



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-001

AN ORDINANCE TO APPROVE THE REZONING OF LAND FROM SF-S SINGLE-FAMILY RESIDENTIAL WITH WHP-A WELLHEAD PROTECTION ZONE A TO B-3 GENERAL BUSINESS WITH D-CC COMMERCIAL CORRIDOR OVERLAY AND WHP-A WELLHEAD PROTECTION ZONE A, ON THE WEST 85 FEET OF LOT 4, BLOCK 1, PINE PARK ADDITION, 0.25 ACRES AT 5410 PINE PARK STREET, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.

WHEREAS, Village Planning and Development Staff conditionally approved the Land for division via a certified survey map (hereafter the “associated CSM”, attached hereto as Exhibit A); and

WHEREAS, the Plan Commission of the Village of Weston having held a public hearing on the 11th day of January, 2016, to consider the rezoning of the Land, with proposed zoning districts indicated in Exhibit A; and

WHEREAS, the Plan Commission having thereafter filed its written recommendations and findings with the Village Board, and the said Board having received and approved the recommendation of said Committee;

NOW THEREFORE, the Village Board of the Village of Weston do ordain as follows:

SECTION 1: On the application (REZN-12-15-1558) of Mark Thompson, MTS LLC, 404 Franklin Street, Wausau, WI, 54403, on behalf of property owner Katie Ripp, 5410 Pine Park Street, Weston, WI 54476, for the following territory now comprising a part of the SF-S Single-Family Residential with WHP-A Wellhead Protection Zone A zoning districts, located in Section 18, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin, is hereby designated to be and become hereafter part of the following zoning district:

B-3 General Business with D-CC Commercial Corridor Overlay And WHP-A Wellhead

Protection Zone A – The west 85 feet of Lot 4, Block 1 of P. Wehrley’s Pine Park Addition, located in the NW ¼ of the SE ¼ of Section 18, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin. More commonly known as 5410 Pine Park Street. This area to be rezoned consists of .025 acres.

BE IT FURTHER RESOLVED that the foregoing amendment to the zoning district designations shall take effect only upon the recording of the associated CSM. If the rezoning of any lands by this Ordinance does not take effect within 180 days of the date hereof, this Ordinance shall become null and void and the zoning for such lands shall remain unchanged.

SECTION 2: The Clerk shall make necessary alterations upon the official map of the Village of Weston to reflect the changes in the zoning classifications of the property described herein.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be

affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of January, 2016.

VILLAGE BOARD OF WESTON

By: Loren White

Loren White, Vice-President
on behalf of Barbara Ermeling, President

Attest: Sherry Weinkauff
Sherry Weinkauff, Village Clerk

APPROVED: 1/18/16

PUBLISHED: _____

CERTIFIED SURVEY MAP

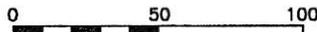
MARATHON COUNTY NO. _____ VOL. _____ PAGE _____

ALL OF LOT 1 OF CSM #16686 AND ALL OF LOTS 3 & 4 OF BLOCK 1 OF P. WEHRLEY'S PINE PARK ADDITION, LOCATED IN THE NW1/4 OF THE SE1/4 OF SECTION 18, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.

VREELAND ASSOCIATES, INC. 6103 DAWN STREET WESTON, WI. 54476 PH (715) 241-0947 OR TOLL FREE (866) 693-3979 FAX (715) 241-9826 tim@vreelandassociates.us		PREPARED FOR: MARK THOMPSON
FILE #: W-355 WOLDT	DRAFTED BY: TIMOTHY G. VREELAND	DRAWN BY: JASON J. PFLIEGER

SHEET 1 OF 2 SHEETS

N1/4 CORNER
SEC. 18-28-8E
HARRISON FOUND

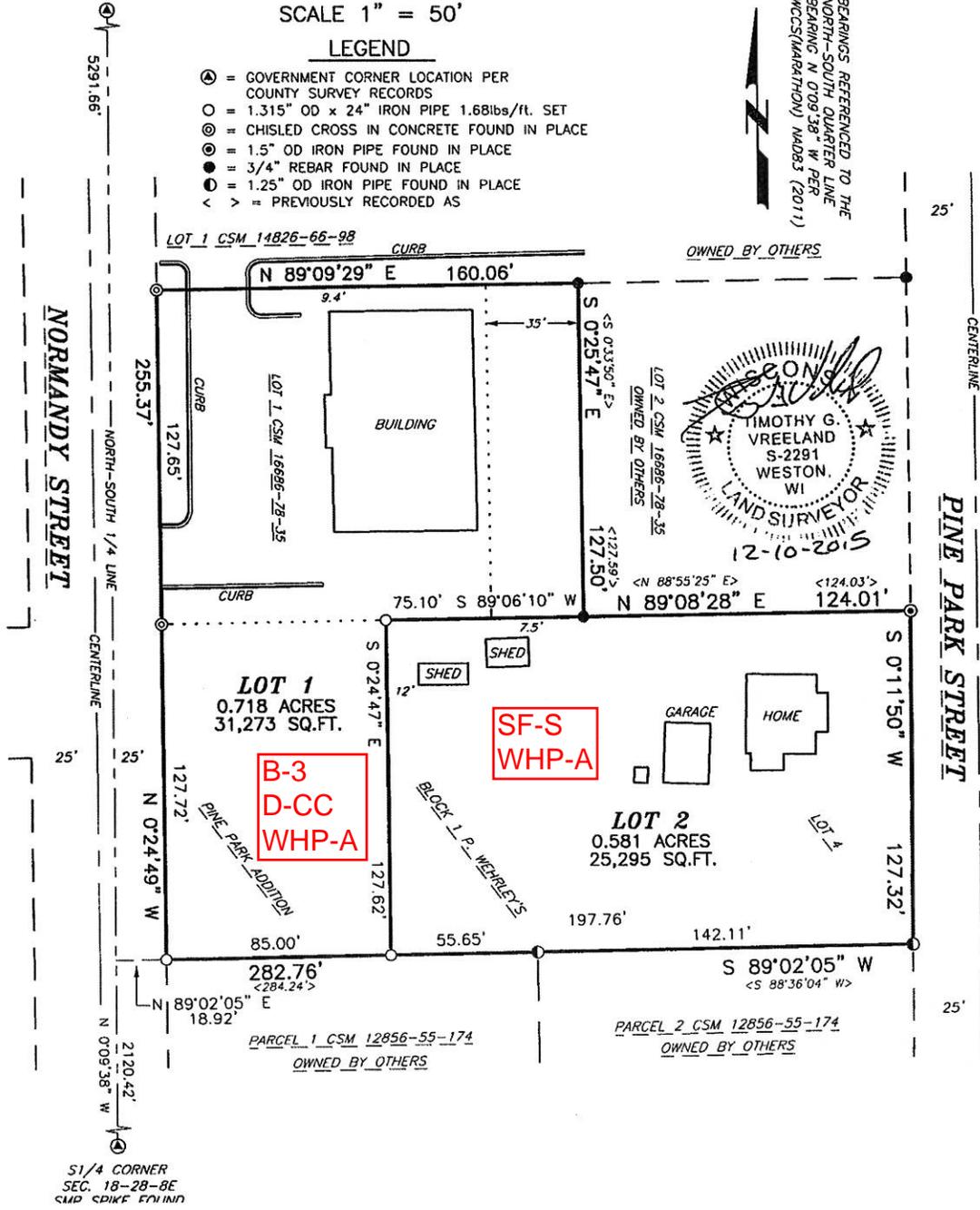


SCALE 1" = 50'

LEGEND

- ⊙ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS
- = 1.315" OD x 24" IRON PIPE 1.68lbs/ft. SET
- ⊕ = CHISEL CROSS IN CONCRETE FOUND IN PLACE
- ⊙ = 1.5" OD IRON PIPE FOUND IN PLACE
- = 3/4" REBAR FOUND IN PLACE
- ⊙ = 1.25" OD IRON PIPE FOUND IN PLACE
- < > = PREVIOUSLY RECORDED AS

BEARINGS REFERENCED TO THE NORTH-SOUTH QUARTER LINE BEARING N 07°09'38" W PER MCS(MARATHON) NAD83 (2011)



S1/4 CORNER
SEC. 18-28-8E
SHP SPIKE FOUND

CERTIFIED SURVEY MAP

MARATHON COUNTY NO. _____ VOL. _____ PAGE _____

ALL OF LOT 1 OF CSM #16686 AND ALL OF LOTS 3 & 4 OF BLOCK 1 OF P. WEHRLEY'S PINE PARK ADDITION, LOCATED IN THE NW1/4 OF THE SE1/4 OF SECTION 18, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.

SHEET 2 OF 2 SHEETS

SURVEYORS CERTIFICATE

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF MARK THOMPSON, I SURVEYED, MAPPED AND DIVIDED LOT 1 OF CERTIFIED SURVEY MAP NUMBER 16686, RECORDED IN VOLUME 78 OF SURVEYS ON PAGE 35 AND ALL OF LOT 3 & 4 OF BLOCK 1 OF P. WEHRLEY'S PINE PARK ADDITION, LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 18; THENCE N 0°09'38" W ALONG THE NORTH - SOUTH QUARTER LINE 2120.42 FEET; THENCE N 89°02'05" E 18.92 FEET TO THE EAST LINE OF NORMANDY STREET AND TO THE POINT OF BEGINNING; THENCE N 0°24'49" W ALONG THE EAST LINE OF NORMANDY STREET 255.37 FEET; THENCE N 89°09'29" E ALONG THE NORTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 16686, 160.06 FEET; THENCE S 0°25'47" E ALONG THE EAST LINE OF SAID LOT 1, 127.50 FEET; THENCE N 89°08'28" E ALONG THE SOUTH LINE OF LOT 2 OF CERTIFIED SURVEY MAP NUMBER 16686, 124.01 FEET TO THE WEST LINE OF PINE PARK STREET; THENCE S 0°11'50" W ALONG THE WEST LINE OF PINE PARK STREET 127.32 FEET; THENCE S 89°02'05" W ALONG THE SOUTH LINE OF LOT 4 OF BLOCK 1 OF P. WEHRLEY'S PINE PARK ADDITION 282.76 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION AND THE CERTIFIED SURVEY MAP THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH SECTION 236.34 OF THE WISCONSIN STATUTES IN SURVEYING, MAPPING AND DIVIDING THE LANDS, CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF THE VILLAGE OF WESTON, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.



DATED THIS 10TH DAY OF DECEMBER, 2015

TIMOTHY G. VREELAND P.L.S. 2291

REVIEWED AND APPROVED FOR RECORDING BY THE VILLAGE OF WESTON.

DATE: _____

VILLAGE OF WESTON

**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: JENNIFER HIGGINS, DIRECTOR OF PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: AN ORDINANCE TO APPROVE THE REZONING OF LAND FROM SF-S SINGLE-FAMILY RESIDENTIAL WITH WHP-A WELLHEAD PROTECTION ZONE A TO B-3 GENERAL BUSINESS WITH D-CC COMMERCIAL CORRIDOR OVERLAY AND WHP-A WELLHEAD PROTECTION ZONE A, ON THE WEST 85 FEET OF LOT 4, BLOCK 1, PINE PARK ADDITION, 0.25 ACRES AT 5410 PINE PARK STREET, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.

DATE/MTG: BOARD OF TRUSTEES, JANUARY 18, 2016

POLICY QUESTION: Should the Village Board approve the rezone of .25 acres off of Normandy Street from SF-S with WHP-A to B-3 with D-CC and WHP-A via Ordinance No. 16-001?

RECOMMENDATION TO: I make a motion to approve the rezone of .25 acres or the west 85 feet of Lot 4, Block 1 of Pine Park Addition from SF-S with WHP-A to B-3 with D-CC and WHP-A via Ordinance No. 16-001.

LEGISLATIVE ACTION:

<input type="checkbox"/> Acknowledge/Approve	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Proclamation
<input type="checkbox"/> Administrative Order	<input type="checkbox"/> Policy	<input type="checkbox"/> Reports
<input type="checkbox"/> Expenditure	<input type="checkbox"/> Procedure	<input type="checkbox"/> Resolution

FISCAL IMPACT ANALYSIS:

<input type="checkbox"/> Budget Line Item:	<u>None</u>
<input type="checkbox"/> Budget Line Item:	<u>None</u>
<input type="checkbox"/> Budgeted Expenditure:	<u>None</u>
<input type="checkbox"/> Budgeted Revenue:	<u>None</u>

STATUTORY / RULEMAKING / POLICY REFERENCES:

<input type="checkbox"/> WI Statute:	<u>Wis. Stat. § 62.23 (7)(d)</u>
<input type="checkbox"/> WI Administrative Code:	<u></u>
<input type="checkbox"/> Case Law / Legal:	<u></u>
<input checked="" type="checkbox"/> Municipal Code:	<u>Sec. 94.16.03</u>
<input type="checkbox"/> Municipal Rules:	<u></u>

PRIOR REVIEW: Public Hearing at 1/11/16 Plan Commission Meeting

BACKGROUND:

Family Foot and Ankle Clinic would like to purchase a small portion of the residence next door to construct a small addition to their parking lot. A site plan has been submitted and has been reviewed by staff. They do have a need for additional parking as their current parking lot only has 9 spaces and they also share an additional few spaces in the development to the

north for staff parking. They are in need of additional patient and customer parking as there is plans for a future retail specialty shoe store in addition to the Clinic.

No one spoke in opposition of the rezone at the 1/11/16 Plan Commission Public Hearing. There were a few drainage/storm water related questions and concerns at the meeting during the site plan review but they had already been thoroughly looked at by Deputy Public Works Director, Michael Wodalski. The Plan Commission approved the site plan contingent on the Board adopting this ordinance to rezone. The Plan Commission recommended approval of the Ordinance 7-0. Staff concurs.

Attachments?