

REQUEST FOR CONSIDERATION

Public Mtg/Date:	Plan Commission, October 14 th , 2024.
Description:	Project #20240269 – Kevin Ostrowski, 6304 Hubert Avenue, PIN 192-2808-102-0004, requesting a Conditional Use Permit to exceed the amount of allowed accessory structure floor area (1,000 square feet) for residential use in the Single Family Residential – Large Lot (SF-L) Zoning District.
From:	Carrie Edmondson, Associate Planner Jennifer Higgins, Planning and Development Director
Question:	Should the Plan Commission approve the Conditional Use Permit application as requested by Kevin Ostrowski to exceed the maximum allowable floor area of 1,000 square feet for an accessory structure for residential use at 6304 Hubert Avenue?

BACKGROUND

Kevin Ostrowski is the applicant and property owner and is proposing to construct a detached accessory structure for residential use at 6304 Hubert Avenue. The proposed structure would be utilized for the storage of motor vehicles and household materials. The Single Family Residential – Large Lot (SF-L) Zoning District permits accessory structures to be constructed up to 1,000 square feet in floor area. Larger structures are permitted subject to review and approval of a conditional use permit by the Plan Commission.

The proposed structure will be complimentary to the existing single-family detached residence. It will have white vinyl siding that matches the trim color of the existing home. The roof materials and roof line will match. The driveway to access the structure will tie into the existing driveway. There will be no changes to ingress or egress. The structure will have one 18 foot (w) by 10 foot (h) (two-car) overhead door. The height of the structure is 17 feet (12 foot sidewall, 5 foot average to gable peak). This will be the only detached garage on the property. The proposed location and dimensions of accessory structure meet all dimensional standards for the district, except the maximum floor area standard.

Attached Docs:	Site plan, elevations, project narrative, CUP supplemental questions, draft resolution.
Committee Action:	N/A
Fiscal Impact:	N/A
Recommendation:	Staff recommends approval of the Conditional Use Permit.

RECOMMENDED LANGUAGE FOR OFFICIAL ACTION

I move to [approve / deny] Conditional Use Permit #20240269, allowing Kevin Ostrowski to exceed the maximum allowable square footage of 1,000 square feet for a detached accessory structure for residential use at 6304 Hubert Avenue.

ADDITIONAL ACTION:	Notify applicant of [Approval / Denial] [Staff] If approved, record CUP with the Marathon County Register of Deeds [Staff] If approved, issue a building permit for the detached accessory structure. [Staff]
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341.42'

372.86'

LOT LINE

422.65'

Min of 65 FT

Min of 50 FT

Garage

128R8
10

445.97'

Date: 8/07/2024 - 1:24 PM
Design Name: Garage Design
Design ID: 301654286255
Estimated Price: \$23,113.43

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

How to recall and purchase your design at home:



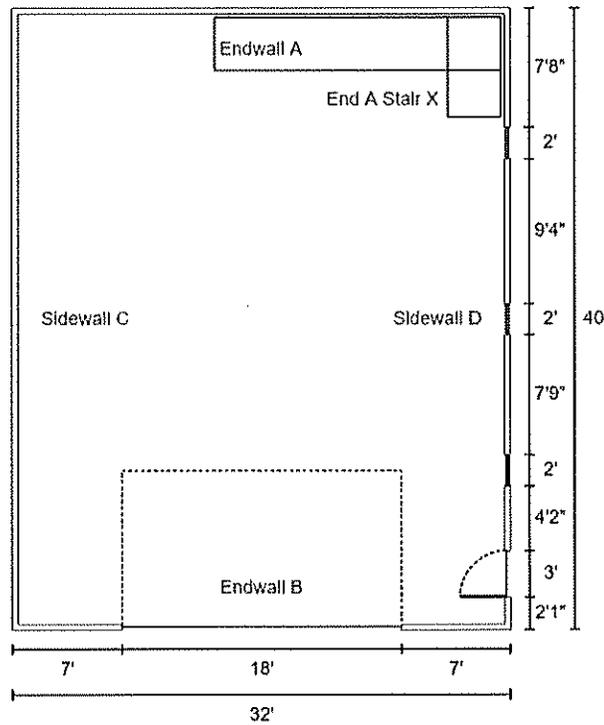
OR

1. On Menards.com, enter "Design & Buy" in the search bar
2. Select the Garage Designer
3. Recall your design by entering Design ID: 301654286255
4. Follow the on-screen purchasing instructions

How to purchase your design at the store:

1. Enter Design ID: 301654286255 at the Design-It Center Kiosk in the Building Materials Department
2. Follow the on-screen purchasing instructions

Garage Image



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Floor type (concrete, dirt, gravel) is NOT included in estimated price. The floor type is used in the calculation of materials needed. Labor, foundation, steel beams, paint, electrical, heating, plumbing, and delivery are also NOT included in estimated price. This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions.

MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully.

MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS. THE PLANS AND/OR DESIGNS PROVIDED ARE NOT ENGINEERED. LOCAL CODE OR ZONING REGULATIONS MAY REQUIRE SUCH STRUCTURES TO BE PROFESSIONALLY ENGINEERED AND CERTIFIED PRIOR TO CONSTRUCTION.

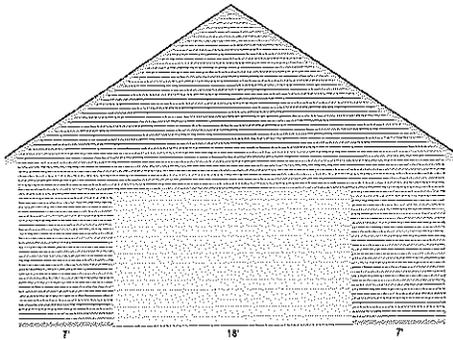
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Dimensions

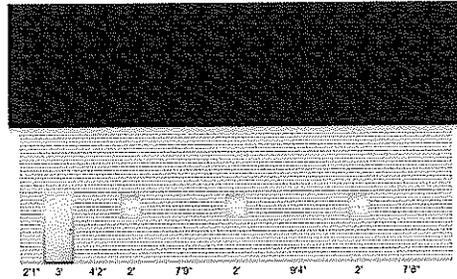
Wall Configurations

*Some items like wainscot, gutter, gable accents, are not displayed if selected.



ENDWALL B

18X10 White Deep Ribbed Torsion Spring



SIDEWALL D

Mastercraft® 36W x 80H Primed Steel 6-Panel
IPS 24"W x 30"H White Vinyl Single-Hung Utility
IPS 24"W x 30"H White Vinyl Single-Hung Utility
IPS 24"W x 30"H White Vinyl Single-Hung Utility

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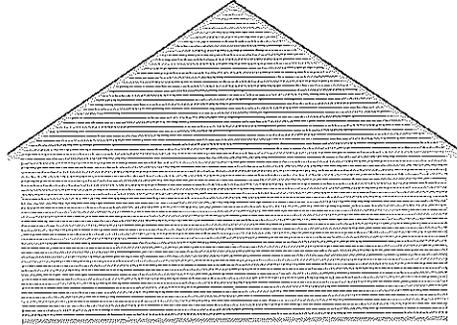
MENARDS'

Design & Buy™ GARAGE



47

SIDEWALL C



37

ENDWALL A

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Materials

Building Type

Building Location Zip Code: 54476
Building Type: Gable Room-In-Attic

Building Info

Building Width: 32'
Building Length: 40'
Building Height: 12'
Wall Framing Stud: 2 x 6
Truss Type: Standard (24" on center spacing)
Roof Pitch: 8/12 Pitch
Room Size: 7'6" x 14'
Floor: 3/4 x 4 x 8 Tongue-and-Groove OSB Sturd-I-Floor
Room In Attic Access Option: Stairs End A (Adjust truss spacing for stair opening)
Stair Design Location: End A Stair X
Stairs: Dakota™ 1-1/8" x 11-1/4" Ready-to-Finish Particleboard Stair Treads
Eave Overhang: 12"
Gable Overhang: 12"
Curb: Poured Curb
Curb Height: 4"
Foundation Type: Poured
Garage Building Plan: Yes I need a Garage building plan

Wall Info

Siding Material Types: Vinyl
Vinyl Siding: ABTCO® Cedar Creek™ Double 4, Color: White
Vinyl Corner Trim Color: White
Accent Material Type: None
Wainscot Material Type: None
Wall Sheathing: 7/16 x 4 x 8 OSB(Oriented Strand Board)
House Wrap: Kimberly-Clark BLOCK-IT®9'x75'House Wrap
Gable Vents: None

Roof Info

Roof Sheathing: 1/2 x 4 x 8 OSB(Oriented Strand Board)
Roofing Material Type: Architectural Shingle
Architectural Roofing: Owens Corning® TruDefinition® Duration® Limited Lifetime Warranty Architectural Shingles (32.8 sq. ft.), Color: Estate Gray
Owens Corning® ProArmor® Synthetic Roofing Underlayment 42" x 286' (1,000 sq. ft.)
Roof Underlayment: Owens Corning® WeatherLock® G Granulated Self-Sealing Ice and Water Barrier 3' x 66.7'(200sq.ft)
Ice and Water Barrier: Textured Aluminum Fascia
Fascia Material Type: 6" x 12' Aluminum Rustic Fascia, Color: White
Fascia: Aluminum Soffit
Soffit Material Type: 16" x 12' Aluminum Vented Soffit, Color: White
Soffit: None
Gutter Material Type: None
Ridge Vent: None
Roof Vents: None

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Openings

Service Door:	Mastercraft® 36W x 80H Primed Steel 6-Panel
Overhead Door:	18X10 White Deep Ribbed Torsion Spring
Additional Information:	C4SS Torsion Spring
Overhead Door Trim Type:	Vinyl
Vinyl Trim Color:	White
Windows:	IPS 24"W x 30"H White Vinyl Single-Hung Utility
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Additional Options

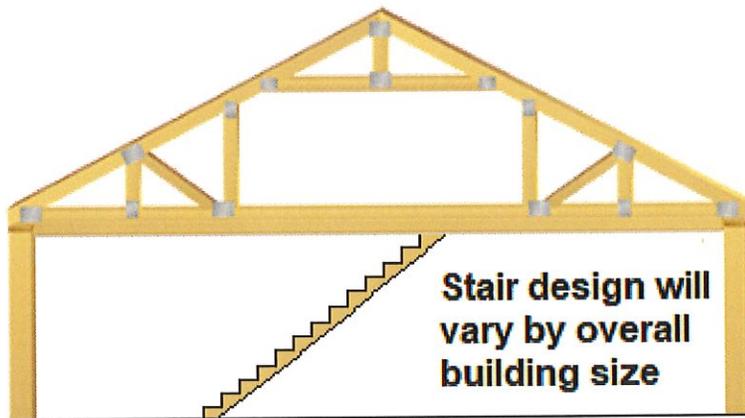
Ceiling Insulation:	None
Wall Insulation:	None
Ceiling Finish:	None
Wall Finish:	None
Attic Area Insulation:	None
Attic Area Interior Finishing:	None
Mounting Blocks:	No
Hydronic Radiant Heat:	No
Anchor bolt:	Grip Fast® 1/2 x 10 HDG Anchor Bolt w/ Nut & Washer
	Grip Fast® 3-1/4 16D Vinyl-Coated Smooth Shank Sinker Nail - 5 lb.
	Box
Framing Fasteners:	Grip Fast® 2-1/2 8D Vinyl-Coated Smooth Shank Sinker Nail - 5 lb.
	Box
Sheathing Fasteners:	Grip Fast® 1-1/4 Electro-Galvanized Coil Roofing Nails - 7,200 Count
Roofing/Shingle Fasteners:	FastenMaster® TimberLOK® 5/16 x 6 Hex Drive Black Hex Head
	Timber Screw - 50 Count
Truss Fastener:	No
Overhead Opening Hardware:	No

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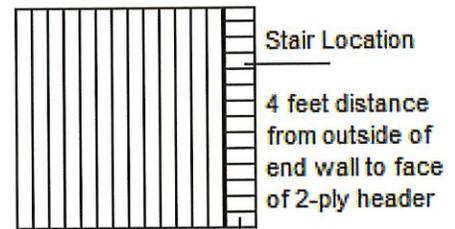
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Helpful Hints for Garage Construction

- Studs are estimated 16 inches on center with single treated bottom plate and double top plate.
- If steel is estimated (Pro-Rib or Pro-Snap), the steel lengths should be verified based off the actual framing. Plate height (stud length), truss heel and other framing should be confirmed. Steel is estimated to the inch, make sure the lengths are accurate based on final overall building design.
- Trusses included are estimated at 2 feet on center spacing. The design is based on the zip code provided, design and loading should be verified.
- Trusses should not be cut or modified with the exception of trimming the truss tails to the correct overhang.
- **Gable RIA Trusses** are designed with increased loading in the room area only.
- Larger Room-in-Attic trusses may be built in 2 parts and are assembled on site.
- Regular trusses are estimated as end trusses, stud and framing material is included to frame the wall area. This allows for easier framing of openings.



Top view/Truss layout
trusses 2 feet on center



Handframe at 2 foot on center at stair opening from end to qirder truss

Menards Building Checklist Planning

- Get a permit. Check restrictions, building codes or local zoning to make sure your design complies with all requirements.
- Contact local utilities to ensure construction will not disturb any electrical, cable or plumbing.
- If necessary, hire a professional to help with planning and construction.
- Consider site conditions including soil type, grade, and runoff before finalizing your design.
- Material estimates provided can be changed to meet your needs.
- Menards offers professional delivery of materials. Delivery is extra based on the distance from your local Menards store to your building site.
- Practice good safety habits, use PPE including eye protection & dust masks during construction.
- Make sure to follow good building practice and all manufacturer's instructions. Use all the hardware and fasteners recommended.

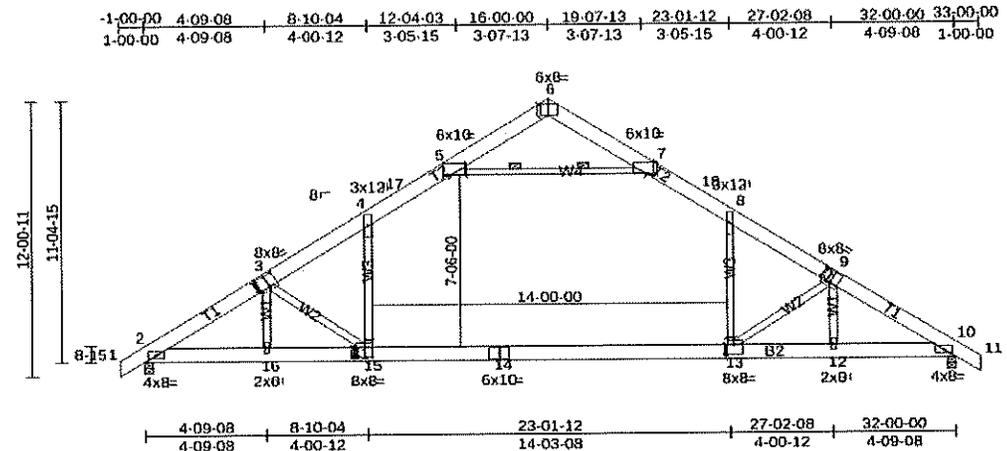
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MENARDS®
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 GARAGE

Job	Truss	Truss Type	Qty	Ply	Job Reference (optional)
QTREC0512624	GA22	ATTIC	1	1	

Midwest Manufacturing, Eau Claire, WI Run: 8:100 s Apr 21 2017 Print: 8:100 s Apr 21 2017 MiTek Industries, Inc. Wed Jun 28 18:07:16 2017 Page: 1
 H7 xrvOM6 4L3RRIFeyAvGFKuz2T0z W9rS80k1HSF2dr213V6SA3z2bll i87q1nsh7InbP



Scale = 1/32

Plate Offsets (X, Y): [3:4-00,6-00], [5:Edge,6-06], [6:4-00,Edge], [7:Edge,6-06], [9:4-00,6-00], [13:3-08,5-08], [15:3-08,5-08]

Loading	(psf)	Spacing	2-00-00	CSI	DEFL	in	(loc)	U/defl	L/d	PLATES	GRIP
TCLL (roof)	50.0	Plate Grip DOL	1.15	TC	0.62	-0.62	13-15	>615	240	MT20	197/144
Snow (Ps/Pg)	48.5/70.0	Lumber DOL	1.15	BC	0.64	-0.86	13-15	>444	180		
TCDL	7.0	Rep Stress Incr	YES	WB	0.69	0.07	10	n/a	n/a		
BCLL	0.0*	Code	IRC2009/TPI2007	Matrix-R		Attic	-0.39	13-15	>439	360	
BCDL	10.0										Weight: 255 lb FT = 15%

LUMBER	BRACING	
TOP CHORD 2x8 SP 2400F 2.0E *Except* T1:2x8 SPF No.2	TOP CHORD Structural wood sheathing directly applied or 3-9-10 oc pull-ins.	
BOT CHORD 2x8 SP 2400F 2.0E	Rigid ceiling directly applied or 10-0-0 oc bracing.	
WEBS 2x4 SPF Stud *Except* W4:2x4 SPF 1650F 1.5E	2 Rows at 1/3 pts	5-7
REACTIONS (lb/size)	MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.	
2=2958/3-08, (min. 2-07), 10=2958/3-08, (min. 2-07)		
Max Horiz 2=-252(LC 7)		
Max Uplift 2=-50(LC 9), 10=-50(LC 10)		
FORCES	(lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.	
TOP CHORD	2-3=-4379/52, 3-4=-4211/33, 4-17=-3064/112, 5-17=-2870/132, 5-6=0/628, 6-7=0/628, 7-18=-2870/132, 8-18=-3064/112, 8-9=-4211/33, 9-10=-4379/52	
BOT CHORD	2-16=-40/3538, 15-16=-40/3534, 14-15=0/3089, 13-14=0/3089, 12-13=0/3534, 10-12=0/3538	
WEBS	5-7=-3666/71, 4-15=0/1609, 8-13=0/1609, 3-16=-783/95, 9-12=-783/98, 3-15=-944/298, 0-13=-944/298	

- NOTES**
- Unbalanced roof live loads have been considered for this design.
 - Wind: ASCE 7-05; 90mph; TCDF=4.2psf; BCDL=6.0psf; h=25ft; Cat. II; Exp B; enclosed, MWFRS (low-rise) exterior zone and C-C Exterior(2) zone; cantilever left and right exposed; end vertical left and right exposed; C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60
 - TCDF: ASCE 7-05; Pr=50.0 psf (roof live load); Lumber DOL=1.15 Plate DOL=1.15; Pg=70.0 psf (ground snow); Ps=48.5 psf (roof snow); Lumber DOL=1.15 Plate DOL=1.15; Category II; Exp B; Fully Exp.; C=1.1
 - Roof design snow load has been reduced to account for slope.
 - Unbalanced snow loads have been considered for this design.
 - This truss has been designed for greater of min roof live load of 12.0 psf or 1.00 times flat roof load of 48.5 psf on overhangs non-concurrent with other live loads.
 - This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
 - * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3'-6" tall by 2'-0" wide will fit between the bottom chord and any other members.
 - Ceiling dead load (5.0 psf) on member(s), 4-5, 7-8, 5-7; Wall dead load (5.0psf) on member(s), 4-15, 8-13
 - Bottom chord live load (40.0 psf) and additional bottom chord dead load (0.0 psf) applied only to room, 13-15
 - Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 50 lb uplift at joint 2 and 50 lb uplift at joint 10.
 - This truss is designed in accordance with the 2009 international Residential Code sections R502.11.1 and R802.10.2 and referenced standard ANSI/TPI 1.
 - NOTE: DUE TO THE OVERALL LENGTH TO DEPTH RATIO OF THE ROOM, THE FLOOR MAY EXHIBIT OBJECTIONABLE VIBRATION AND OR BOUNCE. BUILDING DESIGNER TO CONSIDER PROVIDING MEANS TO DAMPEN THESE EFFECTS. TRUSS DESIGN SHALL BE REVIEWED AND APPROVED PRIOR TO MANUFACTURING.
 - Attic room checked for L/360 deflection.
- LOAD CASE(S) Standard

Project Narrative – Ostrowski

Carrie,

The accessory building will be used for storage of my trailers and boat. This will help keep my yard looking nice and have a great curbside view.

Any other questions please let me know.

Thanks,

Kevin Ostrowski

**CONDITIONAL USE PERMIT
SUPPLEMENTAL REVIEW CRITERIA
VILLAGE OF WESTON**



The following questions are a Comparison of Proposed Conditional Use with Required Review Criteria (complete below or on an attached sheet as needed). Thorough and complete answers assist Staff and Commissioners in review the application and reaching a determination. If you have questions with these questions, please contact staff at plandev@westonwi.gov or (715)241-2613. The Zoning Code and Comprehensive Plan can be found online at the Village's Website.

1. Is the proposed conditional use consistent with the purposes, goals, objectives, policies and standards of the Village of Weston Comprehensive Plan; zoning ordinance; and all other plans, program and ordinances adopted or under consideration? Explain how, or why not. (Consult with Zoning Administrator as necessary on applicable plans.)

"The Conditional Use Permit request is consistent with the goals, objectives, policies, and standards as outlined in the Comprehensive Plan and Zoning Ordinance. The proposed use and dimensions fall within the specified requirements except for the overall square footage of the structure. The Zoning Code allows an increase to the maximum allowable square footage with a Conditional Use Permit to allow for flexibility when performance standards and dimensional standards are met. The proposal falls within that category."

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-
2. Does the proposed conditional use in this location, as depicted on the required site plan, result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, the natural environment, traffic, 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 all other plans, programs, map, and ordinances adopted by the Village ? Explain how, or why not.

The Conditional Use Permit should have no adverse impact on the nearby properties. The unattached accessory building will be built in an area which has adequate space from all property lines.

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

The Conditional Use Permit will maintain the desired consistency of land use. Out lot it a large corner lot and the accessory building will be placed in an area that will not affect the neighboring properties.

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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? Explain how this has been evaluated.

The Conditional Use Permit for the desired site will not impose or cause any undue burden on services. The site of the accessory building has no utilities near it.

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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? Explain how.

The Conditional Use Permit will have a public benefit which outweighs the any adverse impacts in our neighborhood. The accessory building will provide ample space for storage of items. Along with keeping our neighborhood looking clean and a good public image.



Application for Conditional Use Permit
**CONDITIONAL PERMIT DETERMINATION BY THE VILLAGE OF WESTON
PLAN COMMISSION**

Application/Petition No.: **20240269** Hearing Date: **October 14, 2024**
Applicant: **Kevin Ostrowski, 6304 Hubert Avenue, Weston, WI 54476**
Location: **6304 Hubert Avenue, Weston, WI 54476**
Description: **A conditional use permit application to allow exceeding the maximum permitted floor area for a detached accessory structure in a residential zoning district.**

The Department of Planning and Development of the Village of Weston, pursuant to the Village of Weston Zoning Code, Article 16 Procedures and Administration, Section 94.16.06 Conditional Use Permits, hereby makes the following findings and evaluation to the Village of Weston Plan Commission:

GENERAL INFORMATION:

Zoning: **Single Family Residential – Large Lot (SF-L) Zoning District**

Definition: The SF-L district is intended for mainly single family detached residential development, along with compatible home occupations and small-scale institutional and recreational uses. New development within this district shall be served by public sanitary sewer and water services but may have roadways with a rural cross section (e.g., roadside swales). The SF-L district generally requires a minimum lot size between those required in the RR and SF-S districts. The SF-L district is intended for areas planned for single family residential development, or for portions of areas planned for neighborhood development, within the Comprehensive Plan. (Predecessor district: S-R Suburban Residence and R-E Residential Estate)

Definition: **Detached Accessory Structure (for Residential Use).** An accessory structure serving a residential principal land use and building (e.g., a house or apartment building), but not attached to the principal building. Includes detached residential garages and carports (where permitted) designed primarily to shelter parked passenger vehicles, utility sheds as defined in Section 94.17.04, private recreation structures such as gazebos, and detached elevated decks or walkways associated with residential uses. All structures that are utilized for Agricultural Land Use Types (as listed in Section 94.4.03), that exceed 2,000 square feet in floor area, are within a rural and open space or RM zoning district or are on parcels over 10 acres in area shall instead be regulated as a principal structure, and not as a “Detached Accessory Structure.”

Performance Standards:

1. No Detached Accessory Structure (for Residential Use) shall be constructed on any lot prior to establishment of a principal use on that same lot.
2. Except within the AR and RM zoning districts, no hoop building, tarp shed, or carport shall be a permitted as a Detached Accessory Structure (for Residential Use), except on a temporary basis for a maximum of five consecutive days within a 30-day period for a special event such as a sale on the property following issuance of a temporary use permit.
3. The roof of each Detached Accessory Structure (for Residential Use), including those permitted under standard 2, shall be designed to withstand a minimum of a 40-pounds per square foot of snow load.
4. All driveways built to serve Detached Accessory Structures (for Residential Use) are subject to associated standards under Section 94.12.08. Each Detached Accessory Structure (for Residential Use) shall be served by a driveway connected to a public road if used to shelter a motor vehicle or trailer, or where vegetative ground cover to an overhead door cannot be maintained in the determination of the Zoning Administrator or Building Inspector.
5. The exterior walls of each Detached Accessory Structure (for Residential Use) shall be sided with wood, masonry, concrete, stucco, Masonite, horizontal vinyl or metal lap siding, or similar

material approved by the Zoning Administrator. Vertical siding is also allowed in all RM and rural and open space zoning districts aside from RR-2. All exterior siding shall extend to the top of the foundation. If the top of the foundation is below grade, the siding shall extend to the ground.

6. Roofs of Detached Accessory Structures (for Residential Use) shall be surfaced with any of the following materials: wood shakes; asphalt, composition, or wood shingles; clay, concrete or metal tiles; slate; built-up gravel materials; screw down metal roofing; rubber membrane (for flat roofs or roofs with no greater than a 1:12 pitch); or similar material approved by the Zoning Administrator.
7. Pole or ladder constructed buildings shall be permitted only within the RM and rural and open space zoning districts, except for the RR-2 district, and shall be subject to subsections 5. and 6. of this section.
8. No Detached Accessory Structure (for Residential Use) shall involve or include the conduct of any business, trade, or industry, except for home occupations and residential businesses as described and limited elsewhere in this Article 4.
9. No Detached Accessory Structure (for Residential Use) shall be occupied as a dwelling unit or otherwise used for human habitation, unless it has first been approved for such use by the Building Inspector and meets all applicable requirements of the State for a dwelling and under Section 94.4.09(8).
10. In all residential, RR-2 and non-residential and mixed-use zoning districts, and for all Multi-family Residences regardless of district, no portion of a Detached Accessory Structure (for Residential Use) shall occupy any land between the principal building on a residential lot and a street right-of-way, except where approved by the Plan Commission as part of an approved site plan.
11. See Figures 5.01(1) and 5.01(2) for other setback, floor area, building height, and coverage standards associated with Detached Accessory Structures in residential zoning districts. Maximum floor area and total building coverage shall not exceed the maximums set forth in Figure 5.01(1), except as allowed by a conditional use permit, subject to the procedures in Section 94.16.06 and all of the following standards for the Detached Accessory Structure:
 - I. Not taller or have more floors above ground level than the principal building.
 - II. Has a similar roof slope and overhang width as the principal building. If the principal building has multiple roof slopes and/or overhang widths, the roof slopes and widths of the accessory structure shall reflect those principal building roof characteristics that are most visible from the public street.
 - III. Shingles or other roof surface shall be of a similar material and color as the roof surface of the principal building.
 - IV. Siding shall be of a similar material and color as the siding on the principal building, except that where the siding on the principal building is stone or brick, another compatible material may be selected.
 - V. May not be located further toward the front lot line than the principal building.
 - VI. Shall meet all setback requirements normally applicable to principal buildings per Figure 5.01(2).
12. Detached garages serving Multi-Family Residences shall be accompanied by a bufferyard meeting the requirements of Section 94.11.02(3)(d) between the garage and (a) the public right-of-way and (b) a property line abutting any residentially zoned property.

DETERMINATION (To be completed by the Plan Commission):

1. Is the proposed conditional use consistent with the Comprehensive Plan, this Chapter, and all other plans, programs, and ordinances adopted by the Village
2. The proposed conditional use, in its proposed location and as depicted on the required site plan, will not 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 all other plans, programs, and ordinances adopted by the Village.

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

BACKGROUND INFORMATION:

Kevin Ostrowski is the applicant and property owner at the subject site where a detached single-family residence currently exists. He is proposing to construct a 1,280 square foot (32 feet by 40 feet) detached accessory garage for residential use. The building will house both vehicles and household material storage. Construction will include a hard surfaced driveway to access the garage that will connect to the existing driveway. The façade will include an overhead door 18 feet in width, white vinyl siding and architectural asphalt shingles. The roof lines will match and be complementary to the existing home. The structure will be 17 feet in height. The SF-L Zoning District permits one detached garage, and this will be the only detached garage that exists on site.

CURRENT PROPERTY CONDITIONS:

The subject property is 1.32 acres, and a single-family detached residence exists onsite.

PLAN COMMISION ACTION OPTIONS:

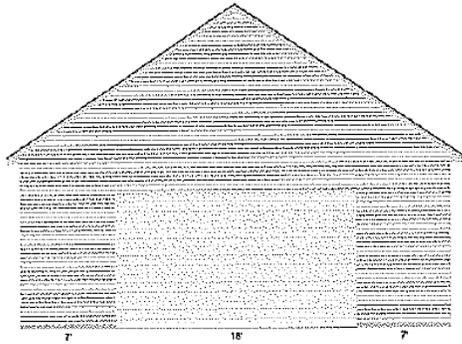
1) Approve the Conditional Use Permit at 6304 Hubert Avenue, with the following conditions:

1. The use and construction of the structure shall be consistent with the plans as submitted and as shown in "Exhibit A".
2. Any changes to the use, structure, or location as submitted as "Exhibit A", shall require submittal of a new Conditional Use Permit application.
3. All materials utilized shall match elevations and be complimentary to the existing single-family residence.
4. The driveway is required to be completed within six months of the building final.
5. The Detached Accessory Structure for residential use shall be in accordance with the site plan approved by the Village Approval Authority within 12 months of the signing of this conditional use permit. Any future additions, modifications or changes in said site plan and/or building plan must be approved by the Village Approval Authority, in advanced of any construction;
6. No use is hereby authorized unless the use is conducted in a lawful, orderly, and peaceful manner. Nothing herein shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption, or exception to any law, ordinance, order or rule by the Village, Marathon County, State of Wisconsin, United States or other duly constituted authority, except only to the extent that it authorizes the use of the Subject Property in any specific respects described herein.
7. Should any paragraphs or phase of herein be determined by a court of competent jurisdiction to be unlawful, illegal, or unconstitutional, said determination as to the particular phrase or paragraph shall not void the remainder of this conditional use and the remainder shall continue in full force and effect.

2) Deny the Conditional Use Permit at 6304 Hubert Avenue.

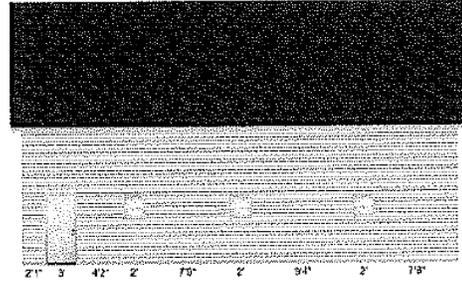
Exhibit A





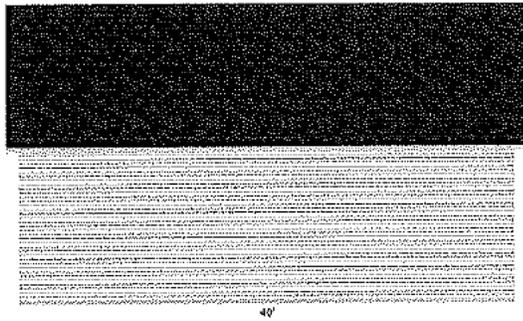
ENDWALL B

18X10 White Deep Ribbed Torsion Spring

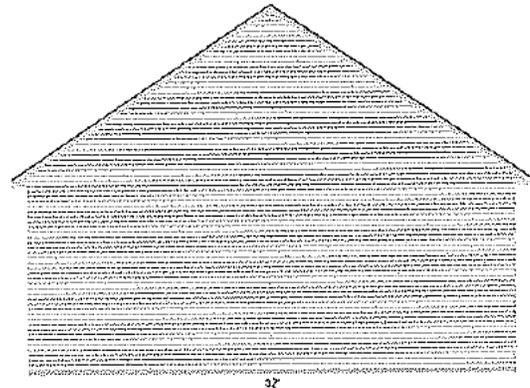


SIDEWALL D

Mastercraft® 36W x 80H Primed Steel 6-Panel
 IPS 24"W x 30"H White Vinyl Single-Hung Utility
 IPS 24"W x 30"H White Vinyl Single-Hung Utility
 IPS 24"W x 30"H White Vinyl Single-Hung Utility



SIDEWALL C



ENDWALL A

VILLAGE OF WESTON, MARATHON COUNTY, WI
CONDITIONAL USE PERMIT #20240269

This CONDITIONAL USE PERMIT is issued as of 14th day of October 2024, by the PLAN COMMISSION of the VILLAGE OF WESTON to KEVIN OSTROWSKI of 6304 Hubert Avenue, Weston, WI 54476.

WHEREAS, KEVIN OSTROWSKI is the owner of the property described below in the Village of Weston, and which property is subject to an agreement whereby KEVIN OSTROWSKI intends to build thereon a DETACHED ACCESSORY STRUCTURE (FOR RESIDENTIAL USE) EXCEEDING 1,000 SQUARE FEET IN AREA, related use. The said property upon which said activity is to take place is more particularly described as follows:

SE1/4 NW1/4, Sect. 10, T28N, R8E - WESTON, VILLAGE OF-PINE RIDGE ESTATES

WHEREAS, the property described above is in the SINGLE-FAMILY RESIDENTIAL – LARGE LOT (SF-L) Zoning District of the Village of Weston, which permits the use of a DETACHED ACCESSORY STRUCTURE (FOR RESIDENTIAL USE) EXCEEDING 1,000 SQUARE FEET IN AREA in said zoning district by conditional use permit; and

WHEREAS, KEVIN OSTROWSKI has requested a conditional use permit for the property, per Section 94.4.09(2) Detached Accessory Structure (for Residential Use) of the Village of Weston Zoning Ordinance, so as to allow the construction of a DETACHED ACCESSORY STRUCTURE (FOR RESIDENTIAL USE) EXCEEDING 1,000 SQUARE FEET IN AREA on said premise; and

WHEREAS, a petition for a conditional use permit having been duly filed with the Village Zoning Administrator, and placed on the Plan Commission agenda after first being assured by Village professional staff review that the application is complete, and following staff review and Plan Commission review, investigation and a public hearing which was held October 14, 2024, the Plan Commission after giving full consideration to the criteria and standards for granting a conditional use permit, as set forth in the Village Ordinance, including Section 94.16.06, approve said application in writing; and

WHEREAS, upon the discontinuance of the use of a DETACHED ACCESSORY STRUCTURE (FOR RESIDENTIAL USE) EXCEEDING 1,000 SQUARE FEET IN AREA on said premise for a period exceeding 365 days, the issuance of the conditional grant shall automatically become invalidated. The burden of proof shall be on the property owner to conclusively demonstrate that the conditional use was operating during this period; and

WHEREAS, all requirements of the approved conditional use permit shall be continued regardless of ownership of the subject property and shall run with the land, except where limited by the zoning code or by a specific condition attached to this conditional use grant herein.

NOW, THEREFORE, BE IT RESOLVED, the PLAN COMMISSION of the Village of Weston, in Marathon County, Wisconsin, hereby grant KEVIN OSTROWSKI a conditional use permit for the property described above, for the use of a DETACHED ACCESSORY STRUCTURE (FOR RESIDENTIAL USE) EXCEEDING 1,000 SQUARE FEET IN AREA as defined in 94.4.09(2) of the Village Zoning Ordinance. The conditions for the issuance of the conditional use permit are as follows:

1. The use and construction of the structure shall be consistent with the plans as submitted and as shown in “Exhibit A”.
2. Any changes to the use, structure, or location as submitted as “Exhibit A”, shall require submittal of a new Conditional Use Permit application.
3. All materials utilized shall match elevations and be complimentary to the existing single-family residence.
4. The driveway is required to be completed within six months of the building final.
5. The Detached Accessory Structure for residential use shall be in accordance with the site plan approved by the Village Approval Authority within 12 months of the signing of this conditional use permit. Any future additions,

modifications or changes in said site plan and/or building plan must be approved by the Village Approval Authority, in advance of any construction;

- 6. No use is hereby authorized unless the use is conducted in a lawful, orderly, and peaceful manner. Nothing herein shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption, or exception to any law, ordinance, order or rule by the Village, Marathon County, State of Wisconsin, United States or other duly constituted authority, except only to the extent that it authorizes the use of the Subject Property in any specific respects described herein.
- 7. Should any phrase or paragraph herein be determined by a court of competent jurisdiction to be unlawful, illegal, or unconstitutional, said determination as to the particular phrase or paragraph shall not void the remainder of this conditional use and the remainder shall continue in full force and effect.

All of the uses permitted in the SINGLE-FAMILY RESIDENTIAL – LARGE LOT (SF-L) Zoning District shall continue to be permitted on said premises and in addition thereto, the uses described in this Conditional Use Permit or Conditional Grant are hereby allowed on said premises.

Violation of any of the terms, provisions or conditions of this Conditional Use Permit may, pursuant to the Ordinances of the VILLAGE OF WESTON, result in termination of the rights and privileges granted herein.

Dated this 14th day of October 2024

WESTON PLAN COMMISSION

By: _____
Steve Cronin, its Chair

ATTEST:

Jennifer L. Higgins, Zoning Administrator

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

Personally, came before this _____ day of October 2024, the above-named Steve Cronin, Chair, and Jennifer L. Higgins, Zoning Administrator, to me known to be the persons who execute the forgoing instrument and acknowledge the same.

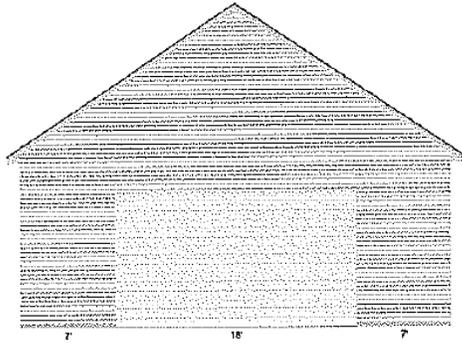
Notary Public

My Commission expires on _____.

THIS INSTRUMENT DRAFTED BY:
Carrie Edmondson, Village of Weston
Associate Planner, Planning and Development
Weston, WI 54476

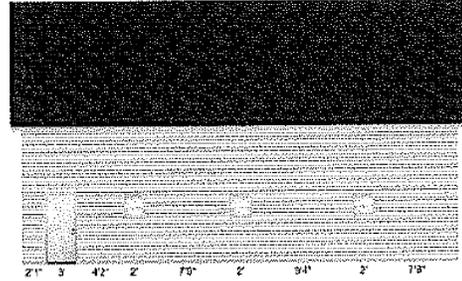
Exhibit A





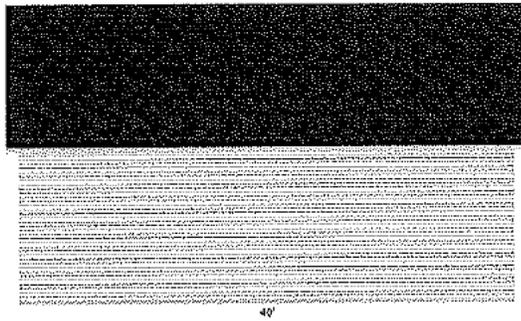
ENDWALL B

18X10 White Deep Ribbed Torsion Spring

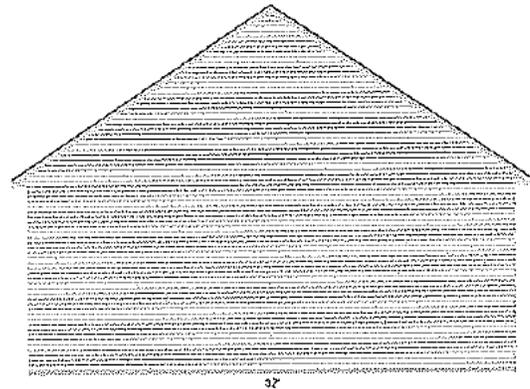


SIDEWALL D

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SIDEWALL C



ENDWALL A

DRAFT