

Village of Mukwonago
Notice of Meeting and Agenda

PLAN COMMISSION MEETING
Tuesday, March 14, 2023

Time: **6:30 pm**

Place: **Mukwonago Municipal Building, Board Room, 440 River Crest Ct**

1. Call to Order

2. Roll Call

3. Comments from the Public

Please be advised, per Wisconsin Statute Sec. 19.84(2), information and comment will be received from the public by the Plan Commission. The Public Comment Session is granted to the public at the start of each Plan Commission meeting. The Public Comment Session shall last no longer than fifteen (15) minutes and individual presentations are limited to three (3) minutes per speaker. However, these time limits may be extended at the discretion of the Chief Presiding Officer. The Plan Commission may not respond to or have any discussion on information received during the public comment session unless it is placed upon the Agenda for a subsequent meeting. Public comments should be addressed to the Plan Commission as a body. Presentations shall not deal in personalities personal attacks on members of the Plan Commission, the applicant for any project or Village Employees. Comments shall not be used to engage others in a debate in this forum. All comments, questions and concerns should be presented in a respectful professional manner. Any questions to an individual member of the Plan Commission or Staff will be deemed out of order by the Presiding Officer.

4. Approval of Minutes

- 4.1 Discussion and approval of minutes from February 14, 2023 regular meeting.
[20230214 PlanCommissionMinutesdraft.pdf](#)

5. Public Hearings

All persons interested in making comments about any of the public hearing items will be heard. Formal petitions and written comments regarding any of the public hearing items may be submitted tonight. During the public hearing(s), if you wish to be heard, the Plan Commission asks that you begin by stating your name and address, speak for no more than three minutes and attempt to avoid duplication. Each person speaking at the public hearing must sign the Public Hearing Appearance sign-in sheet before speaking. The sign-in sheet is available on the table located at the back of the room.

- 5.1 Public Hearing on a conditional use for a Pottery Studio-Home Occupation located in the home and accessory buildings at 131 Oakland Ave, Parcel MUKV 1973-133; Jessica A Schroeder, owner; Pottery by Jessie LLC, business.
[131 Oakland Ave Home Occupation CU - public hearing notice.pdf](#)

6. New Business

Discussion and Possible Action on the Following Items

- 6.1 Discussion and possible recommendation to the Village Board for **RESOLUTION 2023-09** for Conditional Use for Pottery by Jessie LLC, a Pottery Studio - Home Occupation to be located at 131 Oakland Ave; Jessica Schroeder (owner), applicant; Parcel MUKV 1973-133.

[\(CU\) Staff Report Pottery By Jess - Home Occupation.pdf](#)
[Cond_use application.pdf](#)
[RESOLUTION 2023-09 CU 131 Oakland Ave.pdf](#)

- 6.2 Discussion and possible approval of **PC-RESOLUTION 2023-02** of the entryway sign proposed for Honey Meadow Condominiums located at 331 Westside Ave; Maurice Nielsen (President)(applicant); Parcel MUKV 1974-923-002.

[\(SIGN\) Staff Report Honey Meadows - Sign.pdf](#)
[Honey Meadows Submittal for PC 3-14-23 Sign.pdf](#)
[PC-RESOLUTION 2023-02 Honey Meadow monument sign.pdf](#)

- 6.3 Discussion and possible approval of **PC-RESOLUTION 2023-03** for freestanding monument sign exception proposed for the 720 Profession Building, located at 720 N Rochester St; Signamic, Inc., applicant; Parcel MUKV 1973-107.

[\(SIGN\) Staff Report 720 N Rochester - Monument Sign.pdf](#)
[720 N Rochester EMC Sign - Spec Except Appl.pdf](#)
[PC-RESOLUTION 2023-03 720 N Rochester Monument sign.pdf](#)

- 6.4 Discussion and possible approval of Village Board on **RESOLUTION 2023-08** for a proposed 4-Lot CSM Extraterritorial Review in the Town of Mukwonago, located at HWY NN and Beulah Rd as submitted by Tom McAdams, TM Highview LLC.

[\(ETZ\) Staff Report Beulah Rd ETZ.pdf](#)
[RA SMITH REVISED FINAL CSM 2-17-23.pdf](#)
[Shared Easement Agreement.pdf](#)
[Town PC Minutes_1-4-23.pdf](#)
[RESOLUTION 2023-08 - ETZ Beulah Rd.pdf](#)

7. Adjournment

Membership:

Eric Brill, Karl Kettner, John Meiners, Mark Penzkover, Tim Rutenbeck, Jason Wamser, Fred Winchowky, and Community Planner Erin Scharf (Advisory)

It is possible that a quorum of, members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Please note, upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through appropriate aids and services. For additional information or to request this service, contact the Municipal Clerk's Office, (262) 363-6420.

MINUTES OF THE PLAN COMMISSION MEETING

Tuesday, February 14, 2023

Call to Order

President Winchowky called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Commissioners present: Fred Winchowky, Chairman
Jason Wamser
Eric Brill
Karl Kettner
Tim Rutenbeck

Excused: John Meiners
Mark Penzkover

Also present: Fred Schnook, Village Administrator
Erin Scharf, Community Planner/Zoning Administrator
Linda Gourdoux, Deputy Clerk/Treasurer

Comments from the Public

Opened at 6:30 pm
Reggie Peters, Lemberg Electric; spoke on signage for Zero Zone
Closed at 6:32 pm

Approval of Minutes

Motion by Wamser/Brill to approve minutes from January 10, 2023 regular meeting, unanimously carried.

New Business

Discussion and possible approval of **PC-RESOLUTION 2023-01** of the signage plan for Zero Zone, applicant Lemberg Electric, 115 Hill Ct, Parcel #A49300002.

Scharf gave overview of project

Motion by Ketter/Wamser to approve **PC-RESOLUTION 2023-01** of the signage plan for Zero Zone, applicant Lemberg Electric, 115 Hill Ct, Parcel #A49300002, carried.

Information for the Commission:

In researching previous approvals and reading the sign code numerous times...signage sent to Plan Commission has been inconsistent.

Majority of signage on 2+ acres has been seen by Plan commission, however, there is no requirement for this after further research. The code states that freestanding signage on parcels over 2.01 acres and abutting I-43 shall be brought before plan commission.

If the signage complies with the code (monument signs in particular) there is no need to send the sign to plan commission. We have identified this as a pain point for the end user, as the process which should take a few days for staff to approve, takes over a month. If there is no exception to the code requested staff will approve.

Signage for Business and Industrial Park entrances, Condos, Apts, and Residential Subdivisions also require Plan Commission approval. This causes significant unnecessary delay for our businesses and contractors.

We are working to review the draft sign code which Tim Schwecke has worked on, which will address these issues. This would come before Plan Commission when the time is right.

Adjournment

Meeting adjourned at 6:38 p.m.

Respectfully Submitted,
Linda Gourdoux, WCMC
Deputy Clerk/Treasurer

DRAFT

NOTICE OF PUBLIC HEARING
VILLAGE OF MUKWONAGO PLAN COMMISSION

The Village of Mukwonago Plan Commission will conduct a public hearing on Tuesday, March 14, 2023, to accept public input regarding a conditional use for a Pottery Studio-Home Occupation located in the home and accessory buildings located at 131 Oakland Ave (MUKV1973133), Jessica A Schroeder, owner; Pottery by Jessie LLC, business.

The meeting will be held in the Board Room of the Village Hall located at 440 River Crest Court, Mukwonago. The meeting starts at 6:30 pm and the public hearing will be conducted in the order listed on the meeting agenda.

For information regarding this public hearing, contact the Village Planner, at 262-363-6420 *2111 or planner@villageofmukwonago.gov. All interested parties will be heard.

Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through appropriate aids and services. For additional information or to request this service, please contact, Diana Dykstra, at 262-363-6420.

VILLAGE OF MUKWONAGO
Diana Dykstra, Clerk-Treasurer

Legal notice to be published in the *Waukesha Freeman* on February 28 and March 7, 2022



STAFF REPORT
VILLAGE OF MUKWONAGO PLAN COMMISSION
Tuesday, March 14, 2023
6:30 PM
440 RIVER CREST CT
MUKWONAGO, WI 53149

Conditional Use for Pottery by Jessie LLC, a Pottery Studio - Home Occupation, to be located at 131 Oakland Ave submitted by Jessica Schroeder (Owner) - Tax Key No. MUKV1973133

Overview

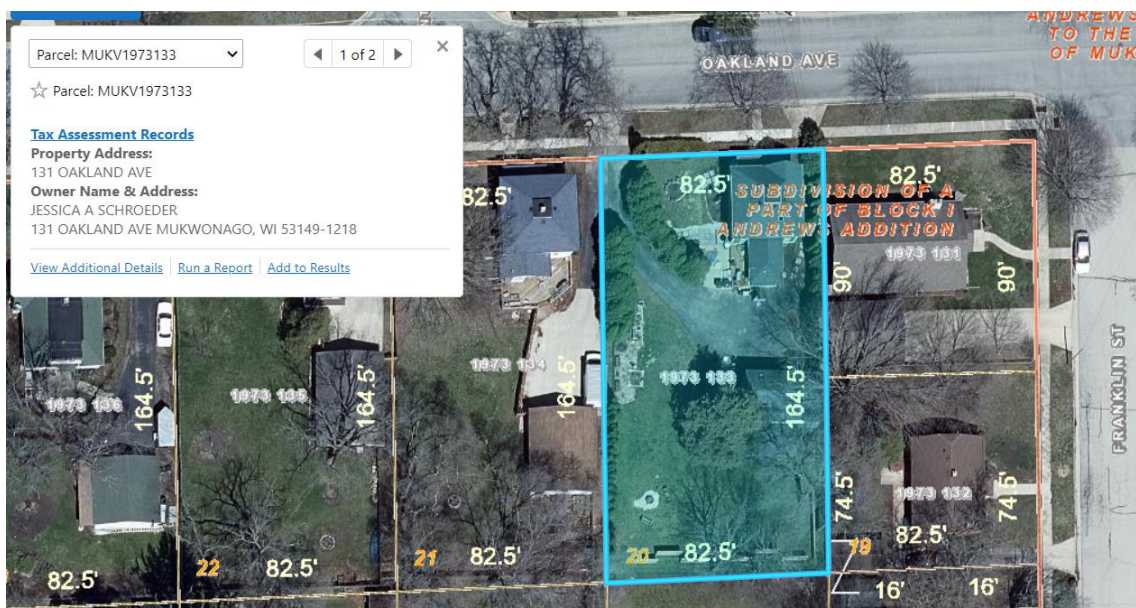
The property is currently zoned R-2: Single Family-Historical Lot Residential District. The applicant is operating a small pottery business, previously located at 611 Main St, Mukwonago. This is mainly an online business. Jessica has solely owned and operated the business for over 22 years in Waukesha County and for the past 10 years of that in Mukwonago. The applicant believes this enriched the Village by way of not only offering our community a product no one else does but supporting her and her son after having to close her Main St location. Being in a Historical District it is an honor and privilege to have restored her home inside and out over the last 4 years and had folks stop and point out and take photos, which is only a benefit to the community and property. Since closing her Main St location she has downsized and working out of her garage, small shed and an office located in her home. She hope to continue to donate her work to countless community organizations she has had the privilege to work with.

Her business is quiet, contained, maintained and will not impact neighboring properties.

No building is required, all electrical, HVAC, permits have been obtained and inspected by Inspector Tim Rutenbeck.

Her home and garage are not imposing a burden on utilities or Village improvements.

She believes the benefit of an award winning nationally recognized artist making a living within her property and Village guidelines have greater breath than any possible adverse impact, of there is none.





Home Occupations

Per Code Section 100-21 Use Restrictions (6) Home occupations and professional home offices are a conditional use in any residential district requiring a conditional use permit. The home occupation or professional home office shall meet the following minimum criteria:

a. The use of the residential dwelling for the home occupation or professional home office shall be

clearly incidental and subordinate to its residential use and shall not occupy more than 25% of the floor area of one floor.

b. No professional home office shall be located in or conducted in any accessory structure.

c. No person other than members of the family residing on the premises shall be employed or engaged in such home occupation or professional home office.

d. Home occupations shall use only household equipment, and no stock in trade shall be kept or sold except that made on the premises.

e. No traffic shall be generated by the home occupation or professional home office in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of the home occupation or use shall be provided off the street and other than in the required street yard.

f. (Reserved)^[1]

^[1]*Editor's Note: Former Subsection (a)(6)f, regarding outdoor storage, was repealed 10-21-2020 by Ord. No. 985.*

g. Home occupations, which comply with the conditions set forth above, may include, but are not limited to, baby-sitting, canning, crafts, desktop publishing and other computer services, dressmaking, laundering, millinery, piano teaching and word processing.

h. Home occupations shall not include auto body or engine repair, barbering, beauty shops, construction trades, dance studios, insurance agencies, photographic studios or real estate brokerages.

Staff Review: The applicant meets the above criteria and her business is contained inside of the structures on the premise which do not have a negative impact on the neighboring properties.

Recommendation: Recommend approval of the Conditional Use for the Pottery by Jessie LLC Home Occupation proposed, to be located at 131 Oakland Ave as submitted by Jessica Schroeder (Owner) Tax Key No. MUKV1973133.

Respectfully Submitted:

Erin Scharf

Community Planner/Zoning Administrator

Village of Mukwonago
440 River Crest Ct
Mukwonago, WI 53149
Phone: (262) 363-6420
Fax: (262) 363-6425

VILLAGE OF MUKWONAGO

CONDITIONAL USE PERMIT APPLICATION

Application Fee: \$450

Date Submitted: _____

CONTACTS

Zoning and Planning Department

Contact: Community

Planner/Zoning Administrator

Phone: (262) 363-6420 ex 2111

Email: planner@villageofmukwonago.gov

GUIDELINES

The undersigned petition is to consider a request, as stated herein, for the specified parcel(s) of land and will be reviewed by the Plan Commission and Village Board of the Village of Mukwonago.

Conditional use applications require a public hearing. To ensure the public hearing will be properly advertised, the application must be submitted **at least 30 days prior to the meeting** in which the Plan Commission will hold the public hearing. The Plan Commission meets on the second Tuesday of each month at 6:30 p.m.

Materials listed on page 3 must be provided to the Village of Mukwonago in accordance with Village Municipal Code Chapter 100-354 and other pertinent sections of Village ordinances, WI Stats. 62.23, and as necessary to permit review that is consistent with proper planning practice. The Village will strive to accommodate reasonable requests for informal preliminary staff review, however the Village shall not place any items on the agenda for Plan Commission consideration until such time as the application is complete in accordance with all requirements specified on this and other attached application forms.

Mail completed applications to: Village Planner

ATTN: Conditional Use Permits

440 River Crest Ct

Mukwonago, WI 53149

Deliver to:

Village Clerk's Office

440 River Crest Ct

Email to:

planner@villageofmukwonago.gov

Complete, accurate and specific information must be entered. Please Print.

● APPLICANT (Full Legal Name)

Name: Jessica Amy Schroeder
Company: Pottery by Jessie LLC
Address: 131 Oakland Ave City: Mukwonago State: WI Zip: 53149
Daytime Phone: 414-588-4636 Fax: _____
E-Mail: info@handmade-dinnerware.com OR
GreenRabbitClayStudio@gmail.com

● PROPERTY AND PROJECT INFORMATION

Present Zoning: R2 Tax Key No(s): Mukw1973 133
Address/Location: 131 Oakland Ave. Mukwonago, WI 53149

A. I/We request a conditional use permit for:

Operating small pottery business previously located
at 611 Main Street, Mukwonago; now at
residence for mainly online business.

B. The property is presently used as:

Resident for 1 adult + 1 minor

C. Name of Architect, Professional Engineer, or Contractor: N/A

D. Project Timetable: Start Date: _____ Completion Date: _____

E. All of the Proposed Use(s) of the property will be:

Principal Use _____

Secondary Use _____

Accessory Use _____

F. I/We represent that I/we have a vested interest in this property in the following manner:

☒ Owner

☐ Leasehold. Length of Lease: _____

☐ Contractual. Nature of contract: _____

☐ Other. Please explain _____

PROCEDURAL CHECKLIST FOR CONDITIONAL USE REVIEW AND APPROVAL

This form is designed to be a guide for submitting a complete application for a conditional use.

Application Submittal Packet Requirements for Village and Applicant Use (Check off List)

Application:

- ☒ Completed application form including the procedural checklist and justification of the proposed conditional use.
- ☒ Application fee: \$450 *INVOICE*
- ☐ Agreement for Reimbursable Services (separate application)

Required site drawings:

- ☐ Survey of the property ?
- ☐ Landscape plan
- ☒ Parking plan (including parking computations) *N/A - NO customer traffic*
- ☐ Lighting plan (including photo metrics)
- ☐ Proposed location and connection to the sanitary sewer and water mains
- ☐ Drainage plan (if applicable)
- ☒ All building elevations *Any accessory structures which the business is operating in-photos will work. approved by Tim Rutenbeck during HVAC + Electric inspections.*
- ☐ Floor plans

Other Documents:

- ☐ Plan of operation/proposal
- ☐ Overview of the adjoining lots (including list of parcel identification numbers and names and mailing addresses of the current owners for all properties within 300 feet of the subject property)
- ☐ **Electronic Submittals are required.** Email (or CD ROM) with all plans and submittal materials in Adobe PDF to planner@villageofmukwonago.com.
- ☐ Any additional information as determined by Village staff

JUSTIFICATION OF THE PROPOSED CONDITIONAL USE

The Plan Commission and Village Board of the Village of Mukwonago will base their decisions on the category standards listed below. It is in the best interest of the applicant to base their presentation on the same applicable set of standards when presenting their petition. **Applicant: Please fill out ALL of the questions. Use additional sheets of paper if needed.**

A. How is the proposed conditional use (the use in general, independent of its location) in harmony with the purposes, goals, objectives, policies and standards of the Village of Mukwonago Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the Village?

My small business in which I have owned solely + operated for over 22 years in Waukesha County, and for the past 10 years in Mukwonago, enriches the Village by way of not only offering our community a product no one else does, but supporting the arts. I support myself + son on my profession and now, after having to close my Main Street location,

B. How is the proposed conditional use, in its specific location, in harmony with the purposes, goals, objectives, policies and standards of the Village of Mukwonago Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the Village?

I believe being in a Residential Historic District (R2) is an honor + privilege and have spent the last 4 years restoring and improving my home's interior + exterior to the point people stop + take photos. I believe my small art business will only benefit the community and property.

I am downsizing and working out of my
garage + in home office to create, sell online
and ship my handmade ceramics, nationwide.
I hope to continue to donate my work
to the countless community organizations
that I have had the privilege to work
with.

- C. Does the proposed conditional use, in its proposed location and as depicted on the required site plan (see Section 100-354 (a), (b), and (c)), result in any substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of the Zoning Ordinance, the Comprehensive Plan, or any other plan, program, map ordinance adopted or under consideration pursuant to official notice by the Village or other governmental agency having jurisdiction to guide development?

My business will not impact neighboring properties, and is quiet, contained + maintained.

- D. How does the proposed conditional use maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?

No buildouts required, all electrical + HVAC permits have been pulled, completed + approved by Tim Rutenbeck.

- E. Is the proposed conditional use located in an area that will be adequately served by and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property?

Yes, my home + garage are not imposing undue burden to utilities or any Village improvements etc.

- F. Do the potential public benefits of the proposed conditional use outweigh all potential adverse impacts of the proposed conditional use (as identified in Sections 100-354 (e)(1) and (2)), after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts?

I believe the benefit of an award winning, nationally recognized artist making her living within her property + Village guidelines have greater breath than any possible adverse impact, of which there are none.

CERTIFICATION

Applicant hereby certifies that:

1. All of the above statements and other information submitted as part of this application are true and correct to the best of his or her knowledge.
2. Affirms that no Village of Mukwonago elected or appointed official or employee has a proprietary interest in the above referenced property for which this applications being filed (except as stated below under "Exceptions").
3. None of the above referenced individuals has been promised or given any contract for consultation, planning or construction in relation to this project (except as stated below under "Exceptions").
4. Applicant has read and understands all information in this packet.

Applicant further understands the policies of the Village regarding change of zonings and property development. Conditions of the resolution regarding all approvals are strictly followed. Certificates of Occupancy are not given until all conditions of approval have been met

By the execution of this application, applicant hereby authorizes the Village of Mukwonago or its agents to enter upon the property during the hours of 7:00 am to 7:00 pm daily for the purpose of inspection. Applicant grants this authorization to enter even if this land has been posted against trespassing pursuant to Section 943.13 WI Stats.

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).

Signature - Property Owner

Name & Title (PRINT)

Date

Signature - Applicant

Name & Title (PRINT)

Date

Signature - Property Owner

Name & Title (PRINT)

Date

Signature - Applicant's Representative

Name & Title (PRINT)

Date

FOR OFFICE USE ONLY			
Date Paid	Receipt #	Date(s) Notice Published	Date Notices Mailed
Public Hearing Date	Plan Commission Date(s)	Village Board Date(s)	Resolution Number
Escrow Required? <input type="checkbox"/> Yes <input type="checkbox"/> No		Escrow Amount	
Plan Commission Disposition			
Village Board Disposition			

RESOLUTION 2023-09

Village of Mukwonago Order Granting a Conditional Use and Prescribing Conditions

WHEREAS, Jessica A Schroeder (hereinafter “property owner”) own the property located at 131 Oakland Ave (hereinafter “subject property”) in the Village of Mukwonago, more particularly described as follows:

LOT 20 SUBDIVISION OF A PART OF BLOCK I
ANDREWS ADDITION PT BLK I PT NE1/4 SEC 26 T5N
R18E; and

WHEREAS, the property owner has, consistent with the Village of Mukwonago’s zoning code, submitted a conditional use application for a Home Occupation – Pottery by Jessie LLC, owner and occupant; and

WHEREAS, upon receipt of the petition submitted by the property owner/operator, the Village Clerk properly referred such petition to the Plan Commission; and

WHEREAS, allowing for required public notice, the Plan Commission conducted a public hearing on March 14, 2023 to consider the petitioner’s request; and

WHEREAS, members of the public in attendance were given ample opportunity to provide comment regarding the petitioner’s request; and

WHEREAS, the Plan Commission passed a motion recommending to the Village Board that the conditional use be approved subject to certain conditions; and

WHEREAS, the Plan Commission, in passing on the matter, has made the following determinations consistent with Section CODE of Mukwonago’s zoning code:

1. The proposed conditional use (the use in general, independent of its location) is in harmony with the purposes, goals, objectives, policies and standards of the comprehensive plan, the zoning code, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the Village.
2. The proposed conditional use (in its specific location) is in harmony with the purposes, goals, objectives, policies and standards of the comprehensive plan, the zoning code, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the Village.
3. The proposed conditional use, in its proposed location and as depicted on the required site plan does not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of the zoning code, the comprehensive plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the Village or other governmental agency having jurisdiction to guide development.
4. The proposed conditional use would maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

Return to:

Diana Dykstra, Village Clerk
Village of Mukwonago
440 River Crest Ct
Mukwonago, WI 53149

Parcel Number: MUKV 1973-133

5. The proposed conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, or services provided by public agencies serving the subject property.
6. The potential public benefits of the proposed conditional use outweigh any and all potential adverse impacts of the proposed conditional use after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.

In addition, the petitioner has shown compliance with the requirements set forth in the Village's zoning code for the specified use.

WHEREAS, the Village Board has carefully reviewed the recommendation of the Plan Commission and concurs with the Plan Commission's findings set forth above, provided the conditional use is operated pursuant to the conditions of approval set forth in this order.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED AS FOLLOWS:

1. **Authorized uses.** Subject to the terms and conditions of this approval and the sections of the zoning code that apply, the property owner/tenant are authorized to operate a contractor shop/showroom as set forth herein and as specified in the Village's zoning code. This approval is strictly limited to the existing building on the subject property.
2. **Issuance of permit required.** The Zoning Administrator is authorized to issue the property owner/tenant a conditional use permit when all conditions enumerated in section 3 have been satisfied to his or her satisfaction. Such permit is the last approval before the property owner can begin to establish the use as authorized herein.
3. **Initial conditions of approval.** The following conditions shall be satisfied prior to the issuance of the conditional use permit:
 - a. The building inspector shall inspect the building and ensure that it complies with all applicable building codes.
 - b. The property owner is required to accept the terms and conditions of this conditional use order in its entirety in writing. If the property owner and the tenant do not sign this instrument and return it to the Village Administrator within 4 months of approval, this order is null and void. Prior to such expiration, the property owner may request an extension to this time period and the Village Administrator may approve an extension with good cause.
 - c. This order must be recorded against the subject property in the Waukesha County register of deeds office (only if subsections 3(a) through 3(b) have been satisfied).

In the event that any of the above conditions are not satisfied within 9 months of the date of this approval, this order shall be null and void without any further action by the Village of Mukwonago.

4. **Ongoing conditions of approval.** The following conditions shall constitute an ongoing obligation:
 - a. The use of the residential dwelling for the home occupation and professional home office shall be clearly incidental and subordinate to its residential use and shall not occupy more than 25% of the floor area of one floor.
 - b. No professional home office shall be located in or conducted in any accessory structure.
 - c. No person other than members of the family residing on the premises shall be employed or engaged in such home occupation or professional home office.
 - d. Home occupations shall use only household equipment, and no stock in trade shall be kept of sold

except that made on the premises.

- e. No traffic shall be generated by the home occupation or professional home office in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of the home occupation or use shall be provided off the street and other than in the required street yard.
- f. The subject property must be maintained in a clean and neat appearance.
- g. One sign allowed per Municipal Code Sec 64-17(a) Permanent personal name and warning signs not requiring a permit. Personal name and warning signs not exceeding two square feet located on the premises on which the signs refer are allowed without permit. Such signs shall be located on private property and not less than 10 feet from any street right-of-way, or any side or rear lot line. Personal name signs include a sign advertising a home occupation as defined with standards within Chapter 100.

5. **Expansion or changes.** The conditional use hereby authorized shall be confined to the subject property without extension or expansion. Any expansion or change in use shall require issuance of a new conditional use approval pursuant to the requirements in effect at the time of application.

6. **Modification of property boundary lines.** The property owner shall not change the size and/or shape of the subject property by any means without the approval of the Village Board. If the Village Board determines that a proposed change is substantial with regard to 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.

7. **Plans and related matters.** Unless otherwise expressly stated herein, 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 amendment to be minor and consistent with the conditional use order and permit. Any change in any plan that the Plan Commission feels, in its sole discretion to be substantial, shall require a new approval and all procedures in place at the time must be followed.

8. **Inspection.** The property owner shall allow Village of Mukwonago staff, officials, and other authorized agents to inspect the subject property, at any reasonable time and for any proper purpose related to compliance with this conditional use order.

9. **Discontinuance.** Should the conditional use be discontinued in use for 365 consecutive days the use shall be terminated as set forth in the Village of Mukwonago's zoning regulations.

10. **Private rights.** This approval is given under the Village of Mukwonago's zoning regulations and is not to be interpreted to abrogate any private rights other property owners may have pursuant to deed restrictions or restrictive covenants.

11. **Interpretation.** If any aspect of this conditional use order is in conflict with any other aspect of the conditional use order, the more restrictive provisions shall be controlling, as determined by the Plan Commission.

12. **Other permits.** This order shall not be deemed to constitute a building permit, or constitute any other license or permit required by Village ordinance, or other local, state, or federal law.

13. **Severability.** In the event a court of competent jurisdiction determines that a paragraph or phrase of this conditional use order is unlawful, illegal, or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the conditional use order and the remainder shall continue in full force and effect.

14. **Heirs, successors, and assigns.** This conditional use order shall be binding upon the property owner and their heirs, successors, and assigns. Upon a change in ownership, the property owner shall notify the

Village Clerk or if the owner leases the space to another tenant.

15. **Ongoing review.** This conditional use may be reviewed by the Plan Commission with notice to the property owner at any time upon complaint or upon Plan Commission initiative. If it is determined that the authorized use is no longer compatible, or that the provisions of this approval have not been complied with, the Village Board may revoke or amend this order after recommendation by the Plan Commission and holding of a public hearing.

16. **Amendment.** The property owner may propose an amendment to this conditional use order at anytime by submitting a written petition to the Village Clerk, which shall be reviewed pursuant to the requirements in effect at the time of application.

17. **Violation.** Any violation of this order may be treated as a violation of Mukwonago's zoning regulations and each day of each violation of each condition herein shall be treated as a separate violation.

Approved this 15th day of March, 2023

BY THE VILLAGE BOARD OF THE VILLAGE OF MUKWONAGO

Fred Winchowky, Village President

Attest:

Diana Dykstra, Village Clerk

STATE OF WISCONSIN, WAUKESHA/WALWORTH COUNTY

Personally came before me this ____ day of _____ 2023, the persons described above, Fred Winchowky, Village President, and Diana Dykstra, Village Clerk, to me known to be the persons who executed the foregoing instrument and to me known to be such Village President and Village Clerk of the Village of Mukwonago and acknowledged that they executed the foregoing instrument as such officers of said municipal corporation by its authority and pursuant to the authorization by the Village Board from their meeting on the 15th day of March, 2023.

NOTARY PUBLIC

My Commission Expires:

The remainder of this page left intentionally blank

Acceptance by Property Owner

I, Jessica A Schroeder, the undersigned accept the terms stated herein.

Dated this _____ day of _____, 2023

Jessica A Schroeder

STATE OF WISCONSIN, WAUKESHA/WALWORTH COUNTY

Personally, came before me this _____ day of _____, 2023, the above-named persons, Jessica Schroeder, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

NOTARY PUBLIC

My Commission Expires:



STAFF REPORT
VILLAGE OF MUKWONAGO PLAN COMMISSION
Tuesday, March 14, 2023
6:30 PM
440 RIVER CREST CT
MUKWONAGO, WI 53149

Signage Plan for Honey Meadow Condominium Association, to be located at 331 Westside Ave submitted by Maurice Nielsen (President) - Tax Key No. MUKV1974923002

Overview

The property currently is zoned R-3: Single Family-Small Lot. Honey Meadow Condominiums are established in the early 2000's. The applicant is proposing 1, 12sf non-illuminated entryway sign set in the same location on similar wood posts, less than 6' (64") in height. The sign is made of routed high density urethane material. Plan Commission review and approval is required according to Sec 64-21(b) of the Municipal Sign Code.

Condominium Entryway Signs

Per the Sign Code Sec 64-21(b) Residential subdivisions, condominiums complexes or apartment complexes. Residential subdivisions, condominium complexes or apartment complexes are allowed with permit permanent entryway signs or markers in accordance with the following standards:

1. Plan commission review and approval is required.
2. These signs shall contain only the subdivision or complex name, and addresses for the complex.
3. The allowed sign or signs shall be freestanding monument style, not to exceed 36 square feet in area and six feet in height above adjacent grade, unless allowed a larger size by the plan commission based on the design of the sign and compatibility with adjacent land uses.
4. Allowed nonilluminated signs under this subsection may be located within the public right-of-way where it has been determined that no public hazard or traffic flow impediment will occur; however, the sign owner will not be eligible for compensation if the Village at any time and for any reason requires removal of the sign.
5. An allowed sign located on private property shall be located at least 10 feet from any property line, shall be located outside of the required vision triangle, and shall be located with permission of the property owner.

Staff finds the entryway sign proposed complaint with the municipal code.



BEFORE



AFTER



Recommendation: Recommend approval of the entryway sign proposed for Honey Meadow Condominiums, to be located at 331 Westside Ave as submitted by Maurice Nielsen (President) Tax Key No. MUKV1974923002.

Respectfully Submitted:

Erin Scharf

Community Planner/Zoning Administrator

Village of Mukwonago
440 River Crest Ct
Mukwonago, WI 53149
Phone: (262) 363-6420
Fax: (262) 363-6425
www.villageofmukwonago.com

VILLAGE OF MUKWONAGO

SIGN PERMIT REVIEW APPLICATION

Application Fee: Below

Date Submitted: 2-14-2023

Total Fees Paid: \$135.00

FEES

(Please check one)

- ☒ Basic Sign Review: \$100 135
☐ Sign Special Exception: \$450

CONTACTS

Inv. 3895

Zoning and Planning Department

Contact:
Phone: (262) 363-6420 ex 2111
Fax: (262) 363-6425
Email: planner@villageofmukwonago.com

GUIDELINES

The undersigned petition is to consider a request, as stated herein, for a sign permit and will be reviewed by the Plan Commission of the Village of Mukwonago. The application packet must be filed with the Village Clerk at least 30 days prior to the meeting of the Planning Commission at which action is desired. The Plan Commission meets on the second Tuesday of each month at 6:30 p.m.

Materials listed on page 3 must be provided to the Village of Mukwonago in accordance with Village Municipal Code Chapter 64 and other pertinent sections of Village ordinances and as necessary to permit review that is consistent with proper planning practice. The Village will strive to accommodate reasonable requests for informal preliminary staff review, however the Village shall not place any items on the agenda for Plan Commission consideration until such time as the application is complete in accordance with all requirements specified on this and other attached application forms.

Mail completed applications to: Village Planner
ATTN: Sign Permit Review
440 River Crest Ct
Mukwonago, WI 53149
Deliver to: Village Clerk's Office
440 River Crest Court
Email to: planner@villageofmukwonago.com

Complete, accurate and specific information must be entered. Please Print.

RECEIVED
FEB 13 2023
BY: _____

APPLICANT (Full Legal Name)

Name: Maurice P. Nielsen - President
Company: Honey Meadow Condominium Association
Address: 331 Westside Ave ^{unit 11} City: Mukwonago State: WI Zip: 53149
Daytime Phone: 414-659-3325 Fax: N/A
E-Mail: Mnielsen27@me.com

CERTIFICATION

Applicant hereby certifies that:

1. All of the above statements and other information submitted as part of this application are true and correct to the best of his or her knowledge.
2. Affirms that no Village of Mukwonago elected or appointed official or employee has a proprietary interest in the above referenced property for which this applications being filed.
3. None of the above referenced individuals has been promised or given any contract for consultation, planning or construction in relation to this project.
4. Applicant has read and understands all information in this packet.
5. Applicant has read and understands all pertinent regulation in Chapter 64 of the Municipal Code.

Applicant further understands the policies of the Village regarding signage and property development. Conditions of the resolution regarding all approvals are strictly followed.

By the execution of this application, applicant hereby authorizes the Village of Mukwonago or its agents to enter upon the property during the hours of 7:00 am to 7:00 pm daily for the purpose of inspection. Applicant grants this authorization to enter even if this land has been posted against trespassing pursuant to Section 943.13 WI Stats.

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).



Signature - Property Owner

Maurice P. Nielsen - President Honey Meadow Condominium Association

Name & Title (PRINT)

2-11-2023

Date

Signature - Applicant

Name & Title (PRINT)

Date

FOR OFFICE USE ONLY

Date Paid	Receipt #	Date(s) Notice Published	Date Notices Mailed
Public Hearing Date	Plan Commission Date(s)	Village Board Date(s)	Resolution Number
Plan Commission Disposition			

APPLICANT IS REPRESENTED BY (Full Legal Name)

Name: Maurice P. Nielsen
Company: President of Honey Meadow Condominium Association
Address: 331 Westside Ave. Unit 11 City: Mukwonago State: WI Zip: 53149
Daytime Phone: 414-659-3325 Fax: N/A
E-Mail: Mnielsen27@me.com

SIGN CONTRACTOR

Name: Jamie Dieman - Operations Manager
Company: Innovative Signs
Address: 21700 Doral Road City: Waukesha State: WI Zip: 53186
Daytime Phone: 262-432-1330 Fax: 262-432-1331
E-Mail: jaime@innovative-signs.com

PROPERTY AND PROJECT INFORMATION

Address/Location: Honey Meadow Condominium Association 331 Westside Ave. Mukwonago WI 53149

A. The property is presently used as:

residential condominium living

We are a small 12 unit Association comprised of 3 separate four unit ranch condos

B. Size of property (in acres):

C. Project Timetable: Start Date: 5-1-23 Completion Date: 6-1-23

D. Type/Description of Sign(s):

our new sign will be same size as our original sign

2 foot tall by 6 foot wide mounted on same type of wood posts.

Sign material = Routed High Density Urethane nonilluminated

Same location as existing sign meeting placement requirements ie at least 10 feet from property line

Height will be same as current sign which is less than 6 feet tall (64")
See rendering showing new cream colored background (will be textured) with Blue lettering

PROCEDURAL CHECKLIST FOR SIGN PERMIT REVIEW AND APPROVAL

This form is designed to be a guide for submitting a complete application for a conditional use.

Application Submittal Packet Requirements for Village and Applicant Use (Check off List)

Application:

- ☐ Completed application form including the procedural checklist and justification of the proposed special exception (if necessary).
- ☐ Application fee: See page 1.
- ☐ Agreement for Reimbursable Services (separate application)

Required site drawings:

- ☐ Survey of the property
- ☐ Professional drawings of the sign showing exact dimensions of the perimeter of the sign.
- ☐ Colors of the sign.

Other Documents:

- ☐ Special exceptions only: Overview of the adjoining lots (including list of parcel identification numbers and names and mailing addresses of the current owners for all properties within 300 feet of the subject property)
- ☐ **Electronic Submittals are required.** Email (or CD ROM) with all plans and submittal materials in Adobe PDF to planner@villageofmukwonago.com.
- ☐ Any additional information as determined by Village staff

JUSTIFICATION OF THE PROPOSED SIGN SPECIAL EXCEPTION

The Plan Commission of the Village of Mukwonago will base their decisions on the category standards listed below. It is in the best interest of the applicant to base their presentation on the same applicable set of standards when presenting their petition.
Applicant: Please fill out ALL of the questions. Use additional sheets of paper if needed.

A. State the category of special exception pursuant to Sec. 64-34 (b) of Chapter 64 of the Municipal Code (Sign Code).

NA

B. State the size and percentage of additional signage requested.

NA

C. State how the proposed special exception (the exception in general, independent of its location) is in harmony with the purposes, goals, objectives, policies and standards of the Village of Mukwonago Comprehensive Plan, the Zoning Ordinance, and Chapter 64 of the Municipal Code (Sign Code).

NA

N/A

D. State the unusual factors that preclude construction of the sign(s) in accordance with Chapter 64 of the Municipal Code (Sign Code).

E. State the hardship that would occur if completed to conform with Chapter 64 of the Municipal Code (Sign Code).

F. State how the requested special exception would not be harmful to the general public.

G. State how the requested special exception supports the public safety, health and welfare of the public.

H. State other reasons for the request pursuant to justification needed for the category of special exception as listed in Sec. 64-34 (b) of Chapter 64 of the Municipal Code (Sign Code).

VILLAGE OF MUKWONAGO
440 RIVER CREST CT
MUKWONAGO, WI 53149
Phone : (262) 363-6420

Received From: HONEY MEADOW CONDOMINIUMS
Date: 02/15/2023
Receipt: 73469
Cashier: rgallo
Time: 1:44:41 PM

SIGN CHANGE OUT

ITEM REFERENCE

BDINV Building Dept. Invoice
00003895

TOTAL

Check 1573
Total Tendered:

Change:

AMOUNT

\$135.00

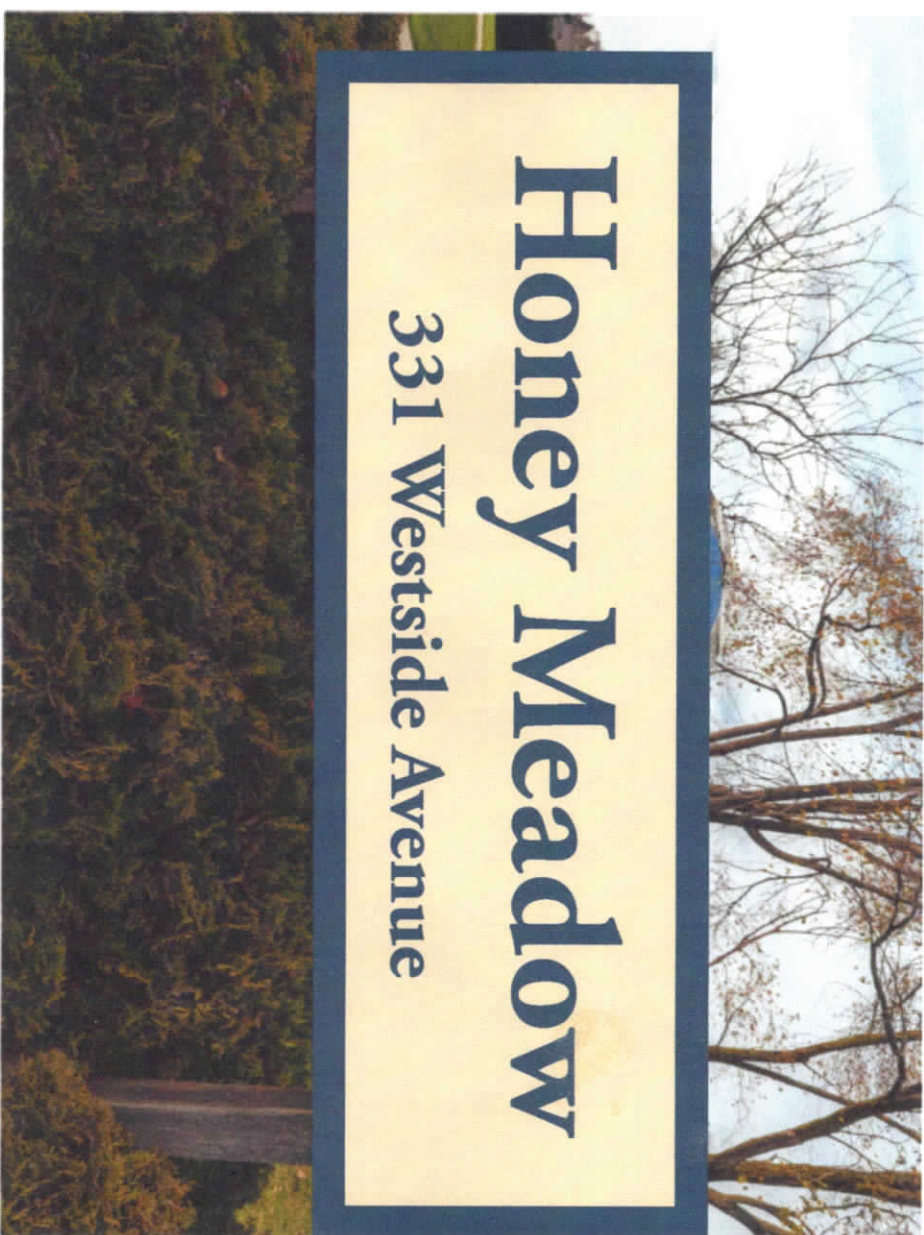
\$135.00

\$135.00

\$135.00

\$0.00

After



Before





www.innovative-signs.com

Qty: 1



3D



Customer

Honey Meadow Condominiums

Routed HDU Sign

Date 01/20/2023

Order # ISI - 10885

Project Manager Jaimie D.

Designer Brian H.

Materials & Specifications

Routed HDU

- Wood Grain Background texture (Fantan)

- Raised Blue Copy & Graphics

Colors

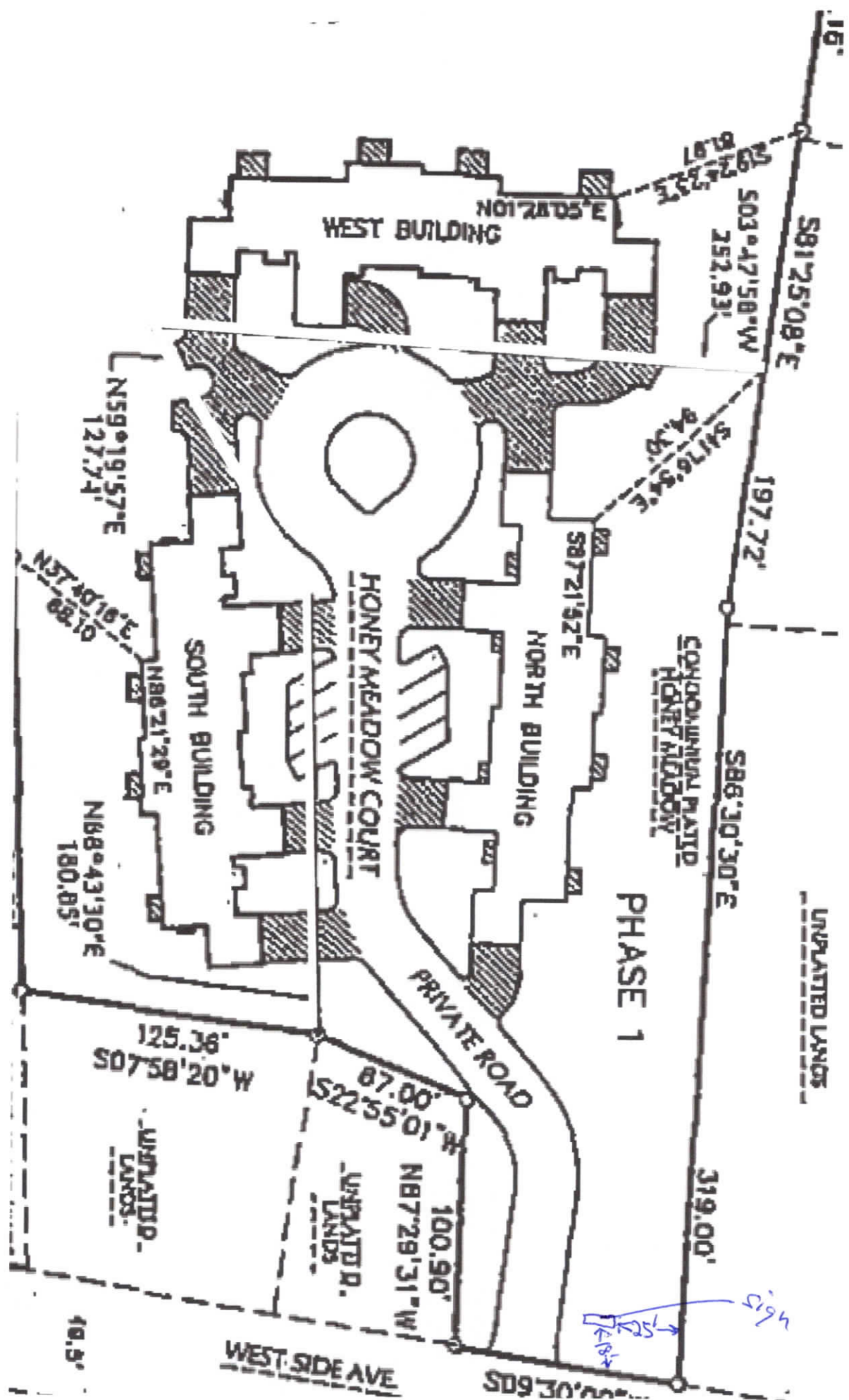
MP04518 Blue Brigantine

Smooth Finish

MP02770 Fantan

Wood Grain Textured

Approval
Signature: _____



PLAN COMMISSION RESOLUTION 2023-02

RESOLUTION APPROVING SIGNAGE FOR HONEY MEADOW CONDOMINIUMS

WHEREAS, Maurice Nielsen (President) submitted a sign permit application to the Village for review consistent with the review procedures in Chapter 64 of the municipal code; and

WHEREAS, the proposed sign consists of an entryway sign for Honey Meadow Condominiums located on Parcel Number MUKV1974923002; and

WHEREAS, the Plan Commission reviewed the proposed sign at their meeting on March 14, 2023; and

NOW, THEREFORE, BE IT RESOLVED, the Plan Commission of the Village of Mukwonago, Wisconsin hereby approves the entryway sign as proposed subject to the following conditions:

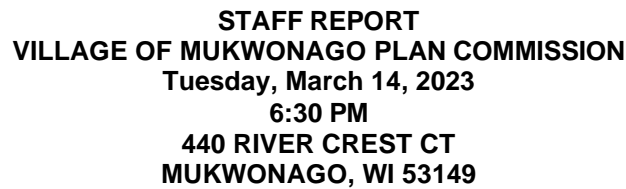
1. The applicant must obtain a building permit for the approved work within 6 months of this date and begin construction and work in good faith to completion.
2. The applicant must pay any outstanding fees/charges related to this application.
3. The address of the property must be displayed on the sign face as required by the sign regulations.

Passed and dated this 14th day of March, 2023.

VILLAGE OF MUKWONAGO PLAN COMMISSION

By: _____
Fred Winchowky, Chairman/Village President

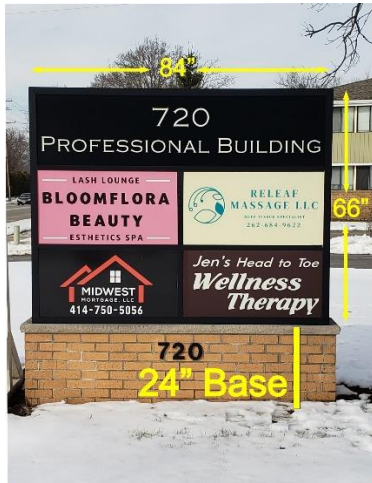
Attest: _____
Linda Gourdoux, Deputy Village Clerk

[illegible]

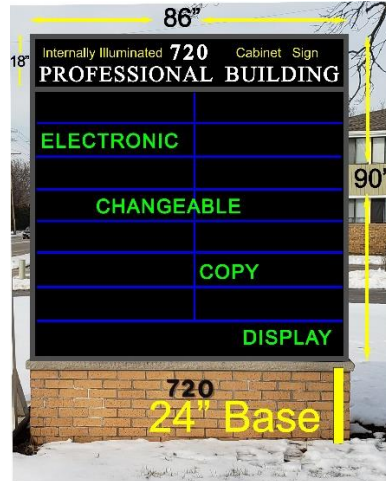
Freestanding Signs

Per the Sign Code Sec 64-23, Freestanding Monument Vertical Signs on 0.71 to 1.20 acres are allowed to be a maximum 54sf in size – double faced and maximum in 10ft of height. The sign must include the address, development name, top cap, and a stone base. The sign within the criteria in Section 64-23(5). Section 64-23(4) allows for 33% of the sign to be an electronic message center.

Current



Proposed



Review

Staff has reviewed the application and submittals. The proposal is aesthetically pleasing and a more cost-effective way for the building owner to display tenants. Long term maintenance and overall appearance of the monument sign is an advantage not only for the owner but from a property maintenance enforcement standpoint for the Village. The applicant understands that all electronic message center code restrictions in Section 64-23 shall be adhered to.

Recommendation: Recommend approval of the freestanding monument sign exception proposed for the 720 Professional Building, to be located at 720 N Rochester St as submitted by Signamic, Inc. (Sign Contractor) Tax Key No. MUKV1973107

Respectfully Submitted:

Erin Scharf

Community Planner/Zoning Administrator

Village of Mukwonago
440 River Crest Ct
Mukwonago, WI 53149
Phone: (262) 363-6420
Fax: (262) 363-6425
www.villageofmukwonago.com

VILLAGE OF MUKWONAGO

SIGN PERMIT REVIEW APPLICATION

Application Fee: Below

Date Submitted: 2/15/2023

Total Fees Paid: \$450.00

FEES

(Please check one)

- ☐ Basic Sign Review: \$100
☒ Sign Special Exception: \$450

CONTACTS

Inv. 3896

Zoning and Planning Department

Contact:

Phone: (262) 363-6420 ex 2111

Fax: (262) 363-6425

Email: planner@villageofmukwonago.com

GUIDELINES

The undersigned petition is to consider a request, as stated herein, for a sign permit and will be reviewed by the Plan Commission of the Village of Mukwonago. The application packet must be filed with the Village Clerk **at least 30 days prior** to the meeting of the Planning Commission at which action is desired. The Plan Commission meets on the second Tuesday of each month at 6:30 p.m.

Materials listed on page 3 must be provided to the Village of Mukwonago in accordance with Village Municipal Code Chapter 64 and other pertinent sections of Village ordinances and as necessary to permit review that is consistent with proper planning practice. The Village will strive to accommodate reasonable requests for informal preliminary staff review, however the Village shall not place any items on the agenda for Plan Commission consideration until such time as the application is complete in accordance with all requirements specified on this and other attached application forms.

Mail completed applications to: Village Planner
ATTN: Sign Permit Review
440 River Crest Ct
Mukwonago, WI 53149
Deliver to: Village Clerk's Office
440 River Crest Court
Email to: planner@villageofmukwonago.com

Complete, accurate and specific information must be entered. Please Print.

APPLICANT (Full Legal Name)

Name: Craig Oenes
Company: 720 Professional Building
Address: 720 N. Rochester St. City: Mukwonago State: WI Zip: 53149
Daytime Phone: 414-750-5056 Fax: _____
E-Mail: coenes@andersoncommercialgroup.com

APPLICANT IS REPRESENTED BY (Full Legal Name)

Name: Charles Fondrie
Company: Signamic, Inc.
Address: W2596 Gavers Ct.. City: East Troy State: WI Zip: 53120
Daytime Phone: 262-853-3787 Fax: _____
E-Mail: cfondrie@gmail.com

SIGN CONTRACTOR

Name: HYOCO LED Displays(Manufacturer) 8835 Research Dr. Irvine, CA 92618 949-421-0889 alee@hyocodistribution.com
Company: Electro Signs(Installation Company)
Address: 9990 Goodhue Ave. NE City: Blaine State: MN Zip: 55449
Daytime Phone: 763-785-7968 Fax: _____
E-Mail: sales@electrosigns.com

PROPERTY AND PROJECT INFORMATION

Address/Location: 720 N. Rochester St. Mukwonago, WI 53149

A. The property is presently used as:

Multi-tenant professional office building

B. Size of property (in acres): One(1)

C. Project Timetable: Start Date: June/July 2023 Completion Date: June/July 2023

D. Type/Description of Sign(s):

Electronic Changeable Copy Sign with Internally Illuminated Cabinet Sign Identifying 720 Professional Building on Top

PROCEDURAL CHECKLIST FOR SIGN PERMIT REVIEW AND APPROVAL

This form is designed to be a guide for submitting a complete application for a conditional use.

Application Submittal Packet Requirements for Village and Applicant Use (Check off List)

Application:

- ☒ Completed application form including the procedural checklist and justification of the proposed special exception (if necessary).
- ☒ Application fee: See page 1.
- ☐ Agreement for Reimbursable Services (separate application)

Required site drawings:

- ☐ Survey of the property
- ☒ Professional drawings of the sign showing exact dimensions of the perimeter of the sign.
- ☒ Colors of the sign.

Other Documents:

- ☐ Special exceptions only: Overview of the adjoining lots (including list of parcel identification numbers and names and mailing addresses of the current owners for all properties within 300 feet of the subject property)
- ☐ **Electronic Submittals are required.** Email (or CD ROM) with all plans and submittal materials in Adobe PDF to planner@villageofmukwonago.com.
- ☐ Any additional information as determined by Village staff

JUSTIFICATION OF THE PROPOSED SIGN SPECIAL EXCEPTION

The Plan Commission of the Village of Mukwonago will base their decisions on the category standards listed below. It is in the best interest of the applicant to base their presentation on the same applicable set of standards when presenting their petition.

Applicant: Please fill out ALL of the questions. Use additional sheets of paper if needed.

A. State the category of special exception pursuant to Sec. 64-34 (b) of Chapter 64 of the Municipal Code (Sign Code).

Request for exceeding the square footage percentage for Electronic Changeable Copy Signs

B. State the size and percentage of additional signage requested.

Electronic Changeable Copy Display 72"H X 85"W with 18"H X 85"W Internally Illuminated Cabinet Sign

Increase 90 of Electronic Changeable Copy Portion of Sign to 80% of overall Sign

C. State how the proposed special exception (the exception in general, independent of its location) is in harmony with the purposes, goals, objectives, policies and standards of the Village of Mukwonago Comprehensive Plan, the Zoning Ordinance, and Chapter 64 of the Municipal Code (Sign Code).

Electronic Display will be equipped with an automated dimmer capable of dimming as ambient light levels change. The overall sign will provide a more aesthetic and cleaner appearance for displaying the 15 tenants vs having them all put into partitions with dividers. Display will be easier to read. Programming of the display will conform to all requirements to meet current sign code

D. State the unusual factors that preclude construction of the sign(s) in accordance with Chapter 64 of the Municipal Code (Sign Code).

Electronic Changeable Copy Display would be better suited for listing the 15 tenants on the Multi-tenant sign vs having them all partitioned into a plastic face sign with dividers.....this would be nearly impossible to achieve on a standard internally illuminated cabinet sign

E. State the hardship that would occur if completed to conform with Chapter 64 of the Municipal Code (Sign Code).

Would not be able to display all 15 tenants on a tradition sign and keep it cost effective when tenants change.

F. State how the requested special exception would not be harmful to the general public.

Proposed sign would conform to all Municipal Sign Codes besides the exception for increased size of Electronic Changeable Copy Sign. Overall size is within the allowable square footage for this location.

G. State how the requested special exception supports the public safety, health and welfare of the public.

Proposed sign would conform to all Municipal Sign Codes besides the exception for increased size of Electronic Changeable Copy Sign. Overall size is within the allowable square footage for this location.

H. State other reasons for the request pursuant to justification needed for the category of special exception as listed in Sec. 64-34 (b) of Chapter 64 of the Municipal Code (Sign Code).

VILLAGE OF MUKWONAGO
440 RIVER CREST CT
MUKWONAGO, WI 53149
Phone : (262) 363-6420

Received From: ANDREA ALEXANDER
Date: 02/15/2023
Receipt: 73470
Cashier: rgallo
Time: 1:46:16 PM

720 N ROCHESTER ST
PROFESSIONAL BUILDING MONUMENT SIGN
SPECIAL EXCEPTION

ITEM REFERENCE	AMOUNT
BDINV Building Dept. Invoice	\$450.00
00003896	\$450.00
TOTAL	\$450.00
Check 1096	\$450.00
Total Tendered:	\$0.00
Change:	

CERTIFICATION


Applicant hereby certifies that:

1. All of the above statements and other information submitted as part of this application are true and correct to the best of his or her knowledge.
2. Affirms that no Village of Mukwonago elected or appointed official or employee has a proprietary interest in the above referenced property for which this applications being filed.
3. None of the above referenced individuals has been promised or given any contract for consultation, planning or construction in relation to this project.
4. Applicant has read and understands all information in this packet.
5. Applicant has read and understands all pertinent regulation in Chapter 64 of the Municipal Code.


Applicant further understands the policies of the Village regarding signage and property development. Conditions of the resolution regarding all approvals are strictly followed.

By the execution of this application, applicant hereby authorizes the Village of Mukwonago or its agents to enter upon the property during the hours of 7:00 am to 7:00 pm daily for the purpose of inspection. Applicant grants this authorization to enter even if this land has been posted against trespassing pursuant to Section 943.13 WI Stats.

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).



Signature - Property Owner
CRAIG DENES OWNER
Name & Title (PRINT)
2/13/2023
Date



Signature - Applicant
CRAIG DENES OWNER
Name & Title (PRINT)
2/13/2023
Date

FOR OFFICE USE ONLY			
Date Paid	Receipt #	Date(s) Notice Published	Date Notices Mailed
Public Hearing Date	Plan Commission Date(s)	Village Board Date(s)	Resolution Number
Plan Commission Disposition			

PLAN COMMISSION RESOLUTION 2023-03

RESOLUTION APPROVING SIGNAGE FOR 720 N ROCHESTER

WHEREAS, Charles Fondrie (sign contractor) submitted a sign special exception application to the Village for review consistent with the review procedures in Chapter 64 of the municipal code; and

WHEREAS, the proposed sign consists of an entryway sign for Honey Meadow Condominiums located on Parcel Number MUKV1973107; and

WHEREAS, the Plan Commission reviewed the proposed sign at their meeting on March 14, 2023; and

NOW, THEREFORE, BE IT RESOLVED, the Plan Commission of the Village of Mukwonago, Wisconsin hereby approves the monument sign as proposed subject to the following conditions:

1. The applicant must obtain a building permit for the approved work within 6 months of this date and begin construction and work in good faith to completion.
2. The applicant must pay any outstanding fees/charges related to this application.
3. The address of the property must be displayed on the sign face as required by the sign regulations.

Passed and dated this 14th day of March, 2023.

VILLAGE OF MUKWONAGO PLAN COMMISSION

By: _____

Fred Winchowky, Chairman/Village President

Attest: _____

Linda Gourdoux, Deputy Village Clerk



STAFF REPORT
VILLAGE OF MUKWONAGO PLAN COMMISSION
Tuesday, March 14, 2023
6:30 PM
440 RIVER CREST CT
MUKWONAGO, WI 53149

Extraterritorial Review of a four-lot Certified Survey Map located on Beulah Rd, Town of Mukwonago

Overview

The property currently is zoned Agriculture, and the intended use is Residential. The applicant, Tom McAdams, TM Highview LLC has submitted a 4-Lot CSM, A redivision of Lot 1 of CSM #12302 in the Town of Mukwonago. The lands are located on SW 38 Acres of HWY NN and Beulah Rd. The Village of Mukwonago previously approved a 2-Lot CSM which this is a redivision of, last year. The Town of Mukwonago approved the 4-Lot CSM on January 4, 2023.



Extraterritorial Review

TM Highview LLC owns a parcel off HWY NN and Beulah Rd in the Town of Mukwonago and has submitted a certified survey map to create four parcels. The Village is reviewing this survey in the Town because it is within the Village's extraterritorial review area per Section 54-62(a) of the Municipal Code. The Town of Mukwonago has already approved the certified survey map.

Recommendation: Recommend approval of the proposed 4-Lot CSM Extraterritorial Review in the Town of Mukwonago, located at HWY NN and Beulah Rd as submitted by Tom McAdams, TM Highview LLC.

Respectfully Submitted:

Erin Scharf

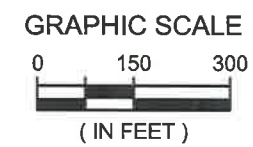
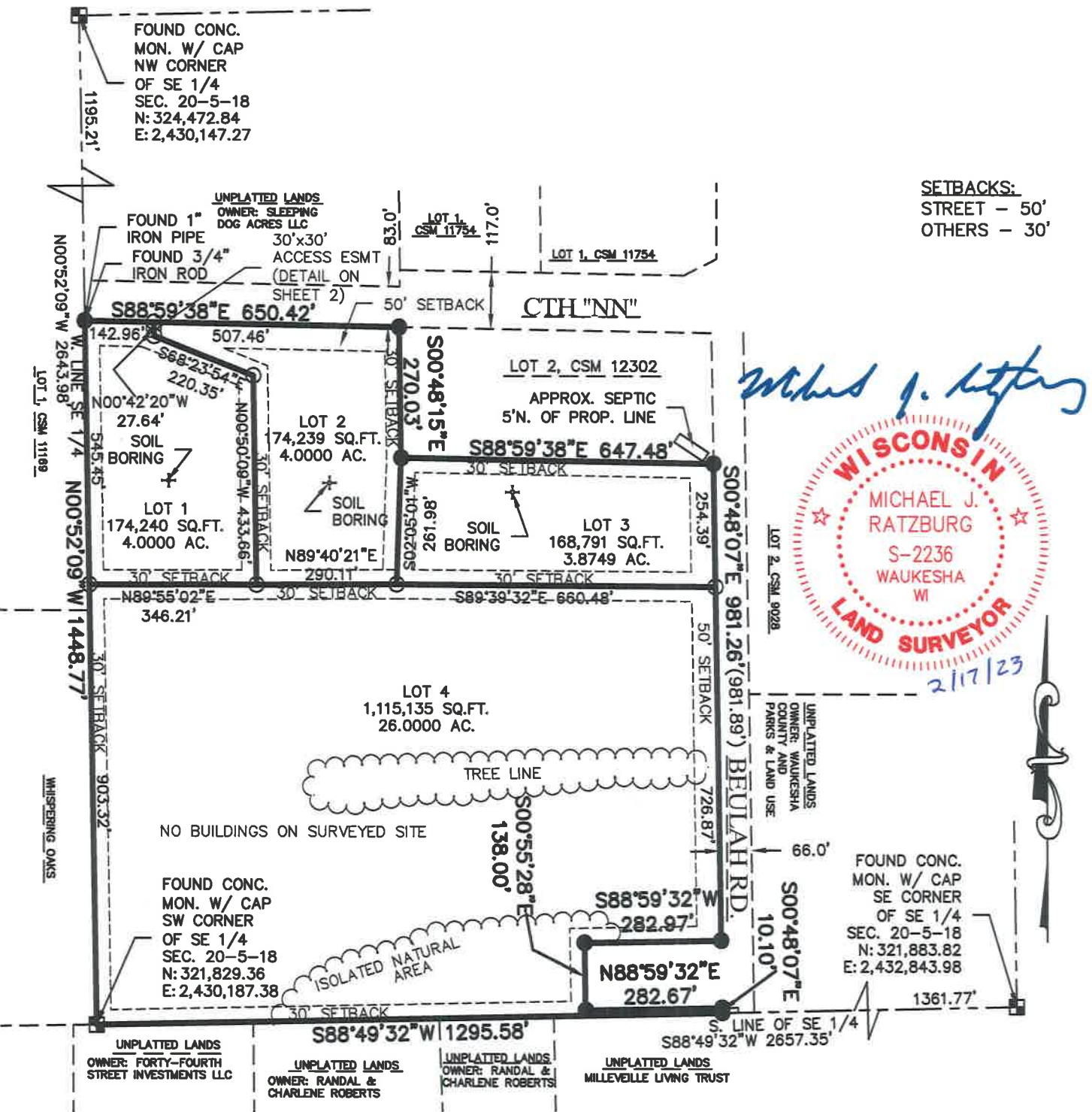
Community Planner/Zoning Administrator

CERTIFIED SURVEY MAP NO. _____

A division of Lot 1 of Certified Survey Map No. 12302, being part of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 20, Township 5 North, Range 18 East, in the Town of Mukwonago, Waukesha County, Wisconsin.

- INDICATES FOUND 3/4" IRON ROD
- INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.

ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.
ALL BEARINGS ARE REFERENCED TO THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 20, T 5 N, R 18 E, WHICH BEARS SOUTH 88°49'32" WEST. WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.

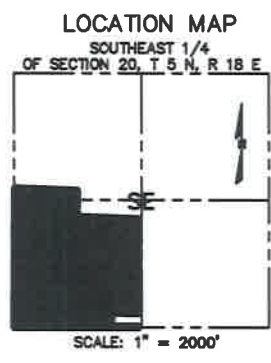
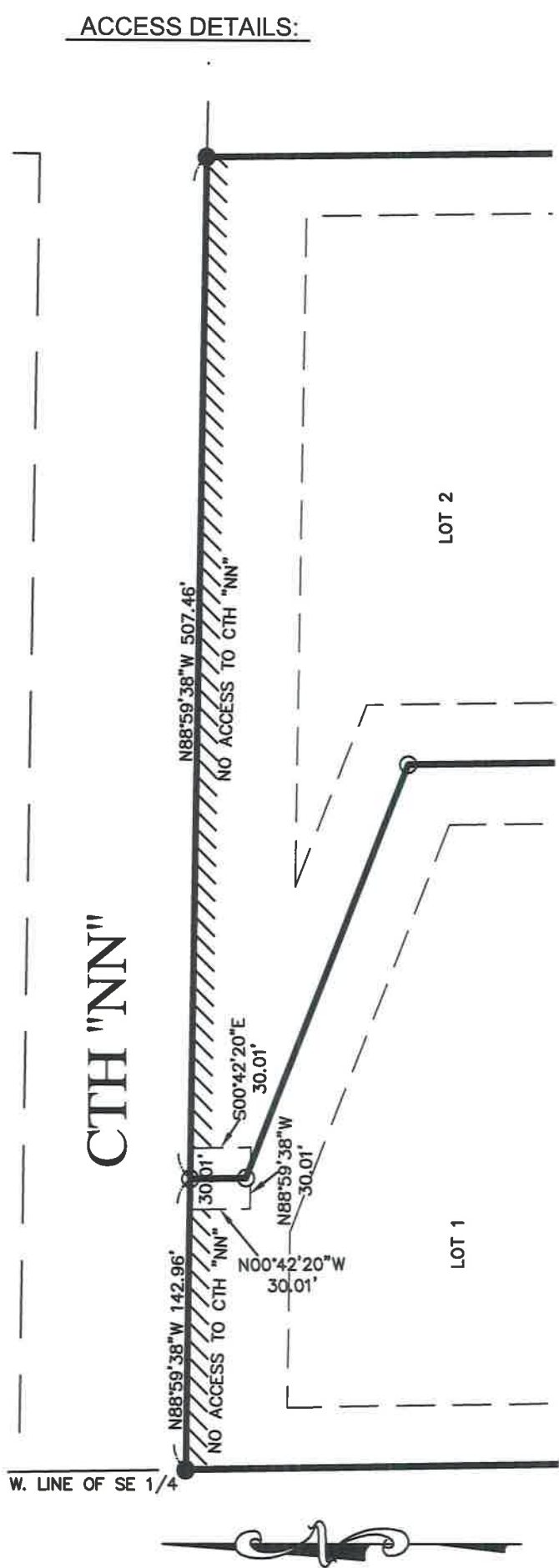


OWNER/SUBDIVIDER:
TM HIGH VIEW LLC
S94 W33665 LITTLEFIELD CT.
MUKWONAGO, WI 53149

raSmith
CREATIVITY BEYOND ENGINEERING
16745 W. Bluemound Road
Brookfield, WI 53005-5938
(262) 781-1000
resmith.com

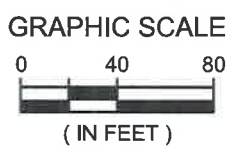
CERTIFIED SURVEY MAP NO. _____

A division of Lot 1 of Certified Survey Map No. 12302, being part of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 20, Township 5 North, Range 18 East, in the Town of Mukwonago, Waukesha County, Wisconsin.



Michael J. Ratzburg

WISCONSIN
MICHAEL J. RATZBURG
S-2236
WAUKESHA
WI
LAND SURVEYOR
2/17/23



CERTIFIED SURVEY MAP NO.

A division of Lot 1 of Certified Survey Map No. 12302, being part of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 20, Township 5 North, Range 18 East, in the Town of Mukwonago, Waukesha County, Wisconsin.

SURVEYOR'S CERTIFICATE
STATE OF WISCONSIN }

Waukesha County } :SS

I, MICHAEL J. RATZBURG, Professional Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped a division of Lot 1 of Certified Survey Map No. 12302, being part of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 20, Township 5 North, Range 18 East, in the Town of Mukwonago, Waukesha County, Wisconsin, bounded and described as follows:

Beginning at the Southwest corner of the Southeast 1/4 of said Section 20; thence North 00°52'09" West along the West line of said Southeast 1/4, a distance of 1448.77 feet to the South line of C.T.H. "NN"; thence South 88°59'38" East along said South line 650.42 feet to the Northwest corner of Lot 2 of Certified Survey Map No. 12302; thence South 00°48'15" East along the West line of said Lot 2, a distance of 270.03 feet to the Southwest corner of said Lot 2; thence South 88°59'38" East along the South line of said Lot 2, a distance of 647.48 feet to a point on the West line of Beulah Road; thence South 00°48'07" East along said West line 981.26 feet to a point; thence South 88°59'32" West 282.97 feet to a point; thence South 00°55'28" East 138.00 feet to a point; thence North 88°59'32" East 282.67 feet to a point; thence South 00°48'07" East 10.10 feet to a point on the South line of the Southeast 1/4 of said Section 20; thence South 88°49'32" West along said South line 1295.58 feet to the point of beginning.


Containing 37.4748 acres or 1,632,404 square feet.

THAT I have made this survey, land division and map by the direction of TM HIGH VIEW LLC,
owner of said lands.

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

THAT I have fully complied with the local land division ordinances and the provisions of Chapter 236 of the Wisconsin Statutes and Section 34 of the Town of Mukwonago Municipal Code in surveying, dividing, and mapping the same.

DATE 2/27/23

 (SEAL)
MICHAEL J. RATZBURG
PROFESSIONAL LAND SURVEYOR S-2236

GENERAL NOTES:

1. Subject lands are within the Mukwonago fire service area.
2. There is no floodplain on the parcel.
3. There are no wetlands, navigable water body or shoreland jurisdiction on this property.
4. The isolated natural area was determined by surveying the drip line of the trees.
5. There are no historical or cultural features per State Historical Society of Wisconsin, Division of Historic Preservation Archeological site inventory.
6. There is no landfill, manure or other waste storage facility on this site per Registry of Waste Disposal Sites of Wisconsin.
7. There is no knowledge of any drain tile on property.
8. This CSM is in a state designated groundwater management area.
9. The owner of Lot 4 acknowledges that a road, meeting town standards, shall be installed from the terminus of Hickorywood Trail to Beulah Road when the lot is further divided by any means or amend the official map.



CERTIFIED SURVEY MAP NO. _____

A division of Lot 1 of Certified Survey Map No. 12302, being part of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 20, Township 5 North, Range 18 East, in the Town of Mukwonago, Waukesha County, Wisconsin.

OWNER'S CERTIFICATE

TM HIGH VIEW, LLC, as owner, we certify that we caused the land described on this map, to be surveyed, divided, and mapped as represented on this Certified Survey Map.

TM HIGH VIEW, LLC, does further certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection:

- 1. TOWN OF MUKWONAGO
- 2. VILLAGE OF MUKWONAGO

IN Witness Whereof, said owners has caused these presents to be signed this _____ day
of _____, 2023.

THOMAS McADAMS – PRESIDENT, TM HIGH VIEW, LLC

STATE OF WISCONSIN }
 :SS
_____ COUNTY}

PERSONALLY came before me this _____ day of _____, 2023, _____
of the above named TM HIGH VIEW, LLC., to me known as the person who executed the foregoing
instrument, and to me known to be the _____ of said TM HIGH VIEW, LLC.,
and acknowledged that he executed the foregoing instrument as such officer as the deed of the
company, by its authority.

NOTARY PUBLIC, STATE OF WISCONSIN
MY COMMISSION EXPIRES _____



CERTIFIED SURVEY MAP NO. _____

A division of Lot 1 of Certified Survey Map No. 12302, being part of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 20, Township 5 North, Range 18 East, in the Town of Mukwonago, Waukesha County, Wisconsin.

TOWN BOARD OF MUKWONAGO, TOWN BOARD APPROVAL

APPROVED by the Town Board of the Town of Mukwonago on this _____ day
of _____, 2023.

PETER TOPCZEWSKI, TOWN CHAIRMAN

KATHY KARALEWITZ, CLERK

TOWN OF MUKWONAGO PLANNING COMMISSION APPROVAL

APPROVED by the Town Planning Commission of the Town of Mukwonago on this _____
day of _____, 2023.

PETER TOPCZEWSKI, TOWN CHAIRMAN

KATHY KARALEWITZ, CLERK

VILLAGE BOARD OF MUKWONAGO, VILLAGE BOARD APPROVAL

This Certified Survey Map located within the extra-territorial jurisdiction of the Village of Mukwonago is hereby APPROVED by the Village Board on this _____ day

of _____, 2023.

FRED WINCHOWKY, PRESIDENT

DIANA DYKSTRA, CLERK

VILLAGE OF MUKWONAGO PLANNING COMMISSION APPROVAL

APPROVED by the Planning Commission of the Village of Mukwonago on this _____ day
of _____, 2023.

FRED WINCHOWKY, PRESIDENT

DIANA DYKSTRA, CLERK



THIS INSTRUMENT WAS DRAFTED BY MICHAEL J. RATZBURG,
PROFESSIONAL LAND SURVEYOR S-2236

**DRIVEWAY EASEMENT
AGREEMENT**

Document Number

Document Name

Recording Area

Name and Return Address

Tom McAdams
S94 W33665 Littlefield Ct.
Mukwonago, WI 53149

Parcel Identification Number MUKT195998001

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

DRIVEWAY EASEMENT AGREEMENT

THIS DRIVEWAY EASEMENT AGREEMENT is entered into this _____ day of _____, 20____,

Between owner of Lots 1 and 2 of Certified Survey Map No. _____.

WHEREAS, owner of Lot 1, CSM _____ who owns a parcel of land in the Town of Mukwonago, Waukesha County Wisconsin as more particularly described in the attached and incorporated legal description, Exhibit "A" and the owner of Lot 2, CSM _____ adjacent to said Lot 1.

NOWHEREFORE, in consideration of the mutual covenants and undertakings thereafter set forth the parties hereto agree as follows:

1. Both owners of Lot 1 and Lot 2 agree that said driveway will be kept open and available for use by either party, their guests, permittees and any other persons with legitimate business on either parcel of land located within the 30'x30' easement.
2. The parties agree that they will equally share the cost of maintenance of said driveway. If any damage to the driveway is attributable to either party or their respective guests, invitees or permittees, that this party is totally financially responsible for the repair of any damages and that the repair work be done promptly.
3. The parties agree that they will be equally responsible for snow removal and that the snow will be disposed of in a manner which does not interfere either party's use of the driveway. It is understood that neither party will permit obstructions on or near the driveway which would hinder snow removal or otherwise restrict its use consistent herewith.

This Agreement shall be binding on the parties hereto, their agents, heirs, personal representatives, successors and assigns and shall run with the land.

Signed this _____ day of _____, 20____.

Owner, Lot 1 of CSM # _____

Owner, Lot 1 of CSM# _____

INSTRUMENT DRAFTED BY:

STATE OF WISCONSIN)
)SS
COUNTY OF WAUKESHA)

Personally came before me this _____ day of _____, 20____, _____
Owners of Lot 1 of CSM _____, to me known as the person(s) who executed the foregoing instrument and acknowledged
that they executed the foregoing instrument as such owners.

Notary Public
My Commission Expires: _____

Owner, Lot 2 of CSM # _____

Owner, Lot 2 of CSM # _____

STATE OF WISCONSIN)
)SS
COUNTY IS WAUKEHSA)

Personally, came before me this _____ day of _____, 20____, _____
Owners of Lot 2 of CSM _____, to me know as the person(s) who executed the foregoing instrument and acknowledged that
they executed the foregoing instrument as such owners.

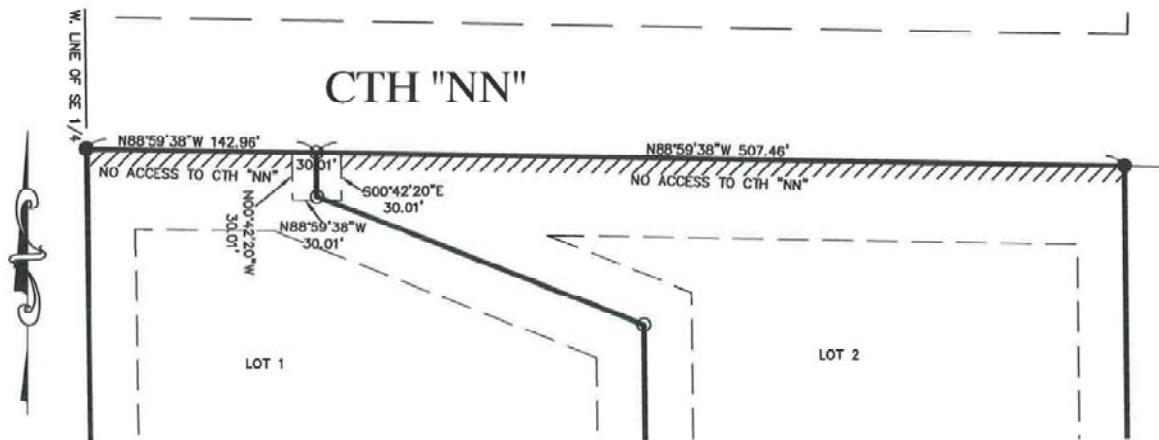
Notary Public
My Commission Expires: _____

INSTRUMENT DRAFTED BY:

EXHIBIT A

Legal Description of 30' Shared Driveway Easement:

Being part of Lots 1 and 2 of Certified Survey Map # _____ being a redivision of Lot 1 of Certified Survey Map #12302, being part of the Southwest ¼ and the Northwest ¼ of the Southeast ¼ of Section 20, Township 5 North, Range 18 East in the Town of Mukwonago, Waukesha County, Wisconsin more described as follows. Commencing at the Northwest corner of said Lot 1, thence along the south right-of-way line of CTH "NN" S88°59'38"E, a distance of 142.96' to the point of beginning of said easement. Thence continuing S88°59'38"E, a distance of 15.005' to a point; thence S00°42'20"E a distance of 30.01' to a point; thence N88°59'38"W, a distance of 30.01' to a point; thence N00°42'20"W, a distance of 30.01' to a point on the south right-of-way of CTH "NN"; thence with said south line N88°59'48"E, a distance of 15.005' to the point of beginning.



TOWN OF MUKWONAGO
JOINT PLAN COMMISSION AND TOWN BOARD
MINUTES
WEDNESDAY JANUARY 4, 2023

Chairman Topczewski called the meeting to order at 6:30 p.m. and stated the meeting had been appropriately noticed.

Roll Call

Plan Commission: Commissioners, Bratz, Usarek, Kurowski, Bell, and Chairman Topczewski were present. Supervisor Clabault and Commissioner Schuett, were absent.

Town Board: Supervisors Boucher, Wrasman, Yerke and Chairman Topczewski were present. Supervisor Clabault was absent.

Also present: John Macy, Town Attorney; Gail Obradovich, Deputy Clerk-Treasurer; Tim Schwecke, and Town Planner.

Meeting minutes of October 5, 2022

Plan Commission Action: Motion by Commissioner Usarek to approve the minutes of October 5, 2022 as corrected, second by Chairman Topczewski, all ayes; motion passed.

Town Board Action: Motion by Supervisor Boucher to approve the minutes of October 5, 2022 as corrected, second by Supervisor Wrasman, all ayes; motion passed.

Meeting minutes of November 2, 2022

Plan Commission Action: Motion by Commissioner Usarek to approve the minutes of November 2, 2022 as corrected, second by Commissioner Bell, all ayes; motion passed.

Town Board Action: Motion by Supervisor Boucher to approve the minutes of November 2, 2022 as corrected, second by Supervisor, all ayes; motion passed.

Report by Building Inspector regarding any alleged or outstanding violation(s)
The Building Inspector had reported he had no new violations

Concept review of 4-lot certified survey map for property located off of CTH NN and Beulah Road (MUKT1952998001); TM High View LLC, developer (Tom McAdams, agent)

Discussion about conditions and focus on condition 9. The attorney stated there cannot be a cul-de-sac on private property. Petitioner will need to come back when ready to develop remaining lots with their list of options for the commission to discuss. Hickorywood Trail is already a long cul-de-sac and cannot be extended. No rezoning or CU's will be considered. Lots on submitted current consensual map have been reduced to accommodate possible additional development. Julie Rohde was present to answer questions.

Tom McAdams was also present and asked what if he only develops lots 1-3. He was advised the Town cannot not force proceeding with this concept plan, but development on Lot 4 must be dealt with regarding issues of road/cul-de-sac. Policy would be a road must be included.

Plan Commission action: Motion by Chairman Topczewski to approve the conceptual design of the four-lot CSM, subject to the following conditions 1-18 per staff report dated December 29, 2022.

1. Remove the 30-foot easement in Lot 1.
 2. The common lot line between Lot 1 and 2 must be revised so Lot 2 has frontage up to the shared access point. Both of the lots must comply with all standards in the zoning code and land division code.
 3. The petitioner must record a shared access agreement, as approved by the Town Attorney, for Lots 1 and 2. The location and size of the shared access must be clearly depicted on the CSM.
 4. The petitioner must submit an application to the Town for a driveway access for Lot 3, and obtain preliminary approval.
 5. The layout of the lots in the final CSM must substantially comply with the layout depicted in the conceptual CSM and as modified herein.
 6. The concept layout for potential division of Lot 4 shows a stormwater basin. The basin will need to be at least 100 feet from the southern lot line of Lot 3, or depict a wellhead setback line in Lot 3 as may be needed.
 7. Include a no-access strip along CTH NN on both sides of the shared access easement in Lot 1 and 2.
 8. The final CSM must comply with the Town's land division regulations (ch. 34), and any requirements in ch. 236, Wis. Stats.
 9. The final CSM must include the following note:
 - The owner of Lot 4 acknowledges that a road, meeting town standards, shall be installed from the terminus of Hickorywood Trail to Beulah Road when the lot is further divided by any means.
 10. The final CSM submittal must include the Review Checklist as adopted by the Town of Mukwonago, including the requirements for septic systems.
 11. The Town engineer must review the CSM and approve of the same.
 12. The surveyor's seal, signature, and date must appear on all sheets of the final CSM. The same revision date must also be noted on each sheet.
 13. The petitioner must obtain all necessary approvals as specified in s. 236.34(1), Wis. Stats.
 14. The certified survey map is not dedicating any land for road purposes. Therefore, remove such reference in the Owner's signature block on sheet 4.
 15. The last name of the town clerk in the town's signature block on sheet 4 is incorrect. Change to "Karalewitz".
 16. The last name of the village president in the village's signature block on sheet 4 is incorrect. Change to "Winchowky".
 17. The title for the village's signature block on sheet 4 is incorrect. Remove the reference to "Town Board Approval" or revise accordingly.
 18. The concept layout for the future division of Lot 4 is for informational purposes and is in no way binding on the Town in any manner should the petitioner submit a subdivision proposal.
- Second by Commissioner Bell. Commissioner Usarek voted nay all others voted aye, motion passed.

12. Miscellaneous correspondences. A letter from the County regarding a shoreland violation was included in packet.

13. Recommendations for future agendas none

Miscellaneous updates (if any)

A. Phantom Lake Management District nothing

B. Fox River Commission working on projects

Adjournment

Plan Commission action: Motion by Chairman Topczewski to adjourn at 7:13 pm, second by Commissioner Bratz. All ayes, motion passed.

Town Board action: Motion by Supervisor Boucher to adjourn at 7:13 pm, second by Supervisor Wrasman. All ayes, motion passed.

Respectfully submitted,

Gail Obradovich Deputy/Clerk-Treasurer

APPROVED February 1, 2023

VILLAGE OF MUKWONAGO RESOLUTION 2023-08

**RESOLUTION APPROVING A FOUR-LOT CERTIFIED SURVEY FOR A
PROPERTY LOCATED AT HWY NN AND BEULAH ROAD IN THE TOWN
OF MUKWONAGO**

WHEREAS, Tom McAdams of Highview LLC owns the property located at HWY 83 and Beulah Road in the Town of Mukwonago and has submitted a four-lot certified survey map to the Village for review; and

WHEREAS, the property is located in the Village's extraterritorial review area and is therefore subject to the review by the Village; and

WHEREAS, the Village Plan Commission reviewed the petitioner's request at their meeting on March 14, 2023, and recommended approval of the same as set forth in this resolution; and

NOW, THEREFORE, BE IT RESOLVED, the Village Board of the Village of Mukwonago approves the proposed certified survey map subject to the following conditions:

1. The surveyor's seal, signature, and date must appear on all sheets of the final CSM. The same revision date must also be noted on each sheet.
2. After recording is completed, the applicant shall return a copy to the Village of Mukwonago Clerk's office.

The Village President is authorized to sign the original certified survey map when the above conditions have been satisfied as determined by the village planner.

Passed and dated this 15th day of March 2023

VILLAGE OF MUKWONAGO

By: _____
Fred Winchowky, Chairman/Village President

Attest: _____
Diana Dykstra, Village Clerk-Treasurer