

NOTICE OF MEETING

VILLAGE OF FOX POINT PLAN COMMISSION

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

Monday
June 3, 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/89935529743>

Dial: (312) 626-6799
Meeting ID: 899 3552 9743

AGENDA

- 1. Roll Call.**
- 2. Approval of the minutes of the May 6, 2024 Plan Commission meeting.**
- 3. Review and Recommendation Re: Conditional Use Permit for 7922 N Port Washington Road, Suite #2 – Story Makery, LLC dba Story Makery**

The Plan Commission will discuss and make a recommendation to the Village Board regarding the conditional use permit for Story Makery, LLC dba Story Makery to operate a book making shop with book writing, book making, reading, and writing.

- 4. Adjourn.**

NEXT PLAN COMMISSION MEETING:

Monday, July 1, 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
May 6, 2024

A meeting of the Fox Point Plan Commission was held on Monday, May 6, 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 (absent)
	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 April 1st, 2024 Plan Commission Meeting

Motion by Durant, seconded by Freedman, and carried unanimously, the Commission approved the minutes of the April 1st, 2024 Plan Commission meeting as amended.

Review and Recommendation Re: Conditional Use Permit for 8643 N Port Washington Road – Flips 4 All, LLC dba Flips 4 All, LLC

Motion by Durant, seconded by Smith, and carried unanimously by roll call vote, the Commission recommended the Village Board approve the application.

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.

Motion by Fonstad, seconded by Freedman, and carried unanimously, the Commission recommended the Village Board approve this conditional use permit subject to the changes specified in regards to the hours and specific brands and conditioned on resolving the building issues identified by the Building Inspector in his April 29, 2024 report.

Adjourn

**VILLAGE OF FOX POINT
PLAN COMMISSION MEETING MINUTES
May 6, 2024**

On motion by Freedman, seconded by Durant and carried unanimously, the Plan Commission meeting adjourned at 6:17 PM.

Respectfully Submitted,

Scott A Botcher
Village Manager



VILLAGE OF FOX POINT

APPLICATION FOR CONDITIONAL USE PERMIT

Section 1

Name of Business <u>Story Makery</u>	Phone # <u>262-291-0775</u>	Name of former tenant (if known)
Fox Point Business Address <u>7922 Port Washington Rd^{suite} Fox Point 53217</u>		
Email <u>lemon.alisha@gmail.com</u>	Contact Person <u>Alisha Lemon</u>	

If the business is a corporation, complete the following section. If not, skip to next section.

Section 2

Legal name of corporation <u>Story Makery LLC</u>	Corporate email <u>lemon.alisha@gmail.com</u>
Corporate headquarters address <u>11830 N. sandhill circle</u>	Corporate phone # <u>262-291-0775</u>
Name and addresses of all corporate officers <u>Meghan WI 53092</u> <u>Alisha Lemon</u>	
Name of corporate agent <u>Alisha Lemon</u>	Address of corporate agent <u>11830 N. sandhill circle</u> <u>Meghan WI 53092</u>

If applicant(s) is an 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 #
<u>Alisha Lemon</u>	<u>11830 N. sandhill circle</u> <u>Meghan 53092</u>	<u>7922 Port Washington</u> <u>Fox Point, 53217</u>	<u>262-291-0775</u>

All applicants must complete the following section.

Section 4

Applicant's specific interest in site <u>Book making shop</u>
Describe in detail the business activity that will take place on site including products & services <u>Book writing, Book making, reading, writing</u>

Describe all owned fixtures, furniture, and equipment to be used on site		
Desk, tables, laptop computers, chairs		
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		
None		
Person responsible for obtaining building permit (if required)		
Nicholas J. Ehr		
Square footage of site	# of employees	# of parking spaces to be used
1500	# 2	7
Days & hours of operation	Proposed date of occupancy	
10am - 7pm	July 2023 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)

Alisha Leman

Business Owner Signature

Alisha Leman

Printed Name

4-23-24

Date

FOR OFFICE USE ONLY

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

What is the category of proposed use? BOOK MAKING SHOP ma 5-20-24

Does the parking meet code requirements? 5 spaces per 1,000 sq ft required;
Adequate parking appears to be present.

Is there proper exterior lighting? Lighting is on exterior of building

Are there any existing code violations? SEE SHEET ma 5-20-24

Additional Comments? _____

Letter of Consent received from owner? Dated 4-26-2024

Comments/Date

Date application/materials received: 5-16-2024

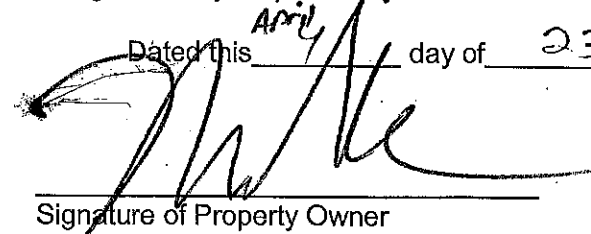
Fee Paid: 5-16-2024 Receipt No. 1.06 0291

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 April day of 23, 2024.


Signature of Property Owner

Nicholas J. Ehr
Name of Property Owner - PRINTED

Mailing Address of Property Owner:

same as address

7922 N. Port Washington Rd.
Milwaukee, WI 53217

7922 N. Port Washington Rd
Fox Point, WI 53217

Tax Key No. of Property:

0910143000

Address of Property:

7922 N. Port Washington Rd
Fox Point 53217 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 26, 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 Alisha Lemon d/b/a Storymakery, a center which offers children, between the ages of 5 and 17 years, a creative environment to write and print books. The center will also offer workshops to assist children in reading and writing.

Alisha has 10+ years' experience in working in this field with children, and we feel this business would be a creative new addition to 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

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

414-351-8900

Receipt No: 1.000291

May 16, 2024

7822 N Port Washington Road

Previous Balance:	.00
LICENSES & PERMITS - CONDITIONAL USE PERMIT	300.00
24-44860 CONDITIONAL USE PERMIT	
Total:	300.00
CHECK	300.00
Check No: 80308818	
Payor: BMO Cashiers Check	
Total Applied:	300.00
Change Tendered:	.00

05/16/2024 9:56 AM

I want to...

Search...

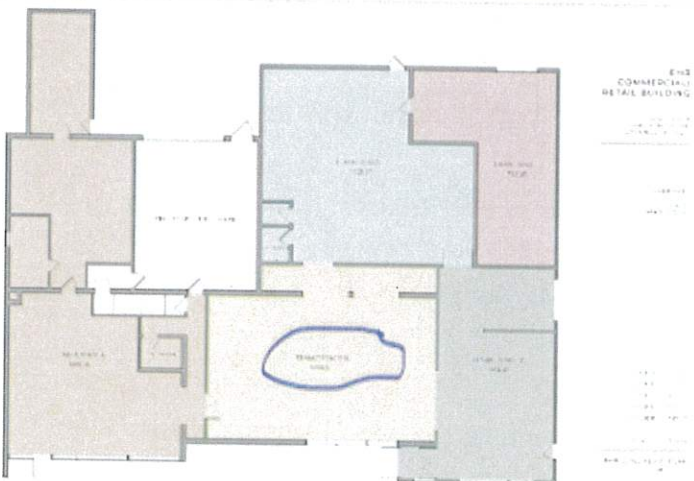


9:41

5G

Ehr Tenant Spaces

Done





VILLAGE OF FOX POINT

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

May 20, 2024

Re: 7922 N Port Wash Rd-Violations

- Peeling paint, rotting wood, entire fence needing repair/replace, signs leaning over.
- Installed new roof without Building Permit-Double Fee.

§ 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



























my iPhone

Sent from





Conditional Use Order

WHEREAS, an application has been filed by **Story Makery, LLC d.b.a. Story Makery** (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 #2, 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.** **Story Makery, LLC d.b.a. Story Makery to operate a book making shop including book writing, book making, reading, and writing. The hours of operation shall be limited to 10:00 a.m. until 7:00 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: _____