

RESOLUTION NO. 36-2022

ADOPTING CONDITIONS AND RESTRICTIONS FOR THE MEISSNER PLANNED DEVELOPMENT DISTRICT ("MEISSNER DISTRICT")

WHEREAS, Elwood and Susan Meissner, property owners (hereinafter "Property Owners") applied for and were granted a Planned Development District (PDD) overlay rezoning to their 0.62-acre property in an Rm-3: Multiple-Family Zoning District in the Village of Germantown more particularly described on Exhibit A attached hereto (the "Meissner District"); and

WHEREAS, Section 17.27(4) of the Village of Germantown Municipal Code allows for the adoption of conditions and restrictions for Planned Development Districts; and

WHEREAS, on October 10, 2022, the Germantown Plan Commission reviewed a proposal by the Property Owners to create the Meissner PDD and specific conditions & restrictions affecting the use and development of their property located at N96W16248 County Line Road & W162N9630-32 Mayflower Drive;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Germantown hereby approves and adopts the following specific conditions and restrictions that shall apply to all development on and the use of property within the PDD:

1. **PURPOSE AND INTENT.** The Meissner Planned Development District is intended to facilitate the division of a legally non-conforming 0.607-acre parcel into two parcels, each containing an existing multi-family dwelling. The 0.607-acre property contains two (2) separate multi-family dwellings. The original farmhouse, located on the south side of the lot, has been converted into three units. According to documents available in Village files, Mr. Meissner applied for and received permits to construct the duplex on the northern portion of the lot in 1976. Creation of a PDD with an underlying Rm-3 Multiple-Family Zoning District was deemed to be the best approach to creating separate parcels without creating non-conforming parcels and structures. Except for the specific restrictions and allowances set forth below, it is intended that the two parcels within this PDD will be used and/or further developed consistent with the Rm-3: Multiple-Family District in the Zoning Code.
2. **GENERAL DEVELOPMENT PLAN (GDP).** The General Development Plan (Exhibit B) establishes the basic parameters for all existing and future development within the PDD, including the approximate size and orientation of buildings. While future development within the PDD shall be generally consistent with the GDP, future development allowed under the Rm-3 Zoning District is deemed to be allowed under the GDP for the Meissner District.
3. **UNDERLYING ZONING DISTRICT REGULATIONS.** Except as set forth in Section 5 below, all land uses, site development and building construction shall be in accordance with the specific requirements set forth in the underlying Rm-3: Multiple-Family Zoning District regulations and other applicable Zoning Code requirements for multi-family residential land uses.

4. **LOT, YARD AND BUILDING REQUIREMENTS.** Except as set forth below, all site development and buildings shall be constructed in accordance with the lot, building and other applicable bulk requirements set forth in the underlying Rm-3: Multiple-Family District and other applicable Zoning Code regulations:

a. **LOT AND BUILDING REQUIREMENTS**

i. Principal Building Setbacks (minimum)

1. Front/Street Yard:

- a. N96W16248 County Line Rd 15.9 feet
- b. W162N9630-32 Mayflower Dr 31.1 feet

2. Side Yard

- a. W162N9630-32 Mayflower Dr (north) 10.5 feet

ii. Accessory Building Setbacks (minimum)

1. Rear Yard

- a. W162N9630-32 Mayflower Dr (west) 6.6 feet

iii. Minimum Lot area

- 1. N96W16248 County Line Rd 0.380 acres
- 2. W162N9630-32 Mayflower Dr 0.227 acres

iv. Lot Width/Frontage at Street Yard Setback

- 1. N96W16248 County Line Rd 117.7 feet
- 2. W162N9630-32 Mayflower Dr 75 feet

5. **APPLICABILITY OF MUNICIPAL CODE.** Unless otherwise set forth herein, all other applicable zoning and development regulations contained in the Germantown Municipal Code (e.g. Shoreland-Wetland Zoning, Floodplain Zoning, Subdivision) shall apply to development and land use within the Meissner PDD. In the event a requirement, restriction or limitation set forth herein conflicts with a similar requirement, restriction or limitation found in another section of the Municipal Code, the most stringent requirement, restriction, or limitation shall apply.

Introduced by: _____

Adopted: _____, 2022

Vote: Ayes: ____ Nays: ____

Dean Wolter, Village President

ATTEST:

_____, Village Clerk

EXHIBIT A
Meissner Planned Development District (Rm-3/PDD)
Boundary Legal Description

The Meissner District shall include the following described property and subsequent land division thereof:

Tax Parcel: GTNV 344-038

Property Address: N96W16248 County Line Road
W162N9630/32

Legal Description:

Part of Pilgrim Heights including Lot One (1), Block Two (2), of Pilgrim Heights, a Subdivision in the NW 1/4 of the SE 1/4 and part of the SW 1/4 of the SE 1/4 of Section 34, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the South Quarter corner of said Section 34; thence N 89°49'05" E, along the south line of said SE 1/4, 450.68 feet, to the intersection of the southerly extension of the west right-of-way line of Mayflower Drive as shown on said Pilgrim Heights, being the point of beginning of lands herein described; thence N 01°29'55" W, along said southerly extension and west right-of-way line, 280.17 feet, to the intersection of the west extension of the north line of said Lot 1, thence N 88°30'05" E, along said west extension and north line, 177.70 feet, to a 1.3 inch od iron pipe set; thence S 01°29'55" E, along the east line of said Lot 1 and its southerly extension, 281.15 feet, to the intersection of said south line of the SE 1/4; thence S 88°49'05" W, along said south line of the SE 1/4, 177.70 feet, to the point of beginning.

Containing 1.145 acres (49,873 square feet) more or less.

EXHIBIT B
Meissner Planned Development District (Rm-3/PDD)
General Development Plan

