Summary of Proposal for 41 Park Ridge Drive

- Proposal presented to Village Board on May 19, 2025 by Jeff Disher/Disher Rentals, Rosholt, WI, to purchase the property at 41 Park Ridge Drive (former ODC/WIAA building) and remodel the building to studio apartments.

- Current building specs:
  - 11,000 sq. ft.
  - .64 acre lot
  - Municipal sewer and water service

- 41 Park Ridge Drive has been on the market for about 3 years (2022).

- Currently zoned "Business District", which is defined in Ordinance 17.04, Sect. 2.

- Business District specifically does NOT allow multiple family dwellings (Ord. 17.04, Sect. 2, A).

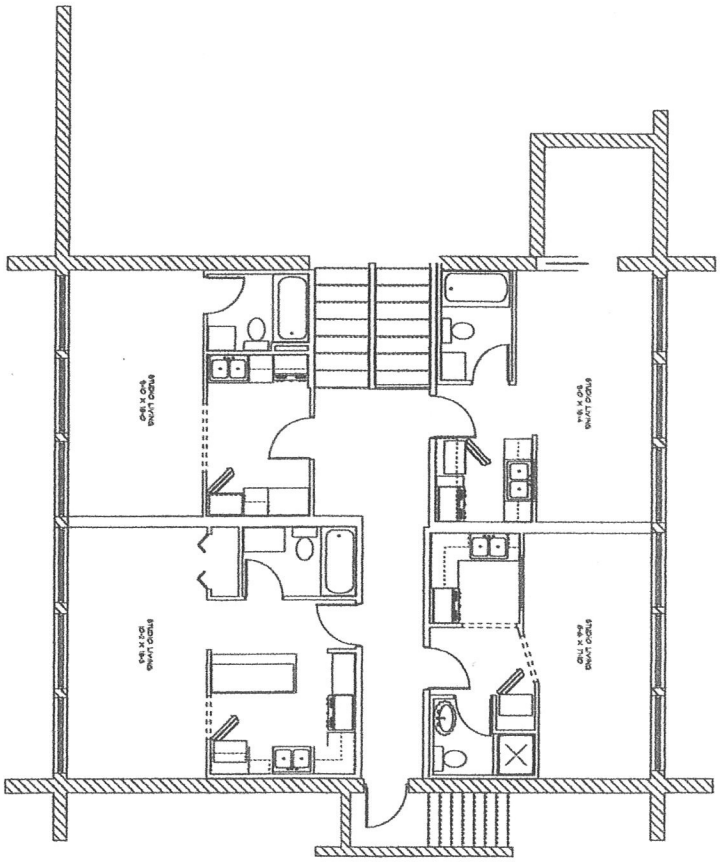
- Zoning Committee action, if any, serves only as a recommendation to the Village Board.

- Options to consider:
  - Recommend that buyer apply for a "use variance" – requires a fee from the applicant, and the decision by the Zoning Board of Appeals is final.
    - Variance would likely not meet the requirement of "necessary hardship".
    - Not recommended by experts
  - Recommend that Village Board amend Ord. 17.04, Sect. 2 to allow for multiple family dwellings.
    - Requires Village Board action and a Public Hearing
    - Recommended by experts

- Special considerations:
  - Village Ordinances currently do not allow multiple family dwellings, except for the properties within the Planned Unit Development (PUD; Odessa Court and Angelo Court). But, unlike most multi-family structures, properties in the PUD must be owner-occupied. The proposed development presumably would not be owner-occupied.
  - 41 Park Ridge Drive has been owned by a non-profit corporation and has been exempt from property tax. If the property is sold to a private owner (e.g., Disher Rentals) it would then become a taxable parcel, thus contributing the Village tax base (current market value of the existing building is $300,000-$400,000).

PRELIMINARY PLANS ONLY

LOWER LEVEL



DRAWN BY: MEB	
DATE:	5/19/25
SCALE:	NTS
JOB NO:	
SHEET	2
OF 0 SHEETS	

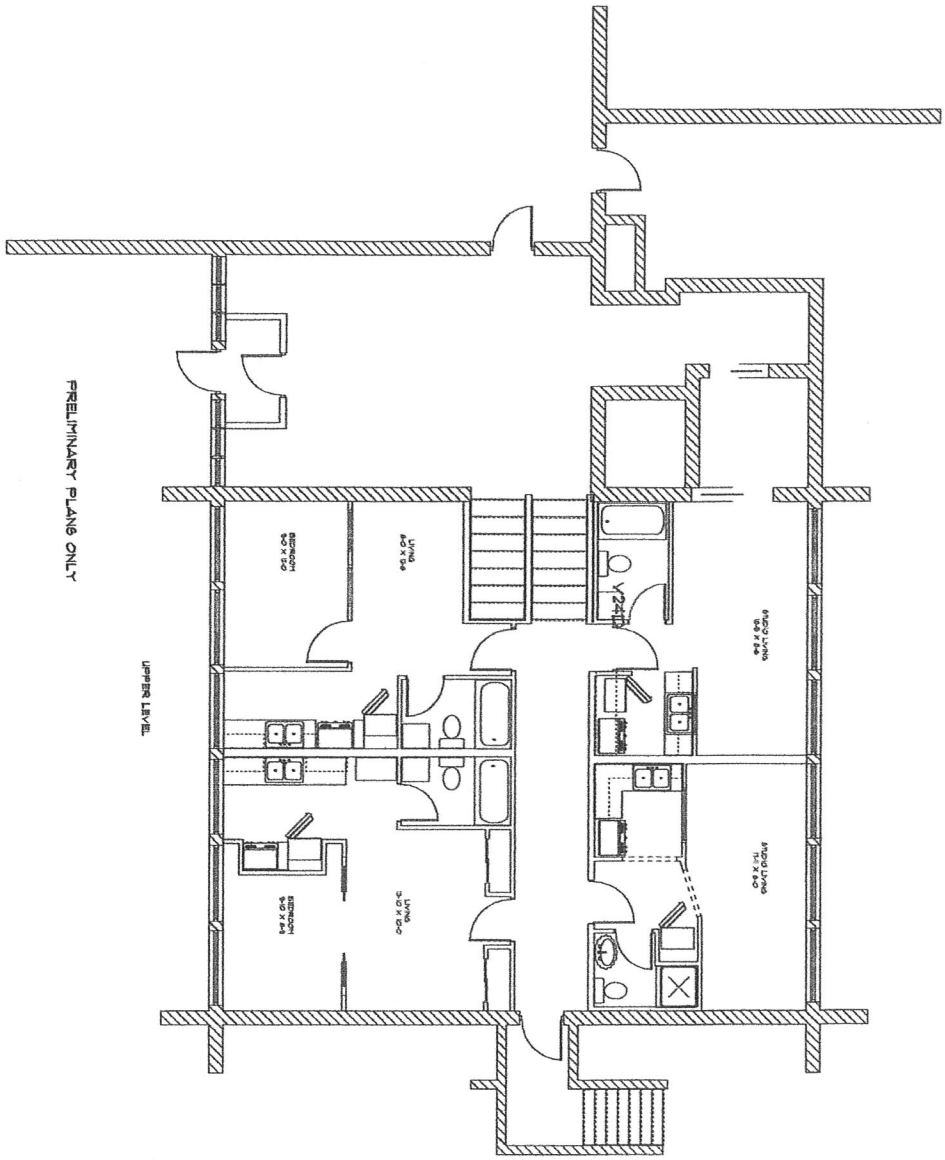
DISHER RENTALS

E. B. SOMMERS INC.

GENERAL CONTRACTORS
P.O. BOX 321
STEVENS POINT WIS. 54481 (715-344-5465)

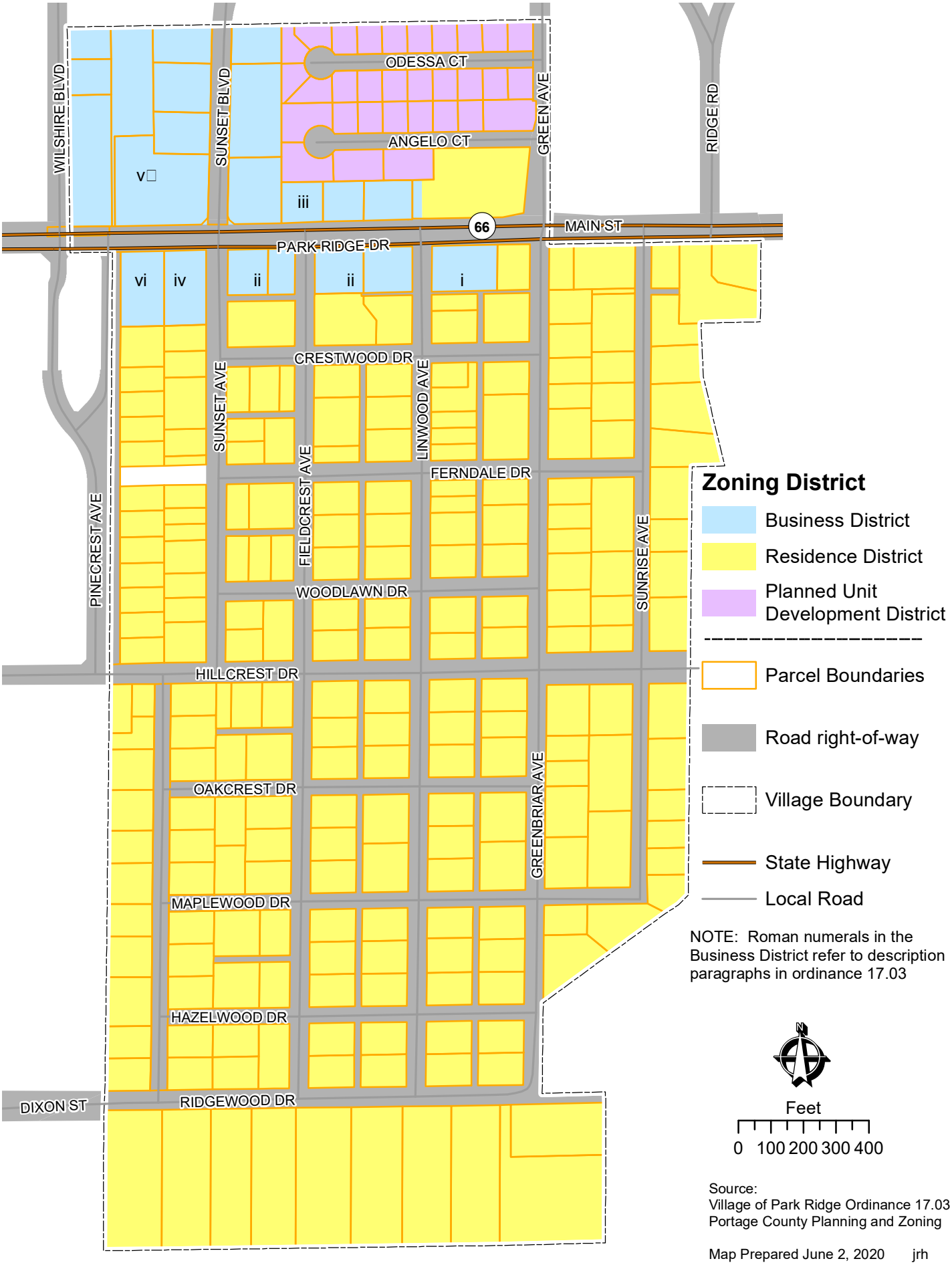
PRELIMINARY FLOOR PLAN

REVISIONS	DATE



OF 0 SHEETS 1	DRAWN BY: MEB DATE: 5/19/25 SCALE: NTS JOB NO: SHEET	DISHER RENTALS	E. B. SOMMERS INC. GENERAL CONTRACTORS P.O. BOX 321 STEVENS POINT WIS. 54481 (715-344-5465)	PRELIMINARY FLOOR PLAN	REVISIONS DATE

Village of Park Ridge
Zoning Map



Source:
Village of Park Ridge Ordinance 17.03
Portage County Planning and Zoning

Map Prepared June 2, 2020 jrh

Ordinance 17.03
Zoning Code - Districts (R82.4)

THE VILLAGE BOARD OF THE VILLAGE OF PARK RIDGE ORDAINS AS FOLLOWS:

Section I. DISTRICTS

1. The intent of this section is to restrict the location of trades, industries and other uses; to restrict the location of buildings designed, erected, altered, or occupied for specific purposes; to regulate and limit the height and size of buildings hereafter erected or altered; to regulate and determine the area of yards and other open spaces; to protect the groundwater that provides drinkable, potable water for every well in the Village of Park Ridge; and, to regulate and limit the density of population. The Village of Park Ridge is hereby divided into districts of which there shall be three (3) described as follows:

   A. **Business District**.

      The area included within these limits is known as the Business District:

      i. Lots 3, 4, 5, and 6 of block one of Viertel's first Subdivision, and

      ii. the north half of blocks two and three of Viertel's Subdivision on the south side of State Trunk Highway 66, and

      iii. the area included within the following description: beginning at a point on the north line of State Trunk Highway 66 on the center line of Linwood Avenue extended north thence in a northerly direction 200 feet, thence in a westerly direction and parallel to the north line of said State Trunk Highway 66 430 feet, thence in a northerly direction in a line parallel to the east line of Sunset Avenue to the north boundary line of the Village, thence west along said north boundary line to the center line of Sunset Avenue, thence south along said center line of Sunset Avenue to the north line of State Trunk Highway 66, thence in an easterly direction along said north line of State Trunk Highway 66 to the point of beginning, and

      iv. that area of land at the southwest corner of the intersection of State Trunk Highway 66 and Sunset Avenue in the Village of Park Ridge described as follows: Commencing at the intersection of the north line of Crestwood Avenue and the west line of Sunset Avenue marked with a concrete monument; thence north on the west line of Sunset Avenue 429.78 feet to a point marked by an iron pipe driven in the ground which is the beginning of this description; from the point of beginning north along the west line of Sunset Avenue 230 feet to the south line of Clark Street marked by a concrete monument; thence west on the south line of Clark Street 128.85 feet to a point marked by a concrete monument; thence south 230 feet to a point marked by an iron pipe driven in the ground, which is 128.90 feet west of the west line of Sunset Avenue; thence east 128.90 feet to the point of beginning,

      v. the area of land within the Village of Park Ridge which is bordered on the south by the north line of State Trunk Highway 66, on the north by the north boundary of the Village, on the east by the west line of Sunset Avenue, and on the west by the west boundary line of the Village of Park Ridge, and

      vi. that area of land on the south side of State Trunk Highway 66 described as follows: Commencing at the intersection of the west line of Sunset Avenue and the south line of Park Ridge Drive marked with a concrete monument; then west on the south line of Park Ridge Drive 128.85 feet to a point marked by a concrete monument which is the beginning of this description; from the point of beginning west along the south line of Park Ridge Drive 135 feet to the northwest corner of the parcel which is a point 30 feet east of the east line of Pinecrest Avenue; thence south a distance for 230 feet to the southwest corner of the parcel which is a point 30 feet east of the east line of Pinecrest Avenue;

thence 135 feet to the southeast corner of the parcel which is 129.1 feet west of the west line of Sunset Avenue; thence north 230 feet to the point of beginning.

B. **Planned Unit Development District**. That portion of territory within the Village limits as the Village Board upon petition by, and with the consent of the owners thereof, may subsequently place into this district, providing the requirements of Ordinance 17.04 and 17.05 have been met.

C. **Residence District**. The balance of the territory within the Village Limits of the Village of Park Ridge is known as the Residence District.

2. Except as hereinafter provided:

A. No building shall be erected, reconstructed, or structurally altered nor shall any building or land be used for any purpose other than is permitted in the district in which such building or land is located.

B. No building shall be erected, reconstructed, or structurally altered to exceed the height limit herein established for the district in which such building is located.

C. No lot area shall be so reduced or diminished that the yards or other open spaces shall be smaller than prescribed by this ordinance; no yard or open space provided about any building for the purpose of complying with the provisions of this ordinance shall be considered as providing a yard or open space for any other building; and no yard or open space on an adjoining premises shall be considered as providing a yard or open space on a lot whereon a building is to be erected.

Section II. EFFECTIVE DATE

This ordinance shall take effect upon passage and publication as provided by law.

Passed and adopted by the Village Board of the Village of Park Ridge on this seventeenth day of March, 2014.

Ordinance 17.04
District Regulations (R82.4)

THE VILLAGE BOARD OF THE VILLAGE OF PARK RIDGE ORDAINS AS FOLLOWS:

Section I. ROAD WIDTH

In the Village of Park Ridge, road widths shall generally be sixty (60) feet. Permission for lesser widths down to fifty (50) feet may be granted by the Village Board.

Section II. DISTRICT REGULATIONS

1. **Residence District Regulations**.

A. **Use Regulations**. In the residence district no building or land shall be used and no building shall be hereafter erected or structurally altered, unless otherwise provided in this ordinance, except for the following uses:

i. One-family dwellings. No new residence shall be constructed unless the construction value of such residence equals $50,000.00 or more exclusive of lot value and such residence as shown by the building plans contains a living space exclusive of basement of at least 1,500 square feet.

ii. Schools.

iii. Churches.

iv. Parks, playgrounds not conducted for profit.

v. One or two accessory buildings, not to exceed fifteen (15) feet in height and not to exceed a total square footage of 30% of the rear yard (see 17.01, Sect I, 26) or a maximum of 1,500 sq. ft., whichever is less. Accessory buildings must not be less than sixty (60) feet from the front line of the lot and not less than five (5) feet from any other lot line. In a lot zoned residential where no residence is built, no building may exceed nineteen (19) feet in height.

B. **Height Regulations**. In the residence district no building shall hereafter be erected or structurally altered to exceed twenty-seven (27) feet in height or two (2) stories in height.

C. **Area Regulations**.

i. **Front Yards**. On every lot in the residence district there shall be a front yard having a depth of not less than thirty (30) feet, provided, however, as follows:

a. Where lots comprising forty (40) percent or more of the frontage on one side of a block are developed with buildings at the time of the adoption of this ordinance, having an average front yard with a variation in depth of not more than eight feet, no building hereafter

erected or structurally altered shall project beyond the average front yard line so established, provided further that this regulation shall not be so interpreted as to require a front yard depth of more than forty-five (45) feet.

b. No front yard need exceed the average provided for the two adjoining buildings, one on either side thereof, if such two adjoining buildings are less than one hundred (100) feet apart.

ii. **Side Yards**.

a. On every lot in the residence district there shall be two (2) side yards, one on each side of the building. For every dwelling hereafter erected or structurally altered which does not exceed twenty-seven (27) feet in height nor two (2) stories in height or sixty (60) feet in length, neither of such side yards shall be less than eight (8) feet in width.

b. For every main building other than a dwelling and for every dwelling which exceeds twenty-seven (27) feet in height or two (2) stories in height or sixty (60) feet in length, neither of such side yard shall be less than ten (10) feet in width and the total width of such two (2) side yards shall not be less than twenty (20) feet.

c. The side yard regulations in a. and b. of this paragraph shall apply to all lots including corner lots, except that in the case of a reversed corner lot, which faces an intersecting street, the side yard on the street side of such reversed corner lot shall have a width not less than fifty (50) percent of the front yard depth required on the lots in the rear of such reversed corner lot, and no accessory building on such reversed corner lot shall project beyond the front yard line of the lots in the rear of such reversed corner lot provided, however, that this regulation for reversed corner lots shall not have the effect of reducing the buildable width for the main building, to less than twenty-six (26) feet or for an accessory building to less than twenty (20) feet on any lot of record at the time of the adoption of this ordinance.

iii. **Rear Yards**. On every lot in the residence district there shall be a rear yard having a depth of not less than twenty (20) percent of the depth of the lot, provided such rear yard need not exceed thirty (30) feet in depth.

iv. **Application of Setback Requirements.** Where the side or rear yard includes an easement, the setback will be measured from the property line and the easement may be used to meet setback requirements; however, no construction may encroach into the easement. Where the side or rear yard abuts an alley, the setback will be measured from the edge of the alley closest to the yard (property line) and the alley will not be used to meet setback requirements.

2. **Business District Regulations**.

A. **Use Regulations**. In the business district no building or land shall be used and no building shall be hereafter erected or structurally altered, unless otherwise provided in this ordinance, except for retail sales use compatible with surrounding uses. In no event shall the following uses be permitted:

i. Laundry employing more than five (5) persons on the premises.

ii. Lumber yard.

iii. Sale or distribution of gasoline or petroleum products, service stations, or any type of servicing or repair of any type of motorized vehicle, small engine or marine-type engine.

iv. Multiple family dwelling.

v. Tavern.

vi. Liquor store.

vii. Sales of items normally intended for immediate consumption, unless the premises provide space and facilities to accommodate such consumption.

viii. Any use not compatible with surrounding uses.

B. **Height Regulations**.

i. In the business district no building hereafter erected or structurally altered shall exceed twenty-seven (27) feet in height at its lowest point of roof access or two (2) stories.

ii. Where lots comprising more than one-half (½) of the frontage on one (1) side of a block are zoned residence and the lots comprising the remainder of said frontage are zoned business the height regulations for the residence district shall apply to the lots zoned business.

C. **Area Regulations**.

i. **Side Yards**. In the business district no side yard shall be required except as follows:

a. Buildings erected for dwelling purposes exclusively shall comply with the side yard regulations of the residence district.

b. Where a building is erected for mixed use, namely, for both dwelling and business purposes, each story of such building used in any part for dwelling purposes shall, if more than two (2) rooms in depth, be provided with two (2) side yards, one (1) on each side of the building, neither of which shall be less than eight (8) feet in width, provided, however, that this regulation shall not apply to the street side of a corner lot.

c. Where a lot abuts upon the side of a lot zoned residence there shall be a side yard of not less than five (5) feet in width.

d. Every side yard that is provided, where not required by these regulations, shall be not less than three (3) feet in width.

ii. **Rear Yards**. On every lot in the business district there shall be a rear yard having a depth of not less than twenty (20) percent of the depth of the lot,

provided, however, that the depth of such rear yard need not exceed twenty-five (25) feet for an interior lot nor fifteen (15) feet for a corner lot.

iii. **Front Yards**. On every lot in the business district there shall be a front yard depth of not less than forty (40) feet.

3. **Planned Unit Development District Regulations**.

A. **Purpose and Use Regulations**. This district is intended to permit and promote, pursuant to Section 62.23(7)(b) of the Wisconsin Statutes, development that would derive maximum benefit from: coordinated area site planning, diversified location of structures, and mixed compatible uses, resulting in the provision of a safe efficient system for pedestrian and vehicular traffic, attractive recreation and landscaped open spaces, economic design and location of public and private utilities and community facilities, and insuring adequate standards of construction and planning. Accordingly, the unified and planned development of a site, in single or corporate ownership or control at the time of application under this section, may be permitted in this District upon petition of the owners without the customary division into individual lots on public streets, or without specific compliance with the residence or business district regulations of this Ordinance as applicable to individual lots, subject to the regulations established hereinafter.

In the PUD District no buildings or land shall be used and no building shall hereafter be erected, except for:

i. One-family dwellings, two-family dwellings, multiple-family dwellings.

ii. Parks, playgrounds, not conducted for profit.

iii. Clubs, excepting those the chief activity of which is a service customarily carried on as a business.

iv. Offices, or customer service establishments or retail businesses compatible with offices and with adjacent residential uses by virtue of hours of operation, traffic, nature of products sold, or services rendered.

v. Accessory buildings or uses customarily incident to the above permitted uses including private roads, and off-street parking.

B. **Height Regulations**. In this district no building shall be erected or altered to exceed twenty-seven (27) feet in height at its lowest point of roof access or two (2) stories.

C. **Area Regulations**. Around the periphery of lands included within the district, front yards, side yards, and rear yards where they abut neighboring property or a public street shall be no less than are required by Subsection One Residence District Regulations. Stricter limitations in Section I.3.F (below) will also apply. Other internal yard spaces shall be approved as specified within Ordinance 17.05 hereof.

D. **Minimum Residential Floor Area**. Dwelling Units exclusive of basements shall contain no less floor area than as approved in accord with Ordinance 17.05 hereof.

E. **Minimum Project Area**. No lands shall be placed in this district unless the proposed development encompasses the following minimum areas:

Proposed Principal Uses	**Minimum Project Size**
Residential & Open Space Uses	100,000 Square Feet
Mixed Compatible Uses	100,000 Square Feet

F. **Limitations**.

i. No buildings shall be located on any lot nearer than 25 feet to the front lot line; nor nearer than 20 feet to the rear lot line; nor nearer than 38 feet total for both sides. Minimum of 19 feet on any one side, with the exceptions of cul-de-sac lots #5 and #6, which have minimum side yard setbacks of 10 feet on each side.

ii. Secondhand homes, mobile homes, basements, tents, shacks, garages, barns or any other outbuildings are not to be erected or moved onto any lot to be left on or lived in either temporarily or permanently. One outbuilding not larger than 100 square feet shall be permitted for the storage of boats, snowmobiles, garden equipment, etc., provided they are of similar design and finish of the house erected on said lot.

iii. Any vehicles or trailers, recreational or otherwise, when not in use shall be stored in the garage of the properties they occupy.

iv. No animals, livestock, pets, poultry of any kind shall be raised, bred or kept on any Lot or unit parcel, except that household pets for personal, noncommercial purposes of the unit occupants may be kept, provided they are housed within the interior of the living unit. No pets shall be kept outside of the living unit unless on a leash not exceeding 10 ft. in length and attended by the presence and control of the owner and/or a family member.

v. Any fences must be approved by the Village Building Inspector. Fences are permitted only in the rear yards. No fence shall be constructed closer than 2 feet from any property line or the line which would be the extension of the common party wall separating the units unless a letter signed by the adjacent property owner granting permission for a fence erected on the lot line is submitted to the Village Building Inspector. No fence shall be more than 6 feet high.

vi. All utilities, including phone, cable, gas, electricity will be buried underground.

vii. Lots will be sold for owner occupancy, but the owner of an entire twin home may rent out one unit if said owner occupies the other unit. Lot 2 (39 & 41 Angelo Court), Lot 3 (35 & 37 Angelo Court) and Lot 4 (31 & 33 Angelo Court) with frontage on the south side of Angelo Court may have non-owner-occupied twin homes, provided the renter occupants are over the age of 55.

viii. All units may only be occupied by a single family, as defined by Park Ridge municipal codes.

Section III. SEVERABILITY

The provisions of this ordinance are severable. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application.

Section IV. EFFECTIVE DATE

This ordinance shall take effect upon passage and publication as provided by law.

Passed and adopted by the Village Board of the Village of Park Ridge on this sixteenth day of December, 2019.

s/ _____
Steve Bergin
Village President

s/ _____
Kathy Bemowski
Village Clerk

Attest: s/ _____
Kathy Bemowski
Village Clerk

From: **Markham, Lynn** lmarkham@uwsp.edu
Subject: Zoning question
Date: June 3, 2025 at 3:07 PM
To: Steve Menzel smenzel@vi.parkridge.wi.gov

LM

Hi Steve,

Good to talk with you.

A brief summary about options for the multi-unit proposal in a commercial zoning district:

Use variances permit a landowner to put a property to an otherwise prohibited use. Use variances are legal if your zoning ordinance doesn't prohibit them, but they are not recommended because use variances can allow a large land use change by the appointed Board of Appeals members in one meeting without input from the Zoning Committee or Village Board. In addition, the standards to grant a use variance include no reasonable use of the property in the absence of a variance, which is likely not met. You can see more about use variances and area/dimensional standards on page 103 (at the top of the screen) in the Zoning Board Handbook.

The Village's commercial zoning district could be amended to allow multi-unit residential uses in addition to commercial uses. This combination of uses isn't likely to be problematic if your commercial uses do not emit toxic chemicals (e.g. gasoline, solvents) and are not so noisy as to disturb neighbors. If the commercial district included multi-unit residential uses, then a rezone would not be necessary if the proposal was submitted after the ordinance amendment was made. You may want to see the City of SP's zoning code that includes a Neighborhood Business District on page 67 (top of screen) that includes a limited range of commercial uses, plus most residential uses; an example of mixed commercial and residential uses in one zoning district.

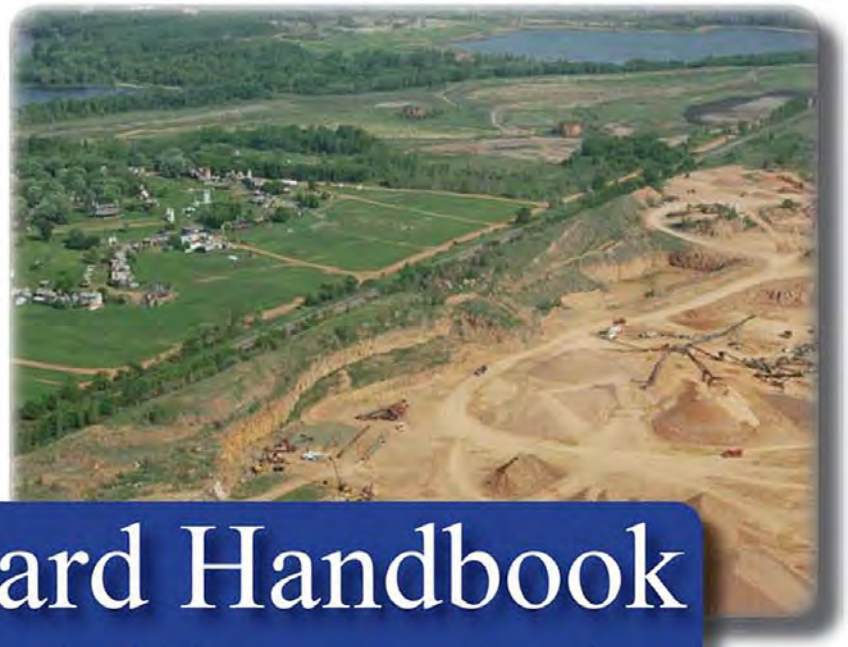
The Village could amend the zoning ordinance to add a separate multi-unit residential district. In this case, a rezone would be necessary for the proposal after the amendment. I see the City of Stevens Point zoning ordinance contains three multi-unit residential zoning districts to consider.

Let me know if you have questions.

Thanks,

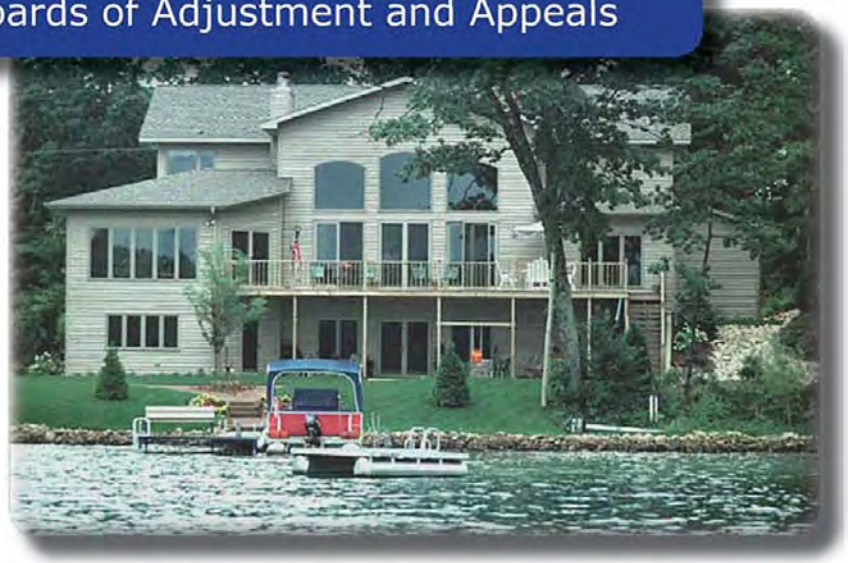
Lynn

Lynn Markham
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Zoning Board Handbook

For Wisconsin Zoning Boards of Adjustment and Appeals



2nd Edition
2006

Lynn Markham
and Rebecca Roberts
Center for Land Use Education



Center for Land Use Education
College of Natural Resources
University of Wisconsin-Stevens Point

Extension
UNIVERSITY OF WISCONSIN-MADISON

AREA VARIANCES AND USE VARIANCES

What is the difference between an area variance and a use variance?

It may not always be easy to determine if an applicant is seeking an area variance or a use variance. It is arguable that a large deviation from a dimensional standard, or multiple deviations from several dimensional standards on the same lot, may constitute a use variance instead of an area variance. For example, allowing significantly reduced setbacks could have the same effect as changing the zoning from one residential zoning district that requires significant setbacks and open space to a second residential zoning district that has minimal setbacks and open space.

Based on majority opinions of the Wisconsin Supreme Court,[164] it appears that, in order to draw the line between area variances and use variances, zoning boards should consider the degree of deviation from each dimensional standard for which a variance is sought in order to determine if the requested variance would "permit wholesale deviation from the way in which land in the [specific] zone is used." [165] A proactive community seeking to consistently differentiate between area variances and use variances could adopt an ordinance provision similar to the following:

Unless the board of adjustment finds that a property cannot be used for any permitted purpose, area variances shall not be granted that allow for greater than a ___% (or ___ foot) deviation in area, setback, height or density requirements specified in the ordinance.

Why are use variances discouraged?

Wisconsin Statutes do not specifically prohibit use variances. However, courts recognize that they are difficult to justify because they may undermine ordinance objectives and change the character of the neighborhood.[166] Some Wisconsin communities prohibit use variances in their ordinances. There are a number of practical reasons why they are not advisable:

- **Unnecessary hardship must be established in order to qualify for a variance.** This means that without the variance, none of the uses allowed as permitted or conditional uses in the current zoning district are feasible for the property. This circumstance is highly unlikely.
- **Many applications for use variances are in fact administrative appeals**. Often the zoning board is asked to determine whether a proposed use is included within the meaning of a particular permitted or conditional use or whether it is sufficiently distinct as to exclude it from the ordinance language. Such a decision is not a use variance but an appeal of the administrator's interpretation of ordinance text.
- **Zoning amendments are a more comprehensive approach than use variances.** When making map or text amendments to the zoning ordinance, elected officials consider the larger land area to avoid piecemeal decisions that may lead to conflict between adjacent incompatible uses and may undermine neighborhoods and the goals established for them in land use plans and ordinances. Towns also have meaningful input (veto power) on zoning amendments to general zoning ordinances.

[164] *State ex rel. Ziervogel v. Washington County Bd. of Adjustment*, 2004 WI 23, 269 Wis. 2d 549, 676 N.W.2d 401 and *State v. Waushara County Bd. of Adjustment*, 2004 WI 56, 271 Wis. 2d 547, 679 N.W.2d 514.

[165] *State ex rel. Ziervogel v. Washington County Bd. of Adjustment*, 2004 WI 23, 269 Wis. 2d 549, 676 N.W.2d 401

[166] *State v. Kenosha County Bd. of Adjustment*, 218 Wis. 2d 396, 412 fn. 10, 577 N.W.2d 813 (1998); *Snyder v. Waukesha County Zoning Bd. of Adjustment*, 74 Wis. 2d 468, 473, 247 N.W.2d 98 (1976).