

**JOINT ARCHITECTURAL BOARD/PLAN COMMISSION AGENDA  
MONDAY, MAY 15, 2023  
7:00 PM  
BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD**

Roll Call

Public Comments: Please be advised the Joint Architectural Board/Plan Commission will receive comments from the public related to any item(s) on the agenda for a three-minute time period per person, with time extensions per the Chairman's discretion.

1. Consideration of a motion to approve the Jt. Architectural Board/Plan Commission minutes of the April 17, 2023 meeting.
2. Architectural Board review and consideration of an addition and alterations to the Saffron residence, 1132 E. Capitol Drive.
3. Plan Commission review and consideration of a request to renew a Conditional Use Permit for operation of a temporary greenhouse to be located at Biebel's True Value, 580 Hartbrook Drive.
  - a. **PUBLIC HEARING** for consideration of Conditional Use request
  - b. Consideration of a motion to recommend approval of Conditional Use Permit.
4. Plan Commission review and consideration of construction of a gazebo shelter for playground area, 1280 Bristlecone Drive.
5. Plan Commission review of proposed modifications to Article IV Conditional Uses to create Division 7 (Sec. 46-909) "Hotel/Motel Uses" to allow hotels in the B-2, B-3, and B-4 Districts as Conditional Uses.
6. Announcements: The following individuals will be given an opportunity to make announcements at the meeting in regards to (1) activities taken since the previous meeting on behalf of the community, (2) future municipal activities, and (3) communications received from citizens. It is not contemplated that these matters will be discussed or acted upon. The following individuals may provide announcements: Village President or individual Village Board members or Village Administrator or other Village Staff members.
7. Adjourn.

Ryan Bailey, Village Manager

A complete packet of meeting materials is normally available by 5:00pm on the Friday before the meeting on the Village website: [www.villageofhartland.wi.gov](http://www.villageofhartland.wi.gov) (Government/Agendas and Minutes).

Joint Architectural Board/Plan Commission Agenda

Monday, May 15, 2023

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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 or to request this service, contact Darlene Igl, WCPC/CMC, Village Clerk, at 262-367-2714. The Municipal Building is handicap accessible.

To participate in the Village of Hartland "Zoom" meeting with video,  
<https://us02web.zoom.us/j/89272441492?pwd=bld0STFINVFqNHIERTVwR3M4TFdTZz09>

To participate in the Village of Hartland "Zoom" meeting (audio only), please dial 1(312)626-6799.

The Meeting ID is 892 7244 1492 and the passcode is 700672.

**JOINT ARCHITECTURAL BOARD/PLAN COMMISSION MINUTES**  
**MONDAY APRIL 17, 2023**  
**7:00 PM**  
**BOARD ROOM**  
**MUNICIPAL BUILDING, 210 COTTONWOOD AVE.**

Present: Jeff Bierman, Ann Wallschlager, David de Courcy Bower Tim Hallquist and Chip Schneeberger.  
Others Present: Ben Nelson, Scott Hussinger and Deputy Clerk Bushey.  
Call to Order- 7:00 pm

Roll Call taken.

Public Comments: Please be advised the Joint Architectural Board/Plan Commission will receive comments from the public related to any item(s) on the agenda for a three-minute time period per person, with time extensions per the Chairman's discretion.

No Public comments.

Motion (Wallschlager/Schneeberger) to nominate Tim Hallquist to act as Plan Commission Chairman for the meeting in Chairman Pfannerstill absence.

**1. Consideration of a motion to approve the Architectural Board/Plan Commission minutes from 3-20-23-**

Motion (Wallschlager/Schneeberger) to approve the minutes for the March 20, 2023, meeting. Carried (5-0).

**2. Plan Commission review and consideration of an addition, façade improvements and signage for Petcoff Foundation, Inc., 139 Cottonwood Ave.**

The building inspector said there are no issues, and the setback is not a problem. He said the addition is towards the back of the building and there will be an enclosed dumpster. There will be some changes and updates to the façade. Hussinger said they may be losing 2 parking spaces on the end, so there will be 5 instead of 7. There will be no internally illuminated signage and they applied to the BID for signage approval. Bierman asked about an area on the sidewalk, and Hussinger commented he thinks that is a canopy. Brief discussion regarding that area. Hussinger said it needs to be clarified in the Villages best interest.

DeCourcy-Bower commented he thinks the façade looks great. He commented on the sidewalk on the side of the building and would like the walkway to be designated as a pedestrian walkway. Hussinger said the walkway cannot be raised.

Motion (DeCourcy-Bower/Hallquist) to approve an addition, façade improvement and signage for Petcoff Foundation, Inc at 139 Cottonwood Ave, and to look into the lot line and ways to highlight pedestrian walkway. Carried (5-0).

**3. Plan Commission review and consideration of a request to renew a Conditional Use Permit for operation of a temporary greenhouse to be located at Biebel's True Value, 580 Hartbrook Drive.**  
**a. Consideration of a motion to set a Public Hearing**

Wallschlager asked if this is a renewal. Building Inspector Hussinger said it is a 5-year renewal. He said they are changing what they were approved for, and they will have this change for 5 years.

Wallschlager asked who is responsible for following up and Hussinger said there is a list, and he thinks the clerk follows up on the Conditional Uses. Wallschlager asked if they are using it and don't have approval yet. Hussinger said they have the authority to use a single temporary 20x40 structure. He said it used to be renewed every year, so we said let's do it every 5 years.

Bailey commented that if a Public Hearing is set, it does not mean action has to be taken.

Motion (DeCourcy-Bower/Schneeberger) to set a Public Hearing to be held at the next meeting. Carried (5-0).

DeCourcy-Bower asked how many parking spaces are being used as storage. Brief discussion on handicap spaces.

**4. Announcements-**

Pfannerstill reminded everyone of in person absentee voting starts on Tuesday.

**5. Adjourn**

Motion (Schneeberger/Wallschlager) to adjourn. Carried (5-0).

Adjourned at 7:21 pm.

Respectfully submitted by

Recording Secretary,  
Deidre Bush y, Deputy Clerk



**DEPARTMENT OF BUILDING INSPECTION  
APPLICATION FOR ARCHITECTURAL BOARD**

|   |       |                          |                    |
|---|-------|--------------------------|--------------------|
| Job Address 1132 E. Capitol Drive (Addition to Single-Family Residence) |       |                          |                    |
| Lot   | Block | Subdivision              | Key No. HAV        |
| Owner Thom Saffron  |       |                          | Phone 414-418-2681 |
| Address 1132 E. Capitol Drive   |       | City Village of Hartland | State WI Zip 53029 |
| Contractor TBD  | Phone | FAX                      | E-Mail Address     |
| Address   |       | City                     | State Zip          |

The Architectural Board meets on the **THIRD MONDAY** of the Month at 7:00 p.m. in the Board Room of the Hartland Municipal Building located at 210 Cottonwood Avenue in the Village of Hartland.

The DEADLINE for filing is **FIFTEEN WORKING DAYS PRIOR TO THE MEETING DATE** at 4:30 p.m. All of the following information must be received prior to the deadline in order to be placed on the agenda.

**All applications for consideration by the Architectural Board are subject to the policies described in this document.**

**One & Two Family**

- One (1) bound set of construction plans and application material and one (1) electronic copy of all submittals. Plans must be stamped "approved by the developer" if required.
- These plans may be reused to apply for the building permit. Building elevations are all that is necessary to obtain Architectural Board approval. Although it is recommended that complete construction plans along with other building permit application material be submitted in order to begin the permit process as soon as possible after the meeting.
- Elevations must show all sides of the structure and state the building materials and colors. Additions must be shown with the existing building.
- One (1) site plan. The site plan must be detailed and dimensioned and may also be reused to apply for the building permit. One set of site plans must be stamped "approved by the developer" (if applicable).
- One (1) plat of survey is required for new dwellings at the time of building permit application.

**NOTE:** Approval by the Architectural Board is not permission to begin construction; a building permit must first be obtained.

Date Applied: 04 / 20 / 2023 Date of Meeting: 05 / 15 / 2023 Item No. \_\_\_\_\_

**Hartland Architectural Board  
Application Review Policies**

**All applicants and applications are subject to the following policies in order to be considered by the Architectural Board.**

1. The deadline for filing any application is a minimum of fifteen (15) working days before the meeting.
2. All applicants for building renovations are encouraged to communicate with or meet with the Building and Zoning Official prior to submission of an application.
3. All requested or required information, including the application and appropriate fees, must be received prior to the deadline in order to be placed on the agenda. Village Staff has been directed to delay placement on the Architectural Board Agenda based on incomplete submittals.
4. Applications shall include professional-level drawings of all elevations showing the existing and proposed conditions.
5. One (1) set of application materials and one (1) electronic copy (PDF) of all application materials must be submitted by the deadline.
6. Applications that include site plans must depict the following existing and proposed information plus other information as appropriate or as requested:
  - a. Complete dimensions (lot, building, setbacks, parking, drives, etc.)
  - b. Scale and north arrow
  - c. All structures (include building elevations and height)
  - d. Drainage and grades (include design calculations for drainage)
  - e. Storm Water Management Plan
  - f. Utilities and easements (sewer, water, storm etc.)
  - g. Calculation of lot coverage
  - h. Parking stalls (stalls to be minimum 180 s.f., driving lanes minimum 24 ft. wide and 30 ft. maximum at street right-of-way, asphalt to be minimum 3 ft. from lot lines)
  - i. Grading and erosion control
  - j. Landscaping, including a Tree Protection Plan
  - k. Exterior lighting details
  - l. Exterior HVAC equipment location
  - m. Street right-of-way
  - n. Miscellaneous items including, but not limited to, 100 year floodplain, wetland boundary, environmental corridor
7. Additional information may be requested by the Architectural Board or Staff.
8. The Applicant must complete and submit the required Professional Services Reimbursement Form along with any required deposit at the time of application.
9. The Applicant or a representative of Applicant able to make representations on behalf of the Applicant shall attend the meeting at which the matter will be discussed. Failure to have representation will result in tabling of the request to the next meeting.

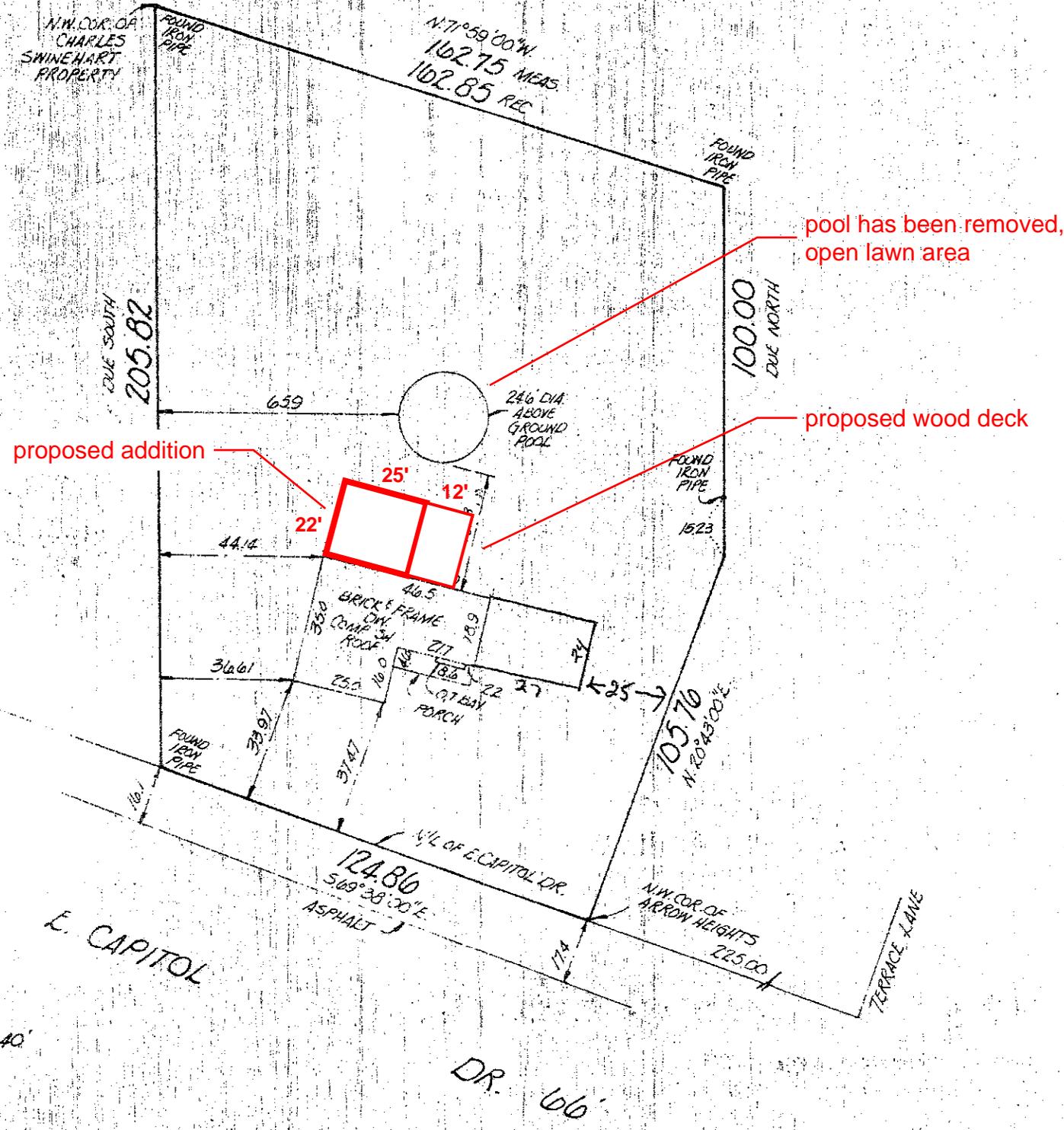
# Plat of Survey

Known as 1132 East Capitol Drive, in the Village of Hartland Wisconsin.  
 All that part of the West 1/2 of the NE 1/4 of Section 2, T 7 N, R 18 E, in the Village of Hartland, Waukesha County, Wisconsin, bounded and described as follows: Commencing at a point on the North line of East Capitol Drive and said point being the Southwest corner of ARROW HEIGHTS; thence North 20° 43' 00" East 105.76 ft. to a point; thence due North 100.00 ft. to a point; thence North 71° 59' 00" West 162.85 ft. to a point, being the Northeast corner of Charles Swinehart property; thence due South 205.82 ft. along the East line of said Swinehart property to a point on the North line of East Capitol Drive; thence South 69° 38' 00" East along the North line of said East Capitol Drive 124.86 ft to the point of beginning.

SURVEY NO. 142503-M

APRIL 3, 1978

AUGUST J AND LYNDIA J RORAFF-OWNERS



SCALE 1"=40'

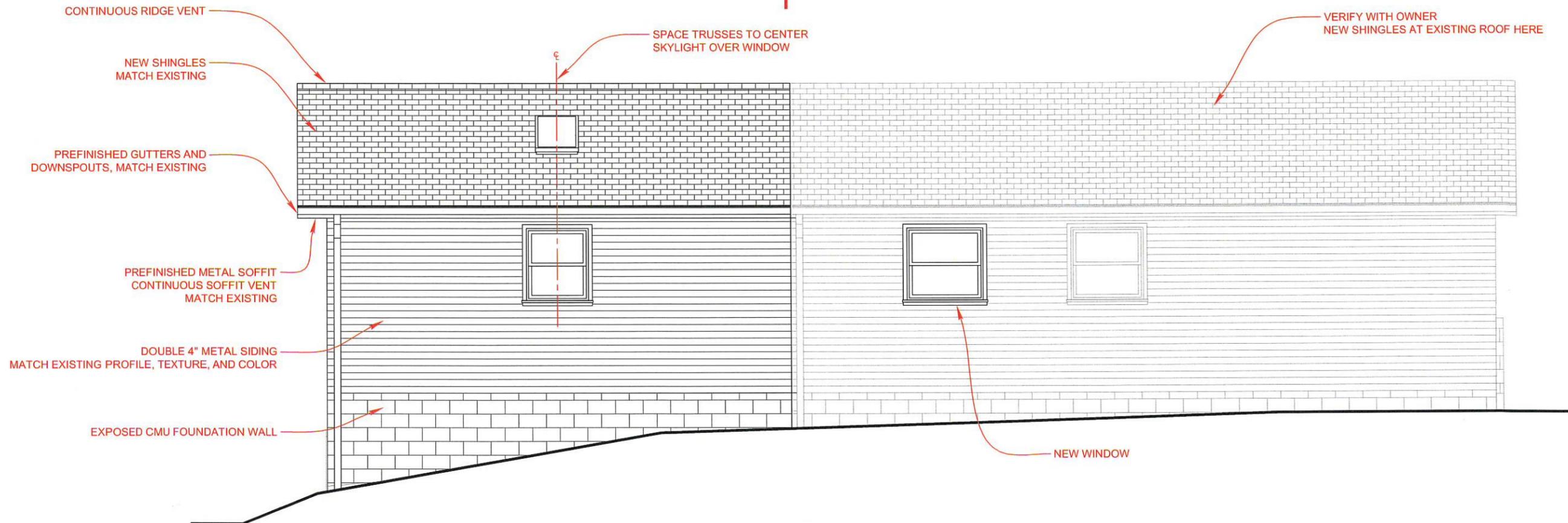
I Certify that I have surveyed the above described property (Property), and the above map is a true representation thereof and shows the size and location of the Property, its exterior boundaries, the location and dimensions of all visible structures thereon, boundary fences, apparent easements, and roadways and visible encroachments, if any. This survey is made for the exclusive use of the present owners of the Property, and also those who purchase, mortgage, or guarantee the title thereto, within one (1) year from date hereof.

Kenneth E. Berke  
 SURVEYOR



NEW ADDITION

EXISTING

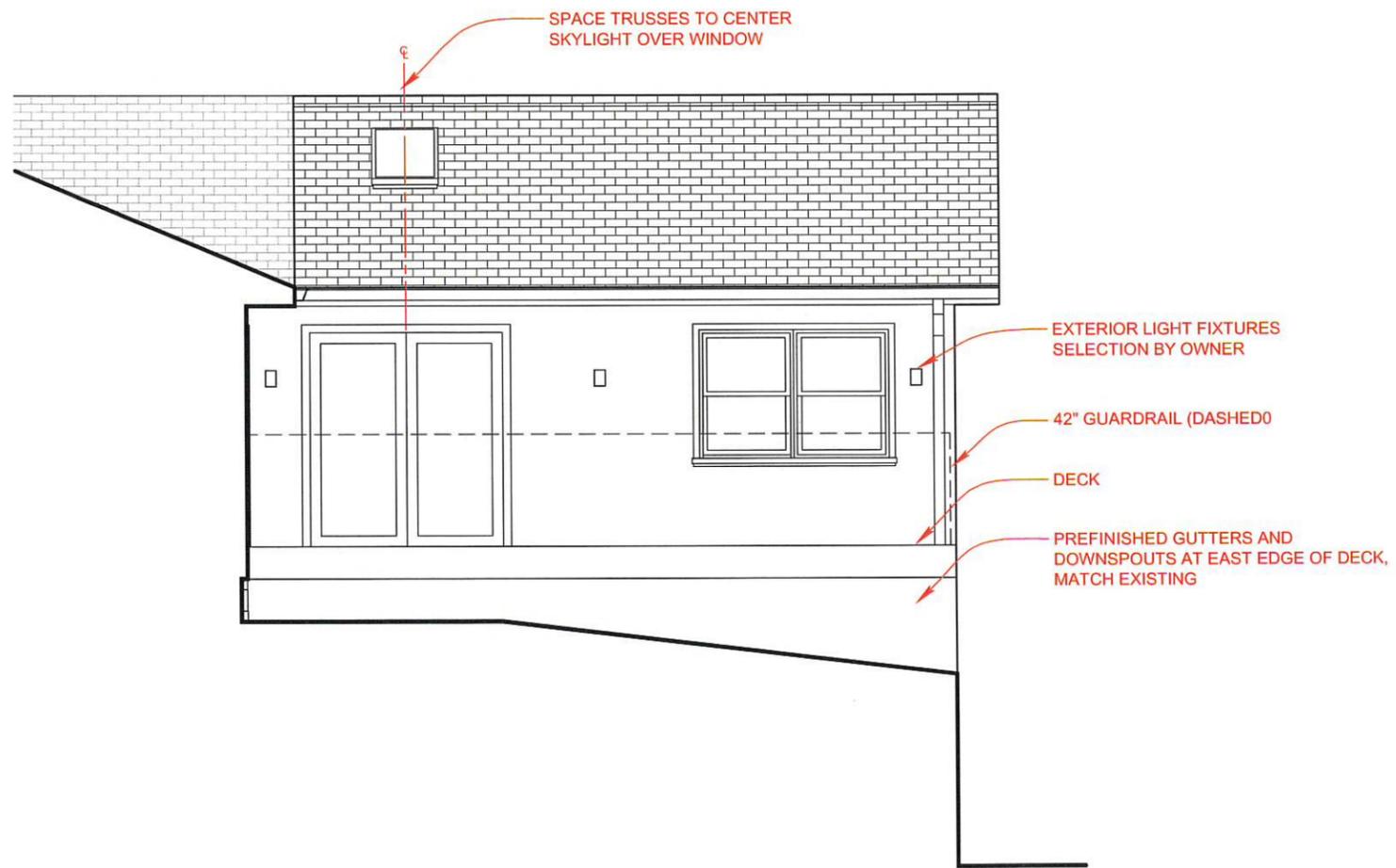


1  
A4

WEST ELEVATION

1/4" = 1'-0" (24x36)

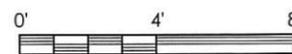
0' 4' 8'



2  
A4

**EAST ELEVATION**

1/4" = 1'-0" (24x36)



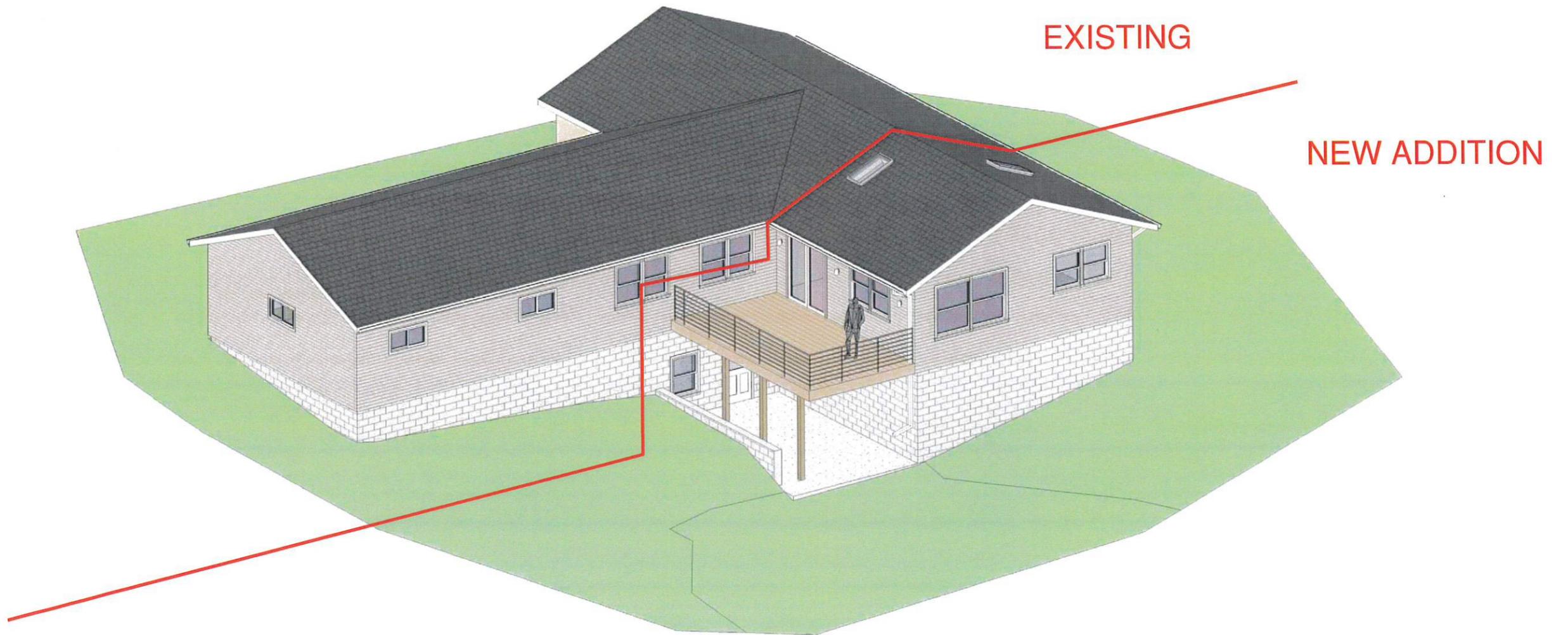


3  
A4

### NORTH ELEVATION

1/4" = 1'-0" (24x36)

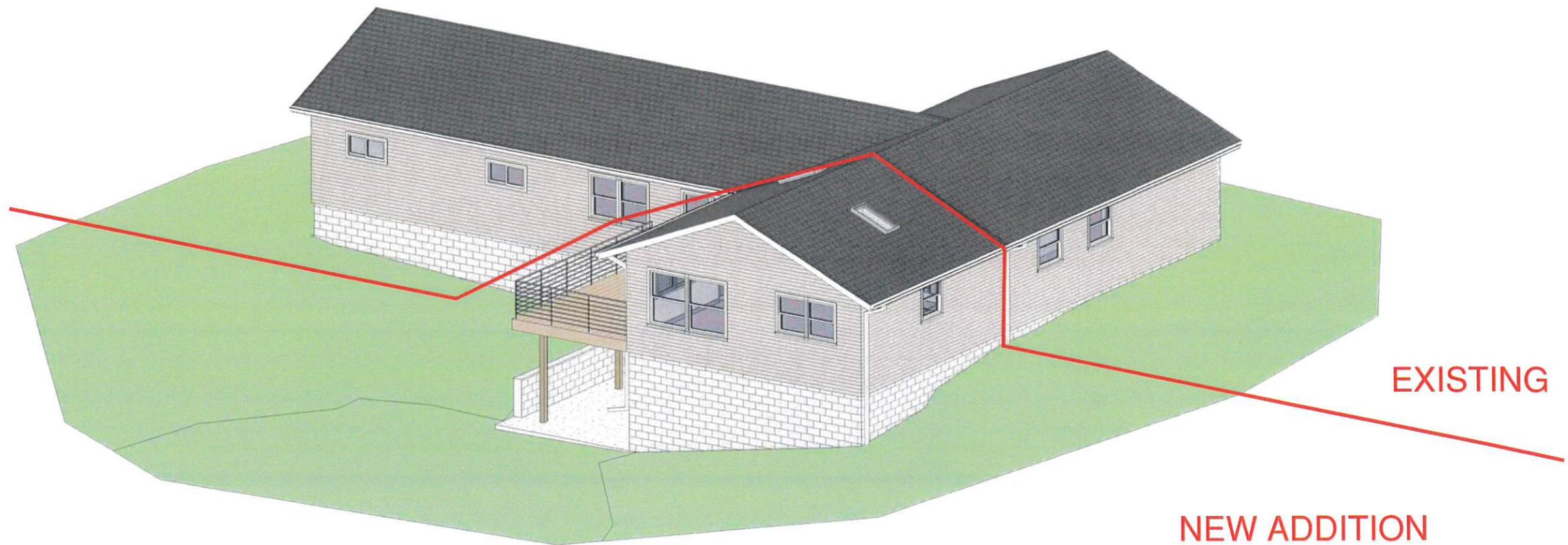




1  
A6

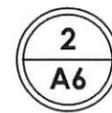
**EXTERIOR VIEW**

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EXISTING

NEW ADDITION



EXTERIOR VIEW



**PHOTO 1**  
BUILDING FRONT ELEVATION

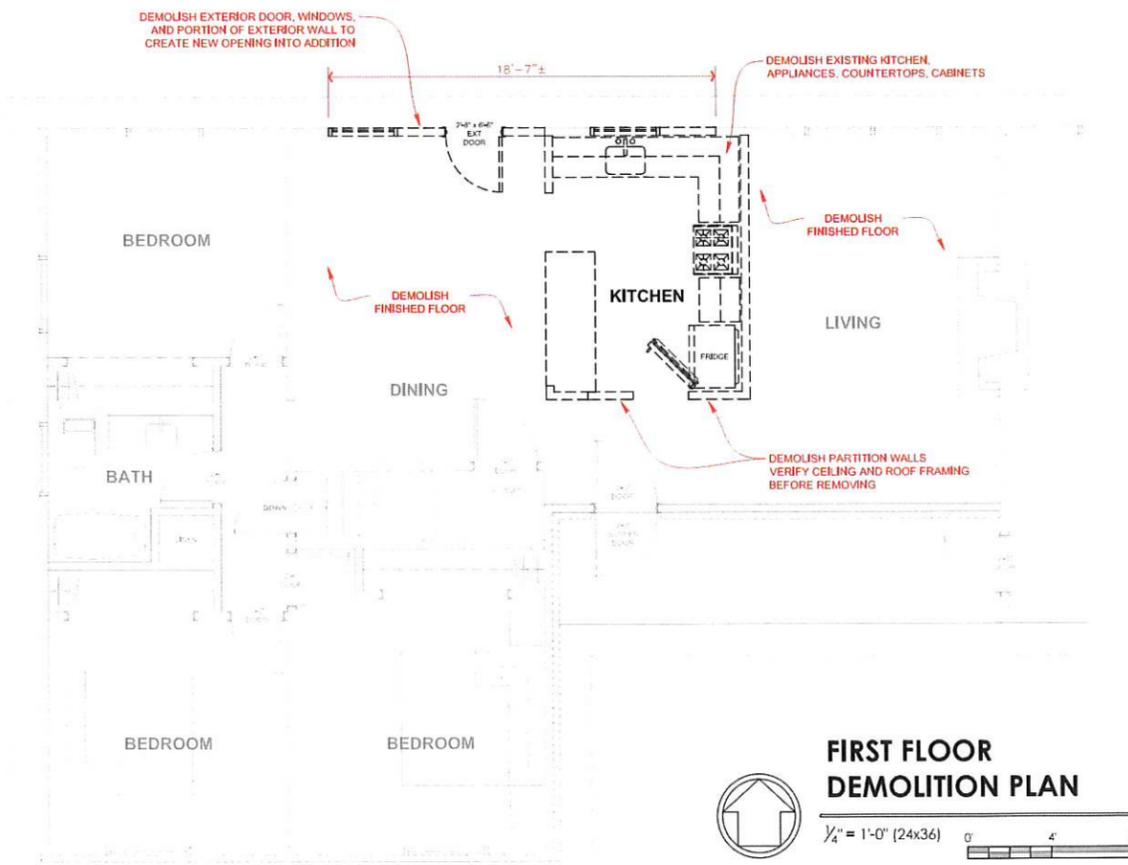


**PHOTO 2**  
BUILDING BACK ELEVATION



**PHOTO 3**  
ADDITION LOCATION

DEMOLISH EXISTING CONCRETE SLAB  
DEMOLISH EXISTING DECK, STAIRS, AND ASSOCIATED FRAMING



- GENERAL NOTES:**
- ALL WORK TO BE PERFORMED IN CONFORMANCE WITH ALL ADOPTED BUILDING CODES AND LOCAL ORDINANCES (WISCONSIN UNIFORM DWELLING CODE, SPS 320 - SPS 325)
  - CONTRACTOR TO FIELD VERIFY ALL CONDITIONS, NOTIFY ARCHITECT OF ANY DISCREPANCY BETWEEN EXISTING CONDITIONS AND CONSTRUCTION DOCUMENTS
  - MECHANICAL, ELECTRICAL, AND PLUMBING WORK TO BE DESIGN-BUILD. NOTIFY ARCHITECT OF ANY DISCREPANCIES OR CONFLICTS PRIOR TO CONSTRUCTION.
  - CONFIRM ALL FIXTURE, MATERIAL, AND COLOR SELECTIONS WITH OWNER BEFORE PROCUREMENT

**SHEET INDEX**

| PRICING SET  | 03 / 07 / 2023 | CJF                                  | 04 / 20 / 2023 |
|--------------|----------------|--------------------------------------|----------------|
| CONSTRUCTION | 04 / 17 / 2023 | CJF                                  |                |
| ARCH BOARD   | 04 / 20 / 2023 | CJF                                  |                |
|              |                | ARCH BOARD                           | 04 / 20 / 2023 |
| A1           | -              | SITE PLAN, DEMO PLAN, PHOTOS         | ●              |
| A2           | -              | BASEMENT ALTERATION PLAN             | ●              |
| A3           | -              | FIRST FLOOR ALTERATION PLAN          | ●              |
| A4           | -              | EXTERIOR ELEVATIONS                  | ●              |
| A5           | -              | BUILDING SECTION                     | ●              |
| A6           | -              | EXTERIOR 3D VIEWS, INTERIOR 3D VIEWS | ●              |

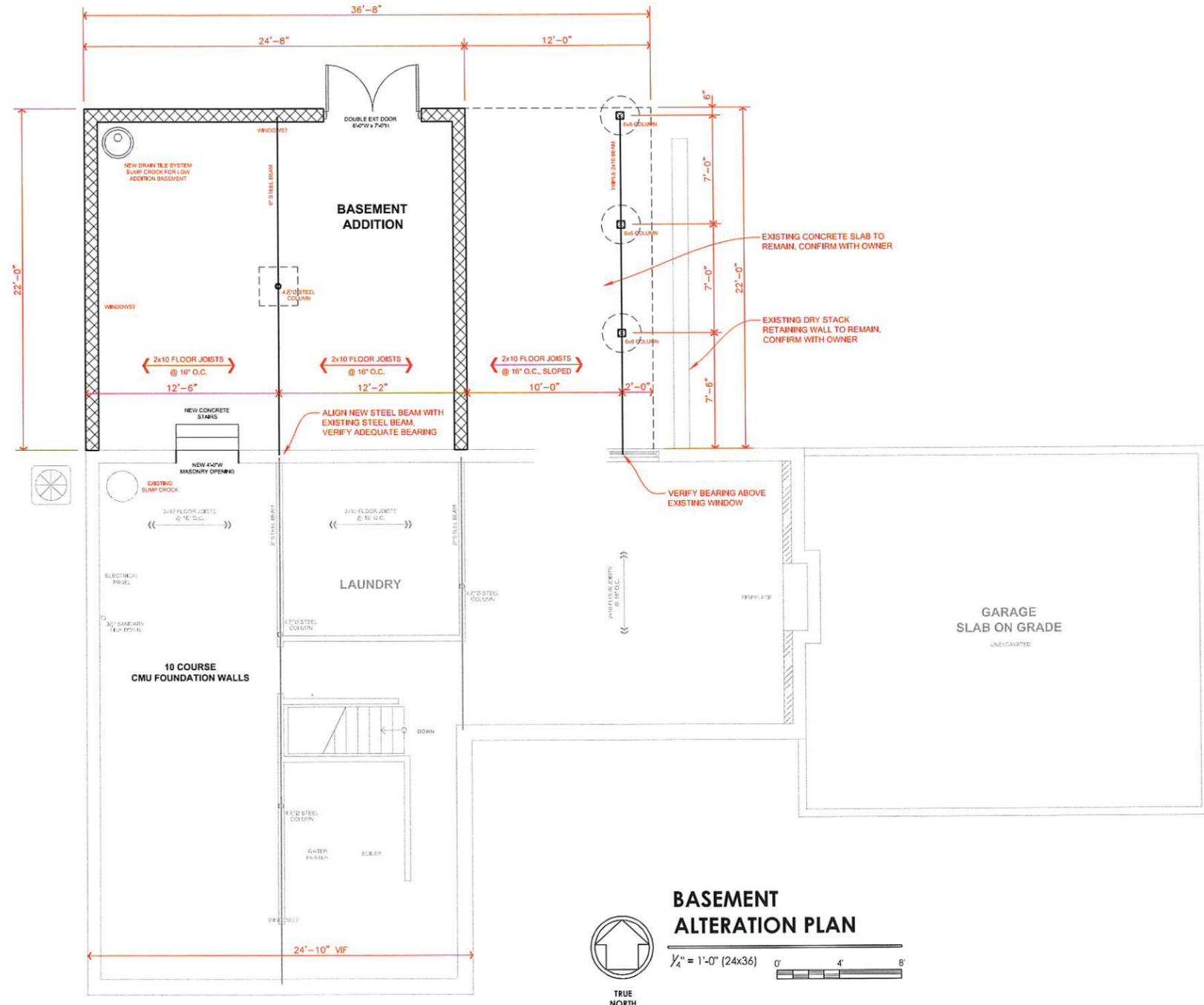
**FISCHER-FISCHER-THEIS, INC.**  
ARCHITECTS • ENGINEERS • PLANNERS  
262-547-6969  
ffarchitects.com  
S22 W22660 BROADWAY  
WAUKESHA, WI 53186

**ADDITION AND ALTERATIONS TO RESIDENCE FOR THOM SAFFRON**  
1132 EAST CAPITOL DRIVE  
HARTLAND, WISCONSIN

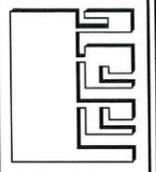
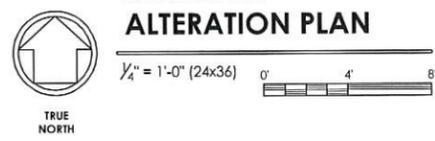
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**21088**

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**FOUNDATION NOTE:**  
 VERIFY EXISTING FOOTING CONDITION ON EXISTING NORTH FOUNDATION WALL. NEW BASEMENT WILL BE 2 COURSES OF BLOCK DEEPER (16"). UNDERPIN EXISTING FOUNDATION WALL AND FOOTING.



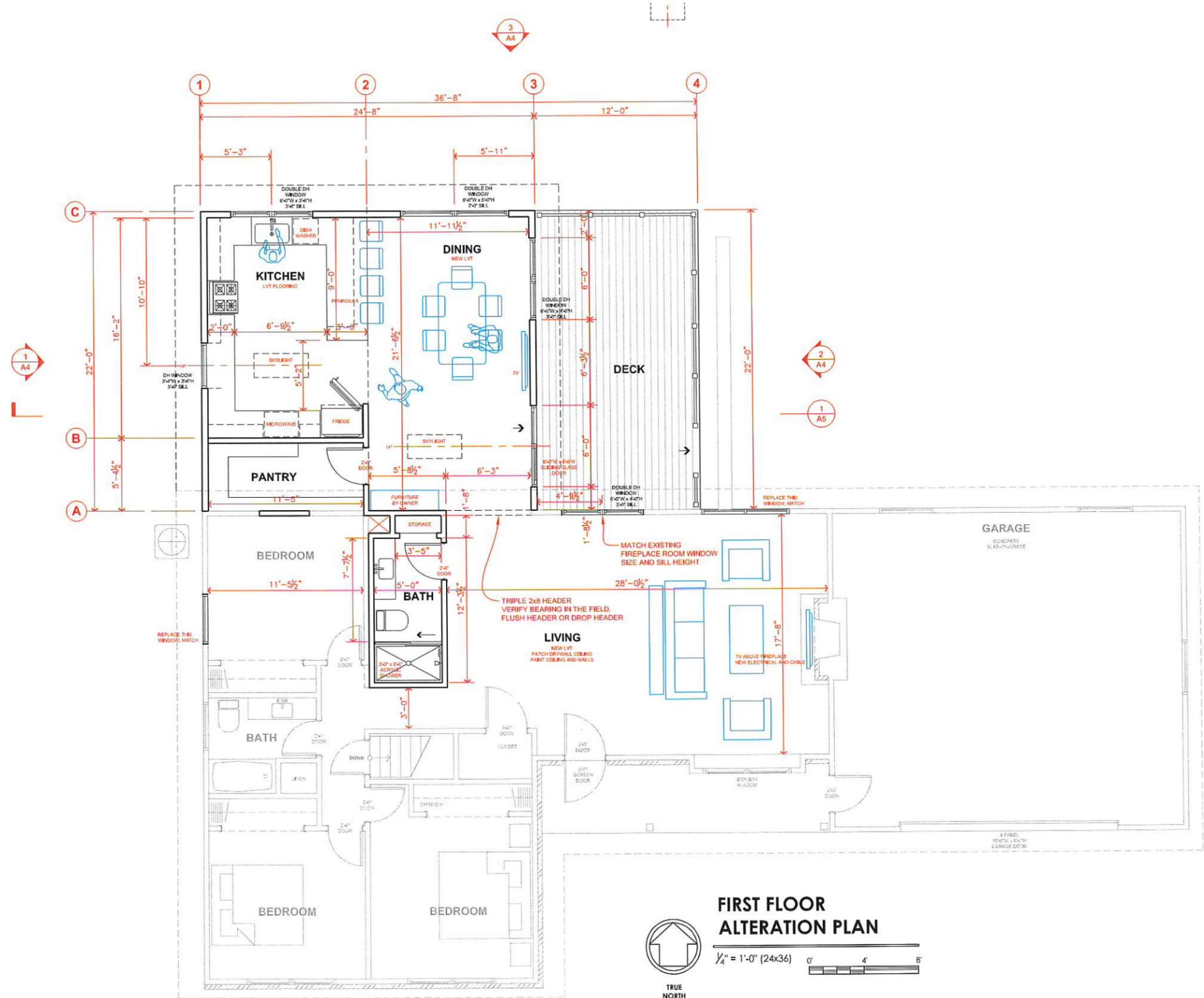
**BASEMENT ALTERATION PLAN**



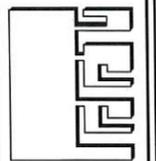
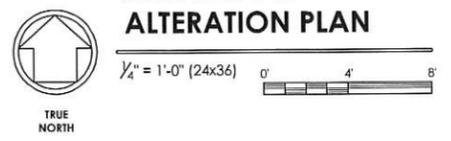
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| PRICING SET  | 03 / 07 / 2023 | CJF |
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**FIRST FLOOR  
ALTERATION PLAN**



**ADDITION AND ALTERATIONS TO RESIDENCE  
 FOR THOM SAFFRON**

1132 EAST CAPITOL DRIVE  
 HARTLAND, WISCONSIN

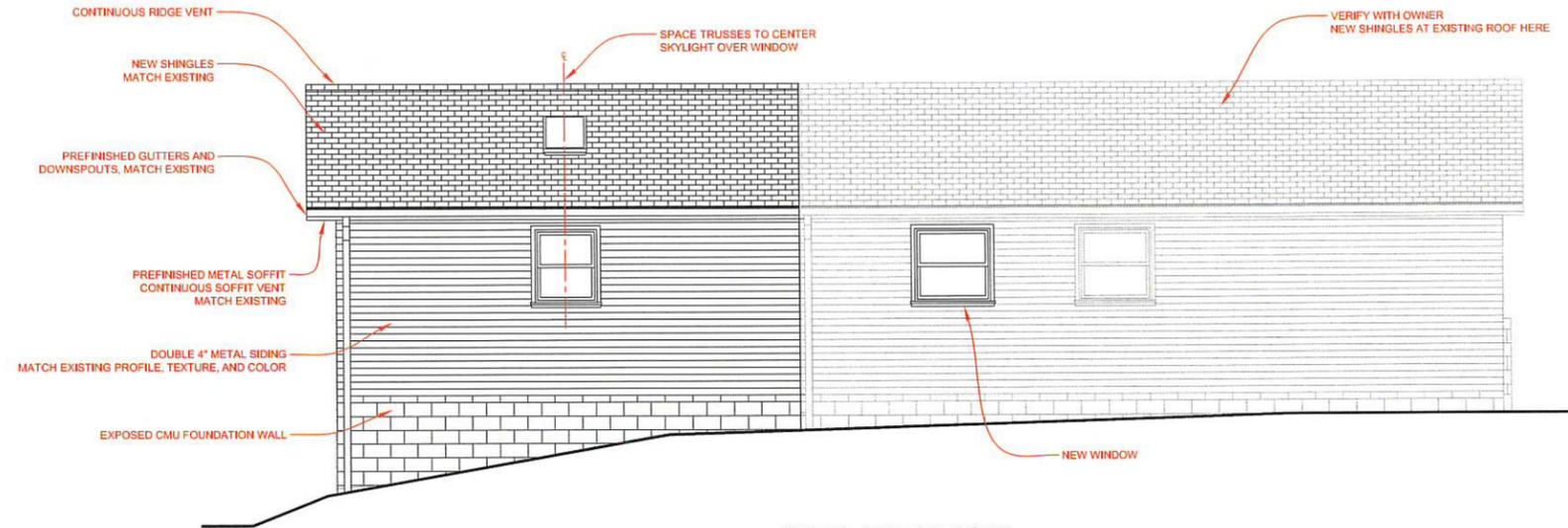
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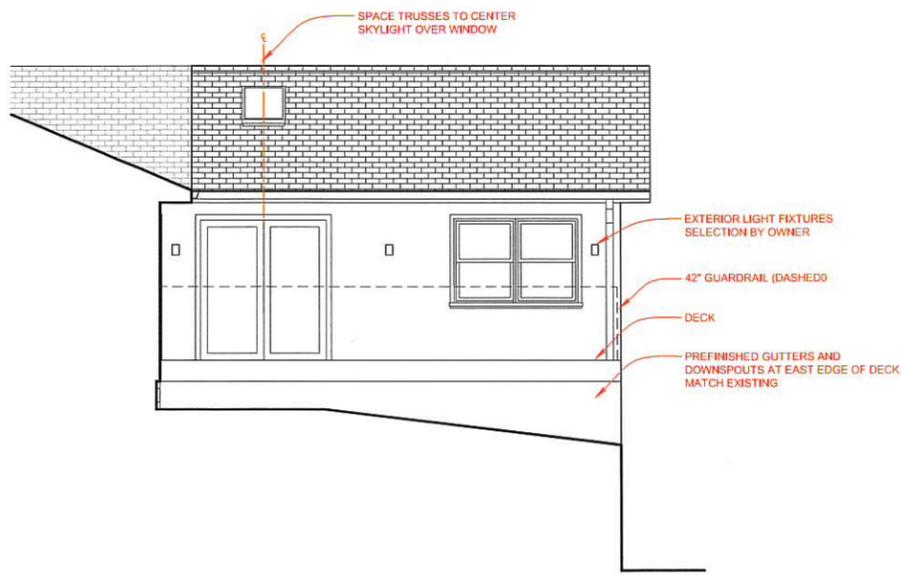
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FLOOR, ROOF, AND WALL CONSTRUCTION GENERAL NOTES:

- EXTERIOR WALL CONSTRUCTION  
2x6 WOOD STUDS @ 16" O.C.  
R-19 BATT INSULATION IN STUD CAVITY (OR SPRAY FOAM)  
1/2" OSB SHEATHING  
DOUBLE 4" METAL SIDING TO MATCH EXISTING
  - 2x4 INTERIOR NON-LOAD BEARING PARTITION CONSTRUCTION.  
PROVIDE MINERAL WOOL ACOUSTICAL INSULATION AT BATHROOM
  - ROOF CONSTRUCTION  
PREFABRICATED ROOF TRUSSES @ 24" O.C.  
5/8" OSB ROOF SHEATHING  
36" ICE AND WATER SHIELD AT ROOF EDGES  
DIMENSIONAL ASPHALT SHINGLES (MATCH EXISTING)  
CONTINUOUS SHEET METAL FLASHING AT ALL TRANSITIONS  
R-38 BLOWN-IN ATTIC INSULATION
  - FLOOR CONSTRUCTION  
2x10 WOOD FLOOR JOISTS @ 16" O.C.  
3/4" T&G OSB FLOOR SHEATHING, GLUED AND SCREWED  
FINISH FLOORING TO BE SELECTED BY OWNER (LVT OR SIMILAR)
- FLOOR DESIGN LOADS  
DEAD LOAD = 15 PSF  
LIVE LOAD = 40 PSF  
DEFLECTION = L/480
- ROOF DESIGN LOADS  
DEAD LOAD = 15 PSF  
SNOW LOAD = 30 PSF  
UPLIFT = 20 PSF  
DEFLECTION = L/360
  - SUBMIT TRUSS SHOP DRAWINGS AND CALCULATIONS TO ARCHITECT OF RECORD FOR REVIEW



**1 WEST ELEVATION**  
1/4" = 1'-0" (24x36)  
0' 4' 8'



**2 EAST ELEVATION**  
1/4" = 1'-0" (24x36)  
0' 4' 8'



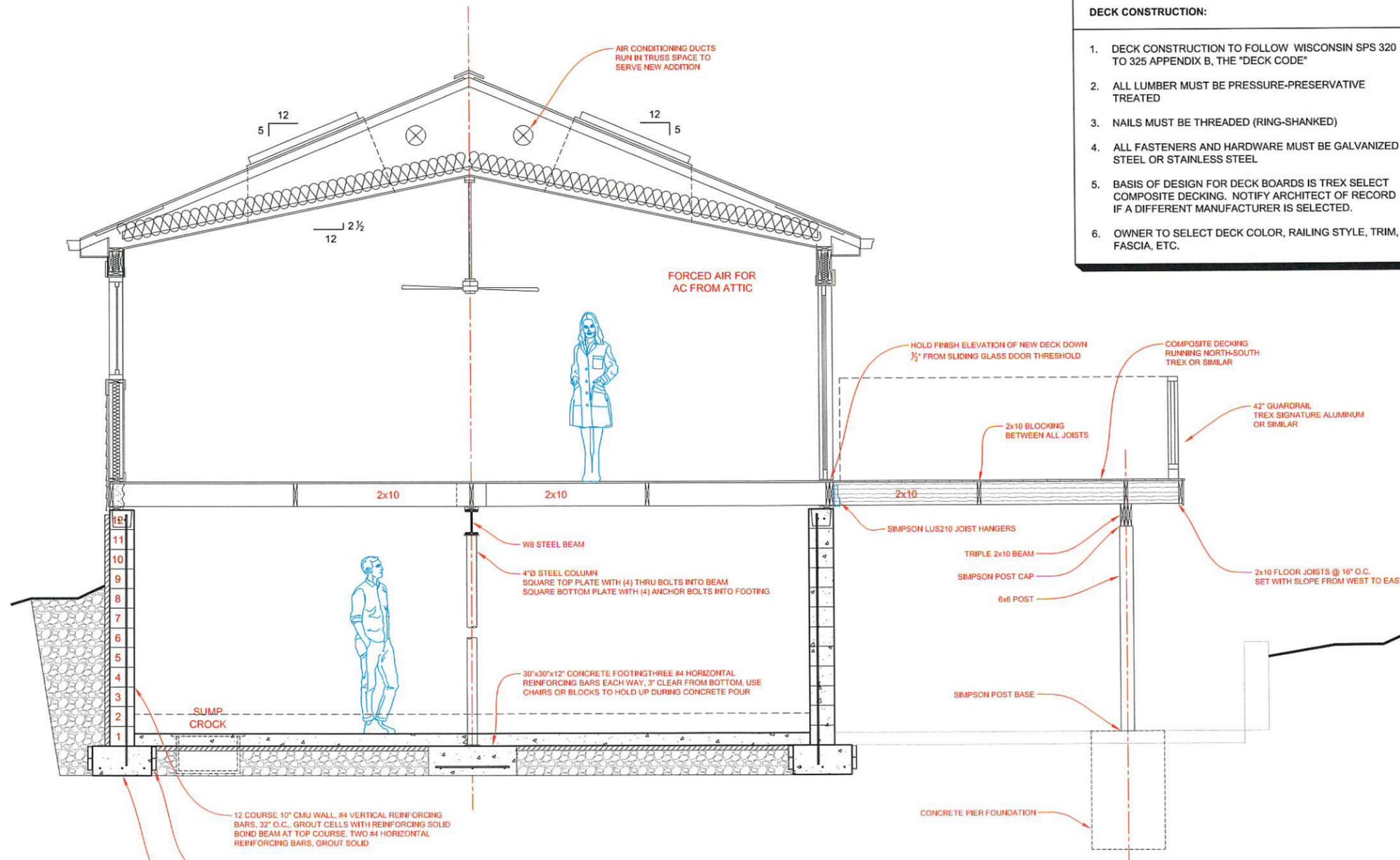
**3 NORTH ELEVATION**  
1/4" = 1'-0" (24x36)  
0' 4' 8'



|              |                |      |
|--------------|----------------|------|
| PRICING SET  | 03 / 07 / 2023 | C/JF |
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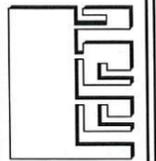
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- DECK CONSTRUCTION:**
1. DECK CONSTRUCTION TO FOLLOW WISCONSIN SPS 320 TO 325 APPENDIX B, THE "DECK CODE"
  2. ALL LUMBER MUST BE PRESSURE-PRESERVATIVE TREATED
  3. NAILS MUST BE THREADED (RING-SHANKED)
  4. ALL FASTENERS AND HARDWARE MUST BE GALVANIZED STEEL OR STAINLESS STEEL
  5. BASIS OF DESIGN FOR DECK BOARDS IS TREX SELECT COMPOSITE DECKING. NOTIFY ARCHITECT OF RECORD IF A DIFFERENT MANUFACTURER IS SELECTED.
  6. OWNER TO SELECT DECK COLOR, RAILING STYLE, TRIM, FASCIA, ETC.

**BUILDING SECTION**  
 1/2" = 1'-0" (24x36)

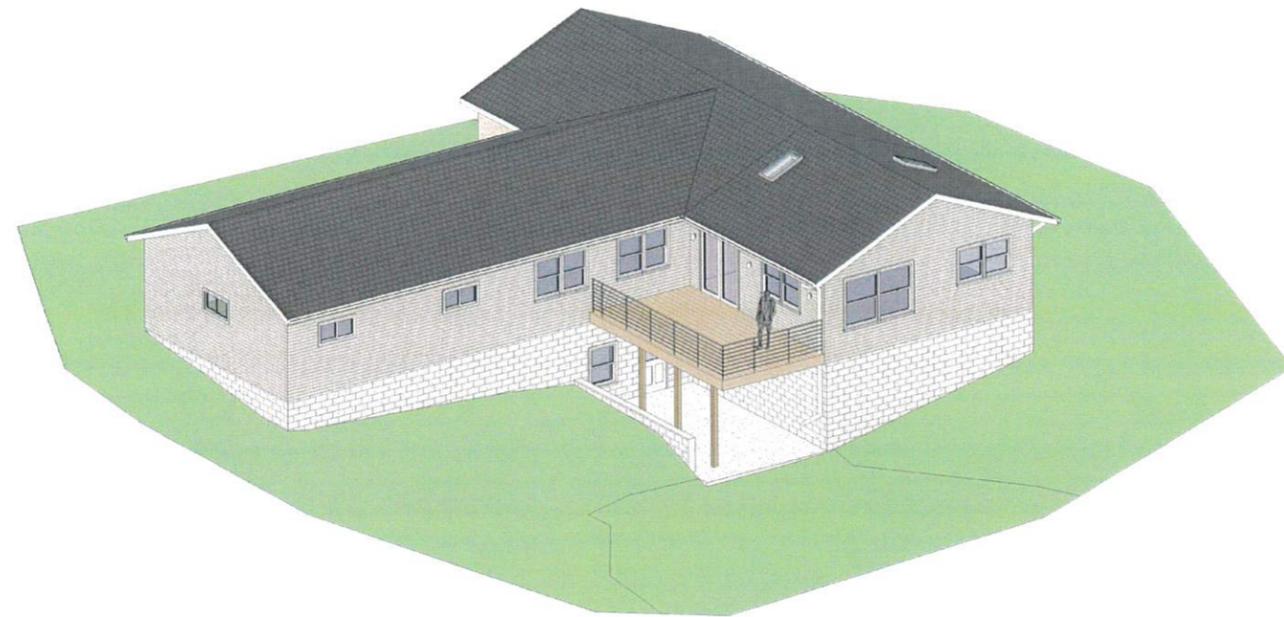


**ADDITION AND ALTERATIONS TO RESIDENCE  
 FOR THOM SAFFRON**  
 1132 EAST CAPITOL DRIVE  
 HARTLAND, WISCONSIN

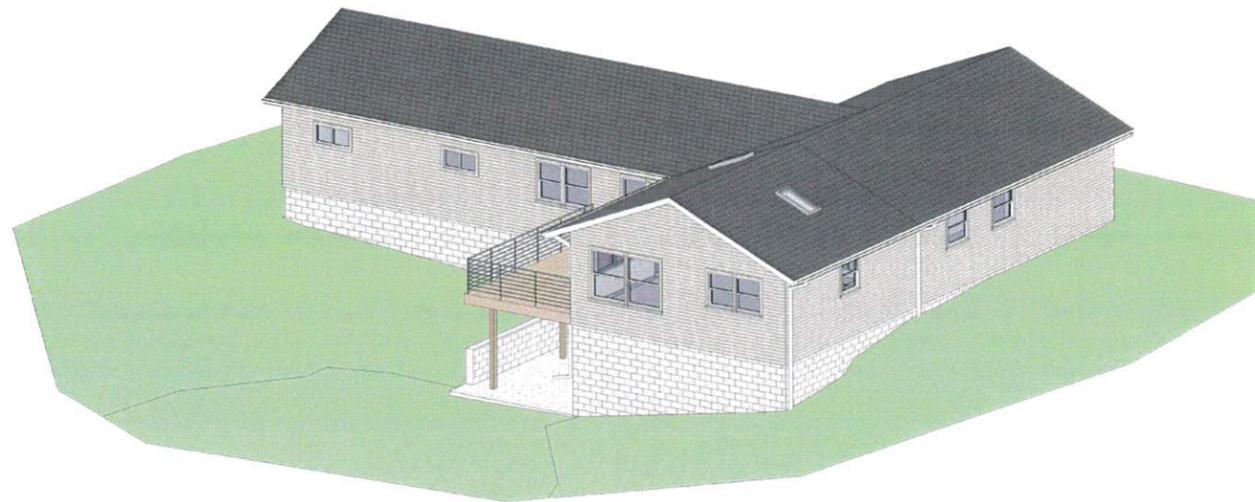
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**1**  
A6  
**EXTERIOR VIEW**



**2**  
A6  
**EXTERIOR VIEW**

NOTE:  
INTERIOR KITCHEN VIEWS ARE PROVIDED FOR  
REFERENCE ONLY. FINAL KITCHEN DESIGN, LAYOUT,  
CABINETS, MATERIALS, FINISHES, EQUIPMENT, ETC. TO  
BE SELECTED BY OWNER AND COORDINATED WITH  
KITCHEN DESIGNER.



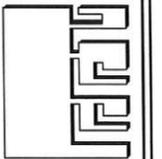
**3**  
A6  
**INTERIOR VIEW**



**4**  
A6  
**INTERIOR VIEW**



**5**  
A6  
**INTERIOR VIEW**



|              |                |     |  |
|--------------|----------------|-----|--|
| PRICING SET  | 03 / 07 / 2023 | CJF |  |
| CONSTRUCTION | 04 / 17 / 2023 | CJF |  |
| ARCH BOARD   | 04 / 20 / 2023 | CJF |  |

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ALEXANDER & LAURA CHANDLER  
1100 LISBON AVE  
HARTLAND, WI 53029-2232

ANNA E KLEIN  
1103 E CAPITOL DR  
HARTLAND, WI 53029

BRIAN BAUR  
1119 E CAPITOL DR  
HARTLAND, WI 53029-2248

CAROL M ZAHORIK  
219 GLENOWEN DR  
HARTLAND, WI 53029

CHEE S TAN AND JIAN TAN  
1101 LISBON AVE  
HARTLAND, WI 53029-2231

DAVID & LINDA FELDMANN  
1125 LISBON AVE  
HARTLAND, WI 53029

DAVID J BATZNER III AND JENNIFER E  
BATZNER  
1036 E CAPITOL DR  
HARTLAND, WI 53029-2214

DAVID & JUDY K LUHRING LIVING TRUST  
117 GLENOWEN DR  
HARTLAND, WI 53029-2219

DEBRA PAEPKE  
1031 LISBON AVE  
HARTLAND, WI 53029-2229

GLORIA J LUEDTKE  
123 GLENOWEN DR  
HARTLAND, WI 53029-2219

GMDF TRANSITION TRUST  
134 TERRACE LN  
HARTLAND, WI 53029

GRAUEL LIVING TRUST  
W309S4860 COMMERCIAL DR  
NORTH PRAIRIE, WI 53153-9458

JAMES & MILDRED BIERMAN  
1135 E CAPITOL DR  
HARTLAND, WI 53029

JAMES T SCHWIND  
1209 LISBON AVE  
HARTLAND, WI 53029

JEAN A DONOVAN 2020 LIVING TRUST  
1124 LISBON AVE  
HARTLAND, WI 53029-2232

JEFFREY L PFANNERSTILL  
1140 E CAPITOL DR  
HARTLAND, WI 53029-2216

JESSICA NOWAK  
109 GLENOWEN DR  
HARTLAND, WI 53029-2219

JODIE DAMON  
151 TERRACE LN  
HARTLAND, WI 53029-2241

JUSTIN L SCHAEFER AND CHELSEA E  
SCHAEFER  
117 TERRACE LN  
HARTLAND, WI 53029-2241

KATHRYN B DEFRAIN  
135 TERRACE LN  
HARTLAND, WI 53029

KENNETH W MAUTZ AND DIANE K  
MAUTZ FAMILY TRUST  
1124 E CAPITOL DR  
HARTLAND, WI 53029-2216

KYLE & KATIE KLEIN  
122 GLENOWEN DR  
HARTLAND, WI 53029-2220

MARCIA MORIARTY  
2432 N 89TH ST  
WAUWATOSA, WI 53226

MARK & JODI OLSON  
N27W27204 WOODLAND DR  
PEWAUKEE, WI 53072-4460

MATTHEW R EVERTS  
1021 LISBON AVE  
HARTLAND, WI 53029

MAUREEN L LAWLER-LOBOTZKE &  
KENNETH J LOBOTZKE  
125 TERRACE LN  
HARTLAND, WI 53029-2241

MURIEL JOHNSON LIVING TRUST  
126 TERRACE LN  
HARTLAND, WI 53029

NANCY M OLSON  
W284N4226 NORTH SHORE DR  
PEWAUKEE, WI 53072-2117

PATRICIA A OSTERLING & DOROTHY  
ALLEN  
1135 LISBON AVE  
HARTLAND, WI 53029

PATRICIA HAMMER REVOCABLE LIVING  
TRUST AND BENJAMIN RODRIGUEZ  
C/O DANIEL HAMMER  
20261 COUNTRY CLUB DR  
ESTERO, FL 33928-2003

PRESTON & KLINK  
150 TERRACE LN  
HARTLAND, WI 53029

RICHARD & DARLENE STEVENS  
215 RUSTIC LN  
HARTLAND, WI 53029

THE DANIEL M KIMMEL AND SHARON C  
KIMMEL  
1034 LISBON AVE  
HARTLAND, WI 53029-2330

THOM & IMELDA SAFFRON  
1132 E CAPITOL DR  
HARTLAND, WI 53029

TIMOTHY D SHORE JR  
1104 E CAPITOL DR  
HARTLAND, WI 53029-2216

TIMOTHY RITZERT  
1237 E CAPITOL DR  
HARTLAND, WI 53029

WILLIAM & ANGELA HUGHLETT  
114 GLENOWEN DR  
HARTLAND, WI 53029

ZION EV LUTH CHURCH  
1023 E CAPITOL DR  
HARTLAND, WI 53029-2213



**PETITION FOR CONDITIONAL USE**

**\$150 REVIEW FEE DUE AT TIME OF APPLICATION PLUS \$300 PROFESSIONAL FEE DEPOSIT**

|   |                                     |
|---|-------------------------------------|
| Property Owner <i>DEVO PROPERTIES</i>               |                                     |
| Business Name <i>BIEBEL'S TRUE VALUE</i>            |                                     |
| Business Owner <i>ANDREW BIEBEL</i>                 |                                     |
| Address <i>580 HARTBROOK DR, HARTLAND, WI 53029</i> |                                     |
| Contact Person <i>ANDREW BIEBEL</i>                 | Phone <i>262-369-1070</i>           |
| Key No. HAV   | Email <i>andrewbiebel@gmail.com</i> |

The Plan Commission meets on the third Monday of the month at 6:30 PM in the Village Board Room of the Hartland Municipal Building located at 210 Cottonwood Avenue, Hartland.

The deadline for filing is a minimum of fifteen (15) working days before the meeting.

All of the requested information must be received prior to the deadline in order to be placed on the agenda. Village Plan Review Staff has been directed to delay placement on the Plan Commission Agenda based on incomplete submittals.

State present use of property and basic information on the intended use:

|  |
|--|
| <i>PRESENT USE: PARKING LOT</i>  |
| <i>Intended Use: Greenhouse, two structures, each being 10 x 22. We are seeking an amendment to our current cup of one 20 x 42 structure. If possible, we would like a new 5 year period to start instead of needing to renew next year.</i> |

Additional documents and materials must be submitted addressing the requirements described in Article IV of the Hartland Zoning Code regarding Conditional Uses.

All applications for consideration by the Plan Commission are subject to the policies described in this document.

|   |                    |
|---|--------------------|
| Petitioner Signature <i>Andrew Biebel</i> |                    |
| Print Name <i>ANDREW BIEBEL</i>           | Date <i>4/5/23</i> |

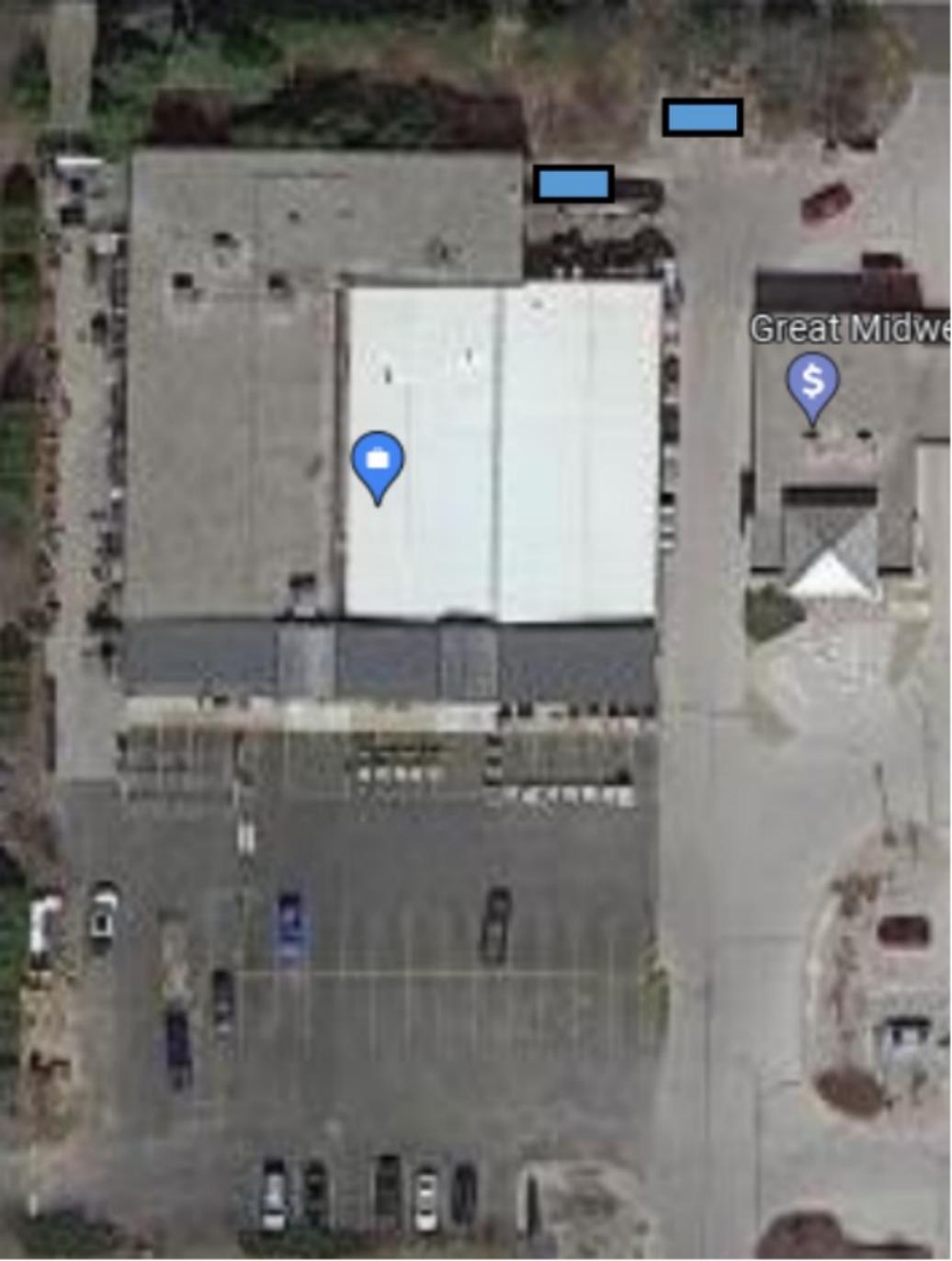
OFFICE USE ONLY:

|               |                  |                     |
|---------------|------------------|---------------------|
| Date Applied: | Date of Meeting: | Return Comments by: |
|---------------|------------------|---------------------|



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Great Midwe



SUNNYSLOPE APARTMENTS LLC  
9001 N WHITE OAK LN  
BAYSIDE, WI 53217

WHPC-BREEZEWOOD II LLC  
150 E GILMAN ST UNIT 1500  
MADISON, WI 53703-1499

488 SUNNYSLOPE LLC  
19125 ALTA VISTA DR C/O CHARLES F  
BOHL  
BROOKFIELD, WI 53045

504 SUNNYSLOPE LLC  
19125 ALTA VISTA DR C/O CHARLES F  
BOHL  
BROOKFIELD, WI 53045

WAUKESHA STATE BANK  
151 E SAINT PAUL AVE  
WAUKESHA, WI 53188-3701

WHPC-DOMINIUM LLC  
150 E GILMAN ST UNIT 1500  
MADISON, WI 53703-1499

TMPN HARTLAND LLC AND HARTLAND  
PLAZA LLC  
138 BUNTROCK AVE  
THIENSVILLE, WI 53092-1535

Rec 3-24-08  
HAV 6427997 010

Memorandum of Plan of Operation (Revised to reflect VB actions)



Re: Biebel's/Anding Realty Plan of Operation

Location: Biebel's True Value Hardware, 580 Hartbrook Drive,  
Hartland, Wisconsin

Date: February 26, 2008

### Introduction

Biebel's Hardware (Tenant), a tenant of Anding Realty (Owner), occupies a building at 580 Hartbrook Drive. The property is zoned B-2, Community Business. As such, retail uses such as hardware stores are permitted in the B-2 Business District.

In recent years, Biebel's Hardware has undertaken expansions of its operation that include significant outdoor storage and/or display of rental equipment. These expansions have resulted in modifications to the operation which have, to date, have remained unauthorized by the Village of Hartland (Village) and violate section 46-78 of the Code of Ordinances (zoning code), which requires an occupancy permit based upon an approved plan of operation. This plan of operation documents the storage and/or display uses which are accommodated or which are intended to be accommodated on the site.

The zoning code clearly intends for the Plan Commission to concern itself with general layout, building plans, ingress, egress, parking, loading and unloading and landscape plans to encourage a business use environment that is compatible with the community character of the Village. Therefore, this memorandum, by virtue of the mutual concurrence herein of the Village of Hartland (Village), Biebel's True Value Hardware (Tenant) and Anding Realty (Owner) shall constitute the approved plan of operation for the site at 580 Hartbrook Drive, Hartland, Wisconsin and shall remain in effect for the property at 580 Hartbrook Drive, Hartland, Wisconsin as long as the premises are occupied by Biebel's Hardware or until amended by the tenant and approved by the Village of Hartland. The plan of operation may be amended or revoked for failure to comply by the Village or by mutual agreement by and between the Owner, Tenant and Village. Failure to comply with this plan of operation may result in revocation of any occupancy permit issued by the Village for the Tenant's occupancy at 580 Hartbrook Drive, Hartland, Wisconsin or appropriate legal proceedings.

- (1) Hours of operation: hours are generally from 7:00 am – 9:00 pm M-F,  
Sat and Sun 7:00 am to 6:00 pm, with occasional extended hours.

- (2) Number of full-time and part-time employees on the site during each working shift; tenant will have 6 full and 6 part time employees, during a typical shift. Occasional busy times will require more employees.
- (3) Typical number of customers/clients/visitors on the site each day; typically, 300 to 400 customers will visit the site per day.
- (4) Number of parking spaces anticipated to be occupied by employees, customers, clients, visitors, suppliers and any others on a typical day; typically, 25 to 30 cars are in the lot at one time.
- (5) Nature of items typically delivered to or shipped from the site and the typical methods (i.e. semi truck, truck, van, etc.) and times of shipment to or from the site and location on the site where loading and unloading and parking of shipping vehicles is to occur; deliveries can occur between 6:00 am and 9:00 pm, but typical delivery times are between 8:00 am and 5:00 pm. Approximately 12 to 15 semi trailers and 20 to 25 smaller trucks and vans visit the site each week. Items typically delivered include general hardware merchandise and other items common to the operation of a hardware store.
- (6) Detailed description of any principal or accessory uses, processes or activities that may occur at an unenclosed area of the site; the unenclosed area of the site will be used for parking, for deliveries, for sales, for display of rental equipment, for storage of merchandise, for tent sales, for greenhouse sales, for miscellaneous events and for other uses typical of a hardware store. All uses on the unenclosed area of the site shall be subject to Village of Hartland review and approval by either administrative personnel, the Plan Commission or Village Board as required. There are two fenced in areas that contain most of the outside material storage.
- (7) Detailed description of any equipment, operation, device or process that may emit noise or vibration from the site that is substantially different from the emissions from the site immediately prior to the initiation of this activity or process or operation of this equipment or device; except as noted herein, there will be no changes to the operation of the tenant's business.
- (8) The names and amounts of any noxious or hazardous substances that may be created, stored or used on the site and the locations on the site where such substances will be created, stored, and used; no noxious or hazardous substances will be created on site. The storage and use of substances on site will not change. Substances stored or used on site will include herbicide, insecticide, propane, paint, paint thinner, paint remover, chlorine for pools and other items generally sold at a

hardware store. A propane tank is presently located on site and sits approximately 150 yards from the nearest residence at 504 Sunnyslope Drive.

- (9) The proximity of the proposed use to residential neighborhoods and a detailed description of any use or process that has, or may have, a reasonable potential for disturbing and/or disrupting existing residential and/or non-residential uses; residential neighborhoods are located across the street from this site, but the use will not change and typical uses of the site will not disturb any neighbor.

### Conditions of Approval

The following conditions shall be precedent to issuance and maintenance of an occupancy permit required under Section 46-78 of the Code of Ordinances of the Village of Hartland.

- (1) All temporary uses proposed for the site, including but not limited to greenhouse or greenhouse-like sales, shall be submitted to the Village of Hartland for review and approval as conditional uses as required by ordinance.
- (2) Tent sales of duration of no more than 7 days shall be considered temporary uses and subject to administrative review and approval by the Village of Hartland.
- (3) Display of equipment for lease by the tenant shall be limited to no more than 4 items to be located in the area identified as Area 1 on the site plan identified in item (5) below. No more than 2 items for lease by the tenant shall be located in the area identified as Area 2 on the site plan identified in item (5) below.
- (4) Items available for rent shall be cleaned up in the rear of the building on the site. Water resulting from any clean-up activities shall be managed in accordance with any and all applicable laws, ordinances and/or administrative rules.
- (5) Approved items of equipment for lease by the tenant include any of the following, but none other:
  - a. Skid Steer ( in Areas 1 or 2)
  - b. Backhoe (in Areas 1 or 2)
  - c. Trencher (in Areas 1 or 2)
  - d. Man lift (in Area 2 only)
  - e. Wood chipper (in Areas 1 or 2)
  - f. Log splitter (in Areas 1 or 2)
  - g. Stump Grinder (in Areas 1 or 2)
  - h. Mini-excavator (in Areas 1 or 2)
  - i. Auger (in Areas 1 or 2)

- (6) All items displayed on site shall be displayed and maintained in a neat, clean, organized and aesthetically appealing fashion. Each item displayed shall occupy a space no larger than one approved and properly marked automobile parking stall.
- (7) Any and all trucks utilized in conjunction with the business shall, when not in use, be parked in remotely approved parking stalls on site.
- (8) Panel or other trucks utilized by the tenant may be parked in display areas for a temporary time while snow removal is occurring on the remainder of the parking lot.
- (9) Off-street parking areas may not be utilized for storage or display of product or material inventory.
- (10) Equipment accessories must be attached to equipment and be fully functional or such accessories shall be considered a separate piece of equipment.
- (11) Multiple pieces of equipment on a single trailer shall be considered separate pieces of equipment.
- (12) No item located in Area 1 shall exceed 12 feet in overall height nor extend horizontally beyond the length of a typical marked parking stall, i.e. 19 feet long.
- (13) No item located in Area 2 shall exceed in height the height of the lowest adjacent building eave line.
- (14) Owner may request to amend the list of approved items of equipment for display in Areas 1 or 2 by submitting a request to the Building/Zoning Inspector for approval. If the Building/Zoning Inspector denies such a request, Owner may appeal said decision to the Zoning Code Board of Appeals.
- (15) In the event of a violation of the approved plan of operation, Owner will receive up to one written notice of violation per year. Additional violations will result in Village issuance of citations to Owner and/or Tenant. Continued or uncorrected violations may result in revocation of the approved plan of operation and/or prosecution including injunctive relief sought through circuit court.
- (16) A cross access easement between 580 Hartbrook Drive and 550 Hartbrook Drive (bowling alley property) shall be maintained and recorded in the form created and attached hereto as Exhibit 2.
- (17) The proposed cross access shall be restored with asphalt and installation of a yellow painted speed bump with appropriate gaps to allow for drainage may be constructed to minimize speeding between the two properties.
- (18) Improvements provided on the site plan, Exhibit 1, shall be completed no later than May 15, 2008, including all proposed landscaping and restoration.
- (19) A berm with landscaped ground cover shall be installed to prevent drainage onto the adjacent property (bowling alley) north of the propane tank. Owner shall maintain all landscape items in a healthy

condition. Owner shall replace any landscape items that die or are deemed unhealthy by the Village with like species and size per approved plans.

(20) The subject property elevation is higher than the property to the west, such that there is a natural tendency for storm water to flow across the property line to the west. Owner shall maintain barriers, etc. (per approved plans) to minimize storm water drainage across the property line. Owner is responsible for clean-up of any mulch, stone, or other materials transported across property lines.

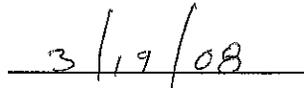
(21) Restoration: Owner shall install appropriate vegetative cover (grass, etc.), per approved plans, to stabilize the site and maintain said cover in perpetuity.

Submitted by:

Date:

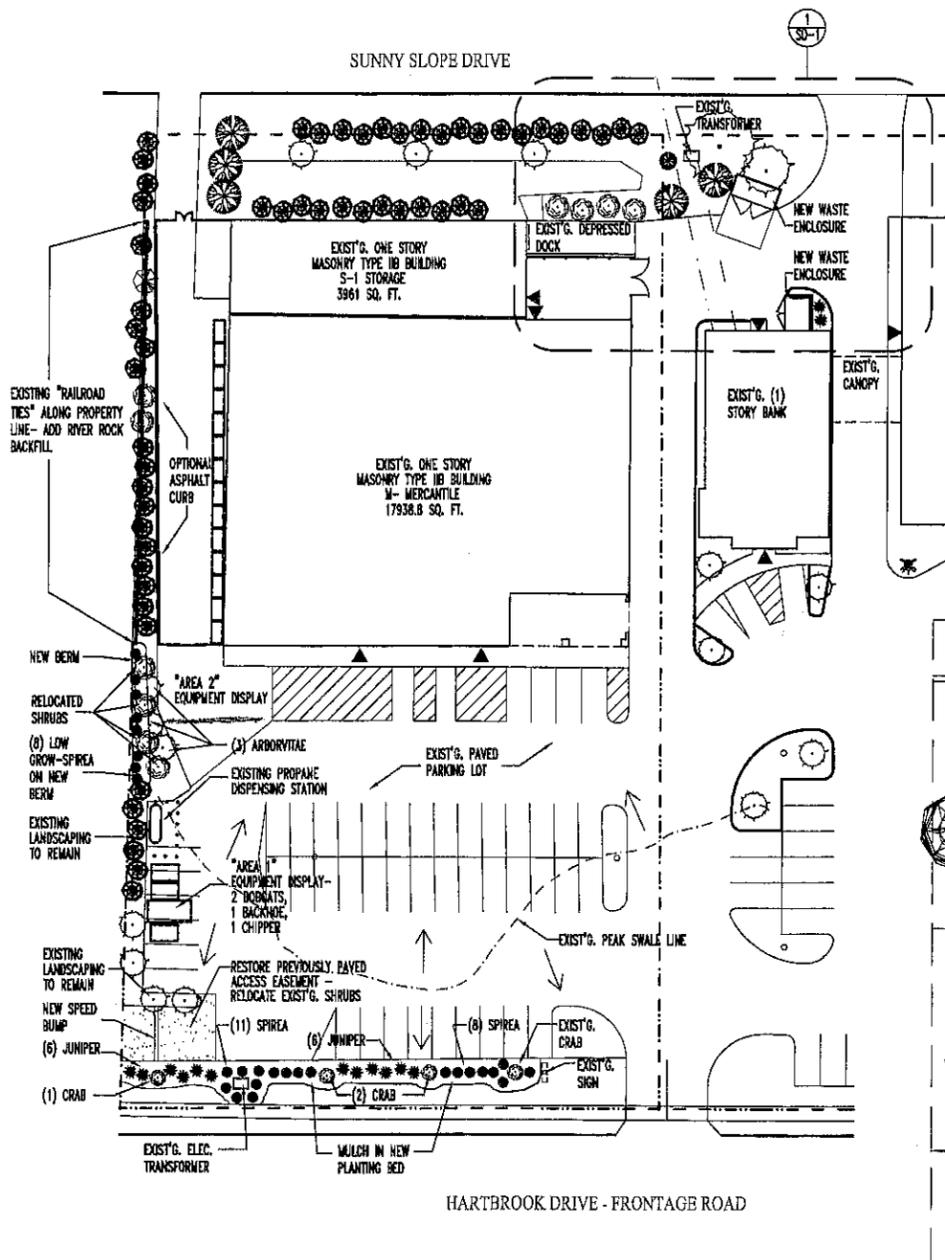


\_\_\_\_\_  
Anding Realty, Owner



Acknowledged and agreed by:

\_\_\_\_\_  
Thomas Biebel, Tenant



**SITE PLAN**

SCALE: 1" = 30'-0"

| COMMON NAME:       | QTY. | MINIMUM SIZE:       |
|--------------------|------|---------------------|
| CRAB APPLE TREE    | 3    | 2" - 2 1/2" CALIPER |
| SEAGREEN JUNIPER   | 12   | 18" SPREAD          |
| GOLDFLAME SPIREA   | 27   | 24" SPREAD          |
| TECHNEY ARBORVITAE | 3    | 6' - 5' TALL        |

ALL NEW TREES AND ARBORVITAE TO BE BALLED & BURLAPPED

**GENERAL NOTES**

ALL WORK SHALL CONFORM TO APPLICABLE STATE AND LOCAL CODES AND ORDINANCES. VERIFY EXISTING CONDITIONS AND DIMENSIONS AFFECTING THE WORK TO BE PERFORMED - REPORT ANY DISCREPANCIES TO THE ARCHITECT IMMEDIATELY. PROCEEDING WITH WORK WILL SIGNIFY ACCEPTANCE OF EXISTING CONDITIONS AND VERIFICATION OF DIMENSIONS THE ARCHITECT IS NOT RESPONSIBLE FOR VERIFICATION OF ANY DIMENSIONS FOR SHOP DRAWINGS OR MATERIALS PURCHASE ORDERS.

GENERAL CONTRACTOR SHALL COORDINATE THE WORK OF THE CONTRACTORS PERFORMING WORK, INCLUDING ANY WORK PROVIDED BY THE OWNER.

UNLESS OTHERWISE INSTRUCTED BY THE GENERAL CONTRACTOR AND/OR THE OWNER, EACH CONTRACTOR SHALL PERFORM CUTTING AND PATCHING, AS REQUIRED FOR PROPER COMPLETION OF THEIR WORK. PATCHING TO MATCH AS CLOSE AS POSSIBLE, UNLESS OTHERWISE INSTRUCTED. NO MATERIALS CONTAINING ASBESTOS OR ANY OTHER HAZARDOUS SUBSTANCE SHALL BE USED FOR ANY PART OF THIS PROJECT.

**GENERAL CONSTRUCTION NOTES:**

PROVIDE CARPENTRY, INSULATION, SEALANTS FINISHES, ETC. AS INDICATED ON THE DRAWINGS, AS REQUIRED BY CODE, AND AS NEEDED TO COMPLETE PROPOSED CONSTRUCTION.

ALL MATERIALS, FINISHES AND MISCELLANEOUS DETAILS NOT SPECIFICALLY ADDRESSED IN THESE DRAWINGS SHALL BE DISCUSSED WITH AND APPROVED BY THE OWNER, PRIOR TO INSTALLATION.

ALL NEW WORK, INCLUDING MECHANICAL AND ELECTRICAL CONTROLS, SHALL MEET OR EXCEED ALL APPLICABLE STATE AND FEDERAL ACCESSIBILITY REQUIREMENTS PERTAINING TO THIS BUILDING AND THE PROPOSED WORK.

**SITE DEVELOPMENT NOTES**

PRESERVE EXIST'G. TREES, SHRUBS, AND OTHER VEGETATION UNLESS OTHERWISE INDICATED. DO NOT PLACE SOIL, PILES OR PARK VEHICLES NEAR TREES MARKED FOR PRESERVATION.

INSTALL ALL EROSION CONTROL MEASURES BEFORE PROCEEDING WITH ANY WORK. (IF REQUIRED)

PROTECT AND MAINTAIN CONDUITS, DRAINS, PIPES, SEWERS, AND WYES WHICH ARE TO REMAIN ON THE PROPERTY, OR WHICH ARE TO REMAIN UNTIL NEW INSTALLATIONS ARE COMPLETE.

URING CONSTRUCTION AND CLEANUP, DO NOT MUMP DEBRIS ON ANY PART OF THE PROPERTY OR ANY UNAUTHORIZED PLACE. DEBRIS MAY NOT BE BURIED OR BURIED ON SITE.

PROVIDE FILTER FABRIC AT EXIST'G. CATCH BASINS TO PREVENT SEDIMENT FROM REACHING THE STORM SEWER SYSTEM. (IF REQUIRED)

ANY SEDIMENT REACHING THE PUBLIC STREET SHALL BE REMOVED BY STREET CLEANING (NOT FLUSHING) BEFORE THE END OF EACH WORK DAY.

IF USED, INSPECT AND REPAIR SILT FENCE ONCE A WEEK AND AFTER EVERY 1/2 INCH OF RAIN. REMOVE SEDIMENT IF DEPOSITS REACH HALF THE FENCE HEIGHT.

**ASPHALT / CONCRETE PAVING:**

SOME FIELD ADJUSTMENTS MAY BE NECESSARY AT POINTS WHERE PROPOSED PAVEMENT MEET EXIST'G. PAVEMENT/WALKS. REVIEW ANY REQUIRED CHANGES WITH THE ARCHITECT PRIOR TO CONSTRUCTION OF WORK.

PAVING CONTRACTOR SHALL PREPARE SURFACE FOR SITE IMPROVEMENTS. PROVIDE CONCRETE AND ASPHALT PAVEMENT AS INDICATED ON THE DRAWINGS, AS SPECIFIED, AND IN ACCORDANCE WITH LOCAL REQUIREMENTS.

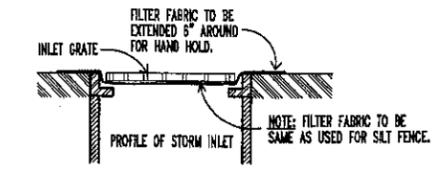
REMOVE LOOSE MATERIAL FOR COMPACTED SUB-BASE SURFACE IMMEDIATELY BEFORE APPLYING TACK COAT. PROOF ROLL PREPARED SUB-BASE SURFACE TO CHECK FOR UNSTABLE AREAS AND AREAS REQUIRING ADDITIONAL COMPACTING. DO NOT BEGIN PAVING WORK UNTIL DEFICIENT SUB-BASE AREAS HAVE BEEN CORRECTED AND ARE READY TO RECEIVE PAVING. SUB-BASE SHALL CONSIST OF COMPACTED CRUSHED, AGGREGATE BASE - AT LEAST 6 INCHES OF 3/4" TRAFFIC BOND OVER COMPACTED SOIL. (90% MINIMUM COMPACTION).

BITUMINOUS CONCRETE SURFACE COURSE- 1 1/2" TOP LAYER OF 8.5 MM H.M.A. MAX E.O.3 LIQUID ASPHALT PG 58-28 BITUMINOUS CONCRETE BINDER COURSE- 2" LAYER OF 12.5 MM H.M.A. MAX E.O.3

PROVIDE OTHER MATERIALS, NOT SPECIFICALLY DESCRIBED, BUT REQUIRED FOR A COMPLETE AND PROPER INSTALLATION, AS SELECTED BY THE PAVING CONTRACTOR.

**TRAFFIC AND LANE MARKINGS: (IF REQ'D.)**

SWEEP AND CLEAN SURFACE TO ELIMINATE LOOSE MATERIAL AND DUST. STRIPING TO 4" WIDE, YELLOW CHLORINATED BASE TRAFFIC LANE MARKING PAINT, FACTORY MIXED, QUICK DRYING, AND NON-SLEEDING. APPLY PAINT WITH MECHANICAL EQUIPMENT TO PRODUCE UNIFORM STRAIGHT EDGES. APPLY (2) COATS AT MANUFACTURER'S RECOMMENDED RATES.



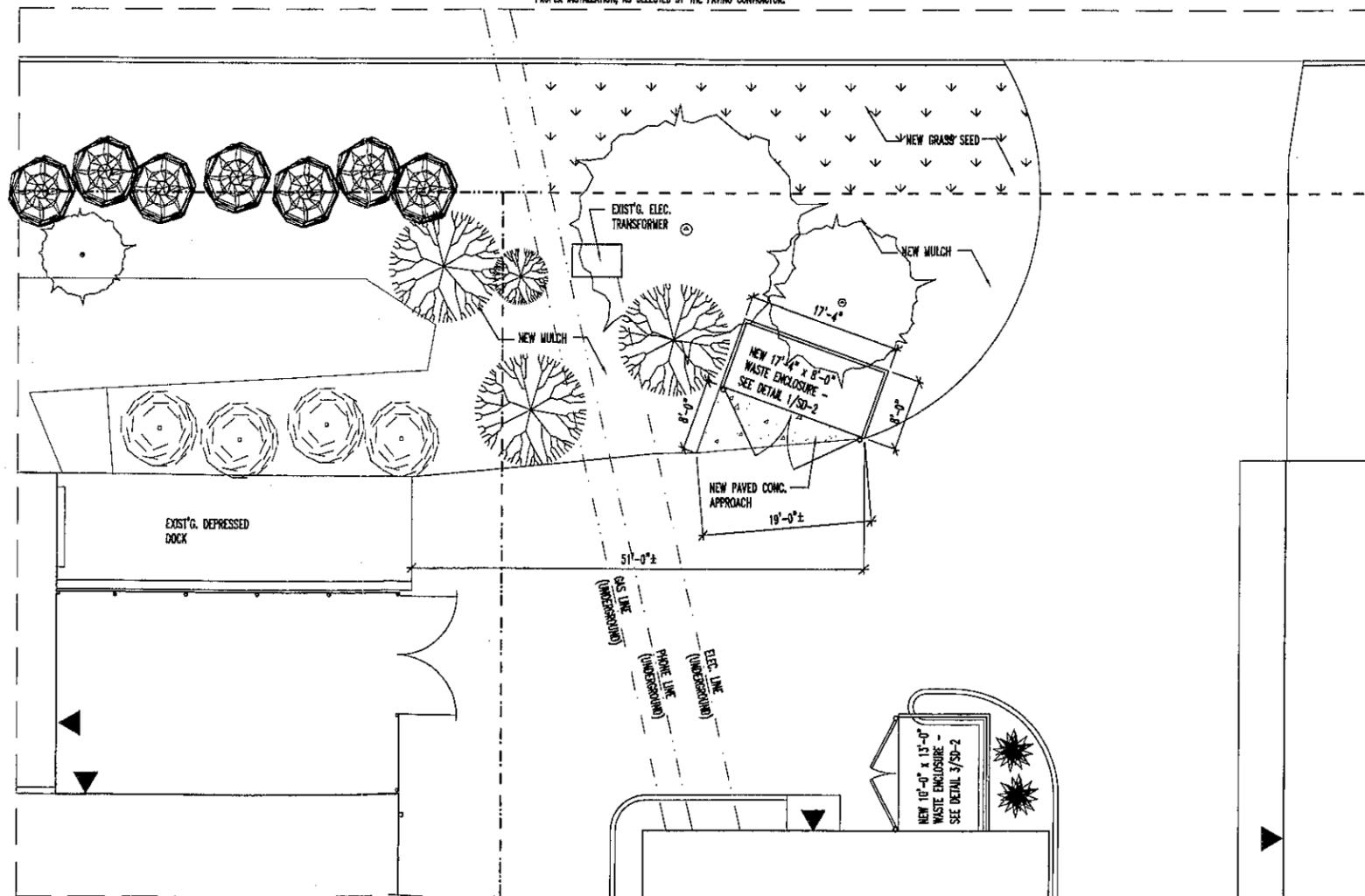
**2 INLET INSERT FABRIC**  
SD-1 NOT TO SCALE INSTALLED AS REQUIRED

**MAINTENANCE PLAN**  
1. ALL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE CHECKED FOR STABILITY AND OPERATION FOLLOWING EVERY RAINFALL-PRODUCING RAINFALL, BUT IN NO CASE LESS THAN ONCE EVERY WEEK. ANY NEEDED REPAIRS WILL BE MADE IMMEDIATELY TO MAINTAIN ALL PRACTICES AS DESIGNATED.

2. SEDIMENT WILL BE REMOVED FROM BEHIND THE SEDIMENT FENCE WHEN IT BECOMES ABOUT 0.5 FT IN DEPTH AT THE FENCE. THE SEDIMENT FENCE WILL BE REPAIRED AS NECESSARY TO MAINTAIN A BARRIER.

NOTE: IF SITE IS LEFT INACTIVE FOR AT LEAST SEVEN (7) DAYS, TEMPORARY STABILIZATION IS REQUIRED FOR ALL DISTURBED AREAS INCLUDING TOPSOIL. FULL AREA.

3. ALL SEEDING AREAS WILL BE FERTILIZED, RESEEDING AS NECESSARY, AND MAINTAIN A VIGOROUS, DENSE VEGETATIVE COVER.



**1 ENLARGED SITE PLAN**

SD-1 SCALE: 1/8" = 1'-0"

**Progress Dates**

|     |          |    |
|-----|----------|----|
| CD  | 12/13/07 | PS |
| CD  | 01/14/08 | PS |
| REV | 02/15/08 | TM |



**TL Finke & Associates**  
An Architectural Service Corporation

6901B S. 20th Street  
Oak Creek, Wisconsin 53154  
(414) 856-1900  
(414) 856-1901 fax  
www.tlfinke.com

**Project Type**

New Access Drive & Dumpster Enclosures

**Project Name**

Biebel's Hardware

**Location**

580 Hartbrook Drive  
Hartland, WI 53029

**CONTACT**

Tom Piacentine  
ICS, Inc.  
12660 W. Capitol Drive  
Brookfield, WI 53005  
(262) 790-1911  
(262) 790-1964 FAX

**Project Start Date**

09/27/06 DNK

**Job Number**

06536

**Sheet Number**

**SD-1**

"EXHIBIT 1"

## Darlene Igl

---

**From:** Ann Franke <annfranke42@gmail.com>  
**Sent:** Thursday, April 27, 2023 11:45 AM  
**To:** Darlene Igl  
**Subject:** Biebels

I am sending some pictures of Biebels outside area for our next planning architect meeting. I will be sending you one more email with pictures because I couldn't send them all in one.







Ann

## Darlene Igl

---

**From:** Ann Franke <annfranke42@gmail.com>  
**Sent:** Thursday, April 27, 2023 11:46 AM  
**To:** Darlene Igl  
**Subject:** Pictures  
**Attachments:** IMG\_9592.MOV







Ann

SUNNYSLOPE APARTMENTS LLC  
9001 N WHITE OAK LN  
BAYSIDE, WI 53217

WHPC-BREEZEWOOD II LLC  
150 E GILMAN ST UNIT 1500  
MADISON, WI 53703-1499

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150 E GILMAN ST UNIT 1500  
MADISON, WI 53703-1499

TMPN HARTLAND LLC AND HARTLAND  
PLAZA LLC  
138 BUNTROCK AVE  
THIENSVILLE, WI 53092-1535

**Notice of Public Hearing Conditional Use**

**Monday, May 15, 2023, 7:00 pm**

**Board Room, Municipal Building, 210 Cottonwood Ave.**

Please take notice that there will be a Public Hearing before the **Plan Commission** to consider the following:

Conditional Use in the B-2 Zoning District per Village Code Sec. 46-469.

Applicant seeks a Conditional Use for Tax Key No. HAV 427 997 010 for the operation of a temporary greenhouse at 580 Hartbrook Drive.

Applicant: Biebel's True Value, 580 Hartbrook Drive, Hartland WI 53029

Interested persons may attend the hearing in person or submit their comments to the Village Clerk's office, in writing, before said hearing.

Information regarding the above noticed hearing may be obtained in the Clerk's office.

Darlene Igl, MMC/WCPC, Village Clerk

# 246828

1280 Bristlecone



APPLICATION FOR PLAN COMMISSION

☐ \$300 REVIEW FEE DUE AT TIME OF APPLICATION

Form with fields: Project Description (GAZEBO SHELTER ON CEMENT SLAB), Proposed Use (SHELTER FOR PARK PATRONS), Project Location (BRISTLECONE PINES PLAYGROUND AREA), Project Name (PLAYGROUND SHELTER), Owner (HOA), Phone (414 587 3011), Address (LOT 11 BRISTLECONE PINE), City (HARTLAND), State (WIS), Zip (53029), Engineer/Architect (DAVID FRANKS), 262 894 8902, Contact Person (GEOFFREY DACZYK), 262 894 8902

The Plan Commission meets on the third Monday of the Month at 7:00 PM in the Village Board Room of the Hartland Municipal Building located at 210 Cottonwood Avenue, Hartland.

The deadline for filing is a minimum of fifteen (15) working days before the meeting.

All of the requested information must be received prior to the deadline in order to be placed on the agenda. Village Plan Review Staff has been directed to delay placement on the Plan Commission Agenda based on incomplete submittals.

Four (4) sets of bound application materials and one (1) electronic copy of all materials must be submitted.

Applications that include site plans must depict the following existing and proposed information:

- Complete dimensions (lot, building, setbacks, parking, drives, etc.)
➤ Scale and north arrow
➤ All structures (include building elevations and height)
➤ Drainage and grades (include design calculations for drainage)
➤ Storm Water Management Plan
➤ Utilities and easements (sewer, water, storm etc.)
➤ Calculation of lot coverage
➤ Parking stalls (stalls to be minimum 180 s.f., driving lanes minimum 24 ft. wide and 30 ft. maximum at street right-of-way, asphalt to be minimum 3 ft. from lot lines)
➤ Grading and erosion control
➤ Landscaping, including a Tree Protection Plan
➤ Exterior lighting details
➤ Exterior HVAC equipment location
➤ Dumpster location (screening required)
➤ Street right-of-way
➤ Miscellaneous, 100 year floodplain, wetland boundary, environmental corridor

Additional information may be requested by the Plan Commission or Staff.

All applications for consideration by the Plan Commission are subject to the policies described in this document.

Table with 3 columns: Date Applied:, Date of Meeting:, Return Comments by:



Department of Building Inspection

PERMIT # \_\_\_\_\_

# APPLICATION FOR BUILDING PERMIT

210 Cottonwood Avenue • Hartland, WI 53029 • Phone (262) 367-4744 • Fax (262) 367-2430

JOB LOCATION PLAYGROUND/TENNIS COURTS (SEE ATTACHED MAP)

LOT 11 BLOCK \_\_\_\_\_ SUBD BRISTLECOPE PINES TAX KEY \_\_\_\_\_

OWNER BRISTLECOPE PINES HOA PHONE 414 587 3011 FAX \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY, STATE, ZIP \_\_\_\_\_

CONTRACTOR DAVID FRANKS, TOMASELLO PHONE 262 894 8902 FAX \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY, STATE, ZIP \_\_\_\_\_

When permit is ready notify: Contractor  Owner By: Mail Phone Fax

Project Description: CEMENT SLAB, SHELTER CONSTRUCTION 12X20

Current principal use of property PLAYGROUND, TENNIS COURT

Proposed principal use of property SAME

Width 12 FT Length 20 FT Sq. Ft. 240 Height 10.2" Cu. Ft. \_\_\_\_\_

Estimated cost of above job(s) \$ 7,300.00 (SLAB) \$ 10,000. (SHELTER)

State Approval \_\_\_\_\_ Date \_\_\_\_\_

Class of Construction \_\_\_\_\_ Sprinkler \_\_\_\_\_ Stories \_\_\_\_\_

**TO THE BUILDING INSPECTOR:** The undersigned hereby applies for a permit to do work herein described according to the plans and specifications filed herewith and located as shown on this application. The undersigned agrees that such work will be done in accordance with the said description, plans and specifications and in compliance with the Uniform Dwelling Code of Wisconsin Administrative Code, Zoning Ordinance, all other ordinances of the Village of Hartland and with all the laws and orders of the State of Wisconsin applicable to said premises.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

**CONDITIONS OF APPROVAL:** This permit is issued pursuant to the following conditions. Failure to comply may result in suspension or revocation of this permit or other penalty.

1. See plans for possible conditions/recommendations
2. \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

\_\_\_\_\_ TOTAL FEES

\_\_\_\_\_ Date Paid

\_\_\_\_\_ Receipt

Meeting dates plans were approved for building permit:  
Plan Commission \_\_\_\_\_ Village Board \_\_\_\_\_ Arch Board \_\_\_\_\_

APPLICATION APPROVED ON: \_\_\_\_\_ DATE \_\_\_\_\_ BY: \_\_\_\_\_ BUILDING INSPECTOR



0 36.71 Feet

Printed: 4/29/2023

The information and depictions herein are for informational purposes and Waukesha County specifically disclaims accuracy in this reproduction and specifically administers and maintains the GIS data. The user assumes all responsibility for any use of the information and depictions herein, or for any other official use. Waukesha County will not be responsible for any damages which result from third party use of the information and depictions herein.

Notes



landscape engineer wood chips berm  
playground on 12' x 12' easement

drainage easement  
Waukesha County GIS Map  
Waukesha County GIS Map

tennis courts  
asphalt path

existing shelter to be removed

parking lot

Proposed site for new structure

167.51'

0430 187

63.56'

264.51'

63.56'

0430 194

674.56'

TOWN OF MERTON

456.725'

0430 999 005

## Goal

To establish a shaded shelter next to the playground for residents to use on a daily basis. And to provide a meeting / serving place for planned gatherings at the HOA community park.

- ① Excavation - Contractor (D.J. Frank) shall first excavate an estimated (6) six cubic yards of soil from the site with a wheeled skid steer and haul away soil from the site immediately after with a quad axel dump truck to make way for the installation of the base for the new 6" thick concrete pad.
- ② Installation of the new pad.  
The new base material will consist of 6" of #1 limestone that is compacted with a plate compactor. The contractor will then form the perimeter with 2" x 6" materials that are secured with steel

2(cont)

form stakes. We will install 3 lines of  $\frac{1}{2}$ " rebar around the outside 24" of the pad to further strengthen the concrete for a surface mounted structure to be installed. We will then use a low chert fiber concrete to pour the pad and finish with a broom for traction.

③ Restoration of area. The area will then be retored with screened top soil, premium grass seed, starter fertilizer and straw mat.

Geofrey Daczyk

David J Frank

cell 262-894-8902

# BRISTLE CONE PINES PLAYGROUND SHELTER

20 FT X 12 FT CEDAR WOOD GAZEBO/SHELTER  
WITH A STEEL ROOF

ALL POWDER COATED STEEL BRACES.

ALL LUMBER IS PRE-CUT AND PRE-DRILLED

ROOF IS SUPPORTED WITH SIX (6x6) WOOD  
BEAMS PLACED INTO SIMPSON BASE SLEEVES  
ANCHORED WITH 4 6" BOLTS INTO THE  
CONCRETE SLAB. THERE WILL BE 6 SLEEVES

THE STEEL ROOF IS RATED AT 50 LBS/SQ FT  
CERTIFIED TO WITHSTAND 30" OF SNOW  
LOAD. IT IS ALSO RATED TO STAND-UP  
TO 100 MPH WINDS. THE STRUCTURE IS  
OPEN ON ALL SIDES.

THE STRUCTURE WILL NOT HAVE ANY  
CONNECTED ELECTRICAL LINES.

COLOR OF STRUCTURE WILL BE BROWN  
WITH A GREEN ROOF. NO TREES OR  
OTHER PLANT MATERIAL WILL BE PLACED  
NEARBY.

TOMASELLO CONTRACTORS  
414 403 9240



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OPEN until 10 pm

Delivering to  
53018

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Home / Storage & Organization / Outdoor Storage / Shade Structures / Gazebos

Internet #322230767 Model #2207011COM Store SKU #1008426860



Backyard Discovery

### Norwood 20 ft. x 12 ft. All Cedar Wooden Carport Pavilion Gazebo with Hard Top Steel Roof

★★★★★ (55) Questions & Answers (37)



Hover Image to Zoom

\$3999<sup>00</sup>

\$334.00 /mo\* suggested payments with 12 months\* financing [Apply Now](#)

Pickup at [West Allis](#)

Delivering to [53018](#)

**Ship to Store**

Apr 19 - Apr 24

25 available

**FREE**

**Delivery**

Apr 19 - Apr 27

25 available

Live Chat

Feedback

- 1 +

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— or —

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## Product Details



The cedar 20x12 Norwood Carport/Gazebo/Pavillion by Backyard Discovery is our largest multi-function gazebo to date. The expansive 20x12 Norwood has versatile functionality and can be used for relaxing and entertaining or as an alternative to a garage. Protect vehicles, boats, trailers and more from the damaging elements or enjoy an alfresco dinner under the shade of the heat reducing roof with friends and family. The Pro-Tect Certified 20x12 Norwood is certified to withstand 12,600 pounds of snow load and up to 100 mph winds ensuring years of worry free use. The 20x12 Norwood also features our exclusive PowerPort with 3 outlets and 3 USB ports to power up lights, music and much more. The possibilities are endless under the stately cedar 20x12 Norwood Carport/Gazebo/Pavillion.

## Additional Resources

### From the Manufacturer

## Specifications

Dimensions: H 122 in, W 237.5 in, D 145.25 in



## Questions & Answers

37 Questions



## Customer Reviews

5 out of 5 ★★★★★ (55)



## Frequently Bought Together

Select

This Item

Select

Select



**Backyard Discovery**  
Norwood 20 ft. x 12 ft. All Cedar Wooden Carport...

★★★★★ (55)

**Backyard Discovery**  
Norwood 16 ft. x 12 ft. Light Brown Wooden Gazebo

★★★★★ (145)

**Black 3-Piece Metal Square**  
Outdoor Patio Bar Set wit...

★★★★★ (121)

**Ba**  
Sa:  
Gri

★

[Live Chat](#)

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Norwood 20 ft. x 12 ft. All Cedar Wooden Carport Pavilion Gazebo with Hard To...  
 by Backyard Discovery ★★★★★ (55)  **\$3999<sup>00</sup>**



[Product Details](#)

[Specifications](#)

[Questions & Answers](#)

[Customer Reviews](#)

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Internet #322230767 Model #2207011COM Store SKU #1008426860



Backyard Discovery

## Norwood 20 ft. x 12 ft. All Cedar Wooden Carport Pavilion Gazebo with Hard Top Steel Roof

★★★★★ (55)  [Questions & Answers \(37\)](#)

[Live Chat](#)  
[Feedback](#)



Hover Image to Zoom



Norwood 20 ft. x 12 ft. All Cedar Wooden Carport Pavilion Gazebo with Hard To...  
by Backyard Discovery  **\$3999<sup>00</sup>**

Pickup at [Delafield](#)

Delivering to [53018](#)

### Ship to Store

Apr 19 - Apr 24

25 available

**FREE**

### Delivery

Apr 19 - Apr 27

25 available

- 1 +

 Add to Cart

— or —

Buy now with **PayPal**

 Live Chat

 Feedback

## Product Details

## Specifications

Dimensions: H 122 in, W 237.5 in, D 145.25 in

## Dimensions

|                          |           |
|--------------------------|-----------|
| Approximate Depth (ft.)  | 12        |
| Approximate Height (ft.) | 10        |
| Approximate Width (ft.)  | 20        |
| Assembled Depth (in.)    | 145.25 in |
| Assembled Height (in.)   | 122 in    |
| Assembled Width (in.)    | 237.5 in  |
| Canopy Depth (in.)       | 192.25 in |
| Canopy Width (in.)       | 226.25 in |



Norwood 20 ft. x 12 ft. All Cedar Wooden Carport Pavilion Gazebo with Hard To...  
by Backyard Discovery  **\$3999<sup>00</sup>**

|  |           |
|--|-----------|
| Outside Post Spacing Depth (in.)   | 129.25 in |
| Outside Post Spacing Width (in.)   | 226.25 in |
| Overall Height from ground to top of canopy/Overall Dimensions in Height (in.) | 122 in    |
| Width (ft) x Depth (ft)  | 20x12     |

## Details

|  |  |
|--|--|
| Canopy Style   | Peaked   |
| Color Family   | Brown  |
| Commercial/Residential                                   | Commercial, Residential  |
| Floor Options  | Without Floor  |
| Frame Material   | Wood   |
| Gazebo Features  | Canopy, Hardtop, Rust-Resistant Components, Water Resistant                        |
| Gazebo Type  | Permanent  |
| Included   | Assembly Instructions, Building Components   |
| Manufacturers Recommended Assembly Time (hours)          | 20   |
| Manufacturers Recommended Tools needed for Assembly      | Drill, Hammer, Square, Screwdriver, Wrenches, Ratchet, Tape Measure, Mallet, Level |
| Maximum Roof Load  | 52.5   |
| Maximum Wind Resistance                                  | 100  |
| Number of People Recommended by Manufacturer to Assemble | 2  |
| Outdoor Living Product Type                              | Gazebo   |
| Product Weight (lb.)                                     | 1145.19 lb   |





Norwood 20 ft. x 12 ft. All Cedar Wooden Carport Pavilion Gazebo with Hard To...  
by Backyard Discovery \$3999<sup>00</sup>



## Warranty / Certifications

Manufacturer Warranty

5 Year Limited Warranty

How can we improve our product information? Provide feedback.

## Questions & Answers

37 Questions

## Customer Reviews

5 out of 5 ★★★★★ (55)

## Frequently Bought Together

Select

This Item

Select

Select

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+



+



**Backyard Discovery**  
Norwood 20 ft. x 12 ft. All Cedar Wooden Carport...

★★★★★ (55)

**\$3999<sup>00</sup>**

**Backyard Discovery**  
Norwood 16 ft. x 12 ft. Light Brown Wooden Gazebo

★★★★★ (145)

**\$3299<sup>00</sup>**

**Black 3-Piece Metal Square Outdoor Patio Bar Set wit...**

★★★★★ (121)

**\$294<sup>59</sup>** ~~\$346.58~~  
Save \$51.99 (15%)

**Ba Sa: Gri**

★

**\$1**

Live Chat

Feedback

Store: 3195  
 Date: 03/28/2023 - 3:16 PM  
 Design Name: Truss Designer  
 Design ID: 319557050913  
 Estimated Price: \$449.96

**MENARDS**  
**Design & Buy™**  
**TRUSS**

\*Today's Estimated Price. Future pricing may go up or down. Tax, labor, and delivery not included

|   |  |
|---|--|
| <p><b>How to recall and purchase your design at home:</b></p>  <p style="text-align: center;"><b>OR</b></p> <ol style="list-style-type: none"> <li>1. On Menards.com, enter "Design &amp; Buy" in the search bar</li> <li>2. Select the Truss Designer</li> <li>3. Recall your design by entering Design ID: 319557050913</li> <li>4. Follow the on-screen purchasing instructions</li> </ol> | <p><b>How to purchase your design at the store:</b></p> <ol style="list-style-type: none"> <li>1. Enter Design ID: 319557050913 at the Design-It Center Kiosk in the Building Materials Department</li> <li>2. Follow the on-screen purchasing instructions</li> </ol> |
|---|--|

|   |  |  |
|---|--|--|
| <p><b>Truss Type:</b> Scissor<br/> <b>SKU:</b> 1004547<br/> <b>Span:</b> 10'<br/> <b>O.C. Spacing:</b> 2'<br/> <b>Pitch:</b> 4/12<br/> <b>Heel Height:</b> 3-15/16"<br/> <b>Left Overhang:</b> 1'<br/> <b>Right Overhang:</b> 1'<br/> <b>Loading:</b> 30-7-0-10<br/> <b>Shipping Length:</b> 12'<br/> <b>Shipping Height:</b> 2' 3-11/16"</p> |  | <p>Price Each: \$40.37<br/>         Quantity: x 9<br/> <b>Total Price:</b> <u>                    </u> <b>\$363.33</b></p> |
|---|--|--|

|  |  |   |
|--|--|---|
| <p><b>Truss Type:</b> Standard End<br/> <b>SKU:</b> 1004547<br/> <b>Span:</b> 10'<br/> <b>Pitch:</b> 4/12<br/> <b>Heel Height:</b> 3-15/16"<br/> <b>Left Overhang:</b> 1'<br/> <b>Right Overhang:</b> 1'<br/> <b>Shipping Length:</b> 12'<br/> <b>Shipping Height:</b> 2' 3-11/16"</p> |  | <p>Price Each: \$37.54<br/>         Quantity: x 2<br/> <b>Total Price:</b> <u>                    </u> <b>\$75.08</b></p> |
|--|--|---|

**Pickup Information:** **Total Price: \$449.96**  
**MENARDS - FRANKLIN Store** \*Price shown is delivered to the MENARDS - FRANKLIN store.

**Comments:**

- Today's price, future pricing may go up or down. Tax, labor and delivery from store are not included. Truss picture(s) are for representation only.
- Price shown is delivered to the MENARDS - FRANKLIN store.
- Take this quote to the Building Materials desk to order.
- Loading values are just an estimate. Please contact your local building inspector to verify your code requirements.

This is an estimate. It is given only for general price information. This is not an offer and there can be no legally binding contract between the parties based upon this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions. MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY OF THE MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully. MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST, BECAUSE OF WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS.

**For other design systems Search "Design & Buy" on Menards.com**

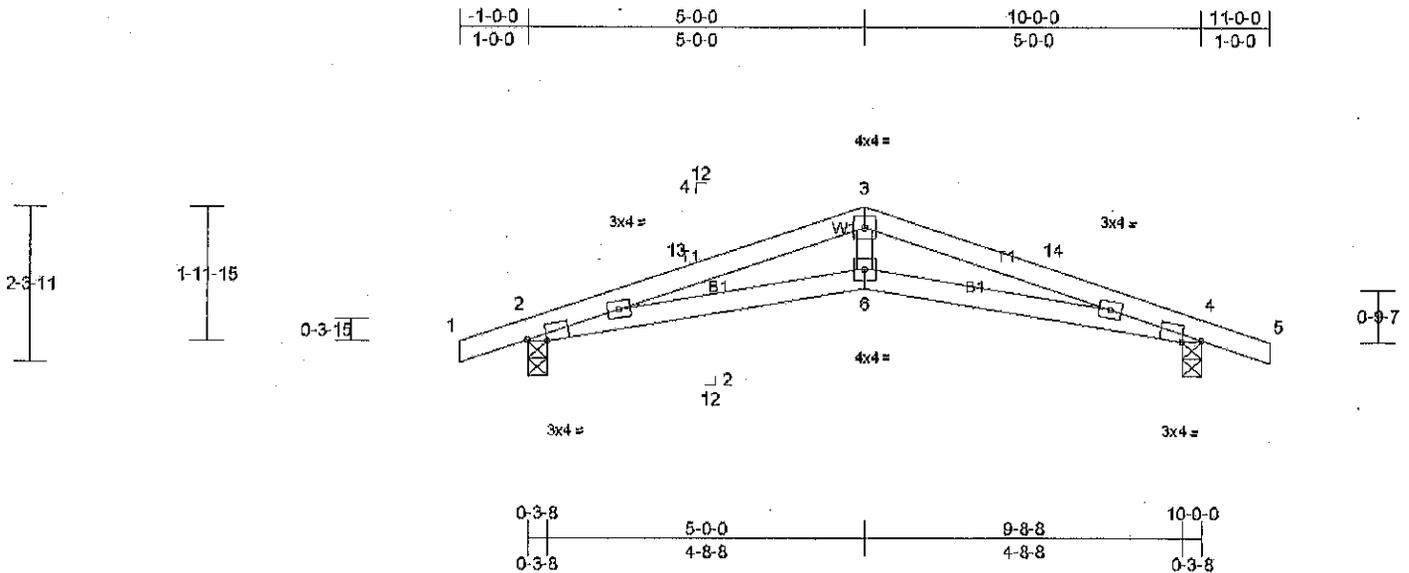
|                     |             |                        |          |          |                          |
|---------------------|-------------|------------------------|----------|----------|--------------------------|
| Job<br>QTREC0738238 | Truss<br>S1 | Truss Type<br>SCISSORS | Qty<br>2 | Ply<br>1 | Job Reference (optional) |
|---------------------|-------------|------------------------|----------|----------|--------------------------|

Midwest Manufacturing, Eau Claire, WI

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Scale = 1:32.8

Plate Offsets (X, Y): [2:0-3-8,Edge], [4:0-3-8,Edge]

| Loading      | (psf)     | Spacing         | 2-0-0           | CSI       | DEFL | in        | (loc) | l/defl | L/d  | PLATES | GRIP          |          |
|--------------|-----------|-----------------|-----------------|-----------|------|-----------|-------|--------|------|--------|---------------|----------|
| TCLL (roof)  | 30.0      | Plate Grip DOL  | 1.15            | TC        | 0.26 | Vert(LL)  | -0.06 | 6-12   | >999 | 240    | MT20          | 197/144  |
| Snow (Ps/Pg) | 27.7/40.0 | Lumber DOL      | 1.15            | BC        | 0.41 | Vert(TL)  | -0.11 | 6-12   | >999 | 180    |               |          |
| TCDL         | 7.0       | Rep Stress Incr | YES             | WB        | 0.31 | Horiz(TL) | 0.05  | 4      | n/a  | n/a    |               |          |
| BCLL         | 0.0*      | Code            | IRC2009/TPI2007 | Matrix-MS |      |           |       |        |      |        |               |          |
| BCDL         | 10.0      |                 |                 |           |      |           |       |        |      |        | Weight: 27 lb | FT = 15% |

**LUMBER**

TOP CHORD 2x4 SPF No.2  
 BOT CHORD 2x4 SPF No.2  
 WEBS 2x3 SPF Stud

**BRACING**

TOP CHORD  
 BOT CHORD

Structural wood sheathing directly applied or 4-10-15 oc purlins.  
 Rigid ceiling directly applied or 10-0-0 oc bracing.

**REACTIONS** (lb/size) 2=544/0-3-8, (min. 0-1-8), 4=544/0-3-8, (min. 0-1-8)  
 Max Horiz 2=25 (LC 8)  
 Max Uplift 2=76 (LC 9), 4=76 (LC 10)

MITek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

**FORCES** (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown  
 TOP CHORD 2-13=1299/224, 3-13=1268/231, 3-14=1268/231, 4-14=1299/224  
 BOT CHORD 2-6=162/1228, 4-6=162/1228  
 WEBS 3-6=277/508

**NOTES**

- Unbalanced roof live loads have been considered for this design.
- Wind: ASCE 7-05; 90mph; TCDL=4.2psf; BCDL=6.0psf; h=25ft; Cat. II; Exp B; Enclosed; MWFRS (low-rise) exterior zone and C-C Exterior (2) zone; cantilever left and right exposed; end vertical left and right exposed; C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60
- TCLL: ASCE 7-05; Pr=30.0 psf (roof live load; Lumber DOL=1.15 Plate DOL=1.15); Pg=40.0 psf (ground snow); Ps=27.7 psf (roof snow; Lumber DOL=1.15 Plate DOL=1.15); Category II; Exp B; Fully Exp.; Ct=1.10
- Roof design snow load has been reduced to account for slope.
- Unbalanced snow loads have been considered for this design.
- This truss has been designed for greater of min roof live load of 12.0 psf or 1.00 times flat roof load of 27.7 psf on overhangs non-concurrent with other live loads.
- This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
- \* This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-06-00 tall by 2-00-00 wide will fit between the bottom chord and any other members.
- Bearing at joint(s) 2, 4 considers parallel to grain value using ANSI/TPI 1 angle to grain formula. Building designer should verify capacity of bearing surface.
- Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 76 lb uplift at joint 2 and 76 lb uplift at joint 4.

**LOAD CASE(S)** Standard

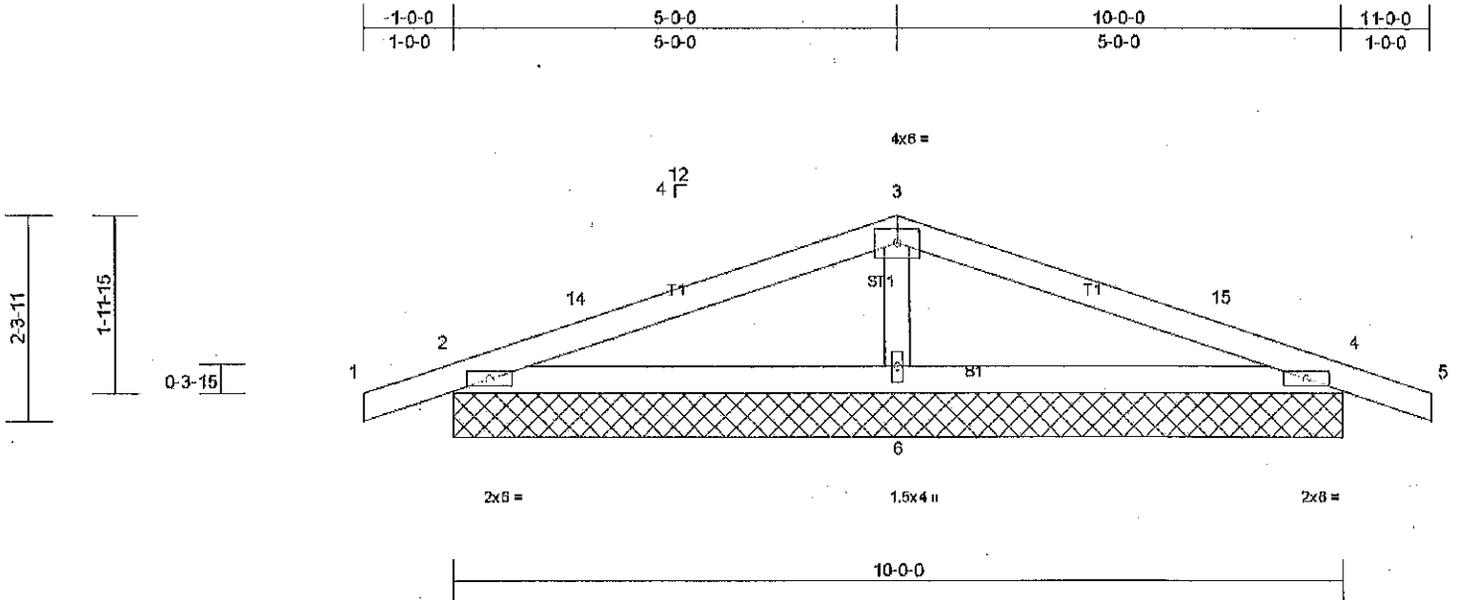
|                     |              |                      |          |          |                          |
|---------------------|--------------|----------------------|----------|----------|--------------------------|
| Job<br>QTREC0765099 | Truss<br>T1E | Truss Type<br>COMMON | Qty<br>2 | Ply<br>1 | Job Reference (optional) |
|---------------------|--------------|----------------------|----------|----------|--------------------------|

Midwest Manufacturing, Eau Claire, WI

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Page: 1

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Scale = 1:24.8

| Loading      | (psf)     | Spacing         | 2-0-0           | CSI       | DEFL | in        | (loc) | l/defl | L/d | PLATES | GRIP          |          |
|--------------|-----------|-----------------|-----------------|-----------|------|-----------|-------|--------|-----|--------|---------------|----------|
| TCLL (roof)  | 42.0      | Plate Grip DOL  | 1.15            | TC        | 0.33 | Vert(LL)  | n/a   | -      | n/a | 999    | MT20          | 197/144  |
| Snow (Ps/Pg) | 41.6/60.0 | Lumber DOL      | 1.15            | BC        | 0.20 | Vert(TL)  | n/a   | -      | n/a | 999    |               |          |
| TCDL         | 7.0       | Rep Stress Incr | YES             | WB        | 0.08 | Horiz(TL) | 0.00  | 2      | n/a | n/a    |               |          |
| BCLL         | 0.0*      | Code            | IRC2009/TPI2007 | Matrix:MS |      |           |       |        |     |        | Weight: 28 lb | FT = 15% |
| BCDL         | 10.0      |                 |                 |           |      |           |       |        |     |        |               |          |

**LUMBER**  
 TOP CHORD 2x4 SPF No.2  
 BOT CHORD 2x4 SPF No.2  
 OTHERS 2x4 SPF Stud

**BRACING**  
 TOP CHORD  
 BOT CHORD

Structural wood sheathing directly applied or 6'-0'-0" oc purlins.  
 Rigid ceiling directly applied or 10'-0'-0" oc bracing.

**REACTIONS** All bearings 10'-0'-0'.  
 (lb) - Max Horiz 2=25 (LC 8), 7=25 (LC 8)  
 Max Uplift All uplift 100 (lb) or less at joint(s) 2, 4, 6, 7, 11  
 Max Grav All reactions 250 (lb) or less at joint(s) except 2=455 (LC 3),  
 4=455 (LC 4), 6=630 (LC 1), 7=455 (LC 3), 11=455 (LC 4)

**FORCES** (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.  
 TOP CHORD 2-14=652/82  
 BOT CHORD 2-6=877/32  
 WEBS 3-6=367/96

- NOTES**
- Unbalanced roof live loads have been considered for this design.
  - Wind: ASCE 7-05; 90mph; TCDL=4.2psf; BCDL=6.0psf; h=25ft; Cat. II; Exp B; Enclosed; MWFRS (low-rise) exterior zone and C-C Exterior (2) zone; cantilever left and right exposed; end vertical left and right exposed; C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60
  - Truss designed for wind loads in the plane of the truss only. For studs exposed to wind (normal to the face), see Standard Industry Gable End Details as applicable, or consult qualified building designer as per ANSI/TPI 1.
  - TCLL: ASCE 7-05; Pr=42.0 psf (roof live load; Lumber DOL=1.15 Plate DOL=1.15); Pg=60.0 psf (ground snow); Ps=41.6 psf (roof snow; Lumber DOL=1.15 Plate DOL=1.15); Category II; Exp B; Fully Exp.; Ct=1.10
  - Roof design snow load has been reduced to account for slope.
  - Unbalanced snow loads have been considered for this design.
  - This truss has been designed for greater of min roof live load of 12.0 psf or 1.00 times flat roof load of 4.1.6 psf on overhangs non-concurrent with other live loads.
  - Gable requires continuous bottom chord bearing.
  - Gable studs spaced at 2'-0'-0" oc.
  - This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
  - \* This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3'-0'-0" tall by 2'-0'-0" wide will fit between the bottom chord and any other members.
  - Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) 2, 4, 6, 2, 4.

**LOAD CASE(S)** Standard

BLAKE & SARAH RIGEL  
1410 E BRISTLECONE DR  
HARTLAND, WI 53029-8653

BRISTLECONE PINES COMMUNITY  
ASSOCIATION INC  
C/O DON TUSHAUS  
1209 SWEETBRIAR LN  
HARTLAND, WI 53029-8635

JOHN & JUDITH CARLSON  
1401 E BRISTLECONE DR  
HARTLAND, WI 53029

JOHN PELLETIER  
1111 COLONIAL DR  
HARTLAND, WI 53029-8017

JOHN STEVEN & DEBRA LEE ENSEY  
N55W28983 COUNTY ROAD K  
HARTLAND, WI 53029-8615

LOT OWNERS OF MARY HILL  
6255 UNIVERSITY AVE STE 101 C/O MARY  
HILL HOMEOWNERS ASSOCIATION  
MIDDLETON, WI 53562

NEAL & MELODY WEST  
1110 COLONIAL DR  
HARTLAND, WI 53029

PETER J JUNGBLUTH  
1614 10TH AVE  
FRIENDSHIP, WI 53934-9757

THE LEGEND AT BRISTLECONE PINES LLC  
1 LEGEND WAY  
WALES, WI 53183

WESTLAKE LIVING TRUST  
1403 E BRISTLECONE DR  
HARTLAND, WI 53029

TIMOTHY & BRENDA ONEILL  
1420 E BRISTLECONE DR  
HARTLAND, WI 53029

1 STATE OF WISCONSIN WAUKESHA COUNTY VILLAGE OF HARTLAND

2  
3 ORDINANCE NO. \_\_\_\_\_

4  
5 AN ORDINANCE CREATING §46-909, 46-910 and §46-911  
6 OF THE VILLAGE OF HARTLAND CODE OF ORDINANCES  
7 REGULATING HOTELS AND MOTELS

8 AND  
9 AMENDING §§ 46-1, 46-466, 46-469, 46-491, 46-492, 46-494, 46-516, 46-519 and 66-14  
10 OF THE VILLAGE OF HARTLAND CODE OF ORDINANCES

11  
12 THE VILLAGE BOARD OF THE VILLAGE OF HARTLAND DO ORDAIN AS FOLLOWS:

13  
14 That the Municipal Code of the Village of Hartland, Wisconsin, is hereby amended by the creation  
15 of Sections 46-909, 46-910 and 46-911 which sections read as follows:

16  
17 **§46-909**

18  
19 TITLE AND PURPOSE:

20  
21 The title of this ordinance is the Village of Hartland Lodging Ordinance (“Ordinance”). The  
22 purpose of this Ordinance is to provide for the orderly and well-regulated establishment and  
23 operation of hotels and motels in the Village of Hartland (the “Village”) in a manner consistent  
24 with the strict regard for public health and safety that complies, at a minimum, with the standards  
25 for the same set forth in Chapter 97 of the Wisconsin Statutes, as amended from time-to-time, and  
26 Chapters ATCP 72 and 73 of the Wisconsin Administrative Code, as amended from time-to-time.

27  
28 The Village finds that this Ordinance is appropriate and reasonable to promote significant public  
29 purposes, including, but not limited to, health, safety, security, traffic control and flow, aesthetics,  
30 character, comprehensive zoning plan, property value and integrity, accessibility, commerce and  
31 trade, and any other significant public purpose recognized and permitted to the Village.

32  
33 AUTHORITY

34  
35 The Village Board of the Village of Hartland, Waukesha County, Wisconsin, has the specific  
36 authority to adopt this Ordinance under Sections 61.34(1) and 66.0615(1m) of the Wisconsin  
37 Statutes, as amended.

38  
39 HOTEL AND MOTEL ESTABLISHMENTS

40  
41 A. *General Adoption of State Standards*

42  
43 1) The provisions of Chapters ATCP 72 and 73 Wis. Admin. Code, as amended, and  
44 any subsequent amendments, additions and recodifications are hereby adopted in full by  
45 reference, except to the extent that any provision of the Village of Hartland Ordinances which

46 impose stricter standards may exist, in which case the said stricter ordinance provisions shall  
47 prevail.

48 2) For the purposes of this Ordinance, unless otherwise expressly indicated, the terms  
49 “person,” “operator,” “hotel,” and “motel,” shall be defined as set forth in ATCP 72.03. The term  
50 “bed and breakfast establishment” shall be defined as set forth in ATCP 73.03. All other definitions  
51 set forth in ATCP 72 and 73, shall apply, where applicable, for the purposes of this Ordinance,  
52 unless otherwise expressly modified or specified herein. To the extent any definitions or provisions  
53 enumerated in the foregoing are in conflict or inconsistent, the more stringent definition or  
54 provision shall prevail.

55  
56 B. *Compliance with State Standards Required*

57  
58 1) The owner and operator of any hotel, motel, tourist rooming house, or bed and  
59 breakfast establishment shall fully comply with all applicable provisions of Chapters ATCP 72  
60 and ATCP 73, Wis. Admin. Code, as amended, at all times, including by way of illustration, but  
61 not limited to:

- 62
- 63 a) License application, duration, and renewal requirements and deadlines;
  - 64 b) Fees for pre-inspection, licenses, late fees, reinspection fees and any other  
65 applicable fees;
  - 66 c) Posting of licenses and permits;
  - 67 d) Inspection and access to premises;
  - 68 e) Correction of violations;
  - 69 f) Suspension and revocation of licenses;
  - 70 g) Public utilities;
  - 71 h) Plumbing and toilets;
  - 72 i) Drinking water;
  - 73 j) Garbage and refuse;
  - 74 k) Furnishings, equipment and utensils;
  - 75 l) Utensil sanitation;
  - 76 m) Storage of utensils;
  - 77 n) Cleanliness;
  - 78 o) Food licenses;
  - 79 p) Employee health;
  - 80 q) Insect and rodent control
  - 81 r) Building structure and safety;
  - 82 s) Size of sleeping rooms;
  - 83 t) Smoke detection;
  - 84 u) Door locks;
  - 85 v) Window screens;
  - 86 w) Premises, land surfaces, parking areas, exteriors;
  - 87 x) Carbon Monoxide detectors;
  - 88 y) Maintenance;
  - 89 z) Registration of guests.
- 90

91 Any violation or noncompliance with any of the provisions of ATCP 72 shall constitute a  
92 separate and independent violation of the Village's Code of Municipal Ordinances, subject to  
93 the penalties set forth in Chapter 1, Sec. 1-4.  
94

95 C. *Additional Village Requirements for hotel and motel establishments*  
96

97 1) Hourly Rentals Prohibited. No room designed for dwelling, lodging, or sleeping  
98 purposes at any hotel and motel establishment may be rented or advertised or otherwise held out  
99 to the public for hourly or other short-time rates less than one full night stay at a minimum. One  
100 full night stay minimum shall mean check in before 10:00 p.m. on the day of arrival and check out  
101 after 5:00 a.m. on the day of departure.  
102

103 2) Registration and Recordkeeping Requirements. Every person who owns or  
104 operates a hotel or motel shall require valid government-issued photo identification for each guest  
105 at the time of registration. The owner or operator shall keep and maintain a registration record for  
106 all guests procuring or occupying a room or rooms at the hotel or motel establishment. No guest  
107 shall be permitted to procure or occupy any room or rooms in any hotel or motel establishment  
108 without first providing all of the required record information prior to procurement or occupancy;  
109 and no owner or operator of a hotel or motel establishment shall permit any guest to occupy or  
110 procure any room or rooms without first obtaining all of the following information to be  
111 maintained on the registration record:  
112

- 113 1. Valid government-issued photo identification for each guest;
- 114 2. Room number of each guest;
- 115 3. Vehicle Registration Information, including VIN number, license plate number,  
116 make, model and year of the vehicle;
- 117 4. Number of guests that will be in the room each night;
- 118 5. Number of nights each guest is staying;
- 119 6. Each guest's name and signature;
- 120 7. The type of identification offered;
- 121 8. Permanent address of each guest; and
- 122 9. Date and time a guest checks in and the date and time the room is surrendered.  
123

124 The owner or operator shall verify the credit card signature of each guest making payment by way  
125 of credit card, with the signature inscribed upon the registration record.  
126

127 Valid identification may include: driver's license, non-driver's state issued identification card, or  
128 such other photo-identification as will prove the identity of each guest. The type of identification  
129 presented by the guest shall be noted in the registration record and shall include the document's  
130 identification number and the state or country of issuance. A photocopy or scanned copy of such  
131 identification shall be maintained in the registration record.  
132

133 Records required under this section shall be retained for a minimum of two years after the date the  
134 last entry is recorded.  
135

136 3) Fraudulent Misrepresentation. No person may knowingly procure through  
137 misrepresentation or production of false or altered identification, or identification which  
138 misrepresents the identity of the person procuring or sharing in such lodging or service. No person  
139 may give, or cause to be given, an incorrect name, address, date of birth, or license plate number  
140 to any owner, keeper, proprietor or agent of any establishment required to maintain records under  
141 this section.

142  
143 4) Cooperation with Law Enforcement. Upon request by any Village law enforcement  
144 officer, the owner or operator shall immediately turn over all required records, in addition to  
145 records of all telephone calls, internet usage, surveillance footage, and other billing records as  
146 requested. The owner or operator shall fully cooperate with all police and other law enforcement  
147 investigations, including by granting access to any and all rooms or premises, as a condition of the  
148 privilege of owning and operating the hotel or motel establishment.

149  
150 5) Restriction of Children Under the Age of 16. No person owning or operating  
151 a hotel or motel establishment shall permit any child under the age of 16 years to be present in  
152 any portion of the premises or building of any hotel or motel between the hours of 12:00 a.m.  
153 and 5:00 a.m., unless accompanied at all times by a parent or legal guardian.

154  
155 D. *Plan of Operation Required*

156  
157 No person shall operate a hotel or motel without first obtaining the approval of a plan of operation  
158 from the plan commission.

159  
160 *Required information for a plan of operation permit.* All plans of operation shall be submitted  
161 to the Village Building Inspector on forms supplied by the Village Clerk. The applications for  
162 plan of operation permits shall show, at a minimum, the following information:

- 163  
164 (1) Name, type, and address of the hotel or motel.  
165 (2) Name and address of property owner or operator.  
166 (3) Name and address of the manager, if other than the owner.  
167 (4) The proposed days and hours of operation.  
168 (5) The number of full-time and number of part-time employees.  
169 (6) Plot plan for the entire premises.  
170 (7) Number of rooms.  
171 (8) Comprehensive plan for compliance with all provisions of this Ordinance,  
172 including but not limited to all provisions of ATCP 72 as amended.  
173 (9) Copies of all licenses, permits, and applications required by Chapter 97,  
174 Wisconsin Statutes, as amended, and Chapter ATCP 72, Wis. Admin. Code as  
175 amended.  
176 (10) Comprehensive plan for traffic mitigation of adverse impact upon surrounding  
177 properties and roads.  
178 (11) Number and location of parking spots.

179 Once a plan of operation has been issued, the holder of such plan of operation shall notify the  
180 Village Manager in writing not less than forty-five (45) days of any impending sale of such hotel  
181 or motel or the transfer of voting or operating control of the legal entity that owns the hotel or

182 motel. The name, address, land and cell phone numbers and e-mail addresses of the prospective  
183 transferee shall be provided as part of this required notification.

184 No person shall operate a hotel or motel without first obtaining an updated approval of a plan of  
185 operation from the plan commission when a sale of such hotel or motel or the transfer of voting  
186 or operating control of the legal entity that owns the hotel or motel occurs. An updated approval  
187 of a plan of operation may be conditioned on an amendment of the Development Agreement  
188 controlling the hotel or motel use under a Planned Unit Development Overlay District.

189  
190 E. *Right to Refuse Accommodations*

191  
192 Any person who owns or operates a hotel or motel may refuse or deny the use of a room,  
193 accommodations, facilities or other privileges of the premises for any reason unless prohibited by  
194 state or federal law, or by the Village Code of Ordinances, including but not limited to:

- 195  
196 (1) Failure to tender full and immediate payment in any regard;  
197 (2) Disorderly or abusive conduct;  
198 (3) Intoxication;  
199 (4) Harassment or intimidation of guests, employees or other individuals;  
200 (5) Threats of retaliation or bodily harm;  
201 (6) Engaging in conduct or activities unlawful or prohibited under state, federal or  
202 local law or regulation;  
203 (7) Danger or risk to other persons or property;  
204 (8) Health and safety of guests, employees and other persons;  
205 (9) Maximum capacity limits;  
206 (10) An individual who does not provide the registration information in full;  
207 (11) Fraud or misrepresentation;  
208 (12) Loitering;  
209 (13) Littering;  
210 (14) Excessive noise or use of facilities inconsistent with ordinary use;  
211 (15) Offensive or noxious odors; or  
212 (16) Any violation or attempted violation of the Village Code of Municipal  
213 Ordinances.

214  
215 F. *Tax on Sales Price from Selling or Furnishing Rooms or Lodging to Transients*

216  
217 1) In this article, the terms “transient,” “hotel” and “motel” have the meanings set  
218 forth in Wis. Stat. § 77.52(2)(a)1.

219  
220 2) A tax of eight percent (8%) is imposed on gross receipts for selling or furnishing,  
221 at retail, rooms or lodging to transients by hotelkeepers and motel operators and other persons or  
222 retailers selling or furnishing accommodations that are available to the public irrespective of  
223 whether membership is required for use of the accommodations.

224  
225 3) Each retailer engaged in furnishing such accommodations, rooms or lodging shall  
226 submit a quarterly report to the Village Manager's office showing the gross receipts from  
227 furnishing such accommodations, rooms or lodging, along with a copy of his or her state sales tax

228 report for the business, along with the eight percent tax for the gross receipts as reported, by not  
229 later than 30 days from the end of each calendar quarter for the receipts of that past calendar  
230 quarter.

231  
232 4) A forfeiture of 25% of the room tax due for the previous year or \$10,000, whichever  
233 is less, of the tax imposed, is hereby established and due and owing in the event that the room tax  
234 is not paid within ten (10) calendar days after the due date of return. In addition to this forfeiture,  
235 all unpaid taxes under this section shall bear interest at the rate of twelve percent (12%) per annum  
236 from the due date of the return until the first day of the month following the month in which the  
237 tax is paid or deposited with the Village Manager. An extension of time within which to file a  
238 return shall not operate to extend the due date of the return for purposes of interest computation.  
239 If the Village Manager determines that any overpayment of tax has been made intentionally or by  
240 reason of carelessness or neglect, or if the tax which was overpaid was not accompanied by a  
241 complete return it shall not allow any interest thereon.

242  
243 5) Delinquent tax returns shall be subject to a two hundred dollar (\$200) late filing fee  
244 per day. The tax imposed by this section shall become delinquent if not paid by the due date of the  
245 return.

246  
247 6) If a false or fraudulent return is filed with the intent in either case to defeat or evade  
248 the tax imposed by this article, a penalty of fifty percent (50%) of the tax due shall be paid in  
249 addition to the tax, interest and late filing penalty.

250  
251 7) In order to protect the revenue of the Village, the Village Manager or Deputy  
252 Treasurer may require any person liable for the tax imposed by this section to place with him or  
253 her, before or after a permit is issued, such security, not in excess of ten thousand dollars (\$10,000)  
254 as the Village Manager determines. If any taxpayer fails or refuses to place such security, the  
255 Village Manager may refuse or revoke such permit. If any taxpayer is delinquent in the payment  
256 of the taxes imposed by this section, the Village Manager may, upon ten calendar (10) prior days'  
257 notice, recover the taxes, interest and penalties from the security placed with the Village Manager  
258 by such taxpayer. No interest shall be paid or allowed by the Village to any person for the deposit  
259 of such security.

260  
261 8) If any person liable for any amount of tax under this section sells out her or his  
262 business or stock of goods or quits the business, her or his successors or assigns shall withhold a  
263 sufficient amount of the purchase price to cover such amount until the former owner produces a  
264 receipt from the Village Manager that it has been paid or a certificate stating that no amount is  
265 due. If a person subject to the tax imposed by this section fails to withhold such amount of tax  
266 from the purchase price as required, she or he shall become personally liable for payment of the  
267 amount required to be withheld by her or him to the extent of the price of the accommodations  
268 valued in money.

269 G. *Tourism Commission*

270  
271  
272 If created by resolution of the Village Board per Wis. Stat. 66.0615 (1m))(c), a tourism commission  
273 shall consist of four (4) members. One commission member shall represent the Wisconsin hotel

274 and motel industry. Members of the commission shall be appointed by the Village President for a  
275 one-year term to serve at the pleasure of the Village President, and may be reappointed without  
276 limitation. The Village Board shall confirm the appointments of the Village President by a majority  
277 vote of members present when the vote is taken.

278  
279 The commission shall meet regularly, and, from among its members, it shall elect a chairperson,  
280 vice chairperson and secretary. The commission shall report any delinquencies or inaccurate  
281 reporting to the Village.

282  
283 The Village shall spend at least seventy percent (70%) of the amount of the collected tax on tourism  
284 promotion and tourism development in the Village. The commission shall comply with all other  
285 requirements of Wis. Stat. § 66.0615.

286  
287 **Sec. 46-910**

288  
289 **Hotels and Motels.**

290 a. The entrance to a hotel or motel site must have access to a controlled intersection  
291 capable of handling projected traffic levels, which requires submittal of a traffic analysis  
292 prepared by an engineer on behalf of the applicant;

293 b. A hotel or motel site shall have a minimum street building offset of 50 feet and a  
294 minimum parking offset of 25 feet and 25 feet for any side or rear yard offset.

295 c. A hotel or motel site shall not be located adjacent to an RS-1, RS-2, RS-3, RS-4 or  
296 RS-5 residential district unless there is substantial compliance with the requirements of Sec. 46-  
297 910 g. and Sec. 46-910 i.

298 d. A hotel or motel site shall have pedestrian connection from primary building entry to  
299 public sidewalk;

300 e. The lot coverage of the site shall not exceed 75%, of entire parcel being developed  
301 including all structure footprints and paved area. The Plan Commission and/or the Village Board  
302 has the right to grant a waiver based on specific information presented by the applicant in  
303 accordance with the considerations contained in §46-521(3),

304 f. The applicable provisions of §46-923 shall control and in particular a minimum of one  
305 (1) parking spaces per guest room shall be provided plus one (1) space per every three (3)  
306 employees for the work shift with the largest number of employees, plus one (1) space per two  
307 (2) persons of the maximum capacity of each public meeting and/or banquet room.

308 g. There shall be a buffer yard of at least fifteen feet (15') between all parking spaces  
309 and driveways, and side and rear property lines.

310 h. Accessory uses such as restaurants, lounges, or banquet halls shall be reviewed for  
311 parking requirements separately.

312 i. The standards contained in secs. 46-15 (e) and (f) shall be applied in the review of all  
313 proposed hotel or motel sites adjacent to all residential zoning districts .

314  
315 **Sec. 46-911 Hotels/ Motel**

316  
317 The Hotel/Motel use is intended to provide appropriate development within the B-2, B-  
318 3, B-4 District solely on a conditional use basis. The details of such conditional uses are intended  
319 to be tailored to the site sought to be developed within each respective zoning district. This is

320 intended to be accomplished with the utilization of an approved Planned Unit Development  
321 Overlay District that is accompanied by a detailed Development Agreement.  
322

323 A “Hotel” is as defined as set forth in sec. ATCP 72.03(11), Wisconsin Admin. Code, as  
324 amended in in Hartland Ordinance 46-1.  
325

326 Approval of a Hotel or Motel use shall be subject to all provisions of sections 46-801  
327 through 46- 809 and the respective provisions of the B-2, B-3, B-4 Districts of the Hartland Code  
328 of Ordinances.  
329

330 **CHAPTER 46, ARTICLE I, Sec. 46-1** of the Village of Hartland Municipal Code of  
331 Ordinances is hereby amended additions shown with an underline:  
332

333 **Sec. 46-1. - Definitions.**  
334

335 For the purpose of this chapter, certain words or phrases shall have the meanings that either vary  
336 somewhat from their customary dictionary meanings or are intended to be interpreted to have a  
337 specific meaning. The word “person” includes a firm, association, partnership, trust, company or  
338 corporation, as well as an individual. The word "shall" is mandatory, the word “should” is  
339 advisory and the word “may” is permissive. Any words not defined in this section shall be  
340 presumed to have their customary dictionary definitions unless a specific definition is otherwise  
341 provided for in section 1-2 of this Code.  
342

343 *Hotel* is as defined as set forth in sec. ATCP 72.03(11), Wisconsin Admin. Code, as amended.  
344

345 **CHAPTER 46, ARTICLE III, Secs. 46-466, 46-469** of the Village of Hartland Municipal Code  
346 of Ordinances is hereby amended with additions shown with an underline:  
347

348 **Sec. 46-466. - Intent.**

349 The B-2 business district is intended to provide for the orderly and attractive grouping at  
350 appropriate locations of retail stores, shops, offices and service establishments, including hotel and  
351 motel facilities, serving the daily needs of the surrounding community. This type of district is  
352 usually located at or near the intersections of two arterial streets or highways, but is separated from  
353 the traditional central business district and designed for the convenience of weekly or monthly  
354 one-stop shopping, and includes such amenities as increased open space and ample off-street  
355 parking and loading areas and architectural screening or landscaping.  
356

357 **Sec. 46-469. - Conditional uses.** (See article IV of this chapter.)

358 Conditional uses in the district are as follows:  
359

- 360 (1) All B-1 neighborhood business district conditional uses.  
361 (2) Automotive sales and service.  
362 (3) Automotive body repair.  
363 (4) Game arcades.  
364 (5) Utility substations, municipal wells, lift/pumping stations, water towers and communication  
365 towers.

- 366 (6) Wind energy conversion systems.  
367 (7) Commercial day care centers licensed and/or regulated by the state.  
368 (8) Temporary uses.  
369 (9) Hotels and motels in accordance with Division 29 of this article provided a Planned Unit  
370 Development Overlay District is approved for same and a detailed Development Agreement is  
371 entered into pursuant to §46-801 through §46-809.

372  
373 **CHAPTER 46, ARTICLE III, Secs. 46-491, 46-492, 46-494** of the Village of Hartland  
374 Municipal Code of Ordinances are hereby amended with deletions shown with an and additions  
375 shown with an underline as follows:

376  
377 **DIVISION 16. -B-3 CENTRAL BUSINESS/MIXED-USE DISTRICT**

378  
379 **Sec. 46-491. - Intent.**

380  
381 The B-3 central business/mixed-use district is intended to provide appropriate development  
382 regulations to ensure the compatibility of the diverse uses typical of a downtown area including  
383 hotel and motel facilities, without inhibiting the potential for maximum development of  
384 commercial, cultural, entertainment and other urban activities which contribute to its role as the  
385 heart of the Village.

386  
387 Development and redevelopment in the B-3 district shall be designed and sited in such a manner  
388 to be compatible with the planning and design guidelines in the adopted Village of Hartland  
389 Master Plan and Hartland Village Center Revitalization Plan.

390  
391 **Sec. 46-492. - Permitted uses.**

392  
393 Permitted uses in the B-3 district are as follows:

- 394 (1) All permitted uses allowed in the B-2 business district.  
395 (2) Administrative and public service offices.  
396 (3) Antique and collectors' stores.  
397 (4) Art galleries.  
398 (5) Boutiques and specialty goods stores.  
399 (6) Funeral homes.  
400 (7) Gasoline service stations.  
401 ~~(8) Hotels and Motels~~  
402 (8) Interior decorating shops.  
403 (9) Lodges and fraternal organizations.  
404 (10) Municipal parking facilities.  
405 (11) Resale shops.  
406 (12) Studios for photography, painting, sculpture, music, dance and other recognized fine  
407 art.

408  
409 **Sec. 46-494. - Conditional uses.**

410  
411 Conditional uses in the B-3 district are as follows:

- 412 (1) An amount of off-street parking space not less than 50 percent of the amount required  
413 in article V of this chapter.  
414 (2) Game arcades.  
415 (3) Housing for the elderly, provided that densities shall not exceed 22 units per net acre  
416 or 32 bedrooms per net acre, whichever is greater.  
417 (4) Utility substations, municipal wells, lift/pumping stations, water towers and  
418 communication towers.  
419 (5) Veterinary clinics, provided that no service, including the boarding of animals, is  
420 offered outside of an enclosed building.  
421 (6) Wind energy conversion systems.  
422 (7) Motor vehicle repair shop.  
423 (8) Temporary uses.  
424 (9) Bed and breakfast establishments as provided for in Sections 46-866 through 46-867  
425 of the Village of Hartland Municipal Code of Ordinances.  
426 (10) Mixed compatible uses, including hotels and motels in accordance with division  
427 29 of this article provided a Planned Unit Development Overlay District is approved for  
428 same and a detailed development agreement is entered into pursuant to §46-801 through  
429 §46-809.  
430 (11) Drive-through facilities.  
431 (12) Decreases in the required rear yard.  
432 (13) [Reserved.]  
433 (14) Commercial day care centers licensed and/or regulated by the state.  
434

435 **CHAPTER 46, ARTICLE I, Secs. 46-516, 46-519** of the Village of Hartland Municipal Code  
436 of Ordinances is hereby amended with deletions shown with an and additions shown with an  
437 underline.

438  
439 **Sec. 46-516. - Intent.**  
440

441 The B-4 limited business and light industrial planned district is intended to provide for  
442 the development of an attractive and aesthetic mixed grouping of offices, corporate headquarters,  
443 medical facilities, limited light industrial uses, and the respective support facilities, including  
444 hotel and motel facilities, in a park-like setting. The B-4 district is further intended to promote  
445 the provision of ample off-street parking and loading areas, open space and landscape planting  
446 screens in areas adjacent to nonbusiness development to ensure the use will fit harmoniously  
447 into and will have no adverse effects upon the adjoining or surrounding area.  
448

449 **Sec. 46-519. - Conditional uses.** (See article IV of this chapter.)

450 The plan commission, in approving or disapproving proposed locations for uses under  
451 this section for the B-4 district, shall give due consideration to the character and suitability for  
452 development of the area in which any such use is proposed to be located, and shall also base its  
453 decision on such evidence as may be presented to the plan commission regarding those attributes  
454 of the proposed use, such as increased traffic on the public streets, heavy vehicular traffic, nature  
455 of retail use if applicable, municipal water availability, sewage disposal systems, soil limitations,  
456 and the emission of noise, smoke, dust or dirt, odorous or noxious gases, and the like that would  
457 be detrimental to such character and such suitability for development.

- 458  
459 (1) Retail uses whose customer base is predominately of a limited frequency type (i.e.  
460 once per week or once per month, etc.) and has a daily low customer volume.  
461 (2) Temporary uses.  
462 (3) Wind energy conversion systems.  
463 (4) Auto/convenience center.  
464 (5) Dyeing establishments.  
465 (6) Storing, warehousing, cleaning, testing, repairing or servicing establishments as  
466 determined by operations conforming with performance standards as set forth in article  
467 VI of this chapter.  
468 (7) Restaurants, motels and hotels, provided that, in the opinion of the plan commission,  
469 this use is required to provide an important and desirable service to the B-4 park and the  
470 village.  
471 (8) Research laboratories.  
472 (9) Soft drink bottling plants.  
473 (10) Hotels and motels in accordance with Division 29 of this article provided a Planned  
474 Unit Development Overlay District is approved for same and a detailed development  
475 agreement is entered into pursuant to §46-801 through §46-809.  
476 (11) Any compatible use meeting the intent and all requirements of this division.  
477 (12) Utility substations, municipal wells, lift/pumping stations, water towers and  
478 communication towers.  
479 (13) Commercial day care centers licensed and/or regulated by the state.  
480  
481

482 **CHAPTER 66, ARTICLE 1, Sec. 66-14** of the Village of Hartland Municipal Code of  
483 Ordinances is hereby amended with additions shown with an underline.

484  
485 **Sec. 66-14. – Chronic nuisance property.**  
486

487 (a) *Findings.* The Village Board finds that any property that has generated three (3) or more  
488 calls for police service for nuisance activities during one (1) month, or six (6) or more calls during  
489 a period of twelve (12) months, has received more than the level of general and adequate police  
490 service and has placed an undue and inappropriate burden on the taxpayers of the village. The  
491 Village Board therefore directs the Chief of Police and the Village Clerk, as provided in this  
492 section, to charge the owners of such property the costs associated with abating the violations at  
493 property where nuisance activities occur, in addition to the imposition of forfeitures as provided  
494 for herein.  
495

496 (b) *Definitions.* For the purposes of this section:  
497

498 *Property* means any parcel of land or structure, regardless of zoning, residential or business  
499 classification, including hotels and motels as defined in Wis. Admin. Code Chapter ATCP 72.03  
500 as amended.

501 **SEVERABILITY:**  
502

503 If any provision of this ordinance or its application to any person or circumstance is held invalid,  
504 the invalidity does not affect other provisions or applications of this ordinance that can be given  
505 effect without the invalid provision or application, and to this end the provisions of this ordinance  
506 are severable.

507  
508 **EFFECTIVE DATE:**

509 This ordinance is effective on publication or posting.

510  
511 The Village Clerk shall properly publish this ordinance as required under Wis.Stat.§61.50

512  
513  
514  
515 Passed and approved this \_\_\_\_\_ day of  
516 \_\_\_\_\_ 2023.

517  
518 VILLAGE OF HARTLAND

519  
520 By: \_\_\_\_\_  
521 Jeffrey Pfannerstill, Village President

522  
523 ATTEST:

524 \_\_\_\_\_  
525 Darlene Igl, Village Clerk  
526 39673913\_1.DOCX

527

1 STATE OF WISCONSIN WAUKESHA COUNTY VILLAGE OF HARTLAND

2  
3 ORDINANCE NO. \_\_\_\_\_

4  
5 AN ORDINANCE CREATING §46-909, 46-910 and §46-911  
6 OF THE VILLAGE OF HARTLAND CODE OF ORDINANCES  
7 REGULATING HOTELS AND MOTELS

8 AND  
9 AMENDING §§ 46-1, 46-466, 46-469, 46-491, 46-492, 46-494, 46-516, 46-519 and 66-14  
10 OF THE VILLAGE OF HARTLAND CODE OF ORDINANCES

11  
12 THE VILLAGE BOARD OF THE VILLAGE OF HARTLAND DO ORDAIN AS FOLLOWS:

13  
14 That the Municipal Code of the Village of Hartland, Wisconsin, is hereby amended by the creation  
15 of Sections 46-909, 46-910 and 46-911 which sections read as follows:

16  
17 **§46-909**

18  
19 TITLE AND PURPOSE:

20  
21 The title of this ordinance is the Village of Hartland Lodging Ordinance (“Ordinance”). The  
22 purpose of this Ordinance is to provide for the orderly and well-regulated establishment and  
23 operation of hotels and motels in the Village of Hartland (the “Village”) in a manner consistent  
24 with the strict regard for public health and safety that complies, at a minimum, with the standards  
25 for the same set forth in Chapter 97 of the Wisconsin Statutes, as amended from time-to-time, and  
26 Chapters ATCP 72 and 73 of the Wisconsin Administrative Code, as amended from time-to-time.

27  
28 The Village finds that this Ordinance is appropriate and reasonable to promote significant public  
29 purposes, including, but not limited to, health, safety, security, traffic control and flow, aesthetics,  
30 character, comprehensive zoning plan, property value and integrity, accessibility, commerce and  
31 trade, and any other significant public purpose recognized and permitted to the Village.

32  
33 AUTHORITY

34  
35 The Village Board of the Village of Hartland, Waukesha County, Wisconsin, has the specific  
36 authority to adopt this Ordinance under Sections 61.34(1) and 66.0615(1m) of the Wisconsin  
37 Statutes, as amended.

38  
39 HOTEL AND MOTEL ESTABLISHMENTS

40  
41 A. *General Adoption of State Standards*

42  
43 1) The provisions of Chapters ATCP 72 and 73 Wis. Admin. Code, as amended, and  
44 any subsequent amendments, additions and recodifications are hereby adopted in full by  
45 reference, except to the extent that any provision of the Village of Hartland Ordinances which

46 impose stricter standards may exist, in which case the said stricter ordinance provisions shall  
47 prevail.

48 2) For the purposes of this Ordinance, unless otherwise expressly indicated, the terms  
49 "person," "operator," "hotel," and "motel," shall be defined as set forth in ATCP 72.03. The term  
50 "bed and breakfast establishment" shall be defined as set forth in ATCP 73.03. All other definitions  
51 set forth in ATCP 72 and 73, shall apply, where applicable, for the purposes of this Ordinance,  
52 unless otherwise expressly modified of specified herein. To the extent any definitions or provisions  
53 enumerated in the foregoing are in conflict or inconsistent, the more stringent definition or  
54 provision shall prevail.

55  
56 B. *Compliance with State Standards Required*

57  
58 1) The owner and operator of any hotel, motel, tourist rooming house, or bed and  
59 breakfast establishment shall fully comply with all applicable provisions of Chapters ATCP 72  
60 and ATCP 73, Wis. Admin. Code, as amended, at all times, including by way of illustration, but  
61 not limited to:

- 62  
63 a) License application, duration, and renewal requirements and deadlines;  
64 b) Fees for pre-inspection, licenses, late fees, reinspection fees and any other  
65 applicable fees;  
66 c) Posting of licenses and permits;  
67 d) Inspection and access to premises;  
68 e) Correction of violations;  
69 f) Suspension and revocation of licenses;  
70 g) Public utilities;  
71 h) Plumbing and toilets;  
72 i) Drinking water;  
73 j) Garbage and refuse;  
74 k) Furnishings, equipment and utensils;  
75 l) Utensil sanitation;  
76 m) Storage of utensils;  
77 n) Cleanliness;  
78 o) Food licenses;  
79 p) Employee health;  
80 q) Insect and rodent control  
81 r) Building structure and safety;  
82 s) Size of sleeping rooms;  
83 t) Smoke detection;  
84 u) Door locks;  
85 v) Window screens;  
86 w) Premises, land surfaces, parking areas, exteriors;  
87 x) Carbon Monoxide detectors;  
88 y) Maintenance;  
89 z) Registration of guests.  
90

91 Any violation or noncompliance with any of the provisions of ATCP 72 shall constitute a  
92 separate and independent violation of the Village's Code of Municipal Ordinances, subject to  
93 the penalties set forth in Chapter 1, Sec. 1-4.

94  
95 C. *Additional Village Requirements for hotel and motel establishments*

96  
97 1) Hourly Rentals Prohibited. No room designed for dwelling, lodging, or sleeping  
98 purposes at any hotel and motel establishment may be rented or advertised or otherwise held out  
99 to the public for hourly or other short-time rates less than one full night stay at a minimum. One  
100 full night stay minimum shall mean check in before 10:00 p.m. on the day of arrival and check out  
101 after 5:00 a.m. on the day of departure.

102  
103 2) Registration and Recordkeeping Requirements. Every person who owns or  
104 operates a hotel or motel shall require valid government-issued photo identification for each guest  
105 at the time of registration. The owner or operator shall keep and maintain a registration record for  
106 all guests procuring or occupying a room or rooms at the hotel or motel establishment. No guest  
107 shall be permitted to procure or occupy any room or rooms in any hotel or motel establishment  
108 without first providing all of the required record information prior to procurement or occupancy;  
109 and no owner or operator of a hotel or motel establishment shall permit any guest to occupy or  
110 procure any room or rooms without first obtaining all of the following information to be  
111 maintained on the registration record:

- 112 1. Valid government-issued photo identification for each guest;
- 113 2. Room number of each guest;
- 114 3. Vehicle Registration Information, including VIN number, license plate number,  
115 make, model and year of the vehicle;
- 116 4. Number of guests that will be in the room each night;
- 117 5. Number of nights each guest is staying;
- 118 6. Each guest's name and signature;
- 119 7. The type of identification offered;
- 120 8. Permanent address of each guest; and
- 121 9. Date and time a guest checks in and the date and time the room is surrendered.

122  
123  
124 The owner or operator shall verify the credit card signature of each guest making payment by way  
125 of credit card, with the signature inscribed upon the registration record.

126  
127 Valid identification may include: driver's license, non-driver's state issued identification card, or  
128 such other photo-identification as will prove the identity of each guest. The type of identification  
129 presented by the guest shall be noted in the registration record and shall include the document's  
130 identification number and the state or country of issuance. A photocopy or scanned copy of such  
131 identification shall be maintained in the registration record.

132  
133 Records required under this section shall be retained for a minimum of two years after the date the  
134 last entry is recorded.

135

136 3) Fraudulent Misrepresentation. No person may knowingly procure through  
137 misrepresentation or production of false or altered identification, or identification which  
138 misrepresents the identity of the person procuring or sharing in such lodging or service. No person  
139 may give, or cause to be given, an incorrect name, address, date of birth, or license plate number  
140 to any owner, keeper, proprietor or agent of any establishment required to maintain records under  
141 this section.

142  
143 4) Cooperation with Law Enforcement. Upon request by any Village law enforcement  
144 officer, the owner or operator shall immediately turn over all required records, in addition to  
145 records of all telephone calls, internet usage, surveillance footage, and other billing records as  
146 requested. The owner or operator shall fully cooperate with all police and other law enforcement  
147 investigations, including by granting access to any and all rooms or premises, as a condition of the  
148 privilege of owning and operating the hotel or motel establishment.

149  
150 5) Restriction of Children Under the Age of 16. No person owning or operating  
151 a hotel or motel establishment shall permit any child under the age of 16 years to be present in  
152 any portion of the premises or building of any hotel or motel between the hours of 12:00 a.m.  
153 and 5:00 a.m., unless accompanied at all times by a parent or legal guardian.

154  
155 D. *Plan of Operation Required*

156  
157 No person shall operate a hotel or motel without first obtaining the approval of a plan of operation  
158 from the plan commission.

159  
160 *Required information for a plan of operation permit.* All plans of operation shall be submitted  
161 to the Village Building Inspector on forms supplied by the Village Clerk. The applications for  
162 plan of operation permits shall show, at a minimum, the following information:

- 163  
164 (1) Name, type, and address of the hotel or motel.  
165 (2) Name and address of property owner or operator.  
166 (3) Name and address of the manager, if other than the owner.  
167 (4) The proposed days and hours of operation.  
168 (5) The number of full-time and number of part-time employees.  
169 (6) Plot plan for the entire premises.  
170 (7) Number of rooms.  
171 (8) Comprehensive plan for compliance with all provisions of this Ordinance,  
172 including but not limited to all provisions of ATCP 72 as amended.  
173 (9) Copies of all licenses, permits, and applications required by Chapter 97,  
174 Wisconsin Statutes, as amended, and Chapter ATCP 72, Wis. Admin. Code as  
175 amended.  
176 (10) Comprehensive plan for traffic mitigation of adverse impact upon surrounding  
177 properties and roads.  
178 (11) Number and location of parking spots.

179 Once a plan of operation has been issued, the holder of such plan of operation shall notify the  
180 Village Manager in writing not less than forty-five (45) days of any impending sale of such hotel  
181 or motel or the transfer of voting or operating control of the legal entity that owns the hotel or

182 motel. The name, address, land and cell phone numbers and e-mail addresses of the prospective  
183 transferee shall be provided as part of this required notification.

184 No person shall operate a hotel or motel without first obtaining an updated approval of a plan of  
185 operation from the plan commission when a sale of such hotel or motel or the transfer of voting  
186 or operating control of the legal entity that owns the hotel or motel occurs. An updated approval  
187 of a plan of operation may be conditioned on an amendment of the Development Agreement  
188 controlling the hotel or motel use under a Planned Unit Development Overlay District.  
189

190 E. *Right to Refuse Accommodations*

191  
192 Any person who owns or operates a hotel or motel may refuse or deny the use of a room,  
193 accommodations, facilities or other privileges of the premises for any reason unless prohibited by  
194 state or federal law, or by the Village Code of Ordinances, including but not limited to:  
195

- 196 (1) Failure to tender full and immediate payment in any regard;
- 197 (2) Disorderly or abusive conduct;
- 198 (3) Intoxication;
- 199 (4) Harassment or intimidation of guests, employees or other individuals;
- 200 (5) Threats of retaliation or bodily harm;
- 201 (6) Engaging in conduct or activities unlawful or prohibited under state, federal or  
202 local law or regulation;
- 203 (7) Danger or risk to other persons or property;
- 204 (8) Health and safety of guests, employees and other persons;
- 205 (9) Maximum capacity limits;
- 206 (10) An individual who does not provide the registration information in full;
- 207 (11) Fraud or misrepresentation;
- 208 (12) Loitering;
- 209 (13) Littering;
- 210 (14) Excessive noise or use of facilities inconsistent with ordinary use;
- 211 (15) Offensive or noxious odors; or
- 212 (16) Any violation or attempted violation of the Village Code of Municipal  
213 Ordinances.

214  
215 F. *Tax on Sales Price from Selling or Furnishing Rooms or Lodging to Transients*

216  
217 1) In this article, the terms "transient," "hotel" and "motel" have the meanings set  
218 forth in Wis. Stat. § 77.52(2)(a)1.  
219

220 2) A tax of eight percent (8%) is imposed on gross receipts for selling or furnishing,  
221 at retail, rooms or lodging to transients by hotelkeepers and motel operators and other persons or  
222 retailers selling or furnishing accommodations that are available to the public irrespective of  
223 whether membership is required for use of the accommodations.  
224

225 3) Each retailer engaged in furnishing such accommodations, rooms or lodging shall  
226 submit a quarterly report to the Village Manager's office showing the gross receipts from  
227 furnishing such accommodations, rooms or lodging, along with a copy of his or her state sales tax

228 report for the business, along with the eight percent tax for the gross receipts as reported, by not  
229 later than 30 days from the end of each calendar quarter for the receipts of that past calendar  
230 quarter.

231  
232 4) A forfeiture of 25% of the room tax due for the previous year or \$10,000, whichever  
233 is less, of the tax imposed, is hereby established and due and owing in the event that the room tax  
234 is not paid within ten (10) calendar days after the due date of return. In addition to this forfeiture,  
235 all unpaid taxes under this section shall bear interest at the rate of twelve percent (12%) per annum  
236 from the due date of the return until the first day of the month following the month in which the  
237 tax is paid or deposited with the Village Manager. An extension of time within which to file a  
238 return shall not operate to extend the due date of the return for purposes of interest computation.  
239 If the Village Manager determines that any overpayment of tax has been made intentionally or by  
240 reason of carelessness or neglect, or if the tax which was overpaid was not accompanied by a  
241 complete return it shall not allow any interest thereon.

242  
243 5) Delinquent tax returns shall be subject to a two hundred dollar (\$200) late filing fee  
244 per day. The tax imposed by this section shall become delinquent if not paid by the due date of the  
245 return.

246  
247 6) If a false or fraudulent return is filed with the intent in either case to defeat or evade  
248 the tax imposed by this article, a penalty of fifty percent (50%) of the tax due shall be paid in  
249 addition to the tax, interest and late filing penalty.

250  
251 7) In order to protect the revenue of the Village, the Village Manager or Deputy  
252 Treasurer may require any person liable for the tax imposed by this section to place with him or  
253 her, before or after a permit is issued, such security, not in excess of ten thousand dollars (\$10,000)  
254 as the Village Manager determines. If any taxpayer fails or refuses to place such security, the  
255 Village Manager may refuse or revoke such permit. If any taxpayer is delinquent in the payment  
256 of the taxes imposed by this section, the Village Manager may, upon ten calendar (10) prior days'  
257 notice, recover the taxes, interest and penalties from the security placed with the Village Manager  
258 by such taxpayer. No interest shall be paid or allowed by the Village to any person for the deposit  
259 of such security.

260  
261 8) If any person liable for any amount of tax under this section sells out her or his  
262 business or stock of goods or quits the business, her or his successors or assigns shall withhold a  
263 sufficient amount of the purchase price to cover such amount until the former owner produces a  
264 receipt from the Village Manager that it has been paid or a certificate stating that no amount is  
265 due. If a person subject to the tax imposed by this section fails to withhold such amount of tax  
266 from the purchase price as required, she or he shall become personally liable for payment of the  
267 amount required to be withheld by her or him to the extent of the price of the accommodations  
268 valued in money.

269  
270 G. *Tourism Commission*

271  
272 If created by resolution of the Village Board per Wis. Stat. 66.0615 (1m)(c), a tourism commission  
273 shall consist of four (4) members. One commission member shall represent the Wisconsin hotel

274 and motel industry. Members of the commission shall be appointed by the Village President for a  
275 one-year term to serve at the pleasure of the Village President, and may be reappointed without  
276 limitation. The Village Board shall confirm the appointments of the Village President by a majority  
277 vote of members present when the vote is taken.  
278

279 The commission shall meet regularly, and, from among its members, it shall elect a chairperson,  
280 vice chairperson and secretary. The commission shall report any delinquencies or inaccurate  
281 reporting to the Village.  
282

283 The Village shall spend at least seventy percent (70%) of the amount of the collected tax on tourism  
284 promotion and tourism development in the Village. The commission shall comply with all other  
285 requirements of Wis. Stat. § 66.0615.  
286

287 **Sec. 46-910**

288  
289 **Hotels and Motels.**

290 a. The entrance to a hotel or motel site must have access to a controlled intersection  
291 capable of handling projected traffic levels, which requires submittal of a traffic analysis  
292 prepared by an engineer on behalf of the applicant;

293 b. A hotel or motel site shall have a minimum street building offset of 50 feet and a  
294 minimum parking offset of 25 feet and 25 feet for any side or rear yard offset.

295 c. A hotel or motel site shall not be located adjacent to an RS-1, RS-2, RS-3, RS-4 or  
296 RS-5 residential district unless there is substantial compliance with the requirements of Sec. 46-  
297 910 g. and Sec. 46-910 i.

298 d. A hotel or motel site shall have pedestrian connection from primary building entry to  
299 public sidewalk;

300 e. The lot coverage of the site shall not exceed 75%, of entire parcel being developed  
301 including all structure footprints and paved area. The Plan Commission and/or the Village Board  
302 has the right to grant a waiver based on specific information presented by the applicant in  
303 accordance with the considerations contained in §46-521(3),

304 f. The applicable provisions of §46-923 shall control and in particular a minimum of one  
305 (~~1~~) parking spaces per guest room shall be provided plus one (1) space per every three (3)  
306 employees for the work shift with the largest number of employees, plus one (1) space per two  
307 (2) persons of the maximum capacity of each public meeting and/or banquet room.

308 g. There shall be a buffer yard of at least fifteen feet (15') between all parking spaces  
309 and driveways, and side and rear property lines.

310 h. Accessory uses such as restaurants, lounges, or banquet halls shall be reviewed for  
311 parking requirements separately.

312 i. The standards contained in secs. 46-15 (e)- and (f) shall be applied in the review of all  
313 proposed hotel or motel sites adjacent to all residential zoning districts .  
314

315 **Sec. 46-911 Hotels/ Motel**

316  
317 The Hotel/Motel use is intended to provide appropriate development within the B-2, B-  
318 3, B-4 District solely on a conditional use basis. The details of such conditional uses are intended  
319 to be tailored to the site sought to be developed within each respective zoning district. This is

320 intended to be accomplished with the utilization of an approved Planned Unit Development  
321 Overlay District that is accompanied by a detailed Development Agreement.

322  
323 A "Hotel" is as defined as set forth in sec. ATCP 72.03(11), Wisconsin Admin. Code, as  
324 amended in in Hartland Ordinance 46-1.

325  
326 Approval of a Hotel or Motel use shall be subject to all provisions of sections 46-801  
327 through 46- 809 and the respective provisions of the B-2, B-3, B-4 Districts of the Hartland Code  
328 of Ordinances.

329  
330 **CHAPTER 46, ARTICLE I, Sec. 46-1** of the Village of Hartland Municipal Code of  
331 Ordinances is hereby amended additions shown with an underline:

332  
333  
334 **Sec. 46-1. - Definitions.**

335  
336 For the purpose of this chapter, certain words or phrases shall have the meanings that either vary  
337 somewhat from their customary dictionary meanings or are intended to be interpreted to have a  
338 specific meaning. The word "person" includes a firm, association, partnership, trust, company or  
339 corporation, as well as an individual. The word "shall" is mandatory, the word "should" is  
340 advisory and the word "may" is permissive. Any words not defined in this section shall be  
341 presumed to have their customary dictionary definitions unless a specific definition is otherwise  
342 provided for in section 1-2 of this Code.

343 ...  
344 *Hotel* is as defined as set forth in sec. ATCP 72.03(11), Wisconsin Admin. Code, as amended.

345  
346  
347 **CHAPTER 46, ARTICLE III, Secs. 46-466, 46-469** of the Village of Hartland Municipal Code  
348 of Ordinances is hereby amended with additions shown with an underline:

349  
350 **Sec. 46-466. - Intent.**

351 The B-2 business district is intended to provide for the orderly and attractive grouping at  
352 appropriate locations of retail stores, shops, offices and service establishments, including hotel and  
353 motel facilities, serving the daily needs of the surrounding community. This type of district is  
354 usually located at or near the intersections of two arterial streets or highways, but is separated from  
355 the traditional central business district and designed for the convenience of weekly or monthly  
356 one-stop shopping, and includes such amenities as increased open space and ample off-street  
357 parking and loading areas and architectural screening or landscaping.

358  
359 **Sec. 46-469. - Conditional uses.** (See article IV of this chapter.)  
360 Conditional uses in the district are as follows:

- 361  
362 (1) All B-1 neighborhood business district conditional uses.  
363 (2) Automotive sales and service.  
364 (3) Automotive body repair.  
365 (4) Game arcades.

- 366 (5) Utility substations, municipal wells, lift/pumping stations, water towers and communication  
367 towers.  
368 (6) Wind energy conversion systems.  
369 (7) Commercial day care centers licensed and/or regulated by the state.  
370 (8) Temporary uses.  
371 (9) Hotels and motels in accordance with Division 29 of this article provided a Planned Unit  
372 Development Overlay District is approved for same and a detailed Development Agreement is  
373 entered into pursuant to §46-801 through §46-809.  
374  
375

376 **CHAPTER 46, ARTICLE III, Secs. 46-491, 46-492, 46-494** of the Village of Hartland  
377 Municipal Code of Ordinances are hereby amended with deletions shown with an ~~overstrike~~ and  
378 additions shown with an underline as follows:

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380 **DIVISION 16. -B-3 CENTRAL BUSINESS/MIXED-USE DISTRICT**

381  
382 **Sec. 46-491. - Intent.**

383  
384 The B-3 central business/mixed-use district is intended to provide appropriate development  
385 regulations to ensure the compatibility of the diverse uses typical of a downtown area including  
386 hotel and motel facilities, without inhibiting the potential for maximum development of  
387 commercial, cultural, entertainment and other urban activities which contribute to its role as the  
388 heart of the Village.  
389

390 Development and redevelopment in the B-3 district shall be designed and sited in such a manner  
391 to be compatible with the planning and design guidelines in the adopted Village of Hartland  
392 Master Plan and Hartland Village Center Revitalization Plan.  
393

394 **Sec. 46-492. - Permitted uses.**

395  
396 Permitted uses in the B-3 district are as follows:

- 397 (1) All permitted uses allowed in the B-2 business district.  
398 (2) Administrative and public service offices.  
399 (3) Antique and collectors' stores.  
400 (4) Art galleries.  
401 (5) Boutiques and specialty goods stores.  
402 (6) Funeral homes.  
403 (7) Gasoline service stations.  
404 ~~(8) Hotels and Motels~~  
405 (98) Interior decorating shops.  
406 ~~(109) Lodges and fraternal organizations.~~  
407 ~~(110) Municipal parking facilities.~~  
408 ~~(1211) Resale shops.~~  
409 ~~(1312) Studios for photography, painting, sculpture, music, dance and other recognized~~  
410 ~~fine art.~~  
411

412 **Sec. 46-494. - Conditional uses.**  
413

414 Conditional uses in the B-3 district are as follows:

- 415 (1) An amount of off-street parking space not less than 50 percent of the amount required  
416 in article V of this chapter.  
417 (2) Game arcades.  
418 (3) Housing for the elderly, provided that densities shall not exceed 22 units per net acre  
419 or 32 bedrooms per net acre, whichever is greater.  
420 (4) Utility substations, municipal wells, lift/pumping stations, water towers and  
421 communication towers.  
422 (5) Veterinary clinics, provided that no service, including the boarding of animals, is  
423 offered outside of an enclosed building.  
424 (6) Wind energy conversion systems.  
425 (7) Motor vehicle repair shop.  
426 (8) Temporary uses.  
427 (9) Bed and breakfast establishments as provided for in Sections 46-866 through 46-867  
428 of the Village of Hartland Municipal Code of Ordinances.  
429 (10) Mixed compatible uses, including hotels and motels in accordance with division  
430 29 of this article provided a Planned Unit Development Overlay District is approved for  
431 same and a detailed development agreement is entered into pursuant to §46-801 through  
432 §46-809.  
433 (11) Drive-through facilities.  
434 (12) Decreases in the required rear yard.  
435 (13) [Reserved.]  
436 (14) Commercial day care centers licensed and/or regulated by the state.  
437

438 **CHAPTER 46, ARTICLE I, Secs. 46-516, 46-519** of the Village of Hartland Municipal Code  
439 of Ordinances is hereby amended with deletions shown with an ~~overstrike~~ and additions shown  
440 with an underline.

441 **Sec. 46-516. - Intent.**  
442

443 The B-4 limited business and light industrial planned district is intended to provide for  
444 the development of an attractive and aesthetic mixed grouping of offices, corporate headquarters,  
445 medical facilities, limited light industrial uses, and the respective support facilities, including  
446 hotel and motel facilities, in a park-like setting. The B-4 district is further intended to promote  
447 the provision of ample off-street parking and loading areas, open space and landscape planting  
448 screens in areas adjacent to nonbusiness development to ensure the use will fit harmoniously  
449 into and will have no adverse effects upon the adjoining or surrounding area.  
450

451 **Sec. 46-519. - Conditional uses.** (See article IV of this chapter.)  
452

453 The plan commission, in approving or disapproving proposed locations for uses under  
454 this section for the B-4 district, shall give due consideration to the character and suitability for  
455 development of the area in which any such use is proposed to be located, and shall also base its  
456 decision on such evidence as may be presented to the plan commission regarding those attributes  
457 of the proposed use, such as increased traffic on the public streets, heavy vehicular traffic, nature

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458 of retail use if applicable, municipal water availability, sewage disposal systems, soil limitations,  
459 and the emission of noise, smoke, dust or dirt, odorous or noxious gases, and the like that would  
460 be detrimental to such character and such suitability for development.

461  
462 (1) Retail uses whose customer base is predominately of a limited frequency type (i.e.  
463 once per week or once per month, etc.) and has a daily low customer volume.

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464 (2) Temporary uses.

465 (3) Wind energy conversion systems.

466 (4) Auto/convenience center.

467 (5) Dyeing establishments.

468 (6) Storing, warehousing, cleaning, testing, repairing or servicing establishments as  
469 determined by operations conforming with performance standards as set forth in article  
470 VI of this chapter.

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471 (7) Restaurants, motels and hotels, provided that, in the opinion of the plan commission,  
472 this use is required to provide an important and desirable service to the B-4 park and the  
473 village.

474 (8) Research laboratories.

475 (9) Soft drink bottling plants.

476 (10) Hotels and motels in accordance with Division 29 of this article provided a Planned  
477 Unit Development Overlay District is approved for same and a detailed development  
478 agreement is entered into pursuant to §46-801 through §46-809.

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479 ~~(10)~~ Any compatible use meeting the intent and all requirements of this division.

480 ~~(11)~~ Utility substations, municipal wells, lift/pumping stations, water towers and  
481 communication towers.

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482 ~~(12)~~ Commercial day care centers licensed and/or regulated by the state.

483

484

485 **CHAPTER 66, ARTICLE 1, Sec. 66-14** of the Village of Hartland Municipal Code of  
486 Ordinances is hereby amended with additions shown with an underline.

487

488 **Sec. 66-14. – Chronic nuisance property.**

489

490 (a) *Findings.* The Village Board finds that any property that has generated three (3) or more  
491 calls for police service for nuisance activities during one (1) month, or six (6) or more calls during  
492 a period of twelve (12) months, has received more than the level of general and adequate police  
493 service and has placed an undue and inappropriate burden on the taxpayers of the village. The  
494 Village Board therefore directs the Chief of Police and the Village Clerk, as provided in this  
495 section, to charge the owners of such property the costs associated with abating the violations at  
496 property where nuisance activities occur, in addition to the imposition of forfeitures as provided  
497 for herein.

498

499 (b) *Definitions.* For the purposes of this section:

500

501 *Property* means any parcel of land or structure, regardless of zoning, residential or business  
502 classification, including hotels and motels as defined in Wis. Admin. Code Chapter ATCP 72.03  
503 as amended.

DRAFT 5/8/23  
von Briesen & Roper, s.c.

504 **SEVERABILITY:**

505  
506 If any provision of this ordinance or its application to any person or circumstance is held invalid,  
507 the invalidity does not affect other provisions or applications of this ordinance that can be given  
508 effect without the invalid provision or application, and to this end the provisions of this ordinance  
509 are severable.

510  
511 **EFFECTIVE DATE:**

512  
513 This ordinance is effective on publication or posting.  
514  
515 The Village Clerk shall properly publish this ordinance as required under Wis.Stat.§61.50

516  
517  
518  
519 Passed and approved this \_\_\_\_\_ day of  
520 \_\_\_\_\_ 2023.

521  
522 VILLAGE OF HARTLAND

523  
524 By: \_\_\_\_\_  
525 Jeffrey Pfannerstill, Village President

526  
527 **ATTEST:**

528  
529 \_\_\_\_\_  
530 Darlene Igl, Village Clerk  
531 39865899\_1.DOCX39973879\_1.DOCX

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