

**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, July 9, 2018, at approximately, 6:00 p.m., or shortly thereafter, at the Weston Municipal Center, 5500 Schofield Avenue, Weston, WI 54476 to take testimony relative to the following:

REZN-6-18-1696 Dan MacDonald, of Highland Community Church, 1005 N 28th Avenue, Wausau, WI 54401, requesting a rezone from B-3 (General Business) to INT (Institutional) and, on property addressed as 6505 County Road J (PIN 192-2808-242-0964), described as Lot 2 of CSM#16134, Vol. 74, Pg. 88, Document #1603397. This parcel consists of 3.063 acres. The purpose of this rezone is to allow this parcel to be combined with 6615 County Road J.

REZN-6-18-1698 Bill Aubrey, of Bayland Buildings, Inc., 3323 Bay Ridge Street, Oneida, WI 54155, for Scott and Carmen Sauer, of Sauer Properties, LLC, 8510 Enterprise Way, Weston, requesting a rezone from B-3 (General Business) to GI (General Industrial), on property addressed as 8503 Schofield Avenue (192-2808-231-0958), described as Parcel 1 of CSM#11966, Vol. 51, Pg. 54, Document #1243783. This parcel consists of 1.194 acres. The purpose of this rezone is to allow this parcel to be combined with 8510 Enterprise Way.

Conditional Use Permit request by Mike Masgay, of Tine & Cellar, 3806 Schofield Avenue, Weston, WI 54476, and Victor Anderson, of Lokre Development, PO Box 3044, Plover, WI 54467, to allow for the Outdoor Alcohol Area land use (as described in 94.4.09(16)) within the B-2 (Highway Business) and D-WM (Weston Marketplace Overlay) Districts, addressed as 3806 Schofield Avenue (192-2808-174-0894), described as Lot 1 of CSM#11806, Vol. 50, Pg. 94, Document #1234452. This parcel consists of 8.278 acres (Project 20180035).

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

Written testimony must be submitted to the Village of Weston Plan Commission, Valerie Parker, Plan Commission Secretary, 5500 Schofield Avenue, Weston, WI 54476, or emailed to vparker@westonwi.gov, by noon on Tuesday, July 3, 2018 to be included in the Plan Commission Meeting Packet. All interested persons attending the Public Hearing 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 June 2018

Valerie Parker
Plan Commission Secretary

Published as a legal ad in the Wausau Daily Herald on Monday, June 25, 2018 and Monday, July 2, 2018.

Highland Community Church
1005 N 28th Ave
Wausau, WI 54401

Meng Vue
9401 River Pointe Ln
Ringle, WI 54471

Virgil Kufahl
Betty Kufahl
10001 Schofield Ave
Ringle, WI 54471

Eau Claire River LLC
7306 Zinser St
Weston, WI 54476

Anthony P Morice
Diane M Morice
710 W Azalea Dr
Chandler, AZ 85248

JJMM LLC
3060 S Meadow Creek Ct
New Berlin, WI 53146

East Wausau LLC
7306 Zinser St
Weston, WI 54476

Nationwide Limited Partnership
PO BOX 100
Marathon, WI 54448-0100

Mark E Kluck
6404 County Road J
Ringle, WI 54471

Jade R Marten
6608 Caribou Ln
Ringle, WI 54471

Douglas M Seidens
6610 Caribou Ln
Ringle, WI 54471

**VILLAGE OF WESTON, WISCONSIN
AGENDA ITEM COVER SHEET**

MTG/DATE: Plan Commission – 07/09/2018

FROM: Jared Wehner, Assistant Planner

DESCRIPTION: Public Hearing - REZN-6-18-1696 Highland Community Church, 1005 North 28th Avenue, Wausau, WI 54401, requesting a rezoning from B-3 (General Business) Zoning District to INT (Institutional) Zoning District, to allow the parcel to be combined with an adjacent 4.623-acre parcel zoned INT. The property address is 6505 County Road J, Weston.

ACTION:	<input checked="" type="checkbox"/> Approve	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Proclamation
	<input type="checkbox"/> Deny	<input type="checkbox"/> Policy	<input type="checkbox"/> Report
	<input type="checkbox"/> Expenditure	<input type="checkbox"/> Procedure	<input type="checkbox"/> Resolution

QUESTION:

Should the Plan Commission recommend approval of the rezone request application as presented and forward it on to the Board of Trustees to adopt the zoning change via Ordinance No. 17-019 (draft attached) at their meeting on 7/16/2018?

BRIEF:

Highland Community Church has recently purchased the above stated property, which is adjacent to their property at 6615 County Road J. The purpose of the request to rezone the property is so they the Church may combine the properties. The properties cannot be combined until the lot is rezoned to INT.

The property is currently idle with a storm water pond for the 2 lots. Access is restricted on the northwest corner of the property to County Road J and Ringle Avenue. An easement is located within the middle of the property (document 1603865).

RECOMMEND: Staff recommends approval.

COMMITTEE: None

REQUEST: Recommend Approval of REZN-6-18-1696 under New Business

- Is there an additional briefer with this agenda item?
- Are there additional reference documents which have been attached to this report



Application for Rezone
**REZONE DETERMINATION BY THE VILLAGE OF WESTON
PLAN COMMISSION**

Application/Petition No.: **REZN-6-18-1696** Hearing Date: **July 9, 2018**
Applicant: **Dan MacDonald, Highland Community Church, 1005 North 28th Avenue, Wausau, WI 54401**
Location: **6505 County Road J, Weston, WI 54476**
Description: **Lot 2 of Certified Survey Map No. 16134 as filed with the Office of the Register of Deeds of Marathon County, Wisconsin, in Volume 74 of Surveys on Page 88 as Document No. 1603397; being part of the southeast quarter of the northwest quarter of Section 24, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin.**

The Department of Planning and Development of the Village of Weston, pursuant to the Village of Weston Zoning Code, Article 16 Processes, Section 94.16.03 Amendments to the Official Zoning Map (Rezoning), hereby makes the following findings and evaluation to the Village of Weston Plan Commission:

GENERAL INFORMATION:

Current Zoning: **B-3 General Business**
Definition: 94.2.02(3)(d) The B-3 district accommodates a wide range of commercial uses, along with compatible wholesale, light industrial, and outdoor storage and display uses. Development within this district is served by public sanitary sewer and water services. This district is intended for mapping (i) along major highway corridors; (ii) outside of the Village’s neighborhood areas; and (iii) in areas planned for commercial uses, and occasionally in areas planned for industrial uses, within the Comprehensive Plan.

Proposed Zoning **INT Institutional**
Definition: 94.2.02(3)(a) The INT district enables a range of public, semi-public, educational, religious, and other “gathering” type uses generally intended for non-commercial purposes, subject to performance standards to ensure compatibility between institutional uses and surrounding uses, zoning districts, and infrastructure. Development within this district is generally served by public sanitary sewer and water services, and roadways with an urban cross section (e.g., curbs, storm sewer). The INT district is intended for areas planned for public/quasi-public uses within the Comprehensive Plan, and for other non-residential, non-agricultural use.

Future Land Use: **Commercial**
FLU Description: Retail, commercial service, restaurant, and office uses, all served by public sanitary sewer and water services. Where along major highway corridors or outside of the Village’s neighborhood areas, the scale and range of uses may expand, including lodging, large-scale retail, wholesaling, and outdoor display land uses.

Development Policies:

- 1. Meet associated non-residential building and site design standards per zoning ordinance, including any overlay district requirements.**
- 2. Time rezoning to when public utilities are available, and a development proposal is made.**
- 3. Assure that development provides access and an attractive rear yard appearance to development behind it.**
- 4. Require developments to address traffic, environmental, and neighborhood impacts.**

Typical Implemented Zoning Districts:

- Where adjacent to residential development and/or away from major highways, B-1 Neighborhood Business or parts of N Neighborhood district
- Where along major highways or outside of the village's neighborhood areas, B-2 Highway Business and B-3 General Business

1. Is the proposed rezoning consistent with the Comprehensive Plan, as is required by Wisconsin Statutes?

No, the property is shown as future commercial, which does not include institutional zoning district as its not listed under the typical zoning districts that would be rezoned to.

2. Does the rezoning further the purpose and intent of this Chapter?

Yes.

3. Does rezoning address any of the following that are not properly addressed on the current Official Zoning Map?

1. A mistake was made in mapping on the Official Zoning Map. That is, an area is or has developed in a manner and purpose different from that for which it is mapped. If this reason is cited, it must be demonstrated that the discussed inconsistency between actual land use and designated zoning is not intended, as the Village may intend to stop an undesirable land use pattern from being perpetuated.
2. **Factors have changed, such as the availability of new data, the presence of new roads or other infrastructure, additional development, annexation, or other zoning changes, making the subject property more appropriate for a different zoning district.**
3. Growth patterns or rates have changed, thereby creating the need for a rezoning.

Yes, there was a new zoning district created due to the unique land use activities that are occurring within that area of the Village. At the time the district was created and the zoning districts implemented, the property did not meet the minimum lot size and was not able to be combined since the parcels were not under the same ownership.

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

No, the future land use map indicates the property as future commercial. The intent of the owner of the property is to have the property remain idle with no further development proposed at this time.

BACKGROUND INFORMATION:

Highland Community Church has recently purchased the above stated property, which is adjacent to their property at 6615 County Road J. The purpose of the request to rezone the property is so they the Church may combine the properties. The properties cannot be combined until the lot is rezoned to INT.

CURRENT PROPERTY CONDITIONS:

The property is currently idle with a stormwater pond for the 2 lots. Access is restricted on the northwest corner of the property to County Road J and Ringle Avenue. An easement is located within the middle of the property (document 1603865).

PLAN COMMISSION ACTION OPTIONS: (Process is outlined in Sec. 94.16.03(6))

- 1) **RECOMMEND APPROVAL:** Plan Commission recommends approval of the rezone request and forwards the recommendation on to the Village Board on 7/16/18 meeting agenda.
- 2) **RECOMMEND DENIAL:** Plan Commission recommends denial of the rezone request and forwards the recommendation on to the Village Board on 7/16/18 meeting agenda.

- 3) **NO RECOMMENDATION:** Plan Commission takes no action and the request moves on to the Village Board on 7/16/18 meeting agenda.

ACTION:

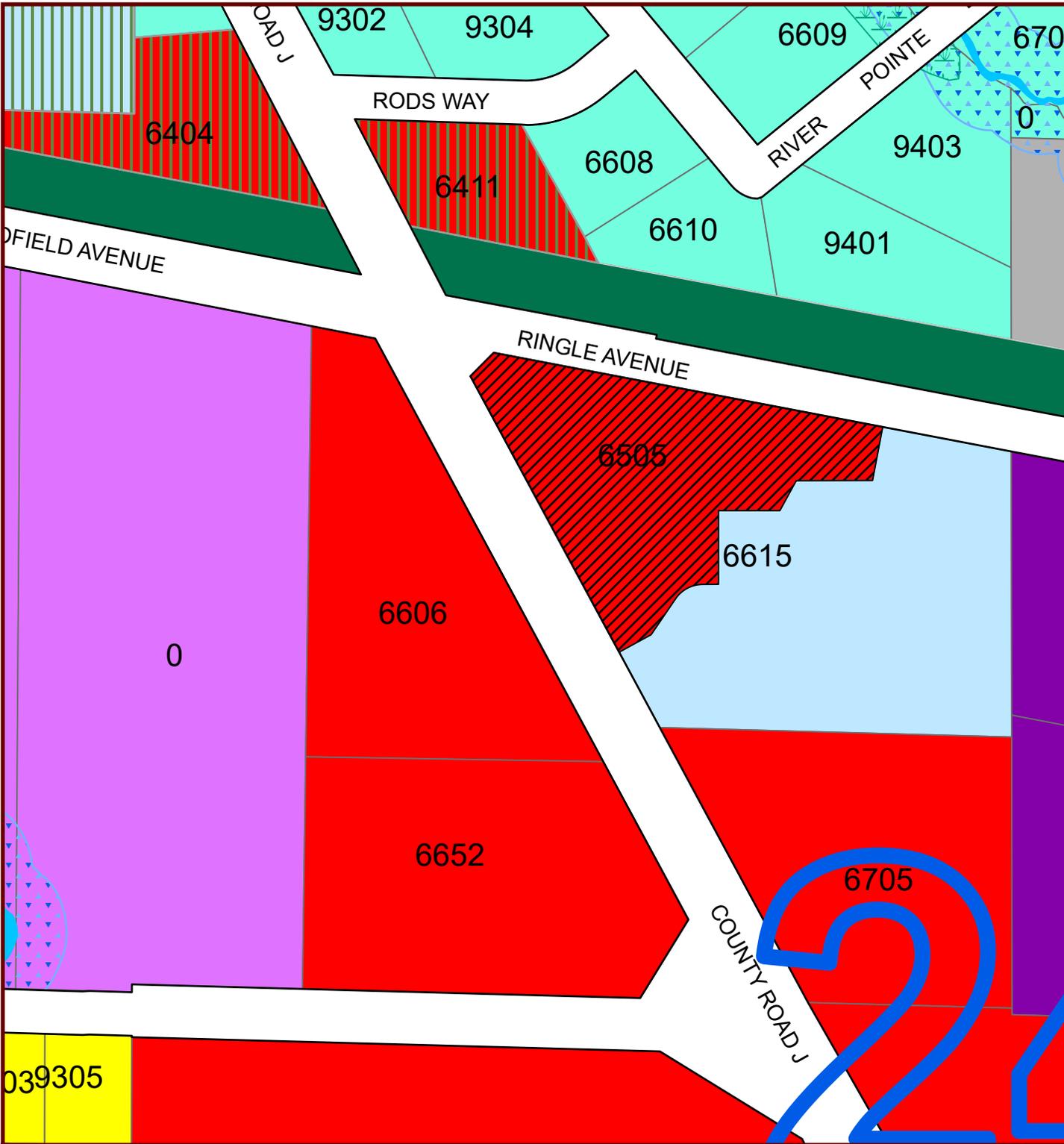
Plan Commission Determination on 7/09/18:

VILLAGE BOARD POLICY CHOICES: (Process is outlined in Sec. 94.16.03(8))

- 1) Board approves the rezone request per the PC recommendation by adopting Ord. No. 18-019 as written. (simple majority required)
- 2) Board approves the rezone request with modifications to Ord. No. 18-019. – Sec. 94.16.03(8)(b) Requires affirmative vote of $\frac{3}{4}$ or greater of the full Village Board.
- 3) Board denies the rezone request. – Sec. 94.16.03(8)(b) Requires affirmative vote of $\frac{3}{4}$ or greater of the full Village Board.

Board of Trustees Determination on 7/16/18:

Approve / Deny



Village of Weston Marathon County, WI



OFFICIAL ZONING MAP



Map Date: 6/27/2018
Adoption Date: 4/18/2018



LEGEND

6505 County Road J

MUNICIPAL FEATURES

Village of Weston Incorporated Boundary

Right-of-Way

Wetland Presence

Surface Water

ZONING DISTRICTS

PR Parks and Recreation

RR-5 Rural Residential-5 Acre

SF-L Single Family Residential-Large Lot

SF-S Single Family Residential-Small Lot

INT Institutional

B-3 General Business

LI Limited Industrial

GI General Industrial

OVERLAY ZONING DISTRICTS

D-RT Design: Rail-to-Trail Overlay

Village of Weston Shoreland Overlay

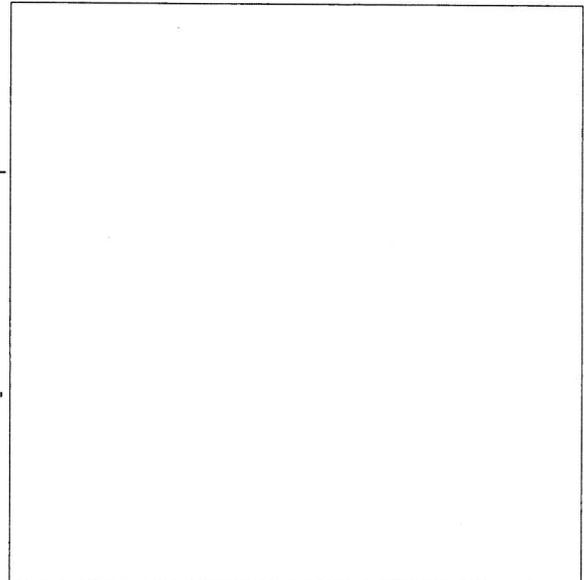
MARATHON COUNTY CERTIFIED SURVEY MAP

MAP NO. _____ VOLUME _____ PAGE _____

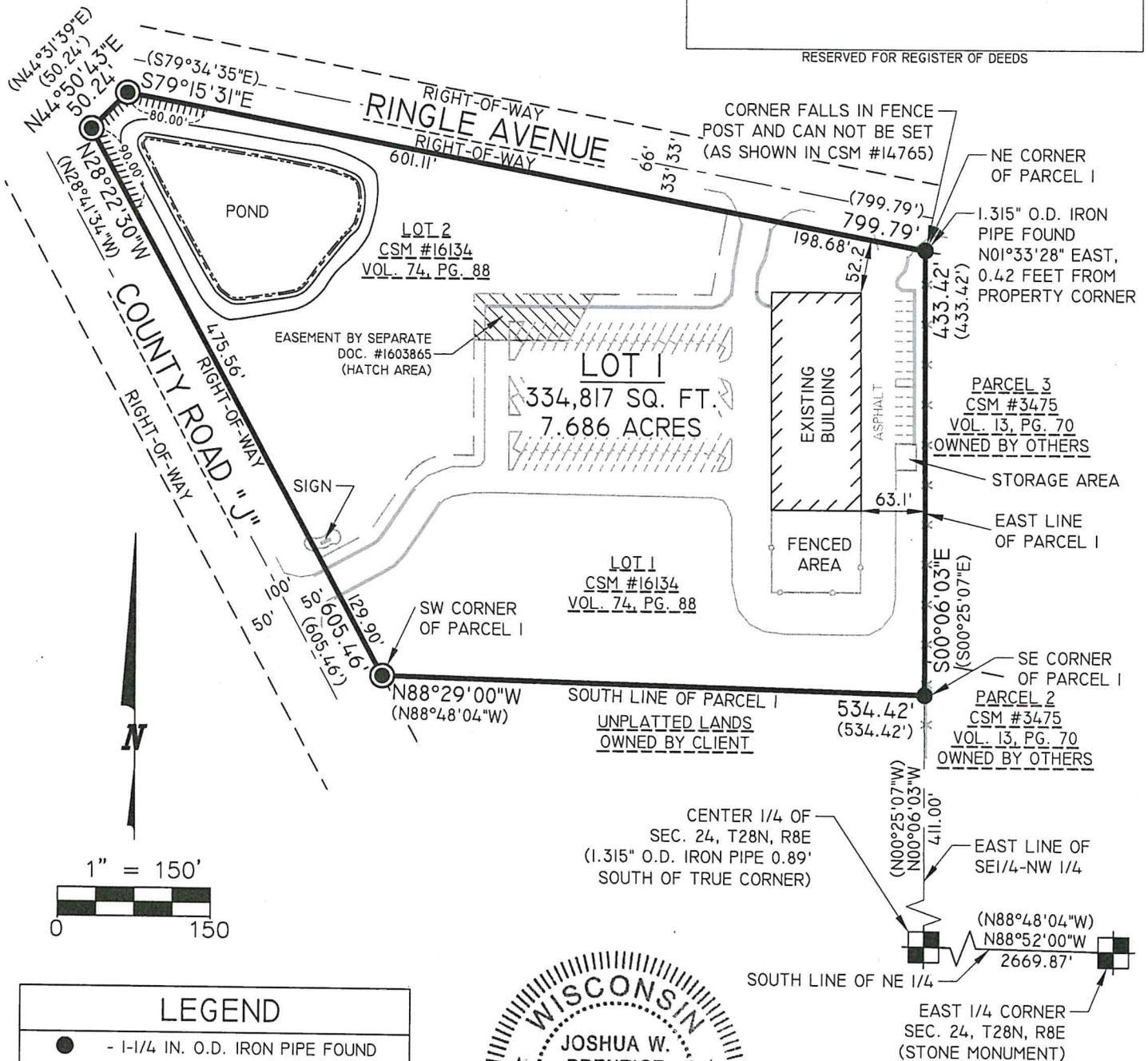
PREPARED FOR: HIGHLAND COMMUNITY CHURCH

LANDOWNER: PEOPLES STATE BANK
HIGHLAND COMMUNITY CHURCH

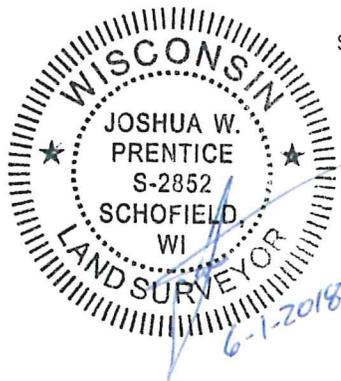
OF LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NUMBER 16134, RECORDED IN VOLUME 74, ON PAGE 88, AS DOCUMENT NUMBER 1603397, FILED IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE; BEING LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.



RESERVED FOR REGISTER OF DEEDS



LEGEND	
●	- 1-1/4 IN. O.D. IRON PIPE FOUND
⊙	- 1 IN. IRON BAR FOUND
////	- ACCESS CONTROL DOC. #1188105
(126')	- RECORDED BEARING/LENGTH
126.00'	- MEASURED BEARING/LENGTH



NOTES:

- BEARINGS ARE BASED ON THE MARATHON COUNTY COORDINATE SYSTEM, NAD 83(91) DATUM AND REFERENCED TO THE SOUTH LINE OF PARCEL 1 OF CERTIFIED SURVEY MAP NUMBER 14765, RECORDED IN VOLUME 66 ON PAGE 37, IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE, MEASURED TO BEAR NORTH 88°29'00" WEST.
- FIELD WORK WAS COMPLETED ON 06-01-2018.
- THE INTENT OF THIS SURVEY IS TO COMBINE LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP 16134, RECORDED IN VOLUME 74 ON PAGE 88, IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE.

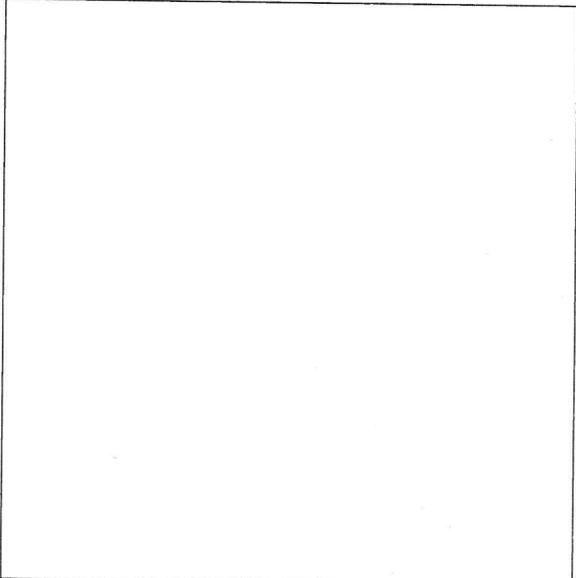
MARATHON COUNTY CERTIFIED SURVEY MAP

MAP NO. _____ VOLUME _____ PAGE _____

PREPARED FOR: HIGHLAND COMMUNITY CHURCH

LANDOWNER: PEOPLES STATE BANK
HIGHLAND COMMUNITY CHURCH

OF LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NUMBER 16134, RECORDED IN VOLUME 74, ON PAGE 88, AS DOCUMENT NUMBER 1603397, FILED IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE; BEING LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.



RESERVED FOR REGISTER OF DEEDS

SURVEYOR'S CERTIFICATE

I, JOSHUA W. PRENTICE, WISCONSIN PROFESSIONAL LAND SURVEYOR S-2852, DO HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF: THAT I HAVE SURVEYED, MAPPED AND COMBINED OF LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NUMBER 16134, RECORDED IN VOLUME 74 ON PAGE 88, AS DOCUMENT NUMBER 1603397, FILED IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE; BEING LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.

THAT THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 334,817 SQUARE FEET, 7.686 ACRES, MORE OR LESS.

THAT I HAVE MADE THIS SURVEY, DIVISION AND MAP THEREOF AT THE DIRECTION OF HIGHLAND COMMUNITY CHURCH, AGENT OF SAID LOTS.

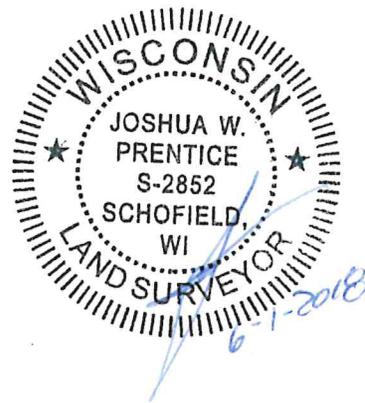
THAT SAID LOT IS SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHT-OF-WAYS OF RECORD.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF SECTION 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION ORDINANCES OF THE VILLAGE OF WESTON.

THAT THIS MAP IS A CORRECT AND ACCURATE REPRESENTATION OF THE EXTERIOR BOUNDARIES OF SAID LOT, AND OF THE DIVISION THEREOF MADE.

DATED THIS 1ST DAY OF JUNE 2018

REI
JOSHUA W. PRENTICE
WI P.L.S. S-2852



APPROVED FOR RECORDING UNDER THE TERMS OF THE VILLAGE OF WESTON LAND DIVISION REGULATIONS.

BY: _____

DATE: _____
VILLAGE OF WESTON ZONING DEPARTMENT



LETTER OF TRANSMITTAL

CCSM-6-18-1697

CIVIL & ENVIRONMENTAL ENGINEERING, SURVEYING

4080 N. 20th Ave / Wausau, WI 54401
Tel: 715.675.9784 / Fax. 715.675.4060
E-MAIL: mail@REIengineering.com

TO: Village of Weston
5500 Schofield Avenue
Weston, Wisconsin 54476

DATE: 6-7-2018
PROJECT: 5813
LOCATION: Weston, Wisconsin
RE: Certified Survey Map

ATTENTION: Jennifer Higgins

We are sending you: [] Herewith [] Delivered by Hand [] Under Separate Cover
Via [] Plans [] Specifications [] Shop Drawings [] Samples
[] Subcontract [] Change Order []

Table with 3 columns: Copies, Date or No., Description. Row 1: 1, , Certified Survey Map

These are transmitted as indicated below:

- [X] For Your Use [] Approved as Noted [] Return Signed Documents
[X] For Approval [] Approved for Construction [] Submit Copies for
[] For Bids Due [] Return for Corrections [] Resubmit Copies for
[] As Requested [] For Signature & Return
[] For Review & Comment []

Remarks: Jennifer,
Here is the signed CSM for your review and approval as discussed. Thanks.

IF ENCLOSURES ARE NOT AS INDICATED, PLEASE NOTIFY US AT ONCE.

SIGNED: Joshua W. Prentice PLS/Land Survey Department Manager
PRINT NAME

State Bar of Wisconsin Form 1-2003
WARRANTY DEED

Document Number

Document Name

THIS DEED, made between **Peoples State Bank, a State Bank chartered under Chapter 221 of the Wisconsin Statutes**

("Grantor," whether one or more), and **Highland Community Church**

("Grantee," whether one or more).

Grantor for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in **Marathon** County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

Lot two (2) of Certified Survey Map No. 16134 recorded in the office of the Register of Deeds for Marathon County, Wisconsin, in Volume 74 of Certified Survey Maps on page 88, as Document No. 1603397; being part of the Southeast quarter (SE 1/4) of the Northwest quarter (NW 1/4) of Section twenty-four (24), Township twenty-eight (28) North, Range eight (8) East, in the Village of Weston, Marathon County, Wisconsin; subject to easements of record.

Recording Area

Name and Return Address

Scott A. Jackman, Esq.
Eaton John Overbey Jackman, LLP
513 Grant Street
Wausau, WI 54403

192-2808-242-0964

Parcel Identification Number (PIN)

This is not homestead property
 (is not)

Grantor warrants that the title to the Property is good, indefeasible, in fee simple and free and clear of encumbrances except: any easements, conditions, covenants, restrictions and reservations of record, municipal or zoning ordinances and general taxes levied in the year of closing.

Dated as of **June 15, 2018**

Peoples State Bank

(SEAL)

[Signature]
By: **Kenneth Stengl, Vice President**

(SEAL)

(SEAL)

(SEAL)

AUTHENTICATION

Signature(s)

authenticated on

TITLE: **MEMBER STATE BAR OF WISCONSIN**
(If not, _____
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:
Scott A. Jackman, Esq.
Eaton John Overbey Jackman, LLP

ACKNOWLEDGMENT

STATE OF **WISCONSIN**)

MARATHON) ss.

COUNTY)

Personally came before me on **June 14, 2018**,
the above-named **Kenneth Stengl**, as **Vice President of Peoples State Bank**

to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

[Signature]
Notary Public, State of **Wisconsin**

My commission (is permanent) (expires: **10-9-2021**)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

WARRANTY DEED

*Type name below signatures.

©2003 STATE BAR OF WISCONSIN

FORM NO. 1-2003

INFO-PRO™ Legal Forms • (800)656-2621 • info@proforma.com

STAPLE ATTACHMENTS HERE

Wisconsin Real Estate Transfer Return - Confidential

To complete see *Instructions for Real Estate Transfer Return PE-500A*. Submit original form to Register of Deeds with document(s) to be recorded. Completely fill in all appropriate areas. **TYPE or PRINT** clearly in **BLACK INK**, and use **ALL UPPERCASE LETTERS**. If typing form, type through vertical character lines.

I. GRANTOR (Seller)

If more than ONE (1) grantor, check box at left and list on attached addendum. Note: Lines 67-72 must be completed with grantor's address. Note: For this purpose a married couple is one grantor if same last name (see line 2).

1. Your Last Name or Company

PEOPLES STATE BANK

2. Your First Name(s) and Middle Initial(s) - If a married couple, show both first names and middle initials.

3. Social Security Number or FEIN

II. GRANTEE (Buyer)

If more than ONE (1) grantee, check box at left and list on attached addendum. Note: For this purpose a married couple is one grantee if same last name (see line 5).

4. Your Last Name of Company

HIGHLAND COMMUNITY CHURCH

5. Your First Name(s) and Middle Initial(s) - If a married couple, show both first names and middle initials.

6. Social Security Number or FEIN
39-1530890

7. Street or Fire Number, if any
1005

7a. Street Name, PO Box, or Other Address (enter "PO Box" and Box Number)
N. 26TH AVENUE

8. City
WAUSAU

9. State 10. Zip Code
WI 54401

TO RECEIVE TAX BILL AT ANOTHER ADDRESS, check here and complete Section X, page 2.

III. PROPERTY TRANSFERRED

11. Indicate: City Village Town >

Check if additional parcels and list on attached addendum.

12. Name of the City/Village/Town
WESTON

13. County Name
MARATHON

14. Physical Property Address or Road Address (description)
6505 COUNTY ROAD J

15. Tax Parcel Number as it appears on Property Tax bill (see instructions)
192-2808-242-0964

16. Property Description: lot - block - plat, Certified Survey Map (CSM), or other designation; if description will not fit here, add attachment (see instructions)
LOT 2 OF CSM 16134

17a. Section (primary) 17b. Township (primary) 17c. Range (primary)
24 28N 8E

Check here if more than one lot and block, or if legal description is metes and bounds or certified survey map; attach legal description as an addendum (see Instructions).

IV. COMPUTATION OF FEE OR STATEMENT OF EXEMPTION

18. Total value of REAL ESTATE transferred (round up to the nearest \$100)

42,500

IN WHOLE DOLLARS

19. Transfer fee due (line 18 x .003) \$

DOLLARS

127

CENTS

50

20. Transfer Exemption Number, SEG 77.25

20a. If you enter "005" or "017," it is mandatory to provide your previous document number.

20b. Date of Original Land Contract

MONTH

DAY

YEAR

21. Value of personal property transferred but EXCLUDED from line 18. \$

IN WHOLE DOLLARS

22. Value of property exempt from local property tax INCLUDED on line 18. \$

IN WHOLE DOLLARS

V. TO BE COMPLETED BY AUTHORIZED COUNTY/LOCAL OFFICIAL

23. Document Number

24. Volume/Jacket

25. Page/Image

26. Date Recorded

27. Date of Conveyance

28. Conveyance Code

Warranty/Condo Deed

Land Contract

Quit Claim Deed

Other (explain) >

MONTH

DAY

YEAR

MONTH

DAY

YEAR

29. County (1)

30. Municipality (1)

31. County (2)

32. Municipality (2)

Check if more than two (2) municipalities; if so, refer to instructions >

33. Is this a split parcel? (see instructions)

YES NO

34. Enter number of acres for each parcel classification and check preceding box to show predominant classification.

1 (Residential)

2 (Commercial)

3 (Manufacturing)

4 (Agricultural)

5 (Swamp & waste)

6 (Forest)

7 (Other)

35. Assessment Year

36. Land

37. Improvements

38. Total Assessment

Wisconsin Real Estate Transfer Return

VI. TRANSFER

39. Grantor/Grantee relationship is: None Financial Partnership Corp./Shareholder/ Subsidiary Family Other > If Family or Other, Explain >

40. Type of Transfer: Sale (includes original land contract) Exchange Gift Deed in satisfaction of land contract Other (explain) >

41. Ownership interest: Full Partial (explain) Other (explain) >

42. Does grantor retain any of the following rights? None Life Estate Easement Other (explain) >

43. Grantor is: Individual Partnership Corporation Limited Liability Company Trust Other (specify) >

VII. GRANTEE'S FINANCING

44. Check boxes for all financing types that apply: Financial Institution-Conventional Financial Institution-Government Obtained from seller Assumed existing financing Other 3rd party financing No financing involved

VIII. PHYSICAL DESCRIPTION AND GRANTEE'S PRIMARY USE OF PROPERTY

45. Type of property: Land only Land and building(s) Condominium Other (Specify) >

46a. Predominant Use: Single family Multi-family > No. of Units Time Share Unit Agricultural, if so, did the grantor own property for less than 5 years? > Yes No

Commercial Utility Miscellaneous Manufacturing/ Telephone Company VACANT LAND

If any boxes at left are checked, explain use here: ↓

47. Estimated land area: If condominium, check here and proceed to line 50. 47a. Lot Size (ROUND TO NEAREST WHOLE FOOT) FEET X FEET 47b. Total Acres ROUND TO TENTH OF AN ACRE 3 1

48. MFL/PFC/WTL Acres ROUND TO NEXT WHOLE ACRE 49. Feet of Water Frontage

IX. ENERGY

50. Is this property subject to the Residential Rental Weatherization Standards, COMM67? Yes No (if No, provide exclusion code) > W-

51. Exclusion Code > If W-11 attach explanation

52. If W-12 provide document number where record

X. CERTIFICATION - We declare under penalty of law, this return has been examined by us and to the best of our knowledge and belief it is true, correct and complete.

53. Agent for: Grantor Grantee

54. Agent's Name (if agent involved in sale) **KENNETH STENGL, VICE PRESIDENT**

55. Telephone Number **715/847-4018**

56. Street or Fire Number, if any **1905**

56a. Street name, PO Box, or Other Address (enter "PO Box" and box number) **STEWART AVENUE**

57. City **WAUSAU**

58. State **WI** 59. Zip Code **54401**

60. Preparer's Name or Firm Name **SCOTT A. JACKMAN, ESQ. - EATON JOHN OVERBEY JACKMAN,**

61. Telephone Number **715/843-6700**

SEND TAX BILL TO:

62. Name

63. Street or Fire Number, if any

63a. Street Name, PO Box, or Other Address (enter "PO Box" and Box Number)

64. City

65. State 66. Zip Code

67. Grantor's Street or Fire Number, if any **1905**

67a. Grantor (where grantor can be reached in the future) Street Name, PO Box, or Other Address (enter "PO Box" and Box Number) **STEWART AVENUE**

68. City **WAUSAU**

69. State **WI** 70. Zip Code **54401**

71. Dated **06 / 15 / 2018**

72. Telephone Number **715/847-4018**

74. Dated **06 / 15 / 2018**

75. Telephone Number **715/842-5683**

73. Signature of Grantor or Grantor's Agent (PLEASE ATTEMPT TO KEEP SIGNATURE WITHIN BOX)

76. Signature of Grantee or Grantee's Agent (PLEASE ATTEMPT TO KEEP SIGNATURE WITHIN BOX)

OWNER'S AFFIDAVIT AS TO LIENS AND POSSESSION

1. I am the Owner of the property (the Property) described in commitment number MA71832 issued by CHICAGO TITLE INSURANCE COMPANY.

2. **Construction Work. (check one box)**

Repair or construction work **has not** been done on the Property in the past six months.

Repair or construction work **has been done** on the Property in the past six months. The total dollar amount of the work is approximately \$ _____ . All of the people who supplied labor or material are listed below.
Type of work Contractor name Dollar amount of work Date of work

3. **Tenants. The following tenants and renters occupy the Property: (check one box)**

There are no tenants.

There are tenants, but all have left the Property or will leave as of closing.

One or more tenants will stay after this sale has closed. Their names are:

I give this affidavit to persuade CHICAGO TITLE INSURANCE COMPANY to issue its policy or policies of title insurance. I agree to indemnify CHICAGO TITLE INSURANCE COMPANY against loss caused by inaccuracies or omissions in the above information of which I am aware.

Dated as of the 15th day of June, 2018.

**OWNER
PEOPLES STATE BANK**

By: 
Kenneth Stengl, Vice President

Subscribed and sworn to before me this 14th day of June, 2018.


Tara Genovese, Notary Public
Marathon County, State of Wisconsin
My commission 10-9-2022

CHICAGO TITLE INSURANCE COMPANY
Affidavit as to Broker Lien Rights

The undersigned, being duly sworn, deposes and says:

That I am the Owner of property further described in commitment to insure number MA71832 (the Property) issued by Chicago Title Insurance Company (the Company), or a partner, officer or member of the Owner with authority to make the representations below.

(Complete one.)

 X No real estate broker is or will be entitled to a commission from Owner under a listing contract or buyer agency contract having to do with the purchase or sale of the Property, and there is no contract for the lease or management of the Property under which a commission is presently owed.

 The following is an accurate and complete list of all real estate brokers who are or will be entitled to a commission from the undersigned Owner under a listing contract or buyer agency contract having to do with the purchase or sale of the Property, and/or with whom the Owner has a contract for the lease or management of the Property.

LISTING/BUYER BROKER

Name
Address
Telephone number
Amount of commission owed or to be owed:

LEASING/MANAGEMENT BROKER

Name
Address
Telephone number
Amount of commissions owed on this date:

Attached hereto is a waiver of lien rights from each broker listed above, or a copy of the closing statement showing that each broker will be paid at closing.

This Affidavit is given to induce the Company to issue its policy or policies of title insurance. The undersigned indemnifies Chicago Title Insurance Company against any loss caused by the existence of any inaccuracies or omissions in the above information known to the undersigned and not disclosed to the Company, plus any cost of the enforcement of this indemnification.

Dated as of the 15th day of June, 2018.

OWNER
PEOPLES STATE BANK

By:


Kenneth Stengl, Vice President

Subscribed and sworn to before me this
14th day of June, 2018.


TERRA GENOVESE, Notary Public
Marathon County, Wisconsin.
My commission 10-9-2021

RECORDING GAP INDEMNITY

Commitment No. MA71832

WHEREAS, CHICAGO TITLE INSURANCE COMPANY (the Company) is about to issue its title insurance policy or policies (the Policies) to proposed insured(s) for property described in the above referenced commitment, insuring against loss by reason of defects in the title to said property (the Land);

AND, WHEREAS, The Company has made exception for defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching between the effective date of the title insurance Commitments and the date of recording of the deed and/or mortgage to be insured [Gap Defect(s)];

AND WHEREAS, The Company has been asked to issue the Policies, and may hereafter in the ordinary course of its business issue title insurance policies or commitments in respect to the Land, or some part or interest in it (the Future Policies), removing or insuring against loss by reason of the Gap Defect(s);

NOW, THEREFORE, in consideration of the issuance of the Policies or Future Policies, the undersigned covenant(s) and agree(s) with The Company forever to protect, defend and save The Company harmless from and against Gap Defect(s) created, suffered or agreed to by the undersigned and except as disclosed in writing to The Company, and any right, interest or defect growing out of the same, including all loss, costs, damages, and attorneys' fees and expenses which it may incur by reason thereof, including loss, costs, damages, fees and expenses incurred in actions brought to enforce this agreement; to defend at undersigned's own cost any and every suit, action or proceeding in which the Gap Defect(s) was created, suffered or agreed to by the undersigned and, except as disclosed in writing to The Company, is or are asserted against the real estate; to satisfy or remove such Gap Defect(s) on written demand within thirty days; and that each and every provision herein shall extend to and be in force concerning Future Policies.

Dated as of the 15th day of June, 2018.

PEOPLES STATE BANK

By:


Kenneth Stengl, Vice President

STATEMENT FOR CLOSING REAL ESTATE TRANSACTION

Seller: Peoples State Bank

By: Kenneth Stengl, Vice President

Buyer: Highland Community Church

By: Jeffrey Hinds, Senior Pastor

Property Address: 6505 County Road J, Weston, Wisconsin

Place of Settlement/Closing: Eaton John Overbey Jackman, LLP

Date of Settlement/Closing: As of June 15, 2018

BUYER'S SETTLEMENT STATEMENT		DEBIT BUYER	CREDIT BUYER
Sale Price		42,500.00	
2018 Taxes prorated from _____ to _____ (# days); (Last Year's Tax); \$0 (/day)			
Buyer will assume all 2018 real estate taxes for the Property			
TOTALS		\$42,500.00	
GROSS DUE FROM BUYER		\$42,500.00	
		DEBIT BUYER	CREDIT BUYER
Down Payment/Earnest Money Deposit			
Recording Fees - Deed and Termination of Cross-Easement - Marathon County Register of Deeds		60.00	
Wisconsin Real Estate Transfer Tax - Marathon County Register of Deeds		127.50	
Title Insurance Premium & GAP Coverage - Runkel Abstract & Title Co.		615.00	
TOTALS		\$802.50	
NET DUE FROM BUYER		\$43,302.50	

THIS STATEMENT IS ACCEPTED AS CORRECT June 15, 2018 (DATE)

Eaton John Overbey Jackman, LLP
SETTLEMENT AGENT

BY 
Scott A. Jackman

Highland Community Church BUYER

 6/14/18 BUYER
By: Jeffrey Hinds, Senior Pastor

VOID CORRECTED

FILER'S name, street address, city, state, ZIP code, and telephone no. EATON JOHN OVERBEY JACKMAN, LLP 513 Grant Street Wausau, WI 54403 (715) 298-9445		1 Date of closing as if June 15, 2018	OMB No. 1545-0097 2018	Proceeds From Real Estate Transactions
FILER'S Federal identification number 39-2007751		2 Gross proceeds \$ 42,500.00	Form 1099-S	
TRANSFEROR'S name Peoples State Bank		3 Address or legal description (including city, state, and ZIP code) Lot two (2) of Certified Survey Map No. 16134 recorded in the office of the Register of Deeds for Marathon County, Wisconsin, in Volume 74 of Certified Survey Maps on page 88, as Document No. 1603397; being part of the Southeast quarter (SE 1/4) of the Northwest quarter (NW 1/4) of Section twenty-four (24), Township twenty-eight (28) North, Range eight (8) East, in the Village of Weston, Marathon County, Wisconsin; subject to easements of record.		Copy C For Filer For Privacy Act and Paperwork Reduction Act Notice, see the General Instructions for Forms 1099, 1098, 5498 and W-2G.
TRANSFEROR'S identification number		4 Check here if the transferor received or will receive property or services as part of the consideration. <input type="checkbox"/>		
Street address (including apt. no.) 1905 Stewart Avenue		5 Buyer's part of real estate tax \$ -0-		
City, state, and ZIP code Wausau, WI 54401		Form 1099-S		
Account number (optional)		Department of the Treasury - Internal Revenue Service		

SOLICITATION

NOTE: This form is specifically intended to satisfy the real estate reporting requirements imposed by §1521 (a) of the Tax Reform Act of 1986 which amends §6045 of the Internal Revenue Code.

YOU ARE REQUIRED BY LAW TO PROVIDE THE CLOSING AGENT WITH YOUR CORRECT TAXPAYER IDENTIFICATION NUMBER. IF YOU DO NOT PROVIDE THE CLOSING AGENT WITH YOUR CORRECT TAXPAYER IDENTIFICATION NUMBER, YOU MAY BE SUBJECT TO CIVIL OR CRIMINAL PENALTIES IMPOSED BY LAW.

CERTIFICATION - Under penalties of perjury, I certify that:

- (1) The number shown on this form is my correct Taxpayer Identification number, and
- (2) I am providing my Taxpayer Identification Number (or Social Security number) in connection with a real estate transaction.
- (3) The undersigned, understands and acknowledges that the information on this form must be reported to the Internal Revenue Service as required by federal law, and further certifies said information is true and correct to the best of my knowledge and belief. I further acknowledge receipt of a copy of this form with the information filled in on the 1099-S at the top hereof.

Dated: 6/17/18


 Peoples State Bank

By: Kenneth Stengl, Vice President



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 18-019

AN ORDINANCE TO APPROVE THE REZONING OF 3.063 ACRES OF LAND FROM B-3 GENERAL BUSINESS TO INT INSTITUTIONAL; LOCATED ON THE SOUTHEAST CORNER OF COUNTY ROAD J AND RINGLE AVENUE, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.

WHEREAS, the Plan Commission of the Village of Weston having held a public hearing on the 9th day of July, 2018, 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 recommendation of said Committee;

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

SECTION 1: On the application (REZN-6-18-1696) of property owner, Highland Community Church, 1005 North 28th Avenue, Wausau, WI 54401, for the following territory now comprising a part of the B-3 General Business zoning district, located in Section 24, 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:

INT Institutional - described as Lot 2 of Certified Survey Map No. 16134 as filed with the Office of the Register of Deeds of Marathon County, Wisconsin, in Volume 74 of Surveys on Page 88 as Document No. 1603397; being part of the southeast quarter of the northwest quarter of Section 24, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin.

BE IT FURTHER RESOLVED that the foregoing amendment to the zoning district designations shall take effect only upon the combination with the adjacent parcel to the north, identified by PIN 19228082420964 and the publication of this ordinance. 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 16th day of July, 2018.

BOARD OF TRUSTEES

By: _____
Barbara Ermeling, its President

Attest:

Sherry Weinkauff, its Clerk

APPROVED: _____

PUBLISHED: _____

DRAFT

Conditional Use/Rezone/Comprehensive Plan Amendment

Permit Application
Village of Weston/ETZ
Date: 05/31/2018

Permit No. : REZN-6-18-1696

Payment: Cash Check No. 7244 6-8-18



5500 Schofield Ave
Weston, WI 54476

FULL COMPLETION OF THIS FORM IS REQUIRED FOR PROCESSING

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>
TOTAL:		\$ _____

APPLICANT INFORMATION

Applicant Name: Highland Community Church
Mailing Address: 1005 N. 28th Avenue
Wausau, WI 54401

Agent* Property Owner
Phone: 715-842-5683
Email: dmacdonald@highlandcommunitychurch.com

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

Property Owner: Highland Community Church
Mailing Address: 1005 N 28th Avenue
Wausau, WI 54401

Contact Name: Dan MacDonald
Phone: 715-842-5683
Email: dmacdonald@highlandcommunitychurch.com

PROJECT SITE SPECIFICATIONS

Project Address: 6615 County Rd J
(or PIN if no address) Weston, WI

Lot Size(ft²): 133,441
Acres: 3.063

Property Zone: M-1

Proposed Rezone: 01P

Current Future Land Use Designation: empty lot

Proposed Future Land Use Designation: added to church property

Legal Description: Lot 2 of attached survey map

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.)

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.

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?

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.

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?

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 (see Attached Sheets)

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.
yes (see Attached Sheets)

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.
Yes, lot 1 of the property currently is owned by Highland Community Church and is zoned 01P.

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.

The changed pattern is that lot 1 has been owned by Highland Community Church since 2011. The church would now own both lots and would like to have them combined and to have the same 01P designation throughout the property.

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 (see Attached Sheets)

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.

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.

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.

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.

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.

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

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

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.

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

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.

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

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.

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: _____ 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: _____	<input type="checkbox"/> Recommend <input type="checkbox"/> Recommend w/ Conditions <input type="checkbox"/> Denied
VB Meeting Date: _____	<input type="checkbox"/> Approved <input type="checkbox"/> Approved w/ Conditions <input type="checkbox"/> Denied

Recorded Date: _____ Document No.: _____

Rezone and Comprehensive Plan Amendment Review:

Public Hearing Date: _____ Rezone/CPA No.: _____
Proposed Zoning: _____ Proposed FLU: _____
 Approved Approved w/ Conditions Denied
Adoption Date: _____ Ordinance No.: _____
Publication Date: _____

State Bar of Wisconsin Form 1-2003
WARRANTY DEED

Document Number

Document Name

THIS DEED, made between **Peoples State Bank, a State Bank chartered under Chapter 221 of the Wisconsin Statutes**

("Grantor," whether one or more), and **Highland Community Church**

("Grantee," whether one or more).

Grantor for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in **Marathon** County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

Lot two (2) of Certified Survey Map No. 16134 recorded in the office of the Register of Deeds for Marathon County, Wisconsin, in Volume 74 of Certified Survey Maps on page 88, as Document No. 1603397; being part of the Southeast quarter (SE 1/4) of the Northwest quarter (NW 1/4) of Section twenty-four (24), Township twenty-eight (28) North, Range eight (8) East, in the Village of Weston, Marathon County, Wisconsin; subject to easements of record.

Recording Area

Name and Return Address

Scott A. Jackman, Esq.
Eaton John Overbey Jackman, LLP
513 Grant Street
Wausau, WI 54403

192-2808-242-0964

Parcel Identification Number (PIN)

This is not homestead property
 (is not)

Grantor warrants that the title to the Property is good, indefeasible, in fee simple and free and clear of encumbrances except: any easements, conditions, covenants, restrictions and reservations of record, municipal or zoning ordinances and general taxes levied in the year of closing.

Dated as of **June 15, 2018**

Peoples State Bank

(SEAL)

[Signature]
By: **Kenneth Stengl, Vice President**

(SEAL)

(SEAL)

(SEAL)

AUTHENTICATION

Signature(s)

authenticated on

TITLE: **MEMBER STATE BAR OF WISCONSIN**
(If not, _____
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:
Scott A. Jackman, Esq.
Eaton John Overbey Jackman, LLP

ACKNOWLEDGMENT

STATE OF **WISCONSIN**)

MARATHON) ss.

COUNTY)

Personally came before me on **June 14, 2018**,
the above-named **Kenneth Stengl, as Vice President of Peoples State Bank**

to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

[Signature]
Notary Public, State of **Wisconsin**

My commission (is permanent) (expires: **10-9-2021**)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

WARRANTY DEED

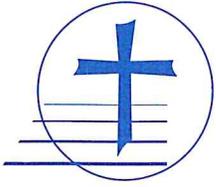
*Type name below signatures.

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FORM NO. 1-2003

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Highland
Community Church



3 Campuses
One Church

MARATHON
800 River Road

WAUSAU
1005 N. 28th Ave.

WESTON
6615 County Rd. J

Village of Weston
5500 Schofield Ave
Weston, WI 54476

June 5, 2018

Re: Authorization

Pastor Dan MacDonald is authorized to represent Highland Community Church.

Sincerely,

Dr. Jeff Hinds
Senior Pastor

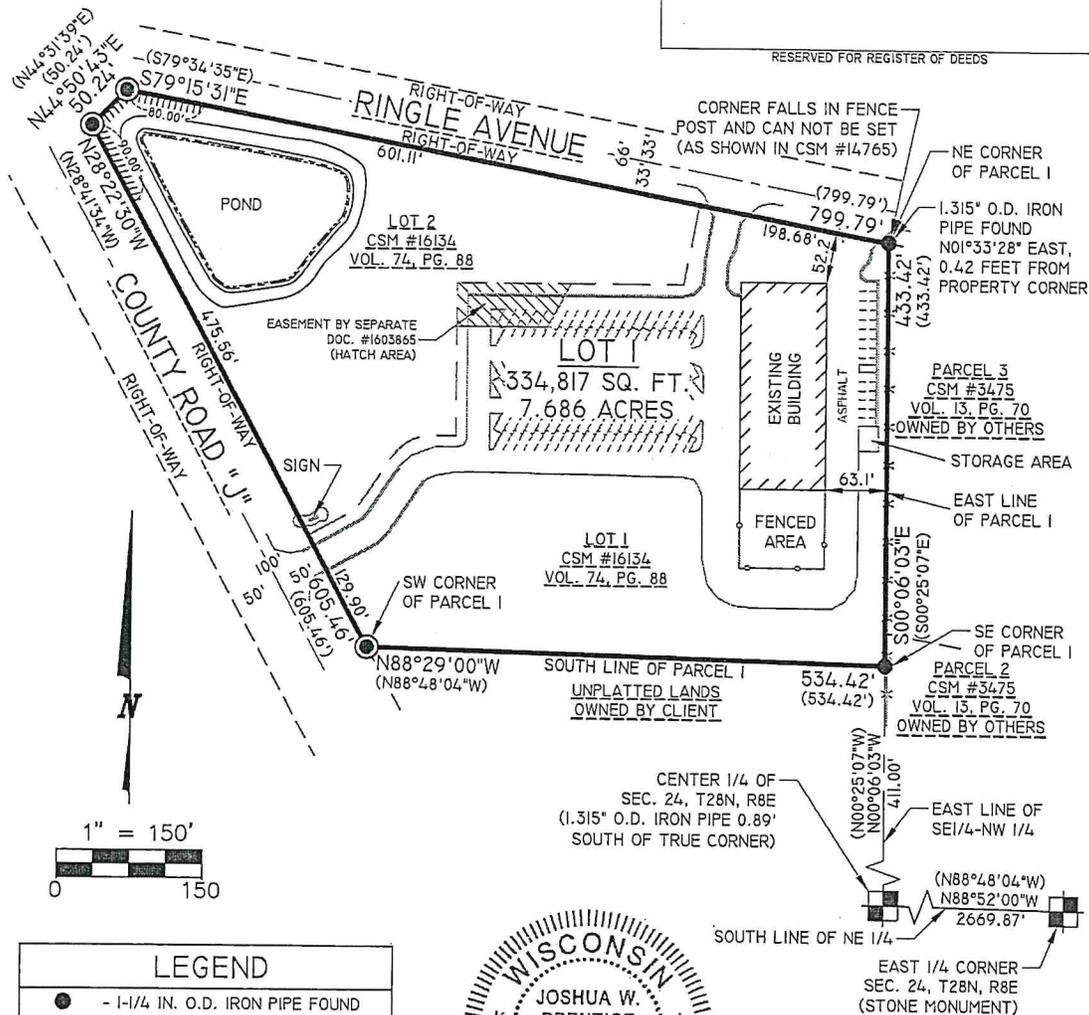
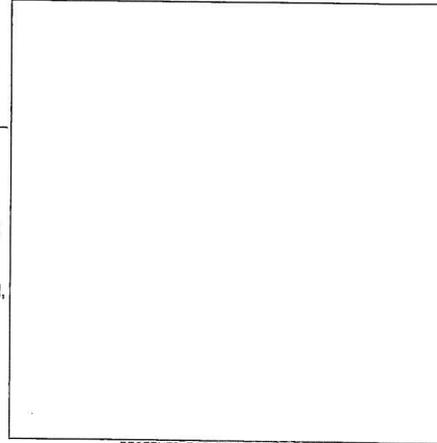
MARATHON COUNTY CERTIFIED SURVEY MAP

MAP NO. _____ VOLUME _____ PAGE _____

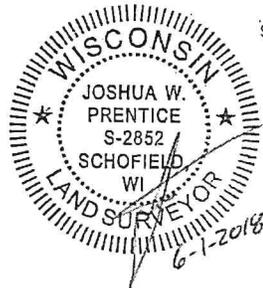
PREPARED FOR: HIGHLAND COMMUNITY CHURCH

LANDOWNER: PEOPLES STATE BANK
HIGHLAND COMMUNITY CHURCH

OF LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NUMBER 16134, RECORDED IN VOLUME 74, ON PAGE 88, AS DOCUMENT NUMBER 1603397, FILED IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE; BEING LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.



LEGEND	
●	- 1-1/4 IN. O.D. IRON PIPE FOUND
⊙	- 1 IN. IRON BAR FOUND
////	- ACCESS CONTROL DOC. #1188105
(126°)	- RECORDED BEARING/LENGTH
126.00'	- MEASURED BEARING/LENGTH



- NOTES:
1. BEARINGS ARE BASED ON THE MARATHON COUNTY COORDINATE SYSTEM, NAD 83(91) DATUM AND REFERENCED TO THE SOUTH LINE OF PARCEL 1 OF CERTIFIED SURVEY MAP NUMBER 14765, RECORDED IN VOLUME 66 ON PAGE 37, IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE, MEASURED TO BEAR NORTH 88°29'00" WEST.
 2. FIELD WORK WAS COMPLETED ON 06-01-2018.
 3. THE INTENT OF THIS SURVEY IS TO COMBINE LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP 16134, RECORDED IN VOLUME 74 ON PAGE 88, IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE.

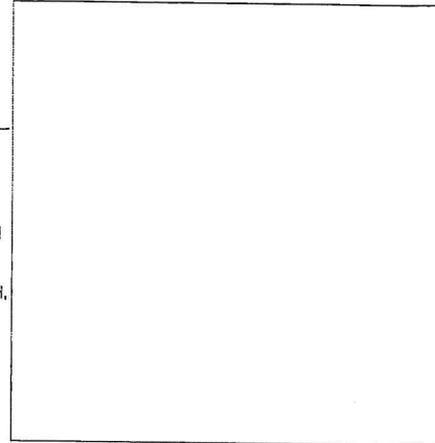
MARATHON COUNTY CERTIFIED SURVEY MAP

MAP NO. _____ VOLUME _____ PAGE _____

PREPARED FOR: HIGHLAND COMMUNITY CHURCH

LANDOWNER: PEOPLES STATE BANK
HIGHLAND COMMUNITY CHURCH

OF LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NUMBER 16134, RECORDED IN VOLUME 74, ON PAGE 88, AS DOCUMENT NUMBER 1603397, FILED IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE; BEING LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.



RESERVED FOR REGISTER OF DEEDS

SURVEYOR'S CERTIFICATE

I, JOSHUA W. PRENTICE, WISCONSIN PROFESSIONAL LAND SURVEYOR S-2852, DO HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF: THAT I HAVE SURVEYED, MAPPED AND COMBINED OF LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NUMBER 16134, RECORDED IN VOLUME 74 ON PAGE 88, AS DOCUMENT NUMBER 1603397, FILED IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE; BEING LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.

THAT THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 334,817 SQUARE FEET, 7.686 ACRES, MORE OR LESS.

THAT I HAVE MADE THIS SURVEY, DIVISION AND MAP THEREOF AT THE DIRECTION OF HIGHLAND COMMUNITY CHURCH, AGENT OF SAID LOTS.

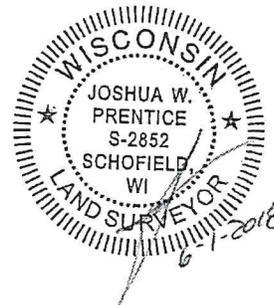
THAT SAID LOT IS SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHT-OF-WAYS OF RECORD.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF SECTION 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION ORDINANCES OF THE VILLAGE OF WESTON.

THAT THIS MAP IS A CORRECT AND ACCURATE REPRESENTATION OF THE EXTERIOR BOUNDARIES OF SAID LOT, AND OF THE DIVISION THEREOF MADE.

DATED THIS 1ST DAY OF JUNE 2018

REI
JOSHUA W. PRENTICE
WI P.L.S. S-2852



APPROVED FOR RECORDING UNDER THE TERMS OF THE VILLAGE OF WESTON LAND DIVISION REGULATIONS.

BY: _____

DATE: _____
VILLAGE OF WESTON ZONING DEPARTMENT

Attachment to Rezoning Application – Highland Community Church

1. "Is the proposed rezoning consistent with the recommendation of the Comprehensive Plan?"

Yes. The proposed rezoning of Lot 2 (see map in packet) to the West and North of the parking lot that is controlled by Highland Community Church will maintain the consistency of the adjoining property. Highland's presence in the community adds to the Quality of Life that is valued by many Village of Weston residents. Highland is a healthy church that promotes and supports children, youth and families through high quality programs that encourage children, youth and marriages. This also is highly valued by many Weston residents (84% believe Weston is an excellent or good place to raise children according to the 2013 UW Oshkosh Survey). To rezone Lot 2 to the same zoning designation as Lot 1 (Institutional) will enable Highland to continue to use its resources to strengthen families and thereby to strengthen the community of the Village of Weston. To rezone Lot 2 will also enable the Highland building to remain highly visible to passersby. These reasons to rezone Lot 2 contribute to the support of the Comprehensive Plan for the Village of Weston.

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?"

Yes. In particular, rezoning Lot 2 (see map in packet) to the same zoning designation as Lot 1 (Institutional) benefits Highland Community Church (see note above on #1) and therefore benefits the community of the Village of Weston in accordance with the Villages's zoning ordinance. To rezone Lot 2 has positive impact in particular of #'s 1, 8, and 12 of Section 94.1.03 of the zoning ordinance, while not adversely affecting any of the others purposes of the zoning ordinance.

(1) "Protecting the public health, safety, morals, comfort, convenience and general welfare;" Highland Community Church encourages all Highland attenders to be the best neighbors and citizens possible. Highland promotes good morals according to Biblical standards.

(8) "Preserving and enhancing property values;" People want to live in places where good morals are upheld and people are encouraged to be great neighbors and citizens. In this way, Highland's presence in the community preserves or enhances property values.

(12) "Preserving and enhancing community appearance and quality of life."

As noted above (Question 1), Highland is very committed to providing a high quality of life by being a respected resource for families and individuals who move to the Village of Weston. Many times when people move to a community they are looking for a church where they can worship and be encouraged. Highland Community Church adds to the appeal of the community of the Village of Weston.

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?"

Yes. Lot 2 (see map in packet) will not have any different function than it has since the current building (Highland Community Church since September of 2011) was built on Lot 1. Lot 2 has been vacant and maintained by Highland Community Church since Highland purchased Lot 1 in 2011. Highland is proposing no changes to Lot 2 which it is in the process of purchasing.