



**Village of Thiensville
Plan Commission
AGENDA**

Date:
Tuesday, March 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. February 11, 2025 (att)

V. BUSINESS

A. Review and Action Regarding Front Porch Replacement at 225 Riverview Drive (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)

C. Review and Discussion Regarding the Addition of a Mixed-Use Zoning District (att)

VI. STAFF REPORT

A. February, 2025 (att)

VII. ADJOURNMENT

Colleen Landisch-Hansen, Village Clerk

March 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

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I. CALL TO ORDER

II. ROLL CALL

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Andy LaFond

Village Planner

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Commissioners

Jeff Hershberger Joe Nelson (Absent)

Rebecca Holyoke- M. Randy Pasternak
Odeja

Ken Kucharski Jerry Schmitz

III. CITIZENS TO BE HEARD

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John Grau, 120 N Orchard Street inquired about who owned the garbage carts, the Village or the homeowner.

Chairman Rosing clarified that the carts were distributed to residents by the Village and remain with the house, not the homeowner.

Mr. Grau expressed frustration over the new carts, arguing that previous systems were sufficient and questioned the necessity of concealing the carts.

Mr. Grau also shared the opinion that concealing the carts would be impractical in some homes and suggested the ordinance as written is overly restrictive.

Chairman Rosing thanked Mr. Grau for his comments.

IV. APPROVAL OF MINUTES

A. January 14, 2025 (att)

MOTION to approve by Commissioner Holyoke-Odeja **SECONDED** by Commissioner Kucharski. **MOTION CARRIED UNANIMOUSLY.**

Aye: 6

No: 0

Abstain: 0

V. BUSINESS

A. Review and recommendation to the Village Board an Ordinance Amendment regulating Refuse Cart Screens (att)

Director LaFond reminded the commission that Village ordinance requires that refuse carts be screened from view from the street. Director LaFond noted that the ordinance amendment as proposed here is simply an option the Plan can recommend for consideration. The intent of the Ordinance amendment would be to provide a visual screen or fence as an option to conceal refuse carts and is intended to remove any fees or permit requirements as long as the screen or fence conforms to the ordinance.

Director LaFond also mentioned the broken window effect, where one person not concealing their cart leads to others following suit.

Director LaFond acknowledged the challenges of enforcing the ordinance and the preference for education over penalties.

MOTION to Approve Recommendation to the Village Board an Ordinance Amendment regulating Refuse Cart Screens by Commissioner Pasternak **SECONDED** by Commissioner Schmitz. **MOTION CARRIED UNANIMOUSLY.**

Aye: 6

No: 0

Abstain: 0

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)

Director LaFond summarized the background behind the proposed amendment and how it arrived in front of the Commission.

Commissioner Pasternak asked if there would be a fee associated with the keeping of chickens.

Director LaFond clarified that yes, there would be a \$50 application and a \$25 annual renewal fee.

Commissioner Schmitz asked if four chickens was a magic number for some reason. Director LaFond stated the number was used after a review of other communities ordinances.

Commissioner Pasternak asked for confirmation that potential owners would not be permitted to sell the eggs produced by the chickens and Director LaFond confirmed that is correct.

Commissioner Pasternak also asked if the desire for chickens was more as a hobby or interest.

Chairman Rosing answered that one of the Board of Trustees members said that it's something that people want to have more control over where their food comes from, what the chickens would be fed, and therefore what the eggs produced would be like.

Director LaFond also clarified that this proposed amendment would only apply to chickens and no other farm animals and that it would not allow for roosters to be kept.

Commissioner Schmitz questioned if predator proof means fully enclosed.

Director Lafond replied that it does.

Commissioner Holyoke-Odeja questioned how the setback requirements were determined.

Director LaFond answered that the setback distance starting point came from other municipalities ordinances. It was adjusted from there to strike a balance between not forcing the coop location to be right up against a home while also not placing it too close to neighboring property.

Commissioner Hershberger raised some additional concerns such as increased rodent issues due to the presence of chicken feed, the unsanitary nature of chicken waste, the ambiguity of the noise section of the amendment, and potential complaints from residents who are unable to keep chickens due to setbacks while their neighbors around them are able.

Director LaFond noted that the amendment includes provisions for daily removal of chicken waste, the need for secure, predator-proof enclosures, and that the language around noise is consistent with other Village ordinances.

Commissioner Kucharski shared that residents who he asked for their opinion on the keeping of

chickens have mostly questioned why rather than been against or in favor.

Commissioner Holyoke-Odeja posited that some residents may want to keep chickens as the eggs produced are of a preferred quality and flavor.

MOTION to Recommend Amending the Zoning Code to Allow for the Keeping of Domesticated Chickens as an Accessory use in the R1 and R2 Zoning Districts by Commissioner Holyoke-Odeja **SECONDED** by Chairman Rosing. **MOTION IS DEFEATED.**

Aye: 3 (Schmitz, Rosing, Holyoke-Odeja)

No: 3 (Hershberger, Pasternak, Kucharski)

Abstain: 0

VI. STAFF REPORT

A. January 2025 (att)

VII. ADJOURNMENT

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

Aye: 6

No: 0

Abstain: 0



Village of Thiensville

Small Projects Application

PLEASE COMPLETE THIS FORM FOR ALL PROJECTS THAT CAN BE APPROVED AT THE STAFF LEVEL. THIS INCLUDES FENCES, DECKS, SWINGSETS, HOT TUBS, EGRESS WINDOWS AND PARKING PADS.

Property Address: 225 River View Dr., Thiensville WI 53092

Tax Key

Current Zoning

Property Owner

Christ + Kelsy Bohl

Name

225 River View Dr

Address

1262-501-0857

Phone

Kelsy.Bohl@cuw.edu

Email address

Applicant Same as owner

John's Custom Carpentry LLC

Name

4463 5072nd St.

Address

414-378-0295

Phone

Jccowner1959@gmail.com

Email address

Application checklist

Submit drawings and/or other descriptions of project

Complete building permit application

Is property in Thiensville's Historic District?

Yes

No

If yes, you must apply for a Certificate of Appropriateness with the Historic Preservation Commission. Complete the COA application. Attendance at HPC meeting is required.

OVER

Project description

Please describe your project in detail. Include details about height and dimensions, color, materials used and setbacks from the street and property lines. Provide any information that you believe will assist staff in reviewing and approving your request.

We are keeping the same look of Existing Porch. Same size, Replacing rotten frame with treated lumber. If can not use existing footings will install new ones. install AZEK decking on floor, installing new cedar Post in corner like in pictures, New step to meet code. install a cedar Railing with black Bulwarks to meet code complaint Spirting around deck is 1x4 painted white

John Kenap
Applicant's Signature

2-24-2025
Date

The applicant is responsible to pay planner charges after a first half hour that will be paid by the village. Work cannot begin until staff approval and paid building permit approval.

=====

VILLAGE STAFF REVIEW

- Application Complete. Items needed: Drawing with setbacks
- Submitted to Village Planner on 2/26/2025 Approved by Planner on _____
- Historic Preservation Approval (if needed) on _____

ADDITIONAL REMARKS/CONDITIONS:

Village Administrator

Date

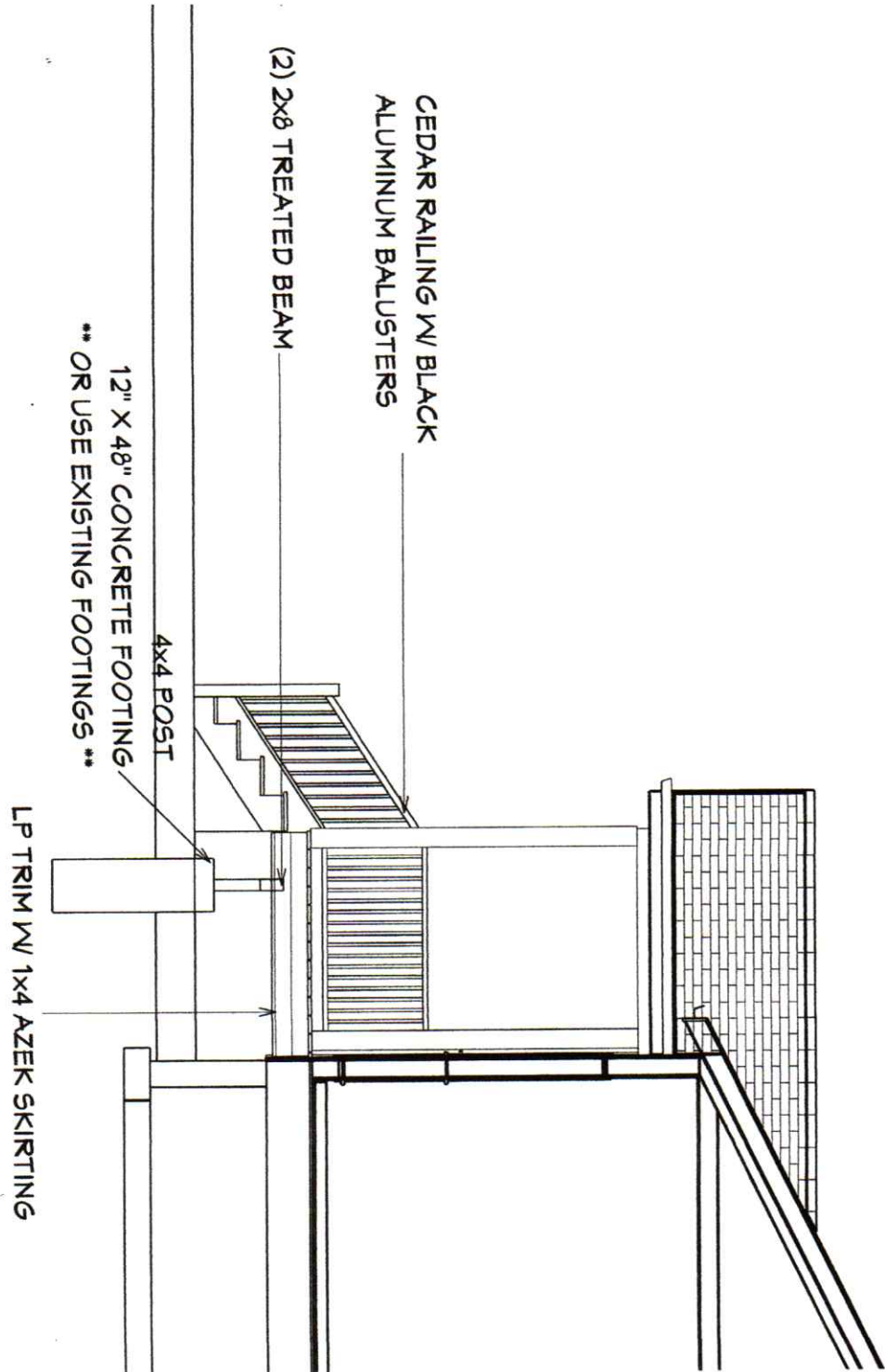
Revised Dec. 18, 2019



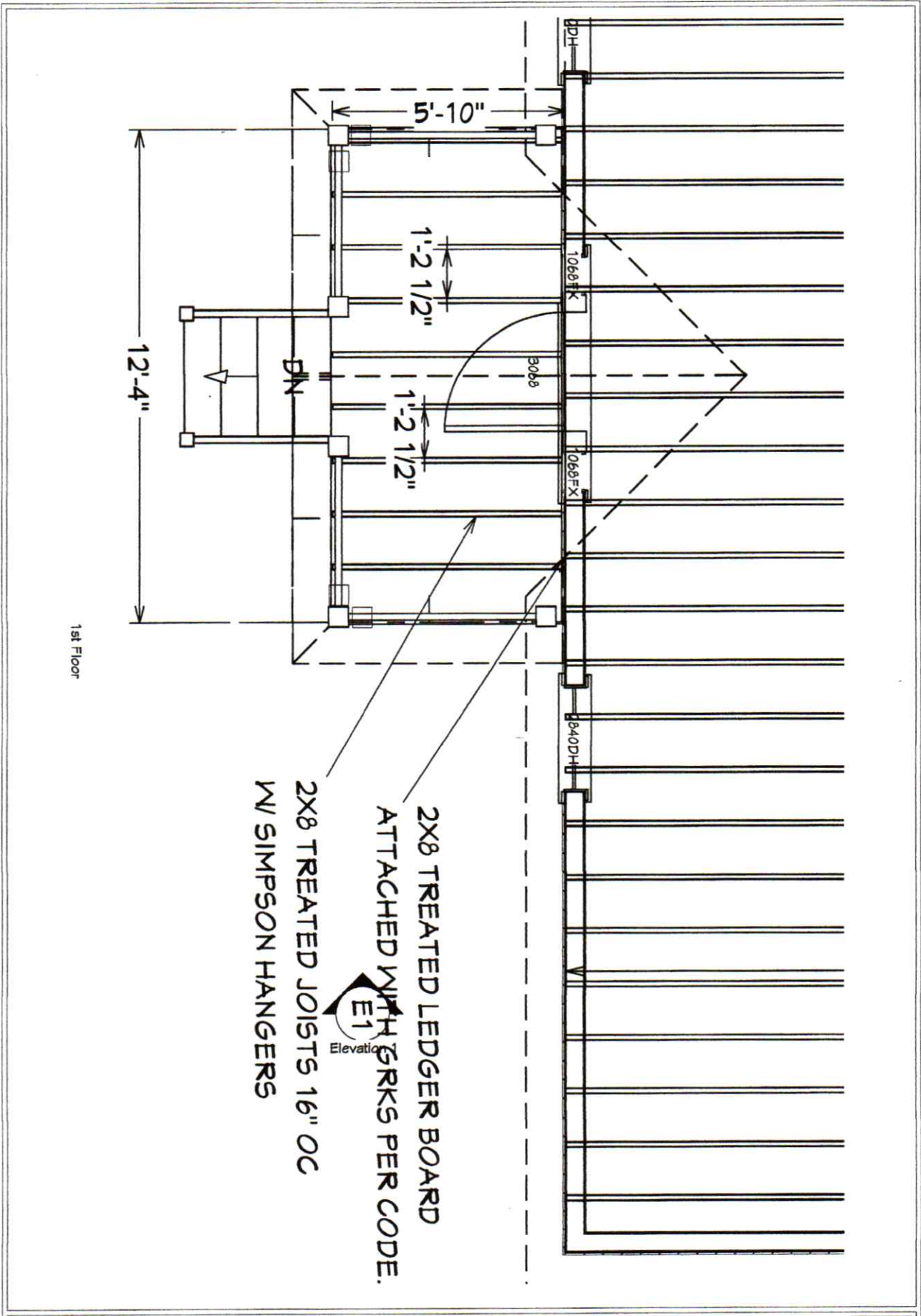
Dr
onsin
et View
more dates



Elevation 1



DRAWINGS PROVIDED BY:	REVISION TABLE		
	NUMBER	DATE	REVISION BY / DESCRIPTION
DATE: 2/21/2025			
SCALE:			
SHEET:			



2X8 TREATED LEDGER BOARD
 ATTACHED WITH BRKS PER CODE.
 2X8 TREATED JOISTS 16" OC
 W/ SIMPSON HANGERS



1st Floor

SHEET: P-1	DATE: 2/21/2025	DRAWINGS PROVIDED BY: JOHNS CUSTOM CARPENTRY LLC (414) 543-3284	ADDRESS OF JOBSITE:	REVISION TABLE				
	SCALE: NOT SCALE			NUMBER	DATE	REVISED BY	DESCRIPTION	

262-420-4732 SAFEbuilt.	WI UNIFORM PERMIT APPLICATION Wlinspections@safebuilt.com <i>Inspections need to be called in by 4 pm for next business day inspections.</i>	PERMIT NO. _____ TAXKEY# _____
Village of THIENSVILLE OF <u>Thiensville</u> COUNTY: <u>Ozaukee</u>	<input type="checkbox"/> TOWN <input checked="" type="checkbox"/> VILLAGE <input type="checkbox"/> CITY PROJECT LOCATION (Building Address) <u>225 RiverView Dr</u> PROJECT DESCRIPTION <u>Porch repair/Replacement</u> <input type="checkbox"/> COMMERCIAL <input checked="" type="checkbox"/> ONE & TWO FAMILY	
Owner's Name <u>Chris + Kelsy Bohl</u>	Mailing Address - Include City & Zip <u>225 RiverView Dr</u>	Telephone - Include Area Code <u>1-262-561-0957</u>
Construction Contractor (DC Lic No.) <u>Johns Custom Carpentry LLC</u>	Mailing Address - Include City & Zip <u>4463 5072 St. Crapantia WI 53220</u>	Telephone - Include Area Code <u>144-378-0295</u>
Dwelling Contractor Qualifier (DCQ Lic No.) <u>DCQ-020800257</u>	Dwelling Contractor Qualifier shall be an owner, CEO, SOB or employee of Dwelling Contractor <u>John KonoP</u>	Telephone - Include Area Code <u>1-44-378-0295</u>
Plumbing Contractor (Lic No.)	Mailing Address - Include City & Zip	Telephone - Include Area Code
Electrical Contractor (Lic No.)	Mailing Address - Include City & Zip	Telephone - Include Area Code
HVAC Contractor (Lic No.)	Mailing Address - Include City & Zip	Telephone - Include Area Code

PROJECT INFORMATION			Subdivision Name			Lot No.		Block No.																						
Zoning District	Lot Area	Sq. Ft.	N.S.E.W. Setbacks	Front Ft.	Rear Ft.	Left Ft.	Right Ft.																							
1a. PROJECT	3. TYPE	6. STORIES	9. HVAC EQUIPMENT		12. ENERGY SOURCE																									
<input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Raze <input type="checkbox"/> Alteration <input checked="" type="checkbox"/> Repair <input type="checkbox"/> Move <input checked="" type="checkbox"/> Other <u>Porch</u>	<input checked="" type="checkbox"/> Single Family <input type="checkbox"/> Two Family <input type="checkbox"/> Multi <input type="checkbox"/> Commercial	<input type="checkbox"/> 1-Story <input checked="" type="checkbox"/> 2-Story <input type="checkbox"/> Other	<input type="checkbox"/> Forced Air Furnace <input type="checkbox"/> Radiant Baseboard or Panel <input type="checkbox"/> Heat Pump <input type="checkbox"/> Boiler <input type="checkbox"/> Central Air Conditioning <input type="checkbox"/> Other		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>Fuel</td> <td>Nat. Gas</td> <td>L.P.</td> <td>Oil</td> <td>Elec. *</td> <td>Solid</td> <td>Solar</td> </tr> <tr> <td>Space Htg</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Water Htg</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>					Fuel	Nat. Gas	L.P.	Oil	Elec. *	Solid	Solar	Space Htg	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water Htg	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Water Htg	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																								
1b. GARAGE	4. CONST. TYPE	7. FOUNDATION		10. PLUMBING		* <input type="checkbox"/> Dwelling unit will have 3 kilowatt or more installed electric space heater equipment capacity.																								
<input type="checkbox"/> Attached <input checked="" type="checkbox"/> Detached	<input type="checkbox"/> Site Constructed <input type="checkbox"/> Mfd. UDC <input type="checkbox"/> Mfd. HUD	<input type="checkbox"/> Concrete <input type="checkbox"/> Masonry <input type="checkbox"/> Treated Wood <input type="checkbox"/> ICF <input type="checkbox"/> Other		Sewer <input type="checkbox"/> Municipal <input type="checkbox"/> Septic No.																										
2. AREA	5. ELECTRICAL	8. USE		11. WATER		13. HEAT LOSS (Calculated)																								
Basement _____ Sq. Ft. Living Area _____ Sq. Ft. Garage _____ Sq. Ft. Other _____ Sq. Ft. TOTAL _____	Entrance Panel Size: _____ amp Service: ___ New ___ Rewire _____ Phase _____ Volts ___ Underground ___ Overhead Power Company:	<input type="checkbox"/> Seasonal <input type="checkbox"/> Permanent <input type="checkbox"/> Other		<input type="checkbox"/> Municipal Utility <input type="checkbox"/> Private On-Site Well		Total _____ BTU/HR																								
						14. ESTIMATED COST																								
						\$ <u>20,000.00</u>																								

I understand that I am subject to all applicable codes, laws, statutes and ordinances, including those described on the Notice to Permit Applicants form; am subject to any conditions of this permit; understand that the issuance of this permit creates no legal liability, express or implied, on the state or municipality; and certify that all the above information is accurate. If one acre or more of soil will be disturbed, I understand that this project is subject to ch. NR 151 regarding additional erosion control and stormwater management and the owner shall sign the statement on the Notice to Permit Applicants form. I expressly grant the building inspector, or the inspector's authorized agent, permission to enter the premises for which this permit is sought at all reasonable hours and for any proper purpose to inspect the work which is being done.

I vouch that I am or will be an owner-occupant of this dwelling for which I am applying for an erosion control or construction permit without a Dwelling Contractor Certification and have read the cautionary statement regarding contractor responsibility on the Notice to Permit Applicants form.

APPLICANT (PRINT): John KonoP **SIGN:** [Signature] **DATE:** 2-24-2025

APPROVAL CONDITIONS This permit is issued pursuant to the attached conditions. Failure to comply may result in suspension or revocation of this permit or other penalty. Owner/Builder solely responsible for compliance with all applicable State & Local Building and Zoning codes.

INSPECTIONS NEEDED Building Footing Foundation Rough Insulation Bsmt. Fl. Final
 Electric Rough Service Final Plumbing Rough Underfloor Final HVAC Rough Final

FEES:	PERMIT(S) ISSUED	SEAL NO. _____	Municipality No. _____
Building Fee _____ Zoning Fee _____ WI Seal _____ Electric Fee _____ Plumbing Fee _____ HVAC Fee _____ Adm. Fee _____ Other _____ Total _____ \$ 0.00	Bldg. # At top of form _____ Zoning # _____ Elec. # _____ Plmb. # _____ HVAC # _____	RECEIPT CK # _____ Amount \$ _____ Date _____ From _____ Rec By. _____	
		PERMIT EXPIRATION: Permit expires two years from date issued unless municipal ordinance is more restrictive.	PERMIT ISSUED BY MUNICIPAL AGENT: Name _____ Date _____ Certification No. _____

**225 RIVERVIEW ROAD
 FRONT PORCH REPLACEMENT**

To: Thiensville Plan Commission	Prepared by: Andy LaFond, Director of Community Services
Date: March 11, 2025	
Applicant:	John's Custom Carpentry LLC
Status of Applicant:	Contractor
Location:	225 Riverview
Existing Zoning:	R-2 Single Family Residential District
Requested Action:	Approval Porch Replacement

Report:

The applicant proposes to replace the existing front porch at 225 Riverview with a new porch of similar architecture and size. The project will include:

- Removal of the existing porch
- Replacement of rotten framing with treated lumber
- Installation of Azek decking
- Cedar railing with black balusters
- Painted white skirting
- New porch will connect into the roofline

The proposed materials and design maintain compatibility with the architectural character of the neighborhood and the existing home.

Staff Comments:

The project meets zoning and building code requirements and does not increase nonconformity so long as the porch remains behind the 25 ft front yard setback or within the existing front porch footprint.

Recommendation:

Staff recommends approval, subject to the condition that the applicant provides a drawing showing setback measurements and secures a building permit prior to construction.

VILLAGE OF THIENSVILLE

ORDINANCE NO. 2025-01

**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

MEMORANDUM

To: Thiensville Village Board
From: Andy LaFond, Director of Community Services
Date: February 14, 2025
Subject: Ordinance for Residential Backyard Chickens

Meeting Information:

Date: February 17, 2025
Time: 6:00 PM

Background/Analysis:

In September, the Village Board received a resident request to consider regulations for keeping domesticated chickens. Following this request, the Board directed staff to prepare a draft ordinance for discussion. The draft ordinance was reviewed at the November 18, 2024, Village Board meeting. After discussion, a motion was made to direct staff to finalize an ordinance amending the Village Code to allow backyard chickens.

The finalized ordinance, reviewed by the Village Attorney, was recommended to the Village Board by the Committee of the Whole on February 3, 2025.

The bulk of the proposed ordinance falls under the section of the Village Code addressing the keeping of animals. Additionally, the ordinance amends the zoning code to add "The Keeping of Domesticated Chickens" as a permitted accessory use in the R-1 and R-2 zoning districts. Because this is a zoning code amendment, it was presented to the Plan Commission for recommendation to the Village Board. However, the Plan Commission's motion to approve the amendment resulted in a tie vote, thereby failing to pass.

The proposed ordinance establishes conditions under which domesticated chickens may be kept on single-family residential lots. It includes permitting requirements and specific regulations to ensure proper care, minimal disruption to neighbors, and compatibility with the surrounding neighborhood.

Key regulations include:

- **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.

Action Requested

The Village Board is requested to discuss and take action regarding the proposed ordinance amendments.



VILLAGE OF THIENSVILLE
Plan Commission
MINUTES

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)

Director LaFond summarized the background behind the proposed amendment and how it arrived in front of the Commission.

Commissioner Pasternak asked if there would be a fee associated with the keeping of chickens.

Director LaFond clarified that yes, there would be a \$50 application and a \$25 annual renewal fee.

Commissioner Schmitz asked if four chickens was a magic number for some reason. Director LaFond stated the number was used after a review of other communities ordinances.

Commissioner Pasternak asked for confirmation that potential owners would not be permitted to sell the eggs produced by the chickens and Director LaFond confirmed that is correct.

Commissioner Pasternak also asked if the desire for chickens was more as a hobby or interest.

Chairman Rosing answered that one of the Board of Trustees members said that it's something that people want to have more control over where their food comes from, what the chickens would be fed, and therefore what the eggs produced would be like.

Director LaFond also clarified that this proposed amendment would only apply to chickens and no other farm animals and that it would not allow for roosters to be kept.

Commissioner Schmitz questioned if predator proof means fully enclosed.

Director Lafond replied that it does.

Commissioner Holyoke-Odeja questioned how the setback requirements were determined.

Director LaFond answered that the setback distance starting point came from other municipalities ordinances. It was adjusted from there to strike a balance between not forcing the coop location to be right up against a home while also not placing it too close to neighboring property.

Commissioner Hershberger raised some additional concerns such as increased rodent issues due to the presence of chicken feed, the unsanitary nature of chicken waste, the ambiguity of the noise section of the amendment, and potential complaints from residents who are unable to keep chickens due to setbacks while their neighbors around them are able.

Director LaFond noted that the amendment includes provisions for daily removal of chicken waste, the need for secure, predator-proof enclosures, and that the language around noise is consistent with other Village ordinances.

Commissioner Kucharski shared that residents who he asked for their opinion on the keeping of chickens have mostly questioned why rather than been against or in favor.

Commissioner Holyoke-Odeja posited that some residents may want to keep chickens as the eggs produced are of a preferred quality and flavor.

MOTION to Recommend Amending the Zoning Code to Allow for the Keeping of Domesticated Chickens as an Accessory use in the R1 and R2 Zoning Districts by Commissioner Holyoke-Odeja **SECONDED** by Chairman Rosing. **MOTION IS DEFEATED.**

Aye: 3 (Schmitz, Rosing, Holyoke-Odeja)

No: 3 (Hershberger, Pasternak, Kucharski)

Abstain: 0

VI. STAFF REPORT

A. January 2025 (att)

VII. ADJOURNMENT

Memorandum

Village of Thiensville Plan Commission

Date: March 11, 2025

Re: Mixed Use Zoning Districts for Village of Thiensville Zoning Code

There are several areas within the Village that could support mixed-use development. The Thiensville Crossing TID Plan recommends a blend of residential, commercial, and employment uses. Additionally, the 2005 Mequon-Thiensville Town Center Guidelines advocate for mixed-use development. The Village of Thiensville's 2035 Comprehensive Plan, adopted in 2008 as part of the Ozaukee County Multi-Jurisdictional Comprehensive Plan, calls for the development of mixed-use areas, particularly within the Town Center, proposing an integration of residential, commercial, and civic spaces to create a vibrant, pedestrian-friendly environment. The plan also recommends updating zoning regulations to facilitate such development, with the goal of enhancing community engagement and economic vitality.

However, the Village has not yet established a zoning district to support this type of development. Currently, in the village our only zoning tool used to achieve this is the Planned Development Overlay (PDO). Adopting a mixed-use district would better define our goals and regulations for implementing such developments. Mixed-use zoning is a critical next step in advancing the Thiensville Crossing TID District. The Village has explored various options for creating mixed-use districts with regulations that promote the desired development while being sensitive to specific contexts, surrounding uses, and the scale of development within the Village.

In the document below, the Village has introduced regulations to establish both a Central Mixed-Use District and a Neighborhood Mixed-Use District. The Central Mixed-Use District would be applied to areas designated for higher density, fostering a vibrant business or downtown-style district. The Neighborhood Mixed-Use District would be used in areas capable of accommodating a mix of uses but located in transitional zones from more residential areas, ensuring compatibility with surrounding lower-intensity uses.

CMU – Central Mixed Use District

This district is intended to permit downtown commercial and mixed-use development at an intensity which provides significant incentives for infill development, redevelopment, and the continued economic viability of existing development in a modern urban downtown

development pattern that is compatible with traditional characteristics of Thiensville. Residential uses are intended to occur at a density of 50 units per acre.

A. Permitted Uses:

1. Townhouse.
2. Apartments.
3. Mixed-Use Building.
4. Live/Work Unit.
5. Office.
6. Personal or Professional Service.
7. Indoor Sales or Service.
8. Restaurants, Taverns, and Indoor Commercial Entertainment.
9. Commercial Indoor Lodging.
10. Indoor Maintenance Service (Non-Residential, Non-Vehicle).
11. Indoor Institutional.
12. Passive Outdoor Recreation.
13. Active Outdoor Recreation.

B. Permitted Accessory Uses:

1. Electric Vehicle Charging.
2. Home Occupation.
3. Communication Antenna.
4. On-Site Parking Lot.
5. On-Site Structured Parking.
6. Short-Term Residential Rental.
7. Small Solar Energy System.
8. Accessory Residential Structure.
9. Accessory Nonresidential Structure.

C. Primary Uses Permitted Only as Conditional Uses:

1. Boarding House Living.
2. Artisan Production Shop.
3. Physical Activity Studio.
4. Outdoor Commercial Entertainment.
5. Community Living Arrangement (9 to 15 Residents).
6. Community Living Arrangement (16+ residents).
7. Communication Tower.
8. Off-Site Parking Lot.
9. Off-Site Parking Structure.
10. Coffee Roasting for On-Premises Sales.

11. Commercial Kitchen.
 12. Drive Through & In-Vehicle Sales or Service for banks or financial institutions only.
- D. Accessory Uses Permitted Only as Conditional Uses:
1. Incidental Outdoor Sales and Display.
 2. Incidental Outdoor Storage.
- E. Temporary Uses:
1. Farmers' Market.
 2. Garage Sale.
 3. Temporary On-Site Construction Storage, Project Office, and Real Estate Sales.
 4. Temporary Outdoor Assembly.
 5. Temporary Outdoor Sales.
 6. Temporary Refuse Container.
 7. Temporary Relocatable Building/Structure.
- F. Use Regulations
1. Buildings with frontage on Freistadt Road and Main Street must be mixed use. The frontage adjacent to Freistadt Road and Main Streets must have 50% of first floor square footage as active, non-residential use.
- G. Lot Area and Width:
1. Minimum Lot Area: 6,000 square feet
 2. Minimum Lot Width: 50 feet
 3. Minimum Lot Depth: 120 feet
 4. Maximum Lot Coverage: 90% of Lot Area
 5. Minimum Greenspace/Impervious Coverage: 10% of Lot Area
- H. Building Height & Dimensions:
1. Maximum Principal Building Height: 50 feet (Not more than 4 stories)
 2. Minimum Principal Building Height: 25 feet (Not less than 2 stories)
 3. Maximum Principal Building Length at Street Frontage: 275 feet
 4. Maximum Accessory Structure Height: 20 feet
- I. Setback and Yards:
1. Front Setback
 - i. Minimum: 0 feet
 - ii. Maximum: 15 feet
 2. Minimum Side Setback: 0 feet
 3. Minimum Rear Setback: 10 feet
 4. Street Side Setback (Corner Lots)
 - i. Minimum: 0 feet
 - ii. Maximum: 15 feet

J. Development Standards Applicable to the CMU District

Any development occurring within a CMU District must comply with the lot area, height, and setback standards set forth in this district, new construction must conform to the following design standards

1. Windows. All façades shall consist of a minimum percentage of windows or doors to allow views into and out of the building's interior and to promote a visual connection to the street. The minimum percentage of windows or doors shall include trim but exclude gables.
 - i. Ground floor, nonresidential uses: The total area of windows and doors shall comprise a minimum of 40 percent of the ground floor façade area containing the nonresidential use.
 - ii. Ground floor, residential uses: The total area of windows and doors shall comprise a minimum of 20 percent of the ground floor façade area containing the residential use.
 - iii. Upper floors, all uses: The total area of windows and doors shall comprise a minimum of 20 percent of the total façade area above the ground floor.
2. Building Facades. Buildings must either:
 - i. Utilize a building style that clearly creates a base, mid-section, and top element. This can be done with elements such as, but not limited to: change of material, creating bump-out sections for the base, installation of a band around the building, and the addition of a roof element such as a cornice
 - ii. Create an undulating and articulated building façade that provides visual interest and variation across all elevations. All rooflines must complement the façade by including distinct design elements, such as gables, cornices, parapets, or slopes, to avoid monotony. Façades shall not exceed 40 feet in length without architectural articulation, which may include:
 1. Recesses or projections that step back or project a portion of the main façade plane.
 2. Recesses or projections of upper floors from the ground floor façade plane.
 3. Vertical division using different textures or materials.
 4. Division of the façade into individual units through the use of windows, entrances, arcades, porches, decks, balconies, lighting, etc.

5. Roof form variations such as the inclusion of dormers, change in roof lines, or change in roof type.
3. Primary Entrances.
 - i. Primary entrances shall be oriented with the following hierarchy:
 1. If located along Main Street, the primary entrance shall be oriented towards Main Street.
 2. If located along Freistadt Road, the primary entrance shall be oriented towards Freistadt Road.
 3. If located along Green Bay Road, the primary entrance shall be oriented towards Green Bay Road.
 4. If located along any other street, the primary entrance may be oriented toward the front yard of the property.
 - ii. The main entrance shall be clearly defined and accentuated through the use of detailing, distinctive materials, and/or colors, projections or recesses, porticos, covered entrances, stoops, or other features as deemed appropriate by the Zoning Administrator.
 - iii. Façades on multiple-tenant buildings should be broken into design elements that reflect individual tenant spaces through staggering of vertical façade planes, window/door groupings, and awnings.
4. Building Materials.
 - i. All façade elevations visible from a public right-of-way in the CMU District must be comprised of high quality materials as defined in this chapter.
 - ii. High quality materials are defined as:
 1. Brick;
 2. Stone;
 3. Stucco;
 4. Brick Veneer;
 5. Stone Veneer;
 6. Metal paneling that imitates stucco siding.
 7. Engineered wood-look panels
 8. Decorative metal paneling
 9. Fiber cement or similar composite wood siding
 - a. Fiber cement or similar products are only permitted on residential buildings or the upper floors of mixed use.
5. Screening is required for mechanical equipment, loading docks, and waste receptacles.

6. Sidewalk and pedestrian access shall be provided from the main entrance to parking areas and the public sidewalk.
7. Parking. Developments in Central Mixed Use districts must adhere to Section 17.0503 Parking Requirements or submit a parking demand justification to the Zoning Administrator for approval.
 - i. On-site parking should be located either behind the primary building and screened from the street by the primary building or built underground where feasible. If on-site parking is located in the side yard, it must be adequately screened as deemed by the Zoning Administrator. On-site parking is prohibited in the front yard between the building façade and public street.
8. Bicycle Parking. For properties within the CMU and NMU districts, designated bicycle parking spaces shall be provided in accordance with the requirements of this subsection. Bicycle facilities shall be of high quality and reflect the architecture of the primary structure.
 - i. Minimum required spaces.
 1. Commercial uses. Bicycle parking facilities should be provided a minimum of two spaces, with additional spaces provided at a rate of one bicycle space per 12 vehicle parking spaces.
 2. Multifamily residential uses. Bicycle parking facilities should be provided at a rate of one bicycle space per ten dwelling units. A minimum of four bicycle spaces shall be provided.
 3. Mixed uses. Bicycle parking facilities should be provided at a rate of one bicycle space per residential unit. A minimum of four bicycle spaces shall be provided for each principal nonresidential use.
 4. For buildings adjacent to the Ozaukee Interurban Trail with frontage on Freistadt Road, Buntrock Avenue, or Division Street, must provide an additional five bicycle parking spaces per principal building.
 - ii. Location. Bicycle parking shall be conveniently located near building entry points. Bicycle parking placement shall not conflict with pedestrian travel. Bicycle facilities provided in the public right-of-way may be used in parking calculations, so long as the entry point providing primary access to the building is set back no more than 20 feet from the front lot line.
 - iii. Facility. Bicycle parking shall be provided using bicycle rack or locker-type parking facilities and shall be designed to allow a bicycle frame to

be locked to a structure attached to the pavement or the building. Indoor bicycle parking for residential spaces is required for residential or mixed-use development and residents must be provided 24-hour access to bicycle parking areas.

9. Landscaping. For properties within the CMU District, these landscape standards exist independently of other standards this Code.
 - i. Building foundation landscape requirements. Buildings shall meet the following standards around the foundation of buildings and structures.
 1. At least 50 percent of the foundation of the building must include some kind of planting or landscaping feature.
 2. Plantings cannot include canopy trees or large evergreen trees.
- K. Site Plans to Be Submitted to Plan Commission
1. Every builder of any building hereafter erected or structurally altered for use in the CMU district must meet with the Village Zoning Administrator prior to submitting required documents to the Village Plan Commission
 2. Every builder of any building hereafter erected or structurally altered for use in the CMU District shall, before a building permit is issued, present detailed plans pertaining to the proposed structures to the Village Plan Commission, subject to submittal requirements stated in Section 17.1208, which will approve said plans only after determining that the proposed building will not impair an adequate supply of light and air to adjacent property, will comply with Sections 17.1208 Site Plan Requirements, Section 17.1209 Criteria for Review and Approval and Section 17.1210 Architectural Review.

NMU – Neighborhood Mixed Use District

This district is intended to provide for a variety of commercial, retail, and community service opportunities in a small-scale setting while allowing some residential uses to occur at a density of 15 units per acre.

A. Permitted Uses:

1. Townhouse.
2. Duplex.
3. Two Flat.
4. Apartments.
5. Mixed-Use Building.
6. Live/Work Unit.
7. Office.
8. Personal or Professional Service.
9. Indoor Sales or Service.
10. Restaurants, Taverns, and Indoor Commercial Entertainment.
11. Boutique Commercial Indoor Lodging.
12. Indoor Maintenance Service (Non-Residential, Non-Vehicle).
13. Indoor Institutional.
14. Passive Outdoor Recreation.
15. Active Outdoor Recreation.

B. Permitted Accessory Uses:

1. Electric Vehicle Charging.
2. Home Occupation.
3. Communication Antenna.
4. On-Site Parking Lot.
5. On-Site Structured Parking.
6. Short-Term Residential Rental.
7. Small Solar Energy System.
8. Accessory Residential Structure.
9. Accessory Nonresidential Structure.

C. Primary Uses Permitted Only as Conditional Uses:

1. Boarding House Living.
2. Artisan Production Shop.
3. Physical Activity Studio.
4. Outdoor Commercial Entertainment.
5. Community Living Arrangement (9 to 15 Residents).
6. Communication Tower.

7. Off-Site Parking Lot.
 8. Off-Site Parking Structure.
 9. Coffee Roasting for On-Premises Sales.
 10. Commercial Kitchen.
 11. Drive Through & In-Vehicle Sales or Service for banks or financial institutions only.
- D. Accessory Uses Permitted Only as Conditional Uses:
1. Incidental Outdoor Sales and Display.
 2. Incidental Outdoor Storage.
- E. Temporary Uses:
1. Farmers' Market.
 2. Garage Sale.
 3. Temporary On-Site Construction Storage, Project Office, and Real Estate Sales.
 4. Temporary Outdoor Assembly.
 5. Temporary Outdoor Sales.
 6. Temporary Refuse Container.
 7. Temporary Relocatable Building/Structure.
- F. Use Regulations
1. Buildings with frontage Main Street/Cedarburg Road must be mixed use. The frontage adjacent to Main Street/Cedarburg Road must have 50% of first floor square footage as active, non-residential use.
- G. Lot Area and Width:
1. Minimum Lot Area: 7,200 square feet
 2. Minimum Lot Width: 60 feet
 3. Minimum Lot Depth: 120 feet
 4. Maximum Lot Coverage: 75% of Lot Area
 5. Minimum Greenspace/Impervious Coverage: 25% of Lot Area
- H. Building Height & Dimensions:
1. Maximum Principal Building Height: 35 feet (Not more than 3 stories)
 2. Minimum Principal Building Height: 25 feet (Not less than 2 stories)
 3. Maximum Principal Building Length: 100 feet
 - i. Façade lengths shall not be greater than 40 feet without articulation (recess, projection, vertical division by building materials, division of façade into individual components with architectural elements, roof variation, public art).
 4. Maximum Accessory Structure Height: 20 feet
- I. Setback and Yards:
1. Front Setback

- i. Minimum: 10 feet
 - ii. Maximum: 20 feet
- 2. Minimum Side Setback: 10 feet
- 3. Minimum Rear Setback: 20 feet
- 4. Street Side Setback (Corner Lots)
 - i. Minimum: 10 feet
 - ii. Maximum: 20 feet

J. Development Standards Applicable to the NMU District

Any development occurring within a NMU District must comply with the lot area, height, and setback standards set forth in this district, new construction must conform to the following design standards

1. Windows. All façades shall consist of a minimum percentage of windows or doors to allow views into and out of the building's interior and to promote a visual connection to the street. The minimum percentage of windows or doors shall include trim but exclude gables.
 - i. Ground floor, nonresidential uses: The total area of windows and doors shall comprise a minimum of 40 percent of the ground floor façade area containing the nonresidential use.
 - ii. Ground floor, residential uses: The total area of windows and doors shall comprise a minimum of 20 percent of the ground floor façade area containing the residential use.
 - iii. Upper floors, all uses: The total area of windows and doors shall comprise a minimum of 20 percent of the total façade area above the ground floor.
2. Building Facades. Buildings must either:
 - i. Utilize a building style that clearly creates a base, mid-section, and top element. This can be done with elements such as, but not limited to: change of material, creating bump-out sections for the base, installation of a band around the building, and the addition of a roof element such as a cornice.
 - ii. Create an undulating and articulated building façade that provides visual interest and variation across all elevations. All rooflines must complement the façade by including distinct design elements, such as gables, cornices, parapets, or slopes, to avoid monotony. Façades shall not exceed 40 feet in length without architectural articulation, which may include:

1. Recesses or projections that step back or project a portion of the main façade plane.
 2. Recesses or projections of upper floors from the ground floor façade plane.
 3. Vertical division using different textures or materials.
 4. Division of the façade into individual units through the use of windows, entrances, arcades, porches, decks, balconies, lighting, etc.
 5. Roof form variations such as the inclusion of dormers, change in roof lines, or change in roof type.
3. Primary Entrances.
- i. Primary entrances shall be oriented with the following hierarchy:
 1. If located along Main Street, the primary entrance shall be oriented towards Main Street.
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 4. If located along any other street, the primary entrance may be oriented toward the front yard of the property.
 - ii. The main entrance shall be clearly defined and accentuated through the use of detailing, distinctive materials, and/or colors, projections or recesses, porticos, covered entrances, stoops, or other features as deemed appropriate by the Zoning Administrator.
 - iii. Façades on multiple-tenant buildings should be broken into design elements that reflect individual tenant spaces through staggering of vertical façade planes, window/door groupings, and awnings.
4. Building Materials.
- i. All façade elevations visible from a public right-of-way in the NMU District must be comprised of high quality materials as defined in this chapter.
 - ii. High quality materials are defined as:
 1. Brick;
 2. Stone;
 3. Stucco;
 4. Brick Veneer;
 5. Stone Veneer;
 6. Metal paneling that imitates stucco siding.

7. Engineered wood-look panels
8. Decorative metal paneling
9. Fiber cement or similar composite wood siding
 - a. Fiber cement or similar products are only permitted on residential buildings or the upper floors of mixed use.
5. Screening is required for mechanical equipment, loading docks, and waste receptacles.
6. Sidewalk and pedestrian access shall be provided from the main entrance to parking areas and the public sidewalk.
7. Parking. Developments in Neighborhood Mixed Use district must adhere to Section 17.0503 Parking Requirements or submit a parking demand justification to the Zoning Administrator for approval.
 - i. On-site parking should be located either behind the primary building and screened from the street by the primary building or built underground where feasible. If on-site parking is located in the side yard, it must be adequately screened as deemed by the Zoning Administrator. On-site parking is prohibited in the front yard between the building façade and public street.
8. Bicycle Parking. For properties within CMU and NMU districts, designated bicycle parking spaces shall be provided in accordance with the requirements of this subsection. Bicycle facilities shall be of high quality and reflect the architecture of the primary structure.
 - i. Minimum required spaces.
 1. Commercial uses. Bicycle parking facilities should be provided a minimum of two spaces, with additional spaces provided at a rate of one bicycle space per 12 vehicle parking spaces.
 2. Multifamily residential uses. Bicycle parking facilities should be provided at a rate of one bicycle space per ten dwelling units. A minimum of four bicycle spaces shall be provided.
 3. Mixed uses. Bicycle parking facilities should be provided at a rate of one bicycle space per residential unit. A minimum of four bicycle spaces shall be provided for each principal nonresidential use.
 4. For buildings adjacent to the Ozaukee Interurban Trail with frontage on Freistadt Road, Buntrock Avenue, or Division Street, must provide an additional five bicycle parking spaces per principal building.

- ii. Location. Bicycle parking shall be conveniently located near building entry points. Bicycle parking placement shall not conflict with pedestrian travel. Bicycle facilities provided in the public right-of-way may be used in parking calculations, so long as the entry point providing primary access to the building is set back no more than 20 feet from the front lot line.
 - iii. Facility. Bicycle parking shall be provided using bicycle rack or locker-type parking facilities and shall be designed to allow a bicycle frame to be locked to a structure attached to the pavement or the building. Indoor bicycle parking for residential spaces is required for residential or mixed-use development and residents must be provided 24-hour access to bicycle parking areas.
9. Landscaping. For properties within the NMU District, these landscape standards exist independently of other standards this Code.
- i. Building foundation landscape requirements. Buildings shall meet the following standards around the foundation of buildings and structures.
 - 1. At least 50 percent of the foundation of the building must include some kind of planting or landscaping feature.
 - 2. Plantings cannot include canopy trees or large evergreen trees.

K. Site Plans to Be Submitted to Plan Commission

- 1. Every builder of any building hereafter erected or structurally altered for use in the NMU District must meet with the Village Zoning Administrator prior to submitting required documents to the Village Plan Commission
- 2. Every builder of any building hereafter erected or structurally altered for use in the NMU District shall, before a building permit is issued, present detailed plans pertaining to the proposed structures to the Village Plan Commission, subject to submittal requirements stated in Section 17.1208, which will approve said plans only after determining that the proposed building will not impair an adequate supply of light and air to adjacent property, will comply with Sections 17.1208 Site Plan Requirements, Section 17.1209 Criteria for Review and Approval and Section 17.1210 Architectural Review.

Updated Definitions For CMU and NMU

Permitted Uses:

Townhouse

This dwelling unit type consists of attached two-story single-family residences, each having a private, individual access. This dwelling unit type is located on its own lot or within a group development and may not be split into additional residences. A minimum building code required fire-rated wall assembly division, separating living areas from the lowest level through the roof, and individual sanitary sewer and public water laterals are required between each dwelling unit.

Apartments

This dwelling unit type consists of an attached multifamily residence which takes access from a shared entrance or hallway. A minimum building code required fire-rated wall assembly division, separating living areas from the lowest level to the underside of the roof, is required between each dwelling unit.

Mixed-Use Building

A building that contains a mix of principal commercial land uses and principal residential land uses.

Live/Work Unit

A multiunit building, typically arranged in a townhouse side-by-side format, in which each unit contains a commercial use on the ground floor with a residential use on upper floors, with both uses occupied by the same resident/business operator. The commercial use is typically connected to the residential use with an internal stair or elevator.

Office

Office land uses include all exclusively indoor land uses whose primary functions are the handling of information or administrative services. Such land uses do not typically provide services directly to customers on a walk-in or on-appointment basis.

Personal or Professional Service

Personal service and professional service land uses include all exclusively indoor land uses whose primary function is the provision of services directly to an individual on a walk-in or on-appointment basis. Examples of such uses include professional services, insurance or financial services, realty offices, medical offices and clinics, veterinary clinics, barbershops, beauty shops, and related land uses.

Indoor Sales and Service

Indoor sales and service land uses include all land uses which conduct or display sales or rental merchandise or equipment, or nonpersonal or nonprofessional services, entirely within an enclosed building. This includes self-service facilities such as coin-operated laundromats.

Restaurants, Taverns, and Indoor Commercial Entertainment

These land uses include all land uses which provide entertainment services entirely within an enclosed building. Such activities often have operating hours which extend significantly later than most other commercial land uses. Examples of such land uses include restaurants, taverns, theaters, health or fitness centers, all forms of training studios (dance, art, martial arts, etc.), bowling alleys, arcades, roller rinks, and pool halls.

Commercial Indoor Lodging

Commercial indoor lodging facilities include land uses which provide overnight housing in individual rooms or suites of rooms, each room or suite having a private bathroom. Such land uses may provide in-room or in-suite kitchens and may also provide indoor recreational facilities for the exclusive use of their customers. Restaurant, arcades, fitness centers, and other on-site facilities available to nonlodgers are not considered accessory uses and, therefore, require review as a separate land use.

Indoor Maintenance Service (Non-Residential, Non-Vehicle)

Indoor maintenance services include all land uses which perform maintenance services (including repair) and contain all operations (except loading) entirely within an enclosed building. Because of outdoor vehicle storage requirements, vehicle repair and maintenance is considered a vehicle repair and maintenance land use.

Indoor Institutional

Indoor institutional land uses include all indoor public and not-for-profit recreational facilities (such as gyms, swimming pools, libraries, museums and community centers),

schools, churches, nonprofit clubs, nonprofit fraternal organizations, convention centers, hospitals, jails, prisons and similar land uses.

Passive Outdoor Recreation

Passive outdoor public recreational land uses include all recreational land uses located on public property which involve passive recreational activities. Such land uses include arboretums, natural areas, wildlife areas, hiking trails, bike trails, cross country ski trails, horse trails, open grassed areas not associated with any particular active recreational land use (see below), picnic areas, picnic shelters, gardens, fishing areas, and similar land uses.

Active Outdoor Recreation

Active outdoor public recreational land uses include all recreational land uses located on public property which involve active recreational activities. Such land uses include play courts (such as tennis courts and basketball courts), play fields (such as ball diamonds, football fields, and soccer fields), tot-lots, outdoor swimming pools, swimming beach areas, fitness courses, public golf courses, horse trails and similar land uses.

Permitted Accessory Uses:

Electric Vehicle Charging

A parking space that is served by electric vehicle supply equipment for the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle.

Home Occupation

Economic activities performed within a residential dwelling unit. Examples include personal and professional services, handicrafts, and retail conducted online. Home occupations are intended to provide a means to accommodate a small home-based family or professional business without the necessity of a rezoning from a residential to a business district. Home occupations are limited to low-intensity businesses and businesses with limited overlap of customer visits.

Communication Antenna

Devices used for the transmission or reception of electromagnetic waves, attached to a communication tower, building, or alternative tower structure, including associated equipment buildings/cabinets.

On-Site Parking Lot

On-site parking lots are any areas located on the same site as the principal land use which are used for the temporary surface parking of vehicles which are fully registered, licensed, and operable.

On-Site Structured Parking

Structured parking which is accessory to a principal land use such as apartments, office, and mixed-use buildings and which is incorporated into the same building as the principal land use.

Short-Term Residential Rental

Includes all lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists and transients for more than six but fewer than 29 consecutive days. It does not include private boardinghouses or rooming houses not accommodating tourists or transients, or bed-and-breakfast establishments regulated under ACTP 73.

Small Solar Energy System

Equipment and associated facilities that directly convert and then transfer or store solar energy into usable forms of thermal or electrical energy. Small solar energy systems are accessory to a principal land use on a property and are designed primarily to generate energy for said principal land use.

Accessory Residential Structure

Structures accessory to a residential use including but not limited to structures used to shelter parked passenger vehicles (including garages and carports), structures used to store residential maintenance equipment of the subject property, workshops, kennels, garden sheds, and pool houses.

Accessory Nonresidential Structure

Structures primarily used to shelter business vehicles or to store maintenance equipment of the subject property.

Primary Uses Permitted Only as Conditional Uses:

Boarding House Living

A residential land use where occupancy of a dwelling unit is shared by six or more unrelated adult individuals.

Artisan Production Shop

A building or portion thereof used by 10 or fewer artists or artisans for the creation, preparation, display and sale of unique (rather than mass-produced) individually crafted items including artwork, jewelry, custom furniture, woodwork, sculpture, glass, metal, pottery, leathercraft, hand-woven articles, and related items.

Physical Activity Studio

All land uses which provide a facility for training, instruction, and physical activity within an enclosed building. Such activities often have operating hours which extend significantly earlier or later than most other commercial land uses and often employ amplified music to set training tempo. Examples of such land uses include health or fitness centers, all forms of training studios (yoga, dance, art, martial arts, gymnastics, etc.), and music schools.

Outdoor Commercial Entertainment

Land uses which provide entertainment services partially or wholly outside of an enclosed building. Such activities often have the potential to be associated with nuisances related to amplified music, noise, dust, lighting, trash, and operating hours that extend significantly later than most other commercial land uses. Examples of such land uses include, but are not limited to, outdoor eating and drinking areas, sand volleyball courts, small-scale alcoholic beverage production, outdoor assembly areas, outdoor swimming pools associated with another principal land use, and food and/or beverage trucks, carts, stands, trailers or similar facilities.

Community Living Arrangement (9 to 15 Residents)

Facilities provided for in Wis. Stats. § 62.23(7)(i), including community living arrangements for adults as defined in Wis. Stats. § 46.03(22), community living arrangements for children as defined in Wis. Stats. § 48.743(1), foster homes as defined in Wis. Stats. § 48.02(6), and adult family homes and community-based residential facilities (CBRFs) as defined in Wis. Stats. § 50.01(1g). Community living arrangements do not include boarding houses, group daycare centers, nursing homes, homeless shelters, hospitals, prisons, or jails. Community living arrangement facilities are regulated depending upon their capacity as provided for in

Wis. Stats. § 62.23(7)(i)1-5, provided any such regulations do not violate federal or state housing or antidiscrimination laws.

Communication Tower

Any structure that is designed and constructed for the purpose of supporting one or more antennas for communication purposes such as cellular telephones or similar, including self-supporting lattice towers, guyed towers, or monopole towers

Off-Site Parking Lot

Off-site parking lots include any areas used for the temporary surface parking of vehicles which are fully registered, licensed, and operable.

Off-Site Parking Structure

Commonly referred to as a "parking ramp" or "parking garage," off-site structured parking is a type of parking structure for the temporary parking of vehicles which are fully registered, licensed, and operable. Off-site structured parking is stand-alone, multilevel parking area in which one or more levels are supported above the lowest level. A parking structure may also include underground parking spaces.

Coffee Roasting for On-Premises Sales

A small-scale commercial facility where coffee beans are roasted, processed, and packaged primarily for direct retail sale to customers on the premises. This use may include a café or tasting area as an accessory component but does not permit large-scale wholesale distribution or industrial roasting operations. All roasting activities shall comply with applicable odor control, ventilation, and environmental regulations to minimize off-site impacts.

Commercial Kitchen

A building or portion thereof used for the preparation of food that can be rented or used as a classroom by different organizations, businesses, or individuals. Products produced on site may be sold off site.

Drive-Through & In-Vehicle Sales or Service for Banks or Financial Institutions Only.

Land uses where sales and/or services are conducted to persons in vehicles, or to vehicles which may or may not be occupied at the time of such activity (except vehicle repair and maintenance services). Such land uses often have traffic volumes which exhibit their highest levels concurrent with peak traffic flows on adjacent roads. Examples of such land uses

include, but are not limited to, drive-in facilities, drive-through facilities, fuel stations, and car washes. Limited to bank and financial institution primary uses.

Accessory Uses Permitted Only as Conditional Uses:

Incidental Outdoor Sales and Display

The sale and display of merchandise or equipment outside of an enclosed building and is incidental to a principal commercial or industrial land use.

Incidental Outdoor Storage

The open-air storage of materials, equipment, vehicles, or goods that are directly associated with the principal use of the property. Such storage shall be accessory to and located on the same lot as the principal use and may include raw materials, finished products, or operational equipment. On-site outdoor storage shall be screened and maintained in accordance with applicable buffering, fencing, and setback requirements to minimize visual, noise, and environmental impacts on adjacent properties. This use does not include outdoor display of retail goods, junkyards, or refuse storage areas.

Temporary Uses:

Farmer's Market

Farmer's markets include the temporary or occasional outdoor retail sales of farm produce, plants and flowers, bakery goods, and/or crafts from vehicles or temporary stands located within a parking lot.

Garage Sale

Any temporary display of used household goods for sale on a property customarily used as a residence. Such sales are also commonly referred to as "rummage sales" or "yard sales."

Temporary On-Site Construction Storage, Project Office, and Real Estate Sales

Includes any structure or outdoor storage area designed for the on-site storage of construction equipment and/or materials for an active construction project.

Temporary Outdoor Assembly

Includes any organized outdoor assembly of 75 to 250 persons such as outdoor weddings, wedding receptions, or tent meetings.

Temporary Outdoor Sales

Includes the display of any items outside the confines of a building but not in a public right-of-way, which is not a permitted or conditional use or a special event otherwise regulated by the Municipal Code. Examples of this land use include, but are not limited to, sidewalk sales, seasonal garden shops, tent sales, Christmas tree sales, and fireworks sales. Food and/or beverage trucks, carts, stands, or trailers are regulated as outdoor commercial entertainment.

Temporary Refuse Container

Includes any receptacle or container used for the temporary disposal of refuse on-site usually in the form of a dumpster or other similarly large metal container associated with a construction, remodeling, moving, or other similar project on-site.

Temporary Relocatable Building/Structure

Includes any manufactured building which serves as a temporary building for less than six (6) months.

Thiensville Plan Commission Staff Report - February 2025

Staff Approved Projects February 2025

Date	Address	Applicant	Project	Staff Approval	ZBOA	Approved	Denied
2/24/2025	225 Riverview Dr.	John's Custom Carpentry	Porch Repair; Replacement				

Code Compliance February 2025

Community Services			
Address	Owner	Complaint	Action

Police Department February 2025

Date	Location	Complaint	Action
2/3/2025	323 Heidel	Spoke to HO about the trailer in his front yard	HO will move the trailer
2/3/2025	311 Heidel	Spoke to HO about the large tire on side of house	HO state that they use that for cross-fit working out, it is not trash
2/3/2025	Freistadt/Main	Ad sign	removed from Village right of way
2/8/2025	251 Elm	In park after hours	Warnings issued
2/17/2025	105 S Main	Lare piles of snow on sidewalk	HO Contacted and stated he will have snow removed
2/27/2025	210 Heidel	Skidloader & Trailer in front yard	HO stated it was son's stuff; son/wife said they will remove the two items; give two weeks to do so