



**VILLAGE OF WESTON
NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Village of Weston Joint Town and Village of Weston Extraterritorial Zoning Committee, on **Monday, August 8, 2016, at 6:00 p.m.**, or as soon thereafter as possible, in the Board Room of the Weston Municipal Center, 5500 Schofield Avenue, Weston, WI 54476 to take testimony relative to the following:

CU-7-16-1599 Sylvia and Paul Legenza, 7505 Gusman Road, Town of Weston, requesting a Conditional Use Permit to allow them to operate a Tourism Rooming House (94.4.05(17)) for professionals, such as nurses or doctors, staying in the area for a contractual amount of time, or to occasionally host short-term recreational visitors. This use type is only allowed within the RR-5 (Rural Residential – 5 Acre) zoning district through a conditional use permit.

The hearing notice and applicable application materials are available for public inspection on the Village of Weston website located at <http://westonwi.gov/421/Public-Hearing-Notices>.

Written testimony may be forwarded to the Joint Town & Village of Weston ETZ Committee, Valerie Parker, Plan Commission Secretary, 5500 Schofield Avenue, Weston, WI 54476, or emailed to vparker@westonwi.gov, by noon on the day of the hearing. All interested persons will be given an opportunity to be heard. Any person with questions or planning to attend needing special accommodations in order to participate should call Valerie Parker, Planning Technician, Planning and Development Department, at 715-241-2607.

Dated this 21st day of July, 2016

Valerie Parker
ETZ Committee Secretary

Published as a legal ad in the Wausau Daily Herald on Monday, July 25, 2016 and Monday, August 1, 2016.

DETERMINATION:

1. Does the proposed conditional use, in its proposed location and as depicted on the required site plan, result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted by the Village?

No. Property located in the middle of 5 acres. There is plenty of parking space.

2. Does the proposed conditional use maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?

Yes. This will continue as a residential-type use.

3. Is the proposed conditional use located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, or services provided by public agencies serving the subject property?

Yes. Property on private septic and well.

4. Do the potential public benefits of the proposed conditional use outweigh potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts?

Yes. Providing an affordable option to professionals traveling to our area to fulfill a shortage – predominantly nurses.

BACKGROUND INFORMATION:

Paul and Sylvia Legenza would like to open their home, at 7505 Gusman Road, Town of Weston, to professionals who are in the Wausau area for a contractual amount of time, fulfilling shortages (examples: nurses & doctors). Also students fulfilling rotations. They may occasionally host short-term recreational visitors.

Staff has determined the proposed use falling under Tourism Rooming House. Within the RR-5 Zoning District, this use is allowed only through a conditional use permit.

CURRENT PROPERTY CONDITIONS:

The site currently has a single family home on 5.415 acres of land. This home consists of 2,212 square feet, with 4 bedrooms, and 3 full bathrooms. Looking at the aerial map, it appears there is plenty of room for parking.

JOINT TOWN & VILLAGE EXTRATERRITORIAL ZONING COMMITTEE ACTION OPTIONS:

- 1) **Approve the Conditional Use Grant for the use of Tourist Rooming House, at 7505 Gusman Road, with the following conditions (as listed within the Performance Standards of Section 94.4.05(17):**
 - a. The use must meet all performance standards associated with a "Single-Family Detached Residence".
 - b. Occupancy shall be limited to two persons per bedroom, plus an additional two persons. At no time may the number of guests exceed eight regardless of the number bedrooms in the unit. Two exits are required for each bedroom.
 - c. The appearance of 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 noise exceeding Section 94.12.13.
 - d. No recreational vehicle may be used for living or sleeping purposes as part of a Tourist Rooming House.
 - e. The availability of the Tourist Rooming House to the public shall not be advertised on site.
 - f. The use must be licensed by the State of Wisconsin.
 - g. Required Off-Street Parking: A minimum/maximum of one space per bedroom.
- 2) **Deny the Conditional Use Grant for the use of Tourist Rooming House, at 7505 Gusman Road.**

Village of Weston Marathon County, WI

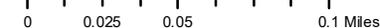


OFFICIAL ZONING MAPS

Map Date: 7/27/2016
 Adoption Date (Village): 4/20/2016
 Adoption Date (ETZ): 4/20/2016
 Adoption Date (Town): 1/23/2016



Map By: Technology Services Department, Village of Weston



Legend

- 7505 Gusman Rd
- Village of Weston
- Extraterritorial Zoning (ETZ) Boundary
- Town of Weston
- Right-of-way
- Parcel Boundary
- Wetland
- Surface Water

ZONING DISTRICTS

- AR - Agriculture and Residential
- PR - Parks and Recreation
- RR-2 - Rural Residential-2 Acre
- RR-5 - Rural Residential-5 Acre
- SF-L - Single Family Residential-Large Lot
- SF-S - Single Family Residential-Small Lot
- 2F - Two Family Residential
- MF - Multiple Family Residential
- MH - Manufactured Home
- INT - Institutional
- B-1 - Neighborhood Business
- B-2 - Highway Business
- B-3 - General Business
- BP - Business Park
- LI - Limited Industrial
- GI - General Industrial

OVERLAY ZONING DISTRICTS

- Design - Commercial Corridor
- Design - Condominium
- Design - Renaissance
- Design - Rail-to-Trail
- Design - Weston Marketplace
- Village of Weston Shoreland Zoning
- Marathon County Shoreland Zoning - Town and ETZ only

WELLHEAD PROTECTION ZONES

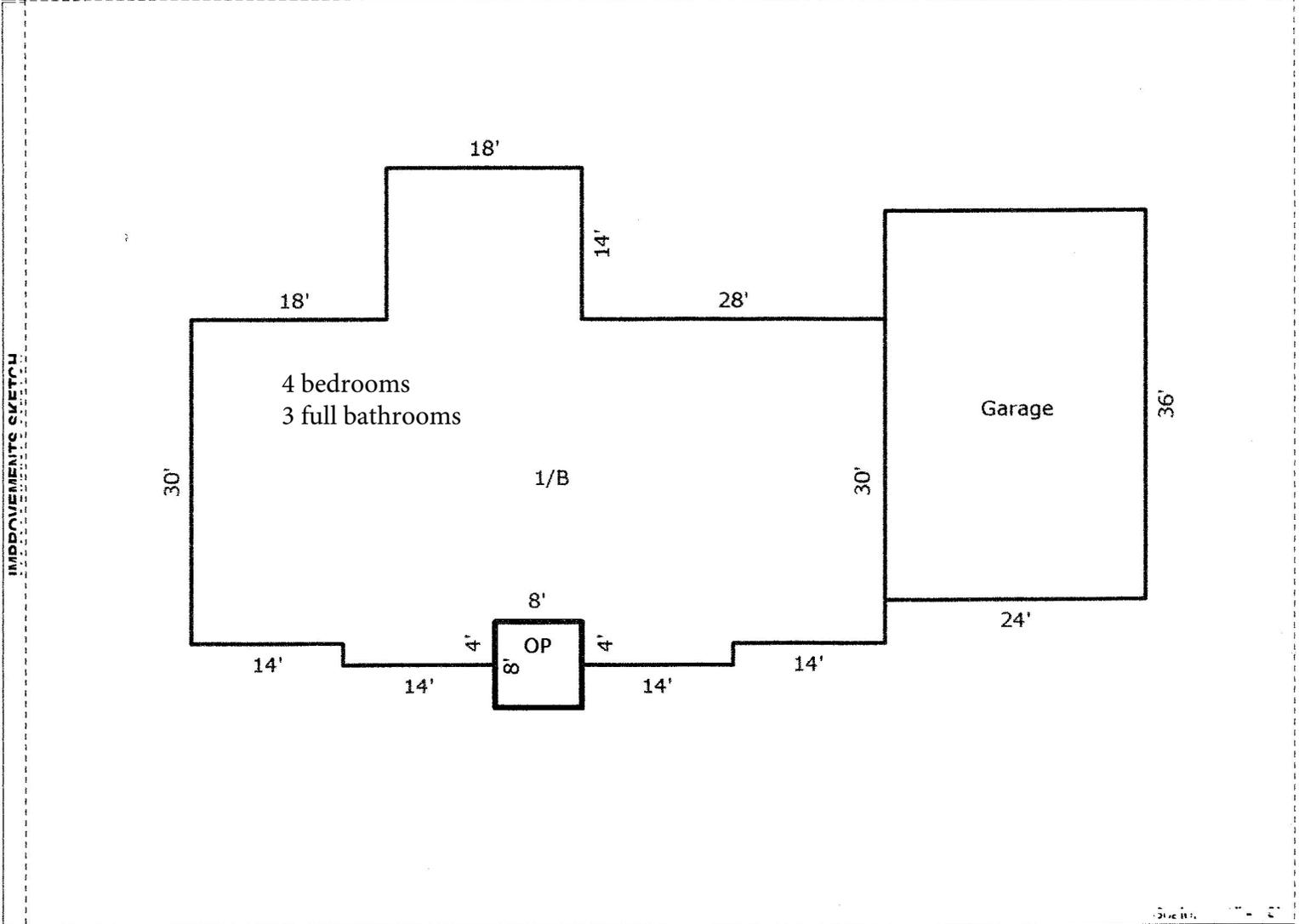
- Zone A
- Zone B





SKETCH/AREA TABLE ADDENDUM

SUBJECT	Property Address 7505 Gusman Road	State	Zip
	City		
	Owner Legenza		
	Client		
Appraiser Name			



AREA CALCULATIONS	AREA CALCULATIONS SUMMARY						Comment Table 1	
	Code	Description	Factor	Net Size	Perimeter	Net Totals		
	GLA1	First Floor	1.00	2212.00	228.0	2212.00		
BSMT	Basement	1.00	2212.00	228.0	2212.00	Comment Table 2 Comment Table 3		
GAR	Garage	1.00	864.00	120.0	864.00			
OP	OP	1.00	64.00	32.0	64.00			
Net LIVABLE Area						(rounded w/ factors)	2212	

VILLAGE OF WESTON, MARATHON COUNTY, WI
CONDITIONAL USE PERMIT #CU-7-16-1599

This CONDITIONAL USE PERMIT is issued as of the 9th day of AUGUST, 2016, by the JOINT TOWN & VILLAGE OF WESTON EXTRATERRITORIAL ZONING COMMITTEE to Sylvia and Paul Legenza, property owners.

WHEREAS, SYLVIA AND PAUL LEGENZA are the owners of the property described below in the TOWN OF WESTON, and said owner intends to use thereon TOURIST ROOMING HOUSE related use. The said property upon which said activity is to take place is more particularly described as follows:

Parcel 1, CSM #8785, Vol. 34, Pg. 163, Doc. #1058599. Part of the N ½ of the Northwest ¼, of the Northwest ¼, in Section 14, T28N, R8E, more commonly known as 7505 Gusman Road.

WHEREAS, the property described above is in the RR-5 – RURAL RESIDENTIAL – 5 ACRE DISTRICT, of the Town, which permits the use of TOURISTS ROOMING HOUSE (Section 94.4.05(17)) in said district only by conditional grant; and

WHEREAS, SYLVIA AND PAUL LEGENZA petitioned for a conditional use permit, having been duly filed with the Village Zoning Administrator, and placed on the Joint Town & Village of Weston Extraterritorial Zoning Committee agenda after first being assured by Village professional staff review that the application is complete, and following staff review and Committee review, investigation and a public hearing which was held August 8, 2016, the Joint Town & Village of Weston Extraterritorial Zoning Committee after giving full consideration to the criteria and standards of for granting a conditional use, as set forth in the Village Ordinance, including Section 94.16.06, approve said application in writing.

NOW, THEREFORE, BE IT RESOLVED, the JOINT TOWN & VILLAGE OF WESTON EXTRATERRITORIAL ZONING COMMITTEE, in Marathon County, Wisconsin, hereby grant Sylvia and Paul Legenza a conditional grant for the property described above, for the use of the property as a TOURIST ROOMING HOUSE as defined in Section 94.4.06(2) of the Village of Weston Zoning Ordinance. The conditions for the issuance of the conditional grant are as follows:

- a. The use must meet all performance standards associated with a “Single-Family Detached Residence”.
- b. Occupancy shall be limited to two persons per bedroom, plus an additional two persons. At no time may the number of guests exceed eight regardless of the number bedrooms in the unit.
- c. Two exits are required for each bedroom.
- d. The appearance of 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 noise exceeding Section 94.12.13.
- e. No recreational vehicle may be used for living or sleeping purposes as part of a Tourist Rooming House.

Conditional Use

Permit Application
Village of Weston
Date: 7-12-16

Permit No. : CU-7-16-1599

Payment: Cash Check No. 3073

FULL COMPLETION OF THIS FORM IS REQUIRED FOR PROCESSING



5500 Schofield Ave
Weston, WI 54476

PROPOSALS AND FEES

<input checked="" type="checkbox"/> Conditional Use (Residential)		\$ <u>250.00</u>
<input type="checkbox"/> Conditional Use (Non-Residential)	\$250.00 + \$10.00/Acre over 10 Acres =	\$ _____
<input type="checkbox"/> Conditional Use Amendment		\$ <u>250.00</u>
TOTAL:		\$ <u>250.00</u>

APPLICANT INFORMATION

Applicant Name: Sylvia Legenza Agent* Property Owner
Mailing Address: 7505 Gusman Rd **Phone:** 715-574-8000
Schofield, WI 54476 **Email:** legenzas@frontier.com

* Agents must have a LETTER OF AUTHORIZATION from all property owners at the time of filing.

Property Owner: Paul & Sylvia Legenza **Contact Name:** Sylvia Legenza
Mailing Address: 7505 Gusman Rd **Phone:** 715-574-8000
Schofield, WI 54476 **Email:** legenzas@frontier.com

PROJECT SITE SPECIFICATIONS

Project Address: 7505 Gusman Rd **Lot Size(ft²):** _____
(or PIN if no address) Schofield, WI 54476 **Acres:** 5.41
Property Zone: RR-5 **Current Future Land Use Designation:** _____
Legal Description: sec 14-28-08 PT of N 1/2 NW 1/4 NW 1/4 - PCL 1 CSM VOL 34 PG 163

PUBLIC HEARING REQUIRED FOR CONDITIONAL USE AND REZONE

CONDITIONAL USE: Following acceptance of a complete application, the Town Clerk shall schedule a public hearing before the Plan Commission to be held within 45 days after acceptance of a complete application. Notice of the time, place, and purpose of such hearing shall be given by publication as a Class 2 Notice in conformance with the requirements of Wis. Stat. § 62.23(7)(d). The Village Clerk shall also send said notice to the applicant, owners of record of all lands within 300 feet of the boundaries of the subject property, and the clerk of any municipality whose boundaries are within 1,000 feet of any portion of the jurisdiction of this Chapter at least ten days prior to the date of such public hearing. Failure to mail said notice or failure to meet the time requirements herein, provided it is unintentional, shall not invalidate proceedings under this Section.

CONDITIONAL USE REQUIREMENTS

Maps showing the current location and current zoning and future land use of all lands for which the conditional use permit is proposed, the location and current zoning of all lands within 300 feet, and the jurisdiction(s) within the subject property lies (Village of Weston or Town of Weston) will be provided by Village Staff.

A written description of the proposed conditional use describing the type of activities, buildings, and structures proposed for the subject property and their general locations is required to be attached to this application.

Has the written description and location been attached?

Yes No

Written justification is required for the proposed conditional use consisting of the reasons why the applicant believes the proposed conditional use is appropriate, particularly as evidenced by compliance with the approval criteria set forth below.

Has the written justification been attached?

Yes No

Does the Conditional Use Permit involve exterior building or site improvements?

Yes No

If yes to the above stated question, then a separate site plan application must be filed concurrently with this application. Failing to include a site plan application will deem the status of this application as incomplete.

Comparison of Proposed Conditional Use with Required Review Criteria (complete below or on an attached sheet as needed):

1. Is the proposed conditional use (the use in general, independent of its location) in harmony with the purposes, goals, objectives, policies and standards of the Village of Weston Comprehensive Plan; zoning ordinance; and any other plan, program or ordinance adopted or under consideration? Explain how, or why not. (Consult with Zoning Administrator as necessary on applicable plans.)

2. Will the proposed conditional use in this location, result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, the natural environment, traffic, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed? Explain how, or why not.

No - we are in the middle of 5 acres. We have plenty of parking area

3. Will the proposed conditional use maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environments of the subject property? How?

yes

4. Is the proposed conditional use located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property? Explain how this has been evaluated.

yes - private sewer + water

5. What are the public benefits of this proposal? Do the potential public benefits of the proposed conditional use outweigh potential adverse impacts of the proposed conditional use?

Benefits - providing an affordable option to professionals traveling to our area to fulfill a shortage - predominantly nurses. - I see no adverse impacts

PROCESS, TERMS AND CONDITIONS

Issuance and Recording of Permit. Within 30 days following the granting of a conditional use permit, the Zoning Administrator shall issue to the applicant a written conditional use permit enumerating the details of the conditional use permit, including what land use(s) and/or development was approved and any conditions of approval. The Zoning Administrator shall record the conditional use permit against the property, assigning all costs thereof to the applicant, and shall make record of the conditional use permit on the Official Zoning Map.

Effect of Denial. No conditional use permit application that has been denied (either wholly or in part) shall be resubmitted for a period of 12 months from the date of said order of denial, except on grounds of new evidence or proof of change of factors found valid by the Zoning Administrator.

Termination of an Approved Conditional Use. Once a conditional use permit is granted, no erosion control permit, site plan approval, certificate of occupancy, zoning permit, or building permit shall be issued for any development that does not comply with all requirements of the conditional use permit and this Chapter. Any conditional use found not to be in compliance with the terms of this Chapter or the approved conditional use permit shall be considered in violation of this Chapter and shall be subject to all applicable procedures and penalties. A conditional use permit may be revoked for such a violation by the Plan Commission, following the procedures outlined for original granting of a conditional use permit.

Time Limits on the Development of Conditional Use. The start of construction of any and all conditional uses shall be initiated within 365 days of approval of the associated conditional use permit and shall be operational within 730 days of said approval. Failure to initiate development within this period shall automatically constitute a revocation of the conditional use permit. For the purposes of this Section, "operational" shall be defined as occupancy of the conditional use. Prior to such a revocation, the applicant may request an extension of this period. Said request shall require formal approval by the Plan Commission (or Extraterritorial Zoning Committee for land in the ETZ Area) and shall be based upon a showing of acceptable justification.

Discontinuing an Approved Conditional Use. Any and all conditional uses that have been discontinued for a period exceeding 365 days shall have their conditional use permit automatically invalidated. The burden of proof shall be on the property owner to conclusively demonstrate that the conditional use was operational during this period.

Change of Ownership. All requirements of the approved conditional use permit shall be continued regardless of ownership of the subject property and shall run with the land, except as otherwise limited by this Chapter or by a specific condition attached to the conditional use permit. Modification, alteration, or expansion of any conditional use in violation of the approved conditional use permit, without approval by the Plan Commission (or Extraterritorial Zoning Committee), shall be considered a violation of this Chapter and shall be grounds for revocation of said conditional use permit.

Uses Now Regulated as Conditional Uses That Were Legal Land Uses (Permitted-by-Right or as Conditional Uses) Prior to the Effective Date of This Chapter. A use now regulated as a conditional use that was a legal land use—either permitted-by-right or as a conditional use—prior to March 18, 2015 shall be considered as a legal, conforming land use so long as any previously approved conditions of use and site plan are followed. Any substantial modification of such use or any previously approved condition of such use, in the determination of the Zoning Administrator, shall require application and Village consideration of a new conditional use permit under this Section.

STAFF REVIEW

PIN: 082-2808-142-0979

Zoning: _____ Village ETZ

Filed After the Fact: Yes No

Fine Imposed: Yes No

Amount: _____

Publication of Notice Date 1: _____

Publication of Notice Date 2: _____

Conditional Use Permit Review:

PC/ETZ Meeting Date: _____

CUP No.: _____

Approved Approved w/ Conditions Denied

Site Plan No.: _____

Adoption Date: _____

Conditional Use Permit Review (Outdoor Commercial Entertainment Only)

Name of Establishment: _____

License Number: _____

CLPS Meeting Date: _____

Recommend Recommend w/ Conditions Denied

VB Meeting Date: _____

Approved Approved w/ Conditions Denied

Recorded Date: _____

Document No.: _____

7505 Gusman Road
Schofield, WI

We would like to open our home to professionals who are in Wausau for a contractual amount of time fulfilling shortages. (example : nurses, doctors) Also students fullfilling rotations. We may occasionally host short term recreational visitors .

Paul and Sylvia Legenza

Tourism house
or
B+B