#

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

MEETING:	**PLAN COMMISSION**
DATE AND TIME:	**MONDAY, December 12, 2022 6:30 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 #2553 663 4153 Password: vaWaefdg524 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=m1bbcdf0b094852112a254f54793957bd Citizens not wishing to attend the meeting personally or virtually may submit written comments by sending an email to comments@germantownwi.gov 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.

I. **CALL TO ORDER:** This meeting has been given public notice in accordance with Wisconsin Statutes, Section 19.83 and 19.84 in such form that will apprise the general public and news media of subject matter that is intended for discussion and action.

II. **ROLL CALL:**

III. **PUBLIC INPUT/PUBLIC APPEARANCE** Please be advised per §19.84(2) that information and comment will be received from the public. It is the policy of this municipality that public input be limited to a three (3) minute time period per person with a time extension granted at the discretion of the Chief Presiding Officer. Be advised that there may be limited discussion of the information received; however, no action will be taken under public comments.

IV. **APPROVAL OF MINUTES:** November 14, 2022

V. **NEW BUSINESS:**

A. Erik and Holly Hagen, Applicants and Property Owners of N120 W17740 Freistadt Road. Conditional Use Permit application to allow a Major Home Occupation from the property for Hagen Plumbing Service LLC. **(PUBLIC HEARING & ACTION)**

B. Parish Survey & Engineering, Agent for Shawn Beschta, Property Owner of W188 N0050 Maple Road. Application to rezone a portion of the property from the A-1:Agricultural Zoning District to the Rs-3: Single Family Residential Zoning District and 2-Lot Certified Survey Map application. **(PUBLIC HEARING & ACTION)**

C. Preferred Concepts LLC, Agent for the Boro Buzdum Trust, Property Owner – W188 N10515 Maple Road. Site Plan Review for 1,055 sqft patio addition to Buzdum's Bar and Grill. **(ACTION)**

D. Jake Woller, Applicant for Black Dog Real Estate LLC, Property Owner of Bixenberg Tavern – N112 W21209 Mequon Road. Sign Review application. **(ACTION)**

E. Zilber Property Group, Agent for ZPG Development, LLC, Property Owner – W210 W12975 Gateway Crossing. 3-Lot Certified Survey Map application. **(ACTION)**

#

F. Michaels Signs Inc., Agent for ZPG Development, LLC, Property Owner – W210 N12975 Gateway Crossing. Sign Review application. **(ACTION**

G. Ryan and Marguerite Claire Polsfuss, Property Owners of W148 N10712 Crabtree Lane. Zoning Permit application to allow a fence in a drainage easement. **(ACTION)**

H. Jason and Susan Roxbury, Property Owners of W153 N11489 Potomac Circle. Zoning Permit application to allow a 6-foot fence in a front yard. **(ACTION)**

VI. **ANNOUNCEMENTS*:***

VII. **ADJOURNMENT:**

UPON REASONABLE NOTICE, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service please contact the Village Clerk at (262)250-4740 at least 2 days prior to the meeting. Notice is given that a majority of the Village Board may attend this meeting to gather information about an item over which they have decision making responsibility. This may constitute a meeting of the Village Board per State ex rel. Badke v. Greendale Village Board, even though the Village Board will not take formal action at this meeting.

PLAN COMMISSION MINUTES
November 14, 2022

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:30 pm.

ROLL CALL: Chairman Dean Wolter, Trustee Representative David Baum, Commissioners Peter Nilles, Bill Shadid, Bob Williams and Josh Tarantino were present. Commissioner Tony Laszewski was absent and excused. Also present were Community Development Director Jeff Retzlaff, Associate Planner Emily Zandt and Planning Assistant Lori Johnson.

PUBLIC INPUT:

- Melanie Smythe, N140 W17938 Cedar Lane – said she has nothing against developers but she has a passion for this community and the quality of life and is saddened to see more of our green spaces and farm land disappearing by large warehouses. Her concern is for the quality of life for the people who have been here. She mentioned the referendum and that it passed by less than 5 percent.

APPROVAL OF MINUTES:

MOTION Baum second Shadid to Approve the minutes from October 10, 2022.
MOTION carried unanimously.

TID No. 9 Boundary Amendment and Project Plan - Tax Incremental District No. 9 (TID#9) is a 38.15-acre "industrial" TID located at the Donges Bay Road @ Wasaukee Road intersection. TID#9 was created in June 2022 under Village Board Resolution No. 23-2022. The purpose for TID#9 was to provide infrastructure financing necessary to support the creation of a new industrial district in the southeast corner of the Village and the public infrastructure needed for the construction of the Village's planned Department of Public Works facility. Associate Planner Zandt summarized the proposal. Phil Cosson, Ehlers, reviewed the proposed Amendment and Project Plan.

Public Hearing Opened 6:51 pm.

- Scott Hefle, W159 N10514 Old Farm Road, cautioned the Plan Commission that a TID uses tax payer dollars and they should carefully weigh what is going on and make good decisions. He asked if anyone had talked to Mequon residents about their concerns.
- Ryan Evans, N108 W12729 Coneflower Circle, asked for consideration with light pollution and the number of trucks. Put some berms up in consideration for the neighborhood.
- Luke Korth, 12122 W. Shawnee Pass, Mequon, had concerns with light and noise pollution and wetland filling. He asked if there are plans to install berms to help reduce noise and light pollution.

Public Hearing Closed 7:01 pm.

MOTION Baum second Shadid to Approve the amendments to the boundary map and Resolution 03-2022.

Discussion followed. Commissioner Williams asked a question on cash flow related to the tax value and asked if a sensitivity analysis was done. Mr. Cosson said it was not included in the packet but he could get a revised packet back to staff. Chairman Wolter questioned if the Developers agreement will be finalized at the time it goes before the Village Board. Village Administrator Steve Kreklow said the agreement would not be available at that point, but most of the terms that were laid out were included in the sale agreement. The bulk of what was negotiated on the initial parcel has nothing to do with the amendment. He said the sale on the Krause property is not final yet but the developer agreement will probably be much smaller since those other issues were already addressed.

DRAFT

MOTION carried unanimously.

Kevin Behnke, Apple Works Winery – W179 N12536 Fond du Lac Avenue. The property owner, is requesting approval of an amendment to Conditional Use Permit #01-13 to revise the hours of operation and expand the existing winery operation to include an existing 2,880 sqft renovated barn with a seating capacity of 125 persons, additional on-site vehicle parking, and use of the existing dwelling as a "bed & breakfast" type short-term rental on the 10.8 acre Apple Works Winery property. Director Retzlaff summarized the proposal.

Public Hearing opened at 7:19 pm.

- Adam Forstner, W190 N12705 Deerwood Circle, commented it's a very low-key place, small Business like this is sought after, he supports the changes.
- Jan Miller, W151 N10297 Windsong Circle West, spoke in favor of the proposal, classy, low-key business, has been in the community, checks off all the questions from the past, family owned business, should support bed and breakfast.
- Deborah Hembrook, N128 W17358 Holy Hill Road, supports the expansion, said it's a lovely place, owner greets everyone, barn is gorgeous place, very impressed when there, owners into safety and regulations.
- Bob Warren, W168 N10766 Juniper Drive, supports and is impressed with the operation, Behnke wants to work with neighbors and Village, put extra insulation in the barn, sound limits are proactive, confident concerns from abutting neighbors would be addressed
- Sam Kruschell, W177 N12581 Apple Blossom Lane, biggest concern is noise, sound monitoring system is great but questioned if it was done when there were 125 people there. Traffic comes down private driveway all the time, not super for it, for the winery but expanding is snowballing it.
- Kirk Will, W177 N12604 Apple Blossom Lane, Chairman Wolter read comments into the record. He is opposed, greatly increased traffic and noise if approved, owner doesn't follow through with promises, 2050 Plan falls under rural preservation district, asked to deny the proposal.

Public Hearing closed at 7:32 pm.

MOTION Baum second Shadid to Approve a conditional use permit amendment to CUP#01-13 for the 10.8-acre Apple Works Winery property located at W179 N12536 Fond du Lac Avenue subject to the following conditions (these conditions are inclusive of the conditions that apply to use of the property for the winery operation and associated activities; these conditions replace those adopted in the original permit #01-13:

1. ***This permit authorizes limited uses and activities as set forth in the original application for CUP# 01-13 and the amendment application dated August 5, 2022, including special "events" and in the supporting documents made part of the application on file with the Village. All of the operational characteristics and services as described, as well as any commitments made by the Applicant as set forth in the application, supporting documents, and made during presentations to the Village Plan Commission, Village Board and Village staff are deemed to be conditions of approval.***
2. ***For purposes of administration and enforcement of this CUP, the following terms are defined:***
    a. ***"Event" or "events" is/are an organized or spontaneous party, meeting, dinner, wine tasting, celebration, ceremony, wedding, reception, workshop, conference, corporate function, or other similar activity held for the benefit of and attended by persons in addition to and/or other than the property owner for a common***

DRAFT

purpose that occurs on the property on an irregular, periodic or one-time basis. This definition does not include uses or activities that are typical and customary accessory uses to a single-family residential use, such as private parties, gatherings and similar activities conducted by and for the benefit of the property owner and his/her immediate family (spouse, domestic partner, child/stepchild, parent/stepparent). This definition does not include regular activities uses or activities that are typically and customarily associated with the daily operation of a café, restaurant, or bar/tavern.

3. ***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.***
4. ***In the event the Village receives complaints regarding noise, activities or other negative impacts on surrounding neighborhood and properties, the Owner/Operator shall work cooperatively with the Village to mitigate and resolve the issue.***
5. ***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.***
6. ***Building permits and commercial building code plan approval are required for the proposed remodeling; contact Inspection Services prior to any work for details on the required permits and plan approvals.***
7. ***Washington County shall be consulted regarding compliance with all applicable POWTS sanitary requirements that may result from the expanded use of the renovated barn and overall property for public and private events and uses.***
8. ***Applicant to obtain all required liquor licenses and/or permits from the state and Village prior to any events held on the property.***
9. ***All signage, temporary and permanent, requires a permit; contact Planning & Zoning Services for details.***
10. ***A pre-occupancy inspection of the renovated barn by the Village Building Inspector and Fire Chief is required prior to commencing use of the renovated barn for winery events.***
11. ***This Conditional Use Permit shall be transferable to an immediate family member only. In the event there is a change in the owner/operator of the winery operation outside the immediate family, this CUP shall become null and void. A new CUP shall be required in order for a new owner/operator to commence operation of a winery, event venue and/or storage operation from this property.***
12. ***In the event the Village receives complaints regarding noise, activities or other negative impacts on surrounding neighborhood and properties, the Owner/Operator shall work cooperatively with the Village to mitigate and resolve the issue.***
13. ***Applicant to obtain all required liquor licenses and/or permits from the State and***

DRAFT

Village.

14. ***There shall be no licensing for the sale or dispensing of hard liquor on site for business purposes. In the event the property owner would like to apply for additional liquor licensing (i.e. hard liquor license), an amendment to this Conditional Use Permit is required to be approved by the Village Plan Commission and Village Board prior to the issuance of said permit.***
15. ***The property owner shall record a deed restriction for the subject property that limits access from STH145 to the existing driveway only and prohibits any new or additional access driveways unless approved by the WisDOT and Village of Germantown. Said deed restriction shall be recorded prior to or concurrent with Village approval of the Site Plan for the event venue project or six (6) months after the date of recording of this CUP, whichever comes first.***
16. ***Not including service staff, the maximum property capacity shall not exceed 175 persons at any one time.***
17. ***Operational hours for the winery and events are permitted to be 10:00 am to 9:00 pm Sunday through Saturday.***
18. ***Outdoor music is allowed only on/from the outdoor patios north/northwest of the tasting room building. Outdoor music shall be permitted between 12:00pm and 6:00pm only on Sunday through Thursday, and from 12:00pm until 9:00pm on Friday and Saturday. Outdoor music shall be limited to low impact acoustic-type instruments (e.g. string instruments, piano, woodwind instruments) with small, low wattage amplifiers or personal-sized PA system speakers by solo artists or small ensembles.***
19. ***Indoor music is allowed only in the tasting room building and the renovated barn shall be permitted between 12:00pm and 6:00pm only on Sunday through Thursday and from 12:00pm until 9:00pm on Friday and Saturday.***
20. ***The hours of operation shall be between 10:00am and 9:00pm Sunday through Thursday, and between 10:00am and 11:00pm on Fridays and Saturdays. Only clean-up type activities may take place between 10:00pm and 11:00pm on Friday and Saturdays.***

Discussion followed. Mr. Behnke said he's held true to the 2013 proposal that the operation would be quiet but he can't control people driving on the private driveway. He said he does not serve hard alcohol and there are no police reports. He is asking for 2 additional hours and the bed and breakfast. The home was built by German immigrants and it would be nice to preserve that history. There have been no problems with the winery and people come from all over, it is a destination business. He explained the sound analysis equipment can produce sound data on any day and he monitors it 24/7. He stated he will keep the sound analysis system in. Mr. Behnke said he had a problem with Condition #11 as it relates to the CUP may transfer to a family member only.

Discussion continued. Mr. Behnke said the business expansion is 75-100 feet of area. He said he had remodeled the barn for his daughter to get married in. Director Retzlaff explained the new shed and renovated barn are not part of the current winery operation. He also explained the intent of Condition #11 is to require a non-family owner to get a permit and state what their intention is. Chairman Wolter stated a new owner would need to resubmit their application and if the business is the same the permit would be reissued to them or anything additional could be approved. Mr. Behnke asked if Old Germantown has that condition. He confirmed no hard alcohol would be served and is not included in this proposal. Trustee Baum commented that Plan Commission approved the last proposal but Village Board shot it down. He said he supported the proposal then and supports it now adding that

more neighbors came out to the last meeting. Chairman Wolter commented the Village Board did not want to mix the business with residential. But the Board is now changed with new members. He said the proposal is not much different than the last time and he supports it. Mr. Behnke added the proposal is a lot smaller. He said he has no intention to expand the menu past the frozen stuff he offers; he does not want to be a restaurant. He mentioned the catering kitchen is for catered events such as bridal showers that he has held there.

MOTION to Amend Baum second Williams to add Condition #21 that the sound measuring system be operational while the business is operational.
MOTION to Amend carried unanimously.

MOTION to Amend Shadid second Baum to revise Condition #19 that indoor music is permitted until 10 pm.
MOTION to Amend carried unanimously.

MOTION to Approve as amended carried unanimously.

MOTION Baum second Shadid to Approve the proposed "bed & breakfast" style short-term rental, staff recommends adding the following conditions:

22. ***The short-term rental can only operate if the owner of the dwelling also resides on the property and serves as caretaker for the short-term rental;***
23. ***If and when the dwelling used for the short-term rental is no longer used exclusively as a short-term rental, said dwelling would be deemed to no longer be an accessory structure and use thereof, and as a result, would have to be divided off onto a separate parcel pursuant to Section 17.13 in order for the dwelling to be used as a principal residential use;***
24. ***The owner/operator of the short-term rental shall satisfy all rules, regulations, and licensing requirements for short-term rentals adopted and enforced the Village of Germantown at the time the dwelling commences being used as a short-term rental, and, all applicable Washington County and State of Wisconsin regulations and licensing requirements, including but not limited to registration and licensing with the Wisconsin Department of Revenue (DOR) and/or Department of Agriculture, Trade & Consumer Protection (DATCP) for purposes of code compliance and collecting applicable state, county and local sales, room and other taxes.***
25. ***Prior to commencing operation of the short-term rental, the owner/operator shall provide a detailed plan of operation to the Community Development Department.***

Trustee Baum commented he had the privilege of working on a farm style venue similar to this and it has been a hit of that facility. He said this would not be a detriment to the area.

MOTION carried unanimously.

Heritage Park – Keith Kindred, SEH, agent for Home Path Financial LP, property owner, is requesting approval of a final subdivision plat for "Heritage Park North" (35 single-family lots), a 32.98-acre residential development located east of Division Road and north of Revere Lane.

DRAFT

MOTION Baum second Nilles to Approve the final subdivision plat for the 35-lot Heritage Park North residential subdivision located east of Division Road and north of Revere Lane subject to the following conditions:

1. ***A Letter of "no objection" from the WI Department of Administration (DOA) shall be submitted to the Village prior to recording the final plat.***
2. ***As-built (record) drawings shall be submitted and accepted by the Public Works Department prior to the issuance of any building permits.***
3. ***All technical issues and corrections identified by the Village Surveyor (see September 16, 2022 memo) shall be addressed and reflected in the revised plat submitted and approved by Village Staff prior to the recording of the final plat.***
4. ***The Declaration of Covenants, Conditions and Restrictions of the Heritage Park North Subdivision shall be submitted prior to Village Board review. The document shall include the items specified under Section 9.11 of the Development Agreement.***

Chairman Wolter added his property backs up to this subdivision and said many of the people along Larkspur Lane were concerned about runoff and drainage. He commented when the big rain event happened that no water came across and flooded any of the properties. The drainage ditches worked to design and the retention ponds were full but not overflowing. He applauded the developer for the drainage and grading plan.

MOTION carried unanimously.

Associate Planner Zandt summarized the proposed subdivision sign.

MOTION Baum second Shadid to Approve the permanent real estate sign Heritage Park North residential subdivision subject to the following conditions:

1. ***Electrical permits shall be obtained from SafeBuilt prior to installation of any/all electrical components.***
2. ***The uplighting shall be shielded to reduce glare visible from Division Road and Tanglewood Drive by locating behind landscaping and/or with side shields.***

MOTION carried unanimously.

Mike Faber, Capstone Development Company – N128 W20955 Holy Hill Road. Site Plan Consultation for Phase II of the Capstone 41 Business Park and 294,600 sqft multi-tenant industrial building. Director Retzlaff summarized the proposal to for discussion. Mike Faber spoke on Phase II. He explained an opportunity opened up to receive precast concrete panels and to take advantage of they needed to have everything ready by May 2023. So footings and foundations would need to be done this fall, but they did not have enough time to fully design the building and go through the normal Plan Commission process. He explained they will put in the footings and foundation in December at their risk before Plan Commission approval. He is looking for discussion on any aspects of the plan. The building will feel like a close sibling to the other building with architecture in the same family. They know the expectation of the Village is to extend the exact same berm and landscaping that was approved for Phase 1 continuing along Holy Hill Road to the east and the grading of the site will probably provide better protection from the truck court. Both of the storm ponds were already constructed with Phase I.

DRAFT

Trustee Baum commented the plan looks like a bigger brother to the existing building, details and color are the same. Commissioner Shadid agreed. Chairman Wolter asked if the landscaping plan was similar. Director Retzlaff confirmed it was but asked about the color scheme. Trustee Baum suggested changing to more of an earthtone color pallet. Mr. Faber stated he currently has 2 interested users.

Taco Bell – N96 W17802 County Line Road. Lemberg Electric, agent for Michael Schmitz - Taco Bell, property owner, is requesting approval for ground, wall, and digital menu board for the new Taco Bell building. Associate Planner Zandt summarized the proposal.

MOTION Baum second Williams to Approve the proposed sign package for Taco Bell at N96W17801 County Line Road subject to the following conditions:

1. ***The applicant shall work with Planning Staff to modify the proposed pylon sign to meet the current requirements for ground signs as identified in Section 17.46 to include a masonry base (to match the masonry column of the building), 5" address coordinates, and a maximum height of 10'.***
2. ***Electrical permits shall be obtained from SafeBuilt prior to installation of any/all electrical components.***

MOTION carried 5-1 (Baum).

Raymond Company – N102 W19300 Willow Creek Way. Marilyn Renard, FastSigns, agent for Raymond (Stoffel Equipment Company, Inc) and Ryan Companies US, Inc property owner, is requesting approval for one (1) new wall sign. Associate Planner Zandt summarized the proposal.

MOTION Baum second Shadid to Approve the proposed wall sign for Raymond located at N102W19300 Willow Creek Way, Suite B.

MOTION carried unanimously.

ANNOUNCEMENTS: Chairman Wolter said anyone interested in the 2023 Budget should attend the Village Board meeting on 11/21/22.

ADJOURNMENT: There being no further business the meeting was adjourned at 8:35 pm.

Respectfully submitted,

Lori Johnson
Planning Assistant

DRAFT

CONDITIONAL USE PERMIT (CUP) APPLICATION

12/12/22 Plan Commission Meeting

Erik & Holly Hagen / Hagen Plumbing Service LLC

Planning & Zoning Report **Germantown, Wisconsin**

Summary

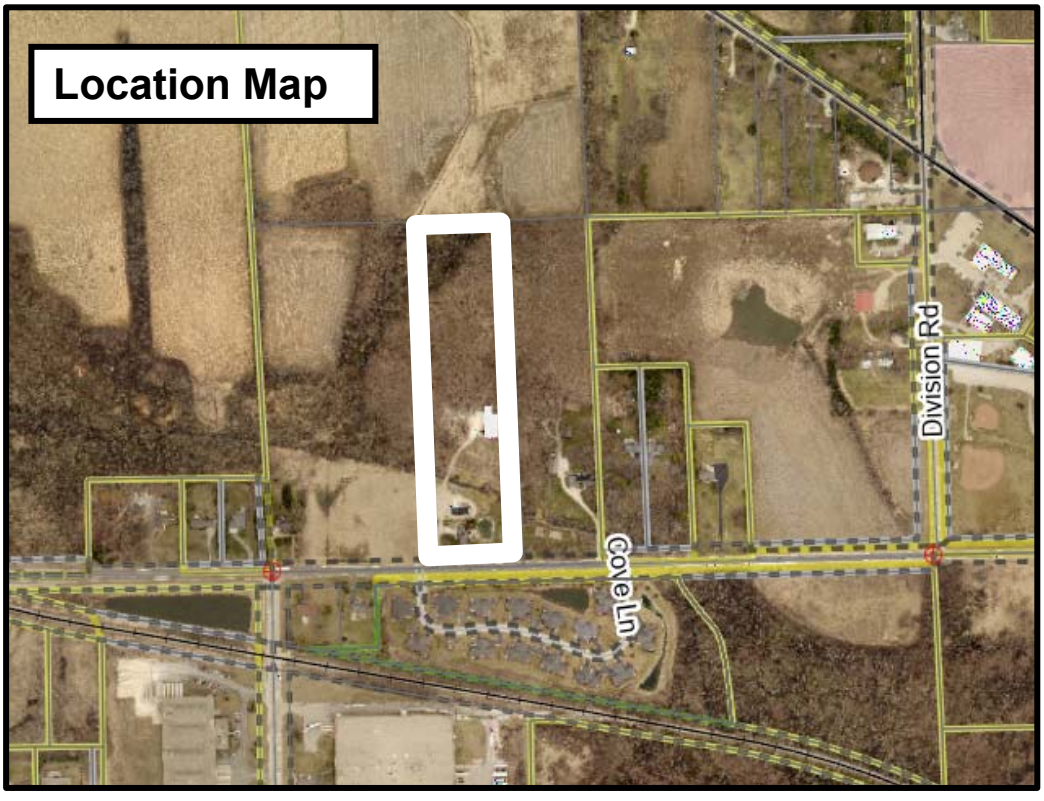
Erik & Holly Hagen, property owners and operators of Hagen Plumbing Service LLC, are requesting approval of a Conditional Use Permit (CUP) to operate a plumbing business (as a "major" home occupation) on a 10-acre property located at N120W17740 Freistadt Road.

Location: N120W17740 Freistadt Road

Applicant/
Property Owner: Erik & Holly Hagen
N120W17740 Freistadt Road
Germantown, WI

Zoning: A-2: Agricultural

Adjacent Land Uses		**Zoning**
North	Agricultural	A-1
South	Residential	EH
East	Residential	A-2
West	Agricultural / Residential	A-2



Background/Proposal

Erik & Holly Hagen, property owners and operators of Hagen Plumbing Service LLC, are requesting approval of a Conditional Use Permit (CUP) to operate a plumbing business (as a "major" home occupation) on a 10-acre property located at N120W17740 Freistadt Road.

As described in the application, Hagen Plumbing provides plumbing service throughout southeast Wisconsin. Hagen Plumbing operates its offices from the upper level of the accessory building north of the dwelling. The far north accessory building (pole barn) houses company vehicles, plumbing materials, and equipment. The office and plumbing services operate Monday through Friday from 7:30am to 4:30pm.

Hagen Plumbing Service currently has a total of 9 employees. Three (3) employees live on the property. Six (6) employees are non-resident employees; one of which works part time in the office. The other 5 employees are plumbers who report to the property in the morning to pick up business trucks/equipment, may stop back for additional parts and tools during the day, and leave from the property in the evening.

All vehicles and equipment are stored inside accessory buildings. No retail or wholesale sales of 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

The need for a Conditional Use Permit (CUP) for a major home occupation was discovered when the property owner reached out to planning staff to inquire about reconstructing or renovating the accessory building located north of the dwelling, within the floodplain. Following the CUP process, staff will work with the applicant to determine applicable regulations for work in the floodplain.

Both "minor" and "major" home occupations are allowed on property in an A-2: Agricultural Zoning District. In this case, because the use extends beyond the dwelling to the two detached accessory buildings, 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 or Rs-3 Zoning Districts.

The existing zoning code does not include a limit on the number of employees of a major home business in an Agricultural Zoning District. As indicated in the application, there are six (6) non-resident employees who work from the property.

The West Branch of the Menomonee River runs through the southern portion of the subject property with floodplain extending on both sides of the river, but primarily to the south. The dwelling, detached garage, and the accessory building used for office space are located within the floodplain. As such, any modifications or improvements to the site or existing buildings requires compliance with Chapter 23: Floodplain Zoning Ordinance and Chapter 24: Shoreland-Wetland Zoning Ordinance.

The property is well screened on all sides with established trees. The property has access to County Highway F and is located just east of the Germantown Industrial Park.

VILLAGE STAFF RECOMMENDATION

APPROVE a conditional use permit (CUP) for Erik & Holly Hagen and Hagen Plumbing Service LLC to operate as a “major” home occupation providing plumbing services from the property located at N120W17740 Freistadt Road subject to the following conditions:

1. The uses and activities allowed on the property shall be limited to those uses and activities specified in the conditional use permit (CUP) application and supporting documents dated September 30, 2022. 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, 7:30am to 4:30pm). 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 within the enclosed pole barn as shown in the application.

3. Wholesale and/or retail sale of any product from the property is prohibited.
4. 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.
5. 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. Improvements within the floodplain or within the regulated setback of the navigable stream and wetland areas will require compliance with Chapter 23: Floodplain Zoning Ordinance and Chapter 24: Shoreland-Wetland Zoning Ordinance. If required, Site Plan review and approval will include Plan Commission review and approval.
6. 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.
7. 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 sunder 17.61 or inconsistent with the application dated September 30, 2022 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 [illegible] Date 9/30/22

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

Erik and Holly Hagen
N120 W17740 Freistadt Road
Germantown, Wisconsin 53022

Phone (262) 251-4151
Fax (262)393-1006
E-Mail holly@hagenplumbingservice.com

PROPERTY OWNER

Erik and Holly Hagen
N120 W17740 Freistadt Road
Germantown, Wisconsin 53022

Phone (262)251-4151

2 TO WHOM SHOULD THE PERMIT BE ISSUED?

Hagen Plumbing Service LLC

3 PROPERTY ADDRESS | **TAX KEY NUMBER**

N120W17740 Freistadt Road, Germantown WI 53022 |

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.

We are open Monday through Friday, from 7:30AM to 4:30PM. We have 7 plumbers and 2 office staff. We provide plumbing service throughout SE Wisconsin. The upper level of the middle building is our business office. The pole barn in the back houses our vehicles, plumbing materials, and equipment.

5 DESCRIPTION OF PROPOSED OPERATION

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

17.61- Home Occupations and Professional Home Offices (cr.ord #24-07) 3b

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

Same as existing operation

6 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

W 10 AC of E1/2 SW SE Doc 1425410

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:

HH 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.

HH I will notify the Village if <u>any</u> aspects of the conditional use changes. I understand that failure to do so may result in the revocation of the CUP.

HH 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.

HH 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!

Holly M Hagen 9/26/22
Applicant Date

Holly M Hagen 9/26/22
Owner Date

From: Holly Hagen
To: Emily Zandt
Subject: RE: CUP Application - Additional Information Request
Date: Tuesday, November 29, 2022 8:44:10 AM

CAUTION: This email originated from outside the organization.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Emily,

We have three of us that live on the property.

One additional office staff that comes Monday, Tuesday, and Thursday. One trip each day.

Five additional plumbers that work Monday through Friday. They arrive in the morning, and sometimes stop back during the day for parts. So maybe average about 2 trips each?

Materials and equipment stored in the north building would be plumbing fixtures, water heaters, faucets, tools, and repair parts.

We have one sign on our fence.

And yes, myself, my husband, and my son live on the property, as well as all work here.

Do we need to bring anything to the public hearing?

Thanks,
Holly

From: Emily Zandt <ezandt@germantownwi.gov>
Sent: Tuesday, November 29, 2022 8:37 AM
To: Holly Hagen <holly@hagenplumbingservice.com>
Subject: RE: CUP Application - Additional Information Request

Hi Holly,
I just wanted to make sure you received me email last week. Please let me know if you have any questions.
Thanks,
Emily

Emily Zandt, AICP

Associate Planner/Zoning Administrator
Village of Germantown
(262)-250-4735

How was your experience? Provide feedback here.

From: Emily Zandt
Sent: Wednesday, November 23, 2022 2:44 PM
To: Holly Hagen <holly@hagenplumbingservice.com>
Subject: CUP Application - Additional Information Request

Holly,
We are reviewing your Conditional Use Permit (CUP) application for Hagen Plumbing. Can you provide a little more information about your operation?

- How many employees come to the property each day? How many trips?
- What types of materials and equipment are stored in the north building?
- Do you have any signage on the property?
- Please verify that you do live on the property.

Thank you! Enjoy your Thanksgiving!
Emily

Emily Zandt, AICP
Associate Planner/Zoning Administrator
Village of Germantown
(262)-250-4735

How was your experience? Provide feedback here.


Pole Barn
Hagen Plumbing
Service LLC
Office
istadt Rd
Freistadt Rd
Cove Ln
Cove Ln
Cove Ln

CERTIFIED SURVEY MAP (CSM) & REZONING APPLICATION

12/12/22 Plan Commission Meeting

Shawn Beschta

Village Planner Report **Germantown, Wisconsin**

Summary

Shawn Beschta, property owner of two parcels totaling 41 acres located at W188 N10050 Maple Road is seeking approval of a 2-lot Certified Survey Map (CSM) and application to Rezone 1.5 acres (proposed Lot 2) from A-1: Agricultural to Rs-3: Single-Family Residential.

Location: W188 N10050 Maple Road (1/4 mile east of Pleasant View Drive)

Property Owner:

Evan Nicodem Parish Survey & Engineering West Bend, WI	Shawn Beschta W188 N10050 Maple Road Germantown, WI

Current Zoning District: A-1: Agricultural
Proposed Zoning District: Rs-3: Single-Family and A-1: Agricultural

Adjacent Land Uses		Zoning
North	Agricultural	A-1
South	Business/Institutional	B-1/B-2/I
East	Agricultural (USH41)	N/A
West	Agricultural/Residential	Rs-3/Rs-4



Background/Proposal

Shawn Beschta is the owner of two parcels totaling approximately 41 acres of land located at W188 N10050 Maple Road. The property contains an existing dwelling, attached garage, two detached garages, two detached storage sheds, and a metal-clad machine shed. The property is served by on-site wells and a mound-type septic system. The property covered by both wetlands and floodplain associated with the Menominee River that meanders north-to-south across the property. Approximately 7 acres of the property is not located within a wetland or floodplain with 2.8 acres of that area 2' or more above the floodplain elevation. The property once had a tool & die business operating on the property; the buildings are currently used for personal storage of campers, trailers, boats, tools, and miscellaneous materials. Beschta indicates that apple trees and organic gardening occur on the property.

In March 2021, Kevin Parish, and other members of Quam Engineering at that time (now with Parish Survey & Engineering), contacted the Village regarding a potential land division and rezoning of the 41-acre Beschta property to split off 1.5 acres with the existing house and leave most of the accessory buildings on the remaining 39 acres. At that time, Parish was advised by Village staff that the 2020 Land Use Plan did not allow the creation of parcels less than 5 acres in the "Agricultural/Conservation Residential" area of the Village within which the Beschta property is located. Staff indicated that a land use plan amendment could be proposed but questioned how an amendment into the "Rural Residential District" (which allowed parcels as small as 1 acre) would benefit the public interest vs. simply creating a path for the owner's desire to sell the house and keep the accessory buildings for personal use. Staff also indicated that dividing land in a manner that would create a non-conforming situation with the outbuildings being on a separate parcel is not typically done. No further communication with the Village was made after April, 2021.

In August, 2022, Parish Survey & Engineering submitted a rezoning application for a 1.5-acre portion of the Beschta property (that included the existing dwelling) and advised Village staff that the 1.5-acre parcel had already been created by "quit claim deed" and no CSM was required. Around the same time, staff was contacted by a real estate agent seeking a copy of a CSM or other documentation for the 1.5-acre property because a financial institution involved in a pending sale of the 1.5-acre parcel.

Upon further research, Village staff discovered that a quit claim deed had been recorded that illegally created the 1.5-acre parcel. In May, 2022, Beschta and Parish Survey & Engineering prepared and recorded a quit claim deed that effectively divided the property into four (4) parcels in violation of both the Village's Subdivision & Zoning Code. Because the Register of Deeds for Washington County does not serve as a "gate keeper" for purposes of enforcing Germantown's Subdivision or Zoning codes when legal documents such as quit claim deeds are submitted for recording, the quit claim deed was recorded, and Beschta proceeded to market and attempt to sell the 1.5-acre parcel that was created illegally. Upon discovery of what had transpired, Village staff notified Parish Survey & Engineering regarding the illegal land division and requested the Register of Deeds to withhold recording of the land deed.

To address the situation, in October, 2022, Parish Survey & Engineering submitted a CSM application, rezoning application, and a land use plan amendment application to the Village to legally create the 1.5-acre parcel as shown in the attached CSM.

Staff Comment

As was the case in 2021 when all land divisions, rezoning and new development were evaluated for consistency with the 2020 Land Use Plan, the proposed 1.5-acre land division and Rs-3 rezoning of the Beschta property are also NOT consistent with the 2050 Land Use Plan. Under the new 2050 Plan, this property lies within the "Schoen Laufen-Menomonee River District" that is intended to "…remain undeveloped, except for the existing residential and institutional uses". Under the Preferred Land Use Table for Schoen Laufen-Menomonee River District, new residential uses are "undesirable" (but may be acceptable under special circumstances). Existing residential and institutional uses are "allowable" and open space & recreational uses are "desirable".

For this reason, staff does NOT support the proposed rezoning and land division. While the existing use of the property can continue "as is", dividing the land as proposed only creates the opportunity for additional residential land uses in an area that is intended for open space preservation, conservation, and recreational uses. Arguably, even use of the property for agricultural purposes is questionable given the amount of wetland and floodplain (83% of the property is wetland, floodplain, and navigable water). Creating an opportunity for more residential development in this area and on this property is not consistent with the intent of the Schoen Laufen-Menomonee River District. As stated above, the existing residential use, i.e. one dwelling and five accessory buildings, is allowed to continue. Creating an additional Rs-3, 1.5-acre lot simply because there are four other pre-existing small residential lots that are also inconsistent with the 2050 Plan for this area is not a valid reason to add more small inconsistent residential lots. Those four 1.5-acre lots already exist; the proposed 1.5-acre lot does not exist (at least not legally) without the Village approving the proposed CSM.

A significant amount of wetland associated with the Menomonee River that runs through the property along the east side has been identified along with the 100-year floodplain; however, an actual wetland delineation has been deferred because there is no development proposed on Lot 1 in the near future. 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 if the land division and rezoning are approved.

Soil evaluations for proposed Lot 1 have not been prepared. Because Lot 1 is not intended for development in the near future, 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 if the land division and rezoning are approved.

If the Plan Commission and Village Board decide to consider approval of the land division and rezoning, there are other considerations that should be taken into account.

The proposal includes separating the existing dwelling and one detached accessory building on proposed Lot 2 and leaving the remaining four (4) detached buildings on proposed Lot 1. Accessory buildings are allowed on a property when there is a primary use of the property in place; dividing land to specifically split off accessory buildings on a new property where there is no primary use is not a recommended practice (nor is dividing land that creates non-conforming setbacks for pre-existing buildings). Moreover, as of August, 2022, aerial photos of the property reveal the property being used for storage of trailers, RV's, building materials, scrap wood, etc.

Therefore, if the Plan Commission and Village Board are inclined to approve the proposed land division and rezoning to create the 1.5-acre Lot 1, the owner should be required to remove any junk, unlicensed vehicles, and the accessory buildings on Lot 1, or at least be required that the buildings cannot be used for commercial storage purposes, businesses, etc. unless allowed under the Zoning Code. Our experience has been that parcels with old, pre-existing accessory buildings end up being sold and/or used for small illegal businesses and/or storage purposes by absentee landowners.

The accessory buildings are accessed by way of an existing shared driveway located across the property to the north not owned by Beschta. Further, the area on Lot 1 that is most suited for future development, including a future dwelling, is in the area where the accessory buildings are located. An access easement or cross-access agreement should be required between the owner to the north and the owner of proposed Lot 1 (if the land division and rezoning are approved).

Village Engineer/Public Works Department

The Village's engineering consultant has completed their review of the CSM and identified several technical corrections in an October 28, 2022 review memo that need to be made to the CSM if the land division and rezoning are approved.

VILLAGE STAFF RECOMMENDATION

DENY the proposed 2-lot Certified Survey Map (CSM) and application to Rezone 1.5 acres (proposed Lot 2) from A-1: Agricultural to Rs-3: Single-Family Residential.

If the Plan Commission decides to recommend approval of the proposed rezoning and 2-lot CSM, staff recommends that the following conditions of approval be included:

1. All technical issues and plan corrections identified in the October 28, 2022 review memo by the Village's engineering consultant GRAEF shall be addressed and reflected in a revised CSM submitted and approved by the Public Works director/Village Engineer prior to recording the CSM.

2. Notes requiring a wetland delineation and soil evaluations if/when Lot 1 is proposed for development shall be included on the CSM.

3. All accessory buildings, junk, unlicensed vehicles, etc. shall be removed from proposed Lot 1 prior to recording the CSM.

4. The owner shall obtain an access easement or cross-access agreement with the property owner to the north to continue to allow access to proposed Lot 1 from the shared driveway located on the property to the north of the Lot 1 property line. Said agreement shall be recorded concurrent with or prior to recording the CSM.
5. Direct access to Maple Road from Lot 1 shall be prohibited. A note indicating this access restriction shall be added to the CSM prior to recording.

Village of Germantown
...Willkommen

Community Development Department
Jeffrey W. Retzlaff, AICP, Director
Village Planner & Zoning Administrator
N112 W17001 Mequon Road P.O. Box 337
Germantown, WI 53022-0337
Telephone: (262) 250-4735 Website: www.village.germantown.wi.us
E-mail: jretzlaff@village.germantown.wi.us

November 22, 2022

Evan Nicodem
Parish Survey & Engineering
122 Wisconsin Street
West Bend, WI 53095

RE: Beschta CSM & Rezoning Applications; Staff Review Comments

Mr. Nicodem:

Village Staff has reviewed the application and plans submitted for the proposed land division and rezoning and has identified the following outstanding issues that need to be addressed before we can schedule the applications for Plan Commission review. Please provide the requested information, corrections and/or revisions as soon as possible. If necessary, Village staff would be happy to meet with you to discuss any of these items.

With respect to the comprehensive plan amendment application, we are going to return that to you/the owner and issue a refund for any fee paid for that application. Since the application was made, the Village adopted a new 2050 Comprehensive Plan. As a result, the format of the new plan (vs. the previous 2020 Plan) is such that an amendment to the land use plan is not required for the Village to approve a land division and rezoning.

Community Development Department

1. What is the purpose for dividing the land? Why is the house proposed to be separated from the other buildings? What do you intend to do with proposed Lot 1 and existing buildings?

2. What agricultural use(s) is the property currently being used for?

3. What are the accessory buildings on proposed Lot 1 currently being used for? On one sheet the largest building is shown as a “machine shed” and on another sheet it is labeled “barn”?

4. Is or was there ever a business operated from this property?

5. What are the accessory buildings on proposed Lot 1 intended to be used for if the land division is approved?

6. Will proposed Lot 1 be cleaned up and the old equipment & junk be removed?

7. What is the source of the wetland and floodplain boundaries shown on the CSM? Was there a wetland delineation completed as required?

8. Has there been soil tests done for proposed Lot 1 that indicate it can support an on-site septic system? If not, those test results will have to be provided before recording

the CSM or a note will need to be included on the CSM indicating that soil tests indicating suitability for a septic system prior to issuing any building permit for a habitable structure.

9. The building setbacks for proposed Lot 1 and Lot 2 need to be shown on the CSM

10. How much land area outside of (not in) a wetland or 100-year floodplain is in proposed Lot 1? How much land area outside of the floodplain is 2' above the floodplain elevation? See 18.02(6) below:

(6) **LAND SUITABILITY.** No land shall be subdivided or developed which is determined to be unsuitable for its proposed use by the Plan Commission for reason of flooding, inadequate drainage, adverse soil or rock formation, unfavorable topography or any other feature likely to be harmful to the health, safety or welfare of the future residents of the proposed subdivision or of the Village. In addition: No lot or parcel 2 acres or less in area shall include floodplain or wetlands, and all lots or parcels more than 2 acres in size shall contain not less than one acre of land which is at an elevation at least 2 feet above the elevation of the 100-year floodplain or, where such data is not available, 5 feet above the maximum flood of record. Generally, floodplain and wetlands within a parcel of land subject of a subdivision plat or certified survey map "minor" land division and the area within any required setbacks extending outward from any such floodplain or wetlands should be platted so as to be included in open space or other outlots and not within or part of a developable lot or parcel. (Cr. Ord. #09-08)

Water/Sewer Utility Departments
11. No comment.

Fire Department
12. No comment.

Public Works/Village Engineer
13. No Comment.

When submitting revised plans or additional information, please submit (1) digital plan set and three (3) full-size, hard-copy plan sets set to the Community Development Department. Complete responses and/or information, plan revisions, etc. to the items/issues listed above will help avoid delay in the review and processing of your application.

Respectfully,

Jeffrey W. Retzlaff, AICP
Village Planner & Zoning Administrator

Lori Johnson

From: Kevin Parish <kparish@parishse.com>
Sent: Wednesday, November 30, 2022 4:27 PM
To: Jeff Retzlaff
Cc: Evan Nickodem; Emily Zandt; Lori Johnson; Tom Zernia
Subject: RE: Beschta CSM & Rezoning Staff Comments
Attachments: Beschta CSM Rev1.pdf

CAUTION: This email originated from outside the organization.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jeff,

Evan is on vacation this week so I am responding on his behalf. I have attached the revised CSM to address your comments and the Village checklist items for the CSM. Our responses to your review comments are below.

1. What is the purpose for dividing the land? Why is the house proposed to be separated from the other buildings? What do you intend to do with proposed Lot 1 and existing buildings?

Selling the house and maintaining the buildings. Personal use, storage, and bow hunting.

2. What agricultural use(s) is the property currently being used for?

Apple trees and organic garden.

3. What are the accessory buildings on proposed Lot 1 currently being used for? On one sheet the largest building is shown as a "machine shed" and on another sheet it is labeled "barn"?

Personal use and storage. Building G used for storage of camper, utility trailer and pontoon boats. Building M used for storage of carpentry tools and miscellaneous material. Building S used for storage of duck hunting equipment, boat, and gardening tools. Owner has been storing here for 25 years.

4. Is or was there ever a business operated from this property?

Yes, tool and die. Established in the early 80s.

5. What are the accessory buildings on proposed Lot 1 intended to be used for if the land division is approved?

Same as above.

6. Will proposed Lot 1 be cleaned up and the old equipment & junk be removed?

Yes, Lot 1 has been cleaned.

7. What is the source of the wetland and floodplain boundaries shown on the CSM? Was there a wetland delineation completed as required?

The wetland line is based on the Wisconsin Wetland Inventory Map and the 100-year floodplain line is based on the FEMA FIRM Map #55131C0359D. A note has been added to the CSM.

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

GRAEF

collaborate / formulate / innovate

October 28, 2022

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

SUBJECT: Shawn Beschta CSM Review

Certified Survey Map

Applicant or Owner: Shawn Beschta
Land Surveyor/Firm: Scott Henkel / PSE

1. Building setback lines are to be mapped and dimensioned.

2. The reference bearing should be N 01 29' 43" W.

3. The right of way width of USH 41 should be labeled.

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. 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.

8. A Mortgagee Certificate will need to be included, if applicable.

9. The Owner's Certificate should include "As Owners, we hereby dedicate that part of Maple Road to the Village of Germantown for public road purposes as represented on Sheet 1 of 4 of this Certified Survey Map".

10. The bearing basis should be identified as NAD 1983-2011 datum.

11. The dedication of Maple Road should be labeled as: "Dedicated to the Village of Germantown for Public Road Purposes".

12. A 25' setback line should be shown for all delineated wetlands.

13. A 75' setback line should be shown for all streams and creeks.

14. A Professional Land Surveyor's seal and signature on each sheet.

15. Soil borings should be labeled, and their results provided with the CSM.

16. The last paragraph of the Surveyor's Certificate should reference "Chapter 18 of the Village of Germantown Subdivision Control Ordinance in surveying, dividing and mapping the same".

17. The Village of Germantown Board Approval should read as:

This Certified Survey Map, being a division of ¼ ¼ Section ___, 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 the dedication of that part of (insert street name) for public road purposes as shown on Sheet__of__ is hereby accepted by the Village Board of Trustees of the Village of Germantown on this ___ day of _____, 2021.

18.

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.

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.

GRAEF

collaborate / formulate / innovate

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

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,

Burt J. Naumann, PLS
Senior Vice President

8. Has there been soil tests done for proposed Lot 1 that indicate it can support an on-site septic system? If not, those test results will have to be provided before recording the CSM or a note will need to be included on the CSM indicating that soil tests indicating suitability for a septic system prior to issuing any building permit for a habitable structure.

There have not been soil tests done for Lot 1. A note has been added to the CSM indicating that soil tests will be completed indicating suitability for a septic system prior to issuing any building permit for a habitable structure.

9. The building setbacks for proposed Lot 1 and Lot 2 need to be shown on the CSM

The building setbacks have been added to the attached CSM.

10. How much land area outside of (not in) a wetland or 100-year floodplain is in proposed Lot 1? How much land area outside of the floodplain is 2' above the floodplain elevation? See 18.02(6) below:

Lot 1 area which is 2' above the floodplain elevation is approximately 1.3 acres.

Lot 1 area which is not in a wetland or 100-year floodplain is approximately 5.5 acres.

Please review and let me know if you have any questions or additional comments.

Thanks,

Kevin J. Parish

PSE

PARISH SURVEY & ENGINEERING

122 Wisconsin Street
West Bend, WI 53095
Office: 262.346.7800
Mobile: 262.338.6641
kparish@parishse.com

From: Jeff Retzlaff <jretzlaff@germantownwi.gov>
Sent: Thursday, November 24, 2022 8:51 AM
To: Evan Nickodem <enickodem@parishse.com>
Cc: Lori Johnson <ljohnson@germantownwi.gov>; Emily Zandt <ezandt@germantownwi.gov>
Subject: Beschta CSM & Rezoning Staff Comments

Please review and respond to the attached staff review comments for the Beschta proposal.
Contact me with questions.

Jeffrey W. Retzlaff, AICP
Director, Community Development Department
Village Planner/Zoning Administrator
jretzlaff@village.germantown.wi.us
1-262-250-4735

How was your experience? Provide feedback here.

Authentisign ID: ADDE1074-E0FE-4875-84B6-4644C3D39E43

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: _____ 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

Evan Nickodem
Parish Survey & Engineering
122 Wisconsin St
West Bend, WI 53095
Phone (262)333-2167
E-Mail enickodem@parishsh.com

PROPERTY OWNER

Shawn Beschta
W188 N10050 Maple Rd
Germantown, WI 53022
Phone ( )
E-Mail

2

PROPERTY ADDRESS OR GENERAL LOCATION	TAX KEY NUMBER
W188 N10050 Maple Rd	GTNV_332984

3

REZONING REQUEST

FROM	TO
A-1	R-3

4

METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

Part of the Southwest 1/4 of the Northwest 1/4 of Section 33, T9N, R20E in the Village of Germantown, County of Washington, State of Wisconsin.

Commencing at the Southwest corner of the Northwest 1/4 of said Section 33; thence North 01°29'43" West, 309.48 feet, along the West line of said Northwest 1/4 to the Point Of Beginning of this description;
Thence continue North 01°29'43" West, 210.00 feet, along said West line; thence North 88°30'17" East, 238.15 feet; thence South 21°14'15" East, 74.09 feet; thence North 88°30'17" East, 130.18 feet; thence South 00°57'00" East, 144.00 feet; thence South 89°03'00" West, 392.00 feet, to the Point Of Beginning.

Authentisign ID: ADDE1074-E0FE-4875-84B6-4644C3D39E43

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.

House property better fits the R-3 zoning rather than the A-1 zoning. Furthermore, three of the four homes on the west side of Maple Road are also R-3 zoning.

6 SUPPORTING DOCUMENTATION:

☒ Plat of Survey (1:100)

☐ Site Plan and elevations for new construction (can be conceptual)

7 READ AND INITIAL THE FOLLOWING:

EPN 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.

EPN 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 by sufficient cause to deny the petition.

EPN 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

EPN 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!

Evan P. Nunley 07/29/2022

Applicant Date

Authentisign Shawn Beschta 7/28/2022 3:30:03 PM CDT 07/28/2022

Owner Date

Village of Germantown ...Willkommen

Fee must accompany application
☐ $2,900 with public improvements
☒ $1,960 no public improvements

Paid_____ Date_____

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

Evan Nickodem
Parish Survey & Engineering, LLC
122 Wisconsin St.
West Bend, WI 53095
Phone (262) 333-2167
Fax ( )
E-Mail enickodem@parishse.com

PROPERTY OWNER

Shawn Beshcta
W188 N10050 Maple Rd
Germantown, WI 53022
Phone ( )

W188 N10050 Maple Rd

2

PROPERTY ADDRESS OR GENERAL LOCATION	TAX KEY NUMBER
W188 N10050 Maple Rd	332983, 332984, 332985

3

PURPOSE OF LAND SPLIT

remove the existing house from the larger lot, creating one single family house lot and one larger ag. lot.	Will the land split require rezoning? Yes	
	From A-1	To RS-3

4

READ AND INITIAL THE FOLLOWING:

EPN 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.

EPN 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.

EPN 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.

EPN 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!

Evan P. Nickodem 10/03/2022

Applicant Date

Owner Date

PRELIMINARY

CERTIFIED SURVEY MAP # _____

PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, ALL BEING PART SECTION 33, TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, COUNTY OF WASHINGTON, STATE OF WISCONSIN.

OWNER:
SHAWN BESCHTA
W188 N10050 MAPLE ROAD
GERMANTOWN, WI 53022

NORTHWEST CORNER OF THE NW 1/4 OF SECTION 33-09-20
BRASS DISC IN CONCRETE.
N 445311.749 E 2463632.086

BEARINGS ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD83/2011)THE WEST LINE OF NW 1/4 OF SECTION 33-9-2 BEARS NORTH 00°29'43" WEST.

0 150 300 600

VICINITY MAP
NW 1/4 SECTION 33-09-20
MAPLE ROAD
NW 1/4
NE 1/4
SW 1/4
SE 1/4
USH 41
1" = 2000'

WETLANDS MAPPING PER WISCONSIN WETLAND INVENTORY

100 YEAR FLOOD LINE PER FEMA FIRM MAP # 55131C0359D

LOT 1 ZONING: A-1
SETBACKS
FRONT: 50 FEET
SIDE: 25 FEET
REAR: 50 FEET

LOT 2 ZONING: Rs-3
SETBACKS
FRONT: 45 FEET
SIDE: 20 FEET
REAR: 35 FEET

NORTHEAST CORNER OF THE NW 1/4 OF SECTION 33-09-20
BRASS DISC IN CONCRETE.
N 445317.627 E 2466261.972

WEST LINE OF THE NW 1/4 OF SECTION 33-09-20
NORTH 01°29'43" WEST 2688.10'

EAST LINE OF THE NW 1/4 OF SECTION 33-09-20
NORTH 01°40'05" WEST 2646.87'

MAPLE ROAD

33.00'

NORTH 89°11'58" EAST 1317.77'

1284.77'

842.3 FEET
BRIDGE DECK
CONC. DRWY.
LOT 2 CSM 969

UNPLATTED LANDS

NORTH 89°11'43" EAST 1103.61'
N LINE S 1/2 OF SE 1/4 OF NW 1/4

672.06'

NORTH 01°29'43" WEST

LOT 2
SEE SHEET 2

100 YEAR FLOOD LINE

POND

SW 1/4 NW 1/4

SE 1/4 NW 1/4

LOT 1
1,700,891 SQ. FT.
39.0471ACRES

MENOMONEE RIVER

WETLANDS

25' WETLANDS SETBACK LINE

WETLANDS

S 41°58'43" E
330.68'

S 1°40'05" E
54.10'

120'

155'

S 41°58'43" E
477.64'

SW 1/4 NE 1/4

U.S.H. 41

USH 41 REFERENCE LINE

Ⓓ DEDICATED TO THE VILLAGE OF GERMANTOWN FOR PUBLIC ROAD PURPOSES. FOR ADDITIONAL MAPPING INFORMATION SEE SHEET 2.

SOUTHWEST CORNER OF THE NW 1/4 OF SECTION 33-09-20
BRASS DISC IN CONCRETE.
N 442624.569 E 2463702.235

33.00'

POB

2604.21'

SOUTH 88°58'19" WEST 2637.21'
SOUTH LINE OF THE NW 1/4 OF SECTION 33-09-20

50'

50' GAS DISTRIBUTION EASEMENT PER DOC. NO. 1395569.

S 89°21'37" W
309.05'

SOUTHEAST CORNER OF THE NW 1/4 OF SECTION 33-09-20
BRASS DISC IN CONCRETE.
N 442671.881 E 2466339.025

SOUTH LINE OF THE NE 1/4 OF SECTION 33-09-20

LOT 2 CSM 5517

LOT 2 CSM 5519

UNPLATTED LANDS

LOT 3 CSM 6562

LOT 1: SOIL TEST
A SOIL TEST FOR LOT 1 SHALL BE PROVIDED TO THE VILLAGE PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT FOR A HABITABLE STRUCTURE.

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.

LEGEND
- ● 1" IRON PIPE FOUND
- ○ 3/4"x18" REBAR WEIGHING 1.13 LBS/FOOT SET.

SURVEYED BY JOSEPH W. DAVID
MAPPED BY J. SCOTT HENKEL, PLS

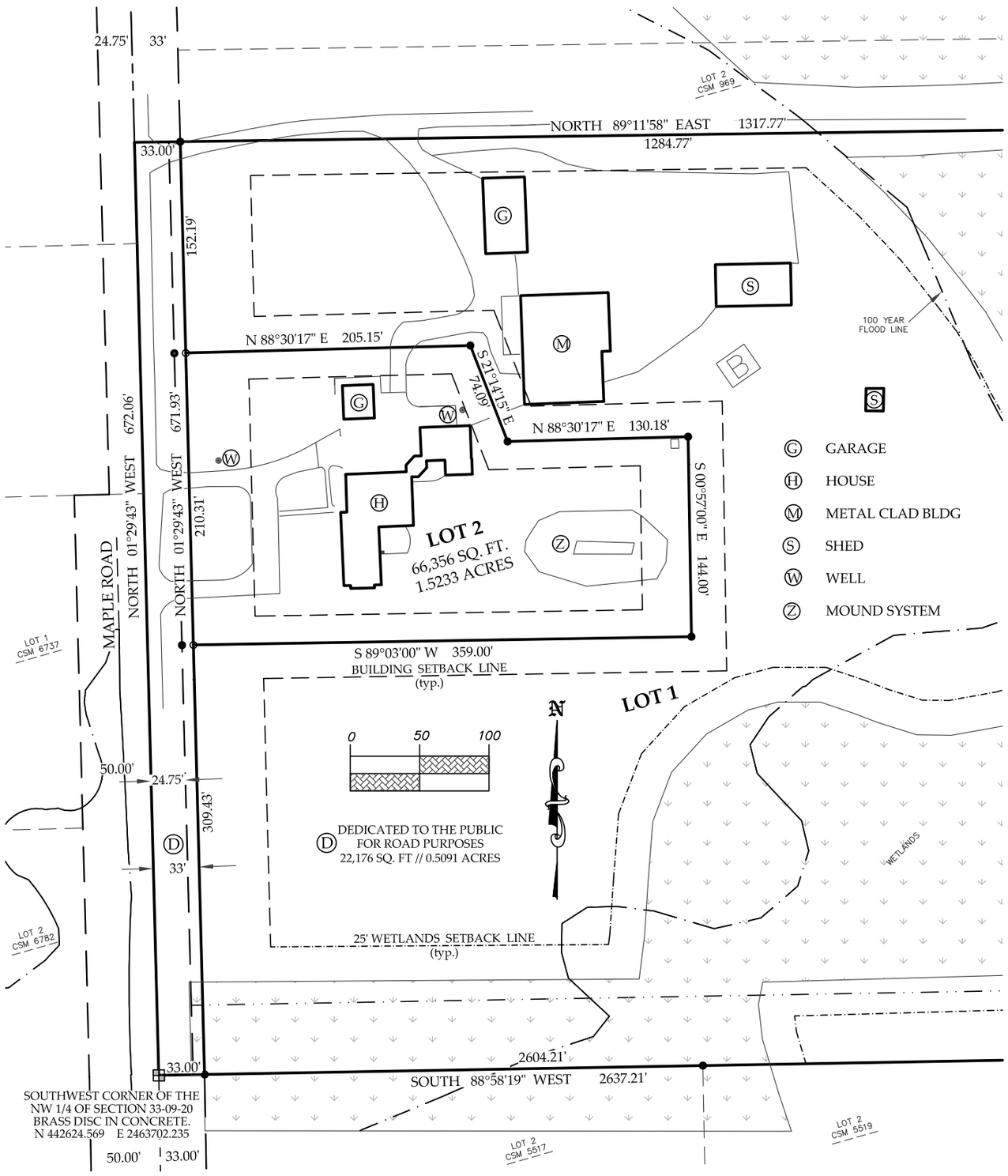
PSE
122 Wisconsin Street, West Bend, WI 53095
262.346.7800 kparish@parishse.com

FN: TZ-48-22 Date: 10/3/22

REVISED NOVEMBER 30, 2022

CERTIFIED SURVEY MAP # _____

PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, ALL BEING PART SECTION 33, TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, COUNTY OF WASHINGTON, STATE OF WISCONSIN.



PSE
122 Wisconsin Street, West Bend, WI 53095
262.346.7800 kparish@parishse.com

FN: TZ-48-22 Date: 10/3/22

REVISED NOVEMBER 30, 2022

CERTIFIED SURVEY MAP # _____

PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, ALL BEING PART SECTION 33, TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, COUNTY OF WASHINGTON, STATE OF WISCONSIN.

SURVEYOR'S CERTIFICATE

I, J. SCOTT HENKEL, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED, DIVIDED, AND MAPPED THE FOLLOWING LAND AS DIRECTED BY THE OWNER, SHAWN BESCHTA

PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, ALL BEING PART OF SECTION 33, TOWNSHIP 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, COUNTY OF WASHINGTON, STATE OF WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 33, SAID CORNER ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE NORTH 01°29'43" WEST, 672.06 FEET, ALONG THE WEST LINE OF SAID NORTHWEST 1/4;
THENCE NORTH 89°11'58" EAST, 1317.77 FEET, ALONG THE SOUTH LINE OF CERTIFIED SURVEY MAP 969;
THENCE NORTH 89°11'43" EAST, 1103.61 FEET, ALONG THE NORTH LINE OF SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID NORTHWEST 1/4 TO THE SOUTHWEST LINE OF USH 41;
THENCE SOUTH 41°58'43" EAST, 330.68 FEET, ALONG SAID SOUTHWEST LINE;
THENCE SOUTH 1°40'05" EAST, 54.10 FEET, ALONG SAID SOUTHWEST LINE AND BEING THE EAST LINE OF SAID NORTHWEST 1/4;
THENCE SOUTH 41°58'43" EAST, 477.64 FEET, ALONG SAID SOUTHWEST LINE TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 33;
THENCE SOUTH 89°21'37" WEST, 309.05 FEET, ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID NORTHWEST 1/4;
THENCE SOUTH 88°58'19" WEST, 2637.21 FEET, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID NORTHWEST 1/4 TO THE POINT OF BEGINNING.

CONTAINING 1,786,696 SQUARE FEET // 41.0169 ACRES, MORE OR LESS.

I FURTHER CERTIFY THAT THE MAP PREPARED IS A CORRECT REPRESENTATION OF ALL THE EXTERIOR BOUNDARIES AS SHOWN AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES, AND CHAPTER 18 OF THE VILLAGE OF GERMANTOWN SUBDIVISION CONTROL ORDINANCE IN SURVEYING, DIVIDING, AND MAPPING SAME.

_____
J. SCOTT HENKEL, PLS 2495

OWNER'S CERTIFICATE

AS OWNER, SHAWN BESCHTA, I HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED TO BE SURVEYED, DIVIDED, MAPPED, AND I HEREBY DEDICATE THAT PART OF MAPLE ROAD TO THE VILLAGE OF GERMANTOWN FOR PUBLIC ROAD PURPOSES AS REPRESENTED ON SHEETS 1 AND 2 OF 4 HEREON. I ALSO CERTIFY THAT THIS MAP IS IN ACCORDANCE WITH WISCONSIN STATUTES 236.34 AND CHAPTER 18 OF THE VILLAGE OF GERMANTOWN SUBDIVISION CONTROL ORDINANCE IN SURVEYING, DIVIDING, AND MAPPING SAME:

_____
SHAWN BESCHTA

STATE OF WISCONSIN
:SS
_____ COUNTY

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 202__, _____,

_____, TO ME KNOWN AS THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED SAME.

_____
NOTARY PUBLIC, STATE OF WISCONSIN MY COMMISSION EXPIRES: _____

PSE
122 Wisconsin Street, West Bend, WI 53095
262.346.7800 kparish@parishse.com

FN: TZ-48-22 Date: 10/3/22

REVISED NOVEMBER 30, 2022

CERTIFIED SURVEY MAP # _____

PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, ALL BEING PART SECTION 33, TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, COUNTY OF WASHINGTON, STATE OF WISCONSIN.

VILLAGE OF GERMANTOWN PLAN COMMISSION APPROVAL

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF GERMANTOWN ON

THIS _____ DAY OF _____, 202___.

_____ _____

DEAN WOLTER, PLAN COMMISSION CHAIRMAN LAURA A. JOHNSON, SECRETARY

VILLAGE OF GERMANTOWN VILLAGE BOARD APPROVAL

THIS CERTIFIED SURVEY MAP, BEING A DIVISION OF SW1/4 & SE1/4 OF NW1/4 *AND* SW1/4 OF NE1/4 OF SECTION 33, TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN, HAVING BEEN APPROVED BY THE PLAN COMMISSION BEING THE SAME, IS HEREBY APPROVED AND THE DEDICATION OF THAT PART OF MAPLE ROAD FOR PUBLIC ROAD PURPOSES AS SHOWN ON SHEETS 1 AND 2 OF 4 IS HEREBY ACCEPTED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF GERMANTOWN ON

THIS _____ DAY OF _____, 202___.

_____ _____

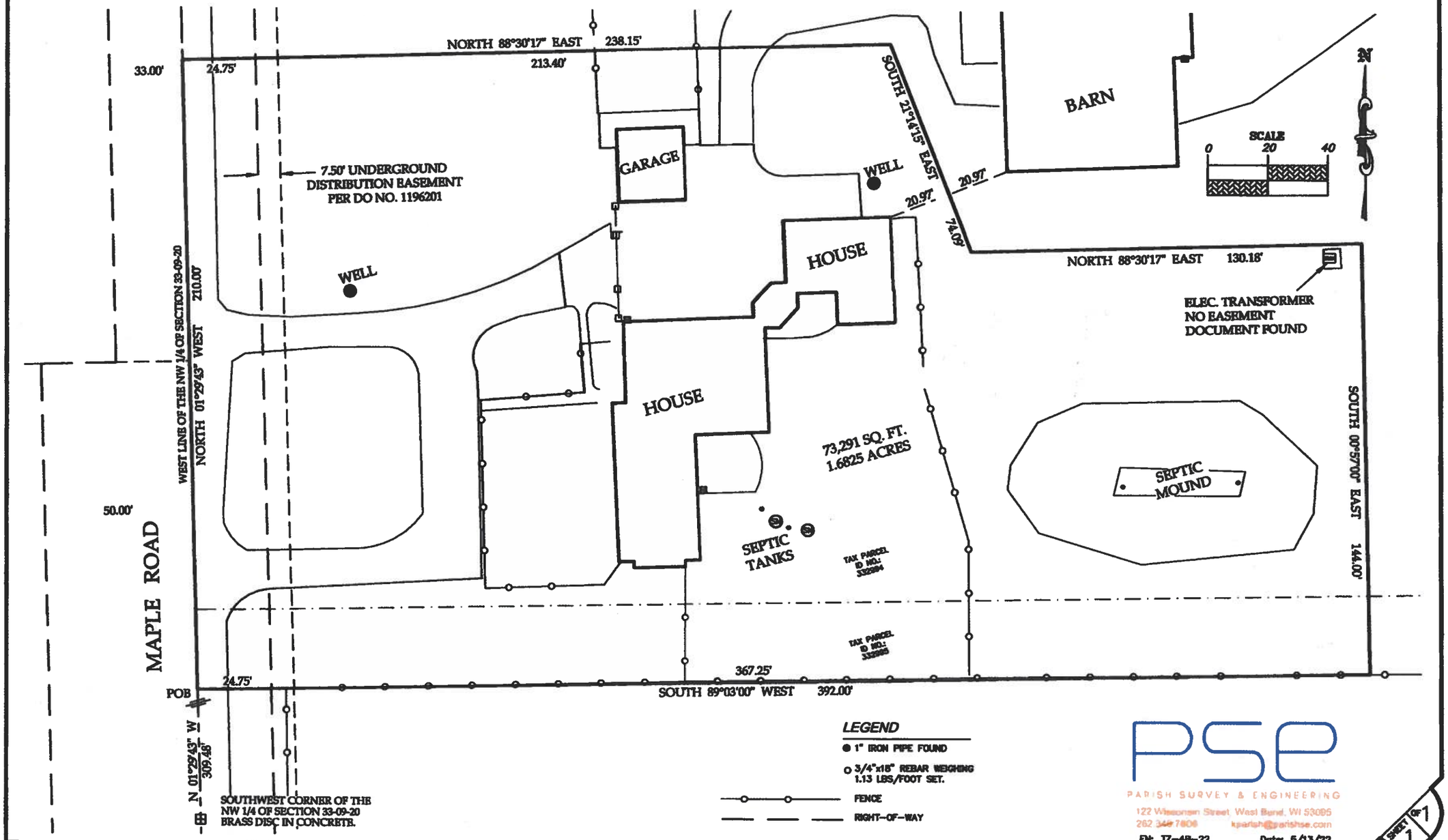
DEAN WOLTER, VILLAGE PRESIDENT DEANNA BRAUNSCHWEIG, VILLAGE CLERK

REVISED NOVEMBER 30, 2022

PSE
122 Wisconsin Street, West Bend, WI 53095
262.346.7800 kparish@parishse.com

FN: TZ-48-22 Date: 10/3/22

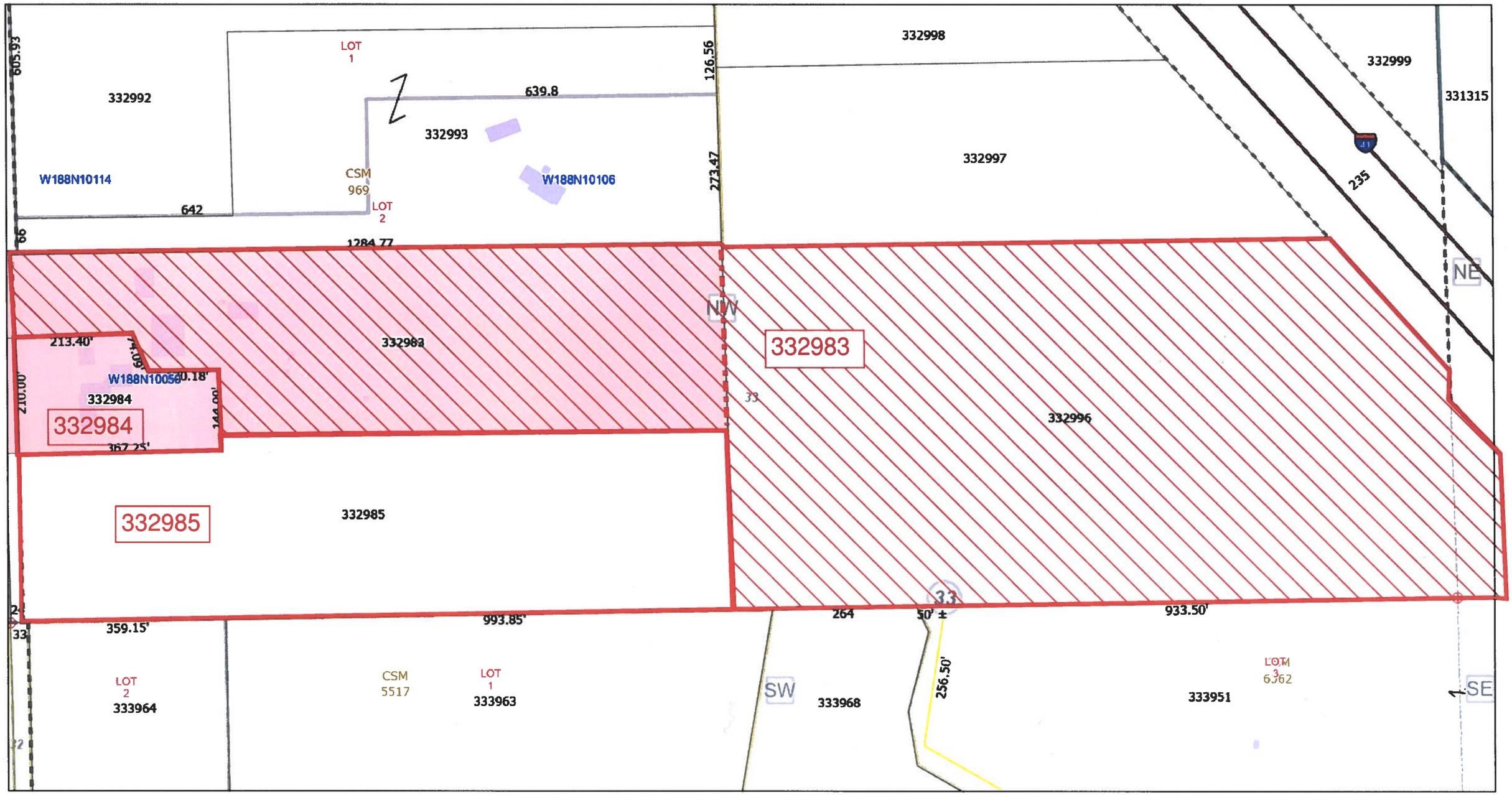
EXHIBIT B



PSE
PARISH SURVEY & ENGINEERING
122 Wisconsin Street, West Bend, WI 53095
262 344-7808 kparish@parishse.com

FN: TZ-48-22 Date: 5/13/22

SHEET 1 OF 1



8/4/2022, 8:34:48 AM

1:2,066

0 0.025 0.05 0.1 mi

0 0.04 0.08 0.16 km

- Current Parcel
- Railroad Centerlines

Road Centerline I, USH

- Interstate Highway, I-41
- US Highway,Hy 45; US Highway,Fond Du Lac Ave

Road Centerline STH, CTH

- On/Off Ramp
- State Highway
- County Highway
- Address Point
- Parcel Taxkey & Acreage

Dimensions

- Parcel Dimension
- Right of Way Dimension
- Leader Lines

- Condominium Name
- Certified Survey Number
- Lot Number
- Landhook
- Meander Line
- PLSS Monument

Local Road Labels

- City/Village Street
- Private Street
- Municipality
- Retired Parcel
- Right-of-Way

Plat

- Unknown
- Condominium
- Assessor Plat; Cemetery Plat; Subdivision
- Lot
- PLSS Quarter
- PLSS Section
- PLSS Boundary

Endorsement stamp digitally applied
Please keep attached to original document

Document # 1562184
WASHINGTON COUNTY WISCONSIN
2022-05-31 12:09:00 PM
Sharon A. Martin
SHARON A MARTIN
WASHINGTON COUNTY
REGISTER OF DEEDS
Fee: $30.00
Fee Exempt: 13
Return via MAIL (REGULAR)
Pages: 3

State Bar of Wisconsin Form 3-2003
QUIT CLAIM DEED

Document Number | Document Name

THIS DEED, made between SHAWN BESCHTA ("Grantor," whether one or more), and SHAWN BESCHTA ("Grantee," whether one or more).

Grantor quit claims to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in WASHINGTON County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

See Exhibit A and Exhibit B, attached.

Recording Area 3

Name and Return Address
PARISH S & B
122 Wisconsin Street
West Bend, WI 53095

GTNV-332994, GTNV-332995
Parcel Identification Number (PIN)

This _____ homestead property.
(is) (is not)

McKenzie Berg NOTARY PUBLIC STATE OF WISCONSIN

Dated 5/26/22

Shawn Beschta (SEAL) _____ (SEAL)
* Shawn Beschta * _____

_____ (SEAL) _____ (SEAL)
* _____ * _____

AUTHENTICATION

Signature(s) _____

authenticated on 06/27/2022

*

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:
J. Scott Henkel

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
WASHINGTON COUNTY)

Personally came before me on MAY 27, 2022,
the above-named SHAWN BESCHTA
to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

McKenzie Berg
*
Notary Public, State of Wisconsin
My Commission (is permanent) (expires: 3/15/25)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

© 2003 STATE BAR OF WISCONSIN

* Type name below signatures.

EXHIBIT A

LEGAL DESCRIPTION

PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, COUNTY OF WASHINGTON, STATE OF WISCONSIN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 33;
THENCE NORTH 01°29'43" WEST, 309.48 FEET, ALONG THE WEST LINE OF SAID NORTHWEST 1/4 TO THE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE CONTINUE NORTH 01°29'43" WEST, 210.00 FEET, ALONG SAID WEST LINE;
THENCE NORTH 88°30'17" EAST, 238.15 FEET;
THENCE SOUTH 21°14'15" EAST, 74.09 FEET;
THENCE NORTH 88°30'17" EAST, 130.18 FEET;
THENCE SOUTH 00°57'00" EAST, 144.00 FEET;
THENCE SOUTH 89°03'00" WEST, 392.00 FEET, TO THE POINT OF BEGINNING.

SITE PLAN APPLICATION

12/12/22 Plan Commission Meeting

Buzdum's Pub & Grill / Buzdum Trust

Staff Report & Recommendation **Germantown, Wisconsin**

Summary

Peter Lalonde, Preferred Concepts LLC, agent for the Buzdum Trust, property owner, is requesting Site Plan approval for a 1,055 sqft enclosed patio expansion to the Buzdum's Pub & Grill building located at W188 N10515 Fawn Lane.

Property Location: W188 N10505 Fawn Lane (near US41 @ Maple Road overpass)

Agent/
Property Owner:

Peter Lalonde	Boro Buzdum
Preferred Concepts LLC	Buzdum Trust
231 Scenic Road	316 Kames Court
Colgate, WI	Slinger, WI

Current Zoning: B-3: General Business

Adjacent Land Uses		Zoning
North	Institutional/Agricultural	I/A-1
South	Residential	Rs-3
East	Business/Commercial	B-5
West	Institutional/Industrial	I/M-1



Proposal

Peter Lalonde, Preferred Concepts LLC, agent for the Buzdum Trust, property owner, is requesting Site Plan approval for a 1,055 sqft enclosed patio expansion to the Buzdum's Pub & Grill building located at W188 N10515 Fawn Lane.

As presented in the site development and building plans, the proposed patio expansion includes the following features:

- 1,055 sqft concrete pavement addition (west/rear elevation)
  - 118 sqft smoker lounge
  - 487 sqft covered seating
  - 242 sqft cooler equipment area
  - 208 sqft uncovered patio
- Smoker lounge & covered patio to be enclosed w/ vertical corrugated metal wall panels (brown) three (3) aluminum-framed glass panel overhead garage style doors, and metal roofing (brown)
- 60" wide asphalt sidewalk (along south side of building)

Specifications for the garage doors and color chips for the metal wall panels are provided.

Landscaping & Lighting

No changes to the existing landscape are proposed. No exterior lighting will be installed.

Parking, Access & traffic Circulation

Access is provided to/from Fawn Lane that abuts the existing paved parking lot on the east side of the building with space for approximately 35 vehicles (poorly marked). No additional parking stalls are proposed at this time.

Storm Water Management

Between the proposed building and parking lot expansion impervious area will increase by 1,055 sqft. While no calculations are provided for the overall 4.97 acre parcel, a majority of the site is undeveloped and open space. The additional pavement does not meet storm water management requirements; however, the Village Engineer is requiring that a post-construction grading plan be provided to ensure positive drainage is achieved.

Utilities

The site is served by a private well and 6,000 gal sanitary holding tank. The Washington County Land Resources Division that oversees permitting for all on-site sanitary systems in Germantown has indicated that the existing holding tank is sufficient but suggests that further evaluation may be necessary depending on additional seating capacity provided by the patio expansion.

Staff Comment

Planning & Zoning

This 4.97-acre parcel is located in a B-3: General Business District. The B-3 District was assigned to already developed commercial properties that didn't/couldn't meet the other B-1 or B-2 Business District regulations at the time the current Zoning Code was initially adopted (1981). Arguably, the B-3 District was created to accommodate pre-existing properties that would have otherwise become "non-conforming" if assigned to another business district. For this reason, the B-3 District has very liberal use restrictions and bulk requirements, e.g. setbacks, so that the pre-existing uses and structures could continue to be used and expanded without the restrictions of being a "non-conforming" property. This property was developed prior to 1963 with some type of commercial retail or office use as far back as the 1970's and before the Maple Road/US41 overpass was constructed. The building has been used as a bar/restaurant (1st floor) and office space (2nd floor) for the last 15+ years under various operators.

This property was classified in the former 2020 Land Use Plan as "Commercial"; more so out of recognition of the pre-existing business use than in anticipation of it being redeveloped as part of a lager commercial area or corridor as is the case along Mequon and County Line Road. Under the new 2050 Plan, this property lies within the new "Schoen Laufen-Menomonee River District". Under the 2050 Plan, the existing business use of the property would be allowed to continue with expansion considered on a case-by-case basis.

Work on the patio expansion was started this past summer with the concrete already poured and refrigerator equipment area roof already installed. The existing covered patio shown on Sheet A1.0 was also installed without permits or approvals. For these reasons, staff is recommending the "double fee" penalty for beginning construction without permits or approvals be assessed and paid prior to issuance of any building permits. Review of the adequacy of the existing patio enclosure for commercial building code compliance will be conducted as part of the commercial plan review required.

Fire Department/Police Department

The Fire Department is requiring a pre-occupancy inspection and will need to establish a maximum seating capacity (if applicable).

Utilities

The Washington County Land Resources Division that is responsible for on-site sanitary system permitting indicates in a December 1, 2022 permit review report that the existing holding tank size appears to be sufficient but suggests that further evaluation may be necessary depending on additional seating capacity provided by the patio expansion.

Building Inspection Services

Building Inspection services has indicated that commercial plan approval of detailed construction plans will be required prior to issuing a building permit along with the required occupancy bond (that may be reduced from $20,000 to $5,000 due to the minor addition proposed).

Public Works Department/Village Engineer/Village Surveyor
The Public Works Department has recommended a few minor plan revisions set forth in an October 20, 2022 review memo from the Director of Public Works (copy attached), including a post-construction grading plan be provided to ensure positive drainage is achieved. These plan corrections will need to be addressed in a revised plan set or supplemental information submitted for review and approval prior to issuance of a building permit.

VILLAGE STAFF RECOMMENDATION

APPROVE the site development & building plans for a 1,055 sqft enclosed patio expansion to the Buzdum's Pub & Grill building located at W188 N10515 Fawn Lane subject to the following (10) conditions:

1. This approval is subject to all the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the following plans unless superseded by subsequent plan sheets approved by the Village Planner or Engineer pursuant to revisions required herein and/or by the Plan Commission:
    a. Architectural plan set revised November 29, 2022

2. All plan corrections required by the Public Works Director in the October 20, 2022 review memo shall be addressed and reflected in revised plans and/or supplemental information reviewed and approved by the Village Engineer prior to issuance of a building permit.

3. Commercial building plan approval and submittal of a $5,000 occupancy bond are required by Inspection Services prior to the issuance of building and occupancy permits. The Village of Germantown is an authorized delegated agent of DSPS to provide all commercial plan review and inspection services through SAFEBuilt of WI and the Village of Germantown.

4. All site plan approval and building permit fees shall be double and paid in advance of issuing any building permits.

5. A pre-occupancy inspection of the enclosed patio area shall be conducted by the Fire Department in cooperation with the final inspection required by Inspection Services. A maximum building capacity shall be determined by the Fire Department if not already determined through the commercial plan review approval.

Engineering Department Memorandum

To : Jeffrey W. Retzlaff, AICP, Planning Director/Zoning Administrator

From : Lawrence Ratayczak, P.E., Director of Public Works

Date : October 20, 2022

Re : Buzdum Restaurant – Site Plan Review

Items Reviewed:

1. Site Plan Dated: 09-01-22

General Comments:

1. Please respond to each item below. **A written response addressing each item shall be included in your submittal**.
2. The submitted plans have been reviewed for general conformance with State and Village design guidelines. Additional comments could arise as a result of the plan completion and modifications. The items listed below will need to be fully resolved before the Engineering Dept. can recommend a formal approval of the plans and permit for construction.
3. As-builts prepared to Village standards shall be prepared and provided to the Village post-construction (for all applicable items).
4. A professional engineer's original seal is to be affixed, signed and dated on the final set of construction plans.
5. As a guide to the review response: Items in *italics* are resolved or acknowledged, items in regular font are to be addressed yet, items in **Bold** are additional feedback to remaining original comment.
6. Provide a site survey with topography prepared by a licensed land surveyor.
7. Provide a dimensioned site and grading plan prepared by a licensed professional engineer.
8. It appears the septic system for the building will be located on Lot 2. Provide information on how sewage for lot 1 will be managed.
9. It appears the parking lot may have to be reconfigured for the access to the storage buildings. Provide a dimensioned site plan showing how the parking lot will be configured.

Village of Germantown ...Willkommen

Fee must accompany application
- [x] $700 Minor Addition
- [ ] $1,240 Construction <10,000 SF
- [ ] $2,095 Construction 10,000 SF to 50,000
- [ ] $3,460 Industrial Construction >50,000 SF
- [ ] $3,460 Commercial Construction >50,000
- [ ] $200 Plan Commission Consultation
- [ ] $125 Fire Department Plan Review

PAID [illegible] DATE 9/20/22

SITE PLAN REVIEW APPLICATION

Pursuant to Section 17.43 of the Municipal Code

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

1 **APPLICANT OR AGENT**

Preferred Concepts LLC
231 Scenic Road
Colgate, WI 53017

Phone (414) 208-7380
E-Mail peter@preferredconcepts.Net
Peter

PROPERTY OWNER

Boro Buzdum
W188 N10515 Maple Road
Germantown, WI 53022

Phone (262) 844-9429
E-Mail Borobuzdum@gmail.com

2 **PROPERTY ADDRESS**

W188 N10515 Maple Road
Germantown WI 53022

3 **NEIGHBORING USES** – Specify name and type of use, e.g. Enviro Tech – Industrial, Smith – Residential, etc.

North	South	East	West

4 **READ AND INITIAL THE FOLLOWING:**

[illegible] I am aware of the Village of Germantown ordinance requiring fire sprinklers in most new construction.

[illegible] I understand that all new development is subject to Impact and/or Connection Fees that must be paid before building permits will be issued.

[illegible] I understand that an incomplete application will be withdrawn from the Plan Commission agenda and that all resubmissions to the Plan Commission are subject to a new application fee.

5 **SIGNATURES** – ALL APPLICATION MUST BE SIGNED BY OWNER!

Preferred Concepts LLC — Applicant — Date

[illegible] 9-21-2022 — Owner — Date

We are looking to do the follow work at Buzdums Bar and Grill. Add 6 feet to the existing covered patio, add three glass garage doors and sheet the outer walls with corrugated metal. We also want to add a smoking room off the covered patio and cover the outside coolers with a roof. This work with make the North side of the building look more aesthetically pleasing.

Regards,

Peter LaLonde
Preferred Concepts LLC
231 Scenic Road
Colgate, WI. 53017
414-708-7380
peter@preferredconcepts.net

PROJECT NAME:

Buzdums
Pub & Grill
W188 N10515 Maple Road
Germantown, WI 53022

DRAWING INDEX :

ARCHITECTURAL:

T 1.0	TITLE SHEET
C 1.0	SITE DEVELOPMENT PLAN
A 1.0	PLANS
A 2.0	ELEVATIONS
A 3.0	SECTIONS
A 3.1	SECTIONS

MECHANICAL, ELECTRICAL, PLUMBING & FP
DESIGN - BUILD

DELIVERY METHOD:
HVAC, PLUMBING, ELECTRICAL AND FIRE PROTECTION WILL BE PERFORMED ON A DESIGN/BUILD BASIS. THE DESIGN/BUILD SUBCONTRACTORS ARE TO SUBMIT PLANS AND SPECIFICATIONS FOR PLAN REVIEW AND PERMIT INDEPENDENTLY OF THIS SUBMITTAL

CODE SUMMARY :

CODE AND PROJECT SCOPE:
2015 IEBC / 2015 IBC / SPS 362
CHAPTER 11 ADDITIONS

ACCESSIBILITY CODE:
2015 IBC / SPS 362
2015 ICC/ANSI A117.1-2009 ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES

MECHANICAL CODE: 2015 IMC / SPS 364

PLUMBING CODE: 2016 WISCONSIN PLUMBING CODE SPS 381-387

ELECTRICAL CODE: 2017 NFPA 70 NEC / SPS 316

ENERGY CODE: 2015 IECC / SPS 363

PROJECT AREA

COMMERCIAL BUILDING - TWO STORY	3,125 SF/FLOOR
TOTAL ENCLOSED AREA (W/O. BAR)	605 SF COVERED ROOF AREA
TOTAL PAVED AREA	1055 SF COVERED ROOF AREA

USE and OCCUPANCY
GROUP A-2 "ASSEMBLY" - FIRST FLOOR
GROUP B "BUSINESS" - SECOND FLOOR

EGRESS / OCCUPANT LOAD
BUILDING OCCUPANT LOAD PER IBC TABLE 1004.2.1
EXISTING RESTAURANT = 1800 SF/ 1 PER 15 = 120
NEW COVERED PATIO AREA w/BAR = 918 SF = 1 PER 15 = 62
IBC TABLE 1006.2.1. - SPACES WITH 1 EXIT = 750 OCCUPANTS, NON-SPRINKLERED A-2 OCCUPANCY = 75 FT COMMON PATH

FIRE PROTECTION SYSTEMS
NON-SPRINKLERED

CLASS OF CONSTRUCTION
TYPE 5-B (NON-RATED COMBUSTIBLE)

STRUCTURAL FRAMING	0 HOUR
BEARING WALLS (EXT.)	0 HOUR
BEARING WALLS (INT.)	0 HOUR
NON-BEARING WALLS (EXT.)	1 HOUR (< 5 ft.) 1 HOUR (5 ft. TO 10 ft.) 0 HOUR (10 ft. TO 30 ft.) 0 HOUR (> 30 ft.)
NON-BEARING WALLS (INT.)	0 HOUR
FLOOR CONSTRUCTION	0 HOUR
ROOF CONSTRUCTION	0 HOUR

ACCESSIBILITY REQUIREMENTS
ALL FIXTURES, HARDWARE ETC. TO MEET CURRENT ACCESSIBILITY REQUIREMENTS OF IBC CHAPTER 11 AND ANSI 117.1-2009

BOTTLED WATER PROVIDED BY TENANT PER SPS 362.2902 (2)

GENERAL CONDITIONS:

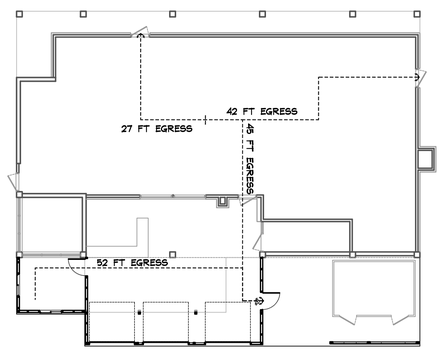
1. SCOPE OF DRAWINGS: THESE DRAWINGS INDICATE THE GENERAL SCOPE OF THE PROJECT IN TERMS OF ARCHITECTURAL DESIGN INTENT, THE DIMENSIONS OF THE BUILDING, THE MAJOR ARCHITECTURAL ELEMENTS AND THE TYPE OF STRUCTURAL, MECHANICAL AND ELECTRICAL SYSTEMS. THE DRAWINGS DO NOT NECESSARILY INDICATE OR DESCRIBE ALL WORK REQUIRED FOR FULL PERFORMANCE AND COMPLETION OF THE REQUIREMENTS OF THE CONTRACT, ON THE BASIS OF GENERAL SCOPE INDICATED OR DESCRIBED, THE TRADE CONTRACTORS SHALL FURNISH ALL ITEMS REQUIRED FOR THE PROPER EXECUTION AND COMPLETION OF THE WORK INTENDED.
2. ALL CONTRACTORS SHALL BE RESPONSIBLE TO INSTALL ALL ITEMS SPECIFIED USING CONSTRUCTION THAT WILL PROTECT AT ALL TIMES, PROPERTY AND PREVENT BODILY INJURY AND/ OR DEATH. SPECIAL ATTENTION AND PRECAUTION SHALL BE PAID BY THE CONTRACTORS IN SELECTING THE SAFEST METHODS OR MEANS FOR THE INSTALLATION.
3. THE ARCHITECT/ ENGINEER HAS NO CONTRACTUAL DUTY TO CONTROL THE SAFEST METHODS OR MEANS OF THE WORK, JOB SITE RESPONSIBILITIES, SUPERVISION OR TO SUPERVISE SAFETY AND SHALL NOT ASSUME ANY SUCH DUTY OR RESPONSIBILITY.
4. ALL WORK SHALL BE EXECUTED IN A WORKMAN LIKE MANNER AND IN STRICT ACCORDANCE WITH FEDERAL, STATE AND LOCAL CODES AND ORDINANCES AND ALL AUTHORITIES HAVING JURISDICTION AND ACCEPTED BY THE ARCHITECT AND LEFT IN PERFECT OPERATING CONDITION.
5. ALL CONTRACTORS SHALL VISIT THE SITE AND BECOME FAMILIAR WITH ALL EXISTING CONDITIONS PRIOR TO SUBMITTING THE FINAL BID, IF THERE ARE ANY DISCREPANCIES, NOTIFY THE ARCHITECT AT ONCE.
6. ALL CONTRACTORS SHALL CAREFULLY REVIEW THE DRAWINGS AND OTHER CONTRACT DOCUMENTS PRIOR TO SUBMITTING THE FINAL BID, IF THERE ARE ANY DISCREPANCIES, EACH CONTRACTOR SHALL NOTIFY THE ARCHITECT AT ONCE.
7. ALL WORK SHALL BE PERFORMED IN A WORKMAN LIKE MANNER. EACH CONTRACTOR SHALL INCLUDE LABOR, MATERIALS, TOOLS, EQUIPMENT, ETC., FOR THE COMPLETE CONSTRUCTION OF WORK INDICATED AND SPECIFIED BY THE DRAWINGS AND SPECIFICATION. MATERIALS AS SPECIFIED ON DRAWINGS SHALL BE USED. SUBSTITUTIONS OF MATERIALS WILL NOT BE ALLOWED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT, CONTRACTOR SHALL AMEND AND MAKE GOOD AT THEIR OWN COST, ANY DEFECTS OR OTHER FAULTS IN THEIR WORKMANSHIP AND/ OR MATERIAL, CONTRACTOR IS TO CLEAN UP DEBRIS INSIDE AND OUTSIDE THE BUILDING SITE WHICH HAS BEEN CAUSED BY THEIR WORK.
8. NON-BEARING PARTITIONS ARE TO BE LAID OUT SO THAT STOCK COMPONENTS WILL FIT EXACTLY WITHIN INDICATED DIMENSIONS. THE GENERAL TRADES CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE PROCEEDING WITH WORK AND NOTIFY ARCHITECT AT ONCE OF ANY DISCREPANCIES PRIOR TO COMMENCING WORK.
9. PLUMBING SCHEMATIC DRAWINGS, HVAC DRAWINGS, SEWER MAINS, ELECTRICAL OUTLETS, SWITCHES, LIGHT LOCATIONS FOR ROUTING ALL PLUMBING, HEATING, VENTILATING, AND ELECTRICAL WORK IS TO BE COORDINATED BETWEEN THE TRADES AFFECTED BY THE WORK AS PART OF THEIR INSTALLATION LAYOUT. NO PLUMBING, HEATING, VENTILATING, OR ELECTRICAL INFORMATION IS TO BE SCALED FROM THE DRAWINGS, ON-SITE VERIFICATION OF ALL DIMENSIONS AND CONDITIONS SHALL BE THE RESPONSIBILITY OF EACH CONTRACTOR.
10. DO NOT SCALE DRAWINGS.

GENERAL CONSTRUCTION NOTES:

1. EACH CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS AT THE BUILDING SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECT IN WRITING PRIOR TO PROCEEDING WITH THE WORK.
2. EACH CONTRACTOR SHALL BE RESPONSIBLE FOR UNLOADING, STORING, INSPECTION FOR DAMAGE WHEN RECEIVED AND LOSS FROM SITE AND/ OR DAMAGE AFTER RECEIPT FOR ALL MATERIALS FURNISHED BY OWNER.
3. NO PRODUCT SUBSTITUTION WILL BE ALLOWED WITHOUT THE WRITTEN APPROVAL OF THE OWNER OR ARCHITECT REPRESENTATIVE.
4. ALL WORK TO BE NEW EXCEPT WHERE INDICATED AS EXISTING.
5. EACH CONTRACTOR SHALL INSURE THAT ALL BUILDING WORK WILL COMPLY WITH APPLICABLE NATIONAL, STATE AND LOCAL CODES GOVERNING AUTHORITIES AND UNDERWRITER REGULATIONS.
6. ALL OPENINGS AND OTHER PROVISIONS NECESSARY FOR INSTALLATION OF ARCHITECTURAL, PLUMBING, HEATING, VENTILATING, FIRE PROTECTION, ELECTRICAL OR OWNERS APPARATUS AND EQUIPMENT, MUST BE VERIFIED WITH THE SPECIFIC TRADES INVOLVED AND WITH OWNERS REPRESENTATIVE PRIOR TO INSTALLATION AND MUST BE OF SIZE, LOCATION, CONFIGURATION, ETC., REQUIRED.
7. ALL CONTRACTORS MUST EXERCISE EXTREME CARE SO AS NOT TO DAMAGE EXISTING CONSTRUCTION ITEMS AND SHALL BE RESPONSIBLE FOR INITIATING, MAINTAINING AND SUPERVISING ALL SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK.
8. ALL NEW PARTITIONS WHICH ARE TO EXTEND TIGHT UP TO THE FLOOR OR ROOF CONSTRUCTION ABOVE, ARE TO BE CUT TO FIT AROUND BEAMS, JOISTS, DUCTS, CONDUITS, PIPES, HANGERS, ETC. ALL SUCH CUTS SHALL BE ACCURATE AND STRAIGHT AND BE SEALED WITH APPROPRIATE FIRESTOPPING, MORTAR OR TAPE AND COMPOUND AND MADE AIRTIGHT.
9. AT ALL LOCATIONS WHERE FLOOR IS TO BE CUT TO PROVIDE FOR NEW FLOOR POWER OR PLUMBING, SLAB IS TO BE REPAIRED FLUSH WITH AND TO MATCH EXISTING ADJACENT FLOOR SLAB CONSTRUCTION.



LOCATION MAP
NO SCALE



EGRESS PLAN
N.T.S.



Professional Seal

THE CUSTOM HOUSE LLC
ARCHITECTURE UNLIMITED

RESIDENTIAL
COMMERCIAL

1506 S. 58th STREET
WEST ALLIS, WI 53214
PHONE (414) 617-0352

Buzdums
Pub and Grill
W188 N10515 Maple Road
Germantown, WI 53022

All Rights Reserved

OWNERSHIP OF DOCUMENTS
This document, and the ideas and design incorporated herein, as an instrument of professional service, is the sole property of The Custom House LLC, and is not to be used in whole or in part for any other project or purpose without the expressed written authorization of The Custom House LLC.

COPYRIGHT 2022

Sheet Contents

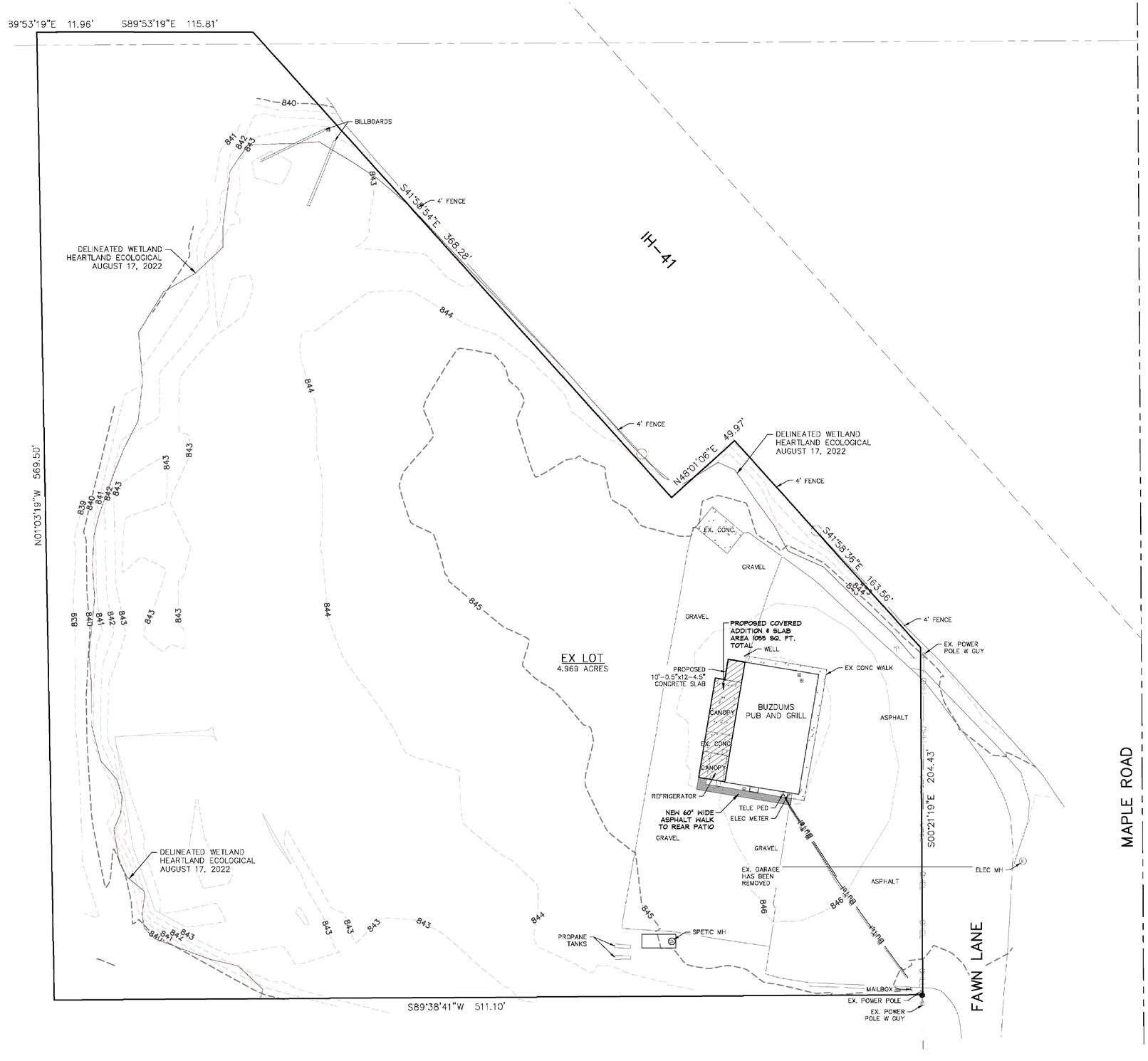
TITLE PAGE
--
--
--
--

Issued For:	Date:
Prelim 1	13 Sept, 2022
Construction	19 Sept, 2022
Construction Rev	29 Nov, 2022

Drawn By:	DG
Checked By:	DG
Date:	01 Sept, 2022
Job Number:	22.039

Sheet Number

T 1.0



NOTE:
SURVEY INFORMATION TAKEN
FROM AN INSTRUMENT BY
PSE
PARISH SURVEY & ENGINEERING
122 Wisconsin Street
West Bend, WI 53095

NORTH

4 SITE DEVELOPMENT PLAN

1" = 30'-0"

THE
CUSTOM
HOUSE LLC
ARCHITECTURE UNLIMITED

RESIDENTIAL
COMMERCIAL

1506 S. 58th STREET
WEST ALLIS, WI 53214
PHONE (414) 617-0352

Buzdums
Pub and Grill
W188 N10515 Maple Road
Germantown, WI 53022

All Rights Reserved

OWNERSHIP OF DOCUMENTS

This document, and the ideas and design incorporated herein, as an instrument of professional service, is the sole property of The Custom House LLC, and is not to be used in whole or in part for any other project or purpose without the expressed written authorization of The Custom House LLC.

COPYRIGHT 2022

Sheet Contents

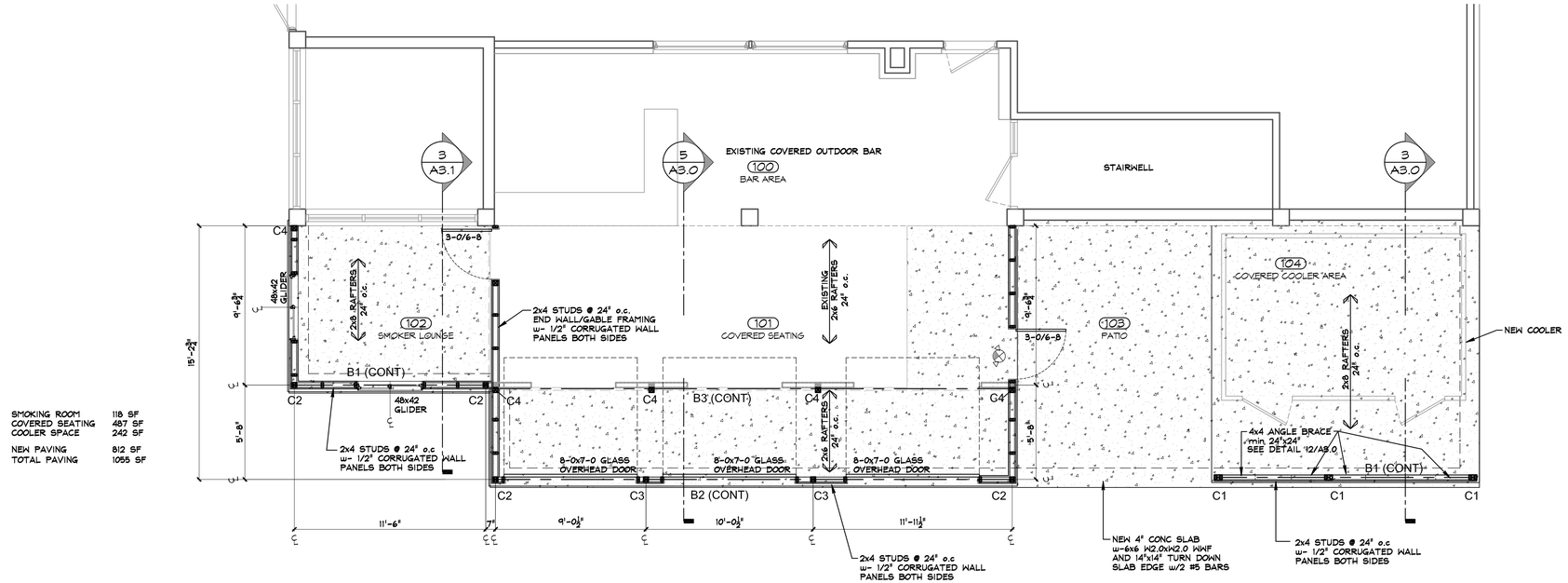
SITE DEVELOPMENT PLAN
--
--
--
--

Issued For:	Date:
Prelim 1	19 Sept, 2022
Construction	19 Sept, 2022
Construction Rev	29 Nov, 2022

Drawn By:	DG
Checked By:	DG
Date:	01 Sept, 2022
Job Number:	22.039

Sheet Number

C 1.0



SMOKING ROOM 118 SF
COVERED SEATING 487 SF
COOLER SPACE 242 SF

NEW PAVING 812 SF
TOTAL PAVING 1055 SF

4 PROPOSED PATIO FLOOR PLAN

1/4" = 1'-0"

COLUMNS

C1 4x6 PT. WOOD COLUMN
w/SIMPSON AB46 BASE AND
(2) A34 ANCHORS AT TOP TO
BEAM

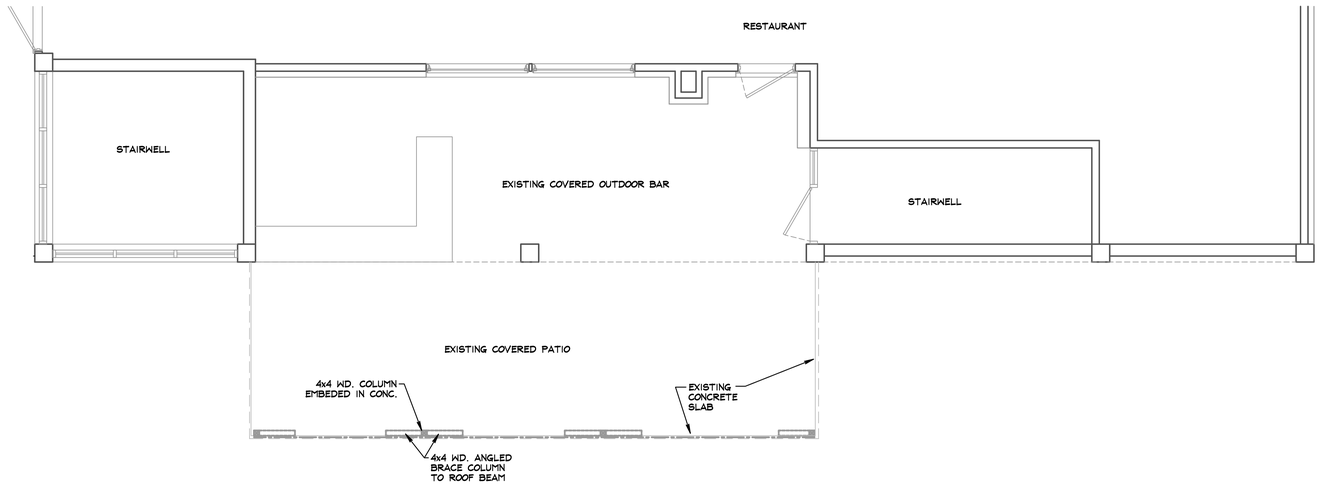
C2 4x4 PT. WOOD COLUMN
w/SIMPSON AB44 BASE AND
SIMPSON ECCQ48-SDS2.5 CAP

C3 4x4 PT. WOOD COLUMN
w/SIMPSON AB44 BASE AND
SIMPSON CCQ48-SDS2.5 CAP

C4 4x4 PT. WOOD COLUMN SISTER
TO EXISTING COLUMN w-3/8" LAG
SCREWS 32" o.c. VERT.

BEAMS

B1 (2) 2x10 SPF No.1 / No. 2 w- 1/2" PLYWD SPACER
B2 (2) 2x12 SPF No.1 / No. 2 w- 1/2" PLYWD SPACER
B3 EXISTING (2) 2x6



4 EXISTING PATIO FLOOR PLAN

1/4" = 1'-0"

THE
CUSTOM
HOUSE LLC
ARCHITECTURE UNLIMITED

RESIDENTIAL
COMMERCIAL

1506 S. 58th STREET
WEST ALLIS, WI 53214
PHONE (414) 617-0352

Buzdums
Pub and Grill
W188 N10515 Maple Road
Germantown, WI 53022

All Rights Reserved

OWNERSHIP OF DOCUMENTS

This document, and the ideas and design incorporated herein, as an instrument of professional service, is the sole property of The Custom House LLC, and is not to be used in whole or in part for any other project or purpose without the expressed written authorization of The Custom House LLC.

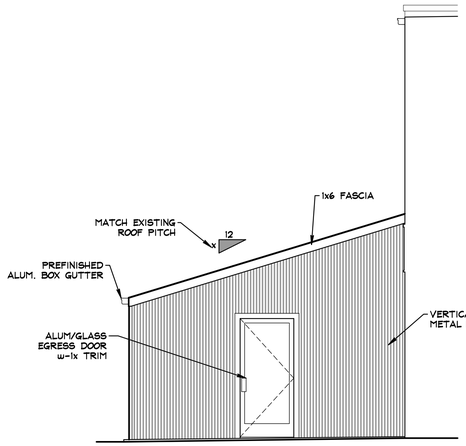
COPYRIGHT 2022

Sheet Contents
FLOOR PLANS
--
--
--
--

Issued For:	Date:
Prelim 1	13 Sept. 2022
Construction	19 Sept. 2022
Construction Rev	29 Nov. 2022

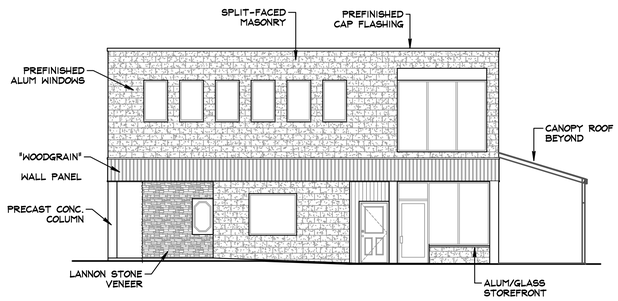
Drawn By:	DG
Checked By:	DG
Date:	01 Sept. 2022
Job Number:	22.039

Sheet Number
A 1.0



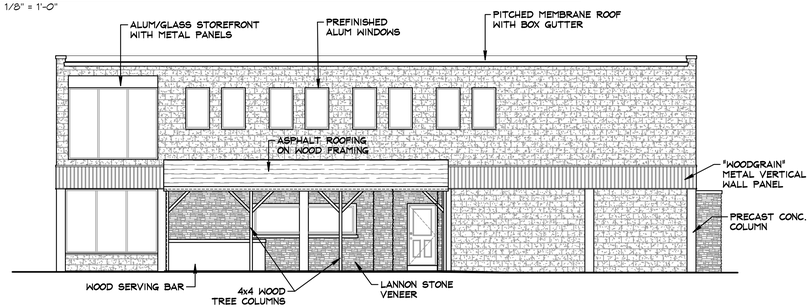
20 PROPOSED INSET ELEVATION

1/4" = 1'-0"



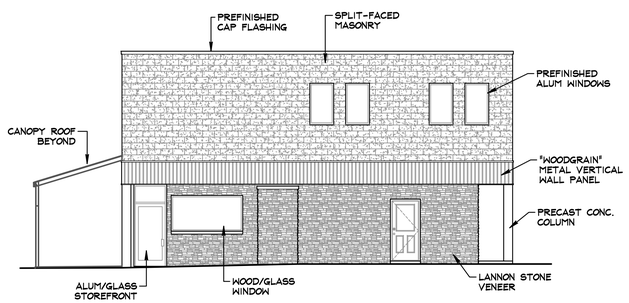
15 EXISTING RIGHT SIDE (NORTH) ELEVATION

1/8" = 1'-0"



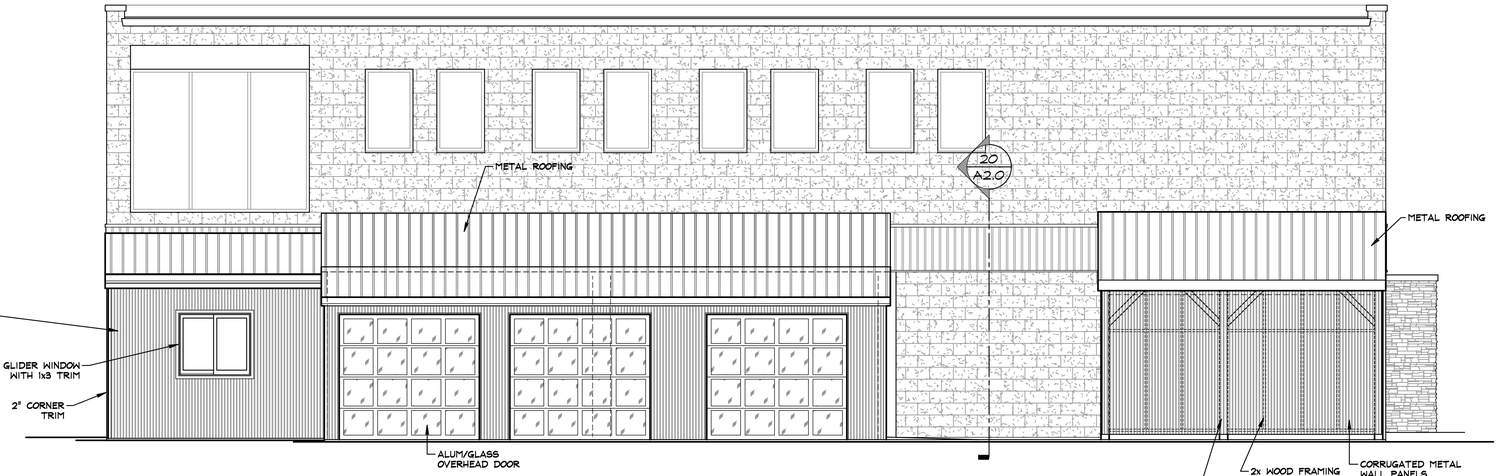
10 EXISTING REAR (WEST) ELEVATION

1/8" = 1'-0"



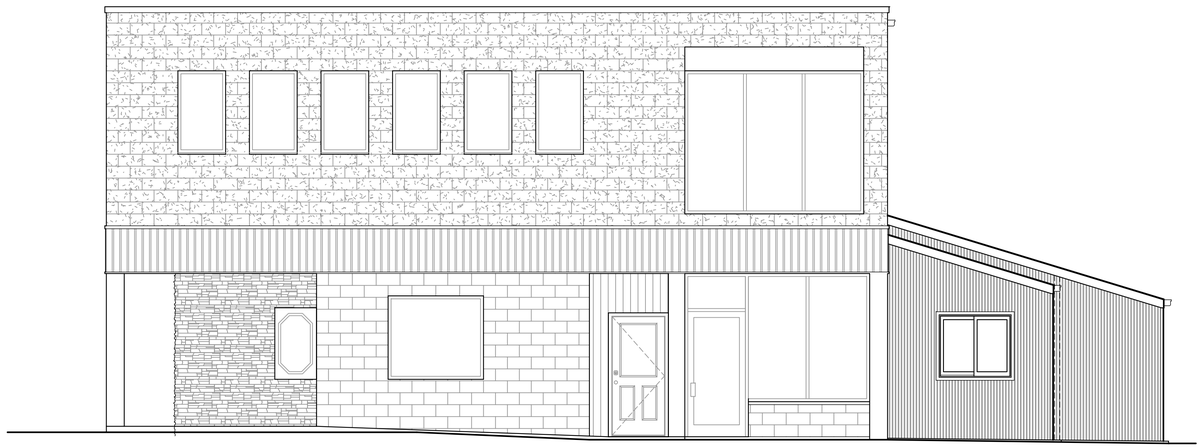
5 EXISTING LEFT SIDE (SOUTH) ELEVATION

1/8" = 1'-0"



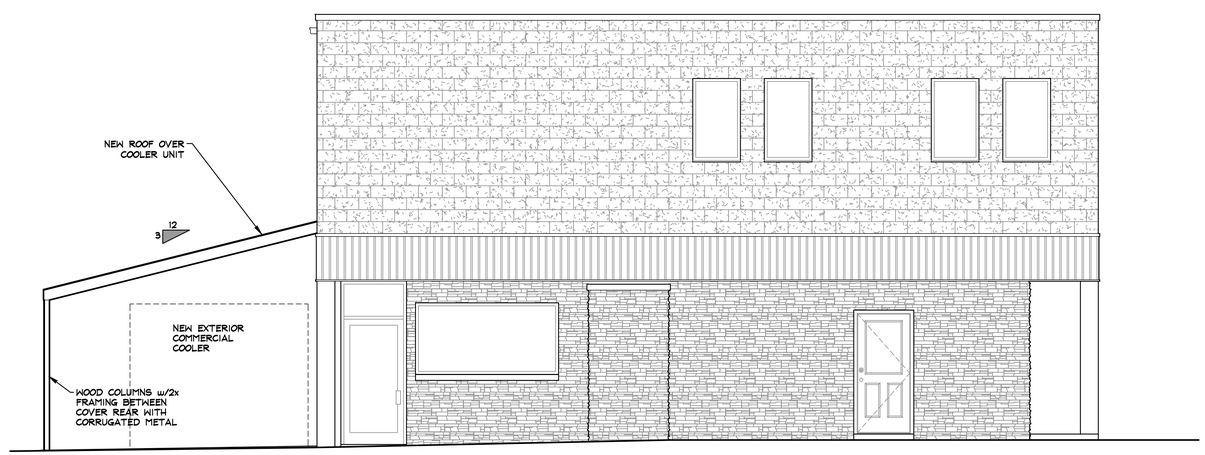
18 PROPOSED REAR (WEST) ELEVATION

1/4" = 1'-0"



8 PROPOSED RIGHT SIDE (NORTH) ELEVATION

1/4" = 1'-0"



3 PROPOSED LEFT SIDE (SOUTH) ELEVATION

1/4" = 1'-0"

THE CUSTOM HOUSE LLC

ARCHITECTURE UNLIMITED

RESIDENTIAL
COMMERCIAL

1506 S. 58th STREET
WEST ALLIS, WI 53214
PHONE (414) 617-0352

Buzdums
Pub and Grill
W188 N10515 Maple Road
Germantown, WI 53022

All Rights Reserved

OWNERSHIP OF DOCUMENTS

This document, and the ideas and design incorporated herein, as an instrument of professional service, is the sole property of The Custom House LLC, and is not to be used in whole or in part for any other project or purpose without the expressed written authorization of The Custom House LLC.

COPYRIGHT 2022

Sheet Contents

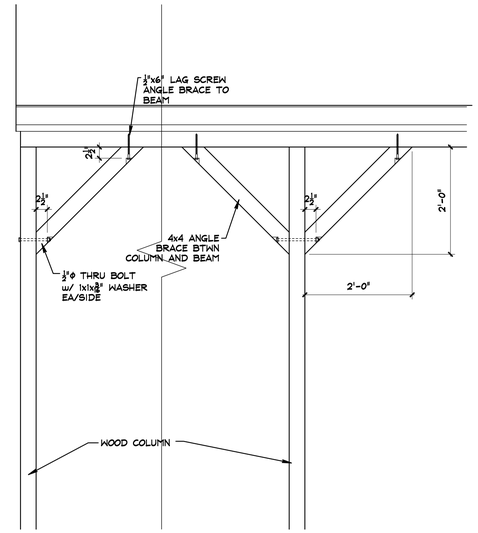
ELEVATIONS
--
--
--
--

Issued For:	Date:
Prelim 1	13 Sept, 2022
Construction	14 Sept, 2022
Construction Rev	29 Nov, 2022

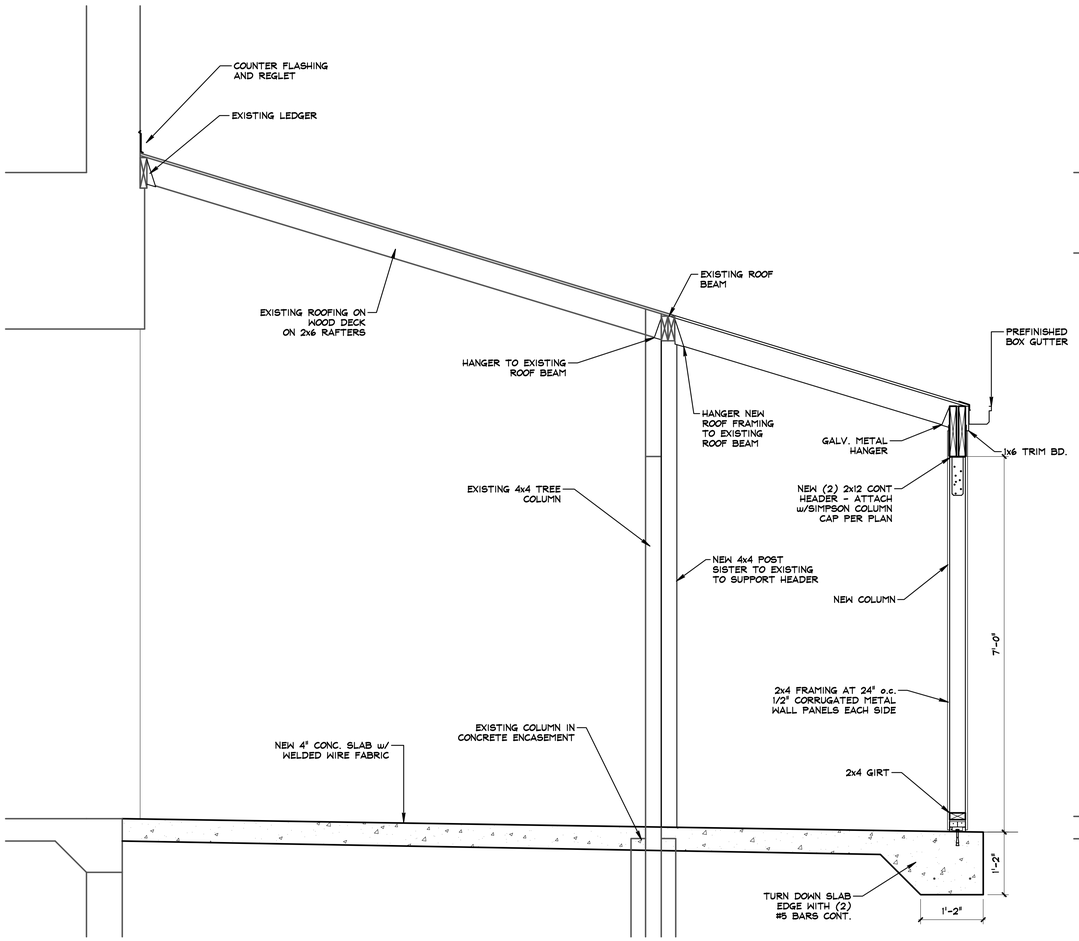
Drawn By:	DG
Checked By:	DG
Date:	01 Sept, 2022
Job Number:	22.039

Sheet Number

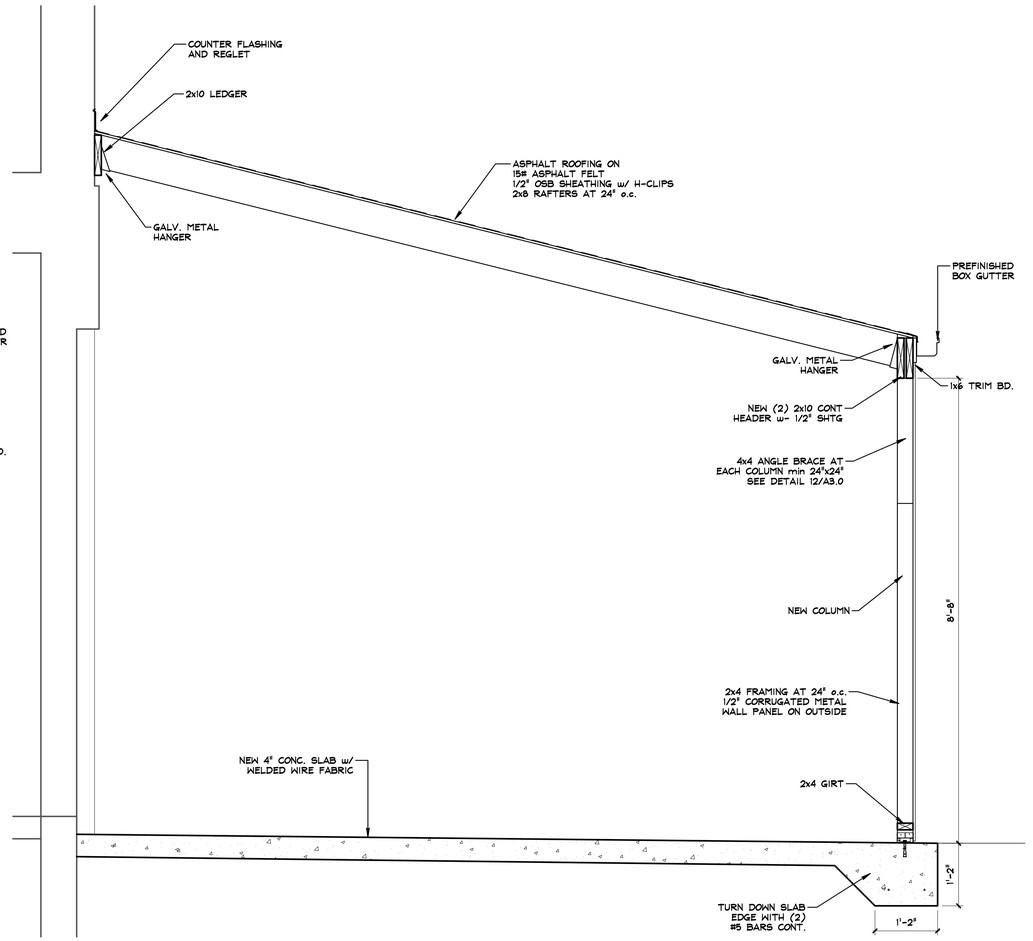
A 2.0



12 COLUMN ANGLE BRACING DETAIL
3/4" = 1'-0"



5 SECTION AT EXISTING ROOF
3/4" = 1'-0"



3 SECTION AT COOLER ROOF
3/4" = 1'-0"

THE CUSTOM HOUSE LLC
ARCHITECTURE UNLIMITED

RESIDENTIAL
COMMERCIAL

1506 S. 58th STREET
WEST ALLIS, WI 53214
PHONE (414) 617-0352

Buzdums
Pub and Grill
W188 N10515 Maple Road
Germantown, WI 53022

All Rights Reserved

OWNERSHIP OF DOCUMENTS

This document, and the ideas and design incorporated herein, as an instrument of professional service, is the sole property of The Custom House LLC, and is not to be used in whole or in part for any other project or purpose without the expressed written authorization of The Custom House LLC.

COPYRIGHT 2022

Sheet Contents

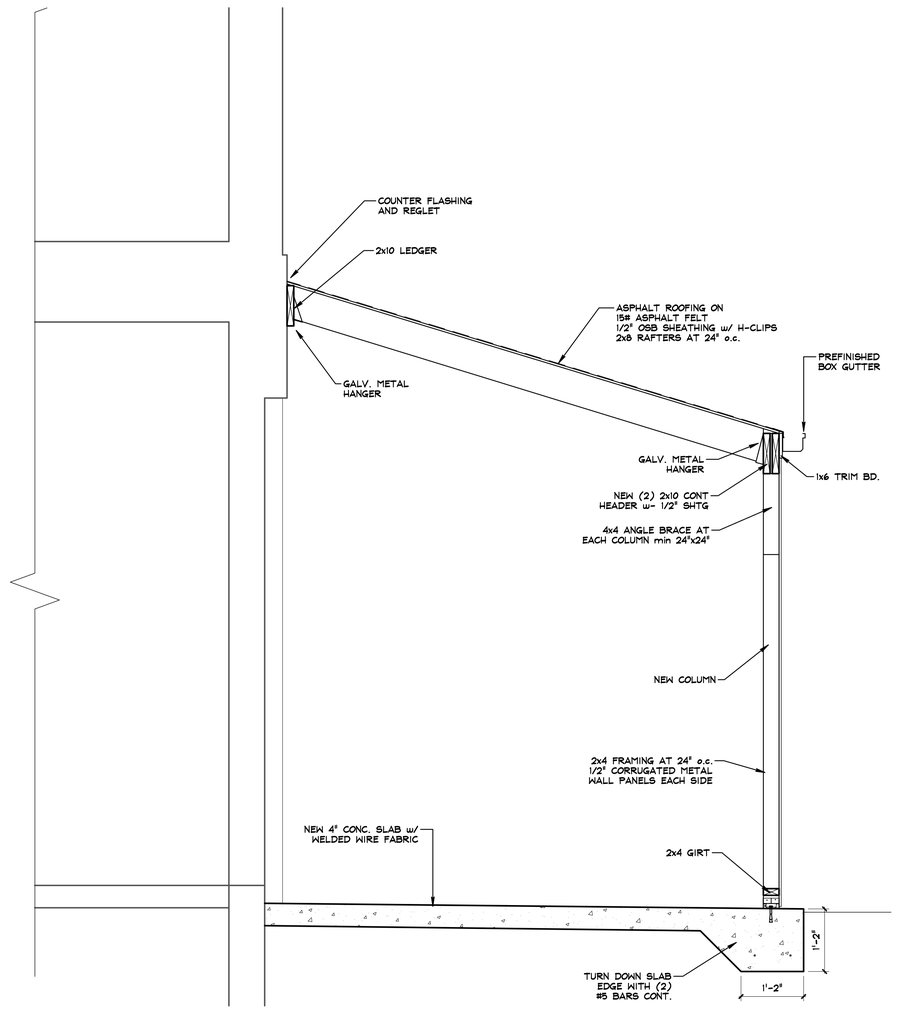
SECTIONS
--
--
--
--

Issued For:	Date:
Prelim 1	13 Sept, 2022
Construction	19 Sept, 2022
Construction Rev	29 Nov, 2022

Drawn By:	DG
Checked By:	DG
Date:	01 Sept, 2022
Job Number:	22.039

Sheet Number

A 3.0



3 SECTION AT SMOKING RM ROOF

3/4" = 1'-0"

THE CUSTOM HOUSE LLC

ARCHITECTURE UNLIMITED

RESIDENTIAL
COMMERCIAL

1506 S. 58th STREET
WEST ALLIS, WI 53214
PHONE (414) 617-0352

Buzdums
Pub and Grill
W188 N10515 Maple Road
Germantown, WI 53022

All Rights Reserved

OWNERSHIP OF DOCUMENTS

This document, and the ideas and design incorporated herein, as an instrument of professional service, is the sole property of The Custom House LLC, and is not to be used in whole or in part for any other project or purpose without the expressed written authorization of The Custom House LLC.

COPYRIGHT 2022

Sheet Contents

SECTIONS
--
--
--
--

Issued For:	Date:
Prelim 1	13 Sept, 2022
Construction	19 Sept, 2022
Construction Rev	29 Nov, 2022

Drawn By:	DG
Checked By:	DG
Date:	01 Sept, 2022
Job Number:	22.039

Sheet Number

A 3.1

PREMIUM PRO-SNAP®

POST FRAME BUILDINGS

Commercial Suburban Agricultural

PREMIUM PRO-RIB®

BRITE WHITE

WHITE

PRAIRIE WHEAT


LIGHT STONE


PINEWOOD


BEIGE




CHOCOLATE


BRONZE


BURNISHED SLATE


BROWN


BLACK

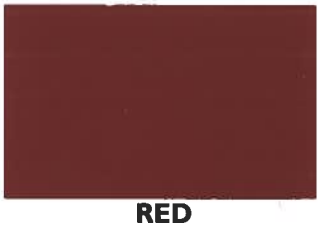

ASH GRAY

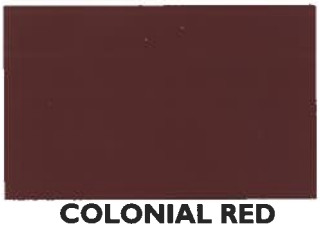

LIGHT GRAY


CHARCOAL GRAY


MIDNIGHT GRAY


BRITE RED

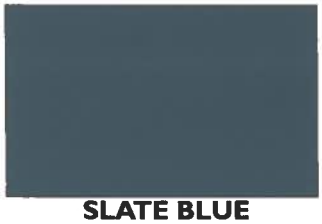

RED


COLONIAL RED


BURGUNDY


SAGE


EMERALD GREEN


SLATE BLUE


OCEAN BLUE

MENARDS®

offers the **BEST CHOICE** of Steel Building Panels for the post frame industry; plus the largest selection of Soffit, Fascia, Gutter, Vents, Trim, Trim Coil and Custom Bent Trim.


***COPPER COLORED**

Note: *Color Chips show approximate tone. Color of actual product may vary. Final color approval should be made with actual material. Samples are available at www.menards.com*

**Only Available in Premium Products*

Black Anodized Frame; Shown with Frosted Glass

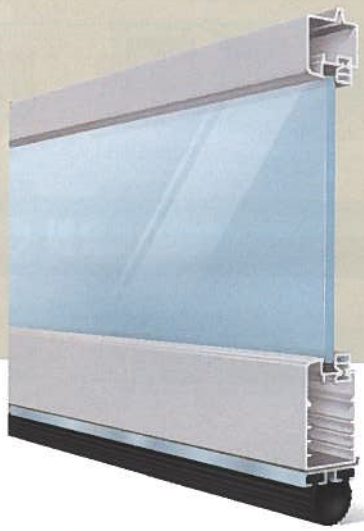


Clear Aluminum Anodized Frame; Shown with Bronze Tinted Glass

ALUMINUM GLASS PANEL

1-LAYER CONSTRUCTION

ALUMINUM FRAME + GLASS



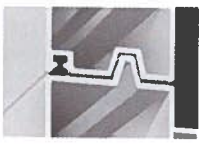
CLEAN AND SIMPLE LINES TO COMPLEMENT MODERN EXTERIORS

Aluminum Glass Panel garage doors are the perfect choice to modernize any home. A balanced, clean look with large, full-view window options are ideal for garages and even indoor room partitions

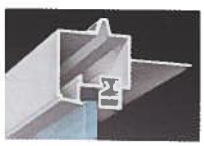
- Individual section seals increase energy efficiency
- Numerous frame, glass and panel options to complement every style and level of privacy



Frame Detail



Section Joint Seal



Reinforcing Fin (Double car doors)

Washington County

Natural Resources Department - Land Resources Division
Public Agency Center - 333 East Washington Street, Suite 2300, P.O. Box 2003, West Bend, WI 53095-2003
Phone: 262.335.4445 Toll Free: 800.616.0446 (Wisconsin Only) FAX: 262.335.6868

PERMIT APPLICATION REVIEW FORM

For Instructions & How to Submit - Click Here

Email: peter@preferredconcepts.net

Date: 12/01/22 **Tax Key #** GTNV294996

Owners Name: Boro Buzdum

Mailing Address: W188 N10515 Germantown, WI. 53022

Phone - Home: 414-708-7380 **Work:**

Property Location's Address: W188 N10515 Germantown, WI. 53022

Legal Description: SE1/4 SE1/4 **Section** 29 **Town/City/Village** Germantown

Lot **Block** **Subdivision** **CSM#**

Project for: [check appropriate boxes]

- [x] Commercial
- [ ] Residential
- [ ] Detached accessory
- [ ] New
- [ ] Existing
- [ ] Other

Brief description of project:
Adding 6' to a exsisting covered patio and adding 3 glass overhead doors siding with steel siding.

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

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

Please allow a minimum of 24 hours for review. **Submit Documents to: PermitAR@co.washington.wi.us**

(For Department Use - Do Not Fill In Below This Line)

Permits Required	Yes	No	County Permit Issued	Date Issued
Erosion Control - Chapter 238 - *Disturbs > 4,000 Sq. Ft.*	☐	☑	No.	
Stormwater Management - Chapter 238 - *Increases Impervious > 20,000 Sq. Ft.*	☐	☑	No.	
Floodplain - Chapter 275	☐	☑	No.	
Shoreland/Wetland - Chapter 275	☐	☑	No.	
Sanitary - Chapter 190	☐	☑	No. 492294	9/12/2006 HT

Joseph Steier III Digitally signed by Joseph Steier III Date: 2022.12.02 08:46:31 -06'00'

Authorized Signature

Remarks: Per plans, the proposed addition meets the setbacks to the holding tanks. The existing holding tank size appears to be ok, due no changes in person capacity.

SIGN REVIEW

12/12/22 Plan Commission Meeting

Bixenberg Tavern / Black Dog Real Estate LLC

Planning & Zoning Report **Germantown, Wisconsin**

Summary

Jake Woller, agent for Black Dog Real Estate LLC, property owner, is requesting approval for a new ground sign for Bixenberg Tavern located at N112W21209 Mequon Road.

Location: North of the east intersection of Meeker Hill Lane @ Appleton Ave

Agent/
Property Owners: Jake Woller, Bixenberg Tavern
N112W21209 Mequon Rd
Germantown, WI 53208

Black Dog Real Estate LLC
19590 W Lincoln Ave
New Berlin, WI 53146

Zoning: B-3: General Business District

Adjacent Land Uses		**Zoning**
North	Commercial / Residential	B-3 / Rs-4 & 5
South	Residential	Rs-1
East	Residential	Rs-3
West	Residential	Rs-3



Background/Proposal

Jake Woller, agent for Black Dog Real Estate LLC, property owner, is requesting approval for a new ground sign for Bixenberg Tavern located at N112W21209 Mequon Road. The new sign will be on the south side of the property, north of the intersection of Appleton Avenue and Meeker Hill Lane.

Ground Sign

- 4’ x 4’ (~25 square feet),10’ tall, single-sided plywood sign with a pressure treated lumber structure on a masonry base. The proposed sign will be illuminated with solar downlighting.

Staff Comments

The proposed sign is intended to be visible to traffic along Appleton Avenue, primarily north bound traffic. All components of the proposed sign will be located 6’ from the road right-of-way and a total of 22’ from the edge of the road. Trees and brush will be cleared as necessary in this area to allow visibility of the sign. Landscaping will be added around the proposed sign, 5’ on all sides. A landscape plan shall be submitted and approved by the Village staff and the Village Forester prior to installation of the sign.

The Meeker Hill Lane/Appleton Avenue (STH 175) intersection was reconstructed in 2017 to improve visibility. Meeker Hill Lane was relocated so that it meets Appleton Avenue at a right angle. If setback 6’ from the road right-of-way, the sign will not interfere with visibility at this intersection.

Village Staff Recommendation

APPROVE the proposed ground sign for Bixenberg Tavern with the following condition:

1. A detailed landscape plan for the area around the sign shall be submitted and approved by Village Staff and the Village Forester prior to installation of the sign.
2. Following installation of the sign, an as-built survey shall be completed and submitted to ensure that all sign components meet the required 5’ setback from the property line/road right-of-way.

Village of Germantown ...Willkommen

Fee must accompany application

$275 Sign Review Fee

$ 75 Sign Face Replacement

Paid _____ Date 10/10/22

SIGN REVIEW APPLICATION

Pursuant to Section 17.46 of the Municipal Code

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

1 **APPLICANT OR AGENT**

Jake Wolter
Bixenberg Tavern

Phone (262) 391-3332
Fax ( )
E-Mail bixenberg@gmail.com

PROPERTY OWNER

Jake Wolter

Phone ( )

2 **PROPERTY ADDRESS OR GENERAL LOCATION**

N112W21209 Mequon Rd
Germantown, WI 53022

3 **SIGN INFORMATION**

Sign Dimensions 4' height x 4' width Single/Multi Tenant (circle one)
Number of Sides 2 Building Frontage SF _____
Total Square Footage of Sign (include all sides) 25
Total height of the Sign 10'
Is the Sign to be illuminated X yes _____ no
Type of Sign Construction Materials Stone base, pressure treated timber and plywood
Distance to Closest Property Line 6'

Are there any existing signs on the property Yes
If yes, what is the total Square Footage of existing signs 44

What are the intentions for the existing signs: Take down _____ Remain X

4 **SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER!**

Applicant 10/10/22 Date

Owner 10/10/22 Date





- Address will have 5” numbering/lettering
- Area will be landscaped ~5 feet around base of sign with grass and small evergreen shrubs
- Entire sign will be ~10’ tall x 6’ wide
- Round part of sign will be 4’ diameter
- Sign will have concrete footing 2 feet underground
- Sign will be set back 6 feet from property boundary
- Sign will be lit with solar lights placed on top of sign and pointed down at round sign

Location of Sign



Solar lighting






STOP



Right of way marker → 16' to road

Right of way marker
13' to road

Proposed sign location
6' from right of way marker

Stop
sign

CERTIFIED SURVEY MAP (CSM) APPLICATION

12/12/22 Plan Commission Meeting

Zilber Property Group / ZPG Development LLC

Village Planner Report **Germantown, Wisconsin**

Summary

Zilber Property Group, property owner of a 55.9-acre lot located in the southwest corner of the Rockfield Road and Gateway Crossing intersection, are seeking approval of a 3-lot Certified Survey Map (CSM) for the construction of a total of three industrial buildings.

Location: W210N12975 Gateway Crossing

Property Owner: Zilber Property Group
ZPG Development, LLC
710 N. Plankinton Avenue
Milwaukee, WI

Zoning: M-1 PDD: Germantown Gateway Corporate Park District

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



Proposal

Zilber Property Group, property owner of a 55.9-acre lot located in the southwest corner of the Rockfield Road and Gateway Crossing intersection, are seeking approval of a 3-lot Certified Survey Map (CSM) for the construction of a total of three industrial buildings.

This property was rezoned from M-1: Limited Industrial to the Germantown Gateway Corporate Park Planned Development District (M-1/PDD) and Site Development and Building Plans for Zilber 5 were approved by the Plan Commission at their March 14, 2022 meeting. Zilber 5, proposed Lot 7, is currently under construction.

Staff Comment

The purpose of this application is to create two additional lots for future industrial buildings. Site Plan applications for Zilber 6 & 7 will be required to be reviewed and approved by the Plan Commission prior to building permits being issued. This property is located in the Holy Hill Gateway district under the 2050 Land Use Plan. The Holy Hill Gateway District supports industrial development of the land within the proposed CSM. At this time, planning staff is recommending requiring a note be placed on the plat addressing future access to Rockfield Road. Planning staff provided a project review memo dated November 23, 2022. These revisions have been included as a condition of approval.

Village Engineer/Public Works Department

The Village's engineering consultant and Public Works Director identified a few technical corrections in a memo dated November 3, 2022 (copy attached). These revisions have been included as a condition of approval.

VILLAGE STAFF RECOMMENDATION

APPROVE the proposed 3-lot Certified Survey Map (CSM) for the ZPG Development, LLC property (W210N12975 Gateway Crossing) to create two additional lots buildable for future industrial buildings, subject to the following conditions:

1. All technical issues and plan correction identified by the Village's engineering consultant and Public Works Director in the memo dated November 3, 2022 shall be addressed and reflected in a revised CSM submitted and approved by the Village Engineer prior to recording the CSM.
2. All technical issues and plan correction identified by the Village's Planning staff in the memo dated November 23, 2022 shall be addressed and reflected in a revised CSM submitted and approved by staff prior to recording the CSM.
3. The following note should be added to the CSM prior to recording: *"The type and location of any access driveway onto Rockfield Road shall be determined at the time site development and building plan approval is granted by the Village Plan Commission. Other than temporary access for use by emergency vehicles only, the use of any access driveway onto Rockfield Road shall be prohibited until such time as Rockfield Road has been re-constructed to Village standards capable of supporting commercial/industrial vehicle traffic."*

Community Development Department
Jeffrey W. Retzlaff, AICP, Director
Village Planner & Zoning Administrator
N112 W17001 Mequon Road P.O. Box 337
Germantown, WI 53022-0337
Telephone: (262) 250-4735 Website: www.germantownwi.gov
E-mail: jretzlaff@germantownwi.gov

November 23, 2022

Frank Dekan
Zilber Property Group
710 N. Plankinton Ave
Milwaukee, WI 53203

RE: Germantown Gateway Corporate Park; Zilber CSM; Staff Review Comments

Mr. Dekan:

Village Staff has reviewed the applications and plans submitted for the Certified Survey Map (CSM) in the Germantown Gateway Corporate Park and has identified the following outstanding items/issues that need to be addressed before we can schedule the application for Plan Commission review/approval. Please provide the requested information, corrections and/or revisions as soon as possible. If necessary, Village staff would be happy to meet with you to discuss or clarify any of these items.

Community Development Department

1. Zilber 2 & 3 were originally constructed on one parcel. In 2020, a Planned Development District (Germantown Gateway Corporate Park PDD) was created as the only alternative under our Zoning Code to divide the Zilber 2 and Zilber 3 buildings onto separate parcels without creating non-conforming parcels. In March of 2022, the PDD was expanded north to Rockfield Road to allow for the reduction of the required parking lot setback from 10' to 0' for future buildings. This allows parking areas that straddle the common property lines. The "Gateway Corporate Park PDD" zoning should be listed on the CSM, and the required side setbacks modified from 10' to 0'.

2. The CSM needs to show the existing footprint of the Zilber 5 building as well as the existing storm water basin.

3. Cross access easements should be shown on the CSM.

4. A note should be added to the plat that restricts access to Lot 9 from Rockfield Road.

Fire Department

5. No comment.

Public Works/Village Engineer

6. Comments from the Director of Public Works regarding the site plan are contained in a separate review memo dated November 3, 2022 (copy attached). Note: Item 6 is not applicable.

When submitting revised plans or additional information, please submit (1) digital plan set and three (3) full-size, hard-copy plan sets set to the Community Development Department. Complete responses and/or information, plan revisions, etc. to the items/issues listed above will help avoid delay in the review and processing of your application.

Respectfully,

Emily Zandt

Emily Zandt, AICP
Associate Planner

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

GRAEF

collaborate / formulate / innovate

November 3, 2022

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

SUBJECT: ZPG Development LLC CSM Review

Certified Survey Map

Applicant or Owner: ZPG Development LLC
Land Surveyor/Firm: John C. Konopacki / Pinnacle Engineering Group

1. Per Chapter 18 of the Village Land Division Ordinance, the CSM should be referenced to the Wisconsin State Plane Coordinate System, South Zone (NAD 1983-2011 datum).

2. The reference bearing should be referenced to a section line shown on the CSM.

3. Coordinates (NAD 1983 Grid) should be labeled at the point of commencement.

4. 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.

5. For the Plan Commission Approval, Dean Wolter's title is Chairman..

6. Soil borings should be labeled, and their results provided with the CSM.

7. The last paragraph of the Surveyor's Certificate should reference "Chapter 18 of the Village of Germantown Subdivision Control Ordinance in surveying, dividing and mapping the same".

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.

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

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,

Burt J. Naumann, PLS
Senior Vice President

Village of Germantown
...Willkommen

Fee must accompany application
☐ $2,900 with public improvements
☒ $1,960 no public improvements

Paid_____ Date_____

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

Zilber Property Group
710 N. Plankinton Avenue
Milwaukee, WI 53203
Frank Dekan
Phone (414) 234-1100
Fax ( )
E-Mail frank.dekan@zilber.com

PROPERTY OWNER

ZPG Development, LLC
710 N. Plankinton Avenue
Milwaukee, WI 53203
Chad Navis
Phone (414) 274-2642

2

PROPERTY ADDRESS OR GENERAL LOCATION	TAX KEY NUMBER
W210 N12975 Gateway Crossing and additional land north	GTNV 073987

3 PURPOSE OF LAND SPLIT

Divide Industrial Business Park for construction of 3 buildings: 233,327 sf (currently under construction), 233,327 sf, and 290,000 sf.	Will the land split require rezoning? No	
	From	To

4 READ AND INITIAL THE FOLLOWING:

X FD 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.

X FD 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.

X FD 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.

X FD 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!

Applicant 10/25/22 Date

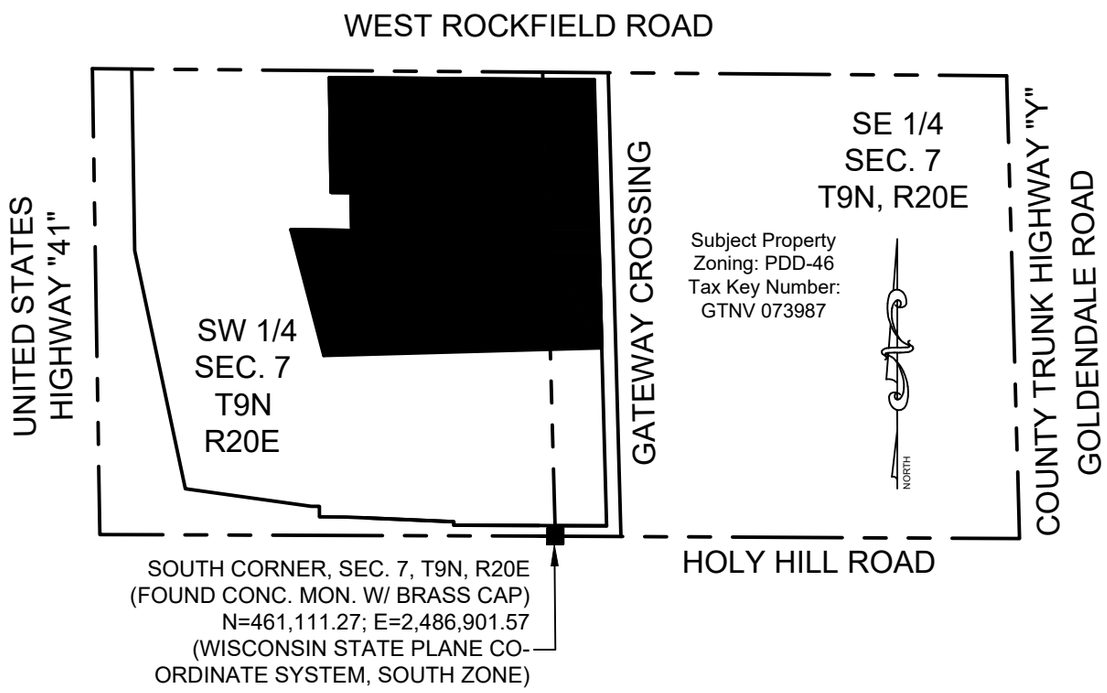
Owner 10/25/22 Date

CERTIFIED SURVEY MAP NO. _____

Being a redivision of Lot 4 of Certified Survey Map No. 6898, in the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 7 and the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 7, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin

VICINITY MAP

SCALE 1":1000'



NOTES:

- All measurements have been made to the nearest one-hundredth of a foot.
- All angular measurements have been made to the nearest one second.
- Any land below the ordinary high water mark of a lake or navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1, of the state constitution.
- The property lies with in Zone "X" of the Flood Insurance Rate Map Community Panel No. 55131C0268D dated NOVEMBER 20, 2013. Zone "X" areas are determined to be outside the 0.2% annual chance floodplain.
- Bearings referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1927). The south line of the Southeast 1/4 of Section 7, Township 9 North, Range 20 East has a bearing of N89°41'41"W.
- Road Easement per Certified Survey Map No. 6824 and Certified Survey Map No. 6898 shall be vacated via separate document.

WISCONSIN
JOHN P. KONOPACKI
S-2461
Waukesha, WI
LAND SURVEYOR

OCTOBER 21, 2022

Prepared for:
ZPG Development LLC
710 N. Plankinton Ave.
Milwaukee, WI 53203

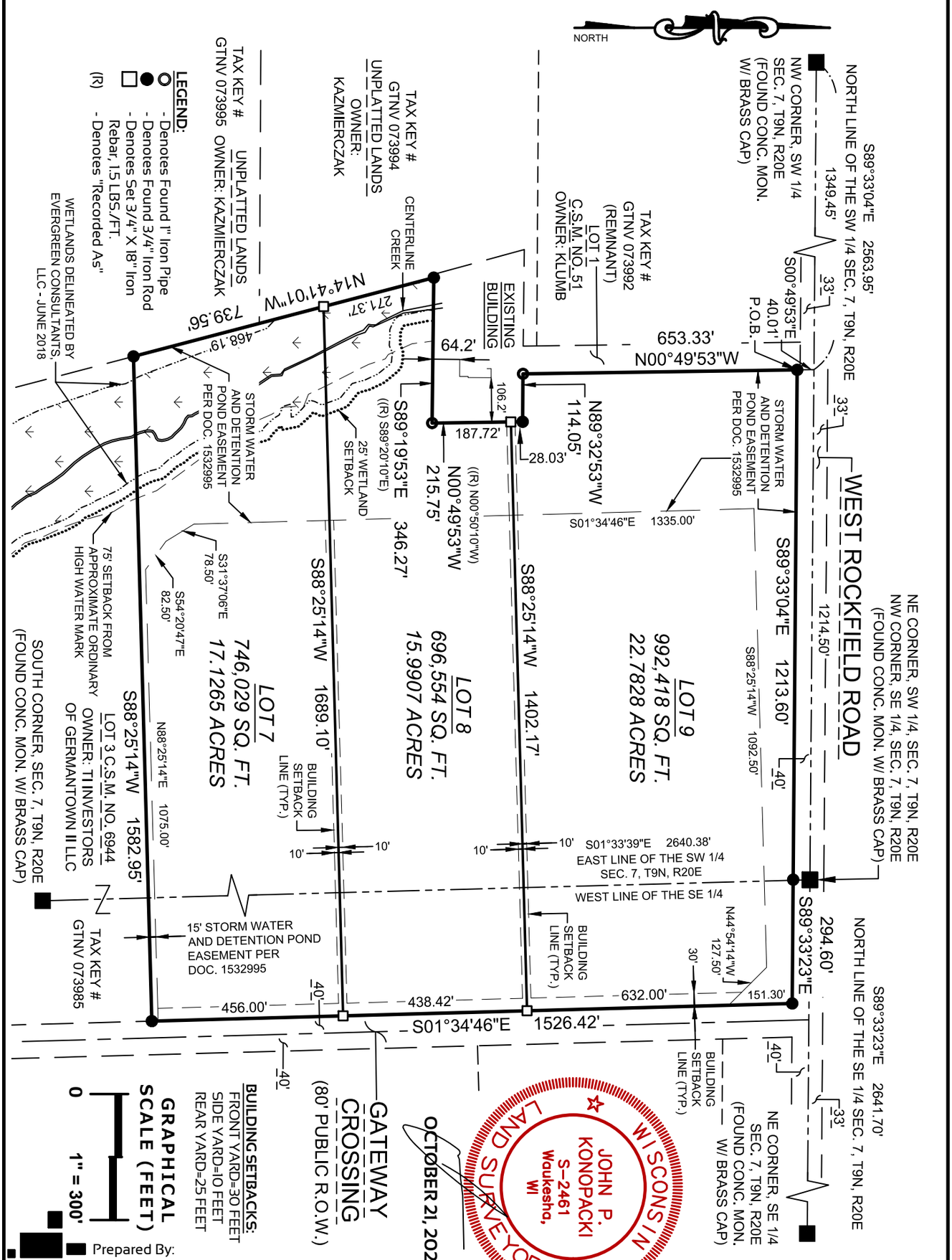
Prepared By:
PINNACLE ENGINEERING GROUP
15850 BLUEMOUND ROAD I SUITE 210
BROOKFIELD, WI 53005
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#1296.00E

CERTIFIED SURVEY MAP NO. _____

Being a redivision of Lot 4 of Certified Survey Map No. 6898, in the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 7 and the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 7, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin



Prepared By:
PINNACLE ENGINEERING GROUP
15850 BLUEMOUND ROAD | SUITE 210
BROOKFIELD, WI 53005
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

CERTIFIED SURVEY MAP NO. _____

Being a redivision of Lot 4 of Certified Survey Map No. 6898, in the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 7 and the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 7, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

I, John P. Konopacki, Professional Land Surveyor, do hereby certify:

That I have surveyed, mapped and divided Lot 4 of Certified Survey Map No. 6898, as recorded in the Register of Deeds office for Washington County as Document No. 1472573, in the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 7 and the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 7, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, described as follows:

Commencing at the northwest corner of the Southwest 1/4 of said Section 7; Thence South 89°33'04" East along the north line of said Southwest 1/4, 1349.45 feet; Thence South 00°49'53" East, 40.01 feet to the south right of way line of West Rockfield Road and the Point of Beginning;

Thence South 89°33'04" East along said south right of way line, 1213.60 feet;
Thence South 89°33'23" East along said south right of way line, 294.60 feet to the west right of way line of Gateway Crossing;
Thence South 01°34'46" East along said west right of way line, 1526.42 feet to the north line of Certified Survey Map No. 6944;
Thence South 88°25'14" West along said north line 1582.95 feet;
Thence North 14°41'01" West, 739.56 feet to the south line of Certified Survey Map No. 51;
Thence South 89°19'53" East along said south line, 346.27 feet to the east line of said Certified Survey Map No. 51;
Thence North 00°49'53" West along said east line, 215.75 feet;
Thence North 89°32'53" West, 114.05 feet;
Thence North 00°49'53" West, 653.33 feet to the Point of Beginning.

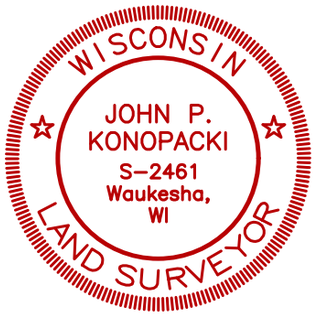
Containing 2,435,001 square feet (55.9000 acres) of land Gross, more or less.

That I have made such survey, land division and map by the direction of ZPG Development LLC, owner of said land.

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

That I have fully complied with the requirements of Chapter 236 of the Wisconsin State Statutes and the Village of Germantown Land Division Ordinance in surveying, mapping and dividing the land with in this certified survey map.

Date: OCTOBER 21, 2022



_____
John P. Konopacki
Professional Land Surveyor S-2461

CONSENT OF CORPORATE MORTGAGEE

_____ , a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing and mapping of the land described in the forgoing affidavit of John P. Konopacki, surveyor, and does hereby consent to the certification of owners.

IN WITNESS WHEREOF, the said _____ , has caused these presents to be signed by _____ , its _____, and its corporate seal to be hereunto affixed this _____ day of _____ , 20_____.

_____ _____
Date

_____
(name - title)

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____ , 20_____, _____ , to me known to be the person who executed the foregoing instrument and to me known to be such officer of said corporation and acknowledged the same.

_____
Notary Public
Name:_____
State of Wisconsin
My Commission Expires: _____

Prepared By:
PINNACLE ENGINEERING GROUP
15850 BLUEMOUND ROAD I SUITE 210
BROOKFIELD, WI 53005
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

CERTIFIED SURVEY MAP NO. _____

Being a redivision of Lot 4 of Certified Survey Map No. 6898, in the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 7 and the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 7, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin

OWNER'S CERTIFICATE

ZPG Development LLC, a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this certified survey map to be surveyed, divided and mapped as represented on this certified survey map.

ZPG Development LLC, as owner, does further certify that this certified survey map is required by Chapter 236 of the Wisconsin State Statutes to be submitted to the following for approval or objection:

1. Village of Germantown

IN WITNESS WHEREOF, the said ZPG Development LLC has caused these presents to be signed by Susan K. Laabs, Vice President, AND Sandra J. DeLisle, Assistant Secretary, at _____, _____ County, Wisconsin, on this _____ day of _____ , 20____.

In the presence of: ZPG Development LLC
By: Towne Realty, Inc., Manager

_____
Susan K. Laabs, Vice President

_____
Sandra J. DeLisle, Assistant Secretary

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____ , 20____, Susan K. Laabs, Vice President of Towne Realty, Inc. - Manager, of the above named limited liability company, to me known to be the person who executed the foregoing instrument, and to me known to be such Vice President of Towne Realty, Inc. - Manager of said limited liability company, and acknowledged that he executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

_____
Notary Public
Name:_____
State of Wisconsin
My Commission Expires: _____

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____ , 20____, Sandra J. DeLisle, Assistant Secretary of Towne Realty, Inc. - Manager, of the above named limited liability company, to me known to be the person who executed the foregoing instrument, and to me known to be such Assistant Secretary of Towne Realty, Inc. - Manager of said limited liability company, and acknowledged that she executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

_____
Notary Public
Name:_____
State of Wisconsin
My Commission Expires: _____



OCTOBER 21, 2022

Prepared By:
PINNACLE ENGINEERING GROUP
15850 BLUEMOUND ROAD I SUITE 210
BROOKFIELD, WI 53005
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#1296.00E

CERTIFIED SURVEY MAP NO. _____

Being a redivision of Lot 4 of Certified Survey Map No. 6898, in the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 7 and the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 7, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin

PLAN COMMISSION APPROVAL

This Certified Survey Map is hereby approved by the Plan Commission of the Village of Germantown, on this _____ day of _____ , 20____.

_____ _____
Date Dean Wolter, Village President

_____ _____
Date Laura A. Johnson, Secretary

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____ , 20_____, (names)_____,
to me known to be the persons who executed the foregoing instrument and acknowledged the same.

_____
Notary Public
Name:_____
State of Wisconsin
My Commission Expires: _____

VILLAGE OF GERMANTOWN BOARD APPROVAL

This Certified Survey Map, being a part of the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 7 and the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 7, 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 _____ , 20_____.

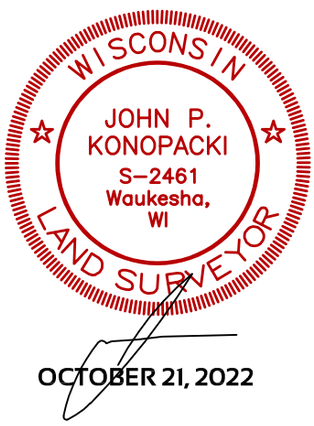
_____ _____
Date Dean Wolter, Village President

_____ _____
Date Deanna Braunschweig, Village Clerk

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____ , 20____, (names)_____,
to me known to be the persons who executed the foregoing instrument and acknowledged the same.

_____
Notary Public
Name:_____
State of Wisconsin
My Commission Expires: _____



OCTOBER 21, 2022

Prepared By:
PINNACLE ENGINEERING GROUP
15850 BLUEMOUND ROAD | SUITE 210
BROOKFIELD, WI 53005
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

SIGN REVIEW

12/12/22 Plan Commission Meeting

Michaels Signs Inc / ZPG Development LLC

Planning & Zoning Report **Germantown, Wisconsin**

Summary

Michaels Signs Inc, agent for ZPG Development LLC, property owner, is requesting approval for a new ground sign for the multi-tenant building located at W210N12975 Gateway Crossing (Zilber 5).

Location: W112 N12975 Gateway Crossing

Agent/
Property Owners:

Michaels Signs Inc.	ZPG Development LLC
3914 S. Memorial Drive	710 N. Plankinton Avenue
Racine, WI 53403	Milwaukee, WI 53203

Zoning: M-1 PDD: Germantown Gateway Corporate Park District

Adjacent Land Uses		Zoning
North	Industrial	M-1 PDD
South	Industrial	M-1 PDD
East	Industrial	M-1
West	Agricultural	A-1



Background/Proposal

Michaels Signs Inc, agent for ZPG Development LLC, property owner, is requesting approval for a new ground sign for the multi-tenant building located at W210N12975 Gateway Crossing. The new sign will be located on the north side of the south driveway off of Gateway Crossing.

Ground Sign

- 3'8" x 9' (33 square feet per side), double-sided aluminum cabinet with removable aluminum panels on a concrete base. The proposed sign will not be illuminated.

Staff Comments

All requirements of the Village Sign Code have been met.

The proposed ground sign is complementary to and very similar to the other monuments signs previously approved for Zilber 2, 3, & 4.

Village Staff Recommendation

APPROVE the ground sign for ZPG Development property located at N210N12975 Gateway Crossing as proposed.

Village of Germantown ...Willkommen

Fee must accompany application

$275 Sign Review Fee

$ 75 Sign Face Replacement

Paid _____ Date_____

SIGN REVIEW APPLICATION

Pursuant to Section 17.46 of the Municipal Code

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

1 APPLICANT OR AGENT

Michaels Signs Inc.
3914 S. Memorial Dr.
Racine, WI 53403
Phone (262)554-6066
Fax (262) 554-0574
E-Mail rosie@michaelsigns.com

PROPERTY OWNER

ZILBER PROPERTY GROUP
710 N. Plankinton Ave.
Milwaukee, WI 53203
Phone (414) 234-1100
frank.dekan@zilber.com

2 PROPERTY ADDRESS OR GENERAL LOCATION

W210 N12975 GATEWAY CROSSING

3 SIGN INFORMATION

Sign Dimensions 9 height x 3' 8" width Single/Multi Tenant (circle one)
Number of Sides 2' Building Frontage SF 13992
Total Square Footage of Sign (include all sides) 66
Total height of the Sign 9'
Is the Sign to be illuminated _____ yes x no
Type of Sign Construction Materials ALUMINUM SIGN BODY AND LETTERS ON CONCRETE BASE
Distance to Closest Property Line 5'

Are there any existing signs on the property no
If yes, what is the total Square Footage of existing signs _____

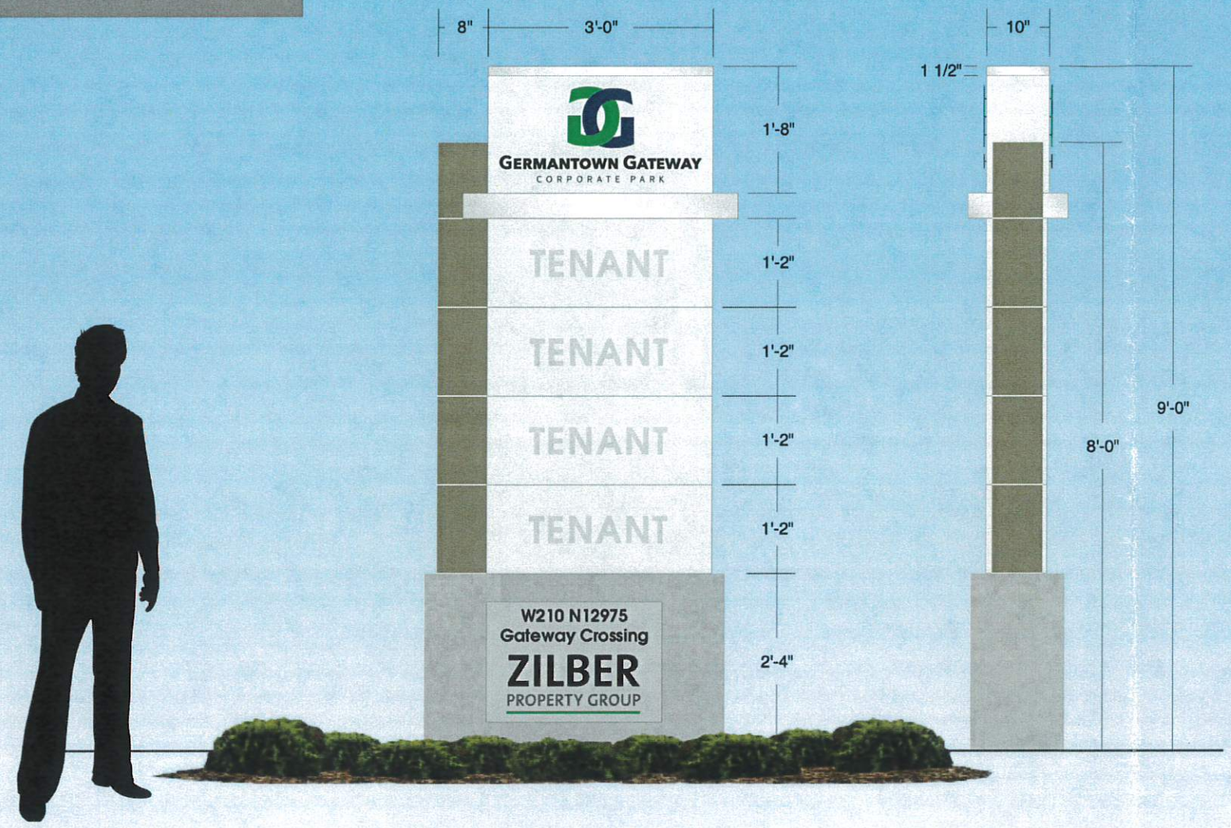
What are the intentions for the existing signs: Take down _____ Remain _____

4 SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Rosie Olle
Applicant Date

Owner 10/5/22
Date

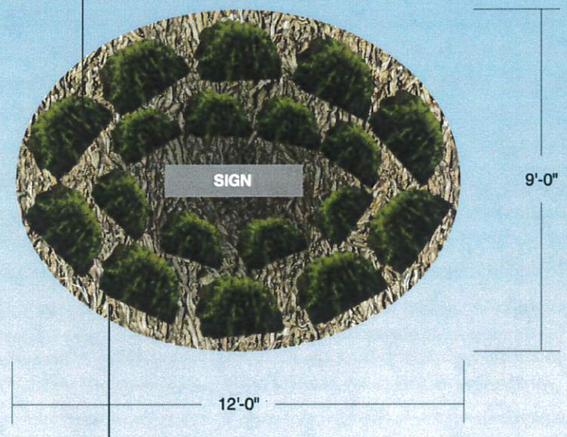
MONUMENT SIGN



Groupings of Compact Andorra Juniper plants



Compact Andorra Juniper
Mature Height: 2.0 ft
Mature Width: 5.0 ft
Growth rate: average
Hardiness Zones: 3-8
Sun Exposure: sun
Soil Preference: average, well drained soils
Foliage: Low growing, spreading evergreen. Green summer foliage turns reddish purple in fall and winter. It will grow well in any soil unless it is constantly wet.



Planting Bed: Oval bark mulched planting bed with a 12 inch rise, 12 feet long by 9 feet wide

ALL PLANTS SPACED NOT MORE THAN 3' APART FROM ONE ANOTHER

ZILBER / MONUMENT SIGN

ONE (1) DOUBLE SIDED, NON-ILLUMINATED MONUMENT SIGN
CUSTOM FABRICATED ALUMINUM SIGN CABINET W/ MAP PAINTED FINISHES
DIMENSIONAL 1/4" ALUMINUM LETTERS STOOD OFF SIGN FACE 1/2" W/ 1/4" STUDS
"TENANTS" - REMOVABLE ALUMINUM PANELS W/ 3M VINYL LETTERING
"ZILBER PROPERTY GROUP LOGO" - DIGITALLY PRINTED VINYL
"ADDRESS INFORMATION," & "CORPORATE PARK" - 3M VINYL LETTERING (3M BLACK, 3M DARK GRAY, & 3M APPLE GREEN)
1/8" ALUMINUM ADDRESS PANEL PAINTED TO MATCH CONCRETE BASE
CONCRETE BASE

SIGN AREA: 66 SQ. FT.

Michael's Signs
"We Project Your Image"
PH: (262) 554-6066
TOLL FREE: (800) 554-8110

Client: ZILBER PROPERTY GROUP	Date: 9-22-22	REVISION		Illumination: [X] NO [ ] YES TYPE ____	[ ] SINGLE SIDED [X] DOUBLE SIDED
	Drawing #: 1(0)	△	△	Electrical Requirements: [ ] 120 [ ] 277	Quantity: 1
Address: W210 N12975 GATEWAY CROSSING	Sheet: 1 of 1	△	△	Sign Specifications: NOTED ABOVE	
City, State: RICHFIELD, WI 53076	Scale: 1/2"=1'	△	△		
Sales Rep: STEPHEN PROCHASKA	Designer: KD	△	△		

Paint Colors (AkzoNobel):
- TO MATCH CANOPY FASCIA
- SW7015 REPOSE GRAY
- MAP BLACK
- SW 7046 ANONYMOUS
- PANTONE 355C
- PMS 534C

Vinyl Film Colors (3M Scotchcal):
- 3M BLACK
- 3M APPLE GREEN
- 3M DARK GRAY

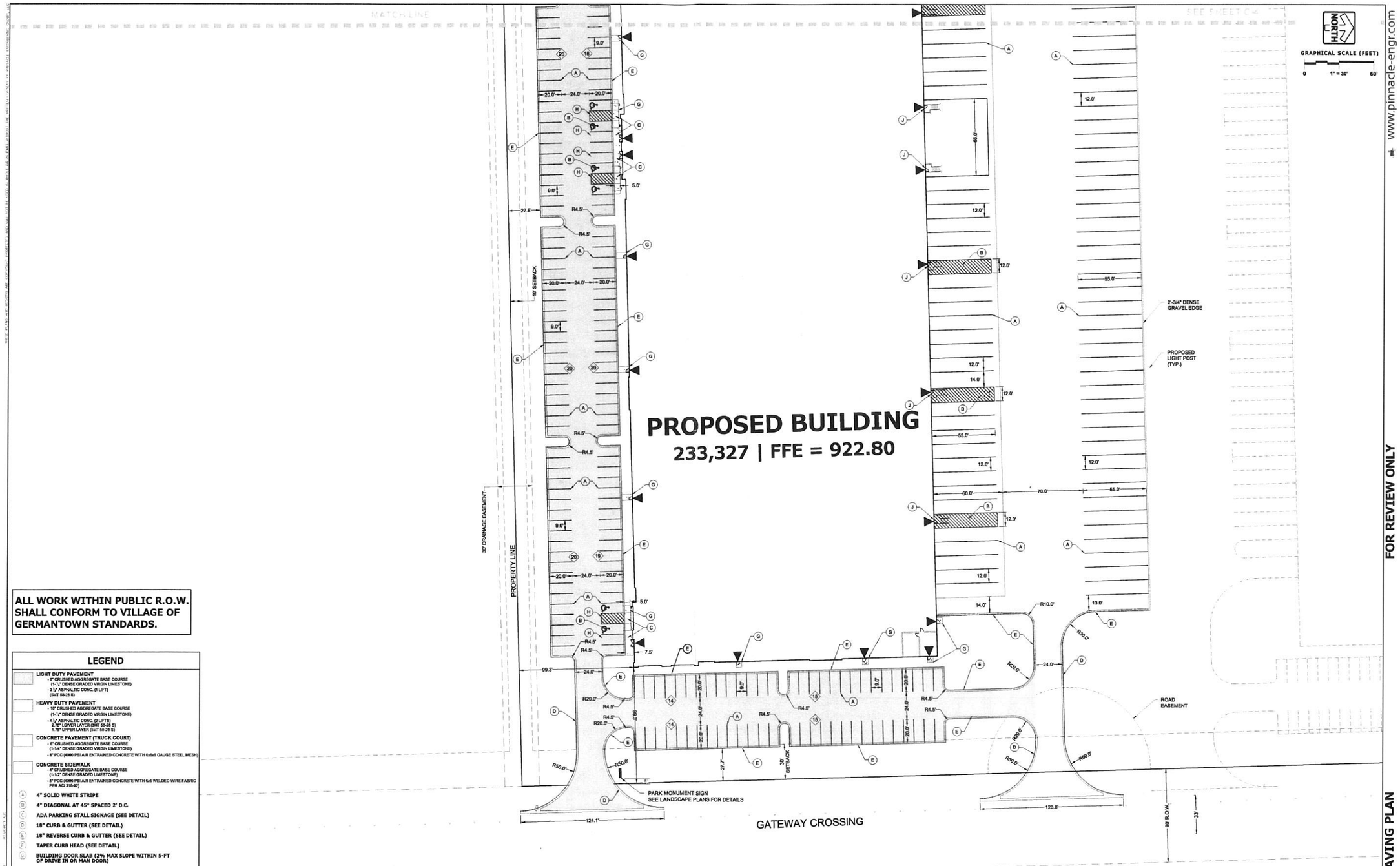
Client Signature:

Signature _____ Date _____

NOTICE: Michael's Signs, Inc. does NOT provide primary electrical to sign location - RESPONSIBILITY OF OTHERS

The ideas and designs contained in this original and unpublished drawing are the sole property of Michael's Signs, Inc. and MAY NOT BE USED OR REPRODUCED in whole or in part without written permission.

NOTE: DUE TO THE PHYSICAL LIMITATIONS OF THE PAPER AND INK INVOLVED IN THIS PRINTING PROCESS, THIS CUSTOM ARTWORK IS NOT INTENDED TO PROVIDE AN EXACT MATCH TO THE ACTUAL FINISHED PAINTED PRODUCT.



ALL WORK WITHIN PUBLIC R.O.W. SHALL CONFORM TO VILLAGE OF GERMANTOWN STANDARDS.

LEGEND

- **LIGHT DUTY PAVEMENT**
  - 8" CRUSHED AGGREGATE BASE COURSE (1-¼" DENSE GRADED VIRGIN LIMESTONE)
  - 3 ½" ASPHALTIC CONC. (1 LIFT) (SMT 58-28 S)
- **HEAVY DUTY PAVEMENT**
  - 10" CRUSHED AGGREGATE BASE COURSE (1-¼" DENSE GRADED VIRGIN LIMESTONE)
  - 4 ½" ASPHALTIC CONC. (2 LIFTS) 2.75" LOWER LAYER (SMT 58-28 S) 1.75" UPPER LAYER (SMT 58-28 S)
- **CONCRETE PAVEMENT (TRUCK COURT)**
  - 8" CRUSHED AGGREGATE BASE COURSE (1-¼" DENSE GRADED VIRGIN LIMESTONE)
  - 8" PCC (4000 PSI AIR ENTRAINED CONCRETE WITH 6x6x6 GAUGE STEEL MESH)
- **CONCRETE SIDEWALK**
  - 4" CRUSHED AGGREGATE BASE COURSE (1-¼" DENSE GRADED LIMESTONE)
  - 6" PCC (4000 PSI AIR ENTRAINED CONCRETE WITH 6x6 WELDED WIRE FABRIC PER ACI 315-92)

(A) 4" SOLID WHITE STRIPE
(B) 4" DIAGONAL AT 45° SPACED 2' O.C.
(C) ADA PARKING STALL SIGNAGE (SEE DETAIL)
(D) 18" CURB & GUTTER (SEE DETAIL)
(E) 18" REVERSE CURB & GUTTER (SEE DETAIL)
(F) TAPER CURB HEAD (SEE DETAIL)
(G) BUILDING DOOR SLAB (2% MAX SLOPE WITHIN 5-FT OF DRIVE IN OR MAN DOOR)
(H) ADA STALL INSIGNIA
(I) ADA CURB RAMP (SEE DETAIL)
(J) STEEL STAIRS (SEE ARCHITECTURAL PLANS)
(K) BOLLARD (SEE DETAIL)
(16) PARKING COUNT (FOR INFORMATION ONLY, NOT TO BE PAINTED)
MAN DOOR
5.1.D OVERHEAD DOOR

FOR REVIEW ONLY

www.pinnacle-engr.com

SITE DIMENSION & PAVING PLAN

PLAN | DESIGN | DELIVER
www.pinnacle-engr.com
PINNACLE ENGINEERING GROUP
ENGINEERING | NATURAL RESOURCES | SURVEYING
WISCONSIN OFFICE: 20725 WATERTOWN ROAD, SUITE 100 BROOKFIELD, WI 53186 (262) 754-8888
CHICAGO | MILWAUKEE | NATIONWIDE

ZILBER

ZILBER INDUSTRIAL 5 AT GERMANTOWN
GATEWAY CORPORATE PARK
GERMANTOWN, WI

SITE DIMENSION & PAVING PLAN

REVISIONS

1	MUNICIPAL SUBMITTAL	01/06/22	5	ROOF LEAD REVISIONS	06/07/22
2	PER VILLAGE COMMENTS	02/04/22	6	ADJUST FFE 0.3'	06/20/22
3	WATER MAIN REVISIONS	05/18/22			
4	RFI #1	06/06/22			

PEG JOB No. 1296.00E | PEG PM AJS | START DATE 03/04/19 | SCALE 1" = 30'

SHEET C-5 OF C-17

© COPYRIGHT 2019

Z:\PROJECTS\2018\1296.00E-WI\CAD\SHEETS\1296.00E SITE DIMENSION & PAVING PLAN.DWG

ZONING PERMIT REVIEW

12/12/22 Plan Commission Meeting

Ryan Polsfuss

Planning & Zoning Report **Germantown, Wisconsin**

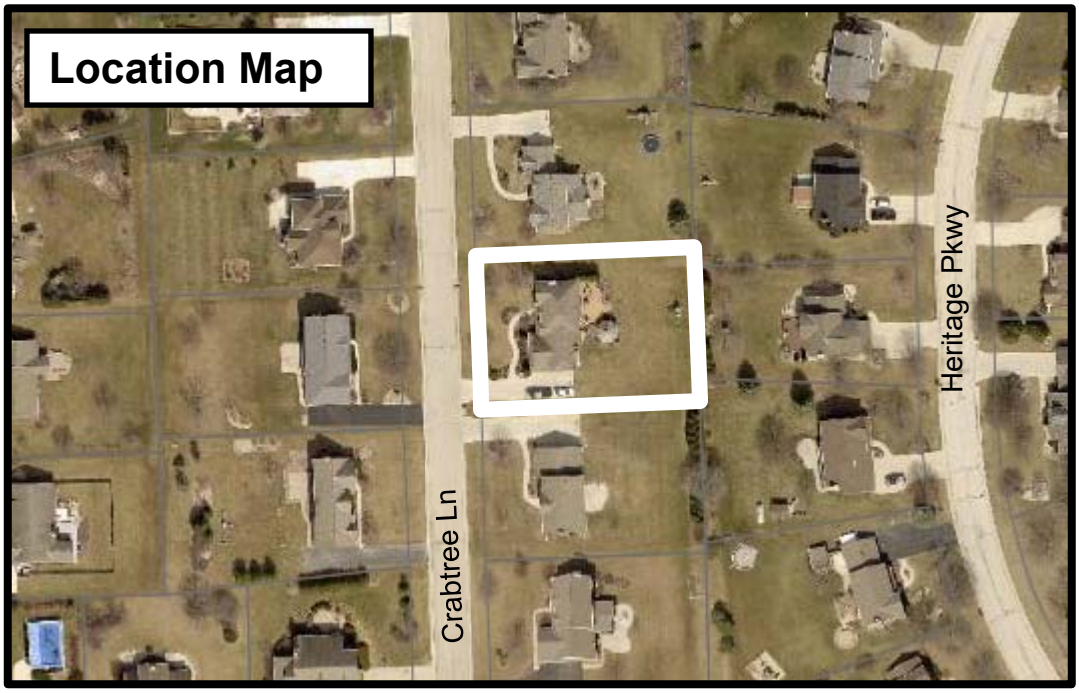
Summary

Ryan Polsfuss, property owner, is seeking approval to install a 4'6" aluminum fence within an existing drainage easement on the residential lot located at W148N10712 Crabtree Lane in the Preserve at Germantown subdivision.

Location: W148N10712 Crabtree Lane
Agent/
Property Owners: Ryan & Claire Polsfuss
W148N10712 Crabtree Lane
Germantown, WI 53208

Zoning: Rs-4 Single-Family Residential

Adjacent Land Uses		Zoning
North	Single-Family Residential	Rs-4
South	Single-family Residential	Rs-4
East	Single-family Residential	Rs-4 PDD
West	Single-family Residential	Rs-4



Background/Proposal

Ryan Polsfuss, property owner, is seeking approval to install a 4'6" aluminum fence within an existing drainage easement on the residential lot located at W148N10712 Crabtree Lane in the Preserve at Germantown subdivision.

As indicated in their supporting information, the applicant would like to install a 4'6" high aluminum "Ashbury" fence to enclose their back yard (see drawing on survey). The fence would be located 5' south of the north lot line (side), along the east lot line (rear), the north (rear lot line) and along the south property line. In so doing, the fence would encroach 5' into the public drainage easement on the north side of the property and through the private drainage easement that runs parallel to the rear lot line. The public drainage easement (north side) contains a 15" storm main. There is no storm sewer infrastructure within the private drainage easement (east side).

As indicated below, Section 17.50(2)(f)6. of the Zoning Code prohibits fences from being installed in any easement, except a drainage easement when approved by the Plan Commission:

(f) Fences in Residential Districts.

1. *All fences shall be subject to review and approval of the Building Inspector prior to the issuance of a building permit.*
2. *Fences in rear or side yards may be up to 6 feet in height.*
3. *Fences in front yards may not exceed 4 feet in height, except a maximum height of 6 feet on approval of the Plan Commission after consideration of visibility, privacy and access concerns.*
4. *No fence shall be closer than 2 feet to a public right-of-way.*
5. *Fences that contain a finished side and an unfinished side, shall be installed in a manner in which the finished side faces the adjacent property. In case of a discrepancy, the Village Building Inspector shall determine which side of the fence is the finished side.*
6. *Fences and easements.*
    - *(i) Fences shall not be located within any type of easement, provided however, the Planning Commission may authorize the encroachment by a fence into a drainage easement where the owner of the land encumbered by the easement shows to the satisfaction of the Planning Commission that, considering the proposed location, design and materials of the proposed fence, the encroachment of the fence into the easement will not materially interfere with drainage flow within the easement, and, in the case of a subdivision, the homeowners association consents in writing to the encroachment, or if not in a subdivision, the adjacent landowners consent in writing.*
    - *(ii) If the Planning Commission deems it necessary in order to make its decision to authorize an encroachment into a drainage easement by a fence, it may require that the applicant provide a report by a professional engineer providing an opinion that the encroachment will not impair drainage flow within the easement.*
    - *(iii) If the applicant whose property abuts the drainage way shall be aggrieved by the decision of the Planning Commission, such aggrieved person may appeal the decision to the Village Board by filing a request for appeal review of the record below within 14 days of the date of the Planning Commission's decision.*
7. *It is the property owner's responsibility for any lawn maintenance of lands that lie between a fence and the property line.*
8. *Should it be necessary that the Village or its agent, remove the fence, the material costs (materials and labor) would be borne by the owner of the fence.*

Staff Analysis

As indicated above, the Planning Commission may authorize the encroachment of a fence into a drainage easement where the owner of the property encumbered by the easement shows to the satisfaction of the Planning Commission that:

1. considering the proposed location, design and materials of the proposed fence, the fence will not materially interfere with drainage flow within the easement; and
2. in the case of a subdivision, homeowners association consent to the encroachment or, if not a subdivision, the adjacent landowner(s) written consent.

Regarding Item #1, drainage flow interference, the open-style post and rail fence would sit approximately 2 inches above grade and would not restrict or divert any water flow.

Regarding Item #2, the proposed fence (and style) has been reviewed and approved by the Preserve Homeowner's Association (see email included in the packet).

Due to the stormwater main that runs within the public drainage easement along the north property line, the Superintendent of Highways, Parks, Buildings & Grounds recommends the applicant be required to move the fence south 5' to keep it out of the public drainage easement. This will eliminate potential future conflicts if the storm main needs to be accessed for any reason.

Village Staff Recommendation

APPROVE the zoning permit application to install a 4'6" Ashbury aluminum fence within the 20' wide private drainage easement along the rear lot line of the property located at W148N10712 Crabtree Lane subject to the following conditions:

1. The fence shall not be installed within the 10' public drainage easement along the north property line.
2. It shall be the responsibility of the homeowner to maintain a free flow of water within the private drainage easement at all times.
3. A fence permit is required from the Building Inspection Department. Contact SafeBuilt for more information.

Village of Germantown ...Willkommen

ZONING COMPLIANCE/ OCCUPANCY PERMIT

Date of Application: 10/28/22

Fee Received By: R

Please read and print legibly. List name of actual contact person (NOT just business name).

APPLICANT OR AGENT:

Name: Ryan Polsfuss

Address: W148N10712 Crabtree Ln

City/State/Zip: Germantown, WI 53022

Phone: (763) 370-6858

E-Mail: rcpolsfuss@gmail.com

PROPERTY or Business OWNER:

Name: Ryan and M. Claire Polsfuss

Address: W148N10712 Crabtree Ln

City/State/Zip: Germantown, WI 53022

Phone: (763) 370-6858

E-Mail: rcpolsfuss@gmail.com

PROPERTY ADDRESS OR Tax Parcel ID#: W148N10712 Crabtree Ln Germantown, WI 53022

DESCRIPTION OF PROPOSED USE (Describe improvements, structures, uses and activities conducted, services provided, products made or sold, # of employees, hours of operation, etc. that will enable Zoning Administrator to determine if the proposed use or operation complies with the applicable zoning district and/or other use restrictions that may apply to the subject property. Use back side or additional sheets as needed):

Request for placing a 4'6" 3 rail aluminum fence in a drainage easement at W148N10712 Crabtree Ln. (see attached for further information)

READ AND INITIAL THE FOLLOWING:

☒ I understand that Village Staff may request additional information to properly evaluate this request and failure to provide such information may in itself by sufficient cause to deny the petition.

☒ I understand that Village Staff can impose conditions or other requirements necessary in order to meet and/or remain in compliance with the Village's Zoning Codes and/or other Village requirements that may apply to the subject property.

INCLUDE THE FOLLOWING WITH YOUR APPLICATION:

☒ A scaled site plan showing location of proposed use on the property (not required if within building).

☒ $175 Application Fee

☒ Other Information required by Zoning Administrator

VILLAGE USE ONLY

SIGNATURES: ALL APPLICATIONS MUST BE SIGNED

Ryan Polsfuss
Applicant — 10/28/22 Date

Marguerite Claire Polsfuss
Property Owner — 10/28/22 Date

October 27th, 2022

Dear Planning Commission,

We are requesting a drainage easement waiver for the construction of an Asbury 4'6", 3 rail, aluminum fence (photos attached) for our backyard up to the rear property line and 5 feet into the north side yard drainage easement. This fence type is not a solid paneled fence and will sit 2" above grade for the entire fence line.

My Wife and I recently purchased this home and would like to add a fence for a few very important reasons. First and foremost, to provide a safe, secure area for our future child as well as our niece and nephew to play. Second, we have two dogs – an eight year old Labrador Retriever and a six year old miniature schnauzer – and would like to ensure they have a safe, open area to exercise off leash.

We do not foresee any issues or barriers to drainage that this fence will cause by being allowed to be placed in the drainage easement.

We appreciate your time and consideration and eagerly look forward to hearing the decision after your meeting.

Thank You!

Ryan Polsfuss

Fence placement in red

Cornerstone Land Surveying, Inc.

Plat of Survey

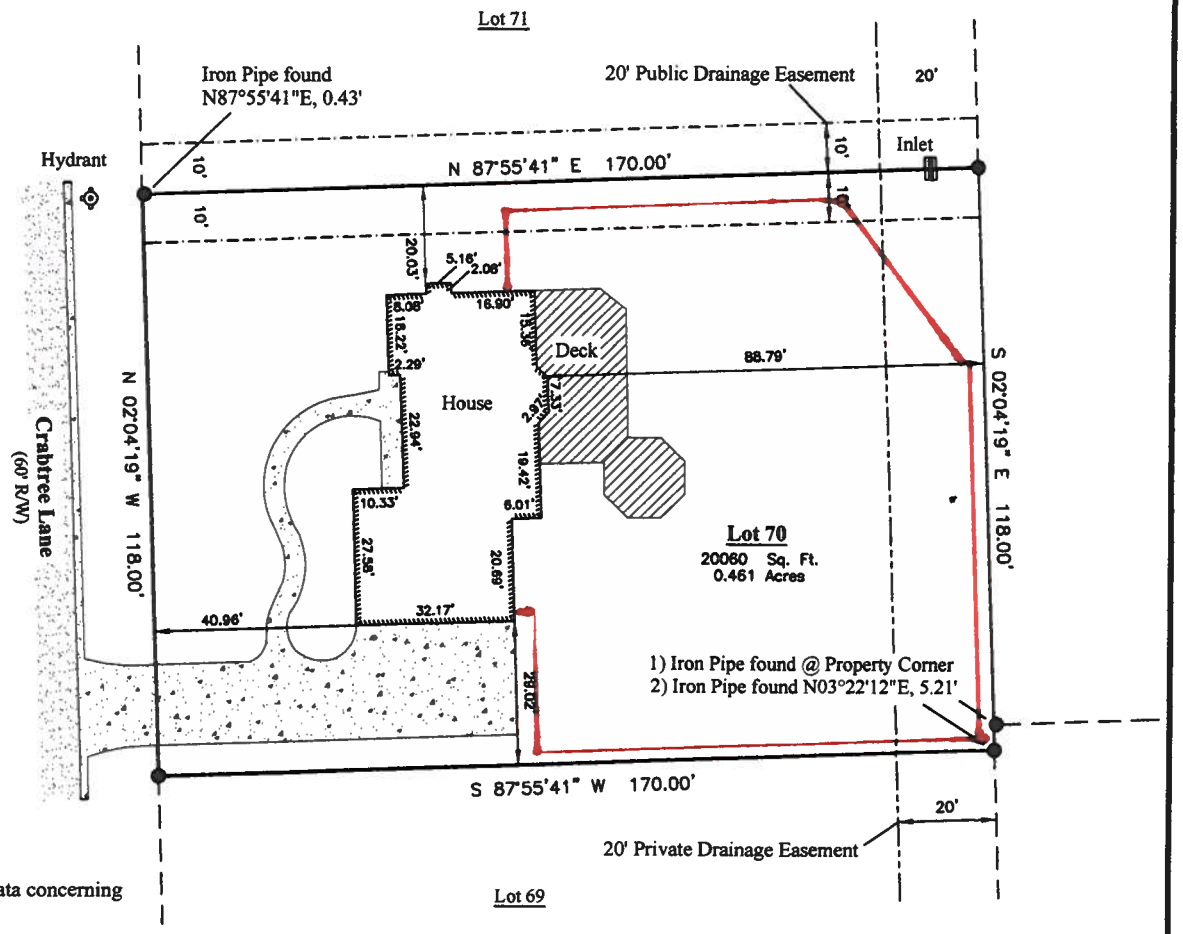
Surveyor:
Richard Simon
5080 Fairy Chasm
West Bend, WI 53095
rls2698@gmail.com
(262) 424-5630

Address:
W148 N10712 Crabtree Lane
Germantown, WI 53022

Scale 1"= 30'

0' 30' 60'

Legend:
● Denotes Iron Pipe Found



Description:
All of Lot 70 of The Preserve, being part of the Southeast ¼ and Southwest ¼ of the Northwest ¼ and the Northeast ¼ of the Southwest ¼ of Section 26, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Notes:
1) 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.
2) No Title Policy furnished therefore completeness of easements is not 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 THEROF. 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.

Survey For: Ryan and Marguerite Polsfuss
Dated this 26th day of October, 2022.

HOA Approval Email

---------- Forwarded message ---------
From: <zorian@thepreservegtown.org>
Date: Sat, Oct 22, 2022 at 11:08
Subject: RE: Wrought Iron Fence Request.
To: rcpolsfuss <rcpolsfuss@gmail.com>

Hi Ryan,

Nothing more on our end.

Thanks and welcome to theneghborhood!

Zorian

The Preserve at Germantown Homeowners Association, Inc.
P.O. Box 104 – Germantown, WI 53022

From: rcpolsfuss <rcpolsfuss@gmail.com>
Sent: Friday, October 21, 2022 12:41 PM
To: zorian@thepreservegtown.org
Cc: Chris Hunt <cshunt@huntmanagement.com>; Misty R Marvin <mistymarvin1@gmail.com>; drschornack@yahoo.com; tim.edwards@density.io
Subject: Re: Wrought Iron Fence Request.

Zorian and HOA board,

Thank you so much for the Fence approval! Also please let us know if there is any other information or steps we would need to complete before starting the installation.

Thanks,

Ryan and Claire Polsfuss

On Thu, Oct 20, 2022 at 19:23 <zorian@thepreservegtown.org> wrote:

Hi Ryan,

The Board has approved your fence request.

Please accept our apologies for the delay.

Zorian

From: rcpolsfuss <rcpolsfuss@gmail.com>
Sent: Thursday, October 13, 2022 8:17 AM
To: Zorian Lasowsky <zorian@thepreservegtown.org>
Subject: Re: Wrought Iron Fence Request.

Hi Zorian,

I wanted to follow up to see if the board was able to review the fence request? We were hoping to get this project approved and started before the ground freezes.

Thank you again for your assistance!

Ryan

On Wed, Sep 28, 2022 at 07:38 Zorian Lasowsky <zorian@thepreservegtown.org> wrote:

Thanks Ryan,

The board will review your request and get back to you shortly.

Regards,

Zorian

Sent from Smallbiz Yahoo Mail for iPad

On Tuesday, September 27, 2022, 5:51 PM, rcpolsfuss <rcpolsfuss@gmail.com> wrote:

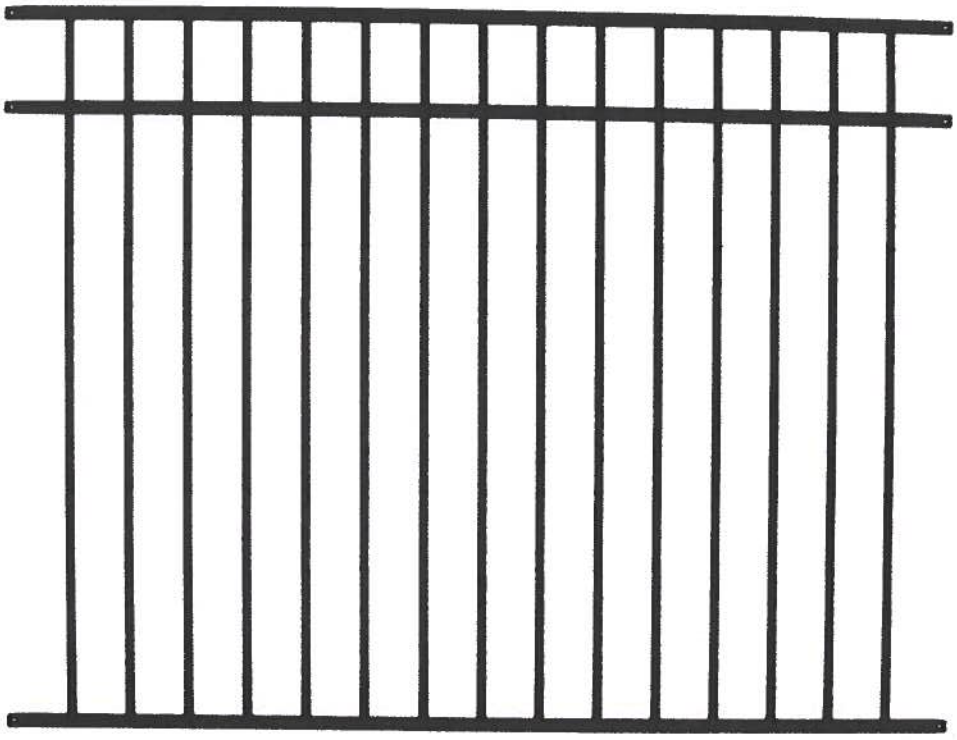
Hello Zorian and Preserve HOA board,

Thank you for the response. Attached is an outline of where we would like to build the fence on the property (W148N10712 Crabtree Ln). We have a survey scheduled to determine the specific property boundary lines as well. Below is a sample of the fence style which is 4' black powder coated aluminum fencing.

Please let me know if there are any specifics for where the fence can be placed in relation to the property lines and if there is any other information or steps needed.

I appreciate your assistance!

Ryan Polsfuss





Bellamy

On Fri, Sep 16, 2022 at 4:36 PM <zorian@thepreservegtown.org> wrote:

Hi Ryan,

Sorry for the delay in responding.

We met yesterday regarding your request, and ask that you forward to us a sample of the fence and the area of the property you intend for it.

We look forward to your response.

Regards,

Zorian

The Preserve at Germantown Homeowners Association, Inc.
P.O. Box 104 – Germantown, WI 53022

First Name: : Ryan

Last Name: : Polsfuss

Email: :

Mobile Phone: : 7633706858

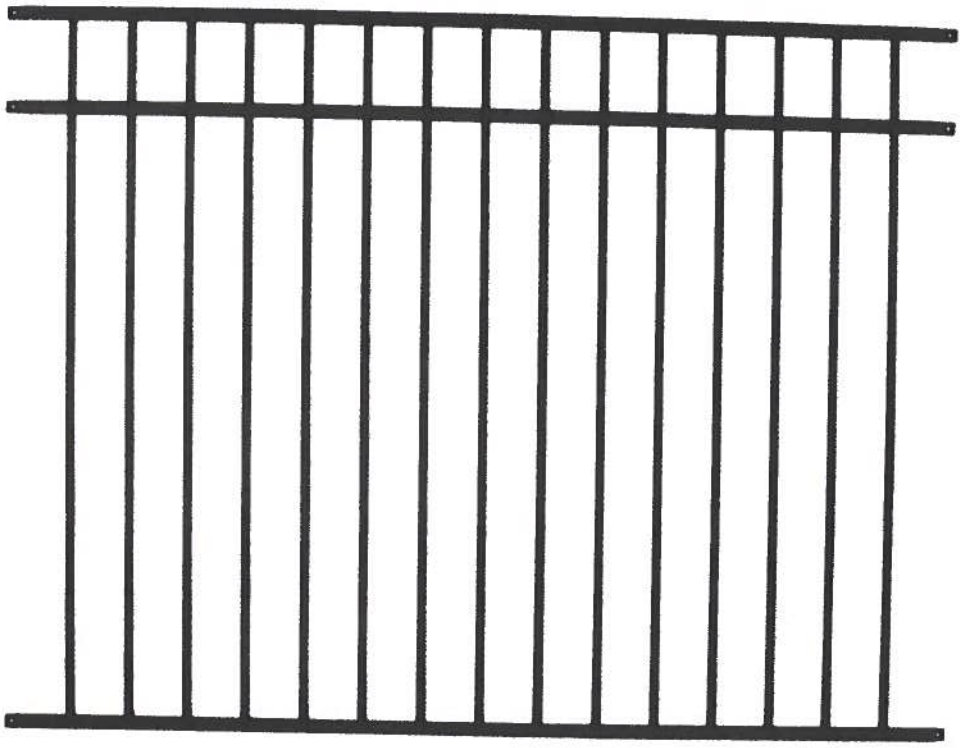
Comments: : My wife & I just moved into the Preserve - very excited to be a part of the neighborhood! We are looking to build a 4' wrought iron fence in our backyard and wanted to connect with someone from the HOA to determine the correct process for approval. Are you able to assist us with this? If not, can you direct us to who we should be in contact with?

Thank you for any help!

Claire & Ryan Polsfuss

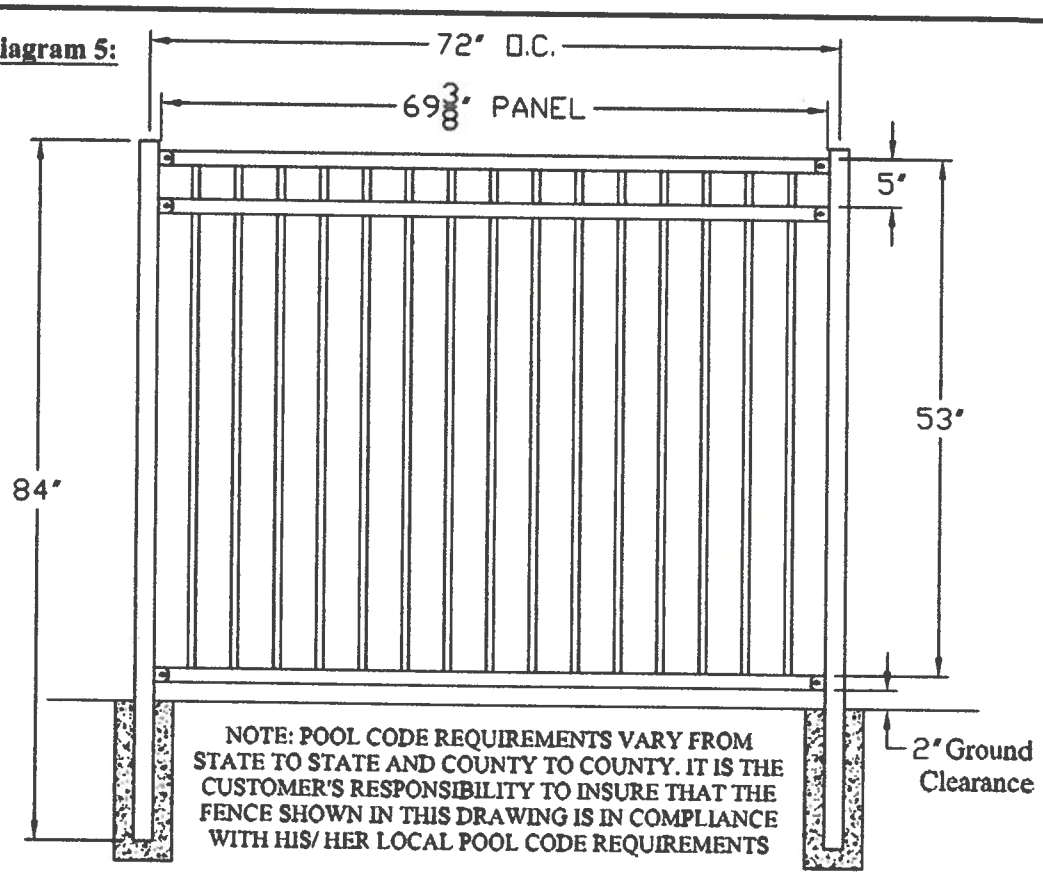
Company: : N/A





Step 5. Once Concrete has set, you may begin to set panels in between your brackets using the bolts, nuts, and washers provided. Fencing panel screwheads should be facing inward toward your property. Refer to Diagram 4 & 5 for spacing instructions.

Diagram 5:



Shown (Asbury 543 Style - 54"h Section) Post spacing does not change between styles.

Lori Johnson

From: rcpolsfuss <rcpolsfuss@gmail.com>
Sent: Wednesday, November 9, 2022 1:58 PM
To: Lori Johnson
Subject: Re: Zoning Permit Fence in an Easement

CAUTION: This email originated from outside the organization.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Lori,
When I dropped off my zoning permit application you mentioned sending in a few pictures for the application. I am attaching those pictures to this email and was hoping you would be able to add them to our application.

Satellite view of rear property line including arborvitae and play set located in the drainage easement when we purchased the property and would like to be included in the fenced in area.



Rear property line showing no drainage concerns if a fence is installed.





ZONING PERMIT REVIEW

12/12/22 Plan Commission Meeting

Jason & Susan Roxbury

Planning & Zoning Report **Germantown, Wisconsin**

Summary

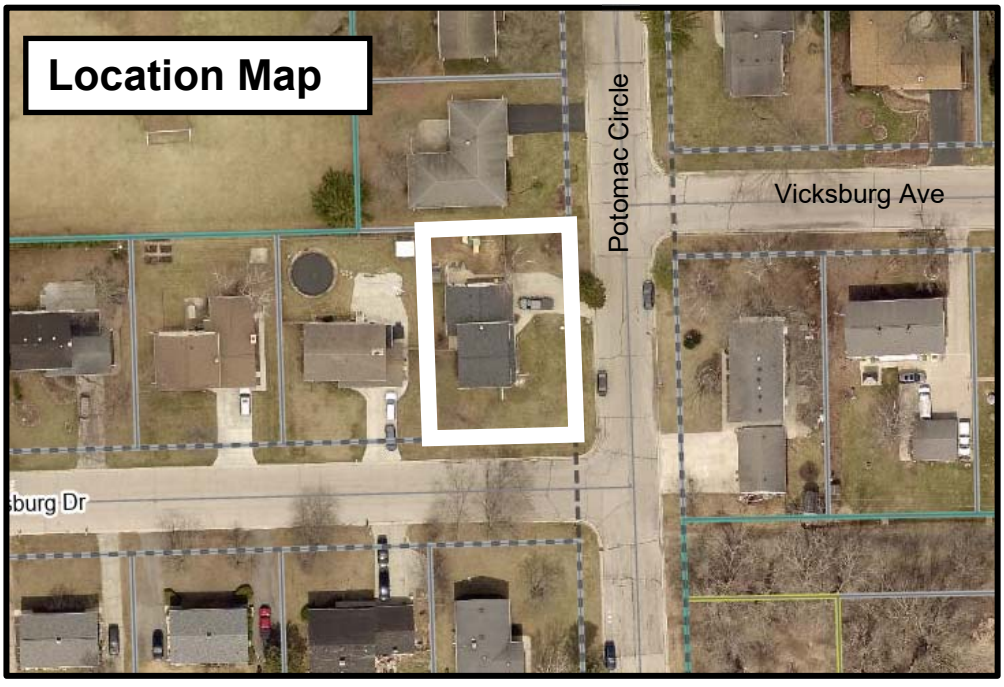
Jason & Susan Roxbury, property owners, are seeking approval to construct a wood privacy fence in the front yard at a height of 6' on their residential lot located at W153N11489 Potomac Circle.

Property Location: W153N11489 Potomac Circle

Applicant/
Property Owners: Jason & Susan Roxbury
W153N11489 Potomac Circle
Germantown, WI

Current Zoning: Rs-6: Single-family Residential

Adjacent Land Uses		Zoning
North	Residential	Rs-6
South	Residential	Rd-2
East	Residential	Rd-2
West	Residential	Rs-6



Proposal

Jason & Susan Roxbury, property owners, are seeking approval to construct a wood privacy fence in the front yard at a height of 6' on their residential lot located at W153N11489 Potomac Circle.

As indicated in the supporting information, the applicant would like to install a 6’ high, wood privacy fence to enclose the remainder of the rear yard, and the front yard along Gettysburg Drive.

Staff Comments

The Roxbury property is located in the northwest corner of the Potomac Circle and Gettysburg Drive intersection in the Green Meadow Subdivision. This lot is considered a corner lot on which both streets are deemed front lot lines.

As indicated below, Section 17.50(2)(f) of the Zoning Code prohibits fences over 4' in height in a front yard unless approved by the Plan Commission:

(f) Fences in Residential Districts.

1. *All fences shall be subject to review and approval of the Building Inspector prior to the issuance of a building permit.*
2. *Fences in rear or side yards may be up to 6 feet in height.*
3. *Fences in front yards may not exceed 4 feet in height, except a maximum height of 6 feet on approval of the Plan Commission after consideration of visibility, privacy and access concerns.*
4. *No fence shall be closer than 2 feet to a public right-of-way.*
5. *Fences that contain a finished side and an unfinished side, shall be installed in a manner in which the finished side faces the adjacent property. In case of a discrepancy, the Village Building Inspector shall determine which side of the fence is the finished side.*
6. *Fences and easements.*
    - (i) *Fences shall not be located within any type of easement, provided however, the Planning Commission may authorize the encroachment by a fence into a drainage easement where the owner of the land encumbered by the easement shows to the satisfaction of the Planning Commission that, considering the proposed location, design and materials of the proposed fence, the encroachment of the fence into the easement will not materially interfere with drainage flow within the easement, and, in the case of a subdivision, the homeowners association consents in writing to the encroachment, or if not in a subdivision, the adjacent landowners consent in writing.*
    - (ii) *If the Planning Commission deems it necessary in order to make its decision to authorize an encroachment into a drainage easement by a fence, it may require that the applicant provide a report by a professional engineer providing an opinion that the encroachment will not impair drainage flow within the easement.*
    - (iii) *If the applicant whose property abuts the drainage way shall be aggrieved by the decision of the Planning Commission, such aggrieved person may appeal the decision to the Village Board by filing a request for appeal review of the record below within 14 days of the date of the Planning Commission's decision.*
7. *It is the property owner's responsibility for any lawn maintenance of lands that lie between a fence and the property line.*
8. *Should it be necessary that the Village or its agent, remove the fence, the material costs (materials and labor) would be borne by the owner of the fence.*

As indicated above, the Planning Commission may authorize the installation of a residential fence up to 6' in height after considering such things as visibility, privacy and access.

The proposed fence will be located 4’ from the Gettysburg Drive right-of-way line and approximately 15’ from the edge of the road. Visibility at the intersection will not be impacted.

Village Staff Recommendation

APPROVE the proposed installation of a fence 6' in height within the front yard along Gettysburg Drive.

Village of Germantown ...Willkommen

ZONING COMPLIANCE/ OCCUPANCY PERMIT

Date of Application: 10/20/22

Fee Received By: LJ

Please read and print legibly. List name of actual contact person (NOT just business name).

APPLICANT OR AGENT:

Name: Jason & Susan Roxbury
Address: W153N11489 Potomac Circle
City/State/Zip: Germantown, WI 53022
Phone: (414) 640-2514
E-Mail: gabbysmama@att.net

PROPERTY or Business OWNER:

Name: Jason & Susan Roxbury
Address: W153N11489 Potomac Circle
City/State/Zip: Germantown, WI 53022
Phone: (414) 640-2514
E-Mail: gabbysmama@att.net

PROPERTY ADDRESS OR Tax Parcel ID#: W153N11489 Potomac Circle

DESCRIPTION OF PROPOSED USE (Describe improvements, structures, uses and activities conducted, services provided, products made or sold, # of employees, hours of operation, etc. that will enable Zoning Administrator to determine if the proposed use or operation complies with the applicable zoning district and/or other use restrictions that may apply to the subject property. Use back side or additional sheets as needed):

Please see attached documents

READ AND INITIAL THE FOLLOWING:

☒ I understand that Village Staff may request additional information to properly evaluate this request and failure to provide such information may in itself by sufficient cause to deny the petition.

☒ I understand that Village Staff can impose conditions or other requirements necessary in order to meet and/or remain in compliance with the Village's Zoning Codes and/or other Village requirements that may apply to the subject property.

INCLUDE THE FOLLOWING WITH YOUR APPLICATION:

☒ A scaled site plan showing location of proposed use on the property (not required if within building).

☒ $175 Application Fee

☒ Other Information required by Zoning Administrator

VILLAGE USE ONLY

SIGNATURES: ALL APPLICATIONS MUST BE SIGNED

Susan A. Roxbury — Applicant — Date 10/18/22

Susan A. Roxbury — Property Owner — Date 10/18/22

To Whom It May Concern,

My name is Susan Roxbury. My husband and I live at W153N11489 Potomac Cir. in Germantown. We have two children ages 9 and 15, as well as three rescue pups. The youngest of our children has Autism Spectrum Disorder along with low muscle tone. Our main reason for this request is to keep our children as well as our dogs safe. Our son tends to wander and tries to escape our current yard. The fencing we currently have and the lack of fencing on the south side of our house is unfitting for them to play outside safely. A 6 foot privacy fence was recommend due to my son's tendency to wander and the extreme possibility of him being able to scale a 4 foot fence as he continues to grow. With him having Autism he doesn't quite understand the potential dangers of crossing the street, getting lost, etc.

We currently have a swing set on the north side of our home that is fenced off by a privacy fence to try keep our son and dogs safe. With that side of our yard and our actual back yard being so small in size there is not much room for much else. We honestly would not have purchased this house had we known that we could not build a privacy fence on some of the property on the south side of our house.

We would really like to continue the privacy fence on the south side of our house as to give some more security to our yard and add some extra safe space for the kids & dogs to play. Since we have moved to this house we have been unable to set up my son's trampoline due to lack of fenced in yard space. His trampoline has greatly helped with his low muscle tone, sensory enrichment and confidence over the years and we would so much like to put that back up for him in the spring.

We share our backyard privacy fence with our neighbors to the east of us. They have no problem with our proposal to finish to rest of our 6 foot privacy fence to the south. As the survey shows, the extension on the fence would not be an obstruction to traffic visibility. The fence would be set back 15 feet from Gettysburg Drive and 40 feet back from Potomac Circle as shown in the survey(new portion of fence highlighted in pink).

Thank you so much for your consideration.

Sincerely,

The Roxburys

FLINT

Plat of Survey

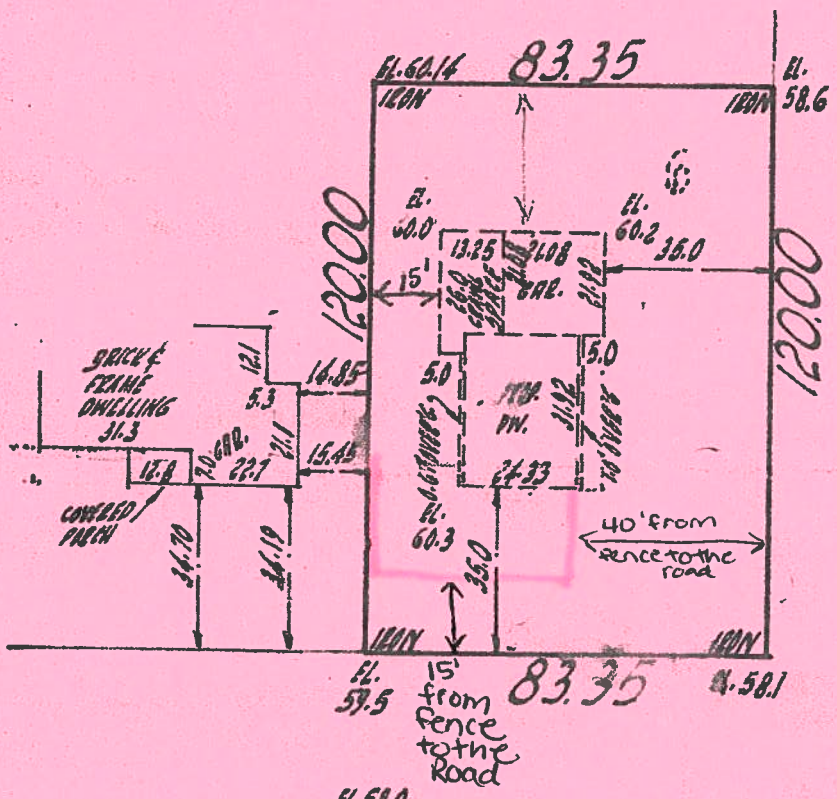
Please Return

Known as Potomac Circle, in the Village of Germantown, Wisconsin
Lot 6 in Block 1 in GREEN MEADOW SUBDIVISION, being a Subdivision of a part of the NW 1/4 and the NE 1/4 of the SW 1/4 of Section 23, T 9 N, R 20 E, in the Village of Germantown, Washington County, Wisconsin
May 24, 1967

Survey No. 118671-S

Jack Flint.
N112 W15421 Mequon Rd.
251-1159

Proposed F.G. = 58.7



A-1 FENCE CO., INC.

740 N. Dekora Woods Boulevard, Saukville WI 53080
262-251-6766 • FAX 262-268-8024 • www.a1-fence.com

Proposal No. _____

Date: 8-17-22

We propose to provide all necessary materials and labor to construct a fence according to the sketch, specifications and guarantee presented below, on the purchaser's property located at.

Address: W153 N11489 Potomac

Name: Susan Roxbury

City: Germantown

Telephone: 4) 640-2514

RESPONSIBILITY OF THE CUSTOMER

1. **Obtain permits.**
2. **Provide a survey of the property.**
3. **Provide a place for the dirt from post holes dug.**
4. **If there is an existing fence to be taken down, the CUSTOMER must make arrangements for its disposal.**
5. **10% deposit with signature. Non refundable after 3 days.**
6. **Full payment is due upon completion of work.**

CUSTOMER'S RIGHT TO CANCEL

You may cancel this agreement in person or in writing, by notifying the seller by 5 PM of the third business day after you signed this proposal. And, if you wish, you may write "I hereby cancel" across the face of this page as written notice.

GUARANTEE

Seller agrees to correct any defect in workmanship or materials at no cost to the buyer for the following period of time:

Installed Fencing: 5Y-

Installed Gate: 1Y-

UNDERGROUND CABLES:

Telephone ✓ Electric ✓

A- I Fence Co. assumes no responsibility for damage to any buried electric or plumbing service not installed by a public utility.

Salesman: Brent

"The sting of poor quality outlives the joy of low price."

A-1 Fence Co is not liable for disturbance or necessary changes of landscaping, nor are they liable for damage to existing surfaces such as concrete, brick, etc. due to installation or work performed. Checking of post are not warrented as that is the nature of the wood. Painting any part of the fence will void warranty.

PURCHASER AGREES TO PAY BALANCE DUE UPON COMPLETION OF WORK

Style of Fence

1x6 Cedar
Bev. Dog ear - d Solid

Accepted by: _____

Date signed: _____

Total footage: _____

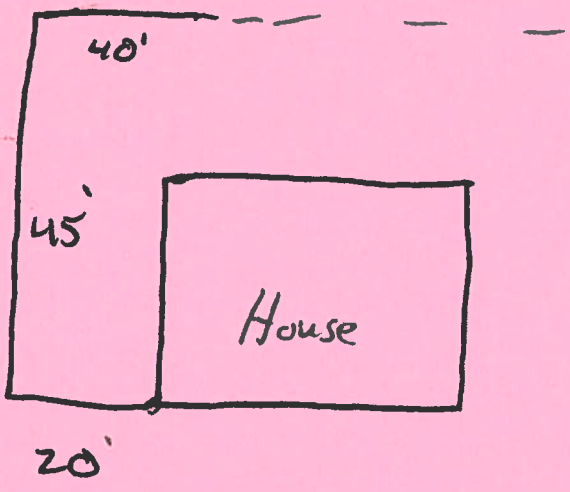
TOTAL PRICE: _____

Credit Card Payment will be subject to a 5,0% surcharge.

Fence Height	Gate Style	Post Style
6'	A) Arch up B) Arch Down C) Straight	Diamond Arrowhead Dade
Post Size	**Gate Post Size**	
4X4		

SKETCH

105' Linear feet
$7875.—
Materials = $3,937.50
Labor = $3,937.50



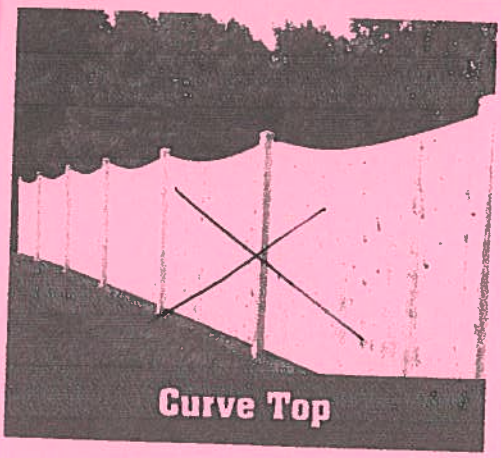
Installation Notes

20+20 UTS

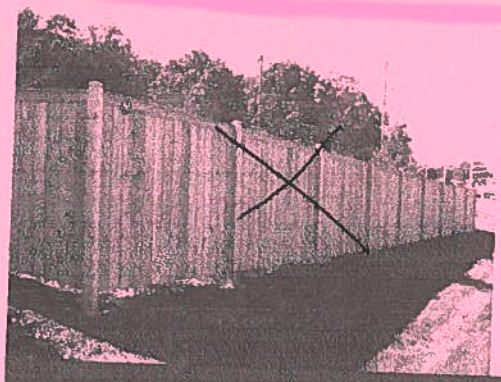
Privacy Fences

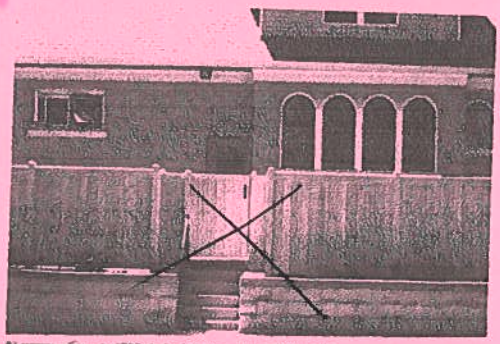


Dogeared Solid

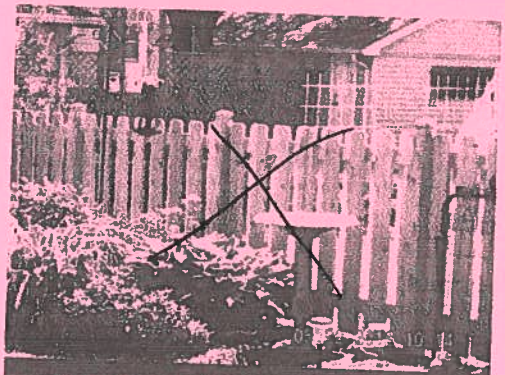


Curve Top

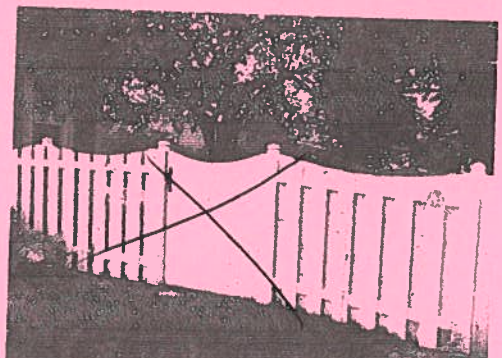




Estate Plank



Board on Board Dogeard



Board on Board Curve Top with Gate