

NOTICE OF MEETING

VILLAGE OF FOX POINT PLAN COMMISSION

SCHWEMER HALL - MUNICIPAL BLDG.
7200 N. SANTA MONICA BLVD
FOX POINT, WI 53217

Monday
May 6, 2024
5:45 P.M.

NOTE: THE PLAN COMMISSION WILL BE MEETING IN PERSON AT VILLAGE HALL, WITH A REMOTE ATTENDANCE OPTION, PER THE HYBRID MEETING PROCEDURES FURTHER DESCRIBED IN SECTION 19-32 D. OF THE VILLAGE CODE. THIS MEETING IS OPEN TO ALL CITIZENS IN PERSON AT VILLAGE HALL, OR THROUGH THE ZOOM PARTICIPANT INFORMATION SHOWN BELOW, SUBJECT TO THE FOLLOWING: NO ASSURANCE IS PROVIDED TO THOSE PLAN COMMISSION MEMBERS AND CITIZENS INTENDING TO ATTEND REMOTELY THAT THE TECHNOLOGY WILL PERFORM SUFFICIENTLY TO ALLOW FOR THEIR PARTICIPATION AND THE MEETING WILL PROCEED REGARDLESS. PUBLIC OFFICIALS AND CITIZENS WISHING TO ENSURE THEY CAN PARTICIPATE ARE ENCOURAGED TO ATTEND IN PERSON. CITIZENS ARE ENCOURAGED TO SUBMIT ANY COMMENTS IN WRITING IN ADVANCE OF THE MEETING TO THE VILLAGE MANAGER AT sbotcher@villageoffoxpoint.com

Zoom Participant Information

<https://us02web.zoom.us/j/85177081550>

Dial: (312) 626-6799
Meeting ID: 851 7708 1550

AGENDA

1. Roll Call.
2. Approval of the minutes of the April 2, 2024 Plan Commission meeting.
3. Review and Recommendation Re: Conditional Use Permit for 8643 N Port Washington Road – Flips 4 All, LLC dba Flips 4 All, LLC

The Plan Commission will discuss and make a recommendation to the Village Board regarding the conditional use permit for Flips 4 All, LLC to conduct a gymnastics business.

4. Review and Recommendation Re: Conditional Use Permit for 7922 N Port Washington Road, Suite #1 – Saddle and Spoke Cyclery, LLC dba Saddle and Spoke Cycle

The Plan Commission will discuss and make a recommendation to the Village Board

regarding the conditional use permit for Saddle and Spoke Cyclery, LLC to operate a bicycle sales and service store.

5. Adjourn.

NEXT PLAN COMMISSION MEETING:

Monday, June 3, 2024

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request these services, contact the Village Clerk at 351-8900. It is possible that members of, and possibly a quorum of members of, other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

VILLAGE OF FOX POINT
PLAN COMMISSION MEETING MINUTES
April 1, 2024

A meeting of the Fox Point Plan Commission was held on Monday, April 1, 2024. Acting Chair Eric Fonstad called the meeting to order at 5:45 p.m. and noted there was a quorum of Plan Commission members present.

The Plan Commission roll call was taken by Village Manager Scott Botcher:

Plan Commission:	President Christine Symchych, Chairman (recused)
	Eric Fonstad, Commissioner (Acting Chair)
	Robert Smith, Commissioner
	Ted Durant, Commissioner
	Jay Craig, Commissioner
	William Langhoff, Commissioner
	Mark Freedman, Commissioner

Staff present included Village Attorney Eric Larson and Village Manager Scott Botcher.

Notice of the meeting was provided to the North Shore Now as necessary, and to all others as required by State open meetings laws and posted on the official bulletin board at 7200 N Santa Monica Boulevard, as well as the village website at www.villageoffoxpoint.com, as per 2015 Wisconsin Act 79 and as described in Village Ordinance Chapter 116-2, 116-2(C).

Approval of the Minutes of the March 4th, 2024 Plan Commission Meeting

Motion by Fonstad, seconded by Smith, and carried unanimously with a 7-0 vote, the Commission approved the minutes as amended (line 34) of the March 4th, 2024 Plan Commission meeting.

Consideration and possible action regarding the application of the Town Club for approval of outdoor recreational facilities (pickleball courts) at 7950 N Santa Monica Blvd., per Section 745-10 of the Village of Fox Point Village Code.

Acting Chair Fonstad made some introductory comments on how the meeting would proceed and a timeline of events to date.

Following discussion, motion by Langhoff, second by Craig to recommend to Village Board that they grant approval of the application and recommend that the Plan Commission find that all of the standards of 745-10 have been met.

Following more discussion, motion to amend by Freedman to recommend to the Village Board that the Village commission a noise abatement study retaining company experienced in pickleball noise abatement, paid for by The Town Club, which would have to show that the request would not have an adverse effect nor decrease property values. Motion failed for lack of a second.

Motion to amend by Durant that the Plan Commission recommend that the applicant be required to undertake additional sound abatement measures if the actions are insufficient from preventing a nuisance. Seconded by Fonstad.

**VILLAGE OF FOX POINT
PLAN COMMISSION MEETING MINUTES
April 1, 2024**

Prior to a vote, motion by Durant to amend his motion to amend to recommend to the Village Board that the Town Club be required to reduce sound by 50% and take additional actions should not prove adequate.

Following additional discussion, both motions were withdrawn by the maker and the concurrence of the seconder.

Motion to amend by Drenth, second by Fonstad to recommend the Village Board that the Plan Commission conduct a review at the end of the first season of operation to review the impacts thereof and decide if the approval should continue.

Eric Fonstad-Yes
Robert Smith- Yes
Ted Durant-Yes
Jay Craig-No
William Langhoff-No
Mark Freedman-Yes

Motion to amend carried 4-2.

Motion by Langhoff, seconded by Craig and as amended by subsequent motion, the Commission recommended the Village Board to recommend to Village Board that they grant approval of the application and recommend that the Plan Commission find that all of the standards of 745-10 have been met, and that the Plan Commission conduct a review at the end of the first season of operation to review the impacts thereof and decide if the approval should continue.

Eric Fonstad-Yes
Robert Smith- Yes
Ted Durant-Yes
Jay Craig-Yes
William Langhoff-Yes
Mark Freedman-No

Motion carried 5-1.

Review and Recommendation RE: Land Combination for 7111 N Barnett Lane, Fox Point.

Motion by Fonstad, seconded by Durant, and carried unanimously by roll call vote, the Commission recommended the Village Board approve the combination of the parcels.

Adjourn

On motion by Langhoff, seconded by Craig and carried unanimously by roll call

**VILLAGE OF FOX POINT
PLAN COMMISSION MEETING MINUTES
April 1, 2024**

vote, the Plan Commission meeting adjourned at 8:15 PM.

Respectfully Submitted,

Scott A Botcher
Village Manager

DRAFT



VILLAGE OF FOX POINT APPLICATION FOR CONDITIONAL USE PERMIT

Section 1

Trade Name of Business <i>Flips 4 All LLC.</i>	Phone # <i>414-687-5862</i>	Name of former tenant (if known) <i>Kerns Carpet</i>
Fox Point Business Address <i>3643 North Port Washington Rd.</i>		
Email <i>Sarahbanck@gmail.com</i>	Contact Person <i>Sarah Banck</i>	

If the business is a limited liability corporation (LLC) or corporation, complete the following section. If not, skip to next section.

Section 2

Legal name of corporation or LLC <i>Flips 4 All LLC.</i>	Corporate email <i>Flips4all@gmail.com</i>
Corporate headquarters address <i>2330 W. Ramsey Ave</i>	Corporate phone # <i>414-687-5862</i>
Name and addresses of all corporate officers <i>Milwaukee, WI 53221</i>	
Name of corporate agent <i>SARAH BANCK</i>	Address of corporate agent <i>2330 W. Ramsey Ave 53221</i>

If applicant(s) is a sole proprietorship (individual) or partnership, please complete the following section.

Section 3

List the name, home address, business address, and phone numbers of all applicants and owners.			
Name	Home address	Business address	Phone #
<i>SARAH BANCK</i>	<i>2330 W Ramsey Ave</i>	<i>3643 N. Port Washington Rd. Fox Point WI 53221</i>	<i>414-687-5862</i>

All applicants must complete the following section.

Section 4

Applicant's specific interest in site

To re-locate current gymnastics business.

Describe in detail the business activity that will take place on site including products & services

We service children both neurotypical and neurodiverse in a physical atmosphere. We also work with adults with special needs in a physical facility and occupational activities.

Describe all owned fixtures, furniture, and equipment to be used on site

- mats - swings - bars - balls - climbing toys.
- trampoline - beams - slides - pit beam

Describe all leased fixtures, furniture, and equipment to be used on site

Describe any alterations planned for the site and estimated cost of renovation

Removal of partition walls/display walls (approx. 2000.00 demo)

Person responsible for obtaining building permit (if required)

Square footage of site 7,000 sq. ft.	# of employees 4	# of parking spaces to be used 20
Days & hours of operation M-S 9am-8pm	Proposed date of occupancy immediately 3/31/2024	

Attach a site plan to this application (see Directions for Conditional Use Permit). Site plan must include a layout of the inside of the store.

This application must be fully completed to be considered by the Village.

Fee: \$300.00 (non-refundable)

<u>Sarah Banick</u>	<u>SARAH BANICK</u>	<u>3/26/2024</u>
Business Owner Signature	Printed Name	Date

FOR OFFICE USE ONLY

Has sufficient site plan been submitted? (If not, what is needed?) _____

What is the category of proposed use? Gymnastic Studio m 3-27-24

Does the parking meet code requirements? _____

Is there proper exterior lighting? _____

Are there any existing code violations? N/A m 3-27-24

Additional Comments? _____

Applicants not making substantial changes to their tenancy of Riverpoint Village, Audubon Court Shopping Center, or Fox Point Shops do not need approval from the Director of Public Works as parking and lighting plans for these shopping centers have already been approved.

Letter of Consent received from owner? 3-26-2024

Comments/Date

Date application/materials received: 3-26-2024

Fee Paid: PAID \$300.00 3-26-2024 Receipt No. 1.060087

March 25, 2024

Village of Fox Point
7200 N. Santa Monica Boulevard
Fox Point, WI 53217

Re: Conditional Use Permit Application
Flips4All

To Whom It May Concern:

The purpose of this correspondence provided by Midland Management Company, LLC as Agent for North Shore Centers Partners, is to evidence our intention to enter into a lease agreement for space at the Riverpoint Village Shopping Center, Fox Point, Wisconsin, to Flips4All. We look forward to working with Sarah and her team and to house this fantastic all inclusive gym!

If there should be any questions or additional information needed, please don't hesitate to contact me at 414.928.3972 or am@midlandmgtllc.com.

Thank you.

Sincerely,
MIDLAND MANAGEMENT LLC
As Agent for the Owner
North Shore Centers Partners

Alisha E. Mir-Marwood

Alisha E. Mir-Marwood, CPM®
Asset Manager

NOTICE

PLEASE BE ADVISED: Chapter 67, Article III of the Village of Fox Point Village Code is attached hereto and incorporated herein. Pursuant to this Ordinance, the Village of Fox Point Village Board has determined that whenever the services of the Village Attorney, Village Engineer, Village Forester or any other of the Village's professional staff (internal or independently contracted) results in a charge to the Village for that professional's time and services and such service is not a service supplied to the Village as a whole, the Village Treasurer shall charge the property owner for the fees incurred by the Village. Also be advised that pursuant to the Village of Fox Point Municipal Code certain other fees, costs and charges are the responsibility of the property owner making application to the Village.

I, the undersigned, have been advised that, pursuant to the Village Fox Point Village Code, if the Village Attorney, Village Engineer, Village Forester or any other Village professional (internal or independently contracted) provides services to the Village as a result of my activities, whether at my request or at the request of the Village, I shall be responsible for the fees incurred by the Village. Also I have been advised that pursuant to the Village of Fox Point Village code certain other fees, costs and charges are my responsibility.

Dated this 25th day of March, 2024.

Alisha E. Mir-Marwood

Signature of Property Owner

Midland Management LLC
As agent for the Owner
North Shore Centers Partners LLC

Name of Property Owner - PRINTED

Mailing Address of Property Owner:

555 W Brown Deer Road, Suite #220

Fox Point, WI 53217

Tax Key No. of Property:

053-8989-001

Address of Property:

8643 North Port Washington Road

Fox Point, WI 53217

For Village Use Only:

- ☐ Original kept on file with Village Clerk.
☐ Copy provided to Property Owner.

Signature: _____

VILLAGE OF FOX POINT
7200 N. SANTA MONICA BLVD
FOX POINT WI 53217

414-351-8900

Receipt No: 1.060087

Mar 28, 2024

Flips 4 All LLC - Sarah Banck

Previous Balance:	.00
LICENSES & PERMITS - OCCUPANCY PERMIT	300.00
24-44420 OCCUPANCY PERMIT	
Total:	300.00
CHECK	Check No: 4156
Payor: FLIPS ALL	300.00
Total Applied:	300.00
Change Tendered:	.00

Duplicate Copy

03/28/2024 12:45 PM

Conditional Use Order

WHEREAS, an application has been filed by **Flips 4 All, LLC** (hereinafter "Applicant"); and

WHEREAS, the Applicant is requesting that a conditional use permit be granted pursuant to the Zoning Ordinance of the Village of Fox Point for land described as **8643 N Port Washington Road, Fox Point, Wisconsin**.

NOW, THEREFORE, the Village of Fox Point Village Board, upon consideration of thoughts expressed by all persons heard at the Village Board meeting in this matter, upon consideration of the recommendation from the Plan Commission, and following all necessary study and investigation, having given the matter due consideration, hereby ORDERS AS FOLLOWS: Commencing upon the date hereof, the Applicant is hereby granted a conditional use permit, subject to initial and continued compliance with each and every one of the following conditions, restrictions and limitations.

1. Use Restricted. **Flips 4 All, LLC will run a gymnastics business for neurotypical and neuro-diverse children in addition to special needs adults in a physical facility using occupational activities. The hours of operation shall be limited to 9:00 a.m. until 8:00 p.m., Monday through Sunday, unless additional hours are approved in writing by the Village Manager.**
2. Presentation Compliance. All of the Applicant's plans, specifications, terms and representations as submitted with the application, or in support thereof, or as represented to the Village Board in the course of the approval process, are specifically incorporated herein and made a part hereof by reference, and the use of the subject property shall be in substantial conformance with the same except as further restricted or modified herein.
3. Not Transferable. This conditional use permit is granted to the Applicant and shall not be transferred or assigned without the Village Board's prior written consent, which may only be granted following the Village Board's receipt of a recommendation from the Plan Commission.
4. Applicant and Owner Agreement. As a condition precedent to the issuance of the conditional use permit, the owner of the Subject Property shall approve the issuance of this conditional use permit upon the terms and conditions described herein in writing, and the Applicant is required to accept the terms and conditions of the same in its entirety in writing.
5. Other Uses Prohibited. Any use not specifically listed as permitted shall be considered to be prohibited except as may be otherwise specifically provided herein. In case of a question as to whether a use is permitted, the question shall be submitted to the Plan Commission for recommendation to the Village Board, and then to the Village Board for determination.
6. No Nuisances, and Compliance with Applicable Laws. No use is hereby authorized unless the use is conducted in a lawful, orderly and peaceful manner. Nothing in this order shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the municipal governing body, the County of Milwaukee, the State of Wisconsin, the United States of America or other duly constituted authority, except only to the extent that it authorizes the use of the subject property above described in any specific respects described herein. This order shall not be deemed to constitute a building permit, nor shall this order constitute any other license or permit required by Village ordinance or other law.
7. Subject Property Only. This conditional use hereby authorized shall be confined to the Subject Property described, without extension or expansion other than as noted herein.
8. Abandonment. Should the permitted conditional use be abandoned in any manner, or discontinued in use for twelve (12) months, or continued other than in strict conformity with the conditions of the original approval, or should the Applicant be delinquent in payment of any monies due and owing to the Village, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area or for similar cause based upon consideration of public health, safety or welfare, the conditional use may be terminated by action of the Village Board following receipt of a recommendation from the Plan Commission and after the Village Board holds a public hearing in the matter.
9. Amendments. Any change, addition, modification, alteration and/or amendment of any aspect of

this conditional use, including but not limited to an addition, modification, alteration, and/or amendment to the use, premises (including but not limited to any change to the boundary limits of the Subject Property), structures, lands or owners, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.

10. Plan Amendments. Unless this conditional use permit expressly states otherwise, plans that are specifically required by this conditional use order may be amended (a) without separate approval in the limited circumstances described in Section 14.19(11) of the Village Code; or (b) by the Village Board upon receipt of a recommendation from the Plan Commission if the Village Board finds the plan amendment to be minor and consistent with the conditional use permit. Any change in any plan that the Village Board, in its sole discretion, finds to be substantial shall require a new permit, and all procedures in place at the time must be followed.
11. Severability. Should any paragraph or phrase of this conditional use permit be determined by a Court to be unlawful, illegal or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the conditional use and the remainder shall continue in full force and effect.
12. Most Restrictive Applies. If any aspect of this conditional use permit or any aspect of any plan contemplated and approved under this conditional use is in conflict with any other aspect of the conditional use or any aspect of any plan of the conditional use, the more restrictive provision shall be controlling as determined by the Plan Commission.
13. Prior Conditional Use Permits Terminated. Unless stated otherwise herein or in the documents incorporated herein, all conditional use permits previously granted for the Subject Property, if any, shall be automatically terminated without further action of the Village Board immediately following full satisfaction of all condition's precedent to this conditional use order taking effect.
14. Payment of fees. Applicant shall, on demand, reimburse the Village for all costs and expenses of any type that the Village incurs in connection with this conditional use order including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional use order due to a violation of these conditions.
15. Payment of Taxes and Charges. Any unpaid bills owed to the Village by the Subject Property Owner or his or her tenants, operators or occupants, for reimbursement of professional fees; or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Village; shall be placed upon the tax roll for the Subject Property if not paid within thirty (30) days of billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional use order, that is subject to all remedies available to the Village, including possible cause for termination of the conditional use order.
16. Conditions Shown in Minutes Incorporated. All conditions of approval imposed by duly adopted motion of the Village Board in its consideration of the Applicant's application, as noted in the Minutes of the Village Board meeting at which approval was granted, are specifically incorporated herein by reference.
17. The Applicant is obligated to file with the Village Clerk a current mailing address and current phone number at which the Applicant can be reached, which must be continually updated by the Applicant if such contact information should change, for the duration of this conditional use. If the Applicant fails to maintain such current contact information the Applicant thereby automatically waives notice of any proceedings that may be commenced under this conditional approval, including proceedings to terminate this conditional use.

Let copies of this order be filed in the permanent records of the Village Board for the Village of Fox Point, and let copies be sent to the proper Village of Fox Point authorities and the Applicant and Owner.

Signed this _____ day of _____, 2024, *nunc pro tunc* the _____ day of _____, 2024.

BY THE FOX POINT VILLAGE BOARD:

Christine Symchych, Village President

Attest:

Sara A. Bruckman, CMC/WCMC, Village Clerk/Treasurer

APPROVAL

I hereby approve the issuance of this Conditional Use Permit to the Applicant on the terms and conditions described herein.

Dated this _____ day of _____, 2024.

SUBJECT PROPERTY OWNER

By: _____
Authorized Signatory

Title: _____

ACCEPTANCE

I hereby accept the terms and conditions of this Conditional Use in its entirety.

Dated this _____ day of _____, 2024.

APPLICANT:

By: _____
Authorized Signatory

Title: _____



VILLAGE OF FOX POINT APPLICATION FOR CONDITIONAL USE PERMIT

Section 1

Trade Name of Business Saddle and Spoke Cycle	Phone # 414 241 9046	Name of former tenant (if known) Legacies LTD.
Fox Point Business Address 7922 N. Port Washington RD. SUITE #1		
Email sstephen.henke@gmail.com	Contact Person STEPHEN Henke	

If the business is a limited liability corporation (LLC) or corporation, complete the following section. If not, skip to next section.

Section 2

Legal name of corporation or LLC Saddle and Spoke Cyclery LLC	Corporate email sstephen.henke@gmail.com
Corporate headquarters address 4223 S. 1st Milwaukee WI 53207	Corporate phone # 414.241.9046
Name and addresses of all corporate officers OWNER - STEPHEN HENKE 4223 S. 1st St. Mil. WI 53207	
Name of corporate agent STEPHEN HENKE	Address of corporate agent 4221 S. 1st St. Mil. WI 53207

If applicant(s) is a sole proprietorship (individual) or partnership, please complete the following section.

Section 3

List the name, home address, business address, and phone numbers of all applicants and owners.			
Name	Home address	Business address	Phone #
Stephen Henke	4223 S. 1st St	7922 N. Port Wash	414 241 9046
KATIE Bleile	4223 S. 1st St	1314 S. 1st St #140	815-979-1751

All applicants must complete the following section.

Section 4

Applicant's specific interest in site Renter.		
Describe in detail the business activity that will take place on site including products & services Bicycle repair AND TUNE UPS. WALK IN A LA CARTE SERVICES. NEW AND USED BIKE SALES. Bicycle accessory sales AND installation. Bicycle pick up AND delivery for repairs AND SALES BY VAN. Products will include: HELMETS, TIRES, TUBES, BICYCLE components, CANNONDALE BIKES, CERVELO, GIRO PRODUCTS, SAISA, PUMPS, LOCKS		
Describe all owned fixtures, furniture, and equipment to be used on site BICYCLE STANDS FOR REPAIR. WORK BENCHES, DESK AND chair. WALL AND FLOOR DISPLAYS. FLOOR PUMPS, POS SYSTEM		
Describe all leased fixtures, furniture, and equipment to be used on site NONE		
Describe any alterations planned for the site and estimated cost of renovation FLOOR FINISH, WALL PAINT. \$1000.00		
Person responsible for obtaining building permit (if required) NIC ENR		
Square footage of site 1985 sq ft	# of employees TWO	# of parking spaces to be used 5
Days & hours of operation M-F NOON - 6pm SAT + SUN 12-4pm		Proposed date of occupancy MAY 15, 2024

**WINTER HOURS MAY BE LESS.
SUMMER HOURS MAY CHANGE TO 7pm ON CERTAIN DAYS.**

Attach a site plan to this application (see Directions for Conditional Use Permit). Site plan must include a layout of the inside of the store.

This application must be fully completed to be considered by the Village.

Fee: \$300.00 (non-refundable)

 _____ Business Owner Signature	STEPHEN HENKE _____ Printed Name	4-7-24 _____ Date
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FOR OFFICE USE ONLY

Has sufficient site plan been submitted? (If not, what is needed?) _____

What is the category of proposed use? BICYCLE SHOP

Does the parking meet code requirements? § 745-18(F)(7) requires 5 spaces for each 1,000 SF of gross area excluding storage; Applicant proposes 935 SF for showroom & 15 spots are available.

Is there proper exterior lighting? Lights are affixed to the building as shown on the attached & appear to meet the requirements of Article XI of Chapter 670

Are there any existing code violations? SEE SHEET

Additional Comments? _____

Applicants not making substantial changes to their tenancy of Riverpoint Village, Audubon Court Shopping Center, or Fox Point Shops do not need approval from the Director of Public Works as parking and lighting plans for these shopping centers have already been approved.

Letter of Consent received from owner? Received 4-16-2024
Comments/Date

Date application/materials received: Received 4-16-2024

Fee Paid: \$300.⁰⁰ 4-16-2024 Receipt No. 1.060171

VILLAGE OF FOX POINT
7200 N. SANTA MONICA BLVD
FOX POINT WI 53217

414-351-8900

Receipt No: 1.060171

Apr 16, 2024

7922 N Port Washington Road

Previous Balance:	.00
LICENSES & PERMITS - CONDITIONAL USE PERMIT	300.00
24-44550 CONDITIONAL USE PERMIT	
Total:	300.00
CASH	300.00
Payor: Stephen Henke	
Total Applied:	300.00
Change Tendered:	.00

Duplicate Copy

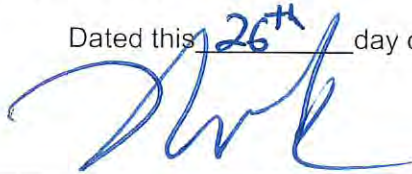
04/16/2024 2:35 PM

NOTICE

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I, the undersigned, have been advised that, pursuant to the Village Fox Point Village Code, if the Village Attorney, Village Engineer, Village Forester or any other Village professional (internal or independently contracted) provides services to the Village as a result of my activities, whether at my request or at the request of the Village, I shall be responsible for the fees incurred by the Village. Also I have been advised that pursuant to the Village of Fox Point Village code certain other fees, costs and charges are my responsibility.

Dated this 26th day of March, 20 24



Signature of Property Owner

Nic Ehr

Name of Property Owner - PRINTED

Mailing Address of Property Owner:

7922 N. Port Washington Rd
Milwaukee, WI 53217

Tax Key No. of Property:

091 999 1002

Address of Property:

SAME

Fox Point, WI 53217

For Village Use Only:

- ☐ Original kept on file with Village Clerk.
- ☐ Copy provided to Property Owner.

Signature: _____

WMN, LLC

7922 N. Port Washington Road, Fox Point WI 53217

April 3, 2024

Village of Fox Point
Attn: Scott Botcher
7200 North Santa Monica Boulevard
Fox Point, WI 53217

RE: Property Located at: 7922 North Port Washington Road

Dear Mr. Botcher:

WMN, LLC, the owner of the property at 7922 North Port Washington Road, Fox Point, Wisconsin, would like to rent a portion of the building to Saddle and Spoke Cyclery LC, a full-service bicycle shop.

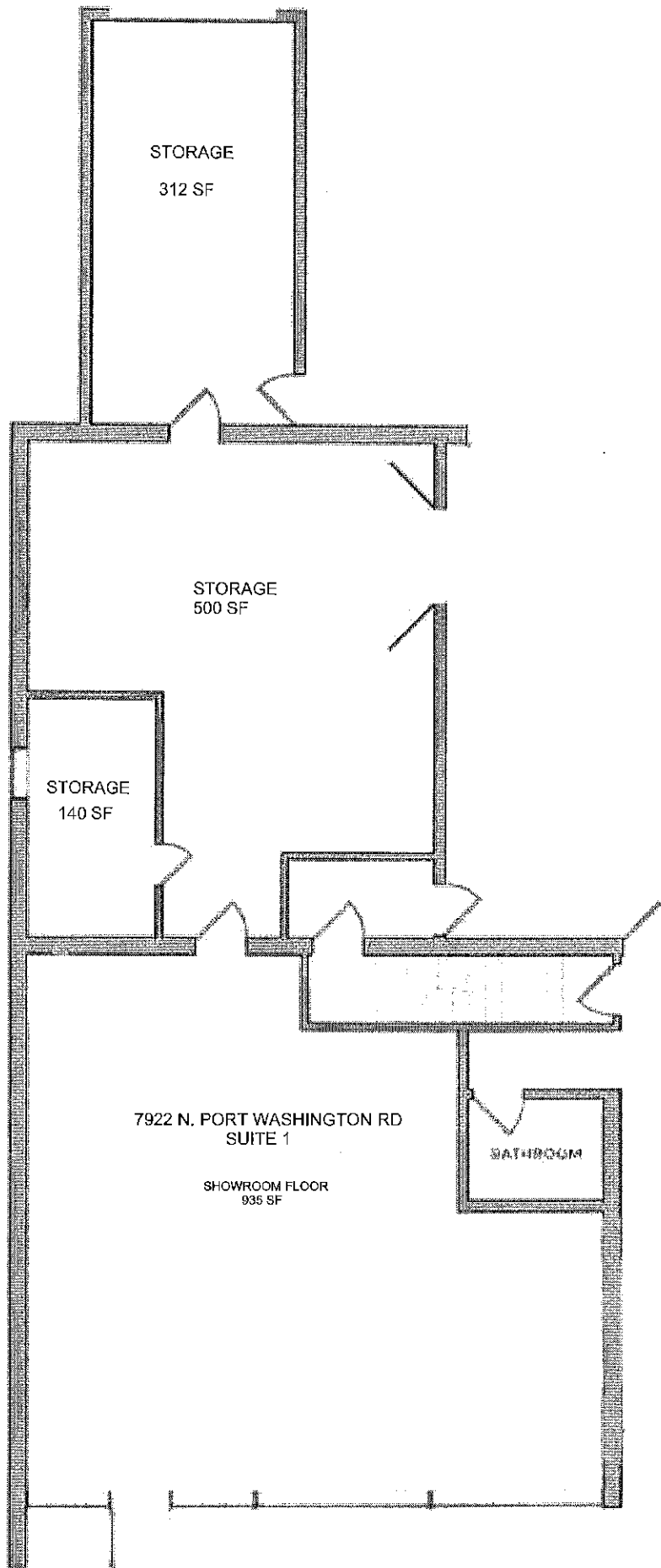
Stephen has 10+ years' experience in the bicycle sales and repair industry, and we feel this business would be an exciting addition and contributor to the revitalization of the Port Washington Road corridor.

A copy of the mission statement and business summary is attached.

Yours truly,



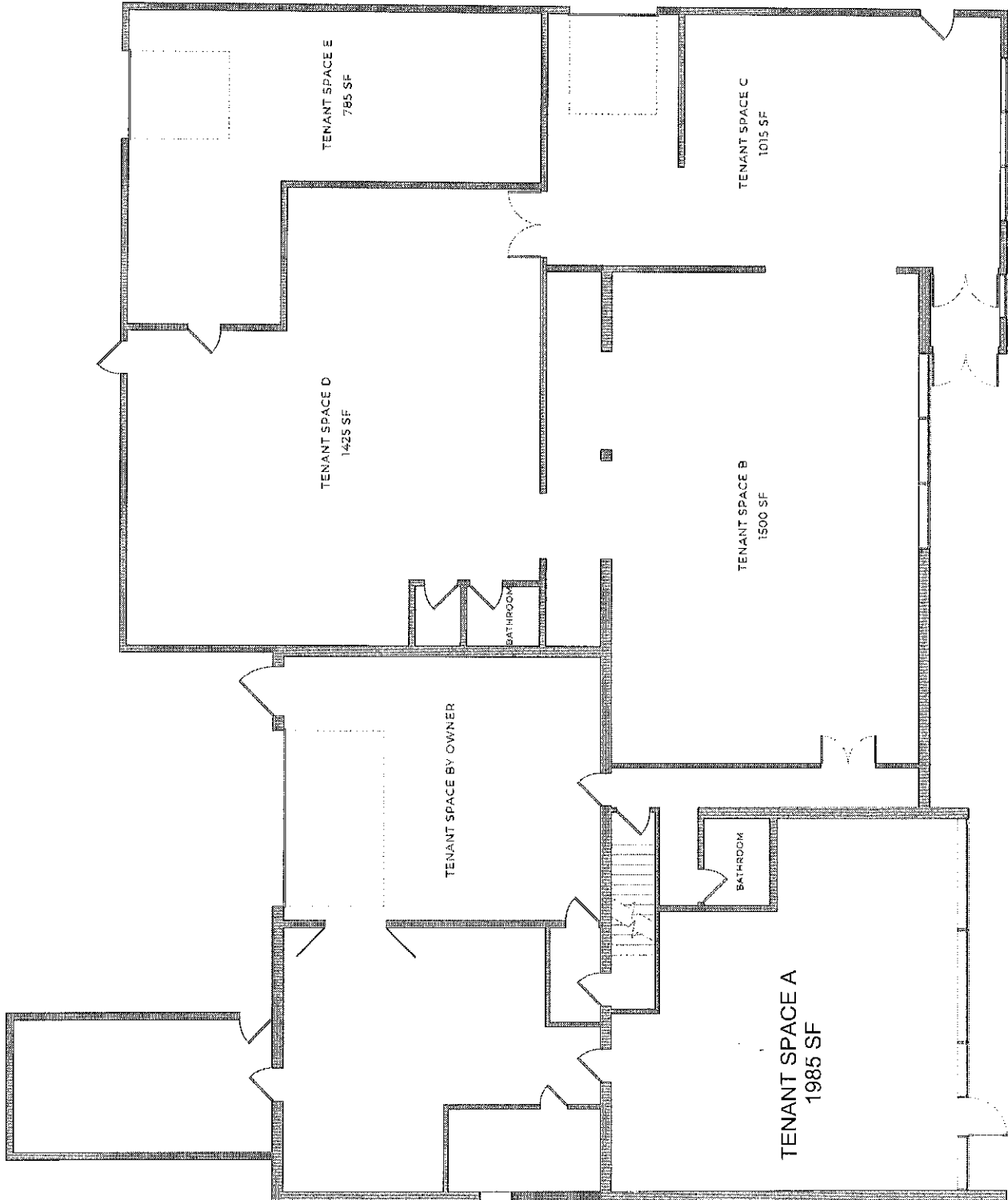
WMN, LLC
By: Nicholas Ehr, Managing Member



EHR
COMMERCIAL/
RETAIL BUILDING

7923 N PORT
WASHINGTON RD.
MILWAUKEE, WI 53217

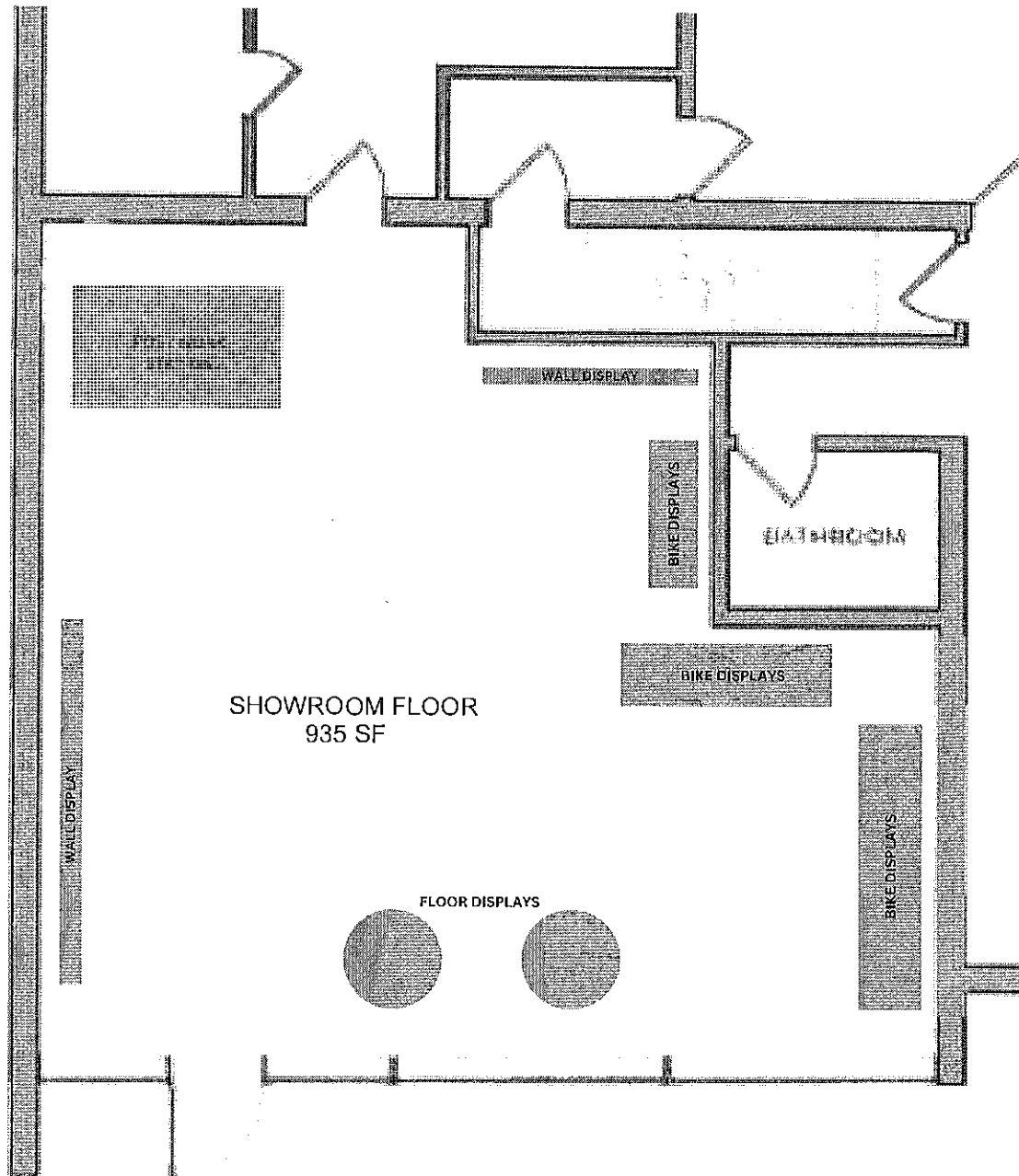
CONTACT:
Nik Ehr
414.670.8315

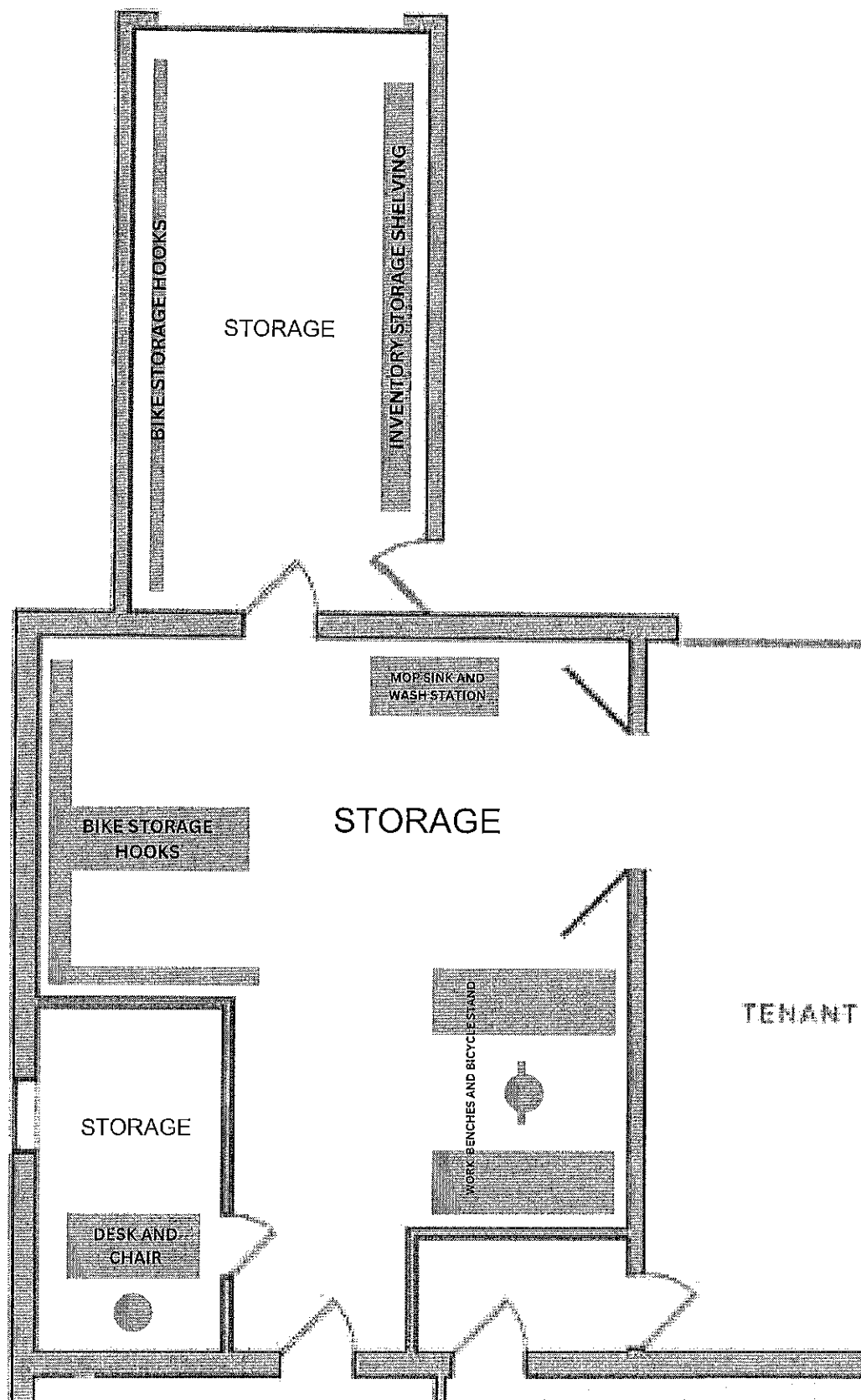


SPACE A: 1985 SF
SPACE B: 1500 SF
SPACE C: 1015 SF
SPACE D: 1425 SF
SPACE E: 785 SF

TOTAL: 6810 SF

MAIN LEVEL FLOOR PLAN
1/8" = 1'-0"





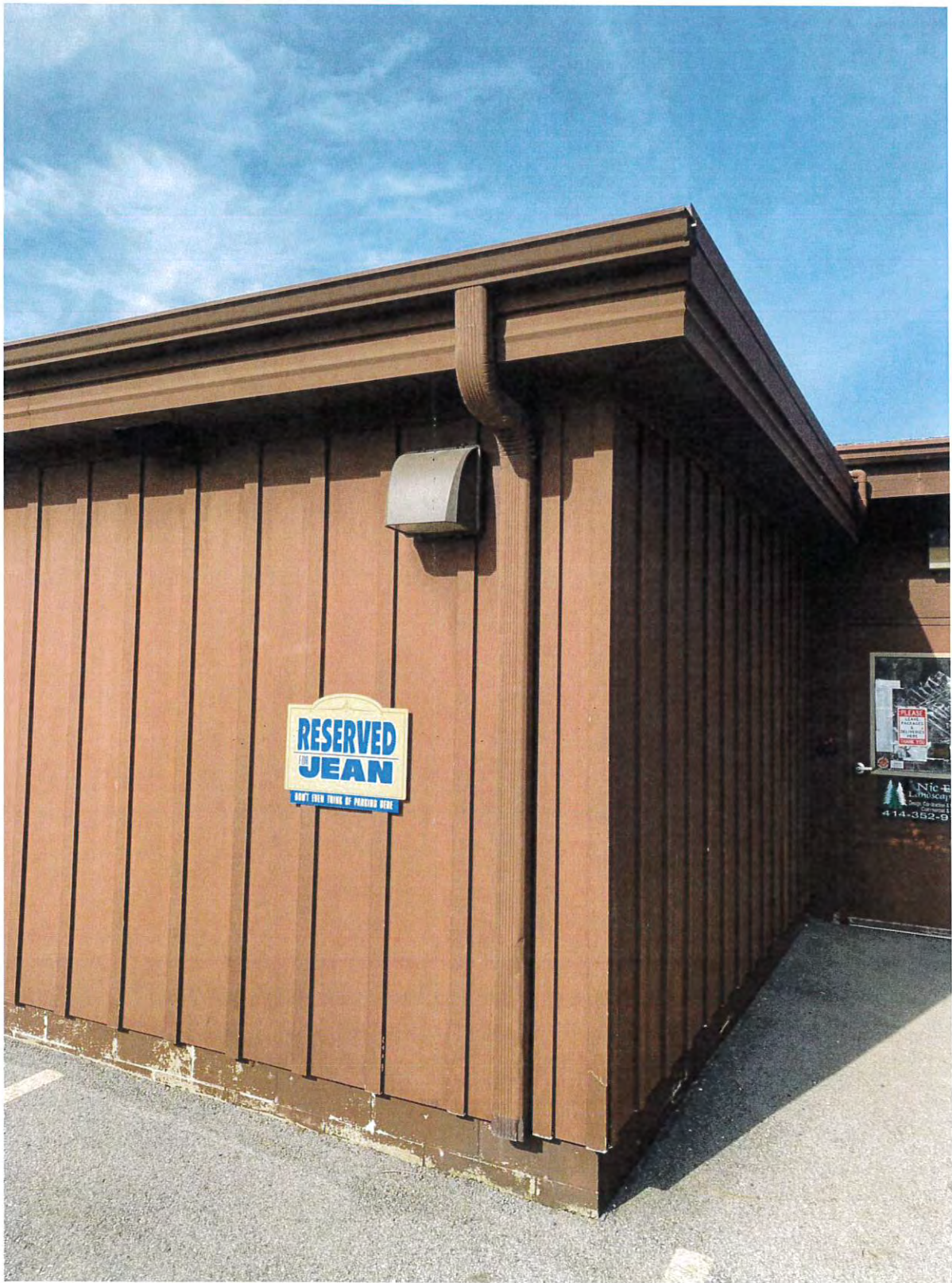


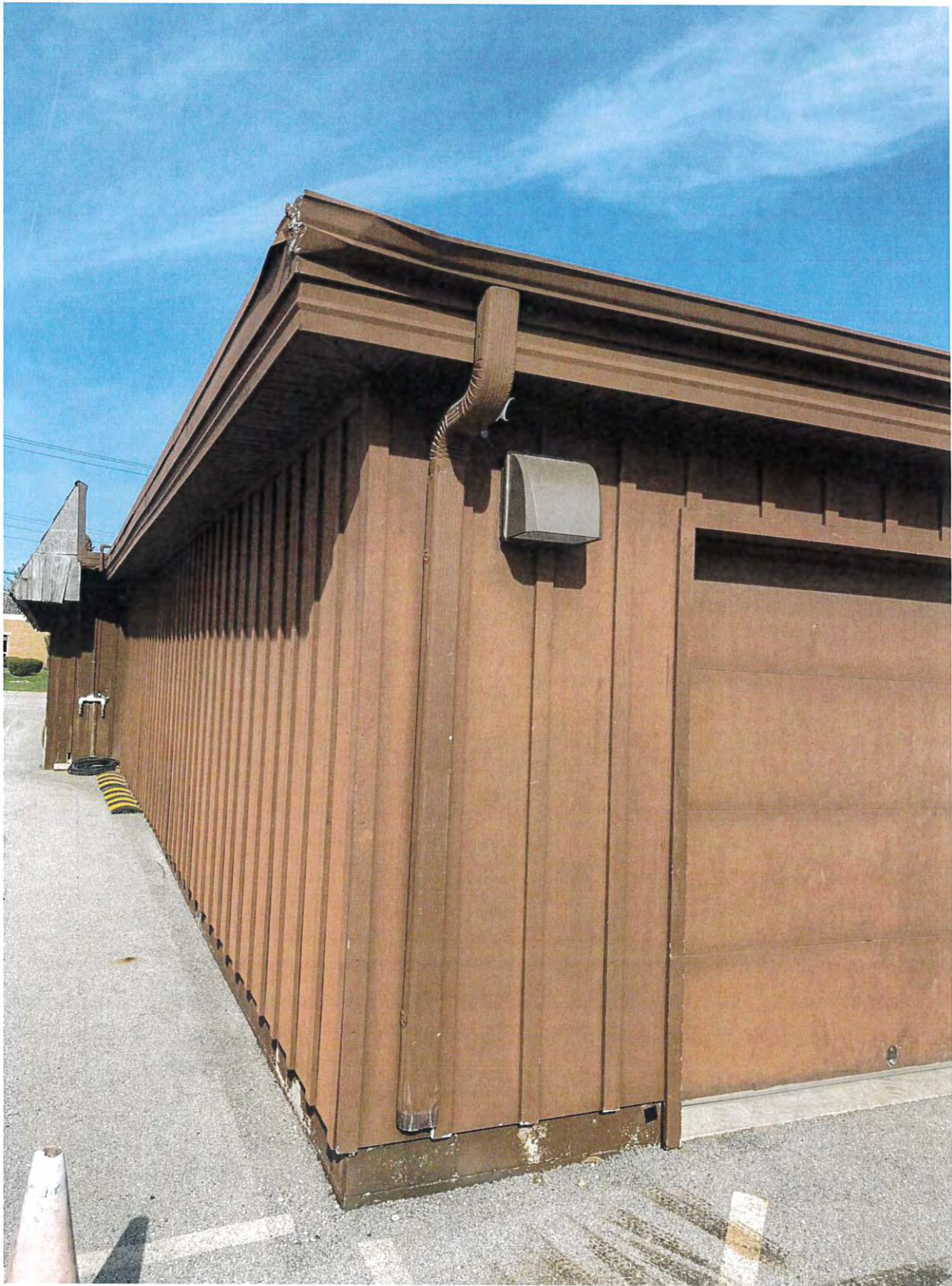






















VILLAGE OF FOX POINT

7200 N Santa Monica Blvd
Fox Point, WI 53217
(414) 247-6622
www.villageoffoxpoint.com

April 29, 2024

Re: Violations

- Missing shingles, peeling paint, rotting wood, entire fence needing repair/replace, signs leaning over

§ 681-2Exteriors.

With respect to all buildings or structures, including fences, planters, and retaining walls, the owner, occupant or agent shall keep the exterior thereof in a neat and attractive appearance and structurally sound, and including but not limited to, shall repaint or use preservatives on the exterior from time to time as reasonably required to maintain the same, and shall keep stone or brick adequately tuck-pointed and shall keep other building material in a neat and attractive condition.

- Storing/parking vehicles on residential vacant lot, storage, shed.

§ 681-7Vacant or undeveloped land.

(6) No vehicles, whether registered or unregistered, or whether in sound mechanical condition or disrepair, and no materials not employed in the course of construction under a duly issued building permit shall be parked upon or stored upon the premises unless such a vehicle is attended by an individual lawfully upon and present at the vacant or undeveloped land.

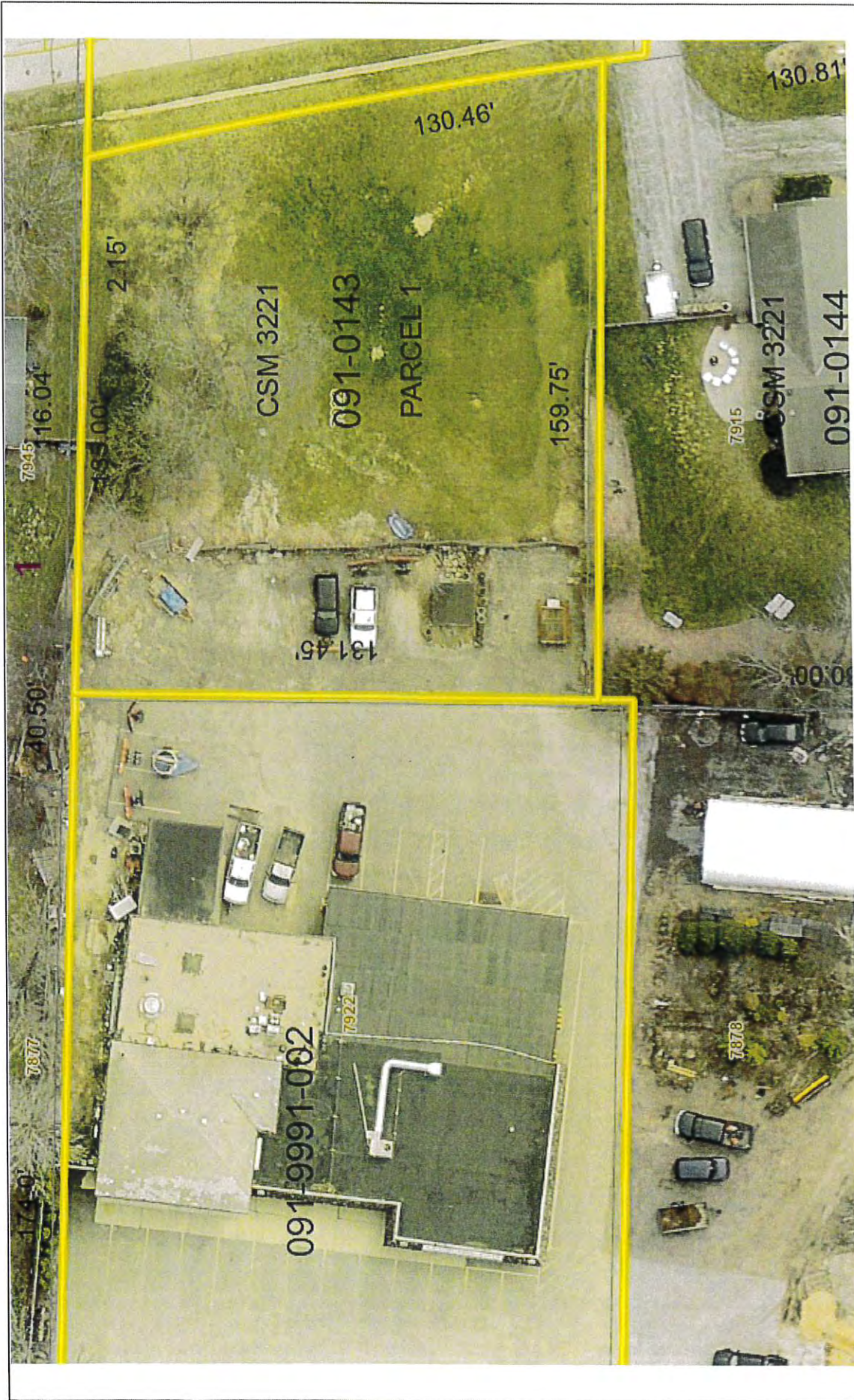
- East fence section extended to vacant lot

§ 745-7Accessory uses and structures.

B(3)(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 Fox Point. A fence, wall, driveway gate or 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 ten feet from the finished lot grade and shall not project forward of the front line of the principal building.

Regards,

Michael Rakow
Building Inspector



Village of Fox Point GIS

DISCLAIMER: The Village of Fox Point Does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1" = 47'



VILLAGE OF FOX POINT
 7200 North Santa Monica Boulevard
 Fox Point, WI 53217
 (414) 351-8900

Print Date: 4/26/2024



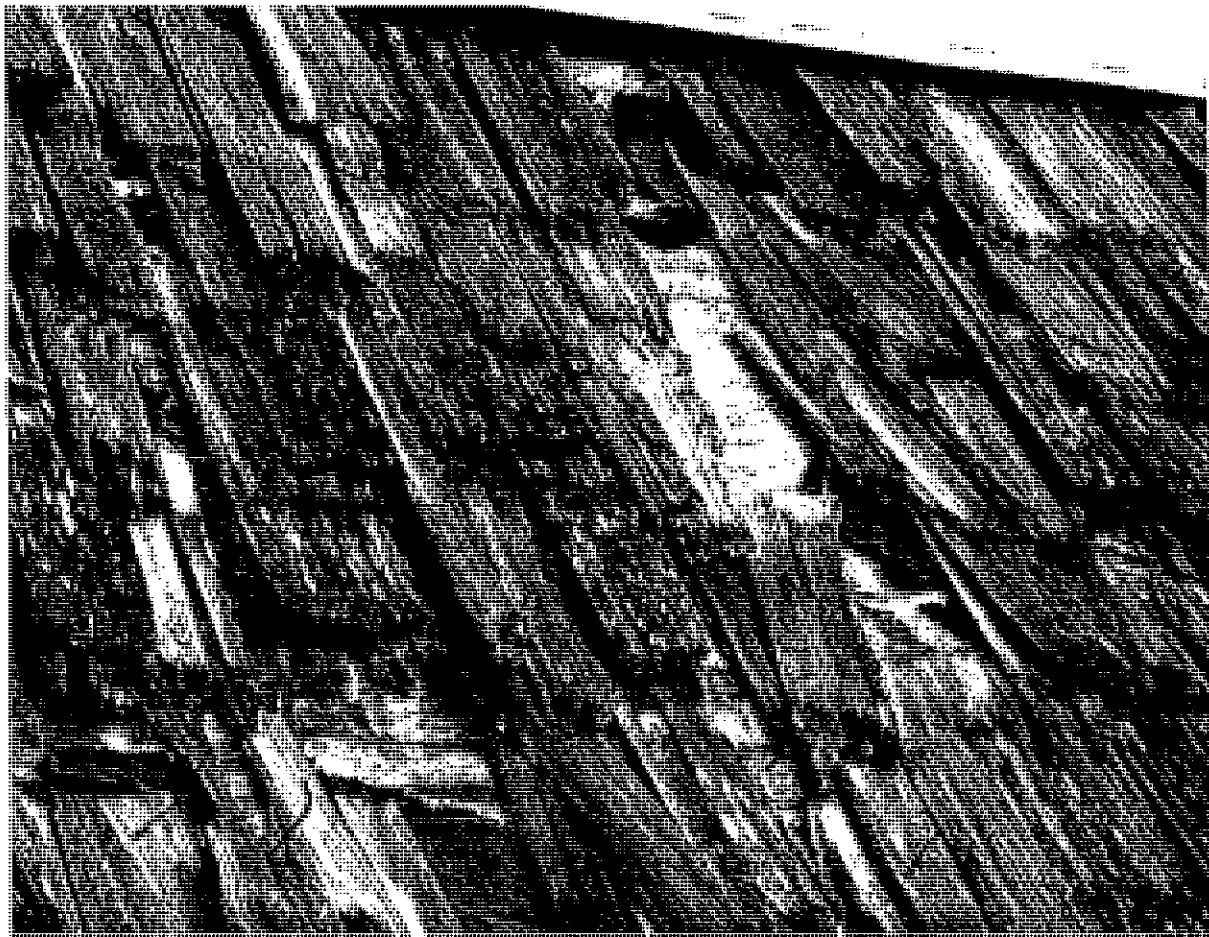




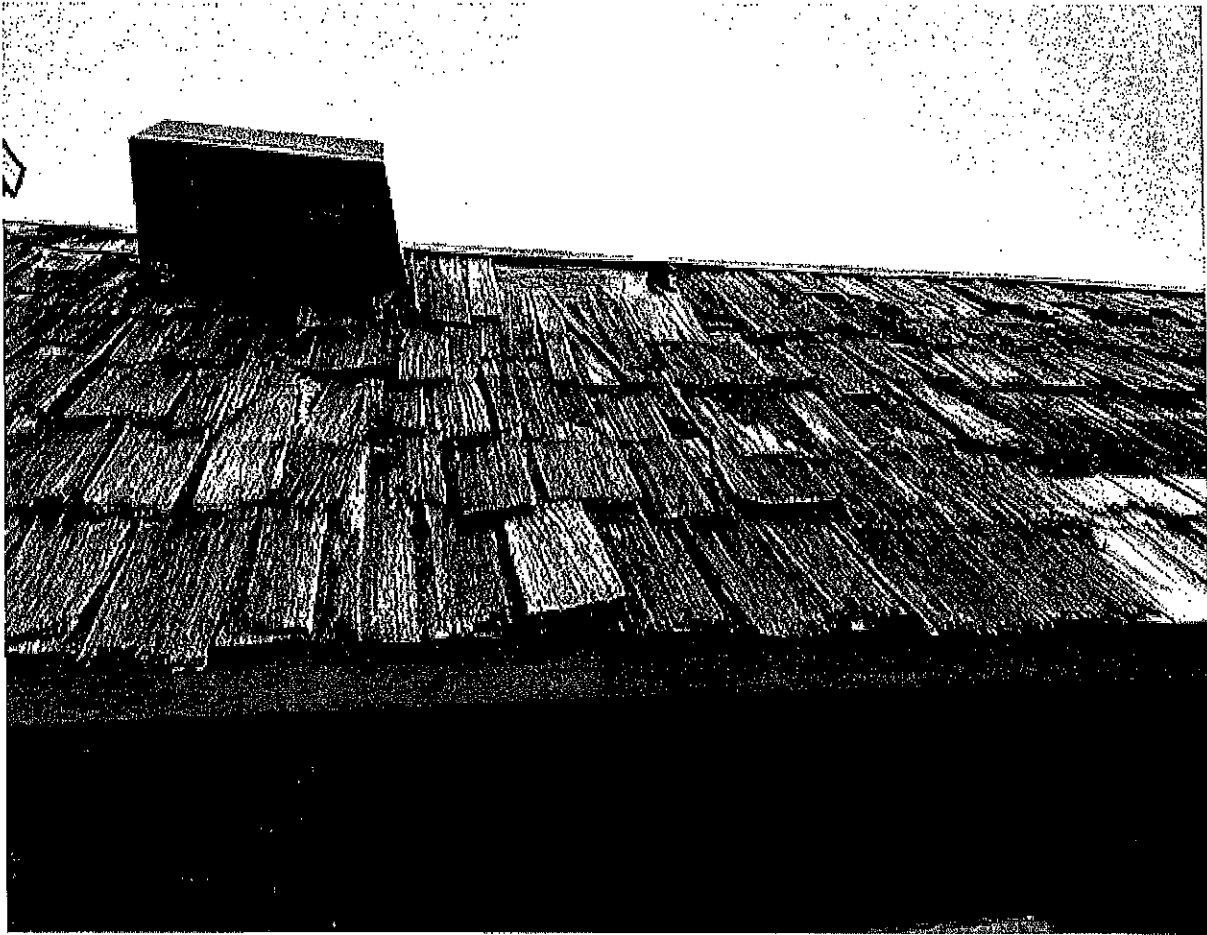




















my iPhone

Sent from

Conditional Use Order

WHEREAS, an application has been filed by **Saddle and Spoke Cyclery, LLC** (hereinafter "Applicant"); and

WHEREAS, the Applicant is requesting that a conditional use permit be granted pursuant to the Zoning Ordinance of the Village of Fox Point for land described as **7922 N Port Washington Road, Suite #1, Fox Point, Wisconsin.**

NOW, THEREFORE, the Village of Fox Point Village Board, upon consideration of thoughts expressed by all persons heard at the Village Board meeting in this matter, upon consideration of the recommendation from the Plan Commission, and following all necessary study and investigation, having given the matter due consideration, hereby **ORDERS AS FOLLOWS:** Commencing upon the date hereof, the Applicant is hereby granted a conditional use permit, subject to initial and continued compliance with each and every one of the following conditions, restrictions and limitations.

1. **Use Restricted.** **Saddle and Spoke Cyclery, LLC will perform bicycle repair and tune-ups and walk in a la carte services. They will sell bikes, bike accessories, and provide installation. Bicycle pickup and delivery for repairs and sales to be done via van. Products will include helmets, tires, tubes, bicycle components, Canondale Bikes, Cervelo, Giro Products, Salsa Bikes, pumps, and Locks. The hours of operation shall be limited to 12:00 p.m. until 6:00 p.m., Monday through Friday, and 12:00 pm until 4 p.m. on Saturdays and Sundays unless additional hours are approved in writing by the Village Manager.**
2. **Presentation Compliance.** All of the Applicant's plans, specifications, terms and representations as submitted with the application, or in support thereof, or as represented to the Village Board in the course of the approval process, are specifically incorporated herein and made a part hereof by reference, and the use of the subject property shall be in substantial conformance with the same except as further restricted or modified herein.
3. **Not Transferable.** This conditional use permit is granted to the Applicant and shall not be transferred or assigned without the Village Board's prior written consent, which may only be granted following the Village Board's receipt of a recommendation from the Plan Commission.
4. **Applicant and Owner Agreement.** As a condition precedent to the issuance of the conditional use permit, the owner of the Subject Property shall approve the issuance of this conditional use permit upon the terms and conditions described herein in writing, and the Applicant is required to accept the terms and conditions of the same in its entirety in writing.
5. **Other Uses Prohibited.** Any use not specifically listed as permitted shall be considered to be prohibited except as may be otherwise specifically provided herein. In case of a question as to whether a use is permitted, the question shall be submitted to the Plan Commission for recommendation to the Village Board, and then to the Village Board for determination.
6. **No Nuisances, and Compliance with Applicable Laws.** No use is hereby authorized unless the use is conducted in a lawful, orderly and peaceful manner. Nothing in this order shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the municipal governing body, the County of Milwaukee, the State of Wisconsin, the United States of America or other duly constituted authority, except only to the extent that it authorizes the use of the subject property above described in any specific respects described herein. This order shall not be deemed to constitute a building permit, nor shall this order constitute any other license or permit required by Village ordinance or other law.
7. **Subject Property Only.** This conditional use hereby authorized shall be confined to the Subject Property described, without extension or expansion other than as noted herein.
8. **Abandonment.** Should the permitted conditional use be abandoned in any manner, or discontinued in use for twelve (12) months, or continued other than in strict conformity with the conditions of the original approval, or should the Applicant be delinquent in payment of any monies due and owing to the Village, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area or for similar cause based upon consideration of public health, safety or welfare, the conditional use may be terminated by action of the Village

Board following receipt of a recommendation from the Plan Commission and after the Village Board holds a public hearing in the matter.

9. Amendments. Any change, addition, modification, alteration and/or amendment of any aspect of this conditional use, including but not limited to an addition, modification, alteration, and/or amendment to the use, premises (including but not limited to any change to the boundary limits of the Subject Property), structures, lands or owners, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.
10. Plan Amendments. Unless this conditional use permit expressly states otherwise, plans that are specifically required by this conditional use order may be amended (a) without separate approval in the limited circumstances described in Section 14.19(11) of the Village Code; or (b) by the Village Board upon receipt of a recommendation from the Plan Commission if the Village Board finds the plan amendment to be minor and consistent with the conditional use permit. Any change in any plan that the Village Board, in its sole discretion, finds to be substantial shall require a new permit, and all procedures in place at the time must be followed.
11. Severability. Should any paragraph or phrase of this conditional use permit be determined by a Court to be unlawful, illegal or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the conditional use and the remainder shall continue in full force and effect.
12. Most Restrictive Applies. If any aspect of this conditional use permit or any aspect of any plan contemplated and approved under this conditional use is in conflict with any other aspect of the conditional use or any aspect of any plan of the conditional use, the more restrictive provision shall be controlling as determined by the Plan Commission.
13. Prior Conditional Use Permits Terminated. Unless stated otherwise herein or in the documents incorporated herein, all conditional use permits previously granted for the Subject Property, if any, shall be automatically terminated without further action of the Village Board immediately following full satisfaction of all condition's precedent to this conditional use order taking effect.
14. Payment of fees. Applicant shall, on demand, reimburse the Village for all costs and expenses of any type that the Village incurs in connection with this conditional use order including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional use order due to a violation of these conditions.
15. Payment of Taxes and Charges. Any unpaid bills owed to the Village by the Subject Property Owner or his or her tenants, operators or occupants, for reimbursement of professional fees; or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Village; shall be placed upon the tax roll for the Subject Property if not paid within thirty (30) days of billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional use order, that is subject to all remedies available to the Village, including possible cause for termination of the conditional use order.
16. Conditions Shown in Minutes Incorporated. All conditions of approval imposed by duly adopted motion of the Village Board in its consideration of the Applicant's application, as noted in the Minutes of the Village Board meeting at which approval was granted, are specifically incorporated herein by reference.
17. The Applicant is obligated to file with the Village Clerk a current mailing address and current phone number at which the Applicant can be reached, which must be continually updated by the Applicant if such contact information should change, for the duration of this conditional use. If the Applicant fails to maintain such current contact information the Applicant thereby automatically waives notice of any proceedings that may be commenced under this conditional approval, including proceedings to terminate this conditional use.

Let copies of this order be filed in the permanent records of the Village Board for the Village of Fox Point, and let copies be sent to the proper Village of Fox Point authorities and the Applicant and Owner.

Signed this _____ day of _____, 2024, *nunc pro tunc* the _____ day of _____, 2024.

BY THE FOX POINT VILLAGE BOARD:

Christine Symchych, Village President

Attest:

Sara A Bruckman, CMC/WCMC, Village Clerk/Treasurer

APPROVAL

I hereby approve the issuance of this Conditional Use Permit to the Applicant on the terms and conditions described herein.

Dated this _____ day of _____, 2024.

SUBJECT PROPERTY OWNER

By: _____
Authorized Signatory

Title: _____

ACCEPTANCE

I hereby accept the terms and conditions of this Conditional Use in its entirety.

Dated this _____ day of _____, 2024.

APPLICANT:

By: _____
Authorized Signatory

Title: _____