

Date: March 31, 2021

To: Town of Eagle Plan Commission and Town Board

From: Tim Schwecke, Town Planner

Subject: Recommendation to Waukesha County regarding a conditional use application for property (W344S10505 CTH E) located in County shoreland jurisdiction

Applicant: Eagle Springs Lake Management District

Application: 2021-07; <https://s.zoninghub.com/Y8LVRWP1DG>

Meeting: April 5, 2021 Plan Commission and Town Board meeting

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Eagle Springs Lake Management District owns the property at W344S10505 CTH E, which is within the Waukesha County's shoreland zoning jurisdiction.

The District has submitted an application to the County to amend a conditional use approval to allow the parking of a small utility dump truck on the property (application attached).

As is their practice, the County is asking the Town for a recommendation on the petitioner's request. The county retains the final decision-making authority.

Mr. Jacob Heermans, a County staff representative, will be attending the meeting. The county published the attached notice for the public hearing.

## **NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that a Joint Public Hearing will be held by the Town of Eagle Plan Commission and a Staff Representative of the Waukesha County Department of Parks and Land Use - Planning and Zoning Division, on **Monday, April 5, 2021** at **6:30 p.m.** at the Eagle Town Hall, located at 820 E. Main St., Eagle, WI, to consider the Conditional Use request (**CU52**) of Peter R. Jensen on behalf of the **Eagle Spring Lake Management District, P.O. Box 196, Eagle WI 53119**, to allow year round parking/storage of a utility dump truck on the property for the transportation of cut aquatic growth from lake harvesting operations and/or the delivery of emergency supplies. The subject property is described as Outlot 1 of Certified Survey Map No. 9679, part of the NW ¼ of Section 36, T5N, R17E, Town of Eagle. More specifically, the property is located at W344 S10505 CTH E, Mukwonago, WI 53149 (Tax Key No. EGLT 1870.953.003)

Please note that the Staff Representative from the Waukesha County Department of Parks and Land Use – Planning and Zoning Division will be participating via conference call, Microsoft Teams or Zoom.

For additional information regarding this public hearing, please contact Jacob Heermans of the Waukesha County Department of Parks and Land Use at (262) 548-7790.

All interested parties will be heard.

### **WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE**

Dale R. Shaver, Director  
515 W. Moreland Blvd.  
Waukesha, WI 53188

Legal notice to be published in the  
Waukesha Now on  
Wednesday, March 17, 2021 and  
Wednesday, March 24, 2021

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE  
PLANNING AND ZONING DIVISION  
515 W. Moreland Blvd. Room AC230  
WAUKESHA, WI 53188  
(262) 548-7790

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JAN 21 2020

Email [pod@waukeshacounty.gov](mailto:pod@waukeshacounty.gov) Website [www.waukeshacounty.gov/planningandzoning](http://www.waukeshacounty.gov/planningandzoning) DEPT OF PARKS & LAND USE

**PETITION FOR CONDITIONAL USE**

Office Use Only:

Fee Pd. \$ — Receipt No. n/a ATF Y/N: ON Appl. recd. by: JA  
Petition No. C052

Owner Eagle Spring Lake Management District Applicant Peter R Jensen, Chairperson

Address Post Office Box 196 Address Same

Eagle, WI 53119

Daytime Phone No. (414) 791-5751 Daytime Phone No. ( )

Email address and/or fax number if you would like a copy of the staff report forwarded to you prior to the Co. Park and Planning Commission meeting: p.jensen@eagleweather.com

Petition is hereby made on this date, 01/19/2021, for a CONDITIONAL USE PERMIT on property located in the Town of Eagle, Section 36,

Tax Key No(s) ELGT1870953003, and which has the following Legal Description:

Being part of the Southeast 1/4 of the Northwest 1/4 of Section 36 Town 5 North, Range 17 East in the Town of Eagle. See ATTACHMENT 2 page for metes and bounds description.

Address of subject premises: W344S10505 County Road E, Mukwonago, WI 53149

Specific type of CU requested, Section 4(g)10 in ZC/SFPO

Said CONDITIONAL USE PERMIT to provide for the use of the property and/or buildings in the following described manner (Give a **detailed** description of the use(s) requested. Attach additional pages, if necessary.):

See ATTACHMENT 1 for narrative

Property is presently zoned as P-1

Property is presently used as Dam and Lake District Operations

The following information **must be** submitted with this application:

1. **Three (3)** copies of a detailed and accurate site plan/map or plat of survey (preferred) drawn **TO SCALE**, showing the **subject property**, its location, length, and direction of each boundary thereof, **the location and existing use(s) of all buildings and structures thereon, and the principal use of the property.**
2. Any **supplemental information** deemed necessary for a reasonable understanding of the proposed conditional use depending on the type of conditional use requested, e.g., detailed description of the use or operation, topographical information, cross sections, elevations, etc.
3. A **filing fee** payable to the Waukesha County Department of Parks and Land Use (inquire as to the current fee amount).

The undersigned owner hereby certifies that **all** of the above statements, information and attachments contained herein (site plan/survey, plans, exhibits, etc.) are true and accurate to the best of his or her knowledge and belief. By signing this form, the owner or his/her authorized agent is giving their consent for the Dept. of Parks and Land Use to **inspect** the site as necessary and related to this application even if the property has been posted against trespassing pursuant to Wis. Stat.

Signature of Owner  \_\_\_\_\_

Date of Filing 01/19/2021

Signature of Applicant Same as Above \_\_\_\_\_

Date of Filing \_\_\_\_\_

## ATTACHMENT #1

### Narrative:

The Eagle Spring Lake Management District, a special taxing district formed under the provisions of the Wisconsin State Statutes Chapter 33, is seeking a modification of its current Condition Use Permit/Plan of Operation for the property described herein.

The modification is for the permission of storing one (1) newly acquired small utility dump truck, equivalent to a Ford F-350 series truck, on the site. This vehicle is used for the transportation of cut aquatic growth from lake harvesting operations to various recycling locations in the area and would also be used for the transportation and delivery of emergency supplies, such as sand for sandbagging operations, when required. This vehicle will be stored in the immediate area of the harvesting conveyor and is indicated on the attached CSM, Page 1 (Note: truck indication is not to scale).

This area is not easily visible from County Road E and is the only property under the ownership or control of the Lake District where it is practical to keep the vehicle. The vehicle is licensed as being government owned and is monitored by security cameras in the adjoining storage / dam outlet control building.

In summary, this will allow the following storage at this site:

- 1 – Weed Cutter (Seasonal Storage) (Previously approved)
- 1 – Weed Conveyor (Year-around storage approved in 2003)
- 1 – Small Dump Truck (Year-around storage REQUESTED)

## ATTACHMENT #2

### Legal Description

All that part of the Southeast 1/4 of the Northwest 1/4 of Section 36, Town 5 North, Range 17 East in the Town of Eagle, Waukesha County, Wisconsin, described as follows: commencing at a point 15.10 feet North 06°33'26" West of the Northeast corner of Lot 1 Block 2, Island View Subdivision; thence North 88°34'00" West, 33.32 feet to the Westerly line of C.T.H. "E"; thence North 06°33'26" West along said Westerly line, 110.34 feet; thence North 07°54'56" West along said Westerly line, 76.07 feet; thence North 28°34'32" West along said Westerly line, 28.78 feet to the place of beginning; thence South 66°29'17" West 49.24 feet; thence South 51°58'32" West 36.23 feet to a meander line; thence North 52°39'06" West along said meander line, 113.29 feet; thence North 42°36'51" East, 59.19 feet; thence North 51°38'27" East 109.56 feet to the centerline of C.T.H. "E"; thence South 28°3'32" East along said centerline, 142.47 feet; thence South 66°29'17" West 33.13 feet to the place of the beginning, also those lands lying between the meander line and the lot lines extended to the shore of Eagle Spring lake, dedicating the Northeasterly 33 feet for public road purposes, containing 14,245 sq. ft. exclusive of Right of way, this parcel is limited to one access point to C.T.H. "E".



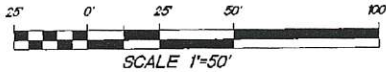


WC3104816-003

3104816

## CERTIFIED SURVEY MAP NO. 9079

Being a part of the Southeast 1/4 of the Northwest 1/4 of Section 36, Town 5 North, Range 17 East, in the Town of Eagle, Waukesha County, Wisconsin



OWNER  
EAGLE SPRING LAKE  
MANAGEMENT DISTRICT  
P.O. BOX 196  
EAGLE WI 53119

SURVEYOR  
KETTLE MORaine SURVEYING  
P.O. BOX 357  
EAGLE WI 53119  
(262)594-3454

NORTHEAST CORNER OF  
THE NORTHWEST 1/4 OF  
SECTION 36-5-17  
IS IN JERICO CREEK

WISCONSIN STATE  
PLANE COORDINATES  
NORTHING 316,096.20  
EASTING 2,419,948.57

- FOUND 6" CONC. MON.
- EXISTING SPOT ELEVATIONS
- FOUND 1" IRON PIPE
- + FOUND P.K. NAIL

BEARINGS ARE REFERENCED TO  
GRID NORTH OF THE WISCONSIN  
STATE PLANE COORDINATE  
SYSTEM, SOUTH ZONE.

OUTLOT 1 IS TO BE OWNED BY EAGLE SPRING  
LAKE MANAGEMENT DISTRICT.

OUTLOT 1 IS LIMITED TO ONE  
ACCESS POINT TO C.T.H. 'E'.

LOT 1 IS LIMITED TO ONE  
ACCESS POINT TO C.T.H. 'E'  
TO BE LOCATED WITHIN  
THE 20' ACCESS EASEMENT.

ENTIRE PROPERTY IS  
WITHIN THE WAUKESHA  
COUNTY SHORELAND  
ZONING DISTRICT

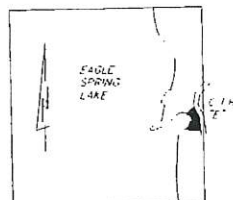
ZONING: RLO (LOT 1)  
P-1 (OUTLOT 1)

THE 20' ACCESS EASEMENT  
SHALL BE UTILIZED IN ACCORDANCE  
WITH THE AGREEMENTS ON FILE  
WITHIN THE WAUKESHA COUNTY  
REGISTER OF DEEDS OFFICE.

EAGLE  
SPRING  
LAKE

OUTLOT 1 CONTAINS AN UNSTUDIED  
100 YEAR FLOODPLAIN BASED ON  
THE FEDERAL EMERGENCY MANAGEMENT  
AGENCY MAPPING DATED AUGUST 1, 1983,  
BETWEEN EAGLE SPRING LAKE AND  
C.T.H. 'E'. OUTLOT 1 SHALL CONTAIN  
NO ADDITIONAL BUILDINGS UNTIL  
SUCH TIME THAT THE 100 YEAR  
FLOODPLAIN IS STUDIED FOR  
THIS AREA, REVIEWED AND  
APPROVED BY WAUKESHA  
COUNTY, THE WISCONSIN  
DEPARTMENT OF NATURAL  
RESOURCES, AND THE  
FEDERAL EMERGENCY  
MANAGEMENT AGENCY.

100 YEAR FLOOD LINE (8211)  
IS 0.38' HIGHER THAN THE  
EXISTING LAKE ELEVATION  
(LOCATION IS AT THE SHORE)



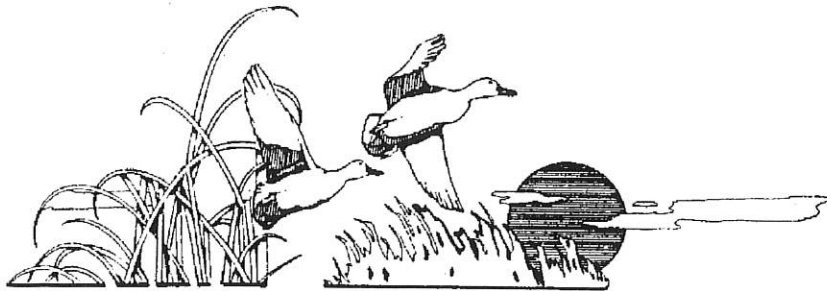
LOCATION MAP  
NW 1/4 SEC. 36-5-17  
1"=2000'



TERRANCE E. PISAREK S-1930  
DATED THIS 27th DAY OF NOVEMBER, 2003  
REVISED THIS 10th DAY OF NOVEMBER, 2003  
REVISED THIS 19th DAY OF NOVEMBER, 2003  
JOB NO. 03228

THIS INSTRUMENT WAS DRAFTED BY: TERRANCE E. PISAREK

SHEET 1 OF 3



Eagle Spring Lake  
Management District  
Post Office Box 196  
Eagle, WI 53119-0196  
admin@eaglespringlake.us

January 20, 2021

Mr. Jason Fruth  
Planning and Zoning Manager  
Waukesha County Planning and Zoning, AC-230  
515 West Moreland Blvd  
Waukesha, WI 553188

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DEPT OF PARKS & LAND USE

Dear Jason:

Now that Amy Barrows has left, I am not sure who our point of contact is with your department so please route this to the appropriate person.

The Eagle Spring Lake Management District is seeking an alternation to its conditional use permit at the Kroll Outlet on Eagle Spring Lake. We have recently purchased a truck to use in the transportation and recycling of aquatic plants that we harvest in the lake. We are proposing to store the truck at this site immediately next to the conveyor that used to move the cut growth from the harvesting equipment. This vehicle will also give us better capability to respond to emergencies I transporting sand and emergency supplies to where they are needed.

I have attached what I believe is the correct paperwork for your department's consideration of this matter. In the past the department has been gracious enough to defer permit fees on these relatively minor matters. But if a permit fee is required please let me know and I will make arrangements for its payment immediately.

Thank you for your cooperation and help in this matter.

Yours truly,

Peter R. Jensen, Chairperson  
p.jensen@eagleweather.com  
Cell: 414-791-5751

Encl.