

# ZONING VIOLATIONS

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**Michael P. Cotter Walworth County Corporation Counsel  
Director Land Use and Resource Management Department**

April 29, 2025

## Goals For Tonight

- How does our office learn about zoning violations?
  - How does our office achieve compliance?
  - What can your township do?
  - Examples
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- **Our Biggest Department Goal – Achieve Compliance with the Walworth County Zoning Ordinance**

## How does the Land Use and Resource Management Department learn about zoning violation?

- Complaint Driven
- Anonymous complaints – Frustration with anonymous complaints
- Neighbors
- Business competitors
- Township
- City or Village
- Conditional Use Follow Up
- Other on-site or drive by inspection

## How do we achieve compliance?

- Most often – first contact – simple phone call
- Letter
- Violation Letter
- Citation
- Stop Work Order
- Long Form Complaint

## What can my township do to address complaints?

- Call our Office
- Do we have jurisdiction? We do not regulate garbage or weeds.
- Speak to your zoning officer
- We do not “play favorites” or have a “naughty/nice list”.
- We have been short handed – just hired a new zoning officer today
- Lindsey Smith is coming back part time to help on Fridays

<b>Conservation/Stormwater</b>	Heather Marquardt ( <i>Senior Urban Conservation Specialist</i> )	(262) 741-7909
<b>Sanitation</b>	Rick Dorgay	(262) 741-7919
<b>Zoning/Erosion Control</b>	Nick Sigmund ( <i>Senior Zoning Officer</i> )	(262) 741-7918
<i>Code Enforcement Officers:</i>		
	(S) Darrin Schwanke	(262) 741-7905
	Casey Mullett	(262) 741-7906
	Samantha Stawarz	(262) 741-7907
* (S) - Assists in Sanitation		

## TOWNSHIP MAP OF Walworth County WISCONSIN

**Main Telephone  
Line: (262) 741-4972**

### ZONING/EROSION CONTROL

R 15 E	R 16 E	R 17 E	R 18 E
WHITEWATER <i>Vacant, Call Main Office to reach</i>	LA GRANGE <i>Assigned Staff</i>	TROY <b>DARRIN</b>	EAST TROY <b>(7905)</b>
RICHMOND	SUGAR CREEK	LAFAYETTE	SPRING PRAIRIE <b>(7905)</b>
DARIEN <b>SAMANTHA</b>	DELAVAN	GENEVA <b>CASEY</b>	LYONS <b>NICK</b>
SHARON <b>(7907)</b>	WALWORTH	LINN <b>(7906)</b>	BLOOMFIELD <b>(7918)</b>

### SANITATION

R 15 E	R 16 E	R 17 E	R 18 E
WHITEWATER	LA GRANGE	TROY	EAST TROY
RICHMOND <i>Vacant, Call Main Office to reach</i>	SUGAR CREEK <i>Assigned Staff</i>	LAFAYETTE <b>RICK</b>	SPRING PRAIRIE
DARIEN	DELAVAN	GENEVA <b>(7919)</b>	LYONS
SHARON	WALWORTH	LINN	BLOOMFIELD



# An Example 50 years in the making...





# Why do these cases take so long???

- 1963: 10 acres of this parcel is rezoned from “Agricultural” district to “General Business” district.
- August 13, 1974: County adopts a new zoning ordinance. This entire parcel is zoned A-1, prime agricultural land district.
- March 8, 1976: Document # 00990 is recorded at Register of Deeds Office. Document is a land contract transferring the 40 acre parcel to William Wendeberg from Robert G. Knopp.
- July 20, 1976: Note in the file indicates that a farm implement dealership on the property was made non-conforming in 1974. Note indicates it could be zoned A-4. All zoning maps since the original adopted A-1 show approximately 2 acres of A-4 zoning in the area that was being utilized around the buildings by anything other than cropland. No official rezone file found.



# Why do these cases take so long???

- May 7, 1986: County Zoning Officer, Carol R. Meadows sent Mr. Wendeborg a certified letter notifying him that he is in violation of the permitted uses of the A-4 zone district.
- May 23, 1986: Carol Meadows sent a letter to Jim Van Dreser from the Town of Walworth summarizing the situation.

# Why do these cases take so long???

- October 17, 2002: County Zoning Officer, Nancy Welch sent a violation notice letter to Mr. Wendeborg stating that he had a junk/scrap/automobile salvage yard on the property.
- October 28, 2002: Nancy met with owner and gave him until July 1 to clean it up as long as continued improvement was being made.

- January 20, 2003: Nancy sent letter requiring more progress.
- Jan-April, 2003: LURM is provided receipts proving items are being scrapped.
- April 26&28, 2003: LURM received a letter explaining that Mr. Wendeborg has had a heart attack and will have to adjust his pace.
- May & June, 2003: LURM is provided more scrap receipts.
- November 20, 2003: Nancy finds the property to still be out of compliance and issues a citation for four violations. (\$1188.00)

- January 2004: Matter is scheduled for a court trial.
- February 5, 2004: County Zoning Officer, Nancy Welch and County Planner, Matt Weidensee met with Mr. Wendeborg and Attorney Rasmussen on site. They identified the A-4 area of the property. All items unrelated to a farm implement dealership must be removed and all related items need to be contained in the A-4 area.
- April 2004: Stipulation and Order entered into.
- November 24, 2004: Nick Sigmund sent a Letter to Lee Huempfner regarding continued noncompliance.



March 2, 2018: Nick Sigmund, Michael Cotter, and Shannon Haydin do an inspection. Nick Sigmund took photos. Nick Sigmund issued four citations.

April 4, 2018: Mr. Wendeberg requests a trial.

July 30, 2018: Trial takes place. Mr. Wendeberg is found guilty of all four violations.

September 25, 2018: Mr. Wendeberg came into the office and indicated he has been cleaning up the site. He thought he may be ready for an inspection by mid October. He also provided a petition indicating that he is serving a vital service of salvaging for recycling and reuse.

07-10-2019	Complaint filed			
05-26-2020	Summary Judgment Hearing	Johnson, Daniel S.	Boss, Rhonda	
	<p>Additional text:Atty. Lee Huempfner appeared via phone means for Walworth County. Wililam Wendeborg appeared via phone means. Court in session @ 10:05 a.m. Appearances made. Matter before the court for summary judgment. Court addresses Atty. Huempfner who responds to Court's questions regarding this case and prior matter with the same issue. 10:08 a.m. - Record/argument by Atty. Huempfner 10:09 a.m. - Court addresses Mr. Wendeborg who responds to questions by the Court. Court addresses Exhibits 2 and 2A and Mr. Wendeborg responds to further questions. 10:12 am. - Response/record by Atty. Huempfner as to exhibits 2 and 2A 10:15 a.m. - Record by the Court who denies the County's motion for summary judgment as state of property has materially changed and that issues regarding junkyard must be determined at trial. Court sets matter over for Court trial and informs Mr. Wendeborg he will be able to present his side of the story at that time. Atty. Huempfner will prepare order from today's hearing. Court in recess @ 10:20 a.m. Court trial scheduled for August 10, 2020 at 01:30 pm.</p>			
08-21-2020	Dispositional order/judgment	Johnson, Daniel S.		
04-08-2021	Notice			
	Additional text:Notice of Noncompliance Letter to Wendeborg 04.08.21			

August 2016



March 2018





February 2020



September 2022





1975



1985



2000



2022









September 2022

Final Stats –

Southern Lakes Recyclers on site from  
April 29, 2021 to September 20, 2022

1,000,000 pounds of scrap

All of our expenses paid

All of Southern Lakes expenses paid.

Owner received approximately \$49,000  
after all expenses.



# QUESTIONS

**Thank Your For Your Time**

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