



Report to Planning Commission

Agenda Item: Certified Survey Map: Michael Hellmuth, 1582 Old Hwy 51, Kronenwetter, WI 54455.

Meeting Date: March 18, 2024

Referring Body: Plan Commission

Committee Contact: Chris Voll

Staff Contact: Peter Wegner, CD/PZ Director

Report Prepared by: Peter Wegner, CD/PZ Director

AGENDA ITEM: Certified Survey Map: Michael Hellmuth, 1582 Old Hwy 51 Kronenwetter, WI

OBJECTIVE(S): To review and approve the proposed Certified Survey Map.

HISTORY/BACKGROUND: Michael Hellmuth, 1582 Old Hwy 51, WI requests a three lot CSM. The existing parcel is 4.98 acres. The lots meet the minimum frontage (50ft) and minimum area (20,000sf) requirements for Single Family Residential Zoning.

Driveway Access Concerns: Approval of CSM does not guarantee driveway access to each parcel.

Note: There is one existing driveway access to accommodate proposed lot 2. Lots 1 and 3 do not have driveway access. Old Hwy 51 is classified as a minor arterial roadway. The minimum separation between private accesses is 1000ft. The owner was advised that a variance under 419-6 would be required. If a variance cannot be obtained an ingress/egress and utility easement could be created to gain access to Lots 1 and 3 from the existing driveway access.

Village of Kronenwetter Comprehensive Plan 2019

Local Roadways:

Highway 51 and **Old Highway 51**. State Highway 153 west of Oak Road to I-39/U.S. Highway 51, County Highway XX south to Kowalski Road, and County Highway X running east-west are classified as **minor arterials**.

Per § 419-14 **Driveway access control**.

C. Minor arterial access.

(1) No more than one access shall be permitted or provided to an individual parcel with public road frontage. Except for cases of special approved variance with the village.

(2) All private accesses, intersecting public roadways and other direct access to minor arterial village roadways shall be separated by a minimum of 1,000 feet.

(3) All accesses must be surfaced with pavement

§ 419-6 **Variance.**

A. If there is a practical difficulty or particular hardship in carrying out the provisions of this chapter, the applicant may obtain a variance through application. A variance shall require approval of both the zoning administrator and the director of public works and may only be granted when the applicant can successfully demonstrate that:

- (1) The additional access would not compromise the safety of village roadway users or the operation of the village roadway.
- (2) Allowing only one access for the parcel would conflict with established local safety regulations.
- (3) The additional access would not be detrimental to the public health and safety.
- (4) The purpose of the variance is not based exclusively upon a desire to make more money out of the property.
- (5) The conditions upon which a petition for a variation is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the same zoning classification.
- (6) The alleged difficulty or hardship is caused by this chapter and has not been created by any persons presently having an interest in the property.

B. Any variance denied by village staff may be appealed to the village board.

Dilapidated Structure Concerns: On 9/13/202 the Village received a complaint regarding a dilapidated building along with miscellaneous building materials on this parcel (1582 Old Hwy 51). The building or structure is over the lot line between proposed lots 2 and 3. The Committee could request removal of the dilapidated structure as a condition of approval.

§ 382-6 **Public nuisances affecting peace and safety.**

The following acts, omissions, places, conditions and things are declared to be public nuisances affecting peace and safety, but such enumeration shall not be construed to exclude other nuisances affecting public peace or safety coming within section 382-3:

- F. All buildings or structures so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human use.

RECOMMENDED ACTION: To approve the CSM with or without conditions addressing the concerns mentioned above.

ATTACHMENTS: CSM Application and Staff Report.