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November 8, 2024

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11/14/2024 Plan Commission Meeting

Public Hearing and Conditional Use Grant request at 435 High Street, and Sign Code Waiver at 395 Forest Grove Drive.

[Meeting Minutes \(?Type=M&ID=385\)](#)

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[Video \(?Type=V&ID=385\)](#)

**Plan Commission Meeting
November 14, 2024 – 6:00 pm
Village Hall
235 Hickory Street, Pewaukee, WI 53072**

<https://www.youtube.com/live/q0LXzFbeLK8?si=3SMCPQIMKj6Sen1u> (<https://www.youtube.com/live/q0LXzFbeLK8>)

1. Call to Order and Roll Call, Pledge of Allegiance, & Moment of Silence

President Knutson called the meeting to order at approximately 6:00 p.m.

Plan Commission members present: Comm. Theresa Hoff; Comm. Sam Liebert; Comm. Brian Belt; Comm. Katie Jelacic; Trustee Bob Rohde and President Jeff Knutson.

Excused: Comm. Mark Grabowski

Also present: Village Attorney, Matt Gralinski; Village Planner, Jeff Muenkel; Village Engineer, Tim Barbeau; Village Administrator, Matt Heiser; and Deputy Clerk, Mackenzie Quigley.

2. Public Hearings

a. Conditional Use Grant request to construct a 96 sq. ft. accessory structure. The accessory structure is proposed at 5 feet from the side offset which is permissible only through the issuance of a Conditional Use Grant on a legal non-conforming lot (Section 40.210(4)a). This 0.44-acre parcel, located at 435 High Street / PWV 0893128001, is zoned R-5 Residential Detached District. Property Owner/Applicant is Samuel Liebert and Elizabeth Liebert.

– No comments.

3. Citizen Comments – No comments.

4. Approval of the Minutes

a. Regular Plan Commission Meeting – October 10, 2024.

Trustee Rohde motioned/seconded by Comm. Belt to approve the October 10, 2024; Regular Plan Commission Meeting minutes as presented.

Motion carried 6-0.

5. Old Business

a. None

6. New Business

a. Review, discussion and possible action on a Conditional Use Grant request to construct a 96 sq. ft. accessory structure. The accessory structure is proposed at 5 feet from the side offset which is permissible only through the issuance of a Conditional Use Grant on a legal nonconforming lot (Section 40.210(4)a). This 0.44-acre parcel, located at 435 High Street / PWV 0893128001, is zoned R-5 Residential Detached District. Property Owner/Applicant is Samuel Liebert and Elizabeth Liebert.

Comm Liebert recused himself from this portion of the meeting since he is the property owner/applicant and stepped down from the Commission table to address the Commission as a member of the public.



to help prolong the life and durability of the structure.

Staff: if it is a non-permanent structure (sitting on gravel or wood), is a Conditional Use

permitted the Commission that most often, even temporary structures are deemed as actual structures that it can be moved around). The Village Code states that anything above 6" in height is a structure and therefore needs a permit. However, it does vary based off of evaluation of the structure against the codes of a full-accessory structure.

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Village Planner Recommendations:

The Village of Pewaukee Plan Commission recommends Approval of the Conditional Use Grant Request for Samuel Liebert and Elizabeth Liebert for the property located at 435 High Street, subject to the following conditions:

1. That this conditional use allows a new accessory structure on the above referenced property to be as close as five (5) feet from the northern property line.
2. That all conditions made by the Plan Commission at their meeting of November 2024 are met.
3. That the new accessory structure meets all building and zoning codes including a height of no more than 15 feet.
4. The Petitioner shall satisfy all comments, conditions, and concerns of the Village of Pewaukee Plan Commission, Village Engineer and Village Planner for the site plan, and other documentation.
5. Building Inspection. The Petitioner and/or Property Owner shall comply with any and all recommendations by the Village Building Inspector (or designee) prior to the issuance of an occupancy & use permit for the subject property. Approval by the Village Building Inspector, if granted, shall be solely for the benefit of the Village of Pewaukee, and shall not be relied upon by the petitioner or others as proof of structural integrity or safety of any structure on the property, or as proof of compliance with any particular construction standard that would apply to new construction. The petitioner shall independently determine the suitability of all structures on the property for the petitioner's intended uses.
6. This approval is granted for the express conditions stated herein. Changes or alterations including, but not limited to, a change in use, premises, lands, or ownership of the property in question shall require a new conditional use approval with all the zoning procedures at the time being followed. The allowed uses of the property must at no time be hazardous, harmful, obnoxious, offensive, or a nuisance by reasons of appearance, noise, dust, smoke, odor, or other similar factors. Any use not specifically listed, as permitted, shall be considered to be prohibited, except as may be otherwise specified herein.
7. The Property Owner shall allow Village of Pewaukee representatives to inspect the premises following a 24-hour notice for the purposes of determining compliance with this approval.
8. The Petitioner and/or Property Owner shall obtain the appropriate permits from the Village of Pewaukee.
9. The Petitioner and/or Property Owner shall, on demand, reimburse the Village of Pewaukee for all costs and expenses of any type incurred by the Village in connection with the review and approval of this application, including, but not limited to, the cost of professional services incurred by the Village for the review and preparation of required documents, attendance at meetings or other related professional services as well as to enforce the conditions in this approval due to a violation of these conditions.

Village Engineer Recommendations:

Recommend approval of the placement of the storage shed as proposed in the application, subject to no changes in the existing ground grade at the shed location.

Trustee Rohde motioned/seconded by Comm. Hoff to approve the CUG request, subject to the conditions listed by staff.

Motion carried 5-0.

Comm. Liebert rejoined the Commission table at this time.

b. Review, discussion and possible action on a Sign Code Waiver to permit for a 75 sq.ft. wall sign for a multiple tenant building. The wall sign exceeds the maximum of one wall sign per tenant not exceeding 30 square feet in area or 75 percent of the tenant's lineal facade frontage, whichever is less and is permitted to request planning commission approval to exceed the size through section 70.115. This 2.51-acre parcel, located at 395 Forest Grove Drive / PWV 0903101001, is zoned as B-5 Light Industrial District. Property Owner is 1505 LLC and Applicant is Redline Powersports (Russell Kramer, agent/owner).

Village Planner, Jeff Muenkel, gave a brief overview and explained that nothing seemed out of the ordinary from previous projects that have been approved.

Comm. Hoff questioned the type of sign and material that it consists of due to complaints received in the past regarding bright lights:

Russell Kramer, Owner/Applicant @ Redline Powersports - Material has not been finalized yet; however, the applicant would like to match the sign that they have in their lobby. The lobby sign is constructed of mild steel, brushed with a grinder and clear coated to prevent rust. The sign is backlit with LEDs which would not project outward. Kramer stated that he selected the size of the sign based off of an aspect ratio with the canopy that will be below the sign to make it look proportional. He is against putting signage on his overhead doors (as neighboring companies have) because they keep those doors open in the summer, which would prevent the sign from being seen during those months.

Comm. Belt asked staff about rules and regulations regarding the timing of lights being on throughout the day/night:

Village Planner, Jeff Muenkel, shared that there is nothing stated specifically in the ordinance. Conditions have been put on signs in the past with conditional uses and during waivers.

Village Attorney, Matt Gralinski, confirmed the waiver ability of the commission set forth in the ordinance is very broad –

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in square footage does not seem out of the ordinary for the tenant wall façade.

Plan Commission Approves the larger wall sign up to 75 square feet for Redline MotorSports for Grove Drive, subject to the following conditions:

to be permitted for Redline Motorsports for the multiple tenant building located at 395 the east street only.

Any conditions made by the Plan Commission at their meeting of November 2024, as noted in the minutes.

3. That any additional required building permits be obtained prior to erection of wall signage.
4. That any additional freestanding signage improvements obtain zoning approval and building inspector approval prior to being permitted through the Village Hall Staff.

Comm. Hoff motioned/seconded by Comm. Liebert to approve the plans presented with the staff's recommendations.

Motion carried 6-0.

c. Review, discussion, and possible recommendation to the Village Board to approve a Certified Survey Map request of applicant Erin and Kevin Ark to combine common lots of ownership. This 0.527-acre parcel, located at 214 1st St/ PWV 0899252, is zoned R-5 Single-Family Residential. Property owners are Kevin R Ark.

Village Engineer, Tim Barbeau, gave a brief overview of what was discussed at the August 8, 2024, Plan Commission meeting regarding this item and explained why it is being presented again tonight.

Village Planner Recommendations:

The Village of Pewaukee Plan Commission Recommends Approval of the Certified Survey Map for Erin and Kevin Ark for the property located at 214 1st Street, subject to the following conditions:

1. Any conditions made by the Plan Commission at their meeting of November 2024.
2. That all engineering comments are satisfied for the Certified Survey Map prior to Village signature and recording.
3. The Petitioner and/or Property Owner shall, on demand, reimburse the Village of Pewaukee for all costs and expenses of any type incurred by the Village in connection with the review and approval of this application, including, but not limited to, the cost of professional services incurred by the Village for the review and preparation of required documents, attendance at meetings or other related professional services as well as to enforce the conditions in this approval due to a violation of these conditions.

Comm. Hoff motioned/seconded by Trustee Rohde to approve the CSM presented with the Village Planner and Village Engineer's recommendations.

Motion carried 6-0.

7. Citizen Comments – No comments.

8. Adjournment

Trustee Rohde motioned/seconded by Comm. Belt to adjourn the November 14, 2024, Regular Plan Commission meeting at approximately 6:21 p.m.

Motion carried 6-0.

Respectfully submitted,

Mackenzie Quigley
Deputy Clerk

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Wednesday	8 a.m. - 4:30 p.m.
Thursday	8 a.m. - 4:30 p.m.
Friday	8 a.m. - 4:30 p.m.
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