



# TOWN OF RIB MOUNTAIN

Where Nature, Family & Sport Come Together

[www.townofribmountain.org](http://www.townofribmountain.org)

3700 North Mountain Road  
Wausau, Wisconsin 54401  
(715) 842-0983  
Fax(715) 848-0186

## PLAN COMMISSION

### OFFICIAL NOTICE & AGENDA

A meeting of the Town of Rib Mountain Plan Commission will be held on **Wednesday, July 10<sup>th</sup>, 2019; 6:00 P.M. at the Town of Rib Mountain Municipal Center, 3700 North Mountain Road.** The Town Board may attend for purposes of gathering information. Subject matter for consideration and possible action follows:

- 1.) Call to Order
- 2.) Roll Call
- 3.) Minutes
  - a. **Approval of minutes from the 6-26-2019 Plan Commission meeting.**
- 4.) Certified Survey Map(s):
  - a. **Riverside Land Surveying, agent, requests Certified Survey Map approval for a land division at the property addressed 3503 South Mountain Road. Parcel #34.212807.002.003.00.00. Docket #2019-21.**
  - b. **Tim Vreeland, agent, requests Certified Survey Map approval for a land division at the property addressed 5308 Dogwood Road. Parcel #34.172807.009.004.00.00. Docket #2019-22.**
- 5.) New Business:
  - a. **Wisconsin Department of Transportation, applicant, requests approval of a Correction Instrument to rescind a Trans 233 Restriction for Parcel #34.102807.015.003.00.00, #34.102807.015.004.00.00, and #34.102807.015.005.00.00. Docket #2019-19.**
  - b. **Riverside Land Surveying, agent, requests an amendment to the Final Plat for Stone Horizon subdivision. Parcel #34.182807.016.003.00.00. Docket #2019-20.**
  - c. **Jim Vandergeest, owner, requests a Pre-Application Conference for a potential Zoning Map Amendment. Docket #2019-18.**
- 6.) Correspondence/ Questions/ Town Board Update:
- 7.) Public Comment
- 8.) Adjourn

TOWN OF RIB MOUNTAIN  
PLANNING COMMISSION MEETING  
June 26, 2019

Chairperson Harlan Hebbe called the meeting of the Plan Commission to order at 6:00 pm. Other Plan Commission members present included Jim Hampton, Tonia Speener, Ryan Burnett and Tom Steele. Also present were Building Inspector / Assistant Zoning Administrator, Paul Kufahl and Community Development Director, Steve Kunst. Jay Wittman and Steve Plunkett were excused.

MINUTES:

**Motion by Tom Steele, second by Tonia Speener to approve the minutes of the May 22, 2019 Plan Commission meeting, as presented. Motion carried 4-0 with Ryan Burnett abstaining.**

PUBLIC HEARINGS:

- a. *Sherry Tanck, applicant, requests a Zoning Map Amendment from Outdoor Recreation to Suburban Residential-2 for the property addressed 5705 North Mountain Road. Parcel #34.052807.011.010.00.00. Docket #2019-16.*

Community Development Director, Steve Kunst, indicated the applicant seeks to rezone 7.34 acres of land adjacent to State Park Speedway from Outdoor Recreation to Suburban Residential-2. He noted the subject property is legally nonconforming to the Outdoor Recreation district minimum lot size of 35 acres; therefore, the proposal to rezone to Suburban Residential-2 brings the property into zoning compliance and is consistent with the Rib Mountain Comprehensive Plan Future Land Use Map and surrounding neighborhoods.

Dick Holtz, adjacent property owner, noted he believed the original change to Outdoor Recreation Zoning was done in conjunction with the race track construction and rezoning.

Ryan Burnett asked if the zoning change would create any conflicts between the commercial use of the race track and the residential use of the subject property. Kunst indicated no conflicts would be created as the uses will remain the same and be consistent with the Future Land Use Map. Tom Steele verified the subject parcel contains a single-family residence along North Mountain Road and no additional improvements on the southern portion of the property. Property owners indicated this was correct and noted the southern portion of the property is essentially land locked because of the pond which separates the two portions of the property.

Chairman Hebbe opened the Public Hearing at 6:05pm, received no comment and subsequently closed the Hearing.

**Motion by Tom Steele, second by Ryan Burnett to recommend approval of the Zoning Map amendment from Outdoor Recreation to Suburban Residential-2 for the property addressed 5705 North Mountain Rd, as presented. Motion carried 4-0 with Jim Hampton abstaining.**

NEW BUSINESS:

- a. *Tim Vreeland, agent, requests Final Plat approval for Oriole Heights subdivision at the property addressed 1701 Oriole Lane. Parcel #34.102807.003.012.00.00. Docket #2019-17.*

Kunst indicated the applicant requests Final Plat approval for Oriole Heights subdivision, which is located west of the Barnes and Noble development along Oriole Lane. He noted the Plan Commission recommended approval of the Preliminary Plat on March 27, 2019 followed by Town Board, Marathon County and Wisconsin Department of Administration approvals. Kunst stated the Final Plat creates seven (7) new single-family residential lots ranging from 20,910 square feet (0.48 acres) up to 30,500 square feet (0.70 acres) and is generally consistent with the Preliminary Plat. He noted the key change was removal of the stormwater Outlot which subsequently increased the size of Lot 7 and added two drainage easements for the stormwater facilities. Kunst noted that Streets and Parks Superintendent Scott Turner has reviewed and approved the stormwater management plan.

Kunst stated the applicant was not present at the meeting and noted the Plan Commission could either postpone the discussion until a future meeting or proceed without the applicant if they felt comfortable with the changes as presented. Commissioners noted they felt comfortable discussing and making a recommendation without an applicant in attendance.

Jim Hampton noted the placement and future grading around the new homes will change the flow of water on the site and asked if the drainage easement area and stormwater facilities took this into consideration. Building Inspector, Paul Kufahl, stated soil borings onsite estimated a foundation depth, and based on the style of homes and anticipated placement by the builder, the future graded area was determined and incorporated into the stormwater management plan.

Ryan Burnett noted that while the lot widths may be narrower than the typical single-family lot, they are consistent with the neighborhood.

**Motion by Tonia Speener, second by Tom Steele to recommend approval of the Final Plat for Oriole Heights, subject to the following conditions;**

- **Final approval of stormwater management plan by the Streets and Park Superintendent**
- **Final approval of any stormwater management maintenance agreement by the Streets and Park Superintendent**
- **Submittal of any restrictive covenants and primary contact**
- **Final approval of the required drainage easement language**

**Motion carried 5-0**

- b. *Jim Vandergeest, owner, requests a Pre-Application Conference for a potential Zoning Map Amendment. Docket #2019-18.*

The applicant was unable to attend the meeting so this item was tabled to a future meeting.

CORRESPONDENCE / QUESTIONS / TOWN BOARD UPDATE:

Pre-application Conference – Commissioner Speener asked for clarification about the intent of a pre-application conference. Kunst noted it is an informal discussion between the applicant and the Plan Commission which provides the applicant with some general feedback about a project prior to investing significant time and money into development of a formal plan.

Public Information Meeting – Kunst noted the Town held a public information meeting with residents to review the implementation of the new addresses and receive feedback on proposed road names prior to the July 3<sup>rd</sup> deadline, as defined by Marathon County.

Traffic Impact Analysis – Kunst indicated the Public Works Committee, affected land owners and developers met to hear a presentation and discuss the impacts of a Traffic Impact Analysis conducted by MSA for the Lilac Ave area and surrounding intersections. He noted there are some considerable right of way needs for future infrastructure which the Town will need to address as those parcels begin their redevelopment.

TDS MetroCom – Kufahl indicated the TDS MetroCom hut was approved by Town Board as recommended by the Plan Commission, and the Town and TDS have recently signed the necessary easement agreements to proceed with the project.

Glass Nickel Pizza – Burnett asked if Glass Nickel had backed out of the Town Property project. Kunst indicated they had, but they are still interested in being in the market.

PUBLIC COMMENT: None

ADJOURN:

**Motion by Tom Steele, second by Jim Hampton to adjourn the Plan Commission Meeting. Motion carried 5-0. Meeting adjourned at 6:44 pm.**

Respectfully Submitted,

Paul Kufahl, Building Inspector / Assistant Zoning Administrator

**REPORT TO PLAN COMMISSION**

**FROM:** Steve Kunst, Community Development Director  
**DATE:** July 3, 2019  
**SUBJECT:** Certified Survey Map Review

**APPLICANT:** Riverside Land Surveying, agent  
**PROPERTY OWNER(S):** Bruce and Cynthia Flora

**PROPERTY LOCATION:** 3503 South Mountain Road  
**PARCEL NUMBER:** #34.212807.002.003.00.00  
**ZONING CLASSIFICATION:** Estate Residential-1

**REQUEST:** Certified Survey Map review for a land division creating two (2) residential lots.

**NARRATIVE:**

The applicant requests approval of a Certified Survey Map (CSM) to divide a 9.89-acre parcel to create an additional single-family residential lot. As proposed, the new lot has access to South Mountain Road via an existing shared driveway serving three additional residences. The CSM identifies the creation of a 33-foot wide ingress/egress easement adjacent to the existing driveway making it easier to create a future public road, if necessary. The Estate Residential-1 zoning district has a minimum lot size of one (1) acre and both proposed lots are in conformance.

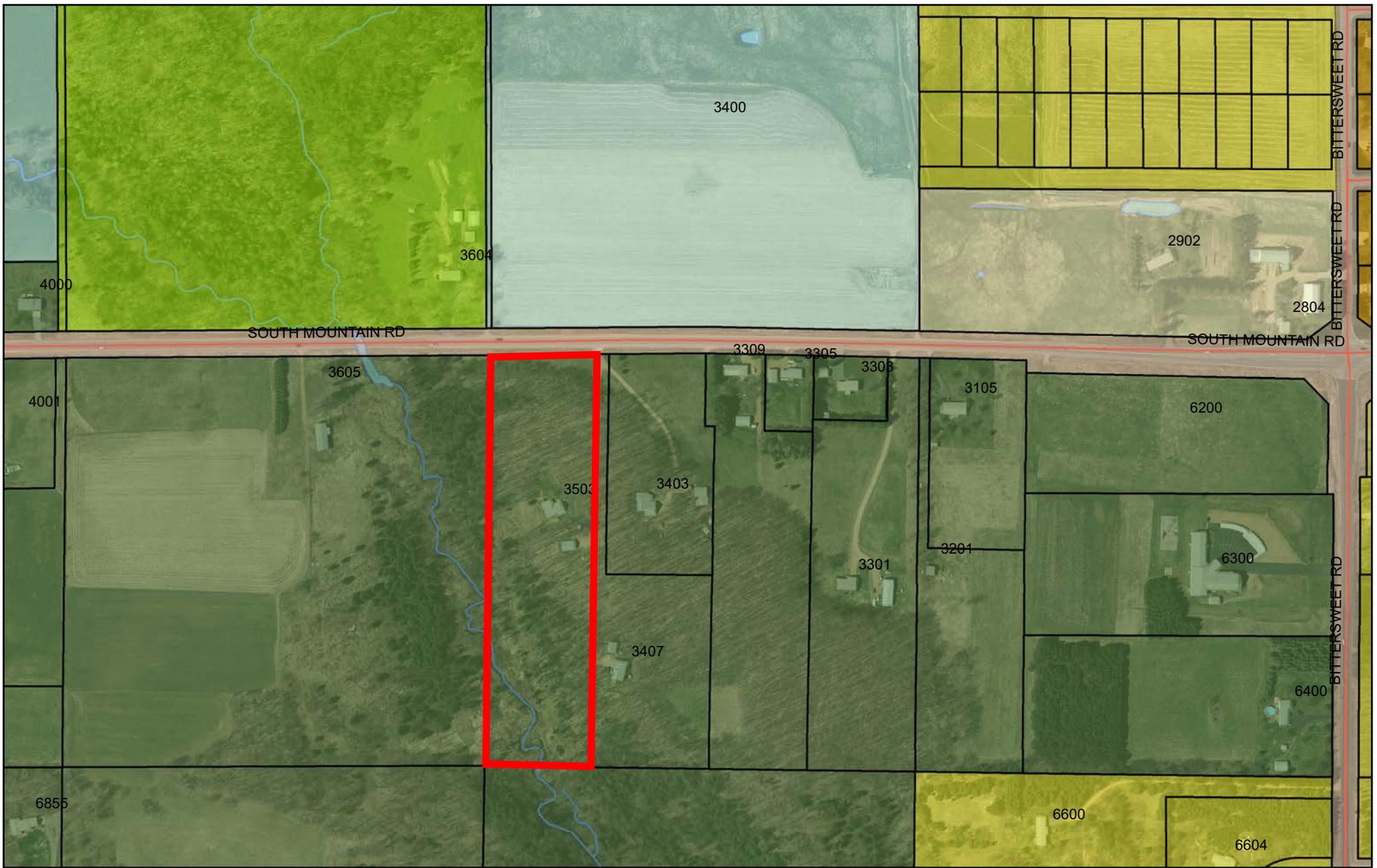
*\*A revised CSM document will be presented at the 7/10 meeting identifying an existing Wisconsin Public Service easement. All known easements are required to be shown on the face of a CSM.*

**ADDITIONAL CONSIDERATIONS:**

- Any approval should be conditioned upon the Town receiving a copy of the proposed easement document.

**POSSIBLE ACTION:**

1. Recommend approval of the Certified Survey Map request for the property addressed 3503 South Mountain Road, as presented.
2. Recommend approval of the Certified Survey Map request for the property addressed 3503 South Mountain Road, with conditions/modifications.
3. Recommend denial of the Certified Survey Map request for the property addressed 3503 South Mountain Road.

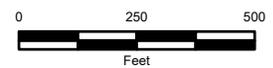


*Rib Mountain:  
"Where Nature, Family, and  
Sport Come Together"*

Prepared by:  
**mi-TECH**  
www.mi-tech.us

Map Printed: 7/3/2019

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>Parcel Outline</li> <li>Parcel Address</li> <li>Unzoned</li> <li>CR-5ac</li> <li>Countryside Residential</li> <li>EO Estate Office</li> </ul> | <ul style="list-style-type: none"> <li>ER-1 Estate Residential</li> <li>MR-4 Mixed Residential</li> <li>NC</li> <li>Neighborhood Commercial</li> </ul> | <ul style="list-style-type: none"> <li>OR Outdoor Recreation</li> <li>RA-1 Rural Agricultural</li> <li>RA-2 Rural Agricultural</li> <li>ROW</li> </ul> | <ul style="list-style-type: none"> <li>RR Rural Residential</li> <li>SC Suburban Commercial</li> <li>SI Suburban Industrial</li> <li>SO Suburban Office</li> </ul> | <ul style="list-style-type: none"> <li>SR-2 Suburban Residential</li> <li>SR-3 Suburban Residential</li> <li>UC Urban Commercial</li> <li>UDD Unified Development</li> </ul> | <ul style="list-style-type: none"> <li>UR-8 Urban Residential</li> <li>Building Outline</li> <li>Road Centerline</li> <li>Road Label (2017)</li> <li>Water Feature</li> <li>Water Feature</li> </ul> | <ul style="list-style-type: none"> <li>Red: Band_1</li> <li>Green: Band_2</li> <li>Blue: Band_3</li> </ul> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|



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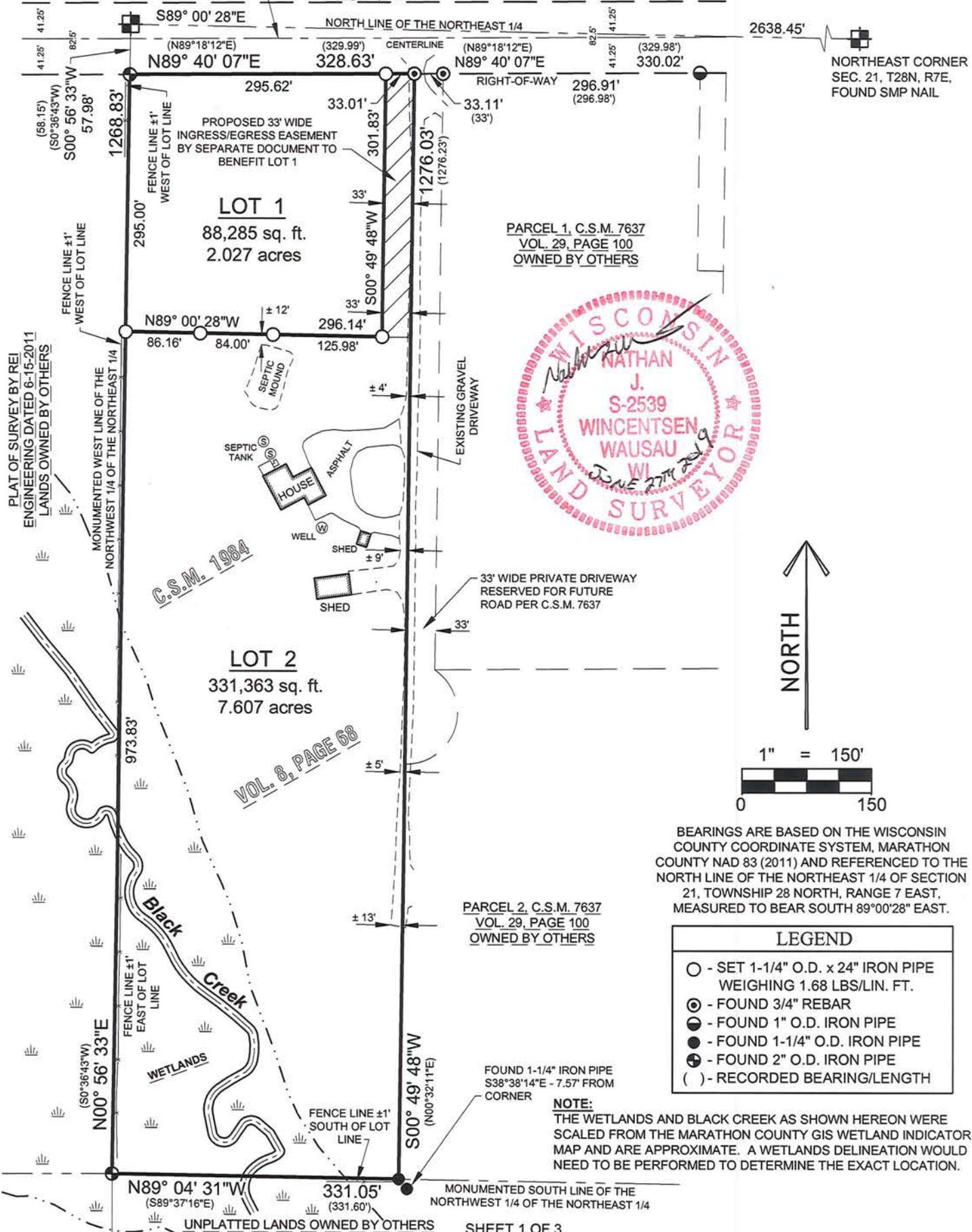
# MARATHON COUNTY CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Of part of Certified Survey Map Number 1984 recorded in Volume 8 of Certified Survey Maps on Page 68 located in part of the Northwest 1/4 of the Northeast 1/4 of Section 21, Township 28 North, Range 7 East, Town of Rib Mountain, Marathon County, Wisconsin.

NORTH 1/4 CORNER  
SEC. 21, T28N, R7E,  
FOUND SMP IN 2" IRON PIPE

**SOUTH MOUNTAIN ROAD**

RIGHT-OF-WAY



BEARINGS ARE BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM, MARATHON COUNTY NAD 83 (2011) AND REFERENCED TO THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 28 NORTH, RANGE 7 EAST, MEASURED TO BEAR SOUTH 89°00'28" EAST.

LEGEND	
○	SET 1-1/4" O.D. x 24" IRON PIPE WEIGHING 1.68 LBS/LIN. FT.
⊙	FOUND 3/4" REBAR
●	FOUND 1" O.D. IRON PIPE
⦿	FOUND 1-1/4" O.D. IRON PIPE
⦿	FOUND 2" O.D. IRON PIPE
( )	RECORDED BEARING/LENGTH

**NOTE:**  
THE WETLANDS AND BLACK CREEK AS SHOWN HEREON WERE SCALED FROM THE MARATHON COUNTY GIS WETLAND INDICATOR MAP AND ARE APPROXIMATE. A WETLANDS DELINEATION WOULD NEED TO BE PERFORMED TO DETERMINE THE EXACT LOCATION.

DRAWN BY M.F.L.	DATE JUNE 25, 2019
CHECKED BY N.J.W.	PROJECT NO. 3088
PREPARED FOR:	BRUCE FLORA

**RIVERSIDE LAND SURVEYING LLC**  
5310 WILLOW STREET, WESTON, WI 54476 PH 715-241-7500 - FAX 715-355-6894  
email - mail@riversidelandsurveying.com

**MARATHON CO. CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

Of part of Certified Survey Map Number 1984 recorded in Volume 8 of Certified Survey Maps on Page 68 located in part of the Northwest 1/4 of the Northeast 1/4 of Section 21, Township 28 North, Range 7 East, Town of Rib Mountain, Marathon County, Wisconsin.

I, Nathan J. Wincentsen, Professional Land Surveyor S-2539, hereby certify to the best of my knowledge and belief: That I have surveyed, mapped and divided part of Certified Survey Map Number 1984 recorded in Volume 8 of Certified Survey Maps on Page 68 located in part of the Northwest 1/4 of the Northeast 1/4 of Section 21, Township 28 North, Range 7 East, Town of Rib Mountain, Marathon County, Wisconsin, described as follows:

Commencing at the North 1/4 corner of said Section 21; Thence South 00°56'33" West along the monumented West line of said Northwest 1/4 of the Northeast 1/4, 57.98 feet to the South right-of-way line of South Mountain Road and the point of beginning; Thence North 89°40'07" East along said South right-of-way line, 328.63 feet to the West line of Parcel 1 of Certified Survey Map Number 7637 recorded in Volume 29 of Certified Survey Maps on Page 100; Thence South 00°49'48" West along said West line, 1276.03 feet to the monumented South line of said Northwest 1/4 of the Northeast 1/4 and the South line of said Certified Survey Map Number 1984; Thence North 89°04'31" West along said South line, 331.05 feet to said monumented West line of said Northwest 1/4 of the Northeast 1/4; Thence North 00°56'33" East along said West line, 1268.83 feet to the point of beginning.

That the above described parcel of land contains 419,648 square feet or 9.634 acres, more or less;

That said parcel is subject to all easements, restrictions and right-of-ways of record including a proposed 33' wide Ingress/Egress easement;

That I have made this survey, division and map thereof at the direction of Bruce Flora, Owner 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 Marathon County and the Town of Rib Mountain 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 27<sup>TH</sup> day of JUNE 2019

Nathan J. Wincentsen  
Riverside Land Surveying LLC  
Nathan J. Wincentsen  
P.L.S. No. 2539



Approved for recording under the terms of the Marathon Co. Land Division Regulations.

By \_\_\_\_\_

Date \_\_\_\_\_  
Marathon County Department of Conservation,  
Planning and Zoning  
CPZ Tracking No. \_\_\_\_\_

I, \_\_\_\_\_ being duly appointed by the Rib Mountain Town Board do hereby certify the attached Certified Survey Map has been reviewed and there are no objections to recording this certified survey in the Register of Deeds Office. This instrument shall be recorded by \_\_\_\_\_ or the Town's approval thereof shall terminate.

 <b>RIVERSIDE LAND SURVEYING LLC</b> 5310 WILLOW STREET, WESTON, WI 54476    PH 715-241-7500 - FAX 715-355-6894 email - mail@riversidelandsurveying.com	DRAWN BY M.F.L.	DATE JUNE 25, 2019
	CHECKED BY N.J.W.	PROJECT NO. 3088
	PREPARED FOR:	BRUCE FLORA

**REPORT TO PLAN COMMISSION**

**FROM:** Steve Kunst, Community Development Director  
**DATE:** July 3, 2019  
**SUBJECT:** Certified Survey Map Review

**APPLICANT:** Debbie and Jim Buck  
**PROPERTY OWNER(S):** Susan Weller, Debbie and Jim Buck

**PROPERTY LOCATION:** 5308 and 5306 Dogwood Road  
**PARCEL NUMBER:** #34.172807.009.004.00.00  
**ZONING CLASSIFICATION:** Estate Residential-1

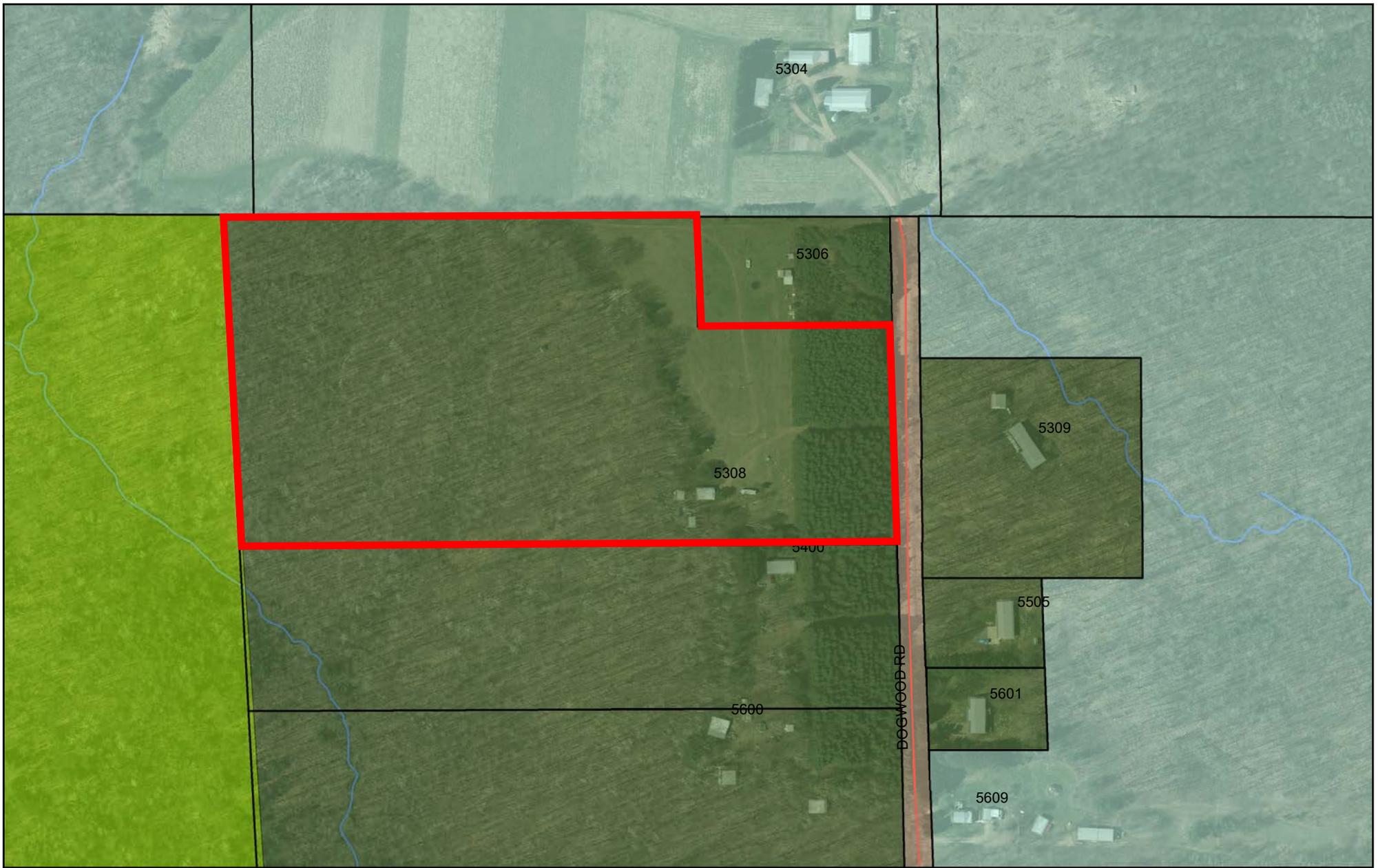
**REQUEST:** Certified Survey Map review for a land division creating three (3) residential lots.

**NARRATIVE:**

The applicant requests approval of a Certified Survey Map (CSM) to create three (3) single-family residential lots near the north end of Dogwood Road. Currently, the lands identified within the CSM include an approximately 20-acre parcel with two detached garages owned by Susan Weller and a two (2) acre parcel with a detached garage owned by Debbie and Jim Buck. The proposal calls for increasing the two-acre Buck parcel to 8.115 acres and splitting the remaining Weller parcel into two lots of 6.117 and 6.096 acres, respectively.

**POSSIBLE ACTION:**

1. Recommend approval of the Certified Survey Map request for the properties addressed 5308 and 5306 Dogwood Road, as presented.
2. Recommend approval of the Certified Survey Map request for the properties addressed 5308 and 5306 Dogwood Road, with conditions/modifications.
3. Recommend denial of the Certified Survey Map request for the properties addressed 5308 and 5306 Dogwood Road.

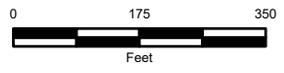


*Rib Mountain:  
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Prepared by:  
**mi-TECH**  
www.mi-tech.us

Map Printed: 7/3/2019

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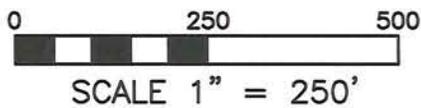
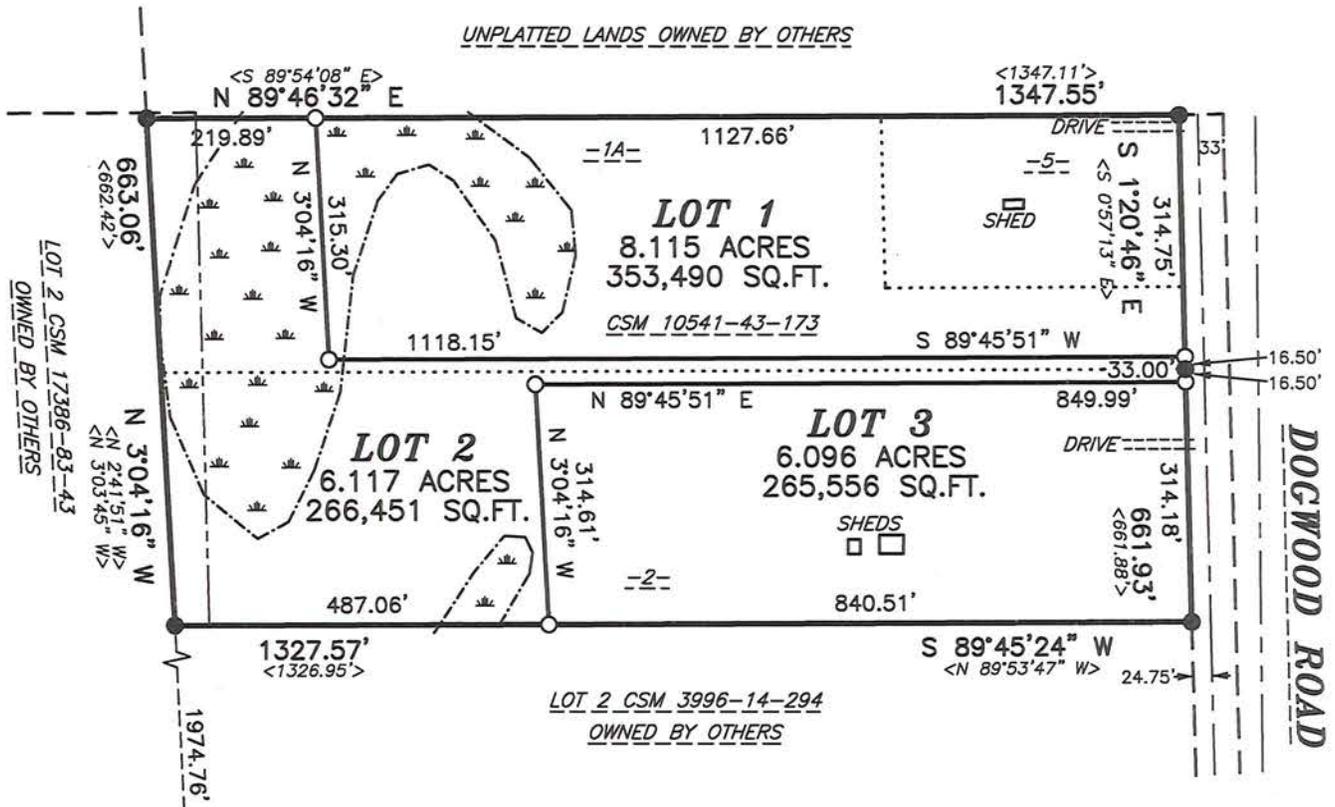
# CERTIFIED SURVEY MAP

MARATHON COUNTY NO. \_\_\_\_\_

VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_

LOTS 1A, 2 AND 5 OF CSM 10541-43-173, LOCATED IN THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 28 NORTH, RANGE 7 EAST, TOWN OF RIB MOUNTAIN, MARATHON COUNTY, WISCONSIN.

<b>VREELAND ASSOCIATES, INC.</b>	
6103 DAWN STREET WESTON, WI. 54476	
PH (715) 241-0947 OR FAX 715-241-9826	
tim@vreelandassociates.us	
<b>OWNERS: DEBBIE BUCK &amp; JIM BUCK</b>	
FILE #: B-717-19 BUCK	
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND	



### LEGEND

- ⊙ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS
- = 1.315" OUTSIDE DIAMETER x 24" IRON PIPE 1.68 POUNDS PER FOOT SET
- = 1.315" OUTSIDE DIAMETER IRON PIPE FOUND IN PLACE
- < > = PREVIOUSLY RECORDED AS CSM = CERTIFIED SURVEY MAP

--- = APPROXIMATE LOCATION OF WETLANDS PER DNR INVENTORY MAPPING. DELINEATION WOULD BE NEEDED TO VERIFY THE LOCATION.



BEARINGS REFERENCED TO THE SOUTH LINE OF THE SOUTHWEST 1/4 BEARING S 89°39'12" W PER WISCONSIN COUNTY COORDINATE SYSTEM (MARATHON) NAD83 (2011)

⊙ 2684.76'  
SOUTHWEST CORNER SECTION 17-28-7 EAST SMP SPIKE FOUND

SOUTH LINE SOUTHWEST 1/4

SHEET 1 OF 2 SHEETS

1342.38'  
S 89°39'12" W

⊙ SOUTH 1/4 CORNER SECTION 17-28-7 EAST SMP SPIKE FOUND

# CERTIFIED SURVEY MAP

MARATHON COUNTY NO. \_\_\_\_\_ VOL. \_\_\_\_\_ PAGE \_\_\_\_\_

LOTS 1A, 2 AND 5 OF CSM 10541-43-173, LOCATED IN THE NORTH  
1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 28 NORTH,  
RANGE 7 EAST, TOWN OF RIB MOUNTAIN, MARATHON COUNTY, WISCONSIN.

SHEET 2 OF 2 SHEETS

## SURVEYORS CERTIFICATE

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF DEBBIE BUCK AND JIM BUCK, I SURVEYED, MAPPED AND DIVIDED ALL OF LOTS 1A, 2 AND 5 OF CERTIFIED SURVEY MAP NUMBER 10541, RECORDED IN VOLUME 43 OF SURVEY ON PAGE 173, LOCATED IN THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 28 NORTH, RANGE 7 EAST, TOWN OF RIB MOUNTAIN, MARATHON COUNTY, WISCONSIN. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION AND THE CERTIFIED SURVEY MAP THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH SECTION 236.34 OF THE WISCONSIN STATUTES IN SURVEYING, MAPPING AND DIVIDING THE LANDS, CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF MARATHON COUNTY AND THE TOWN OF RIB MOUNTAIN, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.



TIMOTHY G. VREELAND P.L.S. 2291

DATED THIS 24TH DAY OF JUNE, 2019  
SURVEY PERFORMED JUNE 19TH, 2019

APPROVED FOR RECORDING UNDER  
THE TERMS OF THE MARATHON  
COUNTY LAND DIVISION REGULATIONS.

BY \_\_\_\_\_

DATE \_\_\_\_\_  
MARATHON CO. CONSERVATION,  
PLANNING & ZONING DEPT.  
CPZ TRACKING NO. \_\_\_\_\_

REVIEWED AND APPROVED FOR  
RECORDING BY THE TOWN OF RIB  
MOUNTAIN.

DATE: \_\_\_\_\_

TOWN OF RIB MOUNTAIN

I,   
CITY OF WAUSAU, ZONING ADMINISTRATOR  
BEING DULY APPOINTED BY THE COMMON  
COUNCIL, DO HEREBY CERTIFY THAT THE  
ATTACHED CERTIFIED SURVEY MAP HAS BEEN  
REVIEWED AND THERE ARE NO OBJECTIONS  
TO RECORDING THIS CERTIFIED SURVEY MAP  
IN THE REGISTER OF DEEDS OFFICE.

DATE 7/1/2019

**REPORT TO PLAN COMMISSION**

**FROM:** Steve Kunst, Community Development Director  
**DATE:** July 5, 2019  
**SUBJECT:** Department of Transportation Correction Instrument

**APPLICANT:** Wisconsin Department of Transportation  
**PROPERTY OWNER(S):** RBTN LLC, Ronald & Joan Wimmer, and Woodlawn Pines Plantation LLC

**PROPERTY LOCATION:** Southwest Corner of Snowflake Lane and Hummingbird Road Intersection  
**PARCEL NUMBER(S):** #34.102807.015.003.00.00, 34.102807.015.004.00.00, & 34.102807.015.005.00.00

**ZONING CLASSIFICATION:** Suburban Office and Unified Development District

**REQUEST:** Approval of a Correction Instrument Removing a Wisconsin Department of Transportation 50-Foot Setback Restriction for Three (3) Properties Along Hummingbird Road.

**NARRATIVE:**

The Wisconsin Department of Transportation (WisDOT) received a request from property owners along Hummingbird Road (CTH R) to rescind a 50-foot setback restriction placed on their properties in 2003. After due consideration, WisDOT agreed to remove the setback restriction from the three (3) properties identified above. To do so, WisDOT needs to file a Correction Instrument (attached) with the Marathon County Register of Deeds Office. Per State Statute, this document also needs approval from the Town of Rib Mountain.

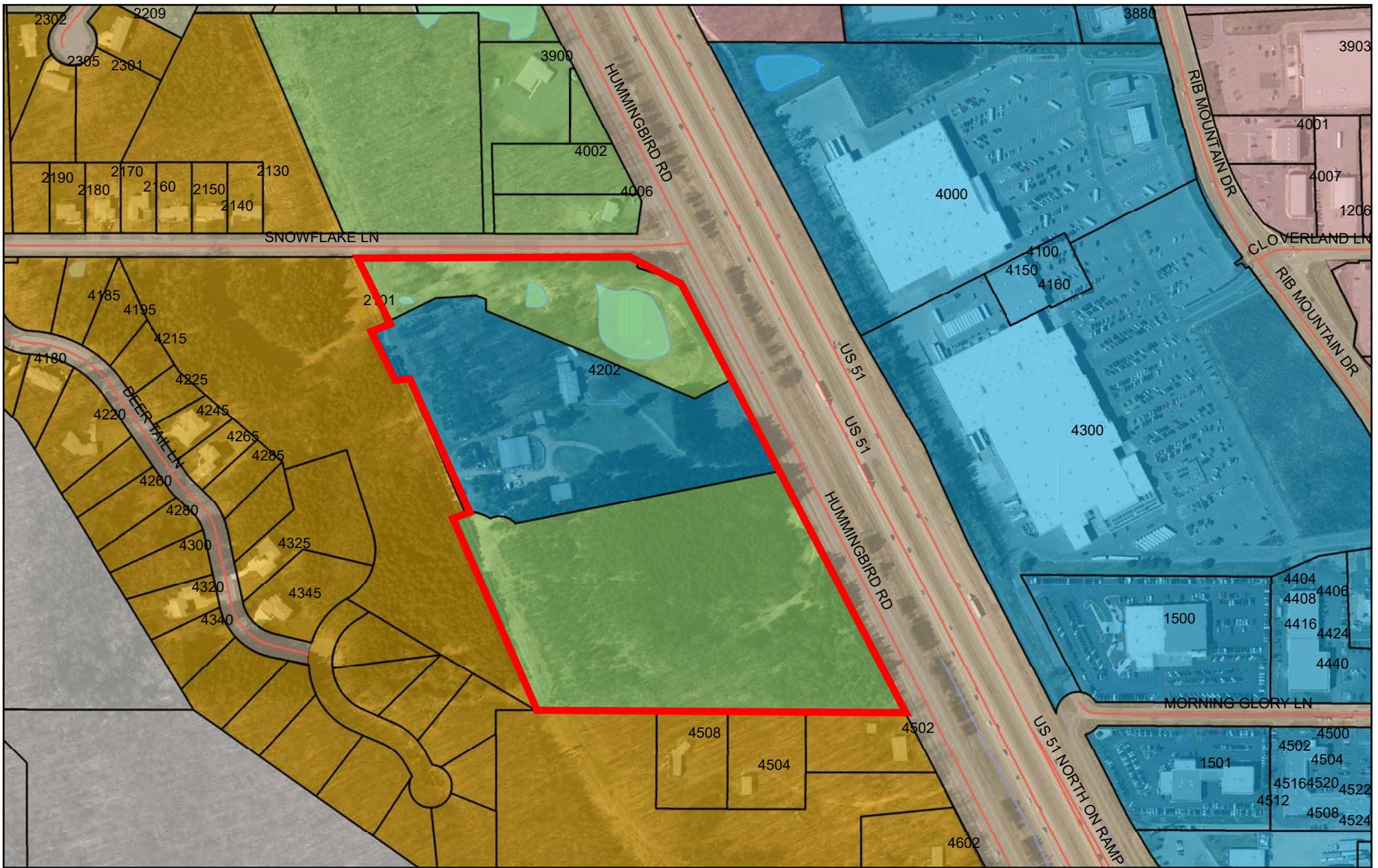
The 50-foot setback imposed by the State in 2003 is greater than the Town minimum setback of 45 feet identified in the Town Zoning Ordinance. Therefore, staff does not see an issue with the proposed Correction Instrument.

**ADDITIONAL INFORMATION:**

- The Town recently approved a land division and future road dedication on the southernmost property included in the Correction Instrument as part of a potential development.

**POSSIBLE ACTION:**

1. Recommend approval of the Correction Instrument for the above noted properties, as presented.
2. Recommend approval of the Correction Instrument for the above noted properties, with conditions/modifications.
3. Recommend denial of the Correction Instrument for the above noted properties.



*Rib Mountain: "Where Nature, Family, and Sport Come Together"*

Prepared by: **mi-TECH**  
www.mi-tech.us

Map Printed: 7/5/2019

<ul style="list-style-type: none"> <li>Parcel Outline</li> <li>Parcel Address</li> <li>Unzoned</li> <li>CR-5ac</li> <li>Countryside Residential</li> <li>EO Estate Office</li> </ul>	<ul style="list-style-type: none"> <li>ER-1 Estate Residential</li> <li>MR-4 Mixed Residential</li> <li>NC</li> <li>Neighborhood Commercial</li> </ul>	<ul style="list-style-type: none"> <li>OR Outdoor Recreation</li> <li>RA-1 Rural Agricultural</li> <li>RA-2 Rural Agricultural</li> <li>Agricultural</li> <li>ROW</li> </ul>	<ul style="list-style-type: none"> <li>RR Rural Residential</li> <li>SC Suburban Commercial</li> <li>SI Suburban Industrial</li> <li>SO Suburban Office</li> </ul>	<ul style="list-style-type: none"> <li>SR-2 Suburban Residential</li> <li>SR-3 Suburban Residential</li> <li>UC Urban Commercial</li> <li>UDD Unified Development</li> </ul>	<ul style="list-style-type: none"> <li>UR-8 Urban Residential</li> <li>Building Outline</li> <li>Road Label (2017)</li> <li>Water Feature</li> <li>Water Feature</li> </ul>	<ul style="list-style-type: none"> <li>Red: Band_1_0</li> <li>Green: Band_2</li> <li>Blue: Band_3</li> </ul>			<p>DISCLAIMER: The information and depictions contained herein are for informational purposes only; Mi-Tech specifically disclaims accuracy in this reproduction and advises that if specific and precise accuracy is required that certified maps, surveys, plats, or other official means be obtained. There is no Statement of Accuracy for any parcel data; the parcel layer is considered an Index Parcel Layer not a Cadastral Parcel Layer. For planning purposes only.</p>
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**CORRECTION INSTRUMENT  
RESCISSION OF TRANS 233 RESTRICTION**

**DRAFT**

As required by Wis. Statutes Chapter 236.293 and 236.295, I, Affiant, Jeffrey T. Brock, Professional Land Surveyor # 2642, hereby certify that Certified Survey Maps # 13159, 13160 & 13161, recorded as Documents # 1358521, 1358522 & 1358523, all being parts of the Southeast 1/4<sup>th</sup> of the Southwest 1/4<sup>th</sup> and Southwest 1/4<sup>th</sup> of the Southeast 1/4<sup>th</sup>, Section 10, T29N,R07E, Town of Rib Mountain, Marathon County, Wis., were recorded on the 18 day of December, 2003. That said documents have a restriction of a 50' highway setback inscribed and noted upon them. Also showing the 43-45' of additional R/W acquired to create CTH"R" via Documents # 137179 & # 1381579, Project # 6675 -00-01.

That RBMTN,LLC and Ronald Wimmer, owners of said Certified Survey Maps have requested that the 50' state highway setback restriction be rescinded. See written request and ownership documents. Exhibits 1&2

That the Wis. Dept. of Transportation approved of this land division and gave it Trans 233 #'s of 37-051-0171- 03, 37-051-0172-03 & 37-051-173-03, in November, 2003. In 2005 & 2009, Wis. Courts have ruled adversely on the applicability of Trans 233.Wis. Adm. Code to certified survey maps.

Therefore; the Department has reviewed this request and finds it to be allowable and so rescinds the restriction as requested, provided that the town and county agencies under Wis. Statute Chapter 236.45 so agree. See Exhibits # 3, 4, & 5.

\_\_\_\_\_  
Kenneth L. Wickham , North Central Regional Director  
Division of Transportation System Development  
Wisconsin Department of Transportation

**ACKNOWLEDGEMENT**

State of Wisconsin  
Oneida County

*P.L.S. seal*

Subscribed to and sworn (or affirmed)  
before me this \_\_\_ day of \_\_\_\_\_, 2019.

Kenneth L. Wickham , Regional Director,  
and Jeffrey T. Brock, PLS # 2642  
signed this document.

\_\_\_\_\_, name  
Notary Public, State of Wisconsin  
My commission expires \_\_\_\_\_.

I, Jeffrey T. Brock, PLS# 2642,  
Acknowledge that this change is correct and  
has been all submitted and reviewed by  
the proper authorities, all to the best of  
my knowledge and belief.

*Notary seal*

Dated this \_\_\_ day of \_\_\_\_\_, 2019.

This Instrument drafted by the

Return to:  
Wisconsin Department of Transportation  
North Central Region, Rhinelander Office  
510 N. Hanson Lake Road  
Rhinelander, WI 54501-9434

Parcel Identification Number or Tax Key Number

**AS REQUIRED BY CHAPTER 236.295(2)**

**RESOLUTION**

Resolved; That the Town of Rib Mountain approves of the rescission as requested by RBMTN LLC & Ronald Wimmer and agrees with the Wis. Hwy. Dept.'s decision to rescind the said restriction for these properties, as recommended by the Rib Mountain Planning Commission.

\_\_\_\_\_  
Allen Opall, Chairman

I, Joanne Ruechel, Clerk, hereby certify that the above resolution (# \_\_\_\_\_) was adopted by the Town Board at their meeting on the \_\_\_ day of \_\_\_\_\_, 2019.

Dated this \_\_\_ day of \_\_\_\_\_, 2019.

**MARATHON COUNTY**

**NON - OBJECTION CERTIFICATION**

The Planning and Zoning Department has no objection to this rescission by the Wisconsin Department. of Transportation.

\_\_\_\_\_  
Rebecca Frisch, Conservation, Planning & Zoning Director  
Dated this \_\_\_ day of \_\_\_\_\_, 2019.

Wisconsin Department of Transportation

# CERTIFIED SURVEY MAP

## MARATHON COUNTY NO. 13159 VOL. 57 PAGE 96

PART OF CSM 10649-44-91 AND ALL OF OL 3 CSM 12696-55-14, LOCATED IN THE SW1/4 SE1/4 AND SE1/4 SW1/4, SECTION 10, TOWNSHIP 28 NORTH, RANGE 7 EAST, TOWN OF RIB MOUNTAIN, MARATHON COUNTY, WISCONSIN.

<b>VREELAND ASSOCIATES, INC.</b> 6103 DAWN STREET, WESTON, WI 54476 PH (715) 241-0947 OR (866) 693-3979 FAX (715) 241-9826	PREPARED FOR OWNER: <h3>RON WIMMER</h3>
FILE #: W-70 CSM2	DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND

THIS MAP CORRECTS AND SUPERSEDES  
 CSM 13006-56-133  
 DOT PROJECT # 37-051-0173-03

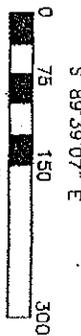
BEARINGS REFERENCED TO  
 CSM 10696-44-91 AND  
 CSM 12696-55-14 AND  
 TO THE SOUTH LINE OF THE  
 SE1/4 RECORDED TO BEAR  
 S 89°39'07" E

**CAUTION: HIGHWAY SETBACK  
 RESTRICTION PROHIBITS  
 IMPROVEMENTS SEE SHEET 3 OF 3  
 SHEETS FOR HIGHWAY RESTRICTIONS  
 AND CERTIFICATION**

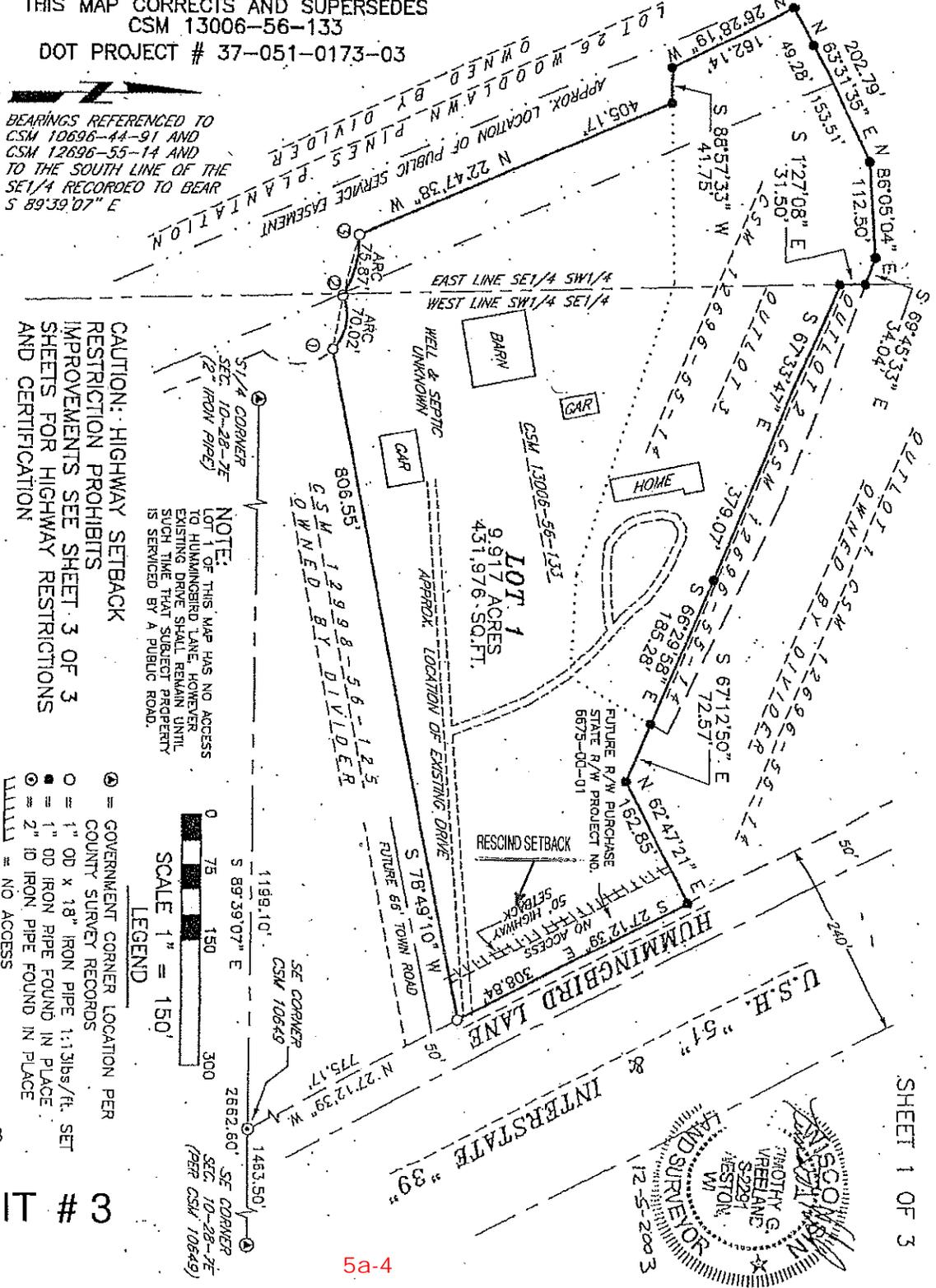
**NOTE:**  
 LOT 1 OF THIS MAP HAS NO ACCESS  
 TO HUMMINGBIRD LANE, HOWEVER  
 EXISTING DRIVE SHALL REMAIN UNTIL  
 SUCH TIME THAT SUBJECT PROPERTY  
 IS SERVICED BY A PUBLIC ROAD.

- LEGEND**
- ⊙ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS
  - = 1" OD x 18" IRON PIPE 1.13lbs./ft. SET
  - = 1" OD IRON PIPE FOUND IN PLACE
  - ⊙ = 2" ID IRON PIPE FOUND IN PLACE
  - ||||| = NO ACCESS

SCALE 1" = 150'

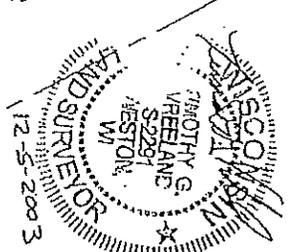


SCALE 1" = 150'



### EXHIBIT # 3

5a-4



SHEET 1 OF 3

## CERTIFIED SURVEY MAP

**MARATHON COUNTY NO. 13159 VOL. 5.7 PAGE 96**

PART OF CSM 10649-44-91 AND ALL OF OL 3 CSM 12696-55-14, LOCATED IN THE SW1/4 SE1/4 AND SE1/4 SW1/4, SECTION 10, TOWNSHIP 28 NORTH, RANGE 7 EAST, TOWN OF RIB MOUNTAIN, MARATHON COUNTY, WISCONSIN.

SHEET 2 OF 3

### SURVEYORS CERTIFICATE

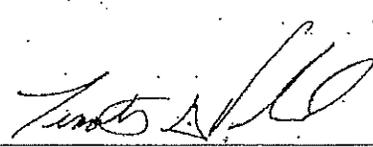
I, TIMOTHY G. VREELAND, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF RON WIMMER, I SURVEYED, AND MAPPED THAT PART OF MARATHON COUNTY CERTIFIED SURVEY MAP NUMBER 10649, VOLUME 44, PAGE 91 AND ALL OF OUTLOT 3 OF CERTIFIED SURVEY MAP NUMBER 12696, VOLUME 55, PAGE 14, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 28 NORTH, RANGE 7 EAST, TOWN OF RIB MOUNTAIN, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 10; THENCE S 89°39'07" E ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER 1199.10 FEET TO THE SOUTHEAST CORNER OF MARATHON COUNTY CERTIFIED SURVEY MAP NUMBER 10649; THENCE N 27°12'39" W ALONG THE WEST LINE OF HUMMINGBIRD LANE 775.17 FEET TO THE POINT OF BEGINNING; THENCE S 78°49'10" W 806.55 FEET; THENCE 70.02 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTH WHOSE RADIUS IS 60.00 FEET, WHOSE CENTRAL ANGLE IS 66°52'08" AND WHOSE CHORD BEARS N 79°54'17" W 66.12 FEET; THENCE 75.87 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS IS 133.00 FEET, WHOSE CENTRAL ANGLE IS 32°41'06" AND WHOSE CHORD BEARS N 75°20'51" W 74.85; THENCE N 22°47'38" W 405.17 FEET; THENCE S 88°57'33" W 41.75 FEET; THENCE N 26°28'19" W 162.14 FEET; THENCE N 63°31'35" E 202.79 FEET; THENCE N 86°05'04" E 112.50 FEET; THENCE S 69°45'33" E 34.04 FEET; THENCE S 1°27'08" E 31.50 FEET; THENCE S 67°33'47" E 379.07 FEET; THENCE S 66°29'58" E 185.28 FEET; THENCE S 67°12'50" E 72.57 FEET; THENCE N 62°47'21" E 162.85 FEET TO THE WEST LINE OF HUMMINGBIRD LANE; THENCE S 27°12'39" E ALONG THE WEST LINE OF HUMMINGBIRD LANE 308.84 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE CERTIFIED SURVEY MAP THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH CHAPTER 236.34 OF THE WISCONSIN STATUTES, CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF MARATHON COUNTY AND THE TOWN OF RIB MOUNTAIN, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.

DATED THIS 5TH DAY OF OCTOBER, 2003

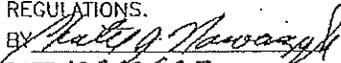
  
TIMOTHY G. VREELAND R.L.S. 2291

### NOTE

AT THE REQUEST OF MARATHON COUNTY HIGHWAY DEPARTMENT, STATE R/W PROJECT NO. 6675-00-D1 AND THE ACCESS CONTROL HAS BEEN PLACED ON THE SHEET 1 OF 2 OF THIS SURVEY. NO CHANGES TO BOUNDARIES HAS OCCURRED.

2 OF 3

APPROVED FOR RECORDING  
UNDER THE TERMS OF THE  
MARATHON CO. LAND DIVISION  
REGULATIONS.

BY   
DATE 12/18/03  
MARATHON CO. ZONING DEPT.

I,  BEING DULY APPOINTED  
BY THE TOWN BOARD HEREBY CERTIFY THAT THE ATTACHED  
CERTIFIED SURVEY MAP HAS BEEN REVIEWED AND THERE ARE NO  
OBJECTIONS TO RECORDING THIS CERTIFIED SURVEY MAP IN THE  
REGISTER OF DEEDS OFFICE. THIS INSTRUMENT SHALL BE  
RECORDED BY 2-18-2004 OR THE TOWN'S APPROVAL  
HEREOF SHALL TERMINATE.

# CERTIFIED SURVEY MAP

MARATHON COUNTY NO. 13159 VOL. 57 PAGE 96

PART OF CSM 10849-44-91 AND ALL OF OL 3 CSM 12696-55-14, LOCATED IN THE SW1/4 SE1/4 AND SE1/4 SW1/4, SECTION 10, TOWNSHIP 28 NORTH, RANGE 7 EAST, TOWN OF RIB MOUNTAIN, MARATHON COUNTY, WISCONSIN.

SHEET 3 OF 3

## CURVE DATA

1-2

RADIUS = 60.00'

CHORD = N 79°54'17" W 66.12'

CENTRAL ANGLE = 66°52'08"

2-3

RADIUS = 133.00'

CHORD = N 75°20'51" W 74.85'

CENTRAL ANGLE = 32°41'06"

## ACCESS RESTRICTION

"ALL LOTS AND BLOCKS ARE HEREBY RESTRICTED SO THAT NO OWNER, POSSESSOR, USER LICENSEE OR OTHER PERSON MAY HAVE ANY RIGHT OF DIRECT VEHICULAR INGRESS FROM OR EGRESS TO ANY HIGHWAY LYING WITHIN THE RIGHT-OF-WAY OF HUMMINGBIRD LANE; IT IS EXPRESSLY INTENDED THAT THIS RESTRICTION CONSTITUTE A RESTRICTION FOR THE BENEFIT OF THE PUBLIC AS PROVIDED IN S. 236.293, STATS., AND SHALL BE ENFORCED BY THE DEPARTMENT OR ITS ASSIGNS. ANY ACCESS SHALL BE ALLOWED ONLY BY SPECIAL EXCEPTION. ANY ACCESS ALLOWED BY SPECIAL EXCEPTION SHALL BE CONFIRMED AND GRANTED ONLY THROUGH THE DRIVEWAY PERMITTING PROCESS AND ALL PERMITS ARE REVOCABLE."

## SETBACK NOTE

"NO IMPROVEMENTS OR STRUCTURES ARE ALLOWED BETWEEN THE RIGHT-OF-WAY AND THE HIGHWAY SETBACK LINE. IMPROVEMENTS AND STRUCTURES INCLUDE, BUT ARE NOT LIMITED TO, SIGNS, PARKING AREAS, DRIVEWAYS, WELLS, SEPTIC SYSTEMS, DRAINAGE FACILITIES, BUILDINGS AND RETAINING WALLS. IT IS EXPRESSLY INTENDED THAT THIS RESTRICTION IS FOR THE BENEFIT OF THE PUBLIC AS PROVIDED IN SECTION 236.293, WISCONSIN STATUTES, AND SHALL BE ENFORCEABLE BY THE WISCONSIN DEPARTMENT OF TRANSPORTATION OR ITS ASSIGNS. CONTACT THE WISCONSIN DEPARTMENT OF TRANSPORTATION FOR MORE INFORMATION. THE PHONE NUMBER MAY BE OBTAINED BY CONTACTING THE COUNTY HIGHWAY DEPARTMENT."

RESCIND SETBACK.

## NOISE NOTE

"THE LOTS OF THIS LAND DIVISION MAY EXPERIENCE NOISE AT LEVELS EXCEEDING LEVELS IN S. TRANS 405.04, TABLE I. THESE LEVELS ARE BASED ON FEDERAL STANDARDS. THE DEPARTMENT OF TRANSPORTATION IS NOT RESPONSIBLE FOR ABATING NOISE FROM EXISTING STATE TRUNK HIGHWAYS OR CONNECTING HIGHWAYS, IN THE ABSENCE OF ANY INCREASE BY THE DEPARTMENT TO THE HIGHWAY'S THROUGH-LANE CAPACITY."

# CERTIFIED SURVEY MAP

MARATHON COUNTY NO. 13160 VOL. 57 PAGE 97

PART OF OUTLOT 1 & ALL OF OUTLOT 2 OF CSM 12696-55-14  
LOCATED IN THE SE1/4 SW1/4 AND SW1/4 SE1/4, SECTION 10, TOWNSHIP 28 NORTH,  
RANGE 7 EAST, TOWN OF RIB MOUNTAIN, MARATHON COUNTY, WISCONSIN.

<b>VREELAND ASSOCIATES, INC.</b> 6103 DAWN STREET WESTON, WI. 54476 PH (715) 241-0947 OR (866) 693-3979 FAX (715) 241-9828	PREPARED FOR OWNER: <p style="text-align: center;"><b>RON WIMMER</b></p>
FILE #: W-70 POND OUTLOT 03	DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND

**NOTE**  
 THIS MAP HAS BEEN CREATED TO INCLUDE THE RESTRICTIONS UNDER TRANS. 233.

**CAUTION: HIGHWAY SETBACK RESTRICTION PROHIBITS IMPROVEMENTS. SEE SHEET 2 OF 2 SHEETS FOR HIGHWAY RESTRICTIONS AND CERTIFICATION**

APPROVED FOR RECORDING UNDER THE TERMS OF THE MARATHON CO. LAND DIVISION REGULATIONS.

DATE 12/18/03  
 BY Timothy G. Vreeland  
 MARATHON CO. ZONING DEPT.

SHEET 1 OF 2  
 SEE SHEET 2 OF 2  
 DOT PROJECT NO.  
 37-051-0171-03

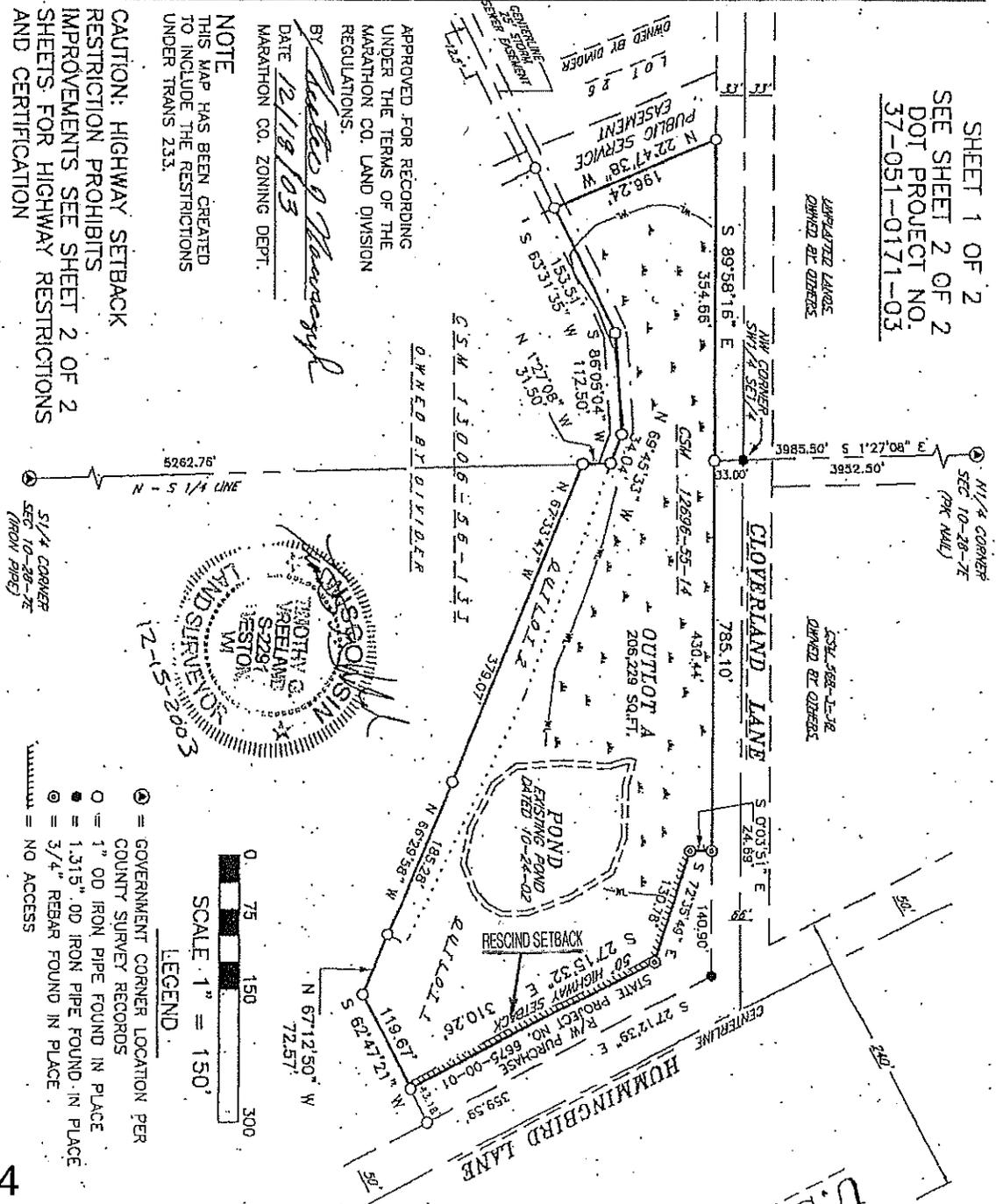


EXHIBIT # 4

1 OF 2

# CERTIFIED SURVEY MAP

MARATHON COUNTY NO. 13160 VOL. 57 PAGE 97

PART OF OUTLOT 1 & ALL OUTLOT 2 OF CSM 12696-55-14  
LOCATED IN THE SE1/4 SW1/4 AND SW1/4 SE1/4, SECTION 10, TOWNSHIP 28 NORTH,  
RANGE 7 EAST, TOWN OF RIB MOUNTAIN, MARATHON COUNTY, WISCONSIN.

SHEET 2 OF 2

## SURVEYORS CERTIFICATE

I, TIMOTHY G. VREELAND, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF RON WIMMER, I SURVEYED AND MAPPED PART OF OUTLOT 1 AND ALL OF OUTLOT 2 OF MARATHON COUNTY CERTIFIED SURVEY MAP NUMBER 12696, RECORDED IN VOLUME 55 ON PAGE 14, LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 28 NORTH, RANGE 7 EAST, TOWN OF RIB MOUNTAIN, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 10; THENCE S 1'27'08" E ALONG THE NORTH - SOUTH QUARTER LINE 3985.50 FEET TO THE SOUTH LINE OF CLOVERLAND LANE AND THE POINT OF BEGINNING; THENCE S 89'58'16" E ALONG THE SOUTH LINE OF CLOVERLAND LANE 430.44 FEET TO THE WEST LINE OF HUMMINGBIRD LANE; THENCE S 0'03'51" E 24.69 FEET; THENCE S 72'35'49" E 130.78 FEET; THENCE S 27'15'32" E 310.26 FEET; THENCE S 62'47'21" W 119.67 FEET; THENCE N 67'12'50" W 72.57 FEET; THENCE N 66'29'58" W 185.28 FEET; THENCE N 67'33'47" W 379.07 FEET; THENCE N 1'27'08" W 31.50 FEET; THENCE N 69'45'33" W 34.04 FEET; THENCE S 86'05'04" W 112.50 FEET; THENCE S 63'31'35" W 153.51 FEET; THENCE N 22'47'38" W 196.24 FEET; S 89'58'16" E 354.66 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD AND USE.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE CERTIFIED SURVEY MAP THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH CHAPTER 236.34 OF THE WISCONSIN STATUTES, CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF MARATHON COUNTY AND THE TOWN OF RIB MOUNTAIN, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.



DATED THIS 15th DAY OF DECEMBER, 2003

TIMOTHY G. VREELAND R.L.S. 2291

I, David A. Dadey BEING DULY APPOINTED BY THE TOWN BOARD HEREBY CERTIFY THAT THE ATTACHED CERTIFIED SURVEY MAP HAS BEEN REVIEWED AND THERE ARE NO OBJECTIONS TO RECORDING THIS CERTIFIED SURVEY MAP IN THE REGISTER OF DEEDS OFFICE. THIS INSTRUMENT SHALL BE RECORDED BY 3-17-2004 OR THE TOWN'S APPROVAL THEREOF SHALL TERMINATE.

## OUTLOT NOTES:

OUTLOTS A OF THIS MAP IS NOT BUILDING PARCELS, BUT IS A STORM WATER RETENTION AREA FOR WOODLAWN PINES PLANTATION.

## ACCESS RESTRICTION

"ALL LOTS AND BLOCKS ARE HEREBY RESTRICTED SO THAT NO OWNER, POSSESSOR, USER LICENSEE OR OTHER PERSON MAY HAVE ANY RIGHT OF DIRECT VEHICULAR INGRESS FROM OR EGRESS TO ANY HIGHWAY LYING WITHIN THE RIGHT-OF-WAY OF HUMMINGBIRD LANE; IT IS EXPRESSLY INTENDED THAT THIS RESTRICTION CONSTITUTE A RESTRICTION FOR THE BENEFIT OF THE PUBLIC AS PROVIDED IN s. 238.293, STATS., AND SHALL BE ENFORCED BY THE DEPARTMENT OR ITS ASSIGNS. ANY ACCESS SHALL BE ALLOWED ONLY BY SPECIAL EXCEPTION. ANY ACCESS ALLOWED BY SPECIAL EXCEPTION SHALL BE CONFIRMED AND GRANTED ONLY THROUGH THE DRIVEWAY PERMITTING PROCESS AND ALL PERMITS ARE REVOCABLE."

## RESCIND SETBACK SETBACK NOTE

"NO IMPROVEMENTS OR STRUCTURES ARE ALLOWED BETWEEN THE RIGHT-OF-WAY AND THE HIGHWAY SETBACK LINE. IMPROVEMENTS AND STRUCTURES INCLUDE, BUT ARE NOT LIMITED TO, SIGNS, PARKING AREAS, DRIVEWAYS, WELLS, SEPTIC SYSTEMS, DRAINAGE FACILITIES, BUILDINGS AND RETAINING WALLS. IT IS EXPRESSLY INTENDED THAT THIS RESTRICTION IS FOR THE BENEFIT OF THE PUBLIC AS PROVIDED IN SECTION 236.293, WISCONSIN STATUTES, AND SHALL BE ENFORCEABLE BY THE WISCONSIN DEPARTMENT OF TRANSPORTATION OR ITS ASSIGNS. CONTACT THE WISCONSIN DEPARTMENT OF TRANSPORTATION FOR MORE INFORMATION. THE PHONE NUMBER MAY BE OBTAINED BY CONTACTING THE COUNTY HIGHWAY DEPARTMENT."

2 OF 2

## NOISE NOTE

"THE LOTS OF THIS LAND DIVISION MAY EXPERIENCE NOISE AT LEVELS EXCEEDING LEVELS IN S. TRANS 405.04, TABLE I. THESE LEVELS ARE BASED ON FEDERAL STANDARDS. THE DEPARTMENT OF TRANSPORTATION IS NOT RESPONSIBLE FOR ABATING NOISE FROM EXISTING STATE TRUNK HIGHWAYS OR CONNECTING HIGHWAYS, IN THE ABSENCE OF ANY INCREASE BY THE DEPARTMENT TO THE HIGHWAY'S THROUGH-LANE CAPACITY."

Plot Code  
# 0940

1358523

068.4.2807.104.094L 13161

### CERTIFIED SURVEY MAP

MARATHON COUNTY NO. 13161 VOL. 57 PAGE 98

PART OF CSM 10649-44-91 AND LOT 26 OF WOODLAWN PINES PLANTATION, LOCATED IN THE SW1/4 SE1/4 AND SE1/4 SW1/4, SECTION 10, TOWNSHIP 28 NORTH RANGE 7 EAST, TOWN OF RIB MOUNTAIN, MARATHON COUNTY, WISCONSIN.

<b>VREELAND ASSOCIATES, INC.</b> 6103 DAWN STREET, WESTON, WI. 54476 PH (715) 241-0947 OR (866) 693-3979 FAX (715) 241-9826	PREPARED FOR OWNER: <p style="text-align: center;"><b>RON WIMMER</b></p> DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND
--------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------

BEARINGS REFERENCED TO CSM 10696-44-91 AND CSM 12696-55-14 AND TO THE SOUTH LINE OF THE SE1/4 RECORDED TO BEAR S 89°39'07" E

**CURVE DATA**

1 - 2  
 RADIUS = 60.00'  
 CHORD = N 79°54'17" W 66.12'  
 CENTRAL ANGLE = 66°52'08"

2 - 3  
 RADIUS = 133.00'  
 CHORD = N 75°20'51" W 74.85'  
 CENTRAL ANGLE = 32°41'06"

CAUTION: HIGHWAY SETBACK RESTRICTION PROHIBITS IMPROVEMENTS SEE SHEET 2 OF 2 SHEETS FOR HIGHWAY RESTRICTIONS AND CERTIFICATION

**LEGEND**

⊙ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS

⊙ = 1" OD x 18" IRON PIPE 1.13lbs/ft. SET

⊙ = 2" ID IRON PIPE FOUND IN PLACE

||||| = ACCESS RESTRICTED SEE NOTE ON SHEET 2 OF 2

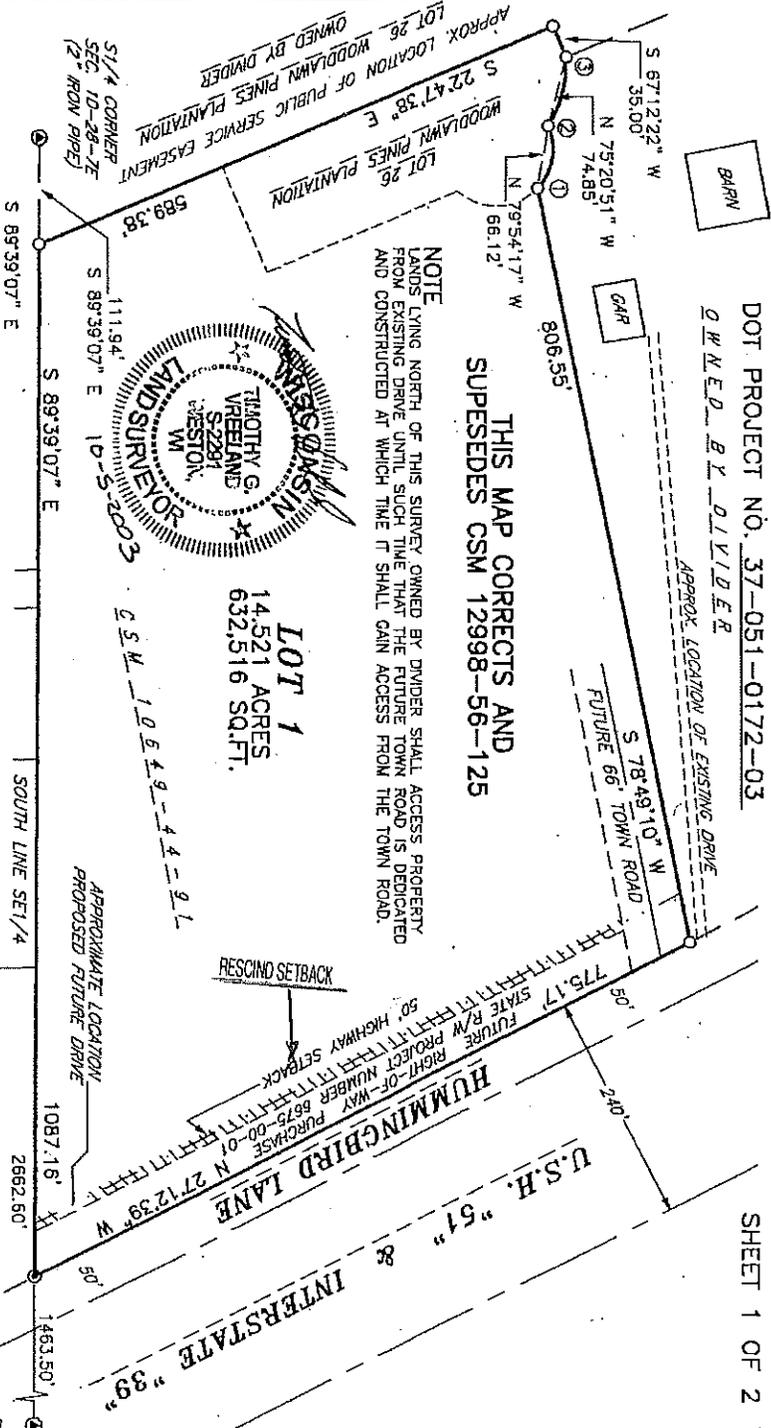
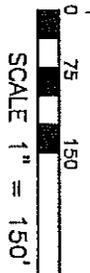


EXHIBIT # 5

# CERTIFIED SURVEY MAP

MARATHON COUNTY NO. 13161 VOL. 57 PAGE 98

PART OF CSM 10649-44-91 AND LOT 26 OF WOODLAWN PINES PLANTATION, LOCATED IN THE SW1/4 SE1/4 AND SE1/4 SW1/4, SECTION 10, TOWNSHIP 28 NORTH RANGE 7 EAST, TOWN OF RIB MOUNTAIN, MARATHON COUNTY, WISCONSIN.

SHEET 2 OF 2

## SURVEYORS CERTIFICATE

FILE # W-70 CSM3-03

I, TIMOTHY G. VREELAND, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF RON WIMMER, I SURVEYED AND MAPPED THAT PART OF MARATHON COUNTY CERTIFIED SURVEY MAP NUMBER 10649, VOLUME 44, PAGE 91 AND LOT 26 OF WOODLAWN PINES PLANTATION, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 28 NORTH, RANGE 7 EAST, TOWN OF RIB MOUNTAIN, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 10; THENCE S 89°39'07" E ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER 111.94 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S 89°39'07" E ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER 1087.16 FEET TO THE WEST LINE OF HUMMINGBIRD LANE; THENCE N 27°12'39" W ALONG THE WEST LINE OF HUMMINGBIRD LANE 775.17 FEET; THENCE S 78°49'10" W 806.55 FEET; THENCE 70.02 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTH WHOSE RADIUS IS 60.00 FEET, WHOSE CENTRAL ANGLE IS 66°52'08" AND WHOSE CHORD BEARS N 79°54'17" W 66.12 FEET; THENCE 75.87 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS IS 133.00 FEET, WHOSE CENTRAL ANGLE IS 32°41'06" AND WHOSE CHORD BEARS N 75°20'51" W 74.85; THENCE S 67°12'22" W 35.00 FEET; THENCE S 22°47'38" E 589.38 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE CERTIFIED SURVEY MAP THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH CHAPTER 236.34 OF THE WISCONSIN STATUTES, CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF MARATHON COUNTY AND THE TOWN OF RIB MOUNTAIN, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.

DATED THIS 5TH DAY OF OCTOBER, 2003

TIMOTHY G. VREELAND R.L.S. 2291

I, Daniel A. Jindrich, BEING DULY APPOINTED BY THE TOWN BOARD HEREBY CERTIFY THAT THE ATTACHED CERTIFIED SURVEY MAP HAS BEEN REVIEWED AND THERE ARE NO OBJECTIONS TO RECORDING THIS CERTIFIED SURVEY MAP IN THE REGISTER OF DEEDS OFFICE. THIS INSTRUMENT SHALL BE RECORDED BY 2-18-2004 OR THE TOWN'S APPROVAL THEREOF SHALL TERMINATE.

## ACCESS RESTRICTION

"ALL LOTS AND BLOCKS ARE HEREBY RESTRICTED SO THAT NO OWNER, POSSESSOR, USER LICENSEE OR OTHER PERSON MAY HAVE ANY RIGHT OF DIRECT VEHICULAR INGRESS FROM OR EGRESS TO ANY HIGHWAY LYING WITHIN THE RIGHT-OF-WAY OF HUMMINGBIRD LANE, EXCEPT AS SHOWN; IT IS EXPRESSLY INTENDED THAT THIS RESTRICTION CONSTITUTE A RESTRICTION FOR THE BENEFIT OF THE PUBLIC AS PROVIDED IN s. 236.293, STATS., AND SHALL BE ENFORCED BY THE DEPARTMENT OR ITS ASSIGNS. ANY ACCESS SHALL BE ALLOWED ONLY BY SPECIAL EXCEPTION. ANY ACCESS ALLOWED BY SPECIAL EXCEPTION SHALL BE CONFIRMED AND GRANTED ONLY THROUGH THE DRIVEWAY PERMITTING PROCESS AND ALL PERMITS ARE REVOCABLE."

"THE WISCONSIN DEPARTMENT OF TRANSPORTATION HAS GRANTED A SPECIAL EXCEPTION TO TRANS 233 FOR THE PROPOSED DRIVEWAY / TOWN ROAD ACCESSES, AS SHOWN ON THIS MAP, WITH THE CONDITION THAT IT SERVE AS RESIDENTIAL / COMMERCIAL USES ONLY. ADDITIONAL LAND DIVISIONS, CHANGE IN LAND USE, OR FUTURE HIGHWAY PROJECT(S) MAY REQUIRE A PUBLIC ROAD INTERSECTION OR RELOCATION OF THE DRIVEWAY / FUTURE PUBLIC ROAD TO AN ALTERNATIVE PUBLIC ROAD AT THE DISCRETION OF THE DEPARTMENT."

RESCIND SETBAC

## SETBACK NOTE

"NO IMPROVEMENTS OR STRUCTURES ARE ALLOWED BETWEEN THE RIGHT-OF-WAY AND THE HIGHWAY SETBACK LINE. IMPROVEMENTS AND STRUCTURES INCLUDE, BUT ARE NOT LIMITED TO, SIGNS, PARKING AREAS, DRIVEWAYS, WELLS, SEPTIC SYSTEMS, DRAINAGE FACILITIES, BUILDINGS AND RETAINING WALLS. IT IS EXPRESSLY INTENDED THAT THIS RESTRICTION IS FOR THE BENEFIT OF THE PUBLIC AS PROVIDED IN SECTION 236.293, WISCONSIN STATUTES, AND SHALL BE ENFORCEABLE BY THE WISCONSIN DEPARTMENT OF TRANSPORTATION OR ITS ASSIGNS. CONTACT THE WISCONSIN DEPARTMENT OF TRANSPORTATION FOR MORE INFORMATION. THE PHONE NUMBER MAY BE OBTAINED BY CONTACTING THE COUNTY HIGHWAY DEPARTMENT."

## NOISE NOTE

"THE LOTS OF THIS LAND DIVISION MAY EXPERIENCE NOISE AT LEVELS EXCEEDING LEVELS IN S. TRANS 405.04, TABLE I. THESE LEVELS ARE BASED ON FEDERAL STANDARDS. THE DEPARTMENT OF TRANSPORTATION IS NOT RESPONSIBLE FOR ABATING NOISE FROM EXISTING STATE TRUNK HIGHWAYS OR CONNECTING HIGHWAYS, IN THE ABSENCE OF ANY INCREASE BY THE DEPARTMENT TO THE HIGHWAY'S THROUGH-LANE CAPACITY."

**REPORT TO PLANNING COMMISSION**

**FROM:** Steve Kunst, Community Development Director

**DATE:** July 3, 2019

**SUBJECT:** Final Plat Amendment – Stone Horizon

**APPLICANT:** Riverside Land Surveying, agent

**OWNER:** Paul and Mary Hackel

**PROPERTY DESCRIPTION:** Part of the E ½ of the SE ¼, Section 18

**PARCEL NUMBER:** #34.182807.006.003.00.00

**REQUEST:** Final Plat Amendment for Stone Horizon Subdivision

**ZONING:** Estate Residential -1 (ER-1)

**ADJACENT ZONING:** RA-2 (South), ER-1 (East), RR (West), RA-1 (North)

**NARRATIVE:**

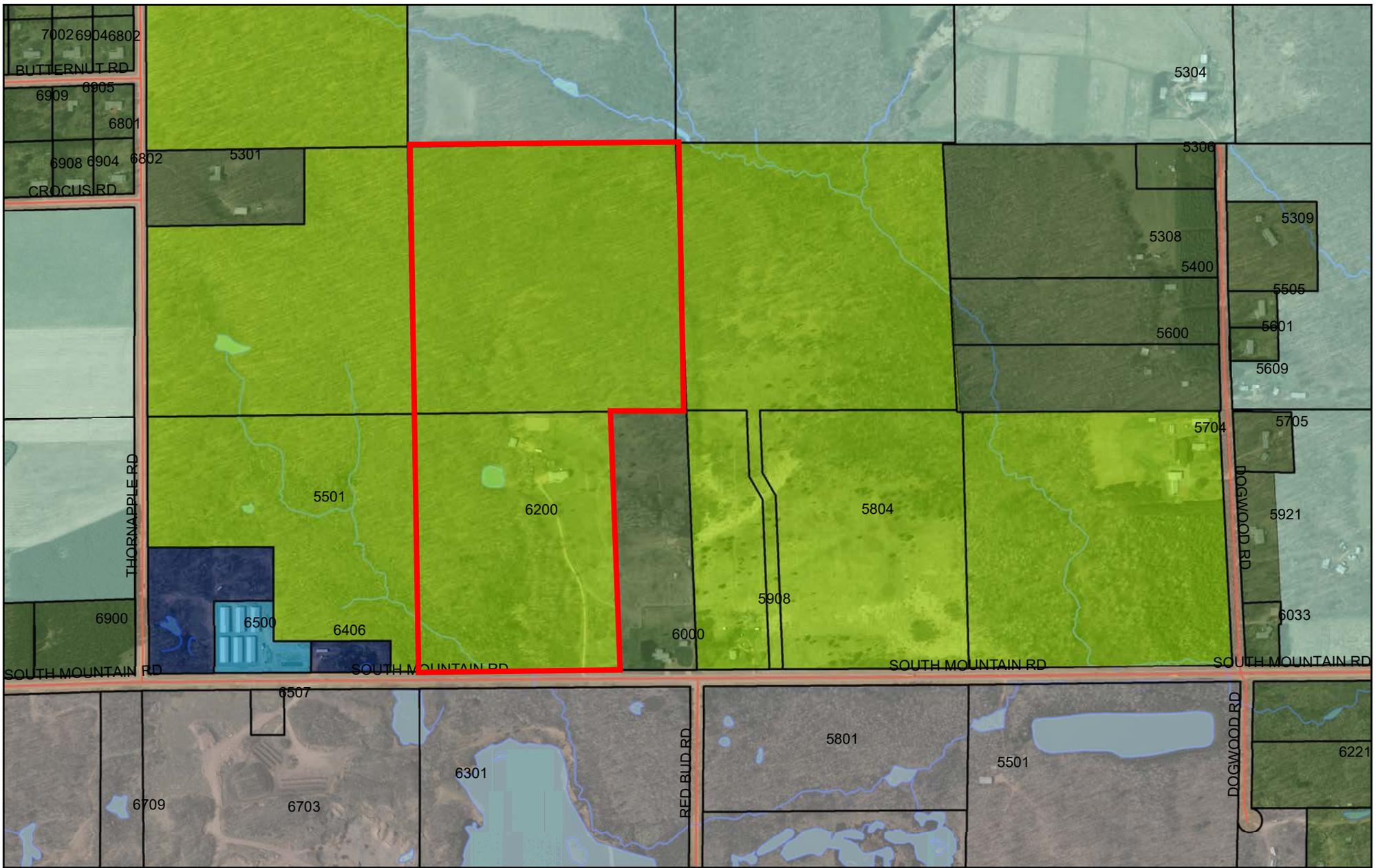
The applicant requests an amendment to the Final Plat for Stone Horizon Subdivision. As the developer was formalizing the stormwater management plan it became evident ‘Outlot 1’ needed to increase in area to encompass the required stormwater management facilities. As a result, Outlot 1 is proposed to increase from 0.204 acres (8,881 ft.<sup>2</sup>) to 0.383 acres (16,697 ft.<sup>2</sup>) and Lot 8 goes from 2.429 acres to 2.249 acres. As proposed, Lot 8 remains compliant with the Town Zoning and Land Division Ordinances. No further changes to the Plat are proposed.

**RECOMMENDED CONDITIONS OF APPROVAL:**

- A signed developer agreement covering all public improvements (street, utilities, etc.) and financial sureties.
- Finalized stormwater management plan and/or long-term maintenance agreement approved by the Town Engineer
  - Currently under review
- Finalized street plans approved by the Town Engineer
  - Currently under review
- A finalized copy of any protective/restrictive covenants along with primary contact for any homeowner’s association.

**POSSIBLE ACTION:**

1. Recommend approval of the Final Plat amendment for Stone Horizon subdivision, as presented
2. Recommend approval of the Final Plat amendment for Stone Horizon subdivision, with conditions/modifications.
3. Recommend denial of the Final Plat amendment for Stone Horizon subdivision.



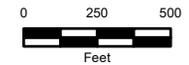
6a-5

*Rib Mountain:  
"Where Nature, Family, and  
Sport Come Together"*

Prepared by:  
**MI-TECH**  
www.mi-tech.us

Map Printed: 4/5/2018

- |                                |                                |                         |                        |                           |                        |
|--------------------------------|--------------------------------|-------------------------|------------------------|---------------------------|------------------------|
| Parcel Outline                 | EO Estate Office               | OR Outdoor Recreation   | RR Rural Residential   | SR-2 Suburban Residential | UR-8 Urban Residential |
| Parcel Address                 | ER-1 Estate Residential        | RA-1 Rural Agricultural | SC Suburban Commercial | SR-3 Suburban Residential | Building Outline       |
| <b>Zoning Districts</b>        | MR-4 Mixed Residential         | RA-2 Rural Agricultural | SI Suburban Industrial | UC Urban Commercial       | Road Centerline        |
| Unzoned                        | CR-5ac Countryside Residential | RA-2 Rural Agricultural | SO Suburban Office     | UDD Unified Development   | Water Feature          |
| CR-5ac Countryside Residential | NC Neighborhood Commercial     | ROW                     |                        |                           |                        |



**DISCLAIMER:** The information and depictions contained herein are for informational purposes only; Mi-Tech specifically disclaims accuracy in this reproduction and advises that if specific and precise accuracy is required that certified maps, surveys, plats, or other official means be obtained. There is no Statement of Accuracy for any parcel data; the parcel layer is considered an Index Parcel Layer not a Cadastral Parcel Layer. For planning purposes only.

5b-2

# STONE HORIZON

Of Lot 1 of Certified Survey Map No. 18161 located in part of the Southeast 1/4 of the Southeast 1/4 and part of the Northeast 1/4 of the Southeast 1/4 of Section 18, Township 28 North, Range 7 East, Town of Rib Mountain, Marathon County, Wisconsin.

LEGEND	
○	- SET 1-1/4" x 24" REBAR WEIGHING 4.303 LBS/LIN. FT.
○	- ALL OTHER LOT CORNERS HAVE BEEN MONUMENTED WITH 1-1/4" O.D. x 24" IRON PIPE WEIGHING 1.68 LBS/LIN. FT. SET
●	- FOUND 3/4" REBAR
●	- FOUND 1-1/4" O.D. IRON PIPE
○	- FOUND 5/8" REBAR
( )	- RECORDED BEARING/LENGTH
////	- RESTRICTED ACCESS PER THIS PLAT

CURVE TABLE						
CURVE #	ARC LENGTH	RADIUS	CENTRAL ANGLE	CHORD BEARING	CHORD DISTANCE	TANGENT BEARING IN / TANGENT BEARING OUT
C1	190.75'	167.00'	65°26'34"	N33°08'53"W	180.55'	N00°25'36"W / N65°52'10"W
C2	43.44'	167.00'	14°54'13"	N73°19'17"W	43.32'	N65°52'10"W / N80°46'23"W
C3	254.04'	183.00'	79°32'18"	N41°00'14"W	234.13'	N80°46'23"W / N01°14'05"W
C4	44.01'	183.00'	13°46'51"	N73°52'57"W	43.91'	
C5	123.91'	183.00'	38°47'38"	N47°35'41"W	121.55'	
C6	86.12'	183.00'	26°57'49"	N14°42'59"W	85.33'	
C7	162.42'	117.00'	79°32'18"	S41°00'14"E	149.69'	S01°14'05"E / S80°46'23"E
C8	60.61'	233.00'	14°54'13"	S73°19'17"E	60.44'	S80°46'23"E / S65°52'10"E
C9	266.13'	233.00'	65°26'34"	S33°08'53"E	251.90'	S65°52'10"E / S00°25'36"E

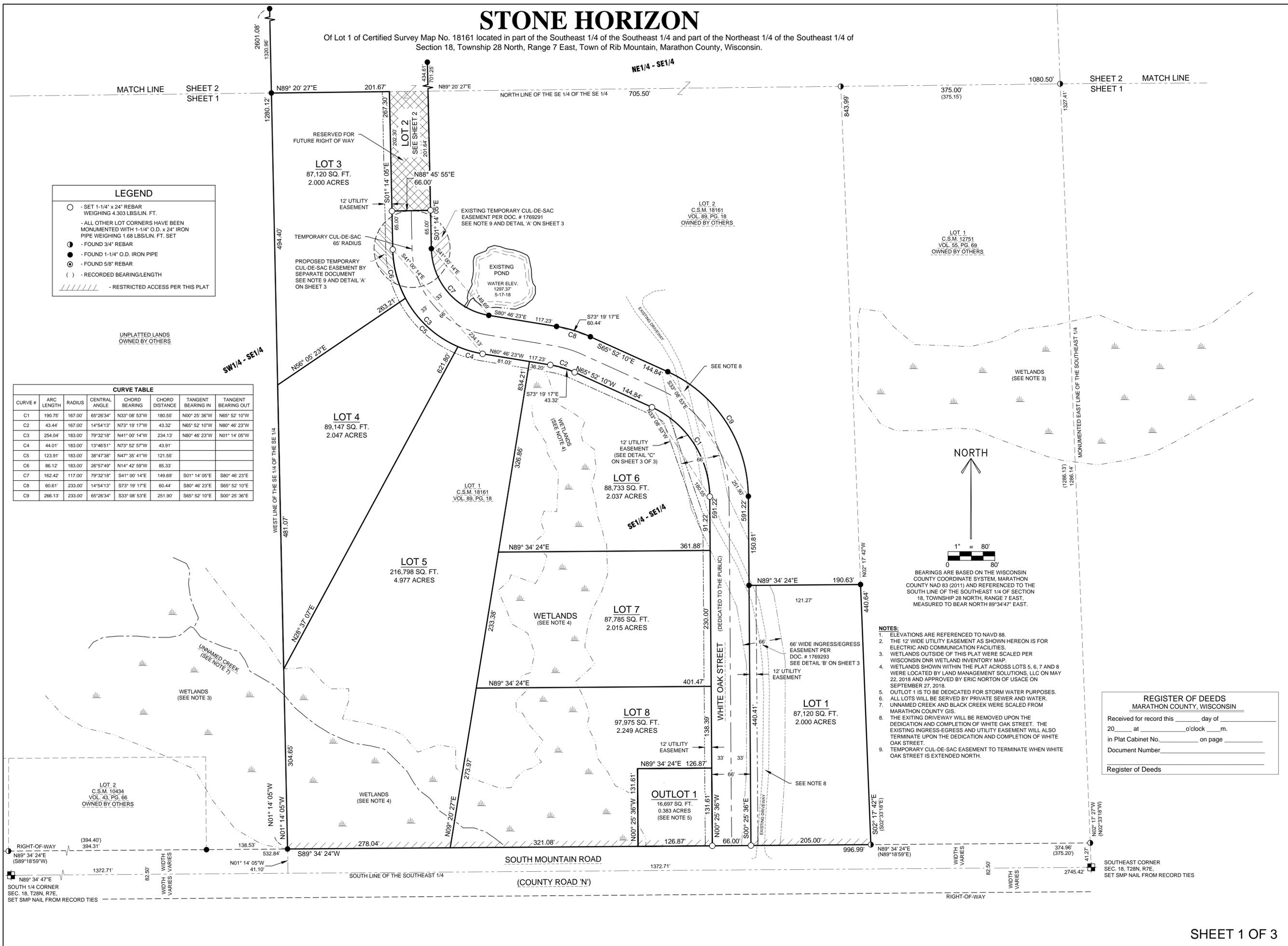
BEARINGS ARE BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM, MARATHON COUNTY NAD 83 (2011) AND REFERENCED TO THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 28 NORTH, RANGE 7 EAST, MEASURED TO BEAR NORTH 89°34'47" EAST.

- NOTES:**
- ELEVATIONS ARE REFERENCED TO NAVD 88.
  - THE 12' WIDE UTILITY EASEMENT AS SHOWN HEREON IS FOR ELECTRIC AND COMMUNICATION FACILITIES.
  - WETLANDS OUTSIDE OF THIS PLAT WERE SCALED PER WISCONSIN DNR WETLAND INVENTORY MAP.
  - WETLANDS SHOWN WITHIN THE PLAT ACROSS LOTS 5, 6, 7 AND 8 WERE LOCATED BY LAND MANAGEMENT SOLUTIONS, LLC ON MAY 22, 2018 AND APPROVED BY ERIC NORTON OF USACE ON SEPTEMBER 27, 2018.
  - OUTLOT 1 IS TO BE DEDICATED FOR STORM WATER PURPOSES.
  - ALL LOTS WILL BE SERVED BY PRIVATE SEWER AND WATER.
  - UNNAMED CREEK AND BLACK CREEK WERE SCALED FROM MARATHON COUNTY GIS.
  - THE EXITING DRIVEWAY WILL BE REMOVED UPON THE DEDICATION AND COMPLETION OF WHITE OAK STREET. THE EXISTING INGRESS-EGRESS AND UTILITY EASEMENT WILL ALSO TERMINATE UPON THE DEDICATION AND COMPLETION OF WHITE OAK STREET.
  - TEMPORARY CUL-DE-SAC EASEMENT TO TERMINATE WHEN WHITE OAK STREET IS EXTENDED NORTH.

**REGISTER OF DEEDS**  
MARATHON COUNTY, WISCONSIN

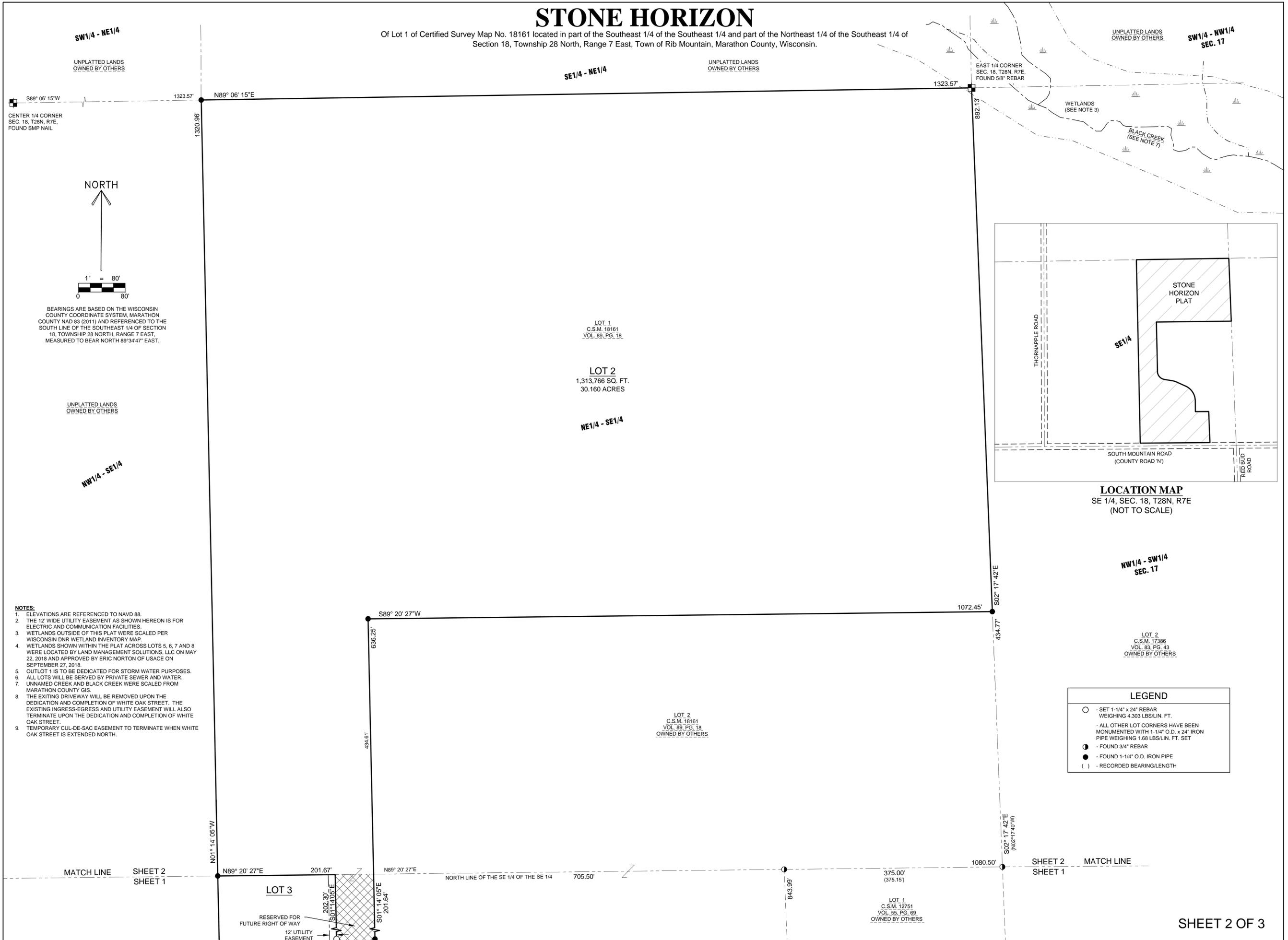
Received for record this \_\_\_\_\_ day of \_\_\_\_\_  
20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ m.  
in Plat Cabinet No. \_\_\_\_\_ on page \_\_\_\_\_  
Document Number \_\_\_\_\_

Register of Deeds



# STONE HORIZON

Of Lot 1 of Certified Survey Map No. 18161 located in part of the Southeast 1/4 of the Southeast 1/4 and part of the Northeast 1/4 of the Southeast 1/4 of Section 18, Township 28 North, Range 7 East, Town of Rib Mountain, Marathon County, Wisconsin.



SW1/4 - NE1/4

SE1/4 - NE1/4

SW1/4 - NW1/4  
SEC. 17

NE1/4 - SE1/4

NW1/4 - SW1/4  
SEC. 17

UNPLATTED LANDS OWNED BY OTHERS

CENTER 1/4 CORNER  
SEC. 18, T28N, R7E,  
FOUND SMP NAIL

UNPLATTED LANDS OWNED BY OTHERS

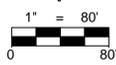
EAST 1/4 CORNER  
SEC. 18, T28N, R7E,  
FOUND 5/8" REBAR

UNPLATTED LANDS OWNED BY OTHERS

WETLANDS  
(SEE NOTE 3)

BLACK CREEK  
(SEE NOTE 7)

NORTH



BEARINGS ARE BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM, MARATHON COUNTY NAD 83 (2011) AND REFERENCED TO THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 28 NORTH, RANGE 7 EAST, MEASURED TO BEAR NORTH 89°34'47" EAST.

UNPLATTED LANDS OWNED BY OTHERS

NW1/4 - SE1/4

LOT 1  
C.S.M. 18161  
VOL. 89, PG. 18

LOT 2  
1,313,766 SQ. FT.  
30.160 ACRES

STONE HORIZON PLAT

THORNAPPLE ROAD

SOUTH MOUNTAIN ROAD  
(COUNTY ROAD 'N')

RED BUD ROAD

LOCATION MAP  
SE 1/4, SEC. 18, T28N, R7E  
(NOT TO SCALE)

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LOT 2  
C.S.M. 17386  
VOL. 83, PG. 43  
OWNED BY OTHERS

LEGEND	
○	- SET 1-1/4" x 24" REBAR WEIGHING 4.303 LBS/LIN. FT.
○	- ALL OTHER LOT CORNERS HAVE BEEN MONUMENTED WITH 1-1/4" O.D. x 24" IRON PIPE WEIGHING 1.68 LBS/LIN. FT. SET
●	- FOUND 3/4" REBAR
●	- FOUND 1-1/4" O.D. IRON PIPE
( )	- RECORDED BEARING/LENGTH

LOT 2  
C.S.M. 18161  
VOL. 89, PG. 18  
OWNED BY OTHERS

LOT 1  
C.S.M. 12751  
VOL. 55, PG. 69  
OWNED BY OTHERS

LOT 3

RESERVED FOR FUTURE RIGHT OF WAY  
12' UTILITY EASEMENT

MATCH LINE

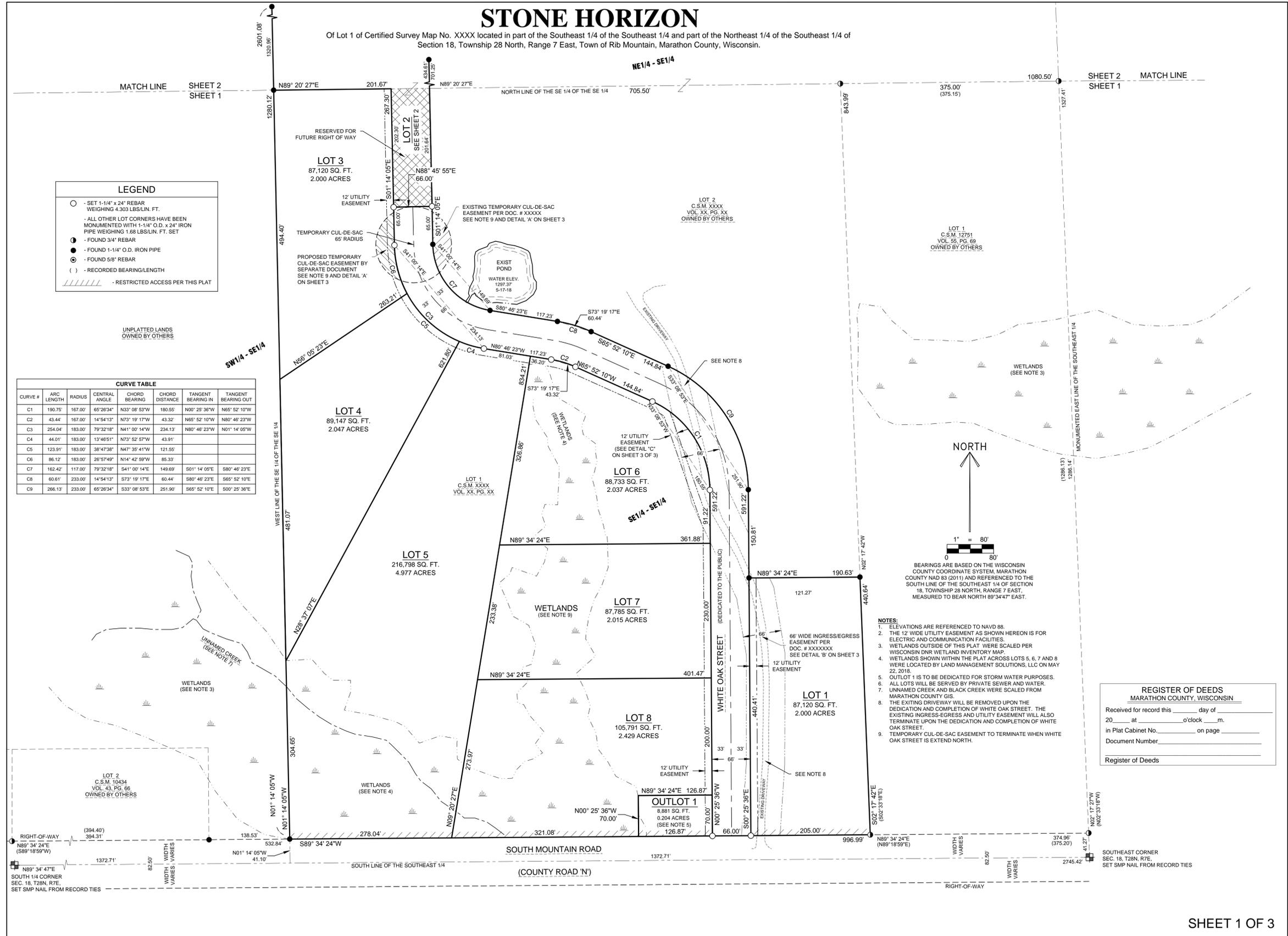
SHEET 2  
SHEET 1

MATCH LINE  
SHEET 2  
SHEET 1



# STONE HORIZON

Of Lot 1 of Certified Survey Map No. XXXX located in part of the Southeast 1/4 of the Southeast 1/4 and part of the Northeast 1/4 of the Southeast 1/4 of Section 18, Township 28 North, Range 7 East, Town of Rib Mountain, Marathon County, Wisconsin.



**LEGEND**

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**REGISTER OF DEEDS**  
MARATHON COUNTY, WISCONSIN

Received for record this \_\_\_\_\_ day of \_\_\_\_\_  
20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ m.  
in Plat Cabinet No. \_\_\_\_\_ on page \_\_\_\_\_  
Document Number \_\_\_\_\_

Register of Deeds

**REPORT TO PLANNING COMMISSION**

**FROM:** Steve Kunst, Community Development Director  
**DATE:** June 20, 2019  
**SUBJECT:** Pre-Application Conference

**REQUEST:** Pre-Application Conference to Discuss a Potential Rezoning from Estate Residential-1 to Mixed Residential-4.

**APPLICANT:** Jim VanderGeest, owner

**PROPERTY ADDRESS(S):** 8306 Wintergreen Road  
**PARCEL #(S):** 34.262807.007.003.00.00

**CURRENT ZONING:** Estate Residential-1 (ER-1)  
**ADJACENT ZONING:** ER-1 (North, South, East, & West)

**NARRATIVE:**

The applicant seeks Plan Commission direction on a potential rezoning application for a 1.14-acre lot at the northeast corner of Foxglove and Wintergreen Roads. The subject property is currently zoned Estate Residential-1 (ER-1) and solely permits single-family residential development at a density of one (1) unit per acre. The applicant is interested in rezoning the property to Mixed-Residential-4 (MR-4) which permits single-family and duplex residential development at a density of four (4) units per acre. If rezoned, the subject property could be divided and permit two (2) duplex structures, resulting in four (4) total residential units. The subject property would be served by private well and septic, as it is not within the Rib Mountain Sanitary District.

**MIXED RESIDENTIAL-4 STANDARDS:**

1. Description and Purpose. This district is intended to permit development which has a moderately high-density community character which lies somewhere between suburban and urban. The land use standards for this district permit both single-family detached residential development and certain types of moderately high density single-family attached development permitted by right, and both moderately high density single-family attached development and certain types of multi-family development permitted as a conditional use, as well as a variety of related institutional land uses. Density and intensity standards for this district are designed to ensure that the Mixed Residential (MR-4) District shall serve as a designation which preserves and protects the moderately high-density residential community character of its area. A variety of residential development options are available in this district, with a Maximum Gross Density (MGD) of 4 dwelling units per gross acre.

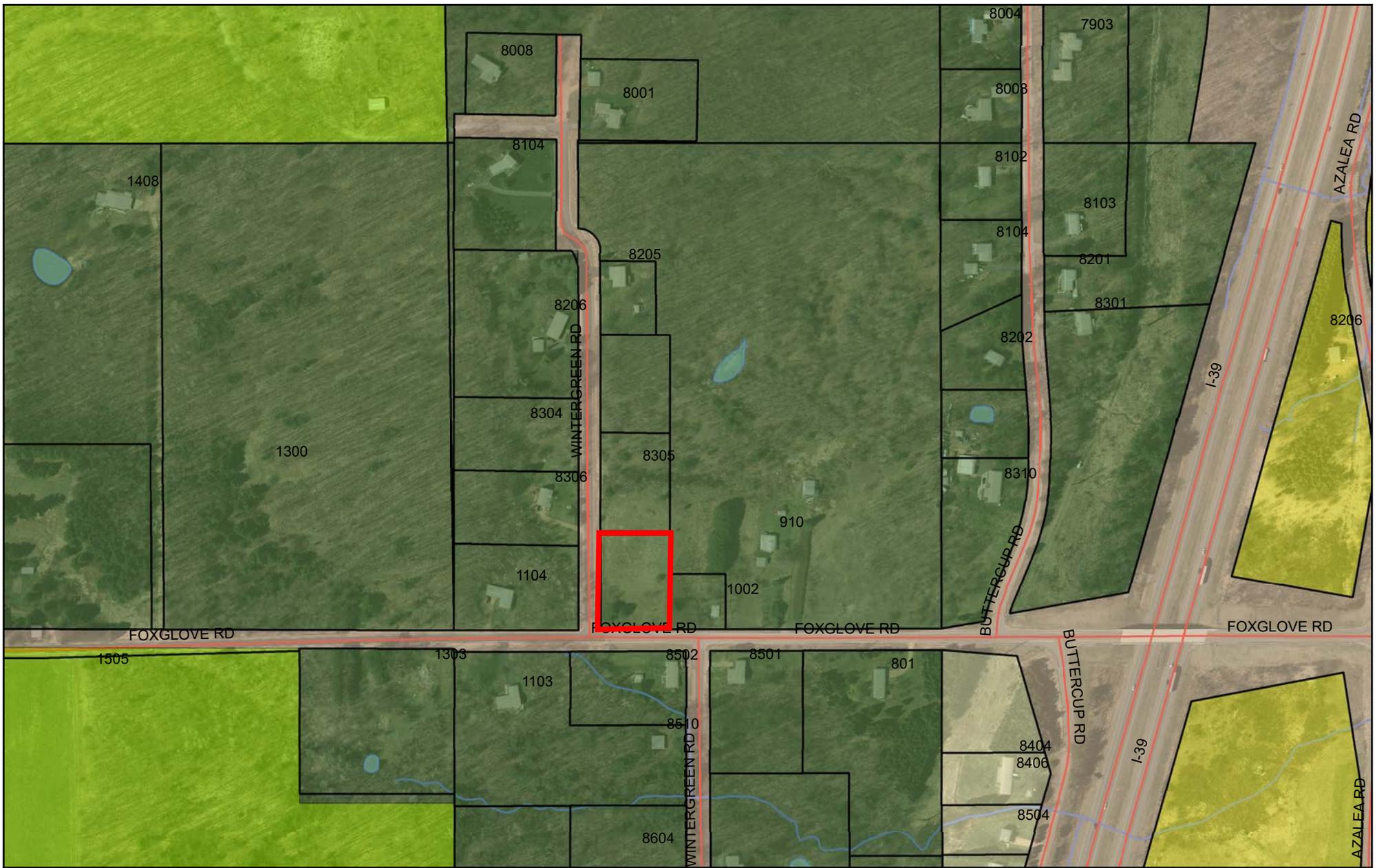
*Rationale:* This district is used to provide for the permanent protection of an area for those who want to live in a moderately high-density residential environment and who retain enough land with their residence, or in their development, to ensure that the desired community character is maintained as long as the Mixed Residential (MR-4) District designation is retained, regardless of how much development occurs within that area. As such, this district is intended to provide the principal location for a wide range of single-family attached dwelling types, including twin houses, duplexes, atrium houses, and weak link townhouses.

2. List of Allowable Land Uses

- a. Land Uses Permitted by Right:
  - Single-Family Detached House - 10,000 sf min lot area
  - Twin House/Duplex - 10,000 sf per du
  - Selective Cutting
  - Passive Outdoor Public Recreation
- b. Land Uses Permitted as Special Use:
  - Cultivation
  - Active Outdoor Public Recreation
  - Community Living Arrangement (1—8 residents)
  - Community Living Arrangement (9—15 residents)
- c. Land Uses Permitted as Conditional Use:

Public Services and Utilities  
Village House - 5,000 sf lot  
Two-Flat - 5,000 sf per dwelling unit  
Atrium House - 3,600 sf lot  
Weak-Link Townhouse - 2,800 lot  
Townhouse - 2,400 sf lot  
Multiplex  
Apartment  
Mobile Home  
Clear Cutting  
Indoor Institutional  
Outdoor Institutional  
Bed and Breakfast Establishments  
Group Day Care Center  
Institutional Residential

**POSSIBLE ACTION:** No formal action to be taken. Item is only for discussion.



*Rib Mountain: "Where Nature, Family, and Sport Come Together"*

Prepared by:  
 www.mi-tech.us

Map Printed: 9/20/2018

Parcel Outline	ER-1 Estate Residential	RA-1 Rural Agricultural	SC Suburban Commercial	SR-3 Suburban Residential	Building Outline
Parcel	MR-4 Mixed Residential	RA-2 Rural Agricultural	SI Suburban Industrial	UC Urban Commercial	Road Centerline
<b>Zoning Districts</b>	NC Neighborhood Commercial	ROW	SO Suburban Office	UDD Unified Development	Water Feature
Unzoned	OR Outdoor Recreation	RR Rural Residential	SR-2 Suburban Residential	UR-8 Urban Residential	
CR-5ac Countryside Residential					
EO Estate Office					

**5c-3**

0 237.5 475  
Feet

**N**

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