



# Conditional Use Town of Mukwonago

Version: April 26, 2021

**Town of Mukwonago**  
W320 S8315 Beulah Road  
Mukwonago, WI 53149

**Overview:** The Town's Zoning Code identifies land uses that may be allowed in each of the zoning districts either by right or as a conditional use. By definition, a conditional use is a land use that may or may not be appropriate on a given parcel depending on a wide range of factors that relate to the proposed use and the particular circumstances relating to the parcel and surrounding properties. Conditional uses are therefore considered on a case-by-case basis. The Plan Commission and the Town Board conduct a joint public hearing to solicit input from the general public and other interested parties. When reviewing conditional use applications, the Plan Commission serves in an advisory capacity to the Town Board, which makes the final decision. The recommendation of the Plan Commission and the decision of the Town Board are based on the evidence and testimony received as part of the application and through the public hearing process.

**Governing regulations:** The procedures and standards governing the review of this application are found in Article 5 of the Town's zoning code (Chapter 36).

**General instructions:** Application materials should be submitted to the Town Clerk at the mailing address shown above or online at <https://townofmukwonago.zoninghub.com/tools/OnlineApplication.aspx>. If you have any questions, do not hesitate to contact the Town Planner at (920) 728-2814 or via email at [tjm.schwecke@civitekconsulting.com](mailto:tjm.schwecke@civitekconsulting.com).

1. **Applicant and agent information** Include the names of the agent, if any, that helped prepare this application including the supplemental information. Examples include surveyors, engineers, landscape architects, architects, planners, and attorneys.

	<u>Applicant</u>	<u>Agent</u>
Name	<u>Thalia Haseotes, Assignee of Current Owners</u>	<u>Christopher M. Meuler</u>
Street address	<u>Dewitt LLP, 13845 Bishop's Dr., Ste. 300</u>	<u>DeWitt LLP, 13845 Bishop's Dr., Ste. 300</u>
City, state, zip code	<u>Brookfield, WI 53005</u>	<u>Brookfield, WI 53005</u>
Daytime telephone	<u>(508) 648-9115</u>	<u>(262) 439-2372</u>
Email address	<u>thalia@coldnosesfoundation.com</u>	<u>cmeuler@dewittllp.com</u>

2. **Type of application (select one)**

- New conditional use  
 An amendment of a previously approved conditional use

3. **Subject property information**

Physical address	<u>S67W28435 River Road</u>			
Tax key number(s)	<u>MUKT-1876997</u>	<u>MUKT-</u>	<u>MUKT-</u>	<u>MUKT-</u>

Note: The tax key number can be found on the tax bill for the property or it may be obtained from the Town Clerk.

Is the subject property currently in violation of the Town's zoning code?

- No  
 Yes

If yes, please explain.

Comment: Pursuant to Section 36-136 of the Town's zoning code, the Town may not issue a permit or other approval that would benefit a parcel of land that is in violation of the zoning code, except to correct the violation or as may be required by state law.

Are there any unpaid taxes, assessments, or other required payment that are specifically related to the subject property?

- No  
 Yes

If yes, please explain.

Comment: Pursuant to Section 36-137 of the Town's zoning code, the Town may not issue a permit or other approval that would benefit a parcel of land where taxes, assessments, or other required payments are delinquent and due.

Are there any buildings on the subject property?

- No
- Yes

Will the proposed conditional use be located in an existing building or a new building?

- Existing building
- Proposed building
- NA

If the conditional use will be in an existing building, is that building classified as "conforming" or "nonconforming?" A nonconforming building does not meet the dimensional requirements for the district in which it is located.

- Conforming building
- Nonconforming building

If nonconforming, please explain.

What type of sewage disposal facilities will be available to serve the conditional use?

- A system is not required for the proposed use
- On-site – sewage disposal system
- On-site – holding tank
- Municipal or sanitary sewer district
- NA

Has the Town of Mukwonago approved a variance or special exception for the subject property?

- No
- Yes

If yes, provide the year of issuance and a short description for each one.

**5. Zoning information**

The subject property is located in the following zoning district(s). (check all that apply)

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> C-1 Conservancy  | <input type="checkbox"/> R-1 Residential    | <input type="checkbox"/> EC Environmental corridor (overlay) |
| <input checked="" type="checkbox"/> A-1 Agricultural | <input type="checkbox"/> R-2 Residential    | <input type="checkbox"/> HS Hydric soils (overlay)           |
| <input type="checkbox"/> RH Rural home               | <input type="checkbox"/> B-2 Local business |  |
| <input type="checkbox"/> SE Suburban estates         | <input type="checkbox"/> P-1 Public         |  |

Is any portion of the subject property located within Waukesha County's shoreland zoning jurisdiction (generally defined as being within 300 feet of a stream or 1,000 feet of a lake)?

- No
- Yes

6. **Proposed use.** Describe the proposed conditional use or amendment in detail. Attached additional pages as needed.

As further described in the attached materials, Applicant proposes a small farm and animal sanctuary with an educational component pursuant to Chapter 36, Appendix B, Sec. 2.04 of the Town Zoning Code.

7. **Mitigation.** Describe any approaches that will be used to mitigate potentially adverse effects.

The proposed use is less intensive than current use. Applicant is addressing concerns raised at the Plan Commission concept review in the materials enclosed.

8. **Project map.** Attach a project map. It can consist of a single page or multiple pages depending on the complexity of the features that need to be depicted.

The following items need to be included **as appropriate** to the project.

Background Project Information

- Project name
- Applicant name
- Preparation date

Survey Information

- North arrow and graphic scale
- Address of subject property or legal description
- Property boundaries
- Acreage of subject property

Project Development Information

- Easements/rights-of-ways (location, width, purpose, ownership)

Setting

- Property boundaries within 150 feet of the subject property
- Land uses within 150 feet of the subject property
- Zoning district boundaries within 150 feet of the subject property
- Municipal boundaries within 150 feet of the subject property

Site Features (existing and proposed)

- Ground contours when any slope exceeds 10 percent
- Wetlands
- Woodlands
- Wildlife habitat, including critical wildlife habitat
- Environmentally sensitive features
- Water resources (rivers, ponds, etc.)
- Floodplain boundaries
- Environmental and manmade development constraints and hazards including brownfields, contaminated sites, unstable soils, high groundwater, bedrock, and high-pressure natural gas lines

Landscaping Features (existing and proposed)

- Fences, buffers, and berms

Transportation Facilities (existing and proposed)

- Streets
- Driveways and road access onto public and private roads
- Sidewalks / trails

Buildings and Outdoor Storage/Activity Areas footprint, use, etc.)

- Existing and proposed
- Existing within 150 feet of subject property

Required Setbacks

- Yard setbacks (front, side, rear and shore)
- On-site septic systems
- On-site wells and off-site wells within 10 feet of the perimeter of the subject property

9. **Attachments.** List any attachments included with your application.

-Site Plan  
-Waukesha County GIS  
-Boundary Survey

10. **Other information.** You may provide any other information you feel is relevant to the review of your application.

See attached materials.

**11. Applicant certification**

- I certify that all of the information in this application, along with any attachments, are true and correct to the best of my knowledge and belief.
- I understand that submission of this application authorizes town officials, Plan Commission members, Town Board members, employees, and other designated agents to enter the property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.
- I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of such written materials or view it online.
- I understand that the Town Planner will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.
- **Pursuant to Section 2-2 and 2-3 of the Town of Mukwonago Municipal Code, the Town Board has determined that whenever the services of the Town Attorney, Town Engineer, Town Planner, or any other of the Town's professional staff results in a charge to the Town for that professional's time and services and such service is not a service supplied to the Town as a whole, the Town Clerk shall charge that service for the fees incurred by the Town to the property owner incurring those fees, even if the request is not approved. In addition, certain other fees, costs, and charges are the responsibility of the property owner even if the request is not approved. Imposition of any fees, costs, or charges; however, is subject to the property owner's appeal rights as described in the Town's Municipal Code.**

**I have been advised that pursuant to the Town's Municipal Code, if the Town Attorney, Town Engineer, Town Planner, or any other Town professional provides services to the Town because of my activities, whether at my request or at the request of the Town, I shall be responsible for the fees incurred by the Town, even if the request is not approved. In addition, I have been advised that pursuant to said Municipal Code of the Town of Mukwonago, certain other fees, costs, and charges are my responsibility even if the request is not approved. By signing this application; however, I am not waiving my appeal rights that are described in the Town's Municipal Code.**

Property Owner Signature(s):

Date:

\_\_\_\_\_  
Thalia Haseotes, assignee

\_\_\_\_\_  
Todd/Kathy Pieper

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Date:

  
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11/12/24

Thalia Haseotes