NOTICE OF PUBLIC HEARING
MARQUETTE COUNTY
STATE OF WISCONSIN

To Whom It May Concern:

A Public Hearing will be held by the Marquette County Board of Adjustment on **Monday, September 12, 2016 at 4:00 PM** in the **Marquette County Services Center, 480 Underwood Ave. in Montello, WI to hear the following application:**

Paradise Pines Campground-Kevin Bartlein, Owner, W2179 Duck Creek Ave, Neshkoro, WI 54960 is requesting a Variance to Section 70.17(B)(3) of the Marquette County Zoning Ordinance for a reduced setback to the centerline of a town road for structures on campsites located along Duck Creek Avenue, in the NE ¼-NE ¼, Section 26, T17N R10E, **Town of Crystal Lake**. Fire # W2179 Duck Creek Ave

Application materials are available on the Planning and Zoning Department website at http://www.co.marquette.wi.us/departments/zoning/board-of-adjustment-139 or in person, Room 104 of the Courthouse in the City of Montello. All persons wishing to be heard may appear in person or be represented by agent or attorney. If an appearance or representation is not possible, a letter addressed to the Marquette County Zoning Department, P.O. Box 21, Montello, WI 53949, will be read at the public hearing of the Board of Adjustment.

Marquette County Board of Adjustment

Mike Jacobi, Chairperson
Jan Banicki
Mary Walters
Sandi Vaughan, Alternate
Lance Achterberg, Alternate

Class 2 Notice

MARQUETTE COUNTY ZONING DEPARTMENT
BOARD OF ADJUSTMENT APPLICATION SUMMARY

DATE OF HEARING: September 12, 2016

APPLICANT: Paradise Pines Campground-Kevin Bartlein-Owner

ZONING DISTRICT: Agriculture Residential (AG-3)

The applicant is requesting a Variance to Section 70.17(B)(3) for a reduced setback to the centerline of a town road for structures on campsites located along Duck Creek Avenue.

Section 70.17(B)(3):

The setback from a Class C highway shall be sixty-three (63) feet from the centerline of the highway or thirty (30) feet from the right-of-way line, whichever is greater.

The applicant is requesting a reduced setback to the inside the existing fence line, which is 33ft 4in at the closet point. There are a total of 10 sites.

PETITION FOR VARIANCE
MARQUETTE COUNTY BOARD OF ADJUSTMENT

Date filed: 07/25/16	[X] **$300.00 fee (non-refundable)** 612231

Applicant:	KEVIN BARTLEIN - PARADISE PINES CAMPGROUND
Address:	W2179 DUCK CREEK AVE. NESHKORO, WI., 54960
Phone:	920-293-4924

Legal Description: NE ¼, NE ¼, Section 26, T 17 N, R 10 E

Township: CRYSTAL LAKE **Tax Parcel Number:** 004-01026-0000 **Fire No** W2179 Duck Creek Ave

Zoning District: AG3 **Lot area:** 40 ACRES

Current use and improvements: CAMPGROUND

Variance requested

Section of ordinance:	Section 70.17 (B)(3) of the Marquette County Zoning Ordinance
Variance requested:	ROAD SETBACK Reduced setback to the centerline of a town road for structures on campsites located along Duck Creek Avenue

Address each of the following criteria for granting a variance as described in the notice of requirements (attach additional pages if necessary):

1) Unnecessary hardship is present because... SITES #32, 33, 34, 35, 36, 68, 69, 70, 75 & 85 WERE IN USE SINCE THE CAMPGROUND WAS BUILT 40 PLUS YEARS AGO. CURRENT ROAD SETBACK MAKES THEM UNUSABLE.

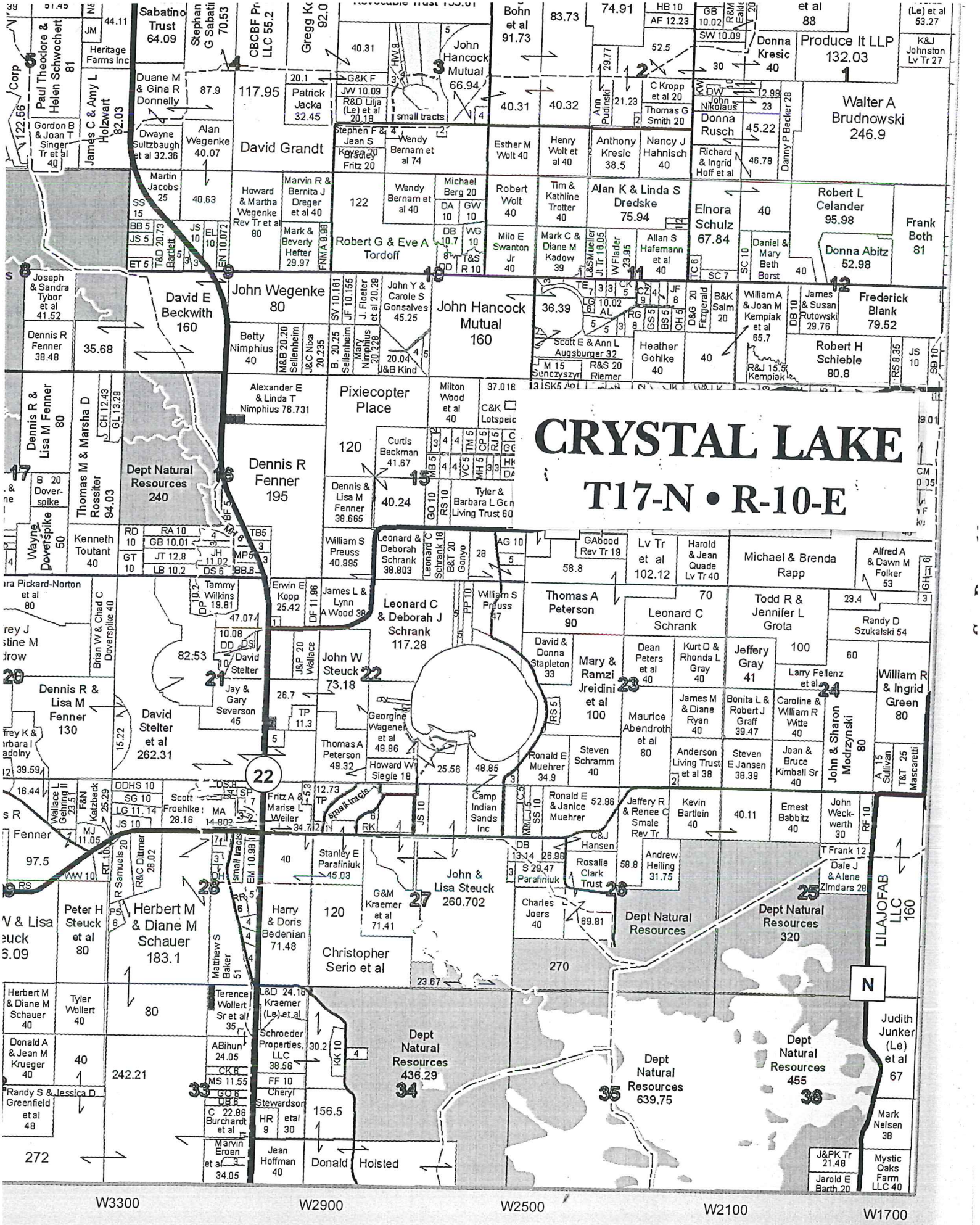
2) Compliance with the terms of the ordinance is prevented by unique features of this property... DEPTH OF THESE SITES ARE FIXED BECAUSE OF CAMPGROUND ROADS, OTHER SITES AND POND.

3) A variance will not be contrary to the public interest because... PUBLIC INTEREST WILL NOT BE AFFECTED BECAUSE ROAD TRAFFIC ON DUCK CREEK AVE. IS SO MINOR THAT WIDENING THE ROAD WOULD MOST LIKELY NEVER OCCUR. ANY FUTURE CONSTRUCTION OR IMPROVEMENTS WILL REMAIN INSIDE EXISTING FENCE LINE BOUNDARY.

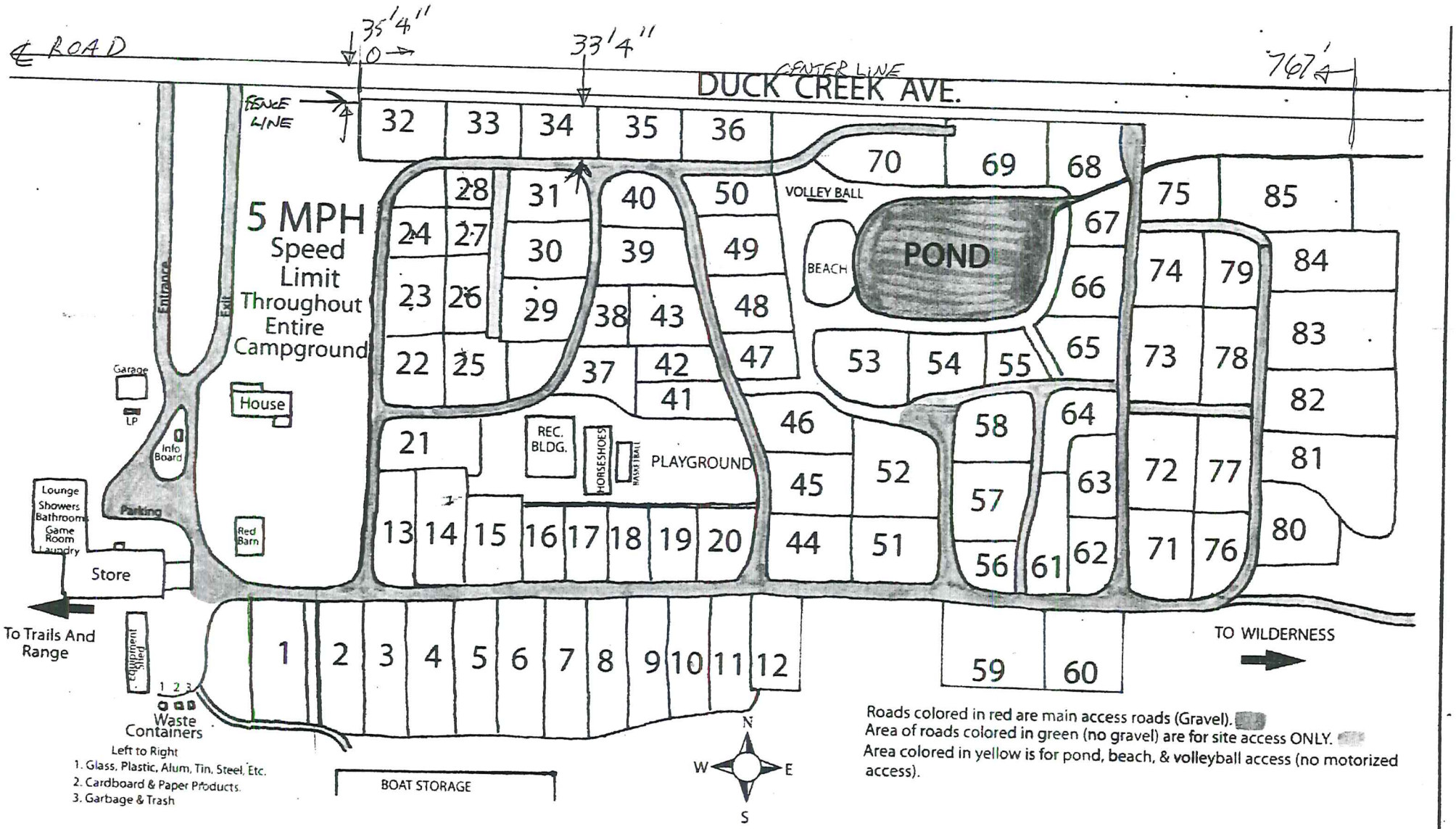
Attach a plot plan and a description of your construction plans.

Signed: Kevin T. Bartlein **Date:** 07/25/16
Applicant/Agent/Owner

Remit to: Marquette County Zoning, P.O. Box 21, Montello, WI 53949
(608) 297-3036


CRYSTAL LAKE
T17-N • R-10-E
Sabatino Trust 64.09
Stephan G Sabatino 70.53
CBCBF Pr LLC 55.2
Gregg Ko 92.0
Bohn et al 91.73
83.73
74.91
Produce It LLP 132.03
Donna Kresic 40
Walter A Brudnowski 246.9
Paul Theodore & Helen Schwochert 81
Heritage Farms Inc
Duane M & Gina R Donnelly
87.9
117.95
Patrick Jacka 32.45
John Hancock Mutual 66.94
40.31
40.32
Ann Pudinski
Thomas G Smith 20
Donna Rusch
Gordon B & Joan T Singer Tr et al 40
James C & Amy L Holzwart 82.03
Dwayne Sultzbaugh et al 32.36
Alan Wegenke 40.07
David Grandt
Stephen F & Jean S Koven 20
Bradley Fritz 20
Wendy Bernam et al 74
Esther M Wolt 40
Henry Wolt et al 40
Anthony Kresic 38.5
Nancy J Hahnisch 40
Richard & Ingrid Hoff et al
Martin Jacobs 25
40.63
Howard & Martha Wegenke Rev Tr et al 80
Marvin R & Bernita J Dreger et al 40
122
Wendy Bernam et al 40
Michael Berg 20
Robert Wolt 40
Tim & Kathline Trotter 40
Alan K & Linda S Dredske 75.94
Elnora Schulz 67.84
Robert L Celander 95.98
Frank Both 81
Mark & Beverly Hefter 29.97
Robert G & Eve A Tordoff
Milo E Swanton Jr 40
Mark C & Diane M Kadow 39
Allan S Hafemann et al 40
Daniel & Mary Beth Borst
Donna Abitz 52.98
Joseph & Sandra Tybor et al 41.52
David E Beckwith 160
John Wegenke 80
John Y & Carole S Gonsalves 45.25
John Hancock Mutual 160
36.39
William A & Joan M Kempiak et al 65.7
James & Susan Rutowski 29.76
Frederick Blank 79.52
Dennis R Fenner 38.48
35.68
Betty Nimphius 40
Scott E & Ann L Augsburger 32
Heather Gohlke 40
Robert H Schieble 80.8
Alexander E & Linda T Nimphius 76.731
Pixiecopter Place
Milton Wood et al 40
Dennis R & Lisa M Fenner 80
Thomas M & Marsha D Rossiter 94.03
Dept Natural Resources 240
Dennis R Fenner 195
120
Curtis Beckman 41.67
Dennis & Lisa M Fenner 38.665
40.24
Tyler & Barbara L Gon Living Trust 60
Wayne Doverspike 50
Kenneth Toutant 40
William S Preuss 40.995
Leonard & Deborah Schrank 38.803
Lv Tr et al 102.12
Harold & Jean Quade Lv Tr 40
Michael & Brenda Rapp
Alfred A & Dawn M Folker 53
Tammy Wilkins 19.81
Erwin E Kopp 25.42
James L & Lynn A Wood 38
Leonard C & Deborah J Schrank 117.28
William S Preuss 47
Thomas A Peterson 90
Leonard C Schrank
Todd R & Jennifer L Grota
Randy D Szukalski 54
82.53
David Stelter
John W Steuck 73.18
David & Donna Stapleton 33
Mary & Ramzi Jreidini et al 100
Dean Peters et al 40
Kurt D & Rhonda L Gray 40
Jeffery Gray 41
Larry Fellenz et al
William R & Ingrid Green 80
Dennis R & Lisa M Fenner 130
David Stelter et al 262.31
Jay & Gary Severson 45
Georgine Wagener et al 49.86
Maurice Abendroth et al 80
James M & Diane Ryan 40
Bonita L & Robert J Graff 39.47
Caroline & William R Witte 40
John & Sharon Modrzynski 80
Thomas A Peterson 49.32
Howard W Siegle 18
25.56
48.85
Ronald E Muehrer 34.9
Steven Schramm 40
Anderson Living Trust et al 38
Steven E Jansen 38.39
Joan & Bruce Kimball Sr 40
Scott Froehlke 28.16
Fritz A & Marise L Weiler
Camp Indian Sands Inc
Ronald E & Janice Muehrer
Jeffery R & Renee C Smale Rev Tr
Kevin Bartlein 40
40.11
Ernest Babbitz 40
John Weckwerth 30
Fenner 97.5
Stanley E Parafiniuk 45.03
John & Lisa Steuck 260.702
Rosalie Clark Trust
Andrew Heiling 31.75
Dale J & Alene Zimdars 28
Peter H Steuck et al 80
Herbert M & Diane M Schauer 183.1
Harry & Doris Bedenian 71.48
G&M Kraemer et al 71.41
Charles Joers 40
Dept Natural Resources
Dept Natural Resources 320
LILAJOFAB LLC 160
Christopher Serio et al
270
Herbert M & Diane M Schauer 40
Tyler Wollert 40
80
Terence Wollert Sr et al 35
Schroeder Properties, LLC 38.56
Dept Natural Resources 436.29
Dept Natural Resources 639.75
Dept Natural Resources 455
Judith Junker (Le) et al 67
Donald A & Jean M Krueger 40
40
242.21
Randy S & Jessica D Greenfield et al 48
Cheryl Stewardson
156.5
Mark Nelsen 38
272
Jean Hoffman 40
Donald Holsted
J&PK Tr 21.48
Jarold E Barth 20
Mystic Oaks Farm LLC 40
W3300
W2900
W2500
W2100
W1700
N

See Page 18


℄ ROAD
35'4"
33'4"
CENTER LINE
767'
DUCK CREEK AVE.
FENCE LINE
5 MPH Speed Limit Throughout Entire Campground
Entrance
Exit
Garage
LP
House
Info Board
Parking
Lounge
Showers
Bathroom
Game Room
Laundry
Store
Red Barn
To Trails And Range
Equipment Shed
1 2 3
Waste Containers
Left to Right
1. Glass, Plastic, Alum, Tin, Steel, Etc.
2. Cardboard & Paper Products.
3. Garbage & Trash
BOAT STORAGE
REC. BLDG.
HORSESHOES
BASKETBALL
PLAYGROUND
VOLLEY BALL
BEACH
POND
TO WILDERNESS
N
W
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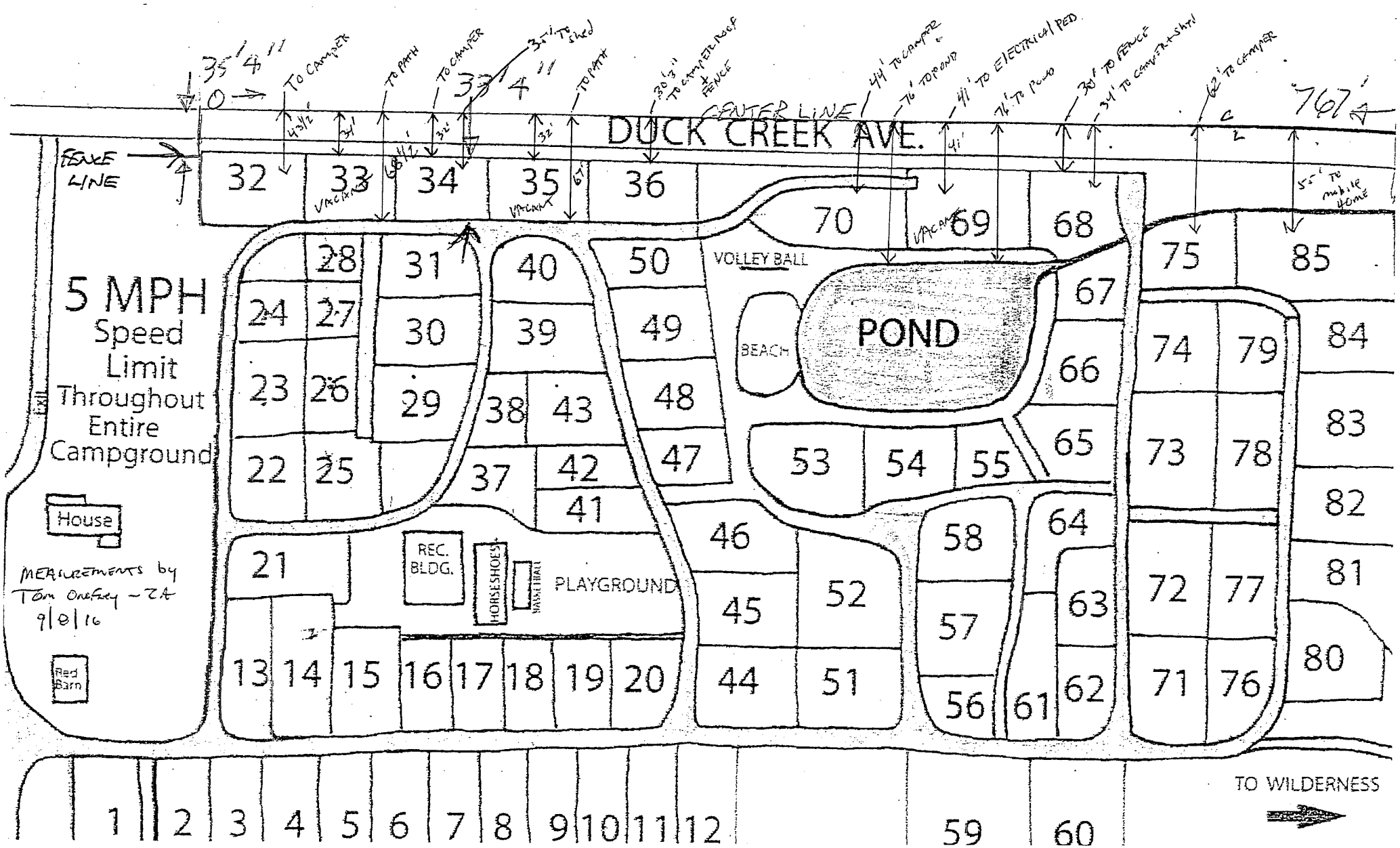
S
Roads colored in red are main access roads (Gravel).
Area of roads colored in green (no gravel) are for site access ONLY.
Area colored in yellow is for pond, beach, & volleyball access (no motorized access).



DUCK CREEK AVE.
CENTER LINE
FENCE LINE
5 MPH
Speed
Limit
Throughout
Entire
Campground
House
Red Barn
MEASUREMENTS by
Tom Onofrey - ZA
9/8/16
VOLLEY BALL
BEACH
POND
REC. BLDG.
HORSESHOES
PLAYGROUND
TO WILDERNESS

32

#32

53

#33

34

#34
SPRINTER

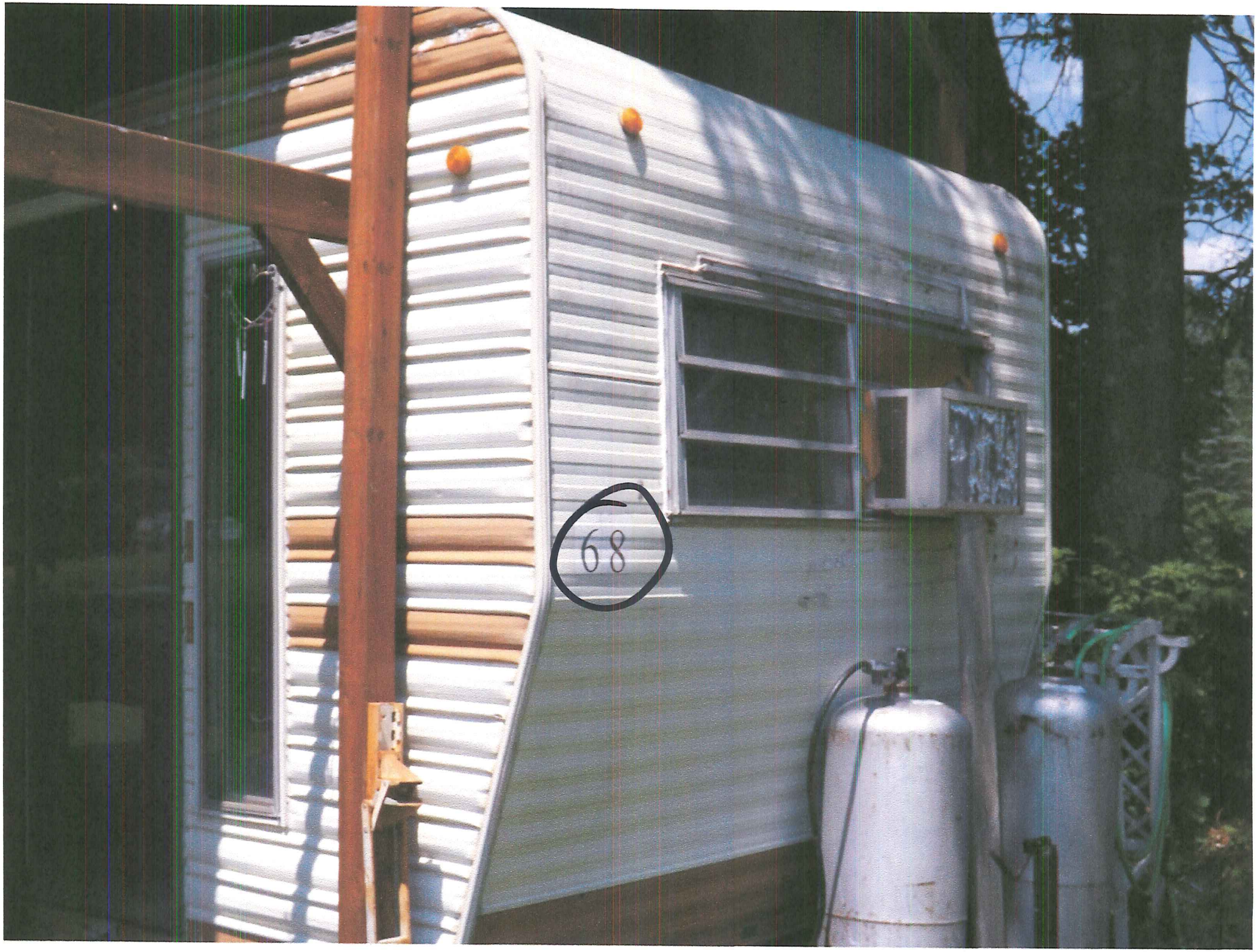
35

#35

36
#36

36

#36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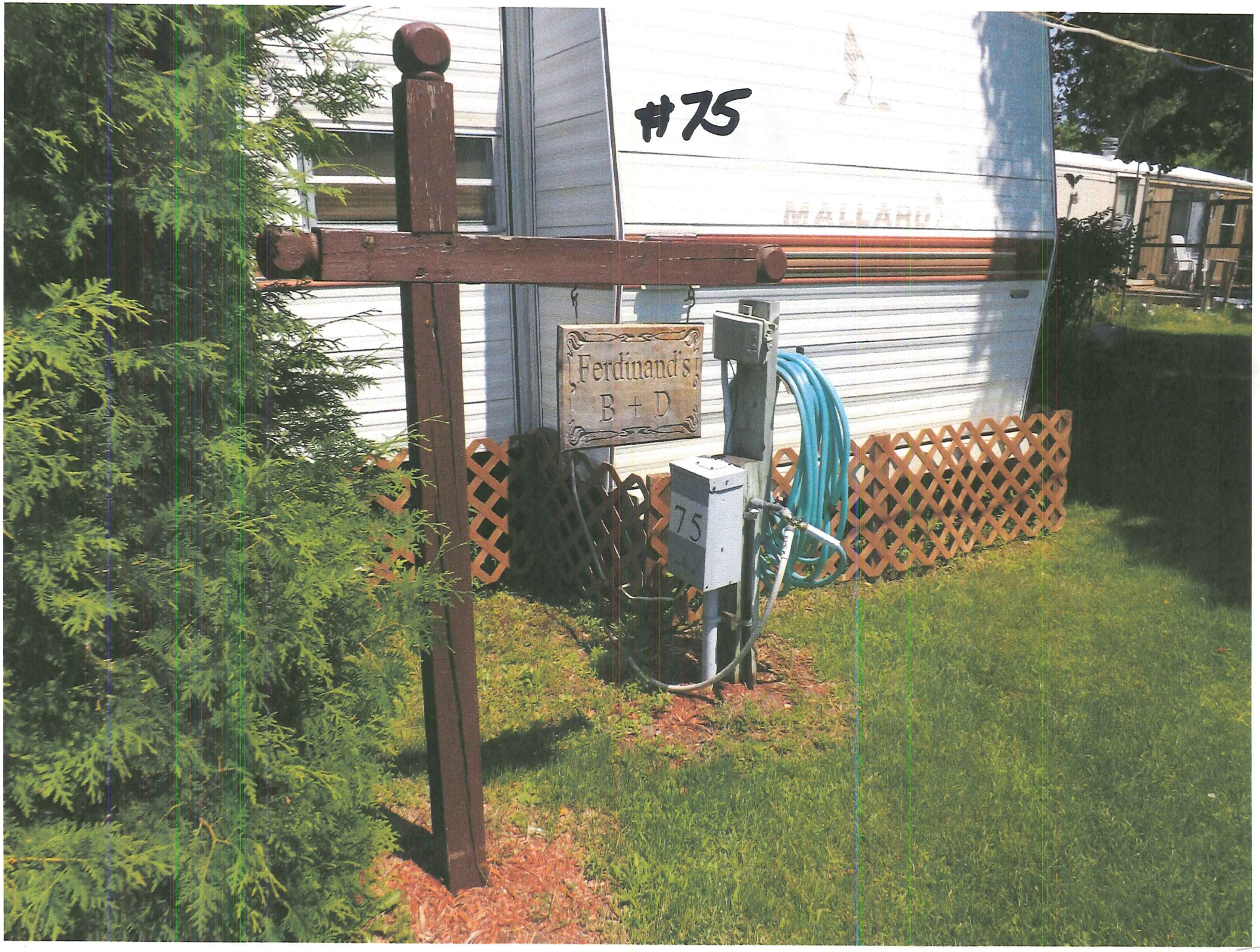
#75
MALLARD
Ferdinand's
B + D
75

#25

#75

#85

85
#75
#85

#85

MARQUETTE COUNTY
Zoning Department

Administrator—Thomas Onofrey P.O. Box 21 Montello, WI 53949 Technician—Dustin Grant
Secretary--Nora Beskow (608) 297-3036

Zoning Department Staff report to the Marquette Board of Adjustment

Prepared by: Tom Onofrey-Zoning Administrator
Applicant: Kevin Bartlien-Owner Paradise Pines Campground
Hearing date: September 12, 2016

PARCEL INFORMATION

Property location: NE1/4-NE1/4, Section 26, Town of Crystal Lake.

The property is zoned Agriculture Residential (AG-3).

BACKGROUND

The applicant is the owner of a campground located on 40 acres that border Duck Creek Avenue. The campground was established prior to the Town adopting County zoning. As it was developed 10 campsites were created along Duck Creek Avenue. The location of the majority of the campsites prevents the placement of structures in compliance with the ordinance road setback of 63 feet. The applicant is making a request to have approval for structures within the setback because he states otherwise the sites are unusable. He states further that a variance will not be contrary to the public interest because Duck Creek Avenue is a lightly traveled road.

DISCUSSION

The application is an area Variance and the Board must determine if the ordinance is unnecessarily burdensome and if it prevents the applicant from using the property for its intended purpose which is residential.

RECOMMENDATION

The request lacks specific details about what types of structures the applicant is seeking to build but it is assumed that they would be sheds, decks and roofs over campers as this is how other sites in the campground have been developed. During a site visit it was noted that sites 75 and 85 have room for building structures in compliance with the setback, which would make a variance unnecessary for those two sites. The Board may consider variances for the remaining sites but the applicant will need to provide more information on what types of structures he is proposing. While small sheds and decks are common for campsites and could be approved for reduced setbacks I do not believe roofs over campers are necessary to use the campsites for their intended purpose. Any variances the Board considers should not encroach on the 33 foot right or way of Duck Creek Avenue. While the layout of the sites does prevent compliance with the setback there is nothing preventing any future development for vacant lots or redevelopment of existing lots from being out of the road right of way. As the Board did with Lake Arrowhead Campground they may want to consider a maximum square footage for decks and sheds for the 8 sites and a minimum setback.

MARQUETTE COUNTY
Zoning Department

Administrator—Thomas Onofrey P.O. Box 21 Montello, WI 53949 Technician—Dustin Grant
Secretary--Nora Beskow (608) 297-3036 Secretary—Nadine Klapoetke

July 29, 2016

TOWN OF CRYSTAL LAKE OFFICIALS

Dear Officials:

Kevin Bartlein, Paradise Pines Campground, W2179 Duck Creek Ave, Neshkoro, WI 54960 is requesting a Variance to Section 70.17(B)(3) of the Marquette County Zoning Ordinance for a reduced setback to the centerline of a town road for structures on campsites located along Duck Creek Avenue in the NE¼-NE¼, Section 26, T17N R10E, Town of Crystal Lake. Fire # W2179 Duck Creek Ave

We have enclosed copies of the information we currently have available. A public notice will be sent later as the hearing date gets closer.

You have no legal responsibility to act on a Board of Adjustment application, but if you take some type of action, please send us a copy of your monthly meeting minutes for our file prior to the hearing.

We have advised Mr. Bartlein to be in touch with the Town Board to be placed on your monthly meeting agenda if you desire to discuss the proposal.

If you have any questions please let us know.

Sincerely,

Nora J. Beskow
Zoning Department Staff
Marquette County

NJB: n
Encl.

NOTICE OF TOWN BOARD DECISION

The Crystal Lake Town Board heard the

Variance Request of Kevin Bartlein

at their August 10, 2016 Town Board Meeting.

The Town Board took the following action:

X Approved Variance Request

_____ Denied Variance Request

_____ Took no action on Variance Request

Sandra Vaughan

Sandra Vaughan, Town Clerk

8/17/16

Date

Received
8/22/16

MARQUETTE COUNTY
Zoning Department

Administrator—Thomas Onofrey
Secretary--Nora Beskow

P.O. Box 21 Montello, WI 53949
(608) 297-3036

Technician—Dustin Grant
Secretary—Nadine Klapoetke

July 29, 2016

Kevin Bartlein
Paradise Pines Campground
W2179 Duck Creek Ave
Neshkoro, WI 54969

Dear Mr. Bartlein:

We have scheduled you for a September 12, 2016 public hearing before the Board of Adjustment.

It is advisable for you to contact the Town Board of Crystal Lake to be placed on their monthly meeting agenda should they have any questions regarding your proposal. This should be done promptly if you have not already done so.

We have forwarded copies of your proposal/application to the Crystal Lake Town Board members and any additional information you have available that you could provide them would be helpful. An official public notice will be coming later as your hearing date gets closer.

If you have any questions, please let us know.

Sincerely,

Nora J. Beskow
Zoning Department Staff
Marquette County

NJB: n
Encl.

Town Chairman: Dennis Fenner, N8416 St Rd 22, Neshkoro, WI 54960
920-293-4331

Town Clerk: Sandra Vaughan, W2891 Deerborn Dr, Neshkoro, WI 54960
920-293-4681

MARQUETTE COUNTY
Zoning Department

Administrator—Thomas Onofrey
Secretary--Nora Beskow

P.O. Box 21 Montello, WI 53949
(608) 297-3036

Technician—Dustin Grant
Secretary—Nadine Klapoetke

AFFIDAVIT OF MAILING

STATE OF WISCONSIN
COUNTY OF MARQUETTE

RE: KEVIN BARTLEIN

Thomas Onofrey, being first duly sworn, deposes and says that he is the duly appointed and acting Zoning Administrator for Marquette County, and that in such capacity he sent copies of the notice of public hearing in the above-titled act on to each of those listed below, at the addresses as indicated. Said notice was deposited in the United State Mail at Montello, Wisconsin on the 10th day of August, 20 16.

Respectfully submitted,

Thomas Onofrey
Zoning Administrator
Marquette County

Steve Jensen
W2020 Duck Creek Rd
Neshkoro, WI 54960

Jeff Gray
246 W 18th Ave
Oshkosh, WI 54902

Attn: Dean Abendroth
Maurice Abendroth, Et Al
N2718 Welk Rd
Markesan, WI 53946

William & Karen Anderson
W2166 Duck Creek Ave
Neshkoro, WI 54960

Scott Baker
171 E Manchester St
Markesan, WI 53946

Dept of Natural Resources
P.O. Box 7921
Madison, WI 53707

Jeff & Renee Smale
1131 S Silverbrook Dr
West Bend, WI 53095

Andrew Heiling
W4382 Co Rd K
Montello, WI 53949

Sandra Vaughan
W2891 Deerborn Dr
Neshkoro, WI 54960

Dennis Fenner
N8416 St Rd 22
Neshkoro, WI 54960

Chris Lotspeich
N8541 17th Ave
Neshkoro, WI 54960

Terry Wollert Sr
W3049 Co Rd E
Neshkoro, WI 54960

Subscribed and sworn before me this 10th day of August, 2016

Debra Kemnitz
Notary Public, State of WI
My Commission Expires 1-2-17