

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., July 25 2019**, at **210 River Drive**, Wausau WI at which time the Board will consider:

1. Approval of the May 23, 2019 minutes.
2. The application of Mark & Kathy Guenther for a conditional use permit per Section 17.204.07 of the General Code of Ordinances for Marathon County Chapter 17 Zoning Code for a kennel and pet boarding facility located in the G-A General Agriculture district, on property described as part of the N ½, NW ¼ pt of NW ¼ NE ¼ Lot 1 Certified Survey Map Volume 73, Page 99, Doc # 1591135, Section 31, T26N, R7E, Town of Knowlton (PIN # 048.2607.312.0999) with a property address of 201700 Saint Johns Road, Mosinee, WI 54455.
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 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: July 8 and July 15, 2019

E-mailed to Wausau Daily Herald on July 2, 2019, at 8:15 a.m. /cek

**MINUTES
MARATHON COUNTY BOARD OF ADJUSTMENT**

.Members present: Richard Lawson, Roger Zimmerman, Arnold Schlei, Gerald Hoffman, and Carolyn Opitz

Members not present: Karen Piel and Jim Servi

Also present: Teal Fyksen, Cindy Kraeger, Diane Hanson, Dominique Swangstu, Bri Kiefer, Mike Godell, Matt Eslinger.

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 April 25, 2019 minutes – Motion / second by Zimmerman / Schlei to approve April 25, 2019 minutes as distributed. Motion **carried** by voice vote, no dissent.

2. The application of Brianna C. Kiefer for a conditional use permit per Section 17.204.27 of the General Code of Ordinances for Marathon County Chapter 17 Zoning Code for the purpose of a seasonal outdoor day care use (Youth art day camp) located in the L-D-R Low Density Residential district, on property described as Lot 1 in the SW ¼, SE ¼, Section 31, T26N, R7E, Town of Knowlton (PIN # 048.2607.314.0992) with a property address of 200424 Old Dancy Road, Mosinee, WI 54455.

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 Knowlton has adopted county zoning. The property is not located within shoreland zoning, mapped wetlands, or located in a floodplain. There are no known violations on the site. Exhibit 2 – Petition for Conditional Use Permit application. Exhibit 3 – Proposal. Exhibit 4 – Proposed camp schedule. Exhibit 5 – Site photo. Exhibit 6 – Location within Township. Exhibit 7 – Surrounding zoning. Exhibit 8 – Town future land use. Exhibit 9 – Aerial photo. Exhibit 10 – Photo facing south Dancy Road. Exhibit 10A – Photo facing north County Rd C. Exhibit 10B – View of intersection from old Dancy Road. Exhibit 10C – Photo of camp driveway. Exhibit 10D – Photos of intersection. Exhibit 10E & 10F – Additional photos. Exhibit 11 – Town of Knowlton resolution. Exhibit 12 – Brochure from Division of Early Care and Education Bureau of Early Care Regulation.

Fyksen discussed Ordinance Section 17.204.27 related to the Conditional Use Permit Determination memo from the Zoning Administrator. The Marathon County Chapter 17 Zoning Code section 17.204.27 Subsection Type C states daycare center/uses are designated for those centers proposed to have 9 or more children onsite, which does not need to be a specific to a building or facility. The proposed use is exempt from obtaining a Wisconsin Day Camp license due to the age of camp attendees (7-12). The proposed use will be in conjunction with an LLC created for the camp. The proposed use will not allow for campers to utilize the private living quarters, detached garage, or utilities and the program will take place outside. The number of and age of campers as well as the camp conditions exempts the proposed use from further Health Department and/or State Day Care/Camp permitting requirements and standards. A privy will be installed which will meet code standards and regulations. Applicant will meet any other required applicable regulations.

Brianna Kiefer was sworn in and is the owner of the parcel. The seasonal outdoor art day camp will function 8:00 a.m. to 5:00 p.m. Monday thru Friday serving children ages 7-12 with a maximum of 20 campers. Campers will engage in a variety of art and outdoor activities during the camp day. Kiefer distributed Exhibit 12 exempting a state license requirement.

Fyksen recommended a possibility of adjusting the age of children to accommodate older children if desired.

Kiefer agreed to amend the proposal of the ages of the children from seven to twelve years of age to seven to eighteen years of age.

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 9:30 a.m.

The committee wanted to clarify the type of commercial businesses in the area therefore the hearing was reopened at 9:33 am. Kiefer stated two properties were vacant; and one is a tavern. Chair Lawson re-declared the hearing closed at 9:34 a.m.

Motion / second by Hoffman / Schlei to **grant** the conditional use request as modified to allow campers up to the age of 18.

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

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

3. The application of American Asphalt for a conditional use permit per 17.203.05 (Table 3) and 17.204.62 of the Marathon County General Code of Ordinances Chapter 17 for the purpose of placing a temporary asphalt plant in an existing nonmetallic mine in the G-A General Agriculture district, as part of the SE ¼, SW ¼ and part of the SW ¼, SE ¼ -

**MINUTES
MARATHON COUNTY BOARD OF ADJUSTMENT**

Lot 1 Section 29, T27N, R9E, Town of Reid (PIN # 064.2709.294.0990), with a property address of 211155 Budnik Road, Hatley, WI 54440.

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 Reid has adopted county zoning. The property is not located within shoreland zoning, mapped wetlands, or located in a floodplain. There are no known violations on the site. Exhibit 2 – Petition for Conditional Use Permit application. Exhibit 3 - Application Letter. Exhibit 4 - Location within Township. Exhibit 5 – Surrounding zoning. Exhibit 6 – Town future land use map. Exhibit 7 – Aerial photo. Exhibit 8 – Proposed temporary plant diagram. Exhibit 9 – Proposed temporary plant location. Exhibit 10 - Town of Reid resolution.

Fyksen explained the proposed hours of operation are Monday through Friday 6 a.m. to 7 p.m. and Saturday 6 a.m. to 5 p.m. Fyksen mentioned that the applicant may want to request an extension for the temporary asphalt plant for a longer period of time so that the applicant would not need to repeat the process next year.

Matt Eslinger was sworn in. The work is anticipated to be completed by the end of October 2019. There would be no crushing done at this mine.

There was no additional testimony in favor, opposed, or as interest may appear. Testimony portion of the hearing closed at 9:45 a.m.

Motion / second by Zimmerman /Hoffman to **grant** the conditional use request to allow a temporary asphalt plant in an existing nonmetallic mine is valid for 2 years from today; with operating hours of 6 a.m. to 7 p.m. Monday – Friday; and 6:00 a.m. to 5:00 p.m. Saturday

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 – None.

5. Announcements and Requests – Fyksen updated the Board on the status of the Haas Conditional Use Permit (CUP) (July 26, 2018) for the Haas- Zimmerman Quarry non-metallic mine in the Town of Holton. Haas rescinded and withdrew the CUP and the permit is now void.

Next meeting date – June 27, 2019 at 9:00 a.m., 210 River Drive, Wausau.

6. Meeting adjourned – **Motion** / second by Opitz / Zimmerman to adjourn at 9:53 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

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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: Mark + Kathy Guenther
 Mailing Address: 201700 St. Johns Rd. Mosinee WI 54455
 Telephone: _____ Fax: _____
 Cellphone: 715 451 2884 Email: mlgcarpentryservices@yahoo.com
 Owner Name: (if different) _____
 Mailing Address: _____
 Telephone: _____ Fax: _____

PARCEL INFORMATION

Parcel ID # (PIN): 048-2607-312-0999
(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 ~~_____~~ n 1/2 NW 1/4 & PT OF NW 1/4 NE 1/4 - LOT 1 CSM 100
 Section 31, T 26 N, R 07 E, Town of Knowlton
 Lot _____ Block _____ Subdivision _____
 Property Address: 201700 St. Johns Rd. Mosinee WI 54455
 Parcel size: 53 Acres **or** _____ Sq. Ft.
 Zoning District: G-A

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

Home, Ag

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

House, well, septic, Pole building

PROPOSAL

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

24x60 building to be used as an indoor dog boarding facility
* No outdoor runs *

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

200ft x 300ft would include building an a fenced in area around building.

Provide the following information if this box is checked

Proposal has additional development standards in Section 17.204.07. Explain how your proposal meets or exceeds these requirements.

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

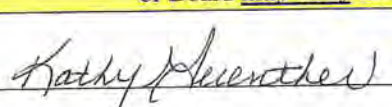
3. **Include the \$600 fee** when you submit the application. Please make checks payable to Marathon County.

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

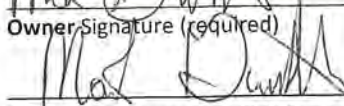
<i>Check if submitted</i>	<i>Initial of staff</i>	
<input type="checkbox"/>	_____	Completed application including signatures.
<input type="checkbox"/>	_____	Map with all required information.
<input type="checkbox"/>	_____	Additional documents, as needed (lot combination forms, hunting/fishing shelter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



 Owner Signature (required)



 Agent / Person responsible for work Signature (required)

5-31-19
 Date
RECEIVED
 5-31-19
 Date
MAY 31 2019

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

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><u>Return to:</u></p> <p>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>
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For office use

For office use

For office use

Amount Received: \$ 600.00

Date Stamp:

May 31, 2019

Name:

Miss Kathy's Dog Lodge

1. COMPATIBILITY WITH ADJACENT USES:

Pursuant to Section 17.204.07 we hereby our submitting a request to the board as it pertains to a dog kennel located on our homestead of 55 acres. Our property is set back in the woods. We are 40 acres deep and 40 acres wide to our location. Currently, we have an existing building in which we have a hobby farm for our own personal use. This includes 2 steers, 3 horses, goats and chickens.

Hours of Operation: Monday 8 a.m. – 10 a.m. & 4 p.m. – 6 p.m.
Tuesday 8 a.m. – 10 a.m. & 4 p.m. – 6 p.m.
Wednesday 8 a.m. – 10 a.m. & 4 p.m. – 6 p.m.
Thursday 8 a.m. – 10 a.m. & 4 p.m. – 6 p.m.
Friday 8 a.m. – 10 a.m. & 4 p.m. – 6 p.m.
Saturday 8 a.m. – 10 a.m. & 4 p.m. – 6 p.m.
Sunday 8 a.m. – 10 a.m. & 4 p.m. – 6 p.m.

Closed Holidays

As outlined this will be a pet boarding facility which will provide temporary boarding and care of dogs during daytime and nighttime hours. We reserve our right to offer a grooming station within this complex. We will NOT offer any breeding or selling of dogs.

Our homestead qualifies us for for a kennel opportunity as we have 55 acres. Of this acreage we have available area in front of our home which you can see on the mapping of our property.

2. COMPREHENSIVE PLAN

Our facility will offer luxury, convenience love, and tranquility while their masters are gone. Miss Kathy's Dog Lodge will take both small and large dogs and can accommodate 10-20 dogs overnight at a time. Miss Kathy's will offer multiple dog suites, single dog suites with window and television, and standard dog kennels for those who just want peace and quiet.. Our facility will offer an indoor open area for agility and playtime activities. There will also be a grass play area which includes restroom breaks. **WE WILL NOT HAVE ANY OUTDOOR KENNELS.**

Building:

24 x 60 with opportunity to expand.
Height 12'
Concrete Slab with infloor heating via boiler system.
Holding tank for the septic.
Air Conditioning
Individual suites with ceramic tile and gates, with half walls facing interior.
Bathroom – Universal
Office
Front desk

ENCLOSURE SET BACKS

Miss Kathy's Dog Lodge will be 200 feet from the nearest property line, as outlined on the property overview.

Parking area will be lit. Exterior lighting will be available for Miss Kathy's Dog Lodge and it will be handicapped accessible.

OVERNIGHT STAY:

Any pets being boarded overnight shall be confined within the building from the hours of 10 a.m. to 7 a.m.

P OK
3. **COMPLIANCE**

Chapter ATCP 16

1. License and Permit would be obtained by the Administration Code.
2. License will be good for one year and renewed annually.
3. Our facility will be open for inspections per the state and we will maintain all guidelines for business operation under this code.

4. **USE OF ADJACENT PROPERTY.**

Our property is in a peaceful location. We are set back 40 acres and 40 acres deep. Our closest neighbors with homes on properties is 40 acres. In all reality no one should be affected by this change and how we have outlined above we should maintain peace and harmony among all.

5. **PUBLIC SERVICE**

Currently we have all the utilities provided public service so no additional changes to the homestead outside of building and having public service connect power to this structure. The structure will fall under our existing fire number. There are no drainage issues, and we are away from wetlands.

If such services through the process are deemed necessary we will comply with all requirements.

6. IMPACT OF TRAFFIC

There is a driveway to our property. While it is long, we have our own plow and will be able to accommodate winter conditions. There will be a separate drop off area for the dogs and will accommodate parking for the customers on site. Traffic will be minimal due to operating hours. We will offer pick up and drop off for guests as well.

Parking area will be lit. Exterior lighting will be available for Miss Kathy's Dog Lodge and it will be handicapped accessible.

7. ENHANCEMENT OF SURROUNDING ENVIRONMENT

At this time because of the offsets outlined on our plotting map we do not anticipate any issues with putting up any borders and our natural woods can remain.

8. IMPACT ON PUBLIC HEALTH, SAFETY AND WELFARE

NOISE AND ODOR:

Barking will be controlled as our facility will have no exterior kennels. There may be some barking during agility and play time offered during the day. But after 6 p.m. the facility will be closed. Our property also has heavy trees surrounding this kennel, so neighbors shouldn't be affected.

Odor – no outside kennels so there should be no odor issues.

NUISANCE PROHIBITED:

Miss Kathy's Dog Lodge will have fencing around the facility. Fencing will include 1' underground for those digging dogs and 7' fences. Any dogs that go outside of the kennel must have a harness leash on them and with an owner.

WASTEWATER:

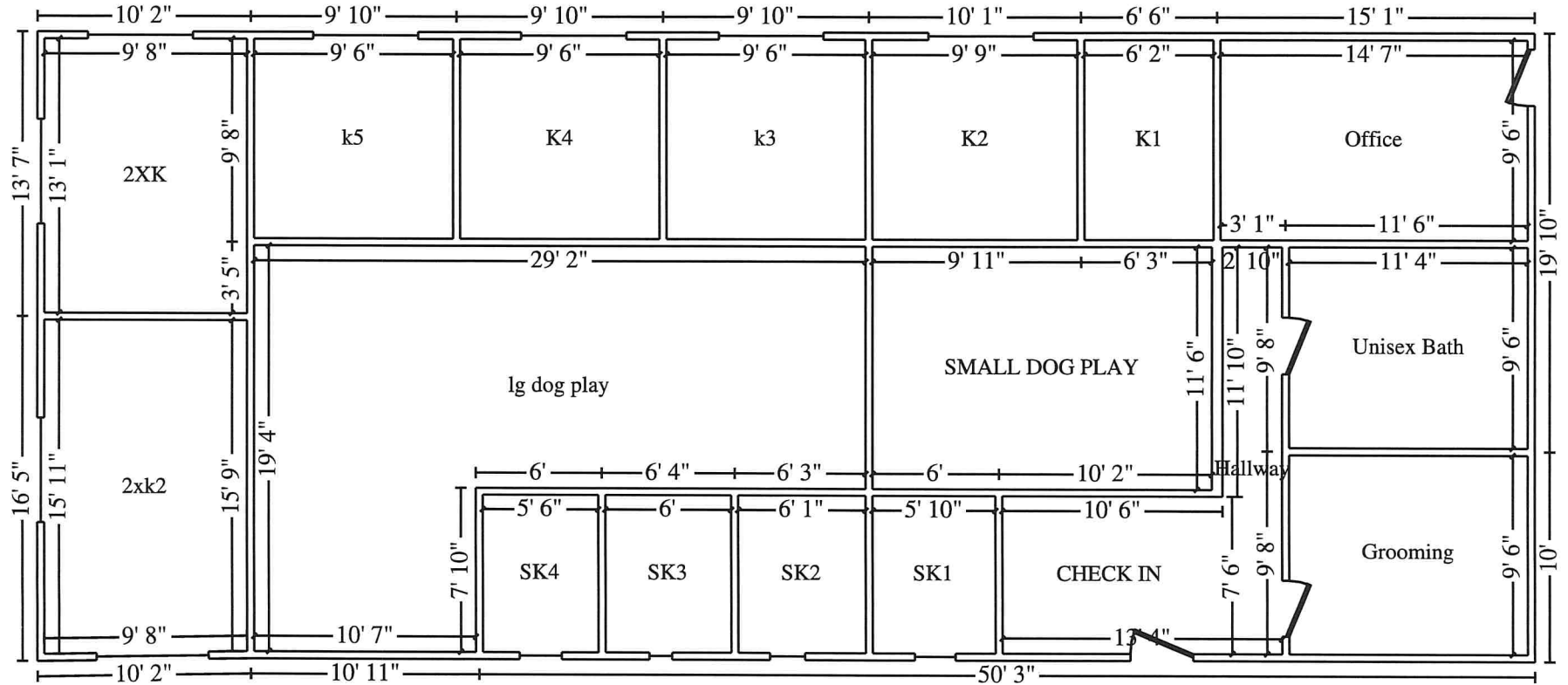
Preliminary review indicates that a holding tank may be sufficient enough in this situation. However, we are seeking additional review with DNR and will be to follow.

9. ISOLATION OF EXISTING USES

As outlined this will add to our existing property and will be a dog boarding facility at such time we decide to dissolve.

10. ***SUBSTANTIAL EVIDENCE***

This project has been researched by ordinances and codes to fulfil all requirements for both state and local codes. We anticipate this will be a very successful business as we already have captured clients.

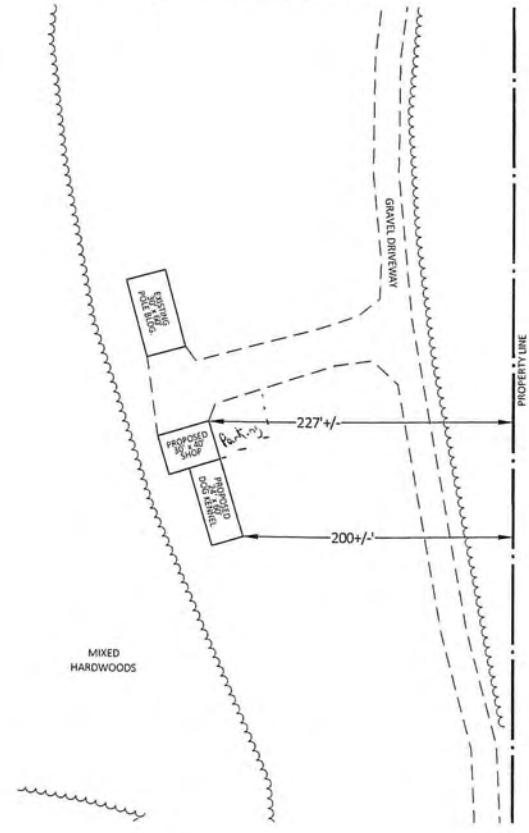


Main Level

PROPERTY OVERVIEW

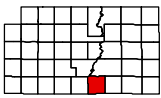


DETAIL VIEW

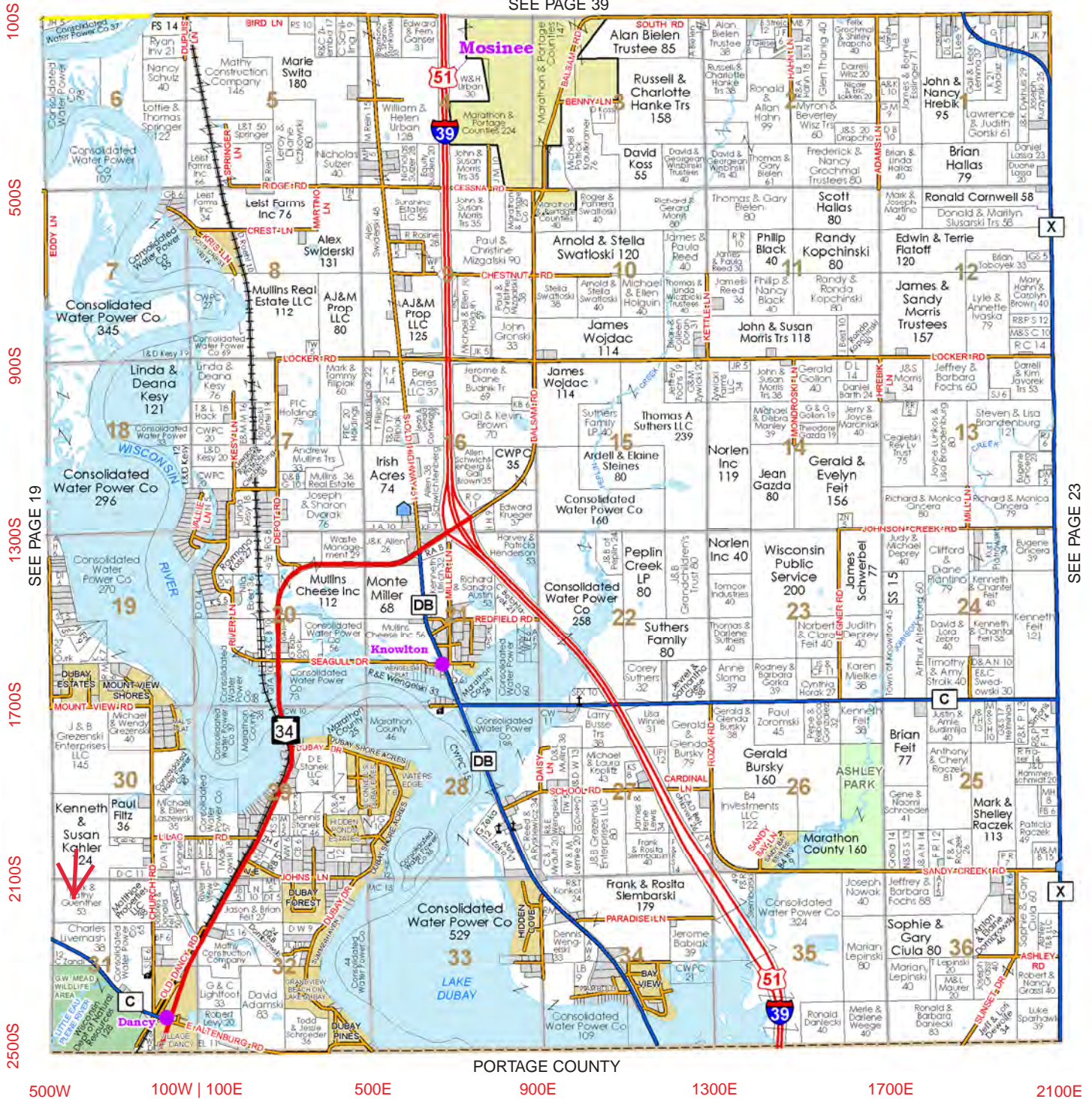


Parcel 24-312607-005

SITE PLAN FOR *MS. KATHY'S DOG LODGE*



SEE PAGE 39



PORTAGE COUNTY

Need Additional Plat Books?

Marathon County UW Extension Office
 212 River Drive, Suite 3 • Wausau, WI 54403
 (715) 261-1230



Call for additional purchase locations.

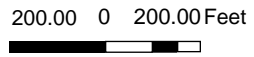




Land Information Mapping System



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



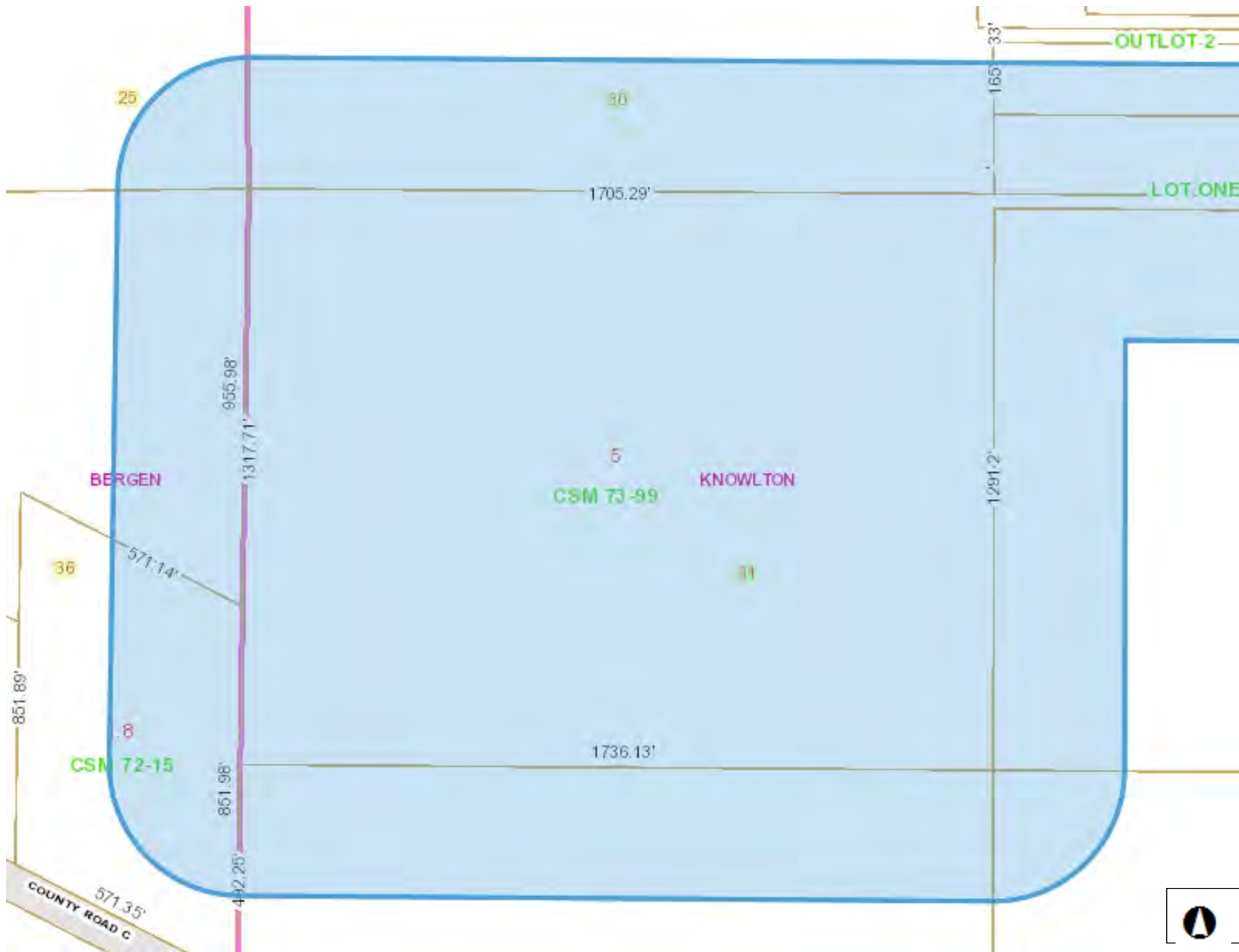
NAD_1983_HARN_WISCRS_Marathon_County_Feet

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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

169.83 0 169.83 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

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Notes