

**VILLAGE OF NORTH PRAIRIE
PLANNING COMMISSION MEETING
February 11, 2025 at 6:30 P.M.
NORTH PRAIRIE VILLAGE HALL- 130 NORTH HARRISON STREET**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Confirmation of Proper Notice of Meeting
5. Public Comment – No action will be taken
6. Approval of December 10, 2024 Planning Commission meeting minutes
7. Discussion: Conceptual Review of Site Plan, Floor Plan and Architectural Review of the Condo for The Glen at Broadlands 60 Units
8. Discussion and/or action: Consideration of amendment to Section 7.4.A pertaining to size of detached accessory buildings
9. Motion to adjourn.

It is possible that members of and possibly a quorum of members of other government bodies of the municipality may attend the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, please contact the Village Office at 262-392-2271.

February 5, 2025

**VILLAGE OF NORTH PRAIRIE
PLANNING COMMISSION MINUTES
DECEMBER 10, 2024
6:30 P.M.
NORTH PRAIRIE VILLAGE HALL
130 NORTH HARRISON STREET**

1. **Call to Order** – The meeting was called to order by President Hall at 6:38 p.m.
2. **Roll Call** – President Hall took roll call

Present

President Hall
Dave Stellpflug
Mike Radomski
Al Mull

Absent - Excused

Amber Pelligrino
Mike Schreiber
Tim Paulson

(Also in attendance was Evelyn Etten)

3. **Pledge of Allegiance**
4. **Confirmation of Proper Notice of Meeting** – President Hall made a motion to confirmed proper notice of meeting, second by Dave Stellpflug, motion carried.
5. **Public Comment – No Action will be taken** – President Hall opened the floor for public comments. There were no public comments. President Hall closed the floor for public comment.
6. **Approval of November 12, 2024, Planning Commission meeting minutes** – President Hall made mention of two typos requesting change, no further discussion held, President Hall made a motion to approve the minutes for the November 12, 2024, Plan Commission Meeting including the two requested changes. Al Mull seconded the motion, motion carried.
7. **Discussion and Action as Necessary: To approve a request received from Eric Bannenberg for a new business and occupancy for a towing company business at 117 N. Oakridge Drive, North Prairie property owned by Denny Smith**
 - President Hall opened the discussion by asking the village building inspector, Scott Johnson if he had reviewed the proposed plan of operation in front of the plan commission and if he had any concerns regarding it. Scott Johnson stated that he had reviewed the proposed plan for a new towing business and his only concern was regarding long-term storage of towed vehicles. Scott said there is nothing in the ordinances that defines a specific amount of time for “long-term”.
 - President Hall asked the potential business owner, Eric Bannenberg, 200 Corby Dr., North Prairie if there is a plan for storing towed vehicles. Mr. Bannenberg stated that all vehicles would be stored in the parking lot behind the building for not more than one week at a time.
 - President Hall asked if a vehicle would potentially be stored longer than one week, could he move the vehicle inside the building? Mr. Bannenberg stated yes, he could do that. Property owner, Dennis Smith, W1038 Spleas Skoney Rd, East Troy, stated the property has a 3,000 sq. ft. building and storage was never a problem when it was previously operating as a semi-truck garage. Mr.

Bannenberg and Mr. Smith both stated that the intention of the business owner and as the property owner is to not to look like a junk yard. They want all vehicles and equipment parked behind the building.

- President Hall asked if anyone else on the plan commission had any other concerns or questions, no comments.
 - President Hall made a motion to approve the plan of operation dated 11/13/24 for Mr. Bannenberg to conduct his towing business at 117 N. Oakridge Dr., North Prairie, WI. Motion was seconded by Dave Stellpflug, motion carried.
 - President Hall welcomed and thanked Mr. Bannenberg for bringing his business to North Prairie.
8. **Motion to adjourn** – Al Mull made a motion to adjourn, seconded by President Hall, motion carried. Meeting adjourned at 6:48 p.m.

**Published by:
Evelyn Etten
December 11, 2024**

Village Clerk

From: Shane Szydel <shszydel@gmail.com>
Sent: Tuesday, January 14, 2025 7:18 PM
To: Village Clerk
Subject: For planning commission
Attachments: garage .png; Screenshot 2024-12-12 075732.png; garage 1.png; garage .jpg

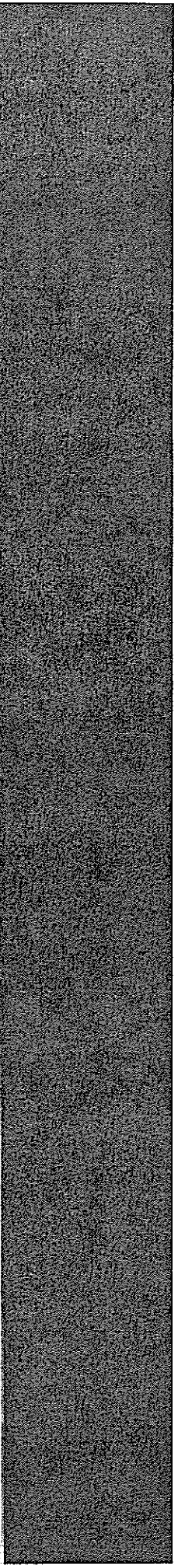
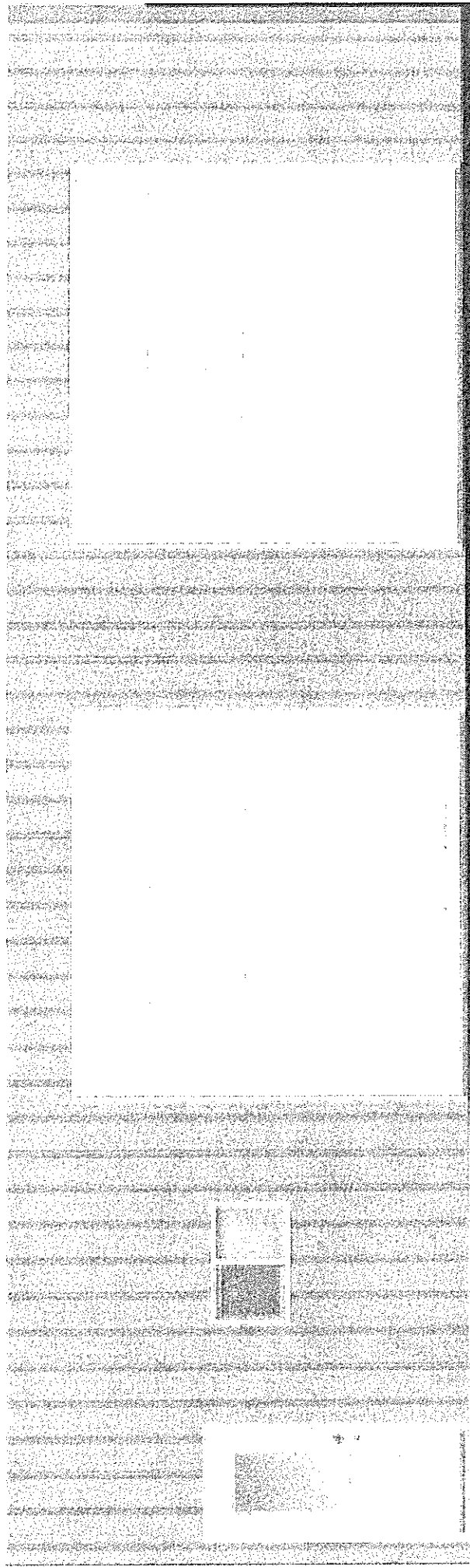
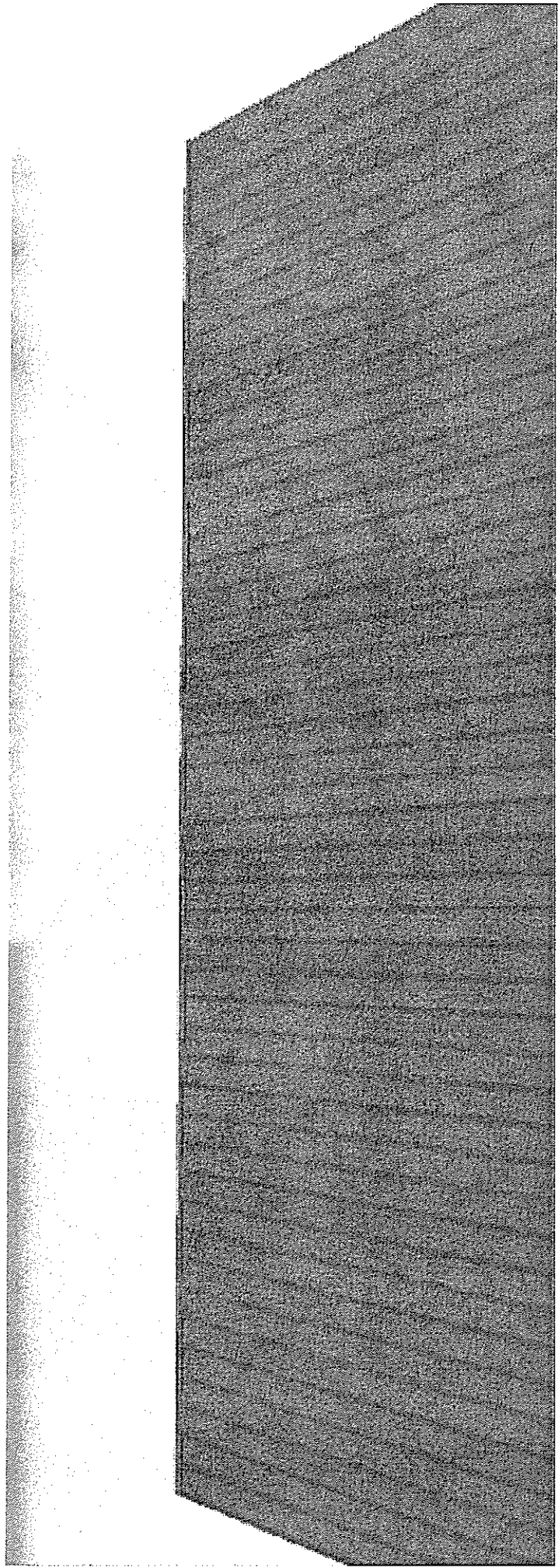
Follow Up Flag: Follow up
Flag Status: Flagged

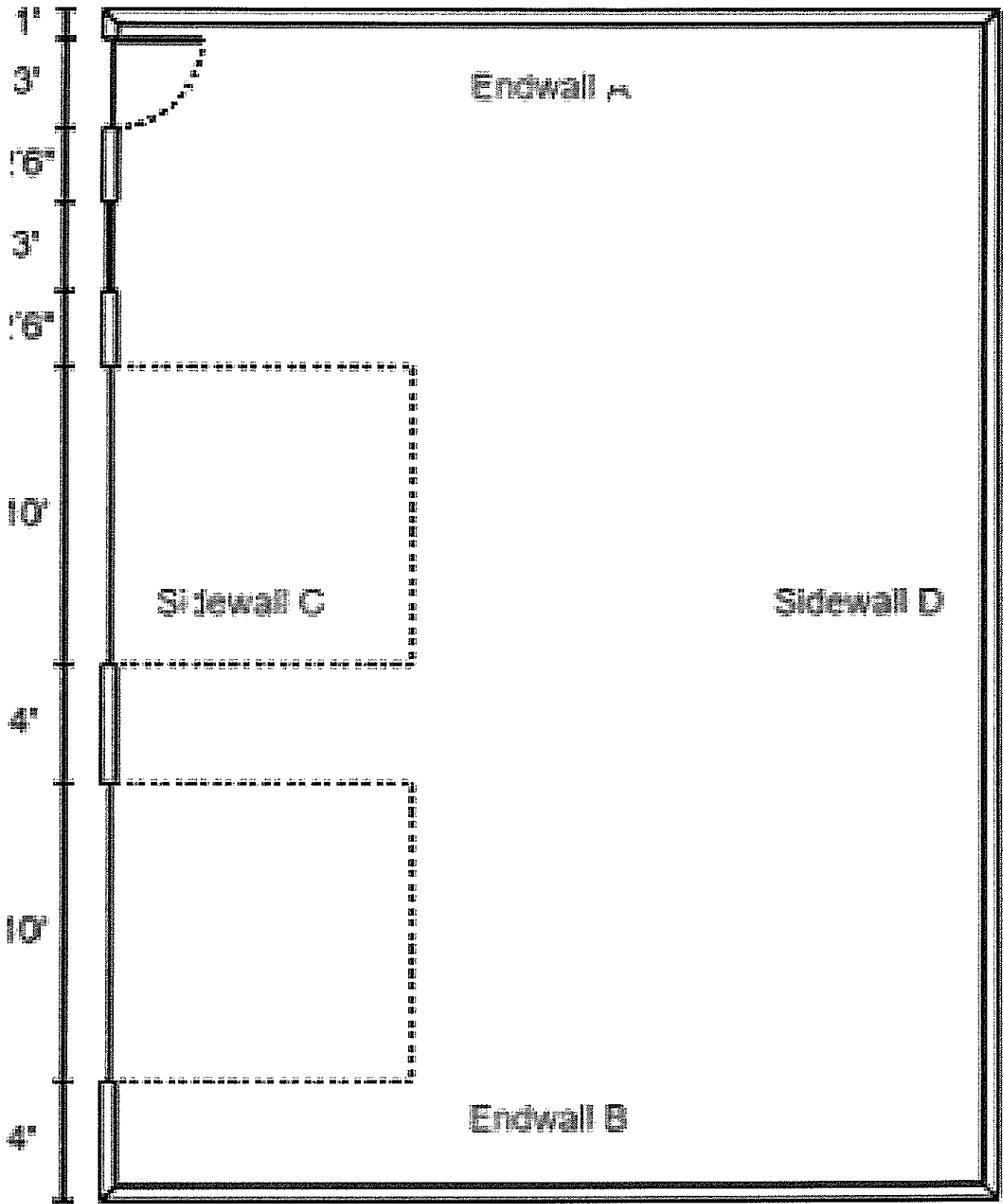
To whom it may concern,

I would like to add a detached garage to my property at 103 N Main Street. I have spoken with the building inspector and I have looked through the ordinances. I would like to build a 30' by 40' 1200 square foot building at the back of my property. The property is 60' by 297'. The building will meet the minimum offset from the lot lines of 10 feet. I will provide building plans for my proposal upon request. I do not currently have an attached or detached garage. There is currently a small storage shed I would remove after construction.

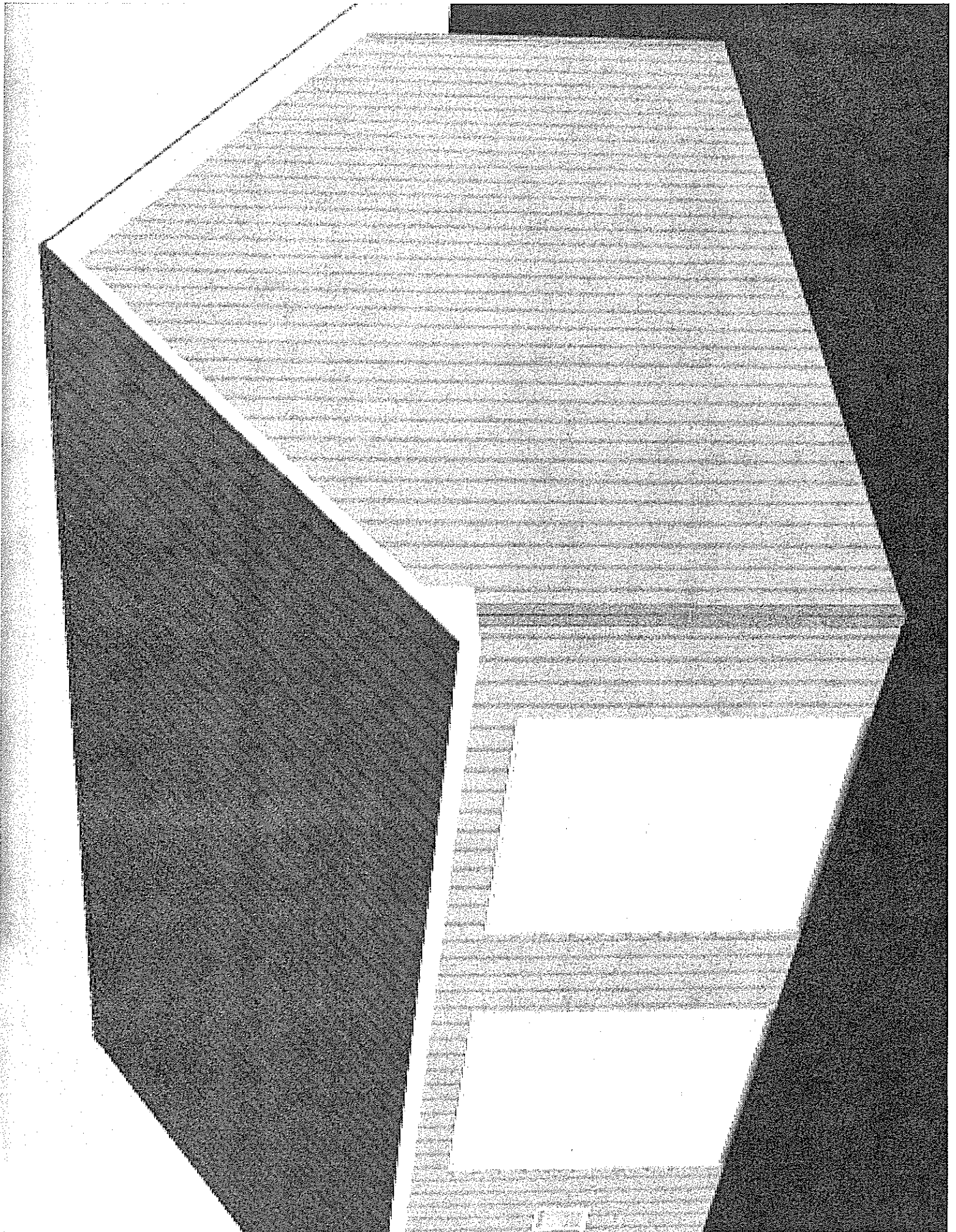
The maximum size of a detached garage for my property is currently 440 square feet per the ordinance. If i were to build a new home on my property with a 2.5 attached garage the ordinance would still allow for a 440 square foot out building, totaling approximately 1200 square feet of garage space. Due to the location of my septic, adding an attached garage would not be possible. I am seeking an ordinance change or variance to build an outbuilding larger than the ordinance currently allows. Thank you for your time. I look forward to discussing my proposal with you.

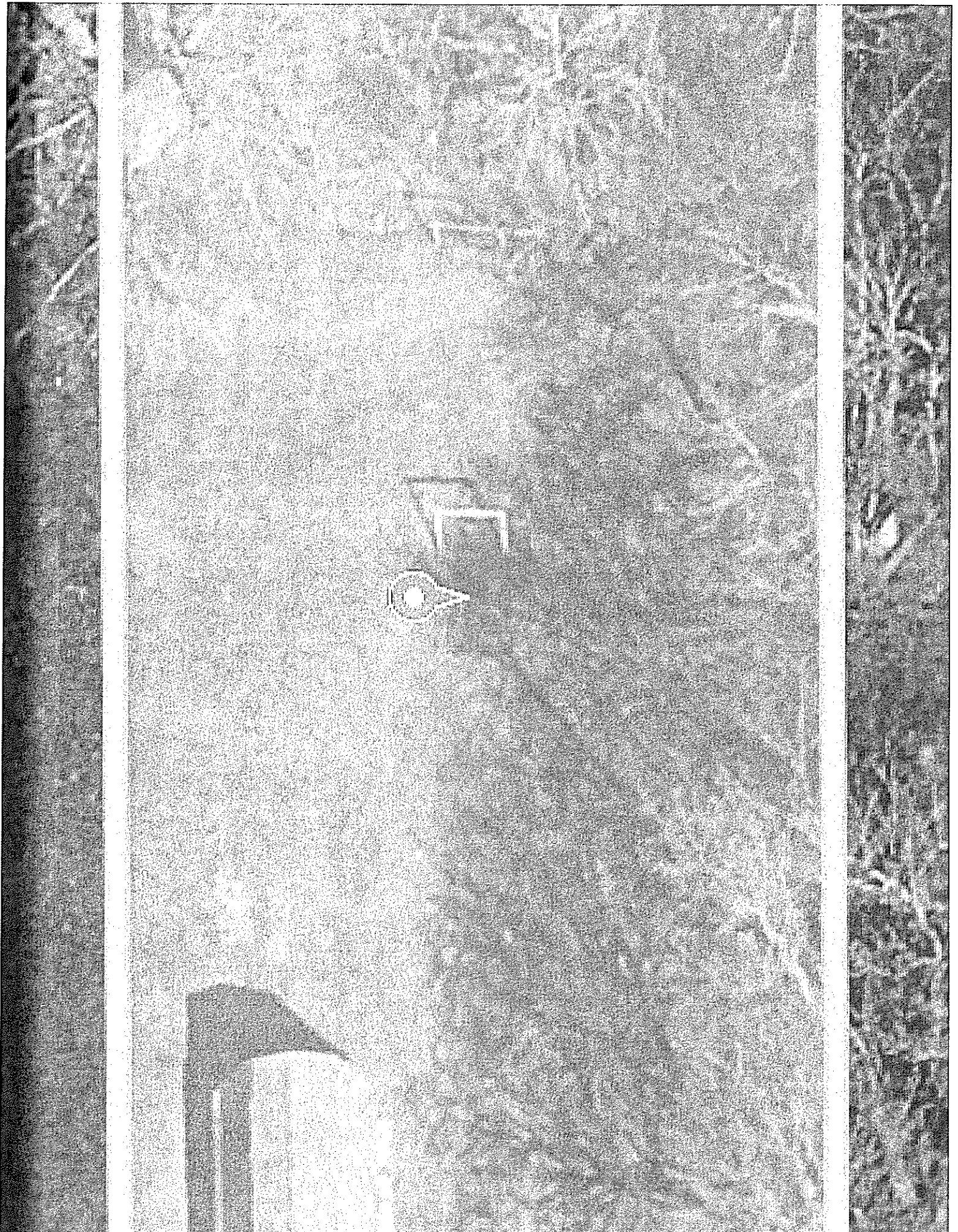
Shane Szydel
shszydel@gmail.com
(414)315-0134





30'





7.4 ACCESSORY USE REGULATIONS

Accessory uses are permitted in any district as may be specified in the appropriate district regulations or herein. An accessory use building permit shall be required where specifically noted in this Section. Accessory uses are permitted only after their principal structure is present or under construction. The use and/or location requirements stipulated elsewhere in this Ordinance may be modified for accessory uses as follows:

A. Accessory Uses and Detached Accessory Structures shall be permitted in the rear or side yards only or as permitted by specific standards within this Section 7.4 A. Detached accessory structures shall not occupy more than a total of 40 percent of the combined rear and side yard open space, except in the business and industrial districts where such uses and structures shall not occupy more than 50 percent of the rear yard area. Specific accessory uses and/or detached accessory structures shall be compatible with surrounding structures and may be referred to the Plan Commission by the Building Inspector and shall be further controlled by the following standards:

- (1). Detached accessory structures shall be a minimum of 226 square feet and a maximum of 1,000 square feet in all residential zoning districts with a one acre lot size or less, which includes any overhang greater than two feet. Utilizing a formula, use $1,000 \times \text{Lot Size}$ (based on percentage of an acre) to determine the **MAXIMUM** size detached accessory building. On parcels larger than one acre, 100 square feet of shed size may be added for each 10,000 square feet of lot size over one acre. Detached accessory structures may be permitted only when there is not another accessory structure located on the property. Detached accessory structures shall be constructed at least 10 feet from the principal structure; shall be placed on a Portland cement concrete floor or pad; shall be located a minimum of 10 feet from the side and rear lots lines for the districts concerned. The minimum side and rear yard offsets for any detached accessory structure over 500 square feet shall be determined by multiplying the size of the structure by .02 to calculate the distance of the offset. (Example: a 750 sq. ft. accessory structure shall be offset a minimum of 15 feet.) A detached accessory structure shall be constructed only after issuance of a building permit. No more than one detached accessory structure or shed shall be erected on a lot in an R-1, R-2, R-3, B-1, B-2 or B-3 Zoning District.

Accessory structures shall not exceed 15 feet in height, with the following exception:

Any proposed detached accessory building to exceed the 15 foot height restriction must be reviewed and approved by the Plan Commission and meet the following requirements:

- (a). Not exceed the height of the primary structure.
 - (b). Be aesthetically pleasing and architecturally compatible with the architectural style of the primary structure.
 - (c). Shall not be used as a rental property unless obtaining a conditional use permit from the Plan Commission.
- (2). Detached accessory sheds, such as garden or utility sheds, shall require the issuance of a building permit, and shall not exceed 225 square feet in area. Detached accessory sheds shall be located at least 10 feet from the principal structure and a minimum of 5 feet from the side or rear lot line; shall be placed on a pad of a Portland cement concrete, asphaltic concrete, wood, or metal; and shall not exceed 15 feet in height. No more than one accessory building or shed shall be erected on a lot in an R-1, R-2, R-3, B-1, B-2 or B-3 Zoning District.

On corner lots, the Plan Commission at its discretion, with the advisement Building Inspector, may permit detached accessory structures such as garden or utility sheds to be placed in a street yard, provided:

- (a). The street yard where the accessory building or structure is to be placed is not the street yard from which the property gains its primary road access.
 - (b). Said detached accessory structure is placed on the street yard in such a manner that it meets all setbacks established for principal buildings and structures from street, side and rear lot lines.
 - (c). The property owner demonstrates that because of the topography or other physical characteristics of the site, said street yard is the only practical location for the use and placement of the detached accessory structure.
- (3). Accessory structures exceeding 1,000 square feet for the use of housing domestic livestock and/or accessory storage, in the R-1 district pursuant to Section 4.5(E)(6), may be permitted by the Plan Commission, in accordance with the following standards:
 - (a). The land to be so utilized shall be adjacent to or across from rural development in the Towns of Eagle, Genesee, Mukwonago or Ottawa; shall be three (3) acres or larger parcels or lots.
 - (b). The Plan Commission determines that the larger accessory building is necessary for the efficient use of the lot and that sufficient, usable open space areas remain on the lot for the uses of the lot.
 - (c). The accessory structure shall not exceed the height of the principal structure on the lot, and shall be aesthetically pleasing and resemble the architectural style of the principal structure.
 - (d). The accessory structure shall not be used as rental property unless a conditional use permit is granted by the Plan Commission.
- (4) Patios, constructed at or below yard grade, may be erected, without a building permit, adjacent to the principal structure, and shall be located not closer than three (3) feet to a lot line.
- (5) Decks located adjacent to a principal structure shall be located not closer to a lot line than the required side yard and rear yard requirements for the district in which they are located and shall require the issuance of a building permit. Freestanding decks or decks surrounding private swimming pools separated from the principal structure shall be located at least 10 feet from the principal structure and shall be regulated in the same manner as an accessory garage, tool shed, or gazebo.
- (6) Central air conditioning compressors, children's swing sets, compost piles, and gardens are permitted without a building permit, provided that such uses shall be located at least three feet from a lot line. Where it is determined that it is impractical to locate a central air conditioning compressor in the rear yard, the Building Inspector may permit placement in the street or side yard provided that the air conditioning compressor is screened from view. Central air conditioning equipment shall be adequately muffled in such a manner as not to create a nuisance.
- (7) Accessory pet runs shall be located only in the side or rear yard of any residential district upon the issuance of a building permit provided that the run is located not closer than twenty (20) feet from a side lot line and not closer than twenty-five (25) feet from a rear lot line; that the run is enclosed by a fence not less than four (4) feet nor more than six (6) feet in height; and that no pet run shall exceed 300 square feet in area. All pet runs must be screened from all streets and neighboring properties.

B. Accessory Uses Permitted in the Side or Rear Yard.

- (1) Private tennis courts and private volley ball courts accessory to a residential use may be placed in the rear yard in any residential district provided that the use is located not closer than ten feet to any side or rear lot line; and provided that no lighting installed around a private recreation facility shall throw rays onto adjacent property. Such recreational facilities may be enclosed by recreational facilities fences not to exceed 10 feet in height.
- (2) Private tennis courts and private volley ball courts accessory to a manufacturing or institutional use may be located in the side or rear yard of a manufacturing or institutional district provided that the use is located not closer than 10 feet to any side or rear lot line in a residential district; and provided that no lighting installed around an accessory recreation facility in a manufacturing or institutional district shall throw rays onto any adjacent property located in a residential district. The Village Plan Commission may permit the construction of a fence around the court when it is determined that such a fence is needed for safety purposes or to prevent the court from being a nuisance to neighbors.

C. A Private Swimming Pool, with the issuance of a building permit, is allowed with the following standards:

- (1) A private swimming pool is an outdoor structure containing a body of water in a receptacle or other container used or intended to be used solely by the owner, operator or lessee thereof and his family, and by friends invited to use it, and includes all structural facilities, appliances and appurtenances, equipment and other items used and intended to be used for the operation and maintenance of a private or residential swimming pool.
- (2) Storable children's swimming or wading pools, with a maximum dimension of fifteen (15) feet and a maximum wall height of fifteen (15) inches and which are so constructed that it may be readily disassembled for storage and reassembled to its original integrity are exempt from the provisions of this Section.
- (3) A private swimming pool shall be located in a rear yard (see Illustration No. 5 in Section 14.2) or in the street yard within a double frontage lot where the street yard is opposite to the front of the principal structure, is not used as access to the adjacent street and the adjacent street is a State or County Highway. The pool shall not be located in the street yard of a street intersecting with a state or county highway nor in a side yard.
- (4) A private swimming pool shall be surrounded by a fence not less than four feet nor more than six feet in height with self closing and latching gates designed to prevent unguarded entry to the pool. Sidewalls of above-ground pools which are at least four feet high may be used in lieu of a fence.
- (5) A private swimming pool shall not be constructed directly under or over electric transmission lines or within a horizontal distance of 15 feet of such lines. The Plan Commission may permit a swimming pool to be located a horizontal distance of 5 feet from an underground electric transmission line when the permit applicant has written approval from the WE Energies, Inc. All electrical connections to a swimming pool shall be properly grounded so that no electrical current can be discharged into any part of the swimming pool or surrounding fence.
- (6) No water drained from private swimming pools shall be discharged onto adjacent properties without written consent of the owner, or into a municipal sewerage system, or directly into a navigable body of water.
- (7) Equipment shall be provided for the disinfection of all pool water. No gaseous chlorination shall be permitted.

- (8) Heating units, pumps, and filter equipment shall be adequately housed and muffled in such a manner as not to create a nuisance. Such equipment shall be located not closer than 10 feet to a lot line.
 - (9) There shall be an unobstructed areaway around all pools of at least three feet in width.
 - (10) No private swimming pool shall be located closer than 10 feet from a principal building nor closer than 10 feet to a lot line. No areaway surrounding a private swimming pool shall be located closer than three feet to a lot line.
- D. A gazebo with the issuance of a building permit, is allowed with the following standards.
- (1) A gazebo is an accessory structure with more than four (4) sides, with all sides equal in width, and sides intersecting at angles greater than 90 degrees. A gazebo shall be used for recreational use of the property owner. No gazebo shall be used for storage.
 - (2) A gazebo shall not be over 250 square feet in size nor shall be over 12 feet in height from top of foundation to top of roof.
 - (3) A gazebo shall not be located closer than 10 feet from a principal building and closer than 20 feet from a lot line.
 - (4) A gazebo shall be located in a side yard or a rear yard (see Illustration No. 5 in Section 14.2) or in a street yard within a double frontage lot where the street yard is opposite to the front of the principal structure, is not used as access to the adjacent street and the adjacent street is a state or county highway. The gazebo shall not be located in a street yard of a street intersecting with a state or county highway.
- E. Accessory Uses Permitted in Any Yard. The following accessory uses and structures may be placed in any yard without a building permit provided that such use does not interfere with the vision clearance triangle as set forth in Section 6.01 of this Ordinance; shall not be located closer than three feet to a side or rear lot line and shall not exceed 15 feet in height. Basketball hoops, bird baths, fountains, lawn furniture, religious statues, and wishing wells. In addition flag poles may be placed in any yard without a building permit provided that such use does not interfere with the vision clearance triangle as set forth in Section 6.01 of this Ordinance; shall not be located closer than 3 feet to a side or rear lot line and shall not exceed 35 feet in height.
- F. Rummage Sales as provided in Section 2.11(H) may be conducted in any district provided that the rummage sale does not exceed four consecutive days in length and is not conducted more often than three times per year. Rummage sales do not require the issuance of a building permit. Rummage sale signs shall be limited as provided in Section 8.3(E) of this Ordinance.
- G. Fences are a permitted accessory use in any district and may be erected upon the issuance of a building permit provided that fences shall comply with the following requirements:
- (1) Barbed Wire Fences and electric fences are prohibited in the Village of North Prairie, except in the A-T Agricultural Land Preservation Transition District and except electric fences may be allowed in R-1 Single-Family Residential District with a conditional use permit for the keeping of domestic livestock, pursuant to Section 4.5(E)(6). A-T Agricultural Land Preservation Transition District fences are permitted up to the lot line and shall not exceed four feet in height in the street yard or six feet in height in the side yard or rear yard. All fences erected in a street yard of the A-T Agricultural Land Preservation Transition District shall be "open fences" as defined in Section 14.2 of this Ordinance.

(2) Residential Fences are permitted only with a building permit and shall be located up to the lot line of rear yards and side yards of residential districts, shall not exceed a height of six feet, and shall not extend into the street yard. (See Illustration No. 5 in Section 14.2). A fence may be permitted in the street yard within a double frontage lot where the street yard is opposite to the front of the principle structure, is not used as access to the adjacent street and the adjacent street is a State or County Highway, but said fence cannot be located in the street yard of a street intersecting with a State or County Highway. Residential fences may be "solid fences" as defined in Section 14.2 of this Ordinance. Residential fences shall be constructed in such a manner that the "finished" side shall face the neighboring property. Fence posts shall be on the side of the fence facing the permit applicant's property. A plat of survey shall be submitted with each fence permit application showing the location of the fence with relationship to the property line. If a joint fence is to be constructed on the property line, a joint permit application shall be filed by all parties having a proprietary interest in the fence.

(3) Ornamental Fences, as defined in Section 14.2 of this Ordinance, are permitted in the street yard, side yard or rear yard, in any district, but shall not be erected in a street right-of-way and shall not exceed a height of 48 inches. Ornamental fences shall comply with the traffic visibility requirements set forth in Section 6.1 of this Ordinance. Ornamental fences shall be constructed in such a manner that the "finished" side shall face the neighboring property. Fence posts shall be on the side of the fence facing the fence owners property.

Ornamental fences used to accent the front of a dwelling may be permitted in the street yard. The fence shall have at least 50 percent of its area open for the free passage of light and air, shall enclose an area no larger than 15 feet by 15 feet, and shall not be more than 42 inches in height.

(4) Security Fences or screening fences are permitted up to the property lines in all districts except residential districts, but shall not exceed 10 feet in height and shall be "open fences" as defined in Section 14.2 of this Ordinance when located in the street yard. Security fences may include up to four strands of barbed wire on the top of the fence provided that the barbed wire is at least 8 feet above grade. Security and screening fences shall comply with the traffic visibility requirements set forth in Section 6.1 of this Ordinance. Security fences shall be constructed in such a manner that the "finished" side shall face the neighboring property. Fence posts shall be on the side of the fence facing the permit applicant's property. A plat of survey shall be submitted with each fence permit application showing the location of the fence with relationship to the property line. If a joint fence is to be constructed on the property line, a joint permit application shall be filed by all parties having a proprietary interest in the fence.

(5) Recreational Facility Fences. The Village Plan Commission may permit the construction of fences exceeding 6 feet in height, but not to exceed 10 feet in height, when used to enclose recreational facilities such as tennis and volleyball courts; provided that such facilities are not located in any street yard or side yard, nor closer than 20 feet from any lot line.

H. Antennas. The Village of North Prairie recognizes that the development of various antennas, including earth station dish antennas, and their increased use poses questions of regulation not often addressed in municipal zoning ordinances. In developing antenna regulations, the interest of the antenna owner in the use of the device must be balanced with the interest of adjoining property owners and the general public so as to protect the health and safety of all citizens, as well as the aesthetic values embodied in this Ordinance. To this end, the following regulations

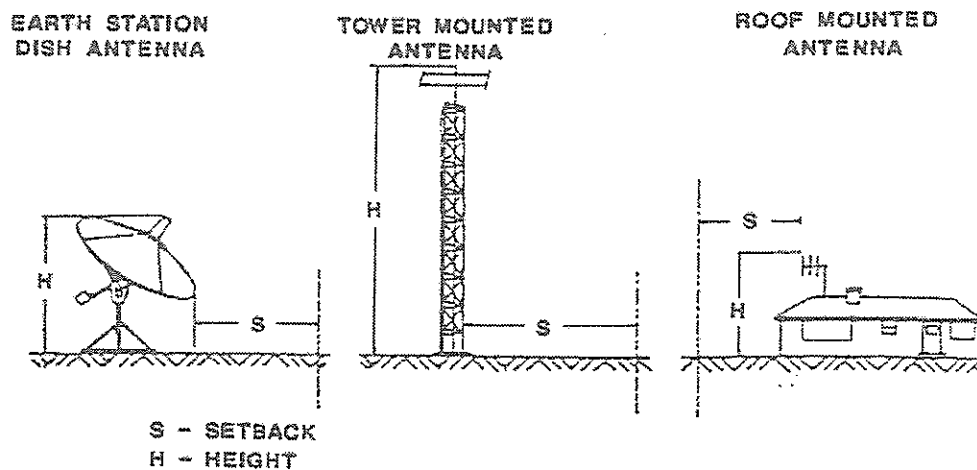
are adopted. Antennas are permitted as accessory uses in any district subject to the following regulations. Pursuant to the requirements of the Federal Telecommunication Act of 1996, earth station dish antennas less than one meter (39.37 inches) in diameter in residential districts and earth station dish antennas less than two meters (78.74 inches) in other districts are exempt from the requirements of this section.

- (1) Terrestrial antennas and earth station dish antennas may be located in the rear yard or on the roof of the principal structure in all residential districts. Terrestrial antennas and earth station dish antennas may be located in the side and rear yard or on the roof of the principal structure in all agricultural, business, office, manufacturing, institutional, or park districts.
- (2) All freestanding terrestrial antennas and roof antennas shall meet the height requirements for the district in which they are located, except as provided in Section 7.2(E) of this Ordinance.
- (3) Ground-mounted earth station dish antennas shall not exceed 15 feet in height.
- (4) All terrestrial antennas shall be located not less than one foot from a lot line for each three feet of height above the surrounding grade. (See Illustration No. 3)
- (5) All earth station dish antennas shall be located not less than three feet from a side or rear lot line. (See Illustration No. 3)
- (6) All antennas, including earth station dish antennas, shall be constructed and anchored in such a manner to withstand winds of not less than 100 miles per hour and such installations shall be constructed of noncombustible and corrosive resistant materials.
- (7) All antennas, including earth station dish antennas, shall be filtered and/or shielded so as to prevent the emission or reflection of electromagnetic radiation that would cause any harmful interference with the radio and/or television broadcasting or reception on adjacent properties. In the event that harmful interference is caused subsequent to its installation, the owner of the dish antenna shall promptly take steps to eliminate the harmful interference in accordance with Federal Communications Commission regulations.
- (8) Not more than one terrestrial and one earth station dish antenna shall be permitted on a lot or parcel in a residential zoning district.
- (9) Earth station dish antennas shall be located and designed to reduce their visual impact on surrounding properties.
- (10) No form of advertising or identification may be displayed on the dish or framework of any antenna other than the customary manufacturer's identification plates.
- (11) All antennas, and the construction supports and installation thereof, shall conform to applicable Village building code and electrical code regulations and requirements. Appropriate permits shall be issued by the Building Inspector. Prior to the issuance of a permit for a building-mounted earth station dish antenna, the applicant shall submit a plan or document prepared by a registered professional engineer which certifies that the proposed dish antenna installation is structurally sound to accommodate wind load, snow load, and dead load.
- (12) Portable or trailer-mounted antennas are not permitted with the exception of temporary installation for on-site testing and demonstration purposes for a period not to exceed two days at any one location.

- (13) The Building Inspector shall review and approve plans, including ground elevation, for location of all earth station dish antennas prior to the issuance of a permit.
- (14) In the event the property owner of a parcel of land located in a residential district determines and documents that the placement of an antenna in a rear yard would prevent its use for its intended purpose, the property owner may apply to the Village Zoning Board of Appeals for a variance to allow the installation of the antenna in a side yard location. The procedure for issuing the variance shall follow the procedure set forth in Section 11.4 of this Ordinance.

ILLUSTRATION NO. 3

MEASURING HEIGHT AND SETBACK OF ANTENNAS



- 7.5 ADDITIONS**
Additions in the street yard of existing structures shall not project beyond the average of the existing street yards on the abutting lots or parcels.
- 7.6 AVERAGE STREET YARDS**
The required street yard, or setback, may be decreased in any residential district to the average of the existing street yards of the abutting structures on each side, but shall in no case be less than 15 feet.
- 7.7 CORNER LOTS**
Structures shall provide a front yard setback as required by this Ordinance on the street that the structure faces as established by the Zoning Ordinance. A second front yard setback shall be provided on the side of the structure abutting a public or private street. The second front yard setback shall be the same setback as required in that local district. The remaining yards shall be a side yard and a rear yard. The building inspector shall determine which yard is the side yard and which yard is the rear yard. The rear yard shall generally be the yard directly behind the front entrance to the structure and the side yard shall be the remaining yard.
- 7.8 DOUBLE FRONTAGE LOT**
Lots abutting two opposite streets shall provide the front yard setback required by the district in which the lot is located from each street upon which the lot abuts.

Where a double frontage lot abuts an arterial street and an interior local street; the dwelling on