

**VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022**

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, August 2, 2021 7:00 p.m.

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

NOTICE: Pursuant to the recommendations of the Centers for Disease Control and Prevention concerning the prevention of COVID-19 infections, any member of the body and/or citizen may also attend the meeting virtually through the WebEx platform, Meeting #: 182 047 7855 Password: UgJYMYTp468 which can be accessed by phone at 408-418-9388 or by logging on at

<https://villageofgermantown.my.webex.com/villageofgermantown.my/j.php?MTID=m4e6f96293dbd1e8ce62e81d01d6c5327>

Citizens not wishing to attend the meeting personally or virtually may submit any public comments by sending an email to comments@village.germantown.wi.us by 4 p.m. on the day of the meeting so that it can be provided to the members of the body for their consideration. Citizens may also view the meeting by live broadcast on Spectrum Cable Channel 25.

Previously recorded Village Board Meeting Videos can be viewed at

https://www.youtube.com/channel/UCOYp0EgELzTCa9X_iCohyhQ.

AGENDA

- 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. **PLEDGE OF ALLEGIANCE:**
- IV. **PRESIDENT'S REPORT:**
- V. **ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST**
COMMITTEE AND DEPARTMENT REPORTS:
 - A. The following individuals will be given the opportunity to make announcements of future municipal activities: Village President, Village Board Members, Village Administrator, Village Attorney, Village Clerk, And Department Heads, to include:
- VI. **CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:**

Please be advised per §19.84(2), information will be received from the public. It is the policy of this municipality that there be a three (3) minute time period, per person, with time extension per the Chief Presiding Officer's discretion; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments. (15 minutes) Written Public Comments should be directed to comments@village.germantown.wi.us, by 4 p.m. on Monday, August 2nd.

VII. CONSENT AGENDA:

A. Approval of Minutes July 19, 2021 Regular Village Board Meeting.

B. Accounts payable/payroll:

1.	July 23, 2021	Accounts Payable	\$ 442,248.04
2.	July 30, 2021	Payroll (Salary)	\$ 106,839.27
3.	August 3, 2021	Payroll (Hourly)	\$ 272,734.45
4.	July 30, 2021	Accounts Payable	\$ 140,815.60

The following items were forwarded from **General Government and Finance** with a unanimous recommendation.

C. Resolution 22-2021, Resolution Amending the Village's Section 457 Deferred Compensation Plan to Add North Shore Bank as an Additional Contribution Option.

VIII. UNFINISHED BUSINESS

A. None.

IX. PUBLIC HEARINGS:

A. None.

X. NEW BUSINESS:

A. Denial of Operator's License – Crystal McCoy.

B. Report on Board Room Audio Visual Equipment.

C. Update from Library Director Smith on Germantown Community Library Strategic Planning Efforts.

D. **Ordinance 05-2021**, Land Use Plan Map Amendment from Commercial to Industrial/Office and **Ordinance 06-2021**, Rezoning from B-1: Neighborhood Business Zoning District to M-1: Limited Industrial Zoning District pursuant to Section 17.33 of the Zoning Code, and **Conditional Use Permit (CUP) 04-2021** for commercial self-storage, for TR Capital, LLC and Agent for Bruce J. Miller, Property Owner - W219 N11588 Appleton Avenue.

E. **Ordinance 07-2021**, Rezoning from A-2: Agricultural and Rs-2: Single-Family Zoning Districts into the A-2: Agricultural and Rs:3 Single Family Residential Districts pursuant to Section 17.13 and Section 17.16 of the Village Zoning Code for John E. & Brenda L. Perry, Property Owners - N124 W14106 Lovers Lane, and, 3-Lot **Certified Survey Map (CSM)** Application.

F. **Conditional Use Permit 05-2021**, John D. East, Applicant and Property Owner - W164 N11974 Fond du Lac Avenue. Conditional Use Permit for a Major Home Occupation for East Outdoor Services.

G. Presentation by Samuel Dickman – TID #8 Prospects.

- H. Meridian Germantown LLC / Wal-Mart Stores, Inc claim of excessive real estate tax. The Village Board may convene into closed session per Wis. Stats. §19.85(1)(g) for the purpose of conferring with Legal Counsel who is rendering advice concerning strategy to be adopted by the Village with respect to litigation in which it is involved or is likely to become involved and then may reconvene into open session to take such action as it deems appropriate; and,
- I. Intergovernmental Agreement with Germantown School District for School Resource Officers. The Village Board May Enter into Closed Session per Wis. Stat. § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, and then may reconvene into open session to take such action as it deems appropriate; and,
- J. Germantown Professional Police Association Local 306 Collective Bargaining Contract and International Association of Fire Fighters Local 4854. The Village Board may Convene into closed session per Wis. Stats. §19.85(1)(e) For the Purpose of Deliberating or negotiating the contract, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and may convene into open session to take such action as it deems appropriate; and,
- K. Village of Richfield Potential Water / Sewer Service Agreement. The Village Board May Enter into Closed Session per Wis. Stat. § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, and then may reconvene into open session to take such action as it deems appropriate.

XI. ADJOURNMENT.

**The next regular meeting of the Village Board will be on Monday, August 16, 2021, at 7:00 p.m. Tentative Joint Village Board and School Board Meeting August 30th
There will not be a Village Board Meeting on September 6, 2021.**

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.

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
July 19, 2021**

CALL TO ORDER: The meeting was called to order at 7:00 p.m. by President Wolter.

ROLL CALL: Present: President Wolter, Trustees Baum, Hudson J. Miller, R. Miller, Myers, Neureuther, and Pieper. Absent Excused: Kaminski. Also present: Administrator Kreklow, Clerk Braunschweig, Attorney Sajdak, Director Schroeder, Superintendent Anderson, Director Ratayczak, Manager Hirn, and Manager Uselding. Clerk's Note: This was a partial Virtual Webex Meeting.

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

Nothing to Report.

**ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC
INTEREST/DEPARTMENT AND COMMITTEE REPORTS:**

The following individuals will be given the opportunity to make announcements of future municipal activities: Village President, Village Board Members, Village Administrator, Village Attorney, Village Clerk, And Department Heads, to include:

Neighbors Night Out is on August 10th at Firemen's Park, from 5-8 p.m.

CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:

Taste of Germantown is on July 22nd from 5-9 p.m. at Firemen's Park.

Lynn Ggrich, from Ashbury Circle came to the podium as a representative of the Kiwanis from the 4th of July event. She thanked the Village for the support. The new start time for the parade and new shelter were appreciated.

APPOINTMENTS:

Commissions/Boards/Committees

Library Board

Member	Joletta Kerpan	Term Ending 06/30/2024
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Senior Advisory Committee

Member	Faye Price	Term Ending 04/30/2022
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Motion (Myers/Pieper) approval of appointments as listed. Motion carried unanimously.

CONSENT AGENDA:

- | | | | |
|----|--|------------------|---------------|
| A. | Approval of Minutes June 21, 2021 Regular Village Board Meeting. | | |
| B. | Accounts payable/payroll: | | |
| 1. | June 11, 2021 | Accounts Payable | \$ 309,654.28 |
| 2. | June 30, 2021 | Payroll (Salary) | \$ 106,426.95 |
| 3. | July 2, 2021 | Accounts Payable | \$ 962,791.36 |
| 4. | July 6, 2021 | Payroll (Hourly) | \$ 271,322.80 |

5.	July 9, 2021	Accounts Payable	\$ 219,446.08
6.	July 15, 2021	Payroll (Salary)	\$ 107,484.58

The following items were forwarded from **General Government and Finance** with a unanimous recommendation.

C. Resolution 19-2021, Budget Amendment - Resolution to Carry Over 2020 General Fund Projects.

The following items were forwarded from **Public Safety** with a unanimous recommendation.

D. Germantown Historical Society, Picnic License, Temporary Class "B" Fermented Malt Beverage and Wine License, for Annual Hunsrucker Oktoberfest, September 25th and 26th, Dheinsville Historical Park, approximately 11am-11pm on the 25th and 11am-7pm on the 26th.

Motion (Myers/Pieper) to approve Consent Agenda items. Corrections were made to the minutes. Resolution 19-2021, was updated to \$210,449. Roll call vote carried unanimously.

UNFINISHED BUSINESS:

A. Resolution 18-2021, Authorizing Municipal and Direct Charges for Public Fire Protection.

Administrator Kreklow reported on the Private Fire Protection. Actual bills from a variety of customers were shown with the increases. Also shown were the impact on heavy industrial water users. The impact on manufacturing and food processor customers were shown. The impact on small businesses including pet care businesses and taverns were shown.

Currently, the Public Fire Protection is 100% on the tax bill. The Public Service Commission completes a review of what is required to maintain the equipment, this is a 49% increase on the water. This is based on a water rate usage.

The previous water rate increase was in 2010.

Discussion ensued of the rate increase. There is not an increase in the sewer bill. The informational insert with the last mailing had an error of a 10% increase of the sewer bill. That is not correct.

Discussion ensued of the Private Fire Protection. Discussion ensued of the private fire protection to the water bill frees up for the levy limit. Allows for the private fire protection to be distributed to the water users rather than the tax bills.

The proposed charges were reviewed. The Private Fire Protection is at 537,429 on the tax levy. The Private Fire Protection will increase to 600,000 with the rate increase and then will increase to 683,000 with the second rate increase. Options were reviewed including the possibility of capping at 537,429 on the tax levy and then the increases to go to the utility bills. Discussion ensued of the infrastructure.

Motion (Baum/R. Miller) to approve Resolution 18-2021, Authorizing Municipal and Direct Charges for Public Fire Protection with a fixed amount of 149,660, 75% of the Private Fire Protection. Roll Call vote. Motion failed. 6-2. Baum and R. Miller voted yes.

Motion (Baum/Myers) to approve Resolution 18-2021, Authorizing Municipal and Direct Charges for Public Fire Protection with a cap amount of 537,000, and increases to the water utility. Roll Call vote. Motion failed, tie vote 4-4. Baum, R. Miller, Myers, and President Wolter voted yes.

Discussion ensued of the limitations on the 2022 budget.

Motion (J. Miller/Pieper) to Option four of no action and 598,640 to go on Property Taxes.

Amendment Motion (Pieper) to change it 12%. Motion withdrawn.

Amendment motion (Hudson/Myers) move 10% of the fee this year and the next four years, with a cap of 50%. Discussion ensued of the process for the adjustment for each year. Amendment Motion failed. Roll Call vote. Hudson and Myers voted yes.

Original Motion failed. Roll Call vote. Hudson and J. Miller voted yes.

Motion (Neureuther/Baum) to reconsider the approve Resolution 18-2021, Authorizing Municipal and Direct Charges for Public Fire Protection with a cap amount of 537,000, and increases to the water utility. Motion to reconsider carried. Pieper voted no.

Motion (Neureuther/Baum) for reconsideration to approve Resolution 18-2021, Authorizing Municipal and Direct Charges for Public Fire Protection with a cap amount of 537,000, and increases to the water utility. Roll Call Vote. Motion carried. Pieper voted no.

PUBLIC HEARING:

A. None.

NEW BUSINESS:

A. Park & Recreation Director Job Description.

Administrator Kreklow commented that Director Schroeder is retiring October 1st. The Job Description was reviewed by General Government and Finance this evening.

Motion (Myers/R. Miller) to approve Park & Recreation Director Job Description.

Discussion ensued of the length of time that the position will be posted and where it will be posted. Discussion ensued of an indefinite posting until filled. The interview process was discussed to include department peers and a possible Village Trustee and department staff. Typically, there is a multi-panel process of differing departments and or community departments. This position is appointed by the Village President and confirmed by the Village Board. Discussion ensued of the pay range, requirements, and certification qualifications. Discussion ensued of leaving the job description as is or modifying as needed. The previous interview process was reviewed. Motion carried. Hudson voted no.

B. Resolution 20-2021, Village Buildings Cleaning Services Contract – with Cleanpower LLC, 3 Year Contract in amount not to exceed \$448,648.25.

Motion (Myers/Pieper) to approve Resolution 20-2021, Village Buildings Cleaning Services Contract – with Cleanpower LLC, 3 Year Contract in amount not to exceed \$448,648.25.

Superintendent Anderson came to the podium. The item came from Public Works Committee. The Village Attorney is to review the contract, specific to future funding.

The current custodian may retire in the future. This is an increase from previous years. There are potentially four additional buildings. Roll Call Vote Carried.

- C. Resolution 21-2021, Mequon Road Street Lighting Project Contract with Outdoor Lighting Construction Company in an amount not to exceed \$402,000.

Motion (Myers/Hudson) to approve Resolution 21-2021, Mequon Road Street Lighting Project Contract with Outdoor Lighting Construction Company in an amount not to exceed \$402,000, the shortage to come from the reserves. Superintendent Anderson came to the podium. He gave an update of the history to the item. There was not recommendation from the Public Works Committee. Discussion ensued of rejecting the bid and rebidding in January or February.

Motion to amend (R. Miller/Baum) to amend to Option 3, direct staff to carry-over this years remaining funds into 2022. Attorney Sajdak questioned contract and bid process.

Motion to amend (Baum/Myers) to hold until 2022 and rebid. Motion carried. Myers and Hudson, voted no. Motion as amended carried.

- D. Division Road Reconstruction Urban versus Rural (Utilizing STP Funding).

Director Ratayczak came to the podium. He reported on the Division Road Reconstruction Project, the project is over 1.2-1.4 Million. This includes Mequon to South of Wendy Lane. The project is available for State Grants. The next application is due middle of August and then the second portion is due middle of October.

Julie Chapman with Graef came forward to the podium to report on the urban versus rural. This is WISDOT funded dollars. Division Road has a higher average daily traffic at 80% cost share. This application is to locate the funds from the DOT. The DOT will select the applications in March of 2022. Final design would be in 2024. Division Road passer ratings are 3-5. The ride quality is poor but there is still life left in the roadway. Division Road would need to have connectivity and ADA compliant pedestrian accommodations.

There can be a combination of rural and urban. Widening is not necessarily required. May need a multi-load path for bicyclists and pedestrians. If there is street lighting corridor, there would be additional costs.

Director Ratayczak is looking to either put in five year plan or delay and apply for STP funding. This is a good candidate for the future of the Village to be more urbanized.

It is in an environmentally sensitive corridor, to use the DOT process is the much safer organized process. The traffic pattern forecasts come into play if there are additional lanes.

Motion (Myers/Baum) to approve starting the process of utilizing STP Funding Division Road Reconstruction Urban versus Rural (Utilizing STP Funding). Motion Carried Unanimously.

- E. Location and Design of Public Works Building. The Village Board May Enter into Closed Session per Wis. Stat. § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, and then may reconvene into open session to take such action as it deems appropriate.

Motion (Myers/Baum) to convene into closed session for item E. and to include the Village Board, Village Attorney, Administrator Kreklow, Clerk / Treasurer Braunschweig, Director Schroeder, Superintendent Anderson, Manager Uselding, and Director of Public Works Ratayczak. Roll Call Voted Unanimously.

The Board took recess from 9:30 p.m. – 9:45 p.m.

Administrator Kreklow reported on the items in open session.

He reported on the temporary baseball facilities available until constructed.

Three recommendations, for a total cost of 49,300. Suggestions included the renovation of Haupt Strasse Park and upgrade baseball diamonds at Friedenfield Park, or to enter into agreement with the Germantown School District.

Cost estimates on land broker were reported on. Real estate broker estimations are at 10-15%. These costs can be the seller's pay responsibility or are built into the purchase price of the land.

The board then convened into closed session at 10:00 p.m.

ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 11:45 p.m.

The next regular meeting of the Village Board will be on Monday, August 2, 2021 at 7:00 p.m.

Respectfully Submitted,

Deanna Braunschweig

Deanna B. Braunschweig, WCMC/CMC
Village Clerk

VILLAGE OF GERMANTOWN
RESOLUTION NO. 22-2021

RESOLUTION AMENDING THE VILLAGE'S SECTION 457 DEFERRED COMPENATION
PLAN TO ADD NORTH SHORE BANK AS AN ADDITIONAL CONTRIBUTION OPTION

WHEREAS, Section 457 of the Internal Revenue Code and Wis. Stat. § 40.81 permit the Village of Germantown, Wisconsin to establish a Deferred Compensation Plan; and

WHEREAS, the Plan may permit eligible employees to voluntarily elect to participate in the favorable tax treatment on the deferral of income; and

WHEREAS, the Village of Germantown presently offers a 457 plan through Mission Square Retirement (formerly ICMA-RC); and

WHEREAS, the Village Board desires to offer an additional 457 plan option for employees through North Shore Bank fsb; and

WHEREAS, Wisconsin law permits the Village of Germantown to make legal deposits to "custodial accounts" established within the North Shore Bank Deferred Compensation Plan; and

WHEREAS, North Shore Bank shall be responsible to hold funds, as "custodian", for the future benefit of those participating employees under all rules and regulations of the IRS Code Section 457;

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Germantown that the Village's current deferred compensation plan is amended to appoint North Shore Bank, fsb, as an additional provider serving the Village and its employees as "custodian" and "administrator" for all investments provided within its plan.

BE IT FURTHER RESOLVED that the appropriate Village officials are authorized and directed to assist North Shore Bank in the implementation of this Plan.

Introduced by: _____

Adopted: August 2, 2021

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna Braunschweig, WCMC/CMC
Village Clerk Treasurer

BUSINESS OF THE VILLAGE BOARD GERMANTOWN, WI

MEETING DATE: August 2, 2021

AGENDA ITEM: New Business (LAND USE PLAN AMENDMENT
ORDINANCE, REZONING ORDINANCE
& CONDITIONAL USE PERMIT)

ITEM TITLE: TR Capital, LLC, Agent for Bruce J. Miller, Property Owner - W219
N11588 Appleton Avenue. 2020 Land Use Plan Map Amendment from
Commercial to Industrial/Office, Rezoning Application from B-1:
Neighborhood Business Zoning District to M-1: Limited Industrial
Zoning District and Conditional Use Permit (CUP) for commercial self-
storage

SUBMITTED BY: Emily Zandt, Associate Planner

SUMMARY EXPLANATION:

TR Capital, LLC, property owner, is seeking approval of a 2020 Land Use Plan Amendment from Commercial to Industrial/Office, a Rezoning from B-1: Neighborhood Business to M-1: Limited Industrial, and a Conditional Use Permit (CUP) for commercial self-storage within an enclosed building and outside within a secure area screened from view on the 3.65-acre property located at W219N11588 Appleton Avenue.

The purpose of the three applications is to allow the redevelopment of the existing single-family home and commercial plant sales into both enclosed self-storage and exterior boat/vehicle self-storage. This site has an asphalt cap (approximately 0.5 acres in size) installed by the Department of Natural Resources due to previous contamination. The asphalt cap is required to remain in-place for a minimum of 30 years, beginning in 2006, to prevent disturbance of the soil contamination. As a result, the development potential of buildings on the site is limited.

PLAN COMMISSION RECOMMENDATION:

APPROVE the 2020 Land Use Plan (LUP) map amendment to change the designation of the property at W219N11588 Appleton Avenue (3.65 acres) from Commercial to Industrial/Office as proposed.

APPROVE the rezoning of the 3.65-acre property at W219N11588 Appleton Avenue from B-1 Neighborhood Business to M-1 Limited Industrial as proposed.

APPROVE a conditional use permit for commercial self-storage buildings where storage is conducted within an enclosed building, individual units within a building, or outside of a building but within a secure area screened from view for the 3.65-acre property located W219N11588 Appleton Avenue subject to five (5) conditions.

APPLICATION, PLANS & RELATED DOCUMENTS:

All relevant documents, including applications, plans, supporting information, the staff report & recommendation, and Plan Commission meeting minutes (when available) are included in the PDF digital file distributed by the Village Clerk.

ORDINANCE NO. 05-2021

AN ORDINANCE TO AMEND THE LAND USE PLAN MAP OF THE VILLAGE OF GERMANTOWN 2020 “SMART GROWTH” COMPREHENSIVE PLAN:

TR Capital LLC Property (W219N11588 Appleton Avenue)

THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. That pursuant to Sections 60.22(3), 62.23(2) and (3), and 66.1001(4)(c), Wisconsin Statutes, the Village Board of the Village of Germantown did, on October 4, 2004, enact Ordinance No. 30-04 formally adopting the “Village of Germantown Year 2020 Smart Growth Plan” to guide the use of land and future development in the Village.

SECTION 2. That pursuant to the consistency requirement of the “smart growth” comprehensive planning requirements established in Sections 66.1001(1)(a) and 66.1001(2), Wisconsin Statutes, the “Village of Germantown Year 2020 Smart Growth Plan” contains specific policies that require development proposals and decisions regarding rezoning to be consistent with the Land Use element of the Plan.

SECTION 3. That TR Capital, LLC, property owner of land totaling 3.65 acres located at W219N11588 Appleton Avenue having Tax Key #GTNV 193-955 and the legal description as shown in Exhibit 1, has submitted an application to amend the Land Use Plan map of the “Village of Germantown Year 2020 Smart Growth Plan” to change land use classification from “Commercial” to “Industrial/Office”.

SECTION 4. That the Village Plan Commission conducted a public hearing of the application on July 12, 2021, following publication and notification of said hearing and provided a recommendation to the Village Board.

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SECTION 5. That, after consideration of the application, supporting documentation, and public hearing testimony received, the Village Board does by enactment of this ordinance formally change the land use classification of the 3.65-acre property located at W219N11588 Appleton Avenue as shown on Exhibit A attached hereto from “Commercial” to Industrial/Office”.

SECTION 6. This ordinance shall take effect and be in full force the day after its passage and publication, as provided by law.

Introduced by Trustee: _____

Adopted: _____, 2021

Vote: Ayes: _____
 Nays: _____

Dean Wolter
Village President

ATTEST:

Deanna Braunschweig, Village Clerk

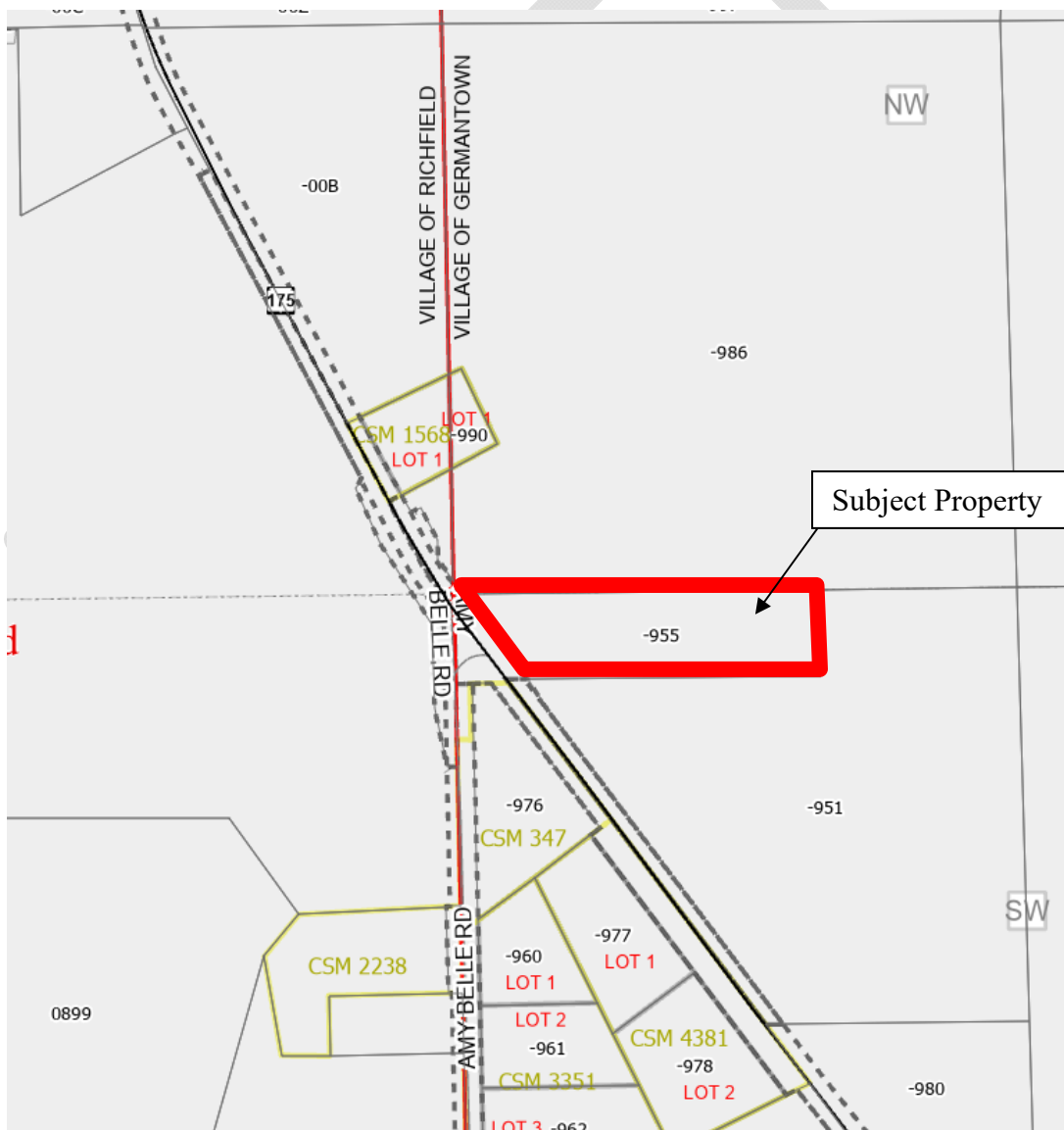
APPROVED AS TO FORM:

Brian Sajdak, Attorney

EXHIBIT 1.
TR CAPITAL PROPERTY
2020 Land Use Plan Map Amendment

Legal Description of W219 N11588 Appleton Avenue
Parcel ID: GTNV_193955

That part of the Northwest 1/4 of the Southwest 1/4 of Section 19, Township 9 North, Range 20 East, lying north and east of the center of Fond du Lac Road (U.S. Hwy No. 41) excepting therefrom that part described as follows: Commencing at the center of the said Fond du Lac Road on the south line of the said NW 1/4 of the SW 1/4, thence East to the line of the NW 1/4 of the SW 1/4 27 rods, thence north on the said line 20 rods, thence west 37 rods to the middle of Fond du Lac Road, thence southeasterly along the centerline of said road to the place of beginning. Further excepting that part conveyed in warranty deed recorded on January 24, 1966, in Volume 412, on page 547, as Document No. 284461.



ORDINANCE NO. 06-2021

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP
OF THE VILLAGE OF GERMANTOWN ZONING CODE**

TR Capital LLC, Property Owner

THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON
COUNTY, WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. That the zoning map of the Village of Germantown is amended by rezoning from the B-1: Neighborhood Zoning District to the M-1: Limited Industrial District for the property at W219N11588 Appleton Avenue (Parcel ID: GTNV: 193-955), shown in Exhibit 1, and with the following description:

That part of the Northwest 1/4 of the Southwest 1/4 of Section 19, Township 9 North, Range 20 East, lying north and east of the center of Fond du Lac Road (U.S. Hwy No. 41) excepting therefrom that part described as follows: Commencing at the center of the said Fond du Lac Road on the south line of the said NW 1/4 of the SW 1/4, thence East to the line of the NW 1/4 of the SW 1/4 27 rods, thence north on the said line 20 rods, thence west 37 rods to the middle of Fond du Lac Road, thence southeasterly along the centerline of said road to the place of beginning. Further excepting that part conveyed in warranty deed recorded on January 24, 1966, in Volume 412, on page 547, as Document No. 284461.

SECTION 3. This ordinance shall take effect and be in full force the day after its passage and publication, as provided by law.

Introduced by Trustee: _____
Adopted: _____, 2021

Vote: Ayes: _____
Nays: _____

Dean Wolter, Village President

ATTEST:

Deanna B. Braunschweig, WCMC/CMC Village Clerk

APPROVED AS TO FORM:

Brian Sajdak, Attorney

Published:

[illegible]

CUP #04-21

Document No.

CONDITIONAL USE PERMIT

Document Title

VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN
CONDITIONAL USE ZONING PERMIT

Whereas the Applicant:

TR Capital LLC, Property Owner

agrees to comply with applicable Codes and Ordinances of the Village of Germantown, Wisconsin, and further agrees that all work done pursuant to the permission granted herewith will conform with the applications and drawings filed with and approvals granted by officials of the Village for the purpose of obtaining this permit.

Now, therefore, this permit is issued to the Applicant to allow commercial self-storage buildings where storage is conducted within an enclosed building, individual units within a building, or outside of a building but within a secure area screened from view on the property located W219N11588 Appleton Avenue pursuant to Section 17.33(3)(e) of the Village Zoning Code.

Name & Return Address:

**Village of Germantown
P.O. Box 337
Germantown, WI 53022**

Parcel Identification No:

GTNV 193-955

On the following described property located in the Village of Germantown, Washington County, Wisconsin:

That part of the Northwest 1/4 of the Southwest 1/4 of Section 19, Township 9 North, Range 20 East, lying north and east of the center of Fond du Lac Road (U.S. Hwy No. 41) excepting therefrom that part described as follows: Commencing at the center of the said Fond du Lac Road on the south line of the said NW 1/4 of the SW 1/4, thence East to the line of the NW 1/4 of the SW 1/4 27 rods, thence north on the said line 20 rods, thence west 37 rods to the middle of Fond du Lac Road, thence southeasterly along the centerline of said road to the place of beginning. Further excepting that part conveyed in warranty deed recorded on January 24, 1966, in Volume 412, on page 547, as Document No. 284461.

Pursuant to the following condition(s):

1. The uses and activities allowed on the property shall be limited to those uses and activities and relative locations specified in the conditional use permit (CUP) application and supporting documents dated June 28, 2021. The size and relative location of those areas within the property from which said uses and activities are permitted are limited to that presented in the site plan and description submitted with the supporting documents. Days and hours of operation shall be limited to those specified in the CUP application (Monday through Sunday Daylight hours) and supporting documents submitted to the Village. The Owner/Operator is responsible for reporting any significant changes in the type, intensity, amount or location of the land uses and activities, days and hours of operation, size or location or other operational characteristics of said uses and activities authorized under this CUP to the Village Planner.
2. A site plan shall be submitted as reviewed for approval by the Plan Commission prior to

grading or the issuance of building permits for the property.

3. No tenant, nor the property owner, may run additional businesses from the subject property at any time, including from the storage units or the outdoor parking area.
4. No portion of this property, storage structures, or parked vehicles may be used as a residence.
5. There shall be no storage of hazardous materials on the subject property.

DRAFT

Granted by the Village Board of the Village of Germantown, Washington County, Wisconsin
on the ____ day of _____, 2021.

Dean Wolter, Village President

ATTEST:

Deanna B. Braunschweig, WCMC/CMC, Village Clerk

STATE OF WISCONSIN) SS

WASHINGTON COUNTY)

Personally came before me this ____ day of _____, 2021, the above
named Dean Wolter, Village President, and Deanna B. Braunschweig, Village Clerk, to me
known to be the persons who executed the foregoing instrument and acknowledged the same.

{type or print name of Notary on this line}

{signature of Notary on this line}

Notary Public, State of Wisconsin

My Commission Expires: _____

ACCEPTANCE OF TERMS AND CONDITIONS BY OPERATOR

As property owner and business operator, we hereby accept the terms and conditions set forth herein and realize that non-adherence to the terms and conditions as stated herein may result in the revocation of this Permit by the Village of Germantown.

Dated this ____ day of _____, 2021

Type or Print Name on this line

Property Owner (TR Capital, LLC)

STATE OF WISCONSIN) SS
_____ COUNTY)

Personally came before me this ____ day of _____, 2021, being the above named _____, to me known to be the person who executed the foregoing instrument and acknowledged the same.

{type or print name of Notary on this line}

{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: _____

PLAN COMMISSION MINUTES

July 12, 2021

CALL TO ORDER: Planning Assistant Lori Johnson called the meeting to order at 6:30 pm.

MOTION Laszewski second Nilles to appoint Trustee Baum as Chairman Pro Tem.

MOTION carried unanimously.

ROLL CALL: Trustee Rep David Baum, Commissioners Tony Laszewski, Peter Nilles and Matt Kimmler were in attendance. Chairman Wolter, Commissioners Bob Williams and Bill Shadid were absent and excused. Also present were Community Development Director Jeff Retzlaff, Associate Planner Emily Zandt and Planning Assistant Lori Johnson.

PUBLIC INPUT:

None

APPROVAL OF MINUTES:

MOTION Laszewski second Peter to Approve the Minutes from June 14th and June 28, 2021.

MOTION carried unanimously.

TR Capital, LLC - W219 N11588 Appleton Avenue The property owner is seeking approval of a 2020 Land Use Plan Amendment from Commercial to Industrial/Office, a Rezoning from B-1: Neighborhood Business to M-1: Limited Industrial and a Conditional Use Permit for commercial self-storage within an enclosed building and outside within a secure area screened from view on the 3.65-acre property. Associate Planner Zandt summarized the proposal.

Public Hearing opened at 6:39 pm.

Chairman Baum read comments received into the record:

-Moraine Development LLC, Appleton Avenue, wrote in favor of the project and supports the new use for the land.

-Jean & Jay Berenschot, N112 W21682 Mequon Road, wrote they had no objection to the proposed rezoning.

-Mark & Lyndall Naumann, N112 W21859 Bark Lake Road, agreed with the new development and had no objections to the storage facility

-Sara Bojarski, N105 W21151 Oak Lane, wrote in opposition to the request to change the zoning and the conditional use because of noise, truck traffic, dirt.

-Ray Kulenski, N112 W21498 Mequon Road, had concerns with traffic and people using the facility any time they want, debris falling off trucks like cushions, who will clean it up, theft and burglary.

Public Hearing closed at 6:49 pm.

MOTION Nilles second Laszewski to Approve the 2020 Land Use Plan (LUP) map amendment to change the designation of the property at W219N11588 Appleton Avenue (3.65 acres) from Commercial to Industrial/Office as proposed.

Eric Roberts, TR Capital, said this is a concept plan and that engineering plans will come forward at a future meeting. He said this is not an industrial use in nature, parking boats and trailers is a residential use. He stated secure fencing will completely surround the property. He explained just the storage units would be open 24/7 but not the outside storage area. A security code will be needed to get into the property. He added it has not been decided if power would be available inside the units. He said they do not want to disturb the DNR cap by adding more lighting. The DNR cap is already paved and is required to remain paved. They intend to maintain that with additional paving

around it. Director Retzlaff said detailed site plans will need to be brought to Plan Commission for review and approval.

MOTION carried unanimously.

MOTION Laszewski second Nilles to Approve the rezoning of the 3.65-acre property at W219N11588 Appleton Avenue from B-1 Neighborhood Business to M-1 Limited Industrial as proposed.

Commissioner Laszewski commented the use as storage units is not an intense use and seems more in line with a family business. Director Retzlaff explained the change in zoning is needed to allow for use of the property as a storage facility.

MOTION carried unanimously.

MOTION Laszewski second Nilles to Approve conditional use permit for commercial self-storage buildings where storage is conducted within an enclosed building, individual units within a building, or outside of a building but within a secure area screened from view for the 3.65-acre property located W219N11588 Appleton Avenue subject to the following conditions:

- 1. The uses and activities allowed on the property shall be limited to those uses and activities and relative locations specified in the conditional use permit (CUP) application and supporting documents dated June 28, 2021. The size and relative location of those areas within the property from which said uses and activities are permitted are limited to that presented in the site plan and description submitted with the supporting documents. Days and hours of operation shall be limited to those specified in the CUP application (Monday through Sunday Daylight hours) and supporting documents submitted to the Village. The Owner/Operator is responsible for reporting any significant changes in the type, intensity, amount or location of the land uses and activities, days and hours of operation, size or location or other operational characteristics of said uses and activities authorized under this CUP to the Village Planner.***
- 2. A site plan shall be submitted as reviewed for approval by the Plan Commission prior to grading or the issuance of building permits for the property.***
- 3. No tenant, nor the property owner, may run additional businesses from the subject property at any time, including from the storage units or the outdoor parking area.***
- 4. No portion of this property, storage structures, or parked vehicles may be used as a residence.***
- 5. There shall be no storage of hazardous materials on the subject property.***

MOTION carried unanimously.

2020 LAND USE PLAN MAP AMENDMENT, REZONING, & CONDITIONAL USE PERMIT (CUP) APPLICATIONS

7/12/21 Plan Commission Meeting

TR Capital, LLC

Village Planner Report

Germantown, Wisconsin

Summary

TR Capital, LLC, property owner, is seeking approval of a 2020 Land Use Plan Amendment from Commercial to Industrial/Office, a Rezoning from B-1: Neighborhood Business to M-1: Limited Industrial, and a Conditional Use Permit (CUP) for commercial self-storage within an enclosed building and outside within a secure area screened from view on the 3.65-acre property located at W219N11588 Appleton Avenue.

Location: W219N11588 Appleton Avenue

Applicant/

Property Owner: TR Capital, LLC
N91W27428 Red Fox Run
Hartland, WI 53029

Current Zoning District: B-1: Neighborhood Business

Proposed Zoning District: M-1: Limited Industrial

Adjacent Land Uses		Zoning
North	Agricultural	A-1
South	Quarry	M-4
East	Quarry	M-4
West	Residential	NA



Proposal

TR Capital, LLC, property owner, is seeking approval of a 2020 Land Use Plan Amendment from Commercial to Industrial/Office, a Rezoning from B-1: Neighborhood Business to M-1: Limited Industrial, and a Conditional Use Permit (CUP) for commercial self-storage within an enclosed building and outside within a secure area screened from view on the 3.65-acre property located at W219N11588 Appleton Avenue.

The purpose of the three applications is to allow the redevelopment of the existing single-family home and commercial plant sales into both enclosed self-storage and exterior boat/vehicle self-storage. This site has a cap installed by the Department of Natural Resources due to previous contamination. As a result, the development potential of buildings on the site is limited.

Land Use Plan Map Amendment

With the 2050 Land Use Plan still being finalized, the existing 2020 Land Use Plan must be amended from Commercial to Industrial/Office to accommodate the proposed self-storage. The proposed use is required to be screened and buffered to minimize the impacts on surrounding properties. The applicant will be required to submit a site plan for review and approval by the Village Plan Commission.

Rezoning

The subject property is currently zoned B-1 Neighborhood Business. The proposed use of the property for self-storage requires a rezoning to the M-1 Limited Industrial District. This rezoning is consistent with the proposed Land Use Map amendment. Due to the

CUP

Outdoor storage, which is proposed for the rear portion of the property, requires a Conditional Use Permit in the M-1 Limited Industrial District. Due to the DNR cap on the eastern portion of the property, no buildings can be constructed in this area. The proposed outdoor storage will be required to be secured and screened from view.

Staff Comment

The previous owner of the property operated plant sales under a Conditional Use Permit (CUP#08-09) that expired under the sale of the property, per condition #5 of CUP#08-09).

The conditions of the property as it exists today limit the development potential of this site. The proposed use of the property would not only clean up the site but be a good use of the site with its limited development potential. An engineered site plan will be required to be reviewed and approved by the Plan Commission prior to the development of this site.

Planning Staff recommend specifying conditions of the Conditional Use Permit to limit the use of the storage units/parking area to include no business operation from the storage units or parking stalls, no residence on the property, and no storage of hazardous materials.

VILLAGE STAFF RECOMMENDATION

APPROVE the 2020 Land Use Plan (LUP) map amendment to change the designation of the property at W219N11588 Appleton Avenue (3.65 acres) from Commercial to Industrial/Office as proposed.

APPROVE the rezoning of the 3.65-acre property at W219N11588 Appleton Avenue from B-1 Neighborhood Business to M-1 Limited Industrial as proposed.

APPROVE a conditional use permit for commercial self-storage buildings where storage is conducted within an enclosed building, individual units within a building, or outside of a building but within a secure area screened from view for the 3.65-acre property located W219N11588 Appleton Avenue subject to the following conditions:

1. The uses and activities allowed on the property shall be limited to those uses and activities and relative locations specified in the conditional use permit (CUP) application and supporting documents dated June 28, 2021. The size and relative location of those areas within the property from which said uses and activities are permitted are limited to that presented in the site plan and description submitted with the supporting documents. Days and hours of operation shall be limited to those specified in the CUP application (Monday through Sunday Daylight hours) and supporting documents submitted to the Village. The Owner/Operator is responsible for reporting any significant changes in the type, intensity, amount or location of the land uses and activities, days and hours of operation, size or location or other operational characteristics of said uses and activities authorized under this CUP to the Village Planner.
2. A site plan shall be submitted as reviewed for approval by the Plan Commission prior to grading or the issuance of building permits for the property.
3. No tenant, nor the property owner, may run additional businesses from the subject property at any time, including from the storage units or the outdoor parking area.
4. No portion of this property, storage structures, or parked vehicles may be used as a residence.
5. There shall be no storage of hazardous materials on the subject property.



Fee Must Accompany Application

☐ \$1,165 Paid _____ Date _____

☐ \$200 PC Consultation Only
Paid _____ Date _____

COMPREHENSIVE PLAN AMENDMENT APPLICATION

Please read and complete this application carefully. All applications must be signed and dated. Attach additional sheets and/or include supplemental information in support of your application.

APPLICANT OR AGENT:

TR Capital, LLC

Rosie Roberts

Address: N91 W27428 Red Fox Run
Hartland, WI 53029

Phone: (262) 719-3368

E-Mail: rosie.a.roberts@gmail.com

PROPERTY OWNER(S):

Bruce J Miller

Address: W219 N11588 Appleton Avenue
Germantown, WI 53022

Phone: (262) 305-5990

E-Mail:

☒ REQUEST TO AMEND LAND USE MAP

Current Land Use Map Designation(s):

Commercial

Proposed Land Use Map Designation(s):

Industrial/Office

Address of Property, Parcel ID Number(s) or General Location (¼ section ¼ section):

Address: W219 N11588 Appleton Avenue
Parcel ID: 193955

Legal Description of Property or Area (metes and bounds description):

That part of the Northwest 1/4 of the Southwest 1/4 of Section 19, Township 9 North, Range 20 East, lying north and east of the center of Fond du Lac Road (U.S. Hwy No. 41) excepting therefrom that part described as follows: Commencing at the center of the said Fond du Lac Road on the south line of the said NW 1/4 of the SW 1/4, thence East to the line of the NW 1/4 of the SW 1/4 27 rods, thence north on the said line 20 rods, thence west 37 rods to the middle of Fond du Lac Road, thence southeasterly along the centerline of said road to the place of beginning. Further excepting that part conveyed in warranty deed recorded on January 24, 1966, in Volume 412, on page 547, as Document No. 284461.

Size of Property or Area: Acres: 3.65 Square Feet: _____

Comprehensive Plan Amendment Application

Page 2 of 3

Land Use and Zoning of Adjacent Properties (example: residential; Rs-2):

Adjacent Property Land Uses		Zoning
North	Agriculture	A-1
South	Quarry	M-4
East	Quarry	M-4
West	Residential (West of Appleton Ave)	RS-1 RS-3

☐ REQUEST TO AMEND PLAN TEXT

Section(s) of Comprehensive Plan to be Amended:

Proposed Text Amendment:

Attach separate pages as necessary

Detailed Explanation and Justification for Proposed Amendment(s):

Required for both Land Use Amendment and Text Amendments
Attach separate pages as necessary

Comprehensive Plan Amendment Application

Page 3 of 3

APPLICATION SUBMITTAL REQUIREMENTS (to be submitted at time of application):

All Amendment Applications:

- ☒ Complete Application Form (Affidavit of Understanding and signatures required)
- ☒ Application Fee
- ☒ Additional Sheet(s) for explanation of and justification for proposed amendment(s)

Land Use Plan Map Amendment Only:

- ☒ Legal Description of the land subject of map amendment in electronic/digital file format (e.g. Microsoft Word)
- ☒ Detailed Plat of Survey or Site Plan of the land subject to the map amendment at a scale of 1" = 50' or other suitable scale necessary to accurately present:
 - o Exterior boundary of the land subject of the map amendment
 - o Concept plan showing general size, shape and relative location of existing and future roads, lots, structures, wetlands, floodplain or other natural features, environmental etc. as may be necessary to further explain and/or support the proposed map amendment.

AFFIDAVIT OF UNDERSTANDING

Please read and indicate that you understand and agree to the following (initials in box):

☒

I understand that Village Staff, the Plan Commission and/or the Village Board may request additional information to properly evaluate this application and failure to provide such information may be sufficient justification to deny this application;

☒

I understand that, regardless of the justification and/or information provided in support of my application, the Village is under no obligation to approve my application nor amend the Comprehensive Plan as requested;

☒

I am aware that the approval of an application to amend the Land Use Plan Map only amends the Land Use Map and does not otherwise revise or change the zoning of the land affected by the Map amendment, and, if I am applying for a Map amendment in order to pursue actual development of the land affected by the amendment, I may be required to obtain separate permits and/or approvals (e.g. rezoning, land division, site plan, etc.) from the Village or other agencies as a prerequisite to the development of such land.

☒

I understand that Village Staff is required to post one or more signs along the street frontage of and/or on the property of this application that indicate to nearby property owners and the general public that a public hearing of my application will be held before the Village Plan Commission and/or Village Board prior to action being taken on this application; I hereby grant Village Staff permission to enter onto the property for the expressed purpose of installing said sign(s) provided Village Staff is responsible for installing, maintaining and removing said signs in a reasonable manner and timeframe.

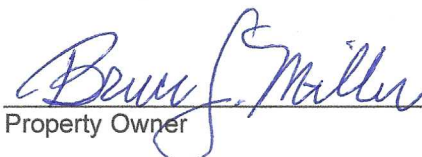
ALL APPLICATIONS MUST BE SIGNED BY THE APPLICANT/AGENT AND PROPERTY OWNER(S)



Applicant/Agent

4-29-21

Date



Property Owner

4-29-21

Date

Applicant/Agent

Date

Property Owner

Date

**FEES MUST BE PAID AT TIME OF APPLICATION**

\$200 Plan Commission Consultation

\$1,085 Rezoning

\$1,240 PDD < 5 acres

\$2,095 PDD 5-20 acre site

\$3,460 PDD > 20 acre site

Date Paid: _____ Received by: _____

REZONING & PDD APPLICATION

Pursuant to Section 17.51 of the Municipal Code

Please read and complete this application carefully. **All applications must be signed and dated.**

1	APPLICANT OR AGENT	PROPERTY OWNER
	TR Capital, LLC	Bruce J Miller
	N91 W27428 Red Fox Run	W219 N11588 Appleton Avenue
	Hartland, WI 53029	Germantown, WI 53022
	Phone (262) 719-3368	Phone (262) 305-5990
	E-Mail rosie.a.roberts@gmail.com	E-Mail

2	PROPERTY ADDRESS OR GENERAL LOCATION	TAX KEY NUMBER
	W219 N11588 Appleton Avenue	193955

3	REZONING REQUEST				
	<table><tr><td>FROM</td><td>TO</td></tr><tr><td>B-1</td><td>M-1</td></tr></table>	FROM	TO	B-1	M-1
FROM	TO				
B-1	M-1				

4	METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED
	Attach pages as necessary That part of the Northwest 1/4 of the Southwest 1/4 of Section 19, Township 9 North, Range 20 East, lying north and east of the center of Fond du Lac Road (U.S. Hwy No. 41) excepting therefrom that part described as follows: Commencing at the center of the said Fond du Lac Road on the south line of the said NW 1/4 of the SW 1/4, thence East to the line of the NW 1/4 of the SW 1/4 27 rods, thence north on the said line 20 rods, thence west 37 rods to the middle of Fond du Lac Road, thence southeasterly along the centerline of said road to the place of beginning. Further excepting that part conveyed in warranty deed recorded on January 24, 1966, in Volume 412, on page 547, as Document No. 284461.

5

PURPOSE OF REZONING REQUEST

Briefly describe why the applicant is rezoning the property. Include a description of the proposed use, including any new construction and number of employees, if applicable.

Due to the contaminated nature of the property, which includes a 1 acre DNR cap in the center, and inadequate/unknown fill the construction possibilities are limited. The DNR cap cannot have any buildings on it, and the remaining filled area can only support floating slabs. Only the front area where the existing house is can support any real structure. Therefore outdoor parking for residential use, and some small combination of mini-storage buildings makes the most sense for this land.

M-1 is required for that purpose.

6

SUPPORTING DOCUMENTATION:

- ☐ Plat of Survey (1:100)
- ☒ Site Plan and elevations for new construction (can be conceptual)

7

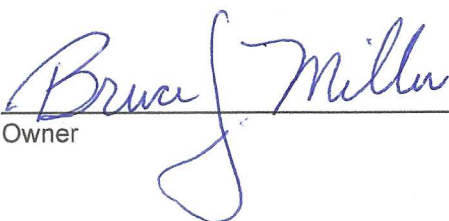
READ AND INITIAL THE FOLLOWING:

- X I understand that the Village is under no obligation to rezone property and that density and lot coverages provided in the Zoning Code are maximums. Actual build out will depend on myriad factors including topography and other natural conditions, surrounding neighborhood context and the detailed design of a project.
- X I understand that Village Staff, Plan Commission and/or Village Board may request additional information to properly evaluate this request and failure to provide such information may in itself be sufficient cause to deny the petition.
- X I am aware that this rezoning shall go into effect immediately upon the final approval of the Village Board and its execution of the rezoning ordinance
- X I understand that Village Staff is required to post one or more signs along the street frontage of and/or on the property subject of this application that indicate to nearby property owners and the general public that a public hearing of my application will be held before the Village Plan Commission and/or Village Board prior to action taken on this application; I hereby grant Village Staff permission to enter onto the property for the expressed purpose of installing said sign(s) provided Village Staff is responsible for installing, maintaining and removing said signs in a reasonable manner and time frame.

8

SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

 4/29/21
Applicant Date

 4/29/21
Owner Date

TR Capital

PO Box 75
Sussex, WI 53089

Owners:

Jon Then
Heidi Then
Rosie Roberts
Eric Roberts

TR Capital is a private real estate company founded by two families residing in Lisbon, Wisconsin. Our primary focus is light industrial developments and renovations that add value to the surrounding communities that we are a part of.

Our most recent project was an industrial development/renovation in the Town of Brookfield. This site consisted of 5.25 acres and a 3,800 SF industrial building that was abandoned for 16 years. This project was recently completed and sold to Johns Disposal adding substantial value to the surrounding community.

We are very excited to work with the Village of Germantown to clean up and improve the property at W21N11588 Appleton Ave. We feel our experience with contaminated and neglected properties makes us a great choice to partner with on this project. We hope the direction we want to take with this property makes sense to the village.

From: [Roberts, Eric](#)
To: [Rosie Roberts](#); [Emily Zandt](#)
Subject: RE: Appleton Ave - proposed storage buildings
Date: Thursday, June 24, 2021 8:39:52 AM

Emily,

The storage buildings will be individual units with exterior access garage doors.

The first building will likely be of variable sizes of 10x10 up to possibly 15 x 40.

Once we get the M-1 Zoning approval, we will begin detailed engineering plans and work with the village to make sure they are built in accordance with the villages wishes.

Our plan is to get the first building up then see what the demand is before determining sizes of the 2nd and possibly 3rd building.

We are also not locked in to needing 3 buildings if the space and configuration don't allow for it, or more outside parking is possible or desired over the storage buildings. No buildings can be built on the DNR cap that sits in the middle of the property, so there is some limitations there that might come up as we get more detailed engineering done.

The intended use much like the outside parking is for Residential storage, people who might need winter storage for a boat/camper, or store items from their home, etc.

If you have any other questions please feel free to reach out to me.

I also have some recent arial photos from a drone, and other pertinent information if needed.

Thanks

Eric Roberts
TR Capital, LLC
Member

c: 262-719-3368
eroberts@quad.com

-----Original Message-----

From: Rosie Roberts <rosie.a.roberts@gmail.com>

Sent: Wednesday, June 23, 2021 7:28 PM

To: ezandt@village.germantown.wi.us

Cc: Roberts, Eric <EROBERTS@quad.com>

Subject: Appleton Ave - proposed storage buildings

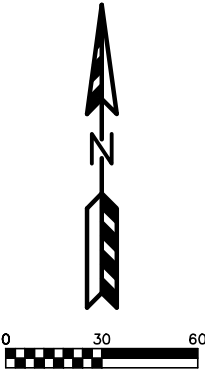
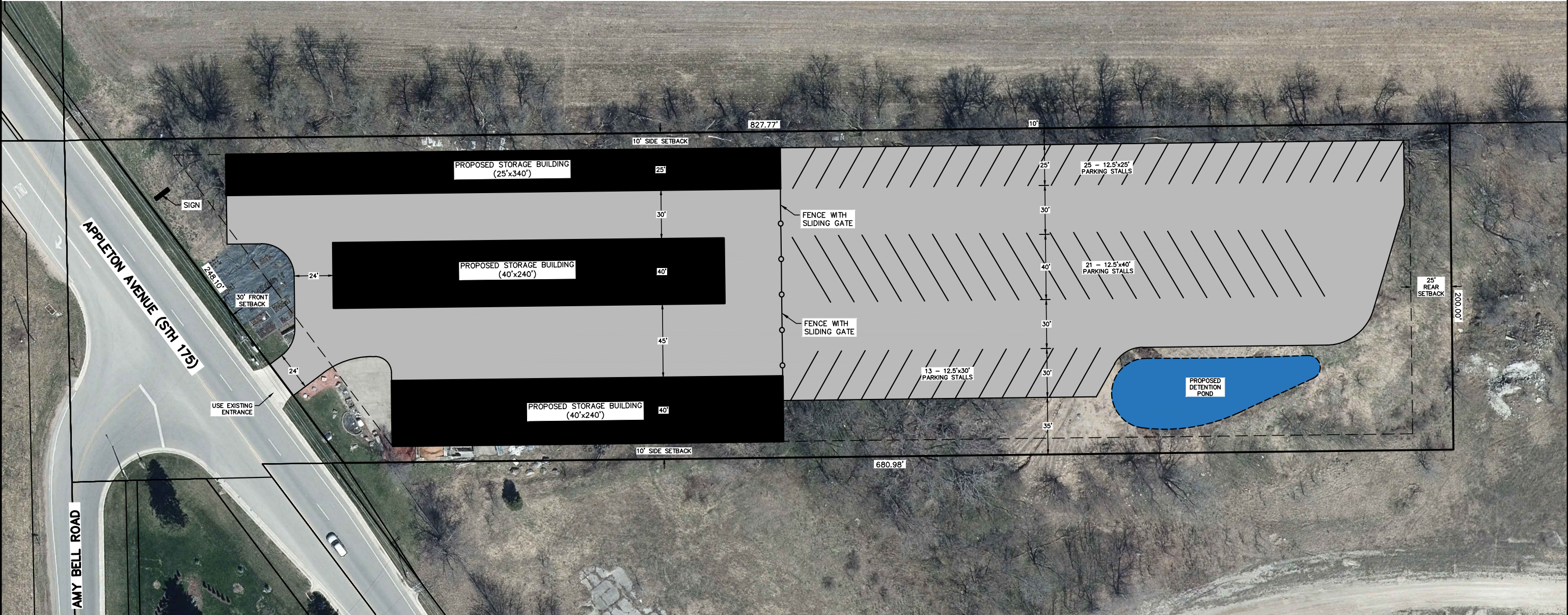
[External Email]

Hi Emily,

We will gather some information for you and send something over shortly.

Thank you,

Rosie Roberts
TR Capital LLC



SITE INFORMATION BLOCK	
Site Address	W219 N11588 Appleton Avenue
Site acreage (total)	3.65 Acres
Current Zoning	B-1
Proposed Zoning	M-1
M-1 Lot and Yard Requirements	
Front Yard	30'
Side Yard	10'
Rear Yard	25'
% Coverage	80%
Surface Coverage:	
Impervious Area	2.51 Acres
Lot Area	3.65 Acres
Impervious Percentage	68.8%

APPLETON AVENUE STORAGE

CONCEPT PLAN

DATED: APRIL 23, 2021

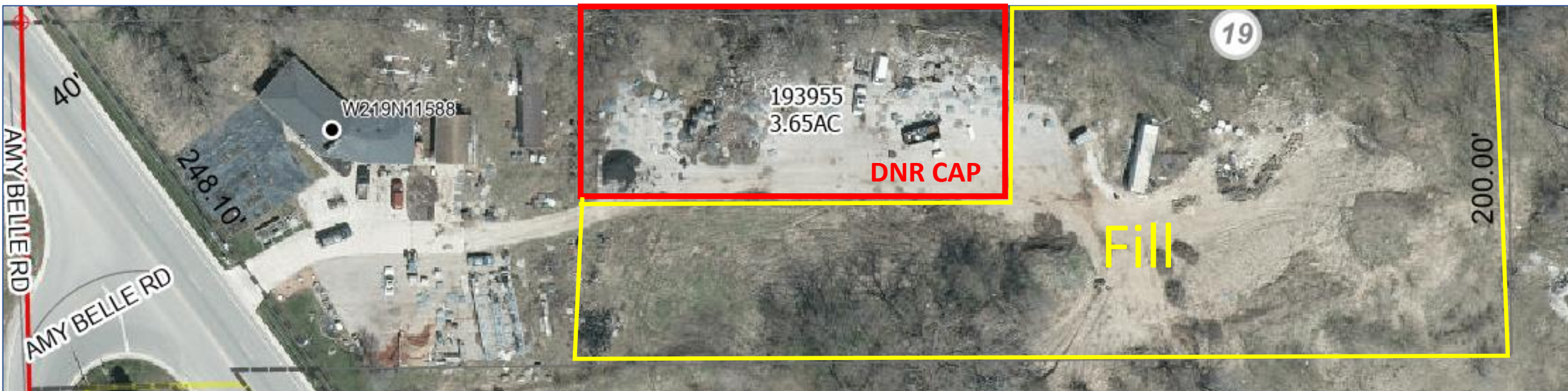
C-100

 QUAM ENGINEERING, LLC

Residential and Commercial Site Design Consultants

122 Wisconsin Street; West Bend, Wisconsin 53095

Phone (262) 346-7800; www.quamengineering.com



- DNR CAP – cannot have any buildings on it
- DNR Cap – Must be maintained every 2 years and remain for 30 years since its installation.
- Fill section can only have floating slabs



TR Capital Previous project
Before



After



Fee must accompany application

☐ \$1460 Paid _____ Date _____

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Section 17.42 of the Municipal Code

Please read and complete this application carefully. **All applications must be signed and dated.**

1 APPLICANT OR AGENT

Phone () _____
Fax () _____
E-Mail _____

PROPERTY OWNER

TR Capital, LLC
N91 W27428 Red Fox Run
Hartland, WI 53029

Phone (262) 719-3368
rosie.a.roberts@gmail.com

2 TO WHOM SHOULD THE PERMIT BE ISSUED?

TR Capital, LLC

3 PROPERTY ADDRESS

W219 N11588 Appleton Avenue

TAX KEY NUMBER

193955

4 DESCRIPTION OF EXISTING OPERATION

Briefly describe the use as it exists today, including use, size, number of employees, hours of operation, etc. If this permit involves new construction, describe the current status of the property, e.g. "vacant." Use additional pages as necessary.

Property is currently being used for the sale of plants and mulch by current previous owner who is there till August 31st. Rest of property is vacant and in need of cleanup/repair.

5 DESCRIPTION OF PROPOSED OPERATION

Write the name of the proposed conditional use exactly as it appears in the Municipal Code

Commercial self-storage buildings where storage is conducted within an enclosed building, individual units within a building, or outside of a building but within a secure area screened from view. (Cr. Ord. #09-16)

Describe the proposed use, including size, number of employees, hours of operation and extent of any new construction/alterations.

We plan on using approximately 2 acres of the property for outdoor residential parking (Campers, Boats, etc). The spots will be of varying sizes and consist of roughly 100+ spots depending on engineering and design approvals. Current hours of operation will be during daylight hours only. Once cleanup of the property is completed, Current construction will consist of retention pond, pavement of an additional acre of the property, in addition to fencing to secure area.

6 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

That part of the Northwest 1/4 of the Southwest 1/4 of Section 19, Township 9 North, Range 20 East, lying north and east of the center of Fond du Lac Road (U.S. Hwy No. 41) excepting therefrom that part described as follows: Commencing at the center of the said Fond du Lac Road on the south line of the said NW 1/4 of the SW 1/4, thence East to the line of the NW 1/4 of the SW 1/4 27 rods, thence north on the said line 20 rods, thence west 37 rods to the middle of Fond du Lac Road, thence southeasterly along the centerline of said road to the place of beginning. Further excepting that part conveyed in warranty deed recorded on January 24, 1966, in Volume 412, on page 547, as Document No. 284461.

7 SUPPORTING DOCUMENTATION:

- ☒ Site Plan and elevations for new construction (can be conceptual)
- ☐ Photos of existing use and/or proposed use operating elsewhere
- ☐ _____
- ☐ _____

8 READ AND INITIAL THE FOLLOWING:

- X I understand that the Village is under no obligation to issue a Conditional Use Permit and will do so only if the applicant successfully demonstrates that the proposed use is harmonious with the neighborhood and the long range goals of the Village.
- X I will notify the Village if any aspects of the conditional use changes. I understand that failure to do so may result in the revocation of the CUP.
- X I understand that a Conditional Use Permit is valid only if the conditions and restrictions of the permit are met. I understand that failure to comply with any aspect of the permit may result in revocation.
- X I understand that Village Staff is required to post one or more signs along the street frontage of and/or on the property subject of this application that indicate to nearby property owners and the general public that a public hearing of my application will be held before the Village Plan Commission and/or Village Board prior to action being taken on this application; I hereby grant Village Staff permission to enter onto the property for the expressed purpose of installing said sign(s) provided Village Staff is responsible for installing, maintaining and removing said signs in a reasonable manner and timeframe.

9 SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Applicant

Date

Eric Roberts

Owner

6/28/21

Date

#

BUSINESS OF THE VILLAGE BOARD GERMANTOWN, WI

MEETING DATE: August 2, 2021

AGENDA ITEM: New Business (REZONING ORDINANCE &
CERTIFIED SURVEY MAP)

ITEM TITLE: John & Brenda Perry, property owners, N124 W14106 Lovers Lane Avenue; Rezoning Ordinance from A-2: Agricultural & Rs-2: Single-Family to A-2: Agricultural & Rs-3: Single-Family; and a 3-Lot Certified Survey Map (CSM)

SUBMITTED BY: Jeff Retzlaff, Community Development Director/Village Planner

SUMMARY EXPLANATION:

John & Brenda Perry, property owners of two parcels totaling 38.2 acres located at N124 W14106 Lovers Lane are seeking approval of a 3-lot Certified Survey Map (CSM) and Rezoning of a portion of proposed Lot 2 (10.65 acres) from Rs-2: Single-Family to A-2: Agricultural and proposed Lot 3 (1.01 acres) from Rs-2: Single-Family to Rs-3: Single-Family. Proposed Lot 1 will remain in the A-2: Agricultural District.

The 3-lot CSM reconfigures the lot lines between the two existing parcels to expand the parcel upon which the existing Perry residence is being replaced from (going from 4.6 to 10.65 acres and rezoned from Rs-2 to A-2); and to create a new 1.0-acre parcel for future Rs-3: Single-Family residential development. The expansion of Lot 2 to 10+ acres and rezoning into the A-2 District will enable Perry to keep four (4) existing detached accessory buildings and build a new detached garage alongside the new replacement dwelling being constructed.

PLAN COMMISSION RECOMMENDATION:

APPROVE the proposed 3-lot Certified Survey Map (CSM) for the John & Brenda Perry property to redivide two parcels totaling 38.2 acres into three parcels located on Lovers Lane subject to two (2) conditions.

APPROVE the proposed rezoning for the John & Brenda Perry property to rezone a portion of proposed Lot 2 (10.65 acres) from Rs-2: Single-Family to A-2: Agricultural and all of proposed Lot 3 (1.01 acres) from Rs-2: Single-Family to Rs-3: Single-Family.

APPLICATION, PLANS & RELATED DOCUMENTS:

All relevant documents, including applications, plans, supporting information, the staff report & recommendation, and Plan Commission meeting minutes (when available) are included in the PDF digital file distributed by the Village Clerk.

ORDINANCE NO. 07-2021

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP
OF THE VILLAGE OF GERMANTOWN ZONING CODE

John & Brenda Perry, Property Owners

THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON
COUNTY, WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. That the zoning map of the Village of Germantown is amended by rezoning from the A-2: Agricultural & Rs-2: Single-Family Zoning Districts to the A-2: Agricultural District for the following described property:

A Redivision of Lot 1 and Lot 2 Certified Survey Map No. 3853, being all of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows: Commencing at the SE corner of the NE $\frac{1}{4}$ of Section 14; thence N $00^{\circ}54'45''$ W, along the east line of said NE $\frac{1}{4}$, 40.0 feet to the point of beginning of lands herein described; thence S $88^{\circ}32'12''$ W, along the south line of the NE $\frac{1}{4}$, 459.01 feet; thence N $02^{\circ}43'50''$ E, 235.20 feet; thence N $61^{\circ}25'35''$ E, 185.59 feet; thence N $02^{\circ}43'50''$ E, 65.40 feet; thence N $78^{\circ}22'47''$ E, 1045.08 feet; thence S $01^{\circ}01'35''$ E, 1281.80 feet; thence N $88^{\circ}32'12''$ E, 1294.43 feet to the point of beginning. Containing 463,709 square feet (10.645 acres).

SECTION 2. That the zoning map of the Village of Germantown is amended by rezoning from the Rs-2: Single-Family District to the Rs-3: Single-Family District for the following described property:

A Redivision of Lot 1 and Lot 2 Certified Survey Map No. 3853, being all of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows: Commencing at the SE corner of the NE $\frac{1}{4}$ of Section 14; thence N $00^{\circ}54'45''$ W, along the east line of said NE $\frac{1}{4}$, 40.0 feet to the point of beginning of lands herein described; thence S $88^{\circ}32'12''$ W, along the south line of the NE $\frac{1}{4}$, 300.01 feet; thence N $02^{\circ}43'50''$ E, 385.40 feet; thence S $61^{\circ}25'35''$ W, 185.59 feet; thence S $02^{\circ}43'50''$ W, 235.20 feet; thence N $88^{\circ}32'12''$ E, 159.00 feet to the point of beginning. Containing 44,020 square feet (1.011 acres).

SECTION 3. This ordinance shall take effect and be in full force the day after its passage and publication, as provided by law.

Introduced by Trustee: _____
Adopted: _____, 2021

Vote: Ayes: _____
Nays: _____

Dean Wolter, Village President

ATTEST:

Deanna B. Braunschweig, WCMC/CMC Village Clerk

APPROVED AS TO FORM:

Brian Sajdak, Attorney

Published:

DRAFT

John E. & Brenda Perry - N124 W14106 Lovers Lane. The property owners are seeking approval of a 3-lot Certified Survey Map and Rezoning of a portion of proposed Lot 2 from Rs-2: Single-Family to A-2: Agricultural and proposed Lot 3 from Rs-2: Single Family Residential to Rs-3 Single Family. Proposed Lot 1 will remain in the A-2: Agricultural District. Director Retzlaff summarize the proposal.

Public Hearing opened at 7:17 pm.

Chairman Baum read comments into the record:

- Laura Sanders, N124 W13530 Lovers Lane, disagreed with the proposed land split creating the 1-acre parcel. She would like the board to consider all three lots meet a 5-acre minimum parcel size.
- Mark & Mary Timm, N124 W13976 Lovers Lane, feel the proposed 1-acre lot is unnecessary and will open the door for others to split their land in the future. They hope to retain the rural characteristics of the northern end of Germantown.
- Robert Aiken, N119 W17780 Cove Lane, does not agree with the 1-acre parcel. He believes 5 acres is required. He like the Perry project but doesn't think the 1-acre parcel fits in.
- John Perry said he has owned the property since 2017 when there was an old farmhouse there. He originally was going to keep the farmhouse and move it, but soils would not allow that. He discovered the rural residential classification after meeting with the Planner. He said the old house has been torn down to allow for a new home, but the property had too many outbuildings to keep the Rs-2 zoning so he needed to expand the lot.
- Jenise Seeger, N124 W13440 Lovers Lane, is opposed to the 1-acre parcel and asked why it was necessary. Mr. Perry explained the 1-acre lot would allow for a new house for his in-laws at some time in the future.

Director Retzlaff explained it is a generally know policy of the Village that parcels north of Freistadt Road are limited to a 5-acre minimum. However, the Land Use Plan was adopted to allow the land shown in yellow, the rural residential area, to divide into 1 acre. He said there are a handful of properties that fall within the current policy. Bob Aiken stated if you drive down Lovers Lane, everyone has 5 acres or more and with Mr. Perry's remaining 36 acres he could do a larger lot and conform to the rest of the neighborhood. Mark Timm commented if the goal was to have another residence, Mr. Perry could incorporate the 1-acre into Lot 1 to build another residence versus the way he has proposed it. He said everyone has considered this area as 5-acres. There is a lot of yellow on the map and others may come forward to seek small lots.

-Jeff Groth, N124 W13832 Lovers Lane, asked when the parcel was rezoned. Director Retzlaff said lot wasn't rezoned, the yellow is land use plan classification, not a zoning classification. The map has not changed since the plan was adopted. The Perry parcel's yellow land use classification and Rs-2 zoning was existing.

-Clark Sherman, from Milwaukee, said he was on the long-range planning committee for 2020 and he remembers the 5-acre minimum lot size north of Freistadt Road.

John Perry said there are a few other properties on Lovers Lane and Mary Buth that are zoned Rs-3. Everyone else is Rs-1 or Rs-2 and he would like the opportunity to try for a 1-acre lot.

Public Hearing closed 7:46 pm.

MOTION Nilles second Laszewski to Approve the proposed 3-lot Certified Survey Map (CSM) for the John & Brenda Perry property to redivide two parcels totaling 38.2 acres into three parcels located on Lovers Lane subject to the following conditions:

- 1. All technical issues and plan corrections that may be identified by the Village Engineering Department shall be addressed and reflected in a revised CSM submitted and approved by the Engineering Department prior to recording the CSM.***
- 2. Notes requiring a wetland delineation and soil evaluations if/when Lot 1 is proposed for development should be included on the CSM.***

Chairman Baum said he did not want to cut up a 5-acre lot but changed his mind when Director Retzlaff explained it was allowed to be done because the parcel was in the yellow land use classification. And there are other 1 acre lots in the area. We are working hard on our next plan to preserve everything north of here as best we can for 5-acre farm properties and greater. This one parcel he will accept. Commissioner Laszewski said he when he looks at the map, he sees the yellow and for the last 20 years this is the map he's followed. Director Retzlaff explained the current Land Use Plan map that shows the green and yellow was approved in 2004 and there have been no map amendments that changed the classification on the Perry Property.

MOTION carried 3-1 (Nilles)

MOTION Laszewski second Kimmler to Approve the Rezoning proposed rezoning for the John & Brenda Perry property to rezone a portion of proposed Lot 2 (10.65 acres) from Rs-2: Single-Family to A-2: Agricultural and all of proposed Lot 3 (1.01 acres) from Rs-2: Single-Family to Rs-3: Single-Family.

MOTION carried 3-1 (Nilles)

CERTIFIED SURVEY MAP (CSM) & REZONING APPLICATION

7/12/21 Plan Commission Meeting

John & Brenda Perry

Village Planner Report

Germantown, Wisconsin

Summary

John & Brenda Perry, property owners of two parcels totaling 38.2 acres located at N124 W14106 Lovers Lane are seeking approval of a 3-lot Certified Survey Map (CSM) and Rezoning of a portion of proposed Lot 2 (10.65 acres) from Rs-2: Single-Family to A-2: Agricultural and proposed Lot 3 (1.01 acres) from Rs-2: Single-Family to Rs-3: Single-Family. Proposed Lot 1 will remain in the A-2: Agricultural District.

Location: N124 W14106 Lovers Lane (1/4 mile east of Pleasant View Drive)

Property Owner: John & Brenda Perry
N124 W14106 Lovers Lane
Germantown, WI

Current Zoning District: A-2: Agricultural & Rs-2: Single-Family
Proposed Zoning District: Rs-3: Single-family and A-2: Agricultural

Adjacent Land Uses		Zoning
North	Agricultural	A-1
South	Agricultural/Residential	A-2/Rs-2/Rs-3
East	Agricultural	A-2
West	Agricultural	A-1/A-2



Proposal

John & Brenda Perry, property owners of two parcels totaling 38.2 acres located at N124 W14106 Lovers Lane are seeking approval of a 3-lot Certified Survey Map (CSM) and Rezoning of a portion of proposed Lot 2 (10.65 acres) from Rs-2: Single-Family to A-2: Agricultural and proposed Lot 3 (1.01 acres) from Rs-2: Single-Family to Rs-3: Single-Family. Proposed Lot 1 will remain in the A-2: Agricultural District.

The 3-lot CSM reconfigures the lot lines between the two existing parcels to expand the parcel upon which the existing Perry residence is being constructed from (going from 4.6 to 10.65 acres and rezoned from Rs-2 to A-2), and, create a new 1.0-acre parcel for future residential development. Further, the expansion of Lot 2 to 10+ acres and rezoning into the A-2 District will enable Perry to keep four (4) existing detached accessory buildings and build a 3rd detached building (garage) alongside the new dwelling being constructed (which could not have been possible in the Rs-2 Zoning District).

Staff Comment

Rezoning to the A-2 (Lot 1 & Lot 2) and Rs-3 (Lot 3) zoning districts is consistent with the 2020 Land Use Plan that classifies the area within which Lot 1 & Lot 2 are located as "Agricultural/Conservation Residential" and "Rural Residential". The area within which Lot 3 is located is classified as "Rural Residential".

A significant amount of wetland associated with the Menomonee River that runs through the property along the west side has been identified; however, a wetland delineation has been deferred because there is no development proposed on Lot 1. A delineation will be required if/when any development of Lot 1 is proposed. A note requiring a wetland delineation if/when Lot 1 is proposed for development should be included on the CSM.

Soil evaluations for proposed Lot 3 indicate the parcel is suitable for the installation of a "mound" private on-site wastewater treatment system (POWTS). Lot 1 is not intended for development in the near future, so soil evaluations have not been submitted. Soil evaluations will be required prior to development of proposed Lot 1. A note requiring soil evaluations if/when Lot 1 is proposed for development should be included on the CSM.

Village Engineer/Public Works Department

The Village's engineering consultant and Public Works Director have not yet completed their review of the CSM. However, it is expected that whatever minor technical corrections that may be identified will be corrected prior to recording the CSM.

VILLAGE STAFF RECOMMENDATION

APPROVE the proposed rezoning for the John & Brenda Perry property to rezone a portion of proposed Lot 2 (10.65 acres) from Rs-2: Single-Family to A-2: Agricultural and all of proposed Lot 3 (1.01 acres) from Rs-2: Single-Family to Rs-3: Single-Family.

APPROVE the proposed 3-lot Certified Survey Map (CSM) for the John & Brenda Perry property to redivide two parcels totaling 38.2 acres into three parcels located on Lovers Lane subject to the following conditions:

1. All technical issues and plan corrections that may be identified by the Village Engineering Department shall be addressed and reflected in a revised CSM submitted and approved by the Engineering Department prior to recording the CSM.
2. Notes requiring a wetland delineation and soil evaluations if/when Lot 1 is proposed for development should be included on the CSM.



The Avenue
275 West Wisconsin Avenue, Suite 300
Milwaukee, WI 53203
414 / 259 1500
414 / 259 0037 fax
www.graef-usa.com

collaborāte / formulāte / innovāte

June 15, 2021

Jeff Retzlaff, Village Planner
Village of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022

SUBJECT: John and Brenda Perry CSM Review

Certified Survey Map

Applicant or Owner: John and Brenda Perry

Land Surveyor/Firm: Richard Simon, Cornerstone Land Survey

1. Building setback lines are to be mapped and dimensioned.
2. Per Chapter 18 of the Village Land Division Ordinance all Subdivisions and Certified Survey Maps will be referenced to the Wisconsin State Plane Coordinate System, South Zone (NAD 1983-2011 datum) grid bearings for a bearing basis.
3. Coordinates (NAD 1983 Grid) of point of commencement monument.
4. All existing utility and drainage easements with recording information will be shown and dimensioned.
5. All wetlands will be delineated by an approved and certified wetland specialist.
6. All wetland mapping will be done by a Professional Land Surveyor registered in the State of Wisconsin.
7. The last paragraph in the Surveyor's Certificate should include Chapter 18 of the Village of Germantown Subdivision Control Ordinance.
8. Should stream and wetland setback lines be shown on the Certified Survey Map document, the following note will be added:

"Development within these setback areas is prohibited unless otherwise allowed pursuant to the provisions of Chapter 24 (Shoreland-Wetland Zoning Code) in the Germantown Municipal Code."
9. Insert the word "Line" in the label for the West Line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 14-9-20.
10. Label the green dashed line on Page 1 and Page 2.

11. The external boundary and internal boundary between Lots 1 and 2 do not close by 0.08'. This will need to be corrected.

No further review comments.

Document Approval and Recording

For this CSM to be approved by the Village Board and recorded at the Washington County Register of Deeds, the document must be provided to the Village Clerk's office in a completed format including all original signatures of the owner and lending institution, original seals of the professional land surveyor on the recordable media the Wednesday prior to the scheduled Village Board meeting.

This includes the CADD file.

T:\Engineering\Planning Commission Review\Bob\2020\10\Leszczynski-Schneider CSM.doc08\ Moldmakers-rozite csm docx

Any documents or digital files not submitted by the due date or contain outstanding technical review comments that have not be addressed, will be moved to the next scheduled Village Board meeting agenda.

Document Submittals and Data Conversion

As of October 2005, the Village of Germantown requires a digital copy of all Certified Survey Maps, Condominium Plats and Subdivision Plats in addition to the documents as required by Wisconsin Statute and Village Ordinances as part of the land division approval.

Prior to Recording the Certified Survey Map or Subdivision Plat, The professional land surveyor is responsible for submitting a copy of the AutoCad drawing file (.dwg) of the document in version 2019 on compact disk (CD) or via email to the Village Surveyor for mapping purposes.

All digital professional land surveyor seals and signatures will be purged from the digital copy prior to submittal.

Note: In 2020, the Village will be upgrading its municipal code to recognize the NAD83 Datum, 2011 adjustment for horizontal control and NAVD88 for vertical control for mapping all land division documents and plan submittals for review.

There are new dossier sheets for all the Public Land Survey System monuments that contain the new coordinate positions and elevations available currently on the State Cartographer's website by using the Survey Control Finder application



collaborāte / formulāte / innovāte

Prior to Recording the Certified Survey Map or Final Subdivision Plat, the Village Engineering Department will verify that the boundary markers have been installed as described on the submitted map. All boundary corners are to be clearly marked in the field by the professional land surveyor of record.

Sincerely,

A handwritten signature in blue ink that reads "Burt J. Naumann".

Burt J. Naumann, PLS
Senior Vice President



Fee must accompany application

☐ \$2,900 with public improvements

☒ \$1,960 no public improvements

Paid \$ Date 5-25-21

CERTIFIED SURVEY MAP APPLICATION

Pursuant to Section 18.06 of the Municipal Code

Please read and complete this application carefully. All applications must be signed and dated.

1 APPLICANT OR AGENT <u>JOHN PERRY</u> <u>N124 W14106 LOVER LN</u> <u>GERMANTOWN WI</u> <u>53022</u> Phone <u>(414) 406-9427</u> Fax <u>() N/A</u> E-Mail <u>JPbiz@wi.rr.com</u>	PROPERTY OWNER <u>BRENDA + JOHN PERRY</u> <u>N124 W14106 LOVERS LN</u> <u>GERMANTOWN WI</u> <u>53022</u> Phone <u>(414) 406-9427</u>
--	--

2 PROPERTY ADDRESS OR GENERAL LOCATION <u>N124 W14106 LOVERS LANE</u>	TAX KEY NUMBER <u>141994 + 141999</u>
--	---

3 PURPOSE OF LAND SPLIT <u>CSM to be further divided into 3 lots for outbuildings etc.</u>	<table border="1"><tr><td colspan="2">Will the land split require rezoning?</td></tr><tr><td colspan="2"><u>YES</u></td></tr><tr><td>From <u>A-2, B-2</u></td><td>To <u>A-2</u></td></tr></table>	Will the land split require rezoning?		<u>YES</u>		From <u>A-2, B-2</u>	To <u>A-2</u>
Will the land split require rezoning?							
<u>YES</u>							
From <u>A-2, B-2</u>	To <u>A-2</u>						

4 READ AND INITIAL THE FOLLOWING:	<u>R-3</u> <u>R-2</u>
☒ I understand that the Certified Survey Map is not valid until recorded at the Washington County Register of Deeds. The Village will record the document and charge the applicant all applicable recording fees.	
☒ I understand that the Map will not be placed on the Village Board agenda until all the technical corrections to the CSM are made, the payment of any outstanding impact fees are paid to the Village Clerk's Department, and the original signed and stamped copy of the Map is submitted on the proper paper.	
☒ I understand that parcels created outside the Sewer Service Area will require a soil test. I also understand that all properties abutting a State Highway will require DOT approval and I will be responsible for securing such approval prior to recording.	
☒ I understand all delinquent property taxes on any of the properties involved shall be paid prior to recording.	

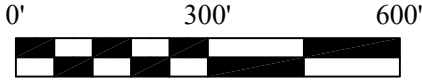
5 SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER! <u>John Perry</u> <u>5/3/21</u> Applicant Date	<u>John Perry</u> <u>5/3/21</u> Owner Date
--	---

Certified Survey Map No. _____

A Redivision of Lot 1 and Lot 2 Certified Survey Map No. 3853, being all of the Southeast ¼ of the Northeast ¼ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Unplatted Lands

Scale 1"= 300'



Legend:

- Denotes Iron Pipe Found
- 3#4" OD X 18" Iron Rod 1.50 Lbs./Lin. Ft., Set
- Location of Soil Borings

CSM No. 5478

A2 Zoning - Lot 1 and Lot 2

60' - Front
50' - Rear
25' - Sides
25' - Wetland Setback

RS3 Zoning - Lot 3

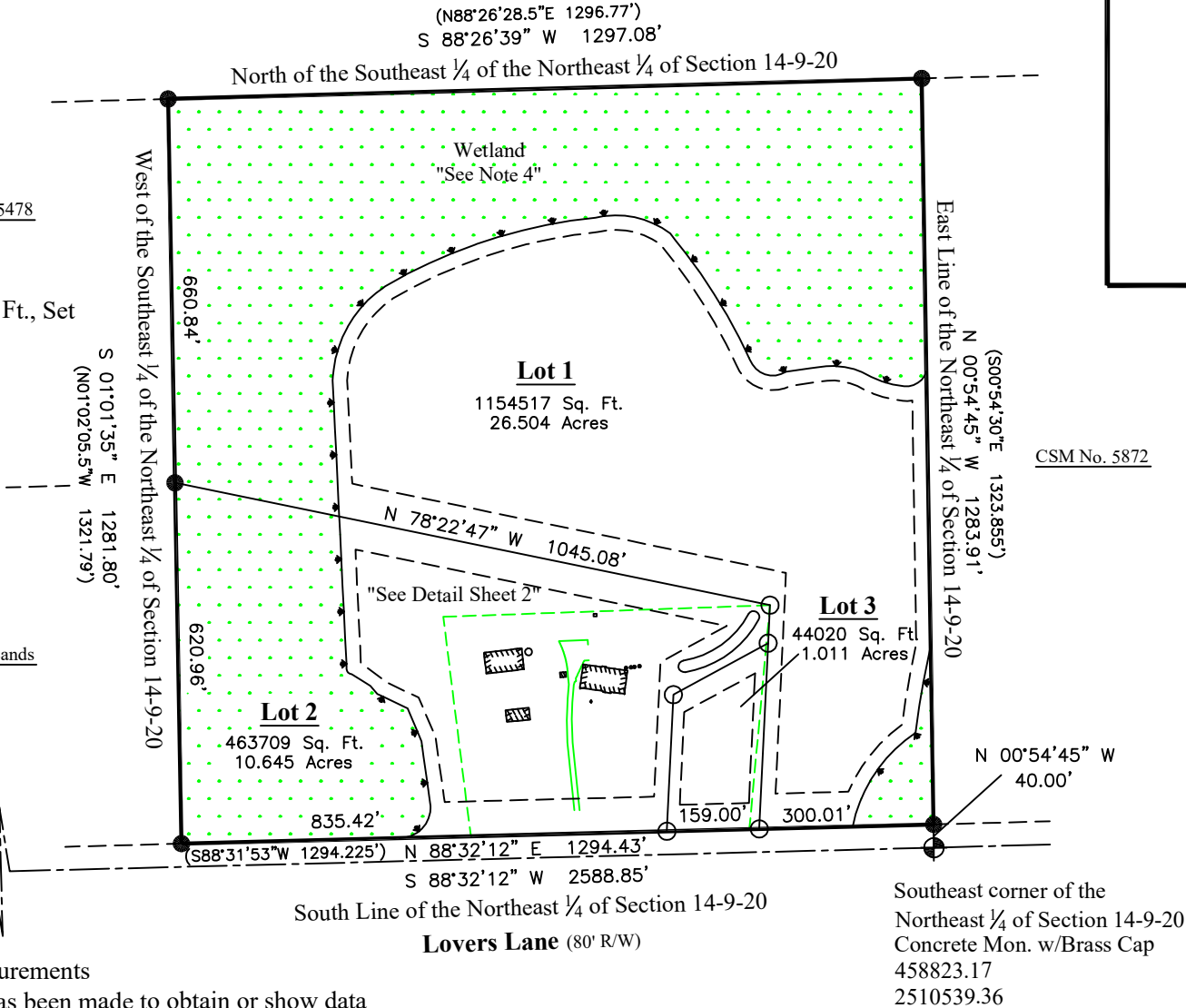
45' - Front
35' - Rear
20' - Sides
25' Wetland Setback

Unplatted Lands

Southwest corner of the
Northeast ¼ of Section 14-9-20
Concrete Mon. w/Brass Cap
458687.74
2507951.62

Notes:

- 1) Bearings or Distances in () are Recorded Measurements
- 2) In providing this boundary survey no attempt has been made to obtain or show data concerning the existence of any utility on the site, whether private, municipal, or public owned.
- 3) Bearings are referenced to the South line of the Northeast ¼ of Section 14-9-20, bearing S88°32'12"W per State Plane Coordinate System, South Zone. (NAD 1927)
- 4) Wetland, as shown on Washington County GIS Mapping



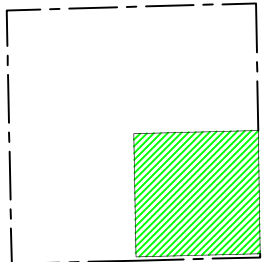
Surveyor:

Richard Simon
5080 Fairy Chasm
West Bend, WI 53095
rich@cornerstonelandsurvey.com
(262) 424-5630

Owners:

John E. Perry
Brenda L Perry
N124 W14106 Lovers Lane
Germantown, WI 53022

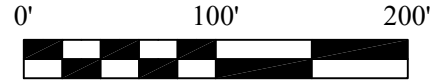
Location Map
Northeast ¼ of Section 14-9-20



Lovers Lane



Scale 1"= 100'

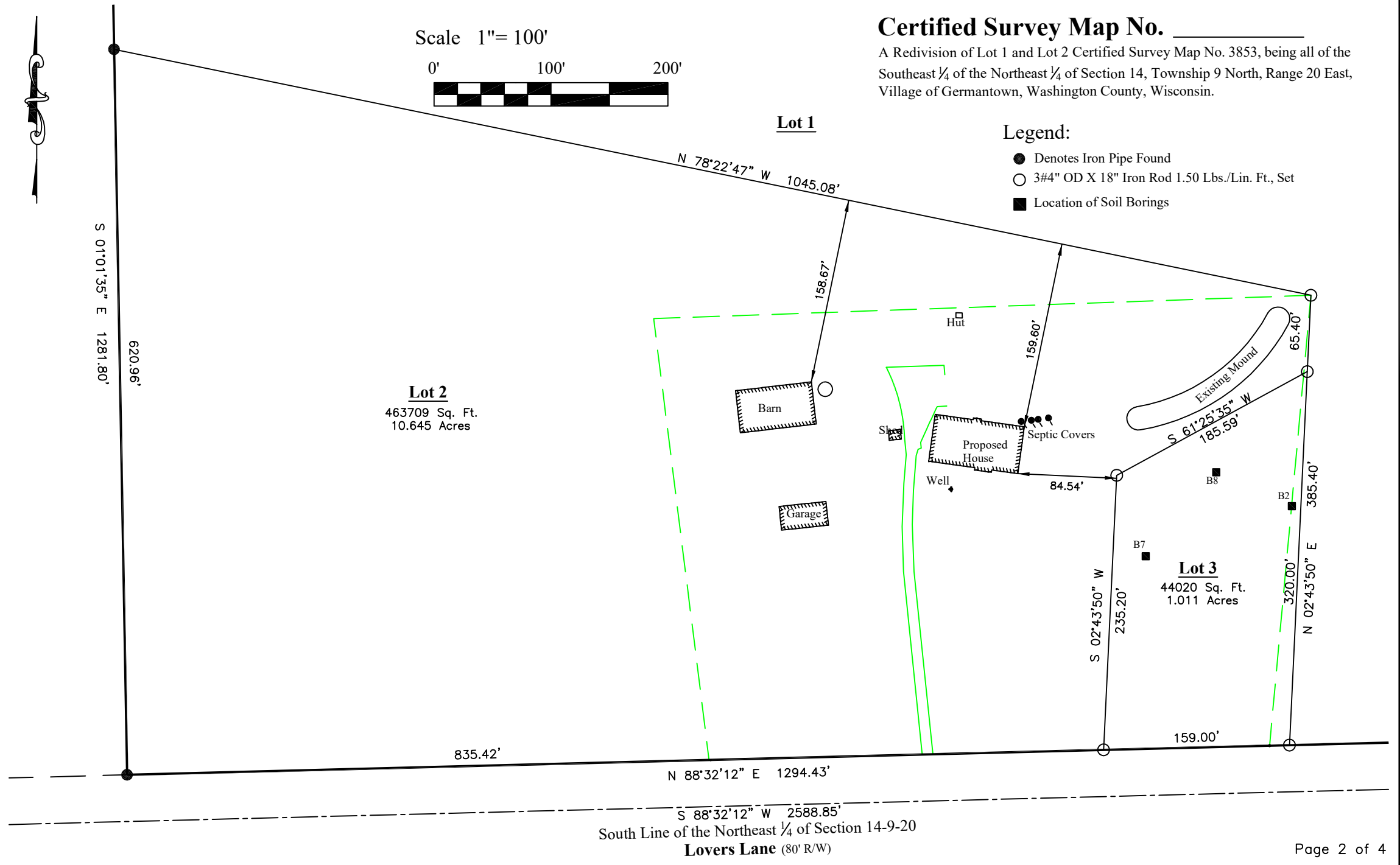


Certified Survey Map No. _____

A Redivision of Lot 1 and Lot 2 Certified Survey Map No. 3853, being all of the Southeast ¼ of the Northeast ¼ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Legend:

- Denotes Iron Pipe Found
- 3#4" OD X 18" Iron Rod 1.50 Lbs./Lin. Ft., Set
- Location of Soil Borings



South Line of the Northeast ¼ of Section 14-9-20
Lovers Lane (80' R/W)

Certified Survey Map No. _____

A Redivision of Lot 1 and Lot 2 Certified Survey Map No. 3853, being all of the Southeast ¼ of the Northeast ¼ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Surveyor's Certificate

I, Richard L Simon, Professional Land Surveyor, hereby certify:

All of Lot 1 and Lot 2 Certified Survey Map No. 3853, being all of the Southeast ¼ of the Northeast ¼ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Described as follows:

All of Lot 1 and Lot 2 Certified Survey Map No. 3853, being all of the Southeast ¼ of the Northeast ¼ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Said parcel contains 38.16 Acres Gross

That I have made such survey, division, and map by the direction of John E. Perry and Brenda L. Perry.

That this map is a correct representation of all exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with provisions of s. 236.34 of the Wisconsin Statutes and the subdivision regulations of the Village of Germantown in surveying, dividing, and mapping the same.

Dated this 24th day of May, 2021

Richard L Simon, P.L.S. #2698
Cornerstone Land Surveying
5080 Fairy Chasm Road
West Bend, WI 53095
262-424-5630

Village of Germantown Planning Commission Approval

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Germantown on this ____ day of _____, 2021.

Dean Wolter, Chairman Date

Laura A. Johnson, Secretary Date

Village of Germantown Board Approval

This Certified Survey Map, being a division of (SE ¼ of the NE ¼ of Section 14, Township 9 North, Range 20 East Village of Germantown, Washington County, Wisconsin), having been approved by the Planning Commission being the same, is hereby approved and accepted by the Village Board of Trustees of the Village of Germantown on this ____ day of _____, 2021.

Dean Wolter, Village President Date

Barbara K.D. Goeckner, Village Clerk Date

Certified Survey Map No. _____

A Redivision of Lot 1 and Lot 2 Certified Survey Map No. 3853, being all of the Southeast ¼ of the Northeast ¼ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Owner's Certificate

We, John E. Perry and Brenda L. Perry do hereby certify that we caused the land described in the foregoing affidavit of Richard L. Simon , Surveyor, to be surveyed, divided and mapped as represented on this Certified Survey Map.

WITNESS the hand and seal of said Signer, this _____ day of _____, _____

John E. Perry

Brenda L. Perry

State of Wisconsin) SS
_____ County)

Personally came before me this _____ day of _____, _____, the above named, John E. Perry and Brenda L. Perry to me, known to be the people who executed the foregoing instrument and acknowledge the same.

Notary Public

_____ County, State of Wisconsin

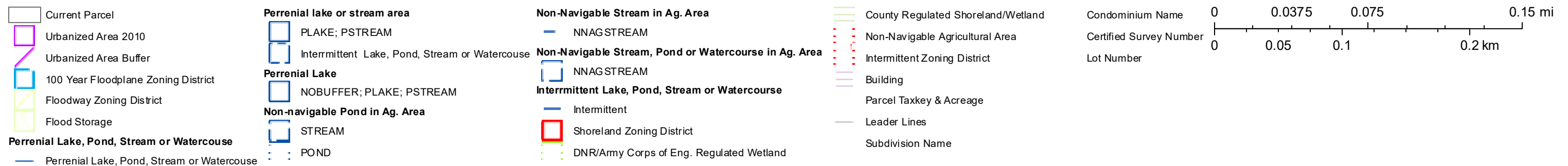
My commission expires: _____

Washington County, Wisconsin



5/26/2021, 7:04:07 AM

1:3,043





Department of Commerce
Division of Safety and Buildings

SOIL EVALUATION REPORT

in accordance with Comm 85, Wis. Adm. Code

#4538

Page 1 of 5
Eric Schmitz Corporation

Attach complete site plan on paper not less than 8½ x 11 inches in size. Plan must include, but not limited to: vertical and horizontal reference point (BM), direction and percent slope, scale or dimensions, north arrow, and location and distance to nearest road.

Please print all information.

Personal information you provide may be used for secondary purposes (Privacy Law, s. 15.04 (1) (m)).

County	Washington
Parcel I.D.	GTNV 141999
Reviewed By	Date

Property Owner John & Brenda Perry	Property Location Govt. Lot SE1/4, NE1/4, S14, T9N, R20E
Property Owner's Mailing Address N124 W14106 Lovers Lane	Lot # 2 Block # Subd. Name or CSM# C.S.M. No. 3853
City State Zip Code Phone Number Germantown WI 53022 (414) 406-9427	☐ City ☒ Village ☐ Town Nearest Road Germantown See Drawing

☒ New Construction Use: ☒ Residential / Number of bedrooms 3 Code derived design flow rate 450 GPD
☐ Replacement ☐ Public or commercial - Describe: _____

Parent material Loess over Sici Glacial Till Flood plain elevation, if applicable NA ft.

General comments Site is suitable for a mound system (A+4). See Mound Component Manual for Septic Tank Effluent for Private Onsite Wastewater and recommendations: Systems.

If imprint is in red
it is an original copy

1 Boring # ☐ Boring ☒ Pit Ground surface elev. 858.0 ft. Depth to limiting factor 8 in. Soil Application Rate

Horizon	Depth in.	Dominant Color Munsell	Redox Description Qu. Sz. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	GPD/ft²	
									*Eff#1	*Eff#2
A p	0-8	10YR3/1	-	sil	2fsbk	mvfr	as	1vf	0.6	0.8
BC	8-12	10YR4/4	c-1-d 7.5YR5/8	sicl	2mabk	mfr	gw	-	0.4	0.6
C	12-30	10YR5/4	c-2-d 7.5YR5/8	sicl	1mabk	mfr	-	-	0.2	0.3
			- 10YR6/2							

2 Boring # ☐ Boring ☒ Pit Ground surface elev. 860.4 ft. Depth to limiting factor 16 in. Soil Application Rate

Horizon	Depth in.	Dominant Color Munsell	Redox Description Qu. Sz. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	GPD/ft²	
									*Eff#1	*Eff#2
A p	0-8	10YR3/2	-	sil	2fsbk	mvfr	as	2vf	0.6	0.8
Bl	8-16	7.5YR3/4	-	cl	2mabk	mfr	gw	1vf	0.4	0.6
C	16-30	10YR5/4	c-2-d 7.5YR5/8	sicl	1mabk	mfr	-	-	0.2	0.3
			- 10YR6/2							
		calcareous								

* Effluent #1 = BOD₅ > 30 ≤ 220 mg/L and TSS > 30 ≤ 150 mg/L

* Effluent #2 = BOD₅ ≤ 30 mg/L and TSS ≤ 30 mg/L

CST Name (Please Print) Eric M. Schmitz	Signature:	CST Number 222021
Address Eric Schmitz Corporation 2334 Stonebridge Circle Unit A West Bend, WI 53095	Date Evaluation Conducted 12/16/2019	Telephone Number 262-338-6994

SBD-8330 (R.07/00)

3	Boring #	☐ Boring	Ground surface elev. <u>859.0</u> ft.	Depth to limiting factor <u>16</u> in.	Soil Application Rate					
		☒ Pit								
Horizon	Depth in.	Dominant Color Munsell	Redox Description Qu. Sz. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	GPD/ft ²	
									*Eff#1	*Eff#2
A _p	0-8	10YR3/2	-	sil	2fsbk	mvfr	as	2vf	0.6	0.8
B _t	8-16	7.5YR3/4	-	cl	2mabk	mfr	gw	1vf	0.4	0.6
C	16-30	10YR5/4	c-2-d 7.5YR5/8	sicl	1mabk	mfr	-	-	0.2	0.3
			- 10YR6/2							
		calcareous								

4	Boring #	☐ Boring	Ground surface elev. <u>857.6</u> ft.	Depth to limiting factor <u>12</u> in.	Soil Application Rate					
		☒ Pit								
Horizon	Depth in.	Dominant Color Munsell	Redox Description Qu. Sz. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	GPD/ft ²	
									*Eff#1	*Eff#2
A _p	0-12	10YR3/1	-	sil	2fsbk	mvfr	as	1vf	0.6	0.8
BC	12-18	10YR5/3	c-2-d 7.5YR5/8	sicl	1mabk	mfr	-	-	0.2	0.3
			- 10YR6/2							

5	Boring #	☐ Boring	Ground surface elev. <u>858.7</u> ft.	Depth to limiting factor <u>12</u> in.	Soil Application Rate					
		☒ Pit								
Horizon	Depth in.	Dominant Color Munsell	Redox Description Qu. Sz. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	GPD/ft ²	
									*Eff#1	*Eff#2
A _p	0-12	10YR3/1	-	sil	2fsbk	mvfr	as	1vf	0.6	0.8
BC	12-24	10YR5/3	c-2-d 7.5YR5/8	sicl	1mabk	mfr	-	-	0.2	0.3
			- 10YR6/2							

* Effluent #1 = BOD₅ > 30 ≤ 220 mg/L and TSS > 30 ≤ 150 mg/L* Effluent #2 = BOD₅ ≤ 30 mg/L and TSS ≤ 30 mg/L

The Department of Commerce is an equal opportunity service provider and employer. If you need assistance to access services or need material in an alternate format, please contact the department at 608-266-3151 or TTY 608-264-8777.

6	Boring #	☐ Boring							Soil Application Rate	
		☒ Pit								
		Ground surface elev. <u>860.0</u> ft.		Depth to limiting factor <u>16</u> in.						
Horizon	Depth in.	Dominant Color Munsell	Redox Description Qu. Sz. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	GPD/ft ²	
									*Eff#1	*Eff#2
A _p	0-8	10YR3/2	-	sil	2fsbk	mvfr	as	2vf	0.6	0.8
Bt	8-16	7.5YR3/4	-	cl	2mabk	mfr	gw	1vf	0.4	0.6
C	16-30	10YR5/4	c-2-d 7.5YR5/8	sicl	1mabk	mfr	-	-	0.2	0.3
			- 10YR6/2							
		calcareous								

7	Boring #	☐ Boring							Soil Application Rate	
		☒ Pit								
		Ground surface elev. <u>860.2</u> ft.		Depth to limiting factor <u>15</u> in.						
Horizon	Depth in.	Dominant Color Munsell	Redox Description Qu. Sz. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	GPD/ft ²	
									*Eff#1	*Eff#2
A _p	0-10	10YR3/2	-	sil	2fsbk	mvfr	as	2vf	0.6	0.8
Bt	10-15	7.5YR3/4	-	cl	2mabk	mfr	gw	1vf	0.4	0.6
C	15-30	10YR5/4	c-2-d 7.5YR5/8	sicl	1mabk	mfr	-	-	0.2	0.3
			- 10YR6/2							
		calcareous								

8	Boring #	☐ Boring							Soil Application Rate	
		☒ Pit								
		Ground surface elev. <u>862.1</u> ft.		Depth to limiting factor <u>14</u> in.						
Horizon	Depth in.	Dominant Color Munsell	Redox Description Qu. Sz. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	GPD/ft ²	
									*Eff#1	*Eff#2
A _p	0-8	10YR3/2	-	sil	2fsbk	mvfr	as	2vf	0.6	0.8
Bt	8-14	7.5YR3/4	-	cl	2mabk	mfr	gw	1vf	0.4	0.6
C	14-30	10YR5/4	c-2-d 7.5YR5/8	sicl	1mabk	mfr	-	-	0.2	0.3
			- 10YR6/2							
		calcareous								

NOTE: PAGE 4 OF 5 AND PAGE 5 OF 5 ARE ATTACHED LOCATION & DETAILED DRAWINGS

If imprint is in red
it is an original copy

* Effluent #1 = BOD₅ > 30 ≤ 220 mg/L and TSS > 30 ≤ 150 mg/L

* Effluent #2 = BOD₅ ≤ 30 mg/L and TSS < 30 mg/L

The Department of Commerce is an equal opportunity service provider and employer. If you need assistance to access services or need material in an alternate format, please contact the department at 608-266-3151 or TTY 608-264-8777.

Location Map
For: John & Brenda Perry

Part of the SE ¼ of the NE ¼ of Section 14, T9N, R20E,
Village Of Germantown, Washington County, Wisconsin.



Soil Test Site Plan

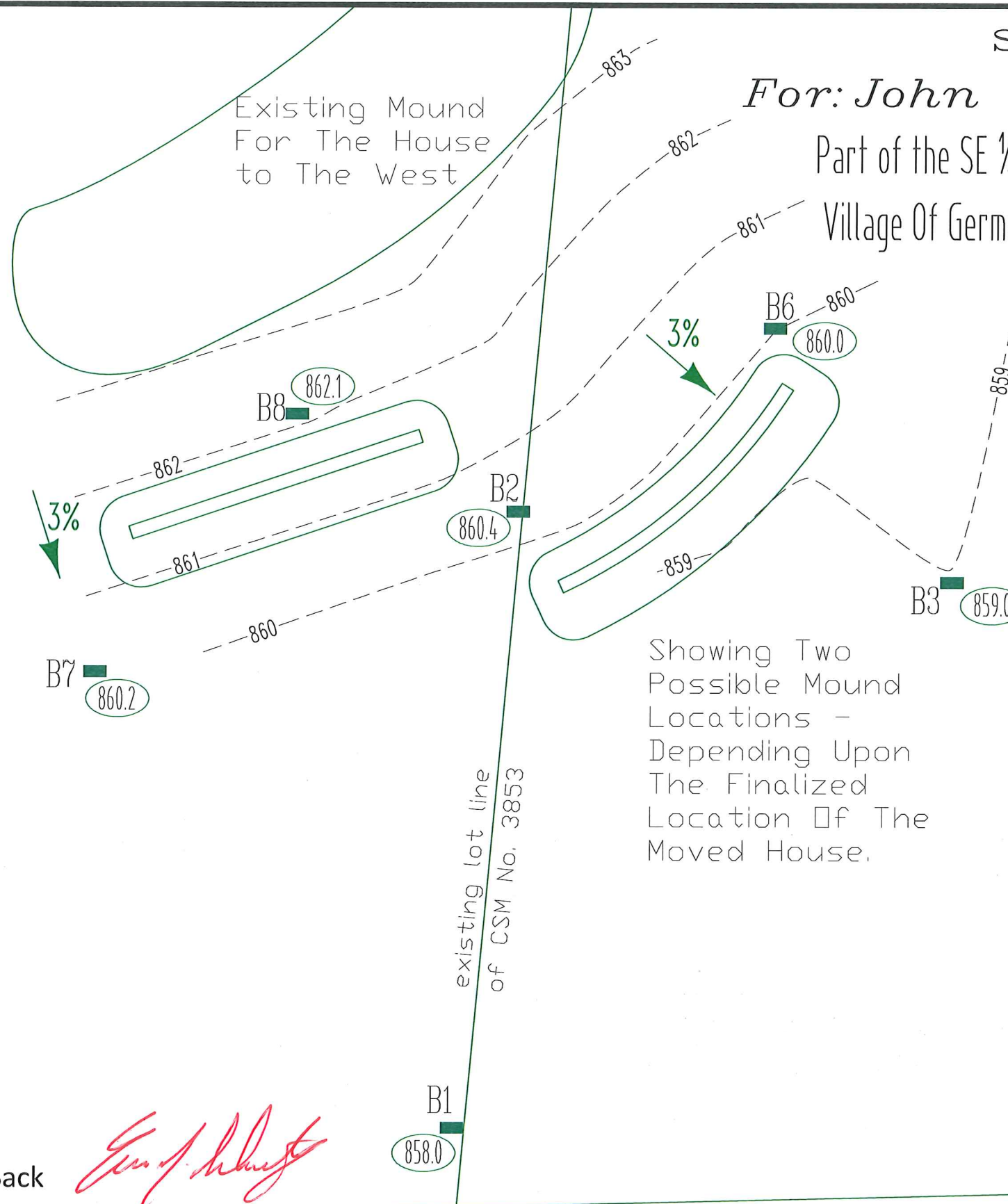
For: John & Brenda Perry

Part of the SE 1/4 of the NE 1/4 of Section 14, T9N, R20E,
Village Of Germantown, Washington County, Wisconsin.

N124
W14106

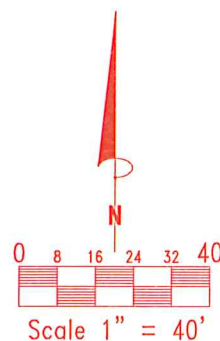
Existing Home To
Be Relocated To
The East.
A New Home To
Be Constructed
In A Similar
Position.

Existing Mound
For The House
to The West



Showing Two
Possible Mound
Locations -
Depending Upon
The Finalized
Location Of The
Moved House.

Soils BM 
Top of Section Corner
Monument, established
elevation 859.82.



See Location Map On The Back

Eric Schmitz

Lovers Lane



Village of



Germantown

Willkommen

FEES MUST BE PAID AT TIME OF APPLICATION

\$200 Plan Commission Consultation

\$1,085 Rezoning

\$1,240 PDD < 5 acres

\$2,095 PDD 5-20 acre site

\$3,460 PDD > 20 acre site

Date Paid: 5-5-21 Received by: [Signature]

REZONING & PDD APPLICATION

Pursuant to Section 17.51 of the Municipal Code

Please read and complete this application carefully. **All applications must be signed and dated.**

1

APPLICANT OR AGENT

JOHN PERRY
N124W14106 LOVERS LANE
GERMANTOWN WI
53022
Phone (414) 406-9427
E-Mail JPbiz@wi.rr.com

PROPERTY OWNER

BRENDA + JOHN PERRY
N124W14106 LOVERS LANE
GERMANTOWN WI
53022
Phone (414) 406-9427
E-Mail JPbiz@wi.rr.com

2

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

<u>N124W14106 LOVERS LANE</u>	<u>141994 and</u> <u>141999</u>
-------------------------------	------------------------------------

3

REZONING REQUEST

FROM A-2
and Rs-2

TO A-2
and Rs-3 + Rs-2

4

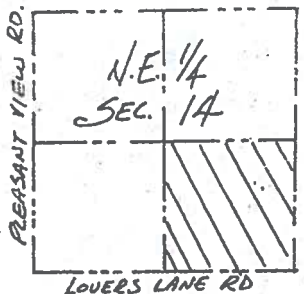
METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

All of the S.E. ¼ of the ¼ of Section 14, Town 9 North, Range 20 East,
Village of Germantown, Washington County, Wisconsin,
bounded and described as follows: (see attached)

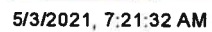
All of the S.E. $\frac{1}{4}$ of the $\frac{1}{4}$ of Section 14, Town 9 North, Range 20 East,
Village of Germantown, Washington County, Wisconsin,
bounded and described as follows: (see attached)

Commencing at the East $\frac{1}{4}$ Corner of said Section 14; thence S88°31'53"W
along the south line of the N.E. $\frac{1}{4}$, 1294.225 ft. to the west line of the S.E.
 $\frac{1}{4}$ of the N.E. $\frac{1}{4}$; thence N01°02'05.5"W along said west line, 1321.79 ft. to
the north line of the S.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$; thence N88°26'28.5"E along said
north line 1296.77 ft. to the east line of the N.E. $\frac{1}{4}$; thence S00°54'30"E
along said east line 1323.855 ft. to the point of beginning.

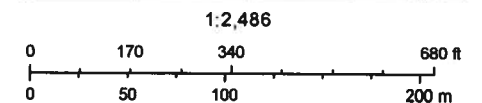


LOCATION MAP
SCALE 1" = 2000'

Washington County, Wisconsin



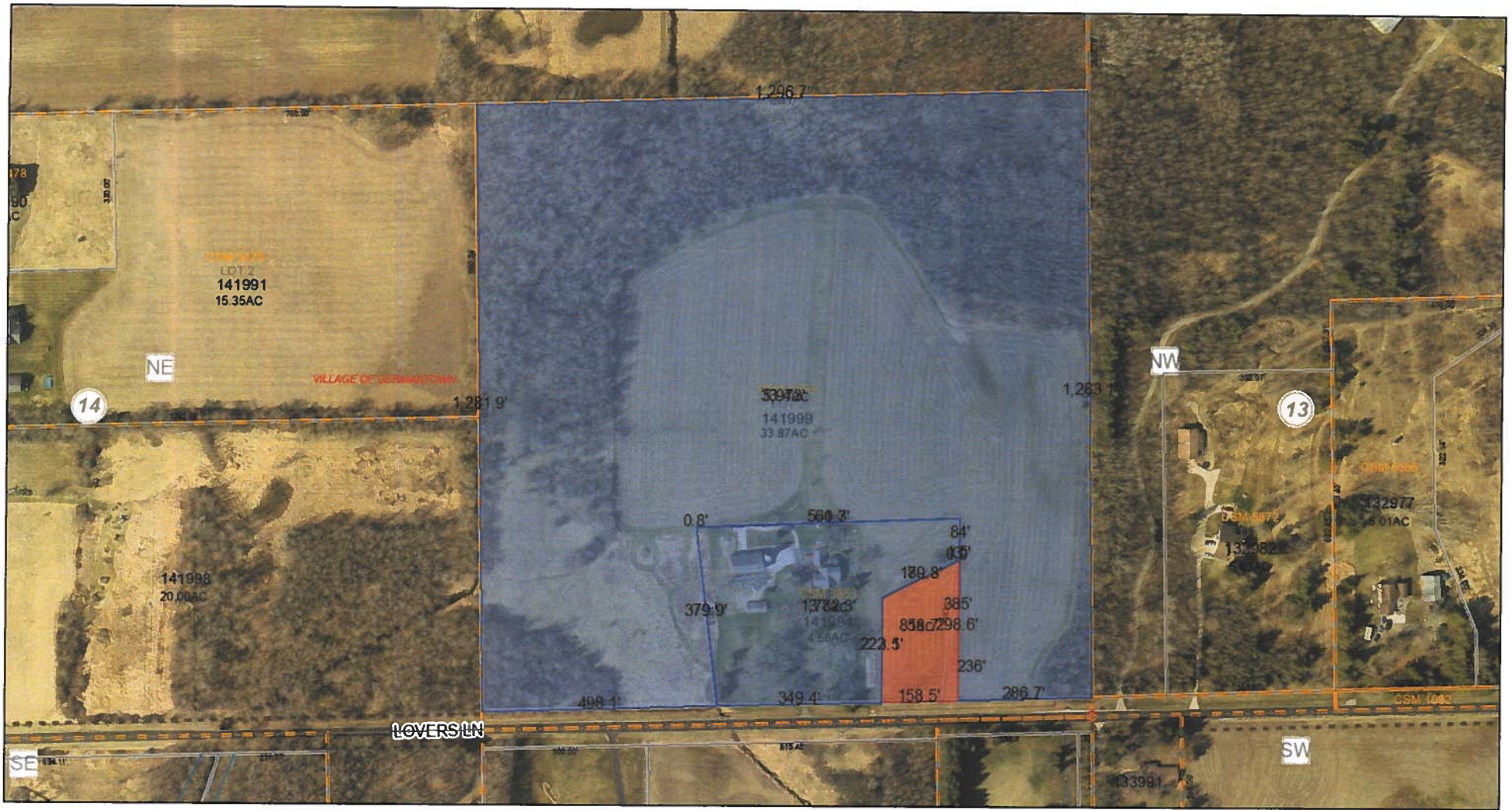
- | | | | | | |
|--|---------------------|--|-------------------|--|----------------|
|  | Current Parcel |  | Landhook |  | Lot |
|  | Building |  | Meander Line |  | Municipality |
| RoadCenterline TWN,CVS,PVT | |  | PLSS Monument |  | Retired Parcel |
|  | Township Road |  | PLSS Boundary |  | Right-of-Way |
|  | City/Village Street |  | Text Leader Lines | | |
|  | Private Street |  | Plat | | |



Washington County

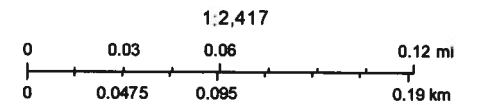
B

Washington County, Wisconsin



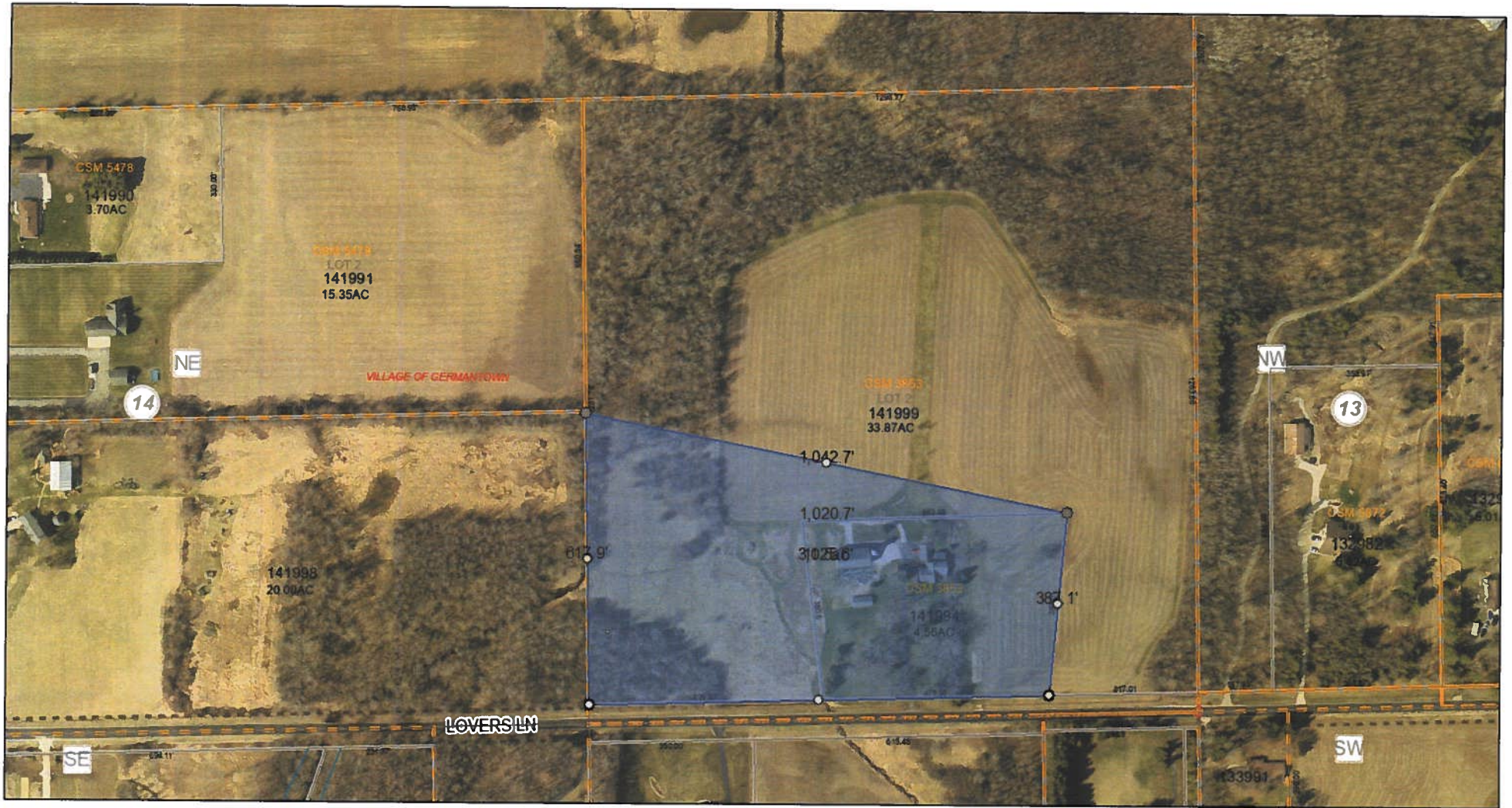
5/3/2021, 11:24:41 AM

- | | | |
|----------------------------|-------------------|----------------|
| Current Parcel | Landhook | Lot |
| Building | Meander Line | Municipality |
| RoadCenterline TWN,CVS,PVT | PLSS Monument | PLSS Quarter |
| Township Road | PLSS Boundary | PLSS Section |
| City/Village Street | Text Leader Lines | Retired Parcel |
| Private Street | Plat | Right-of-Way |



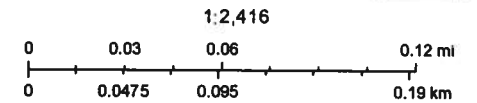
Washington County

Washington County, Wisconsin



5/3/2021, 9:30:44 AM

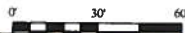
- | | | |
|----------------------------|-------------------|----------------|
| Current Parcel | Landhook | Lot |
| Building | Meander Line | Municipality |
| RoadCenterline TWN,CVS,PVT | PLSS Monument | PLSS Quarter |
| Township Road | PLSS Boundary | PLSS Section |
| City/Village Street | Text Leader Lines | Retired Parcel |
| Private Street | Plat | Right-of-Way |



Washington County

Cornerstone Land Surveying, Inc.
Plat of Survey

Scale 1"= 30'



Lot 2 CSM No. 3853

Surveyor:
Richard Simon
3080 Fary Chasm
West Bend, WI 53095
(262) 424-5630

Legend:

- Denotes Iron Pipe Found
- Denotes Iron Rod Set
- x Denotes Spot Elevation
- ◆ Denotes Lath set for Planning Purpose

Note:
Not all improvements shown at Owner's Request

Lot 1 CSM No. 3853
1.9872 Acres
1.003 Acres

CSM 3853

LOT 1

141994

4.56AC

380.6

479.56

387.01

Proposed 1st Wide
43884 Sq. Ft.
1.003 Acres

Proposed 1st Wide
43766 Sq. Ft.
1.003 Acres

Lot 2 CSM No. 3853

Description:
All of Lot 1 of Certified Survey Map
Southeast 1/4 of the Northeast 1/4 of Sec
20 East, Village of Germantown, Wa

Notes:
1) Bearings or Distances in () are Re
2) In providing this boundary survey
obtain or show data concerning the ex
whether private, municipal, or public
3) No Title Policy furnished therefore
warranted

STATE OF WISCONSIN) SS.
COUNTY OF WAUKESHA)
I, RICHARD SIMON, Surveyor, do hereby certify that I have surveyed the above described property according to official records and the above map is a true
representation thereof. This survey is made for the exclusive use of the present owners of the property and also
those who purchase, mortgage or guarantee this title thereto, within one year from this date hereunto.

Survey For: John E Perry
Dated this 17th day of December, 2019

Cornerstone Land Surveying, Inc.

Plat of Survey

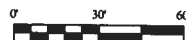
Surveyor:

Richard Simon
5080 Fairy Charm
West Bend, WI 53095
(262) 424-5630

Address:

N124 W14106 Lovers Lane
Germaniown, WI 53022

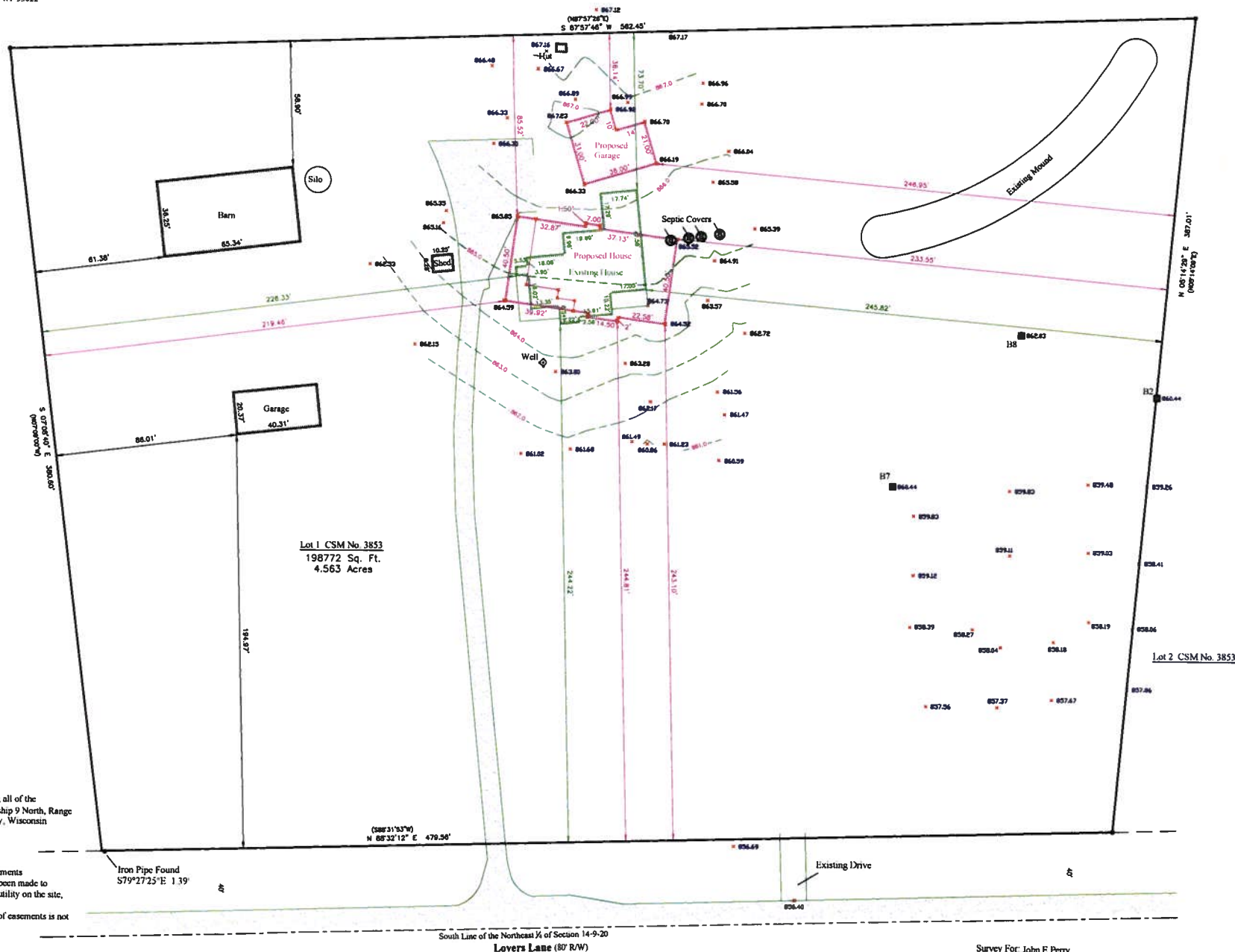
Scale 1" = 30'



Lot 2 CSM No. 3853

Legend:

- Denotes Iron Pipe Found
- Denotes Iron Rod Set
- x Denotes Spot Elevation
- Denotes Proposed Features
- Denotes Existing Features



Description:

All of Lot 1 of Certified Survey Map No. 3853 being all of the Southeast 1/4 of the Northeast 1/4 of Section 14, Township 9 North, Range 20 East, Village of Germaniown, Washington County, Wisconsin

Notes:

- 1) Bearings or Distances in () are Recorded Measurements
- 2) In providing this boundary survey no attempt has been made to obtain or show data concerning the existence of any utility on the site, whether private, municipal, or public owned
- 3) No Title Policy furnished therefore completeness of easements is not warranted.

STATE OF WISCONSIN) SS
COUNTY OF WASHINGTON)
I, RICHARD SIMON, A SURVEYOR, HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY ACCORDING TO OFFICIAL RECORDS AND THIS ABOVE MAP IS A TRUE REPRESENTATION THEREOF. THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THIS PROPERTY AND ALSO THOSE WHO PURCHASE, MORTGAGE OR GUARANTEE THE TITLE THEREIN, WITHIN ONE YEAR FROM THE DATE HEREIN.

Survey For: John E Perry
Dated this 17th day of December, 2019.
Proposed House / Garage this 12th day of December, 2020

Lori Johnson

ATTACHMENT for REZONING APPLICATION

From: jpbiz@wi.rr.com
Sent: Monday, May 3, 2021 1:35 PM
To: Jeff Retzlaff; Lori Johnson; Emily Zandt
Cc: 'JPbiz@wi.rr.com'; 'ronnybarez@barezbuilders.com'; 'chad@barezbuilders.com'; 'germantowninspections@safebuilt.com'
Subject: FW: GERMANTOWN- rezoning Parcels # 141994 & 141999
Attachments: REZONING 2020 A.doc; REZONING 2020 B.doc; Perry Preliminary 1 16 2020 (3).pdf; Perry Revised POS 12 21 2020.pdf; CSM 3853 A lots 1, 2, 3 LOVERS LANE.pdf; CSM 3853 B lots 1, 2, LOVERS LANE.pdf; CSM 3853 C lots 1, 2, LOVERS LANE.pdf

Jeff, et al..... I am out of town, but returning to WIS on **Tuesday night, May 4th**. So I can visit Village Hall on Weds to answer questions & submit \$\$\$ fees once I know how much. Can someone from Germantown please advise me the app fee(s) via Email ?? Is it \$1085 ???

Attached is the Rezoning Application & supportive "preliminary" GIS maps from the Washington County website. Our Surveyor's calendar did not have any openings in April, so I'm hoping the attachments will at least get the ball rolling & onto the Plan Commission agenda for **July 12th**.

My preference is to rezone our 38- 40 acres into 3 lots from the existing 2 lots as we discussed. Here is more of the brief description that did not fit onto the application (see below):

>

Original (HOMESTEAD) 40 acre parcel was divided into 2 lots in CSM 3853 by previous owner. We propose to follow the 2020 Smart Growth Comprehensive Plan from Map 8-1 and further divide our Rural Residential property into 3 lots. The first lot would be a 1-acre (Rs-3) lot created from within parcel #141994. Then a second lot would be created by expanding parcel #141994 into a 10.5 acre (A-2) lot. Lastly the third lot would be created by reducing parcel #141999 into the remaining 27.3 acres (A-2).

These rezoned lots would allow us to maintain & retain existing outbuildings, plus build a new detached garage next to our new farmhouse. The smaller Rural Residential lot is being set aside for a potential "in-law" home and/or will remain as agricultural land. This is PLAN "A"... if not acceptable, then we alternatively propose either PLAN "B" or "C" (see attached maps from Washington County GIS mapping).

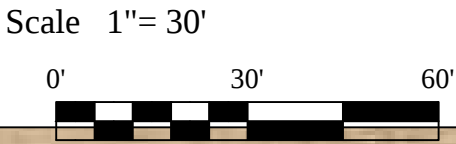
>

I apologize for submitting the documents this way, but am technically challenged not being able to use my HOME computers, etc...

Please "reply" via Email to confirm receipt

THANK YOU for your anticipated cooperation..... jp

Cornerstone Land Surveying, Inc.
Plat of Survey



Surveyor:
Richard Simon
5080 Fairy Chasm
West Bend, WI 53095
(262) 424-5630

Legend:

- Denotes Iron Pipe Found
- Denotes Iron Rod Set
- × Denotes Spot Elevation
- ⊕ Denotes Lath set for Planning Purpose

Note:
Not all Improvements shown at Owner's Request

Lot 1 CSM No. 3853
198772 Sq. Ft.
4.563 Acres

Lot 2 CSM No. 3853

Description:
All of Lot 1 of Certified Survey Map
Southeast ¼ of the Northeast ¼ of Sec
20 East, Village of Germantown, Was

Notes:
1) Bearings or Distances in () are Rec
2) In providing this boundary survey
obtain or show data concerning the ex
whether private, municipal, or public
3) No Title Policy furnished therefore
warranted.

STATE OF WISCONSIN) SS.
COUNTY OF WASHINGTON)
"I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY ACCORDING TO OFFICIAL RECORDS AND THE ABOVE MAP IS A TRUE
REPRESENTATION THEREOF. THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY AND ALSO
THOSE WHO PURCHASE, MORTGAGE OR GUARANTEE THE TITLE THERETO, WITHIN ONE YEAR FROM THE DATE HERETO.

Lot 2 CSM No. 3853



Survey For: John E Perry
Dated this 17th day of December, 2019.

BUSINESS OF THE VILLAGE BOARD GERMANTOWN, WI

MEETING DATE: August 2, 2021

AGENDA ITEM: New Business (CONDITIONAL USE PERMIT)

ITEM TITLE: John East, property owner and agent for East Outdoor Services, W164 N11974 Fond du Lac Avenue; Conditional Use Permit to operate a tree trimming, removal and stump grinding service as a “Major” Home Occupation

SUBMITTED BY: Jeff Retzlaff, Community Development Director/Village Planner

SUMMARY EXPLANATION:

John East, property owner and operator of East Outdoor Services, is requesting approval of a Conditional Use Permit (CUP) to operate a tree trimming, removal and stump grinding service as a “major” home occupation on a 2.9-acre Rs-2 residential property located at W164 N11974 Fond du Lac Avenue.

East Outdoor Services is an off-site tree grinding service (not landscape maintenance or hardscape construction) that involves business trucks and equipment being parked/stored overnight on the property with all business-related office work conducted from an office in Cedarburg and all tree services provided off-site. No materials are brought back to the property and no retail or wholesale sales are conducted on the property.

East Outdoor Services has 2 non-resident employees that work from the property (arrive in the morning to pick up business trucks/equipment). Employees will arrive to the site at approximately 8am, Monday through Friday, park their personal vehicles, and take company vehicles to job sites. Employees will return to the site by 5pm. Four (4) business trucks are parked on the property in the side yard area screened from Fond du Lac Ave.

PLAN COMMISSION RECOMMENDATION:

APPROVE a conditional use permit (CUP) for John East and East Outdoor Services to operate as a “major” home occupation providing tree trimming, removal and stump grinding services from the property located at W164 N11974 Fond du Lac Avenue subject to eight (8) conditions (see draft *Conditional Use Permit No 05-2021*).

APPLICATION, PLANS & RELATED DOCUMENTS:

All relevant documents, including applications, plans, supporting information, the staff report & recommendation, and Plan Commission meeting minutes (when available) are included in the PDF digital file distributed by the Village Clerk.

CUP # 05-2021

Document No.

CONDITIONAL USE PERMIT

Document Title

VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN
 CONDITIONAL USE ZONING PERMIT

Whereas the Applicant:

John East, Property Owner/Operator

agrees to comply with applicable Codes and Ordinances of the Village of Germantown, Wisconsin, and further agrees that all work done pursuant to the permission granted herewith will conform with the applications and drawings filed with and approvals granted by officials of the Village for the purpose of obtaining this permit.

Now, therefore, this permit is issued to the Applicant to allow the operation of East Outdoor Services from the property located at W164 N11974 Fond du Lac Avenue pursuant to Section 17.61(3)(b) of the Village Zoning Code.

Name & Return Address:

**Village of Germantown
 P.O. Box 337
 Germantown, WI 53022**

Parcel Identification No:

GTNV 222-989

On the following described property located in the Village of Germantown, Washington County, Wisconsin:

Part of the Northeast ¼ of the Northwest ¼ of Section 22, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin. 2.91-acres.
 W164 N11974 Fond du Lac Avenue; Tax Key: GTNV 222-989

Pursuant to the following condition(s):

1. The uses and activities allowed on the property shall be limited to those uses and activities and relative locations for vehicle parking specified in the conditional use permit (CUP) application and supporting documents dated June 4, 2021. The size and relative location of those areas within the property from which said uses and activities are permitted are limited to that presented in the detailed site plan and description submitted with the supporting documents. Days and hours of operation shall be limited to those specified in the CUP application and supporting documents submitted to the Village (Monday through Friday, 8am to 5pm). The Owner/Operator is responsible for reporting any significant changes in the type, intensity, amount or location of the land uses and activities, days and hours of operation, size or location or other operational characteristics of said uses and activities authorized under this CUP to the Village Zoning Administrator.
2. The on-site storage or parking of business vehicles and equipment shall be permitted in an enclosed accessory building or in a side or rear yard provided that the area used for such storage or parking is screened from view from all public streets and adjacent property. Other than when the business trucks are leaving from/returning to the site, business vehicles should be parked in the side yard as shown in the application photos.
3. Outdoor storage of trees, branches, stumps or other tree components is prohibited. Mulching, shredding and grinding operations other than ordinary and customary for

- personal residential purposes (no commercial business uses) shall be prohibited.
4. Wholesale and/or retail sale of landscaping products, trees or other business-related products from the property is prohibited.
 5. In the event the Village receives complaints regarding outdoor storage, noise, dust, odor, vibration or other negative impacts on surrounding neighborhood and properties, the Owner/Operator shall work cooperatively with the Village to address the complaints and mitigate the issue.
 6. Site improvements, buildings, signage, exterior lighting and any other improvements on the property that are necessary for the land uses and activities authorized under this CUP shall be reviewed and approved by the Village through the Zoning Permit or Site Plan application process as determined by the Village Zoning Administrator. If required, Site Plan review and approval will include Plan Commission review and approval.
 7. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or where there is a change in the nature, character, intensity or extent of the permitted conditional uses and activities which cause special problems or harmful effects associated with the permitted uses and activities that were not revealed or anticipated at the time this CUP was granted, or, where conditions imposed by this CUP that were anticipated to mitigate or eliminate harmful effects associated with the uses and activities but are subsequently insufficient to do so, or, for similar cause based upon consideration for the public comfort, safety, and welfare, this conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.
 8. Upon issuance of the CUP, the business shall comply with all general and specific requirements and performance criteria applicable to all "major" home occupations under Section 17.61 of the Zoning Code. Operation of the business in a manner that does not comply with the applicable requirement under 17.61 or inconsistent with the application dated June 4, 2021 and the conditions of approval adopted herein shall be deemed a violation of the Village Municipal Code and subject to the enforcement provisions contained therein.

Granted by the Village Board of the Village of Germantown, Washington County, Wisconsin on the ____ day of _____, 2021.

Dean Wolter, Village President

ATTEST:

Deanna B. Braunschweig, WCMC/CMC, Village Clerk

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)

Personally came before me this ____ day of _____, 2021, the above named Dean Wolter, Village President, and Deanna B. Braunschweig, Village Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

{type or print name of Notary on this line}

{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: _____

ACCEPTANCE OF TERMS AND CONDITIONS BY OPERATOR

As property owner and business operator, I, John East, do hereby accept the terms and conditions set forth herein and realize that non-adherence to the terms and conditions as stated herein may result in the revocation of this Permit by the Village of Germantown.

Dated this ____ day of _____, 2021

(type or print name on this line)

John East, Property Owner/Business Operator East Outdoor Tree Service

STATE OF WISCONSIN) SS

COUNTY)

Personally came before me this ____ day of _____, 2021, being the above named _____, to me known to be the person who executed the foregoing instrument and acknowledged the same.

{type or print name of Notary on this line}

{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: _____

John D. East - W164 N11974 Fond du Lac Avenue. John East, operator of East Outdoor Services, is requesting approval of a Conditional Use Permit to operate a tree removal, trimming and stump grinding service as a major home occupation. Director Retzlaff summarized the proposal. John East explained he runs a very small business, there are no retail sales on site, no materials are brought back to the site and overnight parking is in the back of the property off Fond du Lac Avenue. He does not plan to expand the business and wants to keep it small and family oriented.

Public Hearing opened at 8:00 pm.

Chairman Baum read the following comment into the record:

-Tasha Bagley, W165 N11904 Fond du Lac Avenue, asked that the request be denied because of noise, a woodchopper and cars burning rubber out of the driveway. She would not have a problem if there was no chopping or sawing performed or speeding cars.

-John East explained the noise is from him working on the adjoining neighbors property, including stump grinding. He will address the speeding car issue with his employees.

Public Hearing closed at 8:07 pm.

MOTION Nilles second Laszewski to Approve a conditional use permit (CUP) for John East and East Outdoor Services to operate as a "major" home occupation providing tree trimming, removal and stump grinding services from the property located at W164 N11974 Fond du Lac Avenue subject to the following conditions:

- 1. The uses and activities allowed on the property shall be limited to those uses and activities and relative locations for vehicle parking specified in the conditional use permit (CUP) application and supporting documents dated June 4, 2021. The size and relative location of those areas within the property from which said uses and activities are permitted are limited to that presented in the detailed site plan and description submitted with the supporting documents. Days and hours of operation shall be limited to those specified in the CUP application and supporting documents submitted to the Village (Monday through Friday, 8am to 5pm). The Owner/Operator is responsible for reporting any significant changes in the type, intensity, amount or location of the land uses and activities, days and hours of operation, size or location or other operational characteristics of said uses and activities authorized under this CUP to the Village Zoning Administrator.***
- 2. The on-site storage or parking of business vehicles and equipment shall be permitted in an enclosed accessory building or in a side or rear yard provided that the area used for such storage or parking is screened from view from all public streets and adjacent property. Other than when the business trucks are leaving from/returning to the site, business vehicles should be parked in the side yard as shown in the application photos.***
- 3. Outdoor storage of trees, branches, stumps or other tree components is prohibited.***
- 4. Wholesale and/or retail sale of landscaping products, trees or other business-related products from the property is prohibited.***
- 5. In the event the Village receives complaints regarding outdoor storage, noise, dust, odor, vibration or other negative impacts on surrounding neighborhood and properties, the Owner/Operator shall work cooperatively with the Village to address the complaints and mitigate the issue.***
- 6. Site improvements, buildings, signage, exterior lighting and any other improvements on the property that are necessary for the land uses and activities authorized under this CUP shall be reviewed and approved by the Village through the Zoning Permit or Site Plan application process as determined by the Village Zoning Administrator. If required, Site***

Plan review and approval will include Plan Commission review and approval.

- 7. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or where there is a change in the nature, character, intensity or extent of the permitted conditional uses and activities which cause special problems or harmful effects associated with the permitted uses and activities that were not revealed or anticipated at the time this CUP was granted, or, where conditions imposed by this CUP that were anticipated to mitigate or eliminate harmful effects associated with the uses and activities but are subsequently insufficient to do so, or, for similar cause based upon consideration for the public comfort, safety, and welfare, this conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.***
- 8. Upon issuance of the CUP, the business shall comply with all general and specific requirements and performance criteria applicable to all "major" home occupations under Section 17.61 of the Zoning Code. Operation of the business in a manner that does not comply with the applicable requirement under 17.61 or inconsistent with the application dated June 4, 2021 and the conditions of approval adopted herein shall be deemed a violation of the Village Municipal Code and subject to the enforcement provisions contained therein.***

Commissioner Nilles amended the Motion to delete Condition #5 that was a duplicate. Commissioner Laszewski approved.

MOTION to Amend Condition #3 Laszewski second Nilles to prohibit mulching, shredding and grinding operations other than ordinary and customary residential use not to include commercial uses.

Chairman Baum said in the past we have dealt with landscape businesses that don't intend to grow but it happens. He said we need to cognizant of home occupations and how they're going to grow and that we may need to shut them down. The conditions of approval will let the residents know what the restrictions are.

Commissioner Kimmler requested additional language be added to Amendment to Condition #3 to include language prohibiting storage of any other landscape materials, stone or other mulch that could be unsightly. Commissioner Laszewski and Nilles approved of the additional language.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

CONDITIONAL USE PERMIT (CUP) APPLICATION

7/12/21 Plan Commission Meeting

John East / East Outdoor Services

Planning & Zoning Report

Germantown, Wisconsin

Summary

John East, property owner and operator of East Outdoor Services, is requesting approval of a Conditional Use Permit (CUP) to operate a tree removal, trimming and stump grinding service (as a “major” home occupation) on a 2.9-acre residential property located at W164 N11974 Fond du Lac Avenue.

Location: W164 N11974 Fond du Lac Avenue

Applicant/

Property Owner: John East
W164 N11974 Fond du Lac Avenue
Germantown, WI

Zoning: Rs-2: Single-Family

Adjacent Land Uses		Zoning
Northwest	Residential	Rs-2
Southwest	Agricultural/Business	A-2 / B-4
Northeast	Residential	Rs-4
Southwest	Residential/Business	Rs-4 / B-4



Background/Proposal

John East, property owner and operator of East Outdoor Services, is requesting approval of a Conditional Use Permit (CUP) to operate a tree removal, trimming and stump grinding service (as a “major” home occupation) on a 2.9-acre residential property located at W164 N11974 Fond du Lac Avenue.

As described in the application, East Outdoor Services is an off-site tree removal, trimming and stump grinding service (no landscape maintenance or hardscape construction activities or services). East indicates that, although the business trucks and equipment are parked/stored overnight on the subject property, business-related office work is conducted by an employee (office manager) from an office in Cedarburg. All tree removal services are conducted off-site.

East Outdoor Services currently has a total of 3 non-resident employees; two of which work from the property (arrive in the morning to pick up business trucks/equipment) and the off-site office manager. Employees will arrive to the site at approximately 8am, Monday through Friday, park their personal vehicles, and take company vehicles to job sites. Employees will return to the site by 5pm. All four (4) business trucks are stored outside on the property. Company vehicles include 1 bucket truck, 1 chipper truck, 1 dump truck and 1 stump grinder trailer. No tree branches, stumps or other materials are brought back to the property. No retail or wholesale sales of mulch or other landscaping products from the subject property is proposed. A condition is recommended that would prohibit onsite wholesale or retail sales from the site.

Staff Comments**Planning and Zoning**

Both “minor” and “major” home occupations are allowed on property in an Rs-2: Single-Family Zoning District. In this case, because there is outside parking/storage of business vehicles and equipment, this business can only be allowed as a “major” home occupation with a CUP.

Under Section 17.61(5)(b) “major” home occupations shall comply with all of the following performance criteria:

1. Activities associated with a home occupation shall be conducted entirely within the residential dwelling and/or in an enclosed accessory building or structure;
2. The display, storage or parking of materials, goods, supplies, or equipment outside of the dwelling is permitted in an enclosed accessory building, or in the side or rear yard of the subject property provided the yard area used for such display, storage or parking is completely screened from view from all public streets and adjacent property. Screening shall be accomplished through the use of natural landscaping materials (i.e., trees, plants, berms, rocks), or, a combination of natural landscaping and other manmade or fabricated screening materials (e.g., fencing, etc.) provided that all screening shall be instantaneous and continuously maintained; and (Am. Ord. #18-09)

3. The number of part-time or full-time nonresident employees working upon the premises for which a home occupation permit has been granted shall not exceed the following:
 - a. Five nonresident employees for home occupations in the Rs-1 Zoning District;
 - b. Two nonresident employees for home occupations in the Rs-2...Zoning Districts.

As indicated in the application, there are two (2) non-resident employees who work from the property.

As shown in the photos included in the application, the property is heavily screened on all sides with an established tree line. However, business vehicles are generally parked up front on the gravel driveway in front of the house and generally visible from Fond du Lac Avenue. East is requesting that he be allowed to park business vehicles on the gravel driveway. As indicated above under Section 17.61(5)(b)2., the storage or parking of "... materials, goods, supplies, or equipment outside of the dwelling is permitted in an enclosed accessory building or in the side or rear yard of the subject property provided the yard area used for such display, storage or parking is completely screened from view from all public streets and adjacent property". Other than when the business trucks are leaving from/returning to the site, business vehicles should be parked in the side yard as shown in Photos #4 & #5.

VILLAGE STAFF RECOMMENDATION

APPROVE a conditional use permit (CUP) for John East and East Outdoor Services to operate as a "major" home occupation providing tree trimming, removal and stump grinding services from the property located at W164 N11974 Fond du Lac Avenue subject to the following conditions:

1. The uses and activities allowed on the property shall be limited to those uses and activities and relative locations for vehicle parking specified in the conditional use permit (CUP) application and supporting documents dated June 4, 2021. The size and relative location of those areas within the property from which said uses and activities are permitted are limited to that presented in the detailed site plan and description submitted with the supporting documents. Days and hours of operation shall be limited to those specified in the CUP application and supporting documents submitted to the Village (Monday through Friday, 8am to 5pm). The Owner/Operator is responsible for reporting any significant changes in the type, intensity, amount or location of the land uses and activities, days and hours of operation, size or location or other operational characteristics of said uses and activities authorized under this CUP to the Village Zoning Administrator.

-
2. The on-site storage or parking of business vehicles and equipment shall be permitted in an enclosed accessory building or in a side or rear yard provided that the area used for such storage or parking is screened from view from all public streets and adjacent property. Other than when the business trucks are leaving from/returning to the site, business vehicles should be parked in the side yard as shown in the application photos.
 3. Outdoor storage of trees, branches, stumps or other tree components is prohibited.
 4. Wholesale and/or retail sale of landscaping products, trees or other business-related products from the property is prohibited.
 5. The property owner shall develop a detailed site plan indicating where business vehicles and equipment will be parked or stored and how said items will be screened. Said plan shall be approved by Planning & Zoning staff prior to the recording of the CUP, and, if landscaping or other forms of screening need to be installed, said installation shall be completed no later than October 1, 2021.
 6. In the event the Village receives complaints regarding outdoor storage, noise, dust, odor, vibration or other negative impacts on surrounding neighborhood and properties, the Owner/Operator shall work cooperatively with the Village to address the complaints and mitigate the issue.
 7. Site improvements, buildings, signage, exterior lighting and any other improvements on the property that are necessary for the land uses and activities authorized under this CUP shall be reviewed and approved by the Village through the Zoning Permit or Site Plan application process as determined by the Village Zoning Administrator. If required, Site Plan review and approval will include Plan Commission review and approval.
 8. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or where there is a change in the nature, character, intensity or extent of the permitted conditional uses and activities which cause special problems or harmful effects associated with the permitted uses and activities that were not revealed or anticipated at the time this CUP was granted, or, where conditions imposed by this CUP that were anticipated to mitigate or eliminate harmful effects associated with the uses and activities but are subsequently insufficient to do so, or, for similar cause based upon consideration for the public comfort, safety, and welfare, this conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.
 9. Upon issuance of the CUP, the business shall comply with all general and specific requirements and performance criteria applicable to all "major" home occupations under Section 17.61 of the Zoning Code. Operation of the business in a manner that does not comply with the applicable requirement under 17.61 or inconsistent with the application dated June 4, 2021 and the conditions of approval adopted herein shall be deemed a violation of the Village Municipal Code and subject to the enforcement provisions contained therein.



Village of

★★★
Germantown

Willkommen

Fee must accompany application

☒ \$1460

Paid

Date

6-4-21

check 1128

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Section 17.42 of the Municipal Code

Please read and complete this application carefully. All applications must be signed and dated.

1 APPLICANT OR AGENT

John D. East

W164 N11974 Fond du Lac Avenue
Germantown, WI 53022

Phone ()

Fax ()

E-Mail

PROPERTY OWNER

same

Phone ()

2 TO WHOM SHOULD THE PERMIT BE ISSUED?

John East

3 PROPERTY ADDRESS

TAX KEY NUMBER

W164 N11974 Fond du Lac Ave, Germantown

GTNV222-989

4 DESCRIPTION OF EXISTING OPERATION

Briefly describe the use as it exists today, including use, size, number of employees, hours of operation, etc. If this permit involves new construction, describe the current status of the property, e.g. "vacant." Use additional pages as necessary.

see attached

5 DESCRIPTION OF PROPOSED OPERATION

Write the name of the proposed conditional use exactly as it appears in the Municipal Code.

Describe the proposed use, including size, number of employees, hours of operation and extent of any new construction/alterations.

see attached

CUP – Village of Germantown

- 1) John East, W164N11974 Fond du Lac Avenue, Germantown, WI 53022; 262.853.2298;
john@eastoutdoorservices.com
 - a. Property Owner: same
- 2) John East
- 3) W164N11974 Fond du Lac Avenue GTNV222-989
- 4) First and foremost, this address is used for me as my family home. I live here with my two children, Vivian and William. I am running my company, East Outdoor Services (EOS), from a post office box and employee's home in Cedarburg. EOS is a small tree removal, trimming and stump grinding service. There is no store front on this property or signage for conducting any sales, shopping activities, etc. All business is completed off-site at customer residences; no customers come to this address AND the business office that runs my business is in Cedarburg. EOS does not provide any landscaping services, nor are any materials stored on or brought back to this address. Any materials that may be generated from daily jobs (logs, chips, etc.) are properly recycled at local landscape nurseries or left on the customer's property. I use the garage for my hobby metal fabrication, welding, woodworking, and repair shop. EOS is using this property to store small equipment in my garage (along with lawn mower, etc.) and as the primary place to park equipment overnight (four vehicles and trailer). These vehicles are used daily; our hours of operation are from 8 am to approximately 5 pm, Monday through Friday. EOS currently employs a total of 4, which includes me:
 1. Owner- I reside at this address with my children.
 2. Office Manager- Works from Cedarburg and does not come to this address.
 3. Relative-Father/Laborer- Travels to this address to drive a vehicle.
 4. Laborer- Travels to this address to drive a vehicle.
 5. I am actively looking for an additional Laborer who would meet at job site.
- 5) Major Home Occupation per Section 17.61 *

I would like to continue to use my driveway for parking my vehicles. Currently, I have:

 - a. Personal Vehicle – White Silverado Pickup Truck (does have East Outdoor Signage); park outside my garage
 - b. Bucket Truck – International; white; I hope to replace with a "lift" by the end of summer, which would sit on a trailer and would not be a vehicle; park SE of home.
 - c. Dump Truck – International; white; park SE of home.
 - d. Chip Truck – International; white; park SE of home.
 - e. Flat Bed Truck – International; white; park SE of home.

1A



1B



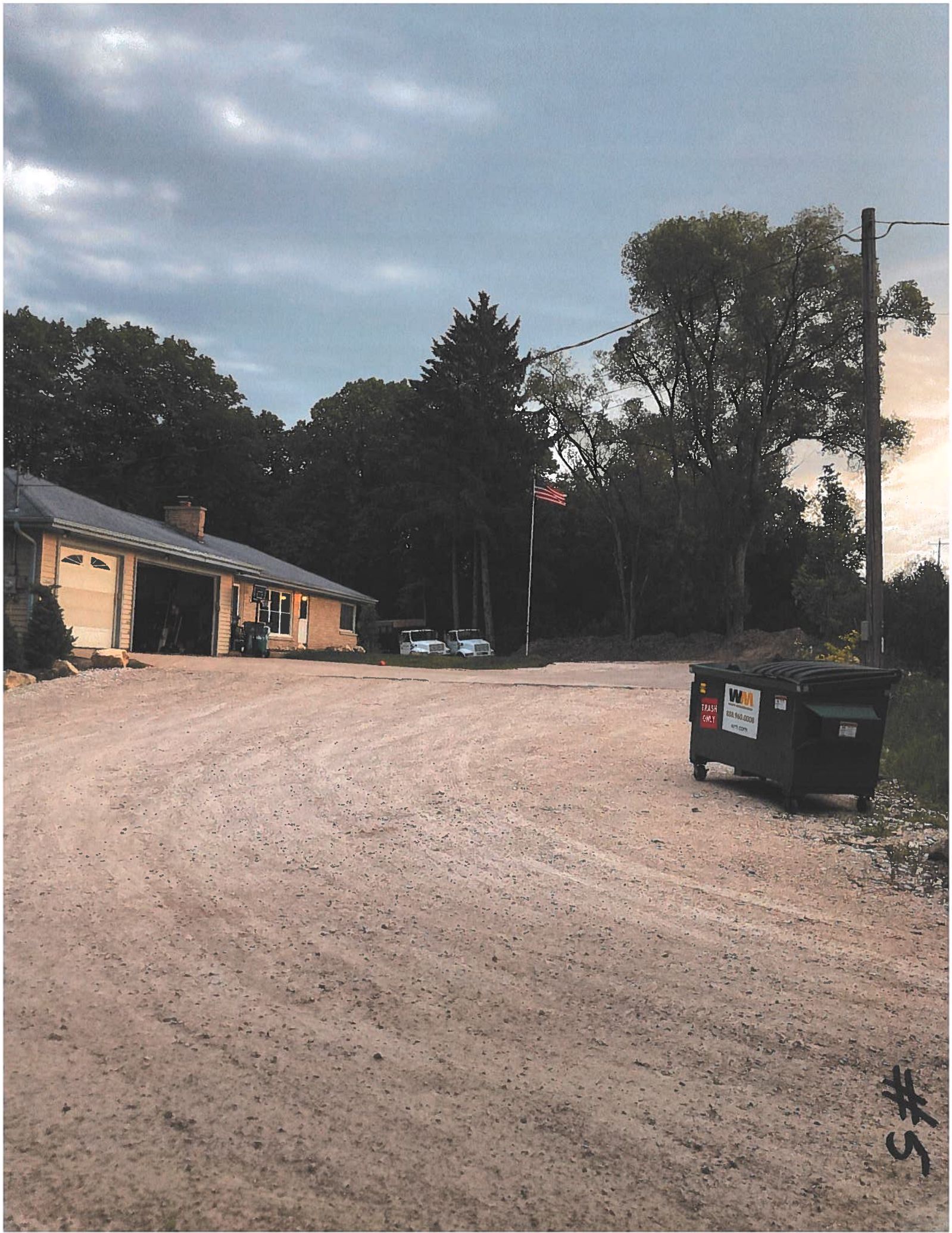


#3



#4





#5