LAND CONSERVATION AND ZONING COMMITTEE
AGENDA

Date & Time of Meeting: Tuesday, November 7, 2017 at 12:30 p.m.
Meeting Location: Large Conference Room, 210 River Drive, Wausau 54403

Land Conservation and Zoning Committee Members: James Seefeldt - Chair; Jacob Langenhahn - Vice-chair; Jean Maszk, Sandi Cihlar, Rick Seefeldt, Chris Voll, Kelly King - FSA Member

Marathon County Mission Statement: Marathon County Government serves people by leading, coordinating, and providing county, regional, and statewide initiatives. It directly or in cooperation with other public and private partners provides services and creates opportunities that make Marathon County and the surrounding area a preferred place to live, work, visit, and do business.

Conservation, Planning and Zoning Department’s Mission Statement: To protect our community’s land and environment because the economic strength and vitality of our community is dependent on the quality of our resources. Through leadership, accountability, community engagement and collaborative partnerships we promote thoughtful and deliberate use of resources and innovative solutions to ensure Marathon County has healthy people, a healthy economy and a healthy environment today and tomorrow.

1. Call meeting to order
2. Request for silencing of cell phones and other electronic devices
3. 15 minute public comment
4. Approval of October 3, 2017 LCZ Committee minutes
5. Public Hearings, possible action, possible recommendation to County Board for consideration
   A. Scott & Hallie King – R-R Rural Residential to GA General Agriculture – Town of Wien
   B. Dale Leffel – R-R Rural Residential to N-C Neighborhood Commercial – Town of McMillan
6. Review and possible action, possible recommendation to County Board for consideration
   A. Town Emmet – Zone change pursuant to §60.62(3) Wis. Stats
   B. Town of Wausau - Text Amendments pursuant to §60.62(3) Wis. Stats (R5-2017)
   C. Town of Wausau - Text Amendments pursuant to §60.62(3) Wis. Stats (R6-2017)
7. Policy discussion and possible action
8. Educational presentations / outcome monitoring reports, and possible action
   A. Single Family Residence Vacation Rental and Tourist Rooming Housing (Johnson)
      1. Code language from other counties
      2. Information on licensing
      3. Wisconsin Valley Improvement Company (Ben Niffenegger)
   B. Lincoln County Grazing Project Status update (Frisch)
   C. Wildlife Damage Abatement and Claims
   D. Natural Resources Conservation Service (NRCS) and Farm Service Agency (FSA)
   E. Department of Natural Resources (DNR)
   F. Department Updates (Daigle)
      1. Town of Day-Farmland Preservation Zoning
      2. Phosphorus Management
      3. Fenwood Creek/Big Eau Pleine Update
      4. Land and Water Conservation Board Nomination Information
9. Announcements and Requests
10. Next meeting date, time & location; Agenda items/future topics:
    Future agenda items:
    Next regular meeting: Tuesday, December 5, 2017, 12:30 p.m., 210 River Drive
11. Adjournment

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 one business day before the meeting.

FAXED TO: News Dept. at Daily Herald (848-9361), City Pages (848-5887), Midwest Radio Group (848-3158), Marshfield News (715 387-4175), TPP Printing (715 223-3505)  
SIGNED

Date: November 2, 2017  Time: 11:25 a.m.  
By: cek

NOTICE POSTED AT COURTHOUSE:  
Date:  
Time: __________________________ a.m. / p.m.  
By: County Clerk
1. **Call to order** – Called to order by Chair Seefeldt at 12:30 p.m. at 210 River Drive, Wausau, WI

2. **Request for silencing of all cellphones and other electronic devices.**

3. **15 minute public comment**

   Arnold Schlei stated concerns related to vacation rental by owner (VRBO) in a residential zoning district and encourages CPZ to further discuss the possibility of adding language into the 2018 zoning text amendments.

4. **Approval of September 5, 2017 minutes**

   Motion / second by Maszk / King to approve of the September 5, 2017 minutes as distributed. Motion carried by voice vote, no dissention.

5. **Public Hearings, possible action, possible recommendation to County Board for consideration**

   A. **Marvin & Rosanna Martin – F-P Farmland Preservation to L-I Light Industrial – Town of Hull**

      Discussion: Johnson was sworn in, noting the decision sheet had been included in the meeting packet. The request to rezone part of a 40 acre parcel is to allow for a new metal fabrication facility with indoor/outdoor storage and a small retail area. The Town of Hull has reviewed the application and recommends approval but did not answer the questions that were provided.

      Leonard Martin was affirmed and stated that using the farm as a shop is hindering the progress of fabrication and they have outgrown the building.

      Action: **Motion** / second by King / Maszk to recommend approval to County Board, of the Marvin & Rosanna Martin rezone request. Committee determined the rezone is consistent with the Marathon County and Town Comprehensive Plans, and is in the Farmland Preservation Plan. Adequate facilities are present and providing public facilities will not burden local government. The rezone should not result in any adverse effect on natural areas. Motion carried by voice vote, no dissention.

   B. **Town of Reid – L-D-R Low Density Residential to R-E Rural Estate – Town of Reid**

      Discussion: Johnson was sworn in, noting the decision sheet had been included in the meeting packet. The request to rezone is to allow the Town of Reid to construct at 40’ x 50’ accessory building for dual purpose use (town garage and storage of the ambulance for Hatley Fire District). The Town of Reid has adopted the new zoning code.

      Jack Dallman was sworn in, and reiterated the need for the rezone for the above mentioned use. CPZ staff recommended that the Town rezone into Rural Estate zoning district.

      Testimony portion of the hearing was closed at 12:51 p.m.

      Action: **Motion** / second by Langenhahn / Cihlar to recommend approval to County Board, of the Town of Reid rezone request. Committee determined the rezone is consistent with the Marathon County and Town Comprehensive Plans, and is not in the Farmland Preservation Plan. Adequate facilities are present and providing public facilities will not burden local government. The rezone should not result in any adverse effect on natural areas. Motion carried by voice vote, no dissention.

6. **Review and possible action, possible recommendation to County Board for consideration**

   A. **Town of Rib Mountain - Text Amendments pursuant to §60.62(3) Wis. Stats**

      Discussion: Town of Rib Mountain is independently zoned and submitted a request to rezone 4.7 acre parcel from ER-1 – Estate Residential to UDD - Unified Development District, Parcel # 34.172807.011.004.00.000. The zone change and text amendment changes were approved at a joint meeting of the town board and planning commission on August 23, 2017. Although the town is independently zoned, County Board approval is still needed.

      Action: **Motion** / second by Langenhahn / R. Seefeldt to recommend approval to County Board, of the Town of Rib Mountain zone change. Motion carried by voice vote, no dissention.
Follow through: Forward to the County Board for action at their next regularly scheduled meeting.

B. Town of Texas - Text Amendments pursuant to §60.62(3) Wis. Stats

Discussion: Town of Texas is independently zoned and submitted a request to rezone 9 lots in the Granite Heights Subdivision from (A-1) Agriculture to (R-1) Residential. The zone change and text amendment changes were approved at the town board meeting on September 11, 2017. Although the town is independently zoned, County Board approval is still needed.

Action: Motion / second by Maszk/Langenhahn to recommend approval to County Board, of the Town of Texas zone change. Motion carried by voice vote, no dissent.

Follow through: Forward to the County Board for action at their next regularly scheduled meeting.

C. Town of Cassel - Text Amendments pursuant to §60.62(3) Wis. Stats

Discussion: Town of Cassel is independently zoned and submitted a request to rezone 15 acres – Marathon Feed from GA - General Agriculture to C1 - Commercial District. Parcel # 34.172807.011.004.00.000. The zone change and text amendment changes were approved at the town board meeting in September 2012. Although the town is independently zoned, County Board approval is still needed.

Action: Motion / second by Maszk/Langenhahn to recommend approval to County Board, of the Town of Cassel zone change. Motion carried by voice vote, no dissent.

Follow through: Forward to the County Board for action at their next regularly scheduled meeting.

7. Policy discussion and possible action - None

8. Educational presentations / outcome monitoring reports, and possible action

A. Single Family Residence Vacation Rental and Tourist Rooming Housing (Daiagle)

Discussion: Presentations by Dale Grosskurth of the Marathon County Health Department explaining the Health Department licensing requirements; and Dean Johnson explaining the variety of different types of vacation rentals, definitions, past regulations, other county zoning regulations and future options to address Tourist Rooming Housing. The committee and visitors asked questions related to the information presented and discussion occurred on issues with this type of use in a residential zoning district, current legislative proposals, etc.

Follow through: Committee requested additional information on: Zoning language related to tourist rooming houses from other counties, explore how licensing of this type of use is being done in Marinette County and other requirements/regulations.

B. Wildlife Damage of Abatement and Claims

1. 2018 Marathon County Budget

Discussion: Tharman presented and reviewed the 2018 Wildlife Damage Program budget. Tharman also discussed the new turkey donation program similar to the venison donation program. Committee discussed and the consensus was to revisit the topic next year.

Action: Motion / second by Cihlar/King to approve the 2018 Marathon County Wildlife Damage and Abatement Budget. Motion carried by voice vote, no dissent

Follow through: None needed.

C. Natural Resources Conservation Service (NRCS) and Farm Service Agency (FSA) – No report

D. Department of Natural Resources (DNR) – No report

E. Department Updates

1. Fenwood Creek Update

Discussion: Daigle introduced Nichols to the committee and explained Nichol's role at CPZ. Nichols reviewed a power point presentation highlighting the Fenwood Creek Watershed plan and progress to date.

Action: None, for informational purposes only.

Follow through: None

2. 2018 Meeting Date Calendar

Discussion: The 2018 tentative meeting schedule was included in the meeting packet. All dates were acceptable as presented.

Action: Motion / second by King/Maszk to approve the 2018 meeting date calendar as presented. Motion carried by voice vote, no dissent.

Follow through: None

9. Announcements and Requests - None

10. Next meeting date, time & location; Agenda items/future topics:

- Lincoln County Grazing Project status update
- Tuesday, November 7, 2017, 12:30 p.m., 210 River Drive, Wausau.

11. Adjourn – Motion / second by King/R. Seefeldt to adjourn at 2:55 p.m. Motion carried by voice vote, no
dissent.
Paul Daigle, Land and Water Program Director
for James Seefeldt, Chair
cc: (via email/web site) LCZ members; County Administrator; Deputy County Administrator; Conservation, Planning, & Zoning; Corporation Counsel; County Clerk; County Board Members, DATCP, DNR, FSA, NRCS, USDA/APHIS
Findings of Fact

Request:
The petition of Scott & Hallie King to amend the Marathon County Zoning Ordinance to rezone lands from R-R Rural Residential to G-A General Agriculture, on property described as Pt of the SE ¼ NE ¼ Lot 1 CSM Vol 86 Pg 39 (#17794) (#1741753) of Section 14, Township 28N, Range 4 East in the Town of Wien; PIN # 084-2804-141-0989 with a property address of W4418 Aspen Drive Edgar, WI 54426.

The request is presented because Scott and Hallie King wish to construct a garage larger than what is allowed in the R-R Rural Residential District. In August of 2017 the Kings added land to their original parcel to increase the parcel from 2.77 acres to 10.77 acres. The rezone is to rezone the land that is R-R within the new parcel to have a uniform zoning within the parcel.

Existing uses:

R-R Rural Residential District. The purpose of the R-R district is to accommodate single-family residential use along existing streets, to preserve the rural character while promoting open space single-family residential development (involving the extension of new streets), and to separate agricultural uses from other more extensive community development within the county. Limited agricultural activities are permitted in this district. These areas may or may not be serviced by municipal water and sanitary sewer.

Proposed Uses

G-A General Agricultural. The purpose of the G-A district is designed to foster the preservation and use of agricultural land related uses and to provide for limited residential uses in a rural environment but not the division of land as classified in §18.07(2) and (3) into 5 or more tracts, parcels or lots within a 5 year period. This district provides for limited residential development with modest densities that require relatively large land areas that are compatible with the surrounding rural land use activities. The district is intended to provide towns with multiple options to guide growth and development in concert with the comprehensive planning efforts.

Surrounding Conditions

ZONING: The most of the properties surrounding this area are zoned GA – General Agricultural (Gray). The property crossed the road is zoned R-E Rural Estate (Orange).
COMPREHENSIVE PLAN FUTURE LANDUSE: The future land use map shows the area mapped as Residential (Yellow), and Cropland (White). The proposed building is proposed up near the other buildings already on the property as a residential/agricultural structure.

![Future Landuse Map](image)

FARMLAND PRESERVATION PLAN: The properties were placed into the Farmland Preservation plan in 2013. Placing the property in the Farmland Preservation Plan designated that this was an area of strong agricultural practice. The King’s are reducing the density of residential construction by requesting the rezone.

![Farmland Map](image)

TOWN RECOMMENDATION:
The Town of Wien met on September 11, 2017 and signed a resolution recommending approval of the proposed zoning change to General Agriculture. Stating “The Wien Town Board feels the township would benefit from the proposed change to the zoning of this property.”
## Conclusions of Law

Marathon County must consider all of the following standards in their decision. Please review and explain how the request does or does not meet each of these standards.

To approve a rezoning, the county must answer ‘agree’ to each of these standards. If the county recommends approval, but answered ‘disagree’ to any of these questions, they should indicate plan/ordinance changes, and/or additional information required to satisfy the criteria.

1. The rezoning is consistent with the Marathon County and Town Comprehensive Plan. *(Note how the proposal relates to the future land use map and the vision, goals, objectives, and policies of the plan).*
   - [ ] agree
   - [ ] disagree
   - [ ] insufficient information

2. The rezoning is substantially consistent with the Marathon County Farmland Preservation Plan.
   - [ ] agree
   - [ ] disagree
   - [ ] insufficient information

3. The location of the proposed development minimizes the amount of agricultural land converted.
   - [ ] agree
   - [ ] disagree
   - [ ] insufficient information

4. Adequate public facilities to serve the rezone are present or will be provided. *(Note impacts on highways, streets, water, sewage, drainage, schools, emergency services, etc.).*
   - [ ] agree
   - [ ] disagree
   - [ ] insufficient information

5. Providing public facilities will not be an unreasonable burden to local government.
   - [ ] agree
   - [ ] disagree
   - [ ] insufficient information

6. The applicant has demonstrated a need for the proposed development?
   - [ ] agree
   - [ ] disagree
   - [ ] insufficient information
7. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.
   ☐ agree ☐ disagree ☐ insufficient information

8. The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.
   ☐ agree ☐ disagree ☐ insufficient information

9. The Town has approved the proposed rezone of the property.
   ☐ agree ☐ disagree ☐ insufficient information

10. All concerns from other agencies on the proposed rezone have been addressed? (DNR, Highway, DOT) What are the concerns?
    ☐ agree ☐ disagree ☐ insufficient information

Land Conservation and Zoning Committee Decision

On the basis of the above findings of fact, conclusions of law, and the record in this matter, the Marathon County Land Conservation and Zoning Committee finds that the rezoning is:
☐ Approved Motion/ Second
☐ Denied, for the following reasons
☐ Tabled for further consideration

Specify reasons for denial, or additional information requested:

☐ An amendment to the county comprehensive plan is needed to approve this petition.
☐ An amendment to the county farmland preservation plan is needed to approve this petition.

Describe recommended amendments:

Signature:
Chairman: ___________________________ Date: ______________________
Dale Leffel  
Petition to Rezone Land  
Conservation, Planning and Zoning Committee  
Decision Form

Findings of Fact

Request:
The petition of Dale Leffel to amend the Marathon County Zoning Ordinance to rezone lands from R-R Rural Residential to N-C Neighborhood Commercial, on property described as Pt of the NW ¼ SE ¼ Lot 1 & 2 CSM Vol 30 PG 201 (#8038) (#1027053) of Section 23, Township 26N, Range 3 East in the Town of McMillan; PIN # 056-2603-234-0969 and PIN # 056-2603-234-0970.

Mr. Leffel is requesting the rezone of the 2 properties for additional parking and proposing a coffee shop.

Existing uses:

R-R Rural Residential District. The purpose of the R-R district is to accommodate single-family residential use along existing streets, to preserve the rural character while promoting open space single-family residential development (involving the extension of new streets), and to separate agricultural uses from other more extensive community development within the county. Limited agricultural activities are permitted in this district. These areas may or may not be serviced by municipal water and sanitary sewer.

Proposed Uses

N-C Neighborhood Commercial District. The purpose of the N-C district is to accommodate the wide range of retail stores and personal service establishments which cater to frequent recurring needs.

Surrounding Conditions

ZONING: The surrounding properties in this area are zoned R-R – Rural Residential (Tan). These 2 properties do adjoin an existing N-C, Neighborhood Commercial property, (Existing Belvedere Supper Club).
COMPREHENSIVE PLAN FUTURE LANDUSE: The future land use map shows the area mapped as Agricultural Residential (Green). The Town does show Commercial (Red) along State Highway 97.

FARMLAND PRESERVATION PLAN: Neither site was placed into the Farmland Preservation plan in 2013. Placing the property in the Farmland Preservation Plan designated that this was an area of strong agricultural practice. Most of the surrounding properties were also not included in the plan.

TOWN RECOMMENDATION: On October 9, 2017 the Town of McMillan signed a resolution recommending approval. Marathon County has also furnished the WI DOT a copy of the application and we have not heard any concerns from them.
### Conclusions of Law

Marathon County must consider all of the following standards in their decision. Please review and explain how the request does or does not meet each of these standards.

To approve a rezoning, the county must answer ‘agree’ to each of these standards. If the county recommends approval, but answered ‘disagree’ to any of these questions, they should indicate plan/ordinance changes, and/or additional information required to satisfy the criteria.

1. The rezoning is consistent with the Marathon County and Town Comprehensive Plan. *(Note how the proposal relates to the future land use map and the vision, goals, objectives, and policies of the plan).*
   - [ ] agree
   - [ ] disagree
   - [ ] insufficient information

2. The rezoning is substantially consistent with the Marathon County Farmland Preservation Plan.
   - [ ] agree
   - [ ] disagree
   - [ ] insufficient information

3. The location of the proposed development minimizes the amount of agricultural land converted.
   - [ ] agree
   - [ ] disagree
   - [ ] insufficient information

4. Adequate public facilities to serve the rezone are present or will be provided. *(Note impacts on highways, streets, water, sewage, drainage, schools, emergency services, etc.).*
   - [ ] agree
   - [ ] disagree
   - [ ] insufficient information

5. Providing public facilities will not be an unreasonable burden to local government.
   - [ ] agree
   - [ ] disagree
   - [ ] insufficient information

6. The applicant has demonstrated a need for the proposed development?
   - [ ] agree
   - [ ] disagree
   - [ ] insufficient information
7. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.
   □ agree  □ disagree  □ insufficient information

8. The rezone will not substantially impair or limit current or future agricultural use of other protected farmland.
   □ agree  □ disagree  □ insufficient information

9. The Town has approved the proposed rezone of the property.
   □ agree  □ disagree  □ insufficient information

10. All concerns from other agencies on the proposed rezone have been addressed? (DNR, Highway, DOT) What are the concerns?
    □ agree  □ disagree  □ insufficient information

Land Conservation and Zoning Committee Decision

On the basis of the above findings of fact, conclusions of law, and the record in this matter, the Marathon County Land Conservation and Zoning Committee finds that the rezoning is:
   □ Approved  Motion/ Second
   □ Denied, for the following reasons
   □ Tabled for further consideration

Specify reasons for denial, or additional information requested:

□ An amendment to the county comprehensive plan is needed to approve this petition.
□ An amendment to the county farmland preservation plan is needed to approve this petition.

Describe recommended amendments:

Signature:

Chairman: ____________________________  Date: ____________________
October 30th, 2017
Kathleen & Kevin Leick
M533 Cayman St.
Marshfield, WI 54449

Marathon County - Conservation Planning & Zoning Committee
Attn: Mr. Jim Seefeldt
210 River Drive
Wausau WI, 54403-5449

Dear Conservation Planning & Zoning Committee:

We are writing to express opposition to a property zoning amendment to “Neighborhood Commercial” (N-C) zoning for Mr. Dale Leffel. We were recently notified of this by Jim Seefeldt, Committee Chair. This was the first we learned of Mr. Leffel’s request, as the McMillan Township did not notify us of this potential change. The hearing for Mr. Leffel’s request will be held on November 7th, 2017. Unfortunately, due to busy work schedules and business needs, we are unable to attend the hearing in person. We thus ask that you give consideration to our concerns written below as you make a decision.

It is our understanding that Mr. Leffel’s purpose in requesting the change is to run a coffee cart and also to expand his parking lot. The coffee cart is not of concern. However, a larger parking lot with additional lights is of concern because the lighting from the business has been intrusive to our home at times in the past. Also concerning is that a permanent zoning change opens the potential for additional businesses that may be further intrusive to our home with bright lights/signage and/or noise. Mr. Leffel’s current plans may seem minimal, but are not to us because of the potential negative impacts.

Our home is directly across from the property being considered for the zoning change. We have worked hard to create an open and carefully manicured lawn. In addition to our open lawn, the entire side of our house is designed with expansive windows from the kitchen to living room and our bedroom. Lighting from Mr. Leffel’s current establishment has sometimes been intrusive directly into our home. More recently it seems better managed, which we sincerely appreciate. We wish Mr. Leffel the best in his business. At the same time we feel the need to protect our pleasant home environment from disruption. Expansion of a parking lot or future businesses make us especially susceptible to lighting that could be far more intrusive, more directly across from our home, and it raises the potential for noise problems. Such changes would not only be intrusive and change the quality of our home life, but could certainly devalue our home and make it difficult to sell when we reach that point in our lives.

A zoning change also opens doors to growing businesses (lights, etc) in the future, even five or ten years from now, and perhaps with different owners with more expansive plans. In addition, we wish to avoid having to deal with responding to specifics of conditional use permits should the zone amendment be approved. This would require constant attention to more potential changes that we could possibly miss given our busy lives.

Based on our above noted concerns, we ask the Committee to deny Mr. Leffel’s zoning amendment request. Thank you kindly for considering our concerns as you make your decision.

Sincerely,

Kathleen Leick            Kevin Leick
STATE OF WISCONSIN  
MARATHON COUNTY  
TOWN OF WAUSAU  

REPORT BY  
LAND CONSERVATION AND ZONING COMMITTEE  
TO COUNTY BOARD ON REQUEST TO APPROVE  
THE ZONING AMENDMENTS OF THE TOWN OF WAUSAU (R6-2017)  

TO THE COUNTY BOARD OF MARATHON COUNTY:  

The Marathon County Land Conservation and Zoning Committee, having considered the request to review amendments of the Town Zoning Ordinance filed by the Clerk of the Town of Wausau, and having heard comments in public session thereon, and being duly informed of the facts pertinent to the changes proposed, having reviewed the staff’s recommendations, and duly advised of the wishes of the Town, hereby recommends that the County Board, pursuant to §60.62(3), approves the zoning ordinance and/or zoning map of the Town of Wausau as attached.

Dated this 7th   day of November, 2017  

Marathon County Land Conservation and Zoning Committee  

___________________________________________________  
James Seefeldt - Chairman
WHEREAS, §60.62(3) Wis. Stats. provides that any Zoning Ordinance and/or map adopted by a Town Board and any amendment thereof shall be subject to the approval of the County Board in counties having a county zoning ordinance, and

WHEREAS, the Town Board of the Town of Wausau has amended their zoning as shown on the attached report, and

WHEREAS, the County Zoning Committee has duly considered the amendment in public session on November 7, 2017 and has recommended approval of the amendment.

NOW, THEREFORE BE IT RESOLVED, that the Marathon County Board of Supervisors hereby approves the amendment to the Town of Wausau Zoning Ordinance and/or Zoning map as attached and made part of this record, all of which to be filed with the Marathon County Clerk.

LAND CONSERVATION AND ZONING COMMITTEE

__________________________________________
__________________________________________
__________________________________________
__________________________________________
__________________________________________
__________________________________________
__________________________________________
RESOLUTION: R-6 - 2017

WHEREAS, the Town Board of Supervisors of the Town of Wausau has heretofore been petitioned to amend the Town Zoning Ordinance, and

WHEREAS, the Town on due notice conducted a public hearing on the proposed amendment(s), and

WHEREAS, the proposed amendments(s) has been given due consideration by the Town Board in open session,

NOW, THEREFORE, pursuant to §60.62(3) Wis. Stats., the Town Board of Supervisors of the Town of Wausau does hereby request review by the County Zoning Committee and subsequent recommendation for County Board approval of the attached Zoning Ordinance (and accompanying Zoning Map).

Dated this 23rd day of October, 2017

[Signatures]

Town Chairman

[Signatures]

Town Supervisor

[Signatures]

Town Supervisor

CERTIFICATION

I, Cynthia L. Worden, Clerk of the Town of Wausau, Marathon County, State of Wisconsin of hereby certify that the attached is a true and correct copy of a Zoning Resolution adopted by a majority vote of the Town Board of the Town of Wausau on October 23, 2017.

[Signature]

Town Clerk

[Signature]

Date
TOWN OF WAUSAU PUBLIC HEARING ON A REZONE REQUEST  
MONDAY, OCTOBER 23, 2017, 8 P.M.

Planning Commission Members Present:  Darrin Damrow, Dan Heise, Dick Lawson, Rolof Stam, Sharon Hunter  
Others present:  John Prahl, Linda Glatczak, Cindy Worden  

Chairman John Prahl called the meeting to order. The rezone publication was read.

Gerald Baer explained that he plans to build a 4800 sq. foot commercial building on a five acre parcel which is currently zoned A-1/80 Agricultural District. He is asking the property be rezoned to the CM-Commerical district. The property is located at 201 S. County Road X. The business would be to repair heavy equipment. He owns 65 acres and only five acres is part of the rezone request. The property is located across the street from the Fountain Hill subdivision, north of residents located on Kaitlin Drive, and is near Olson Excavating and other property that is currently zoned commercial.

Rolof Stam made a motion and Dan Heise seconded to adjourn. Motion passed.

TOWN OF WAUSAU PUBLIC HEARING FOR A CONDITIONAL USE PERMIT  
MONDAY, OCTOBER 23, 2017, 8:15 P.M.

Planning Commission Members Present:  Darrin Damrow, Dan Heise, Dick Lawson, Rolof Stam, Sharon Hunter  
Others present:  John Prahl, Linda Glatczak, Cindy Worden  

Chairman John Prahl called the meeting to order. The conditional use publication was read. The request is to allow commercial equipment, trucks service, and repair on a five acre parcel at 201 S. County Road X.

Gerald Baer stated that he is proposing to open a heavy equipment repair shop at 201 County Road X. The reasons for this request: it is a high traffic area, and is a non restricted road so there are no weight limits in the spring. Hours of operation will be 7 a.m. to 6 p.m. Monday-Saturday. The equipment will be parked in the back of the building. There will be limited noise since the building will be insulated. There will also be a retaining pond on the property. The DNR is allowing three years before the pond has to be completed. It will be 100 x 80 feet, 7 feet deep, and 6 inches of clay. Blacktop will be by the entrance of the building. There will be no fencing and about five employees. There will be signage in front of the building. Light poles with elk horns will be around the building for security purposes. Darrin Damrow made a motion and Dan Heise seconded to adjourn. Motion passed.

TOWN OF WAUSAU PLANNING COMMISSION MEETING  
MONDAY, OCTOBER 23, 2017

Planning Commission Members Present:  Darrin Damrow, Dan Heise, Dick Lawson, Rolof Stam, Sharon Hunter  
Others present:  John Prahl, Linda Glatczky, Cindy Worden  

A CSM was presented for Don Hall. He is planning to expand Lot 1 on his property from the back of Lot 2 that is adjacent to his property. Lot 2 fronts 25th Street. Sharon Hunter made a motion and Dan Heise seconded to accept the CSM for Don Hall. Motion passed.

Rolof Stam made a motion and Dan Heise seconded to recommend to the Town Board to approve the rezoning request of a 5 acre parcel owned by Gerald Baer ay 201 S Hwy X from agriculture to commercial. Motion passed.

Dan Heise made a motion and Rolof Stam seconded to recommend to the Town Board to approve the conditional use request for Gerald Baer to allow for heavy equipment repair at 201 S Hwy X with the following conditions:  
1. Adequate lighting must surround the building for security purposes.
2. Hours of operation are from 7 a.m. to 6 p.m. Monday thru Saturday.

Motion passed. Dan Heise made a motion and Sharon Hunter seconded to adjourn. Motion passed.
TOWN OF WAUSAU BOARD MEETING 10-23-2017  
7208 County Road Z  
Wausau, WI 54403

Chairman Prahl called the Town of Wausau Board meeting to order at 8:35 p.m. at the Town of Wausau Municipal Building. All elected officials were present except Treasurer Borchardt.

A motion was made and seconded to approve a certified survey map prepared by Riverside Land Surveying LLC for Assist-2-Sell (Don Hall) in Section 20 located along N 25th Street. Glatczak / Hunter

A motion was made and seconded to accept the Planning Commission’s recommendation to approve the rezone request of (REAB, LLC ) Gerald Baer from A 1/80 Agricultural to CM – Commercial of a 5 acre parcel identified as 201 S County Rd. X. Hunter/Glatczak

A motion was made and seconded to accept the Planning Commission’s recommendation to grant a conditional use permit to (REAB, LLC ) Gerald Baer in accordance with Town of Wausau Zoning Ordinances Chapter 17 Sec. 17.46 (3) (ad) which allows for a commercial equipment repair shop with the conditions as follows:
1. Adequate lighting must surround the building for security purposes.
2. Hours of operation are from 7 a.m. to 6 p.m. Monday thru Saturday.  
Hunter/Glatczak

A motion was made and seconded to approve Anthony Leitza outdoor furnace permit, REAB, LLC permit # 3135 for a commercial building, and T-Mobile permit # 3136 to update their Tower on Coates Lane. Glatczak / Hunter

2018 proposed budget numbers were discussed. After final figures for the garbage & recycle contract are inserted the proposed 2018 budget will be ready to insert into the October newsletter for review by the residents.

A map was passed out showing broad band’s availability in the Town of Wausau. Discussion followed on applying for a grant in January. It was decided to apply and go from there.
Motion to adjourn at 9:10 p.m. Hunter/Glatczak
Minutes taken and recorded by Cynthia L Worden, Town of Wausau Clerk
TOWN OF WAUSAU, MARATHON COUNTY, WISCONSIN
ORDINANCE NO. 3-2017 (AMENDMENT TO ZONING ORDINANCE)

WHEREAS, the Planning Commission of the Town of Wausau having held a public hearing on the 23rd day of October, 2017, pursuant to the required notices and upon the application of REAB LLC (Gerald Baer, Manager) to change the zoning of the premises described herein pursuant to Section 17.95 of the Zoning Code of the Town; and

WHEREAS, the Planning Commission, following said hearing, having submitted its findings and recommendations to the Town Board,

NOW, THEREFORE, the Town Board of the Town of Wausau do ordain as follows:

SECTION 1:

The following described property, which is presently zoned A-1/80 AGRICLUTURAL DISTRICT, shall be and the same is hereby designated to be and become hereafter a part of the CM-COMMERCIAL/LIGHT MANUFACTURING DISTRICT Said property is legally described as follows:

Part of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section 33, Township 29 North, Range 8 East, Town of Wausau, Marathon County, Wisconsin
Certified Survey Map No. 17823 Vol. 86, Page 68 DOC # 1744070
LOT #1 5 Acres – 217800 SQ. FT.

SECTION 2:

The Town Clerk shall make the necessary alterations upon the official zoning map of the Town of Wausau to reflect the changes authorized by this Ordinance.

SECTION 3:

If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is found invalid or unconstitutional by a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 4:

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION 5:
This Ordinance shall take effect and be in full force and effect from and after its passage and publication or posting as required by law.
Adopted this 23 day of October, 2017.

TOWN BOARD, TOWN OF WAUSAU

By: \(\text{\underline{John Prahl}},\) Chairman

By: \(\text{\underline{Sharon Hunter}},\) Supervisor

By: \(\text{\underline{Linda Glatczak}},\) Supervisor

ATTEST:

\(\text{\underline{Cindy Worden}},\) Town Clerk

ADOPTED: \(10/23/2017\)

POSTED: \(10/24/2017\)
Committee Requested information:

1) Wording from other Counties that have Conditional Use Permits and General Permits
2) Information on Marquette Licensing of Tourist Rooming Houses.
**General Permit or Conditional Use option**

Highlighted communities are who would be effected/regulated by inserting language into the General Zoning Ordinance
Tourist Rooming House (land use): A lodging place, cabin, house, or cottage available for overnight, weekend, or weekly stays by paying guests and having up to four separate living units. This category does not include any “hotel, motel, or lodging resort,” “bed and breakfast establishment,” or “boarding house,” which are separately listed and regulated. This use shall meet the following performance standards:

(a) No recreational vehicle or tent may serve as a Tourist Rooming House or any component of a Tourist Rooming House.

(b) The building must be attached to a finished, permanent foundation.

(c) The narrowest horizontal dimension of the building shall be not less than 20 feet.

(d) The minimum gross floor area shall be not less than 900 square feet, exclusive of an attached garage, carport, or open deck. The building shall include a roof pitch of at least three feet in rise for every 12 feet in run, except by conditional use permit.

(e) An acceptable sewage treatment and/or disposal system meeting the requirements of all applicable state regulations and Shawano County Sanitary Ordinance shall be provided.

(f) The appearance or use of the tourist rooming house shall not be altered in a manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, odors, dust or vibrations that carry beyond the premises.

(g) Signage shall be in accordance with Section 6: Signage Regulations.

(h) Must have a permit from the State of Wisconsin and shall adhere to all applicable provisions of DHS 195, Wis. Admin. Code. In the event that provisions of this subsection are in conflict with the provisions of DHS 195, Wis. Admin. Code, the provisions of DHS 195, Wis. Admin. Code shall prevail.
TOURIST LODGING. Includes land uses that provide 3 or fewer housing units in a single building, on a single lot, or on contiguous lots, with such units available for overnight or weekly stays by paying guests. Such land uses may provide in-room kitchens, and may also provide indoor and outdoor recreational facilities for the exclusive use of their customers. Restaurants, arcades, fitness centers, and other on-site facilities available to non lodgers are not considered accessory uses, but instead are considered additional principal uses that may require separate land use reviews. Does not include "bed and breakfast establishments," "hotels, motels, or lodging resorts," or "boarding houses." Where available for month-to-month or lease terms of greater length, such uses shall not be considered tourist lodging but shall instead be considered single-family dwellings.

(a) When considering a conditional use for a tourist lodging facility the following criteria are viewed more favorably: onsite or readily available caretaker/manager, larger lot sizes, appropriate screening and natural buffering from adjacent properties. Where this criteria is not present, it may be grounds for denial of a conditional use permit. (Cr. #2006-06-477)

Parking Requirements: One space per room, suite, or cabin.
(C) SPECIAL EXCEPTION USES. The following uses are permitted upon proper application as provided in this Ordinance particularly items (a) and (b) of Subparagraph 7.1.6.2(A)(2) only after such use shall have been approved in writing by the Board of Adjustment, after public hearing. Such approval shall be consistent with the general purpose and intent of this Ordinance and shall be based upon such evidence as may be presented at such public hearing, tending to show the desirability of specific uses from the standpoint of the public interest because of such factors as (without limitation because of enumeration) smoke, dust, noxious or toxic gases and odors, noise, glare, vibration, operation of heavy machinery, heavy vehicular traffic, increased traffic on streets and other safety and health factors; such uses shall be required to conform with the plan approved by the Board of Adjustment and shall meet the specific conditions attached below and such other conditions as the Board of Adjustment deems necessary in furthering the purpose of this Ordinance.

(5) Tourist rooming houses.
### Vilas County - Permitted Use

**Permitted Uses:**

1. **All uses permitted in the R-1 District.**
2. Bed and breakfast establishments.
3. Resort establishments with no contiguous multiple-family dwelling units.
4. Rental of residential dwelling unit.

**Permitted Uses:**

1. All uses permitted in the R-1 District.
2. Multiple family dwelling units.
3. Apartments, townhouses and condominiums for rent.
5. Boarding houses and other types of group lodging.
7. Dwelling units on second stories.
8. Mobile home parks.
9. Resorts.
10. Private clubhouses, which are owned by condominium associations or other types of non-profit associations consisting of owners of adjacent or nearby properties.
11. Hobby farms.

---

#### TABLE 1

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>SINGLE FAMILY RESIDENTIAL</th>
<th>RESIDENTIAL LODGING</th>
<th>MULTIPLE FAMILY RESIDENTIAL</th>
<th>GENERAL BUSINESS</th>
<th>COMMUNITY BUSINESS</th>
<th>RESIDENTIAL RECREATION</th>
<th>WOODED RESIDENTIAL</th>
<th>RURAL RESIDENTIAL LIGHT MIXED USE</th>
<th>INDUSTRIAL</th>
<th>FORESTRY</th>
<th>AGRICULTURE</th>
<th>ALL PURPOSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mini-Storage</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>Mining-Metallic</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mining-Non-Metallic</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobile Home-Individuals</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobile Home-Park</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Motor Freight Terminals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-Rental Guesthouse</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Objection Emission of Odor, Dust, Fumes Smoke &amp; Noise</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Outdoor Amusement Facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parks, Playgrounds &amp; Golf Courses</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private Clubhouses (Over 1000 Sq. Ft.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professional Offices</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public and Semi-Public Uses</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quarries and Mines</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential Multi-Family</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential-Multi-Family Units on 2nd stories</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential-Single Family</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential-Single Family Attached to Commercial Uses</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resorts</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail Sales and Service</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>CU</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Uses that are not listed in the following table shall be interpreted to follow the same provisions as those applying to the most similar listed uses.
Tourist Rooming House provided they meet the following conditions:

A) No RVs, campers, tents or other means of overnight stay allowed.
B) All sleeping accommodations must be within the dwelling unit.
C) All parking must be contained on the property.
D) Applicant must obtain all proper licensing.
E) Applicant must have 24-hour contact number available to the public.
F) Property must remain free from citation and charges for nuisance, disorderly conduct or any other illegal activity, and in compliance with county ordinances, state and local laws.
• (2) (a) Subject par. (d), a political subdivision may not enact or enforce an ordinance that prohibits the rental of a residential dwelling for 7 consecutive days or longer.

• (b) If a political subdivision has in effect on the effective date of this paragraph .... [LRB inserts date], an ordinance that is inconsistent with par. (a) or (d), the ordinance does not apply and may not be enforced.

(c) Nothing in this subsection limits the authority of a political subdivision to enact an ordinance regulating the rental of a residential dwelling in a manner that is not inconsistent with the provisions of pars. (a) and (d).

• (d) 1. If a residential dwelling is rented for periods of more than 6 but fewer than 29 consecutive days, a political subdivision may limit the total number of days within any consecutive 365–day period that the dwelling may be rented to no fewer than 180 days. The political subdivision may not specify the period of time during which the residential dwelling may be rented, but the political subdivision may require that the maximum number of allowable rental days within a 365–day period must run consecutively.

• A person who rents the person’s residential dwelling shall notify the clerk of the political subdivision in writing when the first rental within a 365–day period begins.

• 2. Any person who maintains, manages, or operates a
short-term rental, as defined in s. 66.0615 (1) (dk), for more than 10 nights each year, shall do all of the following:

- a. Obtain from the department of agriculture, trade and consumer protection a license as a tourist rooming house, as defined in s. 97.01 (15k).
- b. Obtain from a political subdivision a license for conducting such activities, if a political subdivision enacts an ordinance requiring such a person to obtain a license.
Licensing Option

County Board could opt to enforce this ordinance within all of the highlighted communities.
Questions asked to the Assistant Zoning administrator, Dustin Grant, Marquette County on their Tourist Rooming Licensing Ordinance.

Background:
Marquette adopted a licensing ordinance about a year and a half ago. It applies to any rentals less than 30 days. They are permitted in all districts. There is a notification of neighbor’s provision as well as a site visit. The ordinance also regulates the number of people that can rent at one time based on square footage, parking, and the number of bathrooms. We do require that a resident agent (someone that lives within 25 miles) is listed on the application. Through this ordinance, we also verify that they are current on property tax, room tax, sales tax, health department licensing, and have insurance.

Questions

1. Does the ordinance cover the entire county – Unincorporated, cities and villages, just county, or just towns under county zoning?
   • The ordinance covers all unincorporated towns. Does not include city or villages. Zoning status doesn’t factor in. One of the Towns has their own zoning. A couple have no zoning.

2. Who reviews the application – Staff or Committee?
   • I handle the application from start to finish.

3. Is this an internal license or is a public hearing required?
   • It is a license. But a public hearing is not required. We notify the neighbors. If they request and have valid concerns (determined by me and Tom, Zoning Administrator) we can require a hearing. Have not had one yet, but we have a number of them requested. The reasons are the neighbors just don’t want them. I explain to them that that is not a valid reason and if over the next year or so, there are legitimate problems, contact me and request a hearing at that time. They are ok with this.

4. What is a hardship exception application?
   • It is essentially a variance. Haven’t used it yet. I would imagine a scenario like it’s a small lot and can’t get a full off-road parking space, but it is in an area where everyone parks on the road. Just an example.

5. How has the licensing process gone?
   • Excellent. I have 19 licensed. When the applicants look at the packet I send them, they are overwhelmed. But I hold their hand through the process and almost every one of them, by the end, says that it was actually pretty easy. The biggest issue is the number of people allowed based on square footage. They all want more than it allows for, because they can charge more.

6. Was there a reason for going with the licensing over placing it into the Zoning Ordinance?
   • Yes. The reasons are multiple. First, by doing it as a license, it applies county wide except incorporated areas. If it was in the zoning ordinance, it would only apply in towns that have adopted zoning (or shoreland zoning). Second, through a licensing ordinance, we are able to apply to all units regardless of when they started operations. If it was in zoning, you couldn’t apply it retroactively. Third, based on legislation, you can’t really prohibit them. By being in the zoning ordinance that would imply that you have to “allow” them. A licensing ordinance doesn’t say whether you can do it or not, it simple sets criteria for how it’s operated.

7. Who and/or what pushed you to go with the Licensing ordinance?
   • I think the reasons above were the main driving force. We had done them through a Special Exception process and found they were basically all getting approved with the same conditions. So internally, we made the decision to pursue this avenue.
TOURIST ROOMING HOUSE COMPLIANCE PACKET

On November 10, 2015, the Marquette County Board of Supervisors passed the Tourist Rooming House Ordinance. It is referred to as Chapter 35. The Program Coordinator for Chapter 35 is Dustin Grant. The phone number for our office is 608-297-3036. Or you can email any questions to dgrant@co.marquette.wi.us.

PURPOSE

The purpose of this Chapter is to ensure that the quality of tourist rooming houses operating within the County is adequate for protecting public health, safety and general welfare, including establishing minimum standards of space for human occupancy and for an adequate level of maintenance; determining the responsibilities of owners, operators and resident agents offering these properties for tourists, for the proper collection of taxes, to protect the character and stability of all areas within the County; to provide minimum standards necessary for the health and safety of persons occupying or using buildings, structures or premises; and provisions for the administration and enforcement thereof.

APPLICABILITY

This ordinance applies to all lodging places or tourist cabin or cottage where sleeping accommodations are offered for pay to tourists or transients, or to persons to who stay, or intend to stay, for thirty (30) days or less. Chapter 35 does not apply to hotels, motels, or bed and breakfasts. Those establishments are regulated under different statutes.

Establishments that had been previously licensed or permitted through the Health Department or Marquette County Board of Adjustment are NOT exempt from Chapter 35.

PACKET CONTENTS

In this packet you will find a list of the general requirements for the operation of a Tourist Rooming House as well as all the necessary forms to obtain a license. Items included in the packet:

A. Minimum requirements checklist
B. Tourist Rooming House Application
C. Resident Agent Application/Declaration
D. Tri-County Environmental Health Permit Application
E. Floor Plan worksheet
F. Example Floor Plan worksheet
G. Property Site Plan worksheet
H. Example Property Site plan worksheet
I. Section 35.04 (D) Certification Statement
J. Local Municipality Room Tax Compliance Statement
K. List of other Items to be submitted with application
MINIMUM REQUIREMENTS CHECKLIST

1. One (1) bathroom for every six (6) occupants.

2. Not less than one hundred fifty (150) square feet of floor space for the first occupant thereof and at least an additional one hundred (100) square feet of floor space for every additional occupant thereof; the floor space shall be calculated on the basis of total habitable room area and is determined using interior measurements of each room. For purposes of this Section, floor space does not include kitchens, bathrooms, closets, garages, or rooms not meeting Wisconsin Uniform Dwelling Code requirements for occupancy. The maximum occupancy for any dwelling without a separate enclosed bedroom is two (2) people.

   A. See Item 15.I below for requirements.

4. Not less than one and one quarter (1¼) onsite off-street parking spaces for every four (4) occupants based upon maximum occupancy. A parking space shall be a minimum of nine (9) feet wide and eighteen (18) feet long and may include area in garages, carports and open areas. Parking spaces may not extend into a setback of ten (10) feet from any lot line.

5. A safe, unobstructed means of egress leading to safe, open space at ground level.

6. Each area and room designated or used for sleeping shall have at least one (1) means of exit to the exterior, by door or egress window. If a room does not meet these qualifications, a sign shall be posted notifying occupants that the room shall not be used for sleeping due to lack of safe egress.

7. Basement areas designated or used for sleeping shall have at least two (2) exits to the exterior, by door or egress window. If a basement does not meet these qualifications, a sign shall be posted notifying occupants that the basement area shall not be used for sleeping due to lack of safe egress.

8. Functional smoke detectors and carbon monoxide detectors in accordance with the requirements of Chapter SPS 362 of the Wisconsin Administrative Code.

9. Shall not have a wood or solid fuel burning stove or fireplace unless the owner provides a certificate from a licensed commercial building inspector, fire inspector, or a verified statement from a reputable stove or fireplace sales/installer entity, dated not more than thirty (30) days prior to submission, certifying that the fireplace and chimney have been inspected and are in compliance with National Fire Prevention Association Fire Code Chapter 211 Standard for Chimneys, Fireplaces, Vents, and Solid Fuel-Burning Appliances; OR the applicant demonstrates that appropriate measures have been taken to block access to the woodstove or fireplace by any tourists or transients.

10. Shall not have a hibachi, gas-fired grill, charcoal grill, or other similar devices used for cooking, heating, or any other purpose on any balcony, deck or under any overhanging structure or within ten (10) feet of any structure.

11. Shall have insurance against claims of personal injury and property damage for tourist rooming house rentals.

12. Has obtained a health license from the State of Wisconsin or its designee for operation as a tourist rooming house.

13. Apply for a permit prior to opening for business.
   A. Contact the Tri-County Environmental Department at 608-297-3135.
   B. The Tri-County Environmental Department has 30 days to inspect an establishment following receipt of a completed permit application. The establishment must receive approval before opening for business.
   C. License shall be conspicuously displayed in the establishment.

14. Has received the appropriate zoning designation, if required, under the County or other local zoning chapter.

15. Must pass a Lodging Establishment Health Inspection by the State of Wisconsin’s designee before issuance of a license under this Chapter.

16. A visible and accessible fire extinguisher that has passed a fire inspection dated not more than one (1) year before the date of issuance or renewal by the local fire department or equivalent inspector.

17. Has an available Resident Agent as is required under this Chapter.

18. Neither the applicant nor the property that is the subject of the application has outstanding taxes, fees, penalties or forfeitures owed to the County or room tax due and owing to any local governmental entity.