Town of Brookfield
645 N. Janacek Road
Brookfield, WI 53045
(P) 262-796-3788
(F) 262-796-0339

MEETING NOTICE

Meeting will be held at the
Town of Brookfield Municipal Building, Eric Gnant Room
645 N. Janacek Road, Brookfield, WI

Tuesday, September 23, 2025

PLAN COMMISSION **7:00 p.m.**

AGENDA

1) Call to Order.
2) Meeting Notices.
3) Approval of Agenda.
4) Approval of Minutes.
   a. August 26, 2025 Public Hearing (Ryan Amidon, Conditional Use)
   b. August 26, 2025 Plan Commission Regular Meeting.
5) Citizen Comments: Three-minute limit.
6) Old Business:
   a. Review and possible action on a Conditional Use Permit to construct a 6 ft. tall fence within 3 ft. of the side and rear property lines, Ryan Amidon (owner), 20815 Brook Park Ct., Tax Key No. BKFT1125.077.
7) New Business:
   a. None.
8) Communication and Announcements.
   a. Holiday Schedule for Plan Commission
9) Adjourn.

Posted this 18st day of September, 2025
Rebekah Leto
Town Planner

PLEASE NOTE: 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 meetings to gather information. No action will be taken by any governmental body other than that specifically noticed. Also, upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through appropriate aids and services. For additional information or to request such services contact the clerk's office at the above.

TOWN OF BROOKFIELD

JOINT PUBLIC HEARING

AUGUST 26, 2025

PUBLIC HEARING TO RECEIVE COMMENT ON A REQUEST BY RYAN AMIDON FOR A CONDITIONAL USE PERMIT REQUEST TO CONSRUCT A SOLID 6-FOOT WHITE VINYL FENCE WITHIN THREE FEET OF THE PROPERTY LINE LOCATED AT 20815 BROOK PARK COURT.

The Joint Public Hearing with the Plan Commission and Town Board was held on Tuesday, August 26, 2025.

CALL TO ORDER

Town Board Chairman Keith Henderson called the meeting to order at 7:00pm. Also in attendance were Town Board Supervisors Steve Kohlmann and Ryan Stanelle; Plan Commissioners Kevin Riordan, Len Smeltzer, Jeremy Watson, Dan Zuperku; and Town Planner Rebekah Leto.

CONFIRMATION OF MEETING NOTICE

Town Planner Leto reported that the meeting notice was published, mailed out, posted to the website in accordance with the law.

NOTICE OF HEARING

Chairman Henderson read the attached Notice of Hearing into the record.

Planner Leto reviewed the proposed fence, the property and surrounding neighborhood. The proposed white vinyl fence is six feet tall and extends along the side and rear property boundaries at a zero foot offset in most areas.

PUBLIC COMMENTS

Chairman Henderson opened the Hearing for any public comments.

Terry Hoffmann, 20835 Brook Park Court, stated the owner had a right to build a fence but wanted the Board to consider other residence quality of life, the disruption of open spaces, wildlife and kids being able to freely move about.

Linda Hoffmann, 20835 Brook Park Court, believes the fence will take away from the aesthetics of the Court and was concerned about it being six feet tall. Ms. Hoffmann opined that people can hide behind fences and the small spaces between fences if many of them were to be constructed and considered it to be a security issue.

ADJOURN

There being no further comment, Chairman Henderson closed the Public Hearing at 7:10 p.m.

Submitted by:

Rebekah Leto, Town Planner

TOWN OF BROOKFIELD
PLAN COMMISSION MINUTES
AUGUST 26, 2025

The regular meeting of the Plan Commission was held in the Erich Gnant Room of the Town Hall, 645 N Janacek Road, Brookfield, WI.

1) CALL TO ORDER.
Town Chairman Keith Henderson called the meeting to order at 7:11 p.m., with the following people present: Town Supervisor Ryan Stanelle; Plan Commissioners Len Smeltzer, Jeremy Watson, Dan Zuperku; and Town Planner Rebekah Leto. Plan Commissioner Tim Probst was absent and excused. Plan Commissioner Kevin Riordan was absent.

2) MEETING NOTICES.
Leto confirmed the meeting was noticed in accordance with Open Meeting Law.

3) APPROVAL OF AGENDA
Motion by Mr. Watson to approve the agenda.
Seconded by Mr. Stanelle.
Motion Passed Unanimously.

4) APPROVAL OF MINUTES.
a. Motion by Mr. Watson to approve the June 24, 2025 Public Hearing Minutes for The Sand Trap as presented.
Seconded by Mr. Smeltzer.
Motion Passed Unanimously.

b. Motion by Mr. Watson to approve the June 24, 2025 regular Plan Commission Meeting minutes as presented.
Seconded by Mr. Zuperku.
Motion Passed Unanimously.

5) CITIZEN COMMENTS: Three-minute limit.

None.

6) OLD BUSINESS:
a. None.

7) NEW BUSINESS:
a. Review and possible action on a Conditional Use Permit to construct a 6 foot tall fence within 3 feet of the side and rear property lines, Ryan Amidon (owner), 20815 Brook Park Court., Tax Key No. BKFT1125077.

Leto confirmed no additional details were available than what was presented during the public hearing. The owner/applicant was not present. A neighbor identified that the owner took a previous fence down that was on the lot line. After brief discussion by the Plan Commission, it was decided to table the item as the petitioner was not there to answer questions.

Motion by Mr. Watson to **table** the request for a Conditional Use Permit to construct a 6-foot tall fence within 3 feet of the side and rear property lines for Ryan Amidon, 20815 Brook Park Court, to allow the petitioner to be present.

Seconded by Mr. Zuperku.

Further Discussion: None.

Motion carried 3-1, with Mr. Smeltzer opposing.

b. Review and possible action of a 2-lot Certified Survey Map, James and Susan Taylor (owner), Chris White, RA Smith (applicant), located at 21165 Hwy 18, Tax Keys BKFT1130999001 and BKFT1128959001.

Planner Leto explained a condition of the approval for Oscar's to redevelop was to prepare a Certified Survey Map (CSM) to facilitate a lot line adjustment and establish easements. Lot 1 is getting slightly bigger and losing road frontage and Lot 2 is getting slightly smaller and gaining road frontage. The area of conveyance between the parcels will incorporate a shared water main easement. The Sanitary District has signed off on the utility plans, easement location and associated language via separate documents. The recorded easement document numbers will be placed on the CSM prior to recordation.

The CSM is also proposing a cross parking easement on Lot 2 for the benefit of Lot 1 (Oscars) and a cross access easement on Lot 1 (Oscars) for the benefit of Lot 2 in the future. The applicant understands that these agreements do not guarantee future development/ use approval for the vacant lot (Lot 2).

Leto noted the City of Waukesha must also review the CSM as an extra-territorial review entity.

Motion by Mr. Watson to **recommend approval** of a 2-lot Certified Survey Map for James and Susan Taylor, 21165 Hwy 18 for parcels BKFT1130999001 and BKFT1128959001, as presented.

Seconded by Mr. Smeltzer.

Further Discussion: None.

Motion carried unanimously.

c. Review and possible action on Conceptual approval for Johnson Financial Group, represented by The Redmond Company (applicant) on property owned by Bluemound Enterprises Limited Partnership located at 17740 W. Bluemound Road. Tax Key BKFT1120996.

Planner Leto gave an overview of the development proposal as outlined in the staff report. Leto pointed out that there was some conflicting code language between the 10 ft. pavement offset and the 4 ft. curb requirement for parking and identified that during the code amendments that this will be reviewed further. She also clarified that the existing site consists of parking up to the lot line. Chairman Henderson asked about the possible connection to the Metro Market sign. Leto clarified that this is just a proposal at this time.

Planner Leto noted that the petitioner is also asking for an extension of the timeframe that conceptual approval is valid to help accommodate their current lease agreements. She also noted that there have been general complaints of exterior maintenance of the property, specifically the landscaping. Leto recommends the extension be granted conditioned upon Johnson Financial Group maintaining the property grounds and that the conceptual approval was tied to this specific application. Mr. Smeltzer asked if the building would be demolished, as well. Leto clarified that the applicant was not planning to demo the building until closer to the build date. Scott Koldzinski of Johnson Financial Group, noted that from a capacity resource perspective, demo would occur in 2027. Mr. Smeltzer asked Mr. Koldzinski to clarify the possibility of a connection to Metro Market. Mr. Koldzinski clarified they are having conversations with Metro Market on the connection and are hopeful it will work for safety and convenience of customers.

Supervisor Stanelle indicated the proposed use of the building was fine as it is not high intensity and felt the removal of some of the pavement on the site would be good. He was also hopeful the connection to Metro Market could be made. Mr. Watson questioned if additional banks were necessary in the town. Mr. Smeltzer noted that he did not think this use would generate much traffic or cause issues.

Motion by Mr. Smeltzer to **recommend** Conceptual approval for Johnson Financial Group, represented by The Redmond Group, located at 17740 W. Bluemound Road as presented, with a deadline of June 20, 2027 to submit plans for preliminary approval.

Seconded by Mr. Stanelle.

Further Discussion:
Chairman Henderson asked if the Plan Commission was okay with the build timeline of 2028. Mr. Smeltzer noted that he would like to see the building demolished as soon as possible. Mr. Watson noted that there were conditions of that approval. It was clarified that they are looking for an extension of the timeframe that Conceptual Approval is granted. Eric Olfs, The Redmond Company, clarified that the intention is to break ground in Q2 of 2027 so they will be back in the fall of 2026 for permits. Mr. Stanelle asked if they should put a date on it. A friendly was made and the motion adjusted accordingly.

Motion carried 3-1, with Mr. Watson opposing.

d. Review and possible action on Preliminary and Final approval of a building addition to the MLG Capital building, Eric Nesseth (Stephen Perry Smith Architects) (applicant), 19000 HQ LLC (MLG Capital) (owner), located at 19000 West Bluemound Road Suite A. Tax Key No. BKFT1124999003.

Planner Leto gave an overview of the development proposal as outlined in the staff report. Leto noted that the previously proposed carport was no longer part the project scope. Mr. White also clarified that four parallel parking spaces were added to the west side of the building, bringing the property closer to compliance with the Ordinance requirements for 94 total spaces. Planner Leto discussed how the existing and proposed lighting is not in conformance with the lighting ordinance. However, the proposed lighting is a reduction from what was approved in 2018 and any light crossing the west property boundary falls into an easement. Leto stated how the Town Engineer agreed that it was reasonable to allow the lighting change. There are trees on the west side of the building that have to be removed because of the proposed footings. The applicant noted new trees and landscaping will be added. The architect clarified that the existing dumpsters were located on the north end of the building. Chairman Henderson questioned how stormwater was being addressed. Mr. White indicated that the building addition is going over existing pavement and there is no change in the stormwater being managed on site. However, he noted that a storm sewer would be relocated. Supervisor Stanelle asked if the compact parking spaces were necessary given the parking agreement, and asked why the carport was removed and how they will prevent cars from hitting the sign. Chris White, project architect, stated that proposed addition required additional ADA parking spaces to meet code, and once those spaces were added, there was not enough room for the carport. Mr. White stated there are one-foot boulders that were somewhat embedded into the ground with asphalt around them, which will stop compact cars.

Motion by Mr. Watson to **recommend Preliminary and Final approval** of a building addition to the MLG Capital building, located at 19000 West Bluemound Road, Suite A, as presented.

Seconded by Supervisor Stanelle.

Further Discussion: None.

Motion carried unanimously.

e. Review and possible action on Preliminary and Final approval for a building addition to KHS, Erik Madisen (Madisen Maher Architects) (applicant), KHS Group (owners), located at 880 Bahcall Court. Tax Key No. 1126006006.

Planner Leto gave an overview of the development proposal as outlined in the staff report. Chairman Henderson wanted to ensure that the sign relocation was located out of the vision corner easement and Leto noted she would review this issue. Leto handed out a revised lighting and photometric plan that accounted for a change to the wall-pak lights. Leto also handed out a revised copy of the landscaping plan that had been revised to meet Town Engineer comments. Chairman Henderson noted that the dumpster enclosure will need to be modified with Phase II and wanted to make sure fire department had proper access. He also cautioned that the utilities under Bahcall Court should not be where the building is proposed for Phase II.

Motion by Mr. Watson to **recommend Preliminary and Final** approval for a building addition to KHS Group, located at 880 Bahcall Court as presented.

Seconded by Mr. Smeltzer.

Further Discussion: None.

Motion carried unanimously.

8) COMMUNICATION AND ANNOUNCEMENTS.

Planner Leto noted that a holiday schedule will be placed on the next agenda and to please come prepared with what dates may work to hold a rescheduled meeting.

Chairman Henderson welcomed Planner Leto to the Town of Brookfield.

9) ADJOURN.

Motion by Mr. Watson to adjourn at 8:14 pm.

Seconded by Mr. Smeltzer.

Motion Passed Unanimously.

Respectfully submitted,
Rebekah Leto – Town Planner

TOWN OF BROOKFIELD PLAN COMMISSION ZONING REPORT

TO: Town of Brookfield Plan Commission

FROM: Rebekah Leto, AICP, Town Planner

PC MEETING DATE: September 23, 2025 *(tabled from August 26, 2025)*

RE: Conditional Use request for the construction of a 6 ft. solid fence within three (3) feet of the property line, **20815 Brook Park Ct, BKFT1125.077996**

The following report is provided for cursory review prior to action. Specifics relating to the submitted documents of this application may be referenced in the Meeting Packet distributed by the Clerk.

Property owner: Ryan Amidon

Application Type: Conditional Use Permit

Zoning: RS-3 Single Family Residential District

Project Description

The subject property is .47 acres and is located west of Barker Road in Brook Park Estates. The topography slopes down in the back of the property. The adjacent residence to the east is at a significantly lower elevation and a mature line of vegetation extends on the east and south property lines. There is less vegetation on the north and east property lines. The house to the north's backyard converges with the subject property's backyard to produce a flatter yard. It appears there was an existing fence on the property along the back (north and west) property lines based on a 2024 aerial photograph.

The property owner is proposing a 6 ft. tall solid white vinyl fence that extends the side and rear boundaries of the property, extending a total of 406 ft. per the property owner. The proposed fence connects to the rear corners of the house and does not extend into the street yard. The fence is proposed to be at a zero foot setback on the property lines.

The Town adopted a revised fence Ordinance in 2023 that states any solid fence located within three (3) feet of the property line requires a Conditional Use Permit. The Ordinance requires that a Plat of Survey be submitted depicting the location of the proposed fence. The owner has submitted a Plat of Survey with the proposed fence location drawn on the survey (enclosed), but the location of the fence was not staked by a surveyor. The Plan Commission should determine if an updated Plat of Survey is required with the proposed fence location staked on the survey. A rendering of the fence is enclosed.

Public Hearing Date: August 26, 2025

Public Hearing Comments *(summarized)*: Two residents within the Court spoke generally against the specific request for a six foot tall privacy fence. The concerns were related to neighborhood aesthetics and kids and wildlife being able to move freely and how [many] tall privacy fences create small spaces where someone could hide behind/in-between, which may create a security issue.

Conditional Use request

The Town Board, following a recommendation from the Plan Commission, may issue a Conditional Use Permit provided that such conditional use and structures are in accordance with the purpose and intent of this chapter and are not found to be hazardous, harmful, offensive, or otherwise adverse to the environment or the value of the neighborhood or community.

Staff Recommendation

Staff recommends that the Plan Commission make a recommendation to the Town Board to grant the Conditional Use for a solid 6 ft. tall fence within three feet of the property line at 20815 Brook Park Ct.

Conditions for consideration include:

1. A revised Plat of Survey shall be furnished with the proposed fence location staked on the survey to ensure it will not encroach on the neighboring properties, prior to the issuance of a fence permit by the Building Inspector.
2. The finished side of the fence shall face the neighboring property owner and the fence post face the subject property.
3. The fence shall not exceed 6 ft. tall, as proposed.
4. A maintenance plan be prepared by the applicant that outlines how the fence will be maintained on the neighboring properties.

S:\Development Services\Applications\Conditional Use\2025\CU_25_04 Amion Fence\Staff report Amidon fence.docx

Date June 18, 1984

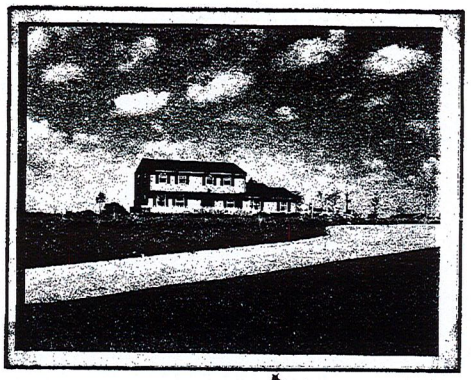
PLAT OF SURVEY

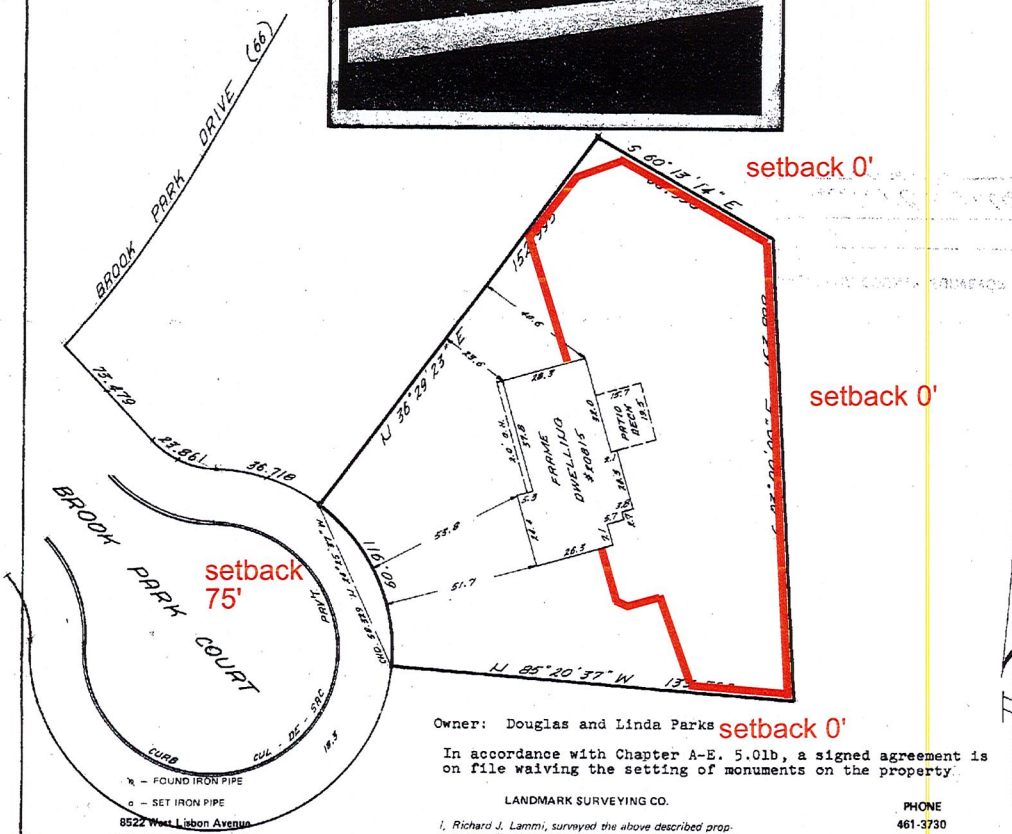
Job No. W-174-30984

LOT 77 - BROOK PARK ESTATES
being a subdivision of a part of the Northeast 1/4 of Section 30, Town 7 North, Range 20 East, Town of Brookfield, Waukesha County, Wisconsin.

Located at 20815 Brook Park Court

WCPS0002724





Owner: Douglas and Linda Parks

In accordance with Chapter A-E. 5.01b, a signed agreement is on file waiving the setting of monuments on the property

LANDMARK SURVEYING CO.

PHONE 461-3730

I, Richard J. Lammi, 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 visible 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.

Richard J. Lammi

REGISTERED LAND SURVEYOR NO. S-777 – STATE OF WISCONSIN

WISCONSIN RICHARD J. LAMMI MILWAUKEE, WIS. LAND SURVEYOR

⊗ – FOUND IRON PIPE

o – SET IRON PIPE

8522 West Lisbon Avenue
Milwaukee, Wisconsin 53222

SURVEYED FOR

Merrill Lynch Realty
8201 W. Capitol Drive
Milwaukee, WI 53222