

**LARRY AND SANDRA BURNS 2180 BLUEJAY LANE, KRONENWETTER, WI 54455.
ZONING CHANGE REQUEST and CSM**

STAFF REPORT FOR PLANNING COMMISSION

**PUBLIC HEARINGS/
MEETINGS:**

Plan Commission Public Hearing: 6:00 p.m. July 15, 2024
Village Board Meeting 6:00 p.m. July 22, 2024

APPLICANT:

Chris Fieri
5310 Willow Street
Weston, WI 54476

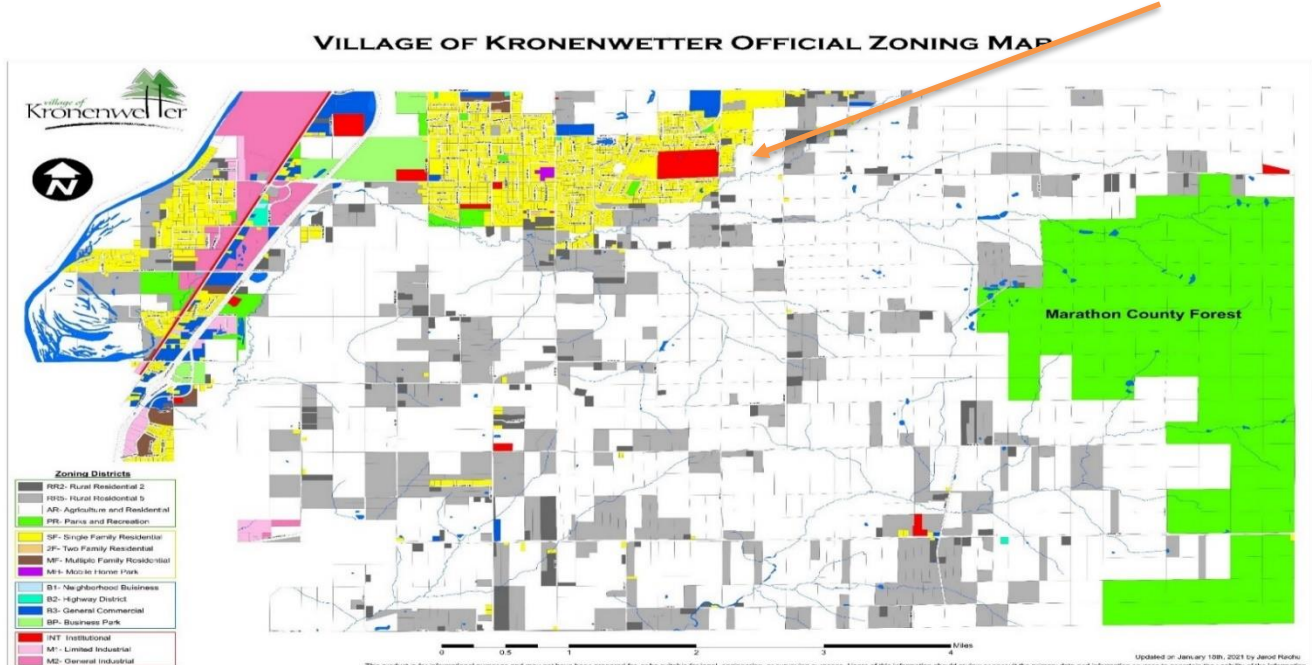
OWNER:

Larry and Sandra Burns
2180 Bluejay Lane
Kronenwetter, WI 54476

Prepared By:

Riverside Land Surveying
5310 Willow Street
Weston, WI 54476

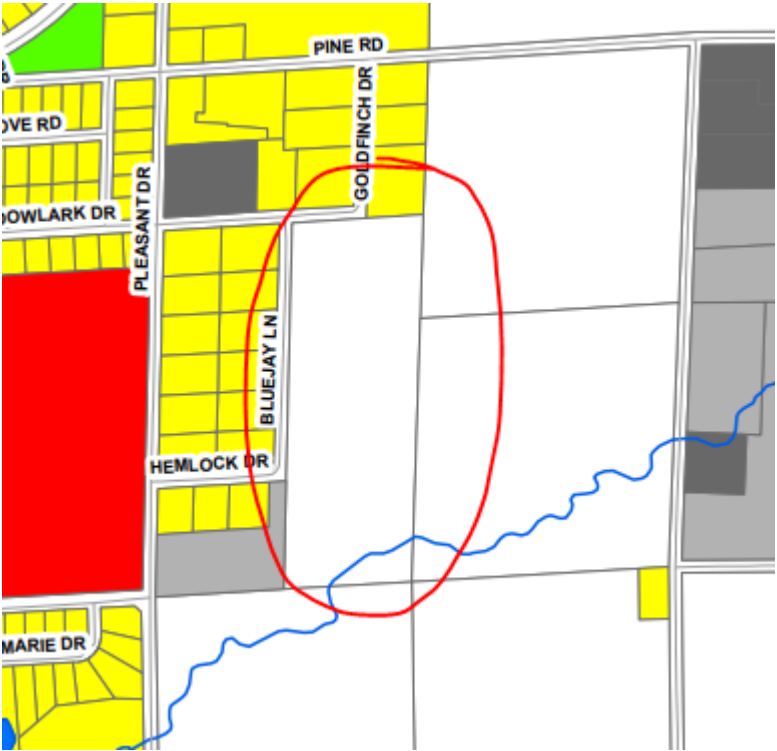
LOCATION OF REQUEST: 2180 Bluejay Lane, Kronenwetter, WI 54455, (See Map 1)













Map 1: Location Map
(Source Data: Marathon Co. GIS)

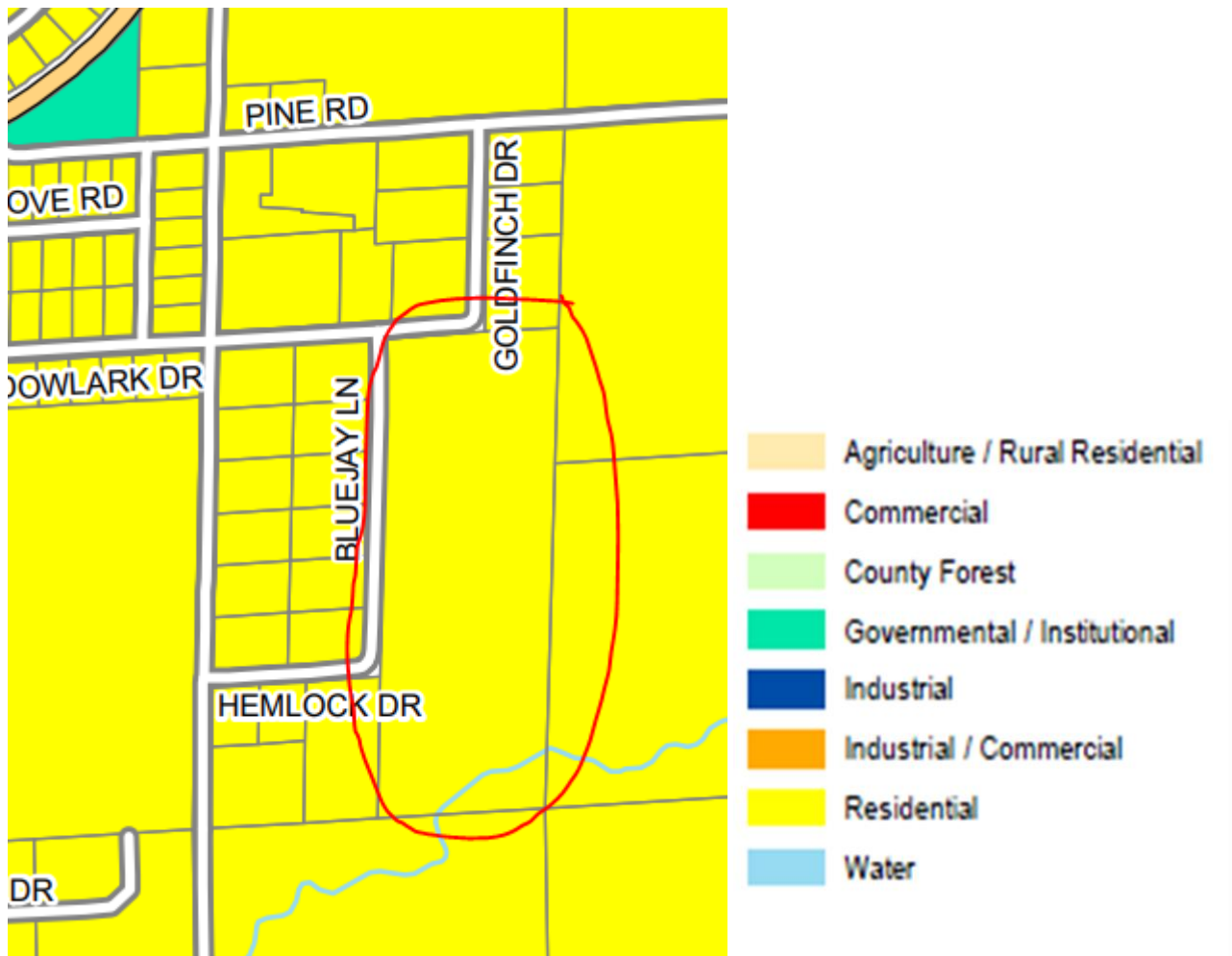
Larry and Sandra Burns, 2180 Bluejay Lane, proposed Rezone and CSM

Zoning Districts



	RR2- Rural Residential 2
	RR5- Rural Residential 5
	AR- Agriculture and Residential
	PR- Parks and Recreation
	SF- Single Family Residential
	2F- Two Family Residential
	MF- Multiple Family Residential
	MH- Mobile Home Park
	B1- Neighborhood Business
	B2- Highway District
	B3- General Commercial
	BP- Business Park
	INT- Institutional
	M1- Limited Industrial
	M2- General Industrial

Map 2: Current Zoning
(Source Data: Village of Kronenwetter)



Map 3: Future Land Use Map (Source Data: Village of Kronenwetter)

Of part of the Northwest 1/4 of the Southeast 1/4 and part of the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 27 North, Range 8 East, Village of Kronenwetter, Marathon County, Wisconsin.



 <div style="display: inline-block; vertical-align: middle;"> RIVERSIDE LAND SURVEYING LLC 5310 WILLOW STREET, WESTON, WI 54476 PH 715-241-7500 - FAX 715-355-6894 email - mail@riversidelandsurveying.com </div>	DRAWN BY M.F.L.	DATE MAY 15, 2024
	CHECKED BY C.L.F.	PROJECT NO. 4364
	PREPARED FOR:	SANDRA BURNS

MARATHON CO. CERTIFIED SURVEY MAP NO. _____

Of part of the Northwest 1/4 of the Southeast 1/4 and part of the Southwest 1/4 of the Southeast 1/4 of Section 5,
Township 27 North, Range 8 East, Village of Kronenwetter, Marathon County, Wisconsin.

I, Christopher L. Fieri, Professional Land Surveyor S-2954, hereby certify to the best of my knowledge and belief:
That I have surveyed, mapped and divided part of the Northwest 1/4 of the Southeast 1/4 and part of the Southwest 1/4
of the Southeast 1/4 of Section 5, Township 27 North, Range 8 East, Village of Kronenwetter, Marathon County,
Wisconsin, described as follows:

Commencing at the South 1/4 corner of said Section 5; Thence North 86°35'17" East along the monumented South line
of said Southeast 1/4, 678.59 feet to the point of beginning; Thence North 01°23'47" East, 543.28 feet to the East
right-of-way line of Bluejay Lane; Thence North 01°21'09" East along the East right-of-way line of Bluejay Lane,
1296.27 feet to the South right-of-way line of Meadowlark Drive; Thence North 86°29'25" East along said South
right-of-way line and the South line of Lot 3 of Pleasant Acres, 656.37 feet to the East line of said Northwest 1/4 of the
Southeast 1/4; Thence South 01°44'39" West along said East line and the East line of said Southwest 1/4 of the
Southeast 1/4, 1842.89 feet to said monumented South line of the Southeast 1/4; Thence South 86°41'28" West along
said South line, 643.96 feet to the point of beginning.

That the above described parcel of land contains 1,192,319 square feet or 27.372 acres, more or less;

That said parcel is subject to all easements, restrictions and right-of-ways of record;

That I have made this survey, division and map thereof at the direction of Larry and Sandra Burns, Owners of said
parcel;

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes, Chapter A-E7 of the
Wisconsin Administrative Code and the subdivision regulations of the Village of Kronenwetter in Surveying, Mapping
and Dividing the same.

That said map is a correct and accurate representation of the exterior boundaries of said parcel and the division
thereof.

Dated this 31st day of MAY 2024

Christopher L. Fieri
Riverside Land Surveying LLC
Christopher L. Fieri
P.L.S. No. 2954



NOTES:

1. BEARINGS ARE BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM, MARATHON COUNTY NAD 83 (2011) AND REFERENCED TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 27 NORTH, RANGE 8 EAST, MEASURED TO BEAR SOUTH 02°14'47" WEST.
2. THE WETLAND LOCATIONS AND BULL JUNIOR CREEK AS SHOWN HEREON WERE SCALED FROM THE MARATHON COUNTY GIS MAPPING LAYER AND ARE APPROXIMATE. A WETLAND DELINEATION WOULD NEED TO BE PERFORMED TO DETERMINE THE EXACT LOCATION.
3. FIELD WORK COMPLETED ON MAY 29, 2024

VILLAGE OF KRONENWETTER:

I, the Zoning Administrator for the Village of Kronenwetter hereby certify, pursuant to the Village of Kronenwetter Subdivision Ordinance that the Plan Commission approved this survey map on:

This _____ day of _____, 2024

Community Development/Zoning Administrator

Date Signed

SHEET 2 OF 3

 RIVERSIDE LAND SURVEYING LLC 5310 WILLOW STREET, WESTON, WI 54476 email - mail@riversidelandsurveying.com	DRAWN BY M.F.L.	DATE MAY 15, 2024
	CHECKED BY C.L.F.	PROJECT NO. 4364
	PREPARED FOR: SANDRA BURNS	

Larry and Sandra Burns, 2180 Bluejay Lane, proposed Rezone and CSM

Legal Description of Property:



RIVERSIDE LAND SURVEYING LLC

CERTIFIED SURVEY MAPS - SUBDIVISIONS - FLOOD PLAIN AND TOPOGRAPHIC SURVEYS - CONSTRUCTION STAKING - ALTA / NSPS - GPS

Burns Legal Description

The East six hundred fifty-six (656) feet of the South one thousand three hundred seventy five (1375) feet of the West $\frac{1}{2}$ of the Southeast quarter (SE $\frac{1}{4}$) of Section five (5), Township twenty seven (27) North, Range eight (8) East, in the Village of Kronenwetter, Marathon County, Wisconsin.

And

The Northwest quarter (NW $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$) of Section five (5), Township twenty seven (27) North, Range eight (8) East, in the Village of Kronenwetter, Marathon County, Wisconsin; Excepting the North three hundred seventy-five (375) feet of the West six hundred twenty-five (625) feet thereof; and excepting the Plat of Pleasant Acres.

5310 WILLOW STREET, WESTON WI, 54476 PH 715-241-7500 FAX 715-355-6894
EMAIL - MAIL@RIVERSIDELANDSURVEYING.COM

Current Zoning:

AR – Agricultural and Residential (see Map 2)

COMPREHENSIVE PLAN FUTURE LAND USE:

Residential (See Map 3)

LEGAL NOTIFICATION: A legal advertisement was published in the Wausau Daily Herald on Monday, July 1, 2024, and Monday, July 8, 2024. Notice of the zoning change request was sent by regular mail to adjacent property owners within 500 feet of the subject property on July 1, 2024.



Map 4: Aerial Photo
(Source Data: Marathon County)

INTRODUCTION: Rezone Request from AR (Agricultural and Residential) to RR5 (Rural Residential 5). The proposed rezone is consistent with the comprehensive plan and is consistent with the current use of other properties in the area. The rezone does comply with the intent of this chapter. The current 27.37-acre parcel will be divided into two (2) lots. The proposed rezone from AR to RR5 is consistent with neighboring parcels in the area. The creation of two (2) lots meets the minimum frontage (100ft) and area (5.0 acres) requirements for RR5 (Rural Residential Zoning 5).

RECOMMENDED MOTION:

The Planning Commission has two options:

1. Denial of the proposed Zoning Change Request and CSM.
2. Approve the rezone and CSM with conditions.

§ 520-118. - Amendments to official zoning map (rezonings).

F. Public hearing and recommendation. The plan commission 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 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 fails to make a recommendation within this time frame, 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.

FINDINGS OF FACT AND RECOMMENDATION OF THE VILLAGE PLAN COMMISSION:

Within forty-five (45) days after the close of the hearing on a proposed amendment, the Village Plan Commission shall make written findings of fact and shall submit the same together with its recommendations to the Village Board. Where the purpose and effect of the proposed amendment are to change the zoning classification of a particular property, the Village Plan Commission shall make findings based upon the evidence presented to it in each specific case with respect to the following matters:

1. *Is the proposed rezoning consistent with the Comprehensive Plan, as is required by Wisconsin Statutes?*
 - Yes. While the property(s) are designated on the Future Land Use Map as Future Residential there are existing AR (Agricultural Residential), RR5 (Rural Residential 5), and SF (Single Family Residential) parcels in this area. The rezone of these parcels to RR5 will allow for consistent land uses with adjoining parcels and eliminate an AR zoned parcel in this area. This is consistent with the Comprehensive Plan Goal to strive to avoid allowing conflicting land uses to be located adjacent to one another.
 - 2009 Wisconsin Act 372 clarifies that new or amended zoning, land division and official mapping ordinances must be consistent with an adopted comprehensive plan. Consistent means “furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan.” This same Act clarifies that the Comprehensive Plan in itself is not a regulation, it is “a guide to the physical, social, and economic development of a local governmental unit” and that “[t]he

enactment of a comprehensive plan by ordinance does not make the comprehensive plan by itself a regulation.” The Future Land Use Map is just one indicator of consistency, which discredits the other 200 pages of the Comp Plan and the Goals and Objectives.

- Page 121 of the 2019 Comprehensive Plan states the following:

Future Land Use Plan

The Future Land Use Plan Map represents the long-term land use **recommendations** for all lands in the Village. Although the map is advisory and does not have the authority of zoning, it is intended to reflect community desires and **serve as a guide** for local officials to coordinate and manage future development of the Village

- Page 126-127 of the 2019 Comprehensive Plan also states:

Goals, Objectives, & Policies

As in previous chapters of this plan, a goal and a series of objectives are identified.

Goal: The Village will make sound land use decisions which strive to coordinate future growth and land uses with infrastructure capabilities and availability.

- a. Strategically locate new developments in areas to create mutually beneficial relationships among businesses
 - b. Encourage growth to occur within the Sewer Service Planning Area
 - c. Utilize the Future Land Use Map in directing potential commercial and industrial opportunities to appropriate locations
 - d. Work with landowners to protect productive agricultural and forest lands to accommodate property owner desires to the extent possible
 - e. **Strive to avoid allowing conflicting land uses to be located adjacent to one another**
 - f. Preserve the most advantageous properties for commercial and industrial uses and direct residential use to other property
 - g. Encourage industrial uses in areas with convenient access to arterial roadways
 - h. Discourage large and undeveloped residential lots in areas serviced by the public water and sewer infrastructure
 - i. **Recognize the different expectations residents have living in different areas of the Village and develop ordinances and policies reflective of those property owner expectations**
 - j. **Encourage development that preserves to the extent possible the quality of life that residents enjoy**
 - k. **Strive to maintain a density of no greater than one residential unit per twenty acres of land in the rural areas of the Village**
 - l. Strive to maintain a density of no greater than one residential unit per one-half acre in the more urban areas of the Village
 - m. Seek to be involved with Wisconsin Public Service land use decision making process, particularly those regarding property adjacent to the existing power generation facilities and develop compatible neighboring uses
 - n. Encourage projects that cater to the Village’s aging population
 - o. Avoid excess regulations that drive up cost for housing, land development, and site development
- Wisconsin Court of Appeals, Lakeland Area Property Owners Association, U.A. v. Oneida County, 2020SAP858

When reviewing an ordinance for consistency with a comprehensive plan, the future land use map and narrative portions of the plan **should not be reviewed in isolation**, but instead should be understood in relation to each other and in the context of the remainder of the plan.

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

- Yes. The portion of the Village where these property(s) are located are classified as Residential on the Village's Future Land Use Map. By rezoning this property from AR to RR5, residential uses will be permitted, similar to those permitted in SF (Single Family Residential) furthering the purpose of this Chapter and the Future Land Use Map. This satisfies the Zoning Ordinance's purpose of preserving and enhancing community appearance and quality of life.

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

- No Keeps it the same.

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?*

- Yes. There are AR (Agricultural Residential), RR-5 (Rural Residential 5), RR-2 (Rural Residential 2) and SF (Single Family Residential) zoned parcels located near these parcels. The property owners will continue to utilize the parcel for purposes within these districts.

5. *Does the rezoning meet the minimum requirements for frontage or parcel size?*

- Yes. The proposed parcels will meet all minimum requirements.

6. *For applications to rezone land to a multi-family, commercial, or industrial zoning district, is, or will there be, adequate public infrastructure available to accommodate the range of uses allowed in that zoning district?*

- This land is not being rezoned to a multi-family, commercial, or industrial zoning district.