

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., April 25, 2019**, at the Marathon County Courthouse – **Assembly Room**, 500 Forest Street, Wausau WI 54403 at which time the Board will consider the following:

1. Approval of the February 28, 2019 minutes.
2. The application of Arthur and Kathleen Derks for a conditional use permit per Section 17.301.07 of the General Code of Ordinances for Marathon County Chapter 17 Zoning Code for the purpose of a farm consolidation located in the F-P Farmland Preservation Zoning district on properties described as part of the FRL S ½, SW ¼ Lot 1 (PIN # 010.2702.193.0990) and part of the FRL S ½ SW ¼ (PIN # 010.2702.193.0991) Section 19, T27N, R2E, Town of Brighton, with a property address of B1240 153 Rd, Spencer WI 54479.
3. The application of Earth Inc. for a conditional use permit per Section 17.204.54 of the General Code of Ordinances for Marathon County Chapter 17 Zoning Code for the purpose of continuing an existing nonmetallic mine site (the previous special exception permit will be expiring) currently owned by Dennis & Krisan Stroetz located in the F-P Farmland Preservation Zoning district on properties described as part of the S ½ of the NW ¼ (PIN # 056.2603.102.0993) and part of the NW ¼ of the SW ¼ (PIN # 056.2603.103.0996), Section 10, T26N, R3E, Town of McMillan with a property address of 207601 Galvin Ave, Marshfield, WI 54449.
4. The application of Matthiae Properties LLC for a conditional use permit per Sections 17.204.43 and 17.204.44 of the General Code of Ordinances for Marathon County Chapter 17 Zoning Code, for the purpose of private indoor and private outdoor recreational facilities, located in the G-A General Agriculture district, on property described as Lot 1 in the NW ¼, NE ¼, Section 31, T26N, R7E Town of Knowlton (PIN # 048.2607.311.0997) with no current property address.
5. Board education and training as needed.
6. Announcements and Requests.
7. 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 or e-mail infomarathon@mail.co.marathon.wi.us at least one business day before the meeting.

Richard Lawson / cek

Richard Lawson, Chairman
Board of Adjustment

Rebecca J. Frisch

Rebecca Frisch, Director
Conservation Planning and Zoning Department

Publish: April 8 and April 15, 2019

E-mailed to Wausau Daily Herald on April 4, 2019, at 8:00 a.m. /cek

**MINUTES
MARATHON COUNTY BOARD OF ADJUSTMENT**

Members present: Richard Lawson, Roger Zimmerman, Karen Piel, Jim Servi, Arnold Schlei

Members not present: Carolyn Opitz, and Gerald Hoffman

Also present: Teal Fyksen, Cindy Kraeger, Diane Hanson, Gregory Stark, Michael DeJong.

Called to order at 9:00 a.m., 210 River Drive, Wausau by Chair Lawson, who explained the **rules of the hearing** and the reason for the establishment of the Board of Adjustment.

1. Approve September 27, 2018 minutes – Motion / second by Piel / Schlei to approve September 27, 2018 minutes as distributed. Motion **carried** by voice vote, no dissent.

2. The application of Michael DeJong for a conditional use permit per Section 17.401.02 of the General Code of Ordinances for Marathon County Chapter 17 Zoning Code for the purpose to construct a detached accessory structure for personal use with floor area and components differing from the standards in the L-D-R Low Density Residential district, on property described as part of the SW ¼ NW ¼ Section 03, Township 28N, Range 04 E, Town of Wien, further described as PIN # 084-2804-032-0996 with a property address of 228301 County Rd M, Edgar WI 54426.

Teal Fyksen was sworn in, asked the Board to use the distributed determination worksheets in their decisions and cited the provisions of law which apply. Exhibit 1 – Staff report: Town of Wien has adopted county zoning. The property is not located within shoreland zoning, mapped wetlands, or located in a floodplain. There are no current violations on the site. Exhibit 2 – Petition for Conditional Use Permit application. Exhibit 3 – Location within Township. Exhibit 4 – Town of Wien Future Land Use. Exhibit 5 – Surrounding zoning. Exhibit 6 – Aerial Photo (wide angle). Exhibit 7 – Aerial photo of approximate location of proposed structure. Exhibit 8 – Proposed site plan. Exhibit 8a – Proposed site plan with height calculations. Exhibit 8b – Proposed sidewall and structure height dimensions. Exhibit 8c – Proposed door dimensions. Exhibit 8d – 3D Plans. Exhibit 9 – Buildable area calculations. Exhibit 10 – Required vs. proposed building requirements. Exhibit 11 – Town of Wien resolution.

Fyksen discussed Ordinance Section 17.401.02 related to the construction of detached structures outside of the building standards. Code allows for 1200 square feet of floor area, 14' side walls, 24' overall height, 12' overhead garage doors. This application is for a 60 x 40 feet (2400 square feet) detached structure with one 14' overhead door, 16' sidewalls. The applicant intends on moving the existing 20' x30' structure and attach it to the proposed structure which will represent the 3000 square feet. Applicant will meet any other required applicable regulations.

Michael DeJong was sworn in and is the owner of the parcel. The detached garage would be used to store his personal items including a truck and trailer. DeJong stated the existing building on the lot will be moved to the south side of the proposed structure. Fyksen stated the aerial photos were from 2015. DeJong discussed that the other structures that are shown on the 2015 aerial photo have been removed. Gregory Stark was sworn in and is a neighbor. He discussed the structures that are no longer on the property.

Piel questioned about the status of the trees shown on the aerial photo. DeJong stated that many of the trees have been removed from the yard.

DeJong explained the reasoning for a larger structure. DeJong currently has six storage units of personal items; would like a mezzanine area within the building to store items, and a 14' overhead door to park his semi. There would be no loading or unloading from the semi on the property.

Fyksen discussed the condition to recommend the property boundary be delineated and marked prior to construction and remained marked until a final inspection, by zoning staff, has been performed. Fyksen stated that having the property boundaries delineated will ensure that all setbacks are being met. Piel discussed modifying the condition to specifically address the East property boundary.

Chair Lawson asked for any additional testimony.

There was no additional testimony in favor, opposed, or as interest may appear. Testimony portion of the hearing closed at 9:36 a.m.

Motion / second by Piel /Zimmerman to **grant** the conditional use request as proposed with the following conditions:

The East property boundary shall be delineated and marked prior to construction and remain marked until a final inspection, by zoning staff is completed;

The structure is for personal use only. If the use of the proposed use of the structure is to change, the applicant must follow all applicable ordinances, rules and regulations for the zoning district in which it is located.

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

**MINUTES
MARATHON COUNTY BOARD OF ADJUSTMENT**

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

3. Board appointments Fyksen updated the Board on the reappointments of two members expiring in June 2019. There is a reappointment process that needs to be followed with final approval from County Board.

4. Board education and trainings as needed Fyksen discussed the upcoming training session on Act 67 Substantial Evidence Rules. The training will be held on March 28, 2019 in the Marathon County Courthouse - Assembly Room.

5. Announcements and Requests – Fyksen updated the Committee that the Zoning Administrator position has been filled by Dominique Swangstu.

Next meeting date – April 25, 2019 at 9:00 a.m., 210 River Drive, Wausau.

6. Meeting adjourned – **Motion** / second by Servi / Schlei to adjourn at 9:45 a.m. Motion **carried** by voice vote, no dissent.

Respectfully submitted,
Arnold Schlei, Secretary
Marathon County Board of Adjustment

AS/cek

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

O:\ZONING\BOARD_OF_ADJUSTMENT\Meetings\2019\02_28\Minutes\BOAD_20190228_Minutes.doc

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: Arthur and Kathleen Derks
 Mailing Address: B 1240 153 Rd Spencer, WI 54479
 Telephone: 715-659-4046 Fax: _____
 Cellphone: _____ Email: kayderks@frontier.com
 Owner Name: (if different) _____
 Mailing Address: _____
 Telephone: _____ Fax: _____

PARCEL INFORMATION

Parcel ID # (PIN): 010-2702-193-0990 010-2702-193-0991
(If more than one parcel is included in this application, list all parcel numbers & legal descriptions on a separate sheet.)
 Legal Description: Government Lot _____ or _____¹/₄ _____¹/₄ see attached description
 Section 19, T 27 N, R 2 E, Town of Brighton
 Lot _____ Block _____ Subdivision _____
 Property Address: B1240-153 Rd Spencer, WI 54479
 Parcel size: 8.8 and 39.15 Acres or _____ Sq. Ft.
 Zoning District: F-P

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

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

PROPOSAL

Describe **specifically** the nature of this request (be sure to list all proposed uses of the parcel). What do you plan to do?
Farm consolidation in F-P zoning parcel greater than 5 acres but less than 10.

If this application is for a use that will be restricted to part of the parcel, specify the **exact dimensions** of the affected area.

Provide the following information if this box is checked

Proposal has additional development standards in Section 17.301.07 (A). Explain how your proposal meets or exceeds these requirements.
will meet the requirements of chapter 18 land division and survey regulations.
Structure built prior to Jan 1, 2014. approximate built date of 1906.

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>TF</u>	Completed application including signatures.
<input checked="" type="checkbox"/>	<u>TF</u>	Map with all required information.
<input checked="" type="checkbox"/>	<u>TF</u>	Additional documents, as needed (lot combination forms, hunting/fishing shelter application, etc.)
<input type="checkbox"/>	<u>TF</u>	Zoning Permit application
<input checked="" type="checkbox"/>	<u>TF</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 **may deny** the application without prejudice.

Kathleen Derks Anthony Derks 2-21-19
 Owner Signature (required) Date

 Agent / Person responsible for work Signature (required) 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 Telephone: 715-261-6000
 Marathon County CPZ Department Toll free within Marathon County: 1-800-236-0153
 210 River Drive Facsimile: 715-261-6016
 Wausau, WI 54403-5449

For office use	For office use	For office use
Amount Received: \$ <u>600.00</u>	Date Stamp:	RECEIVED

FEB 21 2019

MARATHON CO. PLANNING & ZONING

RECORDED

February 07, 2019 3:54 PM

DEAN J. STRATZ, REGISTER OF DEEDS

CERTIFIED SURVEY MAP

MARATHON COUNTY NO. 18263
VOLUME 90 PAGE 3

DOC# 1774424 PAGES: 2



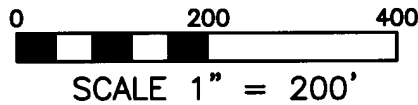
PART OF THE SOUTH 1/2 OF THE FRACTIONAL SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 27 NORTH, RANGE 2 EAST, TOWN OF BRIGHTON, MARATHON COUNTY, WISCONSIN.

VREELAND ASSOCIATES, INC. 6103 DAWN STREET WESTON, WI. 54476 PH (715) 241-0947 OR TOLL FREE (866) 693-3979 FAX (715) 241-9826 tim@vreelandassociates.us	
OWNER:	ART DERKS
FILE #:	D-343-19 DERKS
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND	

SHEET 1 OF 2 SHEETS

WEST 1/4 CORNER
SECTION 19-27-2 EAST
ALUMINUM CAP FOUND

2625.47'

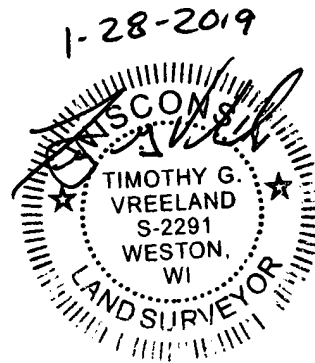


LEGEND

- ⊙ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS
- = 3/4" x 24" REBAR 1.502 POUNDS PER FOOT SET

"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."

NOTE: LOT 1 IS SUBJECT TO SECTION 17.301.07(A)



FAIRHAVEN LANE

WEST LINE SOUTHWEST 1/4

S 77°46'18" E
33.68'

UNPLATTED LANDS OWNED BY DIVIDER

S 77°46'18" E
934.68'

515.00'

"APPROXIMATE ORDINARY HIGH WATER MARKS FOR REFERENCE ONLY"

LOT 1
8.865 ACRES
386,158 SQ.FT.

N 0°39'32" E
554.89'

928.71'

BARN
SHED
SHED
WELL
TANK
DRIVE HOME
N 89°34'26" W

BEARINGS REFERENCED TO THE WEST LINE OF THE SOUTHWEST 1/4 BEARING N 0°39'32" E PER WISCONSIN COUNTY COORDINATE SYSTEM (MARATHON) MAD83 (2011)

S 89°34'26" E

SOUTH LINE SOUTHWEST 1/4

33.33'

1781.09'

153RD ROAD

SOUTHWEST CORNER
SECTION 19-27-2 EAST
SPIKE FOUND

SOUTH 1/4 CORNER
SECTION 19-27-2 EAST
STONE FOUND

CERTIFIED SURVEY MAP

MARATHON COUNTY NO. 19263 VOL. 90 PAGE 3

PART OF THE SOUTH 1/2 OF THE FRACTIONAL SOUTHWEST
1/4 OF SECTION 19, TOWNSHIP 27 NORTH, RANGE 2 EAST,
TOWN OF BRIGHTON, MARATHON COUNTY, WISCONSIN.

SHEET 2 OF 2 SHEETS

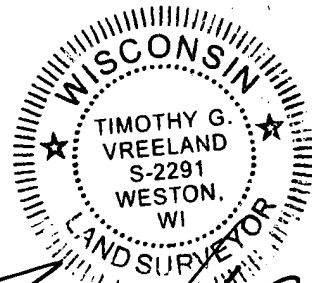
SURVEYORS CERTIFICATE

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF ART DERKS, I SURVEYED, MAPPED AND DIVIDED THAT PART OF THE SOUTH 1/2 OF THE FRACTIONAL SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 27 NORTH, RANGE 2 EAST, TOWN OF BRIGHTON, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 19; THENCE N 0°39'32" E ALONG THE WEST LINE OF THE SOUTHWEST 1/4 554.89 FEET; THENCE S 77°46'18" E 33.68 FEET TO THE EAST LINE OF FAIRHAVEN LANE AND TO THE POINT OF BEGINNING; THENCE CONTINUING S 77°46'18" E 934.68 FEET; THENCE S 1°38'34" E 324.03 FEET TO THE NORTH LINE OF 153RD ROAD; THENCE N 89°34'26" W ALONG THE NORTH LINE OF 153RD ROAD 928.71 FEET TO THE EAST LINE OF FAIRHAVEN LANE; THENCE N 0°39'32" E ALONG THE WEST LINE OF FAIRHAVEN LANE 515.00 FEET TO THE POINT OF BEGINNING. 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 DIVISION 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 BRIGHTON, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.



TIMOTHY G. VREELAND P.L.S. 2291

DATED THIS 28TH DAY OF JANUARY, 2019
SURVEY PERFORMED JANUARY 21ST, 2019

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

BY Christopher E. Farris

DATE 2-5-2019
MARATHON CO. CONSERVATION,
PLANNING & ZONING DEPT.
CPZ TRACKING NO 319-007



Land Information Mapping System



PIN# 010-2702-193-0990

Legend

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

55.09 0 55.09 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

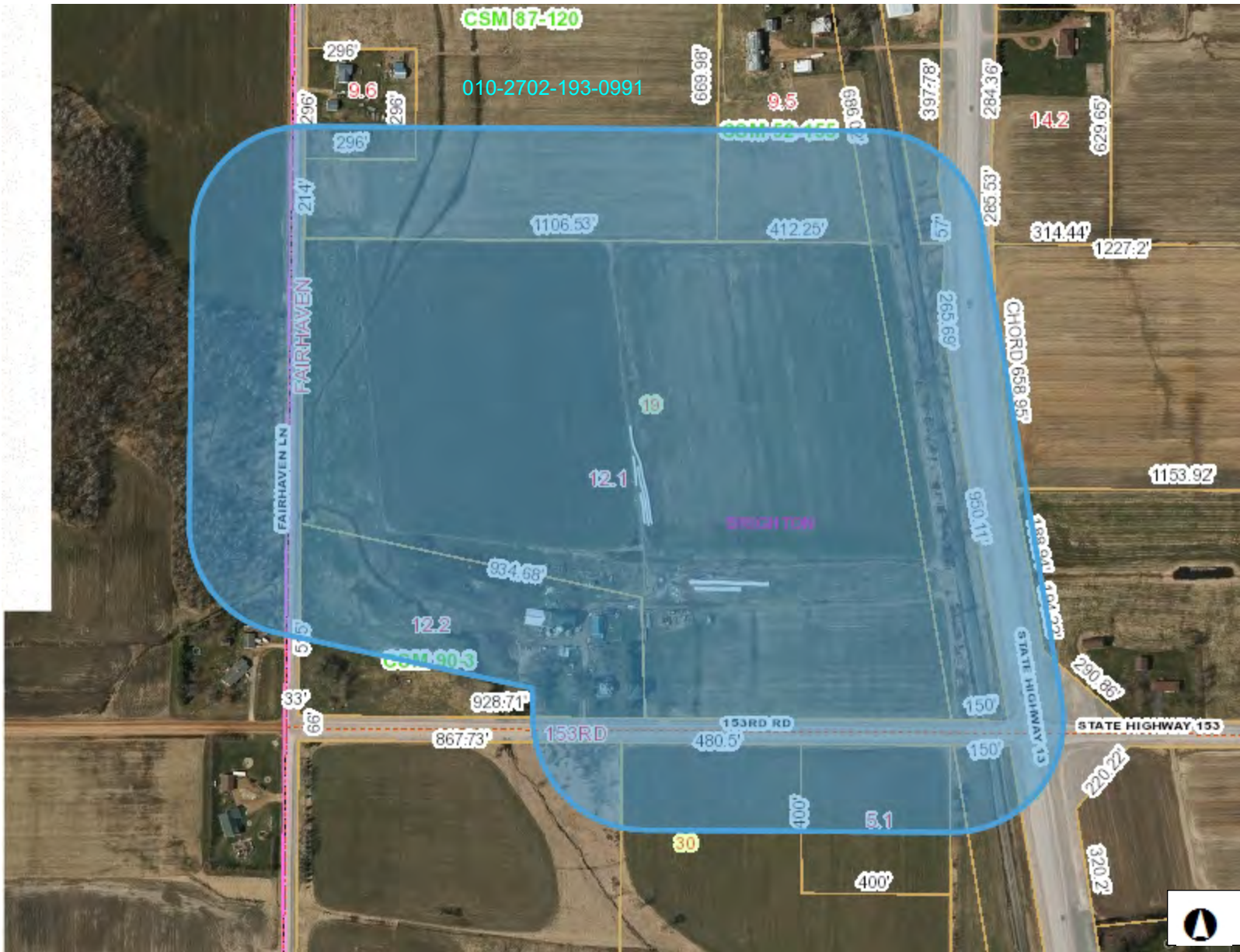
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



Land Information Mapping System



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 - Blue: Band_3

200.00 0 200.00 Feet

NAD_1983_HARN_WISCRS_Marathon_County_Feet

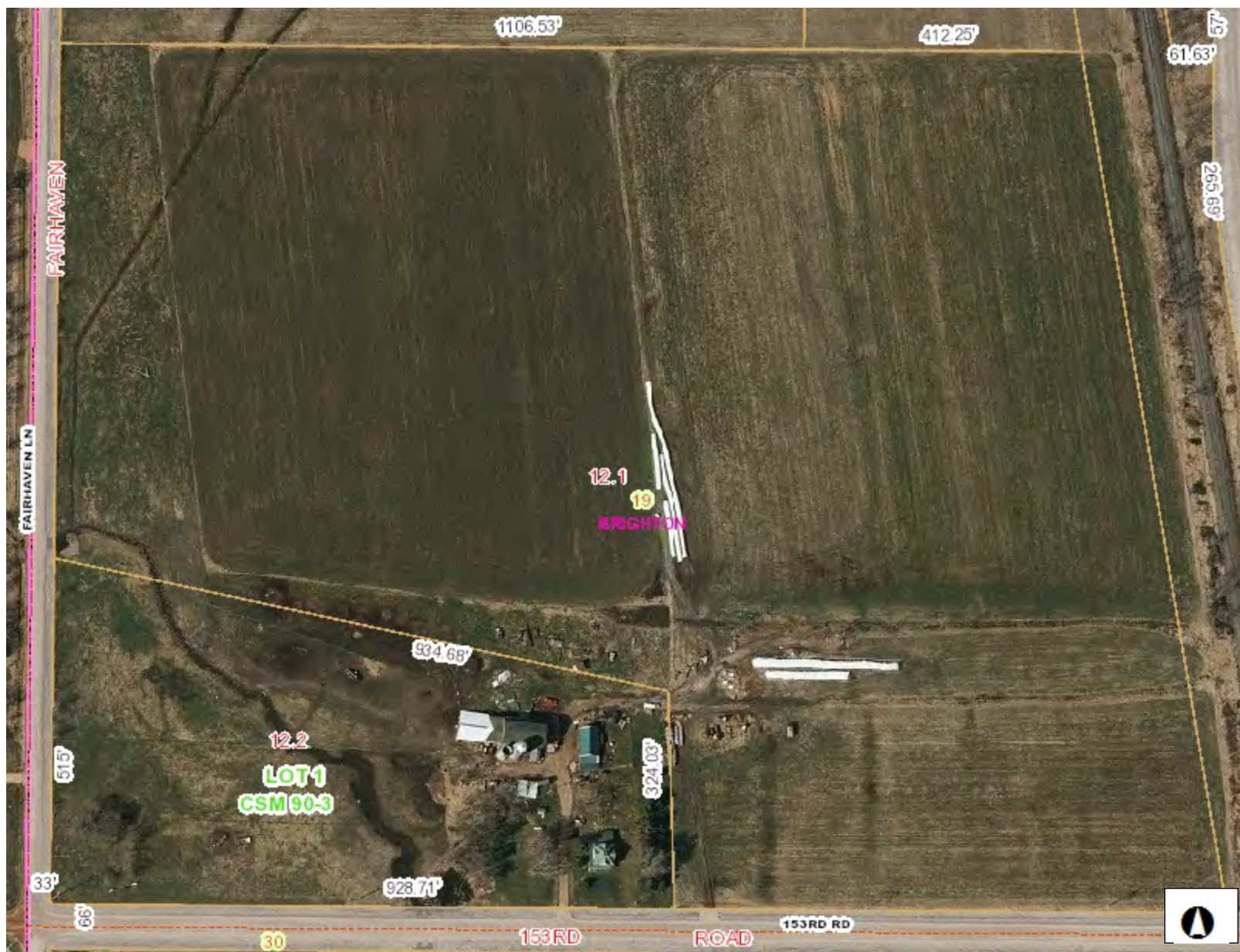
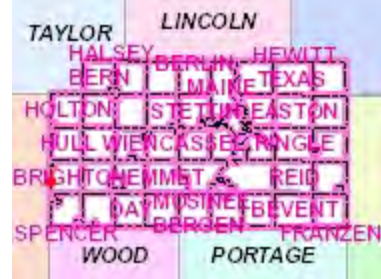
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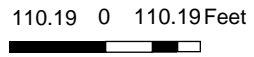


Land Information Mapping System



Legend

- Parcel Annotations
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NAD_1983_HARN_WISCRS_Marathon_County_Feet

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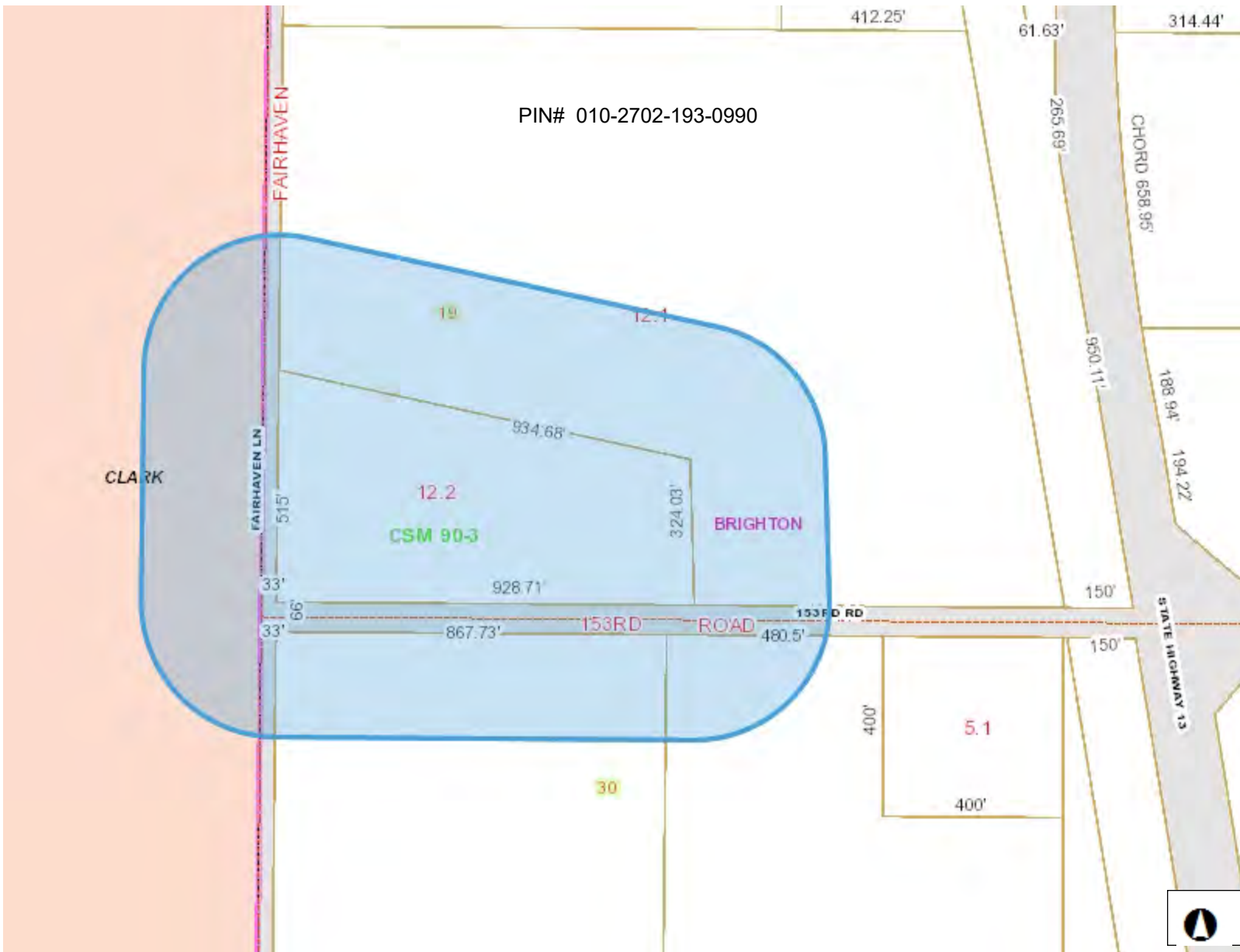
Notes



Land Information Mapping System



PIN# 010-2702-193-0990



Legend

- Parcel Annotations
- Parcels
- Land Hooks
- Section Lines/Numbers
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- Municipalities

165.42 0 165.42 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

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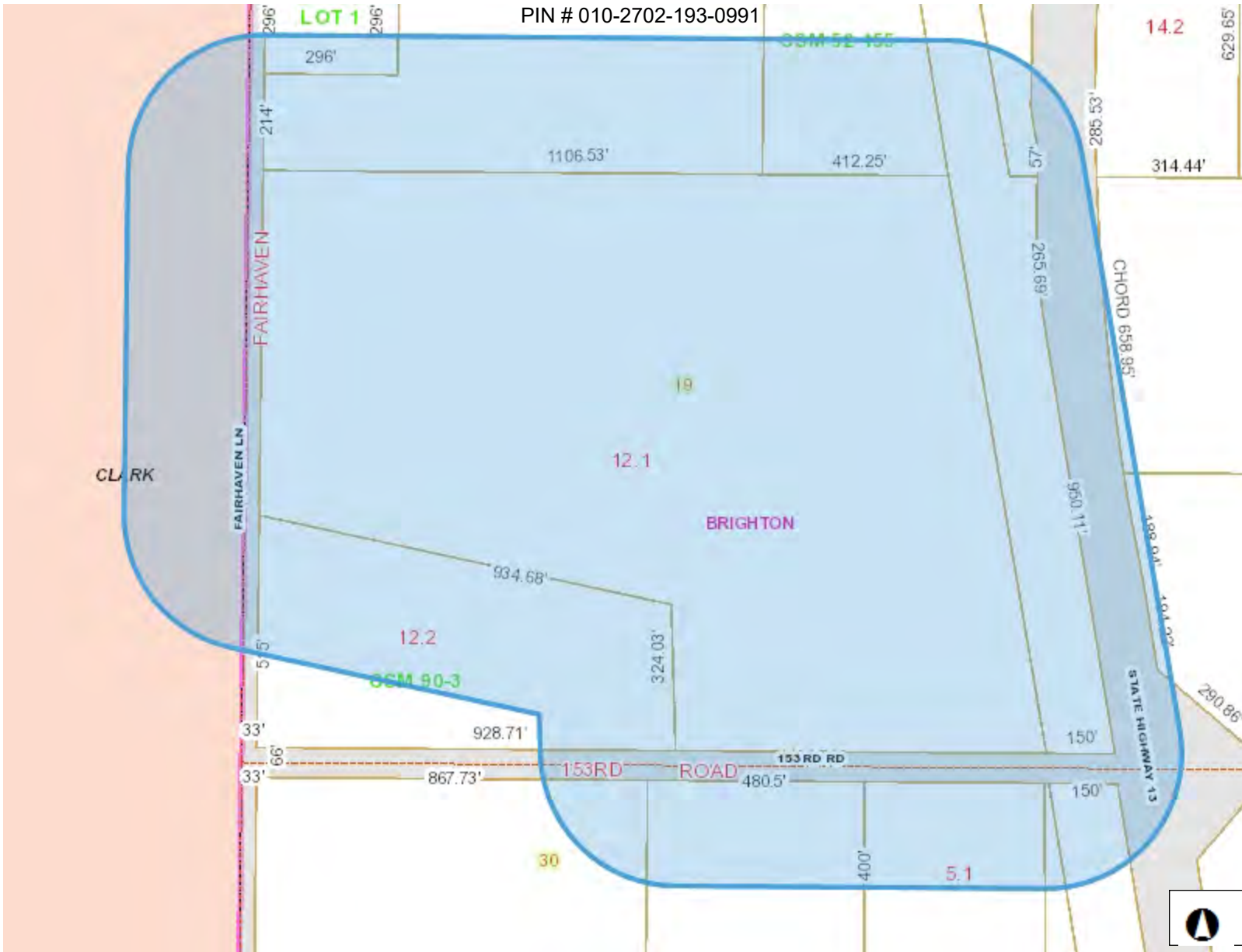
Notes



Land Information Mapping System



PIN # 010-2702-193-0991



Legend

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

165.42 0 165.42 Feet

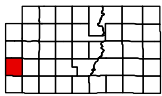


NAD_1983_HARN_WISCRS_Marathon_County_Feet

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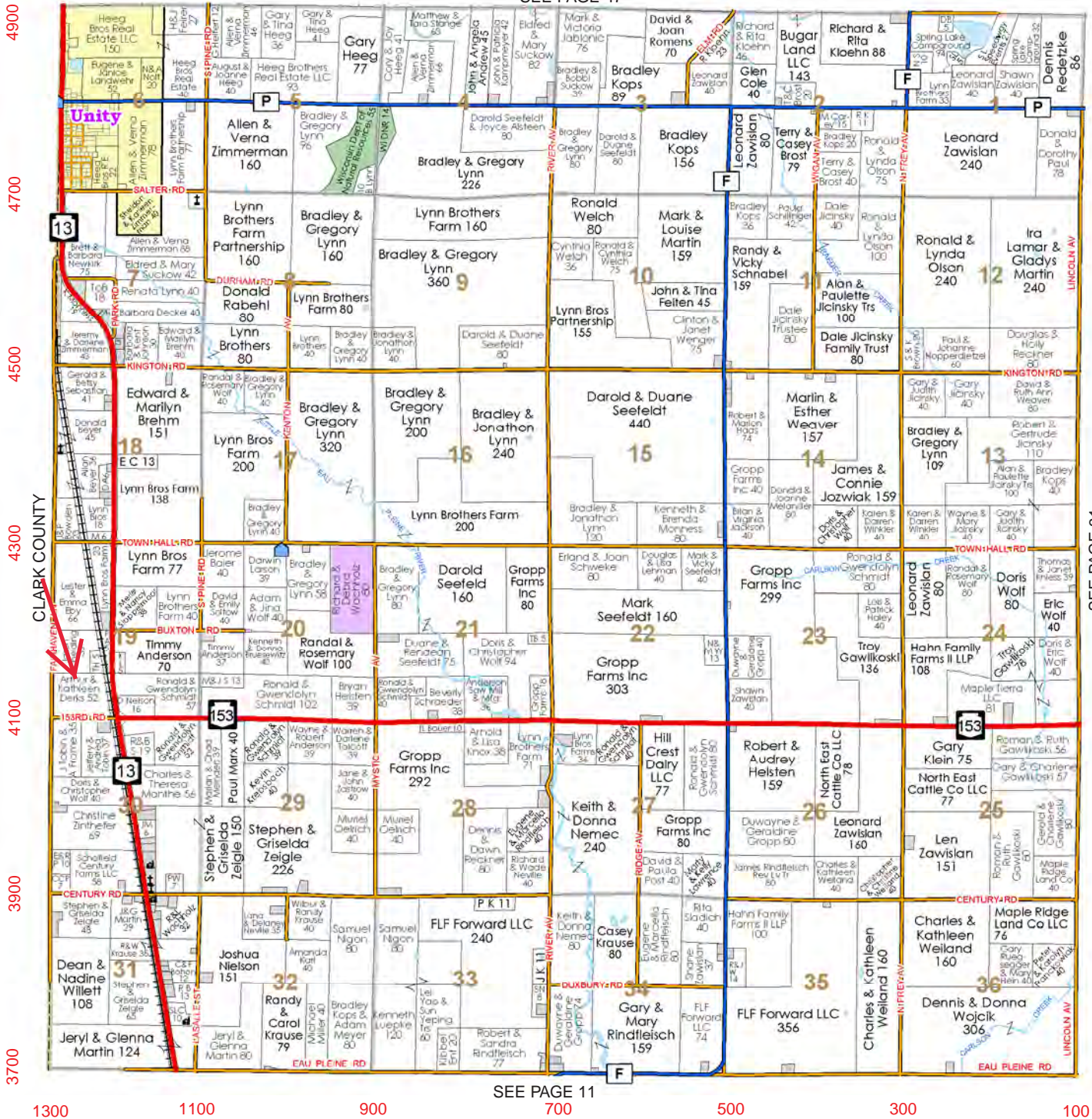


Brighton

Township 27N - Range 2E

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SEE PAGE 47

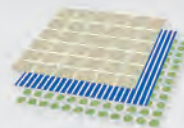


SEE PAGE 11

SEE PAGE 31

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STATE OF WISCONSIN)
MARATHON COUNTY)
TOWN OF BRIGHTON)

TOWN RESOLUTION OF RECOMENDATION

TO THE MARATHON COUNTY BOARD OF ADJUSTMENT

I, Arlyn Abegglen, Clerk of the Town of Brighton, 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 Brighton Town Board at a meeting held on the 12th day of March, 2019.

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 Brighton.

NOW, THEREFORE BE IT RESOLVED that the Town of Brighton Town Board considered on the 12th day of March, 2019, the application of Arthur & Kathleen Derks for the purpose of a farm consolidation located in the F-P Farmland Preservation Zoning district on property described as part of the FRL S ½, SW ¼ Lot 1, PIN # 010.2702.193.0990 and property described as part of the FRL S ½ SW ¼ PIN # 010.2702.193.0991, Town of Brighton, Section 19, T27N, R2E, with a property address of B1240 153 Rd, Spencer WI 54479, and hereby recommends:

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

Comments, conditions and reasons for recommended action:

Clerk Arlyn Abegglen
Town Board Mark Kraus
Steven Tropp
Robert Haas

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 April 25, 2019 to:

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

RECEIVED
MAR 20 2019
MARATHON CO. CONSERVATION,
PLANNING & ZONING DEPT.

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: Earth Inc
Mailing Address: 4362 Dairy Road Arpin Wisconsin 54410
Telephone: 715/652-2522 Fax: 715/652-3493
Cellphone: 715/486-5925 Email: earthinc@lds.net
Owner Name: (if different) Dennis Stroetz
Mailing Address: M536 Galvin Avenue, Marshfield Wisconsin 54449
Telephone: 715/615-3535 Fax: _____

PARCEL INFORMATION

Parcel ID # (PIN): 05626031020993 and Parcel 05676031030996
(If more than one parcel is included in this application, list all parcel numbers & legal descriptions on a separate sheet.)

Legal Description: Government Lot _____ or _____ ¼ _____ ¼
Section 10, T26 N, R 3 E, Town of McMillan
Lot _____ . Block _____ Subdivision _____
Property Address: M536 Galvin Avenue, Marshfield Wisconsin 54449
Parcel size: 71 Acres or _____ Sq. Ft.
Zoning District: FP

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

Existing Permitted Non Metallic Mine

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

None

PROPOSAL

Describe **specifically** the nature of this request (be sure to **list all proposed uses** of the parcel). What do you plan to do?

We are requesting a renewal of the Conditional Use Permit for an additional 10 years. We plan to continue the EXISTING PERMITTED NON METALLIC MINE OPERATIONS. It is the only source of aggregate materials in the area. Which are used primarily for industrial, commercial, residential, and agricultural development, along with road construction and railroad building.

If this application is for a use that will be restricted to part of the parcel, specify the **exact dimensions** of the affected area.

Provide the following information if this box is checked

Proposal has additional development standards in Section 17.204.54. Explain how your proposal meets or exceeds these requirements.

See attachments.

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 type="checkbox"/>	_____	Completed application including signatures.
<input type="checkbox"/>	_____	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 type="checkbox"/>	_____	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 **may deny** the application without prejudice.

Denise Stracy

 Owner Signature (required)

3-1-19

 Date

Dan DeBoer

 Agent / Person responsible for work Signature (required)

3-1-19

 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

Amount Received: \$ 600.00

D:\CPZ\Ordinances\FORMS\ConditionalUsePermitApplication.docx

For office use

Date Stamp:

RECEIVED

For office use

MAR 04 2019

MARATHON CO. CONSERVATION,
 (PLANNING & ZONING DEPT)



4362 Dairy Road • ARPIN, WI 54410
(715) 652-2522 • FAX (715) 652-3493

February 22, 2019

To: Marathon County Board of Adjustment

From: Earth, Inc. (Mine Operator)

Subject: Application for 10 Year Extension of Conditional Use Permit

The existing permitted nonmetallic mine is located in the township of McMillian in south western Marathon County. It is the only source of aggregates, riprap and road base materials in the area, which are used primarily for industrial, commercial, residential, and agriculture development, along with road construction, and railroad building.

The existing permitted nonmetallic mine follows WDNR Best Management Practices (BMP's) for managing the storm water. Runoff is directed toward a sediment basin within the site. Ground water is monitored as required by WPDES General Permit No. WI-A046515-6 (non industrial sand)

Visible emissions testing are completed in accordance with the Wisconsin Administrative Code. The workmen also monitor the emissions during their daily operations. Control measures are implemented as required.

The daily mine operations are conducted within the bottom of the existing permitted nonmetallic mine to mask the sounds and vibrations. All equipment is inspected and maintained daily, when in use, and meets the MSHA requirements. All equipment is equipped with required safety features and silencers per MSHA requirements. Employees that work at the mine are trained annually and comply with the requirements of MSHA. The existing permitted nonmetallic mine strives to comply with all existing and revised statutes.

The Reclamation Plan will return the property to an agricultural use. The land will have a 21 acre Aqua Culture Pond and 50 +/- acres of farm land.

Earth, Inc.

Daniel De Boer
President

A handwritten signature in black ink that reads "Daniel De Boer".

Jerad De Boer
Vice President

A handwritten signature in black ink that reads "Jerad De Boer".

Equal Opportunity Employer

STROETZ QUARRY PROJECT
FOR
EARTH, INC.
WOOD COUNTY, WI

Section 17-204.54 NONMETALIC MINING

A. Aerial Photograph and Maps

See attached map labeled A & AA

1. *The boundary of the affected parcel and any adjacent parcel, pipelines, railroads, streams, utilities, and wetlands on the proposed extraction site and any adjacent parcel.*

See attached map labeled A1 for adjacent wetlands and streams. Overhead power lines run parallel to Galvin Ave outside the mine boundary. Underground phone lines run parallel to Galvin Ave outside the mine boundaries. There are no other utilities on the mine site.

2. *The name of the owner of each adjacent parcel and the location of all structures within 300 feet of the proposed mine site.*

The existing permitted nonmetallic mine owners of adjacent parcels and the location of all structures within 300 feet are as follow:

Ryan T. Niehaus	Robert & Roxanne Wegner
Jason & Faith Verkilen	Roger & Ellan Roehrborn
Robert A Kay	Dennis Stroetz & Kris
Dane & Jenifer Stroetz	Janalee Papini
Ronald Burkhardt	Jeremy & Hannah Roehrborn
Karl & Nancy Greenberg	Roger & Abbigail Roehrborn
Vincent & Mary Weber	Tom Weigal
Joseph Wagner	Robert & Heidi Peski

- 2a. Dennis Stroetz and Kris (owners of the mine) have built a house on the North East corner of the existing permitted nonmetallic mine site. The house is within 30 feet of the top slope of the Aqua Culture Pond. The area has been reclaimed near the house. See attachment 2A.
 - 2b. Ryan Niehaus resides within 300' of the existing permitted nonmetallic mine boundary. The occupied home is 236' south, 212' west and 322' north of the property lines. See attachment 2B.
3. *The proposed location, extent, and depth of the intended sand, gravel, and rock excavation, showing the setback distances.*

The mine operator proposes to extract quarry rock and gravel from the existing permitted nonmetallic mine site. The excavation will reach a depth of +/- 60 feet to approximate elevation of 1208. The map includes the setback distances. (See large site map A2L)

4. *The proposed location of any ponds, sediment basins, stockpiles, and waste dumps, showing the setback distances.*

The existing permitted mine has established sediment ponds on east border near the proposed permanent outlet. All sediment ponds are constructed to meet or exceed the minimum set back requirements of 10 feet from property lines and 100 feet from any structure. We are placing some waste soils in the Northwest corner to establish the reclamation plan slopes. (See reclamation plan)

5. *The surface drainage and estimated depth to groundwater.*

The permitted nonmetallic mine is internally drained. The surface drains to the southeast. Estimated ground water elevation was determined by well constructor reports obtained through Wisconsin Geological and Natural History Survey (WGNHS) well data bases. The estimated ground water is at elevation 1247, 10 to 15 feet below the surface. Well reports of closest neighbors were used to estimate elevation. Annual storm water chemical analysis samples are collected. On-site inspections and monitoring required by WDNR are completed. See attached documents 5A, 5B and 5C.

B. Operational Information

1. *The duration of any applicable lease.*

The current lease agreement is valid through August 31, 2020 and has been renewed until August 31, 2030. See attached B1.

2. *The estimated date that operations will commence and terminate.*

The existing permitted nonmetallic mine opened in the year 2000. The mine has been in use since then, we have estimated the deposit to last another 20-50 years. (See air photo B2)

3. *Anticipated hours of operation.*

The pond construction season is to be during the months of April 1st through December 31st. Weight and road limits will be abided by throughout the duration of the project. The estimated project construction and removal of fill shall be during the hours of 6:30 AM to 6:30 PM, Monday-Friday. Construction and fill removal will be allowed on Saturdays, 6:30 AM to 12 NOON. There will be no work done at the site neither on Sundays nor on all legal holidays.

4. *The proposed primary travel routes to transport material to and from the site.*

Earth, Inc. intends to access the property off of Galvin Avenue by two access roads on the Stroetz property which shall lie north and south of the project pond. The southernmost access will be utilized exclusively for entrance of equipment and trucks. The entrance furthest to the north will be utilized exclusively for exit of all loaded trucks to County Highway C. Loaded trucks must stay on state and/or county highways with the exception of Township of McMillan contracts and McMillian resident's orders for product. Earth, Inc. will be responsible for dust control on Galvin Avenue from the intersection of Elm Street and Galvin to County Highway C and will replace any substantial damage to town roads which was created by Earth, Inc. trucks and its subcontractors, independent trucking companies, ect.

5. *A description of the excavation and processing equipment to be used.*

The existing permitted nonmetallic mine extracts quarry rock and gravel from the mine site. Activities at the site include excavation crushing, stockpiling and loading. There will be blasting at the site. Other equipment that will be used would include crushing equipment, bulldozers, loaders, and off road trucks. The depth of the geologic deposit is believed to be 150 feet or greater at the site. There will be NO use of chemicals at the mine site.

6. *A description of measures to be taken to screen or buffer the operation from view from any adjacent residential parcel.*

All topsoil will be moved to the west mine boundary and south of the Niehaus residence. The topsoil berm will be groomed with 3 to 1 slopes and prepared for seeding. Temporary silt fence will be installed parallel to Galvin Avenue for sediment control. Once a suitable stand of grass is established silt fence will be removed and a row of trees will be planted along Galvin Ave. The berm and trees will serve as screening for the nonmetallic mine. Upon completion of the mine the topsoil stored in the screening berm will be uniformly distributed. The row of trees will remain along Galvin Avenue. (See large site map overburden pile)

7. *A description of measures to be taken to control dust, noise, and vibrations from the operation.*

7a. **Dust-** The permitted nonmetallic mine currently has a sediment pond with a pump installed to fill a water tanker. The tanker is used to wet the hauls roads as needed for dust suppression. The spray bars on the jaw crusher moisten the rock at the crusher to help keep the dust in control.

7b. **Noise-** Silencers installed on the excavation equipment and generators are inspected daily and maintained as needed. Drill holes for blasting will be filled with fractured stone to silence the explosion. The hours of operation 6:30 AM - 6:30 PM Monday-Friday, and 6:30 AM to 12 Noon Saturday will be observed.

- 7c. **Vibrations-** Seismograph will be onsite during all blasting operations to monitor the activity before, during and after the blast. All blasting will be done by a blasting company licensed in the state of Wisconsin. (See attached blaster license C1)

C. Operation

1. *All blasting must be done by a state licensed and certified blaster, who must have a certificate liability or proof of liability insurance.*
2. *All excavation equipment must be constructed, maintained, and operated in such a manner as to eliminate, as practicable, dust, noise, or vibration that might adversely affect or injure and person living in the vicinity of the operation.*

The permitted nonmetallic mine inspects all equipment on a daily basis. Defective equipment is locked out immediately to comply with MSHA Regulations. Once repairs are made the equipment may return to operation. All safety equipment is maintained on the heavy equipment used at the mine site. For additional dust control measures the mine operation has installed spray bars to wet rock while it is being crushed. Sources of vibration and noise are evaluated. The location of the equipment in relation to private structures is considered prior to setup.

3. *Any excavation access road must have and be maintained with a dustless surface.*

There is a posted speed limit at the existing permitted mine. The slower speed helps reduce dust. The haul roads will have water applied as needed to control the dust.

4. *Operations must be conducted in such a manner that any water runoff from the operation does not adversely affect and adjacent parcel.*

The permitted nonmetallic mine is internally drained. BMP's will be followed to minimize any environmental impacts. The storm water is directed toward the east side of the mine. The storm water is held in a sediment basin. In extraordinary storm events the surplus water may be tested. Water is pumped as needed onto the land owners property, the pumping meets the requirements of the DNR permit.

5. *All equipment and temporary structures, such as stone crusher, conveyor, or screener, must be removed from the site within 90 days of the termination of extraction operations.*

All equipment will be removed upon termination of the extraction. The Reclamation Plan includes 3 to 1 slopes to 6 foot below water surface for Public safety. The cropland will continue to be farmed. The Agua Culture pond will be stocked with fish.

D. Setback Requirement

1. *The excavation must be setback at least 100 feet from any existing occupied structure other than the owner's.*

Excavation will be at least 100 feet from existing structure. See large site map

2. *All operations shall be at least 50 feet from the centerline of any right-of-way and 10 feet from any property line unless there is a written agreement between adjoining owners both of whom hold valid nonmetallic mining permits under which they both agree to mine up to their common property line. Mining up to or into the right-of-way may be authorized where it is determined by the unit of government having jurisdiction over the road that such mining would be beneficial.*

The existing permitted nonmetallic mine continue to follow the setback requirements. All operations will be 50 feet from the centerline of any right-of-way and 10 feet from any property line.

3. *All accessory uses such as offices and parking areas shall be at least 75 feet from any right-of-way or property line.*

All parking areas and accessories will be placed 75 feet or more from any property line or right-of-way.

- E. *Nonmetallic mining shall comply with the terms of Marathon County Nonmetallic Mining Code, Chapter 21, General Code of Ordinances.*

Yes, See current Reclamation Plan attachment E.

- F. *All nonmetallic mining shall be required to provide for the proper closure and reclamation of the extraction site to an agricultural use.*

We agree the reclamation plan will provide a 21 acre Agua Culture Farm. The cropland surrounding the Agua Culture pond will continue to be farmed.

- G. *Nonmetallic mining activity and operation shall be consistent with Wisconsin Statute Chapter 91, Farmland Preservation, 91-46(6).*

The existing permitted nonmetallic mine will be reclaimed with an Agua Culture pond. The surrounding cropland will continue to be farmed.

Farmland Preservation Districts- Nonmetallic mineral extraction in Farmland Preservation Districts may be permitted if all of the following apply:

- A. *The operation complies with Subchapter 1 of Chapter 295, Wisconsin Statutes, and rules promulgated under the subchapter, with General Code of Ordinances for Marathon County Chapter 21 Nonmetallic Mining Reclamation code under Wisconsin Statute Section 295.13 or Wisconsin Statute Section 295.14, and general requirements standards under this section and provided the reclamation of the extraction site is to an agricultural use (including all applicable provisions of this ordinance), and with any applicable requirements of the Wisconsin Department of Transportation concerning the restoration of nonmetallic mining sites.*

The purpose of the extraction is to create and Aqua Culture Pond for the agricultural raising of trout and remain within the agricultural zoning guidelines. The term of the construction will take ten or more years.

- B. *The operation and its location in the Farmland Preservation zoning district are consistent with the purposes of the Farmland Preservation zoning district.*

The existing permitted nonmetallic mine is the only source of crushed aggregates for construction projects in the area. Upon the completion of the extraction the land will include an Aqua Culture pond, with the existing surrounding cropland being used for crops.

- C. *The operation and its location in the Farmland Preservation zoning district are reasonable and appropriate, considering alternative locations outside the Farmland Preservation zoning district, or are specifically approved under state or federal law.*

The existing permitted nonmetallic mine is the only source of crushed aggregate in the area.

- D. *The operation is reasonable designed to minimize the conversion of land around the extraction site from agricultural use or open space use.*

The final reclamation plan allows for the surrounding land to continue to be farmed.

- E. *The operation does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.*

One the final reclamation is achieved, there will be approximately 21 +/- acres of Aqua Culture pond and the surrounding 50 +/- acres cropland will continue to be farmed.

F. *The owner agrees to restore the land to agricultural use, consistent with any required reclamation plan, when extraction is completed.*

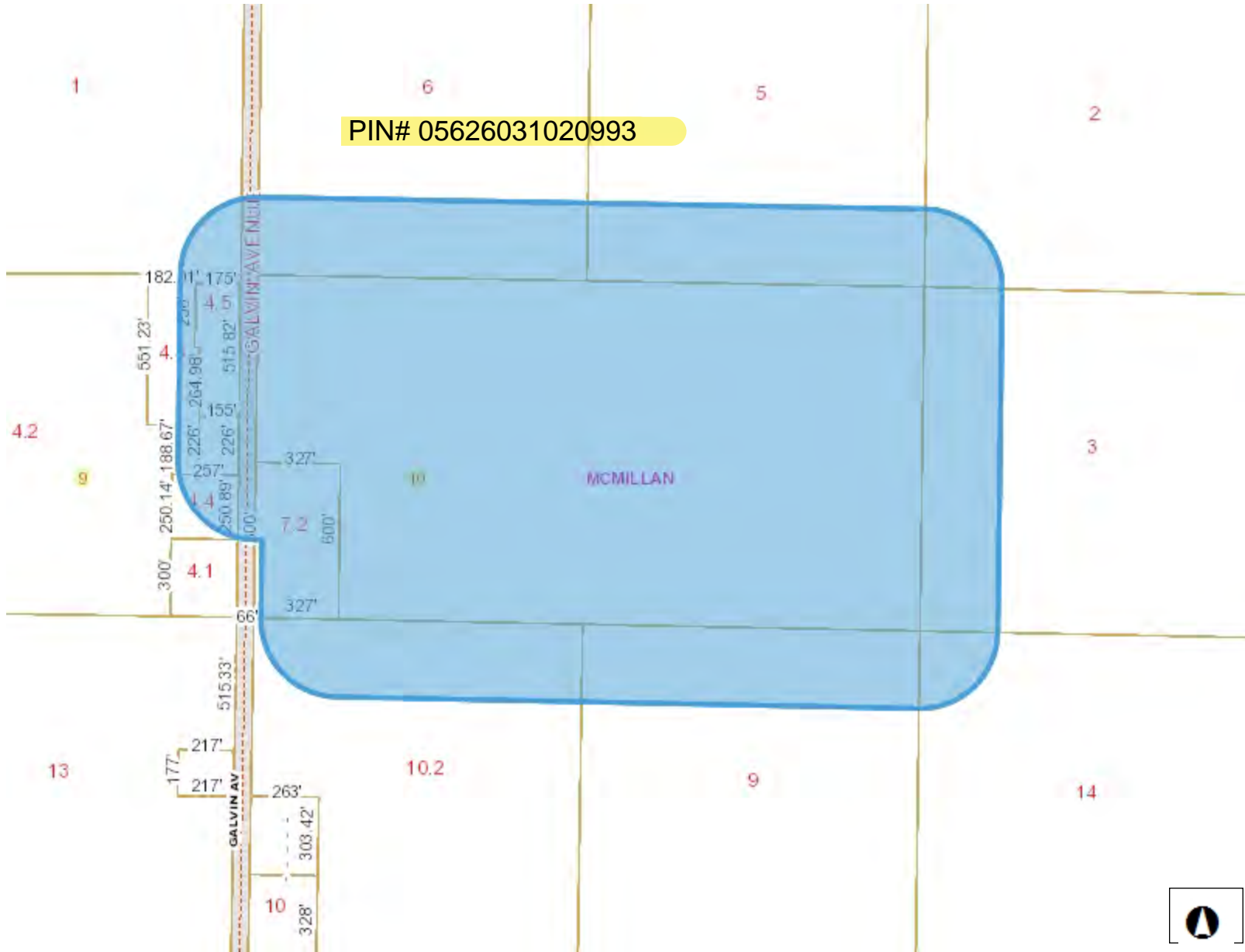
The mine operator and owner agree that the land will be restored to agricultural use consistent with the existing reclamation plan.



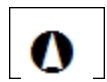
Land Information Mapping System



PIN# 05626031020993



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



287.37 0 287.37 Feet

NAD_1983_HARN_WISCRS_Marathon_County_Feet

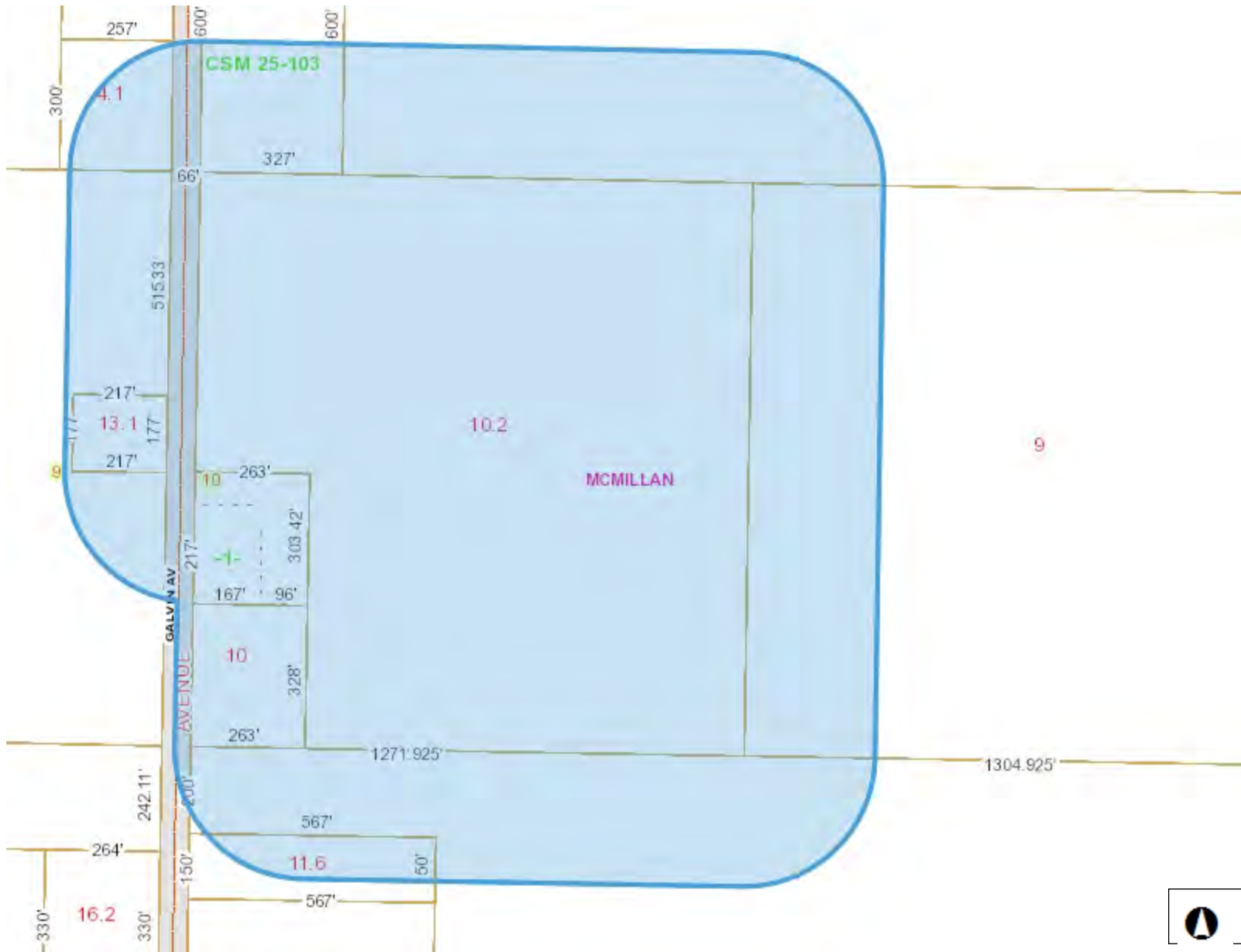
DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement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

170.84 0 170.84 Feet



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
 - 2015 Orthos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

PIN # 05626031020993



145.11 0 145.11 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

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Notes



Land Information Mapping System

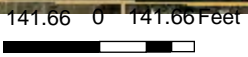


Legend

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

2015 Orthos

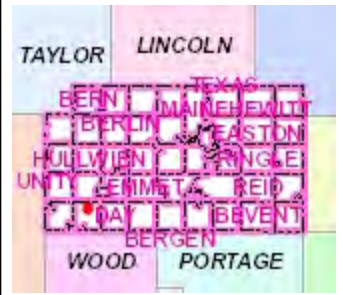
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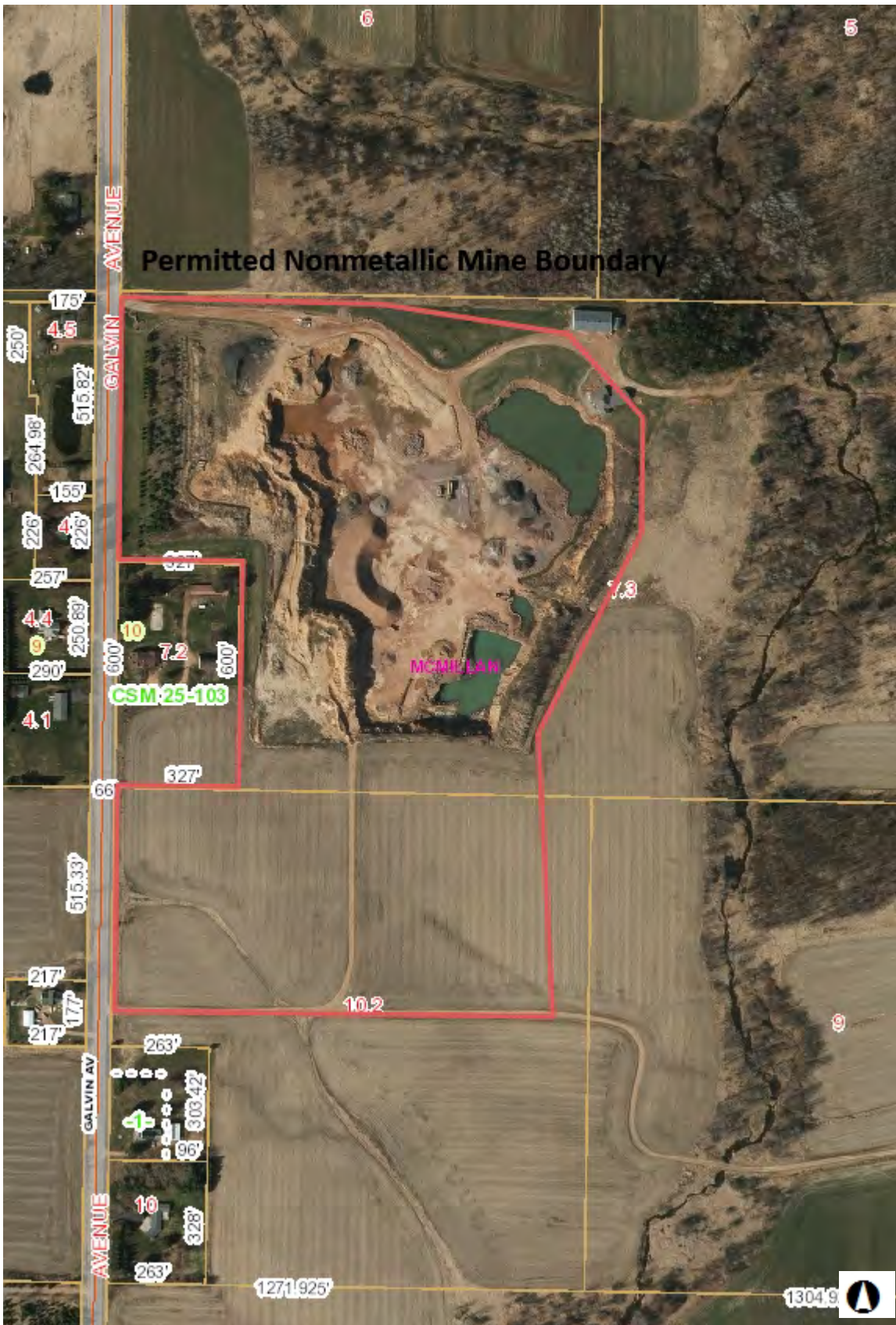
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Notes



Legend

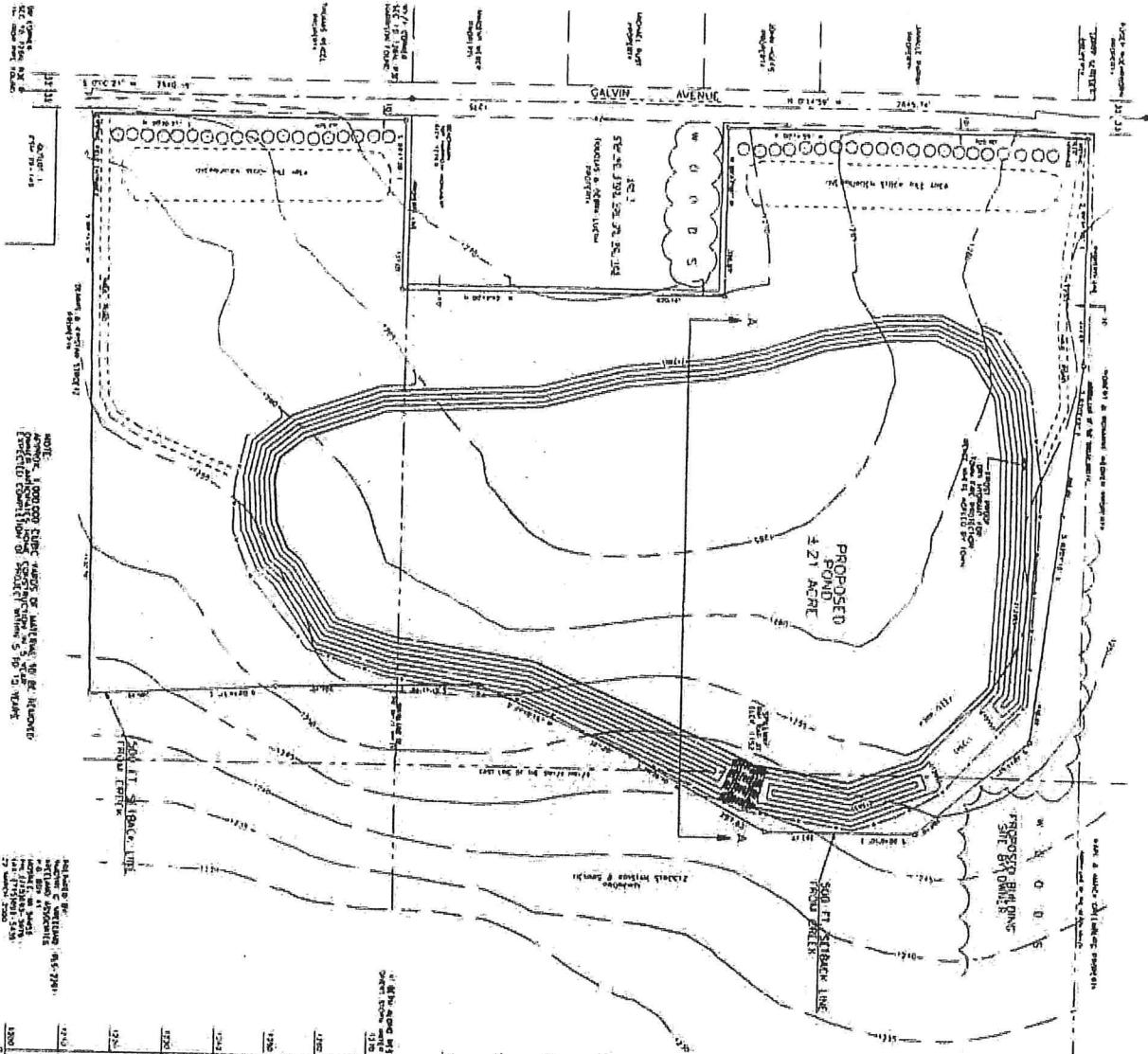
- Parcel Annotations
- Parcels
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Municipalities
- 2015 Orthos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3



Notes

200.00 0 200.00 Feet

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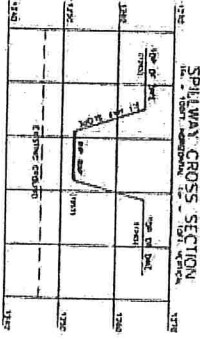
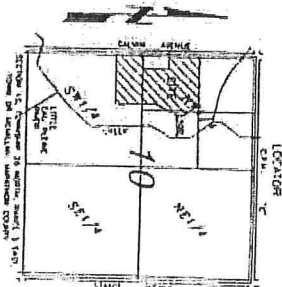
NOTE:
 A 100000 GAGE RANGE OF WATER IN THE RIVER IS
 EXPECTED TO OCCUR IN SEVERAL YEARS OF
 27 MONTHS PER YEAR.

DATE OF THE
 SURVEY: 1967-1968
 BY: [Name]
 27 MONTHS PER YEAR

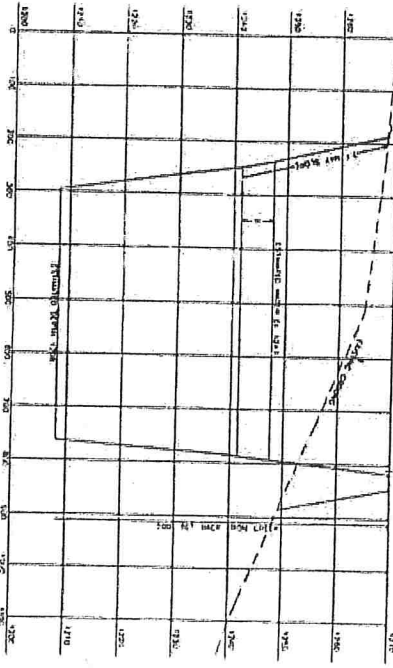
EXHIBIT MAP FOR AQUA CULTURE POND CONSTRUCTION AND NON METALLIC MINING PERMIT

FOR:
 CIEN KAPKA
 101 SOUTH WEBER AVE
 STRATFORD, WI 54484
 PH. 715-687-2423

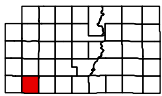
OWNER:
 DENNIS STROETZ
 N 521 STADT AVE
 MARSHFIELD, WI 54449
 PH. 715-687-3506



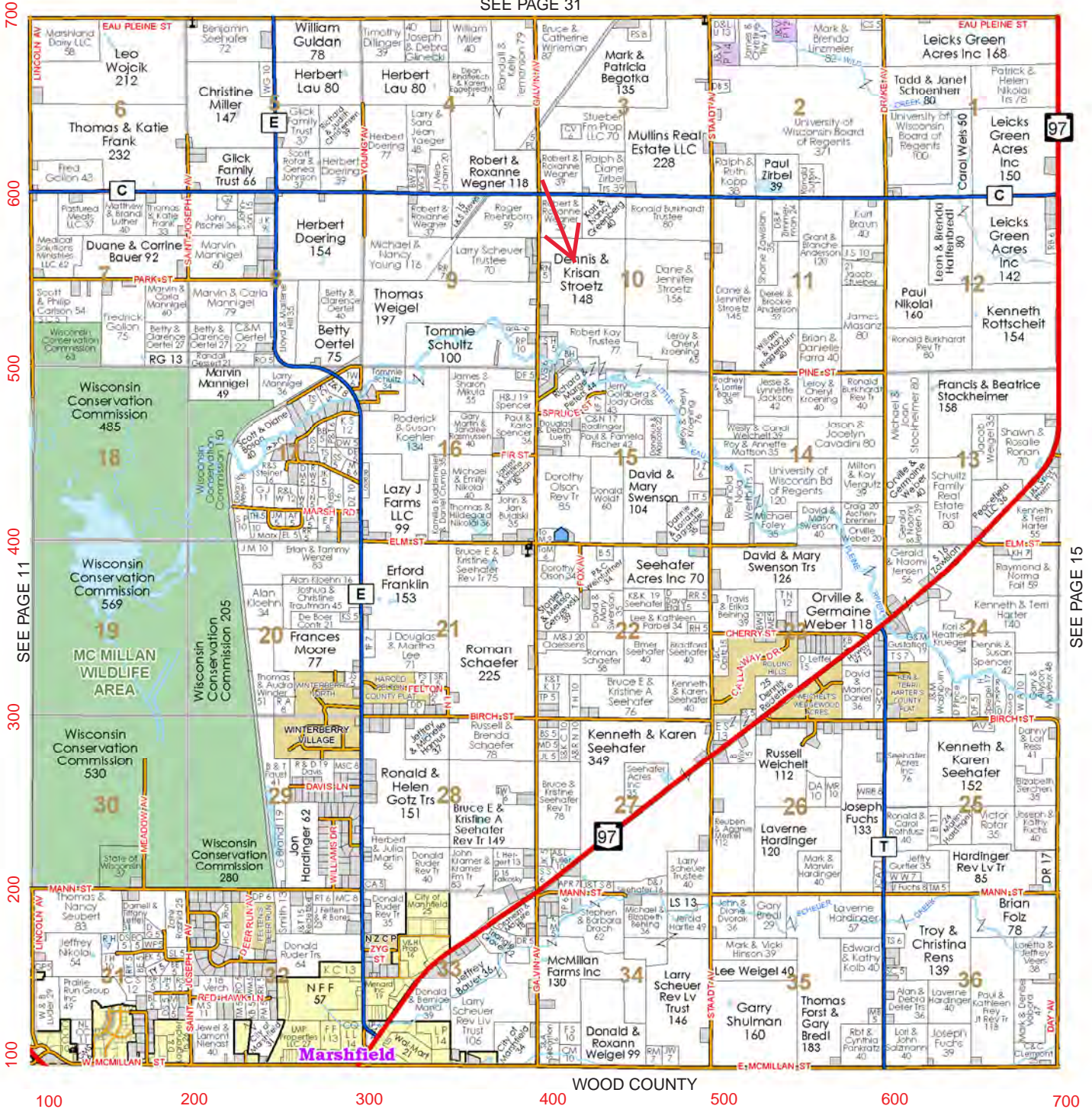
CROSS SECTION 'A-A'



• = STILL POND WATER
 ○ = EXISTING CONCRETE
 ○ = EXISTING METAL
 ○ = EXISTING METAL
 ○ = EXISTING METAL



SEE PAGE 31



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BLOCK PLANT
(715) 384-4870
 400 East Arnold
 Marshfield

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(715) 384-8995
 11397 Wren Road
 Marshfield

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 CONCRETE BLOCK
 KOZY HEAT FIREPLACE HEATING SYSTEMS
 GLASS BLOCK-CERAMIC TILE
 PATIO AND RETAINING BLOCK
 SATURDAY A.M. DELIVERY • HEATED IN WINTER
 SAND & STONE • REINFORCING MATERIALS
 OUTDOOR KITS • BRICK • CONCRETE PRODUCTS
 CHIMNEY & FIREPLACE SUPPLIES



MTS

Marathon Technical Services LLC
404 Franklin Street
Wausau, WI 54403

Consulting Engineers

Municipal Infrastructure, Site and Commercial Building Design

February 28, 2019

Lane Loveland
Marathon County CPZ
210 River Drive
Wausau, WI 54403

RE: The Facility

Dear Mr. Loveland,

Please find enclosed an application from Matthaie Properties LLC for a Conditional Use Permit as well as supporting documents. Matthaie Properties LLC proposes to construct indoor and outdoor private recreation facilities on their property in the Town of Knowlton. The property is Lot 1 of CSM #15908, located in the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, of Section 31, Township 26 North, Range 7 East. The improvements are located in the southeast corner of the property as shown in the enclosed plans. The property is currently zoned General Agriculture and proposed to remain with that zoning.

The following items have been included for your review and reference:

- Application for Conditional Use Permit
- Code Reference for project requirements.
- Business Plan
- Location Map
- Overall Site Plan
- Site Plan
- Floor Plan
- Photometric Plan
- Septic System Layout

If you should have any questions or need any further clarification, please feel free to ask. We are willing to meet with the County staff to discuss these proposed improvements and the conditional use.

Sincerely,

Nicholas Bancuk

Nicholas Bancuk, PE

Project Engineer

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: MATTHAE PROPERTIES LLC
 Mailing Address: 2610 ROSS AVE.
 Telephone: 715-846-2225 Fax: 715-355-8812
 Cellphone: 715-843-0325 Email: MARK.MATTHAE@CRYSTALFINISHING.COM
 Owner Name: (if different) MARK AND LAURIE MATTHAE
 Mailing Address: 203391 SAINT JOHNS ROAD, MOSZNEE, WI 54455
 Telephone: SAME Fax: SAME

PARCEL INFORMATION

Parcel ID # (PIN): PARCEL 24-312607-002-000-00-00 PER 048-2607-311-0997
(If more than one parcel is included in this application, list all parcel numbers & legal descriptions on a separate sheet.)

Legal Description: Government Lot _____ or NW 1/4 NE 1/4
 Section 31, T 26 N, R 7 E, Town of KNOWLTON
 Lot 1, Block _____ Subdivision _____
 Property Address: NOT ASSIGNED
 Parcel size: 38.21 Acres or _____ Sq. Ft.
 Zoning District: GEN. AG

Present use of property (List all current uses, i.e. home, store, farm field, wooded, etc.):
GEN AG - WOODED

Existing improvements (Structures, well, septic, etc.):
NONE

PROPOSAL

Describe specifically the nature of this request (be sure to list all proposed uses of the parcel). What do you plan to do?
REQUEST FOR CONDITIONAL USE APPROVAL TO CONSTRUCT A BUILDING, PARKING LOT AND RECREATIONAL FACILITIES, INCLUDING: RECREATION - PRIVATE GOLF; ICE SKATING RINK BATTING CAGE, BASKETBALL CT, PULLER BALL, CONGRESSIONS, EQUIP, RENTAL, ARENA 5700 SQ FT; REC PRIVATE OUTDOOR - BASEBALL FIELD, BMX BIKE COURSE, GOLF CART PARK AND ICE RINK, DEVELOPMENT AREAS INCLUDE: BASEBALL FIELD - 126,023 SF, GOLF CART RACK - 32,292 SF, BMX TRAIL - 25,047 SF, OUTDOOR SKATING RINK - 26,250, INWOOD AREAS WITHIN 20' ROOSE BUILDING; INDOOR REC 11,772 SF, HEATED STORAGE 2,809, GEN OFFICE - 200, RETAIL SALES - 400 SF, KITCHEN, LOCKER, STORAGE, BATHROOMS 4,621 SF.

Provide the following information if this box is checked

Proposal has additional development standards in Section _____ Explain how your proposal meets or exceeds these requirements.

Use separate/additional sheet(s) if necessary

Applications must be filled out COMPLETELY to be considered for a Conditional Use Permit

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 ~~5425~~ ^{\$600 T.O.F} 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:

Check if submitted	Initial of staff	
<input checked="" type="checkbox"/>	TBF	Completed application including signatures.
<input checked="" type="checkbox"/>	TBF	Map with all required information.
<input checked="" type="checkbox"/>	TBF	Additional documents, as needed (lot combination forms, hunting/fishing shelter application, etc.)
<input type="checkbox"/>		Zoning Permit application
<input checked="" type="checkbox"/>	\$600	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 may deny the application without prejudice.

<p><i>Paul J. [Signature]</i> _____ Owner Signature (required)</p> <p><i>[Signature]</i> _____ Agent / Person responsible for work Signature (required)</p>	<p style="text-align: center;"><i>2-27-2019</i> _____ Date</p> <p style="text-align: center;"><i>3-1-19</i> _____ Date</p>
---	--

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.

<p>Return to: Board of Adjustment Marathon County CPZ Department 210 River Drive Wausau, WI 54403-5449</p>	<p>Telephone: 715-261-6000 Toll free within Marathon County: 1-800-236-0153 Facsimile: 715-261-6016</p>
--	---

For office use	For office use	For office use
Amount Received: \$ <u>600.00</u>	Date Stamp:	RECEIVED
0 CPZ Ordinance/ FORMS Conditional Use Permit Application.docx 1-9-17		MAR 04 2019

Applications must be filled out COMPLETELY to be considered for a Conditional Use Permit

MARATHON CO. CONSERVATION,
 PLANNING & ZONING DEPT.



Marathon Technical Services LLC
404 Franklin Street
Wausau, WI 54403

Consulting Engineers
Municipal Infrastructure, Site and Commercial Building Design

Application for Conditional Use Permit

This application for a Conditional Use Permit is for the following uses in a G-A (General Agriculture) zoning:

- 1) Recreation, Private Indoor
 - a) Ice Skating Rink
 - b) Batting Cage
 - c) Basketball Court
 - d) Pickle Ball
 - e) Concessions
 - f) Equipment Rental and Sales
 - g) Private Storage

- 2) Recreation, Private Outdoor
 - a) Baseball Field
 - b) BMX Bike Course
 - c) Go-Kart Track
 - d) Ice Skating Rink

All uses are private and not open to the public. The hours of operation may vary depending on the market demand, but will generally be Sunday through Thursday from 5:30am to 9:00pm and Friday thru Saturday from 5:30am to midnight.

The Private Indoor Recreation building will be open year-around for activities. The Private Outdoor Recreation facilities will be open for seasonal use. The baseball field, BMX bike course, and go-kart track will generally be open from April to November. The ice-skating rink will be open in the winter months when safe for use.

These conditional uses have specific requirements that are laid out in Chapter 17 of the General Code of Ordinances of Marathon County. The following sections are directly applied to this conditional use permit application:

Section 17.204.43 Recreation, Private Indoor

This section directly references Section 17.407 Performance Standards.

Section 17.407.01 General Performance Standards

A. Vibrations.

The proposed conditional uses do not intend to cause detectable earth vibrations or concussions. No equipment will be used or activities will be performed that produce discernable vibrations.

B. Dust, Fumes, Vapors, and Gases.

The proposed conditional uses do not intend to produce dust, fumes, vapors or gases across the lot

lines that would cause damage. The only dust, fumes, vapors, and gases produced from the development would be those normally produced by commercial HVAC equipment and vehicular traffic.

C. Heat.

The proposed conditional uses do not intend to produce detectable heat beyond its lot lines. Activities that are proposed by the development will not produce heat except for the HVAC equipment for the private indoor recreation building.

D. Glare.

The proposed conditional uses do not intend to produce strong, intense light or reflection beyond its lot lines. A photometric plan has been included in this submittal to show the foot-candles produced beyond the property lines.

E. Storage and Waste Disposal in Industrial Districts.

This section does not apply.

Section 17.407.02 Prohibited Uses

The conditional uses do not intend to be hazardous, noxious, or offensive as described in items A, B, C, D, and E above.

Section 17.204.44 Recreation, Private Outdoor

A. General.

The existing site is a pine plantation. The proposed conditional uses will maintain a buffer of the existing pines between the use and the lot lines. Clearing of trees will be kept to a minimum. Retail use will be limited to refreshment stands, souvenir stands, concession stands, and equipment rental. The conditional uses allow for outside groups, organizations, and clubs to "rent" the uses. Use contracts/waivers with strict guidelines to the expected use of the property will be required to be signed.

1. Natural Barriers.

The proposed development will maintain the existing natural features to the maximum extent practical. Based on the current surroundings, the development will not be visible from any private residence.

2. Accessory Uses.

The only retail uses within the development will be accessory to the main recreational uses. There is proposed to be a concession stand, equipment rental, and retail shop. Groups renting the property for fundraising may have retail sales, but those will be on a limited and temporary basis.

3. Supervision; Nuisance.

As stated previously: Use contracts/waivers with strict guidelines to the expected use of the property will be required to be signed. A responsible person will be named on the forms.

B. Residential Districts.

This section does not apply.

Title 5: Parking

Section 17.501.01 General Standards

The conditional uses will provide adequate off-street parking for each intended use. Those spaces will be located within the proximity of each use. A flat, maintained, open-area will be reserved for overflow parking.

The off-street parking lots are not required to be landscaped to meet the requirements of Section 17.602.01. This will be addressed later in this document.

The off-street parking areas will be limited to motor vehicles for use by occupants, employees, visitors, and patrons.

Section 17.502.01 Parking Requirements

The determination of required off-street parking spaces is complicated for a project of this nature. There are

several different uses within the Private Indoor Recreation space as well as the Private Outdoor Recreation space. Those differing uses will most likely not be to full capacity at the same time. The market demand will determine which uses are at capacity on each given day and time of day. Land has been made available for overflow parking to alleviate any parking capacity issues. If the development exceeds the installed parking on a regular basis, the overflow parking will be turned into permanent parking. Using Table 8 of Section 17.502.02; the following table lists the uses, areas, required parking spaces, and provided spaces within the development:

	Use	Floor Area (sq. ft.)	Minimum Off-Street Parking Spaces Required		Off-Street Parking Spaces Provided	Barrier Free Parking Spaces Required	Barrier Free Parking Spaces Provided
Entertainment and Recreation, Outdoor	Baseball Field	126,025	35		35	2	2
	Go-Kart Track	32,292	18		18	1	1
	BMX Track	25,047					
	Outdoor Skating Rink	26,250	18		53 (Baseball, Go-Kart Track, and BMX Track parking during winter months)	3	3
Entertainment and Recreation, Indoor	Indoor Recreation	11,770	78		71 Plus 68 Overflow Total of 139	5	5
	Heated Storage	2,809	0				
	Offices, General	200	1				
	Retail Sales, General	400	2				
	Kitchen, Lockers, Storage, Bathrooms	4,621	31				
	Mezzanine (Viewing)	2,200	15				
			127				

Bicycle Parking does not apply.

Section 17.502-03 Modification of Minimum Parking Requirements

As part of the Conditional Use Permit, the applicant is requesting that the minimum required off-street parking spaces be reduced due to the differing uses not all being at full capacity concurrently. An area has been set

aside (land banked) for overflow parking. If the applicant finds the need for an increase of provided off-street parking, then the applicant intends to provide those spaces.

Section 17.503.01 Commercial/Industrial Parking Lot Layout and Design Standards

A. Parking Area Design.

The parking areas have been designed to a useable shape and drainage.

B. Lighting.

All exterior lighting will be dark sky friendly.

C. Access Points

The proposed access point is located at the existing access point for the property. The proposed access point is located approximately 2,550 feet from the nearest intersection.

D. Maneuvering Lanes.

Maneuvering lanes are provided.

E. Pedestrian Circulation.

Applies to B-R District only. Does not apply to this project.

G. Barrier Free Parking Spaces.

The proposed development complies with the minimum number of barrier free spaces, as determined in Table 9, for each individual parking area.

H. Parking Space Size and Dimension.

The proposed parking spaces meet the minimum rectangular dimensions for angled parking. All proposed parking spaces, both permanent and overflow) are 9.5 feet wide and 19 feet long.

I. Striping Requirements.

The proposed parking lot striping will be placed as required.

J. Vehicle Overhang.

The proposed parking lot will meet the vehicle overhang requirement.

Section 17.503.02 Surfacing

A. Surfacing.

The entrance driveway is proposed to be paved with asphalt. The remaining parking areas will be graveled. The code encourages asphalt or concrete, but does not require it.

B. Permeable Paving.

Permeable paving is not proposed for this project.

C. When Surfaced.

The parking areas are proposed to be surfaced within 2 months of occupancy. This criteria applies for the individual parking areas associated with their intended uses on a per use basis.

Section 17.503.03 Off-Street Loading and Parking

The building is less than 20,000 square feet and does not require any loading/unloading spaces.

Title 6: Buffering and Screening

Chapter 17.601 Generally

The provisions of this Title do not apply since the adjacent parcels are zoned G-A (General Agriculture).

Chapter 17.403 Exterior Lighting

The proposed lighting is shown on the attached Photometric Plan. The fixtures will be directed downward as required in the Code. No animated lighting is proposed.

Section 17.403.03 Intensity

A. Horizontal Illuminance Requirements

The exterior lighting has been designed to meet the requirements of Table 7.

B. Maximum Intensity at Street Right-of-Way.

The maximum intensity at the street right-of-way is 2.8 foot-candles. This is higher than the permitted 1 foot-candle. However, Section 17.403.17 states that "The County recognizes that there are certain

uses or circumstances not otherwise addressed in this Chapter, such as: A. Sports Stadiums.” In order to provide sufficient lighting to the baseball field, the light intensity at the east property line (street right-of-way) is higher than allowable. The code does mention that the light intensity at the property line can be up to 5 foot-candles based on public street lighting.

C. Maximum Intensity at Property Lines.

The maximum light intensity at all other property lines is below the permitted 0.5 foot-candles.

Section 17.403.04 General Provisions

The proposed lighting meets the requirements of this section. No animated lighting is proposed.

Section 17.403.05 Standards by Type of Fixture

A. Freestanding pole and building mounted lighting.

All lights will be mounted less than the maximum 25 feet high requirement, with the exception of the baseball field pole lights. As stated previously, Sports Stadium lighting is not addressed in the code. There are no proposed lights within 50 feet of residentially zoned or used property.

Title 7: Signs

The development does not propose any signage other than internal directional signs and/or handicap parking signs. No building signage or entrance signage is proposed to be installed. If, at a later date, signage is proposed, an permit application will be submitted to the County prior to installation.

The Facility

Business Plan

Mark and Laurie Matthiae, Owners
Created on December 12, 2018
Updated plan on 2/7/2019

Executive Summary

Product

The Facility will provide a reduced cost sports training facility that will be open to the public along with private groups including schools, teams, and individuals of all ages from primarily 3 years and older.

Hours of Operation

Plan would be to be flexible but with athletes early morning hours are important and after work and school hours so while not full time hours would look something like this

M-F **5:00 A.M to 9:00 P.M**

Sat –Sun **5:00 A.M. to 10:00 P.M.**

Customers

Majority of Customers will be from the Central Wisconsin region. However, as this is a very unique facility the drawing radius may be within 100 miles or more. Sports teams, School groups, church groups will certainly participate at times. The target will be both beginning athletes, skaters, and dancers to the elite status that want to train and improve their skillsets. With the training center focusing on developing athletes all skill set levels will be considered.

Traffic impact

Most days there will be very few cars per hour as class sizes are limited and most classes will last 2 hours. Only when there would be weekday or weekend fundraisers along with special events could there be more of a traffic impact. Being located close to Hwy. 34 and C then to Saint Johns Rd most cars along with directions to the facility will represent this route.

Future of the Company

The Facility will continue to grow in each specific offering based on the quality of Coaches, volunteers, and fundraising activities. How the public perceives the overall experience will be the largest contributing factor. Starting with the indoor facility and eventually progressing to include outdoor activities to include Baseball, Go Karting, BMX track, mini-golf all are potential to develop great fund raising activities along with providing both training and entertainment options. Lowcost Daycare for children could be another need that could be addressed as a future option.

Food Services

The option for food to be catered in along with the normal Grilled, oven baked and deep fryer food choices. Nacho's, Soft drinks, snacks, energy bars will be the majority of the other options. Normally the food that will be available will be from self serve machines featuring healthy snacks and drinks. Most fundraisers will probably bring in Nesco's of prepared food and drinks to generate profit. Plan will include a Kitchen and dining area that is up to code for food prep, serving, dining and proper handling along with automated dish washing equipment. Outdoor grilling and seating will be an immediate option as well. Fundraisers many times feature beer being available for a donation so not sure if that needs to be addressed or if we even want to have this as an option.

Rental and retail sales options may include the following:

Equipment Rental will be available along with a small gift shop for shirts, apparel and specialty equipment needs may be necessary to support safe participation by providing appropriate equipment for those that do not have their own.

Company Description

Mission Statement

To create and provide a high-quality fun athletic experience for all children and adults regardless of ability to pay.

Principal Members

Mark Matthiae — owner

Laurie Matthiae — owner

Open position Business Manager/ Fund Raiser

Open position Safety and trainer position

Open position Custodian for equipment and facilities

Open positions (4) helpers, event coordinators

Legal Structure and Name

The Operating Facility will be an LLC

Market Research

Industry

The Facility is part individual and family entertainment but the main focus is on providing a year-round facility that supports and includes artificial ice skating of all types. There is a lack of skating time at existing ice rinks and by providing a year-round training center helps our area skaters a huge advantage. The Facility will provide additional sports to skating keeping young athletes interested and cross-trained in many sports options. If the storm water runoff collection pond holds enough water outdoor winter skating could be an option in the future as well.

Detailed Description of Customers

The two groups that the company plans to market to (but not limited) are parents (age 18-40) of young children and grandparents (age 60-75) of young children with parents having a yearly income range of \$25,000 and higher. Our target customers are interested in getting their children (3 years and older) including grandchildren better year-round training in several sports regardless of their income. Providing local children a chance to compete with high-cost private clubs athletes. Will also provide schools with more qualified athletes to compete regardless of their parent's incomes or ability to pay. Key to this goal being successful is the ability to hold fund raising events primarily focused on tuition and fee assistance.

Company Advantages

The Facility will have the following advantage as an example over current ice skating and baseball facilities:

- Year round availability
- Safety, quality, and economy of facilities
- Open to all family incomes and ability to pay
- Great conduit to provide several other athletic functions to keep children and adults coming back.
- Central location 25 minutes or less for most of Central Wisconsin.
- Charity and non-profit groups have access to fundraising and fun events.

Regulations

The Facility must meet all federal and state regulations concerning sporting and training facilities along with all local facility and building codes as well as County and Town zoning ordinances. The Facility site is large enough to require DNR Stormwater discharge regulation compliance as well.

Pricing Structure

The Facility will be offering many pricing and usage options throughout the complex.

Exact prices have not yet been determined. Much of the cost will be the cost of the coaches in some cases coaches could be volunteer but in many cases coaches will be top coaches in their particular field that will be properly paid.

- Rental of individual areas of the facility for a coach (s) and student along with group options
- Individual rates for private
- Hourly rates for individuals
- Rental rates for equipment
- Annual Membership rates for individuals and families
- Monthly Membership rates for individuals and families
- Fundraising rental rates for part or the entire facility

Marketing & Sales

Growth Strategy

To increase annual usage of The Facility will be to enhance the quality of training programs and increase hours of operation including self serve options to trained and responsible groups. Targeting top quality coaches to enhance the quality of the training will be key.

As the business grows, advertise in target markets, especially in advance of each athletic season including the holiday season..

Communicate with the Customer

The Facility will communicate with its customers by:

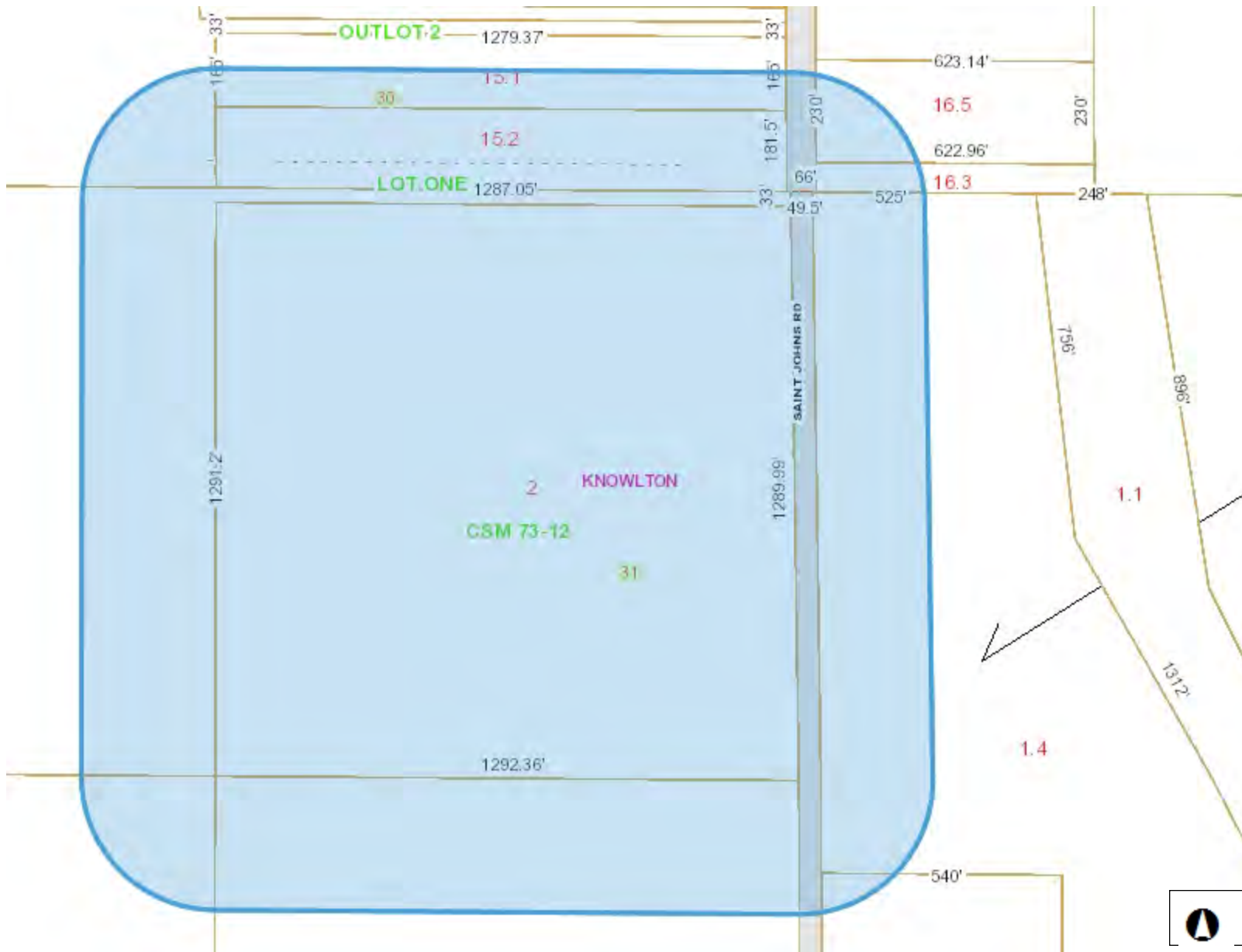
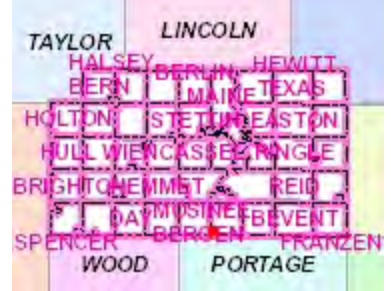
- Providing an email newsletter with company news, special events, and upcoming fundraising opportunities.
- Using targeted Google and Facebook advertisements.
- Utilizing social media such as Twitter, YouTube, Facebook, LinkedIn, Pinterest and Tumblr.
- Providing contact information on the company website.

Fall back Plan for facility if the Sports training business fails

The facility will have good size, power for light manufacturing or an excellent storage facility for boats, vehicles, RV's etc.



Land Information Mapping System



Legend

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

Notes

166.73 0 166.73 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



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

136.73 0 136.73 Feet

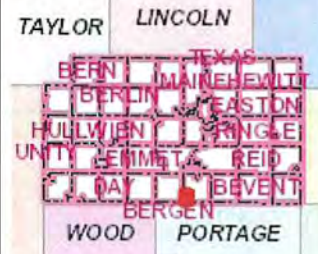
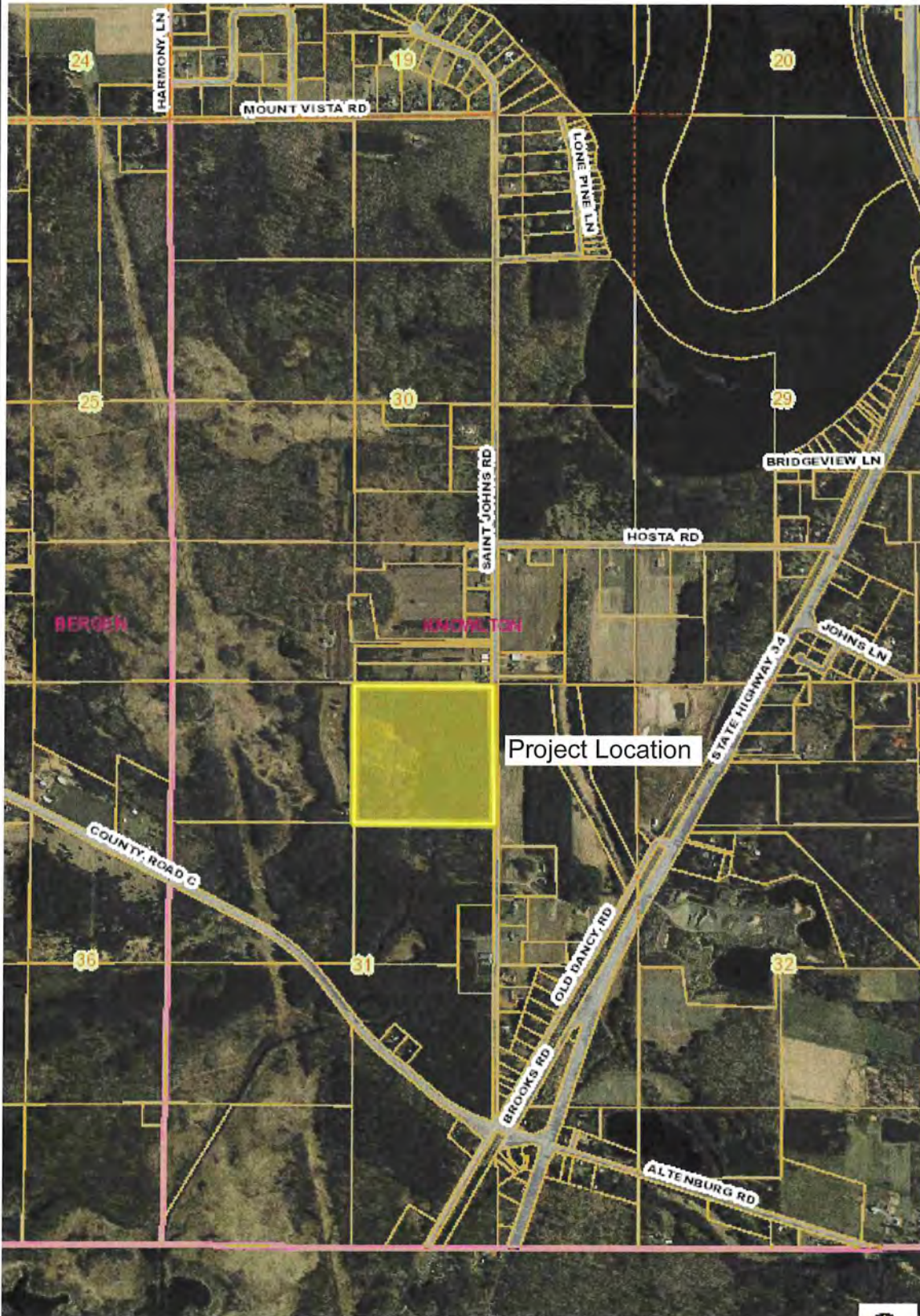


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Notes



Legend

- Parcels
- Section Lines/Numbers
- Right Of Ways
- Municipalities
- 2015 Orthos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
- Surrounding_Counties
 - CLARK
 - LANGLADE
 - LINCOLN
 - PORTAGE
 - SHAWANO
 - TAYLOR
 - WAUPACA
 - WOOD

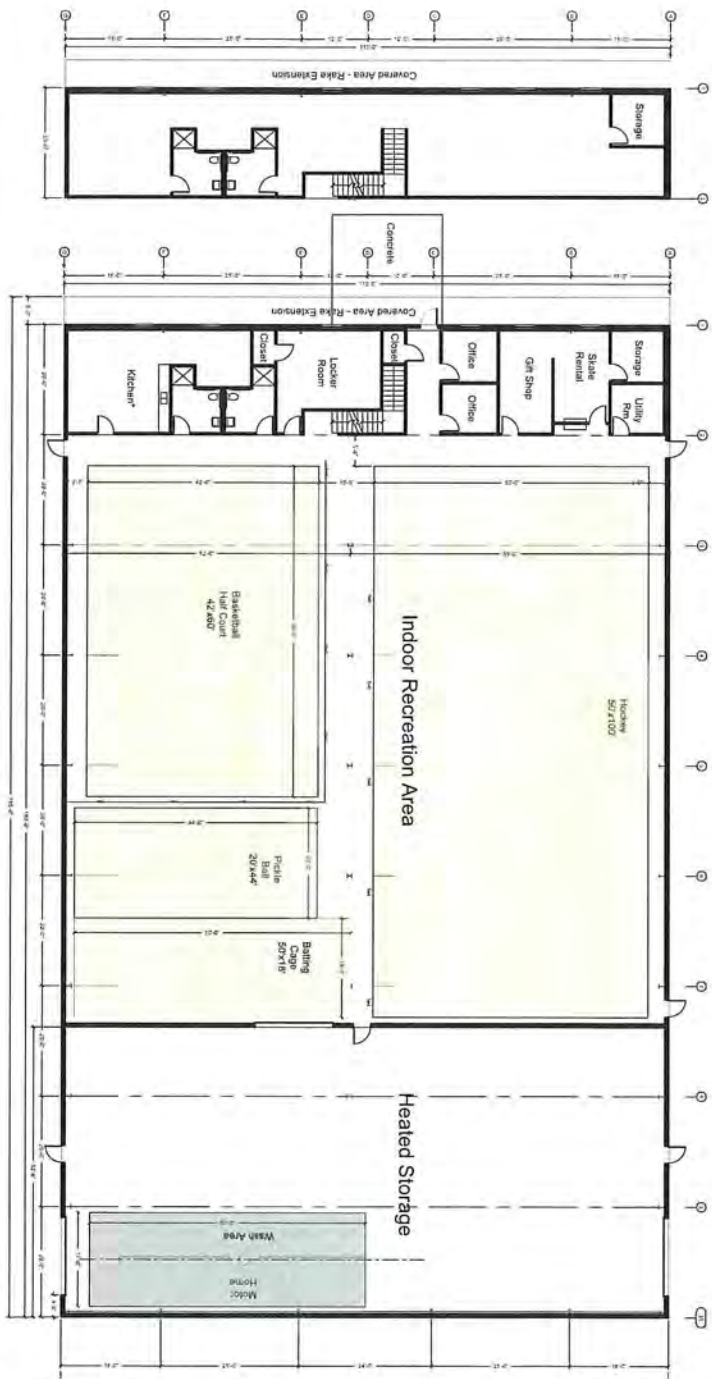
Notes

721.07 0 721.07 Feet

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NAD_1983_HARN_WISCRS_Marathon_County_Feet

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MEZZANINE PLAN

FLOOR PLAN (CONCEPT)

Notes:
 1. All dimensions are in feet and inches.
 2. All dimensions are rounded to the nearest inch.
 3. All dimensions are subject to change without notice.
 4. All dimensions are subject to change without notice.
 5. All dimensions are subject to change without notice.

<p>PROPOSED: MATTHIAE PROPERTIES RECREATION / STORAGE</p>		 <p>United Structures Inc. P.O. Box 527 Schofield, WI 54476 715-355-1040 Fax 715-359-0541</p>	
SCALE	DATE	DESIGNED BY	DRAWN BY
AS SHOWN	12/18	JKS	JKS
<p>UNSTRUCTURED FLOOR PLAN Title: Preliminary</p>			

GLOW UN LIGHTING

Symbol	Label	QTY	Catalog Number	Description	Lamp	Number of Lamps	Lumens per Lamp	LPF	Weight
HA	35	JBL JL16L-40K-80C1 W1	3000m Lumens UFO Highway	LED	1	31423	0.9	218.1	
OA	25	MSM-500-5000K-20DCI	MSM-500-9000K-20DCI	LED	1	79279	0.95	594.661	
OB	51	MSM-600-5000K-20DCI	MSM-600-5000K-20DCI	LED	1	92173	0.95	602.337	
OC1	2	RSX1 LED P2 50K R3	RSX Area Fixture Size 1 P2 Luminaire Package 5000K CCT Type R3 Distribution		1	9813	0.9	72.95	
OC2	8	RSX1 LED P2 50K R4	RSX Area Fixture Size 1 P2 Luminaire Package 5000K CCT Type R4 Distribution		1	9972	0.9	72.95	
OC3	4	RSX1 LED P2 50K R3 HS	RSX Area Fixture Size 1 P2 Luminaire Package 5000K CCT Type R3 Distribution with HS Shield		1	7899	0.9	72.8467	

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
BMW TRACK	✕	31.1 fc	58.1 fc	14.5 fc	4.0:1	2.1:1
GO KART TRACK	✕	26.2 fc	60.1 fc	9.9 fc	6.1:1	2.6:1
INDOOR RECREATION	+	52.8 fc	70.2 fc	34.7 fc	2.0:1	1.5:1
INFIELD	✕	36.9 fc	53.0 fc	23.5 fc	2.3:1	1.6:1
OUTFIELD	✕	19.8 fc	29.7 fc	7.7 fc	3.9:1	2.6:1
PARKING LOT B & LOOP	✕	1.3 fc	3.7 fc	0.4 fc	9.3:1	3.3:1
PROPERTY LINE - EAST	+	1.9 fc	11.5 fc	0.2 fc	57.5:1	9.5:1
PROPERTY LINE - NORTH	+	0.7 fc	2.8 fc	0.0 fc	N/A	N/A
PROPERTY LINE - SOUTH	+	0.0 fc	0.1 fc	0.0 fc	N/A	N/A
PROPERTY LINE - WEST	+	0.2 fc	0.5 fc	0.0 fc	N/A	N/A
PROPERTY LINE - WEST	+	0.0 fc	0.0 fc	0.0 fc	N/A	N/A



LOT 1, CS# A15908,
 NW 1/4 OF THE NE 1/4 OF SECTION 31,
 TOWNSHIP 25 NORTH, RANGE 7 EAST, TOWN
 OF KNOWLTON, MARATHON COUNTY, WI
 38.21 ACRES

PARKING STALLS

AREA	REQUIRED	PROVIDED
BASEBALL FIELD	35	35
TRUCKS	18	18
OUTDOOR SKATING RINK	127	127
INDOOR RECREATION	71 PLUS 68 OVERFLOW	

LEGEND

[Green Swatch]	WOODS
[Light Green Swatch]	GRASS
[Red Swatch]	BUILDING
[Yellow Swatch]	ASPHALT DRIVE
[Light Yellow Swatch]	GRAVEL PARKING
[Light Green Swatch]	OVERFLOW PARKING
[Blue Swatch]	SEPTIC
[Blue Swatch]	STORMWATER POND
[Star Symbol]	EXTERIOR LIGHT FIXTURE

<p>OVERALL PLAN</p> <p>THE FACILITY TOWN OF KNOWLTON, MARATHON CO.</p>	<p>SURVEYED: RIVERSIDE DESIGNED: MTS DRAWN BY: NSB APPROVED:</p>	<p>REVISION DATE</p>	<p>MARATHON TECHNICAL SERVICES LLC CONSULTING ENGINEERS 404 FRANKLIN ST - WAUSAU, WI 54403 PHONE & FAX - (715)843-7292 WWW.MTSLLC.NET</p>
	<p>SCALE 1" = 150'</p> <p>SHEET NO. C1</p>		

MARATHON TECHNICAL SERVICES LLC
 CONSULTING ENGINEERS
 404 FRANKLIN ST - WAUSAU, WI 54403
 PHONE & FAX - (715)843-7292
 WWW.MTSLLC.NET

DESIGNED: MTS
 DRAWN BY: NSB
 SURVEYED: RIVERSIDE
 APPROVED:

THE FACILITY
 TOWN OF KNOWLTON, MARATHON CO.

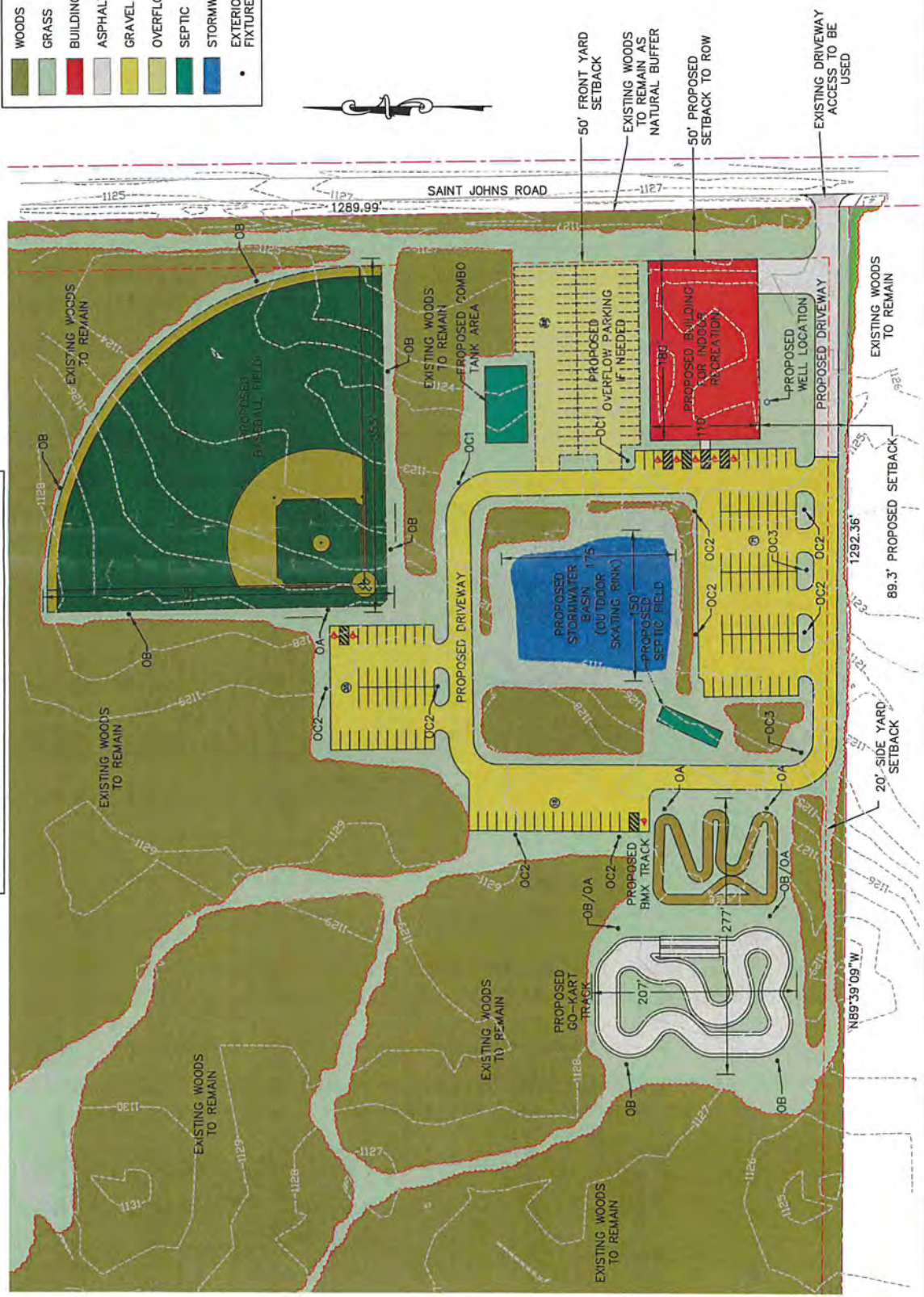
SCALE
 1" = 100'
 SHEET NO.
 C2

PARKING STALLS

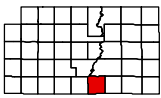
AREA	REQUIRED	PROVIDED
BASEBALL FIELD	35	35
GO-KART & BMX TRACKS	18	18
OUTDOOR SKATING RINK	18	53
INDOOR RECREATION	127	71 PLUS 68 OVERFLOW

LEGEND

WOODS	EXISTING WOODS TO REMAIN
GRASS	PROPOSED BASEBALL FIELD
BUILDING	PROPOSED GO-KART TRACK
ASPHALT DRIVE	PROPOSED BMX TRACK
GRAVEL PARKING	PROPOSED STORMWATER BASIN (OUTDOOR SKATING RINK)
OVERFLOW PARKING	PROPOSED SEPTIC FIELD
SEPTIC	PROPOSED TANK AREA
STORMWATER POND	PROPOSED BUILDING FOR INDOOR RECREATION
EXTERIOR LIGHT FIXTURE	PROPOSED WELL LOCATION



REVISION DATE

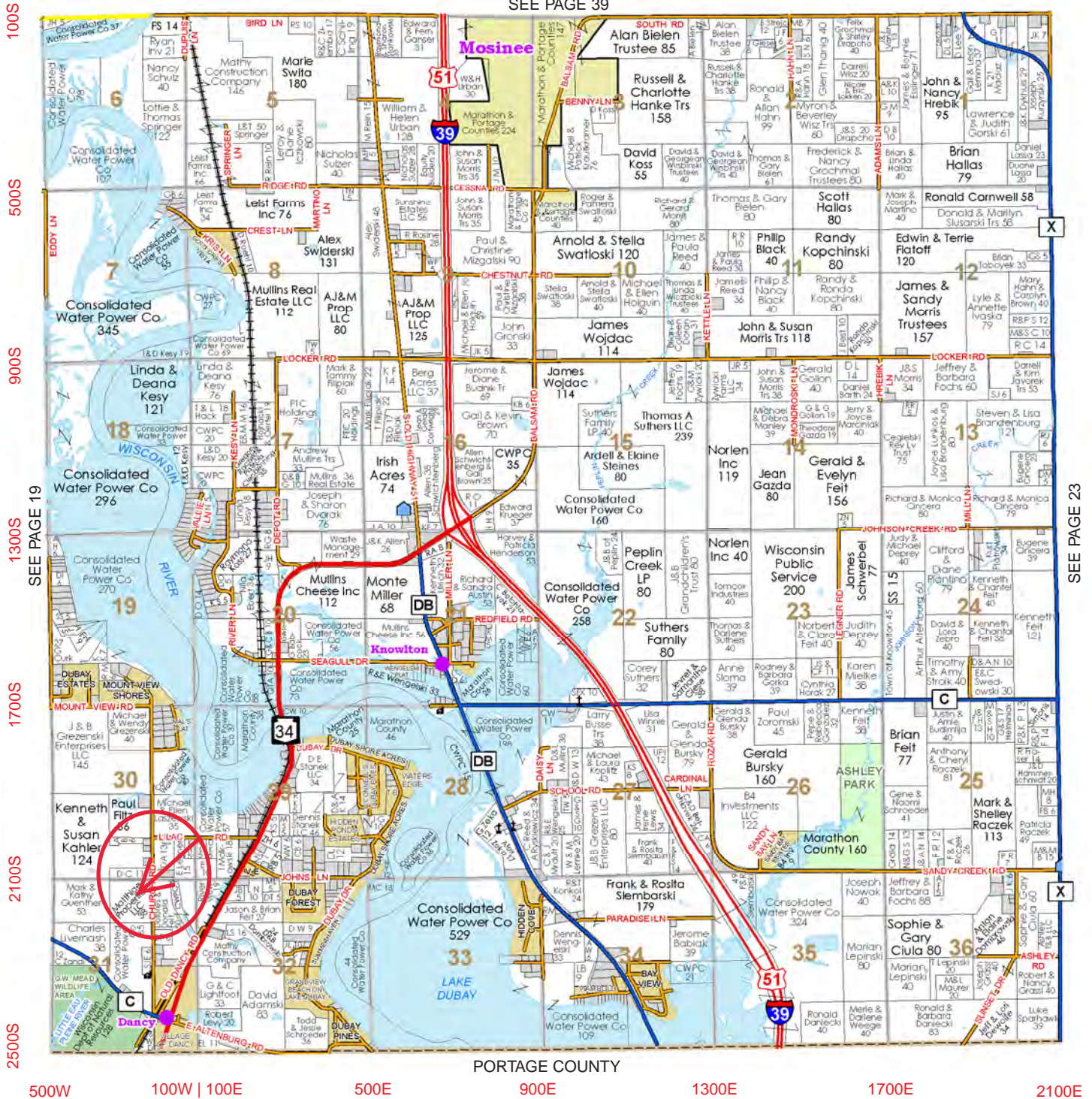


Knowlton

Township 26N - Range 7E

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