

September 28, 2023
9:00 a.m.

500 Forest St, Wausau WI

MINUTES

MARATHON COUNTY BOARD OF ADJUSTMENT

Members present in person: Pat Schreiner, Richard Lawson, Mike Ritter, Carolyn Opitz, Kerry Brimmer

Members present via WebEx / phone: **None**

Members not present: Jim Servi, Tom Seubert

Also present remotely via phone / WEBEX or in person: Shad Harvey, Garrett Pagel, Laurie Miskimins, Conservation, Planning & Zoning; Deb Derfus, Town of McMillan, Erlan Wenzel

Called to order at 9:00 a.m., 500 Forest St, Wausau by Chair Pat Schreiner, who explained the **rules of the hearing** and the reason for the establishment of the Board of Adjustment.

1. **Approve July 27, 2023, minutes – Motion** / second by Lawson/Ritter to approve the July 27, 2023, minutes as distributed. Motion **carried** by voice vote, no dissent.
2. **The application** of Erlan and Tammy Wenzel for a conditional use permit per Section 17.204.07 of the General Zoning Code of Ordinances under Marathon County Chapter 17 Zoning code to operate a Kennel and Pet Boarding Facility in the R-E Rural Estate district, located in part of the Northwest ¼ of the Southwest ¼, Section 16, Township 26 North, Range 3 East, Town of McMillan; Pin # 056.2603.163.0975 with a site address of 205303 County Road E, Marshfield, WI 54449.

Harvey was sworn in and asked the Board to use the determination worksheets in their decisions and cited the provisions of law which apply. Harvey reviewed the staff report and discussed Ordinance Section 17.204.07 for the purpose of operating a Kennel and Pet Boarding Facility in R-E Rural Estate District. Harvey reviewed the sections of Chapter 17 that apply to this request and the information shared by the applicant to address the questions that apply. Harvey stated the Town of McMillan gave their approval to the petition at their July 10th, 2023, meeting. Erlan Wenzel is currently the constable for the Town of McMillan.

Questions arose regarding the details of the kennel facility. Staff answered the Board's questions or directed them to clarify with applicant.

Erlan Wenzel - 205303 County Road E, Marshfield, WI - was sworn. Wenzel stated there are currently no dogs at the facility. He stated there will be 8 kennels, and 4-6 dogs will be boarded monthly. The kennel relies solely on word-of-mouth marketing and does not advertise. Wenzel stated that the garage disposal service appropriately disposes of the dog waste. Stray cats are occasionally kept briefly at the site, but more commonly are transported to a Marshfield Animal intake center and not kept at this facility.

Deb Derfus (Town of McMillan Chairman) – 113133 Roman Rd, Marshfield, WI - was sworn in. Derfus stated the Town of McMillan may use other facilities in the future if Mr. Wenzel does not stay the town constable, but they have no concerns with the CUP.

There was no additional testimony in favor, opposed, or as interest may appear via in person, or virtually. Testimony portion of the hearing closed at 9:35 am.

Motion/second by Lawson/ Ritter to **grant** the conditional use permit with conditions for Erlan and Tammy Wenzel as requested. The conditions are as follows:

1. Permit shall expire if a change of ownership occurs.
2. All other required federal, state, and local permits and approvals shall be obtained and followed.

The Board deliberated and completed the *Conclusion of Law and Decision Sheet*.

Motion **carried** 4 yes, 0 no, 1 abstain. Roll call vote.

3. **The application** of Elvin Schrock for a conditional use permit per Section 17.204.57 of the General Zoning Code of Ordinances under Marathon County Chapter 17 Zoning Code to operate a Major Home Occupation/Home Professional Business of a mechanic and vehicle sales in the FP Farm Preservation District, located in part of the Northwest ¼ of the Southwest ¼, Section 12, Township 28 North, Range 2 East Town of Hull; Pin # 044.2802.123.0992 with the site address of 226153 County Road F, Colby, WI 54421.

Harvey was sworn in and asked the Board to use the determination worksheets in their decisions and cited the provisions of law which apply. Harvey reviewed the staff report and discussed Ordinance Section 17.204.57 for the purpose of operating a Major Home Occupation/Home Professional Business of a mechanic and vehicle sales in the FP Farm Preservation District. Harvey reviewed the sections of Chapter 17 that apply to this request and the information shared by the applicant to address the questions that apply. Harvey stated the Town of Hull gave their approval to the petition at their September 17th, 2023, meeting. Harvey presented the centerline setbacks and explained the WDNRs regulation on non-domestic waste.

Elvin Schrock – 226153 County Road F, Colby WI - was sworn in. Schrock asked for clarification on the centerline setbacks. Schrock explained there will be no car washing will take place in the shop, and there currently is not water in the building. Schrock indicated he has yet to explore the septic system options.

There was no additional testimony in favor, opposed, or as interest may appear via in person, or virtually. Testimony portion of the hearing closed at 10:12 am.

Motion/second by Brimmer/Ritter to **grant** the conditional use permit with conditions for Elvin Schrock as requested. The conditions are as follows:

1. Permit shall expire if there is a change of ownership.
2. Hours of operation shall be between 7:00 AM-5:00 PM.
3. Floor drains redirected into DNR approved holding tank (or written correspondence from WDNR stating holding tank is not needed).
4. Proper septic system be installed if a septic system is required for waste.
5. Applicant is allowed to park vehicles for display up to but not encroaching into the road right of way of County Rd F. (42 feet from the centerline)
6. All other required federal, state, and local permits and approvals shall be obtained and followed.

The Board deliberated and completed the *Conclusion of Law and Decision Sheet*. Brimmer expressed concerns regarding the holding tank required by the DNR.

Motion **carried** 5 yes, 0 no, no abstain. Roll call vote.

4. Board Reappointments – None

5. Board education and training as needed - None

6. Announcements and Requests

- a. 2024 BOA Dates Discussed

Motion/ Second by Brimmer/ Opitz to adopt the 2024 BOA Meeting dates as presented. –
Motion **carried** by voice vote, no dissent.

7. Next meeting date – November 16, 2023, at 9:00 a.m., **TO BE HELD AT: 210 River Drive, Wausau WI 54403**

8. Meeting adjourned – **Motion/second** by Opitz/Brimmer to adjourn the meeting at 10:33 a.m.

Motion **carried**.
by voice vote, no dissent.

Respectfully submitted,
Carolyn Opitz, Secretary
Marathon County Board of Adjustment

cc: Board of Adjustment (6), County Clerk, Town Clerk

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