



**Village of Thiensville
Plan Commission
AGENDA**

Date:
Tuesday, February 11, 2025

LOCATION: 250 Elm Street, Thiensville, WI

Time: 6:00 PM

I. CALL TO ORDER

II. ROLL CALL

Chairman

John Rosing

**Director of Community
Services/Public Works**

Andy LaFond

Village Planner

Meredith Perks

Commissioners

Jeff Hershberger Joe Nelson

Rebecca Holyoke- M. Randy Pasternak
Odeja

Ken Kucharski Jerry Schmitz

III. CITIZENS TO BE HEARD

A. Open to any resident or taxpayer on items not subject to a public hearing: Please be advised per §19.84(2), information will be received from the public. Village policy limits a three (3) minute time period per person, with time extension by the presiding official's discretion or a vote of 2/3 of the Board or Committee; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments. Written comments on agenda items are encouraged to be sent and addressed to the intended body by noon on the day of the meeting. Comments received timely will be forwarded to all members of the body. If you wish to speak, you must pre-register by emailing the Village Clerk at clandisch@village.thiensville.wi.us by 4:00 PM on the day of the meeting or by signing in immediately prior to the meeting.

IV. APPROVAL OF MINUTES

A. January 14, 2025 (att)

V. BUSINESS

A. Review and recommendation to the Village Board an Ordinance Amendment regulating

Refuse Cart Screens (att)

B. Review and recommendation regarding amending the zoning code to allow for the keeping of domesticated chickens as an accessory use in the R1 and R2 zoning districts (att)

VI. STAFF REPORT

A. January 2025 (att)

VII. ADJOURNMENT

Colleen Landisch-Hansen, Village Clerk

February 7, 2025

Please advise the Thiensville Municipal Hall, 250 Elm Street (262-242-3720) at least 24 hours prior to the start of this meeting if you have disabilities and desire special accommodations.



VILLAGE OF THIENSVILLE
Plan Commission
MINUTES

DATE: Tuesday, January 14, 2025

LOCATION: 250 Elm Street, Thiensville, WI

TIME: 6:00 PM

I. CALL TO ORDER

II. ROLL CALL

Chairman

John Rosing

Director of Community Services/Public Works

Andy LaFond

Village Planner

Meredith Perks

Commissioners

Jeff Hershberger Joe Nelson (Excused)

Rebecca Holyoke- M. Randy Pasternak
Odeja

Ken Kucharski Jerry Schmitz

III. CITIZENS TO BE HEARD

A. Open to any resident or taxpayer on items not subject to a public hearing: Please be advised per §19.84(2), information will be received from the public. Village policy limits a three (3) minute time period per person, with time extension by the presiding official's discretion or a vote of 2/3 of the Board or Committee; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments. Written comments on agenda items are encouraged to be sent and addressed to the intended body by noon on the day of the meeting. Comments received timely will be forwarded to all members of the body. If you wish to speak, you must pre-register by emailing the Village Clerk at clandisch@village.thiensville.wi.us by 4:00 PM on the day of the meeting or by signing in immediately prior to the meeting.

Resident Ken Kucharski, 633 Lake Bluff Road, reported that a temporary repair to an entrance had been done at 113 Green Bay Road due to a customer fall. A full permanent repair is planned to be brought before the Commission in March.

Resident Jim Heyer, 226 W Alta Loma Circle, inquired about The Corner Development at the

intersection of Main Street and Freistadt Road.

Chairman Rosing noted that the topic of The Corner Development was not on the agenda for the Commission meeting, but offered to discuss the development with Mr. Heyer after the meeting was concluded.

IV. APPROVAL OF MINUTES

A. October 8, 2024 (att)

MOTION to approve by Commissioner Kucharski **SECONDED** by Commissioner Pasternak. **MOTION CARRIED UNANIMOUSLY.**

Aye: 6

No: 0

Abstain: 0

V. BUSINESS

A. Discussion and Action Regarding a Change to the Approved North Façade Plans Village Paint and Body 207 S Main Street (att)

Chad Kenmitz, President of Professional Consultants, Inc., explained the need for the change due to structural issues found on the North Side of the building that would not allow for the planned continuation of the corrugated metal and awning.

The proposed change would eliminate the north-facing extension due to lack of reinforcement in the original building construction.

MOTION to approve Change to the Approved North Façade Plans Village Paint and Body 207 S Main Street by Commissioner Pasternak **SECONDED** by Commissioner Holyoke-Odeja.

MOTION CARRIED UNANIMOUSLY.

Aye: 6

No: 0

Abstain: 0

B. Discussion and Action Regarding a Sign Application for Village Paint and Body 207 S Main Street (att)

Mr. Kenmitz explained the proposed design.

The design would include 18-inch channel letters mounted on the canopy base that will clamp

on and stand a few feet off the face of the building.

The design is compliant with size and lighting requirements, and a waiver is requested to allow it to extend past the awning edge.

MOTION to approve Sign Application for Village Paint and Body 207 S Main Street by Commissioner Kucharski **SECONDED** by Commissioner Schmitz. **MOTION CARRIED UNANIMOUSLY.**

Aye: 6

No: 0

Abstain: 0

C. Discussion and Action Regarding Site Plan and Architectural Approval (former body shop) Boucher Village Ford 121 North Main Street (att)

Mr. Kenmitz shared the site plan for Boucher Village Ford That involved removing an office addition and installing an overhead door to expand the service department.

The project also included flood-proofing requirements due to the building's location in a floodplain. The original approval of this structure required flood proofing. That previous Plan Commission approval should be applied to this remodel.

Commissioner Kucharski stated that it was good to see the floodplain considerations included as there had been instances of flooding at the dealership building in the past.

Village Planner Meredith Perks recommended approval subject to meeting the required flood proofing approved by the previous Plan Commission.

MOTION to approve Site Plan and Architectural Approval (former body shop) Boucher Village Ford 121 North Main Street by Commissioner Pasternak **SECONDED** by Commissioner Holyoke-Odeja. **MOTION CARRIED UNANIMOUSLY.**

Aye: 6

No: 0

Abstain: 0

VI. STAFF REPORT

None

VII. ADJOURNMENT

MOTION to Adjourn at 6:28 PM by Commissioner Pasternak **SECONDED** by Commissioner Kucharski. **MOTION CARRIED UNANIMOUSLY.**

Aye: 6

No: 0

Abstain: 0

MEMORANDUM

To: Village of Thiensville Plan Commission

From: Andy LaFond, Director of Community Services/Public Works

Date: February 11, 2025

Subject: Recommendation for Ordinance Amendment – Refuse Container Screening Fences

Background:

Garbage and recycling carts stored in front yards have been a persistent concern among residents and the Village Board. While Village Ordinance § 30-91 mandates that refuse containers be screened from street view, compliance has been inconsistent, and enforcement has proven challenging.

To address this issue, a proposed ordinance amendment clarifies the use of screening structures as a permitted accessory use in R-1 and R-2 districts without requiring a zoning or building permit. This approach removes regulatory barriers while promoting compliance with the existing screening requirement.

Proposed Ordinance Amendment:

The amendment adds a provision to Zoning Code § 17.0603(E) outlining specific criteria for refuse container screening fences, screening walls, and architectural screenings:

- Maximum height of four feet.
- Total length not exceeding 14 feet, with no single side exceeding six feet.
- Extension of no more than six feet from the primary structure.
- Compatibility with the neighborhood and complementary to the primary structure.
- Secure installation to withstand wind.
- Exemption from zoning and building permits unless permanently attached to the primary structure.

This change is intended to facilitate compliance by making screening solutions more accessible to residents. Currently, any structure functioning as a refuse screen falls under the Village's fence regulations, requiring staff approval and a building permit. The proposed amendment removes this barrier, encouraging more residents to screen their refuse containers properly.

Discussion and Recommendation:

The proposed ordinance does not create a new use or allow previously prohibited structures. Instead, it streamlines the process for residents to install screening structures, aligning with the Village's goal of reducing visible refuse containers while maintaining neighborhood aesthetics.

Staff recommends that the Plan Commission review the proposed ordinance and forward a recommendation for approval to the Village Board.

Next Steps:

- Plan Commission discussion and recommendation to the Village Board.
- Public Hearing
- Public outreach to inform residents of the change and encourage compliance.

R-1 and R-2 Permitted accessory uses

Refuse container screening fences

Zoning code 17.0603 Yards

E. Screening Fences, Screening Walls and Architectural Screenings for Refuse Containers.

Screening walls, screening fences, and architectural screenings may be placed in the side or rear yard to hide refuse containers and recycling carts from street view, provided they meet all of the following conditions:

1. They do not exceed four feet in height.
2. They have a total length of no more than 14 feet, with no single side exceeding six feet.
3. They do not extend more than six feet from the primary structure.

Refuse container screening must be compatible with the neighborhood and complementary to the primary structure. It must also be secured to the ground to withstand wind. Screenings that meet these requirements are exempt from zoning and building permit requirements so long as they are not permanently attached to the primary structure. All screenings must comply with Village Ordinance § 30-91.

Village of Thiensville Plan Commission

2/11/2025

Examples of built in place and commercially available refuse cart screens.



MEMORANDUM

To: Thiensville Plan Commission

From: Andy LaFond, Director of Community Services

Date: February 11, 2025

Subject: Zoning Code Amendment – Keeping of Domesticated Chickens

Background/Analysis

In September 2024, the Village Board received a resident request to consider regulations for keeping domesticated chickens. Following discussion, the Village Board directed staff to draft an ordinance establishing regulations for backyard chickens. The proposed ordinance was reviewed at the November 18, 2024, Village Board meeting, where the Board directed staff to finalize an ordinance allowing backyard chickens in residential districts. At the January 3, 2025, Village Committee of the Whole meeting the Committee recommended the final version to the Village Board.

The proposed ordinance sets forth conditions for keeping domesticated chickens on single-family residential lots, including permitting requirements and regulations to ensure responsible care, minimal neighborhood impact, and compatibility with surrounding properties.

Key Regulations:

- **Number of Chickens:** Maximum of four (4) hens; roosters are prohibited.
- **Setbacks:**
 - Coops and pens must be:
 - At least 50 feet from a neighboring residential structure (excluding detached garages).
 - At least 20 feet from side or rear property lines.
 - At least 10 feet from the residence on the property where the chickens are kept.
 - At least 25 feet from the ordinary high-water mark of any lake, stream, creek, or river.
 - Not located in front or side yards.
- **Housing Requirements:**
 - Chickens must be kept in a secure coop and pen at all times.
 - **Coop size:** Minimum of 3 cubic feet per chicken.
 - **Pen size:** Minimum of 7 cubic feet per chicken.
 - **Nesting boxes:** At least one box per two chickens.
 - The total enclosure (coop and pen) must not exceed 40 square feet in total area or 6 feet in height.
 - The enclosure must be predator-proof, sanitary, and properly maintained.

- **Restrictions:**

- Onsite slaughtering and commercial use (e.g., selling eggs) are prohibited.
- Chickens must remain enclosed and cannot roam freely.
- Waste must be disposed of promptly to avoid odors or health risks.
- Coops must be constructed in a manner that complements the property and surrounding area, with final design approval at the discretion of the Village Zoning Administrator.

Plan Commission Consideration & Action Requested

The bulk of the proposed ordinance will reside in the general Village ordinances. However, because the zoning code currently does not list backyard chickens as a permitted accessory use, an amendment to the zoning code is required to add "Keeping of Domesticated Chickens" as a permitted accessory use in the **R-1 and R-2 Residential Districts**.

The Plan Commission is requested to review the zoning code amendment and make a recommendation to the Village Board. Village Board will hold a public hearing on February 17, 2025, to consider adoption of the ordinance.

VILLAGE OF THIENSVILLE

ORDINANCE NO. 2025-_____

**AN ORDINANCE AMENDING CHAPTER 17 AND CHAPTER 10 AS IT
RELATES TO THE KEEPING OF DOMESTICATED CHICKENS IN THE R-1
AND R-2 RESIDENTIAL ZONING DISTRICTS**

WHEREAS, the Village Board of the Village of Thiensville desires to modify the zoning code and Chapter 10 as it relates to the keeping of domesticated chickens in the R-1 and R-2 Residential Zoning Districts; and

WHEREAS, the Village Board finds that it is in the best interest of Village to adopt an ordinance related to the keeping of domesticated chickens; and

NOW, THEREFORE, the Village Board of the Village of Thiensville does hereby ordain as follows:

- 1. Chapter 17.0303(B)(7) is hereby created allowing the keeping of domesticated chickens as a “Permitted accessory Use” in the R-1 Single-Family Zoning District as follows:**

(7) The keeping of domesticated chickens provided that all of the requirements and permitting of Chapter 10-8.1 – 10-8.4 are in compliance and satisfied.

- 2. Chapter 17.0304(B)(9) is hereby created allowing the keeping of domesticated chickens as a “Permitted accessory Use” in the R-2 Single-Family Zoning District as follows:**

(7) The keeping of domesticated chickens provided that all of the requirements and permitting of Chapter 10-8.1 – 10-8.4 are in compliance and satisfied.

- 3. Chapter 10 – Animals Article 1 Sec 10-6 Keeping farm animals prohibited is hereby repealed and replaced with the following:**

Sec. 10-6.- Keeping of farm animals prohibited.

It shall be unlawful for any person or persons to keep, maintain or harbor farm animals on a property or in any residence, household or dwelling unit within the Village of Thiensville (except domesticated chickens compliant with section 10-8). "Farm animal" under this section includes, but is not limited to, chickens not in compliance with section 10-8, turkeys, geese, ducks or other domestic fowl, cattle, sheep, goats, mules, hogs, swine or wild animals such as mink, otter, foxes, skunks, raccoons or opossums.

- 4. Chapter 10-8 is hereby created as follows:**

Sec 10-8 KEEPING OF DOMESTICATED CHICKENS

10-8.1 Purpose and Definitions

10-8.2 Permitting

10-8.3 Conditions for Keeping Chickens

10-8.4 Inspection and Orders

10-8.1 Purpose and Definitions.

A. Purpose. The purpose of this section is to establish conditions under which small-scale keeping of domestic chickens for personal use and enjoyment may be permitted on lots zoned for single-family residential use in the R-1 and R-2 Zoning districts.

B. Definitions. In this section:

1. Abutting property. All real property that in any way shares a boundary with the real property of the applicant or permittee.
2. Chicken. A chicken female hen (*Gallus domesticus*) of any age, not crossbred with any other species, including chicks. "Chicken" shall be interpreted to encompass the singular and the plural.
3. Coop. An enclosed structure in which a chicken roosts or is housed.
4. Pen. For the purposes of this ordinance, a chicken pen is a secure, fully enclosed, and ventilated outdoor area attached to a chicken coop. The pen is designed to provide chickens with safe access to fresh air and space for physical activity.
5. Enclosure. For the purposes of this ordinance, an enclosure shall consist of a combination coop and run designed to house chickens in a secure and humane manner.

10-8.2 Permitting.

A. Permit and Compliance with Chapter Required.

1. No owner of real property shall keep, or allow to be kept a live chicken within the Village without a valid permit issued under this section.
2. No occupant of real property shall keep or allow to be kept a live chicken within the Village unless the occupant holds a valid permit issued under this section or the owner of the real property holds a valid permit issued under this section.
3. No owner or occupant of real property shall keep a live chicken within the Village contrary to the terms of this section or contrary to the terms of any permit issued under this section.
4. Nothing in this Section shall be interpreted to invalidate deed restrictions or other real property restrictions or covenants that may prohibit the keeping of chickens within local areas or subdivisions within the Village.

B. Procedure Governing Permits.

1. To apply for a permit under this section, the applicant must complete and submit the following to the Building Inspector:
 - a. An application form signed by all owners of record. If an owner of record is a

trust or business entity, the application form shall be signed by the trustee, a corporate officer, or member or manager of a limited liability entity. If the applicant is a tenant or occupant of the premises, the application form must be signed by the applicant and be countersigned by all owners of record as evidence of the owner's consent to the tenant or occupant obtaining a permit.

- b. The registration number of the applicant's completed Livestock Premises Registration with the Wisconsin Department of Agriculture, Trade, and Consumer Protection.
 - c. A non-refundable application fee of \$50 and annual renewal fee in the amount of \$25.
 - d. A site plan showing the location of all structures located on the applicant's real property, the location of all structures located on all abutting property, and the site of the proposed coop and run.
 - e. Drawings or photos of the coop and run design.
- 2. Each permit shall pertain to a single parcel of real property as set forth in the property tax records of the Village.
 - 3. A permit shall be issued only for a parcel which is zoned for single-family residential use. No permit shall be issued for any parcel which contains a condominium, duplex, or any type of multi-family residential use.
 - 4. Each permit shall allow the keeping of no more than four (4) chickens in strict compliance with the conditions set forth in subsection.
 - 5. A permit shall not be transferable in any way or manner.
 - 6. The permit year commences on January 1 and end on December 31 of each calendar year. Permits applied for after January 1 of a year will expire on December 31 of that year; permit fees shall not be pro-rated.
 - 7. If there are no changes to be made to the information submitted in the original application, a permittee shall renew the permit annually by paying the renewal fee. If the permittee wishes to make changes, the permittee shall submit a new full application.
- C. Revocation. In addition to all other remedies available to the Village, the Village shall revoke a permit issued under this section in the event that the Building Inspector has issued two or more violations of this Section to a permittee. Once a permit is revoked, it shall not be reissued.

10-8.3 Conditions for Keeping Chickens. The following conditions shall apply to each permit issued under this section:

- A. No roosters or other crowing fowl are permitted.
- B. Noise from chickens shall not be so loud as to disturb a person of ordinary

sensitivity.

- C. No chicken may be kept within a principal residence.
- D. Chickens shall be kept as pets and for personal use only. No owner shall sell or barter eggs or engage in chicken breeding or fertilizer production for commercial purposes.
- E. Chickens shall be housed in a chicken enclosure. Of which the coop shall be no less than three (3) cubic feet of space per chicken and must be connected to a secured and fully ventilated pen (also required) which contains not less than seven cubic feet of space per chicken and an appropriately sized nesting box (also required) at a rate of not less than one box per two birds. Chicken Enclosures shall be constructed as one structure that does not exceed 40 square feet and 6 feet in height and shall be properly sized as will permit full spread of the kept bird's wingspan and allow each chicken to walk and run. An existing garage, shed, or small structure may serve as a coop if compliant with the remaining terms and conditions of this Section.
- F. All coop/run enclosures associated with the keeping of chickens must be located at least 50 feet from a neighboring residential structure, not including a detached garage, at least twenty(20) feet from a side or rear property line and at least ten (10) feet from the residence on the property where the chickens, or other similar domesticated fowl, are kept. All coops are prohibited in street or side yards.
- G. Coops and pens shall not be located closer than 25 feet from the ordinary high-water mark of a lake, stream, creek or river.
- H. Upon death of a chicken, the permittee must promptly dispose of the chicken in a sanitary manner.
- I. The onsite slaughtering of chickens is prohibited.
- J. Chickens shall be kept and handled in a sanitary manner.
- K. Chickens must be kept in the coop/ run at all times. Chickens are prohibited from roaming free outside the coop/run. Chickens shall be secured in the coop during non-daylight hours.
- L. The coop and pen system shall be properly designed, laid-out and maintained as will provide safe and healthy living conditions for chickens while minimizing adverse impacts on the neighborhood through use of material, colors, architecture and special site design that are complimentary to the existing buildings on the premise and in the surrounding area. The Village Zoning Administrator shall have sole discretion for coop design and location.
- M. All coops must be clean, dry and kept in a neat and sanitary condition at all times.
- N. The coop shall be enclosed on all sides and have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator and bird-proof wire or fencing of no

more than one-inch openings.

- O. All enclosures must provide adequate ventilation as well as sun protection, and be sanitary, insulated, weatherproofed and impermeable to rodents, wild birds and predators, including dogs and cats. These enclosures must also be sound and moisture-proof and maintained in good repair with sufficient space for freedom of movement and retention of body heat with elevated perches for natural roosting position. The nesting boxes must be elevated off the ground.
- P. Provisions must be made for the daily removal and lawful disposal of chicken waste in order to prevent any adverse effects related to odor or unsanitary conditions.
- Q. Chickens shall not be turned loose or taken to the local humane society when no longer wanted.
- R. In addition to compliance with the requirements of this section, no one shall keep a chicken that causes any nuisance, unhealthy condition, creates a public health threat, or otherwise interferes with the normal use of property and the enjoyment of life by humans or other animals.

10-8.4 Inspection, Enforcement and Orders.

- A. The Village shall have the power, whenever it may deem reasonably necessary, to enter a structure or property where a chicken is kept to ascertain whether the permittee is in compliance with this Section. The permittee shall be responsible for all costs associated with inspections.
- B. In addition to all other remedies available to the Village, the Zoning Administrator or designee may issue orders requiring compliance with the provisions of this Section.
- C. Any person found keeping chickens in violation of any provision of this Section may be issued a citation and be subject to a forfeiture in an amount established under Section 1-15.
- D. Revocation. In the event any person is found to have violated this Section, or has been found to have violated any other provision of the Village of Thiensville Code of Ordinances arising from the keeping of chickens, three (3) or more times in any twelve (12) month period, the person's permit shall be revoked upon written notice by the Building Inspector served by certified mail or by posting conspicuously on the principal structure on the property in a place likely to be seen by the owner or occupant. The notice shall provide a brief description of the dates and nature of the violations. Prosecution of a forfeiture action shall not be a prerequisite to revocation, however, if the decision to revoke is not based upon convictions of offenses in municipal court, the notice of revocation shall state that the permittee may seek review of the decision to revoke by the Board of Review by filing a request for review with the Building inspector within fifteen (15) days of the date of the notice. Such request shall include a brief description of the reasons why the permit should not be revoked.

E. Other Enforcement. The enforcement provisions in this Section are not exclusive, but are in addition to any other forms of relief authorized by law, including, but not limited to injunctive relief.

5. Severability. If any provision of this ordinance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions of this ordinance.

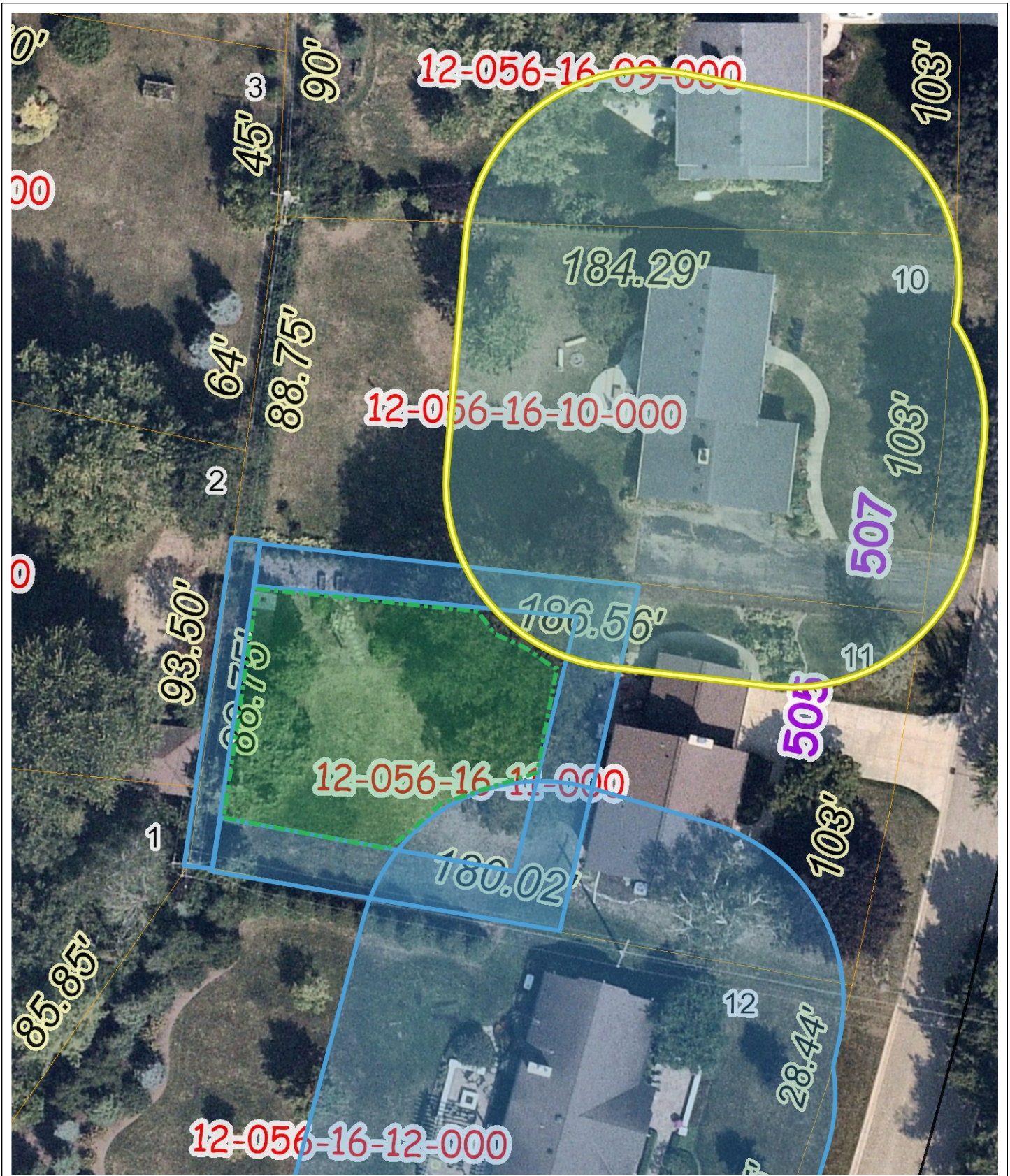
6. Effective date. This ordinance shall be effective upon publication or posting under applicable law.

PASSED AND ADOPTED this _____ day of _____, 2025.

John R. Rosing, Village President

ATTESTED TO:

_____, Village Clerk



Draft Chicken Ordinance

Green = Allowable Location by Draft Ordinance

DISCLAIMER: The Village of Thiensville does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1 = 50'



Village of Thiensville

250 Elm Street
Thiensville, WI 53092
262-242-3720

Print Date: 11/15/2024

Chicken Enclosure examples that are coop and pen combinations required by the draft Ordinance.



Thiensville Plan Commission Staff Report - January 2025

Staff Approved Projects January 2025

Date	Address	Applicant	Project	Staff Approval	ZBOA	Approved	Denied
1/13/2025	232 E. Alta Loma Circle	Universal Windows Direct	Window replacement	x		x	
1/16/2025	330 Heidel Road	Everlight Solar	PV Solar Install	x		x	
1/31/2025	500 Lake Bluff Rd.	ISG - Spectrum	Street Opening	x		x	

Code Compliance January 2025

Community Services	Address	Owner	Complaint	Action
	211 E Freistadt	Derek Maul	Property Maintenance	Follow up email regarding schedule
	711 Heidel	Sara Hoffman	Garbage at Curb to Early	Email Sent, corrective action made

Police Department January 2025

Date	Location	Complaint	Action
1/29/2025	251 Elm St.	Car in park after hours	verbal warning given to RO, she left