

May 23, 2024
9:00 a.m.

500 Forest St, Wausau WI

MINUTES

MARATHON COUNTY BOARD OF ADJUSTMENT

Members present in person: Pat Schreiner, Richard Lawson, Carolyn Opitz, Mike Ritter, Tom Seubert

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

Members not present: Jim Servi, Kerry Brimmer

Also present remotely via phone / WEBEX or in person: Shad Harvey, Garrett Pagel, Nicole Delonay, Laurie Miskimins, Conservation, Planning & Zoning; Mike Puerner, Corporation Counsel; Greg Szemborski, Kevin Behnke, Edgar Steam Show; Al Drabek, Marcus Nolt, Mark Matthiae, John Wagman

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 April 25, 2024, minutes** – **Motion** / second by Opitz/ Lawson to approve the April 25th, 2024, minutes as distributed. Motion **carried** by voice vote, no dissent.
2. **The application** of Marcus Nolt for a conditional use permit per section 17.204.46 of the General Zoning Code of Ordinances under Marathon County Chapter 17-Zoning Code for vehicle sales, service, or rental (new and or used) in the G-A General Agriculture zoning district, located in part of the Southwest ¼ of the Southwest ¼, Section 10, Township 28 North, Range 3 East, Town of Frankfort; Pin # 026.2803.103.0994. Property address 114256 Huckleberry Road, Edgar, WI 54426.
Pagel was sworn in and asked the Board to use the determination worksheets in their decisions and cited the provisions of law which apply. Pagel reviewed the staff report and discussed Ordinance Section 17.204.46 for the purpose of vehicle sales, service, or rental (new and used) in the G-A General Agriculture zoning district. Pagel reviewed the sections of Chapter 17 that apply to this request and the information shared by the applicant to address the questions that apply. Pagel stated the Town of Frankfort gave their approval to the petition at their April 8th, 2024, meeting.
Lawson questioned the owner of the property and who will be operating the business.
Shad Harvey was sworn in and gave a summary of how the board should consider an expiration date that could be applied to a permit. Harvey also notified the board that the sanitary permit was issued in November of 2023 and applicant has plans to install the system.
Marcus Nolt was sworn in and indicated that his son will be temporarily using this property to run the business that is brought forth to the board. Nolt noted the preexisting bay that will be used for this will be 25' by 50'. Nolt indicated they are waiting on the plumber to install the system with intentions to install before the end of 2024. Nolt also noted that they farm most of the surrounding area and use the preexisting shop to house farm equipment. Nolt suspects no more than 6 cars will be on the property at one time, that is relevant to this operation.

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 9:26 am.

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

Motion/second by Seubert/Ritter to **grant** the conditional use permit with conditions for Marcus Nolt as requested. The conditions are as follows:

1. All other required federal, state, and local permits and approvals shall be obtained and followed.
2. CUP expires upon change of ownership.
3. No more than 6 cars on the property at a time, that pertain to the business use on the property.
4. The sanitary system to be installed by December 31st, 2024.

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

3. **The application** of N. Central WI Antique Steam and Gas Engine Club for a conditional use permit per section 17.204.44 of the General Zoning Code of Ordinances under Marathon County Chapter 17-Zoning Code for Recreation Private, Outdoor, and Section 17.204.49 Place of Assembly in the G-A General Agriculture zoning district, located in part of the Northwest ¼ of

the Northwest ¼, Section 23, Township 28 North, Range 4 East, and part of the Southwest ¼ of the Northwest ¼ Section 23, Township 28 North, Range 4 East Town of Wien; Pin # 084-2804-232-0993. Property address 223755 Steam Hill Drive, Edgar, WI 54426

Pagel was sworn in and asked the Board to use the determination worksheets in their decisions and cited the provisions of law which apply. Pagel reviewed the staff report and discussed Ordinance Section 17.204.44 for Recreation, Private, Outdoor, and Section 17.204.49 Place of Assembly in the G-A General Agriculture Zoning District. Pagel reviewed the sections of Chapter 17 that apply to this request and the information shared by the applicant to address the questions that apply. Pagel stated the Town of Wien gave their approval to the petition at their April 8th, 2024, meeting.

Greg Szemborski was sworn in and stated that he is the president of the N. Central Steam and Engine Club. The N. Central Steam and Engine Club are looking to obtain this CUP to host more events to help raise funds. Szemborski gave a summary of the hours of operation during the Gas and Steam Engine event. Szemborski also provided possible event ideas that have been discussed at their committee meeting.

The board questioned the house on the property and the use of the rented property to the south.

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 10:00 am.

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

Motion/second by Ritter/ Seubert to **grant** the conditional use permit with conditions for N. Central WI Antique Steam and Gas Engine Club as requested. The conditions are as follows:

1. The hours of operation should be: 6am – 12AM (Midnight)
2. Maximum of 3 large events per calendar year.
3. Continue the screening/fencing as previously shown in prior special event permitting through CPZ, provided the residence is occupied by anyone.
4. Maximum occupancy is governed by parking limitations.
5. All other required federal, state, and local permits and approvals shall be obtained and followed.

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

4. **The application** of Matthiae Properties, 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 for Recreation Private, Outdoor, Section 17.204.43 Recreation, Private, Indoor and Section 17.204.49 Place of Assembly in the G-A General Agriculture zoning district, located in part of the Northwest ¼ of the Northeast ¼, Section 31, Township 26 North, Range 7 East, Town of Knowlton; Pin # 048-2607-311-0997. Property address 201360 Saint Johns Road, Mosinee, WI 54455

Pagel was sworn in and asked the Board to use the determination worksheets in their decisions and cited the provisions of law which apply. Pagel reviewed the staff report and discussed Chapter 17-Zoning Code for Recreation Private, Outdoor, Section 17.204.43 Recreation, Private, Indoor and Section 17.204.49 Place of Assembly in the G-A General Agriculture zoning district. Pagel reviewed the sections of Chapter 17 that apply to this request and the information shared by the applicant to address the questions that apply. Pagel stated the Town of Knowlton gave their approval to the petition at their May 13th, 2024, meeting.

Lawson questioned the parking situation and questioned the projects relation to the Towns Comprehensive Plan.

Mark Matthiae was sworn in and is the owner of the property. Matthiae indicated that this project was started to give back to children in the community.

John Wagman was sworn in and is the Attorney representing the Matthiae case. Wagman provided Exhibit 1 to the board and also provided photos (Exhibit 2-16) and gave a brief description of what the board is being shown in each photo.

Matthiae explained the berm that is currently in the process of being placed in the property in front of the garage building and is intended to be densely vegetated for screening from Saint Johns Rd.

Wagman noted that the parking is designed for one way traffic and 152 parking spaces. This space is for charitable use.

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 10:43 am.

10:47am the hearing was reopened to discuss the hours of operation.

10:54am the hearing was closed again.

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

Motion/second by Lawson/Seubert to **grant** the conditional use permit with conditions for Matthiae Properties, LLC as requested. The conditions are as follows:

1. Permit holder will address future complaints and/or incidents in the consultation with CPZ.
2. No parking will be allowed on Saint Johns Road.
3. CUP shall expire upon change of ownership.
4. Hours of operation shall be from sunrise to midnight.
5. Building lights to be modified to not cause a nuisance to nearby homes.
6. Natural Screening be added in front of the building along Saint Johns Rd.
7. Allow two signs to be placed on the property and reduce sign setback to 2 ft off the road right away.
8. All other required federal, state, and local permits and approvals shall be obtained and followed.

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

5. **Board Reappointments** – Pat Schreiner will be up for reappointment at the end of June.

6. **Board education and training as needed - None**

7. **Announcements and Requests** – No meeting will be held in June.

8. **Next meeting date** – To be Determined.

9. **Meeting adjourned** – **Motion/second** by Seubert/ Ritter to adjourn the meeting at 10:58 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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