

**City of Oconomowoc
Plan Commission**

**Wednesday, September 09, 2020 - 6:30 PM
City Hall - Council Chambers**



Notice: If a person with a disability requires that the meeting be accessible or that materials at the meeting be in accessible format, call the City Clerk at least 48 hours prior to the meeting to request adequate accommodations. Tel: 569-2186.

1. Call to Order, roll call and confirmation of appropriate meeting notification.
2. Approval of previous meeting minutes
 - a. Minutes of July 8, 2020
3. Public Hearing:
 - a. Public Hearing - Household Living
The purpose of the hearing is to hear public comment on the Zoning Ordinance Text Amendment application filed by the City of Oconomowoc, to amend Section 17.903(1)(a) of the Municipal Ordinance pertaining to the definition of "Household Living". The specific request is to amend the definition by removing "Tenancy is arranged on a month-to-month or longer basis, with a minimum of 30-days.". A change in State Law requires that municipalities allow short-term rentals for less than 30-days. This amendment would remove a conflict in the City Ordinance with the State Statutes.
4. Regular Business
 - a. Consider / Recommend the Zoning Ordinance Text Amendment to repeal & recreate Section 17.903(1)(a) relating to the definition of Household Living.
 - b. Consider / Recommend the Certified Survey Map for the Hackney House Apartments, located on the north side of Valley Road, west of Summit School.
 - c. Consider / Recommend the extraterritorial Certified Survey Map to create two buildable lots adjacent to W340 N7661 Townline Road (east side), Town of Oconomowoc.
 - d. Consider / Recommend the extraterritorial Certified Survey Map to create two residential lots adjacent to W340 N7661 Townline Road (west side), Town of Oconomowoc.
5. Planning Department Correspondence
 - a. Planning Department Correspondence - July 2020.
 - b. Planning Department Correspondence - August 2020.
6. Adjourn

Diane Coenen, City Clerk
City of Oconomowoc

Notice is hereby given that a majority of the Common Council may be present at the meeting of the Plan Commission to gather information about a subject over which they have decision-making responsibility. This constitutes a meeting of the Common Council pursuant to State ex rel. Badke v. Greendale Village Board, 173Wis. 2d 553, 494 N.W. 2d 408 (1993) and must be noticed as such, although the Common Council will not take any formal action at this meeting.

**City of Oconomowoc
Plan Commission Meeting Minutes
July 8, 2020**

Chairman Magnus called the meeting to order at 6:30 pm.

Members Present: Commissioners Chad Vande Zande, John Gross, Ken Brotheridge, Chairman Robert Magnus, Steve Ritt, Dean Frederick and Lou Kowieski

Others Present: Jason Gallo, Mark Frye, Atty. Stan Riffle and Chris Dehnert

2. Approve Minutes of June 10, 2020: Motion by Ritt to approve the June 10, 2020 minutes; second by Brotheridge. Motion carried 7-0.

3a. Consider / approve the Major Design Review Plans for Village Crossing Condominiums Addendum No. 11 located on Derby Drive, north of Village Lane: Gallo explained this request is to amend the site plan for this development. The property is zoned Residential Multi-Use Low and is currently vacant. The request is to build 12 duplex buildings (24 units) which is a change from the original request to build 14 buildings (28 units) on the property. The individual building footprints are also being changed to be slightly larger; private drives remain the same; and the middle driveway is being eliminated. Gallo noted this change to the site plan is considered a minor amendment. The engineering plans have been reviewed and approved by staff, and the Western Lakes Fire District, which had been concerned with the turning radius of their trucks, also approved the plans. There will be sidewalk on 3 sides of the development and some street trees are shown on the plans. A landscaping plan is not required for duplex projects so one was not provided. However, this developer has been very good with landscaping their other developments. Gallo recommended approval and noted the applicant will need to come back with their condominium plat for the property. Motion by Ritt to approve the Major Design Review Plans for Village Crossing Condominiums on Derby Drive; second by Frederick. Motion carried 7-0.

3b. Consider / recommend the Tower Ridge Condominium Plat located at 265 Thurow Drive: Gallo explained this request is to change the apartment complex into individual condominium units for private ownership. This development was approved as an apartment complex with 27 units in 2019. The applicant realized the demand for condominiums and people were interested in purchasing their own units. The applicant, David Hoffmann, will own all the units until they are sold. He added if people aren't interested in purchasing a residential unit, they will still be allowed to rent it and the unit will then be sold in the future. If approved by Council, the plat will go to the Register of Deeds who will issue individual tax keys for each unit. There is a total of 82 parking stalls and each unit has at least 2 stalls with the option to purchase a garage stall. A technical review was done by staff, and there were concerns with 27 owners having a share of the ownership responsibilities of the stormwater pond. A separate maintenance agreement will be attached to the covenants and restrictions and each owner will get a copy of the agreement. Gallo recommended approval. Members questioned if a residential unit can be sold without a garage; can a private individual buy a parking stall; what happens to the stormwater pond until all units are sold; and concerned that the HOA will be able to handle all maintenance costs until all units are sold. Hoffmann explained there are a couple of stalls available for purchase in the lower level; it is conceivable but not expected that a person could purchase a residential unit and not want a parking stall; he expects it will take 2-1/2 to 3-1/2 years to convert all units to condo's; he doesn't intend on residential units being rented; he will actively manage the property until all ownership catches up and the condo owners can take over; and explained his plan for stepping back his ownership of the property including the stormwater pond. Hoffmann clarified everything will be written into the condo documents. Riffle clarified the stormwater pond will be the owner's responsibility and suggested that a Declaration of Restrictions be approved before the Plat is approved. Members questioned if the garage units would have individual tax keys and if so, can non-owners purchase them. Riffle clarified that a statement could be included in the documents that all units must be owned by an individual who owns or resides in the building. Motion by Ritt to recommend to Council the Tower Ridge Condominium Plat for 265 Thurow Drive with all concerns that have been raised to be addressed by the City Attorney before going on to Council; second by Frederick. Motion carried 7-0.

3c. Consider / recommend the Ireland Farms Extraterritorial Certified Survey Map located at N67 W34891

County Road K, Town of Oconomowoc: Gallo reported this request is to divide 1 lot off from a remnant parcel which is located on Hwy K in the Town of Oconomowoc. The property is located within the City's extraterritorial limits as it is about 1 mile from the City limits. The owner's intent is to divide off the parcel which contains a house (approximately a 1 acre lot) from the rest of the site which will have 45.88 acres remaining. The new lot is consistent with others in the area, will have 200' of frontage on Hwy K, and contains well and septic. The outbuildings on the lot are to be razed. In addition, the CSM is dedicating 50' from the centerline of Hwy K for public road purposes. Gallo recommended approval. Motion by Ritt to recommend to the Council approval of the Extraterritorial Certified Survey Map for the Ireland Farms at N67 W34891 County Road K, Town of Oconomowoc; second by Brotheridge. Motion carried 7-0.

3d. Consider / recommend the Meadowlands Extraterritorial Preliminary Subdivision Plat located on the SW

corner of Hwy K & Road J, Town of Oconomowoc: Gallo reported this request is tied to the last request and will create a subdivision plat with 31 single-family lots. There are 30 new lots being created from the 45.88 acre lot plus the 1.0 acre lot containing the existing home. The property is located within the City's extraterritorial limits and is about 1 mile from the City limits. Gallo noted there are no plans in the City's comprehensive land use plan for this area and it was never intended to come into the City. Access to the new subdivision will be off Hwy J, 3 Town roads will be extended to the property and every lot will have frontage on a public roadway. The average size of each lot will be approximately 1 acre, and there will be no new driveway cuts on Hwy K. Gallo recommended approval. Motion by Ritt to recommend to the Council approval of the Extraterritorial Preliminary Subdivision Plat for the Meadowlands Subdivision; second by Brotheridge. Motion carried 7-0.

4. Planning Department Correspondence – June 2020: Gallo reported in the month of June there was 1 temporary use permit issued; 1 denial letter sent on a use which is now the subject of a Zoning Board of Appeals request; and 4 requests received for occupancy of a new business. Gallo also said he recently updated the City's zoning map which now includes several new areas of development. Riffle explained staff recently administratively approved site plans for upgrades on 2 cellular towers. City code requires that towers are to be approved by a conditional use permit and provides if there are upgrades to the equipment on the tower that are not substantial and there no safety concerns from an engineering perspective, then these approvals can be done administratively. A letter was distributed to the members noting that residents aren't aware of this type of change to a tower and want to know if there is a way to alert people when an upgrade like this happens. Mayor Magnus said going forward these types of updates are going to be addressed differently. The recently created Technology Committee will have their first meeting next week and he recommends that these types of upgrades to towers should go to this committee for review with a recommendation to Council.

5. Adjourn: Motion by Kowieski to adjourn at 7:07 pm; second by Brotheridge. Motion carried 7-0.

Chris Dehnert, Deputy City Clerk

Planning Staff Report

Household Living Ordinance Amendment

City of Oconomowoc
Plan Commission – 9/9/20

Regarding Definition of Household Living (vacation rental) in the Zoning Ordinance

Summary: The City is requesting a Zoning Ordinance (Chapter 17) text amendment that would amend the definition of Household Living, to bring the City's definition into compliance and consistency with the Wis. State Statutes.

Property Identification: Text Amendment applies to all residential properties in the City.

Property Owner: N/A

Applicant: Jason Gallo – City Planner / Zoning Administrator
Oconomowoc City Hall
174 E. Wisconsin Avenue
Oconomowoc, WI 53066

History:

City Adopted the City Zoning Ordinance in 2012. At that time, the Ordinance allowed any residential property to be rented, as long as the rental was "month to month basis, with a minimum of 30 days".

Effective September 23, 2017, Governor Walker signed into law the 2017-2019 state budget (2017 Wisconsin Act 59). That state budget includes provisions relating to short-term rentals of residential dwellings in Wisconsin. In the legislation, Cities are prohibited from enacting or enforcing an ordinance that prohibits the rental of a residential dwelling for 7 consecutive days or longer.

Text Amendment Summary:

The City Zoning Ordinance when it comes to the number of days one can rent their home and the State Statute are not consistent. The City is required to follow State Law. The City can not be more restrictive than the State Law. The City Code stated that Household Living was a minimum of 30 days. With the State Law, that timeframe is reduced to a minimum of 7 days. People can legally rent their home to another party, as long as the minimum stay is 7 days.

Staff is recommending removing the language, "Tenancy is arranged on a month-to-month or longer basis, with a minimum of 30 days".

Planning Thoughts:

Planning originally placed the 30-day minimum rental requirement in the ordinance to discourage the vacation rentals. Planning staff received complaints regarding people renting their homes, particularly on bodies of water, to people less than 30-days. By requiring a minimum 30-day rental, the complaints regarding the transient occupants stopped.

With that said, City ordinances should always be consistent with State Statutes. In the Fall of 2017, the State required that communities allow rentals that are for 7 days or greater in duration, changing the City requirement of 30-day minimum to 7-day minimum.

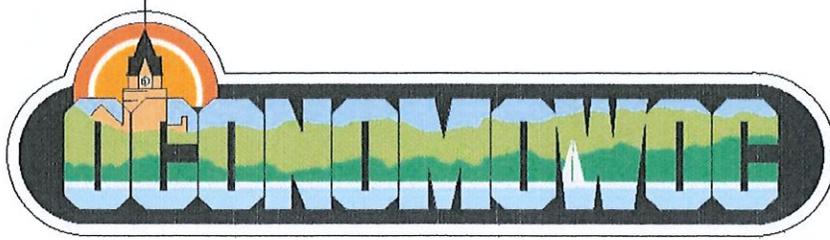
In short, all Wisconsin homeowners may now grant their houses, apartments, condominiums on a short-term basis for periods of one week (7 days) or longer. This text amendment does not specify the 7-day minimum requirement. As long as the number is in the State Statute and the City cannot be more restrictive than the State Statute, we will rely on the Statute - 66.1014(2)(a). If the State Statute changes, the City is therefore, not required to amend the Code. Since the City cannot be more restrictive than the State Law, this is the better way to regulate this use.

Recommendation:

Plan Commission ***recommend approval*** of the Zoning Ordinance text amendment to amend Section 17.903(1)(a) Definition of Household Living.

Submitted by: _____


Jason Gallo, AICP
City Planner / Zoning Administrator



Development Application

Department of City Planning
 174 E. Wisconsin Avenue Oconomowoc, WI
 www.oconomowoc-wi.gov | 262.569.2166

X	Description	Administrative Fee
	Administrative Design Review	\$ 75.00
	Major Design Review	\$ 75.00
	Conditional Use Permit	\$ 500.00
	Zoning Determination Letter	\$ 100.00
	Temporary Use Permit	\$ 75.00
	Temporary Use Permit - Renewal	No Charge
	Variance	\$ 425.00
	Special Exceptions	\$ 425.00
	Appeals of Zoning Administrator	\$ 300.00
	Zoning Map Amendment (From _____ To _____)	\$ 425.00
X	Zoning Text Amendment	\$ 425.00
	Comprehensive Plan Amendment	\$ 300.00
	Planned Development District	Step 1: Pre-application Conference
		Step 2: Concept Plan Review
		Step 3: General Development Plan Review
	Preliminary or Final Plat Review	\$ 75.00
	Certified Survey Map or Extraterritorial Plat/CSM Review	\$ 75.00

*NOTE: Administrative filing fees are due at the time an application is filed with the City Clerk's Office and are not refundable. In addition to the Administrative fees, City Staff time (City Engineer, City Planner & City Attorney) will be charged back to the applicant. The Applicant will receive monthly invoices of payments due.

Date: **AUGUST 12, 2020**

Project/Business Name: **HOUSEHOLD LIVING TEXT AMENDMENT**

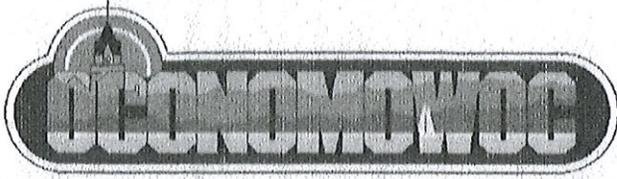
Address/Location: **CITY OF OCONOMOWOC / CITY HALL**

City, State, Zip Code: **174 E. WISCONSIN AVE. / OCONOMOWOC**

Proposed Use of Property: **ZONING ORDINANCE TEXT AMENDMENT**

Applicant: JASON GALLO, ZONING ADMIN.	Property Owner: N/A
Address: CITY HALL 174 E. WIS. AVE.	Address
City/State/Zip: OCONOMOWOC, WI 53066	City/State/Zip:
Phone: 262 569-2166	Phone:
E-mail: jgallo@oconomowoc-wi.gov	E-mail:
Signature: <i>Jason Gallo</i>	Signature:

This form is not valid unless signed by Owner or Agent under a written power-of-attorney (please provide). I, Owner/one of the Owner's of the property, declare that this application (including any accompanying documents) has been examined by me and to the best of my knowledge and belief is true, correct and complete. I further accept all liability, which may be a result of the City of Oconomowoc relying on this information I am providing in this application.



STAFF RECOMMENDATION FORM

TYPE OF REQUEST: **TEXT AMENDMENT**

PROJECT NAME: **HOUSEHOLD LIVING TEXT AMENDMENT**
TAX KEY NO.: **N/A** **AMEND SECTION 17.903(1)(a)**
PROJECT ADDRESS/LOCATION: **N/A**

RECOMMENDATION SIGNATURES

CITY PLANNER: *[Signature]* Date: **8-14-20**

Comments:

CITY ENGINEER: *[Signature]* Date: **8-19-2020**

Comments:

DIRECTOR OF PUBLIC WORKS: *[Signature]* Date: **08.31.2020**

Comments:

WASTEWATER: *[Signature]* Date: **8-19-20**

Comments:

WATER: *[Signature]* Date: **8/18/20**

Comments:

ELECTRIC: *[Signature]* Date: **8/18/20**

Comments:

PARKS, RECREATION & FORESTRY: *[Signature]* Date: **8/18/20**

Comments:

POLICE CHIEF: *[Signature]* Date: **8/18/20**

Comments:

FIRE: *[Signature]* Date: **8-20-20**

Comments:

DIRECTOR OF FINANCE: *[Signature]* Date:

Comments: **Register Properties? Room tax collection.**

ECONOMIC DEVELOPMENT DIRECTOR: *[Signature]* Date: **8/18/20**

Comments:

**AN ORDINANCE TO REPEAL AND RECREATE CREATE §17.903 (1) (a)
OF THE CITY OF OCONOMOWOC MUNICIPAL CODE**

The Common Council of the City of Oconomowoc, Waukesha County, Wisconsin, do ordain as follows:

SECTION 1. Section 17.903 (1) (a) of the City of Oconomowoc Code of Ordinances is hereby repealed and recreate as follows:

(1) Residential Uses (a) Household Living: This use category is characterized by residential occupancy of a dwelling unit by a household. ~~Tenancy is arranged on a month-to-month or longer basis, with a minimum of 30 days.~~ Common accessory uses include recreational activities, raising of pets, gardens, personal storage buildings, hobbies, and parking of the occupants' vehicles. Specific use types include, but are not limited to:

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective upon passage and publication as required by law.

DATED: _____

CITY OF OCONOMOWOC

By: _____
Robert P. Magnus, Mayor

ATTEST:

Diane Coenen, Clerk

Date Adopted: _____

Date Published: _____

Effective Date: _____

SUBCHAPTER 17-9: DEFINITIONS

EXISTING
ORDINANCE

Section 17.901 Rules of Construction and Definitions

In the construction of this Ordinance, the following rules shall be observed and applied, except where the context clearly indicates otherwise:

- (1) Words used in the present tense shall include the future.
- (2) Words used in the singular number shall include the plural number, and the plural the singular.
- (3) The words "shall", "must", and "will", are mandatory and not discretionary.
- (4) The word "may" is permissive.
- (5) All words not defined shall have their common meaning.
- (6) If there is any ambiguity between the text of this Ordinance and any caption or illustration, the text shall control.
- (7) All public officials, bodies, and agencies to which references are made are those of the City of Oconomowoc unless otherwise indicated.

Section 17.902 Interpretations

The Zoning Administrator has final authority to determine the interpretation or usage of terms used in this Zoning Ordinance. Any person may request an interpretation of any term by submitting a written request to the Zoning Administrator who shall respond in writing within 30 days.

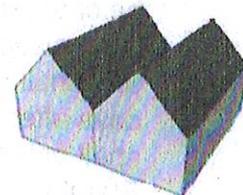
Section 17.903 Definitions of General Use Categories and Specific Use Types

This Section defines the general use categories and specific use types listed within the *Table of Allowable Uses*.

(1) Residential Uses

(a) **Household Living:** This use category is characterized by residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis, with a minimum of 30-days. Common accessory uses include recreational activities, raising of pets, gardens, personal storage buildings, hobbies, and parking of the occupants' vehicles. Specific use types include, but are not limited to:

1. **Dwelling, Duplex:** A structure containing two (2) dwelling units, each of which has access to the outside.
2. **Dwelling, Live/Work:** A structure or portion of a structure: (1) that combines a commercial or manufacturing activity that is allowed in the zone with a residential living space for the owner of the commercial or manufacturing business, or the owner's employee, and that person's household; (2) where the resident owner or employee of the business is responsible for the commercial or manufacturing activity performed.



Dwelling, Duplex

66.1014 Limits on residential dwelling rental prohibited.**(1)** In this section:

(a) "Political subdivision" means any city, village, town, or county.

(b) "Residential dwelling" means any building, structure, or part of the building or structure, that is used or intended to be used as a home, residence, or sleeping place by one person or by 2 or more persons maintaining a common household, to the exclusion of all others.

(2)

(a) Subject par. (d), a political subdivision may not enact or enforce an ordinance that prohibits the rental of a residential dwelling for 7 consecutive days or longer.

(b) If a political subdivision has in effect on September 23, 2017, an ordinance that is inconsistent with par. (a) or (d), the ordinance does not apply and may not be enforced.

(c) Nothing in this subsection limits the authority of a political subdivision to enact an ordinance regulating the rental of a residential dwelling in a manner that is not inconsistent with the provisions of pars. (a) and (d).

(d)

1. If a residential dwelling is rented for periods of more than 6 but fewer than 29 consecutive days, a political subdivision may limit the total number of days within any consecutive 365-day period that the dwelling may be rented to no fewer than 180 days. The political subdivision may not specify the period of time during which the residential dwelling may be rented, but the political subdivision may require that the maximum number of allowable rental days within a 365-day period must run consecutively. A person who rents the person's residential dwelling shall notify the clerk of the political subdivision in writing when the first rental within a 365-day period begins.

2. Any person who maintains, manages, or operates a short-term rental, as defined in s. 66.0615 (1) (dk), for more than 10 nights each year, shall do all of the following:

- a. Obtain from the department of agriculture, trade and consumer protection a license as a tourist rooming house, as defined in s. 97.01 (15k).
- b. Obtain from a political subdivision a license for conducting such activities, if a political subdivision enacts an ordinance requiring such a person to obtain a license.

History: 2017 a. 59.

Planning Staff Report

City of Oconomowoc
Plan Commission –9/9/2020

Pabst Farms Land Division

Certified Survey Map

Summary: The applicant submitted a certified survey map to redivide an existing lot into one developable lot and two outlots, located at the NE corner of Valley Road and Old Schoolhouse Road. There is also the dedication of 1.5 acres for the future public right-of-way for Hackney Way.

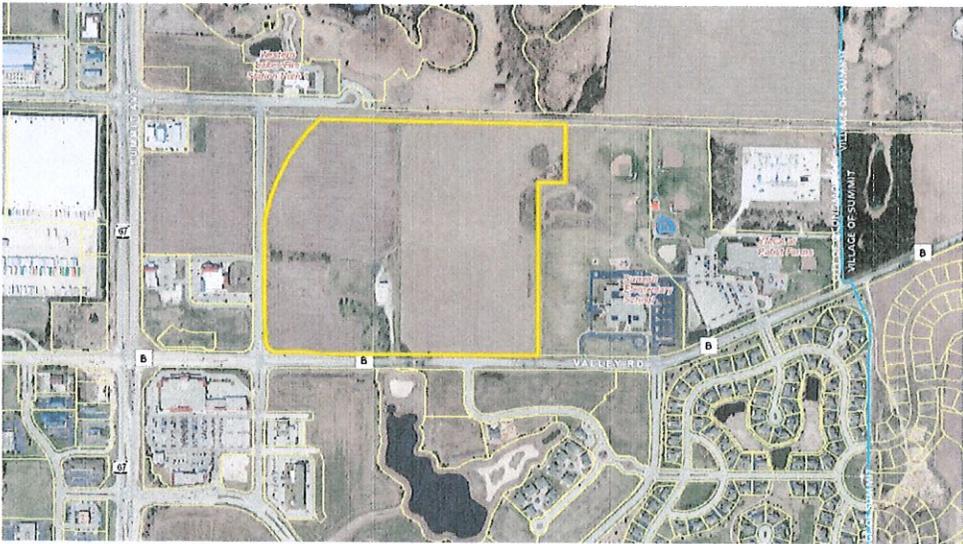
Property Location: NE Corner of Valley Road and Old Schoolhouse Road
Tax Key Number OCOC 0616.999.007

Property Owners: Polly's Washtub Land South, LLC
330 E. Kilbourn Avenue, Suite #600 South
Milwaukee, WI 53202

Applicant: Mandel Group
Emily Cialdini
330 E. Kilbourn Ave, Suite 600 South
Milwaukee, WI 53202

Existing Zonings: Lot 1 – RMH- Zoning District

Existing Parcel Size: 34 acres



Location Map

CSM Review:

Purpose

This certified survey map is to divide the existing 34 acre parcel into different parts including, one 25.08 acres site which will become a future apartment development, one area is the dedication of 1.5 acres for the future public right-of-way for Hackney Way and outlots that are 3.3 acres and 6.0 acres for stormwater management purposes.

History

The City Plan Commission and Common Council approved the certified survey map to create this parcel in April of 2020. At that time, it was stated that the engineering for the stormwater was not complete. The applicant was aware that the parcel was going to be redivided in the near future to create required outlots for the stormwater ponds. Since then the engineering has been finalized and the revisions to the CSM, creating the outlots has been completed.

Final Thoughts:

Planning staff has no concerns with the proposed land division. The site was reviewed for technical concerns and those comments have been addressed. Easements will be submitted for the lots by a separate document. Staff will wait for the easements to be submitted prior to release of any building permits.

Recommendation:

Plan Commission **recommend approval** for the Certified Survey Map for Pabst Farms at the NE corner of Valley Road and Old Schoolhouse Road.

Submitted by: _____


Jason Gallo, AICP
City Planner/Zoning Administrator

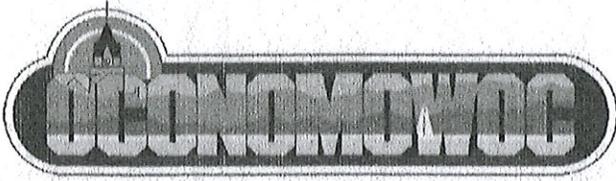


Development Application

Department of City Planning
 174 E. Wisconsin Avenue Oconomowoc, WI
 www.oconomowoc-wi.gov | 262.569.2166

X	Description	Administrative Fee
	Administrative Design Review	\$ 75.00
	Major Design Review	\$ 75.00
	Conditional Use Permit	\$ 500.00
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	Zoning Map Amendment (From _____ To _____)	\$ 425.00
	Zoning Text Amendment	\$ 425.00
	Comprehensive Plan Amendment	\$ 300.00
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		Step 2: Concept Plan Review
		Step 3: General Development Plan Review
	Preliminary or Final Plat Review	\$ 75.00
x	Certified Survey Map or Extraterritorial Plat/CSM Review	\$ 75.00
<p>*NOTE: Administrative filing fees are due at the time an application is filed with the City Clerk's Office and are not refundable. In addition to the Administrative fees, City Staff time (City Engineer, City Planner & City Attorney) will be charged back to the applicant. The Applicant will receive monthly invoices of payments due.</p>		
<p>Date: 7/20/2020</p>		
<p>Project/Business Name: Pabst Farms Apartments LLC</p>		
<p>Address/Location: 330 E Kilbourn Ave, STE 600 South</p>		
<p>City, State, Zip Code: Milwaukee, WI 53202</p>		
<p>Proposed Use of Property: Multi-family apartments</p>		
<p>Applicant: Pabst Farms Apartments LLC</p>		<p>Property Owner: Polly's Washtub Land South LLC</p>
<p>Address: 330 E Kilbourn Ave, STE 600 South</p>		<p>Address: 330 E Kilbourn Ave, STE 600 South</p>
<p>City/State/Zip: Milwaukee, WI 53202</p>		<p>City/State/Zip: Milwaukee, WI 53202</p>
<p>Phone: 262-305-2940</p>		<p>Phone: 262-305-2940</p>
<p>E-mail: ecialdini@mandelgroup.com</p>		<p>E-mail: ecialdini@mandelgroup.com</p>
<p>Signature: <i>Emily Cialdini</i></p>		<p>Signature: <i>Emily Cialdini</i></p>

This form is not valid unless signed by Owner or Agent under a written power-of-attorney (please provide). I, Owner/one of the Owner's of the property, declare that this application (including any accompanying documents) has been examined by me and to the best of my knowledge and belief is true, correct and complete. I further accept all liability, which may be a result of the City of Oconomowoc relying on this information I am providing in this application.



STAFF RECOMMENDATION FORM

TYPE OF REQUEST:

CERTIFIED SURVEY

PROJECT NAME:

HACKNEY HOUSE APARTMENTS

TAX KEY NO.:

PROJECT ADDRESS/LOCATION:

NORTH SIDE
VALLEY ROAD / EAST OF OLD SCHOOLHOUSE RD

RECOMMENDATION SIGNATURES

CITY PLANNER:

Date:

8-14-20

Comments:

CITY ENGINEER:

Date:

8-20-2020

Comments:

DIRECTOR OF PUBLIC WORKS:

Date:

08.31.2020

Comments:

WASTEWATER:

Date:

8/31/20

Comments:

WATER:

Date:

8/31/20

Comments:

ELECTRIC:

Date:

8/18/20

Comments:

PARKS, RECREATION & FORESTRY:

Date:

8/18/20

Comments:

POLICE CHIEF:

Date:

8/18/20

Comments:

FIRE:

Date:

8-20-20

Comments:

DIRECTOR OF FINANCE:

Date:

8/18/20

Comments:

ECONOMIC DEVELOPMENT DIRECTOR:

Date:

8/18/20

Comments:

July 20, 2020

Jason Gallo, AICP
City Planner / Zoning Administrator
City of Oconomowoc
174 E. Wisconsin Ave
Oconomowoc, WI 53066



Dear Mr. Gallo:

Pabst Farms Apartments LLC, an affiliate of Mandel Group, Inc. ("Mandel") is pleased to present for technical review our draft Certified Survey Map which creates the Stormwater Outlot to be dedicated to the Pabst Farms Joint Stormwater District as a community stormwater facility.

The 10 foot access easement on the east side of the west property boundary will be granted to the PFJSD by Pabst Farms Apartments LLC for the benefit of accessing the stormwater outlot from Hackney Way public road. An additional 10 feet will be granted to the PFJSD by Pabst Farms Land Co II LLC. I am in discussions with Pabst Farms Land Co II LLC with regard to dedicating this easement. Draft easements to be recorded against both properties will be provided for PFJSD and City review and approval.

The 20 foot maintenance access and maintenance easement will be granted to Pabst Farms Apartments LLC by the PJFSD. This easement will allow Pabst Farms Apartments residents and staff the ability to traverse the outlot on the Lake County Bike Trail connector path. It will also obligate Pabst Farms Apartments LLC to maintain the connector path.

We have named the public road Hackney Way. As discussed at prior meeting with City staff, Plan Commission and Architecture Commission, the apartment development will be branded Hackney House Apartments. The naming nods to the history of the site as a former Pabst family horse farm. One of Fred Pabst's favorite horse breeds was the hackney horse. Pabst Farms Development Inc. is reviewing the road name. I will follow up with any commentary I receive from them.

Thank you for your review and consideration of our CSM. Please let me know any comments.

Very Truly Yours,



CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 1 and Outlot 1 of Certified Survey Map No. 11999, in the Northeast 1/4, Southeast 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 10 and the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 11 in Township 7 North, Range 17 East, City of Oconomowoc, Waukesha County, Wisconsin.

SURVEYORS CERTIFICATE

STATE OF WISCONSIN}
:SS
MILWAUKEE COUNTY}

I, DONALD C. CHAPUT, a professional land surveyor, do hereby certify:

THAT I have surveyed, divided and mapped a redivision of Lot 1 and Outlot 1 of Certified Survey Map No. 11999, in the Northeast 1/4, Southeast 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 10 and the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 11 in Township 7 North, Range 17 East, City of Oconomowoc, Waukesha County, Wisconsin, bounded and described as follows:

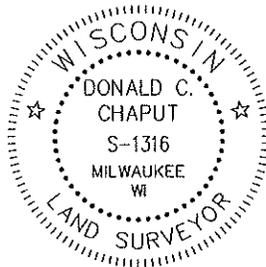
Commencing at the Southeast corner of the Southeast 1/4 of said Section 10; thence North 00°10'05" West 50.00 feet to a point on the North line of Valley Road and point of the beginning of lands hereinafter described; thence North 89°36'37" West along said North line 592.55 feet to a point on the West line of Lot 1 of Certified Survey Map No. 11999; thence North 00°20'41" East along said West line 1065.34 feet to a point on the South line of aforesaid Outlot 1; thence North 89°37'12" West along said South line 991.03 feet to a point on the East line of Old School Road; thence North 00°22'48" East along said East line 66.00 feet to a point on the North line of said Outlot 1; thence South 89°37'12" East along said North line 990.99 feet to a point on the West line of said Lot 1; thence North 00°20'41" East along said West line 473.90 feet to a point on the North line of said Lot 1; thence South 88°54'42" East along said North line 1071.53 feet to a point on the East line said Lot 1; thence due South along said East line 400.92 feet to a point; thence due West along said East line 184.65 feet to a point; thence due South along said East line 1189.11 feet to the North line of said Valley Road; thence North 89°47'09" West along said North line 303.81 feet to the point of beginning. Said land contains 1,565,956 square feet, or 35.9494 acres.

THAT I have made the survey, land division and map by the direction of POLLY'S WASHTUB LAND SOUTH, LLC, owner of said land.

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

THAT I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes, the Land Division Ordinance of the City of Oconomowoc in surveying, dividing and mapping the same.

July 14, 2020
DATE



Handwritten signature of Donald C. Chaput and printed name: DONALD C. CHAPUT, PROFESSIONAL LAND SURVEYOR S-1316

CHAPUT LAND SURVEYS LLC
234 W. FLORIDA STREET
MILWAUKEE, WI 53204
414-224-8068
www.chaputlandsurveys.com

This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316

Rev. Aug 17, 2020
Date: July 14, 2020
Drawing No. 3173.02-far
Sheet 2 of 4 Sheets

CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 1 and Outlot 1 of Certified Survey Map No. 11999, in the Northeast 1/4, Southeast 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 10 and the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 11 in Township 7 North, Range 17 East, City of Oconomowoc, Waukesha County, Wisconsin.

CORPORATE OWNER'S CERTIFICATE

POLLY'S WASHTUB LAND SOUTH, LLC, a Wisconsin limited liability company, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, hereby certifies that said limited liability company caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of the City of Oconomowoc.

POLLY'S WASHTUB LAND SOUTH, LLC, as owner, does further certify that this map is required by S.236.20 or S.236.12 to be submitted to the following for approval or objection: City of Oconomowoc.

IN WITNESS WHEREOF, the POLLY'S WASHTUB LAND SOUTH, LLC has caused these presents to be signed by the hand of _____, on this _____, day of _____, 2020.

In the presence of: POLLY'S WASHTUB LAND SOUTH, LLC

STATE OF _____ }
 } :SS
COUNTY }

Personally came before me this _____ day of _____, 2020, _____, to me known as the person who executed the foregoing instrument and acknowledged that he executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

Notary Public,
State of Wisconsin
My commission expires _____
My commission is permanent



This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316

Rev. Aug 17, 2020
Date: July 14, 2020
Drawing No. 3173.02-far
Sheet 3 of 4 Sheets

CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 1 and Outlot 1 of Certified Survey Map No. 11999, in the Northeast 1/4, Southeast 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 10 and the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 11 in Township 7 North, Range 17 East, City of Oconomowoc, Waukesha County, Wisconsin.

CONSENT OF CORPORATE MORTGAGEE

Park Bank N.A., a corporation duly organized and existing by virtue of the laws of the State of _____, mortgagee of the above described land, consents to the surveying, dedicating, dividing and mapping of the land described in the foregoing affidavit of Donald C. Chaput, surveyor, and consents to the above certificate of POLLY'S WASHTUB LAND SOUTH, LLC, owner.

In Witness Whereof, the _____, has caused these presents to be signed by _____, its _____, at _____, this _____ day of _____, 2020.

In the presence of:

(Witness) (print name)

STATE OF _____)
_____) : SS
_____ COUNTY)

Personally came before me this _____ day of _____, 2020, _____ of the above named corporation, to me known as the person who executed the foregoing instrument, and acknowledged that they executed the foregoing instrument as such officers as the deed of the corporation, by its authority.

(Notary Seal)

Notary Public State of _____
My commission expires,
My commission is permanent.

PLANNING COMMISSION CERTIFICATE OF APPROVAL

APPROVED by the Planning Commission of the City of Oconomowoc on this _____ day of _____, 2020.

ROBERT P. MAGNUS, CHAIRPERSON

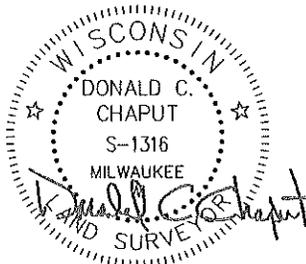
CHRIS DEHNERT, SECRETARY

COMMON COUNCIL CERTIFICATE OF APPROVAL

APPROVED and dedicated by the Common Council of the City of Oconomowoc in accordance with the Resolution adopted on, this _____ day of _____, 2020.

ROBERT P. MAGNUS, MAYOR

DIANE COENEN, CLERK



This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316

Rev. Aug 17, 2020
Date: July 14, 2020
Drawing No. 3173.02-far
Sheet 4 of 4 Sheets

Planning Staff Report

City of Oconomowoc

Plan Commission –9/9/2020

David Robinson Land Division

Certified Survey Map – East Side (#1) & West Side (#2)

Summary: The applicant submitted a pair of certified survey maps to create buildable sites and several outlots near the applicants residence at W340 N7661 Townline Road. These parcels will be used for two additional residential homes, with the existing two homes, while preserving the bulk of the farmland. This area falls within the City's extraterritorial platting review authority in the Town of Oconomowoc, so therefore both the Plan Commission & Common Council must review and act on the document.

Property Location: W340 N7661 Townline Road

Property Owners: David Robinson
W340 N7661 Townline Road
Oconomowoc, WI 53066

Applicant: Jon Spheeris
175 E. Wisconsin Avenue, Suite A
Oconomowoc, WI 53066



General Location Map

The subject property is less than three (3) miles from the City of Oconomowoc Boundary, therefore falls within the City's extraterritorial platting jurisdiction area. The lands are approximately 9300 linear feet from Brown Street or about 1.75 miles from the City's closest lands.

CSM Review:

The applicant has been working with Waukesha County and the Town of Oconomowoc for a several years on this land division. The result of numerous meetings and site visits are the two CSM documents before you. The County has been supportive and has already approved residential zoning (R-1) for the proposed buildable lots. The County has not approved the actual CSM document as they continue to review and move the CSM through the process.

Similar CSM's came before the Plan Commission in June 2019. Although slightly changed the main concept for master planning this land is the same. In 2019, staff felt it was best not to recommend "approval", but for the City to take no formal action. Both the City Plan Commission and the Common Council went along with the recommendation and took no action. The review timeline expired and the CSM documents were approved by default. Apparently, the documents were not recorded, and the property owner has decided to go a different direction. At this time, updated documents are before the City asking for review.

Both CSM documents are unorthodox and unconventional. The CSMs create lots that do not front on a public road and several lots that are not rectangular in shape. These are basic Planning concepts that are not being followed. For these reasons, I again cannot give support to this land division.

Staff spoke with representatives from both Town of Oconomowoc and Waukesha County regarding this land division. They both are encouraging the City **not to deny** the proposed land division. The CSM and future lots are following the Farmland Preservation requirements. The residential lots are being placed on the least desirable farmland. This document preserves the Prime Agricultural lands. Both entities agreed this is not a typical land division, but under the various site factors they feel this is the best solution to balance the idea of preserving farmland and allowing lots to be created.

Based on the amount of acreage that the applicant owns (over 150 acres), he is allowed 4 buildable sites. Those will be the two vacant 3-acre sites and the two 5-acre sites that contain dwellings. The remaining lands will be classified as four outlots, that are not allowed to develop in the future. Included in the packet is a master plan exhibit to better show what is happening.

Final Thoughts:

After much thought and investigation, staff does not want to recommend approval or denial of this document. It is understood that the other reviewing parties are trying to preserve as much farmland as possible, but the land division is not typical and is contrary to basic Planning principles.

With that said, Staff feels the City of Oconomowoc should take **NO ACTION** on the CSM document and let the time expire. Once the time expires, the document is automatically deemed approved, without the City being on record of supporting this

configuration. The City has done this practice for other Extraterritorial CSMs in the past. Per Wisconsin State Statutes 236.34(1m)(f),

“Within 90 days of submitting a certified survey map for approval, the approving authority, or its agent authorized to approve certified survey maps, shall take action to approve, approve conditionally, or reject the certified survey map and shall state in writing any conditions of approval or reasons for rejection, unless the time extended by agreement with the subdivider. Failure of the approving authority or its agent to act within the 90 days, or any extension of that period, constitutes an approval of the certified survey map and, upon demand, a certificate to that effect shall be made on the face of the map by the clerk of the authority that has failed to act.”

Recommendation: Plan Commission forward the two David Robinson Certified Survey Maps on Townline Road, to the Common Council **TAKING NO ACTION.**

If this is the preferred method on how to proceed, then:

On the City signature block of the CSM's (page 6 & page 8), the Plan Commission Approval block and the Common Council block would be crossed off and replaced with the following:

I, Diane Coenen, Clerk of the City of Oconomowoc, certify that this certified survey map was filed with the City on July 27, 2020, and that the City failed to act within 90 days, therefore this certified survey map shall be deemed approved pursuant to Section 236.34(1m)(f) of the Wisconsin Statutes.

DIANE COENEN, CITY CLERK

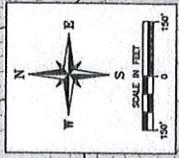
The City Clerk can then sign the document on or after **October 26, 2020** and provide back to the applicant for recording at the Waukesha County Register of Deeds Office. While waiting for the time to expire, the applicant is allowed to advertise, market and accept offers on the buildable sites. No formal land closings can occur until the CSM documents are signed and recorded.

The other options for the Plan Commission include either recommending approval, or recommending denial.

Submitted by: _____

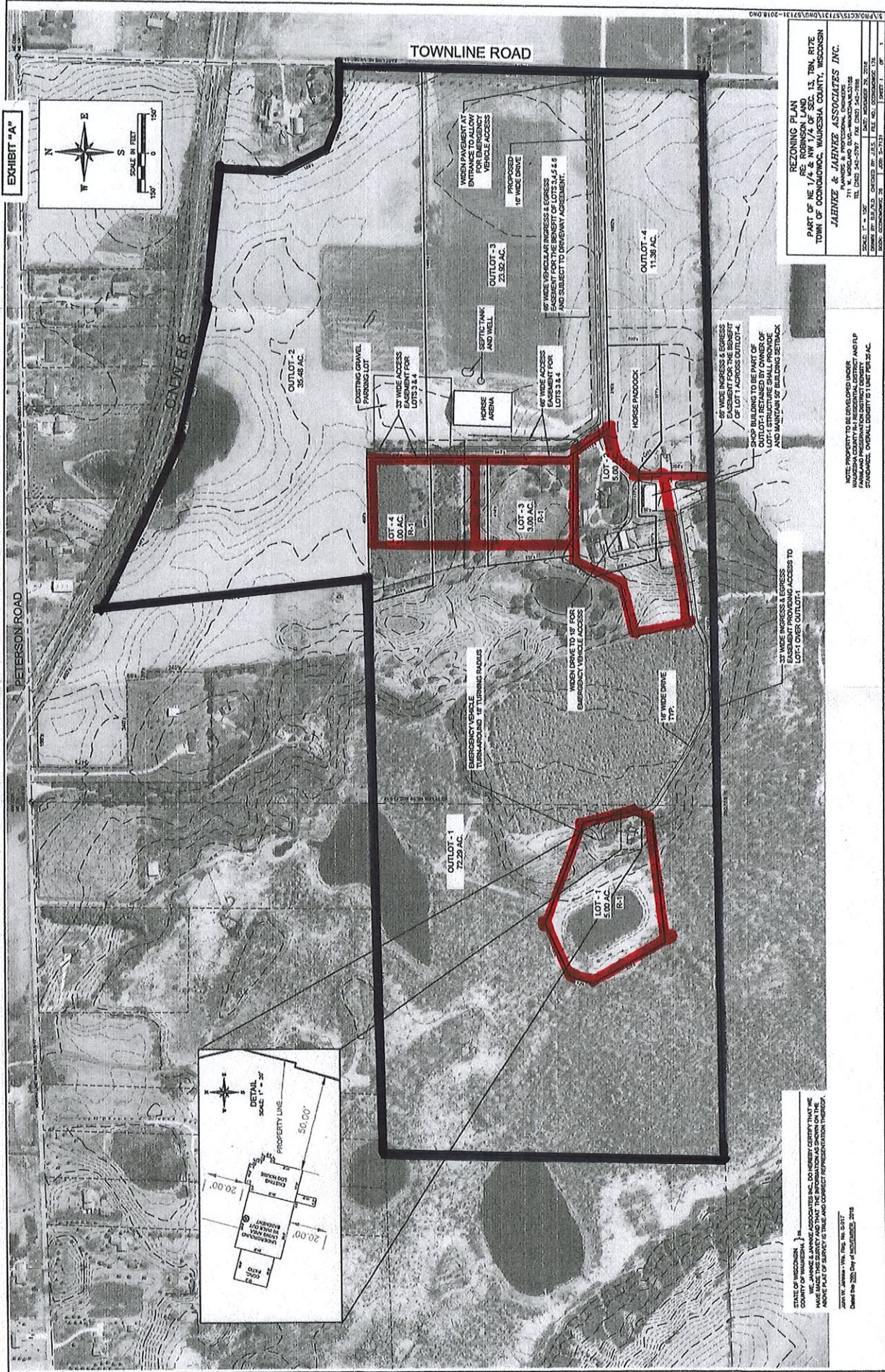
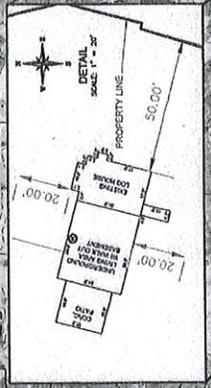

Jason Gallo, AICP
City Planner/Zoning Administrator

EXHIBIT "A"



TOWNLINER ROAD

PETERSON ROAD



REZONING PLAN
 RE: ROBINSON LAND
 PART OF NE 1/4 & NW 1/4 OF SEC. 13, T8N, R17E
 TOWN OF OGDORNBURG, WISCONSIN COUNTY, WISCONSIN
JAEENKE & JAEENKE ASSOCIATES INC.
 711 W. WISCONSIN ST., SUITE 200
 OGDORNBURG, WI 53055-4500
 PHONE: 262.542.7888 FAX: 262.542.7888
 SCALE: 1" = 200'
 DRAWN BY: B.J.A.Z. CHECKED BY: J.S.E. FILE NO.: OGDORNBURG_17R
 BOOK: OGDORNBURG_25 SHEET: 5-7131 SHEET: 1 OF 1

NOTE: PROPERTY TO BE DEVELOPED UNDER
 FARM AND FORESTRY DISTRICT ZONING
 JURISDICTION. ORIGINAL DISTRICT IS 1 UNIT PER 3.0 AC.

STATE OF WISCONSIN
 COUNTY OF WAUKESHA }
 I, JAEENKE & JAEENKE ASSOCIATES INC.,
 THE SURVEYOR, HEREBY CERTIFY THAT I
 AND MY ASSISTANTS HAVE MADE A PERSONAL
 AND CAREFUL SURVEY OF THE ABOVE
 PROPERTY AND HAVE MADE THE INDICATIONS
 SHOWN ON THE ABOVE PLAN OF SURVEY.
 I HAVE MADE THIS SURVEY IN ACCORDANCE
 WITH THE REQUIREMENTS OF THE
 WISCONSIN SURVEYING ACT AND
 THE RULES OF THE BOARD OF SURVEYING
 ENGINEERS.
 Dated this 28th day of AUGUST, 2018



Development Application

Department of City Planning
 174 E. Wisconsin Avenue Oconomowoc, WI
 www.oconomowoc-wi.gov | 262.569.2166

X	Description	Administrative Fee
	Administrative Design Review	\$ 75.00
	Major Design Review	\$ 75.00
	Conditional Use Permit	\$ 500.00
	Zoning Determination Letter	\$ 100.00
	Temporary Use Permit	\$ 75.00
	Temporary Use Permit - Renewal	No Charge
	Variance	\$ 425.00
	Special Exceptions	\$ 425.00
	Appeals of Zoning Administrator	\$ 300.00
	Zoning Map Amendment (From _____ To _____)	\$ 425.00
	Zoning Text Amendment	\$ 425.00
	Comprehensive Plan Amendment	\$ 300.00
	Planned Development District Step 1: Pre-application Conference	No Charge
	Step 2: Concept Plan Review	\$ 75.00
	Step 3: General Development Plan Review	\$ 200.00
	Preliminary or Final Plat Review	\$ 75.00
<input checked="" type="checkbox"/>	Certified Survey Map or Extraterritorial Plat/CSM Review	\$ 75.00

***NOTE:** Administrative filing fees are due at the time an application is filed with the City Clerk's Office and are not refundable. In addition to the Administrative fees, City Staff time (City Engineer, City Planner & City Attorney) will be charged back to the applicant. The Applicant will receive monthly invoices of payments due.

Date: 7-24-2020

Project/Business Name: Robinson CSM's

Address/Location: W340 N 2661 Townline Rd.

City, State, Zip Code: Oconomowoc, Wis. 53066

Proposed Use of Property: Residential + Agricultural

Applicant: Jon Sphaeris

Property Owner: Dave Robinson

Address: 125 E. Wisconsin Ave STE. A

Address: W340 N. 2661 Townline Rd.

City/State/Zip: Oconomowoc, Wis. 53066

City/State/Zip: Oconomowoc, Wis. 53066

Phone: 262-490-5558

Phone: 262-966-3319

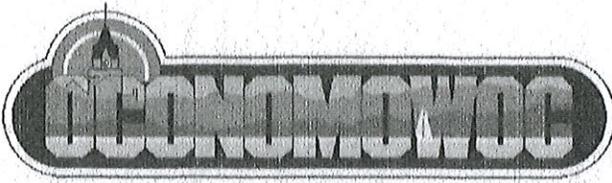
E-mail: jon@cb-elite.com

E-mail: robinsonequine@aol.com

Signature: Jon Sphaeris

Signature: Dave Robinson

This form is not valid unless signed by Owner or Agent under a written power-of-attorney (please provide). I, Owner/one of the Owner's of the property, declare that this application (including any accompanying documents) has been examined by me and to the best of my knowledge and belief is true, correct and complete. I further accept all liability, which may be a result of the City of Oconomowoc relying on this information I am providing in this application.



STAFF RECOMMENDATION FORM TYPE OF REQUEST: **ET CSMS**

PROJECT NAME: **ROBINSON LAND DIVISION**
TAX KEY NO.: **TOWN OF OCONOMOWOC**
PROJECT ADDRESS/LOCATION: **W340 N7661 TOWNLINE RD.**

RECOMMENDATION SIGNATURES

CITY PLANNER: *Jason Gallo* Date: **8-14-20**
Comments:

CITY ENGINEER: *Steve H. Singh* Date: **8-20-2020**
Comments:

DIRECTOR OF PUBLIC WORKS: *Eric Jurek* Date: **08.31.2020**
Comments:

WASTEWATER: *Heidi* Date: **8-18-20**
Comments:

WATER: *Jim* Date: **8/18/20**
Comments:

ELECTRIC: *Jim* Date: **8/18/20**
Comments:

PARKS, RECREATION & FORESTRY: *C. H.* Date: **8/18/20**
Comments:

POLICE CHIEF: *D.* Date: **8/18/20**
Comments:

FIRE: *Adam* Date: **8-20-20**
Comments:

DIRECTOR OF FINANCE: *J. Sullivan* Date: **8/18/20**
Comments:

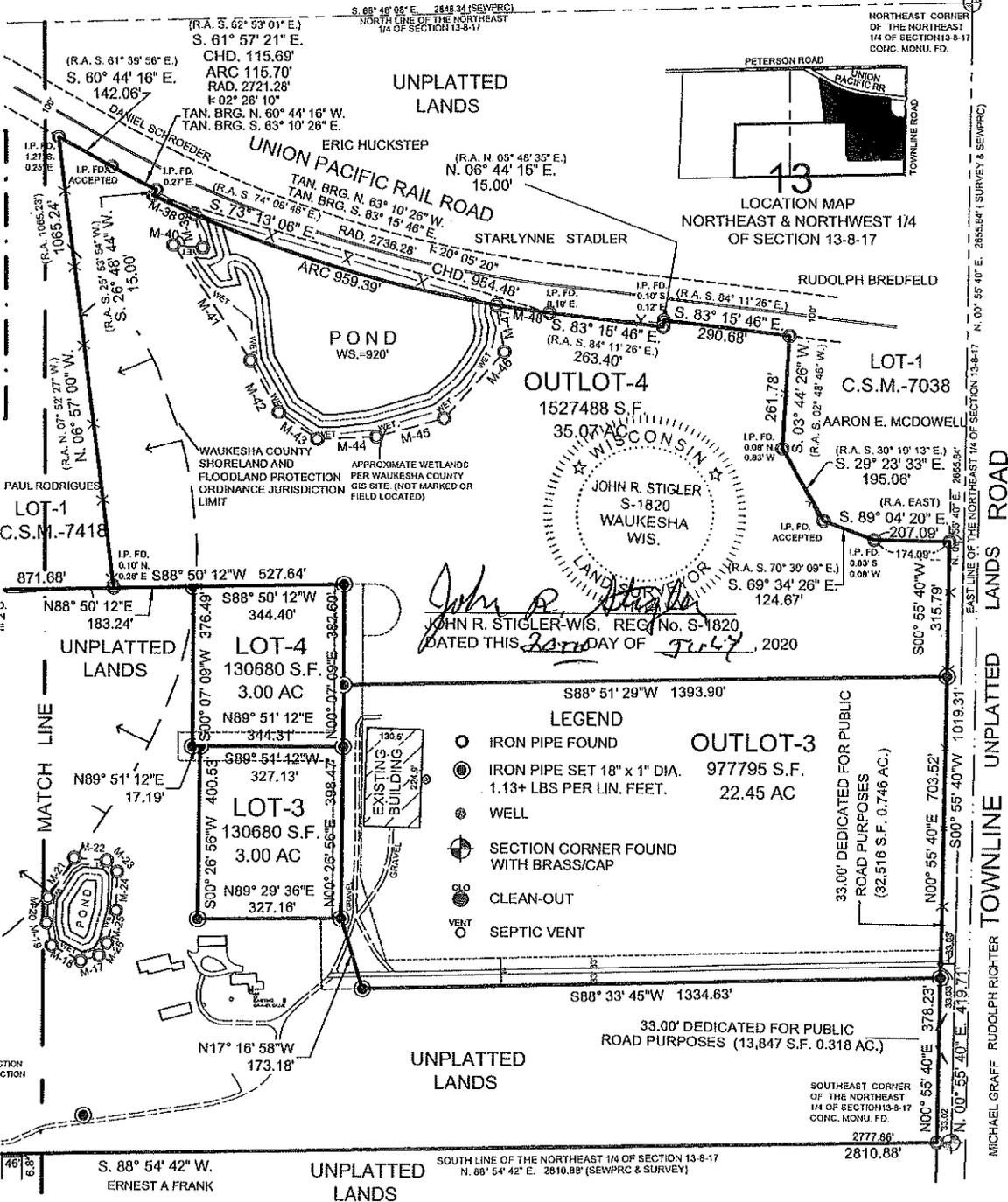
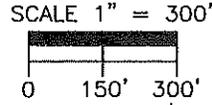
ECONOMIC DEVELOPMENT DIRECTOR: *Robert Duffy* Date: **8/18/20**
Comments:

CERTIFIED SURVEY MAP NO. _____

Sheet 1 of 8

All that part of the Southeast Quarter (SE 1/4) and Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 13 and the Southeast (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 13, Town 8 North, Range 17 East
TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

OWNER:
DAVID G. ROBINSON
W340 N 7861 TOWNLINE ROAD
OCONOMOWOC, WI 53066
(262) 370-4647



CERTIFIED SURVEY MAP NO. _____

Sheet 3 of 8

All that part of the Southeast Quarter (SE 1/4) and Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 13 and the Southeast (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 13, Town 8 North, Range 17 East TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

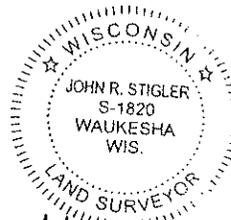
MEANDER LINE TABLE

DISTANCE/BEARING

M-38 TIE CHD. 104.84' BRG. S. 84° 16' 18" E.
ARC 104.85' RADIUS 2735.28'
DISTANCE BEARING
M-39 81.46' S. 13° 21' 49" E.
M-40 67.49' N. 84° 49' 28" W.
M-41 320.28' S. 33° 17' 27" E.
M-42 135.00' S. 28° 17' 48" E.
M-43 108.67' S. 54° 42' 30" E.
M-44 137.39' N. 87° 24' 24" E.
M-45 163.73' N. 74° 43' 29" E.
M-46 207.87' N. 42° 11' 46" E.
M-47 107.70' N. 09° 48' 37" W.

M-48 TIE CHD. 123.61' BRG. S. 81° 58' 33" E.
ARC 123.62' RADIUS 2735.28'

EASEMENT TABLE		
EASEMENT #	LENGTH	BEARING
E1	167.39	N01° 10' 08"W
E2	327.16	N89° 29' 36"E
E3	395.61	N00° 24' 10"E
E4	355.92	S89° 52' 50"W
E5	65.00	N00° 07' 05"W
E6	356.36	N89° 52' 52"E
E7	349.21	N00° 08' 00"E
E8	66.02	N88° 49' 59"E
E9	383.42	S00° 08' 00"W
E10	300.12	S00° 24' 10"W
E11	205.19	S17° 01' 54"E



John R. Stigler
JOHN R. STIGLER-WIS. REG. No. S-1820
DATED THIS 20th DAY OF JULY, 2020

CERTIFIED SURVEY MAP NO. _____

Sheet 4 of 8

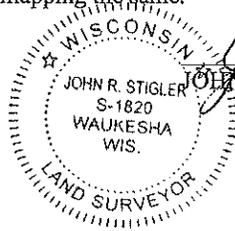
All that part of the Southeast Quarter (SE ¼) and Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section 13 and the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section 13, Town 8 North, Range 17 East
TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE:

I, John R. Stigler, professional land surveyor, being duly sworn on oath, hereby depose and states that I have surveyed, divided and mapped the following land bounded and described as follows:

All that part of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section 13 and the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section 13, Town 8 North, Range 17 East, Town of Oconomowoc, Waukesha County, Wisconsin bounded and described as follows: Beginning at the southeast corner of the Northeast Quarter (NE ¼) of said Section 13 being marked by a concrete monument with brass cap; thence South 88°54'42" West 33.02 feet to the West right-of-way line of Townline Road; thence North 00°53'40" East 378.23 feet along the West right-of-way line of Townline Road to the place of beginning; thence South 88°33'45" West 1334.63 feet; thence North 17°16'58" West 173.18 feet; thence South 89°29'35" West 327.16 feet; thence North 00°26'56" East 400.53 feet; thence North 89°51'12" West 17.19 feet; thence North 00°07'09" West 376.49 feet; thence South 88°50'12" West 183.24 feet; thence North 06°57'00" West 1065.24 feet along the east line of Certified Survey Map No. 7418; thence South 60°44'16" East 142.06 feet along the south right-of-way line of the Union Pacific Railroad; thence Southerly 115.70 feet along the arc of a curve of radius 2721.28 feet, curve center lies to the north, chord bears South 61°57'21" East 115.69 feet and being the south right-of-way line of said railroad; thence South 26°48'44" West 15.00 feet; thence Southeasterly 959.39 feet along the arc of a curve of radius 2736.28 feet, curve center lies to the north, chord bears South 73°13'06" East 954.48 feet; thence South 83°15'46" East 263.40 feet along said south railroad right-of-way line; thence North 06°44'15" East 15.00 feet; thence South 83°15'46" East 290.68 feet along said railroad right-of-way line to the west line of Certified Survey Map No. 7038; thence along the following courses of Map No. 7038; thence South 03°44'26" West 261.78 feet; thence South 29°23'33" East 195.06 feet; thence South 69°34'26" East 124.67 feet; thence South 89°04'20" East 174.09 feet to the west right-of-way line of Townline Road; thence South 00°55'40" West 1019.31 feet along the said right-of-way line to the place of beginning. Containing a net area of 2766803 square feet or 63.52 acres of land.

I also certify that I have made the survey by the direction of the owner and that I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes pertaining to Certified Survey Maps (Section 236.24) and the subdivision regulations of the Town of Oconomowoc, Waukesha County and City of Oconomowoc in surveying, dividing and mapping the same.

 John R. Stigler
JOHN R. STIGLER - Wis. Reg. No. S-1820

STATE OF WISCONSIN)ss
WAUKESHA COUNTY)

The above certificate subscribed and sworn to me this 20th day of July, 2020.

My commission expires July 5, 2023.

Peter A. Muehl
PETER A. MUEHL - NOTARY PUBLIC



OWNER: DAVID G. ROBINSON

Instrument drafted by John R. Stigler

P.S. Oconomowoc 509B

CERTIFIED SURVEY MAP NO. _____

Sheet 5 of 8

All that part of the Southeast Quarter (SE ¼) and Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section 13 and the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section 13, Town 8 North, Range 17 East
TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

OWNER'S CERTIFICATE:

As owner, I do hereby certify that I caused the land described on this map to be surveyed, divided and mapped as represented on this map. I also certify that this Certified Survey Map is required to be submitted to the following for approval: Town of Oconomowoc, Waukesha County Department of Parks and Land Use and City of Oconomowoc

DAVID G. ROBINSON – OWNER

STATE OF WISCONSIN)ss
COUNTY OF WAUKESHA)

Personally came before me this _____ day of _____, 2020, the above named DAVID G. ROBINSON, to me known to be the person who executed the foregoing instrument.

My commission expires _____

NOTARY PUBLIC –

CONSENT OF CORPORATE MORTGAGEE:

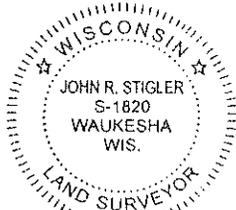
HOME FEDERAL SAVINGS BANK, a corporation duly organized and existing by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, consents to the surveying, dividing and mapping of the land described in the foregoing affidavit of John R. Stigler, surveyor, and consents to the above certificate of DAVID G. ROBINSON, owner.

STEPHEN FLEISCHMANN – MARKET VICE PRESIDENT

STATE OF _____)ss
COUNTY OF _____)

Personally came before me this _____ day of _____, 2020, _____ of the above named _____, to me known as the person who executed the foregoing instrument, and to me known to be the _____ of the _____ and acknowledged that they executed the foregoing instrument as such officer as the deed of _____ by its authority.

Notary Public - _____
State of _____
My commission expires _____



John R. Stigler
JOHN R. STIGLER – Wis. Reg. No. S-1820
Dated this 20th day of July, 2020

OWNER: DAVID G. ROBINSON

Instrument drafted by John R. Stigler

P.S. Oconomowoc 509B

CERTIFIED SURVEY MAP NO. _____ Sheet 6 of 8

All that part of the Southeast Quarter (SE ¼) and Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section 13 and the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section 13, Town 8 North, Range 17 East
TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

TOWN OF OCONOMOWOC PLANNING COMMISSION APPROVAL

Approved by the Town of Oconomowoc Planning Commission on this _____, day of _____, 2020.

ROBERT B. PEREGRINE – CHAIRPERSON

JAMES NAVIN - SECRETARY

TOWN OF OCONOMOWOC BOARD APPROVAL

Approved by the Town Board of the Town of Oconomowoc on this _____, day of _____, 2020.

ROBERT C. HULTQUIST – TOWN CHAIRMAN

LORI OPITZ – CLERK/TREASURER

CITY OF OCONOMOWOC PLAN COMMISSION APPROVAL: EXTRA-TERRITORIAL JURISDICTION:

Approved by the City of Oconomowoc Planning Commission on this _____ day of _____, 2020.

ROBERT MAGNUS – CHAIRMAN

CHRIS DEHNERT - SECRETARY

CITY OF OCONOMOWOC COMMON COUNCIL APPROVAL: EXTRA-TERRITORIAL JURISDICTION:

Approved by the City of Oconomowoc Common Council on this _____ day of _____, 2020.

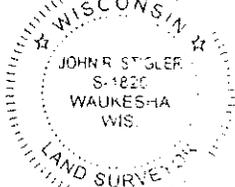
ROBERT MAGNUS – MAYOR

DIANE COENEN – CITY CLERK

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE:

Resolved that the above Certified Survey Map, which has been filed for approval as required by Chapter 236, Wisconsin Statutes, is hereby approved this _____ day of _____, 2020.

DALE R. SHAVER - DIRECTOR



John R. Stigler

JOHN R. STIGLER – Wis. Reg. No. S-1820

Dated this 20th day of JULY, 2020

OWNER: DAVID G. ROBINSON

Instrument drafted by John R. Stigler

P.S. Oconomowoc 509B

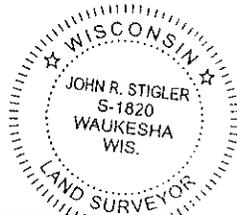
CERTIFIED SURVEY MAP NO. _____

Sheet 7 of 8

All that part of the Southeast Quarter (SE ¼) and Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section 13 and the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section 13, Town 8 North, Range 17 East
TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

Notes:

1. A portion of Lot 1 is subject to CU-15, which preserves the right for future owners to operate horse related business operations subject to a Conditional Use Permit Amendment. All other future uses associated with the poly-structure shall comply with the uses permitted within the Farmland Preservation District of the Waukesha County Codes.
2. The wetland and Primary Environmental Corridor (PEC) boundaries shown on this Certified Survey are approximate boundaries taken from the Wisconsin Department of Natural Resources Wetland Inventory Map and SEWRPC inventory, respectively. If a future building/structure is proposed to be constructed in close proximity to the wetland and/or PEC, it may be necessary for the wetland and/or PEC boundary to be field delineated. All setbacks required by the Waukesha County Shoreland and Floodland Protection Ordinance or Waukesha County Zoning Code at the time of development shall apply.
3. BASEMENT RESTRICTION – GROUNDWATER - The lands that are a part of this Certified Survey Map are located in an area with mapped soils that may contain seasonal high groundwater. Waukesha County Shoreland and Floodland Protection Ordinance and the Waukesha County Zoning Code currently require that the lowest level of any residence must be at an elevation that is at least one (1) foot higher than the highest seasonal groundwater level, unless a variance from that requirement is obtained from the Waukesha County Board of Adjustment. Therefore, additional soil testing in the vicinity of any future proposed residence will be required to ensure compliance with this requirement. If the requirement regarding vertical separation distance from the highest seasonal groundwater level is modified by a future amendment to the Waukesha County Shoreland and Floodland Protection Ordinance, the requirement at the time of construction shall apply. All groundwater separation requirements set forth by the Town of Oconomowoc must also be complied with.
4. The owner of the land, states; no drain tiles have been found that exist on the property.
5. All survey monuments required for this site shall be placed prior to recording of the Certified Survey Map.
6. On October 7, 2019, the Town of Oconomowoc Plan Commission approved more than two accessory buildings on Lot 2 and approved an exception to the maximum accessory building footprint for parcels that have been designated Farmland Preservation in the County Development Plan and have been rezoned to the R-1 Residential District.
7. In order to demonstrate compliance with Farmland Preservation density requirements, a Deed Restriction was placed upon the property memorializing the developments rights of the entire 147 acre original parcel. Recorded on _____ as Document No. _____ in the Waukesha County Register of Deeds.
8. Any land below the ordinary high water mark of a lake or a navigable stream is subject to the public trust in navigable water that is established under article IX, section 1, of the state constitution.



John R. Stigler
JOHN R. STIGLER – Wis. Reg. No. S-1820
Dated this 22nd day of JULY, 2020

OWNER: DAVID G. ROBINSON

Instrument drafted by John R. Stigler

P.S. Oconomowoc 509B

CERTIFIED SURVEY MAP NO. _____

Sheet 8 of 8

All that part of the Southeast Quarter (SE ¼) and Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section 13 and the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of

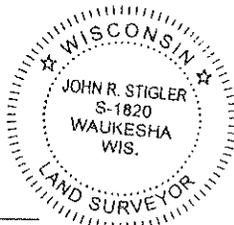
Section 13, Town 8 North, Range 17 East

TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

PRIMARY ENVIRONMENTAL CORRIDOR/WETLAND PRESERAVATION RESTRICTIONS

Those areas identified as a Primary Environmental Corridor/Wetland on Pages 1 and 2 of 9 of this Certified Survey Map shall be subject to the following restrictions:

1. Grading, filling and removal of topsoil or other earthen materials are prohibited, unless specifically authorized by the municipality in which this land is located and, if applicable, the Waukesha County Department of Parks and Land Use, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.
2. The removal or destruction of any vegetative cover, i.e., trees, shrubs, grasses, etc., is prohibited, with the exception that invasive, dead, diseased, or dying vegetation may be removed, at the discretion of the landowner, and with approval from the Waukesha County Department of Parks and Land Use-Planning and Zoning Division. Silvicultural thinning, upon the recommendation of a forester or naturalist and with approval from the Waukesha County Department of Parks and Land Use-Planning and Zoning Division, shall also be permitted.
3. Grazing by domesticated animals, i.e., horses, cows, etc, is prohibited, unless grazing is conducted in order to manage invasive vegetation and approval is obtained by the Waukesha County Department of Parks and Land Use-Planning and Zoning Division.
4. The introduction of plant material not indigenous to the existing environment is prohibited.
5. Ponds are prohibited unless designed to enhance the natural environment. Ponds that may be permitted are subject to the approval of the municipality in which they are located and, if applicable, the Waukesha County Department of Parks and Land Use, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.
6. The construction of buildings is prohibited.



John R. Stigler
JOHN R. STIGLER - Wis. Reg. No. S-1820

Dated this 20th day of JULY, 2020

OWNER: DAVID G. ROBINSON

Instrument drafted by John R. Stigler

P.S. Oconomowoc 509B

CERTIFIED SURVEY MAP NO. _____

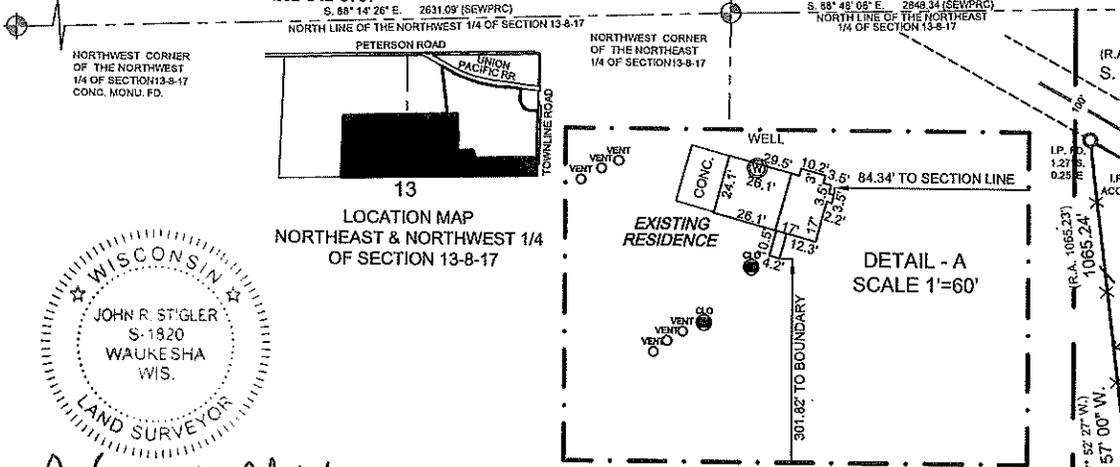
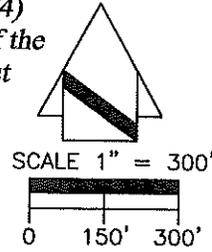
Sheet 1 of 10

All that part of the Southeast Quarter (SE 1/4) and Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 13 and the Southeast (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 13, Town 8 North, Range 17 East
TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

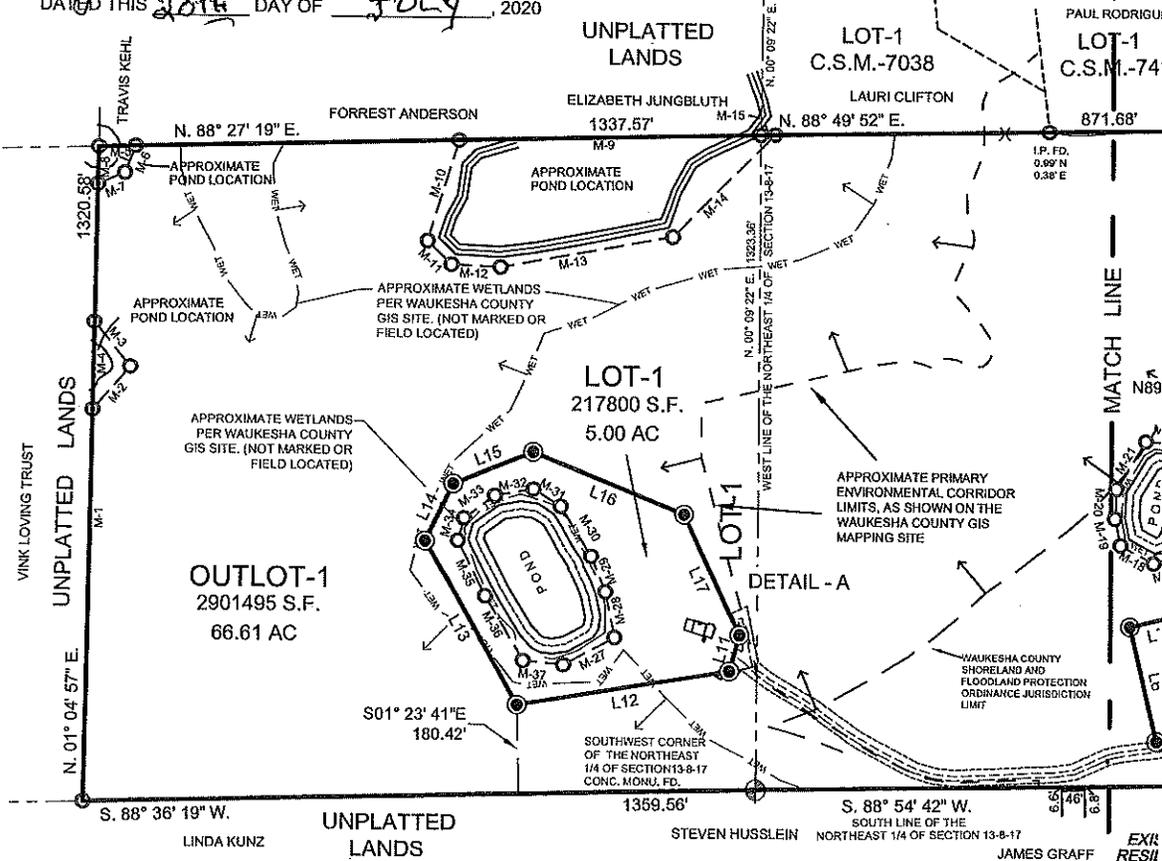
OWNER:
DAVID G. ROBINSON
W340 N 7661 TOWNLINE ROAD
OCONOMOWOC, WI 53066
(262) 370-4647

SURVEYOR:
JOHN R. STIGLER WIS. REG. S-1820
JAHNKE AND JAHNKE
ASSOCIATES, L.L.C.
711 WEST MORELAND BLVD.
WAUKESHA, WI. 53188
262-542-5797

REFERENCE BEARING:
EAST LINE OF THE NORTHEAST
1/4 OF SECTION 13-8-17 PER
WISCONSIN STATE PLANE COORDINATE
SYSTEM SOUTH ZONE HAS A BEARING
OF N. 00° 55' 40" E.



John R. Stigler
JOHN R. STIGLER-WIS. REG. No. S-1820
DATED THIS 30th DAY OF JULY, 2020

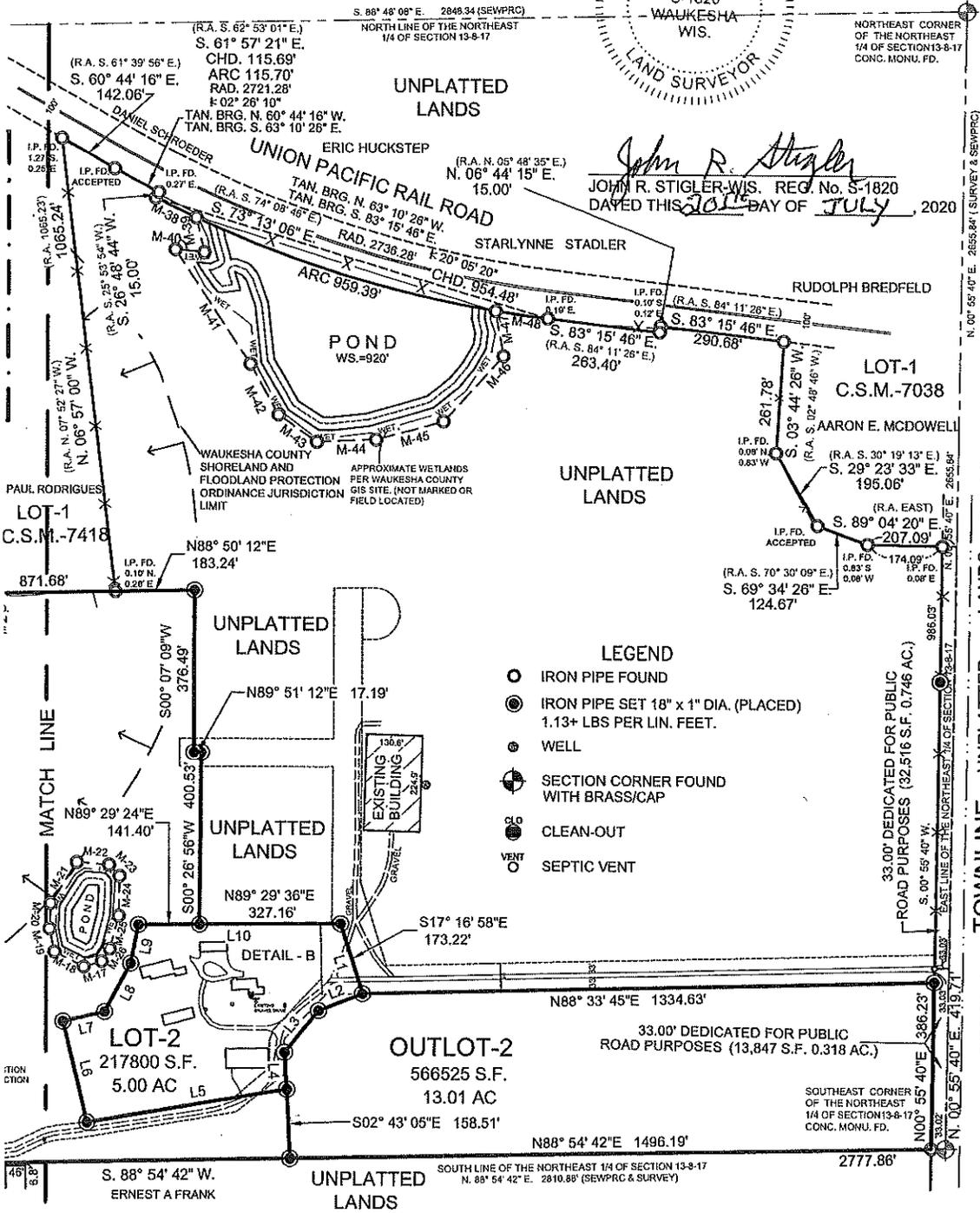
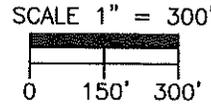
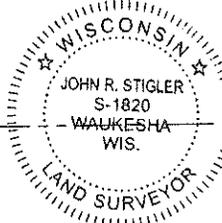


CERTIFIED SURVEY MAP NO.

Sheet 2 of 10

All that part of the Southeast Quarter (SE 1/4) and Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 13 and the Southeast (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 13, Town 8 North, Range 17 East
TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

OWNER:
DAVID G. ROBINSON
W340 N 7661 TOWNLINE ROAD
OCONOMOWOC, WI 53066
(262) 370-4647

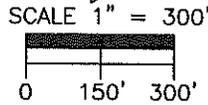
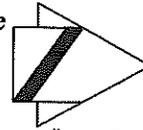


CERTIFIED SURVEY MAP NO. _____

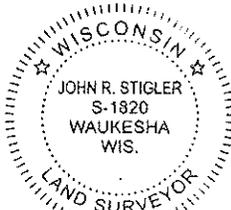
Sheet 3 of 10

All that part of the Southeast Quarter (SE 1/4) and Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 13 and the Southeast (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 13, Town 8 North, Range 17 East
TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

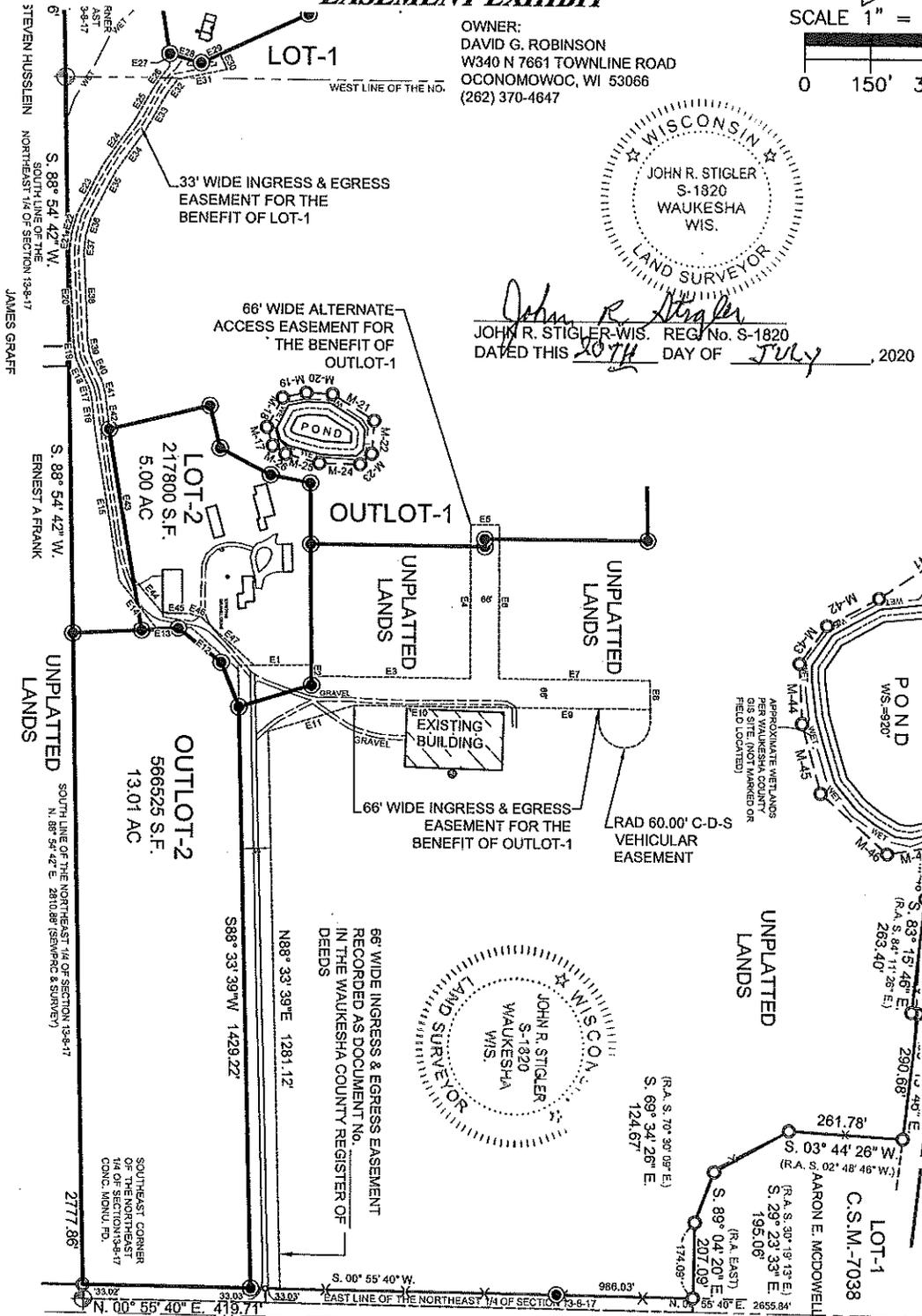
EASEMENT EXHIBIT



OWNER:
DAVID G. ROBINSON
W340 N 7661 TOWNLINE ROAD
OCONOMOWOC, WI 53066
(262) 370-4647



John R. Stigler
JOHN R. STIGLER-WIS. REG. No. S-1820
DATED THIS 20TH DAY OF JULY, 2020

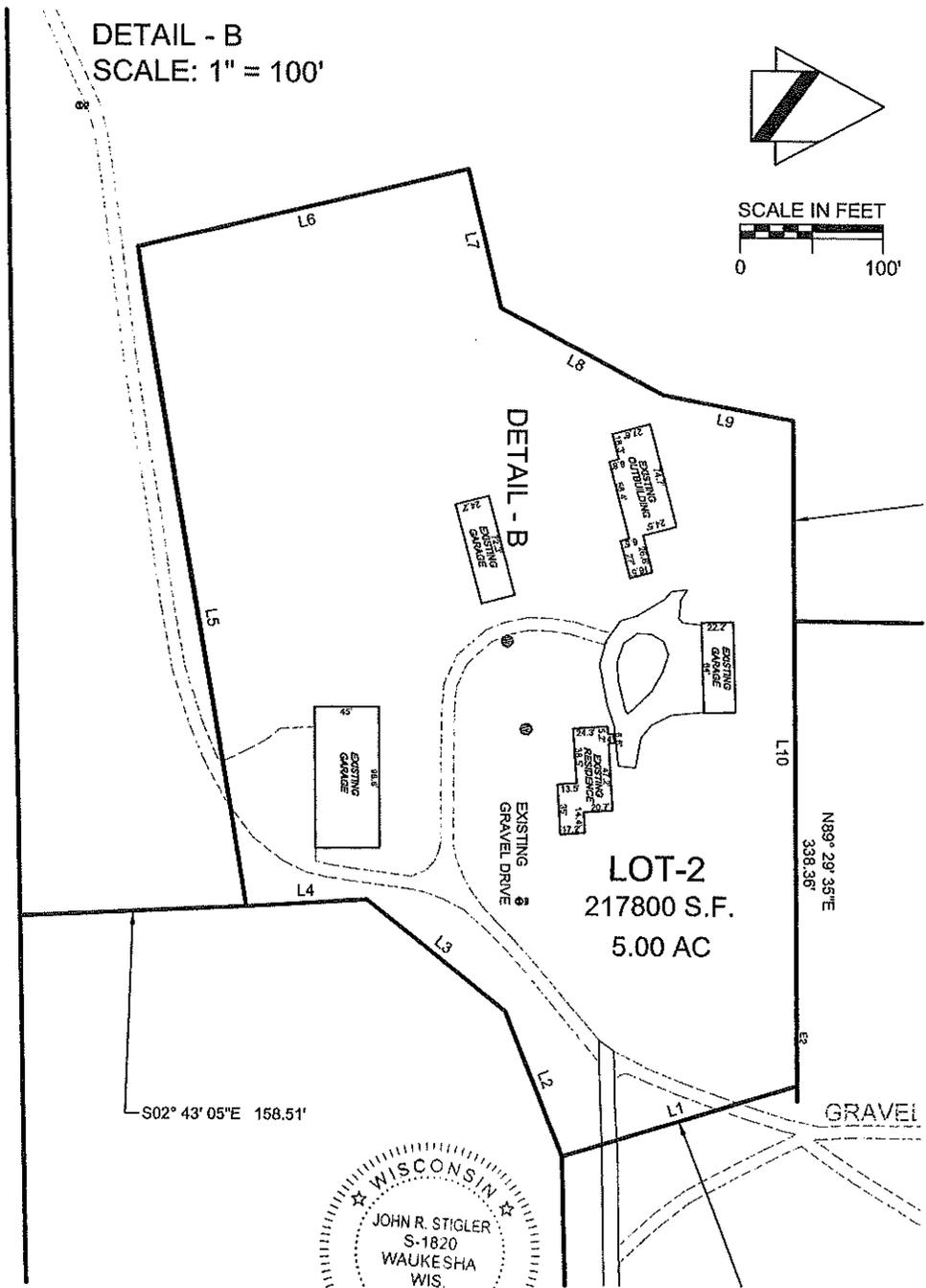
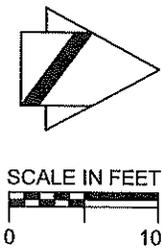


CERTIFIED SURVEY MAP NO. _____

Sheet 4 of 10

All that part of the Southeast Quarter (SE 1/4) and Southwest Quarter (SW 1/4)
of the Northeast Quarter (NE 1/4) of Section 13 and the Southeast (SE 1/4) of the
Northwest Quarter (NW 1/4) of Section 13, Town 8 North, Range 17 East
TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

DETAIL - B
SCALE: 1" = 100'



John R. Stigler
JOHN R. STIGLER-WIS. REG. No. S-1820
DATED THIS 20th DAY OF _____, 2020

CERTIFIED SURVEY MAP NO. _____

Sheet 5 of 10

All that part of the Southeast Quarter (SE 1/4) and Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 13 and the Southeast (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 13, Town 8 North, Range 17 East
TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

MEANDER LINE TABLE

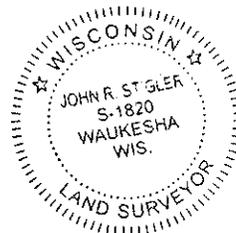
DISTANCE/BEARING		
M-1	790.58'	N. 01° 04' 57" E. TIE
M-2	117.15'	N. 40° 53' 17" E.
M-3	117.15'	N. 38° 43' 23" W.
M-4	180.00'	S. 01° 04' 57" W. TIE
M-5	75.00'	N. 88° 27' 19" E. TIE
M-6	58.29'	S. 21° 20' 53" W.
M-7	59.67'	S. 87° 36' 57" W.
M-8	75.00'	N. 01° 04' 57" E. TIE
M-9	611.48'	S. 88° 27' 19" W. TIE
M-10	210.61'	S. 17° 20' 00" W.
M-11	67.16'	S. 46° 11' 08" E.
M-12	99.80'	S. 87° 26' 16" E.
M-13	353.85'	N. 79° 46' 27" E.
M-14	292.48'	N. 45° 08' 55" E.
M-15	29.52'	S. 89° 49' 52" W. TIE
M-17	44.39'	S. 72° 28' 02" W.
M-18	76.95'	N. 62° 27' 02" W.
M-19	53.40'	N. 11° 59' 28" W.
M-20	59.48'	N. 02° 35' 40" E.
M-21	113.40'	N. 32° 04' 21" E.
M-22	76.64'	S. 85° 44' 45" E.
M-23	35.82'	S. 42° 19' 29" E.
M-24	93.15'	S. 01° 16' 57" W.
M-25	79.86'	S. 14° 43' 14" E.
M-26	35.00'	S. 32° 54' 04" W.
M-27	117.32'	N. 61° 50' 01" E.
M-28	93.81'	N. 11° 46' 47" W.
M-29	78.36'	N. 71° 56' 39" W.
M-30	117.68'	N. 31° 36' 21" W.
M-31	95.51'	N. 58° 20' 43" W.
M-32	78.44'	S. 60° 02' 10" W.
M-33	77.34'	S. 53° 49' 09" W.
M-34	47.33'	S. 15° 36' 50" W.
M-35	126.26'	S. 26° 33' 14" E.
M-36	149.96'	S. 30° 48' 43" E.
M-37	81.99'	S. 84° 25' 53" E.
M-38	TIE CHD. 104.84' BRG. S. 64° 16' 18" E. ARC 104.85' RADIUS 2736.28'	
M-39	81.46'	S. 13° 21' 49" E.
M-40	67.49'	N. 84° 49' 28" W.
M-41	320.28'	S. 33° 17' 27" E.
M-42	135.00'	S. 28° 17' 46" E.
M-43	108.67'	S. 54° 42' 30" E.
M-44	137.39'	N. 87° 24' 24" E.
M-45	183.73'	N. 74° 43' 29" E.
M-46	207.97'	N. 42° 11' 48" E.
M-47	107.70'	N. 09° 48' 37" W.
M-48	TIE CHD. 123.61' BRG. S. 81° 58' 33" E. ARC 123.62' RADIUS 2736.28'	

LOT-1 LINE TABLE		
LINE #	LENGTH	BEARING
L11	75.00	N15° 25' 50"E
L12	435.46	N80° 38' 21"E
L13	379.26	S29° 37' 24"E
L14	128.21	S25° 51' 13"W
L15	173.76	S68° 05' 40"W
L16	329.65	N68° 09' 19"W
L17	269.16	N25° 02' 39"W

LOT-2 LINE TABLE		
LINE #	LENGTH	BEARING
L1	173.22	S17° 16' 58"E
L2	110.22	S68° 25' 56"W
L3	125.60	S38° 42' 22"W
L4	84.51	S03° 43' 34"E
L5	470.55	S80° 34' 27"W
L6	238.41	N13° 38' 31"W
L7	100.22	N76° 39' 05"E
L8	130.31	N27° 48' 34"E
L9	92.67	N10° 57' 32"E
L10	468.56	N89° 29' 32"E

EASEMENT TABLE		
EASEMENT #	LENGTH	BEARING
E1	167.39	N01° 10' 08"W
E2	327.11	N89° 29' 35"E
E3	365.61	N00° 24' 10"E
E4	355.92	S89° 52' 50"W
E5	66.00	N00° 07' 08"W
E6	356.36	N89° 52' 52"E
E7	349.21	N00° 08' 00"E
E8	66.02	N88° 49' 59"E
E9	383.42	S00° 08' 00"W
E10	300.12	S00° 24' 10"W
E11	205.19	S17° 01' 54"E

EASEMENT TABLE		
EASEMENT #	LENGTH	BEARING
E12	143.21	N42° 22' 04"E
E13	82.11	N00° 02' 57"E
E14	138.90	N52° 04' 39"E
E15	348.53	N80° 34' 27"E
E16	77.97	N83° 31' 34"E
E17	21.80	N76° 02' 06"E
E18	73.71	N64° 57' 40"E
E19	39.12	N80° 52' 37"E
E20	208.21	N87° 17' 05"E
E21	41.99	S84° 28' 25"E
E22	47.21	S74° 15' 14"E
E23	129.20	S62° 22' 24"E
E24	118.97	S54° 46' 37"E
E25	99.17	S60° 02' 11"E
E26	54.78	S53° 23' 08"E
E27	28.90	S88° 54' 57"E
E28	75.00	N15° 25' 50"E
E29	46.84	N25° 02' 39"W
E30	38.66	N64° 57' 21"E
E31	114.87	S11° 41' 50"E
E32	40.58	S53° 23' 08"E
E33	98.77	S60° 02' 11"E
E34	118.30	S54° 46' 37"E
E35	123.57	S62° 22' 24"E
E36	40.84	S74° 15' 14"E
E37	38.66	S84° 28' 25"E
E38	203.98	N87° 17' 05"E
E39	32.70	N80° 52' 37"E
E40	72.18	N64° 58' 27"E
E41	27.24	N76° 02' 06"E
E42	79.28	N83° 31' 34"E
E43	347.68	N80° 34' 27"E
E44	106.70	N50° 12' 36"E
E45	63.70	N00° 02' 57"E
E46	26.61	N18° 54' 14"E
E47	164.26	N42° 22' 04"E



John R. Stigler
JOHN R. STIGLER-WIS. REG. NO. S-1820
DATED THIS 20TH DAY OF JULY, 2020

CERTIFIED SURVEY MAP NO. _____

Sheet 6 of 10

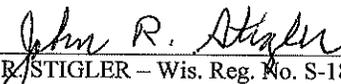
All that part of the Southeast Quarter (SE ¼) and Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section 13 and the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section 13, Town 8 North, Range 17 East
TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

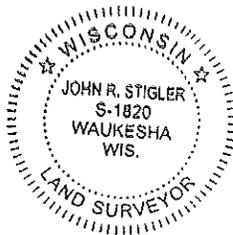
SURVEYOR'S CERTIFICATE:

I, John R. Stigler, professional land surveyor, being duly sworn on oath, hereby depose and states that I have surveyed, divided and mapped the following land bounded and described as follows:

All that part of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section 13 and the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section 13, Town 8 North, Range 17 East, Town of Oconomowoc, Waukesha County, Wisconsin bounded and described as follows: Beginning at the southeast corner of the Northeast Quarter (NE ¼) of said Section 13 being marked by a concrete monument with brass cap; thence South 88°54'42" West 33.02 feet to the West right-of-way line of Townline Road and the place of beginning; thence South 88°54'42" West 2777.86 feet along the south line of the Northeast Quarter (NE ¼) of said Section 13; thence South 88°36'19" West 1359.56 feet along the East One-Half of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section 13; thence North 01°04'57" East 1320.85 feet along said Quarter (1/4) - Quarter (1/4) Line; thence North 88°27'19" East 1337.57 feet along the North line of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of said Section 13; thence North 88°49'52" East 871.68 feet along the South line of Certified Survey Map No. 7038 and 7418; thence North 88°50'12" East 183.24 feet; thence South 00°07'09" West 376.49 feet; thence North 89°51'12" East 17.19 feet; thence South 00°26'56" West 400.53 feet; thence North 89°29'35" East 327.16 feet; thence South 17°16'58" East 173.22 feet; thence North 88°33'45" East 1334.63 feet to the West right-of-way line of Townline Road; thence South 00°55'40" West 386.23 feet to the place of beginning. Containing a net area of 3903651 square feet or 89.62 acres of land.

I also certify that I have made the survey by the direction of the owner and that I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes pertaining to Certified Survey Maps (Section 236.24) and the subdivision regulations of the Town of Oconomowoc, Waukesha County and City of Oconomowoc in surveying, dividing and mapping the same.

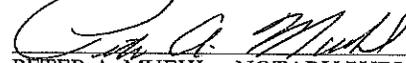

JOHN R. STIGLER - Wis. Reg. No. S-1820



STATE OF WISCONSIN)ss
WAUKESHA COUNTY)

The above certificate subscribed and sworn to me this 20th day of July, 2020.

My commission expires July 5, 2023.


PETER A. MUEHL - NOTARY PUBLIC



OWNER: DAVID G. ROBINSON

Instrument drafted by John R. Stigler

P.S. Oconomowoc 509A

CERTIFIED SURVEY MAP NO. _____

Sheet 7 of 10

All that part of the Southeast Quarter (SE ¼) and Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section 13 and the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of

Section 13, Town 8 North, Range 17 East

TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

OWNER'S CERTIFICATE:

As owner, I do hereby certify that I caused the land described on this map to be surveyed, divided and mapped as represented on this map. I also certify that this Certified Survey Map is required to be submitted to the following for approval: Town of Oconomowoc, Waukesha County Department of Parks and Land Use and City of Oconomowoc

DAVID G. ROBINSON – OWNER

STATE OF WISCONSIN)ss
COUNTY OF WAUKESHA)

Personally came before me this _____ day of _____, 2020, the above named DAVID G. ROBINSON, to me known to be the person who executed the foregoing instrument.

My commission expires _____

NOTARY PUBLIC –

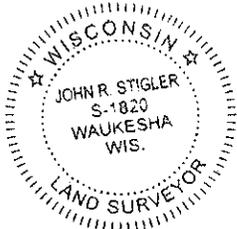
CONSENT OF CORPORATE MORTGAGEE:

HOME FEDERAL SAVINGS BANK, a corporation duly organized and existing by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, consents to the surveying, dividing and mapping of the land described in the foregoing affidavit of John R. Stigler, surveyor, and consents to the above certificate of DAVID G. ROBINSON, owner.

STEPHEN FLEISCHMANN – MARKET VICE PRESIDENT

STATE OF _____)ss
COUNTY OF _____)

Personally came before me this _____ day of _____, 2020, _____ of the above named _____, to me known as the person who executed the foregoing instrument, and to me known to be the _____ of the _____ and acknowledged that they executed the foregoing instrument as such officer as the deed of _____ by its authority.



Notary Public - _____
State of _____
My commission expires _____

John R. Stigler
JOHN R. STIGLER – Wis. Reg. No. S-1820
Dated this 20TH day of JULY, 2020

OWNER: DAVID G. ROBINSON

Instrument drafted by John R. Stigler

P.S. Oconomowoc 509A

CERTIFIED SURVEY MAP NO. _____ Sheet 8 of 10

All that part of the Southeast Quarter (SE ¼) and Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section 13 and the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section 13, Town 8 North, Range 17 East
TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

TOWN OF OCONOMOWOC PLANNING COMMISSION APPROVAL

Approved by the Town of Oconomowoc Planning Commission on this _____, day of _____, 2020.

ROBERT B. PEREGRINE – CHAIRPERSON

JAMES NAVIN - SECRETARY

TOWN OF OCONOMOWOC BOARD APPROVAL

Approved by the Town Board of the Town of Oconomowoc on this _____, day of _____, 2020.

ROBERT C. HULTQUIST – TOWN CHAIRMAN

LORI OPITZ – CLERK/TREASURER

CITY OF OCONOMOWOC PLAN COMMISSION APPROVAL: EXTRA-TERRITORIAL JURISDICTION:

Approved by the City of Oconomowoc Planning Commission on this _____ day of _____, 2020.

ROBERT MAGNUS – CHAIRMAN

CHRIS DEHNERT - SECRETARY

CITY OF OCONOMOWOC COMMON COUNCIL APPROVAL: EXTRA-TERRITORIAL JURISDICTION:

Approved by the City of Oconomowoc Common Council on this _____ day of _____, 2020.

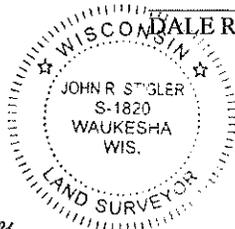
ROBERT MAGNUS – MAYOR

DIANE COENEN – CITY CLERK

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE:

Resolved that the above Certified Survey Map, which has been filed for approval as required by Chapter 236, Wisconsin Statutes, is hereby approved this _____ day of _____, 2020.

DALE R. SHAVER - DIRECTOR



John R. Stigler

JOHN R. STIGLER – Wis. Reg. No. S-1820

Dated this 20th day of JULY, 2020

OWNER: DAVID G. ROBINSON

Instrument drafted by John R. Stigler

P.S. Oconomowoc 509A

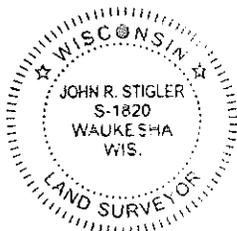
CERTIFIED SURVEY MAP NO. _____

Sheet 9 of 10

All that part of the Southeast Quarter (SE ¼) and Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section 13 and the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section 13, Town 8 North, Range 17 East
TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

Notes:

1. A portion of Lot 1 is subject to CU-15, which preserves the right for future owners to operate horse related business operations subject to a Conditional Use Permit Amendment. All other future uses associated with the poly-structure shall comply with the uses permitted within the Farmland Preservation District of the Waukesha County Codes.
2. The wetland and Primary Environmental Corridor (PEC) boundaries shown on this Certified Survey are approximate boundaries taken from the Wisconsin Department of Natural Resources Wetland Inventory Map and SEWRPC inventory, respectively. If a future building/structure is proposed to be constructed in close proximity to the wetland and/or PEC, it may be necessary for the wetland and/or PEC boundary to be field delineated. All setbacks required by the Waukesha County Shoreland and Floodland Protection Ordinance or Waukesha County Zoning Code at the time of development shall apply.
3. BASEMENT RESTRICTION – GROUNDWATER - The lands that are a part of this Certified Survey Map are located in an area with mapped soils that may contain seasonal high groundwater. Waukesha County Shoreland and Floodland Protection Ordinance and the Waukesha County Zoning Code currently require that the lowest level of any residence must be at an elevation that is at least one (1) foot higher than the highest seasonal groundwater level, unless a variance from that requirement is obtained from the Waukesha County Board of Adjustment. Therefore, additional soil testing in the vicinity of any future proposed residence will be required to ensure compliance with this requirement. If the requirement regarding vertical separation distance from the highest seasonal groundwater level is modified by a future amendment to the Waukesha County Shoreland and Floodland Protection Ordinance, the requirement at the time of construction shall apply. All groundwater separation requirements set forth by the Town of Oconomowoc must also be complied with.
4. The owner of the land, states; no drain tiles have been found that exist on the property.
5. All survey monuments required for this site shall be placed prior to recording of the Certified Survey Map.
6. On October 7, 2019, the Town of Oconomowoc Plan Commission approved more than two accessory buildings on Lot 2 and approved an exception to the maximum accessory building footprint for parcels that have been designated Farmland Preservation in the County Development Plan and have been rezoned to the R-1 Residential District.
7. In order to demonstrate compliance with Farmland Preservation density requirements, a Deed Restriction was placed upon the property memorializing the developments rights of the entire 147 acre original parcel. Recorded on _____ as Document No. _____ in the Waukesha County Register of Deeds.
8. Any land below the ordinary high water mark of a lake or a navigable stream is subject to the public trust in navigable water that is established under article IX, section 1, of the state constitution.



John R. Stigler
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CERTIFIED SURVEY MAP NO. _____

Sheet 10 of 10

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TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

PRIMARY ENVIRONMENTAL CORRIDOR/WETLAND PRESERAVATION RESTRICTIONS

Those areas identified as a Primary Environmental Corridor/Wetland on Pages 1 and 2 of 9 of this Certified Survey Map shall be subject to the following restrictions:

1. Grading, filling and removal of topsoil or other earthen materials are prohibited, unless specifically authorized by the municipality in which this land is located and, if applicable, the Waukesha County Department of Parks and Land Use, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.
2. The removal or destruction of any vegetative cover, i.e., trees, shrubs, grasses, etc., is prohibited, with the exception that invasive, dead, diseased, or dying vegetation may be removed, at the discretion of the landowner, and with approval from the Waukesha County Department of Parks and Land Use-Planning and Zoning Division. Silvicultural thinning, upon the recommendation of a forester or naturalist and with approval from the Waukesha County Department of Parks and Land Use-Planning and Zoning Division, shall also be permitted.
3. Grazing by domesticated animals, i.e., horses, cows, etc, is prohibited, unless grazing is conducted in order to manage invasive vegetation and approval is obtained by the Waukesha County Department of Parks and Land Use-Planning and Zoning Division.
4. The introduction of plant material not indigenous to the existing environment is prohibited.
5. Ponds are prohibited unless designed to enhance the natural environment. Ponds that may be permitted are subject to the approval of the municipality in which they are located and, if applicable, the Waukesha County Department of Parks and Land Use, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.
6. The construction of buildings is prohibited.



John R. Stigler
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Dated this 20TH day of JULY, 2020

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P.S. Oconomowoc 509A

Planning Department Correspondence – July - 2020

Temporary Use Permits / Renewals

Ingersoll Farms – Fruit & Veg. Sales, Whitman Park Shops & Lorlebergs
Steel Tank Brewing Co. – Re-Grand Opening Event, July 17, 2020
Niko’s Gyros – Temporary Food Trailer, 224 E. Wisconsin Avenue

Noncompliance Letters / Other Matters

824 High Street – Home Occupation and Junk & Debris
1301 Goldenrod Way – AirB&B and Retail Sales
1200 Capitol Drive – Auto Repair Business operating
Hickory View Commons– 211 S. Concord Rd, Zoning Determination Letter

Zoning Approval for Occupancy (New Business)

Cute Nails & Spa – 1073 Summit Avenue, nail salon & related services
(Whitman Park Shopping Center)

Administrative Site Plan Approvals

D&H Industries – pavement installation, 1880 Executive Drive

Planning Department Correspondence – August - 2020

Temporary Use Permits / Renewals

Wisconsin Harley Davidson – 2020 Milwaukee Rally, September 4-6.
Steeltank Brewing – Outdoor Concerts, August thru October, 1225 Robruck Dr.
Gabriel Taqueria #2 – Food Truck, 1670 Old Schoolhouse Road, moved
from Whitman Park Shopping Center
Bill's Trees – X-Mas tree & related good sales, Whitman Park Shopping

Noncompliance Letters / Other Matters

1004 Summit Avenue – Exterior Area Requirements / Garbage
1330 Prairie Creek Boulevard – Parking on Grass determination
1688 Old Schoolhouse Road, Unit #5 – Zoning Determination Letter
1171 W. Wisconsin Avenue – Building Permit Denial Letter for shed

Zoning Approval for Occupancy (New Business / Use)

FX Window Tinting – 1341 Wisconsin Avenue, Vehicle window tinting
and car wraps.
Wholesome, LLC – 106A N. Main Street, Nutrition consulting
Downtown Apartment – 100 S. Main St. #201, creating an upper floor
apartment unit

Administrative Site Plan Approvals

None