



**MARATHON COUNTY  
ENVIRONMENTAL RESOURCES COMMITTEE  
AGENDA**

**Date & Time of Meeting: Tuesday, June 1, 2021 at 3:00 p.m.**

**Meeting Location: WebEx/Courthouse Assembly Room, B-105, 500 Forest Street, Wausau WI**

**Committee Members:** Jacob Langenhahn - Chair ; Sara Guild, -Vice-chair; Rick Seefeldt, Allen Drabek, Bill Conway, Randy Fifrick, Arnold Schlei, Dave Oberbeck, Eric Vogel - FSA Member, Marilyn Bhend – WI Towns & Villages Association (non-voting member)

**Marathon County Mission Statement:** *Marathon County Government serves people by leading, coordinating, and providing county, regional, and statewide initiatives. It directly or in cooperation with other public and private partners provides services and creates opportunities that make Marathon County and the surrounding area a preferred place to live, work, visit, and do business. (Last updated 12-20-05).*

**Environmental Resources Committee Mission Statement:** *Provide leadership for the implementation of the County Strategic Plan, monitoring outcomes, reviewing and recommending to the County Board policies related to environmental resource initiatives of Marathon County. (Revised: 04/17/12)*

*Strategic Plan Goals 2018 - 2022: Objective 5.2 - Promote sound land use decisions that conserve and preserve natural resources in decisions with economic development and growth.*

*Objective 6.3 - Protect and enhance the quantity and quality of potable groundwater and potable surface water supplies.*

The meeting site identified above will be open to the public. However, due to the COVID-19 pandemic and associated public health directives, Marathon County encourages (Committee/Board/Commission) members and the public to attend this meeting remotely. To this end, instead of attendance in person, (Committee/Board/Commission) members and the public may attend this meeting by telephone conference. If (Committee/Board/Commission) members or members of the public cannot attend remotely, Marathon County requests that appropriate safety measures, including adequate social distancing, be utilized by all in-person attendees. Persons wishing to attend the meeting by phone may call into the **telephone conference ten (10) minutes prior to the start time indicated above using the following number:**

**Phone Number: 1-408-418-9388 Access Code/Meeting Number: 146 270 5670**

**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!**

The meeting will also be broadcast on Public Access or at <https://tinyurl.com/MarathonCountyBoard>

**1. Call meeting to order**

**2. Public Comment (15 minute limit)** *(Any person who wishes to address the County Board, or one of its committees, during the "Public Comment" portion of meetings, must provide his or her name, address, and the topic he or she wishes to present to the Marathon County Clerk, or chair of the committee, no later than five minutes before the start of the meeting.)*

**3. Approval of May 4, 2021 Committee minutes**

**4. Operational Functions required by Statute, Ordinance, or Resolution:**

A. Public Hearings, Review, Possible Actions, and Possible Recommendations to the County Board for its Consideration (County Zoning changes)

1. KPS Enterprises U-R Urban Residential to N-C Neighborhood Commercial – Town of Marathon

2. Tim Vreeland on behalf of Bernie Wenzel and Leick’s Green Acres Inc. F-P Farmland Preservation to L-I Light Industrial and L-I Light Industrial to N-C Neighborhood Commercial – Town of McMillan

3. Devin Klockziem on behalf of Todd and Laurie Smith – G-A General Agriculture to N-C Neighborhood Commercial and R-E Rural Estate – Town of Rib Falls

B. Review and Possible Recommendations to County Board for its Consideration (Town Zoning changes pursuant to §60.62(3) Wis. Stats.)

1. Town of Wausau – 231117 Wellborn Rd Wausau PIN# 080.2908.293.0961

C. Review and Possible Recommendations to County Board for its Consideration

1. CPZ-Conversion of Water Resources Technician from casual to full time position (grant funded)

D. Review and Possible Action

1. Harvey Fraaza Certified Survey Map – Town of Easton – Tim Vreeland, Surveyor, Vreeland Associates

**5. Educational Presentations/Outcome Monitoring Reports and Committee Discussion**

**MARATHON COUNTY  
ENVIRONMENTAL RESOURCES COMMITTEE  
AGENDA**

A. Department Updates: Conservation Planning and Zoning (CPZ), Parks Recreation and Forestry (PRF) Solid Waste CPZ

1. Update of the reappointments on the Board of Adjustment (BOA) Committee
2. MCDEVCO POWTS Loan program update
3. Update of Fenwood Creek funding request

**6. Policy Issues Discussion and Committee Determination to the County Board for its Consideration**

A. Legislative and Budget Report: current and future legislative initiatives and items related to the 2021-22 State budget

1. Parks, Recreation and Forestry
2. Conservation, Planning and Zoning
3. Solid Waste

**7. Next meeting June 29, 2021 3:00 pm Assembly Room and future agenda items:**

- A. Committee members are asked to bring ideas for future discussion
- B. Announcements/Requests/Correspondence


**8. Adjournment**

*Any person planning to attend this meeting who needs some type of special accommodation in order to participate should call the County Clerk's Office at 715-261-1500 at least one business day before the meeting.*

EMAILED AND/OR FAXED TO:

News Dept. at Daily Herald (715-848-9361), City Pages (715-848-5887),  
Midwest Radio Group (715-848-3158), Marshfield News (877-943-0443),  
TPP Printing (715 223-3505)

Date: 5/25/2021  
Time: 8:15 a.m.  
By: cek  
Date/Time/By: \_\_\_\_\_

  
SIGNED \_\_\_\_\_  
Presiding Officer or Designee

NOTICE POSTED AT COURTHOUSE:

Date: \_\_\_\_\_  
Time: \_\_\_\_\_ a.m. / p.m.  
By: County Clerk

## NOTICE OF PUBLIC HEARING

A public hearing will be held by the Environmental Resources Committee of the Marathon County Board of Supervisors on Tuesday, June 1, 2021 at 3:00 p.m., Marathon County Courthouse Assembly Room 500 Forest Street Wausau 54403, at which time the Committee will consider the following:

1. The petition of KPS Enterprises INC to amend the Marathon County Zoning Ordinance to rezone lands from U-R Urban Residential to N-C Neighborhood Commercial described as part of the S ½ of the Fractional SW ¼ of Section 18, Township 28 North, Range 06 East, Town of Marathon. The parcel proposed to be rezoned is described as Lot #1 (.09780 acres) on the existing Certified Survey Map (CSM) Vol. 49 Pg 143 (Doc#1224975). Parcel PIN# 054-2806-183-0995; Address 224123 State Highway 107, Marathon WI 54448.
2. The petition of Tim Vreeland on behalf of Bernie Wenzel and Leick's Green Acres to amend the Marathon County Zoning Ordinance to rezone lands from F-P Farmland Preservation to L-I Light Industrial and L-I Light Industrial to N-C Neighborhood Commercial described as part of the SE ¼ of the SE ¼ of Section 01, Township 26 North, Range 03 East, Town of McMillan. The area proposed to be rezoned to L-I is described as part of Parcel #1 (8.802 acres) on the Exhibit map submitted as a part of the rezone petition, whereas the area proposed to be rezoned to N-C is described as Parcel #2 (1.431 acres) on the Exhibit map. The areas proposed to be rezoned have the Parcel PIN#'s 056-2603-014-0993, 056-2603-014-0992, and 056-2603-014-0999; Address 208268 State Highway 97, Stratford WI 54484.
3. The petition of Devin Klockziem on behalf of Todd and Laurie Smith to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to N-C Neighborhood Commercial and R-E Rural Estate described as part of the NE ¼ of the NE ¼ of Section 36, Township 29 North, Range 05 East, Town of Rib Falls. The area proposed to be rezoned to N-C is described as part of Lot 2 (5.03 acres) on the Preliminary Certified Survey Map submitted as a part of the rezone petition, whereas the area proposed to be rezoned to R-E is described as Lot 1 (6.41 acres). The areas proposed to be rezoned have the parent Parcel PIN#'s 066-2905-361-0983 and 066-2905-361-0984.

All interested persons will be provided the opportunity to be heard 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 prior to the hearing please forward to: Conservation, Planning and Zoning Department, 210 River Drive, Wausau, WI 54403-5449 Jacob Langenhahn – Environmental Resource Committee Chair.

**We are encouraging people to attend the meeting by phone. Please call into the telephone conference ten minutes prior to the start time indicated above using the following number:**

**Phone Number: 1-408-418-9388**

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Jacob Langenhahn



Jacob Langenhahn, Chairman  
Environmental Resources Committee

Laurie Miskimins

Digitally signed by Laurie  
Miskimins  
Date: 2021.05.10 14:07:50  
-05'00'

Laurie Miskimins, Director  
Conservation, Planning, and Zoning Department

**Publish: May 17 and 24, 2021**

E-mailed to: Wausau Daily Herald ([WDH-Legals@wdhmedia.com](mailto:WDH-Legals@wdhmedia.com)) on May 12, 2021 at 8:15 a.m.



**Marathon County  
Environmental Resources Committee Minutes  
Tuesday, May 4, 2021  
210 River Drive, Wausau WI**

<b>Attendance:</b>	<b><u>Member</u></b>	<b><u>Present</u></b>	<b><u>Not present</u></b>
<i>Chair</i>	Jacob Langenhahn.....	X	
<i>Vice-Chair</i>	Sara Guild.....	X	
	Rick Seefeldt .....	X	
	Bill Conway .....	X	
	Allen Drabek .....	X	
	Randy Ffrick.....	X	
	Arnold Schlei .....		X ( <i>excused</i> )
	Dave Oberbeck.....	X	
	Marilyn Bhend .....		X ( <i>excused</i> )
	Eric Vogel .....		X ( <i>excused</i> )

} via Webex or phone

Also present via Webex, phone or in Room 5: Paul Daigle, Laurie Miskimins, Dominique Swangstu, Lane Loveland, Jeff Pritchard and Cindy Kraeger – Conservation, Planning, and Zoning (CPZ); Jean Kopplin – City-County IT, Jamie Polley, Tom Lovlien – Park, Recreation and Forestry (PRF); John Peralta – Solid Waste; Lance Leonhard – County Administrator; Barbara Miller, Joseph Wagner, Tom Vanderboom, Dustin Vreeland, Jesse Richardson Jean Maszk and Peter Weinschenk – Record Review

1. **Call to order** – Called to order by Chair Langenhahn at 3:00 p.m. via WEBEX.

2. **Public Comment** – None.

3. **Approval of March 30, 2021 and April 8, 2021 Committee minutes**

**Motion** / second by Conway / Drabek to approve of the March 30, 2021 and April 8, 2021 Environmental Resources Committee minutes as distributed.

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

4. **Operational Functions required by Statute, Ordinance, or Resolution:**

A. **Public Hearings, Review, Possible Actions, and Possible Recommendations to the County Board for its Consideration (County Zoning changes)**

1. Jesse Richardson on behalf of Richard Miller – G-A General Agriculture to R-E Rural Estate – Town of Green Valley

**Discussion:** Swangstu was sworn in and noted the staff report and decision sheet had been included in the packet. Swangstu reviewed the rezone request 5.153 acres shown as Lot 2 of the Preliminary Certified Survey Map (CSM) submitted with the petition. Swangstu additionally reviewed the reasoning behind why CPZ staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics.

The Town of Green Valley has reviewed the application and recommends approval without any concerns. The town did note on the resolution regarding a recommendation of a culvert installed to ensure there isn't any drainage/spillway issues. Swangstu stated the ERC committee or County Board cannot place any conditions on a rezone approval per state statute.

There was no additional testimony in favor or opposed to this rezone request virtually or in person. Testimony portion of the hearing was closed at 3:19 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

**Action:** **Motion** / second by Ffrick / Seefeldt to recommend approval to County Board, of the Jesse Richardson on behalf of Richard Miller rezone request. Noting the reasoning provided in the staff report and conclusions of law. The Committee determined the rezone is consistent with the Marathon County and Town comprehensive plans, and is not located in the Farmland Preservation Zoning District. Adequate facilities are present or will be provided and providing any necessary public facilities will not burden local government. Based on the proposed land division and existing land uses onsite the rezone should not result in any adverse effect on natural areas. The committee made their recommendation of approval based on the information, findings of fact, and conclusions of law as described in the CPZ staff report included in the ERC packet.

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

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

2. Tim Vreeland on behalf of Rita Blenker – F-P Farmland Preservation to R-R Rural Residential - Town of McMillan

Discussion: Swangstu was sworn in and noted the staff report and decision sheet had been included in the packet. Swangstu reviewed the rezone request of 55.413 acres total shown on the plat of survey that was submitted with the petition. The area in question was designated as a non-farmland preservation area in the F-P Plan yet was inadvertently zoned FP in 2015. The proposed rezone would fix an error in the mapping when the Town adopted F-P Zoning in 2015. The Department of Agriculture Trade and Consumer Protection (DATCP) recommends the rezone be approved given the parcel in question was not designated as a farmland preservation area in the farmland preservation plan. Other parcels that are zoned F-P that were not designated as F-P areas in the plan will be addressed when the Town updates their Comprehensive Plan as well as propose to revise their Town Zoning District Map to reflect the proposed changes and the F-P requirements. The Town of McMillan is currently in the process of updating their comprehensive plan including their land use maps. Swangstu reviewed the staff report and reasoning's why CPZ is recommending approval of the rezone in question. Swangstu also noted that CPZ has not received a Preliminary plat application yet, and ERC will see and take action on both the Preliminary Plat as well as the Final Plat prior to approval. It was also noted an error in checking a box of the application which was amended by Tim Vreeland the proposed change is to facilitate the use of the land for a residential subdivision.

The Town of McMillan has reviewed the application and recommends approval without any additional concerns.

Dustin Vreeland was sworn in and will answer any questions from the Committee. The wetlands have been delineated by Star Environmental and will not be disturbed.

Joe Wagner was sworn in and owns property to the north of the parcel and is concerned about the protection of the wetlands and the water runoff will be managed properly and not affect his property.

Tom Vanderboom was sworn in and is concerned with the flowage of the water runoff and is inquiring on how to be involved with the stormwater management permit. Swangstu stated this public hearing is specifically for the proposed rezone of the property which does not establish new lot lines or approve a specific use onsite but, if approved, only allows for all the permitted and conditionally approved uses within that district. Other regulatory processes are in place to ensure any development onsite is consistent with all Federal, State, and Local regulations. Prior to the subdivision/final plat approval there is the requirement to hold public hearings, therefore any questions regarding the plat, parcel configurations, and/or stormwater management could be addressed at that time. Swangstu stated he is not aware of any authority to require or allow a resident from the general public to be involved on the technical side of the stormwater permit and design given Stormwater Management Permits are issued, reviewed, and regulated by the DNR and would need to be included in the proposed plat.

There was no additional testimony in favor or opposed to this rezone request virtually or in person. Testimony portion of the hearing was closed at 3:45 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Fifrick / Conway to recommend approval to County Board, of the Tim Vreeland on behalf of Rita Blenker rezone request. The Committee determined the rezone is consistent with the Marathon County and Town comprehensive plans, and is located in the Farmland Preservation Zoning District. Adequate facilities are present or will be provided and providing any necessary public facilities will not burden local government. The rezone should not result in any adverse effect on natural areas. The committee made their recommendation of

May 4, 2021

approval based on the information, findings of fact, and conclusions of law as described in the CPZ staff report included in the ERC packet.

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

B. Review and Possible Recommendation to County Board for its Consideration (Town Zoning changes pursuant to §60.62(3) Wis. Stats.)

1. Resolution: Consider County Land Exchange in the Town of Easton and Harrison

Discussion: Lovlien reviewed the land exchange summary which was included in the meeting packet. The Forestry /Recreation Committee recommends approval with the offer to purchase. The town chairs from the Town of Easton and Town of Harrison are in support of the land exchange.

Action: **Motion** / second by Seefeldt / Conway to recommend approval to Human Resources, Finance and Property Committee of the County Land Exchange in the Town of Easton and Harrison.

Follow through: Forward to Human Resources, Finance and Property Committee at their next regularly scheduled meeting.

C. Review and Possible Recommendations to County Board for its Consideration – None.

D. Review and Possible Action – None.

5. Educational Presentations/Outcome Monitoring Reports and Committee Discussion

A. Department Updates: Conservation, Planning and Zoning (CPZ), Parks Recreation and Forestry (PRF) Solid Waste

CPZ

1. Submittal of annual reports for Municipal Separate Storm Sewer System (MS4) Permits

Discussion: Pritchard discussed the municipal storm water permit requirements that municipalities, including Marathon County, are required to follow in order to be in compliance with permit regulations.

2. Applications for grants and projects

Discussion: Daigle provided an update on the grants CPZ is working on: Dairyland Grazing Apprenticeship; EPA grant for \$50,000 and the annual joint DNR Staffing and Cost Share grant.

3. Update on Fenwood Creek funding request

Discussion: Daigle discussed engaging the legislators for state funding for the six year pilot program Fenwood Creek Project.

6. Policy Issues Discussion and Committee Determination to the County Board for its Consideration

A. Capital Improvement Project Requests

1. Solid Waste

- a. Phase 5B/6 expansion of Bluebird Ridge
- b. Expansion of Bluebird Ridge gas system
- c. Rear dual-wheel utility tractor

Discussion: Peralta discussed the CIP requests that were included in the meeting packet. Peralta reminded the committee that the Solid Waste department doesn't use county capital money rather uses the earnings as an enterprise fund to pay for their capital.

- Phase 5B/6 expansion of Bluebird Ridge reaching capacity – go taller and wider
- Expansion of Bluebird Ridge gas system – add 4 gas wells
- Rear dual-wheel utility tractor – upgrade for safety

Action: **Motion** / second by Fifrick / Drabek to approve and forward to the Capital Improvement Program Committee for consideration the Solid Waste 2022 Capital Improvement requests; Phase 5B/6 Expansion of Bluebird Ridge; Expansion of Bluebird Ridge gas system; Rear dual-wheel utility tractor.

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

Follow through: The CIP requests will be forwarded according to the established procedures.

2. Parks, Recreation and Forestry (PRF)

- a. Playground Replacement

Environmental Resources Committee Minutes

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- b. Restroom Replacement
- c. Big Eau Pleine Road Repairs
- d. Cattle Barn 1 & 2 Roof Replacement
- e. Mission Lake East Parking Lot Replacement
- f. Rolling Stock

Discussion: Polley reviewed the CIP requests that were included in the meeting packet.

- Playground Replacement – Cherokee and Mission Lake
- Restroom Replacement – Bluegill Bay, DC Everest Park
- Big Eau Pleine Road Repairs – Replacing sections each year
- Cattle Barn 1 & 2 Roof Replacement – Roofs are beyond the life and are deteriorating
- Mission Lake East Parking Lot Replacement – Replacing east parking lot
- Rolling Stock – Split between City and County; fleet is being stretched.

Action: **Motion** / second by Fifrlick / Seefeldt to accept and forward to the Capital Improvement Program Committee for consideration the PRF 2022 Capital Improvement requests; Playground Replacement, Restroom Replacement, Big Eau Pleine Road Repairs, Cattle Barn 1 & 2 Roof Replacement, Mission Lake East Parking Lot Replacement, Rolling Stock.

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

Follow through: The CIP requests will be forwarded according to the established procedures.

B. Legislative and Budget Report: current and future legislative initiatives related to the 2021-22 State Budget

1. Parks, Recreation and Forestry (PRF)

Discussion: No updates.

2. Conservation Planning and Zoning (CPZ)

Discussion: No updates.

3. Solid Waste

Discussion: No updates

7. **Next meeting date, time & location and future agenda items:**

**Tuesday, June 1, 2021 3:00 p.m. Marathon County Courthouse, Assembly Room 500 Forest Street Wausau WI**

A. Committee members are asked to bring ideas for future discussion

B. Announcements/Requests/Correspondence

Introduction of new CPZ Director – Laurie Miskimins

- Lance Leonhard welcomed Laurie Miskimins to CPZ. Langenhahn welcomed Laurie to the Committee and looking forward to working with her in the future.

8. **Adjourn** – **Motion** / second by Seefeldt / Fifrlick to **adjourn** at 4:37 p.m. Motion **carried** by voice vote, no dissent.

Paul Daigle, County Conservationist

For Jacob Langenhahn, Chair

cc: (via email/web site) ERC members; County Administrator; Corporation Counsel; County Clerk

PD/cek



**PETITION FOR ZONE CHANGE**  
**BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS**

1. As authorized by §17.91 of the Marathon County Zoning Code (I) (we) *(Name & Address)*:  
KPS Enterprises Inc. 137202 County Rd N Marathon, WI 54448

hereby petition to rezone property owned by *(Name & Address)*: KPS Enterprises Inc. 224123 State Hwy 107 Marathon, WI 54448

from the classification U-R, Urban Residential to N-C, Neighborhood Commercial

2. The legal description of that part of the property to be rezoned is *(include only the description of the land proposed to be rezoned. You may need to have a surveyor draft this description)*: Sec 18-28-06 Pt of S1/2 SW FRL 1/4 - Lot 1 CSM Vol 49 Pg 143 (11661) (doc # 1224975)

Parcel Identification Number (PIN): 054-2806-183-0995

3. The proposed change is to facilitate the use of the land for (be specific-list all proposed uses):  
Building of a commercial storage building to store raw materials and equipment for KPS Tool & Die Inc.

4. Please address the following criteria as best as you can. These are the "standards for rezoning" which will be addressed at the public hearing. (Use additional sheets if necessary).

A. In detail, explain what public facilities and services serve the proposed development at present, or how they will be provided. There is an existing driveway on the property already. All other services will be taken care of by KPS Enterprises.

B. Explain how the provision for these facilities will not be an unreasonable burden to local government. There are no public services provided by the local government. The existing driveway enters onto State Hwy 107 which is maintained by Marathon County. We will adhere to local recommendations for development.

C. What have you done to determine that the land is suitable for the development proposed? The land has already been developed with buildings that are to be razed. Land is currently bordered on two sides by state and county highways and adjacent to an existing commercial property.

D. Explain what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion or adverse effects on rare or irreplaceable natural areas. Construction will adhere to all state, county, and local rules for developing the property to prevent any adverse impact.

E. Explain any potential for conflict with existing land uses in the area. Property has already been developed and has existing structures that will be replaced with the proposed building. Two sides of the property are state and county hwy. Third side is commercial property.

(OVER)

**RECEIVED**

**MAR 18 2021**



- F. Demonstrate the need of the proposed development at this location. Current adjoining business requires storage for materials to operate. This property is in close proximity to that business.
- G. What is the availability of alternative locations? Be specific. All other land around the business is farmed field or highway. This property is adjacent to current commercial business and bordered on two sides by a state and county highway.
- H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved? No cropland is being consumed.
- I. If cropland is being consumed by this zone change, explain how the proposed development will be located to minimize the amount of agricultural land converted.

5. Include on a separate sheet (no larger than 11 x 17) a drawing of the property to be rezoned, at a scale of 1"=200 ft or larger. Show additional information if required. **(If larger sheets are required to adequately portray the site, include ten (10) copies).**

All property owners within 300 feet of the parent parcel proposed for rezoning are parties in interest, and will be notified by Marathon County Conservation, Planning, and Zoning Department of the public hearing notice via direct mail.

6. If the Environmental Resources Committee, at the public hearing for this zone change request, is unable to make a recommendation based upon the facts presented and/or request additional information, clarification or data from the petitioner, Town Board, or any other source, that information shall be supplied to the Conservation, Planning, and Zoning Department 24 hours or more prior to the next regularly scheduled meeting (date and time to be announced at each regular meeting). Twenty four hour notice is required for all agenda items. If the requested information, etc. is not supplied, the zone change petition is denied and will only appear on the agenda as a report. No additional testimony will be accepted. The petitioner (applicant) may re-apply at any time to bring the matter back before the Committee. **No exceptions to this policy will be granted.**

7. Petitioner's Signature [Signature] Phone 715-571-7583 Date 3-16-2021

8. Owner's Signature \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_  
*(If different) Same Same Same*

Date Fee Received: 3-18-2021

Fee \$600.00 PAYABLE TO MARATHON COUNTY

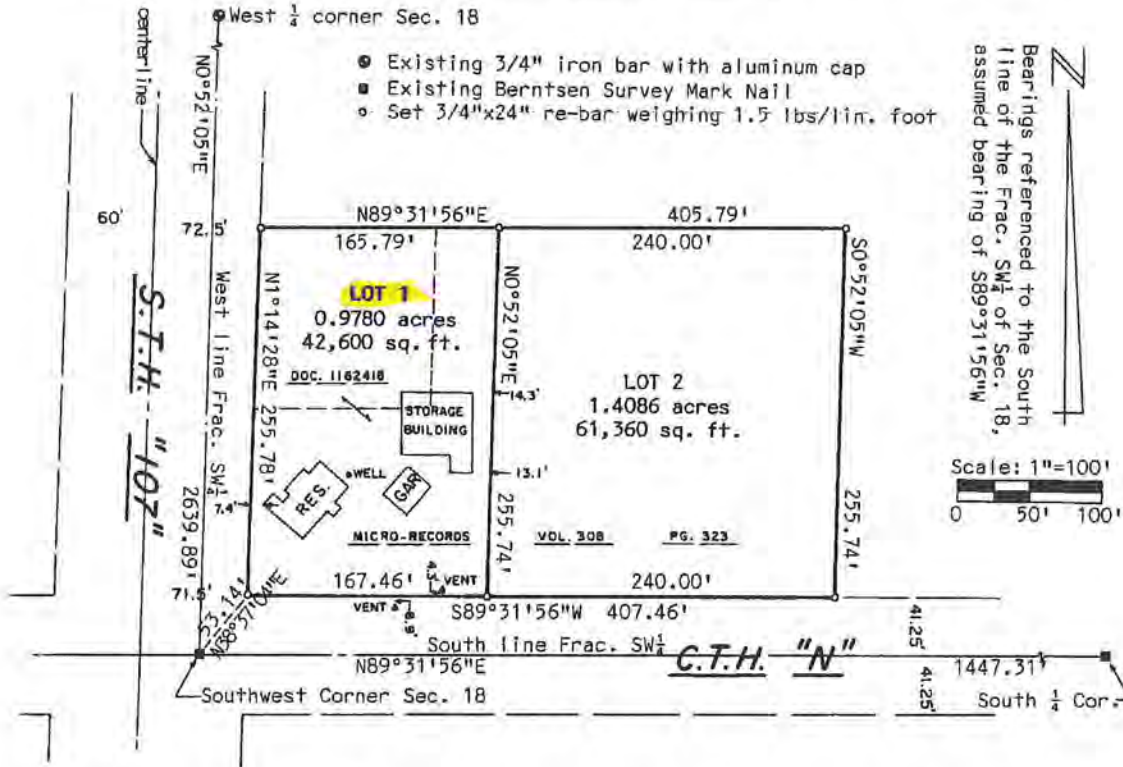
**Attendance at the Public Hearing** before the Marathon County Environmental Resources (ERC) Committee is not mandatory if you have appeared before the Town Planning Commission and/or the Town Board to present your proposal. If there was opposition to your proposal at the town level, attendance at the ERC hearing is recommended.

054.4.2806.183.0995 Lot 1  
 .0994 - 11661 Lot 2

1224975

**MARATHON COUNTY CERTIFIED SURVEY MAP NO. 11661**

PART OF THE SOUTH 1/2 OF THE FRACTIONAL SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 28 NORTH, RANGE 6 EAST, TOWN OF MARATHON, MARATHON COUNTY, WISCONSIN.



I, David J. Goslin, registered land surveyor, hereby certify that I have surveyed and mapped by the order of KPS Enterprises Inc., that part of the South 1/2 of the Fractional Southwest 1/4 of Section 18, Township 28 North, Range 6 East, Town of Marathon, Marathon County, Wisconsin, described as follows: Commencing at the Southwest corner of said Section 18; thence N38°37'04"E, 53.14 feet to the point of beginning; thence N1°14'28"E, 255.78 feet; thence N89°31'56"E, 405.79 feet; thence S0°52'05"W, 255.74 feet; thence S89°31'56"W, 407.46 feet to the point of beginning.

Subject to easements and roadways of record.  
 That such map is a correct representation of all exterior boundaries of the land surveyed. That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes and the Subdivision Regulations of the County of Marathon in surveying, dividing and mapping the same to the best of my knowledge and belief.

Prepared by:  
 WISCONSIN VALLEY SURVEYORS  
 415 W Thomas St  
 Wausau, WI 54401  
 845-8146



*David J. Goslin*  
 David J. Goslin RLS No S-2280  
 January 29, 2001

APPROVED FOR RECORDING  
 UNDER THE TERMS OF THE  
 MARATHON CO LAND DIVISION  
 REGULATIONS  
 BY Robert Bruns  
 DATE Feb 1, 2001  
 MARATHON CO ZONING DEPT.



# 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

26.30 0 26.30 Feet



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

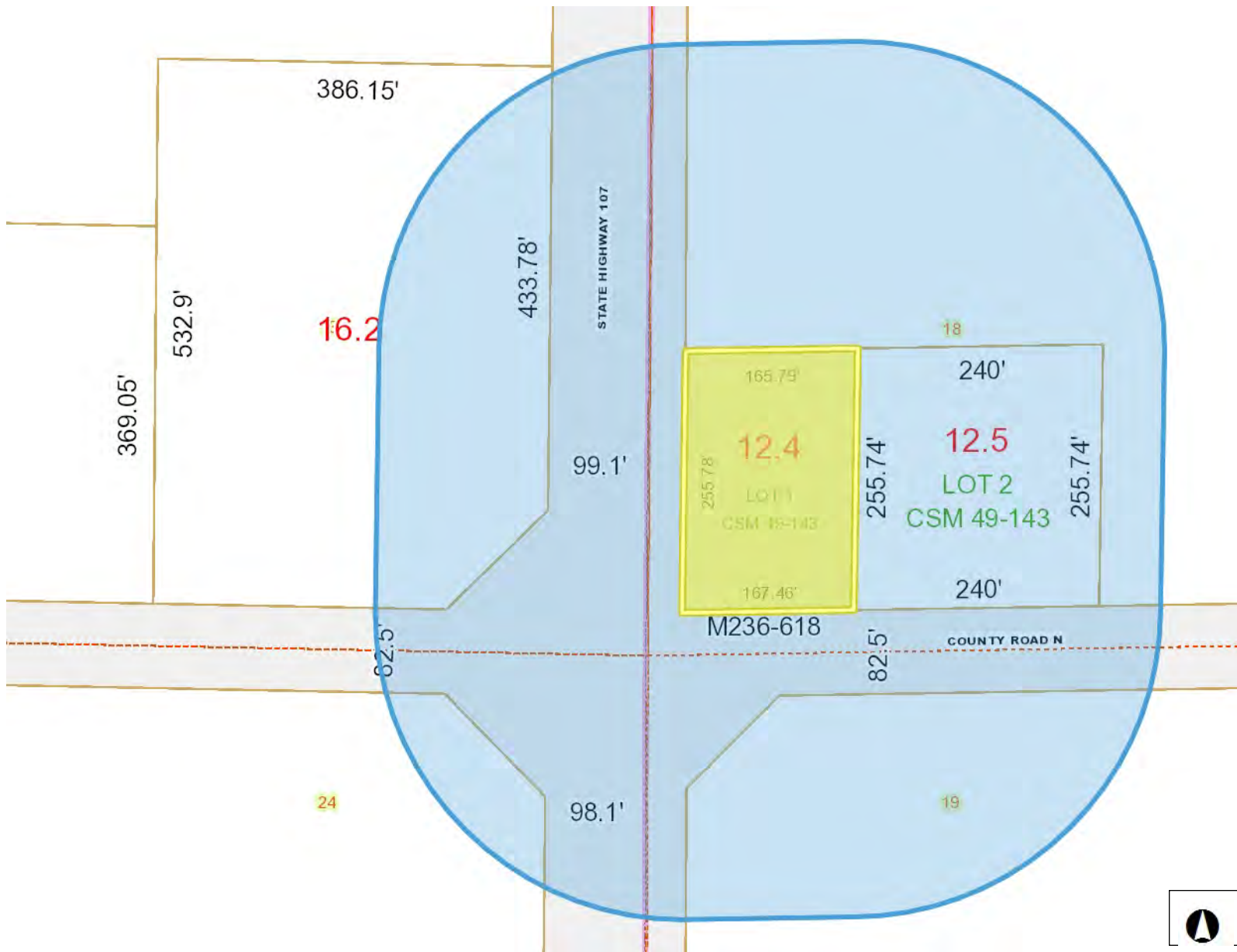
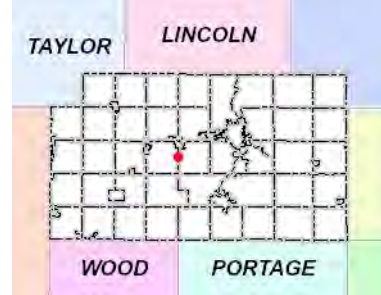
DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement 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



### Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities

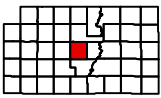


72.76 0 72.76 Feet

**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

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

### Notes

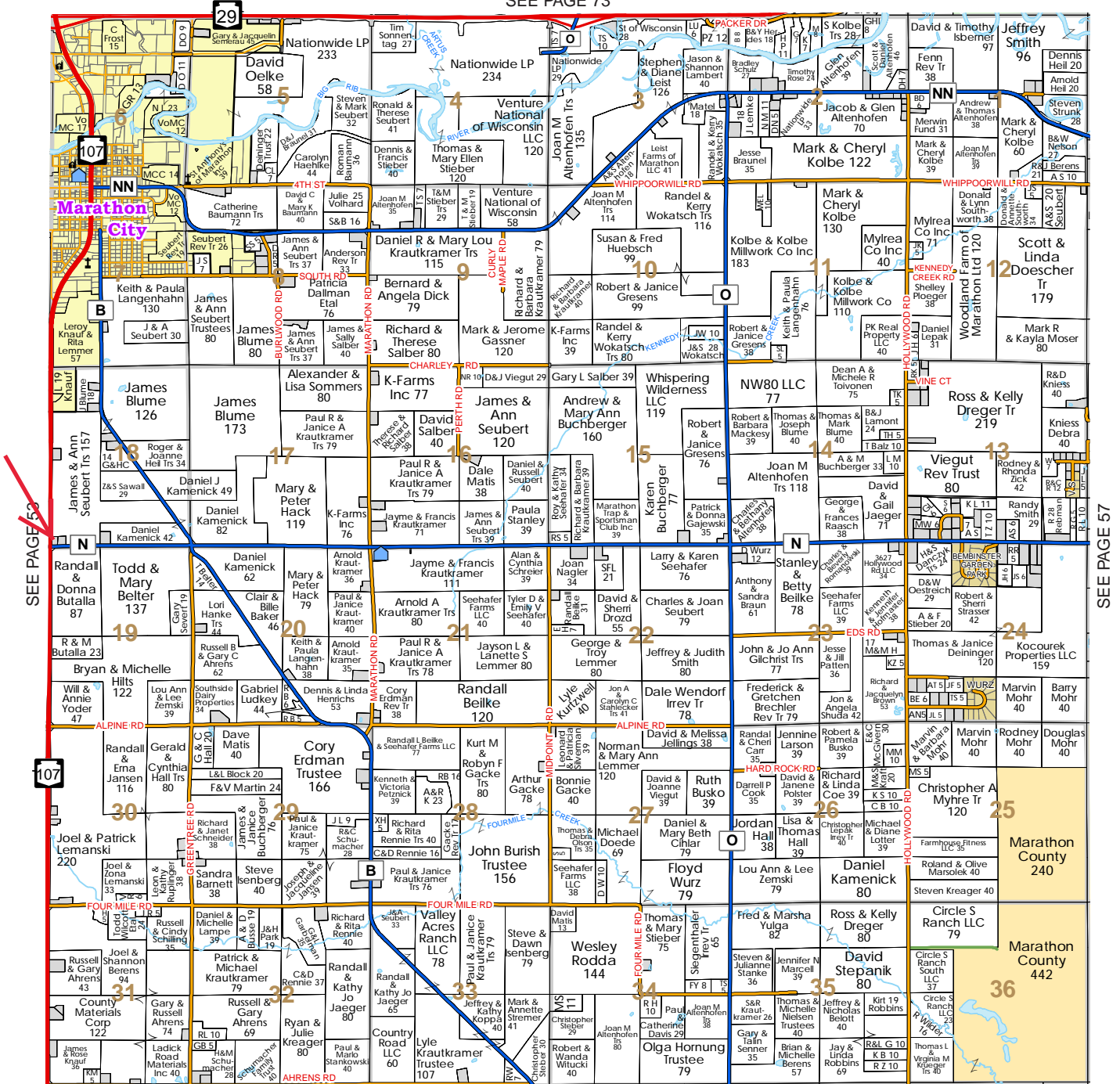


# Marathon

# Township 28N - Range 6E

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STATE OF WISCONSIN )  
MARATHON COUNTY )  
TOWN OF MARATHON )

RESOLUTION ON ZONING ORDINANCE AMENDMENT

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Kelley Blume, Clerk of the Town of Marathon, 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 Marathon Town Board at a meeting held on the 10th day of May, 2021.

RESOLUTION

WHEREAS, Section 59.69(5)(e)3., Wisconsin Statutes, provides that if a town affected by a proposed amendment disapproves of the proposed amendment, the town board may file a certified copy of a resolution adopted by such board disapproving of the petition with the Environmental Resources Committee prior to, at or within ten (10) days after the public hearing, and

WHEREAS, if the town board of the town affected in the case of an ordinance relating to the location of boundaries of districts files such a resolution, the Environmental Resources Committee may not recommend to the County Board approval of the petition without change, but may only recommend approval with change or recommend disapproval.

NOW, THEREFORE BE IT RESOLVED that the Town of Marathon Town Board considered on the 10th day of May, 2021, petition by KPS Enterprises INC to amend the Marathon County Zoning Ordinance to rezone lands from U-R Urban Residential to N-C Neighborhood Commercial described as part of the S 1/2 of the Fractional SW 1/4 of Section 18, Township 28 North, Range 06 East, Town of Marathon. The parcel proposed to be rezoned is described as Lot #1 (.09780 acres) on the existing Certified Survey Map (CSM) Vol. 49 Pg 143 (Doc#1224975). Parcel PIN# 054-2806-183-0995; Address 224123 State Highway 107, Marathon WI 54448

The Town of Marathon hereby has considered the following standards for rezoning above property (use additional sheets if necessary):

- 1) Has the applicant provided what public facilities and/or services currently serve the proposed development, what additional services may be required, and how the additional services will be provided?  
 No  Yes Explain: minimal to none
- 2) Has the applicant demonstrated how the provision of the public facilities will not be an unreasonable burden to local government?  
 No  Yes Explain: minimal to none
- 3) Has the applicant determined that the land is suitable for the development proposed? Explain.  
 No  Yes Explain: currently the site east of this property is used by KPS Tool, this would be an extension of that use to Hwy 107
- 4) Has the applicant demonstrated what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas? Explain.  
 No  Yes Explain: the site has older buildings on it that would be taken down and cleaned up
- 5) Is there any potential for conflict with existing land uses in the area?  
 No  Yes Explain: always, but it would be minimal

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(OVER)

- 6) Has the applicant demonstrated the need for the proposed development at this location? Explain.  
 No  Yes Explain: the existing business needs more space that would seem reasonable
- 7) Has the applicant demonstrated the availability of alternative locations? Be specific  
 No  Yes Explain: this site would seem to be a good location for their expansion
- 8) Is cropland is being consumed by this zone change? What is the productivity of the agricultural lands involved?  
 No  Yes Explain: none
- 9) Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?  
 No  Yes Explain: NA
- 10) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.  
 No  Yes Explain: The town zoning board previously approved the development of KPS and this would be consistent with that
- 11) Is there anything else the Town wishes to present or comment on regarding this application to the Marathon County Environmental Resources (ERC) Committee?  
 No  Yes Explain: This is a positive change for this site it will cleanup an eye sore

The Town of Marathon recommends:  Approval  Disapproval of the amendment and/or zone change.

OR  Requests an Extension\* for the following reasons: \_\_\_\_\_

\*Wis. Stats §59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.

Clerk: Kelly Blume  
 Town Board: Keith [unclear]  
David [unclear]  
Bonnie [unclear]

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Environmental Resources Committee Public Hearing. Town input at the hearing is always appreciated. Please return this form before May 21, 2021 to:

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

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**MAY 13 2021**  
**MARATHON CO. CONSERVATION,**  
**PLANNING & ZONING DEPT**  
 Pg 2 of 2



**KPS Enterprises INC.  
Petition to Rezone Land  
Staff Report, June 1<sup>st</sup>, 2021  
Environmental Resources Committee**

**Findings of Fact**

**PUBLIC HEARINGS/MEETINGS:**

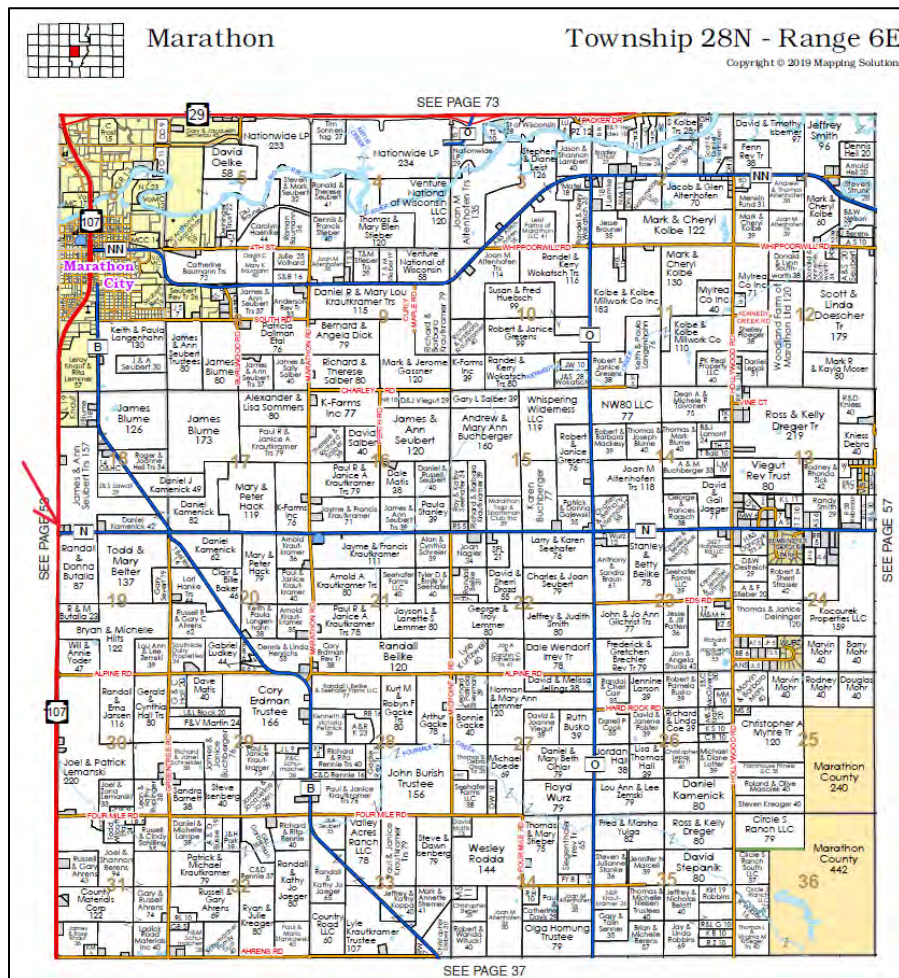
- Town of Marathon Town Board Meeting (May 10<sup>th</sup>, 2020)
- Marathon County Environmental Resources Committee Meeting (June 1<sup>st</sup>, 2021 at 3:00pm)

**PETITIONER:** KPS Enterprises INC. – 137202 County Road N, Marathon WI 54448

**PROPERTY OWNER:** (same) KPS Enterprises INC. – 137202 County Road N, Marathon WI 54448

**LOCATION OF REZONE REQUEST:** Area proposed to be rezoned is located on the northeastern corner of the intersection of County Road N and State Highway 107.

*Map 1: Location of Rezone Request*



**REQUEST:**

The petition of KPS Enterprises INC to amend the Marathon County Zoning Ordinance to rezone lands from U-R Urban Residential to N-C Neighborhood Commercial described as part of the S ½ of the Fractional SW ¼ of Section 18, Township 28 North, Range 06 East, Town of Marathon. The parcel proposed to be rezoned is described as Lot #1 (.09780 acres) on the existing Certified Survey Map (CSM) Vol. 49 Pg 143 (Doc#1224975). Parcel PIN# 054-2806-183-0995; Address 224123 State Highway 107, Marathon WI 54448.



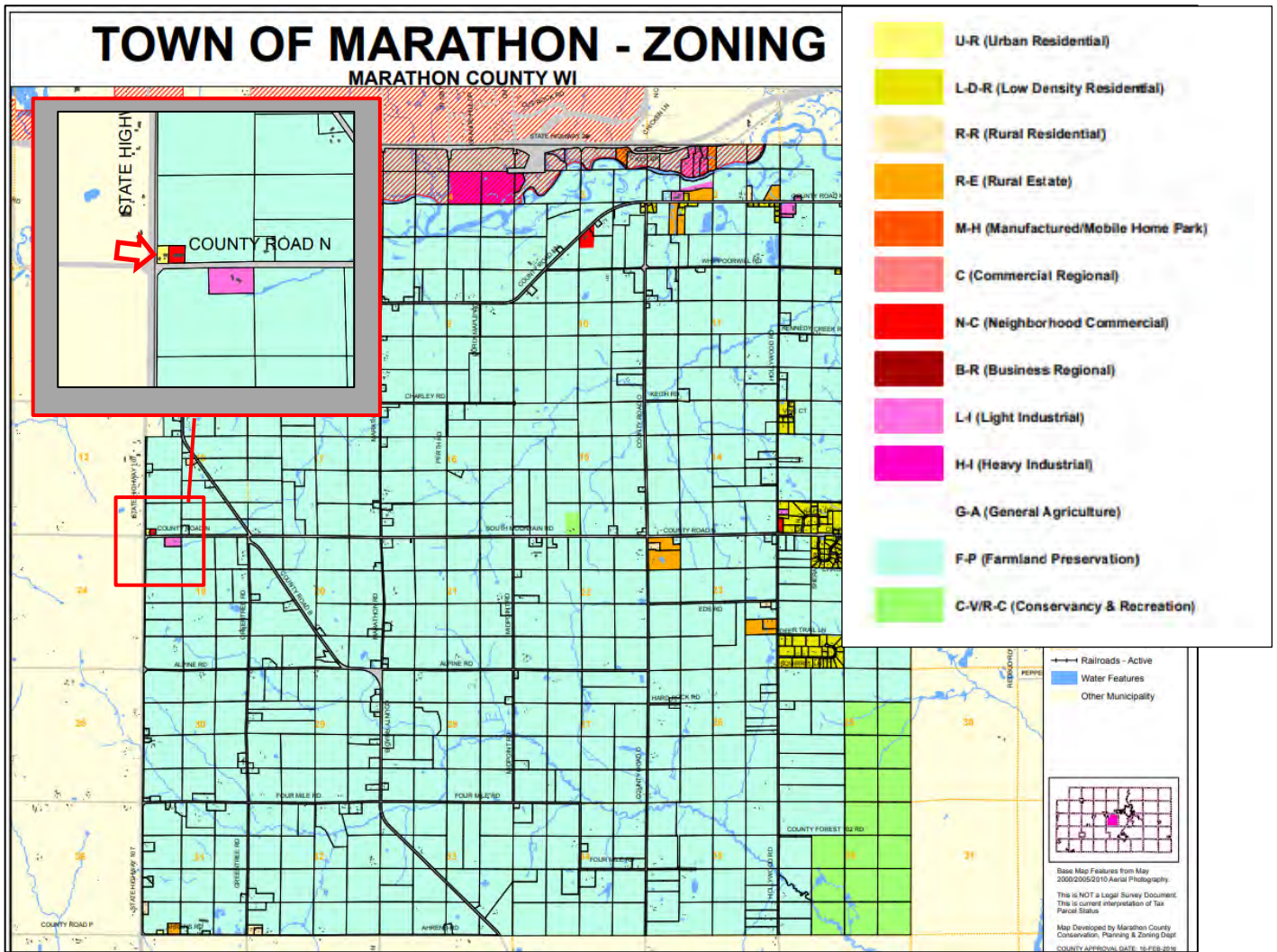
**EXISTING ZONING DISTRICT:**

**U-R Urban Residential District.** The purpose of the U-R district is to encourage relatively greater density residential development in areas generally adjacent to the built up sections of the community or in areas of existing development of such density. The Residential districts are designed to encourage a suitable environment for family life by permitting under certain conditions, such neighborhood facilities as churches, schools, playgrounds, and appropriate institutions and by protecting the residential character against non-compatible uses. The U-R district is to encourage multi-family development at densities up to five dwelling units per acre in areas adjacent to community shopping facilities. Development is to consist primarily of single-family (attached or detached), planned unit development, and multi-family dwellings in groupings which will provide for the efficient development and utilization of community facilities.

**PROPOSED ZONING DISTRICT(S):**

**N-C Neighborhood Commercial District.** The purpose of the N-C district is to accommodate the wide range of retail stores and personal service establishments which cater to frequent recurring needs.

**EXISTING ZONING DISTRICT MAP:** Adjacent parcels are zoned Neighborhood Commercial (Red) and Farmland Preservation (Teal), additionally there is one parcel zoned Light Industrial (Pink) within close proximity.

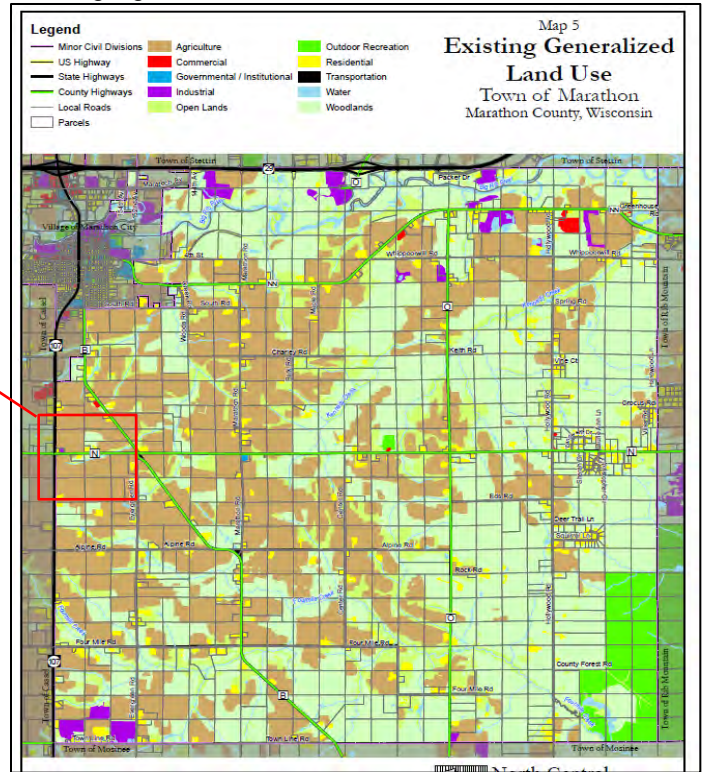
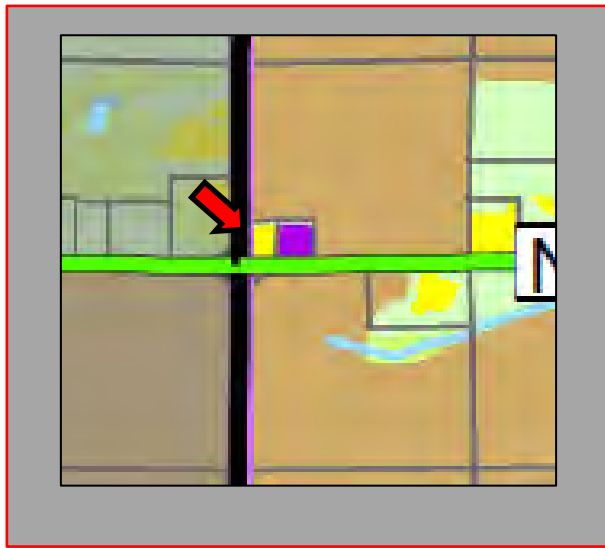


Map #2 Town of Marathon- Zoning District Map

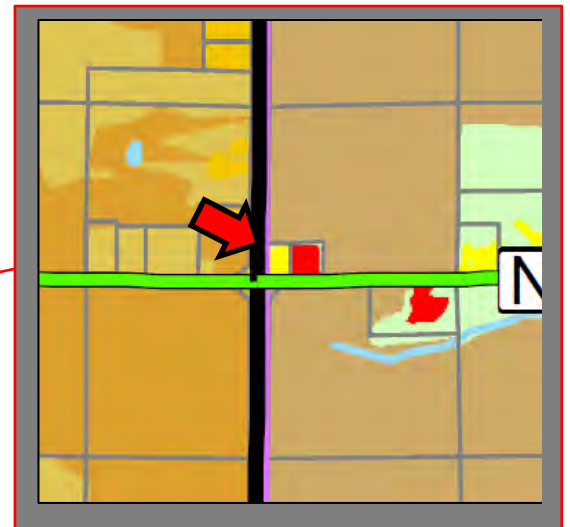
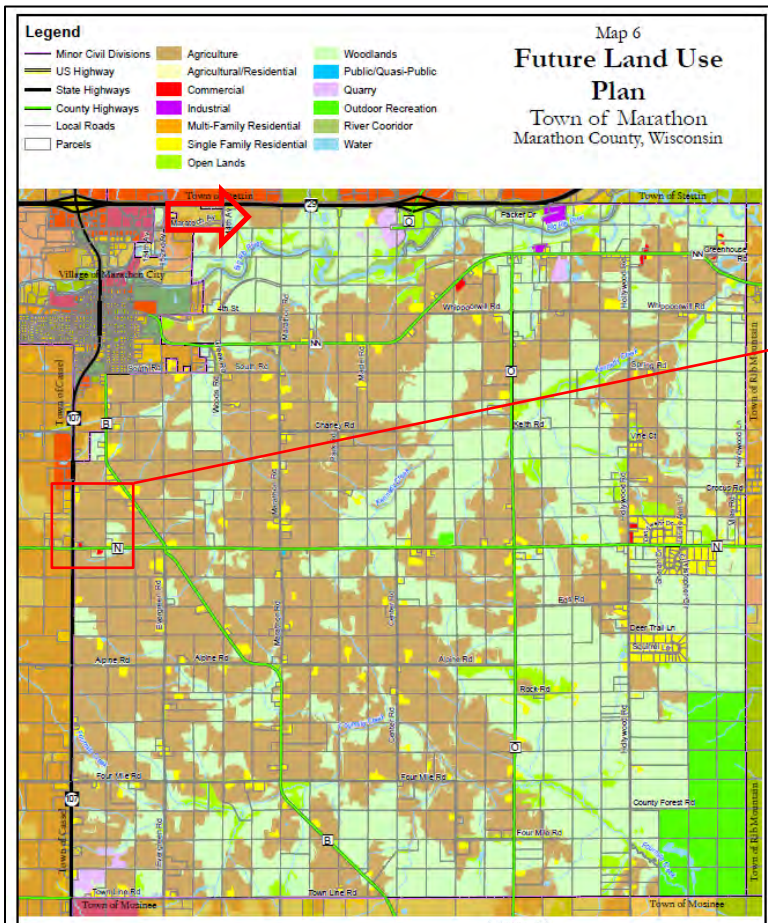
**0.978  
Acres**

**Legal Notification:**  
A legal advertisement was published in the *Wausau Daily Herald*. Notice of the zoning change request was also sent by regular mail to adjacent property owners within 300 feet of the subject property.

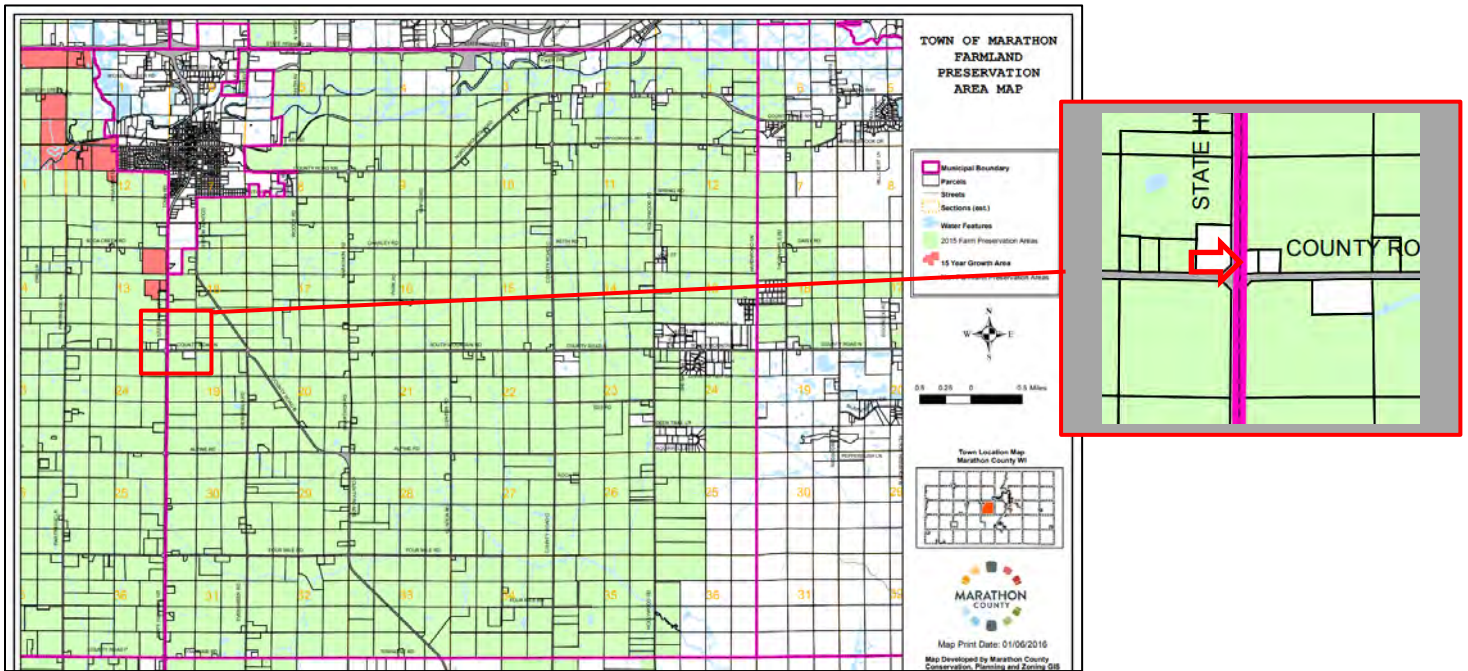
**Existing Generalized Land Use/Land Cover Map – Town of Marathon (Comprehensive Plan)** The parcel proposed to be rezoned is shown as Residential Land uses in the Town’s Comprehensive Plan Existing Land Use/Land Cover Map (2000). Adjacent land uses are comprised of similar land uses including Agricultural and Industrial Land Uses.



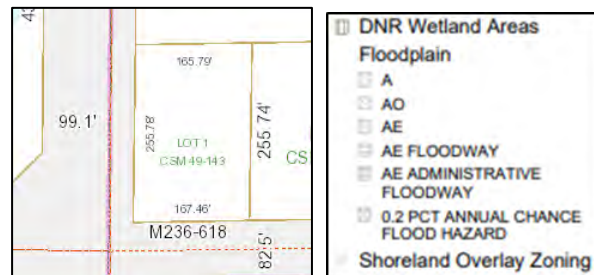
**TOWN COMPREHENSIVE PLAN FUTURE LAND USE MAP (2017 Plan):** The area proposed to be rezoned is shown as Single Family Residential land uses in the Town’s Comprehensive Plan Future Land Use/Land Cover Map. Adjacent land uses are comprised of similar land uses including Woodland, Agricultural, and Commercial Land Uses.



**FARMLAND PRESERVATION PLAN:** The area in question was designated as a non-farmland preservation area in the Farmland Preservation Plan.



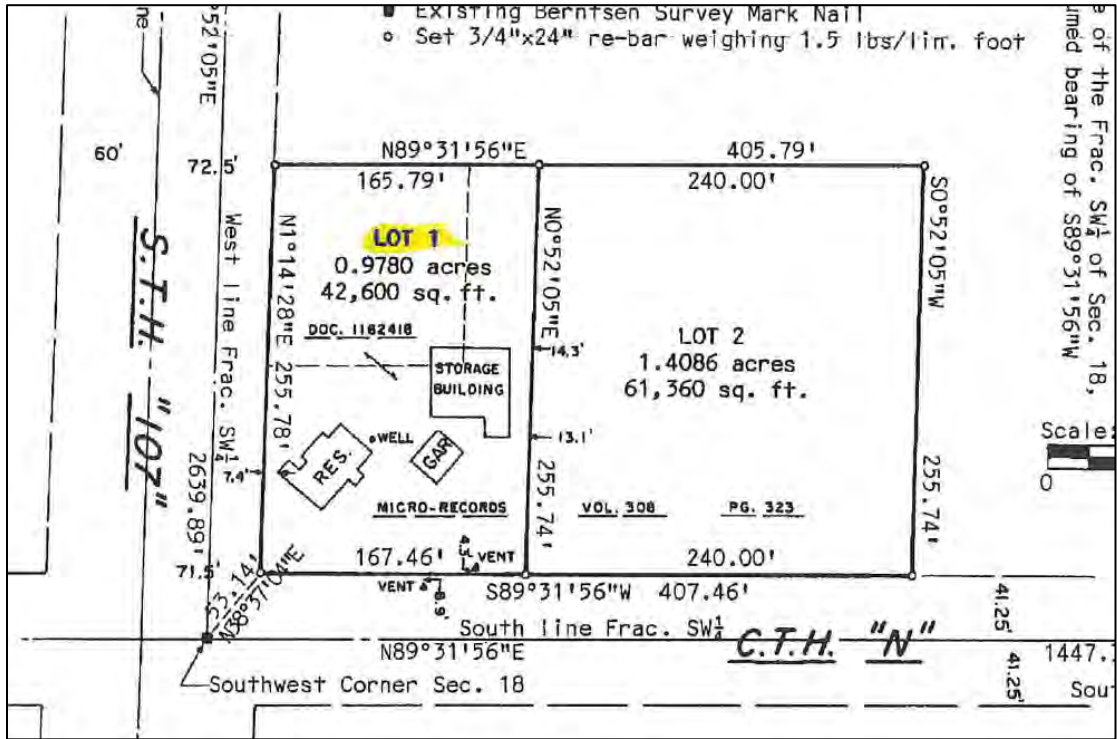
**SIGNIFICANT PARCEL LIMITATIONS OR NATURAL FEATURES:** The area proposed to be rezoned has No mapped DNR mapped wetlands, floodplain areas, nor any shoreland overlay areas or water features located within it.



**Aerial Photo:**



**Existing Certified Survey Map:**



**TOWN RECOMMENDATION:**

On May 12<sup>th</sup>, 2021 the **Town of Marathon** Town Board Recommended **Approval** to Marathon County's Environmental Resources Committee.

10) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.  
 No  Yes Explain: The town zoning board previously approved the development of KPS and this would be consistent with that

11) Is there anything else the Town wishes to present or comment on regarding this application to the Marathon County Environmental Resources (ERC) Committee?  
 No  Yes Explain: This is a positive change for this site it will cleanup an eye sore

The Town of Marathon recommends:  **Approval**  **Disapproval** of the amendment and/or zone change.

OR  **Requests an Extension\*** for the following reasons: \_\_\_\_\_

\*Wis. Stats §59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.

Clerk: Kelley Blume  
 Town Board: Keith [unclear]  
David R. [unclear]  
Bessie [unclear]

## Staff Comments regarding ERC Conclusions of Law:

1. The rezoning is substantially consistent with the following plans. (*note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan*)
  - a. [Marathon County](#) Comprehensive Plan
  - b. [Town](#) Comprehensive Plan and,
  - c. Marathon County [Farmland Preservation Plan](#).

The Marathon County Comprehensive Plan relies on the Town Comprehensive Plan regarding specific land uses and zoning districts for individual parcels. The area proposed to be rezoned is shown to be designated for residential land uses in the future land use map. CPZ staff rely on the towns to make these recommendations given the town board members and residents know their town and the true purpose and intent of the plan. Although the town's comprehensive plan was updated in 2017 it appears the rezone in question would be consistent with the purpose and intent of the plan given its close proximity to an existing commercial facility (as seen in the town resolution). The town has recommended approval of the rezone in question as well as noted in "Town zoning Board previously approved the development of KPS and this would be constant with that." as well as "This is a positive change for the this site, it will clean up an eye sore." The parcel in question was also designated as a non-farmland preservation area in the Farmland preservation plan.

2. The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

No cropland will be converted as a result of the rezone in question.

3. The applicant has demonstrated that...
  - a. There is a need for the proposed development,
  - b. Adequate public facilities are present or will be provided (*note impacts on roads, water, sewage, drainage, schools, emergency services, etc.*), and
  - c. Providing public facilities will not be an unreasonable burden to the local government.

**a.** The need is related to a proposed business expansion and parcel combination.

**b.** All necessary public facilities are anticipated to be provided (if not already provided) given any proposed development would rely of private systems such as a private well and sanitary system.

**c.** No anticipated burden on local government, all applicable building, construction, and use standards will be applied during the zoning and building permit review process.

4. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

All Federal, State, and Local permits and approvals are required for any applicable development onsite. Additionally, the proposed rezone will likely not result in any unreasonable air and water pollution as all pertinent regulations apply and will need to be adhered to. Any disturbance greater than one acre would need a DNR Stormwater Management Permit.

5. The Town has approved the proposed rezone of the property.

The Town of Marathon Town Board has recommended approval of this rezone petition.

6. All concerns from other agencies on the proposed rezone have been addressed? (*DNR, Highway, DOT*) What are the concerns?

The county was not made aware of any concerns from other agencies.

---

## STAFF (CPZ) RECOMMENDATION(S):

The rezone meets all the zoning district standards as it relates to size, frontage, access, and dimension (when combined with the adjacent N-C zoned parcel). If approved, the Town of Marathon should update their comprehensive plan to reflect the proposed rezone to N-C from the U-R zoning district. The future and existing land use maps should also reflect the existing commercial land uses adjacent to the parcel in questions as well as the proposed commercial uses onsite (if and when the rezone is approved). The rezone also appears to be consistent with the purpose and intent of the Towns Comprehensive Plan as indicated by the town resolution.

Based on the information provided above, findings of fact, conclusions of law, and the town's recommendation, it appears the rezone request meets all of the rezone criteria and standards for rezoning. Therefore, CPZ staff recommend that the Environmental Resources Committee recommend **Approval** to the Marathon County Board of Supervisors.



**Case: #1**  
**Environmental Resources Committee**  
**Decision Form**

**Conclusions of Law**

Marathon County Environmental Resources Committee (ERC) must consider all of the following standards in their decision. Please review and explain how the request does or does not meet each of these standards.

To approve a rezone, ERC must answer 'agree' to each of these standards. If the ERC recommends approval, but answers 'disagree' to any of these questions, a plan/ordinance changes, and/or additional information is required to satisfy the criteria.

1. The rezoning is substantially consistent with the following plans. *(note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan)*
- a. [Marathon County](#) Comprehensive Plan
  - b. [Town](#) Comprehensive Plan and,
  - c. Marathon County [Farmland Preservation Plan](#).

Agree       disagree       insufficient information

---

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2. The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

Agree       disagree       insufficient information

---

---

3. The applicant has demonstrated that...

- a. There is a need for the proposed development,
- b. Adequate public facilities are present or will be provided *(note impacts on roads, water, sewage, drainage, schools, emergency services, etc.)*, and
- c. Providing public facilities will not be an unreasonable burden to the local government.

Agree       disagree       insufficient information

---

---

4. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

Agree       disagree       insufficient information

---

---

5. The Town has approved the proposed rezone of the property.

Agree       disagree       insufficient information

---

---

6. All concerns from other agencies on the proposed rezone have been addressed? *(DNR, Highway, DOT)* What are the concerns?

Agree       disagree       insufficient information

---

---

**Environmental Resources Committee Decision**

On the basis of the above findings of fact, conclusions of law, and the record in this matter, the Marathon County Environmental Resources Committee finds that the rezoning is:

- Approved      Motion/      Second
- Denied, for the following reasons
- Tabled for further consideration

Specify reasons for denial, or additional information requested:

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- An amendment to the county comprehensive plan is needed to approve this petition.
- An amendment to the county farmland preservation plan is needed to approve this petition.

Describe recommended amendments:

---

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---

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Signature:

Chairman: \_\_\_\_\_

PETITION FOR ZONE CHANGE  
**FROM FARMLAND PRESERVATION ZONING**  
 BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS

1. As authorized by §17.91 of the Marathon County Zoning Ordinance (I) (we): (Name and mailing address) Greeland Associates 6103 Dawn Street Weston

hereby petition to rezone property owned by: (Name and mailing address) Leick Green Acres Farms 209 537 St Hwy 97 Stratford

from the classification **FP Farmland Preservation** to L-I Light Industrial

2. The **legal description** of that part of the property to be rezoned is (include only the description of the land proposed to be rezoned. You may need to have a surveyor draft this description): See attached CSM

**Parcel Identification Number / PIN** (can be found on tax bill): 056-2603-014-0992 + 656-2603-014-0999

3. The proposed change is to facilitate the use of the land for (be specific - list all proposed uses):

Adding lands to existing lands zoned L-I

4. Total acres in parcel (outside of right-of-way): 8.8 acres Not all 8.8 acres will be rezoned, part of

5. Total acres zoned Farmland Preservation: FP 146 acres A-4(-M) \_\_\_\_\_ acres proposed parcel #1 is already

6. Total acres in farm: 1 300 acres zoned L-I

7. How many acres/square feet are you requesting be changed? 6 approx acres / square feet

8. Are there improvements (structures) on this parcel in question?  Yes  No  
 What is the current use of the structure(s)? No improvement on lands being rezoned to L-I

9. A. What is your reason for requesting this rezone? (Please check and fill in the blanks)

- |  |   |
|--|---|
| <input type="checkbox"/> Develop land for non-agricultural residential use | <input type="checkbox"/> Develop land for recreational use                                |
| <input checked="" type="checkbox"/> Develop land for industrial use        | <input checked="" type="checkbox"/> Pre-existing use, substandard or nonconforming parcel |
| <input type="checkbox"/> Develop land for commercial use                   | <input type="checkbox"/> Other: _____   |

B. How far is the land from a city or village boundary? 1 miles / feet

C. How far is the land from an existing area of similar use? 0 miles / feet

D. Is the land served by public sewer? .....  Yes .....  No

E. Is the land served by public water? .....  Yes .....  No

F. Is the land within a sanitary district? .....  Yes .....  No

G. If more than one lot was developed: ..... # of Lots: 1 ..... Average lot size: 6

10. Please address the following criteria as best as you can. These are the "Standards for Rezoning" which will be addressed at the public hearing. (Use additional sheets if necessary)

A. In detail, explain what public facilities serve the proposed development at present, or how they will be provided.  
Property located on Hwy 97 served by standard public utilities

B. Explain how the provision of these facilities will not be an unreasonable burden to local government.  
No Burden, just expanding lot.

C. What have you done to determine that the land is suitable for the proposed development?  
land are adjacent to existing L-I zoned property

D. Explain what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.  
Non expected

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- OVER -



- E. Explain any potential conflict with remaining agricultural uses in the area.  
 No conflict. Adding lands to existing  
 L-1 zoned property
- F. Demonstrate the need for the proposed development in an agricultural area.  
 Additional lands needed for the L-1 zoned  
 property
- G. What is the availability of alternative locations? *Respectfully*  
 No alternative. Land abutt to the property
- H. What is the productivity of the agricultural lands involved?  
 Somewhat productive
- I. Explain how the location of the proposed development has been selected to minimize the amount of agricultural land converted.  
 The 6 Acres being rezoned wraps around the  
 existing 4 Ac zoned L-1
- J. Explain how the proposed rezoned land is better suited for a use not allowed in the Farmland preservation zoning district.  
 Addition area is needed for the L-1 zoned property  
 The lands are available.
- K. Explain how the rezone is consistent with the Marathon County and town's comprehensive plans  
 I believe it is consistent.
- L. Explain how the rezone is substantially consistent with the Marathon County Farmland Preservation plan which is in effect at the time of the rezone  
~~There~~ No real changes. Just expanding the existing  
 L-1 zoned parcel
- M. Explain how the rezone will not substantially impair or limit current or future agricultural use of other protected farmland  
 The rezone will not impair the ag use of  
 the remaining property.

11. Include on a separate sheet (no larger than 11 x 17) a drawing of the property to be rezoned, at a scale of 1"=200 ft or larger. Include the names of all property owners, existing land uses, and zoning classifications within 300 feet of the boundaries of the property on which the rezone is located. Show additional information if required. (If larger sheets are required to adequately portray the site, include ten (10) copies).

All property owners within 300 feet of the parent parcel proposed for rezoning are parties in interest, and will be notified by direct mail of the public hearing notice.

If, at the public hearing for this zone change request, the Zoning Committee is unable to make a recommendation based upon the facts presented and/or request additional information, clarification or data from the petitioner, Town Board, or any other source, that information shall be supplied to the CPZ Department 24 hours or more prior to the next regularly scheduled meeting (date and time to be announced at each regular meeting). Minimum of twenty four hour notice is required for all agenda items. If the requested information etc. is not supplied, the zone change petition is denied and will only appear on the agenda as a report. No additional testimony will be accepted. The petitioner (applicant) may re-apply at any time to bring the matter back before the Committee. **No exceptions to this policy will be granted**

12. Petitioner's Signature [Signature] Phone 715-291-0947 Date 12-10-20

13. **Dwight's** Signature [Signature] Phone 715-650-0062 Date 12-8-2020  
 (If different than Petitioner)

Fee \$ 600 - (Checks payable to Marathon County) Date Fee Received \_\_\_\_\_

**Attendance at the Public Hearing** before the Marathon County Environmental Resources (ERC) Committee is not mandatory **IF** you have appeared before the Town Planning Commission and/or the Town Board to present your proposal. **If there was opposition to your proposal at the town level, attendance at the ERC Committee hearing is recommended.**

11-17-2019 MARATHON COUNTY ENVIRONMENTAL RESOURCES (ERC) ZONE CHANGE PROCEDURE

[Signature] 715-687-8606 3-15-2021

PETITION FOR ZONE CHANGE  
BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS

1. As authorized by §17.91 of the Marathon County Zoning Code (I) (we) (Name & Address): Same.

x hereby petition to rezone property owned by (Name & Address): Bernie & Jan Wenzel

from the classification L-1, Light Industrial to N-C, Neighbored Commercial

2. The legal description of that part of the property to be rezoned is (include only the description of the land proposed to be rezoned - You may need to have a surveyor draft this description): See attached

Parcel Identification Number (PIN): OS6-2603-014-0993

x 3. The proposed change is to facilitate the use of the land for (be specific-list all proposed uses):  
Industrial, Assembly (Event Barn)

4. Please address the following criteria as best as you can. These are the "standards for rezoning" which will be addressed at the public hearing. (Use additional sheets if necessary).

A. In detail, explain what public facilities and services serve the proposed development at present, or how they will be provided. Not sure?? This Barn Renovation and Additions will be part of our Business which will serve as a Retail Wisconsin Products Store (wine, cheese etc.) and as an Event Venue featuring the Historic Barn.

B. Explain how the provision for these facilities will not be an unreasonable burden to local government. This provision will enhance our facility by making use of an existing building and preserving its historical importance to our area and state.

C. What have you done to determine that the land is suitable for the development proposed? We have operated a similar business on this land for the past 17 years and has been very successful.

D. Explain what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion or adverse effects on rare or irreplaceable natural areas. Minimal, the additions to the Barn are consuming areas currently covered by cement or granite.

E. Explain any potential for conflict with existing land uses in the area. No conflicts expected or exist

(OVER)

RS  
02/15/21

F. Demonstrate the need of the proposed development at this location. To better utilize our facility, its Historic Barn/Buildings, and location to enhance our family Business as our children enter the work force.

G. What is the availability of alternative locations? Be specific. None

H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved? No Cropland Consumed

I. If cropland is being consumed by this zone change, explain how the proposed development will be located to minimize the amount of agricultural land converted. No Cropland Consumed

5. Include on a separate sheet (no larger than 11 x 17) a drawing of the property to be rezoned, at a scale of 1"=200 ft or larger. Show additional information if required. **(If larger sheets are required to adequately portray the site, include ten (10) copies).**

All property owners within 300 feet of the parent parcel proposed for rezoning are parties in interest, and will be notified by Marathon County Conservation, Planning, and Zoning Department of the public hearing notice via direct mail.

6. If the Environmental Resources Committee, at the public hearing for this zone change request, is unable to make a recommendation based upon the facts presented and/or request additional information, clarification or data from the petitioner, Town Board, or any other source, that information shall be supplied to the Conservation, Planning, and Zoning Department 24 hours or more prior to the next regularly scheduled meeting (date and time to be announced at each regular meeting). Twenty four hour notice is required for all agenda items. If the requested information, etc. is not supplied, the zone change petition is denied and will only appear on the agenda as a report. No additional testimony will be accepted. The petitioner (applicant) may re-apply at any time to bring the matter back before the Committee. **No exceptions to this policy will be granted.**

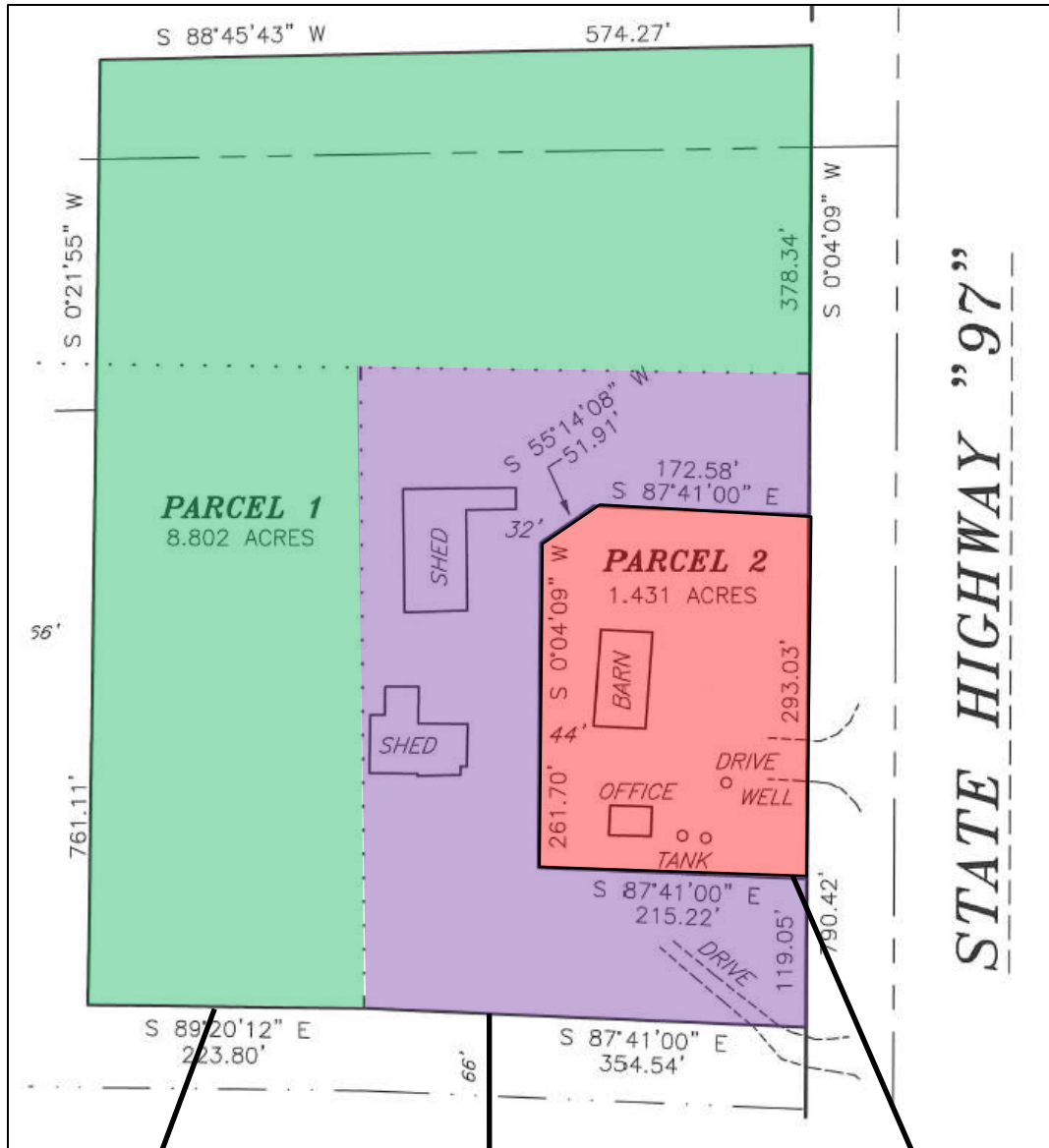
7. Petitioner's Signature \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

8. Owner's Signature Bernard Wenzel Phone 715-687-8606 Date 3-15-21  
(if different)

Date Fee Received: \_\_\_\_\_ Fee \$600.00 PAYABLE TO MARATHON COUNTY

**Attendance at the Public Hearing** before the Marathon County Environmental Resources (ERC) Committee is not mandatory **if** you have appeared before the Town Planning Commission and/or the Town Board to present your proposal. If there was opposition to your proposal at the town level, attendance at the ERC hearing is recommended.

CPZ Staff Notes on the proposed rezone 04/13/2021 – Dominique Swangstu (Marathon County Zoning Administrator)



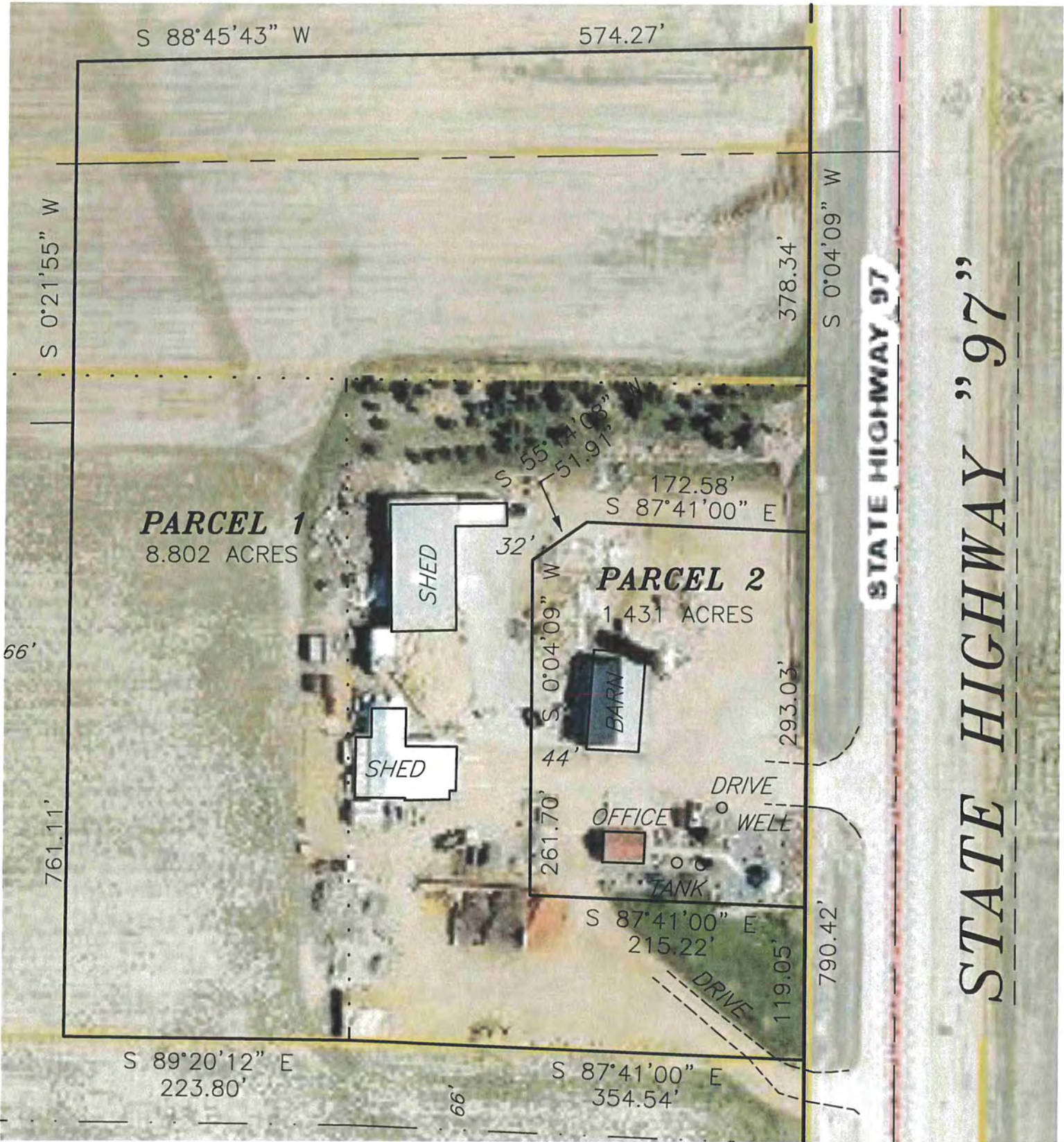
Area shown in Green is currently zoned Farmland Preservation and is being proposed to be rezoned to the Light Industrial Zoning District

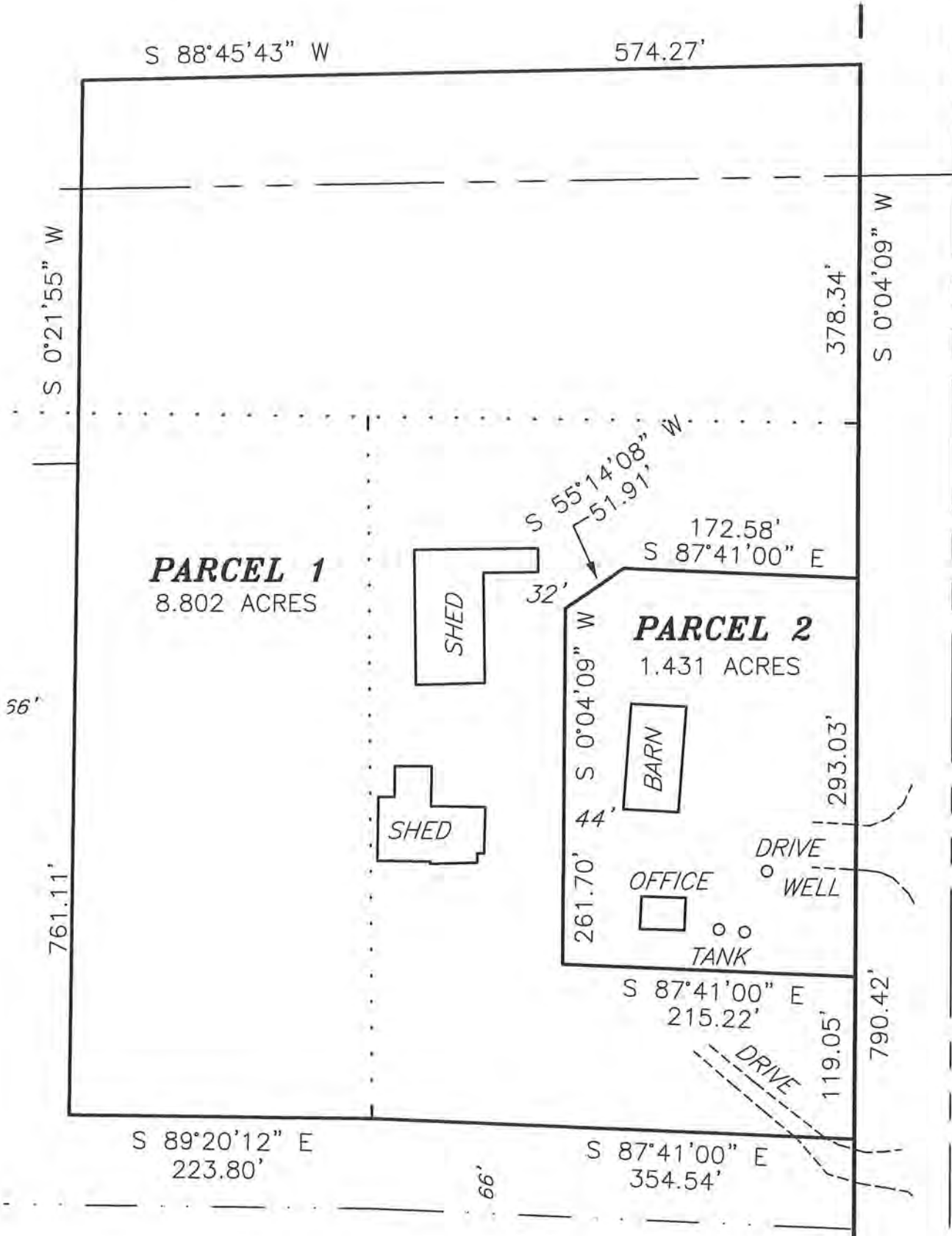
Area shown in Purple is currently zoned Light Industrial and will not change its zoning classification as a result of this rezone.

Area shown in red is currently zoned Light Industrial and is being proposed to be rezoned to the Neighborhood Commercial Zoning District

Both the Green and Purple areas will be one parcel 8.802 Acres in size (Parcel 1)

The areas shown in red (Parcel 2) will be one parcel 1.431 acres in size.

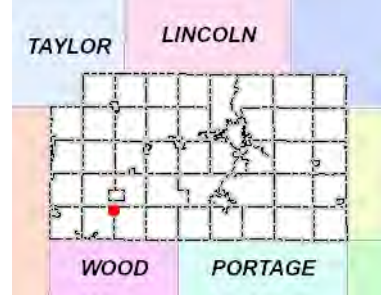




**STATE HIGHWAY "97"**



# 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

177.58 0 177.58 Feet



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

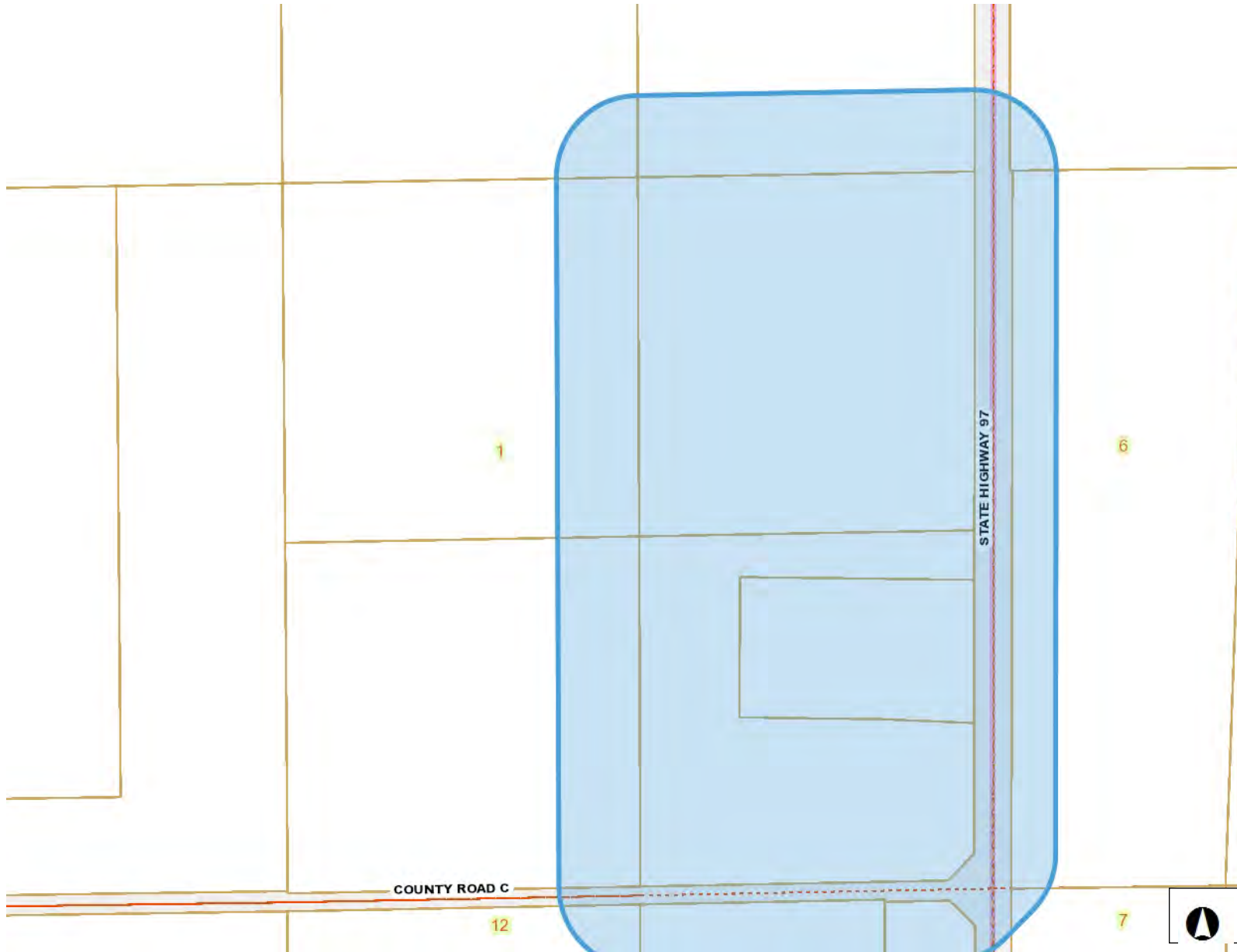
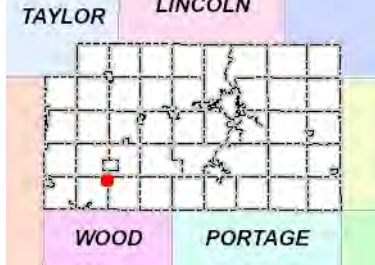
DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement 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



- Legend**
- Road Names
  - Parcels
  - Parcel Lot Lines
  - Land Hooks
  - Section Lines/Numbers
  - Right Of Ways
  - Named Places
  - Municipalities

273.60 0 273.60 Feet



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

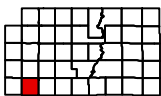
**DISCLAIMER:** The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement 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**

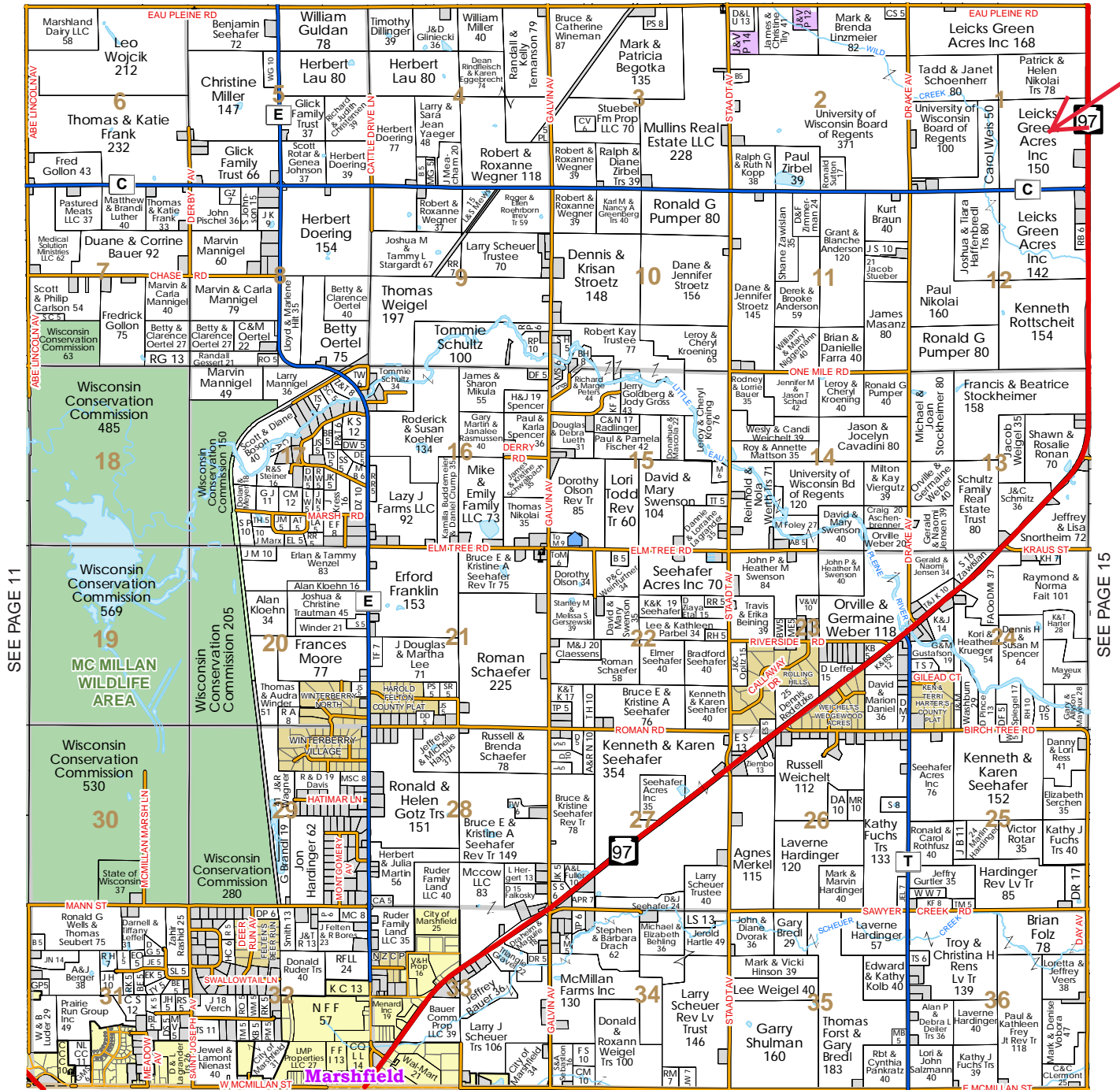
**Notes**

PIN 056-2603-014-0992  
 056-2603-014-0993  
 056-2603-014-0999





SEE PAGE 31



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CHIMNEY & FIREPLACE SUPPLIES

STATE OF WISCONSIN )  
MARATHON COUNTY )  
TOWN OF MCMILLAN )

**RESOLUTION ON ZONING ORDINANCE AMENDMENT**

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Patti Rahn, Clerk of the Town of McMillan, 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 McMillan Town Board at a meeting held on the 10<sup>th</sup> day of May, 2021.

RESOLUTION

WHEREAS, Section 59.69(5)(e)3., Wisconsin Statutes, provides that if a town affected by a proposed amendment disapproves of the proposed amendment, the town board may file a certified copy of a resolution adopted by such board disapproving of the petition with the Environmental Resources Committee prior to, at or within ten (10) days after the public hearing, and

WHEREAS, if the town board of the town affected in the case of an ordinance relating to the location of boundaries of districts files such a resolution, the Environmental Resources Committee may not recommend to the County Board approval of the petition without change, but may only recommend approval with change or recommend disapproval.

NOW, THEREFORE BE IT RESOLVED that the Town of McMillan Town Board considered on the 10<sup>th</sup> day of May, 2021, petition by Bernie Wenzel and Leick's Green Acres to amend the Marathon County Zoning Ordinance to rezone lands from F-P Farmland Preservation to L-I Light Industrial and L-I Light Industrial to N-C Neighborhood Commercial described as part of the SE ¼ of the SE ¼ of Section 01, Township 26 North, Range 03 East, Town of McMillan. The area proposed to be rezoned to L-I is described as part of Parcel #1 (8.802 acres) on the Exhibit map submitted as a part of the rezone petition, whereas the area proposed to be rezoned to N-C is described as Parcel #2 (1.431 acres) on the Exhibit map. The areas proposed to be rezone have the Parcel PIN#'s 056.2603.014.0993, 056.2603.014.0992, and 056.2603.014.0999; Address 208268 State Highway 97, Stratford WI 54484

The Town of McMillan hereby has considered the following standards for rezoning above property (use additional sheets if necessary):

1) **Has the applicant provided what public facilities and/or services currently serve the proposed development, what additional services may be required, and how the additional services will be provided?**

No  Yes Explain: \_\_\_\_\_

2) **Has the applicant demonstrated how the provision of the public facilities will not be an unreasonable burden to local government?**

No  Yes Explain: \_\_\_\_\_

3) **Has the applicant determined that the land is suitable for the development proposed? Explain.**

No  Yes Explain: \_\_\_\_\_

4) **Has the applicant demonstrated what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas? Explain.**

No  Yes Explain: \_\_\_\_\_

5) **Is there any potential for conflict with existing land uses in the area?**

No  Yes Explain: \_\_\_\_\_

(OVER)

- 6) Has the applicant demonstrated the need for the proposed development at this location? Explain.  
 No  Yes Explain: \_\_\_\_\_
- 7) Has the applicant demonstrated the availability of alternative locations? Be specific  
 No  Yes Explain: \_\_\_\_\_
- 8) Is cropland is being consumed by this zone change? What is the productivity of the agricultural lands involved?  
 No  Yes Explain: \_\_\_\_\_
- 9) Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?  
 No  Yes Explain: \_\_\_\_\_
- 10) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.  
 No  Yes Explain: \_\_\_\_\_
- 11) Is there anything else the Town wishes to present or comment on regarding this application to the Marathon County Environmental Resources (ERC) Committee?  
 No  Yes Explain: \_\_\_\_\_

The Town of McMillan recommends:  **Approval**  **Disapproval** of the amendment and/or zone change.

OR  **Requests an Extension\*** for the following reasons: \_\_\_\_\_

\*Wis. Stats §59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.

Clerk *Patti Hahn*  
 Town Board *Bob Spring* *Robert B. B...*  
*Russell J. J...*  
*Michael J. J...*  
*Kevin J. J...*

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Environmental Resources Committee Public Hearing. Town input at the hearing is always appreciated. Please return this form before May 21, 2021 to:

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



**Bernie Wenzel & Leick's Green Acres Inc.  
Petition to Rezone Land  
Staff Report, June 1<sup>st</sup>, 2021  
Environmental Resources Committee**

**Findings of Fact**

**PUBLIC HEARINGS/MEETINGS:**

- Town of McMillan Town Board Meeting (May 10<sup>th</sup>, 2021)
- Marathon County Environmental Resources Committee Meeting (June 1<sup>st</sup>, 2021 at 3:00pm)

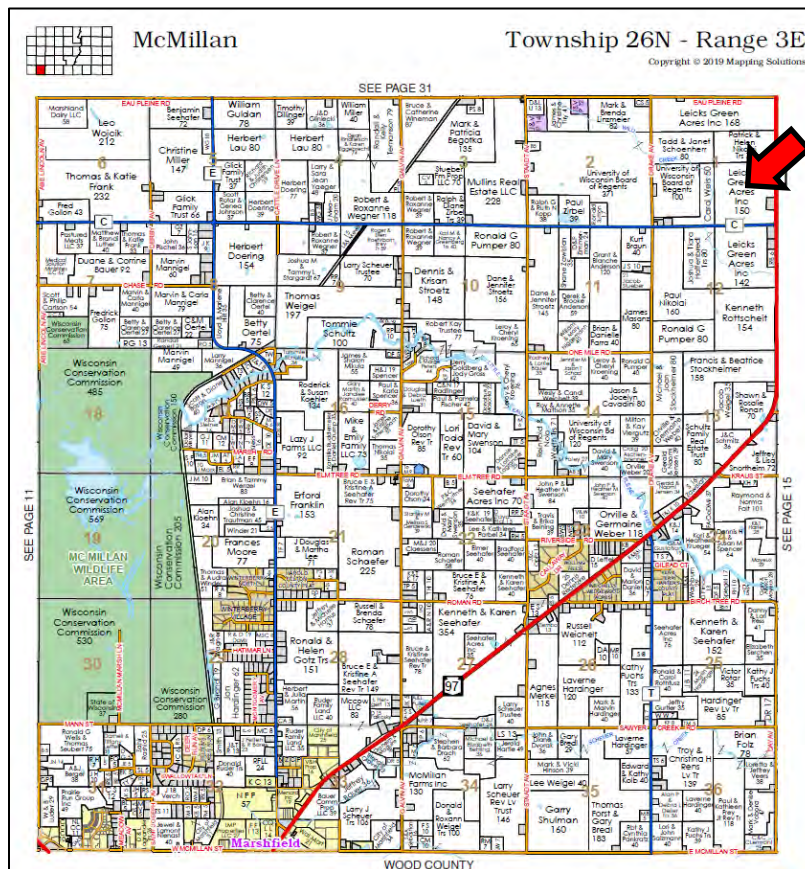
**PETITIONER:** Tim Vreeland – 6103 Dawn Street, Weston WI

**PROPERTY OWNER:** Bernie (Bernard) and Jennifer Wenzel – 208268 State Highway 97, Stratford WI 54484  
&

Leick's Green Acres Inc (c/o Gilbert Leick) – 209607 State Highway 97, Stratford WI 54484

**LOCATION OF REZONE REQUEST:** Existing parcel proposed to be rezone is located approx. 700 feet north of the intersection of County Road C and State Highway 97 in the Town of McMillan.

*Map 1: Location of Rezone Request*



**REQUEST:**

The petition of Tim Vreeland on behalf of Bernie Wenzel and Leick's Green Acres to amend the Marathon County Zoning Ordinance to rezone lands from F-P Farmland Preservation to L-I Light Industrial and L-I Light Industrial to N-C Neighborhood Commercial described as part of the SE ¼ of the SE ¼ of Section 01, Township 26 North, Range 03 East, Town of McMillan. The area proposed to be rezoned to L-I is described as part of Parcel #1 (8.802 acres) on the Exhibit map submitted as a part of the rezone petition, whereas the area proposed to be rezoned to N-C is described as Parcel #2 (1.431 acres) on the Exhibit map. The areas proposed to be rezoned have the Parcel PIN#'s 056-2603-014-0993, 056-2603-014-0992, and 056-2603-014-0999; Address 208268 State Highway 97, Stratford WI 54484.

**EXISTING ZONING DISTRICT:**

**F-P Farmland Preservation Zoning.** The intent of this district is to maintain highly productive agricultural lands in food and fiber production by effectively limiting encroachment of non-agricultural development and minimizing land use conflicts among incompatible uses. This district is not intended to accommodate non-agricultural growth

&

**L-I Light Industrial.** Industrial Research and Office district. The purposes of the L-I district are:

1. To provide an environment exclusively for and conducive to the development and protection of modern administrative facilities and research institutions that are office-like in physical appearance and service requirements.
2. To provide for and accommodate industrial uses in the fields of repair, storage, manufacturing, processing, wholesaling, and distribution, free from the encroachment of residential, retail, and institutional uses unless otherwise specified in this ordinance. The uses allowed are those which, because of their normally unobjectionable characteristics, can be in relatively close proximity to residential and commercial districts.

**PROPOSED ZONING DISTRICT:**

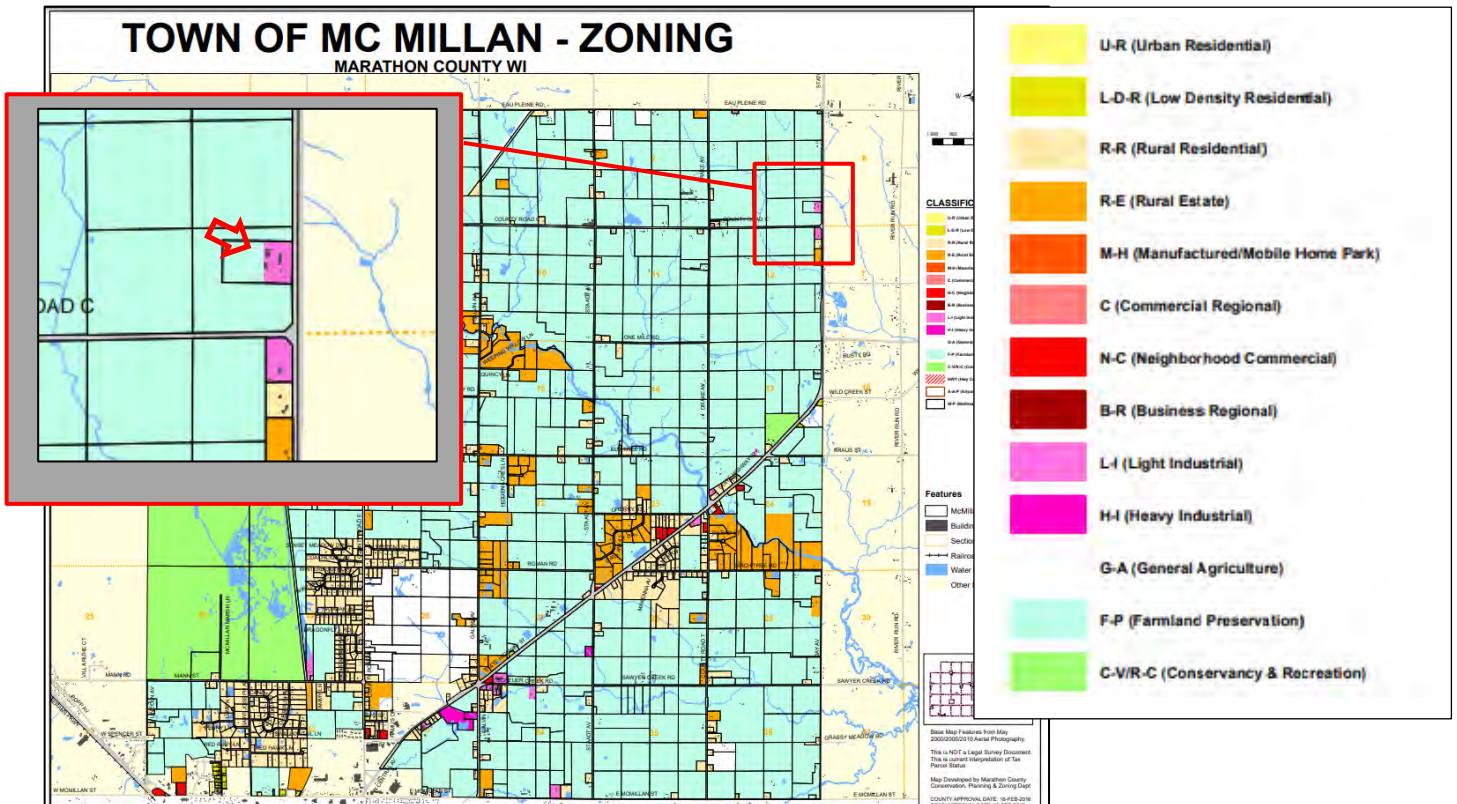
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2. To provide for and accommodate industrial uses in the fields of repair, storage, manufacturing, processing, wholesaling, and distribution, free from the encroachment of residential, retail, and institutional uses unless otherwise specified in this ordinance. The uses allowed are those which, because of their normally unobjectionable characteristics, can be in relatively close proximity to residential and commercial districts.

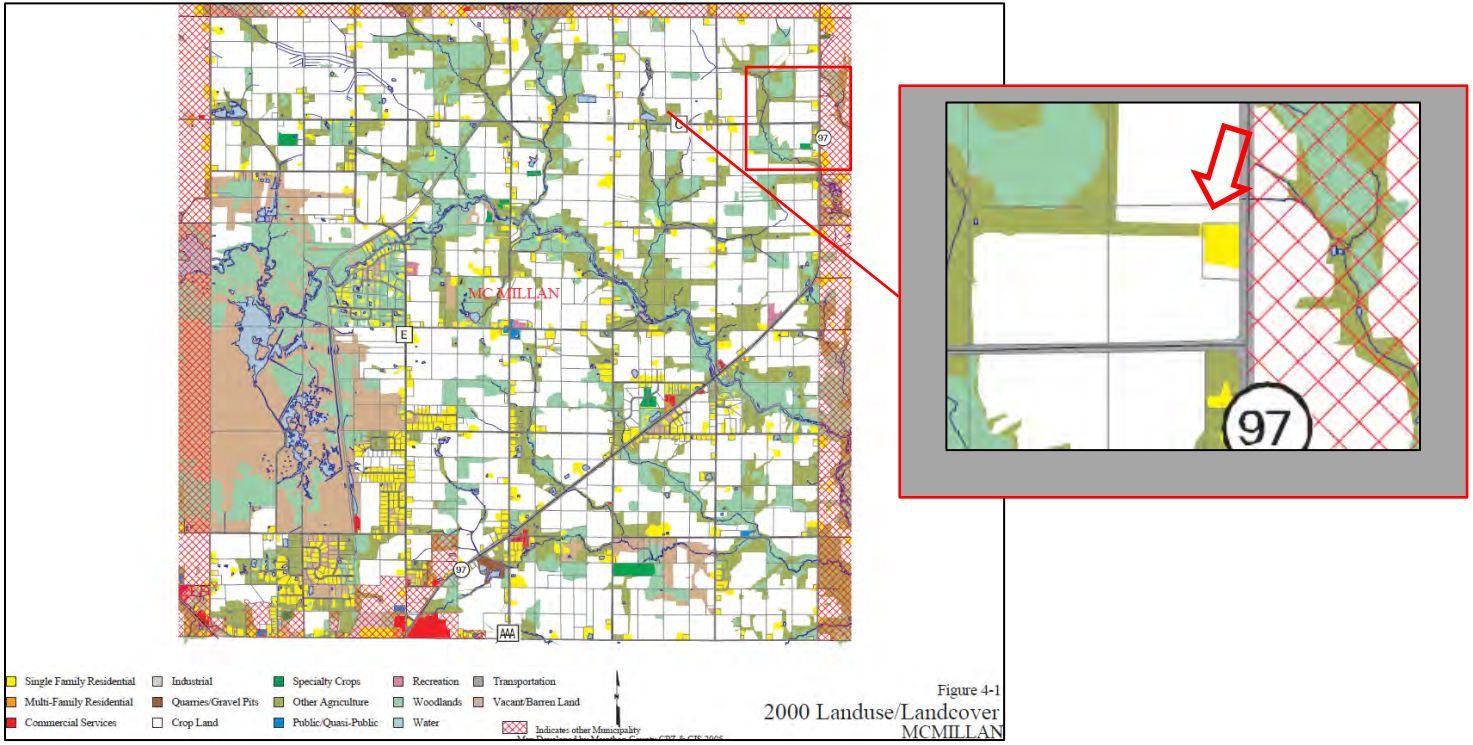
&

**N-C Neighborhood Commercial District.** The purpose of the N-C district is to accommodate the wide range of retail stores and personal service establishments which cater to frequent recurring needs.

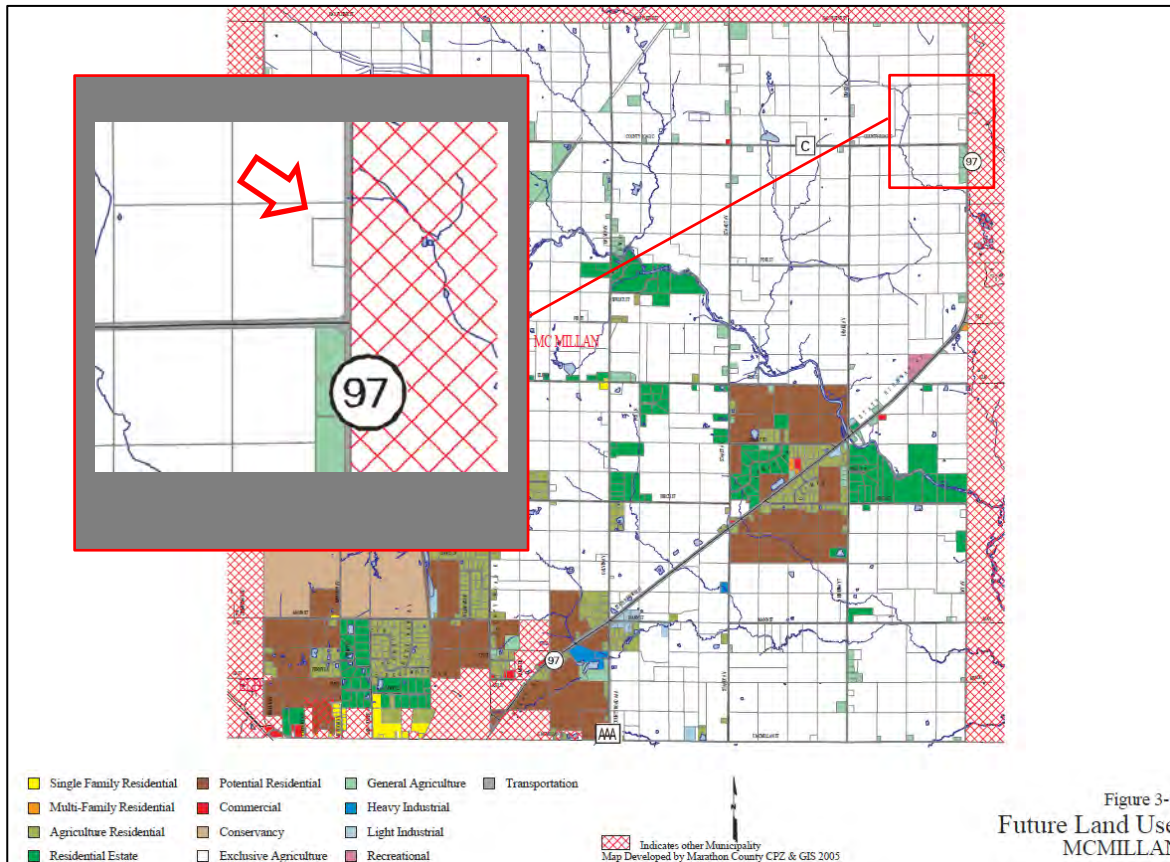
**EXISTING ZONING DISTRICT MAP:** Adjacent parcels are zoned Farmland Preservation and Light Industrial.



**Existing (2000) Land Use/Land Cover Map – Town of McMillan (2006 Comprehensive Plan)** The areas proposed to be rezoned are shown as Crop Land, Other Agriculture, and Single Family Residential Land Uses in the Town's Comprehensive Plan Existing Land Use/Land Cover Map (2000).

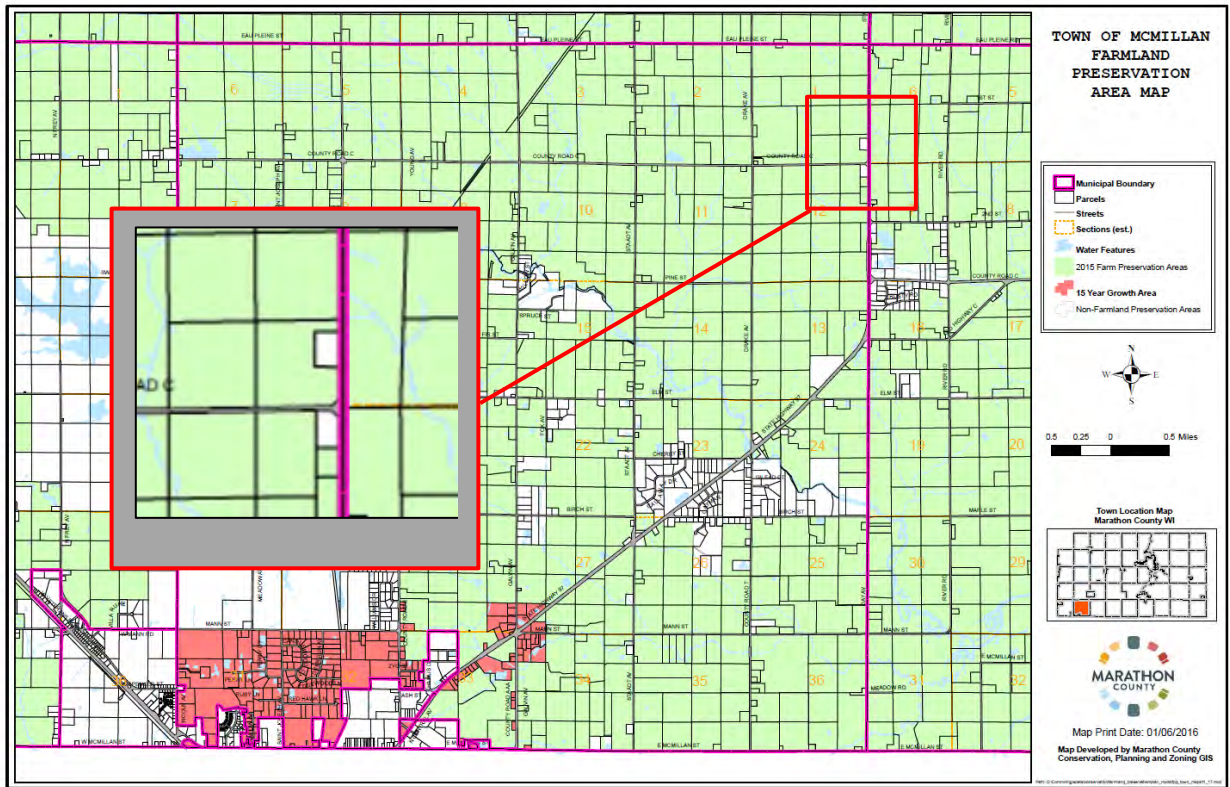


**TOWN COMPREHENSIVE PLAN FUTURE LAND USE MAP:** The areas proposed to be rezoned are designated as Crop Land in the Town's Comprehensive Plan Future Land Use Map.

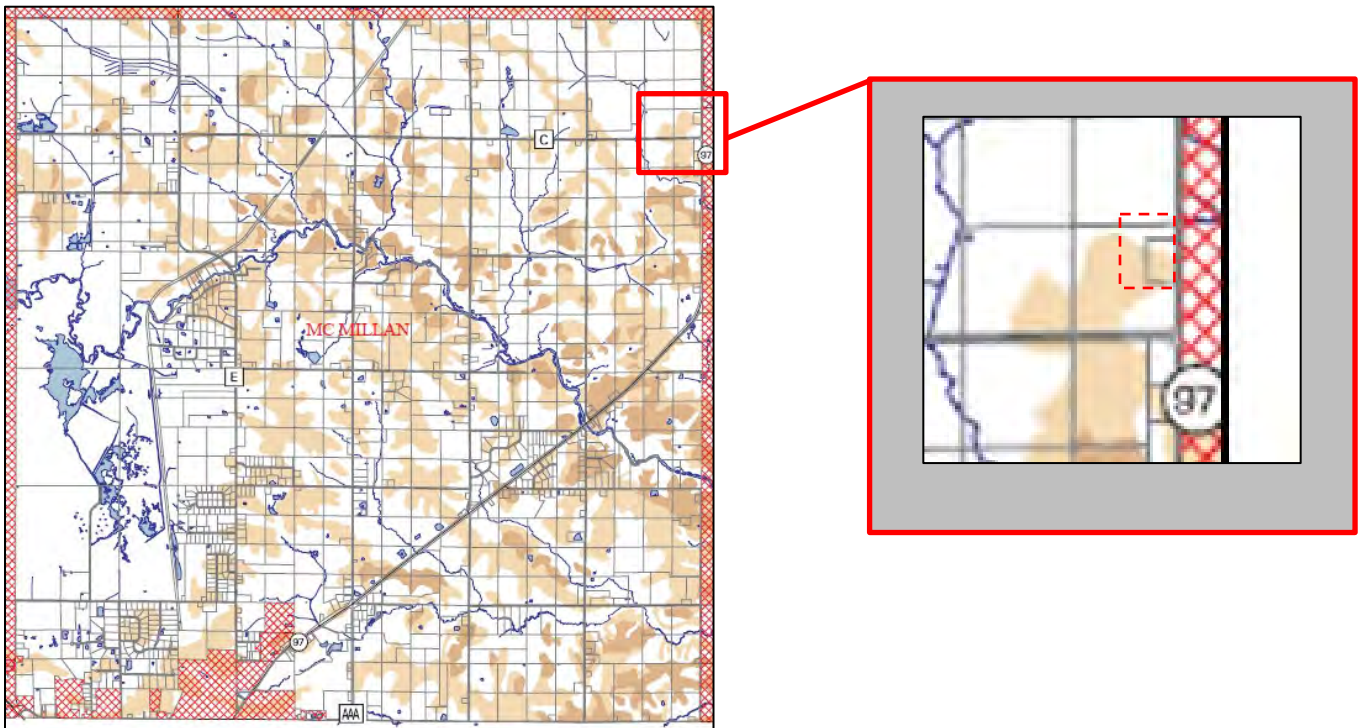


*\*Please note the Town of McMillan is currently in the process of updating their comprehensive plan including their land use maps.*

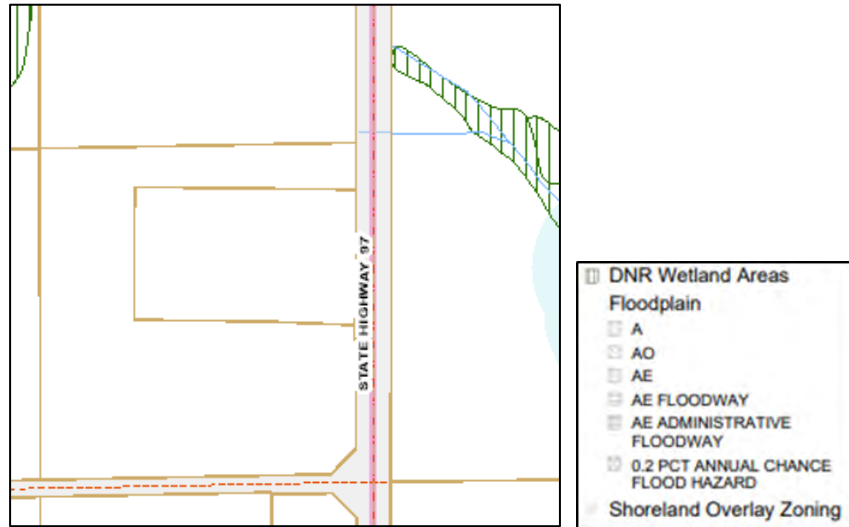
**FARMLAND PRESERVATION PLAN:** The areas in question are partially designated as a non-farmland preservation area in the Farmland Preservation Plan, whereas a portion of the area to be rezoned to L-1 is shown as a Farmland Preservation Area. As seen in the zoning district map, the existing parcel is split zoned and is currently in violation of the zoning ordinance, the rezone in question would bring the parcel(s) into compliance with the zoning district minimum lot size standards.



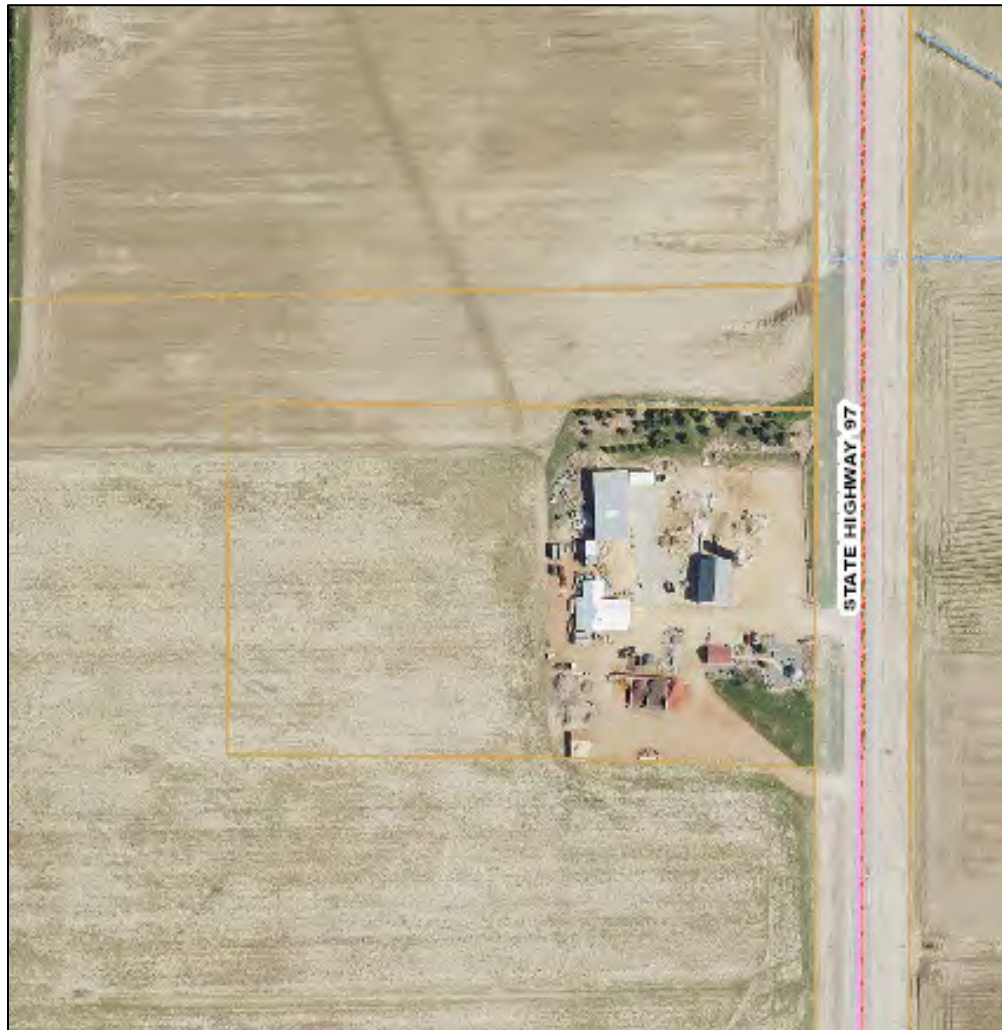
**Prime Farm Soils:** The area proposed to be rezoned has some prime farms soils from Group 1 but no soils from Group 2 which is the best soils for agricultural production.



**SIGNIFICANT PARCEL LIMITATIONS OR NATURAL FEATURES:** The area proposed to be rezoned has No mapped DNR mapped wetlands, floodplain areas, nor any shoreland overlay areas or water features located within in it.

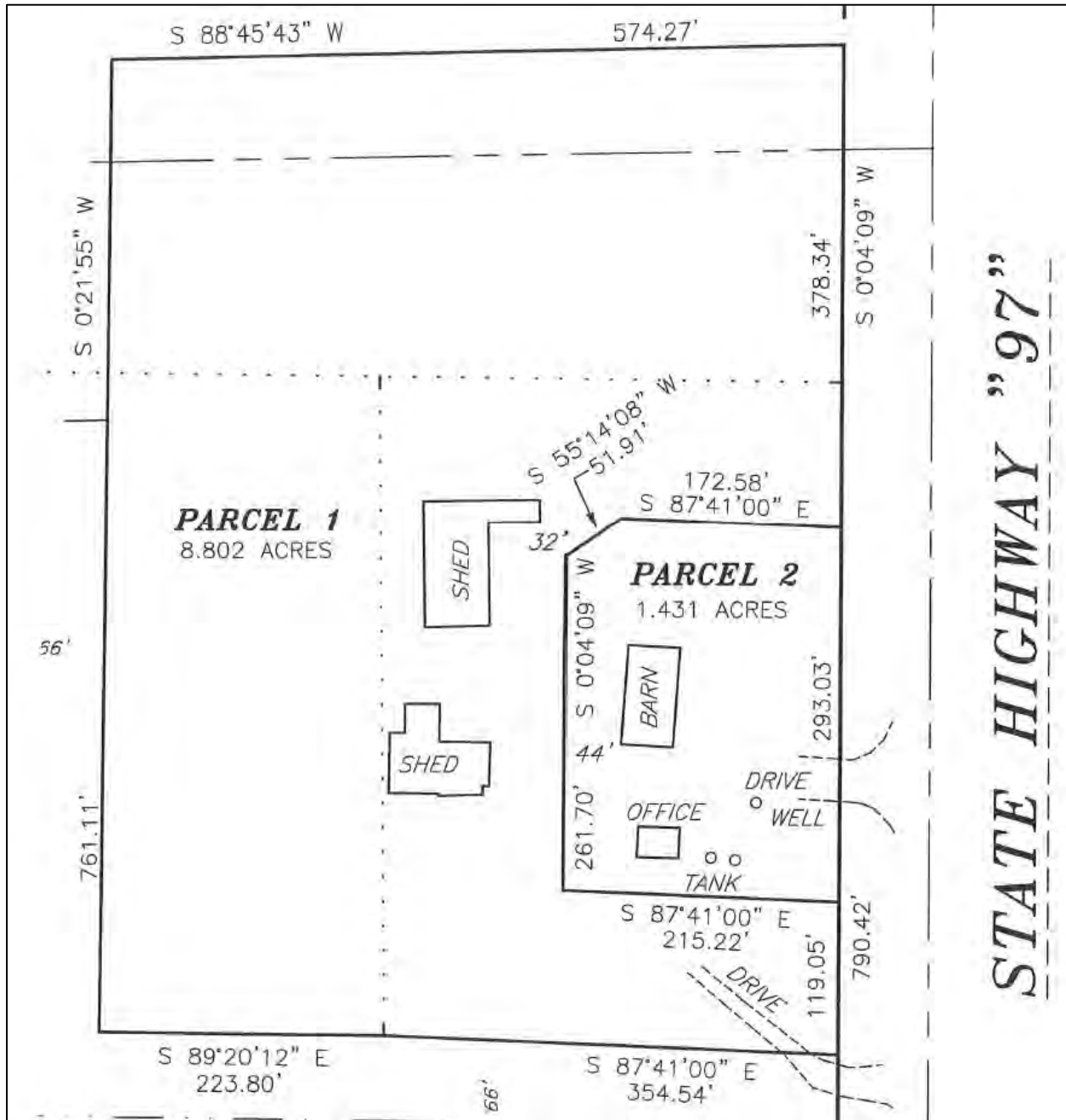


**Aerial Photo:**



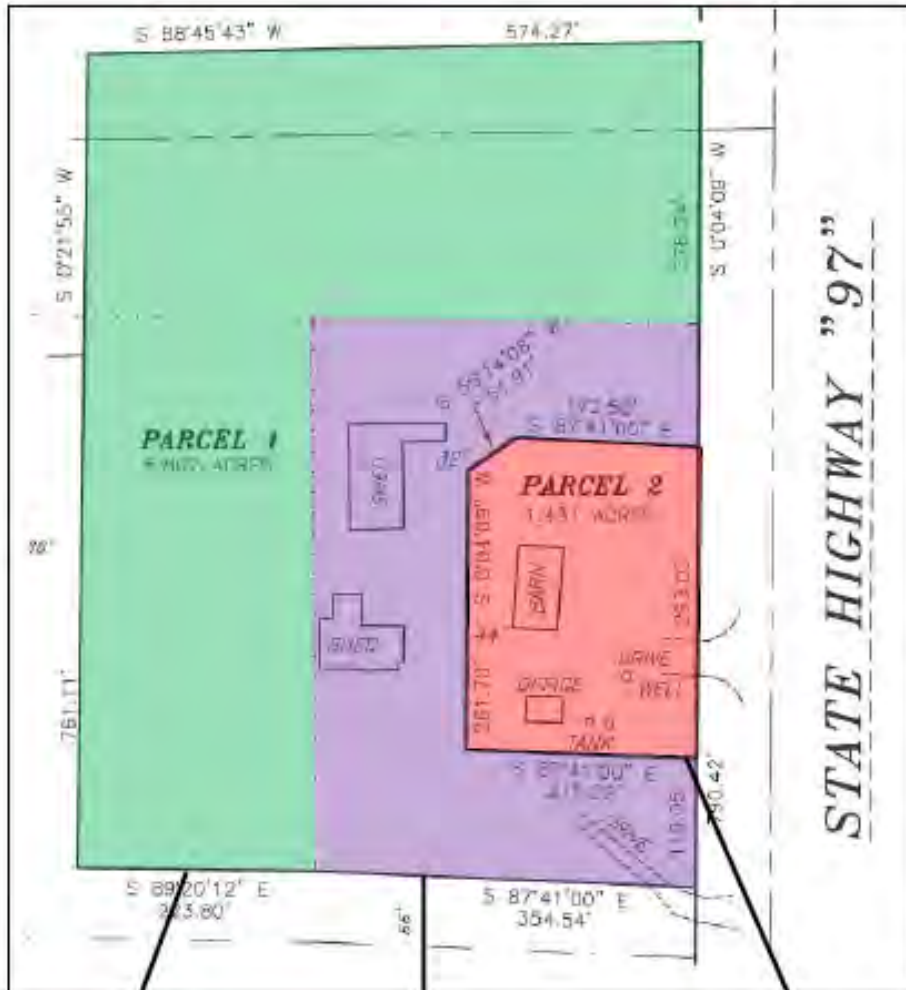


**Exhibit Map submitted as a part of the rezone petition:**



**CPZ Staff Diagram:**

CPZ Staff Notes on the proposed rezone 04/13/2021 – Dominique Swangstu (Marathon County Zoning Administrator)



**Area shown in Green is currently zoned Farmland Preservation and is being proposed to be rezoned to the Light Industrial Zoning District**

**Area shown in Purple is currently zoned Light Industrial and will not change its zoning classification as a result of this rezone.**

**Area shown in red is currently zoned Light Industrial and is being proposed to be rezoned to the Neighborhood Commercial Zoning District**

Both the Green and Purple areas will be one parcel 8.802 Acres in size (Parcel 1)

The areas shown in red (Parcel 2) will be one parcel 1.431 acres in size.

## TOWN RECOMMENDATION:

On May 10<sup>th</sup>, 2021 the **Town of McMillan** Town Board Recommended **Approval** to Marathon County's Environmental Resources Committee.

<p>The Town of McMillan recommends: <input checked="" type="checkbox"/> <b>Approval</b>   <input type="checkbox"/> <b>Disapproval</b>   of the amendment and/or zone change.</p> <p><b>OR</b>   <input type="checkbox"/> <b>Requests an Extension*</b> for the following reasons: _____</p> <p>_____</p> <p>_____</p> <p><small>*Wis. Stats §59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.</small></p> <p style="text-align: right;">Clerk <u><i>Ruth Hahn</i></u></p> <p style="text-align: right;">Town Board <u><i>Bob Spring</i></u>   <u><i>Robert B. B...</i></u></p> <p style="text-align: right;"><u><i>Russell J. J...</i></u></p> <p style="text-align: right;"><u><i>Michelle G. G...</i></u></p> <p style="text-align: right;"><u><i>Kevin S. S...</i></u></p>
--

### Staff Comments regarding ERC Conclusions of Law:

1. The rezoning is substantially consistent with the following plans. (*note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan*)

- a. [Marathon County](#) Comprehensive Plan
- b. [Town](#) Comprehensive Plan and,
- c. Marathon County [Farmland Preservation Plan](#).

The Marathon County Comprehensive Plan relies on the Town Comprehensive Plan regarding specific land uses and zoning districts for individual parcels. The area proposed to be rezoned is shown to be designated for Crop Land uses in the future land use map yet has no prime farms soils from Group 2. The town's comprehensive plan is over 15 years old, the town is currently in the process of updating their Comprehensive Plan which includes the land use maps (yet the town has recommended approval of this rezone based on its existing and future Comprehensive Plan land uses maps). CPZ staff rely on the towns to make these recommendations given the town board members and residents know their town and the true purpose and intent of the plan. The area proposed to be rezoned was designated as a both a Farmland Preservation and non-Farmland Preservation area in the FP plan. The rezone will correct a current zoning violation as it relates to the creation of a parcel that does not meet minimum parcel size. Lastly, per the town resolution the town board stated the rezone is consistent with the Towns Comprehensive plan as a whole.

2. The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

The area proposed to be rezoned appears to minimize the lands to be converted as a result of this rezone, adjacent lands will continue to be farmed. Additionally, adjacent remnant parcels will be combined and reconfigured to ensure each of the parcels still zoned Farmland Preservation meet the minimum 35 acre minimum lot size for the district.

3. The applicant has demonstrated that...

- a. There is a need for the proposed development,
- b. Adequate public facilities are present or will be provided (*note impacts on roads, water, sewage, drainage, schools, emergency services, etc.*), and
- c. Providing public facilities will not be an unreasonable burden to the local government.

- a.** The need is related to an expanded business proposal as well as an existing non-conforming use onsite. The proposed rezone will bring the current commercial business into compliance with the zoning ordinance standards. Lastly, the rezone will bring the parcel(s) into compliance as it relates to the minimum lot size standard for the applicable zoning districts.
- b.** All necessary public facilities are anticipated to be provided (if not already provided) given any proposed development would rely of private systems such as a private well and sanitary system.
- c.** No anticipated burden on local government, all applicable building, construction, and use standards will be applied during the land division plat, zoning, and building review processes.

**4.** The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

All Federal, State, and Local permits and approvals are required for any applicable development onsite. Additionally, the proposed rezone will likely not result in any unreasonable air and water pollution as all pertinent regulations apply and will need to be adhered to. Any disturbance greater than one acre would need a DNR Stormwater Management Permit.

**5.** The Town has approved the proposed rezone of the property.

The Town of McMillan Town Board has recommended approval of this rezone petition.

**6.** All concerns from other agencies on the proposed rezone have been addressed? (*DNR, Highway, DOT*) What are the concerns?

The county was not made aware of any concerns from other agencies.

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### **STAFF (CPZ) RECOMMENDATION(S):**

The rezone meets all the zoning district standards as it relates to size, frontage, access, and dimension. If approved, the McMillan should update their comprehensive plan to reflect the proposed rezone to L-I and N-C from F-P and L-I. The future land use map should also be revised to be consistent with the proposed rezone. Areas proposed to be rezoned has no prime farm soils from Group 2 and was mostly designated as a non-farmland preservation area in the Farmland Preservation Plan. The proposed rezone will correct a current violation onsite as it relates to the minimum lot size requirement for the Farmland Preservation Zoning District.

Based on the information provided above, findings of fact, conclusions of law, and the town's recommendation, it appears the rezone request meets all of the rezone criteria and standards for rezoning. Therefore, CPZ staff recommend that the Environmental Resources Committee recommend **Approval** to the Marathon County Board of Supervisors.



**Case: #2**  
**Environmental Resources Committee**  
**Decision Form**

**Conclusions of Law**

Marathon County Environmental Resources Committee (ERC) must consider all of the following standards in their decision. Please review and explain how the request does or does not meet each of these standards.

To approve a rezone, ERC must answer 'agree' to each of these standards. If the ERC recommends approval, but answers 'disagree' to any of these questions, a plan/ordinance changes, and/or additional information is required to satisfy the criteria.

1. The rezoning is substantially consistent with the following plans. *(note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan)*
- a. [Marathon County](#) Comprehensive Plan
  - b. [Town](#) Comprehensive Plan and,
  - c. Marathon County [Farmland Preservation Plan](#).

Agree       disagree       insufficient information

---

---

2. The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

Agree       disagree       insufficient information

---

---

3. The applicant has demonstrated that...

- a. There is a need for the proposed development,
- b. Adequate public facilities are present or will be provided *(note impacts on roads, water, sewage, drainage, schools, emergency services, etc.)*, and
- c. Providing public facilities will not be an unreasonable burden to the local government.

Agree       disagree       insufficient information

---

---

4. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

Agree       disagree       insufficient information

---

---

5. The Town has approved the proposed rezone of the property.

Agree       disagree       insufficient information

---

---

6. All concerns from other agencies on the proposed rezone have been addressed? *(DNR, Highway, DOT)* What are the concerns?

Agree       disagree       insufficient information

---

---

**Environmental Resources Committee Decision**

On the basis of the above findings of fact, conclusions of law, and the record in this matter, the Marathon County Environmental Resources Committee finds that the rezoning is:

- Approved      Motion/      Second
- Denied, for the following reasons
- Tabled for further consideration

Specify reasons for denial, or additional information requested:

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- An amendment to the county comprehensive plan is needed to approve this petition.
- An amendment to the county farmland preservation plan is needed to approve this petition.

Describe recommended amendments:

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Signature:

Chairman: \_\_\_\_\_



**PETITION FOR ZONE CHANGE**  
**BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS**

1. As authorized by §17.91 of the Marathon County Zoning Code (I) (we) *(Name & Address)*:

Devin Klockziem, 135763 County Road U, Marathon, WI 54448

hereby petition to rezone property owned by *(Name & Address)*: Todd & Laurie Smith, 137708 Highland Drive, Marathon, WI 54448

from the classification G-1, General Ag to N-C, Neighborhood Commercial R-E, Rural Estate

2. The legal description of that part of the property to be rezoned is *(include only the description of the land proposed to be rezoned. You may need to have a surveyor draft this description)*: Part of NE 1/4 NE 1/4, Section 36, T29N, R5E. See attached Preliminary CSM for full layout and description.

Parcel Identification Number (PIN): 066-2905-361-0983 (Lot 1 CSM no. 18655) and Part of 066-2905-361-0984 (Parent)

3. The proposed change is to facilitate the use of the land for (be specific-list all proposed uses):

N-C Storage & Maintenance for DDK Lawn and Snow Services LLC

R-E Future Residence

4. Please address the following criteria as best as you can. These are the "standards for rezoning" which will be addressed at the public hearing. (Use additional sheets if necessary).

A. In detail, explain what public facilities and services serve the proposed development at present, or how they will be provided. Private sewage systems, private well, and existing overhead power lines. Petitioner will contact WPS for utilities required.

B. Explain how the provision for these facilities will not be an unreasonable burden to local government. Utilities will be privately funded.

C. What have you done to determine that the land is suitable for the development proposed? Petitioner verified with Marathon County and Town of Rib Falls the proposed uses were acceptable.

D. Explain what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion or adverse effects on rare or irreplaceable natural areas. Petitioner will work with county and DNR to establish erosion control methods. Parcel is subject to shoreland permitting.

E. Explain any potential for conflict with existing land uses in the area. None. Warehousing and bus terminal in area.

(OVER)

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**APR 03 2021**  
**MARATHON CO. CONSERVATION,**  
**PLANNING & ZONING DEPT**

*JS*  
*04/03/21*

F. Demonstrate the need of the proposed development at this location. Easy access to main arterial road. No weight limit issues.  
Central location to work area for business.

G. What is the availability of alternative locations? Be specific. All other locations desired were sold.

H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved?  
Currently an alfalfa field.

I. If cropland is being consumed by this zone change, explain how the proposed development will be located to minimize the amount of agricultural land converted. Field is difficult to farm due to proximity to wet area. Field edge is not uniform and difficult to maneuver farm machinery.

5. Include on a separate sheet (no larger than 11 x 17) a drawing of the property to be rezoned, at a scale of 1"=200 ft or larger. Show additional information if required. **(If larger sheets are required to adequately portray the site, include ten (10) copies).**

All property owners within 300 feet of the parent parcel proposed for rezoning are parties in interest, and will be notified by Marathon County Conservation, Planning, and Zoning Department of the public hearing notice via direct mail.

6. If the Environmental Resources Committee, at the public hearing for this zone change request, is unable to make a recommendation based upon the facts presented and/or request additional information, clarification or data from the petitioner, Town Board, or any other source, that information shall be supplied to the Conservation, Planning, and Zoning Department 24 hours or more prior to the next regularly scheduled meeting (date and time to be announced at each regular meeting). Twenty four hour notice is required for all agenda items. If the requested information, etc. is not supplied, the zone change petition is denied and will only appear on the agenda as a report. No additional testimony will be accepted. The petitioner (applicant) may re-apply at any time to bring the matter back before the Committee. **No exceptions to this policy will be granted.**

7. Petitioner's Signature [Signature] Phone 715-574-2498 Date 4/7/21

8. Owner's Signature [Signature] Phone 715-571-6714 Date 4/7/21  
*(if different)*

Date Fee Received: April 12, 2021

Fee \$600.00 PAYABLE TO MARATHON COUNTY

**Attendance at the Public Hearing** before the Marathon County Environmental Resources (ERC) Committee is not mandatory if you have appeared before the Town Planning Commission and/or the Town Board to present your proposal. If there was opposition to your proposal at the town level, attendance at the ERC hearing is recommended.


RECEIVED

APR 09 2021



PREPARED FOR:  
 DEVIN KLOCKZIEM  
 135763 COUNTY ROAD U  
 MARATHON, WI 54448

**ALL LAND DATA**



GENE WADZINSKI  
 OWNER  
 211 S. 58TH AVENUE  
 WAUSAU WI 54401  
 PHONE: 715-218-5151  
 LLDEVL@AOL.COM

PROJECT #KlockziemDevin

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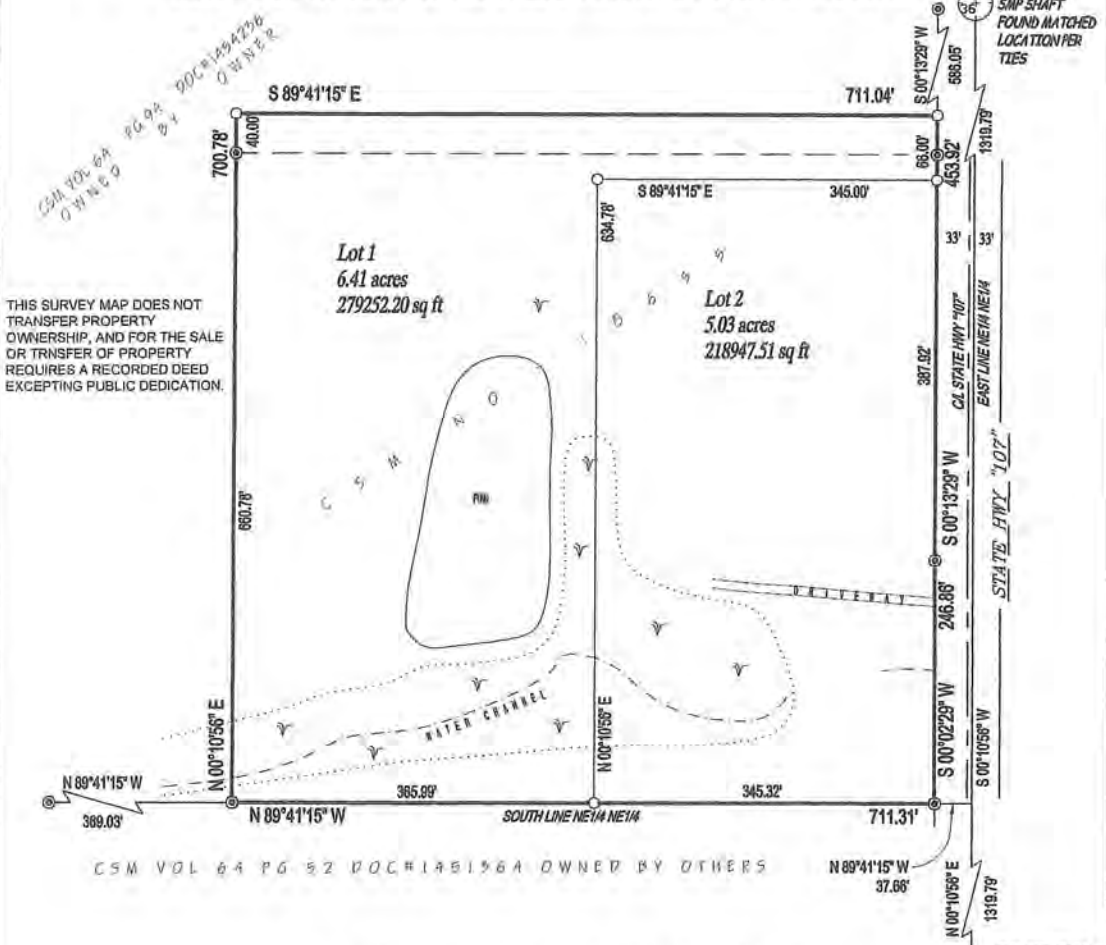
DRAWN BY: KTS  
 SHEET 1 OF 2  
 FIELD COMPLETE  
 Date: 1/21

PROJECT #KlockziemDevin

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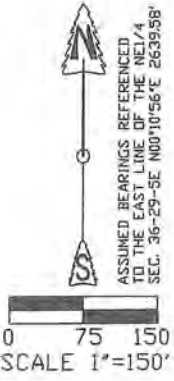
MARATHON COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_ DOCUMENT NO. \_\_\_\_\_

PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 29 NORTH, RANGE 5 EAST, TOWN OF RIB FALLS, MARATHON COUNTY, WISCONSIN



THIS SURVEY MAP DOES NOT TRANSFER PROPERTY OWNERSHIP, AND FOR THE SALE OR TRANSFER OF PROPERTY REQUIRES A RECORDED DEED EXCEPTING PUBLIC DEDICATION.

WIDMR WETLAND INVENTORY MAPS INDICATE THE PRESENCE OF WETLANDS ON A PORTION OF LOT 1 AND LOT 2. SURROUNDING WETLAND INDICATORS IDENTIFY AREAS OF POTENTIAL WETLANDS THAT MAY NOT BE IDENTIFIED OR MAPPED. CONTACT AN ARMY CORPS OF ENGINEERS CONSULTANT FOR A PRELIMINARY WETLAND BOUNDARY DETERMINATION PRIOR TO DISTURBANCE.



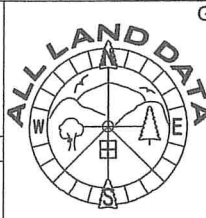
**LEGEND**

- 1 1/4" O.D. X 18" IRON PIPE SET WEIGHING 1.68 LBS/LIN. FT.
- ⊙ EXISTING 1 1/4" O.D. IRON PIPE
- I WOOD LATH SET
- W WETLAND ADD STATEMENT

DRAFT

GENE J. WADZINSKI PLS NO. 2400  
 SURVEY COMPLETED 4/ /2021

PREPARED FOR:  
DEVIN KLOCKZIEM  
135763 COUNTY ROAD U  
MARATHON, WI 54448



GENE WADZINSKI  
OWNER  
211 S. 58TH AVENUE  
WAUSAU WI 54401  
PHONE: 715-218-5151  
LLDEVL@AOL.COM

PROJECT #KlockziemDevinDesc  
THIS DRAWING AND ALL INFORMATION CONTAINED  
THEREIN IS THE PROPERTY OF ALL LAND DATA AND  
SHALL NOT BE COPIED OR USED EXCEPT FOR THE  
PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.

DRAWN BY: KTS  
SHEET 2 OF 2  
FIELD COMPLETE  
Date: 1/21

MARATHON COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_ DOCUMENT NO. \_\_\_\_\_  
PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 29 NORTH,  
RANGE 5 EAST, TOWN OF RIB FALLS, MARATHON COUNTY, WISCONSIN

SURVEYOR CERTIFICATE

I, GENE J. WADZINSKI, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY:  
THAT I HAVE SURVEYED AND MAPPED AT THE DIRECTION OF TODD SMITH, OWNER, A PARCEL OF LAND  
LOCATED IN PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 IN SECTION 36, TOWNSHIP 29 NORTH,  
RANGE 5 EAST, TOWN OF RIB FALLS, MARATHON COUNTY, WISCONSIN AND IS MORE PARTICULARLY DESCRIBED  
AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 36; THENCE S00°10'56"W, ALONG THE EAST LINE OF  
THE NORTHEAST 1/4, 1319.79 FEET; THENCE N89°41'15"W, ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF  
THE NORTHEAST QUARTER, TO THE WEST RIGHT-OF-WAY LINE OF "STATE HIGHWAY 107", BEING THE  
SOUTHEAST CORNER OF LOT 1 OF A CERTIFIED SURVEY MAP NUMBER 18655 RECORDED IN THE MARATHON  
COUNTY REGISTER OF DEEDS OFFICE, 37.66 FEET TO THE POINT OF BEGINNING. THENCE N89°41'15"W, ALONG  
THE SOUTH LINE OF SAID CERTIFIED SURVEY MAP, 711.31 FEET; THENCE N00°10'56"E ALONG THE WEST LINE OF  
SAID CERTIFIED SURVEY MAP, 700.78 FEET; THENCE S89°41'15"E, TO THE WESTERLY RIGHT-OF-WAY OF "STATE  
HIGHWAY 107", 711.04 FEET; THENCE S00°13'29"W, ALONG SAID WESTERLY RIGHT-OF-WAY, 453.92 FEET AND  
ALONG EAST LINE OF SAID CERTIFIED SURVEY MAP; THENCE S00°02'29"W, ALONG SAID WESTERLY  
RIGHT-OF-WAY, 246.86 FEET TO THE POINT OF BEGINNING.

THAT SUCH PLAT IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED.  
THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES,  
CHAPTER A-E7 OF THE WISCONSIN ADMINISTRATIVE CODE AND LAND DIVISION REGULATIONS OF THE COUNTY  
OF MARATHON, TOWN OF RIB FALLS AND THE VILLAGE OF MARATHON CITY IN SURVEYING, DIVIDING, AND  
MAPPING THE SAME.  
THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APPROVED FOR RECORDING UNDER  
THE TERMS OF THE MARATHON CO.  
LAND DIVISION REGULATIONS.

BY \_\_\_\_\_  
DATE \_\_\_\_\_  
MARATHON CO. CONSERVATION,  
PLANNING AND ZONING DEPT.  
CPZ TRACKING# \_\_\_\_\_

VILLAGE OF MARATHON CITY

APPROVED FOR RECORDING  
UNDER THE TERMS OF THE  
VILLAGE OF MARATHON CITY  
SUBDIVISION ORDINANCE

BY: \_\_\_\_\_  
DATE: \_\_\_\_\_

DRAFT



# 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

180.26 0 180.26 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.

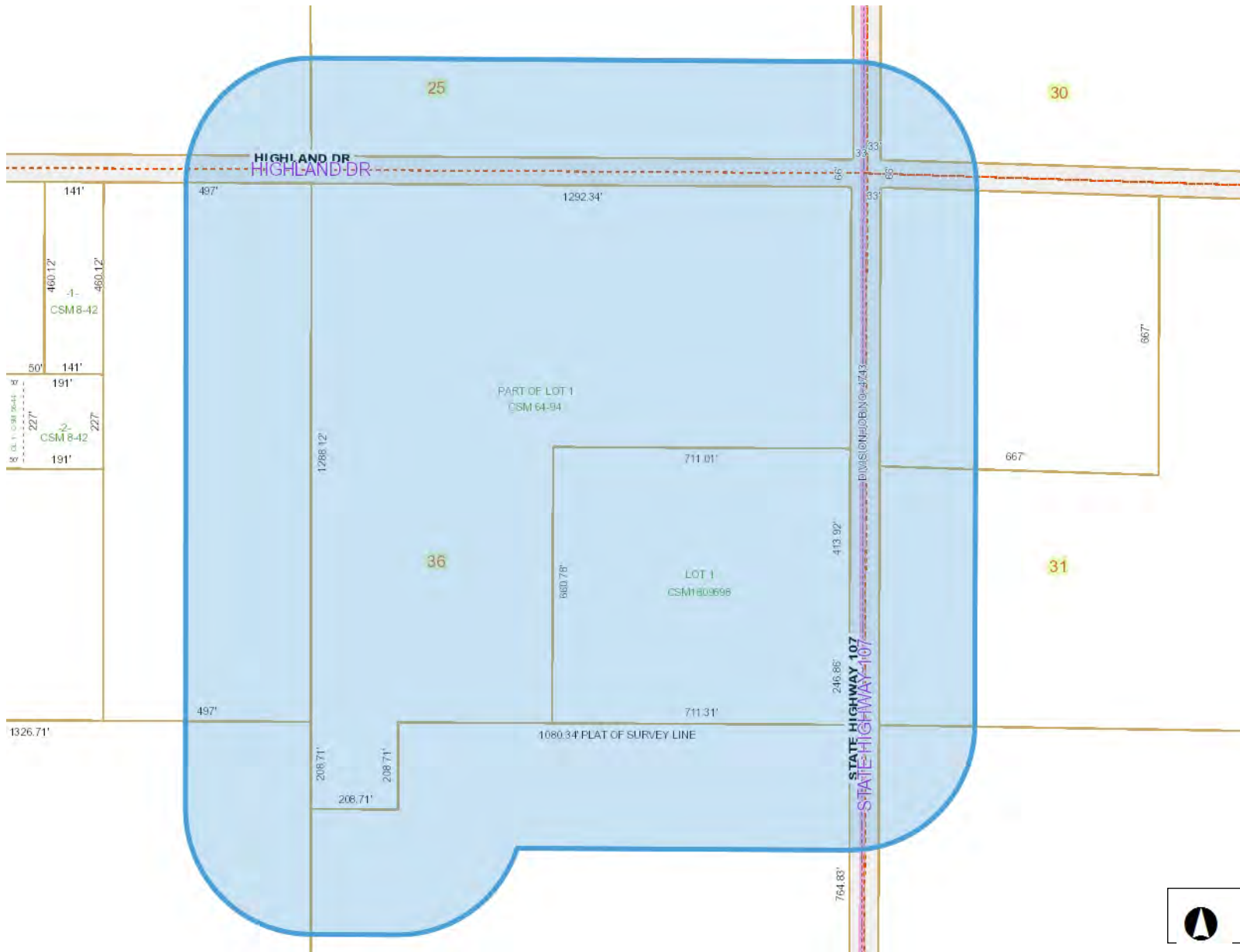
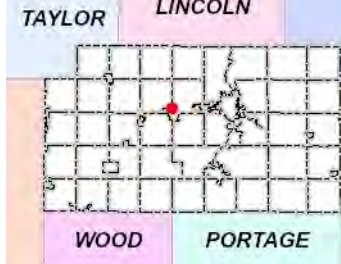
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

## Notes





# Land Information Mapping System



### Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities



177.80 0 177.80 Feet



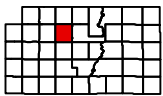
NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

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

### Notes

PIN 066-2905-361-0984 and  
066-295-361-0983

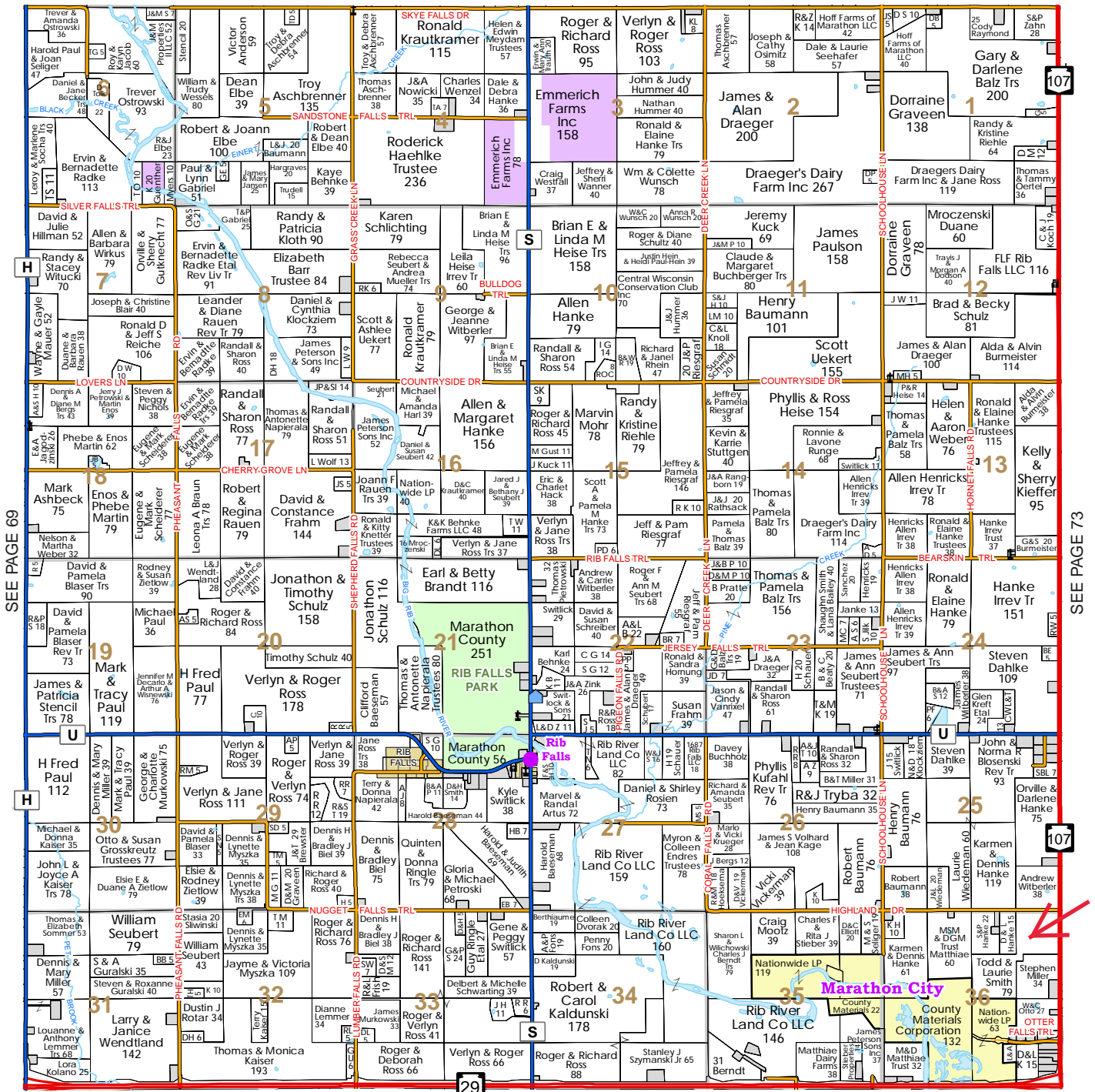


# Rib Falls

# Township 29N - Range 5E

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SEE PAGE 87



SEE PAGE 53

I AM  
  
 4-H PROUD

Volunteer Today  
 Inspire for a lifetime  
 4-H  
 GROWS HERE

Resolution 02-2021

STATE OF WISCONSIN )  
MARATHON COUNTY )  
TOWN OF RIB FALLS )

RESOLUTION ON ZONING ORDINANCE AMENDMENT

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Alysia Seliger, Clerk of the Town of Rib Falls, 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 Rib Falls Town Board at a meeting held on the 11th day of MAY, 2021.

RESOLUTION

WHEREAS, Section 59.69(5)(e)3., Wisconsin Statutes, provides that if a town affected by a proposed amendment disapproves of the proposed amendment, the town board may file a certified copy of a resolution adopted by such board disapproving of the petition with the Environmental Resources Committee prior to, at or within ten (10) days after the public hearing, and

WHEREAS, if the town board of the town affected in the case of an ordinance relating to the location of boundaries of districts files such a resolution, the Environmental Resources Committee may not recommend to the County Board approval of the petition without change, but may only recommend approval with change or recommend disapproval.

NOW, THEREFORE BE IT RESOLVED that the Town of Rib Falls Town Board considered on the 11th day of MAY, 2021, petition by Devin Klockziem on behalf of Todd and Laurie Smith to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to N-C Neighborhood Commercial and R-E Rural Estate described as part of the NE 1/4 of the NE 1/4 of Section 36, Township 29 North, Range 05 East, Town of Rib Falls. The area proposed to be rezoned to N-C is described as part of Lot 2 (5.03 acres) on the Preliminary Certified Survey Map submitted as a part of the rezone petition, whereas the area proposed to be rezoned to R-E is described as Lot 1 (6.41 acres). The areas proposed to be rezoned have the parent Parcel PIN#'s 066-2905-361-0983 and 066-2905-361-0984

The Town of Rib Falls hereby has considered the following standards for rezoning above property (use additional sheets if necessary):

1) Has the applicant provided what public facilities and/or services currently serve the proposed development, what additional services may be required, and how the additional services will be provided?

No  Yes Explain: Private services only

2) Has the applicant demonstrated how the provision of the public facilities will not be an unreasonable burden to local government?

No  Yes Explain: No impact or demand of public facilities

3) Has the applicant determined that the land is suitable for the development proposed? Explain.

No  Yes Explain: \_\_\_\_\_

4) Has the applicant demonstrated what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas? Explain.

No  Yes Explain: comply with Marathon County and DRP stormwater controls

5) Is there any potential for conflict with existing land uses in the area?

No  Yes Explain: minimal.

- 6) Has the applicant demonstrated the need for the proposed development at this location? Explain.  
 No  Yes Explain: Private business
- 7) Has the applicant demonstrated the availability of alternative locations? Be specific  
 No  Yes Explain: Did research other sites, but not available.
- 8) Is cropland is being consumed by this zone change? What is the productivity of the agricultural lands involved?  
 No  Yes Explain: Productivity marginal due to slope and wetness
- 9) Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?  
 No  Yes Explain: minimal land impacted, ag land at the edge of field
- 10) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.  
 No  Yes Explain: promotes economic development & minimize ag land conversion
- 11) Is there anything else the Town wishes to present or comment on regarding this application to the Marathon County Environmental Resources (ERC) Committee?  
 No  Yes Explain: \_\_\_\_\_

The Town of Rib Falls recommends:  **Approval**  **Disapproval** of the amendment and/or zone change.

OR  **Requests an Extension\*** for the following reasons: \_\_\_\_\_

\*Wis. Stats §59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.

Clerk Amya Stein  
 Town Board WR Wunsch  
John J. Hummer  
Randall Ross

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Environmental Resources Committee Public Hearing. Town input at the hearing is always appreciated. Please return this form before May 21, 2021 to:

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



**Todd & Laurie Smith  
Petition to Rezone Land  
Staff Report, June 1<sup>st</sup>, 2021  
Environmental Resources Committee**

**Findings of Fact**

**PUBLIC HEARINGS/MEETINGS:**

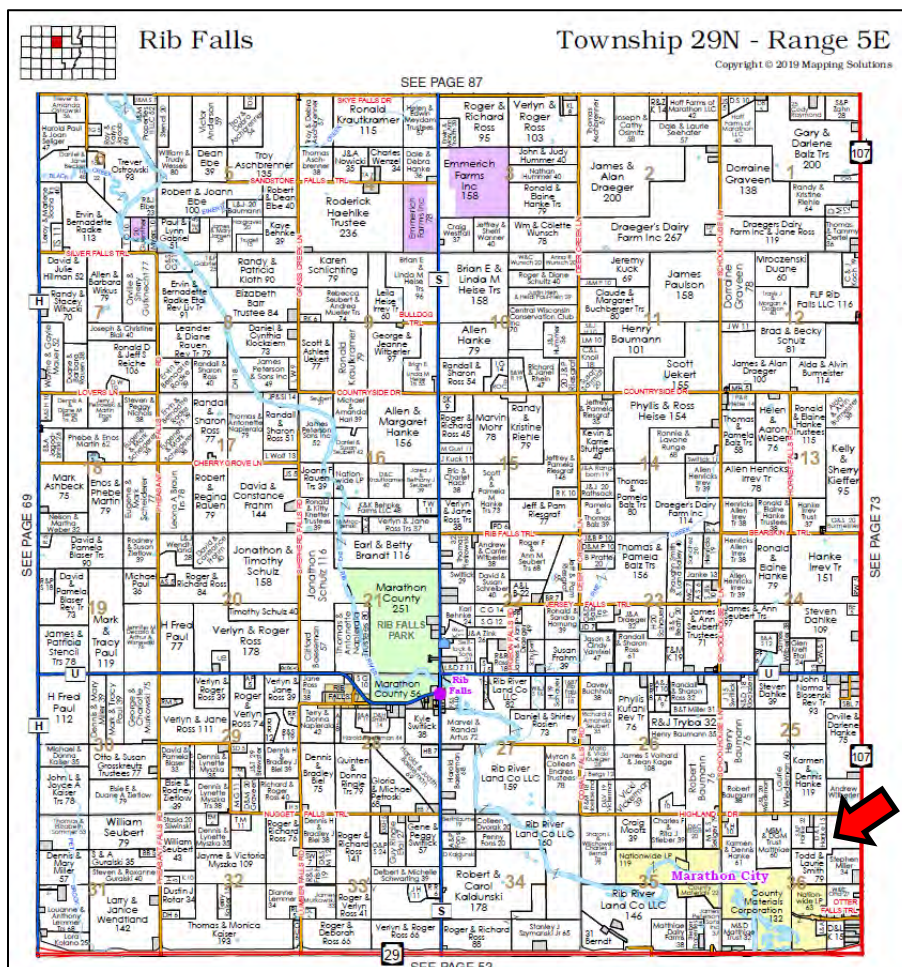
- Town of Rib Falls Town Board Meeting (May 11<sup>th</sup>, 2020)
- Marathon County Environmental Resources Committee Meeting (June 1<sup>st</sup>, 2021 at 3:00pm)

**PETITIONER:** Devin Klockziem – 135763 County Road U, Marathon WI 54448

**PROPERTY OWNER:** Todd and Laurie Smith – 137708 Highland Drive, Marathon WI 54448

**LOCATION OF REZONE REQUEST:** Area proposed to be rezoned is located approximately 580 feet south of the intersection of Highland Rd and State Highway 107 (western side of State Highway 107).

*Map 1: Location of Rezone Request*



**REQUEST:**

The petition of Devin Klockziem on behalf of Todd and Laurie Smith to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to N-C Neighborhood Commercial and R-E Rural Estate described as part of the NE ¼ of the NE ¼ of Section 36, Township 29 North, Range 05 East, Town of Rib Falls. The area proposed to be rezoned to N-C is described as part of Lot 2 (5.03 acres) on the Preliminary Certified Survey Map submitted as a part of the rezone petition, whereas the area proposed to be rezoned to R-E is described as Lot 1 (6.41 acres). The areas proposed to be rezoned have the parent Parcel PIN#'s 066-2905-361-0983 and 066-2905-361-0984



**EXISTING ZONING DISTRICT:**

**G-A General Agricultural.** The purpose of the G-A district is designed to foster the preservation and use of agricultural land related uses and to provide for limited residential uses in a rural environment but not the division of land as classified in 18.07(2) and (3) into five or more tracts, parcels or lots within a five year period. This district provides for limited residential development with modest densities that require relatively large land areas that are compatible with the surrounding rural land use activities. The district is intended to provide towns with multiple options to guide growth and development in concert with the comprehensive planning efforts.

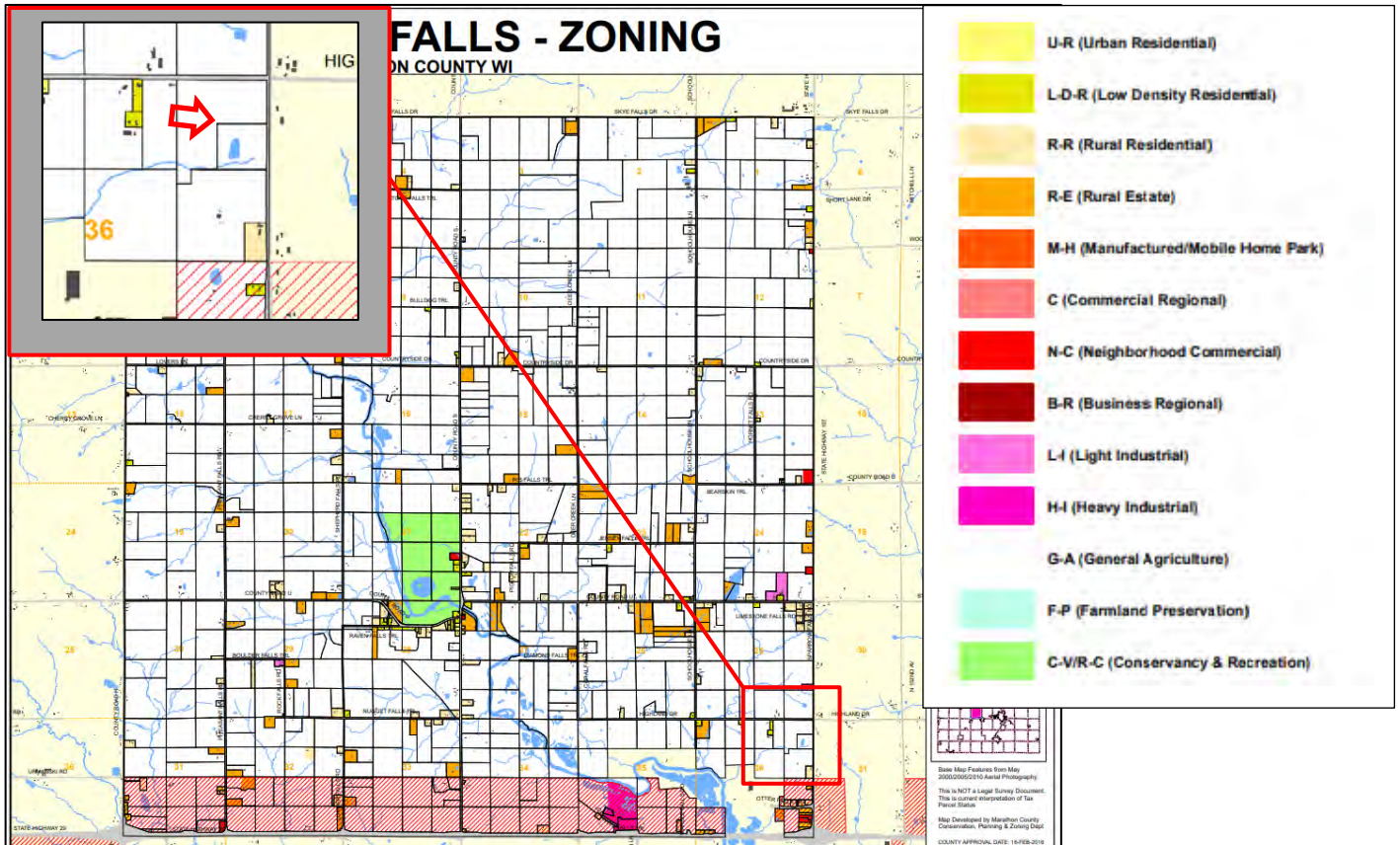
**PROPOSED ZONING DISTRICT(S):**

**R-E Rural Estate District.** The purpose of the R-E district is to accommodate single-family residential use along existing streets, to preserve the rural character while promoting open space single-family medium residential development (involving the extension of new streets), and to separate agricultural uses from other more extensive community development within the County. Limited agricultural activities and livestock are allowed in this district. These areas may or may not be serviced by municipal water and sanitary sewer.

&

**N-C Neighborhood Commercial District.** The purpose of the N-C district is to accommodate the wide range of retail stores and personal service establishments which cater to frequent recurring needs.

**EXISTING ZONING DISTRICT MAP:** Adjacent parcels are zoned Rural Estate (Orange) and General Agriculture (White) with some Rural Residential (Tan) and Conservancy/Recreation (Green) zoned parcels within close proximity.

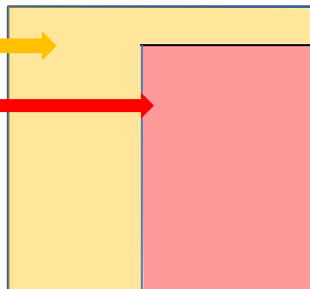


Map #2 Town of Rib Falls - Zoning District Map

**Total Acreage Proposed to be Rezoned = 11.44 acres**

6.41 acres to R-E →

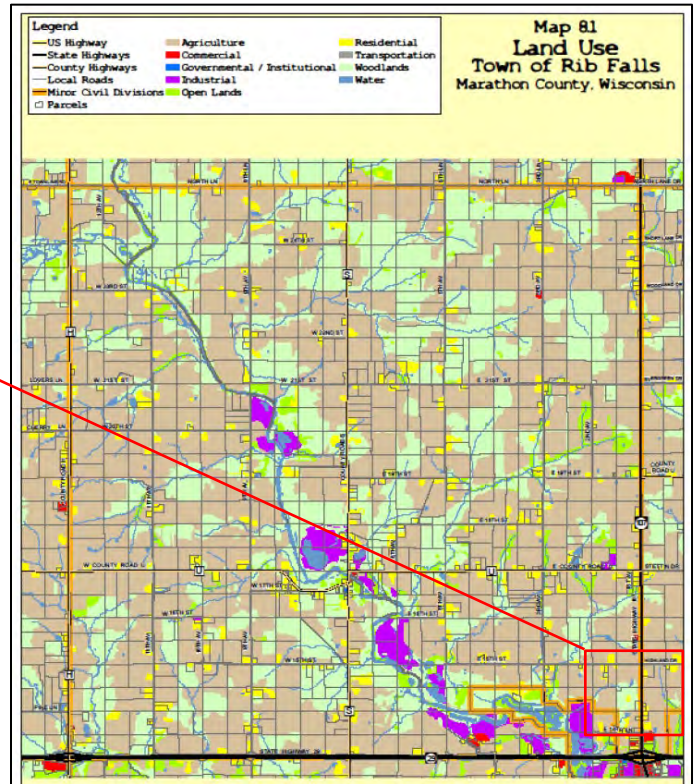
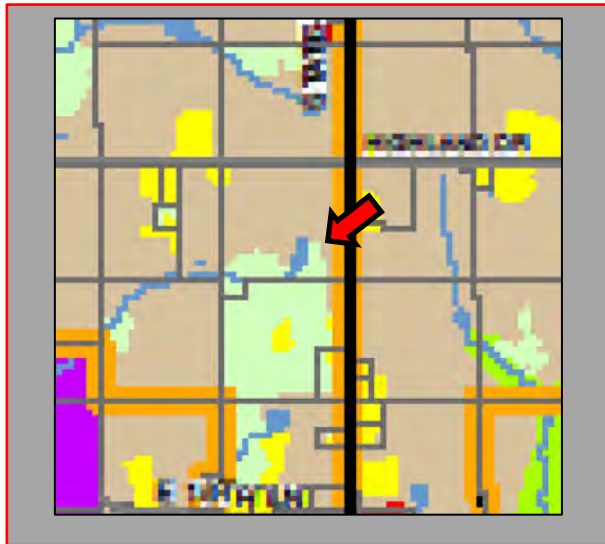
5.03 acres to N-C →



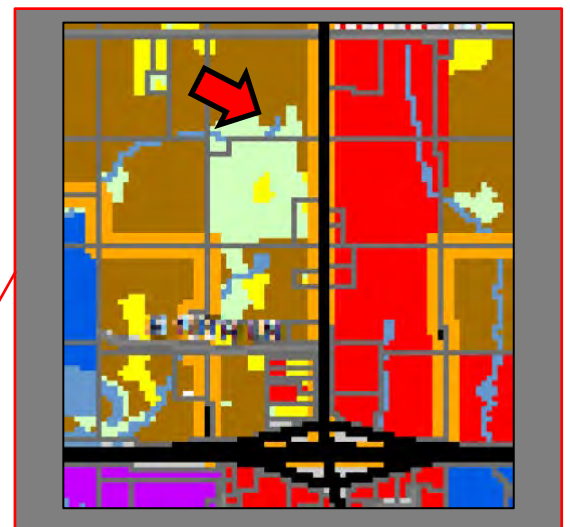
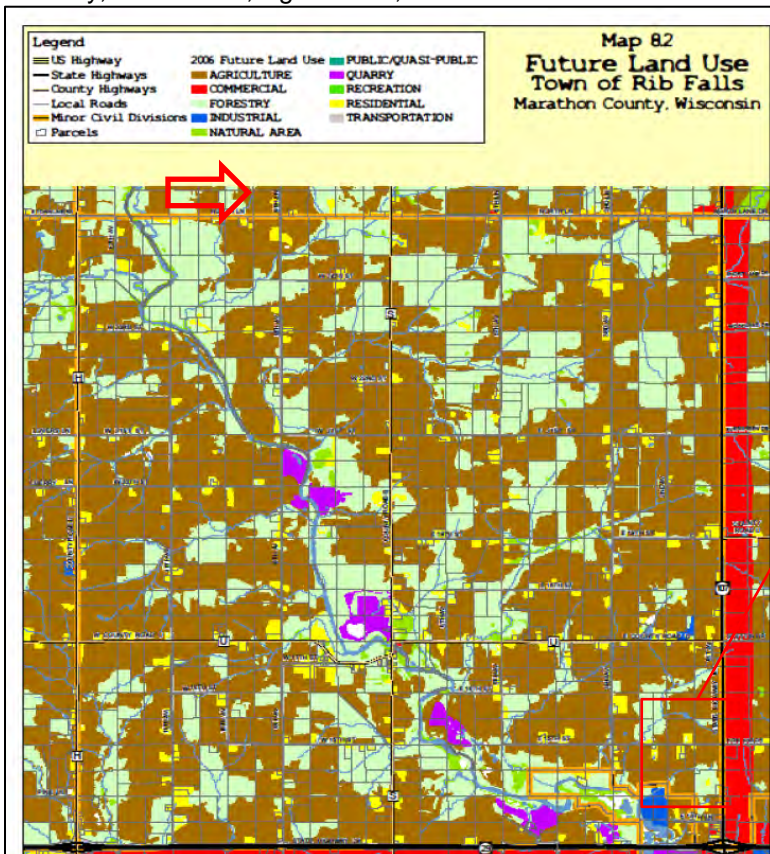
**Legal Notification:**

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

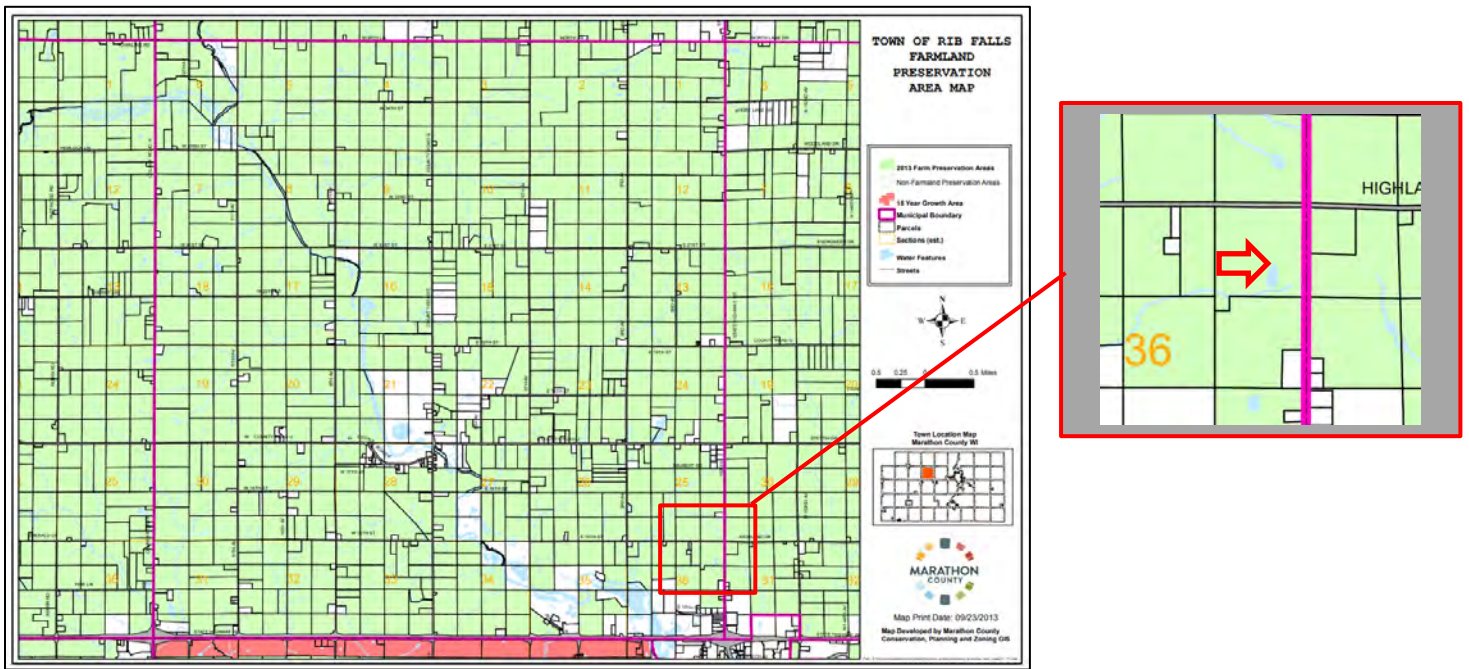
**Existing (2000) Land Use/Land Cover Map – Town of Rib Falls (Comprehensive Plan)** The area/parcel proposed to be rezoned is shown as Woodland, and Agricultural land uses in the Town’s Comprehensive Plan Existing Land Use/Land Cover Map (2000). Adjacent land uses are comprised of similar land uses including, Woodland, Residential, Agricultural, and Commercial Land Uses.



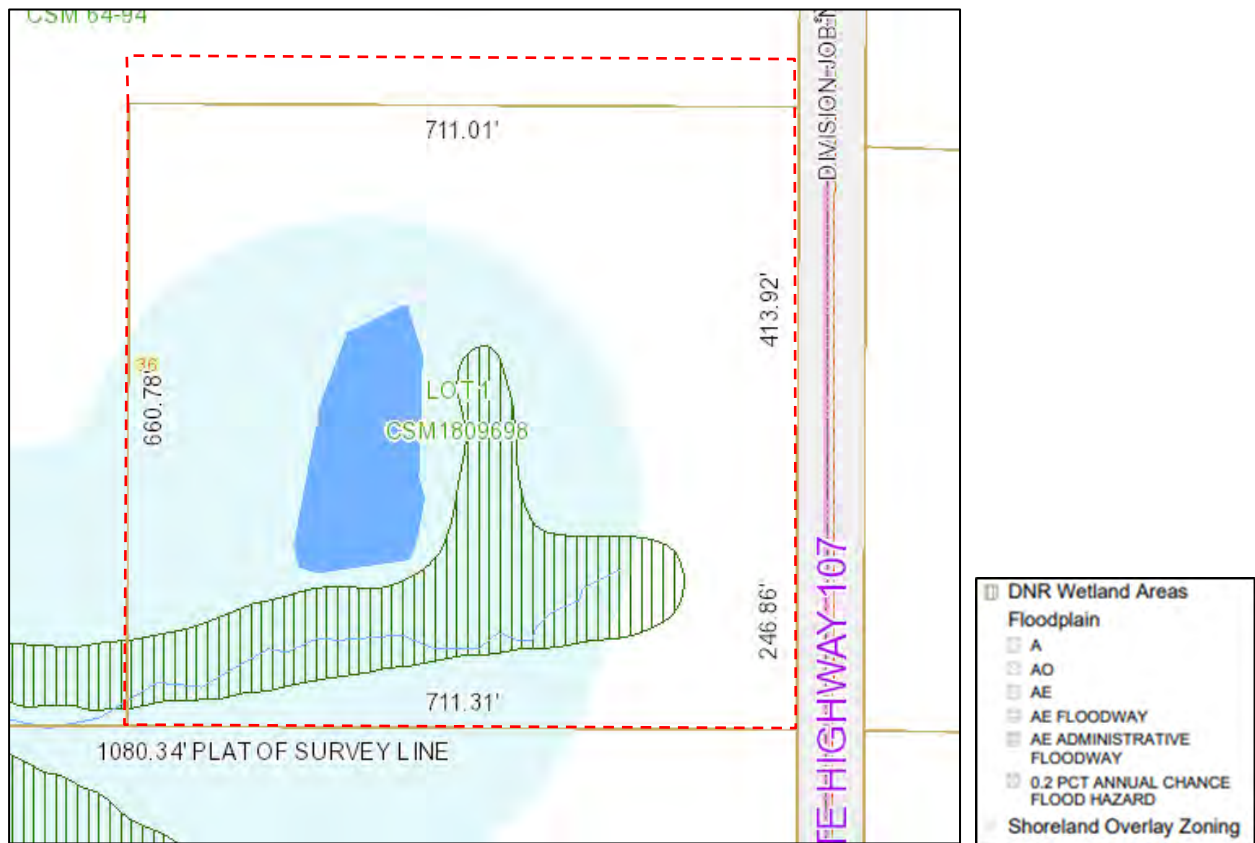
**TOWN COMPREHENSIVE PLAN FUTURE LAND USE MAP (2017 Plan 2006 Maps):** The area proposed to be rezoned is shown as Forestry and Agricultural land uses in the Town’s Comprehensive Plan Future Land Use/Land Cover Map (also shown to have some “Minor Civil Divisions” overlaid). Adjacent land uses are comprised of similar land uses including, Forestry, Residential, Agricultural, and Commercial Land Uses.



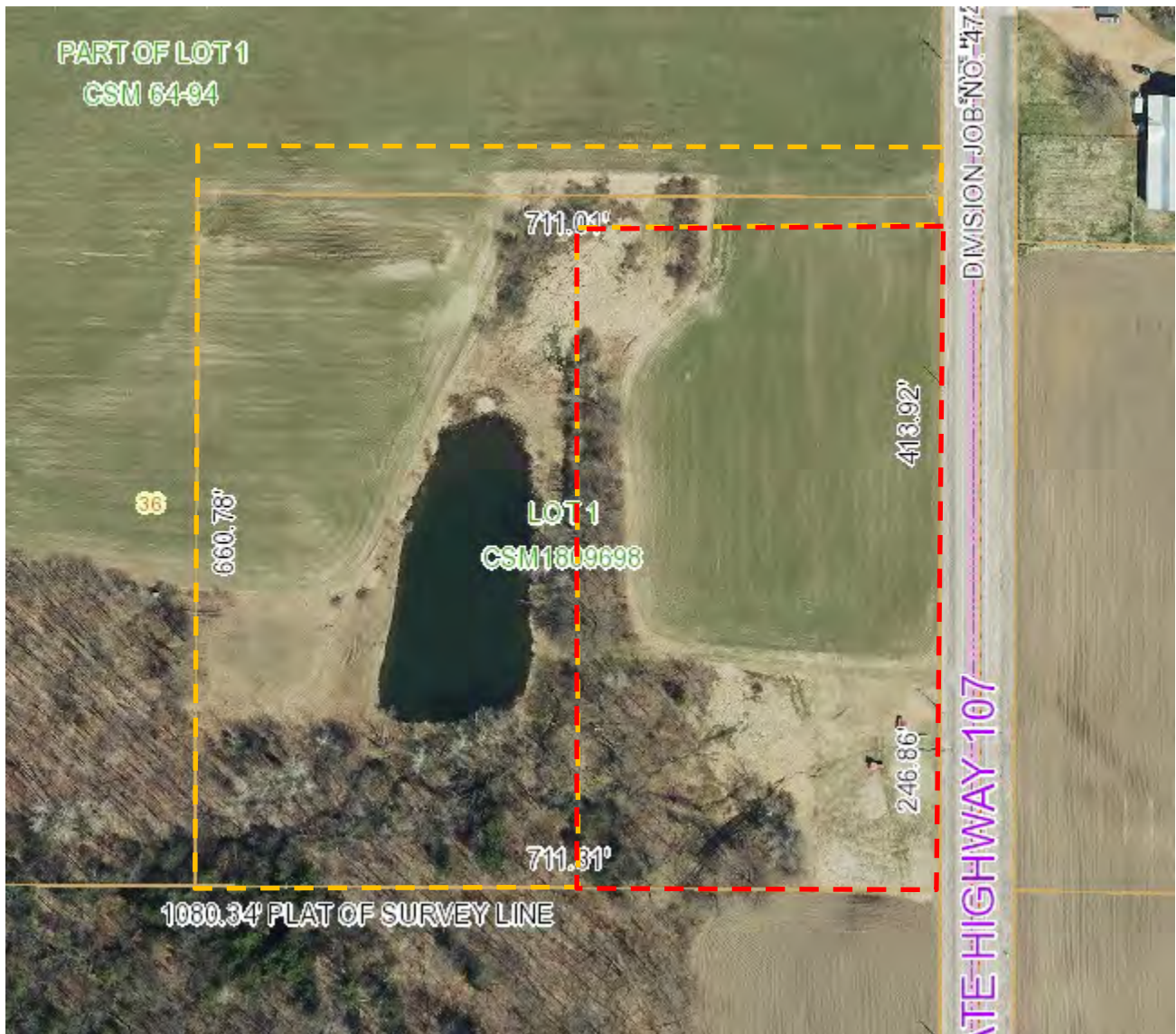
**FARMLAND PRESERVATION PLAN:** The area in question was designated as a farmland preservation area in the Farmland Preservation Plan. Additionally, the town does not participate in farmland preservation zoning, therefore there are no parcels within the Town of Rib Falls that are zoned farmland preservation.



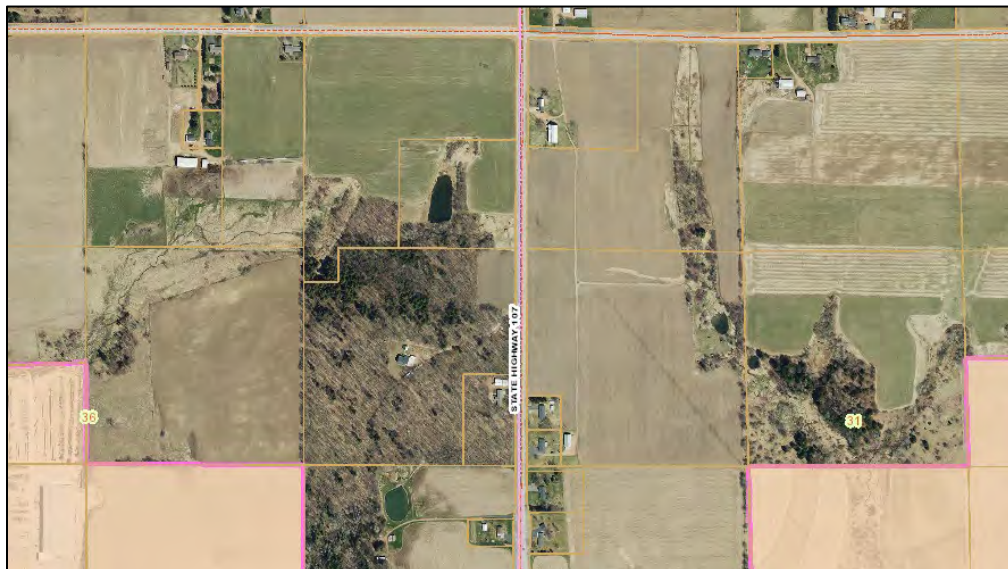
**SIGNIFICANT PARCEL LIMITATIONS OR NATURAL FEATURES:** The area proposed to be rezoned has both DNR mapped wetlands as well as a pond and intermittent stream located on it. The areas proposed to be rezoned is also mostly within the shoreland overlay due to nearby ponds and waterways within close proximity. Yet, a formal/official navigability determination of the pond and stream onsite has not been conducted.



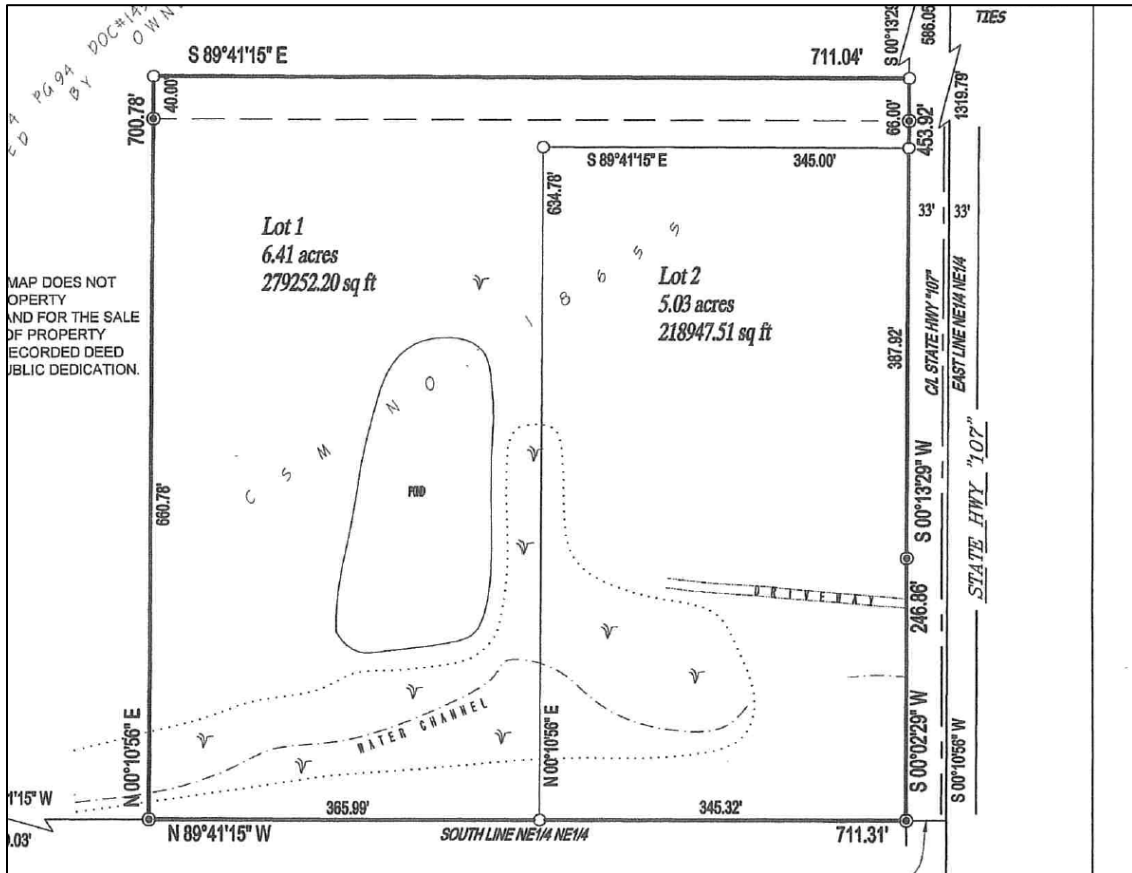
**Aerial Photo:**



Approximate location the areas to be rezoned shown above – see preliminary CSM for more specific dimensions and details.



**Preliminary Certified Survey Map:**



**TOWN RECOMMENDATION:**

On May 11<sup>th</sup>, 2021 the **Town of Rib Falls** Town Board Recommended **Approval** to Marathon County's Environmental Resources Committee.

10) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.

No  Yes Explain: promotes economic development & minimizes a land conversion

11) Is there anything else the Town wishes to present or comment on regarding this application to the Marathon County Environmental Resources (ERC) Committee?

No  Yes Explain: \_\_\_\_\_

The Town of Rib Falls recommends:  **Approval**  **Disapproval** of the amendment and/or zone change.

OR  **Requests an Extension\*** for the following reasons: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\*Wis. Stats §59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.

Clerk Alycia Stein

Town Board W.R. Wunsch  
John J. Hummer  
Randall Ross

### **Staff Comments regarding ERC Conclusions of Law:**

1. The rezoning is substantially consistent with the following plans. (*note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan*)
  - a. [Marathon County](#) Comprehensive Plan
  - b. [Town](#) Comprehensive Plan and,
  - c. Marathon County [Farmland Preservation Plan](#).

The Marathon County Comprehensive Plan relies on the Town Comprehensive Plan regarding specific land uses and zoning districts for individual parcels. The area proposed to be rezoned is shown to be designated for woodland and agricultural land uses in the future land use map. CPZ staff rely on the towns to make these recommendations given the town board members and residents know their town and the true purpose and intent of the plan. Although the towns comprehensive plan was updated in 2017 the land use maps were derived from the town's comprehensive plan from 2006, yet the town has recommended approval of the rezone in question. Area/parcels proposed to be rezoned are also within close proximity to other commercially zoned parcels as well as are just north of the Village of Marathon City municipal boundary.

2. The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

There is some active cropland on the parcel proposed to be rezoned, area to be rezoned is adjacent to active agricultural lands, yet the crop land in question is said to be difficult to farm due to its close proximity to the wetlands and low areas (making maneuvering large farm equipment difficult).

3. The applicant has demonstrated that...
  - a. There is a need for the proposed development,
  - b. Adequate public facilities are present or will be provided (*note impacts on roads, water, sewage, drainage, schools, emergency services, etc.*), and
  - c. Providing public facilities will not be an unreasonable burden to the local government.

**a.** The need is related to a pending Certified Survey Map submitted to our department as well as a new proposed home as well as a new business location (existing business).

**b.** All necessary public facilities are anticipated to be provided (if not already provided) given any proposed development would rely of private systems such as a private well and sanitary system.

**c.** No anticipated burden on local government, all applicable building, construction, and use standards will be applied during the zoning and building permit review process.

4. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

All Federal, State, and Local permits and approvals are required for any applicable development onsite. Additionally, the proposed rezone will likely not result in any unreasonable air and water pollution as all pertinent regulations apply and will need to be adhered to. Any disturbance greater than one acre would need a DNR Stormwater Management Permit.

5. The Town has approved the proposed rezone of the property.

The Town of Rib Falls Town Board has recommended approval of this rezone petition.

6. All concerns from other agencies on the proposed rezone have been addressed? (*DNR, Highway, DOT*) What are the concerns?

The county was not made aware of any concerns from other agencies. Yet, CPZ has had correspondence with the Wisconsin DOT (Nicolaus Kelly) as the DOT cannot approve the commercial access onto the state highway without the rezone approval. The DOT is aware of the rezone proposal and are waiting to approve the commercial access (onto State Highway 107) until the rezone is formally approved, that being said they did not identify any concerns or issues.

---

### **STAFF (CPZ) RECOMMENDATION(S):**

The rezone meets all the zoning district standards as it relates to size, frontage, access, and dimension. If approved, the Rib Falls should update their comprehensive plan to reflect the proposed rezone to R-E and N-C from the G-A zoning district. The future and existing land use maps should also reflect the residential and commercial land uses onsite if the rezone is approved. The rezone also appears to be consistent with the purpose and intent of the Towns Comprehensive Plan as indicated by the town resolution, noting in Question #11 of the town resolution "Promotes economic development and minimizes ag land conversion."

Based on the information provided above, findings of fact, conclusions of law, and the town's recommendation, it appears the rezone request meets all of the rezone criteria and standards for rezoning. Therefore, CPZ staff recommend that the Environmental Resources Committee recommend **Approval** to the Marathon County Board of Supervisors.



**Case: #3**  
**Environmental Resources Committee**  
**Decision Form**

**Conclusions of Law**

Marathon County Environmental Resources Committee (ERC) must consider all of the following standards in their decision. Please review and explain how the request does or does not meet each of these standards.

To approve a rezone, ERC must answer 'agree' to each of these standards. If the ERC recommends approval, but answers 'disagree' to any of these questions, a plan/ordinance changes, and/or additional information is required to satisfy the criteria.

1. The rezoning is substantially consistent with the following plans. *(note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan)*
- a. [Marathon County](#) Comprehensive Plan
  - b. [Town](#) Comprehensive Plan and,
  - c. Marathon County [Farmland Preservation Plan](#).

Agree       disagree       insufficient information

---

---

2. The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

Agree       disagree       insufficient information

---

---

3. The applicant has demonstrated that...

- a. There is a need for the proposed development,
- b. Adequate public facilities are present or will be provided *(note impacts on roads, water, sewage, drainage, schools, emergency services, etc.)*, and
- c. Providing public facilities will not be an unreasonable burden to the local government.

Agree       disagree       insufficient information

---

---

4. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

Agree       disagree       insufficient information

---

---

5. The Town has approved the proposed rezone of the property.

Agree       disagree       insufficient information

---

---

6. All concerns from other agencies on the proposed rezone have been addressed? *(DNR, Highway, DOT)* What are the concerns?

Agree       disagree       insufficient information

---

---

**Environmental Resources Committee Decision**

On the basis of the above findings of fact, conclusions of law, and the record in this matter, the Marathon County Environmental Resources Committee finds that the rezoning is:

- Approved      Motion/      Second
- Denied, for the following reasons
- Tabled for further consideration

Specify reasons for denial, or additional information requested:

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- An amendment to the county comprehensive plan is needed to approve this petition.
- An amendment to the county farmland preservation plan is needed to approve this petition.

Describe recommended amendments:

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---

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Signature:

Chairman: \_\_\_\_\_



**TOWN OF WAUSAU, MARATHON COUNTY, WISCONSIN  
ORDINANCE NO. 1-2021 (AMENDMENT TO ZONING ORDINANCE)**

**WHEREAS**, the Planning Commission of the Town of Wausau having held a public hearing on the 5<sup>th</sup> day of April, 2021, pursuant to the required notices and upon the application of Andrew Zientara to change the zoning of the premises described herein pursuant to Section 17.95 of the Zoning Code of the Town; and

**WHEREAS**, the Planning Commission, following said hearing, having submitted its findings and recommendations to the Town Board,

**NOW, THEREFORE**, the Town Board of the Town of Wausau do ordain as follows:

**SECTION 1:**

The following described property, which is presently zoned CM-COMMERCIAL/LIGHT MANUFACTURING DISTRICT shall be and the same is hereby designated to be and become hereafter a part of the A-1/80 AGRICLUTURAL DISTRICT. Said property is legally described as follows:

Part of the Northwest Quarter (NW ¼ ) of the Southwest Quarter (SW ¼ )  
of Section 29, Township 29 North, Range 8 East, Town of Wausau,  
Marathon County, Wisconsin  
Certified Survey Map No. Lot 1, CSM VOL 80 PG 5 (#16943)  
(DOC# 1678312) and LOT 1, CSM VOL 50 PG 11 (# 11723)  
(Doc # 1228672) 4.3890 Acre Parcel

**SECTION 2:**

The Town Clerk shall make the necessary alterations upon the official zoning map of the Town of Wausau to reflect the changes authorized by this Ordinance.

**SECTION 3:**

If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is found invalid or unconstitutional by a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

**SECTION 4:**

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 5:**

**RECEIVED**

**APR 30 2021**

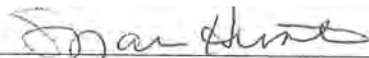
**MARATHON CO. CONSERVATION,  
PLANNING & ZONING DEPT**

This Ordinance shall take effect and be in full force and effect from and after its passage and publication or posting as required by law.

Adopted this 5 day of April, 2021.

TOWN BOARD, TOWN OF WAUSAU

By:   
John Prah, Chairman

By:   
Sharon Hunter, Supervisor

By:   
Linda Glatczak, Supervisor

ATTEST:

  
Cindy Worden, Town Clerk

ADOPTED: 4/5/2021

POSTED: 4/6/2021

# DAILY HERALD media

A GANNETT COMPANY

STATE OF WISCONSIN  
BROWN COUNTY

WAUSAU TOWN OF

236235 FOREST LAWN RD

WAUSAU WI 544036337

I, being duly sworn, doth depose and say I am an authorized representative of The Wausau Daily Herald, a newspaper at Wausau Wisconsin and that an advertisement of which the annexed is a true copy, taken from said paper, which published therein on:

TOWN OF WAUSAU  
PUBLIC HEARING ON A REZONE  
REQUEST

NOTICE IS HEREBY GIVEN THAT that a public hearing will be held before the Planning Commission, Town of Wausau, Mara.Co,Wi. on Monday, the 5th day of April, 2021 at 6:00 p.m. at the Tn. of Wausau Municipal Building, 161484 Cty. Rd. Z, Wausau, WI. 54403, to hear and act upon the request of:

Andrew Zientara requesting to rezone a 4.3890 acre parcel from Town of Wausau Zoning Code Sec. 17.46 CM Commercial/Light Manufacturing District to Sec. 17.45 A-1/80 Agricultural District. Legally described as follows:

Located in part of the NW ¼ of the SW ¼ Lot 1 CSM VOL 80 PG 5 (#16943) (DOC # 1678312) and LOT 1 CSM VOL 50 PG 11 (#11723) (DOC #1228672) of Section 29, 29N, R8E Tn of Wausau, Mara. Co. WI. Combined parcel PIN 080-2908-293-0961

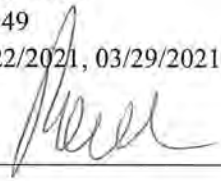
More commonly recognized as 231117 Wellborn Rd.

Dated this 18th day of March, 2021

Cynthia L. Worden, Town Clerk

Run: March 22, 29, 2021 WNAXLP

Account Number:GWM-WAU770  
Order Number: 0004652208  
Total Ad Cost: \$43.49  
Published Dates: 03/22/2021, 03/29/2021



Legal Clerk

State of Wisconsin  
County of Brown  
Subscribed and sworn to before on March 29, 2021



Notary Public State of Wisconsin, County of Brown

10.13.24

My Commission Expires

# of Affidavits 1

This is not an invoice



WAUSAU TOWN OF  
Re: 04652208

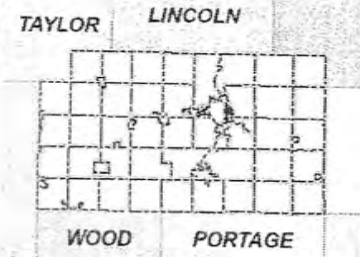
GANNETT WI MEDIA  
435 EAST WALNUT ST.  
PO BOX 23430  
GREEN BAY, WI 54305-3430

**GANNETT**  
Wisconsin Media  
Delivering Customers. Driving Results.

PHONE 920-431-8298  
FAX 877-943-0443  
email: WDH-Legals@wdhmedia.com

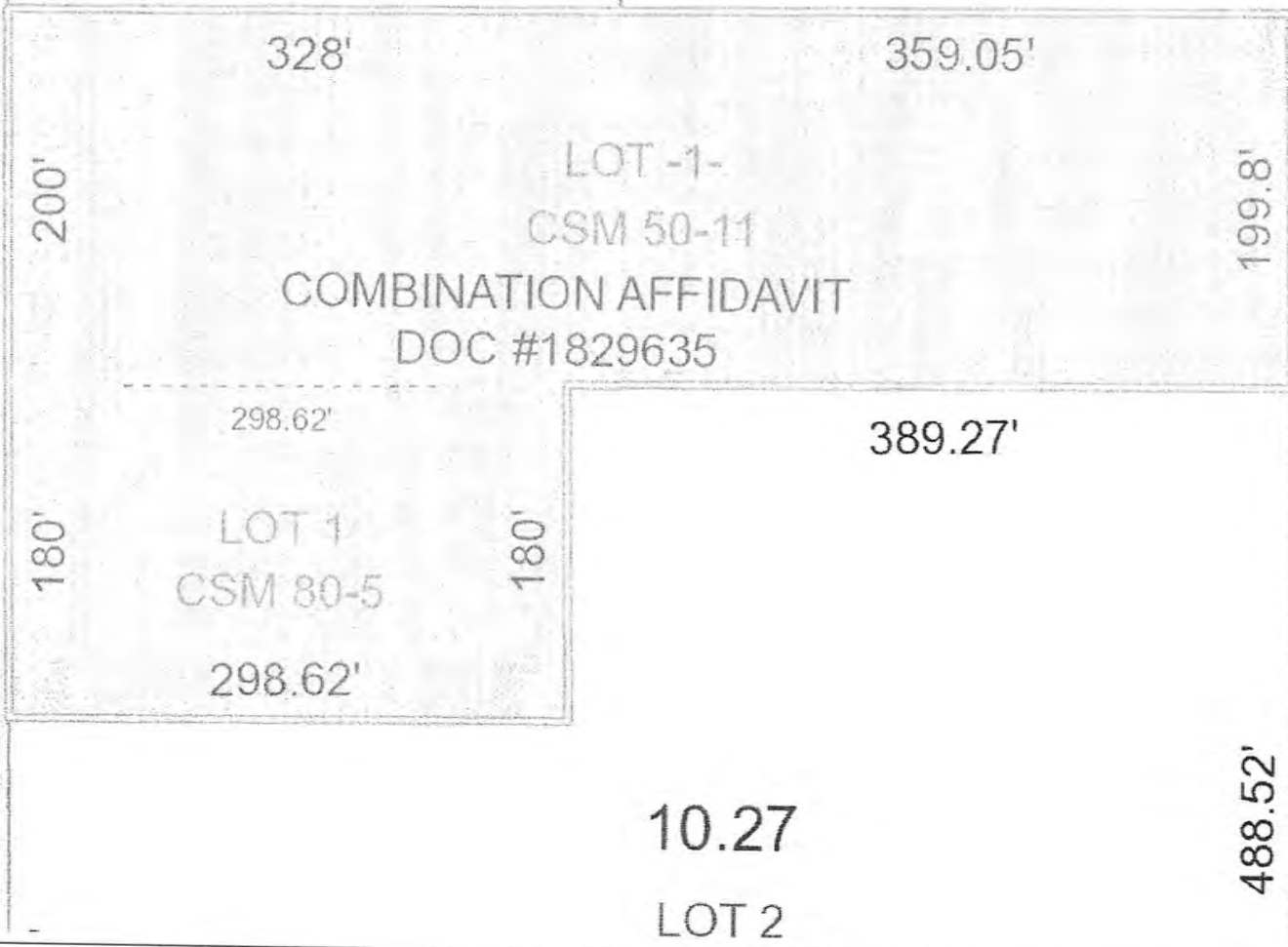


# Land Information Mapping System



WELLBORN RD

WELLBORN RD



- Legend**
- Road Names
  - Parcels
  - Parcel Lot Lines
  - Land Hooks
  - Section Lines/Numbers
  - Right Of Ways
  - Named Places
  - Municipalities



48.08 0 48.08 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

## TOWN OF WAUSAU PUBLIC HEARING REZONE REQUEST

**MONDAY, APRIL 5, 2021 6 P.M.**

Planning Commission Members Present: Darrin Damrow, Roloef Stam, Terry Peterson, Sharon Hunter

The public hearing was called to order by Chairman John Prah. Chairman Prah read the published rezone notice.

Andrew Zientara is requesting to rezone a 4.3890 acre parcel from Town of Wausau Zoning Code Sec. 17.46 CM Commercial/Light Manufacturing District to Sec. 17.45 A-1/80 Agricultural District. Legally described as follows: Located in part of the NW ¼ of the SW 1/4 Lot 1 CSM VP: 80 PG 5 (#16943) (DOC # 1678312) and Lot CSM VOL 50 PG 11 (#11723) (DOC #1228672) of section 29,29N, RBE Tn of Wausau, Mara. Co. WI. Combined parcel PIN 080-2908-293-0961 More commonly recognized as 231117 Wellborn Rd.

Mr. Zientara explained he is requesting the rezone because he is refinancing his home and his lender wants the property removed from the Commercial/Light Manufacturing District. Clerk Cindy Worden indicated that three property owners were notified of the public hearing. No neighbors were present in support or against the rezone.

Roloef Stam made a motion and Darrin Damrow made a motion to adjourn the public hearing. Motion passed.

# NOTICE

TOWN OF WAUSAU BOARD & PLANNING COMMISSION WILL HOLD A JOINT MEETING ON MONDAY, APRIL 5, 2021 FOLLOWING THE ADJOURNMENT OF A PUBLIC HEARING THAT BEGINS AT 6:00 p.m. AT THE TOWN OF WAUSAU MUNICIPAL BUILDING LOCATED AT 161484 CTY. RD. Z WAUSAU, WI.

Cynthia L Worden  
Town of Wausau Clerk

NOTE: A mask must be worn within the building or you will be asked to leave.  
Masks will be available

Agenda:

**Agenda Items listed below are for discussion & possible action**

Chairman Prahll call meeting to order

Town Board / Planning Commission: motion to approve March 1, 2021 minutes as recorded by Town Clerk, Cynthia Worden

Motion of recommendation to Town Board from Planning Commission on Zientara rezone request.

Motion by Town Board on Zientara rezone request

Review certified survey map prepared for Bernard Fisher from Vreeland and Associates, motion of recommendation to Town Board

Town Board motion for Fisher csm

Continue discussion of adoption of ordinance pertaining to holding events permit

Continue discussion of adoption of ordinance pertaining to event venues

Set date for the next meeting.

Motion to adjourn

TOWN OF WAUSAU JOINT PLANNING COMMISSION & BOARD MEETING 4-5-2021  
161484 County Rd. Z  
Wausau, WI 54403

Chairman Prahm called the joint meeting to order following the adjournment of a hearing held before the town's planning commission that began at 6 p.m.

A motion was made and seconded to approve the minutes recorded by the town clerk from March 1, 2021. Sharon Hunter/Roelof Stam

A motion was made and seconded by the planning commission to recommend that the Town Board approve a rezone application from Andrew Zientara based on the results of the hearing just held.

Planning Commission Members: Darron Damrow/ Terrence Peterson

A motion was made and seconded to rezone a 4.3890-acre parcel from Town of Wausau Zoning Code Section 17.46 CM Commercial/Light Manufacturing District to Section 17.45 A-1/80 Agricultural District in Section 29, parcel pin # 080-2908-293-0961 addressed as 231117 Wellborn Rd. owned by Andrew Zientara.

Town Board Members: Sharon Hunter/ Linda Glatczak

A motion was made and seconded by the planning commission to recommend approval of a certified survey map for Bernard Fisher to create a 2.066-acre parcel (Lot 1) along McIntosh Rd. from a larger parcel that is owned by Fisher.

Planning Commission Members: Sharon Hunter/ Terrence Peterson

A motion was made and seconded by the Town Board to approve the Bernard Fisher certified survey map in Section 33 for the creation of Lot 1 being a 2.066-acre parcel.

Town Board Members: Sharon Hunter / Linda Glatczak

Tabled discussion followed on creating town ordinances to cover event business venues not covered in the town's ordinances and a permit process to cover non-profit or private gatherings. The group has agreed that a business event venue be

considered as a commercial zoned business rather than allowing it in the agricultural district as some other areas do. It would be listed as a conditional use. It was recommended that the group focus on one or the other rather than going back and forth between the two different types – event venue and event permit. It was also recommended that an event permit be named something different for less confusion.

It was agreed that a list of criteria to check off be created as conditions for the event venue. It will take more than one paragraph splitting out a business where there are buildings verses only held outdoors.

The group will continue discussion May 3<sup>rd</sup> at 6:30

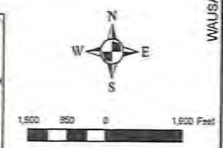
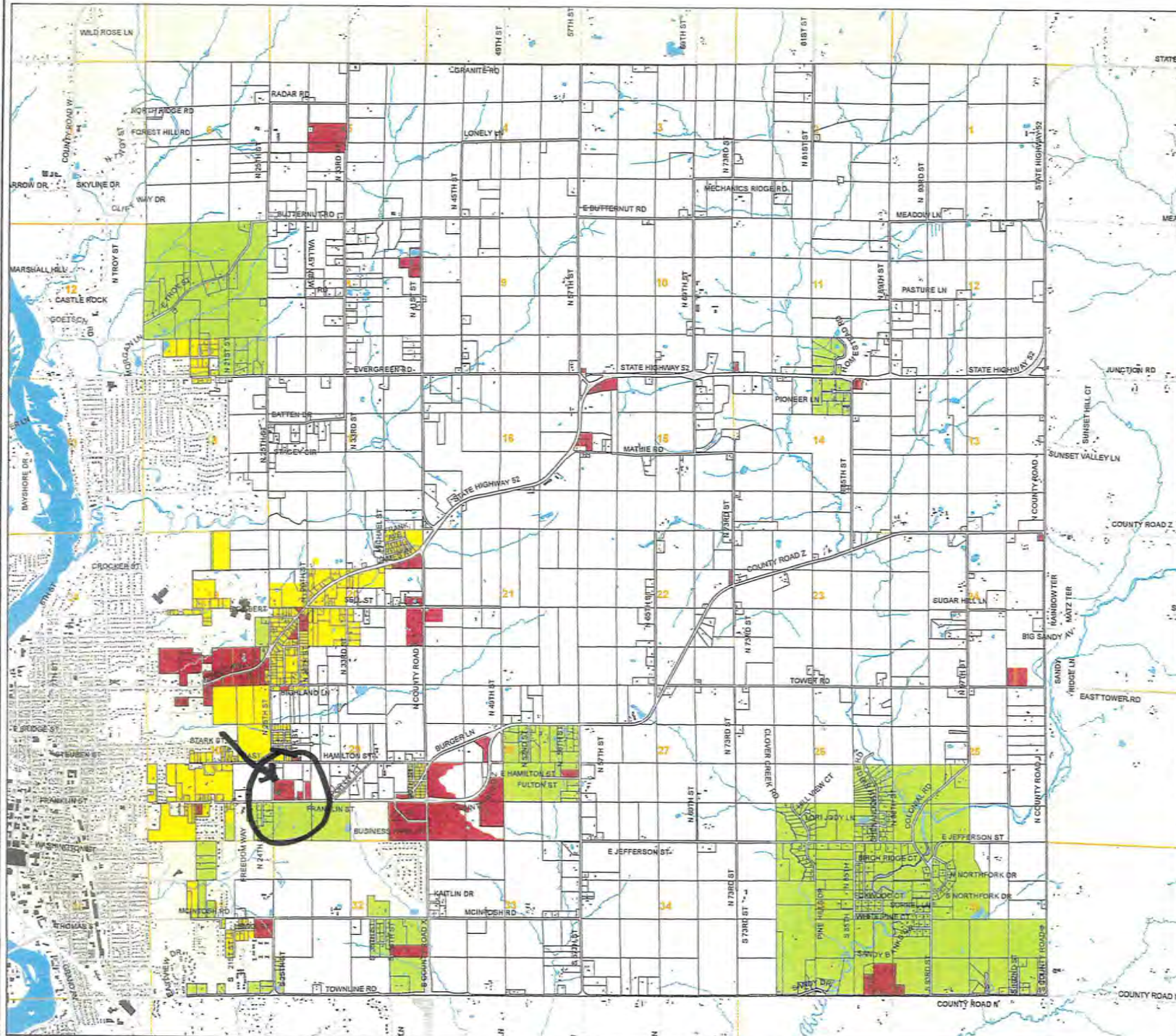
Motion to adjourn. Roelof Stam / Sharon Hunter

Minutes taken and recorded by Cynthia L Worden, Town of Wausau Clerk

A handwritten signature in black ink, appearing to read 'C. Worden', with a long horizontal stroke extending to the right.



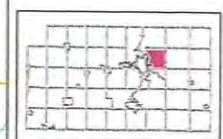
# TOWN OF WAUSAU ZONING



- CLASSIFICATIONS**
- A-1/80 AG
  - AT-140 TRANSITIONAL AG
  - R-1/20 RESIDENTIAL
  - MULTI-FAMILY RES
  - CM-1 COMM-MANUFACTURE

**Other Zoning**

- Features**
- Parcels
  - Buildings 2015
  - Sections Lines (est.)
  - Water Features
  - Other Municipality



Base Map Features from May 2000/2005/2010 Aerial Photography.  
 This is NOT a Legal Survey Document.  
 This is current interpretation of Tax Parcel Status.  
 Map Developed by Marathon County Conservation, Planning & Zoning Dept  
 APPROVAL DATE: 18-MAY-2010  
 REVISION DATE: AUG-22-2017  
 Map Print Date: 08/28/2017  
 Map Print Date: 08/29/2017

8/28/2017  
1100/2017



**Certified Survey Map (CSM)**  
**Town of Easton**  
**Staff Report**  
**Environmental Resources Committee**  
**June 1, 2021**

**CSM REQUIREMENTS**

- **Survey**
  - CSM complies with Chapter 236.34 of the Wisconsin Statutes, Chapter A-E7 of the Wisconsin Administrative Code and Chapter 18 of the Marathon County Code of Ordinances regarding subdivisions and mapping.
- **Zoning**
  - CSM is located in Easton and meets all Marathon County zoning requirements.
- **Environmental Conditions**
  - Wetlands and regional flood elevation are shown on the CSM. A structure restriction line is also shown that requires all structures and walkouts be constructed above the elevation of 1265'.
- **Sanitary Sewer**
  - According to our records on file for 2021-SAN-0079, it appears that the soils test used pits from the neighboring LOT 2 property (not entirely shown on the map of the proposed land division) owned by others and created another pit (i.e. pit #4) on the proposed LOT 1 to find a location for a future 5 bedroom conventional system. Therefore, the proposed land division will not affect the soils report.
- **Access**
  - The proposed lot will have access to River Ridge Road.

**PREVIOUS APPROVALS**

- **None**

**NOTES**

This proposed Certified Survey Map crossed the exterior boundary of "Pine Ridge Point", a recorded subdivision. State statute 236.34(1)(dm) states that any CSM that crosses the exterior boundary of a recorded subdivision must be approved by the Environmental Resources Committee.

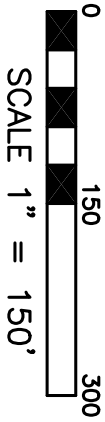
**RECOMMENDATION**

Based on the information provided, CPZ staff recommend that the Environmental Resources Committee approve this proposed Certified Survey Map.

# CERTIFIED SURVEY MAP

ALL OF LOT 3 OF CERTIFIED SURVEY MAP NUMBER 18318, ALL OF LOT 1 OF PINE RIDGE POINTE, BEING PART OF LOT 3 OF OAKHILL HEIGHTS, LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 29 NORTH, RANGE 9 EAST, TOWN OF EASTON, MARATHON COUNTY, WISCONSIN.

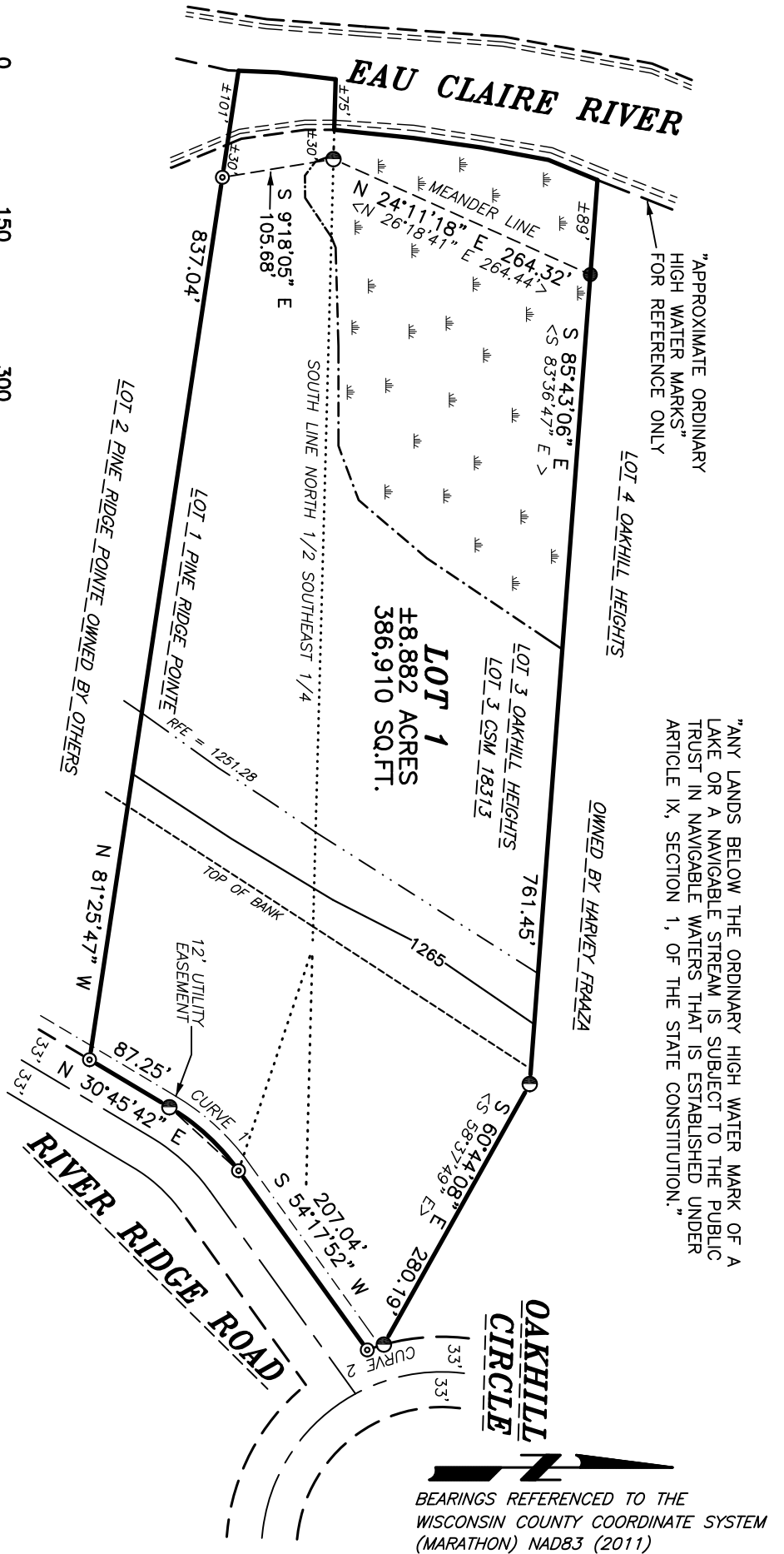
- LEGEND**
- ⊕ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS
  - ⊙ = 3/4" x 24" REBAR FOUND IN PLACE
  - = 1.315" OUTSIDE DIAMETER IRON PIPE FOUND IN PLACE
  - ⊙ = 1 3/16" IRON ROD FOUND IN PLACE
  - < > = PREVIOUSLY RECORDED AS CSM = CERTIFIED SURVEY MAP



- = APPROXIMATE LOCATION OF FLOOD PLAIN PER FEMA MAPPING. AN ELEVATION SURVEY WOULD BE NEEDED TO VERIFY THE LOCATION.
- = APPROXIMATE LOCATION OF WETLANDS PER DNR INVENTORY MAPPING. DELINEATION WOULD BE NEEDED TO VERIFY THE LOCATION.

CURVE DATA	RADIUS	CHORD	CENTRAL ANGLE	ARC
1	216.00'	S 42°31'47" W 88.11'	23°32'10"	88.73'
2	202.20'	S 17°52'29" E 16.39'	4°38'45"	16.40'

----- = STRUCTURE RESTRICTION LINE IS THE 1265 CONTOUR. NO GRADING OR STRUCTURES (SHEDS, GAZEBOS, DWELLINGS, GARAGES, ETC.) SHALL BE CONSTRUCTED OR ALLOWED TO SIT UPON LANDS THAT HAVE AN ELEVATION LOWER THAN THE 1265 CONTOUR, NOR SHALL A WALKOUT BASEMENT BE ALLOWED BELOW THE 1265 CONTOUR. THE STRUCTURE RESTRICTION LINE HAS BEEN ESTABLISHED IN LIEU OF A REGIONAL FLOOD STUDY BEING COMPLETED. IF FLOOD PLAIN ENGINEERING IS CONDUCTED AND A REGIONAL FLOOD ELEVATION IS ESTABLISHED, THE ENGINEERED FLOOD PLAIN ELEVATION SHALL HAVE PRECEDENCE OVER THE RESTRICTION LINE SHOWN HEREON.



"APPROXIMATE ORDINARY HIGH WATER MARKS" FOR REFERENCE ONLY

"ANY LANDS BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR A NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1, OF THE STATE CONSTITUTION."

OWNED BY HARVEY FRAZZA

**OAKHILL CIRCLE**

**RIVER RIDGE ROAD**

**LOT 1**  
±8,882 ACRES  
386,910 SQ.FT.

**LOT 3** OAKHILL HEIGHTS  
LOT 3 CSM 18313

LOT 2 PINE RIDGE POINTE OWNED BY OTHERS

LOT 4 OAKHILL HEIGHTS

**EAU CLAIRE RIVER**

**CERTIFIED SURVEY MAP**  
**MARATHON COUNTY NO. \_\_\_\_\_**

ALL OF LOT 3 OF CERTIFIED SURVEY MAP NUMBER 18318, ALL OF LOT 1 OF PINE RIDGE POINTE, BEING PART OF LOT 3 OF OAKHILL HEIGHTS, LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 29 NORTH, RANGE 9 EAST, TOWN OF EASTON, MARATHON COUNTY, WISCONSIN.

<b>VREELAND ASSOCIATES, INC.</b> 6103 DAWN STREET WESTON, WI. 54476 PH (715) 241-0947 tim@vreelandassociates.us	
<b>OWNERS:</b>	<b>HARVEY FRAAZA &amp; KOLBY CONSTRUCTION</b>
FILE #: 21-0164 ALLARD	
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND	

SHEET 2 OF 2 SHEETS

**SURVEYORS CERTIFICATE**

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF MIKE ALLARD, I SURVEYED, MAPPED AND COMBINED LOT 3 OF CERTIFIED SURVEY MAP NUMBER 18313 AS DOCUMENT NUMBER 1778195, LOT 1 OF PINE RIDGE POINTE, BEING PART OF LOT 3 OF OAKHILL HEIGHTS, LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, NORTHEAST 1/4 OF THE SOUTHEAST 1/4, NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 29 NORTH, RANGE 9 EAST, TOWN OF EASTON, MARATHON COUNTY, WISCONSIN. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE COMBINATION AND THE CERTIFIED SURVEY MAP THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH SECTION 236.34 OF THE WISCONSIN STATUTES IN SURVEYING, MAPPING AND DIVIDING THE LANDS, CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF MARATHON COUNTY AND THE TOWN OF EASTON, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, COMBINING AND MAPPING THE SAME.

DATED THIS 3RD DAY OF MAY, 2021  
SURVEY PERFORMED APRIL 15TH, 2021

\_\_\_\_\_  
TIMOTHY G. VREELAND P.L.S. 2291

APPROVED FOR RECORDING UNDER  
THE TERMS OF THE MARATHON  
COUNTY LAND DIVISION REGULATIONS.

BY \_\_\_\_\_

DATE \_\_\_\_\_  
MARATHON CO. CONSERVATION,  
PLANNING & ZONING DEPT.  
CPZ TRACKING NO \_\_\_\_\_



May 12, 2020

[County Board Chair/Exec/Administrator]

**SUBJECT: Appointing Board of Adjustment Members by July 1, 2020**

Every county in Wisconsin, except for Milwaukee County, has a zoning board of adjustment consisting of three to five regular members plus two additional alternate members. The County Executive or Administrator, if present, or the County Board Chair, appoints the zoning board of adjustment members for staggered three-year terms beginning July 1.<sup>1</sup>

Since the zoning board members have staggered 3-year terms, it is only necessary to appoint new board of adjustment members for those whose terms expire on June 30, 2020, and for any vacancies. For example, if you have a three-member zoning board with staggered three-year terms, one regular member's term expires this year. It is not required to stagger alternates but may make it easier.

### **Role of the zoning board of adjustment**

Zoning board of adjustment members must act like judges, making decisions by applying legal standards. The primary role of a zoning board member is to review and decide cases where an applicant wants to develop a property in a way that is prohibited by a local zoning ordinance, or where there is an alleged error in a zoning decision. Zoning boards are authorized by Wisconsin Statutes to decide variances and administrative appeals. They also decide conditional uses (special exceptions) if authorized by the local ordinance to do so.

Zoning board members must follow proper procedures and legal standards found in state statutes, court decisions, local ordinances, and zoning board bylaws. Per state law, board of adjustment members may only grant a variance if the applicant has demonstrated that they meet all of the variance standards. Zoning board members are also required to explain the rationale behind their decisions.

### **Choosing board of adjustment members**

- Members of the zoning board must reside in the county but outside of incorporated areas, and no more than one member may be from each town.<sup>2</sup>

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<sup>1</sup> Wis. Stats 59.17(2)(c), 59.18(2)(c) & 59.694(2)(a)

<sup>2</sup> Wis. Stats. 59.694 (2)(c)

- County zoning administrators often provide valuable recommendations for choosing zoning board members.
- Zoning board members need to have:
  - The ability to understand the legal standards.
  - Willingness to apply the legal standards to each applicant. Applying the legal standards sometimes results in unpopular decisions because the applicant, the neighbors, or others do not get what they want. If zoning board members allow a property owner to do something prohibited by the ordinance when the applicant does not meet the legal standards to receive a variance, they make an unfair decision. This decision is unfair to the majority of property owners in the county who live within the limits of the zoning ordinances; to other zoning board members who are applying the legal standards; and to the county board members who adopted the zoning ordinance.
  - Sufficient time and motivation to read and digest applications, site plans and staff reports sent to them prior to meetings.
  - Availability to attend zoning board meetings year-round.
  - Willingness and availability to attend initial and legal update training.
  - Ability to be open-minded, impartial and courteous.
  - Ability to attend site visits, if required by your county.
- We recommend that zoning board members not be county or town board members in order to maintain impartiality, avoid conflicts of interest, and not be influenced by constituents.
- Developers or real estate professionals may have frequent conflicts of interest due to financial interests in board of adjustment decisions, making them unable to vote on these applications.

## Getting zoning board members up to speed

### Online introduction

For people considering serving on the zoning board and for new zoning board members we offer short videos [youtube.com/playlist?list=PL9hBCNOqxAQjkmef1Zt5rcPjqpcTiV8A](https://www.youtube.com/playlist?list=PL9hBCNOqxAQjkmef1Zt5rcPjqpcTiV8A) and online training modules at [fyi.extension.wisc.edu/landusetraining/zoning-board-training/](http://fyi.extension.wisc.edu/landusetraining/zoning-board-training/)

### Handbooks

The **Zoning Board Handbook** created by the Center for Land Use Education is available in hard copy for \$25 or as a free download at: [www.uwsp.edu/cnr-ap/clue/Pages/publications-resources/Zoning.aspx](http://www.uwsp.edu/cnr-ap/clue/Pages/publications-resources/Zoning.aspx). This handbook is intended to assist zoning board members in understanding the role of the zoning board and the procedures and standards with which their decisions must comply.

### Webinars

This summer we will be offering online zoning board webinars to help new zoning board members get up to speed and to keep all members abreast of recent laws and court decisions.

Workshop information is located on our website: [www.uwsp.edu/cnr-ap/clue/Pages/workshops/workshopszb.aspx](http://www.uwsp.edu/cnr-ap/clue/Pages/workshops/workshopszb.aspx)

Please contact me if have questions about zoning boards of adjustment.

Sincerely,

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Land Use Specialist

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