



Report to Planning Commission

Agenda Item: Zoning Change Request and CSM Approval: Dean Prohaska, Happy Hollow Road, Kronenwetter, WI 54455.

Meeting Date: April 29, 2024

Referring Body: Plan Commission

Committee Contact: Chris Voll

Staff Contact: Peter Wegner, CD/PZ Director

Report Prepared by: Peter Wegner, CD/PZ Director

AGENDA ITEM: Zoning Change Request: Dean Prohaska, Happy Hollow Road

OBJECTIVE(S): To review the Zoning Change Request and accompanying CSM.

HISTORY/BACKGROUND: Rezone Request from PR (Parks and Recreation) to RR-2 (Rural Residential 2). 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 63.72-acre parcel(s) will be divided into four (4) lots. The proposed rezone from PR to RR-2 is consistent with neighboring parcels in the area. The creation of four (4) lots meets the minimum frontage (150ft) and area (2.0 acres) requirements for RR-2 (Rural Residential Zoning 2).

On April 9, 2024, staff was advised of major clearing, excavating, grading and filling on the parcels included in the proposed rezone. Comparing photos obtained by staff to Marathon County GIS 2020 aerial photos approximately 5 acres of land disturbance has occurred. Per Chapter 270 - EROSION CONTROL AND STORMWATER MANAGEMENT, permits are required for this type of activity. In addition, a Construction Site and Storm Water Runoff General Permit from the WDNR is required.

RECOMMENDED ACTION: 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.

§ 270-8. - **Performance standards for construction sites of one acre or more.**

B. Plan. A written plan shall be developed in accordance with section 270-10 and implemented for each construction site. The plan shall be prepared by a professional

engineer or hydrologist. (NOTE: The written plan may be that specified within Wis. Adm. Code § NR 216.46, the erosion control portion of a construction plan or other plan.)

§ 270-9. - **Permitting requirements, procedures and fees.**

C. Review and approval of permit application. The director of public works or his/her designee shall review any permit application that is submitted with an erosion and sediment control plan and the required fee. The following approval procedure shall be used:

- (1) **Within 30 business days of the receipt of a complete permit application,** as required by subsection B, the director of public works or his/her designee shall inform the applicant whether the application and plan are approved or disapproved based on the requirements of this article.

ATTACHMENTS: Zoning Change Request, CSM Application and Staff Report