HOMES	\$ 375,000.00	\$ 785.00	\$ 628.00						
4/25/2024	74-24-4B	PAT SABLE	8071 GALAXY	REROOF	SECURITY LUEBKE	\$ 33,983.00	\$ 75.00	\$ 60.00						
4/25/2024	75-24-4H	KYLE GUSTAFON	9346 BROAD MEADOW	NSFD HVAC	BAT AREA	\$ 22,100.00	\$ 423.48	\$ 338.78						
4/30/2024	76-24-4E	JACOBS HOMES	2601&2603 ST THOMAS	NSFD ELECT	DIERSEN ELECT	\$ 16,000.00	\$ 458.88	\$ 367.10						
				TOTALS		\$2,252,658.00	\$8,467.64	\$6,774.11						
TOWN OF WINNECONNE PERMITS:														
4/2/2024	24-24-4B	DAN DOWLING	5580 E STATE 116	REOOF	DOWLING CONST	\$ 6,000.00	\$ 50.00	\$ 40.00						
4/9/2024	25-24-4B	NANCY BECKER	5293 HIGN POINTE	ADDN	GILBERT GARAGES	\$ 74,000.00	\$ 167.00	\$ 133.60						
4/9/2024	26-24-4H	JOE LUEDTKE	5621 WOODLAND	GARAGE HVAC	BLACK-HAAK	\$ 21,000.00	\$ 96.84	\$ 77.47						
4/9/2024	27-24-4E	RAMI KALDAS	5721 CTY S	ELECT REMOD	ENERGIZE LLC	\$ 2,372.00	\$ 60.00	\$ 48.00						
4/9/2024	28-24-4E	MATT ERICKSON	5183 SOUTHWIND	ELECT REMOD	JP ELECT	\$ 6,984.00	\$ 64.50	\$ 51.60						
4/10/2024	29-24-4E	DAN DOWLING	5580E HWY 116	GENERATOR INSTALL	JON KRUEGER ELECT	\$ 10,000.00	\$ 60.00	\$ 48.00						
4/15/2024	30-24-4B	BRUCE HOFFMAN	7208 CTY M	DETACHED GARAGE ADDN	SELF	\$ 20,000.00	\$ 160.20	\$ 128.16						
4/24/2024	31-24-4E	BUTTE DES MORTS CON	5644 SCHUBERT	SERVICE	LUXURY ELECT	\$ 2,000.00	\$ 60.00	\$ 48.00						
				TOTALS		\$ 142,356.00	\$ 718.54	\$ 574.83						

MEMORANDUM

Public Hearing A & Business Item A

From: Administrator/Staff

To: Plan Commission

Re: Plan Commission Public Hearing on a Conditional Use Application submitted by Daniel & Shannon Allen for a proposed short-term rental accessory use on Tax ID #006-1505 addressed as 2746 Cassy Lane.

AND

Plan Commission review & recommendation on a Conditional Use Permit Application submitted by Daniel & Shannon Allen for a proposed short-term rental accessory use on Tax ID #006-1505 addressed as 2746 Cassy Lane.

Below are the Staff Comments revised from earlier comments received from Code Administrator Kussow. The last time the Commission received an application for Conditional Use Short-Term Rental Accessory Use, these were the comments and recommendations provided. The conditions listed are the same that were recommended to the Board at that time, and ultimately were placed on the CUP Application.

1. Per Exhibit 8-1, Land Use Matrix, a “short-term rental” accessory use is a conditional use in the subject property’s R-2 zoning district. Please note that Note #14 under Exhibit 8-1 states: *“This use may only occur with a principal residential use or where the residential dwelling is occupied by the owner.”*
2. Per Exhibit 8-1, a “short-term rental” accessory use requires a Zoning Permit and Site Plan review/approval. Since new construction is not proposed per the information submitted with the application, Site Plan review/approval per Division 8 of Article 8 is not required.
3. “Short Term Rental (STR)” accessory land use is defined as: *“A single-family residence that offers overnight accommodations for a daily charge and that also serves as a primary residence of the operator or owner. A STR includes bed & breakfast establishments, rental vacation home by owner, or other similar overnight private rental accommodations.”*
4. “Short-term rental” accessory use is subject to the requirements of Section 9.08-445, Short Term Rentals (STR’s), described/outlined below:

“Short-term rentals are defined as a single-family residential structure that offers overnight accommodations for a daily fee that also serves as a primary residence of the operator or owner. A STR includes bed & breakfast establishments, rental vacation home by owner or other similar overnight private rental accommodations for fewer than 29 consecutive days.

 - a. County license. *Prior to the establishment of a STR, the operator shall obtain a license from the Winnebago County Health Department and maintain such license for the life of the use or until the department no longer requires such license.*
 - b. State license. *Anyone who maintains, manages, or operates an STR for more than 10 nights each year is required to obtain a tourist*

rooming house license from the Wisconsin Department of Agriculture, Trade & Consumer Protection (DATCP).

- c. Type of dwelling. An STR shall only occur within a single-family residential dwelling.
 - d. Conditional Use Permit (CUP). All STR structures require a one-time Conditional Use Permit as an Accessory Use to Single Family Residential as the Principal Use. A CUP can be transferable between property owners.
 - e. Residency requirement. The operator or owner of a STR shall maintain the single-family dwelling as their primary residence during the time period when rooms are offered.
 - f. Exterior character of the dwelling unit. The exterior appearance of the building shall not be altered from its single-family appearance. Signage shall conform with the standards identified in the Conditional Use Permit. However, the sign shall not exceed four (4) Sq. ft. in size.
 - g. Food preparation. No food preparation or cooking shall be allowed in guest rooms.
 - h. Meals. Meals shall only be offered to overnight guests.
 - i. Maximum stay. Rentals shall not exceed 29 consecutive days. Rental activity shall be limited to 180 days within any consecutive 365-day period.
 - j. Required inspection for public safety. Before the issuance of any Conditional Use Permit, an inspection of the residential structure shall occur by the Town's Building Inspector. All STR rooms for rent shall be UDC (Uniform Dwelling Code) compliant. Inspections shall occur every five years at a minimum.
 - k. Parking. All vehicle parking (homeowners and renters) must occur on-site. No on-street parking.
 - l. Tax Filing. All local, state, and federal taxes must be filed with the appropriate agencies. STR's must comply with the provisions of Section 9.1 of the Town of Clayton Municipal Code pertaining to hotel and motel room tax.
- Items "a", "b", and "e" through "l" above may be addressed as conditions of approval for the CUP.
 - Item "c" above states that "an STR shall only occur within a single-family residential dwelling." If only portions of the residence are proposed to be rented, Staff recommends requesting the applicant to submit a floor plan identifying which portions of the residence will be rented to verify the single-family residence is not being converted to a duplex.
 - Item "j" above requires an inspection of the residential structure by the Town's Building Inspector and that all STR rooms for rent shall be UDC (Uniform Dwelling Code) compliant.

Staff Recommendations:

1. If only portions of the residence are proposed to be rented, Staff recommend requesting the applicant to submit a floor plan identifying which portions of the

residence will be rented to verify the single-family residence is not being converted to a duplex.

2. Staff recommend that the applicant and building inspector coordinate an inspection of the residence with re-inspections to occur every 5 years.
3. That the Applicant obtain a Winnebago County Health Department License and keep that License active for the duration of the short-term rental activity.
4. That any Applicant that maintains, manages, and/or operates a short-term rental facility for more than 10 nights each year obtain a tourist rooming house license from the State Department of Agriculture, Trade, and Consumer Protection (DATCP).
5. That all short-term rental activities shall only occur within a single-family residential dwelling.
6. That all structures require a one-time Conditional Use Permit as an accessory use to a single-family residential as the Principal Use.
7. That a Conditional Use Permit for Short-term rentals be transferable between property owners.
8. That the operator of a short-term rental facility maintains the single-family dwelling as their principal residence during the time period when rooms are offered.
9. That the exterior appearance of the building shall not be altered from its single-family appearance.
10. That all signage shall conform with the standards identified in the Conditional Use Permit, those being that the sign shall not exceed (4) square feet in area.
11. That no food preparation or cooking shall be allowed in guest rooms.
12. That meals shall only be offered to overnight guests.
13. That rentals shall not exceed 29 consecutive days.
14. That rentals shall be limited to 180 days within any 365-day period.
15. That all parking (homeowner and renters) for the facility shall occur on site. No street parking is allowed.
16. That all local, state, and federal taxes must be filed with the appropriate agencies. Short-term Rental facilities must comply with the provisions of Section 9.1 of the Town of Clayton Municipal Code pertaining to hotel and motel room tax.

Applicant Responses:

The above-listed recommendations/conditions were presented in advance to the Applicant and their responses are as follows:

1. NA, entire residence is to be rented.
2. This will not be a problem, is this something that needs to happen before the meeting takes place? do you have a name and phone number you can share for the building inspector that we should be coordinating with?
3. This is complete and available to share if you do not have it already.
4. The home will not be rented for more than 10 days per year.
5. Confirmed
6. Understood
7. Understood
8. Confirmed
9. Understood

10. Understood, no signage will be placed
11. Understood
12. Understood
13. Understood, we will be renting for less than 10 days per year
14. Understood, we will be renting for less than 10 days per year
15. Understood
16. Understood

The Building Inspector completed an inspection between April 22, 2024, and April 29, 2024, and reported he has no concerns based on the entire residence being available for rent.

The listed suggested conditions are those that were placed on previous STR CUP applicants. Staff would respectfully suggest these conditions be placed on all future STR CUP applications recommended for approval, including this one.

SUGGESTED MOTION

Motion to recommend approval of the Conditional Use Permit Application submitted by Daniel & Shannon Allen with all sixteen (16) listed Staff Recommendations & Conditions.

Respectfully Submitted,
Kelsey

Conditional Use Application

Town of Clayton Town Hall
 8348 Hickory Ave
 Larsen, WI 54947
 Phone: 920-836-2007
 Email: clerk@claytonwinnebago.wi.gov
 Website: https://www.townofclayton.net/



Property Owner(s)

Name Daniel and Shannon Allen

Street Address 2746 Cassy Lane

City Neenah State WI Zip Code 54956

Phone 262-443-0665 (Dan) or 262-719-9746 (Shannon)

E-mail uwp.engineer@gmail.com (Dan) or shannon.allen2012@gmail.com (Shannon)

Applicant:

Check: Architect: Engineer: Surveyor: Attorney: Agent: Owner:

Name: Daniel and Shannon Allen

Address: 2746 Cassy Lane, Neenah, WI Zip Code: 54956

262-443-0665 (Dan) or uwp.engineer@gmail.com (Dan) or

Phone: 262-719-9746 (Shannon) E-Mail: shannon.allen2012@gmail.com (Shannon)

Describe the reason for the Conditional Use: We would like to use our single-family residence for short-term rentals for specialty events, such as EAA.

Conditional Use Specifies:

Number of Lots: 1 Total Acreage: 1.81 Tax Key #: 006-1505

Legal Description: Breaker Ridge Plat Lot 16

Current Zoning: Residential

I certify that the attached drawings are to the best of my knowledge complete and drawn in accordance with all Town of Clayton codes.

03/18/24

Applicant Signature: _____ Date: _____

For Town Use Only

Fee (see Town Fee Schedule)

Fee: 350.00 Check #: 1359 Receipt: 1224 Date: 4/3/24

Date Received Complete: 4/3/24 By: KAC CUP #: _____

Review Meetings - Plan Comm 5/8/24 Town Board 5/15/24

Newspaper Publication Dates: _____ & _____ Posting Date: _____

300ft Neighborhood Notice Distribution : _____

Conditional Use is: Approved Denied

Comments: _____

Notes: 1. Please notify utility companies regarding your proposed development. 2. A Conditional Use approval does not constitute approval of a building permit or any required approval of a highway connection permit. 3. A Conditional Use Application & Fee must be submitted 30 working days prior to meeting.

Clerk Town of Clayton

From: Daniel Allen <uwp.engineer@gmail.com>
Sent: Tuesday, April 9, 2024 3:25 PM
To: Clerk Town of Clayton
Cc: Shannon Allen; Kelly Wisnefske, Administrator, Town of Clayton
Subject: Re: Conditional Use Application Received - 2746 Cassy Ln

Categories: INFO

Kelsey, please see answers to your questions that you posed below. if you need any clarification please let me know and we will get on it right away.

1. NA, entire residence is to be rented.
2. This will not be a problem, is this something that needs to happen before the meeting takes place? do you have a name and phone number you can share for the building inspector that we should be coordinating with?
3. This is complete and available to share if you do not have it already.
4. The home will not be rented for more than 10 days per year.
5. Confirmed
6. Understood
7. Understood
8. Confirmed
9. Understood
10. Understood, no signage will be placed
11. Understood
12. Understood
13. Understood, we will be renting for less than 10 days per year
14. Understood, we will be renting for less than 10 days per year
15. Understood
16. Understood

Again, let me know if anything else is needed or would aid in completing this task. I believe item number 2 above is the only one that needs attention, and we just need to confirm whom to reach out to, and if this should be done before or after the meeting.

Dan Allen
 262-443-0665

On Tue, Apr 9, 2024 at 2:54 PM Clerk Town of Clayton <clerk@claytonwinnebago.wi.gov> wrote:

Hi Dan & Shannon,

Staff has been reviewing your Conditional Use Permit (CUP) Application. The Town has placed certain conditions on the other short-term rentals within the Town and the below list was previously approved and enforced by both the Plan Commission & Town Board (not to be considered all-encompassing):

1. If only portions of the residence are proposed to be rented, the applicant shall submit a floor plan identifying which portions of the residence will be rented to verify the single-family residence is not being converted to a duplex.
2. Applicant and building inspector coordinate an inspection of the residence with re-inspections to occur every 5 years.
3. Applicant obtain a Winnebago County Health Department License and keep that License active for the duration of the short-term rental activity **PROVIDED WINNEBAGO COUNTY TOURIST ROOMING HOUSE LICENSE**
4. Applicant that maintains, manages, and/or operates a short-term rental facility for more than 10-nights each year obtain a tourist rooming house license form the State Department of Agriculture, Trade, and Consumer Protection (DATCP).
5. All short-term rental activities shall only occur within a single-family residential dwelling.
6. All structures require a one-time Conditional Use Permit as an accessory use to a single-family residential as the Principal Use.
7. Conditional Use Permit for short-term rentals be transferable between property owners.
8. Operator of a short-term rental facility maintains the single-family dwelling as their principal residence during the time period when rooms are offered.
9. Exterior appearance of the building shall not be altered from its single-family appearance.
10. All signage shall conform with the standards identified in the Conditional Use Permit, those being that the sign shall not exceed (4) square feet in area.
11. No food preparation or cooking shall be allowed in guest rooms.
12. Meals shall only be offered to overnight guests.
13. Rentals shall not exceed 29 consecutive days.
14. Rentals shall be limited to 180-days within any 365-day period.
15. All parking (home owner and renters) for the facility shall occur on site. No street parking is allowed.
16. All local, state and federal tax must be filed with the appropriate agencies. Short-term rental facilities must comply with the provisions of Section 9.1 of the Town of Clayton Municipal Code pertaining to hotel and motel room tax.

Any additional information you can provide for the Commissioners before the meeting is appreciated. They will be making their recommendation to the Town Board based on the application and supporting documentation provided.

Best,

Kelsey Faust-Kubale

Clerk, Town of Clayton

8348 Hickory Ave

Larsen, WI 54947



Public Health
 Wisconsin Department of Health Services
 Winnebago County

**WINNEBAGO COUNTY HEALTH
 DEPARTMENT**
**Environmental Health Food Safety and
 Recreational Licensing Program**

Item A.

5.7196

License, Permit or Registration

The person, firm, or corporation whose name appears on this certificate has complied with the provisions of the Wisconsin statutes and is here by authorized to engage in the activity as indicated below.

ACTIVITY	EXPIRATION DATE	I.D. NUMBER
Tourist Rooming House (LTR)	30-Jun-2024	MPEN-D3JKGZ
LICENSEE MAILING ADDRESS	NOT TRANSFERABLE	BUSINESS / ESTABLISHMENT ADDRESS
2746 CASSY LANE		2746 CASSY LANE
2746 CASSY LN		2746 CASSY LN
NEENAH WI 54956		NEENAH WI 54956

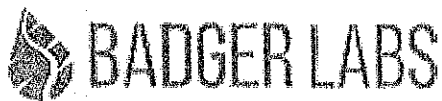
Codes

The department may send out a renewal notice as a courtesy, but in the absence of a courtesy reminder it is the licensee that is responsible for remittance of the permit fee to the department before July 1st. All Permits expire on June 30th; it is the responsibility of the licensee to make sure all applicable fees are received by the department before July 1st or a late payment fee will be assessed.

If you do not receive a renewal form prior to June 30th from your licensing authority, you should send in your payment for renewing your permit to the following address:

WINNEBAGO COUNTY HEALTH DEPARTMENT
 112 OTTER AVE 2ND FLOOR
 OSHKOSH, WI 54903-2808
 (920)232-3000

* Include the name of your facility and the ID number.



501 West Bell Street • Neenah • Wisconsin 54956-4868
 (920) 729-1100 • FAX (920) 729-4945 • 1-800-776-7196

Acronyms & Units

<u>Acronym</u>	<u>Description</u>
LOD	Limit of Detection The lowest concentration of an analyte that can be identified, measured and reported with confidence that the concentration is not a false positive.
LOQ	Limit of Quantitation The lowest concentration of an analyte for which quantitative results can be obtained.
Dil.	Dilution If the sample matrix contains an interfering material, or if concentrations of analytes in the sample are higher than the highest limit of concentration that the laboratory can accurately report, the sample may be diluted for analysis.

<u>Units</u>	<u>Description</u>
mg/L	Milligrams per Liter
ug/L	Micrograms per Liter
mg/kg	Milligrams per Kilogram
ppb	Parts per Billion
ppm	Parts per Million

TURBIDITY=

Turbidity tests the cloudiness of the water, and it is a requirement that we check it prior to analyzing metals. There is no EPA limit. If the result is over 1.0 NTU then we must process the sample with an acid digestion.

- < Less than
- > Greater than

Certifications

WI DNR Cert. Lab #445023150
 WI DATCP Cert. #105-205
 GB-WI DNR Cert. Lab #405222620
 GB-WI DATCP Cert. #105-450

Members

WWOA; WEF; FET
 CSWEA; WGWA
 TAPPI; WCMA
 WI Paper Council



501 West Bell Street
Neenah, WI 54956-4868
P: 920.729.1100 | T: 1.800.776.7196
F: 920.729.4945

Water Testing Form for Private Water Systems

Collection Date (MM/DD/YY) 03/19/24	Time: 7:30	<input checked="" type="checkbox"/> am <input type="checkbox"/> pm	Collected By: Shannon Allen
Owner's Name: Shannon Allen		Owners Telephone Number: 262-719-9746	
Street Address: 2746 Cassy Ln		Well Address: same	
City: Neenah	State: WI	Zip: 54956	(own) or City: Clayton
County: Winnebago			
Email Report To: shannon.allen2012@gmail.com			
Mail Report To (if Different Than Above):			
Street Address:			
City:		State:	Zip:
Sampling Information		Laboratory Use Only	
Reason for Test: <input checked="" type="checkbox"/> Annual Test <input type="checkbox"/> Previous Unsafe <input type="checkbox"/> New Well <input type="checkbox"/> Pump Work <input type="checkbox"/> Taste or Odor <input type="checkbox"/> Real Estate Sale <input type="checkbox"/> Other: _____		<input checked="" type="checkbox"/> MMO-MUG Colisure* Colilert 18* <input type="checkbox"/> Membrane Filter <input type="checkbox"/> Other: _____	
Sample Location: <input type="checkbox"/> Bathroom Tap <input type="checkbox"/> Pressure Tank tap <input checked="" type="checkbox"/> Kitchen Tap <input type="checkbox"/> Outside Spigot <input type="checkbox"/> Other: _____		Laboratory Bacteria Results	
Well Construction Information		<input checked="" type="checkbox"/> Safe (Coliform Absent) <input type="checkbox"/> Unsafe (Coliform Present) and: <input type="checkbox"/> Fecal/E Coli Present <input type="checkbox"/> Fecal/ E Coli Absent <input type="checkbox"/> Invalid (Submit another sample) <input type="checkbox"/> Old - OL <input type="checkbox"/> Frozen - FR <input type="checkbox"/> Overgrown - OG <input type="checkbox"/> Lab Accident - LA <input type="checkbox"/> Turbidity - TU <input type="checkbox"/> Shipping Issue - SI <input type="checkbox"/> Chlorine Present	
<input type="checkbox"/> Drilled <input type="checkbox"/> Driven <input type="checkbox"/> Jetted <input type="checkbox"/> Dug <input type="checkbox"/> Other: _____		<input type="checkbox"/> Other: _____	
Other Tests and Comments:		Date/Time Received: AK 3/19/24 8:01am	
		Lab Sample Number: 1463	
		Date Reported: 3-20-24 PS	

Records Retained for 5 years

27066670



SAMPLE REQUEST & CHAIN OF CUSTODY FORM

NEENAH WISCONSIN
GREEN BAY WISCONSIN
STEVENS POINT WISCONSIN

ANALYTICAL REQUESTS

CERTIFICATIONS

HQ-WDNR Cert. Lab #45023150
 HQ-DATCP Cert. #105-205
 CB-WDNR Cert. Lab #45023150
 CB-DATCP Cert. #105-450
 SP-WDNR Cert. Lab #75012470
 SP-DATCP Cert. #105-525

Neenah: 501 W. Bell St. Neenah, WI 54956
 Green Bay: 2150 Memorial Drive Suite 106 Green Bay, WI 54303
 Stevens Point: 3425 E. Maria Drive Stevens Point, WI 54481

CLIENT NAME / ADDRESS: Shannon Allen

BILLING ADDRESS/ EMAIL: 2746 Cassy Ln Neenah WI 54956

REPORT TO: PO NUMBER: _____

EMAIL: Shannon.allen202@gmail.com

PHONE: 262-719-9746

PROJECT NAME/ SITE: _____

MATRIX: DW = DRINKING WATER, WW = WASTEWATER, GW = GROUNDWATER, CW = COOLING WATER, S = SOLID/SLUDGE, P = PAPER, F = FUEL, OTHER: _____

GROUNDWATER SAMPLES (CHECK ONE): Field Filtered Lab Filtered

Col. Feels

SAMPLE ID	LAB USE ONLY: SAMPLE COLLECTION	PRESERVATIVE			MATRIX (REQUIRED)	GRAB or COMPOSITE	LAB USE ONLY		DATE RECD		
		DATE	TIME	NO.			H2SO4	HNO3		HCL	PROJECT #
	1413	3/19/24	7:30 AM							6070	

CHAIN OF CUSTODY RECORD

FILLED IN BY CLIENT: Shannon Allen

RECEIVED/SAMPLED BY: AV

DATE/TIME RECEIVED: 3/19/24 8:00 am

LOGGED IN: [Signature]

ICE?: Y / N

DELIVERY METHOD: Drop off

ADDITIONAL COMMENTS: L.A. ID, CK. NO. CC #85, DATE 3/19/24

Parcel Profile Report for 0061505

Item A.

Real Estate Property & Tax Information

[Interactive Map](#)

This tax information was compiled on THURSDAY, APRIL 11, 2024

[More Details](#)

Mailing Address: ALLEN, DANIEL J ALLEN, SHANNON R 2746 CASSY LN NEENAH WI 54956	Owner(s): ALLEN, DANIEL J ALLEN, SHANNON R	Tax Parcel Number: 0061505
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Tax District: 006-TOWN OF CLAYTON	Acres: 1.81
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School District: 3892-NEENAH JOINT SCHOOL DISTRICT	Interactive Map
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Assessed Values	More Assessment Details
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Land: \$62,800	Improvements: \$508,700	Total: \$571,500
Street Address(es): 2746 CASSY LN NEENAH WI 54956	Document Number: 1707361	
Brief Property Description (for a complete legal description, see recorded document): BREAKER RIDGE PLAT LOT 16 1.81 A		

Public Land Survey System (PLSS) Information

[Interactive Map](#)

Physical Location(s): NE 1/4, NW 1/4 of Section 25, T.20N. - R.16E., TOWN OF CLAYTON
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General Zoning Information

District: R-2	Description: SUBURBAN RESIDENTIAL DISTRICT	Jurisdiction: TOWN OF CLAYTON	Interactive Map
Extraterritorial: VILLAGE OF FOX CROSSING	Shoreland: NONE	Interactive Map	

Navigable Stream and Surface Water Drainage Information

[Interactive Map](#)

Classification: NONE	Source:	Type:	Surface Water Drainage Dist: NONE
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Airport Zoning and Height Limitation Information

[Interactive Map](#)

Airport: NONE	District(s):	Elevation Range: 868 - 874	Height Limitation(s): NONE	Building Height:
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County Floodplain and FEMA Special Flood Harazard Area (SFHA) Information

[Interactive Map](#)

County District: NONE	SFHA Zone: ZONE X	SFHA Zone Type: OUTSIDE FLOODPLAIN	FIRM Panel: 55139C0095E	Map Effective Date: MARCH 17, 2003
Letter of Map Change (LOMC) Type:		Documents:	Effective Date:	

Wisconsin Wetland Inventory Information

[Interactive Map](#)

Area Code: NONE	Area Description:	Source:
Classified: YES	Classification: WETLAND TOO SMALL TO DELINEATE	Source: WI DNR



Parcel Profile Report for 0061505

Item A.



Parcel Profile Report for 0061505

Item A.

Future Land Use Planning Information

County Use:	Municipal Planning Authority:	Municipal Use:
RESIDENTIAL	TOWN OF CLAYTON	RESIDENTIAL - SINGLE AND TWO FAMILY

Elevation Information (NAVD88, US Survey Feet)

[Interactive Map](#)

Range:	Elevation Change:	Average:
868 - 874	6	871

Soil Survey Information

[Interactive Map](#)

Symbol:	Name:	Drainage Class:	Farmland Class:	Hydrologic Group:
KnB	Kewaunee silt loam, 2 to 6 percent slopes	Well drained	II	C
MaA	Manawa silty clay loam, 0 to 3 percent slopes	Somewhat poorly drained	II	D

Election Information

Type:	District:	Voting Ward:
WINNEBAGO COUNTY BOARD OF SUPERVISORS	29	3
Supervisor:	Polling Place:	
GEORGE BUREAU	CLAYTON MUNICIPAL BUILDING 8348 COUNTY RD. T	

2010 United States Census Bureau Information

State and County FIPS code(s):	Tract:	Block:	Total Population:
55 139	002300	2027	175

Historical Photography Information

Flight Year:	File Name:
1941	AIW-2B-7-41.tif
1957	AIW-1T-86-57.tif
1975	2016-75.tif
1981	I-3-81.tif

Special Casing Area Requirements for Arsenic Information

[Casing Map](#)

Special well casing depth area for Winnebago County - effective October 1, 2004	More Details
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Parcel Profile Report for 0061505

Item A.

