

Special Exception Application

Town of Eagle (Waukesha County), Wisconsin

Town of Eagle
820 E. Main Street
Eagle, WI 53119

Overview: Upon written petition, the Plan Commission may, on a case-by-case basis, grant a special exception for those development standards specifically noted as special exceptions in the zoning code. (See section 3 of this application for a listing). In making its decision, the Plan Commission and Town Board must consider a variety of factors. General evaluation criteria apply to all special exceptions and special evaluation criteria may also apply.

Governing regulations. The procedures and standards governing the review of this application are found in Article 6 of the Town's zoning code.

General instructions: Complete this application and submit one copy to the Town Clerk or to the Town Planner via email (jheermans@waukeshacounty.gov). Alternatively, you can submit your application online at <https://townofeagle.zoninghub.com>. An application fee is also required. An invoice number will be provided to you after the initial intake review to pay the required application fee. A Professional Reimbursement Form is required prior to the application being considered complete.

Before you formally submit your application, you may meet with the Town Planner who can answer any questions you may have. The Town Planner can also review your application before it is formally submitted to determine if it is complete and provides enough information to describe the circumstances related to this application. If you have any questions, do not hesitate to contact the Town Planner at (262) 548-7812 or via email at jheermans@waukeshacounty.gov.

Application submittal deadline: The Plan Commission and Town Board meet jointly, generally the first Monday of the month, to review certain types of development applications. This application must be submitted and determined to be complete by the Town Planner, no later than 30 days prior to the date established for the Plan Commission-Town Board meeting. Please contact the Town Planner to verify the deadline for a specific month.

1. **Applicant and agent information** Include the names of the agent, if any, that helped prepare this application including the supplemental information. Examples include surveyors, engineers, landscape architects, architects, planners, and attorneys.

Applicant	Agent
Name <u>JAMES E. BIELINSKI</u>	
Street address <u>W350S7840 PRAIRIE FARMS CT.</u>	
City, state, zip code <u>EAGLE, WI 53119</u>	
Daytime telephone <u>414-587-5574</u>	
Email address <u>JIMBMWK1200LTC@YAHOO.COM</u>	

2. **Type of special exception.** Select the special exception(s) you are requesting.

- ☐ s. 500.536 Allow removal of a principal building, while retaining the accessory building
- ☐ s. 500.553 Allow a lot to deviate from the depth-to-width ratio
- ☐ s. 500.559 Allow spires, steeples, copulas, and chimneys on institutional, commercial, and industrial buildings to exceed maximum building height
- ☐ s. 500.560(E) Allow lesser setback on corner lots
- ☒ s. 500.565 Allow an accessory building in front of the principal building
- ☐ s. 500.605 Allow a second driveway
- ☐ s. 500.623(B) Allow a lesser amount of decorative facing on side of building
- ☐ s. 500.623(B) Allow overhead doors to face a public street (Architectural Review)
- ☐ s. 500.635 Allow reduction in parcel size for intensive agriculture
- ☐ s. 500.674 Allow the use of other exterior building materials on a single-family residence
- ☐ s. 500.851 Allow taller fence for certain livestock
- ☐ s. 500.856 Allow a deviation from standards for a home occupation when operator has a temporary or permanent disability
- ☐ s. 500.873(D) Allow a free-standing solar energy system to extend into a setback when no other location on the parcel is acceptable
- ☐ s. 500.873(E) Allow a free-standing solar energy system to be located in the front yard when no other location on the parcel is acceptable
- ☐ Appendix B Allow an accessory building to exceed the stated maximum building height

3. Subject property information

Physical address W350 S7840 PRAIRIE FARMS CT, EAGLE, WI 53119
Tax key number(s) EGLT- 1781996001 EGLT - _____ EGLT - _____ EGLT - _____

Note: The tax key number can be found on the tax bill for the property or it may be obtained from the Town Clerk.

Is the subject property currently in violation of the Town's zoning code as determined by the Zoning Administrator?

- ☒ No
☐ Yes

If yes, please explain.

Comment: Pursuant to Section 500.106 of the Town's zoning code, the Town may not issue a permit or other approval that would benefit a parcel of land that is in violation of the zoning code, except to correct the violation or as may be required by state law.

Are there any unpaid taxes, assessments, or other required payment that are specifically related to the subject property?

- ☒ No
☐ Yes

If yes, please explain.

Comment: Pursuant to Section 500.107 of the Town's zoning code, the Town may not issue a permit or other approval that would benefit a parcel of land where taxes, assessments, or other required payments are delinquent and due.

4. Zoning information. The subject property is located in the following zoning district(s). (check all that apply)

- | | | |
|--|--|---|
| <input type="checkbox"/> P-1 Public | <input type="checkbox"/> AP Agricultural land preservation | <input type="checkbox"/> B-2 Local business |
| <input type="checkbox"/> Q-1 Quarry | <input checked="" type="checkbox"/> RR Rural residential | <input type="checkbox"/> B-4 Mixed business |
| <input type="checkbox"/> C-1 Conservancy | <input type="checkbox"/> R-1 Residential | <input type="checkbox"/> M-1 Limited industrial |
| <input type="checkbox"/> UC Upland conservancy | <input type="checkbox"/> B-1 Neighborhood business | <input type="checkbox"/> M-2 General industrial |

5. Evaluation criteria The factors listed below will be used in evaluating this application. Your responses are important.

1. The size of the property in comparison to other properties in the area.

I HAVE ONE OF THE SMALLER PROPERTIES ON MY STREET AT 3.26 AC, THE NEXT DOOR NEIGHBOR WHO HAS A DETACHED GARAGE HAS 3 AC. THE OTHER NEIGHBORS ON THE STREET HAVE THE FOLLOWING SIZES OF PROPERTIES: 5.1 AC, 8.6 AC, 12.9 AC, 7.4 AC, 9.8 AC, & 8.5 AC.

2. The extent to which the issuance of the special exception would be in keeping with the overall intent of the zoning code.

MY LAND/PROPERTY IS ZONED RURAL RESIDENTIAL. I AM WANTING TO BUILD A DETACHED GARAGE FOR PERSONAL USE, NOT FOR A BUSINESS PURPOSE.

3. Whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception.

I WAS NOT ALLOWED TO PUT MY DRIVEWAY ENTRANCE ON SPRAGUE RD WHICH IS THE DIRECTION THE FRONT OF MY HOUSE FACES. BECAUSE I HAVE A CORNER LOT AND MY DRIVEWAY ENTERS FROM PRAIRIE FARMS COURT, THE SIDE OF MY HOUSE IS CONSIDERED THE FRONT. THIS MAKES MY GARAGE LOCATION IN "FRONT" OF MY HOUSE,

4. The nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exception was granted.

IMPACT ON THE NATURAL ENVIRONMENT WOULD BE MINIMAL AS THE CLEARING OF TREES WOULD BE ONLY WHERE THE GARAGE WOULD BE. THE TREES BEING REMOVED ARE BUCKTHORN AND BRUSH. LOCATION IS CHOSEN TO AVOID CUTTING OAK TREES AND HICKORY TREES AND TO SAVE SLOW GROWING HARDWOODS.

5. The nature and extent of anticipated positive and negative effects on properties in the area.

I DON'T SEE ANY NEGATIVE EFFECTS BY ALLOWING THIS EXCEPTION. CARE HAS BEEN TAKEN TO AVOID CUTTING SLOW GROWTH OAKS, HICKORY AND WALNUT TREES ON MY PROPERTY. I HAVE REMOVED BUCKTHORN TO PROMOTE GROWTH OF HARDWOOD TREES. THE SURROUNDING PROPERTIES ARE LARGELY WOODED AS WELL. THE GARAGE WOULD MOSTLY BE HIDDEN BY TREES.

6. Actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception.

I DO NOT SEE ANY NEGATIVE EFFECTS OF THIS GARAGE, I AM NOT DESTROYING VALUABLE HARDWOODS AND IT WILL ONLY INCREASE MY PROPERTY VALUE, THEREFORE ALSO INCREASING THE PROPERTY VALUES OF MY NEIGHBORS. IT WILL ALSO ALLOW ALL OF OUR VEHICLES TO BE PARKED INSIDE INSTEAD OF SITTING IN THE DRIVEWAY

7. A factor specifically listed under a section of this chapter authorizing the issuance of a special exception.

(500.565) SPECIFIES THAT AN OUTBUILDING SHALL BE BEHIND THE FRONT FACE OF MY HOUSE. THE FRONT OF MY HOUSE DOES NOT FACE THE DIRECTION THAT IS DEFINED AS THE FRONT, THE ACCESSORY BUILDING WOULD BE IN MY ACTUAL BACK YARD, WHICH I BELIEVE MEETS THE SPIRIT AND INTENT OF THE CODE.

8. Any other factor that relates to the purposes of this chapter set forth in s. 500.05 or as allowed by state law.

6. **Supplemental materials.** Attach the following to this application form.

1. A project map with the information listed in Appendix A of the zoning code.
2. Proposed construction plans (if applicable)

7. **Attachments.** List any attachments included with your application.

SITE PLAN SHOWING PROPOSED LOCATION OF GARAGE,
GARAGE FLOOR PLAN, FOUNDATION PLAN, ELEVATIONS,
PICTURES OF EXISTING HOME - MATCHING MATERIALS

8. **Other information.** You may provide any other information you feel is relevant to the review of your application.

I INVITE THE PLAN COMMISSION TO VISIT MY HOME AND SEE IN PERSON
THE LAY OF MY LAND, HOUSE LOCATION AND PROPOSED GARAGE LOCATION.

9. **Applicant certification**

- I certify that all of the information in this application, along with any attachments, are true and correct to the best of my knowledge and belief.
- I understand that I may be charged additional fees (above and beyond the initial application fee) consistent with the Town's chargeback policy. The signed chargeback form is attached.
- I understand that submission of this application authorizes town officials, Plan Commission members, Town Board members, employees, and other designated agents to enter the property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.
- I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of such written materials or view it online.
- I understand that the Town Planner will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.

Applicant Signature(s):

James E. Bruchinski

Date:

7/31/25

FRONT OF
HOME

GARAGE
LOCATION

BIELINSKI



MATCHING MATERIALS.

SIDING, GARAGE DOOR
STONE, SHINGLES

BIELINSKI



MATCHING MATERIAL.
SIDING, SOFFIT,
TRIM, SHAKE SHINGLES

BIELINSKI



FRONT OF HOME

BIELINSKI