

STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting,

June 5, 2019

Agenda Item 4

Applicant: Matt Matzek

Request: Conditional Use Permit - Expansion of a Nonconforming Structure

Background:

The applicant's property is a 2.598 acre lot at the intersection of 690th Ave and County Road J. Lot access is from County Road J. The applicants are requesting to tear down their existing detached garage and build a new garage in the existing footprint. The existing garage is a nonconforming structure located 91'-7" from the center line of County Road J. The applicants are also proposing to add additional square footage to the structure by constructing a second story on the new garage. The additional square footage constitutes an expansion and triggered the need for a Conditional Use Permit (CUP).

The applicants propose to rebuild the new garage on the existing garage foundation. The existing foundation has walls that extend approximately 12" above grade allowing the applicant to remove all other parts of the detached garage. The total height of the proposed structure will be 26 feet tall.

Issues Pertaining to the Request:

- This parcel is located in the SW ¼ of the SW ¼ in Sec. 29, T27N, R17W, Town of Martell. The property is zoned Primary Agriculture.
- PCC § 240-67A.(2) states, "Additions to or extensions of nonconforming structures are permitted, provided that such additions or extensions comply with all the provisions of this chapter or a conditional use permit is granted as provided in § 240-76."
- PCC § 240-76A states "Applicability. A conditional use permit shall be required for the establishment of each use permitted as a conditional use and for an addition to or expansion of a nonconforming structure, or expansion or intensification of a nonconforming use."
- Pierce County Code (PCC) § 240-27B states, "County highways. Except as provided in Subsection E, the required setback for all structures fronting on all county highways shall be 100 feet from the center line of the road or 67 feet from the edge of the right-of-way, whichever is greater."
- The existing well and septic system are each located on the north side of the house and meet the required setbacks from the proposed expansion.
- Adjacent land uses surrounding the property are agricultural and residential. The nearest driveway is approximately 230' to the south of the applicant's driveway.
- The proposed expansion will not result in a reduced line of sight for vehicles traveling along 690th Ave or County Road J.

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Expansion of Nonconforming Structure

- The Town of Martell recommended approval of this request on 5-14-2019. The Town did not reference its Comprehensive Plan and had no concerns or suggested conditions.

Recommendation:

Staff recommends the Land Management Committee consider the above and determine whether the proposed expansion would be contrary to the public interest, or detrimental or injurious to public health, safety or character of the area. If found to be not contrary to the above, and no modifications to the site layout are necessary to achieve efficient traffic flow and circulation, or to mitigate off site impacts, staff recommends that the LMC approve this conditional use permit and the proposed site plan with the following conditions:

1. Activities shall be conducted as submitted in the application and as presented to the LMC.
2. The applicants shall maintain the 91'-7" setback from the centerline of County Road J.
3. The applicants shall follow Pierce County Solid Waste Code Ch. 201 and Wisconsin Administrative Code NR 447 for disposal of used and unusable building materials.
4. The proposed expansion shall be completed within 12 months of CUP approval.

Submitted By: Adam Adank
Zoning Specialist

Land Management Committee

Matthew Matzek
(June 5, 2019)

CUP - Expansion of a
nonconforming structure (garage)

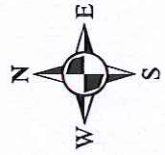
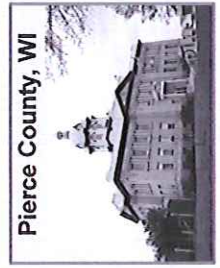
Legend

-  Dwellings
-  Building Footprints
-  CUP
-  Contours (10ft)

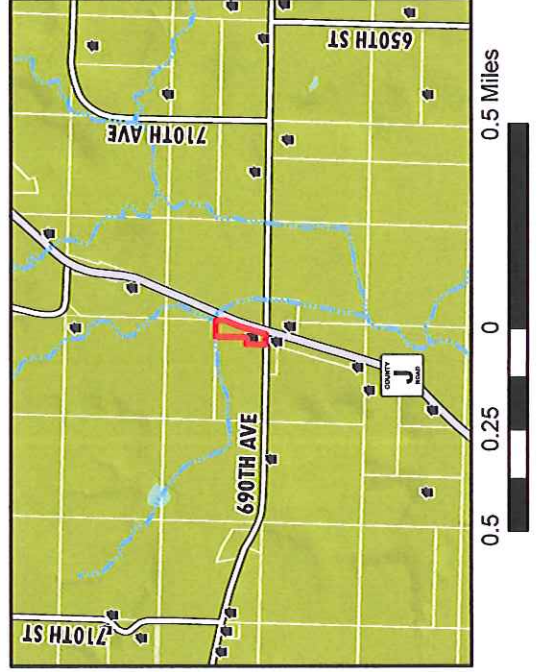
Zoning

-  Primary Agriculture

Orthophotography - 2015 Pierce County



Prepared by the Department of Land Management



Site Location
N6905 COUNTY RD J
TOWN OF MARTELL

