

CITY OF FRANKLIN
PLAN COMMISSION MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA
THURSDAY, DECEMBER 7, 2017, 7:00 P.M.

A. **Call to Order and Roll Call**

B. **Approval of Minutes**

1. Approval of regular meeting of November 9, 2017.

C. **Public Hearing Business Matters** (action may be taken on all matters following the respective Public Hearing thereon)

1. **MOLLY MAID PROFESSIONAL HOME CLEANING SERVICE BUSINESS USE.** Special Use application by R & R Swan Investments, LLC d/b/a Molly Maid, to operate a maid service business with hours of operation from 7:00 a.m. to 5:00 p.m., Monday through Friday, which application also includes a property owner requested revised Site Plan approval for existing site improvements constructed without prior City approval, specifically, reconfiguration of the parking lot in the northwest corner of the property and addition of a new parking lot in the rear of the property, upon property zoned M-1 Limited Industrial District and C-1 Conservancy District, located at 11113 West Forest Home Avenue, Suite 200; Tax Key No. 704-9978-002. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS MATTER.** [SUBJECT MATTER CONTINUED FROM THE NOVEMBER 9, 2017 MEETING. THIS PUBLIC HEARING WAS PREVIOUSLY NOTICED FOR, OPENED AND HELD AT THE PLAN COMMISSION MEETING ON NOVEMBER 9, 2017, AND THEN POSTPONED AND CONTINUED TO THE DECEMBER 7, 2017 PLAN COMMISSION MEETING TO ALLOW FOR FURTHER PUBLIC INPUT.]
2. **FABU EYES EYELASH EXTENSION SERVICE BUSINESS USE.** Special Use application by Yulia Da Silva, owner, Fabu LLC, d/b/a Fabu Eyes, to operate an eyelash extension service business with hours of operation from 9:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 2:00 p.m., Saturday and Sunday, upon property zoned M-1 Limited Industrial District and C-1 Conservancy District, located at 11113 West Forest Home Avenue, Suite 240; Tax Key No. 704-9978-002. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS MATTER.** [SUBJECT MATTER CONTINUED FROM THE NOVEMBER 9, 2017 MEETING. THIS PUBLIC HEARING WAS PREVIOUSLY NOTICED FOR, OPENED AND HELD AT THE PLAN COMMISSION MEETING ON NOVEMBER 9, 2017, AND

THEN POSTPONED AND CONTINUED TO THE DECEMBER 7, 2017 PLAN COMMISSION MEETING TO ALLOW FOR FURTHER PUBLIC INPUT.]

3. **DAVID R. ROSS AND LEANNE BUDDE-ROSS ACCESSORY BUILDING CONSTRUCTION ON A SINGLE-FAMILY RESIDENTIAL PROPERTY.** Rezoning application by David R. Ross and Leanne Budde-Ross, property owners, to rezone a portion of the property located at 8300 West South County Line Road from C-1 Conservancy District to R-1 Countryside/Estate Single-Family Residence District to allow for construction of an accessory building which will impact approximately 4,500 square feet of woods on the property; Tax Key No. 984-9998-001. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS MATTER.**

4. **TEMPORARY USE TIME LIMIT EXPANSION FOR CONSTRUCTION LAYDOWN YARDS UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT AND THE CONTINUATION OF A TEMPORARY CONSTRUCTION LAYDOWN YARD FOR AMERICAN TRANSMISSION COMPANY LLC.** Unified Development Ordinance Text Amendment and Temporary Use applications by American Transmission Company LLC, to revise the time limit for all Temporary Uses from 90 days to 180 days, City-wide (Unified Development Ordinance Text Amendment) and the Temporary Use for continuation of a construction laydown yard located within the parking lot of the former golf dome property, for the purpose of upgrading electric transmission communication facilities from the Oak Creek substation to the St. Martins substation in the City of Franklin, from November 30, 2017 to December 1, 2017 (32 days) and from January 1, 2018 to April 30, 2018 (120 days) [the Temporary Use Application has been submitted in conjunction with the Unified Development Ordinance Text Amendment Application to allow operation of the yard for a total of 122 days in 2017 and 120 days in 2018], property located at 11027 South 27th Street and South County Line Road, zoned Planned Development District No. 39 (Mixed-Use Business Park); Tax Key No. 978-9998-000. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THE UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT APPLICATION OF THIS MATTER.**

5. **FORMER ANCHOR BANK BUILDING AND SITE CHANGES TO ACCOMODATE A PROPOSED CREDIT UNION.** Unified Development Ordinance Text Amendment and Special Use Amendment applications by Joseph Haider, Designer, LaMacchia Group, to amend the Unified Development Ordinance text at Table 15-3.0603 Standard Industrial Classification Title No. 6061 “Credit Unions, Federally Chartered (with drive through facilities)” and 6062 “Credit Unions, Not Federally Chartered (with drive through facilities)” to

allow for such uses as a Special Use, and 6061 “Credit Unions Federally Chartered (without drive through facilities)” and 6062 “Credit Unions, Not Federally Chartered (without drive through facilities)”, to allow for such uses as a Permitted Use, in the B-3 Community Business District, in conjunction with a Special Use Amendment application to undertake building and site changes to the former Anchor Bank property, including: construction of a new 24’ high curtain wall type entry feature for the main entrance of the building; addition of an Exterior Insulation and Finish System (EIFS) parapet and metal lattice structure to the roof; repainting of the building and repair of the existing parking lot, sidewalks, landscaping, etc., as needed, for the proposed credit union use at 7745 West Rawson Avenue; Tax Key No. 755-0192-006. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THE UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT AND SPECIAL USE AMENDMENT APPLICATIONS.**

6. **KRONES, INC. PRODUCT DEMONSTRATION AND TRAINING FACILITY METAL BUILDING CONSTRUCTION.** Natural Resource Features Special Exception and Site Plan applications by Krones, Inc., for the purpose of allowing for the filling and removal of approximately 6,750 square feet of wetland buffer and 13,670 square feet of wetland setback, for construction of a 40,000 square foot pre-engineered metal building to serve as a product demonstration and training facility for Krones, Inc.’s clients, with new parking and loading areas, landscaping, a stormwater pond and protection of an existing wetland, located across the street from Krones, Inc.’s North American headquarters at 9600 South 58th Street, specifically at 9611 South 58th Street, such property zoned M-1 Limited Industrial District; Tax Key No. 899-9990-062. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THE NATURAL RESOURCE SPECIAL EXCEPTION APPLICATION OF THIS MATTER.**

D. **Business Matters** (no Public Hearing is required upon the following matters; action may be taken on all matters)

E. **Adjournment**

*Supporting documentation and details of these agenda items are available at City hall during normal business hours.

**Notice is given that a majority of the Common Council may attend this meeting to gather information about an agenda item over which they have decision-making responsibility. This may constitute a meeting of the Common Council per *State ex rel. Badke v. Greendale Village Board*, even though the Common Council will not take formal action at this meeting.

[Note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, contact the City Clerk’s office at (414) 425-7500.]

REMINDERS:

Next Regular Plan Commission Meeting: December 21, 2017

City of Franklin
Plan Commission Meeting
November 9, 2017
Minutes

Unapproved

A. Call to Order and Roll Call

Mayor Steve Olson called the November 9, 2017 regular Plan Commission meeting to order at 7:00 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present was Commissioners Kevin Haley, David Fowler, Patricia Hogan, Adam Burckhardt, Alderman Mark Dandrea and City Engineer Glen Morrow. Also present was Planning Manager Joel Dietl and Principal Planner Nick Fuchs.

B. Approval of Minutes

1. Regular Meeting of October 19, 2017.

Commissioner Fowler moved and Commissioner Haley seconded approval of the October 19, 2017 minutes of the regular meeting of the Plan Commission. On voice vote, all voted 'aye'. Motion carried (6-0-0).

C. Public Hearing Business Matters

2. FABU EYES EYELASH EXTENSION SERVICE BUSINESS USE. Special Use application by Yulia Da Silva, owner, Fabu LLC, d/b/a Fabu Eyes, to operate an eyelash extension service business with hours of operation from 9:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 2:00 p.m., Saturday and Sunday, upon property zoned M-1 Limited Industrial District and C-1 Conservancy District, located at 11113 West Forest Home Avenue, Suite 240; Tax Key No. 704-9978-002.

Planning Manager Joel Dietl presented the request by Yulia Da Silva, owner, Fabu LLC, d/b/a Fabu Eyes, to operate an eyelash extension service business with hours of operation from 9:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 2:00 p.m., Saturday and Sunday, upon property zoned M-1 Limited Industrial District and C-1 Conservancy District.

The Official Notice of Public Hearing was read in to the record by Principal Planner Fuchs and the Public Hearing was opened at 7:05.

Commissioner Hogan moved and Commissioner Fowler seconded a motion to postpone and continue the subject matter and public hearing to the December 7, 2017 Plan Commission meeting. On voice vote, all voted 'aye'. Motion carried (6-0-0).

3. THE LAKEVIEW AT FRANKLIN SENIOR INDEPENDENT LIVING APARTMENT COMPLEX DEVELOPMENT. Special Use Amendment application by Herman & Kittle Properties, Inc., for construction

Planning Manager Joel Dietl presented the request by Herman & Kittle Properties, Inc., for construction of a 30,230 square foot, two-story, 48 unit (30 one-bedroom and 18 two-bedroom units with 70 parking spaces and associated landscaping and lighting) senior independent living apartment complex which will be designed, marketed and restricted to those 55 years and older with household

of a 30,230 square foot, two-story, 48 unit (30 one-bedroom and 18 two-bedroom units with 70 parking spaces and associated landscaping and lighting) senior independent living apartment complex which will be designed, marketed and restricted to those 55 years and older with household incomes of 30%, 50% and 60% of Area Median Household Income, with 8 units proposed as market rate units, upon property zoned R-8 Multiple-Family Residence District, located at 3709 West College Avenue; Tax Key No. 713-9996-003.

incomes of 30%, 50% and 60% of Area Median Household Income, with 8 units proposed as market rate units, upon property zoned R-8 Multiple-Family Residence District, located at 3709 West College Avenue; Tax Key No. 713-9996-003.

The Official Notice of Public Hearing was read in to the record by Principal Planner Fuchs and the Public Hearing was opened at 7:09 and closed at 8:16.

Commissioner Fowler moved and Alderman Dandrea seconded a motion to recommend approval of a Resolution to amend Resolution No. 2017-7246 imposing conditions and restrictions for the approval of a Special Use for a two-story, 48 unit multi-family senior independent living apartment complex development use located at 3709 West College Avenue to allow for construction of The Lakeview at Franklin two-story, 48 unit senior independent living apartment complex with the addition of Condition No. 13 requiring installation of a sidewalk along W. College Avenue per City Engineering Department specifications and revising Condition No. 7 to delete “Furthermore, the trail shall be looped and extend around the entire building.” and add “This requirement is conditioned upon Milwaukee County approval.” On voice vote, all voted 'aye'. Motion carried (6-0-0).

1. MOLLY MAID PROFESSIONAL HOME CLEANING SERVICE BUSINESS USE. Special Use application by R & R Swan Investments, LLC d/b/a Molly Maid, to operate a maid service business with hours of operation from 7:00 a.m. to 5:00 p.m., Monday through Friday, which application also includes a property owner requested revised Site Plan approval for existing site improvements constructed without prior City approval, specifically, reconfiguration of the parking lot in the northwest corner of the property and addition of a new parking lot in the rear of the property, upon property zoned M-1 Limited Industrial District and C-1 Conservancy District, located at 11113 West Forest Home Avenue, Suite 200; Tax Key No. 704-9978-002.

Planning Manager Joel Dietl presented the request by R & R Swan Investments, LLC d/b/a Molly Maid, to operate a maid service business with hours of operation from 7:00 a.m. to 5:00 p.m., Monday through Friday, which application also includes a property owner requested revised Site Plan approval for existing site improvements constructed without prior City approval, specifically, reconfiguration of the parking lot in the northwest corner of the property and addition of a new parking lot in the rear of the property, upon property zoned M-1 Limited Industrial District and C-1 Conservancy District.

The Official Notice of Public Hearing was read in to the record by Principal Planner Fuchs and the Public Hearing was opened at 7:03.

Commissioner Fowler moved and Alderman Dandrea seconded a motion to postpone and continue the subject matter and public hearing to the December 7, 2017 Plan Commission meeting. On voice vote, all voted 'aye'. Motion carried (6-0-0).

D. Business Matters

1. None.

E. Adjournment

Commissioner Hogan moved and Commissioner Burckhardt seconded to adjourn the Plan Commission meeting of November 9, 2017 at 8:28 p.m. All voted 'aye'; motion carried. (6-0-0).

DRAFT

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of December 7, 2017****Special Use**

RECOMMENDATION: City Development Staff recommends the Plan Commission table the subject matter to the January 4, 2017 Plan Commission meeting.

Project Name: Molly Maid Special Use

Project Address: 11113 West Forest Home Avenue, Suite 200

Applicant: R & R Swan Investments, LLC

Owners (property): 11113 West Forest Home Avenue, LLC

Current Zoning: M-1 Limited Industrial District & C-1 Conservancy District

2025 Comprehensive Master Plan Industrial

Use of Surrounding Properties: WE Energies substation and Ewald automobile dealership to the north, gasoline service station to the south, Ewald Truck Center and Hiller Ford automobile dealership to the east and single-family residential to the west.

Applicant Action Requested: Recommendation of approval for the proposed Special Use for Molly Maid of Southern Milwaukee County to operate at 11113 West Forest Home Avenue, Suite 200.

INTRODUCTION:

On October 5, 2017, Joel Cook of Ogden Construction submitted a Special Use application on behalf of R & R Swan Investments, LLC dba Molly Maid of Southern Milwaukee County, requesting approval to operate a maid service business within the Falcon Commons building located at 11113 West Forest Home Avenue. The proposed use corresponds to Standard Industrial Classification (SIC) Title No. 7349 Building Maintenance Services, Not Elsewhere Classified, which is allowed within the M-1 Limited Industrial District as a Special Use.

At the November 9, 2017 meeting of the Plan Commission, following a properly noticed public hearing, the following action was approved: move to postpone and continue the Public hearing to the December 7, 2017 Plan Commission meeting.

HISTORY:

Molly Maid of Southern Milwaukee County has been operating at 11113 West Forest Home Avenue, Suite 200 since the summer of 2017, without any approvals from the City of Franklin. In order to address this situation, Staff has been working with R & R Swan Investments, LLC on obtaining Special Use approval. This Special Use Application includes a request by the property owner to keep site improvements made without City approvals. Specifically, the parking lot in the northwest corner of the property was reconfigured and a new 15,120 square foot parking lot was added in the rear of the property.

PROJECT DESCRIPTION AND ANALYSIS:

Ogden Construction did not submit revised plans until Thursday, November 30th. Consequently, Staff has not had sufficient time to conduct a thorough review. Therefore, Staff recommends tabling the item to allow sufficient time to review the revised plans. However, Staff believes the applicant has provided enough information for the Plan Commission to conclude the public hearing for this item.

STAFF RECOMMENDATION:

City Development Staff recommends the Plan Commission table the subject matter to the January 4, 2017 Plan Commission meeting.

RESOLUTION NO. 2017-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR A PROFESSIONAL HOME
CLEANING SERVICE BUSINESS USE AND PROPERTY OWNER REQUESTED
REVISED SITE PLAN APPROVAL UPON PROPERTY LOCATED
AT 11113 WEST FOREST HOME AVENUE, SUITE 200
(R & R SWAN INVESTMENTS, LLC, D/B/A MOLLY MAID, APPLICANT)

WHEREAS, R & R Swan Investments, LLC, d/b/a Molly Maid, having petitioned the City of Franklin for the approval of a Special Use within an M-1 Limited Industrial District and C-1 Conservancy District under Standard Industrial Classification Title No. 7349 “Building Cleaning and Maintenance Services, Not Elsewhere”, to allow for a maid service business use, with hours of operation from 7:00 a.m. to 5:00 p.m., Monday through Friday, which application also includes a property owner requested revised Site Plan approval for existing site improvements constructed without prior City approval, specifically, reconfiguration of the parking lot in the northwest corner of the property and addition of a new parking lot in the rear of the property, upon property located at 11113 West Forest Home Avenue, Suite 200, bearing Tax Key No. 704-9978-002, more particularly described as follows:

Parcel 1 of Certified Survey Map No. 3988, recorded on March 11, 1981, Reel 1362, Images 185 to 187, as Document No. 5462366, being a part of the Northeast 1/4 of Section 6, Town 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 9th day of November, 2017, and the Plan Commission thereafter having determined to recommend that the proposed Special Use and revised site plan be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use and revised site plan upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

WHEREAS, the Common Council having received such Plan Commission recommendation and also having found that the proposed Special Use and revised site plan,

R & R SWAN INVESTMENTS, LLC, /D/B/A MOLLY MAID – SPECIAL USE
RESOLUTION NO. 2017-_____

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subject to conditions, meets the standards set forth under §15-3.0701 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of R & R Swan Investments, LLC, d/b/a Molly Maid, for the approval of a Special Use and revised site plan for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use and revised site plan is approved only for the use of the subject property by R & R Swan Investments, LLC, d/b/a Molly Maid, successors and assigns, as a maid service business use, which shall be developed in substantial compliance with, and operated and maintained by R & R Swan Investments, LLC, d/b/a Molly Maid, pursuant to those plans City file-stamped _____, 2017 and annexed hereto and incorporated herein as Exhibit A.
2. R & R Swan Investments, LLC, d/b/a Molly Maid, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the R & R Swan Investments, LLC, d/b/a Molly Maid maid service business, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon R & R Swan Investments, LLC, d/b/a Molly Maid and the maid service business use for the property located at 11113 West Forest Home Avenue, Suite 200: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. [other conditions, etc.]

BE IT FURTHER RESOLVED, that in the event R & R Swan Investments, LLC, d/b/a Molly Maid, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use and revised site plan Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use and revised site plan permission granted under this Resolution.

BE IT FURTHER RESOLVED, that any violation of any term, condition or

R & R SWAN INVESTMENTS, LLC, /D/B/A MOLLY MAID – SPECIAL USE
RESOLUTION NO. 2017-_____

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restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as may be specified therein from time to time. Each day that such violation continues shall be a separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

BE IT FURTHER RESOLVED, that this Resolution shall be construed to be such Special Use Permit as is contemplated by §15-9.0103 of the Unified Development Ordinance.

BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use and revised site plan permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of an occupancy permit for such use.

BE IT FINALLY RESOLVED, that the City Clerk be and is hereby directed to obtain the recording of a certified copy of this Resolution in the Office of the Register of Deeds for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

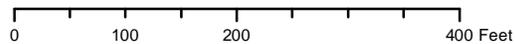
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

11113 W. Forest Home Ave.
TKN: 704 9978 002

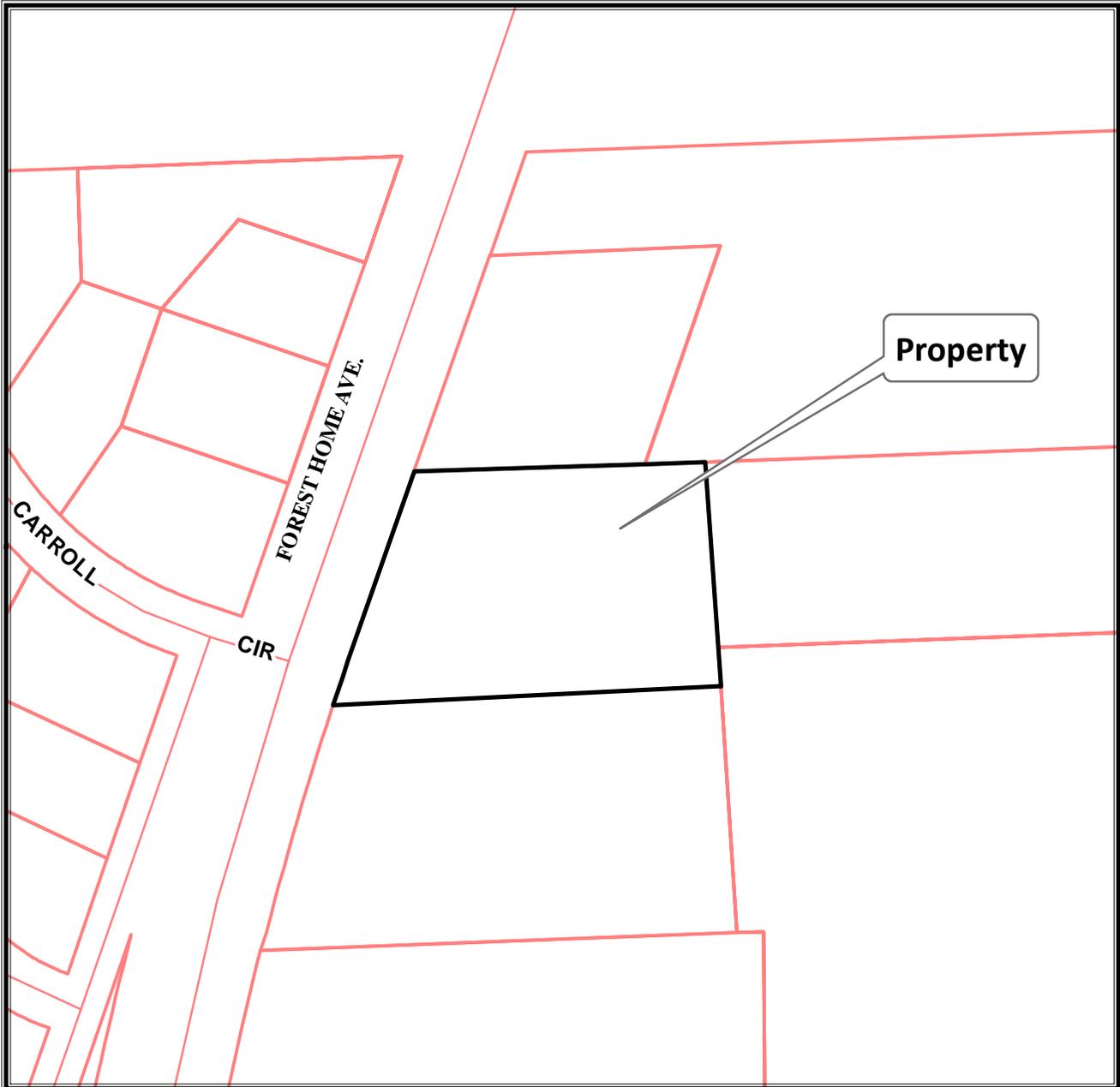


Planning Department
(414) 425-4024

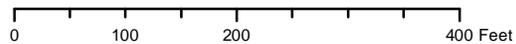


This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.

11113 W. Forest Home Ave.
TKN: 704 9978 002

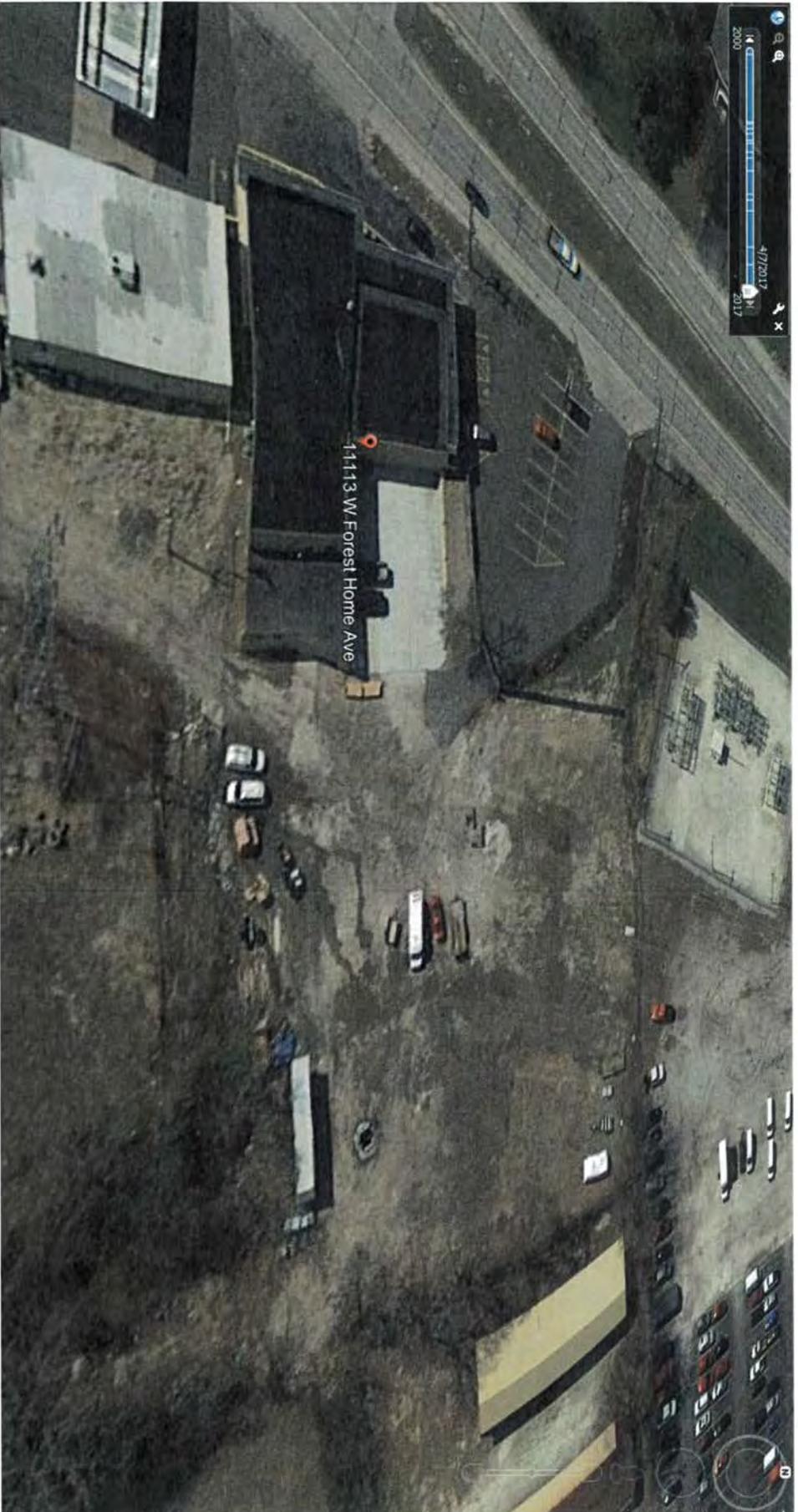


Planning Department
(414) 425-4024



This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.





April 7, 2017 Aerial

11113 W. Forest Home Ave.

10.13.17



02/20/21

gulf coast 4090 3/21





City of Franklin

Department of City Development

Date: October 19, 2017
To: Joel Cook, Ogden Construction
From: Department of City Development
RE: Molly Maid Special Use – Staff Comments

Please be advised that City Staff has reviewed the above application. Department comments are as follows for the Molly Maid of Southern Milwaukee County Special Use Application City file-stamped October 5, 2017.

Unified Development Ordinance (UDO) Requirements

Site Plan

1. Please indicate the owner's and/or developer's name and address on the site plan per Section 15-7.0103-B of the UDO. *The property owner is 11113 W. Forest Home Avenue, LLC.*
2. Please indicate the width of all right-of-ways and label "ROW" as required by Section 15-7.0103-L of the UDO.
3. Please indicate on the site plan all existing and proposed storm sewers per Section 15-7.0103-O of the UDO. *Three (3) Notes on the Site Plan state, "Unkown location of storm sewer line". Condition No. 8 of Resolution No. 2015-7065 states, "Applicant shall have the stormwater drainage pipe televised to assess its current condition, provide the results of the inspection to the Engineering Department together with a location map, repair the pipe as may be necessary, and grant the City of Franklin an easement to protect and access the pipe, prior to the issuance of a Final Occupancy Permit". It doesn't appear this condition was ever satisfied. Therefore, Staff recommends this be completed within 30 days of Special Use approval.*
4. Please submit a storm water management plan per Section 15-7.0103-P of the UDO. This plan should include the location of any proposed storm water management facilities, including detention/retention areas and the submission of storm water calculations.
5. Please provide a landscape plan per Section 15-7.0103(R) and 15-7.0300 which illustrates your existing and proposed plantings.
6. If new lighting is proposed, please provide a lighting plan per Section 15-7.0103(W) of the UDO. Lighting standards can be found in Division 15-5.0400 of the UDO. *Was any exterior lighting adding as part of the parking lot site work?*
7. Please indicate the existing zoning of the property on the site plan per Section 15-7.0103-Z of the UDO. *Specifically, please add the boundary of the C-1 Conservancy District to the Site Plan so Staff can determine whether or not the parking lot improvements are outside of the C-1 District. Please also see comment No. 16.*

Staff Recommendations

Site Plan

1. Please indicate the width of the north driveway on the site plan.
2. The site plan depicts a 10' x 10' wood fence dumpster enclosure, which was never installed. There are currently two unscreened dumpsters in the rear of the property along the south lot line. Staff recommends installing an enclosure large enough to house both dumpsters currently onsite.
3. Condition No. 1 of Resolution No. 2015-7065 stated that Ogden's commercial contractor business use was to be developed in substantial compliance with, and operated and maintained pursuant to those plans City file-stamped January 26, 2015. Those plans depicted a 6' wood fence being installed along the east and south sides of the parking lot on the northwest portion of the site. However, it appears a chain-link fence with slats was installed instead. According to Section 15-3.0803(F) of the UDO, open storage areas are to be screened with a solid wooden fence at least six (6) feet in height. Therefore, Staff recommends the chain-link fence be replaced with a solid 6-foot wood fence.
4. The total impervious surface area is stated on the face of the Site Plan. However, please verify the minimum Landscape Surface Ratio of the M-1 District of 0.4 or 40% is being met.
5. Please depict the cross-access to the property to the south at 11123 W. Forest Home Ave., located in the rear of the property.

Landscape Plan

6. Staff recommends installing the minimum number of standard plant units per Section 15-5.0302 of the UDO to accompany the new parking lot.

Commercial, Office, Institutional and Similar Uses

<u>Type</u>	<u>Planting Size</u>	<u>Minimum Quantity</u>
Canopy/Shade Tree	2.5 inch caliper	1 per 5 provided parking spaces
Evergreens	4 feet tall	1 per 5 provided parking spaces
Decorative Trees	1.5 inch caliper	1 per 5 provided parking spaces
Shrubs	3 feet tall	1 per 5 provided parking spaces

7. Coordinate the Planting list with like types and designate the plants as a Canopy, Evergreen, Decorative Tree or Shrub. Please indicate the required amount of plantings in accordance with Section 15-5.0302 A. of the UDO within the Planting List.
8. Staff recommends the additional landscape plantings be installed within the parking setback along the north property line and within the C-1 District along the east property line. These areas may need topsoil added for anything to successfully grow.

Parking

8. Please depict the Parking setback from the north property line to the new parking lot in the rear of the property. Staff recommends a minimum off-street parking setback of 10-feet be provided in accordance with Section 15-5.0202C.4 of the UDO.
9. Staff recommends curb and gutter for the new parking lot in the rear of the property per Section 15-5.0202E of the UDO.
10. Staff recommends providing evidence that a parking increase above 10% of the Standard Parking Ratio should be approved. According to Section 15-5.0203B. of the UDO, Potential

Parking Increase Considerations (above 10% or 5 spaces of the Standard Parking Ratio) include:

1. For on-site parking, the applicant submits reasonably sufficient proof that the maximum number of required parking spaces would be insufficient for the proposed use's projected parking demand. Evidence may include, but not limited to, parking standard comparisons and/or comparisons of parking demand for existing similar uses.
2. For on-site queuing, the applicant provides reasonably sufficient proof that additional vehicle stacking space is needed to prevent interference with roadways, parking lot circulation or pedestrian safety.
3. For on-site parking, the applicant submits reasonably sufficient proof that there are no reasonable opportunities to share parking within or adjacent to the site.
4. For on-site parking, the applicant submits reasonably sufficient proof of a greater need for handicapped accessible parking spaces, while still needed to provide sufficient standard parking spaces.

Sign Plan

11. Please note any proposed signage will require separate review and approval by the Architectural Review Board and issuance of a Sign Permit from the Inspection Department.

Project Summary

12. In lieu of a page that states, "This project will change nothing on the exterior of the building they are taking the space as-is", please provide a summary of the improvements made including when and why they were made.
13. A semi-trailer and other commercial vehicles weighing over 8,000 lbs rated gross vehicle weight are currently being parked in the rear of the property over-night. According to Section 15-5.0202G.3 of the UDO, Therefore, Staff recommends this Special Use Application include a request to park vehicles over 8,000 lbs rated gross vehicle weight on the property overnight. Please specify the type of vehicles, the number of vehicles and depict where they will be parked.
14. Please state the costs of the subject site improvements.

Other

15. Please submit a letter from the easement owner indicating approval of site improvements within the 120' Wide W.E.P.C.O. Easement. Please contact Tony Marciniak with ATC at (262) 506-6700 or tmarciniak@atcllc.com for such an approval.
16. Staff recommends removing all outdoor storage/vehicles from the portion of the property zoned C-1 Conservancy District.

Engineering Department Comments

17. Was/will any grading done/be done to the site? If so, a Grading and Erosion Control Plan or As-built Grading Plan must be prepared and submitted.
18. It is unclear from what has been submitted just how much impervious area has been/will be added to the site and when. Since the total impervious area on the site is over one-half acre, the following must be submitted to the Engineering Department:

- An aerial from September 2001 (if this cannot be found, then from year 2000). On that aerial you will need to draw/trace as close as possible the existing (at that time) impervious area including gravel (building, driveway, parking, etc.). You will need to find the area (square feet) and clearly note it on the aerial.
- A current plan like the one you submitted that needs to include a survey of all impervious area on the site. The square footage of that area needs to be noted on the exhibit.

When those are submitted, the required storm water management can be determined.

19. City is not approving any improvements in the private easement (120-ft Wide W.E.P. CO.-Easement). WE-Energies must also be informed regarding these improvements.
20. Site plan shows a typo error instead of referencing it to CSM # 3983 it should be #3988.

Fire Department Comments

The Fire Department has no comments/concerns regarding the proposed special use at this location.

Police Department Comments

The Franklin Police Department has reviewed the application for 11113 West Forest Home Ave. The Police Department has no issues with this request.



To whom may concern,

9-20-17

R&R Swan Investments LLC DBA. Molly Maid operates a professional home cleaning service. We operate Monday thru Friday from 7 am. To 5pm. We employ 20 to 25 employees. We have 12 company cars that are parked on the site in a lower parking in the evening. Are employee also park in the lower lot during their working hours. The current location is 11113 W Forest Home Ave Suite 200 Franklin WI. 53132. We took the space as is. No work has been done to our space.

Thank You

Ryan Swan

R&R Swan Investments LLC.

414-427-6100

Franklin

NOV 30 2017

City Development

Molly Maid of Southern Milwaukee County

11113 W. Forest Home Avenue Suite 200 Franklin, WI 53132 Ph: (414)427-6100 swan.rick@sbcglobal.net www.mollymaid.com

November 28, 2017

Orrin Sumwalt
City Plan Commission
City of Franklin
9229 W Loomis Rd
Franklin, WI 53132

RE: Molly Maids

I am writing in response to your staff comments dated 10/19/17.

Site Plan (UDO)

- 1.) owners name & address are on the attached site plan
- 2.) right of way widths are on the attached site plan
- 3.) storm sewer is now shown on the attached site plan
- 4.) storm water management is not required per attached over heads
- 5.) see attached landscape plan previously submitted & approved
- 6.) no new lighting was installed nor proposed
- 7.) see attached site plan showing that the parking lot is not in the C-1 zoning

Site Plan (staff)

- 1.) see attached site plan
- 2.) the (2) dumpsters are screened by the vision slatted fence at the upper parking lot & is not visible from the road- would that be acceptable?
- 3.) Ogden Construction installed 6'-0" high chain link fence with vision slats
- 4.) the site data or attached site plan verifies the surface ratio
- 5.) see attached site plan

- 6.) we feel that because the parking is depressed the landscaping will only be seen by us and will not be seen by any of the neighbors, therefore, we request that the landscape request be waived

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Franklin

NOV 30 2017

City Development

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- 8.) 10' set back was held see attached site plan
- 9.) Per 15-5.0203B of UDO Forest Home Ave does not have curb and gutter, therefore, they are not required
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Sign Plan

- 11.) No signage is proposed

Project Summary

- 12.) There were no improvements to the existing building when Molly Maids moved in, however, we did pave an area on the lower tier to accommodate parking in June of 2017.
- 13.) We acquired a semi-trailer from an associate that had no further use for it and we are using it for storage. If this is an issue we will have it removed. No other commercial vehicles weighing over 8000lbs are on the site.
- 14.) Site improvements (paving) cost \$17,942.00

Other

- 15.) Approval from ATC is pending
- 16.) All outdoor storage/vehicles currently in the C-1 area will be removed

Engineering Dept Comments

- 17.) No grading was completed or is anticipated
- 18.) See attached aerials
- 19.) ATC has been informed; see #15
- 20.) Typo has been corrected

If you have any questions, please do not hesitate to call us.

Sincerely,
Ogden Construction Group, LLC

Joel Cook
President

Joel Cook

From: Tony Zanon [tony.zanon@pinnacle-engr.com]
Sent: Tuesday, November 28, 2017 1:36 PM
To: Joel Cook
Subject: Franklin
Attachments: Site plan markup 11-15-17.pdf; 2000 Aerial.pdf

Joel,
Franklin requires storm water management when land disturbance is greater than one acre or the increase in impervious is greater than 0.5 acres. Wisconsin DNR requires storm water management when disturbance is greater than one acre. MMSD is when disturbance is greater than 2 acres or new impervious is greater than 0.5 acres.

In 2000 there was 49,600 +/- SF of impervious. Per the architects site plan the impervious area on site is now 44,200 SF so there is not an increase in impervious area.

See the attached map, I assume you roughly disturbed the area in green when building the parking lot. That area is approximately 24,200 SF (0.56 acres) so there was not land disturbance over one acre. Please confirm the green area is correct.

Storm water management would not be required because you did not increase impervious by 0.5 acres or more and did not disturb over one acre of land.

Tony

Anthony S. Zanon, P.E. | Senior Project Manager



15850 W. Bluemound Road | Suite 210 | Brookfield, WI 53005
(262) 754-8888 Main | (262) 754-0839 Direct | (262) 754-8850 Fax
tony.zanon@pinnacle-engr.com | www.pinnacle-engr.com

PLAN | DESIGN | DELIVER

CONFIDENTIALITY NOTICE:

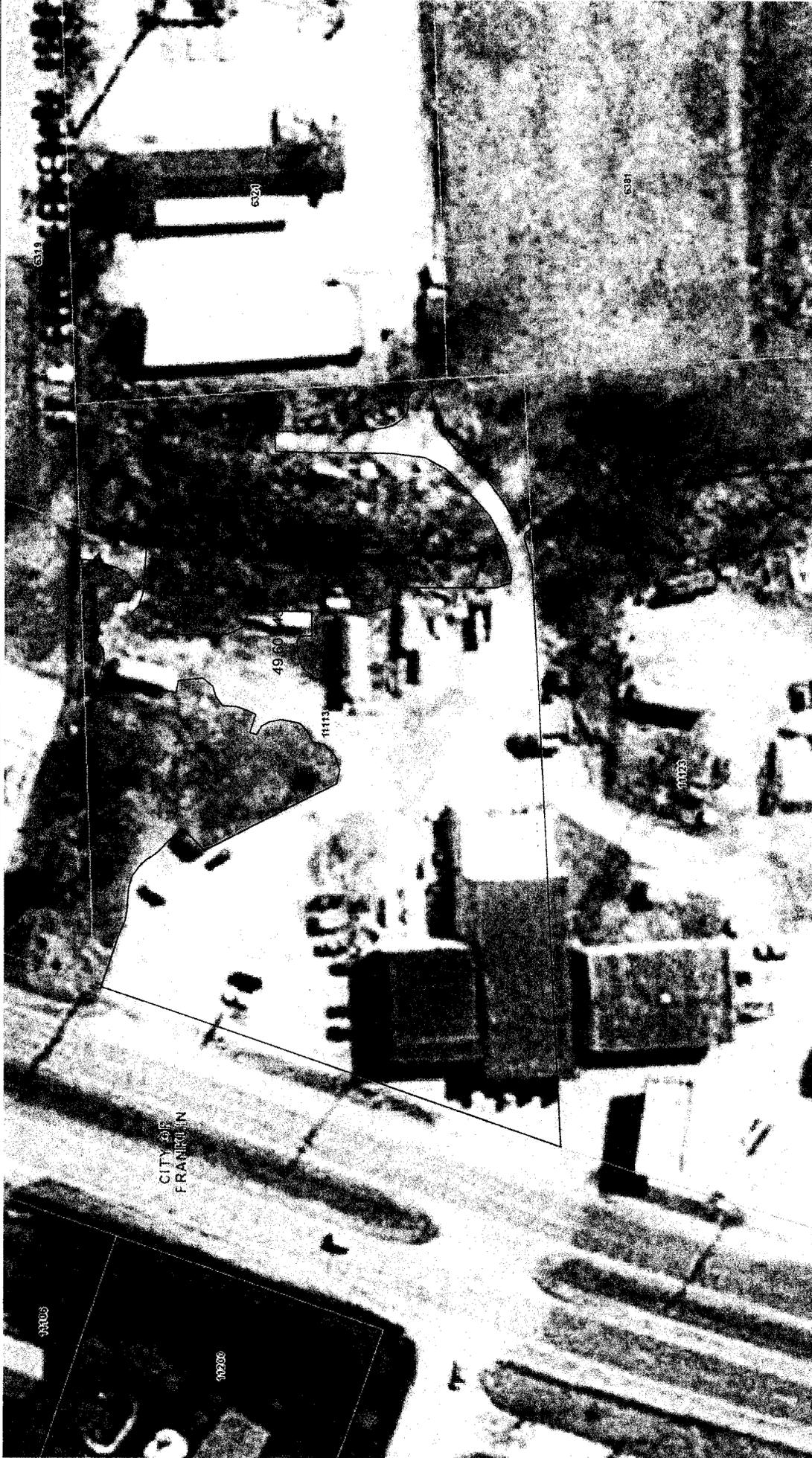
This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by email reply.

Franklin

NOV 30 2017

City Development

MILWAUKEE COUNTY INTERACTIVE MAPPING SERVICE



NOTES
2000 AERIAL

DISCLAIMER: This map is user generated static output from the Milwaukee County Interactive Mapping Service. It is not intended for use as a legal document or for reference purposes only and may or may not be accurate, current or otherwise reliable. No liability is assumed for the data delineated herein either expressed or implied by Milwaukee County or its employees.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

1:584



94
0 47 94 Feet
NAD_1987_StatePlane_Wisconsin_South_FIPS_4803
© MCHMILIS

DIVISION 15-3.0700 SPECIAL USE STANDARDS AND REGULATIONS

SECTION 15-3.0701 GENERAL STANDARDS FOR SPECIAL USES

A. ***General Standards.*** No special use permit shall be recommended or granted pursuant to this Ordinance unless the applicant shall establish the following:

1. **Ordinance and Comprehensive Master Plan Purposes and Intent.** The proposed use and development will be in harmony with the general and specific purposes for which this Ordinance was enacted and for which the regulations of the zoning district in question were established and with the general purpose and intent of the City of Franklin Comprehensive Master Plan or element thereof.

Response: We will occupy current space at 11113 W. Forest Home Ave. Suite 200, Franklin WI. 53132

2. **No Undue Adverse Impact.** The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort, and general welfare and not substantially diminish and impair property values within the community or neighborhood.

Response: We will have no undue adverse impact.

3. **No Interference with Surrounding Development.** The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations.

Response: We will have no interference with surrounding development.

4. **Adequate Public Facilities.** The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities including public water supply system and sanitary sewer, police and fire protection, refuse disposal, public parks, libraries, schools, and other public facilities and utilities or the applicant will provide adequately for such facilities.

Response: We will be served by current facilities.

5. **No Traffic Congestion.** The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Response: We will cause no traffic congestion.

6. **No Destruction of Significant Features.** The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

Response: We will cause no destruction of significant features.

7. **Compliance with Standards.** The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Common Council pursuant to the recommendations of the Plan Commission. The proposed use and development shall comply with all additional standards imposed on it by the particular provision of this Division and Ordinance authorizing such use.

Response: We will be in compliance with all standards.

- B. **Special Standards for Specified Special Uses.** When the zoning district regulations authorize a special use in a particular zoning district and that special use is indicated as having special standards, as set forth in Section 15-3.0702 and 15-3.0703 of this Division, a Special Use Permit for such use in such zoning district shall not be recommended or granted unless the applicant shall establish compliance with all such special standards.

Response: We will be in compliance with all special standards.

- C. **Considerations.** In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and the Common Council shall consider the following:

1. **Public Benefit.** Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

Response: We will service Franklin and all surrounding communities.

2. **Alternative Locations.** Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site.

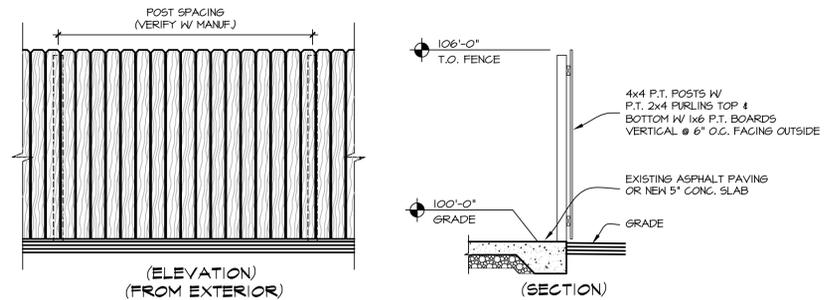
Response: This location and space will take care of our needs for a long time.

3. **Mitigation of Adverse Impacts.** Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

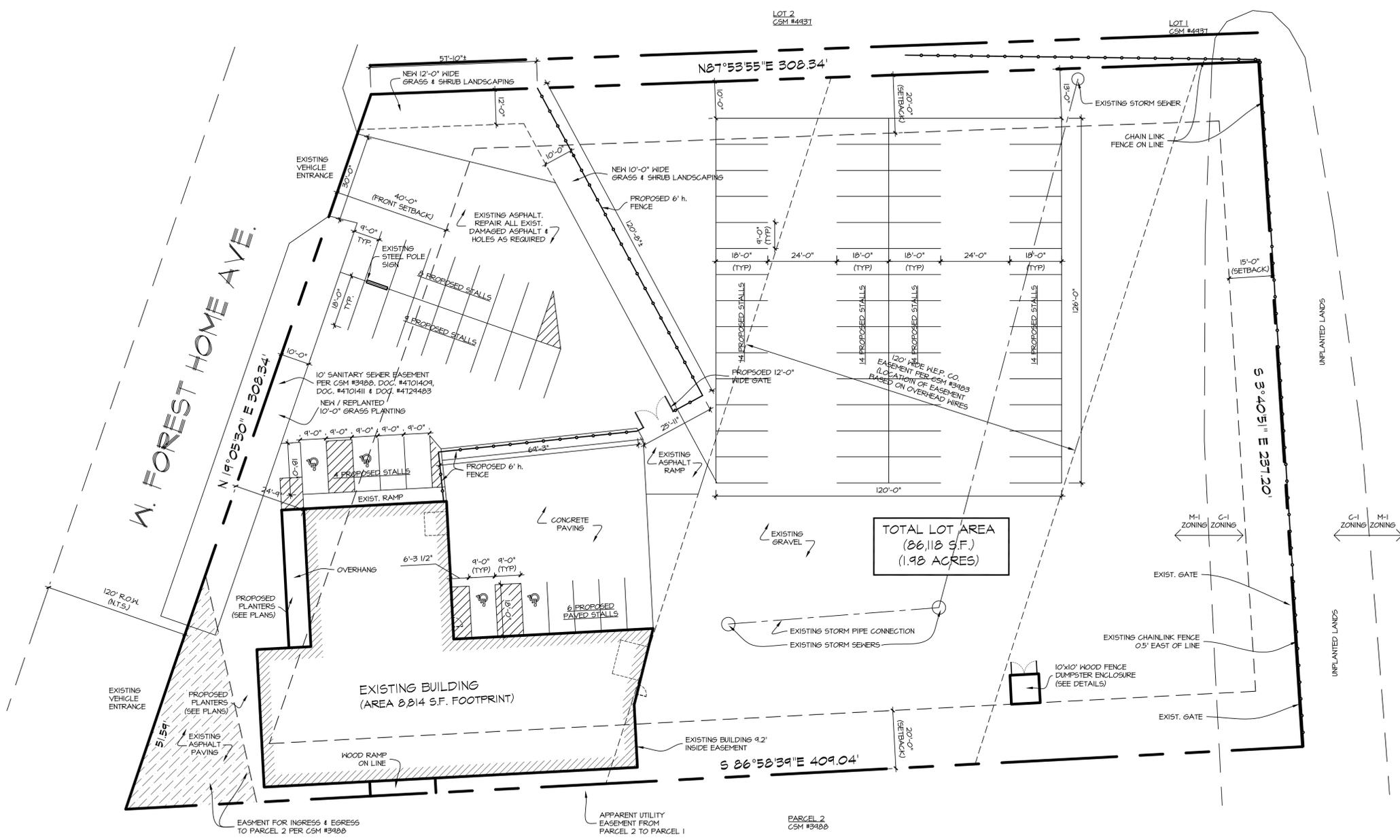
Response: NA.

4. **Establishment of Precedent of Incompatible Uses in the Surrounding Area.** Whether the use will establish a precedent of, or encourage, more intensive or incompatible uses in the surrounding area.

Response: We will be a great business with high standards to serve the Franklin and surrounding communities.



1 TRASH ENCLOSURE FENCE DETAILS
3/8" = 1'-0"



TOTAL LOT AREA
(86,118 S.F.)
(1.98 ACRES)

PREVIOUSLY APPROVED DATA: 2/6/15

SITE DATA:

ZONING:	M-1, C-1
LOT AREA:	86,118 S.F.
EXISTING 1ST FLOOR - GENERAL OFFICE:	7,308 S.F.
PROPOSED LOWER LEVEL FLOOR - GENERAL OFFICE:	2,821 S.F.
- CONTRACTORS SHOP:	5,725 S.F.
REQUIRED PARKING:	GENERAL OFFICES (10,129 S.F.) = 33.4 (3.3 PER 1000 S.F.) CONTRACTORS SHOP (5725 S.F.) = 5.7 PLUS 5 (1 PER 1000 S.F. PLUS 1 PER COMPANY CAR)
PROPOSED PARKING:	30 PARKING STALLS (INCL. 2 ADA STALLS)

BUILDING INFO

PROJECT: OGDEN CONSTRUCTION GROUP
OWNER: 11113 W. FOREST HOME AVENUE, LLC
ADDRESS: 11113 W. FOREST HOME AVENUE, FRANKLIN, WI 53132
BUILDING HEIGHT: 16'-0"

SITE DATA:

ZONING:	M-1, C-1
LOT AREA:	86,118 S.F.
EXISTING 1ST FLOOR - GENERAL OFFICE:	7,308 S.F.
- SALONS:	3,782 S.F.
- CONTRACTORS SHOP:	3,526 S.F.
PROPOSED LOWER LEVEL FLOOR - GENERAL OFFICE:	8,546 S.F.
- CONTRACTORS SHOP:	2,821 S.F.
- SALON:	5,725 S.F.
REQUIRED PARKING:	45 PARKING STALLS GENERAL OFFICES (6,603 S.F.) = 21.8 (3.3 PER 1000 S.F.) CONTRACTORS SHOP (5725 S.F.) = 5.7 PLUS 5 (1 PER 1000 S.F. PLUS 1 PER COMPANY CAR) SALON (3 CHAIRS + 3 EMPLOYEES = 12 (3 PER CHAIR PLUS 1 PER EMPLOYEE))
PROPOSED PARKING:	83 PARKING STALLS (INCL. 4 ADA STALLS)
ALLOWED MAX. IMPERVIOUS SURFACE AREA:	51,671 S.F. (60%)
ALLOWED MIN. GREEN SPACE AREA:	34,447 S.F. (40%)
ACTUAL TOTAL IMPERVIOUS SURFACE AREA:	44,200 S.F. (51%)
ACTUAL TOTAL GREEN SPACE AREA:	41,918 S.F. (49%)

SITE DEVELOPMENT PLAN
1" = 20'-0"

OGDEN CONSTRUCTION REMODEL

11113 W. FOREST HOME AVE.
FRANKLIN, WI
SHEET TITLE:

PROPOSED SITE DEVELOPMENT PLAN & DETAILS

C-1

DATE: DEC. 1, 2014

PROJECT NUMBER: 14-005

REVISIONS:
12/1/14: PRELIM #1
12/23/14: CD'S ISSUED
1/26/15: UPDATED CD'S
2/6/15: UPDATED CD'S
3/25/15: TENANT LAYOUT
10/4/17: PARKING LOT
11/29/17: UPDATED PARKING



PATERA LLC
Excellence in Architecture
2601 S. Sunny Slope Rd. • New Berlin, WI 53151
Phone: 262-786-6776 Fax: 262-786-7036

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**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of December 7, 2017****Special Use**

RECOMMENDATION: City Development Staff recommends the Plan Commission table the subject matter to the January 4, 2017 Plan Commission meeting.

Project Name: Fabù Eyes Special Use

Project Address: 11113 West Forest Home Avenue, Suite 240

Applicant: Fabù, LLC

Owners (property): 11113 West Forest Home Avenue, LLC

Current Zoning: M-1 Limited Industrial District & C-1 Conservancy District

2025 Comprehensive Master Plan Industrial

Use of Surrounding Properties: WE Energies substation and Ewald automobile dealership to the north, gasoline service station to the south, Ewald Truck Center and Hiller Ford automobile dealership to the east and single-family residential to the west.

Applicant Action Requested: Recommendation of approval for the proposed Special Use for Fabù Eyes to operate at 11113 West Forest Home Avenue, Suite 240.

INTRODUCTION:

On October 10, 2017, Joel Cook of Ogden Construction submitted a Special Use application on behalf of Fabù LLC, dba Fabù Eyes requesting approval to operate an eyelash extension business use within the Falcon Commons building located at 11113 West Forest Home Avenue. The proposed use corresponds to Standard Industrial Classification (SIC) Title No. 7231 Beauty Shops, which is allowed within the M-1 Limited Industrial District as a Special Use.

At the November 9, 2017 meeting of the Plan Commission, following a properly noticed public hearing, the following action was approved: move to postpone and continue the Public hearing to the December 7, 2017 Plan Commission meeting.

HISTORY:

Fabù Eyes has been operating at 11113 West Forest Home Avenue, Suite 240 since the summer of 2017, without any approvals from the City of Franklin. In order to address this situation, Staff has been working with Fabù, LLC on obtaining Special Use approval. The property owner is requesting to keep site improvements made without City approvals via the Molly Maid Special Use Application.

PROJECT DESCRIPTION AND ANALYSIS:

Ogden Construction did not submit revised plans until Thursday, November 30th. Consequently, Staff has not had sufficient time to conduct a thorough review. Therefore, Staff recommends

tabling the item to allow sufficient time to review the revised plans. However, Staff believes the applicant has provided enough information for the Plan Commission to conclude the public hearing for this item.

STAFF RECOMMENDATION:

City Development Staff recommends the Plan Commission table the subject matter to the January 4, 2017 Plan Commission meeting.

RESOLUTION NO. 2017-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR AN EYELASH
EXTENSION SERVICE BUSINESS USE UPON PROPERTY LOCATED
AT 11113 WEST FOREST HOME AVENUE, SUITE 240
(YULIA DA SILVA, OWNER, FABU LLC, D/B/A FABÚ EYES, APPLICANT)

WHEREAS, Yulia Da Silva, owner, Fabu LLC, d/b/a Fabú Eyes, having petitioned the City of Franklin for the approval of a Special Use within an M-1 Limited Industrial District and C-1 Conservancy District under Standard Industrial Classification Title No. 7231 “Beauty Shops”, to allow for an eyelash extension service business use, with hours of operation from 9:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 2:00 p.m., Saturday and Sunday, upon property located at 11113 West Forest Home Avenue, Suite 240, bearing Tax Key No. 704-9978-002, more particularly described as follows:

Parcel 1 of Certified Survey Map No. 3988, recorded on March 11, 1981, Reel 1362, Images 185 to 187, as Document No. 5462366, being a part of the Northeast 1/4 of Section 6, Town 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 9th day of November, 2017, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

WHEREAS, the Common Council having received such Plan Commission recommendation and also having found that the proposed Special Use, subject to conditions, meets the standards set forth under §15-3.0701 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Yulia Da Silva, owner, Fabu LLC, d/b/a Fabú Eyes, for the approval of a Special Use for the property particularly described in the

YULIA DA SILVA, OWNER, FABU LLC, D/B/A FABÚ EYES – SPECIAL USE
RESOLUTION NO. 2017-_____

Page 2

preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by Yulia Da Silva, owner, Fabu LLC, d/b/a Fabù Eyes, successors and assigns, as an eyelash extension service business use, which shall be developed in substantial compliance with, and operated and maintained by Yulia Da Silva, owner, Fabu LLC, d/b/a Fabù Eyes, pursuant to those plans City file-stamped _____, 2017 and annexed hereto and incorporated herein as Exhibit A.
2. Yulia Da Silva, owner, Fabu LLC, d/b/a Fabù Eyes, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Yulia Da Silva, owner, Fabu LLC, d/b/a Fabù Eyes eyelash extension service business, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Yulia Da Silva, owner, Fabu LLC, d/b/a Fabù Eyes and the eyelash extension service business use for the property located at 11113 West Forest Home Avenue, Suite 240: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. [other conditions, etc.]

BE IT FURTHER RESOLVED, that in the event Yulia Da Silva, owner, Fabu LLC, d/b/a Fabù Eyes, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as may be specified therein from time to time. Each day that such violation continues shall be a

YULIA DA SILVA, OWNER, FABU LLC, D/B/A FABÚ EYES – SPECIAL USE
RESOLUTION NO. 2017-_____

Page 3

separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

BE IT FURTHER RESOLVED, that this Resolution shall be construed to be such Special Use Permit as is contemplated by §15-9.0103 of the Unified Development Ordinance.

BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of an occupancy permit for such use.

BE IT FINALLY RESOLVED, that the City Clerk be and is hereby directed to obtain the recording of a certified copy of this Resolution in the Office of the Register of Deeds for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

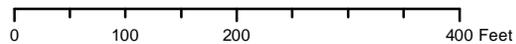
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

11113 W. Forest Home Ave.
TKN: 704 9978 002

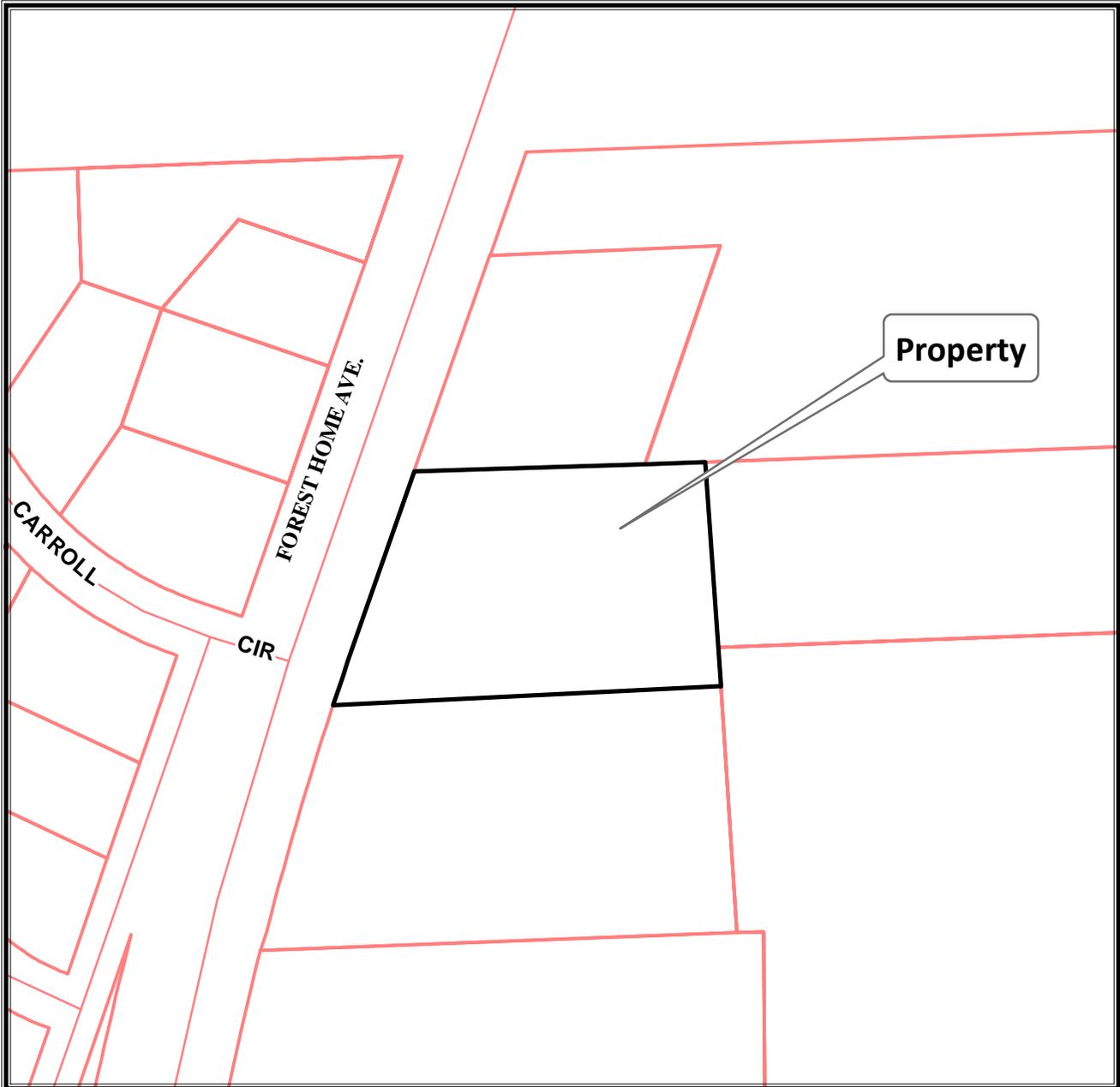


Planning Department
(414) 425-4024

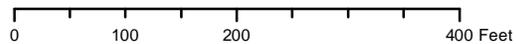


This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.

11113 W. Forest Home Ave.
TKN: 704 9978 002



Planning Department
(414) 425-4024



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Fabu Eyes

To whom it may concern,

Fabu LLC, DBA Fabu Eyes operates a professional eyelash extensions service. We operate 7 days a week; Monday through Friday from 9am to 7pm, Saturday and Sunday from 9am to 2pm. There are no employees. The current location is 11113 W Forest Home Ave, Suite 240, Franklin WI, 53132. We took the space as is, no work has been done to our space.

Thank You,



Yulia Da Silva

Fabu LLC

619-852-2521

Franklin

NOV 30 2017

City Development

Fabu Eyes

11113 W Forest Home Ave, Suite 240, Franklin WI 53132

Tel: 414-367-2379

www.fabueyes.com

November 28, 2017

Orrin Sumwalt
City Plan Commission
City of Franklin
9229 W Loomis Rd
Franklin, WI 53132

RE: Fabu Eyes

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Franklin
NOV 30 2017

City Development

8.) see #6

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Project Summary

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- 17.) No grading was completed or is anticipated
- 18.) See attached aerials
- 19.) ATC has been informed; see #15
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If you have any questions, please do not hesitate to call us.

Sincerely,
Ogden Construction Group, LLC

Joel Cook
President

DIVISION 15-3.0700

SPECIAL USE STANDARDS AND REGULATIONS

SECTION 15-3.0701

GENERAL STANDARDS FOR SPECIAL USES

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1. **Ordinance and Comprehensive Master Plan Purposes and Intent.** The proposed use and development will be in harmony with the general and specific purposes for which this Ordinance was enacted and for which the regulations of the zoning district in question were established and with the general purpose and intent of the City of Franklin Comprehensive Master Plan or element thereof.

Response: Beauty shop is one of the listed Special Uses and does fit with the intent of the comprehensive master plan

2. **No Undue Adverse Impact.** The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort, and general welfare and not substantially diminish and impair property values within the community or neighborhood.

Response: This proposal will in no way adversely affect any other property in area

3. **No Interference with Surrounding Development.** The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations.

Response: There will be no interference with surrounding developments as the space already existed and we are planning no changes to building

4. **Adequate Public Facilities.** The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities including public water supply system and sanitary sewer, police and fire protection, refuse disposal, public parks, libraries, schools, and other public facilities and utilities or the applicant will provide adequately for such facilities.

Response: The public facilities are adequate as is; we do not even use public trash collection

5. **No Traffic Congestion.** The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Response: The proposed tenant will draw 2 - 3 per two hours of operation

6. **No Destruction of Significant Features.** The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

Response: There will be no destruction of significant features as the space is existing

7. **Compliance with Standards.** The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Common Council pursuant to the recommendations of the Plan Commission. The proposed use and development shall comply with all additional standards imposed on it by the particular provision of this Division and Ordinance authorizing such use.

Response: We will comply with all standards. The space is existing and we only plan on painting

- B. **Special Standards for Specified Special Uses.** When the zoning district regulations authorize a special use in a particular zoning district and that special use is indicated as having special standards, as set forth in Section 15-3.0702 and 15-3.0703 of this Division, a Special Use Permit for such use in such zoning district shall not be recommended or granted unless the applicant shall establish compliance with all such special standards.

Response:

- C. **Considerations.** In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and the Common Council shall consider the following:

1. **Public Benefit.** Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

Response: The beauty salon will be open to all residents of Franklin and should increase the aesthetic appeal of the residents of Franklin

2. **Alternative Locations.** Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site.

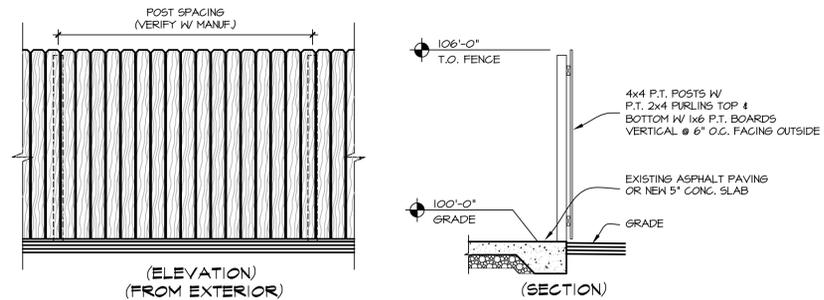
Response: This business was previously renting in Hales Corners and our location was the only space in the area that fit into their budget

3. **Mitigation of Adverse Impacts.** Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

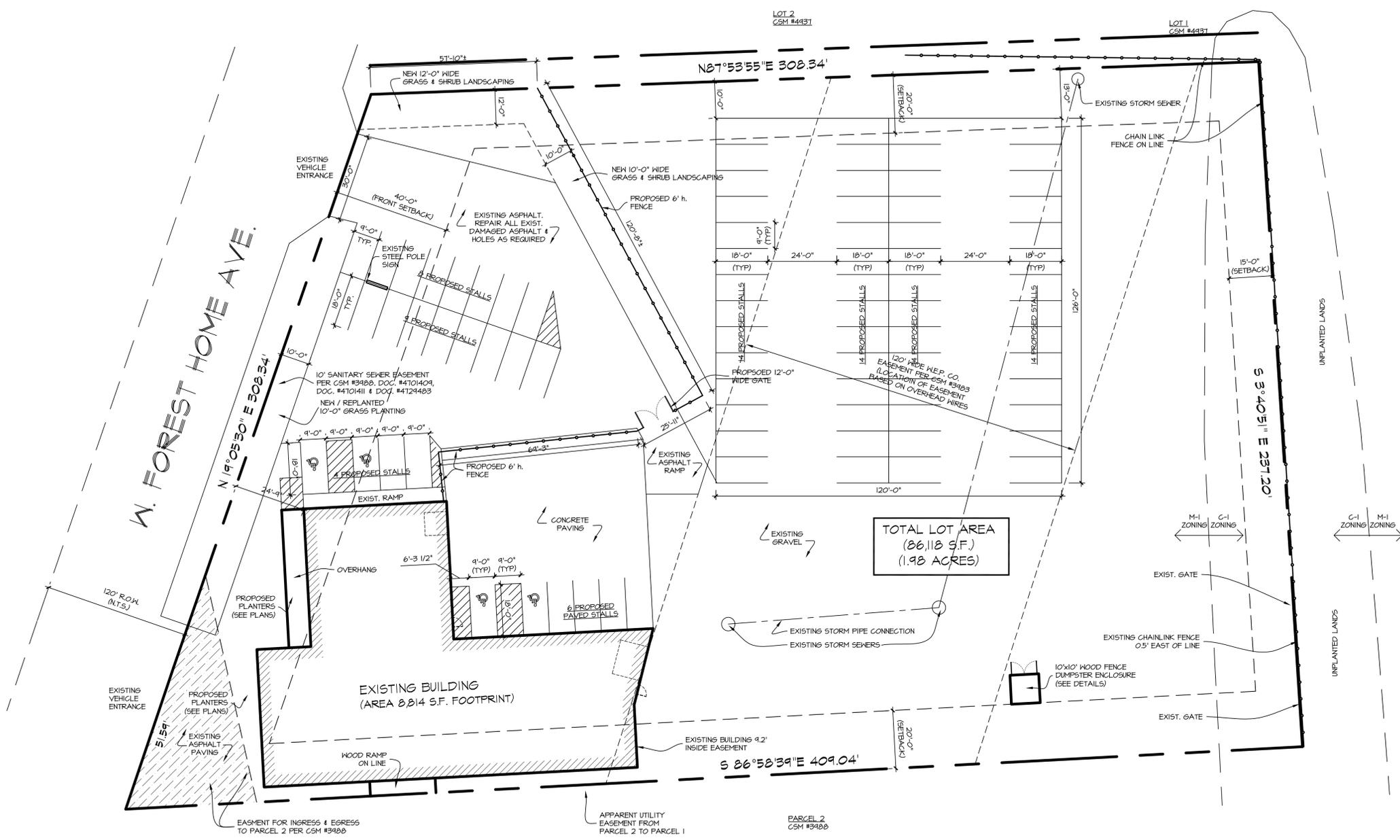
Response: There will be no adverse effects as we are not changing anything at all

4. **Establishment of Precedent of Incompatible Uses in the Surrounding Area.** Whether the use will establish a precedent of, or encourage, more intensive or incompatible uses in the surrounding area.

Response: I do not feel this will set a precedent for beauty shops to be allowed in M-1 Zoning because this shop is the only beauty shop of this nature in this area of Franklin and is a needed asset to the community.



1 TRASH ENCLOSURE FENCE DETAILS
3/8" = 1'-0"



TOTAL LOT AREA
(86,118 S.F.)
(1.98 ACRES)

PREVIOUSLY APPROVED DATA: 2/6/15

SITE DATA:

ZONING:	M-1, C-1
LOT AREA:	86,118 S.F.
EXISTING 1ST FLOOR - GENERAL OFFICE:	7,308 S.F.
PROPOSED LOWER LEVEL FLOOR - GENERAL OFFICE:	2,821 S.F.
- CONTRACTORS SHOP:	5,725 S.F.
REQUIRED PARKING:	GENERAL OFFICES (10,129 S.F.) = 33.4 (3.3 PER 1,000 S.F.) CONTRACTORS SHOP (5,725 S.F.) = 5.7 PLUS 5 (1 PER 1,000 S.F. PLUS 1 PER COMPANY CAR)
PROPOSED PARKING:	30 PARKING STALLS (INCL. 2 ADA STALLS)

BUILDING INFO

PROJECT: OGDEN CONSTRUCTION GROUP
OWNER: 11113 W. FOREST HOME AVENUE, LLC
ADDRESS: 11113 W. FOREST HOME AVENUE, FRANKLIN, WI 53132
BUILDING HEIGHT: 16'-0"

SITE DATA:

ZONING:	M-1, C-1
LOT AREA:	86,118 S.F.
EXISTING 1ST FLOOR - GENERAL OFFICE:	7,308 S.F.
- SALONS:	3,782 S.F.
- CONTRACTORS SHOP:	3,526 S.F.
PROPOSED LOWER LEVEL FLOOR - GENERAL OFFICE:	8,546 S.F.
- CONTRACTORS SHOP:	2,821 S.F.
- SALON:	5,725 S.F.
REQUIRED PARKING:	45 PARKING STALLS GENERAL OFFICES (6,603 S.F.) = 21.8 (3.3 PER 1,000 S.F.) CONTRACTORS SHOP (5,725 S.F.) = 5.7 PLUS 5 (1 PER 1,000 S.F. PLUS 1 PER COMPANY CAR) SALON (3 CHAIRS + 3 EMPLOYEES = 12 (3 PER CHAIR PLUS 1 PER EMPLOYEE))
PROPOSED PARKING:	83 PARKING STALLS (INCL. 4 ADA STALLS)
ALLOWED MAX. IMPERVIOUS SURFACE AREA:	51,671 S.F. (60%)
ALLOWED MIN. GREEN SPACE AREA:	34,447 S.F. (40%)
ACTUAL TOTAL IMPERVIOUS SURFACE AREA:	44,200 S.F. (51%)
ACTUAL TOTAL GREEN SPACE AREA:	41,918 S.F. (49%)

SITE DEVELOPMENT PLAN
1" = 20'-0"

OGDEN CONSTRUCTION REMODEL

C-1

DATE: DEC. 1, 2014
PROJECT NUMBER: 14-005

PATERA LLC
Excellence in Architecture
2601 S. Sunny Slope Rd. • New Berlin, WI 53151
Phone: 262-786-6776 Fax: 262-786-7036

- REVISIONS:**
- 12/1/14: PRELIM #1
 - 12/23/14: CD'S ISSUED
 - 1/26/15: UPDATED CD'S
 - 2/6/15: UPDATED CD'S
 - 3/25/15: TENANT LAYOUT
 - 10/4/17: PARKING LOT
 - 11/29/17: UPDATED PARKING

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CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of December 7, 2017

Rezoning

RECOMMENDATION: City Development Staff recommends approval of the proposed Rezoning, subject to the conditions in the draft ordinance.

Project Name:	Ross Rezoning
Project Address:	8300 South County Line Road
Applicant:	David R. Ross
Owners (property):	David R. Ross and Leanne Budde-Ross
Current Zoning:	R-1 Countryside/Estate Single-Family Residence District and C-1 Conservancy District
Proposed Zoning:	R-1 Countryside/Estate Single-Family Residence District
2025 Future Land Use:	Residential and Areas of Natural Resource Features
Use of Surrounding Properties:	Single-family residential to the north and east, prime agricultural to the west and the Town of Raymond to the south
Applicant Action Requested:	Recommendation of approval of the Rezoning request

Project Description and Analysis:

On October 12, 2017, the applicant filed an application requesting to rezone the C-1 Conservancy District portion of land upon property located at 8300 South County Line Road to R-1 Countryside/Estate Single-Family Residence District. The applicant is proposing to construct an accessory building within this area.

On August 16, 2017 the Board of Zoning and Building Appeals approved a variance to allow a 30-foot by 40-foot detached accessory building with a peak height of approximately 18-feet with the front yard of the subject property, subject to the applicant submitting a Rezoning Application and Natural Resource Protection Plan to rezone the C-1 Conservancy District to R-1 Countryside/Estate Single-Family Residence District.

Staff recommends removal of the C-1 Conservancy District as it is no longer utilized by the City (see Section 15-1.0111 below).

SECTION 15-1.0111 REPEAL

A. Repeal of Zoning Ordinance. The City of Franklin Ordinance No. 221 adopted on February 6, 1968 and subsequent amendments thereto, relating to the zoning of land is hereby repealed and all other Ordinances or parts of Ordinances of the City of Franklin inconsistent or conflicting with this Ordinance, to the extent of the inconsistency or conflict only, are hereby repealed, excepting Section 8.5 of Ordinance No. 221 (B-4 Regional Shopping District) and Section 12.1 of Ordinance No. 221 (C-1 Conservancy District), which shall

remain in effect until such time, after duly held public hearing, as the Common Council rezones the lands in a B-4 or C-1 zoning pursuant to Ordinance No. 221 to a zoning district provided for within this Ordinance. Immediately upon approval of said rezonings, the aforementioned Sections 8.5 and 12.1 shall be repealed without further public hearing.

Due to the relatively small scope of this project, natural resource impacts will be minimal. The detached accessory building will impact approximately 4,500 square feet of mature woodland on the property. The property is 321,880 square feet (7.4 acres), of which approximately 30,468 square feet are delineated wetlands and their associated wetland buffers. Approximately 59,685 square feet of woodland was disturbed when the single-family home on the property was constructed in 2003. Those impacts were prior to the City's woodland protection standards and as such, the mature woodland on the property was not placed into a conservation easement. Approximately 231,727 square feet of Mature woodland remain on the property today. The proposed 4,500 square foot impact represents approximately 0.02% of the total mature woodlands on the property. Therefore, the impact to the mature woodland is well within the permitted disturbance limits per Table 15-4.0100 of the City of Franklin Unified Development Ordinance. Staff suggests the applicant submit a Conservation Easement that protects 70% of the mature woodland on the property.

Staff Recommendation:

City Development Staff recommends approval of the proposed Rezoning, subject to the conditions in the draft ordinance.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 11-22-17]

ORDINANCE NO. 2017-____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT
ORDINANCE (ZONING MAP) TO REZONE A PORTION OF A CERTAIN
PARCEL OF LAND FROM C-1 CONSERVANCY DISTRICT TO R-1
COUNTRYSIDE/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT
(8300 WEST SOUTH COUNTY LINE ROAD)
(APPROXIMATELY 7.48 TOTAL ACRES; AREA TO BE
REZONED IS APPROXIMATELY 0.82 ACRES)
(DAVID R. ROSS AND LEANNE BUDDE-ROSS, APPLICANTS)

WHEREAS, David R. Ross and Leanne Budde-Ross having petitioned for the rezoning of a portion of a certain parcel of land from C-1 Conservancy District to R-1 Countryside/Estate Single-Family Residence District, such land being located at 8300 West South County Line Road; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 7th day of December, 2017, upon the aforesaid petition and the Plan Commission thereafter having determined that the proposed rezoning would promote the health, safety and welfare of the City and having recommended approval thereof to the Common Council; and

WHEREAS, the Common Council having considered the petition and having concurred with the recommendation of the Plan Commission and having determined that the proposed rezoning is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and would promote the health, safety and welfare of the Community.

NOW, THEREFORE, the Mayor and Common Council of the City of Franklin, Wisconsin, do ordain as follows:

SECTION 1: §15-3.0102 (Zoning Map) of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to provide that the zoning district designation for the C-1 Conservancy District portion of the property described below be changed from C-1 Conservancy District to R-1 Countryside/Estate Single-Family Residence District:

Parcel 1 of Certified Survey Map 7282, SW 1/4 and SE 1/4 of Section 33, Town 5 North, Range 21 East, City of Franklin, Milwaukee County, WI (approximately 7.48 total acres; area to be rezoned is approximately 0.82 acres). Tax Key No. 984-9998-001.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017.

APPROVED:

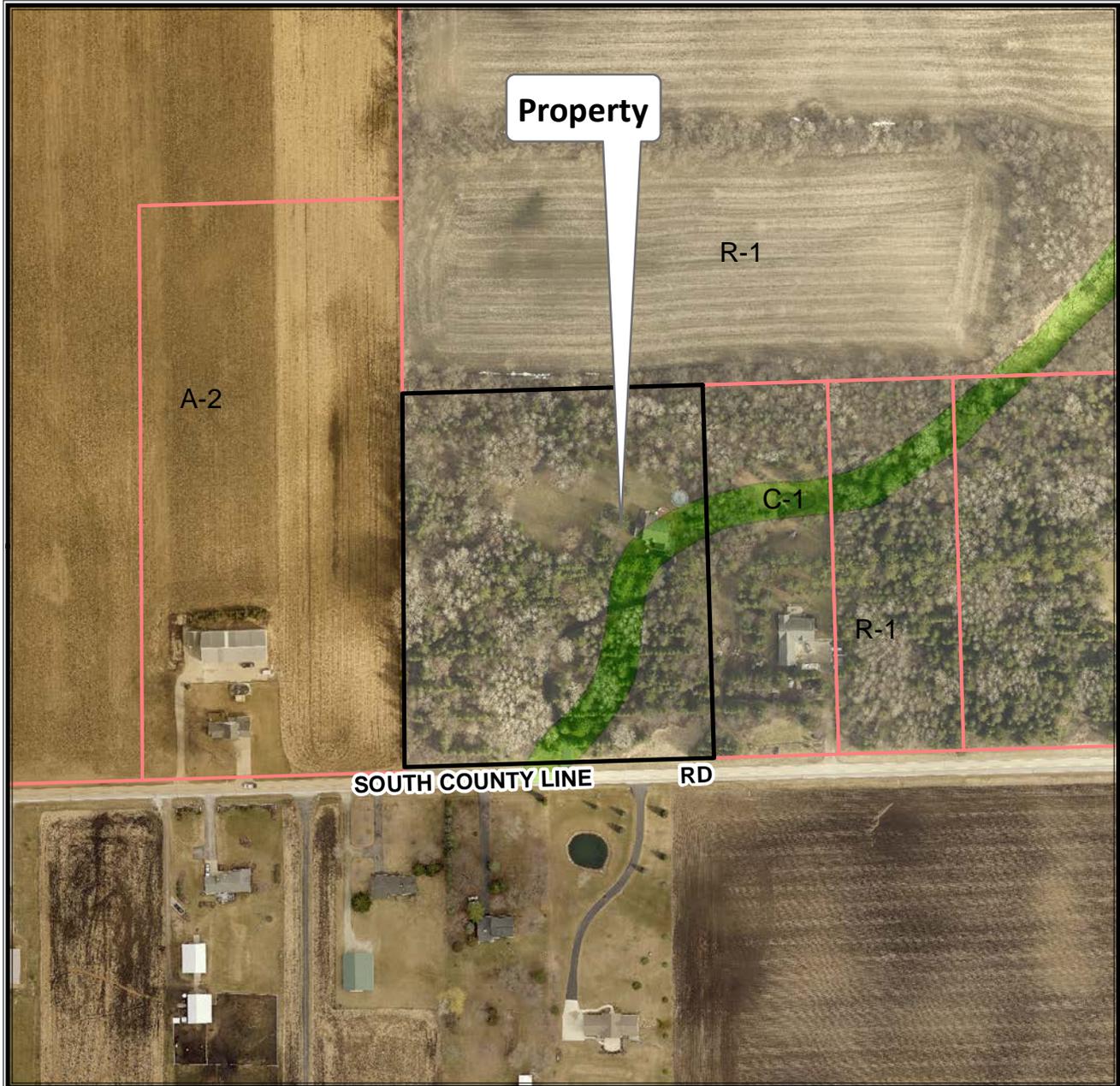
Stephen R. Olson, Mayor

ATTEST:

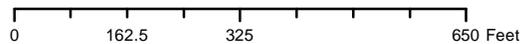
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

8300 South County Line Road
TKN 984 9998 001



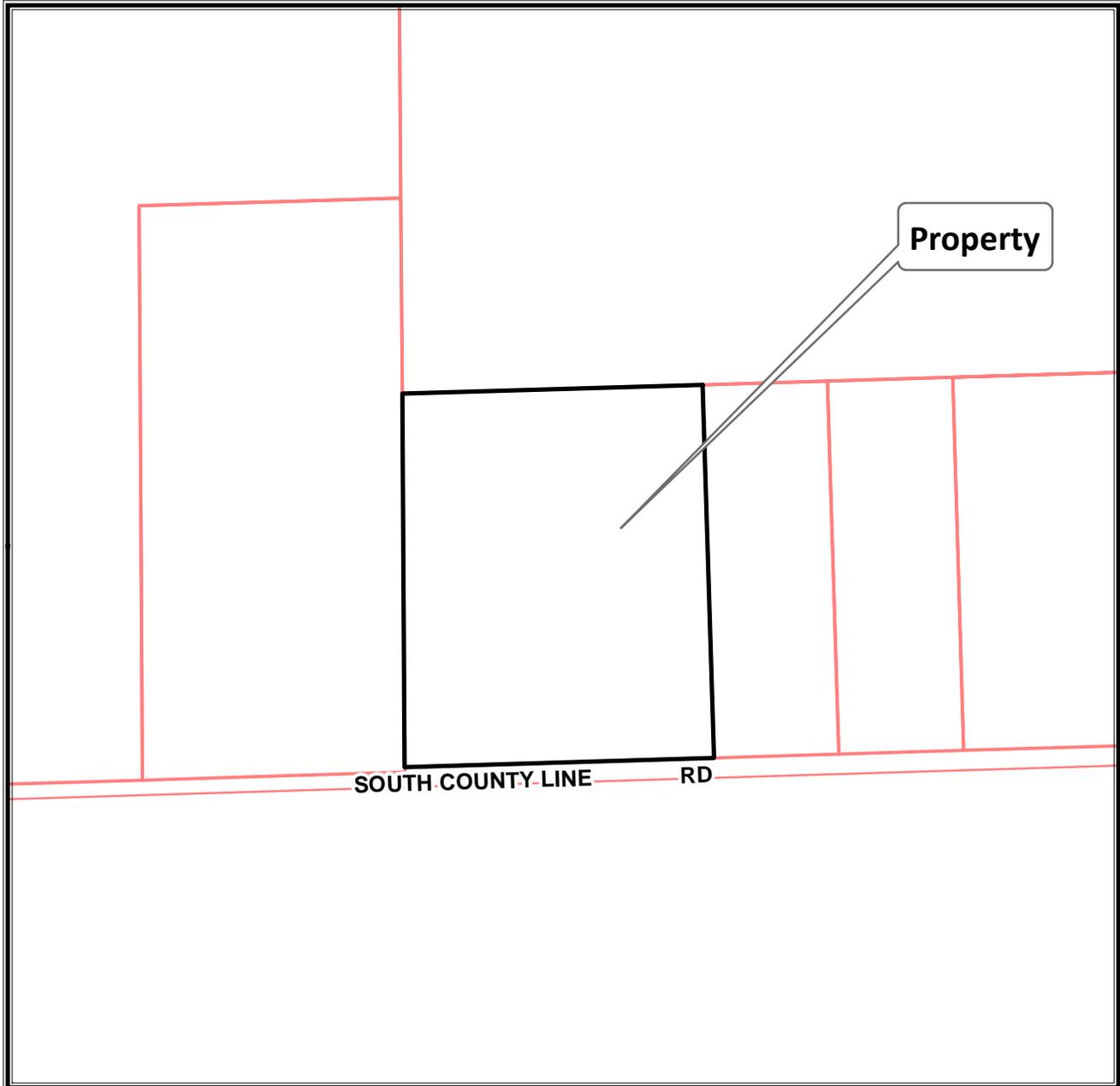
Planning Department
(414) 425-4024



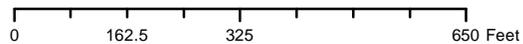
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



8300 South County Line Road
TKN 984 9998 001



Planning Department
(414) 425-4024



This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



8300 County Line Rd Rezoning Application Project Summary

Legal Description of property:

Parcel 1 of certified survey map 7282, SW ¼ and SE ¼ of Section 33, Town 5 North, Range 21 East, City of Franklin, Milwaukee County, WI.

Property Owners: David Ross and Leanne Budde-Ross

General Description:

This project is a proposed construction of an outbuilding at the above address. The property is composed of 7.4 acres (321,880sq ft). The outbuilding is intended as a detached garage and storage area for vehicles, lawn equipment, trailers etc...it will be used for personal use. The outbuilding size is proposed at 30 ft wide by 40 feet deep. The external surfaces of the building will have a matching color scheme to the current existing structures on the property.

This application for rezoning is to rezone the C-1 portion of the property (0.82 acres, 35,625 sq ft) to R-1. The proposed construction impacts 4,500 sq ft of the C-1 portion of the property (see attached survey) this includes the actual building as well as the additional area for construction as shown on the survey.

Proposal's intent:

To rezone the C-1 portion of the above described property to R-1. Please reference attached Rezoning Exhibit for a description of the area to be rezoned.

Proposals impact:

Rezoning the C-1 to R-1 for this project will impact the area affected for construction only.

Consistency with Comprehensive Master Plan:

The CMP classifies this property as both "Residential" and an "Area of Natural Resources Features". Due to the relatively small scope of this project's impacts on the lot, the natural resources impact will be minimal. The current proposal will impact only 4,500 sq ft of the property. The property is 321,880sq feet, of which 29,612 sq ft are certified wetlands and wetland buffer, and 38,685sq ft were disturbed with initial construction of the current dwelling on the property in 2003. The combined area of the new construction and previously impacted area is 43,185 square feet, or only 13.4% of the total property.

Rezoning Exhibit

Taxkey: 984 9997 000
 Address: 10879 S. 76th Street
 Owner: Delbert D Smith JD PHD (CANTAB) LLC
 Acreage: 78.158063

R-1
 Taxkey: 984 9998 001
 Address: 8300 W. South County Line Road
 Owner: Ross, David & Budde-Ross, Leanne
 Acreage: 7.48

Current Zoning: R-1 Countryside/Estate
 Single-Family Residence District and C-1
 Conservancy District

Proposed Zoning: R-1 Countryside/Estate
 Single-Family Residence District

Taxkey: 984 9998 005
 Address: 8226 W. South
 County Line Road
 Owner: Beyer Bo
 Acreage: 3.07

R-1

8150

8226

SOUTH:COUNTY-LINE RD

8432

Area to be rezoned (approximately 0.82 acres, 35,625 square feet)

Description: Request to rezone the C-1 Conservancy District portion of property located at 8300 W. South County Line Road, being Parcel 1 of Certified Survey Map No. 7282, being a part of the Southwest Quarter (SW 1/4) and the Southeast Quarter of the Southeast (SE 1/4) of Section 33, Town 5 North, Range 21 East in the City of Franklin, Milwaukee County, Wisconsin.

(c) The maps and information provided by the City of Franklin's Property Viewer are not legal instruments and are to be used for reference purposes only, not as a substitute for legally recorded maps, surveys, or other documents. The City of Franklin assumes no liability for any damages or losses resulting from the use or misuse of the maps and information offered through this site. The maps and information provided here may have been compiled from various state, county, municipal, and private sources, and are maintained by their sources for a wide variety of purposes. Therefore, the City of Franklin cannot guarantee the quality, content, accuracy, completeness, or currency of the information transmitted by this site, and provides the information as expressed or implied warranties, subject to the terms and conditions stated in this Disclaimer and as otherwise provided for by law. While the City of Franklin makes every effort to provide accurate information, the user assumes all responsibility for any discrepancies contained therein. Each individual accesses and uses the information herein at their own risk. Use of the Property Viewer constitutes acceptance of all terms and conditions in this Disclaimer.



Overview Map



	Aldermanic District		A-1		R-2
	Building		A-2		R-3
	City Boundary		B-1		R-3E
	Condo		B-2		R-4
	CSM		B-3		M-1
	Easement		B-4		M-2
	Elementary District		B-5		R-8
	Environmental Corridor		B-6		R-7
	FEMA DFIRM Flood - Zone A		B-7		OL-1
	FEMA DFIRM Flood - Zone AE		B-8		OL-2
	FEMA - 0.2% Annual Chance		BP		P-1
	Parcel		CC		PDD
	Park		C-1		R-1
	Pavement		FC		R-1E
	County or State Hwy				
	Local Road				
	Road Right-of-Way				
	School District				
	Wetland				

Legend includes all items even if they are not visible in the map.

