

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., November 21, 2019**, at **210 River Drive**, Wausau WI at which time the Board will consider:

1. Approval of the July 25, 2019 minutes.
2. The application of John Krasselt for a conditional use permit per Section 17.401 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 differing from the standards in the L-D-R Low Density Residential district, on property described as Lot 2 CSM VOL 22 PG 89 (#6011)(DOC#930380) located in part of the NE ¼ SE ¼ Section 18, Township 26N, Range 02 E, Town of Spencer, further described as PIN # 074-2602-184-0994 with a property address of 205570 County Road V, Spencer, WI 54479.
3. Board education and training as needed.
4. Announcements and Requests; Proposed 2020 Meeting Schedule
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: November 4 and November 11, 2019

E-mailed to Wausau Daily Herald on November 1, 2019, at 12:25 p.m. /cek

**MINUTES
MARATHON COUNTY BOARD OF ADJUSTMENT**

.Members present: Roger Zimmerman, Arnold Schlei, Gerald Hoffman, Karen Piel

Members not present: Richard Lawson, Jim Servi, Carolyn Opitz

Also present: Teal Fyksen, Cindy Kraeger, and Diane Hanson, Dominique Swangstu, Mark Guenther and Kathy Guenther

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

1. Approve May 23, 2019 minutes – Motion / second by Schlei / Zimmerman to approve May 23, 2019 minutes as distributed. Motion **carried** by voice vote, no dissent.

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 Fr 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.

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 located in shoreland zoning and part of the property is located in mapped wetlands, but is not located in mapped floodplain. There are no known violations on the site. Exhibit 2 – Petition for Conditional Use Permit application. Exhibit 3 – Narrative proposal. Exhibit 4 – Proposed building diagram. Exhibit 5 – Proposed site overview. Exhibit 6 – Location within township. Exhibit 7 – Surrounding zoning. Exhibit 8 – Town future land use. Exhibit 9 – Aerial photo. Exhibit 10 – Town of Knowlton resolution.

Fyksen discussed Ordinance Section 17.204.07 related to the kennel and pet boarding facility. Applicant is working with a plumber to meet state sanitary system requirements. Fyksen stated lighting will be minimal along with no signage and a gravel parking pad. Applicant will meet any other required applicable regulations.

Kathy Guenther was sworn in and is the owner of the parcel. The dog lodge would be located in among 55 acres. The property is set in the woods; with a 200ft. +/- setback from the nearest property line. The lodge will be a luxury lodge which would provide temporary boarding and care of certain breeds of dogs during daytime and nighttime hours accommodating up to 20 dogs. There will be no breeding or selling of dogs. There will be no outdoor kennels. Traffic will be minimal due to the operating hours. There will be fencing around the facility which includes 1' underground and 6' fences. There will be no employees. The applicant verbally amended the hours of operation to no specific hours versus what was stated on the application.

Vice Chair Piel 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.

Motion / second by Schlei / Zimmerman to **grant** the conditional use request, without any additional conditions.

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

Motion **carried** 4 yes, 0 no, roll call vote.

3. Board education and trainings as needed – None.

4. Announcements and Requests – Dick Lawson and Roger Zimmerman reappointed for a 3 year term expiring on June 30, 2022.

Next meeting date – September 26, 2019 at 9:00 a.m., 210 River Drive, Wausau.

5. Meeting adjourned – **Motion** / second by Zimmerman / Schlei to adjourn at 9:35 a.m. Motion **carried** by voice vote, no dissent.

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

AS/cek

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: JON KRASSETT
 Mailing Address: 205570 County Road V, Spencer WI 54479
 Telephone: 715 Fax: _____
 Cellphone: 715-383-4002 Email: jonkrasselt@hotmail.com
 Owner Name: (if different) _____
 Mailing Address: _____
 Telephone: _____ Fax: _____

PARCEL INFORMATION

Parcel ID # (PIN): 074-2602-184-0994
 (If more than one parcel is included in this application, list all parcel numbers & legal descriptions on a separate sheet.)

Legal Description: Government Lot _____ or NE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 18, T 26 N, R 02 E, Town of Spencer
 Lot # 2 . Block _____ Subdivision _____

Property Address: _____
 Parcel size: 1.0 Acres or _____ Sq. Ft.
 Zoning District: Low Density Residential

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

Existing improvements (Structures, well, septic, etc.):
House, Garage, Septic, Well (small shed in aerial photo has been demolished)

PROPOSAL

Describe specifically the nature of this request (be sure to list all proposed uses of the parcel). What do you plan to do?
Addition to garage. 30'x42' Detached LGL
16' Peak Height
12" Side walls Addition is for personal use only storage

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

Provide the following information if this box is checked

Proposal has additional development standards in Section 17.401.02. Explain how your proposal meets or exceeds these requirements.
This addition will exceed the maximum size requirement by approx 5,600 sq. ft.

Proposed addition 1,260 sq. ft.

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:

Check if submitted

Initial of staff

- | | | |
|-------------------------------------|-------|--|
| <input checked="" type="checkbox"/> | _____ | Completed application including signatures. |
| <input checked="" type="checkbox"/> | _____ | Map with all required information. |
| <input checked="" type="checkbox"/> | _____ | Additional documents, as needed (lot combination forms, hunting/fishing shelter application, etc.) |
| <input checked="" 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.

Jon Krasselt
Owner Signature (required)

10/14/19 RECEIVED
Date

[Signature]
Agent / Person responsible for work Signature (required)

10/14/19 OCT 23 2019
Date
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.

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

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

For office use

For office use

For office use

Amount Received: \$ _____

Date Stamp: _____

Section 17.803.03 BASIS OF DETERMINATION

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

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

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

Proposal will be compatible with adjacent uses.

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

Yes, this proposal will be harmonious and in accordance with town and county comprehensive plans.

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

Yes this proposal will be in compliance with all federal, state and local laws and ordinances.

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

The proposed conditional use will not interfere with the use and enjoyment of adjacent property.

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

The proposed conditional use will be served adequately by essential public facilities and services as is the current property.

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

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

No impact of traffic.

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

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

The addition will be an enhancement to the property as it will exactly match the beauty of the existing building.

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

This addition will not have a negative effect on public health, or anyone's safety or welfare.


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

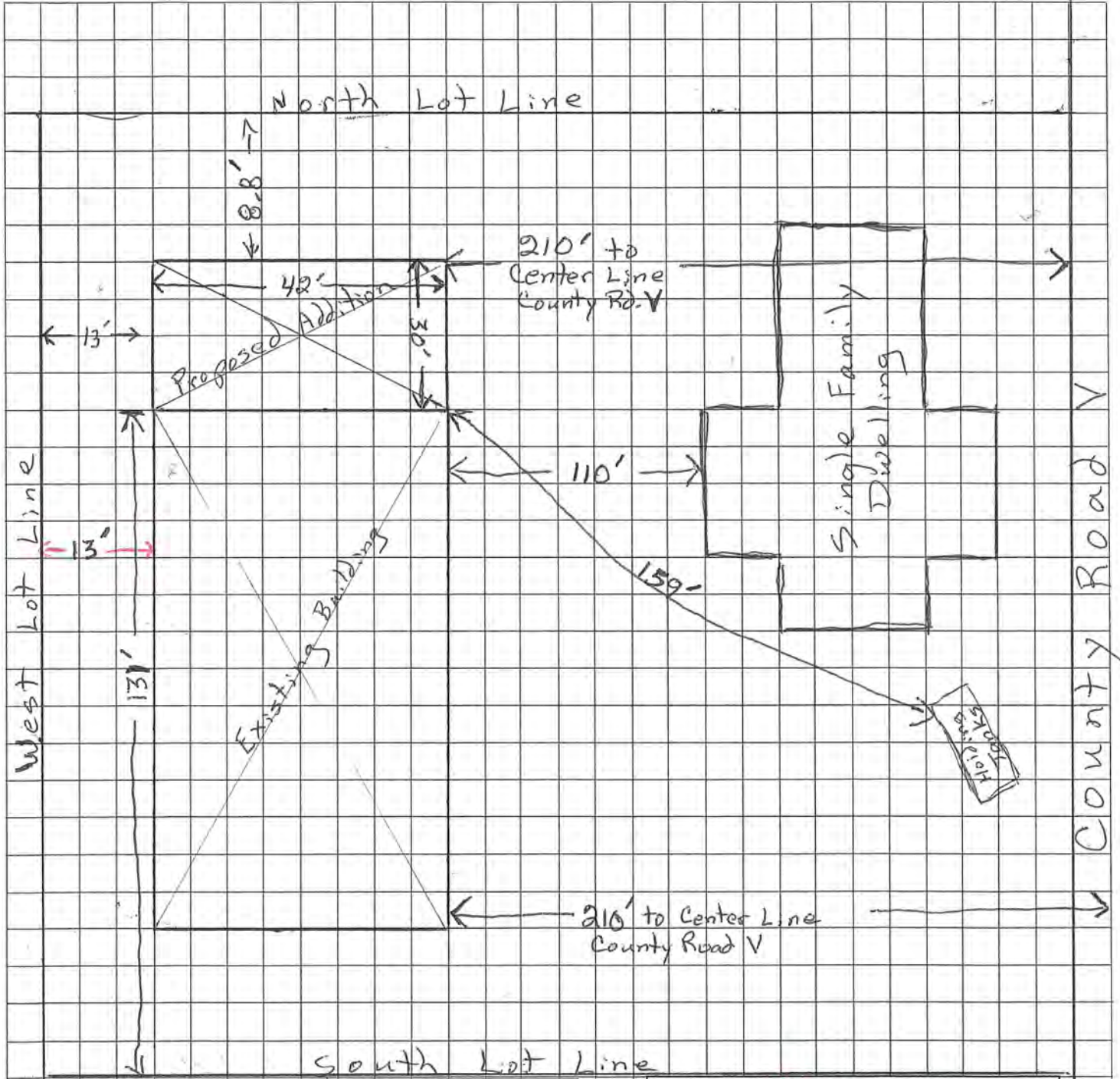
This addition will not cause any isolation of any existing uses.

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

Currently there is no substantial evidence showing that the proposed addition would be a detriment to any other structures or surrounding land use.

SITE PLAN

Permit #	Date: 10/14/19	Notes/Comments:	1" = <u> </u> '
Pin # 074-2602-184-0994		-side wall height: 12' garage door height: No garage door, using existing. BA% = 24.11%	
Owner: JON KRASSETT			
Address: 205570 County Rd. V, Spencer WI 54479			
Project: Addition to Garage			



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

Road Setback: 210 ft from centerline
 Side Yard Setbacks: 8.8 ft and 131 ft
 Rear Yard Setback: 13 ft
 Max Building Height: 16 ft
 Setback from Ordinary High Water Mark: N/A ft
 Lot Width at Building Line: ft

BA: 30,252.18

BA: minus home: $30,252.18\text{ft}^2 - 2044\text{ft}^2 = 28,208.18$

New square footage total: $6802\text{ft}^2 = (5,542 + 1260)$

$6802\text{ft}^2 \div 28,208.18 \text{ square feet} = 0.2411 \times 100 = 24.11\% \text{ of BA}$

- proposal is approximately 24.11% of BA. - RAH
10/14/19

Town of Spencer



**Chairman Dennis Dieringer
Clerk Dennis Gonnering**

Supervisor Dennis Foth

**Supervisor Carl Hoff
Treasurer Joan Meyer**

October 16, 2019

RE: Jon Krassalt shed

Attn: Conservation, Planning and Zoning

The Town of Spencer Board is willing to waive the 45 day notice before the next upcoming Board of Adjustment meeting to bring Mr. Krasselt's petition to improvise his shed dimensions.

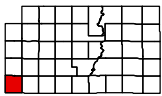
Any Questions: phone Joan Meyer 715-384-2774

Yours Truly,

Handwritten signature of Joan Meyer in cursive script.

**Joan Meyer
Deputy Zoning Administrator**

**Cc: Dennis Dieringer
Dennis Foth**

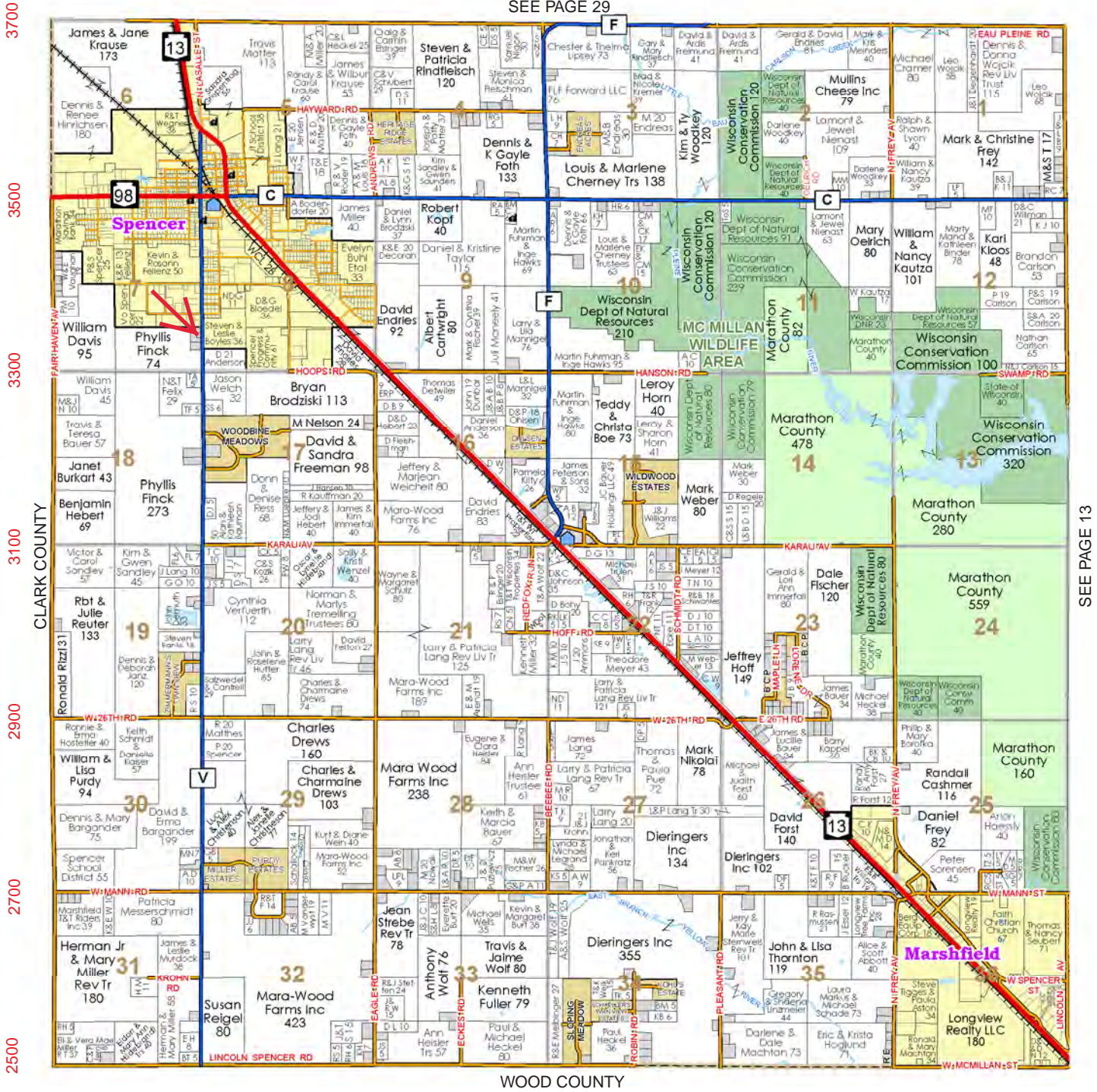


Spencer

Township 26N - Range 2E

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Land Information Mapping System



Legend

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

2015 Orthos

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

24.56 0 24.56 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

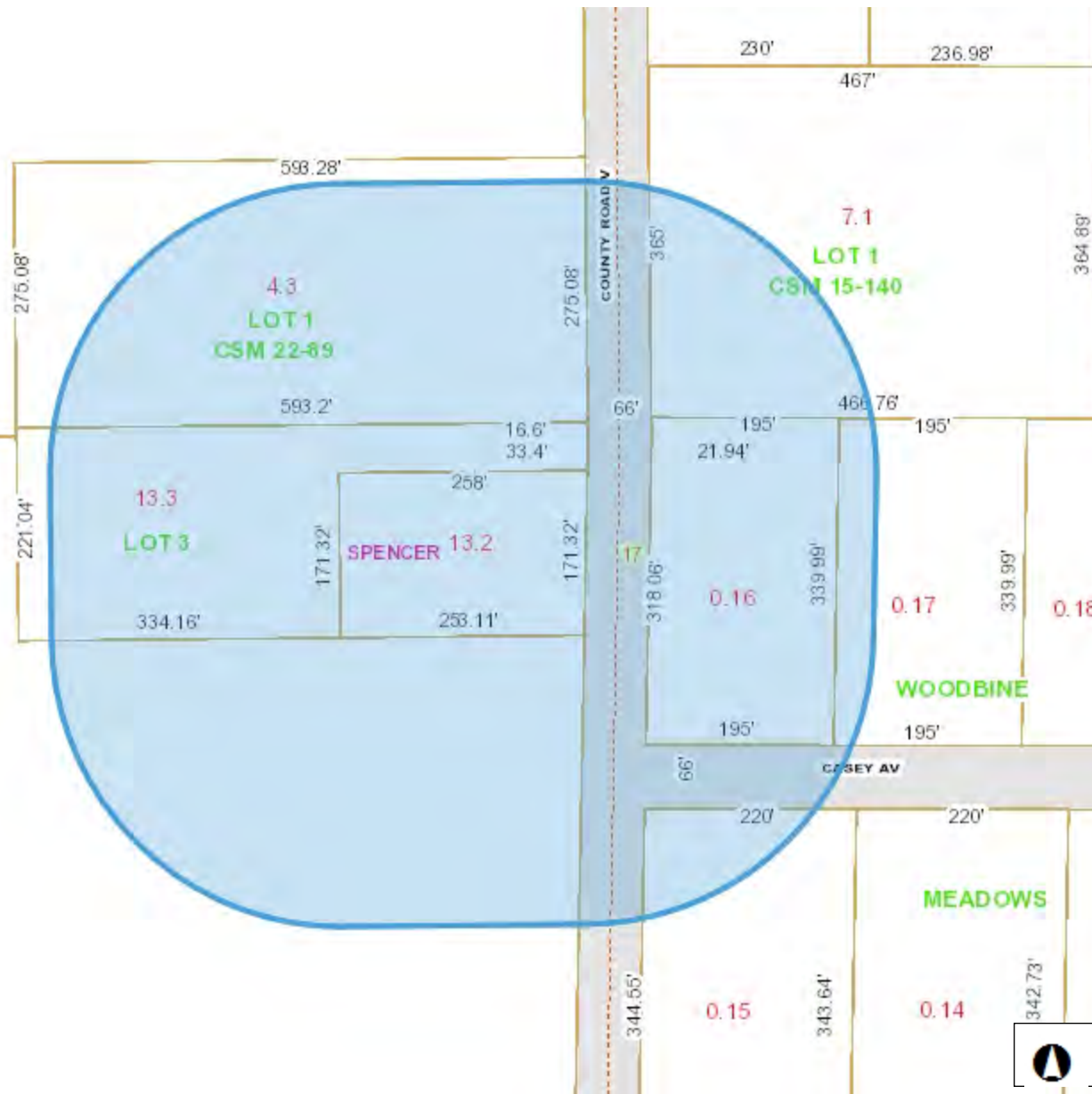
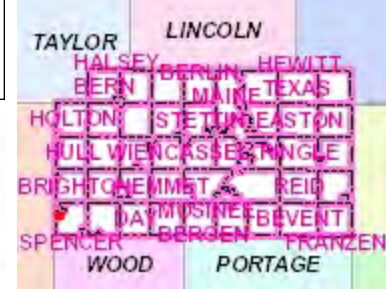
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Notes



Land Information Mapping System



Legend

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



88.75 0 88.75 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

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Notes