OFFICIAL NOTICE AND AGENDA

Kronenwetter Board of Appeals
Public Hearing and Regular Meeting
Kronenwetter Municipal Center
1582 Kronenwetter Drive, Kronenwetter, WI 54455
Board Room (Lower Level)
November 9th, 2020 – 5:00 P.M.

Village of Kronenwetter Board of Appeals Meeting
Time: Nov 9, 2021 5:00 PM Central Time (US and Canada)

Join Zoom Meeting
https://us02web.zoom.us/j/5813630861?pwd=ZkhYbWREdUgwWkJWbjBnejMxczJ2QT09
Meeting ID: 581 363 0861 Passcode: 1582

Dial by your location
+1 312 626 6799 US (Chicago) Meeting ID: 581 363 0861 Passcode: 1582
Find your local number: https://us02web.zoom.us/u/kbQlNz9B4w

1. **Call Public Hearing to order:**
   a) Roll Call
   b) Announcement of any possible or perceived conflicts of interest
2. **Public Hearing:**
   a) VARIANCE REQUEST (WAUSAU PAPER CORPORATION):
   The variance request of Wausau Paper Corporation, N434 Greenville Center Drive, Appleton, WI, 54914, for a variance from Chapter 520-30(A) also displayed in Chapter 520 Attachment 8, of the Village's General Code of Ordinances, which regulates hard or gravel surface setbacks for Nonresidential and Mixed-Use District Setback and Height Setbacks. The applicant is requesting a variance to reduce the hard surface setback in the rear yard from 10 feet to 0 feet and the front or street side from 15 to 0 feet in the Business Park District. The applicant is proposing to divide the property so that both buildings would be on separate parcel and utilize a shared parking lot for the properties at 100 and 200 Paper Place. Legal description of this property: SEC 22-27-07 PT OF NW 1/4 NW 1/4 - THAT PT OF SD 40 LYG ELY OF US HIGHWAY 39 S OF BERANEK RD N OF PAPER PL & WLY OF KRONENWETTER DR, Village of Kronenwetter, Marathon County, WI
3. **Close Public Hearing**

Board of Appeals Meeting
(Immediately following the Public Hearing)

1. **Call Meeting to order:**
   a) Roll Call
2. **Public Input (15 minutes)**: Please be advised per State Statute Section 19.84(2), the information will be received from the public. It is the policy of this Village that there be a three minute time period, per person, with time extension per the Chief Presiding Officer's discretion; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments.
3. **Discussion & Action:** Wausau Paper Corporation (100 and 200 Paper Place), Zoning Variance Request from Chapter 520-30(A) also displayed in Chapter 520 Attachment 8, of the Village's General Code of Ordinances, which regulates hard or gravel surface setbacks for Nonresidential and Mixed-Use District Setback and Height Setbacks in the Business Park District
4. **Discussion & Action:** Approval of Meeting Minutes November 9th, 2021
5. **Adjournment**

Randy Fifrick, Zoning Administrator
October 31st, 2021 at 1:00 pm

- Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made at least 24 hours in advance to the Village Clerk's office at (715) 693-4200 during business hours

100 & 200 PAPER PLACE (WAUSAU PAPER CORPORATION)
ZONING VARIANCE REQUEST

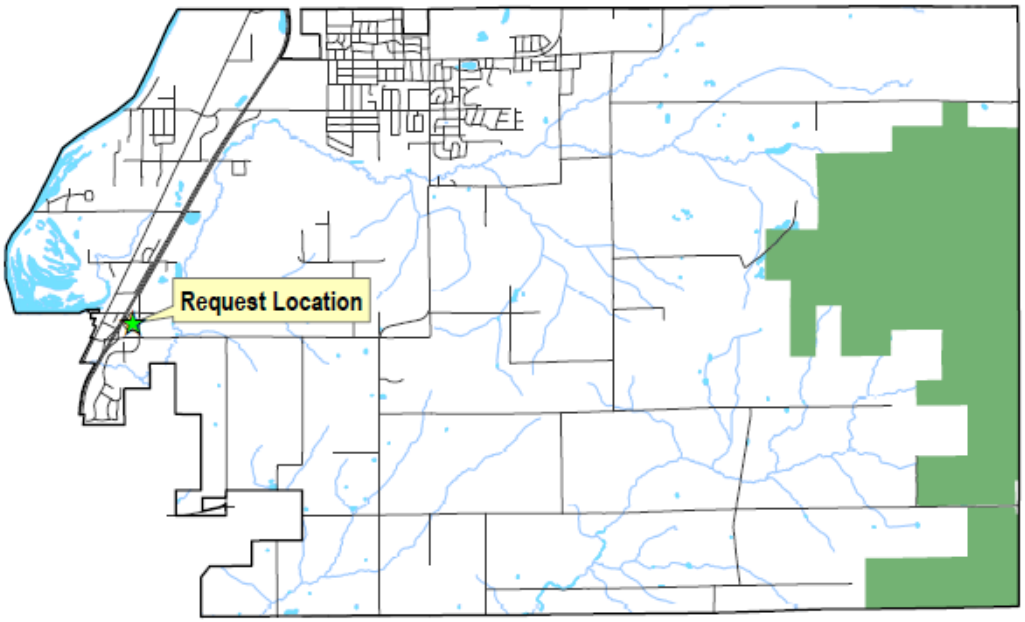
STAFF REPORT FOR BOARD OF APPEALS

PUBLIC HEARINGS/ MEETINGS: Board of Appeals Hearing: November 9, 2021 5:00pm

APPLICANT: Wausau Paper Corporation
N434 Greenville Center Drive
Appleton, WI 54914

PREPARED BY: REI Engineering, Inc
4080 N 20th Avenue
Wausau, WI 54401

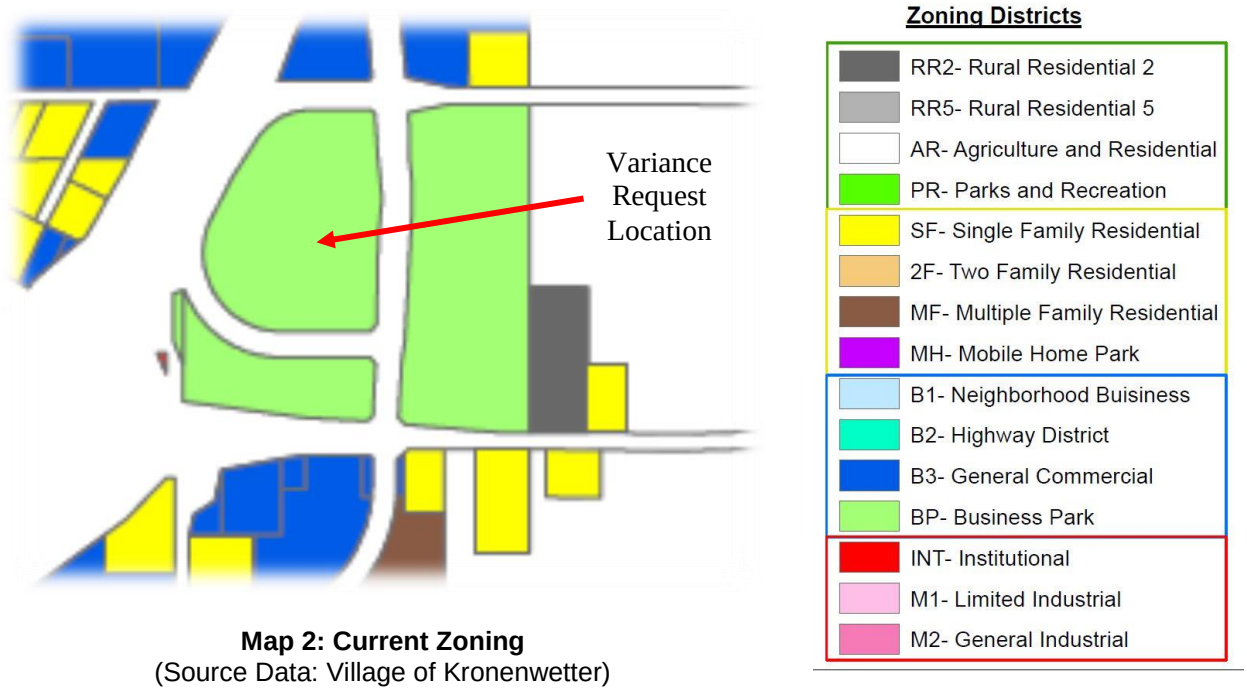
LOCATION OF REQUEST: 100 & 200 Paper Place, Village of Kronenwetter, Marathon County, Wisconsin.



Map 1: Location Map
(Source Data: Village of Kronenwetter)

VARIANCE REQUEST: Variance from Chapter 520-30(A) also displayed in Chapter 520 Attachment 8, of the Village's General Code of Ordinances, which regulates hard or gravel surface setbacks for Nonresidential and Mixed-Use District Setback and Height Setbacks. The applicant is requesting a variance to reduce the hard surface setback in the rear yard from 10 feet to 0 feet and the front or street side from 15 to 0 feet in the Business Park District. The applicant is proposing to divide the property so that both buildings would be on separate parcels and utilize a shared parking lot for the buildings at 100 and 200 Paper Place.

ZONING: Business Park (BP) Zoning District *(See Map 2)*



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

ACREAGE: 10.977 acres

DESCRIPTION OF PROPERTY: SEC 22-27-07 PT OF NW 1/4 NW 1/4 - THAT PT OF SD 40 LYG ELY OF US HIGHWAY 39 S OF BERANEK RD N OF PAPER PL & WLY OF KRONENWETTER DR, KRONENWETTER, MARATHON COUNTY, WISCONSIN

LEGAL NOTIFICATION: A legal advertisement was published in the *Wausau Daily Herald* on Tuesday, October 26, 2019. Notice of the request was sent by regular mail to adjacent property owners within 500 feet of the subject property.

INTRODUCTION:
The applicant is requesting a variance to reduce the hard surface setback in the rear yard from 10 feet to 0 feet and the front or street side from 15 to 0 feet in the Business Park District. The applicant is proposing to divide the property so that both buildings would be on a separate parcel and utilize a shared parking lot for the new properties at 100 and 200 Paper Place.

Staff recommends approval of this variance request.



Map 3: Aerial View
(Source Data: Village of Kronenwetter)

VILLAGE OF KRONENWETTER BOARD OF APPEALS
November 9, 2021

100 & 200 PAPER PLACE
ZONING VARAINCE REQUEST

RECOMMENDED MOTION
To **approve** the variance request for Wausau Paper Corporation to reduce the hard surface setback in the rear yard from 10 feet to 0 feet and the front or street side from 15 to 0 feet and accept the findings of fact contained within the Staff Report.

Findings of Fact of the Village Board of Appeals
The Board of Appeals shall not vary the regulations of this chapter, as authorized in §520-126, unless it shall make findings based upon the evidence presented to it in each specific case that:

a) That compliance with the strict letter of the Zoning Ordinance would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome. It is not sufficient that a variance applicant show that the zoning regulation(s) prevents or burdens his or her planned activity. Such applicant must show by competent evidence that the regulation unreasonably prevents or unnecessarily burdens the proposed activity.
    - Yes. The property was developed with two buildings that utilized a shared parking lot. The buildings have been vacant for several years and the property owner is now looking to divide the property so that each building will be on a separate parcel. Based on how the property has been designed, it makes the most sense that the property division would occur over the existing parking lot. The hard surface setbacks would require the parking lot to be partially removed to meet the requirements. The existing layout provides adequate parking and traffic flow to serve both buildings. Requiring the property owners to redesign would be unnecessarily burdensome and require additional hard surface to be installed and negatively effect stormwater management on the property.

b) That compliance with the strict letter of the Zoning Ordinance would create unnecessary hardship due to a unique property condition, meaning a special physical feature or limitation of the property that is not generally shared by nearby land or property within the same zoning district. If a variance applicant fails to prove the existence of a unique property condition and a connection between the condition and the hardship, even if the hardship is great, a variance may not be granted.
    - Yes. The shape of the parcel with roadway frontage completely surrounding it makes it challenging to identify front, interior side, street side, and rear lot requirements. The Village did make changes in the past few years to allow for shared parking lots and cross connections for these type of developments that eliminate the hard surface setbacks. The property was developed with two buildings that utilized a shared parking lot. The lot division is complicated because of the existing layout that creates a unique property condition.

c) That the requested variance will not be contrary to the public interest, the intent and purpose of this chapter, or the Village's Comprehensive Plan.
    - Yes. The Village made changes in December of 2019 to allow for shared parking lots and cross connections for these type of developments that eliminate the hard surface setbacks for interior side setbacks. The intent of those changes was to allow businesses to share parking lots, reduce hard surfaces and minimize stormwater concerns. This variance is in line with the Village's goal to guide

economic development to areas in the Village already established and well positioned for business and industry.

d) That the requested variance is for a provision of this chapter authorized for potential variances under § **520-126B**, and in no case shall allow a land use that is not listed as a permitted, conditionally permitted, or temporary land use in the associated zoning district.
    - Yes. This request is among the listed allowed variances: To permit any setback, principal building separation distance, or landscape surface ratio that is less than the setback, principal building separation distance, or landscape surface ration required within the applicable zoning district.

Variance Request Application

A variance request is a process by which an applicant can request deviation from the set of rules a municipality applies to land use and land development.

The Board of Appeals meets on an as needed basis. All requests require a 10 day notification prior to the date of the meeting.

Application Fee: $300

village of Kronenwetter

1582 Kronenwetter Drive
Kronenwetter, WI 54455
715-693-4200
www.kronenwetter.org

Applicant Information

1. Applicant Name Wausau Papers Corporation Phone Number 920-720-4694

Address N434 Greenville Center Drive, Appleton, WI 54914

Email Mike.DIETZEN@essity.com

2. Property Titleholder Name Same as Applicant Phone Number _____

Address _____

Email _____

3. Prepared By Company Name REI Engineering, Inc. Name Tom Radenz, PLS

Address 4080 N. 20th Avenue, Wausau, WI 54401

Phone Number 715-675-9784 Email tradenz@reiengineering.com

Variance Request

4. Request a variance to encroach upon the 15-foot pavement setback (sideyard & rearyard) in an effort to subdivide the existing buildings into separate parcels located at 100 & 200 Paper Place (former Wausau Papers administrative offices).

Property Information

5. Property Address 100 & 200 Paper Place

6. Section 22 Township 27 Range 7 7. Parcel Identification # (PIN) 145-2707-222-0979

8. Legal Description (attach an additional sheet if necessary) See Legal Description within CSM

9. Current Zoning District BP 10. Parcel Acreage 10.977 acres

11. Has anyone previously requested a variance to the subject property? If yes, when was the request made and to what zoning district? Not to our knowledge

12. Generally describe the existing land uses and that are on and adjoining the subject property:

Subject Property: Corporate Office Buildings

North: Residential — Zoning: General Commercial

South: Vacant Wooded Lands — Zoning: Business Park

East: Vacant Wooded Lands — Zoning: Business Park

West: I-39 — Zoning: I-39/General Commercial

Required Attachments

1. Please provide a narrative describing the variance request with respect to the following criteria which the Board of Appeals utilizes to make their decisions:
   A. That compliance with the strict letter of the Zoning Ordinance would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome. It is not sufficient that a variance applicant show that the zoning regulation(s) prevents or burdens his or her planned activity. Such applicant must show by competent evidence that the regulation unreasonably prevents or unnecessarily burdens the proposed activity;
   B. That compliance with the strict letter of the Zoning Ordinance would create unnecessary hardship due to a unique property condition, meaning a special physical feature or limitation of the property that is not generally shared by nearby land or property within the same zoning district. If a variance applicant fails to prove the existence of a unique property condition and a connection between the condition and the hardship, even if the hardship is great, a variance may not be granted;
   C. That the requested variance will not be contrary to the public interest, the intent and purpose of this chapter, or the Village's Comprehensive Plan;
   D. That the requested variance is for a provision of this chapter authorized for potential variances under § **520-126B**, and in no case shall allow a land use that is not listed as a permitted, conditionally permitted, or temporary land use in the associated zoning district;
2. Please provide a plat map showing all existing and proposed structures with dimensions, property lines, setbacks, and anything else that is pertinent to the request.

Applicant Acknowledgement

I/We request a public hearing be held before the Board of Appeals of the Village of Kronenwetter, Marathon County, State of Wisconsin, to hear and consider the request for a variance on the property stated in this application. I hereby depose and say that all the above statements and all accompanying statements and drawings are correct and true.

Mike Dietzen — Applicant — 10/07/21 — Date

Mike Dietzen — Property Titleholder — 10/07/21 — Date

Tom Radenz — Prepared By — 10/7/21 — Date

FOR OFFICE USE ONLY:

Application Received _____ Check #_____

Board of Appeals:

Meeting Date_____ Decision: Approved / Denied

REI
CIVIL & ENVIRONMENTAL
ENGINEERING, SURVEYING

October 11, 2021

Village of Kronenwetter
Attn: Randy Fifrick
Community Development Director
1582 Kronenwetter Dr.
Kronenwetter, WI 54455

Subject:
Wausau Papers Corporation – 15-foot Pavement Setback Variance Request/Certified Survey Map Review – 100 & 200 Paper Place.

Dear Randy,

Our team is representing Wausau Papers Corporation with the subdivision of 100 & 200 Paper Place into individual parcels to facilitate the ownership transfer to independent parties. The enclosed Certified Survey Map (CSM) has been prepared for review and approval along with a Variance Request to encroach upon the 15-foot pavement setback along the side and rear yard setbacks. Please include these materials for review and approval at the Oct. 18, 2021, Planning Commission meeting.

The enclosed materials consist of:
- Preliminary Certified Survey Map
- Completed Variance Request Application
- Exhibit Map for Variance Request
- Check for $300

The existing buildings located on the site were the home of the Wausau Papers corporate administrative team for many years. The existing corporate offices were no longer utilized by Wausau Papers following the sale of the business. The buildings have remained vacant since 2017. Wausau Papers has been trying to divest of the property as one parcel since vacating the facility.

Wausau Papers currently has two interested parties in purchasing the existing facilities to continue the corporate office land use. The interested parties are not related parties so the need to divide the parcels is necessary for these real estate transactions to occur.

All of the zoning code requirements have been met with the except of the 15-foot pavement setback at the side and rear yard setbacks causing the need to apply for the variance. The opportunity to bring these properties back to life hangs in the balance of this variance request.

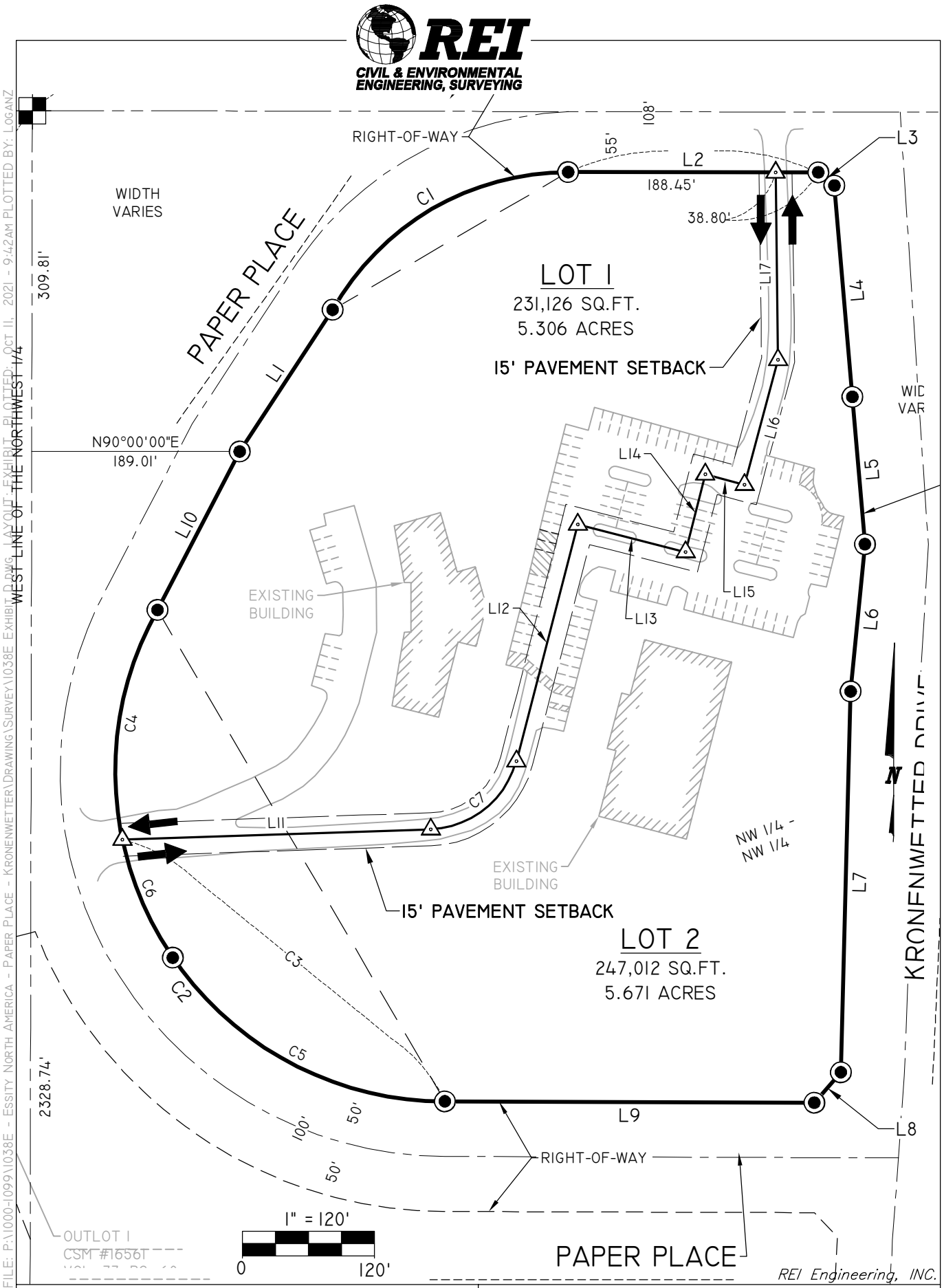
Please contact us if you need any additional information to complete the review and approval of this request. Thanks in advance for your help and cooperation with this matter.

Sincerely,
REI Engineering, Inc.

Thomas A. Radenz

Tom Radenz, PLS
Vice President/Senior Consultant

© REI Engineering Inc.



PAVEMENT SETBACK VARIANCE REQUEST
FORMER WAUSAU PAPERS CORP. OFFICES
PAPER PLACE, KRONENWETTER, WI

FIGURE : EXHIBIT MAP

PROJECT NO.	DRAWN BY:	DATE:
1038E	LAZ	10-11-2021

Essity Project Narrative
Variance Request

A. ***Compliance with the strict letter of the Zoning Ordinance would unreasonably prevent the owner from using the property for a permitted purpose….*** The current landowner no longer has a need for the subject property and remains interested in divesting of the parcel. The land cannot be divided if this variance is not granted.

B. ***Compliance with the strict letter of the Zoning Ordinance would create unnecessary hardship due to a unique property condition…..*** The buildings were originally constructed in a campus setting utilized by one property owner. The single user no longer has a purpose for the subject buildings, so the landowner has been interested in divesting of the subject buildings. The property has been for sale as one parcel with two buildings for an extended period with no interest. There are currently two interested independent buyers requesting the land to be divided for individual uses of each building. The market has shown for an extended period that there are no buyers for the parcel as it was originally constructed as one parcel with two primary buildings. Compliance with the strict letter of the Zoning Ordinance would create an unreasonable hardship on the current owner by putting the current owner into an extended search for a buyer.

C. ***That the requested variance will not be contrary to the public interest……*** The public would gain interest through the approval of the variance request for the following reasons:
    - ***a.*** Bring life back to the subject property to assist with maintaining a vibrant community
    - ***b.*** Creation of jobs and a place of employment for two company's
    - ***c.*** Support local company growth and expansion

D. ***That the requested variance is for a provision of this chapter authorized for potential variances under ss 520-126B….*** The proposed land use will remain professional offices. We have no reason to believe the authorization of the proposed variance request will conflict with ss 520-126B