

Staff Report

Date: May 1, 2020

To: Town of Mukwonago Plan Commission

From: Tim Schwecke, Town Planner

Subject: Special exception for property located at W298S6560 Holiday Road for floor area of detached accessory building pursuant to s. 82-25(b)(3) of the zoning code and for building height pursuant to s. 82-23(d) of the zoning code; Leslie and Michael Rather, applicant, applicant

Application: 2020-14; <https://s.zoninghub.com/CTUQ58VHV9>

Meeting: May 6, 2020 Plan Commission and Town Board meeting

Leslie and Michael Rather own the property at W298S6560 Holiday Road. The parcel is about 4 acres and is zoned Agriculture (A-1). It is not in county shoreland.

The owner will be building a new home on the property and wants to construct an accessory building at the same time. Two special exceptions are needed to allow the accessory building as planned.



(1) SPECIAL EXCEPTION FOR FLOOR AREA OF DETACHED ACCESSORY BUILDING

The proposed accessory building has a floor area of 1,892 square feet ($1,680 + 212 = 1,892$).

Based on the zoning (A-1) and size of the property (4 acres), the maximum floor area that would be allowed is 1,400 square feet (1,300 sf plus 100 sf based on lot size), except when a special exception is granted to exceed that amount as set forth in s. 82-25(b)(3) of the zoning code.

Building Inspector review Scott Johnson has reviewed the petitioner's request as required by the zoning code and has recommended approval.

Public notice Aside from being shown on a published meeting agenda, no other public notice is required unless the Plan Commission would like to notify surrounding property owners.

Review procedure The Plan Commission reviews and decides this type of special exception. To grant or conditionally grant the special exception, the Plan Commission must find that the requested attached garage or accessory structure (1) will not be adverse to the public health, safety or welfare; (2) will not be in conflict with the spirit or intent of this chapter; and (3) will not otherwise be detrimental to the town or the immediate neighborhood where the structure would be located.

Imposition of conditions In granting approval, the Plan Commission may "impose reasonable conditions including screening and landscaping if appropriate."

Motion by Plan Commission for approval: Approve the special exception for floor area based on the findings and conditions of approval listed below.

Findings: The accessory structure (1) will not be adverse to the public health, safety or welfare; (2) will not be in conflict with the spirit or intent of this chapter; and (3) will not otherwise be detrimental to the town or the immediate neighborhood where the structure would be located.

Conditions:

1. The property owner must obtain a building permit for the approved building within 9 months of this date and complete the authorized work within one year of obtaining the permit.

(2) SPECIAL EXCEPTION FOR HEIGHT OF DETACHED ACCESSORY BUILDING

The proposed detached building has a roof height of 16.5 feet. Accessory buildings in the A-1 district have a maximum height of 15 feet.

Section 82-23(d) of the zoning code gives the Plan Commission the authority to approve taller buildings but not more than an additional 10 feet, provided the building is setback from the adjoining property an additional foot for every additional vertical foot.

The location of the proposed building as depicted on the site plan complies with the additional offset/setback based on the proposed height - minimum offset of 22 feet ($20' + 2' = 22'$) and minimum setback of 52 feet ($50' + 2' = 52'$).

Public notice Aside from being shown on a published meeting agenda, no other public notice is required.

Review procedures The Plan Commission reviews and decides special exceptions.

Motion by Plan Commission for approval: Approve the special exception for building height based on a finding that the location will comply with the more stringent setback and offset requirements provided the property owner obtains a building permit for the approved building within 9 months of this date and completes the authorized work within one year of obtaining the permit.

Attachments:

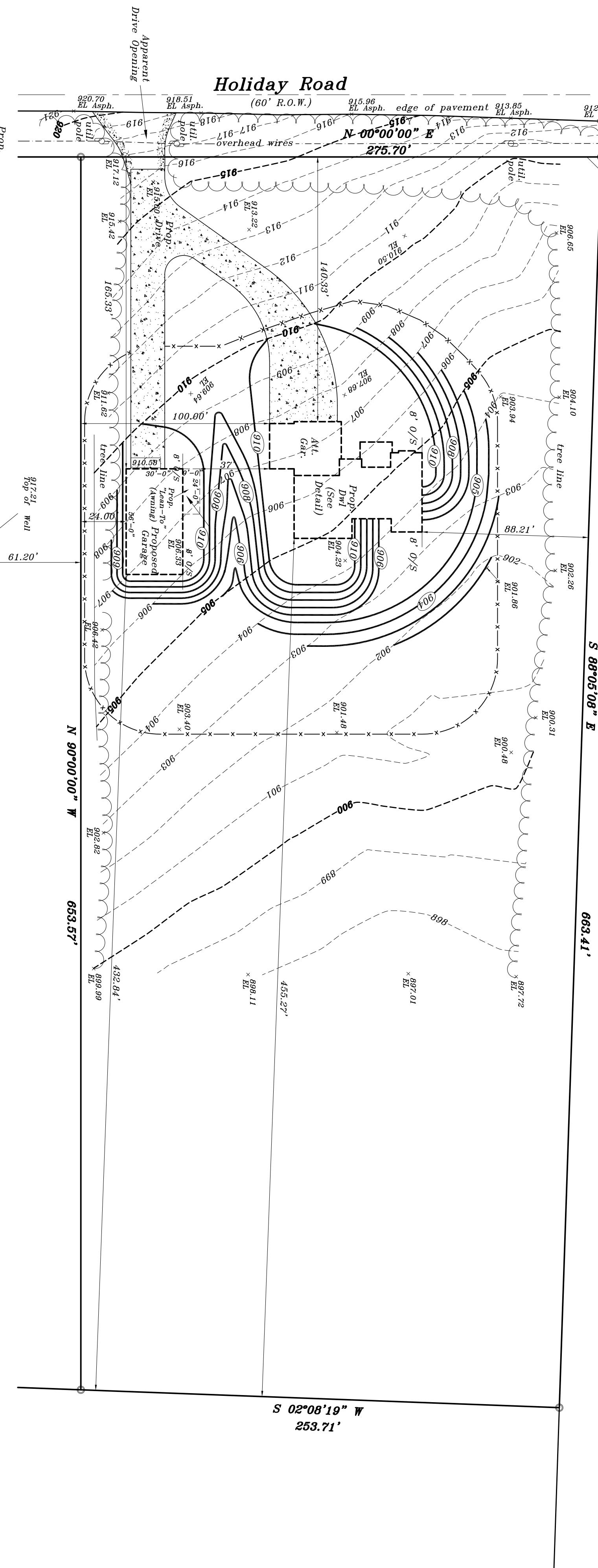
1. Application materials

LOCATION: *Minneapolis* *Minneapolis* *Minneapolis* *Minneapolis* *Minneapolis*

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LEGAL DESCRIPTION: A Tract of land being a part of Lot 1 of Certified Survey Map No. 7944, Volume 68, Page 294, being a part of the Southwest 1/4 of the Northwest 1/4 of Section 1, Town 5 North, Range 18 East, in the Town of Mukwonago, County of Waukesha, State of Wisconsin, bounded and described as follows: Commence at the center 1/4 corner of said Section; thence N 00°00'00" E for a distance of 769.25 feet, along the West line of said 1/4 Section, to a point; thence N 90°00'00" E for a distance of 33.00 feet, to a point being the Southwest corner of said Lot 1; thence N 00°00'00" E for a distance of 275.70 feet, continuing along the West line of Lot 1, to a point being the Northwest corner of said Lot 1; thence S 02°08'19" W for a distance of 253.71 feet, along the East line of said Lot 1, to a point being the Northeast corner of said Lot 1; thence N 90°00'00" W for a distance of 653.57 feet, parallel to the South line of said Lot 1, to the point of beginning. Contains 4.000 acres.

SUGAR: INDIA'S



I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY, AND THAT THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE STRUCTURES AND DIMENSIONS OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENT, IF ANY.

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE YEAR FROM THE DATE HEREON.

A red circular emblem with a serrated outer edge. The words "WISCONSIN" and "LAND SURVEYOR" are repeated twice around the perimeter in a stylized font. The center contains the text "DENNIS C. SAUER S-2421 Franklin, WI" and features three five-pointed stars.

Proposed finished yard, 1st floor or top of foundation grade shown on this drawing is a suggested grade and should be verified by the owner, builder or municipality

METROPOLITAN SURVEY SERVICE, INC.

PROFESSIONAL LAND SURVEYORS AND CIVIL ENGINEERS

9415 West Forest Home Avenue, Suite 202
Hales Corners, Wisconsin 53130

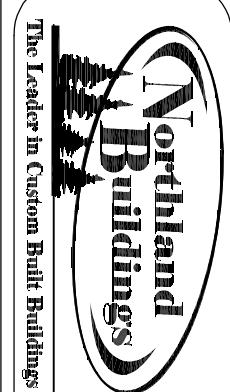
PH. (414) 529-5380 FAX (414) 529-9787
email address: survey@metropolitansurvey.com

◎ — Denotes Iron Pipe Found

000.0 — Denotes Proposed Grade

—x—x—x— Denotes Proposed Silt Screen

Westridge Builders
Leslie Rather



ENGINEERING DEPARTMENT

2894 58th Street
Eau Claire, WI 54703
Fax (715) 874-4213
Office (715) 874-4211

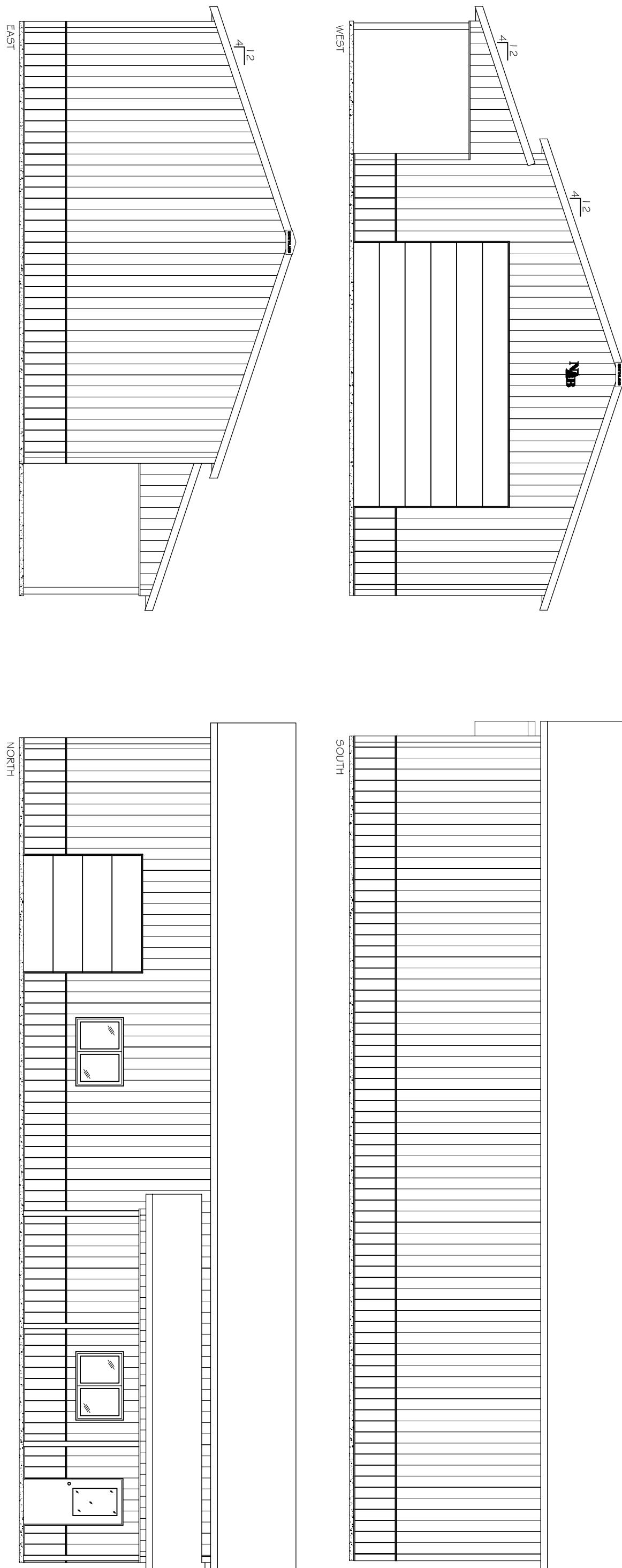
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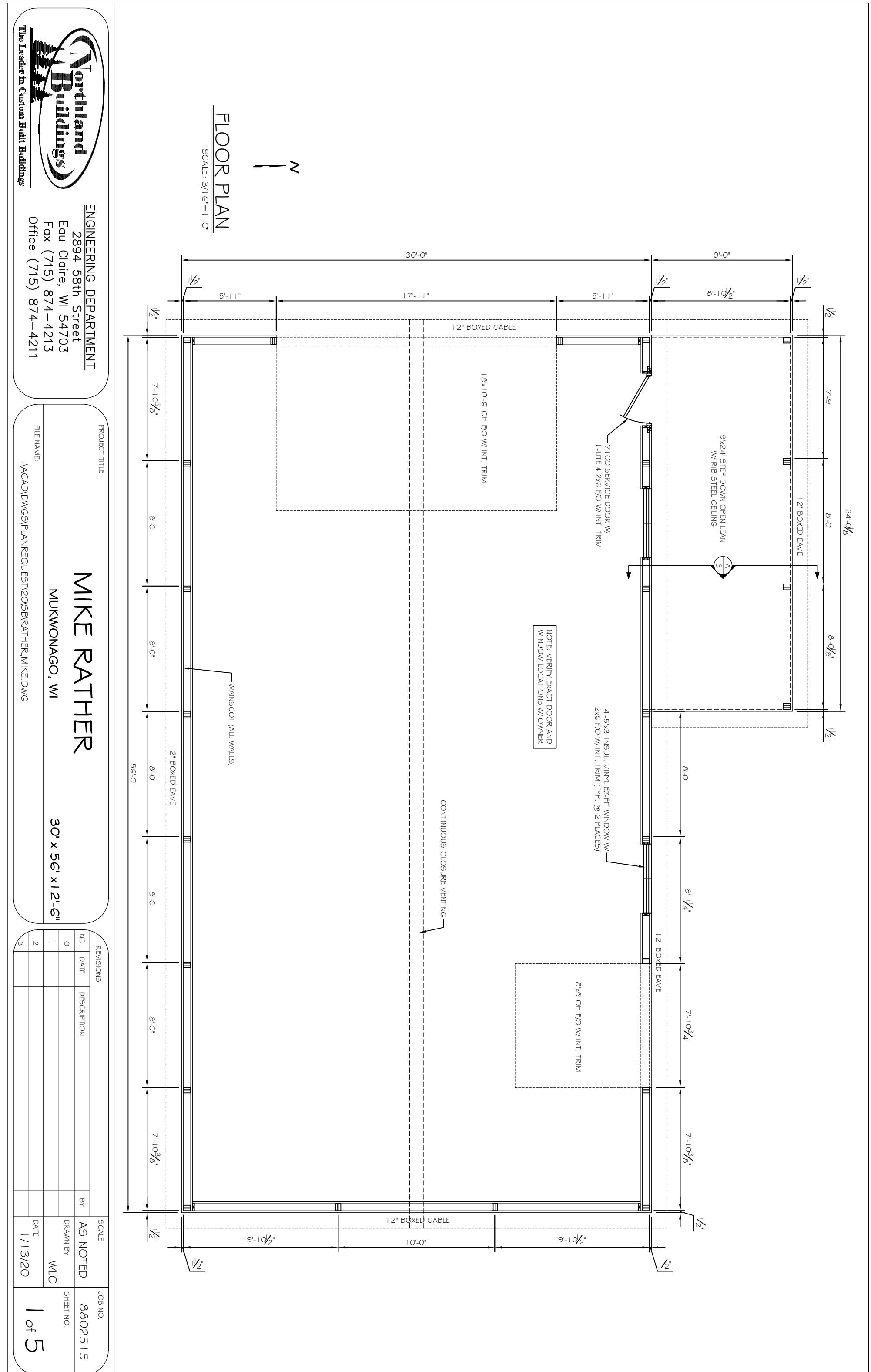
MIKE RATHER

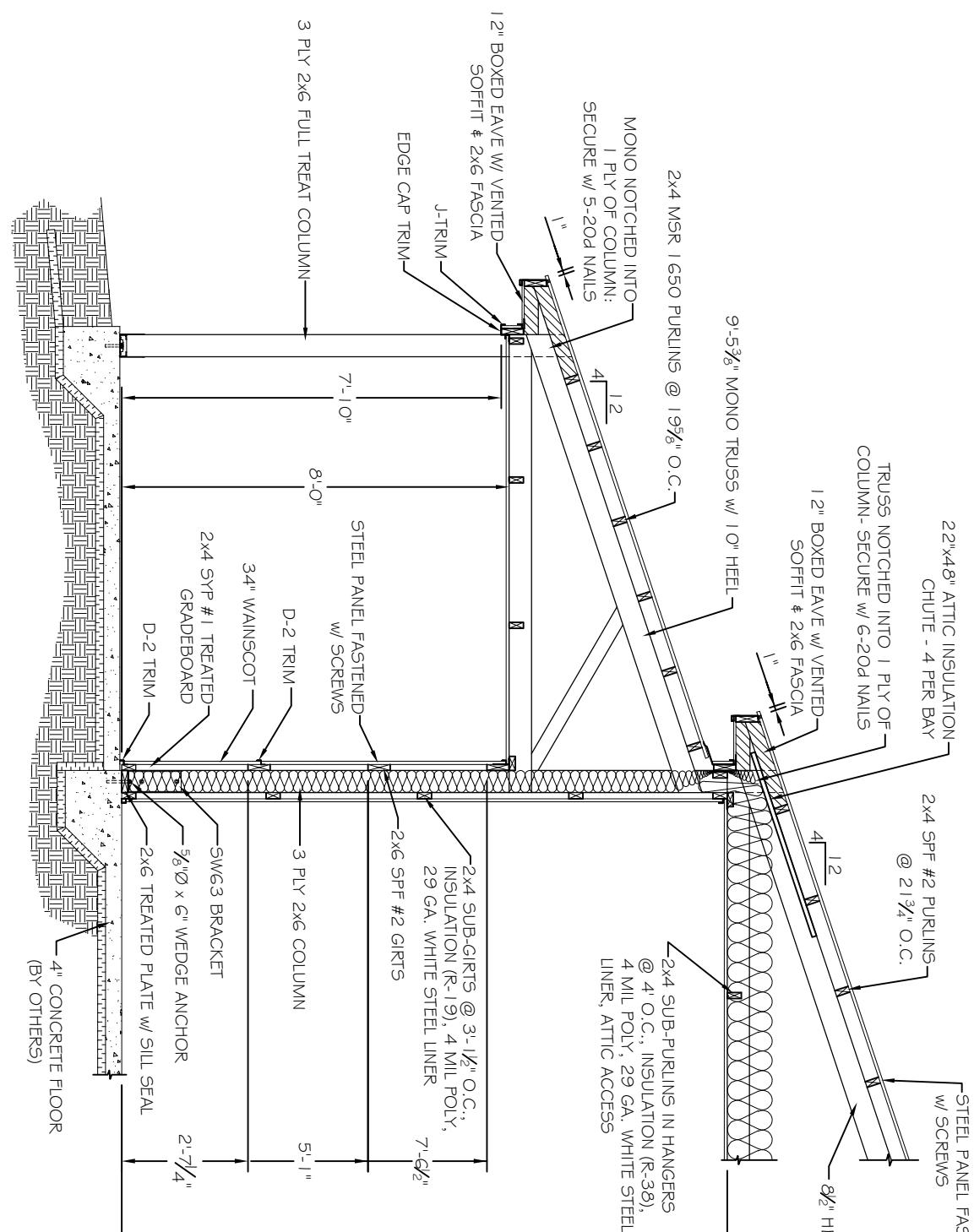
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ELEVATIONS
NOT TO SCALE







A
3
WALL SECTION
NOT TO SCALE

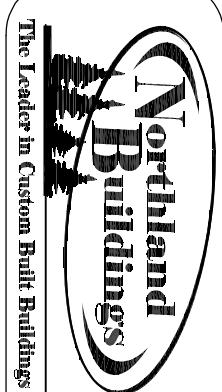
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Buildings**
The Leader in Custom Built Buildings

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Eau Claire, WI 54703
Fax (715) 874-4213
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PROJECT TITLE
MIKE RATHER
MUKWONAGO, WI
30' x 56' x 12'-6"

FILE NAME:
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REVISIONS		SCALE AS NOTED	JOB NO. 8802515
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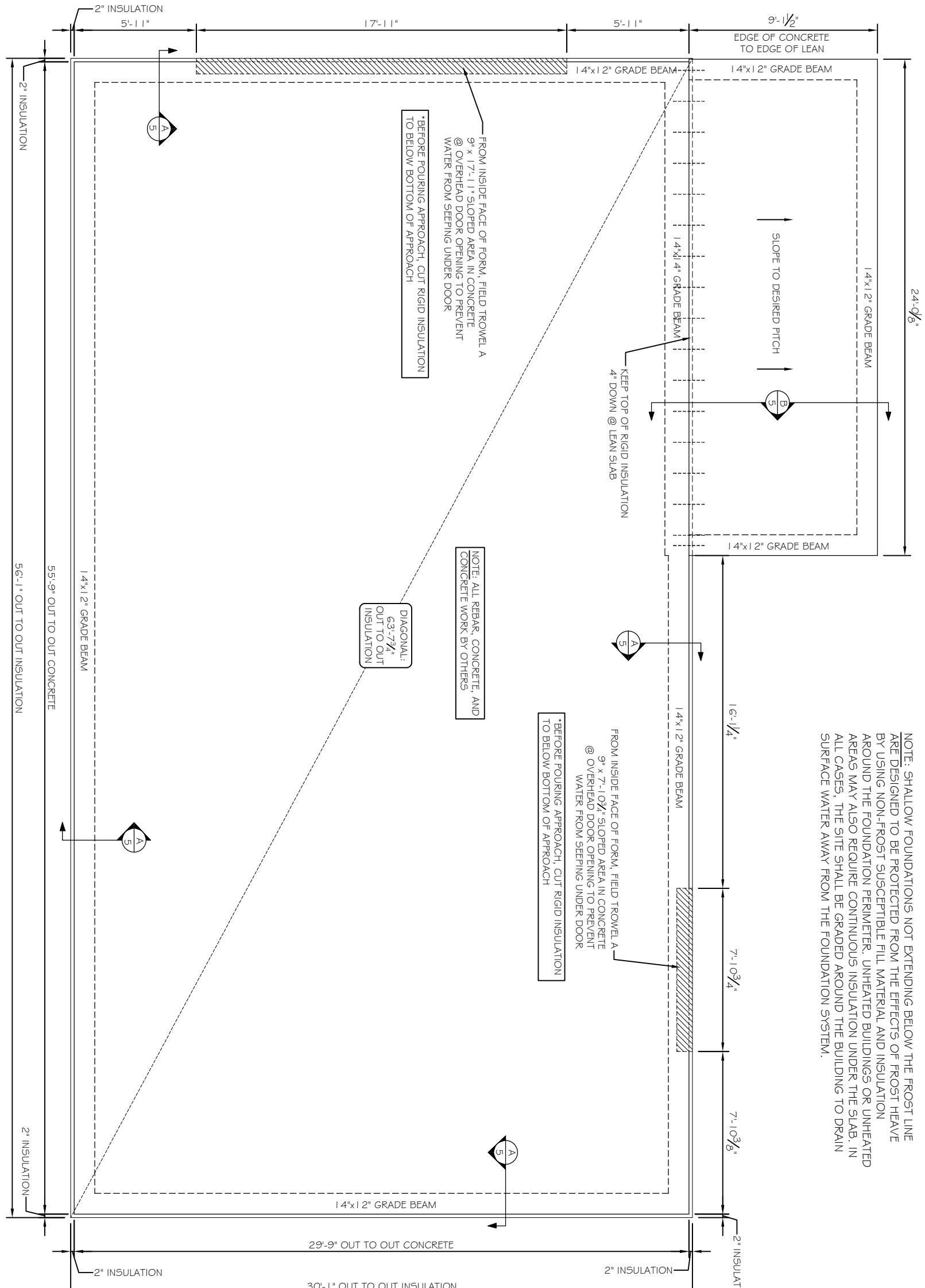


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Eau Claire, WI 54703
Fax (715) 874-4213
Office (715) 874-4211

FILE NAME: I:\ACAD\DWG\\$PLANREQUEST\205BIRATHER,MIKE.DWG
MIKE RATHER
MUKWONAGO, WI

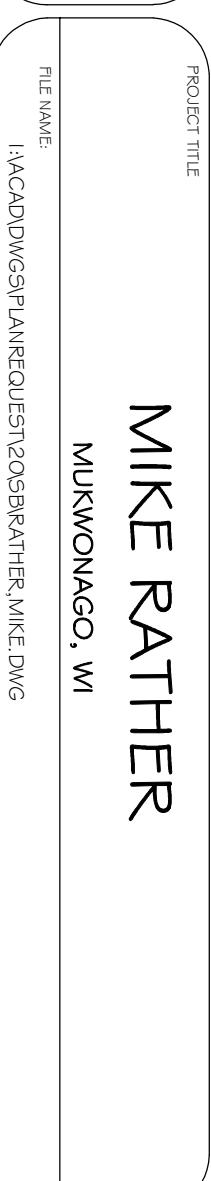
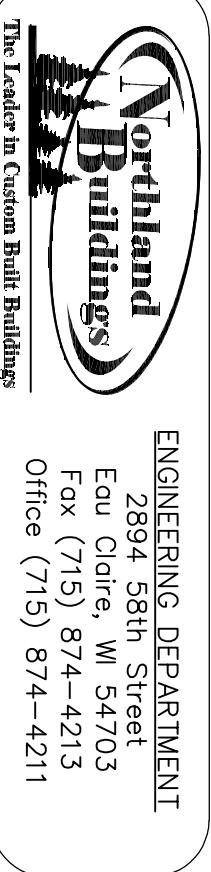
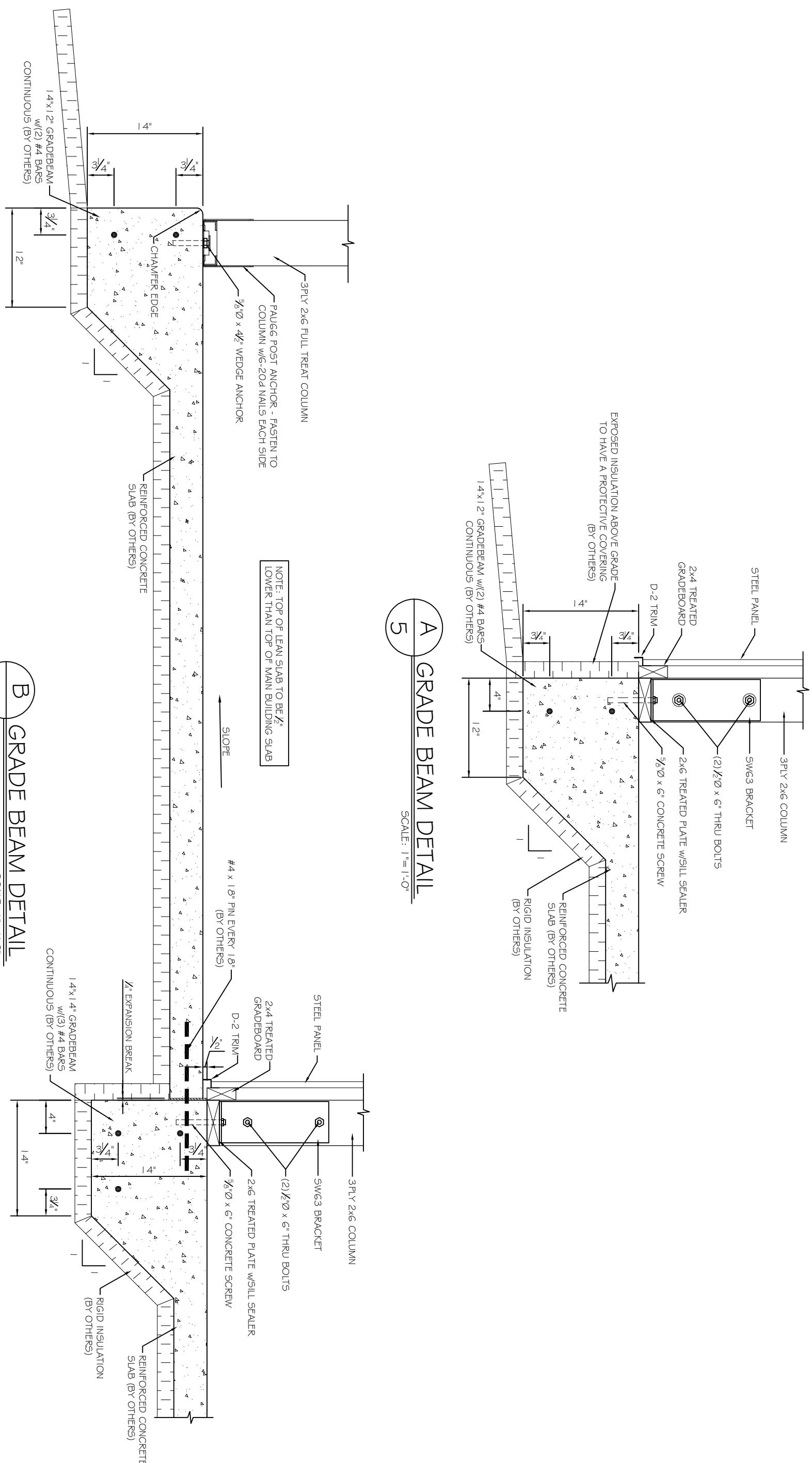
FOUNDATION PLAN

$$\frac{\partial}{\partial t} \mathbf{A} = \mathbf{N}$$



NOTE: SHALLOW FOUNDATIONS NOT EXTENDING BELOW THE FROST LINE ARE DESIGNED TO BE PROTECTED FROM THE EFFECTS OF FROST HEAVE BY USING NON-FROST SUSCEPTIBLE FILL MATERIAL AND INSULATION AROUND THE FOUNDATION PERIMETER. UNHEATED BUILDINGS OR UNHEATED AREAS MAY ALSO REQUIRE CONTINUOUS INSULATION UNDER THE SLAB. IN ALL CASES, THE SITE SHALL BE GRADED AROUND THE BUILDING TO DRAIN SURFACE WATER AWAY FROM THE FOUNDATION SYSTEM.

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REVISIONS		SCALE AS NOTED	JOB NO. 8802515
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