



JOINT PLANNING & ZONING COMMISSION AND TOWN BOARD MEETING

March 4, 2026, 5:30 PM
820 E. Main Street, Eagle WI 53119

Agenda

NOTICE IS HEREBY GIVEN that a Joint Public Hearing will be held by the Town of Eagle Planning & Zoning Commission, Town of Eagle Board, and a Staff Representative of the Waukesha County Department of Parks and Land Use - Planning and Zoning Division, on March 4, 2026 at 5:30 p.m. at the Eagle Town Hall, located at 820 E. Main St., Eagle, WI, 53119, to consider the rezoning request (RZ172) of Wendy Konichek (applicant), for property owned by Norman B. and Linda L. Konichek Joint Revocable Living [Trust], to amend the District Zoning Map of the Waukesha County Shoreland Protection Ordinance from the A-T Agricultural Transition District to the A-5 Mini Farm District to create an approximately 6.6 acre lot for single family residential use. The County Environmental Corridor Overlay District and the Town of Eagle Rural Residential District will not be affected. The subject property is described as part of the SW ¼ and SE ¼ of Section 25, T5N, R17E, Town of Eagle. More specifically, the property is located at S101 W34628 CTH LO (Tax Key No. EGLT 1827.999).

Immediately following the above public hearing another public hearing will be held to consider the Conditional Use request (CU142) of Wendy Konichek (applicant), for property owned by Norman B. and Linda L. Konichek Joint Revocable Living [Trust] for a commercial horse boarding operation. The subject property is described as part of the SW ¼ and SE ¼ of Section 25, T5N, R17E, Town of Eagle. More specifically, the property is located at S101 W34628 CTH LO (Tax Key No. EGLT 1827.999).

1. Call to Order, Pledge of Allegiance
2. Roll Call
3. Minutes – Plan Commission consideration/approval of February 4, 2026, meeting minutes
4. Minutes – Town Board consideration/approval of February 4, 2026, meeting minutes
5. Public Comments - Please be advised per Section 19.84(2) Wis. Stats., information will be received from the public on only the items listed on the agenda. This public comment session shall last no longer than 15 minutes and individual presentations are limited to three minutes per speaker. There may be limited discussion on the information received, however, no action will be taken under public comment.
6. Consideration of Certified Survey Map to subdivide a 6.6-acre lot from the parent parcel with frontage on CTH LO. Tax Key EGLT 1827.999. Norman and Linda Konichek Revocable Trust (owners). Wendy Konichek (Applicant) Application 2026-09. Additional details are available online:
<https://s.zoninghub.com/56T0AV3L64>
 - A. Review Discussion
 - B. Consideration and possible action of waivers (Town Board only)
 - C. Plan Commission recommendation to Town Board
 - D. Town Board action
7. Consideration of a zoning amendment for a proposed 6.6-acre parcel from the A-T Agricultural Transition District to the A-5 Mini Farm District. Tax Key EGLT 1827.999. Norman and Linda Konichek Revocable Trust (owners). Wendy Konichek (Applicant) Application 2026-10. Additional details are available online:
<https://s.zoninghub.com/D90FFBFEUC>
 - A. Review Discussion
 - B. Plan Commission recommendation to Town Board
 - C. Town Board action

8. Consideration of Certified Survey Map to subdivide a 25.1-acre lot from the parent parcel with frontage on CTH E. Tax Key EGLT 1827.999. Norman and Linda Konichek Revocable Trust (owners). Wendy Konichek (Applicant) Application 2026-08. Additional details are available online: <https://s.zoninghub.com/PWZE588LSK>
 - A. Review Discussion
 - B. Consideration and possible action of waivers (Town Board only)
 - C. Plan Commission recommendation to Town Board
 - D. Town Board action
9. Conditional Use request to approve a commercial horse boarding operation known as Horse Power Healing Center on property located at S101W34628 CTH LO. Tax Key EGLT 1827.999. Norman and Linda Konichek Revocable Trust (owners). Wendy Konichek (Applicant) Application 2026-06. Additional details are available online: <https://s.zoninghub.com/U9FA9FIJY5>
 - A. Review and Discussion
 - B. Plan Commission recommendation to Town Board
 - C. Town Board action
10. Site Plan/Plan of Operation to approve a commercial horse boarding operation known as Horse Power Healing Center on property located at S101W34628 CTH LO. Tax Key EGLT 1827.999. Norman and Linda Konichek Revocable Trust (owners). Wendy Konichek (Applicant) Application 2026-07. Additional details are available online: <https://s.zoninghub.com/AT187L8SEB>
 - A. Review and Discussion
 - B. Plan Commission recommendation to Town Board
 - C. Town Board action
11. Consideration of Certified Survey Map to modify lot lines between parcels which are under common ownership. Tax Key EGLT 1729.994.001. John Herbst (owner). Application 2026-04. Additional details are available online: <https://s.zoninghub.com/JJYVAOWM2T>
 - A. Review Discussion
 - B. Consideration and possible action of waivers (Town Board only)
 - C. Plan Commission recommendation to Town Board
 - D. Town Board action
12. Amendment to a previously approved Special Exception request on behalf of William Dingel (owner), for an addition to an existing accessory building at W372 S9944 S.T.H. 67. Appl 2026-05, Additional details are available online: <https://s.zoninghub.com/SSP07BSY1N>
 - A. Review and Discussion
 - B. Plan Commission recommendation to Town Board
 - C. Town Board action
13. Miscellaneous updates
 - A. Violation updates
 - B. Town Chairperson updates
14. Recommendation for future agendas (no packet materials)
15. Next meeting date: anticipated April 1, 2026
16. Adjournment by Planning and Zoning Commission
17. Adjournment by Town Board

Posted by Town Clerk on _____

Please note, 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 Town of Eagle at 262-594-5800. Copies of the agenda and packet materials may be obtained before the start of the meeting by contacting the Town Hall at (262) 594-5800 during regular office hours.

TOWN OF EAGLE
PLANNING & ZONING COMMISSION HELD JOINTLY WITH THE TOWN BOARD
February 4, 2026, 5:30PM
Unapproved Minutes

Joint Public Hearing by the Town of Eagle Planning & Zoning Commission, Town Board and a Staff Representative of the Waukesha County Department of Parks and Land Use - Planning and Zoning to consider the Conditional Use request (CU140) of Lisa Love to amend the existing Conditional Use for a horse boarding and training facility known as At Liberty Equestrian Center. The applicant proposes to increase the number of horses from fifteen (15) to twenty (20) and would like to offer small classes/clinics. The subject property is described as Lot 1, Certified Survey Map No. 9498, part of the SE ¼ of Section 1, T5N, R17E, Town of Eagle. More specifically, the property is located at S70 W34138 Road X (Tax Key No. EGLT 1732.994.001).

The Public Hearing was opened at 5:31pm. Assistant Town Planner Slotty summarized the application and history of the existing conditional use. The applicant is in attendance. No input was received from the public. The Public Hearing was closed at 5:36pm.

Chairperson Mommaerts called the meeting to order at 5:36pm and led with the Pledge of Allegiance. R. Kugel, C. Mommaerts, R. Hajewski, D. Knauer, D. Domagalski, D. Radtke, T. Samuels, and M. Bendler were present. Also in attendance were Planners Jacob Heermans and Kassie Slotty.

Consideration and Approval of Minutes: *Plan Commission motion by Bendler, seconded by Samuels to approve the meeting minutes of January 7, 2026, with corrections. Motion carried (6-0). Town Board motion by Domagalski, seconded by Hajewski to approve the meeting minutes of January 7, 2026, with corrections. Motion carried (5-0).*

Mommaerts opened the floor for public comments. There were no comments from the public.

Conditional Use request to approve operational changes to At Liberty Equestrian Center on property located at S70W34138 Road X. Tax Key EGLT 1732.994.001. Lisa Love (owner). Appl 2026-02 and

Site Plan/Plan of Operation to approve operational changes to At Liberty Equestrian Center on property located at S70W34138 Road X. Tax Key EGLT 1732.994.001. Lisa Love (owner). Appl 2026-03

Discussion took place on the conditions of approval. It was determined that the list of conditions needed to be cleaned up. *Plan Commission motion by Kugel to approve the Conditional Use Request Application 2026-02 and the Site Plan/Plan of Operation Application 2026-03 with the conditions listed, however the conditions should be brought to a more current standard. Second by Radtke. Motion carried (6-0). Town Board motion by Hajewski, seconded by Domagalski, to approve Application 2026-02 and Application 2026-03 per the recommendation of the Plan Commission. Motion carried (5-0).*

Periodic review of conditional use for hobby kennel for up to 8 dogs located at S108W39555 Oregon Trail (EGLT 1852.016); Richard Novak (owner). Application 2026-01 *Plan Commission motion by Knauer to approve the (three-year extension) Conditional Use Permit for the hobby kennel located at S108W39555 Oregon Trail, Application 2026-01. Second by Kugel. Motion carried (6-0). Town Board motion by Hajewski to approve Application 2026-01 for the periodic review of the conditional use for a hobby kennel per the recommendation of the Plan Commission. Second by Domagalski. Motion carried (5-0).*

Violation updates: Planner Heermans reported on code violations in the Town.

Chairperson Updates: Mommaerts has nothing to report at this time.

Future agenda items: Samuels would like a review of conditional use permits.

Next meeting: Wednesday March 4, 2026, at 5:30PM to be held jointly with the Town Board.

Attorney Bitar arrived at 6:00pm.

Convene into closed session under Wis. Stats. § 19.85(1)(g), for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, specifically to consult with the Town Attorney on code violation issues and enforcement thereof involving property owned by Tom Reynolds located at S70W35196 Township Road X.

Roll Call Vote to go into closed session: Samuels-aye, Bendler-aye, Radtke-aye, Domagalski-aye, Kugel-aye, Mommaerts-aye, Knauer-aye, Hajewski-aye. Entered into closed session at 6:02pm.

Reconvene into Open Session pursuant to Wis. Stat. 19.85(2) for possible additional discussion and/or action concerning any matter discussed in closed session. *Motion by Mommaerts, seconded by Kugel to reconvene to open session. All in favor. Open session reconvened at 6:44pm.*

Motion by Hajewski, seconded by Kugel, to proceed with the action discussed in closed session. Motion carried (5-0).

Motion to adjourn Planning and Zoning made by Samuels, seconded by Knauer. All in favor. Planning and Zoning adjourned at 6:45pm.

Discussion/action on TEAM Committee Knauer prepared a draft agenda and by-laws for whoever takes the lead. Discussion took place on who should head the committee. Further discussion will take place at the February 18 Town Board Meeting.

Motion to adjourn Town Board made by Kugel, seconded by Domagalski. All in favor. Town Board adjourned at 6:54pm.

Respectfully submitted, Mercia Christian, Clerk

Date: March 4, 2026
To: Town of Eagle Plan Commission and Town Board
From: Jacob Heermans, Town Planner
Subject: One (1) Lot Certified Survey Map (CSM) and any necessary waivers
Application: 2026-09, <https://s.zoninghub.com/56T0AV3L64>
Location: EGLT 1827.999, located in the SW ¼ and SE ¼ of Section 25
Owner/Applicant: Norman and Linda Konichek Revocable Trust (Owners)
Wendy Konichek (Applicant)
Date of CSM: February 6, 2026

The petitioners own an approximately 112.85-acre parcel which has frontage on both CTH LO and CTH E. Jericho Creek runs north to south on the eastern portion of the property. Portions of the property fall within the County Shoreland jurisdiction as they are within 300' of the Creek or within the extent of the mapped floodplain. The land on the east side of the creek is vacant, and contains environmental features (wetlands, floodplain, PEC) and tillable acreage. The west side of the creek contains the existing improvements, which include several outbuildings and multiple residences. The petitioners utilize the western portion of the property for agricultural purposes including the operation of a commercial horse boarding operation.

The petitioners are proposing to subdivide a 6.643-acre lot from the parent parcel for future single-family residential development. The proposed lot will have frontage on CTH LO and is bisected by Jericho Creek. The property has split jurisdiction between the Town and County. The portions of the property within the Town's jurisdiction are zoned RR Rural Residential which requires a minimum of three (3) acres and 200' in average width. The portions of the property subject to the County's jurisdiction are zoned A-T Agricultural Transition District which requires a minimum of twenty (20) acres and 300' in average lot width. Because the County requirements are more restrictive, the parcel must comply with the County standards. The parcel does not meet the required 20-acre minimum; therefore, the petitioners have submitted a Rezone application to amend the A-T district to the A-5 Mini Farm District. The A-5 District requires a minimum of five (5) acres and 300' of average lot width. The parcel meets the requirements of the A-5 District and complies with the density requirements of the Land Use Plan.

The remnant (parent parcel) will be retained by the owners for continued residential and agricultural purposes. A separate 25.102-acre lot is proposed to be subdivided north of Lot 1 for single-family residential purposes, via a separate CSM. The larger parcel is not included on the proposed CSM due to the subject lot requiring a rezone due to the lot size. The remnant parcel has not been surveyed at this time, given that no changes are proposed outside of the proposed land divisions, and it would cause significant expense to the property owner.

The Waukesha County Land Conservancy had previously voiced an interest in acquiring the environmentally sensitive lands adjacent to Jericho Creek, or at minimum, obtaining an easement

for maintenance purposes. The current owner and future owners should be made aware of this interest should either pursue to and easement or sale of land to the Land Conservancy.

Potential Waivers

The Town Board may move to waive the requirement to consider a Conceptual CSM.

Staff Recommendation

Based upon the above information, staff recommends **conditional approval** of the Certified Survey Map, subject to the following conditions and modifications being made to a revised Certified Survey Map and subject to any waivers requested being approved by the Town Board.

Specific Conditions:

1. Subject to the petitioner obtaining Town Engineer approval of the Final CSM. All conditions of the Town Engineer shall be complied with. *The CSM has been routed to the Town Engineer and comments will be provided in separate correspondence.*
2. All easements, such as proposed or existing drainage ways, access, utility easements shall be shown on the CSM. Any related recorded document numbers shall also be noted on the CSM.
3. If there is drain tile present, its location and function shall be disclosed on future CSM submittals.
4. The Ordinary High Water Mark boundary shall be field located and identified on the face of the Certified Survey Map. In lieu of determining the Ordinary High Water Mark, the location of the top of bank and elevation may be identified on the Certified Survey Map.
5. Per Ch. 236 WI State Statutes, the following note shall be added to the face of the Certified Survey Map, "Any land below the Ordinary High Water Mark of a lake or a navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1, of the state constitution."
6. Soil borings verifying that the lots contain suitable soils for an on-site Sewage Disposal System, based on the Waukesha County Code of Ordinances Regulating On-Site Sewage Disposal Systems, must be submitted to the Town Planner and Waukesha County Environmental Health. The location of the soil borings with a cross reference to the data must be shown on the Certified Survey Map.
7. A note must be placed on the Certified Survey Map indicating that Lot 1 is not considered to be a buildable lot until soil tests are taken and permits are issued for a septic system.
8. The Preservation Restrictions on Sheet 3 shall be revised to read "Wetland/Floodplain/Environmental Corridor Restrictions". The first sentence within the restrictions shall also be updated to reference wetland and floodplain.

9. A note shall be added to the CSM that the floodplain information is based on FEMA FIRM Map No. 55133C0406G, revised on October 19, 2023.
10. The Waukesha County Park and Open Space Plan calls for Town ownership of the lands adjacent to Jericho Creek. The Town does not have interest in acquiring additional lands at this time, however, the Waukesha County Land Conservancy owns the lands on the opposite side of CTH E and may be interested in ownership or at minimum, an easement to maintain the environmentally sensitive areas. Please contact the Waukesha County Land Conservancy at 262-875-3070 to determine their interest in acquiring land or the possibility of an easement(s) for maintenance. The Waukesha County Land Conservancy is copied on this correspondence.
11. Note 4 on Sheet 3 shall be updated to also reference the wetland boundary as approximate and subject to delineation if structures are proposed in close proximity.
12. Note 5 on Sheet 3 can be removed as the Conditional Use for the horse boarding operation does not apply to the subject property.
13. Please note the Town and County zoning districts on the face of the CSM (RR Rural Residential District, A-5 Mini Farm District, C-1 Wetlands/Floodplain, EC Environmental Corridor). Add a note that states “The zoning districts, setbacks and offsets identified herein are subject to change based on the provisions of Town of Eagle Zoning Code (Chapter 500), Waukesha County Shoreland Protection Ordinance and Waukesha County Floodland Ordinance.”
14. A note must be placed on the Certified Survey Map indicating that the Waukesha County Park and Planning Commission granted a waiver on March 19, 2026, from the requirement of the Waukesha County Shoreland and Floodland Subdivision Control Ordinance that the Certified Survey Map must also include the remnant 82-acre parcel.
15. A note shall be added to the CSM that states that the subject property is subject to a rezone (RZ142).
16. The related pending rezone (File #RZ172) must be authorized by the County Board prior to the Town signing the Final Certified Survey Map.
17. If there is an outstanding mortgage on the property, a Signature Certificate for the mortgage holder must be added to the Certified Survey Map.
18. The signature block for the Town Clerk shall be revised to “Mercia Christian, Clerk”.

General Conditions

19. Staff and Governmental Approval. Prior to the Town signing the final CSM, the commencement of any construction or any improvement, whether public or private, or any site development, the Developer shall satisfy all comments, conditions and concerns of the

Town Planner, the Town Engineer, and all reviewing, objecting and approving bodies, including, but not limited to, the State of Wisconsin Department of Commerce per Chapter 236, Wisconsin Statutes and Chapter COMM 85, Wisconsin Administrative Code; State of Wisconsin Department of Administration per Chapter 236, Wisconsin Statutes; the Waukesha County Department of Parks and Land Use (including the Planning and Zoning Division, Parks System Division, Land Resources Division, and Environmental Health Division) and the Waukesha County Department of Public Works; as applicable, in regard to the Conveyance, and obtaining all necessary permits and approvals, prior to commencing construction of any improvement, whether public or private, or site development or recordation of the conveyance, whichever is earlier.

20. Professional Fees. The Petitioner shall, on demand, reimburse the Town for all costs and expenses of any type that the Town incurs in connection with this development, including the cost of professional services incurred by the Town (including engineering, legal, planning, and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions of this review due to a violation of these conditions.
21. Payment of Charges. Any unpaid bills owed to the Town by the subject property owner or his or her tenants, operators, or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Town; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this review that is subject to all remedies available to the Town, including possible cause for termination of the conveyance.
22. Surveyor's responsibility. Although the Town of Eagle has reviewed the subdivision certified survey map, the surveyor is entirely responsible for the thoroughness and accuracy of the survey and related matter and compliance with all state and local codes, ordinances, and procedures. Modifications to the survey may be required should errors or changed conditions be found at a future date.

General Conditions

23. Staff and Governmental Approval. Prior to the Town signing the final CSM, the commencement of any construction or any improvement, whether public or private, or any site development, the Developer shall satisfy all comments, conditions and concerns of the Town Planner, the Town Engineer, Waukesha County and all reviewing, objecting and approving bodies, including, but not limited to, the State of Wisconsin Department of Commerce per Chapter 236, Wisconsin Statutes and Chapter COMM 85, Wisconsin Administrative Code; State of Wisconsin Department of Administration per Chapter 236, Wisconsin Statutes; the Waukesha County Department of Parks and Land Use (including the Planning and Zoning Division, Parks System Division, Land Resources Division, and Environmental Health Division) and the Waukesha County Department of Public Works; as

applicable, in regard to the Conveyance, and obtaining all necessary permits and approvals, prior to commencing construction of any improvement, whether public or private, or site development or recordation of the conveyance, whichever is earlier.

24. Professional Fees. The Petitioner shall, on demand, reimburse the Town for all costs and expenses of any type that the Town incurs in connection with this development, including the cost of professional services incurred by the Town (including engineering, legal, planning, and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions of this review due to a violation of these conditions.
25. Payment of Charges. Any unpaid bills owed to the Town by the subject property owner or his or her tenants, operators, or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Town; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this review that is subject to all remedies available to the Town, including possible cause for termination of the conveyance.
26. Surveyor's responsibility. Although the Town of Eagle has reviewed the subdivision certified survey map, the surveyor is entirely responsible for the thoroughness and accuracy of the survey and related matter and compliance with all state and local codes, ordinances, and procedures. Modifications to the survey may be required should errors or changed conditions be found at a future date.

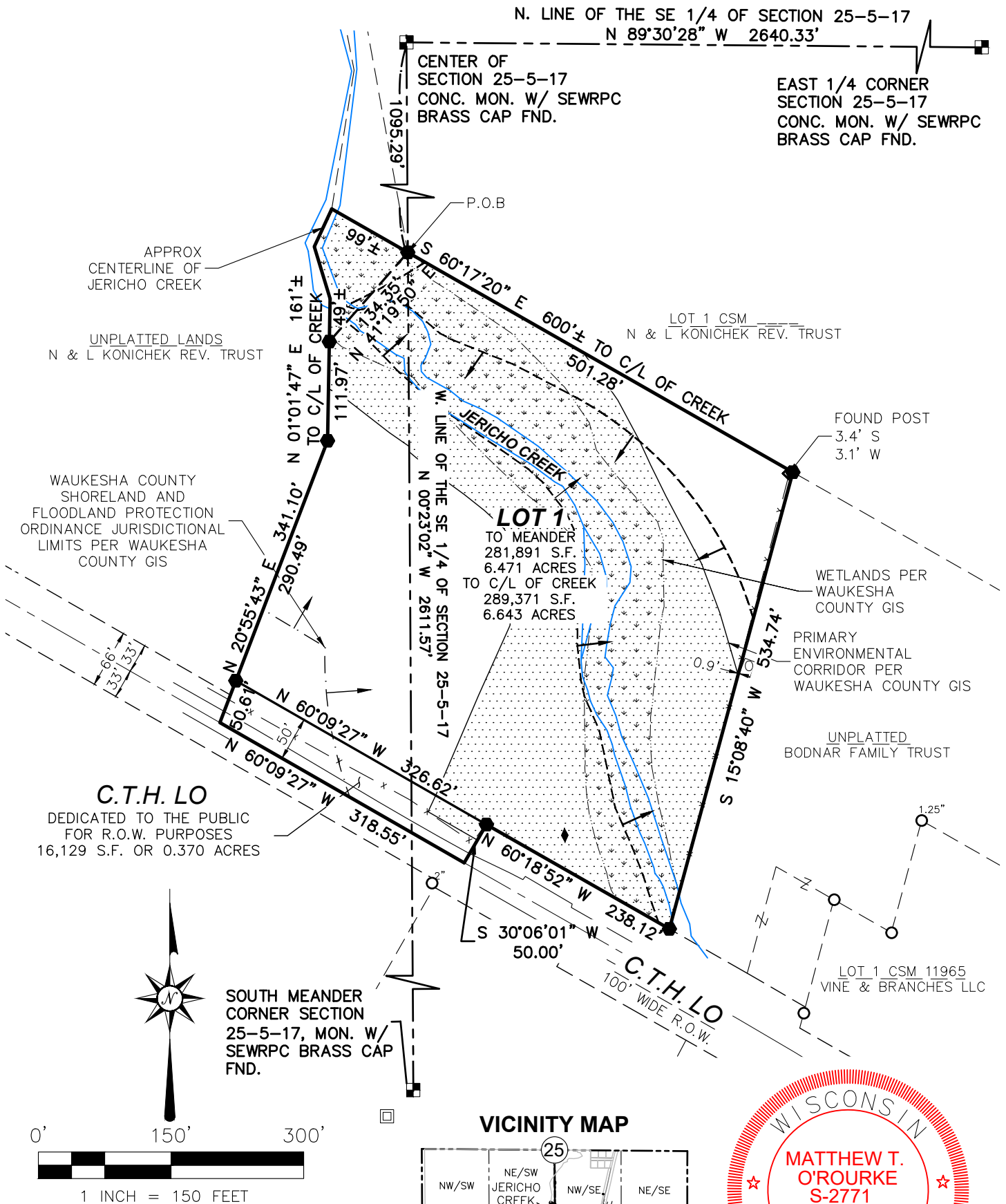
Attachments: Exhibit A – CSM 2/6/26

cc: Wendy Konichek, Matt Shehan, Town Engineer, County EHD, Village of Eagle

PRELIMINARY

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LANDS BEING A PART OF THE NE 1/4 AND SE 1/4 OF THE SW 1/4 AND PART OF THE NW 1/4 AND SW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 5 NORTH, RANGE 17 EAST, TOWN OF EAGLE, 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. 25-5-17 MEASURED AS N 89°30'28" W.



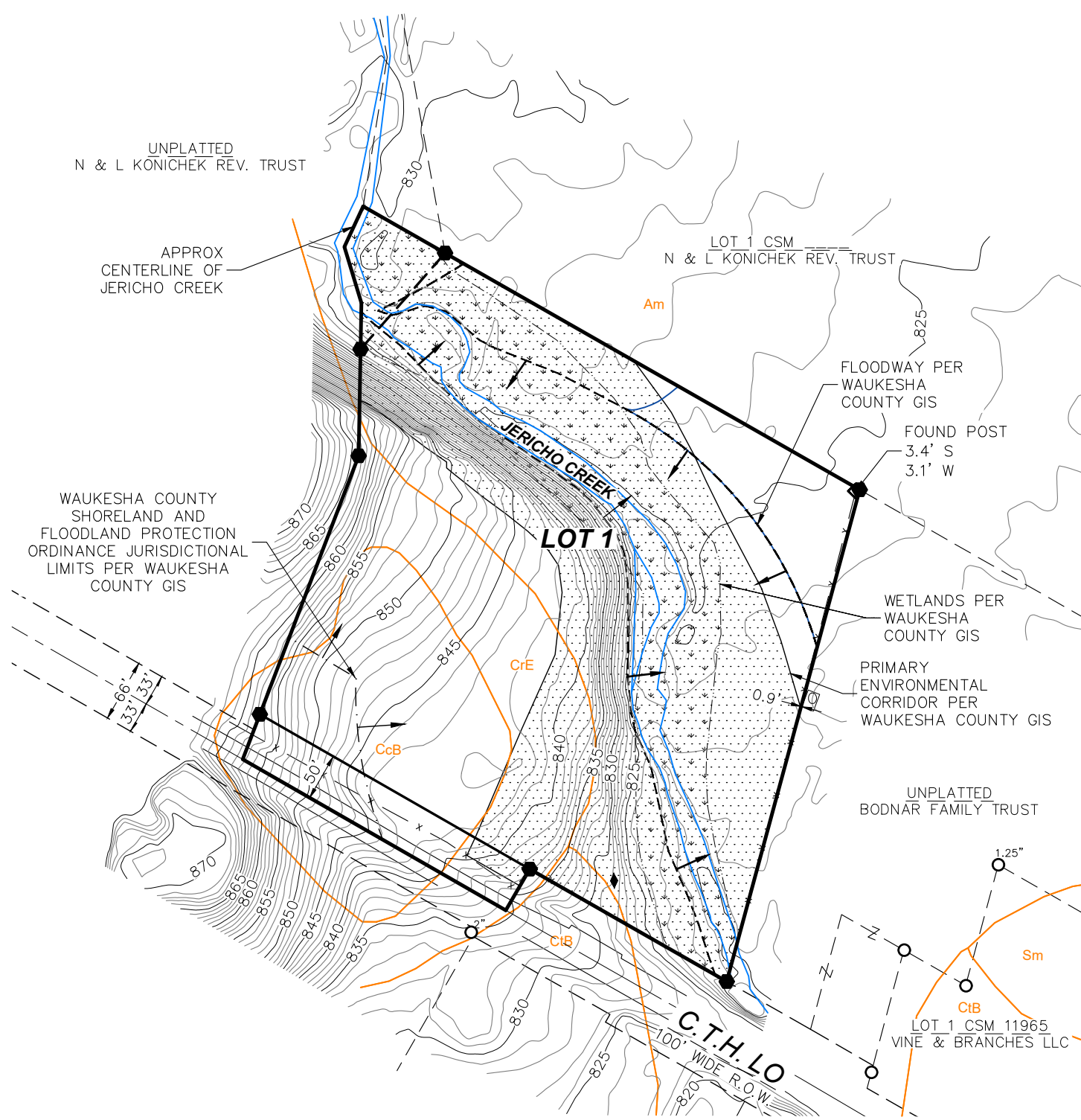
PREPARED FOR:
NORMAN B & LINDA L KONICHEK
JOINT REV. TRUST
S101W34628 COUNTY RD. LO
EAGLE, WI. 53119

LAND SURVEYING • LAND PLANNING
955 LEXINGTON DRIVE
OCCONOMOWOC, WI 53066
WWW.LANDTECHWI.COM
(262) 367-7599

SEE SHEET 2 FOR CONTOURS AND SOILS.
SEE SHEET 3 FOR NOTES AND LEGEND.

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LANDS BEING A PART OF THE NE 1/4 AND SE 1/4 OF THE SW 1/4 AND PART OF THE NW 1/4 AND SW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 5 NORTH, RANGE 17 EAST, TOWN OF EAGLE, WAUKESHA COUNTY, WISCONSIN.



THIS SHEET IS INTENDED TO SHOW SOIL AND CONTOUR DETAIL. SEE SHEET 1 FOR BEARINGS AND DISTANCE AND SECTION LINE INFO.

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LANDS BEING A PART OF THE NE 1/4 AND SE 1/4 OF THE SW 1/4 AND PART OF THE NW 1/4 AND SW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 5 NORTH, RANGE 17 EAST, TOWN OF EAGLE, WAUKESHA COUNTY, WISCONSIN.

BASEMENT RESTRICTION — GROUNDWATER

THIS CERTIFIED SURVEY MAP IS LOCATED IN AN AREA WITH MAPPED SOILS KNOWN TO HAVE SEASONAL HIGH GROUNDWATER. THE WAUKESHA COUNTY SHORELAND PROTECTION ORDINANCE CURRENTLY REQUIRES THAT THE LOWEST LEVEL OF ANY RESIDENCE MUST BE AT AN ELEVATION THAT IS AT LEAST ONE (1) FOOT HIGHER THAN THE HIGHEST SEASONAL GROUNDWATER LEVEL, UNLESS A VARIANCE FROM THAT REQUIREMENT IS OBTAINED FROM THE WAUKESHA COUNTY BOARD OF ADJUSTMENT. THEREFORE, ADDITIONAL SOIL TESTING IN THE VICINITY OF ANY PROPOSED RESIDENCE WILL BE REQUIRED TO ENSURE COMPLIANCE WITH THIS REQUIREMENT. IF THE REQUIREMENT REGARDING VERTICAL SEPARATION DISTANCE FROM THE HIGHEST SEASONAL GROUNDWATER LEVEL IS MODIFIED BY A FUTURE AMENDMENT TO THE WAUKESHA COUNTY SHORELAND PROTECTION ORDINANCE, THE REQUIREMENT AT THE TIME OF CONSTRUCTION SHALL APPLY. ALL GROUNDWATER SEPARATION REQUIREMENTS SET FORTH BY THE TOWN OF EAGLE MUST ALSO BE COMPLIED WITH.

WETLAND/PRIMARY ENVIRONMENTAL CORRIDOR RESTRICTIONS

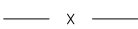
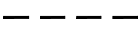
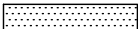
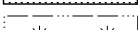
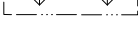
THOSE AREAS IDENTIFIED AS A PRIMARY ENVIRONMENTAL CORRIDOR PRESERVATION AREA ON PAGE 1 AND 2 OF 5 OF THIS CERTIFIED SURVEY MAP SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS:

1. GRADING, FILLING AND REMOVAL OF TOPSOIL OR OTHER EARTHEN MATERIALS ARE PROHIBITED, UNLESS SPECIFICALLY AUTHORIZED BY THE MUNICIPALITY IN WHICH THIS LAND IS LOCATED 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 WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE—PLANNING AND ZONING DIVISION. SILVICULTURAL THINNING, UPON THE RECOMMENDATION OF A FORESTER OR NATURALIST AND WITH APPROVAL FROM THE WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE—PLANNING AND ZONING DIVISION, 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 WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE—PLANNING AND ZONING DIVISION.
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 THE MUNICIPALITY IN WHICH THEY ARE LOCATED AND, 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.

NOTES:

- WETLANDS, ENVIRONMENTAL CORRIDOR, SHORELAND ZONING, CONTOURS, FLOODPLAIN AND SOILS ARE SHOWN PER WAUKESHA COUNTY GIS MAPPING.
- THE WAUKESHA COUNTY PARK AND PLANNING COMMISSION GRANTED A WAIVER ON XXXXXXXX, FROM THE REQUIREMENT OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND SUBDIVISION CONTROL ORDINANCE THAT CERTIFIED SURVEY MAP MUST ALSO INCLUDE THE REMNANT 107 ACRE PARCEL.
- LOT 1 CONTAINS STEEP SLOPES, THE BUILDING ENVELOPE SHALL EXCLUDE SLOPES OF 12% OR GREATER.
- THE P.E.C. (PRIMARY ENVIRONMENTAL CORRIDOR) BOUNDARY SHOWN ON THIS CERTIFIED SURVEY MAP IS AN APPROXIMATE BOUNDARY TAKEN FROM THE WAUKESHA COUNTY GIS MAPPING SITE. IF A FUTURE BUILDING/STRUCTURE IS PROPOSED TO BE CONSTRUCTED IN CLOSE PROXIMITY TO THE P.E.C., IT MAY BE NECESSARY FOR THE P.E.C. TO BE FIELD DELINEATED.
- LOT 1 OF THIS CSM IS SUBJECT TO THE CONDITIONS OF CONDITIONAL USE PERMIT (CU108) REDUCING THE SIZE OF THE PARCEL THE HORSE BOARDING OPERATION IS LOCATED ON.

LEGEND

	SECTION CORNER MONUMENT
	CONCRETE MONUMENT
	FOUND 1" IRON PIPE OR NOTED
	SET 0.75" O.D. X 18" REBAR
	WEIGHING 1.502 LBS/FT.
	FOUND POST
	WIRE FENCE
	CONTOUR PER GIS
	SOILS PER GIS
	SOIL TYPE
	FLOODWAY PER GIS
	P.E.C. PER GIS
	WETLANDS PER GIS
	SHORELAND ZONING
	OUTBUILDING
	EXISTING DRIVEWAY LOCATION

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LANDS BEING A PART OF THE NE 1/4 AND SE 1/4 OF THE SW 1/4 AND PART OF THE NW 1/4 AND SW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 5 NORTH, RANGE 17 EAST, TOWN OF EAGLE, 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 UNPLATTED LANDS BEING A PART OF THE THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 AND PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 25, TOWN 5 NORTH, RANGE 17 EAST TOWN OF EAGLE, WAUKESHA COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 25 TOWN 5 NORTH, RANGE 17 EAST; THENCE N 89°30'28" W ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 25, 2640.33 FEET TO THE CENTER OF SECTION; THENCE S 00°23'02" W ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 25, 1095.29 FEET TO THE POINT OF BEGINNING; THENCE S 60°17'20" E, 501.28 FEET; THENCE S 15°08'40" W, 534.74 FEET TO THE NORTH RIGHT-OF-WAY OF C.T.H. "LO"; THENCE N 60°18'52" W ALONG THE NORTH RIGHT-OF-WAY OF C.T.H. "LO", 238.12 FEET; THENCE S 30°06'01" W, 50.00 FEET TO A POINT ON THE CENTERLINE OF C.T.H. "LO"; THENCE N 60°09'27" W ALONG THE CENTERLINE OF C.T.H. "LO", 318.55 FEET; THENCE N 20°55'43" E, 341.10 FEET; THENCE N 01°01'47" E, 111.97 FEET TO THE BEGINNING OF THE MEANDER LINE OF JERICO CREEK; SAID POINT LYING S 01°01'47" W 161 FEET MORE OR LESS FROM THE CENTERLINE OF JERICO CREEK; THENCE N 41°19'50" E, ALONG THE MEANDER LINE OF JERICO CREEK, 134.35 FEET TO THE POINT OF BEGINNING SAID POINT LYING S 60°17'20" E 99 FEET MORE OR LESS FROM THE CENTERLINE OF JERICO CREEK.

DESCRIBED LANDS HAVING AN AREA OF 305,500 SQUARE FEET OR 7.013 ACRES MORE OR LESS, INCLUDING THE LANDS LYING BETWEEN THE MEANDER LINE AND THE CENTERLINE OF JERICO CREEK.

THAT I HAVE MADE SAID SURVEY BY THE DIRECTION OF THE NORMAN B & LINDA L KONICHEK JOINT REV. TRUST 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 WAUKESHA COUNTY AND THE TOWN OF EAGLE AND VILLAGE OF EAGLE (EXTRATERRITORIAL) IN SURVEYING, DIVIDING, DEDICATING AND MAPPING THE SAME.

DATED THIS _____ DAY OF _____, 20_____.

MATTHEW T. O'ROURKE, S-2771

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LANDS BEING A PART OF THE NE 1/4 AND SE 1/4 OF THE SW 1/4 AND PART OF THE NW 1/4 AND SW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 5 NORTH, RANGE 17 EAST, TOWN OF EAGLE, WAUKESHA COUNTY, WISCONSIN.

OWNER'S CERTIFICATE:

AS OWNERS THE NORMAN B & LINDA L KONICHEK JOINT REVOCABLE LIVING TRUST DATED JANUARY 27, 2003 HAS CAUSED SAID LANDS TO BE SURVEYED, DIVIDED, DEDICATED AND MAPPED AS SHOWN ON THIS MAP. IT ALSO CERTIFIES THAT THIS CSM IS REQUIRED TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL: TOWN OF EAGLE, WAUKESHA COUNTY AND THE VILLAGE OF EAGLE (EXTRATERRITORIAL).
WITNESS THE HAND AND SEAL OF SAID OWNERS:

THIS _____ DAY OF _____, 20_____.

NORMAN B KONICHEK

LINDA L KONICHEK

STATE OF WISCONSIN)SS
COUNTY OF _____)

PERSONALLY CAME BEFORE ME THIS _____DAY OF _____, 20_____, THE ABOVE NAMED NORMAN B & LINDA L KONICHEK JOINT REVOCABLE LIVING TRUST DATED JANUARY 27, 2003, 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 _____

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LANDS BEING A PART OF THE NE 1/4 AND SE 1/4 OF THE SW 1/4 AND PART OF THE NW 1/4 AND SW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 5 NORTH, RANGE 17 EAST, TOWN OF EAGLE, WAUKESHA COUNTY, WISCONSIN.

TOWN OF EAGLE BOARD APPROVAL

THIS LAND DIVISION AND ROADWAY DEDICATION IS HEREBY APPROVED BY THE TOWN OF EAGLE BOARD,
THIS _____ DAY OF _____ , 20____.

CHRIS MOMMAERTS, CHAIRPERSON

MARCIA CHRISTIAN, CLERK

VILLAGE OF EAGLE EXTRATERRITORIAL APPROVAL

THIS LAND DIVISION IS HEREBY APPROVED BY THE VILLAGE OF EAGLE,
THIS _____ DAY OF _____ , 20____.

RICHARD SPURRELL, PRESIDENT

JESSICA WOOD, SECRETARY

WAUKESHA COUNTY DEPARTMENT OF PARKS & LAND USE

THE ABOVE, WHICH HAS BEEN FILED FOR APPROVAL AS REQUIRED BY CHAPTER 236 OF THE WISCONSIN
STATE STATUTES, IS HEREBY APPROVED ON THIS _____ DAY OF _____, 20 ____.

DALE R. SHAVER, DIRECTOR



STAFF REPORT AND RECOMMENDATION
ZONING AMENDMENT (REZONE)

Date: March 4, 2026

To: Planning and Zoning Commission and Town Board

Owner/Applicant: Norman and Linda Konichek Revocable Trust (owners). Wendy Konichek (Applicant)

Location: S101W34628 CTH LO. Tax Key EGLT 1827.999

Jurisdiction: The portion of the property adjacent to Jericho Creek is located within the county's shoreland zoning jurisdiction with the remainder of the property within the town's zoning jurisdiction.

Existing Zoning: RR Rural Residential, UC Upland Conservancy (Town); A-T Agricultural Transition District, C-1 Conservancy (Wetland/Floodplain), EC Environmental Corridor Overlay (County)

Proposed Zoning: A-5 Mini Farm District with no proposed changes to the Environmental Corridor Overlay District, or C-1 Conservancy Districts (County). No changes to the Town zoning districts proposed.

Application(s): Rezone - Application 2026-10. <https://s.zoninghub.com/D90FFBFEUC>

Consistency with Comprehensive Plan: The property is designated as Rural Density and Other Agricultural Land (5 acres per dwelling unit) and Primary Environmental Corridor (5 acres per dwelling unit). The Town Plan similarly designates the lands in a five-acre category (Rural Residential II) and Environmental Corridors. The proposal to create a 6.643 acre parcel is consistent with both plans.

Public Notice: A public notice was published in West Now on February 18, 2026, and February 25, 2026.

Public Hearing Date: March 4, 2026

Public Comments received by the town: None as of February 26, 2026.

County Review and Approval: The Town Board makes a recommendation to the County. The Rezone must be approved by the County Park and Planning Commission before going to the County Board for final approval.

Staff Analysis

The petitioners own an approximately 113-acre parcel which has frontage on both CTH LO and CTH E. Jericho Creek runs north to south on the eastern portion of the property. Portions of the property fall within the County Shoreland jurisdiction as they are within 300' of the Creek or within the extent of the mapped floodplain. The land on the east side of the creek is vacant, and contains environmental features (wetlands, floodplain, PEC) and tillable acreage. The west side of the creek contains the existing improvements, which includes several outbuildings and multiple residences. The petitioners utilize the western portion of the property for agricultural purposes including the operation of a commercial horse boarding operation.

The petitioners are proposing to subdivide a 6.643-acre lot from the parent parcel for future single-family residential development. The proposed lot will have frontage on CTH LO and is bisected by Jericho Creek. The property has split jurisdiction between the Town and County. The portions of the property within the Town's jurisdiction are zoned RR Rural Residential which requires a minimum of three (3) acres and 200' in average width, however; the Town's jurisdiction on the proposed lot is rather limited. The portions of the property subject to the County's jurisdiction are zoned A-T Agricultural Transition District which requires a minimum of twenty (20) acres and 300' in average lot width. There are also areas zoned C-1 Conservancy (Wetland/Floodplain), EC Environmental Corridor Overlay. Because the County requirements are more restrictive, the parcel must comply with the County standards. The parcel does not meet the required 20-acre minimum; therefore, the petitioners have submitted a Rezone application to amend the A-T district to the A-5 Mini Farm District. The A-5 District requires a minimum of five (5) acres and 300' of average lot width. The parcel meets the requirements of the A-5 District and complies with the density requirements of the Land Use Plan.

Staff Recommendation:

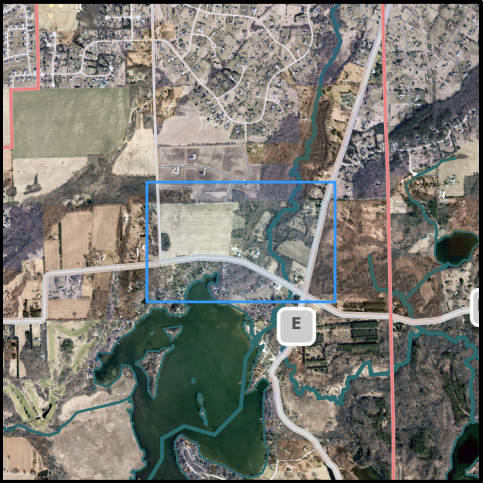
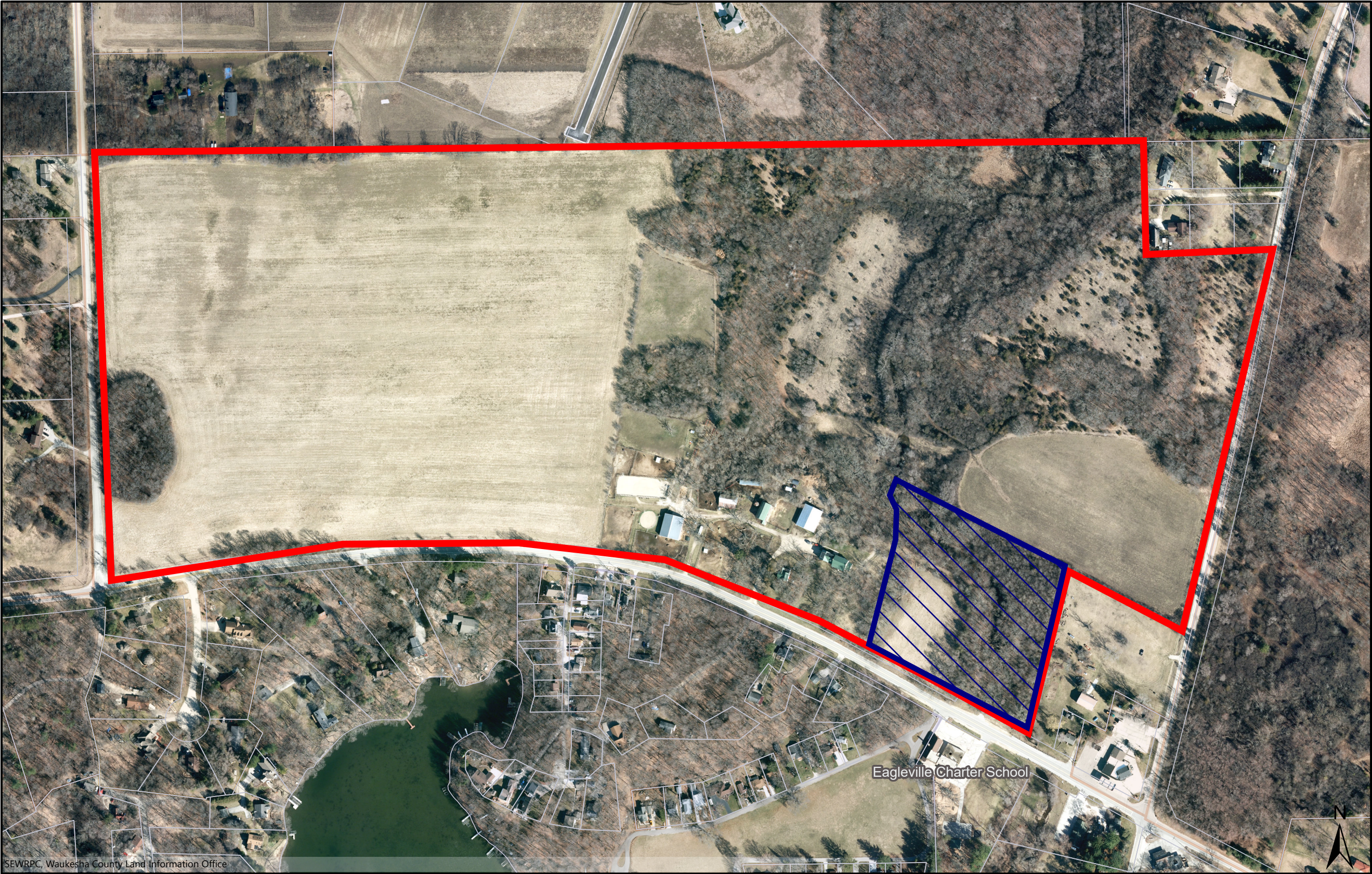
Staff recommends **approval** of the rezone from the A-T Agricultural Transition District to the A-5 Mini Farm District. This A-T District is intended to reflect the transitional nature of lands that are currently in agricultural or open space use but are planned for and are likely to be developed for other land uses over time. The C-1 Conservancy (Wetland/Floodplain), EC Environmental Corridor Overlays will remain unchanged, and there are no proposed changes to the Town zoning. Rezoning the property from A-T District to the A-5 District meets the purpose and intent of the Ordinance and complies with the Town and County Land use Plans.

A handwritten signature in black ink, appearing to read "Jacob Heermans". The signature is fluid and cursive, with the first name "Jacob" and last name "Heermans" clearly distinguishable.

Jacob Heermans
Town Planner

Attachments

Exhibit A – Site Plan



Legend

Tax Parcels

Assessor Plat

CSM

Condominium

Subdivision

Points of Interest

Assessor Plat

CSM

Condominium

Subdivision

RGB

Red: Band_1Green: Band_2Blue: Band_3

RGB

Red: Band_1Green: Band_2Blue: Band_3

Notes

Printed Date: 2/20/2026 2:56 PM

Date: March 4, 2026
To: Town of Eagle Plan Commission and Town Board
From: Jacob Heermans, Town Planner
Subject: One (1) Lot Certified Survey Map (CSM) and any necessary waivers
Application: 2026-08, <https://s.zoninghub.com/PWZE588LSK>
Location: EGLT 1827.999, located in the SW ¼ and SE ¼ of Section 25
Owner/Applicant: Norman and Linda Konichek Revocable Trust (Owners)
Wendy Konichek (Applicant)
Date of CSM: February 6, 2026

The petitioners own an approximately 112.85-acre parcel which has frontage on both CTH LO and CTH E. Jericho Creek runs north to south on the eastern portion of the property. Portions of the property fall within the County Shoreland jurisdiction as they are within 300' of the Creek or within the extent of the mapped floodplain. The land on the east side of the creek is vacant, and contains environmental features (wetlands, floodplain, PEC) and tillable acreage. The west side of the creek contains the existing improvements, which include several outbuildings and multiple residences. The petitioners utilize the western portion of the property for agricultural purposes including the operation of a commercial horse boarding operation.

The petitioners are proposing to subdivide a 25.102-acre lot from the parent parcel for future single-family residential development. The proposed lot will have frontage on CTH E to the east, and will extend to Jericho Creek on the west. The property has split jurisdiction between the Town and County. The portions of the property within the Town's jurisdiction are zoned RR Rural Residential which requires a minimum of three (3) acres and 200' in average width. The portions of the property subject to the County's jurisdiction are zoned A-T Agricultural Transition District which requires a minimum of twenty (20) acres and 300' in average lot width. Because the County requirements are more restrictive, the parcel must comply with the County standards. The proposed land division complies with the zoning district requirements and the Land Use Plan as the proposed Lot meets the required twenty (20) acre lot size and 300' average width as well as the required density requirements.

The remnant (parent parcel) will be retained by the owners for continued residential and agricultural purposes. A separate 6.643-acre lot is proposed to be subdivided south of Lot 1 for single-family residential purposes, via a separate CSM. The smaller parcel is not included on the proposed CSM due to the required rezone due to the lot size. The remnant parcel has not been surveyed at this time, given that no changes are proposed outside of the proposed land divisions, and it would cause significant expense to the property owner.

The Waukesha County Land Conservancy had previously voiced an interest in acquiring the environmentally sensitive lands adjacent to Jericho Creek, or at minimum, obtaining an easement for maintenance purposes. The current owner and future owners should be made aware of this interest should either pursue to and easement or sale of land to the Land Conservancy.

Potential Waivers

The Town Board may move to waive the requirement to consider a Conceptual CSM and the requirement to survey the remnant lands.

Staff Recommendation

Based upon the above information, staff recommends **conditional approval** of the Certified Survey Map, subject to the following conditions and modifications being made to a revised Certified Survey Map and subject to any waivers requested being approved by the Town Board.

Specific Conditions:

1. Subject to the petitioner obtaining Town Engineer approval of the Final CSM. All conditions of the Town Engineer shall be complied with. *The CSM has been routed to the Town Engineer and comments will be provided in separate correspondence.*
2. All easements, such as proposed or existing drainage ways, access, utility easements shall be shown on the CSM. Any related recorded document numbers shall also be noted on the CSM.
3. If there is drain tile present, its location and function shall be disclosed on future CSM submittals.
4. The Ordinary High Water Mark boundary shall be field located and identified on the face of the Certified Survey Map. In lieu of determining the Ordinary High Water Mark, the location of the top of bank and elevation may be identified on the Certified Survey Map.
5. Per Ch. 236 WI State Statutes, the following note shall be added to the face of the Certified Survey Map, "Any land below the Ordinary High Water Mark of a lake or a navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1, of the state constitution."
6. Soil borings verifying that the lots contain suitable soils for an on-site Sewage Disposal System, based on the Waukesha County Code of Ordinances Regulating On-Site Sewage Disposal Systems, must be submitted to the Town Planner and Waukesha County Environmental Health. The location of the soil borings with a cross reference to the data must be shown on the Certified Survey Map.
7. A note must be placed on the Certified Survey Map indicating that Lot 1 is not considered to be a buildable lot until soil tests are taken and permits are issued for a septic system.
8. The Preservation Restrictions on Sheet 3 shall be revised to read "Wetland/Floodplain/Environmental Corridor Restrictions". The first sentence within the restrictions shall also be updated to reference wetland and floodplain.
9. A note shall be added to the CSM that the floodplain information is based on FEMA FIRM Map No. 55133C0406G, revised on October 19, 2023.

10. The Waukesha County Park and Open Space Plan calls for Town ownership of the lands adjacent to Jericho Creek. The Town does not have interest in acquiring additional lands at this time, however, the Waukesha County Land Conservancy owns the lands on the opposite side of CTH E and may be interested in ownership or at minimum, an easement to maintain the environmentally sensitive areas. Please contact the Waukesha County Land Conservancy at 262-875-3070 to determine their interest in acquiring land or the possibility of an easement(s) for maintenance. The Waukesha County Land Conservancy is copied on this correspondence.
11. Note 4 on Sheet 3 shall be updated to also reference the wetland boundary as approximate and subject to delineation if structures are proposed in close proximity.
12. Note 5 on Sheet 3 can be removed as the Conditional Use for the horse boarding operation does not apply to the subject property.
13. Please note the Town and County zoning districts on the face of the CSM (RR Rural Residential District, UC Upland Conservancy, A-T Agricultural Transition District, C-1 Wetlands/Floodplain). The setbacks of the RR District shall be shown (50' road) and offset (30') on the CSM. Add a note that states "The zoning districts, setbacks and offsets identified herein are subject to change based on the provisions of Town of Eagle Zoning Code (Chapter 500), Waukesha County Shoreland Protection Ordinance and Waukesha County Floodland Ordinance." Please be advised that the County may require their zoning districts to be shown as well.
14. The acreage noted in the Surveyor's Certificate does not match the acreage noted on Sheet 1. Please revise.
15. If there is an outstanding mortgage on the property, a Signature Certificate for the mortgage holder must be added to the Certified Survey Map.
16. The signature block for the Town Clerk shall be revised to "Mercia Christian, Clerk".

General Conditions

17. Staff and Governmental Approval. Prior to the Town signing the final CSM, the commencement of any construction or any improvement, whether public or private, or any site development, the Developer shall satisfy all comments, conditions and concerns of the Town Planner, the Town Engineer, and all reviewing, objecting and approving bodies, including, but not limited to, the State of Wisconsin Department of Commerce per Chapter 236, Wisconsin Statutes and Chapter COMM 85, Wisconsin Administrative Code; State of Wisconsin Department of Administration per Chapter 236, Wisconsin Statutes; the Waukesha County Department of Parks and Land Use (including the Planning and Zoning Division, Parks System Division, Land Resources Division, and Environmental Health Division) and the Waukesha County Department of Public Works; as applicable, in regard to the Conveyance, and obtaining all necessary permits and approvals, prior to commencing

construction of any improvement, whether public or private, or site development or recordation of the conveyance, whichever is earlier.

18. Professional Fees. The Petitioner shall, on demand, reimburse the Town for all costs and expenses of any type that the Town incurs in connection with this development, including the cost of professional services incurred by the Town (including engineering, legal, planning, and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions of this review due to a violation of these conditions.
19. Payment of Charges. Any unpaid bills owed to the Town by the subject property owner or his or her tenants, operators, or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Town; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this review that is subject to all remedies available to the Town, including possible cause for termination of the conveyance.
20. Surveyor's responsibility. Although the Town of Eagle has reviewed the subdivision certified survey map, the surveyor is entirely responsible for the thoroughness and accuracy of the survey and related matter and compliance with all state and local codes, ordinances, and procedures. Modifications to the survey may be required should errors or changed conditions be found at a future date.

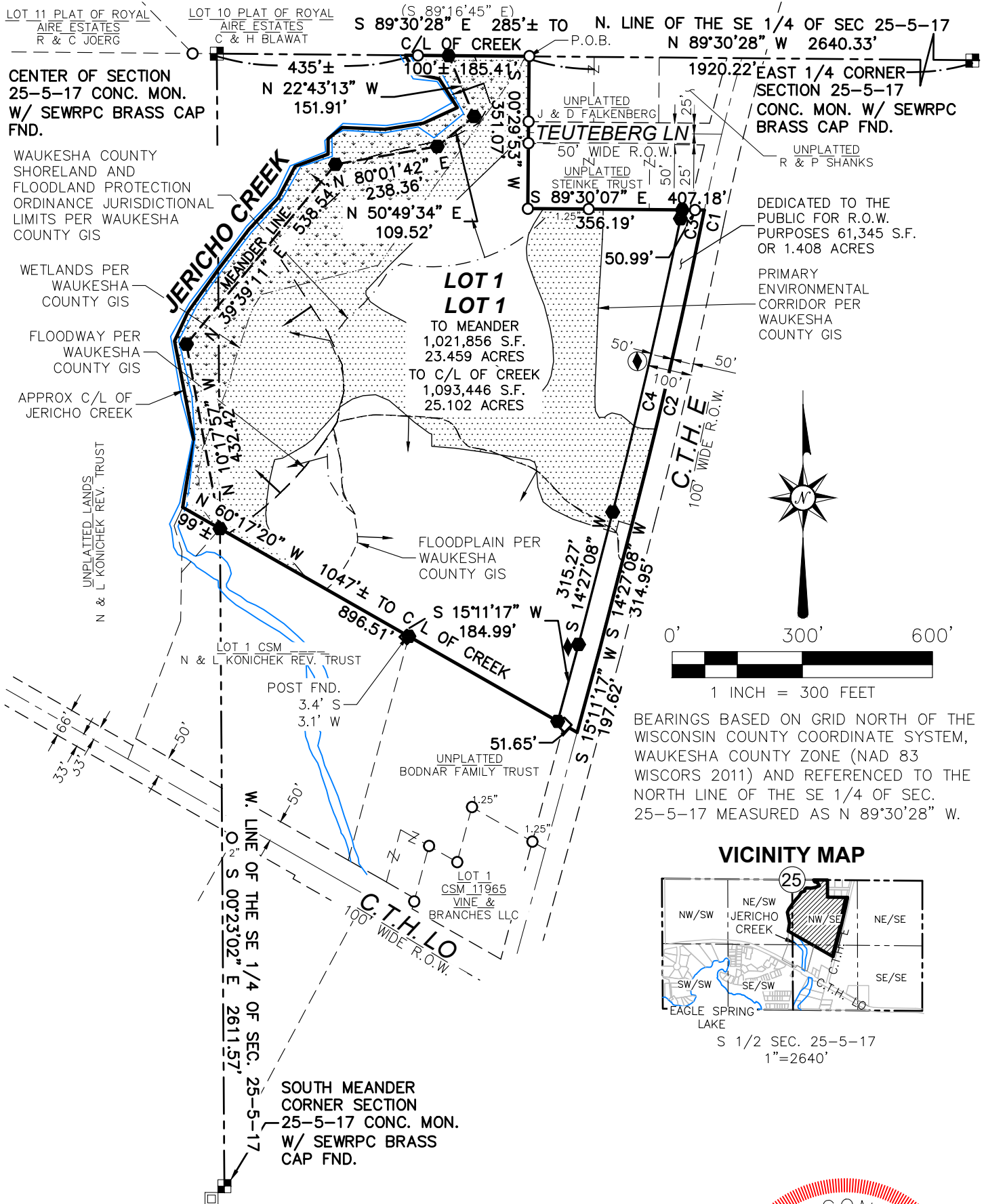
Attachments: Exhibit A – CSM 2/6/26

cc: Wendy Konichek, Matt Sheahan, Town Engineer, County EHD, Village of Eagle

PRELIMINARY

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LANDS BEING A PART OF THE NE 1/4 OF THE SW 1/4 AND PART OF THE NW 1/4 AND SW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 5 NORTH, RANGE 17 EAST, TOWN OF EAGLE, WAUKESHA COUNTY, WISCONSIN.



- SEE SHEET 2 FOR CONTOURS AND SOILS.
- SEE SHEET 3 FOR NOTES AND LEGEND
- SHEET SHEET 4 FOR CURVE TABLE.



LAND SURVEYING • LAND PLANNING
955 LEXINGTON DRIVE
OCCONOMOWOC, WI 53066
WWW.LANDTECHWI.COM
(262) 367-7599

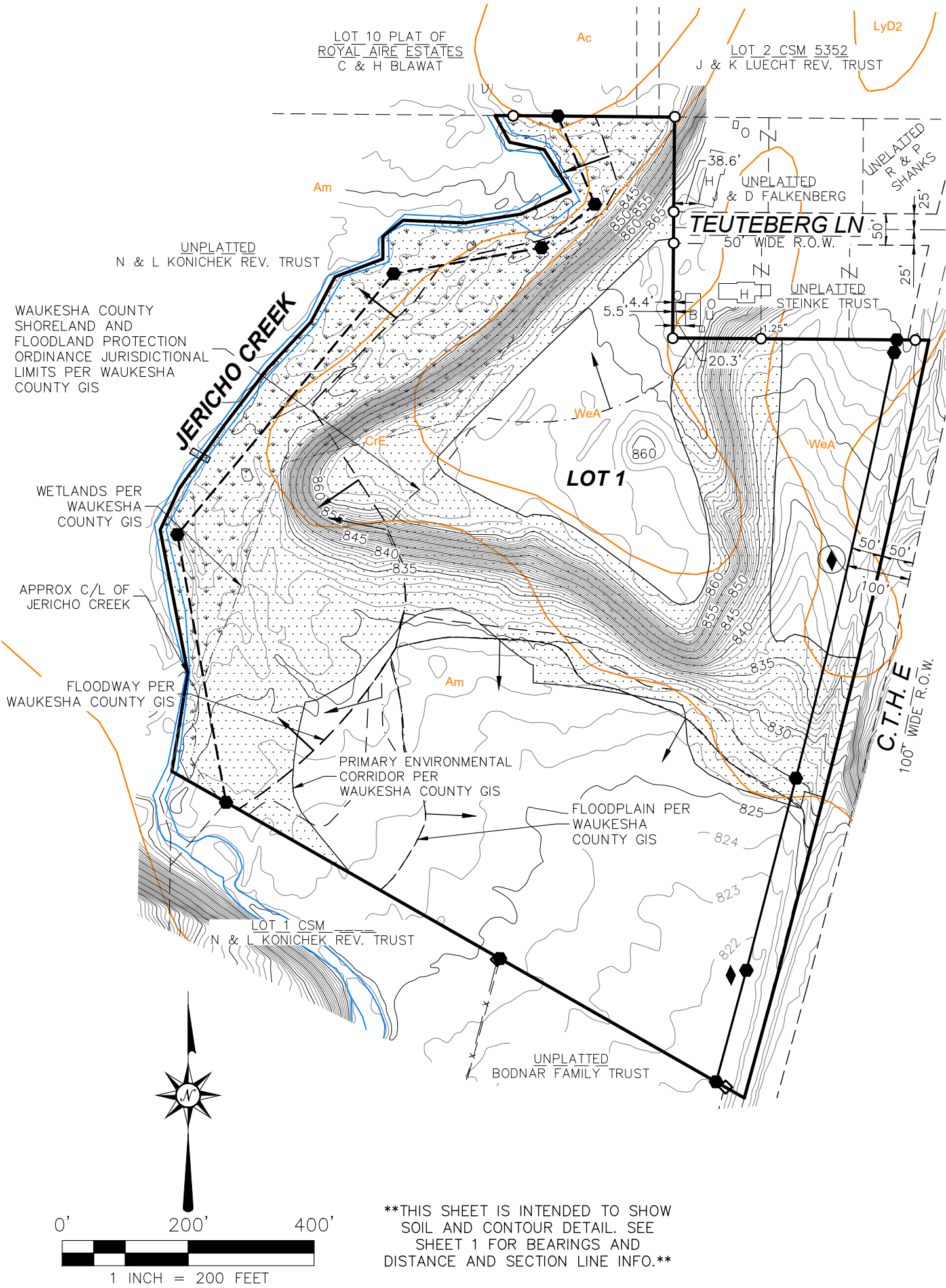
PREPARED FOR:
NORMAN B & LINDA L KONICHEK
JOINT REV. TRUST
S101W34628 COUNTY RD. LO
EAGLE, WI. 53119



DATED 02/06/2026
JOB# 23187

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LANDS BEING A PART OF THE NE 1/4 OF THE SW 1/4 AND PART OF THE NW 1/4 AND SW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 5 NORTH, RANGE 17 EAST, TOWN OF EAGLE, WAUKESHA COUNTY, WISCONSIN.



WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LANDS BEING A PART OF THE NE 1/4 OF THE SW 1/4 AND PART OF THE NW 1/4 AND SW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 5 NORTH, RANGE 17 EAST, TOWN OF EAGLE, WAUKESHA COUNTY, WISCONSIN.

BASEMENT RESTRICTION — GROUNDWATER

THIS CERTIFIED SURVEY MAP IS LOCATED IN AN AREA WITH MAPPED SOILS KNOWN TO HAVE SEASONAL HIGH GROUNDWATER. THE WAUKESHA COUNTY SHORELAND PROTECTION ORDINANCE CURRENTLY REQUIRES THAT THE LOWEST LEVEL OF ANY RESIDENCE MUST BE AT AN ELEVATION THAT IS AT LEAST ONE (1) FOOT HIGHER THAN THE HIGHEST SEASONAL GROUNDWATER LEVEL, UNLESS A VARIANCE FROM THAT REQUIREMENT IS OBTAINED FROM THE WAUKESHA COUNTY BOARD OF ADJUSTMENT. THEREFORE, ADDITIONAL SOIL TESTING IN THE VICINITY OF ANY PROPOSED RESIDENCE WILL BE REQUIRED TO ENSURE COMPLIANCE WITH THIS REQUIREMENT. IF THE REQUIREMENT REGARDING VERTICAL SEPARATION DISTANCE FROM THE HIGHEST SEASONAL GROUNDWATER LEVEL IS MODIFIED BY A FUTURE AMENDMENT TO THE WAUKESHA COUNTY SHORELAND PROTECTION ORDINANCE, THE REQUIREMENT AT THE TIME OF CONSTRUCTION SHALL APPLY. ALL GROUNDWATER SEPARATION REQUIREMENTS SET FORTH BY THE TOWN OF EAGLE MUST ALSO BE COMPLIED WITH.

WETLAND/PRIMARY ENVIRONMENTAL CORRIDOR RESTRICTIONS

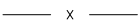
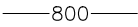
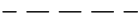
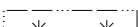
THOSE AREAS IDENTIFIED AS A PRIMARY ENVIRONMENTAL CORRIDOR PRESERVATION AREA ON PAGE 1 AND 2 OF 5 OF THIS CERTIFIED SURVEY MAP SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS:

1. GRADING, FILLING AND REMOVAL OF TOPSOIL OR OTHER EARTHEN MATERIALS ARE PROHIBITED, UNLESS SPECIFICALLY AUTHORIZED BY THE MUNICIPALITY IN WHICH THIS LAND IS LOCATED 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 WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE—PLANNING AND ZONING DIVISION. SILVICULTURAL THINNING, UPON THE RECOMMENDATION OF A FORESTER OR NATURALIST AND WITH APPROVAL FROM THE WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE—PLANNING AND ZONING DIVISION, 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 WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE—PLANNING AND ZONING DIVISION.
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 THE MUNICIPALITY IN WHICH THEY ARE LOCATED AND, 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.

NOTES:

- WETLANDS, ENVIRONMENTAL CORRIDOR, SHORELAND ZONING, CONTOURS, FLOODPLAIN AND SOILS ARE SHOWN PER WAUKESHA COUNTY GIS MAPPING.
- THE WAUKESHA COUNTY PARK AND PLANNING COMMISSION GRANTED A WAIVER ON XXXXXXXX, FROM THE REQUIREMENT OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND SUBDIVISION CONTROL ORDINANCE THAT CERTIFIED SURVEY MAP MUST ALSO INCLUDE THE REMNANT 107 ACRE PARCEL.
- LOT 1 CONTAINS STEEP SLOPES, THE BUILDING ENVELOPE SHALL EXCLUDE SLOPES OF 12% OR GREATER.
- THE P.E.C. (PRIMARY ENVIRONMENTAL CORRIDOR) BOUNDARY SHOWN ON THIS CERTIFIED SURVEY MAP IS AN APPROXIMATE BOUNDARY TAKEN FROM THE WAUKESHA COUNTY GIS MAPPING SITE. IF A FUTURE BUILDING/STRUCTURE IS PROPOSED TO BE CONSTRUCTED IN CLOSE PROXIMITY TO THE P.E.C., IT MAY BE NECESSARY FOR THE PEC TO BE FIELD DELINEATED.
- LOT 1 OF THIS CSM IS SUBJECT TO THE CONDITIONS OF CONDITIONAL USE PERMIT (CU108) REDUCING THE SIZE OF THE PARCEL THE HORSE BOARDING OPERATION IS LOCATED ON.

LEGEND

	SECTION CORNER MONUMENT
	CONCRETE MONUMENT
	FOUND 1" IRON PIPE OR NOTED
	SET 0.75" O.D. X 18" REBAR
	WEIGHING 1.502 LBS/FT.
	FOUND POST
	WIRE FENCE
	CONTOUR PER GIS
	SOILS PER GIS
	SOIL TYPE
	FLOODWAY PER GIS
	FLOODPLAIN PER GIS
	P.E.C. PER GIS
	WETLANDS PER GIS
	SHORELAND ZONING
	OUTBUILDING
	HOUSE
	BARN
	EXISTING DRIVEWAY LOCATION
	PROPOSED DRIVEWAY LOCATION

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LANDS BEING A PART OF THE NE 1/4 OF THE SW 1/4 AND PART OF THE NW 1/4 AND SW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 5 NORTH, RANGE 17 EAST, TOWN OF EAGLE, 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 UNPLATTED LANDS BEING A PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND PART OF THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 25, TOWN 5 NORTH, RANGE 17 EAST TOWN OF EAGLE, WAUKESHA COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 25, TOWN 5 NORTH, RANGE 17 EAST; THENCE N 89°30'28" W, ALONG THE NORTH LINE OF THE SE 1/4 OF SECTION 25 1920.22 FEET TO THE POINT OF BEGINNING; THENCE S 00°29'53" W, 351.07 FEET; THENCE S 89°30'07" E, 407.18 FEET TO THE CENTERLINE OF C.T.H. "E"; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 30.37 FEET, WITH A RADIUS OF 5,288.96 FEET, WITH A CHORD BEARING OF S 11°43'12" W, WITH A CHORD LENGTH OF 30.37 FEET; THENCE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 696.92 FEET, WITH A RADIUS OF 13,785.21 FEET, WITH A CHORD BEARING OF S 13°00'14" W, WITH A CHORD LENGTH OF 696.85 FEET; THENCE S 14°27'08" W ALONG THE CENTERLINE OF C.T.H. "E", 314.95 FEET; THENCE S 15°11'17" W ALONG THE CENTER LINE OF C.T.H. "E", 197.62 FEET; THENCE N 60°17'20" W, 948.16 FEET TO THE BEGINNING OF A MEANDER LINE OF JERICO CREEK SAID POINT LYING S 60°17'20" E, 99 FEET MORE OR LESS FROM THE CENTERLINE OF JERICO CREEK; THENCE ALONG THE MEANDER LINE OF JERICO CREEK FOR THE FOLLOWING 5 COURSES: 1.: THENCE N 10°17'57" W, 432.42 FEET; 2.: THENCE N 39°39'11" E, 538.54 FEET; 3.: THENCE N 80°01'42" E, 238.36 FEET; 4.: THENCE N 50°49'34" E, 109.52 FEET; 5.: THENCE N 22°43'13" W, 151.91 FEET TO THE END OF SAID MEANDER LINE OF JERICO CREEK SAID POINT LYING S 89°30'28" E 100 FEET MORE OR LESS FROM THE CENTERLINE OF JERICO CREEK; THENCE S 89°30'28" E, 185.41 FEET TO THE POINT OF BEGINNING.

DESCRIBED LANDS HAVING AN AREA OF 1,154,791 SQUARE FEET OR 27.51 ACRES MORE OR LESS, INCLUDING THE LANDS LYING BETWEEN THE MEANDER LINE AND THE CENTERLINE OF JERICO CREEK.

THAT I HAVE MADE SAID SURVEY BY THE DIRECTION OF THE NORMAN B & LINDA L KONICHEK JOINT REV. TRUST 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 WAUKESHA COUNTY AND THE TOWN OF EAGLE AND VILLAGE OF EAGLE (EXTRATERRITORIAL) IN SURVEYING, DIVIDING, DEDICATING AND MAPPING THE SAME.

DATED THIS _____ DAY OF _____, 20_____.

MATTHEW T. O'ROURKE, S-2771

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	5288.96'	0°19'44"	30.37'	30.37'	S 11°43'12" W
C2	13785.21'	2°53'48"	696.92'	696.85'	S 13°00'14" W
C3	5338.96'	0°13'15"	20.59'	20.59'	S 11°39'58" W
C4	13735.21'	2°53'48"	694.39'	694.32'	S 13°00'14" W

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LANDS BEING A PART OF THE NE 1/4 OF THE SW 1/4 AND PART OF THE NW 1/4 AND SW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 5 NORTH, RANGE 17 EAST, TOWN OF EAGLE, WAUKESHA COUNTY, WISCONSIN.

OWNER'S CERTIFICATE:

AS OWNERS THE NORMAN B & LINDA L KONICHEK JOINT REVOCABLE LIVING TRUST DATED JANUARY 27, 2003 HAS CAUSED SAID LANDS TO BE SURVEYED, DIVIDED, DEDICATED AND MAPPED AS SHOWN ON THIS MAP. IT ALSO CERTIFIES THAT THIS CSM IS REQUIRED TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL: TOWN OF EAGLE, WAUKESHA COUNTY AND THE VILLAGE OF EAGLE (EXTRATERRITORIAL).
WITNESS THE HAND AND SEAL OF SAID OWNERS:

THIS _____ DAY OF _____, 20____.

NORMAN B KONICHEK

LINDA L KONICHEK

STATE OF WISCONSIN)SS
COUNTY OF _____)

PERSONALLY CAME BEFORE ME THIS _____DAY OF _____, 20____, THE ABOVE NAMED NORMAN B & LINDA L KONICHEK JOINT REVOCABLE LIVING TRUST DATED JANUARY 27, 2003, 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 _____

WAUKESHA CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LANDS BEING A PART OF THE NE 1/4 OF THE SW 1/4 AND PART OF THE NW 1/4 AND SW 1/4 OF THE SE 1/4 OF SECTION 25, TOWN 5 NORTH, RANGE 17 EAST, TOWN OF EAGLE, WAUKESHA COUNTY, WISCONSIN.

TOWN OF EAGLE BOARD APPROVAL

THIS LAND DIVISION IS HEREBY APPROVED BY THE TOWN OF EAGLE BOARD, THIS _____ DAY OF _____, 20____.

CHRIS MOMMAERTS, CHAIRPERSON

MARCIA CHRISTIAN, CLERK

VILLAGE OF EAGLE EXTRATERRITORIAL APPROVAL

THIS LAND DIVISION IS HEREBY APPROVED BY THE VILLAGE OF EAGLE, THIS _____ DAY OF _____, 20____.

RICHARD SPURRELL, PRESIDENT

JESSICA WOOD, SECRETARY

WAUKESHA COUNTY DEPARTMENT OF PARKS & LAND USE

THE ABOVE, WHICH HAS BEEN FILED FOR APPROVAL AS REQUIRED BY CHAPTER 236 OF THE WISCONSIN STATE STATUTES, IS HEREBY APPROVED ON THIS _____ DAY OF _____, 20 ____.

DALE R. SHAVER, DIRECTOR



STAFF REPORT AND RECOMMENDATION
CONDITIONAL USE AND SITE PLAN/PLAN OF OPERATION

Date: March 4, 2026

To: Planning and Zoning Commission and Town Board

Name of Operation: Jericho Creek Farm II/Horse Power Healing Center

Owner/Applicant: Norman and Linda Konichek Revocable Trust (owners). Wendy Konichek (Applicant)

Location: S101W34628 CTH LO. Tax Key EGLT 1827.999

Jurisdiction: The portion of the property adjacent to Jericho Creek is located within the county's shoreland zoning jurisdiction with the remainder of the property within the town's zoning jurisdiction.

Zoning Classification: RR Rural Residential, UC Upland Conservancy (Town), A-T Agricultural Transition District, C-1 Wetland/Floodplain, EC Environmental Corridor (County)

Existing Use: Single family residential and commercial horse boarding operation

Proposed Use: Commercial horse boarding operation (Jericho Creek Farm II/Horse Power Healing Center) which was previously approved in 2007; however, permits were never issued and the acreage is now changing due to two (2) proposed land divisions.

Application(s): 2026-06 Conditional Use - <https://s.zoninghub.com/U9FA9FIJY5>
2026-07 Site Plan/Plan of Operation - <https://s.zoninghub.com/ATI87L8SEB>

Consistency with Comprehensive Plan: Pursuant to Section 66.1001(2m)(b), Wis. Stats., a conditional use permit that may be issued by a political subdivision and does not need to be consistent with the political subdivision's comprehensive plan.

Public Notice: A public notice was published in West Now on February 18, 2026, and February 25, 2026.

Public Hearing Date: March 4, 2026

Public Comments received by the town: None as of February 26, 2026.

Conditional Use and Development Standards—Commercial Stable

A Commercial Stable is described as follows:

A place where horses, donkeys, and other similar domesticated animals are kept for boarding, instructional purposes, or for hire on trail rides.

Vehicle Parking: 1 space for every 4 stable stalls

Supplemental Standards:

(a) **Minimum lot area.** The minimum lot size for a commercial stable is 5 acres.

(b) **Buildings.** Nonresidential buildings and other structures, such as barns, stables, riding arenas, and sheds, necessary for the operation are allowed subject to all other requirements of this chapter.

- (c) **Location of new buildings.** A building that houses livestock shall not be located within a floodplain or closer than 50 feet to any lot line.
- (d) **Manure management.** As part of the building, site, and operation plan review process, the handling and disposal of animal waste generated by a commercial stable shall be addressed.
- (e) **Number of animals.** The number of animals shall not exceed one head of livestock for each acre.
- (f) **Special events.** Special events related to a commercial stable, such as horse shows, exhibitions, and contests may be held, provided such events are specifically allowed by town ordinance.
- (g) **Special provisions in AP district.** When located in the AP zoning district, a commercial stable shall also comply with the requirements set forth in s. 91.01(1), Wis. Stats. *This provision is not applicable as the subject property is zoned RR Rural Residential.*
- (h) **Hours of operation.** When allowed as a conditional use, the business may be only operated from 6:00 am to 9:00 pm. The Town Board may, however, allow extended hours as a special exception after reviewing the location of the use on the subject property and/or proximity to other existing and potential land uses.
- (i) **Application fee.** This use is classified as a Type 2 conditional use in the fee schedule.

Staff Analysis

The property contains approximately 113 acres of land, with frontage on Jericho Creek as well as CTH E and CTH LO. The property presently functions as a working farm with the lands to the west of Jericho Creek being maintained in forage cropping. The existing buildings on the property include an smaller residence that is rented by the property owners, along with a newer home which is the closest to Jericho Creek. All the other buildings are farm type structures and lie a significant distance from the creek and well above the elevation of the creek.

The owners/applicant are proposing to continue a commercial horse boarding operation which was originally approved by both the Town and County in 2007. The operation consists of Jericho Creek Farm II, which is a horse riding, training and boarding operation. Additionally, Horse Power Healing Center provides equine-assisted programs that empower individuals with physical, mental, or emotional challenges. As part of the proposal, the original acreage will be amended to reflect the remaining lands, once the two (2) residential parcels are divided on the eastern portion of the property, adjacent to the creek. An indoor riding arena, viewing area and caretakers quarters was previously proposed and approved, however; the improvements were never constructed. The improvements are not included in this request and no changes to the site are proposed.

The petitioners utilize the existing farmland for manure management which has been standard practice for many years. Given the acreage of the farm and number of horses on site, Waukesha County Land Resources does not believe that any changes to the current manure management practices are warranted. In the past there was discussion regarding what kind of organized events would be permitted on the site and the final conclusion of the Plan Commission is they were not that concerned with any special events other than the fact they did not want organized events such as rodeo's and timed events, which they felt would attract more and larger crowds. Further, it was indicated that special training sessions should be allowed where the owners would bring in special horse trainers to conduct group training and educational sessions for riders that may involve not more than 50 total persons.

Performance Standards: Performance standards relating to the following are included in Article 7: control of odors; control of fire and explosive hazards; glare, heat and external lighting; water quality; noise; vibration; and traffic impact. It is anticipated that the proposed uses will comply with the performance standards.

Decision Criteria: The Town Plan Commission and Town Board must consider whether the proposal complies with:

1. The special requirements for certain land uses in the AP district (500.226) *(not applicable)*
2. Each of the special conditions of approval under 500.227, which includes hours of operation, buffering, maximum floor area, maximum number of patrons, uses within buildings, number and location of entrances, outdoor activities, outdoor storage, take-out food service, delivery services and signage.
3. Each of the performance standards in Article 7 (noted above)
4. Each of the development standards prescribed for the requested conditional use (noted above)
5. All other applicable sections of the zoning code
6. All other application sections of the municipal code

The recommendation of the Plan Commission and the decision by the Town Board must be based on substantial evidence.

Staff Recommendation:

Staff recommends **conditional approval** of the Conditional Use and Site Plan/Plan of Operation to continue to operate a commercial horse boarding facility, including special events for up to 50 people, subject to the following conditions:

1. A Conditional Use Order documenting the decision made by the **Waukesha County Park and Plan Commission after recommendation from the** Town Board and in accordance with Section 500.228 of the Town Municipal Code shall be signed and notarized by the property owner and shall be recorded in the Waukesha County Register of Deeds by the property owner or the Town Clerk **within six months** from the date of this decision. If the conditional use order is not recorded within the specified time frame, the Conditional Use is considered null and void unless a time extension is granted by the Town Board with just cause.
2. The property owner and operator are authorized to continue a commercial stable pursuant to the Town's zoning code along with those residential and agricultural uses authorized by the zoning regulations applicable to the zoning district in which the subject property is located. As part of the commercial stable operation, lessons for boarded horses may be conducted on a daily basis.
3. The property owner and the operator are required to accept the terms and conditions of this conditional use order in its entirety in writing, and provide said documentation to the Waukesha County Planning and Zoning Division. If the aforementioned do not sign this instrument and return it to the Town Clerk within 2 months of approval, this order is null and void. Prior to such expiration, the property owner and/or operator may request an extension to this time period and the Town Board may approve an extension with good cause.
4. The following conditions shall constitute an ongoing obligation:
 - a. The Conditional Use approval shall apply to the lands, as depicted on Exhibit A, which excludes the proposed residential parcels on the east side of the property along Jericho Creek.
 - b. The maximum number of livestock that may be kept on the subject property shall not exceed 1 head of livestock per acre of land area unless otherwise restricted by the Waukesha County Department of Parks and Land Use - Land Resources Division because of the manure management limitations. This number includes livestock specifically related to the stable/boarding operation and all other livestock otherwise allowed by the zoning regulations.
 - c. The hours of operation are limited to 9:00 a.m. to 9:00 p.m.
 - d. Events are limited to fifty (50) total persons.
 - e. Ample parking shall be provided.
 - f. The petitioner shall provide and maintain sanitation, with a hand-washing station, to serve the authorized use.
 - g. A maximum of four (4) horse trailers may be permanently stored on the property.
 - h. The property owner must at all times be in compliance with all applicable laws, rules, regulations or orders, and ordinances of the federal government, State of Wisconsin, Waukesha County, and Town of Eagle. This includes any conditions and/or requirements of the State Approved Building Plans for the barn, any conditions and/or requirements of the Town of Eagle Building Inspector and local Fire Chief.
 - i. No property boundary line of the subject property shall be modified by any means without the approval of the Town Board and/or Waukesha County. If the Town Board and/or Waukesha County determines that a proposed boundary line relocation is a substantial change, with regard to the overall size of the parcel and/or configuration, the property owner shall submit a new conditional

use application to the town and obtain approval of same under the requirements in effect at the time of application.

- j. The operator shall maintain registration with the Wisconsin Department of Financial Institutions.
- 5. Any expansion, substantial modification or change in use shall require issuance of a new conditional use permit pursuant to the requirements in effect at the time of application.
- 6. The Town Board may recommend termination and Waukesha County may terminate this conditional use order and any permit issued under such order following referral to the Plan Commission for recommendation and public hearing when (i) the use does not comply with each and every requirement of this approval; (ii) there is a change in the character of the surrounding area or of the use itself causing the use to be no longer compatible with the surrounding area, or for similar cause based upon considerations of public health, safety or welfare; or (iii) the use is abandoned in any manner for more than 24 months. The property owner may submit a written petition to the Town and the Waukesha County Planning and Zoning Division requesting termination of this approval without the need for a public hearing.
- 7. The property owner and operator shall allow Waukesha County and Town of Eagle staff, officials, and other authorized agents to inspect the premises indoors and outside, at any reasonable time and for any proper purpose related to the use as authorized herein with reasonable notice provided.
- 8. An approved Site Plan / Plan of Operation (SPPO) must be on file at all times with the Town and Waukesha County Planning and Zoning Division.

The petitioners shall be entitled to amend or change any plan contemplated herein subject to the aforementioned conditions and subject to the approval of the Town Board (or its designee) and Waukesha County Planning and Zoning Division Staff, 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 Town Board (or its designee) and Waukesha County Planning and Zoning Division Staff view in their discretion to be a substantial change will require a new or modified CUP and all procedures in place at the time must be followed.

- 9. All activities on the subject property herein shall not in any way become a nuisance by reason of appearance, noise, dust, smoke, illumination, odor or any other similar factor, taking into consideration and with the understanding that certain uses are allowed with the approval of the Conditional Use Permit and Site Plan/Plan of Operation.
- 10. All outdoor lighting shall be for security and wayfinding purposes only and shall not cast fugitive light that would adversely affect adjacent properties.
- 11. The owner of the property shall be responsible for containing all horses on the property.
- 12. There shall be no use of a public address system, loudspeakers, or other amplified sound system at any time.
- 13. The owner of the property shall be responsible for installing and maintaining fencing adequate to contain the horses on the property. Any fencing that has deteriorated or is no longer standing shall be repaired, replaced or removed. Please note a Fence Permit from the Town of Eagle may be required prior to repairs or replacement.
- 14. Adequate public restrooms shall be provided in accordance with the Wisconsin Administrative Code. The Waukesha County Environmental Health Division has advised that portable restrooms are acceptable.
- 15. The Conditional Use Permit cannot be transferred to any future owner and/or lessee, without formal approval from the Town Board (or its designee) and the Waukesha County Department of Parks and Land Use - Planning and Zoning Division Staff, which can occur without the necessity of a public hearing.

16. The Town Board (or its designee) and the Waukesha County Park and Planning Commission reserve the right to review any condition imposed as part of this Conditional Use, if said use becomes a problem in the area. The Town Board (or its designee) and the Waukesha County Park and Planning Commission may modify, change, delete, add, etc. any conditions, which they feel may be reasonable in order to allow this use and ensure it does not become detrimental to the surrounding area without the necessity of having a public hearing. Any major change, as determined by the Town Board (or its designee) and the Waukesha County Department of Parks and Land Use - Planning and Zoning Division Staff, shall follow the Conditional Use procedure as set forth in the Waukesha County Zoning Ordinance.
17. Subject to the Town of Eagle's Standard Conditional Use and Site Plan/Plan of Operation conditions which are as follows:
 - A. 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 use, the question shall be submitted to the Town Plan Commission for determination.
 - B. 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 municipal governing body, 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 subject property above described in any specific respects described herein. This order shall not be deemed to constitute a zoning or building permit, nor shall this order constitute any other license or permit required by Town ordinance or other law.
 - C. This conditional use hereby authorized shall be confined to the subject property 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 as being in compliance with all pertinent ordinances.
 - D. All buildings and grounds shall be maintained in a neat, attractive and orderly way.
 - E. The property shall comply with all rules and regulations of the Town and the local fire department, including submission to routine inspections by the town staff and fire department staff.
 - F. Prior to the execution of the conditional use permit, the applicant must obtain any and all approvals that must be obtained before the use may be established or the commencement of any land disturbing activity related to the approved conditional use.
 - G. 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 town, 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 consideration of public health, safety or welfare, the conditional use may be terminated by action of the plan commission pursuant to the enforcement provisions of this Conditional Use Order, and all applicable ordinances.
 - H. Any substantial 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 (including but not limited to any change to the boundary limits of the subject property), 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.

- I. 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 Town Plan Commission feels, in their sole discretion, to be substantial, shall require a new permit, and all procedures in place at the time must be followed.
- J. As a condition precedent to the issuance of the conditional use permit, the owner of the subject property shall approve the issuance of this conditional use permit upon the terms and conditions described here in writing, and the petitioner is required to accept the terms and conditions of the same in its entirety in writing.
- K. **Professional Fees.** The petitioner shall, on demand, reimburse the Town of Eagle for all costs and expenses of any type that the Town incurs in connection with this conditional use, including the cost of professional services incurred by the Town (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
- L. **Payment of Charges.** Any unpaid bills owed to the Town of Eagle by the subject property owner or his or her tenants, operators or occupants, or agents, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Town; shall be placed upon the tax roll for the Subject Property if not paid within 30 days of the billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Town, including possible cause for termination of the conditional approval.
- M. The Petitioner is obligated to file with the Municipal Clerk a current mailing address and a current phone number at which the Petitioner can be reached, which must be continually updated by the Petitioner if such contact information should change, for the duration of this Conditional Use Permit. If the Petitioner fails to maintain such current contact information, the Petitioner thereby automatically waives notice of any proceedings that may be commenced under this conditional permit, including proceedings to terminate this Conditional Use Permit.
- N. 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.
- O. If any aspect of this Conditional Use Permit or any aspect of any plan contemplated and approved under this conditional use is in conflict with any other aspect of the conditional use or any aspect of any plan of the conditional use, the more restrictive provision shall be controlling as determined by the Town Plan Commission.
- P. If the property owner/operator is a business entity, such as a limited liability company or a corporation, such entity shall for the life of the conditional use continuously maintain a registered office in the state of Wisconsin as evidenced by registration with the Wisconsin Department of Financial Institutions.
- Q. The property owner shall not change the size and/or shape of the subject property by any means without the approval of the town board. If the town board determines that a proposed change is substantial regarding the overall size of the parcel and/or configuration, such change shall require issuance of a new conditional use approval pursuant to the requirements in effect at the time of application.
- R. This approval is given under the town's zoning code and is not to be, in any way, interpreted to abrogate any private rights other property owners may have pursuant to deed restrictions or restrictive covenants.

- S. If this conditional use terminates for any reason, the property owner is obligated to remove any improvements specifically related to the conditional use and which cannot be utilized for an approved use (i.e. A use permitted by right or a different conditional use approval).
- T. The property owner/operator agrees to allow on-site inspections, upon request, as deemed necessary by the town to ensure compliance with the terms and conditions of approval.
- U. The property owner/operator agrees to promptly reply to any written request related to a self-certification process as may be established with the town.

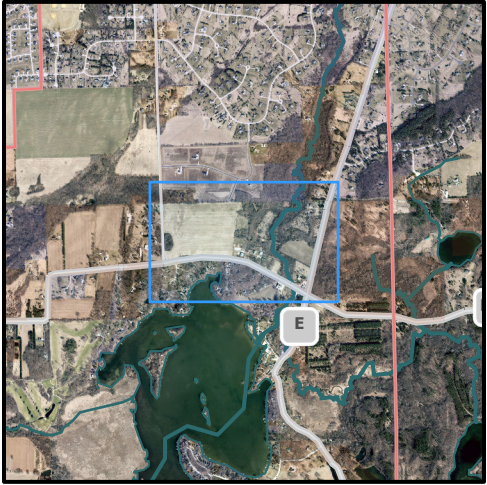
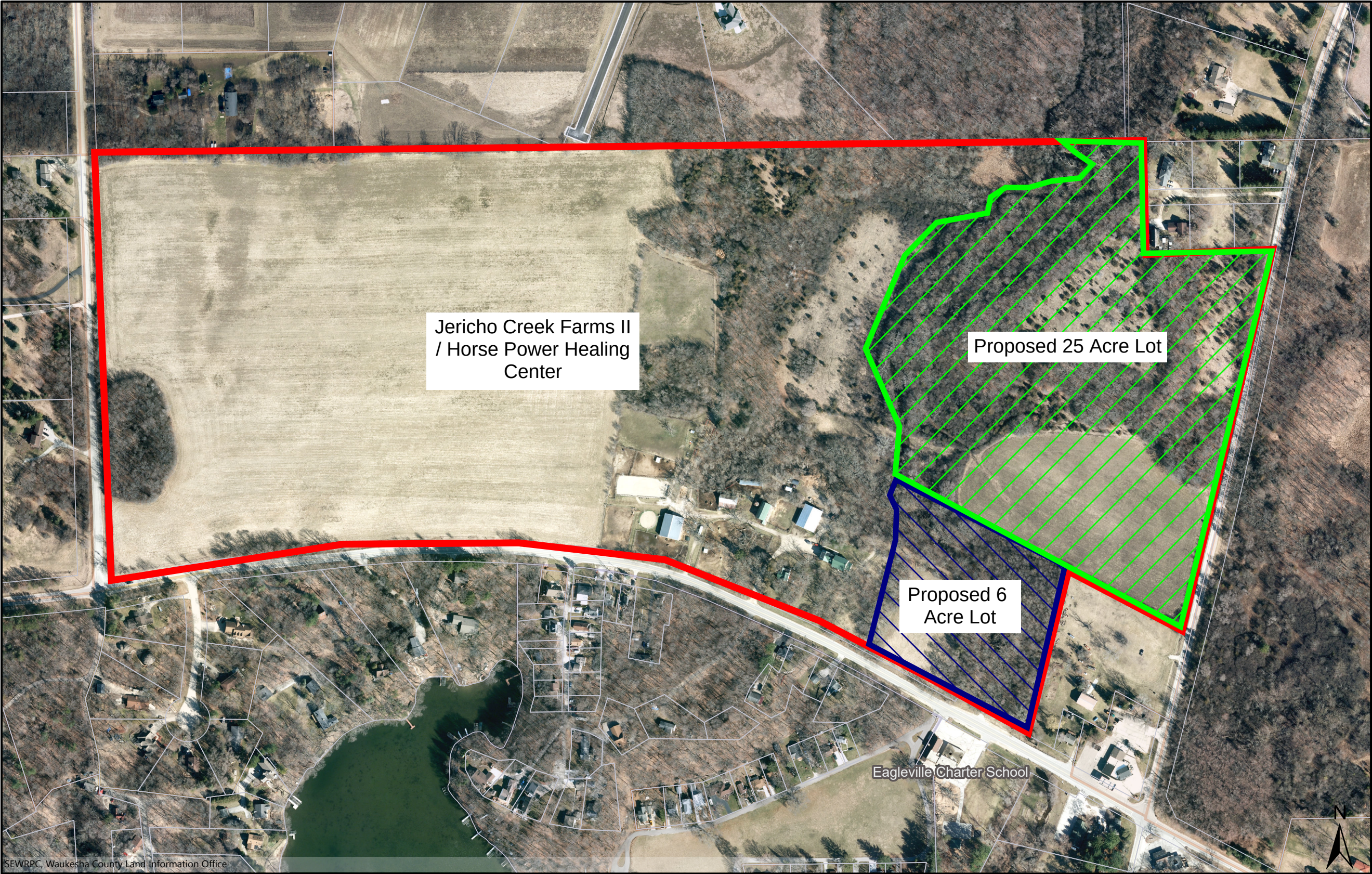
The owner/applicant has utilized the property for a commercial horse boarding operation since 2007 without issue. The operation was approved, however, permits were not issued, and the proposed conditional use will ensure that there are clear guidelines that the owner/applicant must adhere to. With the recommended conditions, the proposal meets the standards of the Commercial Stable Conditional Use and provides the owner with flexibility given the livestock regulations. As conditioned, the proposal will comply with all other provisions of the municipal code.

A handwritten signature in black ink, appearing to read "Jacob Heermans". The signature is fluid and cursive, with the first name "Jacob" and last name "Heermans" clearly distinguishable.

Jacob Heermans
Town Planner

Attachments

Exhibit A – Site Plan



Legend

Tax Parcels

Assessor Plat

Assessor Plat

CSM

CSM

Condominium

Condominium

Subdivision

Subdivision

Points of Interest

RGB

Red: Band_1

Green: Band_2

Blue: Band_3

RGB

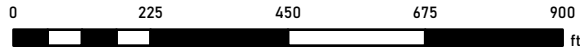
Red: Band_1

Green: Band_2

Blue: Band_3

Notes

Printed Date: 2/20/2026 2:56 PM



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Date: March 4, 2026

To: Town of Eagle Plan Commission and Town Board

From: Kassie Slotty, Assistant Town Planner

Subject: Addition to an accessory building constructed in front of the principal residence located at W372S9944 State Road 67, William Dingel, applicant

Application: 2026-05; <https://s.zoninghub.com/SSP07BSY1N>

In 2025, the owner applied for a zoning permit to construct a 60' x 120' (7200 SF) accessory building (ZP25-11) on the property noted above. The accessory building was proposed in front of the existing principal residence and also to have a greater mean height than the zoning code permits (23.66' vs 18'). In March 2025, the Town Board conditionally approved two (2) Special Exceptions: one for an accessory building to be constructed in front (roadside) of the principal building and for the accessory building to exceed the maximum height requirement. On January 20, 2026, the owner submitted a zoning permit for a 50' x 40' (2,000 SF) addition to the existing accessory building, essentially amending their original proposal.

Because the Town Board approved the original location of the accessory building based in part on the 8.3 acre lot size, the building's agricultural use, the topography of the site, and vegetative screening, staff feels the addition should be reviewed by the Town Planning and Zoning Commission and Town Board in a manner that does not require as rigorous review as the original proposal. Staff feels if this additional square footage was included in the original 2025 proposal, it still would have met the requirements in the zoning code and met the intent of the ordinance.

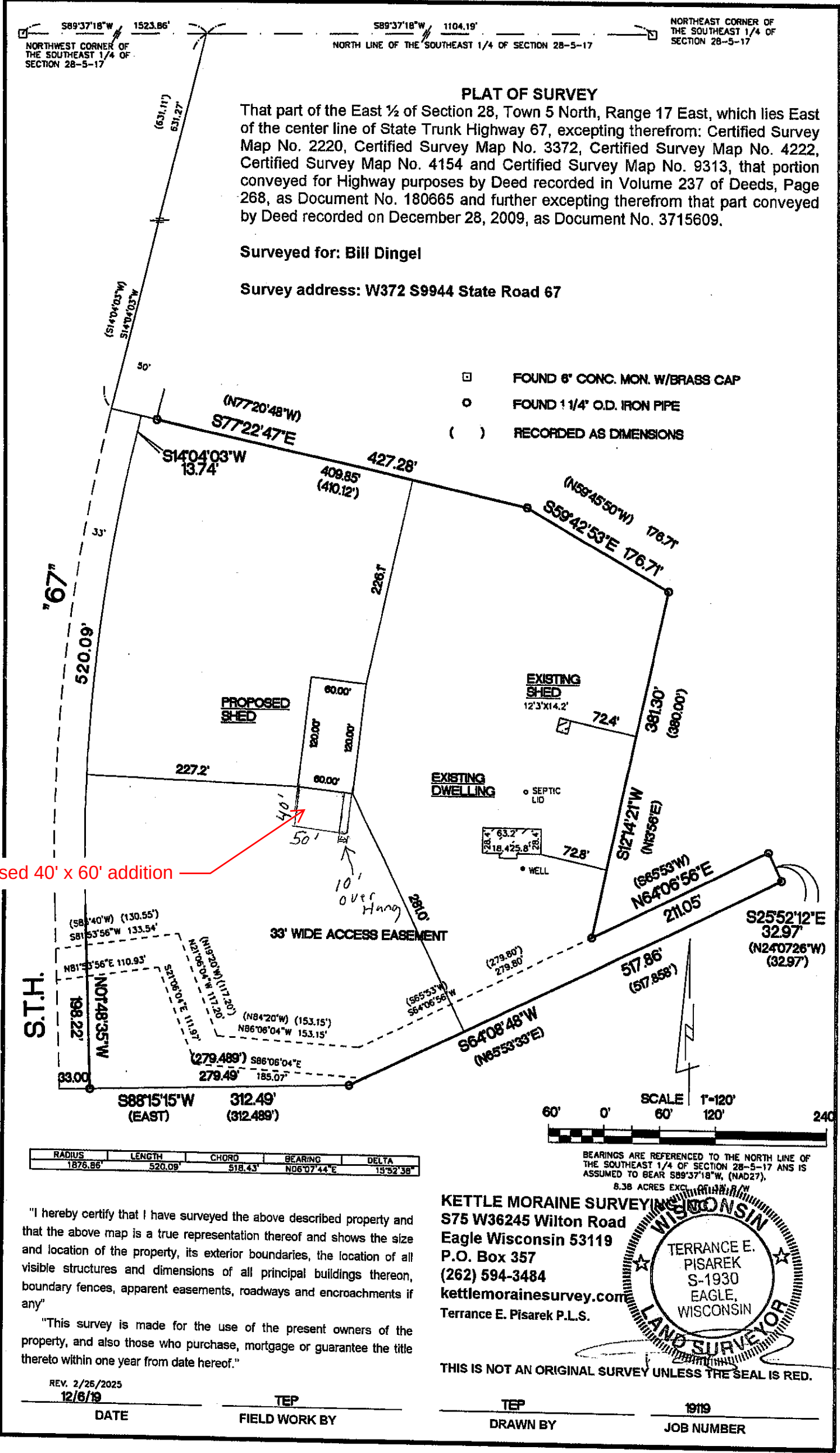
Section 500.461 in the Town of Eagle Zoning Code states that a nonconforming building with a conforming use may be expanded provided the expansion complies with all other requirements that apply, including setback and offset requirements, subject to the Town Planning and Zoning Commission making a recommendation to the Town Board. The proposed addition complies with the required setbacks, offsets, overall building footprint and height, with a mean height measuring at 17.65'.

Staff anticipates that more amendments to special exceptions may be proposed in the future and the process for an amendment is not specifically called out in the ordinance. The Town Plan Commission and Town Board should decide how they would like to handle these requests (i.e. administrative approval, Plan Commission approval, new Special Exception, etc.) going forward.

Potential Plan Commission motion: Recommend to the Town Board the approval of the 2000 SF addition to the legal nonconforming existing accessory building constructed in front of the residence.

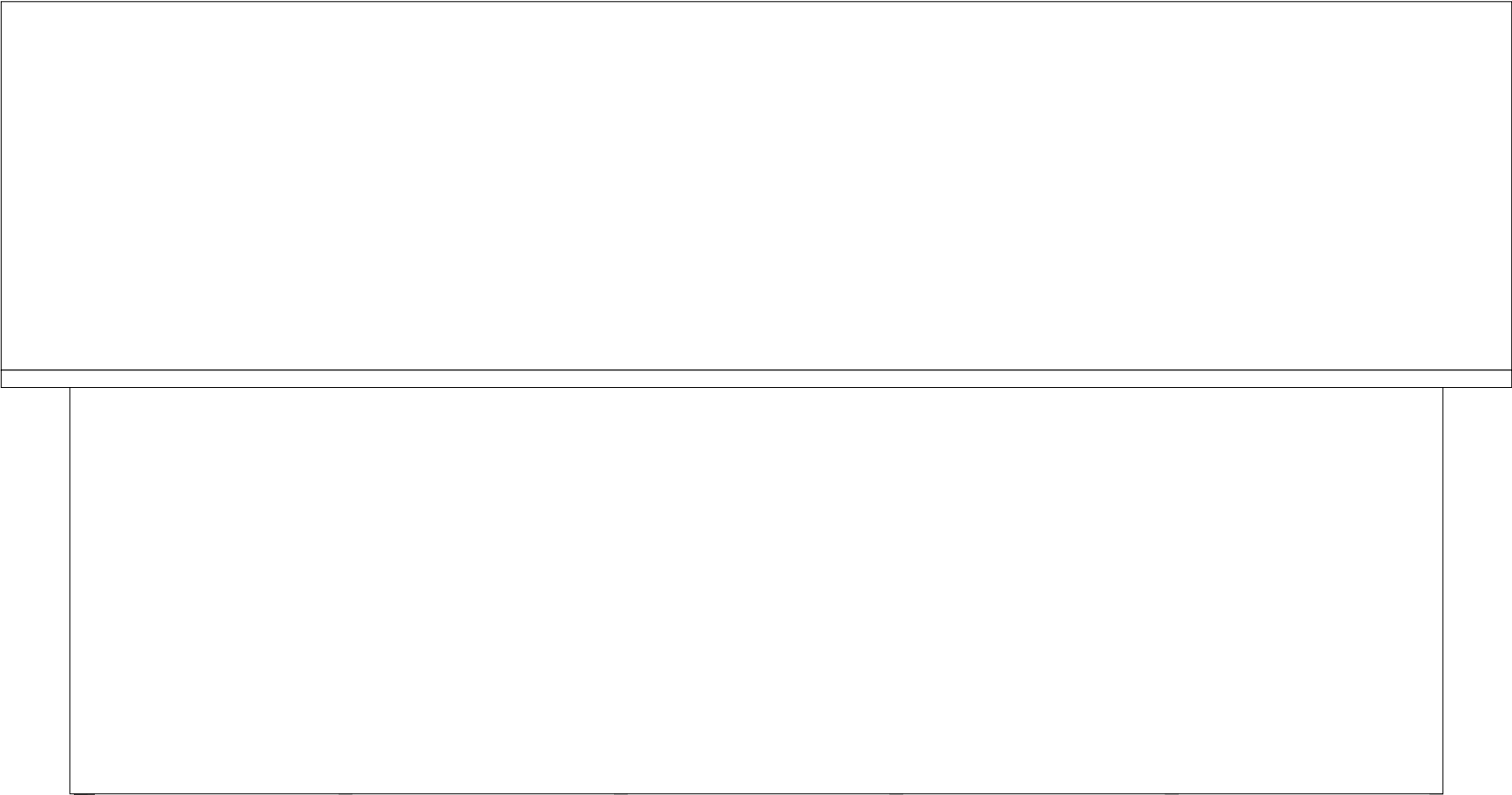
Enclosure: Exhibit A – site plan
Exhibit B – building plan

APPROVED
SURVEY/SITE
PLAN



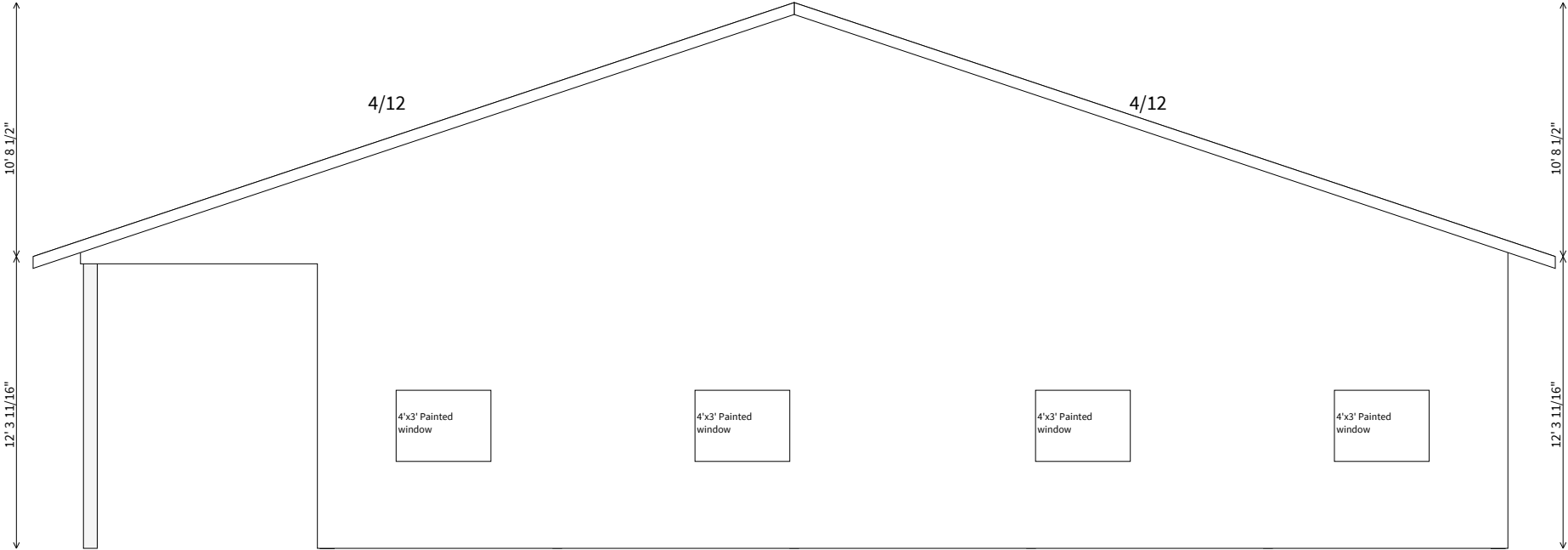
Received
Town of Eagle
01/21/2026

**APPROVED
BUILDING
PLAN**



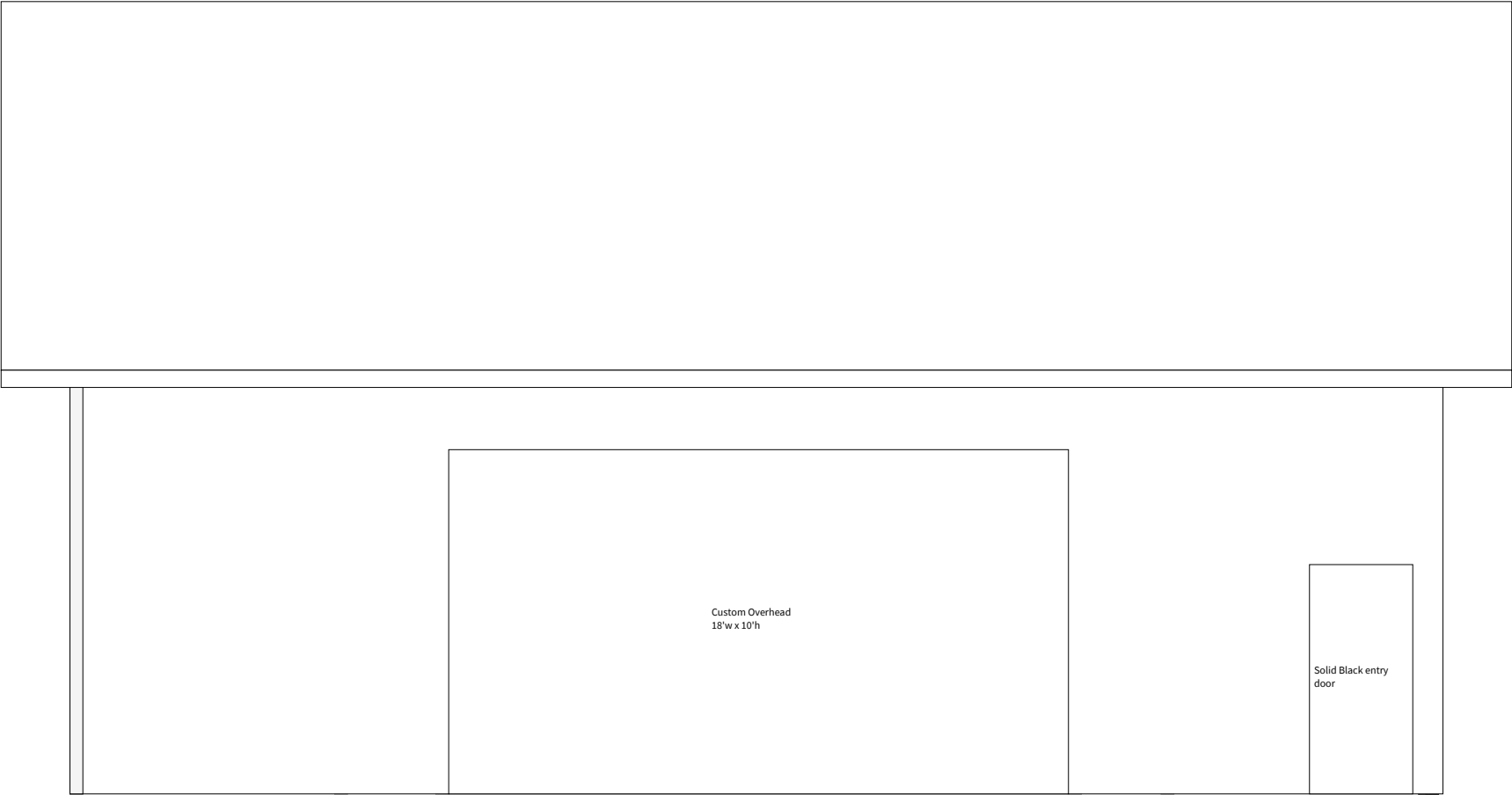
Front Elevation

Job: Bill Dingle
Date: 1/5/2026
Time: 1:52 PM



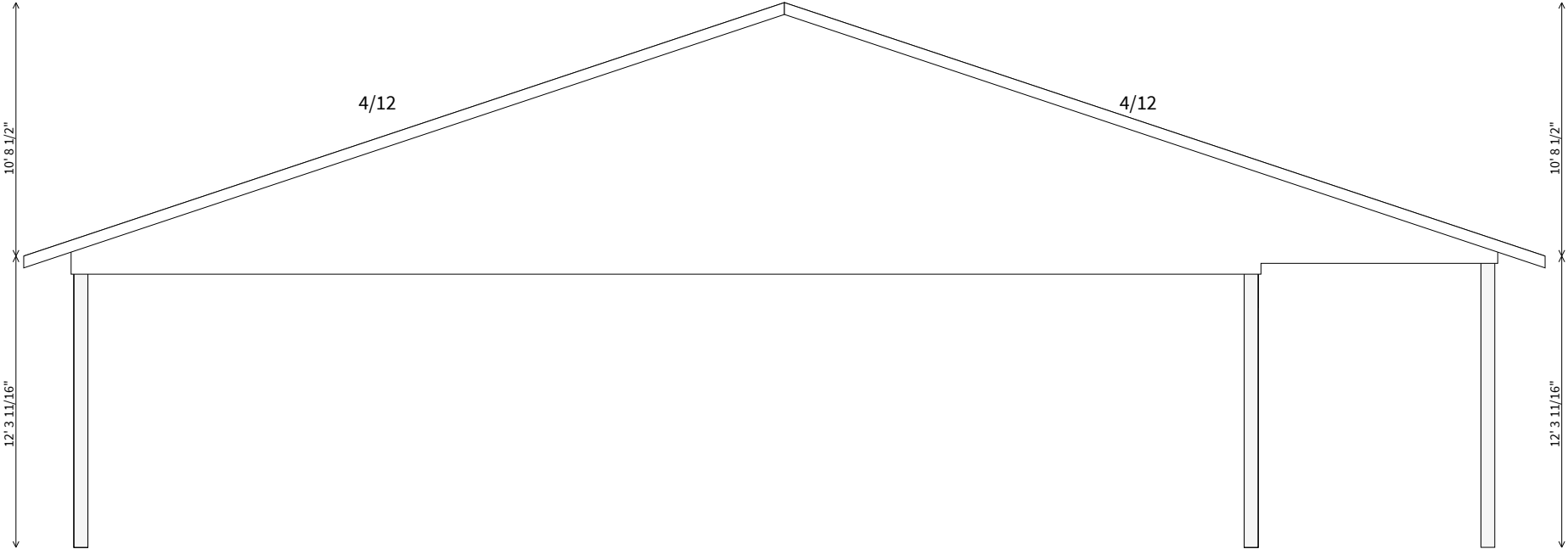
Right Elevation

Job: Bill Dingle
Date: 1/5/2026
Time: 1:52 PM



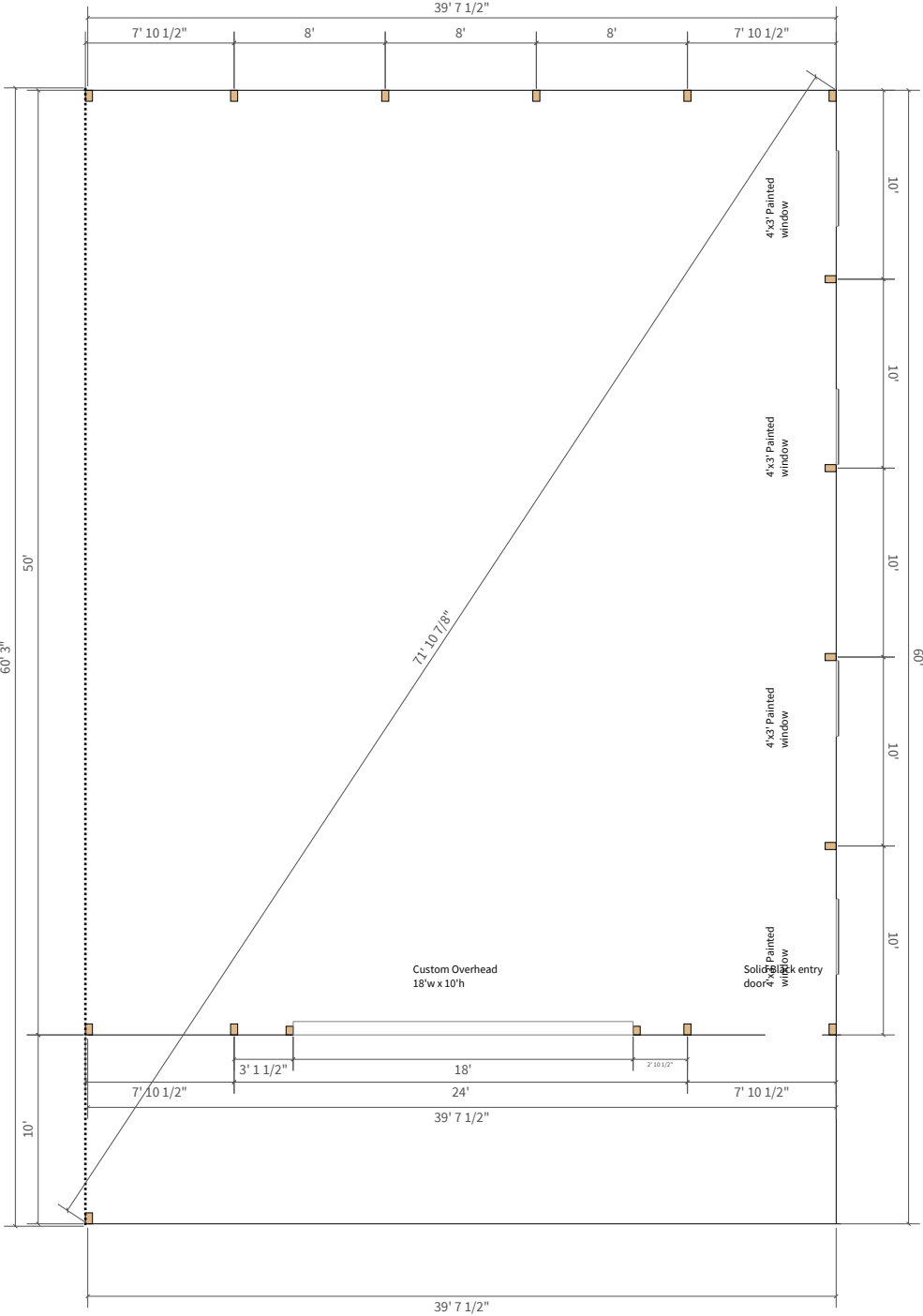
Back Elevation

Job: Bill Dingle
Date: 1/5/2026
Time: 1:52 PM



Post Layout

Job: Bill Dingle
Date: 1/5/2026
Time: 1:52 PM



Cross Section - EXT-1

Job: Bill Dingle

Date: 1/5/2026

Time: 1:52 PM

ROOF MATERIAL: Textured Black 29 GA AG Panel

PURLINS: 2x4 On Edge
SUBFASCIA: 2x6
FASCIA: Fascia
SOFFIT: soffit 18"

WALL MATERIAL: Textured Rustic Red 29 GA AG Panel
WAINSCOT MATERIAL: Textured Black 29 GA AG Panel

TOP OF WALL: F & J

EXTERIOR CARRIER: 2x6

EXTERIOR WALL GIRTS: 2x6

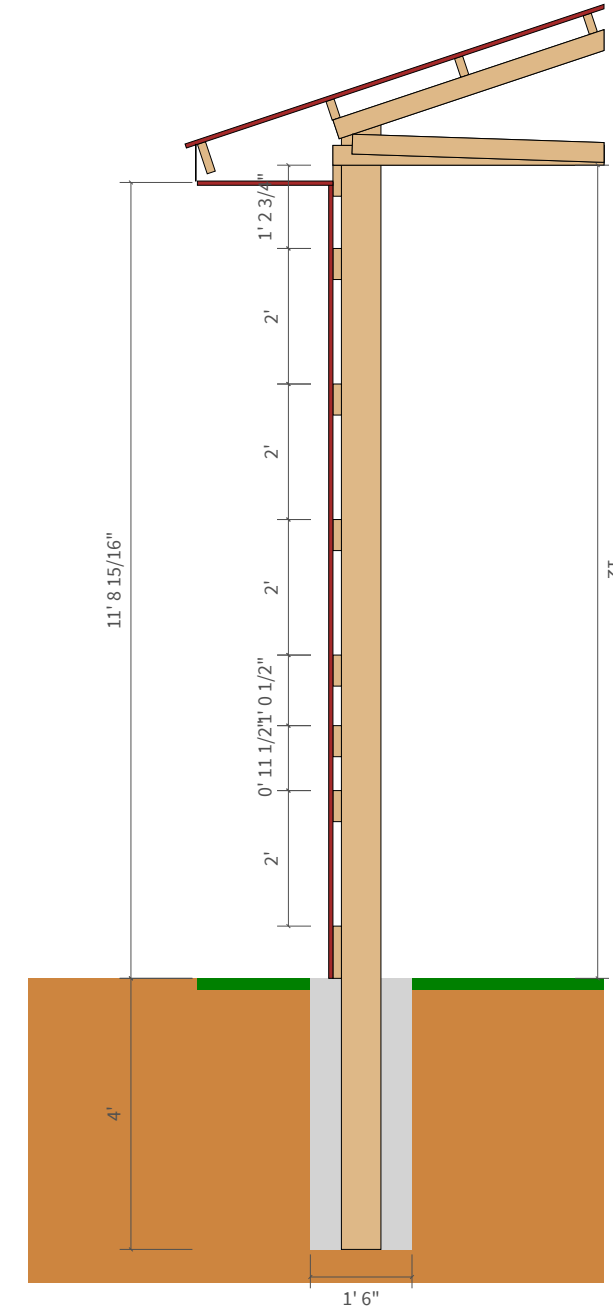
CORNER POSTS:
3 Ply 2x8
INTERMEDIATE POSTS:
3 Ply 2x8

EXTERIOR SKIRT BOARD: 2x10 GT
BOTTOM IS AT GRADE

SIDING BEGINS 0' ABOVE GRADE

4/12 TRUSS SYSTEM
HEEL HEIGHT: 0' 8"
TRUSS SPACING: 96 IN. O. C.

BRACE PER TRUSS MANUFACTURER'S RECOMMENDATIONS
TRUSS LOADING: 21-4-4



FOUNDATION NOTES:
POST HOLE: 4' X 1' 6" DIAMETER
UPLIFT: Green Treated Anchor Block
POST TO FOUNDATION: (none)
POST BASE: 6"x16" Concrete footing pads

Cross Section - EXT-3

Job: Bill Dingle
Date: 1/5/2026
Time: 1:52 PM

ROOF MATERIAL: Textured Black 29 GA AG Panel

PURLINS: 2x4 On Edge
SUBFASCIA: 2x6
FASCIA: Fascia
SOFFIT: soffit 18"

WALL MATERIAL: Textured Rustic Red 29 GA AG Panel
WAINSCOT MATERIAL: Textured Black 29 GA AG Panel

TOP OF WALL: F & J

EXTERIOR CARRIER: 2x6

EXTERIOR WALL GIRTS: 2x6

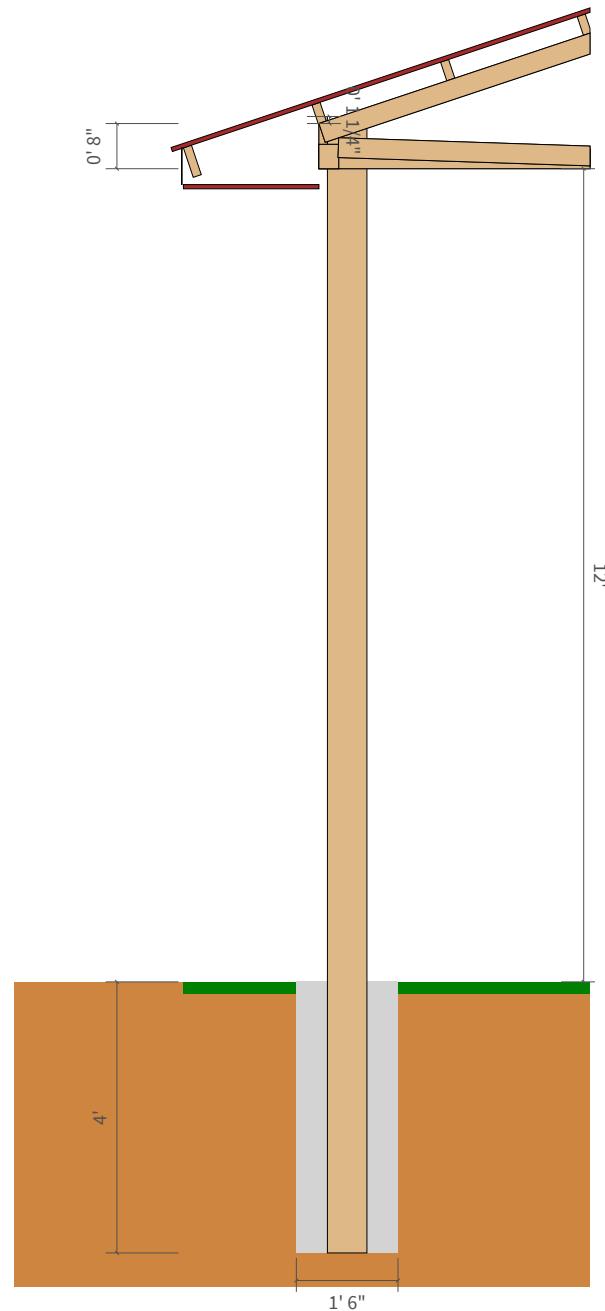
CORNER POSTS:
3 Ply 2x8
INTERMEDIATE POSTS:
3 Ply 2x8

EXTERIOR SKIRT BOARD: 2x10 GT
BOTTOM IS AT GRADE

SIDING BEGINS 0' ABOVE GRADE

4/12 TRUSS SYSTEM
HEEL HEIGHT: 0' 8"
TRUSS SPACING: 96 IN. O. C.

BRACE PER TRUSS MANUFACTURER'S RECOMMENDATIONS
TRUSS LOADING: 21-4-4



FOUNDATION NOTES:
POST HOLE: 4' X 1' 6" DIAMETER
UPLIFT: Green Treated Anchor Block
POST TO FOUNDATION: (none)
POST BASE: 6"x16" Concrete footing pads

Cross Section - EXT-4

Job: Bill Dingle
Date: 1/5/2026
Time: 1:52 PM

ROOF MATERIAL: Textured Black 29 GA AG Panel

PURLINS: 2x4 On Edge
SUBFASCIA: 2x6
FASCIA: Fascia
SOFFIT: soffit 18"

WALL MATERIAL: Textured Rustic Red 29 GA AG Panel
WAINSCOT MATERIAL: Textured Black 29 GA AG Panel

TOP OF WALL: F & J

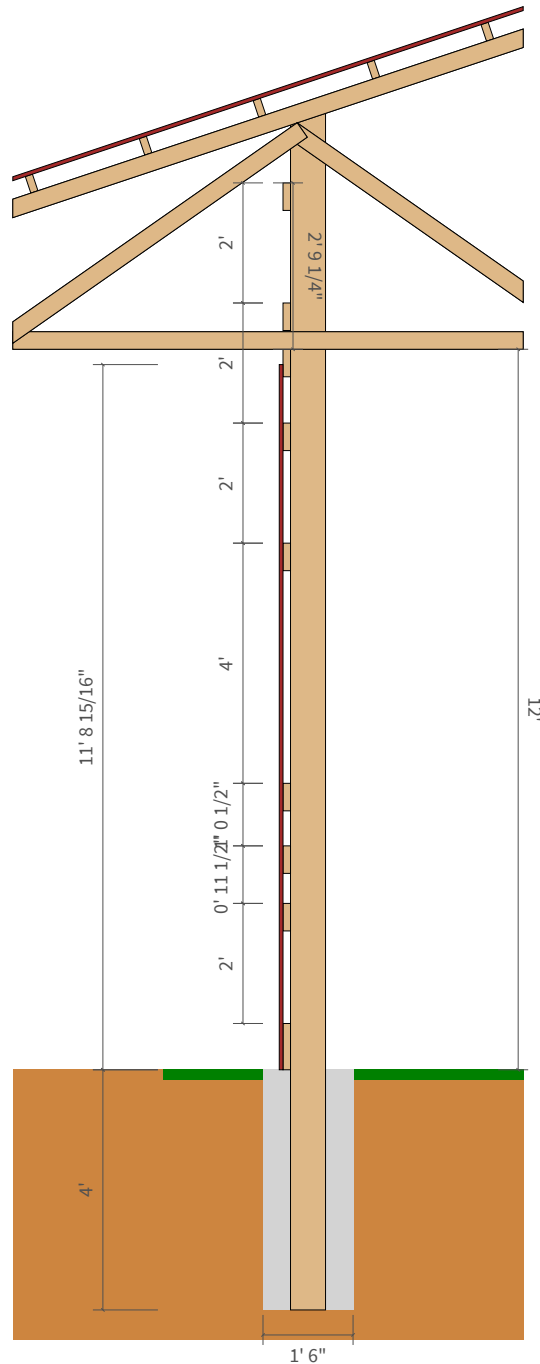
EXTERIOR CARRIER: 2x6

EXTERIOR WALL GIRTS: 2x6

CORNER POSTS:
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INTERMEDIATE POSTS:
3 Ply 2x8

EXTERIOR SKIRT BOARD: 2x10 GT
BOTTOM IS AT GRADE

SIDING BEGINS 0' ABOVE GRADE



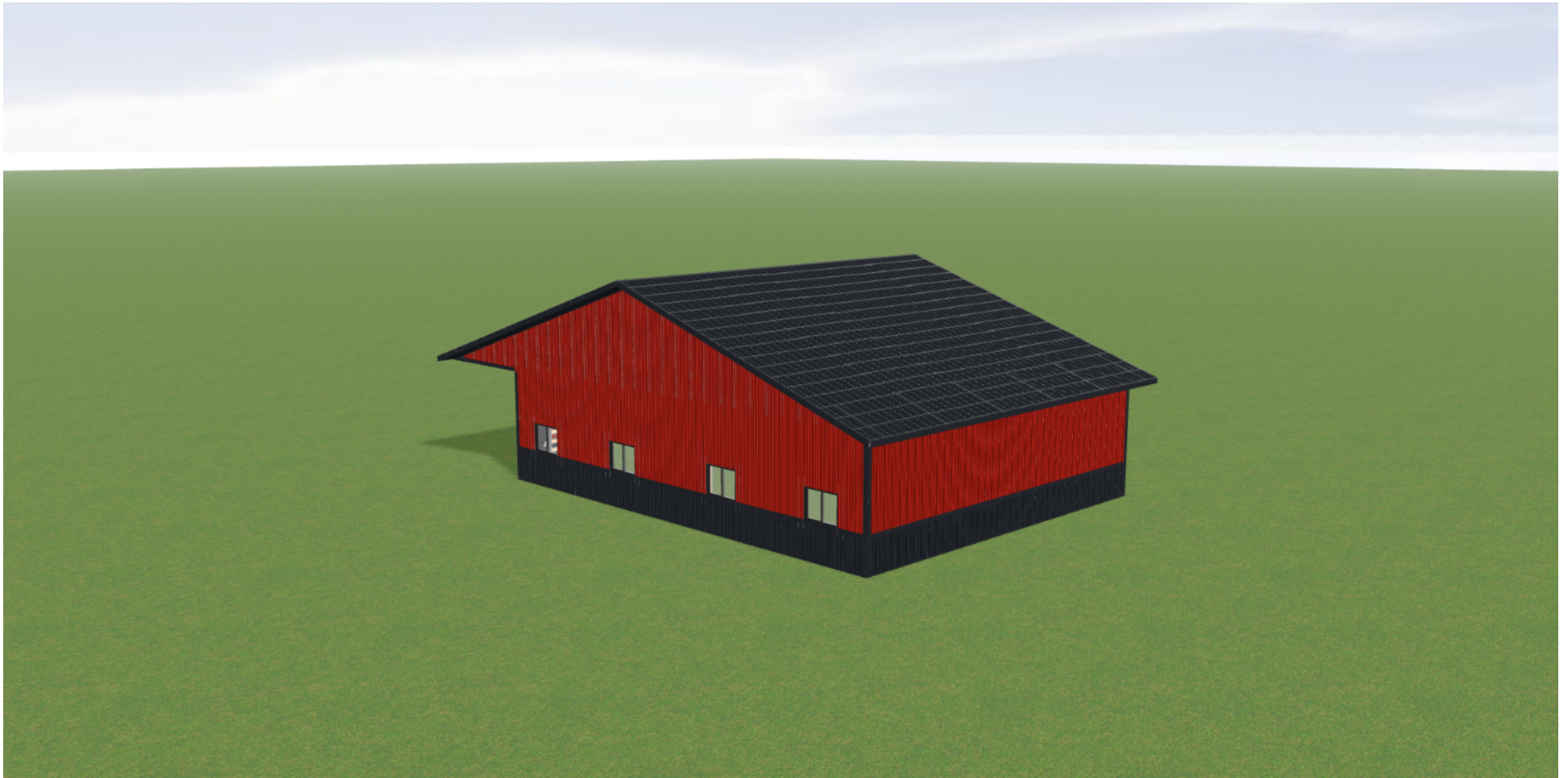
4/12 TRUSS SYSTEM
HEEL HEIGHT: 0' 8"
TRUSS SPACING: 96 IN. O. C.

BRACE PER TRUSS MANUFACTURER'S RECOMMENDATIONS
TRUSS LOADING: 21-4-4

FOUNDATION NOTES:
POST HOLE: 4' X 1' 6" DIAMETER
UPLIFT: Green Treated Anchor Block
POST TO FOUNDATION: (none)
POST BASE: 6"x16" Concrete footing pads

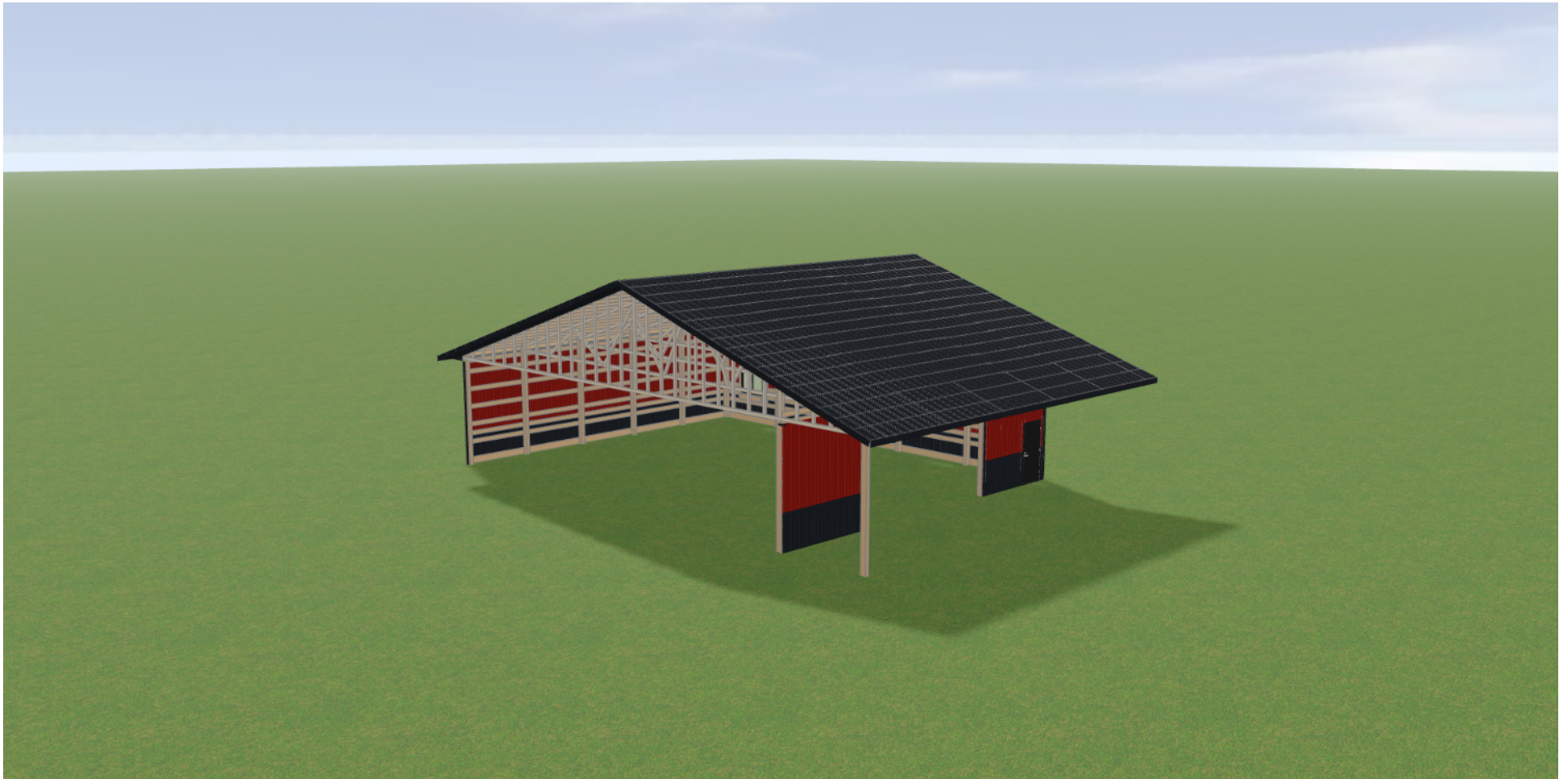
Iso 1

Job: Bill Dingle
Date: 1/5/2026
Time: 1:52 PM



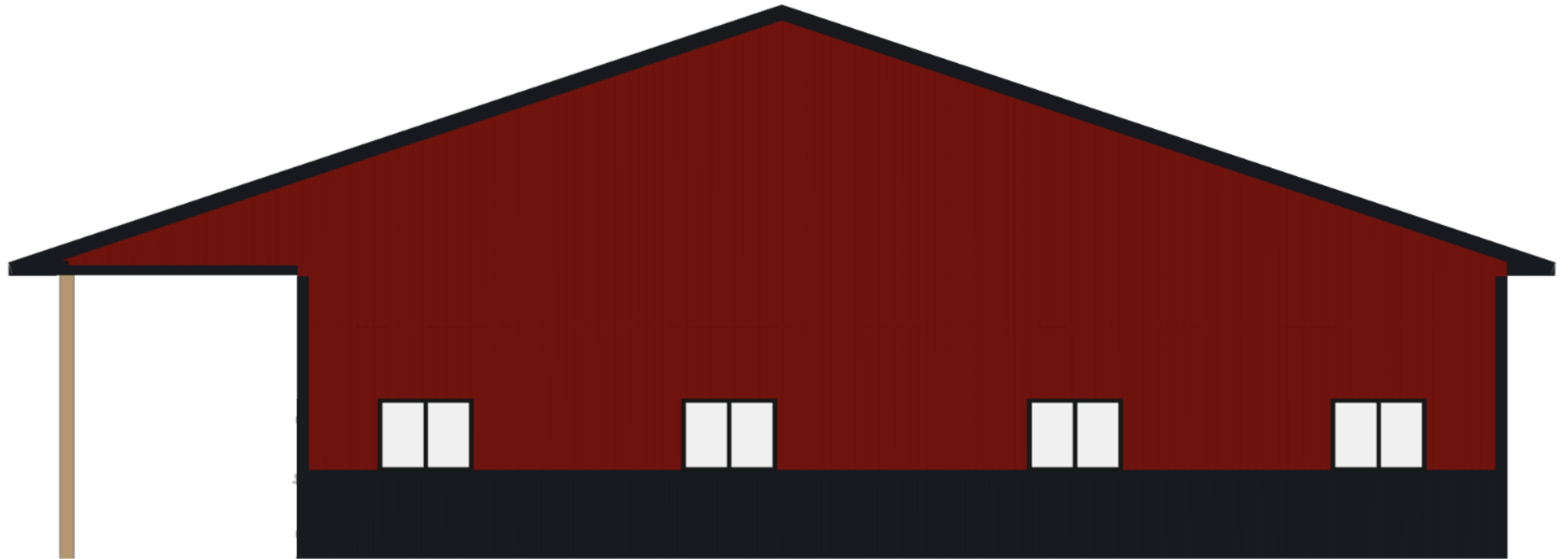
Iso 2

Job: Bill Dingle
Date: 1/5/2026
Time: 1:52 PM



Front Elevation

Job: Bill Dingle
Date: 1/5/2026
Time: 1:52 PM



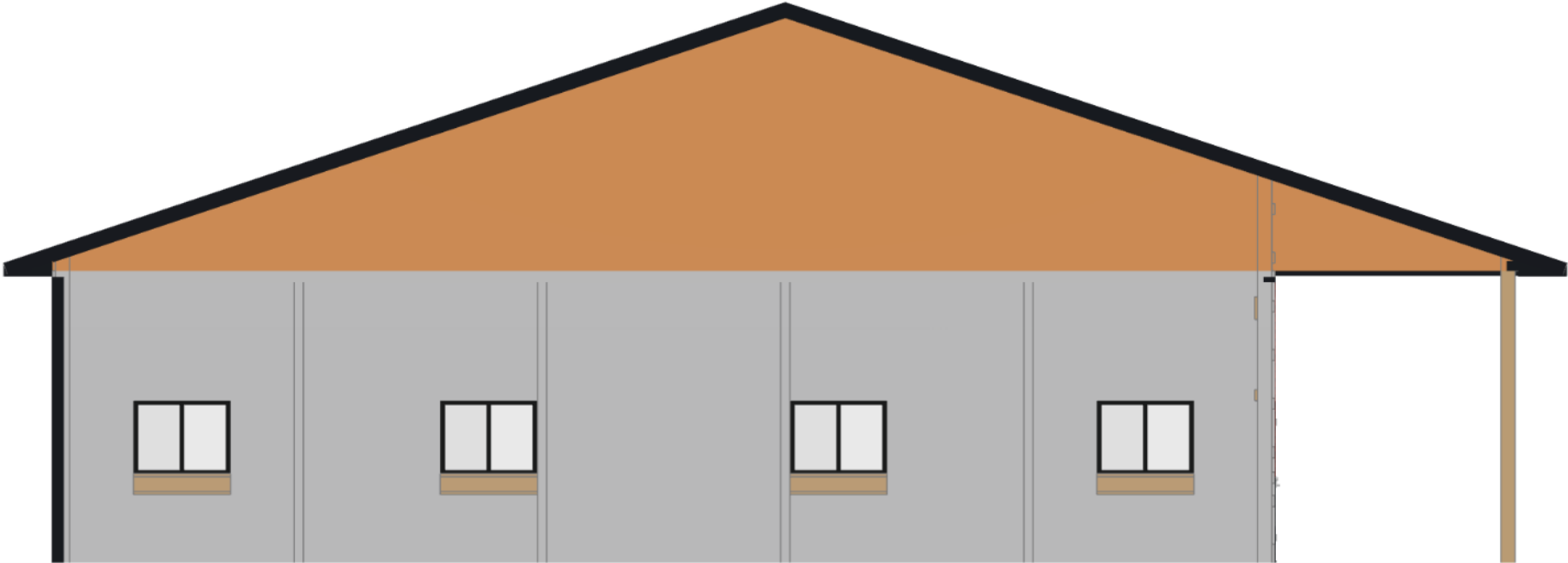
Left Elevation

Job: Bill Dingle
Date: 1/5/2026
Time: 1:52 PM



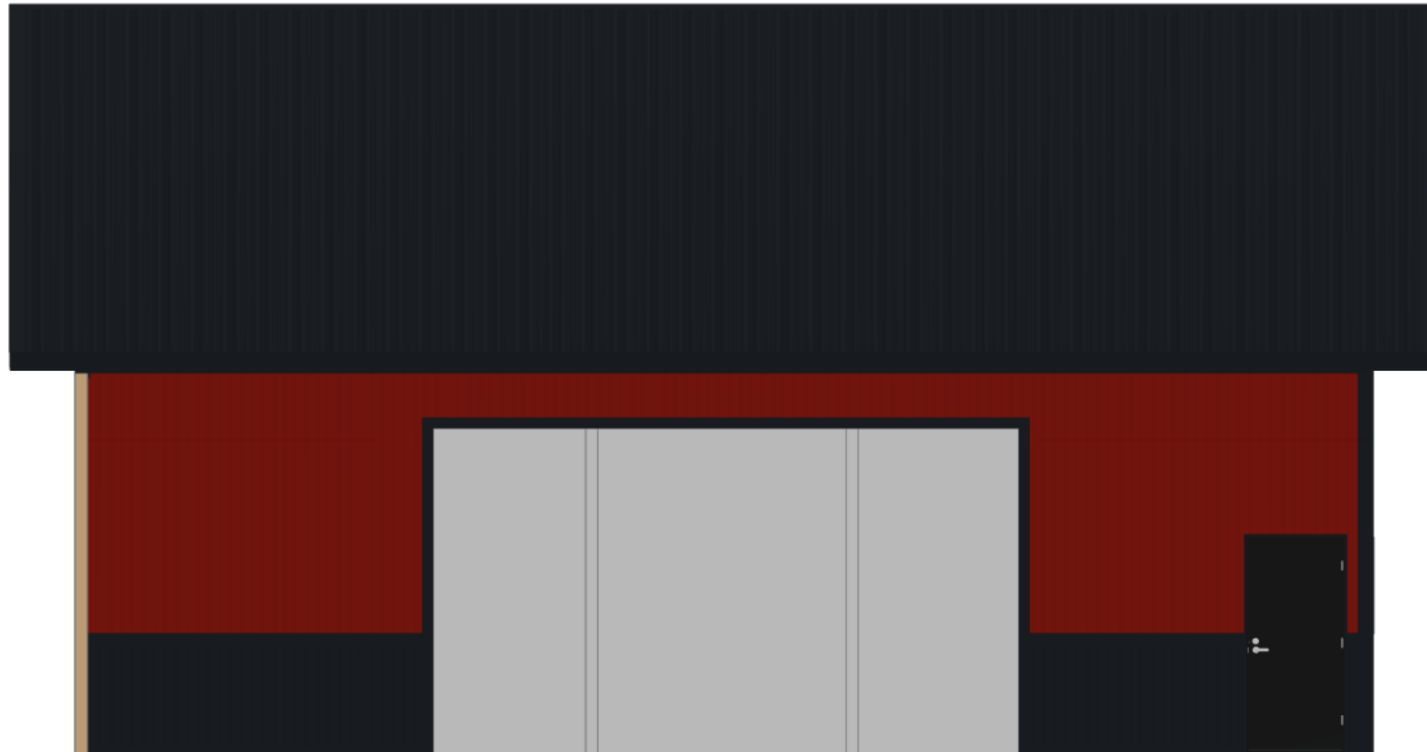
Back Elevation

Job: Bill Dingle
Date: 1/5/2026
Time: 1:52 PM



Right Elevation

Job: Bill Dingle
Date: 1/5/2026
Time: 1:52 PM



PENDING EAGLE ZONING VIOLATIONS
TOWN AND COUNTY VIOLATIONS

This list is for informational purposes only and no discussion or action will be taken on these matters. *Italics indicates new information since last update.*

TOWN VIOLATIONS

Tom Reynolds, S70W35196 TOWNSHIP ROAD X

8/21/24: RL conducted site visit from the road. Met with CM and SJ to discuss the history of the property and next steps. It was identified that the building permit had expired. Violations appear to include, at a minimum, business without permits (commercial greenhouse/food processing), disrepair of building (greenhouse) and expired permits. SJ stated that he will try to make contact with the owner first.

9/24/24: It was relayed to RL that at least two attempts have been made by SJ to contact the owner by site inspection. RL will consult with Town Atty to discuss next steps.

11/7/24: Met SJ and owner on property. Owner gave a tour and explained the farming operation (Alchemy Acres). it runs like a co-op where people come and pick up their order or they will deliver it. It's all local people. He grows and sells, fresh produce and modifies some of it by fermenting it. He creates dried herbs and juices produce. He does not participate in any markets. He does not sell mead and understood he was denied that permit. He does have agricultural equipment lying around the property (soil steamer, pallets, wheelbarrows). He was in the middle of siding the addition and there were construction materials that needed to be cleaned up. Has chickens and 4 hoop houses near the house, + approximately 10 hoop houses out in the field. He is there on T/R/S and some Sundays. Typically, no one there on M/W/F. When asked about mowing around the fields, he indicated that it would disrupt the habitat of insects that would turn to feeding on the crops. Chickens on site. Was willing to put up vegetative screening around the property near the roads but wants to make sure it's beneficial to his operation. The property is currently being transferred to an LLC where it will be employee-owned.

11/21/24 RL spoke with WC Environmental Health Division (EHD). They are trying to contact the owner to better understand what types of products are being made. No licensing has been given. RL needs to review ordinance and provide owner with what options might be available. May need to involve Town Atty.

1/10/25 Reviewed zoning code for possible options for owner. Can apply for a Greenhouse CU and can continue to grow produce on site. However, there does not appear to be a path in the code to support accessory agricultural uses such as production of teas, juices, herbs, etc. Junk, debris, general yard property maintenance must be explored by the Building Inspector.

1/27/2025 RL has received information from EHD that they do not appear to have enough proof to post a Cease and Desist order, but will be sending a letter reminding property owner of proper permitting. RL and EHD are drafting separate letters regarding the applicable violations to achieve voluntary compliance.

2/21/25 No update.

Early March 2025: Environmental Health Division send letter to property owner notifying him that food processing without proper food grade protection or proper state and local licensing is a violation of state codes.

4/7/25 Planner notified of someone living in a camper on site.

4/16/25 Planner drove by property. Camper had been removed. Some building materials removed.

Approximately 20 greenhouses present.

6/6/25 Letter with attachment of code references and application sent to property owner via mail and email, requesting the property be brought into compliance with town ordinances, including the property maintenance code and the zoning code. Applications were requested by July 1 and permission to re-inspect the property was requested to be granted by June 25, 2025.

6/26/25 Staff received an email from the property owner regarding the letter noted above.

10/23/25 Staff met with Mr. Reynold's on his Road X property, but was not given permission to inspect. Inspected property from the driveway, ROW, and neighboring property and observed sheep.

11/5/25 Joint meeting held at the Town Hall to discuss the violation with Mr. Reynolds and to hear neighbor concerns.

11/17/25 Town BI inspected Mr. Reynold's property. Structure which lacks an active Building Permit has been improved, however, no progress has been made on the remainder of the property/violations.

11/19/25 Conference call with Planner, Town Chair and Waukesha County Planning Manager to discuss strategy. Planner will send a letter prior to end of the week clearly outlining the violations and establishing a short window in which to gain compliance. Failure to do so will result in citations and likely a lawsuit.

12/8/25 Violation letter drafted. Staff is seeking input from Environmental Health on additional violations.

12/15/25 Meeting with Waukesha County Environmental Health staff to discuss violation and possible health code violations.

12/18/25 A violation letter was sent to the property owner establishing a **January 5, 2026**, deadline for compliance.

1/5/26 Property owner responded to violation letter, refuting that the property is in violation.

1/7/26 Discussed the violation at the joint meeting of the Planning and Zoning Commission and Town Board. Town Board will discuss before bringing it back for action in February.

2/4/26 Anticipated Town Board Action

2/27/26 *Staff met with legal counsel and is continuing to collect information and formulate next steps. (Pending, JH)*

COUNTY VIOLATIONS

Jeffrey and Heather Sorenson, W345 S10503 CTH E

Constructed a fence within the shore setback area

10/28/24 Complaint received about a fence that had been constructed around the property within the shore setback area.

11/19/24 Need to contact property owner(s) to schedule a site inspection.

12/10/24 Contacted owners to schedule an inspection.

1/28/25 No response from owners. Need to follow up to schedule inspection and/or require removal.

02/07/25 Violation reassigned to AT. Request to Inspect letter sent 02/10/25.

02/18/25 Owner (Heather Sorensen) called AT and stated fence was placed as a way to prevent neighbor's dog from crossing into property (dog had previously bit their child). Wants to know what can be done to keep the fence. Other neighbors are their cousins and they love having the fence. Was not aware a fence required a permit. AT will conduct site visit on 02/25/25.

02/25/25 Site visit showed white fence along southern lot line. Property also had sections of black metal "decorative" fencing (mostly along the southeast property line near retaining wall), more panels of this fencing are stacked off to one side. Tall black fence along SW corner of home (not permitted in the 2021 addition ZP). Currently reviewing the approved landscaping plan to confirm compliance with replanting requirements.. Will need to send follow up letter.

04/10/25 Violation compliance letter sent. Deadline to remove all fencing w/in 75 feet of shore is May 22nd. Will need to conduct site visit after deadline to confirm continued compliance.

05/27/25 Site visit scheduled for 05/29/25

06/09/25 Neighbor emailed POD that owner has told other residents that he is not going to take the fence down because it is for his children's safety. He started to do the removal and then stopped and plans to put it back up. "Is safety a reason he can put the fence back up?" I informed neighbor that I will be onsite this week and if they put the fence back up after my visit, she should contact me.

06/11/25 Site visit showed panels have been removed from fence along lot line (panels are laying in a pile along the shore) but posts are still present. Tall black fence by SW corner of house is still present. Owner would like to keep this fence and some black fencing along the steep retaining walls as his son is autistic and doesn't have any safety awareness so they are concerned he would fall down the steep retaining walls.

06/11/25 Spoke with supervisors. Will conduct another site visit to ensure the posts have been removed and will advise owner that a variance is needed to retain the black fencing near the retaining walls since it is within 75' of the OHWM.

06/30/25 Neighbor emailed photos. Stated that "The plan for the neighbors appears to be that they will leave in the posts and lean the fencing against it. I'm guessing they feel it is then no longer a permanent structure and rules don't apply to it. He has recently installed solar lights on the top of each post, so I assume he is keeping them in long term. It both looks horrible, and has to be a technicality for leaving it

in place. I can try to take more pictures if you need them. It is difficult to see how he has leaned the fencing slats against the post, but easy to see in person. "

07/10/25 Compliance letter sent. They will have until July 25th to remove remaining post and fencing or will need to apply for a variance by that deadline to keep any of the fencing (even around the retaining walls)

07/21/25 Spoke w/ Jeff Sorensen as he left a call w/ POD that he wanted to talk with me. I told him I can email the variance application. Said that he would need to provide proof of hardship that is not personal in nature. He said that of course this is personal and that he's trying to keep his kids safe. I gave him an example that say you had more kids than the number of bedrooms available that is a personal consideration. He understood what I meant but was not happy about it. Emailed his wife the application and reminded them of the July 25th deadline to apply by.

07/28/25 No application for variance received on or before July 25th. Will conduct site visit to find out if fencing is still present.

08/04/25 Called owner, they said application was coming via certified mail.

08/07/25 Application arrived, AT received application and routed to admin for processing.

11/20/25 Variance went before County BOA in October. Requested tabled, as owners were not in attendance and neighbor raised concerns which need to be addressed by the owners. BOA likely to take action at the January meeting.

12/22/25 Item will be on the January BOA agenda for action.

1/14/26 Variance request approved by the County BOA. Owners need to submit a survey showing the location of the fence and record a Deed Restriction prior to Zoning Permit issuance. A violation letter will be sent establishing deadlines for compliance.

2/18/26 Violation letter sent. Deadline for ZP appl and deed restriction is March 18th 2026. (Pending, AT)

Rachel and Jeff Schaefer, S101W34695 CTH LO;

Junk, work w/o permits, structure in disrepair

8/5/2021: Received complaint regarding junk, work without permits and residence/fence in disrepair. After multiple attempts, our office was unable to inspect the property.

Summer 2023: Owner contacted the office in summer of 2023 for a zoning permit. Our office 10/23/23: County sent a letter that stated the following: Listing photos revealed miscellaneous junk was present and viewable to the present. Owner was made aware of the active violation on the property. He granted our office permission to inspect over the phone.

6/2/23: A site inspection was conducted, revealing land altering activities with new basement construction. In addition, multiple items regulated as junk including an unlicensed boat, inoperable boat trailer, broken hot tub, construction materials, buckets and other miscellaneous items were observed. The owners had deadlines of 6/23/23 to submit a zoning permit application and 7/10/23 to remove junk from the property.

10/16/23: Another site inspection was conducted which revealed little progress had been made and a majority of the junk and miscellaneous materials remained on-site and visible. No zoning permit application had been received at that time either. Deadlines of 11/6/23 and 11/27/23 were given to apply for a ZP and remove the junk-type items, respectively. Note: the staff person involved soon after left the county and the violation was reassigned.

April 2024: Citations were issued 5/6/24. The owner was scheduled a court date of 6/5/24 and failed to show. Corp Counsel stated that she waits a month and if the owners do not contact them to reopen the case, it is closed out after a month. Corp Counsel suggested that a follow-up letter be written.

9/26/24 Staff working with Corp Counsel to get clarity on next steps.

11/15/24 A violation letter was sent to the subject property on 11/15/24. It appears a previous employee was able to contact the owner using that address (I have been using the mailing address on file with tax listing). The owner was given a deadline of 12/2/24 to submit a zoning permit and minor grading permit application and remove junk-type items from the property. No further extensions will be granted; additional citations will be immediately issued if the permits are not applied for and/or the property is not in compliance with the Ordinance.

12/4/24 Owner applied and paid for an ATF zoning permit for the replacement/repair of the residence's foundation. There is a discrepancy between the survey we have on file and GIS. It appears some of the lots in this subdivision were redescribed in 1978 (?). Tax listing is looking into the discrepancy and we have not heard back.

1/27/25 Emailed Tax Listing for a second time to obtain information on the right of way discrepancy. Another attempt will be made. KSF

3/30/25: Emailed tax listing for a third time to obtain information on the right of way discrepancy. No response.

4/1/25 Called owner and left a voicemail stating that I would conduct a site inspection in the near future.

4/10/25 Conducted site inspection which revealed miscellaneous junk and construction materials were still present on the property in addition to a vehicle that is not registered. Items that were present include: buckets, bricks, miscellaneous wooden items, ladders, a cement mixer, a trailer, tree stumps, a refrigerator, plywood, a fish tank, and a large pile of decorative stones. I did not walk the entire property.

4/11/25 A violation letter was sent, with a deadline of 5/30 to bring property into compliance.

4/22/25 Received call from owner stating the tires have been placed on the trailer and he will need to call a junk removal company for the refrigerator. The septic system was pumped on 4/18 and the PSE was issued.

4/24/25 Zoning Permit E24:019 was issued and a new deadline of 6/30 was granted to remove the remaining items.

5/28/25 The owner has until 6/30 to remove the remaining items (junk, construction materials, etc.). A site inspection will be conducted on or shortly after that deadline.

6/20/25 No update as deadline is still pending.

7/28/25 Site inspection conducted, which revealed minimal progress. The refrigerator is gone and all the vehicles are registered. The deadline to complete the basement and remove the construction materials is October 24. The owner stated he would start getting rid of junk items on and near back porch.

11/20/25 Jeff called a couple weeks ago and staff has been playing phone tag. Staff will try to contact him again and schedule a site inspection.

12/26/25 No update; staff will attempt to contact owner.

1/28/26: Spoke with owner regarding progress on junk cleanup and basement construction. He said he is still working on the basement; has a couple footings and a beam. He stated the yard is "pretty well cleaned up", that some of the remaining items will go into the basement when it's done. We agreed that he has until the zoning permit expires (10/16/26) to complete the basement, but I will follow up in June to check progress. Will send a follow up letter with a June deadline to clean up property.

2/27/26 Follow-up violation letter pending review by supervisor. (Pending, KS)

Bernard and Clara Erdmann, W345S10433 WAMBOLD RD

Construction/remodel of structure located within floodplain and not conforming to offset.

6/3/25 Complaint received about construction/remodel of structure located within floodplain and not conforming to offset.

06/14/25 Violation reassigned from Ken Smith to Anna Tuinstra.

6/20/2025 Violation letter mailed.

06/27/25 Daughter of owner called. Said their dad (the owner) had extended the roof line in 2017 and also added boards to the back for their pontoon boat to be protected. This past year their nephews put boards on the sides of it to protect it from leaves. There is also a fence along the back wall (SW side) that "may or may not be on the lot line". Their neighbor had given them a "warning" that any further improvements to the structure she would report it as a violation because they did not have any permits and the structure is in the floodplain. They describe the structure as a "boat shelter". They are willing to comply with our requirements. Depending on the improvements an ATF ZP may be needed.

07/16/25 Site visit w/ EG and son of homeowner. Said the fence used to be wire and the neighbor's tree fell on it. They replaced the fence with wood instead of the wire because the wood fence blocks the leaves from coming into the boat storage area. The "carport"/boat storage area has strange internal retaining walls that apparently the owner cut away some of the space to make it more level? The fencing does fit better with the adjacent buildings than the existing wire fence. The neighbor has been cleaning up her property so the white fence is possibly more visible to them compared to the wire fence but it all has been existing on the property since maybe the 80s?

07/21/25 Discussed VL w/ JH. We need proof that the overhang and walls of the "boat shelter" have been present for more than 10 years. Otherwise they will need to remove it or apply for ATF variance.

08/15/25 Deadline to remove is moved to September 15th as owner of property is in the hospital.

11/20/25 Structure has been removed, per violator. Need to verify via site visit.

12/26/25 Inspection still needs to be completed, as assigned staff has been out on medical leave. Plan to inspect in early January for compliance.

1/28/26 Site visit completed on 1/26/26 showed walls are removed but overhang is still present and pontoon boat is located under the structure. Could not tell if fencing was present or not. Will send follow up email to check in on what a good timeline would be for them. Google search showed the owner of the property died in October so I will email the daughter with condolences and next steps to return property to compliance. Email sent 01/27/26

01/28/26 Phone call with daughter (now owner of property along with her siblings). Said they left the minimum amount there to cover the boat. Informed them it is still a structure and will need to be removed. Deadline moved to March 31st for removal of structure due to scheduling constraints of owner and weather. (Pending, AT)

Patrick Schreiber, W345 S10483 CTH E

Storage of construction equipment, business materials and a junk boat

12/5/25 Complaint received with photos showing construction equipment.

12/26/25 Violation letter sent to property owner.

1/28/26 Spoke on the phone with owner, he explained both boats that are on the property are operable boats. He sells Bobcats for a living, so he has a branded truck and a trailer. He said the Kubota and backhoe are no longer on the property; said they were there because he did some work (will get clarification at site visit). He is not currently living there but will be in the future. He wants to be present for the inspection, and we are planning it for the week of 2/1

2/4/26 Staff met with Mr. Schreiber on the property. The Kubota and backhoe were not present. The two boats are operable; one has an active license with the DNR and one has an expired license. There are 2 trucks on the property that are operable. Mr. Schreiber is seeking clarification about what can be stored on the property once he is actively living there; he may have a trailer or equipment with him from work but it will not be permanently stored on the property. He said he did some vegetation removal to clean up the lakefront/dam parcel. He does not have a garage but is interested in building one in the back of the house.

2/27/26 Violation letter pending review by supervisor stating proof of registration for the boat and vehicle without a sticker and license, remove what appears to be an uncovered carport, and a vegetation removal plan of work that had been completed. Deadlines to be determined. (Pending, EG)

NOTES:

This list of zoning violations in the Town of Eagle are pending with the Town of Eagle and/or with Waukesha County PZD. The list is provided to the Town each month at the request of the Town Plan Commission.