

## MEMORANDUM

### **Business Item C**

From: Administrator/Staff

To: Plan Commission

Re: Plan Commission review & consideration of Resolution 2026-005 Making a Recommendation to the Town Board of Supervisors regarding a Rezoning Application submitted by Doug Woelz on behalf of Joshua Kitzmiller, requesting approval to re-zone portions of Tax ID #006-0006-09-02 (adjacent to Lind Ln & State Rd 76) and Tax ID #006-0006-09-03. The application is to re-zone approximately 1.55 acres of Tax ID #006-006-09-02 and approximately 3.45 acres of Tax ID #006-006-09-03 from A-2 (General Agriculture District) to R-1 (Rural Residential District).

Please see the comments below from Code Administrator Kamke:

This rezone request is to change the zoning of +/- 5.381 acres of land from A-2 General Agriculture District to R-1 Rural Residential District. This land is on parcels 006-00060902 and 006-00060903, being parts of Lot 2 and 3 of CSM 8172. The rezone is requested in advance of the certified survey map review next on the agenda. The land petitioned for rezone would create three new lots, with two lots intended for rural residential development and keeping the third lot for active agricultural use.

The Future Land Use map within the Town of Clayton Comprehensive Plan categorizes the area under this rezone request as Residential – Single and Duplex, as well as Gateway Commercial and Retail. This area is within the Tier 1 development standards area. This request is consistent with the Comprehensive Plan Future Land Use map which intended for residential development if accessed from the Lind Lane roadway. The Gateway Commercial future land use category identified on the map was created as a generalized overlay extending off State Highway 76. It was intended to promote business development if allowed access from WisDOT. However, the subject site is located along a stretch that approaches curves and previously existing Town road access points. Current trends and discussions with state department staff indicate an unwillingness to allow new access from the state road as part of broader initiatives to increase safety. Therefore, the proposed uses for low-density residential development matches the Town's adopted plan and the allowable access to the land from relevant entities. For these reasons, it was determined that no Comprehensive Plan amendment would be required for this rezone request.

There are no floodplain or shoreland zoning jurisdictions over this land. A small area of wetlands is indicated on the survey and is not proposed to be disturbed, as sufficient space beyond that identified area exists for reasonable use of the property for permitted uses. The lots meet the minimum acreage and width standards for each zoning district, and proper notes have been drafted on the survey prohibiting access to the State Highway 76 right of way, as required by code when alternative access to the site exists (Lind Ln).

It is recommended that the Town Plan Commission recommend approval of this rezone request for Town Board adoption. Whichever recommendation this rezone request receives, the survey request should receive the same recommendation. Doing one without the other creates difficulties in administering and enforcing the Zoning Ordinance for the Town of Clayton.

**SUGGESTED MOTION(S):**

*Motion to recommend approval of the re-zoning application submitted by Doug Woelz on behalf of Joshua Kitzmiller with Resolution 2026-005.*

Respectfully Submitted,  
Kelsey