

STEVEN D. SCHMUKI
ROBERT B. RONDINI*
MICHAEL P. PLUM
ROBERT A. SAYAS

DAVID A. SAYAS
(1949-2011)

* ALSO LICENSED IN ILLINOIS



**SAYAS, SCHMUKI,
RONDINI & PLUM, S.C.**
ATTORNEYS AT LAW

11430 WEST BLUEMOUND ROAD,
SUITE 200
WAUWATOSA, WISCONSIN 53226

TEL (414) 771-3802
FAX (414) 771-3202

WWW.WAUWATOSALAWYERS.COM

September 13, 2021

Village of Elm Grove

Attn: Village Clerk

13600 Juneau Blvd.

Elm Grove, Wisconsin 53122

Petition for Rezone; Comprehensive Plan Amendment;
& Approval of Certified Survey Map

Dear Clerk:

Our office has been retained by Church Unlimited for the purpose of seeking a rezoning, Comprehensive Plan Amendment and approval of a Certified Survey Map splitting off a RS zoned parcel from the property located at 14625 Watertown Plank Road in the Village for single family residential use. To that end we ask that you accept this letter as Church Unlimited's Petition to the Village for such purpose.

By way of background, the church property is comprised of three separate parcels, specifically, Tax Parcels EGV 1109162, EGV 1109163, and EGV 1109164. These parcels combined contain approximately 2.6 acres of land. Improvements upon this land consist of the church building which straddles all three parcels and the "parsonage", a single-family residence contained solely on Tax Parcel EGV 1109162. The single-family residence sits north and somewhat west of the church building. Zoning for all three parcels is currently I-1 Institutional.

Pursuant to Section 335-77(A) we have identified the existing use of the properties lying within 300 feet of the proposed lot to be rezoned as follows:

---To the North is RS single family zoning except for a pocket of I-1 Institutional zoning comprised of the Community United Methodist Church which is slightly to the Northwest.

---To the South is RS single family zoning.

---To the West is RS single family zoning.

---To the East is RS single family zoning.

In summary all adjacent zoning districts are RS except for the small pocket of Institutional just North and West of the proposed lot within the 300 foot perimeter. .

It is our client's belief that the request to rezone an approximately ½ acre portion of Tax Parcel 1109162, on which sits the single-family structure, meets Village of Elm Grove Ordinance Chapter 335, Article X, Section 335-75 in that it will support the general welfare of the community by adding the property back to the local tax base and is also in keeping with good zoning as it will match the RS zoning which surrounds the church property. In compliance with Section 335-77 of the Code, the premises to be rezoned will consist solely of so much of Tax Parcel 1109162 as will allow for the meeting of the Code. The attached sketch shows a lot with 20,060 square feet, more than 125 feet width at the road and more than the 20 foot side set back from the eastern boundary.

Calculations done by the surveyor indicate that the total building foot print on the Lot will be 9% well below the allowed 20%. Also, the total impervious surface area will be 27% which is below the allowed 30%.

In support of this request, we attach the following;

1. A conceptual plot plan meeting the threshold requirements noted above.
2. A list of the names and addresses of all surrounding property owners within 100 feet.

At this time and with these materials we are asking that we be put on the Agenda for the October Plan Commission meeting, especially considering that we have met conceptually with the Commission twice and believe we have met all identified concerns. Our request is that we be given final approval of the CSM along with the Commission's recommendation to the Village Board for approval as well at the next Board meeting. We furthermore request the Village Board schedule this matter for public hearing for purposes of taking any public comment regarding the request for zoning change and amendment to the Comprehensive Plan.

We thank you in advance for your attention to this request.

Very truly yours,



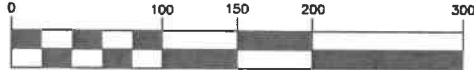
Steven D. Schmuki

cc: Pastor Mark Garsombke

James G. Schneider

CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOTS 6, 7 AND 8, BLOCK 1 OF "WILLIAMS ASSESSMENT PLAT NO. 2", BEING A PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWN 7 NORTH, RANGE 20 EAST, IN THE VILLAGE OF ELM GROVE, WAUKESHA COUNTY, WISCONSIN.



SCALE 1" = 100'



NORTH SHORE ENGINEERING, INC.
 Consulting Engineers & Land Surveyors
 11433 N. Port Washington Rd., Mequon, Wisconsin, 53092
 (262) 241-8400 • FAX: (262) 241-8337
 www.northshoreengineering.net

ACCESS & PAVEMENT NOTES :

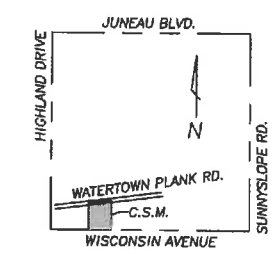
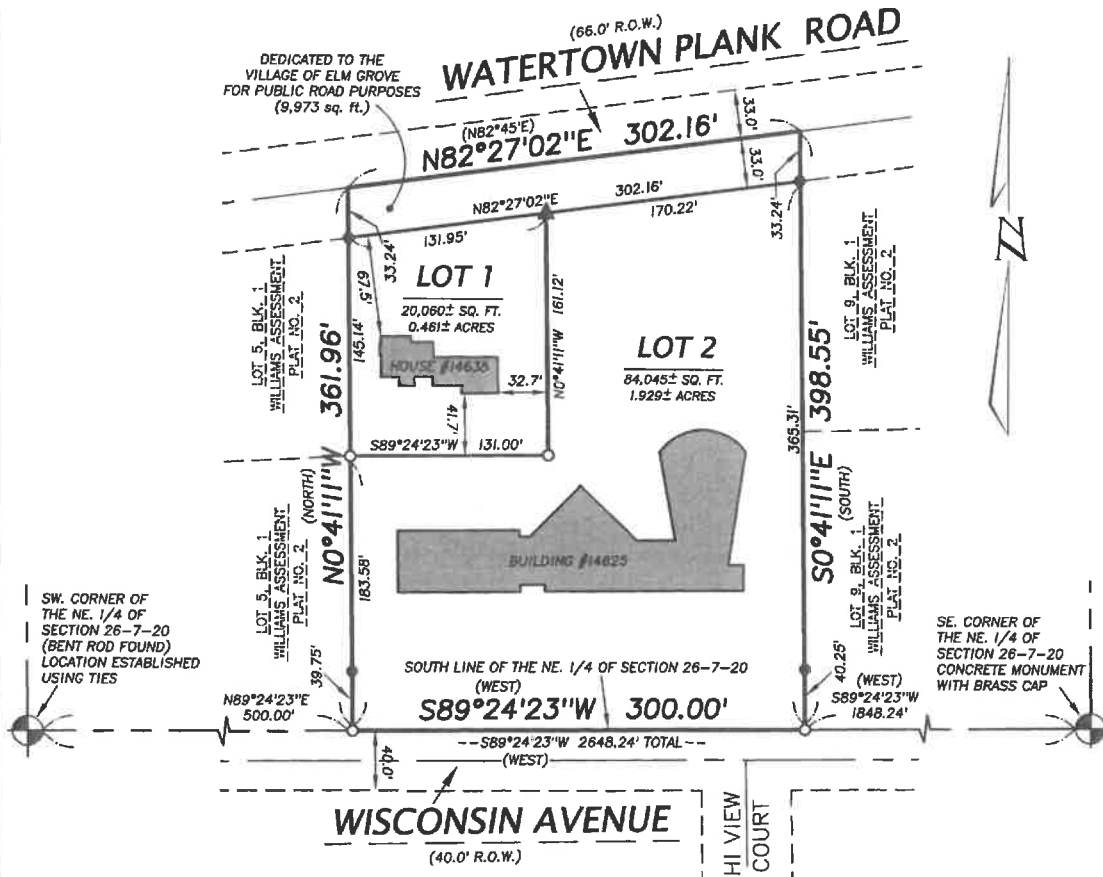
- 1 - UPON APPROVAL OF THIS MAP, ACCESS FOR LOT 2 SHALL BE GAINED EXCLUSIVELY THROUGH THE NORTHEAST PARKING LOT ENTRANCE.
- 2 - ASPHALT 3.0' EITHER SIDE AND ALONG THE EAST LINE OF LOT 1 SHALL BE SAW CUT AND REMOVED AS PART OF THE APPROVAL THIS MAP.

NOTES :

- 1. CURRENT ZONING: I-1 (INSTITUTIONAL DISTRICT)
- 2. THIS PROPERTY IS ALSO SUBJECT TO EASEMENTS OF RECORD.

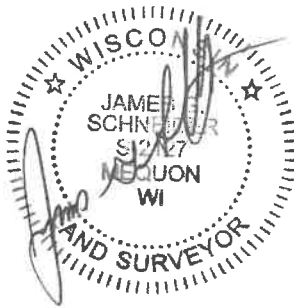
OWNER :

CHURCH UNLIMITED
 14825 WATERTOWN PLANK RD.
 ELM GROVE, WI 53122



LOCATION MAP

NORTHEAST 1/4 SEC. 26-7-20
 (SCALE 1"=2000')



8-25-2021

LEGEND

- - DENOTES 1.315"X18" STEEL PIPE WEIGHING 1.13 LBS. PER LINEAL FOOT (SET)
- ▲ - DENOTES MAG NAIL (SET)
- - DENOTES STEEL PIPE (FOUND)
- () - DENOTES ALSO RECORDED AS DIRECTION OR DISTANCE

ALL BEARINGS REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (SOUTH LINE OF THE NE. 1/4 OF SECTION 26-7-20, WHICH BEARS S89°24'23"W (JAN. 2019 DATUM, NAD-83/2011)

CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOTS 6, 7 AND 8, BLOCK 1 OF "WILLIAMS ASSESSMENT PLAT NO. 2", BEING A PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWN 7 NORTH, RANGE 20 EAST, IN THE VILLAGE OF ELM GROVE, WAUKESHA COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, James G. Schneider, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped the following parcel of land:

A redivision of Lots 6, 7 and 8, Block 1 of "Williams Assessment Plat No. 2, being a part of the Southwest 1/4 of the Northeast 1/4 of Section 26, Township 7 North, Range 20 East, in the Village of Elm Grove, Waukesha County, Wisconsin, bounded and described as follows:

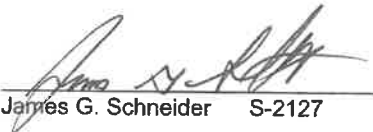
Commencing at the Southeast corner of the Northeast 1/4 of said Section 26; thence S89°24'23"W (also rec as West) along the South line of said Northeast 1/4, 1848.24 feet to the Southeast corner of Lot 8, Block 1 of Williams Assessment Plat No. 2 ("said Plat"), said point also being the point of beginning of lands to be described; thence continuing S89°24'23"W (also rec as West) along the South line of said Northeast 1/4 and the South line of said Plat, 300.00 feet to the Southwest corner of Lot 6, Block 1 of said Plat; thence N0°41'11"W (also rec. as North) along the West line of Lot 6 of said Plat, 361.96 feet to the Northwest corner of Lot 6 of said Plat, said point lying in the centerline of Watertown Plank Road; thence N82°27'02"E (also rec. as N82°45'E) along the North line of Lot 6, 7 and 8 of said Plat and said centerline, 302.16 feet to the Northeast corner of Lot 8 of said Plat; thence S0°41'11"E (also rec. as South) along the East line of Lot 8 of said Plat, 398.55 feet to the point of beginning.

Said lands containing 2.619 acres of land, more or less.

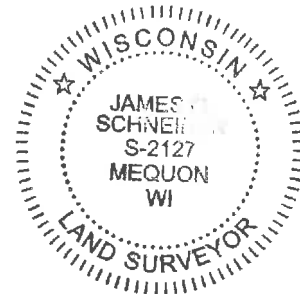
That I have made such survey, land division, and plat at the direction of Church Unlimited, OWNER of said lands.

That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have complied with, Chapter 236.34 of the Wisconsin Statutes and Section 305-10 of the Village of Elm Grove.


James G. Schneider S-2127

8-25-2021



This instrument was drafted by James G. Schneider

CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOTS 6, 7 AND 8, BLOCK 1 OF "WILLIAMS ASSESSMENT PLAT NO. 2", BEING A PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWN 7 NORTH, RANGE 20 EAST, IN THE VILLAGE OF ELM GROVE, WAUKESHA COUNTY, WISCONSIN.

CORPORATE OWNER'S CERTIFICATE

I, Mark T. Garsombke (President/Senior Pastor) of Church Unlimited, OWNER, do hereby certify: THAT, I have caused the lands described in the foregoing certificate of James G. Schneider, Surveyor, to be surveyed, divided, mapped and dedicated.

WITNESS the hand and seal of said OWNERS on this _____ day of _____, 20__.

Witness

Mark T. Garsombke
(President/Senior Pastor)

STATE OF WISCONSIN)
OZAUKEE COUNTY)^{ss}

PERSONALLY came before me on this _____ day of _____, 20__ the above named Mark T. Garsombke (President/Senior Pastor) to me known to be the person who executed the foregoing certificate and acknowledged the same.

Notary Public

My Commission expires _____

CONSENT OF MORTGAGEE

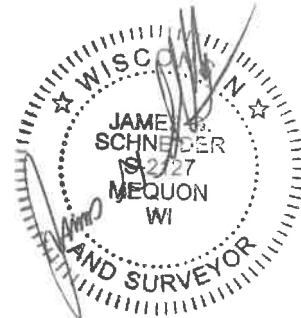
FORTE BANK, existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land does hereby consent to the surveying, dividing, mapping and dedication of the land described on this Certified Survey Map and does hereby consent to the above certificate of Mark T. Garsombke (President/Senior Pastor), OWNER.

In witness whereof, the said FORTE BANK has caused these presents to be signed by _____, it's _____ at Milwaukee, Wisconsin, this _____ day of _____, 20__.

IN THE PRESENCE OF:

FORTE BANK
By: _____

This instrument was drafted by James G. Schneider



8-25-2021

CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOTS 6, 7 AND 8, BLOCK 1 OF "WILLIAMS ASSESSMENT PLAT NO. 2", BEING A PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWN 7 NORTH, RANGE 20 EAST, IN THE VILLAGE OF ELM GROVE, WAUKESHA COUNTY, WISCONSIN.

VILLAGE OF ELM GROVE PLANNING COMMISSION APPROVAL:

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Elm Grove on this _____ day of _____, 2021.

Neil Palmer, Chairman

Date

Michelle Luedtke, Clerk/Deputy Treasurer

Date

VILLAGE OF ELM GROVE BOARD APPROVAL

This Certified Survey Map, being a division of (part of SW. 1/4 and NE. 1/4 of Section 26, Township 7 North, Range 20 East, Village of Elm Grove, Waukesha County, Wisconsin, having been approved by the Planning Commission being the same, is hereby approved and accepted by the Village Board of the Village of Elm Grove on this _____ day of _____, 2021.

Neil Palmer, Village President

Date

Michelle Luedtke, Clerk/Deputy Treasurer

Date

This instrument was drafted by James G. Schneider



8-25-2021

Attachment "B"

Names and addresses of property owners within 100 feet of the project.

1. Kerry M Klecic, 640 Crystal Lane, Elm Grove, WI 53122
2. Katherine K. Brenner, 14635 Wisconsin Ave., Elm Grove, WI 53122
3. Kristi L. Lant, 645 Hi View Ct., Elm Grove, WI 53122
4. Thomas P. Belson, 640 Hi View Ct., Elm Grove, WI 53122
5. Joseph Cardenas, 14550 Wisconsin Ave., Elm Grove, WI 53122
6. Clinton Cagle, Jr., 14555 Watertown Plank Rd., Elm Grove, WI 53122
7. Lionel J. Johnson, 840 Madera Cir., Elm Grove, WI 53122
8. Jeffrey Lane, 820 Madera Cir., Elm Grove, WI 53122
9. John R. Burkhardt, 800 San Jose Dr., Elm Grove, WI 53122
10. Elm Grove Community Methodist Church, 14700 Watertown Plank Rd., Elm Grove, WI 53122
11. William Dean Koukouras, 14705 Watertown Plank Rd., Elm Grove, WI 53122
12. Matthew L. Radish, 14680 Wisconsin Ave., Elm Grove, WI 53122