



Village of Bayside  
9075 N Regent Road  
Architectural Review Committee Meeting  
May 11, 2020  
Remote Teleconferencing, 6:00pm

## ARCHITECTURAL REVIEW COMMITTEE AGENDA

PLEASE TAKE NOTE: Due to the COVID-19 Pandemic, the Architectural Review Committee will be meeting via remote conferencing at the above noted time and date, at which the following items of business will be discussed and possibly acted upon.

### I. CALL TO ORDER AND ROLL CALL

### II. APPROVAL OF MINUTES

- A. Approval of April 27, 2020 meeting minutes.

### III. BUSINESS

- A. **8869 N Iroquois Rd-William Christoffel** The proposed project is a 10'x12' storage shed which will replace the current 8'x 8' storage shed. The shed will stand 9.5' high. The color will match the house with white trim.

Please review detailed plans here.

- B. **8829 N Iroquois Rd-Ryan Gwinn** The proposed project is 90' of 6' high fence and 44' of 4' high fence to replace the current fence, adjacent to a commercial parking lot. The almond New Lexington PVC fence will have one gate.

Please review detailed plans here.

- C. **9377 N Regent Rd-Jeff and Elizabeth Billings** The proposed project is 8' of 4' high fence and 748' of 6' high fence to replace the existing fence. The cedar fence will be moved to the lot line and there will be regrading along the western fence line.

Please review detailed plans here.

- D. **8635 N Pelham Pkwy-Steve Cramey** The proposed project is a 12'x10' storage shed with siding matching the house. The shed will be a 2x4 frame construction with two doors, windows, and dimensional shingles on the roof.

Please review detailed plans here.

### IV. ADJOURNMENT

The Architectural Review Committee will utilize Zoom video conferencing software for this meeting. To join the zoom meeting using a computer or tablet:  
<https://us02web.zoom.us/j/83319755536?pwd=M3JleFlUZXY4Vkk5S2lMeiZTaDFOUT09>, if using a telephone to dial in: 312-626- 6799. The meeting id is: 833 1975 5536, password 0565212154.

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. Contact Village Hall at 414-206-3915. It is

possible that members of and possibly a quorum of members of other Boards, Commissions, or Committees of the Village may be in attendance in the above stated meeting to gather information; no action will be taken by any other Boards, Commissions, or Committees of the Village except by the Board, Commission, or Committee noticed above. Agendas and minutes are available on the Village website ([www.baysidewi.gov](http://www.baysidewi.gov)).



**I. CALL TO ORDER**

Chairperson Marisa Roberts called the meeting to order at 6:05pm.

**II. ROLL CALL**

**Trustee Liaison:** Mike Barth

**Chair:** Marisa Roberts

**Members:** Sandra Muchin-Kofman-left meeting at 7:00pm  
John Krampf  
Dan Zitzer  
Tony Aiello-alternate  
Liz Levins-alternate arrived at 6:15pm

**Also Present:** Village Manager Andy Pederson  
Administrative Services Director Lynn Galyardt  
There were eight people in the audience

**I. APPROVAL OF MINUTES**

**A. Approval of March 2, 2020 meeting minutes.**

Motion by Trustee Barth, seconded by Sandra Muchin-Kofman, to approve the meeting minutes of March 2, 2020. Motion carried unanimously.

**II. BUSINESS**

**A. 8530 N. Fielding Road- Robert Mueller- The proposed project is for a rubber roof installation over the garage and front door. A 3' x 16' horizontal band roof will be added over the garage door and a 6' x 10' horizontal band roof will be added over front door. Four square recessed LED lights will be added in the bottom of roof structure over the garage. Bamboo decking to be used for horizontal banding on roof matching existing design.**

Mr. Mueller, homeowner, appeared on behalf of the project. There were no neighbors in attendance.

Mr. Mueller stated the proposed project is for a rubber roof installation over the garage and front door. A 3' x 16' horizontal band roof will be added over the garage door and a 6' x 10' horizontal band roof will be added over front door. Four square recessed LED lights will be added in the bottom of roof structure over the garage. Bamboo decking to be used for horizontal banding on roof matching existing design.

Chairperson Roberts questioned if the lights would be hanging down. Mr. Mueller stated the lights would be recessed.

Motion by Trustee Barth, seconded by Dan Zitzer, to approve the project as described and presented in the application, for a rubber roof installation over the garage and front door with a 3' x 16' horizontal band roof to be added over the garage door and a 6' x 10' horizontal band

roof to be added over front door. Motion carried unanimously.

- B. 9070 N Bayside Drive- Tim Wayman- The proposed project is a garden shed that is 10'4" X 14'6" in size. The shed is constructed with a combination of board, batten and cedar shingle siding to match the home, and will be constructed on a 150 square foot concrete slab. The shed will be located in the southwest corner of the rear yard.**

Tim Wayman, homeowner, appeared on behalf of the project. Lauren Weasler, 9054 N Bayside Drive was in attendance.

Mr. Wayman stated the proposed project is a garden shed that is 10'4" X 14'6" in size. The shed is constructed with a combination of board, batten and cedar shingle siding to match the home, and will be constructed on a 150 square foot concrete slab. Using option number two the shed will be located in the southeast corner of the rear yard.

Motion by Trustee Barth, seconded by Sandra Muchin-Kofman, to approve the project option two as described and presented in the application, for a garden shed that is 10'4" X 14'6" in size with a combination of board, batten and cedar shingle siding to match the home. Motion carried unanimously.

- C. 1150 E. Standish Place- Max & Anneliese Dickman- The proposed project is to replace an existing 450 square foot deck. The footprint will remain the same. The existing surface will be removed and replaced with grey composite decking and framed.**

Max Dickman, homeowner, appeared on behalf of the project. No neighbors were in attendance.

Mr. Dickman stated the proposed project is to replace an existing 450 square foot deck. The footprint will remain the same. The existing surface will be removed and replaced with grey composite decking and framed.

Chairperson Roberts questioned if lattice would be placed in the higher area to keep rodents and animals out. Mr. Dickman stated he would be placing lattice in that area.

Motion by Trustee Barth, seconded by Tony Aiello, to approve the project as described and presented in the application to replace an existing 450 square foot deck. Motion carried unanimously.

- D. 8835 N Tennyson Drive- Donna Miller- The proposed project is a fence. A 6' high by 98' long wood privacy fence will be installed on southside of backyard inside lot line.**

Donna Miller, homeowner, appeared on behalf of the project. No neighbors were in attendance.

Ms. Miller stated the proposed project is a 6 foot high by 98' 2" long wood privacy fence which would be installed on southside of backyard inside lot line and would be left to weather naturally.

Motion by Tony Aiello, seconded by Trustee Barth, to approve the project as described and presented in the application to install a 6 foot high by 98' 2" long wood privacy fence on

southside of backyard inside lot line. Motion carried unanimously.

- E. 1434 E. Brown Deer Rd.- Kathryn Kamm- The proposed project is a 3' cedar fence in the front yard with black PVC coated mesh panels, approximately 160 linear feet. The redwood pergola would be installed over spa on concrete pad/redwood deck. The project also requires review by the Board of Zoning Appeals.**

Kathryn Kamm, homeowner, appeared on behalf of the project. There were no neighbors in attendance.

Manager Pederson stated the Board of Zoning Appeals had met earlier and approved the special exception for the PVC coated mesh panel fence contingent on Architectural Review Committee approval.

Ms Kamm noted there are two projects, a 3' cedar fence in the front yard with black PVC coated mesh panels, approximately 160 linear feet and a redwood pergola to be installed over spa on concrete pad/redwood deck. Ms. Kamm stated the wood portion of the fence would not be left to weather naturally.

Motion by Trustee Barth, seconded by Tony Aiello, to approve the project as described and presented in the application to install a 3' cedar fence in the front yard with black PVC coated mesh panels, approximately 160 linear feet and a redwood pergola installed over spa on concrete pad/redwood deck. Motion carried unanimously.

- F. 1440 E. Hermitage Road-Village of Bayside- The proposed project is located in an existing easement and includes a new Control Building for a Sanitary Sewer Lift Station to replace the existing building. The size of new building is 8' (long) by 7' (wide) and 7' tall, which will allow accessibility into the control building. The new building will be constructed of wood, with cement board siding. The existing generator would be replaced with a new generator and would be located on a pad next to the building, similar to the existing arrangement.**

Manager Pederson stated the next two projects had been reviewed for the past 18 months and were being proposed due to the age of the lift stations and location of the lift station at 1460 E Bay Point. Crews doing work on the lift station could not access the building while standing and there was standing water in the area which is dangerous while doing electrical work.

Katheryn Van Dyke, homeowner of 1440 E Hermitage Road was in attendance.

Ms. Van Dyke stated her concern was with regard to moving the location. Manager Pederson stated the location for the Hermitage lift station would be in the same footprint as the current generator and lift station building.

Manager Pederson noted the building would be made out of wood with a cement board exterior.

Trustee Barth stated cement board does not peel and would be an improvement over what is currently there.

Chairperson Roberts questioned what the color of the shed would be. Manager Pederson stated the Village would like input from Ms. Van Dyke as to what she would prefer, noting the Village would be open to different colors and would try to make it as obscure as possible.

Dan Zitzer questioned if the cement boards would be horizontal and if the door is metal. Manager Pederson stated the boards would be horizontal with a metal door and noted the Village had not gone out to bid on the project.

- G. 1460 E. Bay Point Rd- Village of Bayside- The proposed project is located in Village right-of-way and includes a new Control Building for a Sanitary Sewer lift station to replace the existing building in the right-of-way. The structure will be located slightly east of original location, above the floodplain to eliminate existing flooding issues. The existing generator will be replaced and relocated to a concrete pad in the location of the existing control building. The new size of building is 8' (long) by 7' (wide) and 7' tall with accessibility into the control building. The new building will be constructed of wood, with cement board sidings.**

Margarete Harvey, homeowner of 1470 E Bay Point Road, and Darell Oyer and Colleen Findlay homeowner of 1460 E Bay Point Road were in attendance.

Manager Pederson stated there were power issues with the lift station at 1460 E Bay Point Rd, noting there had been a study conducted of the entire area and it had been determined that putting the generator inside of the building would create a large building. Three locations had been reviewed and it was noted moving the location would have required relocating of pipes and major disruption to homeowners. The proposal is to move the generator to the pad to the east where the current lift station is and build the same type of building as the Hermitage Lift Station. Trustee Barth questioned if the size of the buildings would be the same at both locations. Manager Pederson stated the buildings would be the same size.

Chairperson Roberts questioned what type of pathway would be installed to get to the lift station. Manager Pederson state some type of pervious pavers or concrete.

Tony Aiello questioned if the elevation of the pad would be raised to avoid the water issue. Manager Pederson stated it would be raised.

Margarete Harvey questioned if the current landscaping would be destroyed, as she has an August 1, 2020 garden event where she has people coming to see her gardens. Manager Pederson stated that he did not anticipate the project would not be started before the August 1 date.

Ms. Harvey questioned what the color of the generator would be as she and the homeowner at 1460 E Bay Point Road like the current green color and would like the generator and the building to match. Manager Pederson stated generator had not yet been purchased and the intent was to have the manufacturer of the generator paint it the specified chosen color.

Ms. Harvey stated the Village had found a nice compromise to the issues of location and color.

Motion by Chairperson Roberts, seconded by Tony Aiello, to approve the 1440 E. Hermitage Road and 1460 E. Bay Point Rd lift station projects as described and presented contingent the color of generator on the 1460 E Bay Point Road lift station matches with the color of the building. Motion carried unanimously.

### **III. ADJOURNMENT**

Motion by Trustee Barth, seconded by Tony Aiello, to adjourn the meeting at 7:12pm. Motion carried unanimously.

Respectfully submitted,

Lynn Galyardt  
Administrative Services Director

5/1/2020

Attention:  
Village of Bayside, WI  
Architecture Review Committee

<p>PROJECT/SITE OWNER: Steve Cramer</p> <p>PROJECT ADDRESS: 8635 N Pelham Parkway</p>	<p>PROJECT SUMMARY: 10' x 12' shed (wood with siding)</p>
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**VILLAGE CODE REVIEW**

Reviewer believes this project complies with the following Village Code sections:

104-2(a)(2) Architectural Review Committee: *Construction and renovation should be made so that exterior architectural appearance shall be substantially consistent with structures already constructed in the immediate neighborhood, or with the character of the applicable district.*

**SHED (ACCESSORY STRUCTURE) AND FENCE STRUCTURES:**

Section 104-125 (g)

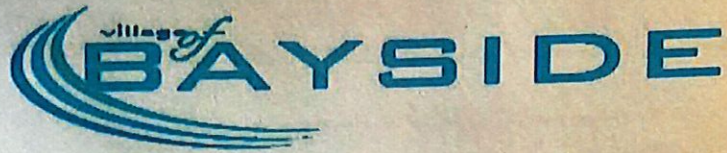
SURVEY: The village reminds applicants that it is unlawful to erect structures, fences, ect..., on other people's property. The village requires that applicants obtain a current certified survey to confirm property lines, located existing and proposed structures, ect. Other information (plat plans, landscape drawings, photos, old surveys) could be inaccurate. Reliance on such measurements is solely at the risk of the property owner. Inaccuracy could lead to costly removal and civil or criminal trespass. For fences, garden walls, dog runs, and other non-perimeter fencing, the building inspector may waive the requirements for a certified survey map if satisfied with evidence, and corroborating verification by neighboring property owners, that the proposed fence or structure does not extend so close to the presumed property line as depicted by the applicant for the permit as to render attempts to prevent encroachment without a survey unreliable.

**SHED (ACCESSORY STRUCTURE) SETBACK REQUIREMENTS:**

Exact dimensions are not provided for the location of the new shed. Village code section 125-91 - "C" residence district regulations requires that accessory structures be located a minimum of 10ft from both rear yard and side yard property lines. SPS 321.08 requires a minimum of 10ft from the accessory structure to the dwelling structure.

**SAFEbuilt recommends approval upon verification that shed will be located within required setbacks.**





**Application for Appearance before the  
Architectural Review Committee**

Owner's Name	<u>Steve Cramay</u>	Contractor's Name	<u>Superior Storage Sheds</u>
Property Address	<u>8635 N Pelham Pkwy</u>	Address	<u>N9466 Stone School Rd Mukwonago, WI</u>
Telephone	<u>414-217-7652</u>	Telephone	<u>262-470-7526</u>
Email	<u>Steve.Cramay@gmail.com</u>	Email	<u>info@ewiscansheds.com</u>

Proposed project details (type of work, size, materials, etc.):

12x10 storage shed, 2x4 frame construction on cinder and green treated 4x4  
LP siding, 2 doors, 3D shingles on roof. Aesthetics to match  
house

existing permit open from 2018 on file.

# Project Proposal

Date 5/1/2020  
 Property Address 8635 N. Pelham Pkwy  
 Zoning \_\_\_\_\_

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Accessory Structures/Generators<br><input type="checkbox"/> Additions/Remodel<br><input type="checkbox"/> Bluff Management<br><input type="checkbox"/> Commercial Signage<br><input type="checkbox"/> Decks/Patios<br><input type="checkbox"/> Fence<br><input type="checkbox"/> Fire Pits<br><input type="checkbox"/> Landscaping requiring Impervious Surface/Fill/Excavation Permit | <input type="checkbox"/> New Construction<br><input type="checkbox"/> Play Structures<br><input type="checkbox"/> Recreational Facilities/Courts<br><input type="checkbox"/> Roofs<br><input type="checkbox"/> Solar Panels/Skylights<br><input type="checkbox"/> Swimming Pools<br><input type="checkbox"/> Windows/Doors-change exceeds 25% of opening<br><input type="checkbox"/> Other |
|--|--|

Proposed project details (type of work, size, materials, etc.):

12x10 shed, 2x4 frame construction, LP siding

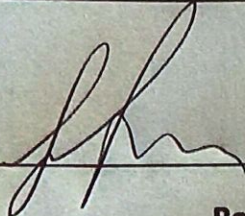
\*\*\*\*\* For Office Use Only \*\*\*\*\*

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	Color photographs showing project location, elevations and surrounding views
<input type="checkbox"/>	<input type="checkbox"/>	Two (2) complete sets of building plans (Including elevations and grading)
<input type="checkbox"/>	<input type="checkbox"/>	Survey
<input type="checkbox"/>	<input type="checkbox"/>	Samples or brochures showing materials, colors and designs
<input type="checkbox"/>	<input type="checkbox"/>	Application Fee
<input type="checkbox"/>	<input type="checkbox"/>	Parcel Number
<input type="checkbox"/>	<input type="checkbox"/>	ARC Agenda Date:
<input type="checkbox"/>	<input type="checkbox"/>	Building Permit
<input type="checkbox"/>	<input type="checkbox"/>	Fill Permit
<input type="checkbox"/>	<input type="checkbox"/>	Impervious Surface Permit
<input type="checkbox"/>	<input type="checkbox"/>	Plan Commission/Conditional Use Permit
<input type="checkbox"/>	<input type="checkbox"/>	Tax Key Number
<input type="checkbox"/>	<input type="checkbox"/>	Right-of-Way/Excavation Permit
<input type="checkbox"/>	<input type="checkbox"/>	Variance Required

### Scope of Work

Only items listed are part of this permit. If work is done on items not listed on this permit they will be considered to have been completed without a permit and are subject to double fees.

Item	Cost
Shed 12x10	3500

Signature 

Total Cost 3500

Date 5/1/2020

### Requested Changes at time of work

Must be submitted to the Village prior to or same day work is completed. Failure to return the same day will result in double permit fees.

Item	Cost

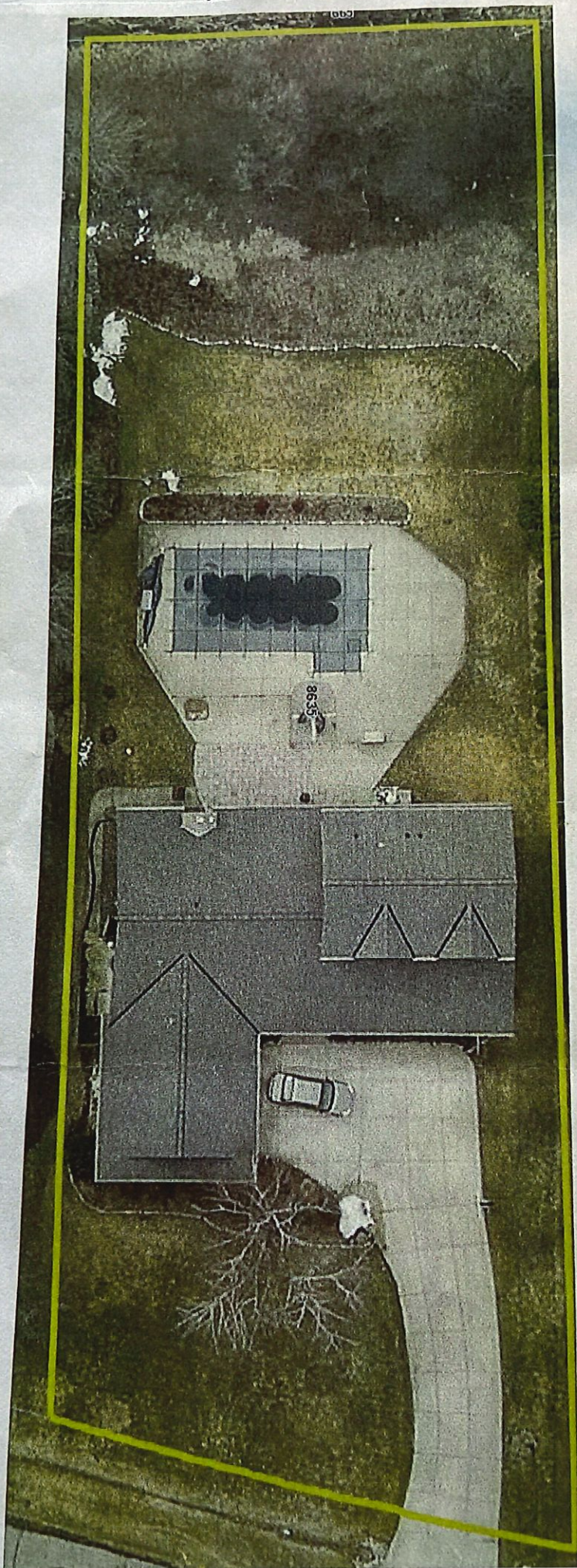
Signature \_\_\_\_\_

Total Cost \_\_\_\_\_

Date \_\_\_\_\_

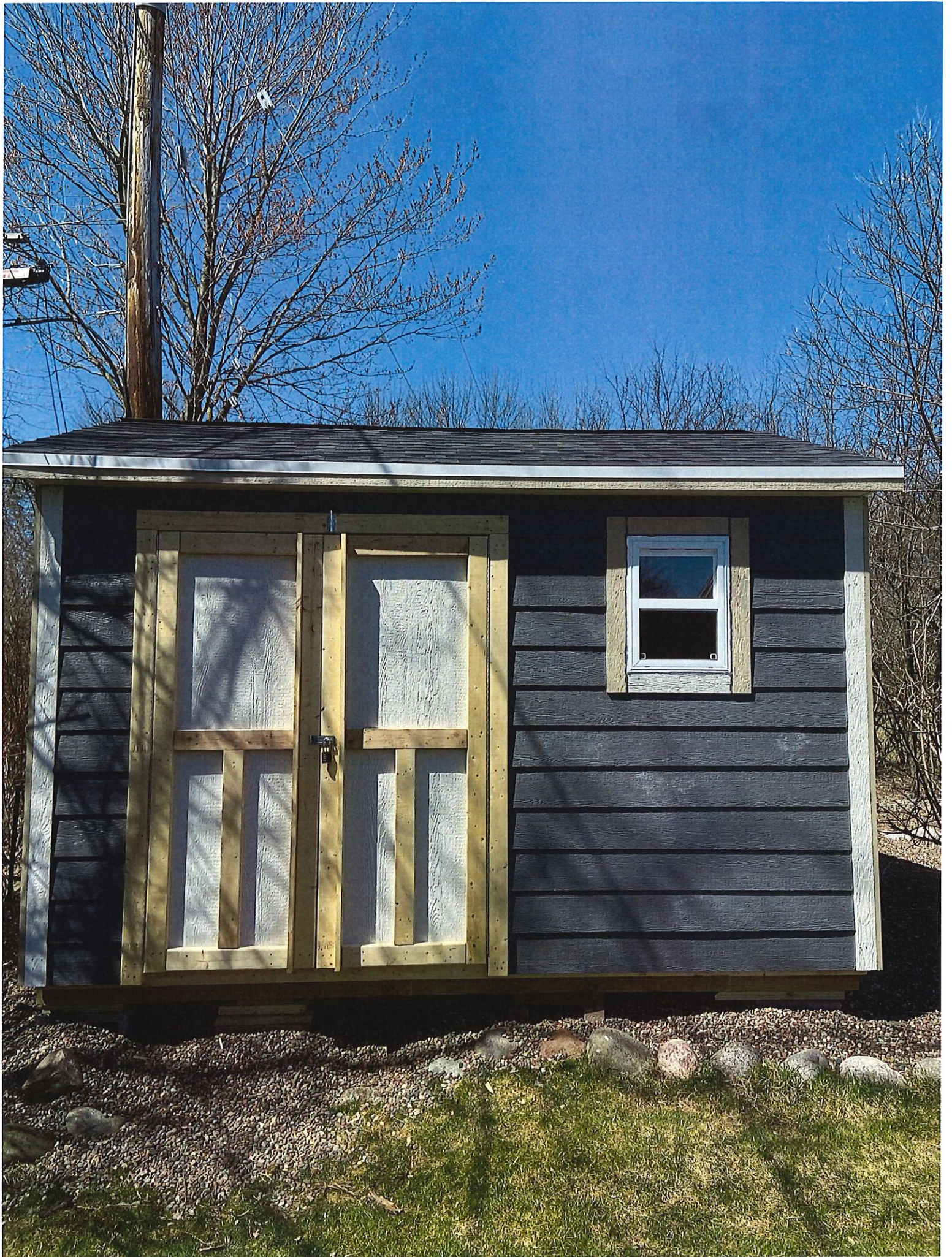






659

8638







4/22/2020

Attention:  
Village of Bayside, WI  
Architecture Review Committee

<p>PROJECT/SITE OWNER: William Christoffel</p> <p>PROJECT ADDRESS: 8869 N Iroquois</p>	<p>PROJECT SUMMARY: 10' x 12' shed replacing an 8' x 8' existing shed (wood)</p>
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**VILLAGE CODE REVIEW**

Reviewer believes this project complies with the following Village Code sections:

104-2(a)(2) Architectural Review Committee: *Construction and renovation should be made so that exterior architectural appearance shall be substantially consistent with structures already constructed in the immediate neighborhood, or with the character of the applicable district.*

**SHED (ACCESSORY STRUCTURE):**

Section 104-125 (g)

SURVEY: The village reminds applicants that it is unlawful to erect structures, fences, ect..., on other people's property. The village requires that applicants obtain a current certified survey to confirm property lines, located existing and proposed structures, ect. Other information (plat plans, landscape drawings, photos, old surveys) could be inaccurate. Reliance on such measurements is solely at the risk of the property owner. Inaccuracy could lead to costly removal and civil or criminal trespass. For fences, garden walls, dog runs, and other non-perimeter fencing, the building inspector may waive the requirements for a certified survey map if satisfied with evidence, and corroborating verification by neighboring property owners, that the proposed fence or structure does not extend so close to the presumed property line as depicted by the applicant for the permit as to render attempts to prevent encroachment without a survey unreliable.

**SHED (ACCESSORY STRUCTURE) SETBACK REQUIREMENTS:**

Exact dimensions are not provided for the location of the new shed. Village code section 125-91(b) - "C" residence district regulations requires that accessory structures be located a minimum of 10ft from both rear yard and side yard property lines. SPS 321.08 requires a minimum of 10ft from the accessory structure to the dwelling structure.

**SAFEbuilt recommends approval upon verification that shed will be located within required setbacks.**



**Application for Appearance before the  
Architectural Review Committee**

Owner's Name William Christoffel Contractor's Name \_\_\_\_\_  
Property Address 8869 N Iroquois Address \_\_\_\_\_  
Telephone (815) 378-5934 Telephone \_\_\_\_\_  
Email bchristoffel@gonpl.com Email \_\_\_\_\_

Proposed project details (type of work, size, materials, etc.):

Replace a shed. Shed is currently 8x8 New  
15 10x12. Color will remain same Current  
Shed is PE New is wood

# Project Proposal

Date 4/15/2020

Property Address 8869 N. Jroguois

Zoning \_\_\_\_\_

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Accessory Structures/Generators<br><input type="checkbox"/> Additions/Remodel<br><input type="checkbox"/> Bluff Management<br><input type="checkbox"/> Commercial Signage<br><input type="checkbox"/> Decks/Patios<br><input type="checkbox"/> Fence<br><input type="checkbox"/> Fire Pits<br><input type="checkbox"/> Landscaping requiring Impervious Surface/Fill/Excavation Permit | <input type="checkbox"/> New Construction<br><input type="checkbox"/> Play Structures<br><input type="checkbox"/> Recreational Facilities/Courts<br><input type="checkbox"/> Roofs<br><input type="checkbox"/> Solar Panels/Skylights<br><input type="checkbox"/> Swimming Pools<br><input type="checkbox"/> Windows/Doors-change exceeds 25% of opening<br><input type="checkbox"/> Other |
|--|--|

Proposed project details (type of work, size, materials, etc.):

Replacement shed

\*\*\*\*\* For Office Use Only \*\*\*\*\*

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	Color photographs showing project location, elevations and surrounding views
<input type="checkbox"/>	<input type="checkbox"/>	Two (2) complete sets of building plans (including elevations and grading)
<input type="checkbox"/>	<input type="checkbox"/>	Survey
<input type="checkbox"/>	<input type="checkbox"/>	Samples or brochures showing materials, colors and designs
<input type="checkbox"/>	<input type="checkbox"/>	Application Fee
<input type="checkbox"/>	<input type="checkbox"/>	Parcel Number
<input type="checkbox"/>	<input type="checkbox"/>	ARC Agenda Date:
<input type="checkbox"/>	<input type="checkbox"/>	Building Permit
<input type="checkbox"/>	<input type="checkbox"/>	Fill Permit
<input type="checkbox"/>	<input type="checkbox"/>	Impervious Surface Permit
<input type="checkbox"/>	<input type="checkbox"/>	Plan Commission/Conditional Use Permit
<input type="checkbox"/>	<input type="checkbox"/>	Tax Key Number
<input type="checkbox"/>	<input type="checkbox"/>	Right-of-Way/Excavation Permit
<input type="checkbox"/>	<input type="checkbox"/>	Variance Required

### Scope of Work

Only items listed are part of this permit. If work is done on items not listed on this permit they will be considered to have been completed without a permit and are subject to double fees.

Item	Cost
Build Shed	\$3500.00

Signature     *Am Cut*    

Total Cost     \$3500.00      
Date     4/17/2020    

### Requested Changes at time of work

Must be submitted to the Village prior to or same day work is completed. Failure to return the same day will result in double permit fees.

Item	Cost

Signature \_\_\_\_\_

Total Cost \_\_\_\_\_  
Date \_\_\_\_\_

Plan # 1

NOT TO SCALE

# PLAT OF SURVEY

LOT 9 - BLOCK 10 - NORTHWAY SUBDIVISION  
BEING A PART OF THE SOUTHEAST 1/4 OF SECTION 5, TOWN 8 NORTH, RANGE 22 EAST,  
IN THE VILLAGE OF BAY SIDE, COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

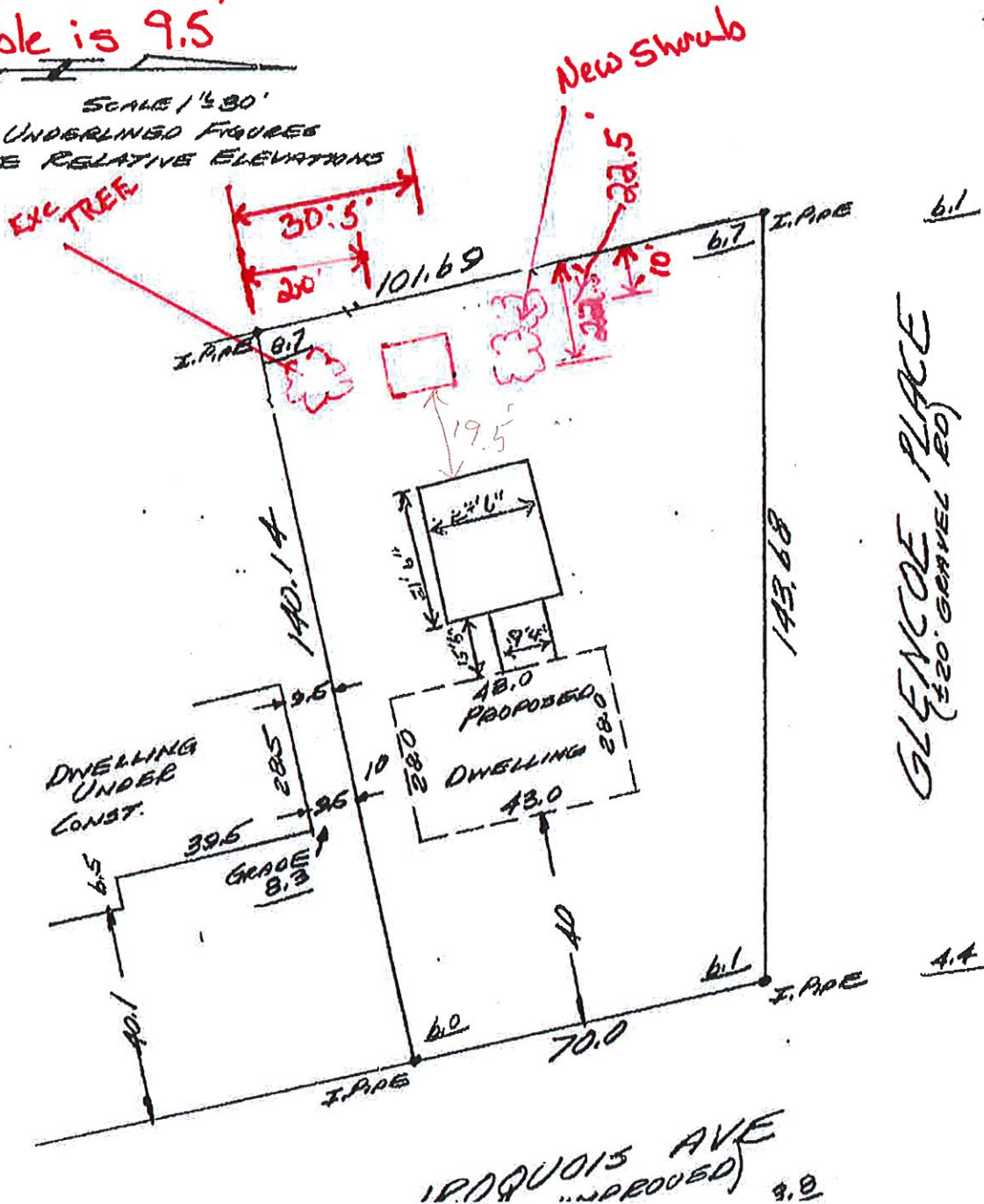
LOCATED AT EAST GLENCOE PLACE AND IROQUOIS AVENUE

Shed  
10' x 12' x 9.5'  
Gable is 9.5'



SCALE 1" = 30'

NOTE: UNDERLINED FIGURES  
DENOTE RELATIVE ELEVATIONS

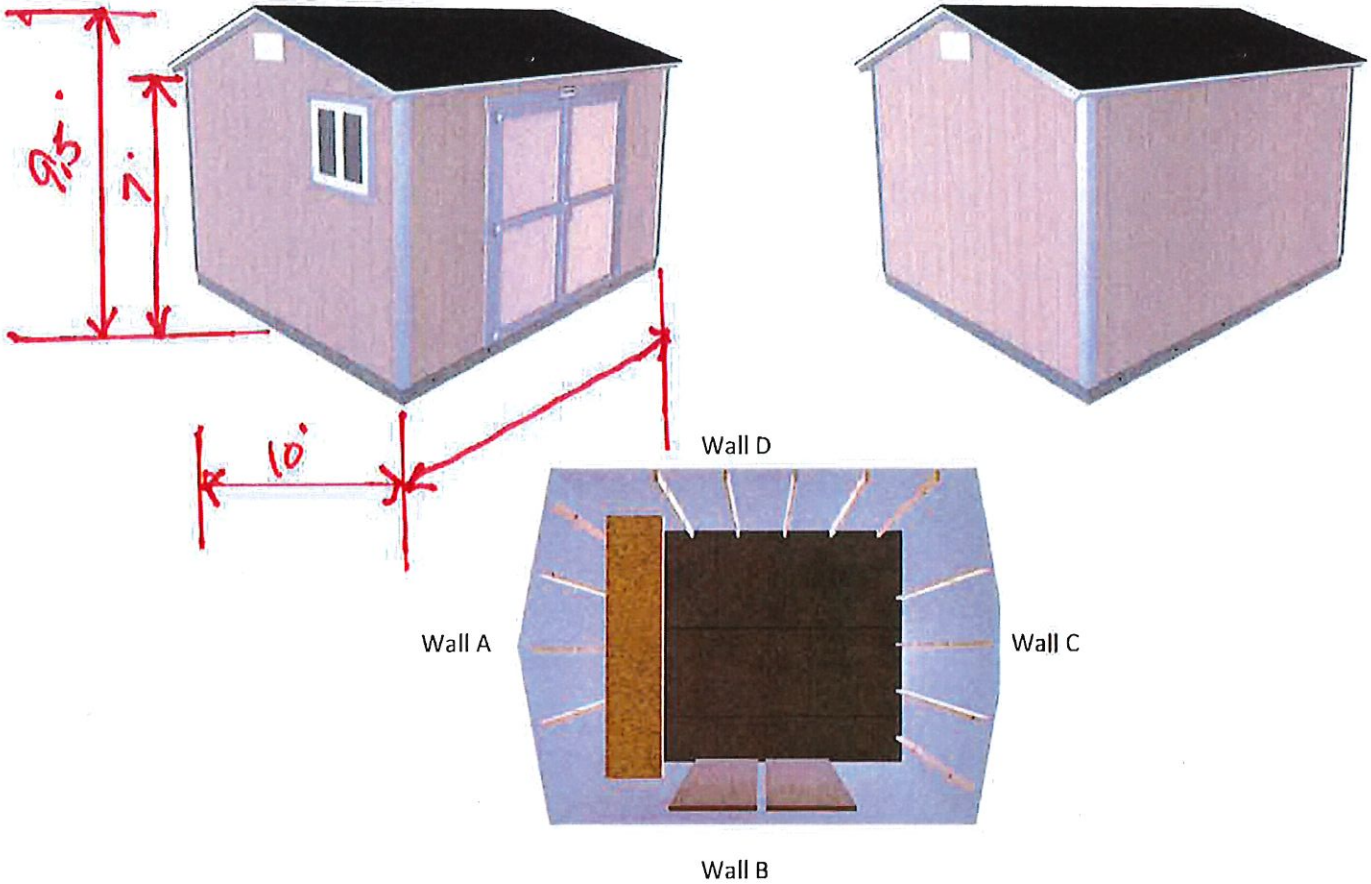


IROQUOIS AVE  
(UNIMPROVED) 9.9



william christoffel  
 8869 n iroquois  
 bayside WI 53217  
 Q-481789

Color to  
 match House  
 with white trim



**Base Details**

**Building Size & Style**  
 Premier Ranch - 10' wide by 12' long  
**Paint Selection**  
 Base: Almond Brittle, Trim: Delicate  
 White  
 Customer to apply 2nd coat  
**Roof Selection**  
 Charcoal 3 Tab  
**Drip Edge**  
 White

**Options Details**

**Doors**  
 3' x 6'2" Double Door (6')  
**Windows**  
 2'x2' Horizontal Sliding Window  
**Roof**  
 20 Lin Ft 4" Gable EW Eave Upgrade  
**Interior**  
 10 Lin Ft Shelving - 24" deep  
**Vents**  
 2 Ea 16"x8" Wall Vent - White  
**Shelving Locations**  
 Shelving on Side A at 39".

**Jobsite/Installer Details**

Do you plan to insulate this building after Tuff Shed installs it?  
 No  
 Is there a power outlet within 100 feet of installation location?  
 Yes  
 The building location must be level to properly install the building. How level is the install location?  
 Within 4" of level  
 Will there be 18" of unobstructed workspace around the perimeter of all four walls?  
 Yes  
 Can the installers park their pickup truck & trailer within approximately 200' of your installation site?  
 Yes  
 Substrate Shed will be installed on?  
 Dirt/Gravel

Customer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Impervious Surface Calculator

Total Square Footage of Property		<b>12110</b>
Current Impervious Surface		
	Home	1543
	Accessory Structure(s)	806
	Driveway	50
	Deck/Patio/addition	150
	New Project	120
	Other	
	<b>Total</b>	<b>2669</b>
Allowable Impervious Surface		
	Zone A - 25%	
	Zone B - 35%	
	Zone C - 40%	
Proposed Additional Surface		
	<b>TOTAL</b>	<b>2669</b>
<b>Current + Proposed Percent of Impervious Surface</b>		22.03963666

4/26/2020

Attention:  
Village of Bayside, WI  
Architecture Review Committee

<p>PROJECT/SITE OWNER: Ryan Gwinn</p> <p>PROJECT ADDRESS: 8829 N Iroquois</p>	<p>PROJECT SUMMARY: New fence replacing an old fence</p>
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### FENCE HEIGHT

Per Village Code Sec. 104-125 (k) – Fence Height: *Fences constructed behind the rear elevation of the home shall not exceed six feet in height except when adjacent to an active railroad property, state or county highway, or commercial parking lot property, in which case it shall not exceed eight feet. Fences constructed within the side yards of a home but behind the forward most point of the adjacent structures shall not exceed six feet in height.*

**FENCE HEIGHT COMPLIES**

### FENCE TYPE

Per Village Code Sec. 104-125 (l) – Fence Type: *No solid fence may be constructed with a total horizontal linear length in excess of fifteen percent of the total linear feet of the perimeter of the property except as screening along an adjacent railroad, state highway, interstate highway, county highway, or commercial parking lot property.*

**SAFEbuilt recommends approval as the fence is located along a commercial property / parking lot. As such, solid fence is acceptable.**

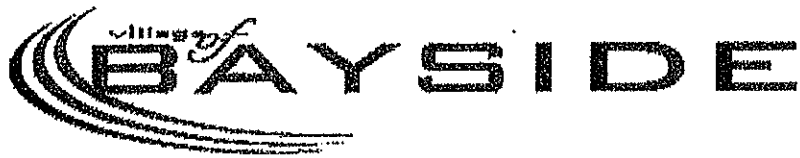
### MATERIAL / FINISH

Per Village Code Sec. 104-125 (l) – Fence Type:

Proposed fence material/finish is vinyl/plastic.

**MATERIAL/FINISH COMPLIES**





Application for Appearance before the  
Architectural Review Committee

Owner's Name	<u>RYAN GWINN</u>	Contractor's Name	<u>BADGER FENCE</u>
Property Address	<u>8829 N IRONWOOD RD</u>	Address	<u>101 E ALBERT PL 53212</u>
Telephone	<u>414-331-6077</u>	Telephone	<u>414-466-7510</u>
Email	<u>rg5717@hotmail.com</u>	Email	<u>badgerfence.com</u>

Proposed project details (type of work, size, materials, etc.):

See Proposal -

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# Project Proposal

Date 4-23-2020

Property Address 8829 N IROQUOIS Rd

Zoning \_\_\_\_\_

- |  |  |
|--|--|
| <input type="checkbox"/> Accessory Structures/Generators<br><input type="checkbox"/> Additions/Remodel<br><input type="checkbox"/> Bluff Management<br><input type="checkbox"/> Commercial Signage<br><input type="checkbox"/> Decks/Patios<br><input checked="" type="checkbox"/> Fence<br><input type="checkbox"/> Fire Pits<br><input type="checkbox"/> Landscaping requiring Impervious Surface/Fill/Excavation Permit | <input type="checkbox"/> New Construction<br><input type="checkbox"/> Play Structures<br><input type="checkbox"/> Recreational Facilities/Courts<br><input type="checkbox"/> Roofs<br><input type="checkbox"/> Solar Panels/Skylights<br><input type="checkbox"/> Swimming Pools<br><input type="checkbox"/> Windows/Doors-change exceeds 25% of opening<br><input type="checkbox"/> Other |
|--|--|

Proposed project details (type of work, size, materials, etc.):

See Proposal -

\*\*\*\*\* For Office Use Only \*\*\*\*\*

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	Color photographs showing project location, elevations and surrounding views
<input type="checkbox"/>	<input type="checkbox"/>	Two (2) complete sets of building plans (including elevations and grading)
<input type="checkbox"/>	<input type="checkbox"/>	Survey
<input type="checkbox"/>	<input type="checkbox"/>	Samples or brochures showing materials, colors and designs
<input type="checkbox"/>	<input type="checkbox"/>	Application Fee
<input type="checkbox"/>	<input type="checkbox"/>	Parcel Number
<input type="checkbox"/>	<input type="checkbox"/>	ARC Agenda Date:
<input type="checkbox"/>	<input type="checkbox"/>	Building Permit
<input type="checkbox"/>	<input type="checkbox"/>	Fill Permit
<input type="checkbox"/>	<input type="checkbox"/>	Impervious Surface Permit
<input type="checkbox"/>	<input type="checkbox"/>	Plan Commission/Conditional Use Permit
<input type="checkbox"/>	<input type="checkbox"/>	Tax Key Number
<input type="checkbox"/>	<input type="checkbox"/>	Right-of-Way/Excavation Permit
<input type="checkbox"/>	<input type="checkbox"/>	Variance Required

### Scope of Work

Only items listed are part of this permit. If work is done on items not listed on this permit they will be considered to have been completed without a permit and are subject to double fees.

Item	Cost
NEW Fence - REPLACES CURRENT OLD Fence	\$7000 <sup>002</sup>

Signature 

Total Cost \_\_\_\_\_  
Date 4-23-20

### Requested Changes at time of work

Must be submitted to the Village prior to or same day work is completed. Failure to return the same day will result in double permit fees.

Item	Cost

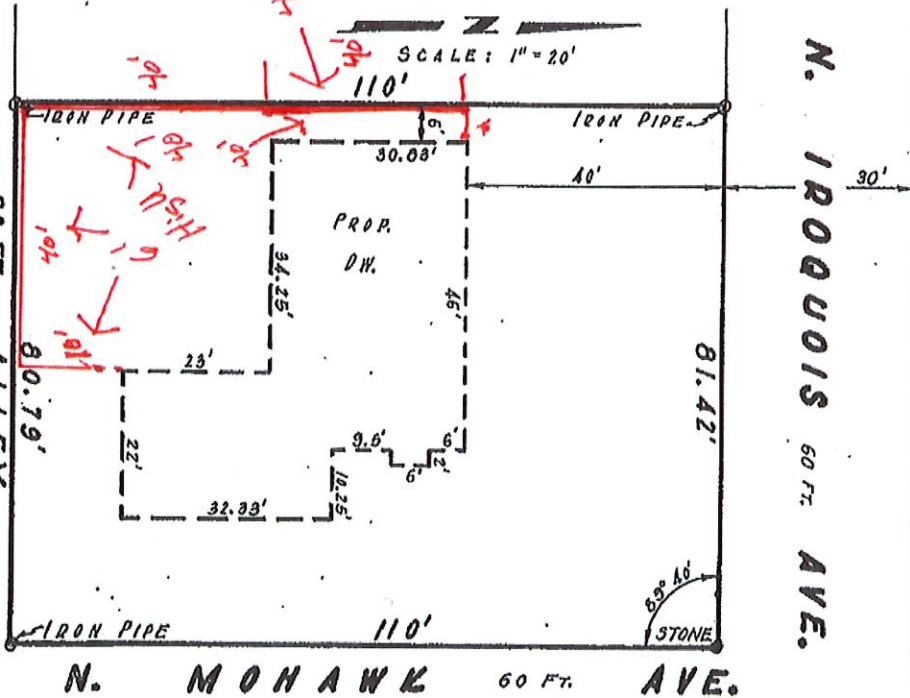
Signature \_\_\_\_\_

Total Cost \_\_\_\_\_  
Date \_\_\_\_\_

PROPERTY AT N. IROQUOIS AVE. (OWNER)  
LEGAL DESCRIPTION Lot 12, Block 11, Northway, being a subdivision of a part of the South East 1/4 of Section 5, Township 8 North, Range 22, East, in the Town of Milwaukee, Milwaukee County, Wisconsin.

22-0223

48" footings



Prepared for NOODALE REALTY CO.

State of Wisconsin, )  
County of Milwaukee )

I hereby certify that on the 31<sup>ST</sup> day of MARCH, 1954, I have surveyed the property described above according to the official records and that the above plat is a correct representation of the boundary lines and measurements of all buildings and other structures thereon.

Plot No. 334  
34-232

Signed James A. Eide  
Surveyor

101 E. Abert Place, Milwaukee WI 53212  
Office (414) 466-7510 ♦ FAX (414) 466-1202 ♦ www.badgerfence.com  
"COMMERCIAL AND RESIDENTIAL FENCE SPECIALIST SINCE 1945"  
**PROPOSAL**

Customer Name: RYAN GWINN

Site Address: 8829 N IROQUOIS RD BAYSIDE, WI 53217

Customer Mailing Address (if different)

Contact Info: RYAN Home Phone: Cell Phone: 414-331-6077 Office:

Email address RG5717@HOTMAIL.COM

**BADGER FENCE TO FURNISH ALL LABOR AND MATERIALS FOR THE INSTALLATION OF FENCE DESCRIBED BELOW. ATTENTION: CUSTOMER IS RESPONSIBLE FOR LOT LINES, DIRT REMOVAL, AND ANYTHING UNDERGROUND NOT MARKED BY DIGGERS HOTLINE. PERMITS BY CUSTOMER UNLESS SPECIFIED. BADGER FENCE DOES NOT INVOICE FOR BALANCE. PLEASE PAY FROM PROPOSAL.**

**\*ANY LANDSCAPING IN THE PROPOSED FENCE LINE MUST BE COMPLETED PRIOR TO POST INSTALLATION.\*  
PLEASE INITIAL \_\_\_\_\_**

**BADGER TO INSTALL APPROX 90' OF 6' HIGH ALMOND NEW LEXINGTON PVC FENCE WITH ONE GATE AND APPROX 44' OF 4' HIGH ALMOND LEXINGTON FENCE. BADGER TO TEAR OUT AND HAUL AWAY OLD FENCE. INSTALLATION TIME 5-6 WEEKS FROM THE TIME WE RECEIVE NOTICE TO PROCEED. CASH PRICE = \$7000.00 REPEAT CUSTOMER DISCOUNT INCLUDED ON PRICE. CUSTOMER TO GET PERMIT.**

**ADDITIONAL INFORMATION**

Baffle Core Drills Asphalt All posts set in concrete - Private Lines

Badger to Remove Old Fence - **YES** Leave in Yard - **NO** Badger to Haul Away - **YES**

Hotline Needed - **BADGER TO CALL**

Additional Information: **ADD 3% FOR CREDIT CARD PAYMENTS**

**\*\*PLEASE BE ADVISED NO CHANGES CAN BE MADE DAY OF INSTALL. IF THERE ARE, THIS WILL DELAY INSTALLATION 3-4 WEEKS, AND THERE WILL BE CHARGES ADDED DEPENDING ON THE CHANGE.\*\***

Cost=\$ **7750.00** down payment=\$ balance due upon completion=\$ **7750.00**

**The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.**

ACCEPTED BY TOM R SR DATE 04-21-2020

CUSTOMER SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**REQUIRED BY FEDERAL LAW: YOU HAVE ENTERED INTO A TRANSACTION WHICH MAY RESULT IN LIEN, MORTGAGE, OR OTHER SECURITY INTEREST ON YOUR HOME. YOU HAVE THE RIGHT WITHOUT PENALTY TO CANCEL THIS TRANSACTION WITHIN THREE (3) BUSINESS DAYS FROM THE ABOVE DATE. BALANCE OF PAYMENT IS DUE UPON COMPLETION. LATE PAYMENTS SUBJECT TO INTEREST CHARGES AT THE RATE OF 111111 1/2% PER MONTH ON UNPAID BALANCE. CUSTOMER TO PAY ALL ACTUAL AND REASONABLE ATTORNEY FEES FOR CONTRACTOR'S ATTORNEY AND COSTS OF COLLECTIONS IN THE EVENT OF A CONTRACTUAL DISPUTE THAT ULTIMATELY RESULTS IN JUDGEMENT OF ANY AMOUNT BEING TAKEN BY CONTRACTOR AGAINST CUSTOMER. I HAVE READ AND UNDERSTAND THIS CONTRACT. THE PRICE, SPECIFICATIONS, AND CONDITIONS ARE SATISFACTORY AND HEREBY ACCEPT. YOU ARE AUTHORIZED TO DO WORK.**





JAMES A. EIDE  
MILTON H. SCHMIDT  
CLARENCE H. PIEPENBURG

BADGER SURVEYING CO.

PHONE CONCORD 4-3782  
823 W. ATKINSON AVE.  
MILWAUKEE 6, WIS.

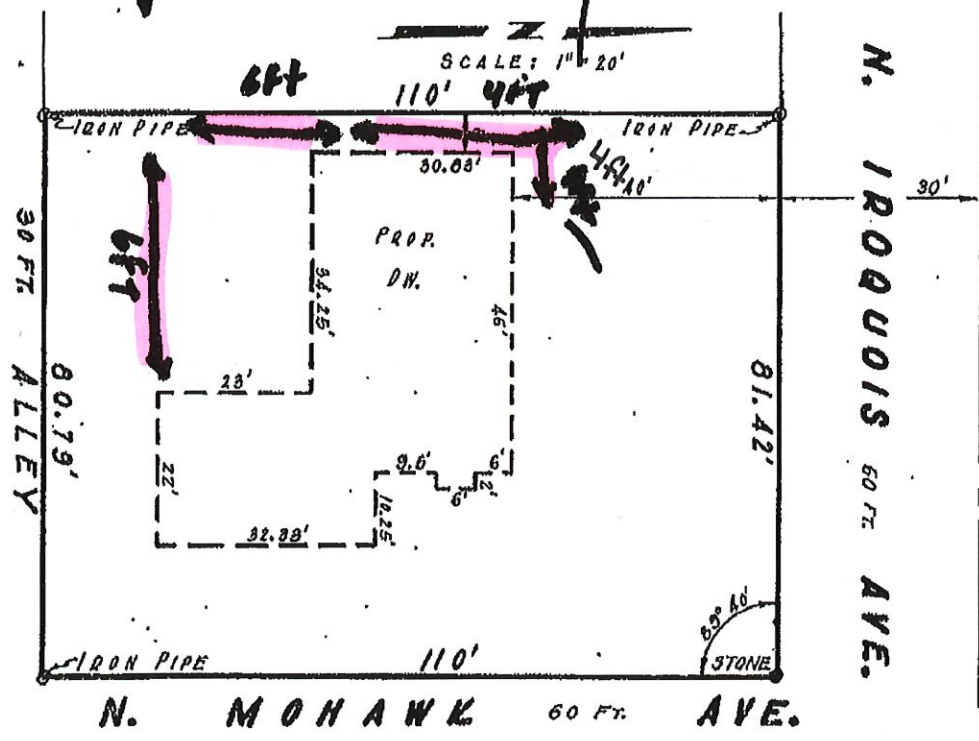
PLAT OF SURVEY

PROPERTY AT N. IROQUOIS AVE. (OWNER)  
LEGAL DESCRIPTION Lot 12, Block 11, Northway, being a subdivision of a part of the South East 1/4 of Section 5, Township 8 North, Range 22 East, in the Town of Milwaukee, Milwaukee County, Wisconsin.

22-0223

SENDERS  
PROPERTY  
8 FT  
CORNER

4 FT  
between  
homes



Prepared for NORDALE REALTY CO.

State of Wisconsin, )  
County of Milwaukee ) ss.

I heroby certify that on the 31 ST day of MARCH 1964, I have surveyed the property described above according to the official records and that the above plat is a correct representation of the boundary lines and measurements of all buildings and other structures thereon.

Plat No. 54-<sup>524</sup>222

Signed James A. Eide  
Surveyor



4/30/2020

Attention:  
Village of Bayside, WI  
Architecture Review Committee

<p>PROJECT/SITE OWNER: Elizabeth and Jeff Billings</p> <p>PROJECT ADDRESS: 9377 N Regent Road</p>	<p>PROJECT SUMMARY: Replace existing chain link fence with new 6' tall, 15% open, PVC fence. PVC to be brown 'wood' finished.</p>
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**VILLAGE CODE REVIEW**

Submitted proposal includes numerous contractor scheduling details and temporary construction elements (temporary fencing, tree removal, coordination with neighbors, etc). These details are not considered in this review. ARC recommendations by SAFEbuilt only consider the final proposed design based on Bayside Municipal Code.

**LENGTH AND FENCE TYPE:**

- Total property perimeter = 1,025 ft
- Proposed fence length = 748 ft
- $748 / 1,025 = 73\%$  of total property perimeter. Fence is 15% open design.
- **25% is required** per Village Code Sec. 124-125(L).

**PROPOSED FENCE TYPE DOES NOT COMPLY WITH OPENESS REQUIREMENT.**

**FENCE HEIGHT AND MATERIAL FINISH COMPLY WITH VILLAGE CODE.**

**SAFEbuilt recommends approval because a pool is located in the yard and the reduction in 'openness' would further protect the pool. If the ARC does not agree, the fence height could be reduced to 5' or 4' to achieve a more open design.**

**Temporary fences shall comply with Village Code Sec. 124-125 (h):**

*(h) Temporary fences. With the exception of construction barriers, no temporary fences in excess of 100 square feet shall be erected and left in place for more than 14 days without first obtaining permission from the village manager or his designee. No temporary fences in excess of 100 square feet shall be installed for a period exceeding 90 days. Temporary fences that are shielded from view by the nature of their location, not seen by the public or neighboring property owners, do not require permission by the village manager or his designee.*

**Jeff and Elizabeth Billings**  
**9377 N. Regent Road, Bayside, WI 53217**  
**Fence Project – Table of Contents**

<u>Tab Number</u>	<u>Document</u>
1.	Letter from Jeff and Elizabeth Billings Discussing Fence Project
2.	Project Proposal and Scope of Work (Village of Bayside Forms)
3.	Application for Appearance before the Architectural Review Committee (Village of Bayside Form)
4.	WI Uniform Permit Application (Form)
5.	Letters to Neighbors regarding our Yard Projects A – August 2019      B – April 9, 2020
6.	Pictures of Existing Non-Conforming Chain Link Fence
7.	Certified Survey Map completed by Phillip J. Landry
8.	Certified Survey Map with New Proposed Fence Line in Red
9.	Certified Survey Map with Temporary Fence Location in Red
10.	Statewide Fencing, Inc. Fence Proposal (accepted by Jeff and Billings on April 21, 2020, subject to permit and ARC review)
11.	Materials from Bufftech Showing Proposed Fence (Imperial Select Cedar Texture – Brazilian Blend), Why Choose Bufftech Vinyl Products, and Why Choose Vinyl over Wood
12.	Sydney Landscaping Company LLC West Line Property Improvements Proposal, including Grading Schematic
13.	Application for Special Exception to the Zoning Code Requirements

Dear Village of Bayside Permit and Architectural Review Committee,

Thank you for taking the time to review all of our materials.

Like many people in Bayside, we live on a unique lot. Unlike many people in Bayside, we share our lot line with six different neighbors: three to the north, two to the west, and one to the south. We moved to Bayside in June 2018. We bought this house for its large fenced yard – even though the yard had clearly been long neglected and was in need of significant work. We knew we had the skills to enhance the yard as Elizabeth’s parents are both Master Gardeners, which helps a lot. We like having a fence for many reasons including: two dogs, a toddler (hopefully more kids in the future), a pool, and six neighbors. Our neighbors, four of whom have lived in their homes for decades, have been looking at the rusted chain link fence for as long as they have owned their properties. Through conversations with our neighbors over the past two years we know that the chain link fence predates all six of our neighbors (we believe it was built in the 1970s) and it is acknowledged to be an eyesore (please see Exhibit 6 which has pictures of some of the trouble spots).

We have tried to be good neighbors over the last two years, and have made every effort to keep our neighbors informed of our plans for the yard through in person visits, phone calls, letters, and texts. Over the past two years we have worked hard to enhance our yard by removing massive amounts of invasive buckthorn and dead/diseased specimens (17 truckloads to date mainly from the west and north sides of the lot). Last summer, we wrote a letter to each of our neighbors to let them know that we would be hosting a family reunion, and to discuss our efforts to eradicate the buckthorn on our fence line (please see Exhibit 5A). We introduced our neighbors to our long-standing landscaper, Steve Staab of Sydney Landscaping, and offered to coordinate buckthorn removal along that fence line. We also spent considerable time and expense taking down diseased trees and clearing the yard of many weed infested and overgrown areas. We have put down hundreds of feet of edging, created new beds, mulched those beds, and planted perennials and new specimen trees throughout much of the yard.

As we worked on the yard, we began to notice many problems with the chain link fence. Buckthorn had been allowed to run rampant along the fence line, perhaps for decades, causing significant damage to the fence. As you can see from the pictures in Exhibit 6, there are trees growing through the fence, holes where previous trees grew through the fence, and portions of dead rotting trees intermingled into the fence panels. Trees and tree trunks have also wrenched the fence from its original placement significantly in the southwest corner, expanded the gate on the west side of the fence line so that it is inoperable and unable to be properly secured, and twisted the metal on many other sections of the fence making it quite unattractive. Confronted with these eyesores and safety hazards, our initial plan was to try to patch and mend the existing chain link fence so that we would not have to incur the cost of replacing the entire fence and bringing it up to code.

When we bought this house, it was listed as 1.8 acres (Elizabeth grew up on 25 acres and Jeff grew up on 10 acres, so usable land was important to us). We noticed on our taxes this year that our lot is listed at 1.3 acres for tax assessment purposes. Confused by this significant discrepancy, we decided to have a certified survey map prepared for our lot (please see Exhibit 7). The survey revealed a number of surprising results. First, to our great disappointment, we

actually only own 1.23 acres. Second, we also saw that our fence is over our lot line on the northwest side of the lot line (with the largest encroachment measuring 6.7 feet). Finally, we discovered that on the west and south lot lines, the fence was significantly short of our lot line (up to 20 to 22.7 feet short on the western lot line, and up to 10 feet short on the southern lot line). All told, almost 12% of our 1.23 acres is currently outside of the fence line.

We received the certified survey of our lot on March 18, and it took us awhile to process the information and consider our options. Although a new fence was never an expense we expected, in light of all of the factors above, we made the decision that it would be in the best interests of our lot, and all of our neighbors, to address these issues head on. We immediately began to discuss the topic of the fence with our neighbors, as we knew that many of them shared our concerns about the fence. We contacted the Village, Village manager, and the Department of Public Works to discuss our options and learn about the process if we wanted to seek approval to replace the existing fence. We discussed the fence project with three separate fence contractors, our landscaper, a grading expert, and several tree removal companies. Finally, on April 9, 2020, we hand delivered a letter to each of our neighbors discussing our thoughts and rationale behind replacing the fence, and included copies of the certified survey and information regarding the fence that we wanted to use (please see Exhibit 5B for a copy of the letter and enclosures).

Our next step was to begin work on the permit and materials that would need to be submitted to and reviewed by the Architectural Review Committee (ARC) (please see Exhibits 2-4). As we understand it, this is our proposed timeline:

- submit the permit (we are submitting the permit and our materials on April 24 so that it can be considered at the ARC's meeting scheduled for May 11, which we understand will be a virtual meeting and as such have provided all of our materials in PDF format so that they can easily be distributed to everyone)
- get approval from the ARC
- at the request of one of our neighbors, the Forces, who live to the west of us, allow time for the removal of several large dead willow trees very close to the property line so that the tree removal company does not have to work around the new proposed fence or be concerned about damaging the fence (currently scheduled for May or June)
- set up a temporary chain link fence to maintain pool safety, dog safety, toddler safety, expedite this process, and slightly reduce costs (please see Exhibit 9 for the proposed placement of the temporary fence). Given the state of our current chain-link fence, the temporary fence will be much smaller, will be further from our neighbors yards, and although it will be chain link, it will look better than our existing fence. We also anticipate that the temporary fence will be in place for no more than 60 days, but hopefully less than that. Per Village Code Sec. 104-125(h), the temporary fencing requires permission from the village manager/designee.
- have nearly all of the existing fence removed to allow easier access for the remaining tree removal and installation of the new fence (note that we will have to leave a portion of the fence in place to contain our two dogs along our garage)
- remove the remaining trees that had been impacting the existing fence and clear any smaller brush that is in the way of the new fence

- regrade the area (please see Exhibit 12 for the grading proposal that will occur along the western portion of our lot)
- remove the small amount of original remaining chain-link fence (again, please see Exhibit 9)
- put in the new fence (please see Exhibit 8 for the new fence location, which will move the fence to within 6 inches of our lot line, and also remove the encroaching fence on our neighbors lots on the north west of our lot line)

We are especially thankful to our two neighbors to the north, the Nourzads and the Wallaces, where our fence is over the lot line for their understanding and patience while we work through this process.

As you can imagine, the scope and the size of this project is large. We have worked diligently over the last month to try and make decisions, review and line up the appropriate contractors, prepare plans, and work with the Village to make sure that this application is as complete as possible. All of this while the world deals with the COVID-19 pandemic, which has uprooted many peoples way of life, including our own. Since this was a project we did not anticipate, we were not in a situation where we thought we could afford to do this project in 2020. Our plan had been to seek the permit now, save funds, and then hopefully complete the project in 2021. As we thought more about this, however, we decided that if the project was going to go forward, we needed to make every effort to get it completed this summer for a variety of reasons. First, we are concerned about our liability and maintenance for the portions of our yard that are outside the current fence line. Second, we are concerned about our fence's encroachment into our neighbor's yards. Third, we recognize that some of the privacy that the buckthorn and diseased trees provided has been lost, and we are anxious to start to reclaim that privacy for ourselves and all of our neighbors. Finally, the sooner the fence goes in, the sooner everyone can move forward with any desired landscaping that they may wish to do in their own yards, which can now be defined properly by the actual lots lines. In an effort to complete the project in 2020, we have submitted an application to refinance our home and are also working to put a HELOC in place to fund the costs of the project.

The proposed cost of the project is \$80,000 to \$90,000. Why is the cost so high? In conversations with our neighbors, several hours of research, and meetings with various vendors and contractors, it has become clear that we would like a no maintenance fence, that looks like real wood, that is pool safe, that conforms to current Village code, that has self-closing and key locking gates, that will not rot, splinter, or need staining or painting (the product is guaranteed to maintain its color over time), and that is sited within six inches of our lot line. We have reviewed a variety of fencing options, including an all wood cedar fence and many vinyl and PVC based options. We have been told that the fence that we have chosen is the "Cadillac" of fences, and instead of building a complete privacy fence, we have settled on the "thru-picket good neighbor design" fence. We want to live here for 40+ years, we want to do this once, and we want to do it right. Removal of the old fence and the new fence will cost \$66,500 (Exhibit 11). We also have to pay the tree people (pending: we approximate \$5,000-\$7,500), and the landscaper (pending: we approximate \$10,000-\$15,000).

For Village Code Sec. 104-125(a) purposes, the total horizontal footage of the proposed fence is 760 feet, and the linear horizontal footage on the lot is 1,025.87 feet. The "thru-picket" design of

the proposed fence has 7/16<sup>th</sup> inch spacing between all 3 inch pickets, which means that for Village Code Sec. 104-125(k) purposes, the proposed fence has at least a 14.58% open design. In order for our fence to achieve the 25% open design as required by Village Code Sec. 104-125(k), the spacing between the three inch pickets would need to be 3/4<sup>th</sup> inch spacing ( $.75/3 = 25\%$ ). We spoke with Statewide Fencing, Inc., our chosen contractor, about whether or not we could simply increase the picket spacing to 3/4<sup>th</sup> of an inch, but they informed us that although our chosen fence requires individual placement of each picket, Bufftech pre-drills the pickets and the rails to make sure that the fence is constructed exactly on square. We recognize that the proposed fence is more than fifteen percent of the total linear feet of the perimeter of the lot and less than the 25% open design requirement of Village Code Sec. 104-125(k) for all other permitted fences (other than solid fences), but we believe that our circumstances warrant a special exception for these aspects of the project. Attached as Exhibit 13 please find our application for special exception to the zoning code requirements.

In discussions with our three fence contractors, all three contractors have indicated that they have never seen a requirement for four-foot footings in residential neighborhoods. Statewide Fencing, Inc., our chosen contractor, has indicated that industry standard is two and one half foot footings, but they use three-foot footings into cemented belled footings. Per Village Code Sec. 104-125(m), all new fences are required to have four-foot footings. We have discussed this with Statewide Fencing, Inc. and they have indicated that although the cost will increase, they will be able to comply.

As you examine the survey in Exhibit 7, our yard contains two drainage easements for an underground culvert system to the south and west. Since March 31<sup>st</sup>, we have been working with Andy Pederson (Village Manager) in regard to the fence project and Shane Albers (Operations Superintendent of the Department of Public Works) on issues related to the drainage easements. Shane Albers came to the property and marked the approximate location and depth of the underground culvert system, and informed us where hand digging will be required. We have communicated that information to Statewide Fencing, Inc., our fence contractor. We will of course work with the Village should they ever need above ground access to the buried drainage culvert in the future. Our proposal leaves the field inlet in the southwest corner outside of our fence for easier access for whatever sort of maintenance the Village does with the field inlet access point. The field inlet in the northwest corner is not on or near our property line.

We know that our regrading plan is not part of the fence permit or ARC approval process; however, we are including it as Exhibit 12. We are taking what we are told are extreme measures to be sure our project does not negatively impact existing drainage for our neighbors, including the installation of a six inch perforated tile along the drainage easement to the west with 4-6 inch fractured limestone above the tile per our landscaper's recommendation. Another advantage of the semi-private fence is that in extreme water conditions water can flow under and through this fence along the existing drainage grades on the lot lines, which are being maintained under the grading plan.

We believe that the new fence will increase the value of all six of our neighbor's lots. As mentioned before, they agree that the current chain-link fence has been an eyesore – for four of them it has been an eyesore for decades (the three neighbors to the north and the one to the south).

- To the south, or Lot 9 on the survey in Exhibit 7, we have Patty and Paul Gondek, who right when we moved in and we told them we wanted to beautify the yard, they asked when we would remove the tangle of long neglected and mostly dead vines on the chain-link fence. They have for decades been looking at the rusty chain-link fence that on part of it has the previously mentioned neglected and partially dead vines. When we sent them a text of the proposed new fence they responded with “Ohhh, that would look nice!”. We will provide a copy of the text correspondence upon request.
- To our west we have two neighbors: Stacy and Ken Force (lot 16 in Exhibit 7), plus a remodeling company that is in the process of selling their investment property (lot 17 in Exhibit 7).
  - Stacy and Ken Force, lot 16, are the neighbors with the dead willows we previous mentioned who asked us not to install a new fence until after their dead willows are removed for fear of damaging the new fence. They are understandably disappointed to learn that their lot line is not as deep as they thought when they bought their house a couple of years ago. We know their disappointment matches our own disappointment at discovering that our yard is 0.6 acres less than we believed we when bought our house and that we even have to do this fence project. The damaged corner of the existing chain-link fence is visible from their backyard. We have been talking and texting with the Forces on and off since April 3<sup>rd</sup> about the survey and our plans. We will provide a copy of the text correspondence upon request.
  - With respect to the remodeling company, lot 17, who do not live at the property, we emailed their relator on April 7<sup>th</sup> about our discovery about our lot line, plans, etc. The relator responded via email on April 8<sup>th</sup> and wrote “Thank you for bringing this to our attention. We just accepted an offer today so I will need to share that with both my seller and the new buyers. I hope you don’t mind if I reach out again if I have any questions. Thanks!” To which we responded on April 8<sup>th</sup> that they could reach out with any questions and offered to provide a copy of our April 9 letter to our neighbors. To date, we have not received any additional communications from the realtor, seller, or buyer. We will provide a copy of this email correspondence upon request.
  - Thankfully neither of the neighbors to the west have done any landscaping in what they now know to be our lot (other than maintaining the lawn) and the movement of the fence to our lot line does not disrupt any existing plantings.
- To our north we have three neighbors: Mak and Farro Nourzad (lot 13 in Exhibit 7), Mary and Mike Wallace (lot 12 in Exhibit 7), Ruth and Shel Resnick (lot 11 in Exhibit 7).
  - Mak and Farro Nourzad, lot 13, have the lot where we discovered the fence is significantly over our lot line. As previously mentioned, they are being very gracious in understanding that we want to bring the fence back onto our lot;

however, it will take time. They are already planning some new landscaping. We will provide the text correspondence upon request.

- Mary and Mike Wallace, lot 12, also have the current fence slightly on a portion of their lot and are extending the same graciousness. We have written approval of the project and texts from them that we can provide upon request.
- Ruth and Shel Resnick, lot 11, see where our garbage can, recycling can, etc. are stored as well as where our dogs use the facilities (see pictures in Exhibit 6). They will have a much better view once the chain-link fence is gone and the new semi-private fence is installed. They have graciously said it is our property and we can do whatever we want. We have written approval of the project from them that we can provide upon request.

We hope to have the entire project completed prior to the fall of 2020. However, COVID 19 is causing and may continue to cause delays and uncertainties. We are working with five different tree companies to try to obtain quotes and reasonable timelines for the remaining specimens that need to be removed. One company we have been in contact with since the fall of 2019. Emerald ash bore has left most tree companies with enough work to do for many summers to come; but we are hopeful that one of them will agree to put us on their list of pending projects this summer and that we will have a more solid update by the time the ARC meeting is held on May 11<sup>th</sup>.

Thank you for your time and work for the Village of Bayside.

Your neighbors,

*/s/ Jeff and Elizabeth Billings*

Elizabeth and Jeff Billings

22210364.1



## Project Proposal

Date April 24, 2020  
 Property Address 9377 N. Regent Road  
 Zoning Residential - G1

- |  |  |
|--|--|
| <input type="checkbox"/> Accessory Structures/Generators<br><input type="checkbox"/> Additions/Remodel<br><input type="checkbox"/> Bluff Management<br><input type="checkbox"/> Commercial Signage<br><input type="checkbox"/> Decks/Patios<br><input checked="" type="checkbox"/> Fence<br><input type="checkbox"/> Fire Pits<br><input type="checkbox"/> Landscaping requiring Impervious Surface/Fill/Excavation Permit | <input type="checkbox"/> New Construction<br><input type="checkbox"/> Play Structures<br><input type="checkbox"/> Recreational Facilities/Courts<br><input type="checkbox"/> Roofs<br><input type="checkbox"/> Solar Panels/Skylights<br><input type="checkbox"/> Swimming Pools<br><input type="checkbox"/> Windows/Doors-change exceeds 25% of opening<br><input type="checkbox"/> Other |
|--|--|

Proposed project details (type of work, size, materials, etc.):

see attached letter with exhibits


\*\*\*\*\* For Office Use Only \*\*\*\*\*

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	Color photographs showing project location, elevations and surrounding views
<input type="checkbox"/>	<input type="checkbox"/>	Two (2) complete sets of building plans (including elevations and grading)
<input type="checkbox"/>	<input type="checkbox"/>	Survey
<input type="checkbox"/>	<input type="checkbox"/>	Samples or brochures showing materials, colors and designs
<input type="checkbox"/>	<input type="checkbox"/>	Application Fee
<input type="checkbox"/>	<input type="checkbox"/>	Parcel Number
<input type="checkbox"/>	<input type="checkbox"/>	ARC Agenda Date:
<input type="checkbox"/>	<input type="checkbox"/>	Building Permit
<input type="checkbox"/>	<input type="checkbox"/>	Fill Permit
<input type="checkbox"/>	<input type="checkbox"/>	Impervious Surface Permit
<input type="checkbox"/>	<input type="checkbox"/>	Plan Commission/Conditional Use Permit
<input type="checkbox"/>	<input type="checkbox"/>	Tax Key Number
<input type="checkbox"/>	<input type="checkbox"/>	Right-of-Way/Excavation Permit
<input type="checkbox"/>	<input type="checkbox"/>	Variance Required

### Scope of Work

Only items listed are part of this permit. If work is done on items not listed on this permit they will be considered to have been completed without a permit and are subject to double fees.

Item	Cost
Replace existing fence and move to lot line	\$ 70,000
Re-grade per plan along western fence line	\$ 10-15,000

Signature  Elizabeth Billing  
Total Cost \$ 90-85,000  
Date 4/24/2020

Jeff Billing Requested Changes at time of work

Must be submitted to the Village prior to or same day work is completed. Failure to return the same day will result in double permit fees.

Item	Cost

Signature \_\_\_\_\_ Total Cost \_\_\_\_\_  
Date \_\_\_\_\_



Application for Appearance before the  
Architectural Review Committee

Owner's Name	<u>Jeff and Elizabeth Billings</u>	Contractor's Name	<u>Statewide Fencing, Inc.</u>
Property Address	<u>9377 N. Regent Road</u>	Address	<u>8310 Industrial Drive, Franksville, WI</u>
Telephone	<u>414-755-9638</u>	Telephone	<u>262-833-0200</u>
Email	<u>zajeffbillings@yahoo.com</u>	Email	<u>mark@statewidefencing.com</u>

Proposed project details (type of work, size, materials, etc.):

Replace and upgrade existing fence and re-grade along western fence line  
see attached letter with exhibits

A handwritten signature in dark ink, appearing to be "Mark", is written on the first of four horizontal lines provided for project details.

August 2019

Dear Neighbors,

Jeff, Jackson, and I hope you are doing well! Sorry for the mass letter, and I hope I get to talk to you in person, but we have six neighbor yards that touch ours. Just wanted to tell you all about two things:

1. We are hosting a family reunion starting this Friday to Sunday. I am honored to be the third of four generations attending—approximately 35 people. Most of my family will be staying at local hotels, but one of my cousins is going to tent camp in the backyard. The Village Police will be putting up 'no parking signs' on half of Regent Road for Friday to Sunday. Hopefully, if the weather is nice, we plan to play yard games, swim, and roast s'mores. The noise level will understandably be up from how quiet Jeff, Jackson, and I try to be by ourselves! The average age of the crowd is probably 58 so it shouldn't be too loud 😊
  
2. We have been working really hard over the last 14 months to try to reclaim our long neglected yard. The battle against the buckthorn is also in summer number two. We have hired Steve Staab of Sydney Landscaping (cell: 414-322-4154) to continue to remove buckthorn from our property. This fall he will be focusing on the fence area again. We have agreed to pay him to remove buckthorn that is growing within 12 to 18 inches of the fence line; especially, the buckthorn that is threatening to push the fence. If you want me to call/text you on the days he will be working (probably in November), please call/text me and let me know.
  - a. If you any of you are interested in having him remove buckthorn further into your yards, please contact Steve directly: 414-322-4154.
  - b. FYI, eventually we plan to address the bigger specimens that are interfering with the fence.
  - c. We really love to flower, fruit, and vegetable garden. Bit by bit we hope to get the yard to a whole new level.

Hope you are all doing well!!!!



Elizabeth Billings

Cell: 414-755-9638

*Elizabeth and Jeff Billings*  
*9377 N. Regent Road*  
*Bayside, WI 53217*

April 9, 2020

Dear *Patty & Paul,*

The Billings Family hopes you are doing well! As you know over the last nearly two years, we have been working diligently to remove buckthorn growing within 12 to 18 inches of the fence as well as the rest of our yard. To date, we have removed 17 truckloads of buckthorn and other weed/diseased trees. We have not yet tackled the bigger specimens that are interfering with the fence. We are on the list to be quoted still from last summer when we talked and we wrote to you about Elizabeth's family reunion (thank you all again for being so wonderful while we hosted Elizabeth's extended family!).

Why am I writing again now? As you know, we are looking into replacing and upgrading our fence. For those of you who do not remember, we moved in June of 2018 to what we thought was 1.81 acres (check out the property listing online). In looking at our taxes this year we noticed that the Village had our lot listed at 1.3 acres. We figured the Village probably had the more accurate assessment of our yard, so we decided to pay for a certified survey to get to the bottom of this. It turns out we actually own 1.23 acres, and our fence is over the lot line in some places and short of it in others. We have enclosed a copy of the survey.

Why do we want to replace the ancient chain-link fence?

- The buckthorn project revealed that it is an ancient chain-link fence that has many trees growing through it, holes in it, is rusting, and it is heaving in many places
- We would like to replace some of the privacy that has been lost by the eradication of the buckthorn and removal of other weed/diseased trees on our property. The fence would provide an immediate privacy element, but it would also allow us to define our yard and plant new privacy trees along the west side of our property for additional privacy
- We want to put the fence six inches within our property lot lines (seems only fair) and use our entire property
- We are required to have a "pool safe" fence
- We have two dogs, as well as a toddler (and hopefully more kids down the road)
- We want to create a botanical walk worthy backyard which means keeping rabbits/deer away

We have done our research and have settled on a Bufftech fence made by CertainTeed. We encourage you to look at their website (<https://bufftech.com/>). We are thinking of the Imperial Select Cedar Texture in Brazilian Blend (which is a dark brown). We have selected a vinyl product because it is very low maintenance, has passed wind tests, is pool safe, and will not rot. Please check out the attached page from the website for all the additional reasons we picked it. We are certainly not picking it to save money; it is twice the cost of a cedar fence, but we are planning to live here for 40+ years and never want to have to do this project again.

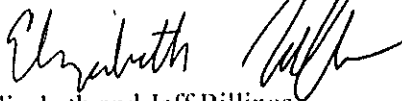
We have been talking to the Village about the project and here are the steps that they have shared with us:

- We have already talked/texted/emailed with all of you and are also writing this letter so that we can answer any questions you may have and provide you with information about the project
- We get a permit
- We get approved by the architectural committee
- We get the remaining buckthorn and other weed/diseased trees out of and off of the existing fence
- Fence is removed and replaced

We would appreciate you supporting us in this endeavor. Although not required by the Village to move forward with the project, if you do choose to support the project we would submit that with our required paperwork. If you are willing to support the project, please sign, date, and print your name on the next page, and drop a copy in our mailbox (postage paid return envelope provided).

Timeline: honestly, we have no idea but we would be surprised if the entire project is completed in 2020. Tree removal companies are swamped with emerald ash borer and COVID-19 has uprooted all of our lives.

Thanks for being great neighbors,



Elizabeth and Jeff Billings

**Fence Project located at 9377 N. Regent Road, Bayside, WI 53217**

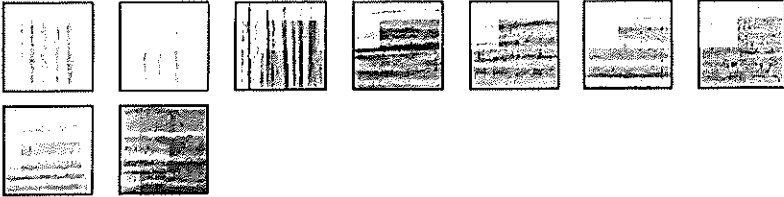
Yes! As a neighbor of the Billings family, I/we support the fence project:

By: \_\_\_\_\_

By: \_\_\_\_\_

Print Name(s): \_\_\_\_\_

Date: \_\_\_\_\_



## IMPERIAL SELECT CEDAR

[OVERVIEW](#)

[TECHNICAL](#)

### THE PERFECT BLEND OF FUNCTIONALITY AND STYLE

- Thru-picket "good neighbor" design
- 7/8" x 3" picket size
- 4', 5' & 6' heights (5' & 6' include midrail)
- Steel reinforced bottom rail
- Seven colors: Almond, Arbor Blend, Arctic Blend, Clay, Sierra Blend, Weathered Blend and White
- ColorLast™ dark color fade protection
- WindZone™ performance - Miami-Dade County approved NOA #18-0920.04 for exceptional performance in high wind conditions (expires 3-13-2024)
- Meets most building codes for pool fencing



Vinyl fence is a type of plastic fence made with PVC (polyvinyl chloride). The PVC resin is combined with special ingredients that give vinyl fence exceptional impact strength, durability and weatherability.

Vinyl is an easy-care alternative to other fence materials. A vinyl fence won't warp, rot, split or blister like a wood fence, or rust, chip, peel or corrode like aluminum. Vinyl never needs sanding, staining or painting. Surface dirt and debris wash away easily with a periodic spraying from a garden hose.

Plastic fence is a safe choice for families and pet owners. Unlike wood fences, which are often treated with chemicals to protect the fence from weathering, vinyl is non-toxic. It doesn't splinter and contains no nails or sharp edges that can harm children or animals. Plastic is also an environmentally friendly fence material, since it is fully recyclable and offers an eco-conscious alternative to the dwindling supply of trees harvested for wood fencing.

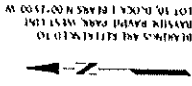
When choosing a vinyl fence brand, there's no better choice than Bufftech®. Bufftech fence is manufactured by CertainTeed, a leading North American supplier of vinyl building products. CertainTeed vinyl products continually earn high marks for quality and performance from homeowners and building professionals alike. All Bufftech plastic fence styles are backed by CertainTeed's lifetime limited transferable warranty and SureStart™ protection that covers warranted repair and replacement costs, including labor, for five years after installation.

Bufftech vinyl fence offers outstanding durability. It's up to five times stronger and four times more flexible than wood fencing, allowing it to handle the impact from lawn mowers and tree limbs. The steel reinforced bottom rail provides a stronger, more rigid fence that's less likely to sag or bow.

No other vinyl fence manufacturer offers more style, color and texture options than Bufftech. Our CertaGrain® and Select Cedar authentic woodgrain textures deliver the look of natural wood fencing without the maintenance. Bufftech's CertaStucco™ fence is a unique twist on traditional stucco walls. Bufftech fence comes in a choice of 9 solid colors and 4 blended colors. Our darker shades feature Bufftech's exclusive ColorLast™ formulation that protects the fence from fading and discoloration when exposed to the sun. The Bufftech vinyl fence line includes popular styles such as privacy, semi-private, picket and post & rail.

# Plat of Survey

Property Description:  
Lot 10, in Block 1, in Bayshore Ravine Park, being a Subdivision of a part of  
the Northwest 1/4 of Section 4, Township 8 North, Range 22 East, in the  
Village of Bayshore, Milwaukee County, Wisconsin.



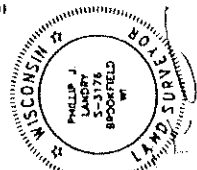
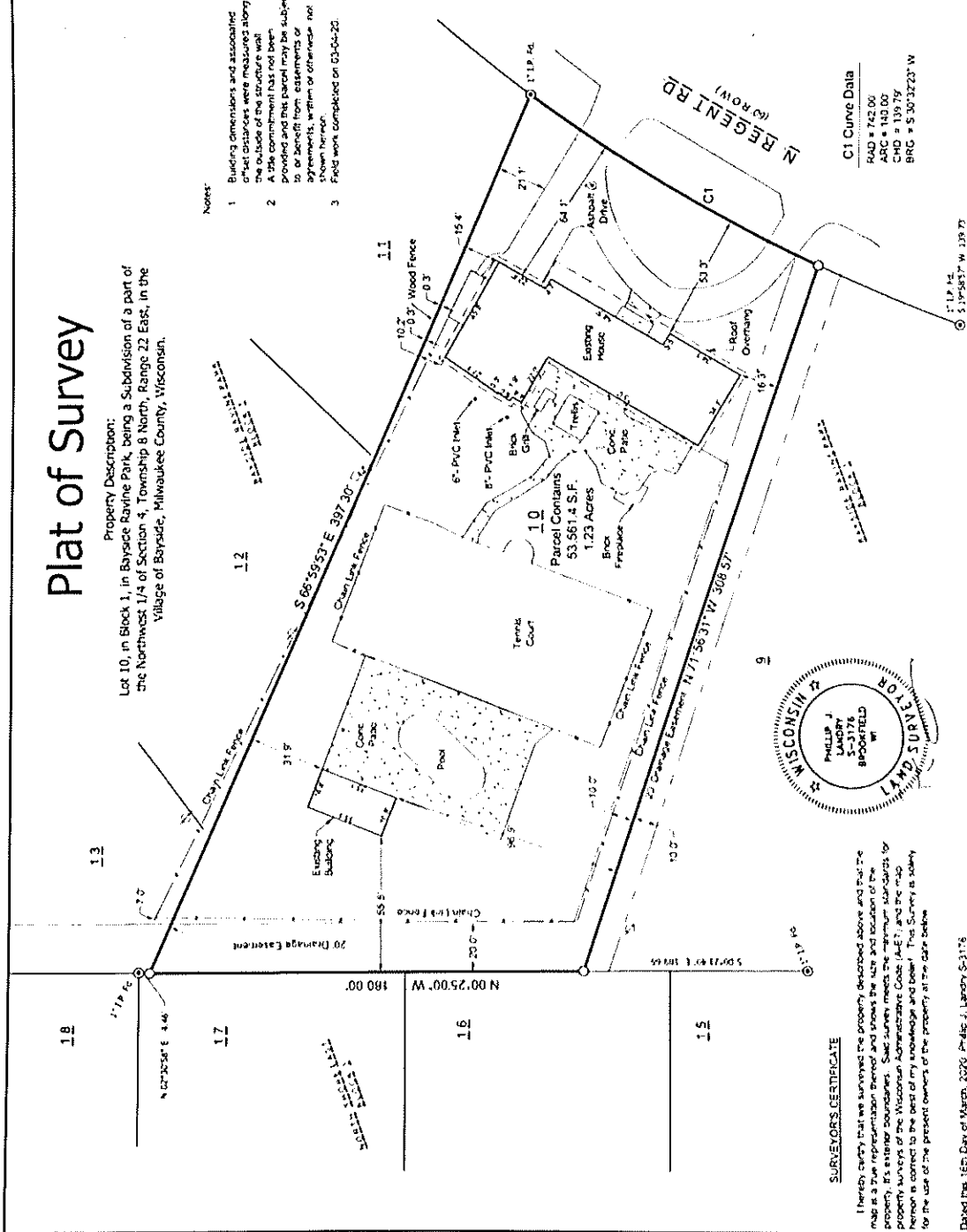
PREPARED FOR:  
Eulerberg, Sawyer  
9377 N. Regent Avenue  
Bayshore, WI 53217

**LEGEND**

- ☐ TRANSFORMER
- ☐ UTILITY PEDESTALS
- ☐ POWER POLE
- ⊙ WELL
- 3/4"x1/8" IRON ROD SET  
1.50x LINEAL FOOT
- ⊙ MONUMENT FOUND AS NOTED  
(Measured Custom Burn)
- ( ) INDICATES RECORDED AS  
DISTANCES ARE MEASURED TO THE  
NEAREST HUNDREDTH OF A FOOT.

- Notes:**
- 1 Building dimensions and associated offset distances were measured along the outside of the structure wall.
  - 2 A title commitment has not been provided and this parcel may be subject to or benefit from easements or agreements, written or otherwise, not shown hereon.
  - 3 Field work completed on 03-04-20.

**C1 Curve Data**  
RAD = 742.00'  
ARC = 143.00'  
CHD = 139.75'  
BRG = S 30°32'23" W



**SURVEYOR'S CERTIFICATE**

I hereby certify that we have visited the property described above and that the results of our measurements are correct and show the size and location of the property, its exterior boundaries. Said survey meets the minimum standards for professional surveys of the Wisconsin Administrative Code (ACR) and the map hereon in respect to the best of my knowledge and belief. This Survey is solely for the use of the present owners of the property at the date below.

Dated this 16th Day of March, 2020. Phillip J. Lantry, S-3176





















# Plat of Survey

Property Description:  
 Lot 10, in Block 1, in Bayside Ravine Park, being a Subdivision of a part of the Northwest 1/4 of Section 4, Township 8 North, Range 22 East, in the Village of Bayside, Milwaukee County, Wisconsin.

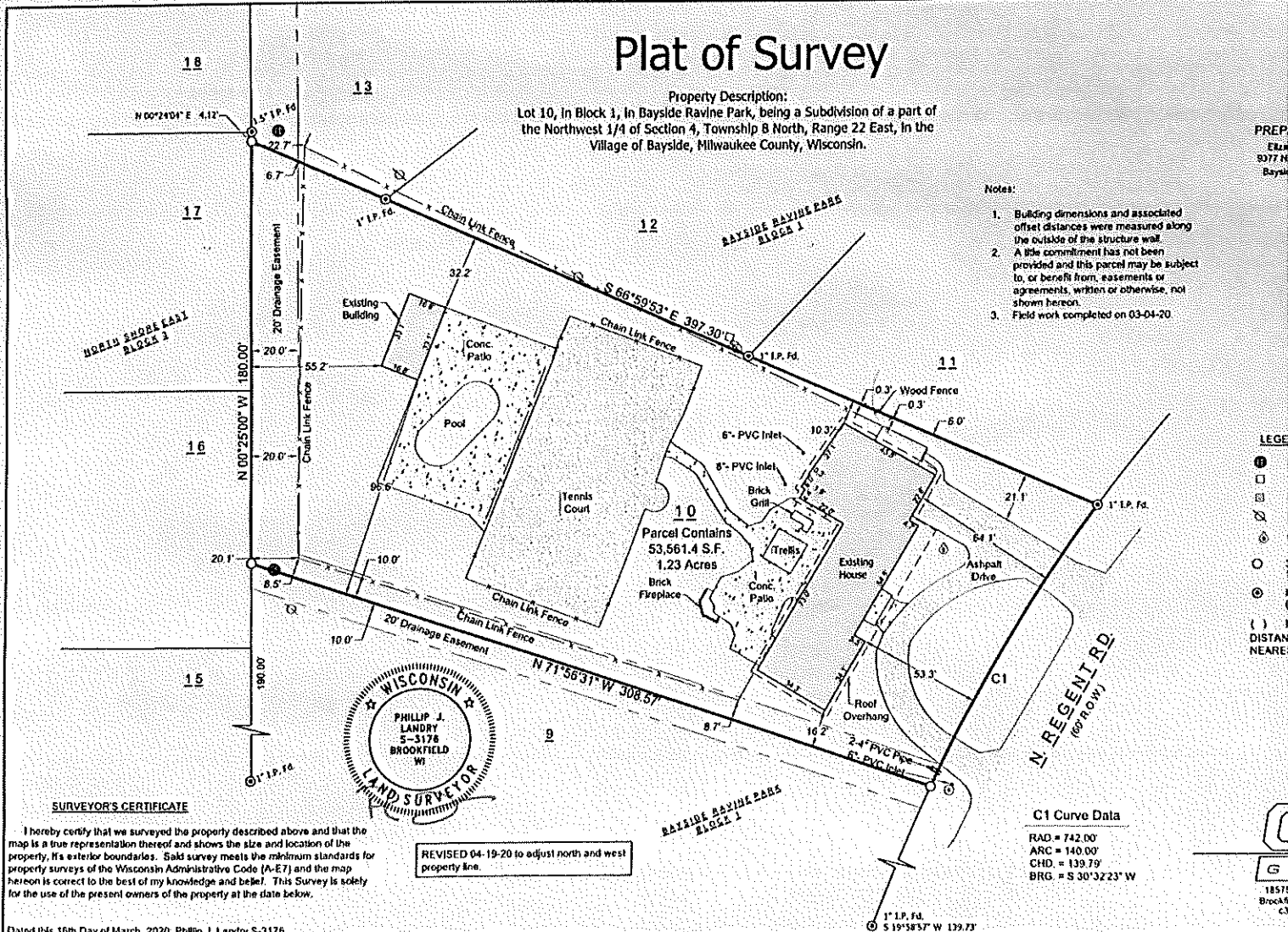
**Notes:**

1. Building dimensions and associated offset distances were measured along the outside of the structure wall.
2. A Bde commitment has not been provided and this parcel may be subject to, or benefit from, easements or agreements, written or otherwise, not shown hereon.
3. Field work completed on 03-04-20.

PREP  
 ELM  
 0377 M  
 Bayside

**LEGEND**

- ⊙ 1" I.P. Fd.
- ⊙ 2" I.P. Fd.
- ⊙ 3" I.P. Fd.
- ⊙ 4" I.P. Fd.
- ⊙ 5" I.P. Fd.
- ⊙ 6" I.P. Fd.
- ⊙ 7" I.P. Fd.
- ⊙ 8" I.P. Fd.
- ⊙ 9" I.P. Fd.
- ⊙ 10" I.P. Fd.
- ⊙ 11" I.P. Fd.
- ⊙ 12" I.P. Fd.
- ⊙ 13" I.P. Fd.
- ⊙ 14" I.P. Fd.
- ⊙ 15" I.P. Fd.
- ⊙ 16" I.P. Fd.
- ⊙ 17" I.P. Fd.
- ⊙ 18" I.P. Fd.
- ⊙ 19" I.P. Fd.
- ⊙ 20" I.P. Fd.
- ⊙ 21" I.P. Fd.
- ⊙ 22" I.P. Fd.
- ⊙ 23" I.P. Fd.
- ⊙ 24" I.P. Fd.
- ⊙ 25" I.P. Fd.
- ⊙ 26" I.P. Fd.
- ⊙ 27" I.P. Fd.
- ⊙ 28" I.P. Fd.
- ⊙ 29" I.P. Fd.
- ⊙ 30" I.P. Fd.
- ⊙ 31" I.P. Fd.
- ⊙ 32" I.P. Fd.
- ⊙ 33" I.P. Fd.
- ⊙ 34" I.P. Fd.
- ⊙ 35" I.P. Fd.
- ⊙ 36" I.P. Fd.
- ⊙ 37" I.P. Fd.
- ⊙ 38" I.P. Fd.
- ⊙ 39" I.P. Fd.
- ⊙ 40" I.P. Fd.
- ⊙ 41" I.P. Fd.
- ⊙ 42" I.P. Fd.
- ⊙ 43" I.P. Fd.
- ⊙ 44" I.P. Fd.
- ⊙ 45" I.P. Fd.
- ⊙ 46" I.P. Fd.
- ⊙ 47" I.P. Fd.
- ⊙ 48" I.P. Fd.
- ⊙ 49" I.P. Fd.
- ⊙ 50" I.P. Fd.
- ⊙ 51" I.P. Fd.
- ⊙ 52" I.P. Fd.
- ⊙ 53" I.P. Fd.
- ⊙ 54" I.P. Fd.
- ⊙ 55" I.P. Fd.
- ⊙ 56" I.P. Fd.
- ⊙ 57" I.P. Fd.
- ⊙ 58" I.P. Fd.
- ⊙ 59" I.P. Fd.
- ⊙ 60" I.P. Fd.
- ⊙ 61" I.P. Fd.
- ⊙ 62" I.P. Fd.
- ⊙ 63" I.P. Fd.
- ⊙ 64" I.P. Fd.
- ⊙ 65" I.P. Fd.
- ⊙ 66" I.P. Fd.
- ⊙ 67" I.P. Fd.
- ⊙ 68" I.P. Fd.
- ⊙ 69" I.P. Fd.
- ⊙ 70" I.P. Fd.
- ⊙ 71" I.P. Fd.
- ⊙ 72" I.P. Fd.
- ⊙ 73" I.P. Fd.
- ⊙ 74" I.P. Fd.
- ⊙ 75" I.P. Fd.
- ⊙ 76" I.P. Fd.
- ⊙ 77" I.P. Fd.
- ⊙ 78" I.P. Fd.
- ⊙ 79" I.P. Fd.
- ⊙ 80" I.P. Fd.
- ⊙ 81" I.P. Fd.
- ⊙ 82" I.P. Fd.
- ⊙ 83" I.P. Fd.
- ⊙ 84" I.P. Fd.
- ⊙ 85" I.P. Fd.
- ⊙ 86" I.P. Fd.
- ⊙ 87" I.P. Fd.
- ⊙ 88" I.P. Fd.
- ⊙ 89" I.P. Fd.
- ⊙ 90" I.P. Fd.
- ⊙ 91" I.P. Fd.
- ⊙ 92" I.P. Fd.
- ⊙ 93" I.P. Fd.
- ⊙ 94" I.P. Fd.
- ⊙ 95" I.P. Fd.
- ⊙ 96" I.P. Fd.
- ⊙ 97" I.P. Fd.
- ⊙ 98" I.P. Fd.
- ⊙ 99" I.P. Fd.
- ⊙ 100" I.P. Fd.



**SURVEYOR'S CERTIFICATE**

I hereby certify that we surveyed the property described above and that the map is a true representation thereof and shows the size and location of the property, its exterior boundaries. Said survey meets the minimum standards for property surveys of the Wisconsin Administrative Code (A-E7) and the map hereon is correct to the best of my knowledge and belief. This Survey is solely for the use of the present owners of the property at the date below.

REVISED 04-19-20 to adjust north and west property line.

**C1 Curve Data**

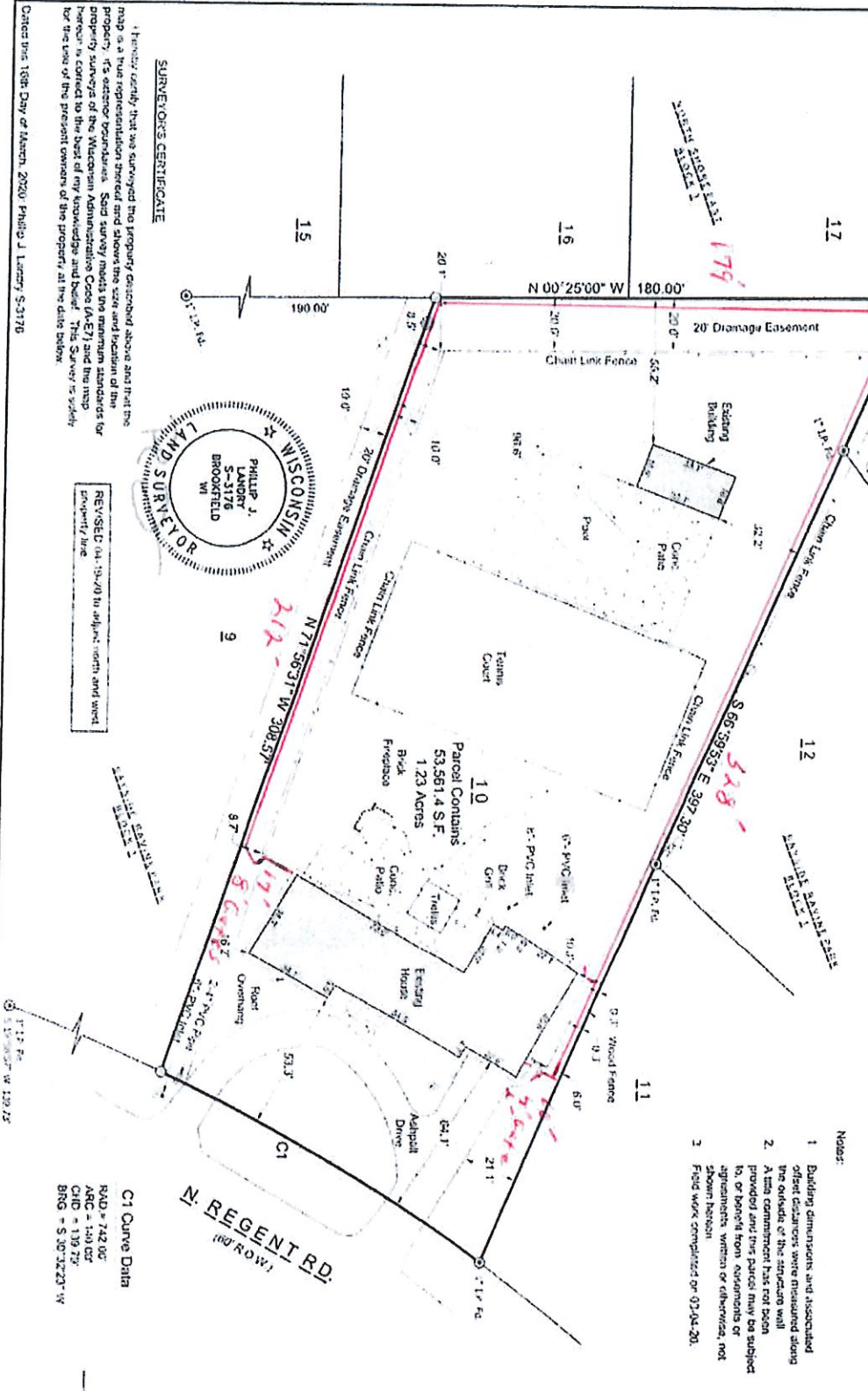
RAD = 742.00'  
 ARC = 140.00'  
 CHD = 139.79'  
 BRG = S 30°32'23" W

Dated this 16th Day of March, 2020. Phillip J. Landry S-3176

*6th Brazelton Blvd - Imperial Buttech - PVC*

# Plat of Survey

Property Description:  
 Lot 10, in Block 1, in Bayside Ravine Park, being a Subdivision of a part of  
 the Northwest 1/4 of Section 4, Township 8 North, Range 22 East, in the  
 Village of Bayside, Milwaukee County, Wisconsin.



- Notes:
1. Building dimensions and associated offset distances were measured along the outside of the structure wall.
  2. A title commitment has not been provided and this parcel may be subject to, or benefit from, easements or agreements, written or otherwise, not shown hereon.
  3. Field work completed on 03-04-201

**SURVEYOR'S CERTIFICATE**

I, the undersigned, certify that we surveyed the property described above and that the map is a true representation thereof, and shows the size and location of the property, its exterior boundaries, and any other matters the minimum standards for property surveys of the Wisconsin Administrative Code (ATC) and the map hereon is correct to the best of my knowledge and belief. This Survey is valid for the use of the present owners of the property at the date below.

PHILLIP J. LANDRY  
 S-3176  
 BROOKFIELD, WI  
**LAND SURVEYOR**

REVISED (04-19-20) to adjust north and west property line

**C1 Curve Data**

RAD = 742.00'  
 ARC = 140.00'  
 CH = 139.79'  
 BNG = S 30.3223° W



LEGEND

- 1/4" x 1/8" IRON NAIL
- 5/8" x 5/8" IRON NAIL
- UTILITY POLE
- POWER POLE
- WELL

INDICATES NE DISTANCES ARE MEASURED 51' + HUNDRED

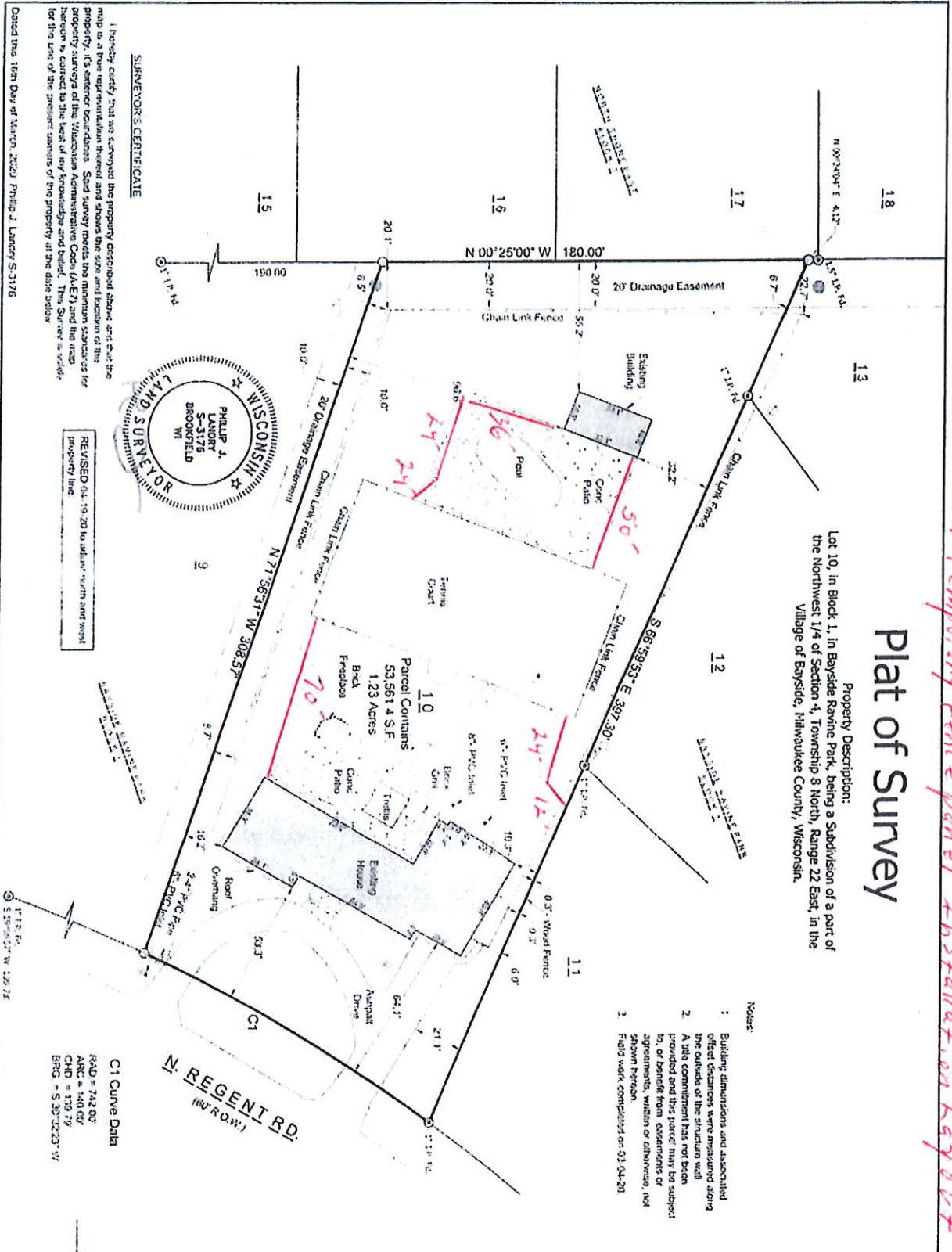
PREPARED FOR:  
 Imperial Buttech, Inc.  
 3177 E Regent Rd  
 Bayside, WI 53217

DATE: 03/04/2011

*240' - 66" Temporary Fence Panel Installation Keycut*

# Plat of Survey

Property Description:  
 Lot 10, in Block 1, in Bayside Ravine Park, being a Subdivision of a part of the Northwest 1/4 of Section 4, Township 8 North, Range 22 East, in the Village of Bayside, Milwaukee County, Wisconsin.



- Notes:
1. Building dimensions and associated offset distances were measured along the outside of the structure wall.
  2. A title commitment has not been provided and this parcel may be subject to, or benefit from, easements or agreements, written or otherwise, not shown hereon.
  3. Field work completed on 03/04/2011.

**SURVEYOR'S CERTIFICATE**

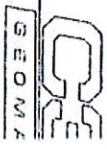
I, hereby certify that I have surveyed the property described above and that the map is a true representation thereof. Said survey meets the minimum standards for property surveys of the Wisconsin Administrative Code (Chs. TCS 1 and the map hereon) is certified to the best of my knowledge and belief. This Survey is valid for the use of the present owners of the property of the date below.

Dated this 10th Day of March, 2023, Philip J. Laney, S-3176



REVISED 04/19/20 to add utility and work property line

**C1 Curve Data**  
 RAD = 742.00'  
 ARC = 140.00'  
 CHD = 139.79'  
 BRG = S 30° 32' 23" W



- LEGEND**
- FIELD INLET
  - TRANSFORME
  - UTILITY PEG
  - POWER POLE
  - WELL
  - 1/4" x 1/8" IRON
  - 3/8" x 1/4" LINEA
  - MONUMENT F.I.
  - MONUMENT OIL
  - ( ) INDICATES RE
  - DISTANCES ARE MEA
  - NEAREST HUNDRED

PREPARED FOR:  
 Eastern Group  
 9371 N. Regent Road  
 Bayside, WI 53217





TO: Elizabeth and Jeff Billings  
9377 N. Regent Rd.  
Bayside, WI. 53217

DATE: April 21, 2020

414-755-9638  
zafreeman@yahoo.com

ATTN: RE: Imperial-PVC-  
Brazilian Blend  
Semi-Privacy fence

We propose to furnish the necessary labor, material, equipment and supervision to install the following as listed below:

**SCOPE: TEAROUT 690' OF EXISTING 6'H CHAIN LINK FENCE AND INSTALL 8' OF 4'H AND 748' OF 6'H PVC SEMI-PRIVACY FENCE**

- Set 103-5" x 5" PVC posts, 8' or less on center, into cemented belled footings (minimum of four feet per footing)
- Install bottom PVC rail, with steel insert, into routered holes in End, Corner and Line posts
- Install mid rail, into routered holes in all End, Corner and Line posts
- Install individual pickets, into bottom rail, through mid rail
- Install top rail over all individual pickets and lock into place
- Attach 5" x 5" flat caps, onto each End, Corner, Line and Gate posts
- Construct and hang 1-4' x 4'h gate with Black Ornamental self-closing hardware and latch
- Construct and hang 1-4'w x 6'h gate with Black Ornamental self-closing hardware and key lockable latch
- Construct and hang 1-8'w x 6'h Double Drive gates with Black Ornamental self-closing hardware and key lockable latch
- Remove 690' of existing chain link, pull posts, haul and discard old fence material

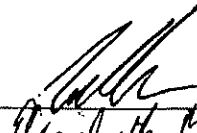
**Total amount of this proposal.....\$66,500.00**

Prices are valid for a period of 10 days. Terms for payment are as follows: Payment in full upon completion. Any alteration or deviation from the above specifications involving extra cost of material or labor will only be completed upon written orders for same and will become an extra charge over the sum mentioned in this proposal. All agreements must be made in writing.

RESPECTFULLY SUBMITTED: \_\_\_\_\_  
**Mark Oliver**

Phone 262-833-0200 • Fax 262-833-0203  
Toll Free 888-805-1847  
8310 Industrial Drive • Franksville, WI 53126

ACCEPTED BY

  
Elizabeth Billings

DATE

4/21/2020

DATE

4-21-2020

*Please read back for terms and conditions*

Page 1 of 2

Statewide Fencing, Inc.

Page 2

**TERMS AND CONDITIONS**

The acceptance of this contract by Jeff and Elizabeth Billings is conditional on the issuance of a permit for the project by the Village of Bayside, review and approval by the architectural review board for the Village, and the arrangement of financing by Jeff and Elizabeth Billings (hereinafter referred to collectively as the "Approval"). No down payment will be made on the Project until the Approval is completed. If Approval is not completed, this contract shall be null and void.

Statewide Fencing, Inc. shall advise the customer as to local zoning regulations, but responsibility for complying with said regulations and obtaining any required permits shall rest with the customer. Statewide Fencing, Inc. will assist the customer, upon request, in determining where the fence is to be erected, but under no circumstances does Statewide Fencing, Inc. assume any responsibility concerning property lines or in any way guarantee their accuracy. If property pins cannot be located, it is recommended that the customer have the property surveyed.

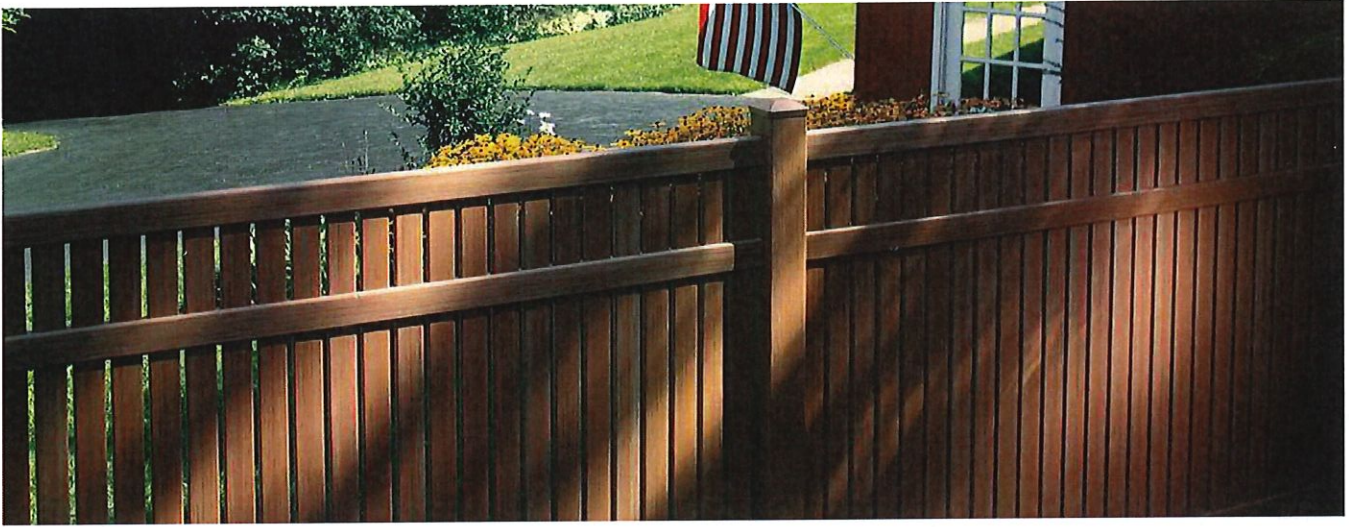
***CUSTOMER IS RESPONSIBLE FOR LOT LINES, DIRT REMOVAL AND PERMITS.***

Statewide Fencing, Inc. will assume the responsibility for having underground public utilities located and marked. However, Statewide Fencing, Inc. assumes no responsibility for unmarked sprinkler lines or any other buried lines or objects. The customer will assume all liability for any damage caused by directing Statewide Fencing, Inc. to dig in the immediate vicinity of known utilities.

Any alteration or deviation from the above specifications involving extra cost of material or labor will become an extra charge over the sum mentioned in this proposal. All agreements must be made in writing.



HOME / FENCE / PRODUCTS / IMPERIAL SELECT CEDAR



=this one is Brazilian Brown and the color we would like to use

## IMPERIAL SELECT CEDAR

[OVERVIEW](#)

[TECHNICAL](#)

---

### THE PERFECT BLEND OF FUNCTIONALITY AND STYLE

- Thru-picket "good neighbor" design
- 7/8" x 3" picket size
- 4', 5' & 6' heights (5' & 6' include midrail)
- Steel reinforced bottom rail
- Seven colors: Almond, Arbor Blend, Arctic Blend, Clay, Sierra Blend, Weathered Blend and White
- ColorLast™ dark color fade protection



- WindZone™ performance - Miami-Dade County approved NOA #18-0920.04 for exceptional performance in high wind conditions (expires 3-13-2024)
- Meets most building codes for pool fencing
- Lifetime limited warranty with SureStart™ parts and labor protection

#### PRODUCT OVERVIEW

- [Bufftech Homeowner Brochure](#)
- [Bufftech Textures Sell Sheet](#)
- [Bufftech Full Line Brochure](#)
- [Bufftech HOA Brochure](#)

#### TECHNICAL SPECS

- [Bufftech® Fence Calculator](#)
- [Vinyl Fence Care & Maintenance](#)
- [CADdetails - Fence Specs](#)
- [Miami-Dade NOA Code Approval](#)  
[\(More Info\)](#)

#### INSTALLATION

- [Bufftech Installation Manual](#)
- [Bufftech Vinyl Installation Videos](#)  
[\(More Info\)](#)

#### WARRANTY

- [Bufftech Fence Limited Lifetime Warranty](#)  
[\(More Info\)](#)



# GET INSPIRED AND LEARN MORE

[VISIT THE FENCE LEARNING CENTER](#)  
[VISIT THE FENCE INSPIRATION GALLERY](#)





PHOTOS

IMPERIAL

FENCE



ARTICLES



ARTICLES

CASE STUDY:

UPSCALE

SUBURBAN

COMMUNITY

TRANSFORMS

WITH

REALISTIC

WOODGRAIN

TEXTURE

VINYL

PRIVACY

FENCE

MILLER

FENCE

DYNAMICALLY

ACCENTS

NEW POOL

AND

RECREATION

COMPLEX AT

WORCESTER

COUNTRY

CLUB

WHAT TYPE

OF FENCE DO

I NEED FOR A

SWIMMING

POOL

APPLICATION?

## TECHNICAL INFORMATION

We offer our professional audience drawings and specifications in a standard CSI format through [CADdetails.com](http://CADdetails.com). Login required (free).

### SPECS

- [Bufftech® Fence Calculator](#)
- [Vinyl Fence Care & Maintenance](#)
- [Safety Data Sheet - Vinyl Fence, Decking, Railing and Composite Railing](#)
- [CADdetails - Fence Specs](#)

- [Miami-Dade NOA Code Approval](#)
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## INSTALLATION

Step-by-step fence Installation instructions

INSTALLATION

- [Bufftech Installation Manual](#)
- [Bufftech Vinyl Installation Videos](#)

## WARRANTY DETAILS

The Bufftech® Limited Lifetime warranty protects your investment and includes our exclusive 5 year SureStart™ parts and labor protection.

WARRANTY

- [Bufftech Fence Limited Lifetime Warranty](#)

## SUSTAINABILITY INFORMATION

CertainTeed respects the environment through the responsible development of sustainable building products and systems. CertainTeed's Bufftech vinyl fence products give building professionals and homeowners confidence that the homes they design, build, maintain and occupy are made with sustainable materials that enhance every project's performance and beauty.

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# CertainTeed *Bufftech*<sup>®</sup>

Vinyl Fence Products

## Why choose Bufftech<sup>®</sup> over other vinyl products?



*Bufftech vinyl fence  
outperforms other vinyl fences.*

A vinyl fence is one of the largest investments you'll make to enhance the beauty and value of your home. While you may find a less expensive option, consider what you're really getting for your money.

Take a closer look at what sets Bufftech<sup>®</sup> apart from other vinyl fences.

### High-quality raw materials

When you purchase a Bufftech fence, you can be assured you're getting a high-quality product that's consistent from panel to panel, picket to picket. Bufftech vinyl fence is made with carefully selected ingredients designed to increase durability and long-term performance. Bufftech uses a high percentage of titanium dioxide, a critical additive that protects vinyl from potentially harmful UV rays, in all of its vinyl fence products. Lower-cost vinyl products often use less TiO<sub>2</sub> because of the added expense. Without it, vinyl fence can become cracked and brittle due to weathering.

### Steel reinforced railings

Bufftech vinyl fence products feature a steel reinforced bottom rail for a stronger, more rigid fence, which reduces the chances of sagging or bowing.

### Heavyweight pickets

Bufftech's heavyweight pickets provide superior impact strength and resist the warping and oil canning found in flat panel fence.

### Routed rails and fence posts

Bufftech vinyl fence systems feature precision-routed rails for safe, secure picket attachment and easy assembly. Bufftech's routed fence posts provide a secure connection that allows for thermal expansion season after season.

### Concealed fasteners

All Bufftech vinyl fence systems feature concealed fasteners for a sleek, clean finish. Pickets are installed without unsightly brackets, screws or glue that can compromise the safety and security of the fence.



### Building code compliant

Bufftech vinyl fence is tested to the highest standards for performance. The Bufftech line includes styles approved for use around swimming pools and in high wind conditions (Miami-Dade County approved NOA#12-1106.11, expires 3-13-2018).



### Meets ASTM standards

Bufftech vinyl fence also meets the strict standards of the ASTM. Some vinyl fences do not comply with these specifications.



### Innovative styles, colors and textures

Bufftech leads the vinyl fence industry with the widest array of styles, colors and textures. Our CertaGrain® and Select Cedar authentic woodgrain textures recreate the look of natural wood fence, while our CertaStucco™ fence offers an innovative alternative to traditional stucco walls. The Bufftech color palette includes 4 solid colors and 9 blended colors.



### ColorLast® fade protection

Bufftech is the only vinyl fence manufacturer to offer ColorLast® dark color fade protection, an acrylic formulation that provides superior protection from the harsh rays of the sun.



### Lifetime limited warranty protection

Bufftech vinyl fence products are backed by an outstanding lifetime limited transferable warranty, which includes our exclusive SureStart™ protection. SureStart covers warranted repair and replacement costs – including labor – for five years after installation.



### 100 years of quality products, made in the USA

Bufftech vinyl fence is proudly made in the USA by CertainTeed Corporation, a trusted name in building products for more than a century. Since 1904, CertainTeed has earned a reputation among homeowners and building professionals alike as a respected manufacturer of high-quality building materials.

### A better value over time

While a Bufftech vinyl fence may cost slightly more than other vinyl fence products, over time you'll find that Bufftech outlasts and outperforms its cheaper counterparts.

### How does the competition stack up?

Bufftech premium vinyl fence provides performance features that far surpass other vinyl fences. Before choosing a fence, compare the features most important to you with what other vinyl fences offer.

Performance Features	Bufftech Vinyl Fence
Lifetime limited warranty	✓
Transferable warranty	✓
Parts and 5-year labor warranty	✓
Dark color fade warranty	✓
Made in the USA	✓
Never needs painting or staining	✓
Won't chip, peel, crack or splinter	✓
Won't rot or support mold growth	✓
Impervious to termites/wood-boring insects	✓
Lead free	✓
No harmful chemicals	✓
High-quality raw materials	✓
Concealed fasteners	✓
Heavyweight pickets	✓
Wide choice of colors	✓
Woodgrain and stucco textures	✓
Steel reinforced rails	✓
Routed rails and posts	✓
Class A rating for flame spread	✓
Self-extinguishing	✓
Easy to assemble	✓
Building code compliant	✓
Meets ASTM standards	✓

#### ASK ABOUT ALL OF OUR OTHER CERTAINTEED® PRODUCTS AND SYSTEMS:

ROOFING • SIDING • TRIM • DECKING • RAILING • FENCE  
GYPSUM • CEILINGS • INSULATION

[www.certainteed.com](http://www.certainteed.com) <http://blog.certainteed.com>

CertainTeed Corporation  
P.O. Box 860  
Valley Forge, PA 19482

Professional: 800-233-8990  
Consumer: 800-782-8777



# CertainTeed *Bufftech*<sup>®</sup>

Vinyl Fence Products

## Why choose vinyl over wood?



*Bufftech vinyl fence  
outperforms wood fence.*

Out of all types of fence materials, wood fences demand the most maintenance and can end up being the most costly. Wood fences must be treated, painted or stained on a regular basis; in fact, the average wood fence owner can expect to spend time and money painting or staining every few years to maintain the fence's appearance and to protect the wood from weathering. Wood that is exposed to the elements will eventually rot over time, resulting in a less stable fence with a shorter life span.

Bufftech<sup>®</sup> vinyl fence is an easy-care alternative to wood fence. Beautiful, durable, and built to last, a Bufftech fence is designed to provide years of worry-free enjoyment. Bufftech's industry-leading styles, colors and textures include a realistic woodgrain finish and rich, authentic shades that replicate the look of natural wood.

Take a closer look at why a Bufftech vinyl fence is a smarter investment than wood.

### **Virtually maintenance free**

A Bufftech vinyl fence requires far less maintenance than a wood fence. Vinyl won't warp, rot, splinter, peel or blister like wood. Vinyl fence never needs sanding, staining or painting. All it needs is an occasional washing with a garden hose to keep it looking its best.

### **Innovative styles, colors and textures**

Bufftech leads the vinyl fence industry with the widest array of styles, colors and textures. Our CertaGrain<sup>®</sup> and Select Cedar authentic woodgrain textures recreate the look of natural wood fences, while our CertaStucco<sup>™</sup> fence offers an innovative alternative to traditional stucco walls. The Bufftech color palette includes 4 solid colors and 9 blended colors.

### **Consistent color and fade protection**

Stained and painted wood fences will peel and chip, and the color will fade over time. With Bufftech vinyl fence, the color is engineered to last. Bufftech is the only vinyl fence manufacturer to offer ColorLast<sup>®</sup> dark color fade protection, an acrylic formulation that provides superior protection from the harsh rays of the sun.



### Greater strength and flexibility

Bufftech vinyl fence is up to five times stronger and four times more flexible than wood, allowing it to absorb the impact from everyday run-ins with lawn mowers and tree limbs. Bufftech fence products feature a steel reinforced bottom rail for a stronger, more rigid fence, which reduces the chances of sagging or bowing.



### Concealed fasteners

All Bufftech vinyl fence systems feature concealed fasteners for a sleek, clean finish. Wood fences are installed with unsightly nails, which, when exposed to the elements, will weather, come loose and cause the fence to deteriorate over time. Loose nails are also a safety issue.



### Routed rails and fence posts

Bufftech's precision-routed rails ensure a safe, secure picket attachment and easy assembly. The routed fence posts provide a more secure connection than wood, allowing for thermal expansion season after season.



### Building code compliant

Bufftech vinyl fence is tested to the highest standards for performance. The Bufftech line includes styles approved for use around swimming pools and in high wind conditions (Miami-Dade County approved NOA#12-1106.11, expires 3-13-2018).



### Lifetime limited warranty protection

Unlike wood fences, which generally carry no warranty, Bufftech vinyl fence products are backed by an outstanding lifetime limited transferable warranty, which includes our exclusive SureStart™ protection. SureStart covers warranted repair and replacement costs – including labor – for five years after installation.



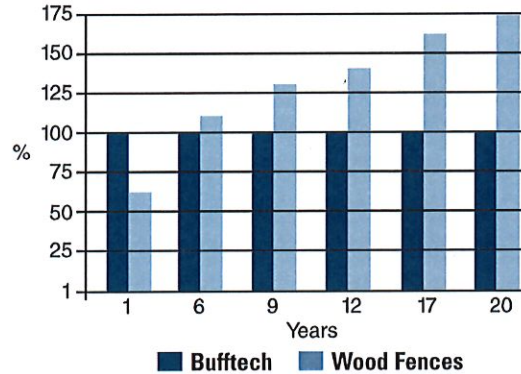
### 100 years of quality products, made in the USA

Bufftech vinyl fence is proudly made in the USA by CertainTeed Corporation, a trusted name in building products for more than a century. Since 1904, CertainTeed has earned a reputation among homeowners and building professionals alike as a respected manufacturer of high-quality building materials.

### A better value over time

While a vinyl fence may cost slightly more initially, vinyl will end up costing less than wood over the life of the fence.

Cost includes fence price averaged over 20 years plus maintenance and repair costs. Cost is expressed as a percentage.



### How does wood stack up?

Bufftech premium vinyl fence provides performance features that far surpass wood. Before choosing a fence, compare the features most important to you with what a wood fence offers.

Performance Features	Bufftech Vinyl Fence
Lifetime limited warranty	✓
Transferable warranty	✓
Parts and 5-year labor warranty	✓
Dark color fade warranty	✓
Made in the USA	✓
Never needs painting or staining	✓
Won't chip, peel, crack or splinter	✓
Won't rot or support mold growth	✓
Impervious to termites/wood-boring insects	✓
Lead free	✓
No harmful chemicals	✓
High-quality raw materials	✓
Concealed fasteners	✓
Heavyweight pickets	✓
Wide choice of colors	✓
Woodgrain and stucco textures	✓
Steel reinforced rails	✓
Routed rails and posts	✓
Class A rating for flame spread	✓
Self-extinguishing	✓
Easy to assemble	✓
Building code compliant	✓
Meets ASTM standards	✓

#### ASK ABOUT ALL OF OUR OTHER CERTAINTEED® PRODUCTS AND SYSTEMS:

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## **SYDNEY LANDSCAPE COMPANY LLC**

### **West Property Line Proposed Improvements**

Pursuant to the newly discovered property line, Sydney Landscape Company proposes the following improvements for 9377 N Regent Road.

The installation of a code compliant vinyl privacy fence, set equidistant off actual property line, to replace existing misplaced cyclone metal fence. This will improve aesthetics and provide superior screening for pool area. Fencing will be set above current property line grade to allow for continued sufficient drainage.

Improve the grading in the easement area. The current easement grading, south basin to north basin, is relatively flat for the first 70 feet, before sloping to the north basin approximately 10.5" in the final one hundred feet. Improved water flow can be achieved by grading swale at 1% slope (see schematic). To facilitate better water permeation into soil, a six inch perforated tile will be installed (see detail). Fractured lannon stone, 4-6" will be installed over pipe.

Improve ornamental landscape in easement area. Extensive buckthorn removal was completed last year. Removal of invasive and unsightly honeysuckle will be completed. Ornamental plantings will be installed between swale and vinyl fence. Varieties and timing will be determined. Trees currently entangled in cyclone fence or impeding grading will be removed. The area from swale to pool will be graded smooth and seeded to establish turf.

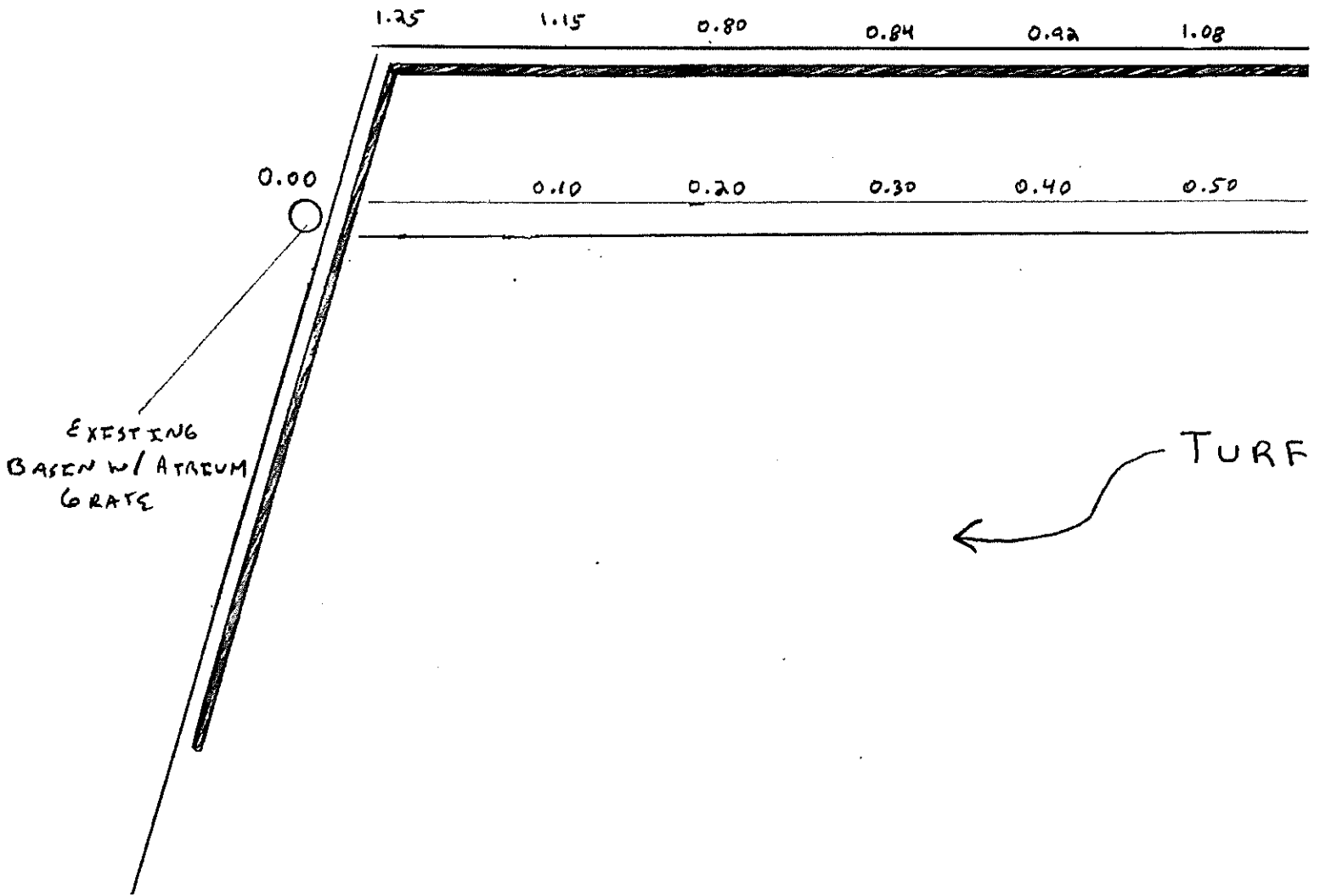
These proposed improvements, for this long neglected area, will provide improved water management and aesthetics, bring fencing up to current standards, and increase useable yard space.

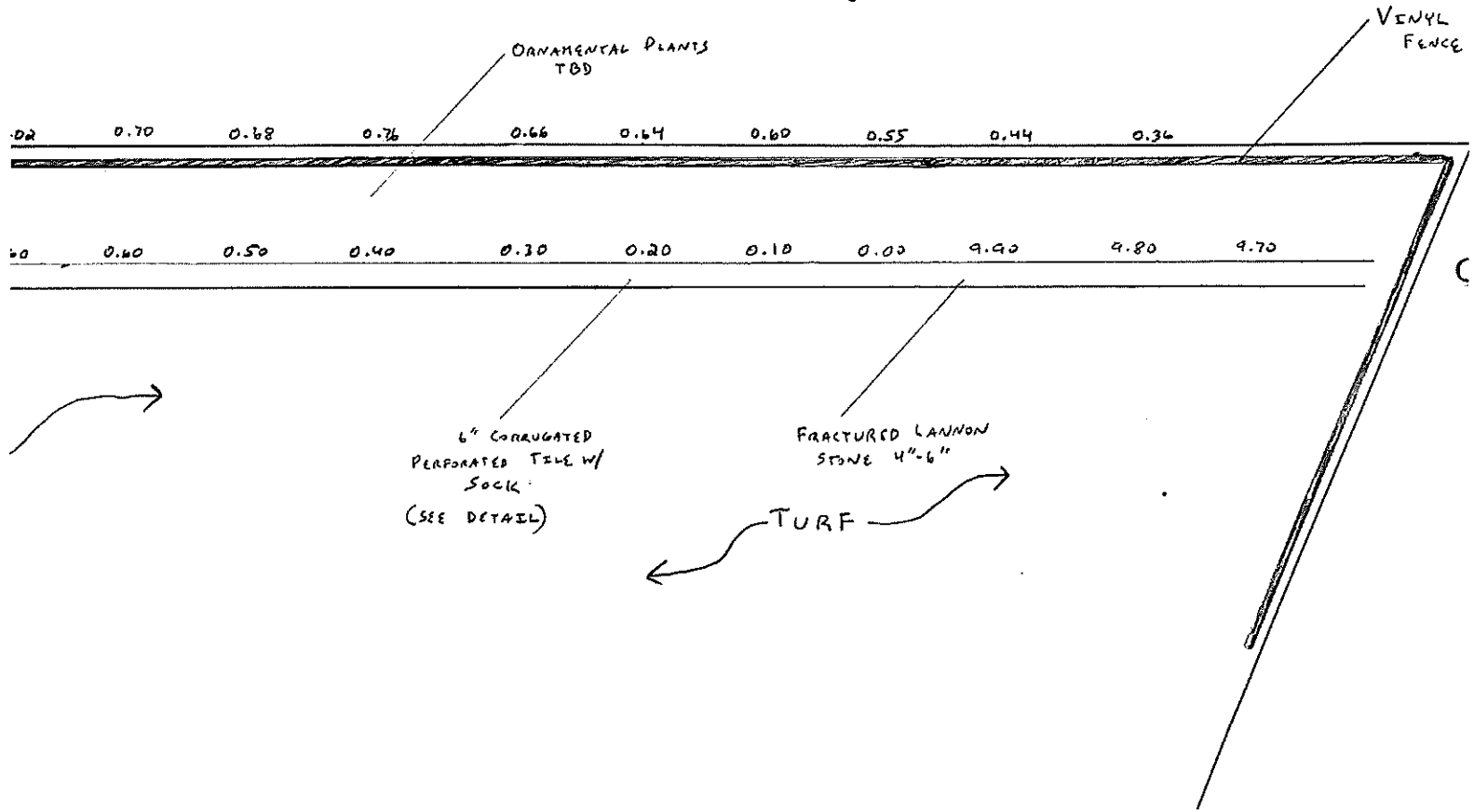
Sydney Landscape Company LLC

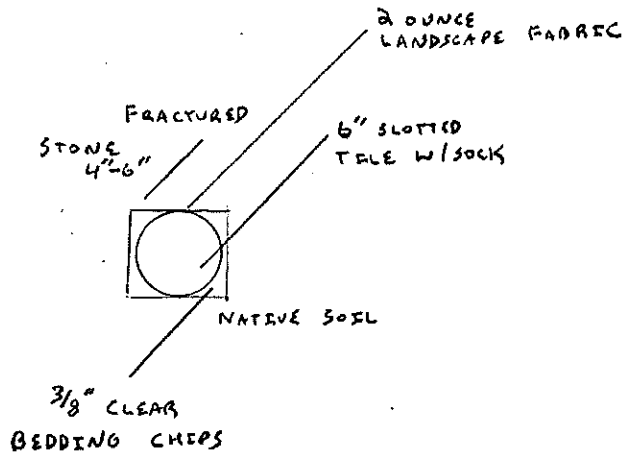
N115 W15116 Potomac Circle

Germantown, WI 53022-3514

414-322-4154







N



## Application for Appearance before the Board of Zoning Appeals Committee

Owner's Name Jeff and Elizabeth Billings

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Property Address 9377 N. Regent Road, Bayside, WI 53217

---

Telephone 414-755-9638

---

Email zajeffbillings@yahoo.com

---

Proposed project details (type of work, size, materials, etc.):

Replace and upgrade existing fence and re-grade along western fence line (for additional

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details, please see attached letter and exhibits submitted to the architectural review committee

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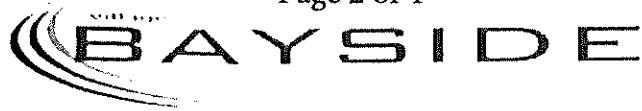
for more detail)

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Fee: \$500.00



**APPLICATION FOR SPECIAL EXCEPTION TO THE ZONING CODE REQUIREMENTS**

The Board of Appeals, pursuant to Wis. Stats. 62.23(7)(e) and after appropriate notice and hearing, may, with regard to any requirement imposed by the Zoning Code, or any other section of the Municipal Code which specifically allows for special exceptions, recommend a special exception to the Village Board for approval. Notice of application for special exception shall be provided to all property owners adjoining or abutting the property proposed for a special exception. Denials of special exceptions shall not be appeal able to the Village Board.

1. State the section of the Village of Bayside Municipal Code that you are appealing.

Village Code Sec. 104-125(a) and Village Code Sec. 104-125(l)

2. Give a brief description of what you want to do and why.

We wish to replace our roughly 700 feet of existing, rusted, chain link fence and move the fence 6 inches within our existing lot line, properly secure our swimming pool with a code compliant, pool safe fence with self-locking gates, and allow for some additional privacy from our six adjacent neighbors whose back yard look into our back yard given our unique lot shape, size, and location.

3. State why compliance with Municipal Code is unreasonably burdensome or negatively impacting upon the use of the property.

See attached statement

Applicant Printed Name

Jeff Billings

Elizabeth Billings

Applicant Signature

**Statement for Question 3 of Billings Application for Appearance before the Board of Zoning Committee:**

3. State why compliance with Municipal Code is unreasonably burdensome or negatively impacting on the use of the property.

We have selected the only fence from Bufftech that is certified as both pool and wind safe; but the fence has 7/16th inch openings between 3-inch pickets, which means the fence is roughly 15% open. Village Code Sec. 104-125(k) requires the fence to be 25% open, or it is considered to be a solid or privacy fence that is then subject to Village Code Sec. 104-125(a) (requiring no more than 15% of the horizontal linear feet of the lot line to be fenced). Our current fence is roughly 700 linear feet, and our proposed new fence is roughly 760 linear feet. Our total lot is 1,025.87 horizontal feet because of the unique shape of our lot and our deep back yard. The existing chain link fence is not subject to Village Code Sec. 104-125(a) because it is not a solid or privacy fence. As we seek to replace and upgrade the existing fence, we are seeking a special exception from both Village Code Sec. 104-125(k) and Village Code Sec. 104-125(a) to allow us to build the fence discussed in our permit and application materials submitted to the Village and Architectural Review Committee.

To make our proposed fence code compliant (25% open), the openings between pickets would need to be 3/4th inch. We contacted our fence contractor to see if we could add an additional 5/16th inch to the openings to be code compliant, but the pickets and rails are hand placed and pre-drilled to ensure the fence is on square (we are not using pre-built fence sections). Although there are other fence styles available from Bufftech that would meet the 25% open requirement, none of them are certified both pool and wind safe. A more open fence style is easier to climb, which would make our pool and tennis court easier to access as attractive nuisances (and one day we hope to also add a play structure). The difference between complying with Village Code Sec. 104-125(k) and not complying is only 5/16<sup>th</sup> of an inch in the spacing, which we do not believe is significant in overall aesthetic.

Furthermore, we have a pool, two dogs, six adjacent properties whose backyards look into our back yard, a 15 month old son whose safety is paramount (hopefully more kids down the road), a tennis court, a future play structure, and we are also trying to block the unexpectedly high number of car headlights from where N Fairway Circle meets North Fairway Drive. Our lot shape and size is truly unique in the depth of our backyard, its square footage, and the fact that it is flat usable land. We also recently discovered that over 12% of our lot in the back yard is contained outside of the current fence line. Given that there are no safely operable gates along the back fence line, the lot space outside of the fence is almost unusable to us, and we are concerned about the liability of neighbors using these portion of our yard unknowingly and being injured on our property.

We have also shared our plans with all of our neighbors. Four of the neighbors have indicated that they approve and like the fence we have chosen, one neighbor is under contract for sale and the buyer/seller have been notified but have not commented positively or negatively about the proposed fence style, and the last neighbor has not commented positively or negatively about the proposed fence style. The old fence is an eye soar, is damaged, is over the lot line in some places, and is significantly inside our lot line in other places. The new fence is a top of line fence that is not 100% private, but 15% open, pool and wind safe, and has self-closing and locking gates, allowing us to maintain yard and pool safety.

We respectfully request a special exception from the requirements of Village Code Sec. 104-125(k) and (a) in light of the above factors and the factors cited in our permit and application materials submitted to the Village and Architectural Review Committee.

22228564.1