Village Hall, 262-567-2757
Fax, 262-567-4115
Highway Dept., 262-567-2422
Police Dept., 262-567-1134
Building Inspector, 262-490-4141
www.summitvillage.org

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

AGENDA
Village of Summit Plan Commission
Thursday, June 20, 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
    - May 16, 2024

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

6. **PUBLIC HEARINGS**

    A. Receive comments and discuss a proposed text amendment of the Village of Summit Zoning and Shoreland Protection Ordinance initiated by the Zoning Administrator. The request includes an amendment to Section 111-347(e)(1)j, reducing the accessory structure minimum front/street setback from 75 ft. to 50 ft. in the R-1 Estate Residential District.

    B. Receive comments and discuss a Conditional Use request from Travis Loften to raise two pigs in accordance with Section 111-321(3) as regulated household animals, and as further defined as confined hobby animals, on property located at 35918 Genesee Lake Road (SUMT0667993).

    C. Receive comments and discuss a request from Sunset Family Farms, LLC as the petitioner/responsible party and property owner at 37736 Sunset Drive, and Rebekah Carsey, White Stag 1894, LLC, as the agent 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 provided conditions are met. Specifically, the applicant is proposing to create Section 111-357(d)(3) to allow rental of agricultural buildings for private 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.

7. **REGULAR BUSINESS:**

    A. Discussion and action on proposed text amendment of the Village of Summit Zoning and Shoreland Protection Ordinance initiated by the Zoning Administrator. The request includes an amendment to Section 111-347(e)(1)j, reducing the accessory structure minimum front/street setback from 75 ft. to 50 ft. in the R-1 Estate Residential District.

***** 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.

B. Discussion and action on Conditional Use request from Travis Loften to raise two pigs in accordance with Section 111-321(3) as regulated household animals, and as further defined as confined hobby animals, on property located at 35918 Genesee Lake Road (SUMT0667993).

C. Discussion and action on request of Barb Whitstone, on behalf of Rogers Memorial Hospital, to construct a brick wall and other minor improvements on property located at 34700 Valley Road (SUMT0622977002).

D. Discussion and action on request of James Stoffer to combine multiple lots as part of a Certified Survey Map, including review based on Article X of Chapter 109 Subdivision of Land Ordinance, on property located at 3348 N. Silver Lake Drive (SUMT0612031).

E. Discussion and action on request of Robert Zahn to reconfigure a lot as part of a Certified Survey Map on property owned by Colton and Victoria Ziemanski located on N. Golden Cedar Lane (SUMT0695039).

F. Discussion and action on request from Sunset Family Farms, LLC as the petitioner/responsible party and property owner at 37736 Sunset Drive, and Rebekah Carsey, White Stag 1894, LLC, as the agent 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 provided conditions are met. Specifically, the applicant is proposing to create Section 111-357(d)(3) to allow rental of agricultural buildings for private 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.

G. Discussion and action on application initiated by Village Board and schedule a public hearing for Zoning Code Text Amendments to allow day schools as a permitted use in the IN Institutional District.

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

9. **DISCUSS** August Plan Commission meeting date

10. **ADJOURN** Plan Commission meeting

Respectfully submitted,

Amy Barrows, Village Planner **Posted: June 14, 2024**

Next meeting date: July 18, 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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www.summitvillage.org

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

PUBLIC HEARING NOTICES
VILLAGE OF SUMMIT, WISCONSIN

Thursday, June 20, 2024

Please be advised that the Village of Summit Plan Commission will hold a public hearing on **Thursday, June 20, 2024, at 5:30 p.m.,** at the Summit Village Hall located at 37100 Delafield Road, Summit, Wisconsin. The purpose of the hearing is to receive comments and discuss a proposed text amendment of the Village of Summit Zoning and Shoreland Protection Ordinance initiated by the Zoning Administrator. The request includes an amendment to Section 111-347(e)(1)j, reducing the accessory structure minimum front/street setback from 75 ft. to 50 ft. in the R-1 Estate Residential District.

Immediately following the above noticed public hearing, another public hearing will be held by the Village of Summit Plan Commission at the Summit Village Hall located at 37100 Delafield Road, Summit, Wisconsin, at which time the Plan Commission will receive comments and discuss a Conditional Use request from Travis Loften to raise two pigs in accordance with Section 111-321(3) as regulated household animals, and as further defined as confined hobby animals, on property located at 35918 Genesee Lake Road (SUMT0667993).

Immediately following the above noticed public hearing, another public hearing will be held by the Village of Summit Plan Commission at the Summit Village Hall located at 37100 Delafield Road, Summit, Wisconsin, at which time the Plan Commission will receive comments and discuss a request from Sunset Family Farms, LLC as the petitioner/responsible party and property owner at 37736 Sunset Drive, and Rebekah Carsey, White Stag 1894, LLC, as the agent 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 provided conditions are met. Specifically, the applicant is proposing to create Section 111-357(d)(3) to allow rental of agricultural buildings for private 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.

Information regarding these applications is available for review at the Village of Summit Village Hall, 37100 Delafield Road, during regular business hours. Citizens with written comments regarding these public hearings may email those comments to the Village Deputy Clerk at deputyclerk@summitvillage.org or by using this link: https://summitvillage.org/contact-us/ and those comments will be included in the meeting packet. The deadline to receive written comments is noon on Thursday, June 13, 2024. Verbal comments may be provided at the meeting. For more information regarding these public hearings, please contact Amy Barrows, Village Planner, at the Summit Village Hall (262) 567-2757.

All interested parties will be heard.

VILLAGE OF SUMMIT

Amy Barrows, Village Planner

Published: June 6 and 13, 2024
Posted: June 6, 2024

Village Hall, 262-567-2757
Fax, 262-567-4115
Highway Dept., 262-567-2422
Police Dept., 262-567-1134
Building Inspector, 262-490-4141

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

Date Filed: 5/31/24

$100.00 Application Fee Paid waived adm.

Zoning Text Amendment
Application Packet

Based on Chapter 111, Section 386 of the Code of the Village of Summit

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

1. APPLICANT OR AGENT

Amy Barons
Zoning Admistrator

Phone # (____)_____

e-mail _____

2. PROPERTY OWNER

Village of Summit
37100 Delafield Rd.
Summit, WI 53066

Phone # (262) 567-2757

e-mail administrator@summitvillage.org

5. What Zoning Ordinance Section is proposed for amendment? Section 111 - 347(e)(1)j

6. What is the PROPOSED Zoning Language Change? (Please include current language with underlined type for new language and strike-out type for removed language.

Road Setback 111-347(e)(1)j

7. Describe why the text change is needed, including a description of the proposed impact under the new zoning language, including new uses available & the creation of any non-conforming uses and or structures.

Modify road setback from 75ft to 50ft for accy structures in R-1

8. Please initial the following statements after you have read them.

_____ I understand that the Village is under no obligation to change the current Ordinance language.

_____ I understand that the Village staff, Plan Commission and/or Village Board may request additional information to properly evaluate this request, and failure to provide such information may in itself be sufficient cause to deny the request.

_____ I am aware that this text amendment shall go into effect immediately upon approval of the Summit Village Board and posting and/or publication of the approved changes.

--- --- --- --- --- --- --- --- --- --- --- --- --- --- --- --- --- --- --- ---

9. SIGNATURES

NOTE: <u>ALL APPLICATIONS/PETITIONS</u> MUST BE SIGNED BY THE RESPONSIBLE PARTY

Applicant/Agent — date 5/31/24

Property Owner (Responsible Party) — date 06/14/2024

Village Hall, 567-2757
Fax, 567-4115
Highway Dept., 567-2422
Police Dept., 567-1134
Building Inspector, 646-2577

Summit Village Hall • 2911 N. Dousman Road • Oconomowoc, WI 53066

Date Filed: _____

$300.00 Application Fee Paid _____

Conditional Use Permit
Application Packet

Based on Chapter 235 Article X of the Code of the Village of Summit

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

1. APPLICANT OR AGENT

Travis Loften
35918 Genesee Lk Rd
Oconomowoc, WI 5306(

I

FAX # ( )

2. PROPERTY OWNER

SAME

Phone # ( )

FAX # ( )

3. To Whom Should the Permit be Issued?

TRAVIS LOFTEN

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

35918 GENESEE LAKE RD, OCONOMOWOC, WI 53066
PT SW1/4 SEC23 T7N R17E; COM SW COR; E 261.00 FT THE BGN; E 316.74 FT TO POINT ON WLY BANK BARK RIVER; NLY & NELY ALGWLY BANK OF RIVER 245 FT BANK BEING SUBTENDED BY LI 237.84 FT BEARING N8°55'30"E; N121.49 FT; N25° 02'30"E 195.95 FT; W 433.70 FT; S0°18'30"W 534.00 FT TO BGN

5. Tax Key Number: SUMT SUMT0667993

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

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

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

North R-1	South R-1

East R-1	West R-1

8. Is this a New Use? X **OR** Is this an existing use to be expanded? _____

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.

I would like to raise two pigs on my property. I previously had a conditional use permit for this (attached to this application). Referred to in the village code as "regulated household animals".

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":		
Building "B":		
Building "C":		

Total Floor Area is _____ square feet.

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

Building "A": _____

Building "B": _____

Building "C": _____

Outdoor Uses? _____

12. How many employees will be working in this operation? ZERO

13. What hours of the day will the business be operating? N/A

14. What days of the week will the business be operating? N/A

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: N/A

Number of Wall-mounted signs: N/A

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

Number of Parking spaces proposed on the property? N/A

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 ___ NO X If yes, please describe below.

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 X If yes, please describe below, along with contact name and office.

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

There is a very little amount of landscaping that will be completed immediately the permit is approved.

23. SIGNATURES

NOTE: ALL APPLICATIONS MUST BE SIGNED BY THE PROPERTY OWNER

4/8/24

Applicant date Property Owner date

--- --- --- --- --- --- --- --- --- --- --- --- --- --- --- --- --- --- --- ---

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

VILLAGE OF SUMMIT ORDER
GRANTING A CONDITIONAL USE AND
PRESCRIBING CONDITIONS FOR
TRAVIS LOFTEN
TO HOUSE TWO PIGS AT 35918 GENESEE LAKE ROAD
IN THE VILLAGE OF SUMMIT

FINDINGS OF FACT[1]

1. A request has been filed by Travis Loften, (hereinafter "Petitioner"); and

2. The Petitioner is the owner of approximately 4.3 acres of land (hereinafter "Subject Properties") in the Village of Summit at 35918 Genesee Lake Road which is described as follows:

   (See Exhibit "A" attached)

3. The Petitioner is requesting approval to have two pigs on the property pursuant to the Village of Summit Code, Section 111-321(C); and

4. Said application shall be subject to the application, procedures and requirements pursuant to Section 111-321(C)(4) of the Code of Ordinances of the Village of Summit; and

5. The Petitioner has filed the required building, site and operational plans for review, and said plans were reviewed by the Plan Commission at a public hearing on June 21, 2018; and

6. The Plan Commission has taken the comments and concerns from the June 21, 2018 public hearing into consideration, reviewed the Code requirements and also the requirements of 2017 Wisconsin Act 67; and

7. 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

8. The proposed Conditional Use Permit will be the only Permit assigned to this property; and

9. The Plan Commission for the Village of Summit, following the 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

[1] To the extent that findings of fact shown herein represent conclusions of law, these shall be deemed to be conclusions of law. To the extent that conclusions of law shown herein represent findings of fact, these shall be deemed to be findings of fact. The heading under which the statements are made shall not be controlling.

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 Village of Summit, would not be contrary to the public health, safety or general welfare of the 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.

CONCLUSIONS OF LAW[2]

1. Section 111-311(b) of the Village of Summit Village Code describes the following standards and the Village Plan Commission determines that the standards are met in this case as follows:

   Basis of approval. The Plan Commission shall base its determination on general consideration as to the effect of such grant on the health, general welfare, safety and economic prosperity of the village and specifically of the immediate neighborhood surrounding the proposed location, including such considerations as the following:

   a. The effect on the established character and quality of the area;

   b. The effect on the area's physical attractiveness;

   c. The movement of traffic;

   d. The demand for related services;

   e. The possible hazardous, harmful, noxious, offensive, or nuisance effect as a result of noise, dust, smoke or odor; and

   f. Such other factors appropriate to carrying out the intent of conditional use permits as expressed in section 111-94(b)(3).

The Village Plan Commission finds that this standard is met based upon the submittals received at the public hearing on June 21, 2018. There was no substantial evidence presented of any adverse impacts that the proposed use will have on the foregoing issues. The Applicant provided substantial evidence of meeting this standard, there was no substantial evidence from opponents on this standard, and the Village Plan Commission finds that this standard is met.

2. Section 111-321(C)(4) of the Village of Summit Village Code describes the following standards and the Village Plan Commission determines that the standards are met in this case as follows:

[2] See footnote 1.

a. Building, site and operational plans must be submitted and shall be subject to the review described in Article X of this chapter. The Village Plan Commission finds that this standard is met, based upon the submittals received at the public hearing on June 21, 2018. The Applicant provided substantial evidence of meeting this standard, there was no substantial evidence from opponents on this standard, and the Village Plan Commission finds that this standard is met.

b. The regulated household animal use must be accessory to an otherwise permitted use. The Village Plan Commission finds that this standard is met based upon the fact that there is an existing residential use of the property and the two pigs would be accessory to the existing use. The Applicant provided substantial evidence of meeting this standard, there was no substantial evidence from opponents on this standard, and the Village Plan Commission finds that this standard is met.

c. The application fee for a regulated household animal conditional use permit shall be set by separate resolution of the Village Board. This standard is administrative in nature and not relevant, however, the Village Plan Commission finds that this standard has been met and an applicable fee has been paid.

d. Written notice of the public hearing shall be sent by regular mail to the last known address of all landowners within 300 feet of the subject property. This standard is administrative in nature. The Village Plan Commission finds that the requirements of this standard have been met.

e. The issuance of the conditional use permit is subject to the Plan Commission finding that such regulated household animal will not adversely affect the use of adjacent land and is compatible with surrounding and nearby land uses. The Village Plan Commission finds that this standard is met, and specifically finds that the two pigs will not adversely affect the use of adjacent land, and the use is compatible with surrounding and nearby land uses. The Applicant provided substantial evidence of meeting this standard, there was no substantial evidence from opponents on this standard, and the Village Plan Commission finds that this standard is met.

f. The Plan Commission may require such measures or provisions by the applicant as may be deemed necessary to provide adequate protection of surrounding property. The Village Plan Commission finds that this standard is met, and the Village Plan Commission has imposed certain requirements as shown in the conditions imposed hereafter in this Conditional Use Order. The conditions imposed are reasonable, are quantifiable to the extent practicable, and the Applicant has agreed to meet all of the conditions of this Conditional Use Order. The Applicant provided substantial evidence of meeting this standard, there was no substantial evidence from opponents on this standard, and the Village Plan Commission finds that this standard is met.

g. The Plan Commission may deny the request for a regulated household animal conditional use permit on the basis of the finding that such use would be incompatible with surrounding and nearby land uses, a possible nuisance, and/or not in the public interest. The Village Plan Commission finds that the use is compatible with surrounding and nearby land uses, is not a nuisance, and the use is not contrary to the public interest. The evidence received at the public hearing and the plans submitted demonstrate that two pigs will be properly maintained. The Applicant provided substantial evidence of meeting this standard, there was no substantial evidence from opponents on this standard, and the Village Plan Commission finds that this standard is met.

3. Section 111-321(C)(5) describes the following standard, and the Village Plan Commission determines that this standard is met in this case as follows:

   a. One regulated household animal conditional use permit per parcel. There shall be no more than one regulated household animal conditional use permit allowed on any one parcel in the Village of Summit. The Village Plan Commission finds that this standard is met as there are no other regulated household animal conditional use permits in effect for the subject parcel. The Applicant provided substantial evidence of meeting this standard, there was no substantial evidence from opponents on this standard, and the Village Plan Commission finds that this standard is met.

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 the housing and raising of two pigs on the above-described property, subject to the following conditions:

   1. OPERATION: The operation and layout shall be in substantial compliance with the attached drawing and with the application and representations made to the Plan Commission of the Village of Summit. The subject property shall, at all times, be maintained in a neat and orderly condition.

   2. BUILDING: Building shall consist of a 1,020 square foot outbuilding with attached 240 square foot exterior pen to the north of the outbuilding.

3. SETBACKS: The existing outbuilding attached to this use shall not be expanded or relocated without permission of the Plan Commission. The existing outbuilding attached to this use meets the required setbacks.

4. GARBAGE, REFUSE and WASTE PRODUCTS: 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 north of the pen.

5. ACCEPTANCE: As a condition precedent to the issuance of a Conditional Use Permit, Travis Loften is 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. 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.

D. 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.

E. 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.

F. 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.

G. 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.

H. This Conditional Use Permit shall be effective for a continued term of five years [through January 1, 2023]. 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.

I. 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.

J. 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.

K. Upon acceptance by the Petitioner of this Conditional Use Permit, all prior Conditional Use Permits for the property are hereby terminated.

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 and Village Board of the Village of Summit, and let copies be sent to the proper Village authorities and the petitioner.

Approved this 19th day of July, 2018.

BY THE PLAN COMMISSION
FOR THE VILLAGE OF SUMMIT

James Siepmann
Plan Commission Chairman

Debra Michael
Village Clerk

VILLAGE OF SUMMIT
SEAL
WAUKESHA COUNTY, WI

ACCEPTANCE

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

Date this 3rd day of August, 2018.

By: _____
Travis Loften

This Conditional Use was drafted by
Henry Elling, Zoning Administrator

APPENDIX A

LEGAL DESCRIPTION

PT SW1/4 SEC 23 T7N R17E; COM SW COR; E 261.00 FT THE BGN; E 316.74 FT TO POINT ON WLY BANK BARK RIVER; NLY & NELY ALG WLY BANK OF RIVER 245 FT, BANK BEING SUBTENDED BY LI 237.84 FT BEARING N8°55'30"E; N 121.49 FT; N25°02'30"E 195.95 FT; W 433.70 FT; S0°18'30"W 534.00 FT TO BGN :: DOC# 4292499

WAUKESHA COUNTY LEADING THE WAY

LAND INFORMATION SYSTEMS DIVISION

0 66.67 Feet

The information
advises that if sp
means. Waukesl

Village Hall, 262-567-2757
Fax, 262-567-4115
Highway Dept., 262-567-2422
Police Dept., 262-567-1134
Building Inspector, 262-490-4141

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

Date Filed: 5/28

$100.00 Application Fee Paid $100

RECEIVED
$100.-
JUN 04 2024
BY: CK# 1062

Zoning Text Amendment
Application Packet

Based on Chapter 111, Section 386 of the Code of the Village of Summit

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

1. APPLICANT OR AGENT

Rebekah Carsey

WHITE STAG 1894 LLC

Phone #

e-mail

2. PROPERTY OWNER

SUNSET FAMILY FARMS, LLC

KEVIN & LISA TADYCH

Phone #

e-mail

5. What Zoning Ordinance Section is proposed for amendm

321(7)

6. What is the PROPOSED Zoning Language Change? (Please include current language with underlined type for new language and strike-out type for removed language.

SEE ATTACHED

7. Describe why the text change is needed, including a description of the proposed impact under the new zoning language, including new uses available & the creation of any non-conforming uses and or structures.

A-1 EVENT BARN

SEE ATTACHED

8. Please initial the following statements after you have read them.

✓ I understand that the Village is under no obligation to change the current Ordinance language.

✓ I understand that the Village staff, Plan Commission and/or Village Board may request additional information to properly evaluate this request, and failure to provide such information may in itself be sufficient cause to deny the request.

✓ I am aware that this text amendment shall go into effect immediately upon approval of the Summit Village Board and posting and/or publication of the approved changes.

--- --- --- --- --- --- --- --- --- --- --- --- --- --- --- --- --- --- --- ---

9. **SIGNATURES**

NOTE: ALL APPLICATIONS/PETITIONS MUST BE SIGNED BY THE RESPONSIBLE PARTY

Applicant/Agent WHITE STAG 1894 LLC — date 5/22/24

Property Owner (Responsible Party) — date 5/22/24

KEVIN L. TADYCH
SUNSET FAMILY FARMS, LLC

LISA M. TADYCH
SUNSET FAMILY FARMS, LLC — 5-22-24

PROFESSIONAL SERVICES REIMBURSEMENT NOTICE

Please read *and sign* the following Notice:

Pursuant to Chapter 14-19 of the Village of Summit Code, the Summit Village Board has determined that whenever the services of the Village Planner, Village Engineer, Village Attorney, or any other Village professional staff results in a charge to the Village for that professional's time and services, and such service is not a service supplied to the Village as a whole, the Village Clerk shall charge the fees incurred by the Village to the property owner incurring those fees (without regard to the outcome of the request). Also, pursuant to the same Chapter 14-19, certain other fees, costs, and charges are the responsibility of the property owner even if the request is not approved.

I/we, the undersigned, have been advised that, pursuant to the Village of Summit, if the Village Planner, Village Engineer, Village Attorney or any other Village professional provides services to the Village because of my/our activities, whether at my/our request or at the request of the Village, I/we shall be responsible for the fees incurred by the Village (even if my/our request is not approved). In addition, I/we have been advised that pursuant to the Village of Summit, certain other fees, costs, and charges are my/our responsibility, even if my/our request is not approved.

The undersigned will receive the first billing once charges are incurred and monthly thereafter so the undersigned remains up to date regarding any current charges.

PLEASE PRINT LEGIBLY

Information for the Owner and/or Party responsible for the Invoices:

LISA TADYCH - WHITE STAG 1894, LLC

Name

37736 SUNSET DRIVE

Mailing Address

OCONOMOWOC, WI 53066

Information for the Property that is the subject of the Request:

KEVIN & LISA TADYCH, SUNSET FAMILY FARMS LLC

Owner's Name

37736 SUNSET DRIVE OCONOMOWOC, WI 53066

Property Address

Tax Key Number of the Property that is the subject of the Request: SUMT 0706 999

Signature of the Property Owner(s) and/or Applicant(s) and Current Date:

Rebekah Carsey — Date 5/22/24

Applicant WHITE STAG 1894 LLC

Kevin L Tadych — Date 5/22/24

Owner KEVIN L. TADYCH SUNSET FAMILY FARMS, LLC

04/2018

Village Official that accepted the form: [signature] Date 6/4/24

SECTION 1: Section 111-357(d)(3) is hereby created to read as follows:

(3) Rental of Agricultural Buildings for private events.

SECTION 2: Section 111-321(7) is hereby created to read as follows:

(7) Rental of Agricultural Buildings for private events

a. *Definitions.*

1. Agricultural Buildings shall mean one (1) or more of existing Agricultural Buildings originally constructed prior to September 1, 2023 for agricultural uses as that term is defined in Section 91.01(2), Wis. Stats.
2. Rental of Agricultural Buildings for private events shall mean a rental by the property owner of Agricultural Buildings to individuals or groups, for a rental fee or other form of renumeration.
3. Private events, including the rental of agricultural buildings and outdoor areas as authorized in the Conditional Use Permit, are functions, gatherings and/or celebrations including, but not limited to, meetings, banquets, social gatherings, educational or other scientific seminars or presentations, which are private by invitation only and do not include events open to the public, open houses, or events noticed on social media.

b. *Conditional Use Permit.* A Conditional Use Permit authorizing the rental of Agricultural Buildings for private events as defined in Section 111-321 (7) a. 2 shall be issued subject to the following conditions:

1. The minimum area of the property shall be not less than 150 acres. The area on which the Conditional Use is operated may be required to be less than 150 acres.
2. The property must have direct access to a State Trunk Highway or U.S. Highway.
3. No private event shall be located less than 100 feet from any adjacent lot line permitting a residential use.
4. No private event parking shall be located less than 50 feet from any adjacent lot line permitting a residential use. No private event or parking for the private event shall be located less than 250 feet from any residence not owned by the property owner.
5. Private events shall be permitted between May 1st and October 31st. Private events shall not begin prior to 8:00 am or continue past 11:59 pm on Friday and Saturday and shall not begin prior to 8:00 am or continue past 10:00 pm Sunday through Thursday. Except as authorized in Condition No. 12, set up for a private event may occur between noon and

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9:00 pm the day before the event and tear down of a private event may occur between 8:00 am and noon the day after the event.

6. Private events shall be limited to not more than three (3) events per calendar week beginning with Sunday of any given week. The aggregate of all events shall consist of no more than three (3) days per calendar week.
7. There shall be no more than 125 attendees at any private event. For purposes of this subparagraph, the term "attendees" shall include staff and caterers associated with the private event.
8. All private events shall comply with all federal, state and local fire and building code regulations, as well as all federal, state and local health sanitation regulations.
9. Alcohol shall not be served past 11:00 pm on Friday and Saturday and 9:00 pm on Sunday through Thursday. The sale of alcohol shall be subject to issuance of an alcohol beverage license or permit, as may be required, by the Village of Summit and State of Wisconsin.
10. Exterior lighting to be used in association with private events shall not exceed fifteen (15) feet in height above the ground and light sources shall not be visible from the lot lines measured five (5) feet above the lot line.
11. The number of parking spaces shall be equal to one (1) parking space per three (3) attendees as authorized by the maximum number of attendees approved under the Conditional Use Permit. Parking areas shall be clearly defined and designed with appropriate surface materials as described on a Site Plan and Plan of Operation, to be included with the Conditional Use application. and taking into consideration topography, drainage, and potential for dust.
12. Outdoor tents may be used for any private event, provided however, that any outdoor tent used for a private event must be removed within twenty-four (24) hours following the conclusion of the private event. An outdoor tent shall be not installed prior to twenty-four (24) hours before the start of the private event. Permanent outdoor tents are not permitted. Tents are limited to utility/vendor use only and the individual tent size must be 144 square feet or less. The location, size, and quantity of outdoor tents shall be depicted on the Site Plan and Plan of Operation to be included with the Conditional Use application. If any modifications are made to the location, size, and quantity of outdoor tents after a Conditional Use Permit is granted, the applicant shall submit a revised Site Plan and Plan Operation to be submitted to the Village of Summit Plan Commission for review and approval at least 30 days prior to a private event taking place that includes

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the use of tents, without the necessity of a public hearing unless the Plan Commission feels one is necessary.

13. The exterior of Agricultural Buildings to be used for a private event may be repaired or refurbished but shall not be substantially modified as to significantly alter the character of the Agricultural Buildings. Any modification to the buildings shall be considered as part of a Site Plan and Plan of Operation to be submitted to the Village of Summit Plan Commission for review and approval without the necessity of a public hearing unless the Plan Commission feels one is necessary.
14. There shall be no outdoor amplified music permitted at any private event. Any other proposed outdoor music shall be included with the Conditional Use application and shall be included as part of the Conditional Use conditions.
15. In accordance with the requirements of Section 18-6 of the Village Code, the sound level and decibels determined at the property line shall be limited to the decibel level permitted for residential uses.
16. Any food trucks at a private event, including the number and location, shall be submitted to the Village of Summit for review and approval as part of the Conditional Use application and shall be included as part of the Conditional Use Permit.

SECTION 3: All ordinances or parts of this ordinance conflicting or violating the provisions of this ordinance are hereby repealed.

SECTION 4: This ordinance shall be effective upon passage and publication as required by law.

PASSED AND ADOPTED by the Village Board of the Village of Summit, Waukesha County, Wisconsin this _____ day _____, 2024.

VILLAGE OF SUMMIT

BY:_____
Village President

ATTEST:

_____
Village Clerk

APPROVED

Amy Barrows

From: Lisa Tadych <l
Sent: Tuesday, June
To: Amy Barrows
Cc: Kevin Tadych; Rebekah Carsey
Subject: Re: White Stag 1894, LLC 05282024 Ordinance

Hi Amy:

Yes! Absolutely, the petition for the Ordinance is coming from:
Sunset Family Farms, LLC, Members: Kevin L. Tadych and Lisa M. Tadych

To be clear, I am the member of both entities-
Sunset Family Farms, LLC and
White Stag 1894, LLC
(White Stag 1894, LLC Members: Lisa M. Tadych and Rebecca M. Carsey)

I am sorry if I did not make that clear on the application :)! AND if I need to change the application, I can do that too.

Thanks for the heads up on timing!

Lisa
(and Kevin)
Tadych

Sunset Family Farms, LLC
Farm Site Address:
37736 Sunset Drive (Hwy 18)
Oconomowoc, WI 53066

On Jun 4, 2024, at 9:53 AM, Amy Barrows <planner@summitvillage.org> wrote:

Lisa,

Zoning Ordinance Text Amendment Proposal
6/20/2024 Plan Commission Meeting
Road Setback

Staff Report Village of Summit, Wisconsin

Possible Motion:

Motion to recommend that Village Board adopt a text amendment to Section 111-347(e)(1)j, reducing the accessory structure minimum front/street setback from 75 ft. to 50 ft. in the R-1 Estate Residential District.

Summary:
In 2023, the Village Board adopted an ordinance that modified the road setback in several districts from 75 ft. to 50 ft. The ordinance incidentally did not amend Section 111-347(e)(1)j, which is specific to accessory structures in the R-1 District.

The provision currently reads: **"**Accessory structure minimum front/street setback: 75 feet from base setback line. Where an existing pattern of development exists less than the requirement listed above, refer to section 111-96(a)(5)."

In an effort to be consistent with the intent of the 2023 text amendment, 75 ft. should be replaced with 50 ft.

STATE OF WISCONSIN VILLAGE OF SUMMIT WAUKESHA COUNTY

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND RE-CREATE THE TEXT OF CHAPTER 111 ZONING CODE OF THE VILLAGE OF SUMMIT CODE OF ORDINANCES RELATED TO ROAD SETBACK

WHEREAS, pursuant to Section 111-386(b)(1) of the Village Code, the Village of Summit Zoning Administrator recommended amending the text of Chapter 111 "Zoning and Shoreland Protection" of the Village of Summit Code of Ordinances, and

WHEREAS, the Village Planner made the recommendation at the June 20, 2024 Plan Commission meeting to revise the terms of the Village Code in order to reduce the required front/street setback for accessory structures in the R-1 Estate Residential District; and

WHEREAS, upon publication of the required "Notice of Public Hearing" pursuant to Section 111-387(b)(1)(a) of the Village Code and mailing of said "Notice of Public Hearing" to all parties-in-interest as required by Section 111-387(b)(1)(b) of the Village Code, the Plan Commission for the Village of Summit held a public hearing on June 20, 2024, as required by Section 111-386(b)(4) of the Village Code; and

WHEREAS, at the June 20, 2024 Plan Commission public hearing, the Village Zoning Administrator presented information on the proposed text amendments; and

WHEREAS, following the June 20, 2024 Plan Commission public hearing, the commissioners considered the information presented at the public hearing; and

WHEREAS, the Plan Commission recommended approval of the proposed changes, and directed Village staff to prepare an Ordinance for Village Board consideration; and

WHEREAS, the Village Board finds that this change to the Village Zoning Code is not a down zoning ordinance because it does not decrease the development density of land and it does not reduce the permitted uses of land, and therefore the super majority requirement of Section 66.10015, Wisconsin Statutes, does not apply to this ordinance; and

WHEREAS, the Village Board of the Village of Summit, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, and having based its determination on the effect of the granting of such zoning text amendments on the health, safety and welfare of the community, hereby determine that the amendments will not violate the spirit or intent of the Village Code, and will not be contrary to the public health, safety or general welfare of the Village of Summit.

DRAFT

NOW, THEREFORE, the Village Board of the Village of Summit, Waukesha County, Wisconsin, DO ORDAIN as follows:

SECTION 1: Chapter 111 of the Village of Summit Municipal Code entitled "Zoning and Shoreland Protection," Article XII entitled "District Regulations," Section 111-347 entitled "Estate Residential District (R-1)," Subsection (e) entitled "Bulk regulations (R-1)," Subsection (1) "Standard development requirements," Subsection j is hereby repealed and recreated to read as follows:

Accessory structure minimum front/street setback: 50 ft. from base setback line. Where an existing pattern of development exists less than the requirement listed above, refer to section 111-96(a)(5).

SECTION 2. SEVERABILITY.
The several sections of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a decision of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section of portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the Ordinance. The remainder of the Ordinance shall remain in full force and effect. Any other Ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

SECTION 3. EFFECTIVE DATE.
This Ordinance shall be in full force and effect from and after its passage and publication.

Passed and adopted this _____ day of _____, 2024.

VILLAGE OF SUMMIT

_____
Jack Riley, Village President

ATTEST:

_____
Debra J. Michael, Village Administrator-Clerk/Treasurer

Published and posted this _____ day of _____, 2024.

This instrument drafted by
Amy Barrows, Village Planner

DRAFT

Loften – Regulated Household Animals
35918 Genesee Lake Road (SUMT0667993)
SUMT0667993
Conditional Use
6/20/2024 Plan Commission Meeting

Staff Report Village of Summit, Wisconsin

Property Owner:	Travis Loften
Applicant:	Same
Zoning:	R-1 Estate Residential (130,000 sq. ft./unit, min. 2-acre lot size), EC, WL, and FP Overlays
Land Use Plan:	SF Residential 2.4-acre density, PC and WL

Possible Motion:
Motion to approve the Conditional Use request to raise two pigs as regulated household animals, and as further defined as confined hobby animals, in accordance with the enclosed Conditional Use Agreement, subject to Village Attorney review.

Summary:
The subject property consists of 4.3 acres on the north side of Genesee Lake Road, directly west of the Bark River. The property is served by a private septic system and well. There is wetland, floodplain, and environmental corridor along the Bark River. There is a single-family residence, detached garage, and barn on the property.

In 2018, the Plan Commission granted a Conditional Use Permit to allow the applicant to keep two pigs on the subject property. The conditions of that Conditional Use Permit required the applicant to renew the Conditional Use Permit every five years. Rather than renewing the permit, the applicant chose to terminate the Conditional Use in 2023. Staff verified that the pigs and associated pen were removed. Staff allowed the fenced in area to remain.

The applicant would like to apply for the same Conditional Use Permit as requested in 2018. The two pigs will be kept in the barn and in a fenced pen area behind the barn as shown on the site plan approved in 2018 and included in the packet materials. The activities will not be located near the natural resource areas. In accordance with Section 111-321, the applicant is allowed to have one animal per two acres (a total of 2 on the subject property). There are also several other conditions that must be met. These conditions are included in the packet materials. The 2018 staff report, including tables that indicate the conditions that must be met, is also included in the packet materials. It appears the applicant will comply with all conditions of the ordinance.

Enclosed in an updated Conditional Use Agreement for consideration.

Sec. 111-321. Conditional uses permitted.

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

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].

3. *Vaccinated.* All regulated household animals must be vaccinated not less than annually by a veterinarian who is licensed in the State of Wisconsin.

4. *Dropping disposal.* The keeper of any regulated household animals shall cause droppings to be collected in a container or receptacle that when enclosed shall be vermin-proof and fly-tight. Every such keeper shall cause all droppings so collected to be disposed of in such a manner as to not permit the presence of a nuisance to the surrounding neighborhood.

5. *Net parcel area.* For purposes of this subsection (3), "net parcel area" does not include land located within wetlands, land within the wetland conservancy or floodplain overlay district; land within a primary environmental corridor; and land with slopes exceeding 20 percent.

6. *Setbacks.* Structures which enclose regulated household animals shall maintain the following minimum setbacks:

(i) From the front property line: 50 feet.

(ii) From the side and rear property lines: 50 feet.

(iii) From a dwelling unit on the same parcel: 50 feet.

(iv) From the nearest setback line required for a dwelling unit on an adjacent parcel: 50 feet.

(v) From a domestic well: 30 feet for up to ten animals; 50 feet for more than ten animals.

d. *Regulated household animal conditional use permit procedures.* All regulated household animal conditional use permits are subject to the following applications procedures and requirements, which shall be in addition to the ordinary conditional use procedures described in article XI of this chapter:

1. Building, site and operational plans must be submitted and shall be subject to the review described in article X of this chapter.
2. The regulated household animal use must be accessory to an otherwise permitted use.
3. The application fee for a regulated household animal conditional use permit shall be set by separate resolution of the village board.
4. Written notice of the public hearing shall be sent by regular mail to the last known address of all landowners within 300 feet of the subject property.
5. The issuance of the conditional use permit is subject to the plan commission finding that such regulated household animal will not adversely affect the use of adjacent land and is compatible with surrounding and nearby land uses.
6. The plan commission may require such measures or provisions by the applicant as may be deemed necessary to provide adequate protection of surrounding property.
7. The plan commission may deny the request for a regulated household animal conditional use permit on the basis of the finding that such use would be incompatible with surrounding and nearby land uses, a possible nuisance, and/or not in the public interest.

e. One regulated household animal conditional use permit per parcel. There shall be no more than one regulated household animal conditional use permit allowed on any one parcel in the Village of Summit.

f. *Nuisances.* In all cases, regardless of the number of dogs or confined hobby animals on a parcel, if the keeping of any number of dogs or confined hobby animals accessory to the principal use becomes a nuisance to the neighborhood as may be determined by the plan commission or the village board, such use shall be terminated or the nuisance abated. The keeping of confined hobby animals without a regulated household animal conditional use permit, and the keeping of more dogs than are permitted by right on a property without a regulated household animal conditional use permit, unless such uses are otherwise expressly permitted by this chapter, is declared to be a public nuisance. Where necessary, the plan commission or village board may take appropriate steps to abate such nuisance.

g. [Intentionally omitted.]

h. *Exception for permitted uses.* This subsection (3) shall not be interpreted to require a conditional use permit for uses that are expressly permitted by right or by conditional use permit by other sections of this chapter.

i. *Duration and assignment.* Regulated household animal conditional use permits shall have limited duration, with a term specifically prescribed by the plan commission, which shall not be longer than five years. The conditional use permit may be renewed thereafter for such additional terms as the plan commission deems appropriate, in the event that the use of the property is compatible with the surrounding areas and is in substantial compliance with the terms of the preceding conditional use order. Regulated household animal conditional use permits shall not be transferable either as to different owners or as to different property.

Village Hall, 567-2757
Fax, 567-4115
Highway Dept., 567-2422
Police Dept., 567-1134
Building Inspector490-4141

Summit Village Hall ● 2911 N. Dousman Road ● Oconomowoc, WI 53066

TO: Jim Siepmann, Chairman
Plan Commission members

FROM: Henry Elling, Village Planner

DATE: June 14, 2018

SUBJECT: **Regulated Household Animals Section 111-321(C)**
Decision Worksheets for Conditional Use Permit

Mr. Travis Loften owns 4.6 acres of land at 35918 Genesee Lake Road. The property is zoned R-1 Estate Residential District. Mr. Loften has applied for a conditional use permit under Section 111-321(C) to raise two pigs on the property. The Village Attorney distributed sample worksheets at the joint Village Board worksession on June 11. I have used these worksheets to create a pattern for use in the Village of Summit.

According to Attorney Macy notes, the State of Wisconsin has preempted municipal authority regarding conditional use permits in a number of respects, effective November 29, 2017. Decisions concerning conditional use permits now must be based upon "substantial evidence", which is defined as follows:

"Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

Note two additional requirements of the new laws:

1. Any condition imposed must relate to the purpose of the ordinance and be based on substantial evidence.
2. If an applicant for a conditional use permit meets or agrees to meet all requirements and conditions specified in the ordinance, the conditional use permit must be granted.

This decision sheet is provided as a tool to work through the decision-making process in light of the new statutory requirements and applicable Village of Summit ordinances. As this is the first time the Village of Summit has operated under the new conditional use laws, the Plan Commission reserves the ability to proceed differently than outlined in this decision sheet if they find it appropriate to do so.

*** Nearly all the material included in this report is based on a sample provided by Attorney John Macy and Attorney Eric J. Larson of Municipal Law Litigation Group, S.C.*

Are the following conditions and requirements related to the purpose of the ordinance, based on substantial evidence, reasonable, and to the extent practicable, measurable? If the answer is "no", conditions that fail to meet this test must be removed or revised to satisfy the test.

Specific Conditional Use Criteria for Regulated Household Animals under Section 111-321(C)	Applicant provided substantial evidence (1)	Opponents provided substantial evidence (2)	Plan Commission finds Standard is met (3)
		YES	NO
111-321(C)(2)(b) One confined hobby animal may be permitted for each two acres of net area	Yes / No	Yes / No	Yes / No
111-321(C)(3)(a) Commercial activities such as sale of breeding of regulated household animals are prohibited	Yes / No	Yes / No	Yes / No
111-321(C)(3)(b) Regulated household animals may only be allowed by conditional use permit if they are kept for pleasure, companionship or traditional transport	Yes / No	Yes / No	Yes / No
111-321(C)(3)(c) All regulated household animals must be vaccinated not less than annually by a veterinarian who is licensed in the State of Wisconsin	Yes / No	Yes / No	Yes / No
111-321(C)(3)(d) The keeper of any regulated household animal shall cause droppings to be collected in a container or receptacle that when enclosed shall be vermin-proof and fly-tight. Every such keeper shall cause all droppings so collected to be disposed of in such a manner as to not permit the presence of a nuisance to the surrounding neighborhood	Yes / No	Yes / No	Yes / No
111-321(C)(3)(e) For purposes of this subsection (C), "parcel area" does not include land located within wetlands, land within the wetland conservancy or floodplain overlay district; land within a primary environmental corridor; and land with slopes exceeding 20 percent	Yes / No	Yes / No	Yes / No
111-321(C)(3)(f) Structures maintain the following minimum setbacks:			
(f)(1) from the front property line: 50 feet	Yes / No	Yes / No	Yes / No
(f)(2) from the side and rear property line: 50 feet	Yes / No	Yes / No	Yes / No
(f)(3) from a dwelling unit on the same parcel: 50 feet	Yes / No	Yes / No	Yes / No
(f)(4) from the nearest setback line required for a dwelling unit on an adjacent parcel: 50 feet	Yes / No	Yes / No	Yes / No
(f)(5) from a domestic well: 30 feet for up to ten animals	Yes / No	Yes / No	Yes / No

If the Plan Commission answer "no" in the last column above, the CU Permit must be denied. Otherwise proceed to the next criteria.

(1) The Plan Commission finds that the applicant has provided substantial evidence to show that the applicant meets or agrees to meet this standard.

(2) Opponents of the issuance of the conditional use permit have shown substantial evidence that the applicant will not meet this standard.

(3) The Village of Summit Plan Commission finds, based upon substantial evidence presented, that the applicant meets or has agreed to meet this standard.

Are the following conditions and requirements related to the purpose of the ordinance, based on substantial evidence, reasonable, and <u>to the extent practicable, measurable?</u> If the answer is "no", conditions that fail to meet this test must be removed or revised to satisfy the test.

		YES	NO
Site Plan Criteria – Section 111-278	Applicant provided substantial evidence [1]	Opponents provided substantial evidence [2]	Plan Commission finds Standard is met [3]
(A) While the village encourages creative and innovative building design, the village discourages building design or exterior appearance so unorthodox or abnormal of character in relation to the surroundings as to be considered unsightly or offensive to generally accepted taste and community standards. (B) Buildings should have a variety of design or exterior appearance to limit structures identical with those adjoining this site or to create excessive monotony or drabness. (C) The exposed facade of a building should use a finishing material that is aesthetically compatible with other facades in the surrounding development. (D) The exposed facade of a building should use a finishing material that presents an attractive appearance to the public and to surrounding properties. (E) Persons should locate structures on a property in a manner that would limit unnecessary destruction or substantial damage to the natural beauty and aesthetics of the area, particularly as it adversely affects values of land in that area; or would unnecessarily have an adverse effect on the beauty and general enjoyment of existing structures on adjoining properties. (F) The treatment of the site shall give appropriate consideration to maximum preservation of natural vegetation, to provision for appropriate storm water drainage and possible retention, and to the provision for safe ingress, egress and accessibility for normal and emergency services. (G) Operational plans shall give appropriate consideration to minimize the potential adverse effect of noise, dust or odor resulting from such operation as well as the impact upon the existing character of the neighborhood resulting from patterns of traffic flow, hours of operation, lighting, shift changes and similar factors.	Yes / No	Yes / No	Yes / No
The site plan per Section 111-278(A) is complete and meets the intent of the ordinance	Yes / No	Yes / No	Yes / No
The plan of operations per Section 111-278(B) is complete and meets the intent of the ordinance	Yes / No	Yes / No	Yes / No

If the Plan Commission answer "no" in the last column above, the CU Permit must be denied. Otherwise proceed to the next criteria.

(4) The Plan Commission finds that the applicant has provided substantial evidence to show that the applicant meets or agrees to meet this standard.

(5) Opponents of the issuance of the conditional use permit have shown substantial evidence that the applicant will not meet this standard.

(6) The Village of Summit Plan Commission finds, based upon substantial evidence presented, that the applicant meets or has agreed to meet this standard.

Approval Conditions:

1. Are the conditions proposed by the Village of Summit Plan Commission related to the purpose of the ordinance and based on substantial evidence?

YES NO

If the answer is "No", conditions that fail this test must be removed or revised to satisfy the test.

2. Are the conditions proposed by the Village of Summit Plan Commission reasonable and to the extent practicable, measurable?

YES NO

If the answer is "No", conditions that fail this test must be removed or revised to satisfy the test.

3. Should additional conditions be imposed related to the purpose of the ordinance, based on substantial evidence, that are reasonable and to the extent practicable, measurable or conditions to be added concerning the permit's duration, transfer or renewal?

YES NO

If yes, state the additional conditions:

_____

_____

_____

_____

4. Has the applicant agreed to meet all of the requirements and conditions specified by the Village of Summit Plan Commission?

YES NO

If the Plan Commission answer "yes", proceed to the next section. If the Plan Commission answer is "no", the CU Permit must be denied.

Proposed Motions:

A. Motion to prepare a Conditional Use Permit for consideration on July 19, 2019:

I move to direct staff to prepare a draft conditional use permit for the regulated household animals in the form presented by the Applicant, Travis Loften, subject to the following conditions:

B. Motion to deny:

I move to deny the conditional use application as the applicant has failed to show by substantial evidence that the applicant meets or agrees to meet all of the requirements and conditions specified in the Village of Summit Zoning Code or those imposed by the Village of Summit Plan Commission, and substantial evidence in this matter supports the decision to deny, subject to the following:

The Village of Summit Planner is directed to draft a written decision for denial and place it in final form consistent with the discussion of the Village of Summit Plan Commission.

VILLAGE OF SUMMIT ORDER
GRANTING A CONDITIONAL USE AND
PRESCRIBING CONDITIONS FOR
TRAVIS LOFTEN
TO RAISE TWO PIGS AS REGULATED HOUSEHOLD ANIMALS, AND AS FURTHER
DEFINED AS CONFINED HOBBY ANIMALS,
AT 35918 GENESEE LAKE ROAD
IN THE VILLAGE OF SUMMIT

WHEREAS, the petitioner is the owner of 4.3 acres of land at 35918 Genesee Lake Road in the Village of Summit, (hereinafter "Subject Property"), legally described as follows:

(See Exhibit "A" attached)

WHEREAS, a petition was filed in 2018 by the petitioner to have two pigs on the property pursuant to the Village of Summit Code, Section 111-321(3); and

WHEREAS, the petitioner was granted a conditional use permit to have two pigs on the property subject to several conditions. One of the conditions required that the conditional use permit be renewed every five years; and

WHEREAS, the petitioner requested to terminate the conditional use permit in 2023 rather than renewing the conditional use permit; and

WHEREAS, at the petitioner's request, the plan commission terminated the conditional use permit that allowed the owner to house two pigs on the subject property on February 16, 2023; and

WHEREAS, the petitioner filed a conditional use application on May 8, 2024 to raise two pigs in accordance with Section 111-321(3) as regulated household animals, and as further defined as confined hobby animals, on the subject property; and

WHERAS, said application shall be subject to the application, procedures, and requirements pursuant to Article XI of the Code of Ordinances of the Village of Summit; 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, June 20, 2024, as required by Section 111-312(b) of the Code; and

WHEREAS, the Plan Commission took into account the comments from the June 20, 2024 public hearing into consideration, reviewed the Code requirements, and also the requirements of 2017 Act 67; and

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

WHEREAS, this Conditional Use Permit is the only Conditional Use Permit assigned to this property; and

WHEREAS, the Plan Commission for the Village of Summit, following the 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 and Shoreland Ordinance for the Village of Summit, would not be contrary to the public health, safety or general welfare of the 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 the previously issued Conditional Use Permit for regulated household animals on the subject property; and

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 the housing and raising of two pigs on the above-described property, subject to the following conditions:

    1. OPERATION: The operation and layout shall be in substantial compliance with the attached drawing and with the application and representations made to the Plan Commission of the Village of Summit. The subject property shall, at all times, be maintained in a neat and orderly condition. The approved operation provides for the keeping of up to two pigs subject to following all regulations of Section 111-321(3).

    2. BUILDING: Building shall consist of a 1,020 square foot outbuilding with attached 240 square foot exterior pen to the north of the outbuilding.

3. SETBACKS: The existing outbuilding attached to this use shall not be expanded or relocated without permission of the Plan Commission. The existing outbuilding attached to this use meets the required setbacks.

4. GARBAGE, REFUSE and WASTE PRODUCTS: 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 north of the pen.

5. ACCEPTANCE: As a condition precedent to the issuance of a Conditional Use Permit, Travis Loften is 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. 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.

D. 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.

E. 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.

F. 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.

G. 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.

H. This Conditional Use Permit shall be effective for a continued term of five years [through January 1, 2030]. 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.

I. 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.

J. 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.

K. Upon acceptance by the Petitioner of this Conditional Use Permit, all prior Conditional Use Permits for the property are hereby terminated.

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 and Village Board of the Village of Summit, and let copies be sent to the proper Village authorities and the petitioner.

Approved this ____ day of July, 2024.

BY THE PLAN COMMISSION
FOR THE VILLAGE OF SUMMIT

_____	_____
James Siepmann	Debra Michael
Plan Commission Chairman	Village Administrator – Clerk/Treasurer

ACCEPTANCE

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

Date this _____ day of _____, 2024.

By: _____
Travis Loften

This Conditional Use was drafted by
Amy Barrows, Village Planner

Rogers Memorial Hospital – Site Plan Improvements
34700 Valley Road (SUMT0622977002)

6/20/2024 Plan Commission Meeting

Staff Report Village of Summit, Wisconsin

Property Owner:	Rogers Memorial Hospital
Applicant:	Barb Whitstone
Zoning:	IN - Institutional District w/ Wetland and Environmental Corridor Overlays
Land Use Plan:	Institutional w/ Wetland and Primary Environmental Corridor

---

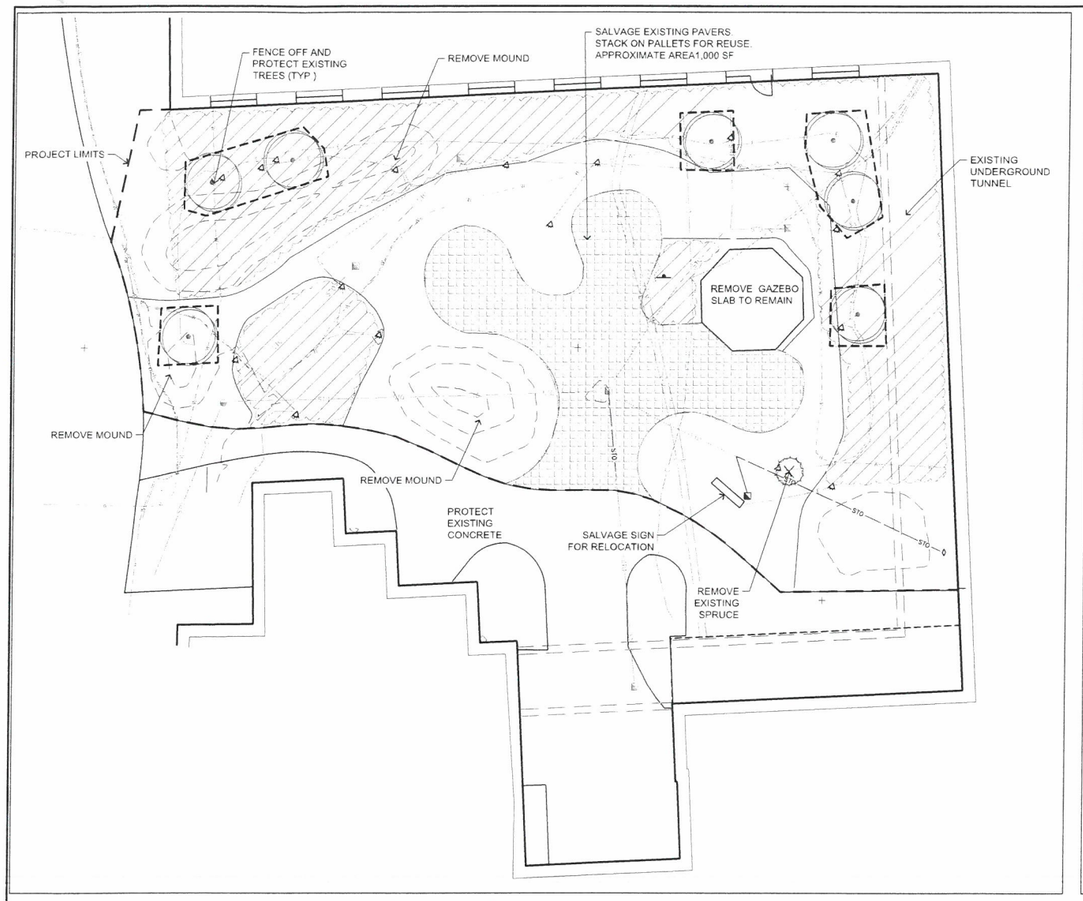
Possible Motion:

Motion to approve the Site Plan improvements as presented.

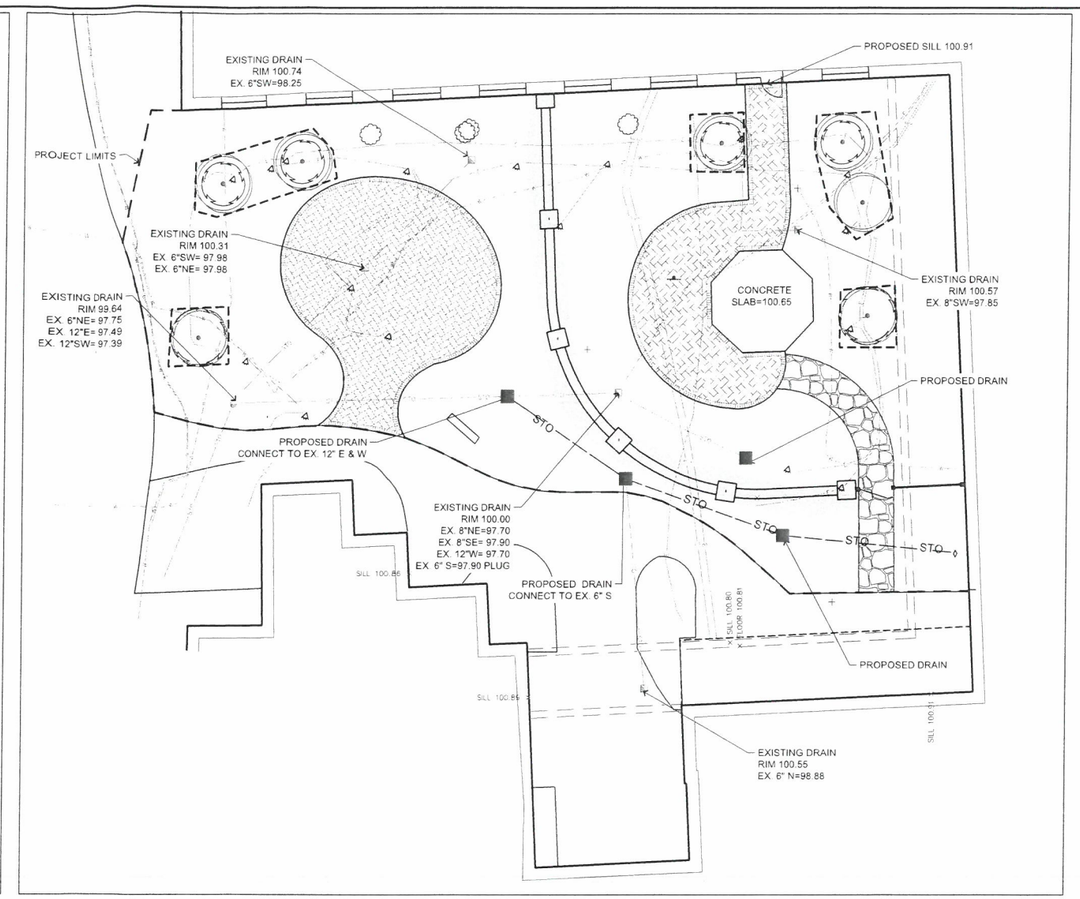
Summary:

The applicant is proposing to install an 8-ft. tall brick wall to provide a private courtyard area for Roger's inpatient population. The wall is proposed in an existing alcove area (labeled as #26 – patient garden on the approved Future Master Plan), located next to the main campus building (labeled as #3 – inpatient/residential behavioral health hospital). The project will also include a new 550 sq. ft. paver walk and patio, subtle lighting, irrigation, fence, and relocated sign and path. A copy of the existing Conditional Use Permit is included in the packet. It appears the proposed improvements meet the terms of the Conditional Use Permit. Plan Commission review would be limited to Site Plan review.

Rogers Memorial Hospital Location of Proposed Courtyard



EXISTING CONDITIONS AND DEMO PLAN



DRAINAGE PLAN

GENERAL DEMOLITION NOTES

- IRRIGATION SYSTEM REMOVED AND TO BE RECONFIGURED FOR NEW LAYOUT.
- LIGHTING REMOVED AND TO BE RECONFIGURED FOR NEW LAYOUT.
- EXISTING FLAGSTONE STEPPERS TO BE SALVAGED FOR REUSE.
- CONTRACTOR TO REMOVE AND STORE ON SITE ALL EXISTING SHRUBS, ORNAMENTAL GRASSES, AND PERENNIALS WITHIN PROJECT LIMITS FOR FUTURE TRANSPLANTING.

GENERAL DRAINAGE NOTES

- CONTRACTOR RESPONSIBLE TO PROVIDE POSITIVE DRAINAGE TO EXISTING AND PROPOSED DRAINS.

NORTH

0 5 10 20
GRAPHIC SCALE

811
Know what's **below.**
Call before you dig.

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DATE	DESCRIPTION

raSmith
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Brookfield, WI | Milwaukee, WI | Appleton, WI | Madison, WI
Cedarburg, WI | Naperville, IL | Irvine, CA

ROGER'S MEMORIAL HOSPITAL
OCONOMOWOC, WI

EXISTING CONDITIONS/DEMO PLAN AND DRAINAGE PLAN

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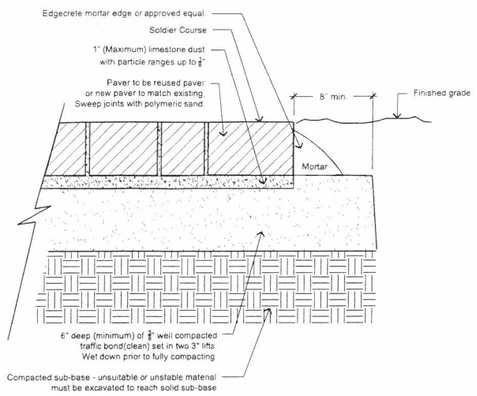
R.A. Smith, Inc.

DATE: 10/02/2023
SCALE: 1" = 10'
JOB NO. 3230128
PROJECT MANAGER:
TOM MORTENSEN, ASLA, PLA
DESIGNED BY: NJW
CHECKED BY: TM

SHEET NUMBER
L100

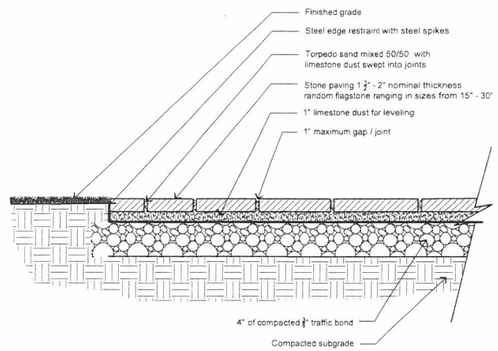
:230128\Dwg\Sheets\3230128 LSP01.dwg, L100 Ex Conditions & Demo Plan, 12/5/2023 11:12:10 AM, njp



1 PAVER SECTION DETAIL

NOT TO SCALE

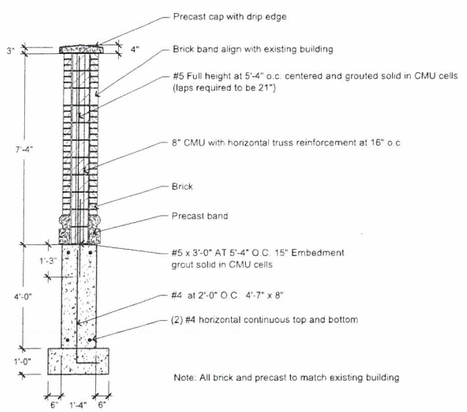
ras-2023-3230128-09



2 FLAGSTONE PAVING SECTION

NOT TO SCALE

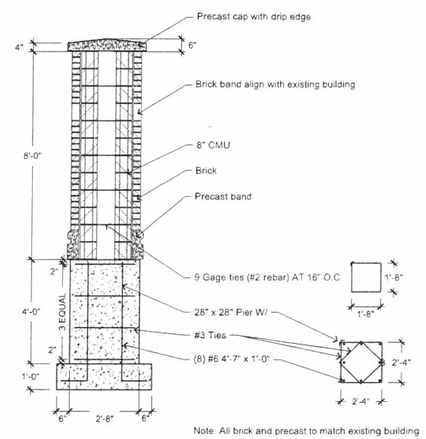
ras-2023-3230128-11



3 BRICK WALL SECTION

NOT TO SCALE

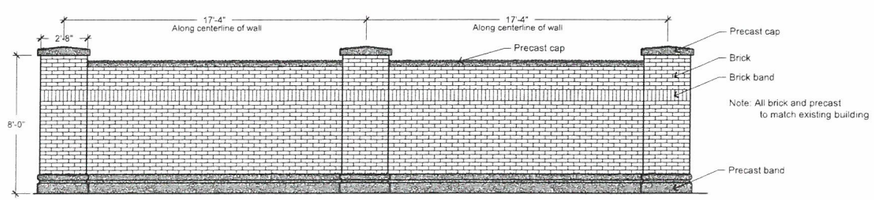
ras-2023-3230128-14



4 BRICK COLUMN SECTION

NOT TO SCALE

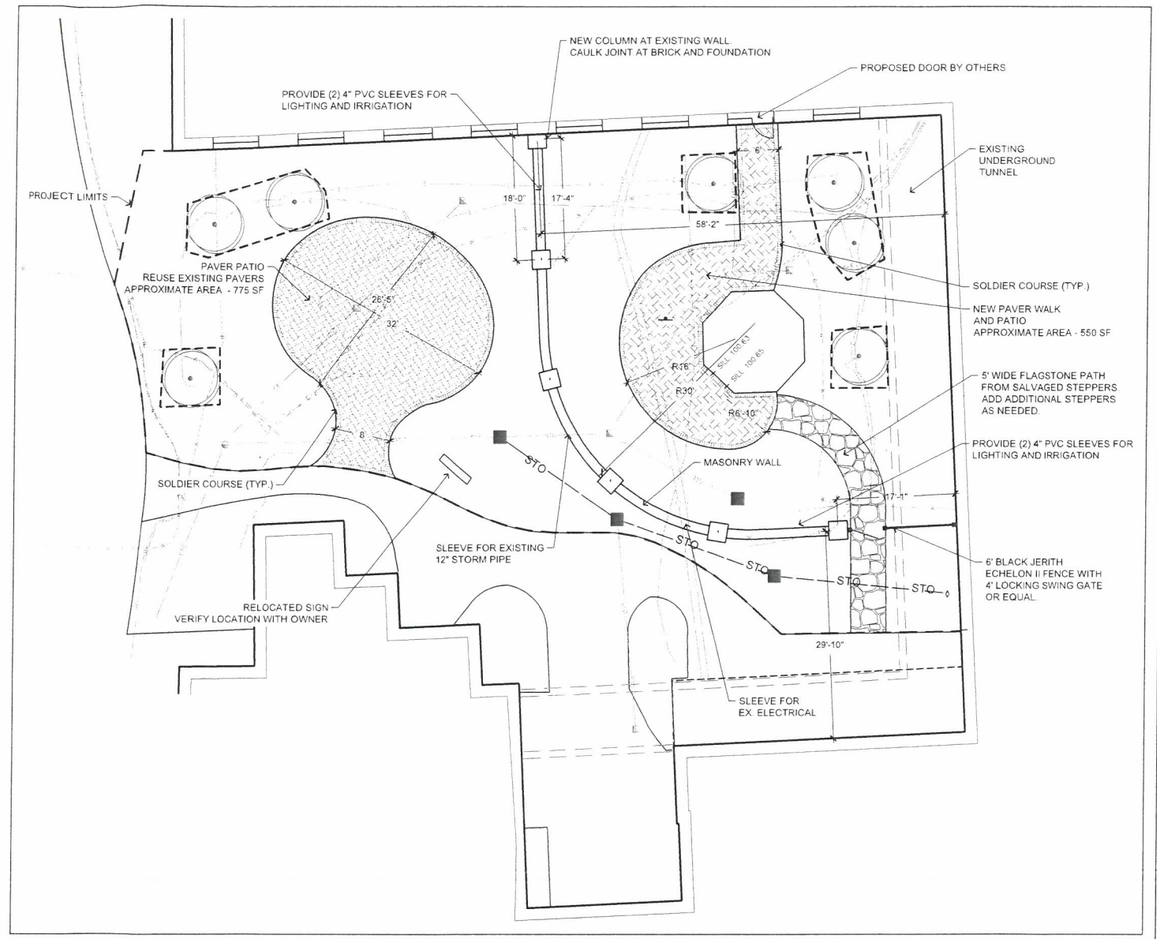
ras-2023-3230128-06



5 BRICK WALL ELEVATION

1/4" = 1'-0"

ras-2023-3230128-10



NORTH

0 5 10 20
GRAPHIC SCALE

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(262) 781-1000
rasmith.com
Brookfield, WI | Milwaukee, WI | Appleton, WI | Madison, WI
Cedarburg, WI | Naperville, IL | Irvine, CA

ROGER'S MEMORIAL HOSPITAL
OCONOMOWOC, WI

PAVING AND WALL PLAN

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R.A. Smith, Inc.

DATE: 10/02/2023
SCALE: 1" = 10'
JOB NO. 3230128
PROJECT MANAGER: TOM MORTENSEN, ASLA, PLA
DESIGNED BY: TM/REW
CHECKED BY: TM

SHEET NUMBER
L200

-230128\Dwg\Sheets\3230128 L5P01.dwg, L200 Hardscape Plan, 12/5/2023 10:33:52 AM, rep

VILLAGE OF SUMMIT ORDER
GRANTING A CONDITIONAL USE AND
PRESCRIBING CONDITIONS FOR
ROGERS MEMORIAL HOSPITAL
TO OPERATE A MENTAL HEALTH TREATMENT FACILITY
AND ASSOCIATED ACTIVITIES
IN THE VILLAGE OF SUMMIT
[UPDATED 12-17-2020]

WHEREAS, the Petitioner is requesting that an amended conditional use permit be granted pursuant to the Village Code for the Village of Summit for land located in Section 12 of the Village of Summit on the north side of Valley Road, east of Sawyer Road, all as described on Exhibit A attached hereto and incorporated herein (hereinafter "SUBJECT PROPERTY"); and

WHEREAS, the subject property is currently zoned Institutional District per Section 111-356 of the Village Code of the Village of Summit; and

WHEREAS, pursuant to Section 111-356(D)(1) and (2), the operation of hospitals, sanitariums, and nursing homes and outpatient care facilities, is an authorized conditional use on the property; and

WHEREAS, the petitioner previously received a conditional use permit for the remodeling of a residence on the property on or about August 23, 1973, from Waukesha County and the Town of Summit; and

WHEREAS, the petitioner previously received a conditional use permit for the existing mental health treatment facility known as Rogers Memorial Hospital, for office space for rental to Winning Ways Educational, Inc., for a Ropes Course for Rogers Memorial Hospital, and for an outpatient clinic for Kettle Moraine Treatment Center on or about November 2, 1993 from Waukesha County and the Town of Summit; and

WHEREAS, the petitioner previously received a conditional use permit modifying the previous conditional use permit maintaining the existing mental health treatment facility known as Rogers Memorial Hospital and the Ropes Course for Rogers Memorial Hospital, eliminating the rental of office space to Winning Ways Educational, Inc., and the outpatient clinic for the Kettle Moraine Treatment Center, approval of one of the lake homes for use by eating disordered patients and of the west cottage for use by chemically dependent patients and approval of fund-raising activities on or about October 18, 1995, from Waukesha County and the Town of Summit; and

WHEREAS, the petitioner previously received a conditional use permit modifying the previous conditional use permit to allow a second lake home for use by eating disordered patients on or about July 16, 1996; and

WHEREAS, the petitioner previously received a conditional use permit for modification to the existing conditional use permit to allow construction and use of a 30-bed residential eating disorder center to treat male and female eating disordered patients and the use of Lake House III and Lake House IV by eating disordered patients until such time as an occupancy permit is issued for the 30-bed residential facility and thereafter as offices for hospital staff on or about December 31, 1996 from Waukesha County and the Town of Summit; and

WHEREAS, the petitioner previously received a conditional use permit for modification to the existing conditional use permit to allow use of Lake House III and Lake House IV to treat obsessive-compulsive disordered patients; and

WHEREAS, the petitioner previously received a conditional use permit for construction of an addition to the main Rogers Hospital building, including the exterior parking area, outdoor cafeteria seating, and upgrading the gardens area, on or about September 15, 2004, from the Town of Summit; and

WHEREAS, the petitioner previously received a conditional use permit for the removal of Lake House III and Lake House IV and their uses, with new construction of the 20-bed Herrington Recovery Center for chemically dependent patients, along with and update plan of operations, overall site plan and specific architectural plans in July, 2008; and

WHEREAS, following incorporation of the Town of Summit to the Village of Summit, the petitioner previously received a Conditional Use Permit for the property on or about August 19, 2010, from the Village of Summit; and

WHEREAS, the petitioner previously received approval for modifications to the 2010 Conditional Use Permit to allow for the construction and use of multiple projects and activities per the Master Plan dated November 6, 2015 (Exhibit B); and

WHEREAS, the Village of Summit approved a Master Plan Amendment on March 12, 2020, to identify the possible property ownership configuration, proposed projects and land uses for Rogers Memorial Hospital (Exhibit C); and

WHEREAS, a petition was filed on August 13, 2020 on behalf of Rogers Memorial Hospital, Inc., 34700 Valley Road, Oconomowoc, Wisconsin, 53066. (hereinafter "PETITIONER"), by Jack Collier as agent; and

WHEREAS, upon receipt of the written application for a conditional use permit modification filed by the petitioner on August 13, 2020, the Village Planner properly referred such petition to the Plan Commission for the Village of Summit for determination; and

WHEREAS, upon referral of the petition by the Village Planner, the Plan Commission for the Town of Summit set a public hearing for November 19, 2020; and

WHEREAS, the Plan Commission held a public hearing on this request on November 19, 2020 reviewed the site information (including the Master Plan map Exhibit C), plan of operations and public comments and concerns regarding this operation, and the response by representatives of Rogers Memorial Hospital to those comments; and

WHEREAS, the Plan Commission for the Village of Summit, following 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 Village Code for the Village of Summit, would not be contrary to the public health, safety or general welfare of the 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.

THEREFORE, IT IS ORDERED AS FOLLOWS:

Commencing upon the date hereof, this modified and Amended Conditional Use Permit for the subject property is hereby granted. The Amended Conditional Use Permit granted herein shall apply only to the specific uses of the aforesaid premises outlined herein, and the Amended Conditional Use Permit shall continue in existence only so long as the conditional use is operated in compliance with this and the Conditional Use Permit. This Amended Conditional Use Permit is subject to initial and continued compliance with each and every one of the following conditions, restrictions and limitations. The following specific uses are hereby approved: (numbers reference the legend on the March 12, 2020 Conceptual Future Master Plan, Exhibit C)

1. **Multi-purpose Center for experiential therapy treatment of adolescent patients**

2. **Child/Adolescent Center for treatment of adolescent patients**

Presently, Rogers has a two story, forty-two (42) bed child adolescent CBRF building built in 2012. (Please see attached Master Plan number 2 with the addition section highlighted in blue as 2A). The majority of the building is a two story structure with a portion of the building being only one story.

2A. **Proposed Second Floor Roof Buildout - 8-12 Bed**

We are proposing to add a second floor to that one story section which will consist of four (4) to six (6) bedrooms and accommodate an additional 8 to 12 patients.

3. **Rogers Memorial Hospital**

For use as a mental health treatment facility including inpatient, residential care and related activities. Presently and as part of our main building, Rogers has a three story section built in 2012. The majority of the building is a three story structure with a small portion of the building being only two story.

3A. Proposed Third Floor Roof Buildout - 12 Bed

We are proposing to add a third floor to that two story section which will consist of six (6) bedrooms, a day room and nurses station and will an additional accommodate 12 patients.

4. **Kubly CBRF** used for patient care and related activities

5. **Smith House** – RBH owned Single family residential use, rental
   No institutional uses

6. **Herrington Recovery Center** used for patient care and related activities

7. **and 24. Proposed Aquatic Activities and Experiential Therapy Building**

An existing single family home, carport and related pier/boat activities presently occupies this location on the property. Previously approved as part of the November 2015 Master Plan, was a "Proposed Family Activity Center" and "RMH Lake Front Activities" (see Exhibit B Master Plan Legend Numbers 7 and 24 respectively). Rogers continues to propose these changes.

8. **English Garden** An area used as a display garden and for biophilic therapy.

9. **Future CBRF - 24 bed**

Previously approved as part of the November 2015 Master Plan, was a "Proposed 24 Bed CBRF" (see Exhibit B Legend Number 28). Rogers continues to propose this as previously shown.

10. **Lake House I** – RBH owned Single family residential use, rental
    No institutional uses

13. **Lake House II** – RBH owned, for staff use

15. **Ramsey House** – RBH owned, for staff use

16. **Children's Therapy Garden -** An area used as a display garden and for biophilic therapy

18. **Greenhouse** used as a greenhouse and for biophilic therapy

26. Rogers is proposing new landscaping and patient gardens in our existing central courtyard and will be used as a display garden and for biophilic therapy.

27, 28, 32, 33, 33A, 33B and 39
Rogers is proposing to add additional parking or expand existing parking areas at the above locations. When completed, a total of up to 698 off-street parking spaces will be provided on the property. Part of Item Number 27 and all of Item 39 were approved as part of the previously approved 2015 Master Plan shown in Exhibit B.

41. Maintenance Building
Rogers is proposing to construct a maintenance garage to the rear of our property for the storage and maintenance of RMH owned vehicles and equipment.

42. Family Research Center (2021)
The single story structure with an exposed lower level will be used as a comfort, resource and education center for family members of our patients. Additional uses will be for staff involved in patient research, a chapel, etc.

44. Additional residential lots
These single family lots have been acquired by Rogers and may be rezoned to Institutional zoning.

The Conditional Use Permit shall continue in existence only so long as Rogers Memorial Hospital, Inc., shall be the owner of the subject premises.

This Amended Conditional Use is granted for the aforementioned uses subject to the following conditions:

For use as a mental health treatment facility as specifically outlined in Exhibit C attached hereto and incorporated herein. The Petitioner shall update all of the plans and requirements of this Conditional Use, and such updated plans and requirements shall be subject to the approval of the Plan Commission for the Village of Summit, prior to commencement of any future construction activities, site preparation or the issuance of building permits, related to buildings, additions and related work that was the subject of the public hearing held on November 19, 2020.

1. USES: The use of the subject premises shall consist of normal mental health treatment activities including inpatient care, outpatient care and all activities which may be associated, except as otherwise expressly conditioned by the Conditional Use Permit or the plans approved hereunder.

2. PLAN OF OPERATION: An updated plan of operation for the subject property shall be submitted to and subject to approval of the Plan Commission for the Village of Summit by May 1, 2021.

3. SITE PLAN: For any new buildings on the property, a specific site plan, including new construction, site grading, parking, sanitary sewer utility connection(s), stormwater management and water supply and storage facilities of the proposed buildings affected area shall be submitted to and subject to approval of the Plan Commission for the Village of Summit.

4. BUILDING AND ARCHITECTURAL PLANS: For any new buildings on the property, specific building and architectural plans shall be submitted to and subject to approval of the Plan Commission for the Village of Summit.

5. SIGNAGE PLAN: A specific signage plan for the subject property shall be submitted to and subject to approval of the Plan Commission for the Village of Summit by May 1, 2022.

6. LIGHTING PLAN: For any new buildings on the property, specific lighting plans shall be submitted to and subject to approval of the Plan Commission for the Village of Summit.

7. PARKING PLAN: For any new buildings on the property, a specific parking plan shall be submitted to and subject to approval of the Plan Commission for the Village of Summit.

8. LANDSCAPING PLAN: For any new buildings on the property, a specific landscape plan shall be submitted to and subject to approval of the Plan Commission of the Village of Summit.

9. PLANS: The petitioner is required and must have all plans contemplated herein current, approved by the Plan Commission of the Village of Summit, and on file with the Plan Commission for the Village of Summit. The petitioner shall be entitled by amend and change any plan contemplated herein subject to the Plan Commission for the Village of Summit's approval and without a public hearing, if such amendment and/or change is not a substantial change from the original plan as approved and as allowed herein. Any amendment or change in any plan contemplated herein that the Plan Commission for the Village of Summit feels, in its sole discretion, to be substantial will require a new permit and all Village procedures in place at the time must be followed.

10. SPECIFIC UPDATES: In addition to the foregoing general updated information for purposes of the work contemplated at the public hearings held on March 12, 2020 and November 19, 2020, the petitioner shall do all of the following to the satisfaction of the Village Manager/Planner prior to commencement of any construction activities, site preparation or the issuance of any building permits, related to the building addition and

related work that was the subject of the public hearings held on March 12, 2020 and November 19, 2020.

a. The petitioner shall submit to and receive approval of all sanitary sewer connections, usage and capacities from the Summit Utility District #2 for all work contemplated at the public hearing of March 12, 2020 and November 19, 2020, and upon approval petitioner shall submit written proof of such approval to the Village Planner;

b. The petitioner shall submit to and receive approval from the Summit Fire District for the proposed construction including with regard to sprinkler requirements, and the petitioner shall submit written proof of such approval to the Village Planner.

c. The petitioner shall submit to and receive approval from the Village Engineer of a stormwater management and grading plan and shall submit proof of such approval to the Village Planner.

d. In the event the conditional use describes usage of various buildings differently than the petitioner intends to use the buildings, the petitioner shall so advise the Village Planner, and shall request, in particular, that updates be incorporated into the conditional use document and the plans incorporated therein.

Should any paragraph or phrase of this Amended 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 this Amended Conditional Use and the remainder shall continue in full force and effect.

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

Ratification: Except as specifically amended by this Amendment, the Conditional Use Permit remains in full force and effect and is hereby ratified by the parties.

Approved this 17th day of December, 2020.

BY THE PLAN COMMISSION
FOR THE VILLAGE OF SUMMIT

JIM SIEPMANN
Plan Commission Chairman

DEBRA J. MICHAEL,
Village Clerk

DocuSign Envelope ID: 0B078BC4-0562-4558-8121-2DC862D86A79

ACCEPTANCE

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

Date this _____ day of _____, 20__. Rogers Memorial Hospital, Inc.

1/12/2021

DocuSigned by:

By: Patrick T. Hammer

E2596DB1FEC2440...

This Conditional Use was drafted by
Village Planner Elling and Jack Collier, Rogers Behavioral Health

Exhibit A

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF PARCEL 4 OF CERTIFIED SURVEY MAP NO. 3007, PARCEL 2 OF CERTIFIED SURVEY MAP NO. 3008, PARCEL 5 OF CERTIFIED SURVEY MAP NO. 3009, PARCELS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 10589, PART OF LOT 8 AND ALL OF LOTS 9 AND 10 OF THE MAP OF SUELFLOWS SUBDIVISION, VACATED "NORTH HICKORY LANE" AND UNPLATTED LANDS, ALL BEING A PART OF THE SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHWEST 1/4, THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, THE NORTHWEST 1/4 AND NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWN 7 NORTH, RANGE 17 EAST, IN THE VILLAGE OF SUMMIT, WAUKESHA COUNTY, WISCONSIN.

PREPARED BY:
TRIO ENGINEERING, LLC
4100 N. CALHOUN ROAD,
SUITE 300
BROOKFIELD, WI 53005
PHONE: 262-790-1480

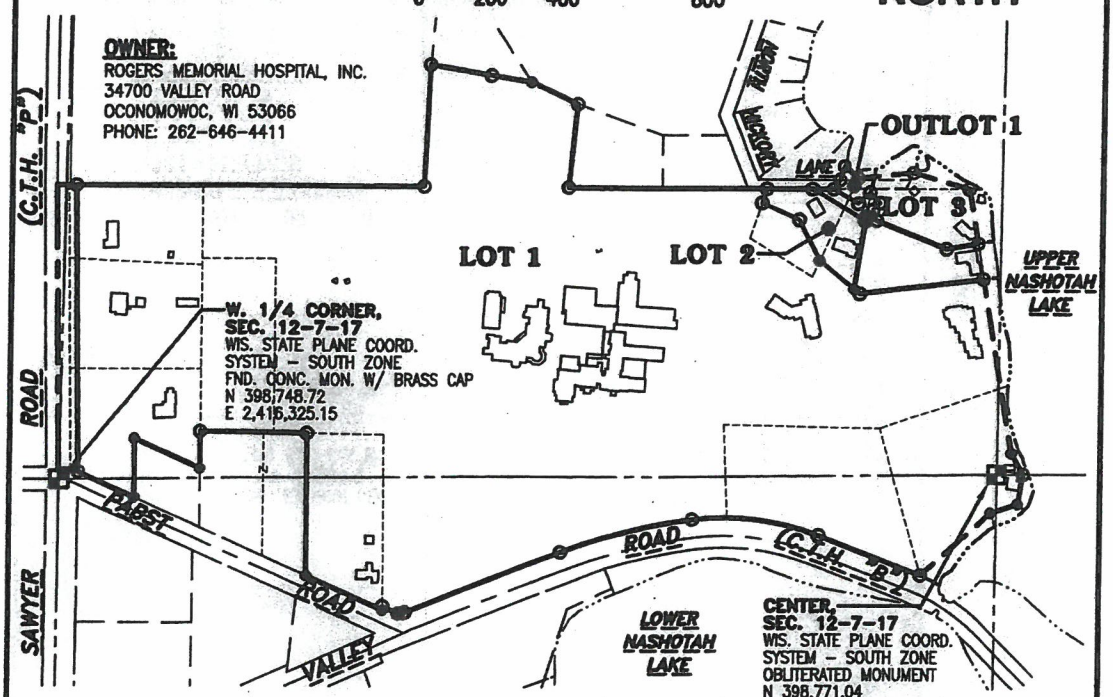
OVERALL DETAIL SHEET

SCALE: 1" = 400'

0 200 400 800

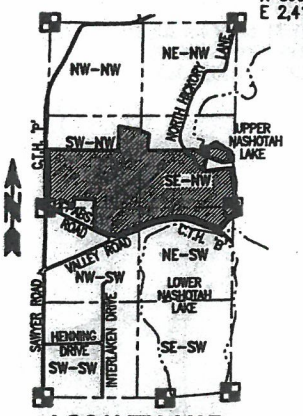
NORTH

OWNER:
ROGERS MEMORIAL HOSPITAL, INC.
34700 VALLEY ROAD
OCONOMOWOC, WI 53066
PHONE: 262-646-4411



NOTE:
- LOT 2 AND OUTLOT 1 MUST REMAIN UNDER SAME OWNERSHIP AND CANNOT BE SOLD SEPARATE FROM THE OTHER.

LEGEND:
- (R.A.) – INDICATES Recorded As bearings and distances
- (D.C.) – INDICATES Deed Call bearings and distances
- ■ – INDICATES Section Corner
- ○ – INDICATES "Set" 0.75" O.D. x 18" long Reinforcing Bar weighing 1.502 lbs. per lineal foot.
- ● – INDICATES "Found" and NOT accepted Monumentation (Unless otherwise noted). Set New 0.75" O.D. x 18" long Reinforcing Bar weighing 1.502 lbs. per lineal foot.



LOCALITY MAP
N.W. 1/4 + S.W. 1/4
SEC. 12, T. 7 N., R. 17 E.
SCALE: 1" = 2000'

NOTES:
- ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD-27), IN WHICH THE WEST LINE OF THE N.W. 1/4 OF SECTION 12, TOWN 7 NORTH, RANGE 17 EAST, BEARS N00°48'04"E.
- ALL TELEPHONE LINES, ELECTRIC LINES, CABLE TELEVISION LINES, TELECOMMUNICATIONS LINES, AND OTHER SIMILAR UTILITY SERVICES SHALL BE PLACED UNDERGROUND UNLESS THE APPLICANT OR UTILITY CAN DEMONSTRATE THAT UNDERGROUNDING IS NOT FEASIBLE.

WISCONSIN
GRADY L. GOSSER
S-2972
MENOMONEE FALLS, WI
LAND SURVEYOR

DRAFTED THIS 28th DAY OF MAY, 2020
THIS INSTRUMENT WAS DRAFTED BY GRADY L. GOSSER, S-2972

JOB NO. 07-005-781-02
SHEET 1 OF 15

H:\07005\781\07005-02\Survey\CSM\530CSM01.dwg

Exhibit A

SURVEYOR'S CERTIFICATE:

STATE OF WISCONSIN)
)ss
COUNTY OF WAUKESHA)

I, Grady L. Gosser, Professional Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped a redivision of Parcel 4 of Certified Survey Map No. 3007, Parcel 2 of Certified Survey Map No. 3008, Parcel 5 of Certified Survey Map No. 3009, Parcels 1 and 2 of Certified Survey Map No. 10589, part of Lot 8 and all of Lots 9 and 10 of The Map of Suelflows Subdivision, vacated "North Hickory Lane" and Unplatted Lands, all being a part of the Southwest 1/4 and Southeast 1/4 of the Northwest 1/4, the Southwest 1/4 of the Northeast 1/4, the Northwest 1/4 and Northeast 1/4 of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 12, Town 7 North, Range 17 East, in the Village of Summit, Waukesha County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the West 1/4 Corner of said Section 12; Thence North 00°52'16" West and along the centerline of "Sawyer Road" (C.T.H "P"), 28.33 feet to the place of beginning of lands hereinafter described;

Continuing thence North 00°52'16" West and along said centerline, 787.08 feet to a point; Thence South 89°59'53" East, 1001.27 feet to a point; Thence North 02°30'07" East, 336.60 feet to a point; Thence South 80°08'53" East, 171.80 feet to a point; Thence South 81°13'53" East, 114.22 feet to a point; Thence South 64°52'53" East, 140.40 feet to a point; Thence South 05°41'07" West, 231.02 feet to a point; Thence South 89°59'53" East and along the South Right-of-Way line of "North Hickory Lane" and the Westerly extension thereof, 727.70 feet to a point; Thence North 34°07'22" East, 30.20 feet to a point on the North Right-of-Way line of said "North Hickory Lane"; Thence North 18°30'07" East, 39.06 feet to a point on a Meander Line; Thence South 49°23'42" East and along said Meaner Line along the shores of "Upper Nashotah Lake", 49.00 feet to a point; Thence North 84°50'19" East and along said Meander Line, 153.46 feet to a point; Thence South 74°00'33" East and along said Meander line, 159.60 feet to a point; Thence South 09°40'16" East and along said Meander Line, 153.74 feet to a point; Thence South 80°19'44" West and along the North line of Parcel 6 of Certified Survey Map No. 3009, 87.61 feet to a point; Thence North 67°50'42" West and along the said North line, 240.80 feet to a point; Thence South 08°35'44" West and along the West line of said Parcel 6, 203.20 feet to a point; Thence South 50°46'03" East and along the South line of said Parcel 6, 20.14 feet to a point; Thence North 83°19'44" East and along the said South line, 343.13 feet to a point on said Meander Line; Thence Southerly along said Meander Line the following courses; Thence South 09°40'16" East, 491.33 feet to a point; Thence South 29°45'15" East, 67.59 feet to a point; Thence South 10°12'52" West, 84.08 feet to a point; Thence South 71°19'44" West, 80.00 feet to a point; Thence South 47°59'11" West, 259.54 feet to a point on the North Right-of-Way line of "Valley Road" (C.T.H. "B"); Thence Northwesterly 11.58 feet along the said North Right-of-Way line and the arc of a curve, whose center lies to the Southwest, whose radius is 574.00 feet, whose central angle is 01°09'20", and whose chord bears North 67°53'02" West, 11.58 feet to a point of tangency; Thence North 68°27'42" West and along the said North Right-of-Way line, 291.65 feet to a point of tangency; Thence Northwesterly 351.40 feet along the said North Right-of-Way line and the arc of a curve, whose center lies to the Southwest, whose radius is 700.00 feet, whose central angle is 28°45'47", and whose chord bears North 82°50'35.5" West, 347.73 feet to a point of compound curvature; Thence Southwesterly 375.67 feet along the arc of a curve, whose center lies to the Southeast, whose radius is 1485.00 feet, whose central angle is 14°29'40", and whose chord bears South 75°31'41" West, 374.67 feet to a point of tangency; Thence South 68°16'51" West and along the said North Right-of-Way line, 460.88 feet to a point; Thence South 64°09'01" West and along the said North Right-of-Way line, 6.56 feet to a point of curvature; Thence Southwesterly 13.23 feet along the said North Right-of-Way line and the arc of a curve, whose center lies to the Northwest, whose radius is 15.00 feet, whose central angle is 50°30'59", and whose chord bears South 89°24'30.5" West, 12.80 feet to a point of tangency on the Northeasterly Right-of-Way line of "Pabst Road"; Thence North 65°20'00" West and along the said Northeasterly Right-of-Way line, 47.31 feet to a point; Thence South 00°12'03" East and along the said Northeasterly Right-of-Way line, 10.81 feet to a point; Thence North 65°21'27" West and along the said Northeasterly Right-of-Way line, 228.89 feet to a point; Thence North 00°12'03" West and along the East line of Unplatted Lands, 396.10 feet to a point; Thence North 89°13'07" West and along the North line of said Unplatted Lands, 290.63 feet to a point; Thence Due South and along the West line of said Unplatted Lands, 102.42 feet to a point; Thence North 65°21'27" West and along the North line of Unplatted Lands, 200.00 feet to a point; Thence Due South and along the West line of said Unplatted Lands, 163.69 feet to a point on the said Northeasterly Right-of-Way line of said "Pabst Road"; Thence North 65°21'27" West and along the said Northeasterly Right-of-Way line, 188.66 feet to a point; Thence South 89°07'44" West, 33.00 feet to the point of beginning of this description.

The Gross area of said Parcel contains 2,573,962 Square Feet (or 59.0900 Acres) of land, more or less to the Shoreline. The Gross area of said Parcel contains 2,524,611 Square Feet (or 57.9571 Acres) of land, more or less to the Meander Line. The Net area of said Parcel after the Right-of-Way dedication of "Valley Road" (C.T.H. "B") and "North Hickory Lane" contains 2,479,029 Square Feet (or 56.9107 Acres) of land, more or less to the Meander Line.

CONCEPTUAL FUTURE MASTER PLAN - 2025

NOVEMBER 6, 2015

Exhibit B

CONCEPTUAL FUTURE MASTER PLAN

PLAN COMMISSION: JANUARY 16, 2020
VILLAGE BOARD PUBLIC HEARING: MARCH 12, 2020

Exhibit C

CERTIFIED SURVEY MAP REVIEW
6/20/2024 Plan Commission Meeting
Stoffer Property – 3348 N. Silver Lake Drive (SUMT0612031)

Staff Report Village of Summit, Wisconsin

Property Location: 3348 N. Silver Lake Drive (SUMT0612031)

Property Owner: James Stoffer

Zoning: **R-3 Village Residential (43,560 sq. ft. per unit/min. lot size 35,000 sq. ft.)**

Land Use Plan: **SF Residential 0.6-acre density**

Recommended Motion:

Motion to recommend that Village Board approve the Certified Survey Map with consideration given to Article X Existing Substandard Lots, Chapter 109 Subdivision of Land, 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 CSM will not result in additional lots. Therefore, this condition does not 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 part of Lot 30, all of Lot 31, and part of Lot 32 of Williams Jones Lake Beach Subdivision. The area to be combined has been occupied as a single parcel and includes a residence that extends over an interior lot line. In order for the applicant to construct an attached garage on the north side of the residence, the lots must be legally combined by CSM. The CSM is in the process of being reviewed by staff. Each lot is nonconforming to lot size and width. The combined lot will continue to be nonconforming to lot size and width, but the lot will become more conforming. The ultimate road right-of-way width of N. Silver Lake Drive has been previously reduced to 50 ft. This right-of-way width is acknowledged as part of the CSM. Although the Village has prescribed rights to the road north of the property, the road is privately owned.

It should be noted that the combination of two nonconforming lots requires that the criteria of Article X, Section 109-32 Existing Substandard Lots be met. The criteria include compatibility with existing lots and building development in the immediate area, safe sewage disposal, the economic and engineering practicality of any possible redivision, and the degree of practical hardship which may be imposed upon the owner. *The property has historically existed as a single lot of record and will continue to exist in the same manner. Future land division will be prohibited. The property is connected to public sewer. It would be unreasonable to prohibit the lot combination.*

Considerations:
Access and Frontage: The lot will continue to have frontage on N. Silver Lake Drive.

Total Area: The combined lot will be 17,428 sq. ft. in size and the width will be 130 ft. R-3 Residential District requires a minimum lot size of 35,000 sq. ft. and a minimum width of 150 ft. The lot size and width do not conform to the zoning district standards. However, the CSM is a formality to legally combine multiple nonconforming lots that have historically been occupied as a single-family residential lot.

Sanitary Sewer System available: The property is in Utility District #2. No changes are proposed.

Water System Available: The lot is served by a private well.

Natural Resources: None.

Planner Comments:
- Debra Michael's signatures should read "Administrator-Clerk/Treasurer."
- 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."
- A note shall be added to the CSM that states, "The property shall not be further divided."

Surveyor and Engineering Comments: See attached letter dated May 29, 2024.

Building a Better World
for All of Us®

May 29, 2024

RE: Village of Summit
Stoffer Property CSM Review
SEH No. 176551 Task 27

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 James & Janet Stoffer and prepared by Matthew O'Rourke of LandTech Surveying. The CSM reviewed is dated 05/14/2024. We offer the following comments:

1) The old lot lines and labels of the prior lots should be removed as they will no longer exist once this map is recorded.
2) A Vision Corner Easement and associated restrictive language are required.
3) The Plan Commission may elect to have the right of way lines at the intersection rounded.
4) All sheets must be signed, stamped and dated by the surveyor.
5) Any existing or proposed easements must be shown.

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)

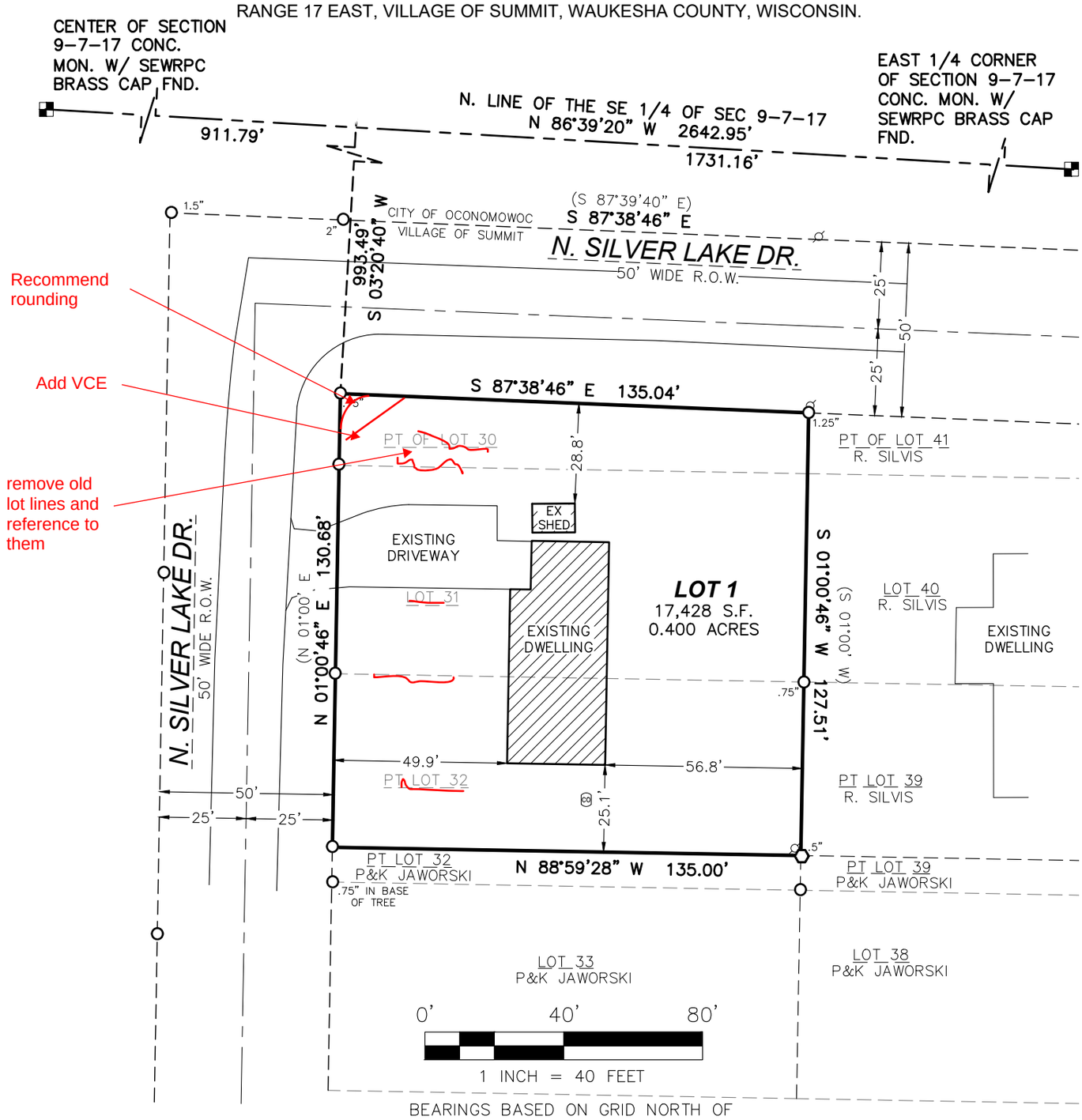
Attachment: CSM Marked-Up Copy for reference
btp

x:\pt\s\summv\176551\task 27 - stoffer csm review\176551 task 27-stoffer csm review letter_village of summit_2024-05-29.docx

PRELIMINARY

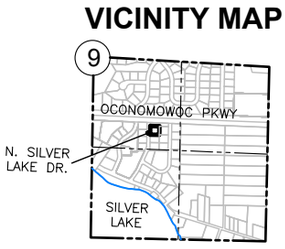
WAUKESHA CO. CERTIFIED SURVEY MAP NO. ____

LOT 30, EXCEPTING THE NORTHERLY 50 FEET, ALL OF LOT 31 AND THE NORTH 50 FEET OF LOT 32 OF WILLIAM JONES SILVER LAKE BEACH SUBDIVISION, BEING PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 9, TOWNSHIP 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 NORTH LINE OF THE SE 1/4 OF SEC. 9-7-17 MEASURED AS N86°39'20"W.

VICINITY MAP



SE 1/4 SEC. 9-7-17
1"=2640'

LEGEND

- SECTION CORNER MONUMENT
- FOUND 3/4 REBAR" OR NOTED
- FOUND 1" IRON PIPE OR NOTED
- SEPTIC CLEANOUT

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

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

PREPARED FOR:
JAMES & JANET STOFFER
3348 N. SILVER LAKE DR.
OCONOMOWOC, WI 53066

DATED 05/14/2024
JOB# 24090
SHEET 1 OF 3

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

WAUKESHA CO. CERTIFIED SURVEY MAP NO. ____

LOT 30, EXCEPTING THE NORTHERLY 50 FEET, ALL OF LOT 31 AND THE NORTH 50 FEET OF LOT 32 OF WILLIAM JONES SILVER LAKE BEACH SUBDIVISION, BEING PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 9, TOWNSHIP 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 30, EXCEPTING THE NORTHERLY 50 FEET, ALL OF LOT 31 AND THE NORTH 50 FEET OF LOT 32 OF WILLIAM JONES SILVER LAKE BEACH SUBDIVISION, BEING PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 9, TOWNSHIP 7 NORTH, RANGE 17 EAST, VILLAGE OF SUMMIT, WAUKESHA COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 9, TOWN 7 NORTH, RANGE 17 EAST; THENCE N 86°39'20" W, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 9, 1731.16 FEET; THENCE S 03°20'40" W, 993.49 FEET TO THE SOUTH RIGHT-OF-WAY OF NORTH SILVER LAKE DRIVE AND POINT OF BEGINNING; THENCE S 87°38'46" E, ALONG THE SOUTH RIGHT-OF-WAY OF NORTH SILVER LAKE DRIVE, 135.04 FEET TO A POINT LYING ON THE WEST LINE OF LOT 41 OF SILVER LAKE BEACH SUBDIVISION; THENCE S 01°00'46" W, ALONG THE WEST LINE OF LOT 41, LOT 40, AND LOT 39, OF SILVER LAKE BEACH SUBDIVISION, 127.51 FEET; THENCE N 88°59'28" W, 135.00 FEET TO THE EAST RIGHT-OF-WAY OF NORTH SILVER LAKE DRIVE; THENCE N 01°00'46" E, ALONG THE EAST RIGHT-OF-WAY OF NORTH SILVER LAKE DRIVE, 130.68 FEET TO THE POINT OF BEGINNING.

DESCRIBED LANDS HAVING AN AREA OF 17,428 SQUARE FEET OR 0.400 ACRES.

THAT I HAVE MADE SAID SURVEY BY THE DIRECTION OF JAMES AND JANET STOFFER 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

all sheets must be signed and dated

WAUKESHA CO. CERTIFIED SURVEY MAP NO. ____

LOT 30, EXCEPTING THE NORTHERLY 50 FEET, ALL OF LOT 31 AND THE NORTH 50 FEET OF LOT 32 OF WILLIAM JONES SILVER LAKE BEACH SUBDIVISION, BEING PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 9, TOWNSHIP 7 NORTH, RANGE 17 EAST, VILLAGE OF SUMMIT, WAUKESHA COUNTY, WISCONSIN.

OWNER'S CERTIFICATE;

AS OWNERS JAMES AND JANET STOFFER 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_____.

_____ _____

JAMES STOFFER JANET STOFFER

STATE OF WISCONSIN)SS
COUNTY OF _____)

PERSONALLY CAME BEFORE ME THIS _____DAY OF _____, 20_____, THE ABOVE NAMED JAMES AND JANET STOFFER, 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

PRELIMINARY

WAUKESHA CO. CERTIFIED SURVEY MAP NO. ____

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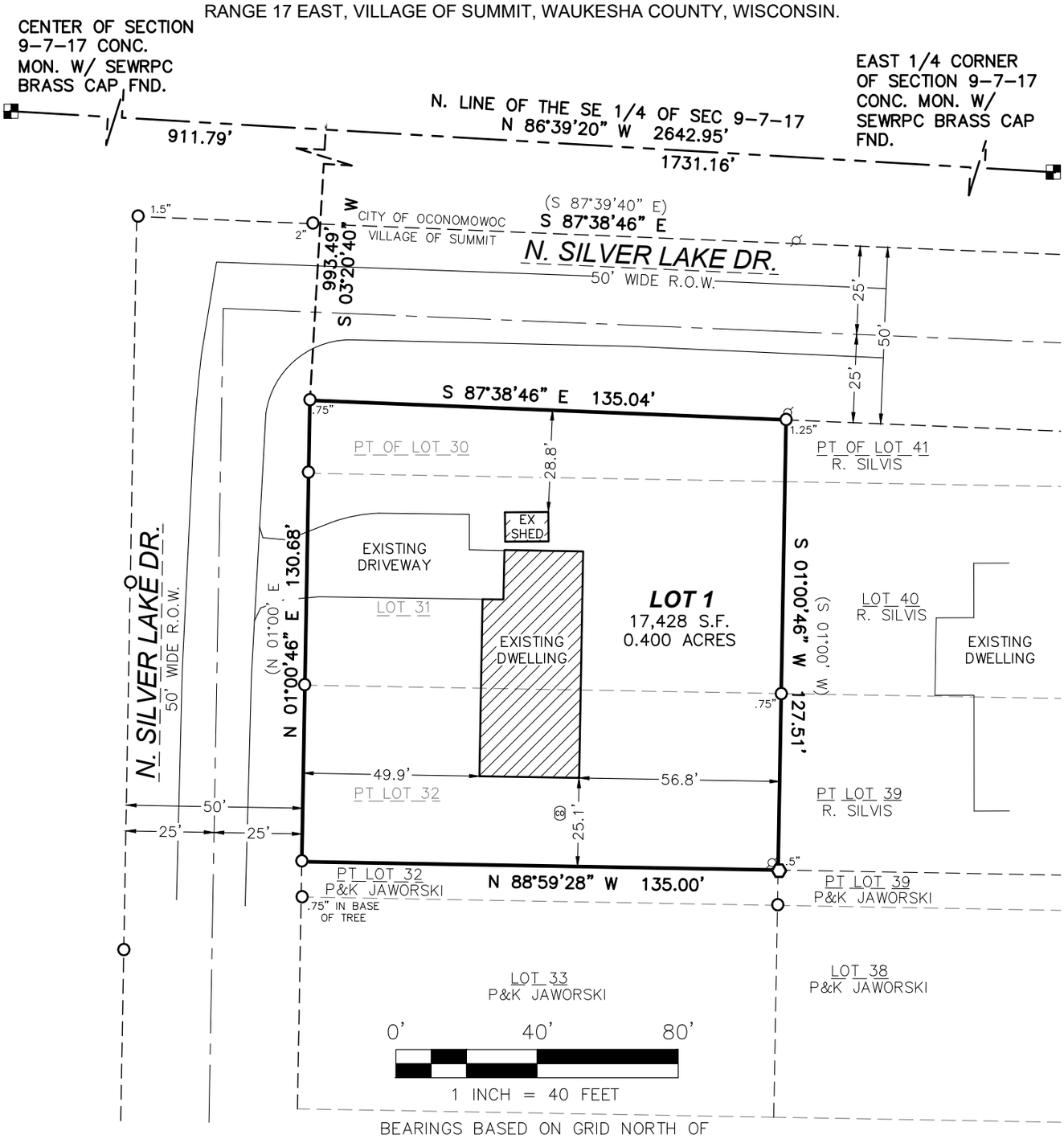

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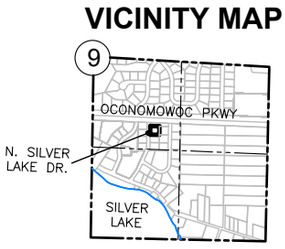

SE 1/4 SEC. 9-7-17
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LEGEND

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WISCONSIN
MATTHEW T. O'ROURKE
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111 W. 2ND STREET
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PREPARED FOR:
JAMES & JANET STOFFER
3348 N. SILVER LAKE DR.
OCONOMOWOC, WI 53066

DATED 05/14/2024
JOB# 24090
SHEET 1 OF 3

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

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COMMENCING AT THE EAST 1/4 CORNER OF SECTION 9, TOWN 7 NORTH, RANGE 17 EAST; THENCE N 86°39'20" W, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 9, 1731.16 FEET; THENCE S 03°20'40" W, 993.49 FEET TO THE SOUTH RIGHT-OF-WAY OF NORTH SILVER LAKE DRIVE AND POINT OF BEGINNING; THENCE S 87°38'46" E, ALONG THE SOUTH RIGHT-OF-WAY OF NORTH SILVER LAKE DRIVE, 135.04 FEET TO A POINT LYING ON THE WEST LINE OF LOT 41 OF SILVER LAKE BEACH SUBDIVISION; THENCE S 01°00'46" W, ALONG THE WEST LINE OF LOT 41, LOT 40, AND LOT 39, OF SILVER LAKE BEACH SUBDIVISION, 127.51 FEET; THENCE N 88°59'28" W, 135.00 FEET TO THE EAST RIGHT-OF-WAY OF NORTH SILVER LAKE DRIVE; THENCE N 01°00'46" E, ALONG THE EAST RIGHT-OF-WAY OF NORTH SILVER LAKE DRIVE, 130.68 FEET TO THE POINT OF BEGINNING.

DESCRIBED LANDS HAVING AN AREA OF 17,428 SQUARE FEET OR 0.400 ACRES.

THAT I HAVE MADE SAID SURVEY BY THE DIRECTION OF JAMES AND JANET STOFFER 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

WAUKESHA CO. CERTIFIED SURVEY MAP NO. ____

LOT 30, EXCEPTING THE NORTHERLY 50 FEET, ALL OF LOT 31 AND THE NORTH 50 FEET OF LOT 32 OF WILLIAM JONES SILVER LAKE BEACH SUBDIVISION, BEING PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 9, TOWNSHIP 7 NORTH, RANGE 17 EAST, VILLAGE OF SUMMIT, WAUKESHA COUNTY, WISCONSIN.

OWNER'S CERTIFICATE;

AS OWNERS JAMES AND JANET STOFFER 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_____.

_____ _____

JAMES STOFFER JANET STOFFER

STATE OF WISCONSIN)SS
COUNTY OF _____)

PERSONALLY CAME BEFORE ME THIS _____DAY OF _____, 20_____, THE ABOVE NAMED JAMES AND JANET STOFFER, 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

CERTIFIED SURVEY MAP REVIEW
6/20/2024 Plan Commission Meeting
Zahn – N. Golden Cedar Lane (SUMT0695039)

Staff Report Village of Summit, Wisconsin

Property Location:	N. Golden Cedar Lane (SUMT0695039)
Property Owner:	Colton and Victoria Ziemanski
Applicant:	Robert Zahn

Zoning:	**R-2 Country Residential (90,000 sq. ft. per unit/min. lot size 1.5-acre) and WC Wetland Conservancy & EC Environmental Corridor Overlay**
Land Use Plan:	**SF Residential 2.4-acre density, Wetland & PEC**

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 property is served by a private septic system and well. Therefore, this condition does not 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 in the process of purchasing the property for the construction of a home. In order to meet the road setback requirements, the applicant would like to reduce the ultimate road right of way of N. Golden Cedar Lane. Plan Commission and Village Board approved the request subject to conditions. As a condition of approval, the applicant was required to submit a Certified Survey Map that dedicates at least 5 ft. north of the existing physical road along N. Golden Cedar Lane and at least 33 ft. from the centerline of Cedar Lane. The enclosed CSM is proposed solely to dedicate said acreage. No additional lots are being created.

Considerations:
Access and Frontage: The lot will continue to have frontage on Cedar Lane and N. Golden Cedar Lane.

Total Area: The existing lot is 180,923 sq. ft. or 4.153 acres. The proposed lot will be 165,488 sq. ft. or 3.799 acres. The remaining acreage is dedicated for public road purposes.

Sanitary Sewer System available: The property will be served by a private septic system.

Water System Available: The lot will be served by a private well.

Natural Resources: There is a wetland and primary environmental corridor on the property. Both of these areas have been identified on the CSM. Preservation restrictions have also been noted.

Planner Comments:
- Debra Michael's signatures should read "Administrator-Clerk/Treasurer."
- 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."
- Waukesha County should be removed from the preservation restrictions.

Surveyor and Engineering Comments: See attached letter dated June 11, 2024.

Building a Better World
for All of Us®

June 11, 2024

RE: Village of Summit
Zahn CSM Review
SEH No. 176551 Task 23

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

Dear Ms. Barrows:

We have reviewed the Certified Survey Map for the Zahn Revocable Trust (Robert & Mary Zahn) and prepared by Matthew O'Rourke of LandTech Surveying. The CSM reviewed is dated 05/29/2024. We offer the following comments:

1) The heading on each sheet and the legal description references the NE 1/14. This should be revised to read NE ¼.
2) The block length of 173.44' formed by Line L5 and the 148.39; distances along the right of way must be shown.
3) The distances of 46.59' and 51.50' do not add up to the Length of line L3. This minor discrepancy shall be revised.

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)

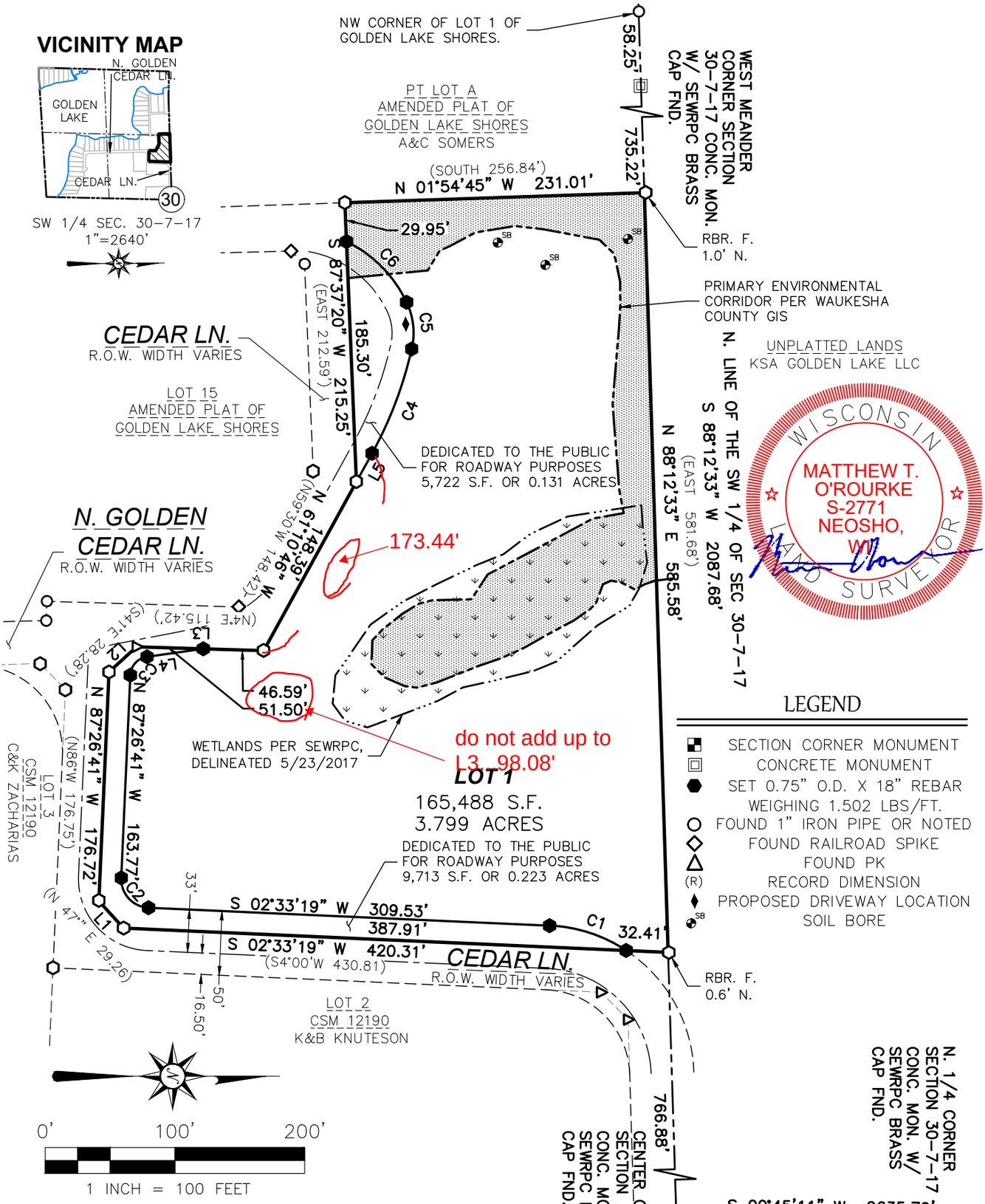
btp

x:\pt\s\summv\176551\task 23 - n golden cedar lane row - zahn\corr\review letters\zahn csm review letter_village of summit_2024-06-11.docx

PRELIMINARY

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

PART OF LOT A OF THE AMENDED PLAT OF GOLDEN LAKE SHORES A SUBDIVISION, BEING A PART OF THE NE 1/4 OF THE SW 1/4 OF SECTION 30, TOWNSHIP 7 NORTH, RANGE 17 EAST, VILLAGE OF SUMMIT, WAUKESHA COUNTY, WISCONSIN.



LEGEND

- SECTION CORNER MONUMENT
- CONCRETE MONUMENT
- SET 0.75" O.D. X 18" REBAR WEIGHING 1.502 LBS/FT.
- FOUND 1" IRON PIPE OR NOTED
- FOUND RAILROAD SPIKE
- FOUND PK
- (R) RECORD DIMENSION
- PROPOSED DRIVEWAY LOCATION
- SB SOIL BORE

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 NW 1/4 OF SEC. 30-7-17 MEASURED AS S00°45'11"W.

• SEE SHEET 2 FOR CURVE AND LINE TABLE.

PREPARED FOR:
ZAHN REVOCABLE TRUST
NOVEMBER 24, 2015
ROBERT AND MARY ZAHN
2873 ROCK RIVER CT.
SUMMIT, WI 53066

LandTech SURVEYING
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WWW.LANDTECHWI.COM
(262) 367-7599

DATED 05/29/2024
JOB# 24087
SHEET 1 OF 3

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

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

PART OF LOT A OF THE AMENDED PLAT OF GOLDEN LAKE SHORES A SUBDIVISION, BEING A PART OF THE NE 1/14 OF THE SW 1/4 OF SECTION 30, TOWNSHIP 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 PART OF LOT A OF THE AMENDED PLAT OF GOLDEN LAKE SHORES A SUBDIVISION, BEING A PART OF THE NE 1/14 OF THE SW 1/4 OF SECTION 30, TOWNSHIP 7 NORTH, RANGE 17 EAST, VILLAGE OF SUMMIT, WAUKESHA COUNTY, WISCONSIN.DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 30, TOWN 7 NORTH, RANGE 17 EAST; THENCE S 00°45'11" W, ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 30, 2635.79 FEET TO THE CENTER OF SECTION 30; THENCE S 88°12'33" W, ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 30, 766.88 FEET TO THE NORTHEAST CORNER OF LOT A OF GOLDEN LAKE SHORES AND POINT OF BEGINNING; THENCE S 02°33'19" W, ALONG THE EAST LINE OF LOT A OF GOLDEN LAKE SHORES, 420.31 FEET TO THE SOUTHEAST CORNER OF LOT A OF GOLDEN LAKE SHORES; THENCE ALONG THE SOUTH LINE OF LOT A OF GOLDEN LAKE SHORES FOR THE FOLLOWING 6 COURSES: 1.: THENCE S 47°32'37" W, 28.13 FEET; 2.: THENCE N 87°26'41" W, 176.72 FEET; 3.: THENCE N 42°27'23" W, 28.70 FEET; 4.: THENCE N 01°41'47" E, 98.08 FEET; 5.: THENCE N 61°10'46" W, 148.39 FEET; 6.: THENCE S 87°37'20" W, 215.25 FEET; THENCE N 01°54'45" W, 231.01 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 30; THENCE N 88°12'33" E, ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 30; 585.58 FEET TO THE POINT OF BEGINNING.

DESCRIBED LANDS HAVING AN AREA OF 180,923 SQUARE FEET OR 4.153 ACRES.

THAT I HAVE MADE SAID SURVEY BY THE DIRECTION OF THE ZAHN REVOCABLE TRUST NOVEMBER 24, 2015 OWNER 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_____.

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MATTHEW T. O'ROURKE, S-2771

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.

CURVE #	RADIUS	DELTA	ARC DIST	CHORD DIST	CHORD BEARING	TANGENT IN	TANGENT OUT
C1	116.50'	30°51'58"	62.76'	62.00'	S 17°59'18" W	S 33°25'17" W	S 02°33'19" W
C2	22.00'	90°00'00"	34.56'	31.11'	S 47°33'19" W	S 87°26'41" E	N 02°33'19" E
C3	15.00'	79°19'14"	20.77'	19.15'	N 47°47'04" W	S 08°07'27" E	S 87°26'41" E
C4	307.14'	16°06'17"	86.33'	86.05'	N 69°13'54" W	N 61°10'46" W	N 77°17'03" W
C5	55.50'	38°04'20"	36.88'	36.20'	S 83°40'47" W	N 77°17'03" W	S 64°38'37" W
C6	99.21'	38°43'35"	67.06'	65.79'	S 45°16'49" W	S 64°38'37" W	S 25°55'02" W

LINE	BEARING	DISTANCE
L1	S 47°32'37" W	28.13'
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WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

PART OF LOT A OF THE AMENDED PLAT OF GOLDEN LAKE SHORES A SUBDIVISION, BEING A PART OF THE NE 1/14 OF THE SW 1/4 OF SECTION 30, TOWNSHIP 7 NORTH, RANGE 17 EAST, VILLAGE OF SUMMIT, WAUKESHA COUNTY, WISCONSIN.

OWNER'S CERTIFICATE;

AS OWNER ZAHN REVOCABLE TRUST NOVEMBER 24, 2015, WE HEREBY CERTIFY THAT WE CAUSED SAID LANDS TO BE SURVEYED, DIVIDED, DEDICATED 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_____.

_____ _____
ROBERT ZAHN MARY ZAHN

STATE OF WISCONSIN)SS
COUNTY OF _____)

PERSONALLY CAME BEFORE ME THIS _____DAY OF _____, 20_____, THE ABOVE NAMED ZAHN REVOCABLE TRUST NOVEMBER 24, 2015, 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

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

PRELIMINARY

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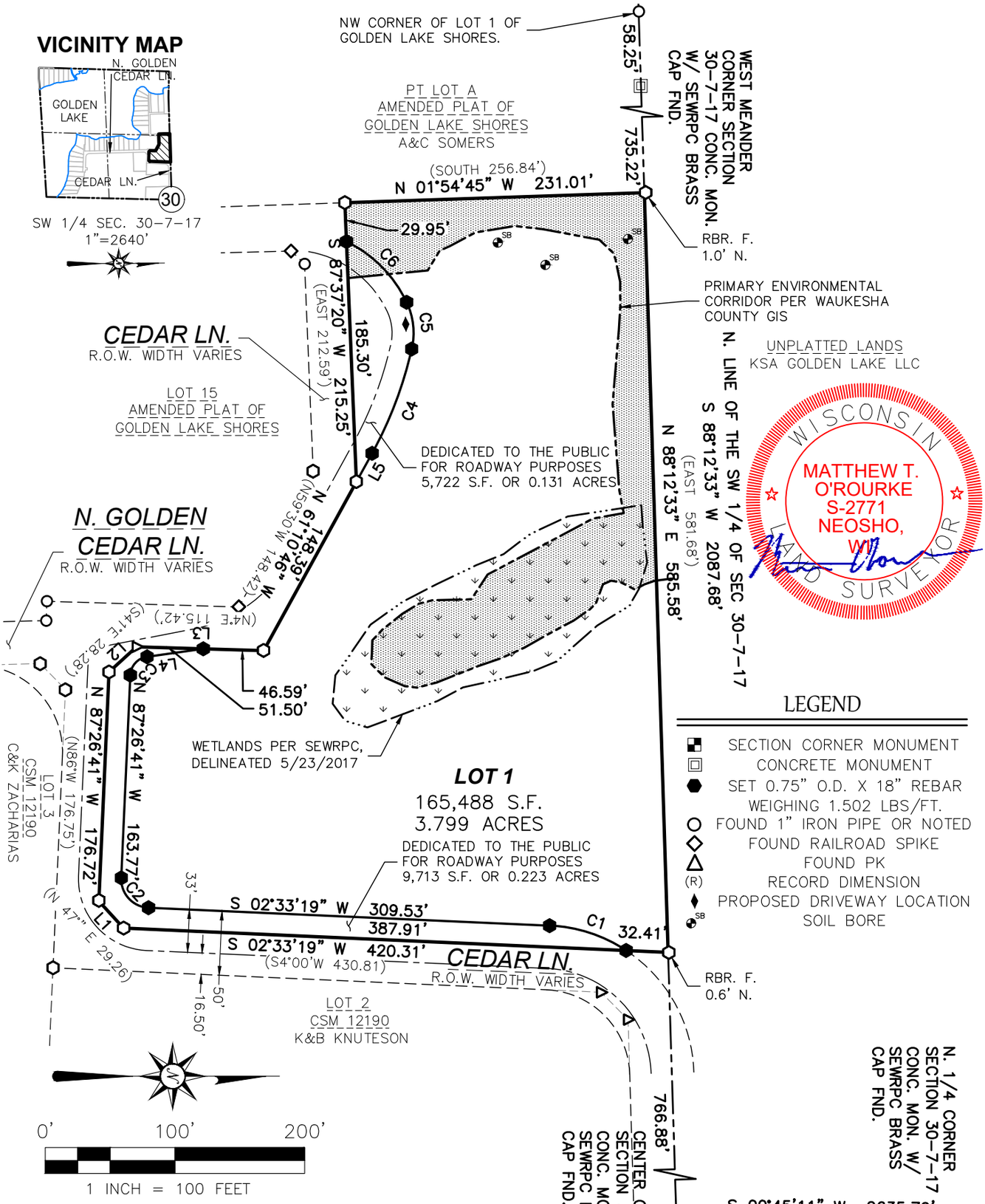

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PREPARED FOR:
ZAHN REVOCABLE TRUST
NOVEMBER 24, 2015
ROBERT AND MARY ZAHN
2873 ROCK RIVER CT.
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DATED 05/29/2024
JOB# 24087
SHEET 1 OF 3

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

WAUKESHA CO. CERTIFIED SURVEY MAP NO. ____

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_____ _____
ROBERT ZAHN MARY ZAHN

STATE OF WISCONSIN)SS
COUNTY OF _____)

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NOTARY SIGNATURE _____

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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

Zoning Ordinance Text Amendment – Rental of Agricultural Buildings
6/20/2024 Plan Commission Meeting

Staff Report | Village of Summit, Wisconsin

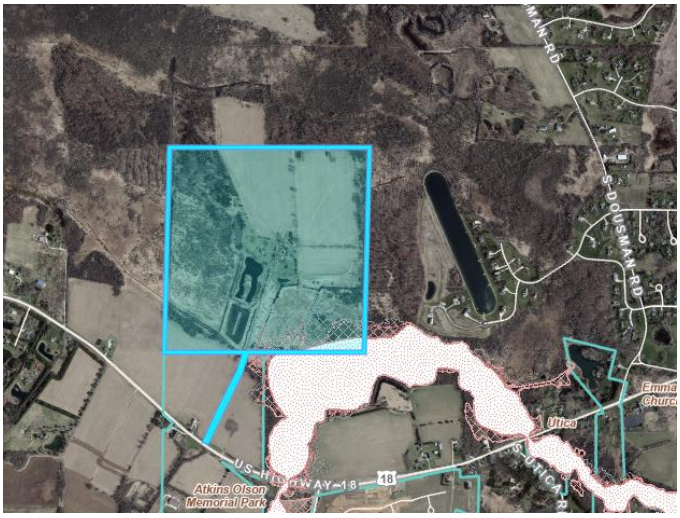
Petitioner/Responsible Party:	Sunset Family Farms, LLC, property owner at 37736 Sunset Drive
Agent:	Rebecca Carsey, White Stag 1894, LLC

Possible Motions:
Recommend Village Board adopt the proposed 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.

Background:
The petitioner submitted an application for similar text amendments that was subject to several public hearings in 2023-2024. The proposed text amendments were tabled by the Village Board. The petitioner later withdrew the request. The petitioner reapplied for text amendments to allow the rental of agricultural buildings for private events in the A-1 Agricultural District only as a Conditional Use.

Summary:
The proposed text amendment presented by the applicant includes "Rental of Agricultural Buildings for private events" as a listed Conditional Use in the A-1 Agricultural District. The application also includes a list of criteria that must be met in order for the use to occur as a Conditional Use Permit. The use would only be allowed in agricultural buildings that exist as of September 1, 2023. All of the criteria are listed in the draft ordinance prepared by the applicant included in the packet. The petitioner has reduced the intensity of the request from the previous application by reducing the total number of attendees to 125, compared to 300. Tents are also being limited to use as utility/vender tents and they cannot exceed 144 sq. ft. each. More specific limitations were added to the hours of setup and take down for events in general and for tents. Based on similar requests in other communities and current trends, Village Staff requested that the applicant include a condition related to the use of food trucks. The proposed text requires Plan Commission approval for food trucks as part of the Conditional Use Permit.

Based on the proposed required minimum lot size of 150 acres and proposed requirement that the property have direct access to a State Trunk or U.S. highway, there is only one property that would meet the criteria. The property is located north of US-18 and west of the Still Waters Subdivision.



Other than the amendments recently requested by the petitioner, text amendments to allow Event Barn/Facilities have been proposed two other times, once in 2017 and once in 2020. The amendment in 2017 was proposed by a previous property owner of the parcel illustrated above. Both proposed text amendments were ultimately denied.

Since the applicant's proposal would potentially allow the applicant to pursue a Conditional Use request, discussion related to the applicant's proposed operation should not occur during the meeting. Property specific discussion should occur during the public hearing of such Conditional Use application.

SECTION 1: Section 111-357(d)(3) is hereby created to read as follows:

(3) Rental of Agricultural Buildings for private events.

SECTION 2: Section 111-321(7) is hereby created to read as follows:

(7) Rental of Agricultural Buildings for private events

a. *Definitions.*

1. Agricultural Buildings shall mean one (1) or more of existing Agricultural Buildings originally constructed prior to September 1, 2023 for agricultural uses as that term is defined in Section 91.01(2), Wis. Stats.
2. Rental of Agricultural Buildings for private events shall mean a rental by the property owner of Agricultural Buildings to individuals or groups, for a rental fee or other form of renumeration.
3. Private events, including the rental of agricultural buildings and outdoor areas as authorized in the Conditional Use Permit, are functions, gatherings and/or celebrations including, but not limited to, meetings, banquets, social gatherings, educational or other scientific seminars or presentations, which are private by invitation only and do not include events open to the public, open houses, or events noticed on social media.

b. *Conditional Use Permit.* A Conditional Use Permit authorizing the rental of Agricultural Buildings for private events as defined in Section 111-321 (7) a. 2 shall be issued subject to the following conditions:

1. The minimum area of the property shall be not less than 150 acres. The area on which the Conditional Use is operated may be required to be less than 150 acres.
2. The property must have direct access to a State Trunk Highway or U.S. Highway.
3. No private event shall be located less than 100 feet from any adjacent lot line permitting a residential use.
4. No private event parking shall be located less than 50 feet from any adjacent lot line permitting a residential use. No private event or parking for the private event shall be located less than 250 feet from any residence not owned by the property owner.
5. Private events shall be permitted between May 1st and October 31st. Private events shall not begin prior to 8:00 am or continue past 11:59 pm on Friday and Saturday and shall not begin prior to 8:00 am or continue past 10:00 pm Sunday through Thursday. Except as authorized in Condition No. 12, set up for a private event may occur between noon and

9:00 pm the day before the event and tear down of a private event may occur between 8:00 am and noon the day after the event.

6. Private events shall be limited to not more than three (3) events per calendar week beginning with Sunday of any given week. The aggregate of all events shall consist of no more than three (3) days per calendar week.
7. There shall be no more than 125 attendees at any private event. For purposes of this subparagraph, the term "attendees" shall include staff and caterers associated with the private event.
8. All private events shall comply with all federal, state and local fire and building code regulations, as well as all federal, state and local health sanitation regulations.
9. Alcohol shall not be served past 11:00 pm on Friday and Saturday and 9:00 pm on Sunday through Thursday. The sale of alcohol shall be subject to issuance of an alcohol beverage license or permit, as may be required, by the Village of Summit and State of Wisconsin.
10. Exterior lighting to be used in association with private events shall not exceed fifteen (15) feet in height above the ground and light sources shall not be visible from the lot lines measured five (5) feet above the lot line.
11. The number of parking spaces shall be equal to one (1) parking space per three (3) attendees as authorized by the maximum number of attendees approved under the Conditional Use Permit. Parking areas shall be clearly defined and designed with appropriate surface materials as described on a Site Plan and Plan of Operation, to be included with the Conditional Use application. and taking into consideration topography, drainage, and potential for dust.
12. Outdoor tents may be used for any private event, provided however, that any outdoor tent used for a private event must be removed within twenty-four (24) hours following the conclusion of the private event. An outdoor tent shall be not installed prior to twenty-four (24) hours before the start of the private event. Permanent outdoor tents are not permitted. Tents are limited to utility/vendor use only and the individual tent size must be 144 square feet or less. The location, size, and quantity of outdoor tents shall be depicted on the Site Plan and Plan of Operation to be included with the Conditional Use application. If any modifications are made to the location, size, and quantity of outdoor tents after a Conditional Use Permit is granted, the applicant shall submit a revised Site Plan and Plan Operation to be submitted to the Village of Summit Plan Commission for review and approval at least 30 days prior to a private event taking place that includes

the use of tents, without the necessity of a public hearing unless the Plan Commission feels one is necessary.

13. The exterior of Agricultural Buildings to be used for a private event may be repaired or refurbished but shall not be substantially modified as to significantly alter the character of the Agricultural Buildings. Any modification to the buildings shall be considered as part of a Site Plan and Plan of Operation to be submitted to the Village of Summit Plan Commission for review and approval without the necessity of a public hearing unless the Plan Commission feels one is necessary.
14. There shall be no outdoor amplified music permitted at any private event. Any other proposed outdoor music shall be included with the Conditional Use application and shall be included as part of the Conditional Use conditions.
15. In accordance with the requirements of Section 18-6 of the Village Code, the sound level and decibels determined at the property line shall be limited to the decibel level permitted for residential uses.
16. Any food trucks at a private event, including the number and location, shall be submitted to the Village of Summit for review and approval as part of the Conditional Use application and shall be included as part of the Conditional Use Permit.

SECTION 3: All ordinances or parts of this ordinance conflicting or violating the provisions of this ordinance are hereby repealed.

SECTION 4: This ordinance shall be effective upon passage and publication as required by law.

PASSED AND ADOPTED by the Village Board of the Village of Summit, Waukesha County, Wisconsin this _____ day _____, 2024.

VILLAGE OF SUMMIT

BY:_____
Village President

ATTEST:

_____
Village Clerk

~~ORDINANCE NO. _____~~

~~AN ORDINANCE CREATING SECTIONS 111-357(d)(3) and 111-321(7) OF THE ZONING CODE OF THE VILLAGE OF SUMMIT~~

~~THE VILLAGE BOARD OF THE VILLAGE OF SUMMIT DOES ORDAIN~~PROPOSES THE FOLLOWING CHANGES TO THE ZONING CODE SECTIONS ~~AS~~ RECORDED ~~BELOW~~FOLLOWS:

SECTION 1: Section 111-357(d)(3) is hereby created to read as follows:

(3) Rental of Agricultural Buildings for private ~~activities or~~ events.

SECTION 2: Section 111-321(7) is hereby created to read as follows:

(7) Rental of Agricultural Buildings for ~~P~~private ~~Activities or E~~events~~.~~

a. *Definitions.*

1. Agricultural Buildings shall mean one (1) or more of existing Agricultural Buildings originally constructed prior to September 1, 2023 for agricultural uses as that term is defined in Section 91.01(2), Wis. Stats~~., and either presently part of activities conducted on the property in accordance with the A1 Agricultural Zoning designation of this Code, or remaining buildings on the property following termination or reduction in such activities~~.
2. Rental of Agricultural Buildings for ~~activities or~~private events shall mean a rental by the property owner of Agricultural Buildings to individuals or groups, for a rental fee or other form of renumeration.
3. ~~2.~~3. Private events, including the rental of agricultural buildings and outdoor areas as authorized in the Conditional Use Permit, are ~~, to accommodate private~~ functions, gatherings and/or celebrations including, but not limited to, meetings, banquets, social gatherings, educational or other scientific seminars or presentations, which are private by invitation only and do not include events open to the public, open houses, or events noticed on social media.

b. *Conditional Use Permit.* A Conditional Use Permit authorizing the rental of Agricultural Buildings for private ~~activities or~~ events as defined in Section 111-321 (7) a. 2 ~~-~~shall be issued subject to the following conditions:

1. The minimum area of the property shall be not less than 150 acres. The area on which the Conditional Use is operated may be required to be less than 150 acres.

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2. The property must have direct access to a State Trunk Highway or U.S. Highway.
3. No ~~Agricultural Building, structure, or outdoor use associated with any~~private ~~activity or~~ event shall be located less than 100 feet from any adjacent lot line permitting a residential use.
4. No private event parking shall be located less than 50 feet from any adjacent lot line permitting a residential use. No ~~Agricultural Building, structure, outdoor use or parking associated with the activity or event~~ private event or parking for the private event shall be located less than 250 feet from any residence not owned by the property owner.
5. ~~The rental of Agricultural Buildings for activities or~~Private events shall be permitted between May 1st and October 31st. ~~Activities or~~Private events shall not begin prior to 8:00 am or continue past 11:59 pm on Friday and Saturday and shall not begin prior to 8:00 am or continue past 10:00 pm Sunday through Thursday. Except as authorized in Condition No. 12, set up for a private event may occur between noon and 9:00 pm the day before the event and tear down of a private event may occur between 8:00 am and noon the day after the event.
6. ~~Activities or~~Private events shall be limited to not more than three (3) ~~rentals~~ events per calendar week beginning with Sunday of any given week. The aggregate of all events shall consist of no more than three (3) days per calendar week.
7. There shall be no more than 125~~300~~ attendees at any private ~~activity or~~ event. For purposes of this subparagraph, the term "attendees" shall include staff and caterers associated with the private ~~activity or~~ event. ~~One-third (1/3) of activities or events in any calendar year may allow 300 attendees, but the remaining two-thirds (2/3) of the activities or events in any calendar year shall be limited to not more than 225 attendees.~~
8. ~~The rental and use of any Agricultural Building rented for an activity or~~All private events shall comply with all federal, state and local fire and building code regulations, as well as all federal, state and local health sanitation regulations.
9. Alcohol shall not be served past 11:00 pm on Friday and Saturday and 9:00 pm on Sunday through Thursday. The sale of alcohol shall be subject to issuance of an alcohol beverage license or permit, as may be required, by the Village of Summit and State of Wisconsin.
10. Exterior lighting to be used in association with ~~activities or~~private events shall not exceed fifteen (15) feet in height above the ground and light sources shall not be visible from the lot lines measured five (5) feet above the lot line.

11. The number of parking spaces shall be equal to one (1) parking space per three (3) attendees ~~at any private activity or event~~as authorized by the maximum number of attendees approved under the Conditional Use Permit. Parking areas shall be clearly defined and designed with appropriate surface materials as described ~~described~~ on ~~the~~ a Site Plan and ~~and~~ Plan of Operation, ~~then~~ to included with the Conditional Use application,~~submitted to the Village of Summit to be reviewed and approved by the Plan Commission.~~, and taking into consideration topography, drainage, and potential for dust.
12. Outdoor tents may be used for any ~~activity or~~private event, provided however, that any outdoor tent used for ~~any activity or~~a private event must be removed within twenty-four (24) hours following the conclusion of the ~~activity or~~private event. An outdoor tent shall be not installed prior to twenty-four (24) hours before the start of the private event. Permanent outdoor tents are not permitted. ~~U~~Tents are limited to utility/vendor use only and the individual tent size must be 144 square feet or less. ~~-~~The location, size, and quantity of outdoor tents shall be depicted on the Site Plan and Plan of Operation to be included with the Conditional Use application. If any modifications are made to the location, size, and quantity of outdoor tents after a Conditional Use Permit is granted, the applicant shall submit a revised Site Plan and Plan Operation~~, then~~ to be submitted to the Village of Summit ~~to be reviewed and approved by the Plan Commission~~Plan Commission for review and approval at least 30 days prior to a private event taking place that includes the use of tents, without the necessity of a public hearing unless the Plan Commission feels one is necessary.~~.submitted to and approved by the Plan Commission.~~
13. The exterior of Agricultural Buildings to be used for ~~an activity or~~a private event may be repaired or refurbished but shall not be substantially modified as to significantly alter the character of the Agricultural Buildings. Any modification to the buildings shall be considered as part of ~~the~~a Site Plan and Plan of Operation~~, then~~ to be submitted to the Village of Summit Plan Commission for review and approval without the necessity of a public hearing unless the Plan Commission feels one is necessary.~~to be reviewed and approved by the Plan Commission~~. ~~as of the approval of the Conditional Use Permit.~~
14. There shall be no outdoor amplified music permitted at ~~by~~ any ~~activity or~~private event. Any other proposed outdoor music shall be ~~considered as part of Site Plan and Plan of Operation~~included with the Conditional Use application and shall be included as part of the Conditional Use Permit

conditions.~~, then submitted to the Village of Summit to be reviewed and approved by the Plan Commission.~~

~~15.~~ In accordance with the requirements of Section 18-6 of the Village Code, the sound level and decibels determined at the property line shall be limited to the decibel level permitted for residential uses. ~~Noise rating daytime levels shall not exceed 77, and noise rating nighttime levels shall not exceed 60.~~

15. Any food trucks at a private event, including the number and location, shall be submitted to the Village of Summit for review and approval as part of the Conditional Use application and shall be included as part of the Conditional Use Permit conditions.

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SECTION 3: All ordinances or parts of this ordinance conflicting or violating the provisions of this ordinance are hereby repealed.

SECTION 4: This ordinance shall be effective upon passage and publication as required by law.

PASSED AND ADOPTED by the Village Board of the Village of Summit, Waukesha County, Wisconsin this _____ day _____, 2024.

VILLAGE OF SUMMIT

BY:_____
Village President

ATTEST:

_____
Village Clerk

Village Hall, 262-567-2757
Fax, 262-567-4115
Highway Dept., 262-567-2422
Police Dept., 262-567-1134
Building Inspector, 262-490-4141
www.summitvillage.org

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

MEMORANDUM

To: Village Board

From: Amy Barrows, Planner

Date: June 6, 2024

Re: **Zoning Ordinance Text Amendment Proposal – Day School as a Permitted Use in the Institutional District**

BACKGROUND:
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. The conditions of the ordinance 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. 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.

At their May meeting, the Plan Commission recommended that Village Board initiate a text amendment to allow day schools as a permitted use with amended conditions in the Institutional District. The existing ordinance language that relates to day schools as a conditional use permit are included in the packet highlighted in yellow. Representatives of the Lake Country Classical Academy have provided recommended conditions for consideration. Lake Country Classical Academy would like to pursue the construction of a school in the Village of Summit. Their recommended language to be removed is shown with a strikeout. Recommended added language is in bold and underlined. Staff will be meeting prior to the Village Board meeting to discuss conditions for consideration by the Village Board. Plan Commission is seeking as much feedback from the Village Board as possible to provide for a smooth adoption process.

Text Amendment – Day School

ATTACHMENTS:
5/16/2024 Plan Commission Staff Report
Existing Zoning Ordinance Language with suggested amendments by the Lake Country Classical Academy

FISCAL IMPACT:
None

RECOMMENDED MOTION:
Initiate an application to amend the text of the Zoning Ordinance to allow day schools as a permitted use in the IN Institutional District subject to conditions discussed during the June 13, 2024 Village Board meeting.

Day schools as a permitted use in the IN Institutional District

Village Board 6/13/2024 comments are provided in red.

Section 111-356(b)(7)

(7) *Day schools, if the following conditions are met:*

a. The parcel shall include at least eight acres of land under one ownership as a single legal lot of record.

b. The parcel shall adjoin directly upon a County Trunk Highway or State Trunk Highway.

c. All structures and outdoor recreational facilities shall be located at least 100 feet from a contiguous residentially-zoned lot line.

d. A day school may serve students in grades pre-kindergarten through 12th grade.

e. A day school may be operated by the property owner or leased to a public or private entity. 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. Village Board would like to allow the leasing of fields to other users but require Plan Commission approval for the operational details, such as frequency, hours, etc. Village Attorney should be consulted for specific language.

f. A traffic impact analysis shall be submitted for review and approval by the Plan Commission, and shall include provisions for 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.

g. Indoor and outdoor operations, including exterior lighting, shall be limited to Monday through Thursday and Saturday from 7:00 a.m. to 9:00 p.m. and Friday from 7:00 a.m. to 10:00 p.m. No operations are permitted on Sundays. Village Board would like to allow hours on Sundays from 10 am to 5 pm only with PC approval as part of an operational plan, similar to condition e. This could be done upfront, annually, or periodically. Village Attorney should be consulted for specific language.

h. A public safety plan dealing with emergency, police, and fire shall be submitted for review and approval by the Plan Commission.

~~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:~~

-Day schools as a permitted use in the IN Institutional District

Section 111-356(b)(7)

(7)~~(2)~~ *Day schools*.~~ Day schools are only allowed by conditional use permit in the IN Institutional District and are subject to the following regulations~~ *if the following conditions are met:*~~, 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~~a. The parcel shall include at least eight acres of land under one ownership as a single legal lot of record.

~~e~~b. The parcel shall ~~front~~ adjoin ~~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~~c. ~~All buildings shall be a minimum of 75 feet from any property line~~All structures and outdoor recreational facilities shall be located at least 100 feet from a contiguous residentially-zoned lot 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~~d. ~~The~~ A day school may serve students in grades pre-kindergarten through 12th grade.

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

~~5~~f. ~~A day school shall not exceed 500 **900** total students~~A traffic impact analysis shall be submitted for review and approval by the Plan Commission, and shall include provisions for 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.~~.~~

~~6~~g. Indoor and outdoor operations, including exterior lighting, shall be limited to Monday through ~~Friday~~ Thursday and Saturday from 7:00 a.m. to ~~6:15~~ 9:00 p.m. and **Friday ~~and~~** ~~Saturdays~~ from 7:00 a.m. to ~~5:00~~ 10:00 p.m. No operations are permitted on Sundays.

~~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.~~

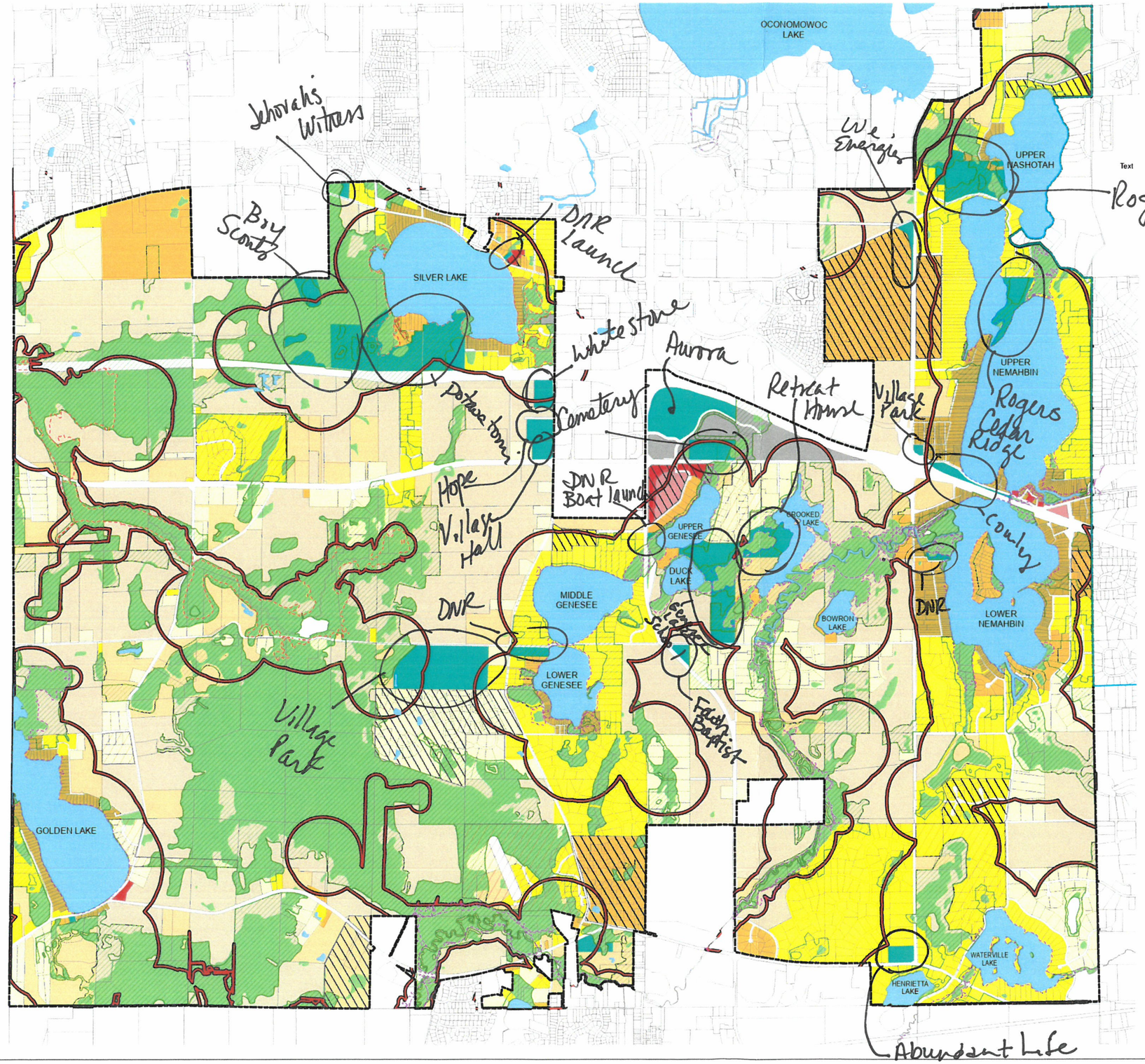
~~7. The plan of operations shall include provisions for professional traffic control during the beginning and end of the school day, such that stacking of vehicles will occur on private property and not on public roads, with off-street parking provisions for students between 9th and 12th grade.~~

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

~~9~~h. ~~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.~~ A public safety plan dealing with emergency, police, and fire shall be submitted for review and approval by the Plan Commission.

Address	Tax Key	Lot Size (acres)	Existing Use	Adjacent to County/State Highway
995 S Sawyer Rd	716984	8.13	Abundant Life Church/Montesori School	Y
36107 Genesee Road	681996	4.8	Faith Baptist Church	Y
36100 Genesee Lake Road	664999003	62.75	Genesee Lake School (Ocon. Residential Programs)	N
1800 N Timber Trail Lane	666993001	28.7	Our Mother of Perpetual Help Retreat House	N
N/A	661996	3.1	DNR Lake Access (Upper Genesee)	Y
36500 Aurora Drive	636989	52.9	Aurora	Y
N/A	636995	8.7	Summit Cemetery	Y
N/A	636994	5.87	Summit Cemetery	Y
N/A	671999	3.6	DNR Lake Access (Lower Nemahbin)	N
N/A	670986	7	Waukesha County (Nemahbin Lake Access)	Y
N/A	N/A	1.6	Village of Summit - Peter Prime Park	Y
3011 N Cedar Ridge Road	625998	22.11	Rogers - Cedar Ridge	N
N/A	620999	5.5	We Energies	Y
34700 Valley Road	622977002 +	40 +	Rogers - Main Campus	Y
38230 Valley Road	608996	5.6	WI Congregation of Jehovah's Witnesses	Y
37304 Valley Road	612001002	1.1	DNR Launch (Silver Lake)	Y
37516 Forest Drive	638999001	85.9	Forest County Potawatomi Community (Boy Scout Property)	N
N/A	641999	163.7	Boy Scouts of America	Y
2517 N Dousman Road	637999008	9.9	White Stone Church	N
2431 N Dousman Road	637999010	10.9	Hope Church	N
37100 Delafield Road	640998002	7.1	Village of Summit Hall	Y
37023 Genesee Lake Road	685976	7.995	DNR Lake Access (Genesee Lakes)	N
37505 Genesee Lake Road	685979001	76.95	Genesee Lake Park	N
36821 Sunset Drive	711988006	9.4	Emmanuel United Church of Christ	N (USH-18)

VILLAGE OF SUMMIT ZONING MAP



Legend

- A-1 Agricultural (35 acres +)
- A-2 Agricultural (10-35 acres)
- R-1 Estate Residential (2-acre Lot Size)
- R-2 Country Residential (1.5-acre Lot Size)
- R-3 Village Residential (35,000 S.F. Lot Size)
- R-4 Cottage Residential (20,000 S.F. Lot Size)
- NC Neighborhood Commercial
- MF-1 Multi-Family Residential
- MF-2 Multi-Family Residential
- IN Institutional
- BP Business Park
- WC Wetland Conservancy
- PDO Planned Development Overlay
- EC Environmental Corridor Overlay (PEC, SEC, INRA)
- FO Floodplain Overlay (Zone A, NO Base EL.)
- FO Floodplain Overlay (Zone AE, w/ Base EL.) and adopted flood studies
- Conservation Development
- Water
- Shoreland Jurisdiction

NOTE: ZONING DISTRICT BOUNDARY EXTENDS TO THE MIDDLE OF THE RIGHT-OF-WAY

N
W E
S

0 1,500 3,000 6,000 Feet

SEH

Map Revised:
March 11, 2013
April 17, 2013
May 02, 2013
January 05, 2016
July 24, 2017
December 19, 2017
February 01, 2019
February 10, 2020
March 16, 2021
April 18, 2023

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