

**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.

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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

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