



Special Exception
Town of Mukwonago

Version: February 10, 2022

Town of Mukwonago
W320 S8315 Beulah Road
Mukwonago, WI 53149

Overview: The Town Board may, on a case-by-case basis, grant a special exception for those development standards specifically noted as special exceptions in the zoning code.

Governing regulations: The procedures and standards governing the review of this application are found in Article 5 of the Town's zoning code (Chapter 36).

General instructions: Application materials should be submitted to the Town Clerk at the mailing address shown above or online at https://townofmukwonago.zoninghub.com/tools/OnlineApplication.aspx.

1. Applicant and agent contact information. Include the names of those agents, if any, that helped prepare this application including the supplemental information.

Table with columns Applicant and Agent (if any). Rows include Name, Company, Street address, City, state, zip code, Daytime telephone number, and Email.

2. Subject property information

Physical address: W325S7250 Squire Lane Mukwonago, WI 53149
Tax key number(s): MUKT- 1902.040 MUKT- MUKT- MUKT-

Note: The tax key number can be found on the tax bill for the property or it may be obtained from the Town Clerk.

Parcel size 1 [X] acres OR [ ] square feet

Is the subject property currently in violation of the Town's Zoning Code?

- [X] No
[ ] Yes

If yes, please explain.

Empty rectangular box for explanation.

Comment: Pursuant to Section 36-136 of the Town's zoning code, the Town may not issue a permit or other approval that would benefit a parcel of land that is in violation of the zoning code, except to correct the violation or as may be required by state law.

Are there any unpaid taxes, assessments, or other required payment that are specifically related to the subject property?

- [X] No
[ ] Yes

If yes, please explain.

Empty rectangular box for explanation.

Comment: Pursuant to Section 36-137 of the Town's zoning code, the Town may not issue a permit or other approval that would benefit a parcel of land where taxes, assessments, or other required payments are delinquent and due.

Handwritten note: Paid 3/7/23 \$50 + \$509 [Signature]

**3. Zoning information**

The subject property is located in the following zoning district(s). (check all that apply)

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> C-1 Conservancy     | <input checked="" type="checkbox"/> R-1 Residential | <input type="checkbox"/> EC Environmental corridor (overlay) |
| <input type="checkbox"/> A-1 Agricultural    | <input type="checkbox"/> R-2 Residential            | <input type="checkbox"/> HS Hydric soils (overlay)           |
| <input type="checkbox"/> RH Rural home       | <input type="checkbox"/> B-2 Local business         |  |
| <input type="checkbox"/> SE Suburban estates | <input type="checkbox"/> P-1 Public                 |  |

Is the subject property located within Waukesha County's shoreland jurisdiction (generally defined as being within 300 feet of a stream or 1,000 feet of a lake)?

- Yes       No

**4. Type of special exception.** Select the special exception(s) you are requesting as referenced in the zoning code.

- s. 36-686(b)      Parking of trucks and equipment as an ancillary use to a residential use
- s. 36-702      Reasonable accommodations
- s. 36-713      Modify depth-to-width ratio for lots
- s. 36-718      Increase in maximum attached garage size
- s. 36-719      Increase in maximum detached accessory building
- s. 36-726(b)      Reduction in separation to EC overlay zoning district
- s. 36-733      Allow detached accessory building in front of principal building
- s. 36-764      Allow a second driveway
- s. 36-773(b)(4)      Modification of requirements for decorative facing on the side of a principal building
- s. 36-773(b)(12)      Allow overhead doors to face a public street
- s. 36-1504      Allow construction within an offset area
- Appendix B (1.03)      Modify minimum lot area for intensive animal production
- Appendix B (4.01)      Modify requirements for exterior materials for duplexes
- Appendix B (4.02)      Modify requirements for exterior materials for multifamily buildings
- Appendix B (4.03)      Modify requirements for exterior materials for single-family dwellings
- Appendix B (9.04)      Modify offset requirements for commercial kennels
- Appendix B (9.20)      Modify offset requirements for veterinary clinics
- Appendix B (13.14)      Modify provisions for home occupations for operator with a disability
- Appendix B (13.25)      Modify offset and setback requirements for a free-standing solar energy system
- Appendix B (13.25)      Modify placement requirements for a free-standing solar energy system
- Appendix B (14.01)      Grant an extension of time for an earth materials stockpile
- Appendix C      Increase height of detached accessory building (Footnote #14)

**5. Previous special exception applications for the subject property.** Describe any special exception applications that have been submitted for the property; include the year, a general description, and whether the application was approved or not.

We have never applied for a special exception in the past.

**6. Proposed project.** Describe what you would like to do if the special exception is granted.

We would like to build a 2 car garage (24' x 26'). We have spoken to JD Griffith Garages. The garage would have the same siding, trim, and roofing of our home. We would like to begin the project this summer. JD Griffith anticipated this build would take about 1 month. It would consist of filling and leveling area, gravel, cement, build garage, finishing work. There are currently no plans to run electrical to the garage.

**7. General evaluation criteria.** The following general factors are considered in reviewing your application:

- (1) the size of the subject property in comparison to other properties in the area;
- (2) the extent to which the issuance of the special exception permit would be in keeping with the overall intent of the zoning regulations;
- (3) whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception permit;
- (4) the nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exception permit was granted;
- (5) the nature and extent of anticipated positive and negative effects on properties in the area;
- (6) actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception;
- (7) a factor specifically listed under a section of this chapter authorizing the issuance of a special exception permit; and
- (8) any other factor that relates to the purposes of this chapter as set forth in s. 36-5 or as allowed by state law.

In the space below, address each of these to the extent necessary to show why you believe the special exception should be granted. Add additional pages if necessary.

1. Our neighborhood has several homes with a second garage. There actually is a garage that sits in front of the primary residence down the street on Sandie Lane. We do not feel adding a 2 car garage in our neighborhood would look out of place in comparison to our neighbors. Especially, since our trees would block it.
2. We would follow zoning regulations such as 20 ft from lot line, at least 10 ft. from primary residence. We would also follow the sizing guidelines, 2 outbuildings allowed, if they are under 720 sq ft (I believe that is the regulation). The only exception would be the placement in front of the primary residence.
3. There are unique circumstances to the available space to build a garage. Left of our home is our septic and leach bed which cannot be built on or even driven over with heavy equipment. Right of our house is a drop off. Our backyard is narrow and due to the drop off on the right and septic on the left, heavy machining cannot get to our backyard. If we could build to the left of our house, we 100% would choose that.
4. I do not see an impact to the natural environment around us by building this garage. Perhaps 1 tree may need to come down.
5. The positive - home property values can go up with additional garage space, therefore creating a positive impact for the neighborhood. Another positive, we have lived in this neighborhood and home for 17 years, not causing any negative impact to the neighborhood, if we cannot build a garage, we may consider the need to begin looking at homes since we need more storage. The negatives - the 4 week long construction may cause disruption to some surrounding neighbors. However, it would not be everyday for 4 weeks.
6. To mitigate the noise and respect neighbors, we would make sure the garage contractor would start at a proper time, such as after 8 AM and be finished at a reasonable time such as 5 PM.

**8. Specific evaluation criteria.** In addition to the general evaluation criteria listed in section 7 above, specific evaluation criteria are often listed in the zoning code for each of the different types of special exceptions (refer to section 4 above for the corresponding zoning code section number). In the space below, list those factors and why you believe the special exception should be granted. Add additional pages if necessary.

We are R1 zoning and are planning to follow all ordinances with this additional garage. The only one we cannot follow due to our lot, drop offs, and septic, is the positioning to the main residence.

**9. Project map.** Attach a project map. It can consist of a single page or multiple pages depending on the complexity of the features that need to be depicted.

The following items need to be included *as appropriate* to the project and the special exception that is being requested.

**Background Project Information**

- Project name
- Applicant name
- Preparation date

**Survey Information**

- North arrow and graphic scale
- Address of subject property or legal description
- Property boundaries
- Acreage of subject property

**Project Development Information**

- Easements/rights-of-ways (location, width, purpose, ownership)

**Setting**

- Property boundaries within 50 feet of the subject property
- Land uses within 50 feet of the subject property
- Zoning district boundaries within 50 feet of the subject property
- Municipal boundaries within 50 feet of the subject property

**Site Features (existing and proposed)**

- Ground contours when any slope exceeds 10 percent
- Wetlands
- Woodlands
- Wildlife habitat, including critical wildlife habitat
- Environmentally sensitive features
- Water resources (rivers, ponds, etc.)
- Floodplain boundaries
- Environmental and manmade development constraints and hazards including brownfields, contaminated sites, unstable soils, high groundwater, bedrock, and high-pressure natural gas lines

**Buildings and Outdoor Storage/Activity Areas**

- Existing and proposed
- Existing within 50 feet of subject property

**Required Setbacks**

- Yard setbacks (front, side, rear and shore)
- On-site septic systems
- On-site wells and off-site wells within 10 feet of the perimeter of the subject property

**Utilities (existing and proposed)**

- Location
- Type (sewer, telephone, etc.) (buried or overhead, if applicable)

**Transportation Facilities (existing and proposed)**

- Streets
- Driveways and road access onto public and private roads
- Parking lots
- Sidewalks / trails
- Fire lanes (i.e., fire apparatus access)
- Clear visibility triangles (location and dimensions)

**10. Attachments.** List any attachments included with your application.

Attachment A: Overhead Map view of home and lot line.

- Red box depicts garage position
- Yellow depicts driveway
- Black line on yellow depicts position of garage door

**11. Other information.** You may provide any other information you feel is relevant to the review of your application.

We love living in Mukwonago. We have lived in this home for 17 years and raised our family. We want to stay in our home, but garage storage is a major issue. After 17 years, we have determined that we can financially add a garage. We enjoy boating and have no place to store our boat. In summer, the fishing boat can cause an eyesore because it is wheeled next to the house which is visible from the road. We would like to be able to put it into a garage to protect our investment and create a hidden and clean place for it to be stored, so neighbors don't have to see it sitting on our lawn. Please consider approving this exception, we will ensure that it looks nice and is done well to blend with our home.

**12. Applicant certification**

- I certify that all of the information in this application, along with any attachments, are true and correct to the best of my knowledge and belief.
- I understand that I may be charged additional fees (above and beyond the initial application fee) consistent with sections 2-2 and 2-3 of the Town of Mukwonago municipal code.
- I understand that submission of this application authorizes town officials, Plan Commission members, Town Board members, employees, and other designated agents to enter the property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.
- I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of such written materials or view it online.
- I understand that the Town Planner will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.

Property Owner Signature:

Date:

Miranda Macer

3-4-23

[Signature]

3-4-23

Name: Maurer 2 car Garage

Applicant: Matt and Miranda Maurer

Preparation Date: 2/3/23

\* W325 57250 Square Lane  
Brownsboro, VA  
53149

\* 1 Acre



Alternative  
other  
spot  
option

(S)

(N)

(E)

Legend

① XXXX = 10% or more Slope

② [Septic Tank Symbol] = septic

③ [Leachbed Symbol] = Leachbed  
④ [Well Symbol] = Well

Legend

Red square = 2 car  
24x26  
garage

yellow = driveway

Black line = garage  
door

●—● = 20ft

●—● = 20ft