

**VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI**

MEETING: BOARD OF ZONING APPEALS

DATE AND TIME: WEDNESDAY, September 11, 2019 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:** August 14, 2019.
- IV. **PUBLIC HEARING:**
 - A. The purpose of said hearing is to hear any and all parties, their attorneys or agents, for or against the **VARIANCE APPEAL** filed by **Katelyn LeTourneau, Agent for Darlene LaTourneau**, property owner, who is requesting the following variances from the Village's Zoning Code (Section 17) to: (1) reduce the minimum front/street yard fence setback requirement from 2 feet to 6 inches under Section 17.50(2)(f)4.; and (2) increase the maximum height allowance for a fence in the front/street yard from 4 to 7 feet under Section 17.50(2)(f)3 *for the following property:*

**N120W15515 Freistadt Road, Germantown
(Tax Key# GTNV 232-991)**
- V. **DELIBERATION AND ACTION BY THE BOARD on Item IV:**
- VI. **NEXT MEETING DATE AND TIME IF NEEDED:**
Second Wednesday's of the month at 5:30 p.m.
- VII. **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
AUGUST 14, 2019**

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

ROLL CALL: Chairman White, Hansen, Fritsche, Knop, Community Development Director (CDD)/Village Planner and Zoning Administrator Retzlaff, and Clerk Braunschweig.

APPROVAL OF MINUTES: December 13, 2017.

Motion (Fritsche/Knop) to approve minutes as presented for December 13, 2017. Motion Carried Unanimously.

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 **VARIANCE APPEAL** filed by **Chris Dienberg**, property owner, who is requesting *variances from the Village's Zoning Code (Section 17) to: (1) reduce the minimum side yard building setback requirement from 20 feet to 3 feet under Section 17.17(3); and (2) waive the time limit provisions for the use of temporary structures under Section 17.41(7)(b) for purposes of erecting and permanently using a 24' x 24' temporary storage canopy on the north side of the following property: W218N9743 Happy Hollow Lane, Colgate, (Tax Key# GTNV 313-001).*

Chairman White described the meeting order to Mr. Dienberg and the gallery and normally the Village's information and review of the Variance is given first and then Mr. Dienberg would have opportunity to give his point of view. Mr. Dienberg understood the order.

Chairman White swore in Director Retzlaff.

Director Retzlaff gave history and background of the Variance Appeal for W218 N9743 Happy Hollow Lane. He distributed a memo and packet for presentation.

In November of 2016, Dienberg was issued a temporary use permit (TUP#1) for a 24'x24' temporary canopy structure to be located on the side north yard of the property in front of the attached garage. The temporary use permit was valid for one year and expired on November 30, 2017. A copy of temporary use permit #1 was in the packet.

In January of 2018, the Village received a complaint in regards to the property and a code violation notice was issued. A copy of the code violation was in the packet.

In February 2018, Dienberg applied for and was issued a 2nd temporary use permit (TUP#2) valid for six months with an expiration date of May 31, 2018. Dienberg was told to come up with a permanent solution. Additional information about the maximum size of accessory buildings was provided. A copy of temporary use permit #2 was in the packet. Dienberg was also advised that the code had changed and he will need to find a permanent solution.

In May 2018, Dienberg applied for a third temporary use permit. In October 2018, the TUP#3 was issued for an additional six months with an expiration date of April 2019. A copy of temporary use permit #3 was in the packet.

A survey of the Dienberg property was reviewed. The survey showed the on-site septic system location.

The owner is seeking a variance to reduce the minimum side yard building setback requirement from 20 feet to 3 feet, section 17.17 (3). Director Retzlaff added the additional variance requirement of the continued use of the temporary canopy for covered storage and to waive the time limit provisions for the use of temporary structure under 17.41 (7) (b) and allow the permanent use of the 24'x24' canopy in the side yard location.

The distinction between a temporary and permanent structure was clarified as temporary structure in 17.41 (7). A copy was included in the packet.

17.41 (7) Temporary Storage Structures (a):

For purposes of this section, a "temporary storage structure" is defined as a detached building or other enclosed and/or covered structure intended for the shelter, storage and/or conveyance of vehicles, equipment, building materials, household or personal items, junk and trash, etc. on a short-term basis (less than 180 days). Examples of "temporary storage structures" include, but are not limited to, portable storage containers sold or rented under the business name "UNITS" and "PODS" and all other similar structures, freight-type shipping containers, metal-frame and/or fabric-covered canopies, vehicle shelters or carports, "hoop" buildings, and dumpsters.

Director Retzlaff reported that these are rare permits and rare occurrences.

There was a code change and this does not fit the new code after the second temporary use permit was issued.

The accessory use provision was vague in regards to temporary structures. The new code better defines the temporary structure zoning code and there is additional language. The canopy did fit the old definition of the code. The six months permit is under the new code provisions.

17.41 (7) Temporary Storage Structure (b) was reviewed:

- (b) *Temporary storage structures intended for may be permitted in any single-family or 2-family zoning district (including the Rs-1 through Rs-7 and Rd-2 Districts), provided that:*
 - 1. *Temporary storage structures may be installed on a property for a period not to exceed 30 consecutive or cumulative days without a permit or approval from the Village if said structure is used for storing or moving vehicles, equipment, building materials, household or personal items while the property owner is moving to/from the property, the property is being renovated, or for any emergency or other reasonable purpose deemed acceptable by the Zoning Administrator. Temporary storage structures allowed under this provision may be located in a front, side or rear yard of a property with a minimum setback of 10 feet from property lines;*
 - 2. *Temporary storage structures installed on a property for a period greater than 30 but less than 90 consecutive or cumulative days may be allowed with a "Temporary Storage Structure-Zoning Permit" issued by the Village. Temporary storage structures allowed under this provision may be located only in a side or rear yard of a property with a minimum setback of 10 feet from property lines;*
 - 3. *Temporary storage structures installed on a property for a period greater than 90 but less than 180 consecutive or cumulative days may be allowed as a "temporary use" subject to the temporary use permit requirements under [section 17.07\(2a\)](#). Temporary storage structures allowed under this provision may be located only in a side or rear yard of a property and meet all applicable building setback requirements.*

Property owners/tenants who want to install a temporary storage structure on a property for a period greater than 180 consecutive or cumulative days can only do so if more than one temporary use permit is issued by the Village pursuant to section 3. above.

4. *Temporary storage structures allowed under this provision may be located only in a side or rear yard of a property and meet all applicable building setback requirements. The reduction of the set back from the required twenty feet to three feet.*

Discussion of the placement of the septic system was noted and the impact of the placement of the septic and driving over it.

The canopy is considered temporary by its design.

Chairman White swore in Chris Dienberg of W218N9743 Happy Hollow Lane, Colgate.

Chairman White explained that by Wisconsin law the board's powers are limited. The process and powers by the board are based on the land itself and to explain what is unique about the property.

Mr. Deinberg gave history that he purchased a RV in 2016. He had originally looked at building a building. He discussed with the building department. Because of the setbacks of 325 square feet, the RV would not fit into the building. He discussed the canopy with the building inspection department. His adjacent neighbor did approve of the canopy. The structure is installed in concrete with steel roof and steel tubing. Nothing is flammable.

If placed in the front yard or back yard was ok but there is a drainage pipe that comes from the north of the garage that he does not want to drive over. The canopy is by a tree line. The adjacent neighbor was ok with it. He has been renewing the temporary use permit every year until the ordinance change. He did ask originally to build a garage but was turned down. He was told the canopy would be fine. The house is placed in the back of the lot due to the placement of the septic.

When the original temporary use permit was issued, he did understand it was temporary. The garage would be too small for the RV because of the setback requirement.

The canopy is 20-gauge tubing steel, with a 50 year roof, professionally painted and was run by the building inspection department.

The drainage pipe is to the North of the garage and he has a septic field in front of the house. The house is in the back of the lot. The yard has a steep grade.

Cannot drive on the septic field. The field is 50 feet. The yard has a steep grade.

The canopy is where the boat and trailer are stored. Did not have intention to purchase the RV when the house was purchased. He was looking at 30x50 building.

Dienberg did not look into moving the pipe.

Director Retzlaff reported that single family residence have built accessory buildings that fit in the setback. The number of setback variances issued by this board are relatively few.

Chairman White asked for anyone to speak in favor of the variance to please come forward.

Mark Stoiber of W218N9769 Happy Hollow Lane, Colgate came to the podium. Chairman White swore Mark Stoiber in. Mark Stoiber commented in favor of the variance and he has no problem with the canopy. It looks nice and is not falling apart.

Chairman White asked for anyone to speak in opposition of the variance to please come forward.

Jane Kyle of W220N9706 Amy Belle Road, Colgate came to the podium. Chairman White swore Jane Kyle in. Jane Kyle commented in opposition of the variance. She is the neighbor by the garden. She looks out her kitchen window and sees the brown canopy. She stated this is not temporary. He has a four-car garage. She commented on the temporary use permits and the expiration of the permits. There have been time periods without a permit. She commented on the code violations. There is a yellow pick-up truck and boat and RV in front. The vehicles change all the time. He has ATVs and Snowmobiles at times. She requested that the variance not be approved. She would approve if he did not have so many other vehicles in the yard.

Lynnae Langmann of N99W21950 Indian Parkway, Colgate came to the podium. Chairman White swore Lynnae Langmann in. Lynnae Langmann commented in opposition of the variance. She commented on the neighbor was not aware of the situation. There have been issues with the structure and the ordinance has not been followed. The current garage has a lift. There are five or more vehicles coming and going and they are not consistent vehicles. Pictures were shown and shared. If approved would set a precedent in the Village of Germantown. Langmann questioned if the building inspection inspected or viewed the structure. Temporary does not require cement. This was built with the intent to be ignored by the Village. She requested the variance not be approved.

Director Retzlaff commented he does not have any proof of inspections of the structure. A temporary structure is normally not inspected.

There were five additional comments not in favor of the variance on the dias for the Zoning board of Appeals.

Chairman White asked if there were any other comments for or against the variance or otherwise?

There were no additional comments.

Chairman White asked, does if the temporary structure has to comply with the setbacks? Director Retzlaff commented it does not.

Are there other options for the property owner? Does the homeowner have the ability to expand one of the bays of the garage to make it larger for the RV? The garage could be expanded. Director Retzlaff commented that the garage could be made larger as long as it complies to the setbacks.

Deinberg commented that he could only expand 6 feet to the North and ten feet to the south.

Deinberg commented he did work with the Mike the Guttman the building inspector. A permit was not issued.

Chairman White asked if there were any other comments for or against the variance or otherwise?

The Public Hearing was closed at 6:40 p.m.

The Findings, Conclusions, and Decision and Order were deliberated.

The variance will be contrary to the public interest and will not be in accord with the spirit of the zoning code because temporary means temporary and is defined in the code. To permit temporary and then to count it as permanent is contrary to the zoning code. The size is contrary to the spirit of the zoning code and the set back is a legitimate concern.

There 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 because there are always these types of structures. The plumbing pipes may in some ways be unusual but knowing that they are situated in everyone's yard that does not have Village water / sewer does not make it unusual. The RV is not enough of an unusual condition.

The variance is not necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district because he can still use the property. Other property owners would have the same challenges. He can still use his property.

The variance will create substantial detriment to adjacent property and will be contrary to the public interest. There is not a public safety component. It is clear that there are property owners that would not approve. The variance is against the ordinance.

The literal enforcement of the terms of the Zoning Code would not result in practical difficulty or unnecessary hardship to the applicant as he can still use the property.

There is not a financial hardship.

MOTION (Fritsche/Hansen) to Deny the Variance Requests based on the findings of fact, for the reduction of the minimum side yard building setback requirement from 20 feet to 3 feet and to waive the time limit provisions for the use of a temporary structure storage canopy on the North side of the property located at W218N9743 Happy Hollow Lane, Colgate WI 53017.

Roll Call Vote:

Ayes: Fritsche, Hansen, White, Knop

No: None

Chairman White stated outcome to appellant.

Chairman White stated next hearing will be September 11, 2019.

MOTION The meeting adjourned at 6:51 p.m.

Respectfully Submitted,

Deanna B. Braunschweig, WCMC/CMC

Village Clerk

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, September 11, 2019 - 5:30 P.M.**

THE PURPOSE of said hearing will be to hear any and all parties, their attorneys or agents, for or against a **VARIANCE APPEAL** filed by **Katelyn LeTourneau, Agent for Darlene LaTourneau**, property owner, who is requesting the following variances from the Village's Zoning Code (Section 17) to: (1) reduce the minimum front/street yard fence setback requirement from 2 feet to 6 inches under Section 17.50(2)(f)4.; and (2) increase the maximum height allowance for a fence in the front/street yard from 4 to 7 feet under Section 17.50(2)(f)3.

**N120W15515 Freistadt Road, Germantown
(Tax Key# GTNV 232-991)**

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 14th day of August, 2019.

Village Clerk

Published: August 21st and August 28th.



Planning Department

Jeffrey W. Retzlaff, AICP

Village Planner & Zoning Administrator

N112 W17001 Mequon Road P.O. Box 337

Germantown, WI 53022-0337

Telephone: (262) 250-4735

FAX:

Website: www.village.germantown.wi.us

E-mail:

MEMORANDUM

TO: Board of Zoning Appeals (BOZA) Members

FROM: Jeff Retzlaff, Zoning Administrator

DATE: September 11, 2019

RE: Variance Appeal; N120 W15515 Freistadt Road;
Darlene LeTourneau, Property Owner

Background

In August 2019, the Inspection Services Division of the Community Development Department denied issuing a building permit for a proposed 7-foot high fence to be located in the front yard of the property located at 15515 Freistadt Road. The proposed fence would be located 6 inches from the public right of way along Freistadt Road. (see [EXHIBIT 1] dated August 7, 2019).

Appeal/Request

The owner is seeking the following variances:

- a) A variance of 3 feet to increase the maximum height of a fence located in the front yard from 4 feet to 7 feet.

Section 17.50(2)(f)(3): *Fences in front yards may not exceed 4 feet in height, except a maximum height of 6 feet on approval of the Plan Commission after consideration of visibility, privacy and access concerns.*

The proposed fence would be located in a front yard of the property per the definition of "Setback or Front Yard" in **Section 17.08(65):** *A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the existing or proposed street or highway line and a line parallel thereto through the nearest point of the principal structure. Corner lots shall have 2 such yards.*

- b) A variance of 18 inches to reduce the minimum right-of-way setback requirement under Section 17.50 (2)(f)(4) from 2 feet to 6 inches

Staff Comments

The proposed fence may be located along the north property line (Freistadt Road) and meet the setback requirement of 2 feet from the road right-of-way. The fence is proposed to be located on a portion of the subject property that is already higher than the elevation of the road by approximately 3-5 feet. The height of the proposed fence would extend 10-12 feet above the road.

Fence Permits

Permit applications can be dropped off during regular business hours of 8:00 a.m. to 4:30 p.m. Monday through Friday. Building Inspectors can be reached during regular office hours of 8:00 to 9:00 a.m. and 1:00 to 2:00 p.m. daily. The permit fee for fencing is \$25.00. Along with the permit application, you must supply a copy of the survey for your property. The survey shall be marked with the location of the proposed fence. Fences may be located on the side and rear lot lines providing the following restrictions are met. Should you have any questions, please feel free to contact the Inspection Department at 250-4760.

VILLAGE OF GERMANTOWN ZONING CODE 17.50 (2)(f)

Fences in Residential Districts (Am. Ord. #34-89; Rep. & Recr. Ord. #30-97).

1. All fences shall be subject to review and approval of the Building Inspector prior to the issuance of a building permit.
2. Fences in rear or side yards may be up to 6 feet in height.
3. Fences in front yards may not exceed 4 feet in height, except a maximum height of 6 feet on approval of the Plan Commission after consideration of visibility, privacy and access concerns.
4. No fence shall be closer than 2 feet to a public right of way.
5. (Cr. Ord. #33-99). Fences that contain a finished side and an unfinished side, shall be installed in a manner in which the finished side faces the adjacent property. In case of a discrepancy, the Village Building Inspector shall determine which side of the fence is the finished side.
6. (Cr. Ord. #33-99; Am. Ord. #15-06). Fences shall not be located within any type of easement, provided however, the Planning Commission may authorize the encroachment by a fence into a drainage easement where the owner of the land encumbered by the easement shows to the satisfaction of the Planning Commission that, considering the proposed location, design and materials of the proposed fence, the encroachment of the fence into the easement will not materially interfere with drainage flow within the easement, and, in the case of a subdivision, the homeowners association consents in writing to the encroachment, or if not in a subdivision, the adjacent landowners consent in writing.

Village of



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

August 7, 2019

GTNV 232-991

Darlene LeTourneau
N120 W15515 Freistadt Road
Germantown, WI 53022

Dear Mrs. LeTourneau:

The office of Inspection Services is in receipt of your building permit application for a fence. Based on the submittal as proposed, a building permit cannot be issued. Your application proposes a 7' high fence in the front yard. Section 17.50(2)(f)(3) of the Germantown Municipal Code reads, "Fences in front yards may not exceed 4 feet in height, except a maximum height of 6 feet on approval of the Plan Commission after consideration of visibility, privacy and access concerns."

Your application also proposes the fence to be located 6 inches off of the front yard lot line. Section 17.50(2)(f)(4) of the Germantown Municipal Code reads, "No fence shall be closer than 2 feet to a public right of way."

You may apply for variances from both of the requirements that your proposed fence does not meet. A single variance application for both 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
Deanna Braunschweig, Village Clerk
✓ Property File

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. 2-2019
Filing Date 8-7-19
Fee Paid \$ 570.00
Hearing Date: 9-11-19
Notice Mailed: 8-20-19
Notices Published: 8-21-19 / 8-28-19

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: Darlene LeTourneau
Address: N120 WISSIS Freistadt Rd, Germantown
Phone No. : 262-923-6066 KatelynL@ExitRealtyxl.com
2. Appellant's or applicants' interest in property:
(☒) Owner; () Tenant; () Mortgagee; () Agent.
3. Property Owner's Name: Darlene LeTourneau
Address: N120 WISSIS Freistadt Rd, Germantown
Phone No.: 262-923-6066
4. Address of property: N120 WISSIS Freistadt Rd, Germantown
Lot ____, Block ____, Tax Parcel No. GTNV ____, Zoning District: ____
5. Present use of the property: owners Home
6. Proposed use of the property: Owners Home
7. Previous Appeal or Application (if any)? Yes () No ()

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:

We would like a 7' fence located 6 inches from property line.

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:

The fence would be on a retaining wall that faces a very busy county road.

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

Too much noise, lots of our personal belongings stolen, family safety.

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

Noise Reduction, family safety,
property safety, privacy

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:

Adjacent Property is a road and
across from that is woods
and train tracks.

(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: 8-7-19, 20____ Darlene M. LeTourneau
Signature of applicant or appellant

I, Katelyn LeTourneau, am acting
as my mother, Darlene LeTourneau,
personal rep.

Village of



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

August 7, 2019

GTNV 232-991

Darlene LeTourneau
N120 W15515 Freistadt Road
Germantown, WI 53022

Dear Mrs. LeTourneau:

The office of Inspection Services is in receipt of your building permit application for a fence. Based on the submittal as proposed, a building permit cannot be issued. Your application proposes a 7' high fence in the front yard. Section 17.50(2)(f)(3) of the Germantown Municipal Code reads, "Fences in front yards may not exceed 4 feet in height, except a maximum height of 6 feet on approval of the Plan Commission after consideration of visibility, privacy and access concerns."

Your application also proposes the fence to be located 6 inches off of the front yard lot line. Section 17.50(2)(f)(4) of the Germantown Municipal Code reads, "No fence shall be closer than 2 feet to a public right of way."

You may apply for variances from both of the requirements that your proposed fence does not meet. A single variance application for both 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,

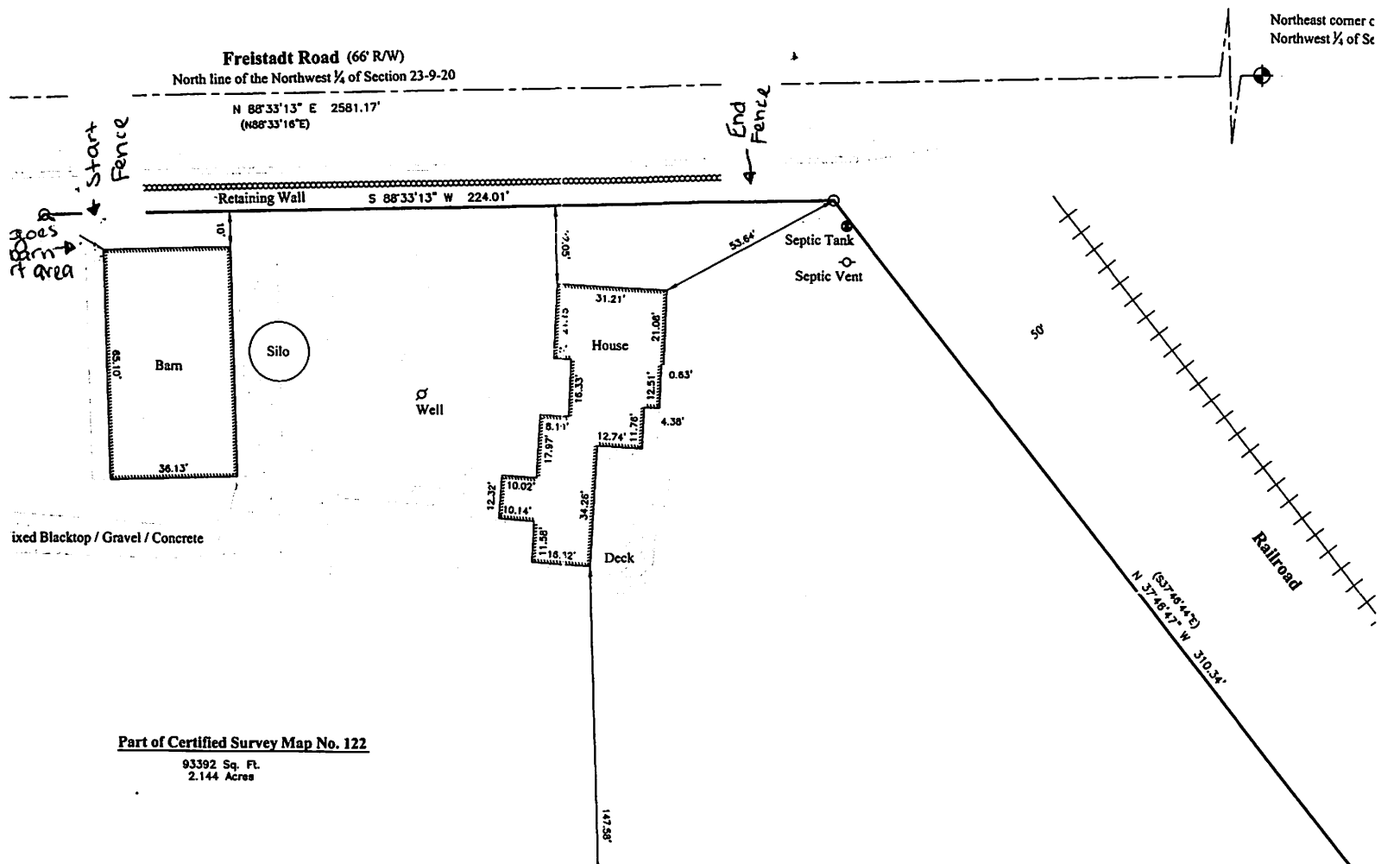
A handwritten signature in black ink that reads 'Holly Madson'. The signature is fluid and cursive, with the first name 'Holly' and last name 'Madson' clearly distinguishable.

Holly Madson
Inspection Services

cc: Jeff Retzlaff, Community Development Director
✓ Deanna Braunschweig, Village Clerk
Property File

Legend:

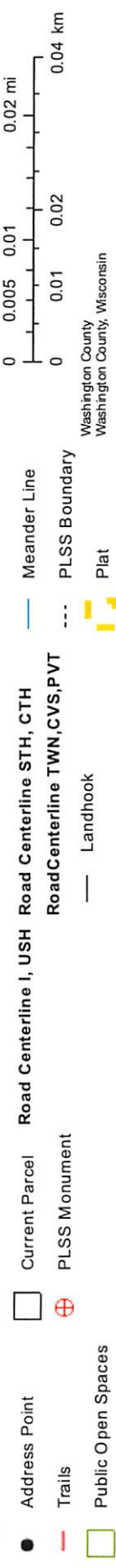
- Denotes Iron Pipe Found
- Denotes Iron Rod Set
- ⊕ Denotes Hydrant



Web AppBuilder for ArcGIS



August 6, 2019



Address Point
 Trails
 Public Open Spaces
 Current Parcel
 PLSS Monument
 Road Centerline I, USH
 Road Centerline STH, CTH
 Road Centerline TWN, CVS, PVT
 Landhook
 Meander Line
 PLSS Boundary
 Plat
 Washington County GIS
 Washington County

0 0.005 0.01 0.02 0.04 mi
 0 0.01 0.02 0.04 km

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 8-2-19

Bldg. Permit No. _____

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

1. Owner Darlene LeTourneau Address Same as Construction address
2. Address of Construction N120 W15515 Freistadt Rd Zoning District _____
3. Permit For Fence Cost 5,500.⁰⁰
4. Size of Structure - Square Footage of Proposed Building/Other _____ Height 7'
5. Set-Backs of Structure - Front _____ Side _____ Rear _____
6. Contractor D + D Fence Phone 262-343-2108 DCFR Cert. # _____
Address 6820 N. Trenton Rd, West Bend 53090 Qualifier # _____

101.65(lr) of the Wisconsin Statutes requires municipalities that enforce the Uniform Dwelling Code to provide an owner who applies for a building permit with a statement advising the owner that: If the owner hires a contractor to perform work under the building permit and the contractor is not bonded or insured as required under s.101.654(2)(a), the following consequences might occur: (a) The owner may be held liable for any bodily injury to or death of others or for any damage to the property of others that arises out of the work performed under the building permit or that is caused by any negligence of the contractor that occurs in connection with the work performed under the building permit. (b) The owner may not be able to collect from the contractor damages for any loss sustained by the owner because of a violation by the contractor of the one- and 2-family dwelling code or an ordinance enacted under sub. (1)(a), because of any bodily injury to or death of others or damage to the property of others that arises out of the work performed under the building permit or because of any bodily injury to or death of others or damage to the property of others that is caused by any negligence by the contractor that occurs in connection with the work performed under the building permit.

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. **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.**

Signature Darlene M. LeTourneau Print Name Katelyn Darlene LeTourneau
Address N120 W15515 Freistadt Rd City & State Germantown Zip Code 53022
Phone Numbers 262-923-6060 Home / Work Cell

The Village of Germantown Assessor's Office creates and maintains property records for all real estate parcels within the Village of Germantown in which it has jurisdiction. Pursuant to Wisconsin Statute 70.32(1), all properties that are issued building permits are field reviewed, described, and valued by "actual view". This means that each building permit requires 1) assessment personnel to initially process existing records or create new records, 2) physically review, onsite, the purpose of each building permit to document all property description additions and/or alterations, and 3) process the information gathered in the field to determine an assessed value.

Every person receiving an approved building permit from the Village in which said building permit requires an employee of the Assessor's Office to physically view onsite any descriptive property change in an effort to maintain the property record shall pay a property maintenance fee commensurate with the type of building permit issued by the Village.

***** 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 \$ _____ (BLD) RECORD FEE \$ _____ (APF) TOTAL FEES \$ _____

REMARKS

SEPARATE ELECTRICAL, PLUMBING AND HEATING PERMITS MAY BE REQUIRED.

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: 8-2-19 Tax Key # GTNV-232991
Owners Name: Darlene LeTournay
Mailing Address: 1120 WISSIS Freistadt Rd, Germantown
Phone - Home: 262-923-6060 Work: _____
Property Location's Address: 1120 WISSIS Freistadt Rd, Germantown
Legal Description: NW-NW Section 23 Town/City/Village Germantown
Lot _____ Block _____ Subdivision _____ CSM# 122
Project for: [check appropriate boxes]

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

Brief description of project: Fence Installation

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 <u>Under Chapter 23 or 25</u>	Yes	No	<u>County Permit Issued</u>	<u>Date Issued</u>
Sanitary - Chapter 25	☐	☒	No. <u>136133</u>	<u>10/10/1989</u>
Floodplain - Chapter 23	☐	☒	No. _____	_____
Shoreland/Wetland - Ch. 23	☐	☒	No. _____	_____

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

Remarks: Setbacks to POUTS is met.

Authorized Signature



DDFENCING.com

262-343-2108

6820 N Trenton Rd West Bend Wi 53090

NAME: KEVIN SCHODREN

EMAIL: KATELYNL@EXITREALTYXL.COM

ADDRESS: N120W15515 FREISTADT ROAD, GERMANTOWN

PHONE: 262-370-2229

Referred by:

Footage: 196'

Style: DOG EAR PRIVACY

Height: 6'

Gates: NONE

Posts: ROUNDED

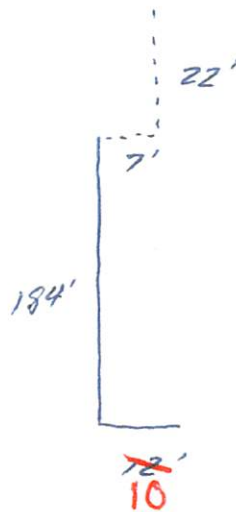
Level or grade: GRAPE

Tear out/removal: NO

Special instructions:

optional 29' = \$500

layout



We propose to supply materials and labor/based on the above specifications for the amount of:

Installed: \$ 5,500.00

Terms: upon completion: service charge of 1.5% per month after due date

Down Payment: \$ 2,750.00

Final Payment: 2,750.00

Customer to handle the permit and boundaries of there property. Diggers hotline will be covered by D&D Fence. We must stay 24" off of buried utilities with power digging machines and 18" for any other reason. If we go closer then the 24" we must hand dig those holes. Customer will accept all responsibility in the case we dig closer to 18" near buried utilities. All of our employees are covered by workers compensation. Our labor warranty is a 7 years and warranty on the materials may vary depending on style installed.

Customer signature: [Signature]

Date: 6-1-19

D&D Signature: [Signature]

Date: 8-1-19