



# TOWN OF RIB MOUNTAIN

Where Nature, Family & Sport Come Together

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

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## PLAN COMMISSION

### OFFICIAL NOTICE & AGENDA

A meeting of the Town of Rib Mountain Plan Commission will be held on **Wednesday, May 8<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 4-24-2019 Plan Commission meeting.**
- 4.) Public Hearings:
  - a. **Stratford Sign Company LLC, agent, requests conditional use approval for a pylon sign exceeding 10 feet in height at the property addressed 2107 Robin Lane. Parcel #34.102807.005.029.00.00. Docket #2019-14.**
- 5.) Old Business:
  - a. **Joe Schira, owner, requests conditional use approval for a Low-Density Animal Husbandry use at the property addressed 7509 Red Bud Road. Parcel #34.202807.011.003.00.00. Docket #2019-12.**
- 6.) Correspondence/ Questions/ Town Board Update:
- 7.) Public Comment
- 8.) Adjourn

TOWN OF RIB MOUNTAIN  
PLANNING COMMISSION MEETING  
April 24, 2019

Acting Chairperson Jay Wittman called the meeting of the Plan Commission to order at 6:02 pm. Other Plan Commission members present included Jim Hampton, Tom Steele, and Ryan Burnett. Harlan Hebbe was excused. Also present were Community Development Director, Steve Kunst and Building Inspector / Assistant Zoning Administrator, Paul Kufahl.

MINUTES:

**Motion by Tom Steele, second by Jim Hampton to approve the minutes of the March 27, 2019 Plan Commission meeting. Motion carried 4-0.**

PUBLIC HEARINGS:

- a. *American Asphalt, applicant, requests conditional use approval for a temporary asphalt plant at the property addressed 6703 South Mountain Road. Parcel #34.192807.002.002.00.00. Docket #2019-11*

Community Development Director, Steve Kunst indicated the applicant seeks conditional use approval for a temporary asphalt plant, similar to what was approved in 2008 and 2016, near the Town's yard waste site for the potential duration of May through July, with hours of operation of 6:00am to 7:00pm, Monday through Saturday.

Jay Wittman confirmed Saturday operations were included in the previous approvals. Kunst acknowledged they were. Ryan Burnett asked if Town road projects were taken into consideration with past approvals and if any current road projects may benefit from this approval. Kunst indicated the Town plans for road projects every year and the location of the proposed asphalt plant has the potential to help the Town complete road projects that may not have otherwise been completed this year.

Matt Eslinger, applicant representative, noted Marathon County has plans to resurface portions of County Road B and potentially portions of County Road KK, which makes the proposed location ideal for transportation to both locations. In addition to the County Road projects, he indicated there are plans for some other private work and they have spoken with the Town about some additional projects within Rib Mountain. Eslinger noted they would like to start operations near the end of May and should be completed with the County projects by the end of June.

Tom Steele asked if there are any concerns about air quality, to which Eslinger explained they have an air permit from the Wisconsin DNR and have passed all necessary stack testing. Eslinger also indicated they will use a dust suppressant on dirt road surfaces and work areas. Wittman asked if Marathon County has any oversight on the Town's decision and if there had been any complaints from residents during the previous two operations. Kunst indicated the County does not have any oversight and one complaint was received regarding operations starting too early. Kunst stated the applicant was made aware of the

resident's concerns and no complaints were received after that date. Steele asked if staff recommended any conditions. Kunst reviewed the conditions as presented in the agenda packet, noting they are the same conditions placed on the previous two approvals.

Wittman opened the Public Hearing at 6:10pm.

Kunst indicated he received an anonymous letter requesting the Commission limit the hours of operation during the week to the hours listed in the Town's Nuisance Noise Ordinance, which are 7:00am to 8:30pm.

The Public Hearing was closed at 6:13pm with no additional comment.

**Motion by Jim Hampton, second by Tom Steele to recommend approval for the Conditional Use request for a temporary asphalt plant at the property addressed 6703 South Mountain Road, conditioned upon the following items:**

- **Hours of operation to be limited to the proposed (6:00am – 7:00pm)**
- **Approval to be only for the asphalt season of the 2019 calendar year**
- **Trucking shall occur on County Trunk Highways whenever possible, in lieu of Town Roads.**
- **Materials (mud, spilled asphalt, etc.) tracked onto roadways shall be cleaned by the end of the working day.**

**Motion carried 4-0**

- b. *Joe Schira, owner, requests conditional use approval for a Low-Density Animal Husbandry use at the property addressed 7509 Red Bud Road. Parcel #34.202807.011.003.00.00. Docket #2019-12*

Kunst noted the applicant seeks Conditional Use approval for a low-density husbandry use to allow the keeping of a mix of animals at their property near the south end of Red Bud Road. He indicated the landowner requests approval for up to 10 equines (e.g. horses), 20 bovines (e.g. beef cattle), 500 poultry (e.g. chickens/ducks), and 20 Bovidae (e.g. bison). Kunst also indicated the applicant holds approximately 93 acres in common ownership, meaning the maximum number of animal units capable of being considered is 93.

Neither the applicant nor a representative was in attendance to present the request; therefore, Commissioners chose to identify questions and concerns for the applicant to address at a future meeting and took public comment as part of the scheduled Public Hearing.

Wittman opened the Public Hearing at 6:25pm.

Charles Kirsch, 7402 Red Bud Rd, identified concerns about the following items: gunfire spooking animals, the ability of 93 acres to contain all of the animals proposed, the impact of grazing activities, potential for strong odors, and impact on resale of adjacent properties. He also stated he felt the request was for more than a hobby farm.

Gene Jacobsen, 7202 Blackberry South, cited previous experience living near a chicken farm and indicated odor concerns related to the keeping of chickens and its potential impact on recreational activities at Nine Mile Forest.

David Gisselman, 3207 Bluejay Lane, asked for clarification of the current zoning and the process by which a land owner would get approval of a “farm”, as well as any specific regulations that would need to be met.

Kris Lemke, 5301 Blackberry Drive, identified concerns about the potential for strong odors, attraction of additional wildlife, rodent attraction and management, impact on Nine Mile Recreational activities, and general safety related to unconfined animals.

The Public Hearing was closed at 6:34pm.

Plan Commissioners had the following questions and comments.

- Where will the animals be housed?
- What are the dimensions of the current detached buildings?
- Where will grains, hay, and feed be stored?
- What is the plan for wintering the animals?
- Describe the year-round operation of the farm?
- What is the plan for confinement of the animals?
- Will the processing of animals take place on or off premise?
- Is this a hobby or a commercial interest?
- What is the plan for waste disposal?
- The number of animals at a given time will likely be limited.
- The proposed quantities feel more like a commercial endeavor than a hobby.

**Motion by Tom Steele, second by Ryan Burnett to table discussion of this item until a future meeting.**

**Motion carried 4-0**

NEW BUSINESS:

- a. *Timothy Buchholz, applicant, requests a Pre-Application Conference for a potential conditional use application. Docket #2019-13*

Kunst noted the applicant seeks Plan Commission feedback on a potential ground mounted solar panel array as part of a new single-family residence within the Royal Ridge Estates subdivision. He indicated the array would potentially include 20 solar panels, consisting of two rows of 10 panels near the south end of the subject property and the Town Zoning Ordinance views ground mounted solar panels as a conditional use in all districts.

Tim Buchholz, applicant, noted they would like to purchase Lot 6 of Royal Ridge Estates to build a new single family home, and instead of clearing the lot of trees to allow for a roof mounted solar array, they would like to use a ground mounted system near the southern end of the property because the adjacent outlot, which contains the subdivisions stormwater facilities, is free of trees.

Jordan Kaiser of Northwind Renewable Energy indicated the array would be mounted on concrete ballasts in two racks creating a 35-foot wide by eight (8) foot deep and eight (8) foot tall impact area. Commissioners asked if the solar array would move with the sun, the size of the concrete ballasts, the designed wind speed of the racking system, if it was intended to only supply power for Lot 6, and if there are covenants restricting the use of solar panels within the subdivision.

The applicant and their representative indicated the array is fixed and does not track the sun, the four (4) concrete ballasts are approximately 36"x24"x18" and will support a design wind velocity of 125 miles per hour. Additionally, they noted the array is intended solely for Lot 6 and will be a grid-tie in system in which excess power is purchased back by the utility company at a prorated rate. They also indicated they have spoken with Bill Shnowske about the covenants, and he felt it reasonable to make an exception to remove some trees and place a solar array on the property.

Commissioners had the following comments for the applicant prior to a formal submittal.

- The use is generally acceptable given the limited amount of traffic and residences to whom it would be visible.
- They suggested to enhance the aesthetic around the base of the array to screen the concrete ballasts with shrubs, grasses, or grading.
- They suggested getting additional input from neighbors that will be notified as part of the conditional use process.

#### CORRESPONDENCE / QUESTIONS / TOWN BOARD UPDATE:

Countywide Addressing – Kunst noted the State Supreme Court has yet to make a decision and in speaking with the Town's attorney, they anticipate it may be an additional 60 days.

Town Board – Kunst indicated the Board approved all previously recommended items at the last meeting.

Commission Members – There are three (3) interested parties and are hopeful to begin filling positions in May. It was also noted residents, land owners, or business owners are allowed to hold a Plan Commission position, but it would be a Board decision to appoint non-residents.

Koletsky Property – Staff indicated they have received revised site plans for the property and hope to see a formal application soon.

Lilac Traffic Impact Analysis – Kunst noted Scott Turner, Streets and Park Superintendent, is coordinating with a third-party engineering firm on a draft traffic impact analysis report for Lilac Ave to help guide decision making in that area as it redevelops.

Daffodil and Tulip Construction Activity – Staff indicated the two lots under construction along Hummingbird Road at Daffodil and Tulip Lanes will be two new homes constructed by Habitat for Humanity.

Royal View Multi-Use Path – Kunst noted the deadline for paving of the Royal View path was amended to this spring, due to the wet conditions encountered last fall. He noted it should be paved at the same time as Strawberry Lane.

Swan Ave Road Work – Kunst indicated the Swan Avenue road project is likely to extend into next year because of the amount of utility relocations needed.

Phillips Gas Station – Commissioners asked if there was any insight into the potential sale of the Phillips Gas Station. Staff indicated they have not heard of any interested parties or the intent of the current owner.

PUBLIC COMMENT: None

ADJOURN:

**Motion by Tom Steele, second by Ryan Burnett to adjourn the Plan Commission Meeting. Motion carried 4-0. Meeting adjourned at 7:16 pm.**

Respectfully Submitted,

Paul Kufahl, Building Inspector / Assistant Zoning Administrator

**REPORT TO: PLAN COMMISSION**

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

**DATE:** May 1, 2019

**SUBJECT:** Conditional Use Review

**APPLICANT:** Stratford Sign Company LLC, agent

**PROPERTY OWNER:** Rib Mountain Management LLP

**PROPERTY ADDRESS:** 2107 Robin Lane

**PARCEL #:** 34.102807.005.029.00.00

**REQUEST:** Conditional Use approval for a freestanding sign greater than 10 feet in height.

**ZONING:** Suburban Commercial (SC)

**ADJACENT ZONING:** SC (North, South, & East) Right-of-Way (West)

**FUTURE LAND USE MAP DESIGNATION:** Commercial

**NARRATIVE:**

The applicant seeks Plan Commission recommendation on a conditional use request for installation of a pylon sign greater than 10 feet in height within the Town's Highway Corridor Overlay District. The subject property is the former Ethan Allen furniture site, which currently has a pylon sign greater than 10 feet. The proposal includes removing the existing sign (18-foot-tall) and installing a new 18-foot-tall, 117.5 ft.<sup>2</sup> sign in a different location. The revised location is part of a long-term plan to further develop the vacant land on the southern half of the site. A breakdown of applicable zoning standards associated with each use are found below.

**STANDARDS FOR PYLON SIGN EXCEEDING 10 FEET IN HEIGHT:**

Pylon & Monument Signs: Freestanding signs resting on or supported by means of poles, pylons, standards, or any other type of base on the ground. The base or support(s) of any and all pylon and monument signs shall be securely anchored to a concrete base or footing. The height of pylon and monument signs shall be measured from the ground grade adjacent to the sign to the top of the sign, and shall not exceed 10 feet in height.

1. Exceptions:

- a. Pylon and monument sign height may exceed the permitted maximum height through a conditional use approval, if located within the areas described in (e)1. c. of this section.

**The subject property falls within the designated corridor allowing a conditional use application.**

- b. Findings of Fact. As part of the conditional use review process of the proposed pylon or monument sign exceeding 10 feet in height, the Plan Commission shall make explicit findings specifically in regards to one or more of the following:

- 1. The proposed sign is needed for highway visibility due to topography variations created by the I-39/USH-51 highway;

**This condition is met.**

- 2. The proposed sign is needed for highway visibility due to line-of-site obstructions from adjacent properties;

- 3. The proposed sign is needed for highway visibility due to on-site specific conditions that obstruct or create difficulty for highway visibility.

- d. No more than one pylon or monument sign over the permitted maximum height of 10 feet may be approved for any single parcel.

**The proposal calls for removal of an existing pylon sign greater than 10 feet in height. Any approval should be conditioned upon the existing sign being removed prior to installation of a new sign.**

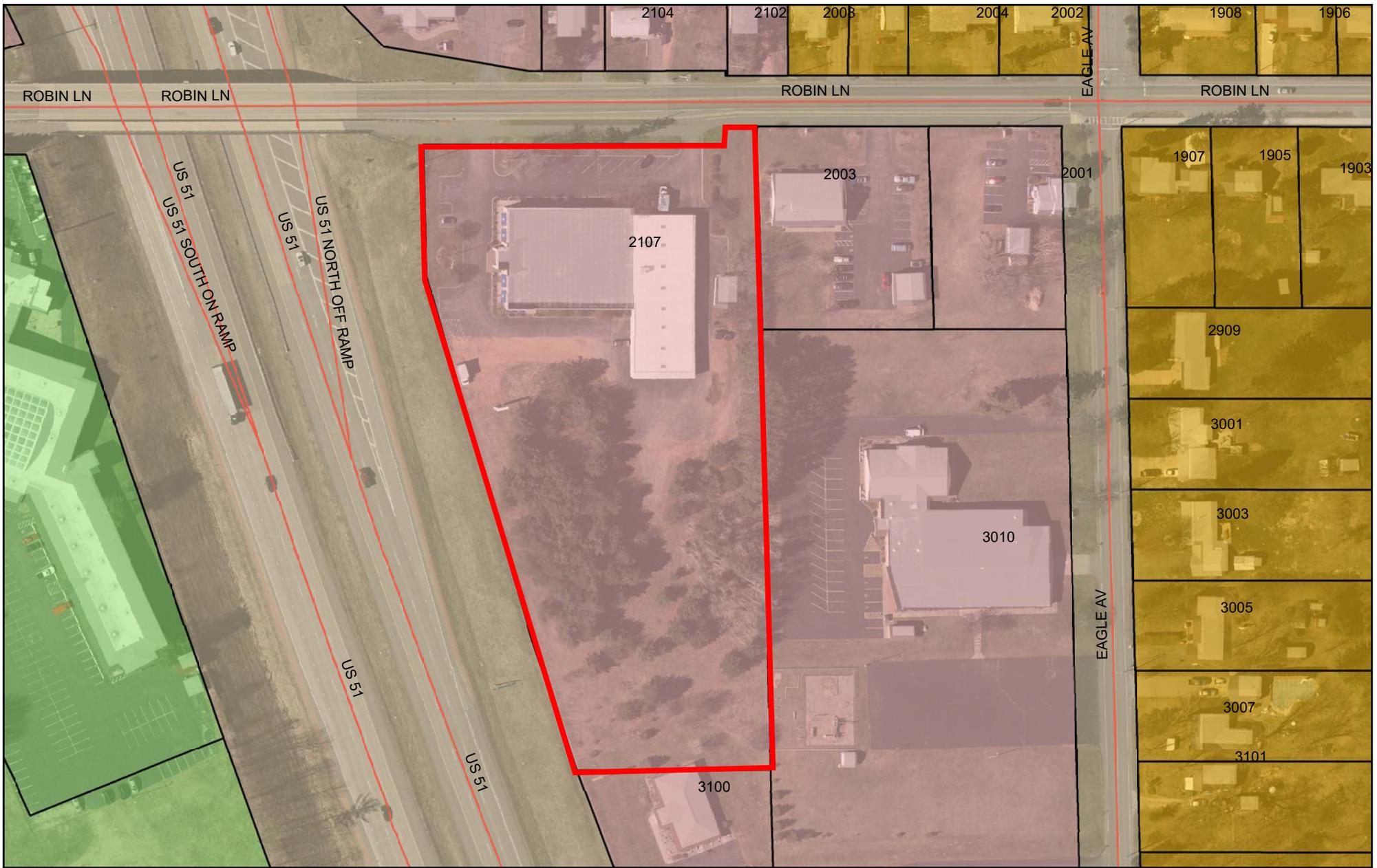
- e. Sign height shall not exceed 35 feet from ground level.  
**This condition is met. The proposal calls for a sign approximately 18 feet above ground level.**
- f. Any portion of the pylon or monument sign shall be set back from all property lines a minimum of 10 feet. and must be set back from a property line abutting a residentially zoned property a minimum of 35 feet.  
**As proposed, this condition is met.**
- a. Shall not obstruct vision triangles for street and/or driveway intersections, or impede visibility for safe pedestrian and/or vehicular circulation  
**The proposal does not appear to obstruct any vision triangles and/or driveway intersections, nor should it impede visibility for safe pedestrian or vehicle circulation.**
- b. Maximum pylon or monument signage area sizes shall be reviewed on a case-by-case basis in regards to demonstrated on-site specific needs, and shall count against the maximum allowed signage area on any parcel.  
**The proposed sign is 117.5 square feet and will count against the property's total allowable signage.**
- c. Shall not be located within a residentially zoned district.  
**This condition is met.**

**ADDITIONAL CONSIDERATION(S):**

- o Any approval should be conditioned upon removal of the existing freestanding sign prior to installation of the proposed sign.
- o Any future development on the south portion of the subject requires, at minimum, a site plan review by the Plan Commission.

**ACTIONS TO BE TAKEN:**

1. Recommend approval of the conditional use request for a freestanding sign greater than 10 feet in height at the property addressed 2107 Robin Lane, as presented.
2. Recommend approval of the conditional use for a freestanding sign greater than 10 feet in height at the property addressed 2107 Robin Lane Avenue, with conditions/modifications.
3. Recommend denial of the conditional use for a freestanding sign greater than 10 feet in height at the property addressed 2107 Robin Lane.

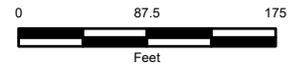


Rib Mountain:  
 "Where Nature, Family, and  
 Sport Come Together"

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

Map Printed: 5/1/2019

- |                                |                                |                         |                        |                           |                        |
|--------------------------------|--------------------------------|-------------------------|------------------------|---------------------------|------------------------|
| 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                     |                        |                           |                        |



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**4a-3**

# 2107 Robin Lane Proposed Monument Sign Location & Future Use Plan



- Legend**
- Parcel Annotations
  - Parcels
  - Land Hooks
  - Section Lines/Numbers
  - Right Of Ways
  - Municipalities
  - 2015 Orthos Rib Mountain
    - Red: Band\_1
    - Green: Band\_2
    - Blue: Band\_3
  - Surrounding\_Counties
    - CLARK
    - LANGLADE
    - LINCOLN
    - PORTAGE
    - SHAWANO
    - TAYLOR
    - WAUPACA
    - WOOD

45.83 0 45.83 Feet  
NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

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Notes

**PYLON SIGN**  
 Double Sided  
 Internally Lit  
**QTY: 1**



110 Connor Ave. | PO Box 134 | Stratford, WI 54484  
 Tel 715.687.3250 | Free 888.264.4459  
 Fax 715.687.4657 | www.stratfordsign.com

## ART PROOF

SHEET 1 of 1

Order ID:  
 PO #:

Client: Scherrer Construction  
 Project: Scherrer Construction -  
 Sign

Contact: Cory Holzhauser  
 Phone: 715-804-0830  
 Email: cholzhauer@scherrerconstruction.com

Project Mgr: Al  
 Drawn By: Zach

### PROOF DATES

P1: 3.08.19 P2: 00.00.00  
 P3: 00.00.00 P4: 00.00.00  
 P5: 00.00.00 P6: 00.00.00

File Name: S : Scherrer Construction

Notes:

- APPROVED
- Approved w/ noted revisions
- Revise and submit new proof

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

These drawings will be released to production once signed. SSC is not responsible for errors. Please check for misspellings, correct phone numbers & addresses, details regarding renderings, shop drawings, quantities, color, etc. Colors shown are for representation only. PMS colors must be requested at time of order to ensure accuracy and may not be guaranteed. Additional fee will apply if PMS sample is required. Any detail or dimension change may delay completion and may incur additional fee. All artwork is property of SSC and cannot be reproduced without permission. Fee may apply if reproduced by others.

**REPORT TO PLANNING COMMISSION**

**FROM:** Steve Kunst, Community Development Director  
**DATE:** May 2, 2019  
**SUBJECT:** Conditional Use Request – Low Density Husbandry

**REQUEST:** Conditional Use for Low Density Animal Husbandry to allow the keeping of horses, beef cattle, chickens, and bison.

**APPLICANT:** Joe Schira, owner

**PROPERTY ADDRESS(S):** 7509 Red Bud Road

**PARCEL #(S):** 34.202807.011.003.00.00, 34.202807.011.002.00.00, 34.202807.012.001.00.00, 34.202807.012.000.00.00, 34.202807.011.004.00.00, 34.292807.006.000.00.00

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

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

**FUTURE LAND USE:** Forest, Cropland, and Barren

**NARRATIVE:**

The applicant seeks Plan Commission approval for a low-density husbandry use to allow the keeping of a mix of animals at their property near the south end of Red Bud Road. The subject property is zoned Estate Residential-1, allowing for conditional use review for the keeping of animals of husbandry. The landowner requests approval for up to 10 equines (e.g. horses), 20 bovines (e.g. beef cattle), 500 poultry (e.g. chickens/ducks), and 20 Bovidae (e.g. bison). The applicant holds approximately 93 acres in common ownership, meaning the maximum number of animal units capable of being considered is 93. Below are the standards for low density husbandry found within the Zoning Ordinance, along with the Animal Unit Table. Per the Animal Unit Table, the exact calculation is dependent upon the age of various animals.

**PREVIOUS REVIEW – APRIL 24<sup>TH</sup> PUBLIC HEARING:**

The Plan Commission held a public hearing on this application on Wednesday, April 24<sup>th</sup>. Public comment received identified concerns with uncontained animals, potential odors, impacts on adjacent property values, and rodent management. The Plan Commission tabled the item to the next meeting (5/8/19) and asked staff to follow-up with the applicant on the following questions. The applicant indicated they can make the May 8<sup>th</sup> meeting and plans to meet with staff prior to discuss items further; however, at the time this report was generated they were still out of state. Responses to the questions can be found in **bold**.

- Where will the animals be housed? **Initial housing of any animals is proposed for the existing detached building onsite.**
- What are the dimensions of the current detached buildings? **Approximately 2,000 ft.<sup>2</sup>**
- Where will grains, hay, and feed be stored?
- What is the plan for wintering the animals?
- Describe the year-round operation of the farm?
- What is the plan for confinement of the animals? **Applicant indicated potential for fencing around the perimeter of the 93 acres. Fencing materials were not identified.**
- Will the processing of animals take place on or off premise?
- Is this a hobby or a commercial interest?
- What is the plan for waste disposal?
- The number of animals at a given time will likely be limited.

**LOW DENSITY HUSBANDRY STANDARDS:**

Husbandry land uses include all operations primarily oriented to the on-site raising and/or use of animals at an intensity of less than one animal unit per acre, and less than 500 animal units total. Apiaries are considered husbandry land uses.

1. Permitted by Right: RA-1-35ac.
2. Special Use Regulations: Not applicable.
3. Conditional Use Regulations {CR-5ac, ER-1}:
  - a. Any building constructed for this agricultural use, including structures housing animals, shall be located in relation to any residentially zoned property and all other lot lines so as to minimize any negative impacts on the abutting property. The distance that these buildings shall be set back from property lines and adjacent structures shall be determined by the Plan Commission on a case-by-case basis. **The applicant indicated an existing structure found on the subject property will be utilized to house animals initially. This structure is currently over 700 feet from the nearest neighboring residence.**
  - b. All outdoor animal containments (pasture) shall be located a minimum of 10 feet from any residentially zoned property. **The applicant initially stated they intend to utilize all property in common ownership for the animals; however, the applicant did not disclose specific locations of any containment areas. This should be a requirement of any approval.**

**ANIMAL UNIT TABLE**

Type of Livestock	Maximum Number of Animals on One Acre of Land to Equal One Animal Unit	Type of Livestock	Maximum Number of Animals on One Acre of Land to Equal One Animal Unit	Type of Livestock	Maximum Number of Animals on One Acre of Land to Equal One Animal Unit
Horse (> 2 yrs)	1	Calves (< 1 yr)	4	Lambs	14
Colt (< 2 yrs)	2	Brood Sow or Board	2.5	Chickens	200
Cattle (> 2 yrs)	1	Hogs (up to 220 lbs)	5	Other Poultry	200
Cattle (< 2 yrs)	2	Sheep	7		

Source: *The Stockman's Handbook*

**ADDITIONAL CONSIDERATIONS / POTENTIAL CONDITIONS:**

- A maximum animal unit number shall be established. This could be separated by animal type or simply a maximum value.
- Consideration should be made for any allowance of roosters as part of the poultry requested.
- Specific location and materials of fencing or other containment areas should be identified
- The location of any animal waste spreading should be identified, if applicable.
- If permitted for the maximum number of allowable animal units, no portion of the 93 acres would be permitted to be sold without reconsidering the conditional use, as this would alter the maximum allowable animal units.
- The total requested number of poultry animals appears greater than the intended hobby use identified by the applicant during the Pre-Application phase.

## FINDINGS OF FACT

Below are the six questions representing the Plan Commission's finding of fact to be forwarded to the Town Board as found within the Rib Mountain Code of Ordinances, along with initial staff interpretation.

1. How is the proposed conditional use (the use in general) in harmony with the purposes, goals, objectives, policies and standards of the Town of Rib Mountain Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the Town?

**The Town's Comprehensive Plan does not specifically identify issues, goals, or objectives related to animal husbandry activities outside of the overall goals for Marathon County. The County hopes to preserve working agriculture through cooperative efforts with municipalities.**

2. How is the proposed conditional use (in its specific location) in harmony with the purposes, goals, objectives, policies and standards of the Town of Rib Mountain Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the Town?

**The 2005 Future Land Use Map identifies this area as forest and cropland. The subject property is also located in an area of low density, large lot development and adjacent to the large Nine Mile Recreation Area.**

3. Is it likely that the proposed conditional use, in its proposed location and as depicted on the required site plan (see (3)(d), above), will have an adverse impact on the use of adjacent property, the neighborhood, the physical environment, pedestrian or vehicular traffic, parking, public improvements, public property or rights-of-way or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the regulations or recommendations of this Chapter, the Comprehensive Master Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the Town or other governmental agency having jurisdiction to guide growth and development?

**The proposed use should be able to be buffered from both the street and neighboring properties with existing vegetation. However, the applicant has not specified exact locations of the animal containment areas. Staff recommends requiring the applicant to identify areas for the spreading of any animal waste to limit potential impacts to surrounding properties. Further, staff has concerns with the total number of poultry animals being requested (500). This appears to represent an intent greater than simply a hobby, and more of a commercial enterprise.**

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

**Surrounding conditions currently include large lot single-family development, parkland and woodlands. Outside of the proposed poultry animal figure, the proposed the use should not impact adjacent properties. The applicant also indicated the property historically held animals in a similar fashion to the proposal.**

5. Is the proposed conditional use located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property?

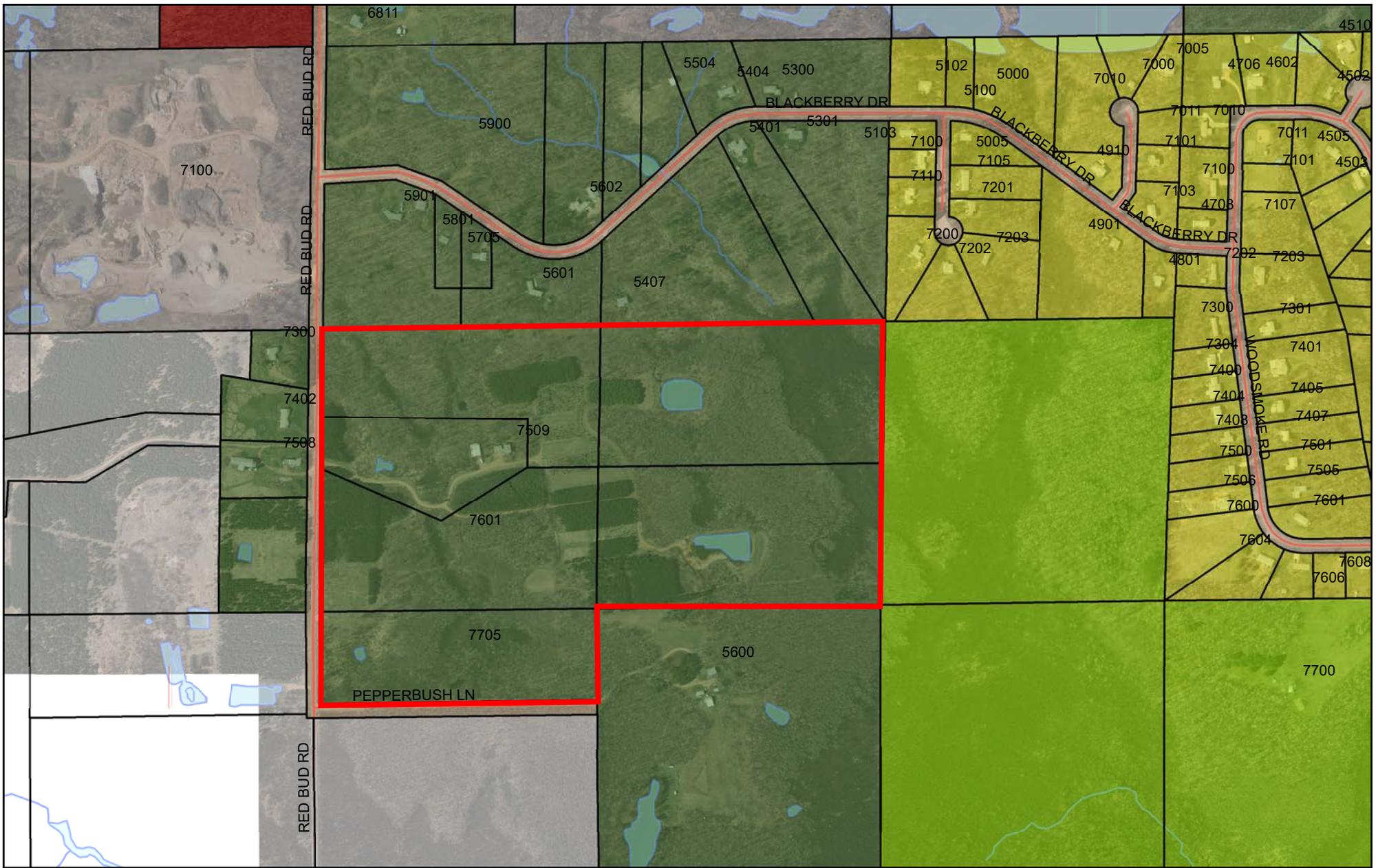
**The subject property is accessed via Town road and does not appear to place any undue burden on public facilities.**

6. Do the potential public benefits of the proposed conditional use outweigh any and all potential adverse impacts of the proposed conditional use (as identified in Subsections 1. through 5., above), after taking into consideration any proposal by the Applicant and any requirements recommended by the Applicant to ameliorate such impacts?

**As proposed, the project does not appear to provide any tangible public benefits and should be able to be adequately buffered. However, the total number of poultry animals being requested appears to change the original “hobby” intent to a potential commercial enterprise.**

**POSSIBLE ACTION:**

1. Recommend approval of the conditional use for a low-density husbandry use at the property addressed 7509 Red Bud Road, as presented
2. Recommend approval of the conditional use for a low-density husbandry use at the property addressed 7509 Red Bud Road, with conditions/modifications.
3. Recommend denial of the conditional use for a low-density husbandry use at the property addressed 7509 Red Bud Road.



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

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

Map Printed: 3/7/2019

<ul style="list-style-type: none"> <li>▭ Parcel Outline</li> <li>▭ Parcel Address</li> <li><b>Zoning Districts</b></li> <li>▭ Unzoned</li> <li>▭ CR-5ac Countryside Residential</li> <li>▭ EO Estate Office Residential</li> <li>▭ ER-1 Estate Residential</li> <li>▭ MR-4 Mixed Residential</li> <li>▭ NC Neighborhood Commercial</li> <li>▭ OR Outdoor Recreation</li> <li>▭ RA-1 Rural Agricultural</li> <li>▭ RA-2 Rural Agricultural</li> <li>▭ ROW</li> <li>▭ RR Rural Residential</li> <li>▭ SC Suburban Commercial</li> <li>▭ SI Suburban Industrial</li> <li>▭ SO Suburban Office Residential</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> <li>▭ UR-8 Urban Residential</li> <li>▭ Building Outline</li> <li>▭ Road Centerline</li> <li>▭ Water Feature</li> </ul>
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0 250 500  
Feet

**5a-5**

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