

AGENDA - FINAL
WAUKESHA COUNTY PARK AND PLANNING COMMISSION - Regular
Thursday, April 16, 2026 1:00 PM Room AC255/259
Administration Center, 515 W. Moreland Blvd., Waukesha, WI 53188

CALL TO ORDER

CORRESPONDENCE

MEETING APPROVAL

MINUTES Approval of the March 19, 2026 Minutes

PUBLIC COMMENT

MISCELLANEOUS

- **PPC26 001 (EB Davies Family Farm, LLC) Town of Genesee, Section 2**
Part of the N ½ of the NE ¼, the E ½ of the NW ¼, and the NE ¼ of the SW ¼ of Section 2, T6N, R18E, Town of Genesee. More specifically, the property is located at S12 W29771 STH 18.
Request: Lot not abutting a public road.
- **Ordinance Amendment Update**

ADJOURNMENT

Park and Planning Commission
Thursday, April 16, 2026

Robert Peregrine

Robert Peregrine, Chairperson

(The Staff Reports and Recommendations for the issues listed above are available upon request. For questions regarding this agenda, please call (262) 896-8300).



Waukesha County

Department of Parks and Land Use

MEMORANDUM

To: Waukesha County Park and Planning Commission

From: Kassie Slotty, Senior Land Use Specialist

Date: April 16, 2026

Subject: PPC26_001, Davies, Lot not abutting a public road.

Tax Key No. GNT 1445.999, part of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 2, T6N, R18E, Town of Genesee. More specifically, the property is located at S12 W29771 STH 18.

The subject property is approximately 220 acres and is located south of State Highway 18 in the Town of Genesee and is directly adjacent to the Town of Delafield to the north. There is an existing residence, a large chicken coop and several dilapidated farm structures in the northern portion of the property. The property currently obtains access to STH 18 by utilizing the driveway on the adjacent commonly held parcel that abuts STH 18 in the Town of Delafield (DELT 0859.996). Most of the surrounding lands are subject to town zoning and are larger agricultural parcels (15-150 acres), with smaller residential properties to the north (2-8 acres), off STH 18. There is an equine therapy operation, Lifestriders, directly north and east of the subject property.

An unnamed, intermittent stream flows north and south on the subject property and Brandy Brook flows north and south on the adjacent property to the west. The two waterbodies converge and continue flowing south on the subject property, as Brandy Brook. Waukesha County has shoreland zoning jurisdiction within 300' of the streams on the property. It should be noted that the Southeastern Wisconsin Regional Plan Commission (SEWRPC) considers the southeast portion of the property as a Critical Species Habitat.

Planning and Zoning Division

The petitioner is proposing to divide the property into three (3) parcels via Certified Survey Map (CSM; SCS1573):

- Lot 1, approximately 95.7 acres, is planned for an eight (8) lot subdivision.
- Lot 2, approximately 10.2 acres, is to be retained as a residential property. The parcel will contain the existing home and the family would like to be able to divide the property for one additional parcel in the future.
- Outlot 1 is approximately 114.2 acres with no plans for development in the near future. The owner of the existing property will continue to reside on Lot 2. A family member is proposing to purchase Outlot 1 and the family of the petitioner is in the process of obtaining plat approval. The preliminary CSM is attached as Exhibit A.

Section 3(d)2 of the Waukesha County Shoreland Protection Ordinance (SPO) requires approval from the Town Plan Commission and County Park and Planning Commission for the creation of lots not abutting a public road.

An easement will be provided on the property to the north of the subject property from STH 18 to Lot 2 (Exhibit A). The shared access easement will also allow access to the adjacent property to the west should a residential development be proposed requiring a public road. At this time, the proposed subdivision lot (Lot 1) does not have access to a public road. Public road access is proposed through an adjacent property to the north in the Town of Delafield, also owned by the family, on which a three (3) lot CSM is proposed. The CSM has been conditionally approved by the county. The petitioner has indicated they may wish to further divide Lot 2 into two (2) five (5)-acre lots in the future and are asking for this approval to include the future land division as well, for a total of four (4) lots not abutting a public road.

Lots not abutting a public road must be a minimum of three-acres and 200 ft. in average width. The proposed lots meet both the width requirement and the lot size requirement, including the future lot if Lot 2 is divided. The SPO states where an easement serves more than one parcel or residence, it must be at least 66 ft. in width and incorporate a 16 ft. wide driveway. An access and easement agreement has been drafted by the family which indicates the easements will be 66' wide. Not more than two (2) such lots shall be permitted unless necessitated by exceptional circumstances. The Park and Planning Commission should determine whether or not these are exceptional circumstances.

The Town of Genesee recommended approval of this request on March 23, 2026. The Planning and Zoning Division Staff recommends **approval** of this request, subject to the following conditions:

1. A note must be placed on the Certified Survey Map indicating that the Waukesha County Park and Planning Commission approved the creation of Lots 1 and 2, Outlot 1, and a future division of Lot 2 as lots not abutting a public road April 16, 2026.
2. A note must be placed on the Certified Survey Map indicating that the Town of Genesee approved the creation of Lots 1 and 2, Outlot 1, and a future division of Lot 2 as lots not abutting a public road March 23, 2026.
3. The Driveway Access and Maintenance Agreement shall be recorded in the Waukesha County Register of Deeds office in conjunction with the final approved CSM and the recordation information referenced on the CSM.

4. A note shall be placed on the CSM that Outlot 1 shall not be further divided unless additional lots will have direct public road access. The Declaration of Access Easement shall also reflect this condition.
5. The Temporary Construction Easement shall include recorded document number of the Declaration of Access Easement in letter E under Recitals.

Approval of these requests, as conditioned, will allow the property owners to create a CSM containing two (2) lots and an outlot, with the opportunity to further divide Lot 2 in the future. It also allows the petitioner to continue using an existing easement for access. Lot 1 will be provided with public road access upon recordation of the pending CSM to the north. Lot 2 is currently accessed by the same long driveway that is proposed to continue to provide access to both it and a future division of Lot 2. The wetlands and steep wooded slopes along the driveway create obstacles to a public road serving this area. The same is true for Outlot 1 until and unless the lands to the west are subdivided.

In addition, the review of the Certified Survey Map ensuring the land division complies with all other requirements of the Waukesha County Shoreland and Floodland Subdivision Control Ordinance and the Shoreland Protection Ordinance and the Floodland Protection Ordinance is being conducted by the Planning and Zoning Division Staff. Therefore, the request meets the purpose and intent of these ordinances.

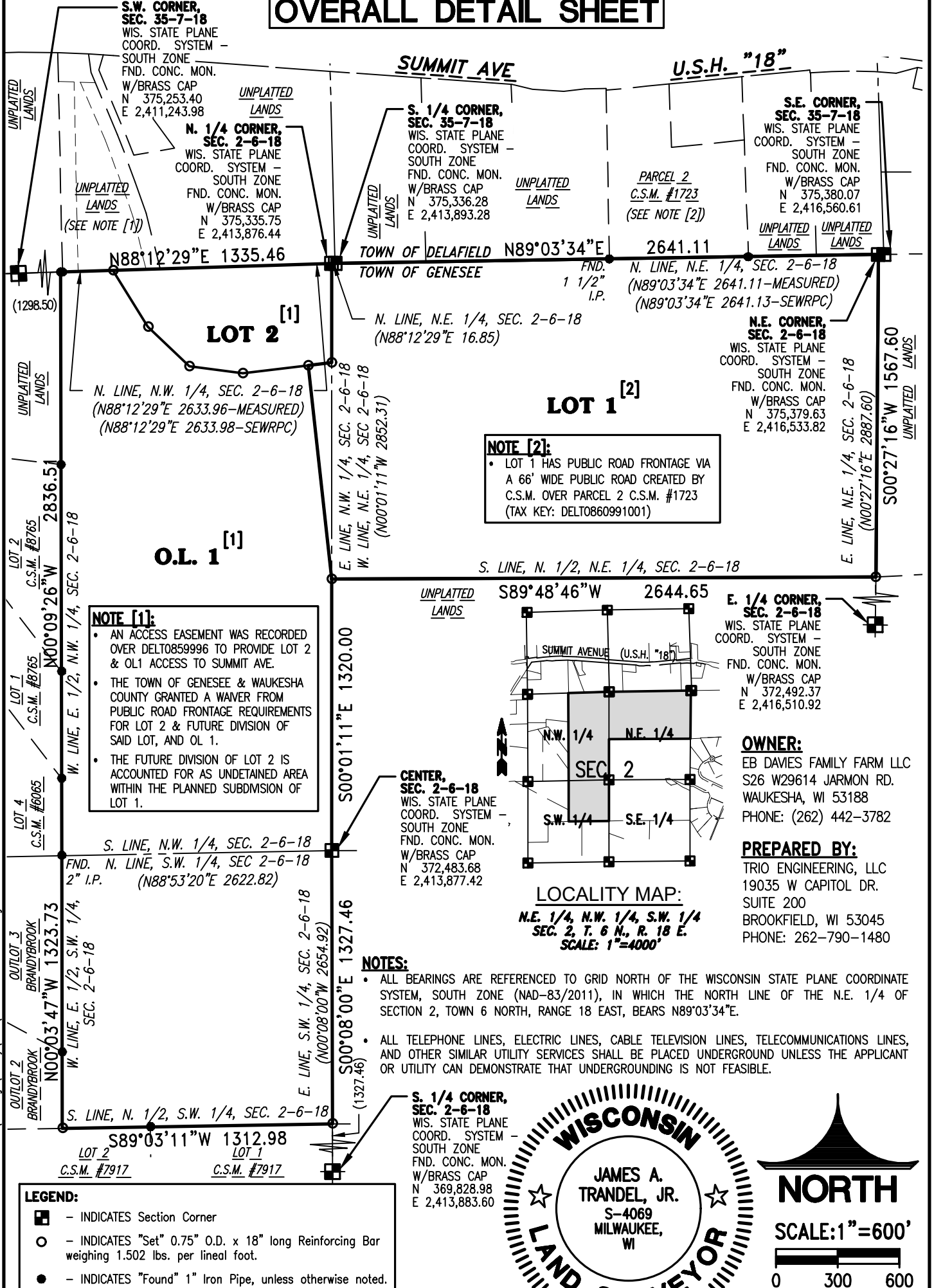
Attachments: Exhibit A

EXHIBIT A

CERTIFIED SURVEY MAP NO. _____

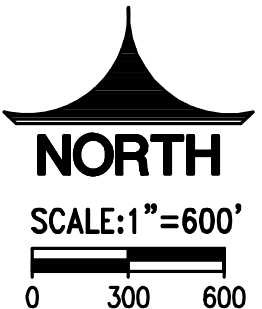
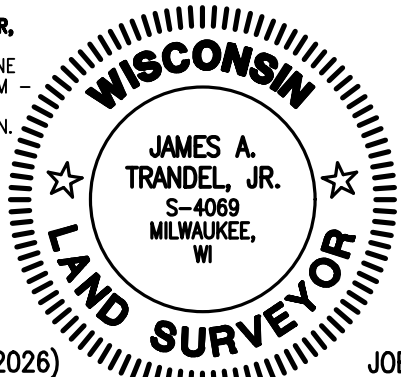
BEING A REDIVISION OF LANDS LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 AND NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 2, ALL IN TOWN 6 NORTH, RANGE 18 EAST, IN THE TOWN OF GENESSEE, WAUKESHA COUNTY, WISCONSIN.

OVERALL DETAIL SHEET



X:\2024\24-039-1229 Davies Farm - Waukesha Drawings\Survey\CSM\530CSM02 - Genessee.dwg

- LEGEND:**
- - INDICATES Section Corner
 - - INDICATES "Set" 0.75" O.D. x 18" long Reinforcing Bar weighing 1.502 lbs. per lineal foot.
 - - INDICATES "Found" 1" Iron Pipe, unless otherwise noted.

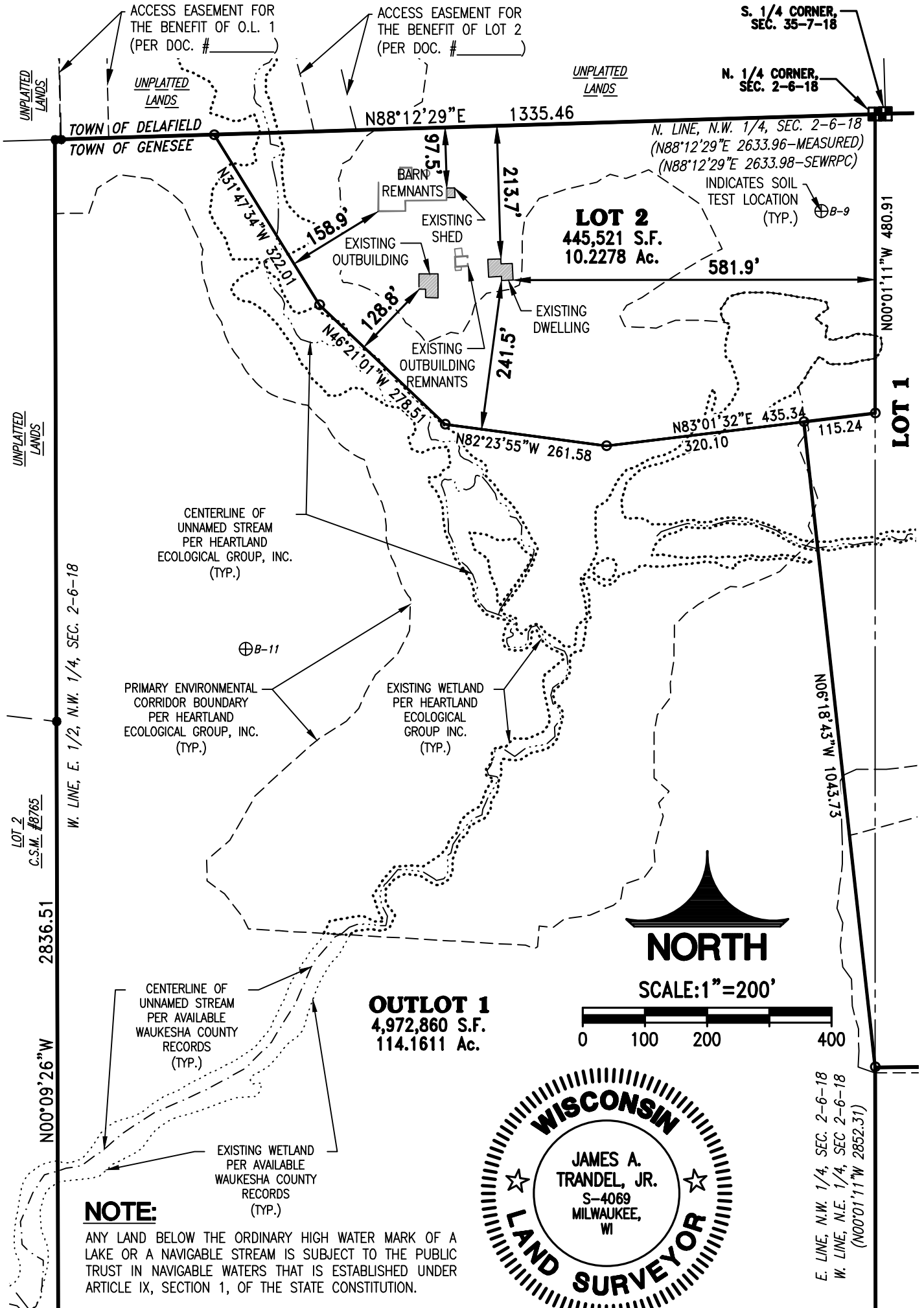


DRAFTED THIS 11th DAY OF NOVEMBER, 2025 (REVISED 3/2/2026)
 THIS INSTRUMENT WAS DRAFTED BY JAMES A. TRANDEL, JR., S-4069

JOB NO. 24-039-1229
 SHEET 1 OF 8

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LANDS LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 AND NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 2, ALL IN TOWN 6 NORTH, RANGE 18 EAST, IN THE TOWN OF GENESSEE, WAUKESHA COUNTY, WISCONSIN.



NOTE:

ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR A NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1, OF THE STATE CONSTITUTION.

X:\2024\24-039-1229 Davies Farm - Waukesha Drawings\Survey\CSM\530CSM02-Genessee.dwg

SHORELAND AMENDMENTS - DRAFT 2/11/26 (DISCUSSION ONLY)

	Topic	Section (Shoreland)	Existing Provision	Proposed Amendment
1	Accessory Building Height	3(i)2.B.i.	Maximum accessory building height =18' for non-agricultural buildings 75' or greater from shore.	<p>Reason for Change: Sites with steep terrain often necessitate exposed foundations, which creates challenges in meeting the 18-foot height maximum from lowest exposure to peak.</p> <p>Proposed Changes: Beyond 75' from the shoreline, the maximum height of an accessory building may be increased to 24 feet with the following in consideration:</p> <ul style="list-style-type: none"> - Existing grade must be at least four feet higher in elevation at the front facade in relation to the rear facade, - Any architectural design elements and materials should match the principal building on the property, - Width-to-height ratio no less than 1.5:1, - At least five feet from any adjacent property line, - Landscape buffer screening the exposed sidewalls of the structure or architectural design elements such as false windows, building material changes, or band boards that breaks up the facade of the building.
2	Accessory Buildings	3(j)4.C	Maximum two accessory buildings w/ additional buildings requiring town plan commission approval	<p>Reason for Change: Providing additional flexibility for property owners to have a smaller third accessory building by-right.</p> <p>Proposed Changes: Allow a third accessory structure by right, provided that the third building is no larger than 100 sq. ft.</p>
3	Accessory Buildings	3(j)4.F	Code silent regarding plumbing in accessory structures other than boathouses where plumbing is prohibited.	<p>Reason for Change: Providing clarification of plumbing fixture rules for accessory structures.</p> <p>Proposed Changes: Memorialize existing policy decision that, in residential and agricultural zoning districts, an accessory building that is not classified as a Boathouse may include a single compartment (utility) sink OR a half bath (consisting of sink and toilet only). A pool house may include a stand-up shower provided access to the shower is via an exterior door.</p>
4	Board of Adjustment	Section 38(d)1.	Appeals of municipality decisions must be filed with BOA within 20 days of decision.	<p>Reason for Change: Matching state statutory requirements for appeals periods.</p> <p>Proposed Changes: Amend to provide 30 days for appeals to be filed, consistent with statute.</p>
5	Boathouse	3(s)1	Boathouse requirements state the a garage type door must be provided.	<p>Reason for Change: Clarification of garage door standards for boathouses.</p> <p>Proposed Changes: Clarify that garage type door required on the waterfront side of boathouse.</p>
6	Building Footprint	3(j)5.B	Maximum guaranteed building footprint for substandard lots is currently 1,100 square feet.	<p>Reason for Change: Staff has heard from multiple builders that a covered entrance area is desired in residential projects, but can risk building footprint square footage. For simplicity, a small increase to the minimum building footprint could be considered.</p> <p>Proposed Changes: Increase the maximum (guaranteed) building footprint provided from 1,100 square feet to 1,150 square feet and cap the depth of the building envelope at 35 feet.</p>
7	Building Height	3(i)3	One foot in height increase over the maximum is permitted for every one foot increase beyond the minimum offsets and setbacks, up to ten feet in certain situations. Environmental Corridor (EC) areas are currently excluded from this flexibility.	<p>Reason for Change: Providing building height flexibility for property owners within the EC overlay district.</p> <p>Proposed Changes: Provided a Structure or Building is located seventy-five (75) feet or more from the Ordinary High Water Mark of a navigable waterway and the subject property is at least sixty-five (65) feet in average width, the height may be increased by one (1) foot for each foot the Structure exceeds the Offsets and setbacks, except for Decks and patios, but not by more than ten (10) additional feet. The above provided height increase does not apply to properties with a base zoning district of R-1, R-2, R-3, or DOD.</p>
8	Business District Lot Size		Minimum Lot size for B-1, B-2 and B-3 = 30,000 SF with a 30% sewer reduction available and 120 ft. avg. width with 30% sewer reduction.	<p>Reason for Change: There are several sites within the County Shoreland jurisdiction that have a land use designation of commercial but are far below the minimum lot size and width standards, with no sewer extensions on the horizon.</p> <p>Proposed Changes: Reduce the minimum lot size to 20,000 square feet within the B-1, B-2, and B-3 zoning districts. Unsewered lands must demonstrate that adequate private wastewater facilities are available.</p>
9	Conditional Use	4(e) 4(f) 4(g)	These section headings need to be bolded (Format issue)	<p>Reason for Change: Consistency issue.</p> <p>Proposed Changes: Bolding of headings.</p>

10	Downtown Okauchee District	Multiple	The Downtown Okauchee District (DOD) is present throughout the Waukesha County Shoreland Protection Ordinance	<p>Reason for Change: The Village of Lac La Belle will be administering the ordinance for this area now.</p> <p>Proposed Changes: All references to the DOD district to be removed.</p>
11	Environmental Corridor Overlay District	9(c)4.A	EC offset = 35' minimum and expansions to EC structures limited to no closer to the lot line. Expansions closer than 20' to lot line require special exception.	<p>Reason for Change: Provide consistency and ease offset regulations for property owners within the EC zoning overlay.</p> <p>Proposed Changes: Eliminate EC offset in favor of reliance upon offset specified by the underlying District, which will result in lesser offsets. In the case of existing legal non-conforming principal or accessory Structures that are less than the required Offset, Section 3(o)2.D shall apply.</p>
12	Non-Conforming: Floodplain/Wetland Setback	3(o)2.B	<p>Nonconforming to Floodplain Setback:</p> <p>The floodplain setback applies within areas of the 500-year (0.2%) floodplain boundary.</p> <p>Structures within thirty-five (35) feet of a Floodplain may be replaced, restored, rebuilt, remodeled, maintained and repaired provided the existing footprint and three (3) dimensional building envelope of the nonconforming structure are not expanded, unless the expansion is necessary to comply with applicable state and federal requirements.</p>	<p>Reason for Change: Provide greater flexibility for minor expansions for existing structures within 35 feet of a floodplain.</p> <p>Proposed Changes: An existing principal Structure may be expanded laterally or vertically, provided the height requirements of the Ordinance are met and provided the lateral expansion does not exceed two hundred (200) square feet over the life of the Structure and provided no portion of the lateral expansion is located no closer to the Floodplain than the closest point of the existing Structure.</p>
13	Non-Conforming: Floodplain/Wetland Setback	3(o)2.B	<p>Nonconforming to Wetland Setback:</p> <p>Structures thirty-five (35) feet or greater from the Wetland:</p> <ul style="list-style-type: none"> - Structures within thirty-five (35) feet of a Wetland may be replaced, restored, rebuilt, remodeled, maintained and repaired provided the existing footprint is not expanded, unless the expansion is necessary to comply with applicable state and federal requirement - A Structure may be expanded vertically, provided the height requirements of the Ordinance are met. - A principal Structure may be expanded laterally, provided the lateral expansion does not exceed two hundred (200) square feet over the life of the Structure and provided no portion of the lateral expansion is located no closer to the Wetland than the closest point of the existing Structure. - Lateral expansions within the Wetland Setback require compliance with the mitigation requirements of Section 3(u) of this Ordinance. 	<p>Reason for Change: Provide greater flexibility for expansions for existing principal structures 25 feet or greater from a wetland.</p> <p>Proposed Changes: Allow vertical and lateral expansions for existing principal structures 25 feet or greater from a wetland provided improvements extend no closer to the wetland. Lateral expansions are limited only to other general provisions and standards within the ordinance and require compliance with the mitigation requirements of Section 3(u) of the Ordinance.</p>
14	Nonconforming: Road Setback	3(o)2.C	<ul style="list-style-type: none"> i. Structures within twenty (20) feet of a Base Setback Line (as established in Section 3(h)1.A). An existing principal or accessory Structure may be replaced, restored, rebuilt, remodeled, maintained and repaired provided the existing footprint and three (3) dimensional building envelope of the nonconforming structure are not expanded, unless the expansion is necessary to comply with applicable state and federal requirements. ii. Structures twenty (20) feet to within thirty-five (35) feet of a Base Setback Line (as established in Section 3(h)1.A). <ul style="list-style-type: none"> a. In addition to the improvements permitted by subsection i. above, a Structure, may be expanded vertically, provided the height requirements of the Ordinance are met. b. A principal Structure may be expanded laterally, provided the lateral expansion does not exceed two hundred (200) square feet over the lifetime of the Structure and provided no portion of the lateral expansion is located any closer to the Base Setback Line than the closest point of the existing Structure. c. All other provisions of the Ordinance shall be met. iii. Structures thirty-five (35) feet or greater from a Base Setback Line (as established in Section 3(h)1.A). All standards of subsection ii above apply and shall be complied with, except that lateral expansions of Principal Structures are not limited to two hundred (200) square feet in size over the lifetime of the Structure. 	<p>Reason for Change: Provide greater flexibility for expansions of structures nonconforming to Road Setback.</p> <p>Proposed Changes:</p> <ul style="list-style-type: none"> - Structures within twenty (20) feet of a Base Setback Line (as established in Section 3(h)1.A). <ul style="list-style-type: none"> - Where there are topographic site constraints or an existing pattern of development of nonconforming Structures to the Road Setback, an existing principal or accessory Structure may be vertically and laterally expanded no closer to the Base Setback Line than the existing Structure, provided the Zoning Administrator determines that the improvements are consistent with the pattern of development within the neighborhood, generally to the extent of 500 feet from the subject property. - The Zoning Administrator shall assess: <ul style="list-style-type: none"> - The aesthetics of the neighborhood - The bulk of the proposed expansion as it compares to surrounding Structures - Proposed grading and land altering for the expansion - Tree removal necessitated by the expansion - Available on-site and off-street parking. - Structures at least twenty (20) feet from the Base Setback Line (as established in Section 3(h)1.A). <ul style="list-style-type: none"> a. Structures may be vertically expanded provided the height requirements of the Ordinance are met. b. Structures may be laterally expanded provided no portion of the lateral expansion is located closer to the Base Setback Line than the existing Structure, unless the assessment noted in subsection i. is completed by the Zoning Administrator.

15	Nonconforming: Offset	3(o)2.D	<p>i.Structures within five (5) feet of a side or rear Lot Line. An existing principal or accessory Structure may be replaced, restored, rebuilt, remodeled, maintained and repaired provided the existing footprint and three (3) dimensional building envelope of the nonconforming structure are not expanded, unless the expansion is necessary to comply with applicable state and federal requirements.</p> <p>ii.Structures five (5) feet to ten (10) feet of a side or rear Lot Line.</p> <p>a.In addition to the improvements permitted by subsection i. above, lateral expansions that do not exceed 50% of the footprint of the existing Structure, over the lifetime of the Structure, and vertical expansions require a Special Exception from the Board of Adjustment. Lateral and vertical expansions shall not extend closer to a nonconforming side or rear Lot Line than the closest point of the existing Structure. For the purposes of this section, a lateral expansion is any horizontal expansion of an existing Structure.</p> <p>b.All other provisions of the Ordinance shall be met.</p> <p>iii.Structures greater than ten (10) feet from a side or rear Lot Line.</p> <p>a.All standards of subsection ii. above apply and shall be complied with, except that lateral expansions that do not exceed fifty percent (50%) of the Building Footprint of the existing Structure, over the lifetime of the Structure and vertical expansions are permitted by right. Lateral expansions that exceed fifty percent (50%) of the Building Footprint of the existing Structure, over the lifetime of the Structure require a Special Exception from the Board of Adjustment. Lateral and vertical expansions shall not extend closer to a nonconforming side or rear Lot Line than the closest point of the existing Structure. For the purposes of this section, a lateral expansion is any horizontal expansion of an existing Structure.</p> <p>b.All other provisions of the Ordinance shall be met.</p>	<p>Reason for Change: Provide greater flexibility for expansions of structures nonconforming to side and rear yard offsets.</p> <p>Proposed Changes:</p> <p>i.Structures within five (5) feet of a side or rear Lot Line. A vertical or lateral expansion to an existing principal or accessory Structure requires a Special Exception (currently requires a Variance) provided the vertical or lateral expansion of the Structure does not exceed two hundred (200) square feet and provided the expansion(s) do not extend closer to a nonconforming side or rear Lot Line than the closest point of the existing structure. The Zoning Administrator may require drainage swales and/or buried downspouts with the outlet shown on a site plan or survey to ensure adequate drainage is being maintained around the Structure.</p> <p>ii.Structures five (5) feet to less than ten (10) feet of a side or rear Lot Line. A vertical or a lateral expansion that does not exceed fifty (50) percent of the existing Building Footprint of the Structure to be expanded are permitted by right (currently requires a Special Exception). A vertical or lateral expansion that exceeds fifty (50) percent of the existing Building Footprint of the Structure requires a Variance. Lateral and vertical expansions shall not extend closer to a nonconforming side or rear Lot Line than the closest point of the existing Structure. The Zoning Administrator may require drainage swales and/or buried downspouts with the outlet shown on a site plan or survey to ensure adequate drainage is being maintained around the Structure.</p> <p>iii. Structures ten (10) feet or greater from a side or rear Lot Line. Existing principal or accessory Structure may be vertically or laterally expanded provided the expansion does not extend closer to a nonconforming side or rear Lot Line than the closest point of the existing Structure (currently limited to 50% of building footprint over life of structure).</p>
16	Offset	3(h)3.A.ii	<p>Lot Width (ft.)Required Offset (ft.)</p> <p>35 ft. or less5 ft.</p> <p>Greater than 35 ft. to 50 ft.7 ft.</p> <p>Greater than 50 ft. to less than 84 ft.10 ft.</p> <p>84 ft. to less than 120 ft.14 ft.</p>	<p>Reason for Change: There are many lots in the County platted at approximately 50 feet in width. Raising the 7-foot offset requirements from 50 to 55 feet in width provides more sufficient widths for building envelopes.</p> <p>Proposed Change:</p> <p>Lot Width (ft.) / Required Offset (ft.)</p> <p>35 ft. or less = 5 ft.</p> <p>Greater than 35 ft. - less than 55 ft. in average width = 7 ft.</p> <p>55 ft. - less than 84 ft. in average width = 10 ft.</p>
17	Offset (Clustering provision)	3(h)3.A.vii	<p>Stairways or walkways, five (5) feet in width or less and not attached to a Deck or Patio, shall be located a minimum of five (5) feet from a Lot Line. Stairways or walkways that exceed five (5) feet in width, shall comply with subsection vi. above. Existing stairways or walkways may be replaced in-kind within five (5) feet of a Lot Line.</p>	<p>Reason for Change: Providing flexibility for property owners with more narrow lots regarding pathways and stairways along property lines.</p> <p>Proposed Change: For Lots with a Lot Width of less than 55 feet or Lots that contain a Structure noncompliant with subsection ii. above, stairways and walkways may be located a minimum of two (2) feet from a Lot Line provided the stairway or walkway does not exceed three (3) feet in width and provided there is adequate drainage along the Lot Line.</p>
18	Offset	3(h)3.B	<p>Where a Lot abuts a District boundary line, the Offset from such line in the District of less restrictive use shall be not less than that required for the District of more restrictive use.</p>	<p>Reason for Change: Rule requiring offset of adjacent more restrictive districts is extremely difficult to administer.</p> <p>Proposed Change: Removal of the above requirement.</p>
19	Offset	3(h)3.A	<p>No Structure, excluding a roof overhang measuring twenty-four inches (24") or less, shall be located closer to any Lot Line than the offset distance specified by the regulations for the District in which such Structure is located, with the following exceptions</p>	<p>Reason for Change: Allow additional minor incidental encroachments into the offset.</p> <p>Proposed Change: No Structure, excluding a roof overhang, bay windows, fireplace bump-outs, decorative building material such as brick veneer, stairway, architectural treatments or other structural bump-outs without foundation measuring twenty-four inches (24") or less that collectively do not exceed 100 square feet into the offset area, shall be located closer to any Lot Line than the offset distance specified by the regulations for the District in which such Structure is located, with the following exceptions</p>
20	Priority Tree List	Table 3(d)9.B		<p>Reason for Change: Muscle wood is native to Wisconsin.</p> <p>Proposed Change: Consider Muscle wood as a Priority Tree Species</p>
21	Retaining Wall	3(d)5.B	<p>The construction of a retaining wall (stone, ties, brick or other material) five (5) feet or less from a property line may be specifically authorized by the plan commission and zoning agency and an agreement made between said plan commission and zoning agency and Applicant stating that the method and purpose of construction will not in any way adversely affect drainage or aesthetics of the adjacent lot.</p>	<p>Reason for Change: Clarifying an in-kind replacement of an existing retaining wall does not require planning commission approval.</p> <p>Proposed Changes: In-kind retaining walls replaced in the same location, configuration and height as an existing, legal retaining wall within five (5) feet from a property line do not require authorization from the plan commission so long as the wall is not being replaced to fix a drainage concern. Documentation that the retaining wall was replaced in the same location, configuration and height shall be provided by the applicant within thirty (30) days of project completion.</p>

22	Retaining walls	3(d)5.B		<p>Reason for Change: Memorializing a policy decision and ensuring public safety when taller retaining walls are proposed.</p> <p>Proposed Changes: New or replacement retaining walls that exceed 4 ft. in height shall require that a Professional Engineer certify that the walls will be constructed in a manner to withstand the pressure from the soil, groundwater and surface water runoff.</p>
23	Road Setback	Section 3(h)1.A(v)	The offset requirements for private rights of way shall not be subject to the sewer reduction provisions or any offset reduction provisions contained in this Ordinance. The Road Setback averaging provisions of Section 3(h)1.C. apply.	<p>Reason for Change: Clarify policy which requires setbacks from private rights-of-way to be 20 feet regardless of sewer availability.</p> <p>Proposed Changes: The offset requirements for private rights of way shall not be subject to any offset reduction provisions contained in this Ordinance. The Road Setback averaging provisions of Section 3(h)1.C. apply.</p>
24	Road Setback	Section 3h)1.C.		<p>Reason for Change: Ease road setback averaging requirements for corner lots.</p> <p>Proposed Changes: For corner Lots, Lots that are located across a street or right-of-way may be considered an adjacent Lot for the purposes of Subsection i. through iii (Road Setback).</p>
25	Road Setback	Section 3)h)C.		<p>Reason for Change: Provide flexibility to property owners to construct a small porch or patio area on the front facade of their homes.</p> <p>Proposed Changes: Decks and Patios without a roof, less than four feet above grade, and accessed from the first level of a residence may be located within the Road Setback provided they are no larger than one-hundred (100) square feet and are located outside of the established road right of way. All other provisions of the Ordinance shall be met.</p>
26	Swimming Pools	3(q)c	C.Walls or fences of at least four (4) feet in height shall be provided around the immediate area of the pool to act as a deterrent for unsupervised children gaining access to the pool. Where the pool is an above ground pool, no additional fence or wall shall be required if the walls of the pool are at least four (4) feet above the grade of the land completely surrounding it and extending at least five (5) feet from the walls of the pool. If an access ladder is provided, it shall be so designed so that it can be locked, tipped or otherwise placed to prohibit access to the pool by children.	<p>Reason for Change: Clarification that a physical fence is required for pool safety.</p> <p>Proposed Changes: A fence plan shall be provided on a site plan or plat of survey. An automatic cover over the Swimming Pool does not constitute a fence for the purpose of this Section.</p>
27	Temporary Permit	Definition	<p>Structure, Temporary: A movable structure not designed for human habitation or occupancy, but for the temporary enclosure, protection or screening of goods or chattels during a period of construction, but not to exceed one (1) year, and which is regulated as a structure under the terms of this Ordinance.</p> <p>5.Temporary occupancy and use permit: Pending the issuance of a regular permit, a temporary permit may be issued for a period not exceeding six (6) months during the completion of alterations or during partial occupancy of a Building pending its permanent occupation. Such temporary permit shall not be issued except under such restrictions and provisions as will adequately insure the safety of the occupants. A temporary permit shall be voided if the Building fails to conform to the provisions of this Ordinance to such a degree as to render it unsafe for the occupancy proposed. A minimum requirement shall be the installation of sanitary facilities which have been approved by the county health department.</p>	<p>Reason for Change: Consolidating rules for both temporary structures and uses, allowing flexibility to owners applying for temporary uses and structures, and creating a process to ensure the temporality and responsibility of such.</p> <p>Proposed Changes: Add "structure" to "Temporary occupancy and use permit". Require that temporary structures, as defined by this Ordinance require a Zoning Permit with Section 3(c). Limit permits to a six (6) month maximum, with the ability to apply for a three (3) month extension pending staff discretion.</p>
28	Zoning, Occupancy, and Use Permits	Section 3(c)2.J	Where a new residence is proposed, a grading plan prepared by a Registered Architect, Landscape Architect or Engineer and specifying before and after grades, a timetable for completion, the source and type of fill, impacts on Stormwater and drainage, erosion control methods, and complete revegetation methods including seeding mixtures, amount of topsoil and mulch shall be submitted with the zoning permit application.	<p>Reason for Change: Clarification that an as-built grading plan may be required for certain earth altering activities.</p> <p>Proposed Changes: To ensure compliance with the approved grading plan and address the possibility of drainage concerns, an as-built grading plan may be required to be submitted for review and approval by the Zoning Administrator within six (6) months of Occupancy on properties where the required grading exceeded four (4) feet in overall change in grade, within 35 feet of a floodplain or where there may be drainage concerns.</p>
29	Antenna Height	3(i)4(B)	Subject to approval of the Plan Commission; cooling towers, elevators, bulkheads, fire towers, monuments, stacks, tanks, windmills, water towers, ornamental towers, spires, wireless or broadcasting towers, masts, aerials, and necessary mechanical appurtenances if located a minimum of seventy-five (75) feet from the Ordinary High Water Mark of a Navigable Waterway.	<p>Reason for Change: Questions from public about larger antennas or receiving towers on residential lots.</p> <p>Proposed Changes: Broadcast or receiving towers or antennas proposed for personal use are subject to the same height standards for Accessory Structures in the underlying Zoning District.</p>
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32	Accessory Buildings	3(11)(4)	On Lots of fifteen (15) acres or more in area, the accessory building footprint may be greater than the two percent (2%) limit when used solely for the pursuit of agriculture and where the Accessory Buildings will house equipment as regulated in Section 3.12(3)(A), and when consistent with the maximum overall Building Footprint requirements of this Ordinance.	<p>Reason for Change: Section not properly referenced.</p> <p>Proposed Changes: Changing "3.12(3)(A)" to "3.12(7)(A)" in standard B.</p>
33	Off-Street Parking	3(o)2(H)	Currently, there is no limit on the number of utility trailers that a residential parcel may have, as long as the trailers are licensed and operable.	<p>Reason for Change: Staff has seen an increase in the number of cases where a high number of trailers on a property makes the parcel unsightly.</p> <p>Proposed Changes: Cap the number of trailers that a residentially-zoned property may have at three trailers that are licensed and operable. All other standards within the zoning ordinance related to parking location must be adhered to.</p>
34	Off-Street Parking	3(o)2(H)	No vehicular equipment of a commercial or industrial nature (such as trucks, construction vehicles, grading equipment, buses, semi-trailers and tractors, and similar vehicles, trailers and related equipment), except as allowed in subsection 6 above, shall be parked or stored on any Lot in any zoning district except as permitted in the B-3, M-1, M-2, P-1 and Q-1 Districts.	<p>Reason for Change: Providing flexibility for property owners who may have incidental work vehicles or trailers that are a reasonable expectation to be able to store on a residentially-zoned property.</p> <p>Proposed Changes: Allow for the storage of one enclosed trailer of no more than 20 feet in length from hitch to rear gate. Trailer must comply with all zoning ordinance standards and parking location requirements.</p>