Village Hall, 262-567-2757
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Summit Village Hall ● 37100 Delafield Road ● Summit, WI 53066

AGENDA
Village of Summit Plan Commission
Thursday, May 16, 2024 5:30 p.m.

At the Summit Village Hall, 37100 Delafield Road

1. CALL TO ORDER
2. ROLL CALL AND CONFIRM POSTING
3. PLEDGE OF ALLEGIANCE
4. MINUTES
    - February 15, 2024
    - March 21, 2024
    - April 18, 2024

5. Next meeting date – proposed for Thursday, June 20th, at 5:30 p.m.

6. **PUBLIC INPUT** regarding a proposed amendment to the Village of Summit Future Land Use Map, which is part of the Village of Summit 2045 Comprehensive Plan, from the Industrial/Business Park designation to the Institutional designation on property located in the northwest corner of Pabst Farms Boulevard and N. Sawyer Road (SUMT0629998011).

7. **REGULAR BUSINESS:**
    A. Discussion and action on request of Tony and Jackie Wedeward, Annabelle Acres, to renew a Conditional Use Permit for a Hobby Kennel on property located at 39796 Golden Lake Park Road (SUMT0651998003).
    B. Acknowledge home occupation for Julie Stoffer to operate a photography and yoga studio on property located at 37211 Valley Road (SUMT0637003).
    C. Discussion and action on request of Adam and Nedret Rix to combine two lots on property located at 456 N. Waterville Road and 502 N. Waterville Road (SUMT0676993002 & SUMT0676993003).
    D. Discussion and action on request of Adam and Nedret Rix to maintain three accessory buildings on properties that are proposed to be combined located at 456 N. Waterville Road and 502 N. Waterville Road (SUMT0676993002 & SUMT0676993003).
    E. Discussion and action on request of Andrew and Rebecca McNulty to reconfigure two lots on property located at 523 N. Waterville Road (SUMT0675996002) and property abutting Breen's Road (SUMT0675996004).
    F. Provide feedback regarding a concept presentation from Bill Minett, agent, on behalf of Mary Alice Eschweiler, property owner, to create a single-family residential subdivision on property located on Genesee Lake Road, east of Ravinia Park subdivision (SUMT0678996).
    G. Discussion and action on request of Margaret Daigneau, Lake Country Classical Academy, for property owned by Pabst Farms Land Company, to amend the Village of Summit Future Land

***** Please note that, 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 contact the Village Hall at 567-2757.

***** It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any other governmental body except by the Village of Summit Plan Commission noticed above.

Use Map, which is part of the Village of Summit 2045 Comprehensive Plan, from the Industrial/Business Park designation to the Institutional designation on property located in the northwest corner of Pabst Farms Boulevard and N. Sawyer Road (SUMT0629998011).

H. Discussion and action regarding initiating a text amendment to allow day schools as a permitted use and/or conditional use with amended conditions in the Institutional District.

I. Discussion regarding potential zoning ordinance amendments to allow residential uses in the NC Neighborhood Commercial Zoning District.

8. **UPDATE** regarding Village Board action on Plan Commission matters

9. **ADJOURN** Plan Commission meeting

Respectfully submitted,

Amy Barrows, Village Planner **Posted: May 10, 2024**

Next meeting date: June 20, 2024

***** Please note that, 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 contact the Village Hall at 567-2757.

***** It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any other governmental body except by the Village of Summit Plan Commission noticed above.

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MINUTES
Village of Summit Plan Commission
Thursday, February 15, 2024

CALL TO ORDER

Chairperson Siepmann called to order the Plan Commission meeting at 5:30 p.m. on Thursday, February 15, 2024 at the Summit Village Hall, 37100 Delafield Rd, Summit, Wisconsin.

ROLL CALL AND CONFIRM POSTING

Deputy Clerk LaValliere took roll call and confirmed notice given to the local media as required and requested and posting of the agenda to the Village posting board and website. Commissioners present were: Paul Schmitter, Jay Obenberger, Jim Petronovich, Sandra Murray, Matthew Katz, Annette Kaja, Paul Schmitter, and Alternate Joan Gucciardi, also present were Chairperson Jim Siepmann, Planner Amy Barrows, and Deputy Clerk/Deputy Treasurer Sarah LaValliere
.

MINUTES

- May 18, 2023
- January 18, 2024

MOTION: (Petronovich, Kaja) to approve the May 18, 2023 and January 18, 2024, minutes. - Carried

Next meeting date – proposed for Thursday, March 21, at 5:30 p.m.

PUBLIC HEARINGS

Chairperson Siepmann re-opened a PUBLIC HEARING to:

Receive comments and discuss a revised request from Rebecca Carsey, on behalf of White Stag 1894, to amend the text of the Village of Summit Zoning and Shoreland Protection Ordinance to allow the rental of agricultural buildings in the A-1 Agricultural District as a Conditional Use. Specifically, the applicant is proposing to create Section 111-357(d)(3) to allow rental of agricultural buildings for activities or events in the A-1 Agricultural District as a Conditional Use and create Section 111-321(7) to provide the standards and conditions that must be met in order for the rental of agricultural buildings to be considered.

MOTION: (Katz, Murray*) to reopen the public hearing held over from January Plan Commission meeting*. - Carried

Planner Barrows provided a brief review of the public hearings thus far as presented in the staff report.

Atorney James Hammes
Axley Brynelson, LLP

Reviewed the revised text amendment, and added they reduced the number of events to a maximum capacity of 225 people for 2/3 of total events, and this would include staff and catering.

Chairperson Siepmann Opened the Hearing for Public Comment.

Kim Hotchkiss
37471 Stillwater Drive
Does not want the event venue in or around Summit. Requested clarity on types of events and complete details on what events, how many events and who is responsible for enforcement.

Sharon Legwinski
863 Red Oak Dr
Moved out to the area for quiet Lake Country, and not interested in having the area rezoned from agricultural to event. Votes no to the text amendment.

Brian Porter
37500 Stillwater Dr
Read his statement into the record. The proposed use should not be allowed in the Villag of Summit unless located on property zoned commercial and never on property adjacent to neighborhood area.
Request the following changes: (this list is a brief of the requested changes)

- Analyze concerns and gaps that are not addressed in other ordinances
- Restrict the number of events that would include more than 75 people after 5 pm to no more than 2 per month and 6 per year
- Number of decibels allowed to 70 at the property line
- Modify restrictions on sound amplification to all sound
- Restrict total square footage of tents to be used to 20x 40
- State that amplified sound cannot be used in tents

Marynell Costa
37981 Wildwood Lane
Opposed to any type of event barn. Questioned, if it is approved who is enforcing the rules.

Kevin Tadych
37736 Sunset Dr
Presented his data about noise. Presented three reasons why noise is not going to be a problem.

- Barn is surrounded by woods and marsh and most people are over ½ mile away.
- Made reference to the calculation of noise and the noise neighbor's leaf blowers
- Has done multiple tests and can't hear 100 DB in the barn or outside. The ordinance is in place as a failsafe.

Does not want to infringe upon the neighbors, if there are complaints agrees there should be enforcement.

Attorney James Hammes
Axley Brynelson, LLP

Addressed complaints regarding ordinance violations. Concerns are legitimate, and if there is a complaint there is a mechanism for enforcement.

Planner Barrows addressed enforcement. The way the code is drafted right now, it is applicable to a single property and that property is the Tadysch property.

Chairperson Siepmann, asks the Plan commission for additional feedback prior to closing the hearing.

Plan Commission members engage in additional conversation.

Inquiry is made to text amendment and the legality of the text amendment and purpose and intent of the ordinance, and a request for an owner-occupied residence on property as a method of accountability to neighbors.

Member Petronivich questions conditional use passing to new ownership.

Attorney Hammes says that it does not.

Planner Barrows affirms general practice at the Village is most people who have Conditional Use permits have to come in every five years for review.

Attorney James Hammes
Axley Brynelson, LLP
States that non-public is confined to one contract and invitees of that contract owner. There is more conversation about contract and meaning.

Planner Barrows provided the Plan Commission has an opportunity for control when the Conditional Use permit is applied for and an understanding of the business is had.

There is a request to quantify number of events and specify owner occupation for accountability to neighbors.

Some members of the Plan Commission point out that this process has been ongoing, and is costly for the applicant and those involved and to extend it another month for additional revisions is not necessary.

Dave Hotchkiss
37471 Stillwater Dr
Trying to find some compromise with the number of events and noise issue.

Atty Hammes
Axley Brynelson, LLP
Addressed number of events having moved significantly from 350 to 225 and that the parcel is owner occupied.

Brian Porter
37500 Stillwater Dr
The process has contributed to multiple iterations and subvert the needs of the residents because of the process and inconvenience for people involved.

Conversation is had about a “quiet” day during the week, and that the number of events allowed in ordinance being too many, and owner occupation.

Chairperson Siepmann Closed the Public Hearing at: 6:30 pm

Chairperson Siepmann re opened a PUBLIC HEARING:

To Receive comments and discuss a revised request from Christopher and Jessica Kadow, property owners at 740 N. Griffith Road, to amend the text of the Village of Summit Zoning and Shoreland Protection Ordinance to allow commercial vehicle parking on properties zoned in the A-2 Agricultural District as a Conditional Use. Specifically, the applicant is proposing to modify Section 111-431 Definitions, add Section 111-358(d)(2) Conditional uses in the A-2 Agricultural District, and modify Section 111-321 Conditional uses permitted.

MOTION: (Murray, Kaja) *to reconvene the public hearing*. - Carried

Planner Barrows addressed the changes to the text.

The applicant has revised the proposed text amendments with an attempt to control the number of commercial vehicles. Two options were submitted for consideration:

Option 1: Proposed Section 111-321(4)c. would limit parking to no more than six commercial vehicles. If four or more are proposed, two of the vehicles shall not exceed two axles. Equipment is not included in determining the number of commercial vehicles.

Option 2: Proposed Section 111-321(4)c. would limit parking to no more than six commercial vehicles with two of the commercial vehicles not exceeding two axles. Equipment is not included in determining the number of commercial vehicles.

Chairperson Siepmann Opened the hearing for Public Comment.

Attorney Michael Van Kluenen for applicant gave a brief comment to clarify the options.

Chairperson Siepmann Closed the public hearing at: 6:35 pm

REGULAR BUSINESS:

Taken out of order agenda item 7B 1 order to accommodate applicant need.

Discussion and action on request from Christopher and Jessica Kadow, property owners at 740 N. Griffith Road, to amend the text of the Village of Summit Zoning and Shoreland Protection Ordinance to allow commercial vehicle parking on properties zoned in the A-2 Agricultural District as a Conditional Use. Specifically, the applicant is proposing to modify Section 111-431 Definitions, add Section 111-358(d)(2) Conditional uses in the A-2 Agricultural District, and modify Section 111-321 Conditional uses permitted.

MOTION: (Katz, Murray) *to recommend Village Board adopt the proposed text amendments amending Section 111-431, repealing and recreating Section 111-321, include option 111 321. 4 (c) option 1, and creating Section 111-358(d)(2) of the Village of Summit Zoning and Shoreland Ordinance provided by the applicant in an ordinance form approved by the Village Planner and Village Attorney.* - Carried

Taken out of order agenda item 7C 1 & 7D 1 at request of Planner

Discussion and action on request of Jessica Praeger, Oconomowoc Area Baseball Club, to propose improvements at Genesee Lake Road Village Park (SUMT0685979001).

Kevin Rosch
Oconomowoc Area Baseball Club introduced himself to the Plan Commission

Planner barrows reviewed the request of OABC to propose improvements at Genesse Lake Road Village Park.

Question relating to color arise and OABC responded red canopy & black posts to be consistent with what is existing.

MOTION: (Katz, Murray) *to approve the Site Plan improvements as proposed subject to the following conditions:*

1. *An updated insurance policy shall be provided to the Village of Summit that includes the additional improvements.*
2. *An updated lease agreement shall be prepared and approved by the applicant and the Village of Summit Board, if deemed necessary by the Village of Summit.*
3. *The applicant shall contact the Village Building Inspector to determine if any building permits are required.*

Carried

Taken out of order 7D 1

Discussion and action on request of Dennis & Gina Krueger to combine two lots by Certified Survey Map on property owned by Dennis & Gina Krueger, located at 1920 N. Oak Grove Road (SUMT0669109), and the adjacent property to the south (SUMT0669110) owned by Dennis W Krueger and Christine E Garlock Et. Al.

Planner Barrows reviewed the property information included as part of the staff report and packet.

MOTION: (Murray, Katz) *to recommend that Village Board approve the Certified Survey Map subject to the following conditions:*

A. *APPROVALS FROM ALL OBJECTING AND APPROVING BODIES: Petitioner shall satisfy all comments, conditions and concerns of the Village Engineer, Surveyor, and Planner prior to approval of the final Certified Survey Map.*

B. *SUBJECT TO REIMBURSEMENT OF EXPENSES. As a condition precedent to this conditional CSM approval taking effect, the Petitioner shall pay all fees, costs, and assessments due and owing to the Village of Summit, and for reimbursement of any expenses, costs and disbursements which have been incurred by the Village of Summit in the drafting, review or enforcement of this conditional CSM approval, including without limitation by reason of enumeration, design, engineering, inspection and legal work.*

C. *NO BUSINESS OR COMMERCIAL USE. There shall be no commercial or business use on this lot, except as specifically permitted within or pursuant to the applicable Zoning Code.*

D. *ONE YEAR TO SATISFY CONDITIONS. Subject to the Petitioner satisfying all of the aforementioned conditions within one year of the Village Board granting conditional final approval of the CSM.*

Carried

Agenda Item 7A 1 taken out of order

Discussion and action on request from Rebecca Carsey on behalf of White Stag 1894 to amend the text of the Village of Summit Zoning and Shoreland Protection Ordinance to allow the rental of agricultural buildings in the A-1 Agricultural District as a Conditional Use. Specifically, the applicant is proposing to create Section111-357(d)(3) to allow rental of agricultural buildings for activities or events in the A-1 Agricultural District as a Conditional Use and create Section 111-321(7) to provide the standards and conditions that must be met in order for the rental of agricultural buildings to be considered.

Chairperson Siepmann provided comment on preservation of Ag land and barns and development in the Village of Summit.

Additional conversation is had about noise and quantity of events.

MOTION: (Katz, Schmitter) to *recommend Village Board adopt the proposed revised text amendments creating Sections 111-357(d)(3) and 111-321(7) of the Village of Summit Zoning and Shoreland Ordinance provided by the applicant in an ordinance form approved by the Village Planner and Village Attorney.*

Opposed

- *Petronovich*
- *Murray*
- *Kaja*

Carried

UPDATE regarding Village Board action on Plan Commission matters

Planner Barrows reviews topics presented to the Village Board that impact the Plan Commission

- Acknowledge open house that took place for vacation of Venice Beach Rd
  Responses will be compiled and will be presented in March and Village Board will vote on in March.

- Acknowledge project scope for project to review existing zoning code and conditional uses as they are right now. Identify any uses that are missing in order to build into zoning code to support certain uses.

ADJOURN Plan Commission meeting

MOTION: (Schmitter, Kaja) *to adjourn the Plan Commission meeting at:* 7:00 pm - Carried

Respectfully submitted,
Sarah LaValliere
Deputy Clerk/ Deputy Treasurer

Next meeting date: March 21, 2024

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Summit Village Hall ● 37100 Delafield Road ● Summit, WI 53066

MINUTES

Village of Summit Plan Commission
Thursday, March 21, 2024

CALL TO ORDER

Chairperson Siepmann called to order the Plan Commission meeting at 5:30 p.m. on Thursday, March 21, 2024 at the Summit Village Hall, 37100 Delafield Rd, Summit, Wisconsin.

ROLL CALL AND CONFIRM POSTING

Deputy Clerk LaValliere took roll call and confirmed notice given to the local media as required and requested and posting of the agenda to the Village posting board and website. Commissioners present were: Paul Schmitter, Jay Obenberger, Jim Petronovich, Sandra Murray, Matthew Katz, Annette Kaja, Paul Schmitter, and Alternate Joan Gucciardi, also present were Chairperson Jim Siepmann, Planner Amy Barrows, and Deputy Clerk/Deputy Treasurer Sarah LaValliere

MINUTES

- February 15, 2024

No minutes were presented at this meeting draft minutes will be included for the next Plan Commission meeting.

Next meeting date – proposed for Thursday, April 18th, at 5:30 p.m.

- Sandra Murray will not be present at the April meeting.

REGULAR BUSINESS:

<u>Discussion and action on request of Erin O'Boyle, agent, on behalf of Reassurance Development, property owner, to operate a home occupation at a residence that is proposed for construction at 915 S. Sawyer Road (SUMT0716985).</u>

Planner Barrows reviewed the Summary contained in the Plan Commission packet; it is to acknowledge the proposal as formal action to approve the use is not required. Planner Barrows reviewed conditions as follows.

Section 111-100(f) allows for home occupations as an accessory use of residential premises, provided several conditions are met. The conditions are as follows:

1) Such use remains clearly incidental and secondary to the principal use as a residence. It appears this condition is met.
2) Such use shall not constitute more than 25 percent of the floor area of the structures on the premises. The dance studio area consists of 23.7% % of the floor area of all structures proposed on the premises.
3) The owner maintains the residential character of the structures and premises in a manner compatible with the residential neighborhood so as not to adversely affect neighboring properties. The owner agrees to comply with this condition.
4) Such use shall not include the operation of any machinery, tools, or other appliances in a manner that would create noise or other nuisance factors in excess of those typical to residential usage. No operation of equipment is proposed.
5) Such use shall not have any identification, other than the property or owner, and limit signage to a non-illuminated sign not in excess of three-square feet in area. The applicant is proposing a 3 sq. ft. sign placed on a pole near the road right-of-way of Sawyer Road. The total pole height would be 3 ft. and the bottom of the sign would be 1 ft. from ground. Signs less than 15 sq. ft. that are located at least 1 ft. from the street yard and more than 5 ft. from the side and rear lot lines are exempt from permitting in residential districts. The sign shall not obstruct visibility or movement of vehicles or pedestrians, or otherwise cause any hazard to any person or property. Signs must be located outside of vision setback lines. Plan Staff recommended the applicant use two poles to help stabilize the sign during high winds.
6) Such use shall not require outside storage of materials to a degree considered by the zoning administrator incompatible to the residential character of the premises. No outside storage is proposed related to the business operations.
7) Such use shall not include the removal of sand, gravel, stone, topsoil or peat moss for commercial purposes or the sale of trees, plants or nursery stock. Not applicable.
8) Such use shall provide off-street parking area compatible with the residential character. The applicant is proposing to use the proposed driveway for parking which includes a large parking pad near the proposed attached garage. The south side of the parking pad is 80 ft. deep x 23 ft. wide, which provides ample space for three vehicles.

The petitioner Erin O'Boyle answers questions from the plan commission on number of attendees, parking, type of business. Group classes are Tuesday evenings. Plan Commissioners state that parking must be able to accommodate the number of attendees.

MOTION: (Murray, Schmitter) *to acknowledge the home occupation as presented for Social Style Dance. According to the applicant and as presented, the proposed use will comply with the provisions of Section 111-100(f) Home occupation of the Village of Summit Zoning and Shoreland Ordinance. Planner will have to review any signage.* - Carried

Discussion and action on request of Paul & Anne Miller, on behalf of Golden Lake LLC, property owner, to alter the topography on property at 333 N. Golden Cedar Lane (SUMT0695022).

Planner Barrows reviewed the summary provided in the Plan Commission pack.

Kyle Kolman - Seasonal Servies – Landscape Architect
Rob Miller - Rob Miller Homes - Builder

Addressed the Plan Commission and reviewed the current plan, with possible impacts. The initial plan is presented. There is a rain garden to the south that will catch water and allow it to percolate into the soil. If there is heavy rain there is a pipe for drainage.

A next-door neighbor to the south expressed concern about drainage and grading into a tree. The revision is to move the rain garden and low berm to the north and east to resolve drainage issues.

Additional conversation is had about adverse drainage and neighbors having access to the plan prior to approval.

There is additional conversation relating to fill and amount of fill being compatible with neighbors. The Plan Commission determines they would make a recommendation up to the 860 and leave it to staff and contractors to blend in with neighbors.

MOTION: (Murray, Schmitter) *to deny the applicant's request to modify the grading plan as presented at the March 21, 2024 Plan Commission meeting, but allow Staff to review and administratively approve a revised grading plan that aligns with the topography on the adjacent properties and eliminates adverse drainage. Contour changes would not exceed 860 on any of property being worked on*. Drainage would need to be directed toward the lake, not the adjacent properties. Any revisions to the previously approved plan would require review and approval by the Zoning Administrator and Village Engineer through the issuance of an Erosion Control Permit. If a stormwater catchment device is required, a maintenance agreement shall be approved by Village Staff and recorded with Waukesha County Register of Deeds. Plan Commission will resolve any questions, concerns, and or disputes related to the revised plan. Any revised plan would have to blend with the topography on neighbors' properties. All necessary state and federal permits shall be granted prior to the grading activities taking place in accordance with chapter 30 regulations. *(lakeside of residence beyond the patio being worked on.)* - Carried

<u>Discussion and action on request of Daniel Della, on behalf of Nemahbin Lake Partners LLC (agent), to obtain a Business Plan of Operation to continue operating Panga with a new owner and operator and minor modifications, on property owned by Four Fathoms LLC and located at 34422 Delafield Road (SUMT0669017).</u>

Planner Barrows reviewed the information contained in the Plan Commission Pack. The goal for right now is to continue operations as is and will come back with proposed improvements.

Justin Beres - Panga
Dan Della - Panga

Commented on the current goal of the operation. To open in April and clean the property and buildings up and run through summer and create a community place.

Planner Barrows reviewed some on-site complications; one is the floodway areas on the property, which no improvements would be allowed. She added, the flood fringe where water stands is also highly regulated.

Planner Barrows also reviewed the uses and conditions that would be allowable (as referenced in the Plan Commission Pack) She requested the Plan commission consider whether the self-service and pick-up counter are acceptable. These uses were not mentioned in previous requests. There is also an illegal covered shelter on the north side of the property that will need to be removed.

MOTION: (Katz, Schmitter*) to approve the applicant's request for a Business Plan of Operation as presented, as further specified in the application materials, and as detailed in the March 21, 2024 Plan Commission staff report. Changes to the 2016 Business Plan of Operation are limited to the changes referenced in the Planner's report.* - Carried

AMENDED MOTION: (Katz, Schmitter) *Amended to: Acknowledge the pickup window.* - Carried.

UPDATE Regarding Village Board action on Plan Commission matters

- Discussion and action on request from Rebecca Carsey on behalf of White Stag 1894 to adopt an ordinance that amends the text of the Village of Summit Zoning and Shoreland Protection Ordinance to allow the rental of agricultural buildings in the A-1 Agricultural District as a Conditional Use. Specifically, the applicant is proposing to create Section111-357(d)(3) to allow rental of agricultural buildings for activities or events in the A-1 Agricultural District as a Conditional Use and create Section 111-321(7) to provide the standards and conditions that must be met in order for the rental of agricultural buildings to be considered. – Tabled with unknown future date
    - There were two failed motions and the final motion was to table it.
- Discussion and action on request from Christopher and Jessica Kadow, property owners at 740 N. Griffith Road, to adopt an ordinance that amends the text of the Village of Summit Zoning and Shoreland Protection Ordinance to allow commercial vehicle parking on properties zoned in the A-2 Agricultural District as a Conditional Use. Specifically, the applicant is proposing to modify Section 111-431 Definitions, add Section 111-358(d)(2) Conditional uses in the A-2 Agricultural District, and modify Section 111-321 Conditional uses permitted. - Passed

- Discussion and action on proposal to vacate a portion of N. Venice Beach Road
    - Village Board denied vacation upon recommendation of Village Engineer, PW Director and Planner (due to resident input wanting access)
        - Recommendation to allow on street parking
        - Additionally, combine both parcels by adding an outlot, which would allow the lots to be considered a single lot – would alleviate offsite

parking issues but that would require a Certified Survey Map, site amendment and text amendments.

ADJOURN Plan Commission meeting

MOTION: (Schmitter, Murray) to adjourn the Plan Commission meeting at 6:50p.m. - Carried.

Respectfully submitted,
Sarah LaValliere
Deputy Clerk/Deputy Treasurer

Next meeting date: April 18, 2024

DRAFT

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AGENDA
Village of Summit Plan Commission
Thursday, April 18, 2024 5:30 p.m.

CALL TO ORDER

Chairperson Siepmann called to order the Plan Commission meeting at 5:30 p.m. on Thursday, April 18, 2024 at the Summit Village Hall, 37100 Delafield Rd, Summit, Wisconsin.

ROLL CALL AND CONFIRM POSTING

Deputy Clerk/Deputy Treasurer LaValliere took roll call and confirmed posting of the meeting to the local media as required and requested and posting on the village website and posting board. Commissioners present were: Jim Petronovich, Sandra Murray, Jay Obenberger, Paul Schmitter, Matthew Katz, Annette Kaja, Alt. Joan Gucciardi

Also present were: Chairperson Jim Siepmann, Planner Amy Barrows, Deputy Clerk/Deputy Treasurer Sarah LaValliere

MINUTES

- February 15, 2024
- March 21, 2024 (March minutes were not provided for review)

Minutes were not presented at this meeting and will be included at the next plan commission meeting.

Next meeting date – proposed for Thursday, May 16th, at 5:30 p.m.
Alternate Gucciardi will not be in attendance

Items taken out of order

REGULAR BUSINESS:

7A
Discussion and action on request of William and Laura Flood, property owners in the Town of Sullivan at N4615 Indian Point Road, for a Certified Survey Map to create two lots and an out lot within the extraterritorial limits of the Village of Summit.

Planner Barrows provided a brief summary of extraterritorial jurisdiction for newer plan commissioners. She then provided additional description to the request as included in the Plan Commission Pack. In the past the Village has only acknowledged CSM's and has not signed it but moving forward the Plan Commission and Village will sign these documents to formalize their action.

MOTION: (Petronovich, Murray) *to acknowledge the proposed CSM for William and Laura Flood at N4615 Indian Point Road and report no objections to the Town of Sullivan and Jefferson County.* – Carried

7B

Discussion and action on request of Robert Zahn to reduce a portion of the road rights-of-way of N. Golden Cedar Lane and Cedar Lane adjacent to property owned by Colton and Victoria Ziemanski located in the northwest corner of N. Golden Cedar Lane and Cedar Lane (SUMT0695039).

Planner Barrows reviewed the information provided in the Planner Summary for the Plan Commission Pack. Engineering and Public Works would like to include the existing platted road right-of-way, as well as 5 ft. from edge of pavement. She explained that the reduction needs to consider both sides of the road. However, the Village cannot require a dedication on the south side since the applicant does not own that property. Therefore, an exhibit will need to be provided with a legal description. She provided a modified motion, which was accepted by Plan Commission.

Conversation is had about right of way, use and road paving.

MOTION: (Schmitter, Katz) *to recommend Village Board approve the road right-of-way reduction of N. Golden Cedar Lane from 66 ft. to an area legally described by exhibit which must be prepared by the applicant, that is inclusive of the platted Road Right of Way and at least 5' from pavement on both sides of the road. Cedar Lane shall continue to have an established road right-of-way width of 66 ft. A Certified Survey Map dedicating the appropriate road right-of-way on the subject property shall be prepared by the property owner, reviewed and approved by the Village of Summit, and recorded with Waukesha County Register of Deeds prior to the road right-of-way reduction being acknowledged.* - Carried

PUBLIC INPUT regarding a proposed amendment to the Village of Summit Future Land Use Map, which is part of the Village of Summit 2045 Comprehensive Plan, from the Industrial/Business Park designation to the Institutional designation on property located in the northwest corner of Pabst Farms Boulevard and N. Sawyer Road (SUMT0629998011).

Planner Barrows provides an introduction of the topic to the Plan Commission that is included in the Plan Commission packet.

DRAFT

Planner Barrows provided insight into potential next steps in the process for those in attendance.

If the Plan Commission supports the amendment a resolution for consideration by the Village Board would be prepared and a public hearing would take place with notification 30 days prior to the Public Hearing date. Per Village's public participation policy, all residents within 500' would be notified of public hearing. If the category is ultimately approved the property would need to be rezoned and rezoning would require notification and a public hearing. Everyone within 300' of property would be notified.

If the school is proposed a Conditional Use public hearing would be held and notification sent to those 300' from the parcel.

If the conditional use is pursued a text amendment would be pursued.

Discussion as part of the land use amendment has to be kept high level and details take place during conditional use.

Chairperson Siepmann opened the meeting to PUBLIC INPUT.

Rodger Northouse,35197 Genesee Lake Rd - Potential Crown Jewel for a community

Tom Shermerhorn,100 Camelot Dr, Fon Du Lac WI – Architect, Great to work with

Jake Peterson, 36595 Country Cove Ct - Support

Meranda Peterson, 36595 Country Cove Ct - Ditto

Laura Zieslski, 35263 Yahara DR – 100% Behind

Peter Zielski, 35263 Yahara DR - Ditto

Tracy & Bryan Bigari,2938 Kegonsa Dr – Live in Lake Country Village and support school.

Mary Claire Lanser,
Lanser Public Affairs,
14550 W Meadowshire
New Berlin WI
Reviewed her process for collecting feedback. She provided a report to the Plan commission consideration (the plan commission was not provided the report as it contained property use specific information). However, Mary Claire provided her own summary of the report. She requested all in favor of the proposal stand, most of the room stood up.

Greg Szajna, 37343 Bartlett Rd - Institutional land use category doesn't mean it will ultimately be a school.

DRAFT

Chairperson Siepmann closed the public input @ 6:00 pm

REGULAR BUSINESS:

7C
Discussion and action on request of Margaret Daigneau, Lake Country Classical Academy, for property owned by Pabst Farms Land Company, to amend the Village of Summit Future Land Use Map, which is part of the Village of Summit 2045 Comprehensive Plan, from the Industrial/Business Park designation to the Institutional designation on property located in the northwest corner of Pabst Farms Boulevard and N. Sawyer Road (SUMT0629998011).

Planner Barrows reviewed the information included in the pack regarding the proposed land use and Village considerations.

Chairperson Siepmann reviewed the 2045 Village of Summit Future Land Use Map for the team and audience.

Margaret Diagneau, Principal LCCA, introduced herself and offered to assist with answering questions or providing information.

Plan Commission had discussion regarding fiscal impact and land uses that may or may not be taxable.

Margaret Diagneau discussed payment in lieu of taxes and the opportunity of payment in lieu of taxes.

Additional conversation regarding sewer and water availability and that land use changes would require sewer and water approval and availability prior to final planning.

Clarification is made regarding the action needed for this meeting.

There is a concern regarding changing land use and the applicant not having final ownership of land, which might change the final product on the land.

Planner Barrows provided additional conditions that could be considered to help control variety of proposals that could be submitted, such as requiring development to occur within acertain timeframe or the use would revert to original.

Margaret Diagneau Principal for LCCA indicated to the Plan Commission that there is a sense of urgency to this as they are looking to be in a new location start of school year 2025. Ultimately, consolidating 2 locations into one location in Summit.

Plan Commission eludes that if there is a land use change they would like it to be specific for this use. Fiscal impact and traffic come into play with this request.

DRAFT

Recommendation to take back to plan staff to discuss how to ensure that with land use change, this specific proposal is considered, payment in lieu of taxes is managed and traffic is considered. Continue to direct staff to prepare a resolution in order to continue to move the project forward. This does not ensure support.

DOT traffic impact analysis – TIA (Traffic Impact Analysis) for development to the west in Oconomowoc potentially is available.

MOTION: (Schmitter, Katz) *to direct staff to prepare a resolution for consideration at a future Plan Commission meeting recommending that Village Board approve the proposed Village of Summit Future Land Use Map amendment of the Village of Summit 2045 Comprehensive Plan from the Industrial/Business Park designation to the Institutional designation on property located in the northwest corner of the Pabst Farms Boulevard and N. Sawyer Road intersection, more specifically Lot 2 of CSM 11510, located in Section 14, T7N, R17E, Village of Summit. Motion does not imply support or commitment.* – Carried

7D
Discussion regarding potential zoning ordinance amendments to allow residential uses in the NC Neighborhood Commercial Zoning District.

Planner Barrows reviewed the Village Board denial to vacate a portion of Venice Beach Rd. The Village will have to find out how to pair the residential and parking with existing circumstances. At some point the Village would consider whether or not to support residential units in a neighborhood commercial district. Combining residential use in commercial districts as a mixed use will have to be looked at.

Chairperson Siepmann polls the Plan Commission to gauge comfort on topic. A question regarding "exposure" or how to protect from old to new arises.

All members agree that it is a topic that should be moved forward on.

UPDATE regarding Village Board action on Plan Commission matters.

Information regarding zoning code project update for appropriate permitted and conditional uses was provided. Goal is to present a process to move forward at plan staff and schedule joint meeting to discuss.

ADJOURN Plan Commission meeting

MOTION: (Kaja, Schmitter) to ADJOURN the Plan Commission meeting at: 6:55 pm

Respectfully submitted,
Sarah LaValliere
Deputy Clerk/Deputy Treasurer

Next meeting date: May 16, 2024

DRAFT

Annabelle Acres – Hobby Kennel
39796 Golden Lake Park Road
SUMT0651998003
Conditional Use Renewal Permit
5/16/2024 Plan Commission Meeting

Staff Report Village of Summit, Wisconsin

Property Owner:	Tony and Jackie Wedeward
Applicant:	Same
Zoning:	R-1 Estate Residential (130,000 sq. ft./unit, min. 2-acre lot size)
Land Use Plan:	SF Residential 2.4-acre density

Possible Motion:
Motion to approve the Conditional Use Renewal request in accordance with the enclosed Conditional Use Agreement, subject to Village Attorney review.

Summary:
The applicant obtained a Conditional Use Permit in March of 2019 for a hobby kennel, including up to seven dogs more than six months of age, pursuant to Section 111-321(c)(1)(b). Annabelle Acres is a small non-profit organization that provides temporary homes for recently "retired from breeding" Labrador Retrievers, until the dogs are adopted. The CU limits the number of adoptable dogs to six, with a total of seven dogs on the property. The Conditional Use Permit was effective for a continued term of five years, through January 1, 2024, with an option to renew for additional terms. On April 16, 2024, the applicant applied to renew the Conditional Use Permit for another five years [January 1, 2029] with no changes to the March 2019 approval. The Village of Summit has received no complaints since the original approval.

The property owner happens to own the adjacent three-acre property to the east, but that property is not currently part of the Conditional Use Permit. The outdoor fenced area that accommodates the dogs does abut the east lot line. The planner will schedule a site inspection prior to the Plan Commission meeting to ensure the property is in compliance with the existing Conditional Use Permit. A summary of operations is included in the packet.

Enclosed in an updated Conditional Use Agreement for consideration.

VILLAGE OF SUMMIT ORDER
GRANTING A CONDITIONAL USE AND
PRESCRIBING CONDITIONS FOR A HOBBY KENNEL
AT 39796 GOLDEN LAKE PARK ROAD
IN THE VILLAGE OF SUMMIT

~~WHEREAS, a petition was filed in December, 2018 by Tony and Jackie Wedeward (hereinafter "PETITIONER"); and~~

WHEREAS, the petitioner is the owner~~s~~ of 3.0131 acres of land at 39796 Golden Lake Park Road in the Village of Summit, said premises consisting of approximately 3.0131 acres, as shown on the attached drawing, (hereinafter "SUBJECT PROPERTY"), legally described as follows:

(See Exhibit "A" attached)

WHEREAS, a petition was filed in December, 2018 by Tony and Jackie Wedeward (hereinafter "PETITIONER")for a hobby kennel; and

WHEREAS, the petitioner ~~is requesting that~~was granted a conditional use permit ~~be granted~~ for a hobby kennel for seven dogs more than 6 months of age, pursuant to Section 111-321(~~C~~3)~~(1)(b)~~ a.2. of the Code of Ordinances of the Village of Summit (hereinafter "the Code") on March 21, 2019; and

WHEREAS, pursuant to Section 111-347(~~D~~d)(1) of the Code, the proposed operation is an authorized conditional use on the subject property; and

WHEREAS, the conditional use permit granted in 2019 was effective for a continued term of five years [through January 1, 2024]. It may be renewed thereafter for such additional terms as the Plan Commission for the Village of Summit deems appropriate. In the event that the use of the property is compatible with the surrounding area and the application is in substantial compliance with all terms of the conditional use permit, the Plan Commission shall continue to renew the Conditional Use Permit for additional periods of time.

WHEREAS, the ~~application shall be subject to the application, procedures and requirements pursuant to Section 111-321(C)(4) of the Code~~petitioner applied for the Conditional Use Permit renewal on April 16, 2024; and

WHEREAS, the Petitioner ~~has~~ filed the required building, site and operational plans for review and the application was subject to the application, procedures and requirements pursuant to Article XI at time of the 2018 Conditional Use application submittal; and

WHEREAS, upon publication of the required "Notice of Public Hearing" and mailing of said "Notice of Public Hearing" to all parties-in-interest as required by Section 111-387 of the Code, the Plan Commission for the Village of Summit held a public hearing on Thursday, February 21, 2019, as required by Section 111-312(~~B~~b) of the Code; and

WHEREAS, the Plan Commission ~~has taken~~took into account the comments and concerns from the February 21,~~1~~ 2019 public hearing into consideration, reviewed the Code requirements and also the requirements of 2017 Wisconsin Act 67; and

WHEREAS, the Plan Commission ~~has~~ found that the proposed regulated household animals ~~will~~ would not adversely affect the use of adjacent lands and is compatible with surrounding and nearby land uses; and

WHEREAS, ~~the~~ this ~~proposed~~ Conditional Use Permit ~~will be the~~is the only Conditional Use Permit assigned to this property; and

WHEREAS, the Plan Commission for the Village of Summit, following the public hearing and necessary study and investigation, having given the matter due consideration, and having based its determination on the effect of granting such conditional use permit on the health, general welfare, safety and economic prosperity of the Village and specifically of the immediate neighborhood in which said use ~~will be~~is located, and having given due consideration to the municipal problems involved, as well as impact on surrounding properties as to noise, dust, smoke, odor or other similar factors, determined that the use would not violate the spirit or intent of the Zoning ~~Code~~ and Shoreland Ordinance for the ~~Town~~ Village of Summit, would not be contrary to the public health, safety or general welfare of the ~~Town~~ Village of Summit, would not be hazardous, harmful, noxious, offensive or nuisance by reason of smoke, dust, odor, or other similar factors and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the conditional use is operated pursuant to the following conditions and in strict compliance with the same; and

WHEREAS, the Village of Summit has not received any complaints related to the activities subject to this Conditional Use Permit; and

WHEREAS, the petition to renew the Conditional Use Permit for another five year period does not require further investigation or notice of public hearing.~~.~~

THEREFORE IT IS ORDERED AS FOLLOWS:

Commencing upon the date hereof, a Conditional Use Permit for the subject premises is hereby approved. The Conditional Use Permit granted herein shall apply only to this specific use of the aforesaid premises by Travis Loften and the Conditional Use Permit shall continue in existence only so long as the conditional use is operated in

compliance with this Permit. This Conditional Use Permit is subject to initial and continued compliance with each and every one of the following conditions, restrictions and limitations.

A. This conditional use is granted to permit a hobby kennel for up to seven (7) dogs more than 6 months of age, and related facilities on the subject property, subject to the following conditions:

1. OPERATION: The operation and layout shall be in substantial compliance with the attached site plan and operational plans and drawings on file with the Village of Summit and with the application and representation made to the Plan Commission of the Village of Summit on February 21, 2019 and May 16, 2024. The premises shall, at all times, be maintained in a neat and orderly condition.

2. USE: Kennel runs within the detached garage shall be used for the housing of up to six dogs more than 6 months of age, specifically, post-maternal female Labrador Retrievers. Other dogs more than 6 months of age may be on the property as pets of the owner, but in no case shall there be more than seven (7) dogs more than 6 months of age on the property at any one time.

3. BUILDING: The kennel building shall consist of the existing 875 square foot garage, with an outdoor run area of approximately 6,000 square feet. This building may not be expanded or relocated without permission of the Plan Commission. The existing building meets the required setbacks.

4. OUTDOOR LIGHTING: Outdoor lighting, if any, shall be no more than standard residential fixtures of ordinary residential intensity.

5. EMPLOYEES: No employees are permitted as part of the conditional use permit.

6. GARBAGE, REFUSE AND WASTE MATERIAL: Garbage, refuse and waste products shall not be stored outside the building and any garbage or refuse shall be disposed of through the usual weekly trash pickup. Animal waste material accumulated shall be periodically spread on the farm field to the east of the kennel.

7. NOISE: If there shall be complaints about unusual noise, inconsistent with the normal residential character of the neighborhood, the Plan Commission shall hold a public hearing, upon due notice, and shall make reasonable rules and regulations in such regard.

8. NOT TRANSFERABLE: This Conditional Use Permit is issued specifically to the Petitioner. The Conditional Use Permit is not transferable to new owners of the subject property.

9. ACCEPTANCE: As a condition precedent to the issuance of a Conditional Use Permit, Tony and Jackie Wedeward are required to accept the terms and conditions of the same in its entirety in writing.

B. Any use not specifically listed as permitted shall be considered to be prohibited except as may be otherwise specifically provided herein. In case of a question as to the classification of the use, the question shall be submitted to the Plan Commission for the Village of Summit for determination.

C. No use is hereby authorized unless the use is conducted in a lawful, orderly and peaceful manner. Nothing in this order shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the Village of Summit, the County of Waukesha, the State of Wisconsin, the United States of America or other duly constituted authority, except only to the extent that it authorizes the use of the premises above described in any specific respects described herein. This order shall not be deemed to constitute a building permit, nor shall this order constitute any other license or permit required by the Village ordinance or other law.

D. This conditional use hereby authorized shall be confined to the premises described, without extension or expansion other than as noted herein, and shall not vary from the purposes herein mentioned unless expressly authorized in writing by the Plan Commission of the Village of Summit as being in compliance with all pertinent ordinances.

E. Should the permitted conditional use be abandoned in any manner, or discontinued in use for twelve (12) months, or continued other than in strict conformity with the conditions of the original approval, or should the petitioner be delinquent in payment of any monies due and owing to the Village, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area, or for similar cause based upon considerations of public health, safety or welfare, the conditional use may be terminated by action of the Village Board of the Village of Summit following referral to the Plan Commission for the Village of Summit for recommendation and public hearing thereon.

F. Any change, addition, modification, alteration and/or amendment of any aspect of this conditional use, including, but not limited to an addition, modification, alteration, and/or amendment to the use, premises, structures, lands or owners, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.

G. Unless this conditional use permit expressly states otherwise, plans that are specifically required by this conditional use order may be amended upon the prior approval of the Plan Commission if the Plan Commission finds the plan amendment to be minor and consistent with the conditional use permit. Any change in any plan

that the Plan Commission, in its sole discretion, finds to be substantial shall require a new permit, and all procedures in place at the time must be followed.

H. Should any paragraph or phrase of this Conditional Use Permit be determined by a Court to be unlawful, illegal or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the conditional use and the remainder shall continue in full force and effect.

I. This Conditional Use Permit shall be effective for a continued term of five years [through January 1, ~~2024~~2029]. It may be renewed thereafter for such additional terms as the Plan Commission for the Village of Summit deems appropriate. Application for renewal shall be filed by the Petitioner not less than sixty (60) days prior to the expiration of this initial term or any renewal term. In the event that the use of the property is compatible with the surrounding area and the application is in substantial compliance with all terms of this Conditional Use Permit, then, in that event, the Plan Commission for the Village of Summit shall continue to renew this Conditional Use Permit for additional periods of time. The Petitioner shall have the responsibility to apply for the renewal as provided herein.

J. Where the changing character of the surrounding area causes the original conditional use or subsequent approval amendments thereto to no longer be compatible with the surrounding area, or for similar cause, based upon consideration for the public welfare, the Conditional Use Order and any subsequent approved amendments or changes may be terminated by action of the Village Board of the Village of Summit following a referral to the Plan commission for the Village of Summit for recommendation and a public hearing thereon by the Village Board. Such use shall thereafter be classified as a legal non-conforming use as it was permitted to exist on the day it was terminated.

K. This conditional use may be reviewed annually. Additionally, this conditional use may be reviewed by the Plan Commission for the Village of Summit at any time upon complaint or upon Commission initiative.

L. If any aspect of this conditional use or any aspect of any plan contemplated and approved under this conditional use is in conflict with any other aspect of the conditional use order, the more restrictive provision shall be controlling, as determined by the Plan Commission of the Village of Summit.

Let copies of this order be filed in the permanent records of the Plan Commission of the Village of Summit, and let copies be sent to the petitioner.

Approved this ~~21st~~ 16th day of ~~March~~May, ~~2019~~2024.

BY THE PLAN COMMISSION
FOR THE VILLAGE OF SUMMIT

_____	_____
JAMES SIEPMANN	DEBRA MICHAEL~~, Clerk~~
Plan Commission Chairman_____	Administrator-Clerk/Treasurer

ACCEPTANCE

I hereby accept the terms of this Conditional Use in its entirety.

Date this _____ day of _____, ~~2019~~2024

Tony Wedeward	Jackie Wedeward
_____	_____

This Conditional Use was drafted by
~~Henry Elling~~Amy Barrows, Village Planner

Exhibit A
Legal Description

LOT 2 CERT SURV 7627 VOL 65/130 PT SW1/4 SEC 19 T7N R17E DOC# 4031365

Annabelle Acres CU Renewal

3. To Whom Should the Permit be Issued?

Tony & Jackie Wedeward

4. Property Address and Legal Description of the Property: (May appear on the tax bill)

39796 Golden Lake Park Road
Oconomowoc, WI 53066

5. Tax Key Number: SUMT 0651 998 003 and SUMT 0651 998 004

6. What is the Property Zoning Classification in the Village of Summit? R1 SF Residential

What is the Property Zoning Classification in Shoreland Floodland Protection Ordinance Code? _____

7. Identify the type of use immediately adjacent to this property.

North A-1 agricultural	South Public Road and then A-1 agricultural

East R1 SF Residential	West R1 SF Residential

8. Is this a New Use? _____ **OR** Is this an existing use to be expanded? existing but no expansion

9. Describe the proposed use, how it fits within the listed Conditional Uses allowed in the current zoning of the property, and the general plan for the property.

Our business name is "Annabelle Acres". Annabelle acres is a small 501(c)3 non-profit organization that provides a temporary home for recently "retired from breeding" Labrador Retrievers. Over several months, we provide ~~medical~~ resources to improve the health of our dogs - physically, mentally & socially. Once we deem each dog is healthy we find/match our dogs with families in Wisconsin. We focus our matches up with veterans, first responders, seniors and young families with children. We are not a rescue but an adoption organization.

10. List the dimensions and levels of ALL buildings in coordination with site plan information that will be submitted to the Plan Commission for review.

	Outside Dimensions	Number of levels
Building "A":	Detached Garage 35'x35'	one
Building "B":		
Building "C":		

Total Floor Area is 875 square feet.

11. Identify the proposed use of EACH building and remaining outdoor area.

Building "A": Internal Use of garage/Kennels includes 6-8 modular Kennels (Professional Grade) from K9 Kennels from Utah.

Building "B": _____

Building "C": _____

Outdoor Uses? _____

12. How many employees will be working in this operation? Zero - Just the owners of the property

13. What hours of the day will the business be operating? Visits are by appointment only 24/7 Dog care

14. What days of the week will the business be operating? everyday

15. Will there be any unusual odors, smoke or noise generated by the proposed use that do not exist on the site at the present time? YES ____ NO X If yes, please describe below.

16. Locate each sign on the site plan and submit the drawings, including area of each sign, color, number of faces, and overall height (if free-standing).

Number of Free-standing signs: No Signs

Number of Wall-mounted signs: No Signs

17. Please locate all the proposed parking on the site plan.

Number of Parking spaces proposed on the property? None

If not currently hard surfaced, the parking lot and any expansions will be paved by? —

18. Is there a need for any special type of security fencing?

YES ____ NO X Type of fencing proposed: _____

19. Is there any special lighting proposed?

YES ____ NO X Type of lighting proposed: _____

20. Will a special license be required from the Village, County or State in order to operate this business? YES X NO ___ If yes, please describe below.

Federal - 501(c)3 Non-profit organization
State - Dog Seller and dog facility operating License (Attached)

21. Has the State or County acted on your project proposal to date, either with building plan reviews, site plan reviews, Conditional Use activities or other design reviews? YES ___ NO ___ If yes, please describe below, along with contact name and office.

Five Year
Renewal

22. Timetable: Describe the proposed timetable for the completion of any building construction, parking or grading improvements, landscaping, occupancy date, opening date, etc.

Five Year
Renewal

23. **SIGNATURES**

NOTE: <u>ALL APPLICATIONS</u> MUST BE SIGNED BY THE PROPERTY OWNER

Tay Weber 4/16/2024 Tay Weber 4/16/2024

Applicant date Property Owner date

Jackie Weberward 4/16/2024 Jackie Weberward 4/16/2024

Use this space to further describe the proposal, or detail points from above

See attachments

Wisconsin Department of Agriculture, Trade and Consumer Protection
2811 Agriculture Drive, PO Box 8911, Madison, WI 53708-8911

Effective Date: September 12, 2023
Expires: September 30, 2024
Statute: Sec. 173.41

License Number: 516120

Dog Seller and Dog Facility Operator License

Legal Name:
Annabelle Acres
39796 Golden Lake Park Rd Oconomowoc WI 53066-9405

Doing Business As:
Annabelle Acres

Activity: Dealer

Locations:
39796 Golden Lake Park Rd Oconomowoc, WI 53066-9405

Alex Nemec/Freeman Staff

Annabelle Acres owner Tony Wedeward holds Sarah, a chocolate Lab he is rehabilitating to be placed with a family.

Dogs' best friend

Local man rehabilitates breeder dogs to be placed into homes

By Alex Nemec
anemec@conleynet.com
262-513-2661

SUMMIT — Dogs are always there for their owners when something is wrong and for a few lucky adult dogs, Annabelle Acres owner Tony Wedeward and the rest of his family are there for them when they need help after a life of breeding.

Annabelle Acres is a small business in Summit that takes in full-bred Labs from breeders who don't need the dogs anymore and works with them to get them ready to be companion dogs.

"We take in retired Labs, mostly moms that have had litters," Wedeward said. "They retire them after four litters or by the time they are four years old.

"A lot of these dogs haven't been inside, seen a television before or even know how to sit or stay."

The retired Labs typically stay with the Wedewards at their home for two to three months, where he works with them to get them healthy and learn social skills, he said.

Since most families look for puppies to grow up with their children, Wedeward said his main client base is empty nesters, veterans and service personnel.

Wedeward offers a pen area where the dogs are free to run around and chase animals living on the land, as well as a pool for the dogs to swim in during the summer.

Wedeward said he and his family came up with the idea after he wanted to start slowing down at work, but not completely retire. In addition, he said the death of their family Lab, Annabelle, pushed them towards this kind of work.

"I wanted to do something so we could give back to the community in some fashion," he said. "We just have a love for Labs and dogs."

Wedeward has four dogs of his own right now, and three dogs going through Annabelle Acres, Sarah, Grizz and Shelby.

Sarah, social skills

Sarah, a chocolate Lab, came to Annabelle Acres overweight and unmotivated, Wedeward said.

"Her tail wasn't wagging, her head was down," Wedeward said. "Now she has lost 25 pounds and she is running all over the place, her tail is wagging. Now she hops on the couch in our garage all by herself, when before she couldn't get up without my help."

Wedeward said he helps the dogs' social skills by introducing them to people and bringing them around town.

"The first time I brought Sarah to Home Depot, she was scared to death and now she walks down the aisles with her tail wagging," Wedeward said. "That's what really makes us proud and know we are doing the right thing."

Despite plenty of people looking to adopt Sarah, Wedeward said he doesn't match dogs with families until the dog is healthy and ready to be with the family.

"Dogs need to be ready to go as a companion. Some dogs are closer than others on how to be a house trained dog," he said. "Don't want to give them a dog that requires a lot of work from the get go."

But when that day comes, Wedeward finds it hard to hold back.

"I'm pretty much batting 1,000. For every dog I've placed, I've cried," he said.

Wedeward said he works with all local businesses to spread word about his business and tries to use as much local business as he can to help run it.

To find out more information about Annabelle Acres and dogs available for adoption, visit annabelleacres.org or its Facebook page.

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March 26, 2019 11:15 am (GMT +5:00)

0651490003

VILLAGE OF SUMMIT ORDER
GRANTING A CONDITIONAL USE AND
PRESCRIBING CONDITIONS FOR A HOBBY KENNEL
AT 39796 GOLDEN LAKE PARK ROAD
IN THE VILLAGE OF SUMMIT

WHEREAS, a petition was filed in December, 2018 by Tony and Jackie Wedeward (hereinafter "PETITIONER"); and

WHEREAS, the petitioner is the owners of 3.0131 acres of land at 39796 Golden Lake Park Road in the Village of Summit, said premises consisting of approximately 3.0131 acres, as shown on the attached drawing, (hereinafter "SUBJECT PROPERTY"), legally described as follows:

(See Exhibit "A" attached)

WHEREAS, the petitioner is requesting that a conditional use permit be granted for a hobby kennel for seven dogs more than 6 months of age, pursuant to Section 111-321(C)(1)(b) of the Code of Ordinances of the Village of Summit (hereinafter "the Code"); and

WHEREAS, pursuant to Section 111-347(D)(1) of the Code, the proposed operation is an authorized conditional use on the subject property; and

WHEREAS, the application shall be subject to the application, procedures and requirements pursuant to Section 111-321(C)(4) of the Code; and

WHEREAS, the Petitioner has filed the required building, site and operational plans for review; and

WHEREAS, upon publication of the required "Notice of Public Hearing" and mailing of said "Notice of Public Hearing" to all parties-in-interest as required by Section 111-387 of the Code, the Plan Commission for the Village of Summit held a public hearing on Thursday, February 21, 2019, as required by Section 111-312(B) of the Code; and

WHEREAS, the Plan Commission has taken the comments and concerns from the February 2,1 2019 public hearing into consideration, reviewed the Code requirements and also the requirements of 2017 Wisconsin Act 67; and

WHEREAS, the Plan Commission has found that the proposed regulated household animals will not adversely affect the use of adjacent lands and is compatible with surrounding and nearby land uses; and

WHEREAS, the proposed Conditional Use Permit will be the only Permit assigned to this property; and

WHEREAS, the Plan Commission for the Village of Summit, following the public hearing and necessary study and investigation, having given the matter due consideration, and having based its determination on the effect of granting such conditional use permit on the health, general welfare, safety and economic prosperity of the Village and specifically of the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved, as well as impact on surrounding properties as to noise, dust, smoke, odor or other similar factors, determined that the use would not violate the spirit or intent of the Zoning Code for the Town of Summit, would not be contrary to the public health, safety or general welfare of the Town of Summit, would not be hazardous, harmful, noxious, offensive or nuisance by reason of smoke, dust, odor, or other similar factors and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the conditional use is operated pursuant to the following conditions and in strict compliance with the same.

THEREFORE IT IS ORDERED AS FOLLOWS:

Commencing upon the date hereof, a Conditional Use Permit for the subject premises is hereby approved. The Conditional Use Permit granted herein shall apply only to this specific use of the aforesaid premises by Travis Loften and the Conditional Use Permit shall continue in existence only so long as the conditional use is operated in compliance with this Permit. This Conditional Use Permit is subject to initial and continued compliance with each and every one of the following conditions, restrictions and limitations.

A. This conditional use is granted to permit a hobby kennel for up to seven (7) dogs more than 6 months of age, and related facilities on the subject property, subject to the following conditions:

   1. OPERATION: The operation and layout shall be in substantial compliance with the attached site plan and operational plans and drawings on file with the Village of Summit and with the application and representation made to the Plan Commission of the Village of Summit on February 21, 2019. The premises shall, at all times, be maintained in a neat and orderly condition.

   2. USE: Kennel runs within the detached garage shall be used for the housing of up to six dogs more than 6 months of age, specifically, post-maternal female Labrador Retrievers. Other dogs more than 6 months of age may be on the property as pets of the owner, but in no case shall there be more than seven (7) dogs more than 6 months of age on the property at any one time.

   3. BUILDING: The kennel building shall consist of the existing 875 square foot garage, with an outdoor run area of approximately 6,000 square feet. This

building may not be expanded or relocated without permission of the Plan Commission. The existing building meets the required setbacks.

4. OUTDOOR LIGHTING: Outdoor lighting, if any, shall be no more than standard residential fixtures of ordinary residential intensity.

5. EMPLOYEES: No employees are permitted as part of the conditional use permit.

6. GARBAGE, REFUSE AND WASTE MATERIAL: Garbage, refuse and waste products shall not be stored outside the building and any garbage or refuse shall be disposed of through the usual weekly trash pickup. Animal waste material accumulated shall be periodically spread on the farm field to the east of the kennel.

7. NOISE: If there shall be complaints about unusual noise, inconsistent with the normal residential character of the neighborhood, the Plan Commission shall hold a public hearing, upon due notice, and shall make reasonable rules and regulations in such regard.

8. NOT TRANSFERABLE: This Conditional Use Permit is issued specifically to the Petitioner. The Conditional Use Permit is not transferable to new owners of the subject property.

9. ACCEPTANCE: As a condition precedent to the issuance of a Conditional Use Permit, Tony and Jackie Wedeward are required to accept the terms and conditions of the same in its entirety in writing.

B. Any use not specifically listed as permitted shall be considered to be prohibited except as may be otherwise specifically provided herein. In case of a question as to the classification of the use, the question shall be submitted to the Plan Commission for the Village of Summit for determination.

C. No use is hereby authorized unless the use is conducted in a lawful, orderly and peaceful manner. Nothing in this order shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the Village of Summit, the County of Waukesha, the State of Wisconsin, the United States of America or other duly constituted authority, except only to the extent that it authorizes the use of the premises above described in any specific respects described herein. This order shall not be deemed to constitute a building permit, nor shall this order constitute any other license or permit required by the Village ordinance or other law.

D. This conditional use hereby authorized shall be confined to the premises described, without extension or expansion other than as noted herein, and shall not vary from the purposes herein mentioned unless expressly authorized in writing by the Plan

Commission of the Village of Summit as being in compliance with all pertinent ordinances.

E. Should the permitted conditional use be abandoned in any manner, or discontinued in use for twelve (12) months, or continued other than in strict conformity with the conditions of the original approval, or should the petitioner be delinquent in payment of any monies due and owing to the Village, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area, or for similar cause based upon considerations of public health, safety or welfare, the conditional use may be terminated by action of the Village Board of the Village of Summit following referral to the Plan Commission for the Village of Summit for recommendation and public hearing thereon.

F. Any change, addition, modification, alteration and/or amendment of any aspect of this conditional use, including, but not limited to an addition, modification, alteration, and/or amendment to the use, premises, structures, lands or owners, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.

G. Unless this conditional use permit expressly states otherwise, plans that are specifically required by this conditional use order may be amended upon the prior approval of the Plan Commission if the Plan Commission finds the plan amendment to be minor and consistent with the conditional use permit. Any change in any plan that the Plan Commission, in its sole discretion, finds to be substantial shall require a new permit, and all procedures in place at the time must be followed.

H. Should any paragraph or phrase of this Conditional Use Permit be determined by a Court to be unlawful, illegal or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the conditional use and the remainder shall continue in full force and effect.

I. This Conditional Use Permit shall be effective for a continued term of five years [through January 1, 2024]. It may be renewed thereafter for such additional terms as the Plan Commission for the Village of Summit deems appropriate. Application for renewal shall be filed by the Petitioner not less than sixty (60) days prior to the expiration of this initial term or any renewal term. In the event that the use of the property is compatible with the surrounding area and the application is in substantial compliance with all terms of this Conditional Use Permit, then, in that event, the Plan Commission for the Village of Summit shall continue to renew this Conditional Use Permit for additional periods of time. The Petitioner shall have the responsibility to apply for the renewal as provided herein.

J. Where the changing character of the surrounding area causes the original conditional use or subsequent approval amendments thereto to no longer be compatible with the surrounding area, or for similar cause, based upon consideration for the public welfare, the Conditional Use Order and any subsequent approved amendments or

changes may be terminated by action of the Village Board of the Village of Summit following a referral to the Plan commission for the Village of Summit for recommendation and a public hearing thereon by the Village Board. Such use shall thereafter be classified as a legal non-conforming use as it was permitted to exist on the day it was terminated.

K. This conditional use may be reviewed annually. Additionally, this conditional use may be reviewed by the Plan Commission for the Village of Summit at any time upon complaint or upon Commission initiative.

L. If any aspect of this conditional use or any aspect of any plan contemplated and approved under this conditional use is in conflict with any other aspect of the conditional use order, the more restrictive provision shall be controlling, as determined by the Plan Commission of the Village of Summit.

Let copies of this order be filed in the permanent records of the Plan Commission of the Village of Summit, and let copies be sent to the petitioner.

Approved this 21st day of March, 2019.

VILLAGE OF SUMMIT SEAL WAUKESHA COUNTY WI

BY THE PLAN COMMISSION
FOR THE VILLAGE OF SUMMIT

JAMES SIEPMANN
Plan Commission Chairman

DEBRA MICHAEL, Clerk

ACCEPTANCE

I hereby accept the terms of this Conditional Use in its entirety.

Date this 30 day of March, 2019

Tony Wedeward

Jackie Wedeward

This Conditional Use was drafted by
Henry Elling, Village Planner

]

Exhibit A
Legal Description

LOT 2 CERT SURV 7627 VOL 65/130 PT SW1/4 SEC 19 T7N R17E DOC# 4031365

Annabelle Acres

SPECIAL LABS FOR SPECIAL PEOPLE

Owners and Dog Caretakers – Tony, Jackie, Ben and Caroline Wedeward
39796 Golden Lake Park Road, Oconomowoc, WI 53066
Website: www.annabelleacres.org

Annabelle Acres Mission Statement

Annabelle Acres is a small non-profit organization that provides a temporary home for recent post maternal Labrador Retrievers. These special labs receive basic skills and socialization training along with much needed rest and relaxation. After a short stay with us, we place our companion dogs with special people within our local community.

Our Special Labs

Bowe
Female - 4 years old
AKC Chocolate Labrador Retriever
Bowe is a very playful Lab - A real sweetheart
Ready for Adoption: April, 2019

Sara
Female - 3 years old
AKC Chocolate Labrador Retriever
Sara is a large and affectionate Lab – A very happy girl
Ready for Adoption: June, 2019

Annabelle Acres – About Us

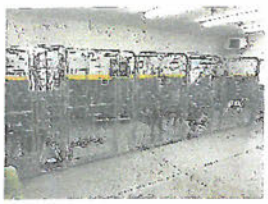
- Annabelle Acres is a family owned non-profit dog rescue organization
- We are hands-on owners who are on-site and provide daily engagement with our dogs
- We typically have 1 – 3 female labs (Companion Dogs) available for placement
- Our adoptable dogs are AKC (American Kennel Club) female labs that had litters of puppies during their young adult lives. Annabelle Acres provides these beautiful Moms much needed rest and relaxation.
- In order to become Companion Dogs, our special labs receive basic skills and socialization training that they missed out on during their puppy bearing years
- After a 2 – 6 months at Annabelle Acres, our special dogs are placed with special people within our community
- Our dogs have been spayed, updated health records and microchipped
- We source our dogs only from licensed breeders based in Wisconsin
- We are a 501c3 non-profit organization (applied for) for business expense
- Our non-profit organization is not affiliate with any local, state or national organization

Annabelle Acres – Who do we want to place our companion dogs with?

- Veterans
- Senior Citizens
- Families with special needs
- Service People – Police Officers, Firefighters, Paramedics and other dedicated people who serve our community

Annabelle Acres – Every Girl Needs a Little TLC

- Annabelle Acres is located in Southeast Wisconsin where our dogs live comfortably in a controlled environment
- 500 sq. ft. temperature controlled dog lodge that contains seven kennels and training area
- Each kennel is 8' Deep X 6' Wide X 6' High that contains a dog house, resting cot and an outdoor view
- 1/8 acre fenced in common area where our dogs can be Labrador Retrievers – play, run, explore and dig holes
- A dog friendly in-ground heated pool with therapy jets. Area includes lounge chairs, umbrellas and toy
- A dog spa that contains a self-contained stainless steel dog wash, air drying system with automatic lift table



Annabelle Acres – Our mission

- Our family has owned and raised eight Labrador Retrievers over 30 years
- We are able to provide these special labs (Moms) a unique setting where they can live a life they deserve
- We know that the bond between a dog and its owner is very emotional, loving and rewarding
- We hope we can create this unique bond with our special labs and special people
- We are not doing this to make a living - we are doing this to make a difference in our community

Our Family Dogs – Our Special Dog's Playmates

- Harper (Female - 3 years old) - AKC Yellow Labrador Retriever
- Lucy (Female - 2 years old) – AKC Chocolate Labrador Retriever
- Mille (Female - 1 year old) – AKC Black Labrador Retriever
- Howie (Male - 1 year old) - Black Labrador Retriever Mix Rescue

Fenced in play area for the dogs
39796 Golden Lake Park Road
Kennel
Tony and Jackie Wedeward's Property
Google
3D

Stoffer Photography and Yoga Studio - Home Occupation
37211 Valley Road (SUMT0637003)

5/16/2024 Plan Commission Meeting

Staff Report | Village of Summit, Wisconsin

Property Owner:	Julie Stoffer and Spencer Rogers
Applicant:	Julie Stoffer
Zoning:	R-2 Country Residential (90,000 sq. ft./unit density, min. 1.5-acre lot size)
Land Use Plan:	SF Residential 0.6-acre residential density

Possible Motion:

Motion to acknowledge the home occupation as presented for a photography and yoga studio. According to the applicant and as presented, the proposed use will comply with the provisions of Section 111-100(f) Home occupation of the Village of Summit Zoning and Shoreland Ordinance. Signage shall not be installed until such time approval is granted by the Zoning Administrator in compliance with Section 111-100(f) and the Signage Ordinance.

Summary:

The applicant is proposing to utilize a small portion, 396 sq. ft., of the 1st floor of the residence as a photography and yoga studio. The applicant provided a floor plan that identifies the area that will be utilized for the proposed use. Typically, there will only be one client on the premise at a time. At most, there would be three clients at a time. The site has a large driveway that can be used for parking. Storage of yoga equipment is available in the barn or shed. The applicant is considering installing a sign attached to the barn, but advertising the business use isn't necessary. Business hours are by appointment only and during the day. The adjacent properties are all residential. Lucky Chucky's is located northwest of the subject property, north of Valley Road.

Section 111-100(f) allows for home occupations as an accessory use on residential premises, provided several conditions are met. Formal approval is not required, but Plan Commission acknowledgment is advised for documentation purposes. The conditions are as follows:

(1) Such use remains clearly incidental and secondary to the principal use as a residence. ***It appears this condition is met***.

(2) Such use shall not constitute more than 25 percent of the floor area of the structures on the premises. ***The photography/yoga studio area will consist of less than 25% of the floor area of all structures proposed on the premises.***

(3) The owner maintains the residential character of the structures and premises in a manner compatible with the residential neighborhood so as not to adversely affect neighboring properties. ***The owner agrees to comply with this condition***.

(4) Such use shall not include the operation of any machinery, tools, or other appliances in a manner that would create noise or other nuisance factors in excess of those typical to residential usage. ***No operation of equipment is proposed***.

(5) Such use shall not have any identification, other than the property or owner, and limit signage to a non-illuminated sign not in excess of three-square feet in area. ***The applicant is considering a sign affixed to the barn, but has not provided any details. The ordinance limits signage to identifying the property or owner, not the business.***

(6) Such use shall not require outside storage of materials to a degree considered by the zoning administrator incompatible to the residential character of the premises. ***No outside storage is proposed related to the business operations.***

(7) Such use shall not include the removal of sand, gravel, stone, topsoil or peat moss for commercial purposes or the sale of trees, plants or nursery stock. ***Not applicable.***

(8) Such use shall provide off-street parking area compatible with the residential character. ***The applicant is proposing to use the existing driveway. The property consists of a substantial U-shaped driveway. It appears there is sufficient parking available.***

Adjacent Land Uses:

North	Residential, Lucky Chucky's Restaurant is to the NW
East	Residential
West	Silver Lake
South	Residential

Stoffer - Business
Home Occupation

3. Expanded Business Operations _____ New Business Operation X

Business Name	Insites LC
Business Owner	Julie Stoffer
Business Address	37211 Valley Rd

4. Legal Description of Property (may appear on Tax Bill): Lot 2 BLK A & BLK B Plat of the Cedars being Pt Se¼ Sec 9 & Pt NE¼ Sec 16 T7N R17E

5. Tax Key Number: SUMT 0637003

6. Identify the type of use immediately adjacent to this property boundary

North	NC, R3 & R4	South	R4
East	R2	West	Water

7. What is the Property Zoning Classification? R-2

8. List Dimensions and Level of ALL Buildings (coordinate with site plan information)

	Outside Dimensions	Number of Floors (levels)
Building "A":	House	2
Building "B":	Barn	2
Building "C":	shed	1

Total Floor Area is 4974 square feet.

9. Identify the Proposed Use of EACH Building and remaining outdoor area.

Building "A": office space

Building "B": storage

Building "C": storage

Outdoor Uses: parking

10. How many employees will be working in this operation? 0

11. What hours of the day will the business operate? Various, no more than 5 hrs /day

12. What days of the week will the business operate? Various, working day hours

13. Locate each sign on the site plan and submit the drawings, which include area of each sign, colors, number of faces and overall height (if free-standing).

Number of Free-standing or Pole-mounted signs: 0

Number of Wall-mounted signs: 1

14. Please locate all proposed parking on the site plan.

Number of Parking Spaces on property? 2+

Will the parking lot be paved? Yes ✓ No ____

If not currently paved, when will the paving be completed? _____

15. Will there be any unusual odors, smoke or noise generated by the proposed use which do not exist on the site at the present time? Yes ____ No X If yes, please describe below.

_____

_____

16. Will a special license be required from the Village, County or State in order to operate this business? Yes ____ No X If yes, please describe below.

17. Has the State or County acted on your project to date, either with building plan reviews, site plan reviews, Conditional Use activities, or other design reviews? Yes ____ No X If yes, please describe below.

18. **SIGNATURES - ALL APPLICATIONS MUST BE SIGNED BY THE PROPERTY OWNER**

Applicant 4-2-24 date Property Owner 4-2-24 date

Use this space to further describe the proposal, or detail points from above.

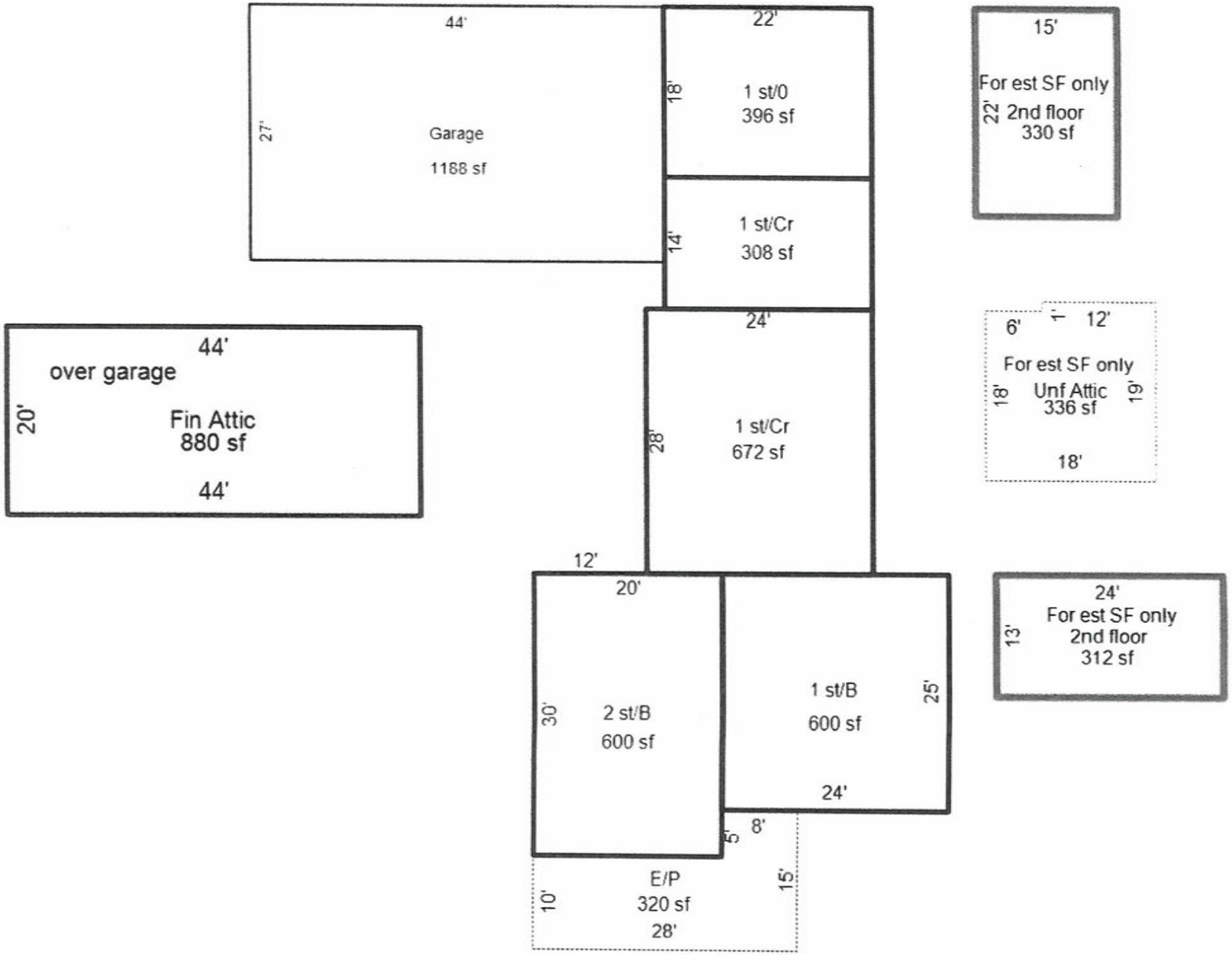
Simple home office space for photography & yoga instruction. Clients would not exceed a few at a time, usually just one, and parking is abundant. No extra traffic, and storage of yoga equipment in the barn or shed is available. May hang a sign on the barn, but generally not adverts required & business hours by appt during day, no noise or outside disturbances from the home studio space. Thank you!! ☺

Change 2.5 Story Wood Old Style on Tax Key Number 0637-003-3721 Valley Rd

Main Structure | Attachments & Other Features (2) | Phys Depr | Other Adjustments | Val Summary | Floor Plan | Photos (1)

Close

Track Chgs

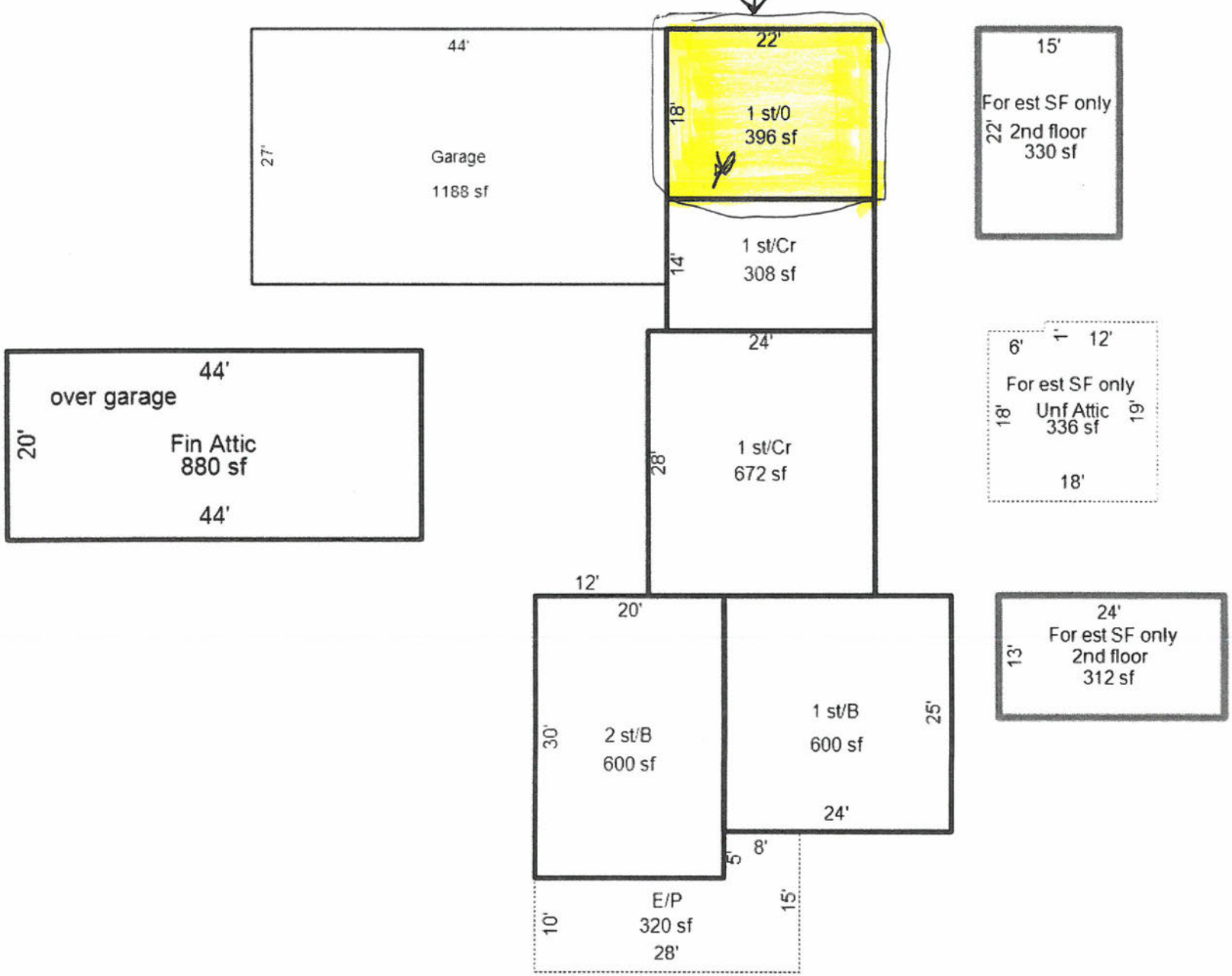


Change 2.5 Story Wood Old Style on Tax Key Number 0637-003: 37211 Valley Rd

Main Structure | Attachments & Other Features (2) | Phys Depr | Other Adjustments | Val Summary | Floor Plan | Photos (1)

Close

Track Chgs



CERTIFIED SURVEY MAP REVIEW
5/16/2024 Plan Commission Meeting
Rix Property (SUMT0676993002 & SUMT0676993003)

Staff Report Village of Summit, Wisconsin

Property Location:	456 N. Waterville Road and 502 N. Waterville Road (SUMT0676993002 & SUMT0676993003)
Property Owner:	Adam and Nedret Rix

Zoning:	**R-1 Estate Residential (130,000 sq. ft./unit, min. 2-acre lot size), Wetland and Environmental Corridor Overlays**
Land Use Plan:	**SF Residential 2.4-acre density, Wetland and Primary Environmental Corridor**

Recommended Motion:

Motion to recommend that Village Board approve the Certified Survey Map subject to the following conditions:

A. *APPROVALS FROM ALL OBJECTING AND APPROVING BODIES: Petitioner shall satisfy all comments, conditions and concerns of the Village Engineer, Surveyor, and Planner prior to approval of the final Certified Survey Map.*

B. *SUBJECT TO REIMBURSEMENT OF EXPENSES. As a condition precedent to this conditional CSM approval taking effect, the Petitioner shall pay all fees, costs, and assessments due and owing to the Village of Summit, and for reimbursement of any expenses, costs and disbursements which have been incurred by the Village of Summit in the drafting, review or enforcement of this conditional CSM approval, including without limitation by reason of enumeration, design, engineering, inspection and legal work.*

C. *UTILITY CONNECTION FEES. As a condition precedent to this conditional CSM approval taking effect, the Petitioner shall pay all utility connection fees owed to the Village of Summit. Note:* ***The subject property is served by a private septic system. No fees apply.***

D. *NO BUSINESS OR COMMERCIAL USE. There shall be no commercial or business use on this lot, except as specifically permitted within or pursuant to the applicable Zoning Code.*

E. *ONE YEAR TO SATISFY CONDITIONS. Subject to the Petitioner satisfying all of the aforementioned conditions within one year of the Village Board granting conditional final approval of the CSM.*

Summary:
The applicant is proposing to combine two lots of record. The existing southern lot has a single-family residence with an attached garage connected by a breezeway and one outbuilding. The northern lot has a large barn and pump house/shed. There is also a silo behind the barn. A residence was razed from the northern lot in 2023. The septic system was abandoned and the well is still serving the barn and shed. The applicant's original intent was to raze the residence and construct a new residence. Razing and Building Permits were issued. After razing the home, the applicant decided not to construct the residence.

The applicant is proposing to bring the northern property into conformance with the zoning ordinance by combining the two lots. The northern lot otherwise violates the zoning ordinance because it now has accessory buildings without a principal structure. The lot combination would eliminate an existing flag lot.

Considerations:
Access and Frontage: The lot will have frontage on N. Waterville Road. Appropriate road right-of-way is already established. The lot combination eliminates a flag lot.

Total Area: The proposed CSM legally combines two lots into a single lot of record consisting of 12.38 acres. The combined lot will comply with the minimum lot size and width of the Zoning Ordinance.

Sanitary Sewer System available: The property is served by a private septic system and well. The applicant has provided written documentation that the septic system that served the residence recently razed has been properly abandoned. No utility or assessment fees apply.

Water System Available: The property is served by two private wells.

Natural Resources: There are wetland and Primary Environmental Corridor that are shown on the CSM. These areas are protected by preservations restrictions noted on the CSM.

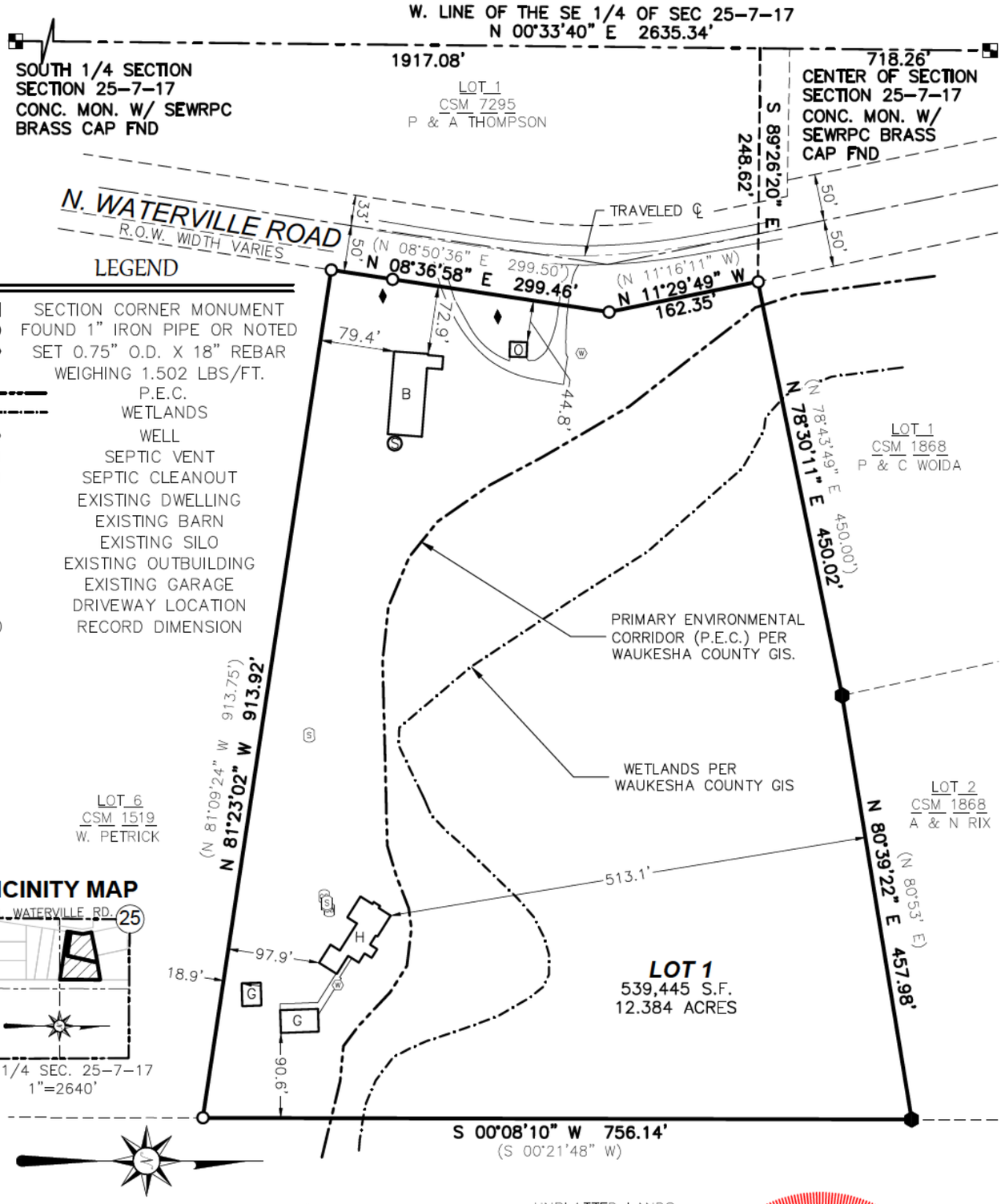
Planner Comments:
1) There is a typo on the Administrator's signature under the Plan Commission approval that will need to be fixed. Administrator is incorrectly spelled "Adminiatrator."
2) References to Waukesha County should be removed from the resource restrictions on sheet 2.
3) Wetland shall be added to the first sentence of the resource restrictions on sheet 2.
4) "Shall also be permitted" can be removed at the end of resource restriction #2 on sheet 2.
5) A note shall be added to the CSM that states "The entire property is located within the Village of Summit shoreland jurisdictional boundary."
6) Plan Commission shall consider whether the keeping of four accessory buildings is acceptable. If the Plan Commission denies more than two accessory buildings, the buildings shall be removed prior to recording of the CSM.

Rix CSM

Surveyor and Engineering Comments: See attached letter dated April 30, 2024. The applicant has revised the CSM to address the Surveyor's comments. Final review is pending.

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

LOT 3 AND LOT 4 OF CSM 1868 RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE JUNE 22, 1973, IN V.13, P. 44-46 RECORDED AS DOCUMENT NO. 854569, BEING A PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 7 NORTH, RANGE 17 EAST, VILLAGE OF SUMMIT, WAUKESHA COUNTY, WISCONSIN.



BEARINGS BASED ON GRID NORTH OF THE WISCONSIN COUNTY COORDINATE SYSTEM, WAUKESHA COUNTY ZONE (NAD 83 WISCORS 2011) AND REFERENCED TO THE WEST LINE OF THE SE 1/4 OF SEC. 25-7-17 MEASURED AS N 00°33'40" E.

WISCONSIN
MATTHEW T. O'ROURKE
S-2771
NEOSHO, WI
LAND SURVEYOR

LandTech SURVEYING

LAND SURVEYING • LAND PLANNING
111 W. 2ND STREET
OCONOMOWOC, WI 53066
WWW.LANDTECHWI.COM
(262) 367-7599

PREPARED FOR:
ADAM AND NEDRET RIX
456 N WATERVILLE RD
OCONOMOWOC, WI 53066

REV 05/07/2024
REV 04/18/2024
DATED 02/15/2024
JOB# 24014

THIS INSTRUMENT WAS DRAFTED BY MATTHEW T. O'ROURKE, S-2771

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

LOT 3 AND LOT 4 OF CSM 1868 RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE JUNE 22, 1973, IN V.13, P. 44-46 RECORDED AS DOCUMENT NO. 854569, BEING A PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 7 NORTH, RANGE 17 EAST, VILLAGE OF SUMMIT, WAUKESHA COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, MATTHEW T. O'ROURKE, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED AND MAPPED A DIVISION OF LAND BEING LOT 3 AND LOT 4 OF CSM 1868 RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE JUNE 22, 1973, IN V.13, P. 44–46 RECORDED AS DOCUMENT NO. 854569, BEING A PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 7 NORTH, RANGE 17 EAST, VILLAGE OF SUMMIT, WAUKESHA COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

LOT 3 AND LOT 4 OF CSM 1868 RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE JUNE 22, 1973, IN V.13, P. 44–46 RECORDED AS DOCUMENT NO. 854569, BEING A PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 7 NORTH, RANGE 17 EAST, VILLAGE OF SUMMIT, WAUKESHA COUNTY, WISCONSIN.

LANDS AS DESCRIBED HAVING AN AREA OF 539,445 SQUARE FEET OR 12.384 ACRES.

THAT I HAVE MADE SAID SURVEY BY THE DIRECTION OF ADAM AND NEDRET RIX OWNERS OF SAID LANDS.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION THEREOF.

THAT I HAVE FULLY COMPLIED WITH PROVISIONS OF S. 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION CONTROL ORDINANCE OF VILLAGE OF SUMMIT IN SURVEYING AND MAPPING THE SAME.

DATED THIS _____ DAY OF_____, 20_____.

_____
MATTHEW T. O'ROURKE, S–2771

NOTES:

- PRIOR TO ISSUANCE OF A BUILDING PERMIT A PEC AND/OR WETLAND DELINEATION MAYBE REQUIRED BY THE BUILDING INSPECTOR.

PRIMARY ENVIRONMENTAL CORRIDOR AND WETLAND RESTRICTIONS:

THOSE AREAS IDENTIFIED AS A PRIMARY ENVIRONMENTAL CORRIDOR PRESERVATION AREA ON PAGE 1 OF 4 OF THIS CERTIFIED SURVEY MAP SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS:

1. GRADING, FILLING AND REMOVAL OF TOPSOIL OR OTHER EARTHEN MATERIALS ARE PROHIBITED, UNLESS SPECIFICALLY AUTHORIZED BY THE VILLAGE OF SUMMIT AND, IF APPLICABLE, THE WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE, THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES AND THE ARMY CORPS OF ENGINEERS.

2. THE REMOVAL OR DESTRUCTION OF ANY VEGETATIVE COVER, I.E., TREES, SHRUBS, GRASSES, ETC., IS PROHIBITED, WITH THE EXCEPTION THAT. INVASIVE, DEAD, DISEASED, OR DYING VEGETATION MAY BE REMOVED, AT THE DISCRETION OF THE LANDOWNER, AND WITH APPROVAL FROM THE VILLAGE OF SUMMIT, SHALL ALSO BE PERMITTED.

3. GRAZING BY DOMESTICATED ANIMALS, I.E., HORSES, COWS, ETC., IS PROHIBITED, UNLESS GRAZING IS CONDUCTED IN ORDER TO MANAGE INVASIVE VEGETATION AND APPROVAL IS OBTAINED BY THE VILLAGE OF SUMMIT.

4. THE INTRODUCTION OF PLANT MATERIAL NOT INDIGENOUS TO THE EXISTING ENVIRONMENT IS PROHIBITED.

5. PONDS ARE PROHIBITED UNLESS DESIGNED TO ENHANCE THE NATURAL ENVIRONMENT. PONDS THAT MAY BE PERMITTED ARE SUBJECT TO THE APPROVAL OF VILLAGE OF SUMMIT, IF APPLICABLE, THE WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE, THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES AND THE ARMY CORPS OF ENGINEERS.

6. THE CONSTRUCTION OF BUILDINGS IS PROHIBITED.

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

LOT 3 AND LOT 4 OF CSM 1868 RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE JUNE 22, 1973, IN V.13, P. 44-46 RECORDED AS DOCUMENT NO. 854569, BEING A PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 7 NORTH, RANGE 17 EAST, VILLAGE OF SUMMIT, WAUKESHA COUNTY, WISCONSIN.

OWNER'S CERTIFICATE;

AS OWNERS ADAM AND NEDRET RIX HEREBY CERTIFY THAT WE CAUSED SAID LANDS TO BE SURVEYED AND MAPPED AS SHOWN ON THIS MAP. WE ALSO CERTIFY THAT THIS CSM IS REQUIRED TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL: VILLAGE OF SUMMIT.
WITNESS THE HAND AND SEAL OF SAID OWNERS:

THIS _____ DAY OF _____, 20_____.

_____ _____
ADAM RIX NEDRET RIX

STATE OF WISCONSIN)SS
COUNTY OF _____)

PERSONALLY CAME BEFORE ME THIS _____DAY OF _____, 20_____, THE ABOVE NAMED ADAM AND NEDRET RIX, TO ME KNOWN TO BE THE SAME PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY SIGNATURE _____

PRINT NAME _____

MY COMMISSION EXPIRES _____

REV 05/07/2024
REV 04/18/2024
DATED 02/15/2024
JOB# 24014
SHEET 3 OF 4

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

LOT 3 AND LOT 4 OF CSM 1868 RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE JUNE 22, 1973, IN V.13, P. 44-46 RECORDED AS DOCUMENT NO. 854569, BEING A PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 7 NORTH, RANGE 17 EAST, VILLAGE OF SUMMIT, WAUKESHA COUNTY, WISCONSIN.

CONSENT OF CORPORATE MORTGAGEE

_____, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, MORTGAGEE OF THE ABOVE DESCRIBED LAND, DOES HEREBY CONSENT TO THE SURVEYING, DIVIDING AND MAPPING OF THE LAND DESCRIBED ON THIS PLAT, AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATE OF ADAM AND NEDRET RIX, OWNER.

IN WITNESS WHEREOF, _____

HAS CAUSED THESE MAP TO BE SIGNED BY, _____ITS _____,

AT_____WISCONSIN, AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED THIS

_____DAY OF_____, 20_____.

IN THE PRESENCE OF:

_____

CORPORATE NAME

_____ _____

PRINT TITLE: DATE

CORPORATE MORTGAGEE NOTARY CERTIFICATE

STATE OF WISCONSIN)
_____COUNTY)SS

PERSONALLY CAME BEFORE ME THIS _____DAY OF_____20_____,
_____, _____ OF THE ABOVE NAMED CORPORATION, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE SUCH OF SAID CORPORATION, AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS AS THE DEED OF SAID CORPORATION, BY ITS AUTHORITY.

NOTARY SIGNATURE _____

PRINT NAME _____

MY COMMISSION EXPIRES _____

VILLAGE OF SUMMIT BOARD APPROVAL

THIS LAND DIVISION IS HEREBY APPROVED BY THE VILLAGE OF SUMMIT BOARD, THIS

_____ DAY OF _____, 20_____.

_____ _____

JACK RILEY, VILLAGE PRESIDENT DEBRA MICHAEL, ADMINISTRATOR–CLERK/TREASURER

VILLAGE OF SUMMIT PLAN COMMISSION APPROVAL

THIS LAND DIVISION IS HEREBY APPROVED BY THE VILLAGE OF SUMMIT PLAN COMMISSION, THIS

_____DAY OF _____, 20_____.

_____ _____

JIM SIEPMANN, CHAIRPERSON DEBRA MICHAEL, ADMINIATRATOR–CLERK/TREASURER

REV 05/07/2024
REV 04/18/2024
DATED 02/15/2024
JOB# 24014
SHEET 4 OF 4

Building a Better World
for All of Us®

April 30, 2024

RE: Village of Summit
Rix CSM Review
SEH No. 176551 Task 24

COMMENTS IN RED ADDRESSED BY LANDTECH SURVEYING 05/07/2024

Ms. Amy Barrows
Village Planner
Village of Summit
37100 Delafield Road
Summit, WI 53066

Dear Ms. Barrows:

We have reviewed the Certified Survey Map prepared for Adam & Nedret Rix and prepared by Matthew O'Rourke of LandTech Surveying. The CSM reviewed is dated 02/15/2024. We offer the following comments:

1) The East Right of Way of North Waterville Road that is South of the proposed CSM must be shown. ADDED
2) The road name of N. Waterville Road must be shown within the road Right of Way or arrowed into the road Right of Way REVISED
3) Restrictive notes as to what is prohibited within the PEC and wetlands similar to the prior CSM shall be noted. ADDED
4) The previously recoded distance of (127.98') is shown along the north line. The 457.98' distance on that line agrees with the prior CSM. REMOVED
5) A note should appear on the CSM that prior to issuance of a building permit a PEC and/or wetland delineation maybe required by the Building Inspector. ADDED

Please do not hesitate to contact me with any questions or comments at 414.949.8919 or kkindred@sehinc.com.

Sincerely,

Keith Kindred, PLS
Principal, Regional Practice Center Leader
(Lic. WI, IL)

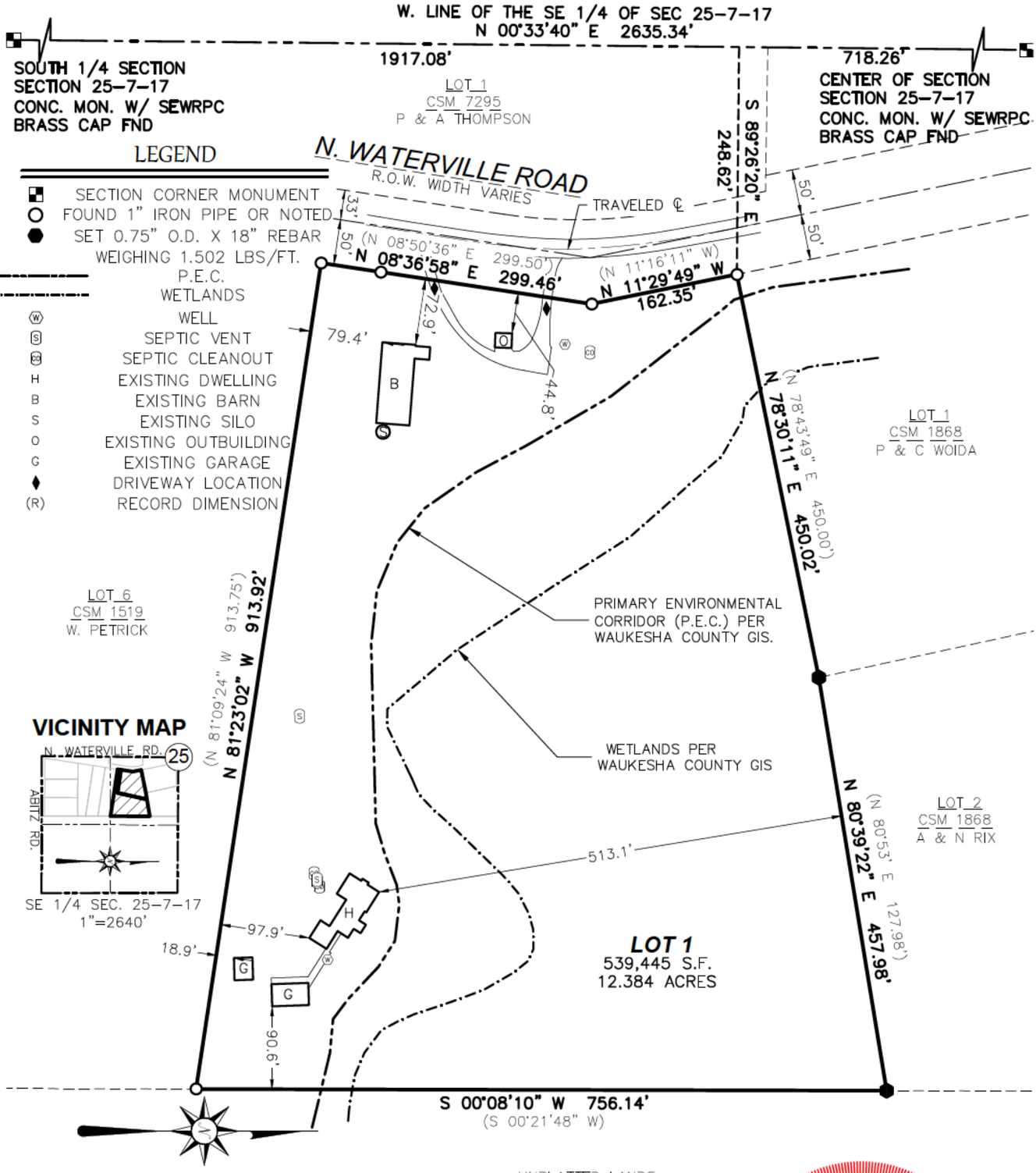
Attachment: CSM Marked-Up Copy for reference
btp

x:\pt\s\summv\176551\task 24 - rix csm\corr\review letters and mark-ups\176551 task 24-rix csm review letter_village of summit_2024-04-30.docx

PRELIMINARY

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

LOT 3 AND LOT 4 OF CSM 1868 RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE JUNE 22, 1973, IN V.13, P. 44-46 RECORDED AS DOCUMENT NO. 854569, BEING A PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 7 NORTH, RANGE 17 EAST, VILLAGE OF SUMMIT, WAUKESHA COUNTY, WISCONSIN.



LEGEND

- SECTION CORNER MONUMENT
- FOUND 1" IRON PIPE OR NOTED
- SET 0.75" O.D. X 18" REBAR WEIGHING 1.502 LBS/FT.
- P.E.C.
- WETLANDS
- (W) WELL
- (S) SEPTIC VENT
- (CO) SEPTIC CLEANOUT
- H EXISTING DWELLING
- B EXISTING BARN
- S EXISTING SILO
- O EXISTING OUTBUILDING
- G EXISTING GARAGE
- DRIVEWAY LOCATION
- (R) RECORD DIMENSION

VICINITY MAP

SE 1/4 SEC. 25-7-17
1"=2640'

BEARINGS BASED ON GRID NORTH OF THE WISCONSIN COUNTY COORDINATE SYSTEM, WAUKESHA COUNTY ZONE (NAD 83 WISCORS 2011) AND REFERENCED TO THE WEST LINE OF THE SE 1/4 OF SEC. 25-7-17 MEASURED AS N 00°33'40" E.

WISCONSIN
MATTHEW T. O'ROURKE
S-2771
NEOSHO, WI
LAND SURVEYOR

LandTech SURVEYING

LAND SURVEYING • LAND PLANNING
111 W. 2ND STREET
OCONOMOWOC, WI 53066
WWW.LANDTECHWI.COM
(262) 367-7599

PREPARED FOR:
ADAM AND NEDRET RIX
456 N WATERVILLE RD
OCONOMOWOC, WI 53066

DATED 02/15/2024
JOB# 24014
SHEET 1 OF 4

THIS INSTRUMENT WAS DRAFTED BY MATTHEW T. O'ROURKE, S-2771

Number of Accessory Structures

5/16/24 Plan Commission Meeting
456 N. Waterville Road & 502 N. Waterville Road
(SUMT0676993002 & SUMT0676993003

Staff Report | Village of Summit, Wisconsin

Property Location:	456 N. Waterville Road & 502 N. Waterville Road
Property Owner:	Adam and Nedret Rix
Zoning:	R-1 Estate Residential (130,000 sq. ft./unit, min. 2-acre lot size), Wetland and Environmental Corridor Overlays
Land Use:	SF Residential 2.4-acre density, Wetland and Primary Environmental Corridor

Possible Motion: *Approve the request to construct more than two accessory structures as proposed subject to a deed restriction, drafted by the Village Planner, being recorded with Waukesha County Register of Deeds stating that none of the accessory structures on the property shall be used for commercial or human habitation purposes and said structures shall be used for personal storage only.*

Summary:
The applicant is proposing to combine two lots of record located on the west side of N. Waterville Road. The combined acreage will be 12.38 acres. Once the two lots are combined, there will be four existing accessory structures. There will be a pump house/shed 44.8 ft. from the road right-of-way, a barn located 72.9 ft. from the road right-of-way, a silo located directly behind the barn, and a detached garage located in the rear of the property. The detached garage is located 18.9 ft. from the south lot line. All of the structures comply with the setbacks of the zoning ordinance. Although the pump house/shed appears to be located within the road setback, it actually complies because the platted road right-of-way is wider than the required official road right-of-way. Pictures of each of the structures are included in the packet. All structures appear to be in good condition and match the architecture of the surroundings.

Section 111-100(b)(3)e requires Plan Commission approval for more than two accessory buildings. The proposal shall not adversely affect nearby properties or the general desirability of the neighborhood.

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

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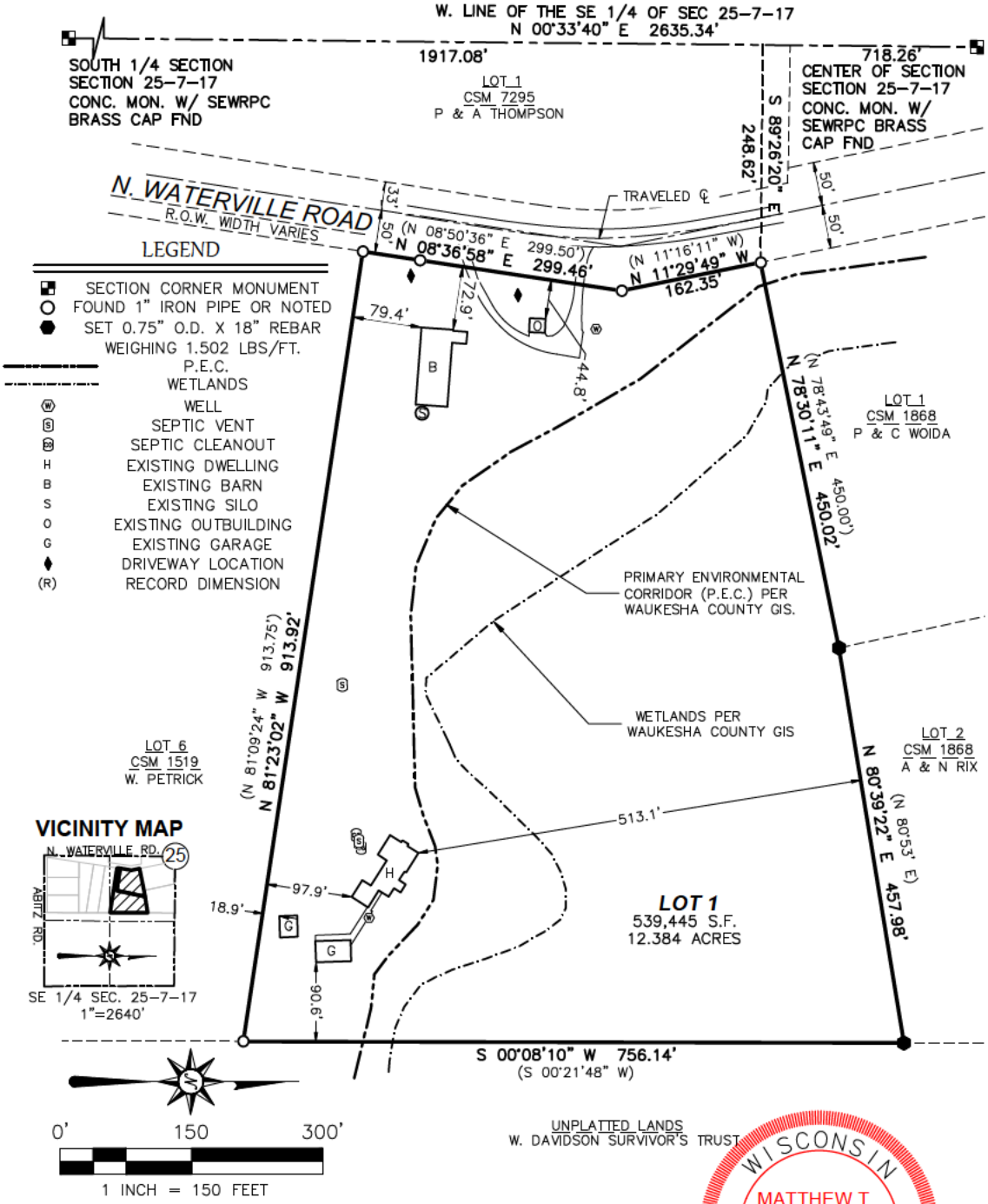

BEARINGS BASED ON GRID NORTH OF THE WISCONSIN COUNTY COORDINATE SYSTEM, WAUKESHA COUNTY ZONE (NAD 83 WISCORS 2011) AND REFERENCED TO THE WEST LINE OF THE SE 1/4 OF SEC. 25-7-17 MEASURED AS N 00°33'40" E.

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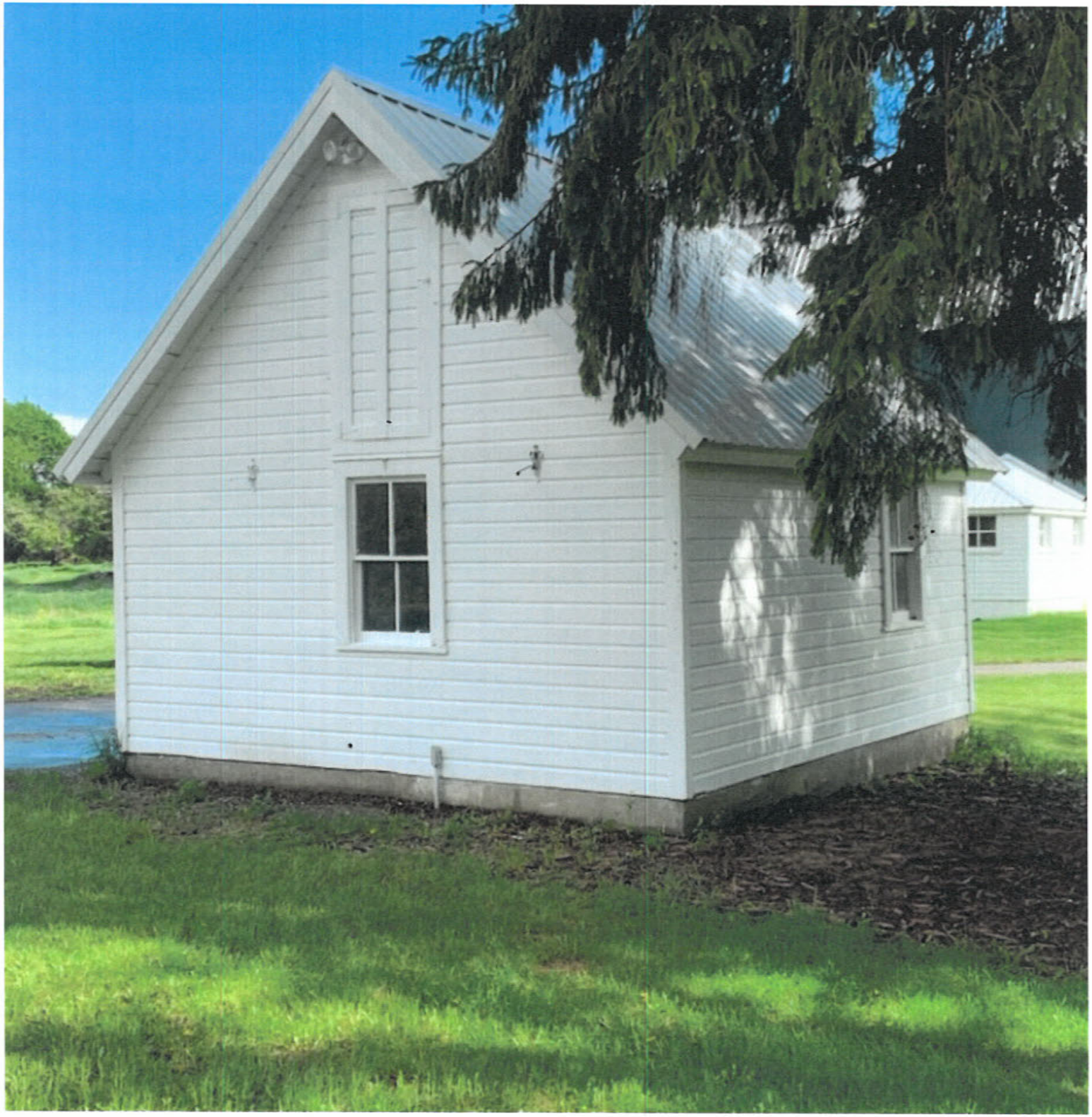
PREPARED FOR:
ADAM AND NEDRET RIX
456 N WATERVILLE RD
OCONOMOWOC, WI 53066

REV 05/07/2024
REV 04/18/2024
DATED 02/15/2024
JOB# 24014

THIS INSTRUMENT WAS DRAFTED BY MATTHEW T. O'ROURKE, S-2771

DETACHED GARAGE

PUMP HOUSE/ SHED



BARN

CERTIFIED SURVEY MAP REVIEW
5/16/2024 Plan Commission Meeting
McNulty Property (SUMT0675996002 & SUMT0675996004)

Staff Report Village of Summit, Wisconsin

Property Location:	523 N. Waterville Road & property abutting Breen's Road (SUMT0675996002 & SUMT0675996004)
Property Owner:	Andrew & Rebecca McNulty

Zoning:	**R-2 Country Residential and EC Environmental Corridor Overlay (90,000 sq. ft./unit and min. 1.5-acre lot size)**
Land Use Plan:	**SF Residential 1.6-acre density**

Recommended Motion:

Motion to recommend that Village Board approve the Certified Survey Map subject to the following conditions:

A. *APPROVALS FROM ALL OBJECTING AND APPROVING BODIES: Petitioner shall satisfy all comments, conditions and concerns of the Village Engineer, Surveyor, and Planner prior to approval of the final Certified Survey Map.*

B. *SUBJECT TO REIMBURSEMENT OF EXPENSES. As a condition precedent to this conditional CSM approval taking effect, the Petitioner shall pay all fees, costs, and assessments due and owing to the Village of Summit, and for reimbursement of any expenses, costs and disbursements which have been incurred by the Village of Summit in the drafting, review or enforcement of this conditional CSM approval, including without limitation by reason of enumeration, design, engineering, inspection and legal work.*

C. *UTILITY CONNECTION FEES. As a condition precedent to this conditional CSM approval taking effect, the Petitioner shall pay all utility connection fees owed to the Village of Summit. Note:* ***The subject property is served by a private septic system. No fees apply.***

D. *NO BUSINESS OR COMMERCIAL USE. There shall be no commercial or business use on this lot, except as specifically permitted within or pursuant to the applicable Zoning Code.*

E. *ONE YEAR TO SATISFY CONDITIONS. Subject to the Petitioner satisfying all of the aforementioned conditions within one year of the Village Board granting conditional final approval of the CSM.*

Summary:

The applicant is proposing to reconfigure two existing legal lots of record. Currently, there is a 2.7-acre lot and a 5.8-acre lot. The applicant is proposing a 3-acre lot and a 5.5-acre lot. Proposed Lot 2 will become a new buildable lot and proposed Lot 1 will contain the existing residence. Both lots are served by private septic systems and wells. The reconfiguration complies with the Zoning Ordinance and Land Use Plan. R-2 Zoning requires a minimum lot size of 1.5 acres and minimum lot width of 180 ft.

Engineering staff has requested that the applicant identify the area where kettles exist. These areas act as stormwater storage areas. If any development is proposed within these boundaries, review will be required by the Village to ensure that any construction does not impact adjacent properties and/or cause water in the basement of the new home.

Considerations:

Access and Frontage: Lot 1 will have frontage on N. Waterville Road. Lot 2 will have frontage on N. Waterville Road and Breens Road. Engineering staff has requested that a majority of the road frontage be restricted from access. The applicant has shown this area on the CSM. Final review is still pending.

Total Area: Lot 1 = 5.5 acres; Lot 2 = 3 acres. The densities provided in R-2 Zoning are more restrictive than the Land Use Plan and would yield a total of 4 residential units. The applicant has requested that the remaining two density credits be given to Lot 1. A note will be added to the CSM for review by Village Board.

Sanitary Sewer System available: The property is served by a private septic system and well. The applicant has completed soil testing and Waukesha County Environmental Health Division has determined that Lot 2 is suitable for a conventional septic system. Lot 1 is already served by a septic system.

Water System Available: Lot 1 is served by a private well. Lot 2 will be served by a private well.

Natural Resources: There may be Primary Environmental Corridor that extends into the CSM. If so, this area will need to be protected by preservation restrictions noted on the CSM.

Planner Comments:

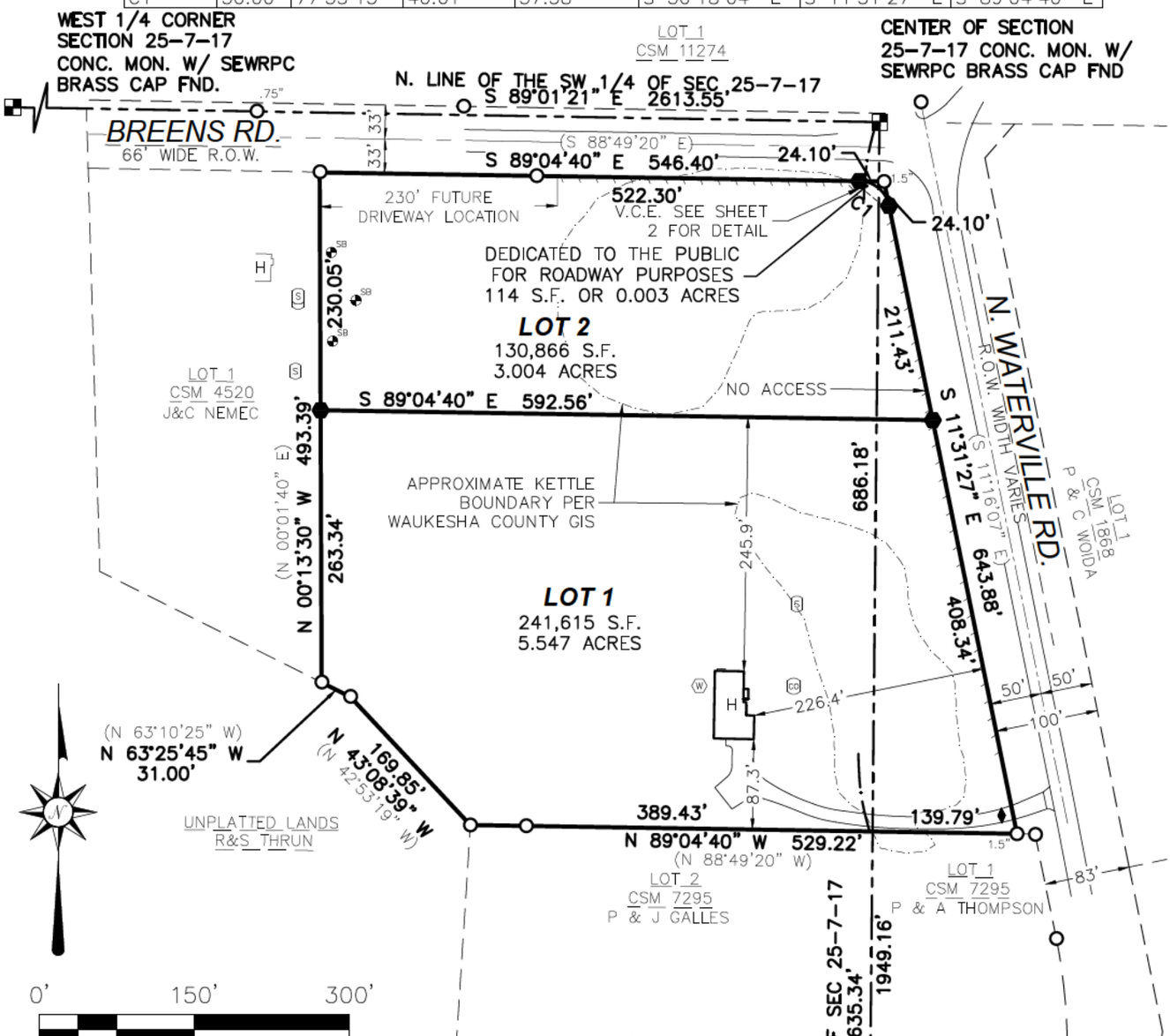
- An impact fee will need to be paid at time of building permit issuance, specifically related to park fees and address signs.
- Debra Michael's signatures should read "Administrator-Clerk/Treasurer."
- The label for the kettle boundary on sheet 1 should include a reference to the note on sheet 2. Additional information explaining the purpose of the boundary may need to be added to the note, pending engineer review.
- A note shall be added to the CSM that states "The entire area of this CSM is located within the Village of Summit's Shoreland Jurisdictional Boundary."
- The density credit note referenced above shall be added to the CSM.

Surveyor and Engineering Comments: Pending.

WAUKESHA CO. CERTIFIED SURVEY MAP NO. ____

ALL OF CSM 2087 RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE JUNE 14, 1974 IN VOL 14, P. 306-308, AND ALL OF LOT 2 OF CSM 4520 RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE MAY 18, 1984 IN VOL 36, P. 122-124 AS DOCUMENT NUMBER 1257503 BEING PART OF THE NE 1/4 OF THE SW 1/4 AND PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 25, T7N, R17E, VILLAGE OF SUMMIT, WAUKESHA COUNTY WISCONSIN.

CURVE #	RADIUS	DELTA	ARC DIST	CHORD DIST	CHORD BEARING	TANGENT IN	TANGENT OUT
C1	30.00'	77°33'13"	40.61'	37.58'	S 50°18'04" E	S 11°31'27" E	S 89°04'40" E



0' 150' 300'

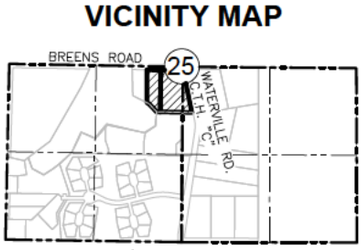
1 INCH = 150 FEET

BEARINGS BASED ON GRID NORTH OF THE WISCONSIN COUNTY COORDINATE SYSTEM, WAUKESHA COUNTY ZONE (NAD 83 WISCORS 2011) AND REFERENCED TO THE EAST LINE OF THE SW 1/4 OF SEC. 25-7-17 MEASURED AS N 00°33'40" E.

LEGEND

- SECTION CORNER MONUMENT
- SET 0.75" O.D. X 18" REBAR WEIGHING 1.502 LBS/FT.
- FOUND 1" IRON PIPE OR NOTED
- WELL
- SEPTIC VENT
- SEPTIC CLEANOUT
- (R) RECORD DIMENSION
- DRIVEWAY LOCATION
- H EXISTING DWELLING
- SOIL BORE

VICINITY MAP



S 1/2 SEC. 25-7-17
1"=2640'

• SEE SHEET 2 FOR NOTES AND DETAIL.

WISCONSIN
MATTHEW T. O'ROURKE
S-2771
NEOSHO, WI
LAND SURVEYOR

LandTech SURVEYING

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111 W. 2ND STREET
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PREPARED FOR:
ANDREW & REBECCA MCNULTY
523 N. WATERVILLE RD.
OCONOMOWOC, WI. 53066

REV: 05/07/2024
DATED 03/27/2024
JOB# 24050
SHEET 1 OF 4

THIS INSTRUMENT WAS DRAFTED BY MATTHEW T. O'ROURKE, S-2771

WAUKESHA CO. CERTIFIED SURVEY MAP NO. ____

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SURVEYOR'S CERTIFICATE:

I, MATTHEW T. O'ROURKE, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED AND MAPPED A DIVISION OF LAND BEING ALL OF CSM 2087 RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE JUNE 14, 1974 IN VOL 14, P. 306–308, AND ALL OF LOT 2 OF CSM 4520 RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE MAY 18, 1984 IN VOL 36, P. 122–124 AS DOCUMENT NUMBER 1257503 BEING PART OF THE NE 1/4 OF THE SW 1/4 AND PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 25, T7N, R17E, VILLAGE OF SUMMIT, WAUKESHA COUNTY WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 25, TOWN 7 NORTH, RANGE 17 EAST; THENCE N 00°33'40" E, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SECTION 25, 1949.16 FEET TO THE SOUTH LINE OF CSM 2087 AND POINT OF BEGINNING; THENCE N 89°04'40" W, ALONG THE SOUTH LINE OF CSM 2087 AND CSM 4520, 389.43 FEET; THENCE N 43°08'39" W, ALONG THE SOUTH LINE OF LOT 2 OF CSM 4520, 169.85 FEET; THENCE N 63°25'45" W, ALONG THE SOUTH LINE OF LOT 2 OF CSM 4520, 31.00 FEET TO THE SOUTHWEST CORNER OF LOT 2 OF CSM 4520; THENCE N 00°13'30" W, ALONG THE WEST LINE OF LOT 2 OF CSM 4520, 493.39 FEET TO THE SOUTH RIGHT–OF–WAY OF BREENS ROAD; THENCE S 89°04'40" E, ALONG THE SOUTH RIGHT–OF–WAY OF BREENS ROAD; 546.40 FEET TO THE WEST RIGHT–OF–WAY OF C.T.H. "C" ALSO KNOWN AS WATERVILLE ROAD; THENCE S 11°31'27" E, ALONG THE WEST RIGHT–OF–WAY OF C.T.H. "C" ALSO KNOWN AS WATERVILLE ROAD, 643.88 FEET TO THE SOUTHEAST CORNER OF CSM 2087; THENCE N 89°04'40" W, ALONG THE SOUTH LINE OF CSM 2087, 139.79 FEET TO THE POINT OF BEGINNING.

DESCRIBED LANDS AS HAVING AN AREA OF 372,595 SQUARE FEET OR 8.554 ACRES.

THAT I HAVE MADE SAID SURVEY BY THE DIRECTION OF ANDREW & REBECCA MCNULTY OWNERS OF SAID LANDS.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION THEREOF.

THAT I HAVE FULLY COMPLIED WITH PROVISIONS OF S. 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION CONTROL ORDINANCE OF THE VILLAGE OF SUMMIT IN SURVEYING, DIVIDING AND MAPPING THE SAME.

DATED THIS _____ DAY OF_____, 20_____.

_____

MATTHEW T. O'ROURKE, S–2771

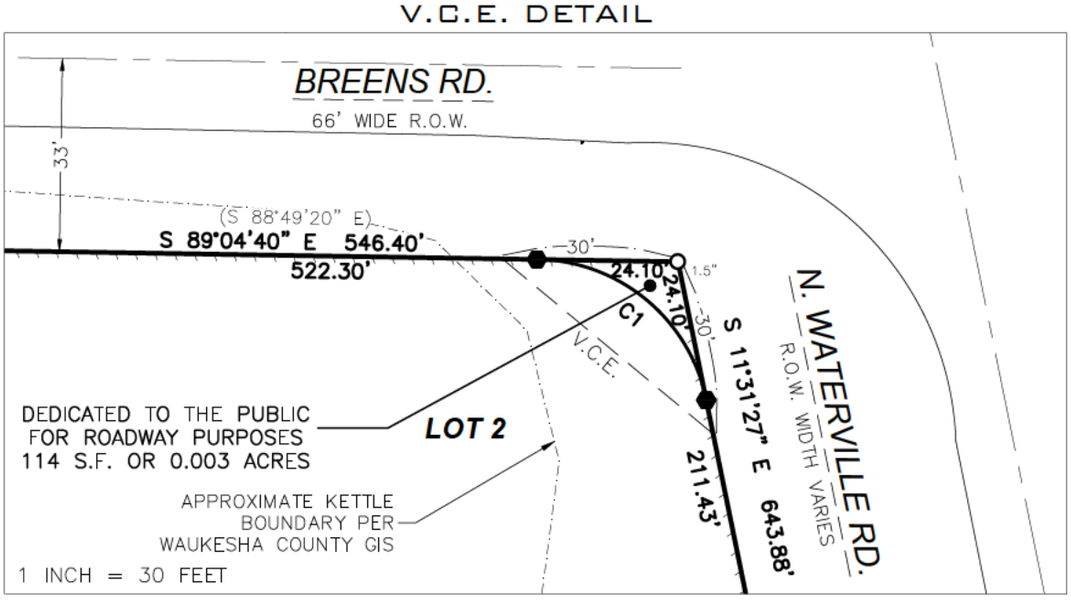
NOTE:

NO STRUCTURES OR FILL SHALL BE PLACED WITHIN THE AREA DENOTED AS THE KETTLE BOUNDARY WITHOUT APPROVAL FROM THE VILLAGE.

VISION CORNER EASEMENT RESTRICTIONS (V.C.E.):

THE HEIGHT OF ALL PLANTINGS, BERMS, FENCES, SIGNS OR OTHER STRUCTURES WITHIN THE VISION CORNER EASEMENT IS LIMITED TO 24 INCHES ABOVE THE ELEVATION OF THE CENTER OF THE INTERSECTION. THE OWNER OF THE LOT IN WHICH THE EASEMENT IS LOCATED SHALL BE RESPONSIBLE FOR THE MAINTENANCE. NO VEHICULAR ACCESS IS PERMITTED OVER THE VISION CORNER EASEMENT.

V.C.E. DETAIL



REV: 05/07/2024
DATED 03/27/2024
JOB# 24050
SHEET 2 OF 4

WAUKESHA CO. CERTIFIED SURVEY MAP NO. ____

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CONSENT OF MORTGAGEE

_____, MORTGAGEE OF THE ABOVE DESCRIBED LAND, DOES HEREBY CONSENT TO THE SURVEYING, DIVIDING AND MAPPING OF THE LAND DESCRIBED ON THIS PLAT, AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATE OF ANDREW & REBECCA MCNULTY, OWNERS.

IN WITNESS WHEREOF, _____

HAS CAUSED THIS MAP TO BE SIGNED BY, _____ITS _____,

AT_____WISCONSIN, AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED THIS

_____DAY OF_____, 20_____.

IN THE PRESENCE OF:

_____

NAME

_____ _____

PRINT TITLE: DATE

MORTGAGEE NOTARY CERTIFICATE

STATE OF WISCONSIN)
_____COUNTY)SS

PERSONALLY CAME BEFORE ME THIS _____DAY OF_____20____,
_____, _____ OF THE ABOVE NAMED, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAME.

NOTARY SIGNATURE _____

PRINT NAME _____

MY COMMISSION EXPIRES _____

REV: 05/07/2024
DATED 03/27/2024
JOB# 24050
SHEET 3 OF 4

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OWNER'S CERTIFICATE;

AS OWNERS WE ANDREW & REBECCA MCNULTY HEREBY CERTIFY THAT WE CAUSED SAID LANDS TO BE SURVEYED, DIVIDED AND MAPPED AS SHOWN ON THIS MAP. WE ALSO CERTIFY THAT THIS CSM IS REQUIRED TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL: VILLAGE OF SUMMIT.
WITNESS THE HAND AND SEAL OF SAID OWNERS:

THIS _____ DAY OF _____, 20_____.

_____ _____
ANDREW MCNULTY REBECCA MCNULTY

STATE OF WISCONSIN)SS
COUNTY OF _____)

PERSONALLY CAME BEFORE ME THIS _____DAY OF _____, 20_____, THE ABOVE NAMED ANDREW & REBECCA MCNULTY, TO ME KNOWN TO BE THE SAME PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY SIGNATURE _____

PRINT NAME _____

MY COMMISSION EXPIRES _____

VILLAGE OF SUMMIT PLAN COMMISSION

THIS LAND DIVISION IS HEREBY APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF SUMMIT, THIS

_____ DAY OF _____, 20____.

_____ _____
JIM SIEPMANN, CHAIRPERSON DEBRA MICHAEL–CLERK/TREASURER/ADMINISTRATOR

VILLAGE OF SUMMIT BOARD

THIS LAND DIVISION IS HEREBY APPROVED BY THE VILLAGE OF SUMMIT BOARD,

THIS _____ DAY OF _____, 20____.

_____ _____
JACK RILEY–PRESIDENT DEBRA MICHAEL–CLERK/TREASURER/ADMINISTRATOR

REV: 05/07/2024
DATED 03/27/2024
JOB# 24050
SHEET 4 OF 4

CONCEPT PLAN – SINGLE-FAMILY SUBDIVISION
5/16/2024 Plan Commission Meeting
Eschweiler Property (SUMT0678996)

Staff Report Village of Summit, Wisconsin

Property Location: Genesee Lake Road, east of Ravinia Park

Property Owner: Mary Alice Eschweiler

Zoning: **A-1 Agricultural (35+ acres), Wetland, Floodplain and Environmental Corridor Overlays**

Land Use Plan: **SF Residential 2.4-acre density, Wetland and Environmental Corridor**

Recommended Motion: *No motion is required at this time. The applicant is seeking feedback prior to submitting any formal applications*.

Summary:
The applicant attended Plan Staff meetings in January, February, and April with varying renditions of a concept proposal to divide the subject property into an 18 or 19-lot single-family residential subdivision. The calculations were based on pre-survey data. The current proposal includes a conservation type subdivision that protects natural resources, avoids wetland fill, and consolidates the lots to provide for common open space that all lot owners can enjoy. Regardless of the type of development, the applicant will need to rezone the property since it is currently in the A-1 Agricultural District. R-1 Estate Residential Zoning would match the neighboring property to the west and lots to the east.

The property has been surveyed and the overall lot acreage is 61.95 acres. Allowable density for a conservation subdivision is calculated based on several factors. Below is a summary of calculations. The land use plan recommends maintaining the current zoning standards for density calculations.

Land Type	**Acres**
Upland (no PEC/WL/FP) (1 unit/2.4-acres)	38.71
Upland PEC (1 unit/5 acres)	11.14
Wetland/Floodplain (no density credit)	7.5
Proposed Road ROW	4.6
Total	61.95

Density per R-1 Zoning Conservation Subdivision
Gross Developable Area (Excludes WL/FP and Exterior Road ROW) = 49.85 acres
Net Developable Area = (GDP – Proposed Road ROW (4.6 acres)) = 45.25 acres
Required Open Space (40%) = 18.1 acres
Developable area = 45.25 acres – Upland PEC (11.14 acres) = 34.11 acres in R-1
Number of units allowed per R-1 = 14.85 units
Number of units allowed per EC = 2.2 units
Total number of units allowed = 17 units

As part of a conservation design subdivision in the R-1 Zoning District, each lot can be a minimum of 1-acre instead of 2 acres. The minimum lot width can be 180 ft. instead of 220 ft. The applicant is proposing to meet the standards of the conservation subdivision. All lots will be at least 1-acre in size and 180 ft. in width. There must be at least 40% open space. The applicant is proposing 31.52 acres of open space, whereas 18.1 acres is required.

The applicant is seeking feedback regarding the proposed subdivision layout and grading plan. The subdivision will include a road connection to the Ravinia Park subdivision on Meadow Park Place. A temporary turnaround will need to be removed as part of the road connection. The road connection was anticipated when Ravinia Park was platted. The applicant is also proposing an outlot that will be reserved for a potential road extension to serve the adjacent lot to the south for future development purposes.

Several of the lots will consist of high groundwater conditions. It appears that several of the lots will include 5-7 ft. of fill. There are several stormwater facilities that are intended to capture stormwater runoff.

The properties will be served by private septic systems and wells.

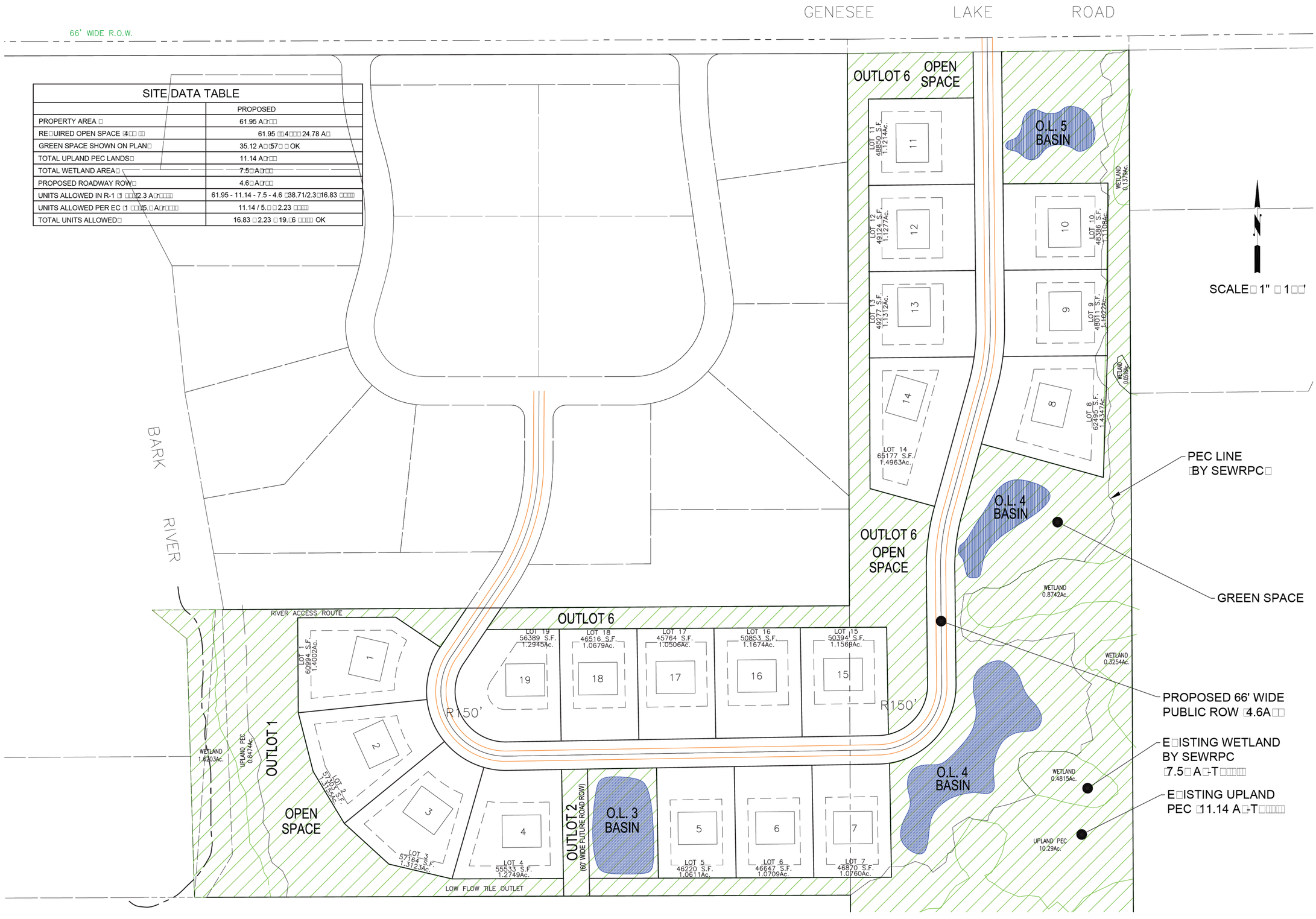
All natural resource areas will be protected in common open space with associated restrictions. The applicant is communicating with the Wisconsin Department of Administration to determine if public access is required to the Bark River, which abuts the west side of the property.

<u>Considerations:</u>

- Based on planner calculations, the property is limited to 17 residential units.
- The applicant will need to apply to rezone the property to the R-1 Residential District.
- Stormwater Management will need to be reviewed as part of the Subdivision Plat. In addition to the issuance of a Stormwater Permit, A Stormwater Maintenance Agreement will need to be reviewed and approved and recorded with Waukesha County Register of Deeds.
- A Master Grading Plan should be reviewed as part of the Subdivision Plat review and shall include the review of driveway slopes.
- A Developer's Agreement, Subdivision Restrictions, Outlot Maintenance Plan, and Letter of Credit may all need to be submitted for review and approval.

- Preservation Restrictions shall be noted on the Final Plat.
- If public access is not provided to the Bark River, written documentation will be required from the Wisconsin Department of Administration.
- The Village's Trail Map shows a proposed County trail going through the property. Written document will be required from Waukesha County Parks specifying their interest.
- The ownership of all outlots, including the outlot that provides access to the adjacent property to the south, will need to be noted.
- Soil testing will need to be submitted to Waukesha County Environmental Health Division verifying that all lots are suitable for a septic system.
- The minimum basement elevation table will need to be reviewed by the Village.
- An impact fee will need to be paid at time of building permit issuance for each lot, specifically related to park fees and address signs.
- This may not be an all-inclusive list of pending items. Future review will be completed upon the submittal of more formal application materials.

Surveyor and Engineering Comments: Pending.



SITE DATA TABLE

	PROPOSED
PROPERTY AREA	61.95 A
REUIRED OPEN SPACE 4	61.95 4 24.78 A
GREEN SPACE SHOWN ON PLAN	35.12 A 57 OK
TOTAL UPLAND PEC LANDS	11.14 A
TOTAL WETLAND AREA	7.5 A
PROPOSED ROADWAY ROW	4.6 A
UNITS ALLOWED IN R-1 1 2.3 A	61.95 - 11.14 - 7.5 - 4.6 38.71/2.3 16.83
UNITS ALLOWED PER EC 1 5. A	11.14 / 5. 2.23
TOTAL UNITS ALLOWED	16.83 2.23 19. 6 OK

DATE	DESCRIPTION

EEC
ELLENA ENGINEERING CONSULTANTS, LLC
SITE CIVIL ENGINEERING & STORMWATER MANAGEMENT
700 Pilgrim Parkway - Suite 100 Elm Grove, WI 53122
Phone: 262-719-6183 Email: mellena@eeceng.com

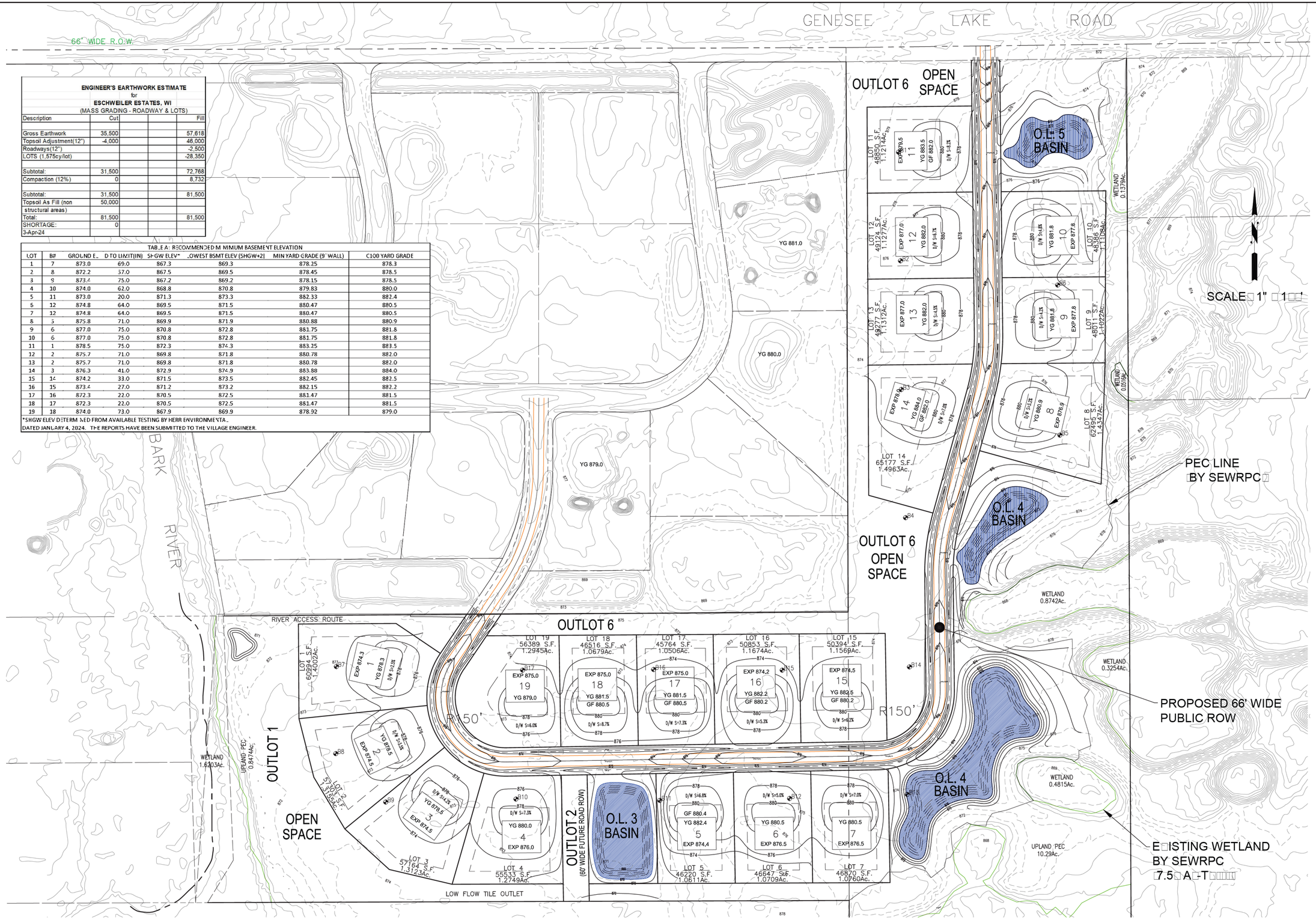
ESCHWILWER/HORSTICK DEVELOPMENT
GENESEE LAKE ROAD, VILLAGE OF SUMMIT, WI

PUD Conservancy Subdivision

WISCONSIN
MARK R. ELLENA
E-24090
WALES, WI
PROFESSIONAL ENGINEER

DATE: 04-29-2024
DESIGNED BY: MARK R. ELLENA,PE
SCALE: 1"=100'

SHEET NUMBER
S100



ENGINEER'S EARTHWORK ESTIMATE
for
ESCHWEILER ESTATES, WI
(MASS GRADING - ROADWAY & LOTS)

Description	Cut			Fill
Gross Earthwork	35,500			57,618
Topsoil Adjustment(12")	-4,000			46,000
Roadways(12")				-2,500
LOTS (1,575cy/lot)				-28,350
Subtotal:	31,500			72,768
Compaction (12%)	0			8,732
Subtotal:	31,500			81,500
Topsoil As Fill (non structural areas)	50,000			
Total:	81,500			81,500
SHORTAGE:	0			
3-Apr-24				

TABLE A: RECOMMENDED MINIMUM BASEMENT ELEVATION

LOT	B#	GROUND E.	D TO LIMIT(IN)	SHGW ELEV*	LOWEST BSMT ELEV (SHGW+2)	MIN YARD GRADE (9' WALL)	C100 YARD GRADE
1	7	873.0	69.0	867.3	869.3	878.25	878.3
2	8	872.2	57.0	867.5	869.5	878.45	878.5
3	9	873.4	75.0	867.2	869.2	878.15	878.5
4	10	874.0	62.0	868.8	870.8	879.83	880.0
5	11	873.0	20.0	871.3	873.3	882.33	882.4
5	12	874.8	64.0	869.5	871.5	880.47	880.5
7	12	874.8	64.0	869.5	871.5	880.47	880.5
8	5	875.8	71.0	869.9	871.9	880.88	880.9
9	6	877.0	75.0	870.8	872.8	881.75	881.8
10	6	877.0	75.0	870.8	872.8	881.75	881.8
11	1	878.5	75.0	872.3	874.3	883.25	883.5
12	2	875.7	71.0	869.8	871.8	880.78	882.0
13	2	875.7	71.0	869.8	871.8	880.78	882.0
14	3	876.3	41.0	872.9	874.9	883.88	884.0
15	14	874.2	33.0	871.5	873.5	882.45	882.5
16	15	873.4	27.0	871.2	873.2	882.15	882.2
17	16	872.3	22.0	870.5	872.5	881.47	881.5
18	17	872.3	22.0	870.5	872.5	881.47	881.5
19	18	874.0	73.0	867.9	869.9	878.92	879.0

*SHGW ELEV DETERMINED FROM AVAILABLE TESTING BY HERR ENVIRONMENTAL.
DATED JANUARY 4, 2024. THE REPORTS HAVE BEEN SUBMITTED TO THE VILLAGE ENGINEER.

DATE	DESCRIPTION

ELLENA ENGINEERING CONSULTANTS, LLC
SITE CIVIL ENGINEERING & STORMWATER MANAGEMENT
700 Pilgrim Parkway - Suite 100 Elm Grove, WI 53122
Phone: 262-719-6183 Email: mellena@eeceng.com

ESCHWILWER/HORSTICK DEVELOPMENT
GENESEE LAKE ROAD, VILLAGE OF SUMMIT, WI

MASTER GRADING PLAN

WISCONSIN
MARK R. ELLENA
E-24090
WALES, WI
PROFESSIONAL ENGINEER

DATE: 04-29-2024
DESIGNED BY: MARK R. ELLENA,PE
SCALE: 1"=100'

SHEET NUMBER
C100

Land Use Plan Amendment Request

4/18/24 Plan Commission Meeting
5/16/2024 Plan Commission Meeting
SUMT0629998011

Staff Report | Village of Summit, Wisconsin

Property Location:	NW Corner of Pabst Farms Blvd. & N. Sawyer Rd.
Property Owner:	Pabst Farms Land Company, LLC
Applicant:	Margaret Daigneau, Lake Country Classical Academy
Current Zoning:	A-1 Agricultural (35 acres +)
Current Land Use:	Industrial/Business Park
Proposed Land Use:	Institutional
Tax Key Number:	SUMT0629998011

Possible Motion: *Motion to adopt the enclosed resolution recommending that Village Board approve the proposed Village of Summit Future Land Use Map amendment of the Village of Summit 2045 Comprehensive Plan from the Industrial/Business Park designation to the Institutional designation on property located in the northwest corner of the Pabst Farms Boulevard and N. Sawyer Road intersection, more specifically Lot 2 of CSM 11510, located in Section 14, T7N, R17E, Village of Summit.*

Summary:
The subject property is 41.77 acres in size and is part of the Pabst Farms holdings. The property is in Utility District #3, Pabst Farms Utility District, and will be served by public sewer and water. The property is also part of the Pabst Farms Joint Stormwater Management District.

The applicant is proposing to amend the future land use map category on the subject property from the Industrial/Business Park designation to the Institutional designation to accommodate development of a K-12 day school campus with outdoor amenities, including athletic fields, parking, etc. Since the applicant's proposal would potentially allow the applicant to pursue a Conditional Use request for a day school, discussion related to the applicant's proposed operation should not occur during the meeting. Discussion related to the proposed development/operation of the site should occur during the public hearing of such Conditional Use application.

The Village of Summit 2045 Comprehensive Plan states that the industrial/business park designation is designated for areas with light to medium intensity business uses such as corporate office facilities, light manufacturing and warehousing. Medium to heavy intensity uses such as large manufacturing facilities or chemical processing are not permitted. Additional provisions are stated in the plan. The institutional designation includes areas of governmental, educational,

religious, or medical uses. The plan suggests that zoning code amendments be considered to ensure that the uses identified in the institutional classification are allowed as permitted and/or conditional uses within the Institutional Zoning District. In order for the uses to be allowed in each of these land use designations, the subject property in question would need to be rezoned accordingly. The BP Business Park Zoning District most aligns with the Industrial/Business Park land use designation and the IN Institutional Zoning District most aligns with the Institutional land use designation. Plan Commission should consider if the proposed uses in the Institutional land use designation and IN Institutional Zoning District category align with the goals, objectives, and policies of the comprehensive plan. The land use designations from the comprehensive plan and the zoning district permitted and conditional uses, as well as a summary of the goals, objectives, and policies from the comprehensive plan are included in the electronic packet for review.

The Village of Summit and City of Oconomowoc Land Use Plan Maps are included in the electronic packet. A summary of changes made by the City of Oconomowoc since the preparation of the 2019 map is also included in the electronic packet.

In accordance with the provisions of the Public Participation Plan that was adopted as part of the Village of Summit 2045 Comprehensive Plan, all residents within 500 ft. were notified of the April Plan Commission meeting. Public input was provided and considered by the Plan Commission. Minutes from the meeting are included in the packet. Public input will also be available at the May Plan Commission meeting. If the Plan Commission adopts a resolution recommending an amendment to the land use plan map, a public hearing will take place at Village Board, which may occur jointly with Plan Commission.

At the April Plan Commission meeting, the Planner was advised to draft a resolution for consideration including restrictions related to a project completion deadline and the intended use being specified and subject to a rezone and potentially a Conditional Use. Other concerns included traffic impacts, fiscal impacts, and property ownership. Plan Commission stated that drafting of a resolution does not ensure support. **The resolution will be added to the packet in advance of the meeting.**

LAND USE PLAN

- Lands located in the northeast corner of STH 18 and CTH BB (SUMT0697998005 and SUMT0697990) are included in this category to allow for redevelopment of this area in combination with the existing commercial uses. Due to the length of time for utility service, the Village Board may waive the sewer requirement based on the plan proposed.
- The Village Board may consider an amendment on a portion of property located at 35535 Delafield Road (SUMT0665998) along CTH DR from the SF 2.4-acre density classification to the Mixed-Use classification at such time sewer is available to the property.
- Residential uses are only allowed if commercial uses are present within the same development. More intensive commercial/office uses should be placed closer to the exterior roadways, with any residential component and site buffering the adjacent uses.
- Residential density is limited to four (4) units per acre, with the exception of two properties, which are limited to ten (10) units per acre:
  - Summit Village Commons property identified as SUMT0661977, 3.89 acres. This property was transferred into the previously designated Multi-Family Residential Development classification in 2020 to accommodate a condominium development. Since that land use classification has been replaced with a residential density of 0.25-acres per unit, the property has been reclassified as part of this comprehensive plan update to the Mixed-Use classification. Since the Summit Village Commons development includes a mix of uses and remainder of the development is identified as Mixed-Use, this classification is more appropriate.
  - 2133 N. Sawyer Road, SUMT0670997, 18.1 acres.

9.7.5 Industrial/Business Park

The industrial/business park land use category is designated for areas with light to medium intensity business uses such as corporate office facilities, light manufacturing and warehousing. Medium to heavy intensity uses such as large manufacturing facilities or chemical processing are not permitted.

- Development under this land use would only be allowed if public sewer is available.
- If municipal water is available within 1,000 lineal feet and provided by the City of Oconomowoc, then this must also be extended and included in the development.
- Zoning Code text changes should be considered to ensure building size, design, height and lot size are appropriate with consideration given to adjacent developments.
- Lands within the Pabst Farm development east of STH 67 are identified with this land use classification based on utility service agreements with the City of Oconomowoc.
- The lands west of Dousman Road and north of CTH DR are shown with this land use classification based on the boundary agreement and utility service agreements with the City of Oconomowoc. These lands may not have utility extensions from the City until 80% of the Corporate Center east of this property is developed.
- The property located at 2911 N. Dousman Road (SUMT0637007) was included in this land use classification on March 8, 2018, based on available sewer from the City of Oconomowoc as part of the Silver Lake Utility District, existing building design and layout on the site, and the ability to redevelop the site in coordination with development already on the property.

Sec. 111-355. - Business Park District (BP). ZONING

(a) *Intent.* The Business Park District includes areas designated for light to medium intensity business uses such as corporate office facilities, light manufacturing and warehousing with no outdoor storage permitted. The village will allow development in this classification only upon connection to public sewer systems. If municipal water is available within 1,000 linear feet, then this must also be extended and included in the development.

(b) *Principal permitted uses.*

(1) Offices.

(2) Medical office or clinic.

(3) Dental office or clinic.

(4) Bank or financial institution.

(5) Assembly operations.

(6) Personal and professional services.

(7) Light manufacturing facilities.

(8) Indoor storage and warehousing facilities.

(9) Conference center.

(10) Day-care facility.

(11) Health clubs.

(12) Hotel.

(13) Indoor recreation facilities.

(14) Movie theater.

(15) Outdoor storage/retailing (i.e., garden center).

(16) Public and quasi-public utility substations, radio and television transmitting and receiving towers, microwave relay stations, or water towers.

(17) Restaurant.

(18) Public administrative offices and public service buildings, including fire and police stations.

(c) *Accessory uses.*

(1) Private outdoor recreational facilities.

(2) Off-street parking and loading areas.

(3) Automated teller machine.

(d) *Conditional uses.*

(1) Reserved.

(e) *Bulk regulations (BP).*

(1) Minimum lot area: 80,000 square feet.

(2) Minimum lot width: 200 feet.

(3) Maximum structure coverage.

a. Office uses: 30 percent of lot area.

b. Light industrial uses: 45 percent of lot area.

(4) Maximum impervious coverage.

a. Office uses: 70 percent of lot area.

b. Light industrial uses: 75 percent of lot area.

(5) Minimum front/street setback.

a. Local street: 50 feet from base setback line.

b. Arterial street: 75 feet from base setback line.

(6) Minimum side yard setback: 25 feet.

(7) Minimum rear yard setback: 25 feet.

(8) Minimum wetland setback: 25 feet.

(9) Minimum pavement setback: 20 feet.

(10) Maximum structure height.

a. Principal structure: 50 feet.

b. Accessory structure(s): 15 feet.

(11) Shoreland development requirements. In addition to compliance with the aforementioned standard development requirements, all properties within shoreland areas as defined herein are also subject to the following additional requirements:

a. Minimum shore setback:

1. Seventy-five feet from the ordinary high water mark. Where an existing pattern of development exists less than the requirement listed above, refer to section 111-96(A)(9)(g).

2. Fifty feet for a structure that has no sides or has only railings for sides, subject to section 111-96(A)(9)(h)

(f) *Signage.* As described in article VII of this chapter.

(g) *Erosion control.* As described in the Village of Summit Erosion Control Ordinance when applicable.

(h) Plans and specifications to be submitted to the plan commission in accordance with article X of this chapter.

(1)

To encourage a business park environment that is compatible with the rural residential and open space character of the village, and that will maintain a campus-like setting, building permits for permitted uses in the BP District shall not be issued without review and approval of the plan commission.

(2) This review and approval shall be concerned with general layout, building plans, ingress and egress, loading and unloading, landscaping and open space use. The process used to review a development in the BP District is set forth in article X of this chapter.

(Ord. No. 31-2015 , § 12.10, 10-1-2015; Ord. No. 63-2018 , §§ 20, 21, 8-20-2018; Ord. No. 112-2022 , § 2, 10-13-2022)

LAND USE PLAN

9.7.6 Institutional

The institutional land use category includes areas of governmental, educational, religious, or medical uses.

- Zoning code amendments should be considered to ensure that the uses identified in this classification are allowed as permitted and/or conditional uses within the Institutional Zoning District.

9.7.7 Park/Recreational

The park/recreational land use category is designated as public access recreational areas. These include boat access points, recreational playground equipment, picnic areas, natural areas, and other open spaces to be used for outdoor activities. This category does not distinguish ownership from Village, County, or State parks/trails. Some quasi-public areas like the Boy Scout Camp are also included in this category. The Village Park system is more specifically defined in the Village of Summit Comprehensive Outdoor Recreation Plan, which should be implemented as part of this plan.

9.7.8 Environmental Corridors

These areas include Primary Environmental Corridor, Secondary Environmental Corridor, and Isolated Natural Resource Areas. These areas have been mapped due to their environmental diversity and importance to the natural ecosystems of the Village of Summit. Corridors are more specifically defined in Chapter 6.

All new single-family residential development that occurs on parcels with Primary Environmental Corridor, Secondary Environmental Corridor, or Isolated Natural Resource Area shall be provided a density credit of 1 unit per 5 acres for the acreage with these resource designations. It is recommended that density credit from these areas be transferred to non-corridor lands on the same property. Lots that include environmental corridor as part of the building envelope shall be at least 2 acres in size and the limits of disturbance shall be established as part of the zoning code. Lowland portions, areas that are floodplains and wetlands, are recommended to not be filled and be kept free from future development.

Primary Environmental Corridor - SEWRPC defines Primary Environmental Corridors as concentrations of significant natural resources at least 400 acres in size, two miles long, and 200 feet in width.

Secondary Environmental Corridor - Secondary Environmental Corridors are defined by SEWRPC as concentrations of significant natural resources being at least one mile long and 100 acres in area.

Isolated Natural Resource Areas - Isolated natural resource areas consist of remaining significant natural resources that are isolated from environmental corridors. They are areas at least five acres in size and at least 200 ft. in width.

9.7.9 Wetlands

Wetlands are defined in the Wisconsin Statutes as "an area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions." These areas are unsuitable for development due to

Sec. 111-356. - Institutional District (IN). ZONING

(a) *Intent.* The Institutional Use District includes areas of governmental, educational, religious, or medical property uses. Other quasi-public uses and major public utility facilities are included in this category. The village applies the Institutional classification to address the particular characteristics of the Village of Summit's many institutional facilities. This district does not distinguish private or public agency projects or facilities.

(b) *Principal permitted uses.*

(1) Public administrative offices and public service buildings, including fire and police stations.

(2) Cemeteries and mausoleums.

(3) Churches and synagogues.

(4) Medical clinics.

(5) Libraries, museums, and art galleries.

(6) Public, private commercial and noncommercial outdoor recreational facilities.

(c) *Accessory uses.*

(1) Off-street parking and loading areas.

(2) Service buildings and facilities normally accessory to the permitted use.

(d) *Conditional uses.*

(1) Day schools.

(e) *Bulk regulations (IN).*

(1) Minimum lot area: 65,000 square feet.

(2) Minimum lot width: 200 feet.

(3) Maximum structure coverage: 30 percent of lot area.

(4) Maximum impervious coverage: 50 percent of lot area.

(5) Minimum front/street setback.

a. Local street: 50 feet from base setback line.

b. Arterial street: 75 feet from base setback line.

(6) Minimum side yard setback: 25 feet.

(7) Minimum rear yard setback: 25 feet.

(8) Minimum wetland setback: 25 feet.

(9) Minimum pavement setback: 20 feet.

(10) Maximum structure height.

a. Principal structure: 50 feet / 35 feet when located within 75 feet of the ordinary high water mark.

b. Accessory structure(s): 15 feet.

(11) Shoreland development requirements. In addition to compliance with the aforementioned regulations, all properties within shoreland areas as defined herein are also subject to the following additional requirements:

a. Minimum shore setback:

1. Seventy-five feet from the ordinary high water mark. Where an existing pattern of development exists less than the requirement listed above, refer to section 111-96(a)(9)g.

2. Fifty feet for a structure that has no sides or has only railings for sides, subject to section 111-96(a)(9)h.

(f) *Signage.* As described in article VII of this chapter.

(g) *Erosion control.* As described in the Village of Summit Erosion Control Ordinance when applicable.

(h) Plans and specifications to be submitted to the plan commission in accordance with article X of this chapter.

(1) To encourage an institutional environment that is compatible with the rural residential and open space character of the village, and that will maintain a campus-like setting, building permits for permitted uses in the institutional district shall not be issued without review and approval of the plan commission.

(2) This review and approval shall be concerned with general layout, building plans, ingress and egress, loading and unloading, landscaping and open space use. The process used to review a development in the institutional district is set forth in article X of this chapter.

(Ord. No. 31-2015, § 12.11, 10-1-2015; Ord. No. 63-2018, §§ 22, 23, 8-20-2018; Ord. No. 96-2021, § 1, 5-13-2021; Ord. No. 112-2022, § 3, 10-13-2022)

Zoning Ordinance Text Amendment Proposal

5/16/2024 Plan Commission Meeting

Staff Report Village of Summit, Wisconsin

Possible Motion: *Recommend Village Board initiate text amendments to allow day schools as a permitted use and/or conditional use with amended conditions in the IN Institutional District.*

Summary:

The intent of Section 111-356 Institutional District states that the district includes areas of governmental, educational, religious, or medical property uses. Other quasi-public uses and major public utility facilities are included in this category. The district does not distinguish between private or public agency projects or facilities.

Although educational uses were listed in the intent section of the Institutional District, there were no provisions that allowed them until 2021. In 2021, a request was made to allow day schools as a Conditional Use in the Institutional District. The proposed amendments were adopted. As part of the 2045 Comprehensive Plan update completed in 2023, it was identified that zoning code amendments should be considered to ensure that the uses identified in the Institutional classification area are allowed as permitted and/or conditional uses. The subcommittee specifically discussed considering day schools as a permitted use.

Staff is requesting the Plan Commission consider whether the Village should initiate a text amendment to allow day schools as a permitted and/or conditional use with amended conditions. The existing conditions related to a day school are included in the packet. The conditions limit the use to a single property in the Village, which is located in the southwest corner of HWY 18 and CTH P, Abundant Life Church.

Sec. 111-321. Conditional uses permitted.

Subject to the foregoing, in addition to such uses enumerated in the district regulations, the village may permit the following general conditional uses in the districts specified, provided further that the plan commission shall hold a public hearing and approve the location, building and site plans and plan of operation for any such conditional use:

(1) *Continuation of existing conditional use permits.* Any conditional use permit granted pursuant to conditional use authority that has since been repealed and that was in effect, and the use was in operation on the date of such repeal, that is no longer an allowed use of the property, shall be allowed to continue as a conditional use subject to all conditions stated in the conditional use order. Any such conditional use permit that requires compliance with a section of the Village of Summit Zoning and Shoreland Protection Ordinance that has since been repealed, shall continue to require compliance with the referenced section as it existed immediately prior to such repeal and the repeal of such provision is stayed solely for such existing conditional use permit(s). These continuation provisions are intended to preserve the status quo for all rights and responsibilities incurred or accrued prior to the adoption of any ordinance that changes a conditional use to a prohibited use. Nothing herein shall be interpreted to prevent existing conditional use permit holders from applying to amend their conditional use pursuant to all laws in effect at the time of the application, or as set forth in the conditional use permit including those amendments requiring a public hearing.

(2) *Day schools.* Day schools are only allowed by conditional use permit in the IN Institutional District and are subject to the following regulations, in addition to any specific conditions that may be imposed by the plan commission:

a. The day school must obtain and continuously maintain a valid license from the State of Wisconsin permitting the operation of a school on the subject property.

b. Any building used for a day school must meet the requirements of the Wisconsin Fire Code and pass any required periodic fire inspections.

c. A day school cannot allow any overnight housing.

d. The parcel shall include at least eight acres of land under one ownership.

e. The parcel shall front or abut directly upon a County Trunk Highway or State Trunk Highway and access to the parcel shall be directly from the County Trunk Highway or State Trunk Highway.

f. The parcel shall not abut a lake or river.

g. All buildings shall be a minimum of 75 feet from any property line.

h. Off-street parking shall be designed and provided in accordance with article VI of chapter 111-Zoning and Shoreland Protection.

i. The principal building shall include at least 30,000 square feet in area on the first floor.

j. An adequate septic system or sewer connection shall be provided for any operating day school.

k. The applicant must prepare, submit, and obtain approval of all plans in compliance with article X of chapter 111 - Zoning and Shoreland Protection subject to the following conditions:

1. The uses of all existing structures shall be identified on the site plan and plan of operations.

2. Any outdoor athletic fields, playgrounds and instruction areas shall be identified on the site plan and plan of operations, and they shall be used only by the day school.

3. The day school may serve students in grades pre-kindergarten through 12th grade.

4. A day school may be operated by the property owner or leased to a public or private entity.

5. A day school shall not exceed 500 total students.

6. Indoor and outdoor operations shall be limited to Monday through Friday from 7:00 a.m. to 6:15 p.m. and Saturdays from 7:00 a.m. to 5:00 p.m. Special events such as concerts or indoor group meetings shall be limited to two events per week after 6:15 p.m. In no case, shall any special event continue past 10:00 p.m.

7. The plan of operations shall include provisions for professional traffic control during the beginning and end of the school day, such that stacking of vehicles will occur on private property and not on public roads, with off-street parking provisions for students between 9th and 12th grade.

8. Exterior lighting shall be for parking lot and circulation only. No athletic field lighting will be permitted.

9. A day school may not be operated or maintained in a manner so as to result in a public nuisance as defined within Chapter 18 of the Village of Summit, County of Waukesha, Wisconsin, Code of Ordinances.

(3) *Regulated household animals.* Regulated household animals shall be subject to the following conditions, limitations, procedures, and exceptions.

a. *Number of dogs limited.* The keeping of dogs by regulated household animal conditional use is limited to the number of dogs described below. Note that "net parcel area" is described in subsection (3)c below.

1. *Three acres or less.* On parcels three acres or less in net area, no more than three dogs required to be licensed by state statute shall be kept on the parcel.

2. *Three to ten acres.* On parcels larger than three acres but less than 10 acres in net area, no more than seven dogs required to be licensed by state statute shall be kept on the parcel.

3. *Ten acres or larger.* On parcels ten acres or larger in net area, no more than 15 dogs required to be licensed by state statute shall be kept on the parcel.

b. *Number of confined hobby animals (as defined herein) limited.* The keeping of confined hobby animals (as defined herein) by regulated household animal conditional use is limited to the numbers described below. Note that "net parcel area" is described in subsection (3)c below.

1. *Less than four acres.* On parcels less than four acres in net parcel area, no confined hobby animals other than horses shall be kept on the parcel. Horses may be permitted at a level of one horse for each two acres of net area.

2. *Four acres or larger.* One confined hobby animal, including horses may be permitted for each two acres of net parcel area.

c. *Regulated household animal regulations.* The keeping of regulated household animals by conditional use permit is subject to the following regulations, in addition to any specific conditions that may be imposed by the plan commission:

1. *No commercial activities.* Commercial activities such as sale or breeding of regulated household animals are prohibited unless specifically recognized and defined in the adopted plan of operations and exempted under Section 111-321(C)(7).

2. [Intentionally omitted].