

CITY OF FRANKLIN  
PLAN COMMISSION MEETING\*  
FRANKLIN CITY HALL COUNCIL CHAMBERS  
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN  
AGENDA  
THURSDAY, SEPTEMBER 22, 2016, 7:00 P.M.

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

B. **Approval of Minutes**

1. Approval of regular meeting of September 8, 2016.

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

1. **CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE PERMITTED AND SPECIAL USES IN THE NONRESIDENTIAL ZONING DISTRICTS TABLE 15-3.0603 AMENDMENTS [CITY-WIDE].** Unified Development Ordinance Text Amendment application by the City of Franklin to amend Table 15-3.0603 to: remove all Membership Organizations, Standard Industrial Classification Major Group No. 86, from the B-2 General Business District, B-3 Community Business District, B-6 Professional Office District, B-7 South 27th Street Mixed-Use Office District, CC City Civic Center District, BP Business Park District, OL-1 Office Overlay District and OL-2 General Business Overlay District; remove the entire Planned Development District column; and to add all Membership Organizations as Permitted Uses in the I-1 Institutional District, along with Religious Organizations. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS MATTER.**

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

1. **RELEASE OF LANDSCAPE PLANTING BUFFER EASEMENT RESTRICTION.** Release of Easement Restriction on Plat application by William Gebhard and Melissa Bania (Gebhard) to allow for a shed within the “40 Foot Landscape Planting Buffer” located on the rear (south) area of the property at 4089 West Whispering Ridge Pass, zoned R-6 Suburban Single-Family Residence District; Tax Key No. 787-0009-000.

E. **Adjournment**

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

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

## Franklin Plan Commission Agenda

9/22/16

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

### REMINDERS:

Next Regular Plan Commission Meeting: October 6, 2016

**City of Franklin**  
**Plan Commission Meeting**  
**September 8, 2016**  
**Minutes**

unapproved

**Call to Order and Roll Call**

- A. Mayor Steve Olson called the September 8, 2016 Regular Plan Commission meeting to order at 7:00 p.m. in the Council Chambers at the Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

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

**Approval of Minutes**

Regular Meeting of August 18, 2016.

- B.
1. Commissioner Fowler moved and Alderman Dandrea seconded approval of the August 18, 2016 minutes of the regular meeting of the Plan Commission as presented. On voice vote, all voted 'aye'. Motion carried (4-0-0).

**Public Hearing Business Matters**

- C. None.

**Business Matters**

**THE ROCK SPORTS COMPLEX SIGNAGE.** Unified Development Ordinance §15-3.0442 Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) Minor Amendment application by Bill Zimmerman, Vice President, MKE Sports & Entertainment, to allow for the installation of up to 1,200 square feet of signage on the outside of the approximately 160 foot by 20 foot baseball field fence near the corner of South 76th Street and 7900 West Crystal Ridge Drive, property zoned Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) and FW Floodway District; Tax Key No. 744-8980-001.

- D.
- 1 Planning Manager Dietl presented the application by Bill Zimmerman for a Minor Amendment to allow for the installation of up to 1,200 square feet of signage on the outside of the approximately 160 foot by 20 foot baseball field fence near the corner of South 76th Street and 7900 West Crystal Ridge Drive.

Commissioner Fowler moved and Alderman Dandrea seconded a motion determining the proposed amendment to be a minor amendment. On voice vote, all voted 'aye'. Motion carried. (4-0-0).

Commissioner Morrow moved and Commissioner Leon seconded a motion to recommend denial of an ordinance to amend section 15-3.0442 of the Unified Development Ordinance Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) to allow for the installation of signage on the ballpark fencing, for the reasons set forth on page 3 of the Department of City Development report to the Plan Commission on this application. On voice vote, all voted 'aye'. Motion carried. (4-0-0).

**GUJARATI SAMAJ OF WISCONSIN 2016 DANCE EVENT AT THE MILWAUKEE COUNTY SPORTS COMPLEX.** Temporary Use application by Gujarati Samaj of Wisconsin, Inc., for an annual celebration of Navaratri dance event (known as “Navararim”, most identified with a mother’s day dance) at the Milwaukee County Sports Complex located at 6000 West Ryan Road, on September 30, 2016 and October 8, 2016, from 7:00 p.m. to 12:00 a.m., on property zoned P-1 Park District, FC Floodplain Conservancy District and FW Floodway District; Tax Key Nos. 852-9999- 001 and 882-9987-001.

2. Planning Manager Dietl presented the application by Gujarati Samaj of Wisconsin for a Temporary Use application for a 2016 dance event at the Milwaukee County Sports Complex located at 6000 W. Ryan Road.

Alderman Dandrea moved and Commissioner Fowler seconded a motion to approve a resolution imposing conditions and restrictions for the approval of a Temporary Use for an annual dance event for property located at 6000 W. Ryan Road (Milwaukee County Sports Complex). On voice vote, all voted ‘aye’. Motion carried. (4-0-0).

**Adjournment**

- E. City Engineer Morrow moved and Alderman Dandrea seconded to adjourn the Plan Commission meeting of September 8, 2016 at 7:24 p.m. All voted ‘aye’. Motion carried. (4-0-0).

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION**

Meeting of September 22, 2016

**Unified Development Ordinance Text Amendment**

**RECOMMENDATION:** City Development Staff recommends approval of the proposed Unified Development Ordinance Text Amendment to amend the allowance for Membership Organizations and removal of the Planned Development District column within Table 15-3.0603 of the UDO.

<b>Project Name:</b>	Membership Organizations
<b>Project Address:</b>	N/A
<b>Applicant:</b>	City of Franklin
<b>Owners (property):</b>	N/A
<b>Current Zoning:</b>	N/A
<b>2025 Comprehensive Master Plan:</b>	N/A
<b>Use of Surrounding Properties:</b>	N/A
<b>Applicant Action Requested:</b>	Recommendation of approval for the proposed Unified Development Ordinance Text Amendment to Table 15-3.0603

**Introduction**

At the August 2, 2016 Common Council meeting, as part of the motion related to the Root River Church Unified Development Ordinance Text Amendment Application, Department of City Development staff was directed to file a Unified Development Ordinance Text Amendment Application to remove all Membership Organizations, Standard Industrial Classification Major Group No. 86, from the B-3 Community Business District.

At the August 16, 2016 Common Council meeting, staff presented the information below, under the Project Description and Analysis section of this report, and the Common Council further directed staff “to prepare an ordinance to amend the Unified Development Ordinance text at Table 15-3.0603 Major Group No. 86 for all zoning districts as recommended by the Department of City Development.”

As such, staff prepared the necessary documentation and a Class 2 public hearing noticed was published in the newspaper as required by the UDO.

**Project Description and Analysis**

Table 15-3.0603 of the Unified Development Ordinance sets forth those uses, which are permitted and special uses in all nonresidential zoning districts in the City of Franklin. Use designations are based on the Standard Industrial Classification (SIC) Manual (1987, or latest edition) published by the Executive Office of the President, Office of Management and Budget.

In review of Table 15-3.0603 and Major Group No. 86, staff found that in addition to the B-3 District, the B-2 General Business District, BP Business Park District and OL-2 General Business Overlay District also allow all Membership Organizations, except for SIC Code No. 8661 Religious Organizations, similar to the B-3 District. Therefore, staff is recommending and requesting permission to also remove all Membership Organizations from the B-2, BP and OL-2 Districts as well as the B-3 District.

Furthermore, staff found that all Membership Organizations, including Religious Organizations are allowed in the B-6 Professional Office District, B-7 South 27<sup>th</sup> Street Mixed Use Office District, CC City Civic Center District and OL-1 Office Overlay District. As these districts are generally intended for retail and office type uses, and for similar reasons stated by staff regarding the B-3 District, staff recommends removing all Membership Organizations from these zoning districts as well.

Additionally, Table 15-3.0603 allows SIC Code No. 8611 Business Associations, 8621 Professional Organizations and 8699 Membership organizations, not elsewhere classified in PDD zoning. Staff recommends removing these as well and notes that individual uses may be addressed within specific planned developments. As such, staff also recommends that the entire PDD column within Table 15-3.0603 be eliminated.

Lastly, staff recommends adding all Membership Organizations as permitted uses in the I-1 Institutional District, along with Religious Organizations, which are already permitted in the I-1 District.

As a result, the amended table would allow SIC Code No. 8641 Civic and social associations as a permitted use in the B-4 District (per Ordinance No. 2012-2099) and SIC Code No. 8661 Religious Organizations and all other Membership Organizations as permitted uses in the I-1 Institutional District. The resulting proposed table is attached for your review.

Staff would further note that it is likely that many, although not all, Membership Organizations such as political organizations, civic and social organizations and professional organizations would fall under the General Office category and would be allowed in all zoning districts as a permitted use, except the M-2, A-1, A-2, M-3 and L-1 zoning districts. The General Office definition is below.

Office, General. Any business use conducting clerical and/or professional service activities within a room or group of rooms and generally furnished with desks, tables, file cabinets, computers, phones, communication equipment and/or the like. General office uses may include, but are not limited to: computer work; research; photocopying; filing; over the phone sales; and answering phones or otherwise responding to communications. A minimum of 75% of floor area shall be designated as office space to constitute a general office use. Other uses may include ancillary storage, kitchens; break rooms and other office support spaces. Retail, warehousing and outdoor storage shall be prohibited with a general office use. A general office use includes the addition or relocation on the property of office use, on a legal nonconforming use property, after September 10, 2015, when such office use addition or relocation occupies or shall occupy existing (as of

September 10, 2015) building space on the property, which addition or relocation shall not constitute the expansion or enlargement of a legal nonconforming use under Division 15-3.100 of the Unified Development Ordinance, and which addition or relocation shall be a permitted use. In the event of an aforesaid relocation of office use upon a legal nonconforming use property, the space vacated by such office use within an existing (as of September 10, 2015) building may be otherwise occupied by the legal nonconforming use (if such space is less than 1,000 square feet in area), which occupation of such area shall not constitute the expansion or enlargement of a legal nonconforming use under Division 15-3.100 of the Unified Development Ordinance.

As discussed at the August 2, 2016 Common Council meeting, the Religious Land Use and Institutionalized Persons Act (RLUIPA) require that religious assemblies and institutions be treated on equal terms than non-religious assemblies and institutions. Staff finds that the proposed changes comply with RLUIPA.

**Staff Recommendation**

City Development Staff recommends approval of the proposed Unified Development Ordinance Text Amendment to amend the allowance for Membership Organizations and removal of the Planned Development District column within Table 15-3.0603 of the UDO.

ORDINANCE NO. 2016-\_\_\_\_\_

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-3.0603 TO DELETE STANDARD INDUSTRIAL CLASSIFICATION MAJOR GROUP NO. 86 MEMBERSHIP ORGANIZATIONS FROM CERTAIN ZONING DISTRICTS, DELETE THE PLANNED DEVELOPMENT DISTRICT COLUMN AND TO INCLUDE ALL MEMBERSHIP ORGANIZATIONS AND RELIGIOUS ORGANIZATIONS AS PERMITTED USES IN THE I-1 INSTITUTIONAL DISTRICT (CITY OF FRANKLIN, APPLICANT)

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WHEREAS, Table 15-3.0603 of the Unified Development Ordinance sets forth the permitted and special uses in the nonresidential zoning districts; and

WHEREAS, the City of Franklin having applied for text amendments to Table 15-3.0603, to delete Standard Industrial Classification Major Group No. 86 Membership Organizations from certain zoning districts, to delete the Planned Development District column and to include all Membership Organizations and Religious Organizations as Permitted Uses in the I-1 Institutional District; the specific zoning districts from which Membership Organizations, Standard Industrial Classification Major Group No. 86 are to be deleted are as follows: B-2 General Business District, B-3 Community Business District, B-6 Professional Office District, B-7 South 27th Street Mixed-Use Office District, CC City Civic Center District, BP Business Park District, OL-1 Office Overlay District and OL-2 General Business Overlay District; and

WHEREAS, the Plan Commission having reviewed the proposed amendments to delete Standard Industrial Classification Major Group No. 86 Membership Organizations from certain zoning districts, to delete the Planned Development District column and to include all Membership Organizations and Religious Organizations as Permitted Uses in the I-1 Institutional District, and having held a public hearing on the proposal on the 22nd day of September, 2016 and thereafter having recommended approval of such amendment; and

WHEREAS, the Common Council having accepted the recommendation of the Plan Commission and having determined that the proposed amendments are consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and will serve to further orderly growth and development and promote the health, safety and welfare of the Community.

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

SECTION 1: TABLE 15-3.0603 PERMITTED AND SPECIAL USES IN THE NONRESIDENTIAL ZONING DISTRICTS of the Unified

Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin is hereby amended to delete Standard Industrial Classification Major Group No. 86 Membership Organizations from the following zoning districts: B-2 General Business District, B-3 Community Business District, B-6 Professional Office District, B-7 South 27th Street Mixed-Use Office District, CC City Civic Center District, BP Business Park District, OL-1 Office Overlay District and OL-2 General Business Overlay District.

**SECTION 2:** TABLE 15-3.0603 PERMITTED AND SPECIAL USES IN THE NONRESIDENTIAL ZONING DISTRICTS of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin is hereby amended to delete the Planned Development District column.

**SECTION 3:** TABLE 15-3.0603 PERMITTED AND SPECIAL USES IN THE NONRESIDENTIAL ZONING DISTRICTS of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin is hereby amended to include all Membership Organizations and Religious Organizations as Permitted Uses in the I-1 Institutional District.

**SECTION 4:** The portion of TABLE 15-3.0603 PERMITTED AND SPECIAL USES IN THE NONRESIDENTIAL ZONING DISTRICTS of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, as amended hereunder, is as follows:

*Table 15-3.0603 (continued)*

SIC		B-1	B-2	B-3	B-4	B-5	B-6	B-7	CC	VB	I-1	P-1	M-1	M-2	BP	OL-1	OL-2	A-1	A-2	M-3	L-1
806	Hospitals																				
8062	General medical & surgical hospitals							S			P				P	S					
8063	Psychiatric hospitals							P			P				P	S					
8069	Specialty hospitals except psychiatric							P			P				P	S					
807	Medical and Dental Laboratories																				
8071	Medical laboratories		P	P				P	S					P	P	P	P	S			
8072	Dental laboratories		P					P		S				P	P	P	P	S			
808	Home Health Care Services																				
8082	Home health care services		P	P	P	P		P	S								P	S			
809	Health and Allied Services, not elsewhere classified																				
8092	Kidney dialysis centers		S				P	P	S		P				P	P	S				
8093	Specialty outpatient clinics, not elsewhere classified		S				P	P	S		P				P	P	S				
8099	Health and allied services, not elsewhere classified		S		S		P	P	S		P				P	P	S				
81	<b>LEGAL SERVICES</b>																				
811	Legal Services																				
8111	Legal Services		P	P	P	P		P	P	P					P	P	P				
82	<b>EDUCATIONAL SERVICES</b>																				
821	Elementary and Secondary Schools																				
8211	Elementary and secondary schools										P										
822	Colleges and Universities																				
8221	Colleges and universities										P										
8222	Junior colleges										P										
823	Libraries																				
8231	Libraries										P										
824	Vocational Schools										P										
8243	Data processing schools		P		P			S/A							P	A	P				
8244	Business and secretarial schools		P		P			S/A			P		S		S	A	P				
8249	Vocational schools, not elsewhere classified		P		P			S/A			P		S	S		A	P				
829	Schools & Educational Services, not elsewhere classified																				

8299	Schools & educational services, not elsewhere classified			P			S			S		S	S						
<b>83 SOCIAL SERVICES</b>																			
832	Individual and Family Services																		
8322	Individual and family services		P	P			S		P			P		S				P	
833	Job Training and Related Services																		
8331	Job training and related services		P		P		P	S/A	P			P	P					A	P
835	Child Day Care Services																		
8351	Child day care services		S	S	P		S	S/A	S			S		S				A	S
836	Residential Care																		
8361	Residential care																		
839	Social Services, not elsewhere classified																		
8399	Social services, not elsewhere classified		P	P					P										S
<b>84 MUSEUMS, BOTANICAL, ZOOLOGICAL GARDENS</b>																			
841	Museums and Art Galleries																		
8412	Museums and art galleries		P	P					P	S	P				P				P
842	Botanical and Zoological Gardens																		
8422	Botanical and zoological gardens										P								
<b>86 MEMBERSHIP ORGANIZATIONS</b>																			
861	Business Associations																		
8611	Business associations										P								
862	Professional Organizations																		
8621	Professional organizations										P								
863	Labor Organizations																		
8631	Labor organizations										P								
864	Civic and Social Associations																		
8641	Civic and social associations				P						P								
865	Political Organizations																		
8651	Political organizations										P								
866	Religious Organizations																		
8661	Religious organizations										P								
869	Membership Organizations, not elsewhere classified																		
8699	Membership organizations, not elsewhere classified										P								
<b>87 ENGINEERING &amp; MANAGEMENT SERVICES</b>																			
871	Engineering & Architectural Services																		
8711	Engineering services	P			P		P	P	S	P				P	P	S			
8712	Architectural services	P			P		P	P	P	P				P	P	P			
8713	Surveying services	P			P		P	P	S	P				P	P	S			
872	Accounting, Auditing, & Bookkeeping																		
8721	Accounting, auditing, & bookkeeping	P			P		P	P	P	P				P	P	P			
873	Research and Testing Services																		
8731	Commercial physical research				S		S	S	S					S	S	S			
8732	Commercial nonphysical research				S		S	S	S					S	S	S			
8733	Noncommercial research organizations				S		S	S	S					S	S	S			
8734	Testing laboratories													P	P				
874	Management and Public Relations																		
8741	Management services	P			P		P	P	P	S				P	P	P			
8742	Management consulting services	P			P		P	P	P					P	P	P			

(Permitted Use = P, Special Use = S, Not Permitted = Blank)

**SECTION 5:** The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

**SECTION 6:** All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

**SECTION 7:** This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by Alderman \_\_\_\_\_.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

APPROVED:

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Stephen R. Olson, Mayor

ATTEST:

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Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

# Existing

**Table 15-3.0603 (continued)**

SIC		B-1	B-2	B-3	B-4	B-5	B-6	B-7	CC	VB	I-1	P-1	M-1	M-2	BP	OL-1	OL-2	A-1	A-2	M-3	L-1	PDD
806	Hospitals																					
8062	General medical & surgical hospitals							S			P				P	S						
8063	Psychiatric hospitals							P			P				P	S						
8069	Specialty hospitals except psychiatric							P			P				P	S						
807	Medical and Dental Laboratories																					
8071	Medical laboratories		P	P				P	S				P	P	P	P	S					
8072	Dental laboratories		P					P		S			P	P	P	P	S					
808	Home Health Care Services																					
8082	Home health care services		P	P	P	P		P	S								P	S				P
809	Health and Allied Services, not elsewhere classified																					
8092	Kidney dialysis centers		S				P	P	S		P				P	P	S					P
8093	Specialty outpatient clinics, not elsewhere classified		S				P	P	S		P				P	P	S					P
8099	Health and allied services, not elsewhere classified		S		S		P	P	S		P				P	P	S					P
81	<b>LEGAL SERVICES</b>																					
811	Legal Services																					
8111	Legal Services	P	P	P	P		P	P	P	P					P	P	P					P
82	<b>EDUCATIONAL SERVICES</b>																					
821	Elementary and Secondary Schools																					
8211	Elementary and secondary schools										P											
822	Colleges and Universities																					
8221	Colleges and universities										P											
8222	Junior colleges										P											
823	Libraries																					
8231	Libraries										P											
824	Vocational Schools										P											
8243	Data processing schools		P		P			S/A							P	A	P					
8244	Business and secretarial schools		P		P			S/A			P		S		S	A	P					
8249	Vocational schools, not elsewhere classified		P		P			S/A			P		S	S		A	P					
829	Schools & Educational Services, not elsewhere classified																					
8299	Schools & educational services, not elsewhere classified				P			S			S		S	S								
83	<b>SOCIAL SERVICES</b>																					
832	Individual and Family Services																					
8322	Individual and family services		P	P			S		P				P		S		P					S
833	Job Training and Related Services																					
8331	Job training and related services		P		P		P	S/A	P				P	P		A	P					P
835	Child Day Care Services																					
8351	Child day care services		S	S	P		S	S/A	S				S		S	A	S					S
836	Residential Care																					
8361	Residential care																					S
839	Social Services, not elsewhere classified																					
8399	Social services, not elsewhere classified		P	P					P								S					S
84	<b>MUSEUMS, BOTANICAL, ZOOLOGICAL GARDENS</b>																					
841	Museums and Art Galleries																					
8412	Museums and art galleries		P	P					P	S	P				P		P					
842	Botanical and Zoological Gardens																					
8422	Botanical and zoological gardens										P											
86	<b>MEMBERSHIP ORGANIZATIONS</b>																					
861	Business Associations																					
8611	Business associations		P	P			P	P	P						P	P	P					P
862	Professional Organizations																					
8621	Professional organizations		P	P			P	P	P						P	P	P					P
863	Labor Organizations																					
8631	Labor organizations		P	P			P	P	P						P	P	P					
864	Civic and Social Associations																					
8641	Civic and social associations		P	P	P		P	P	P						P	P	P					
865	Political Organizations																					
8651	Political organizations		P	P			P	P	P						P	P	P					
866	Religious Organizations																					
8661	Religious organizations						P	P	P		P					P						
869	Membership Organizations, not elsewhere classified																					
8699	Membership organizations, not elsewhere classified		P	P			S	S	P						S	S	P					P
87	<b>ENGINEERING &amp; MANAGEMENT SERVICES</b>																					
871	Engineering & Architectural Services																					
8711	Engineering services		P		P		P	P	S	P					P	P	S					
8712	Architectural services		P		P		P	P	P	P					P	P	P					
8713	Surveying services		P		P		P	P	S	P					P	P	S					
872	Accounting, Auditing, & Bookkeeping																					
8721	Accounting, auditing, & bookkeeping		P		P		P	P	P	P					P	P	P					
873	Research and Testing Services																					
8731	Commercial physical research				S		S	S	S						S	S	S					
8732	Commercial nonphysical research				S		S	S	S						S	S	S					
8733	Noncommercial research organizations				S		S	S	S						S	S	S					
8734	Testing laboratories												P	P								
874	Management and Public Relations																					
8741	Management services		P		P		P	P	P	S					P	P	P					
8742	Management consulting services		P		P		P	P	P						P	P	P					

(Permitted Use = P, Special Use = S, Not Permitted = Blank)

Table 15-3.0603 (continued)

SIC		B-1	B-2	B-3	B-4	B-5	B-6	B-7	CC	VB	I-1	P-1	M-1	M-2	BP	OL-1	OL-2	A-1	A-2	M-3	L-1	PDD
NO	STANDARD INDUSTRIAL CLASSIFICATION TITLE																					
806	Hospitals																					
8062	General medical & surgical hospitals							S			P				P	S						
8063	Psychiatric hospitals							P			P				P	S						
8069	Specialty hospitals except psychiatric							P			P				P	S						
807	Medical and Dental Laboratories																					
8071	Medical laboratories		P	P				P	S				P	P	P	P	S					
8072	Dental laboratories		P					P		S			P	P	P	P	S					
808	Home Health Care Services																					
8082	Home health care services		P	P	P	P		P	S							P	S					P
809	Health and Allied Services, not elsewhere classified																					
8092	Kidney dialysis centers		S				P	P	S		P				P	P	S					P
8093	Specialty outpatient clinics, not elsewhere classified		S				P	P	S		P				P	P	S					P
8099	Health and allied services, not elsewhere classified		S		S		P	P	S		P				P	P	S					P
81	<b>LEGAL SERVICES</b>																					
811	Legal Services																					
8111	Legal Services		P	P	P	P		P	P	P					P	P	P					P
82	<b>EDUCATIONAL SERVICES</b>																					
821	Elementary and Secondary Schools																					
8211	Elementary and secondary schools											P										
822	Colleges and Universities																					
8221	Colleges and universities											P										
8222	Junior colleges											P										
823	Libraries																					
8231	Libraries											P										
824	Vocational Schools											P										
8243	Data processing schools		P		P			S/A							P	A	P					
8244	Business and secretarial schools		P		P			S/A			P		S		S	A	P					
8249	Vocational schools, not elsewhere classified		P		P			S/A			P		S	S		A	P					
829	Schools & Educational Services, not elsewhere classified																					
8299	Schools & educational services, not elsewhere classified				P			S			S		S	S								
83	<b>SOCIAL SERVICES</b>																					
832	Individual and Family Services																					
8322	Individual and family services		P	P			S		P				P		S		P					S
833	Job Training and Related Services																					
8331	Job training and related services		P		P		P	S/A	P				P	P		A	P					P
835	Child Day Care Services																					
8351	Child day care services		S	S	P		S	S/A	S				S		S	A	S					S
836	Residential Care																					
8361	Residential care																					
839	Social Services, not elsewhere classified																					
8399	Social services, not elsewhere classified		P	P					P								S					S
84	<b>MUSEUMS, BOTANICAL, ZOOLOGICAL GARDENS</b>																					
841	Museums and Art Galleries																					
8412	Museums and art galleries		P	P					P	S	P				P		P					
842	Botanical and Zoological Gardens																					
8422	Botanical and zoological gardens											P										
86	<b>MEMBERSHIP ORGANIZATIONS</b>																					
861	Business Associations																					
8611	Business associations											P										
862	Professional Organizations																					
8621	Professional organizations																					
863	Labor Organizations																					
8631	Labor organizations																					
864	Civic and Social Associations																					
8641	Civic and social associations					P																
865	Political Organizations																					
8651	Political organizations																					
866	Religious Organizations																					
8661	Religious organizations																					
869	Membership Organizations, not elsewhere classified																					
8699	Membership organizations, not elsewhere classified																					
87	<b>ENGINEERING &amp; MANAGEMENT SERVICES</b>																					
871	Engineering & Architectural Services																					
8711	Engineering services		P		P		P	P	S	P					P	P	S					
8712	Architectural services		P		P		P	P	P	P					P	P	P					
8713	Surveying services		P		P		P	P	S	P					P	P	S					
872	Accounting, Auditing, & Bookkeeping																					
8721	Accounting, auditing, & bookkeeping		P		P		P	P	P	P					P	P	P					
873	Research and Testing Services																					
8731	Commercial physical research				S		S	S	S						S	S	S					
8732	Commercial nonphysical research				S		S	S	S						S	S	S					
8733	Noncommercial research organizations				S		S	S	S						S	S	S					
8734	Testing laboratories												P	P								
874	Management and Public Relations																					
8741	Management services		P		P		P	P	P	S					P	P	P					
8742	Management consulting services		P		P		P	P	P						P	P	P					

(Permitted Use = P, Special Use = S, Not Permitted = Blank)

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION**

Meeting of September 22, 2016

**Installation of Shed within 40 foot Landscape Buffer**


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**RECOMMENDATION:** Department of City Development Staff recommends denial of the request to allow a shed to remain within the 40-foot Landscape Buffer upon Lot 9 of the Victory Creek Estates Subdivision.

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<b>Project Name:</b>	Shed Installation within 40 foot Landscape Buffer
<b>Project Address:</b>	4089 West Whispering Ridge Pass
<b>Applicant:</b>	William and Melissa Gebhard
<b>Owners (property):</b>	William and Melissa Gebhard
<b>Current Zoning:</b>	R-6 Suburban Single-Family Residence District
<b>Use of Surrounding Properties:</b>	Single-family residential to the north, south, east and west
<b>Applicant Action Requested:</b>	Recommendation of approval to allow a shed within the 40-foot Landscape Buffer of the Victory Creek Estates Subdivision

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**Introduction/Project Description:**

On August 22, 2016, the applicant submitted a Miscellaneous Application requesting permission to allow a shed to remain within the 40-foot Landscape Buffer denoted on the Final Plat of the Victory Creek Estates Subdivision for Lot 9, located at 4089 West Whispering Ridge Pass.

The Victory Creek Estates Subdivision Final Plat was approved by the Common Council on August 14, 2001 by Resolution No. 2001-5257 and contains a 40 foot Landscape Buffer for all lots abutting West Drexel Avenue.

The applicant recently constructed a shed within this area and is requesting release of the plat restriction to allow the shed to remain in its current location. According to the applicant, the shed is setback approximately 9-feet from the south or rear property line abutting W. Drexel Avenue and about 19' from the east or side property line. The Building Permit plans submitted by the applicant and approved by the City illustrated the shed at 9-feet from the Landscape Buffer, not the rear property line.

The applicant has provided the attached narrative stating the reasons for their request as well as emails in support of the shed from the property to the south on the other side of W. Drexel Avenue and from Angela Beadle, Treasurer of the Victory Creek Estates Homeowners Association. The applicant is also proposing landscaping to the rear and side of the shed in addition to the plantings already installed.

Condition No. 3 of Resolution No. 99-4951, approving the Preliminary Plat for Victory Creek Estates Subdivision:

- Lots 1, 5, 6, 7, 8, 9, 10, 11, 12, 25 and 26 shall be designed to provide greater depth to accommodate 40 landscape buffer and double sided lots and lots shall be a minimum of 150 feet deep at the shortest lot line, prior to Final Plat submittal.

In review of aerial photography, there are some existing encroachments (see below). Note that building permits were not found on file for the shed on Lot 5 or for the split rail fencing on Lots 7, 8, 11 and 13.

- Lot 5, 3979 W. Whispering Ridge Pass - shed
- Lot 7, 4037 W. Whispering Ridge Pass (and partly extending onto Lot 8, 4089 W. Whispering Ridge Pass) – split rail fence
- Lot 11, 4135 W. Whispering Ridge Pass – split rail fence
- Lot 13, 4169 W. Whispering Ridge Pass – split rail fence
- Lot 26, 7883 Victory Creek Court – play structure

There are also several properties listed below that have structures located in compliance with and outside of the 40-foot Landscape Buffer.

- Lot 5, 3979 W. Whispering Ridge Pass – play structures
- Lot 10, 4113 W. Whispering Ridge Pass – fence or retaining wall
- Lot 12, 4157 W. Whispering Ridge Pass – play structure
- Lot 13, 4169 W. Whispering Ridge Pass – play structure

Currently and at the time of the subject plat approval, Section 15-5.0102 of the UDO requires Landscape Bufferyard Easements when lots within a proposed Subdivision back upon right-of-way of an existing or proposed limited access arterial street or highway. More specifically, a planting strip must be a minimum of thirty feet in width and is reserved for the planting of trees and shrubs, and the building of structures is prohibited.

**Staff Recommendation:**

Department of City Development Staff recommends denial of the request to allow a shed to remain within the 40-foot Landscape Buffer upon Lot 9 of the Victory Creek Estates Subdivision.

## RESOLUTION NO. 2016-\_\_\_\_

A RESOLUTION AUTHORIZING THE INSTALLATION OF A SHED  
WITHIN THE 40 FOOT LANDSCAPE PLANTING BUFFER PLAT RESTRICTION,  
UPON LOT 9 IN VICTORY CREEK ESTATES SUBDIVISION  
(4089 WEST WHISPERING RIDGE PASS)  
(WILLIAM GEBHARD AND MELISSA BANIA (GEBHARD), APPLICANTS)

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WHEREAS, the Victory Creek Estates Subdivision Plat prohibits the building of structures within the 40 foot “Landscape Planting Buffer” described thereon; and

WHEREAS, William Gebhard and Melissa Bania (Gebhard) having applied for a release of the 40 foot “Landscape Planting Buffer” easement restriction upon their property to the extent necessary to install a shed within the existing tree line located on the rear (south) side of the property which abuts West Drexel Avenue to the south, and within the easement upon the property located at 4089 West Whispering Ridge Pass, such property being zoned R-6 Suburban Single-Family Residence District, bearing Tax Key No. 787-0009-000, is more particularly described as follows:

Lot 9 in Victory Creek Estates, Part of the Southeast 1/4 of the Southeast 1/4 of Section 11 and part of the Southwest 1/4 of the Southwest 1/4 of Section 12, All in Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; and

WHEREAS, the 40 foot “Landscape Planting Buffer” easement restriction upon the Final Plat for Victory Creek Estates Subdivision and its accompanying restriction of the building of structures is a restriction which was imposed by the Franklin Common Council in its approval of the Final Plat; and

WHEREAS, Wis. Stats. § 236.293 provides in part that any restriction placed on platted land by covenant, grant of easement or in any other manner, which was required by a public body vests in the public body the right to enforce the restriction at law or in equity and that the restriction may be released or waived in writing by the public body having the right of enforcement; and

WHEREAS, the Common Council having considered the request for the release of the 40 foot “Landscape Planting Buffer” easement restriction only so as to allow for the subject shed installation, and having considered the proposed location of and type of shed to be installed upon the subject property in conjunction with existing and required landscaping on the property, and that the proposed shed will not be readily visible from the adjoining highway or create any adverse impact upon the aesthetic or buffering purposes of the landscape bufferyard.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the installation of the proposed shed of the type and specifications as described and only upon the location as set forth within the plans accompanying the application of William Gebhard and Melissa Bania (Gebhard) filed on August 19, 2016, be and the same is hereby authorized and approved and that the "Landscape Planting Buffer" easement restriction as it would otherwise apply to such installation upon the subject property only, is hereby waived and released.

BE IT FURTHER RESOLVED, that the applicant shall further obtain all required permit(s) for the installation of the subject shed and that the subject shed shall be installed pursuant to such permit(s) within one year of the date hereof, or all approvals granted hereunder shall be null and void.

BE IT FINALLY RESOLVED, that the City Clerk be and the same are hereby directed to obtain the recording of this Resolution with the Office of the Register of Deeds for Milwaukee County.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
Stephen R. Olson, Mayor

ATTEST:

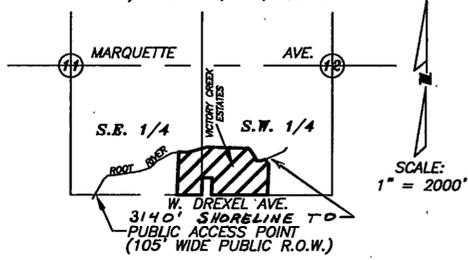
\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

# VICTORY CREEK ESTATES

PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11 AND PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 12, ALL IN TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

VICINITY MAP  
S.E. 1/4 SEC. 11, T5N, R21E.  
S.W. 1/4 SEC. 12, T5N, R21E.



There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21 (1) and (2), Wis. Stats., or by the County Planning Agency.

Certified August 7, 2001  
John P. Casucci  
Department of Administration

NUMBER	LOT #	ARC	RADIUS	CHORD BEARING	CHORD	DELTA	TANGENT IN	TANGENT OUT
1-CENTERLINE-TOTAL	232.29'	660.00'	660.00'	N10°03'22.5"W	231.09'	20°09'55"	N00°01'35"E	N20°08'20"W
1-CENTERLINE-NORTH	160.96'	660.00'	660.00'	N13°09'08"W	160.56'	13°58'24"	N06°09'56"W	N20°08'20"W
1-CENTERLINE-SOUTH	71.33'	660.00'	660.00'	N03°04'10.5"W	71.29'	6°11'31"	N00°01'35"E	N06°09'56"W
1-EAST	42.76'	700.00'	700.00'	N01°43'24.5"W	42.75'	3°29'59"	N00°01'35"E	N03°28'24"W
1-EAST	62	130.00'	700.00'	N13°43'02.5"W	129.81'	10°38'27"	N08°23'49"W	N19°02'18"W
1-EAST TOTAL	362.73	820.00'	820.00'	S25°58'37"E	357.58'	33°31'14"	N09°13'00"W	N42°44'14"W
1-WEST EXT.	230.99	820.00'	820.00'	S32°03'50"E	229.66'	21°20'48"	N21°23'28"W	N42°44'14"W
1-WEST R.O.W.	131.74'	820.00'	820.00'	S15°18'13"E	131.49'	12°10'28"	N09°13'00"W	N21°23'28"W
1-WEST OUTLOT 2	211.07'	820.00'	820.00'	S18°58'09"E	210.05'	19°30'18"		
1-WEST OUTLOT 3	85.13'	820.00'	820.00'	S32°39'19"E	85.08'	07°52'02"		
1-WEST OUTLOT 4	66.53'	820.00'	820.00'	S39°39'47"E	66.50'	06°08'54"		
1-WEST	47	39.82'	620.00'	N01°48'49"W	39.81'	3°40'48"	N00°01'35"E	N03°39'13"W
2-NORTH TOTAL	117.81'	75.00'	75.00'	S47°04'36"E	106.07'	90°00'00"	S02°04'36"E	N87°55'24"E
2-NORTH	54	97.48'	75.00'	S39°18'09"E	90.74'	74°27'06"		
2-NORTH	55	20.35'	75.00'	S84°18'09"E	20.29'	15°32'54"		
2-CENTERLINE	164.93'	105.00'	105.00'	S47°04'36"E	148.49'	90°00'00"	S02°04'36"E	N87°55'24"E
2-SOUTH TOTAL	212.06'	135.00'	135.00'	S47°04'36"E	190.92'	90°00'00"	S02°04'36"E	N87°55'24"E
2-SOUTH	15	38.98'	135.00'	N10°20'54.5"W	38.85'	16°32'37"		
2-SOUTH	14	69.92'	135.00'	S33°27'25"E	69.14'	29°40'24"		
2-SOUTH	13	71.40'	135.00'	S33°27'25"E	70.58'	30°18'20"		
2-SOUTH	12	31.76'	135.00'	S85°20'16.5"E	31.68'	13°28'39"		

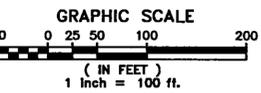
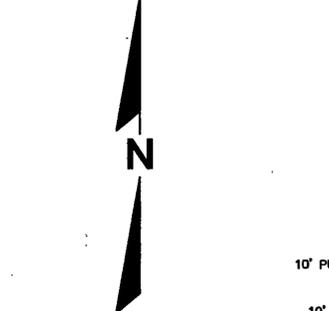
NUMBER	LOT #	ARC	RADIUS	CHORD BEARING	CHORD	DELTA	TANGENT IN	TANGENT OUT
3-NORTH TOTAL	172.78'	480.00'	480.00'	S77°36'40"W	171.85'	20°37'28"	S87°55'24"W	S67°17'56"W
3-NORTH	31	104.54'	480.00'	S73°32'18"W	104.34'	12°28'44"		
3-NORTH	32	68.24'	480.00'	S83°51'02"W	68.18'	08°08'44"		
3-CENTERLINE	174.57'	450.00'	450.00'	S76°48'35"W	173.48'	22°13'38"	S87°55'24"W	S65°41'46"W
3-CENTERLINE-EAST	33.41'	450.00'	450.00'	S85°47'47"W	33.40'	04°15'14"	S87°55'24"W	S83°40'10"W
3-CENTERLINE-WEST	141.16'	450.00'	450.00'	S74°40'58"W	140.58'	17°58'24"	S83°40'10"W	S65°41'46"W
3-SOUTH	21	1.16'	420.00'	S87°50'40"W	1.16'	00°09'28"	S87°55'24"W	S87°45'56"W
3-SOUTH	30	115.34'	420.00'	S71°42'23"W	114.97'	15°44'02"	S79°34'24"W	S63°50'22"W
4-EAST TOTAL	178.85'	216.00'	216.00'	S30°03'05"E	173.79'	47°26'30"	S06°19'50"E	S53°46'20"E
4-EAST	21	76.82'	216.00'	S16°31'07"E	76.41'	20°22'34"		
4-EAST	22	102.03'	216.00'	S40°14'22"E	101.09'	27°03'56"		
4-CENTERLINE	203.69'	246.00'	246.00'	S30°03'05"E	197.92'	47°26'30"	S06°19'50"E	S53°46'20"E
4-WEST TOTAL	228.53'	276.00'	276.00'	S30°03'05"E	222.06'	47°26'30"	S06°19'50"E	S53°46'20"E
4-WEST	27	2.72'	276.00'	S63°29'23"E	2.72'	00°33'54"		
4-WEST	28	75.99'	276.00'	S45°19'12.5"E	75.75'	15°46'27"		
4-WEST	29	73.20'	276.00'	S29°50'06.5"E	72.99'	15°11'45"		
4-WEST	30	76.82'	276.00'	S14°17'02"E	76.38'	15°54'24"		
5	22	43.36'	60.00'	S74°28'37.5"E	42.43'	41°24'35"	S53°46'20"E	N84°49'05"E
6	22	9.65'	60.00'	N36°13'39.5"E	90.00'	282°49'09"	S12°21'48"E	S84°49'05"W
6	23	60.00'	60.00'	N89°25'31"E	9.64'	09°12'52"		
6	24	60.00'	60.00'	S57°19'10.5"E	57.53'	57°17'45"		
6	25	60.00'	60.00'	S00°01'25.5"E	57.53'	57°17'45"		
6	26	60.00'	60.00'	S57°16'19.5"W	57.53'	57°17'45"		
6	28	60.00'	60.00'	N65°25'38"W	57.54'	57°18'20"		
6	27	25.57'	60.00'	N24°34'07"W	25.37'	24°24'42"		
6	27	43.36'	60.00'	N33°04'02.5"W	42.43'	41°24'35"	N12°21'48"W	N53°46'20"W
7	27	43.36'	60.00'	N33°04'02.5"W	42.43'	41°24'35"	N12°21'48"W	N53°46'20"W
8	EXT.	92.57'	300.00'	N81°05'55"E	92.20'	17°40'44"	N89°56'17"E	N72°15'33"E

TRAFFIC VISIBILITY RESTRICTION (TVR): SECTION 15-5.0201(A) TRAFFIC VISIBILITY OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE

NO OBSTRUCTIONS PERMITTED. NO VISUAL OBSTRUCTIONS, SUCH AS STRUCTURES, PARKING, OR VEGETATION, SHALL BE PERMITTED IN ANY DISTRICT BETWEEN THE HEIGHTS OF TWO AND ONE-HALF (2.5) FEET AND TEN (10) FEET ABOVE THE PLANE THROUGH THE MEAN CURB GRADES WITHIN THE TRIANGULAR SPACE FORMED BY ANY TWO (2) EXISTING OR PROPOSED INTERSECTING STREET OR ALLEY RIGHT-OF-WAY LINES AND A LINE JOINING POINTS ON SUCH LINES, LOCATED A MINIMUM OF THIRTY (30) FEET FROM THEIR INTERSECTION.

OUTLOT OWNERSHIP NOTE - SEE SHEET 2.

ZONING: R-6 RESIDENTIAL OSR OPTION 1  
FRONT SETBACK - 30'  
REAR SETBACK - 30'  
SIDE SETBACK - 10' INTERIOR; 19' CORNER  
MINIMUM WIDTH - 85' INTERIOR; 100' CORNER  
MINIMUM AREA - 10,000 SQ. FT.



LEGEND  
O INDICATES 2"x30" IRON PIPE, WT. 3.65 LBS. PER LINEAL FOOT SET.  
ALL OTHER LOT CORNERS HAVE 1"x24" IRON PIPE, WT. 1.68 LBS. PER LINEAL FOOT SET, UNLESS OTHERWISE NOTED.  
ALL DIMENSIONS MEASURED AND SHOWN TO THE NEAREST HUNDREDTH OF A FOOT.  
PLAT REFERENCED TO THE STATE PLANE COORDINATE SYSTEM SOUTH ZONE IN WHICH THE SOUTH LINE OF THE SW 1/4 OF SECTION 12, TOWN 5 NORTH, RANGE 21 EAST, BEARS S87°55'24"W (NAD27).

INDICATES NO DIRECT VEHICULAR ACCESS TO WEST DREXEL AVENUE.

INDICATES CONTOUR LINE (ELEVATION=722) LYING A VERTICAL DISTANCE OF TWO FEET ABOVE THE ELEVATION OF THE 100-YEAR RECURRENCE INTERVAL FLOOD.



S.W. COR. OF S.E. 1/4 OF SEC. 11-5-21 (Canc. Mon. w/ Brass Cap) N 335,113.05 E 2,541,212.49

S.W. COR. OF S.W. 1/4 OF SEC. 12-5-21 (Alum. D.O.T. Cap) N: 335,229.04 E: 2,543,835.23 ELEVATION=732.73'

PARCEL 1 CSM # 5659  
PARCEL 2 CSM # 5659  
PARCEL 3 CSM # 5659

UNPLATTED LANDS

National Survey & Engineering

Telephone 262-781-0000  
Facsimile 262-781-8408  
3745 W. Blumens Road  
Suite 200  
Brookfield, WI 53005-8938  
www.nse.com

# VICTORY CREEK ESTATES

PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11 AND PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 12, ALL IN TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

### SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN }  
MILWAUKEE COUNTY }

I, JOHN P. CASUCCI, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY:

PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11 AND THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 12, ALL IN TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4 SECTION; THENCE SOUTH 87°28'04" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 11 A DISTANCE OF 495.00 FEET TO A POINT; THENCE NORTH 00°03'43" WEST ALONG THE EAST LINE OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 6540 A DISTANCE OF 878.65 FEET TO A POINT; THENCE NORTH 89°56'17" EAST 142.26 FEET TO A POINT; THENCE NORTHEASTERLY 92.57 FEET ALONG THE ARC OF A CURVE WHOSE CENTER LIES TO THE NORTHWEST, WHOSE RADIUS IS 300.00 FEET, AND WHOSE CHORD BEARS NORTH 81°05'55" EAST 92.20 FEET TO A POINT; THENCE NORTH 72°15'33" EAST 351.03 FEET TO A POINT; THENCE NORTH 89°35'29" EAST 837.78 FEET TO A POINT; THENCE SOUTH 42°44'14" EAST 70.66 FEET TO A POINT; THENCE SOUTHEASTERLY 230.99 FEET ALONG THE ARC OF A CURVE WHOSE RADIUS IS 620.00 FEET, AND WHOSE CHORD BEARS SOUTH 32°03'50" EAST 229.66 FEET TO A POINT; THENCE NORTH 88°30'16" EAST 84.45 FEET TO A POINT; THENCE NORTH 70°57'44" EAST 89.95 FEET TO A POINT; THENCE SOUTH 40°03'33" EAST 121.71 FEET TO A POINT; THENCE SOUTH 00°01'35" WEST 827.88 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 12; THENCE SOUTH 87°55'24" WEST ALONG SAID SOUTH LINE 1128.22 FEET TO A POINT; THENCE NORTH 00°03'43" WEST ALONG THE EAST LINE OF CERTIFIED SURVEY MAP NO. 4994 A DISTANCE OF 350.02 FEET TO A POINT; THENCE SOUTH 87°55'24" WEST ALONG THE NORTH LINE OF SAID CERTIFIED SURVEY MAP 200.00 FEET TO A POINT; THENCE SOUTH 00°03'43" EAST ALONG THE WEST LINE OF SAID CERTIFIED SURVEY MAP 350.02 FEET TO THE POINT OF BEGINNING.

THAT I HAVE MADE SUCH SURVEY, LAND DIVISION AND PLAT BY THE DIRECTION OF V.C.L.L.C., OWNER OF SAID LAND.

THAT SUCH PLAT IS A CORRECT REPRESENTATION OF ALL THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATUTES AND THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE IN SURVEYING, DIVIDING AND PLATTING THE SAME.

REVISED THIS 24TH DAY OF APRIL, 2001.  
REVISED THIS 8TH DAY OF AUGUST, 2001.

*John P. Casucci*  
JOHN P. CASUCCI  
REGISTERED LAND SURVEYOR S-2055  
REVISED SEPT 5, 2001  
REVISED SEPT 19, 2001



### OWNER'S CERTIFICATE

V.C.L.L.C., A LIMITED LIABILITY COMPANY DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, DOES HEREBY CERTIFY THAT SAID LIMITED LIABILITY COMPANY CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED ON THIS PLAT.

V.C.L.L.C., DOES FURTHER CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION:

- 1. CITY OF FRANKLIN
- 2. MILWAUKEE COUNTY DEPARTMENT OF PUBLIC WORKS
- 3. WISCONSIN DEPARTMENT OF ADMINISTRATION

IN WITNESS WHEREOF, V.C.L.L.C., HAS CAUSED THESE PRESENTS TO BE SIGNED BY MICHAEL J. KAEREK, PRESIDENT AND JAMES A. KIRK, VICE PRESIDENT, THIS 5th DAY OF SEPTEMBER, 2001.

*Michael J. Kaerek*  
MICHAEL J. KAEREK, PRESIDENT

*James A. Kirk*  
JAMES A. KIRK, VICE PRESIDENT

STATE OF WISCONSIN }  
MILWAUKEE COUNTY }

PERSONALLY CAME BEFORE ME THIS 5th DAY OF SEPTEMBER, 2001, MICHAEL J. KAEREK, PRESIDENT AND JAMES A. KIRK, VICE PRESIDENT FOR V.C.L.L.C., TO ME KNOWN AS THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE THE PRESIDENT AND VICE PRESIDENT OF SAID CORPORATION, AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS AS THE DEED OF THE COMPANY, BY ITS AUTHORITY.

*Shirley A. Hill*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 2-22-04



### CONSENT OF CORPORATE MORTGAGEE

FIRST BANKING CENTER, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, MORTGAGEE OF THE ABOVE DESCRIBED LAND, CONSENTS TO THE SURVEYING, DIVIDING, MAPPING AND DEDICATION OF THE LAND DESCRIBED ABOVE AND CONSENTS TO THE ABOVE CERTIFICATE OF V.C.L.L.C., OWNER.

IN WITNESS WHEREOF, FIRST BANKING CENTER, HAS CAUSED THESE PRESENTS TO BE SIGNED BY JOHN S. SMITH, ITS PRESIDENT, AT BURLINGTON, WISCONSIN, THIS 6TH DAY OF SEPTEMBER, 2001.

*John S. Smith*

STATE OF WISCONSIN }  
RACINE COUNTY }

PERSONALLY CAME BEFORE ME THIS 6th DAY OF September, 2001, John S. Smith, holder of the above mortgage, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE SUCH PRESIDENT OF SAID CORPORATION, AND ACKNOWLEDGED THAT HE/SHE EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICER AS THE DEED OF SAID CORPORATION, BY ITS AUTHORITY.

### CERTIFICATE OF CITY TREASURER

STATE OF WISCONSIN }  
MILWAUKEE COUNTY }

I, LEE ANN AUGUSTINE, BEING THE DULY APPOINTED AND QUALIFIED CITY TREASURER OF THE CITY OF FRANKLIN DO HEREBY CERTIFY THAT IN ACCORDANCE WITH THE RECORDS IN MY OFFICE, THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF THE 22nd DAY OF October, 2001, ON ANY OF THE LAND INCLUDED IN THE PLAT OF VICTORY CREEK ESTATES.

*Lee Ann Augustine*  
LEE ANN AUGUSTINE, CITY TREASURER  
DATE: 10/22/2001

### COMMON COUNCIL RESOLUTION No. 2001-5257

RESOLVED, THAT THE PLAT OF VICTORY CREEK ESTATES IN THE CITY OF FRANKLIN, V.C.L.L.C., OWNER, IS HEREBY APPROVED BY THE COMMON COUNCIL.

*Frederick E. Klimetz*  
FREDERICK E. KLIMETZ, MAYOR  
DATE: October 19, 2001

I HEREBY CERTIFY THAT THE FOREGOING IS A COPY OF A RESOLUTION ADOPTED BY THE COMMON COUNCIL OF THE CITY OF FRANKLIN AND THAT ALL CONDITIONS OF APPROVAL HAVE BEEN MET AS OF THE 19th DAY OF August, 2001 THEREFORE.

*Sandra L. Wesolowski*  
SANDRA L. WESOLOWSKI, CLERK  
DATE: October 19, 2001

### COUNTY TREASURER'S CERTIFICATE

STATE OF WISCONSIN }  
MILWAUKEE COUNTY }

I, DOROTHY K. DEAN, BEING THE DULY APPOINTED, QUALIFIED, AND ACTING TREASURER OF THE COUNTY OF MILWAUKEE, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNREDEEMED TAX SALES AND NO UNPAID TAXES OR SPECIAL ASSESSMENTS AS OF THE 7th DAY OF September, 2001, AFFECTING THE LAND INCLUDED IN THE PLAT OF VICTORY CREEK ESTATES.

*Dorothy K. Dean*  
DOROTHY K. DEAN, COUNTY TREASURER  
DATE: 9/7/01



There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21 (1) and (2), Wis. Stats., or by the County Planning Agency.  
Certified August 23rd, 2001  
*Rene M. Pankaj*  
Department of Administration

### OUTLOT OWNERSHIP NOTE:

OUTLOT 1 AND 2 OF THE PLAT OF VICTORY CREEK ESTATES SUBDIVISION IS OWNED AND SHALL BE MAINTAINED BY THE VICTORY CREEK ESTATES HOMEOWNERS ASSOCIATION AND EACH INDIVIDUAL LOT OWNER SHALL HAVE AN UNDIVIDABLE FRACTIONAL OWNERSHIP OF THE OUTLOTS AND THAT MILWAUKEE COUNTY AND THE CITY OF FRANKLIN SHALL NOT BE LIABLE FOR ANY FEES OR SPECIAL ASSESSMENTS IN THE EVENT MILWAUKEE COUNTY OR THE CITY OF FRANKLIN SHOULD BECOME THE OWNER OF ANY LOT IN THE SUBDIVISION BY REASON OF DELINQUENCY. THE HOMEOWNERS ASSOCIATION SHALL MAINTAIN SAID OUTLOTS IN AN UNDEVELOPED CONDITION SO AS TO MAINTAIN ITS INTENDED PURPOSE. CONSTRUCTION OF ANY BUILDING, GRADING OR FILLING IN SAID OUTLOTS ARE PROHIBITED UNLESS APPROVED BY THE CITY OF FRANKLIN. THE HOMEOWNERS ASSOCIATION GRANTS TO THE CITY THE RIGHT (BUT NOT THE RESPONSIBILITY) TO ENTER UPON THE OUTLOTS IN ORDER TO INSPECT, REPAIR OR RESTORE SAID OUTLOTS TO THEIR INTENDED PURPOSE. EXPENSES INCURRED BY THE CITY FOR SAID INSPECTION, REPAIR OR RESTORATION OF SAID OUTLOTS MAY BE PLACED AGAINST THE TAX ROLL FOR SAID ASSOCIATION AND COLLECTED AS A SPECIAL CHARGE BY THE CITY.

National Survey & Engineering  
158900/SPPFB01H Telephone 262-781-0000  
Facsimile 262-781-0466  
1745 W. Blumound Road  
Suite 200  
Brockfield, WI 53005-6938  
www.nse.com



# Building Permit

For

## Accessory

**Permit Number:** I20161614



**Property Location:** 4089 W Whispering Ridge Pass

**Issue Date:** 07/05/2016

**Expiration Date:** 07/05/2017

**Estimated Cost:** \$ 2,446.00

**Tax Key #:** 787-0009-000

**Subdivision:** Victory Creek Estates

**Lot:** 9

**Project Description:** 8' x 10' Accessory Building with manufactures hot dipped galvanized steel floor system.

**Property Owner:**

Bania, Melissa  
4089 W Whispering Ridge Pass  
Franklin WI 53132  
Gebhard, William  
4089 W Whispering Ridge Pass  
Franklin WI 53132

**Contractor:**

Tuff Shed  
6280 S Howell Ave  
Milwaukee WI 53207

IT IS HEREBY AGREED between the Owner or their agent and the City of Franklin, that for and in consideration of the premises and to construct, erect, alter or install and occupy the building as above described, to be issued by the Inspector of Buildings, that the work shall be done in accordance with the description set forth in the statement.

THE OWNER ALSO AGREES to observe and maintain the legal requirements of setbacks, courts, side yards and rear yards as provided by the Franklin Building and Uniform Development Ordinance as amended from time to time.

Fees	Amount	Balance Due
Building Permit Fee	\$ 50.00	\$ 52.00 <i>JS</i>
Technology Fee	\$ 2.00	
<b>Total</b>	<b>\$ 52.00</b>	

Permit Issued By:

Owner or Agent:

FRANKLIN CITY  
Date 07/05/2016 4:27:03 PM  
Ref 424 TECHNOLOGY FEE  
Received 16161  
Amount 52.00



**Owner:**

Bania, Melissa  
4089 W Whispering Ridge Pass  
Franklin WI 53132

Gebhard, William  
4089 W Whispering Ridge Pass  
Franklin WI 53132

**Applicant:**

Gebhard, William  
4089 W Whispering Ridge Pass  
Franklin WI 53132

**Permit Number:** I20161614  
**Permit Application Date:** June 22, 2016  
**Application Number:** A20161866  
**Permit Type:** Accessory

**Property Address:** 4089 W Whispering Ridge Pass

<b>BUILDING INSPECTION REVIEW</b>	<b>Status:</b> Approved with conditions
	<b>Plan Reviewer:</b> Fred Baumgart

\*General requirements shall be followed on the garages and accessory buildings handout. Check plans for review comments. No changes shall be made from the approved plans. Plans shall be resubmitted for approval of the changes.\*

1. Accessory Buildings may not be located in an easement.
2. Studs may have a maximum spacing of twenty-four (24) inches on center.
3. Diagonal corner bracing shall be installed on both walls at each corner. Diagonal corner bracing may be applied on the inside surface of studs.
4. Corner posts may consist of two (2) two by four (2 X 4) inch studs or a single four by four (4 X 4) inch stud.
5. Collar beams at the top plate and collar ties in the upper one third of the roof shall be installed with a maximum spacing of forty-eight (48) inches on center. Collar beams may be two by six (2 x 6) inch. Collar ties shall be at least two by four (2 x 4) inch for roof slopes less than four (4) inches per foot. A one by six (1 x 6) inch collar tie may be used for roof slopes four (4) inches per foot or greater.
6. Detached garage roofs shall be framed in accordance with the applicable requirements of section SPS 321.27. Roof framing members spanning more than 6 feet measured from the outermost edge of the roof shall be permanently fastened to the top plate of load bearing walls using engineered clips, straps, or hangers.
8. Accessory building corners must be properly anchored to the ground.
9. Tar Paper is required under shingles.
10. Headers required above windows and doors on non-gable sides.
11. The maximum building height is 15' and limited to not more than one story.
12. The building has been reviewed and the following requirements are required by code but are on the plans submitted.. Provide 2 X 4 collar ties a minimum of 48" o/c. Uplift clips must be provided at the ends of all rafters or "trusses". Two (2) x 4 corner studs or one (1) 4 x 4 is required, a single 2 x 4 corner stud is not allowed by code.
13. The Hot dipped galvanized floor system used by this building manufacturer has been approved for use per Section 30.60 New Materials and Methods of the Wisconsin Uniform Building Code.

Inspections are required as follows:

1. Building location inspection floor inspection before pouring concrete. Locate and clearly identify corner lot markers relevant to accessory building location. Iron stakes must be visible to inspector.
2. Building final inspection.

### Accessory Buildings

Accessory buildings may not be located in an easement.

Check plans for review comments.

Inspections are required as follows:

1. Building location inspection if placing on wood floor, or
2. Slab inspection, before pouring concrete.
3. Building final inspection.
4. Accessory buildings not required to be on a slab, must be properly anchored to the ground.
5. No changes shall be made from the approved plans. Plans shall be resubmitted for approval of the changes.

Please direct any questions concerning the above comments to the individuals indicated at the beginning of each section.

Sincerely,



Frederick Baumgart  
Inspection Department

**CITY OF FRANKLIN**  
**BUILDING PERMIT APPLICATION**  
 9229 W. LOOMIS ROAD, FRANKLIN, WI 53132  
 Phone (414) 425-0084 Fax (414) 425-7513

Application No. A20161866  
 Permit No. \_\_\_\_\_  
 Parcel No. \_\_\_\_\_

Property Owner's Name  Owner resides or will reside at job address\*  
William Gebhard Phone 414-416-5737

Mailing Address City Zip Email Address  
4089 W Whispering Ridge Pass Franklin 53132 billgeb2@live.com

Contractor Name \*Dwelling Contractor Cert#  
Tuff Shed \_\_\_\_\_

Dwelling Contr. Qualifier's Name (if work is on 1 or 2 family dwellings) \*Dwelling Contractor Qualifier Cert#  
 \_\_\_\_\_ \_\_\_\_\_

Mailing Address City Zip  
6280 S Howell Ave Milwaukee 53207

Email Address Phone Fax  
Contact: Craig Kelly 414-719-4396 \_\_\_\_\_

Applicant (if other than owner or contractor) Phone  
 \_\_\_\_\_ \_\_\_\_\_

Mailing Address City Zip  
 \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_

Email Address Phone Fax  
 \_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_

Job/Building Address Project/Business Name (if applicable) Unit or Suite No.  
4089 W. Whispering Ridge Pass \_\_\_\_\_ \_\_\_\_\_

Project Type:  1 & 2 Family  Commercial  Industrial  Institutional  Multi Family - # of Units \_\_\_\_\_

- PERMIT TYPE:**
- New (other than 1 & 2 family)  Hot Tub/Spa  On Slab  On Deck
  - Addition  Fence - Type and Height \_\_\_\_\_
  - Alteration  Pool  Above Ground \_\_\_\_\_ Ht. Above Grade  In Ground
  - Demolition  Deck  Attached  Detached  Pool
  - Building Damage Repair  Accessory Building  On Slab  On Wood Floor
  - Building Move  Residing - Type of Material \_\_\_\_\_
  - Reroofing ----  Complete Tear Off ----  Over One Layer-----Type of Material \_\_\_\_\_
  - Foundation Repair - Wall Height \_\_\_\_\_ Size of Reinforcement Beams \_\_\_\_\_
  - Occupancy -- \$200 plus \$5 Technology Fee  Other \_\_\_\_\_

FRANKLIN  
 10:00am  
 JUN 22 2016  
 INSPECTION DEPT.

Project Description: 8' x 10' Shed / steel based flooring Estimate of Cost \$ 2446<sup>00</sup>  
 (do not include Plumbing, Electric, HVAC in cost)  
to be determined

**Cautionary Statement To Owners Obtaining Building Permits**  
 101.65(lr) of the Wisconsin Statutes requires municipalities that enforce the Uniform Dwelling Code to provide an owner who applies for a building permit with a statement advising the owner that: If the owner hires a contractor to perform work under the building permit and the contractor is not bonded or insured as required under s. 101.654 (2) (a), the following consequences might occur: (a) The owner may be held liable for any bodily injury to or death of others or for any damage to the property of others that arises out of the work performed under the building permit or that is caused by any negligence by the contractor that occurs in connection with the work performed under the building permit. (b) The owner may not be able to collect from the contractor damages for any loss sustained by the owner because of a violation by the contractor of the one- and two- family dwelling code or an ordinance enacted under sub. (1) (a), because of any bodily injury to or death of others or damage to the property of others that arises out of the work performed under the building permit or because of any bodily injury to or death of others or damage to the property of others that is caused by any negligence by the contractor that occurs in connection with the work performed under the building permit.

CONTACT PERSON (print) William Gebhard PHONE 414-416-5737 \*

APPLICANT'S SIGNATURE [Signature] DATE 6/21/2016

\*FAILURE TO OBTAIN PERMIT PRIOR TO STARTING WORK - FIRST OFFENSE TRIPLE FEES, SUBSEQUENT OFFENSES QUADRUPLE FEES  
 SEPARATE PERMITS REQUIRED FOR PLUMBING, ELECTRICAL AND HVAC

• Site Plan

# TUFF SHED

## 1-800-BUY-TUFF

- SALES ORDER #: \_\_\_\_\_
- QUOTE SHEET (valid until: \_\_\_\_\_)
- CHANGE ORDER (attach to the Original Sales Order)

Sales Consultant: CRAIG KELLY

Phone: (914) 719 4396

### SOLD TO/PREPARED FOR:

Date: 6/17/16 PO #: \_\_\_\_\_

Name: BILL & MELISSA REBHARD

Street: 4089 W. WHISPERING MOSES PASS

City: FRANKLIN State: WF ZIP: 53132

Home/Cell Phone: (914) 416 5737

Work Phone: (\_\_\_\_\_) \_\_\_\_\_

email: billgeb2@live.com

### DELIVER TO:

Proposed Delivery/Install Date: 6/17/16

Name: \_\_\_\_\_

Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Home/Cell Phone: (\_\_\_\_\_) \_\_\_\_\_

Work Phone: (\_\_\_\_\_) \_\_\_\_\_

email: \_\_\_\_\_

Method of payment:  Check (check number): \_\_\_\_\_  Cash: \$ \_\_\_\_\_

Credit (card number): \_\_\_\_\_ Exp. Date: \_\_\_\_\_ / \_\_\_\_\_ CID: \_\_\_\_\_

Billing Address: Street: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

How did you hear about TUFF SHED?  Referral  TV  Internet  Drive By  Other (Please specify): \_\_\_\_\_

ITEM	DESCRIPTION	QTY	UNIT PRICE	EXTENDED PRICE
Building (Series/Model/Size):	<u>8x10 GARDEN RAMBLER</u>			<u>1781</u>
Paint Colors (Base/Trim/Accent):				
Shingles (Type/Color):				
Drip Edge (Color):				
Optional Upgrades:	<u>16" SHELF</u>	<u>16</u>	<u>4.15</u>	<u>49</u>
NOTES:	<u>SCREEN UNIT</u>			<u>17</u>
	<u>STEEL FLOOR UPGRADE</u>	<u>80</u>	<u>1.25</u>	<u>100</u>
	<u>SMART FLOOR</u>	<u>80</u>	<u>1</u>	<u>80</u>
				<u>184</u>
	<u>ADDITIONAL ANCHORS SUPPLIED &amp; INSTALLED</u>			<u>356</u>
	<u>3 DIMENSIONAL STANCHIONS</u>			<u>60</u>

Please note: Priced building price DOES NOT INCLUDE CONCRETE. Sheds include a standard floor system that typically does not require a concrete pad. Garages require a concrete foundation, which must be purchased separately. Depending on the structure's size and intended use, a concrete foundation may be recommended or required at additional cost. Consult your sales consultant for more details. Installation is included in building price unless otherwise noted. Additional delivery fees may apply. Quote assumes a clear and level building site. For change orders, indicate the addition and/or subtraction of items/features. Full payment required on changes resulting in additional costs.

TUFF SHED, Inc. is not responsible for leveling or site preparation unless indicated on the sales order. TUFF SHED, Inc. is not responsible for acquiring any necessary building permits, or for compliance with zoning ordinances or restrictive covenants. Customer should contact local authorities concerning these matters. If not indicated above, and site preparation is not completed at time of delivery, a minimum charge of \$100.00 will be assessed. Any cancellation of this order must be made five business days prior to scheduled delivery date for full refund. If cancellation notice is less than five business days from scheduled delivery date, a 15% restocking fee will be assessed and withheld prior to refunding of deposit.

Subtotal:	<u>2381</u>
Delivery:	<u>150</u>
Tax:	<u>95</u>
Estimate Total:	<u>2446</u>
Payment:	<u>2446</u>
Balance Due:	
(upon delivery)	

Customer's Signature: [Signature]

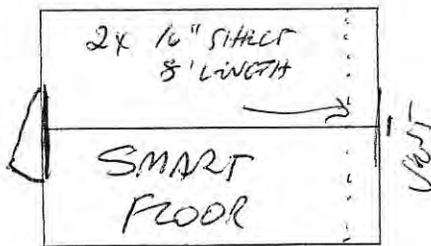
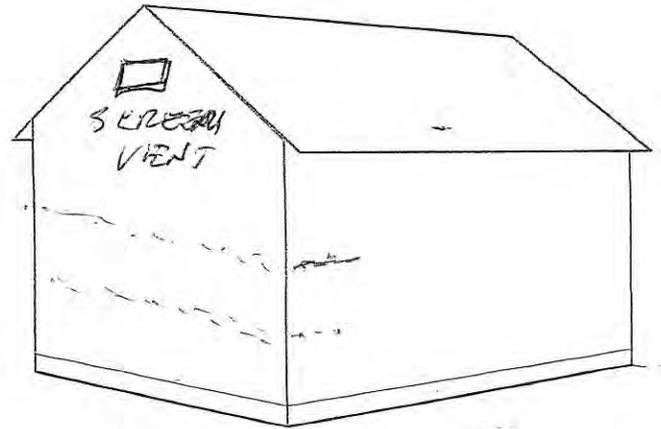
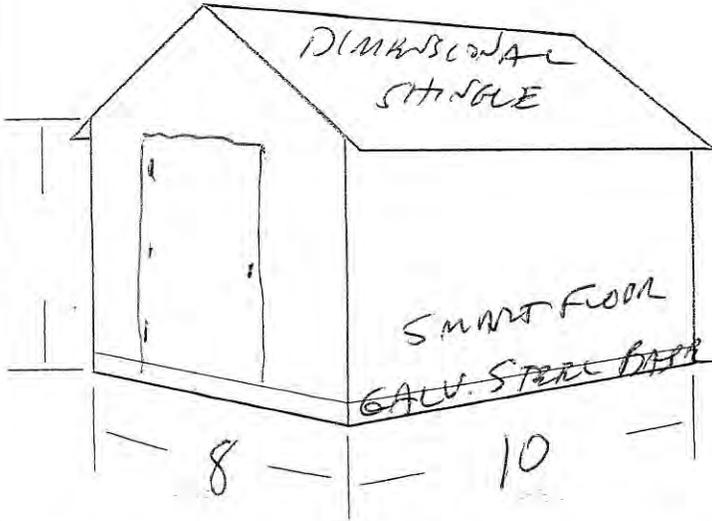
Date: 6/17/2016

SO #: \_\_\_\_\_

Sales Consultant: CHAG KELLY

Customer Name: REBHARD

GARDEN



OVERHEAD VIEW

Base Paint: ALMOND BUTTER  
 Trim Paint: GROUND COFFEE  
 Accent Paint(AP): \_\_\_\_\_  
 AP Location: \_\_\_\_\_  
 Shingle: BROWNWOOD  
 Drip/Vent Color: BROWN

Options (List): STEEL BASE  
SMART FLOOR  
SCREEN VENT  
SIDE 16" 2x 8'  
DIMENSIONAL SHINGLE

- Customer or responsible individual will be at site at time of delivery? ..... YES NO BT
- Is site clean and level? (Customer understands a leveling fee may apply if site is more than 4" out of level.) ..... YES NO BT
- Is there 18" clearance around all 4 sides of the building? ..... YES NO BT
- Is there clear access to the building site? ..... YES NO BT
- Is there a 110-volt/20 AMP power outlet within 100'? ..... YES NO BT
- Customer understands building permits, fees and all related cost of site readiness are customer's responsibility? ..... YES NO BT
- Customer has been presented the "What to Expect" document? ..... YES NO BT
- Customer understands that changes, cancellations or postponement will result in restocking/rescheduling fee? ..... YES NO BT
- Is this a NO FLOOR option? ..... YES NO BT
- Does the Customer plan to insulate this building? ..... YES NO BT
- How close to the build site can we park our vehicle? ..... 20 ft. BT

**Special Instructions:**

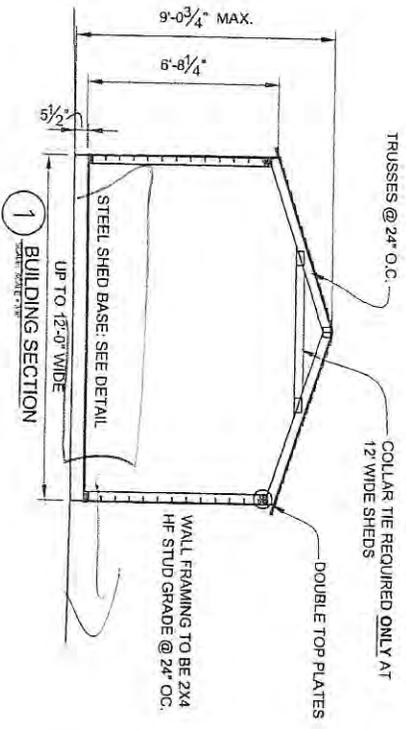
STRAPS INSTALLED PER H.O. INSTRUCTION  
STEEL FLOOR / SMART FLOOR      AUGER ANCHORS

CUSTOMER APPROVAL:

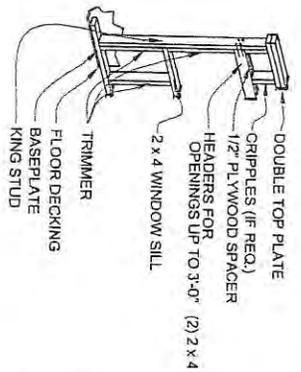
Signature: \_\_\_\_\_

Date: 6/17/2016

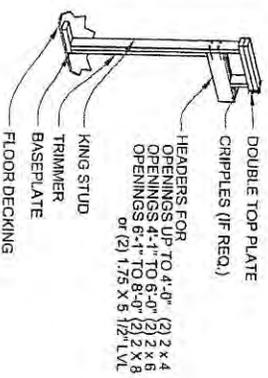
# RANCH SHED UP TO 12' x 24' PREMIER SERIES



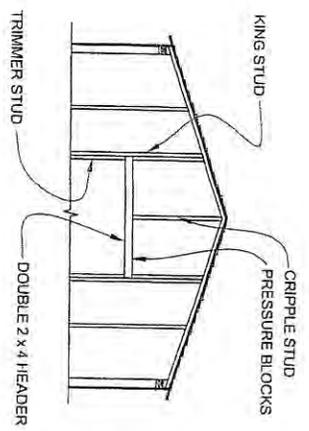
- MAILING**
- ROOF:  
ATTACH 1/8" CDX PLYWOOD SHEATHING TO TRUSSES WITH 6d NAILS @ 8" O.C. AT EDGES, 6d NAILS @ 12" O.C. IN FIELD.
- WALLS:  
ATTACH 1/2" DURALTEMP TO WALL FRAMING WITH 6d NAILS @ 8" O.C. AT EDGES, 6d NAILS @ 12" O.C. IN FIELD.
- HEADER:  
HEADER TO STUD - 4-8d TOENAIL OR 4-16d END NAIL DOUBLED HEADER - 16d @ 16" STAGGERED FACE NAIL
- EARTH ANCHORS FOR THIS BUILDING ARE OPTIONAL. IF REQUIRED BY YOUR LOCAL MUNICIPALITY, ANCHORS ARE AVAILABLE AT TUFF SHED. SEE SALESPERSON FOR PRICING.



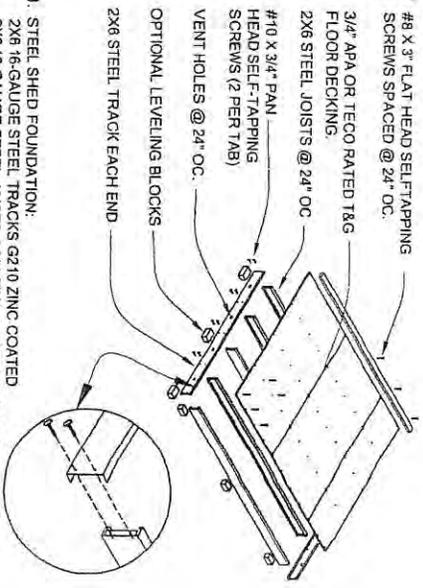
2A WINDOW HEADER DETAIL FOR LOAD BEARING WALLS  
FOR WINDOW OPENINGS UP TO 3'-0" ON PREMIER SERIES SIDEWALLS



2B DOOR HEADER DETAIL FOR LOAD BEARING WALLS  
FOR OPENINGS UP TO 8'-0" ON PREMIER SERIES SIDEWALLS



3 HEADER DETAIL FOR NON LOAD BEARING WALLS  
FOR OPENINGS UP TO 8'-0" WIDE



1. STEEL SHED FOUNDATION:  
2X6 16-GAUGE STEEL TRACKS G210 ZINC COATED @ 24" O.C. (SUPPLIER: ALLIED STUDDCO (JOIST: 600S162-054 / TRACK: 600T125-054) LOBO ER-4949P)
2. 3/4" APA OR TECO RATED TONGUE AND GROOVE FLOOR DECKING. 24" MAX PANEL SPAN. STAGGER PANEL LAYOUT
3. FASTEN PLYWOOD TO JOISTS WITH #8 X 1.5" SELF-TAPPING SCREWS SPACED @ 12" O.C. NO BLOCKING REQUIRED.
4. FASTEN SOLE PLATE THROUGH FLOOR PLYWOOD INTO JOISTS AND TRACKS WITH 3/16" X 3" GALV HEX HEAD SCREWS @ 24" O.C.
5. ALLOWABLE FLOOR LIVE LOAD: 75 PSF FOR STEEL JOISTS CONTINUOUSLY SUPPORTED. 50 PSF FOR JOISTS ON BLOCKS AS SHOWN.
6. USE OPTIONAL CONCRETE BLOCKS AS REQUIRED TO LEVEL BUILDING. SUGGESTED SIZES: 1'-1/4" X 8" X 16", 4" X 8" X 16", OR 8" X 8" X 16" BLOCKS UNDER JOISTS @ 10'-0" O.C. MAXIMUM. BLOCKS UNDER TRACK SPACED @ 5'-0" O.C. MAXIMUM.

4 SHED BASE DETAIL  
FOR NON LOAD BEARING WALLS

BUILDING CODE:  
2000 IBC

DESIGN LOADING  
WIND SPEED & EXPOSURE 90 C  
ROOF LIVE LOAD 30 PSF  
ROOF DEAD LOAD 10 PSF

FOR SHEDS WHICH OTHERWISE MEET THE PRESCRIPTIVE REQUIREMENTS OF THE 2000 IBC, ALL SHEDS CONSTRUCTED ACCORDING TO STANDARD CONVENTIONAL CONSTRUCTION METHODS

420-05U-01



Inv # \_\_\_\_\_  
Customer: \_\_\_\_\_  
Site Address: \_\_\_\_\_  
Building Size: \_\_\_\_\_

P.O. # \_\_\_\_\_  
Drawn By: SAH  
Date: 07/13/04  
Checked By: \_\_\_\_\_  
Date: \_\_\_\_\_  
Revised: \_\_\_\_\_  
Revised: \_\_\_\_\_

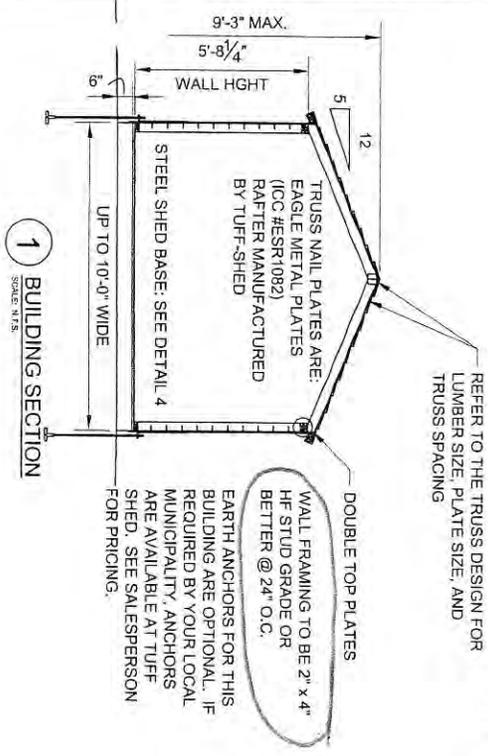
THESE DRAWINGS AND THE DESIGN ARE THE PROPERTY OF TUFF SHED, INC. THESE DRAWINGS ARE FOR A BUILDING TO BE SUPPLIED AND BUILT BY TUFF SHED. ANY OTHER USE IS FORBIDDEN BY TUFF SHED INC & THE ENGINEER OF RECORD.

DRAWINGS BY:  
TUFF SHED, INC.  
IN HOUSE DRAFTING DEPARTMENT  
1777 S. HARRISON STREET  
DENVER, COLORADO 80210  
(303) 753-1111

FILE: BUILDING SECTIONS  
SHEET: SHED BASE DETAILS  
HEADER FRAMING DETAILS  
GENERAL NOTES

Scale: AS NOTED Sheet 1 of 1

# GR SHED UP TO 10' WIDE x UP TO 12' LONG GARDEN SERIES



REFER TO THE TRUSS DESIGN FOR LUMBER SIZE, PLATE SIZE, AND TRUSS SPACING

DOUBLE TOP PLATES  
WALL FRAMING TO BE 2" x 4" HF STUD GRADE OR BETTER @ 24" O.C.

EARTH ANCHORS FOR THIS BUILDING ARE OPTIONAL. IF REQUIRED BY YOUR LOCAL MUNICIPALITY, ANCHORS ARE AVAILABLE AT TUFF-SHED. SEE SALESPERSON FOR PRICING.

- NOTES:**
- BUILDING CODE: 2003 IRC & IBC

- DESIGN LOADING:  
WIND SPEED & EXPOSURE: 90C  
ROOF LIVE LOAD: 30 PSF  
ROOF DEAD LOAD: 10 PSF

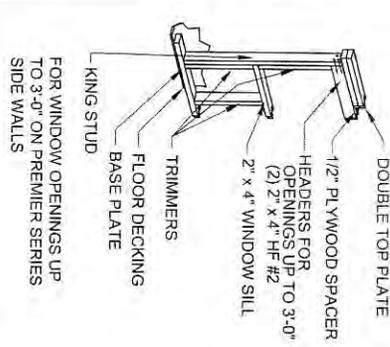
- FOR SHEDS WHICH OTHERWISE MEET THE PRESCRIPTIVE REQUIREMENTS OF THE 2003 IRC & IBC ALL SHEDS CONSTRUCTED ACCORDING TO STANDARD CONVENTIONAL CONSTRUCTION METHODS.

**NAILING:**

ROOF: ATTACH 15/32" CDX PLYWOOD SHEATHING TO TRUSSES WITH:  
8d NAILS @ 6" O.C. AT EDGES  
8d NAILS @ 12" O.C. IN FIELD

WALLS: ATTACH 1/2" DURATEMP TO WALL FRAMING WITH:  
8d NAILS @ 6" O.C. AT EDGES,  
8d NAILS @ 12" O.C. IN FIELD

HEADER: ATTACH HEADER TO STUD WITH:  
4-8d TOENAIL OR 4-16d END NAIL DOUBLED HEADER-16d @ 16" STAGGERED FACE NAIL



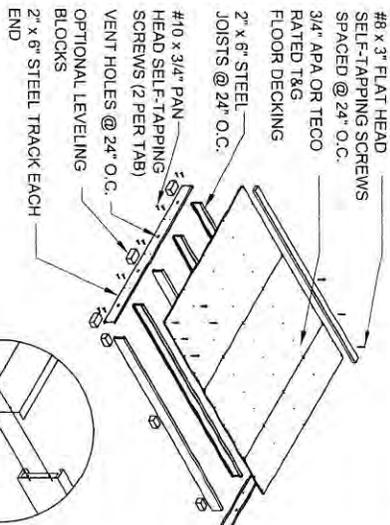
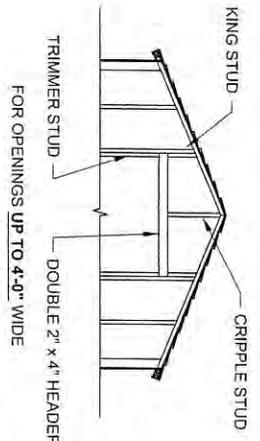
FOR WINDOW OPENINGS UP TO 3'-0" ON PREMIER SERIES SIDE WALLS

SIDE DOORS ARE NOT AVAILABLE ON THIS MODEL

## 2A WINDOW HEADER DETAIL FOR LOAD BEARING WALLS

## 2B DOOR HEADER DETAIL FOR LOAD BEARING WALLS

## 3 HEADER DETAIL FOR NON-LOAD BEARING WALLS



- STEEL SHED FOUNDATION:  
2" x 6"-16 GAUGE STEEL TRACKS G140 ZINC COATED @ 24" O.C.  
2" x 6"-16 GAUGE STEEL JOISTS G140 ZINC COATED @ 24" O.C. (SUPPLIER: ALLIED STUDCO (JOIST): 6005137-054 / TRACK: 6001125-054) ICC ER-4943P.
- 3/4" APA OR TECO RATED TONGUE AND GROOVE FLOOR DECKING. 24" MAX PANEL SPAN. STAGGER PANEL LAYOUT.
- FASTEN FLOOR DECKING TO JOIST & TRACKS USING #8 x 1.58" MINIMUM LONG SELF-DRILLING SCREWS @ 12" O.C. NO BLOCKING REQUIRED. ALL EDGES SHALL LIE ON FLOOR JOISTS. STAGGER PANEL LAYOUT PER APA CONDITION 1.
- FASTEN SOLE PLATE THROUGH FLOOR DECKING INTO JOISTS OR TRACKS WITH #8 x 3" GALVANIZED SELF-DRILLING SCREWS @ 24" O.C.
- ALLOWABLE FLOOR LIVE LOAD: 75 PSF FOR STEEL JOISTS CONTINUOUSLY SUPPORTED. 50 PSF FOR JOISTS ON BLOCKS AS SHOWN.
- USE OPTIONAL CONCRETE BLOCKS AS REQUIRED TO LEVEL BUILDING.  
SUGGESTED SIZES: 2" x 8" x 16", 4" x 8" x 16", OR 8" x 8" x 16". BLOCKS UNDER JOISTS SPACED @ 10'-0" O.C. MAXIMUM. BLOCKS UNDER TRACK SPACED @ 5'-0" O.C. MAXIMUM.

## 4 SHED BASE DETAIL

**TUFF SHED**  
Storage Buildings & Garages  
TUFF SHED, INC.  
11441 W. ADELGROVE AVE.  
FRANKLIN PARK, IL 60131  
(866) 485-TUFF  
STORE 420

Order #:	P.O. #
Customer:	Drawn By: SAH
Site Address:	Date: 08/27/08
Building Size: WIDTH x LENGTH x HEIGHT - SQ. FT. AREA	Checked By:
Date:	Date:
Scale: N.T.S.	Scale: N.T.S.

THESE DRAWINGS AND THE DESIGN ARE THE PROPERTY OF TUFF SHED, INC. THESE DRAWINGS ARE FOR A BUILDING TO BE SUPPLIED AND BUILT BY TUFF SHED. ANY OTHER USES IS FORBIDDEN BY TUFF SHED, INC. & THE ENGINEER OF RECORD.

DRAWINGS BY:  
**TUFF SHED, INC.**  
IN HOUSE DRAFTING DEPARTMENT  
1777 S. HARRISON STREET  
DENVER, COLORADO 80210  
(303) 753-TUFF

TUFF SHED INC. ASSUMES ALL RESPONSIBILITY FOR THE CONTENT OF THESE DRAWINGS AND THE CONSTRUCTION OF THE BUILDING SHOWN HEREIN.

TITLE	DRAWING NO.
BUILDING SECTIONS	420-GR-01
SHED BASE DETAILS	REV. LEVEL 01
HEADER FRAMING DETAILS	SHEET 1
NOTES - 2003 IRC/IBC-90C	PAGE 1 OF 1

# GOOD

# The Garden Series®

The entry price point product available at TUFF SHED factory-direct retail locations. Garden Series sheds offer TUFF SHED quality for even the budget-minded customer.



### Garden Hutch

- Our Smallest Standard Shed Size
- Single Slope 3/12 Roof Pitch & 3-Tab Shingles
- 5'6" x 6'5" (on tall wall) Clear Interior Height
- 5'5" Tall Door Placed on Front (short) Wall
- 4" Block Sidewall Eave (short wall only)



### Garden Ranch

- Our Lowest Priced Factory-Direct Ranch
- Ranch Style 4/12 Roof Pitch & 3-Tab Shingles
- 5'6" Clear Interior Sidewall Height
- 6" Tall Door Placed on End Wall
- 4" Block Sidewall Eave



### Garden Barn

- Our Lowest Priced Factory-Direct Barn
- Barn Style 4/12 Roof Pitch & 3-Tab Shingles
- 6" Clear Interior Sidewall Height
- 6" Tall Door Placed on End Wall
- 3" Flat Sidewall Eave

All buildings shown with optional features.

Building Models

## PROFESSIONAL INSTALLATION INCLUDED!



## STANDARD FEATURES QUALITY FROM THE START

### ROOFING

- Precision Cut Rafters/Trusses Joined w/Steel Plates
- Owens Corning® Shingles w/25 Year Mfg's Warranty
- 15# Roofing Felt
- Baked Enamel Steel Drip Edge
- 7/16" OSB Roof Decking
- 4" (ranch or lean-to) or 3" (barn) Sidewall Eaves
- 4/12 Roof Pitch



### FLOORING

- 3/4" Tongue & Groove Sturdy Floor Decking
- Aluminum Threshold at Door
- 2x6 Treated Wood Floor Joists



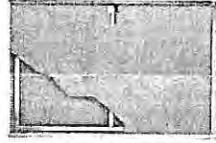
### WALLS

- 2x4 Framing, 24" On-Center
- Double Top Plates on Sidewalls
- Treated LP® SmartSide Siding & Trim w/50 Year Warranty



### DOORS

- Patented, Steel-Reinforced 4'x6' Doors, Sheeted on Both Sides
- 5" Patented, Locking "L" Handle
- Patented, Heavy-Duty Steel Hinges



### WARRANTY

Honest, straight-forward, top-to-bottom warranties from a company you can trust, established 1981.

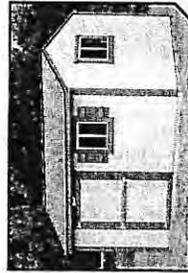
- Garden Series - 5 Years



# BETTER

# The Premier

Step up to TUFF SHED's original line of sheds, legendary for their durability and patented features. The bottom line: Customers get more with Premier Series bu



### Standard Ranch

- A Mainstay of Our Product Line from the Beginning
- Ranch Style 4/12 Roof Pitch & 3-Tab Shingles
- 6'5" Clear Interior Sidewall Height
- 6" Tall Door Placed on Any Wall
- 4" Boxed Eave on Sidewalls



### Tall Ranch

- Taller Version of Our Popular Premier Ranch
- Ranch Style 4/12 Roof Pitch & 3-Tab Shingles
- 7'5" Clear Interior Wall Height
- 6'7" Tall Door Placed on Any Wall
- 4" Boxed Eave on Sidewalls



### Tall Barn

- Classic Barn Design
- Barn Style 4/12 Roof Pitch & 3-Tab Shingles
- 6'5" Clear Interior
- 6'7" Tall Door Placed on Any Wall
- 3" Flat Sidewall Eave

Building Models

WxLxH*	Base	w/Paint	Monthly*	WxLxH*	Base	w/Paint	Monthly*	WxLxH*	Base	w/Paint	Monthly*	Base
6'x6'x8'3"	\$1,459	\$1,635	\$30	6'x6'x8'3"	\$1,689	\$1,865	\$35	6'x8'x10'2"	\$1,829	\$2,005	\$40	\$1,829
6'x6'x8'3"	\$1,659	\$1,835	\$34	6'x6'x9'3"	\$1,979	\$2,155	\$41	6'x8'x10'2"	\$2,109	\$2,285	\$46	\$2,109
6'x10'x8'3"	\$1,919	\$2,095	\$39	6'x10'x9'3"	\$2,219	\$2,395	\$46	6'x10'x10'2"	\$2,359	\$2,535	\$51	\$2,359
6'x12'x8'3"	\$2,189	\$2,365	\$45	6'x12'x9'3"	\$2,479	\$2,655	\$51	6'x12'x10'2"	\$2,619	\$2,795	\$56	\$2,619
6'x6'x8'3"	\$1,919	\$2,095	\$39	6'x6'x9'3"	\$2,219	\$2,395	\$46	6'x8'x11'2"	\$2,469	\$2,645	\$52	\$2,469
6'x10'x8'3"	\$2,219	\$2,395	\$46	6'x10'x9'3"	\$2,519	\$2,695	\$52	6'x10'x11'2"	\$2,769	\$2,945	\$58	\$2,769
6'x12'x8'3"	\$2,519	\$2,695	\$52	6'x12'x9'3"	\$2,819	\$2,995	\$58	6'x12'x11'2"	\$3,069	\$3,245	\$64	\$3,069
6'x14'x8'3"	\$2,799	\$2,975	\$57	6'x14'x9'3"	\$3,099	\$3,275	\$64	6'x14'x11'2"	\$3,349	\$3,525	\$70	\$3,349
6'x16'x8'3"	\$3,059	\$3,235	\$63	6'x16'x9'3"	\$3,319	\$3,495	\$70	6'x16'x11'2"	\$3,569	\$3,745	\$76	\$3,569
6'x10'x8'3"	\$2,669	\$2,845	\$54	6'x10'x9'3"	\$2,969	\$3,145	\$60	6'x10'x11'2"	\$3,219	\$3,395	\$66	\$3,219
6'x12'x8'3"	\$2,919	\$3,095	\$59	6'x12'x9'3"	\$3,219	\$3,395	\$66	6'x12'x11'2"	\$3,469	\$3,645	\$72	\$3,469
6'x14'x8'3"	\$3,169	\$3,345	\$64	6'x14'x9'3"	\$3,469	\$3,645	\$72	6'x14'x11'2"	\$3,719	\$3,895	\$78	\$3,719
6'x16'x8'3"	\$3,429	\$3,605	\$70	6'x16'x9'3"	\$3,729	\$3,905	\$78	6'x16'x11'2"	\$3,979	\$4,155	\$84	\$3,979
6'x10'x8'3"	\$3,389	\$3,565	\$69	6'x10'x9'3"	\$3,689	\$3,865	\$76	6'x10'x11'2"	\$3,939	\$4,115	\$82	\$3,939
6'x12'x8'3"	\$3,639	\$3,815	\$74	6'x12'x9'3"	\$3,939	\$4,115	\$82	6'x12'x11'2"	\$4,189	\$4,365	\$88	\$4,189
6'x14'x8'3"	\$3,889	\$4,065	\$80	6'x14'x9'3"	\$4,189	\$4,365	\$88	6'x14'x11'2"	\$4,439	\$4,615	\$94	\$4,439
6'x16'x8'3"	\$4,149	\$4,325	\$86	6'x16'x9'3"	\$4,449	\$4,625	\$94	6'x16'x11'2"	\$4,699	\$4,875	\$100	\$4,699
6'x10'x8'3"	\$4,009	\$4,185	\$84	6'x10'x9'3"	\$4,309	\$4,485	\$90	6'x10'x11'2"	\$4,559	\$4,735	\$96	\$4,559
6'x12'x8'3"	\$4,259	\$4,435	\$89	6'x12'x9'3"	\$4,559	\$4,735	\$96	6'x12'x11'2"	\$4,809	\$4,985	\$102	\$4,809
6'x14'x8'3"	\$4,509	\$4,685	\$94	6'x14'x9'3"	\$4,809	\$4,985	\$102	6'x14'x11'2"	\$5,059	\$5,235	\$108	\$5,059
6'x16'x8'3"	\$4,759	\$4,935	\$100	6'x16'x9'3"	\$5,059	\$5,235	\$108	6'x16'x11'2"	\$5,309	\$5,485	\$114	\$5,309

## PLUS GET THESE PREMIER SERIES™ UPE

### ROOFING

- 7/16" LP® SilverTech Radiant Heat Barrier Roof Decking
- Upgraded Boxed Sidewall Eaves w/4" Fascia (ranches)

### WALLS

- Taller Walls w/2x4 Framing, 16"
- LP® SilverTech® Radiant Heat Bar

### FLOORING

- 3/4" Treated LP® ProStruct Floor Decking w/SmartFinish
- 6" Tall Galvanized Steel Floor Joists

### DOORS

- Larger, 6" Patented, Locking "L"
- Taller 6'-7" Door (Tall Ranch & B

December 2, 2002

# PLAT OF SURVEY

Survey No. 020543

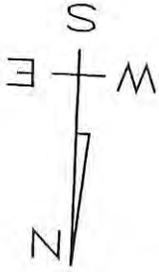
Kaerek Homes - 5938

LOCATION: 4089 W. Whispering Ridge Pass, Franklin, Wisconsin

Gregory & Nancy Maciejewski

## LEGAL DESCRIPTION:

Lot 9 in **VICTORY CREEK ESTATES**, Part of the Southeast 1/4 of the Southeast 1/4 of Section 11 and part of the Southwest 1/4 of the Southwest 1/4 of Section 12, All in Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.



SCALE 1"=30'

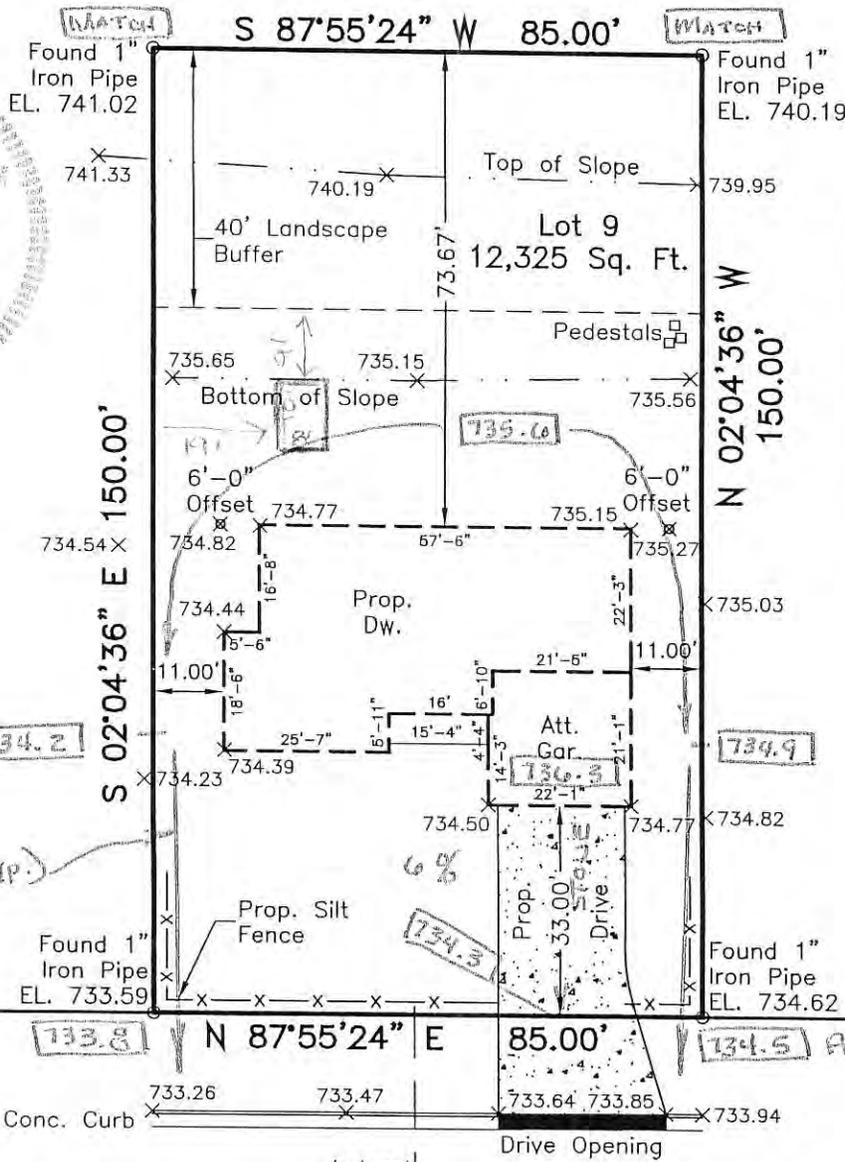
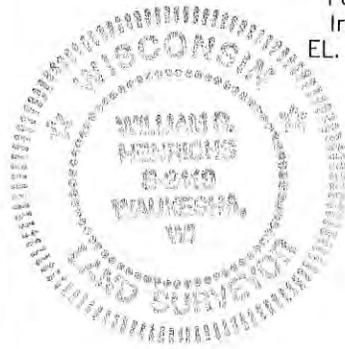
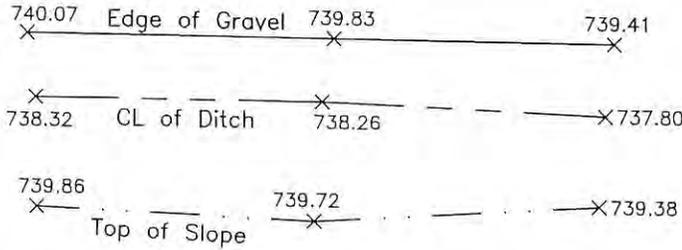
## WEST DREXEL AVENUE

(105' R.O.W.)

Prop. Finish  
Yard Grade

**-736.1**

(per Grading Plan)



**APPROVED**

FINISHED GRADE ELEVATION = 736.30

ATTORNEY FOR CITY OF FRANKLIN DATUM

W.A.B. 1-10-03

CITY ENGINEER PER DATE

## WEST WHISPERING RIDGE PASS

(60' R.O.W.)

### LANDCRAFT SURVEY AND ENGINEERING, INC.

REGISTERED LAND SURVEYORS AND CIVIL ENGINEERS

2077 South 116th Street, West Allis, WI 53227

PH. (414) 604-0674 FAX (414) 604-0677

LANDCRFT@EXECPC.COM

NOTE: Proposed finished yard as shown on this drawing is a suggested grade and should be verified by the owner and/or the builder and approved by the building inspector. Erosion control measures are suggested and must be verified/adjusted by the builder and/or building inspector based on site conditions.

I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY. ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE STRUCTURES AND DIMENSIONS OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENT, 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 THE DATE HEREOF.

SIGNED *William R. Henrichs*  
William R. Henrichs, Registered Land Surveyor S-2419

# Request for Release of 40' Landscape Buffer

---

4089 W Whispering Ridge Pass  
Property Owners: William Gebhard & Melissa Bania (Gebhard)

---

Franklin

SEP 09 2016

City Development

## Request For Release of 40' Landscape Buffer

4089 W Whispering Ridge Pass

### Brief Description/Background of Project

William Gebhard and Melissa Bania (Gebhard) were interested in putting up a top quality/constructed shed on their property. The optimal, most desired, and aesthetically please location of structure is the towards the back property line (approximate location is 9' from back property line and 19' from east property line). The desired location was determined as the backyard is mainly downward sloping (towards house) that would make a shed in any other location, given other permissible restrictions, unacceptable to locate a structure of any significant size that would provide benefit to them for optimal use. The proposed structure is an 8' x 10' shed, constructed by TuffShed (national company, with local office).

At the presentation of this proposal the shed has actually been installed (as pictures will show). In June 2016, William Gebhard went to the Franklin building inspection department to get a permit for the structure. At this time, the landscape barriers were not known by William. William presented his plan to the clerk accepting the information, Mary. All necessary shed documents were presented or questioned and then delivered on site of faxed by Tuff Shed. William also presented his drawing (Appendix E), to the clerk. His drawing was not to scale so the structure was redrawn on the Plat of Survey printed by the clerk on site. William's intention the entire process was to place at the back of yard, as his drawing indicated. To further prove that point one large tree was removed in the back of the yard to make room (this could be seen in the attached photos of the property as the tree was similar to the two large trees still in place that reside on both sides of the shed). William was to emphasize this point because this was the first interaction with the building inspection department and was always looking for support from the clerk who was from the start not the most pleasant so the redrawing of the structure in the spot indicated William was assuming that was consistent with his drawing and assuming the dotted line the structure was in front of was the start of the city owned green area that buffers Drexel, not the continuation of his own backyard. To further explain, William did ask that is the top of the hill to the clerk to ensure and the clerk acknowledged the question and continued to draw.

After this initial visit on 06/22/2016, permit was then approved on 07/12/2016, permit #I20161614. On that date, William contact TuffShed to get the shed installed. The installation occurred on 07/21/2016, and the final product is show in the attached photos of property.

### Request

William Gebhard and Melissa Bania (Gebhard) are looking to release the landscape barrier restrictions for the 4089 W Whispering Ridge property to accept the current location of the shed.

### Arguments for structure (shed) proposal:

First argument is the unsupportive and inaccurate assistance of the building inspection clerk. Again, William had no experience in the process and exact drawings needed for permit approval. He expressed these concerns to the clerk as he presented his case, looking for support to ensure the application was accurate to have an approved project. The support did not occur from the clerk and William, with limited knowledge of the second hand drawing, assumed it was all according to his intent/expectations. Understanding that if it would have been drawn accurately at this time, in the buffer, the application would have been denied and the shed would not have been constructed immediately and this proposal would have been drafted first to limit expenses of the structure.

Beyond the first argument, with the shed currently in place and now understanding the purpose of a landscape barrier, William and Melissa have received testimonials from neighbors as to the current location and quality of the structure. First, Mr. Kawczynski, located directly across Drexel Ave, in direct sight of the structure provided his opinion (Appendix D). Second testimonial is Angela Beadle, treasurer of the Victory Creek Estates Home Owners Associate (HOA). She has reviewed and approved the structure as to the quality compared against other neighbors that may have a lower quality plastic shed. The HOA does not have any restrictions on sheds but does have restrictions on fencing. The third is a direct side neighbor of the property who had even talked with William after construction to how nice it is 4113 W Whispering Ridge Pass, owner Ka Sup.

Third argument is to respect the landscape buffer with the shed in its current location by continuing to plant landscaping to surround the structure. As previously mentioned, a tree was removed ahead of construction to accommodate the structure. So previous to this process that end of the yard only consisted of the three trees. Now with the shed in place, and as can be seen by the current pictures of the property extensive, phase I, landscaping has been done this year. First, is the five medium sized arborvitae's in the rear of the structure. These five shrubs will come together and grow in height to completely engulf the shed in the next few years and provide year round coverage. Second, was the planting of four Royal Star Magonia shrubs across the rear of shed and yard. These grow in size to 10 to 15' and that will continue to provide Drexel coverage of the structure/yard. Of course, these will be well manicured at all times to continue to be aesthetically pleasing to neighbors and passersby. Lastly, two grass looking shrubs were planted in the front corners of the structure. This completes all that has been done after construction of the shed. This pace was quicker to ensure the quality of shrubs still available for purchase was high. All of that is in addition to the two existing trees that already provide coverage of structure/yard from the side.

Revised Phase II: As requested we are revising the second phase. If nursery stock allows and as of August 31<sup>st</sup> Nature's Nook does have some more mature arborvitae's in stock

otherwise phase II will begin next year. The five medium sized arborvitae's will be dug up, as rooting as not yet occurred and moved up (further away from shed) to replace that row with more mature arborvitae's. An example of the choices are in Appendix D, which are nursery stock that was at Nature's Nook on August 31' 2016. The plan would be to put four to six that would create an U-shape around the shed with the five medium sized in a zig zag pattern to fill in gaps as it would be viewed from Drexel Avenue. It is further being considered to plant the new landscaping, the greenery going in facing Drexel Ave, to be in a landscaping berm to provide an extra 12-18" lift for the greenery to engulf the shed more immediately even further.

Additional greenery will be planted in front of the existing trees and on the sides of the structure to further engulf the structure from the sides and neighbors. This continues to demonstrate William and Melissa are indeed looking to respect the buffer intent of landscaping in a manner that will be aesthetically pleasing to everyone and future opportunities that may exist. Outline of these plans is in Appendix D.

The fourth argument is that the opportunity of constructing a shed on this property is limited by the nature/layout of the yard. William and Melissa moved into this property October 2014 so some of the design on the existing yard was outside of their control (e.g. sidewalks, sloping of yard, etc.). Many changes have been made on the top of the hill in the backyard to make the yard more aesthetically pleasing and private. This applies not just to the east side of the yard (where the shed is located) but on the west side of the yard where several shrubs and greenery were planted last year, 2015. This goes to the intent of the both of them to make all improvements in a nature that may increase value and attractiveness for future opportunities. So the current placement of the structure goes to being the most aesthetically pleasing location that offers the most value to the property. With it being in the rear of the yard it additionally offers increased noise reduction as the sound waves are less able to travel through a structure as they are able to through landscaping and additional year round privacy and protection towards William and Melissa, along with their child, when utilizing their backyard, especially during the warmer months of the year. The structure would be unable to effectively and aesthetically be placed in any other area of the backyard with the 40' landscape barrier in place because of the slope yard possesses.

### Conclusion

William and Melissa are requesting a release of the 40' landscape buffer that exists at their property, 4089 W Whispering Ridge Pass. This release will be used to continue to get approval of an existing structure (shed) that was recently constructed within that buffer.

William and Melissa's intent has always been to construct a shed that would be in the most aesthetically pleasing location that looks to add value and provide privacy, protection, and noise reduction to their yard that can be experienced when they are in

their yard with their child(ren). Through this process of approval, certain guidelines were not known to them and the understanding of this was never explained to them even after their intent was expressed during the building inspection permit process was started. The lack of support for new taxpaying residents to this process was not adequately provided by the clerk upon application submission that has now created a constructed structure in a landscape buffer. They have received positive feedback from surrounding neighbors and HOA representation that could have otherwise refused of written against the current location as the landscape barrier was explained to all of them by William upon requesting they submit their opinions on the existing structure. Further, William and Melissa look to increase the landscaping surrounding the structure to still respect the spirit of the landscape buffer.

Lastly, as shown in Appendix C, there is another shed that is located in that property's landscape barrier along W Whispering Ridge Pass in Victory Creek Estates. This would demonstrate another release or a property owner not respecting the process of attaining proper permits/approval. Which further shows William and Melissa's intent of abiding by all requirements of the city while in conjunction looking to maximize value in their property. The aforementioned structure on the neighbor's property at this time is fully engulfed from Drexel which is where William and Melissa's will be in a couple years as their landscaping takes root and grows.

## Appendix A – Yard Views of Shed

From Back of the house looking (South) to shed



On top of hill in yard, looking east towards shed (landscape protecting view)



Looking West on top of the hill in the yard



Appendix B – Views from Behind Shed/Drexel Ave

View looking North towards shed from across Shed (neighbor testimonial included – Appendix D)



View from Drexel, looking North toward shed (newly planted landscaping protecting shed)



Views looking East and West, respectively, from rear of shed



Appendix C

Whispering Ridge Pass neighbor with shed



From rear (south and east) of Whispering Ridge neighbor's shed



Closer view (with Drexel Ave in background) of neighbors shed



## Appendix D – Neighbor Testimonials

### Neighbor from across Drexel (rear of shed)

#### Yard shed



Rick Kawczynski  
Mon 8/8  
You



To whom it may concern,

I am writing in regard to my neighbor's yard shed. I would like to commend him for putting up such a nice wood frame structure when he could have bought a plastic shed from Menards and had none of the headaches associated with the construction of the structure he chose to build. It is my understanding that he went over and above to try to comply with the building inspection department when such action was not really necessary. As neighbors, we support him in any and all actions regarding the placement of the shed on his property be it legal, political, or otherwise.

Sincerely,

Rick and Jeannine Kawczynski

3961 West Drexel Ave  
Franklin, WI 53132

### Treasurer of HOA Victory Creek Estates

#### Approval Letter



Angela Beadle  
Fri 8/11  
You



#### Documents



Shed Approval Letter.do...  
55 KB

Download Save to OneDrive - Personal

August 12, 2016

Dear City of Franklin and City Planning Commission,

I, Angela Beadle, resident of the Victory Creek Estates Subdivision and neighbor of the Gerhard's would like to express my support of the current placement of their shed. I attest that I have no objection to the current placement on their property. Victory Creek Estates HOA does not allow for fence installation and the current placement is a buffer for noise and sound that can be a concern for the homeowners on Whispering Ridge Pass that have backyards that back up on West Drexel Ave.

Thank you for your consideration,

Angela Beadle  
7847 S. Victory Creek Ct.  
Franklin, WI 53132  
414-858-0072

Appendix D – Phase II Landscaping (Rear of shed)

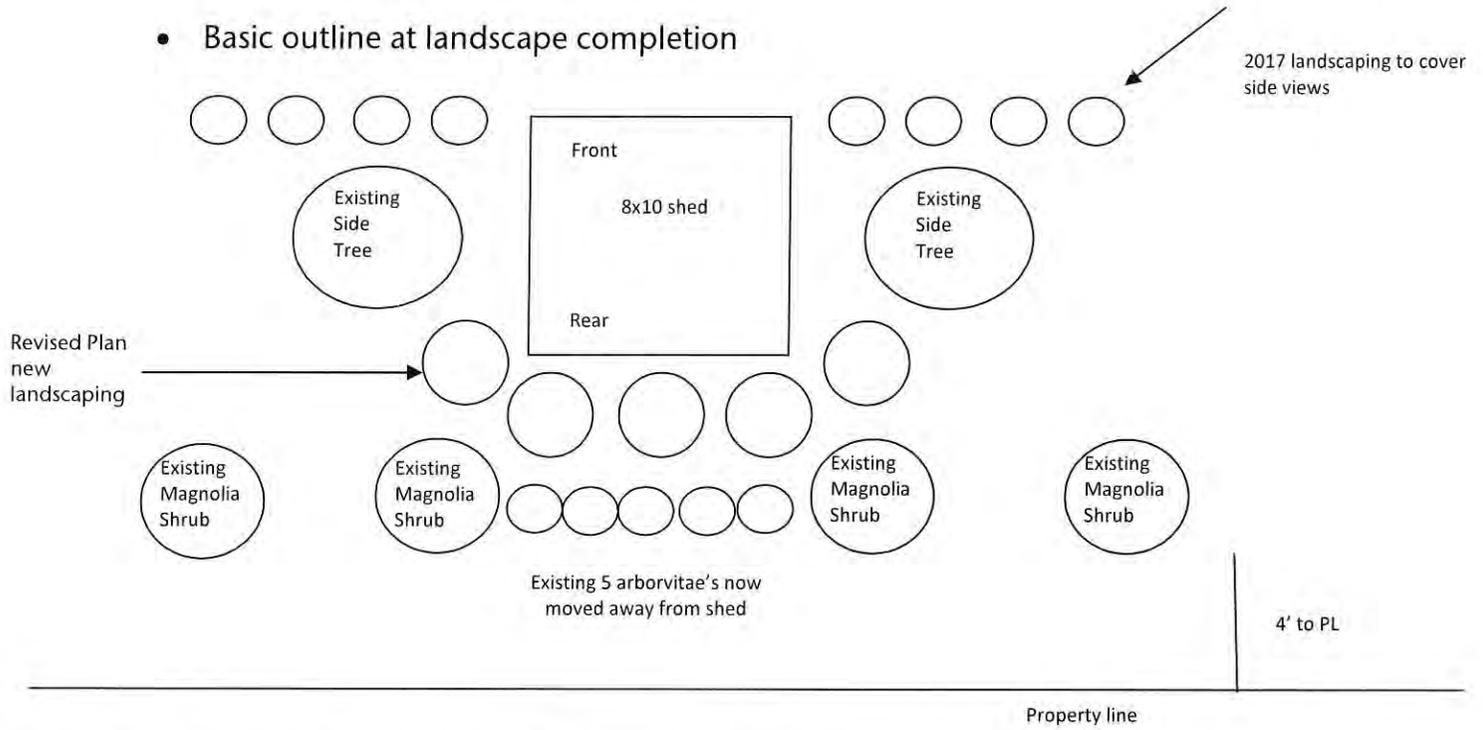
- Prospective type of evergreen #1 7'- 10' in height



- Prospective type of evergreen #2 – 6'-10' in height and wider

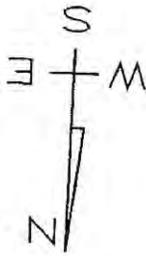


- Basic outline at landscape completion



Notes: Magnolia Shrub grows to 10'x15', fast grower 2-3 seasons  
 Existing Arborvitae's grow to 10' in 5-6 years, at 5' presently in height

Lot 9 in **VICTORY CREEK ESTATES**, Part of the Southeast 1/4 of the Southeast 1/4 of Section 11 and part of the Southwest 1/4 of the Southwest 1/4 of Section 12, All in Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.



SCALE 1"=30'

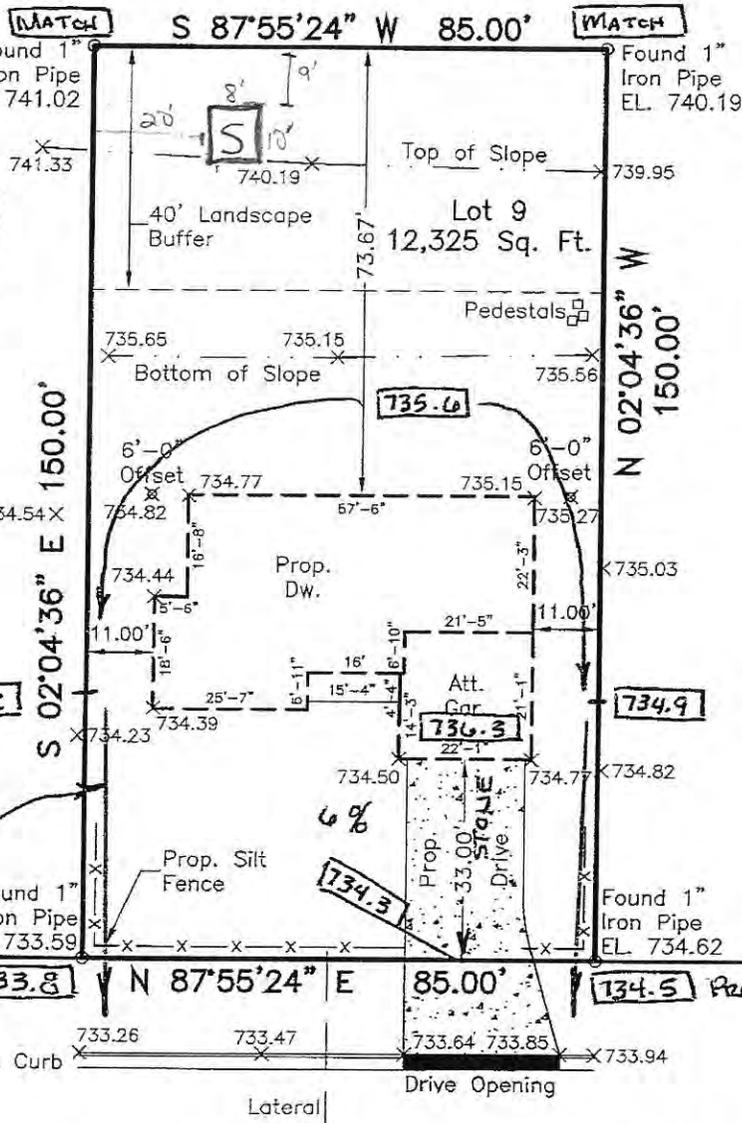
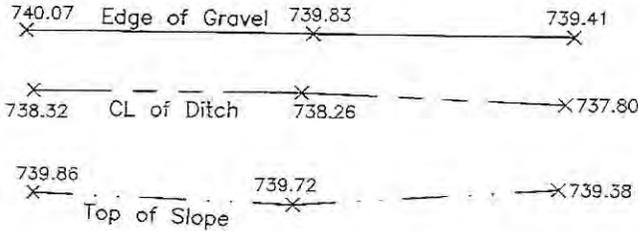
# WEST DREXEL AVENUE

(105' R.O.W.)

Prop. Finish  
Yard Grade

~~736.4~~

(per Grading Plan)



**APPROVED**

FINISHED GRADE ELEVATION = 736.30

AT ~~Grass~~ Floor CITY OF FRANKLIN DATUM

WAB 1-6-03

PER DATE

CITY ENGINEER

# WEST WHISPERING RIDGE PASS

(60' R.O.W.)

**LANDCRAFT SURVEY AND ENGINEERING, INC.**  
 REGISTERED LAND SURVEYORS AND CIVIL ENGINEERS  
 2077 South 116th Street, West Allis, WI 53227  
 PH. (414) 604-0674 FAX (414) 604-0677

I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY. ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE STRUCTURES AND DIMENSIONS OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENT, IF ANY.

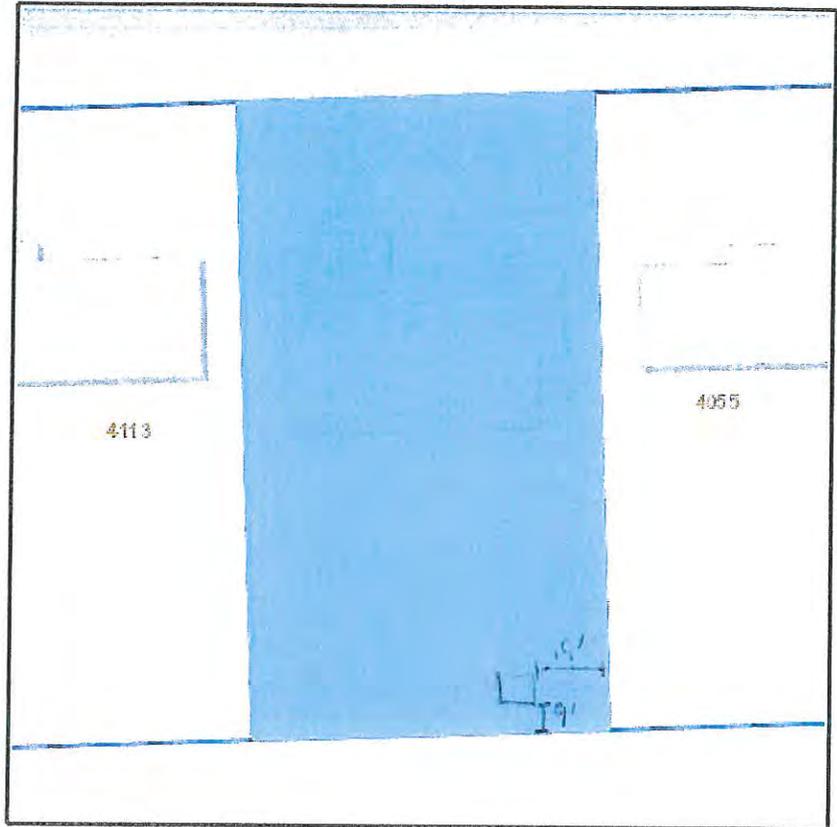
Milwaukee County Land Information Parcel Report

TAXKEY: 7870009000

Report generated 6/20/2016 8:40:10 PM



Parcel location within Milwaukee County



Selected parcel highlighted

Parcel Information

TAXKEY: 7870009000

Record Date: 12/31/2014

Owner(s): WILLIAM GEBHARD  
MELISSA BANIA

Address: 4089 W WHISPERING RID PASS

Municipality: Franklin

Acres: 0.00

Assessed Value: \$229,100

Parcel Description: RESIDENTIAL

Zoning Description:

Legal Description: VICTORY CREEK ESTATES LOT 9

Parcel Photo  
Not Available



Parcel photo

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.