

**Village of Mukwonago**  
**SPECIAL BOARD OF BUILDING AND ZONING APPEALS MEETING**  
Notice of Meeting and Agenda  
**Wednesday, July 20, 2016**

Time: **6:30 p.m.**  
Place: **Mukwonago Municipal Building/Board Room, 440 River Crest Court**

1. Call to Order

2. Roll Call

3. Public Hearing

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

A. Request by Charlie Miller, Citizens Bank, for a variance of 2.6 feet to allow an interior side yard setback of 7.4 feet for a lot line adjustment, as opposed to the required minimum interior side yard setback of 10 feet, pursuant to Section 100-152(d)(2) of the Municipal Code of the Village of Mukwonago for the property located at 505 and 507 Main Street, known as MUKV1976164 and MUKV1976165; and a variance of 34 feet to allow a lot width of 66 feet at the street yard building setback line for a lot line adjustment, as opposed to the required minimum lot width of 100 feet in the B-2 zoning district, pursuant to Section 100-152(d)(1) of the Municipal Code of the Village of Mukwonago for the property located at 505 and 507 Main Street, known as MUKV1976164 and MUKV1976165

4. New Business

*Discussion and Possible Action on the Following Items*

A. Reconsideration of May 26, 2016 motion to approve a variance of 2.6 feet to allow an interior side yard setback of 7.4 feet for a lot line adjustment, as opposed to the required minimum interior side yard setback of 10 feet, pursuant to Section 100-152(d)(2) of the Municipal Code of the Village of Mukwonago for the property located at 505 and 507 Main Street, known as MUKV1976164 and MUKV1976165

B. Reconsideration of May 26, 2016 motion to approve a variance of 34 feet to allow a lot width of 66 feet at the street yard building setback line for a lot line adjustment, as opposed to the required minimum lot width of 100 feet in the B-2 zoning district, pursuant to Section 100-152(d)(1) of the Municipal Code of the Village of Mukwonago for the property located at 505 and 507 Main Street, known as MUKV1976164 and MUKV1976165

6. Adjournment

It is possible that members of, and possibly a quorum of, members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through appropriate aids and services. For additional information or to request this service, contact the Clerk's Office, 440 River Crest Court, (262) 363-6420, Option 4.

**NOTICE OF PUBLIC HEARING BEFORE THE VILLAGE OF MUKWONAGO  
BOARD OF BUILDING AND ZONING APPEALS TO CONSIDER AN APPLICATION FOR  
VARIANCE REQUESTED BY CHARLIE MILLER, CITIZENS BANK, FOR THE PROPERTY  
LOCATED AT 505 AND 507 MAIN STREET**

Please take notice that there will be a public hearing before the Board of Building and Zoning Appeals of the Village of Mukwonago in the Board Room of the Village Hall, 440 River Crest Court, Mukwonago, Waukesha and Walworth Counties, on Wednesday, July 20, 2016, commencing at 6:30 p.m., to consider the following matter(s):

**PUBLIC HEARING:**            **Variances to Sections 100-152 (d)(1) and 100-152 (d)(2) of the Municipal Code of the Village of Mukwonago**

**TAX KEY/ADDRESS:**        MUKV1976164 and MUKV1976165, 505 and 507 Main Street

**LEGAL DESCRIPTION:**      LOTS 3 & 4 BLK 24 PLAT OF MUKWONAGO A/K/A MEQUANIGO  
PT SE1/4 SEC 26 T5N R18E :: DOC# 4197962  
and  
LOTS 5, 6, 7 & 8 BLK 24 ORIGINAL PLAT PT SE1/4 SEC 26 T5N  
R18E :: DOC# 4197962

**OWNER(S):**                    Citizens Bank

**APPLICANT:**                 Charlie Miller, Citizens Bank

**MATTER:**                     Applicant seeks a variance of 2.6 feet to allow an interior side yard setback of 7.4 feet for a lot line adjustment, as opposed to the required minimum interior side yard setback of 10 feet, pursuant to Section 100-152(d)(2) of the Village of Mukwonago Zoning Ordinance. The lot line adjustment is between the properties with addresses of 505 S. Main Street and 507 S. Main Street. Applicant seeks a variance of 34 feet to allow a lot width of 66 feet at the street yard building setback line for a lot line adjustment, as opposed to the required minimum lot width of 100 feet in the B-2 zoning district, pursuant to Section 100-152(d)(1) of the Village of Mukwonago Zoning Ordinance. With the lot line adjustment, the lot with an address of 505 S. Main Street will be 51 feet wide from approximately 33 feet to 153 feet from the front property line.

At this time all interested persons will be afforded a hearing. Information regarding the above noticed hearing(s) may be obtained in the Clerk's Office.

Steven A. Braatz, Jr.  
Village Clerk  
Pub: 7/6 and 7/13

## **MINUTES OF THE REGULAR BOARD OF BUILDING AND ZONING APPEALS MEETING Thursday May 26, 2016**

### **Call to Order**

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

### **Roll Call**

Members Present: Sarah Szejn  
Dave Mades  
Jack Dexter  
Chris Tarr

Members Excused: Don Fischer

Also present: John Beauchamp, 1<sup>st</sup> Alternate Member  
Joe Hankovich, Supervisor of Inspections/Zoning Administrator  
Robert Harley, Building Codes Official  
Bruce Kaniewski, Village Planner  
Steven Braatz, Jr., Clerk/Treasurer

1<sup>st</sup> Alternate John Beauchamp filled the vacant seat on the Board due to the excused absence of Board member Fischer.

### **Minutes**

Clerk Braatz noted there were minor modifications to the minutes, including the addition of the meeting location and shifting some wording around. The content was not changed. Motion by Szejn/Mades to approve the April 20, 2016 regular meeting minutes as amended carried.

### **Public Hearing**

A public hearing to consider a request by Charlie Miller, Citizens Bank, for a variance of 2.6 feet to allow an interior side yard setback of 7.4 feet for a lot line adjustment, as opposed to the required minimum interior side yard setback of 10 feet, pursuant to Section 100-152(d)(2) of the Municipal Code of the Village of Mukwonago for the property located at 505 and 507 Main Street, known as MUKV1976164 and MUKV1976165; and a variance of 34 feet to allow a lot width of 66 feet at the street yard building setback line for a lot line adjustment, as opposed to the required minimum lot width of 100 feet in the B-2 zoning district, pursuant to Section 100-152(d)(1) of the Municipal Code of the Village of Mukwonago for the property located at 505 and 507 Main Street, known as MUKV1976164 and MUKV1976165 opened at 6:32 p.m.

No comments from the public.

Public hearing closed at 6.33 p.m.

Charlie Miller, Citizens Bank, presented the plans to adjust a portion of the lot line between MUKV1976164 and MUKV1976165. The bank took over ownership of both of these properties, which were formerly owned by one common owner. Currently the property line

between the two properties goes through the north end of the existing commercial building, which is mainly located on MUKV1976165. The bank would like to adjust a portion of this lot line north by 15 feet so the commercial building will be entirely within MUKV1976165. They would like to sell both properties independently. The electrical service unit and the dumpster enclosure are located on the residential property but service the commercial building, but there were never any formal easements put into place to allow for the commercial property to utilize these. There is also a garage located on the residential property, but there was no formal easement put into place to allow for access to Blood St. Mr. Miller is asking for variances to allow for this adjustment to occur. He considered the notion of making the properties condominiums, but two separate realtors stated that it would be virtually impossible to sell. If the variances were not granted, the residential property would have to be removed, which would reduce the tax base.

Hankovich stated both lots are zoned B-2 (General Business District). He noted that the commercial building was built over the lot line sometime after WWII, prior to zoning regulations. He stated that MUKV1976164 has a lot width of around 66', making the lot an existing non-conforming lot pursuant to Sec. 100-152 (d)(1), which requires a minimum lot width of 100'. Sec. 100-22 of the Municipal Code restricts a lot from being reduced so as to not meet the provisions of Chapter 100 (Zoning Code). This lot line adjustment would make a sub-standard lot more sub-standard.

Motion made by Szejn/Dexter to grant a variance of 2.6 feet to allow an interior side yard setback of 7.4 feet for a lot line adjustment, as opposed to the required minimum interior side yard setback of 10 feet, pursuant to Section 100-152(d)(2) of the Municipal Code of the Village of Mukwonago for the property located at 507 Main Street, known as MUKV1976165.

The reasons for granting the variance are:

1. Special circumstances apply to property. The existing structures were built sometime between 1941 and 1950, prior to the implementation of zoning ordinances in 1960. The previous owner created the hardship by constructing a building across lot lines of properties that were both owned by the same owner, prior to the implementation of the zoning code.
2. The variance will not alter the character of the neighborhood.
3. The current uses of this parcel and MUKV1976164 will not change.
4. There were no objections.
5. The variance is the minimum that will afford relief.
6. Under 2005 Wisconsin Act 112, the existing property could be rebuilt in the same footprint.

The conditions of the variance are:

1. The dumpster needs to be removable.
2. The lot lines cannot move from the illustrations presented at the meeting on May 26, 2016.
3. A deed restriction shall be prepared, subject to the Village Attorney's review, and recorded to communicate that if the commercial building were to be destroyed or

removed, it cannot be built in the same location. Rather, the setbacks for the new building will be calculated based on the original lot line.

4. A right of first refusal shall be placed on this property to allow the owner of MUKV1976964 to purchase back, at fair market value, the 15' x 120' piece of property being added that property as a result of the lot line adjustment.
5. The applicant shall pay all tax listing recording fees, is responsible for recording the documents, and shall provide a copy of the recorded documents to the Village Clerk.

Motion carried unanimously upon a roll call vote.

Motion made by Szejn/Dexter to grant a variance of 34 feet to allow a lot width of 66 feet at the street yard building setback line for a lot line adjustment, as opposed to the required minimum lot width of 100 feet in the B-2 zoning district, pursuant to Section 100-152(d)(1) of the Municipal Code of the Village of Mukwonago for the property located at 505 Main Street, known as MUKV1976164.

The reasons for granting the variance are:

1. Special circumstances apply to property. The existing structures were built sometime between 1941 and 1950, prior to the implementation of zoning ordinances in 1960. The previous owner created the hardship by constructing a building across lot lines of properties that were both owned by the same owner, prior to the implementation of the zoning code.
2. The variance will not alter the character of the neighborhood.
3. The current uses of this parcel and MUKV1976164 will not change.
4. There were no objections.
5. The variance is the minimum that will afford relief.
6. Under 2005 Wisconsin Act 112, the existing property could be rebuilt in the same footprint.

The conditions of the variance are:

1. The dumpster needs to be removable.
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3. A deed restriction shall be prepared, subject to the Village Attorney's review, and recorded to communicate that if the commercial building were to be destroyed or removed, it cannot be built in the same location. Rather, the setbacks for the new building will be calculated based on the original lot line.
4. A right of first refusal shall be placed on this property to allow the owner of MUKV1976964 to purchase back, at fair market value, the 15' x 120' piece of property being added that property as a result of the lot line adjustment.
5. The applicant shall pay all tax listing recording fees, is responsible for recording the documents, and shall provide a copy of the recorded documents to the Village Clerk.

Motion carried unanimously upon a roll call vote.

**Adjournment**

Meeting adjourned at 7:45 p.m.

Respectfully submitted,

Steven Braatz, Jr.  
Clerk/Treasurer

DRAFT

Village of Mukwonago  
440 River Crest Court, P.O. Box 206  
Mukwonago, WI 53149  
Phone: (262) 363-6420  
Fax: (262) 363-6425  
[www.villageofmukwonago.com](http://www.villageofmukwonago.com)

## VILLAGE OF MUKWONAGO REQUEST FOR VARIANCE APPLICATION

Application Fee: \$450

Date Submitted: April 26, 2016

### CONTACTS

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#### Zoning Department

Contact: Joe Hankovich  
Phone: (262) 363-6419  
Fax: (262) 363-6425  
Email: [jhankovich@villageofmukwonago.com](mailto:jhankovich@villageofmukwonago.com)

#### Planning Department

Contact: Bruce Kaniewski  
Phone: (414) 339-4105  
Fax: (262) 363-6425  
Email: [planner@villageofmukwonago.com](mailto:planner@villageofmukwonago.com)

### GUIDELINES

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

Request for variance applications require a public hearing. To ensure the public hearing will be properly advertised, the application must be submitted **at least 30 days prior to the meeting** in which the Board of Zoning and Building Appeals will hold the public hearing. The Board of Zoning and Building Appeals meets on the Thursday after the fourth Tuesday of each month at 6:30 p.m.

Materials listed on page 4 must be provided to the Village of Mukwonago in accordance with Village Municipal Code Chapter 100, Article XII and other pertinent sections of Village ordinances, WI Stats. 62.23, and as necessary to permit review that is consistent with proper planning practice. The Village will strive to accommodate reasonable requests for informal preliminary staff review, however the Village shall not place any items on the agenda for Board of Zoning and Building Appeals consideration until such time as the application is complete in accordance with all requirements specified on this and other attached application forms.

Mail completed applications to: Village Zoning Administrator  
ATTN: Request for Variance  
PO Box 206  
Mukwonago, WI 53149  
Deliver to: Village Clerk's Office  
440 River Crest Court  
Email to: [jhankovich@villageofmukwonago.com](mailto:jhankovich@villageofmukwonago.com)

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

### APPLICANT INFORMATION (Full Legal Name)

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Name: Charles O. Miller, Jr. CEO  
Company: Citizens Bank  
Address: 301 N. Rochester St. PO Box 223 City: Mukwonago State: WI Zip: 53149  
Daytime Phone: 262-363-6500 Fax: 262-363-6515  
E-Mail: cmiller@citizenbank.com

**APPLICANT IS REPRESENTED BY (Full Legal Name)**

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Name: Charles O. Miller, Jr. CEO  
Company: Citizens Bank  
Address: 301 N. Rochester Street, PO Box 223 City: Mukwonago State: WI Zip: 53149  
Daytime Phone: 262-363-6500 Fax: 262-363-6515  
E-Mail: cmiller@citizenbank.com

**ARCHITECT**

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Name: Warren E. Hansen, Jr.  
Company: Farris, Hansen & Associates, Inc.  
Address: 7 Ridgeway Ct., PO Box 437 City: Elkhorn State: WI Zip: 53121  
Daytime Phone: 262-723-2098 Fax: 262-723-5886  
E-Mail: warrenhansen@farrishansen.com

**PROFESSIONAL ENGINEER**

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Name: Warren E. Hansen, Jr.  
Company: Farris, Hansen & Associates, Inc.  
Address: 7 Ridgeway Ct., PO Box 437 City: Elkhorn State: WI Zip: 53121  
Daytime Phone: 262-723-2098 Fax: 262-723-5886  
E-Mail: warrenhansen@farrishansen.com

**REGISTERED SURVEYOR**

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Name: Warren E. Hansen, Jr.  
Company: Farris, Hansen & Associates, Inc.  
Address: 7 Ridgeway Ct., PO Box 437 City: Elkhorn State: WI Zip: 53121  
Daytime Phone: 262-723-2098 Fax: 262-723-5886  
E-Mail: \_\_\_\_\_

**CONTRACTOR**

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Name: Not Applicable  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

**PROPERTY AND PROJECT INFORMATION**

Present Zoning: B2 Tax Key No(s): MUKV 1976125 & MUKV 1976164

Address/Location: 507 Main Street & 505 Main Street, Mukwonago, WI 53149

A. I/We request a conditional use permit for:  
Not Applicable  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. The property is presently used as:  
The commercial site presently has a commercial building occupied 50% by a restaurant and 50% by a tenant for office space. There are also rented storage units on the west side of the commercial site.  
The residential parcel contains a single family home with a detached garage.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C. Name of Architect, Professional Engineer, or Contractor: Not Applicable

D. Project Timetable: Start Date: N/A Completion Date: N/A

E. All of the Proposed Use(s) of the property will be:  
Principal Use The current use of both parcels will not change.  
\_\_\_\_\_

Secondary Use \_\_\_\_\_  
\_\_\_\_\_

Accessory Use \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

F. I/We represent that I/we have a vested interest in this property in the following manner:  
 Owner  
 Leasehold. Length of Lease: \_\_\_\_\_  
 Contractual. Nature of contract: \_\_\_\_\_  
 Other. Please explain  
Citizens Bank has taken title to both of these properties through a sheriff's sale.  
\_\_\_\_\_  
\_\_\_\_\_

## PROCEDURAL CHECKLIST FOR VARIANCE REVIEW

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

If your application for a building permit is denied by the Inspection Department, you have the option to apply for a variance. Requesting a variance requires appearing before the Board of Zoning and Building Appeals and explaining why you should not be expected to comply with Village zoning regulations. You will be required to prove practical difficulty or unnecessary hardship. The fee to appear before the board is nonrefundable.

The Board of Zoning and Building Appeals (Board) is a group of five citizens appointed to listen to members of the public who want to appeal the rules of the Municipal Zoning Code (Chapter 100). The Board will receive a packet of information about your appeal in addition to listening to you and your neighbors' comments at a public meeting. Also, the Board may request assistance from other Village officers, departments, commissions, and boards in making its decision.

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

- Completed application for building permit (separate application)
- Completed application form including the procedural checklist and justification of requested variance.
- Application fee: \$450
- Agreement for Reimbursable Services (separate application)

### Required site drawings and other information:

- Survey of the property
- Map/picture of the property
- Plan of operation/proposal
- Overview of the adjoining lots (including list of parcel identification numbers for all properties within 300 feet of the subject property)
- Drainage plan
- Floor plan (1/4" Scale)
- Elevations (front and sides)
- Electronic Submittals are required.** Email (or CD ROM) with all plans and submittal materials in Adobe PDF to [planner@villageofmukwonago.com](mailto:planner@villageofmukwonago.com).
- Any additional information as determined by Village staff.

### DO NOT MAIL ANY ADDITIONAL MATERIAL OR INFORMATION DIRECTLY TO OR CALL MEMBERS OF THE BOARD.

Save the additional material and information you have for the Board until the meeting, or you may mail it to staff prior to the meeting. Staff will enter your additional information and material into the public record and forward it to the Board.

After you apply for the variance and before the meeting occurs, notice of your request will be published in two editions of the Mukwonago Chief, and neighboring property owners within 300 feet of your property will receive notice of your appeal.

Also during this time, board members may choose to drive by or visit your property to gather information that may influence their decision regarding your requested variance.

## VARIANCE STANDARDS

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***Variations are not granted routinely. The application for a variance must clearly show the Board of Building and Zoning Appeals that the three Wisconsin State Statutory Standards that govern granting a variance will be met.***

Unnecessary Hardship: A situation where, in the absence of a variance, an owner can make no feasible use of the property. A variance is not warranted if the physical character of the property allows a landowner to build or develop in compliance with the zoning ordinance.

**The hardship or difficulty must be peculiar to the zoning parcel in question and different from that of other parcels, not which affects all parcel similarly.** Generally, hardships arise because of some unique property limitation of a parcel or because the property was created before the passage of the zoning ordinance and is not economically suitable for a permitted use, or will not accommodate a structure of reasonable design for a permitted use, if all area, yard and setback requirements are observed.

**Loss of profit or pecuniary hardship is not in and of itself grounds for a variance.**

**PETITION FOR VARIANCE**

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**TO THE ZONING BOARD OF APPEALS**

The petition of Citizens Bank respectfully shows:

1. This petition is made pursuant to the ordinance of the Village of Mukwonago and pertaining to the functions, duties, and powers of the Board of Building and Zoning Appeals.

2. The petitioner is appealing for:

A lot line adjustment and three permanent easements.

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3. Petitioner requests a variation as follows:

Allow a 7.4 foot set back of the existing building to the adjusted property line from 10 feet.

Allow a 66 foot lot width at the setback line for the residential property from 100 feet.

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4. Petitioner has attached hereto a survey of the premises.  Yes  No

5. The present zoning classification of the described real estate is B-2

6. The names of the owners of said property are as follows:

Citizens Bank

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7. Petitioner further respectfully represents that to permit the variance aforesaid would not be contrary to the public interest, or in any way be detrimental to the neighborhood or the neighbors; that to refuse to permit such a variance would cause to the petitioner practical difficulty or unnecessary hardship; and that the use of the premises for the purposes herein prayed would do substantial justice, would be in keeping with the spirit of the Village of Mukwonago and the immediate neighborhood.

**ITEMS REQUIRED TO BE SUBMITTED** *(If not applicable, mark N/A)*

- Survey of the property
- Map/picture of the property
- Plan of operation/proposal
- Overview of the adjoining lots (including list of parcel identification numbers for all properties within 300 feet of the subject property)
- Drainage plan
- Floor plan (1/4" Scale)
- Elevations (front and sides)

**APPLICATION FOR VARIANCE (Please fill out ALL of the questions.)**

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**A. Describe what you are building, the proposed dimensions, and what are the proposed setbacks:**

We need to establish legal easements on both sites. Nothing will change on the current parcels, however the commercial site needs legal easements for use of the current electrical service and the dumpster inclosure located on the residential parcel.

The residential parcel needs an easement through the commercial parcel to access the current residential garage.

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**B. Describe the exceptional or extraordinary circumstances or conditions that apply to your property that do not apply to surrounding properties:**

Both parcels were previously owned by a single owner. When the present commercial building was expanded to accommodate the commercial tenants, the building was allowed to be built over the existing lot line by 7.6 feet. We do not know when the expansion occurred. The requested lot line adjustment would transfer the required property to allow the two parcels to be sold separately. After the lot line adjustment, the residential parcel will still be 15,985 square feet.

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**C. Describe the hardship (s) that would result if the Variance is not granted:**

The residential home is a solid and affordable structure which has been occupied for many years. If not granted the variance we may be forced to remove the residence, which would also reduce the tax base. It was the previous owner, no longer involved with the parcels, that caused the present situation. Our intent is to keep the parcels intact to be sold separately.

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**D. Describe how the variance would not have adverse affects on surrounding lands:**

All Main Street facing parcels have business zoning. Both parcels have been in their current state for decades. Parcels in this neighborhood were all originally divided as 66 foot lots dating back to 1890. By establishing the proposed easements it would allow legal access for the current use for both properties.

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**CERTIFICATION**

Applicant hereby certifies that:

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

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

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

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

  
 Signature - Property Owner  
**Charles O. Miller, Jr. CEO**  
 Name & Title (PRINT)  
**April 26, 2016**  
 Date

  
 Signature - Applicant  
**Charles O. Miller, Jr. CEO**  
 Name & Title (PRINT)  
**April 26, 2016**  
 Date

\_\_\_\_\_  
 Signature - Property Owner

\_\_\_\_\_  
 Name & Title (PRINT)

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Signature – Applicant's Representative

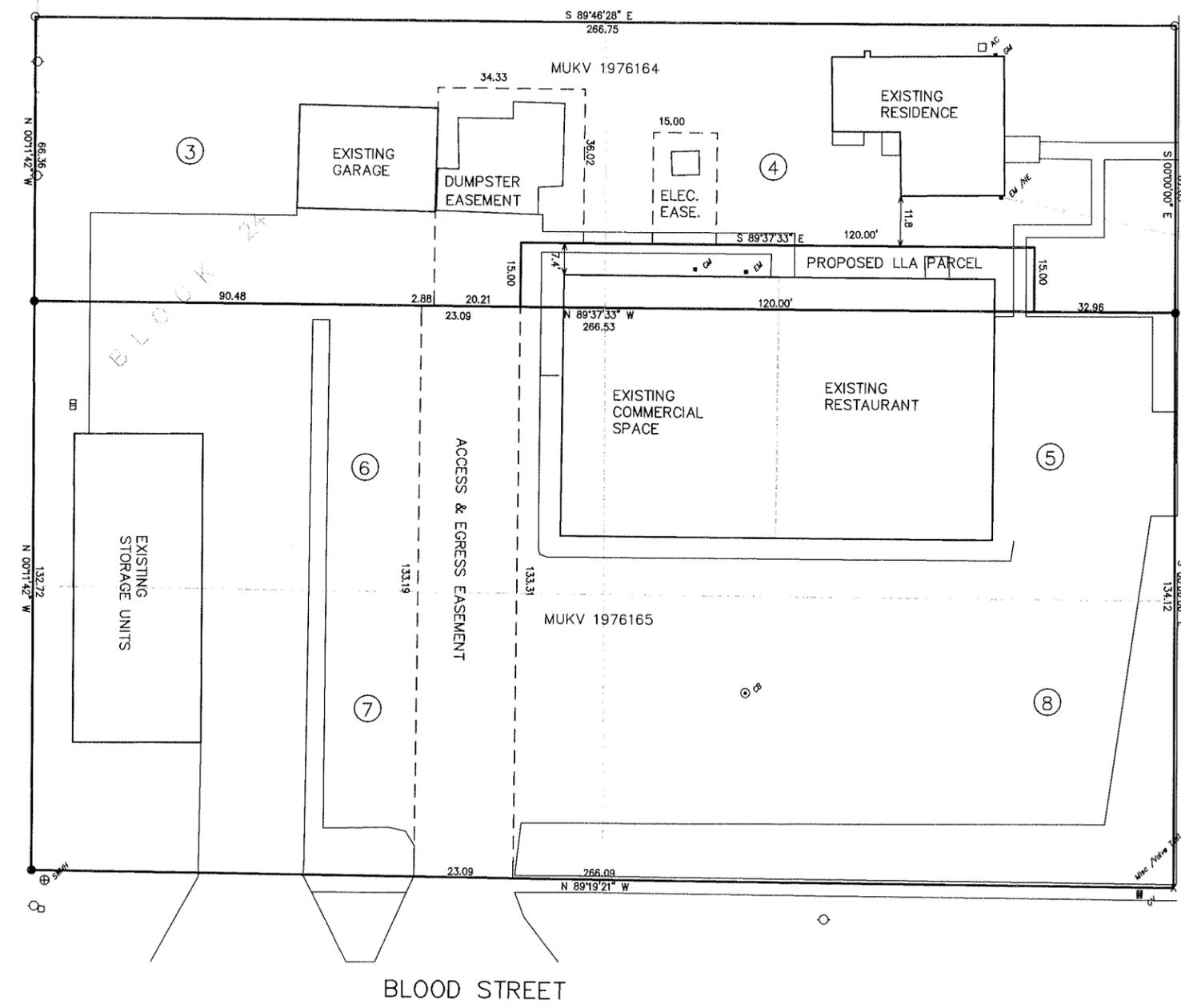
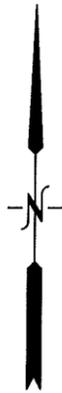
\_\_\_\_\_  
 Name & Title (PRINT)

\_\_\_\_\_  
 Date

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

# EXISTING CONDITIONS PROPOSED LOT LINE ADJUSTMENT & PROPOSED EASEMENTS

LOTS 3 THRU 8 OF BLOCK 24 OF THE  
ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO



**LEGAL DESCRIPTION  
ACCESS AND EGRESS EASEMENT**

AN EASEMENT FOR ACCESS AND EGRESS OVER A STRIP OF LAND BEING PART OF LOTS 6 AND 7 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 26, TOWN 5 NORTH, RANGE 18 EAST, VILLAGE OF MUKWONAGO, WAUKESHA COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHWEST CORNER OF LOT 6 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO; THENCE ALONG THE NORTH LINE OF SAID LOT 6, S 89DEG 37MIN 33SEC E, 90.48 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTH LOT LINE, S 89DEG 37MIN 33SEC E, 23.09 FEET; THENCE S OODEG 22MIN 27SEC E, 133.31 FEET TO THE SOUTH LINE OF LOT 7 OF SAID BLOCK 24, SAID LINE ALSO BEING THE NORTH LINE OF BLOOD STREET; THENCE ALONG SAID STREET LINE, N 89DEG 19MIN 21SEC W, 23.09 FEET; THENCE N OODEG 22MIN 27SEC E, 133.19 FEET TO THE POINT OF BEGINNING.

**LEGAL DESCRIPTION  
DUMPSTER EASEMENT**

AN EASEMENT FOR USE AND MAINTENANCE OF AN EXISTING DUMPSTER BEING PART OF LOT 3 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 26, TOWN 5 NORTH, RANGE 18 EAST, VILLAGE OF MUKWONAGO, WAUKESHA COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF LOT 3 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO; THENCE ALONG THE SOUTH LINE OF SAID LOT 3, S 89DEG 37MIN 33SEC E, 93.36 FEET TO THE POINT OF BEGINNING; THENCE N OODEG 22MIN 27SEC E, 22.00 FEET TO THE EAST LINE OF AN EXISTING GARAGE; THENCE N OIDEG 10MIN 19SEC E, 24.23 FEET ALONG SAID GARAGE; THENCE N OODEG 22MIN 28SEC E, 4.79 FEET; THENCE S 89DEG 37MIN 32SEC E, 34.33 FEET; THENCE S OODEG 22MIN 27SEC W, 38.02 FEET; THENCE N 89DEG 37MIN 32SEC W, 14.46 FEET; THENCE S OODEG 22MIN 28SEC E, 15.00 FEET TO THE SOUTH LINE OF SAID LOT 3; THENCE N 89DEG 37MIN 33SEC W, 20.21 FEET TO THE POINT OF BEGINNING.

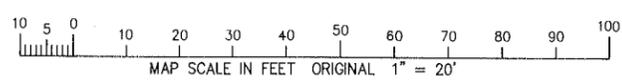
**LEGAL DESCRIPTION  
ELECTRIC EASEMENT**

AN EASEMENT FOR THE MAINTENANCE AND USE OF AN ELECTRIC TRANSFORMER AND ALL UNDERGROUND WIRING LEADING TO AND FROM SAID TRANSFORMER OVER A PART OF TAX PARCEL MUKV 1976164, BEING LOTS 3 AND 4 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 26, TOWN 5 NORTH, RANGE 18 EAST, VILLAGE OF MUKWONAGO, WAUKESHA COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF LOT 3 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO; THENCE ALONG THE SOUTH LINE OF SAID LOT 3, S 89DEG 37MIN 33SEC E, 113.57 FEET TO THE POINT OF BEGINNING; THENCE N OODEG 22MIN 28SEC E, 15.00 FEET; THENCE S 89DEG 37MIN 33SEC E, PARALLEL AND FIFTEEN FEET NORTH OF THE SOUTH LINE OF SAID LOTS 3 AND 4, 30.46 FEET TO THE POINT OF BEGINNING; THENCE N OODEG 22MIN 27SEC E, 26.00 FEET; THENCE S 89DEG 37MIN 33SEC E, 15.00 FEET; THENCE S OODEG 22MIN 27SEC W, 26.00 FEET; THENCE N 89DEG 37MIN 33SEC W, 15.00 FEET TO THE POINT OF BEGINNING.

**LEGAL DESCRIPTION  
LOT LINE ADJUSTMENT PARCEL**

A PART OF TAX PARCEL MUKV 1976164, BEING LOTS 3 AND 4 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO, TO BECOME PART OF TAX PARCEL MUKV 1976165, BEING LOTS 5, 6, 7, AND 8 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 26, TOWN 5 NORTH, RANGE 18 EAST, VILLAGE OF MUKWONAGO, WAUKESHA COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF LOT 3 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO; THENCE ALONG THE SOUTH LINE OF SAID LOT 3, S 89DEG 37MIN 33SEC E, 113.57 FEET TO THE POINT OF BEGINNING; THENCE N OODEG 22MIN 28SEC E, 15.00 FEET; THENCE S 89DEG 37MIN 33SEC E, PARALLEL AND FIFTEEN FEET NORTH OF THE SOUTH LINE OF SAID LOTS 3 AND 4, 120.00 FEET; THENCE S OODEG 22MIN 28SEC W, 15.00 FEET TO THE SOUTH LINE OF LOT 4 OF SAID BLOCK 24; THENCE N 89DEG 37MIN 33SEC W, 120.00 FEET TO THE POINT OF BEGINNING. CONTAINING 1,800 SQUARE FEET OF LAND (0.04 ACRES) MORE OR LESS.

- LEGEND**
- = FOUND IRON PIPE STAKE
  - = SET IRON REBAR STAKE
  - X = SET CHIZELED "X"
  - (XXX) = RECORDED AS



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REVISIONS

PROJECT NO.  
9496  
DATE:  
04-04-2016  
SHEET NO.  
1 OF 1

1/1/2016

# EXISTING CONDITIONS PROPOSED LOT LINE ADJUSTMENT & PROPOSED EASEMENTS

LOTS 3 THRU 8 OF BLOCK 24 OF THE  
ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO

**LEGAL DESCRIPTION  
ACCESS AND EGRESS EASEMENT**

AN EASEMENT FOR ACCESS AND EGRESS OVER A STRIP OF LAND BEING PART OF LOTS 6 AND 7 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 26, TOWN 5 NORTH, RANGE 18 EAST, VILLAGE OF MUKWONAGO, WAUKESHA COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHWEST CORNER OF LOT 6 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO; THENCE ALONG THE NORTH LINE OF SAID LOT 6, S 89DEG 37MIN 33SEC E, 90.48 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTH LOT LINE, S 89DEG 37MIN 33SEC E, 23.09 FEET; THENCE S 00DEG 22MIN 27SEC E, 133.31 FEET TO THE SOUTH LINE OF LOT 7 OF SAID BLOCK 24, SAID LINE ALSO BEING THE NORTH LINE OF BLOOD STREET; THENCE ALONG SAID STREET LINE, N 89DEG 19MIN 21SEC W, 23.09 FEET; THENCE N 00DEG 22MIN 27SEC E, 133.19 FEET TO THE POINT OF BEGINNING.

**LEGAL DESCRIPTION  
DUMPSTER EASEMENT**

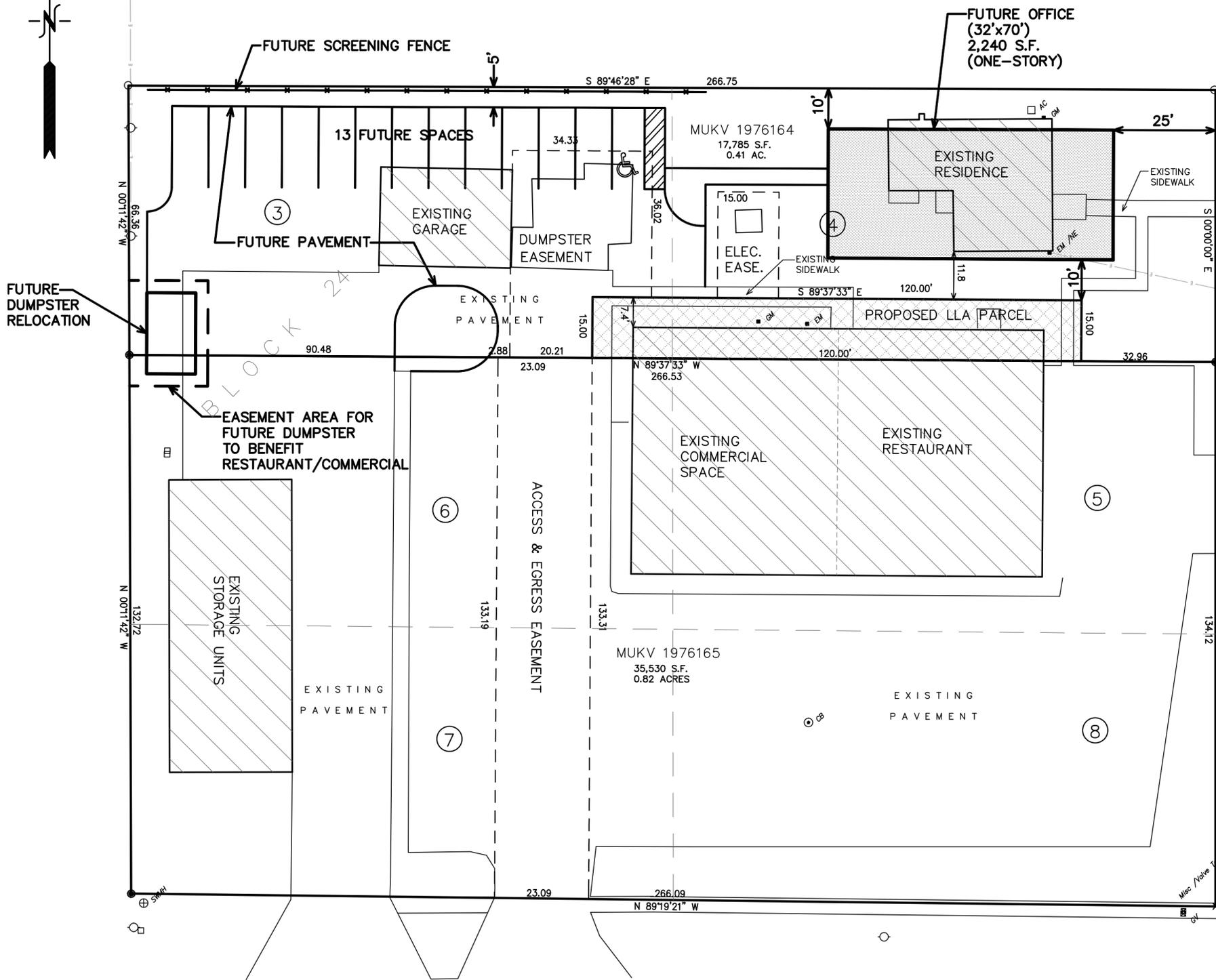
AN EASEMENT FOR USE AND MAINTENANCE OF AN EXISTING DUMPSTER BEING PART OF LOT 3 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 26, TOWN 5 NORTH, RANGE 18 EAST, VILLAGE OF MUKWONAGO, WAUKESHA COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF LOT 3 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO; THENCE ALONG THE SOUTH LINE OF SAID LOT 3, S 89DEG 37MIN 33SEC E, 93.36 FEET TO THE POINT OF BEGINNING; THENCE N 00DEG 22MIN 27SEC E, 22.00 FEET TO THE EAST LINE OF AN EXISTING GARAGE; THENCE N 01DEG 10MIN 19SEC E, 24.23 FEET ALONG SAID GARAGE; THENCE N 00DEG 22MIN 28SEC E, 4.79 FEET; THENCE S 89DEG 37MIN 32SEC E, 34.33 FEET; THENCE S 00DEG 22MIN 27SEC W, 36.02 FEET; THENCE N 89DEG 37MIN 32SEC W, 14.46 FEET; THENCE S 00DEG 22MIN 28SEC E, 15.00 FEET TO THE SOUTH LINE OF SAID LOT 3; THENCE N 89DEG 37MIN 33SEC W, 20.21 FEET TO THE POINT OF BEGINNING.

**LEGAL DESCRIPTION  
ELECTRIC EASEMENT**

AN EASEMENT FOR THE MAINTENANCE AND USE OF AN ELECTRIC TRANSFORMER AND ALL UNDERGROUND WIRING LEADING TO AND FROM SAID TRANSFORMER OVER A PART OF TAX PARCEL MUKV 1976164, BEING LOTS 3 AND 4 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 26, TOWN 5 NORTH, RANGE 18 EAST, VILLAGE OF MUKWONAGO, WAUKESHA COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF LOT 3 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO; THENCE ALONG THE SOUTH LINE OF SAID LOT 3, S 89DEG 37MIN 33SEC E, 113.57 FEET TO THE POINT OF BEGINNING; THENCE N 00DEG 22MIN 28SEC E, 15.00 FEET; THENCE S 89DEG 37MIN 33SEC E, PARALLEL AND FIFTEEN FEET NORTH OF THE SOUTH LINE OF SAID LOTS 3 AND 4, 30.46 FEET TO THE POINT OF BEGINNING; THENCE N 00DEG 22MIN 27SEC E, 26.00 FEET; THENCE S 89DEG 37MIN 33SEC E, 15.00 FEET; THENCE S 00DEG 22MIN 27SEC W, 26.00 FEET; THENCE N 89DEG 37MIN 33SEC W, 15.00 FEET TO THE POINT OF BEGINNING.

**LEGAL DESCRIPTION  
LOT LINE ADJUSTMENT PARCEL**

A PART OF TAX PARCEL MUKV 1976164, BEING LOTS 3 AND 4 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO, TO BECOME PART OF TAX PARCEL MUKV 1976165, BEING LOTS 5, 6, 7, AND 8 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 26, TOWN 5 NORTH, RANGE 18 EAST, VILLAGE OF MUKWONAGO, WAUKESHA COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF LOT 3 OF BLOCK 24 OF THE ORIGINAL PLAT OF THE VILLAGE OF MUKWONAGO; THENCE ALONG THE SOUTH LINE OF SAID LOT 3, S 89DEG 37MIN 33SEC E, 113.57 FEET TO THE POINT OF BEGINNING; THENCE N 00DEG 22MIN 28SEC E, 15.00 FEET; THENCE S 89DEG 37MIN 33SEC E, PARALLEL AND FIFTEEN FEET NORTH OF THE SOUTH LINE OF SAID LOTS 3 AND 4, 120.00 FEET; THENCE S 00DEG 22MIN 28SEC W, 15.00 FEET TO THE SOUTH LINE OF LOT 4 OF SAID BLOCK 24; THENCE N 89DEG 37MIN 33SEC W, 120.00 FEET TO THE POINT OF BEGINNING. CONTAINING 1,800 SQUARE FEET OF LAND (0.04 ACRES) MORE OR LESS.

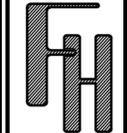
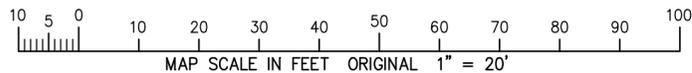


**CONCEPT FOR FUTURE  
OFFICE/BUSINESS USE  
IF HOME WAS TO BE  
REMOVED CAUSED BY  
FIRE, NON-USE, DAMAGE  
BEYOND 50% OR DECISION  
TO REMOVE**

MAIN STREET  
80' WIDE ROW

RESULTING LAND AREA AFTER LOT LINE ADJUSTMENT	
MUKV 1976164	- 15,985 S.F. (0.37 ACRES)
MUKV 1976165	- 37,330 S.F. (0.86 ACRES)

- LEGEND**
- = FOUND IRON PIPE STAKE
  - = SET IRON REBAR STAKE
  - x = SET CHIZELED "X"
  - (xxx) = RECORDED AS
  - (X) = PLATTED LOT NUMBER REFERENCE



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REVISIONS
4/28/2016-KB NOTES & CLARIFICATION
5/13/2016-KB FUTURE NOTES

PROJECT NO. 9496
DATE: 04-04-2016
SHEET NO. 1 OF 1