

**896 GARDNER PARK (KLOCKZIEM)
CONDITIONAL USE PERMIT**

STAFF REPORT FOR PLAN COMMISSION

**PUBLIC HEARINGS/
MEETINGS:**

Plan Commission Public Hearing:

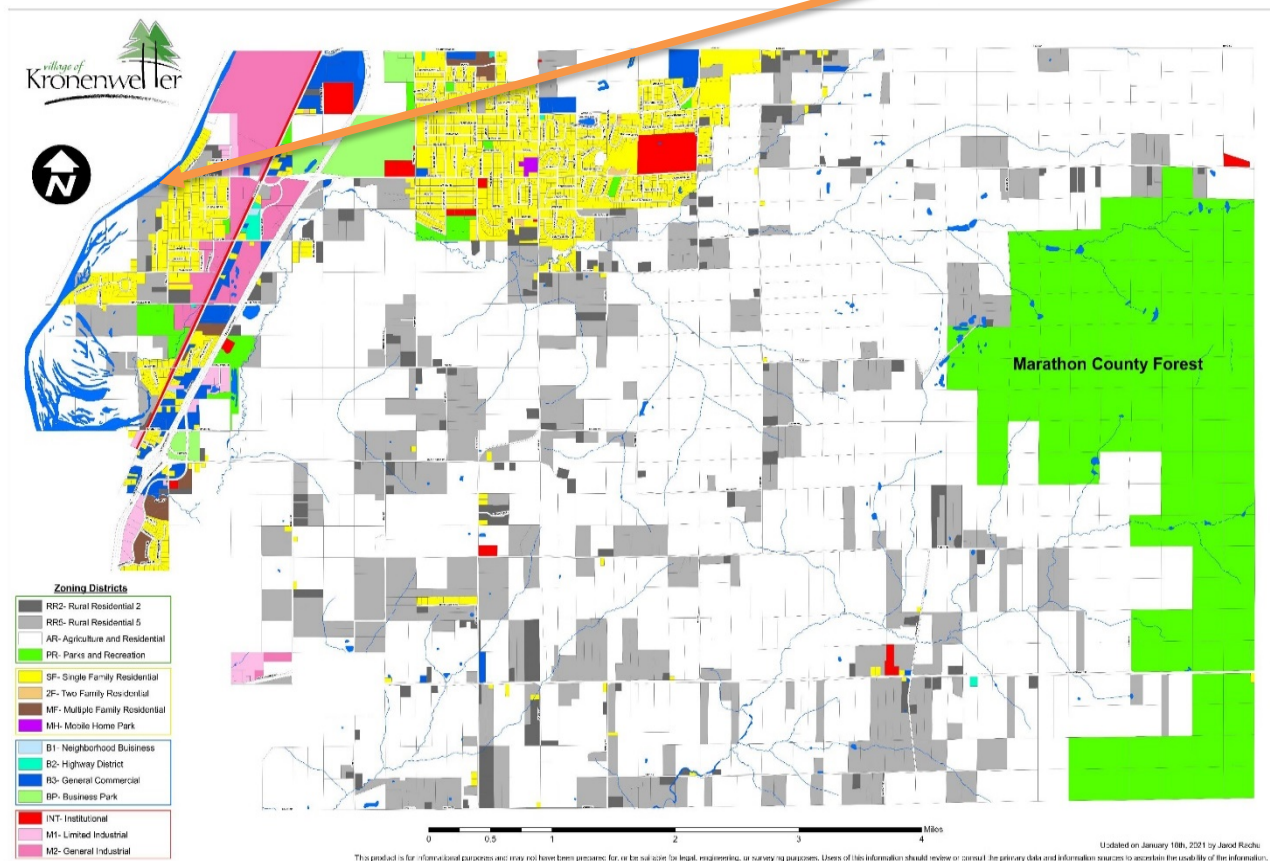
6:00 p.m. January 24, 2024

APPLICANT:

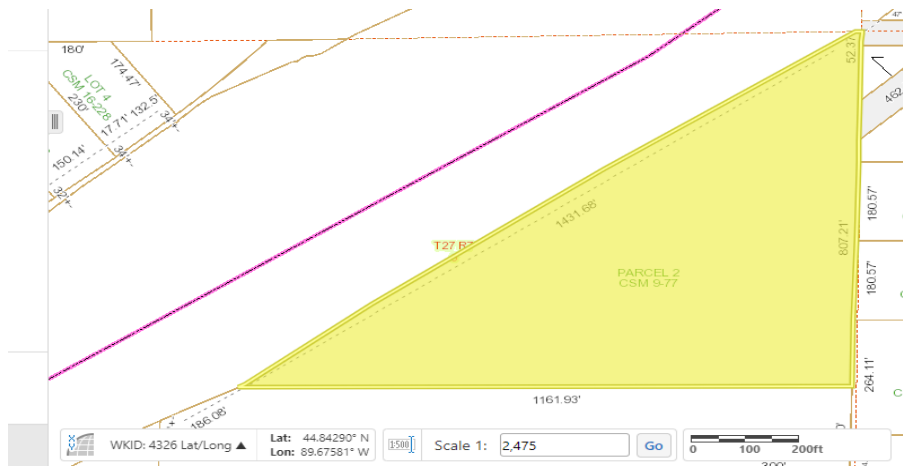
Dean Klockziem
135763 County Road U
Marathon WI 54448

LOCATION OF REQUEST: 896 Gardner Park, Kronenwetter WI 54455 (See Map 1)

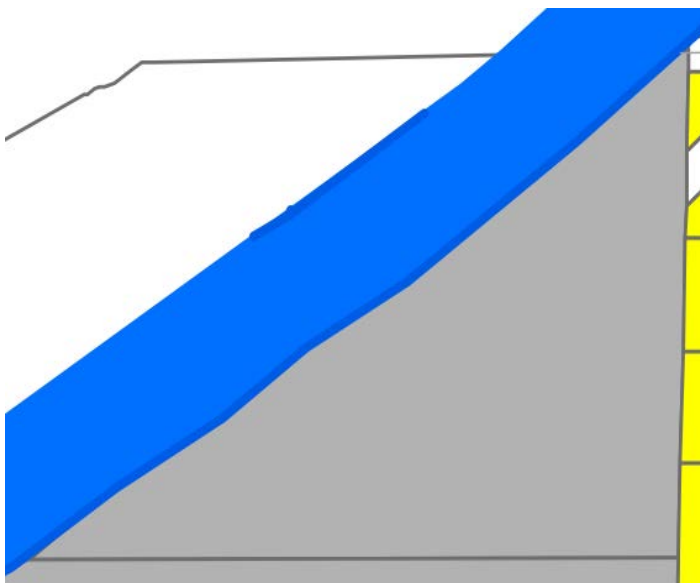
VILLAGE OF KRONENWETTER OFFICIAL ZONING MAP



Map 1: Location Map
(Source Data: Village of Kronenwetter Zoning Map)



Map 2: Aerial Photo
(Source Data: Marathon County GIS)



Zoning Districts

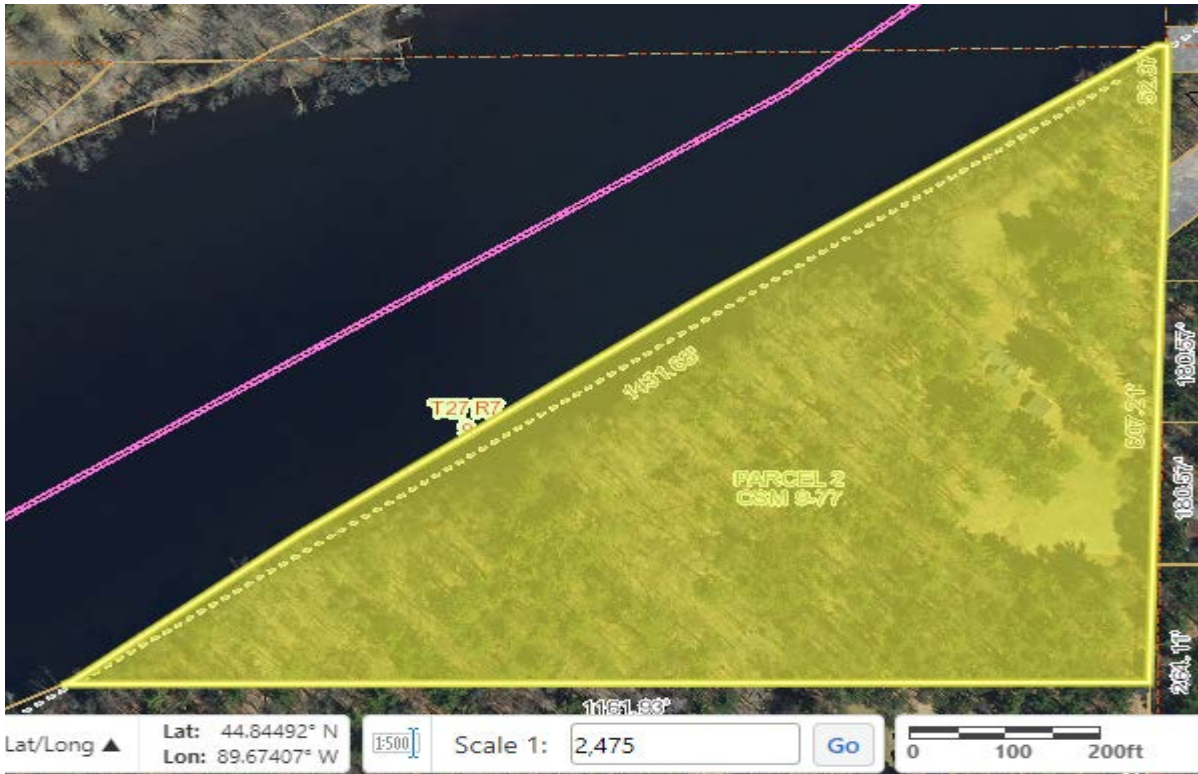
RR2	Rural Residential 2
RR5	Rural Residential 5
AR	Agriculture and Residential
PR	Parks and Recreation
SF	Single Family Residential
2F	Two Family Residential
MF	Multiple Family Residential
MH	Mobile Home Park
B1	Neighborhood Business
B2	Highway District
B3	General Commercial
BP	Business Park
INT	Institutional
M1	Limited Industrial
M2	General Industrial

Map 3: Current Zoning
(Source Data: Village of Kronenwetter Zoning Map)



Orange	Agriculture / Rural Residential
Red	Commercial
Light Green	County Forest
Teal	Governmental / Institutional
Dark Blue	Industrial
Orange	Industrial / Commercial
Yellow	Residential
Light Blue	Water

Map 3: Comprehensive Plan Future Land Use
(Source Data: Village of Kronenwetter)



Map 2: Aerial Photo
(Source Data: Village of Kronenwetter)

LEGAL DESCRIPTION OF PROPERTY:

SEC 09-27-07 PT OF GOVT LOT 4 - PCL 2 CSM VOL 9 PG 77 (#2293) (DOC #757591), Village of Kronenwetter, Marathon County, Wisconsin

ZONING:

Rural Residential (RR-5) Zoning District

ACREAGE:

11.17 Acres

LEGAL NOTIFICATION:

A legal advertisement was published in the *Wausau Daily Herald* on Wednesday, January 10, 2024, and Wednesday, January 17, 2024. Notice of the zoning change request was sent by regular mail to adjacent property owners within 500 feet of the subject property.

PROPOSED CONDITIONAL USE: *Second Principal Building 520-16 Standard Generally applicable to land uses in zoning area Rural Residential 5 (RR-5)*

DEVELOPMENT PATTERN (AND ZONING):

Subject Property	Rural Residential 5 (RR-5)
North	Wisconsin River Village Boarder
South	Single Family (SF)
East	Single Family (SF)
West	Wisconsin River Village Boarder

INTRODUCTION

The applicant proposes to place a second principal building on an 11.17 acre parcel, currently zoned RR-5. The justification for the Conditional Use is to care for the applicant's elderly family members. The existing 950sf principal building would be occupied by their elderly family. The proposed second 3400sf principal building would be occupied by applicant's family of five (5).

The Village Ordinance does not contain language like a "multiplier factor" to allow additional Dwelling Units/Guest Cottages on a single parcel of land. For example, if the minimum required lot dimensions for a parcel zoned RR-5 is 5 acres, 300ft minimum lot width, 100ft minimum public street frontage. Additional square footage, lot width and public street frontage would be required for an additional dwelling unit/guest cottage (principal building). For example, +2acres, +150ft lot width and +50ft public street frontage.

In lieu of this, the Village Ordinance contains the following language to allow more than one principal building (additional dwelling unit) on a single parcel.

§ 520-16 Standards generally applicable to land uses.

K. Number of principal buildings per lot. More than one principal building is allowed on any one lot, but only by conditional use permit in any RR or SF district.

On August 27, 2019 this parcel was granted a variance to reduce the required minimum public street frontage from 100 feet to 0 feet.

A copy of the Site Plan was sent to the Village of Kronenwetter Fire Chief, Theresa O'Brien and Chief of Police, Terry McHugh. Both felt the driveway access is sufficient for emergency vehicles.

VILLAGE OF KRONENWETTER PLAN COMMISSION JANUARY 24, 2024

896 GARDNER PARK (KLOCKZIEM) CONDITIONAL USE PERMIT

RECOMMENDED MOTION

Motion to approve the conditional use permit request for a second principal building at 896 Gardner Park and accept the findings of fact contained within the Staff Report.

A Conditional Use Permit requires a "Site Plan" per § 520-121 B(3). The information that must be included within a Site Plan is listed under § 520-124 D(1-27). It should be noted that several of these items (information and supporting documentation) are included within the Building Permit Application. Finally, due to the nature and existing conditions of the development project staff believes two of them do not pertain.

(20) The location, type, height, fixture design, and cut-off angle of all exterior lighting, including a detailed photometric plan showing the distribution of light output across the property to the property lines.

(21) A detailed landscaping plan for the subject property at the same scale as the main plan showing the location, type, and size of all proposed landscaping.

FINDINGS OF FACT CONDITIONAL USE

No conditional use shall be recommended by the Village Plan Commission unless such commission shall find:

1. Is the proposed conditional use in harmony with the Comprehensive Plan, this chapter, and any other plan, program, or ordinance adopted by the Village?

The proposed second principal building will be located on a parcel that is currently zoned RR-5. The Future Land Use Map has this parcel zoned Residential. The current ordinance allows more than one principal building on any one lot, with an approved conditional use permit in any RR or SF district. The 2019 Comprehensive Plan encourages residential use in the area.

2. The proposed conditional use does not, in its proposed location and as depicted on the required site plan, result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted by the Village?

The proposed Conditional Use request for a second principal building will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. By meeting the requirements of the Zoning Ordinance, the granting of the conditional use permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the area. The parcel is heavily vegetated providing natural buffers between adjacent properties.

3. Does the proposed conditional use maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?

The parcel is zoned RR-5 and abuts RR-5 to the south, SF to the east and WI River to the west. By meeting the requirements of the Zoning Ordinance, the conditional use will not impede the normal and orderly development and improvement of the surrounding properties for uses permitted in these zoning districts.

4. Is the proposed conditional use located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, or services provided by public agencies serving the subject property?

There is an existing driveway access to the property from the end of Gardner Park Road. Access to the proposed second principal building will be obtained from an existing private road located on the property. The existing principal building has its own Private Onsite Wastewater Treatment System (POWTS). The proposed second principal building received an approved Sanitary Permit in November 2023 for an additional POWTS. Private well(s) are located on the parcel.

5. Do the potential public benefits of the proposed conditional use outweigh potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts?

The proposed Conditional Use for a second principal building does not have any adverse impacts on the surrounding area or the public.