

NOTICE FOR PUBLIC HEARING

A public hearing as required by the General Code of Ordinances for Marathon County Chapter 17 Zoning Code will be held by the **Marathon County Board of Adjustment** at **9:00 a.m., Thursday, November 19, 2020**, at 212 River Drive Room 5 Wausau WI.

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 beginning 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!

1. Approval of the September 24, 2020 minutes.
2. The application of Scott Pietrowski for a conditional use permit per Section 17.401.02 of the General Zoning Code of Ordinances for Marathon County Chapter 17 Zoning Code to construct a detached accessory structure for personal use prior to principle structure with dimensions differing from the standards in the R-R Rural Residential district, described as part of the NE ¼ NE ¼ Section 28, Township 29N, R5E, Town of Rib Falls, described as PIN# 066.2905.281.0994 with a property address of: 132009 County Rd U Edgar WI 54426.
3. Board education and training as needed.
4. Announcements and Requests
5. Adjourn.

All interested persons will be given the opportunity to be heard. Written testimony may be forwarded to the Board of Adjustment, c/o Conservation, Planning & Zoning Department, 210 River Drive, Wausau WI 54403-5449. 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.

Karen Piel / cek
Karen Piel, Chairman
Board of Adjustment

Paul Daigle
Land and Water Program Director
Conservation Planning and Zoning Department

Publish: November 2 and November 9th, 2020

E-mailed to Wausau Daily Herald on October 29, 2020, at 9:20 a.m. /cek

**MINUTES
MARATHON COUNTY BOARD OF ADJUSTMENT**

Members present in person: Karen Piel and Richard Lawson

Members present remotely: Roger Zimmerman, Carolyn Opitz and Kerry Brimmer

Members not present: Jim Servi and Arnold Schlei

Also present remotely via phone / WEBEX or in person: Teal Fyksen, Diane Hanson, Dominique Swangstu, Lane Loveland, Cindy Kraeger, Dan Taylor, Henry Glick, James Burkholder and Judene Andrew

Called to order at 9:00 a.m., 210 River Drive, Wausau by Chair Piel, who explained the **rules of the hearing** and the reason for the establishment of the Board of Adjustment. Lawson was appointed secretary in Arnold Schlei's absence.

1. Approve July 30, 2020 minutes – Motion / second by Zimmerman / Lawson to approve the July 30, 2020 minutes as distributed. Motion **carried** by voice vote, no dissent.

2. The continuation of the public hearing regarding the Eric Wendell request for conditional use permit from July 30, 2020

Piel stated the applicant has submitted a request for withdrawal dated August 19 for the conditional use permit so there is no need for a continuation of this public hearing. **3. The application** of Henry Glick for a conditional use permit per Section 17.204.33 of the General Zoning Code of Ordinances for Marathon County Chapter 17 Zoning Code to construct a K-12 school in the General Agriculture district on property owned by Bethany Mennonite Church, described as part of the NE ¼ NE ¼ Lot 1 Section 09, Township 26N, R2E, Town of Spencer, described as PIN# 074.2602.091.0993.

Teal Fyksen asked the Board to use the determination worksheets in their decisions and cited the provisions of law which apply. Exhibit 1 – Petition for Conditional Use Permit application. Exhibit 2 – Propose Site Plan. Exhibit 3– Location within township. Exhibit 4– Aerial Photo. Exhibit 5 – Surrounding zoning. Exhibit 6 - Future land use map. Exhibit 7 – Basis of Determination. Exhibit 8 – Town of Spencer resolution.

Fyksen discussed Ordinance Section 17.204.33 related to the requirements to construct a K-12 school. The property is not located within shoreland zoning, mapped wetlands or located in a floodplain. There are no current violations on the site. Fyksen stated a revised plot plan was submitted which included a playground area. A certified survey map has been completed on the property and the applicant is aware of all setbacks and property lines.

Glick was sworn in and discussed the need to build a new school due to outgrowing the school in Unity. There would be 30-40 students enrolled with a capacity of 55 students.

Lawson questioned the visibility from County Road Highway C. Glick stated the County Highway Department determined the location of the driveway which was installed 3-4 years ago.

Taylor was sworn in and is in favor of the conditional use request. Taylor owns property that abuts to Glick's property and does not have a problem with the school being built. He has no problems with visibility issues with his driveway located on County Road Highway C.

Andrew was sworn in and is in opposition of the conditional use request. She is concerned for the safety of the people approaching and leaving the property due to the visibility; decreased property value; groundwater problems and building a school on a busy highway.

Zimmerman stated the driveway meets specifications with the County and the Town and additional signage would be up to the Town and the County if necessary.

There was no additional testimony in favor, opposed, or as interest may appear. Testimony portion of the hearing closed at 9:40 a.m.

Motion / second by Lawson / Zimmerman to **grant** the conditional use request.

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

Motion **carried** 5 yes, 0 no, roll call vote.

4. Board education and trainings as needed – Fyksen discussed the upcoming educational webinars offered by the Center of Land Use Education. CPZ will forward the link to any members interested in attending the webinar.

5. Announcements and Requests; Proposed 2021 Meeting schedule

Fyksen reviewed the 2021 proposed meeting schedule which was included in the meeting packet. **Motion** / second by Opitz / Lawson to approve the 2021 meeting schedule.

Next meeting date – November 19, 2020 at 9:00 a.m., 212 River Drive, Wausau Room 5 / remotely

September 24, 2020
9:00 a.m.

210 River Drive, Wausau WI

MINUTES
MARATHON COUNTY BOARD OF ADJUSTMENT

6. Meeting adjourned – **Motion** / second by Opitz / Brimmer to adjourn at 9:50 a.m. Motion **carried** by voice vote, no dissent.

Respectfully submitted,
Richard Lawson, Appointed Secretary
Marathon County Board of Adjustment

RL/cek

cc: Board of Adjustment (7), County Clerk, Town Clerk

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DRAFT

APPLICATION FOR CONDITIONAL USE PERMIT
MARATHON COUNTY BOARD OF ADJUSTMENT

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

Name of Applicant: Scott Pietrowski
 Mailing Address: 212528 Tradition ST
 Telephone: 715 650 7734 Fax: _____
 Cellphone: _____ Email: Scott.RibFallsFab@gmail.com
 Owner Name: (if different) _____
 Mailing Address: _____
 Telephone: _____ Fax: _____

PARCEL INFORMATION

Parcel ID # (PIN): 066-2905-281-0994
(If more than one parcel is included in this application, list all parcel numbers & legal descriptions on a separate sheet.)
 Legal Description: Government Lot (Attached) or NE 1/4 NE 1/4
 Section 28, T 29 N, R 05 E, Town of Rib Falls
 Lot _____ Block _____ Subdivision _____
 Property Address: 132009 CTY Road W Edgar WI 54426
 Parcel size: 3.74 Acres or _____ Sq. Ft.
 Zoning District: Rural Residential

Present use of property (List all current uses, i.e. home, store, farm field, wooded, etc.):
Storage shed

Existing improvements (Structures, well, septic, etc.):
Driveway

PROPOSAL

Describe specifically the nature of this request (be sure to list all proposed uses of the parcel). What do you plan to do?
Private Storage Building 50'x50' (4,000 sq ft)
side wall height 16 ft Door height 14 ft

If this application is for a use that will be restricted to part of the parcel, specify the exact dimensions of the affected area.
Not Applicable

Provide the following information if this box is checked

Proposal has additional development standards in Section 17.401.02. Explain how your proposal meets or exceeds these requirements.
I will be exceeding the wall height to 16 feet
Door height to 14 ft maximum size will
be 4,000 sq ft

AND

Accessory Structure prior to principle structure

TDF 10/2/20

Use separate/additional sheet(s) if necessary

INSTRUCTIONS TO APPLICANT

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

At a minimum the map must include:

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

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

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

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

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

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

Geoff Pictorius
Owner Signature

8/22/20
Date

Geoff Pictorius
Agent / Person responsible for work Signature

8/12/20
Date

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

Return to: Board of Adjustment
 Marathon County CPZ Department
 210 River Drive
 Wausau, WI 54403-5449

Telephone: 715-261-6000
 Toll free within Marathon County: 1-800-236-0153
 Facsimile: 715-261-6016

For office use

For office use

RECEIVED **For office use**

Amount Received: \$ 600.00

Date Stamp:

SEP 29 2020

MARATHON CO. CONSERVATION,
 PLANNING & ZONING DEPT.

Teal Fyksen

From: Dominique Swangstu
Sent: Sunday, August 16, 2020 10:31 PM
To: Teal Fyksen
Subject: FW: [EXTERNAL] Re: Conditional Use Permit application

FYI, we can discuss this week.

From: RibFalls Fabrication [mailto:scott.ribfallsfab@gmail.com]
Sent: Sunday, August 16, 2020 6:34 PM
To: Dominique Swangstu <Dominique.Swangstu@co.marathon.wi.us>
Subject: [EXTERNAL] Re: Conditional Use Permit application

Hello,

The proposed building will be used for personal storage and will not be associated with a business or commercial use. We will be constructing the building to be used for storage of personal items while we are constructing our new primary home on the property. After our primary home is built, it will be used for storage of trailers, boats, antique tractor and other antique vehicles, and an RV or camper.

The only plumbing planned is floor drains. We don't intend to live in it.

I am not sure how to complete the attached Basis of Determination form, as there are no questions, only statements of standards. Should we just state that yes we are meeting each standard?

We own a commercial business property less than one mile away that has all of our equipment and tools for our manufacturing process. There would be no need for us to use this new property for any business use. It is for personal storage only.

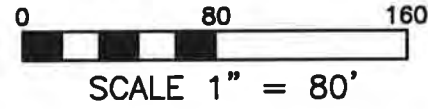
Thank you for your help,

Scott Pietrowski
Rib Falls Waterjet.
715-650-7734

EXHIBIT MAP

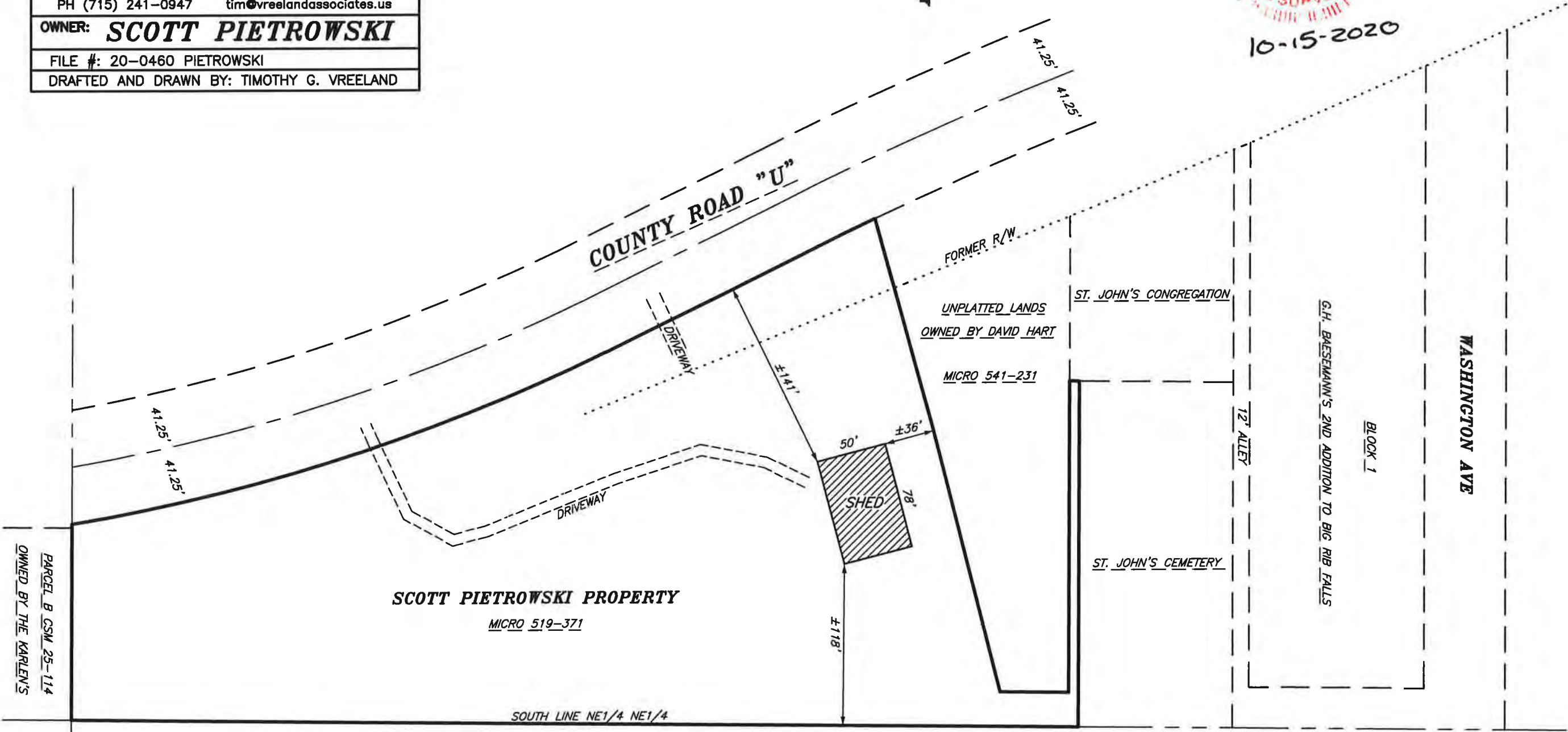
PART OF THE NE1/4 OF THE NE1/4 OF SECTION 28, TOWNSHIP 29 NORTH, RANGE 5 EAST, TOWN OF RIB FALLS, MARATHON COUNTY, WISCONSIN.

ADDRESS: 132009 COUNTY ROAD "U" EDGAR, WI 54426 PARCEL ID NO. 066-2095-281-0994



10-15-2020


VREELAND ASSOCIATES, INC. 6103 DAWN STREET WESTON, WI. 54476 PH (715) 241-0947 tim@vreelandassociates.us
OWNER: SCOTT PIETROWSKI
FILE #: 20-0460 PIETROWSKI
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND

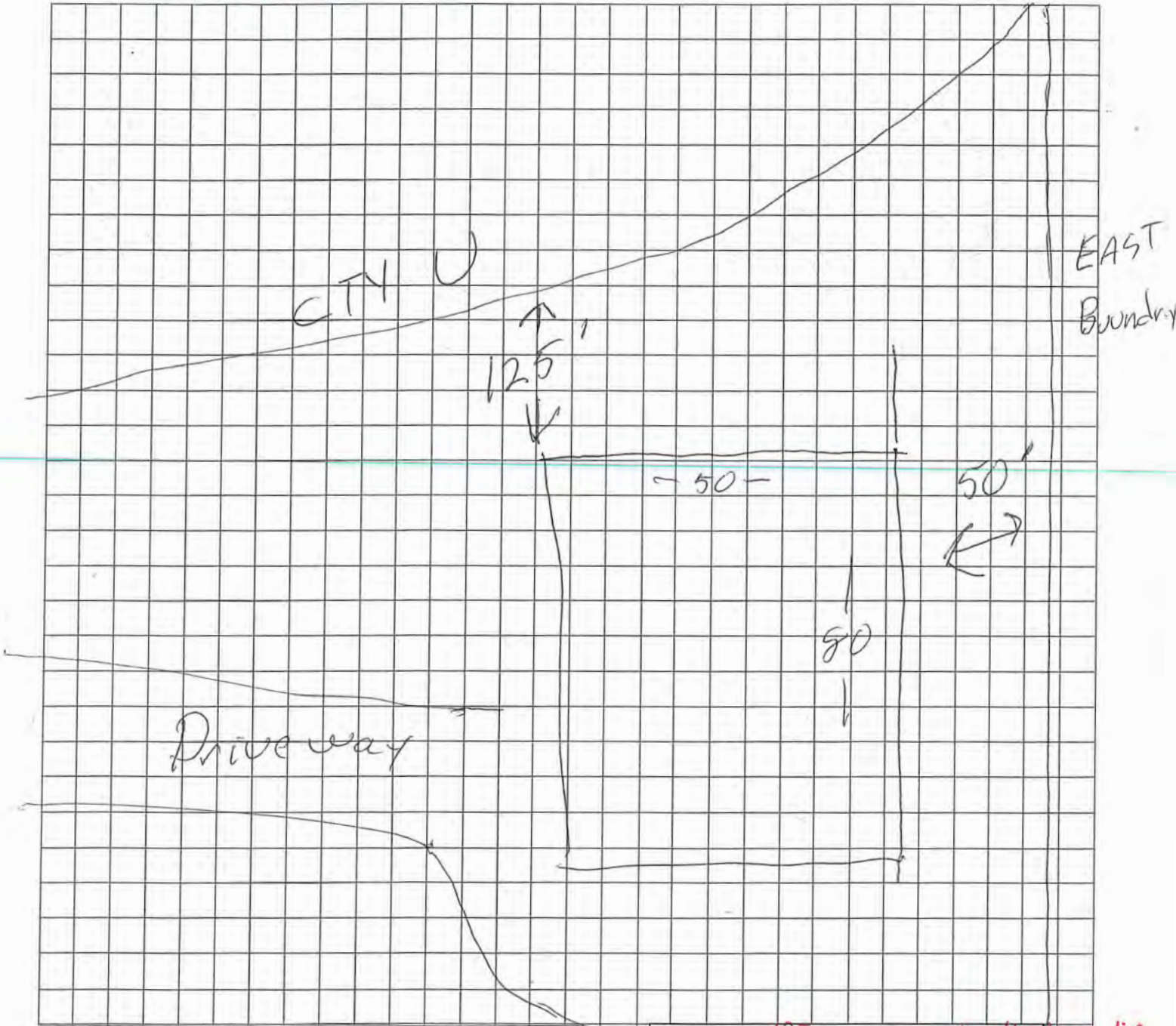


UNPLATTED LANDS OWNED BY KYLE SWITLICK

SITE PLAN

Preliminary Site Plan

Permit # 2020-Z-	Date: 8/12/20	Notes/Comments:	1" = <u> </u> ' 
Pin # 066-2905-281-0994			
Owner: Scott Pistranski			
Address: 13209 Cty Rd J			
Project: New Storage shed 80' x 50'			



- 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: 12.5 ft from centerline Right-of-way line.

Side Yard Setbacks: ft and 50 ft

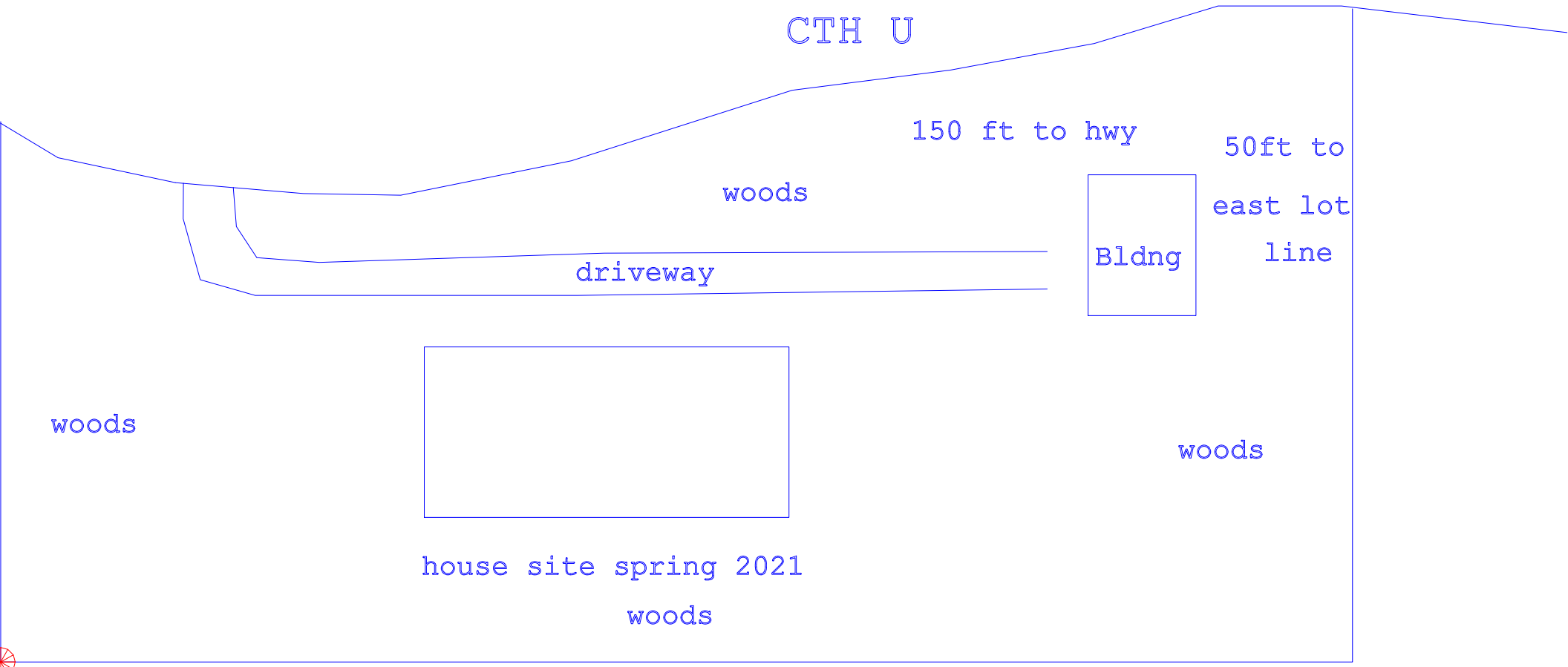
Rear Yard Setback: ft

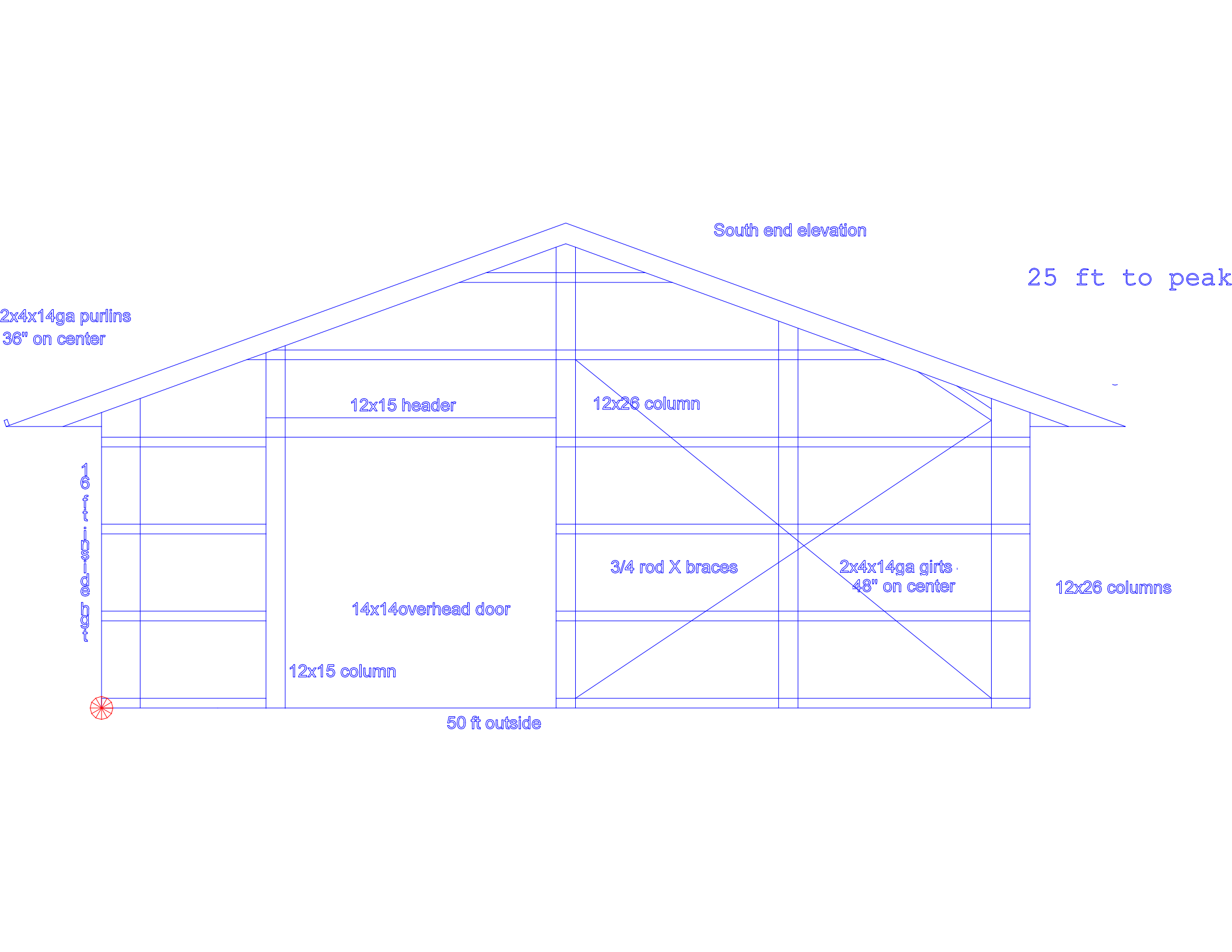
Max Building Height: ft

Setback from Ordinary High Water Mark: ft

Lot Width at Building Line: ft

This diagram is illustrating the proposed future principle structure







- ### Legend
- Parcel Annotations
 - Owner Last Names
 - Parcels
 - Land Hooks
 - Section Lines/Numbers
 - Right Of Ways
 - Municipalities
 - Shoreland Overlay Zoning
 - 2015 Orthos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

100.00 0 100.00 Feet

NAD_1983_HARN_WISCRS_Marathon_County_Feet

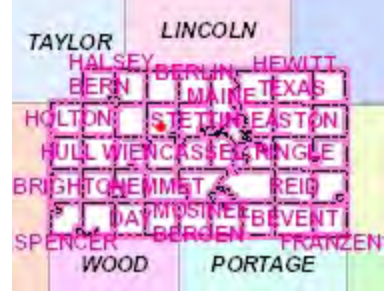
DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement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

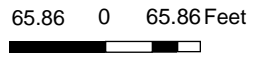


Legend

- Parcel Annotations
- Parcels
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Municipalities

2015 Orthos

- Red: Band_1
- Green: Band_2
- Blue: Band_3



NAD_1983_HARN_WISCRS_Marathon_County_Feet

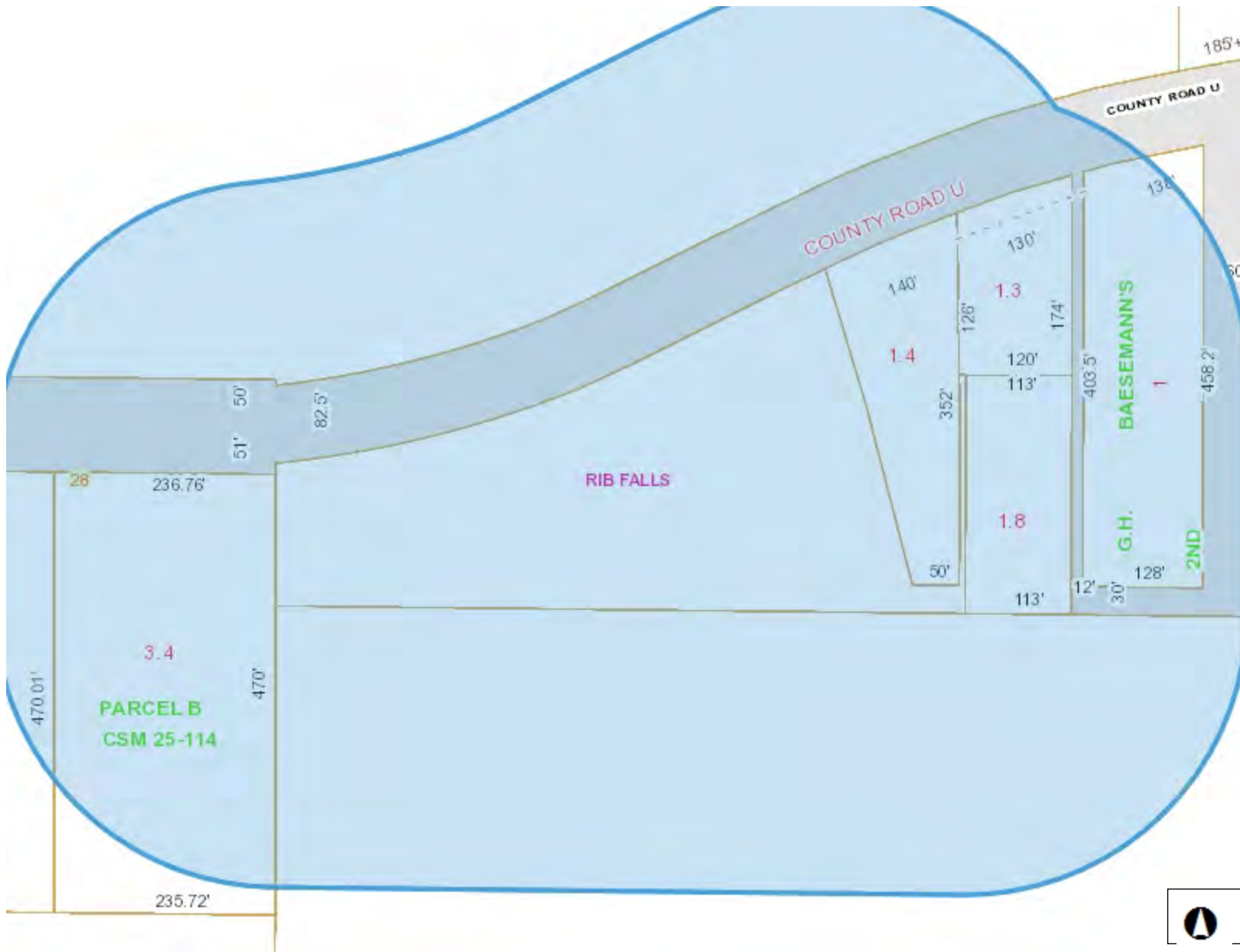
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Notes



Land Information Mapping System



Legend

- Parcel Annotations
- Parcels
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Municipalities

79.20 0 79.20 Feet

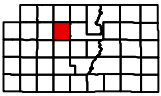


NAD_1983_HARN_WISCRS_Marathon_County_Feet

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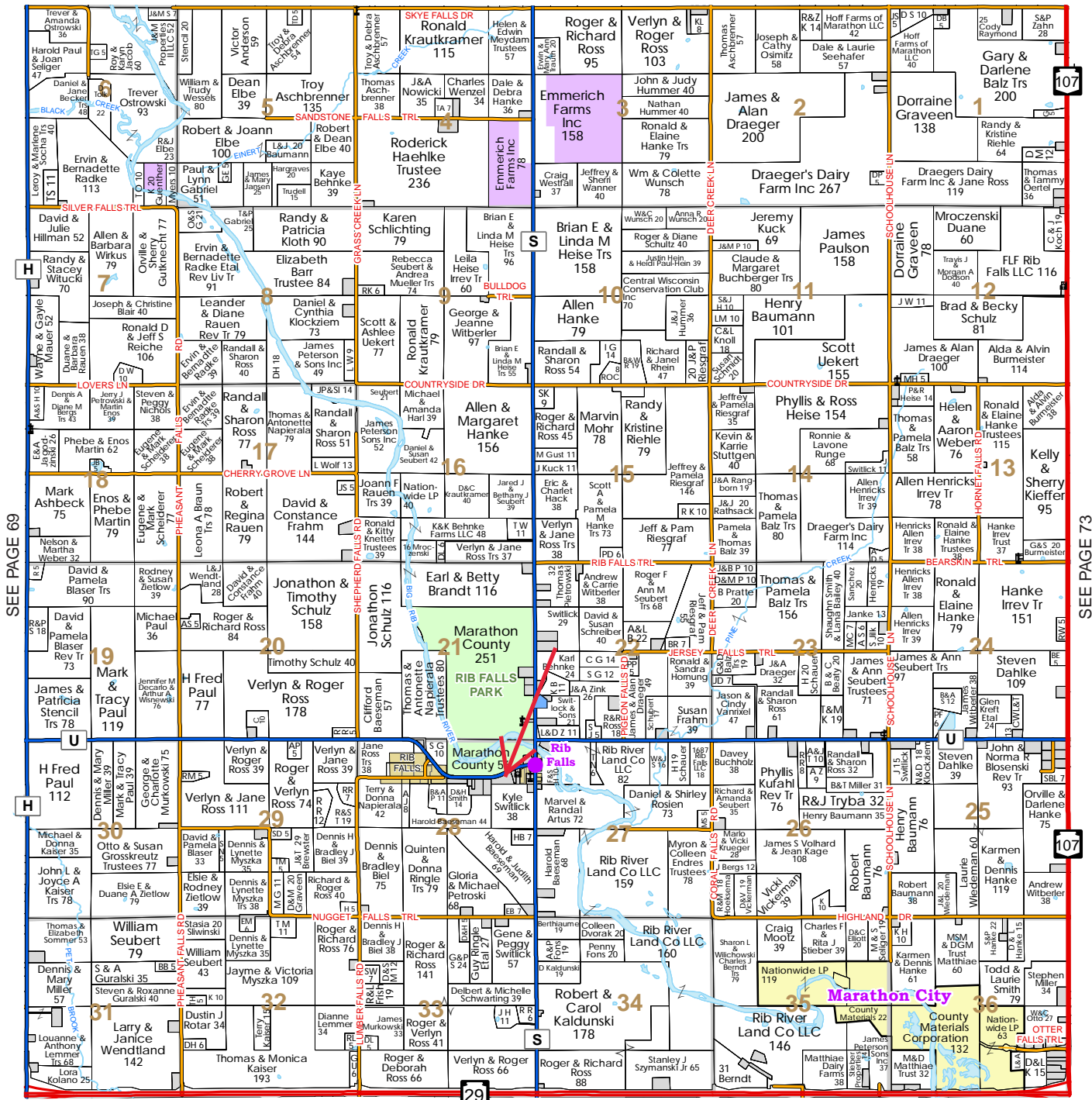


Rib Falls

Township 29N - Range 5E

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SEE PAGE 87



SEE PAGE 66

SEE PAGE 73

SEE PAGE 53

**I AM
4-H PROUD**

Volunteer Today
Inspire for a lifetime

**4-H
GROWS HERE**



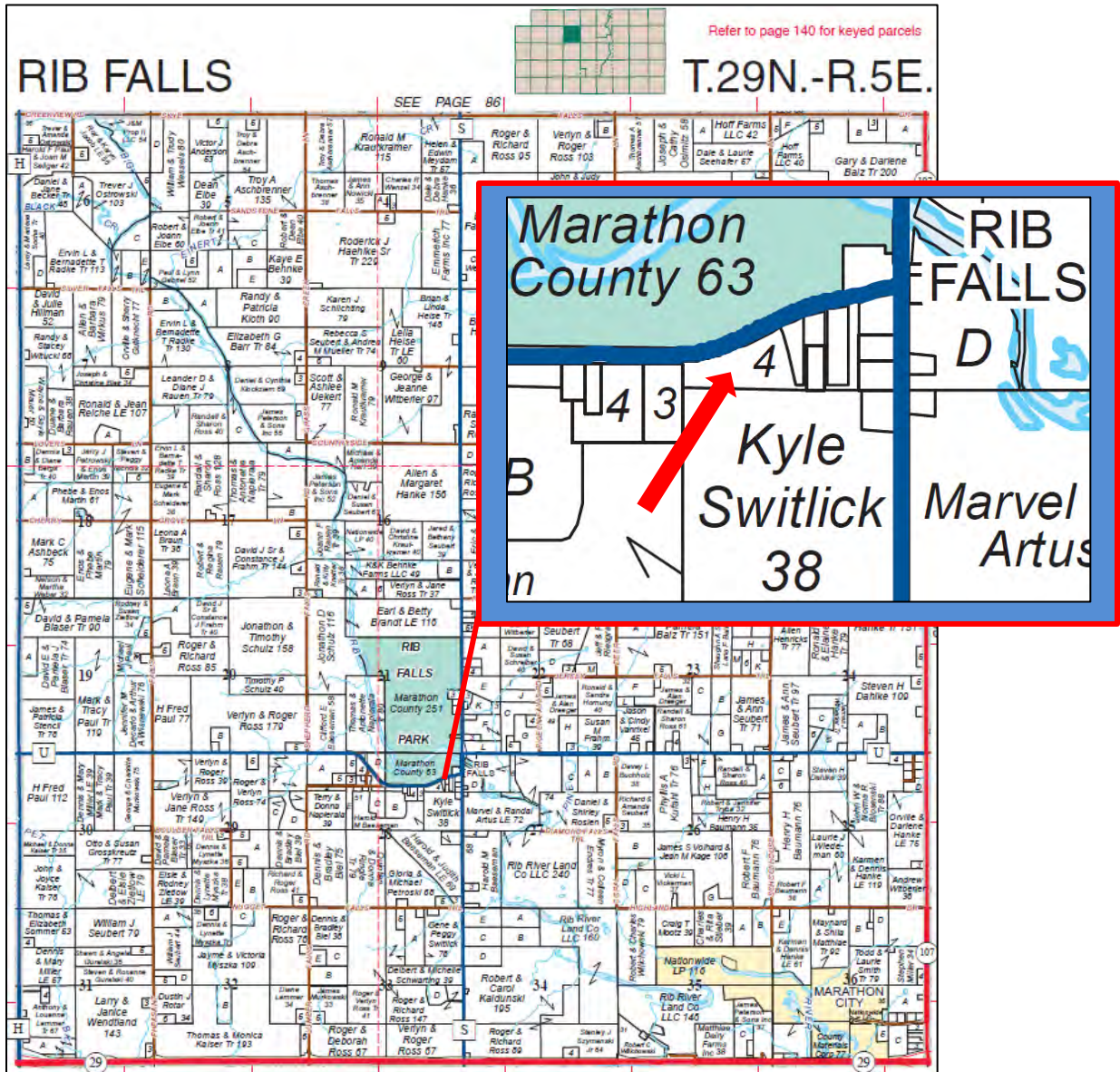
Scott Pietrowski
Conditional Use Permit Application
Staff Report, November 11, 2020
Board of Adjustment

Findings of Fact

Applicant: Scott Pietrowski – 132009 County Road U – Edgar, WI 54426.

PROPERTY OWNER: Scott Pietrowski – PT of NE ¼ NE ¼ Section 28, Township 29N, R5E, Town of Rib Falls, PIN# 066.2905.281.0994.

LOCATION OF AFFECTED PARCEL: Parcel is located on the South side of County Road U and approximately 700 feet West of the County Road S



Map 1: Location

Conservation, Planning & Zoning Department

REQUEST:

The application of Scott Pietrowski for a conditional use permit per Section 17.401.02 of the General Zoning Code of Ordinances for Marathon County Chapter 17 Zoning Code to construct a detached accessory structure for personal use prior to principle structure with dimensions differing from the standards in the R-R Rural Residential district, described as part of the NE ¼ NE ¼ Section 28, Township 29N, R5E, Town of Rib Falls, described as PIN# 066.2905.281.0994 with a property address of: 132009 County Rd U Edgar WI 54426.












Legal Notification:

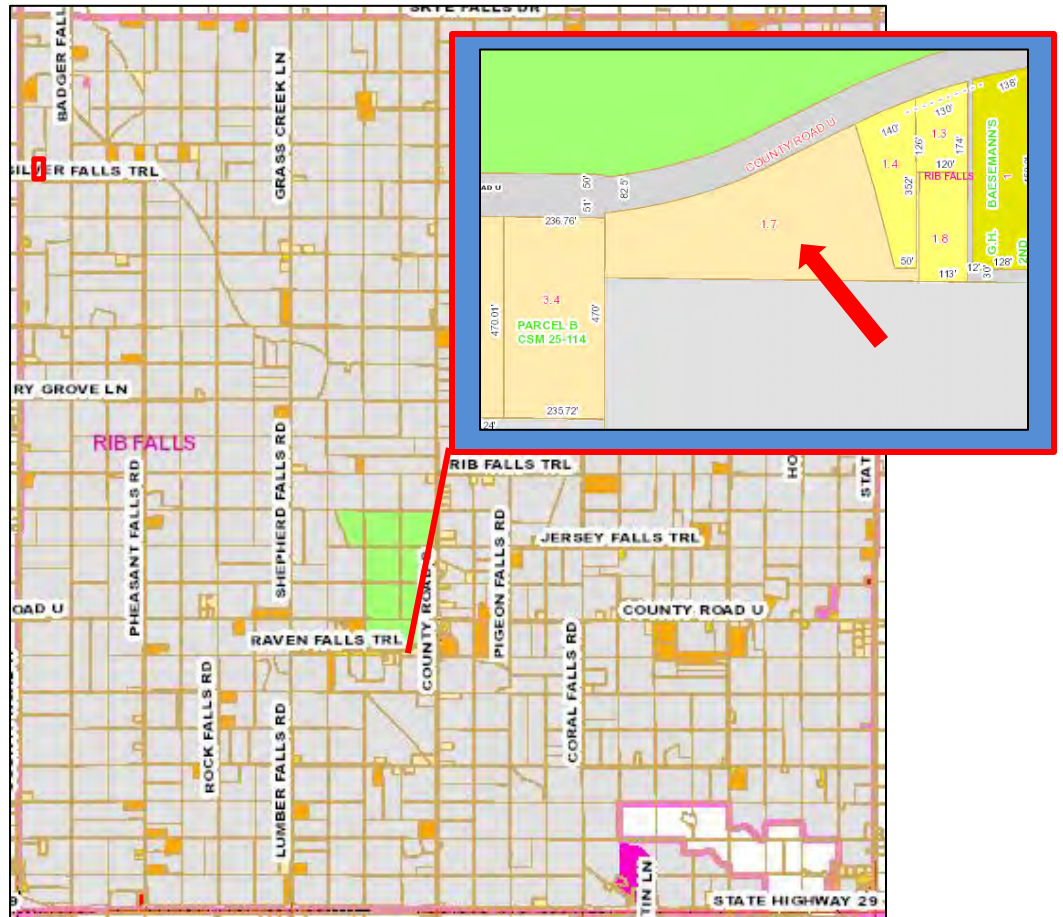
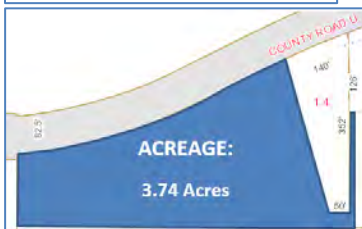
A legal advertisement was published in the *Wausau Daily Herald* on **November 2nd & 9th, 2020**. Notice of the public hearing sent via USPS to adjacent property owners within 300 feet of the subject property.

EXISTING ZONING DISTRICT:

R-R: Rural Residential District: The purpose of the R-R district is to accommodate single-family residential use along existing streets, to preserve the rural character while promoting open space single-family 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 are permitted in this district. These areas may or may not be serviced by municipal water and sanitary sewer.

EXISTING ZONING DISTRICT MAP: Adjacent parcels are zoned General Agricultural (Grey), Rural Residential (Tan), Low Density Residential (Yellow) and Conservancy & Recreational (Green) to the North of County Road U.

	U-R (Urban Residential)
	L-D-R (Low Density Residential)
	R-R (Rural Residential)
	R-E (Rural Estate)
	M-H (Manufactured/Mobile Home Park)
	C (Commercial Regional)
	N-C (Neighborhood Commercial)
	B-R (Business Regional)
	L-I (Light Industrial)
	H-I (Heavy Industrial)
	G-A (General Agriculture)
	F-P (Farmland Preservation)
	C-V/R-C (Conservancy & Recreation)



Map #2 Town of Rib Falls Zoning District

Conservation, Planning & Zoning Department

210 River Drive | Wausau, WI 54403-5449 | Tel 715.261.6000 | Fax 715.261.6016 | Call 800.236.0153 if within Marathon County
cpz@co.marathon.wi.us | www.co.marathon.wi.us

Specific Provisions of Law:

Section 17.401.02 ACCESSORY BUILDINGS

The use of the accessory building must be secondary and incidental to the principle use.

- A. **Attached Accessory Buildings.** An accessory building which is attached to the main building by a common wall and roof shall comply with all the requirements and regulations that are applicable to the principle building.
- B. **Detached Accessory Buildings.** Detached accessory buildings shall not be used as a separate dwelling unit and shall comply with the requirements of the following [Table 6](#):
- C. **Accessory Structures housing Livestock:** Section [17.204.01 \(A\) \(3\)](#)
- D. **Accessory Structures within shoreland jurisdiction:** Existing and new accessory buildings shall comply with all Marathon County shoreland regulations and provisions.
- E. **Construction of Detached Accessory Structures exceeding the dimensional building standards:**
 - 1. A conditional Use Permit may be applied for the construction of a detached accessory structure with floor area and components differing from the dimensional and maximum lot coverage standards listed in [Table 6](#).
 - 2. When considering a conditional use permit under this section the following standards shall apply.
 - a. The applicant shall provide evidence demonstrating the need for the proposed accessory structure which exceeds the dimensional standards of the zoning district in [Table 6](#).
 - b. The proposed accessory structure shall not be contrary to public interest.
 - c. The accessory structure shall not interfere or unnecessarily affect the adjacent property owner(s) ability to use their property.

Table 6. Detached Accessory Building Standards

Requirement	Residential Districts (U-R or L-D-R)	Residential Districts (RR)	Residential District (RE)	Agricultural Districts (GA & FP)	Any Other Zoning District
Location	Rear, side or front yard	Rear, side or front yard	Rear, side or front yard	Rear, side or front yard	Rear, side or front yard
Accessory Structure allowed prior to Principle Structure	conditional use permit required	conditional use permit required	YES	YES	NO
Setback Requirements from principle structure	15 feet	15 feet	15 feet	15 feet	15 feet
from side property line	7 feet	7 feet	7 feet	7 feet	Minimum setback required in zoning district
from rear property line	7 feet	7 feet	7 feet	7 feet	Minimum setback required in zoning district
Maximum Lot Coverage (**)(**)	25% of buildable area	10% of buildable area	10% of buildable area	–	25% of buildable area
Maximum side wall height	14 feet	14 feet	None	None	None
Maximum garage door height	12 feet	12 feet	None	None	None
Maximum Size	1200 sq. ft.	1800 sq. ft.	NONE	NONE	NONE
Maximum Height (**)	24 feet	24 feet	35 feet ***	35 feet ***	35 feet ***

* Buildable area maximum lot coverage as used in [Table 6](#) is the area of the lot remaining after allowing for the minimum required side, rear and front yard setback requirements per the zoning district.

** In Shoreland areas: Refer to Chapter 22 Marathon County Shoreland, Shoreland-Wetland, and Floodplain Regulations.

*** For height exemptions refer to Section [17.202.07](#).

Conservation, Planning & Zoning Department

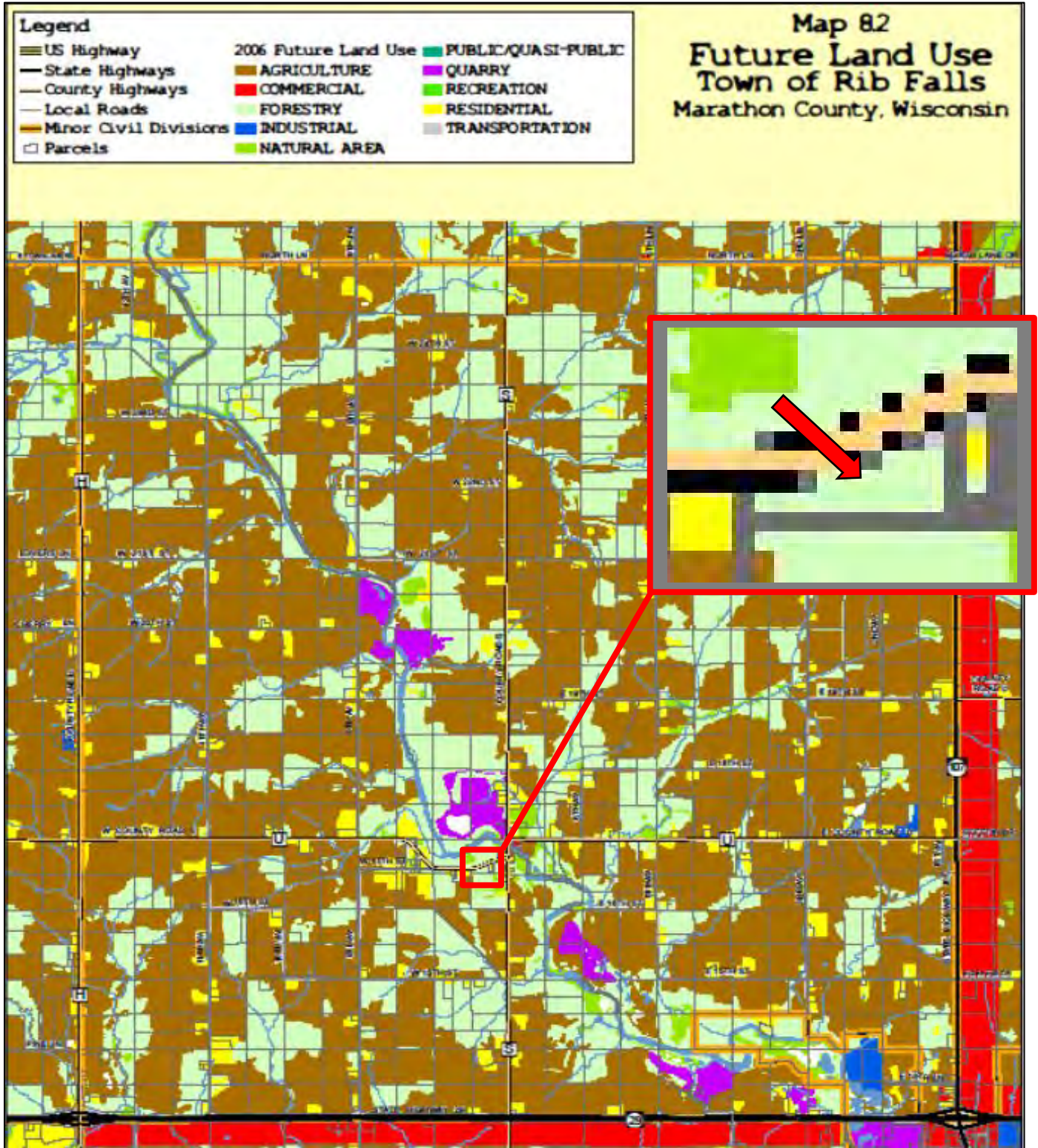
SIGNIFICANT PARCEL LIMITATIONS OR NATURAL FEATURES:

- The proposed development location on this parcel is:
 - Not located within mapped floodplain
 - Not located within DNR mapped wetlands, or water features.
 - The parcel and proposed development is located outside the shoreland overlay district (therefore the Chapter 22 Shoreland, Shoreland-Wetlands, Floodplain Ordinance does not apply).



Map #3 Limitations

TOWN COMPREHENSIVE PLAN (2017) FUTURE LAND USE MAP (2006): The area where the proposed structure is to be located is identified as forestry land uses in the Town of Rib Falls' Comprehensive Plan – Map 82 "Future Land Use". The adjacent future land uses are shown to be residential, forestry and agriculture uses in the area.

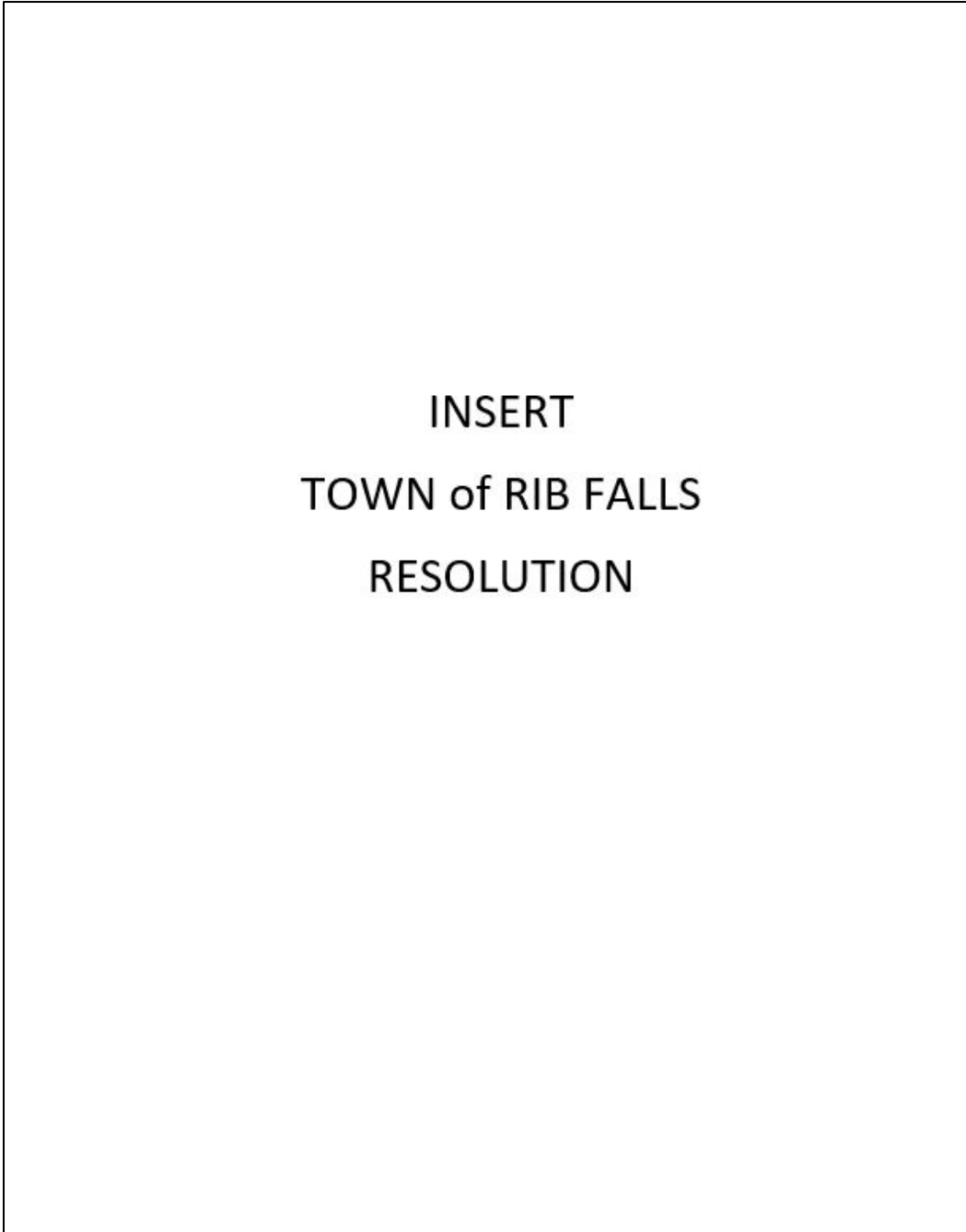


VIOLATIONS:

Current Violation Exists: Began construction of detached accessory structure prior to principle structure without obtaining proper zoning permits.

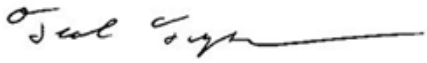
TOWN RECOMMENDATION:

On **November 10th, 2020** the **Town of Rib Falls** Town Board Recommended **Approval/Denial** to Marathon County Board of Adjustment.



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:



10/19/20

SIGNATURE

DATE