



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-047

**AN ORDINANCE TO APPROVE THE REZONING OF LAND FROM SF-L – SINGLE FAMILY RESIDENTIAL-LARGE LOT, TO SF-S – SINGLE FAMILY RESIDENTIAL-SMALL LOT, TO ALLOW FOR THE RECONFIGURATION OF TWO PARCELS, WHERE A PORTION OF THE PARCEL (ZONED SF-L) IS BEING COMBINED WITH THE PARCEL DIRECTLY SOUTH OF THAT, ADDRESSED AS 4502 ESTATE DRIVE (ZONED SF-S). (REZN-10-16-1615)**

WHEREAS, the Plan Commission of the Village of Weston having held a public hearing on the 14<sup>th</sup> day of November, 2016 on the application described below for the zoning of the property described herein; 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 recommendations of said Plan Commission;

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

SECTION 1: On the application (REZN-10-16-1615) of property owner Ron Dembroski of 7105 Christiansen Avenue, Weston, WI 54476, for the following territory now comprising a part of the SF-L – Single Family Residential-Large Lot, zoning district, located in Section 10, 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:

**SF-S – Single Family Residential-Small Lot** – Commencing at the northeast corner of said section 15; thence S 89°31'25" W 33.08 feet; thence S 89°32'05" W along the north line of Lot 1 of Certified Survey Map number 13701 and Lot 12 of Edgewood Estates 573.10 feet; thence S 89°29'57" W along the north line of Lots 5 and 11 of Edgewood Estates 457.37 feet to the point of beginning; thence continuing S 89°29'57" W 47.05 feet; thence S 89°32'01" W 228.32 feet; thence N 3°20'20" W along the west line of Parcel 4 of Certified Survey Map number 4433, 33.05 feet; thence N 89°32'30" E along the south line of Lot 1 of Certified Survey Map number 8617, 137.06 feet; thence N 89°25'13" E along the south line of Lot 2 of Certified Survey Map number 8617, 138.10 feet; thence S 3°40'26" E 33.29 feet to the point of beginning.

SECTION 2: The Clerk shall make necessary alterations upon the "Official Zoning 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 21<sup>st</sup> day of November, 2016.

VILLAGE BOARD OF WESTON

By: Barbara Ermeling  
Barbara Ermeling, President

Attest: Sherry Weinkauff  
Sherry Weinkauff, Village Clerk

APPROVED: 11-21-16

PUBLISHED: 11-23-16

Village of Weston, WI  
Notice of Newly Enacted Ordinance No. 16-047

Please take notice that the Village Board of Weston, Wisconsin enacted Ordinance No. 16-047: *“AN ORDINANCE TO APPROVE THE REZONING OF LAND FROM SF-L – SINGLE FAMILY RESIDENTIAL-LARGE LOT, TO SF-S – SINGLE FAMILY RESIDENTIAL-SMALL LOT, TO ALLOW FOR THE RECONFIGURATION OF TWO PARCELS, WHERE A PORTION OF THE PARCEL (ZONED SF-L) IS BEING COMBINED WITH THE PARCEL DIRECTLY SOUTH OF THAT, ADDRESSED AS 4502 ESTATE DRIVE (ZONED SF-S). (REZN-10-16-1615)”* on Monday, November 21, 2016.

The full text of Ordinance No. 16-047 may be obtained at the office of the Village Clerk at the Weston Municipal Center, 5500 Schofield Avenue, Weston, Wisconsin or through the Village’s website at <http://www.westonwi.gov/499/Adopted-Ordinances>.

Dated this 22<sup>nd</sup> day of November, 2016  
Sherry Weinkauff, Village Clerk

Published: 11/23/16

# DAILY HERALD media

A GANNETT COMPANY

STATE OF WISCONSIN  
BROWN COUNTY

VILLAGE OF WESTON  
5500 SCHOFIELD AVE  
WESTON WI 544764333

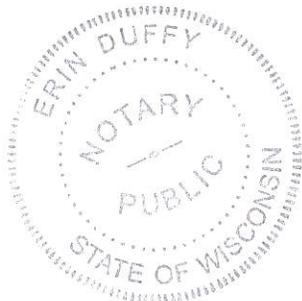
### VOUCHER APPROVAL

Account Number: 10-06-50910 - 321.000  
Description: WDH publication of Ord # 16-047 REZN-10-16-1615  
Approved by: [Signature] Date: 12/7/16  
\$23.11

I, being duly sworn, doth depose and say I am an authorized representative of The Wausau Daily Herald, a newspaper at Wausau Wisconsin and that an advertisement of which the annexed is a true copy, taken from said paper, which published therein on:

Account Number: GWM-1081606  
Order Number: 0001751565  
No. of Affidavits: 1  
Total Ad Cost: \$23.11  
Published Dates: 11/23/16

(Signed) [Signature] (Date) 11-25-16  
Legal Clerk



Signed and sworn before me

[Signature]

My commission expires 5-25-18

Village of Weston, WI  
Notice of Newly Enacted  
Ordinance No. 16-047  
Please take notice that the Village Board of Weston, Wisconsin enacted Ordinance No. 16-047: "AN ORDINANCE TO APPROVE THE REZONING OF LAND FROM SF-L - SINGLE FAMILY RESIDENTIAL-LARGE LOT, TO SF-S - SINGLE FAMILY RESIDENTIAL-SMALL LOT, TO ALLOW FOR THE RECONFIGURATION OF TWO PARCELS, WHERE A PORTION OF THE PARCEL (ZONED SF-L) IS BEING COMBINED WITH THE PARCEL DIRECTLY SOUTH OF THAT, ADDRESSED AS 4502 ESTATE DRIVE (ZONED SF-S). (REZN-10-16-1615)" on Monday, November 21, 2016.  
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Dated this 22nd day of November, 2016  
Sherry Weinkauff, Village Clerk  
RUN: Nov. 23, 2016 WNAXLp

VILLAGE OF WESTON

Re: Ord No. 16-047

GANNETT WI MEDIA  
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November 23, 2016

**VIA EMAIL ONLY**

Matthew Gast  
4502 Estate Drive  
Weston, WI 54476  
[Matthew.Gast@axa-advisors.com](mailto:Matthew.Gast@axa-advisors.com)

**RE: File No. REZN-10-16-1615 – Rezone Request – and RCSM-10-16-1616 - CSM Application – Matthew Gast, 4502 Estate Drive, Village of Weston**

Dear Matthew,

The Village Board approved the rezone request REZN-10-16-1615, on 11/21/16, via Ordinance No. 16-047 (also attached). The ordinance was published in the 11/23/16, in the Wausau Daily Herald.

Following the publication of Ordinance No. 16-047, the zoning on a portion of this parcel has now been designated from SF-L (Single Family Residential – Large Lot) to SF-S (Single Family Residential – Small Lot).

Following the rezoning, the certified survey map for 4502 Estate Drive (RCSM-10-16-1616) has been reviewed and approved by staff. The CSM has been signed and was given to Surveyer Vreeland for recording at the Marathon County Register of Deeds on 11/23/16.

Upon acceptance and recording of the CSM by the Marathon County Register of Deeds, please forward, or have your surveyor forward, a copy of the recorded survey map to the Village Planning and Development Department for our records. The original survey map with the recording information is permanently kept on file in the Marathon County Register of Deeds Office. A copy of the recorded document can be obtained from the Register of Deeds Office, Marathon County Courthouse, 500 Forest Street, Wausau. A copy of the recorded survey can be dropped off at the Municipal Center or emailed to [plandev@westonwi.gov](mailto:plandev@westonwi.gov).

**Please note, the approval of this CSM shall be null and void if not recorded within six (6) months from the date of approval, 11/23/2016.**

As you are also aware, the area which was rezoned is shown as future road right of way on the Village's Adopted Official Map. Please note for future development or sale of this property that the property in question may be transferred from one parcel to another and rezoned under the State Statute regulating Official Maps; however, it shall be noted that under Wis. Stat. §62.23(6)(e) any new building construction or addition that is proposed to occur within the area designated as future street shall require approval by the Zoning Board of Appeals and subject to the fees as stated within the Fee Schedule necessary to convene said body.

If you have any questions or if I may be of any further assistance, please do not hesitate to contact

**Weston Municipal Center**

5500 Schofield Avenue • Weston, WI 54476 • Phone: (715) 359-6114 • Fax: (715) 359-6117  
[www.westonwi.gov](http://www.westonwi.gov)

my office at 715-359-6114.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Higgins". The signature is written in black ink and is positioned above the printed name.

Jennifer Higgins

Director of Planning and Development/Zoning Administrator

Cc: Tim Vreeland [tim@vreelandassociates.us](mailto:tim@vreelandassociates.us)  
Marathon County Register of Deeds ([ucc@mail.co.marathon.wi.us](mailto:ucc@mail.co.marathon.wi.us))  
Plan Commission



**VILLAGE OF WESTON  
NOTICE OF PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN** that a public hearing will be held before the Village of Weston Plan Commission, on **Monday, November 14, 2016, at 6:00 p.m.**, at the Weston Municipal Center, 5500 Schofield Avenue, Weston, WI 54476 to take testimony relative to the following:

**REZN-10-16-1615 Matthew Gast, 4502 Estate Drive, Weston, WI 54476, on behalf of property owner, Ron Dombrowski, 7105 Christiansen Avenue, Weston, WI 54476, requesting a rezone from SF-L (Single-Family Residential – Large Lot) to SF-S (Single-Family Residential – Small Lot), to allow for the reconfiguration of two parcels, where a 33-foot by 275-foot strip of land, from 7105 Christiansen Avenue (Zoned SF-L) is being combined with 4502 Estate Drive (Zoned SF-S).**

CU-10-16-1617 Andria and Paul Smith, Cracked, LLC, 1709 Pine Road, Kronenwetter, WI 54455, on behalf of property owner, Richard Bender Rentals, LLC, PO Box 136, Weston, WI 54476, requesting a conditional use permit to allow for an Indoor Commercial Entertainment Land Use (Sec. 94.4.05(10)) to occur within the LI (Limited Industrial) Zoning District, with D-RT (Rail-to-Trail) Overlay District. This property is addressed as 4613 Camp Phillips Road, Suite C, Weston.

The hearing notice with full legal descriptions 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 Village of Weston Plan Commission, Valerie Parker, Plan Commission Secretary, 5500 Schofield Avenue, Weston, WI 54476, or emailed to [vparker@westonwi.gov](mailto: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 26th day of October, 2016

Valerie Parker  
Plan Commission Secretary

# DAILY HERALD media

A GANNETT COMPANY

STATE OF WISCONSIN  
BROWN COUNTY

WESTON VILLAGE OF  
5500 SCHOFIELD AVE  
WESTON

WI 544764333

## VOUCHER APPROVAL

Account Number:

10-06-50910 .321.000

Description:

Nov 2016 PC Public Hearing  
Notices REZN-10-16-1615 CU-10-16-1617

Approved by

[Signature]  
Initials

11/10/16  
Date

\$82.97

I, being duly sworn, doth depose and say I am an authorized representative of The Wausau Daily Herald, a newspaper at Wausau Wisconsin and that an advertisement of which the annexed is a true copy, taken from said paper, which published therein on:

Account Number: GWM-WES425  
Order Number: 0001691299  
No. of Affidavits: 1  
Total Ad Cost: \$82.97  
Published Dates: 10/31/16, 11/07/16

(Signed)

[Signature] (Date) 11-8-16

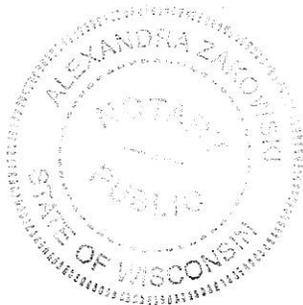
Legal Clerk

Signed and sworn before me

[Signature]

My commission expires

3/3/19



VILLAGE OF WESTON  
NOTICE OF PUBLIC HEARINGS  
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Dated this 26th day of October, 2016  
Valerie Parker  
Plan Commission Secretary  
Run: Oct. 31, Nov. 7, 2016 WNXPL

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# Conditional Use/Rezone/Comprehensive Plan Amendment

Permit Application  
Village of Weston/ETZ  
Date: 09-23-16

Permit No. : REZN-10-16-1615

Payment:  Cash  Check No. 12190

**FULL COMPLETION OF THIS FORM IS REQUIRED FOR PROCESSING**



5500 Schofield Ave  
Weston, WI 54476

## PROPOSALS AND FEES

<input 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>
<input checked="" type="checkbox"/>	Rezone (Official Zoning Map Amendment)		\$ <u>250.00</u> ✓
<input type="checkbox"/>	Conditional Use and Rezone (Residential)		\$ <u>400.00</u>
<input type="checkbox"/>	Conditional Use and Rezone (Non-Residential)	\$400.00 + \$10.00/Acre over 10 Acres =	\$ _____
<input type="checkbox"/>	Comprehensive Plan Map Amendment		\$ <u>350.00</u>
<input type="checkbox"/>	Comprehensive Plan Map Amendment with Rezone		\$ <u>500.00</u>
<input type="checkbox"/>	Comprehensive Plan Text Amendment		\$ <u>200.00</u>
	<b>TOTAL:</b>		\$ _____

## APPLICANT INFORMATION

Applicant Name: Matthew Gast  Agent\*  Property Owner  
Mailing Address: 4502 Estate Drive Phone: 715-870-5052  
Weston, WI Email: \_\_\_\_\_

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

Property Owner: Ron Dombrowski Contact Name: \_\_\_\_\_  
Mailing Address: 7105 Christiansen Ave Phone: \_\_\_\_\_  
Weston, WI Email: \_\_\_\_\_

## PROJECT SITE SPECIFICATIONS

Project Address: 4502 Estate Dr Lot Size(ft<sup>2</sup>): \_\_\_\_\_  
(or PIN if no address) 7105 Christiansen Ave Acres: \_\_\_\_\_  
Property Zone: SF-L Proposed Rezone: SF-S  
Current Future Land Use Designation: Residential Proposed Future Land Use Designation: Residential  
Legal Description: \_\_\_\_\_

## PUBLIC HEARING REQUIRED FOR CONDITIONAL USE AND REZONE

**CONDITIONAL USE:** Following acceptance of a complete application, the Village Clerk shall schedule a public hearing before the Plan Commission (or Extraterritorial Zoning Committee for land in the ETZ Area) 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.

**REZONE:** The Plan Commission (or Extraterritorial Zoning Committee) shall hold a public hearing on all proposed amendments to the Official Zoning Map. Following the public hearing, and after consideration of comments provided therein, the Plan Commission or Committee shall review the proposed amendment to the Official Zoning Map and shall within 45 days of the public hearing make a recommendation to the Village Board that the application be granted as requested, modified, or denied. If the Commission or Committee fails to make a recommendation within this timeframe, the proposed amendment shall be forwarded to the Village Board without recommendation. Such deadline may be extended by written or electronic agreement from the applicant. Nothing in this Chapter requires Town Plan Commission or Town Board action on proposed amendments to the Official Zoning Map in the ETZ Area.

**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.)

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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.

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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?

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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.

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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?

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**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.

**REZONE 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.

Written justification is required for the proposed rezone 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 rezone involves 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. Incomplete applications will not be reviewed and shall be discarded within 30-days if the application status remains incomplete. Any fees collected will not be refunded.

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

1. Is the proposed rezoning consistent with the recommendations of the Comprehensive Plan? Explain how, or why not.

Yes. Just adding 33' to existing lot.

2. Does the proposed rezoning further the purpose and intent of the zoning ordinance, as expressed in Section 94.1.03 of the Village's zoning ordinance? Explain how, or why not.

3. Does the proposed rezoning address a mistake that was made in mapping on the Village's zoning map? In other words, is the subject property developed in a way that is not allowed under its current zoning? If yes, please explain.

No

4. Does the proposed rezoning address factors that have changed that make the property more appropriate for a different zoning district? Such factors may include the availability of new data, the presence of new roads or other infrastructure, additional development, annexation, new plans, or other zoning changes in the area. If yes, please indicate the relevant factors.

No

5. Have growth patterns or rates changed since the land was zoned as it is now? If yes, please provide supporting data and indicate how changed patterns or rates suggest the need for this rezoning.

We are only requesting a 33' x 275' strip of property to be rezoned.

No change to growth patterns or rates.

6. Will the proposed rezoning maintain a desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property? How?

Yes. Just adding lands to existing lot.

**Village Board.** The Zoning Administrator shall schedule the proposed amendment for potential Village Board action. After careful consideration of all comments, the Village Board shall within 120 days of submittal of a complete application, act to approve or reject the proposed amendment, unless extended by written or electronic agreement of the applicant. Failure of the Board to act within 120 days of submittal of a complete application (unless said deadline is extended by agreement of the applicant) shall constitute approval of the application as presented.

The Village Board may approve an amendment by a simple majority of a voting quorum, except that if the Board action is opposed to or alters a recommendation of the Plan Commission (or Extraterritorial Zoning Committee for land in the ETZ Area), and/or an official protest against the requested amendment to the Official Zoning Map meeting the requirements of Wis. Stat. § 62.23(7)(d)2m.a is filed, then approval of the amendment to the Official Zoning Map shall require an affirmative vote from three-fourths or greater of the full Village Board.

**Effect of Denial.** No 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.

### COMPREHENSIVE PLAN AMENDMENT REQUIREMENTS

By August 1st of each year, the Zoning Administrator shall obtain Plan Commission approval of a Comprehensive Plan amendment schedule, with the intent to adopt any Comprehensive Plan amendments in that annual amendment cycle by February of the following year.

Applications for Comprehensive Plan amendments shall be submitted to the Zoning Administrator in writing each year by the annual application deadline established in the approved amendment schedule, using a Village provided application form, in order to be considered in that year's amendment cycle. Only complete applications will be processed.

In addition to such applications, Village staff, the Village Plan Commission or any member thereof, or the Village Board or any member thereof may request amendments to the Comprehensive Plan, by the annual application dateline or another date if established in the approved amendment schedule.

The Zoning Administrator shall refer all proposed amendments under subsections (a) and (b) to the Plan Commission, within 30 days following the latest required date of submittal.

The Commission shall advise Village staff as to which proposed amendments should be considered for further review, providing an opportunity for public comment. Depending upon the number and nature of the proposed amendments, the Commission may hold a public hearing before it decides which proposed amendments should be recommended for consideration. Notice of such hearing shall be given by publication of a Class 1 Notice. In the case of a site-specific Future Land Use map amendment, the Zoning Administrator shall also provide written notification to all property owners within 100 feet of the site.

After consideration of the proposed amendments and no later than January in the annual amendment cycle, the Plan Commission shall recommend the approval of any proposed amendment to the Village Board. The Commission is under no obligation to recommend approval of any requested amendment, and may recommend the amendment with modification. Such Commission action shall be via adoption of a resolution.

Following the Commission recommendation by resolution, and after a required 30 day public hearing notice period under Wisconsin Statutes, the Village Board shall hold a public hearing for the purpose of receiving public comment regarding the merits of the proposed amendments that have been recommended by resolution of the Plan Commission.

Following the public hearing, the Village Board may adopt all or some of the recommended Comprehensive Plan amendments by ordinance, either as recommended or with modifications.

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**Comparison of Proposed Comprehensive Plan Amendment with Required Review Criteria (complete below or on an attached sheet as needed):**

1. Is the proposed Comprehensive Plan Map Amendment consistent with the Comprehensive Plan? Explain how, or why not.

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2. Has the amendment been reviewed and denied during a previous comprehensive plan amendment cycle?  Yes  No

3. Would the amendment or projected development that would result will not create an adverse impact on public services and facilities, unless such impact will be successfully mitigated? Explain how, or why not.

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4. Would the projected development that would result from the amendment create an undue or adverse impact on surrounding properties, and will it be consistent with or upgrade the character of the site and the surrounding neighborhood? Explain how, or why not.

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5. Would the amendment or projected development that would result create an adverse impact on the following, unless such impact will be successfully mitigated: public facilities; public services; the natural environment including trees, slopes, and groundwater; any landmarks or other historically significant structures or properties? Explain how, or why not.

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6. Is the amendment justified by a change in Village actions or neighborhood characteristics? Explain how, or why not.

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7. **[MAP AMENDMENT ONLY]** Does the change correct a mapping error of the Future Land Use Map? If so, explain.

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8. Is there a community or regional need identified in the Comprehensive Plan for the proposed land use or service? Explain how, or why not.

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9. Is the proposed amendment consistent with other Village plans, policies, and regulations? Explain how, or why not.

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10. Does the amendment respond to a substantial change in conditions beyond the property owner's control applicable to the area within which the subject property lies? Explain how, or why not.

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11. **[MAP AMENDMENT ONLY]** Does the amendment better implement applicable Comprehensive Plan polices than the current map designation? Explain how, or why not.

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12. Does the amendment address a deficiency in the Comprehensive Plan as identified by the Plan Commission or Village Board? Explain how, or why not.

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**Revocation.** Any approved Comprehensive Plan amendment may be reversed by the Village Board outside the regular amendment period upon the findings of any of the following:

- (a) The approval was obtained by fraud or other intentional or misleading representations, or
- (b) The amendment is being implemented contrary to the intended purpose of the amendment or other provisions of the Comprehensive Plan or Village ordinances, or
- (c) The amendment is being implemented in a manner that is detrimental to the public health or safety.

STAFF REVIEW

PIN: 192-2808-104-0976

Zoning: SF-L  Village  ETZ

Filed After the Fact:  Yes  No

Fine Imposed:  Yes  No

Amount: \_\_\_\_\_

Publication of Notice Date 1: 10-31-16

Publication of Notice Date 2: 11-07-16

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.: \_\_\_\_\_

Rezone and Comprehensive Plan Amendment Review:

Public Hearing Date: 11-14-16

Rezone/CPA No.: REZN-10-16-1615

Proposed Zoning: \_\_\_\_\_

Proposed FLU: SF Res - Sewered

Approved  Approved w/ Conditions  Denied

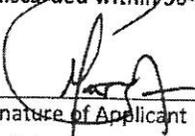
Adoption Date: 11/21/16

Ordinance No.: 16-047

Publication Date: 11/23/16

**STATEMENT OF UNDERSTANDING AND SIGNATURES**

By signing and dating below, I acknowledge that I have reviewed and understand the Village of Weston zoning ordinance and its standards of approval related to this application; read, understand, and accept my responsibilities under the reimbursement section above; submitted an application that is true, correct, and complete to the best of my knowledge; acknowledge that Village officials and/or employees may, in the performance of their functions, enter upon the subject property to inspect or gather information necessary to process this application; understand that all meeting dates are tentative and may be postponed by the Village for the reason of incomplete submittals or other administrative reasons; if this application is approved, agree to abide by this application, approved plans, and required conditions associated with plan approval in the development of the subject property; and understand that the Village's zoning ordinance and/or the conditions of development approval may specify timeframes within which I must take certain actions related to the development of the subject property, or risk having the approval being nullified. **Failing to attach all the required components will deem the status of this application as incomplete. Incomplete applications will not be reviewed and shall be discarded within 30-days if the application status remains incomplete. Any fees collected will not be refunded.**

  
Signature of Applicant

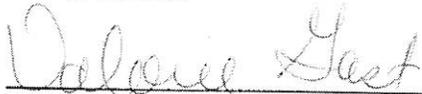
09/21/2016  
Date

Matthew Gast  
Print Applicant Name

Property Owner     Agent (Agents must have a LETTER OF AUTHORIZATION from all property owners)

STATE OF WISCONSIN    )  
  ) ss.  
COUNTY OF MARATHON    )

Personally appeared before me this 21 day of Sept 20 16, the above named individual, to me known to be the person who executed the foregoing instrument and acknowledge the same.

  
Notary Public

My Commission Expires: 12/3/17



Matthew and Karin Gast  
4502 Estate Drive, Weston, WI 54476

11 November, 2016

**Village of Weston**  
Plan Commission  
5500 Schofield Ave., Weston, WI 54476

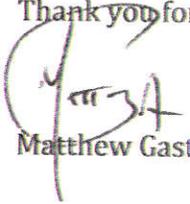
To the Village of Weston Plan Commission:

Thank you very much for the consideration of the proposal we have submitted to the Village regarding the small plot of land adjacent to the home we bought in Edgewood Estates in June of 2015. This plot of land runs along the northern border of our home, and we are fortunate enough that the current owner, Mr. Ronald Dombrowski, has graciously offered to allow us to purchase the plot of land from him.

Our reasons for doing this are two-fold. First and foremost, it provides our two sons, Tristan (age 8) and Beckett (age 4) a small wooded area in which to play without the concern of doing so on someone else's property. Secondly, it provides us with a little more distance between the back of our house and our neighbor's lots. We've moved four times since our first son was born in 2008, from a house in Houston, TX, to a house in Elm Grove, WI, to finally in our home in Weston. We adore our newfound privacy and the space to let our boys grow up being boys, without the fears that come from living in highly populated areas. This small sliver of land allows us to ensure said privacy.

We would ask that you approve the rezone with the confidence that we will continue to be good stewards. We apologize for not being able to attend in person, and yet would like to stress that our absence does not minimize the level of importance we place on our proposal.

Thank you for the consideration,

  
Matthew Gast

24 October 2016

Ronald Dombrowski  
7105 Christiansen Ave  
Weston, WI 54476  
p. 715-359-3265

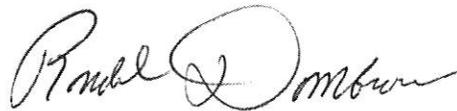
Village of Weston  
5500 Schofield Ave  
Weston, WI 54476  
p. 715-359-6114

To Whom It May Concern:

This is a Statement of Authorization, giving Matthew Gast of 4502 Estate Drive in Weston, WI, permission to request the rezoning of the property as presented by Tim Vreeland of Vreeland and Associates. Please accept this Statement of Authorization and proceed with the presentation of the rezoning request to the Plan Commission as soon as possible.

Thank you,

Ronald Dombrowski



*Dated 10/24/16  
Valorie Gast  
Exp. 12/3/17*



With this rezone request we are asking for a 33' x 275' strip of lands currently zoned SF-L to be rezoned to SF-S so we can add this strip to Lot 4 of Edgewood Estates subdivision.



WAUSAU  
1836-2025

# Land Information Mapping System

- HALSEY
- BERLIN
- BERN
- MAINE
- TEXASHEWITT
- HOLTON
- STEELE
- EASTON
- HULL
- WENKAS
- SESS
- KNIGLE
- BRIGHT
- ONEMIST
- REID
- DAY
- WISNIE
- BEVENT
- SPENCER
- BERGEN
- FRANZEN

- Legend**
- Owner Last Names
  - Parcels
  - Land Hooks
  - Section Lines/Numbers
  - Right Of Ways
  - Road Names
  - Named Places
  - Municipalities



71.59 0 71.59 Feet



User\_Defined\_Lambert\_Conformal\_Conic

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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

## Notes

LRS10801  
LRS108I

Land Records  
Browse

12/08/16  
14:19:24

PIN 192 2808 151 0061

Village of WESTON

Parcel 62 026000 000 004 00 00

Status: ACTIVE

Adr 1 4502 ESTATE DR

WESTON

54476 0000

Own 1 GAST MATTHEW A P

Parcel Descriptions:

3 Description(s) on File

Year	Acres	Front	Depth	Flood Line	Description
2017	.725				
					1 EDGEWOOD ESTATES
					2 LOT 4
					3 N/D/A PT OF LOT 1 CSM VOL
					4 84 PG 95 (#17588) (DOC#
					5 1726492) NEED DEED FROM
					6 62.102808.16.15
2016	.725				

+

F2=Assessments

F3=Exit F4=Prompt F7=Previous F8=Next F24=More

LRS10801  
LRS108I

Land Records  
Browse

12/08/16  
14:20:27

PIN 192 2808 104 0976 Village of WESTON

Parcel 62 102808 016 015 00 00

Status: ACTIVE

Adr 1 7105 CHRISTIANSEN AVE

Own 1 DOMBROWSKI RONALD J P WESTON 54476 0000

Parcel Descriptions:

2 Description(s) on File

Year	Acres	Front	Depth	Flood Line	Description
2017	6.169				1 SEC 10-28-08 2 PT OF SE 1/4 SE 1/4 - LOT 2 3 CSM VOL 84 PG 95 (#17588) 4 (DOC #1726492) THIS PCL 5 INCL PT OF LOT 1 SD CSM TO 6 BE DEEDED TO LOT 4 EDGEWOOD 7 ESTATES TO COMPLETE LOT 1 + 8 CSM 84-95
2004	6.169				1 SEC 10-28-08 2 PT OF SE 1/4 SE 1/4 - PCL 2 3 CSM VOL 17 PG 44 (#4576) 4 (DOC #876053) INCL LOT 4 5 CSM VOL 16 PG 201 (#4440) 6 (DOC #870329)

F2=Assessments F3=Exit F4=Prompt F7=Previous F8=Next F24=More  
Positioning to Parcel: 62 102808 016 015 00 00 +

VREELAND ASSOCIATES  
TIM VREELAND  
6103 DAWN STREET  
WESTON WI 54476

MATTHEW GAST  
KARIN GAST  
4502 ESTATE DRIVE  
WESTON WI 54476

RONALD DOMBROWSKI  
JAON DOMBROWSKI  
7105 CHRISTIANSEN AVE  
WESTON WI 54476

JAMES RIEHLE  
SANDRA RIEHLE  
6804 N APACHE LN  
WESTON WI 54476

RICHARD YAEGER  
6808 N APACHE LN  
WESTON WI 54476

DENYON HOMES INC  
5309 SCHOFIELD AVE  
WESTON WI 54476

KEVIN SCHULZ  
SUAN SCHULZ  
4504 ESTATE DRIVE  
WESTON WI 54476

NANCY DUDLEY  
915 TEMPLE VIEW DR  
LAS VEGAS NV 89110

DAN GAVRILA  
LESLIE GAVRILA  
4505 ESTATE DR  
WESTON WI 54476

RICHARD MARSHALL  
GAYLE MARSHALL  
4503 ESTATE DR  
WESTON WI 54476

NANCY DUDLEY  
915 TEMPLE VIEW DR  
LAS VEGAS NV 89110

ADI SHABANI  
ILMIJE SHABINI  
7208 EXECUTIVE CT  
WESTON WI 54476

RAYMOND TILKENS  
ROSA TILKENS  
7205 EXECUTIVE CT  
WESTON WI 54476

RYAN STORTECKY  
LISA STORTECKY  
3303 SANDY LANE  
WESTON WI 54476

TRAVIS HOFFMANN  
AMANDA HOFFMANN  
2104 MEADOW BROOK WAY  
WAUSAU WI 54403

LEWIS ROSA JR  
4510 KRAMER LN  
WESTON WI 54476

ERIC LEHRKE  
JODI LEE KASTEN  
7003 CHRISTIANSEN AVE  
WESTON WI 54476

LESLIE SCACCALOSI  
CHRISTINA SCACCALOSI  
ROHNERT PARK CA 94928

CARL SITKA  
KATHLEEN SITKA  
7205 CHRISTIANSEN AVE  
WESTON WI 54476

PATRICIA KAYSER  
ROBERT KAYSER  
4408 KRAMER LN  
WESTON WI 54476

TIMOTHY NATARUS  
4308 KRAMER LN  
WESTON WI 54476

MILTON PYKE  
7206 CHRISTIANSEN AVE  
WESTON WI 54476

THOMAS WUDI  
CAROL WUDI  
7106 CHRISTIANSEN AVE  
WESTON WI 54476

PAUL CYR  
CAROLINE CYR  
7009 ROSS AVE  
WESTON WI 54476

GARY GUSS  
JOYCE GUSS  
6911 ROSS AVE  
WESTON WI 54476



# Land Information Mapping System

- HALLEY
- BERN
- HOLTON
- BRIGHT
- SPENCER
- PERLIN
- IMAUINE
- STETUM
- HULL
- DAY
- TEXAS
- ESTON
- WENCASTER
- SEMMET
- WISNET
- FRANZEN

- ### Legend
- Parcels
  - Land Hooks
  - Section Lines/Numbers
  - Right Of Ways
  - Road Names
  - Named Places
  - Municipalities



**Notes**

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

219.49 0 219.49 Feet

User\_Defined\_Lambert\_Conformal\_Conic



# Village of Weston Marathon County, Wisconsin

## FUTURE LAND USE

Map Date: 10/28/2016  
Adoption Date (Village): 3/18/2015  
Adoption Date (ETZ): 3/18/2015



Map by the Technology Services Department,  
Village of Weston



### LEGEND

- 4502 Estate Drive
  - Village of Weston
  - Right-of-Way
  - Parcel Boundary
  - Wetland
  - Surface Water
- ### FUTURE LAND USE
- Single Family Residential - Unsewered
  - Single Family Residential - Sewered
  - Two Family Residential
  - Multiple Family Residential
  - Planned Neighborhood
  - Commercial
  - Business/Office Park
  - Mixed Use
  - Industrial
  - Institutional
  - Parks and Recreation
  - Agriculture
  - Environmental Corridor





Figure 5.01(D): Rural, Open Space and Residential District Lot Dimension and Intensity Standards

Zoning District	Minimum Lot Area	Minimum Lot Width (ft)	Minimum Public Street Frontage (ft)	Maximum Total Building Coverage	Maximum Accessory Structure Floor Area (sf) (a)	Minimum Landscape Surface Ratio (LSR)
FP Farmland Preservation	20 acres	300	100	N/A	N/A	N/A
AR Agriculture and Residential	20 acres(f)(g)	300(f)	100	N/A	1,600 <sup>(b)</sup>	N/A
RR-2 Rural Residential 2 Acres	2.0 acres	150	80	20%	1,600	N/A
RR-5 Rural Residential 5 Acres	5.0 acres	200	80	20%	1,600 <sup>(b)</sup>	N/A
PR Parks and Recreation	N/A	N/A	N/A	10%	N/A	75%
SF-L Single Family – Large Lot	20,000 sf	100	50	30%	1,000	50%
<b>SF-S Single Family – Small Lot</b>	<b>10,000 sf</b>	<b>80</b>	<b>40</b>	<b>40%</b>	<b>800</b>	<b>40%</b>
2F Two Family Residential (c)	10,000 sf	80 (b)	40	40%	800	40%
MF Multi Family Residential (d)	3,000 sf/dwelling unit	100 (b)	40	40%	10% of Lot Area	30%
<b>MH Manufactured Home</b>	5,000 sf/home (e)	50	N/A	40%	350	30%

(a) Maximum Accessory Structure floor area may be increased by site plan approval under Section 94.16.09 and per the standards in Section 94.4.09(2).

(b) For zero lot line structures, each separate lot must be at least 50 feet in width.

(c) Single-Family Detached Residences within the 2F district shall comply with the SF-S district requirements.

(d) Single-Family Detached Residences within the MF district shall comply with the SF-S district requirements. Two-family Residences within the MF District shall comply with 2F district requirements.

(e) Total area of each “Manufactured Home Community” shall be a minimum of 10 acres.

(f) Instead of a 20-acre minimum lot size, land in the AR district may be developed at a density of one residential lot per 20 acres and a minimum lot size of 2.0 acres and minimum lot width of 150 feet. See Section 94.5.08 for further description and method of calculation for regulating at a one residential lot per 20-acre density in the AR district.

(g) Parcel size in the AR district to be calculated based on gross acreage, including roads and navigable waters within the deeded parcel. Each such parcel meets the 20 acre minimum, even if net acreage is less than 20 acres following the removal of roads and navigable waters, if such removal does not reduce the gross acreage by greater than 15% for corner parcels or 10% for all other parcels.

(h) Maximum Accessory Structure Floor Area is increased to 2,500 square feet on parcels that exceed 10 acres.

through

Figure 5.01(2): Rural, Open Space and Residential District Setback and Height Standards

Zoning District	Minimum Setbacks (ft) (b)										Maximum Building Height			
	Principal Residential Building including Attached Garage				Detached Accessory Building (a)		Hard or Gravel Surface (d)		Minimum Principal Building Separation (ft)	Principal Building		Accessory Building		
	Front (a)	Street Side (a)	Interior Side	Rear	Interior Side (c)	Rear	Interior Side or Rear	Front or Street (a)		Feet	Floors	Feet	Floors	
FP	50	30	20	40	15	15	15	10	NA	NA	NA	NA		
AR	50	30	20	40	15	15	15	10	35	2.5	35	2.5		
RR-2	50	30	20	40	15	15	15	30	35	2.5	35	2.5		
RR-5	50	30	20	40	15	15	15	30	35	2.5	35	2.5		
PR	30	30	12	20	12	12	6	30	35	2.5	25	2		
SF-1	50	30	12	20	6	6	6	20	35	2.5	15	1		
SF-S	30	20	8	20	6	6	6	10	35	2.5	15	1		
2F (e)	30	30	8	20	6	6	6	20	35	2.5	15	1		
MF (f)	30	30	8	20	6	6	6	20	40	3	15	1		
MH	20(g)	20(g)	6	10	6	6	6	10	20	1	15	1		

- (a) See Section 94.4.09(2) for standards related to detached accessory buildings located within front yard areas, minimum separation requirements associated with detached accessory buildings, and other standards associated with detached accessory structures.
- (b) Additional setbacks may be required along zoning district boundaries for bufferyards, if required for the particular land use under Article 4 or Section 94.11.02(3)(d).
- (c) Minimum street side yard setbacks are equal to the minimum street side setback for the principal structure.
- (d) Includes all gravel and hard surfaces as defined in Section 94.17.04, along with recreational vehicles. This setback excludes intrusions required for driveway entrances and permitted or required for cross access driveways and pedestrian ways; shared driveways; and shared parking lots.
- (e) Single-Family Detached Residences shall comply with the requirements for the SF-S district.
- (f) Single-Family Detached Residences shall comply with requirements of the SF-S District. Two-Family Residences shall comply with the requirements for the 2F district.
- (g) A minimum 100-foot wide buffer must be provided around the perimeter of each "Manufactured Home Community."

017588



DOC# 1726492

*Michael J. Sydow*

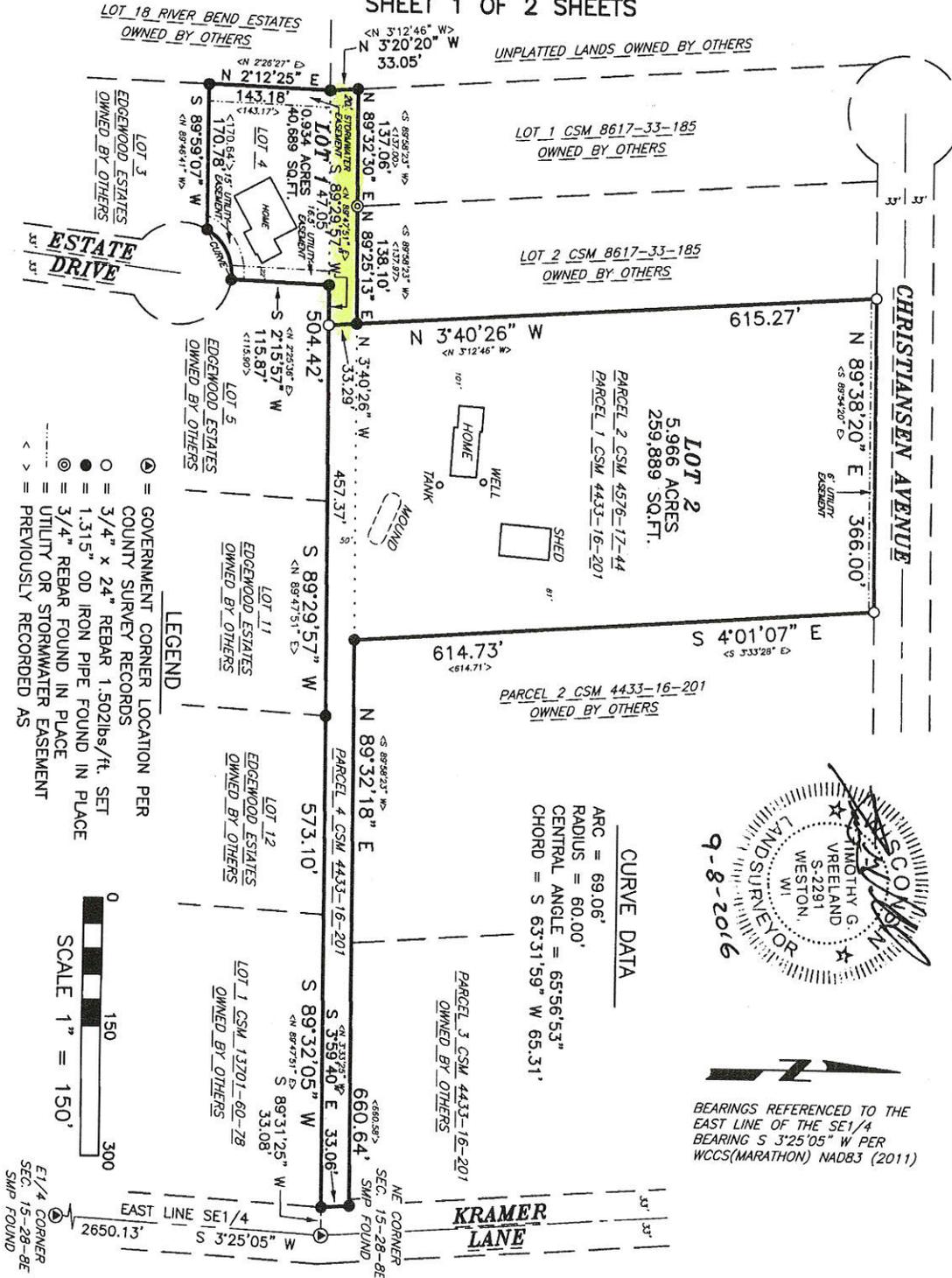
**CERTIFIED SURVEY MAP**

MARATHON COUNTY NO. 17588 VOL. 84 PAGE 95

PART OF PARCEL 1 AND ALL OF PARCEL 4 OF CSM #4433, ALL OF PARCEL 2 OF CSM #4576 LOCATED IN THE SE1/4 SE1/4 OF SECTION 10, AND ALL OF LOT 4 OF EDGEWOOD ESTATES LOCATED IN THE NE1/4 NE1/4 OF SECTION 15, ALL IN TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.

<b>VREELAND ASSOCIATES, INC.</b> 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: <b>MATTHEW GAST</b> <b>RONALD DOMBROWSKI</b>
FILE #: G-326 GAST	DRAFTED BY: TIMOTHY G. VREELAND	DRAWN BY: JASON J. PFLIEGER

SHEET 1 OF 2 SHEETS



Parent P.N.s: 192.4.2808.104.0996 SESE 10.28.08  
 192.4.2808.151.0061 Lot 4 Plat # 02660



**KRAMER LANE**

E1/4 CORNER SEC. 15-28-BE SMP FOUND

# CERTIFIED SURVEY MAP

MARATHON COUNTY NO. 17588 VOL. 84 PAGE 95

PART OF PARCEL 1 AND ALL OF PARCEL 4 OF CSM #4433, ALL OF PARCEL 2 OF CSM #4576 LOCATED IN THE SE1/4 SE1/4 OF SECTION 10, AND ALL OF LOT 4 OF EDGEWOOD ESTATES LOCATED IN THE NE1/4 NE1/4 OF SECTION 15, ALL IN 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 MATTHEW GAST, I SURVEYED, MAPPED AND DIVIDED PART OF PARCEL 1 AND ALL OF PARCEL 4 OF CERTIFIED SURVEY MAP NUMBER 4433 AND ALL OF PARCEL 2 OF CERTIFIED SURVEY MAP NUMBER 4576 LOCATED IN THE SE1/4 SE1/4 OF SECTION 10, AND ALL OF LOT 4 OF EDGEWOOD ESTATES LOCATED IN THE NE1/4 NE1/4 OF SECTION 15, ALL IN TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 15; THENCE S 89°31'25" W 33.08 FEET TO THE WEST LINE OF KRAMER LANE AND TO THE POINT OF BEGINNING; THENCE S 89°32'05" W ALONG THE NORTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 13701 AND LOT 12 OF EDGEWOOD ESTATES 573.10 FEET; THENCE S 89°29'57" W ALONG THE NORTH LINE OF LOTS 5 AND 11 OF EDGEWOOD ESTATES 504.42 FEET; THENCE S 2°15'57" W ALONG THE EAST LINE OF LOT 4 OF EDGEWOOD ESTATES 115.87 FEET TO THE NORTH LINE OF ESTATE DRIVE; THENCE 69.09 FEET ALONG AN ARC OF A CURVE CONCAVE TO THE SOUTH, BEING THE NORTH LINE OF ESTATE DRIVE, WHOSE RADIUS IS 60.00 FEET, CENTRAL ANGLE IS 65°56'53" AND CHORD BEARS S 63°31'59" W 65.31 FEET; THENCE S 89°59'07" W ALONG THE SOUTH LINE OF SAID LOT 4, 170.78 FEET; THENCE N 2°12'25" E ALONG THE WEST LINE OF SAID LOT 4, 143.18 FEET; THENCE N 3°20'20" W ALONG THE WEST LINE OF PARCEL 4 OF CERTIFIED SURVEY MAP NUMBER 4433, 33.05 FEET; THENCE N 89°32'30" E ALONG THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 8617, 137.06 FEET; THENCE N 89°25'13" E ALONG THE SOUTH LINE OF LOT 2 OF CERTIFIED SURVEY MAP NUMBER 8617, 138.10 FEET; THENCE N 3°40'26" W ALONG THE WEST LINE OF PARCEL 2 OF CERTIFIED SURVEY MAP NUMBER 4576, 615.27 FEET TO THE SOUTH LINE OF CHRISTIANSEN AVENUE; THENCE N 89°38'20" E ALONG THE SOUTH LINE OF CHRISTIANSEN AVENUE 366.00 FEET; THENCE S 4°01'07" E ALONG THE EAST LINE OF SAID PARCEL 2, 614.73 FEET; THENCE N 89°32'18" E ALONG THE NORTH LINE OF SAID PARCEL 4, 660.64 FEET TO THE WEST LINE OF KRAMER LANE; THENCE S 3°59'40" E ALONG THE WEST LINE OF KRAMER LANE 33.06 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 8TH DAY OF SEPTEMBER, 2016

TIMOTHY G. VREELAND P.L.S. 2291

REVIEWED AND APPROVED FOR  
RECORDING BY THE VILLAGE OF  
WESTON.

DATE: 11/23/16

*Anneta Higgins*  
VILLAGE OF WESTON



DOC# 1726492

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

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**REQUEST FROM:** JARED WEHNER, ASSISTANT PLANNER, PLANNING AND DEVELOPMENT

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**ITEM DESCRIPTION:** AN ORDINANCE TO APPROVE THE REZONING OF LAND FROM SF-L – SINGLE FAMILY RESIDENTIAL-LARGE LOT, TO SF-S – SINGLE FAMILY RESIDENTIAL-SMALL LOT, TO ALLOW FOR THE RECONFIGURATION OF TWO PARCELS, WHERE A PORTION OF THE PARCEL (ZONED SF-L) IS BEING COMBINED WITH THE PARCEL DIRECTLY SOUTH OF THAT, ADDRESSED AS 4502 ESTATE DRIVE (ZONED SF-S). (REZN-10-16-1615)

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**DATE/MTG:** PLAN COMMISSION, NOVEMBER 14, 2016

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**POLICY QUESTION:** Should the Plan Commission make the recommendation to the Village Board to rezone an 0.209 acres so it can be added to 4502 Estate Drive via a proposed CSM.

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**RECOMMENDATION TO:** I make a motion to endorse approval, and recommend to the Trustees the proposed rezone.

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**LEGISLATIVE ACTION:**

- |   |                                    |                                       |
|---|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input 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:     | None |
| <input type="checkbox"/> Budget Line Item:     | None |
| <input type="checkbox"/> Budgeted Expenditure: | None |
| <input type="checkbox"/> Budgeted Revenue:     | None |
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**STATUTORY / RULEMAKING / POLICY REFERENCES:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> WI Statute:     | Wis. Stat. § 62.23 (7)(d) and Wis. Stat. §62.23(6)(e) |
| <input type="checkbox"/> WI Administrative Code:    |   |
| <input type="checkbox"/> Case Law / Legal:          |   |
| <input checked="" type="checkbox"/> Municipal Code: | Sec. 94.16.03   |
| <input type="checkbox"/> Municipal Rules:           |   |
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**PRIOR REVIEW:** None.

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**BACKGROUND:**

Mr. Gast wishes to purchase the 33' x 275' strip of land that is adjacent to his property, lot 4 of Edgewood Estate Subdivision, in order to preserve the trees and privacy of his lot. In Certified Survey Map number 4576 filed with the Register of Deeds of Marathon County, Wisconsin in Volume 17 Page 44; part of the southwest quarter of the southwest quarter of Section 10, Township 28 north Range 8 east, Village of Weston, Marathon County; the 33-foot by a quarter-mile long strip is shown as "Reserved for future street," (see attachment No. 1). On the current version of the Official Map, this same strip of land is shown as future street, though the map is not intended to be as specific as a certified survey map (see attachment No. 2). The property in question may be transferred from one parcel to another and rezoned under

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the State Statute regulating Official Maps; however, it shall be noted that under Wis. Stat. §62.23(6)(e) any new building construction or addition that is proposed to occur within the area designated at future street shall require approval by the Zoning Board of Appeals and subject to the fees as stated within the Fee Schedule necessary to convene said body.

**Attachments**

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

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REQUEST FROM: **JENNIFER HIGGINS, DIRECTOR OF PLANNING AND DEVELOPMENT**

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ITEM DESCRIPTION: **ORDINANCE NO. 16-047: AN ORDINANCE TO APPROVE THE REZONING OF LAND FROM SF-L – SINGLE FAMILY RESIDENTIAL-LARGE LOT, TO SF-S – SINGLE FAMILY RESIDENTIAL-SMALL LOT, TO ALLOW FOR THE RECONFIGURATION OF TWO PARCELS, WHERE A PORTION OF THE PARCEL (ZONED SF-L) IS BEING COMBINED WITH THE PARCEL DIRECTLY SOUTH OF THAT, ADDRESSED AS 4502 ESTATE DRIVE (ZONED SF-S).**

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DATE/MTG: **BOARD OF TRUSTEES; MONDAY, NOVEMBER 21, 2016**

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POLICY QUESTION: Should the Village Board approve the Plan Commission recommendation to rezone an 0.209 acres so it can be added to 4502 Estate Drive via a proposed CSM.

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RECOMMENDATION TO: I make a motion to approve the rezone of 0.209 Acres north of Lot 4 of the Edgewood Estates Subdivision from SF-L to SF-S by the adoption of Ordinance No. 16-047.

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LEGISLATIVE ACTION:

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|--|--|---------------------------------------|
| <input checked="" type="checkbox"/> <b>Approve</b> | <input checked="" type="checkbox"/> <b>Ordinance</b> | <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:     | None |
| <input type="checkbox"/> Budget Line Item:     | None |
| <input type="checkbox"/> Budgeted Expenditure: | None |
| <input type="checkbox"/> Budgeted Revenue:     | None |
- 
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STATUTORY / RULEMAKING / POLICY REFERENCES:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> WI Statute:     | Wis. Stat. § 62.23 (7)(d) and Wis. Stat. §62.23(6)(e) |
| <input type="checkbox"/> WI Administrative Code:    |   |
| <input type="checkbox"/> Case Law / Legal:          |   |
| <input checked="" type="checkbox"/> Municipal Code: | Sec. 94.16.03   |
| <input type="checkbox"/> Municipal Rules:           |   |
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PRIOR REVIEW: Public Hearing - Plan Commission 11/14/16

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BACKGROUND:

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map (see attachment No. 2). The property in question may be transferred from one parcel to another and rezoned under the State Statute regulating Official Maps; however, it shall be noted that under Wis. Stat. §62.23(6)(e) any new building construction or addition that is proposed to occur within the area designated at future street shall require approval by the Zoning Board of Appeals and subject to the fees as stated within the Fee Schedule necessary to convene said body.

Attachments: Staff Report