

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, August 12, 2019, 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:

An Ordinance to Amend Section 94.16.16 (1) Village Plan Commission Duties.

Project #20191319 Scott Wessel, of SC Swiderski Land Company, LLC, 401 Ranger Street, Mosinee, WI 54455, on behalf of property owner, Larry Burns, 2180 Bluejay Lane, Mosinee, WI 54455, requesting a rezone from SF-L (Single-Family Residential – Large Lot) with WHP-B (Wellhead Protection – Zone B) Overlay District to MF (Multiple Family Residential) with WHP-B (Wellhead Protection – Zone B) Overlay District, to allow for the construction of two 20-unit residential apartment buildings, on vacant land described as:

Part of the southeast $\frac{1}{4}$, of the southeast $\frac{1}{4}$, and the east 30 rods of the south 26 $\frac{2}{3}$ rods thereof, in Section 15, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin; excepting CSM #12201, Volume 52, Page 89, Document 1262185 (road right-of-way). This vacant parcel consists of 4.570 acres and is located along the east side of 7110 Callon Avenue. This parcel is also identified as PIN 192-2808-154-0975.

Project #20191323 Jennifer Higgins, of Village of Weston, 5500 Schofield Avenue, Weston, WI 54476, requesting a rezone from INT (Institutional) to AR (Agricultural and Residential), to allow for a 43.58-foot strip of land to be combined to a strip of vacant land, serving as a driveway to the adjacent parcel to the west (owned by Mitchell and Polly Marcott), which will allow that vacant parcel to meet the 60-foot minimum public street frontage requirement (per Figure 5.01(1) of the Chapter 94 Zoning Code). The 43.58-foot strip of land to be rezoned is described as:

The south 43.58 feet of Lot 3 of Certified Survey Map #15470, recorded in Volume 70 of Surveys, on Page 52, located in the southwest $\frac{1}{4}$, of the northeast $\frac{1}{4}$, of Section 27, Township 28 North, Range 8 East, Village of Weston, Wisconsin, Marathon County, Wisconsin. This 43.58-foot strip of land is also identified as part of PIN 192-2808-271-0996.

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, August 6, 2019, 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 25th day of July 2019

Valerie Parker
Plan Commission Secretary

REQUEST FOR CONSIDERATION

PUBLIC MTG/DATE:	PLAN COMMISSION, AUGUST 12, 2019
DESCRIPTION:	PUBLIC HEARING – AN ORDINANCE TO AMEND SECTION 94.16.16(1) VILLAGE PLAN COMMISSION DUTIES.
FROM:	JENNIFER HIGGINS, DIRECTOR OF PLANNING AND DEVELOPMENT / ZONING ADMINISTRATOR SHERRY WEINKAUF, VILLAGE CLERK
QUESTION:	SHOULD THE PLAN COMMISSION ACCEPT THE AMENDMENT AS PROPOSED BY STAFF?

BACKGROUND

THE PUBLIC SAFETY COMMITTEE WAS DISSOLVED BY THE BOARD OF TRUSTEES (BOT) ON 7/1/19. DUE TO THIS, THEIR DUTIES LISTED IN CHAPTER 2 OF THE CODE OF ORDINANCES NEEDED TO BE ABSORBED BY OTHER COMMITTEES/COMMISSIONS. THIS RESULTED IN THE PLAN COMMISSION PICKING UP ONE OF THEIR DUTIES AND THE NEED FOR THIS ORDINANCE AMENDMENT. THE CLERK WILL BE BRINGING ADDITIONAL CHANGES TO OTHER SECTIONS OF THE MUNICIPAL CODE TO ABSORB OTHER DUTIES THE PUBLIC SAFETY COMMITTEE WAS PREVIOUSLY RESPONSIBLE FOR.

ATTACHED DOCS:	PUBLIC HEARING NOTICE PROPOSED AMENDMENT TO ORDINANCE DRAFT ORDINANCE
COMMITTEE ACTION:	NONE
FISCAL IMPACT:	THE COST OF THE PUBLICATION OF THE HEARING NOTICE AND PUBLICATION OF THE REQUIRED ORDINANCE
RECOMMENDATION:	DIRECTORS/ZONING ADMINISTRATOR RECOMMENDS APPROVAL

RECOMMENDED LANGUAGE FOR OFFICIAL ACTION

I MOVE TO RECOMMEND THE BOT APPROVE/DENY THE PROPOSED ORDINANCE AMENDMENT.

ADDITIONAL ACTION:	ORDINANCE TAKEN TO BOT – 8/19/19 (STAFF) ACTION TAKEN ON ORDINANCE – 8/19/19 (BOT) APPROVED ORDINANCE SENT TO DAILY HERALD FOR PUBLICATION (STAFF)
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Section 94.16.16: Village Plan Commission and Extraterritorial Zoning Committee

- (1) **Village Plan Commission Duties.** The Village Plan Commission, together with its other duties under Wisconsin Statutes and Chapter 62 of the Weston Municipal Code, shall with reference to this Chapter, have the following duties and responsibilities within the Village limits:
- (a) Review and consider final site plan approval as provided in this Chapter, or consider appeals to Zoning Administrator action on a site plan, where provided under Section 94.16.09.
 - (b) Conduct public hearings for applications to amend the provisions of this Chapter including the Official Zoning Map, conditional use permits, and General Development Plans within an N zoning district.
 - (c) Approve or deny conditional use permit applications.
 - (d) Review and make recommendations to the Village Board regarding approval of any General Development Plan for an N district, and approve or deny Specific Implementation Plans associated with an N district.
 - (e) Review and advise the Village Board on all applications for text amendments to the zoning regulations, and to all amendments to the Official Zoning Map.
 - (f) Assist the Zoning Administrator in the performance of his or her duties as specified in this Chapter.
 - ~~(g) Review and advise on conceptual development plans for potential future applications under this Chapter.~~
 - ~~(h) Review and make recommendations to the Village Board on polices and amendments to the Village's building, health and safety codes Advise the Board on policies and revisions to the Village's building health and safety codes.~~
- (g)

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VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 19-0XX

AN ORDINANCE TO AMEND SECTION 94.16.16(1) VILLAGE PLAN COMMISSION DUTIES.

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, the Village Board in July 2019 dissolved the Village Public Safety Committee; and

WHEREAS, it was decided the Plan Commission would take on some of the duties and responsibilities of the Public Safety Committee; and

WHEREAS, the Village Plan Commission held a public hearing on this ordinance, on August 12, 2019, in compliance with Wis. Stat. § 62.23; and

WHEREAS, following such hearing, the Village Plan Commission has recommended enactment of the zoning ordinance amendments contained herein for applicability within the Village limits; and

WHEREAS, following such hearing the Village Board considered public comments and the recommendations of said Commission; and

WHEREAS, the Village Board finds the proposed amendments contained herein are reasonable, consistent with the Village Comprehensive Plan, and in the public interest.

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

SECTION 1: Section 94.16.16 (1): *Village Plan Commission Duties* is hereby amended to provide as follows:

Section 94.16.16: Village Plan Commission and Extraterritorial Zoning Committee

- (1) **Village Plan Commission Duties.** The Village Plan Commission, together with its other duties under Wisconsin Statutes and Chapter 62 of the Weston Municipal Code, shall with reference to this Chapter, have the following duties and responsibilities within the Village limits:
 - (a) Review and consider final site plan approval as provided in this Chapter, or consider appeals to Zoning Administrator action on a site plan, where provided under Section 94.16.09.
 - (b) Conduct public hearings for applications to amend the provisions of this Chapter including the Official Zoning Map, conditional use permits, and General Development Plans within an N zoning district.
 - (c) Approve or deny conditional use permit applications.
 - (d) Review and make recommendations to the Village Board regarding approval of any General Development Plan for an N district, and approve or deny Specific Implementation Plans associated with an N district.
 - (e) Review and advise the Village Board on all applications for text amendments to the zoning regulations, and to all amendments to the Official Zoning Map.
 - (f) Assist the Zoning Administrator in the performance of his or her duties as specified in this Chapter.
 - (g) Review and advise on conceptual development plans for potential future applications under this Chapter.
 - (h) Review and make recommendations to the Village Board on polices and amendments to the Village's building, health and safety codes.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

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 19th day of August, 2019

WESTON VILLAGE BOARD

By: _____
Wally Sparks, its President

Attest:

Sherry Weinkauff, its Clerk

APPROVED: _____

PUBLISHED: _____

DRAFT