

MEETING:	REGULAR MEETING OF THE PLAN COMMISSION
DATE AND TIME:	Monday, October 9, 2023 6:30 PM
LOCATION:	Germantown Village Hall Board Room N112 W17001 Mequon Road

NOTICE: Any member of the body and/or citizen may also attend the meeting virtually through the WebEx platform, Meeting #: **2553 216 2843** Password: **qRnIKJrY345** 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=mc9dce1f069066f4f2d3614fe9ee4ae0f>

Citizens not wishing to attend the meeting personally or virtually may submit any public 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. Previously recorded Plan Commission meetings can be viewed at https://www.youtube.com/channel/UCOYp0EgELzTCa9X_iCohyhQ.

AGENDA

- I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.*
- II. **ROLL CALL:**
- III. **CITIZEN INPUT:** *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 period per person with a time extension granted at the discretion of the Chairperson. Be advised that there may be limited discussion of the information received but no action will be taken under public comments.*
- IV. **APPROVAL OF MINUTES:**
 - A. September 11, 2023
- V. **NEW BUSINESS:**
 - A. Mark Brooks, Agent for Das Barrel Room Tavern & Grill, and Doctors LLC, Property Owner of W201 N10466 Appleton Avenue. Application to Amend Conditional Use Permit No. #13-2019 to allow expansion of the existing off-site parking area pursuant to Section 17.28(3)(u) and Section 17.45(5) of the Village Zoning Code. **(PUBLIC HEARING & ACTION)**
 - B. John & Amanda Thompson, Property Owners of W172 N10981 Division Road. Conditional Use Permit application to allow "raising chickens for family consumption" on the property pursuant to Sections 9.11 and 17.15(2)(b) of the Village Zoning Code. **(PUBLIC HEARING & ACTION)**
 - C. James Weber, Agent for The Elite Soccer Academy LLC and Techplex LLC, Property Owner of N115 W19150 Edison Drive. Sign Permit and Conditional Use Permit applications for an "Indoor Health or Recreation Establishment" pursuant to Section 17.33(3)(h) and Section 17.29(1)(kk) of the Village Zoning Code. **(PUBLIC HEARING & ACTION)**
 - D. Stephen and Danielle Cholewa, Property Owners of W166 N10577 Surrey Drive. Zoning Permit to install a 6-foot fence in a front yard and drainage easement. **(ACTION; continued from 9-11-23)**

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)250-4745 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.

MEETING:	REGULAR MEETING OF THE PLAN COMMISSION
DATE AND TIME:	Monday, September 11, 2023 6:30 PM
LOCATION:	Germantown Village Hall Board Room N112 W17001 Mequon Road

MINUTES

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

The meeting was called to order at 6:30 pm.

II. **ROLL CALL:**

Chairman Dean Wolter, Trustee Rep David Baum, Commissioners Tony Laszewski, Peter Nilles, Bob Williams, Josh Tarantino and Bill Shadid. Also in attendance were Community Development Director Jeff Retzlaff and Planning Assistant Lori Johnson.

- III. **CITIZEN INPUT:** *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 period per person with a time extension granted at the discretion of the Chairperson. Be advised that there may be limited discussion of the information received but no action will be taken under public comments.*

The following residents spoke during public comment:

- Melanie Smythe, N140 W17938 Cedar Lane,
- Scott Hefle, W159 N10514 Old Farm Road
- Trustee Jan Miller, W151 N10297 Windsong Circle West

IV. **APPROVAL OF MINUTES:**

A. August 14, 2023

MOTION Baum second Shadid to Approve the minutes from 8-14-23

MOTION carried unanimously.

V. **NEW BUSINESS:**

- A. Preferred Concepts LLC, Agent for the Buzdum Trust, Property Owner of W188 N10515 Maple Road. Site Plan Review for a 935 sqft patio addition to Buzdum's Bar and Grill **(ACTION; continued from 2-13-23)**

Director Retzlaff summarized the proposal. Peter LaLonde, Preferred Concepts, addressed questions.

MOTION Baum second Shadid to Approve the site development & building plans for a 935 sqft

enclosed patio expansion to the Buzzdum's Pub & Grill building located at W188 N10515 Fawn Lane subject to the following (7) 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 ~~May 17, 2023~~ November 29, 2022
 - b. ~~Color rendering dated September 1, 2022~~
 - c. Civil Site Plan dated February 7, 2023 (as it relates to the existing building and surrounding paved parking areas; see set Sheets C1.02, C1.03, C1.04 & C1.07)
 - d. ~~Storm water management plan dated February 7, 2023~~
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~~ triple the normal amount 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.
6. The Owner shall install the parking lot perimeter landscape features indicated on the site plan (see sheets dated February 7, 2023) that include a landscape buffer 8' wide will be created abutting the Fawn Lane right-of-way by saw-cutting the existing pavement and planting the area with a mix of deciduous and evergreen shrubs.
7. The Owner shall be required to pave the area shown on the site plan south of the building (that is currently covered in asphalt millings) with a pavement that meets the Village's Zoning Code requirements and general specifications for asphalt parking areas for uses of this type or as recommended by the Village Engineer.

Discussion followed regarding the landscaping for the project. Director Retzlaff explained the components of landscaping that were included in the site plan for the mini storage proposal are no longer on the table. Mr. LaLonde stated if including landscaping on the south and east is a condition of approval, including paving the driveway, that will not be an issue. Director Retzlaff explained he will go through the landscape plan and sort out the components for the south and east side of the property. He is recommending a green space buffer along the parking area. Trustee Baum reviewed the building renovations. Discussion continued. His biggest concern is the site plan saying the parking lot is a big problem because cars are parked anywhere and everywhere, there are no stalls and cars are parked on Fawn Lane. He is adamant about making the parking lot and landscaping inclusive of the plan.

MOTION carried unanimously.

- B. Wendy Danielak, Property Owner of W168 N10765 Juniper Drive. Zoning Permit to install a 4-foot fence within an existing drainage easement. **(ACTION)**

Director Retzlaff summarized the proposal.

MOTION Baum second Nilles to Approve the zoning permit application to install a 4' high cyclone fence within an existing storm drainage easement on the residential property located at W168 N10765 Juniper Drive subject to the following conditions:

1. It shall be the responsibility of the homeowner to always maintain a free flow of water within the drainage easement.
2. If the fence needs to be removed to make improvements and/or conduct maintenance within the drainage easement, the property owner shall be responsible for removing the fence to the extent necessary within three (3) days of being notified by the Village of Germantown. If not removed within three days, the Village may remove the fence at its discretion and charge back any/all costs of doing so to the property owner. The property owner shall be responsible for any/all costs associated with any damage, removal, or re-installation of said fence.
3. A fence permit is required from Inspection Services prior to installation. Contact SAFEBuilt for more information.

Trustee Baum confirmed the property owner was made aware that it would be their responsibility to remove the fence at their expense if maintenance is needed within the drainage easement. Director Retzlaff said that was stated in Condition #2. Discussions continued. Commissioner Laszewski asked if Condition #2 doesn't get recorded, how does it get transferred to the next owner? When the property sells in 10-20 years the new owner would have no idea of the condition. Director Retzlaff said the condition could be recorded if appropriate.

MOTION to Amend Laszewski second Baum that this agreement with the principal components of item 2 be a recorded item at the expense of the applicant.

Trustee Baum asked if we can put this requirement as standard Village language. Director Retzlaff agreed to make the requirement for the other two applications and would address the language in the code.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried (6-1 Laszewski)

- C. Stephen and Danielle Cholewa, Property Owners of W166 N10577 Surrey Drive. Zoning Permit to install a 6-foot fence in a front yard and drainage easement. **(ACTION)**

Director Retzlaff summarized the proposal. The property owners were not in attendance.

MOTION Baum second Shadid to Approve the zoning permit application to install a 6' wood privacy fence in the Old Farm Road front/street yard and in the 12' wide public drainage easement along the southwest property line of the Cholewa property located at W166 N10577 Surrey Drive subject to the following conditions:

1. The fence shall be setback a minimum of two (2) feet from the property line along Old Farm Road.

2. It shall be the responsibility of the homeowner to always maintain a free flow of water within the private drainage easement.
3. If the fence needs to be removed to make improvements and/or conduct maintenance within the drainage easement, the property owner shall be responsible for removing the fence to the extent necessary within three (3) days of being notified by the Village of Germantown. If not removed within three days, the Village may remove the fence at its discretion and charge back any/all costs of doing so to the property owner. The property owner shall be responsible for any/all costs associated with any damage, removal, or re-installation of said fence.
4. A fence permit is required from Inspection Services prior to installation. Contact SAFEBuilt for more information.

Discussion followed. Director Retzlaff said the property owner explained the corner of Surrey and Old Farm serves as a school bus stop and he wants the fence to let folks know where his property line is. Trustee Baum commented that the fence is too close to the road and may impede the owners view down Old Farm Road when pulling out of their driveway. He said if the owner was present he would talk to him about moving the fence closer to the house and outside the drainage easement. Commissioner Shadid questioned why a 6 foot fence is needed. Commissioner Tarantino suggested angling the fence in the northwest corner and require a 5-foot setback. Chairman Wolter said he reviewed the fence location and did not see any other front yard fences on Old Farm Road. He said if approved, this fence would set a precedent and look dramatically different than any other property surrounding it. Commissioner Williams stated he was not a proponent of a 6 foot fence in the front yard and questioned where the front yard ends. He said he would like to see the fence end at the corners of the home and not go all the way to the road. Plan Commission members indicated they want to discuss their concerns with the property owner.

MOTION to Postpone Baum second Shadid until the owner is present.

MOTION carried unanimously.

- D. Daniel S. Wells, Agent for Robert and Cecelia Wells, Property Owners of N108 W17143 Hawthorne Drive. Zoning Permit to install a 6-foot fence in a drainage easement. **(ACTION)**

Director Retzlaff summarized the proposal.

MOTION Baum second Tarantino to Approve the zoning permit application to install a 6' high wood privacy within an existing drainage easement on the residential property located at N108 W17143 Hawthorne Drive subject to the following conditions:

1. It shall be the responsibility of the homeowner to always maintain a free flow of water within the drainage easement.
2. If the fence needs to be removed to make improvements and/or conduct maintenance within the drainage easement, the property owner shall be responsible for removing the fence to the extent necessary within three (3) days of being notified by the Village of Germantown. If not removed within three days, the Village may remove the fence at its discretion and charge back any/all costs of doing so to the property owner. The property owner shall be

responsible for any/all costs associated with any damage, removal, or re-installation of said fence.

3. A fence permit is required from Inspection Services prior to installation. Contact SAFEBuilt for more information.

Discussion followed. Trustee Baum confirmed the property owner was aware of Condition #2 and asked if there are rules about maintaining the fence. Director Retzlaff explained the good side of the fence is to face outward, but there is no restriction on painting a fence. Dan Wells said he could stain the back of the fence along the south property so it would look like his neighbors fence.

MOTION to Amend Laszewski second Shadid to include as a part of Condition #2 that the agreement be recorded at the owners expense.

MOTION to Amend carried unanimously.

Discussion followed on an existing portion of fence previously installed.

MOTION to Amend Baum second Tarantino to add Condition #5 that the existing section of fence be altered in its height and color to match the fencing that is being installed.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried (6-1 Laszewski)

- E. Joseph Schuster - W156 N10081 Pilgrim Road. Zoning Code Text Amendment Consultation; proposed changes to the accessory building regulations under Chapter 17.41(1)(a) of the Municipal Code. **(CONSULTATION)**

Director Retzlaff summarized the proposal to make changes to the accessory building regulations brought forward as a consultation item by the applicant. The text changes to Section 17.41 of the Zoning Code would add a new category and increase the number of detached accessory buildings a property can have on residential property in the Rs-3, Rs-4, Rs-5, Rs-6 and Rs-7 Single-family Residential Districts. He said he does not believe there is a need to amend the size provisions for accessory buildings but Plan commission should consider the request and give staff further direction. Joe Schuster summarized his proposal and said he is trying to safeguard the Village from doing weird things. He is looking to proceed with an amendment to the code for himself and others of what he would like to see changed. Discussion followed.

Plan Commission members had the following comments and concerns.

- Why do we allow such a large attached garage. Director Retzlaff explained because no one would build a 10,000 square foot garage on a 1,700 square foot house. Those that want a large pole building would need materials to be comparable to the main building.
- OK with tweaking the size allowed for an accessory but doesn't want to allow an additional accessory building.
- Why not put on an attached garage? Mr. Schuster said he feels safer with no access to the house because of fuel lines and the house is not designed to make an accessory garage.
- Maybe there can be some unique explanation that addresses historic structures

- if the code is made more equitable for all zoning districts there would be a setback issue as whole. Director Retzlaff explained it would be difficult and that is what Board of Zoning Appeals is for.
- Chairman Wolter thanked Mr. Schuster for bringing the code amendment forward. His hope is to try and make it equal and less difficult for the code, how do we make that work.
- Trustee Baum would be more agreeable to amend a section of historic building code before amending every house in every subdivision in every zoning classification.
- Director Retzlaff said he could draft some language regarding historic properties and put a max on attached garages.
- Could create a sliding scale
- We have not received many complaints. BOZA appeals have been setback issues. How important is this amendment?
- This is not a priority issue
- This could be a historic designation issue and would help to solve Mr. Schuster's issue. It doesn't need to happen today, could maybe find a way to solve his issue.
- Director Retzlaff will work on language to address the historic designation issue and the max limit on attached garages.

This item was for discussion only. No action was taken.

- F. Michaels Signs Inc, Agent for TI Investors of Germantown V LLC, Property Owner and Zilber Property Group - W210 N12995 Gateway Crossing. Sign Review Application for Zilber 6 **(ACTION)**

Director Retzlaff summarized the proposal.

MOTION Baum second Shadid to approve the ground sign for the Zilber 6 industrial building located at N210 N12995 Gateway Crossing as proposed subject to the following conditions:

1. Building and electrical permits are required. Contact Safebuilt staff in Inspection Services for information.

MOTION carried unanimously.

- G. Fastsigns, Agent for JHS4 LLC/DHP4 LLP, Property Owner and the Victory Companies - N118 W18531 Bunsen Drive. Sign Review Application **(ACTION)**

Director Retzlaff summarized the proposal.

MOTION Baum second Nilles to Approve the wall sign for the Victory Companies facility located at N118 W18531 Bunsen Drive as proposed.

MOTION carried unanimously.

VI. ANNOUNCEMENTS:

None

VII. ADJOURNMENT:

The meeting was adjourned at 8:46 pm.

CONDITIONAL USE PERMIT

10/9/23 Plan Commission Meeting

Mark Brooks / Das Barrel Room

Village Planner Report

Germantown, Wisconsin

Summary

Mark Brooks, operator of Das Barrel Room, and agent for Doctors LLC and Julie Kind, representative for the property owner, is seeking approval of an amendment to Conditional Use Permit (CUP) #13-2019 to expand the existing off-site parking area located on the vacant 2.1-acre parcel adjacent to W201 N10466 Appleton Avenue.

Property Location: W201 N10466 Appleton Avenue

Applicant/

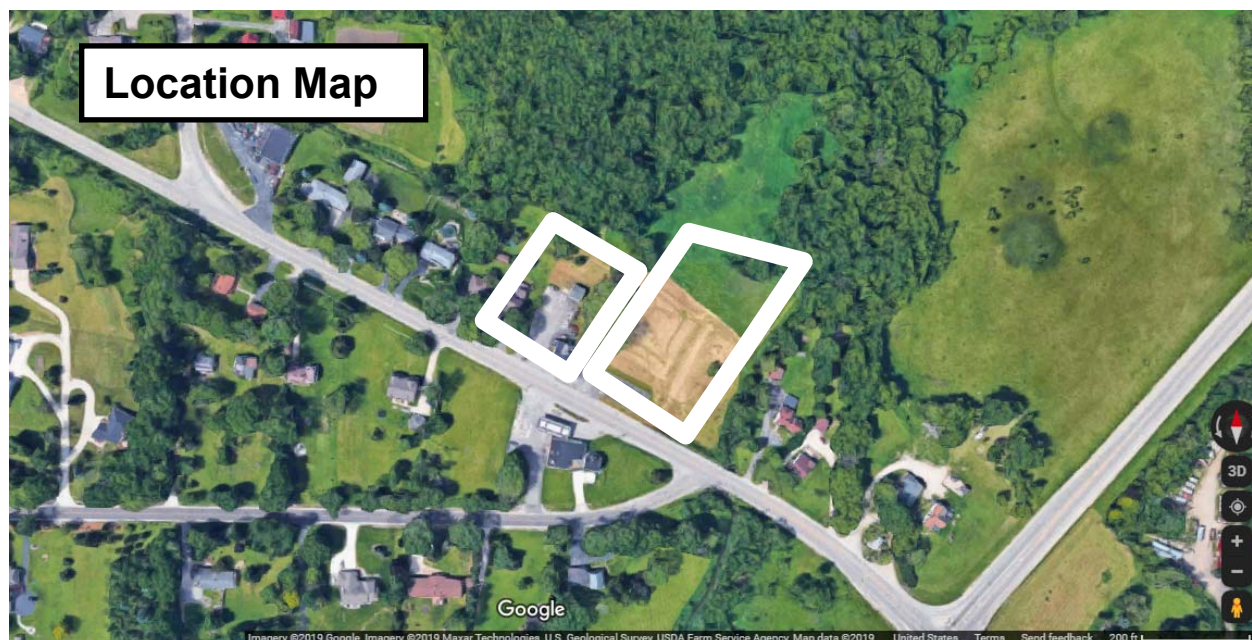
Property Owner:

Mark Brooks
Restaurant/Bar Operator
N52 W14018 Aberdeen Dr
Menomonee Falls, WI

Julie Kind
Doctors LLC
W206N10515 Appleton Ave
Germantown, WI 53022

Current Zoning: B-3: General Business & B-1: Neighborhood Business

Adjacent Land Uses		Zoning
North	Agricultural	A-2
South	Commercial	B-3
East	Residential	Rs-4
West	Residential	Rs-4/Rd-2



Background

Mark Brooks, operator of Das Barrel Room, and agent for Doctors LLC and Julie Kind, representative for the property owner, is seeking approval of an amendment to Conditional Use Permit (CUP) #13-2019 to expand the existing off-site parking area located on the vacant 2.1-acre parcel adjacent to W201 N10466 Appleton Avenue.

In May 2019, Mark Brooks was issued a Zoning Permit (copy attached) to re-open the former Doctors Pub (a.k.a. the Public House) on Appleton Avenue near the Willow Creek intersection. The existing building was remodeled for use as the “Das Barrel Room”... an upscale restaurant/bar. The owner/operator proposed use of the existing paved area (approximately 4,800 sqft) on the adjacent undeveloped parcel to the east for additional parking (also owned by Doctors LLC). Although the paved parking area and separate driveway are located almost entirely on the adjacent parcel, this paved area has been used historically for parking purposes for previous bar operations (and a violation of the Zoning Code since 2013).

In order to resolve this long-standing code compliance issue, a condition of Zoning Permit approval for the Das Barrel Room approval was to prohibit parking on the adjacent paved parking area unless the owner/operator remedied the situation by either combining the two parcels into one, thereby legally attaching the paved parking area to the restaurant/bar parcel, or, obtain a conditional use permit (CUP) for an “off-site parking” area that can be permitted under Section 17.45(5) of the Zoning Code.

While both the restaurant/bar parcel (.9 acres and zoned B-3) and the adjacent parcel (2.1 acres and zoned B-1) are/were under the same ownership (Doctors LLC), the property owner did not want to combine the two parcels. Consequently, the owner/operator applied for and was granted CUP #13-2019 (copy attached).

As stated under Condition #1 of CUP #13-2019, the owner/operator is allowed to use the existing 4,800 sqft paved area “as is” for parking. Condition #2 provides that only general maintenance of the parking area is allowed (e.g. sealcoating, crack-filling, stripping). Condition #3 provides that the parking area MAY be expanded subject to going through the CUP amendment process and re-construction of (or other modifications necessary to) the existing parking area to make the entire parking area (existing and any expansion) compliant with all setback, landscaping, and other code requirements in effect at the time of expansion.

Until this spring, the owner/operator has used the “off-site parking area” in compliance with the terms of CUP #13-2019. However, in late May, Staff issued Code Violation Notice #2023-05-01 to both the owner, Doctors LLC, and the operator, Mark Brooks, for violating the terms of CUP #13-2019 and two other Building & Electrical Code violations (both of which have since been resolved by obtaining the necessary building permits, paying the triple fee fines, and correcting the violations).

With respect to CUP #13-2019, Brooks hired a contractor to install a large amount of gravel on the adjacent parcel to expand the area available for patron parking without obtaining approval from the Village (Condition #2). The illegally expanded parking area is shown on the attached site plan and photos provided in the CUP amendment application by Brooks.

Since the Code Violation Notice was issued, Brooks has been working with Village Staff and the property owner to apply for an amendment to the CUP that could allow the expanded parking to remain if approved by the Village. Until the CUP amendment has been reviewed and acted on by the Village, Staff has deferred enforcement of the code violation. If the Village Board does not approve an amendment to the CUP that would allow the off-site parking area to be expanded as proposed, the code violation will be enforced and the owner/operator will have to remove the gravel and restore the adjacent property to the previous condition.

Proposal

As stated in his CUP amendment application, Brooks is requesting: (1) that the gravel area already installed be allowed to remain as an expansion to the previously approved off-site parking area; and (2) that the expansion area is NOT required to be paved (a standard requirement in the Zoning Code for parking areas serving commercial properties).

Staff Comment

Planning & Zoning

CUP #13-2019 was granted with the understanding and requirements that the pre-existing 4,800 sqft non-conforming paved parking area could be used “as is” (with an allowance for general maintenance) and that any expansion would trigger the need to re-construct the entire parking area to meet current code requirements. Why? Because the existing paved area encroaches into Appleton Avenue right-of-way. In fact, the front of the existing building is only 3-5 feet setback from the right-of-way. When WisDOT re-constructed Appleton Ave in this vicinity as part of the larger round-about construction at Lannon Road, the existing paved area was allowed to remain as a legal non-conforming use. The existing driveway apron was replaced in the same location and width. Consequently, there is not sufficient space between the existing pavement and property line within which any landscaping or other code required improvement could be made that would further separate the parking area from the travel lanes (i.e. 5' minimum parking lot setback and landscaped buffer). Allowing the pre-existing parking lot to be used “as is” unless and until it is expanded is both reasonable and typical for the ongoing use of non-conforming structures.

The primary paved parking area exists on the west side of the building on the restaurant/bar parcel. Historically, the number of parking stalls available in both areas combined has been sufficient to meet the demand for previous bar business. Clearly, Das Barrel Room has become a popular attraction with the need for additional parking either on site or off to keep patrons from parking on Appleton Avenue/STH175. Consequently, and with tacit “approval” from the operator, patrons began parking on the

adjacent parcel and beyond the limits of the Village-approved paved parking area on a regular basis as the business has grown in popularity. Doing so led the operator to install the gravel and expand the off-site parking area (albeit without the required Village approval).

This property and the gas station across the road are the last or furthest west parcels within the “Lannon-Mequon Road Corridor” around the Appleton Avenue @ Lannon road intersection under the 2050 Plan. Commercial uses such as this are deemed to be “desirable” uses for the corridor. However, given Appleton Avenue’s history as a major north-south arterial route that existed prior to the construction of US41, the area developed with a mix of highway-oriented commercial and small-lot residential uses that is slowly evolving into a more residential than commercial corridor. Unfortunately, the pre-1970’s pattern of land division and development in this vicinity does not include nor reflect much, if any, conscious attempt at separating incompatible uses or providing landscaping and other visual or sound attenuating buffers.

Also, for those that may not be aware, the growing popularity of Das Barrel Room and its current business model that includes regular extended weekend indoor (7:30 to 11:30pm) and outdoor (6:00 to 10:00pm) musical entertainment, has resulted in increased sound levels affecting the surrounding neighborhood. While CUP #13-2019 does not (and cannot) be used to effectively address anything other than “off-site parking”, it is reasonable to assume that the size and amount of parking available to patrons can/does have a relationship to sound levels associated with the Das Barrel Room operations ... either directly (with space for more patrons to come and sit outside and sing, clap, cheer, and generally have louder fun) or indirectly (by enabling and supporting more popular outdoor entertainment).

Notwithstanding the issue of sound levels that can/should be addressed through the Village’s noise regulations (if noise violations are occurring), Staff supports the concept of allowing the installation of additional parking for the business.

However, whether that additional parking is provided within the restaurant/bar property (there is space available on the north side of the bar property for additional parking) or as an expanded “off-site” parking area on the adjacent parcel, the additional and existing “off-site” parking areas should be required to meet all current Zoning Code and development requirements, including all setback requirements, pavement and storm water management requirements, and landscaping and buffering requirements. This is particularly important if the “off-site” parking area is expanded on the adjacent parcel since Willow Creek traverses a portion of the parcel along the east property line. Construction of any expanded parking area should be required to include all necessary storm water quality and quantity management measures to ensure ongoing protection of Willow Creek and any other environmentally sensitive features associated with it in this vicinity.

To that end, the operator/owner should remove and/or modify the illegally expanded “off site” gravel parking area as necessary to accommodate the construction of a code compliant parking area subject of detailed plans reviewed and approved by the Village (that may or may not reflect the exact location or amount of parking area shown in the site plan sketch provided in support of this CUP amendment application).

However, if the Plan Commission and Village Board are inclined to grant the operator’s request for the additional gravel (not paved) parking already installed and not require re-construction of the existing non-conforming paved parking area, the owner/operator should at least be required to prepare the necessary site, grading and storm water management plans for the existing gravel area and make whatever modifications or improvements are necessary for adequate and code compliant storm water management.

Village Engineering

If the CUP amendment proposal is approved, the following items are required to be submitted for Site Plan Review prior to permits being issued:

1. Existing site survey stamped by a registered land surveyor;
2. Site, grading and erosion control plans prepared by a registered engineer;
3. If over 5,000 square feet of impervious surface is added (gravel counts as impervious), a green infrastructure plan meeting the requirements of MMSD Chapter 13 is required. Over 10,000 square feet will require a storm water management plan meeting both Village and MMSD requirements.

VILLAGE STAFF RECOMMENDATION

APPROVE an amendment to Conditional Use Permit #13-2019 for Mark Brooks and Doctors LLC to allow expansion of the “off-site” parking area on the undeveloped 2.1-acre parcel located adjacent to the restaurant/bar parcel located at W201 N10466 Appleton Avenue subject to the following amendments to the adopted conditions:

1. This conditional use permit allows the continued use of the existing 4,800 sqft paved area for an off-site parking area as shown in the site plan July 11, 2019, subject to any further requirements and revisions set forth or required herein.
2. Improvements to the existing pavement shall be limited to general maintenance, including but not limited to sealcoating, crack-filling, stripping. ~~No expansion or additional off-site parking or other enhancements, e.g. additional lighting, signage, shall be made without obtaining Zoning Permit and/or Site Plan approval from the Village.~~
3. Expansion of the off-site parking area or the existing on-site parking area on the west side of the building may be allowed subject to approval of an amendment to this conditional use permit.
4. ~~, and,~~ Expansion of the “off-site” parking area east of the restaurant/bar will require;

-
- a. Plan Commission approval of site, grading & erosion control, and storm water management plans;
 - b. Compliance with applicable Zoning Code and development requirements, including all setback, pavement, storm water management, landscaping and buffering requirements of the Village and MMSD;
 - c. re-construction and/or other modifications necessary to make the “off-site” parking area compliant with all setback, landscaping, and other applicable Zoning Code requirements in effect at that time.
 5. The off-site parking area shall be used for parking by the patrons and employees of the restaurant/bar operation during normal business hours. The off-site parking area shall not be used for overnight storage (other than snow storage) of any materials or equipment and shall be kept clean and continuously maintained.
 6. In the event that the 2.1-acre undeveloped parcel is developed separately from the restaurant/bar operation, the existing 4,800 sqft “off-site” paved parking area may be required to be removed or modified to comply with all current Zoning Code requirements in effect at that time or as needed to accommodate the separate development. The continued or shared use of the off-site parking area with any development on the 2.1-acre parcel shall be addressed as an amendment to this conditional use permit.
 7. Any signage displayed on the off-site parking area shall be reviewed and approved by the Village subject to applicable sign regulations.
 8. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or where there is a change in the nature, character, intensity or extent of the permitted conditional uses and activities which cause special problems or harmful effects associated with the permitted uses and activities that were not revealed or anticipated at the time this CUP was granted, or, where conditions imposed by this CUP that were anticipated to mitigate or eliminate harmful effects associated with the uses and activities but are subsequently insufficient to do so, or, for similar cause based upon consideration for the public comfort, safety, and welfare, this conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.
 9. Unless otherwise provided herein, this conditional use permit shall run with the land and transfer to subsequent owners in interest of the business and/or property.



Village of



Germantown

...Willkommen

Fee must accompany application

730
\$1480 Paid 8/4/23 Date 8/4/23

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

Mark Brooks

Phone (414) 507-8653

Fax ()

E-Mail dasbarrelroom@gmail.com

PROPERTY OWNER

Julie Kind

Phone (414) 303-9094

2 TO WHOM SHOULD THE PERMIT BE ISSUED?

3 PROPERTY ADDRESS

W201N10466 Appleton Ave

TAX KEY NUMBER

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.

5 DESCRIPTION OF PROPOSED OPERATION

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

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

I am applying to amend the current CUP #13-19 to allow expansion of the existing off-site parking area. I am also asking that I not be required to pave the new area but to allow the use of gravel.

6 **METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED**

Attach pages as necessary

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:**

MB 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.

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

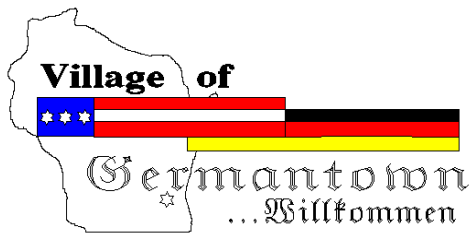
MB I understand that a Conditional Use Permit is valid only if the conditions and restrictions of the permit are met. I understand that failure to comply with any aspect of the permit may result in revocation.

MB 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!**

Mark A. Brooks 8/2/23
Applicant Date

[Signature] P.R. 8-3-23
Owner Date



Engineering Department Memorandum

To : Jeffrey W. Retzlaff, AICP, Planning Director/Zoning Administrator
From : Brad Seubert P.E. Harwood Engineering Consultants
Date : August 29, 2023
Re : Das Barrell Room

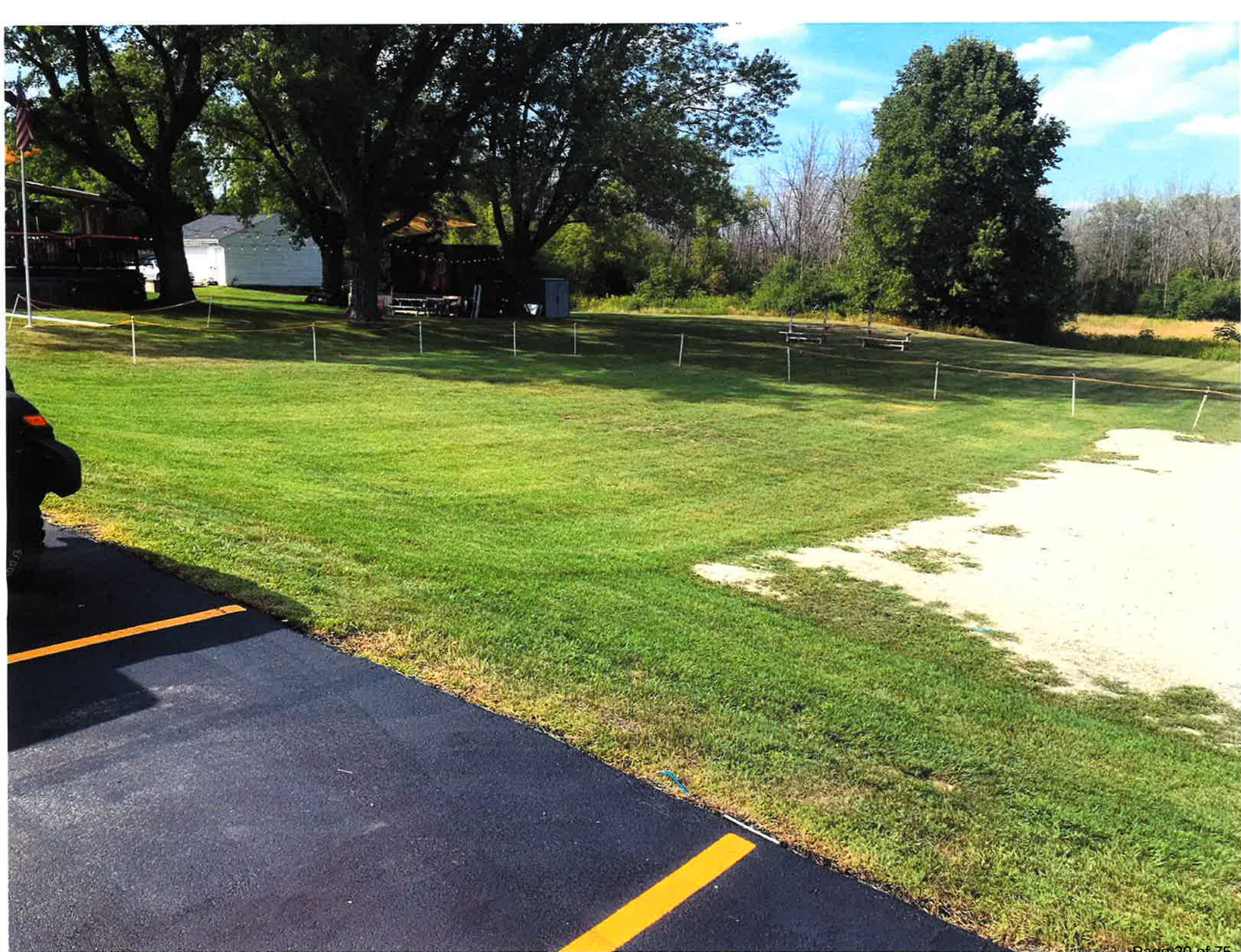
Items Reviewed:

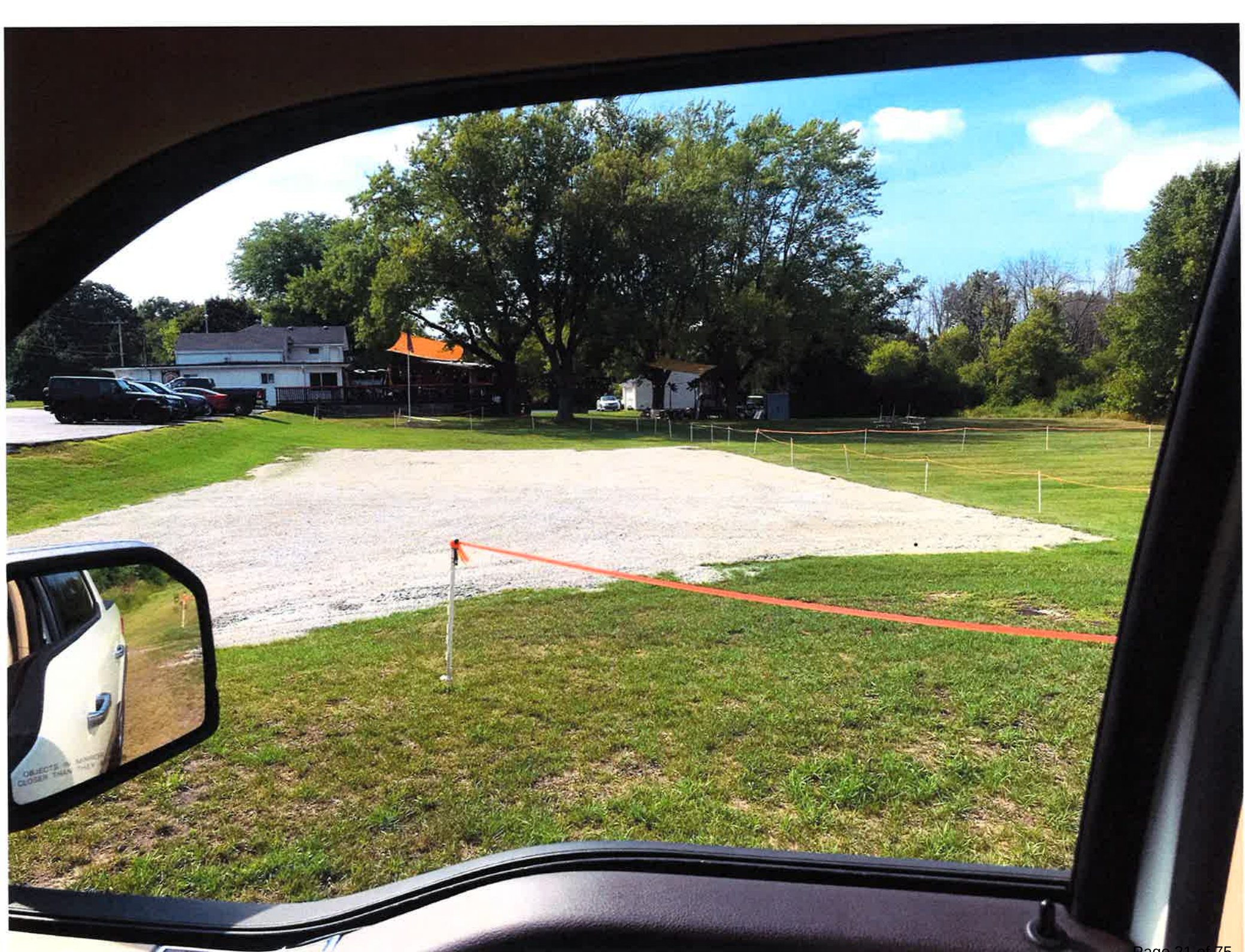
1. CUP Application Dated: 08-02-23

General Comments:

1. The CUP application has been reviewed. The following items are required to be submitted for Site Plan Review prior to permits being issued.
 - a. Existing site survey stamped by a registered land surveyor.
 - b. Site, Grading and erosion control plans prepared by a registered engineer.
 - c. If over 5,000 square feet of impervious surface (gravel counts as impervious) is added a green infrastructure plan meeting the requirements of MMSD chapter 13 is required.







PARCEL 2
293983

PARCEL 1
#293982

148.50'

288.75' N 25°38'00"E 320.10'

52'

109'

526°22'00W
417.30'

Asphalt
Parking

BLDG

Asphalt
Parking

sign

6.00' RAIL

148.50

276.05'

N 63°38'00W

ROADWAY

ROAD CENTER LINE

SO. LINE S.W. 1/4 S
S.T.H. 175

Endorsement stamp digitally applied
Please keep attached to original document

CUP #13 - 19

Document No.

CONDITIONAL USE PERMIT

Document Title

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

Whereas the Applicants:

**Mark Brooks, Das Barrel Room Operator and Agent for
Renee Martin and Doctors LLC, Property Owner**

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

Now, therefore, this permit is issued to the Property Owner for the use of an "off-site" parking area pursuant to Section 17.45(5) of the Village's Zoning Code.

Document # **1481369**
WASHINGTON COUNTY WISCONSIN
2019-10-03 12:36:00 PM

Sharon A. Martin
SHARON A MARTIN
WASHINGTON COUNTY
REGISTER OF DEEDS
Fee: **\$30.00**

Return via **MAIL (REGULAR)**
Pages: **5**

Name & Return Address:

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

Parcel Identification No:

GTNV 293-982 & 293-983

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

GTNV 293-982 (W201 N10466 Appleton Avenue)

That part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section Twenty-nine (29), Township Nine (9) North of Range Twenty (20) East. Village of Germantown. Washington County, Wisconsin, described as follows:

Commencing at a point 7.82 chains Northwest of the intersection of the center line of said Fond du Lac Road with the South line of Section 29, said point being the Southwest corner of a parcel of land conveyed by Joshua Gifford and wife to Thomas Nelson and recorded in Volume D of Deeds on page 574; thence North 26 degrees East along the Westerly line of said Nelson tract 17.50 rods; thence North 64 degrees West, 9 rods; thence South 26 degrees West, 17.63 rods to center of Fond du Lac Road; thence South 54 degrees East, 9 rods to the place of beginning.

GTNV 293-983 (Undeveloped Parcel w/ Off-Site Park Area)

That part the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Twenty-nine (29). Township Nine (9) North of Range Twenty (20) East, Village of Germantown, Washington County, Wisconsin, described as follows, viz:

Commencing at Southwest corner of said Section 29; thence East, 1164.51 feet; hence North 63 degrees 38 minutes West along the centerline of State Trunk Highway No. 175, 195.30 feet to the place of beginning of this description; thence 63 degrees 38 minutes West along said centerline, 276.05 feet; thence North 25 degrees 38 minutes East, 320.10 feet; thence 82 degrees 50 minutes East, 296.20 feet thence South 26 degrees 22 minutes West, 417.30 feet to the place of beginning of this description.

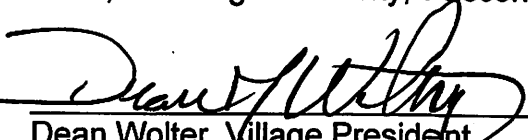
Pursuant to the following condition(s):

1. This conditional use permit allows the continued use of the existing 4,800 sqft paved area for an off-site parking area as shown in the site plan July 11, 2019, subject to any further requirements and revisions set forth or required herein.
2. Improvements to the existing pavement shall be limited to general maintenance, including but not limited to sealcoating, crack-filling, striping. No expansion or additional off-site parking or other enhancements, e.g. additional lighting, signage, shall be made without obtaining Zoning Permit and/or Site Plan approval from the Village.
3. Expansion of the off-site parking area may be allowed subject to an amendment to this conditional use permit, and, will require re-construction and/or other modifications necessary to make the off-site parking area compliant with all setback, landscaping, and other applicable Zoning Code requirements in effect at that time.
4. The off-site parking area shall be used for parking by the patrons and employees of the restaurant/bar operation during normal business hours. The off-site parking area shall not be used for over-night storage (other than snow storage) of any materials or equipment and shall be kept clean and continuously maintained.
5. In the event that the 2.1-acre undeveloped parcel is developed, the existing paved parking area may be required to be removed or modified to comply with all current Zoning Code requirements in effect at that time. The continued or shared use of the off-site parking area with any development on the 2.1-acre parcel shall be addressed as an amendment to this conditional use permit.
6. Any signage displayed on the off-site parking area shall be reviewed and approved by the Village subject to applicable sign regulations.
7. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or where there is a change in the nature, character, intensity or extent of the permitted conditional uses and activities which cause special problems or harmful effects associated with the permitted uses and activities that were not revealed or anticipated at the time this CUP was granted, or, where conditions imposed by this CUP that were anticipated to mitigate or eliminate harmful effects associated with the uses and activities but are subsequently insufficient to do so, or, for similar cause based upon consideration for the public comfort, safety, and welfare, this conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.
8. Unless otherwise provided herein, this conditional use permit shall run with the land and transfer to subsequent owners in interest of the business and/or property.

CUP # 13-19

Mark Brooks, Das Barrel Room Operator, Renee Martin & Doctors LLC, Property Owner
Village of Germantown, Washington County, Wisconsin
Page 3 of 5

Granted by the Village Board of the Village of Germantown, Washington County, Wisconsin
on the 16 day of September, 2019.



Dean Wolter, Village President

ATTEST:

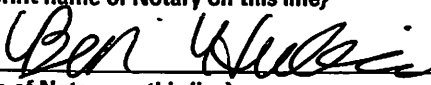


Deanna B. Braunschweig, WCMC/CMC, Village Clerk

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)

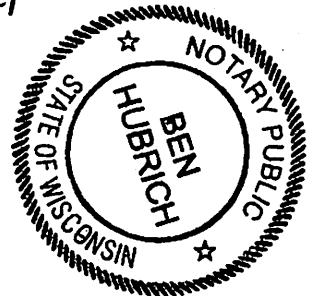
Personally came before me this 16th day of September, 2019, the above
named Dean Wolter, Village President, and Deanna B. Braunschweig, Village Clerk, to me
known to be the persons who executed the foregoing instrument and acknowledged the same.

Ben Hubrich

{type or print name of Notary on this line}


{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: 5/25/2021



CUP # 13-19

Mark Brooks, Das Barrel Room Operator, Renee Martin & Doctors LLC, Property Owner
Village of Germantown, Washington County, Wisconsin
Page 4 of 5

ACCEPTANCE OF TERMS AND CONDITIONS BY OPERATOR

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

Dated this 24 day of September, 2019

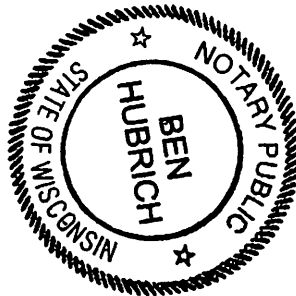
Mark A. Brooks
Mark Brooks, Operator and Agent for Property Owner

STATE OF WISCONSIN) SS

Washington COUNTY)

Personally came before me this 24 day of September, 2019, being the above named Mark Brooks, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Ben Hubrich
{type or print name of Notary on this line}
Ben Hubrich
{signature of Notary on this line}
Notary Public, State of Wisconsin
My Commission Expires: 5/25/2021



CUP # 13-19

Mark Brooks, Das Barrel Room Operator, Renee Martin & Doctors LLC, Property Owner
Village of Germantown, Washington County, Wisconsin
Page 5 of 5

ACCEPTANCE OF TERMS AND CONDITIONS BY PROPERTY OWNER

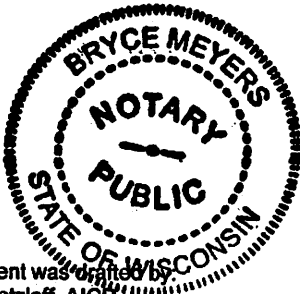
As property owner, I hereby accept the terms and conditions set forth herein and realize that non-adherence to the terms and conditions as stated herein may result in the revocation of this Permit by the Village of Germantown.

Dated this 30 day of September, 2019

Renee Martin *SOLE MEMBER*
Doctors LLC
Renee Martin, Doctors LLC, Property Owner

STATE OF WISCONSIN) SS
Washington COUNTY)

Personally came before me this 30 day of September, 2019, being the above named Renee Martin, to me known to be the person who executed the foregoing instrument and acknowledged the same.



Bryce Meyers
(type or print name of Notary on this line)
[Signature]
(signature of Notary on this line)
Notary Public, State of Wisconsin
My Commission Expires: 1/14/23

This instrument was drafted by:
Jeffrey W. Retzlaff, AICP
Community Development Director/Village Planner/Zoning Administrator
Village of Germantown, Wisconsin



Village of
Germantown
Willkommen

ZONING COMPLIANCE/
OCCUPANCY PERMIT

Date of Application: 5-31-19

\$175 Application Fee Received By: [Signature]

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

APPLICANT OR AGENT:

Name: Mark Brooks
Address: 152 W 14018 Aberdeen Dr. Men Falls
Phone: 414-507-8653
Fax: _____
E-Mail: markb@burtonmayer.com

PROPERTY or Business OWNER:

Name: Renée Martin - ~~RE~~ Member Doctors LLC
Address: W 206 N 10515 Appleton Ave
Phone: Germantown, WI 53022
Fax: 262-253-8133
E-Mail: Rmartin48@aol.com

PROPERTY ADDRESS OR Tax Parcel ID#:

W201 N 10466 Appleton Ave, Germantown, WI

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):

Restaurant/Bar serving upscale food & beverages in a newly remodeled & decorated space. outdoor deck & greenspace to provide an area for outdoor dining & yard games such as Baggies, Horseshoes, Bocce Ball etc. Approx 11 employees & hours of 11:00 am - close & future breakfast hours. (over)

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 be 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

SIGNATURES: ALL APPLICATIONS MUST BE SIGNED

Mark A. Brooks 5-30-19
Applicant Date
[Signature] Doctors LLC 5-30-19
Property Owner Date

APPROVED
VILLAGE USE ONLY

☒ Building/Arch Plan	☐ Site Plan
☒ Landscaping Plan	☐ Sign Plan
☒ Lighting Plan	☒ Zoning Permit

[Signature] 6-14-19
Zoning Administrator Date Approved

Approval Conditions apply as noted below:
SPE LETTER DATED
6-14-19 FOR CONDITIONS
OF APPROVAL

VILLAGE OF GERMANTOWN

*** CUSTOMER RECEIPT ***

DATE: 05/31/19 TIME: 09:31:28

DESCRIPTION PAY CD AMOUNT

ZONING FEES 2 175.00

DAS BARREL ROOM LLC 1001

TOTAL AMOUNT DUE 175.00

AMOUNT TENDERED 175.00

CHANGE DUE .00

TRANS #: 1 CASHIER CODE: 006

BATCH #: C190531 REGISTER ID: 004



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

FAX: (262) 253-8255

Website: www.village.germantown.wi.us

E-mail: jretzlaff@village.germantown.wi.us

May 29, 2013

Craig Braidigan
W201N10466 Appleton Ave
Germantown, WI 53022

COPY

RE: The Public House (formerly "Doctor's Pub"); Building Permit (Deck Addition)

Dear Mr. Braidigan:

Notwithstanding the provisions of Section 17.43(9) and the affect on your ability to obtain a building permit with or without site plan approval from the Village, my primary concern with the property and hesitancy to issue a building permit for the deck addition without said site plan approval is the continued use of the existing and non-compliant parking lot located at the front of the building that straddles the two parcels. This same issue was of sufficient concern to the Plan Commission back in 2008 that they approved a similar deck addition proposal with a series of conditions; including one that required the property owner to "fix" the non-compliant parking lot issue by combining the two parcels.

However, based on input and advice from the Village Attorney, in an effort to avoid further delay to your proposal to construct the deck addition, and, to also address the non-compliant parking lot issue, I am prepared to approve the building permit for your deck addition (for zoning code compliance) with a condition that the non-compliant parking lot issue be resolved within the next three (3) months. This would enable you to proceed with construction of your deck, subject to meeting the necessary building code and fire safety requirements, while you and/or the property owner decide how best to resolve the parking lot issue and pursue that course of action.

The reason why the parking lot issue needs to be resolved is that, despite its existence for some time, the existing parking lot located at the front of the building straddles the common property line with the 2.85-acre parcel to the east and, as a result, does not meet the minimum 8' parking lot setback required under Section 17.45(1)(c). Moreover, the existence of this parking lot does not "qualify" as a legal nonconforming use of the property because one cannot obtain legal nonconforming status for an accessory use such as parking (see City of Lake Geneva v. Smuda, 75 Wis. 2d 532, 537, 249 N.W.2d 783, 786-87, 1977).

Therefore, because there is no legal nonconforming status associated with the parking lot, any alterations to the building require compliance with the current parking setback/buffer regulations. Fortunately, you have a number of alternatives available to you (or the property owner) to fix the non-compliant parking lot issue, including:

1. To address the setbacks requirement, you could remove the existing parking stall(s) that encroach over the common property line and create a minimum 8' setback

"buffer" from the property line to the nearest paved parking stall. This alternative should include a greenbelt between the parking lot and the property line. As this property was subject to a prior plan commission approval, this change could be approved by me as the Zoning Administrator provided that the proposed changes do not constitute a major improvement.

2. Combine the two adjoining parcels into one using a procedure used by the Washington County Real Property Lister (and typically allowed by the Village of Germantown) that requires Village staff approval and only the recording of a Quit Claim Deed (contact Brian Braithwaite, Washington County Real Property Lister, 432 E. Washington Street, West Bend, for the necessary form and procedures). This combination would result in a sufficient setback such that the parking lot regulations would be met unless changes to the parking lot are made. A subsequent rezoning application would be required given the different zoning districts on the two parcels.
3. Obtain a Conditional Use Permit from the Village pursuant to Section 17.45(5) of the Zoning Code for an "off-site parking area". As we have already discussed, this provision was adopted in order to address situations just like yours where parking for a particular business is occurring on an adjacent (or non-adjacent) property that is non-compliant with the Zoning Code, and, to allow the business the ability to expand without having to actually combine the separate parcels as in the case of the two alternatives discussed above (this alternative was not available to the owner back in 2008 having only been added to the Zoning Code in 2010). This alternative requires Plan Commission and Village Board approval of a CUP Application.
4. Submit an application for a two-lot Certified Survey Map to redivide the two parcels so that the parking area is combined with the current "bar" parcel, leaving the remainder to the adjoining parcel. This alternative is/was one of the conditions of approval required by the Plan Commission as part of approving the previous deck addition in 2008. This alternative requires Plan Commission and Village Board approval of a CSM Application.
5. File an appeal with the Board of Zoning Appeals regarding the applicable sections of the Zoning Code and my application of those code sections to your particular situation and proposal. The Board of Zoning Appeals is the body of Village government that has the authority to hear allegations and make decisions regarding potential errors made by the Zoning Administrator in the application of and determinations under the Zoning Code.

Alternatives #1 and #3 give you the most flexibility in terms of being able to continue using the existing parking area located nearest to the front entrance of the bar while also offering the property owner the most flexibility in terms of being able to use or sell for future development purposes (the reason given to us back in 2008 as to why the previous deck addition wasn't completed and the parcels combined). Alternative #1 may result in continued code compliance issues (and possible municipal citations) for the owner of the 2.85-acre parcel if that area continues to be used for parking by patrons of the bar. Alternative #4 offers the best fix for the situation now in that it addresses the concerns of all of the parties

Craig Braidigan
W201N10466 Appleton Ave
The Public House; Building Permit (Deck Addition)
Page 3

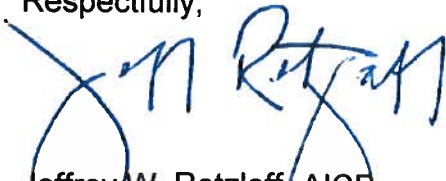
involved. Alternative #2 simply pushes Alternative #4 to a date in the future, when the CSM would be required to redivide the properties.

Please contact me to discuss what alternative course of action you and/or the property owner want to pursue and we can discuss the necessary procedures, forms, fees, etc. In the event that you want to pursue Alternative #5, i.e. filing an appeal to the Board of Zoning Appeals, please contact the Village Clerk's Office to obtain the necessary forms and discuss those procedures.

Please proceed with filing the necessary plans and supporting information along with your building permit application. I will attach a letter of approval containing the conditional approval outlined above to that permit.

In the meantime, if you have any questions or concerns regarding this matter, feel free to contact me at (262) 250-4735.

Respectfully,

A handwritten signature in blue ink, appearing to read "Jeffrey W. Retzlaff". The signature is stylized with a large, looping initial "J" and "R".

Jeffrey W. Retzlaff, AICP
Village Planner & Zoning Administrator

Copies: Village Attorney
Village President
Village Administrator



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

FAX: (262) 253-8255

Website: www.village.germantown.wi.us

E-mail: jretzlaff@village.germantown.wi.us

June 14, 2019

Mark Brooks

N52 W14018 Aberdeen Drive

Menomonee Falls, WI 53051

RE: W210 N10466 Appleton Ave; Zoning Permit for Bar/Restaurant

The zoning permit application for a new bar operation at the above cited property (formerly the Public House & Doctors Pub) has been approved subject to the conditions listed below. Subject to compliance with the conditions below, the proposed use would comply with the zoning district regulations applicable to the subject property.

CONDITIONS OF APPROVAL:

1. Village building permits are required for ALL interior and exterior improvements and renovations (construction, electrical and/or plumbing). Contact Mike Guttman, Building Inspector, to discuss any proposed improvements, permit & inspection requirements, and state-approved plan requirements (if required). Contact Holly in Inspection Services for information about permit applications. Both can be reached at 262-250-4760.
2. Prior to occupancy or commencement of use, an occupancy inspection shall be conducted in coordination with the Village Fire Department and Inspection Services. Please contact the Fire Department and Inspection Services to arrange an inspection at 262-502-4701.
3. If required by the Fire Department or Inspection Services as part of the initial or future occupancy inspections, the owner/operator shall install and/or update necessary fire safety measures, emergency management and/or other improvements to ensure fire and building code compliance for the type of occupancy/use proposed.
4. All exterior signs, temporary and permanent, requires a sign permit. Contact Lori Johnson regarding proposed signs, and the Village's sign regulations and permit requirements at 262-250-4735.
5. The Village's Utility Code requires all commercial and industrial users discharging wastes into the sewer system to construct and maintain sampling and metering manholes in suitable and accessible positions on public property or easement to facilitate the observation, measurement and sampling of all wastes or wastewater. These manholes are required to be located, constructed and maintained in a manner approved by the Village Engineer/Wastewater Utility Superintendent. Therefore, the property owner is required to contact Tim Zimmerman, Superintendent of Wastewater Utility 262-253-7765 to coordinate an inspection of the sampling manhole, and, make any/all necessary corrections or repairs to the sampling manhole and appurtenances thereto to ensure ongoing compliance with the Village's Utility Code.

Mark Brooks
W210 N10466 Appleton Ave; Zoning Permit for Bar/Restaurant
June 14, 2019
page 2

6. No parking is allowed on the adjacent property south of the building at W210 N10466 Appleton Ave (Parcel #293-983; see attached aerial photo). As discussed in a May 29, 2013 letter to the former operator (copy attached), use of the paved area southeast of the building for parking is not allowed under the Village's Zoning Code unless and until the property owner completes one of the alternatives discussed therein (e.g. combine the two parcels, obtain a conditional use permit for off-site parking, etc).

If you have any questions or concerns regarding this matter, feel free to contact me at (262) 250-4735 or Inspection Services at (262) 250-4760.

Respectfully,
Jeffrey W. Retzlaff, AICP
Zoning Administrator



Copy: Inspection Services
Renee Martin, Property Owner

CONDITIONAL USE PERMIT APPLICATION

10/9/23 Plan Commission Meeting

John & Amanda Thompson

Village Planner Report

Germantown, Wisconsin

Summary

John & Amanda Thompson, property owners of a 2-acre residential parcel located at W172 N10981 Division Road are requesting approval of a Conditional Use Permit (CUP) to allow the “raising of poultry for family consumption” on their property in an Rs-2: Single-Family Residential Zoning District.

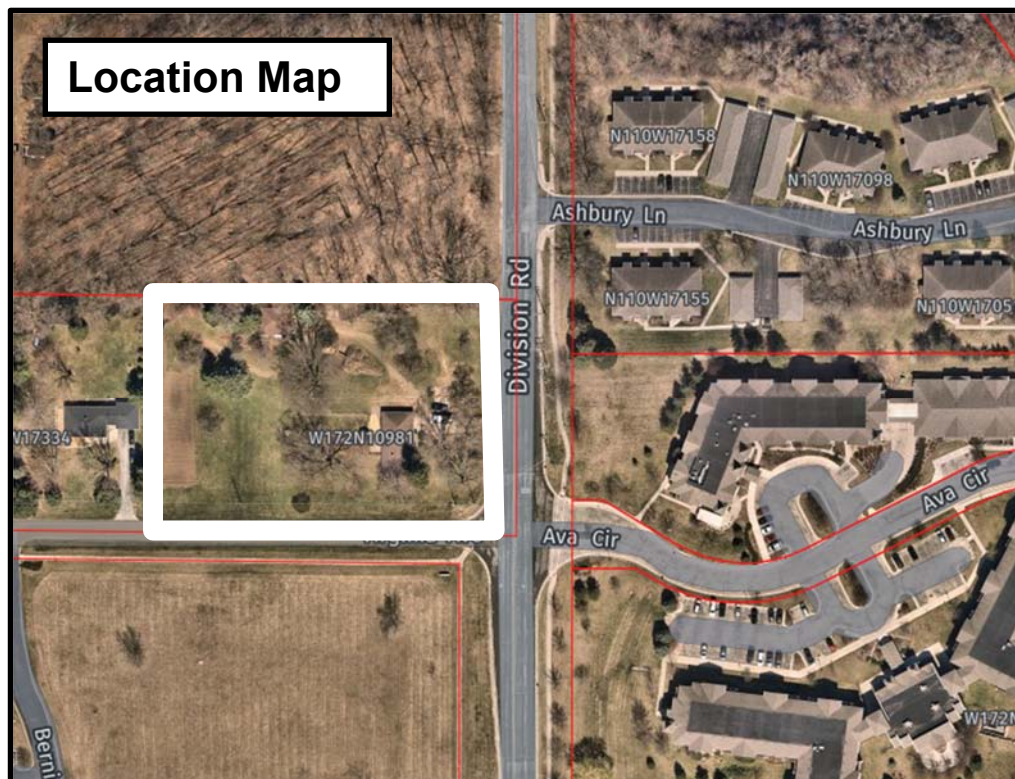
Location: W172 N10981 Division Road

Applicant/

Property Owner: John & Amanda Thompson
W172 N10981 Division Road
Germantown, WI

Current Zoning: Rs-2: Single-Family

Adjacent Land Uses		Zoning
North	Residential	Rs-1
South	Residential/Virginia Highlands	EH: Elderly Housing
East	Residential/Gables of Germantown	Rm-1/PDD
West	Residential	Rs-2/Rs-4



Proposal

John & Amanda Thompson, property owners of a 2-acre residential parcel located at W172 N10981 Division Road are requesting approval of a Conditional Use Permit (CUP) to allow the “raising of poultry for family consumption” on their property in an Rs-2: Single-Family Residential Zoning District.

As presented in the application and supporting documentation, the Thompson’s intend to raise up to ten (10) poultry (chickens) for egg by-products and family consumption (not commercial sale). Highlights of the proposal include:

- <10 chickens (no roosters)
- Construction of a small 8’x8’ chicken coop with a 900 sqft fenced “free range” chicken run placed in the rear yard (see enclosed diagrams)
- “Deep litter” composting of waste for re-use on site for gardening purposes
- Use of odor-reducing bedding, neutralizers and regular cleaning

The coop will be located in the rear yard (west side of the dwelling) a min. of 50’ from the residential dwelling. building and a min. of 100’ from all property lines (required under 9.11 of the Village Code; Section 9: Public Peace and Good Order).

Staff Comments

The Rs-2 Zoning District specifically provides for the “...raising of poultry, fowl, animals or fish for meat or by-products for family consumption only” with a conditional use permit. This allowance has been interpreted to mean for non-commercial purposes. Which is not to say eggs and/or the chickens themselves cannot be sold on an occasional basis. If retail sales occur and evolve into an amount and/or on a regular basis that has the effect of changing the character of the property, the Village may require review of the CUP for enforcement action, revised conditions of approval, and/or revocation.

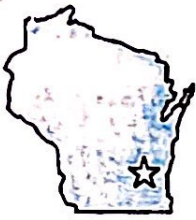
Section 9.11(3.1) of the Municipal Code requires that the animals be contained within a fence consistent with Chapter 90, Wis. Stats. Also, Section 9.11(4) requires that the building used to house the animals, i.e. the 8’x 8’ enclosed coop, be located not less than 50’ from the nearest residential dwelling and a minimum of 100’ from all property lines.

Mandatory Premises Registration in Wisconsin. Anyone who owns and houses livestock in Wisconsin is legally required to register their premises with Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP). This applies whether you own one or one hundred birds (primarily for purposes of disseminating information about up-to-date animal-related illnesses or disease concerns). The owner should contact DATCP to discuss the registration requirements.

VILLAGE STAFF RECOMMENDATION

APPROVE a conditional use permit for John & Amanda Thompson to allow the “raising of poultry for family consumption only” on their property located at W172 N10981 Division Road subject to the following conditions:

1. The uses and activities allowed on the property shall be limited to those uses and activities and relative locations specified in the conditional use permit application (CUP) and supporting materials dated September 11, 2023. The physical facilities for which said uses and activities are permitted include the proposed 8’x8’ enclosed coop and 900 sqft fenced, free-range chicken run.
2. The building used to house the animals, i.e. the 8’ x 8’ enclosed coop, shall be located not less than 50’ from the nearest residential dwelling and a minimum of 100’ from all property lines.
3. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein or other applicable Municipal Code provisions including Section 9.11, 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.



Village of

Germantown
Willkommen

Fee must accompany application

☐ \$1460 Paid _____ Date _____

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Section 17.42 of the Municipal Code

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

1 APPLICANT OR AGENT

JOHN THOMPSON

Phone (414) 748-0516

Fax ()

E-Mail JTHOMPSON4862@ICLOUD.COM

PROPERTY OWNER

JOHN + AMANDA THOMPSON

Phone (414) 748-0516

2 TO WHOM SHOULD THE PERMIT BE ISSUED?

JOHN THOMPSON

3 PROPERTY ADDRESS

W172 N10981 DIVISION RD

TAX KEY NUMBER

G.T.N.V.-281989

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.

RS-2 SINGLE FAMILY RESIDENTIAL DISTRICT

5 DESCRIPTION OF PROPOSED OPERATION

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

17.15(Z)(b) RAISING OF POULTRY, FOWL, ANIMALS OR FISH.

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

SEE ATTACHED

6 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

SEE ATTACHED 17.15 SINGLE FAMILY RESIDENTIAL DISTRICT.

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:

[Signature] 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.

[Signature] I will notify the Village if any aspects of the conditional use changes. I understand that failure to do so may result in the revocation of the CUP.

[Signature] 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.

[Signature] 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.

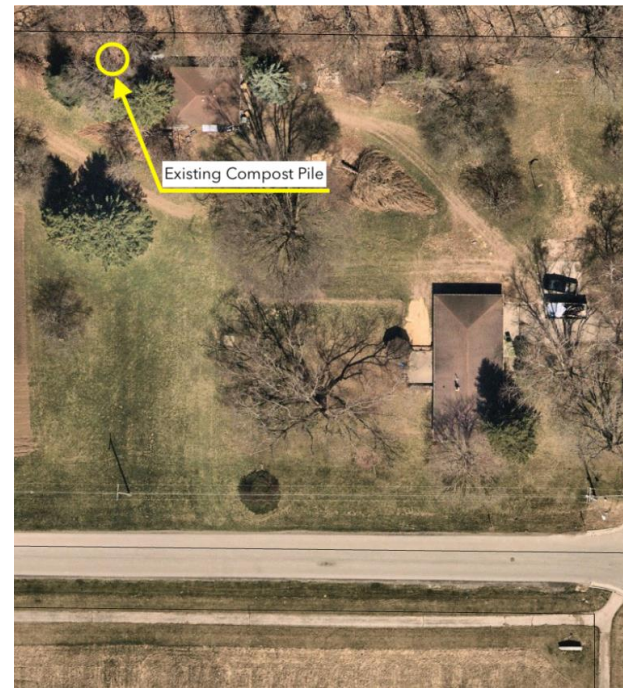
9 SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

[Signature] _____ 09/11/23
Applicant Date

[Signature] _____ 09/11/23
Owner Date

Proposed Operation

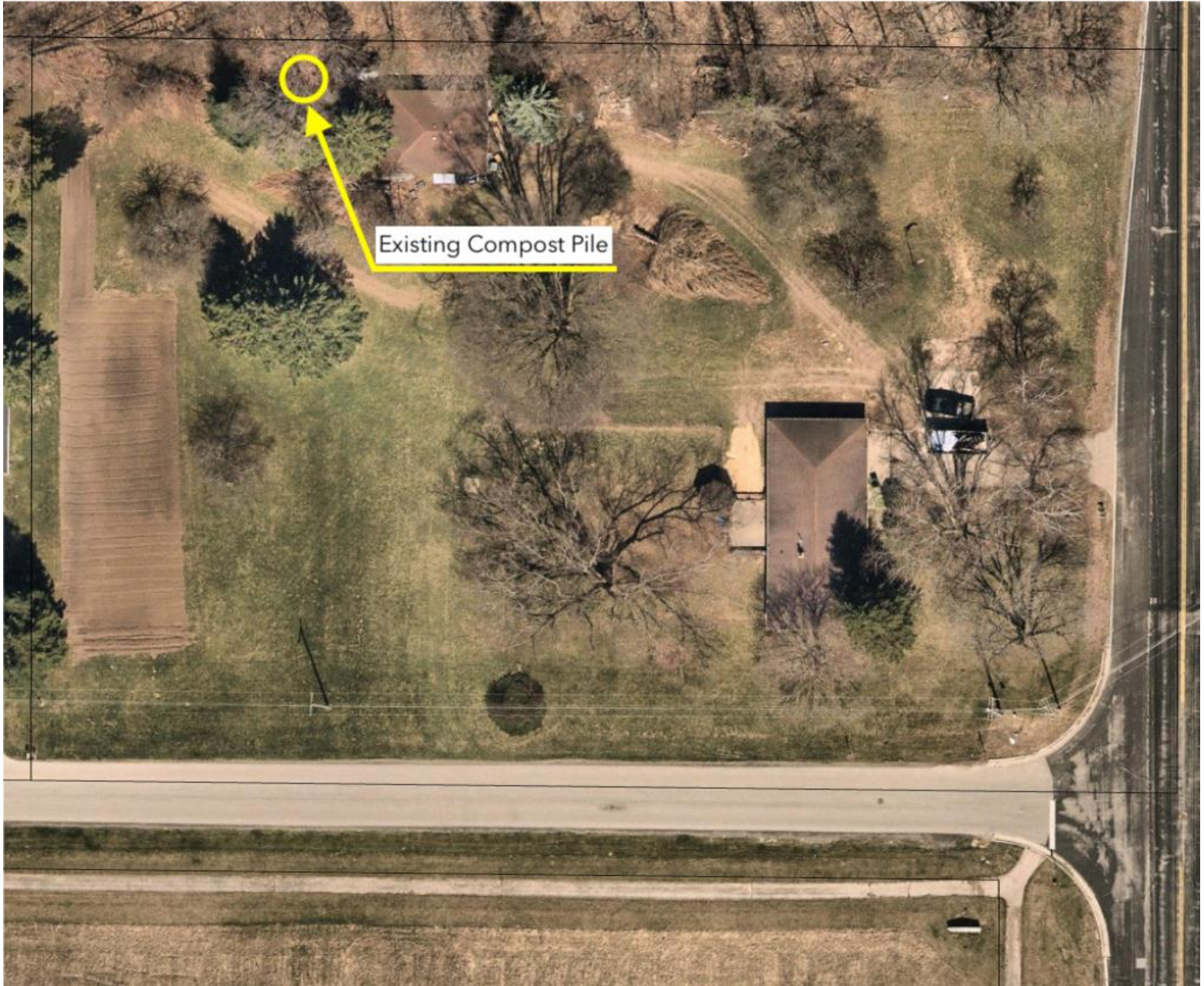
Raising of Poultry



Conditional Use Proposal

The proposed conditional use permit would apply to no more than 10 head of poultry to be raised for egg byproducts within the 2.5 acres property of W172N10981 Division Rd in Germantown Wisconsin. Following any conditions imposed by the village of Germantown homeowners intend to raise an 8 x 8 mobile chicken coop to be place no less than 50 feet from the rear of the home and enclosed in a 900 square-foot temporary chicken fence area (See Drawing 1). Manure management will be achieved by the deep litter method, whereas manure is composted into wood shavings and then moved to a composting pile for later use in a garden area See Drawing 2). The deep litter method produces little to no smell and is a proven method of manure management in the backyard chicken community.





17.15 Rs-2 SINGLE-FAMILY RESIDENTIAL DISTRICT.

The Rs-2 Residential District is intended to provide for single-family residential development in predominantly rural areas not served by municipal sewer and water facilities where historic development patterns make impractical the use of the Rs-1 District regulations, and at densities not to exceed 0.5 dwelling unit per net acre.

(1) PERMITTED USES.

- (a) Single-family dwellings with attached or detached garages.
- (b) Home occupations and professional home offices.
- (c) Yard and gardening equipment storage structures.

(2) CONDITIONAL USES. See section 17.42 of this chapter. Conditional uses as enumerated in Rs-1 District.

- (a) The keeping of certain animals in outdoor pens or detached buildings, as follows:
 - 1. Not more than one horse more than 6 months of age per 2 acres.
 - 2. Not more than 3 dogs or 3 cats, or a combination thereof, which are over the age of 12 months. (Am. Ord. #34-89)
- (b) Raising of poultry, fowl, animals or fish for meat or by-products for family consumption only.
- (c) Electric substations.
- (d) Transit and carpooling parking areas.
- (e) Golf courses with or without country club facilities, and one caretaker's residence.
- (f) Parks, leisure and ornamental.
- (g) Recreation and health centers.
- (h) Archery and driving ranges.
- (i) Wind energy conversion systems and solar energy conversion systems. (Cr. Ord. #1-91)
- (j) Bed and breakfast establishments. Conditional uses enumerated in Rs-1 District. (Cr. Ord. #4-97)

(2a) TEMPORARY USES. (Cr. Ord. #32-91)

- (a) Real estate field offices or shelters for materials and equipment being used in the construction of a permanent structure.

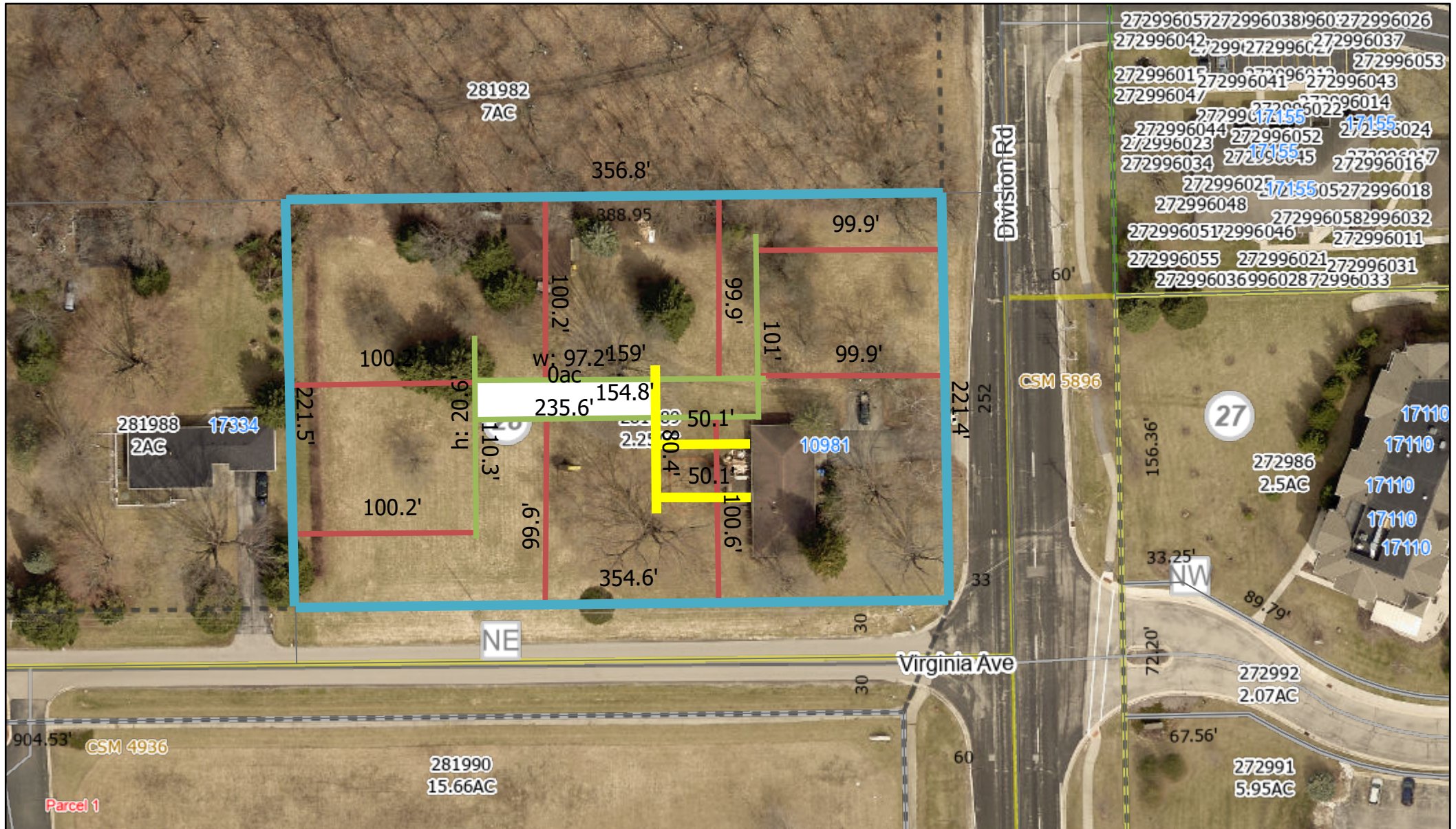
(3) LOT, YARD AND BUILDING REQUIREMENTS. (Am. Ord. #22-03)

Lot frontage at setback	Minimum 220 ft.
*Lot area	Minimum 2 acres
Principal building:	
Front yard	Minimum 45 ft.
Side yards	Minimum 25 ft.
Rear yard	Minimum 35 ft.
Accessory buildings:	
Front yard	Minimum 45 ft.
**Side yards	25 ft. (except if accessory building is located in the rear yard, then 5 ft. side yard setback is required - See section 17.41)
**Rear yard	Minimum 5 ft.
Building height	Maximum 35 ft.
Number of stories	Maximum 2½
Percent of lot coverage	Maximum 6%
Minimum dwelling size, excluding garage:	
1 bedroom	1,200 sq. ft.
2 bedrooms	1,300 sq. ft.
3 bedrooms	1,500 sq. ft.
4 bedrooms	1,700 sq. ft.
Minimum ground perimeter area	1,200 sq. ft.
Off-street parking	Minimum 2 spaces, both of which are in a garage. See also section 17.45 of this chapter.

*When lands in the S-W, FW or FF District lie adjacent to lands in the Rs-2 District and under the same ownership, up to 40% of such lands may be used to meet lot area requirements.

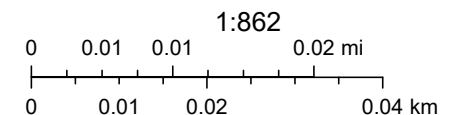
**Except 50 feet for any accessory building housing a stable, kennel or building where livestock or poultry are kept.

Washington County, Wisconsin



10/2/2023, 9:07:45 PM

- | | | | | |
|-------------------------|-------------------------|----------------------|--------------|---------------------|
| Current Parcel | Condominium Name | PLSS Quarter | Condominium | Local Road Labels |
| Address Point | Parcel Taxkey & Acreage | Lot | Right-of-Way | Local Road |
| Lot Number | PLSS Boundary | Plat | Municipality | Named Private Drive |
| Certified Survey Number | PLSS Section | Certified Survey Map | | |



CONDITIONAL USE & SIGN PERMIT APPLICATIONS

10/9/23 Plan Commission Meeting

James Weber / The Elite Soccer Academy LLC

Village Planner Report

Germantown, Wisconsin

Summary

James Weber, agent for The Elite Soccer Academy LLC, and Techplex LLC, property owner, is seeking a Conditional Use Permit for an indoor health, fitness and performance training facility in the building located at N115 W19150 Edison Drive in the Germantown Industrial Park.

Property Location: N115 W19150 Edison Drive

Applicant/

Property Owner:

James Weber

8826 Ravenswood Circle

Wauwatosa, WI

Techplex LLC

N115 W19150 Edison Drive

Germantown, WI

Current Zoning: M-1: Limited Industrial District

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



Proposal

James Weber, agent for The Elite Soccer Academy LLC, and Techplex LLC, property owner, is seeking a Conditional Use Permit for an indoor health, fitness and performance training facility in the building located at N115 W19150 Edison Drive in the Germantown Industrial Park.

James Weber, Director of Coaching for SC Wave Germantown, SC Wave Washington County, and Head Coach of FC Milwaukee Torrent, played for the Germantown Soccer Club when he was a kid and went on to play professionally for several years in Europe and in America. He is a published author and successful soccer coach who wants to use this facility to give back to the community.

As discussed in the application materials, The Elite Soccer Academy will occupy approximately 6,000 sqft of existing warehouse space for a training facility/gym for use by local athletes. The hand-drawn floor plan of the interior space shows bathrooms, office, and open, indoor turf areas within the facility.

Hours of operation are proposed to be Sunday through Saturday, 9:00am to 9:00pm. The number of employees is expected to be only 1 employee. No interior or exterior improvements are proposed. Parking for The Elite Soccer Academy will be provided primarily on the east side of the building (18-20 stalls as shown in the attached aerial photo) adjacent to the primary access/entrance served by an existing paved area. Additional parking will be available in front of and on the west side of the building.

Wall Sign

- 10" x 34" (2.5 square feet) wall-mounted, neon "TESA" ("The Elite Soccer Academy") sign will be installed above the east building entrance into the facility.

Staff Comments

Although "health, fitness and performance facilities" are not specifically listed as a permitted use in the M-1: Limited Industrial Zoning District, the use could be allowed in the M-1 District with a conditional use permit. As set forth in the Zoning Code, the list of CUP uses that may be allowed in the M-1 District includes ***"Commercial activities allowed in the B-2 Community Business District when the Plan Commission finds that the activity directly supports the businesses in the Industrial Park and can be integrated into an overall plan..."*** [see Section 17.33(3)(h)]. "Indoor health and recreation establishments" are a permitted use in the B-2 District under Section 17.29(1)(kk) and like many other uses that have been allowed in the M-1 District, including but not limited to martial arts training, children daycare centers, and dog-related training establishments such as the Redline Canine Training Center & Behavioral Consultation right next door.

As a matter of procedure, the PC needs to consider and determine if the proposed use is the type of business or activity is like and compatible with other uses in the Industrial Park.

The Fire Department & Inspection Services have commented on the limited number of exits from the proposed facility. As shown in the floor plan, the interior area is served by a primary entrance/exit on the east side of the building and an exit on the northwest corner of the space. However, this second exit opens into the secured fenced enclosure containing the 200' communications tower and equipment. Unless modified to provide a commercial building & fire-safety code compliant exit, the proposed interior space does not provide adequate exits for an "assembly" occupancy classification (where it might for "low-hazard storage" occupancy). Consequently, the property owner and soccer academy operator need to discuss applicable code requirements with Fire Department and Inspection Services staff and, if necessary, provide the minimum exiting and other fire-safety measures for the facility prior to issuing an occupancy permit and occupying the space.

Finally, the property owner has indicated that, if needed, an additional 5-10 paved parking stalls can be installed on the northeast corner of the property. At a minimum, a Zoning Permit will be required prior to making any site improvements including additional paved parking stalls.

VILLAGE STAFF RECOMMENDATIONS

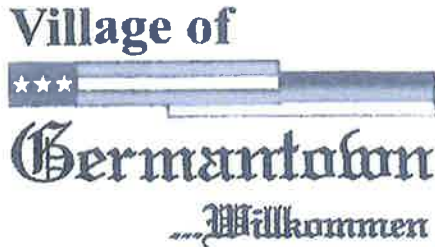
APPROVE a conditional use permit for the operation of The Elite Soccer Academy, an indoor health, fitness, and performance training facility in the existing building located at N115 W19150 Edison Drive in the Germantown Industrial Park subject to the following conditions:

1. This permit authorizes limited uses and activities as set forth in the conditional use permit application dated August 8, 2023 and in the supporting documents made part of the application on file with the Village. All 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. 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 activities and/or uses which cause problems or harmful effects not anticipated at the time of approval of this CUP or where conditions imposed were anticipated to ameliorate or eliminate such problems or harmful effects but are subsequently insufficient to do so, or, for similar cause based upon consideration for the public comfort, safety, and welfare, the conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.
3. All interior building modifications and/or site improvements require permits and/or other approvals from the Village. State-approved plans may be required for any proposed improvements or remodeling. Detailed plans for any interior or exterior improvements, including the addition of paved parking, shall be submitted to the Community Development Department as part of a Zoning Permit and/or building permit application.

-
4. The owner/operator shall contact the Fire Department and Inspection Services for a pre-occupancy inspection prior to commencing operations.
 5. The owner/operator shall coordinate with the Fire Department and Inspection Services to determine the applicable occupancy type/classification and maximum occupancy for the occupied space. If the proposed use constitutes the type of change in occupancy that requires interior and/or exterior remodeling or additional fire safety features to comply with current building, fire safety and other applicable codes and regulations, the operator shall coordinate the preparation and submittal of state-approved plans to and approved by the Village Fire Department and Inspection Services prior to occupancy.
 6. Any additional signage, including temporary signs, requires a permit from the Community Development Department.

APPROVE the proposed wall sign for The Elite Soccer Academy on the building located at N115 W19150 Edison Drive in the Germantown Industrial Park subject to the following conditions:

1. Electrical permits shall be obtained from Inspection Services prior to installation of any/all electrical components.



Fee must accompany application

☒ \$1460

Paid

Date

8/8/23

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

James Weber

The Elite Soccer Academy LLC

8826 Ravenswood Circle

Wauwatosa, WI 53226

Phone (262) 269-4624

Fax ()

E-Mail Jamesgweber99@gmail.com

PROPERTY OWNER

Techplex LLC

N115W19150 Edison Dr.

Germantown, WI 53022

Phone (262) 343-5200

Email: Kjohn@ethoplex.com

2 TO WHOM SHOULD THE PERMIT BE ISSUED?

The Elite Soccer Academy LLC

3 PROPERTY ADDRESS

N11W19150 Edison Dr.
Germantown, WI 53022

TAX KEY NUMBER

GTNV_204959

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.

The 5,922 sq ft of the property that will be used for the Elite Soccer Academy is currently vacant. The owner previously rented out the space for warehouse use. The owner uses the other part of the building for an internet company.

5 DESCRIPTION OF PROPOSED OPERATION

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

Indoor Health or Recreation Establishment, Section 17.33(c)(h) and Section 17.29(1)(kk)

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

The 5,922 sq ft space will be used as a training facility/gym for local athletes who want to develop their game. There are very few spaces in Germantown for athletes to train during the winter, so this facility will allow people to stay healthy and fit during that time. We will operate 9AM until 9PM. There is only 1 employee that is part of the operation currently. No change or alteration to existing structure.

6 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

Property description from Washington County mapping data: CSM 1825 Parcel 3 PT
N1/2 SE DOC 1470296

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:

 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.

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

 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.

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

9 SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!


Applicant
08/08/2023
Date


Owner
8/8/23
Date

Lori Johnson

From: Jeff Retzlaff
Sent: Monday, September 25, 2023 3:19 PM
To: Lori Johnson
Subject: FW: Elite Soccer Academy LLC; CUP Application
Attachments: ~WRD0044.jpg

Can you add to the Elite soccer file?
Thanks.

From: Keefe John <kjohn@ethoplex.com>
Sent: Monday, September 25, 2023 1:12 PM
To: Jeff Retzlaff <jretzlaff@germantownwi.gov>
Subject: Re: Elite Soccer Academy LLC; CUP Application

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.

Does this look fine for parking or should I just include the current asphalt areas?



Keefe John
 CEO
 Ethoplex
 N115W19150 Edison Dr
 Germantown WI 53022
 Direct: 262.345.5200

 Ethoplex Internet
<http://www.ethoplex.com/>

<https://www.linkedin.com/in/keefejohn/>

On Wed, Sep 20, 2023 at 4:14 PM Jeff Retzlaff <jretzlaff@germantownwi.gov> wrote:

When you say working on getting that restored, do you mean installing more asphalt for parking? As Weber indicated in his last email?

Any additional asphalt or impervious surfaces (including asphalt millings or gravel) is going to require a separate approval; probably not a storm water plan, but given how close this property is to the regional storm basin and the drainage ditch/easement along the back of your property, I know the Village Engineer will be concerned about increasing impervious area in an area where the regional storm basin is already exceeding capacity.

Thanks.

Jeff

From: Keefe John <kjohn@ethoplex.com>
Sent: Wednesday, September 20, 2023 3:58 PM
To: James Weber <jamesgweber99@gmail.com>
Cc: Jeff Retzlaff <jretzlaff@germantownwi.gov>; Justin Brandt <jbrandt@safebuilt.com>; Lori Johnson <ljohnson@germantownwi.gov>; aschmuck@safebuilt.com
Subject: Re: Elite Soccer Academy LLC; CUP Application

**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.**

Jeff,

Previous tenants have parked in the front outlined in his drawing as well as the back of the building to the east of our tower. It has gotten mucked up from the tower construction and ATT /Verizon colocations as well as overgrown but we are working on getting that restored.

Thanks,

Keefe John
CEO
Ethoplex
N115W19150 Edison Dr
Germantown WI 53022
Direct: 262.345.5200

Ethoplex Internet
<http://www.ethoplex.com/>

<https://www.linkedin.com/in/keefejohn/>

On Wed, Sep 20, 2023, 3:44 PM James Weber <jamesgweber99@gmail.com> wrote:

Attached is the site plan using your aerial shot. The black space is being covered in gravel to accommodate more parking. The whole east side of the building will be used for parking. There will be room for 18-20 cars marked by yellow lines. The green outline is the space inside of the building to be used for The Elite Soccer Academy and the interior can be broken down on the image previously provided.

Also attached is the sign application, potential sign image, and photo of the area of signage above the East entry door. Keefe (copied on this email) is the owner of the building and can sign the document and I will work with Lori for payment needed for the sign permit and anything else needed on that front.

As far as my background and affiliation with the local soccer club in germantown and SC Wave, I wasn't sure how much information I should put on the CUP application as I have never done one before this. It is a new process for me so I apologize for my ignorance. But yes, the facility will be huge for the Germantown community as the village's own soccer club will be using it for winter training and allows our youth to stay active during our winter months.

I played for Germantown Soccer Club when I was a kid and went on to play professionally for several years in Europe and here in America, along with going on to be a published author and successful soccer coach, and using this facility I want to give back to the community that helped make that all possible for me. I do think that would be a great story for Germantown to promote, and of course the facility could use the promotion as well in any way possible from the village. Whatever else is needed from me to help the process, please let me know. I'm looking forward to it!

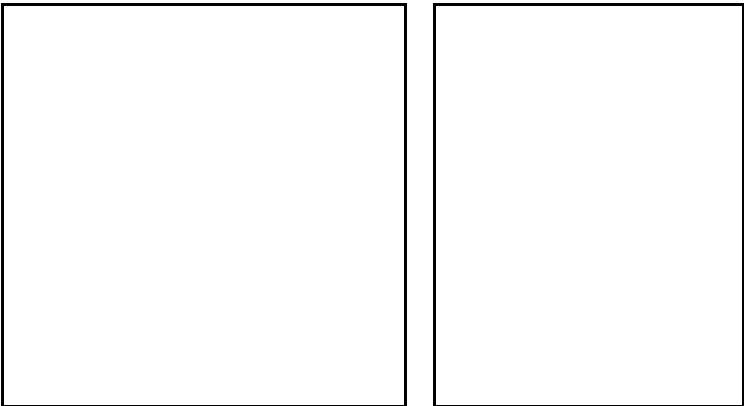
Thank you,

James Weber, MBA

Director of Coaching SC Wave Germantown

Director of Coaching SC Wave Washington County

FC Milwaukee Torrent Men's Head Coach



On Wed, Sep 20, 2023 at 3:06 PM Jeff Retzlaff <jretzlaff@germantownwi.gov> wrote:

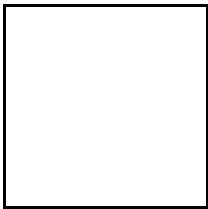
A follow-up...

Seeing your credentials and affiliations on your email, will this facility be a part of or otherwise affiliated with SC Wave? If so, you might want to supplement your application with this and any other promotional information that might attract public attention (if that's what you want or would be accepting of). I say that because the Plan Commission Chairman likes to mention things like this during the discussion and give the operator an opportunity to talk about their affiliations, successes, and to generally promote the operation, staff, facilities, etc.

I believe I've learned some interesting things about your background, personal success, and the SC Wave program in about 5 mins of Googling research... but only because of the affiliations listed on the bottom of your email. None of which was included or alluded to in your CUP application. I'm not trying to be critical (I apologize if it appears that I am), but it wouldn't hurt to get the same level of promotion from the Village for having to go through this process as other, similar operations have in the past.

As far as exterior signage, if all you will be installing is a small wall-mounted sign, please put together a scaled drawing that indicates dimensions, materials, type of lighting (if any), location on the building. Complete the attached Sign Permit application form and coordinate submittal with Lori Johnson at the Planning & Zoning counter in Village Hall (or email).

I'm still looking for a site plan with parking stalls identified. The aerial photo below shows the property (solid red line is the property boundary) from August 2023. There doesn't appear to be too many available parking stalls that aren't in use by the Ethoplex operation for vehicles or equipment. Please work with the owner to show where parking on the property will be provided for your customers and staff. Also, show what part of the total building will be used for your facility and the entrance/exits to be used (a boundary line of the sketch you provided that is superimposed over or drawn on the aerial photo would be acceptable... minimal but acceptable).



From: James Weber <jamesgweber99@gmail.com>

Sent: Wednesday, September 20, 2023 2:12 PM

To: Jeff Retzlaff <jretzlaff@germantownwi.gov>

Cc: Justin Brandt <jbrandt@safebuilt.com>; Keefe John <kjohn@ethoplex.com>; Lori Johnson <ljohnson@germantownwi.gov>; aschmuck@safebuilt.com

Subject: Re: Elite Soccer Academy LLC; CUP Application

**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.**

Jeff,

Thank you for reaching out. Here are the answers to your questions:

1. This is not a relocation. This is a new facility that is made specifically for the Germantown community.
2. The improvements include turf, paint, and padding within the warehouse to create an outdoor atmosphere inside and help promote healthier lifestyle choices for Germantown's citizens.
3. Yes. There are 2 bathrooms available for customers.
4. We would plan to put a "TESA" lit sign above our entrance, so if that is easier for the village to combine applications, we would be open to including that permit application in this process as well.
5. The amount of players in the facility at once would be anywhere up to a max of 20, with ages 8-18. Parents stick around which would add another 10 people over 18.
6. We will have some classes available to the public and scheduled. However, the space will mostly be made available to our members to stop by and use the facility when they are available.
7. There will not be organized events at the space aside from training sessions that are on our schedule for local athletes.
8. Attached.
9. Understood and Accepted. Thank you!

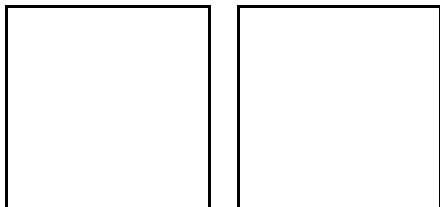
Thank you,

James Weber, MBA

Director of Coaching SC Wave Germantown

Director of Coaching SC Wave Washington County

FC Milwaukee Torrent Men's Head Coach



I'm reviewing your CUP application and have the following questions:

1. There appears to be a number of training programs that use the "Elite Soccer Academy" name or (slight variations of that name) both regionally and throughout the US. Is this a new facility or is there an existing facility that is relocating?
2. If there are no improvements being made inside the existing warehouse space, what kind of equipment will be brought into the space and used?
3. Are there bathroom facilities available for use by your customers?
4. Exterior signage requires a permit, both permanent and temporary. Do you have signs that you intend to install? If so, do you want to process a sign permit application at the same time as the CUP?
5. How many customers do you expect to have inside the facility at any one period of time for training? What age range?
6. Is this operation going to utilize a predetermined or planned training program with a schedule? Or will the space simply be made available for people to stop in when they choose to and use the equipment?
7. What if any organized events will be held in the space?
8. Please provide a scaled site plan of the property and internal space in the building that indicates the building(or portion) to be used for the training facility, the location and number of parking stalls that will be provided for your customer parking, general location of all entrances and exists into the space to be used for the training facility.
9. Space used for warehouse purposes vs. space used for "assembly" are treated differently with respect to exiting and bathroom requirements. You need to be aware of this and be prepared for inspections of the space by the Building inspector and Fire Department. Those inspections may result in the need to make internal improvements to meet applicable building and fire safety codes. This will be a condition of any approval granted for a CUP.

Jeffrey W. Retzlaff, AICP

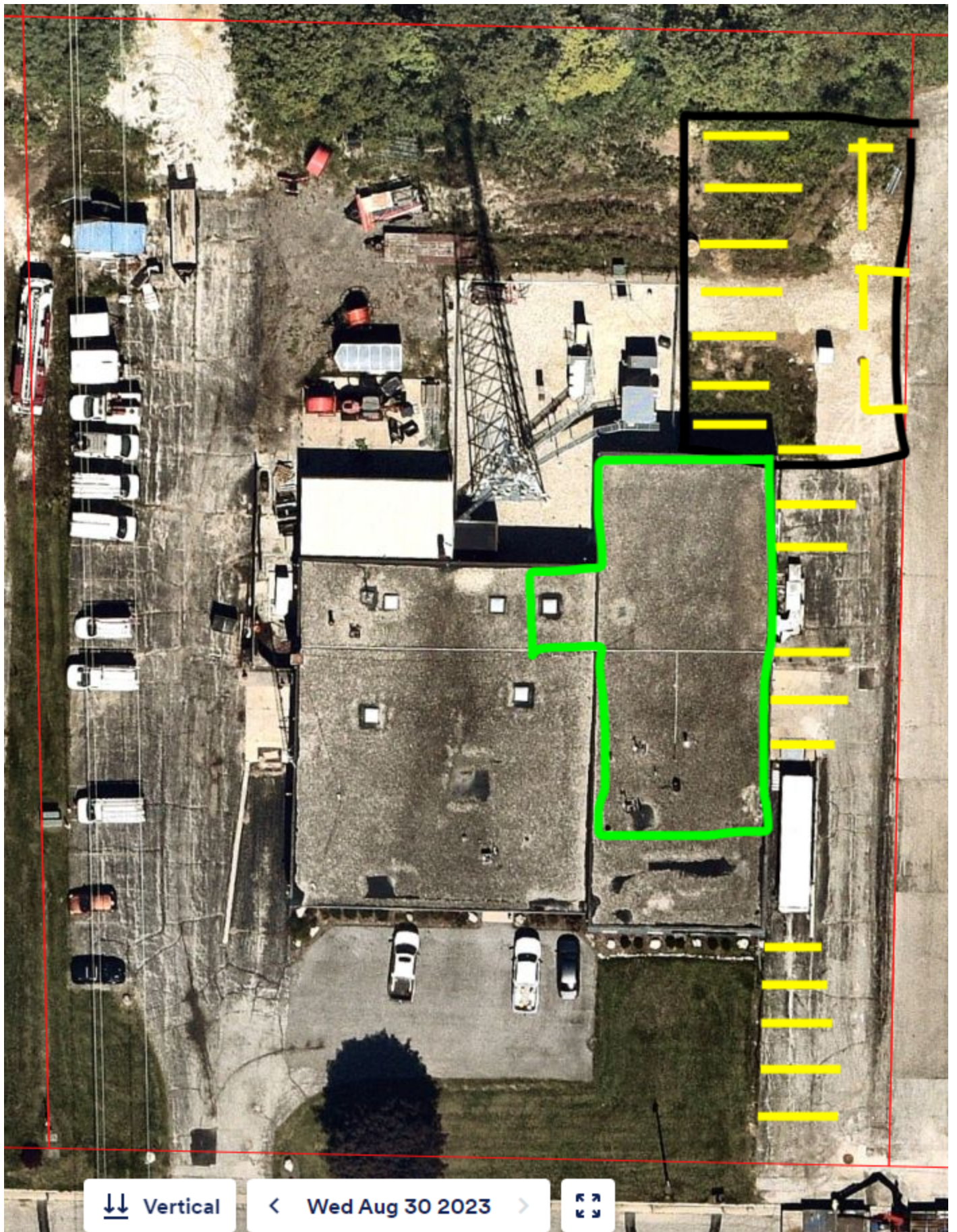
Director, Community Development Department

Village Planner/Zoning Administrator

jretzlaff@village.germantown.wi.us

1-262-250-4735

How was your experience? [Provide feedback here.](#)





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

James Weber

The Eiite Soccer Academy

Phone (262) 269-4624

Fax ()

E-Mail jamesgweber99@gmail.co
m

PROPERTY OWNER

Phone ()

2 PROPERTY ADDRESS OR GENERAL LOCATION

N115W19150 Edison Dr.
(East Side of Building)
Germantown, WI 53022

3 SIGN INFORMATION

Sign Dimensions 10 in. height x 34 in. width Single, Multi Tenant (circle one)

Number of Sides 4 Building Frontage SF _____

Total Square Footage of Sign (include all sides) 2.36 sq ft

Total height of the Sign 10 in.

Is the Sign to be illuminated x yes no

Type of Sign Construction Materials Neon light

Distance to Closest Property Line 20 ft.

Are there any existing signs on the property No

If yes, what is the total Square Footage of existing signs N/A

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

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

James Weber
Applicant Date 9/20/2023

Owner Date _____

26cm
10in

TESA

87cm / 34in



ZONING PERMIT REVIEW

10/9/23 Plan Commission Meeting

Stephan & Danielle Cholewa

Planning & Zoning Report

Germantown, Wisconsin

Summary

Stephan & Danielle Cholewa, property owners, are seeking approval to construct a 6' high wood privacy fence within a front yard and in a public utility and drainage easement on their residential property located at W166 N10577 Surrey Drive in the Old Farm at Germantown Subdivision.

Property Location: W166 N10577 Surrey Drive

Applicant/

Property Owners: Stephan & Danielle Cholewa
W166 N10577 Surrey Drive
Germantown, WI

Current Zoning: Rs-5: Single-family Residential

Adjacent Land Uses		Zoning
North	Residential	Rs-5
South	Residential	Rs-5
East	Residential	Rs-6
West	Residential	Rs-5



Background/Proposal

Stephan & Danielle Cholewa, property owners, are seeking approval to construct a 6' high wood privacy fence within a front yard and in a public utility and drainage easement on their residential property located at W166 N10577 Surrey Drive in the Old Farm at Germantown Subdivision.

As indicated in the supporting information, the applicant would like to install a 6' high, wood privacy fence to enclose most of the yard area behind and along the side of the dwelling.

This item was presented by staff and discussed with the Plan Commission at the September 11 meeting. Action was tabled because the property owner was not present and the Plan Commission had questions for the owner. Since the September meeting, Cholewa provided a statement from an abutting neighbor to the southwest (Metzker) that shares the drainage easement in support of the proposed easement fence.

Staff Comments

Because the parcel is a "corner lot", by Zoning Code definition the parcel has two (2) front/street yards, along Old Farm Road and Surrey Drive. Because the front entrance into the house is on or faces Surrey Drive (to which the address was assigned), the Old Farm Road yard area of the parcel is considered a front yard. Consequently, that portion of the fence proposed along Old Farm Road is in the front/street yard and, therefore, not allowed by Code to exceed a height of 4 feet (the maximum fence height in the side and rear yards is 6 feet).

Also, as shown on the plat of survey in the application materials, there is a 12' wide "public utility & drainage easement" along a portion of the Old Farm Road right-of-way (southwest corner) and across the Cholewa parcel where a small section of the fence is proposed.

As indicated below, Section 17.50(2)(f)3. of the Zoning Code prohibits fences over 4' in height in a front yard unless approved by the Plan Commission.

In addition, 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.*

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 approximately 2' from the Old Farm Road right-of-way line and approximately 15' from the edge of the road and approximately 35' from the intersection.

With respect to the drainage easement issue, 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 closed style "box" fence would sit approximately 2 inches above grade and would not restrict or divert any water flow.

Regarding Item #2, there is no active Homeowner's Association. There is one abutting neighbor to the south along Old Farm Road that shares the drainage easement along their common property line. This owner has provided a written statement in support of the proposed fence in the easement.

According to the Superintendent of Highways, Parks, Buildings & Grounds, there is no storm sewer located underground in this easement except for a catch basin behind the curb to capture surface drainage. The Superintendent recommends that the applicant

be required to move the fence outside of the easement to eliminate any potential conflicts if access or work in the easement is required in the future. As an alternative, a condition requiring the property owner be responsible (and NOT the Village) for any costs associated with any work conducted within the drainage easement that impacts the fence or requires the fence to be removed and/or replaced.

VILLAGE STAFF RECOMMENDATION

APPROVE the zoning permit application to install a 6' wood privacy fence in the Old Farm Road front/street yard and in the 12' wide public drainage easement along the southwest property line of the Cholewa property located at W166 N10577 Surrey Drive subject to the following conditions:

1. The fence shall be setback a minimum of two (2) feet from the property line along Old Farm Road
2. It shall be the responsibility of the homeowner to always maintain a free flow of water within the private drainage easement.
3. If the fence needs to be removed to make improvements and/or conduct maintenance within the drainage easement, the property owner shall be responsible for removing the fence to the extent necessary within three (3) days of being notified by the Village of Germantown. If not removed within three days, the Village may remove the fence at its discretion and charge back any/all costs of doing so to the property owner. The property owner shall be responsible for any/all costs associated with any damage, removal, or re-installation of said fence.
4. A fence permit is required from Inspection Services prior to installation. Contact SAFEBuilt for more information.
5. The conditions of this approval shall be recorded with the Washington County Register of Deeds.



Village of



ZONING COMPLIANCE/ OCCUPANCY PERMIT

Date of Application: 8/1/23

Fee Received By: [Signature]

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

APPLICANT OR AGENT:

Name: Stephen & Danielle Cholewa

Address: W166N10577 Surrey Dr

City/State/Zip: Germantown WI 53022

Phone: 847 224 0495

E-Mail: Stephen.Cholewa48@gmail.com

PROPERTY or Business OWNER:

Name: _____

Address: _____

City/State/Zip: _____

Phone: _____

E-Mail: _____

PROPERTY ADDRESS OR Tax Parcel ID#:

W166N10577 Surrey Dr 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):

6' privacy fence in back yard to protect children and large breed dog.

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 be 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

SIGNATURES: ALL APPLICATIONS MUST BE SIGNED

[Signature of Stephen Cholewa]
Applicant

8/1/23
Date

Property Owner

Date

VILLAGE USE ONLY

To Whom it May Concern,

My name is Stephen Cholewa, my wife and I live at W166N10577 Surrey Drive in Germantown. Our first child will be born this August, and we will be taking our Labrador Retriever puppy home for the first time this month.

We submitted a permit application to install a 6' fence behind our house to contain our large breed dog and child. Labrador Retrievers can jump up to 5 feet high and could easily clear a 4' fence. This dog comes from a hunting legacy and will be trained to hunt birds. The temptation to chase wildlife could encourage the dog to jump a 4' fence.

Additionally, the corner of our lot, Old Farm and Surrey serves as a school bus stop, which requires students to gather on our lawn, where there are no sidewalks to help distinguish private property from public, and we want to ensure that the children are not able to reach over a short 4' fence and contact our dog, that they could potentially see every weekday.

We also have a need to protect our family's privacy. My wife works as a Radiologist at Froedtert Hospital, and her patients can be trauma victims from gang violence. We know other Froedtert employees who have been followed leaving work.

Another consideration is that our next-door neighbor has dogs, and a pool, with no fence.

Our permit was granted contingent approval based upon shortening the fence height to 4' on the entire path nearest to and running parallel to Old Farm Road, as well as the 26' feet of fence/gate that runs parallel to Surrey Drive which is about 70' away from the road. I've included a map where I circled the 3 corner houses down the street from ours, that have 6' fences on their "front" and "side" yards, that we referenced prior to drawing our plans. The location of our fence will not impact the visibility of traffic.







Lori Johnson

Subject: FW: Zoning Permit for a 6 Foot Fence Front Yard

From: Stephen <stephen.cholewa48@gmail.com>
Sent: Tuesday, August 1, 2023 2:55 PM
To: Lori Johnson <ljohnson@germantownwi.gov>
Subject: RE: Zoning Permit for a 6 Foot Fence Front Yard

**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,
Please add this example to my file. Fence will be built with pressure treated pine dog eared pickets, in a shadowbox configuration as shown in example below.



Thank you,
Stephen Cholewa
847-224-0495
Sent from [Mail](#) for Windows

5427-9-20

MEMBER



ASSOCIATES, INC.

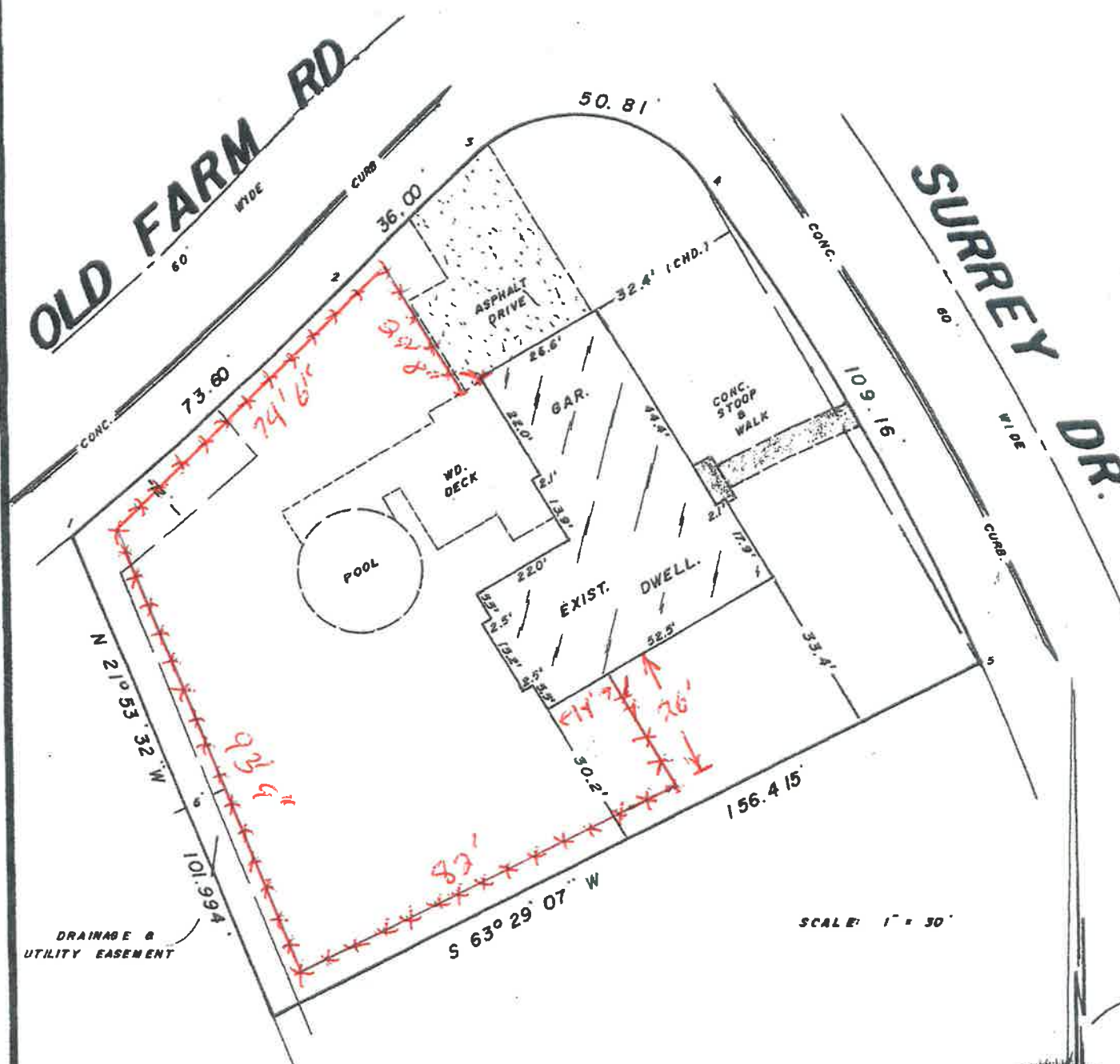
**2554 N. 100th STREET
WAUWATOSA, WISCONSIN 53226**

FREDERICK W. SHIBILSKI RLS
(414) 257-2212

PLAT OF SURVEY
-of-

LOT 19, BLOCK 5, in OLD FARM AT GERMANTOWN, being a Subdivision of part of the Northeast 1/4; Southeast 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 27, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

Survey location: W166 N10577 Surrey Drive
Buyer: James A. & Brigitte Wagner



SCALE: 1" = 50'

— CURVE DATA —

1-2 R- 650.00' 2-3 R- 520.00' 3-4 R- 30.00' 4-5 R- 551.87'
 4-6 29° 16" A- 3° 58' 00" A- 97° 02' 00" A- 11° 20' 00"
 CH- 73.36' CH- 35.99' CH- 44.95' CH- 108.96'
 CH BRNG- N 47° 08' 34" E CH BRNG- N 45° 52' 58" E CH BRNG- S 83° 37' 04" E CH BRNG- S 29° 26' 04" E

Surveyed for: **FAMILY FINANCIAL SAVINGS ASSOC.**

"I hereby certify that I have surveyed the above described property and that the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location of all visible structures and dimensions of all principal buildings thereon, boundary fences, apparent easements, roadways and encroachments, if any.

"This survey is made for the use of the present owners of the property, and also those who purchase, mortgage, or guarantee the title thereto within one year from date hereof."

MONUMENTATION BY WRITTEN AGREEMENT WITH THE
ABOVE NAMED CLIENT (HAS [REDACTED] BEEN WAIVED IN
ACCORDANCE WITH A-E 8.01 (1) (b) OF THE WISCONSIN
ADMINISTRATIVE CODE



**"THIS IS NOT AN ORIGINAL
SURVEY UNLESS THIS SEAL
IS RED."**

Robert J. Wetzel
WISCONSIN REGISTERED LAND SURVEYOR

FEB. 2, 1987
DATE

prs bgr
FIELD WORK BY

md n kik
DRAWN BY

15826
JOB NUMBER

From: Stephen Cholewa
Sent: Wednesday, September 13, 2023 8:54 PM
To: Mark Metzker
Subject: Re: Fence letter

Thanks Mark! That's perfect!

On Wed, Sep 13, 2023, 4:18 PM Mark Metzker <mwmetzker@gmail.com> wrote:
Hi Stephen,

As the owner of, N106W16741 Old Farm Rd, Germantown, WI 53022 the adjacent property to W166N10577 Surrey, I grant my consent to the owners of W166N10577 Surrey Drive to build their fence along their berm/hedgerow, protruding slightly into the drainage easement.

If you have any questions or need any additional information, I can be reached at my cell phone 262-955-4961,

Sincerely,

Mark Metzker

On Wed, Sep 13, 2023 at 12:12 PM Stephen Cholewa <stephen.cholewa48@gmail.com> wrote:

Hey Mark, I just wrote up a little sentence that I think will cover me. Feel free to edit.

As the owner of, N106W16741 Old Farm Rd, Germantown, WI 53022 the adjacent property to W166N10577 Surrey, I grant my consent to the owners of W166N10577 Surrey Drive to build their fence that protrudes into the drainage easement.

Sincerely,

Sent from [Mail](#) for Windows