

VILLAGE OF THIENSVILLE
PLAN COMMISSION
AGENDA

DATE: Tuesday, December 3, 2019 LOCATION: Village of Thiensville
250 Elm Street
TIME: 6:00 PM
CALL TO ORDER

II. ROLL CALL

Plan Chairman: Van Mobley
Commissioners: Mike Dyer Sarah Hughes
Rick Gattoni Ken Kucharski
Carol Gengler Dan Luedtke
Planner: Jon Censky
Administrator: Colleen Landisch-Hansen
Director of Community Services/
Public Works: Andy LaFond

III. BUSINESS

All applicants or their contractors must be present for any approvals.

A. Approval Of Minutes

1. October 8, 2019

Documents:

[10-8-19 PLAN MINUTES.PDF](#)

B. Review And Approval Of Certified Survey Map To Divide Parcel No. 12-050-01-21-000, 523-525 Green Bay Road Into Lot 1 And Lot 2, Scott W. Gad

Documents:

[SCOTT GAD PACKET.PDF](#)

C. Review And Recommendation To The Village Board For A Land Use Amendment From The Institutional Classification To The Single-Family Residential Classification For The School And The Office Classification For The Former Church And Rezone From I-1 Institutional District To R-2 Single-Family Residence District And B-3 Office And Professional Business District, Devo Management Company, LLC, Greg Devorkin, 116 North Orchard Street And 138 Buntrock Avenue (Tax Parcel ID No. 12-050-06-20-001), 124 North Orchard Street (Tax Parcel ID No. 12-075-02-15-002), 12-050-06-22-007, 12-075-02-17-000 And 12-075-02-16-000. Also, Commissioners Will Review And Recommend The Preliminary Plat For The Redevelopment Project.

Documents:

[DEVORKIN PACKET.PDF](#)

D. Review And Approval Of Addition/Alteration-Materials (Same As Previously Approved), Dormers, Front Porch, Back Porch, Fence, Accessory Structure/Storage Container, Michael Koepke, LTK Interiors, 127 South Main Street

Documents:

[KOEPEK PACKET.PDF](#)

IV. STAFF REPORT

Documents:

[STAFF REPORT.PDF](#)

V. BUSINESS FROM THE FLOOR

Open to any citizen who wishes to speak on items not on the agenda. Please step to the podium and give your name and address for the record.

VI. ADJOURNMENT

Amy L. Langlois, Village Clerk
November 27, 2019

Please advise the Thiensville Municipal Hall, 250 Elm Street (242-3720) at least 24 hours prior to the start of this meeting if you have disabilities and desire special accommodations.

Notice is hereby given that a quorum of the Village Board and/or Village Committees may be in attendance at this meeting to present, discuss and/or gather information about a subject over which they have decision-making responsibility, although they will not take any formal action thereto

at this meeting.

**VILLAGE OF THIENSVILLE
PLAN COMMISSION
MINUTES**

DATE: Tuesday, October 8, 2019

LOCATION: Village of Thiensville
250 Elm Street

TIME: 6:00 PM

I. CALL TO ORDER

Chairman Mobley called the meeting to order at 6:01 PM.

II. ROLL CALL

Chairman:	Van Mobley	
Commissioners:	Mike Dyer	Sarah Hughes (excused)
	Rick Gattoni	Ken Kucharski
	Carol Gengler (excused)	Dan Luedtke
Planner:	Jon Censky	
Director of Community Services/Public Works:	Andy LaFond	

III. BUSINESS

- A.** Approval of Minutes
1. September 3, 2019

MOTION by Commissioner Luedtke, **SECONDED** by Commissioner Gattoni to approve the September 3, 2019 Minutes. **MOTION CARRIED UNANIMOUSLY.**

- B.** Review and approval of Sign, Scott and Beth Shully, Across the Street "ATS",
143 Green Bay Road

Scott and Beth Shully have submitted plans for a free-standing business identification sign at 143 Green Bay Road. The sign measures 3' x 3' for 9 square feet in size, will stand 6' tall and will be white with black letters and green trim. The sign will be made of carved wood material.

The Historic Preservation Commission approved this sign at their September 11, 2019 meeting.

Planner Censky reported that the sign is in full compliance with the Sign Code and recommends approval.

MOTION by Commissioner Kucharski, **SECONDED** by Commissioner Luedtke to approve Sign, Scott and Beth Shully, Across the Street "ATS", 143 Green Bay Road. **MOTION CARRIED UNANIMOUSLY.**

- C.** Review and approval of Sign, Michelle Senour, Elle and Co. Styling Salon,
227 North Main Street

Michelle Senour is opening a salon at 227 North Main Street with eight styling chairs. The salon will also have an education aspect and retail products for sale. The salon is "trendy" and "earthy". Hopes are to open on November 19, 2019. Ms. Senour presented sign plans. The sign includes the name of the salon, "Elle and Co. Styling Salon" in black letters. Ms. Senour is excited about moving her business to Thiensville.

Planner Censky reported that the sign consists of individual black backlit letters mounted to the façade over her main entrance.

MOTION by Commissioner Gattoni, **SECONDED** by Commissioner Kucharski to approve Sign, Michelle Senour, Elle and Co. Styling Salon, 227 North Main Street. **MOTION CARRIED UNANIMOUSLY.**

IV. BUSINESS FROM THE FLOOR

Open to any citizen who wishes to speak on items not on the agenda. Please step to the podium and give your name and address for the record.

Director of Community Services/Public Works Andy LaFond shared that office staff has met with SAFEbuilt regarding the permit process. The office staff is now trained to enter permits for smaller permit items allowing the permit to be processed and issued at the time of submittal improving the customer service experience.

Commissioner Kucharski inquired about a notice that was mailed to his residence regarding a fence that will be before the Zoning Board of Appeals and questioned why he had received it. Director LaFond explained that for a resident to make an appeal before the Zoning Board of Appeals, notice must be sent to anyone within 300 feet of the applicant.

Planner Censky shared that if an applicant that comes before the Zoning Board of Appeals is approved for their request, it cannot be denied by the Plan Commission. This request began with a resident submitting fence plans, Planner Censky reviewing the request and then denying because the fence was too high and not Code compliant. A letter was then sent to the resident explaining their right to appeal the decision and go before the Zoning Board of Appeals for approval.

Chairman Mobley asked that when a denial is made by Planner Censky if the Plan Commission could be notified. Planner Censky suggested copying the Commission on his denial letters to keep them informed.

Having fences approved at staff level allows for a more efficient process for the applicant as they do not have to wait for a Plan Commission meeting to be denied because it may not be Code compliant. Applicants that apply to the Zoning Board of Appeals do submit an application indicating any hardship that is present in that a literal enforcement of the terms of the zoning ordinance would deny the applicant all reasonable use of the property and any hardship due to physical limitations of the property rather than the circumstances of the appellant.

Planner Censky indicated that the Zoning Board of Appeals is a quasi-judicial body, and the Plan Commission is not. In other words, if the applicant is not happy with the decision of the Zoning Board of Appeals, they may take their case to Circuit Court.

V. ADJOURNMENT

MOTION by Commissioner Dyer, **SECONDED** by Commissioner Kucharski to adjourn the meeting at 6:37 PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,



Amy L. Langlois
Village Clerk

Approved by,



Andy LaFond
Director of Community Services/
Public Works

Signed by,



Colleen Landisch-Hansen
Administrator

SCOTT GAD CERTIFIED SURVEY MAP

To: The Thiensville Plan Commission

Prepared by: Jon Censky, Village Planner

Date: December 3, 2019

Item No: III. C.

General Information

Applicant:

Scott Gad

Status of Applicant:

Property Owner

Requested Action:

Approval of Certified Survey Map

Zoning

R-1 Single Family Residential

Proposed Zoning:

No Change

Location:

523-525 Green Bay Road

Land Use Plan Designation:

Residential

Existing Land Use:

Single Family Home

Proposal:

The applicant is requesting approval of his Certified Survey Map that will serve to divide the existing 1.13 acre parcel located at 523-525 Green Bay Road into two separate lots of 31,135 square feet and 18,239 square feet in size. The R-1 requires a minimum lot size of 13,500 square feet. As Commissioners are aware, the parent parcel currently supports two single-family homes (one legal nonconforming) and the proposed land division will continue with two homes (one legal nonconforming) on Lot 1 and Lot 2 will be available for new home construction. Lot 1 will front Green Bay Road via the existing driveway and Lot 2 will access Lake Bluff Road also over an existing drive.

Planner's Comments:

My review of these plans indicates full compliance with the dimensional requirements of the R-1 District regulations and staff has no objection.

Village of Thiensville

250 Elm Street
Thiensville, WI 53092
(262) 242-3720
Fax: (262) 242-4743

DEVELOPMENT APPLICATION FORM

(Required to be submitted for all zoning related applications – see attached list)

Project Name: Subdivision of 523-525 Green Bay Rd. Date: 11/12/19

Submittal deadline for next Plan Commission meeting: 11/15/19

In order for applications to be processed, all required information drawings, application signatures, and fees must be submitted at the time of application. The Village Administrator reserves the right to deny any application that is incomplete or that is not accompanied by the required documents and plans.

Property Information:

Tax key Number(s) 120500121000

Property Address 523-525 Green Bay Rd, Thiensville, WI 53092

Current Zoning: R-1 Proposed Zoning: R-1 (no change)

Present Use: Single Family Residential Proposed Use: Single Family Residential (no change)

APPLICANT If the applicant is not the owner of record, all owner(s) of record sign the application must submit a signed letter of authorization along with the application.

Name: Scott Gad (Managing Member and only owner of 523 Green Bay LLC).

Address: 4541 Timber Woods Lane

City Minnetonka State MN Zipcode 55345

CONTACT PERSON FOR THE PROJECT

Name: Scott Gad

Company: 523 Green Bay LLC

Address: 4541 Timber Woods Lane

City Minnetonka State MN Zipcode 55345

Phone: 608-310-8674 (cell) Fax: 1-800-543-6108 (no cover sheet needed)

E-mail address: SCOTTWGADEGMAIL.COM

By the execution of this Application, the Owner(s) authorizes the Village of Thiensville or its agents, to enter upon the property between 7:00 a.m. and 7:00 p.m. daily for the purposes of inspection. Owner(s) grants this authorization even if Owner(s) has/have posted this property against trespassing pursuant to §943.13 Wis Stats.

Applicant and Owner hereby certify that they have read and understand all the information in this form.

Applicant: Scott Gad / 523 Green Bay LLC Date: 11/12/19

Owner: Scott Gad; fsgd Date: 11/12/19

Owner: _____ Date: _____

(if more than two owners of record, please submit a letter of authorization signed by the remaining owners of record. That letter will also serve as certification that all owners have read and understand the information in this form.)

VILLAGE OF THIENSVILLE DEVELOPMENT APPLICATION FEE SCHEDULE

Check each box that applies to your submittal

TYPE OF REQUEST	BASE FEE	DEPOSIT FEE IF REQUIRED FOR PROFESSIONAL REVIEW	✓	Receipt
Pre-Application – Phone Consultation	\$25.00			
Pre-Application Conference/ Conceptual approval before Plan Commission		\$150.00		
Rezoning Requests*/Parcel Splitting	\$400.00 + \$95/hr over 4 hrs.	\$1,000.00	✓	
Site Plan Review				
Minor Requests (no construction)	\$150.00 + \$95/hr. over 6 hrs.	\$250.00		
Minor Site Plan Request		\$250.00		
Zoning Code Research/Review		\$250.00		
BSOP Construction <10,000sf	\$150.00	\$1,000.00		
BSOP Construction 10,000sf – 50,000sf	\$900.00 + \$95/hr over 9 hrs.	\$1,000.00		
Certified Survey Map	\$300.00 + \$95/hr over 3 hrs.	\$1,000.00		
Amendment to the Zoning Ordinance (Map or Text)*	\$250.00 + \$95/hr over 2 hrs.	\$1,000.00		
Planned Unit Development Overlay*	\$835.00 + \$95/hr over 2 hrs.	\$1,000.00		
Request for Variance*	\$150.00	\$1,000.00		
Conditional Use Permit*	\$350.00 + \$95/hr over 4 hrs. + PH	\$1,000.00		
Special Exception Request	\$275 + \$95/hr over 4 hours	\$1,000.00		
Certificate of Appropriateness – Historic Preservation, Residential or Commercial Historic Preservation District	No charge	No Charge		
Plan Commission Review (Residential)	No charge	No Charge		

DATE: 11/12/19 TOTAL DEPOSIT/APPLICATION FEE(S): \$1,400.00

*Public Hearing required. The costs of Mailing/Delivering and Publication of Notice, Drafting of Ordinance/Resolution to be billed separately by Village Clerk's Office.
The village will invoice monthly with deposits refunded (if applicable) upon payment of all invoices. Until ALL application fees and the cost of additional review time is paid in full, no rezoning ordinance will take effect, no Plat nor Certified Survey Map will be released for recording, no building permit will be issued nor will any deposits be refunded

REVIEW SUBMITTAL BY CONSULTANT: 4 full sets of plans, owners statement, related exhibits, application and fees due 14 days prior to Plan Commission meeting.

PLAN COMMISSION SUBMITTAL: 12 full sets of Revised Plans 6 days prior to the Plan Commission meeting.

REQUIRED DOCUMENTATION

Each appeal or application must be accompanied by :

- ✓ 1. Plat of survey prepared by a registered land surveyor showing the location, boundaries, dimensions, elevations, uses and size of property, existing improvements, easements, streets and other public ways; off-street parking, loading areas and driveways; existing highway access restrictions; existing and proposed front, side and rear yards; all abutting properties, their elevations and use, and improvements thereon within 1,000 feet of the subject site and the requested change or addition.
- ✓ 2. Evidence of title to or interest in property affected by appeal or application.
- N/A 3. If exception, variance or conditional use is requested, attach list of names and addresses of owners of property within 100/300 feet of premises and of opposite street frontage.
- ✓ 4. Filing fee of \$ 1,400.00 for each appeal or application to cover cost of publication of notices and other administrative costs.
- ✓ 5. Two copies of this application and all attachments for filing with the Zoning Administrator and/or Planning agency.
- N/A 6. Name and address of counsel if applicant elects to have appeal or application treated as contested case. In a contested case, all parties have the right to be represented by counsel, to examine and cross-examine witnesses and may request a verbatim transcript of all testimony.
- N/A 7. An additional fee of \$ _____ to cover the administrative costs if a contested case is requested.

I hereby certify that the above application and/or appeal and all attachments thereto are true, correct and complete to the best of my knowledge and belief.

Date: _____

Scott Gad

Scott Gad

Signature of Applicant or Appellant

Managing Member (and only owner) of 5234 Green Bay LLC

N/A ELECTION TO TREAT APPLICATION OR APPEAL AS CONTESTED CASE

I elect that my application or appeal be treated as a contested case and hereby submit the additional fee of \$ _____.

Date: _____

Signature of Applicant or Appellant

State Bar of Wisconsin Form 1-2003
WARRANTY DEED

Document Number

Document Name

THIS DEED, made between MI/C Investment Properties, LLC

and 523 Green Bay LLC ("Grantor," whether one or more),

Grantor, for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Ozaukee County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

See attached Exhibit A, Legal Description

Recording Area

Name and Return Address
523 Green Bay LLC
523-525 Green Bay Road
Thiensville, WI 53092

12-050-01-210-00

Parcel Identification Number (PIN)

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

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except: Municipal and zoning ordinance and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, and general taxes levied the year of closing.

Dated 8/15/2019

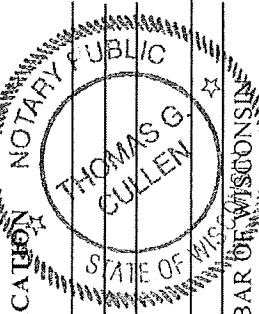
[Signature] (SEAL) *

* Carl Schetz, Member

_____ (SEAL)

_____ (SEAL) *

_____ (SEAL)



AUTHENTICATION ACKNOWLEDGMENT

Signature(s) _____

STATE OF WISCONSIN

authenticated on _____

WAUKESHA

COUNTY)

) ss.

* _____

Personally came before me on 8/15/2019
the above-named Carl Scholz

(If not,

authorized by Wis. Stat. § 706.06)

to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

THIS INSTRUMENT DRAFTED BY:

Atty. Thomas G. Cullen

Attorneys' Title Guaranty Fund, Inc.

* THOMAS G. CULLEN

Notary Public, State of Wisconsin

My Commission (is permanent) (expires: _____)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.
WARRANTY DEED FORM NO. 1-2003

* Type name below signatures.

EXHIBIT A
LEGAL DESCRIPTION

That part of Lot 2 of Certified Survey Map No. 1352 located in the Southwest ¼ of Section 14, Township 9 North, Range 21 East, in the Village of Thiensville, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Lot 2; thence North 89 degrees 26'00" West along the South line of Lot 2, 252.11 feet to the Southwest corner of Lot 2; thence North along the West line of Lot 2, 2.50 feet; thence North 89 degrees 56'41" East, 250.35 feet to a point in the Easterly line of Lot 2, said point lying in the Westerly line of Green Bay Road; thence South 18 degrees 13'30" East along said line, 5.52 feet to the point of commencement.

And all of Lot 21, Block 1 of the Assessor's Plat of the Village of Thiensville, located in the Southwest ¼ of Section 14, Township 9 North, Range 21 East, in the Village of Thiensville, Ozaukee County, Wisconsin except the following described parcel conveyed by Katherine Schwan to Volker and Gisla Neumann per the deed recorded at volume 452, page 507-508 of records:

Commencing at a point in the West line of said ¼ Section, 947.29 feet South of the Northwest corner therefrom, said point being the Northwest corner of said Lot 21; thence continuing South 165.00 feet to the Southwest corner of said Lot 21; thence South 89 degrees 26'00" East along the South line of said Lot 21, 272.00 feet to a point in a curved line; thence Northwesterly along a curve to the left (having a radius of 152.00 feet and a chord 30.15 feet in length which bears North 5 degrees 07'29" West) an arc distance of 30.20 feet to a point; thence South 89 degrees 26'00" East, 80.70 feet to a point; thence North 135.00 feet to a point in the North line of said Lot 21; thence North 89 degrees 26'00" W, 350.00 feet to the point of commencement.

Grantor reserves a right of way over the East 30 feet of the most Southerly 30 feet of the premises hereby conveyed, for access to Lake Bluff road, as shown on proposed plat of Laurel Lake Ridge.

State Bar of Wisconsin Form 1-2003
WARRANTY DEED

Document Number

Document Name

THIS DEED, made between MJ/C Investment Properties, LLC

and 523 Green Bay LLC ("Grantor," whether one or more),

Grantor, for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Ozaukee County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

See attached Exhibit A, Legal Description

1081231
RONALD A. VOIGT
OZAUKEE COUNTY
REGISTER OF DEEDS
RECORDED ON
08/16/2019 10:12 AM
REC FEE: 30.00
TRANS FEE: 1,170.00
PAGES: 2
EXEMPT #:
ELECTRONICALLY RECORDED

Recording Area

Name and Return Address
523 Green Bay LLC
523-525 Green Bay Road
Thiensville, WI 53092

12-050-01-210-00

Parcel Identification Number (PIN)

This is not homestead property.
(1s) (is not)

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except: Municipal and zoning ordinance and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, and general taxes levied the year of closing.

Dated 8/15/2019

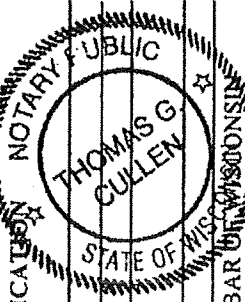
Carl Scholz, Member

(SEAL) *

(SEAL)

(SEAL) *

(SEAL)



ACKNOWLEDGMENT

Signature(s) _____

STATE OF WISCONSIN

authenticated on _____

WAUKESHA

COUNTY

) ss.

Personally came before me on 8/15/2019
the above-named Carl Scholz

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by Wis. Stat. § 706.06)

to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

THIS INSTRUMENT DRAFTED BY:

Atty. Thomas G. Cullen

Attorneys' Title Guaranty Fund, Inc.

* THOMAS G. CULLEN

Notary Public, State of Wisconsin

My Commission (is permanent) (expires: _____)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.
WARRANTY DEED
© 2003 STATE BAR OF WISCONSIN
FORM NO. 1-2003

* Type name below signatures.

EXHIBIT A
LEGAL DESCRIPTION

That part of Lot 2 of Certified Survey Map No. 1352 located in the Southwest ¼ of Section 14, Township 9 North, Range 21 East, in the Village of Thiensville, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Lot 2; thence North 89 degrees 26'00" West along the South line of Lot 2, 252.11 feet to the Southwest corner of Lot 2; thence North along the West line of Lot 2, 2.50 feet; thence North 89 degrees 56'41" East, 250.35 feet to a point in the Easterly line of Lot 2, said point lying in the Westerly line of Green Bay Road; thence South 18 degrees 13'30" East along said line, 5.52 feet to the point of commencement.

And all of Lot 21, Block 1 of the Assessor's Plat of the Village of Thiensville, located in the Southwest ¼ of Section 14, Township 9 North, Range 21 East, in the Village of Thiensville, Ozaukee County, Wisconsin except the following described parcel conveyed by Katherine Schwan to Volker and Gisla Neumann per the deed recorded at volume 452, page 507-508 of records:

Commencing at a point in the West line of said ¼ Section, 947.29 feet South of the Northwest corner therefrom, said point being the Northwest corner of said Lot 21; thence continuing South 165.00 feet to the Southwest corner of said Lot 21; thence South 89 degrees 26'00" East along the South line of said Lot 21, 272.00 feet to a point in a curved line; thence Northwesterly along a curve to the left (having a radius of 152.00 feet and a chord 30.15 feet in length which bears North 5 degrees 07'29" West) an arc distance of 30.20 feet to a point; thence South 89 degrees 26'00" East, 80.70 feet to a point; thence North 135.00 feet to a point in the North line of said Lot 21; thence North 89 degrees 26'00" W, 350.00 feet to the point of commencement.

Grantor reserves a right of way over the East 30 feet of the most Southerly 30 feet of the premises hereby conveyed, for access to Lake Bluff road, as shown on proposed plat of Laurel Lake Ridge.

Electronic Real Estate Transfer Receipt

Wisconsin Department of Revenue
Instructions



TRF-0008380

5PALM

1. Grantors and grantees must review this receipt, noting grantor and grantee responsibilities
2. Mail or deliver the following items:
Ozaukee County Register of Deeds, 121 W MAIN ST, RM 120, PO BOX 994, PORT WASHINGTON, WI 53074-0994
 - This receipt page and a transfer fee of \$1,170.00
 - The deed or instrument of conveyance and a recording fee of \$30.00 (regardless of the number of pages)

To view real estate transfer return details online, visit:
<https://ww2.revenue.wi.gov/RETRWebPublic/application>. You will need your receipt number, total value of real estate transferred, and the last name of one grantor or grantee.

Receipt **5PALM**. Filed August 15, 2019, 8:04 AM - **Ozaukee County**. Conveyance date **2019-08-15**.

Value transferred	\$390,000	Transfer fee	\$1,170.00
Value subject to fee	\$390,000	Fee exemption number	

Grantors MJ/C Investment Properties, LLC
Grantees 523 Green Bay LLC
Tax bill address 523 Green Bay LLC, 4541 Timber Woods Lane, Minnetonka, Minnesota 55345
Property Location 523-525 Green Bay Rd., Thiensville, WI 53092 (**Village of Thiensville**)
Parcels 12-050-01-210.00

Legal description That part of Lot 2 of Certified Survey Map No. 1352 located in the Southwest ¼ of Section 14, Township 9 North, Range 21 East, in the Village of Thiensville, Ozaukee County, Wisconsin, bounded and described as follows: Commencing at the Southeast

Grantor responsibilities: Grantors are responsible for paying the proper fee amount—verify the total property value, fee amount and fee exemption before sending this receipt to the county Register of Deeds.

Grantee responsibilities: Grantees assert that this property is not a primary residence.

Preparer Attorney Thomas G. Cullen, Attorney's Title Guaranty Fund, Inc., (262) 347-0102, tcullen@atgf.com
Grantor agent Carl R. Scholz, (414) 617-6258
Grantee agent Scott Gad, (608) 310-8674

If you have questions on the Real Estate Transfer Return (RETR), visit the Wisconsin Department of Revenue's Real Estate Transfer Fee web page at: revenue.wi.gov/retr/index.html, or contact your County Register of Deeds. To locate your Register of Deeds, visit: wrdonline.org. Information on a real estate transfer return is used to administer various Wisconsin laws, including: income tax, real estate transfers, rental unit energy efficiency, lottery tax credit, and general property tax. Whether you are a resident, part-year resident, or non-resident, you must report the transfer of Wisconsin real estate in a taxable transaction on your Wisconsin income tax return. If you are a non-resident, you must file Form 1NPR to report the sale.

Penalties imposed under the following Wisconsin Statutes or Administrative Code:
Using an improper exemption - sec. 77.26(8), Wis. Stats.; falsifying the property value - sec. 77.27, Wis. Stats.; improperly claiming lottery and gaming credit as primary residence - chapter tax 20.12, Wis. Adm. Code.
Weatherization program under sec. 101.122, Wis. Stats., no longer exists.



State of Wisconsin
Department of Financial Institutions

ARTICLES OF ORGANIZATION - LIMITED LIABILITY COMPANY

Executed by the undersigned for the purpose of forming a Wisconsin Limited Liability Company under Chapter 183 of the Wisconsin Statutes:

Article 1. **Name of the limited liability company:**
523 Green Bay LLC

Article 2. **The limited liability company is organized under Ch. 183 of the Wisconsin Statutes.**

Article 3. **Name of the initial registered agent:**
Scott Gad

Article 4. **Street address of the initial registered office:**
2101 E. Newton Ave.
Shorewood, WI 53211
United States of America

Article 5. **Management of the limited liability company shall be vested in:**
A member or members

Article 6. **Name and complete address of each organizer:**
Scott Gad
2101 E. Newton Ave.
Shorewood, WI 53211
United States of America

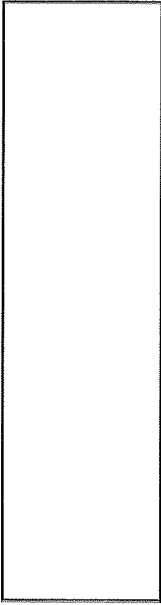
Other Information. **This document was drafted by:**
Scott Gad

Organizer Signature:
Scott Gad

Date & Time of Receipt:
8/13/2019 4:24:55 PM

Order Number:
201908135368167

ARTICLES OF ORGANIZATION - Limited Liability Company(Ch. 183)



Filing Fee: \$130.00
Expedite Fee: \$25.00
Total Fee: \$155.00

ENDORSEMENT

State of Wisconsin
Department of Financial Institutions

EFFECTIVE DATE	
8/13/2019	

FILED 8/13/2019	Entity ID Number F061923
---------------------------	-----------------------------

Date of this notice: 08-13-2019

Employer Identification Number:
84-2712822

Form: SS-4

Number of this notice: CP 575 G

523 GREEN BAY LLC
SCOTT GAD SOLE MBR
2101 E NEWTON AVE
SHOREWOOD, WI 53211

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 84-2712822. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

IMPORTANT REMINDERS:

- * Keep a copy of this notice in your permanent records. **This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you.** You may give a copy of this document to anyone asking for proof of your EIN.
- * Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- * Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is 523G. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.

CERTIFIED SURVEY MAP NO. _____

PART OF LOT 21, BLOCK 1, "ASSESSOR'S PLAT OF THE VILLAGE OF THIENSVILLE" AND PART LOT 2 OF CERTIFIED SURVEY MAP NO. 1352, BEING PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 21 EAST, IN THE VILLAGE OF THIENSVILLE, OZAUKEE COUNTY, WISCONSIN.



SCALE 1" = 60'

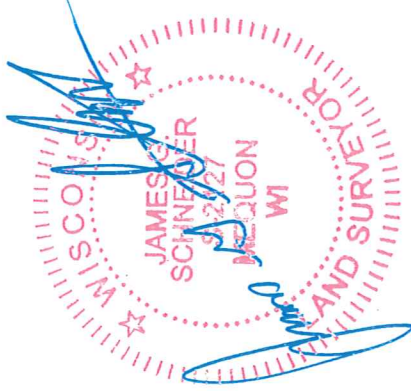


NORTH SHORE ENGINEERING, INC.
Consulting Engineers & Land Surveyors
11433 N. Port Washington Rd., Wauquon, Wisconsin, 53092
(262) 241-9400 • FAX: (262) 241-6337
www.northshoreengineering.net

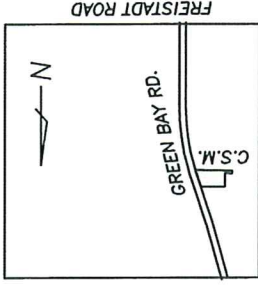
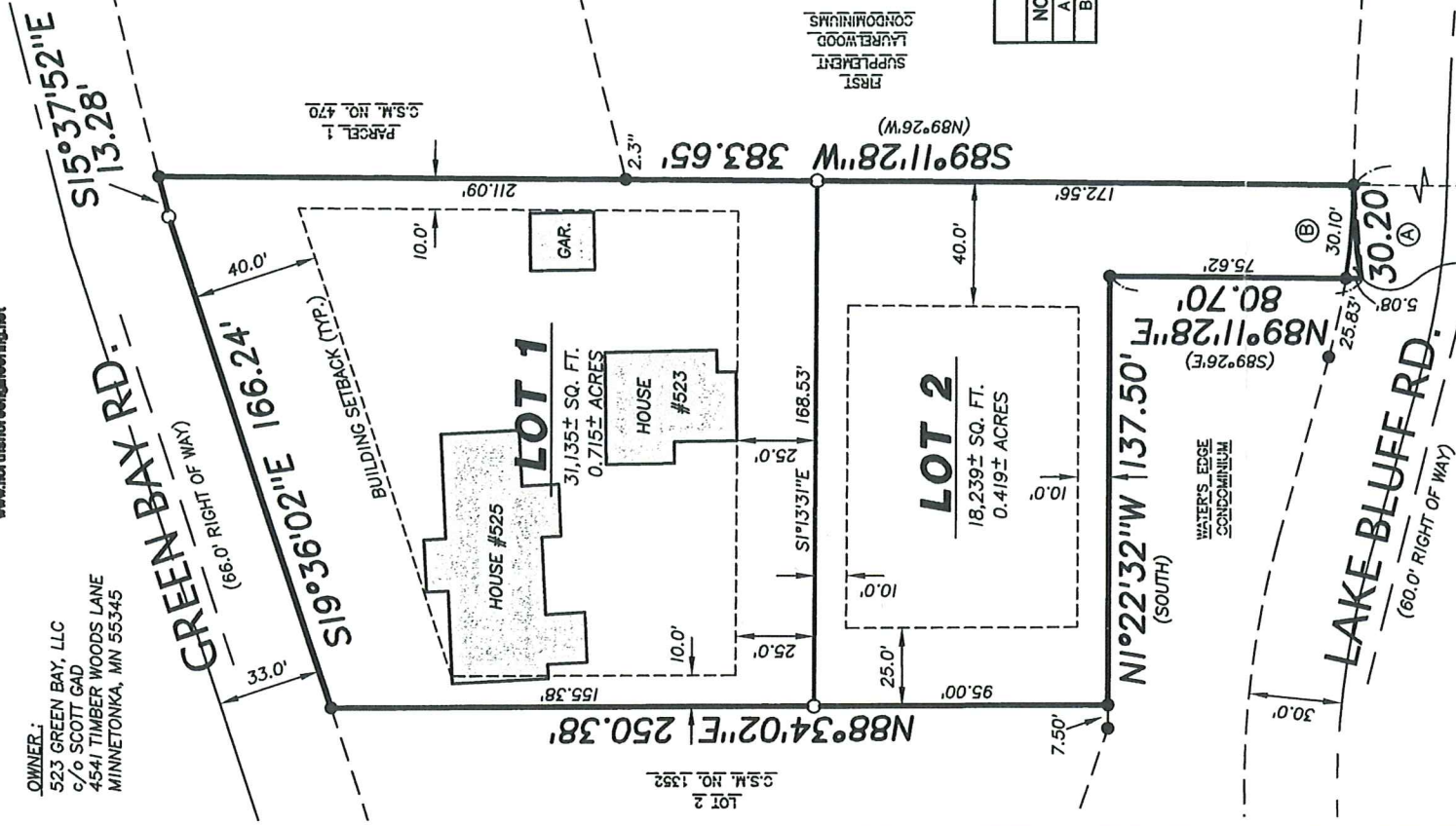
OWNER:
523 GREEN BAY, LLC
c/o SCOTT GAD
4541 TIMBER WOODS LANE
MINNETONKA, MN 55345

NOTES:

1. THIS PROPERTY IS ALSO SUBJECT TO EASEMENTS OF RECORD.
2. THIS PROPERTY IS PRESENTLY ZONED R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT)



10-29-2019



LOCATION MAP

SOUTHWEST 1/4 SEC. 14-9-21
(SCALE 1"=2000')

CURVE TABLE					
NO.	ARC	RADIUS	CHORD	BEARING	DELTA
A	30.20'	152.00	30.15'	N6°30'01"W	11°22'56"
B	30.10'	217.44'	30.07'	N3°09'31"E	7°55'47"

LEGEND

O — DENOTES 1.315"X18" STEEL PIPE WEIGHING 1.13 LBS. PER LINEAL FOOT (SET)

● — DENOTES 1.3" STEEL PIPE (FOUND)

() — DENOTES ALSO RECORDED AS DIRECTION OR DISTANCE

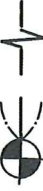
ALL BEARINGS REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (WEST LINE OF THE SW. 1/4 OF SECTION 14-9-21, WHICH BEARS S1°22'32"E)

NW. CORNER OF THE SW. 1/4 OF SECTION 14-9-21 CONC. MON. WITH BRASS CAP

DEDICATED TO THE VILLAGE OF THIENSVILLE FOR PUBLIC ROAD PURPOSES (51 sq. ft.)

WEST LINE OF THE SW. 1/4 OF SECTION 14-9-21

SW. CORNER OF THE SW. 1/4 OF SECTION 14-9-21 CONC. MON. WITH ALUMINUM CAP



S1°22'32"E 1112.29' (SOUTH)
--- S1°22'32"E 2658.61' TOTAL (SOUTH)

CERTIFIED SURVEY MAP NO. _____

PART OF LOT 21, BLOCK 1, "ASSESSOR'S PLAT OF THE VILLAGE OF
THIENSVILLE" AND PART LOT 2 OF CERTIFIED SURVEY MAP NO. 1352, BEING
PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14,
TOWNSHIP 9 NORTH, RANGE 21 EAST, IN THE VILLAGE OF THIENSVILLE,
OZAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, James G. Schneider, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped the following parcel of land:

Part of Lot 21, Block 1, "Assessor's Plat of the Village of Thiensville and part of Lot 2 of Certified Survey Map No. 1352, being part of the Northwest 1/4 of the Southwest 1/4 of Section 14, Township 9 North, Range 21 East, in the Village of Thiensville, Ozaukee County, Wisconsin, bounded and described as follows:

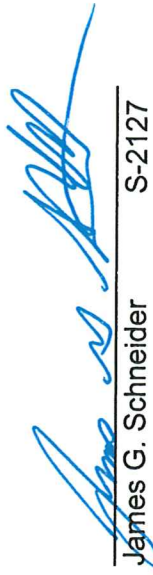
Commencing at the Northwest corner of the Southwest 1/4 of said Section 14; thence S1°22'32"E along the West line of said 1/4 Section, 1112.29 feet to the Southwest corner of Lot 1 of Certified Survey Map No. 1352; thence N89°11'28"E along the South line said Lot 1, 272.00 feet to the Southeast corner of said Lot 1, said point also being the point of beginning of lands to be described; thence Northwesterly along the Easterly line of said Lot 1, being the arc of a curve to the left (having a radius of 152.00 feet, whose chord bears N6°30'01"W, 30.15 feet) 30.20 feet; thence N89°11'28"E along the Easterly line of said Lot 1, 80.70 feet; thence N1°22'32"W along the Easterly line of said Lot 1, 137.50 feet; thence N88°34'02"E, 250.38 feet to a point in the West right of way line of Green Bay Road; thence S19°36'02"E along said West right of way line, 166.24 feet; thence S15°37'52"E along said West right of way line, 13.28 feet to the Northeast corner of Parcel 1 of Certified Survey Map No. 470; thence S89°11'28"W along the North line of Parcel 1 of Certified Survey Map No. 470 and the North line of "First Supplement to Laurelwood Condominium", 383.65 feet to the point of beginning.

Said lands containing 1.134 acres of land, more or less.

That I have made such survey, land division, and plat at the direction of 523 Green Bay, 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 complied with Chapter 236.34 of the Wisconsin Statutes and the requirements of the Village of Thiensville.


James G. Schneider S-2127 10-29-19



This instrument was drafted by James G. Schneider

CERTIFIED SURVEY MAP NO. _____

PART OF LOT 21, BLOCK 1, "ASSESSOR'S PLAT OF THE VILLAGE OF
THIENSVILLE" AND PART LOT 2 OF CERTIFIED SURVEY MAP NO. 1352, BEING
PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14,
TOWNSHIP 9 NORTH, RANGE 21 EAST, IN THE VILLAGE OF THIENSVILLE,
OZAUKEE COUNTY, WISCONSIN.

CORPORATE OWNER'S CERTIFICATE

I, Scott Gad (Managing Member) of 523 Green Bay, LLC, OWNER, do hereby certify:
THAT, I have caused the lands described in the foregoing certificate of James G.
Schneider, Surveyor, to be surveyed, divided, mapped and dedicated.

WITNESS the hand and seal of said OWNERS on this _____ day of
_____, 20____.

Witness

Scott Gad (Managing Member)

STATE OF WISCONSIN)
OZAUKEE COUNTY)^{ss}
PERSONALLY came before me on this _____ day of _____, 20____
the above named Scott Gad (Managing Member) to me known to be the person who
executed the foregoing certificate and acknowledged the same.

Notary Public

My Commission expires _____

CONSENT OF MORTGAGEE

TRI CITY NATIONAL BANK, existing under and by virtue of the laws of the State of
Wisconsin, mortgagee of the above described land does hereby consent to the
surveying, dividing, mapping and dedicating of the land described on this Certified
Survey Map and does hereby consent to the above certificate of Scott Gad, OWNER.

In witness whereof, the said Tri City National Bank has caused these presents to be
signed by _____, it's _____
at _____, Wisconsin, this _____ day of _____
_____, 20____.

IN THE PRESENCE OF:

Tri City National Bank

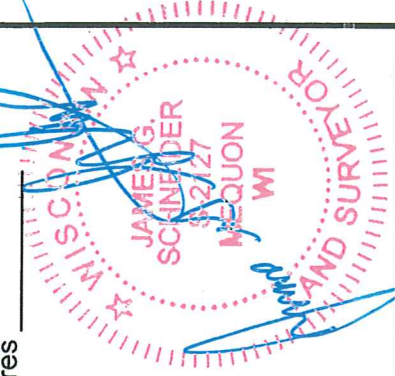
By: _____

STATE OF WISCONSIN)
OZAUKEE COUNTY)^{ss}
PERSONALLY came before me on this _____ day of _____
, 20____, _____, to me known to be the person who executed the
foregoing certificate and acknowledged the same.

Notary Public

My Commission expires _____

This instrument was drafted by James G. Schneider



CERTIFIED SURVEY MAP NO. _____

PART OF LOT 21, BLOCK 1, "ASSESSOR'S PLAT OF THE VILLAGE OF THIENSVILLE" AND PART LOT 2 OF CERTIFIED SURVEY MAP NO. 1352, BEING PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 21 EAST, IN THE VILLAGE OF THIENSVILLE, OZAUKEE COUNTY, WISCONSIN.

VILLAGE OF THIENSVILLE PLANNING COMMISSION APPROVAL:

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Thiensville on this _____ day of _____, 20____.

Van A. Mobley, Chairman

Date

Amy L. Langlois, Secretary

Date

VILLAGE OF THIENSVILLE BOARD APPROVAL

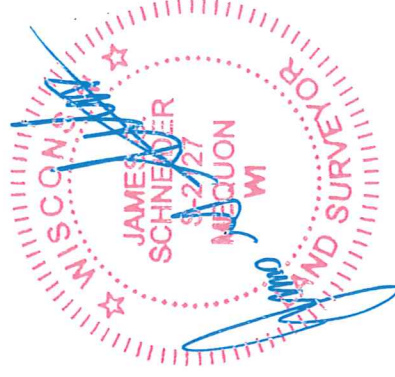
This Certified Survey Map, being a division of Nw. 1/4 of the Sw. 1/4 of Section 14, Township 9 North, Range 21 East, Village of Thiensville, Ozaukee County, Wisconsin, having been approved by the Planning Commission being the same, is hereby approved and the dedication of that part of Lake Bluff Road for public road purposes as shown on sheet 1 of this map, is hereby accepted by the Village Board of Trustees of the Village of Thiensville on this _____ day of _____, 20____.

Van A. Mobley, Village President

Date

Amy L. Langlois, Village Clerk

Date



This instrument was drafted by James G. Schneider

GREG DEVORKIN LUP AMENDMENT & REZONING RECOMMENDATION

To: Thiensville Planning Commission

Prepared by Jon Censky, Village Planner

Date: December 3, 2019

Item No. III.B

General Information

Applicant:

Greg Devorkin

Status of Applicant:

Property Owner

Requested Action:

Land Use Plan amendment, rezoning recommendation and Preliminary Plat Approval

Existing Zoning:

I-1 Institutional & R-2 Single Family Residential

Proposed Zoning:

R-2 Single Family and Office/Professional Service District.

Location:

138 N. Orchard Street

Land Use Plan Designation:

Institutional

Existing Land Use:

Vacant Church and School

Proposal:

Earlier this year the applicant held a neighborhood meeting to discuss his plans to redevelop the former Lumen Christi property at the northeast corner of Buntrock Avenue and Orchard Street into apartment style condos. Based on his current submittal, it seems obvious that Mr. Devorkin was listening to the neighbors and now proposes a unified planned mixed office and single-family development. This project consists of ten new single-family lots with homes to be unified in design and size and with the former church being converted into light office use. The ten new lots will be 7,188 square feet in size and the three remaining residential lots will be 10,367sf, 9,898sf and 9,899sf in size. The church parcel, which is proposed at 15,527sf in size.

To accomplish this change, the Comprehensive Land Use Plan for this site will need to be changed from the **Institutional classification to the Office classification for the former church parcel and the Single-Family Residential classification for the former school property and the underlying basic use zoning district will need to be changed from the I-1 Institutional District to the R-2 Single-Family Residential District for the former school site and to the B-3 Office and Professional Service District for the former church.** The PDO Planned Development Overlay District will be applied across the entire church/school site as it will tie this project together as one mixed use project. Staff notes that the three residential sites at the north end of this development are already zoned R-2 and rezoning thereof is unnecessary.

Commissioners are reminded that the Planned Development Overlay District (PDO) is an Overlay Zoning intended to provide flexibility in applying the regulations and standards of the basic use underlying district to achieve a unified and planned development of a site in single, partnership or corporate ownership. The PDO type development typically encompasses one or more principal uses and/or structures where strict compliance with the regulations and standards of the underlying basic zoning district would prevent such development. The PDO Overlay District is a tool that allows the Village Board, following a recommendation from the Plan Commission, to consider modifications for such things as lot size and width requirements, yard and setback standards and density requirements to a maximum of 22 units/acre.

Staff's review of these plans indicates that while the project is conforming to the density limits of the R-2 District, it falls short on other regulations as indicated below.

Nonconforming to Standards:

Accordingly, staff's review of these plans indicates the following departures:

- R-2 Single-Family Residential District.
Code Requirement – SEC 17.0304 D. Lot Area and Width
Lots shall have a minimum area of 6,800 square feet and shall not be less than 60 feet in width.
Departure – the proposed lot width for lots from lot 2 through lot 11 is 50 feet.
- Office/Professional Service District.
Code Requirement – SEC 17.0310 F. Setback and Yards.
There shall be a minimum side yard on each side of all buildings not less than 15 feet.
Departure – The side yard along the north side of the existing church is 5.4 feet.
- PDO Ordinance,
Code Requirement – Section 17.0316 D.4.f
The entire tract or parcel of land to be included in a Planned Development Overlay District shall be held under single ownership or if there is more than one (1) owner, the petition for such Planned Development Overlay District shall be considered as one (1) tract, lot or parcel, and the legal description must define said PDO as a single parcel, lot or tract and be so recorded with the Ozaukee County Register of Deeds office.
Departure - While this project will be initially approved and processed as one planned development under signal ownership with uniform home design and size, the lots will ultimately be sold to separate owners.

Basis for Approval of the petition

According to the new PDO Ordinance, the Plan Commission, in making its recommendation and the Village Board in making its determination, shall consider:

- That the petitioners for the proposed Planned Development Overlay District have indicated that they intend to begin the physical development of the PDO within (12) months following the approval of the petition and that the development will be carried out according to a reasonable

development timetable, including all benchmark dates from commencement to completion of the physical development of the proposed project that is satisfactory to the Village.

- That the proposed Plan Development Overlay District is consistent in all respects to the purpose of this Section and to the spirit and intent of this Ordinance; is in conformity with the adopted Comprehensive Smart Growth Land Use Plan or any adopted components thereof; and, that the development would not be contrary to the general welfare and economic prosperity of the Village and that the benefits and improved design of the resultant development justifies the establishment of a PDO Planned Development Overlay District.
- The Village Plan Commission in making its recommendation and the Village Board in making its determination shall further find that:
 - a. The proposed site shall be provided with adequate drainage facilities for surface and storm waters.
 - b. The proposed site shall be accessible from public roads that are adequate to carry the traffic that can be expected to be generated by the proposed development.
 - c. No undue constraint or burden will be imposed on public services and facilities, such as fire and police protection, street maintenance, and maintenance of public areas by the proposed development.
 - d. The streets and driveways on the site of the proposed development shall be adequate to serve the residents of the proposed development and shall meet the minimum standards of all applicable ordinances or administrative regulations of the Village.
 - e. Public water and sewer facilities shall be provided.
 - f. The entire tract or parcel of land to be included in a Planned Development Overlay District shall be held under single ownership or if there is more than one (1) owner, the petition for such Planned Development Overlay District shall be considered as one (1) tract, lot or parcel, and the legal description must define said PDO as a single parcel, lot or tract and be so recorded with the Ozaukee County Register of Deeds office.

Moreover, such development will create an attractive residential environment of sustained desirability and economic stability, including structures in relation to terrain, consideration of safe pedestrian flow, ready access to recreation space and coordination with overall plans for the community.

The total net residential density within the Planned Development Overlay District will be consistent with the Village's Smart Growth Land Use Plan and the density determined on a case-by-case basis by the Village Board following review and recommendation by the Plan Commission.

Provision has been made for the installation of adequate public facilities and the continuing maintenance and operation of such facilities.

Adequate, continuing fire and police protection is available.

The population composition of the development will not have an adverse effect upon the community's capacity to provide needed school or other municipal service facilities.

Adequate guarantee is provided for permanent preservation of open space areas as shown on the approved site plan either by private reservation and maintenance or by dedication to the public.

Planner's Comments/Recommendation

Staff recommends approval as this project will provide better utilization of the land than would otherwise be realized if the site were redeveloped under the underlying I-1 district. The project will not have an unreasonable adverse effect on neighboring properties, the structures proposed for the project are harmonious with existing nearby structures and land uses and the building materials will be selected to be utilized in a manner that is harmonious with the general character of other buildings and structures in the vicinity of the proposed development. The proposed project will result in the construction or upgrading of specific public infrastructure improvements that will benefit the public and the proposed project will enhance an existing structure that is deemed beneficial to the character of the neighborhood where it is situated.

At this meeting, Commissioners are being asked to make two recommendations; first State Law requires that the Comprehensive Land Use Plan be consistent with the proposed zoning and, therefore, the Comprehensive Land Use Plan must be amended from the Institutional classification to the Office classification for the former church site and to the Single-Family Residential classification for the school site. Following your recommendation to change the Land Use Plan you will then recommend rezoning the former church portion of the development from the I-1 Institutional District to the B-3 Office and Professional Service District and to rezone the former school portion, from I-1 Institutional District to R-2 Single-Family Residential District. The PDO Planned Development Overlay District will then be recommended to be applied across the entire site.

Village of Thiensville

250 Elm Street
Thiensville, WI 53092
(262) 242-3720
Fax: (262) 242-4743

DEVELOPMENT APPLICATION FORM

(Required to be submitted for all zoning related applications – see attached list)

Project Name: Orchard Street Subdivision Date: 10/31/2019

Submittal deadline for next Plan Commission meeting: 11/4/2019

In order for applications to be processed, all required information drawings, application signatures, and fees must be submitted at the time of application. The Village Administrator reserves the right to deny any application that is incomplete or that is not accompanied by the required documents and plans.

Property Information:

Tax key Number(s) 12-050-06-20-001, 12-075-02-17-000, 12-075-02-16-000

Property Address 116 N Orchard St, 124 N Orchard St,

Current Zoning: I-1 Proposed Zoning: R-2 PDC, B-3

Present Use: Institutional Proposed Use: Residential, Office + Professional

Business District

APPLICANT If the applicant is not the owner of record, all owner(s) of record sign the application must submit a signed letter of authorization along with the application.

Name: Thiensville Enterprises LLC

Address: 11518 N Port Washington Rd #103

City Mequon State WI Zipcode 53092

CONTACT PERSON FOR THE PROJECT

Name: Greg Devorbin

Company: Devo Management Company LLC

Address: 11518 N Port Washington Rd #103

City Mequon State WI Zipcode 53092

Phone: 262-240-1500 Fax: _____

E-mail address: gide@devoffice.com

By the execution of this Application, the Owner(s) authorizes the Village of Thiensville or its agents, to enter upon the property between 7:00 a.m. and 7:00 p.m. daily for the purposes of inspection. Owner(s) grants this authorization even if Owner(s) has/have posted this property against trespassing pursuant to §943.13 Wis Stats.

Applicant and Owner hereby certify that they have read and understand all the Information in this form.

Applicant: owner Thiensville Enterprises LLC Date: 10/30/2019

Owner: [Signature] Date: _____

Owner: _____ Date: _____

(If more than two owners of record, please submit a letter of authorization signed by the remaining owners of record. That letter will also serve as certification that all owners have read and understand the information in this form.)

VILLAGE OF THIENSVILLE DEVELOPMENT APPLICATION FEE SCHEDULE

Check each box that applies to your submittal

TYPE OF REQUEST	BASE FEE	DEPOSIT FEE IF REQUIRED FOR PROFESSIONAL REVIEW	✓	Receipt
Pre-Application – Phone Consultation	\$25.00			
Pre-Application Conference/ Conceptual approval before Plan Commission		\$150.00		
* Rezoning Requests*/Parcel Splitting	\$400.00 + \$95/hr over 4 hrs.	\$1,000.00	✓	10/31/19
Site Plan Review				
Minor Requests (no construction)	\$150.00 + \$95/hr. over 6 hrs.	\$250.00		
Minor Site Plan Request		\$250.00		
Zoning Code Research/Review		\$250.00		
BSOP Construction <10,000sf	\$150.00	\$1,000.00		
BSOP Construction 10,000sf – 50,000sf	\$900.00 + \$95/hr over 9 hrs.	\$1,000.00		
Certified Survey Map	\$300.00 + \$95/hr over 3 hrs.	\$1,000.00		
Amendment to the Zoning Ordinance (Map or Text)*	\$250.00 + \$95/hr over 2 hrs.	\$1,000.00		
* Planned Unit Development Overlay*	\$835.00 + \$95/hr over 2 hrs.	\$1,000.00	✓	10/31/19
Request for Variance*	\$150.00	\$1,000.00		
Conditional Use Permit*	\$350.00 + \$95/hr over 4 hrs. + PH	\$1,000.00		
Special Exception Request	\$275 + \$95/hr over 4 hours	\$1,000.00		
Certificate of Appropriateness – Historic Preservation, Residential or Commercial Historic Preservation District	No charge	No Charge		
Plan Commission Review (Residential)	No charge	No Charge		

DATE: 10/30/2019 TOTAL DEPOSIT/APPLICATION FEE(S): 2000 + 1235 = \$3235

*Public Hearing required. The costs of Mailing/Delivering and Publication of Notice, Drafting of Ordinance/Resolution to be billed separately by Village Clerk's Office.

The village will invoice monthly with deposits refunded (if applicable) upon payment of all invoices. Until ALL application fees and the cost of additional review time is paid in full, no rezoning ordinance will take effect, no Plat nor Certified Survey Map will be released for recording, no building permit will be issued nor will any deposits be refunded

REVIEW SUBMITTAL BY CONSULTANT: 4 full sets of plans, owners statement, related exhibits, application and fees due 14 days prior to Plan Commission meeting.

PLAN COMMISSION SUBMITTAL: 12 full sets of Revised Plans 6 days prior to the Plan Commission meeting.

Devo Management Company, LLC
11518 North Port Washington Road, Suite 103
Mequon, WI 53092

October 30, 2019

Plan Commission
Village of Thiensville
250 Elm Street
Thiensville, WI 53092

Re: Orchard Street Subdivision/ Former Lumen Christi School

Dear Ladies and Gentleman:

The proposed Orchard Street Subdivision includes ten (10) residential lots. The attached site plan shows that the existing church on the south end of the property will remain.

By way of background, in May 2018, the Village held a public hearing to consider a land use amendment for the subject properties changing the use to Multi-Family Residential. The meeting was well attended by the neighbors. The neighbors opposed changing the use to Multi-Family.

After that meeting, we acquired an additional property at 121 Ellenbecker Road. Then in March 2019, we held an informal neighborhood meeting. At that meeting, we showed a new proposed condominium development that consisted of 40 units plus 12 private garages. The proposed buildings were three stories. The proposed plan incorporated both 121 Ellenbecker and the existing home at 124 N. Orchard Court (i.e. both homes would have been demolished).

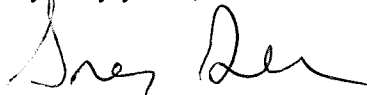
The March 2019 meeting was also well attended by the neighbors. The neighbors opposed the proposed development. The neighbors were concerned that the proposed development didn't fit into the neighborhood.

As a result of these meetings with the neighbors, we are proposing ten (10) single family lots. The future homes would blend in with the neighborhood and include a two car detached garage.

The existing church office on the south end would remain. The homes at 121 Ellenbecker and 124 N. Orchard Court would also remain.

Thank you for your consideration of the above requested site plan for the Orchard Street Subdivision. Please contact me with any questions.

Very truly yours,

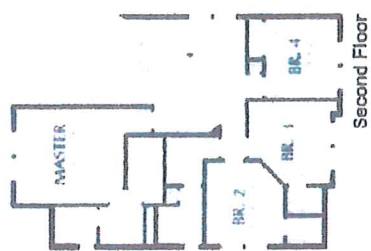
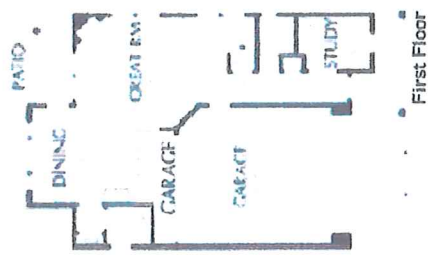
A handwritten signature in black ink, appearing to read 'Greg Devorkin', written over a horizontal line.

Gregory I. Devorkin.
Manager

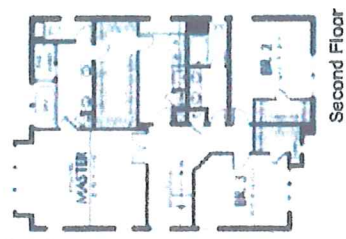
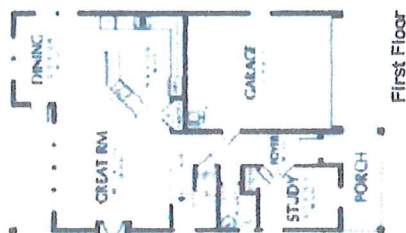


STREETSCAPE - CONCEPT

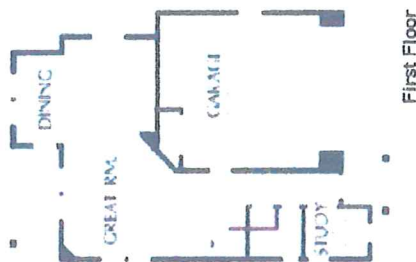
IMAGES PROVIDED BY <http://www.houseplans.com/>



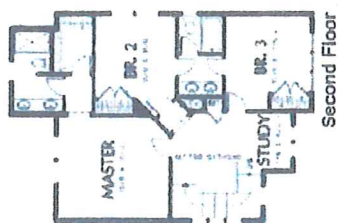
PROPOSED 1720 SQ FT
3-BDRM 2.5 BATH 2-STORY



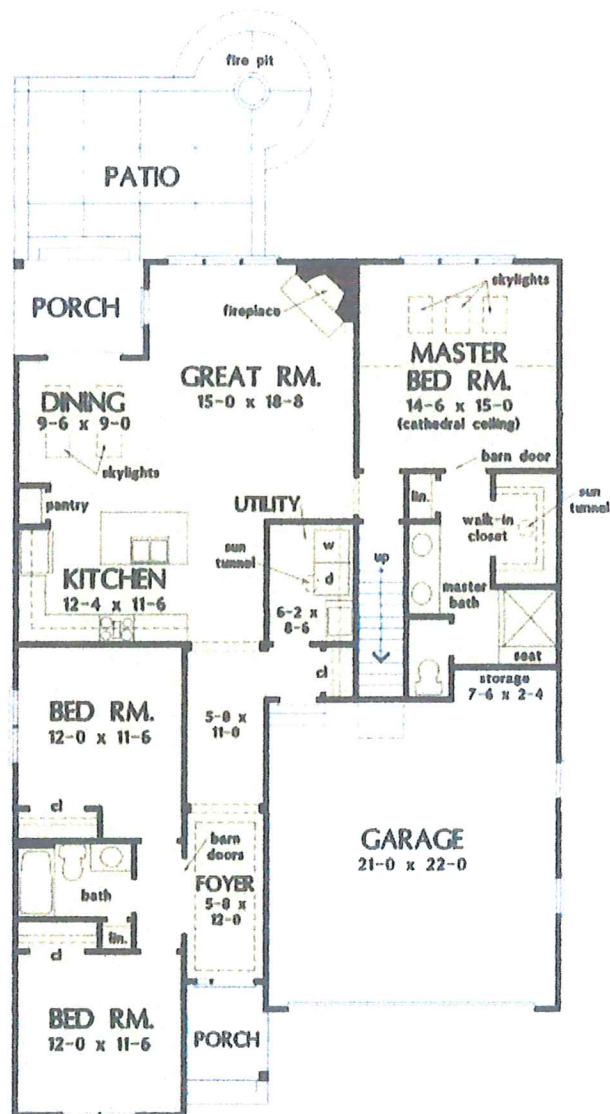
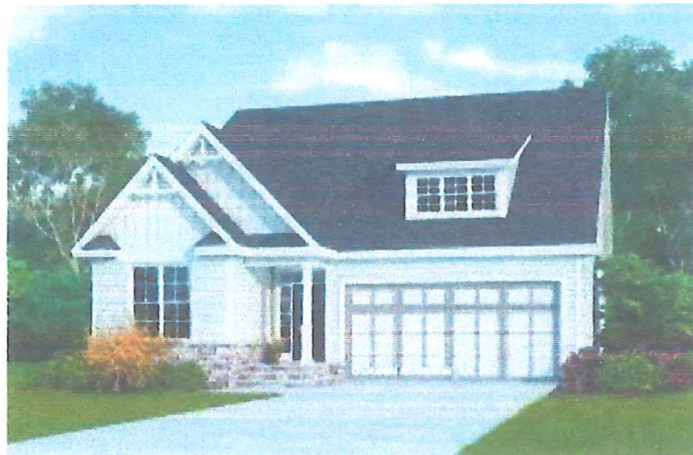
PROPOSED 2392 SQ FT
3-BDRM 2.5 BATH 2-STORY



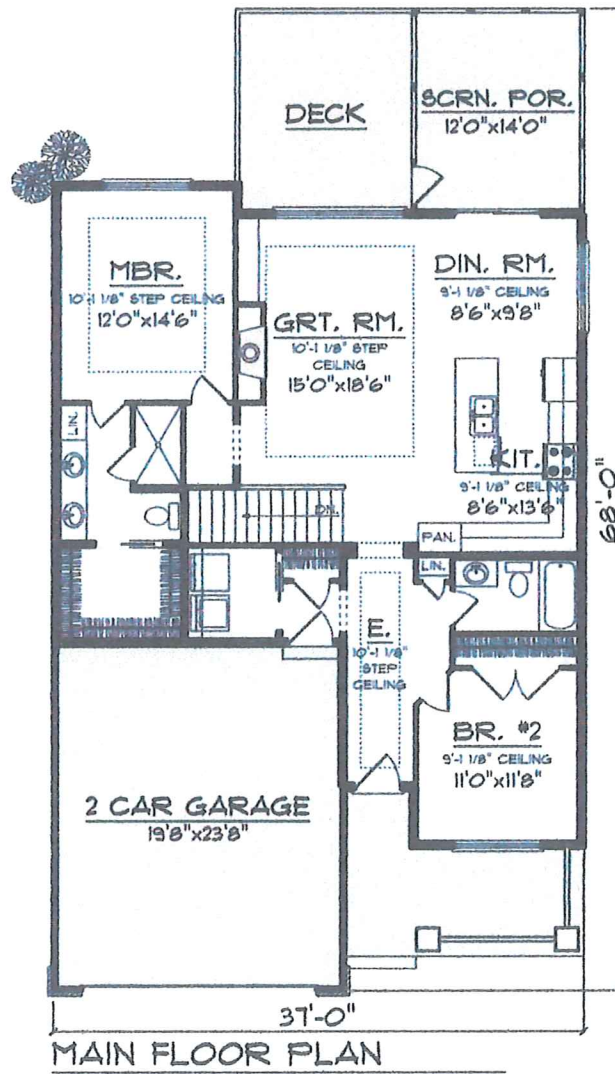
PROPOSED 1592 SQ FT
3-BDRM 2.5 BATH 2-STORY



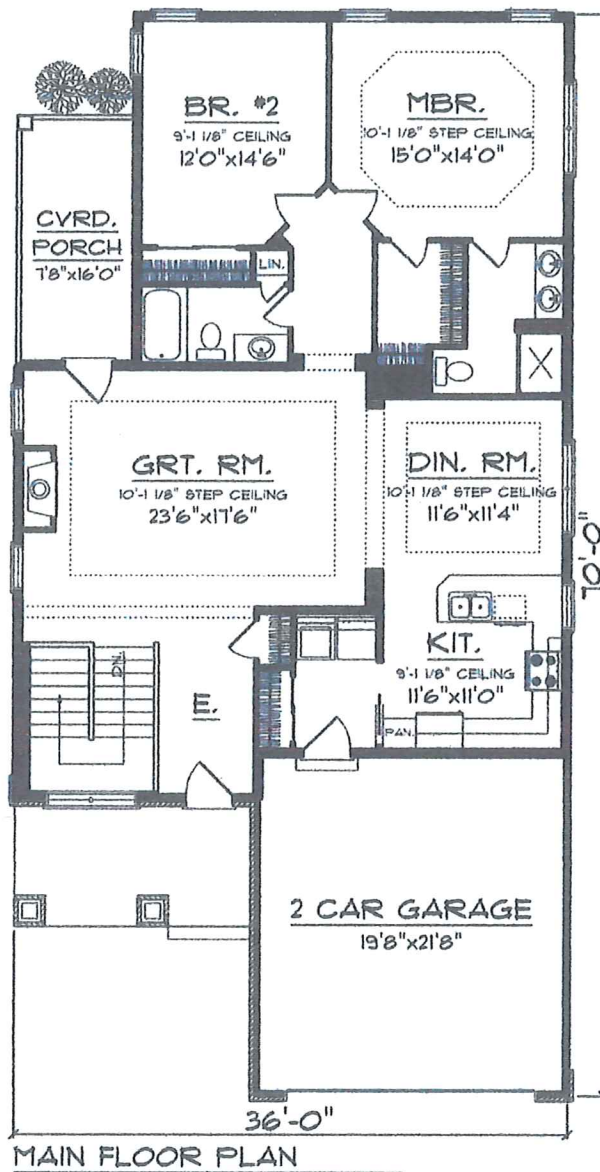
PROPOSED 1665 SQ FT
3-BDRM 2.5 BATH 2-STORY



1661 square feet



1354 square feet



1602 square feet

PROPOSED SITE PLAN ORCHARD STREET SUBDIVISION

Known as 138 North Orchard Street, in the Village of Thiensville, Ozaukee County, Wisconsin.

Lot One (1) of Certified Survey Map No. 3941, recorded on July 22, 2015 in the office of the Register of Deeds for Ozaukee County, Wisconsin, as Document No. 1021127, being part of Lots 18 and 20 and part of Lot 22, Block 6 of the Assessor's Plat of the Village of Thiensville, all being a part of the Southeast 1/4 of the Northeast 1/4 of Section 22, Township 9 North, Range 21 East, Village of Thiensville, Ozaukee County, Wisconsin.

ALSO
That part of Lot Twenty-two (22) in Block Six (6) in Assessor's Plat of the Village of Thiensville, in the East one-half (1/2) of the Northeast one-quarter (1/4) of Section Twenty-two (22) in Township Nine (9) North, Range Twenty-one (21) East, bounded and described as follows:
Commencing at a point 599.12 feet East of the West line of the East 1/2 of, and 1208.50 feet North of the South line of said 1/4 Section thence East on a line parallel to the South line of said 1/4 Section 110.00 feet to a point; thence North 0 degrees 05 minutes West on a line 90.00 feet to a point; thence West on a line parallel to the South line of said 1/4 Section 110.00 feet to a point; thence South 0 degrees 05 minutes East on a line 90.00 feet to the point of beginning.

ALSO
The South Sixty-eight (68) feet of Lot 15 and all of Lots 16 and 17 in Block 2 in Village Heights, being a Subdivision of Lot Twenty-two (22) Block 6, Assessor's Plat of the Village of Thiensville, in the Northeast one-quarter (1/4) of Section 22 in Township 9 North, Range 21 East.

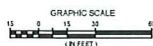
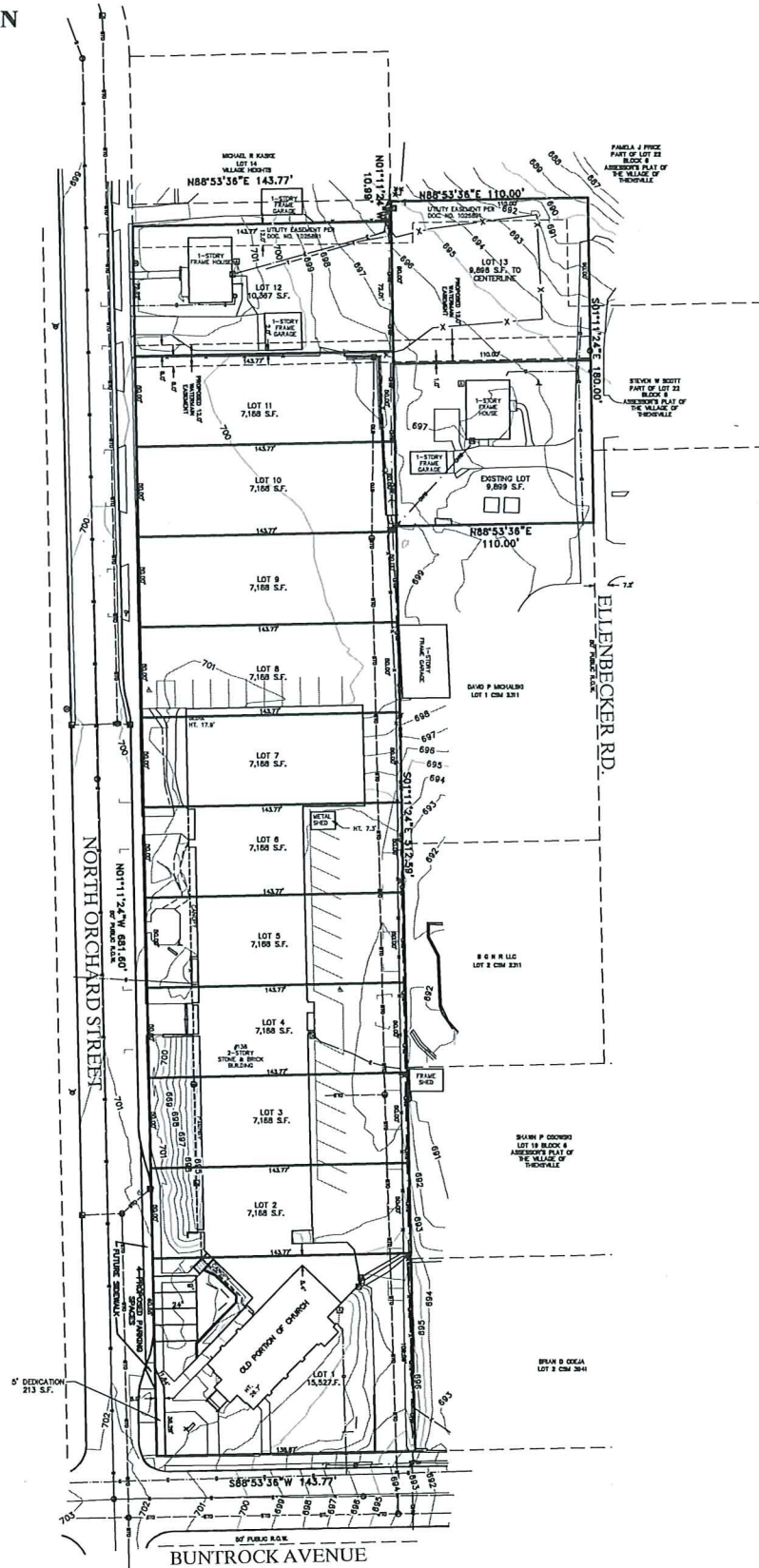
ALSO
That part of Lot Twenty-two (22) in Block Six (6) in Assessor's Plat of the Village of Thiensville, in the East one-half (1/2) of the Northeast one-quarter (1/4) of Section Twenty-two (22) in Township Nine (9) North, Range Twenty-one (21) East. (Title commitment not provided)

Prepared for: Devo Properties
October 7, 2019
Revised October 22, 2019

Survey No. 157075



VICINITY MAP
NOT TO SCALE



Known as 138 North Orchard Street, in the Village of Theinville, Ozaukee County, Wisconsin.

SHEET 1 OF 1

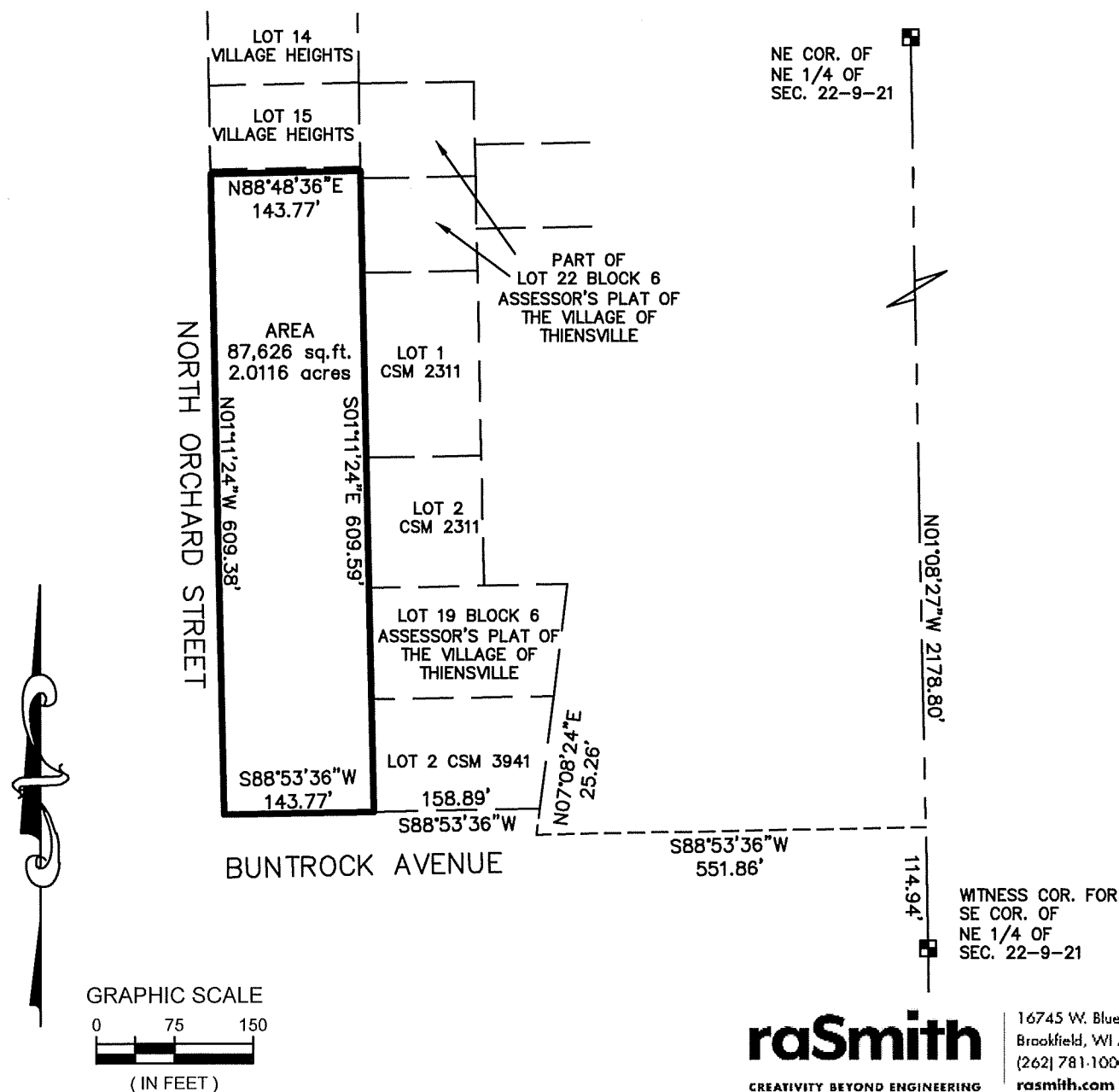
EXHIBIT

Lot 1 of Certified Survey Map No. 3941, Lot 17 and part of Lot 16 in Village Heights Subdivision, being a part of the Southeast 1/4 pf the Northeast 1/4 of Section 22, Town 9 North, Range 21 East, in the Village of Thiensville, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the a Witness corner for the Southeast corner of the Southeast 1/4 of Said Section; thence North $01^{\circ} 08' 27''$ West along the East line of said 1/4 Section 114.94 feet to a point; thence South $88^{\circ} 53' 36''$ West 551.86 feet to a point; thence North $07^{\circ} 08' 24''$ East 25.26 feet to a point; thence South $88^{\circ} 53' 36''$ West 158.89 feet to the point of beginning of lands to be described; thence continuing South $88^{\circ} 53' 36''$ West along the North line of Buntrock Avenue 143.77 feet to a point in the East line of North Orchard Street; thence North $01^{\circ} 11' 24''$ West along said East line 609.38 feet to a point; thence North $88^{\circ} 48' 36''$ East 143.77 feet to a point; thence South $01^{\circ} 11' 24''$ East 609.59 feet to the point of beginning.

November 21, 2019

Drawing No. 167075-RMK



raSmith
CREATIVITY BEYOND ENGINEERING

16745 W. Bluemound Road
Brookfield, WI 53005-5938
(262) 781-1000
rasmith.com

Project Narrative – Orchard Street Subdivision

November 25, 2019

Devo Properties, LLC is respectfully requesting a rezoning for the following properties located in Village of Thiensville:

- Subject property:
 - Address: 138 Buntrock Avenue, Thiensville, WI (old Church property) and 116 & 124 N. Orchard Street (former Lumen Christi School building)

Tax Keys: 116 N Orchard Street (parcel #'s 12-050-06-20-001, 12-075-02-17-000, 12-075-02-16-000) 124 N Orchard Street (parcel # 12-075-02-15-002)

- Size: Approximately 2.25 acres
- Current Owner: Thiensville Enterprises LLC
- Current Zoning: I-1 Institutional and R-2
- Proposed Zoning: Rezone from I-1 Institutional to R-2 Single-Family Residential District, Planned Unit Development Overlay District and B-3/Professional Business District

About Devo Properties

Devo Properties, LLC ("Devo") has more than 15 years of development and investment experience and has built a reputation for executing complex real estate transactions. Devo continues to expand by adding to its diverse portfolio of holdings in Southeastern Wisconsin.

Since the company's inception, Devo has maintained its entrepreneurial vision and commitment to delivering exceptional results. Having experienced the cyclical nature of the industry, Devo has the creativity and foresight to navigate a dynamic, challenging real estate environment. With this project, we are responding to a unique opportunity.

Devo has a successful track record in developing high quality commercial projects and Devo's unique residential projects, level of service, and high quality are what distinguish Devo from the competition.

Market Demand

Devo's market research indicates pent up demand for additional fee simple home ownership in the Village of Thiensville. Specifically, there hasn't been a plat recorded in Thiensville in decades. The majority of the single-family home options in Thiensville are older with dated finishes, floor plans and amenities which do not fulfill the current market demand.

This development will appeal to young professionals, families and seniors that desire to live in a unique location that has great walkable access to downtown Thiensville. This demand is from a demographic that will spend their money in the communities in which they live and is looking for a fee simple development to call home. The location and access to local retail conveniences are as much of an amenity as the independence of the development itself. The home owners will enjoy the historic heritage of Thiensville, while living within walking distance of Village Park, the shops, restaurants and entertainment downtown Thiensville has to offer.

The proposed development includes demolishing the old school and replacing it with single family homes, as well as preserving the old church. The proposed change in use from institutional to residential is less intensive to the surrounding neighborhood. The individual homes would be designed to compliment the existing neighborhood.

The proposed ten lots average approximately 7,000 square feet, meaning that the density of this development complies with the density allowed in the R-2 single family residential zoning district.

The attached two car garages reduce the amount of driveway and create side-yard privacy. This low density ten lot adaptive re-use will have far less impact on the surrounding residential uses than a multi-tenant condominium or apartment use.

Development Overview

- Proposed development
 - Ten (10) single family lots
 - Future homes to have two car detached garages
 - Lots to be 50 feet wide and approximately 7,188 square feet
 - Old Church property at south end to remain intact and to be used once again as an office. Proposed low impact use rezoned to professional/business
 - Current property assessed value: \$791,600
 - Proposed project will provide increment in property tax revenue
 - Proposed project will have positive economic impact on the downtown businesses
- Neighborhood Blend
 - The proposed development will blend into the existing neighborhood as requested by the neighbors

Site Design

- Architecture
 - A combination of single story and two story homes with useable rear yards
 - Architectural features pulled from the community to retain the historical feel of Thiensville
 - Architectural features will be traditional and classic in order to retain the historic feel of Thiensville while providing the layouts and accessibility features that make new construction highly desirable.
- Use of existing site characteristics
 - Grade change to the east provides a logical exposed basement feature
 - Existing utility infrastructure is already in place and adequate for the development
- Access to site
 - Access limited to Orchard Street
 - The site plan provides for 4 surface parking spaces for the Old Church property
- Reduced Storm Water Management
 - No additional runoff will be created from the development

- Storm water discharge will use existing Orchard Street curb and gutter and the rear yard storm drains
- The proposed development would reduce impervious surface by replacing the school building and parking lot with yards and green space

A. General Statement (See Project Narratives):

1. Site statistics

- a. Total area - approximately 2.25 acres
- b. Proposed number of new dwelling lots – 10
- c. Proposed number of new 2, 3, and 4 bedroom single family homes - 10; with estimated square footage of 1,400 - 1,800 square feet
- d. Municipal services – utilities are available to be extended to the property
- e. Development Statistics

Each of the ten proposed residential lots includes:

Walkways	35	to	50	square feet
Decks or Patios	150	to	160	square feet
Driveway	525	to	600	square feet
Garage	480	to	528	square feet
Home	1,400	to	1,600	square feet
Porch and Stoop	60	to	80	square feet
TOTAL	2,650	to	3,018	square feet of impervious area
Greenspace	4,350	to	3,982	square feet based on 7,000 lot size
	60%	to	57%	

- 2. Estimated project construction costs - \$4,000,000
- 3. Estimated project value - \$4,000,000
- 4. No property owner's association. Each single family home would be owned by an individual owner. The Existing Storm Sewer will be reduced in scope, deleting the northern-most catch basin and piping and will be incorporated into an easement agreement which will govern the use, maintenance and repair of the storm sewer.
- 5. Proposed departures from Single family residential (R-2) code:
 - a. **CODE:** Lot width 60 feet
 - i. **DEPARTURE:** Lot width 50 feet
 - b. **CODE:** There shall be a minimum separation of 10 feet from the old church building to the southernmost home.
 - i. **DEPARTURE:** See Attached Plans
 - c. **Code:**
 - i. **Departure: See attached plans**
 - d. The current site that is proposed for single family residential development has less than 5% greenspace. The new home sites will provide 50% or more usable green space after accounting for the new homes, driveways, sidewalks and patios. The attached two car garages reduce the amount of driveway and create side-yard privacy. This low density ten lot adaptive re-use will have far less impact on the surrounding residential uses than a multi-tenant condominium or apartment use.

In addition to the significant amount of greenspace restored on the lots, the new curb and gutter and sidewalk will restore the green strip along the street, replacing the asphalt parking lot and playground with grass.

6. Development timeline:
 - a. Project Approvals: Spring 2020
 - b. Begin Construction: Spring 2020
 - c. Complete site improvements: Summer 2020
 - d. Project Completion Date: Estimated 18 to 24 months
 - e. Planned project consultants include: Greg Devorkin – Developer, Fred Bersch – home builder, to be determined - demolition contractor and grader and utility installer
7. The proposed development will not have an adverse impact on traffic. The use is going from thousands of church dwellers to ten families.
8. The Project includes no new public roads.
 - a. After the building is demolished, new structural fill will be placed in the new building pads at the direction of a civil engineer and soil engineer.
 - b. Soil testing and borings will be completed in the existing undeveloped areas including the parking lot.
 - c. The proposed development plan proposes returning the grass terrace and will put public sidewalk back in the right-of way.
9. See items 3 &4 above
10. See item 3 above. The individual homes will follow architectural requirements and approvals of R-2 single family residential.
11. See item 5 above

B. General Development plan

1. Plat to follow the approved rezoning. Rezoning approval shall be conditioned on final approval of new plat for eventual subdividing of property. Devo is working with Fred Bersch at Bonnilake Real Estate LLC on the home construction. Fred has developed single family home subdivisions and modest homes in the surrounding area since 1992.
2. A legal description is to be provided with the Plat.
3. See Site Plan, Driveway locations of individual homes would seek approval from Plan Commission.
4. The proposed development will complement the historical old Church site at the south end of the property. The proposed plan does not include any changes to the old church building. Devo, or an affiliate, will continue to own and operate the existing church as offices. The individual homes would seek approval from Plan Commission.
5. N/A
6. See attached Project Narrative & Site Plan
7. See attached Project Narrative & Site Plan
8. See attached conceptual architectural plans
9. See attached conceptual renderings
10. See attached ALTA Survey

11. See attached topography map
12. See attached topography map
13. The proposed development will be compatible with the residential neighborhood around it.

C. Incompatible Uses Prohibited

- (1) Land lying within the Floodplain Fringe Overlay District shall not be used for any solid waste disposal site, onsite soil absorption sanitary sewerage system site, or the construction of any well which is used to obtain water for ultimate human consumption.

D. Maintenance of Drainageways

- (1) No filling or development in the FFO Floodplain Fringe Overlay District shall adversely affect the channels, floodways, or shorelands of any tributary of the Milwaukee River, Pigeon Creek, drainage ditches, or other lands lying outside the floodlands.

17.0316

PDO PLANNED DEVELOPMENT OVERLAY DISTRICT

The PDO Planned Development Overlay District is intended to permit developments that will, over a period of time, be enhanced by coordinated area site planning, diversified location of structures, diversified building types and/or mixing of compatible uses. Such developments are intended to provide a safe and efficient system for pedestrian and vehicle traffic; to provide attractive recreation and open spaces as integral parts of the developments; to enable economic design in the location of public and private utilities and community facilities; and to ensure adequate standards of construction and planning. The PUD Overlay District under this Ordinance will allow for flexibility of overall development design with benefits from such design flexibility intended to be derived by both the developer and the community, to accommodate development, redevelopment and/or rehabilitation of property that will serve the best interests of the Village. The use of the PDO District shall be subject to regulatory standards as necessary to be consistent with the direction set forth in the Village of Thiensville Comprehensive Land Use Plan and components thereof. The unified and planned development of a site in a single or corporate ownership or control or in common ownership under the Unit Ownership Act set forth in Chapter 703 of the Wisconsin Statutes (condominiums) may be permitted by the Village upon specific petition under this section of the Ordinance and after public hearing, with such development encompassing one (1) or more principal uses or structures and related accessory uses or structures when all regulations and standards as set forth in this section of the Ordinance have been met.

A. Permitted, Accessory and Conditional Uses

- (1) Uses permitted in a Planned Development Overlay District shall conform to uses generally permitted in the underlying basic use district or in other districts of this ordinance. The area and height of individual principal and accessory structures shall be established on a case-by-case basis by the Village Board following recommendation by the Plan Commission if it is determined that such deviation from the specific requirements would further the intent of the PDO ordinance; specifically:
 1. A safe and efficient system for pedestrian and vehicle traffic.
 2. Attractive recreation and open spaces as integral parts of the development.
 3. Economic and efficient design in the location of public and private utilities and common facilities.
 4. Adequate standards of construction and planning.
 5. The basis for approval of the Petition in Section 17.0316(D)(1-8).

Setbacks shall be established on a case-by-case basis by the Village Board following recommendation by the Plan Commission along any boundary street of the project area where deviation from the specific requirements of the underlying basic use district would further the interest of the PDO ordinance, as set forth above.

All open space and parking requirements of the underlying basic use district shall be complied with either individually or by providing for combined average open spaces and parking space as provided in the approved project plan, except where deviation from the specific requirements would further the intent of the PDO ordinance, as set forth above.

B. Minimum Area Requirements

- (1) Areas designated as Planned Development Overlay Districts shall be under single or corporate ownership or control, and shall contain a minimum development area determined by the Village Board following recommendation by the Plan Commission for each type of planned development.

Principal Uses

- a. Residential PDO
- b. Commercial PDO
- c. Mixed Compatible Use
- d. Commercial/Multi-Family PDO

- (2) **Density Requirements.** Only one of three possible levels of residential density shall be allowed in specific PDO Overlay Districts but at a maximum density not to exceed 22 units/acre.
 - a. The number of residential dwelling units allowed as a permitted use in the underlying zoning district; or
 - b. The number of residential dwelling units allowed as a conditional use in the underlying zoning district; or
 - c. The number of residential dwelling units allowed where an increased density is allowed in recognition of a project of exceptionally high overall quality as provided below:

Increased Density Justification.

- 1) If, notwithstanding dimensional differentials, a proposed project uniformly contains exterior and interior materials, design details, workmanship and features of an exceptionally high quality that emulates the character of the Village of Thiensville and/or the immediate neighborhood, an "increased density" for residential dwelling units may be recommended by the Plan Commission and approved by the Village Board as part of the original PDO District approval process.
- 2) If granted, the increased density level of a residential use shall be in lieu of any other possible residential density.
- 3) An increased density shall constitute a discretionary number of residential units based on the following criteria for consideration/recommendation by the Plan Commission and approved by the Village Board.
 - a) Whether the project will provide better utilization of the land than would otherwise be realized if the site were developed with the density requirements of the underlying district, or as a PDO without an increased density.

- b) Whether the project makes adequate provisions such that an increase in density will not have an unreasonable adverse effect on neighboring properties, existing and/or proposed public rights-of-way and/or municipal and other public services as a result of the type, intensity and frequency of the use(s) associated with the proposed project.
 - c) Whether the structures proposed for the project are harmonious with existing nearby structures and land uses.
 - d) Whether the building materials have been selected and are proposed to be utilized in a manner that is harmonious with the natural environment and the general character of other buildings and structures in the vicinity of the proposed development.
 - e) Whether the proposed project will result in the construction or upgrading of specific public infrastructure improvements that will benefit the public at no cost to the Village
 - f) Whether the proposed project will enhance an existing structure that is deemed beneficial to the character of the neighborhood where it is situated.
- (3) **Lot Area and Width.**
The lot area and width requirements of the underlying basic use zoning district may be modified if deemed appropriate by the Village Board following recommendation by the Plan Commission, provided that the lot sizes are adequate to accommodate all proposed buildings and site features.
- (4) **Building Height and Area.**
The Village Board following recommendation by the Plan Commission may allow an increase in allowable building height, if it is determined that such an increase is warranted to support the public benefit likely to result from the proposed development.
- (5) **Setback and Yard.**
Setbacks and yards required by the underlying basic use zoning district may be modified in the PDO Planned Development Overlay District if it is determined appropriate by the Village Board following recommendation by the Plan Commission.

C. Procedural Requirements

1) Pre-Petition Conference.

- a) Prior to the official submission of the petition for the approval of a Planned Development Overlay District, the owner or his agent making such petition shall meet with the Village Plan Commission or its staff and provide sufficient written details and drawings concerning the scope and proposed nature of the contemplated development as necessary to permit an adequate staff review.
- b) Staff review will involve all Village departments in an assessment of the feasibility and potential impacts of the project on Village infrastructure and resources as well as its conformity with the provisions of the Village Zoning Code.

- c) The purpose of the pre-petition conference is solely to allow for discussion and feedback about a possible project regarding issues that may have to be addressed in the event a petition is submitted.
 - d) Discussion and feedback about the proposed nature and scope of the proposed project at the pre-petition conference by Village staff and the Plan Commission shall be nonbinding commentary and shall not, under any circumstance, vest any party with any right with respect to any development proposed for discussion.
- 2) Petition. Following the pre-petition conference, the owner or his agent may file a petition with the Village Clerk for approval of a Planned Development Overlay District. Such Petition shall be accompanied by a review fee and the following information:
- a) A statement which sets forth the relationship of the proposed PDO to the Village's adopted master plan, or any adopted component thereof, and the general character of and the uses to be included in the proposed PDO, including the following information:
 - 1) Total area to be included in the PDO, area of open space, residential density computations, proposed number of dwelling units, population analysis, availability of or requirements for municipal services and any other similar data pertinent to a comprehensive evaluation of the proposed development.
 - 2) A general summary of the estimated value of structures and site improvement costs, including landscaping and special features.
 - 3) A general outline of the organizational structure of a property owner or management association, which may be proposed to be established for the purpose of providing any necessary private services and to determine the manner in which the owner or management association will participate in the formulation and execution of the development agreement.
 - 4) Any proposed departures from the standards of development as set forth in the Village zoning regulations, other Village regulations or administrative rules, or other universal guidelines.
 - 5) A development timetable, including all benchmark dates from commencement to completion of the physical development of the proposed project.
 - 6) A traffic study that verifies that the proposed development will not have an adverse impact on Village, County or State highways.
 - 7) The application shall include road design information, erosion and sediment control practices, stormwater retention facilities and information concerning the soils so the Village can be assured that the soil conditions are adequate to accommodate the structures and Village roads and whether any special precautions are necessary for basement construction. The Village may modify such proposals subject to conditions of approval as long as such modifications are consistent with good engineering practice and the approval of the Village Board.
 - 8) All residential planned unit developments shall provide permanent common open space. Open space may be in corporate ownership

or in a private homeowners' association, unless the open space is dedicated to the Village as parkland pursuant to the Municipal Code, with an open space easement to assure that the open space will be permanent. Common open space shall be conveniently accessible to all residential dwellings within a planned unit development, available to all occupants of the dwelling units for whom the use of the open space is intended and shall provide a meaningful and useful area for such intended open space. It is the intent of this provision to ensure equitable distribution of various land uses to all owners and maintain the maximum of open space. Common open space does not include private lots, street right-of-ways or lands determined unsuitable by the Village Board due to accessibility, common benefits or the intent of the provision. The application shall include what amenities are proposed in the common open space and if they are to be phased during completion of the development.

- 9) General outline of intended organizational structure related to property owner's association, architectural review committee, deed restrictions and provisions of utilities and other services.
- 10) A project staging plan that outlines a timetable for project completion including but not limited to: roads, utility hookups, construction and landscaping.
- 11) Any other information as required by the Village staff, Plan Commission or Village Board.

b) A general development plan including:

- 1) Names, addresses, daytime phone numbers and email addresses of the applicant, owner of the site, architect, professional engineer, contractor, principal investors, and designation of the principal representatives and/or contact person during the review of the project.
- 2) A legal description of the boundaries of the subject property included in the proposed PDO and its relationship to surrounding properties.
- 3) The location of public and private roads, driveways, and parking facilities.
- 4) The size, arrangement and location of any individual building sites and proposed building groups on each individual site.
- 5) The location of institutional, recreational, and open space areas and areas reserved or dedicated for public uses, including schools, parks and drainageways.
- 6) The type, size and location of all structures.
- 7) General landscape treatment.
- 8) Architectural plans, elevation and perspective drawings and sketches illustrating the design and character of proposed structures.
- 9) The existing and proposed location of public sanitary sewer, water and stormwater drainage facilities.
- 10) The existing and proposed location of all private utilities or other easements.

- 11) Characteristics of soils related to contemplated specific uses.
 - 12) Existing topography on the site with contours at no greater than 2-foot intervals
 - 13) Anticipated uses of adjoining lands in regards to roads, surface water drainage and compatibility with existing adjacent land uses.
- (6) Land divisions. Any proposed division that results in a subdivision or any division of land other than a subdivision that is part of the proposed PDO Plan Development Overlay District shall be subject to requirements of Chapter 66 of the Village's Code of Ordinances and Chapter 236 of the Wisconsin State Statutes.
 - (7) Referral to Plan Commission. The petition for a Planned Development Overlay District shall be referred to the Village Plan Commission for its review and recommendation, including any additional conditions or restrictions, which it may deem necessary or appropriate.
 - (8) Public Hearing. The Village Plan Commission before formulating its recommendations to the Village Board shall hold a public hearing pursuant to the requirements of Section 17.1105 of this Ordinance. Notice for such hearing shall include reference to the development plans filed in conjunction with the requested Planned Development Overlay District.

D. Basis for Approval of the Petition

- (1) The Village Plan Commission in making its recommendation and the Village Board in making its determination, shall consider:
- (2) That the petitioners for the proposed Planned Unit Development Overlay District have indicated that they intend to begin the physical development of the PDO within twelve (12) months following the approval of the petition and that the development will be carried out according to a reasonable development timetable including all benchmark dates from commencement to completion of the physical development of the proposed project that is satisfactory to the Village.
- (3) That the proposed Planned Unit Development Overlay District is consistent in all respects to the purpose of this Section and to the spirit and intent of this Ordinance; is in conformity with the adopted Comprehensive Smart Growth Land Use Plan or any adopted component thereof; and, that the development would not be contrary to the general welfare and economic prosperity of the Village and that the benefits and improved design of the resultant development justifies the establishment of a PDO Planned Development Overlay District.
- (4) The Village Plan Commission in making its recommendations and the Village Board in making its determination shall further find that:
 - a. The proposed site shall be provided with adequate drainage facilities for surface and storm waters.
 - b. The proposed site shall be accessible from public roads that are adequate to carry the traffic that can be expected to be generated by the proposed development.

- c. No undue constraint or burden will be imposed on public services and facilities, such as fire and police protection, street maintenance and maintenance of public areas by the proposed development.
 - d. The streets and driveways on the site of the proposed development shall be adequate to serve the residents of the proposed development and shall meet the minimum standards of all applicable ordinances or administrative regulations of the Village.
 - e. Public water and sewer facilities shall be provided.
 - f. The entire tract or parcel of land to be included in a Planned Unit Development Overlay District shall be held under single ownership, or if there is more than one (1) owner, the petition for such Planned Unit Development Overlay District shall be considered as one (1) tract, lot or parcel, and the legal description must define said PUD as a single parcel, lot or tract and be so recorded with the Ozaukee County Register of Deeds office.
- (5) That in the case of a proposed Residential Planned Unit Development Overlay District:
- a. Such development will create an attractive residential environment of sustained desirability and economic stability, including structures in relation to terrain, consideration of safe pedestrian flow, ready access to recreation space and coordination with overall plans for the community.
 - b. The total net residential density within the Planned Unit Development Overlay District will be consistent with the Village's Smart Growth Land Use Plan and the density determined on a case-by-case basis by the Village board following review and recommendation by the Plan Commission.
 - c. Provision has been made for the installation of adequate public facilities and the continuing maintenance and operation of such facilities.
 - d. Adequate, continuing fire and police protection is available.
 - e. The population composition of the development will not have an adverse effect upon the community's capacity to provide needed school or other municipal service facilities.
 - f. Adequate guarantee is provided for permanent preservation of open space areas as shown on the approved site plan either by private reservation and maintenance or by dedication to the public.
- (6) That in the case of a proposed Commercial Planned Unit Development Overlay District.
- a. The proposed development will be adequately served by off-street parking and truck service facilities.
 - b. The proposed development shall be adequately provided with and shall not impose any undue burden on public services and facilities such as fire and police protection, street maintenance and maintenance of public areas.
 - c. The locations for entrances and exits have been designated to prevent unnecessary interference with the safe and efficient movement of traffic on surrounding streets, and that the development will not create an

adverse effect upon the general traffic pattern of the surrounding neighborhood.

- d. The architectural design, landscaping, control of lighting, and general site development will result in an attractive and harmonious service area compatible with and not adversely affecting the property values of the surrounding neighborhood.

(7) That in the case of a mixed use Planned Unit Development Overlay District:

- a. The proposed mixture of uses produces a unified composite which is compatible within the underlying districts and which as a total development entity is compatible with the surrounding neighborhood.
- b. The various types of uses conform to the general requirements as herein before set forth, applicable to projects of such use and character.
- c. The proposed development shall be adequately provided with and shall not impose any undue burden on public services and facilities, such as fire and police protection, street maintenance, and maintenance of public areas.

(8) That in the case of a commercial/apartment Planned Unit Development Overlay District:

- a. The development only be permitted in the Northern Downtown and S. Main Street West redevelopment target areas as described in the 1990-2010 Master Plan, and seen in Figure 3, page 8 of the Master Plan.
- b. Apartment buildings are permitted only as conditional uses in these districts unless the underlying zoning is B-4 or B-5.
- c. The underlying zoning in the two redevelopment target areas not be changed from their present zoning to allow for apartment buildings as permitted uses.
- d. Such development allowed in a commercial/apartment PUD will create an attractive commercial and residential environment of sustained desirability and economic stability, including structures in relation to terrain, consideration of safe pedestrian flow, ready access to recreation space, and coordination with overall plans for the community.
- e. The development is compatible with surrounding land uses and will not adversely affect or be adversely affected by neighboring land uses.

E. Development Agreement

- 1) The Village's review and approval process shall be conditioned on the execution by the Village Board and the applicant of the development agreement approved by the Village Board with its approval embodying all of the terms and conditions of the specific project plan and any additional terms of implementation.
- 2) The development agreement shall be submitted to the Plan Commission for its recommendation prior to approval by the Village Board and shall include without limitation:
 - a. Timetables for performance/completion of improvements;
 - b. Performance requirements and standards and assurances for all improvements and/or modifications pertaining to the PDO;
 - c. Inspection requirements;

- d. Prohibitions on any division/combination of real estate lots included within the PDO District except as otherwise provided, including an exception for residential condominium units;
- e. Provisions for lapsing of specific plan approval and automatic reversion of the zoning status of the property of non-PDO District status upon specific changes of circumstances or failure of the project to materialize as agreed to in the development agreement;
- f. Agreements, bylaws, provisions and/or covenants or additional deed restrictions to be recorded against the lot(s) within the PDO District that will perpetually govern the organizational structure, use, maintenance and continued preservation and protection of the project and of its common services, common open areas and/or other facilities;
- g. Exhibits, drawings or other attachments that depict improvements including but not limited to structures, fixtures and landscaping and their relative locations in the development area as well as design and engineering details as necessary to document to a reasonable degree of specificity of type, character and nature of improvements to be made within the development area.
- h.

F. Determination

- 1) The Village Board, after due consideration, may deny the petition, approve the petition as submitted, or approve the petition subject to additional conditions and restrictions. The approval of a Planned Development Overlay District shall be based upon and include as conditions thereto the building, site and operational plans for the development as approved by the Village Board.

G. Changes and Additions

- 1) Any subsequent change or addition to the plans or uses shall first be submitted for approval to the Village Plan Commission and if in the opinion of the Village Plan Commission, such change or addition constitutes a substantial alteration of the original plan, a public hearing before the Village Plan Commission shall be required and notice thereof be given pursuant to the provisions of Section 17.1100 of this ordinance, and said proposed alterations shall be submitted to the Village Board.

H. Subsequent Land Division

- (1) The division of any land or lands within a Planned Development Overlay District for the purpose of change or conveyance of ownership shall be accomplished pursuant to the land division regulations of the Village and when such division is contemplated, a preliminary plat of the lands to be divided shall accompany the petition for PDO approval.
- (2) Construction Routes. A map of the development showing the access points to be used by construction vehicles during the course of construction and which shall become part of the conditional use agreement between the Village and the developer with such provisions for enforcement as provided in the contract.
- (3) Consultant, Engineering and Legal Fees. If the Village incurs consultant, engineering or legal fees to prepare or review any aspect of the proposed planned unit development, the Village will notify the petitioner of what

portion of the fees shall be charged to the petitioner. All such charges in facilities agreed upon in the conditional use permit.

- (4) Financial Guarantee to Complete Construction Improvements in the Planned Unit Development. A letter of credit in a Wisconsin financial institution or cash deposit or other satisfactory financial guarantee approved by the Village Attorney to cover the cost of all improvements in facilities agreed upon in the conditional use permit.
- (5) Additional Requirements. The Plan Commission and the Village Board may add any further additional requirements appropriate to each conditional use necessary.
- (6) Recording. The conditional use shall be recorded in the office of the Register of Deeds to affect the real estate upon which a conditional use is granted, which includes all homeowners association documents and deed restrictions and provisions for utilities and other services.
- (7) **Termination**. If a building permit is not issued within one (1) year of receiving the PDO zoning, the PDO district zoning for the property shall be automatically discontinued and replaced with the zoning designation that existed prior to the PDO rezoning.

17.0317

SWO SHORELAND WETLAND OVERLAY DISTRICT

The SWO Shoreland Wetland Overlay District is intended to preserve, protect, and enhance the ponds, streams, and wetland areas of the Village of Thiensville. The preservation, protection, and enhancement of these areas will serve to maintain safe and healthful conditions; maintain and improve water quality, both ground and surface; prevent flood damage; control storm water runoff; protect stream banks from erosion; protect groundwater recharge and discharge areas; protect wildlife habitat; protect native plant communities; avoid the location of structures on soils which are generally not suitable for use; and protect the water-based recreation resources of the Village.

The boundaries of the C-1 Lowland Conservancy District are based on the Wisconsin Wetland Inventory Map for the Village of Thiensville, dated January 24, 1990, and stamped "FINAL," and include, but are not limited to, all shoreland wetlands, five acres or greater in area shown on that map.

A. Permitted Principal Uses

- (1) Hiking, fishing, trapping, swimming, and boating, unless prohibited by other ordinances and laws.
- (2) The harvesting of wild crops, such as marsh hay, ferns, moss, wild rice, berries, tree fruits and tree seeds, in a manner that is not injurious to the natural reproduction of such crops.
- (3) The practice of silviculture, including the planting, thinning, and harvesting of timber.
- (4) Construction and maintenance of fences
- (5) Agricultural cultivation and pasturing provided they do not involve extension of or creation of new drainage systems, and further provided they do not

KOEPKE HOME ALTERATIONS 127 S. MAIN STREET

To: Thiensville Plan Commission

Prepared by: Jonathan Censky, Village Planner

Date: December 3, 2019

Item No: III. D.

General Information

Applicant:	Michael Koepke
Status of Applicant:	Property Owner
Requested Action:	Garage Alterations
Zoning	B-1 Central Business District
Proposed Zoning:	No Change
Location:	127 South Main Street
Land Use Plan Designation:	Business
Existing Land Use:	Single-Family Home

Proposal:

Commissioners may recall having reviewed and approved the applicant's plans to remodel his home back in July 2017 to fundamentally change the style of house from a bungalow to a Queen Ann. Those plans were also reviewed and approved by the Thiensville Historic Preservation Commission at the time. Work on that project never commenced and he is now proposing certain changes to those approved plans. Included in your packet are the formerly approved house plans along with his current house plans. Staff notes that these house plans were again reviewed and approved by the Thiensville Historic Preservation Commission on November 13, 2019. The Historic Preservation Commission did not, however, take action on the steel shipping crate.

As part of this request, the applicant is proposing to enclose the rear yard with an attractive 6-foot-high wood fence. He is also requesting approval of a galvanized steel shipping crate to be used as a storage shed. This crate measures 8' X 20' for 160 square feet in size and will stand 5.5 feet tall. According to Section 17.0603 E. of the Zoning Code, accessory structures such as garden or utility sheds are permitted, but shall be placed or erected in the rear yard provided that no single structure shall exceed 150 square feet in area; no structure shall be closer than 5 feet to a principal structure, no accessory structure shall exceed 12 feet in height; no accessory structure shall be located closer than 3 feet to any lot line and all accessory structures combined shall occupy not more than 20 percent of the rear yard area.

Planner's Recommendation:

Staff has no objection to the changes being proposed to the house and the fence and recommends approval subject to the following:

- The existing original garage be razed immediately.
- The applicant shall secure a building permit prior to construction.

However, staff is not convinced that the steel crate qualifies as an accessory structure as defined under Section 17.0603 E. Moreover, structures are defined under the definition section of the Zoning Code as "Anything constructed or erected, the use of which requires permanent location on the ground or attachment to

something having a permanent location on the ground and being more than 6" above grade." Accordingly, staff recommends denial of the steel crate. If, however, Commissioners feel otherwise and are willing to accept this crate as an accessory structure, the applicant will be required to pursue a variance through the Board of Appeals because the crate exceeds the permitted 150 square foot size limit.

NOV - 5 2019

CERTIFICATE OF APPROPRIATENESS
APPLICATION FORM FOR PROPERTIES IN THE
THIENSVILLE HISTORIC DISTRICT

Applicant: Michael Koepke

Name of Business: LTK Interiors

Street Address: 127 S. Main St City: Thiensville State: WI Zip: 53092

Home Phone: _____ Cell Phone: 414 313330 Business Phone: _____

Email: mykpps@gmail.com

Property Owner: Same

Mailing Address: _____

City: _____ State: _____ Zip: _____

Contact Phone Number: _____

*See last page
for notes!*

Description of Project: Addition and envelope replacement

Material, color and impact on existing feature: (INCLUDE COLOR SAMPLES) and photos or sketches and include specifications.

See plans, exterior to match new garage

Proposed Sign(s): Wall _____ Monument/Ground _____ Pole _____ Projecting _____ Marquee, Awning or Canopy _____

Sandwich Board _____ Directional Sign _____ (Please attach 9 copies of colored sign for HPC including size dimensions, material, and placement of sign)

Signature of Applicant: [Signature] Date: 11-4-19
Print Name: Michael Koepke



Thiensville Historic Preservation Commission: Project Approved X Project Not Approved _____

Commission Signature: [Signature] Date: 11/13/2019

(Comments/Stipulations from HPC): See attached, exceptions, stipulations and suggestions.

Historic Preservation Commission
Michael Koepke Certificate of Appropriateness
November 13, 2019

The Certificate of Appropriateness for Michael Koepke, 127 South Main Street, is approved with the following exceptions, stipulations and suggestions:

Exceptions:

The Certificate of Appropriateness does not include the proposed 8' fence and shipping container located at the west elevation (see A1.1).

Stipulation:

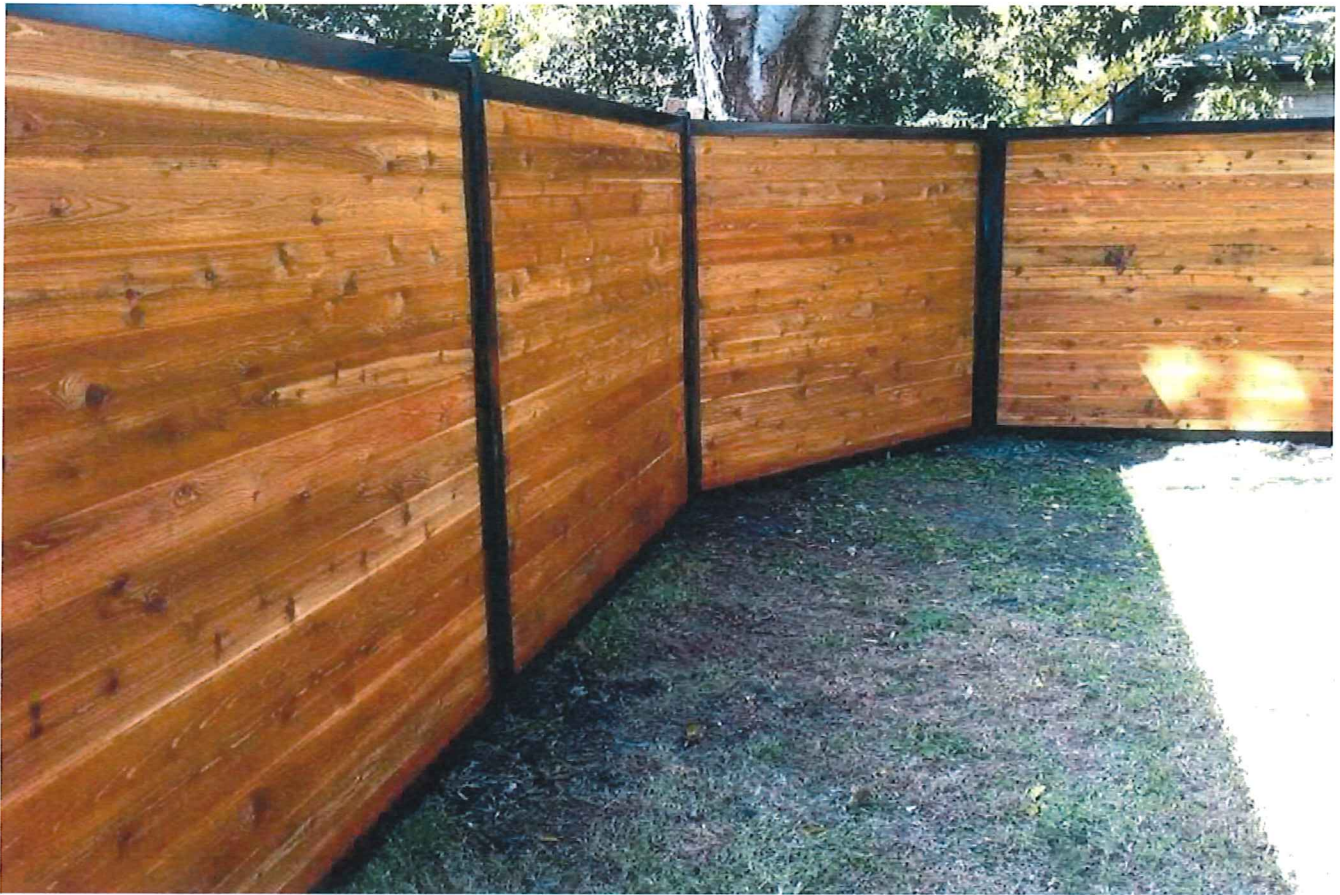
Porch railings and doors are to be submitted for design and material review and approval.

Suggestion:

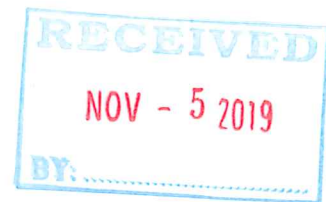
1. Proposed siding to be installed with smooth side exposed.
2. Removal of clipped gables be reconsidered and not be removed and to remain as unique architecture of the building.

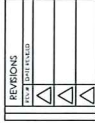
- Marvin Integrity Double hung windows in Black
- LP Smart Siding, same as ^{new} garage
- ~~Por~~ Porch flooring sample dropped off
- Color: white - same as garage
- Fence: see photo attached
- Accent roof: black metal roof

- Please contact me prior to meeting with any ~~q~~uestions you may have.

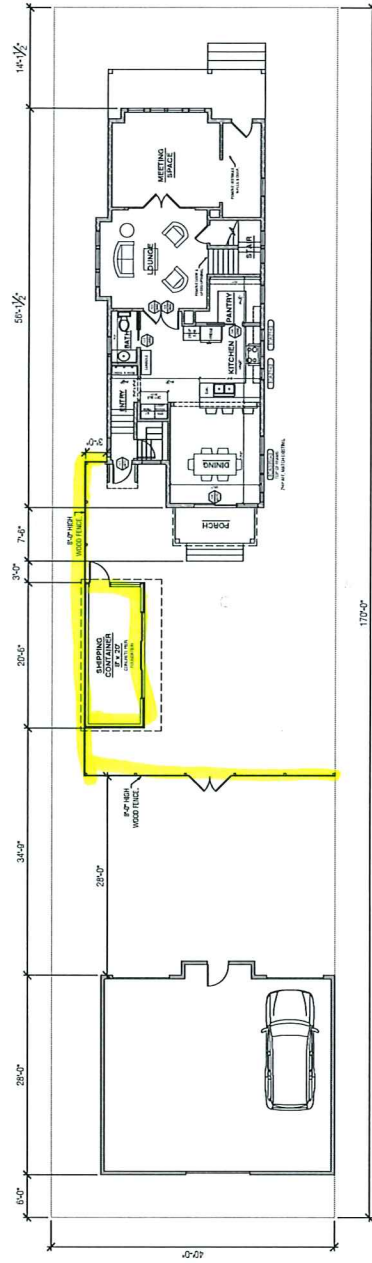


FENCE

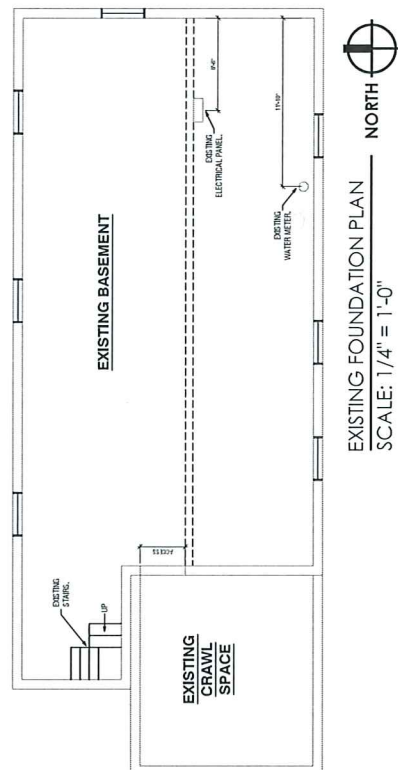
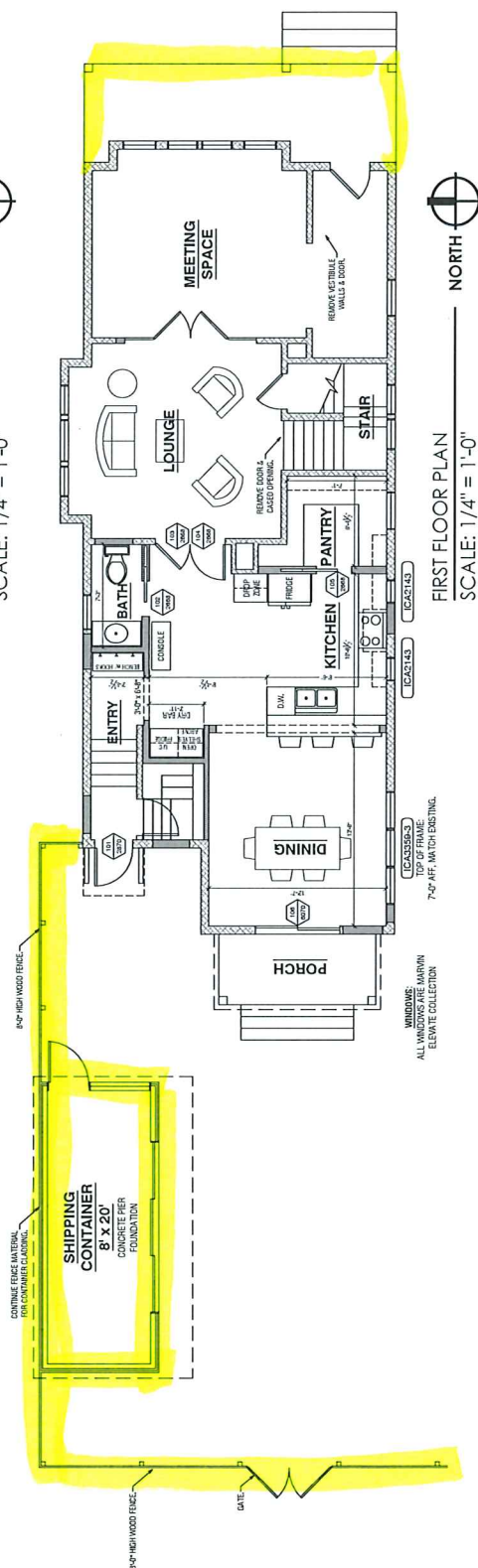
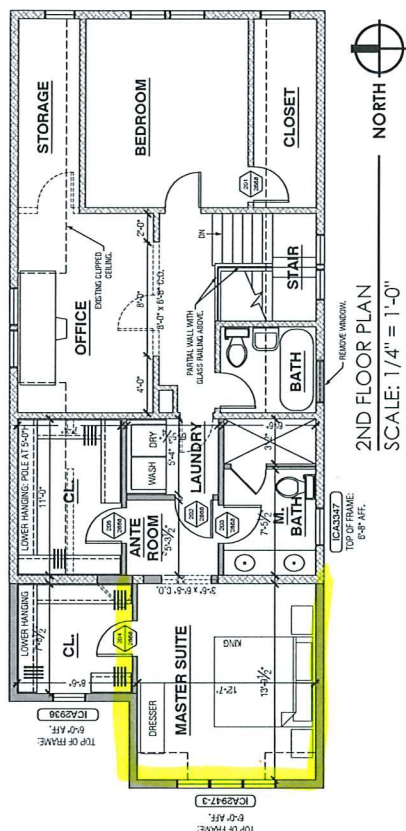




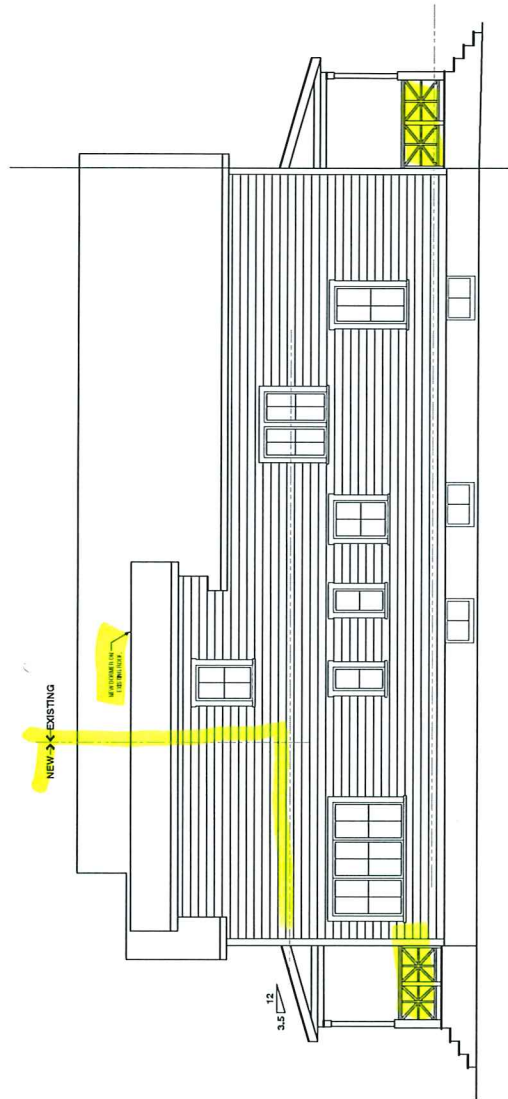
PRELIMINARY
NOT FOR
CONSTRUCTION

[illegible]

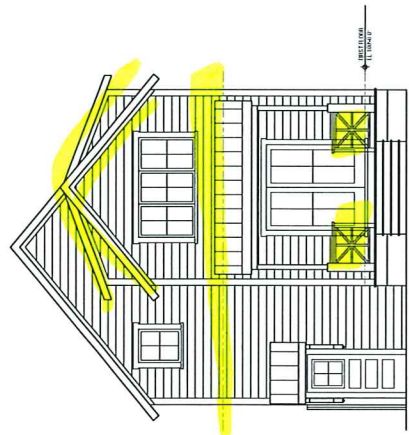
LOT LAYOUT
SCALE: 1/8" = 1'-0"



REVISIONS	
NO.	DATE
1	
2	
3	



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



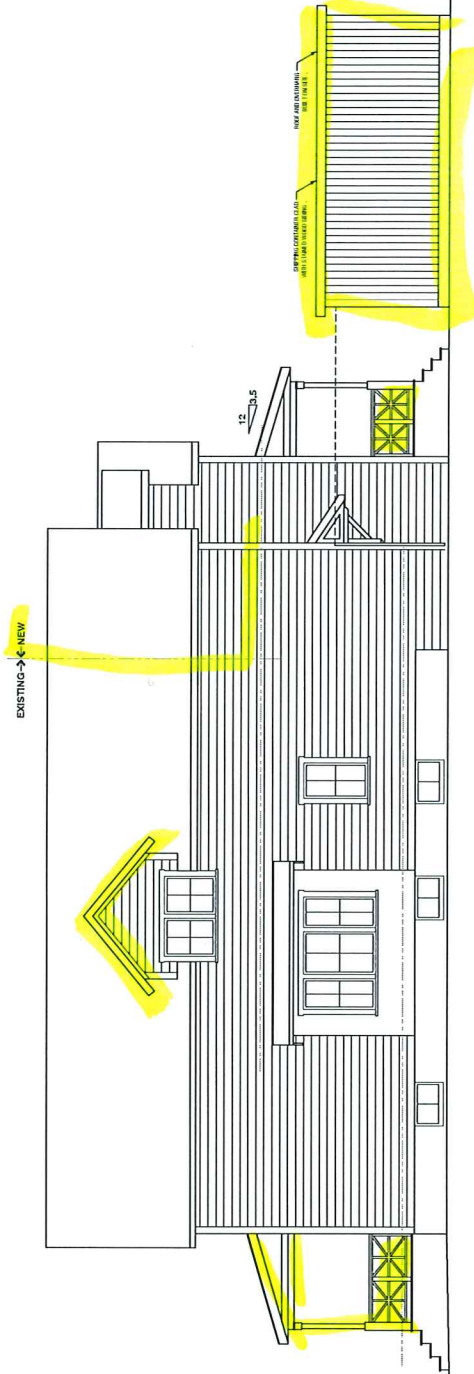
WEST ELEVATION
SCALE: 1/4" = 1'-0"

KOPEKE RESIDENCE
127 SOUTH MAIN STREET
THIENSVILLE, WI

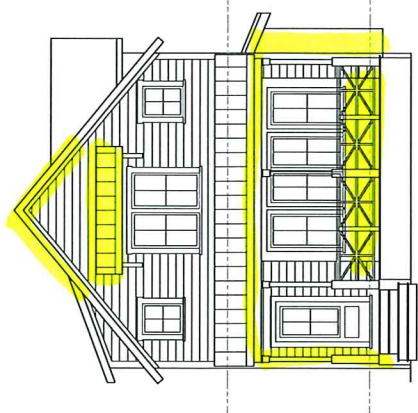
PRELIMINARY
NOT FOR
CONSTRUCTION

DATE	01 November 2019
DESIGNER	AWW
CLIENT	Kopeke Residence
PROJECT	127 South Main Street
LOCATION	Thiensville, WI
SCALE	1/4" = 1'-0"
PROJECT	127 South Main Street
LOCATION	Thiensville, WI
SCALE	1/4" = 1'-0"
PROJECT	127 South Main Street
LOCATION	Thiensville, WI
SCALE	1/4" = 1'-0"

A3.1



NORTH ELEVATION
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"

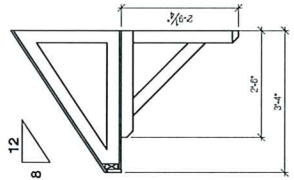
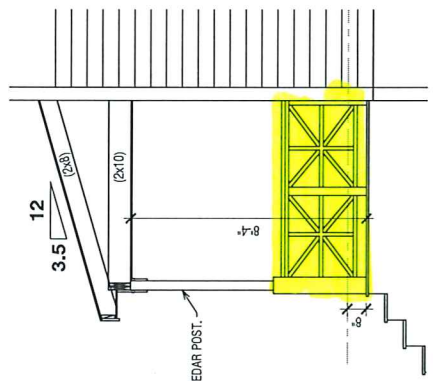
Copyright 2019
All Rights Reserved

REVISIONS	DATE	BY

KOPKE RESIDENCE
127 SOUTH MAIN STREET
THIENSVILLE, WI

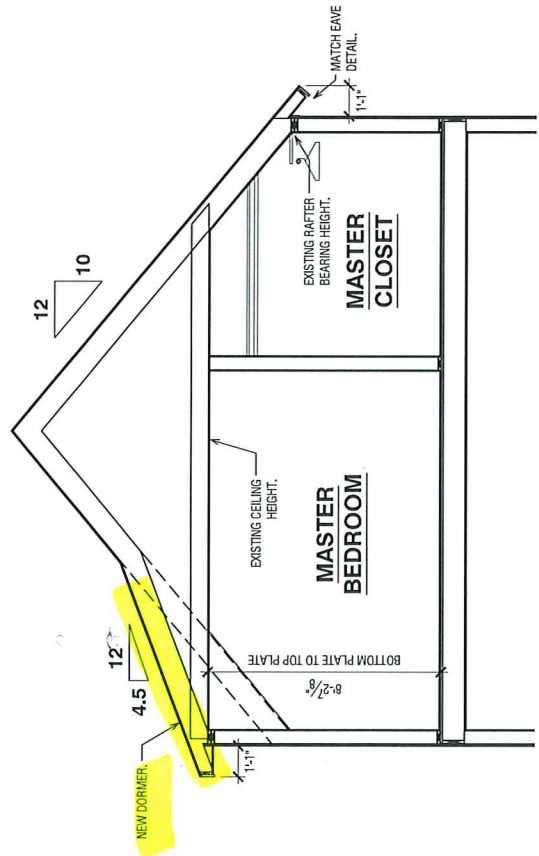
PRELIMINARY
NOT FOR
CONSTRUCTION

Of November 2019
 DRAWN BY: AMW
 CHECKED BY: KOPKE RESIDENCE
 PROJECT NO.:
 FLOOR PLAN
 A2.1
 THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

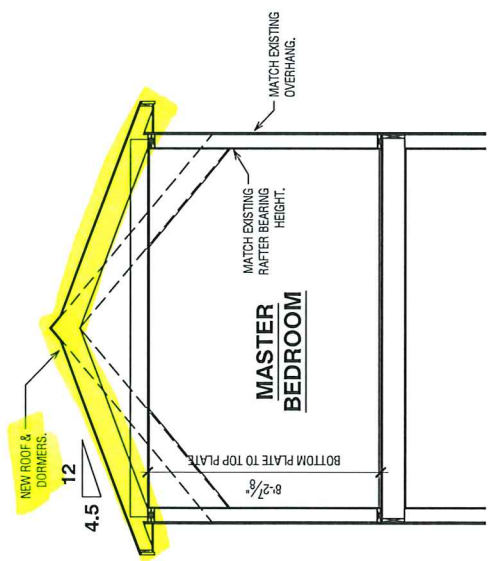


PORCH SECTION
SCALE: 1/2" = 1'-0"

WINDOW AWNING DETAIL
SCALE: 3/4" = 1'-0"



HOUSE MASTER BEDROOM / CLOSET SECTION
SCALE: 1/2" = 1'-0"



HOUSE MASTER BEDROOM SECTION
SCALE: 1/2" = 1'-0"

Google Maps Remington's River Inn



Image capture: Mar 2016 Images may be subject to copyright.

A American Marketing & Publishing

Street View - Mar 2016

