

## NOTICE FOR PUBLIC HEARING

A public hearing as required by the General Code of Ordinances for Marathon County Chapter 17 Zoning Code will be held by the **Marathon County Board of Adjustment** at **9:00 a.m., Thursday, May 25, 2023**, at 500 Forest Street, Wausau WI 54403.

Persons wishing to attend the meeting by phone may call into the telephone conference beginning fifteen (15) minutes prior to the start time indicated above using the following number:

Phone Number: 1-408-418-9388

Access Code/Meeting Number: 2482 290 3069

**PLEASE NOTE: If you are prompted to provide an “Attendee Identification Number” enter the # sign. No other number is required to participate in the telephone conference.**


When you enter the telephone conference, **PLEASE PUT YOUR PHONE ON MUTE!**

1. Approval of the April 27, 2023 minutes.
2. The application of Monster Hall Events LLC for a conditional use permit per Section 17.204.44 of the General Zoning Code of Ordinances under Marathon County Chapter 17 Zoning code to operate an Outdoor Recreation Facility for the purposes of hosting Music Concerts, Motor Sport Racing, Tractor Pulls, Demolition Derbies, Monster Trucks, Flea Markets, Swap Meets, Car Shows, Community Fundraising events as well as a conditional use permit per Section 17.204.24 of the General Zoning Code to Operate a Primitive Campground for temporary camping associated with events held on the grounds in the CV/RC Conservancy/Recreation district, located in part of the Northeast ¼ of the Northwest Fractional ¼ and part of the Northwest ¼ of the Northeast Fractional ¼, Section 1, Township 27 North, Range 2 East, Town of Brighton; Pin # 010.2702.011.0994 with a site address of 218967 County Road F, Unity, WI 54488.
3. Board Education and Training as needed
  - a. Variances and Conditional Use
4. Board Reappointments
5. Announcements and Requests
6. Adjourn

All interested persons will be provided the opportunity to provide testimony at the public hearing. Those planning to attend this meeting who need some type of special accommodation in order to participate should call the County Clerk’s Office at 715-261-1500. Please call at least one business day in advance of the meeting.

In the event you are unable to attend the public hearing and wish to provide written testimony, please contact the Conservation, Planning and Zoning Department at 715-261-6000 for assistance.

Pat Schreiner, Chairman Board of  
Adjustment

 Laurie Miskimins, Director  
Conservation Planning and Zoning  
Department

**Publish: May 8<sup>th</sup> and May 15<sup>th</sup>, 2023**

**E-mailed to Wausau Daily Herald on May 4, 2024, at 2:30 p.m. /nd**

**Section 17.803.03 BASIS OF DETERMINATION**

**A. Conformance with Requirements.** The applicant shall be required to establish by clear and convincing evidence that the applicable standards of this Chapter, the specific standards pertinent to each conditional use, including site plan review criteria set forth for applicable site development standards for specific uses set forth elsewhere in this Chapter (refer to Chapter 17.204, Development Standards for Specific Uses) have been met.

**B. General Standards.** The Board of Adjustment shall review the particular facts and circumstances of each proposed conditional use in terms of the following standards:

1. Compatibility with Adjacent Uses. The proposed conditional use shall be designed, constructed, operated and maintained to be compatible with uses on surrounding land. The site design shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met, consideration shall be given to:
  - a. The location and screening of vehicular circulation and parking areas in relation to surrounding development.
  - b. The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.
  - c. The hours of operation of the proposed use. Approval of a conditional use may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses.
  - d. The bulk, placement, and materials of construction of the proposed use in relation to surrounding uses.

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2. Comprehensive Plan. The proposed conditional use will be harmonious with and in accordance with the general objectives or with any specific objective of the town and county comprehensive plan.

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3. Compliance with Applicable Regulations. The proposed conditional use shall be in compliance with all applicable federal, state, and local laws and ordinances.

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4. Use of Adjacent Property. The proposed conditional use shall not interfere with the use and enjoyment of adjacent property.

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5. Public Services. The proposed conditional use will be served adequately by essential public facilities and services including but not necessarily limited to utilities, highways, streets, police and fire protection, drainage structures, refuse disposal, and school(s); unless the project proposal contains an acceptable plan for providing necessary services or evidence that such services will be available by the time the conditional use is completed.

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**APPLICATION FOR CONDITIONAL USE PERMIT**  
**MARATHON COUNTY BOARD OF ADJUSTMENT**

The applicant hereby requests the Board of Adjustment to hear and decide upon this application as prescribed by Section 17.803 of the Marathon County Zoning Ordinance. Use a separate sheet if necessary.

Name of Applicant: MONSTER HALL EVENTS LLC  
 Mailing Address: 4255 CTY HWY T, CHIPPEWA FALLS WI 54729  
 Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Cellphone: \_\_\_\_\_ Email: monsterhallevents@gmail.com  
 Owner Name: (if different) JOEL + TABITHA SEIDLITZ  
 Mailing Address: 4255 CTY HWY T, CHIPPEWA FALLS WI 54729  
 Telephone: 715-864-4566 Fax: \_\_\_\_\_

**PARCEL INFORMATION**

Parcel ID # (PIN): 01027020110994  
 (If more than one parcel is included in this application, list all parcel numbers & legal descriptions on a separate sheet.)

Legal Description: Government Lot \_\_\_\_\_ or \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4  
 Section 1, T 27 N, R 2 E, Town of BRIGHTON  
 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Property Address: 218967 COUNTY ROAD F, UNITY WI 54488  
 Parcel size: 26.5 Acres or \_\_\_\_\_ Sq. Ft.  
 Zoning District: CONSERVANCY/RECREATION CV/RC

Present use of property (List all current uses, i.e. home, store, farm field, wooded, etc.):  
RACE TRACK - AUTOMOBILE, UTV, MOTORCYCLE  
TRACTOR PULLS, CAMPING

Existing improvements (Structures, well, septic, etc.):  
EXISTING STRUCTURES  
ADDED 28x24 STAGE AS PER BUILDING PERMIT  
ENCLOSED ATTACHMENT OF MAP OUTLINING STRUCTURES

**PROPOSAL**

Describe specifically the nature of this request (be sure to list all proposed uses of the parcel). What do you plan to do?  
MUSIC CONCERTS + RACE TRACK TO INCLUDE: DIRT TRACK RACING,  
TRACTOR PULLS, UTV + MOTORCYCLE RACING, FLEA MARKET, SWAP MEET,  
CAR SHOWS, CAMPING, COMMUNITY FUNDRAISING EVENTS,  
DEMOLITION DERBY + MONSTER TRUCKS

If this application is for a use that will be restricted to part of the parcel, specify the exact dimensions of the affected area.  
 \_\_\_\_\_  
 \_\_\_\_\_

Provide the following information if this box is checked

Proposal has additional development standards in Section 17.204.44 and 17.204.24. Explain how your proposal meets or exceeds these requirements.  
See attached.

Use separate/additional sheet(s) if necessary

**RECEIVED**  
**MAR 17 2023**  
 MARATHON CO. CONSERVATION,  
 PLANNING & ZONING DEPT.

## INSTRUCTIONS TO APPLICANT

1. Be sure to complete **all items** on the application. This includes a **brief, but complete explanation** of the current use and proposed new use.
2. Prepare a **map at a scale which is reproducible** (11" x 17" or smaller). For maps larger than 11" x 17", be prepared to provide as many copies as needed for transmittal. In no instance may the scale of the map be less than 1 inch equals 200 feet. There are instances where a cross-section of the property or contours will be helpful, and in some cases one or both may be required. Narrative or photos may be included as supporting documentation.

**At a minimum the map must include:**

- The location, dimensions, and parcel identification number of the lot or lots including a legal description.
- Location of any and all nearby public and private streets.
- Dimensions of the lot and the location of all existing and proposed buildings or structures, and location of existing or proposed private onsite wastewater treatment (septic) system.
- Required front, rear, and side yard areas, open space, and parking.
- On residential parcels, the number of dwelling units contained within each building and proposed number of bedrooms.
- Location and dimensions of all buildings or structures to be erected, structurally altered, or moved.
- Wetlands and floodplains
- Screening/Buffers
- Lighting
- Parking

3. **Include the \$600 fee** when you submit the application. Please make checks payable to Marathon County.

**We cannot consider an application complete until the following are submitted to this office:**

<i>Check if submitted</i>	<i>Initial of staff</i>	
<input checked="" type="checkbox"/>	<b>SH</b>	Completed application including signatures.
<input checked="" type="checkbox"/>	<b>SH</b>	Map with all required information.
<input checked="" type="checkbox"/>	<b>SH</b>	Additional documents, as needed (lot combination forms, hunting/fishing shelter application, etc.)
<input checked="" type="checkbox"/>	<b>SH</b>	Zoning Permit application
<input checked="" type="checkbox"/>	<b>600.00</b>	Fee

Please contact the Marathon County Conservation, Planning and Zoning Department with any questions: 715-261-6000.

**IMPORTANT:** The applicant or authorized representative **must be present at the hearing** or Board **may deny** the application without prejudice.

*[Handwritten Signature]* + *[Handwritten Signature]*      *3-14-2023*  
 Owner Signature (required)      Date

**SAME**  
 Agent / Person responsible for work Signature (required)      Date

Conditional Use Permits expire six (6) months from the latest date of signature on the approval letter signed by Chairman and the Secretary of the Board of Adjustment if the proposed construction or preparation of land for use has not commenced. The Zoning Administrator may grant an extension for up to six (6) months upon show of valid cause.

Return to:      Board of Adjustment      Telephone: 715-261-6000  
                          Marathon County CPZ Department      Toll free within Marathon County: 1-800-236-0153  
                          210 River Drive      Facsimile: 715-261-6016  
                          Wausau, WI 54403-5449

<b>For office use</b>	<b>For office use</b>	<b>For office use</b>
Amount Received: \$ <b>600.00</b> <b>03/17/2023</b>	Date Stamp: <b>RECIEVED</b>	
	<b>03/17/2023</b>	

O:\CPZOOrdinances\FORMS\ConditionalUsePermitApplication.docx

### Conditional Use Permit Marathon County

Thank you all for considering MONSTER HALL EVENTS LLC Proposal for an All-Inclusive Conditional Use Permit which would allow us to run a Successful Business on the Event Grounds bringing revenue into Marathon County.

The Following Request is based on Maximum Number Guests/Event Goers per Day of 2,999 People, as allowed by the Obtained Special Event Permits previously approved by Marathon County Zoning Board.

Please note we may not expect or desire to host the maximum number of guests at every event. As an example, our first event June 8-10, 2023 we will not exceed ticket sales in the amount of 1,500 of the 2,999 allowed per day.

### Grounds Information

Decker Sanitation is supplying portable toilets around the grounds and shown on graph, these are in addition to the bathhouse that has Toilets, Urinals and Sinks. There will be an adequate number of Toilets to host the maximum amount of guests per day.

### Hours of Operation

Hours of each event vary depending on the type of event.

Typically:

Stock Car Race Event 5pm-11pm

Eve of Destruction 11am-9pm

Tractor Pull 11am-9pm

Car Show/Swap Meet/Flea Market 9am-10pm

Music Fest 12pm-1am and Beer Sales ending at 12:00am per Class B Fermented Malt Beverages Retailers License

\*Please note our grounds does not have a Liquor License

\*Please note we will attempt to have music end at 12am however, Inclement Weather Conditions would be an Exception

Cup  
2

### Camping

This property has been previously zoned for Camping and Outdoor Recreation. We are requesting to include Primitive Camping into Our Conditional Use Permit. However, our desire is not to offer Camping consistently on a day to day basis. We would likely only utilize the Camping for a Maximum of 3 Multi-Day Events Annually. We would abide by all zoning requirements such as positioning the campsites 100 feet from the property line as indicated on attached graph. We have already revised our campsite locations to meet the zoning requirements.

Primitive Camping would be limited to a Maximum of 60 Sites and would likely be less. Camping Rules and Regulations are posted on the grounds, provided to all Campers and available on our website [www.monsterhallevnts.com](http://www.monsterhallevnts.com). We have enclosed a copy for review.

Camping Area will be monitored by 1-2 Staff Members as well as subject to Security Walk Troughs throughout the Entire Event. Campers will be met at front camping gate by staff member upon entering grounds at east entrance. Overnight Camping quiet time is 2am-8am.

Example: Our First Event June 8-10, we are requiring Campers to be 21+ years of age in order to reserve a Campsite, they also must have purchased a 3 Day Event Pass, 6 People Maximum per Campsite and we have aproxemently 50 Campsites with a permit for 60. We have 1-2 Staff Members allotted to attend to check in of Campers which includes: Collecting or Providing Campsite Paperwork & Rules, Providing Arm Bands for 3 Day Pass (Gold), Camping Pass (Silver), and 21+ Band (Green). Each Arm Band States exactly what it is for and has a specific color. Also Providing Parking Passes, Answering Camper Questions, Monitoring Camping Area.

\*Attached for your review Parking Passes and Campground Agreement and Rules.

### Racing/Tractor Pull/Monster Truck/Car Show/Swap Meet Motorsport Events

Racing and Motorsport Events would run at various times depending on the event. The Motorsport Activities would end no later than 11pm, with the Grounds and Beer Sales to end at Midnight as per our Class B Fermented Malt Beverages Retailers License (Attached).

This property has been zoned for these type of Motorsport Events since the 1990's with its last Race being held under SK Speedway on June 17, 2022. It is our desire not to host Racing/Motorsport Events on a consistent weekly basis as previous owners have. We would like to offer a variety of different Motorsport Events that would appeal to many different genres of event goers.

Possible Motorsport Events would be:

Eve of Destruction Stock Car Race

Monster Truck Show

Car Show to Showcase Antique Cars, Trucks & Bikes and Swap Meet/Flea Market that offers sale of crafts, car parts and various other vendors

## Safety

Safety is our number one priority for Employees, Entertainment, Event Goers and Campers. We have Rules in place as a guide assisting in safety. These Rules are posted at each entrance and on our website online. If at any time staff reports misconduct of any Event Goers to security the issue will be taken very seriously and result in either a warning or removal from the property depending on the severity of the offense. Outside Law Enforcement will be contacted if the Offender is unwilling to leave the premises when asked to.

We have met with the Fire Inspector Jason Foth who will inspect the Event Grounds Prior to all Major Events as well as Inspecting the Setup the Day of The Major Events. For 2023 so far Events to be inspected include Monster Hall Music Fest and Midwest Unity Fest. The Fire Inspector will be making sure that Emergency Vehicles have easy access to the grounds, looking for ways to minimize fire hazards and ensuring everything is set up with the safety of the Event Goers as priority.

Several Fire Extinguishers will be strategically placed throughout the grounds and visible to guests and known to staff. Fencing and event barricades will be set up throughout the grounds for crowd control.

Currently we have a minimum of three Staff Members who are Registered Nurses. Owner Tabitha Seidlitz has previously been CPR certified and plans on renewing this certification in 2023.

Our Concession Building which is listed on the graph will contain a Medical First Aid Kit and be marked with signage so guests know where to report if they are in need of Medical Attention. Also, our grounds Intercom System will be utilized to make Safety Announcements throughout each event such as: where to go to seek medical attention, where to go in case of inclement weather conditions such as lightning storms or tornado warnings.

We have been in contact with Anthony Nardi, 911 Dispatch Supervisor at Marathon County Sheriff's Department. We have discussed the Events that will be held and are in complete compliance with all necessary safety measures that are required for the number of Event Goers allowed at each event.

We have contacted Sara Brown, Health Inspector to set up our initial grounds inspection date TBD and there will also be an event inspection at least 7 days prior to the first event.

There will be Several Meetings and Trainings with our Security Staff prior to each event that will cover what to do in different situations, expectations and how to best protect themselves as well as Entertainers, Staff and Guests.

Our Security Supervisor has extensive military training with the United States Military and is currently employed as Lead Security for a Large Church in Eau Claire, WI.

Our Front Gate Security Staff will be equipped with hand held Metal Detectors to minimize the risk of weapons entering the grounds.

We will inform Marathon County Law Enforcement of any major events and welcome them to stop by at their will. We will utilize our permanent bathrooms as a safe place from weather along with our concession stand. In case of lightning events we will shut down until lightning has passed. There is an clear and passable route for EMT, Law Enforcement and any Emergency Vehicles that will be inspected by Jason Foth.



## Monster Hall Staff Positions and Descriptions

### Security:

Security is responsible for checking that everyone on the grounds have proper wristbands on at all times. Checking that anyone with alcohol is properly wrist banded and are 21+ of Age. They will be stationed in front of each stage to ensure the bands safety and fest goer's safety. They will roam the grounds to ensure there is no trouble forming or any illegal activities. They will roam the property to ensure no one is violating property lines, trespassing or tailgating in the parking lot to avoid underage drinking and littering on grounds or nearby properties.

Gate Security will be equipped with hand held metal detectors and two way radios. Security will also be highly visible and identifiable with bright shirts or vests. Security will be a crucial part of all of our events to ensure the safety of all fest goer's. Security will consist of during peak times (1) Head Security, (1) Main Stage Security, (1) Side Stage Security, (1) Front Gate Security and (3) Roaming Security. We will be staffing 9-11 Security Crew for each 3 day event to rotate through shifts, so they are not fatigued.

### Bartenders:

Bartenders are responsible to ID anyone wanting a 21+ alcohol wrist bands and those 21+ to put a 21+ wristband on them. They are required to only serve those with 21+ wristbands and to inform security of anyone attempting to violate these rules and State laws. **THEY ARE NOT ALLOWED** to serve anyone under 21 even if they are with their parents or legal guardian. They are to inform Security of anyone 21+ trying to assist a minor on getting alcohol. They are to cut off anyone appearing to be intoxicated and to report them to security for assistance if necessary. There will be a total of (4) Bartenders during peak hours and we plan on staffing 6-8 Bartenders for 3 day Events.

### Ticket Booth and Front Gate:

Ticket Booth Responsibility is to take all pre-purchased tickets, sell day of show tickets (if not sold out) and sell parking passes. Ticket Booth will wristband all guests with proper wristbands. Ticket Booth in Campground/VIP Entrance will hand out all camping information, wristband and have all Campers sign

Campground Rules Form. Campground Ticket Booth is also there to give Campers wrist bands, information and show them where to go. There will be a total of (5) Ticket Booth Workers during Peak hours and we plan on staffing 7-9 Ticket Booth Workers for 3 day events.

Concession Stand:

Concession Stand Workers will be responsible for making the food, selling the food and non-alcohol sales. We will have (2) Cooks on and (2) behind the Counter during Business Hours. Concession Stand we plan on staffing 8-10 workers for 3 day events.

Merchandise Stand:

Merchandise Workers will be responsible for selling Official Monster Hall related products during their business hours. We plan on having 2-3 Staff member over the 3 day events.

Parking Lot Attendants:

We will have 2 Parking Lot Attendants to assist with parking cars, car passes, garbage and ensuring there is no tailgating in the parking lot area. Their duties will include informing Security if anyone is violating grounds rules or State Laws. Parking Lot Attendants will be highly visible with bright clothes or vests. This will be a unique position because we will be seeking a club, church or local organization to handle the parking lot duties and we will be donating their pay to their charitable organization. We anticipate 7-10 staff members during our 3 day events.

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Board of Adjustments in regards to Charter 17.407 Section 17.407.01.

#### A. Vibrations

The property even with Concerts or Motorsport Events will not have vibrations past our property lines. All Low and Sub Low frequency will be heard but not felt past our property lines due to locations and angles of our stage. Low frequency do tend to travel further distance than high frequency, but it will not be felt at our property line. Also, there will be no mining of any materials on property.

#### B. Dust Fumes, Vapors and Gases

This property was the home of Monster Hall Speedway, Spring Lake Speedway and SK Speedway. Its last Race was June 17, 2022 and has been a raceway and motorsport facility since early 2000's. We have been working hard to upgrade the property from the condition it was left in.

This is a Clay 3/8 Mile Oval Track. During a race event the proper watering and maintenance of the track helps contain dust. The track sits well off of the property line to contain fumes transmitted from any of the motorsports. Plus there are natural buffers to the North & East and bleachers, trees, 15' dam and buildings to the West to help contain dust and fumes. To the South the steep bank of the track and sits about 400' from South Property Line.

The Track is at a lower elevation than the rest of the landscape on the property to help contain dust and fumes.

The road leading into the property is gravel and in past years Spring Lake Campground paid for the Town of Brighton to lay dust control on the roads. We are in agreement with Owners of Spring Lake Campground and have offered to pay for 1/2 the fee for dust control to be laid on the road leading past Spring Lake Campground and into Monster Hall Event Grounds at the convenience of the township.

#### C. Heat

There is no event that will give off any extensive heat that can be detected at the property lines. Even if we have a Motorsport Event at the track, it sits down in a bowl style layout and is well off the property line. No detectable heat.

#### D. Glare

Track Lighting is angled downward towards the corners and straight a ways of the track. Bleachers and natural lines also aid in a buffer. Lighting from concerts are also buffered from

property lines by the strategically placing of the stages. One stage faces the South and sits at a lower elevation then landscape around it and is buffered by bleachers and buildings to assist in containing lights and sound. That stage faces south and sits about 400ft from South property line. Stage 2 faces our large bleachers and is positioned to have lights and sound buffered by the size and height of the bleachers. Plus there is a natural tree line which is even higher than the bleachers.

E. Storage and Waste Disposal in Industrial Districts.

This doesn't pertain to this property. There is no storage of waste disposal.

Thank you for your time and consideration,



Joel & Tabitha Seidlitz

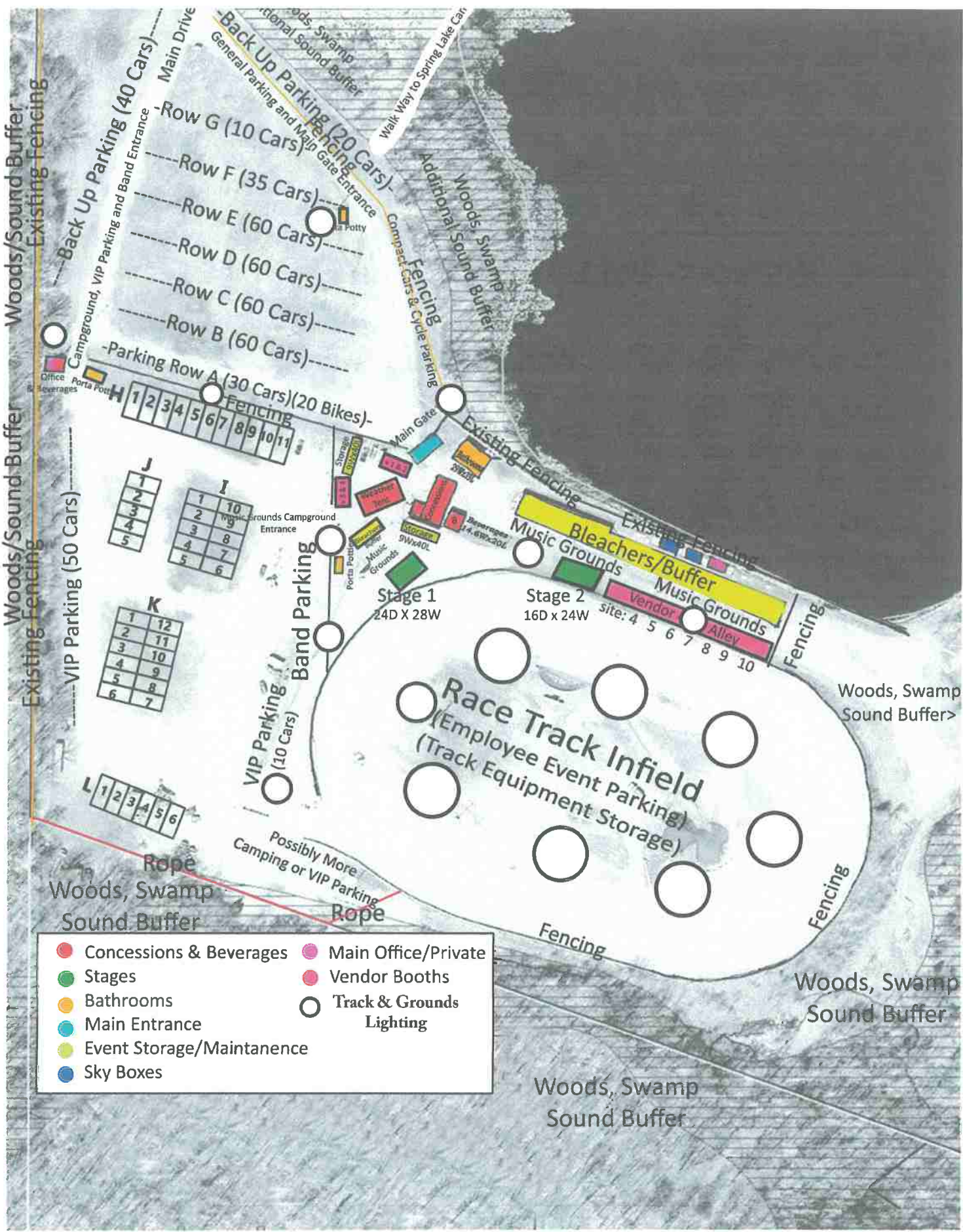
Monster Hall Events LLC

Monster Hall Music Fest Camping Rules and Regulations:

1. Everyone in the Campground Area Must Have a Wrist Band.
2. Everyone in the Campground Area Must Be 18+.
3. No Solicitation of any sort in Campground or Parking Lot Area.
4. No Glass of any sort allowed on the Entire Festival Grounds.
5. No Pets Allowed on Festival Grounds.
6. No Fireworks Allowed on Festival Grounds.
7. Fire Pits are Allowed, but must be cleaned and filled in upon departure.
8. No Bicycle, Golf Carts or UTV are Allowed.
9. Quiet time is 2am-8am. All Generators and Broadcast Devices Must Be Turned Off.
10. All Sites are Primitive Site with No Water or Electric Hook Ups.
11. There are no dump sites on the grounds and all waste must be taken with you and dumped at owner's expense.
12. No Fighting anywhere on the Festival Grounds.
13. No Selling or Distributing Narcotics, Tobacco or Alcohol on Festival Grounds.
14. Anyone caught Consuming Alcohol under the Age of 21 or Distributing Alcohol to someone under 21 will be removed from premises without refund.
15. Anyone Reserving and Purchasing a Campsite at Monster Hall Event Grounds Must be 21 Years of Age or Older and Must Present Valid ID upon arrival at Festival Grounds.
16. Everyone in Campsite must have a Ticket to that days Event or Valid Wristband. Festival Tickets are Sold Separately from Campsite Tickets
17. Any damages or clean up to your site will be charged to Campsite's Credit Card.
18. All Campsites must be Vacated by 1pm on Sunday, June 11, 2023.

Monster Hall Representative: \_\_\_\_\_ Date: \_\_\_\_\_

Campers Signature: \_\_\_\_\_ Date: \_\_\_\_\_



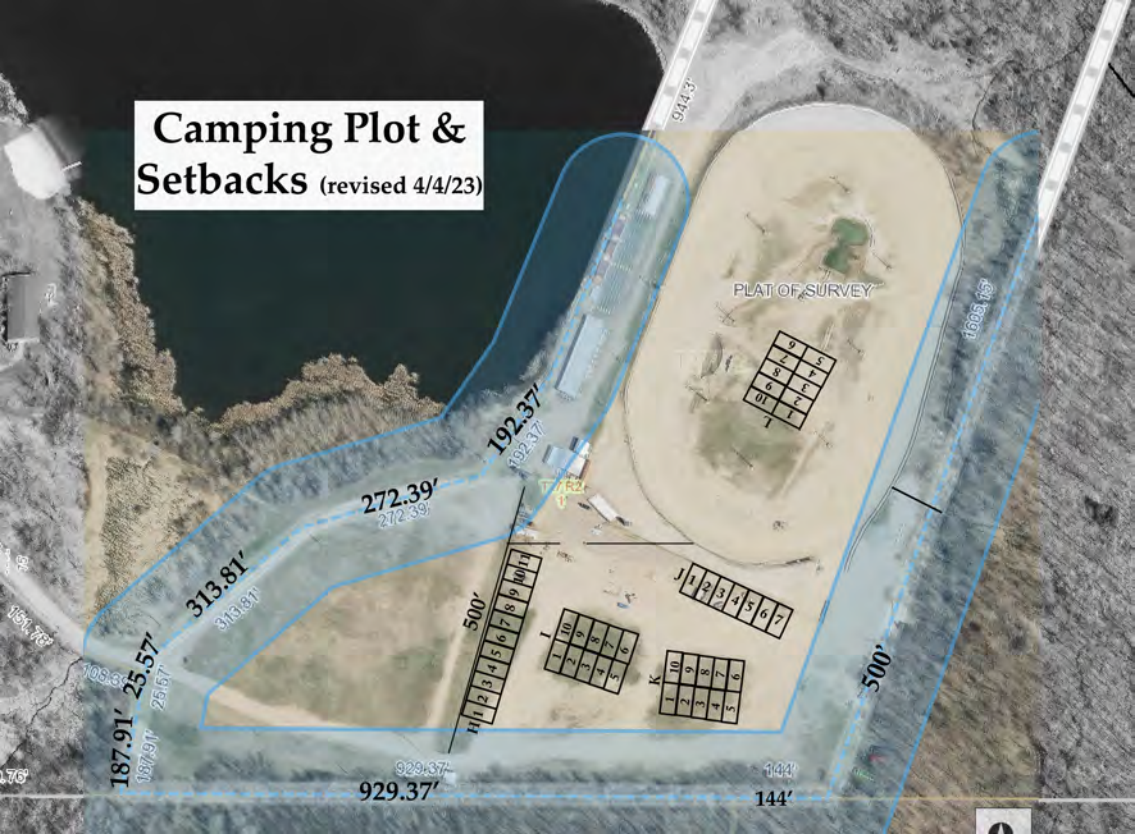
- |                             |                            |
|-----------------------------|----------------------------|
| ● Concessions & Beverages   | ● Main Office/Private      |
| ● Stages                    | ● Vendor Booths            |
| ● Bathrooms                 | ○ Track & Grounds Lighting |
| ● Main Entrance             |                            |
| ● Event Storage/Maintenance |                            |
| ● Sky Boxes                 |                            |

Woods, Swamp Sound Buffer

Woods, Swamp Sound Buffer

Woods, Swamp Sound Buffer >

# Camping Plot & Setbacks (revised 4/4/23)



PLAT OF SURVEY

9	5
2	5
8	E
6	2
10	2
1	1

H	1	2	3	4	5	6	7	8	9	10	11
---	---	---	---	---	---	---	---	---	---	----	----

I	10
2	9
3	8
4	7
5	6

J	1	2	3	4	5	6	7
---	---	---	---	---	---	---	---

K	10
2	9
3	8
4	7
5	6

187.91'  
187.91'  
25.57'

313.81'  
313.81'

272.39'  
272.39'

192.37'  
192.37'

944.3'

1665.18'

500'

500'

929.37'  
929.37'

144'  
144'



## Parking Totals with Camping

Section A: 507 Cars

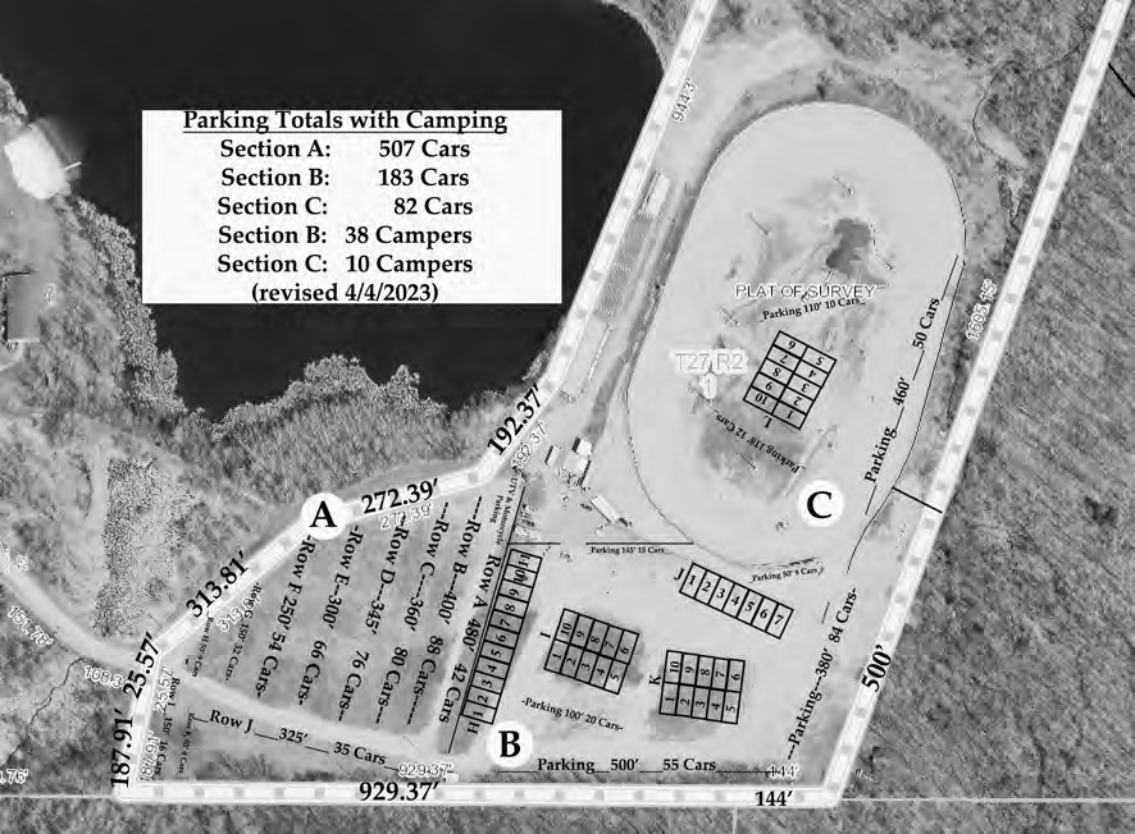
Section B: 183 Cars

Section C: 82 Cars

Section B: 38 Campers

Section C: 10 Campers

(revised 4/4/2023)



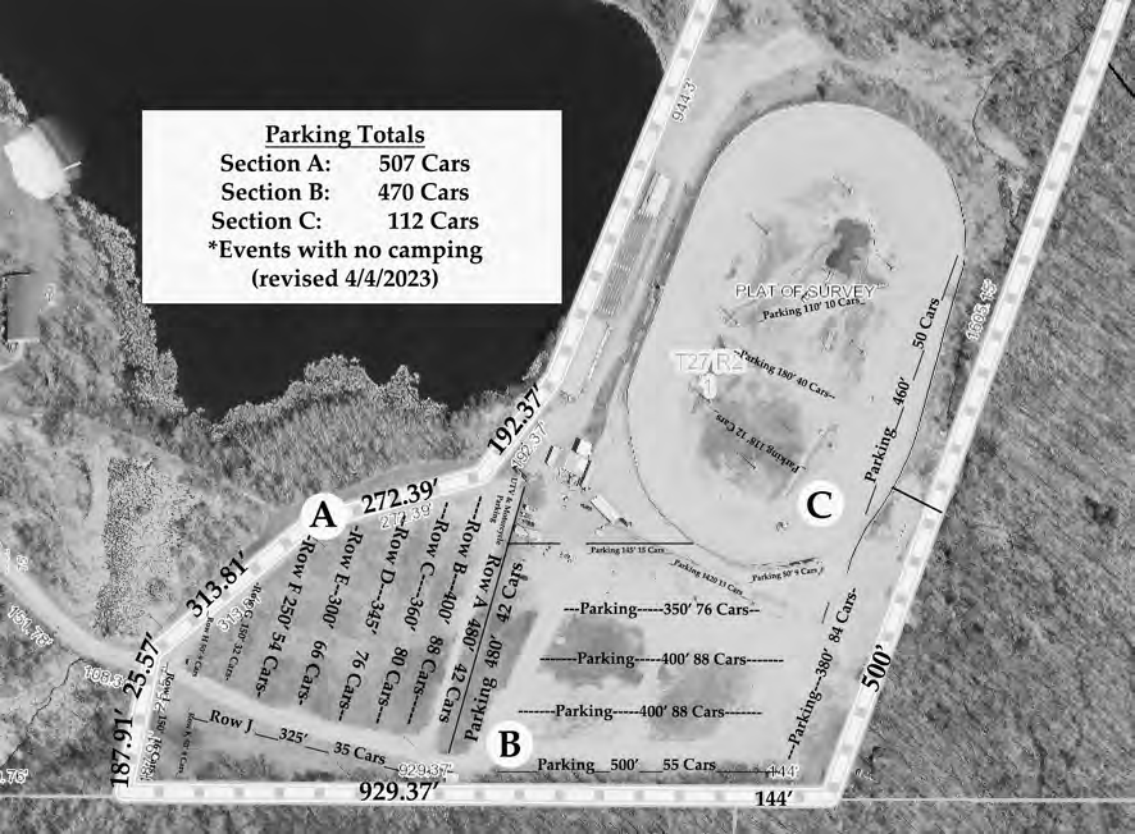
Parking Totals

Section A: 507 Cars

Section B: 470 Cars

Section C: 112 Cars

\*Events with no camping  
(revised 4/4/2023)



LACEI BERKES - TREASURER  
 209811 BRIDGEWATER AVE  
 SPENCER, WI 54479-3453

**PROPERTY TAX BILL FOR 2022**  
**REAL ESTATE**  
 MONSTER HALL EVENTS LLC



Parcel Number: 01027020110994  
 Bill Number: 334327

334327/01027020110994  
**MONSTER HALL EVENTS LLC**  
 4255 CTY HWY T  
 CHIPPEWA FALLS WI 54729

**Important:** Be sure this description covers your property. Note that this description is for tax bill only and may not be a full legal description. See reverse side for important information.

**Location of Property/Legal Description**  
 218967 COUNTY ROAD F  
 Sec. 1, T27N, R2E  
 SEC 01-27-02 PT OF NW 1/4 NE FRL 1/4 & PT OF NE 1/4 NW FRL 1/4 - COM AT N 1/4 CORNER SD SEC 1 E ALG N LN OF NE 1/4 24' TO POB CONT E ALG N LN SD 1/4 60' SWLY TO A PT ON S LN NW 1/4 NE 1/4 WHICH PT IS 144' E OF SE CORNER NE 1/4

26.500 ACRES

Please inform treasurer of address changes.

ASSESSED VALUE LAND 51,400	ASSESSED VALUE IMPROVEMENTS 70,500	TOTAL ASSESSED VALUE 121,900	AVERAGE ASSESSMENT RATIO 0.910795960	NET ASSESSED VALUE RATE 0.01497805 <small>(Does NOT reflect credits)</small>	NET PROPERTY TAX 1765.95
ESTIMATED FAIR MARKET VALUE LAND 56,400	ESTIMATED FAIR MARKET VALUE IMPROVEMENTS 77,400	TOTAL ESTIMATED FAIR MARKET VALUE 133,800	<input type="checkbox"/> A star in this box means unpaid prior year taxes.	School taxes also reduced by school levy tax credit 202.59	
TAXING JURISDICTION	2021 EST. STATE AIDS ALLOCATED TAX DIST	2022 EST. STATE AIDS ALLOCATED TAX DIST	2021 NET TAX	2022 NET TAX	% TAX CHANGE
MARATHON COUNTY	37,642	35,518	582.53	563.99	-3.2%
TOWN OF BRIGHTON	191,647	194,142	365.78	365.10	-0.2%
COLBY SCHOOL	588,421	551,411	805.70	740.16	-8.1%
NORTHCENTRAL TECH	61,728	60,895	154.23	156.57	1.5%
<b>TOTAL</b>	<b>879,438</b>	<b>841,966</b>	<b>1,908.24</b>	<b>1,825.82</b>	<b>-4.3%</b>
<b>FIRST DOLLAR CREDIT</b>			<b>-60.31</b>	<b>-59.87</b>	<b>-0.7%</b>
<b>LOTTERY AND GAMING CREDIT</b>			<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>NET PROPERTY TAX</b>			<b>1,847.93</b>	<b>1,765.95</b>	<b>-4.4%</b>

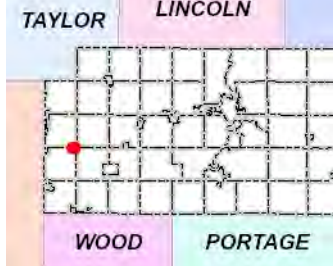
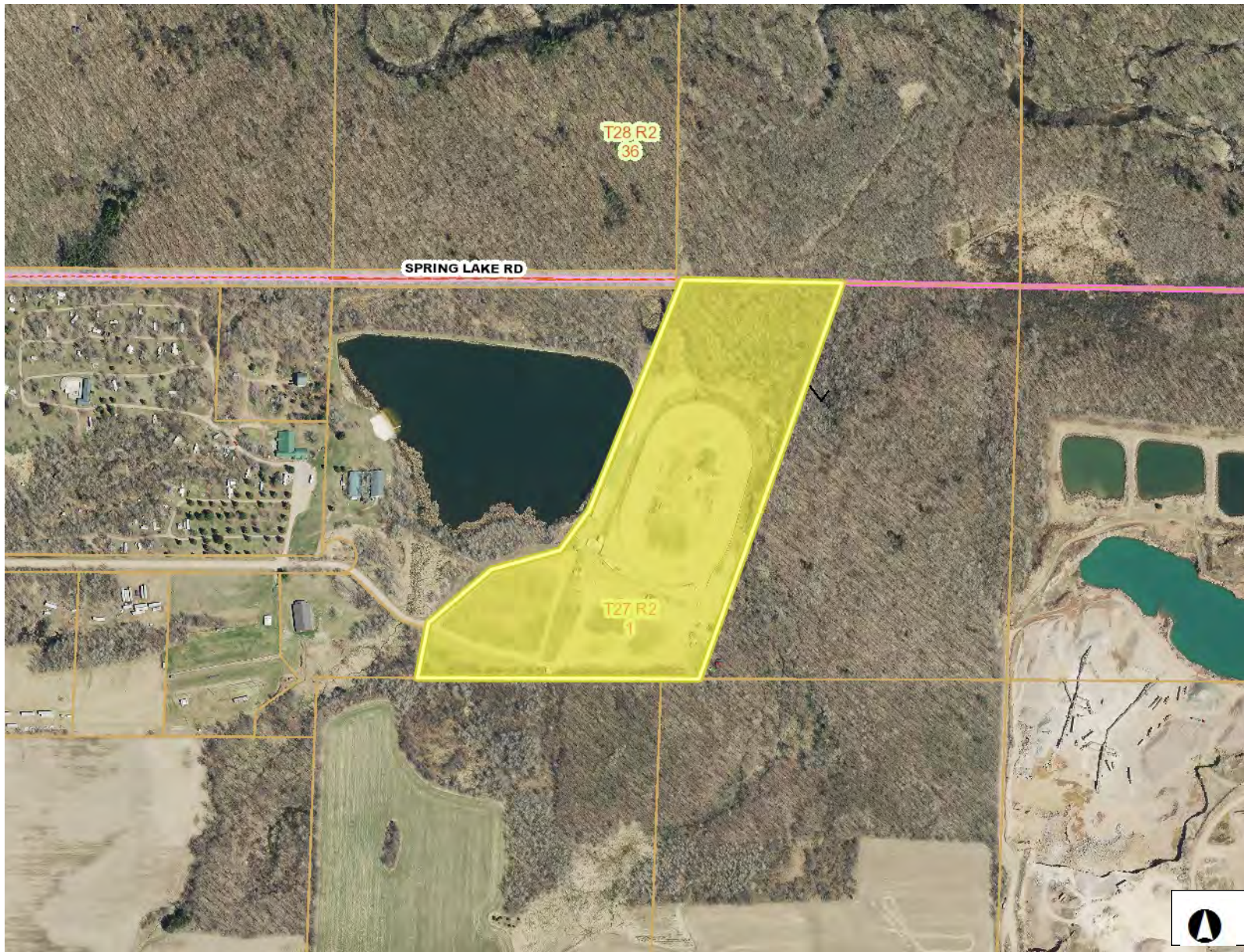
**TOTAL DUE: \$1,765.95**  
 FOR FULL PAYMENT  
 PAY BY:  
**JANUARY 31, 2023**  
 Warning: If not paid by due dates, installment option is lost and total tax is delinquent subject to interest and, if applicable, penalty.  
 Failure to pay on time. See reverse.

**FOR INFORMATION PURPOSES ONLY - Voter Approved Temporary Tax Increases**

Taxing Jurisdiction	Total Additional Taxes	Total Additional Taxes Applied to Property	Year Increase Ends	Taxing Jurisdiction	Total Additional Taxes	Total Additional Taxes Applied to Property	Year Increase Ends
COLBY SCHOOL	103,071	566.23	2028				



# Land Information Mapping System



## Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- 2020 Orthos Countywide
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3

284.48 0 284.48 Feet



NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Marathon County-City of Wausau will not be responsible for any damages which result from third party use of the information and depictions herein or for use which ignores this warning.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

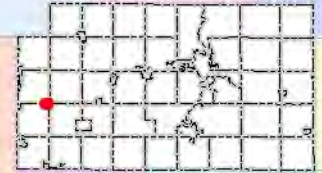
## Notes



# Land Information Mapping System

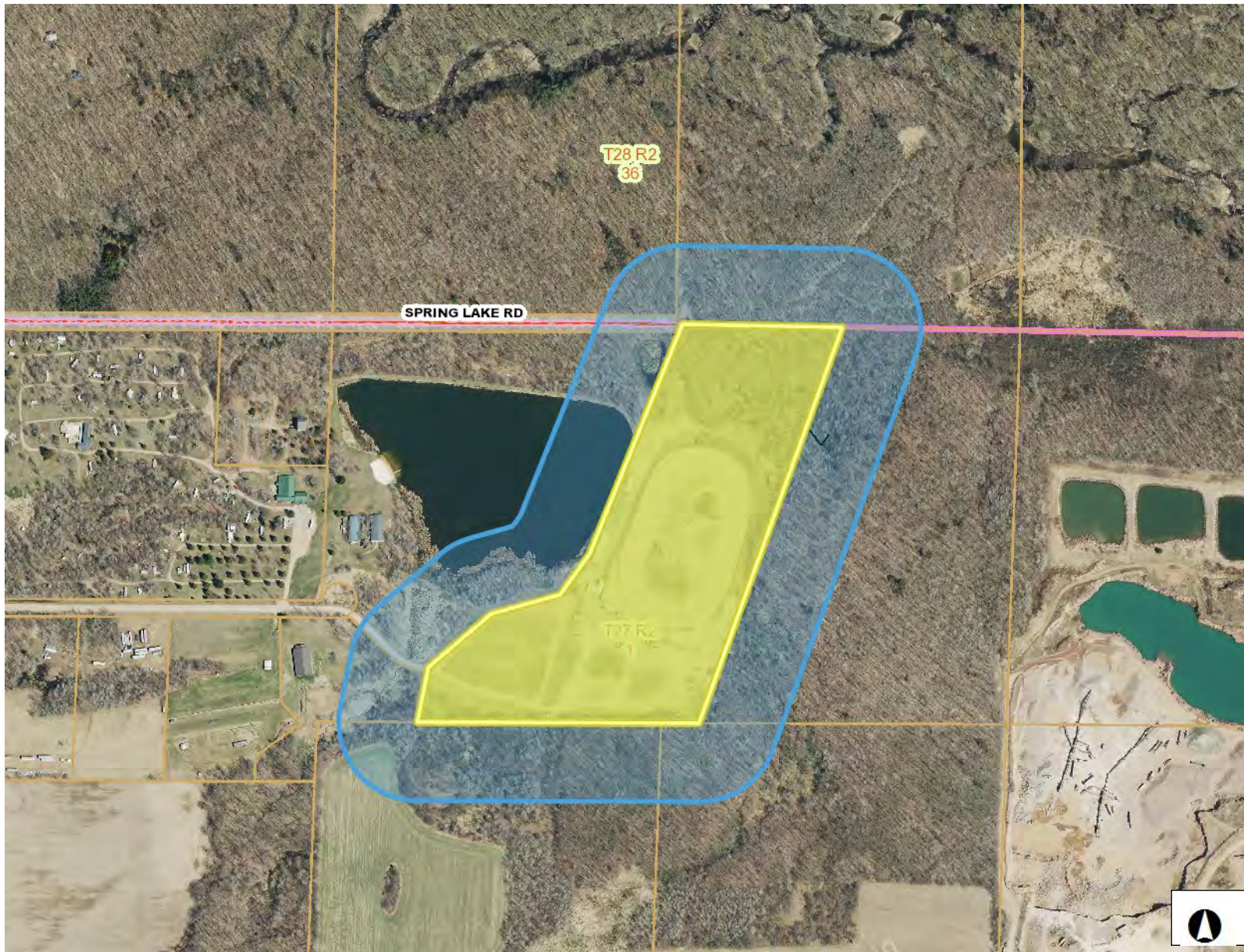
TAYLOR

LINCOLN



WOOD

PORTAGE



## Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- 2020 Orthos Countywide
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3

284.48 0 284.48 Feet



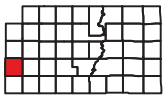
NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

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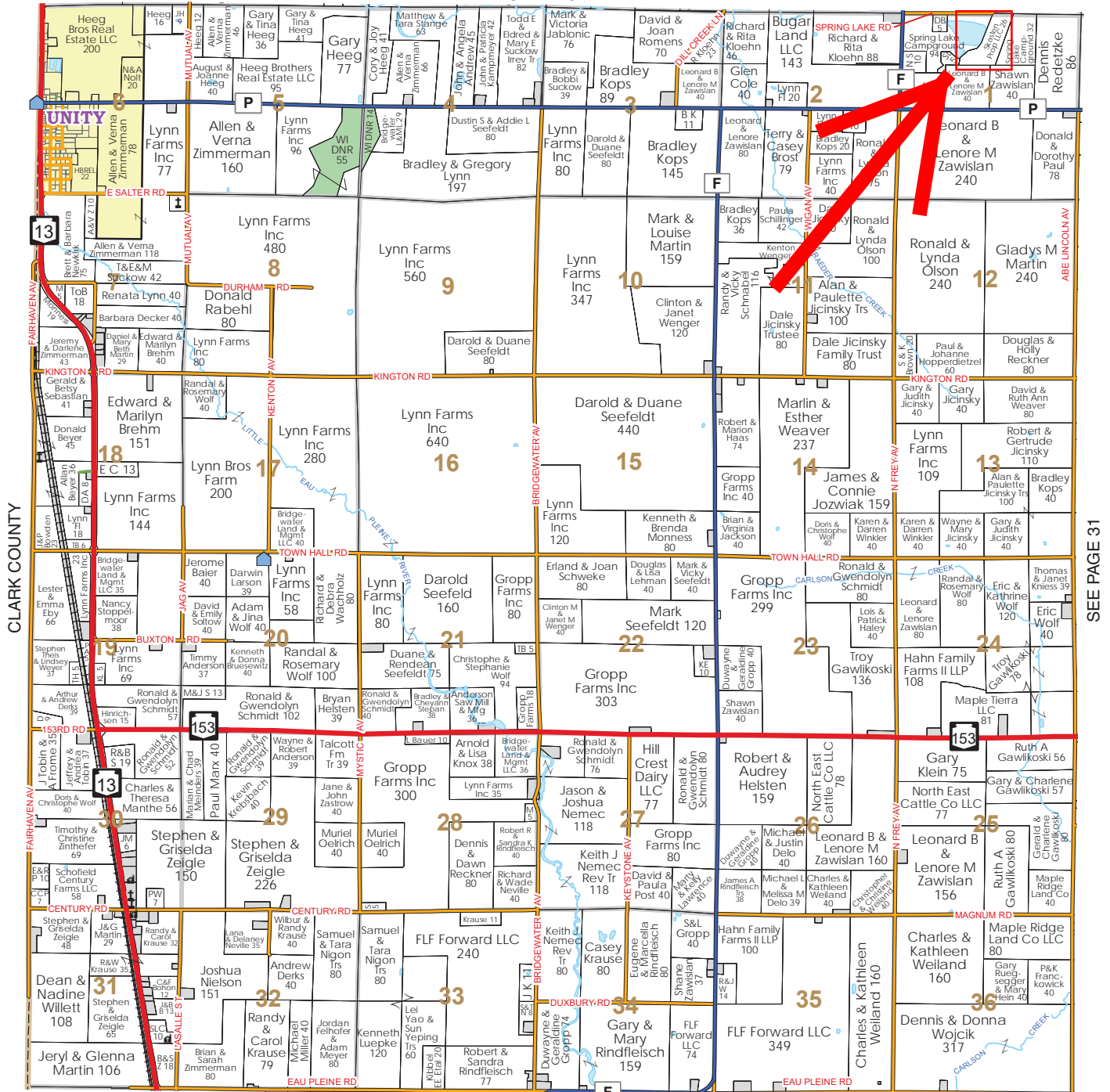
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

## Notes

300ft buffer






SEE PAGE 47



SEE PAGE 31

SEE PAGE 11

[www.nasonvilledairy.com](http://www.nasonvilledairy.com)  
**Ken, Kim, Kelvin Heiman**

N14505 Sandhill Ave • Curtis, WI 54422 • 715-223-3338
10898 US Hwy 10 West • Marshfield, WI 54449 • 715-676-2177

STATE OF WISCONSIN )  
MARATHON COUNTY )  
TOWN OF BRIGHTON )

**TOWN RESOLUTION OF RECOMENDATION**

TO THE MARATHON COUNTY BOARD OF ADJUSTMENT

I, Nadine Willett, Clerk of the Town of Brighton Marathon County, State of Wisconsin, do hereby certify that the following is a true and correct copy of a resolution adopted by the Town of Brighton Town Board at a meeting held on the 9<sup>th</sup> day of May, 2023.

RESOLUTION

WHEREAS, the Marathon County Board of Adjustment is established for the purpose of hearing certain appeals, applications and granting variances in harmony with the general purpose and intent of land use regulations, and

WHEREAS, such a hearing is scheduled to come before the Board affecting lands within the Town of Brighton.

NOW, THEREFORE BE IT RESOLVED that the Town of Brighton Town Board considered on the 9<sup>th</sup> day of May, 2023, the application of: Monster Hall Events LLC for a conditional use permit per Section 17.204.44 of the General Zoning Code of Ordinances under Marathon county Chapter 17 Zoning code to operate an Outdoor Recreation Facility for the purposes of hosting Music Concerts, Motor Sport Racing, Tractor Pulls, Demolition Derbies, Monster Trucks, Flea Markets, Swap Meets, Car Shows, Community Fundraising events as well as a conditional use permit per Section 17.204.44 to of the General Zoning Code to Operate a Primitive Campground for temporary camping associated with events held on the grounds in the CV/RC Conservancy/Recreation district, located in part of the Northeast ¼ of the Northwest Fractional ¼ and part of the Northwest ¼ of the Northwest Fractional ¼, Section 1, Township 27 North, Range 2 East, Town of Brighton; Pin # 010.2702.011.0994 with a site address of 218967 County Road F, Unity, WI 54488, and hereby recommends:

- Marathon County Board of Adjustment **APPROVE** application
- Marathon County Board of Adjustment **DENY** application

Comments, conditions and reasons for recommended action:

*Brighton Town Board would have preferred to see how well the 3 scheduled events in 2023 go before extending this to many more events in future years. Plans provided with request look appropriate and Brighton Town Board expects thorough attention to the details to meet needs of neighbors and town.*

Clerk

Nadine Willett

Town Board

Mark Krauss

Steven Druff

Robert H. Ras

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Board of Adjustment Public Hearing. Town input at the hearing is always appreciated. Please return this form before May 19th, 2023 to:

Board of Adjustment  
Marathon County Conservation, Planning and Zoning Department  
210 River Drive  
Wausau, WI 54403



**Monster Hall Events LLC**  
**Conditional Use Permit Application**  
**Staff Report, May 25th, 2023**  
**Marathon County Board of Adjustment**

**PETITIONER:**

Joel and Tabitha Seidlitz – 4255 County Highway T, Chippewa Falls WI, 54729

**PROPERTY OWNERS:**

Monster Hall Events LLC– 4255 County Highway T, Chippewa Falls WI, 54729

**REQUEST:**

The application of Monster Hall Events LLC for a conditional use permit per Section 17.204.44 of the General Zoning Code of Ordinances under Marathon County Chapter 17 Zoning code to operate Outdoor Recreation Facility for the purposes of hosting Music Concerts, Motor Sport Racing, Tractor Pulls, Demolition Derbies, Monster Trucks, Flea Markets, Swap Meets, Car Shows, Community Fundraising events as well as a conditional use permit per Section 17.204.24 to of the General Zoning Code to Operate a Primitive Campground for temporary camping associated with events held on the grounds in the CV/RC Conservancy/Recreation district, located in part of the Northeast ¼ of the Northwest Fractional ¼ and part of the Northwest ¼ of the Northwest Fractional ¼, Section 1, Township 27 North, Range 2 East, Town of Brighton; Pin # 010.2702.011.0994 with a site address of 218967 County Road F, Unity, WI 54488.

**PUBLIC HEARINGS/MEETINGS:**

- Town of Brighton Town Board Meeting: May 9<sup>th</sup>, 2023
- Marathon County Board of Adjustment Meeting: May 25<sup>th</sup>, 2023; 9AM

**Legal Notification:**

A legal advertisement was published in the *Wausau Daily Herald*. Notice of the CUP was also sent by regular mail to adjacent property owners within 300 feet of the subject property.

**EXISTING ZONING DISTRICT:**

**C-V/R-C Conservancy/Recreation District.** The purpose of the Conservancy/Recreation district is to provide areas that conserve existing undeveloped natural areas and include the following:

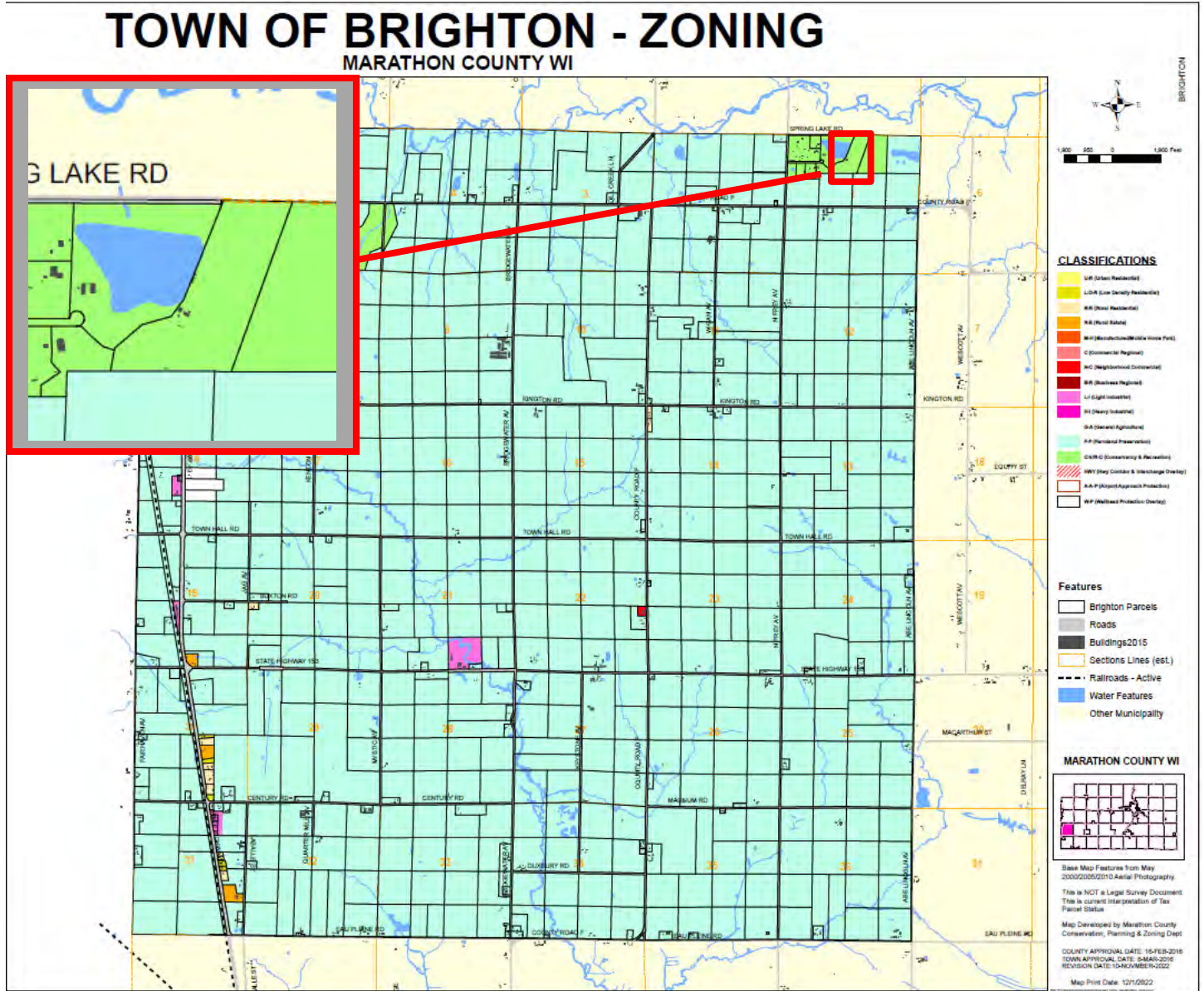
1. To preserve and protect the value of distinctive geologic, topographic, botanic, historic, or scenic areas;
2. To protect the ecological balance of an area;
3. To conserve natural resources, such as river valleys, and tracts of forest land; and
4. To reduce the problems created by intensive development of areas having excessively high water tables, or which are subject to flooding, or which are topographically unsuited for urban type uses.
5. To provide for the orderly and attractive grouping of passive recreation-oriented establishments, facilities, and structures.





**Town of Brighton Zoning Map:** The parcel proposed is currently Conservancy/Recreation.

**Acreeage: 26.5 Acres**





**Town Comprehensive Plan Future Land Use Map:** The parcel is shown to be designated Commercial in the Town of Brighton Future Land Use Map (2005).

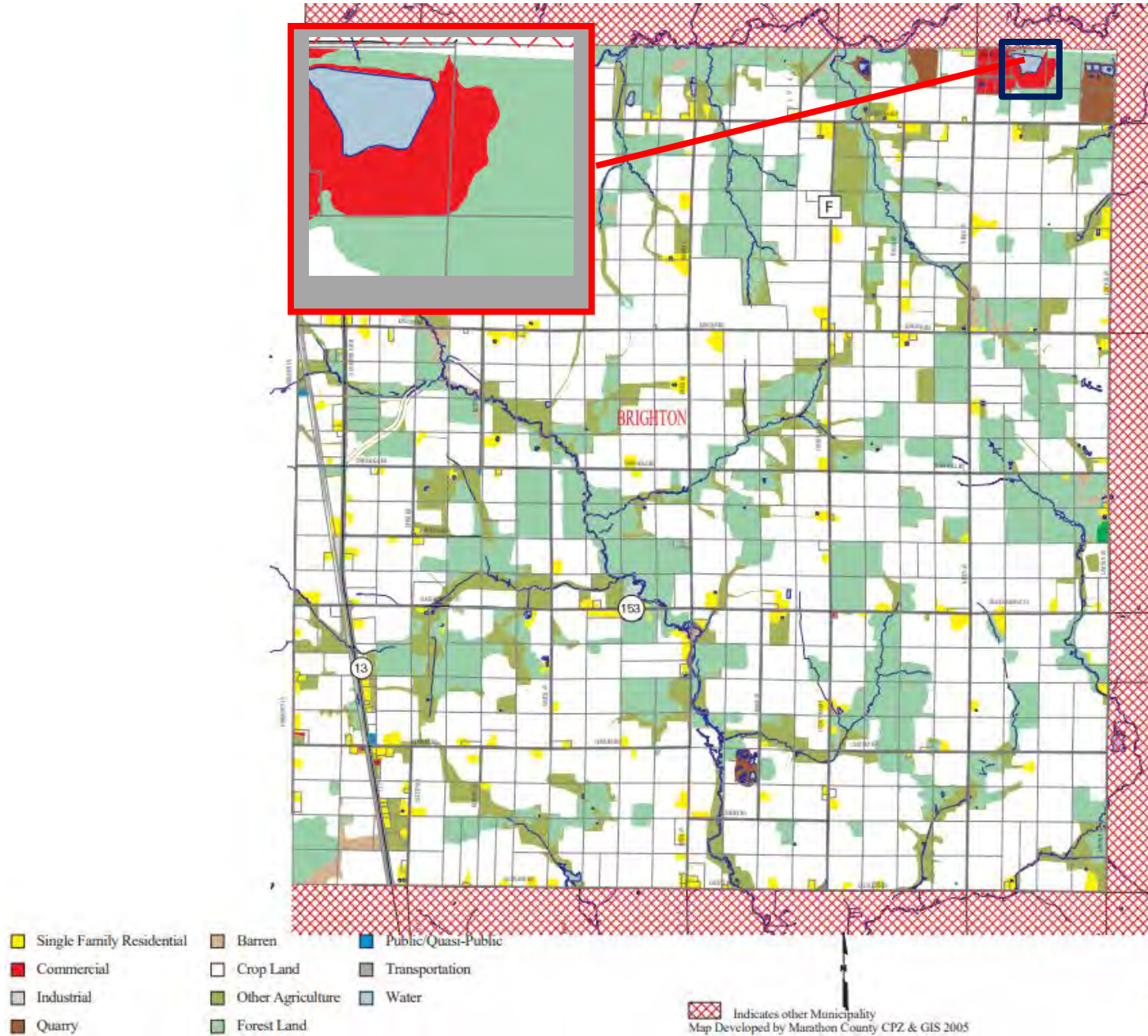


Figure 3-1  
Future Land Use  
BRIGHTON



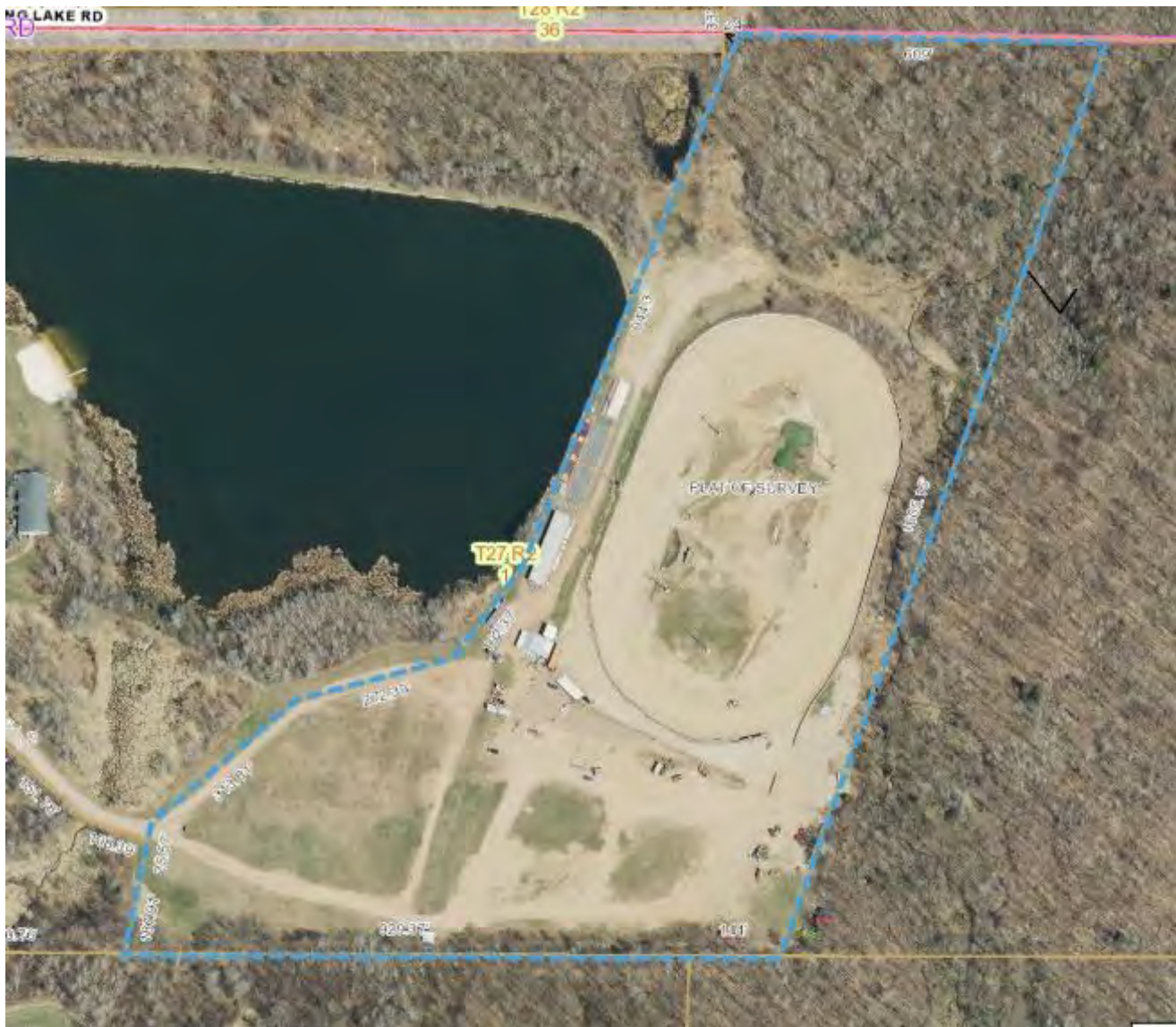
**SPECIFIC PARCEL LIMITATIONS OR NATURAL FEATURES:**

- The proposed site is:
  - **Not** located within mapped floodplain
  - **Not** located within DNR mapped wetlands, or water features (But has some located on property)
  - Located within the shoreland overlay district.

**VIOLATIONS**

There are no known violations on the property.

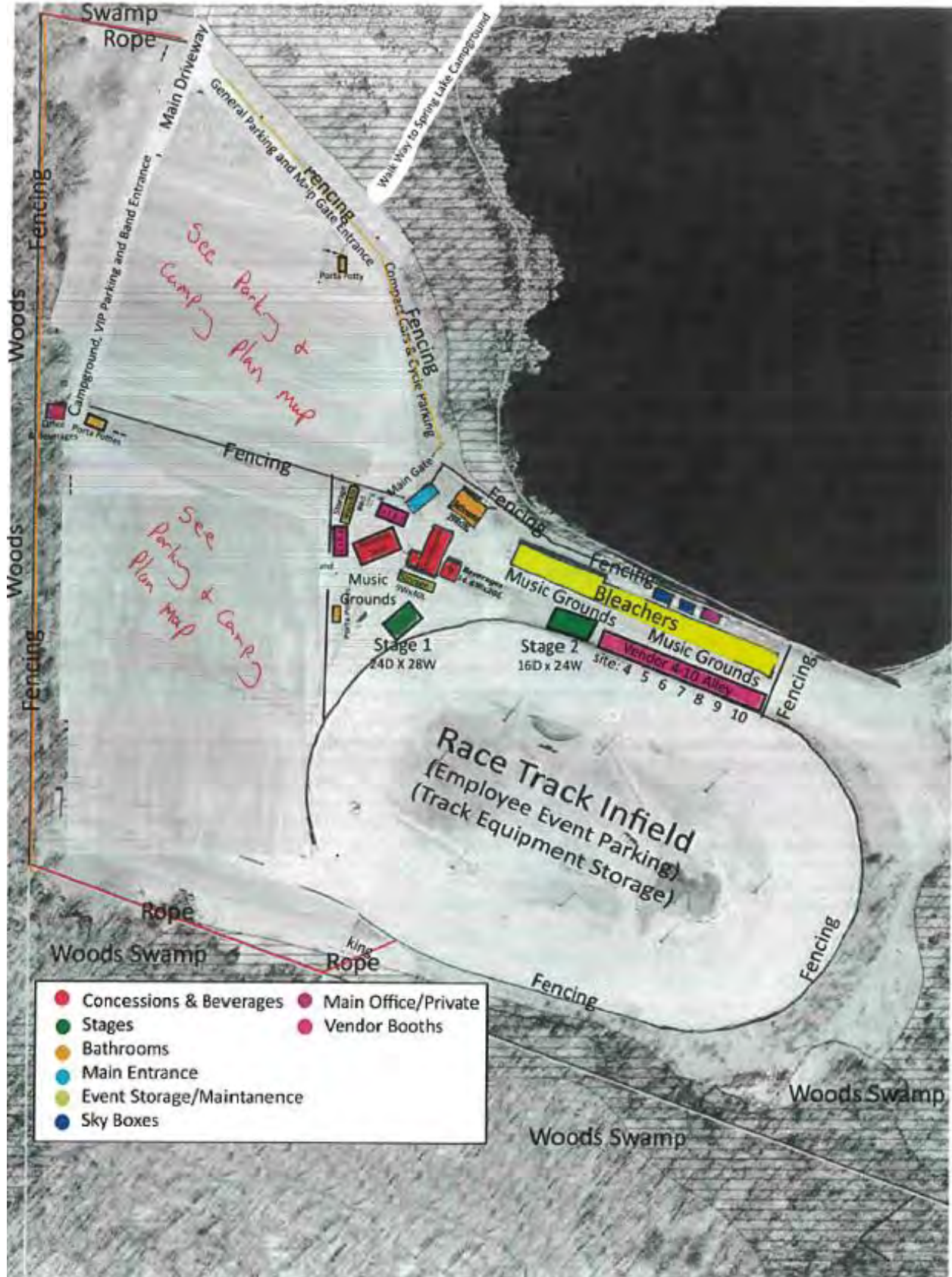
**Aerial Photo**





## General Site Layout

(See parking and camping maps for more details)





**Chapter 17 Sections that apply to this application**

**Table 3. Uses Permitted by District**

USE	P Permitted Use				C Conditional Use			(Blank) Use Not Permitted					
	Residential Districts				Agricultural Districts			Nonresidential Districts					Development Standards
	U-R	L-D-R	R-R	R-E	F-P	G-A	C-V/R-C	N-C	C	B-R	L-Y	H-I	
<b>COMMERCIAL, OFFICE, and SERVICE USES</b>													
Adult Entertainment									C				<a href="#">Section 17.204.35</a>
Bank or Financial Institution								P	P	P			
Bar, Tavern, or Micro-Brewery						C		P	P	P			
Bed and Breakfast			C	C		C		C					<a href="#">Section 17.204.36</a>
Business Service Establishment						C		P	P	P			
Car Wash						C		C	C	C			<a href="#">Section 17.204.37</a>
Drive-Through Facility (Accessory to a principal use)								P	P				<a href="#">Section 17.204.38</a>
Gas Station								C	C				<a href="#">Section 17.204.39</a>
Motel or Hotel								C	C	C			
Office, Research, Professional Services								P	P	P	P	P	
Personal Service Establishment						C		P	P	P			
Gun Ranges					C	C	C						<a href="#">Section 17.204.40</a>
Archery Range					P	P	P						<a href="#">Section 17.204.41</a>
Place of Assembly						C		P	P				<a href="#">Section 17.204.42</a>
Public or Self-Storage						C		P					<a href="#">Section 17.204.42</a>
Recreation, Indoor		C	C	C		C	C	P	P				<a href="#">Section 17.204.43</a>
Recreation, Outdoor		C	C	C		C	C	C	C				<a href="#">Section 17.204.44</a>
Restaurant						C		P	P	P			
Retail Sales (outdoor)						C		C	C				<a href="#">Section 17.204.45</a>
Vehicle Sales, Service, or Rental (New and/or Used)						C		P	P	C	P		<a href="#">Section 17.204.46</a>
Mechanical Equipment Sales and/or Service						C		P	P	C	P		<a href="#">Section 17.204.47</a>
Veterinary Hospital, Clinic, or Office					C	C		P	P	C			<a href="#">Section 17.204.48</a>



## Section 17.204.44 RECREATION, OUTDOOR

An outdoor recreational use is generally operated as a business or non-profit organization. Such facilities may accommodate individual, organized or franchised sports, athletic training and/or recreational amusements. This intensive use, conducted wholly outdoors, may or may not include spectator seating and encompasses a variety of activities including, but not limited to picnic areas, parks, playgrounds, athletic fields, swimming facilities, tennis clubs, golf courses, driving ranges, riding academies, country clubs, paintball courses, tracks for motorized and nonmotorized sports. Such a facility may provide regular organized, franchised and/or charitable events. All facilities and uses permitted pursuant to this section are subject to the following:

- Applicant would like include Music Concerts, Motor Sport Racing, Tractor pulls, Demolition Derbies, Monster Trucks, Flea Markets, Swap Meets, Car shows, Community Fundraising Events under the Outdoor Recreation Conditional Use permit.

A. **General.** All facilities and activities permitted pursuant to this section shall remain in compliance with all applicable standards including the performance standards of Chapter [17.407 and](#) shall meet the following requirements:

1. Natural Barriers. Site locations shall provide natural or man-made barriers that would lessen the effect of intrusion into an area.
  - As seen in the general site layout the property does have wooded areas around most of the parcel. This acts as a natural buffer to reduce intrusion into surrounding areas. In addition, as seen on the General Site Layout, fencing is utilized to mark the event grounds boundaries to help contain event to the designated area.
2. Accessory Uses. Only retail uses which are customarily accessory or incidental to the main recreational use shall be permitted and shall include such uses as refreshment stands, souvenir stands, and concession stands.
  - Per application and supporting materials, sales on the site include concession stands, site merchandise, sales associated with Flea Markets/Swap Meets and vendor sales.
3. Supervision; Nuisance. All activities, programs, and other events shall be adequately and properly supervised so as to prevent any hazard and to assure against any disturbance or nuisance to surrounding properties, residents, or to the community in general.
  - Per application materials, "Security will consist of (1) Head Security, (1) Main Stage Security, (1) Side Stage Security, (1) Front Gate Security, and (3) Roaming Security. We will be staffing 9-11 Security Crew for each 3-day event to rotate through shifts, so they are not fatigued." ... Additional information and supporting documentation in the packet.



## Section 17.407.01 GENERAL PERFORMANCE STANDARDS

All uses and activities established after the effective date of this Zoning Ordinance shall comply with the following standards:

- A. **Vibrations.** No use shall cause earth vibrations or concussions detectable without the aid of instruments beyond its lot lines with the exception of vibration produced as a result of construction or demolition operations.
  - The property even with Concerts or Motorsport Events will not have vibrations past our property lines. All Low and Sub Low frequency will be heard but not felt past our property lines due to locations and angles of our stage. Low frequency do tend to travel further distance than high frequency, but it will not be felt at our property line.
1. Nonmetallic mining operations shall be regulated by the State of Wisconsin, Department of Safety and Professional Services, Chapter SPS 307.
  - There will be no mining of any materials on property.
- B. **Dust, Fumes, Vapors and Gases.**
  1. The emission of dust, dirt, fly ash, fumes, vapors or gases which can cause any damage to human health, animals, vegetation, or property, or which can cause any soiling or staining of persons or property at any point beyond the lot line of the use creating the emission, is prohibited.
    - This property was the home of Monster Hall Speedway, Spring Lake Speedway and SK Speedway. Its last Race was June 17, 2022 and has been a raceway and motorsport facility since early 2000's. We have been working hard to upgrade the property from the condition it was left in.
    - This is a Clay 3/8 mile Oval Track. During a race event the proper watering and maintenance of the track helps contain dust. The track sits well off the property line to contain fumes transmitted from any of the motorsports. Plus there are natural buffers to the North & East and bleachers, trees, 15ft Dam and buildings to the West to help contain dust and fumes. To the South the steep bank of the track and sits about 400' from the South Property Line.
    - The Track is at a lower elevation than the rest of the landscape on the property to help contain dust and fumes.
    - The road leading into the property is gravel and in the past years Spring Lake Campground Paid for the Town of Brighton to lay dust control on the roads. We are in agreement with Owners of Spring Lake Campground and have offered to pay for ½ the fee for dust control to be laid on the road leading past Spring Lake Campground and into Monster Hall Event Grounds at the convenience of the township.
- C. **Heat.** No use shall produce heat detectable without the aid of instruments beyond its lot lines.
  - There is no event that will give off any extensive heat that can be detected at the property lines. Even if we have a Motorsport Event at the track, it sits down in a bowl style layout and is well off the property line. No detectable heat.





- D. **Glare.** No use shall produce a strong, intense light or a reflection thereof beyond its lot lines.
- Track lighting is angled downward towards the corners and straight aways of the track. Bleachers and natural lines also aid in a buffer. Lighting from concerts are also buffered from property lines by the strategically placing of the stages. One stage faces the South and sits at a lower elevation than landscape around it and is buffered by bleacher and buildings to assist in containing lights and sound. That stage faces south and sits about 400ft from South property line. Stage 2 faces our large bleachers and is positioned to have lights and sound buffered by the size and height of the bleachers. Plus there is a natural tree line which is even higher than the bleachers.
- E. **Storage and Waste Disposal in Industrial Districts.**
- No highly flammable or explosive liquids, solids or gases shall be stored in bulk above the ground, except tanks or drums of fuel directly connected with energy devices or heating appliances located and operated on the same lot as the tanks or drums of fuel.
  - All outdoor storage facilities for fuel, raw materials and products, and all fuel, raw materials and products stored outdoors, shall be enclosed by an approved safety fence.
  - No materials or wastes shall be deposited upon a lot in such form or manner that they may be transported off the lot by natural causes or forces, nor shall any substance which can contaminate a stream or watercourse or otherwise render such stream or watercourse undesirable as a source of water supply or recreation, or which will destroy aquatic life, be allowed to enter any stream or watercourse.
- E Does not apply as this is not an Industrial District.

**Table 3. Uses Permitted by District**

USE	P Permitted Use				C Conditional Use			(Blank) Use Not Permitted				
	Residential Districts				Agricultural Districts			Nonresidential Districts				Development Standards
	U-R	L-D-R	R-R	R-E	F-P	G-A	C-V/R-C	N-C	C	B-R	L-I	
<b>COMMUNITY, CIVIC, and INSTITUTIONAL USES</b>												
Campgrounds and Recreational Vehicle Parks						C	C					<a href="#">Section 17.204.24</a>

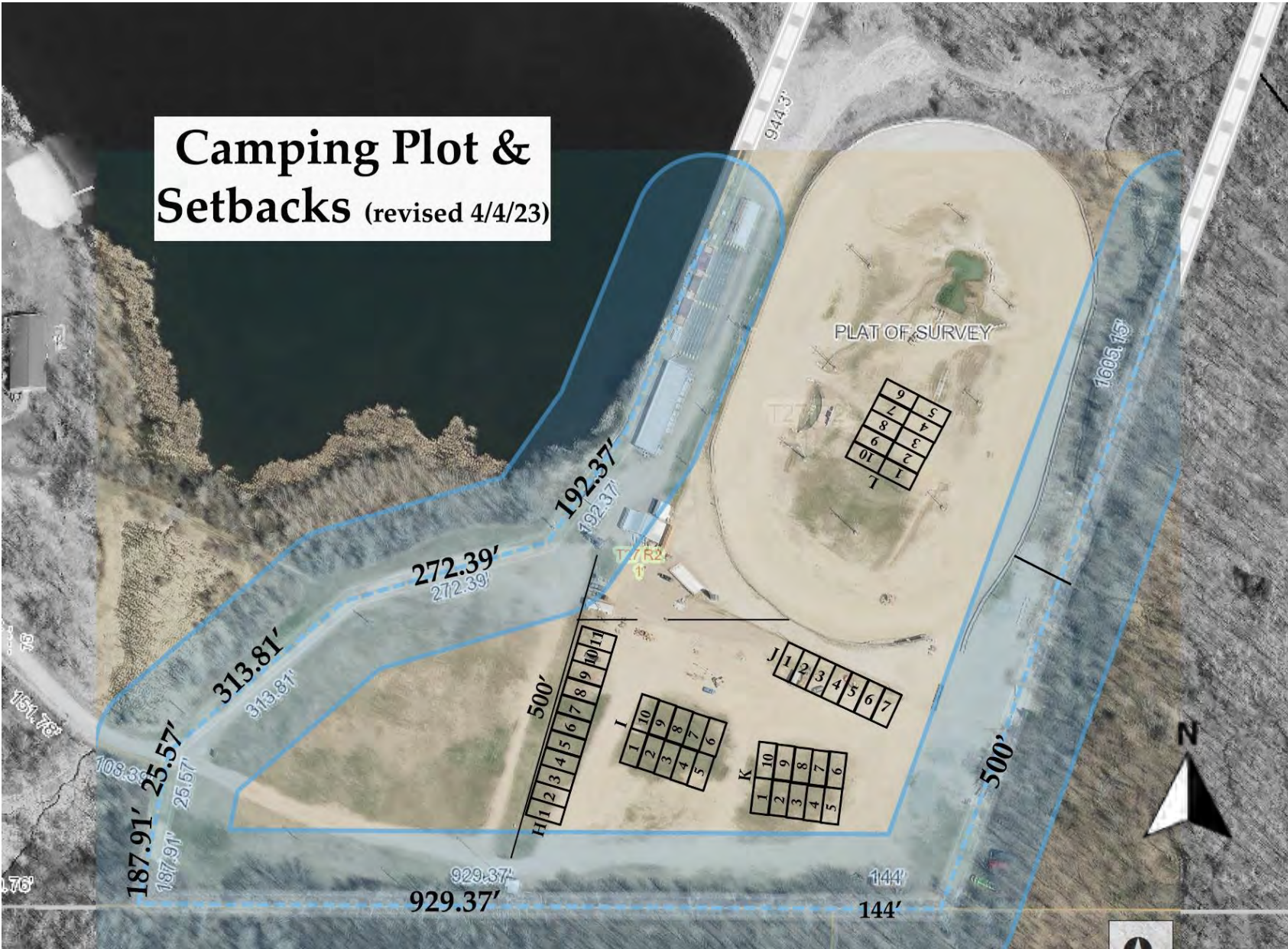


## Section 17.204.24 CAMPGROUNDS AND RECREATIONAL VEHICLE PARKS

- A. **Campgrounds.** Campgrounds which provide sites for primitive camping, tent camping, and camping trailers shall not contain a total number of campsites that exceed eight campsites per acre, excluding any acreage located in the shoreland setback area, floodplain or wetlands. Publicly or privately owned and/or operated campgrounds, summer camps and group accommodations are subject to the following:
1. Property Line Setback. All structures and activity areas, except off-street parking area, shall be located at least 100 feet from all property lines.
    - Per camping site plan all camp sites will be positioned at least 100ft from property line (blue buffer indicates 100ft buffer)
  2. Ingress/Egress Separation. All points of entrance or exit shall be located no closer than 200 feet from the intersection of two major thoroughfares and/or no closer than 200 feet from the intersection of a major thoroughfare and a collector street.
    - Camping areas are greater than 200ft from any intersection.
  3. Natural Buffers Preferred. Site locations should be preferred that offer natural or man-made barriers that would lessen the effect of intrusion into the area.
    - Campground is partially surrounded by woodlands, additionally fences are in place to help contain activities onsite.
  4. Accessory Uses. Only retail uses which are customarily accessory or incidental to the main recreational use shall be permitted as part of the campground. Permitted retail uses are refreshment stands, souvenir stands, concession stands, park office, and the limited sale of groceries when the customers are primarily the campers using the park.
    - Retail sales will be consistent with the main event on site. Which will include things like Concession stand, Site Merchandise, Vendor sales, Flea market/ Swap Meet Items, etc.).
  5. Minimum Lot Area. A minimum lot area of 20 acres shall be required.
    - Lot acreage is 26.5 acres.
  6. Supervision; Nuisance. All activities, programs, and other events shall be adequately and properly supervised so as to prevent any hazard and to assure against any disturbance or nuisance to surrounding properties, residents, or to the community in general.
    - 1-2 staff members will be tasked monitor campsites.
  7. State Rules. All campground uses shall comply with applicable state regulations.
    - Campsites will only be associated with events that will be happening on the grounds and would qualify for the state exemption for special event camping. Applicant would still need to obtain a Special Event Camping permit from the Marathon County Health Department.



Site Plans  
Events With Camping (100ft Buffer)





## Section 17.502.02 MINIMUM NUMBER OF REQUIRED PARKING SPACES

Table 1: Minimum Parking Requirements

USE	MINIMUM REQUIRED OFF-STREET PARKING SPACES
Default Parking Requirement	
Agricultural Uses*	No minimum parking required
Residential Uses*	2 spaces per dwelling unit
Community, Civic, and Institution Uses*	1 space per 3 persons permitted at maximum occupancy
Industrial and Extraction Uses*	1 space per 750 sq. ft. of shop floor or manufacturing floor area, plus 1 space per 300 sq. ft. of office area.

Parallel parking spaces must be 9 feet wide by 23 feet long. With a 12-foot one way travel route.

### Parking Calculations

- Proposed Maximum Occupancy of Event Grounds: 2999 Persons
- Default Parking (as seen above): 1 Space Per 3 persons.
- **2999 persons/3 persons= 1000 Parking spaces (Rounded)**

### Applicant Parking Proposal

Would like to decrease parking requirement from 1000 parking spots to 700 Parking spots. See Parking Site Plans below for more details.

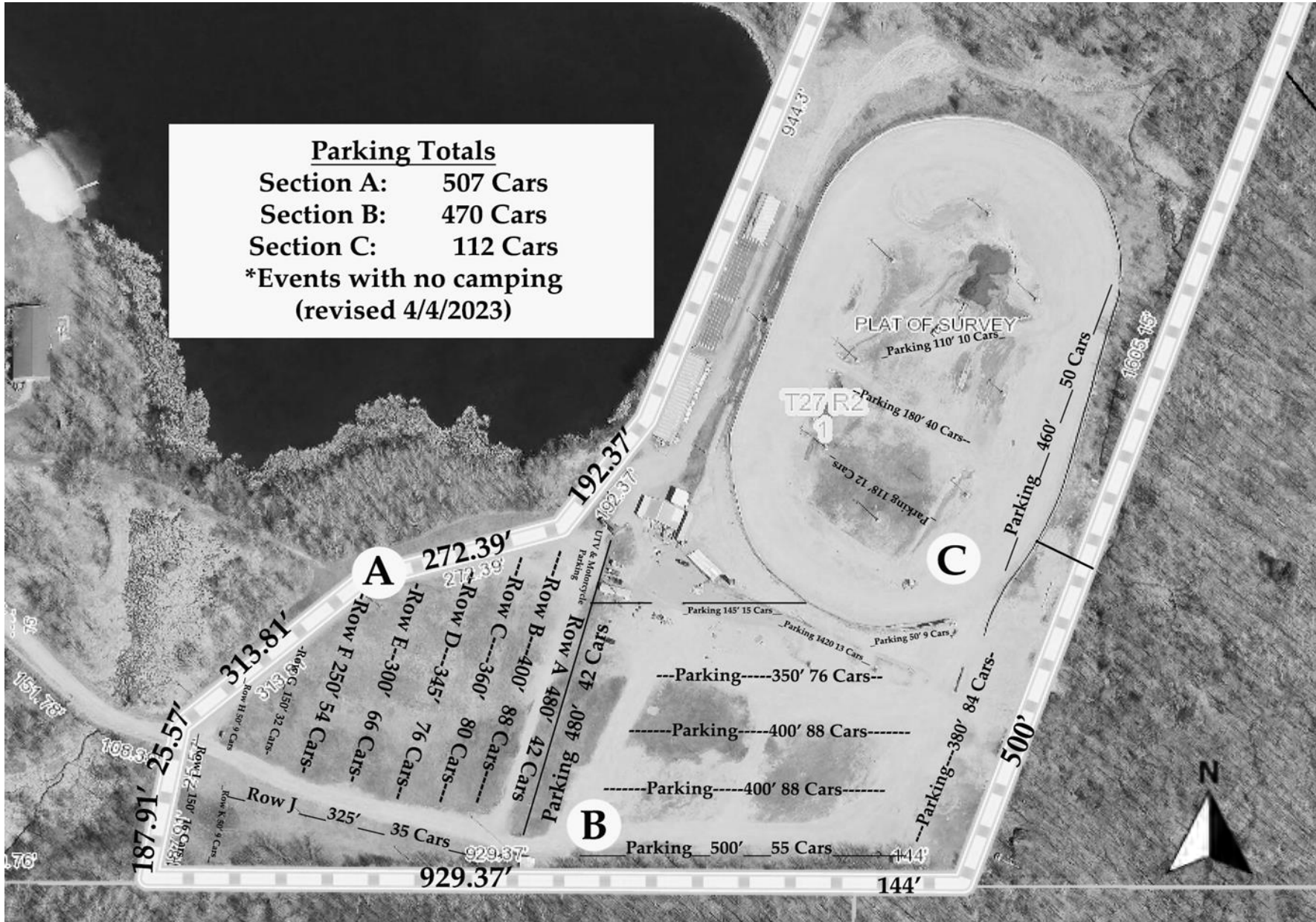
- **Request 300 spaces less than the code required amount.**







## Events Without Camping (1089)





## Chapter 17.803

## Conditional Use Permits

### Section 17.803.01 PURPOSE AND AUTHORITY

A. **Purpose.** Certain uses are of such a nature, or their effects are as dependent upon specific circumstances as to make impractical the determination in advance of where and when and under what conditions they should be permitted. Provision has been made in this chapter for the determination of such uses as conditional uses. Conditional uses are land uses listed as such in [Table 3 Uses Permitted by District](#). They may be established in such district only upon approval by the Board of Adjustment.

The procedures and standards in this Chapter are intended to provide a consistent and uniform method for review of conditional use permit proposals. These review procedures and standards are intended to accomplish the following purposes:

1. Ensure full compliance with the standards contained in this ordinance and other applicable local ordinances, and state and federal laws.
2. Achieve efficient use of the land.
3. Prevent adverse impact on adjoining or nearby properties.
4. Protect natural resources.
5. Facilitate development in accordance with the County's land use objectives per the Comprehensive Plan.

### Section 17.803.02

### APPLICATION PROCEDURES

I. **Board of Adjustment Determination.** The Board of Adjustment shall review the application for conditional use, together with the previous meetings' findings and reports and recommendations from the Zoning Administrator, public safety officials, and other reviewing agencies. The Board of Adjustment shall then make a determination on the conditional use application, as set forth in Section [17.803.03](#) and based on the Substantial Evidence, other requirements and standards of this ordinance. The Board of Adjustment may approve, approve with conditions, or deny a conditional use request as follows:

1. **Approval.** Upon determination by the Board of Adjustment that the final plan for conditional use is in compliance with the standards and requirements of this ordinance and other applicable ordinances and laws, approval shall be granted.
2. **Approval with Conditions.** The Board of Adjustment may impose reasonable conditions with the approval of a conditional use proposal, to the extent authorized by law. Conditions imposed shall meet all of the following requirements:
  - a. Conditions must be to the extent of practical and measurable
  - b. Conditions shall be designed to protect natural resources, the health, safety, and welfare and the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.





- c. Conditions shall be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
  - d. Conditions shall be necessary to meet the intent and purpose of this ordinance, related to the standards established in this ordinance for the land use or activity under consideration, and necessary to insure compliance with those standards. These conditions may include, but are not limited to the following:
    - 1) Permit duration, transfer or renewal
    - 2) Setback and yard dimensions.
    - 3) Specified sewage disposal and water supply facilities.
    - 4) Landscaping and planting screens.
    - 5) Operational controls.
    - 6) Sureties.
    - 7) Deed restrictions.
    - 8) Location of structures, docks, piers or signs.
    - 9) Location and amount of parking facilities.
    - 10) Type of construction.
    - 11) The obtaining of other permits required by the state or federal government agencies, and other county requirements based upon other ordinances as conditions that must be met before issuance of such permit.
3. **Denial.** Upon determination by the Board of Adjustment that a conditional use proposal does not comply with the spirit or intent or standards and regulations set forth in this ordinance, or would constitute a nuisance by reason of noise, dust, smoke, odor, or other similar factors, or otherwise would be injurious to the public health, safety, welfare, and orderly development of the county, the conditional use proposal shall be denied.

## Section 17.803.03

## BASIS OF DETERMINATION

- A. **Conformance with Requirements.** The applicant shall be required to establish by clear and convincing evidence that the applicable standards of this Chapter, the specific standards pertinent to each conditional use, including site plan review criteria set forth for applicable site development standards for specific uses set forth elsewhere in this Chapter (refer to Chapter [17.204](#), Development Standards for Specific Uses) have been met.
- B. **General Standards.** The Board of Adjustment shall review the particular facts and circumstances of each proposed conditional use in terms of the following standards:
1. **Compatibility with Adjacent Uses.** The proposed conditional use shall be designed, constructed, operated and maintained to be compatible with uses on surrounding land. The site design shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met, consideration shall be given to:
    - a. The location and screening of vehicular circulation and parking areas in relation to surrounding development.
    - b. The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.
    - c. The hours of operation of the proposed use. Approval of a conditional use may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses.
    - d. The bulk, placement, and materials of construction of the proposed use in relation to surrounding uses.



2. Comprehensive Plan. The proposed conditional use will be harmonious with and in accordance with the general objectives or with any specific objective of the town and county comprehensive plan.
3. Compliance with Applicable Regulations. The proposed conditional use shall be in compliance with all applicable federal, state, and local laws and ordinances.
4. Use of Adjacent Property. The proposed conditional use shall not interfere with the use and enjoyment of adjacent property.
5. Public Services. The proposed conditional use will be served adequately by essential public facilities and services including but not necessarily limited to utilities, highways, streets, police and fire protection, drainage structures, refuse disposal, and school(s); unless the project proposal contains an acceptable plan for providing necessary services or evidence that such services will be available by the time the conditional use is completed.
6. Impact of Traffic. The location of the proposed conditional use shall, within the zoning district, minimize the impact of traffic generated by the proposed use. In determining whether this requirement has been met, consideration shall be given to the following:
  - a. Proximity and access to major thoroughfares.
  - b. Estimated traffic generated by the proposed use.
  - c. Proximity and relation to intersections.
  - d. Adequacy of driver sight distances.
  - e. Location of and access to off-street parking.
  - f. Required vehicular turning movements.
  - g. Provision of pedestrian traffic (if applicable).
7. Enhancement of Surrounding Environment. The proposed conditional use shall provide the maximum feasible enhancement of the surrounding environment and shall not unreasonably interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value. In determining whether this requirement has been met, consideration shall be given to:
  - a. The provision of landscaping and other site amenities. Provision of additional landscaping over and above the specific requirements of this Ordinance may be required as a condition of approval of a conditional use.
  - b. The bulk, placement, and materials of construction of proposed structures in relation to surrounding uses.
8. Impact on Public Health, Safety, and Welfare. The proposed conditional use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be located or designed in a manner that is detrimental to public health, safety, and welfare. In determining whether this requirement has been met, consideration shall be given to the production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, light, and environmental impact.
9. Isolation of Existing Uses. The location of the proposed conditional use shall not result in a small residential area being substantially surrounded by non-residential development, and further, the location of the proposed conditional use shall not result in a small non-residential area being substantially surrounded by incompatible uses.
10. Substantial Evidence. Substantial evidence means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions.



## Summary of Applicants Request Requests

- **Outdoor Recreation Facility** for the purposes of hosting Music Concerts, Motor Sport Racing, Tractor Pulls, Demolition Derbies, Monster Trucks, Flea Markets, Swap Meets, Car Shows, Community Fundraising Events.
- **Primitive Camping** to be offered only during select events throughout the year (materials state only 3 multi-day camping events per year).
- **Parking Standard Reduction** Applicant wishes to reduce parking requirement from 1000 off street parking spaces to 700 off street parking spaces (300 Space difference).
- **Hours of Operations Requested**
  - Stock Car Race Events 5:00pm- 11:00pm
  - Eve of Destruction 11:00am- 9:00pm
  - Tractor Pulls 11:00am-9:00pm
  - Car Show/Swap Meet/Flea Market 9:00am-10:00pm
  - Music Fest 12:00pm-1:00am (Beer sales ending at 12:00am Per class B Fermented Malt Beverage Retailer License)



## **RECOMMENDATIONS FOR THE CUP**

The Board of Adjustment should specify in their decision (and subsequently the letter that is issued to the applicant)

If granted, the CUP should consider addressing and/or adding the following conditions:

- Specify Hours of Operation (example 8:00am- 11:00pm)
- Specify Parking Space Requirement
- Clarify **Expiration** of Conditional Use Permit
  - Recommend 5 years and or change of ownership.
- Emergency Action Plan (creation and submittal to County, Town, Local EMS)
- Camping shall only be accessory to events held on-site (strongly recommend this is in CUP).
- Ingress Egress shall be maintained to provide safe adequate access to events and surrounding property owners (Strongly Recommended).
- Ingress Egress traffic speed shall be controlled to ensure public safety.
- Shall obtain all necessary permits from Federal, State and Local regulators.

## **TOWN RECOMMENDATION:**

The **Town of Brighton** Town Boards Recommend **Approval** to Marathon County's Board of Adjustments.

### **Town Comments**

- Brighton Town Board would have preferred to see how well the 3 scheduled events in 2023 go before extending this to many more events in future years. Plans provided with request look appropriate and Brighton Town board expects thorough attention to the details to meet needs of neighbors and Town.

THE STAFF RESERVE THE RIGHT TO AMEND THIS REPORT BASED ON NEW EVIDENCE PRESENTED PRIOR TO AND/OR DURING THE PUBLIC HEARING.

DECISIONS OF THE BOARD ARE SUBJECT TO APPEAL AS PROVIDED IN SS.59.694(10) WIS. STATS.

RESPECTFULLY SUBMITTED:

A handwritten signature in black ink, appearing to be "Shed H.", written over a horizontal line.

SIGNATURE

05/10/2023

DATE