

BOARD OF ADJUSTMENT PUBLIC HEARING JULY 30, 2020



Applications

Application 1:

The application of Abbotsford Evangelical Free Church for a variance from the terms of Section 17.702.03 of the General Code of Ordinances for Marathon County Chapter 17 Zoning Code to construct a new sign differing from the dimensional and height standards in the R-E Rural Estate district, on property owned by Abbotsford Evangelical Free Church Inc. described as part of SE ¼, SE ¼, Section 32, T29N, R2E, Town of Holton, further described as PIN # 042.2902.324.0987 with a property address of 228936 Cemetery Avenue – Abbotsford, WI 54405.

Application 2:

NOTE: The applicant has formally requested postponement (see slide #29)

The application of Eric Wendell for a conditional use permit per Section 17.204.56 and 17.401.02 E of the General Code of Ordinances for Marathon County Chapter 17 Zoning Code for the purposes of operating a minor home professional business and to construct a detached accessory structure with dimensions exceeding the standards in the R-R Rural Residential District, described as part of the NE ¼ SW ¼ Section 32, Township 26N, R3E, Town of McMillan, described as PIN# 056.2603.323.0991 with a property address of 111482 Red Hawk Lane, Marshfield WI 54449.

Application #1

The application of Abbotsford Evangelical Free Church for a variance from the terms of Section 17.702.03 of the General Code of Ordinances for Marathon County Chapter 17 Zoning Code to construct a new sign differing from the dimensional and height standards in the R-E Rural Estate district, on property owned by Abbotsford Evangelical Free Church Inc. described as part of SE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 32, T29N, R2E, Town of Holton, further described as PIN # 042.2902.324.0987 with a property address of 228936 Cemetery Avenue – Abbotsford, WI 54405.

Decision Sheet

The application of Abbotsford Evangelical Free Church for a variance from the terms of Section 17.702.03 of the General Code of Ordinances for Marathon County Chapter 17 Zoning Code to construct a new sign differing from the dimensional and height standards in the R-E Rural Estate district, on property owned by Abbotsford Evangelical Free Church Inc. described as part of SE ¼, SE ¼, Section 32, T29N, R2E, Town of Holton, further described as PIN # 042.2902.324.0987 with a property address of 228936 Cemetery Avenue – Abbotsford, WI 54405.

CONCLUSION OF LAW

Based on the facts presented in the application and at the July 30, 2020 public hearing, the Board concludes that:

- 1) **Unnecessary Hardship is Present.** Yes No

Unnecessary hardship is when compliance with the ordinance would unreasonably prevent the owner from using the property for a permitted purpose (*leaving the property owner without any use that is permitted for the property*) OR when conformity with restrictions would be unnecessarily burdensome.

The Board of Adjustment must consider the purpose of the zoning restriction, the zoning restrictions effect on the property, and the short-time, long-term and cumulative effects of a variance on the neighborhood, the community and the public interests.

Unnecessary hardship is present because: _____

- 2) **Physical limitations of the property prevent compliance with ordinance standards.** Yes No

Situations that may *limit* reasonable use of the property (*check those that apply & note specifics*):

- Wetland presence _____
 - Parcel shape and/or size _____
 - Steep slope _____
 - Other: locations of other structures existing on site, significant drainage system south of the existing free stall barn.
- Comments _____

- 3) **Granting the variance will not harm the public interest.** Agree/Yes Disagree/No

Public interest harm includes (*check those that apply & note specifics*):

- Additional runoff _____
- Affect quality of fish or wildlife habitat _____
- Impact on scenic beauty _____
- Public safety and health _____
- Negative impacts to provision of public services _____
- Other public interest factors _____

Other considerations:

- The public interest includes the interest of the public at large, not just that of nearby property owners.
- Lack of local opposition does not in itself mean that a variance will not harm the public interest.
- A variance should include only the minimal relief necessary to allow reasonable use of the property.
- The Board's actions should be consistent with the objectives stated in the zoning ordinance.

Note: Cumulative effects must be taken into consideration.

Determination Worksheet (continued)

4) Will the variance be granted for a self-created hardship?
Yes No Insufficient information
Comments: _____

5) Will a variance damage the rights or property values of other persons in the area?
Yes No Insufficient information
Comments: _____

6) Is granting the Variance Permit contrary with the purpose and intent of the General Code of Ordinances for Marathon County?
This code is adopted to secure and provide the following objectives for the County of Marathon:

1. To promote the public health, safety, comfort, and welfare of the residents of the County of Marathon;
2. To establish and maintain zoning districts in order to protect the property rights of all individuals by assuring the compatibility and efficient relationships of uses and practices within districts;
3. To facilitate the provision of public utilities and public services;
4. To provide the proper arrangement of streets or highways in relation to existing or proposed streets and highways (and the county's transportation plan);
5. To promote orderly, efficient, and appropriate development of land;
6. To provide uniform procedures and standards for observance by both the approving authority and the sub-divider for the division, subdivision, and development of land;
7. To provide standards and guidelines for compatibility of designs, materials, layout, landscaping, and effective use of land for quality commercial development;
8. To provide reasonable and appropriate visual identification of commercial establishments;
9. To ensure adequate provision of open space for light, air, and fire safety;
10. To manage traffic via access points and other planning tools;
11. To preserve and protect existing trees and vegetation, flood plains, stream corridors, and other areas of scenic and environmental significance from adverse impacts of land development;
12. To provide guidelines for development of recreational uses;
13. To require the adequate and safe provision of transportation, water, sewage, and drainage in the county;
14. To preserve the character and quality of residential neighborhoods;
15. To preserve the character and quality of agricultural areas;
16. To provide appropriate technical assistance to towns during the planning and zoning phase of extraterritorial zoning discussions; and to assure the County's policy of providing an opportunity for towns to opt out of county zoning by conducting a comprehensive revision of zoning ordinances at a minimum of ten-year intervals

Yes No Insufficient information Not Applicable
Comments: _____

7) Does the Board have sufficient information to make a decision on this request?
Yes No Insufficient information Not applicable
Comments: _____

8) Questions #1 through #3 must be answered "yes" and #4 "no" in order for variance to be granted.
Does the variance request meet all of the preceding tests (questions 1 through 4)? Yes No
Comments: _____

9) Does the Board of Adjustment wish to place any conditions on this variance? Yes No
Condition1: _____;

Provisions of Law – General Standards

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

1) Compatibility with Adjacent Uses. The proposed conditional use shall be designed, constructed, operated and maintained to be compatible with uses on surrounding land. The site design shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met, consideration shall be given to:

- The location and screening of vehicular circulation and parking areas in relation to surrounding development.
- The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.
- The hours of operation of the proposed use. Approval of a conditional use may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses.
- The bulk, placement, and materials of construction of the proposed use in relation to surrounding uses.

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

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

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

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

Provisions of Law – General Standards (Cont'd)

6) Impact of Traffic. The location of the proposed conditional use shall, within the zoning district, minimize the impact of traffic generated by the proposed use. In determining whether this requirement has been met, consideration shall be given to the following:

- Proximity and access to major thoroughfares.
- Estimated traffic generated by the proposed use.
- Proximity and relation to intersections.
- Adequacy of driver sight distances.
- Location of and access to off-street parking.
- Required vehicular turning movements.
- Provision of pedestrian traffic (if applicable).

7) Enhancement of Surrounding Environment. The proposed conditional use shall provide the maximum feasible enhancement of the surrounding environment, and shall not unreasonably interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value. In determining whether this requirement has been met, consideration shall be given to:

- The provision of landscaping and other site amenities. Provision of additional landscaping over and above the specific requirements of this Ordinance may be required as a condition of approval of a conditional use.
- The bulk, placement, and materials of construction of proposed structures in relation to surrounding uses.

8) Impact on Public Health, Safety, and Welfare. The proposed conditional use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be located or designed in a manner that is detrimental to public health, safety, and welfare. In determining whether this requirement has been met, consideration shall be given to the production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, light, and environmental impact.

9) Isolation of Existing Uses. The location of the proposed conditional use shall not result in a small residential area being substantially surrounded by non-residential development, and further, the location of the proposed conditional use shall not result in a small non-residential area being substantially surrounded by incompatible uses.

Provisions of the Law - Specific

Chapter 17.702

Signs Allowed With a Permit

Section 17.702.01 SIGNS ALLOWED WITH A PERMIT

The following signs may be permitted in certain zoning districts as shown in the following Table 13 subject to the approval of a zoning permit and the sign design limitations applicable to each type of sign.

Table 13. Type of Sign Permitted with a Permit by Zoning District

| USE | P Permitted Use | | | | C Conditional Use | | | (Blank) Use Not Permitted | | | | | |
|------------------------------------|-----------------------|-------|-----|-----|------------------------|-----|---------|---------------------------|---|-----|-----|-----|-----------------------------------|
| | Residential Districts | | | | Agricultural Districts | | | Nonresidential Districts | | | | | Development Standards |
| | U-R | L-D-R | R-R | R-E | F-P | G-A | C-V/R-C | N-C | C | B-R | L-I | H-I | |
| On-Premises Building Mounted Signs | C | C | C | P | P | P | P | P | P | P | P | P | Section 17.704.02 |
| On-Premise Ground Signs | C | C | C | P | P | P | P | P | P | P | P | P | Section 17.704.03 |
| Off-Premise Ground Signs | | C | C | P | P | P | P | P | P | P | P | P | Section 17.704.04 |
| Electronic Message Signs | C | C | C | P | P | P | P | P | P | P | P | P | Section 17.704.05 |
| Pole Signs | | | | | P | P | | P | P | | P | P | |
| Billboards | | | | | | | | C | C | | C | C | Section 17.704.06 |

Provisions of Law – Specific (continued)

Section 17.702.03 ON-PREMISE GROUND SIGNS

Ground signs are subject to the area and placement regulations of the following Table 14 and the design standards of this section.

Table 14. Dimension and Location Standards for On-Premise Ground Signs

| ZONING DISTRICT | NUMBER PERMITTED | TOTAL MAXIMUM AREA | MAXIMUM HEIGHT | MINIMUM SETBACK |
|--------------------------------|--|--------------------|----------------|---|
| CV/RC, GA, FP, RE, RR, LDR, UR | 1 per home occupation | 32 sq. ft. | 6 feet | 15 feet from street right-of-way 25 feet from side lot line |
| CV/RC, GA, FP, RE, RR, LDR, | Any commercial, office, service, industrial, community, education, institution, or recreation use may have a sign that complies with the standards of the B-R district | | | |
| NC, C | 1 per road frontage | 32 sq. ft. | 8 feet | 15 feet from street right-of-way 25 feet from side lot line 100 feet from residential district boundary |
| BR | 1 per road frontage | 32 sq. ft. | 10 feet | 15 feet from street right-of-way 25 feet from side lot line 100 feet from residential district boundary |
| LI, HI | 1 per road frontage | 32 sq. ft. | 10 feet | 15 feet from street right-of-way 25 feet from side lot line 100 feet from residential district boundary |

1. Monument Base Required. It is encouraged that ground signs in the county shall be low-level monument style ground signs.

Staff Report

Exhibit #1 – Staff Report

Application #1: The application of Abbotsford Evangelical Free Church for a variance from the terms of Section 17.702.03 of the General Code of Ordinances for Marathon County Chapter 17 Zoning Code to construct a new sign differing from the dimensional and height standards in the R-E Rural Estate district, on property owned by Abbotsford Evangelical Free Church Inc. described as part of SE ¼, SE ¼, Section 32, T29N, R2E, Town of Holton, further described as PIN # 042.2902.324.0987 with a property address of 228936 Cemetery Avenue – Abbotsford, WI 54405.

REVIEW OF THE SITE AND/OR PERTINENT DOCUMENTS REVEALED THE FOLLOWING ITEMS:

1. The Town of Holton has adopted county zoning.
2. A portion of the property is located in shoreland zoning.
3. A portion of the property is located in mapped floodplain
4. There are mapped wetlands on the property.
5. There are no known violations on this site.

APPLICABLE PROVISIONS OF CHAPTER 17 – ZONING CODE:

Section 17.702.01 SIGNS ALLOWED WITH A PERMIT

The following signs may be permitted in certain zoning districts as shown in the following Table 13 subject to the approval of a zoning permit and the sign design limitations applicable to each type of sign.

Table 13. Type of Sign Permitted with a Permit by Zoning District

| USE | P Permitted Use | | | | C Conditional Use | | | (Blank) Use Not Permitted | | | | | |
|------------------------------------|-----------------------|-------|-----|-----|------------------------|-----|---------|---------------------------|---|-----|-----|-----|-----------------------|
| | Residential Districts | | | | Agricultural Districts | | | Nonresidential Districts | | | | | Development Standards |
| | U-R | L-D-R | R-R | R-E | F-P | G-A | C-V/R-C | N-C | C | B-R | L-I | H-I | |
| On-Premises Building Mounted Signs | C | C | C | P | P | P | P | P | P | P | P | P | Section 17.704.02 |
| On-Premise Ground Signs | C | C | C | P | P | P | P | P | P | P | P | P | Section 17.704.03 |

THE STAFF RESERVES THE RIGHT TO AMEND THIS REPORT BASED ON NEW EVIDENCE PRESENTED AT THE HEARING. DECISIONS OF THE BOARD ARE SUBJECT TO APPEAL AS PROVIDED IN SS.59.694(10) WIS. STATS.

RESPECTFULLY SUBMITTED:



7/24/20

SIGNATURE

DATE

Exhibit #2 - Variance Application

Please Type or Print

PETITION FOR VARIANCE

Please Type or Print

to the MARATHON COUNTY BOARD OF ADJUSTMENT

Name of Applicant: Abbottsford Evangelical Free Church Phone # 715-223-4445
Applicant's Address: 228936 Cemetery Ave, Abbottsford, WI 54405
E-Mail Address: michael.jahnke78@gmail.com
Owner (if different than applicant):
Owner's Address:

Town of Holton Parcel ID#: 042-2902-324-0987 Zoning District:
Property Legal Description: SE 1/4, SE 1/4, Section 32, T 29 N, R 02 E
Lot, Block, Subdivision
Site Address: 228936 Cemetery Ave, Abbottsford, WI 54405

The Marathon County Board of Adjustment is authorized by §59.694(7)(c) to authorize upon appeal, in specific cases, variances from the terms of the ordinance that will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done.

The applicant hereby requests the Board of Adjustment to hear and decide upon the following (Use additional sheets if necessary):
A use/area variance from the terms of Section(s) 17.702.03 of the General Code of Ordinances for Marathon County relating to the [X]Area, []Setback, []Yard, [X]Height, []Other:

A. Strict application of the regulations would cause unnecessary hardship because the current height restrictions prevent our sign to be visible to the travelers on Hwy 29.

B. The hardship is due to the following unique physical limitations of the property: the separation from the highway because of Cemetery Ave, and our property being lower than the road (as well as the hill to the north from the highway). All these features interfere with line-of-sight from Hwy 29.

C. The variance would not harm public interest because: all other aspects of the project follow the standards contained within the chapter 17 zoning code

Attach additional information to specifically describe the nature of your request, why such changes are deemed necessary, alternatives you have considered, and how A, B, & C above apply to this project. Include detailed and scaled drawings that illustrate your case. Show existing and proposed improvements such as property lines, roads, utilities, septic, well, slopes, water, wetlands, floodplain, and anything else that will illustrate hardship, unique physical characteristics, and effects of the variance on the public interest. Any photos submitted will be kept as a part of the record.

Present Use of Property: Church + school Improvements upon Land: Construction of church + school
Date Property Acquired: 1993 Area Affected (Sq. ft. or acres): .65 acres
Applicant / Owner Signature(s): [Signature]

A fee of \$600 payable to Marathon County must be submitted with this application.
Failure of the applicant or his agent to appear at the hearing will cause the Board to deny this appeal.



Exhibit #3 – Application Narrative

Variance Application

Location:

Abby Free Church

Abbotsford, WI 54405

Unnecessary hardship

- The existing sign is out-of-date in both design and technology, which requires a completely new sign. (the old sign is unsightly and old/warped wood.
- The proposed sign currently is taller than allowed due our position from the highway. Our property is lower than the frontage road (Cemetery Ave.). This road also separates us from the highway, which is also going down-hill and turning away. Due to these factors, our sign can barely be seen at its current height.
- Building the sign to the current code would keep our sign mostly out-of-site from the highway traffic.

Unique Physical Limitations of the Property

- The bottom of the existing sign is level with the frontage road, and approximately 10 feet higher than the highway.
- The church sign needs to be visible to the highway because that was originally the purpose of this location, and Cemetery Ave. has very low traffic. When the bypass went around Abbotsford, it cut off our location from traffic.
- The top of our sign is at 12 feet, and the additional 3 feet will not accomplish much for visibility due to our lower position from our road which separates us from the highway.
- The cross is about 26 inches tall on top and is included in the height of 20 feet, so the top of the sign is approximately 18 feet tall. Because of the land position of our church behind the small hill created by the road and the burn from highway 29, the added 3 feet for the sign would be beneficial.

Not Harm Public Interest

- All other aspects of the sign will be according to the zoning requirements. Only the height is in question.
- The new sign will not be unsightly or overbearing. It will still not be prominent from the highway or even unsightly from cemetery avenue. Our goal is merely to be visible with an attractive sign, while respecting the zoning requirements. As a church in the community, our desire is to send a message of hope and encouragement – our sign aims to assist in this goal.

Two Foot Contours Map

- This is difficult to obtain as it would require a photograph to be taken from the highway.

Site Plan #2

- We contacted the Marathon County Zoning only.

Proposed Sign Design

- Total square footage (see attached sheet)
- Total height (see attached sheet)

- The sign is double-sided
- The plan is for it to be illuminated from the interior
- Currently, there will be six faces - including the letter board. We can change it easily to four faces.
- We would possibly change the letter board to a digital board.

Exhibit #4 – Location within Township of Hull

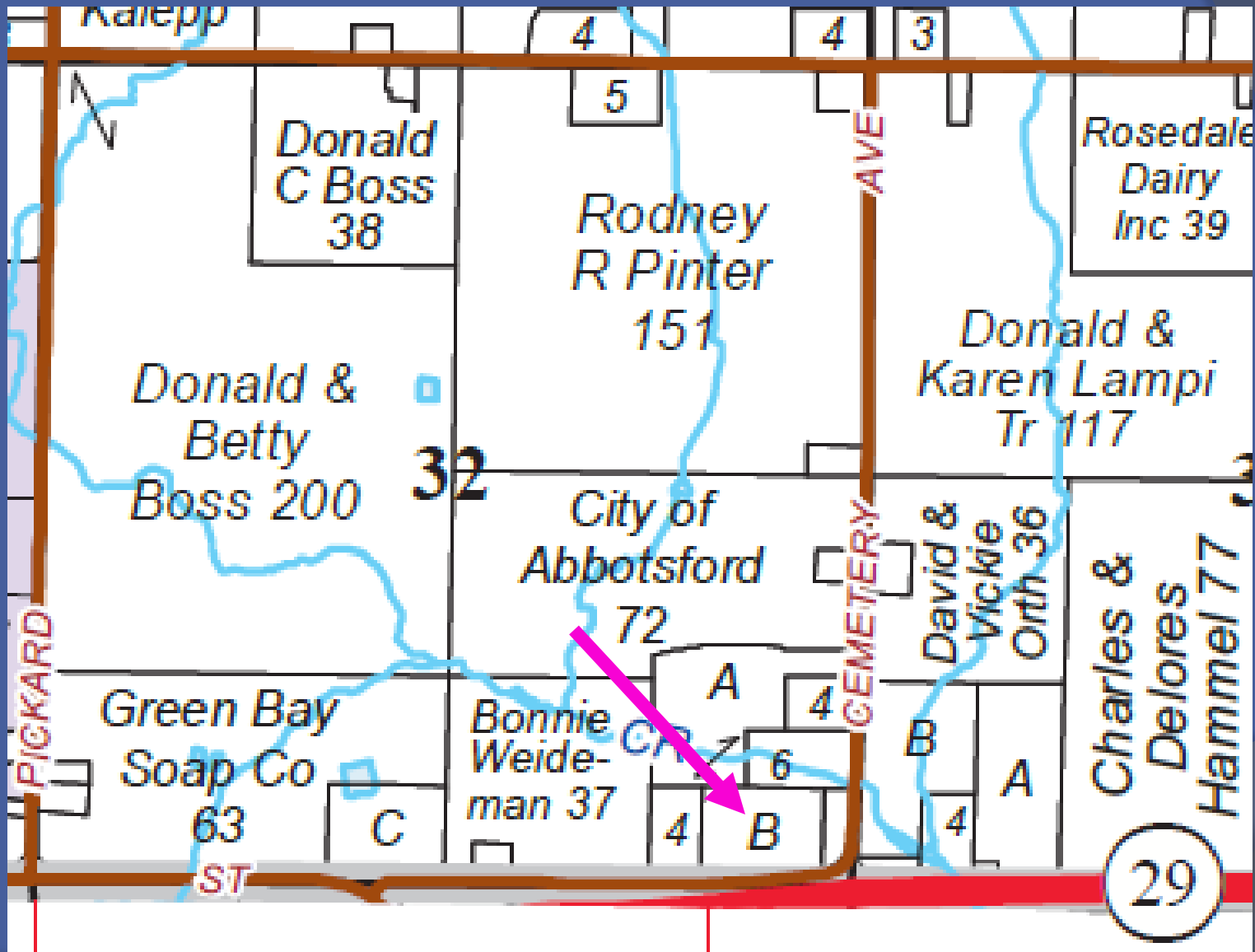
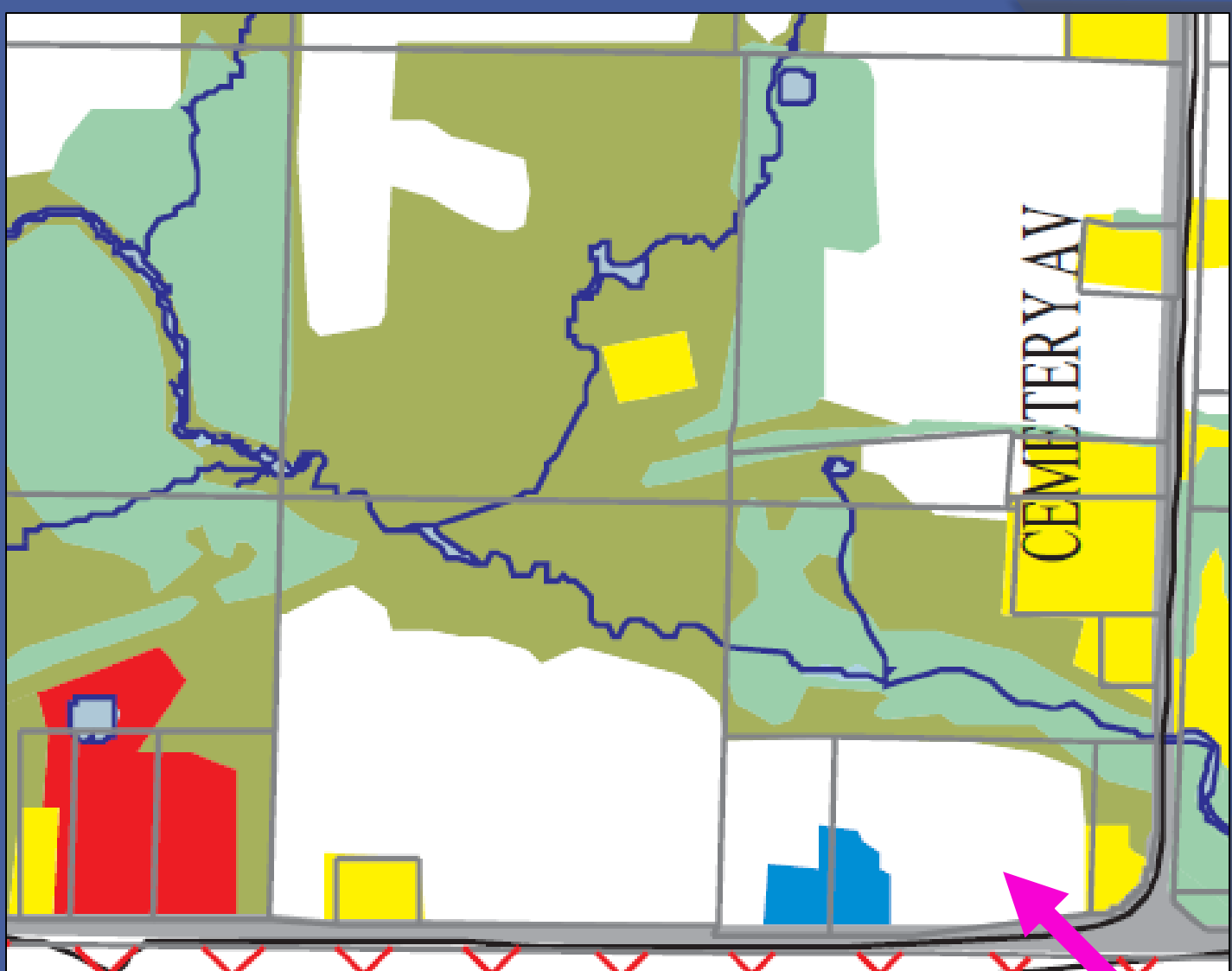


Exhibit #5 - Town of Holton Land Use Map




| | | |
|---------------------------|-------------------|---------------------|
| Single Family Residential | Barren | Public/Quasi-Public |
| Commercial | Crop Land | Recreational |
| Commercial/Industrial | Other Agriculture | Transportation |
| Industrial | Forest Land | Water |

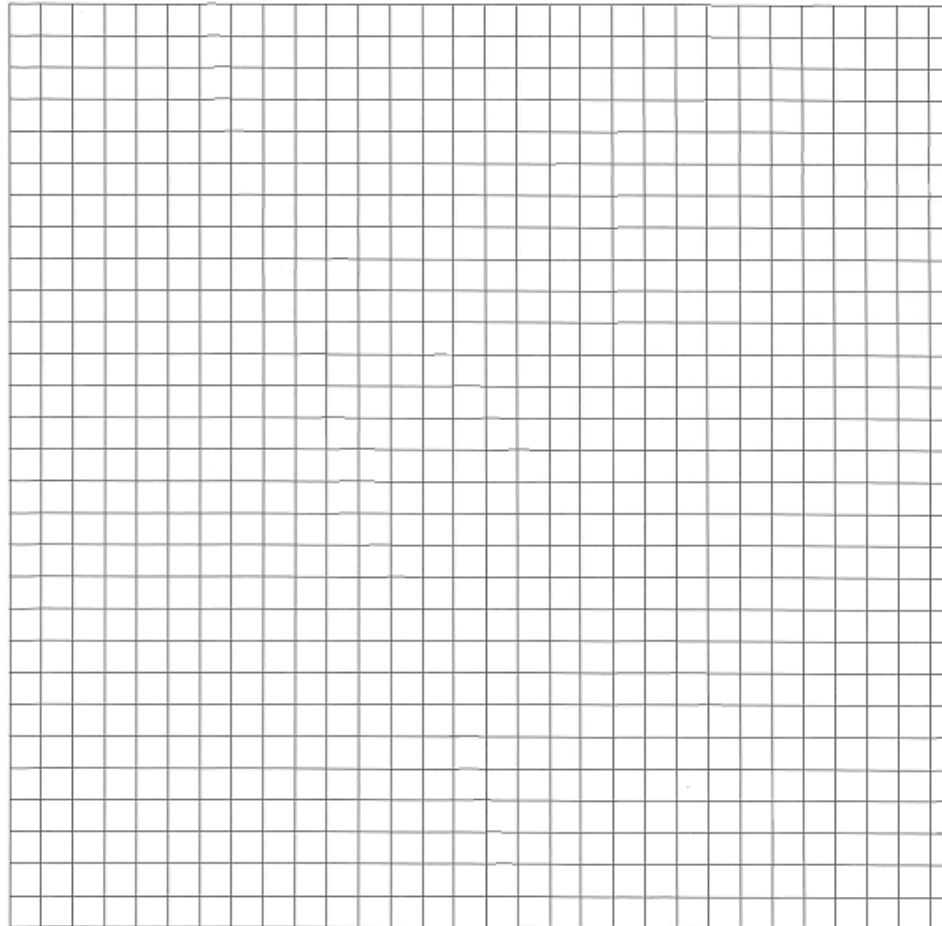
Exhibit #6 - Aerial Photo



Exhibit #7 – Proposed Site Plan

SITE PLAN

| | | | |
|--|---------------|----------------------------|---|
| Permit # | Date: 3/16/20 | Notes/Comments: | 1" = ' / |
| Pin # 042-2902-324-0987 | | "SSS attached map" -RAH |  |
| Owner: Hobbsland Evangelical Free Church | | | |
| Address: 228936 | | | |
| Project: New Sign | | | |



- Requirements to be shown:**
- ◆ Location and dimensions of all current and proposed buildings;
 - ◆ Location of existing or proposed private onsite wastewater treatment system and wells.
 - ◆ Dimensions of driveways and indicate type (paved, gravel, etc.);
 - ◆ Indicate and label the location of any public and private street;
 - ◆ Required front, rear, side yard area, open space, and parking

Road Setback: 46 ft from centerline R-OW line
 Side Yard Setbacks: 131 ft and 635 ft
 Rear Yard Setback: ___ ft
 Max Building Height: 20 ft
 Setback from Ordinary High Water Mark: NA ft
 Lot Width at Building Line: ___ ft

Exhibit #8 - Location of Existing Sign



| | | |
|----------|----------|---------|
| TAYLOR | LINCOLN | |
| HALSEY | GERMAN | HEWITT |
| BERN | MAINE | TEXAS |
| HOLTON | STETSON | EASTON |
| HULL | VIENASSE | TRINGLE |
| BRIGHTON | HEMMET | REIS |
| SPENCER | DAMUSINE | BEVENT |
| WOOD | BERGEN | FRANZEN |
| | PORTAGE | |

- Legend**
- Parcel Annotations
 - Parcels
 - Land Hooks
 - Section Lines/Numbers
 - Right Of Ways
 - Municipalities
 - 2015 Orthos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

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 - current location of sign and proposed location of future new sign. -RAH

Exhibit #9 – Viewing Angles and Visibility

Legend

- Parcel Annotations
- Parcels
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Municipalities
- 2015 Orthos
- Red: Band_1
- Green: Band_2
- Blue: Band_3

**OFF OF STATE HWY: 29*

#1: view of sign completely inhibited.

#2: view of sign completely inhibited.

#3: ability to view sign is minimal.

Notes: 46.39' to R-o-w.
 · 131.4' to side prop line
 · 635.3' to side prop line.



Exhibit #10 – Contours Map





Customer Name

Abbotsford Evangelical Free Church
4868 Cemetery Ave
Abbotsford, WI 54460

Customer Quote

| Date | Quote Number |
|-----------|--------------|
| 10/7/2019 | 1292159 |

| Description | Quantity | Per Item Cost | TOTAL |
|--|----------|---------------|----------|
| <p>Abby Free Church Pylon</p> <p>1. Qty. (1) 20' H x 78" W x 24" deep Double sided - Internally illuminated "Abby Free Church" pylon sign per the approved layout. Sign cabinets will have formed and welded .080" thk aluminum bodies. Sign will consist of (2) sign cabinets as shown in layout. Cabinet faces will be .150" thk white lexan w/ our standard 1-1/2" aluminum panel retainer and HP 3M double layered printed translucent graphics. Sign will have a formed and welded .080" thk aluminum roof cap. Cross located at the top of the sign will be a reverse can fabricated non-lit accent that will be 2" deep w/ .040" aluminum returns. Sign will have a fabricated .080" thk aluminum pole cover and reveals. Lighting will be supplied by white LEDs, 120V power supplies, photo eye and switch. Sign supports will consist of 6" square steel w/ a steel base plate and (4) 1-1/4" dia steel J-bolt anchors. Changeable letter track cabinet will have 6" square steel w/ top and bottom match plates, allowing the sign to be bolted together. Construction of sign will also allow cabinet to be removed when future electronic message center is added. Top sign cabinet will have 4" square heavy wall aluminum w/ aluminum match plate allowing the top of the sign to be independent of the main sign structure. Entire sign will have a urethane paint finish w/ a satin clear coat per approved colors.</p> | 1 | 8,055.00 | 8,055.00 |
| <p>Changeable Letter Track Cabinet (OPTIONAL)</p> <p>2. Qty. (1) 42" H x 72" W x 24" deep Double sided - Internally-illuminated "Changeable Letter Track" cabinet per the provided layout. Sign cabinet will have a formed and welded .080" thk aluminum body. Sign faces will be .150" thk white lexan w/ our standard 1-1/2" aluminum panel retainer for faces. Faces will have changeable letter top trim, bottom trim and divider trim to hold (4) rows of letters. Letter sets included in quoted price for customer to display and change message when required. Lighting will be supplied by white LEDs, 120V power supplies, photo eye and switch. Entire cabinet will have a urethane paint finish w/ a satin clear coat per approved colors.</p> | 1 | 2,780.00 | 2,780.00 |

TOTAL

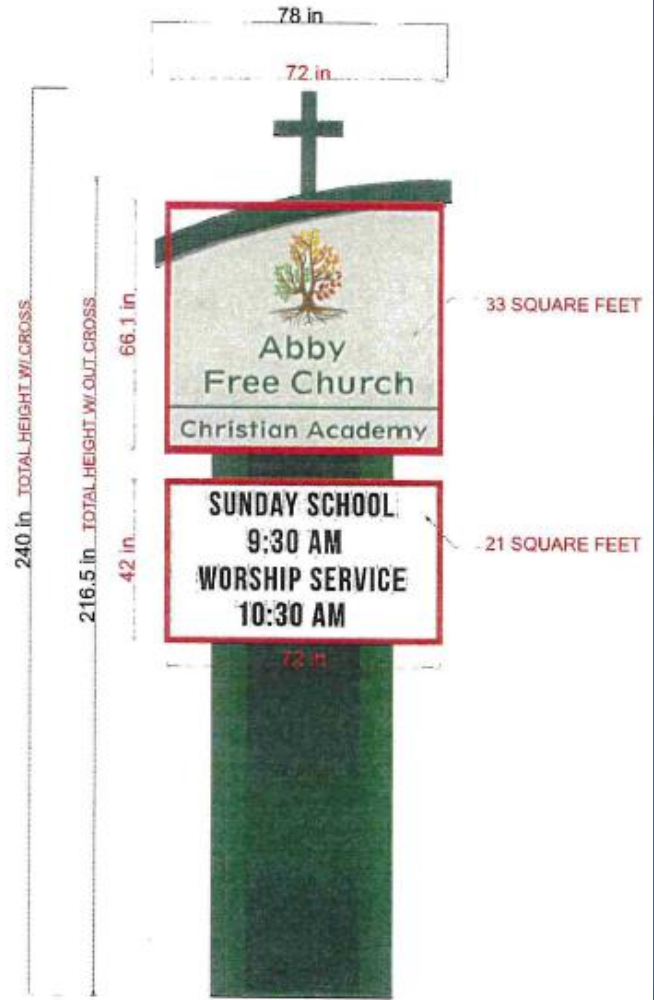
Exhibit #11 - Sign Quote

Exhibit #12 – Proposed Sign Details

Sign

Double Sided - Internally Lit
Changeable Letter Cabinet

QTY: 1



**Night View
Full Face Lighting**

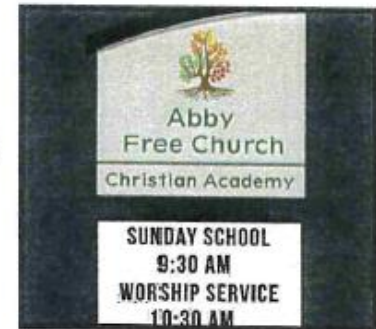


Exhibit #13 - Photo #1 View From Hwy. 29
(west-bound lane)

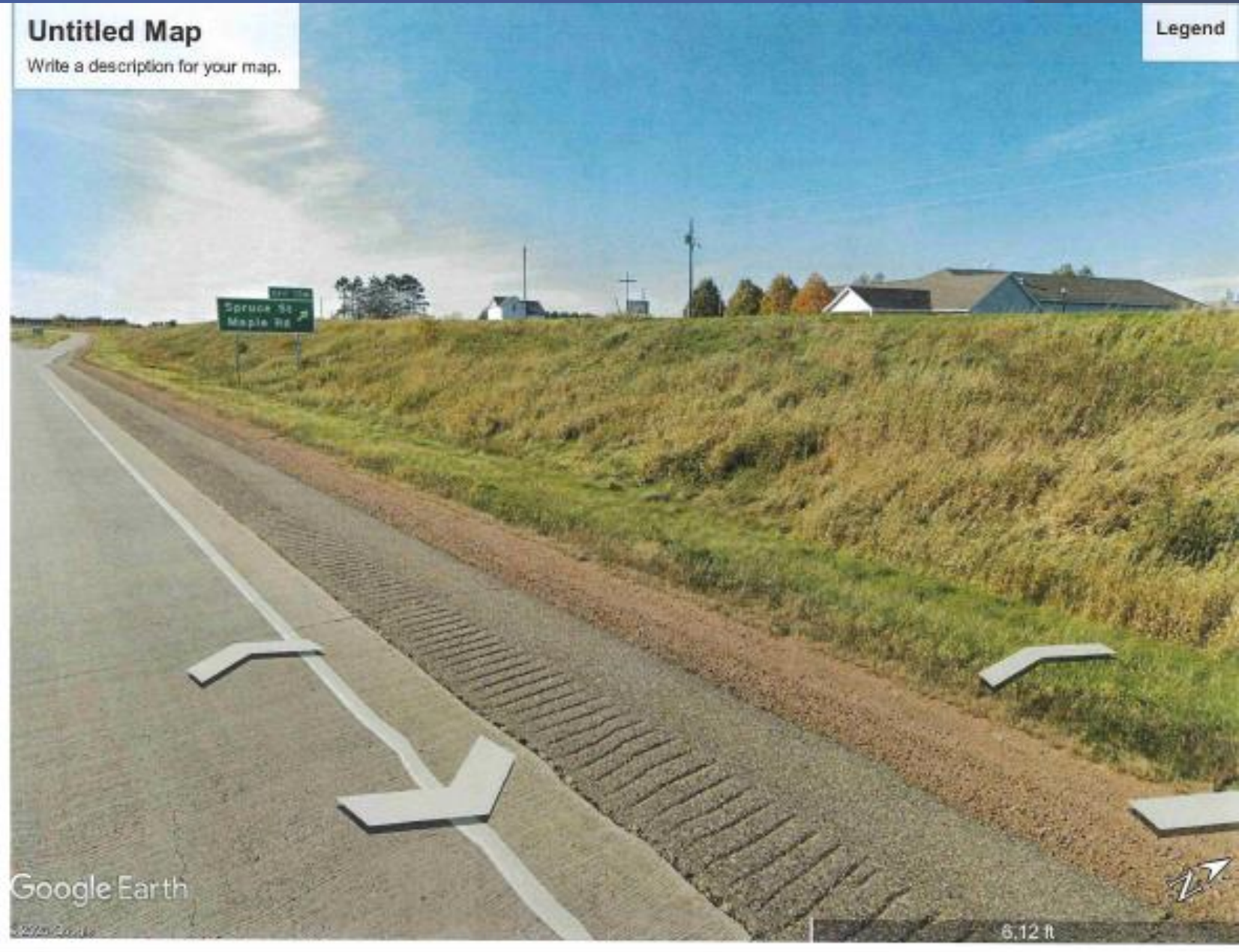


Exhibit #14 – Photo #2 View From Hwy. 29
(east-bound lane)



Exhibit #15 - Basis of Determination
received from Town of Holton

Section 17.803.03 BASIS OF DETERMINATION

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

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

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

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

Committee agrees with church's plan

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

CORRECT

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

CORRECT

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

Church's proposal will comply with all of the above

Exhibit #16 - Basis of Determination
Continued received from Town of
Holton

6. Impact of Traffic. The location of the proposed conditional use shall, within the zoning district, minimize the impact of traffic generated by the proposed use. In determining whether this requirement has been met, consideration shall be given to the following:

- a. Proximity and access to major thoroughfares.
- b. Estimated traffic generated by the proposed use.
- c. Proximity and relation to intersections.
- d. Adequacy of driver sight distances.
- e. Location of and access to off-street parking.
- f. Required vehicular turning movements.
- g. Provision of pedestrian traffic (if applicable).

will not interfere with any of the above. will be a service to community will make easier to locate from highway

7. Enhancement of Surrounding Environment. The proposed conditional use shall provide the maximum feasible enhancement of the surrounding environment, and shall not unreasonably interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value. In determining whether this requirement has been met, consideration shall be given to:

- a. The provision of landscaping and other site amenities. Provision of additional landscaping over and above the specific requirements of this Ordinance may be required as a condition of approval of a conditional use.
- b. The bulk, placement, and materials of construction of proposed structures in relation to surrounding uses.

The proposed additional 3ft will not interfere at all to surrounding neighbors

8. Impact on Public Health, Safety, and Welfare. The proposed conditional use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be located or designed in a manner that is detrimental to public health, safety, and welfare. In determining whether this requirement has been met, consideration shall be given to the production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, light, and environmental impact.

Does not interfere with any of above

9. Isolation of Existing Uses. The location of the proposed conditional use shall not result in a small residential area being substantially surrounded by non-residential development, and further, the location of the proposed conditional use shall not result in a small non-residential area being substantially surrounded by incompatible uses.

Proposed will not disrupt area or neighbors

10. Substantial Evidence. Substantial evidence means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions.

Due to location of church - The only way sign can be seen from highway is by having additional 3ft to zoning variance for sign due to church being located in a hollow lower than frontage Rd

STATE OF WISCONSIN)
MARATHON COUNTY)
TOWN OF HOLTON)

TOWN RESOLUTION OF RECOMENDATION

TO THE MARATHON COUNTY BOARD OF ADJUSTMENT

I, Jennifer Schreiber, Clerk of the Town of Holton, 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 Holton Town Board at a meeting held on the 8 day of July, 2020.

RESOLUTION

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

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

NOW, THEREFORE BE IT RESOLVED that the Town of Holton Town Board considered on the 8 day of July, 2020, the application Abbotsford Evangelical Free Church for a variance from the terms of Section 17.702.03 of the General Code of Ordinances for Marathon County Chapter 17 Zoning Code to construct a new sign differing from the dimensional and height standards in the R-E Rural Estate district, on property owned by Abbotsford Evangelical Free Church Inc. described as part of SE 1/4, SE 1/4, Section 32, T29N, R2E, Town of Holton, further described as PIN # 042.2802.324.0987 with a property address of 228936 Cemetery Avenue - Abbotsford, WI 54404

and hereby recommends:

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

Comments, conditions and reasons for recommended action:

The Town Board agrees that allowing the additional 3ft to sign will help the community.

Clerk Jennifer Schreiber
Town Board

RECEIVED
JUL 09 2020
MARATHON CO. CONSERVATION,
PLANNING & ZONING DEPT

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Board of Adjustment Public Hearing. Town input at the hearing is always appreciated. Please return this form before July 9, 2020 to:

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



MARATHON
COUNTY

Application #2

NOTE:

The applicant has formally requested postponement

The application of Eric Wendell for a conditional use permit per Section 17.204.56 and 17.401.02 E of the General Code of Ordinances for Marathon County Chapter 17 Zoning Code for the purposes of operating a minor home professional business and to construct a detached accessory structure with dimensions exceeding the standards in the R-R Rural Residential District, described as part of the NE ¼ SW ¼ Section 32, Township 26N, R3E, Town of McMillan, described as PIN# 056.2603.323.0991 with a property address of 111482 Red Hawk Lane, Marshfield WI 54449.

Application #2

NOTE:

The applicant has formally requested postponement



Thu 7/23/2020 9:27 AM

Eric Wendell <eric@decorativecrete.net>

[EXTERNAL] Request to postpone BOA hearing

To Cindy Kraeger; Teal Fyksen

To the Marathon County Board of Adjustment:

I would like to formally request my hearing that had been scheduled for July 30th to be postponed to the next available date of September 24, 2020. Due to the Town of McMillan being unable to give a recommendation to the BOA prior to the hearing date, I feel it is appropriate to be postponed.

Thank you in advance, and if anything additional is needed from me, please let me know.

Eric Wendell
111482 Red Hawk Lane
Marshfield, WI 54449
715-207-8532



MARATHON COUNTY





ZONING WEBINARS

5-Part Series

August - November

Attend one or multiple sessions!

The Center for Land Use Education is offering a new 5-part webinar series designed to orient new and continuing officials and staff to their roles and responsibilities related to zoning.

Divided into two tracks, the Basic Sessions are designed for newly elected and appointed officials, clerks, administrators, and others who are new to planning and zoning. The Advanced Sessions are for those looking to expand their knowledge of specific zoning topics. Planning and zoning staff, experienced officials, and individuals who have completed the basic training sessions are encouraged to attend.

Webinars will be recorded. Recordings will be made available to registered participants of individual sessions.

Basic Sessions - Free

Role of the Plan Commission

Thursday, August 13, 2020, 3-4 pm

This session will introduce three primary tools for land use decision-making: the comprehensive plan, zoning ordinance, and subdivision ordinance. We'll take a closer look at zoning decisions and review different rules that apply when your plan commission and elected officials adopt and apply ordinances.

Role of the Zoning Board of Adjustment/Appeals

Thursday, August 20, 2020, 3-4 pm

This session will cover decisions typically assigned to the zoning board of adjustment or appeals, including variances, administrative appeals, and conditional uses. We'll take a closer look at the quasi-judicial role of the zoning board and how their decisions impact communities.

Agenda Item #4

Board Education and Requests

Advanced Sessions - \$20 each

New Rules for Conditional Uses

Tuesday, September 29, 2020, 10-11 am

Take a deep dive into conditional uses! Designed for planning and zoning staff and experienced officials, this session will review new rules that apply to conditional uses. Learn how to apply the new standards, and discuss how to update your ordinance, forms, and procedures.

Variances

Thursday, October 29, 2020, 10-11 am

Designed for planning and zoning staff and the zoning board of adjustment or appeals, this session will take a closer look at variances. Learn about different types of variances, legal standards for granting a variance, and how to create a complete record for the courts.

Refreshing Your Zoning Ordinance

Monday, November 30, 2020, 10-11 am

From a simple rezone to complex ordinance updates, learn about the process for updating your zoning ordinance. Take a closer look at how communities are addressing new and emerging land uses, replacing long lists of dated uses with use categories, and incorporating graphics and other user-focused features.

Agenda Item #5

Announcements and Requests



MARATHON COUNTY

