



Village of Bayside  
9075 N Regent Road  
Architectural Review Committee Meeting  
October 24, 2022  
Village Board Room, 6:00pm

## REVISED ARCHITECTURAL REVIEW COMMITTEE AGENDA

**PLEASE TAKE NOTICE** that a meeting of the Bayside Architectural Review Committee will be held at the Village Hall of the Village of Bayside, 9075 N. Regent Road, Bayside, Wisconsin in addition to virtually. Public can access this meeting of the Architectural Review Committee by phone or by computer. The phone number is: **+646 931 3860**. The Zoom Meeting code is: **816 4501 9288** and the Passcode is: **944651**. <https://bit.ly/3TqJKd6> Persons desiring to speak in the remote format on a specific agenda item should register twenty-four hours in advance by calling (414) 206- 3915. 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 September 12, 2022, meeting minutes.

### III. BUSINESS

- A. **850 E Ellsworth Ln – Elizabeth Plotkin** The proposed project is a 221 lineal feet of four- foot high wood picket fence.
- B. **9251 N Waverly Dr – Michael Rauwerdink** The proposed project is the construction of a new 12 foot by 16 foot shed.
- C. **9545 N Wakefield Dr – Michelle Dlutak** The proposed project is a 120 lineal feet of four-foot high pine garden fence.
- D. **290 W Fairy Chasm Rd – Earl & Gina Klein** The proposed project is a new deck around existing pool.
- E. **9255 N Thrush Ln – Michael & Carrie Burton** The proposed project is a 309 lineal feet of four-foot high black aluminum fence.
- F. **1400 E Bay Point Rd – Colin White** The proposed project is the construction of granite and limestone posts and lights in the property driveway.
- G. **8936 N Port Washington Rd – Idene Hadjizamani** The proposed project is 220 lineal feet of four-foot high cedar picket fence.
- H. **Discussion/recommendation on Ordinance 22-\_\_\_\_, An Ordinance to Repeal and Recreate Section 104-125 of the Municipal Code with Regard to Fences.**

### IV. ADJOURNMENT

Leah Hofer  
Assistant to Village Manager

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)).



Village of Bayside  
9075 N Regent Road  
Architectural Review Committee Meeting  
September 12, 2022  
Village Board Room, 6:00pm

## ARCHITECTURAL REVIEW COMMITTEE MINUTES

### I. CALL TO ORDER

Chairperson Roberts called the meeting to order at 6:00pm.

### II. ROLL CALL

Chair: Marisa Roberts  
Members: Dan Zitser  
John Krampf – Excused  
Tony Aiello  
Brittany Jackson – Absent  
Kelly Marrazza – Absent  
Trustee Liaison: Mike Barth

Also Present: Assistant to Village Manager Leah Hofer

There were 4 people in the audience.

### III. APPROVAL OF MINUTES

A. Approval of August 15, 2022, meeting minutes.

Motion by Dan Zitser, seconded by Tony Aiello, to approve the August 15, 2022, meeting minutes. Motion carried unanimously.

### IV. BUSINESS

**A. 8581 N Pelham Pkwy – Arthur Kathan** The proposed project is to replace the current double front doors with a single front door.

Arthur and Julia Kathan, homeowners, appeared on behalf of the project. There were no neighbors in attendance.

Mr. Kathan described the project as the replacement of a double front door with a single front door.

Motion by Tony Aiello, seconded by Trustee Barth, to approve the project as described and presented in the application. Motion carried unanimously.

**B. 9052 N Greenvale Rd – Alex & Jolena Presti** The proposed project is the construction of a new composite material deck.

Jolena Presti, homeowner, appeared via Zoom on behalf of the project. There were no neighbors in attendance.

Ms. Presti described the project as the construction of a new composite material deck with black railings.

Motion by Marisa Roberts, seconded by Tony Aiello, to approve the project as described and presented in the application. Motion carried unanimously.

- C. 9255 N Thrush Ln – Katie & Derreck Rose** The proposed project is the construction of 286 linear feet of 4-foot-high aluminum fence.

Derreck and Katie Rose, homeowners, appeared on behalf of the project. There were no neighbors in attendance.

Mr. Rose described the project as the construction of 286 linear feet of 4-foot-high black, aluminum fence with three gates.

Motion by Trustee Barth, seconded by Tony Aiello, to approve the project as described and presented in the application, contingent upon Board of Zoning Appeals approval. Motion carried unanimously.

- D. Discussion/recommendation on Section 104-125 of Municipal Code Regarding Fences.**

No discussion or action.

**V. ADJOURNMENT**

Motion by Tony Aiello, seconded by Dan Zitzer, to adjourn the meeting at 6:10pm. Motion carried unanimously.

Leah Hofer  
Assistant to Village Manager



10/12/2022

Attention:  
Village of Bayside, WI  
Architecture Review Committee

PROJECT/SITE OWNER:	PROJECT SUMMARY:
Elizabeth Plotkin PROJECT ADDRESS: 850 E Ellsworth Ln.	New four-foot wood picket open design fence 221 lineal feet

I have reviewed the proposed new fence for compliance with the Village's ordinances and have determined the following for consideration

1. Current fence ordinance does not allow fences to exceed 50% of the perimeter of the property. The perimeter of the property is approximately 550 feet.
2. The total linear footage of fencing is 221 feet.
3. This is 40.18% of the perimeter which is compliant with the ordinance
4. The height of the fence is 4 feet open design, which is compliant with the ordinance.
5. A current survey was provided.
6. The board always considers matching fences with neighboring fences.

**VILLAGE CODE REVIEW**

Supporting documentation or testimony must be provide at the meeting to verify code compliance with the above observations in **red**.

**Dave Hendrix**  
**SAFEbuilt**  
**Wisconsin Operations Manager**

## Project Proposal

Date Start 10/24/22  
Property Address 850 E. Ellsworth Lane  
Zoning Residential

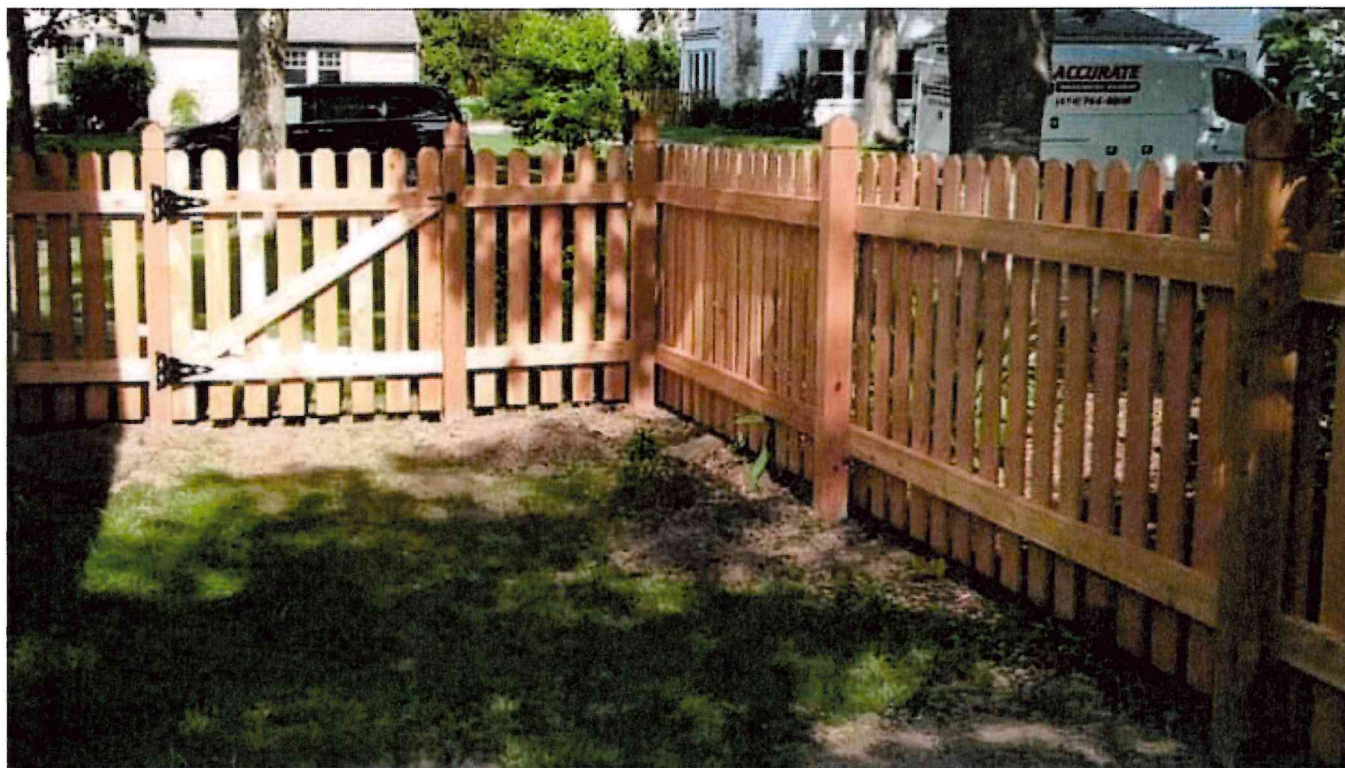
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| <input type="checkbox"/> Accessory Structures/Generators                                 | <input type="checkbox"/> New Construction                            |
| <input type="checkbox"/> Additions/Remodel   | <input type="checkbox"/> Play Structures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

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

48" wood picket fence around backyard

\*\*\*\*\* 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



Gerald E. Casey  
Registered Land Surveyor S-1329

10/13/2022

Attention:  
Village of Bayside, WI  
Architecture Review Committee

PROJECT/SITE OWNER: Michael Ravwerdink  PROJECT ADDRESS: 9251 N Waverly Dr.	PROJECT SUMMARY: New 12 X 16 1192 sq. Ft. storage shed
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I have reviewed the proposed new shed for compliance with the Village's ordinances and have determined the following for consideration

**Sec. 125-90. - "B" residence district regulations.**

(4) A side yard of not less than ten feet shall be provided for on each side of every building.

(5) A rear yard of not less than 20 feet shall be provided for every building, except one of not less than ten feet shall be provided for a building used for or classified as an accessory use.

1. Unknown is it Confirms with required setbacks, due to the fact the applicant did not show the set back dimensions on the survey

2. Confirms with the Impervious requirements

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.*

**VILLAGE CODE REVIEW**

**Supporting documentation or testimony must be provide at the meeting to verify code compliance with the above observations in red.**

**Dave Hendrix**  
**SAFEbuilt**  
**Wisconsin Operations Manager**



## Project Proposal

Date 9/30/2022

Property Address 9251 N. WAVERLY DRIVE

Zoning District \_\_\_\_\_

Proposed Project Details (type of work, size, materials, location, etc.):

12 X 16 SHED, VINYL SIDING TO MATCH EXISTING HOME, SHINGLES TO MATCH EXISTING HOME, GARAGE-STYLE  
DOOR FACING DRIVEWAY, DOOR FACING SOUTH PATIO.

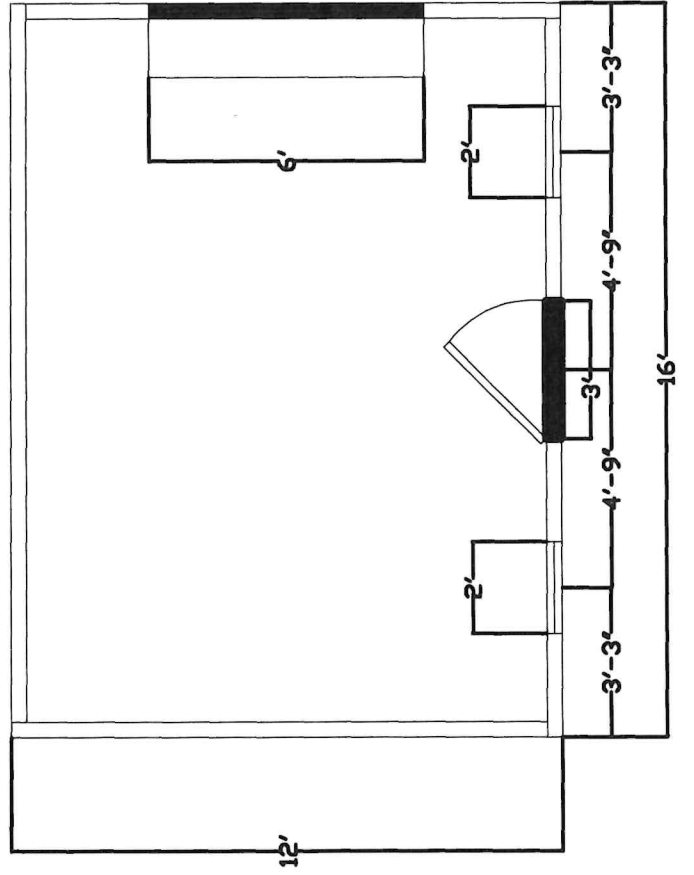
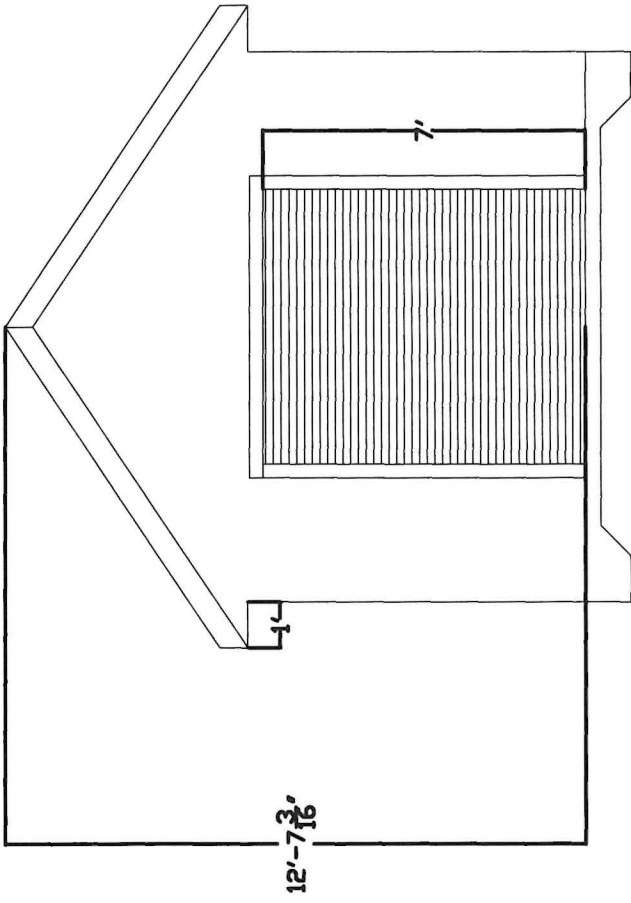
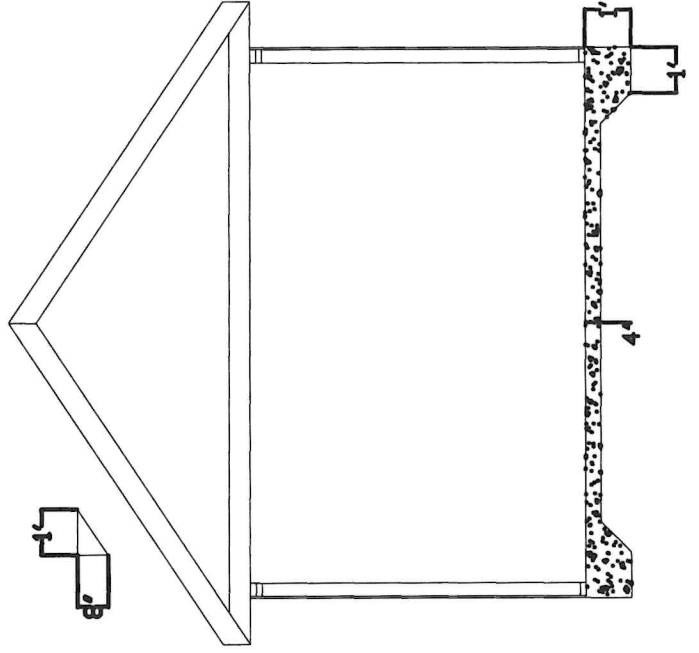
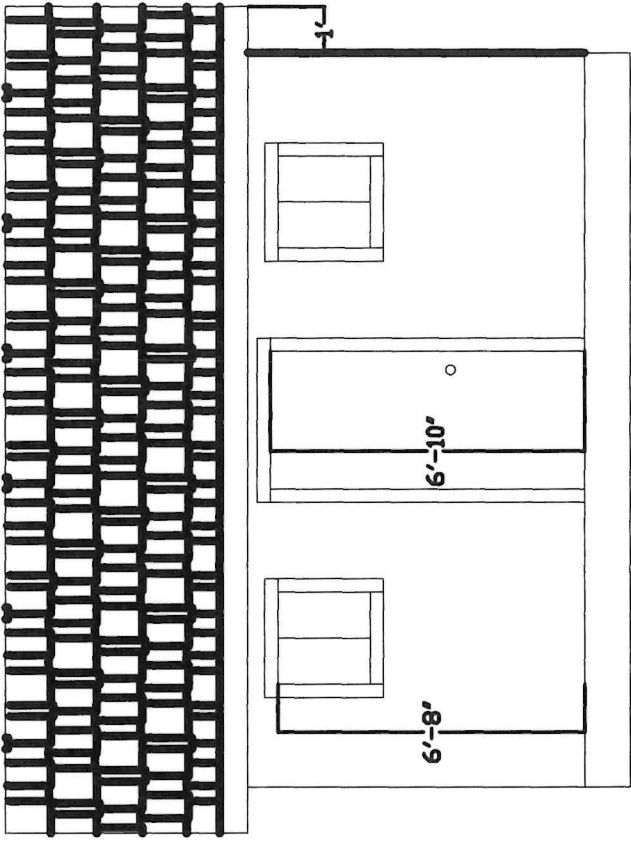
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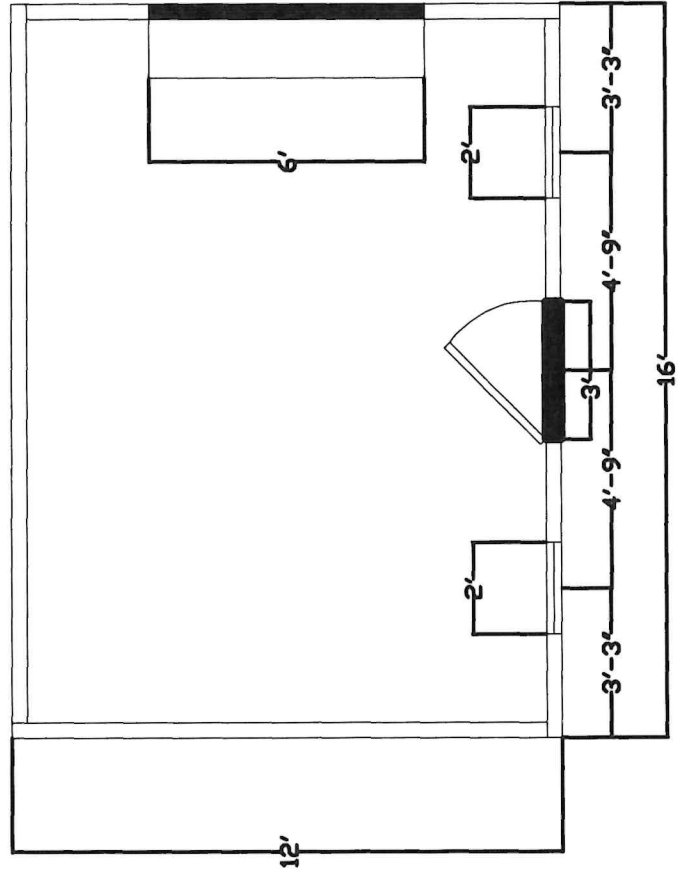
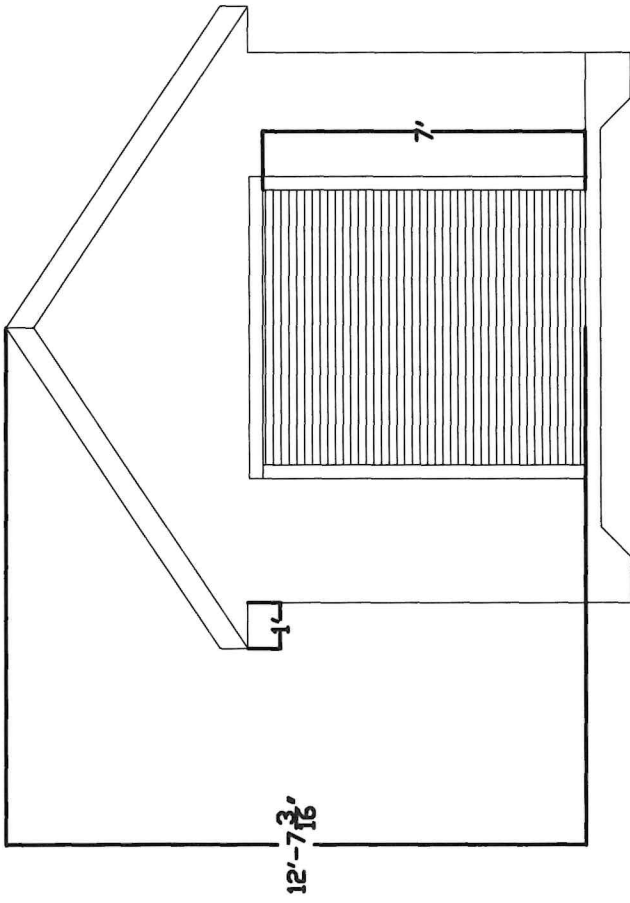
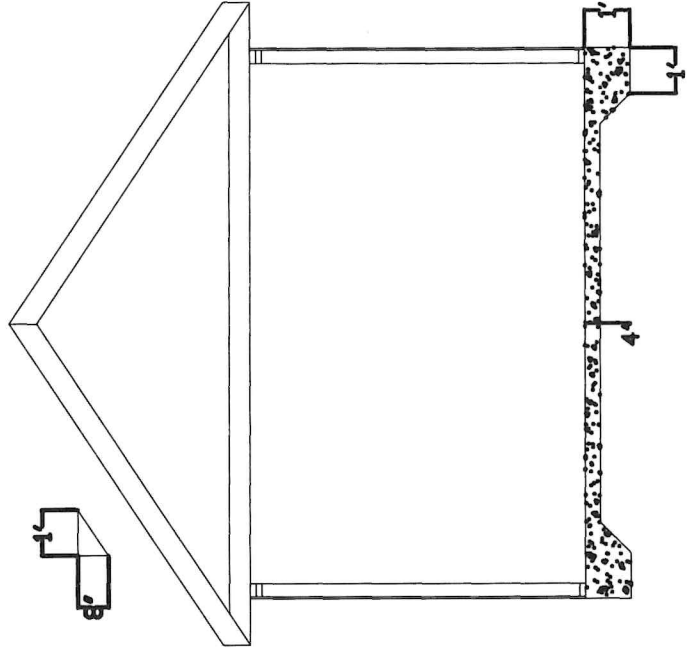
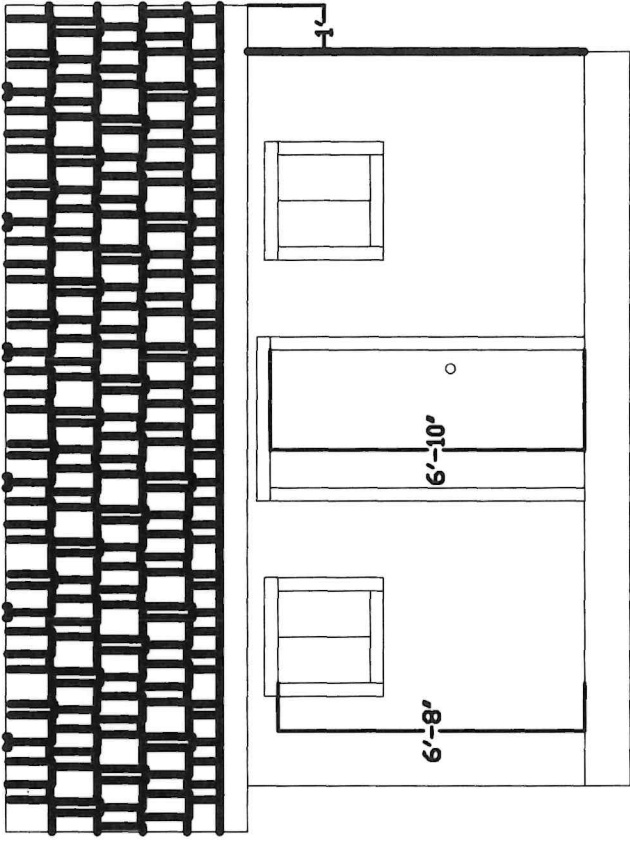
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width: 10%;">Payment</th> <th style="width: 80%;"></th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Building</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Electrical</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Plumbing</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>HVAC</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Fill</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Impervious Surface</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Dumpster</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>ROW/Excavation</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Conditional Use</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Occupancy</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Special Exception/Variance</td> </tr> <tr> <td></td> <td></td> <td><input type="checkbox"/></td> <td>ARC</td> </tr> </tbody> </table> </div>	Y	N	Payment		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Electrical	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Plumbing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	HVAC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fill	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Impervious Surface	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Dumpster	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ROW/Excavation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Conditional Use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Occupancy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Special Exception/Variance			<input type="checkbox"/>	ARC	<div style="margin-bottom: 10px;"> <input type="checkbox"/> Accessory Structures/Generators         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Additions/Remodel         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Commercial Signage         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Decks/Patios         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Fence         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Fire Pits         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Landscaping requiring Impervious Surface/Fill/Excavation Permit         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> New Construction         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Play Structures         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Recreational Facilities/Courts         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Roofs         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Solar Panels/Skylights         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Swimming Pools         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Windows/Doors – change exceeds 25% of opening         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Other         </div>
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## Application for Impervious Surface Permit

Owner's Name: MIKE RAUWERDINK  
Street Address: 9251 N. WAVERLY DRIVE  
Telephone Number: 414-759-5833

I hereby apply for a permit to install impervious surface\*

Amount of square footage to be added 192 Sq Ft

Type of impervious surface (ex. driveway, sidewalk, etc.) CONCRETE FOUNDATION

\* Anything over 50 sq. ft. requires a permit and detailed plans with measurement

Estimated Start Date: NOV 2022

Estimated Completion Date: NOV 2022

I understand that approval from the Village of Bayside is required prior to starting the project.

Owner Signature [Signature] Date 9/30/22

☒ Impervious Surface Calculation Completed

☒ Payment of \$100

☐ Permission granted to install impervious surface at the above address

Village Manager or Designee \_\_\_\_\_ Date \_\_\_\_\_

☐ Permission not granted.

☐ Reason \_\_\_\_\_

Village Manager or Designee \_\_\_\_\_ Date \_\_\_\_\_

## Impervious Surface Calculator

Total Square Footage of Property **22913**

Current Impervious Surface

Home 1321

Accessory Structure(s) 1203

Driveway 763

Deck/Patio 217

Other

**Total** 3504

Allowable Impervious Surface

Zone A - 25%

Zone B - 35%

Zone C - 40%

Proposed Additional Surface **192**

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**TOTAL** **3696**

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**Current + Proposed Percent of Impervious Surface** 16.13058089

Address Zone

9251 N Waverly Dr B

16-0007

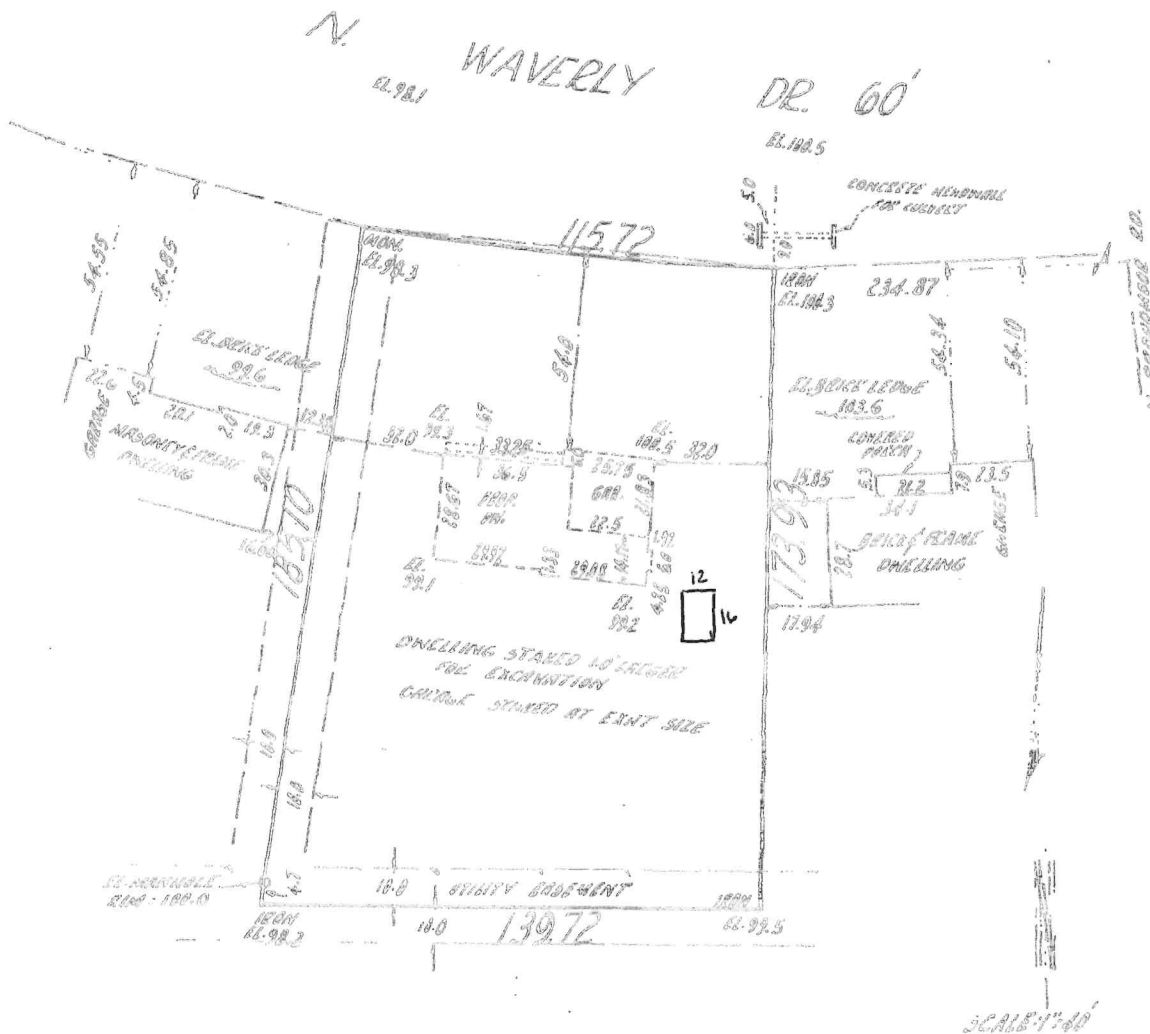
# Plat of Survey

Known as Waverly Drive, in the Village of Bayside, Wisconsin  
 Lot 7 in Block 1 in NORTH SHORE EAST, being a Subdivision of parts of the N W 1/4 of  
 Section 4 and of the N E 1/4 of Section 5, T 8 N, R 22 E, in the Village of Bayside,  
 Milwaukee County, Wisconsin  
 May 26, 1969 Survey No. 124661-S

APPROVED  
 VILLAGE OF BAYSIDE  
 BUILDING COMMITTEE  
 DATE JUN 2 1969

APPROVED  
 VILLAGE OF BAYSIDE  
 BUILDING COMMITTEE  
 DATE JUN 2 1969

NOTE:  
 ELEVATIONS AS SHOWN  
 ARE NOT TIED INTO VILLAGE DATUM



We certify that we have surveyed the above described property and that the above plat is an accurate survey and a true representation thereof and correctly shows the exterior boundary lines and location of buildings and other improvements on said property and the correct measurements thereof.

NATIONAL SURVEY SERVICE, INC.  
 CIVIL ENGINEERS AND SURVEYORS  
 2670 NORTH 12TH STREET  
 MILWAUKEE, WIS. 53207



Karl E. Berk  
 Surveyor  
 (Signature)





10/06/2022

Attention:  
Village of Bayside, WI  
Architecture Review Committee

PROJECT/SITE OWNER:	PROJECT SUMMARY:
Michelle Dlutak PROJECT ADDRESS: 9545 N Wakefield Dr	New four-foot pine partial open design garden fence 120 lineal feet

I have reviewed the proposed new fence for compliance with the Village's ordinances and have determined the following for consideration

1. Current fence ordinance does not allow fences to exceed 50% of the perimeter of the property. The perimeter of the property is approximately 871 feet.
2. The total linear footage of fencing is 120 feet.
3. This is 13.78% of the perimeter which is compliant with the ordinance
4. The height of the fence is 4 feet partial open design, which is compliant with the ordinance.
5. A current survey was provided.
6. The board always considers matching fences with neighboring fences.

**VILLAGE CODE REVIEW**

Supporting documentation or testimony must be provide at the meeting to verify code compliance with the above observations in **red**.

**Dave Hendrix**  
**SAFEbuilt**  
**Wisconsin Operations Manager**

# Project Proposal

Date 10/5/22

Property Address 9545 N Wakefield Ct, Bayside, WI 53217

Zoning District

Proposed Project Details (type of work, size, materials, location, etc.):

3' tall garden fence + gate (Pine)

Placed in the front yard to enclose a garden

Horizontal with partial open style

- ☐ ARC Agenda Date: 10/24/22
- ☐ Parcel Number: 0150055
- ☐ Color photographs showing project location, elevations, and surround views.
- ☐ Two (2) complete digital sets of building plans (including elevations and grading).
- ☐ Samples or brochures showing materials, colors, and designs.
- ☐ Survey or Milwaukee County Land Information Officer Aerial

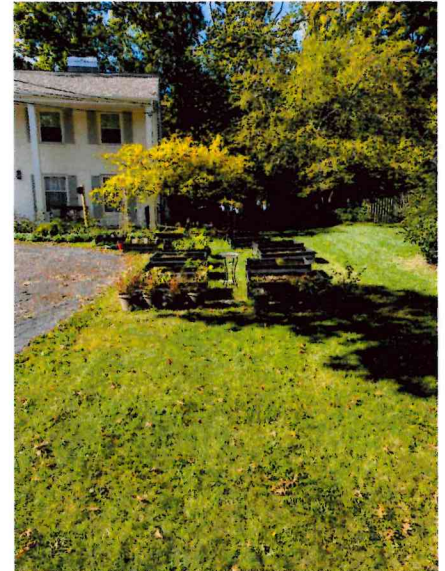
## PERMITS:

Y N Payment

- |                          |                          |                          |                            |
|--------------------------|--------------------------|--------------------------|----------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Building                   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Electrical                 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Plumbing                   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | HVAC                       |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Fill                       |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Impervious Surface         |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Dumpster                   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ROW/Excavation             |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Conditional Use            |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Occupancy                  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Special Exception/Variance |
|                          |                          | <input type="checkbox"/> | ARC                        |

- ☐ Accessory Structures/Generators
- ☐ Additions/Remodel
- ☐ Commercial Signage
- ☐ Decks/Patios
- ☒ Fence
- ☐ Fire Pits
- ☐ Landscaping requiring Impervious Surface/Fill/Excavation Permit
- ☐ New Construction
- ☐ Play Structures
- ☐ Recreational Facilities/Courts
- ☐ Roofs
- ☐ Solar Panels/Skylights
- ☐ Swimming Pools
- ☐ Windows/Doors – change exceeds 25% of opening
- ☐ Other





Images of surrounding area  
where fence will be installed at  
9545 Wakefield





Style of fence, however fence to be installed will be 3' (not 6' as is pictured)





REGISTERED LAND SURVEYORS  
MILTON H. SCHMIDT, Pres.  
CLARENCE H. PIEPENBURG, Vice-Pres.  
JAMES A. EIDE, Sec.-Treas.

## BADGER SURVEYING CO., INC.

PHONE 354-9080  
7257 N. 51st STREET  
MILWAUKEE, WIS. 53223

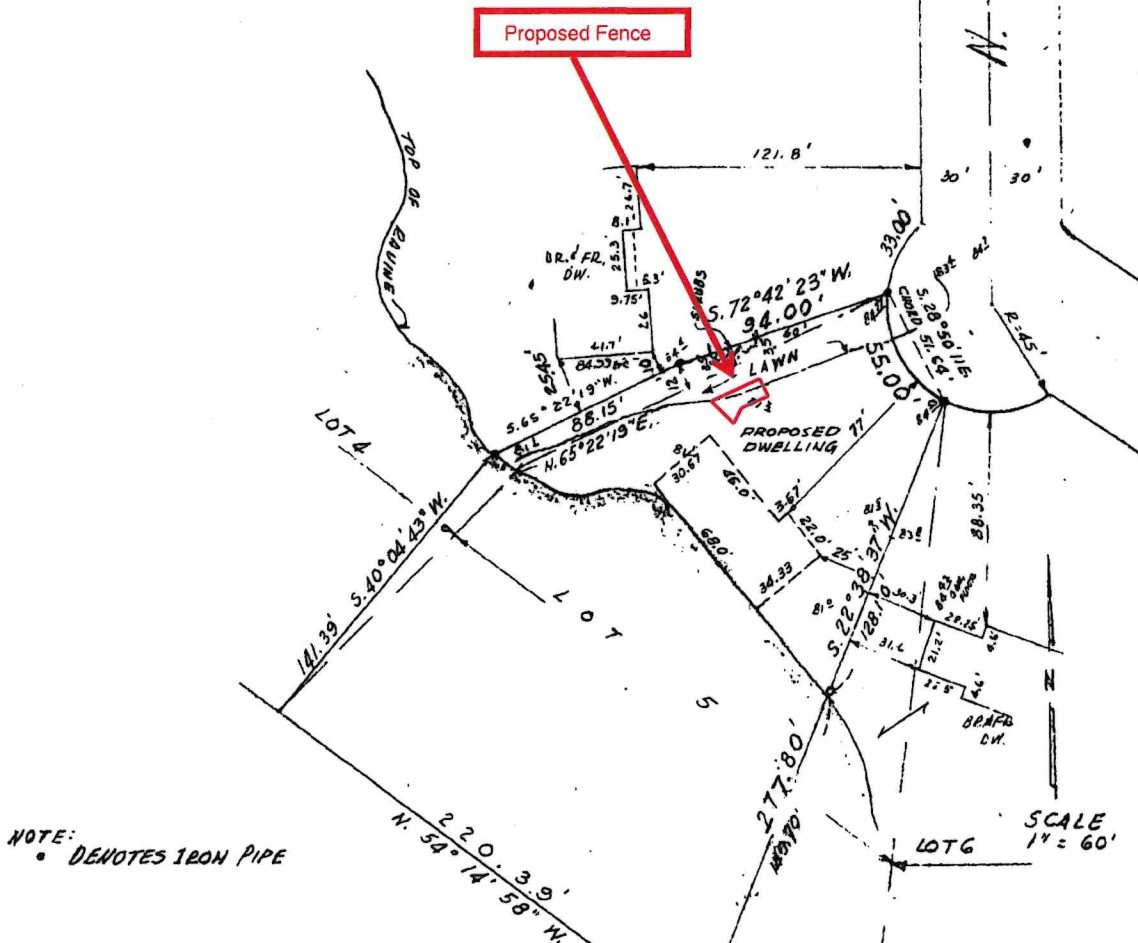
## PLAT OF SURVEY

E. COUNTY LINE RD.

## LEGAL DESCRIPTION:

Lot 5, Block 3, Orchard Highlands Addition No. 1, being a subdivision of part of the North East 1/4 of Section 5, Township 8 North, Range 22 East, in the Village of Bayside, Milwaukee County, Wisconsin, except the following described parcel: Commencing at the southeast corner of said Lot 5; thence N. 54° 14' 58" W. along the southwesterly line of said Lot 5, 85.61 feet to a point; thence N. 22° 38' 37" W. on a line 277.80 feet to the northeast corner of said Lot 5; thence S. 6° 58' 25" W. along the east line of said Lot 5, 308.69 feet to the point of commencement.

Also, that part of Lot 4, Block 3, of said Orchard Highlands Addition No. 1, which is bounded and described as follows: Commencing at the most northerly corner of said Lot 5, running thence S. 72° 18' 49" W. 94.00 feet to a point; thence S. 65° 22' 19" W. and parallel to the northerly line of Lot 5 aforesaid 88.15 feet to a point; thence southwesterly 141.20 feet to the southwesterly corner of Lot 5; thence N. 45° 56' 18" W. along the westerly line of Lot 5 aforesaid 145.49 feet to a point; thence N. 65° 22' 19" W. 172.01 feet to the point of commencement.



Prepared for \_\_\_\_\_

State of Wisconsin, } ss.  
County of Milwaukee }

Plat No. 65-108

I hereby certify that on the 10TH day of FEBRUARY 1965, I have accurately surveyed the above described property and that the above plat is a correct representation thereof and shows the exterior boundary lines and location of buildings and other improvements on said property and the correct measurements thereof.

Signed Clarence H. Piepenburg  
Registered Land Surveyor





10/02/2022

Attention:  
Village of Bayside, WI  
Architecture Review Committee

PROJECT/SITE OWNER: Earl & Gina Klein  PROJECT ADDRESS: 290 W Fairy Chasm	PROJECT SUMMARY: New deck around pool
---	--

I have reviewed the proposed deck, for compliance with the Village's ordinances and have determined the following for consideration

There are no issues with this application.

This review is for ARC only and not for permitting

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.*

#### **VILLAGE CODE REVIEW**

This review does not constitute a building plan review. The plan review for proper code compliance will be done at time of building permit application.

**Supporting documentation or testimony must be provide at the meeting to verify code compliance with the above observations in red.**

**Dave Hendrix**  
**SAFEbuilt**  
**Wisconsin Operations Manager**

## Project Proposal

Date 9/28/2022

Property Address 290 W Fairy Chasm Rd,

Zoning District \_\_\_\_\_

Proposed Project Details (type of work, size, materials, location, etc.):

Deck, by pool/above ground. Coastline decking, black composite  
gate with locks, Railing Tuscan black 2x2 black post.  
Kits, Diamond Pier Footings \$15,914.00

<div style="margin-bottom: 10px;"> <input type="checkbox"/> ARC Agenda Date:  <input type="checkbox"/> Parcel Number:  <input type="checkbox"/> Color photographs showing project location, elevations, and surround views.  <input type="checkbox"/> Two (2) complete digital sets of building plans (including elevations and grading).  <input type="checkbox"/> Samples or brochures showing materials, colors, and designs.  <input type="checkbox"/> Survey or Milwaukee County Land Information Officer Aerial         </div> <div> <p>PERMITS:</p> <table style="width: 100%; border: none;"> <tr> <th style="text-align: left; width: 10%;">Y</th> <th style="text-align: left; width: 10%;">N</th> <th style="text-align: left; width: 10%;">Payment</th> <th style="width: 80%;"></th> </tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Building</td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Electrical</td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Plumbing</td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>HVAC</td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Fill</td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Impervious Surface</td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Dumpster</td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>ROW/Excavation</td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Conditional Use</td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Occupancy</td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Special Exception/Variance</td></tr> <tr><td></td><td></td><td><input type="checkbox"/></td><td>ARC</td></tr> </table> </div>	Y	N	Payment		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Electrical	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Plumbing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	HVAC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fill	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Impervious Surface	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Dumpster	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ROW/Excavation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Conditional Use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Occupancy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Special Exception/Variance			<input type="checkbox"/>	ARC	<div> <input type="checkbox"/> Accessory Structures/Generators  <input type="checkbox"/> Additions/Remodel  <input type="checkbox"/> Commercial Signage  <input checked="" type="checkbox"/> Decks/Patios  <input type="checkbox"/> Fence  <input type="checkbox"/> Fire Pits  <input type="checkbox"/> Landscaping requiring Impervious Surface/Fill/Excavation Permit  <input type="checkbox"/> New Construction  <input type="checkbox"/> Play Structures  <input type="checkbox"/> Recreational Facilities/Courts  <input type="checkbox"/> Roofs  <input type="checkbox"/> Solar Panels/Skylights  <input type="checkbox"/> Swimming Pools  <input type="checkbox"/> Windows/Doors – change exceeds 25% of opening  <input type="checkbox"/> Other         </div>
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		<input type="checkbox"/>	ARC																																																		

# ZUERN

BUILDING PRODUCTS & DESIGN CENTER

Allenton • Cedarburg • Franklin • Watertown  
info@zuerns.com • 800-924-5551

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

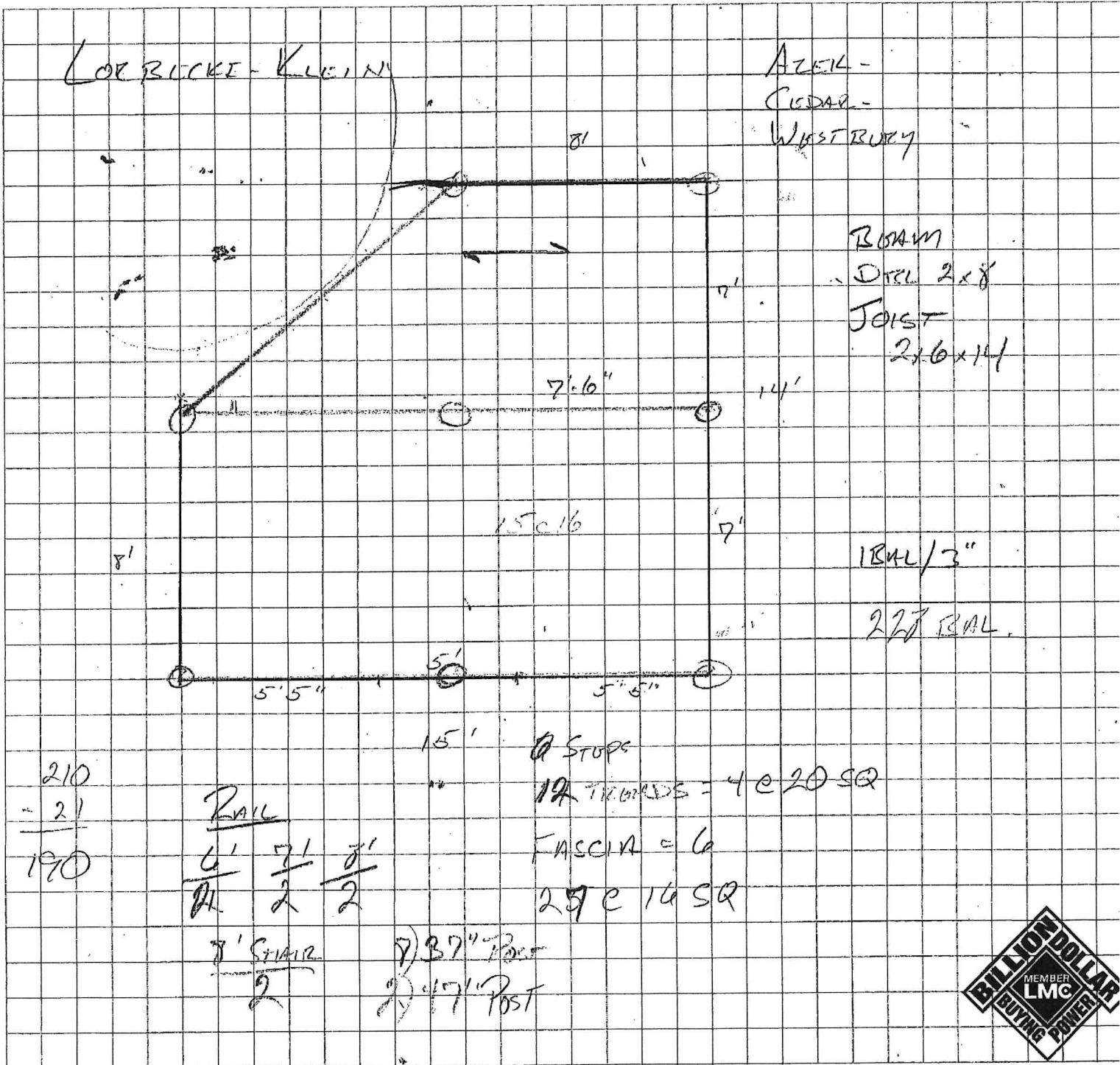
Project Name: \_\_\_\_\_

Project Location: \_\_\_\_\_

Salesperson: \_\_\_\_\_

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

www.zuerns.com

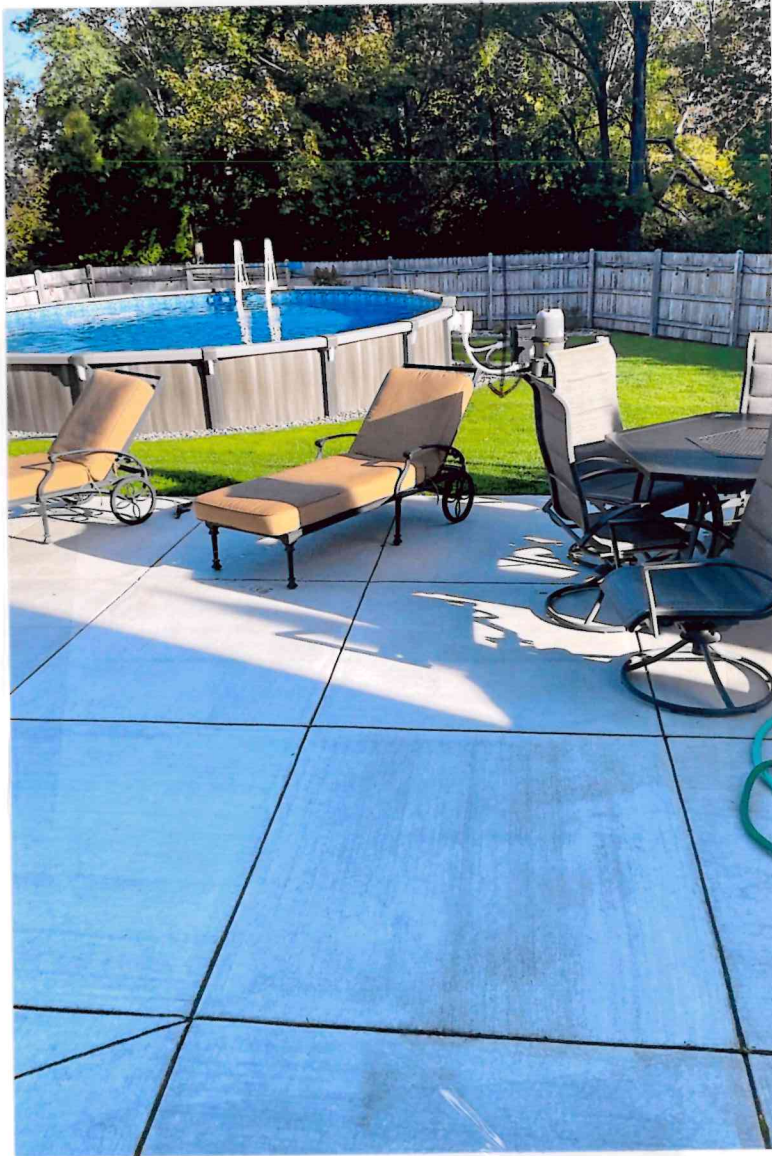






290 W. Fairy Chasm Rd.

Deck will be placed/started  
right in front of the  
pump



# Plat of Survey

16-0162

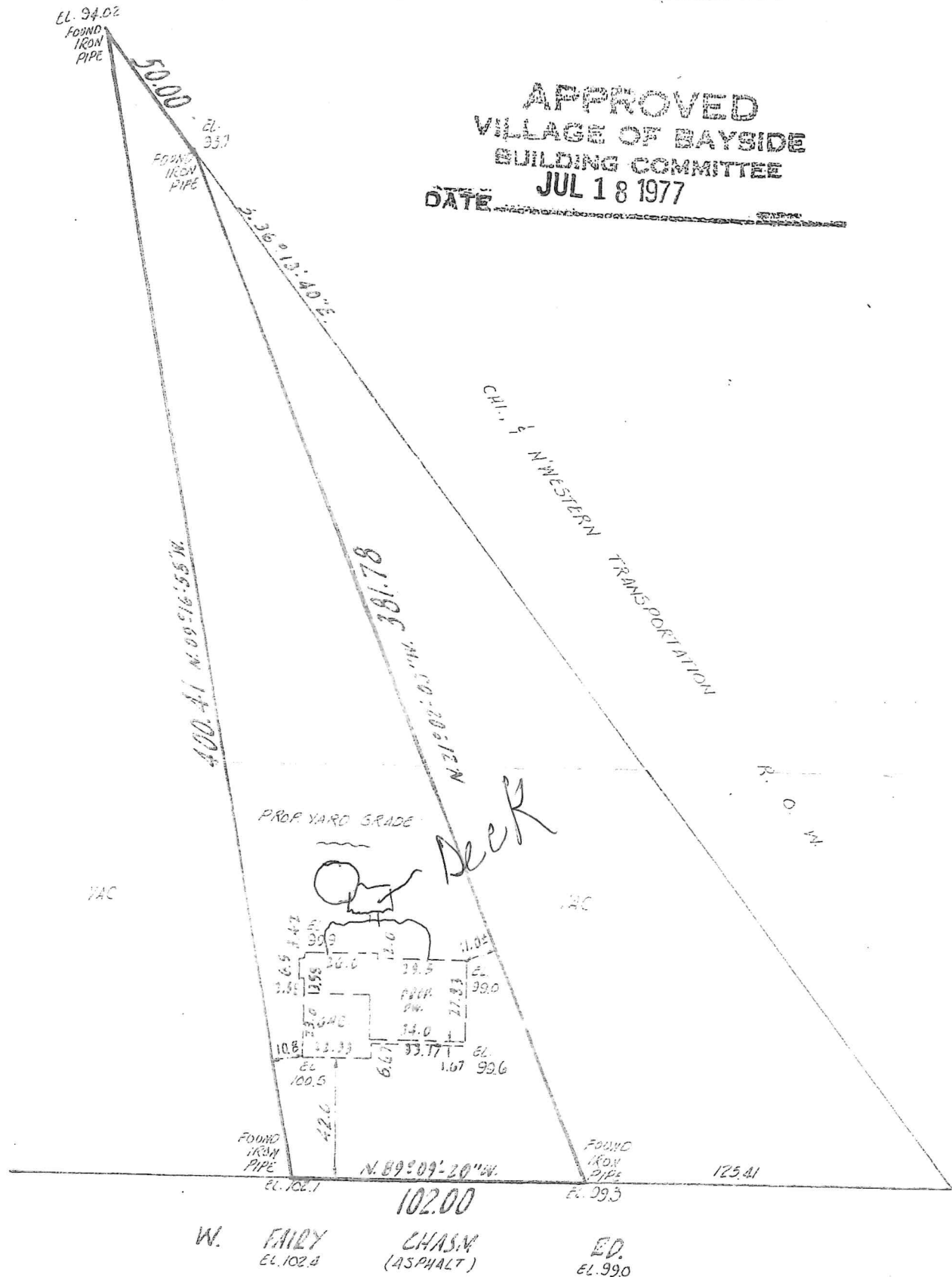
Known as West Fairy Chasm Road, in the Village of Bayside, Wisconsin  
 Lot 2 in Block 5 in NORTH SHORE EAST ADDITION NO. 1, being a Subdivision of a part of the  
 NE 1/4 of Section 5, T 3 N, R 22 E, in the Village of Bayside, Milwaukee County, Wisconsin

JUNE 29, 1977

MAY AND STU HIRSCHBEIN-OWNER  
 (REVISED 3/40 G. DIMS.)

SURVEY NO. 141027-S  
 REVISION NO. 1

APPROVED  
 VILLAGE OF BAYSIDE  
 BUILDING COMMITTEE  
 JUL 18 1977  
 DATE



I Certify, that I have surveyed the above described property (Property), and the above map is a true repre-

09/29/2022

Attention:  
Village of Bayside, WI  
Architecture Review Committee

PROJECT/SITE OWNER:	PROJECT SUMMARY:
Michael & Carrie Burton PROJECT ADDRESS: <del>824 E Hermitage</del> 9195 N Thrush Ln	New four-foot black aluminum open design fence 309 lineal feet

I have reviewed the proposed new fence for compliance with the Village's ordinances and have determined the following for consideration

1. Current fence ordinance 104-125 (C) does not allow fences to exceed 50% of the perimeter of the property. The perimeter of the property is approximately 779 feet.
2. The total linear footage of fencing is 309 feet.
3. This is 40% of the perimeter which is compliant with the ordinance
4. The height of the fence is 4 feet open design, which is compliant with the ordinance.
5. A current survey was provided.
6. Pictures of their neighboring fences was not included.
7. The board always considers matching fences with neighboring fences.

#### VILLAGE CODE REVIEW

Supporting documentation or testimony must be provide at the meeting to verify code compliance with the above observations in red.

Dave Hendrix  
SAFEbuilt  
Wisconsin Operations Manager



# Project Proposal

Date 9/23/22

Property Address 9255 ~~10255~~ N. THRUSH LANE, BAYSIDE, WI, 53217

Zoning District RESIDENCE

Proposed Project Details (type of work, size, materials, location, etc.):

Installation of Aluminum fence approx. 309 linear ft. to keep dogs  
in back yard 4 ft. tall and 6 ft. wide sections

<p><input type="checkbox"/> ARC Agenda Date:</p> <p><input type="checkbox"/> Parcel Number:</p> <p><input type="checkbox"/> Color photographs showing project location, elevations, and surround views.</p> <p><input type="checkbox"/> Two (2) complete digital sets of building plans (including elevations and grading).</p> <p><input type="checkbox"/> Samples or brochures showing materials, colors, and designs.</p> <p><input type="checkbox"/> Survey or Milwaukee County Land Information Officer Aerial</p> <p>PERMITS:</p> <p>Y   N   Payment</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Building</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Electrical</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Plumbing</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> HVAC</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Fill</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Impervious Surface</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Dumpster</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> ROW/Excavation</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Occupancy</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Special Exception/Variance</p> <p><input type="checkbox"/> ARC</p>	<p><input type="checkbox"/> Accessory Structures/Generators</p> <p><input type="checkbox"/> Additions/Remodel</p> <p><input type="checkbox"/> Commercial Signage</p> <p><input type="checkbox"/> Decks/Patios</p> <p><input checked="" type="checkbox"/> Fence</p> <p><input type="checkbox"/> Fire Pits</p> <p><input type="checkbox"/> Landscaping requiring Impervious Surface/Fill/Excavation Permit</p> <p><input type="checkbox"/> New Construction</p> <p><input type="checkbox"/> Play Structures</p> <p><input type="checkbox"/> Recreational Facilities/Courts</p> <p><input type="checkbox"/> Roofs</p> <p><input type="checkbox"/> Solar Panels/Skylights</p> <p><input type="checkbox"/> Swimming Pools</p> <p><input type="checkbox"/> Windows/Doors – change exceeds 25% of opening</p> <p><input type="checkbox"/> Other</p>
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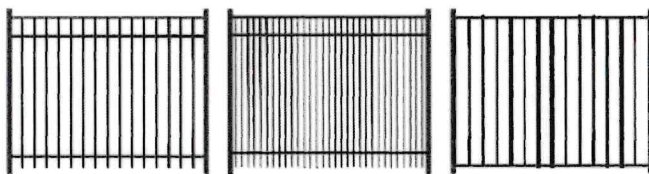
# BRADFORD



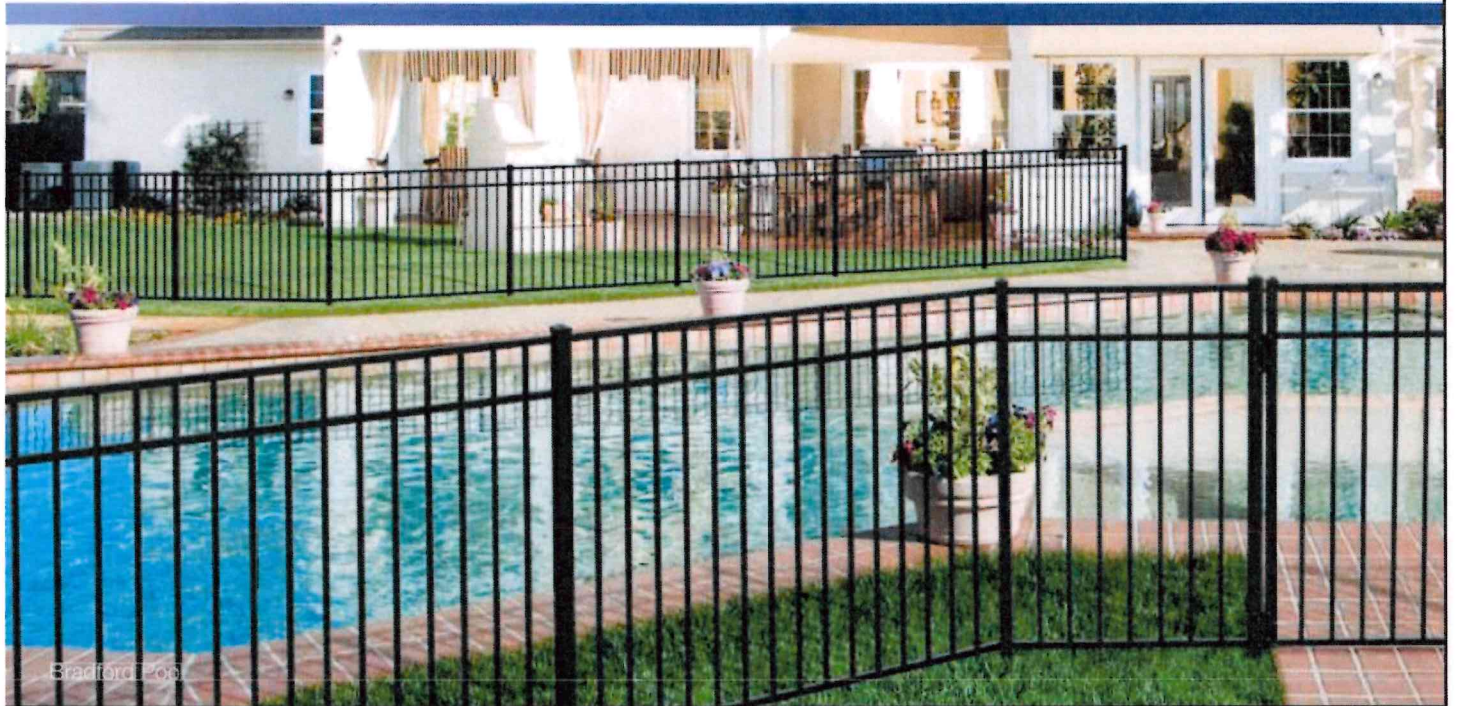
When you're searching for a great value in an elegant fence, that also provides safety, security and containment, our flat top panels provide you just that. Their lasting beauty and easy installation make it a great option for any budget.

## STYLES

**Flat top panels** are contemporary, uniform, and complements any home or establishment.







Bradford Pool



Bradford Pool



Bradford

48 - PANELS

1 - END POSTS

6 - HD GATE POSTS

42 - RAIL POSTS

3 - CORNER POSTS

2 - DOUBLE GATE DOORS

1 - SINGLE GATE DOOR

BURTON'S

FENCE

4000 PSI \$58.46

156 - BAGS OF CONCRETE 100'

HD GATE POST

DOUBLE DOOR INDV. 5'  
GATE 10'

HD GATE POST

DOUBLE DOOR INDV. 5'  
GATE 10'

HD GATE POST

HD GATE POST

5' GATE DOOR

HD GATE POST

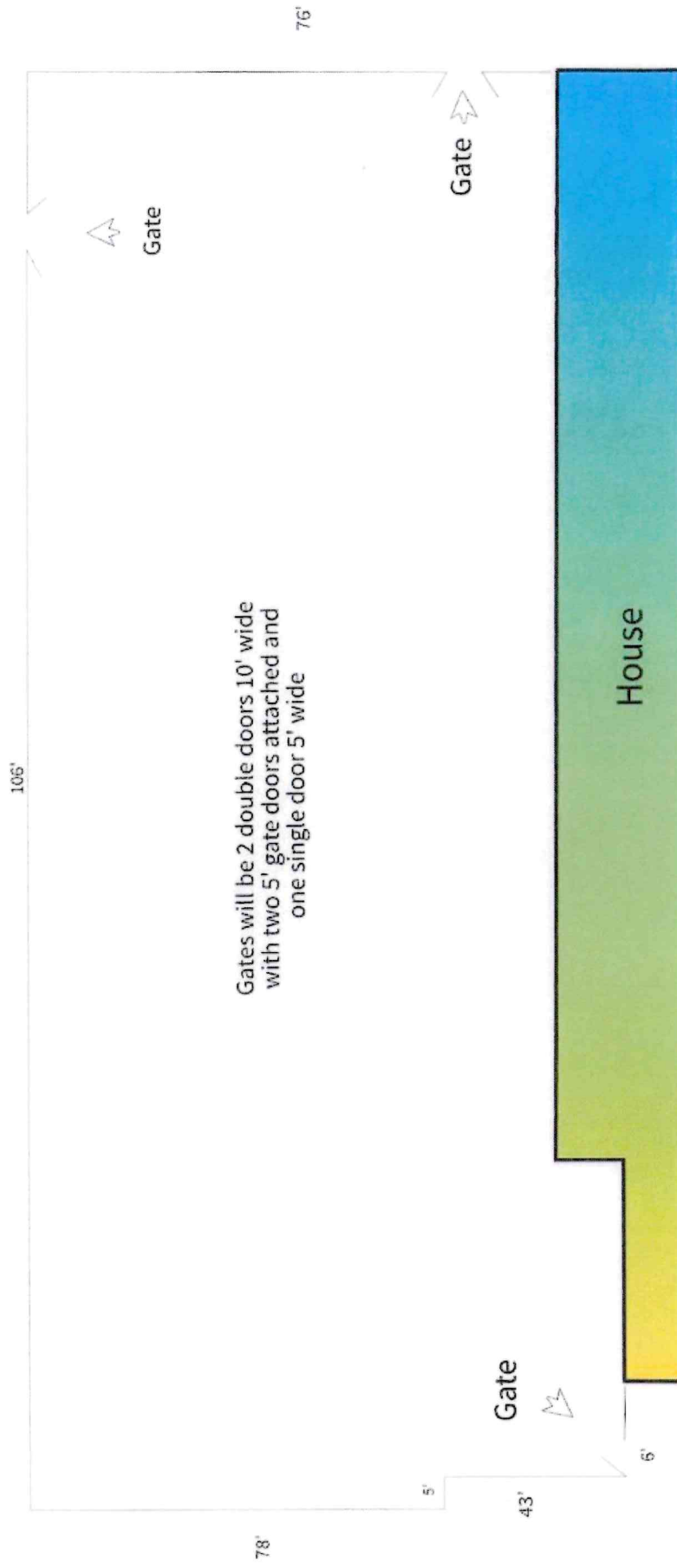
PATH

HOUSE

SHED

CORNER POST





10/13/2022

Attention:  
Village of Bayside, WI  
Architecture Review Committee

PROJECT/SITE OWNER: Colin White  PROJECT ADDRESS: 1400 E Bay Point Rd	PROJECT SUMMARY: New landscape walls with lamp posts
---	---

I have reviewed the proposed landscape walls with lamp posts, for compliance with the Village's ordinances and have determined the following for consideration

Building Inspection has no issues with this application.

Please reference the Board of Zoning Appeals and Board of Trustees action.

This review is for ARC only and not for permitting

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.*

## **VILLAGE CODE REVIEW**

This review does not constitute a building plan review. The plan review for proper code compliance will be done at time of building permit application.

**Supporting documentation or testimony must be provide at the meeting to verify code compliance with the above observations in red.**

**Dave Hendrix**  
**SAFEbuilt**  
**Wisconsin Operations Manager**

# Project Proposal

Date 9/20/2022

Property Address 1400 E. Baypoint Road

Zoning District \_\_\_\_\_

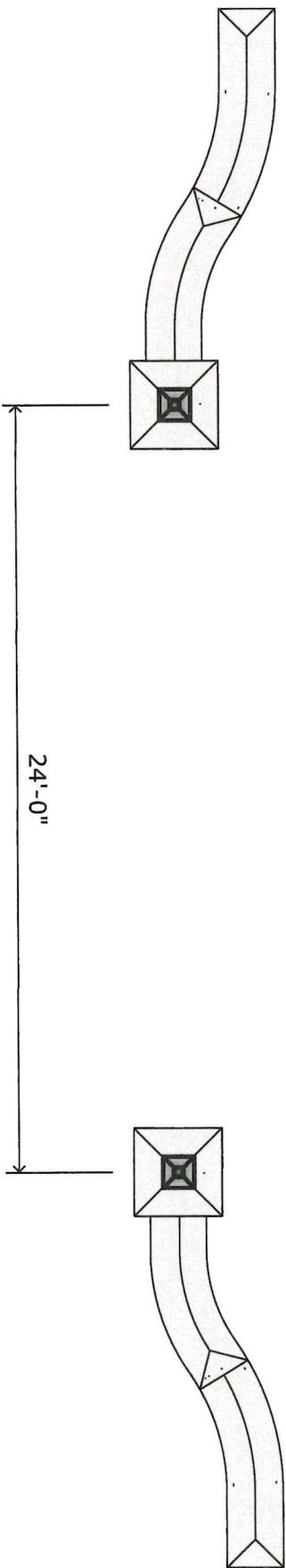
Proposed Project Details (type of work, size, materials, location, etc.):

The project will involve the construction of a pair of lampposts and attached landscape walls which will flank the driveway where it enters the property. The walls and lampposts will be made of granite and limestone per the attached plans

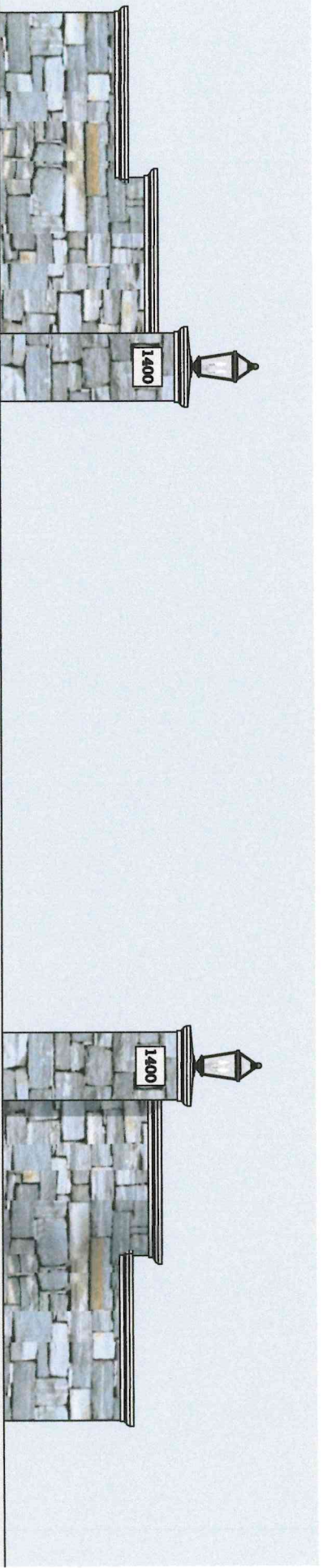
<input type="checkbox"/> ARC Agenda Date: <input type="checkbox"/> Parcel Number: <input type="checkbox"/> Color photographs showing project location, elevations, and surround views. <input type="checkbox"/> Two (2) complete digital sets of building plans (including elevations and grading). <input type="checkbox"/> Samples or brochures showing materials, colors, and designs. <input type="checkbox"/> Survey or Milwaukee County Land Information Officer Aerial	<input type="checkbox"/> Accessory Structures/Generators <input type="checkbox"/> Additions/Remodel <input type="checkbox"/> Commercial Signage <input type="checkbox"/> Decks/Patios <input type="checkbox"/> Fence <input type="checkbox"/> Fire Pits <input type="checkbox"/> Landscaping requiring Impervious Surface/Fill/Excavation Permit <input type="checkbox"/> New Construction <input type="checkbox"/> Play Structures <input type="checkbox"/> Recreational Facilities/Courts <input type="checkbox"/> Roofs <input type="checkbox"/> Solar Panels/Skylights <input type="checkbox"/> Swimming Pools <input type="checkbox"/> Windows/Doors – change exceeds 25% of opening <input type="checkbox"/> Other
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PERMITS:			
Y	N	Payment	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Electrical
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Plumbing
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	HVAC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fill
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Impervious Surface
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Dumpster
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ROW/Excavation
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Conditional Use
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Occupancy
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Special Exception/Variance
		<input type="checkbox"/>	ARC



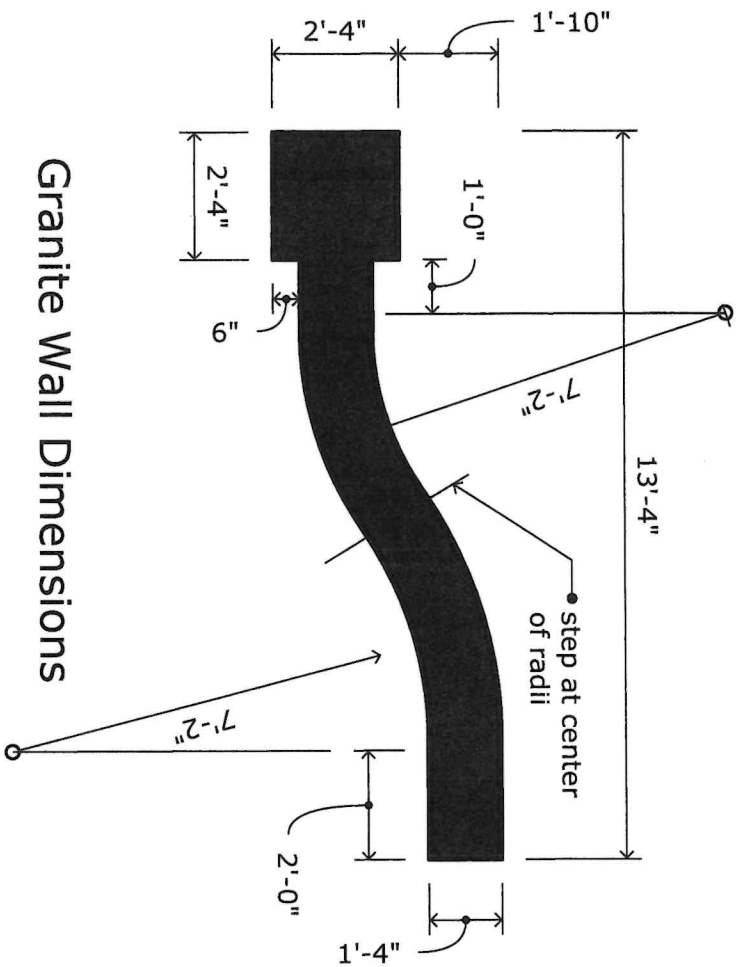
Plan



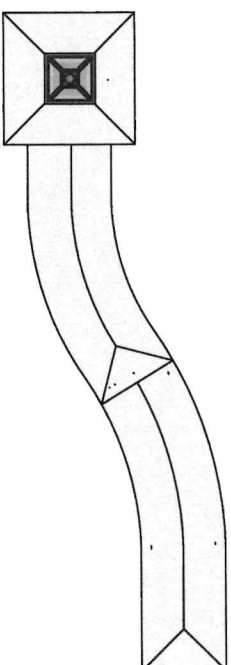
South Elevation

1400 BAY POINT LAMP POSTS AND WALLS  
EXHIBIT B1

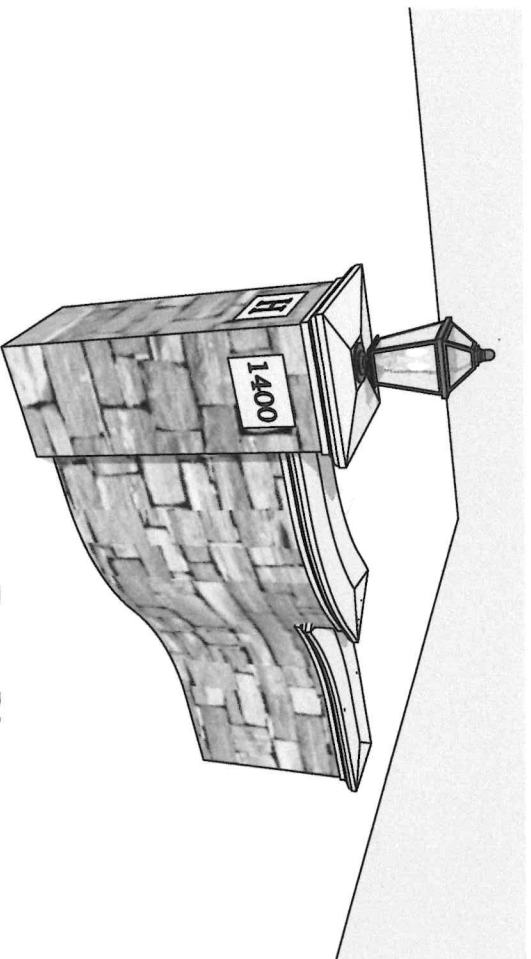




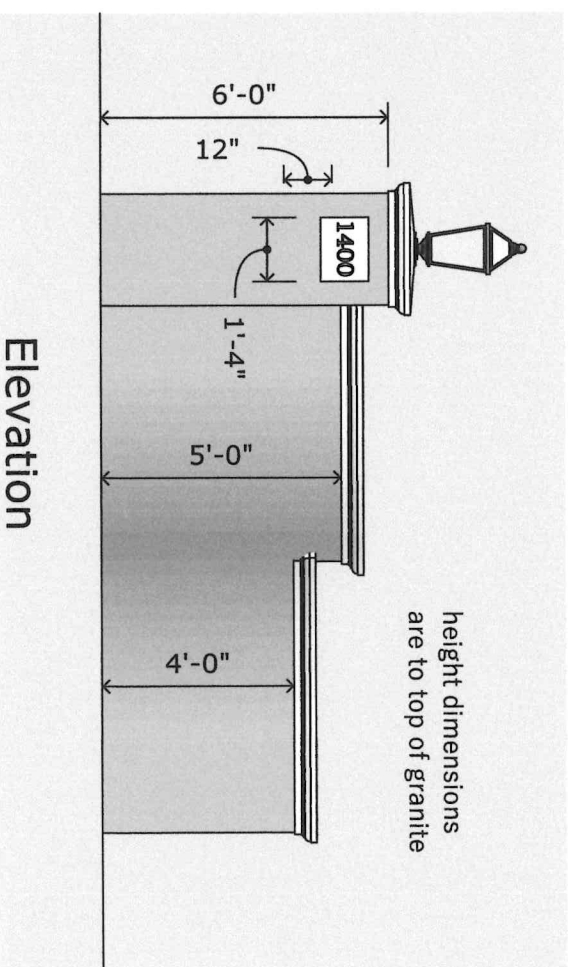
Granite Wall Dimensions



Limestone Cap

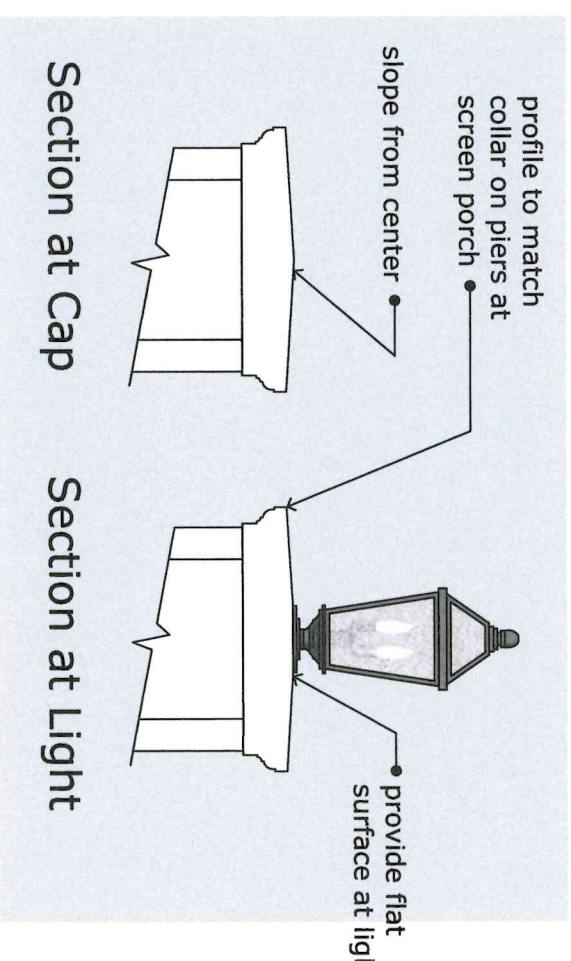
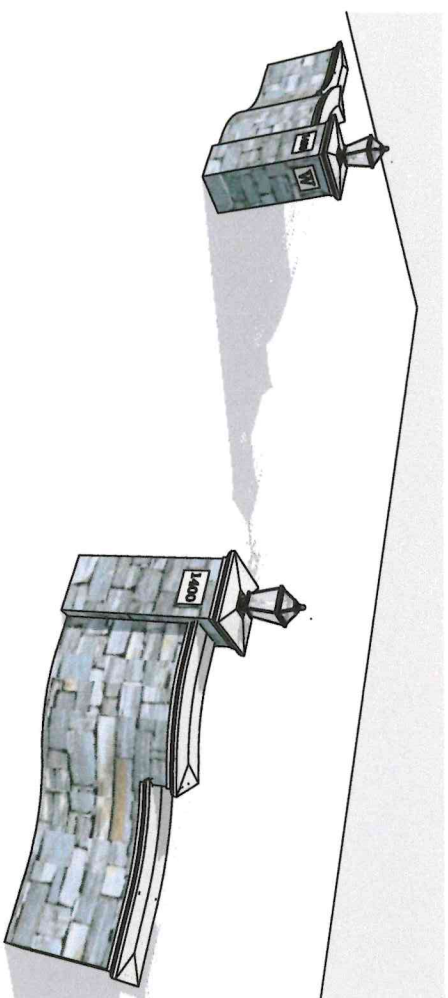
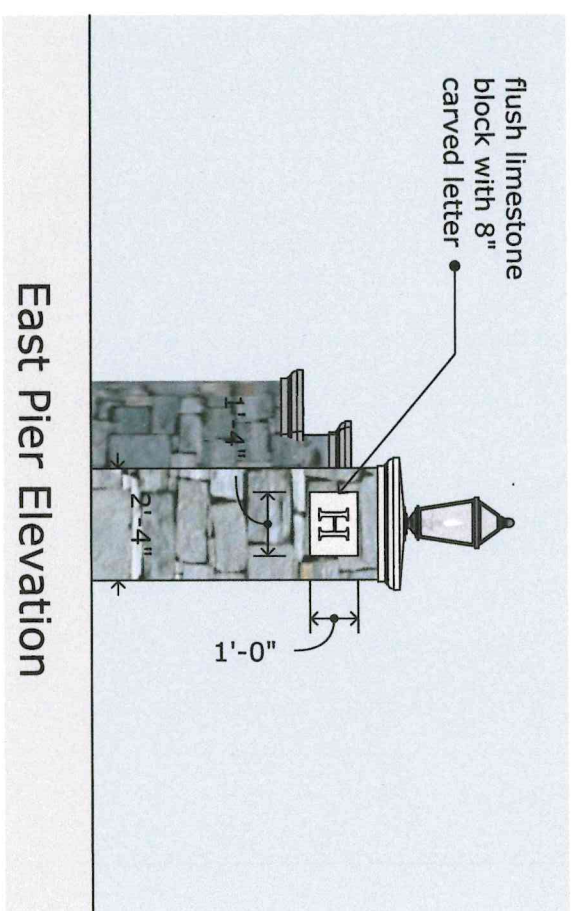
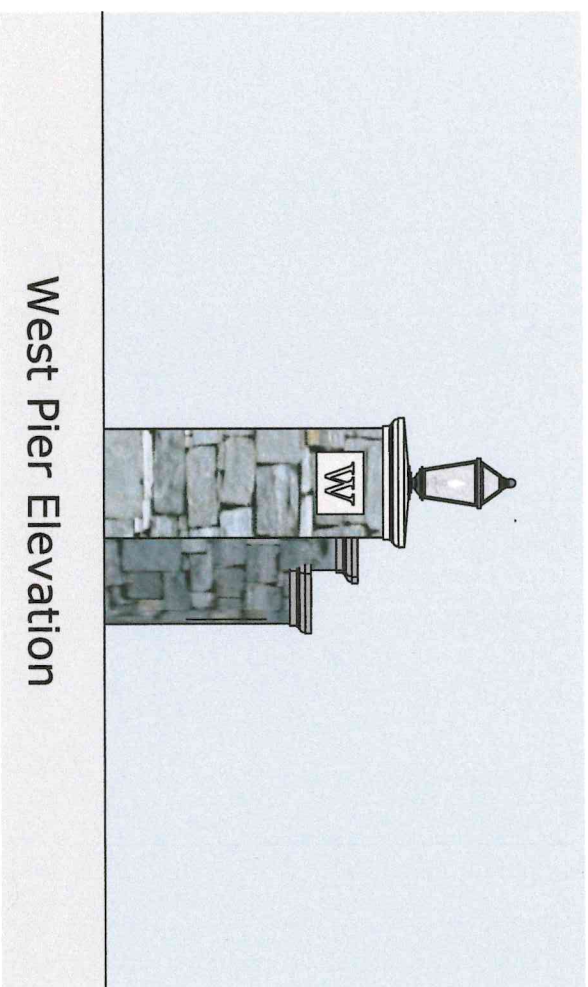


East Pier

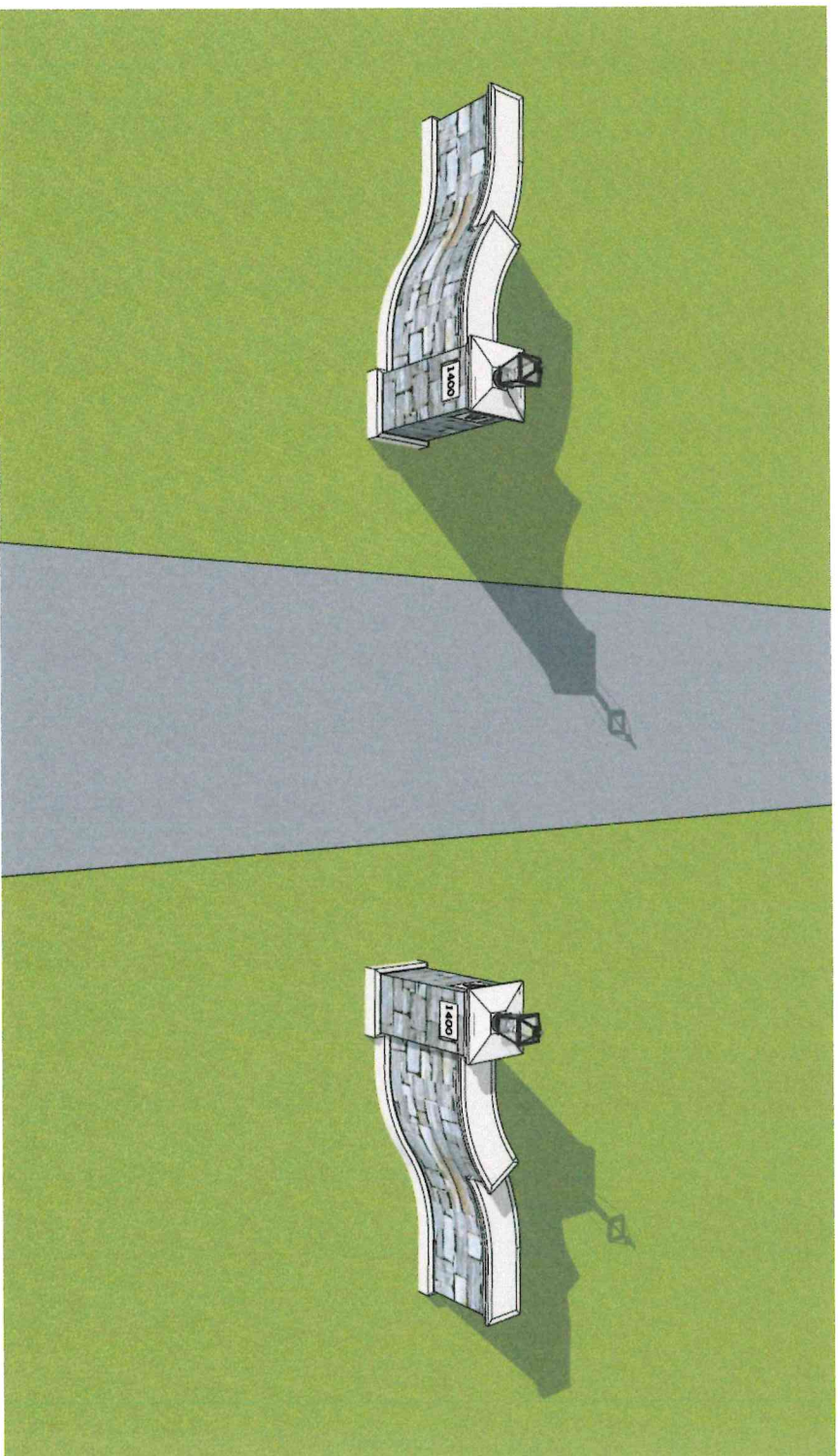


Elevation

# 1400 BAY POINT LAMP POSTS AND WALLS EXHIBIT B1



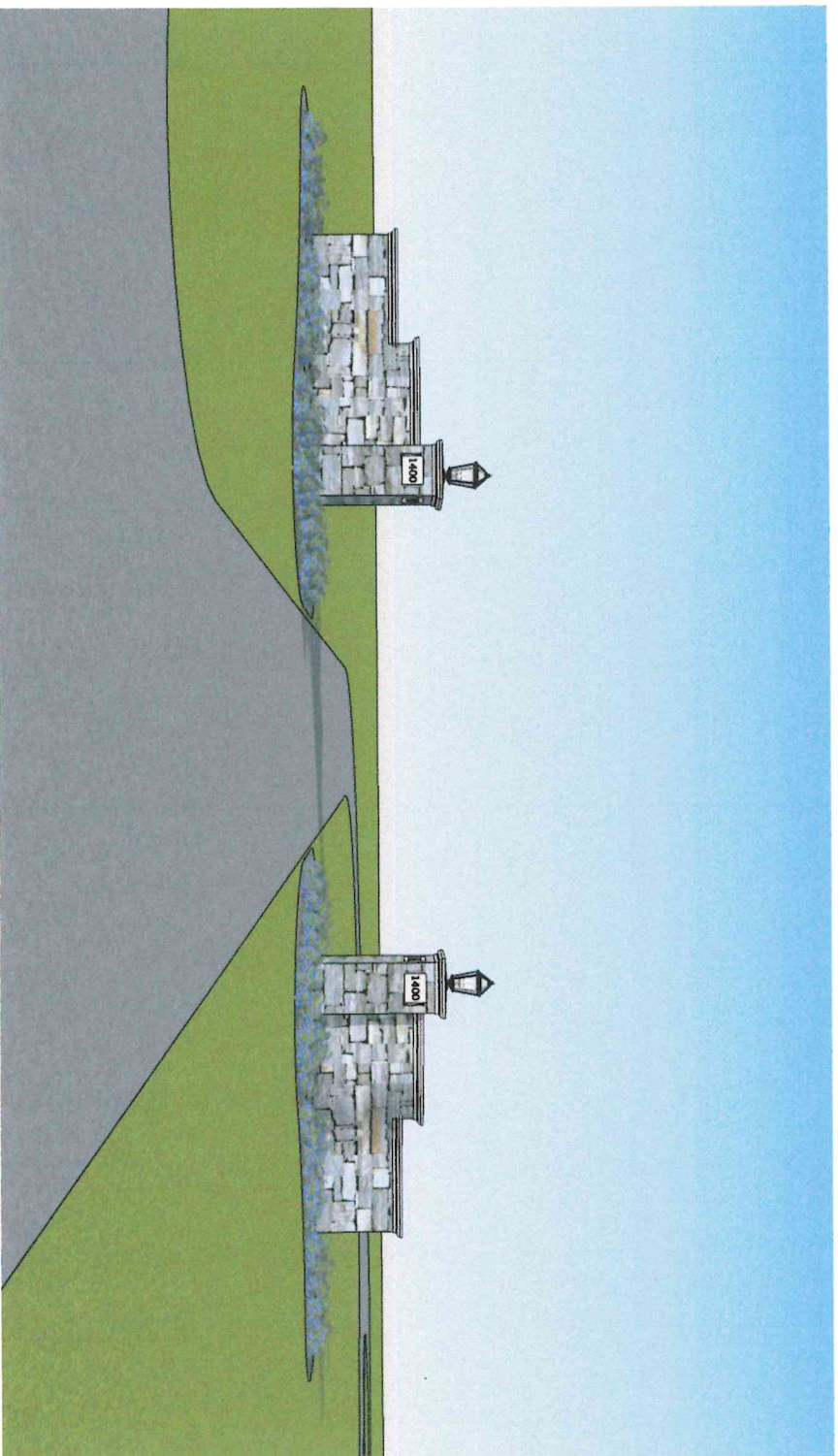
# 1400 BAY POINT LAMP POSTS AND WALLS EXHIBIT B1



Close-up Aerial View From South

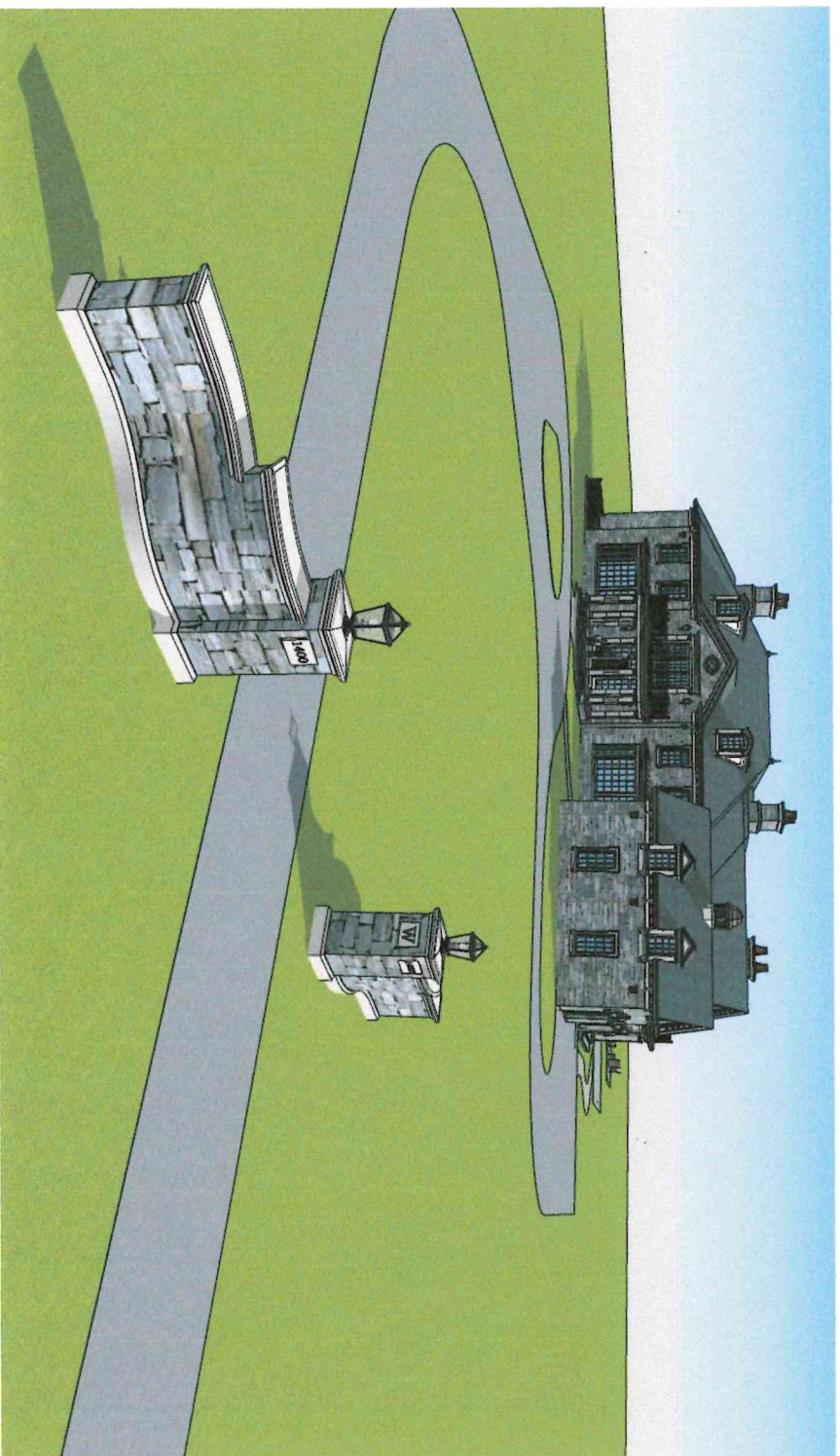
# 1400 E BAY POINT LAMP POSTS AND WALLS EXHIBIT B2





Close-up Eye-Level View From South

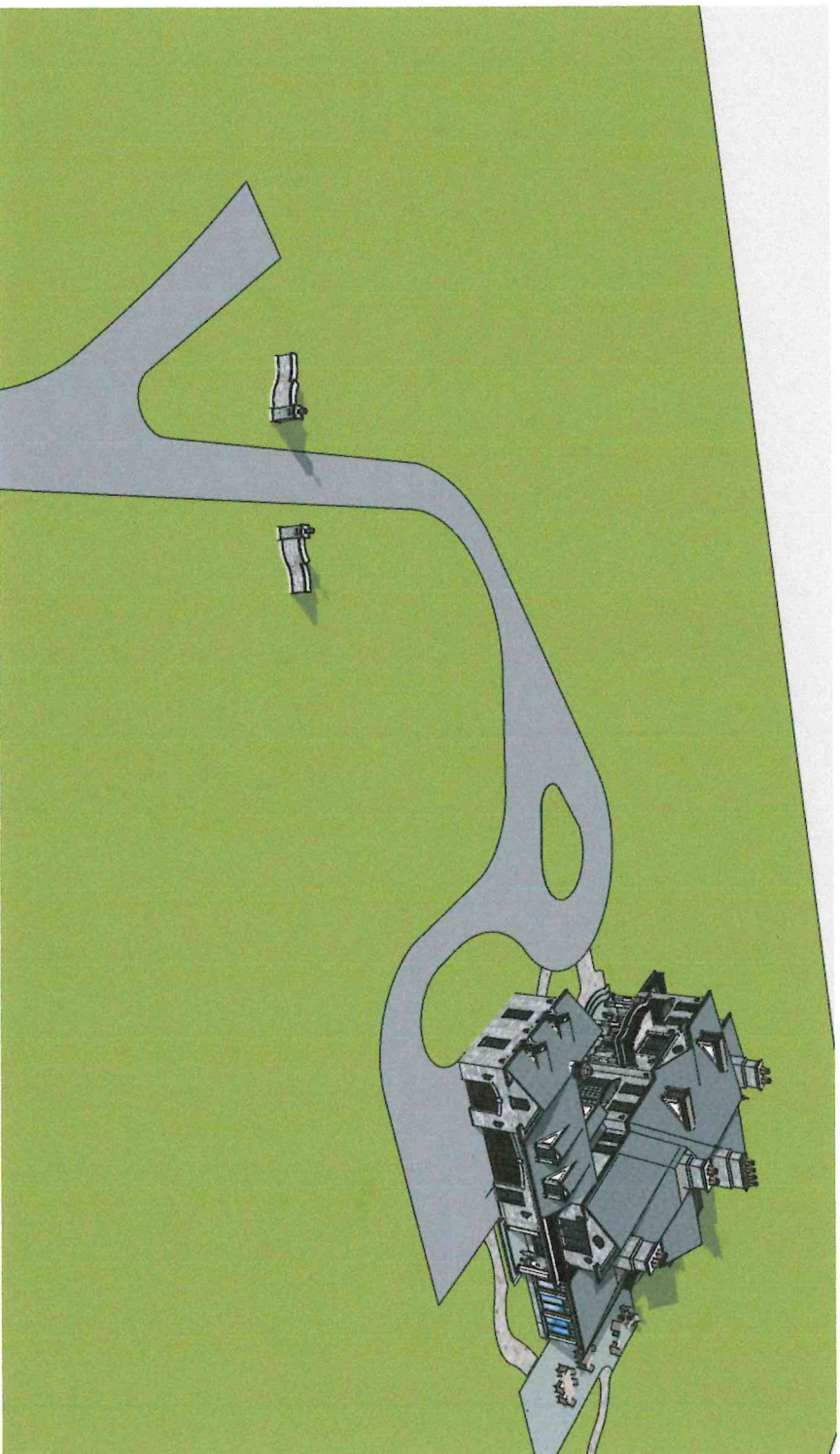
# 1400 E BAY POINT LAMP POSTS AND WALLS EXHIBIT B2



Wide-Angle View From Southwest

# 1400 E BAY POINT LAMP POSTS AND WALLS EXHIBIT B2





Wide-Angle Aerial View From South

# 1400 E BAY POINT LAMP POSTS AND WALLS EXHIBIT B2



10/13/2022

Attention:  
Village of Bayside, WI  
Architecture Review Committee

PROJECT/SITE OWNER:	PROJECT SUMMARY:
Idene Hadjizamani PROJECT ADDRESS: 8936 N Port Washington Rd	New four-foot wood picket open design fence 200 lineal feet

I have reviewed the proposed new fence for compliance with the Village's ordinances and have determined the following for consideration

1. Current fence ordinance does not allow fences to exceed 50% of the perimeter of the property. The perimeter of the property is approximately 466 feet.
2. The total linear footage of fencing is 200 feet.
3. This is 42.9% of the perimeter which is compliant with the ordinance
4. The height of the fence is 4 feet open design, which is compliant with the ordinance.
5. A current survey was provided.
6. The board always considers matching fences with neighboring fences.

#### VILLAGE CODE REVIEW

Supporting documentation or testimony must be provide at the meeting to verify code compliance with the above observations in red.

Dave Hendrix  
SAFEbuilt  
Wisconsin Operations Manager

## Project Proposal

Date 10/10/22

Property Address 8936 N Port Washington Rd

Zoning District "C" District

Proposed Project Details (type of work, size, materials, location, etc.):

wood picket fence - treated cedar ~220 ft

<input type="checkbox"/> ARC Agenda Date: <u>10/24</u>	<input type="checkbox"/> Accessory Structures/Generators
<input type="checkbox"/> Parcel Number:	<input type="checkbox"/> Additions/Remodel
<input type="checkbox"/> Color photographs showing project location, elevations, and surround views.	<input type="checkbox"/> Commercial Signage
<input type="checkbox"/> Two (2) complete digital sets of building plans (including elevations and grading).	<input type="checkbox"/> Decks/Patios
<input checked="" type="checkbox"/> Samples or brochures showing materials, colors, and designs.	<input checked="" type="checkbox"/> Fence
<input checked="" type="checkbox"/> Survey or Milwaukee County Land Information Officer Aerial	<input type="checkbox"/> Fire Pits
	<input type="checkbox"/> Landscaping requiring Impervious Surface/Fill/Excavation Permit
	<input type="checkbox"/> New Construction
	<input type="checkbox"/> Play Structures
	<input type="checkbox"/> Recreational Facilities/Courts
	<input type="checkbox"/> Roofs
	<input type="checkbox"/> Solar Panels/Skylights
	<input type="checkbox"/> Swimming Pools
	<input type="checkbox"/> Windows/Doors - change exceeds 25% of opening
	<input type="checkbox"/> Other

PERMITS:			
Y	N	Payment	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Plumbing
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	HVAC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fill
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Impervious Surface
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Dumpster
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ROW/Excavation
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Conditional Use
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Occupancy
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Special Exception/Variance
		<input type="checkbox"/>	ARC

PLAT OF SURVEY

# BADGER SURVEYING CO., INC.

7970 NORTH 47TH ST.

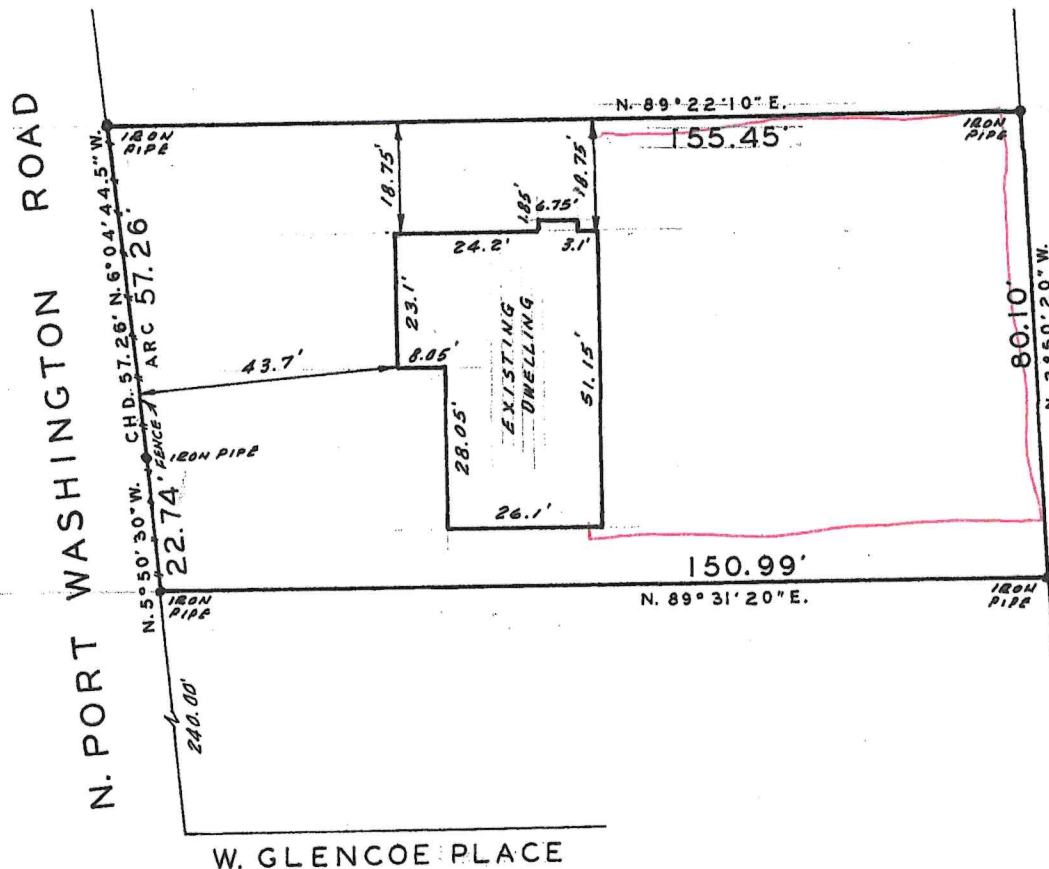
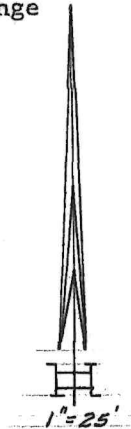
BROWN DEER, WISCONSIN 53223

PHONE 354-9080

CLARENCE H. PIEPENBURG, PRESIDENT  
REGISTERED LAND SURVEYOR

PROPERTY AT 8936 N. Port Washington Rd. Mike Belic OWNER.

**LEGAL DESCRIPTION —** Lot 5, in Block 1, in Northway, being a subdivision of a part of the South East 1/4 of Section 5, Township 8 North, Range 22 East, in the Village of Bayside, Milwaukee County, Wisconsin.



"I have surveyed the above-described property, and the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location and dimensions of all structures thereon, fences, apparent easements, roadways and visible encroachments.

This survey is made for the exclusive use of the present owners of the property; also those who purchase, mortgage, or guarantee the title thereto, within one year from date hereof, and as to them I warrant the accuracy of said survey and map."

Prepared For Mike Belic  
at Brown Deer, Wisconsin this 16th Day of May 19 80

Plat No. A80-210

Signed

*Clarence H. Piepenburg*  
Registered Land Surveyor

8-22-5-4-0147

**STATE OF WISCONSIN  
MILWAUKEE AND OZAUKEE COUNTIES  
VILLAGE OF BAYSIDE**

**ORDINANCE NO: \_\_\_\_\_**

**An Ordinance to Repeal and Recreate Section 104-125 of the Municipal Code  
with Regard to Fences**

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The Village Board of the Village of Bayside, Milwaukee and Ozaukee Counties, Wisconsin does ordain as follows:

Section One: Section 104-125 of the Municipal Code is hereby repealed and recreated to read as follows:

**Sec. 104-125. – Fences, walls, architectural screening devices, driveway gates, and arbors.**

- (a) The Village is fortunate to have a rich natural diversity of properties that include waterfront, ravines, a variety of densely-planted, mature trees, and open green spaces. Many residents have selected this area to live based on a desire to enjoy these natural surroundings and this feeling of open space. A fence, wall, architectural screening device, driveway gate or arbor can sometimes be in contradiction to this desire. Also, a fence can have a strong visual impact on the neighboring properties. For these reasons, all fence, wall, architectural screening devices, driveway gate and arbor are subject to review by the Architectural Review Committee. It is important that homeowners discuss their fence project with the surrounding neighbors before submitting plans to avoid potential conflicts and to identify concerns before they become major issues. The following regulations are established to ensure that the Village retains the openness and semirural character of its landscape:
- a. Permit required. No person shall erect or construct any fence, wall, driveway gate, architectural screening device or arbor, unless specifically exempted by the provisions of this subsection, on any property within the Village without having first obtained a permit from the Building Inspector and having paid the fee prescribed from time to time by the Village Board. A survey by a licensed surveyor shall be submitted with each application for a fence, wall, architectural screening device, driveway gate or arbor five (5) feet or less from the lot line of the property. When required, the survey shall show the location of the proposed fence, wall, architectural screening device, driveway gate or arbor in relation to the property line as well as the main structure on the property. The Building Inspector shall deny a permit application if the proposed fence, wall, architectural screening device, driveway gate or arbor is in the right-of-way or if its proposed location will impede visibility of vehicular traffic.
  - b. Replacement or reconstruction. If an existing fence, wall, architectural screening device, driveway gate or arbor is substantially or destroyed or becomes deteriorated to a material degree, it may be replaced or reconstructed in the same location, height, and materials by first obtaining a permit, provided that the replacement or reconstruction must be completed within 12 months of the removal. All other replacement or reconstruction of existing fences, walls, architectural screening devices, driveway gates, or arbors must fully comply with the terms of this chapter.

- c. Temporary fences. With the exception of construction barriers, no temporary fences in excess of 100 linear 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 linear feet shall be installed for a period exceeding 90 days. Temporary fences that are shielded from view by nature of their location, not seen by the public, or neighboring property owners, do not require permission by the Village Manager or designee.
- d. Lake, bluffs, and ravines. Where property abuts Lake Michigan or is located on a bluff or a ravine in such a locale that construction of a fence, wall, architectural screening device, driveway gate, or arbor would materially obstruct the aesthetic views of adjoining and surrounding property owners, ARC may deny a permit based upon their determination that there is a substantial negative impact upon the aesthetic enjoyment of surrounding properties. Any affected party may appeal the ARC's determination to the Board of Appeals within 30 days of the ARC's determination. No fence, wall, architectural screening device, driveway gate or arbor shall be constructed on the side of ravine or bluff in violation of Village Code.
- e. Construction in right-of-way prohibited. Any fence, wall, architectural screening device, driveway gate, or arbor that is erected in a street right-of-way or impedes traffic visibility may be removed by the Village at any time.
- f. Definitions. For purposes of this subsection, the following terms shall have the following meanings: the terms "front yard," "rear yard" and "side yard" shall be defined as set forth in this chapter.

ARBOR – Any structure intended to provide a support system for plantings or to designate an aesthetically pleasing outdoor seating or walk area.

ARCHITECTURAL SCREENING DEVICE – Any self-standing fence or wall type of structure employed for gardening, screening, ornamental, property boundary, decorative, signage, or landmark purposes.

DRIVEWAY GATE – A fence that opens and closes across a driveway.

FENCE – A structure which creates an enclosure, barrier, or boundary, having a set or permanent location in the ground, or which is attached to something having a permanent location on the ground. A fence is considered to be a structure.

FINISHED LOT GRADE – Does not include constructed berms, artificial hills, and mounds.

HEIGHT – Does not include two inches of clearance at the bottom of the fence, nor does it include two inches in excess of the height limitation of the fence posts.

OPEN FENCE – A structure of rails, planks, stakes, strung wire, or similar material erected as an enclosure, barrier, or boundary. Open fences are those with more than 50% of their surface area open for free passage of light and air.

ORNAMENTAL FENCE – A structure whose primary purpose is to decorate, accent, or frame a feature of the landscape or premises.



SOLID FENCE – Solid fences are those with 50% or less of their surface open for free passage of light and air and designed to conceal from view the activities conducted behind them.

WALL – Substantially a solid masonry, wood, or composite structure which shall be self-supporting, but is not incorporated into an enclosed structure, and shall include any nonenclosed structure having as its purpose the denomination or accent of driveways or entryways.

- g. Construction standards. Fence, walls, architectural screening devices, driveway gates or arbors shall be constructed in such a manner that the “finished” side shall face the neighboring property. Fence posts shall be on the side of the fence facing the permit applicant’s property. Fences shall be constructed of wood or other wood- simulated natural-appearing materials, wrought iron or other metal materials generally employed to obtain an aesthetically pleasing appearance. Open fences may be permitted; however, barbed wire, electric wire, chicken wire, or double or triple strand wire shall not be used in the construction of a fence except as allowed by ARC.
- h. Location and height restrictions. Subject to the following exceptions, a fence, wall, architectural screening device, driveway gate, or arbor may be permitted up to the lot line in the side and rear yard of any property in Bayside. A fence, wall, architectural screening device located in a rear or side yard shall not exceed a height of six feet from the finished lot grade and shall not project forward of the front line of the principal building. An arbor shall not exceed a height of eight feet from the finished lot grade and shall not project forward of the front line of the principal building.
  - i. In the event a building is irregularly configured, such as an L- or V- shaped structure, or the building is located upon a corner lot, irregularly shaped lot, or lot which abuts more than one public or private road, such that there are or appear to be multiple front, side, or rear sides of the structure, the determination of the front, rear, or side areas, as well as the determination of the location of any fencing, shall be referred by the Building Inspector to Architectural Review Committee, which shall then review the matter without requirement of any appeal fee. Architectural Review Committee shall consider the least obstructive alternative, and any other criteria as set forth in the provisions of this chapter which serve to balance the interests of the applicant with the interests of the surrounding property owners.
  - ii. No new fence, wall, architectural screening device, driveway gate, or arbor shall be located beyond the front line of the principal building unless permitted by the Board of Zoning Appeals by special exception after a hearing, pursuant to the procedures. The Board of Zoning Appeals may grant a special exception under this subsection only if it finds that the fence, wall, architectural screening device, driveway gate, or arbor is reasonably necessary to protect the safety of people residing on the property. Every special exception granted by the Board of Zoning Appeals for a driveway gate shall be conditioned upon the applicant filing with the Village Clerk/ Treasurer the written approval of the Village Police Chief in consultation with the Fire Chief for the specific driveway gate and gate location that is proposed; and if such approval is denied, the special exception is thereby denied.

- iii. If the rear of the applicant's lot abuts a neighbor's side, front, or back yard, any proposed fence shall be an "open fence." Property owners are encouraged to use natural landscaping should they desire additional screening or closed fence.
    - iv. An ornamental fence or architectural screening device may be allowed anywhere on the property without a permit, provided the fence or screening device does not exceed 3 1/2 feet in height and is set back in its entirety 20 feet or more from all boundaries of the property.
  - i. Solid fences may be constructed with a total horizontal linear length not to exceed 30 total linear feet and at minimum 10 feet from any property line except for screening along an adjacent railroad, state highway, interstate highway, county highway, or commercial parking lot property.
  - j. Footings. All new fences are required to have a minimum of four-foot footings. Fence replacement or repair projects of existing fences are not required to incorporate footings unless the fence is being replaced or repaired.
- (b) Notwithstanding the otherwise applicable height limitations stated elsewhere in this section, a fence may be constructed to a height of 6 feet from the finished lot grade on property. Such a fence may be constructed on top of a berm, provided the berm is constructed in compliance with the requirements of this Code and all applicable laws, and further provided that the height of the fence shall be measured from the finished grade as defined in this section. Exceptions shall be made when adjacent to an active railroad, property, state or county highway, or commercial parking lot property, in which case fences shall not exceed 8 feet. Fences immediately adjacent to interstate highways may exceed these height limits but may not exceed height restrictions imposed by county, state, or federal authorities. Fences constructed within the front yard of a home shall not exceed three feet in height. Ornamental posts protruding less than one foot above the measured average height of a fence may be permitted provided they are at least six feet apart or are otherwise granted exception for closer proximity by the Architectural Review Committee (which exception shall be subject to a two-thirds vote). In all other cases, fences shall be measured to their highest point (including posts) in determining compliance with height restrictions.
- a. Maintenance. The owner, occupant, or their agent shall keep all fences, architectural screening devices, walls, driveway gates, and arbors structurally sound and maintained in a neat and attractive manner. The maintenance standards established in this section shall be enforced as provided in the Village of Bayside Code.
  - b. Special exceptions. A special exception to the height, size, material, design, setback, or other physical standards set forth in this subsection or to allow a driveway gate may, upon filing a written application, be considered by the Board of Zoning Appeals after a hearing. The application shall include an accurate visual rendering of the proposed wall, architectural screening device, driveway gate, or arbor, along with a written statement outlining the applicant's need for the same.

Section Two: Severability: In the event that any provision of this Ordinance is for any reason held to be invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such portions of this Ordinance shall be deemed separate, distinct and independent provisions of the Ordinance and all remaining portions of this Ordinance shall remain in full force and effect.

Section Three: All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby to such extent repealed.

Section Four: This ordinance shall take effect and be in force after its passage and posting pursuant to law.

PASSED AND ADOPTED by the Village Board of Trustees of the Village of Bayside this \_\_\_\_ day of \_\_\_\_\_, 2022.

VILLAGE OF BAYSIDE

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Eido M. Walny, Village President

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Rachel Safstrom, Administrative Services  
Director/Village Clerk