

STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting,

August 21, 2019

Agenda Item 4

Applicant: Richard & Jeanette Clifford

Request: Conditional Use Permit - Expansion of a Nonconforming Structure

Background:

The applicant's own numerous parcels in the Town of Salem. The 40 acre parcel with their home and attached garage is located along of 410th Street. The existing house is a nonconforming structure with the closest portion of the house located 48 ft from the center line of 410th Street.

In 1982, the applicants received a variance to enable the construction of their 26'x30' attached garage. At that time, a variance was the only mechanism available to expand a nonconforming structure. Further expansion(s) must be consistent with the effective (current) Zoning Code.

The applicants are requesting to build a 14'x24' attached 1-car garage on the north side of the existing attached garage. The exterior wall facing 410th St will start 50' from the road centerline and end flush with the back of the existing garage. The roof height and the front and back overhang will line up with that of the existing garage, which will result in the front having a 4 foot overhang.

Issues Pertaining to the Request:

- This parcel is located in the NE ¼ of the SE ¼ in Sec. 20, T25N, R16W, Town of Salem.
- The property is zoned General Rural. Adjacent properties are zoned General Rural & Primary Ag.
- Adjacent land uses surrounding the property are agricultural, residential, and forested.
- 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) § 240-27C states, "Town highways. Except as provided in Subsection E, the required setback for all structures fronting on all town highways shall be 75 feet from the center line of the road or 42 feet from the edge of the right-of-way, whichever is greater."
- The nearest intersection is more than 1,175 ft north of their driveway. The nearest dwelling is located more than 870 feet south of the proposed expansion.
- The proposed expansion will not result in a building closer to the road or road right-of-way.

Applicant: Richard & Jeanette Clifford
August 21, 2019
Expansion of Nonconforming Structure

- The Town of Salem recommended approval of this request on 7-31-2019. 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, staff recommends that the LMC approve this conditional use permit with the following conditions:

1. Activities shall be conducted as submitted in the application and as presented to the LMC.
2. The proposed 14'x24' attached 1-car garage shall be located no closer than 48' from the centerline of 410th St.
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.
5. Applicant shall contact the Town Building Inspector, All Croix Inspections, to determine if a building permit is required and shall secure any permits determined to be necessary.





Submitted By: Emily Lund,
Assistant Zoning Administrator

Land Management Committee



Richard & Jeanette Clifford
(August 21, 2019)

CUP - Expansion of a Nonconforming Structure

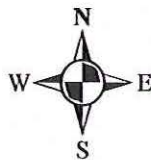
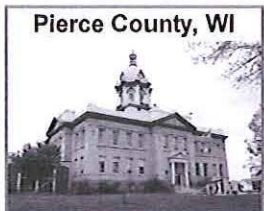
Legend

-  Dwellings
-  CUP - Expansion
-  Structure
-  Contours (10ft)

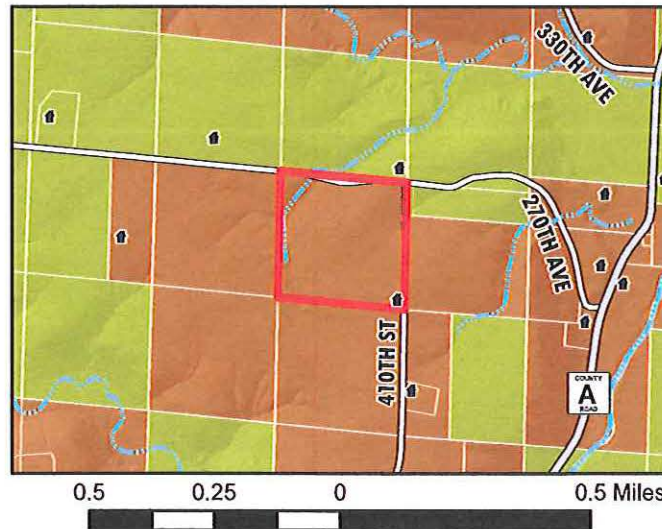
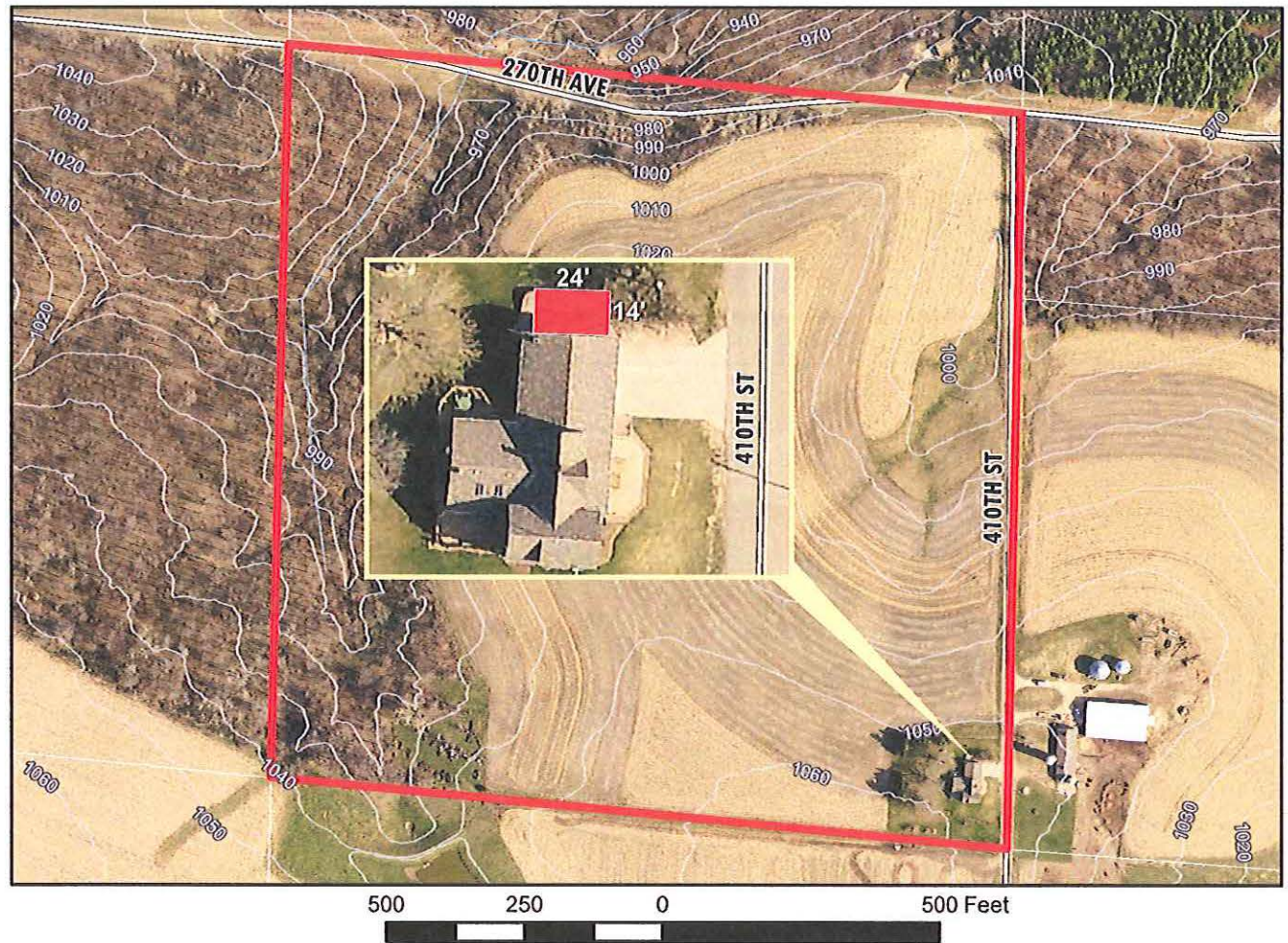
Zoning

-  General Rural Flexible
-  Primary Agriculture

Orthophotography - 2015 Pierce County



Prepared by the Department of Land Management



Site Location

N2611 410TH ST
TOWN OF SALEM



STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting, August 21, 2019 Agenda Item 5

Request: Discuss take action on publication of LMC agendas

Background:

As you may be aware, the Pierce County Herald was recently combined with the Red Wing Republican Eagle. The "new" Republican Eagle now serves Goodhue County, Minn., and Pierce County Wis. The Pierce County Herald published Land Management Committee meeting agendas without charge up until the recent merger. Staff has been informed that Pierce County will, moving forward, be charged to publish LMC meeting agendas in the "Public Notices" section. Cost would likely range from between \$25 and \$75+ for each agenda publication depending upon the length of the agenda. A short meeting notice (basically stating that the LMC will be meeting as well as when and where) could be placed in the "Government Calendar" section for no charge. Public hearing notices will continue to be submitted and published for a fee, as has been the case for many years.

Recommendation:

Staff is seeking direction as to whether the publication of LMC agendas in the "new" Republican Eagle, for a fee, is a worthwhile expense, or whether a notice in the "Government Calendar" section would be sufficient for keeping the public informed.

Submitted By: Andy Pichotta
 Director