



PLANNING AND ZONING DEPARTMENT

1462 STRONGS AVENUE, STEVENS POINT, WI 54481 • PHONE: 715-346-1334

TO: Town of Lanark
FROM: Kristen Johnson, Planner
DATE: May 11, 2026
SUBJECT: Explanation of Rezoning Request from:
Michael Patoka, Parcel ID #: 022221007-10.02 (5996 Spring Haven Drive)

Michael Patoka, owner, is requesting two actions:

- (1) a Future Land Use Map amendment of .43 acres from Natural Areas Protected to L3 Limited Agriculture/Mixed Use
- (2) a rezoning of .43 acres from Conservancy to A2 Agricultural Transition

Michael Patoka plans to build a home on the referenced 4.08-acre parcel. The property is primarily zoned Conservancy, with a smaller portion zoned A2 Agricultural Transition. The Conservancy zone applies to lands within 100 feet of navigable waters, in this case Spring Lake, as well as areas identified as wetlands on the Wisconsin DNR's 2016 Wetland Inventory Map. Residential development is not permitted within the Conservancy district.

A Wetland Assessment was conducted by Star Environmental Inc. on approximately 1-acre of the property (the "Project Boundary" outlined in red on the attached wetland map) to determine potential locations for Mr. Patoka's proposed home site. The assessment identified wetland areas (outlined in blue) but found that wetlands are not as widespread as depicted on the DNR's wetland inventory map. A portion of the assessed area that are non-wetland still fall within 100 feet of Spring Lake and should remain zoned Conservancy. However, approximately .43 acres were confirmed as non-wetland and lie outside the 100 foot setback. This area could be rezoned from Conservancy to the A2 Agricultural Transition, creating a buildable area for the proposed residence.

Wisconsin Statue 66.1001(3) states that zoning amendments be consistent with the local Comprehensive Plan. The Future Land Use Map of the Town of Lanark Comprehensive Plan designates the area proposed for rezoning as Natural Areas Protected, based on the wetland inventory map. Page 103 of the Plan identifies DNR mapped wetlands as one of the criteria used when mapping natural areas for protection. The Plan also acknowledges that these boundaries may change following a field inspection. Because the recent Wetland Assessment determined that no wetlands exist on the .43 acres proposed for rezoning, the Natural Areas Protected designation is no longer necessary. A change from Natural Areas Protected to L3 Limited Agriculture/ Mixed Use would be appropriate and bring the Future Land Use Map into alignment with current field conditions, as well as the proposed zoning.

The Town Plan Commission should review the request first. It is strongly recommended that the Town notify all property owners within 300 feet of the subject parcel (see attached list), consistent

with the County notification policy. Aligning Town and County notification practices has historically led to a smoother rezoning process.

At their meeting, the Plan Commission may wish to consider the following in evaluating the proposed request:

1. Intent of the A2 District.

The intent of the A2 Agricultural Transition District is to *“provide for a broad range of rural-oriented land uses, including agriculture, forestry and open space. This District is also intended to preserve the rural character of certain outlying areas of Portage County, where only large lot residential development is desirable, particularly where identified in locally adopted Comprehensive Plans.”* Single-family residences are permitted in this district.

2. Compatibility with surrounding zoning.

Aside from the Conservancy zoning, the entire north side of Spring Lake is zoned A2 Agricultural Transition, indicating that the proposed zoning is consistent with the surrounding area.

3. Consistency with the Town of Lanark Comprehensive Plan.

The Plan acknowledges “Designation of navigable waters and wetlands are based on a DNR determination. Boundary lines may be adjusted based on on-site investigation by County or other appropriate agencies.

Per Table 9.1: Zoning/Land Use compatibility table on page 112, the proposed A2 zoning is compatible with the proposed L3 Limited Agriculture/Mixed Use future land use designation.

The request aligns with Town goals to utilize the Natural Areas Protected future land use designation and Conservancy zoning district to protect natural resources. In this case, the wetland assessment shows that the Natural Areas Protected and Conservancy designations are no longer necessary on the .43 acres.

At its meeting, the Plan Commission should make a recommendation on the Comprehensive Plan amendment. **Per Wisconsin Statute 66.1001(4)(b), approval of the Comprehensive Plan amendment must be in the form of an official resolution passed by a majority vote of the Plan Commission.** Next, the Plan Commission should make a recommendation on the rezoning. A majority vote is required; meeting minutes documenting the vote is sufficient. Both recommendations should be forwarded to the Town Board.

Upon receiving the Plan Commission recommendations, the Town Board should **schedule a Public Hearing** on the Comprehensive Plan amendment. **Per Wisconsin Statute 66.1001(4)(d), notice must be published as a class 1 notice at least 30 days before the Hearing.** The Town may also provide notice of the hearing by any other means it considers appropriate.

The Town Board should hold a regular meeting immediately following the Public Hearing to act on the Comprehensive Plan amendment (**per State Statute 66.1001(4)(c) requires an ordinance adopted by majority vote**) followed by the rezoning.

Once the Town Board has decided on the request, be sure to forward both Town Plan Commission action and Town Board action to the Portage County Planning and Zoning Department to ensure that the request continues to move forward at the County level in a timely fashion. For this, please provide the following documentation via email to Kristen Johnson at johnsokr@co.portage.wi.gov

If the Town recommends denial, provide:

1. A summary of Town Board action, including result of the vote (meeting minutes are sufficient).

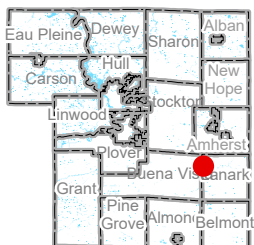
If the Town recommends approval of the Comprehensive Plan Amendment, provide:

1. Public hearing notice, including publication date (must meet 30-day requirement).
2. Summary of Plan Commission action and vote (minutes acceptable).
3. Summary of Town Board action and vote (minutes acceptable).
4. One signed copy of the Plan Commission resolution recommending adoption.
5. One signed copy of the Town Board ordinance adopting the amendment.

If the Town recommends approval of the Rezoning, provide:

1. Summary of Plan Commission action and vote (minutes acceptable).
2. Summary of Town Board action and vote (minutes acceptable).

If you have any questions or need additional information, please contact Jenna Hake or Kristen Johnson at 715-346-1334.



Site Overview

Inquirer: Michael Patoka

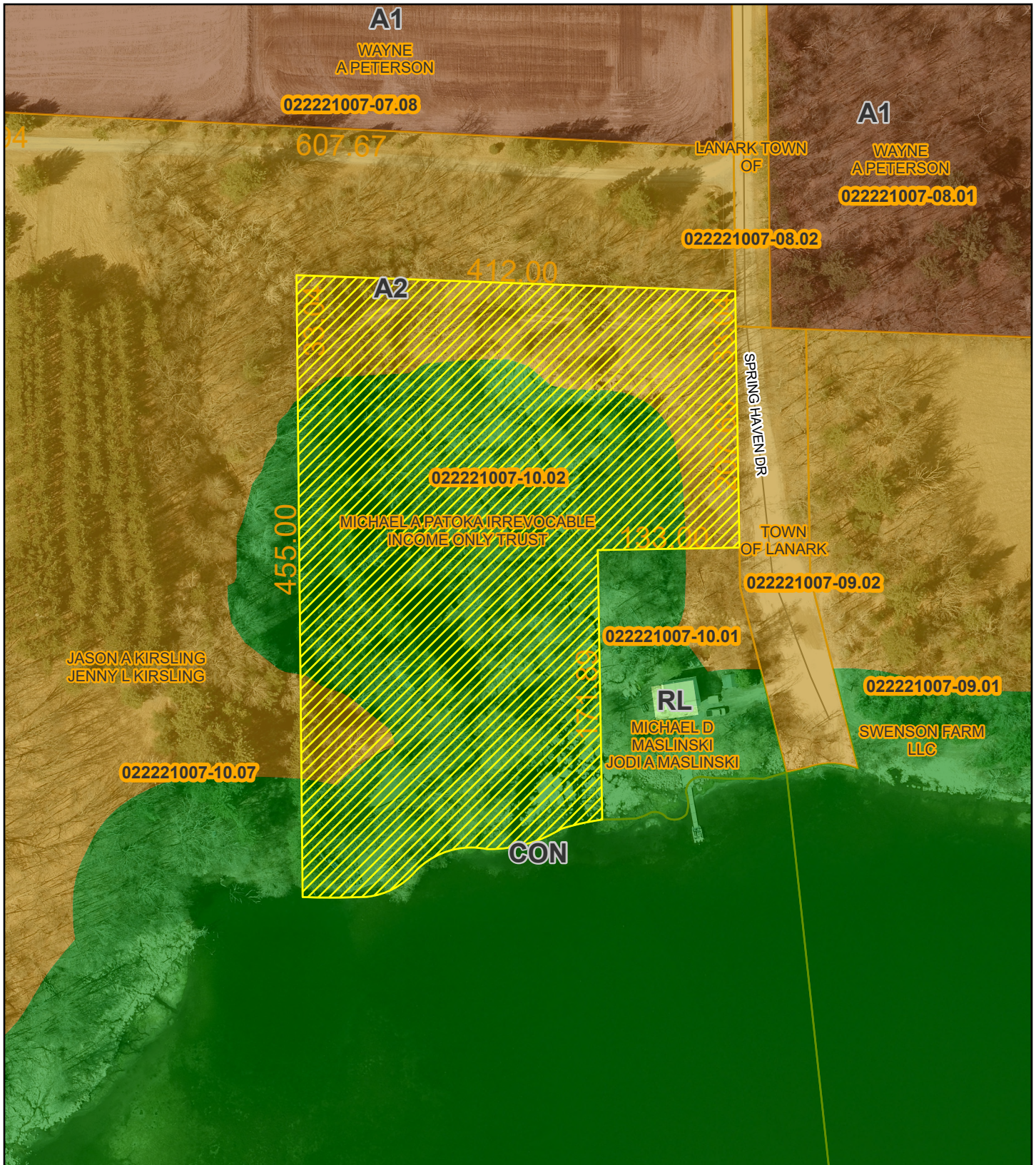
LOCATION: 5996 Spring Haven Dr
Amherst, WI 54406
Section 7, T22N, R10E, Town of Lanark

DESCRIPTION OF REQUEST: Change Future Land Use Designation of .43 acres from NAP to L3; Rezone .43 acres from CONSERVANCY to A2

 Subject Parcel



0 80 160 Feet



- Zoning District**
- Subject Parcel
 - Parcel Boundaries
 - CON Conservancy
 - RL Rural Limited
 - A1 Exclusive Agriculture
 - A2 Agricultural Transition

Current Zoning

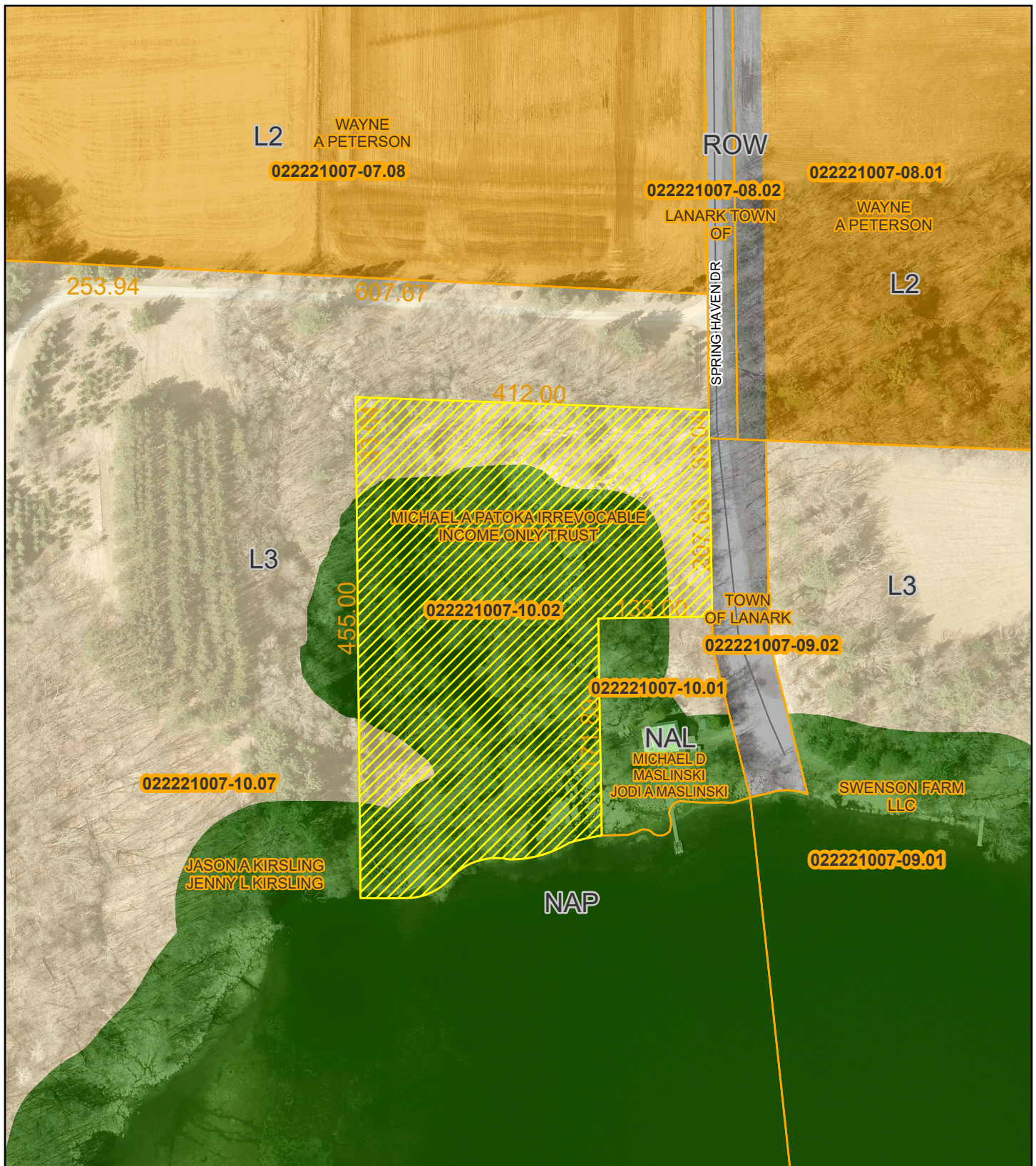
Inquirer: Michael Patoka

LOCATION: 5996 Spring Haven Dr
Amherst, WI 54406
Section 7, T22N, R10E, Town of Lanark

DESCRIPTION OF REQUEST: Change Future Land Use Designation of .43 acres from NAP to L3; Rezone .43 acres from CONSERVANCY to A2



0 80 160 Feet



- Legend**
- Subject Parcel
 - Parcel Boundaries
- Future Land Use**
- L2
 - L3
 - NAL
 - NAP
 - Right-of-Way

Future Land Use

Inquirer: Michael Patoka

LOCATION: 5996 Spring Haven Dr
Amherst, WI 54406
Section 7, T22N, R10E, Town of Lanark

DESCRIPTION OF REQUEST: Change Future Land Use Designation of .43 acres from NAP to L3; Rezone .43 acres from CONSERVANCY to A2



0 100 200 Feet



705 Third Street
P.O. Box 434
Marathon, WI 54448
(715) 443-6115
starencvironmental@hotmail.com

Dear Mr. Michael Patoka,

On Monday, March 30, 2026, a Preliminary Wetland Assessment was completed to determine potential areas for development on your property located in the NW1/4, NW1/4, Section 7, Township 22 North, Range 10 East, Township of Lanark, Portage County, Wisconsin. The site is described below with a parcel map attached as reference.

The Project Boundary is outlined in red on the attached map with the approximate wetland areas outlined in light blue. The project area is described below:

The project area encompasses approximately 1 acre within a 4.08 acre parcel currently owned by Michael Patoka. The parcel ID number is 022221007-10.02. Current land use within the site consists of a home, garage, shed, driveway, lawn area and forested uplands and wetlands adjacent to the existing developments. One area of potential wetland concern were identified within the project area.

Vegetation within the upland portions of the site consists primarily of *Quercus rubra* (Northern Red Oak), *Pinus resinosa* (Red Pine), *Betula papyrifera* (Paper Birch) and manicured lawn grasses. These species are generally classified as or upland species and do not indicate a predominance of hydrophytic vegetation. Soils are mapped as the well to somewhat excessively drained, non-hydric Richford Soil Series. Soils within the upland areas were determined to be non-hydric and lacked redoximorphic features or other indicators of prolonged soil saturation. The landscape position in these areas is primarily convex, which promotes surface drainage and does not support sustained wetland hydrology. Based on field observations, the upland areas do not meet the three-parameter criteria required for wetland determination.

Vegetation within the wetland areas consists of hydrophytic species including *Fraxinus nigra* (Black Ash), *Thuja occidentalis* (Eastern Arborvitae) and facultative species such as *Populus tremuloides* (Quaking Aspen). Soils within these areas were determined to be hydric, with a thick, dark surface horizon consisting of mucky organic material. The landscape position within these areas is concave, which promotes the collection and retention of surface water. Wetland hydrology indicators were observed within the wetland areas at the time of the site investigation. The presence of hydrophytic vegetation, hydric soils, and wetland hydrology confirms that these areas meet the three-parameter criteria for wetlands as defined by the 1987 U.S. Army Corps of Engineers Wetlands Delineation Manual and the applicable Regional Supplement.

Per owner discussions, a soil test for a conventional septic system was also recently completed adjacent to the building area. It is a relatively steep topography from the uplands to wetlands that forms a striking boundary. The building area is also significantly higher in elevation than the adjacent wetland and lake elevations. The planned location of the new house encompasses the area of the existing home and extends north into the existing lawn area adjacent to the garage and shed. Planned activity will not expand beyond where existing developments already exist in the uplands.

This preliminary wetland assessment should be beneficial in keeping construction activity outside of wetlands and satisfying requirements of Portage County Zoning. A full wetland delineation would be required to verify the exact locations and extent of the wetland boundaries throughout the property. Additionally, if permits to fill portions of wetlands are needed, a permit application through the Department of Natural Resources (WDNR) would be required. Although permits may be applied for, they are not guaranteed for approvals.

Star Environmental, Inc. and its representatives are not responsible for any adverse environmental impacts resulting from work completed on this Preliminary Wetland Assessment. It is understood the maximum liability against Star Environmental, Inc. and its representatives is the cost of the services to date.

If you have any questions or comments, please call our office. Thank you.

Sincerely,

Isaac Barber
Fish and Wildlife Specialist
Wetland Delineator, Certified Soil Tester #1552010, WPIT
STAR ENVIRONMENTAL, INC.



Approximate Wetland Map

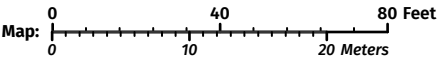


Legend: (some map layers may not be displayed)
EN Image Basemap Latest Leaf Off

- Red: Band_1
- Green: Band_2
- Blue: Band_3

Notes:

Service Layer Credits:
WI DNR Detailed Feature Transparent Style VTL -
WTM: Wisconsin Department of Natural
Resources, GIS Section, EN Image Basemap
Latest Leaf Off:



Map projection: NAD 1983 HARN Wisconsin TM

Patoka Property Photos



Soils in Wetlands



Wetland East of Garage



Soils in Uplands Between Driveway and Wetland



Looking North Along East Side of Driveway



Looking South Towards Driveway and Shed



Existing Home and Future Home Area

Patoka Property Photos



Lawn Area North of Home



Planned Location of Conventional Septic System



Lawn Area South of Home



Looking East Along South Side of Home



Looking South Along Approximate Wetland Boundary

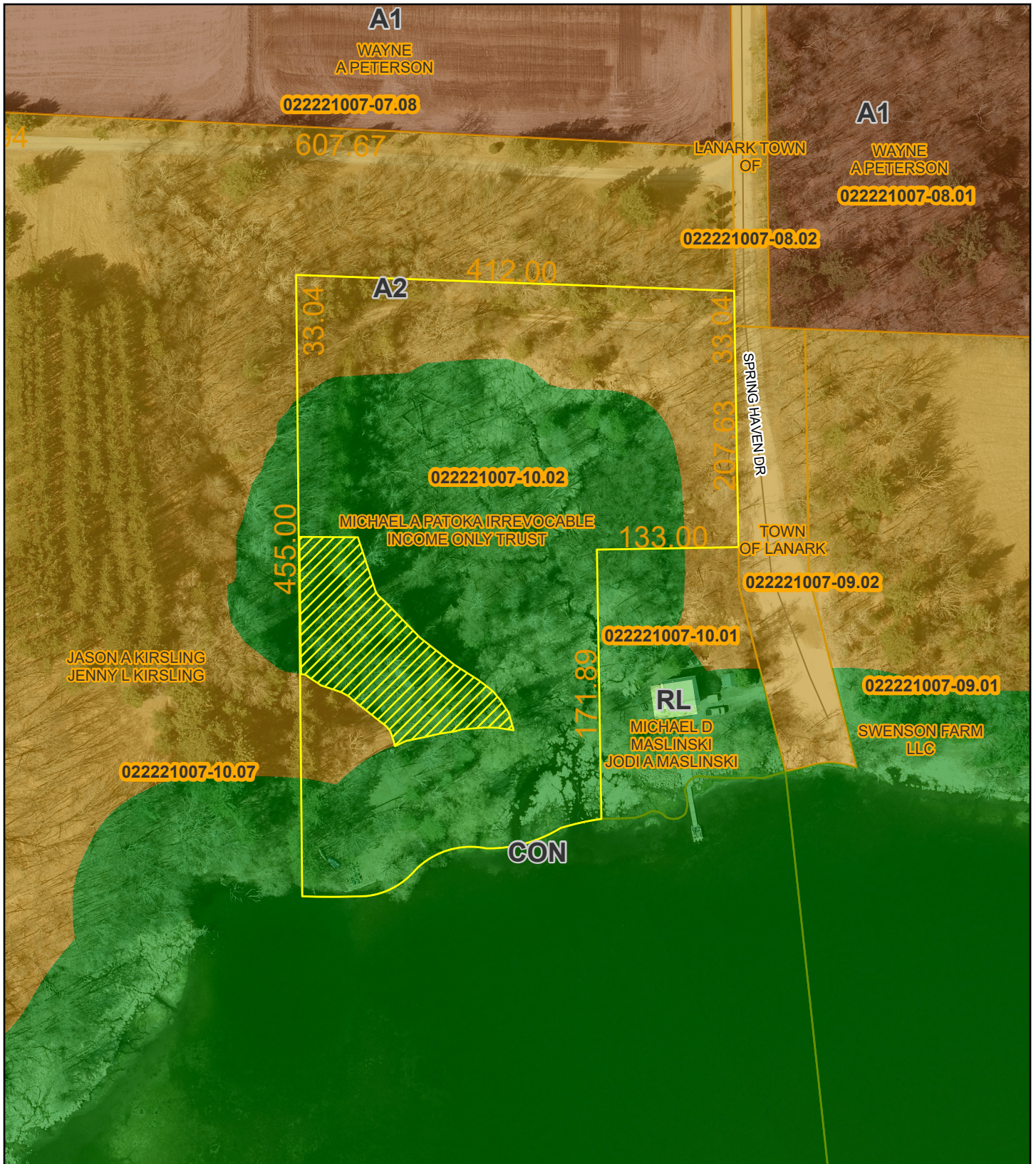


Looking West Along Spring Lake

Patoka Property Photos



Looking North Along Driveway



- Subject Parcel
- Parcel Boundaries
- Change from CON to A2

Proposed Zoning Change

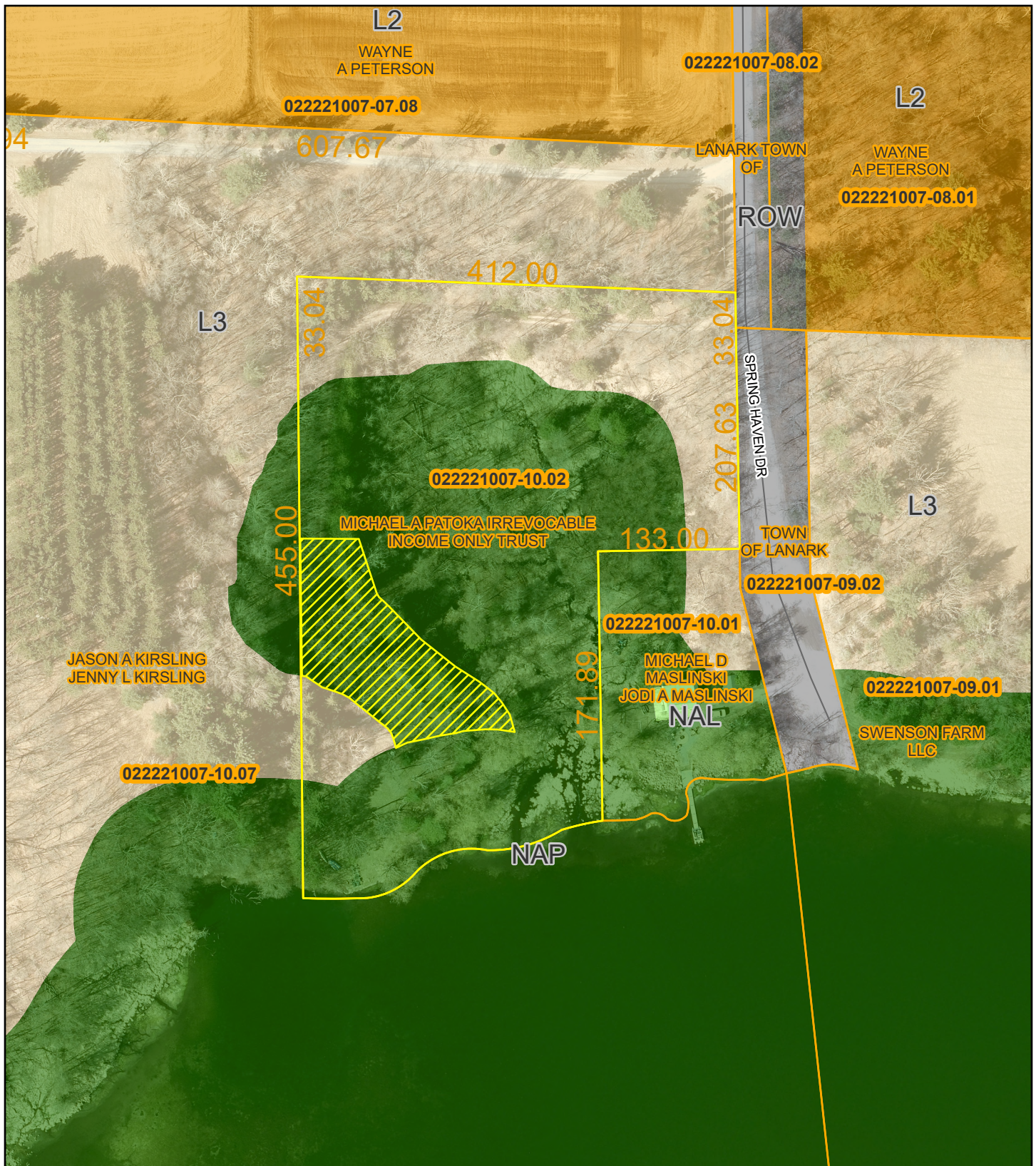
Inquirer: Michael Patoka

LOCATION: 5996 Spring Haven Dr
Amherst, WI 54406
Section 7, T22N, R10E, Town of Lanark

DESCRIPTION OF REQUEST: Change Future Land Use Designation of .43 acres from NAP to L3; Rezone .43 acres from CONSERVANCY to A2



0 80 160 Feet



Subject Parcel Parcel Boundaries Change from NAP to L3	Proposed Future Land Use Change Inquirer: Michael Patoka LOCATION: 5996 Spring Haven Dr Amherst, WI 54406 Section 7, T22N, R10E, Town of Lanark DESCRIPTION OF REQUEST: Change Future Land Use Designation of .43 acres from NAP to L3; Rezone .43 acres from CONSERVANCY to A2	
---	---	---

MICHAEL D MASLINSKI
JODI A MASLINSKI
6024 SPRING HAVEN DRAMHERST
WI 54406

SWENSON FARM LLC
5620 RIVEREDGE RDWAUNAKEE
WI 53597

MICHAEL A PATOKA /IRREVOCABLE
INCOME ONLY TRUST

5996 SPRING HAVEN DRAMHERST WI
54406

JASON A KIRSLING
JENNY L KIRSLING
5984 SPRINGHAVEN DRAMHERST
WI 54406

WAYNE A PETERSON

8988 OLD AMISH RDAMHERST WI
54406

WAYNE A PETERSON

8988 OLD AMISH RDAMHERST WI
54406