

VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI

MEETING: **BOARD OF ZONING APPEALS**

DATE AND TIME: **WEDNESDAY, August 16, 2017 5:30 p.m.**

LOCATION: **Germantown Village Hall Board Room
N112 W17001 Mequon Road**

- I. **CALL TO ORDER:** This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.
- II. **ROLL CALL:**
- III. **APPROVAL OF MINUTES:** July 12, 2017
- IV. **PUBLIC HEARING:**
The purpose of said hearing is to hear any and all parties, their attorneys or agents, for or against the **APPEAL** filed by **Plunkett Raysich Architects, LLP**, agent for **Germantown School District**, owner of the following properties, seeking a variance from Section 17.45(1) to reduce the minimum parking stall size from 180 sq. ft. to 162 sq. ft. for the new and modified parking areas being constructed at the following properties:

GERMANTOWN HIGH SCHOOL
W180N11501 RIVER LN, GERMANTOWN (GTNV 213-962, 213-963 & 213-999)
KENNEDY MIDDLE SCHOOL
W160 N11836 CRUSADER CT, GERMANTOWN (GTNV 221-982)
COUNTY LINE ELEMENTARY SCHOOL:
W159 N9939 BUTTERNUT RD, GERMANTOWN (GTNV 344-991)
- V. **DELIBERATION AND ACTION BY THE BOARD on Item IV:**
- VI. **PUBLIC HEARING:**
The purpose of said hearing is to hear any and all parties, their attorneys or agents, for or against the **APPEAL** filed by **Marty and Jeri Meyers**, owners of the following property, who are seeking the following variances from the Village Zoning Code: (1) a variance from Section 17.41(1)(b) to allow an accessory building up to 2,480 sq. ft. (vs. the maximum amount of accessory building area of 2,308 sq. ft. allowed for a 5.3-acre property); (2) a variance from Section 17.41(2) to allow an accessory building with a height up to 26.5 feet (vs. the maximum accessory building height of 25 feet in an Rs-1: Single-family District); and (3) a variance from Section 17.50(2)(b) to allow an accessory building in a front yard (vs. a requirement that accessory buildings are only allowed in a rear yard).

W140 N13721 Country Aire Drive
GERMANTOWN, WI GTNV 024-987
- VII. **DELIBERATION AND ACTION BY THE BOARD on Item VI:**

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VIII. **NEXT MEETING DATE AND TIME IF NEEDED:** September 13, 2017 at 5:30 p.m.

IX. Adjournment

UPON REASONABLE NOTICE, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service please contact the Village Clerk at (262)250-4740 at least 2 days prior to the meeting.

Notice is given that a majority of the Village Board may attend this meeting to gather information about an agenda item over which they have decision making responsibility. This may constitute a meeting of the Village Board per State ex rel. Badke v. Greendale Village Board, even though the Village Board will not take formal action at this meeting.

**VILLAGE OF GERMANTOWN
BOARD OF ZONING APPEALS
MEETING MINUTES
July 12, 2017**

CALL TO ORDER: The meeting was called to order at 5:33 p.m.

ROLL CALL: Chairman White, Member Hansen, Member Fritsche, Member Filla, Alternate Member Merry, Member Schleif absent and excused. Village Attorney Sajdak, Community Development Director (CDD)/Village Planner and Zoning Administrator Retzlaff, and Deputy Clerk Bodoh.

APPROVAL OF MINUTES: July 13, 2016 and May 10, 2017

Motion (Fritsche/Hansen) to approve minutes as presented for July 13, 2016 and May 10, 2017.
Motion carried.

Chairman White opened the Public Hearing at 5:38 p.m.

PUBLIC HEARING:

Chairman White read the public hearing notice. Hearing is to hear any and all parties, their attorneys or agents, for or against the **APPEAL** as filed by **CHRISTOPHER HESS**, for the following: seeking a variance in order to construct a sunroom addition that encroaches 7 feet into the minimum 35 feet rear yard setback on the property located at **N103 W17689 Whitetail Run, Germantown, WI 53022 GTNV 331-097**

Chairman White swore in CDD Retzlaff.

CDD Retzlaff stated Hess property is .37 acre zoned RS5 single family corner lot. In May 2017, Inspection Office of Community Development Department denied issuing a building permit for a proposed 20' x 20' (400 sq. ft.) sunroom addition to an existing dwelling because proposed addition would extend into 35' rear yard building setback by approximately 7 feet. Owner was issued a building permit in 2004 for 18' x 20' deck on south side of existing dwelling, same side as proposed 20' x 20' sun room addition. Village's Building Inspector at that time, did not consider an attached deck as part of building therefor not subject to applicable 35' rear yard setback.

Member Fritsche asked CDD Retzlaff would you consider an attached deck to follow setback requirement by the current code? CDD Retzlaff stated yes, under today's interpretation of the code, I consider deck additions or attachments to be part of building and setback code.

Chairman White swore in Mr. Hess.

Mr. Hess provided Board with signatures of neighbors in agreement of sunroom addition. Mr. Hess stated he talked to other surrounding neighbors and they are also in agreement. Chairman White asked if he knew of anyone against the addition. Mr. Hess stated no. Mr. Hess stated purpose of sunroom is need for more space, outgrowing home and want to enclose deck to use the room all year round rather than just in summer. Mr. Hess stated he also wants to improve the value of his home.

Chairman White asked; Mr. Hess are you the owner of property? Mr. Hess stated yes. Chairman White asked; how long have you lived there? Mr. Hess stated since 1999. Chairman White asked; does the deck come down or building on top of existing deck? Mr. Hess stated everything will be removed except footings. Member Fritsche asked; were you able to change the shape of the room make it more rectangular with equivalent square footage? Mr. Hess stated bedroom windows would be in the way, sprinkler system and all landscaping would have to be re-done as well as new plans need to be drawn. Member Filla asked; when you came to talk to the inspector did he mention you would need to get a variance? Mr. Hess stated not until he had blueprints and had he known that before he would have worked with builder to make it fit without variance. Member Hansen asked; in order to build the sunroom does it have to violate the setback? Hess stated we were allowed to build the deck in 2004 and want to enclose existing space.

Public Hearing was closed at 6:05 p.m.

DELIBERATION AND ACTION BY THE BOARD:

Discussion of five criteria. All five have to be proven in order to grant request.

Variance:

1. *Variance (will/will not) be contrary to the public interest and (will/will not) be in accord with the spirit of the Zoning Code.* Member Filla stated signed statements from neighbors proves variance will not be contrary to public interest. Chairman White stated because structure is already there this variance is not contrary to spirit of Zoning Code.
2. *There (are/are not) exceptional, extraordinary or unusual conditions or circumstances that apply specifically to this lot or parcel, use, structure or intended use that do not apply generally to other property or uses in the same district.* Member Filla stated there is a structure already there and that is what makes it unique. Member Fritsche stated he agrees with Member Filla and because they were already given the right to build a deck makes it unusual. All agree there are extraordinary circumstances that apply to this lot or parcel.
3. *Variance is not necessary for preservation and enjoyment of substantial property rights.* Chairman White stated ability to use their existing structure to create space for their sunroom and to preserve their property rights therefore the variance is necessary.
4. *Variance (will/will not) create substantial detriment to adjacent property, and (will/will not) be contrary to public safety or interest.* Member Fritsche stated no need for emergency vehicles to enter rear yard. Chairman White stated all agree it will not create a detriment to adjacent property and will not be contrary to public safety or compromise public interest.
5. *A literal enforcement of terms of Zoning Code (would/would not) result in practical difficulty or unnecessary hardship to applicant.* Member Merry stated it would cause hardship due to expense of moving footings and sprinklers and landscaping and recreating plans. Member Filla stated hardship is they were already given right to build existing structure established and now tell them no they can't build on existing footings sounds like a hardship. Member Fritsche stated we are not allowed by law to consider expense of new

footings and landscape as a hardship. Chairman White stated existing deck does make a difference. Member Hansen stated it is close on this one due to existing footings. Chairman White stated practical difficulty would be to tell Mr. Hess to recreate something when they have become accustomed to the 20' x 20' living space and now they have to reduce amount of living space. Member Hansen stated it would not result in practical difficulty due to other options existing to meet the zoning code.

Chairman White stated he will accept a motion.

MOTION (Filla/Merry) moved to grant the variance as shown based on the five (5) Findings of Facts to construct a sunroom addition that encroaches 7 feet into the minimum 35 feet rear yard setback by roll call vote, 3 in favor, 2 opposed (Fritsche and Hansen), carried.

Chairman White stated outcome to appellant.

Chairman White stated next hearing will be August 9, 2017.

MOTION (Fritsche/Hansen) to adjourn meeting at 6:58 p.m., carried.

Cheryl Bodoh, Deputy Clerk

Village of



Germantown

NOTICE OF PUBLIC HEARING

VILLAGE OF GERMANTOWN

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the **Board of Zoning Appeals**, Village of Germantown, WI:

Germantown Village Hall Board Room

N112 W17001 Mequon Road
Germantown WI 53022

Date and Time: **WEDNESDAY August 16, 2017 - 5:30 P.M.**

The purpose of said hearing will be to hear any and all parties, their attorneys or agents, for or against the **APPEAL** filed by the **Germantown School District**, owner of the following properties, seeking a variance from Section 17.45(1) to reduce the minimum parking stall size from 180 sqft to 162 sqft for the new and modified parking areas being constructed at the following properties:

GERMANTOWN HIGH SCHOOL:

W180 N11501 RIVER LANE, GERMANTOWN, WI
(GTNV 213-962, 213-963 & 213-999)

KENNEDY MIDDLE SCHOOL:

W160 N11836 CRUSADER CT, GERMANTOWN, WI
(GTNV 221-982)

COUNTY LINE ELEMENTARY SCHOOL:

W159 N9939 BUTTERNUT RD, GERMANTOWN, WI
(GTNV 344-991)

A copy of the application and supporting documents are on file in the Clerk's office and available for public inspection during the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday.

Dated this 18th day of July, 2017
Barbara K. D. Goeckner
Village Clerk

Published: July 27, 2017 and August 3, 2017

VILLAGE OF GERMANTOWN
OFFICE OF THE VILLAGE CLERK
N112 W17001 MEOUON ROAD/P. O. BOX 337
GERMANTOWN WI 53022-0337

BOARD OF ZONING APPEALS
NOTICE OF APPEAL OR APPLICATION

Case No. _____
Filing Date _____
Fee Paid \$ 570.00
Hearing Date: Aug. 16, 2017
Notice Mailed: _____
Notices Published: 7/27 / 8/3

To: Board of Zoning Appeals
Village of Germantown, Wisconsin

NOTICE IS HEREBY GIVEN that the undersigned hereby (appeals for relief from a decision of an administrative official) (applies for the following described right or privilege) :

1. Appellant's or Applicant's Name: GERMANTOWN SCHOOL DISTRICT
Address: _____
N104 W13840 DONGES BAY RD
Phone No. : 262-253-3908
2. Appellant's or applicants' interest in property:
(x) Owner; () Tenant; () Mortgagee; () Agent.
3. Property Owner's Name: SAME
Address: _____
Phone No.: _____
4. Address of property: COUNTY LINE ELEMENTARY SCHOOL
W159 N 9939 BUTTERNUT RD, GERMANTOWN, WI 53022
Lot _____, Block _____, Tax Parcel No. GTNV 344991, Zoning District: I
5. Present use of the property: PUBLIC SCHOOL
6. Proposed use of the property: PUBLIC SCHOOL
7. Previous Appeal or Application (if any)? Yes () No (x)

If YES, list date of hearing: _____ and Decision of previous hearing: _____

8. Identify the **PURPOSE** for this appeal or application. Please circle appropriate item below and provide the requested information. Attach a separate sheet, if necessary.

(a) Appeal of decision or order of Administrative Official and Request for Interpretation of Zoning/Building Code.

1. Date of decision or order:

2. Description of decision or order:

3. Decision or order is erroneous because:

(b) Request for Variance of Zoning/Building Code.

1. Describe the requested variance and dimension of variance:
SEEK A VARIANCE FROM THE REQUIRED MINIMUM 180 SF (NOMINAL
DIMENSION 10'x18') PARKING STALL REQUIREMENT AND PROPOSING
162 SF (NOMINAL DIMENSION 9'x18') PARKING STALL
2. Explain how the Variance, IF granted, is consistent with the spirit, purpose and intent of the Code:
THE PROPOSED PARKING STALL SIZE IS CONSISTENT WITH SIZES
REQUIRED IN SURROUNDING COMMUNITIES FOR SCHOOL USES.

3. Describe the exceptional, extraordinary or unusual conditions or circumstances that apply specifically to this lot/parcel, use, structure, or intended use that **DO NOT** apply generally to other properties or uses in the SAME district:
THIS WILL BE A SCHOOL PARKING LOT USED SPECIFICALLY USED
FOR VISITORS OF THE SCHOOL.

4. Describe what special conditions exist which cause practical difficulty or unnecessary hardship, IF variance is NOT granted:
THE ADDITION TO THE EXISTING LOT IS CURRENTLY DESIGNED FOR 9
ADDITIONAL STALLS AT 9'x18'. IF THE STALLS WERE TO BE REVISED TO
10'x18' STALLS, THE PARKING COUNT WOULD BE REDUCED TO 7 STALLS.
5. Explain why the variance **IS NECESSARY** for the preservation and enjoyment of substantial property rights possessed by other properties in the SAME district:

BY ALLOWING THE SMALLER STALLS, WE CAN ACCOMMODATE MORE
VISITORS WITHOUT TAKING PARKING AWAY FROM STAFF.

6. Explain how this variance, IF granted, **WILL NOT** create substantial detriment to adjacent property, **WILL NOT** be contrary to the public interest and **WILL NOT** endanger public safety and interest:
BY ALLOWING THIS VARIANCE IT WILL REDUCE THE OFF SITE
PARKING AND PARKING IN NON-DESIGNATED AREAS AROUND THE
BUILDING.

(c) Request for interpretation of regulations of the Zoning Code or the District boundaries of the Zoning Map.

1. List applicable section(s) of the Zoning Code: _____
2. Describe proposed use/activity/construction: _____

3. Explain reasons supporting requested action: _____

4. Has request been referred to Plan Commission? Yes () No ()
If YES, give recommendation of Plan Commission: _____

(d) Permission for Temporary Use Permit.

1. Describe use requested: _____
2. Proposed commencement date: _____
3. Proposed termination date: _____

(e) A determination that an unspecified or unclassified use is permitted in a Zoning District.

1. Describe use requested:

2. Attach copy of recommendation of Village Plan Commission.

(f) Permission to substitute a MORE restrictive non-conforming use for an existing non-conforming use.

1. Attach copy of recommendation of Village Plan Commission.
2. Attach copy of certification of Zoning Administrator to legality of present non-conforming use.

3. Date of commencement of present use: _____
4. Value of improvement on date use became non-conforming (attach documentation supporting value): \$ _____
5. Present value of all existing improvements, additions and alterations since date use became non-conforming (attach documentation): \$ _____

REQUIRED DOCUMENTATION

Each appeal or application must be accompanied by:

- A. Current plat or survey of the lot/parcel, with complete details of the site, dimensioned, elevation data, easements, existing and proposed physical features, yards and setbacks, etc.
- B. Attachments as outlined above.
- C. Filing fee(s)
- D. Copy of decision or order which is the basis of this appeal/application.
- E. Name and Address of counsel IF appellant/applicant elects to be represented by counsel.
- F. Any additional fee of \$ _____ to cover the administrative costs if a contested case is requested.

I hereby certify that the above application and/or appeal and all attachments hereto are true, correct and complete to the best of my knowledge and belief.

Dated: _____, 20____

Signature of applicant or appellant

17.52 - BOARD OF ZONING APPEALS.

- (1) **MEMBERSHIP.** See section 1.30(1) of this Code.
- (2) **ORGANIZATION.** The Board of Zoning Appeals shall organize and adopt rules and procedure for its own government in accordance with the provisions of this chapter.
 - (a) *Meetings.* Meetings shall be held at the call of the chairman and shall be open, to the public.
 - (b) *Minutes.* Minutes of the proceedings and a record of all actions shall be kept by the secretary showing the vote of each member upon each question, the reasons for the Board's determination and its findings of fact. These records shall be immediately filed in the office of the Board and shall be a public record.
 - (c) *Concurring Vote.* (Am. Ord. #12-09) The concurring vote of a majority of the quorum of the Board shall be necessary to correct an error; grant a variance; make an interpretation; and permit a utility, temporary, unclassified or substituted use.
- (3) **POWERS.** The Board of Zoning Appeals shall have the following powers:
 - (a) *Errors.* To hear and decide appeals when it is alleged there is error in any order, requirement, decision or determination made by the Zoning Administrator.
 - (b) *Variances.* To hear and grant appeals for variances as will not be contrary to the public interest when, owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship so that the spirit and purpose of this chapter shall be observed and the public safety, welfare and justice secured. Use variances shall not be granted.
 - (c) *Interpretations.* To hear and decide applications for interpretations of the zoning regulations and the boundaries of the zoning districts after the Plan Commission has made a review and recommendation.
 - (d) *Substitutions.* To hear and grant applications for substitution of more restrictive nonconforming uses for existing nonconforming uses provided no structural alterations are to be made and the Plan Commission has made a review and recommendation. Whenever the Board permits such a substitution, the use may not thereafter be changed without application.
 - (e) *Permits.* The Board may reverse, affirm wholly or partly modify the requirements appealed from, and may issue or direct the issuance of a permit.
 - (f) *Assistance.* The Board may request assistance from other Village officers, departments, commissions and boards.
 - (g) *Oaths.* The Chairman may administer oaths and compel the attendance of witnesses.
- (4) **APPEALS.** (Rep. & Recr. Ord. #2-94; Am. Ord. #19-96) Appeals of any administrative determination of the Zoning Administrator, the Building Inspector or the Plan Commission concerning the literal enforcement of this chapter and chapters 14 and 18 of this Code may be made by any person aggrieved or by any officer, department or board of the Village. Such appeals shall be filed with the Secretary within 30 days after receiving actual or constructive notice of the administrative decision or order or the granting of a permit by the Zoning Administrator, Building Inspector or Plan Commission. Such appeals and applications shall include the following:
 - (a) Name and address of the applicant.
 - (b) What administrative determination is being appealed and the basis for the appeal.
- (5) **HEARINGS.** The Board shall fix a reasonable time and place for the required public hearing and shall give notice as specified in section 17.53 of this chapter. At the hearing, the appellant or applicant may appear in person or be represented by an agent or attorney.
- (6) **FINDINGS.** No variance to the provisions of this chapter shall be granted by the Board unless it finds, beyond a reasonable doubt, that all the following facts and conditions exist and so indicates such in the minutes of its proceedings.

- (a) *Preservation of Intent.* No variance shall be granted that is not consistent with the purpose and intent of the regulations for the district in which the development is located. No variance shall have the effect of permitting a use in any district that is not a stated permitted use, accessory use or conditional use in that particular district.
 - (b) *Exceptional Circumstances.* There must be exceptional, extraordinary or unusual circumstances or conditions applying to the lot or parcel, structure, use or intended use that do not apply generally to other properties or uses in the same district, and the granting of the variance should not be of so general or recurrent nature as to suggest that this chapter should be changed.
 - (c) *Hardships Not Grounds for Variance.* No variance shall be granted solely on the basis of economic gain or loss. Self-imposed hardships shall not be considered as grounds for the granting of a variance.
 - (d) *Preservation of Property Rights.* The variance must be necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.
 - (e) *Absence of Detriment.* No variance shall be granted that will create substantial detriment to adjacent property or that will materially impair or be contrary to the purpose and spirit of this chapter or the public interest.
- (7) **DECISION.** The Board shall decide all appeals and applications within 30 days after the final hearing and shall transmit a signed copy of the Board's decision to the appellant or applicant, the Zoning Administrator and the Plan Commission.
- (a) *Conditions.* Conditions may be placed upon any zoning permit ordered or authorized by the Board.
 - (b) *Variances, Substitutions or Use Permits.* Variances, substitutions or use permits granted by the Board shall expire within 6 months unless substantial work has commenced pursuant to such grant.
- (8) **REVIEW BY COURT OF RECORD.** Any person aggrieved by any decision of the Board may present to a court of record a petition duly verified setting forth that such decision is illegal and specifying the grounds of the illegality. Such petition shall be presented to the court within 30 days after the filing of the decision in the office of the Board.

State law references—Zoning board of appeals, Wis. Stats. §§ 61.35, 62.23(7)(e).

Village of



Germantown

PLANNING DEPARTMENT
N112 W17001 Mequon Road P O Box 337
Germantown WI 53022-0337
(262) 250-4735 *direct line*
(262) 253-8255 *fax*

June 6, 2017

RECEIVED
JUN 08 2017

NOTIFICATION OF ACTION BY THE PLAN COMMISSION

BY: _____

Meeting Date: May 22, 2017

Applicant: Plunkett Raysich Architects for the Germantown School District

Address of Property: Germantown High School: W180 N11501 River Lane
Kenneth Middle School: W160 N11836 Crusader Ct.
MacArthur Elementary School: W154 N11492 Fond du Lac Ave.
County Line Elementary School: W159 N9939 Butternut Road

ACTION TAKEN:

Please see the attached draft minutes.

The actions and conditions from the Plan Commission meeting minutes will be formally approved at the next regularly scheduled meeting. If you have any questions or concerns regarding this matter, please feel free to contact me.

Sincerely,

Lori Johnson
Planning Assistant

Enc.

cc: Property File
Germantown School District

MOTION carried unanimously.

MOTION to Approve as Amended carried unanimously.

Germantown High School – W180 N11501 River Lane. The Germantown School District is seeking approval of site development and building plans for building additions, alterations and site improvements to the existing 278,425 sqft High School facility. Planner Retzlaff summarized the proposal. A lengthy discussion followed.

Scott Kramer, Plunket Raysich Architects, commented that most of the staff concerns deal with landscaping and removing the wooded area on the northeast corner of the site. He explained minimal landscaping is used in most school construction because it is a safety and security issue adding he doesn't know where they'd put 140 trees to make up for removing the woods. Commissioner Gray said she had visited the site and said she can't accept removing the woods to put in parking. She asked how a nice piece of woods could be torn out and replaced with asphalt. She proposed moving the parking lot back leaving half the woods in the front. Mr. Kramer said that land is used for athletics. Chris Hitch, Trio Engineering, explained the underground tanks will be located under the wooded area because it is the low point on the site. He said the way the site is used, the turf area is almost entirely program space and in order to keep the programming with the building additions and the new uses, additional parking is needed. He said that moving the underground drainage could be engineered, but that it's really the programming that's driving what the site plan is today and the proposal to remove the trees. He explained the logistics for not being able to shift the parking to the west. Commission Shadid agreed with Commissioner Gray to move the tanks to the west to keep part of the woods. Mr. Kramer explained the school will lose a programmable area by doing that. Jeff Holmes, School District Superintendent, also explained how moving the parking lot will impact programming at the school. Discussion continued.

Chairman Wolter said he applauds Commissioner Gray's passion to keep the trees but understands the districts reasons for removing them. He questioned why the parking lot lights aren't shielded explaining that all businesses are required to shield their lights. Mr. Kramer said the light fixtures would be around the perimeter of the lot because there will be no islands for the band to practice. He said the fixtures are able to provide light without any spill over beyond River Road. Planner Retzlaff said no tilt angle was provided on the flood light fixtures and the residential district to the east would be able to see the light source.

MOTION Gray to postpone until an option is shown to save some of the woods.
MOTION fails no second.

Discussion continued. Mr. Kramer summarized the building additions, materials and architecture. Chairman Wolter said he liked the entry ways and architecture and how the additions try to blend the new with the old with new materials. He said he understands Commissioner Gray's concerns with the trees but can't see another place for the retention without a cost concern to the project.

Commissioner Nilles questioned the size of the current parking stalls. Mr. Kramer said they vary but the majority of the stalls are the 9 x 18 size. He said that size is standard for 90 percent of commercial development. Commissioner Laszewski questioned condition #8 regarding the variance that's needed for the 9 x 18 stall size. Planner Retzlaff said if the Board of Zoning Appeals grants the variance, no further action is needed. If the board does not grant the variance, the minimum 10 x 18

would prevail and the plan would need to be changed. He explained the plan would need to come back to Plan Commission if there is some dramatic increase in additional parking somewhere on the site. Superintendent Holmes said the additional stalls are needed for students to park. He explained the average co-curricular and athletic participation by Germantown students is 78 percent and right now the school doesn't have sufficient space for students to park. Commissioner Laszewski said the plan is adding an additional 300 stalls. Superintendent Holmes explained the Germantown school district is bringing forth a performing art center that will not only be used by the district, but also by the community at large. He said one of the things the board has actively done is to make sure what they're doing with the fieldhouse, the PAC and pool addition is that the school will become a community based area and the amount of traffic and use of the school will go up as a result of the remodel.

Discussion continued. Chairman Wolter asked if parking flow and traffic pattern was worked out. Superintendent Holmes said the pick-up/drop off is challenging, so a better system for flow was discussed at length. Fire Chief Gary Weiss commented that the width of the lanes is important for fire apparatus so if the parking space size is expanded he'd lose some of that space. Chairman Wolter liked the plans for the high school saying the changes bring Germantown into the forefront and the architecture shows that. Planner Retzlaff said there should be some additional street trees installed along River Lane by the high school. He said a similar appearance could be achieved like that on the east side of River Lane with the installation of some street trees that could also be viewed as some form of compensation for the loss of the wooded area in some manner. The number and density to be decided by the Plan Commission with a revised plan. He continued by saying plantings should be added along the perimeter on the west side parking area and founding plantings on the east and south elevations of the administrative office area. Commissioner Laszewski said people will be upset about losing the trees and some minimal landscaping could be added. Mr. Kramer was agreeable to working with administration and staff to come up with a plan to add additional trees along River Lane and lower foundation plantings around the additions.

MOTION Shadid second Laszewski to Approve the site development and building plans for the proposed building additions, alterations and site improvements to the existing Germantown High School facility located at W180 N11501 River Lane subject to the following conditions:

- 1. This approval is subject to all of the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the site development and building plan sheets dated April 3 or as revised in plan sheets dated May 17, 2017, unless superseded by further revisions required by the Plan Commission as part of its approval.***
- 2. All landscaping, screening, grading, and paving improvements shown on the approved site plans shall be installed as proposed prior to issuance of an occupancy permit unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs reviewed and approved by the Village is submitted to the Village as necessary to ensure that installation of the proposed features and improvements will be completed within one (1) year after issuance of the occupancy permit.***
- 3. A Certified Survey Map (CSM) land combination shall be initiated by the District prior to issuance of a building permit in order to legally combine all three parcels owned by the District into one parcel.***
- 4. The District shall revise the proposed landscaping plan to: (a) install an equal number of deciduous trees on the property as compensation for the 140 significant trees being removed to accommodate the new parking lot; (b) install street trees along the River Lane road frontage in an amount equal to at least one (1) tree per 50 feet of road frontage north of the main driveway entrance (or in a greater ratio necessary to help meet the minimum level of tree removal compensation discussed above); (3) install a continuous buffer strip of deciduous and***

evergreen shrubs along the west and south perimeter of the new west side parking area; and (4) foundation plantings should be installed along the east and south elevations of the administration/office addition.

- 5. The District shall prepare a revised landscape plan and submit it to the Village Planner for review/approval prior to issuance of a building permit.*
- 6. The District shall enter into a Landscape Maintenance Agreement with the Village as required under 17.43(6a) of the Zoning Code. Said agreement shall be executed by the District and submitted to the Village for recording prior to issuance of an occupancy permit.*
- 7. Final review and approval of the revised plans dated May 17, 2017 and all supplemental information submitted by the District to address the issues raised by the Fire Department shall be granted prior to issuance of a building permit.*
- 8. The District intends to seek a variance from the minimum 180 sqft parking stall requirement as shown in the proposed site development plans. If a variance is not granted, the site plans will need to be revised to reflect the minimum 180 sqft stall size requirement and submitted to the Village Planner for review/approval.*
- 9. The District shall not angle the pole-mounted floodlights proposed for the two new parking areas in any manner that creates a light problem for the residential area across River Lane. As an alternative, the District should consider replacing the proposed floodlights with an alternative cut-off fixture. In the event that complaints are received from the nearby Blackstone Creek residential neighborhood, the District may be required to reposition and/or replace the floodlight fixtures to remedy any negative light glare or spillover impacts affecting said residential properties.*
- 10. State plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.*
- 11. All permit requirements and technical issues raised in the Village Engineer's April 19, 2017 review memo shall be address and reflected in a revised set of plans submitted to the Village Engineer for review/approval prior to issuance of a building permit. Final review and approval of the revised plans dated May 17, 2017 and all supplemental information submitted by the District to address the issues raised by the Village Engineer shall be granted prior to issuance of a building permit.*

Mr. Kramer said the district would prefer minimalistic plantings. Commissioner Shadid said he would like to see a plan of what can be done. Commissioner Gray suggested adding lilac and viburnum to put some interest back in. She said there is room on the property to put some trees on. Planner Retzlaff said he would like to see something planted along River Lane and in front of the administration building and the fieldhouse at a minimum.

***MOTION to Amend Goetter second Shadid to remove Letter A in Condition #4.
MOTION fails (3-3 Nay Wolter, Gray, Nilles).***

MOTION to Amend Wolter second Nilles to remove Condition #4 and place it on Condition #5.

MOTION to Amend carried (5-1 Gray).

MOTION to Amend Wolter second Shadid to bring the revised landscape plan back to Plan Commission for approval.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried (5-1 Gray).

Kennedy Middle School – W160 N11836 Crusader Court. The Germantown School District is seeking approval of site development and building plans for a building addition, interior renovations and site improvements to the existing 190,620 sqft facility. Planner Retzlaff summarized the proposal.

MOTION Laszewski second Nilles to Approve the site development and building plans for the proposed building additions, alterations and site improvements to the existing Kennedy Middle School facility located at W160 N11836 Crusader Court subject to the following conditions:

- 1. This approval is subject to all of the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the site development and building plan sheets dated April 3 or as revised in plan sheets dated May 17, 2017, unless superseded by further revisions required by the Plan Commission as part of its approval.***
- 2. All landscaping, screening, grading, and paving improvements shown on the approved site plans shall be installed as proposed prior to issuance of an occupancy permit unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs reviewed and approved by the Village is submitted to the Village as necessary to ensure that installation of the proposed features and improvements will be completed within one (1) year after issuance of the occupancy permit.***
- 3. The District shall be required to: (a) install a minimum 3' wide landscaped buffer strip of deciduous and evergreen shrubs around the perimeter of the new parking area, or, as an alternative install the proposed six (6) Quaking Aspen trees or other deciduous street tree along the frontage of Williams Drive.***
- 4. The District shall prepare a revised landscape plan and submit it to the Village Planner for review/approval prior to issuance of a building permit.***
- 5. The District shall enter into a Landscape Maintenance Agreement with the Village as required under 17.43(6a) of the Zoning Code. Said agreement shall be executed by the owner and submitted to the Village for recording prior to issuance of an occupancy permit.***
- 6. The following items shall be provided as required by the Village Fire Department: (a) Fire Department connection, fire alarm panels and remote annunciator shall be installed at locations determined by the GFD; (b) all fire alarm and emergency evacuation panels shall be integrated with the existing systems; (c) Plans shall be submitted for a complete sprinkler system throughout the building.***
- 7. The District intends to seek a variance from the minimum 180 sqft parking stall requirement as shown in the proposed site development plans. If a variance is not granted, the site plans will need to be revised to reflect the minimum 180 sqft stall size requirement and submitted to the Village Planner for review/approval.***
- 8. State approved plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.***
- 9. All permit requirements and technical issues raised in the Village Engineer's April 19, 2017 review memo, including final review and approval of the supplemental storm water management plan and analysis (with a submittal date on May 17, 2017) shall be addressed and reflected in a revised set of plans submitted to the Village Engineer for review/approval prior to issuance of a building permit.***

MOTION to Amend Gray second Shadid to Condition #4 that the district should prepare a revised landscape plan for Plan Commission approval.

MOTION to Amend carried unanimously.

Discussion followed regarding the landscaping requirements. Planner Retzlaff said the additional landscaping may be better served by providing trees along Williams Drive.

MOTION to Approve as Amended carried unanimously.

MacArthur Elementary School – W154 N11492 Fond du Lac Avenue. The Germantown School District is seeking approval of site development and building plans for a building addition, interior renovations and site improvements to the existing 51,139 sqft facility. Planner Retzlaff summarized the proposal.

MOTION Gray second Shadid to Approve the site development and building plans for the proposed building additions, alterations and site improvements to the existing MacArthur Elementary School facility located at W154 N11492 Fond du Lac Avenue subject to the following conditions:

- 1. This approval is subject to all of the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the site development and building plan sheets dated April 3 or as revised in plan sheets dated May 17, 2017, unless superseded by further revisions required by the Plan Commission as part of its approval.***
- 2. All landscaping, screening, grading, and paving improvements shown on the approved site plans shall be installed as proposed prior to issuance of an occupancy permit unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs reviewed and approved by the Village is submitted to the Village as necessary to ensure that installation of the proposed features and improvements will be completed within one (1) year after issuance of the occupancy permit.***
- 3. The District shall enter into a Landscape Maintenance Agreement with the Village as required under 17.43(6a) of the Zoning Code. Said agreement shall be executed by the owner and submitted to the Village for recording prior to issuance of an occupancy permit.***
- 4. The following items shall be provided as required by the Village Fire Department: (a) Fire Department connection, fire alarm panels and remote annunciator shall be installed at locations determined by the GFD; (b) all fire alarm and emergency evacuation panels shall be integrated with the existing systems.***
- 5. State approved plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.***

Discussion followed. Mr. Holmes said he visited 27 households regarding the building renovations. He said the neighbors were very glad to see what was taking place and that the school was getting upgrades. He indicated pick-up and drop off were their biggest concerns and he was just given approval to begin negotiations with 2 property owners to acquire their homes to alleviate parking issues and add additional parking stalls. He said neighbors were very receptive to the changes.

Chairman Wolter asked if the additional parking will require a retention. Mr. Hitch said it would be located under the parking. Planner Retzlaff said there is no retention currently on the site and what is proposed is a rain garden. Mr. Hitch said the design would follow DNR rules and can be implemented by the landscape contractor. Chairman Wolter said the school may be interested in doing this as a learning experience.

MOTION carried unanimously.

County Line Elementary School – W159 N9939 Butternut Road. The Germantown School District is seeking approval of site development and building plans for building additions, alterations and site improvements to the existing 60,984 sqft facility. Planner Retzlaff summarized the proposal.

Discussion followed. Mr. Holmes said one resident had expressed concern about the gymnasium addition.

MOTION Shadid second Laszewski to Approve the site development and building plans for the proposed building additions, alterations and site improvements to the existing County Line Elementary School facility located at W159 N9939 Butternut Road subject to the following conditions:

- 1. This approval is subject to all of the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the site development and building plan sheets dated April 3 or as revised in plan sheets dated May 17, 2017, unless superseded by revisions required by the Plan Commission.***
- 2. All landscaping, screening, grading, and paving improvements shown on the approved site plans shall be installed as proposed prior to issuance of an occupancy permit unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs reviewed and approved by the Village is submitted to the Village as necessary to ensure that installation of the proposed features and improvements will be completed within one (1) year after issuance of the occupancy permit.***
- 3. The District shall be required to: (a) install eight (8) deciduous trees with a minimum 3" dbh on the site in the vicinity of the classroom and gymnasium additions as compensation for the trees being removed for parking lot construction; (b) install street trees along the Butternut Road and School Road frontages in an amount equal to one (1) tree per 50 feet of road frontage in the vicinity of the classroom addition; (c) install a minimum 3' wide landscaped buffer strip of deciduous and evergreen shrubs along the east and south perimeter of the new parking area; (d) install foundation plantings along the west and south elevations of the gymnasium and classroom additions; and (e) install additional evergreen trees or other vertical landscaping features along the south elevation of the gymnasium addition.***
- 4. The District shall prepare a revised landscape plan and submit it to the Village Planner for review/approval prior to issuance of a building permit.***
- 5. The District shall enter into a Landscape Maintenance Agreement with the Village as required under 17.43(6a) of the Zoning Code. Said agreement shall be executed by the owner and submitted to the Village for recording prior to issuance of occupancy permit.***
- 6. The following items shall be provided as required by the Village Fire Department: (a) Fire Department connection, fire alarm panels and remote annunciator shall be installed at locations determined by the GFD; (b) all fire alarm and emergency evacuation panels***

shall be integrated with the existing systems; (c) if the Fire Department connection location exceeds a distance of 300 feet from the nearest fire hydrant, the District shall install a new fire hydrant in a location approved by the Public Works and Fire Department.

- 7. The District intends to seek a variance from the minimum 180 sqft parking stall requirement as shown in the proposed site development plans. If a variance is not granted, the site plans will need to be revised to reflect the minimum 180 sqft stall size requirement and submitted to the Village Planner for review/approval.*
- 8. State approved plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.*
- 9. All permit requirements and technical issues raised in the Village Engineer's April 19, 2017 review memo shall be addressed and reflected in revised plans submitted to the Village Engineer for review/approval prior to issuance of a building permit.*

Chairman Wolter expressed concerned with the big blank wall and asked if there is something that can be done with it. Mr. Kramer, explained the wall will be constructed of different colored brick and banding. Chairman Wolter asked if the band could be more than one brick wide so it's not so blank. Mr. Kramer agreed. Retzlaff said condition #3 doesn't address the privacy issue along the south property line. Chairman Wolter said that could be addressed in condition #4 knowing that it's a concern. He said the landscape architect should work with the neighbors to find a feasible solution to their concerns.

MOTION to Amend Gray second Shadid to revise Condition #4 that the revised landscape plan come back to Plan Commission for approval.

MOTION to Amend carried unanimously.

Chairman Wolter said the school district has presented a very nice package about what they've done to enhance the school properties.

MOTION to Approve as Amended carried unanimously.

ANNOUNCEMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
R160024-06-062317	6/23/2017	000000082880	\$570.00			\$570.00
Village of Germantown		TOTAL	\$570.00			\$570.00
BMO Harris Bank Checking 1		VILGER0000				

VILLAGE OF GERMANTOWN
** CUSTOMER RECEIPT **
DATE: 06/27/17 TIME: 16:20:42

DESCRIPTION	PAY CD	AMOUNT
APPEALS FEES	2	570.00
GERMANTOWN SCHOOL	26043	
TOTAL AMOUNT DUE		570.00
AMOUNT TENDERED		570.00
CHANGE DUE		.00

TRANS #: 6
CASHIER CODE: 004
BATCH #: C170627
REGISTER ID: 001



PLUNKETT RAYSICH
ARCHITECTS, LLP



Transmittal

PROJECT: Germantown SD High School Add & Ren R160024-06
DATE: 6/23/2017
TRANSMITTAL ID: 00093

SUBJECT: 160024-06 - GHS - Village of Germantown - Board of Zoning Appeals - Variance Request

PURPOSE: For your review and comment
VIA: UPS Ground

FROM:

NAME	COMPANY	EMAIL	PHONE
Adrian Langhus 209 South Water Street Milwaukee WI 53204 United States	Plunkett Raysich Architects, LLP	alanghus@prarch.com	(414) 359-3060 x200

TO:

NAME	COMPANY	EMAIL	PHONE
Jeffrey Retzlaff N112 W17001 Mequon Rd. Germantown WI 53022 United States	Village of Germantown	jretzlaff@village.germantown.wi.us	(262) 250-4735

REMARKS: For your review.

DESCRIPTION OF CONTENTS

QTY	DATED	TITLE	NOTES
1	6/23/2017	Board of Zoning Appeals Variance Application	
1	6/6/2017	Notification of Action by the Plan Commission	
1	5/17/2017	Existing site conditions and proposed site conditions	
1	6/23/2017	Check for \$570 for variance request	

209 south water street milwaukee, wisconsin 53204 414 359 3060
2310 crossroads drive suite 2000 madison, wisconsin 53718 608 240 9900
205 north orange avenue suite 202 sarasota, florida 34236 941 444 8845

intelligent designs. inspired results. | www.prarch.com

Partners: Michael P. Brush, Martin P. Choren, Gregg R. Golden, Mark C. Herr, John J. Holz, Nicholas D. Kent,
Steven A. Kieckhafer, Scott A. Kramer, Jason W. Puestow, David J. Raysich, Michael H. Scherbel, Larry A. Schneider Michael J. Sobczak



PLUNKETT RAYSICH
ARCHITECTS, LLP

PROJECT: Germantown SD County Line Elem Add & Ren
R160024-02

DATE: 7/6/2017

TRANSMITTAL ID: 00016

SUBJECT: 160024-02 County Line Elementary School - Parking Variance

PURPOSE: For your review and comment

VIA: Hand

FROM:

NAME	COMPANY	EMAIL	PHONE
Michele Raysich 209 South Water Street Milwaukee WI 53204 United States	Plunkett Raysich Architects, LLP	mraysich@prarch.com	(414) 359-3060 x171

TO:

NAME	COMPANY	EMAIL	PHONE
Jeffrey Retzlaff N112 W17001 Mequon Rd. Germantown WI 53022 United States	Village of Germantown	jretzlaff@village.germantown.wi.us	(262) 250-4735

DESCRIPTION OF CONTENTS

QTY	DATED	TITLE	NOTES
8	--	C300 & C400 Civil Plans	
1	--	Notice of Appeal or Application -Parking Variance	

209 south water street milwaukee, wisconsin 53204 414 359 3060
2310 crossroads drive suite 2000 madison, wisconsin 53718 608 240 9900
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Steven A. Kleckhafer, Scott A. Kramer, Jason W. Puestow, David J. Raysich, Michael H. Scherbel, Larry A. Schneider Michael J. Sobczak



PLUNKETT RAYSICH
ARCHITECTS, LLP

PROJECT: Germantown SD Kennedy MS Add & Ren
R160024-05

DATE: 7/5/2017
TRANSMITTAL ID: 00011

SUBJECT: 160024-05 - Germantown Kennedy MS; Parking Variance

PURPOSE: For your approval

VIA: Hand

FROM:

NAME	COMPANY	EMAIL	PHONE
Brian Scheibel 209 South Water Street Milwaukee WI 53204 United States	Plunkett Raysich Architects, LLP	bscheibel@prarch.com	(414) 359-3060 x203

TO:

NAME	COMPANY	EMAIL	PHONE
Jeffrey Retzlaff N112 W17001 Mequon Rd. Germantown WI 53022 United States	Village of Germantown	jretzlaff@village.germantown.wi.us	(262) 250-4735

DESCRIPTION OF CONTENTS

QTY	DATED	TITLE	NOTES
1	7/5/2017	Notice of Appeal or Application	
8	7/5/2017	Civil Plans (2 Sheets)	

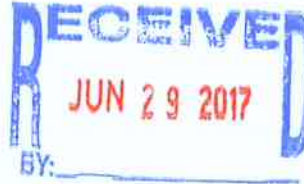
209 south water street milwaukee, wisconsin 53204 414 359 3060
2310 crossroads drive suite 2000 madison, wisconsin 53718 608 240 9900
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Steven A. Kleckhafer, Scott A. Kramer, Jason W. Puestow, David J. Raysich, Michael H. Scherbel, Larry A. Schneider Michael J. Sobczak



PLUNKETT RAYSICH
ARCHITECTS, LLP



PROJECT: Germantown SD High School Add & Ren
R160024-06

DATE: 6/28/2017
TRANSMITTAL ID: 00096

SUBJECT: 160024-06 - GHS - Village of Germantown - Board of Zoning Appeals - Variance Request

PURPOSE: For your review and comment

VIA: UPS Ground

FROM:

NAME	COMPANY	EMAIL	PHONE
Adrian Langhus 209 South Water Street Milwaukee WI 53204 United States	Plunkett Raysich Architects, LLP	alanghus@prarch.com	(414) 359-3060 x200

TO:

NAME	COMPANY	EMAIL	PHONE
Jeffrey Retzlaff N112 W17001 Mequon Rd. Germantown WI 53022 United States	Village of Germantown	jretzlaff@village.germantown.wi.us	(262) 250-4735

REMARKS: For your review.

DESCRIPTION OF CONTENTS

QTY	DATED	TITLE	NOTES
7	6/23/2017	Board of Zoning Appeals Variance Application	
7	6/6/2017	Notification of Action by the Plan Commission	
7	5/17/2017	Existing site conditions and proposed site conditions	

209 south water street milwaukee, wisconsin 53204 414 359 3060
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Steven A. Kieckhafer, Scott A. Kramer, Jason W. Puestow, David J. Raysich, Michael H. Scherbel, Larry A. Schneider Michael J. Sobczak

NOTICE OF PUBLIC HEARING

VILLAGE OF GERMANTOWN

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the **Board of Zoning Appeals**, Village of Germantown, WI:

Germantown Village Hall Board Room

N112 W17001 Mequon Road
Germantown WI 53022

Date and Time: **WEDNESDAY August 16, 2017 - 5:30 P.M.**

The purpose of said hearing will be to hear any and all parties, their attorneys or agents, for or against the **APPEAL** filed by **Marty and Jeri Meyers**, owners of the following property, who are seeking the following variances from the Village Zoning Code: (1) a variance from Section 17.41(1)(b) to allow an accessory building up to 2,480 sqft (vs. the maximum amount of accessory building area of 2,308 sqft allowed for a 5.3-acre property); (2) a variance from Section 17.41(2) to allow an accessory building with a height up to 26.5 feet (vs. the maximum accessory building height of 25 feet in an Rs-1: Single-family District); and (3) a variance from Section 17.50(2)(b) to allow an accessory building in a front yard (vs. a requirement that accessory buildings are only allowed in a rear yard).

**W140 N13721 Country Aire Drive
GERMANTOWN, WI GTNV 024-987**

A copy of the application and supporting documents are on file in the Clerk's office and available for public inspection during the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday.

Dated this 18th day of July, 2017
Barbara K. D. Goeckner
Village Clerk

Published: July 27, 2017 and August 3, 2017

VILLAGE OF GERMANTOWN
N112 W17001 Mequon Road - P.O. Box 337 - Germantown, WI 53022
APPLICATION FOR BUILDING PERMIT
Phone (262) 250-4760/Fax (262) 253-8255

Date 5/31/17

Bldg. Permit No. _____

The undersigned hereby applies for a permit to build, construct, remodel, occupy, or to install according to the following statement:

- Owner MARTY & JERI MEYERS Address W140N13731 COUNTRY AIRE DR.
- Address of Construction SAME Zoning District RS-1
- Permit For GARAGE/POLE BARN Cost 45,000
- Size of Structure - Square Footage of Proposed Building/Other 2,000 Height 26'6"
- Set-Backs of Structure - Front 180' Side 75' Rear 300'
- Contractor PINO BUILDINGS Phone 920-922-7010 Contractor # _____
414-750-6953
Address W2056 CO RD T, ROSENDALE, WI 54974 Qualifier # _____

If applicable, you should contact your homeowners association for any approval that may be required. Note: if any work is commenced prior to obtaining the proper permits, all fees shall be doubled.

It is hereby agreed between the undersigned, as owner/agent and the Village of Germantown for and in consideration of the premises and of the permit to construct, erect, alter, or install and the occupancy of building as above described, to be issued and granted by the Village Building Inspector, that the work thereon will be done in strict compliance with the Ordinances of the Village of Germantown and to obey all and any lawful orders of the Village Building Inspector and the State Laws relating to the construction, alteration, repairs, removal and safety of buildings and other structures and permanent building equipment. I have received and read the cautionary statements and notices on the reverse side of this application form. I expressly grant the building inspector, or the inspector's authorized agent, permission to enter the premises for which this permit is sought at all reasonable hours and for any proper purpose to inspect the work which is being done.

Signature Marty Meyers Print Name MARTY MEYERS
Address W140N13721 COUNTRY AIRE DR City & State GERMANTOWN Zip Code 53022
Phone Numbers 262-238-8811 Home 1 262-673-3160 Work 1 262-227-6498 Cell

***** SCHEDULE OF BUILDING PERMIT FEES *****

Building.....\$	Early Start.....\$	Decking.....\$
Remodeling.....\$	Propane Tank.....\$	Storage Shed.....\$
Garage.....\$	Sign.....\$	Swimming Pool.....\$
Plan Exam.....\$	Siding.....\$	Fence.....\$
Occupancy Permit..\$	Reroofing.....\$	Fireplace.....\$
Heating.....\$	Razing.....\$	Gazebo.....\$
Air Conditioning.....\$	Foundation Repair....\$	\$

BLDG. PERMIT \$ _____ RECORD FEE \$ _____ TOTAL FEES \$ _____

REMARKS 024-987 (BLD) (APF)

SEPARATE ELECTRICAL, PLUMBING AND HEATING PERMITS MAY BE REQUIRED.

Marty & Jeri Meyers
W140 N13721 Country Aire Dr.
Germantown, WI 53022



Variance Application

- Rejection Letter
- Garage Plans
- Variance Application
- Photos
- Mound Location
- Washington County Planning and Parks Department Application

Village of



COPY

Community Development Department Inspection Services

N112 W17001 Mequon Road P.O. Box 337
Germantown, Wisconsin 53022-0337
Phone: (262) 250-4760 Fax: (262) 253-8255
www.village.germantown.wi.us

June 7, 2017

Mr. Marty Meyers
W140 N13721 Country Aire Drive
Germantown, WI 53022

GTNV 024-987

Dear Mr. Meyers:

The office of Inspection Services is in receipt of your building permit application for a detached garage. Based on your submittal as proposed, a building permit cannot be issued. Your property is zoned Rs-1. In the Rs-1 zoning district per section 17.41(1)(b), you are allowed up to two detached accessory structures with a total amount of area allowed up to 1% of your lot size. Your lot size is 230,868 square feet which would yield a maximum amount of 2,308 square feet. You are proposing a garage size of 2,480 square feet (including second floor storage area) which results in 172 square feet over the size allowed.

Also, proposed is a building height of 26.5 feet. Section 17.41(2) allows a maximum building height of 25 feet.

Lastly, your proposed placement of the garage is in the front yard of your property. Section 17.50(2)(b) states that detached accessory structures are permitted in the rear yard only.

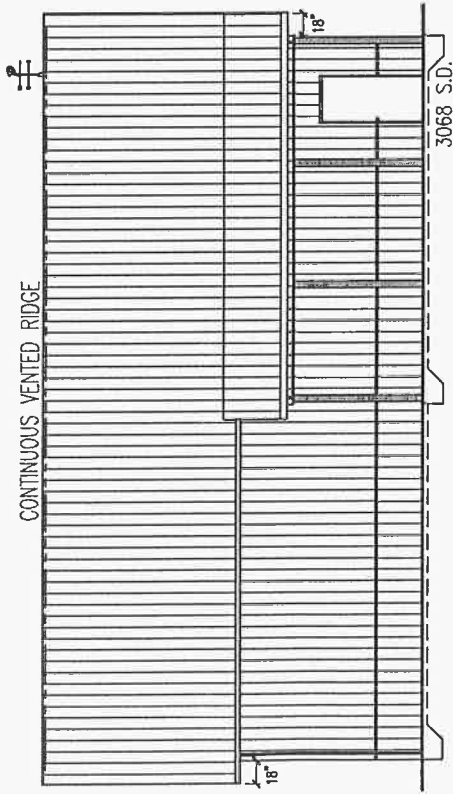
You may apply for variances from all three requirements that your proposed garage cannot meet. A single variance application for all three can be made to the Board of Zoning Appeals. Applications must be submitted to the Village Clerk along with supporting documentation and an application fee of \$570.00. Appeals must be applied for within thirty days of this notice. Should you have any questions, please feel free to contact Inspection Services at 262-250-4760.

Sincerely,

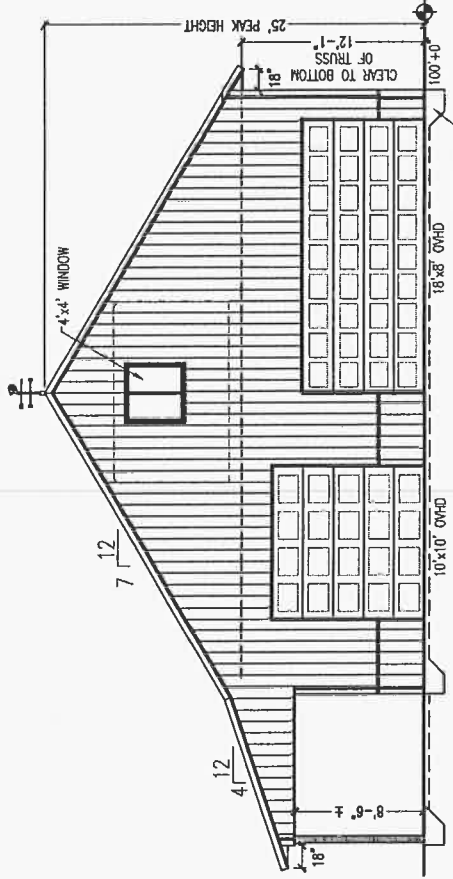
Holly Madson
Inspection Services

cc: Jeff Retzlaff, Community Development Director
Barbara K. D. Goeckner, Village Clerk
Property File

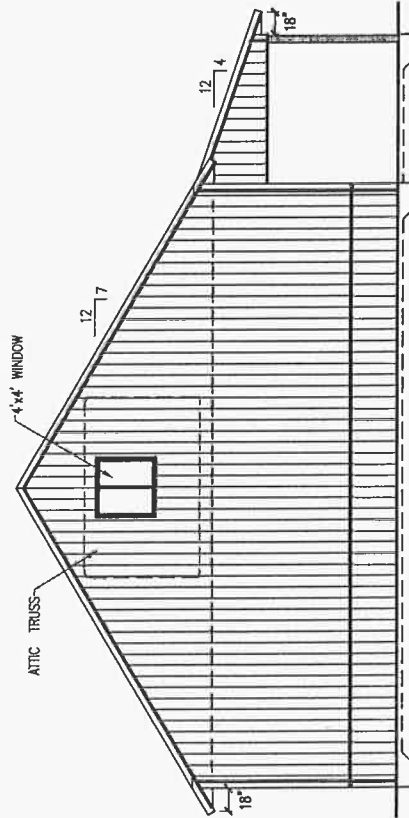
NEW



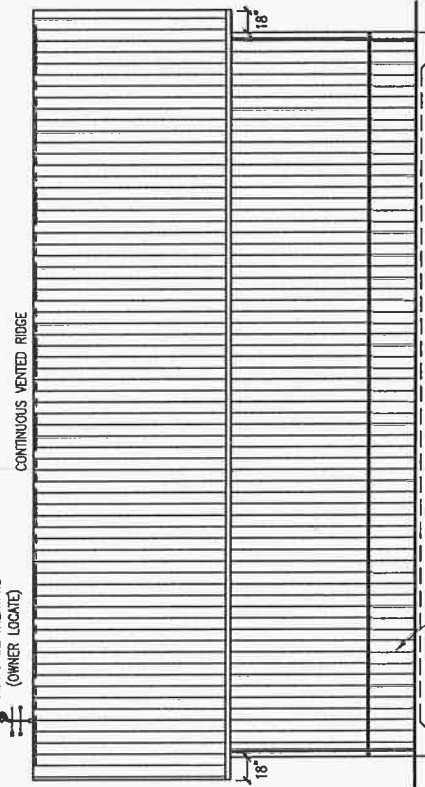
1 SOUTH ELEVATION
1/8" = 1'-0"



2 EAST ELEVATION
1/8" = 1'-0"



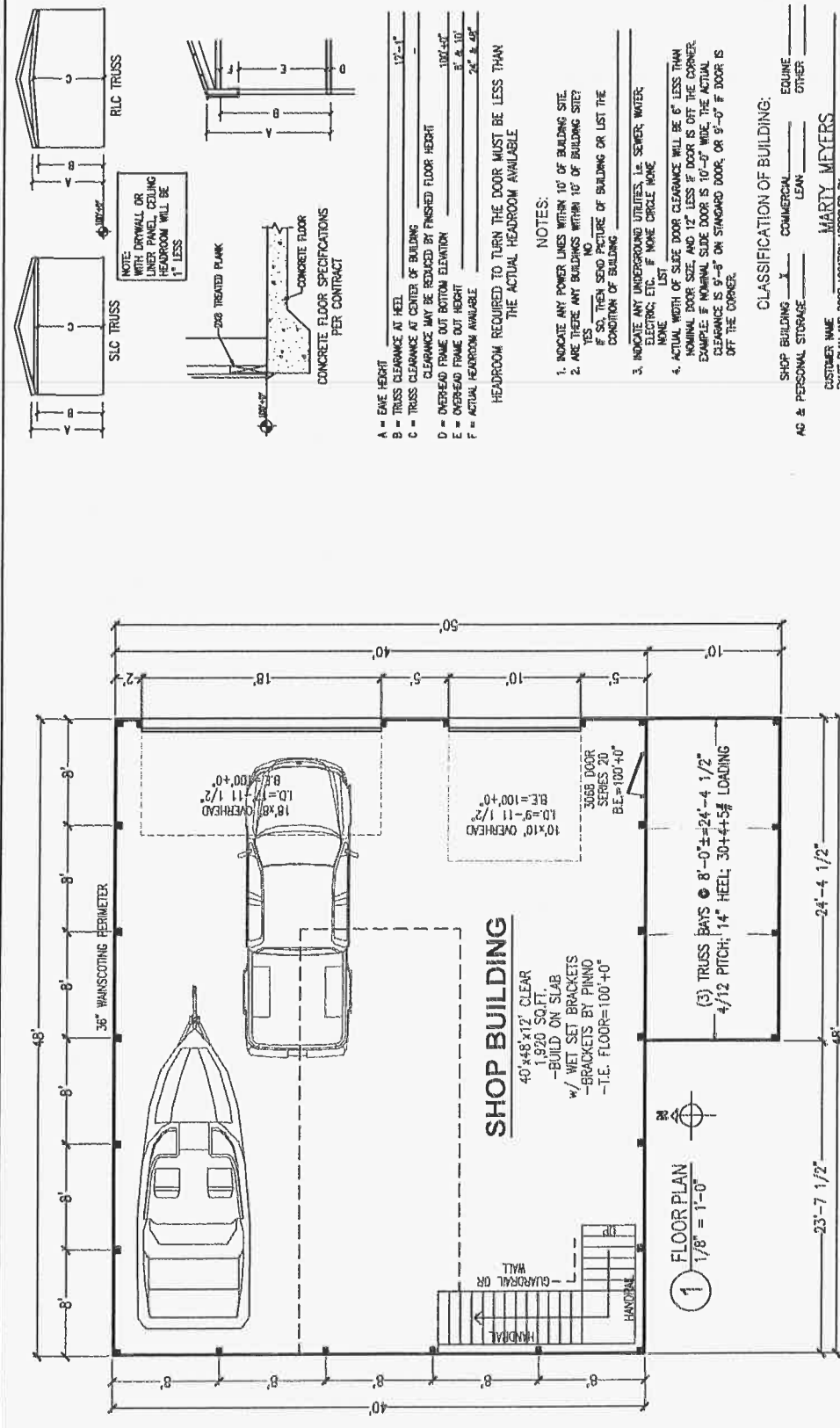
3 WEST ELEVATION
1/8" = 1'-0"



4 NORTH ELEVATION
1/8" = 1'-0"

PRELIMINARY DRAWING

CONTRACT SPECIFICATIONS
TAKE PRECEDENCE
OVER BUILDING PLANS



CLASSIFICATION OF BUILDING:
SHOP BUILDING ☒ COMMERCIAL ☐ EQUINE ☐
AG & PERSONAL STORAGE ☐ LEAN ☐ OTHER ☐

CUSTOMER NAME MARTY MEYERS
EXACT PLAN AND DOOR LOCATION APPROVED BY:

CUSTOMER SIGNATURE

CONTRACT SPECIFICATIONS TAKE PRECEDENCE OVER BUILDING PLANS

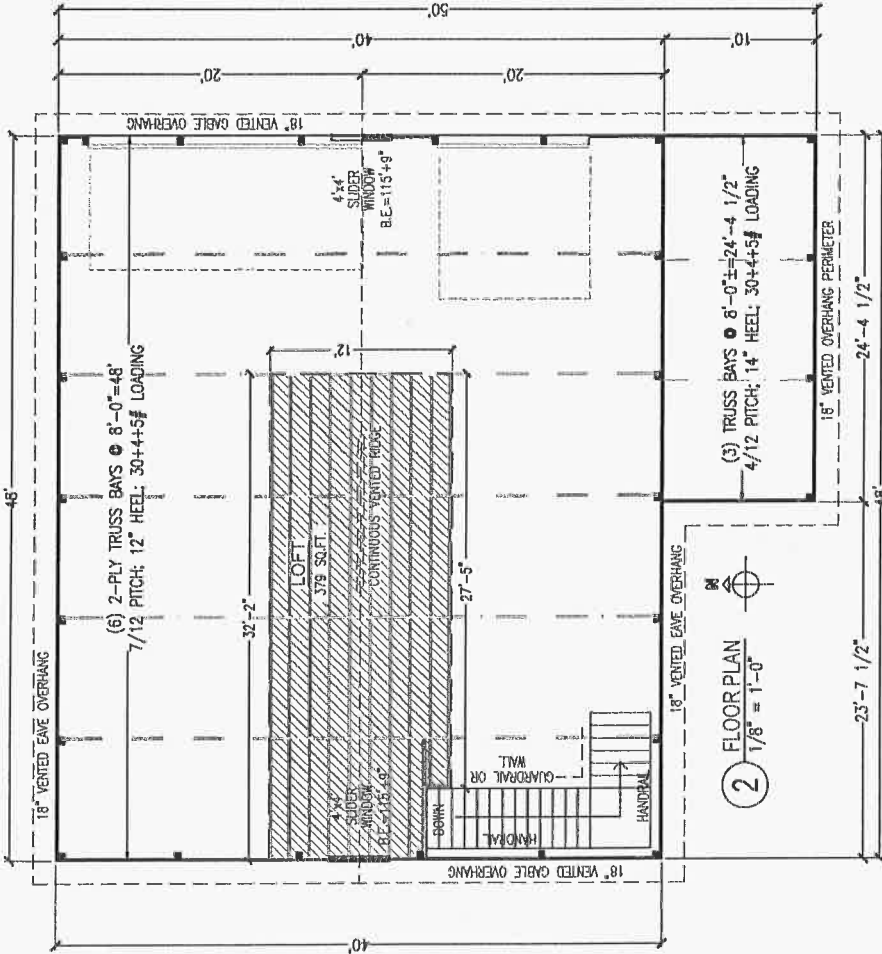
BUILDING COLORS:

SIZE	BOTTOM TRIM
DOOR	CORNER TRIM
ACCENTS	ROSE CAP
WALK DOOR	CABLE TRIM
WINDING	PASCA TRIM
DOOR/WINDOW TRIM	EAVE TRIM
OVERHEAD DOOR	SOFFIT
DH90 DOOR TRIM	SOFFIT FAN TRIM
SLIDE DOOR	CUPOLA SIDE
WAINSCOT	CUPOLA ROOF
WAINSCOT TRIM	WEATHERING
WAINSCOT CORNER TRIM	EAVE TROUGHS
WAINSCOT EAVELINE	DOWNSPOUTS

**PRELIMINARY
DRAWING**

PRELIMINARY DRAWING

CONTRACT SPECIFICATIONS
TAKE PRECEDENCE
OVER BUILDING PLANS



2 FLOOR PLAN
1/8" = 1'-0"

MARTY MEYERS
40'x48'x14' CLEAR W/ 10'x24' PORCH
LOFT PLAN

DRAWING NO.
16-320
DRAWN BY:
JIMMEL
SCALE:
AS SHOWN
DATE:
07/25/2016
REVISIONS
06/15/2017

SHEET NO.
3 OF 3

PINNO
BUILDINGS
Quality Post Frame Buildings
10000 Highway 100
P.O. Box 100
Rosendale, WI 54974
PHONE (920) 922-7010
FAX (920) 922-8093
www.pinnobuildings.com

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VILLAGE OF GERMANTOWN
OFFICE OF THE VILLAGE CLERK
N112 W17001 MEOUON ROAD/P. O. BOX 337
GERMANTOWN WI 53022-0337

BOARD OF ZONING APPEALS
NOTICE OF APPEAL OR APPLICATION

Case No. _____
Filing Date _____
Fee Paid \$ _____
Hearing Date: _____
Notice Mailed: _____
Notices Published: ____/____

To: Board of Zoning Appeals
Village of Germantown, Wisconsin

NOTICE IS HEREBY GIVEN that the undersigned hereby (appeals for relief from a decision of an administrative official) (applies for the following described right or privilege) :

1. Appellant's or Applicant's Name: MARTY & JERI MEYERS
Address: W140 N13721 COUNTRY AIRE DR.
Phone No. : 262-227-6498
2. Appellant's or applicants' interest in property:
(☒) Owner; () Tenant; () Mortgagee; () Agent.
3. Property Owner's Name: SAME
Address: _____
Phone No.: _____
4. Address of property: W140 N13721 COUNTRY AIRE DR.
Lot 3, Block _____, Tax Parcel No. GTNV 024-987, Zoning District: _____
5. Present use of the property: RS1
6. Proposed use of the property: RS1
7. Previous Appeal or Application (if any)? Yes () No (☒)
If YES, list date of hearing: N/A and Decision of previous hearing: _____

8. Identify the **PURPOSE** for this appeal or application. Please circle appropriate item below and provide the requested information. Attach a separate sheet, if necessary.

(a) Appeal of decision or order of Administrative Official and Request for Interpretation of Zoning/Building Code.

1. Date of decision or order: 06/07/2017
2. Description of decision or order: DUE TO RS-1 ZONING - 17.41(1)(b) = 172 SQUARE FEET OVER SIZE ALLOWED 17.41(2) = 1.5 FEET OVER ALLOWED HEIGHT (26.5/25'); 17.50(2)(b) =
3. Decision or order is erroneous because: DETACHED STRUCTURE ALL IN FRONT YARD OF PROPERTY

(b) Request for Variance of Zoning/Building Code.

1. Describe the requested variance and dimension of variance:
REQUESTING APPROVED PERMIT FOR BUILDING IN FRONT YARD. WE ADJUSTED THE BUILDING SIZE & HEIGHT TO COMPLY WITH SECTION(S): 17.41(1)(b) & 17.41(2).
2. Explain how the Variance, IF granted, is consistent with the spirit, purpose and intent of the Code:

3. Describe the exceptional, extraordinary or unusual conditions or circumstances that apply specifically to this lot/parcel, use, structure, or intended use that **DO NOT** apply generally to other properties or uses in the SAME district:
(SEE ATTACHED ANSWERS)

4. Describe what special conditions exist which cause practical difficulty or unnecessary hardship, IF variance is NOT granted:
(SEE ATTACHED ANSWERS)

5. Explain why the variance **IS NECESSARY** for the preservation and enjoyment of substantial property rights possessed by other properties in the SAME district:

(SEE ATTACHED ANSWERS)

6.

Explain how this variance, IF granted, **WILL NOT** create substantial detriment to adjacent property, **WILL NOT** be contrary to the public interest and **WILL NOT** endanger public safety and interest:

(SEE ATTACHED ANSWERS)

(c) Request for interpretation of regulations of the Zoning Code or the District boundaries of the Zoning Map.

1. List applicable section(s) of the Zoning Code: _____
2. Describe proposed use/activity/construction: _____
3. Explain reasons supporting requested action: _____
4. Has request been referred to Plan Commission? Yes () No ()
If YES, give recommendation of Plan Commission: _____

(d) Permission for Temporary Use Permit.

1. Describe use requested: _____
2. Proposed commencement date: _____
3. Proposed termination date: _____

(e) A determination that an unspecified or unclassified use is permitted in a Zoning District.

1. Describe use requested:

2. Attach copy of recommendation of Village Plan Commission.

(f) Permission to substitute a MORE restrictive non-conforming use for an existing non-conforming use.

1. Attach copy of recommendation of Village Plan Commission.
2. Attach copy of certification of Zoning Administrator to legality of present non-conforming use.

3. Date of commencement of present use: _____
4. Value of improvement on date use became non-conforming (attach documentation supporting value): \$ _____
5. Present value of all existing improvements, additions and alterations since date use became non-conforming (attach documentation): \$ _____

REQUIRED DOCUMENTATION

Each appeal or application must be accompanied by:

- A. Current plat or survey of the lot/parcel, with complete details of the site, dimensioned, elevation data, easements, existing and proposed physical features, yards and setbacks, etc.
- B. Attachments as outlined above.
- C. Filing fee(s)
- D. Copy of decision or order which is the basis of this appeal/application.
- E. Name and Address of counsel IF appellant/applicant elects to be represented by counsel.
- F. Any additional fee of \$ _____ to cover the administrative costs if a contested case is requested.

I hereby certify that the above application and/or appeal and all attachments hereto are true, correct and complete to the best of my knowledge and belief.

Dated: 07/06, 2017

Martin Mayers
Signature of applicant or appellant

Answers to Appeal Application

8.(b)3. Describe the exceptional, extraordinary or unusual conditions or circumstances that apply specifically to this lot/parcel, use, structure, or intended use that **DO NOT** apply generally to other properties or uses in the same district:

Answer: Our property is slightly over 5 acres and only has residents essentially on the south property line only. Due to the configuration of the lots and the 3 other home locations, half of our lot is adjacent to flood plains and Milwaukee Metropolitan Sewer District property. This is supported by the pictures attached. The properties between two neighbors are also divided by healthy, growing trees lines. There are no home structures adjacent to the north property line or to the or east. There are (2) land owners directly north. I believe both to be in a flood plain. One directly to the north (Bob Berthelsen) is vacant and not being cultivated and the next property further north is being farmed (Vincent Schmit). The land across the street to the east is Milwaukee Metropolitan Sewer District (MMSD) property. Our tree line adjacent to Country Aire Drive is very thick and mature, therefore, each year, more of our property gets blocked by the growth of the trees.

8.(b)4. Describe what special conditions exist which cause practical difficulty or unnecessary hardships, IF variance is not granted:

Answer: Due to the mound, driveway and house locations, we are left with the options of the garage in the front property or in the back off the northwest corner of the house. If off the northwest corner of the house, it would be very costly to add an additional driveway. It would be far less practical in the back versus the front especially in winter when access to the garage would be difficult whereas it could be accessed now from the existing driveway. Adding the garage in the back would less intrusive to green space and block the natural beauty of the openness of the back yard. I would take away the country aesthetics for those viewing the parcel when driving south on Country Aire Drive. It would give the appearance of a subdivision in an otherwise very country feeling.

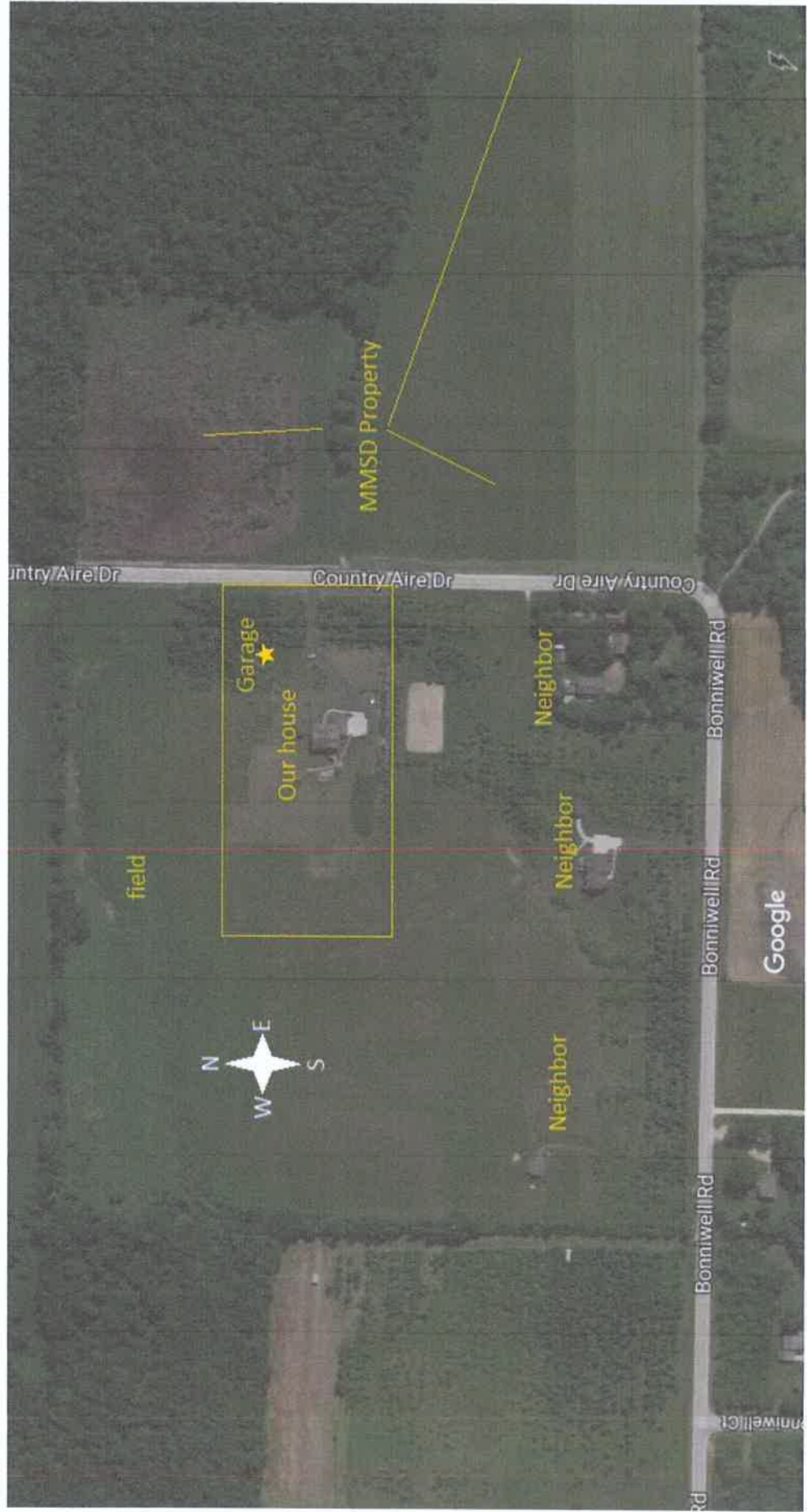
8.(b) 5. Explain the why the variance IS NECESSARY for the preservation and enjoyment of substantial property rights possessed by other properties in the SAME district:

Answer: I think the variance offers the best solution to preserving the country feel of Germantown while still granting our opportunity to build a garage. By tucking it into the trees, it has less of an effect on our property to us, our neighbors, and those enjoying the country lifestyle that makes Germantown so appealing.

8.(b) 6. Explain how the variance, IF granted, WILL NOT create substantial detriment to adjacent property, WILL NOT be contrary to the public interest and WILL NOT endanger public safety and interest:

Answer: The proposed location offers the most seclusion from our neighbors. If we go an alternative route, all 3 of them will be able to see the structure. I don't feel we are affecting public interest and certainly not endangering the public safety.

Marty & Jeri Meyers (W140 N13721 Country Aire Dr., Germantown)

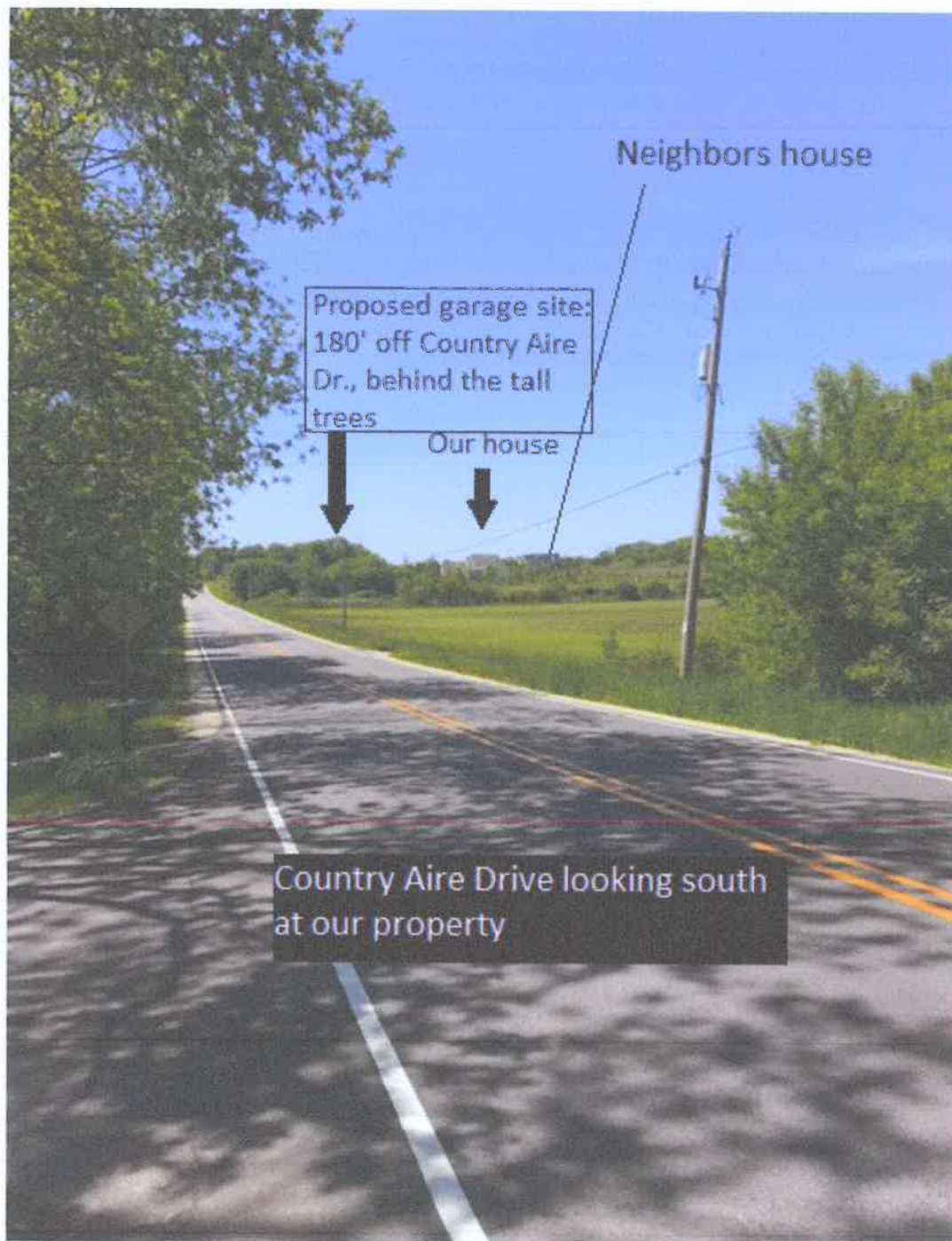


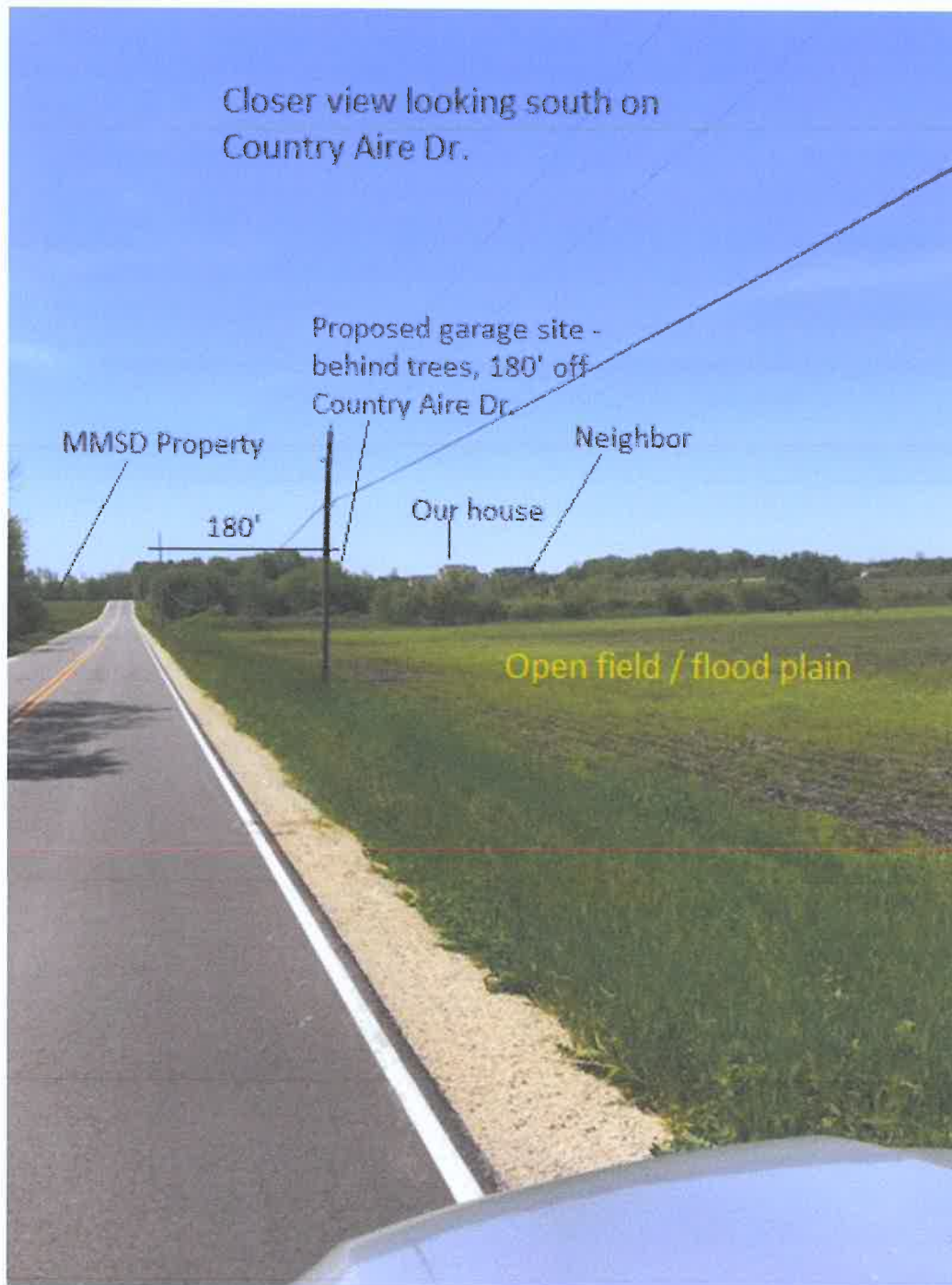
Marty & Jeri Meyers (W140 N13721 Country Aire Dr., Germantown)

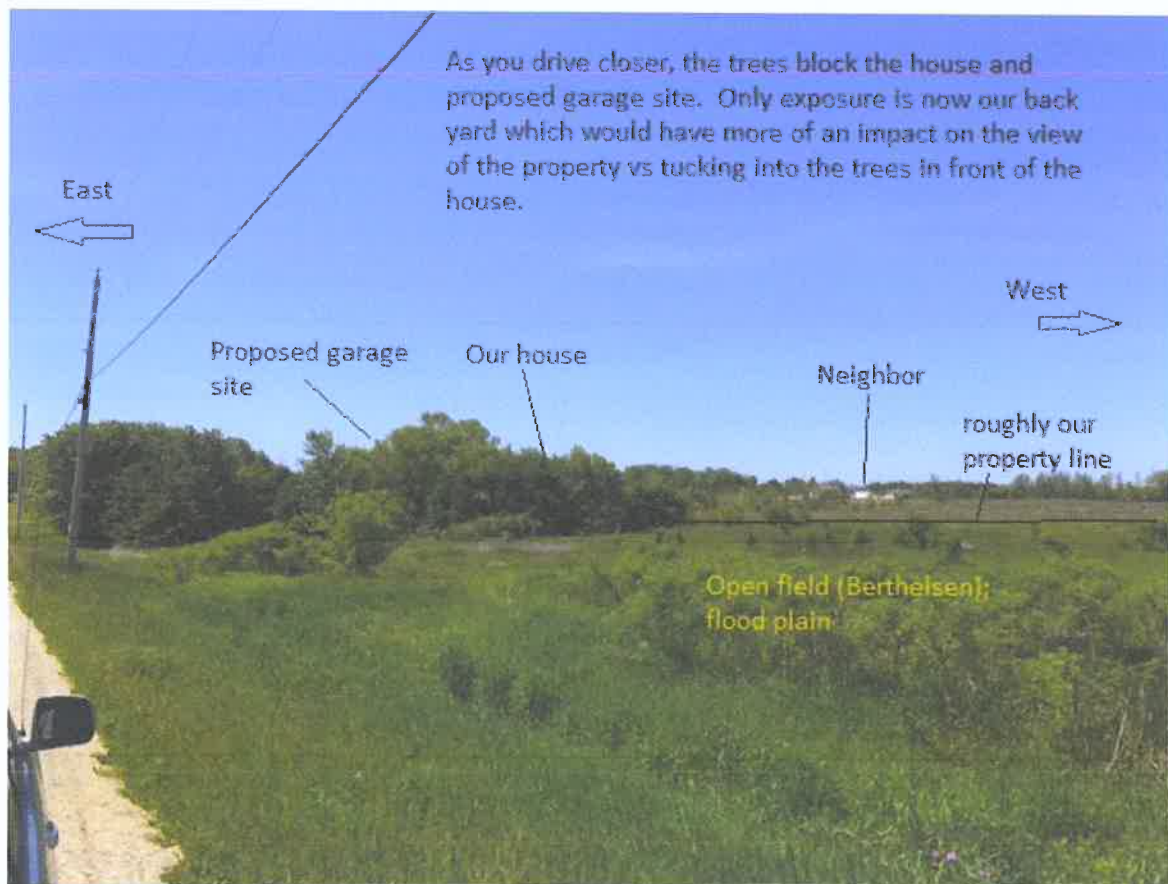


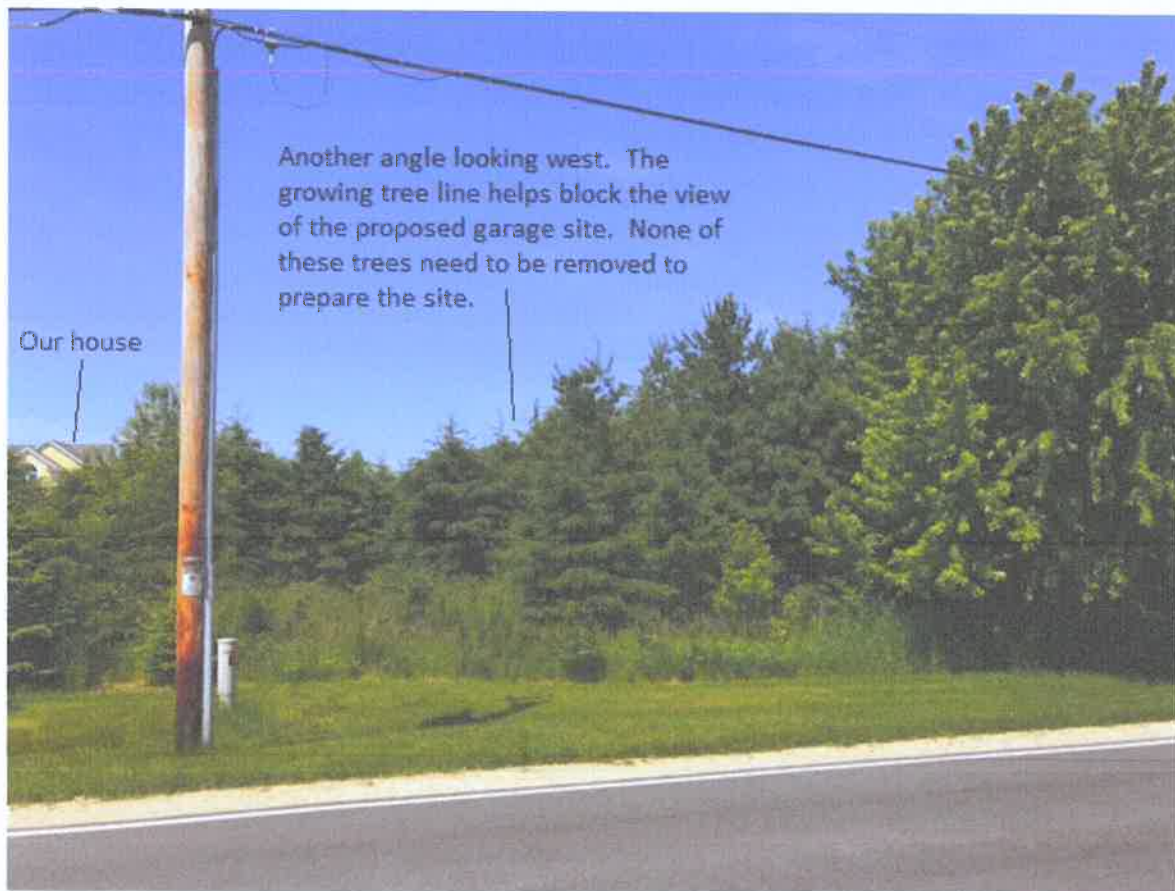
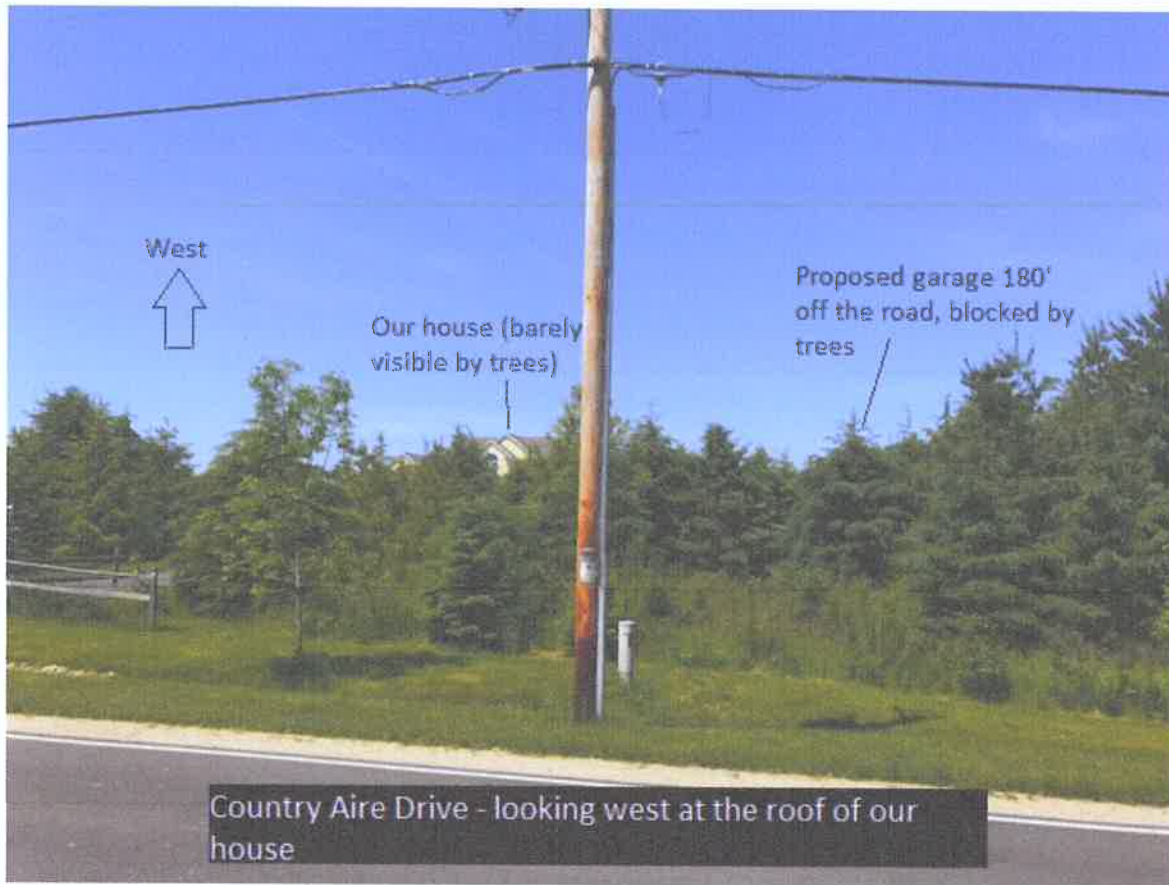
Marty & Jeri Meyers (W140 N13721 Country Aire Dr., Germantown)









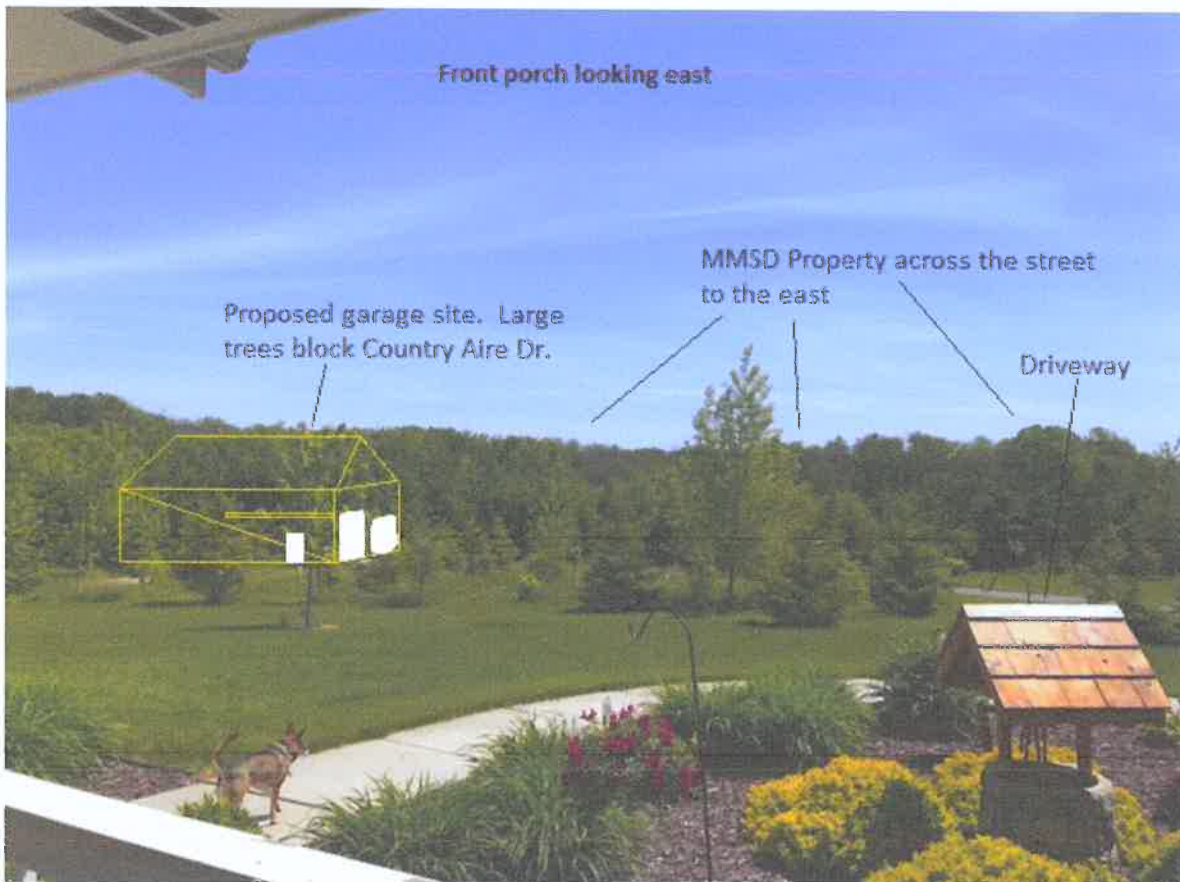
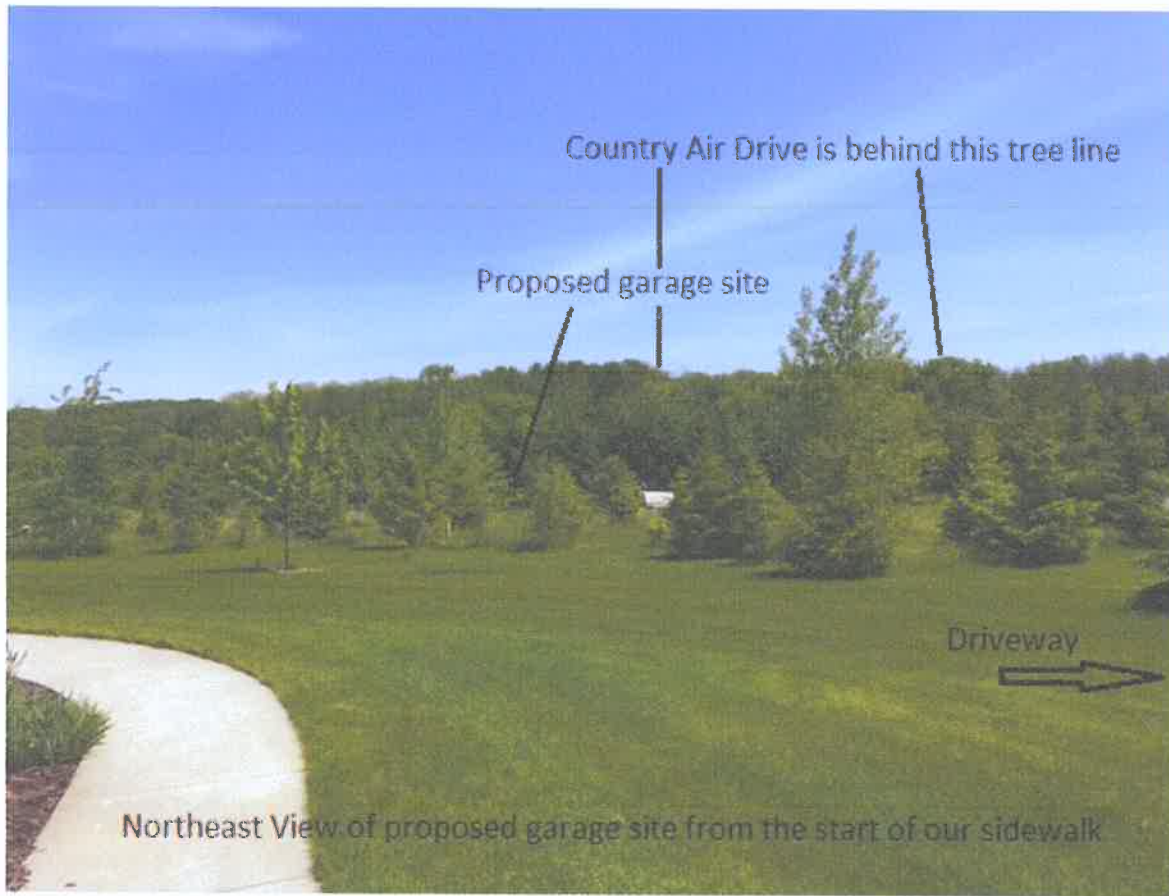


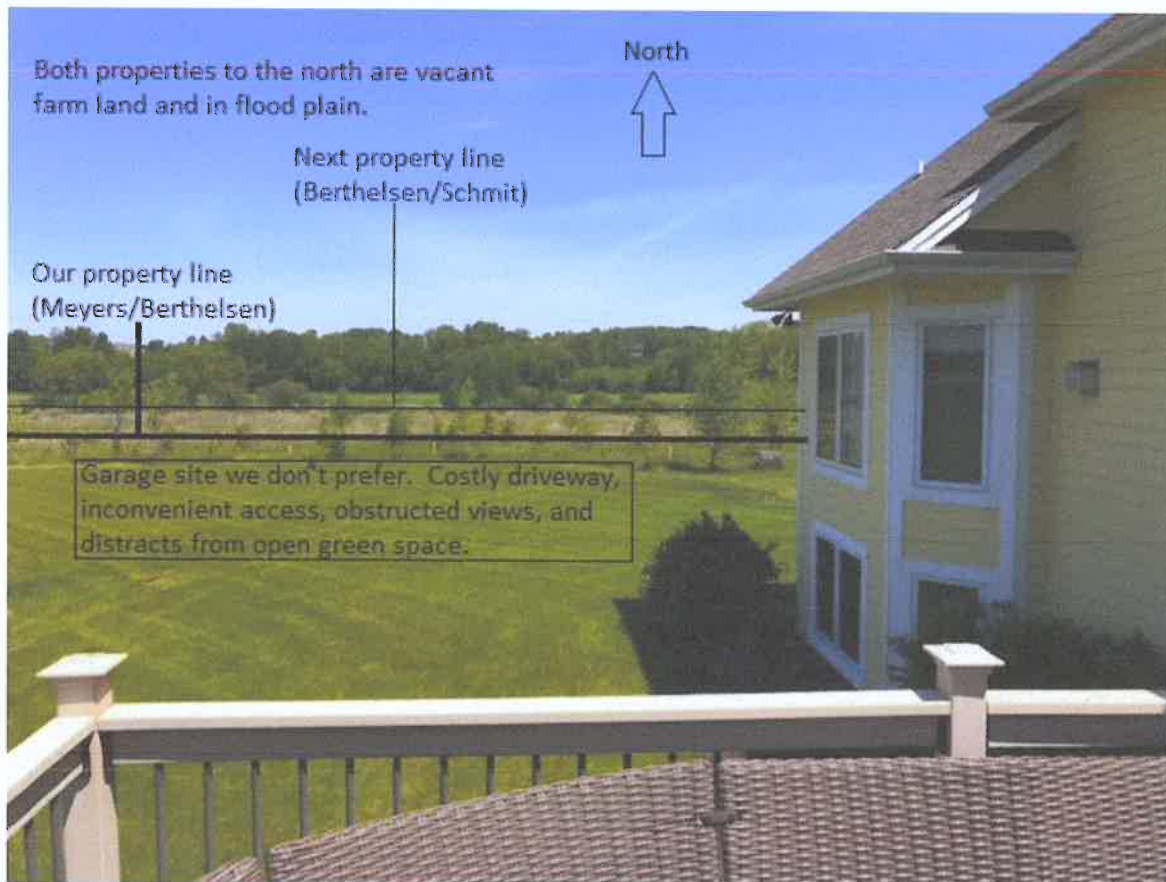
Marty & Jeri Meyers (W140 N13721 Country Aire Dr., Germantown, WI)



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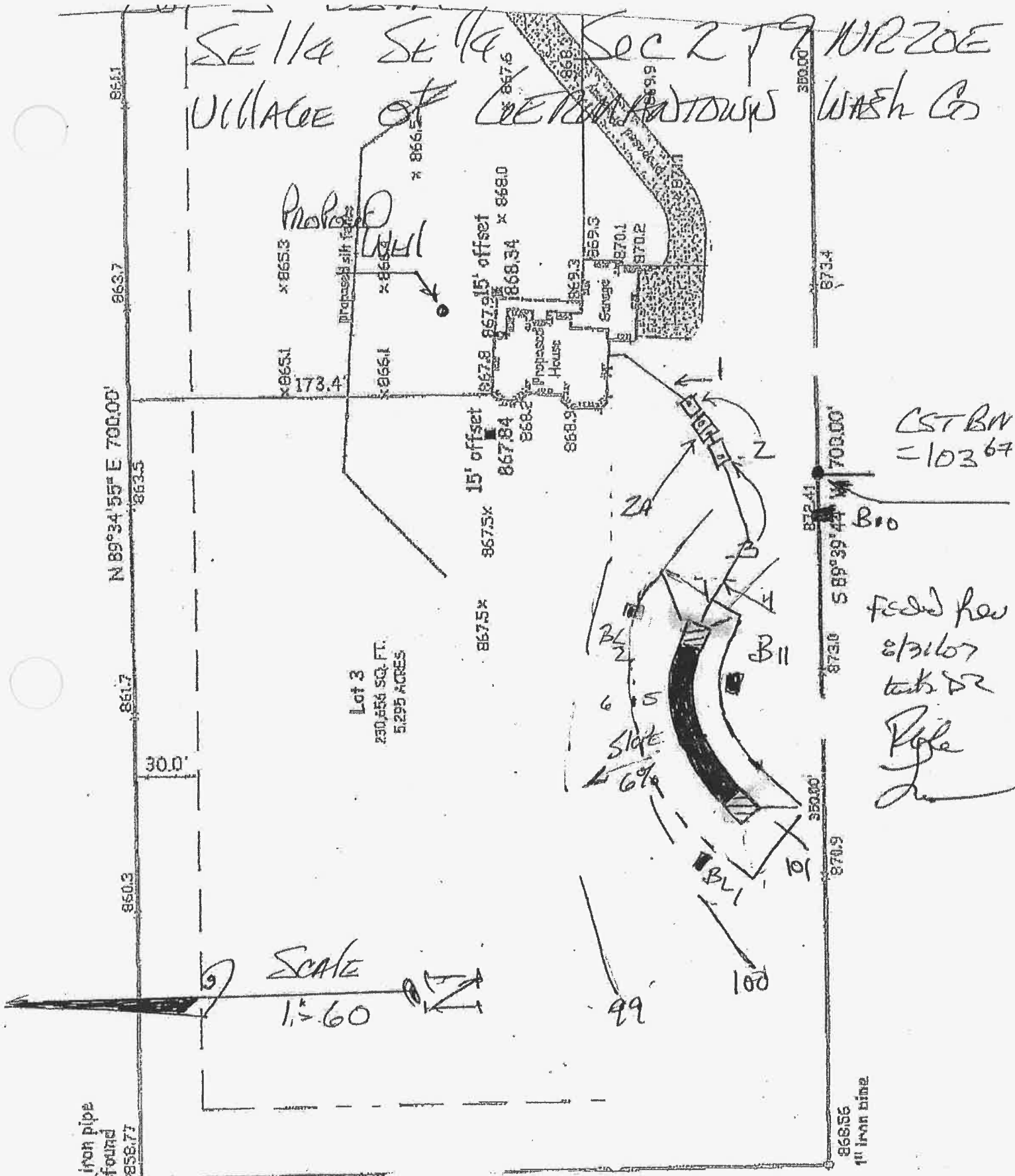
Not preferred!



Preferred!



SE 1/4 SE 1/4 Sec 2 T9 NR 20E
VILLAGE OF CETERNA TOWNS WASH CO



CST BN
= 103 67

Feed line
8/31/07
tks. Dr
Ryle
Jr

SCALE
1" = 60'

- 4" PIPE MIN 18" ROW 14" V.C. FT. TITEL
- 750 GAL SEPTIC TANK
- 2A 1200 GAL 2 COMPARTMENT TANK WITH DRENCH FILTER
- 3 - 1000 GAL LIFT TANK WITH PUMP & CONTROLS
- 4 - 3" FORCE MAIN

DRAWN AND TO BE INSTALLED
BY: John D. Lutz
LIC NO. MPR50222853
DATE: 8-14-07
Revised
TANK WILL BE Cell WILL BE Cell

Washington County
Planning and Parks Department - Land Use Division

Public Agency Center - Suite 2300, 333 East Washington Street, P.O. Box 2003, West Bend, WI 53095-2003
Phone: (262) 335-4445, Toll Free: 800-616-0446 (Wisconsin Only), FAX: (262) 335-6868

PERMIT APPLICATION REVIEW

Date: 7/3/17 Tax Key # GTNV-024987
Owners Name: MARTY & JERI MEYERS
Mailing Address: WILSON 13721 COUNTRY AIRE DR.
Phone - Home: 262-238-8811 Work: 262-673-3160
Property Location's Address: ABOVE
Legal Description: SE 1/4, SE 1/4 Section 2 Town/City/Village GERMAN
Lot 3 Block Subdivision CSM# 6065
Project for: [check appropriate boxes]

☐ Commercial	☐ Residential	☒ Detached accessory
☐ New	☐ Existing	☐ Other

Brief description of project: BUILDING AN OUTBUILDING APPROXIMATELY 2300 SF.

Following items must be submitted: Full legal description of the property, map, drawn to scale or showing dimensions, including boundaries and dimensions of the property, location and distances from existing and proposed buildings and/or grading/filling/excavating to lot lines, location and distances from private onsite wastewater treatment systems and wells to lot lines and buildings, and an arrow indicating north. If soil borings are required, the system may be condemned as a result of soil conditions observed.

*NOTICE TO APPLICANT: PERMITS MAY ALSO BE REQUIRED FROM OTHER AGENCIES
INCLUDING COUNTY HIGHWAY DEPARTMENT, TOWN, VILLAGE, CITY,
STATE DEPARTMENT OF NATURAL RESOURCES, AND/OR ARMY CORPS. OF ENGINEERS.

Please allow a minimum of 24 hours for processing.

(for office use - do not write below this line)

Permit Required	Yes	No	County Permit Issued	Date Issued
<u>Under Chapter 23 or 25</u>				
Sanitary - Chapter 25	☐	☒	No. <u>50247</u>	<u>4-24-07</u>
Floodplain - Chapter 23	☐	☒	No. <u> </u>	<u> </u>
Shoreland/Wetland - Ch. 23	☐	☒	No. <u> </u>	<u> </u>

<u>Under Chapter 17</u>	Yes	No	Jurisdiction	
Erosion Control - Chapter 17	☐	☒	County ☐	Town/Village ☐
- Disturbs > 4,000 Sq. Ft.				
Stormwater Management - Chapter 17	☐	☒	County ☐	Town/Village ☐
- Increases Impervious > 20,000 Sq. Ft.				

Remarks: setback to ROWS ok.


Authorized Signature
Yellow - Department Copy

White - Owner