

Date: October 15, 2025

To: Town of West Bend Plan Commission

From: Kristen Hoss, Asst. Zoning Administrator

Subject: Certified Survey Map for 5026 Lake Drive (T13_1730700); Alok and Zia Maskara, applicant

Application: 2025-08

Meeting: October 23, 2025, Plan Commission meeting

General description Alok and Zia Maskara own the subject parcel located at 5026 Lake Drive and have submitted a Certified Survey Map (“CSM”) to consolidate two substandard lots and eliminate several interior lines. They are redeveloping the lot and cleaning up the interior lot lines to create a conforming building envelope for a new single-family residence.

The proposed single-family residence does not meet the minimum side yard requirements of the R-1S Shoreland Residential District due to interior lot lines running through the lot (see image below); Therefore, the lots must be combined using a CSM to remove the interior lot lines.

Subject Property



Zoning requirements The subject property is in the R-1S Shoreland Residential District.

Jurisdiction The subject property is also located within the City of West Bends's extraterritorial review jurisdiction.

Notice requirements Aside from being shown on the meeting agenda, no other public notice is required.

Review procedures The Plan Commission makes a recommendation, and the Town Board makes the final decision.

Possible motion for Plan Commission: Motion to recommend to the Town Board the approval of the one-lot certified survey map, subject to the conditions listed below.

Recommended Conditions:

1. In accordance with Deed Restriction No. 1621007 recorded on 09/22/25, the Owner shall obtain all necessary Town, County, and other approvals of the Certified Survey Map and cause the CSM to be duly recorded with the Washington County Register of Deeds no later than January 1, 2026.
2. The Town Board signature block on Sheet 4 incorrectly references the Planning Commission and shall be corrected to read: "This Certified Survey Map, is hereby approved by the Town of West Bend Board on this _____ day of _____, 20____."
3. **Staff and Governmental Approval.** Prior to the Town signing the CSM, the developer shall satisfy all comments, conditions and concerns of the Town Engineer (if applicable), the Town Planner and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; and Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes.
4. **Professional Fees.** Petitioner shall, on demand, reimburse the Town for all costs and expenses of any type that the Town incurs in connection with this development, including the cost of consulting fees, for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
4. **Payment of Charges.** Any unpaid bills owed to the Town by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for license, permit fees, or any other fees owed to the Town shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Town, including possible caused for the termination of the conditional approval.
5. **Surveyor's Responsibility.** Although the Town of West Bend has reviewed the certified survey map, the surveyor is entirely responsible for the thoroughness and accuracy of the survey and related matters and compliance with all state and local codes, ordinances, and procedures. Modification to the survey may be required should errors or changes conditions be found at a future date.

Possible Motion for Town Board: Motion to approve the certified survey map as recommended by the Plan Commission

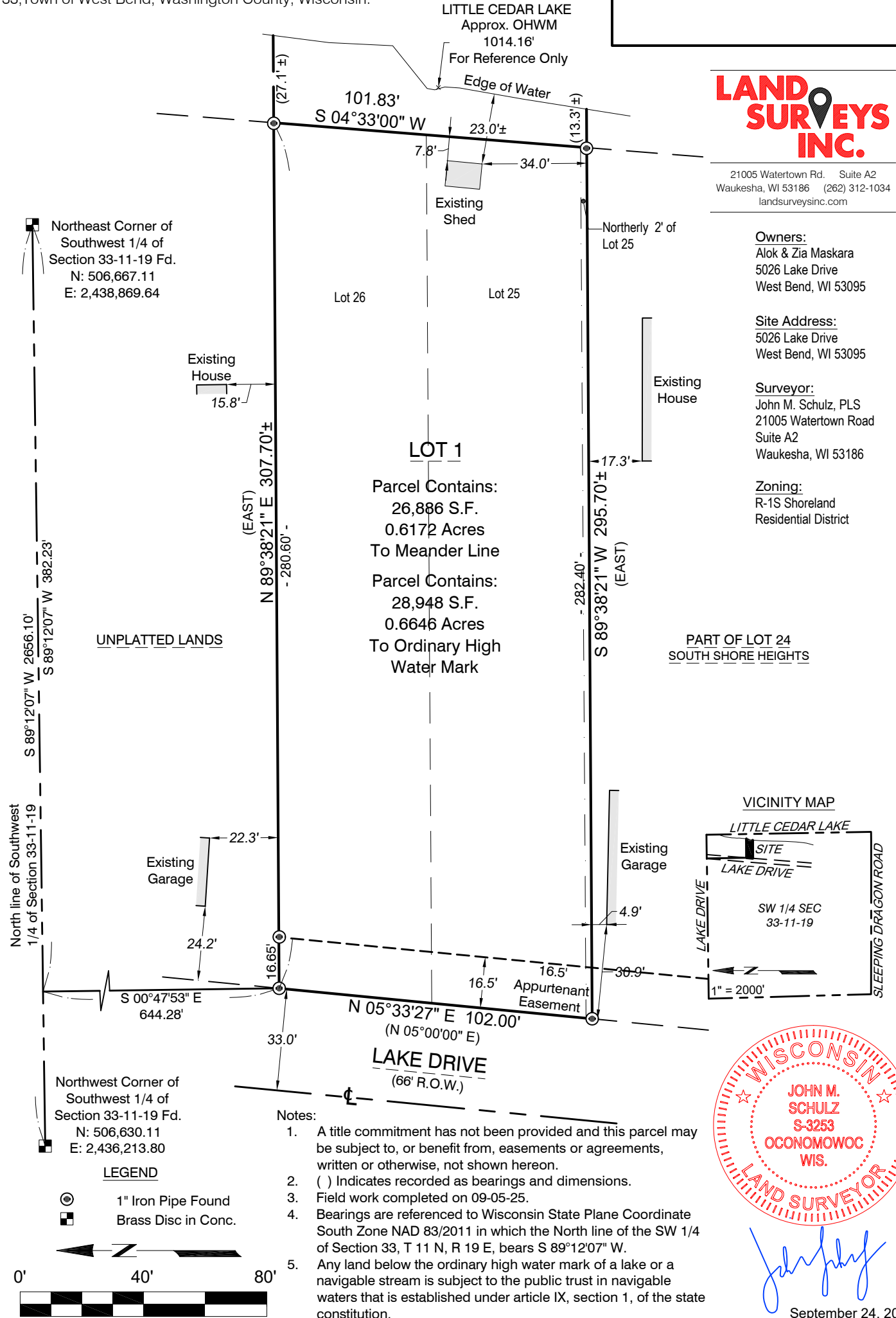
Attachments:

1. CSM
2. Application
3. Recorded Deed Restriction

Exhibit A

Certified Survey Map

Lots 25 and 26 and the North 2 feet of Lot 24 in South Shore Heights, a Subdivision in Government Lots 4 and 5 in Section 33, Township 11 North, Range 19 East. Together with an appurtenant thereto a right of way one rod wide, commencing at the Southwest corner of said subdivision and connecting with the public highway on the South line of Section 33, Town of West Bend, Washington County, Wisconsin.



Certified Survey Map_____

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SURVEYOR'S CERTIFICATE:

I, John M. Schulz, Professional Land Surveyor, do hereby certify:

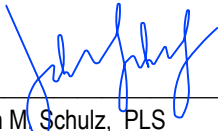
That I have surveyed, divided and mapped a parcel of land located in a part of the Northeast 1/4 of the Southwest 1/4 of Section 33, Township 11 North, Range 19 East, in the Town of West Bend, Washington County, Wisconsin, ,now being more particularly bounded and described and follows:

Commencing at the Northeast Corner of the Southwest 1/4 of said Section; thence South 89°12'07" West along the North line of said 1/4 Section, 382.23 feet; thence South 00°47'53" East, 644.28 feet, also being the Point of Beginning for the lands described hereinafter; thence North 89°38'21" East, 280.60 feet to a point on the Meander Line of Little Cedar Lake; thence South 04°33'00" West along said Meander Line, 101.83 feet to a point on the North line of the South 48 feet of Lot 24 in South Shore Heights; thence South 89°38'21" West along said line, 282.40 feet to the East right of way of Lake Drive; thence North 05°33'27" East along said right of way, 102.00 feet to the Point of Beginning of this description.

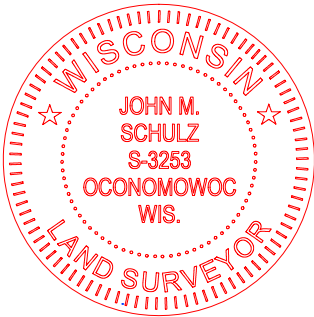
The gross area of said parcel contains 28,560 Square Feet or 0.6556 Acres of land more or less to the Meander Line and 30,622 Square Feet or 0.7030 Acres of land more or less to the Ordinary High Water Mark.

That I have made such survey, land division and map by the direction of Alok and Zia Maskara, owner's of said land. That such map is a correct representation of all exterior boundaries of land surveyed and land division made thereof. That I have fully complied with the provision of chapter 236 of the Wisconsin Statutes and the Platting ordinance of the Town of West Bend in surveying, dividing and mapping same.

Dated this 24th day of September, 2025.



John M. Schulz, PLS
Professional Land Surveyor S-3253



LAND SURVEYS INC.

21005 Watertown Rd. Suite A2
Waukesha, WI 53186 (262) 312-1034
landsurveysinc.com

Certified Survey Map_____

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OWNER'S CERTIFICATE:

As owners, Alok & Zia Maskara, we hereby certify that we have caused the land described on this map to be surveyed, divided, dedicated and mapped as represented on this map in accordance with the provisions of Chapter 236 of the Wisconsin State Statutes and ordinances of Town of West Bend, this _____ day of _____, 20_____.

Alok Maskara, Owner

Zia Maskara, Owner

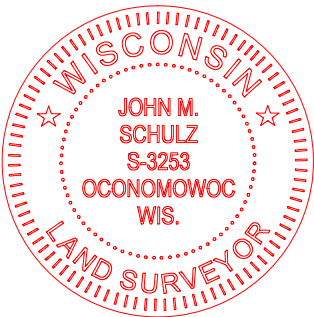
STATE OF WISCONSIN)
) SS
County of _____)

Personally came before me this _____ day of _____, 20_____, the above named Alok & Zia Maskara, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Print Name_____

Notary Public, _____ County, WI.

My Commission Expires: _____



[Handwritten Signature]



21005 Watertown Rd. Suite A2
Waukesha, WI 53186 (262) 312-1034
landsurveysinc.com

Certified Survey Map_____

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TOWN OF WEST BEND PLAN COMMISSION APPROVAL:

This Certified Survey Map, is hereby approved by the Town of West Bend Plan Commission on this _____ day of _____, 20_____.

Michael Holz, Chairman

Julie Ihlenfeld, Secretary

TOWN OF WEST BEND BOARD APPROVAL:

This Certified Survey Map, being a part of the Northeast 1/4 of the Southwest 1/4 of Section 33, Township 11 North, Range 19 East in the Town of West Bend, Washington County, Wisconsin, having been approved by the Planning Commission being the same, is hereby approved and hereby accepted by the Town of West Bend on this _____ day of _____, 20_____.

Troy Zagel, Chairman

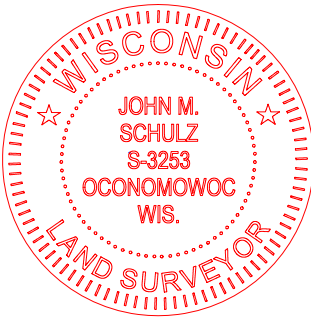
Julie Ihlenfeld, Clerk

CITY OF WEST BEND PLAN COMMISSION APPROVAL:

This Land Division, CSM File No. _____, is hereby approved by the West Bend City Plan Commission as being in conformance with the City's Subdivision Ordinance this _____ day of _____, 20_____.

Joel Onger, Mayor

Jilline Dobratz, City Clerk



21005 Watertown Rd. Suite A2
Waukesha, WI 53186 (262) 312-1034
landsurveysinc.com

Town of West Bend - Washington County, Wisconsin
APPLICATION for MINOR LAND DIVISION

Name of Property Owner: Alok and Zia Maskara

Address: 3611 Milton Ave, University Park, TX 75205

Phone: 203-984-9859 Email: amaskara@gmail.com

Name of Applicant (if different from Property Owner): Victory Homes of Wisconsin-Rebecca Kirst

Address: N118W18531 Bunsen Drive, Germantown, WI 53022

Phone: 262-252-7100 Email: Rebecca.Kirst@vci-wi.com Dave.Vorpagel@vci-wi.com

Property Description:

Address: (if different than Property Owner) 5026 Lake Drive, West Bend, WI 53095

Location of Property: ____ 1/4 ____ 1/4, Section 33, Town 11N Range 19 E, Town of West Bend

Tax Parcel #: 1730700 Current Use of Land: R-1S Shoreland Residential

Acreage of Parent Parcel: .66 acre Current Zoning of Parent Parcel: R-1S Shoreland Residential

Acreage of Proposed Parcel(s): .66 acre Zoning of Proposed Parcel(s): R-1S Shoreland Residential
(Please include as attachment if more than one parcel is proposed to be created)

What is the land use classification of the parent parcel on the Town of West Bend Comprehensive Plan Future Land Use Map? (*check one*)

___ Rural Residential

___ Roadside Mixed-Use

____ Neighborhood Residential

 Government/Institutional

X Shoreline Residential

Is any portion of the property in question classified as Environmental Conservancy District on the Future Land Use Map? Yes No x

Is any portion of the property in question located within a Town of West Bend/City of West Bend Boundary Agreement on the Future Land Use Map? Yes _____ No x

Purpose of Land Division:

Combination of lots to one lot for zoning setback requirements

Will an outlot be created as a result of this land division? Yes No x

If yes, explain the purpose of the outlot:

Town of West Bend - Washington County, Wisconsin
APPLICATION for MINOR LAND DIVISION

Application Checklist:

(This Application shall be completed in full. The Town of West Bend shall not accept any Application for Minor Land Division until all of the information below, as required under Section 18.3.03 of the Town of West Bend Land Division Ordinance, is submitted as attachment to this Application. Please confirm inclusion of the required information by checking each item below).

The Certified Survey Map shall show correctly on its face the following (as applicable):

- ☒ All Existing Buildings, watercourses, drainage ditches, and other features pertinent to proper land division.
- ☒ Setbacks or Building Lines if required by the Town Plan Commission in accordance with the guidelines set forth in Section 7.07 of the land division ordinance.
- ☒ Utility and drainage easements.
- ☒ All lands dedicated for public use or reserved for future acquisition.
- ☒ Date of the Certified Survey Map.
- ☒ Graphic Scale and North Point.
- ☒ Name and Address of the owner, subdivider and surveyor.
- ☒ Existing and Proposed Contours at vertical intervals of not more than two (2) feet where the slope of the ground surface is less than 10 percent, and of not more than four (4) feet where the slope of the ground surface is 10 percent or more. Elevations shall be marked on such contours based on National Geodetic Datum of 1929 (mean sea level). This requirement may be waived if the parcel or parcels created are fully developed.
- ☒ All Proposed Streets, roads, or highways within 300 feet of the boundaries of the parcels created by the minor land division.
- ☒ Floodplain Limits of the 100-year recurrence interval flood, or where such data is not available, a line lying a vertical distance of five (5) feet above the elevation of the maximum flood of record.
- ☒ Location of Soil Boring Tests. The Town Plan Commission, upon recommendation of the Town Engineer, may require that borings and tests be made in specified areas to ascertain subsurface soil, rock, and water conditions, including depth to bedrock and depth to ground water table. Where the land division will not be served by public sanitary sewer service, the requirements of Chapters SPS 383 and SPS 385 of the Wisconsin Administrative Code for soil borings shall be met. The location of all soil borings shall be shown on the certified survey map and two (2) copies of all test results shall accompany the map. Where soil mottling or saturated conditions are observed in the soil profile, the Plan Commission may prohibit the future construction of principal buildings.
- ☒ Location of Soil Percolation Tests where required by Section SPS 385.06 of the Wisconsin Administrative Code, taken at the location and depth in which soil absorption waste disposal

Town of West Bend - Washington County, Wisconsin
APPLICATION for MINOR LAND DIVISION

systems are to be installed. The number of such tests initially made shall not be less than one (1) test per three (3) acres or one (1) test per lot, whichever is greater. The results of such tests shall be submitted along with the preliminary plat.

- X The Entire Area contiguous to the proposed certified survey map owned or controlled by the subdivider shall be included on the certified survey map even though only a portion of said area is proposed for immediate development. The Town Plan Commission may waive this requirement where it is unnecessary to fulfill the purposes and intent of this code and severe hardship would result from strict application thereof.

Application Fee:

- \$100.00 for first lot
- \$50.00 for each additional lot

Check Number: _____

Signatures:

Owner or Applicant: Askan Date: 9/24/23

Zoning Administrator: _____ Date: _____

Professional Services Fee:

When the services of outside legal, planning, engineering, or other technical advice results in a charge to the Town for professional time and services, the Town Clerk shall charge such fees incurred by the Town to the property owner even if the request is not approved.

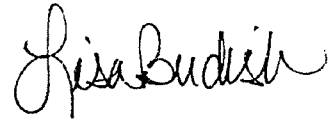
I understand and agree that I shall be responsible for any professional services fees incurred by the Town even if my request is not approved.

Owner Signature: Askan Date: 9/24/25

Exhibit C

Digitally applied
Original document

Document # **1621007**
WASHINGTON COUNTY WISCONSIN
2025-09-22 4:31:00 PM



LISA BUDISH
WASHINGTON COUNTY
REGISTER OF DEEDS
Fee: **\$30.00**

Return via **MAIL (REGULAR)**
Pages: **2**



Return to:

Ben Greenberg, Town Planner
Cedar Corporation
W61 N497 Washington Ave.
Cedarburg, WI 53012

Parcel ID: T13 1730700

Declaration of Restrictions

WHEREAS, the undersigned own the real property located at 5026 Lake Drive in the Town of West Bend, Washington County, Wisconsin, ("subject property") more particularly described as follows:

Lots 25 & 26 and North 2 feet of Lot 24, in SOUTH SHORE HEIGHTS, a Subdivision in Government Lots 4 & 5 in Section 33, T11N, R19E, Town of West Bend, Washington County Wisconsin.

WHEREAS, on July 25, 2025, a Residential Site Plan application (ZP25-29) was submitted to the Town of West Bend for review and approval to replace existing single family residence with a new residence on the subject property, and;

WHEREAS, the proposed residence will encroach an interior lot line on the subject property which divides described Lots 25 and 26 in South Shore Heights, and;

WHEREAS, all described land within the subject property is being utilized as one lot and will remain together as one lot under the same ownership subject to the conditions outlined below, and

WHEREAS, because the proposed residence does not meet the minimum side yard requirements of the R-1S Single-Family Residential District of the Town of West Bend Zoning Ordinance, a Certified Survey Map (CSM) must be prepared, approved, and recorded to combine the affected lots into a single lot of record; and

WHEREAS, the Town of West Bend has agreed to allow issuance of a Residential Site Plan permit in advance of CSM approval in reliance upon the Owner's agreement to timely complete and record such CSM; and

WHEREAS, combining the existing platted lots into a single lot of record by Certified Survey Map is necessary to bring the subject property into compliance with the R-1S Single-Family Residential District side yard requirements, and is the only means by which the proposed residence can lawfully be constructed and occupied as approved; and

WHEREAS, the conditions outlined below run with the land and transfer to all heirs and assigns.

NOW, THEREFORE, the undersigned is agreeable to the following conditions on the properties described below:

RESTRICTIONS IMPOSED

1. The Owner shall submit a Certified Survey Map (CSM) application with fee to the Town of West Bend no later than October 15, 2025, combining all subject lands (Lots 25 and 26 and the north 2 feet of Lot 24, South Shore Heights), into a single lot of record.
2. The Owner shall obtain all necessary Town, County, and other approvals of the Certified Survey Map and cause the CSM to be duly recorded with the Washington County Register of Deeds no later than January 1, 2026.
3. Failure to timely submit, obtain approval of, or record the Certified Survey Map as required herein shall render any permit or approval issued in reliance on this Agreement null and void and of no further force or effect, and the Town of West Bend may pursue all remedies available by law or equity.
4. These conditions shall run with the land, shall be binding upon the Owner and all heirs, successors, and assigns, and shall be enforceable by the Town of West Bend, Washington County, Wisconsin.

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Dated this 16 of September, 2025

Alok Maskara

ALOK MASKARA

Zia Maskara

ZIA MASKARA

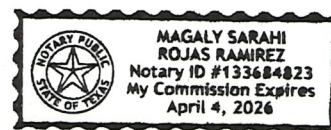
STATE OF ~~WISCONSIN~~ ^{Texas}
~~Waukesha~~ ^{Dallas} SS
COUNTY OF ~~WAUKESHA~~

Personally came before me this 16 day of September, 2025, the above named owner(s) of lands described above, Personally Known to me to be known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Magaly Rojas Ramirez
NOTARY PUBLIC

April 4, 2026

My Commission Expires:



This instrument was drafted by Ben Greenberg, Town Planner, Town of West Bend, at the request of the property owner.