



**AGENDA**  
**PLAN COMMISSION**  
**Tuesday, November 8, 2016 at 6:30 p.m.**  
**Common Council Chambers, 224 East Jefferson Street**

**Mayor Jeannie Hefty**, Chairman  
**Tom Vos**, Aldermanic Representative  
**Bob Grandi**, Aldermanic Representative  
**Darrel Eisenhardt**, Park Board President  
**Chad Redman**, Commissioner  
**Chris Reesman**, Commissioner  
**Andy Tully**, Commissioner

1. Call to Order
2. Roll Call
3. Approval of the minutes of October 11, 2016
4. Letters and Communications: None
5. Citizen Comments
6. Public Hearings:
  - A. A Public Hearing to hear public comments regarding a Conditional Use application from Pinnacle Construction for property located at 980 Milwaukee Avenue, Suite #100 to allow a drive-thru window at Jimmy John's Restaurant.
7. Old Business: None
8. New Business:
  - A. Consideration to recommend approval to the Common Council of a Conditional Use application from Pinnacle Construction for property located at 980 Milwaukee Avenue, Suite #100 to allow a drive-thru window at Jimmy John's Restaurant, subject to Gregory Guidry's October 25, 2016 memorandum to the Plan Commission.
  - B. Consideration to recommend approval to the Common Council of Resolution 23 to amend the Multi-Jurisdictional Comprehensive Plan for property at 672 W. State Street.
  - C. Revocation Hearing for Conditional Use Permit No. 71261 with Motor Sports Auto Sales for property located at 1157 Milwaukee Avenue.

- D. Consideration to recommend approval by the Common Council of an ordinance to repeal and recreate Chapter 315-51, “Fences” in the Municipal Code of the City of Burlington.
  - E. Consideration to recommend approval by the Common Council of an ordinance to amend Chapter 315-27, “B-2 Central Business District” in the Municipal Code creating trash dumpster and garbage receptacle requirements.
  - F. Consideration to recommend approval by the Common Council of an ordinance to repeal Chapter 142-2, “Electrical License” in the Municipal Code of the City of Burlington.
  - G. Consideration to recommend approval by the Common Council of an ordinance to amend Chapter 243, “Plumbing” in the Municipal Code to amend references to State of Wisconsin agencies and codes.
  - H. Consideration to recommend approval by the Common Council of an ordinance to amend Chapter 115, “Building Construction” in the Municipal Code to amend references of State of Wisconsin agencies and codes.
9. Adjournment.

*Note: If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 262-342-1161 at least 24 hours prior to the meeting.*

*Note: Notice is hereby given that a majority of the members of the Common Council may be present at the meeting. Although this may constitute a quorum of the Council, the Council will not take any action at this meeting.*



**Minutes**  
**City of Burlington Plan Commission**  
**October 11, 2016, 6:30 p.m.**

Alderman Tom Vos called the Plan Commission meeting to order at 6:30 p.m. Roll call: Alderman Bob Grandi; Commissioners Darrel Eisenhardt; Chad Redman; Chris Reesman; and Andy Tully were present. Mayor Jeannie Hefty was excused.

**APPROVAL OF MINUTES**

Commissioner Eisenhardt moved, and Commissioner Redman seconded to approve the minutes of September 13, 2016. All were in favor, and the motion carried.

**LETTERS & COMMUNICATIONS**

None

**CITIZEN COMMENTS**

None

**PUBLIC HEARINGS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

**A. Consideration to approve a Site Plan application for property located at 472 W. Market Street (KW Precast) to add a new entrance and driveway off Spring Valley Road, subject to Graef's October 5, 2016 and Kapur & Associates' October 4, 2016 memorandums to the Plan Commission.**

- Alderman Vos opened this item for discussion.
- Alderman Grandi questioned where all the dust, trucks and traffic were going, as well as concerned about the noise. Carina Walters, City Administrator, suggested to KW Precast to give a presentation since all the Commissioners had the same concerns. Ms. Walters also stated that there will be no decision made tonight after having a meeting with City staff prior to the Plan Commission meeting; however, corrections that were discussed will be addressed. Ms. Walters commented that residents would be allowed to address their concerns, and this item will come before the Plan Commission at a later date.
- Ryan Cardinal, KW Precast Engineer, stated the trucks have difficulties with the turns along the current route and would like to adjust the route to make a clean and easy turn onto Spring Valley Road. Mr. Cardinal stated they are informing the neighbors along Spring Valley Road and Aurora Health Care of the situation and trying to work around schedules. Alan Mackey, KW Precast Transportation Program Manager, explained that KW Precast consists of obtaining raw materials and mixing and pouring wet concrete into forms. The concrete is then

used for structural components, such as parking decks, schools and walls for warehouses. There are about 15-25 loads of concrete components that ship out per day with roughly 15 minute intervals per hour. The loads of concrete components are received by their customers at the start time of the construction site, which is generally by 7:00 am, thus the start times of 4:30 am or 5:00 am is allowing for travel time. Commissioner Tully asked why KW Precast is not connecting to the Bypass using the existing several 100 feet on their property. Mr. Cardinal replied the State does not allow private access on some State Highways. Mr. Mackey commented that the property in question does not belong to KW Precast. Commissioner Reesman was inquiring if buffers for the neighbors were taken into consideration. Commissioner Reesman also wondered if the turn onto Hwy P was too tight compared to Hwy 36. Mr. Cardinal stated that plans are being drawn up with a buffer yard and the turn onto Hwy P is too tight for such large concrete materials. Commissioner Eisenhardt stated the exit on State Street with the curve, takes about 15-20 seconds to complete the turn. Commissioner Redman asked what type of surface is being proposed for the driveway and Mr. Mackey replied it would be asphalt.

- Jack Sommers, 1091 Spring Valley Road, stated he was surprised that trucks with that size of load would even be allowed on Spring Valley Road. Mr. Sommers also stated there would be about 500 cars daily entering and leaving the Aurora and was concerned about traffic backing up.
- Julie Haske, 1095 Spring Valley Road, stated Spring Valley Road would be the main entrance for Aurora and not just employees. The back-up alarms for the trucks sounded at 4:30 am last week and wanted to know if this will continue. Mr. Mackey stated he has received complaints regarding the noise, and since then has tried to mitigate the noise by asking the staff to idle the machinery as often as they can, has tried stripping the beds of the trucks to take the vibration noise down, (which is avoided before 6:00 am if possible), lowered the decibels of the alarm, and is having workers give hand signals instead of the truck back-up alarms to help reduce the noise. Mr. Sommers replied the trucks will always make some noise.
- Angel Dawley, W108 Hwy36, was concerned with the turn onto State Street since he has seen many accidents over the years.
- Alderman Vos stated that KW Precast should prove to the City the turn onto Spring Valley Road will work by addressing that trucks can make the turns without delaying traffic flow.
- Bill Henningfield, 1391 Spring Valley Road, stated when turning onto Spring Valley Road in the winter months the roads are extremely slippery and with the bike trail right there, traffic will be backed up.
- Jeremy Knowpow, 1009 Spring Valley Road, questioned if there are any current loads that are being produced that cannot be shipped out by the current route. Mr. Mackey answered not at this time, but this is a proposed route to allow for larger loads starting middle to the end of 2017. Mr. Knowpow suggested to go through the Cretex property for larger loads and re-address this issue at a later date when the larger products come.
- Alderman Vos stated the City cannot determine to purchase private property.
- There were no further comments.

**B. Consideration to recommend approval to the Common Council of a Petition for Rezoning Map Amendment application from Jeffery Erickson on behalf of Faith Chapel Evangelical Free Church, located at 672 W. State Street to rezone from B-1, Neighborhood Business District to I-1, Institutional District, subject to Graef's October 5, 2016 memorandum to the Plan Commission.**

- Alderman Vos opened this item for discussion.
- Jeffery Erickson, representative for Faith Chapel, explained the church is requesting to rezone 672 W. State Street from B-1 to I-1 and the purchase of the property is contingent on approval of the rezone. The rezone would allow the church to expand for the use of a future parking lot before a lot consolidation can occur, making one tax key number. Commissioner Tully questioned if the new parking lot would be accessible onto W. State Street. Mr. Erickson replied yes. Alderman Vos stated the new parking lot would alleviate parking on Westridge Avenue as currently done.
- There were no further comments.

Commissioner Tully moved, and Alderman Grandi seconded to recommend approval of a Petition Rezoning Map Amendment application to rezone from B-1 to I-1.

*All were in favor and the motion carried.*

**C. Consideration to approve a Site Plan application from the Peter Scherrer Group to construct an 8-unit, multi-family building for Phase II, located at 1088 Hidden Creek Lane, subject to Graef's October 5, 2016 and Kapur & Associates' October 4, 2016 memorandums to the Plan Commission.**

- Alderman Vos opened this item for discussion.
- Peter Scherrer, from The Peter Scherrer Group, stated the new 8-unit building will be the same layout and landscape as the previous Spring Brook Townhomes at 1108 Hidden Creek Lane. Gregory Guidry, Building Inspector, stated his concern regarding the parking lot going over the property line. Mr. Scherrer and Greg Governatori, Kapur & Associates, responded there are two options being considered; 1) a lot line adjustment, keeping the same Site Plan or 2) have a condominium overlay. Mr. Guidry questioned if a Certified Survey Map would require approval from the Commissioners.
- There were no further comments.

Commissioner Eisenhardt moved, and Commissioner Reesman seconded to approve a Site Plan application to construct an 8-unit, multi-family building for Phase II with the exception of the lot line being corrected.

*All were in favor and the motion carried.*

**D. Consideration to recommend approval to the Common Council of a Certified Survey Map from Ryan and Laura Freeburn for property located at 449 Storle Avenue, subject to Graef's October 5, 2016 memorandum to the Plan Commission.**

- Alderman Vos opened this item for discussion.
- Commissioner Tully questioned why the lot lines were being adjusted. Laura Freeburn, owner, explained that when you are in her yard (449 Storle Avenue), there are things that look like they belong us, but officially belong to 488 Lewis Street (her mom's property). The lot line adjustment would give the feel that the boundaries are where they are supposed to be if her mother sells the lot at 488 Lewis Street.
- There were no further comments.

Alderman Grandi moved, and Commissioner Tully seconded to approve a Certified Survey Map application to adjust the lot lines.

*All were in favor and the motion carried.*

**ADJOURNMENT**

Commissioner Reesman moved, and Commissioner Eisenhardt seconded to adjourn the meeting at 7:15 p.m. *All were in favor and the motion carried.*

Recording Secretary  
Kristine Anderson  
Administrative Assistant



THE PLAN COMMISSION IN AND FOR THE CITY OF BURLINGTON

Notice of Hearing on  
Proposed Conditional Use Permit  
B-1, Neighborhood Business District

TO WHOM IT MAY CONCERN:

**NOTICE** is hereby given that the Plan Commission of the City of Burlington, Racine County, Wisconsin, will conduct a hearing to discuss the proposed Conditional Use Permit for:

**Owner:** 980 Milwaukee Avenue, LLC  
**Applicant:** Pinnacle Construction  
**Location:** 980 Milwaukee Avenue, Suite #100  
**Zoning:** B-1, Neighborhood Business District  
**Use:** To allow a drive-thru window at Jimmy John's Restaurant

**NOTICE IS FURTHER GIVEN** that a hearing on the above-mentioned Conditional Use Permit will be held by the City Plan Commission in the Courtroom of the Police Department, in the City of Burlington on:

**TUESDAY, NOVEMBER 8, 2016 DURING THE MEETING OF THE PLAN COMMISSION SCHEDULED TO BEGIN AT 6:30 P.M. OR SHORTLY THEREAFTER**

To consider the above Conditional Use Permit and to hear persons in support thereof or opposition thereto.

CITY OF BURLINGTON  
PLAN COMMISSION

Dated at Burlington, Wisconsin, 24<sup>th</sup> day of October, 2016.

Diahnn Halbach, City Clerk

*Published in the Burlington Standard Press  
October 27<sup>th</sup>, 2016 and November 3<sup>rd</sup>, 2016*



**Administration Department**  
300 N. Pine Street, Burlington, WI, 53105  
(262) 342-1161 – (262) 763-3474 fax  
www.burlington-wi.gov

<b>Plan Commission Item Number: 8A</b>	<b>Date:</b> November 8, 2016
<b>Submitted By:</b> Gregory Guidry, Building Inspector	<b>Subject:</b> Consideration to approve a Conditional Use and application at 980 Milwaukee Avenue, Suite #100

**Details:**

This item is to consider approving a Conditional Use application from Pinnacle Construction for property located at 980 Milwaukee Avenue, Suite #100. The applicant is proposing to allow a drive-thru window at Jimmy John's Restaurant, which is allowed in the B-1/PUD District.

The parcel is zoned B-1/PUD, Neighborhood Business District.

Gregory Guidry's recommends approval of this Conditional Use, subject to items listed in the memorandum.

**Map Location:**



**Executive Action:**

This item is for consideration at the November 8, 2016 Plan Commission meeting. No further action is necessary.



## CITY OF BURLINGTON

**Building & Zoning Department**  
300 N. Pine Street, Burlington, WI 53105  
(262) 342-1163 – (262) 763-3474 fax  
www.burlington-wi.gov

**To:** City of Burlington Plan Commission  
**From:** Gregory Guidry City Zoning Administration  
**Date:** October 25, 2016  
**Re:** Conditional Use Permit for drive-thru window  
**Zoning:** B-1 PUD

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**Desired Outcome:** To have the use of a Drive-thru Window

**Location:** 980 Milwaukee Unit # 100 (Jimmy John's)

**Summary:** Jimmy John's restaurant has secured a lease within the new multi-tenant building at 980 Milwaukee Avenue. As part of the construction for the new multi-tenant building, a drive-thru window was installed as indicated on the Site Plan approved at the March 8, 2016 Plan Commission meeting. A drive-thru window is allowable as a conditional use within the B-1 Zoning District.

**Recommendation:** I recommend that the Plan Commission recommend to the Common Council to approve this request for the drive-thru window subject to the following conditions:

1. A Conditional Use Permit Application be filed with the Building Department with required fees.
2. Any other conditions that the Commission may recommend that are consistent with applicable zoning ordinance requirements.

**Analysis of Request against City Ordinance Requirements**

APPLICABLE REVIEW STANDARD	EVALUATION	COMMENTS
<b>HAS APPLICANT SUBMITTED REQUIRED PLANS?</b>		
(1) Site Plan Submittal Items (Section 315-137(C) of Zoning Ordinance)	Yes, Site plan shows all pertinent information required	The site plan shows drive through lane, parking and traffic flow direction.
<b>SITE PLAN REVIEW CRITERIA (SECTION 315-137(B) OF ZONING ORDINANCE)</b>		
(1) Conformity of use to zoning district.	Met	Per the 2008 PUD approved allowing drive through windows just as the BMO Harris Bank in the front lot of the same PUD.
<b>Conditional Use Permit Review and Approval Criteria (315-130B)</b>		
"The City Plan Commission shall review the existing site, neighboring uses, parking areas, driveway locations, highway access, circulation and lighting."	Met	In general, the standard for granting a conditional use permit is met. The City, in the past, has approved conditional use permits for drive through windows in retail/commercial businesses in the B-1 Zoning districts.



CITY OF BURLINGTON

Building & Zoning Department  
300 N. Pine Street, Burlington, WI, 53105  
(262) 342-1163 – (262) 763-3474 fax  
www.burlington-wi.gov

<b>FOR OFFICE USE ONLY</b>	
PERMIT NO. (not C.U.)	_____
AMOUNT PAID \$	<u>200-</u>
DATE FILED	<u>10/19/16</u>
DATE PUBLISHED	_____
PUBLIC HEARING DATE:	_____
RECEIVED BY:	<u>KA</u>

APPLICATION FOR A ZONING PERMIT,  
CERTIFICATE OF COMPLIANCE,  
OR  
CONDITIONAL USE PERMIT

- Zoning Permit - \$25.00
- Certificate of Compliance - \$15.00
- Joint Zoning/Certificate of Compliance - \$35.00
- Conditional Use Permit - \$500 Deposit +/- Actual cost

Instructions: Applications are to be filed with the Zoning Administrator, who shall refuse applications that are not complete or that are not legible.

**NAMES AND ADDRESSES**

Applicant KEITH KETTERHAGEN (PINNACLE CONSTRUCTION)  
 Phone No. 414/435-0250 Fax No. 414/435-0251

Applicant's Address 574 W 13544 COURTLAND LN. MUSKEGO, WI 53150

Owner of the site 980 MILWAUKEE AVE LLC

Phone No. 262/758-6064 Fax No. \_\_\_\_\_

Owner's address 448 FALCON RIDGE DR

Architect / Professional Engineer C.M. ARCHITECTURE SHTE B BURLINGTON, WI 53105

Architect / Professional Engineer Address 800 WASHINGTON AVE N #208 MINNEAPOLIS MN 55401

Contractor PINNACLE CONSTRUCTION OF WISCONSIN

Contractor's Address 6495 S. 27TH STREET FRANKLIN, WI 53132

**DESCRIPTION OF THE SUBJECT SITE**

Address 980 MILWAUKEE AVE (SITE 100) BURLINGTON, WI 53105

Or if no address exists: Parcel Identification No. \_\_\_\_\_

Existing Zoning classification \_\_\_\_\_

Description of existing use NEW RETAIL BUILDING (UNOCCUPIED)

Description of the proposed use DRIVE THRU RETAIL RESTAURANT

Number of employees / Hours of operation \_\_\_\_\_

**ATTACHMENTS -  
THE FOLLOWING ITEMS MAY NEED TO BE ATTACHED TO THIS APPLICATION:**

**PLAT OF SURVEY** - prepared by a registered land surveyor showing the location, boundaries, elevations, uses and size of the following: subject site; existing and proposed structures; existing and proposed easements, streets and other public ways; off-street parking, loading areas and driveways; existing highway access restrictions; existing and proposed street, side and rear yards. In addition, the plat of survey shall show the location, elevation, and use of any abutting lands and their structures within (40) feet of the subject site.

If municipal sewage service or water service is not available, a plan shall be approved by the City Engineer who shall certify in writing that satisfactory, adequate and safe sewage disposal and/or a safe supply of water, is possible on the site as proposed by the plan in accordance with applicable local, county and state board of health regulations.

*Additional information as may be required by City Officials.*

Reason for requesting a Conditional Use (for Conditional Use Permit Only):

STORES UTILIZING A DRIVE THRU ARE REQUIRED  
TO OBTAIN AN CONDITIONAL USE PERMIT

Certificate - I hereby certify that all the preceding statements and attachments submitted hereto are true and correct to the best of my knowledge and belief.

Applicant [Signature]  
(Signature)

~~KATH KETTERHAGEN~~  
(Print)

Owner [Signature]  
(Signature)

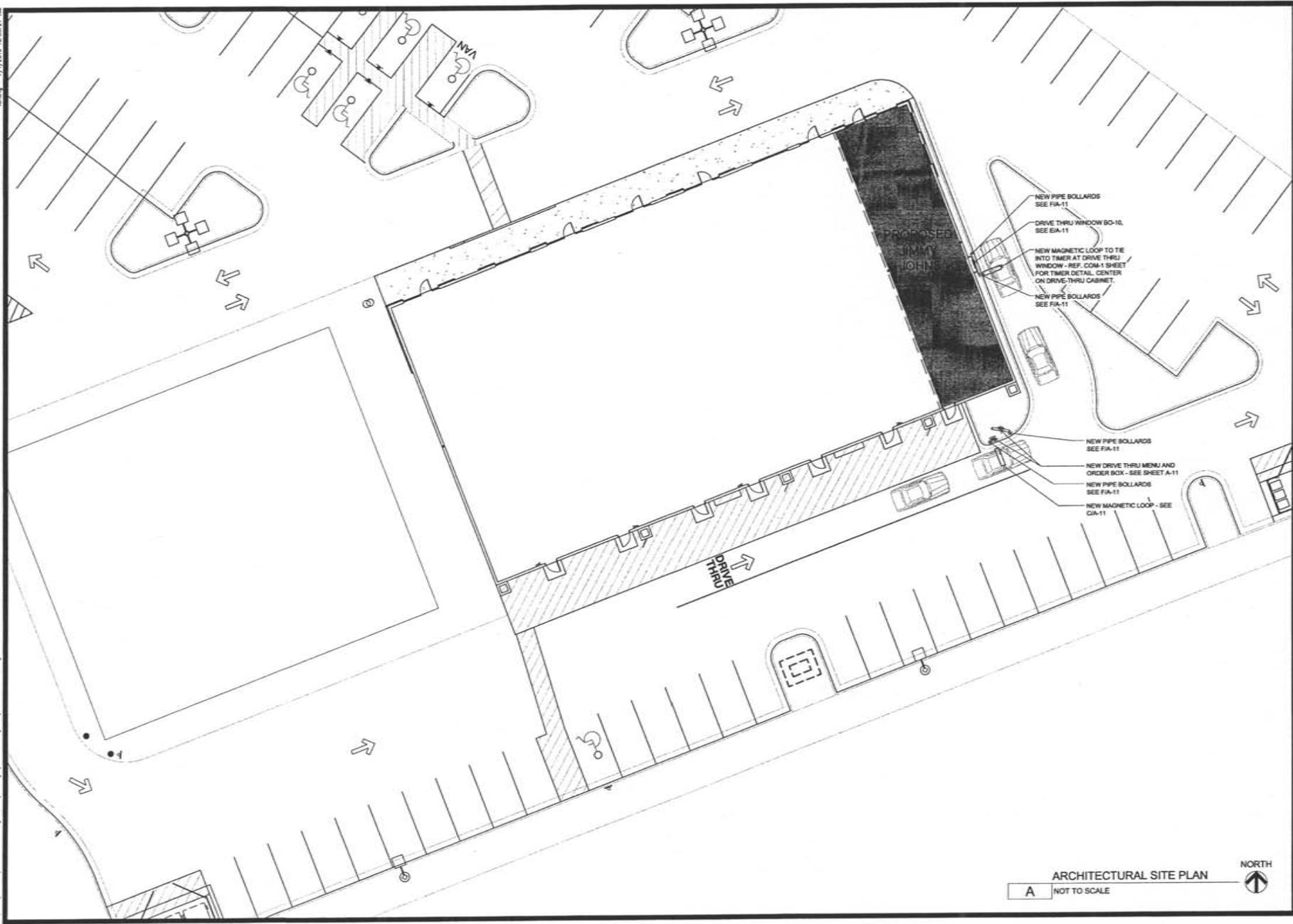
Jay Meinen  
(Print)

Date: 10/18/16

Date application Filed: \_\_\_\_\_

Issued - 7/7/2016 10:26:27 AM

D:\Jimmy Johns\1823\001 Burlington, WI\Drawings Work in Progress\1823\001 A12.dwg



ARCHITECTURAL SITE PLAN  
 A NOT TO SCALE

**PATRICK G. BLEES**  
 ARCHITECT  
 800 WASHINGTON AVE. N., SUITE 208  
 MINNEAPOLIS, MN 55401-1148  
 PHONE: (612) 547-1300  
 FAX: (612) 547-1301  
 E-MAIL: info@pblees.com  
 CONTACT: GARY FAGERSTROM  
 gpfager@pblees.com

CONSULTANTS:  
 DUNHAM (MECH & ELEC)  
 30 SOUTH SIXTH STREET  
 SUITE 1100  
 MINNEAPOLIS, MN 55402-1540  
 (612) 465-7500



PATRICK G. BLEES, ARCHITECT  
 DATE ISSUED: 07.25.16  
 REC. NO. A-5014



JIMMY JOHN'S  
 #1823  
 210 EVO LAYOUT

980 MILWAUKEE AVE  
 RETAIL BUILDING 1  
 980 MILWAUKEE AVE  
 (HWY 36)  
 SUITE 100  
 BURLINGTON, WI  
 53105

SHEET TITLE:  
 SITE PLAN

REVISIONS:

NO.	DATE	BY

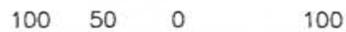
PROJECT NO. 18230.001  
 DRAWN BY: LNC

**A-12**  
 COPYRIGHT PATRICK G. BLEES, AA 2016



CERTIFIED SURVEY MAP NO. 3196

ALL OF LOT 3 OF CERTIFIED SURVEY MAP No. 2926 AS RECORDED IN VOLUME 9 OF CERTIFIED SURVEY MAPS ON PAGES 437-443 AS DOCUMENT NO. 2187642, LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28 AND THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, ALL IN TOWNSHIP 3 NORTH, RANGE 19 EAST, CITY OF BURLINGTON, RACINE COUNTY, WISCONSIN.



SCALE - FEET

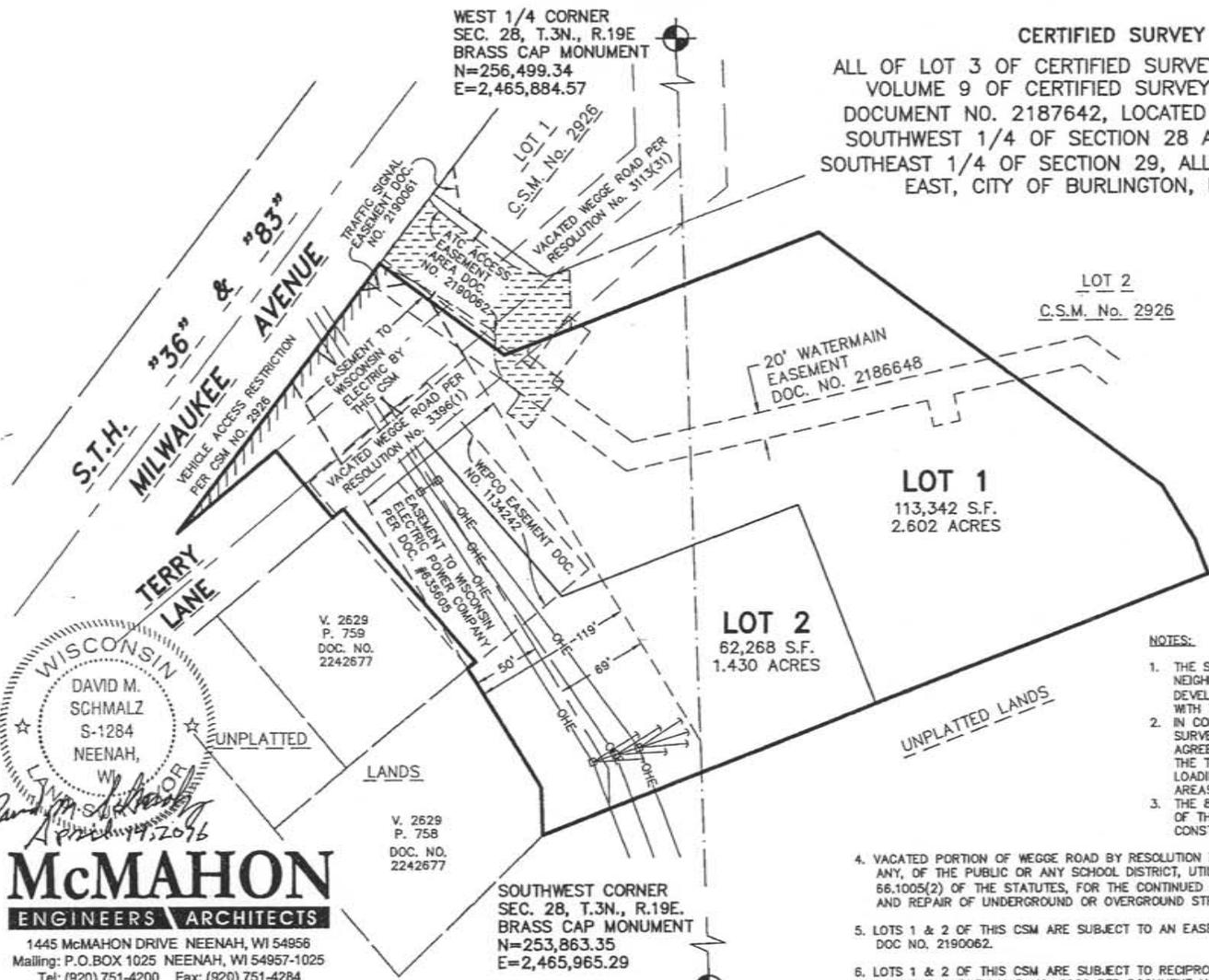
BEARINGS ARE REFERENCED TO THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 3, RANGE 19 EAST, WHICH BEARS N01°45'14"W PER WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 27).

SURVEY FOR:  
-PSG, INC.  
-ATTN: PETER SCHERRER  
-448 FALCON RIDGE DR.  
SUITE B  
-BURLINGTON, WI 53105

NOTES:

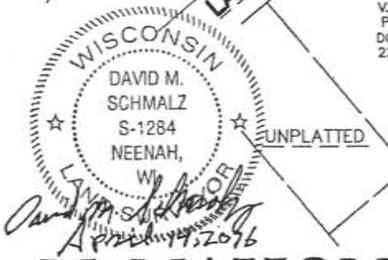
1. THE SUBJECT PROPERTY IS CURRENTLY ZONED B-1 NEIGHBORHOOD BUSINESS DISTRICT WITH A PLANNED UNIT DEVELOPMENT (P.U.D.) OVERLAY DISTRICT. AGREEMENT ON FILE WITH THE CITY OF BURLINGTON.
2. IN CONJUNCTION WITH THE RECORDING OF THIS CERTIFIED SURVEY MAP, THE PROPERTY OWNER RECORDED A SEPARATE AGREEMENT INDICATING RIGHTS AND RESPONSIBILITIES BETWEEN THE TWO LOTS FOR USE AND MAINTENANCE OF PARKING, LOADING, CIRCULATION, STORMWATER MANAGEMENT, AND OTHER AREAS WITH OVERLAPPING OR COMMON USE.
3. THE 80 FEET OF LOT WIDTH FOR LOT 2 AS SHOWN ON PAGE 1 OF THIS CSM IS RESTRICTED IN THAT NO BUILDING MAY BE CONSTRUCTED WITHIN THIS AREA.
4. VACATED PORTION OF WEGGE ROAD BY RESOLUTION NO. 3399(1) AND 3113(31) IS SUBJECT TO EASEMENTS, IF ANY, OF THE PUBLIC OR ANY SCHOOL DISTRICT, UTILITY, MUNICIPALITY OR PERSON, AS PROVIDED IN SECTION 66.1005(2) OF THE STATUTES, FOR THE CONTINUED USE AND RIGHT OF ENTRANCE, MAINTENANCE, CONSTRUCTION AND REPAIR OF UNDERGROUND OR OVERGROUND STRUCTURES, IMPROVEMENTS OR SERVICE.
5. LOTS 1 & 2 OF THIS CSM ARE SUBJECT TO AN EASEMENT AGREEMENT FOR STORM WATER DETENTION POND PER DOC NO. 2190062.
6. LOTS 1 & 2 OF THIS CSM ARE SUBJECT TO RECIPROCAL EASEMENT AGREEMENTS WITH LOTS 1, 2 AND 3 OF CERTIFIED SURVEY MAP NO. 2926 PER DOCUMENT NO.S: 2187255, 2190067 & 2190094.

WEST 1/4 CORNER  
SEC. 28, T.3N., R.19E  
BRASS CAP MONUMENT  
N=256,499.34  
E=2,465,884.57



SOUTHWEST CORNER  
SEC. 28, T.3N., R.19E.  
BRASS CAP MONUMENT  
N=253,863.35  
E=2,465,965.29

DRAFTED BY: DOUG WOELZ



**McMAHON**  
ENGINEERS ARCHITECTS

1445 McMAHON DRIVE NEENAH, WI 54956  
Mailing: P.O. BOX 1025 NEENAH, WI 54957-1025  
Tel: (920) 751-4200 Fax: (920) 751-4284  
www.mcmgrp.com

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CERTIFIED SURVEY MAP NO. 3196

ALL OF LOT 3 OF CERTIFIED SURVEY MAP No. 2926 AS RECORDED IN VOLUME 9 OF CERTIFIED SURVEY MAPS ON PAGES 437-443 AS DOCUMENT NO. 2187642, LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28 AND THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29, ALL IN TOWNSHIP 3 NORTH, RANGE 19 EAST, CITY OF BURLINGTON, RACINE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

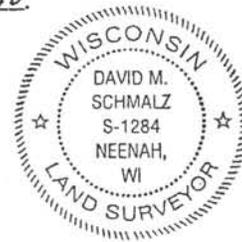
I, David M. Schmalz, Wisconsin Professional Land Surveyor S-1284, certify that I have surveyed, divided and mapped all of Lot 3 of Certified Survey Map No. 2926 as recorded in Volume 9 of Certified Survey Maps on Pages 437-443 as Document No. 2187642, located in the Northwest 1/4 of the Southwest 1/4 of Section 28 and the Northeast 1/4 of the Southeast 1/4 of Section 29, all in Township 3 North, Range 19 East, City of Burlington, Racine County, Wisconsin containing 175,610 square feet (4.031 acres) of land.

That I have performed this survey, division and map by the direction of SDG MILWAUKEE AVENUE LOT 3 LLC, the owners of said lands.

I further certify that this map is a correct representation of the exterior boundary lines of the land surveyed and the division of that land, and that I have complied with section 236.34 of the Wisconsin Statutes and the City of Burlington subdivision regulations in surveying, dividing and mapping the same.

Given under my hand and seal this 14th day of April, 2016.

David M. Schmalz  
David M. Schmalz, WI Professional Land Surveyor S-1284



COMMON COUNCIL APPROVAL CERTIFICATE

Resolved, that this Certified Survey Map, in the City of Burlington, is hereby approved by the Common Council, dated this 19th day of April, 2016.

Thomas Vos  
Thomas Vos, Council President

I hereby certify that the foregoing is a copy of a resolution adopted by the Common Council of the City of Burlington.

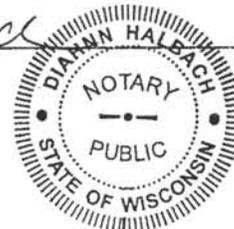
STATE OF WISCONSIN)

Racine COUNTY, ss)

I, Diahnn Halbach, being the duly elected, qualified and acting Clerk of the City of Burlington, Racine County do hereby certify that Common Council of the City of Burlington passed Resolution Number 4781(55) on this 19th day of April, 2016, authorizing me to issue a certificate of approval of this Certified Survey Map, SDG MILWAUKEE AVENUE LOT 3 LLC, as Owner, upon satisfaction of certain conditions, and I do hereby certify that all conditions were satisfied and the APPROVAL WAS GRANTED AND EFFECTIVE ON THIS 19th day of April, 2016.

Dated 4-19-2016

Diahnn Halbach  
Diahnn Halbach (City Clerk)



CERTIFIED SURVEY MAP NO. 3196

ALL OF LOT 3 OF CERTIFIED SURVEY MAP No. 2926 AS RECORDED IN VOLUME 9 OF CERTIFIED SURVEY MAPS ON PAGES 437-443 AS DOCUMENT NO. 2187642, LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28 AND THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29, ALL IN TOWNSHIP 3 NORTH, RANGE 19 EAST, CITY OF BURLINGTON, RACINE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE

SDG MILWAUKEE AVENUE LOT 3 LLC, a Wisconsin limited liability company, as Owner, certifies that said limited liability company caused the land described on this map to be surveyed, divided and mapped as represented on this map. We also hereby grant an easement to We-Energies as shown on page 2 of this document and certify that this Certified Survey Map is required to be submitted to the following for approval:

City of Burlington

In witness whereof, SDG MILWAUKEE AVENUE LOT 3 LLC, a Wisconsin limited liability company, has caused these presents to be signed by Leslie N. Scherrer Fella Manager of SDG MILWAUKEE AVENUE LOT 3 LLC, this 19<sup>th</sup> day of April, 2016.

Leslie N. Scherrer Fella, Manager  
Authorized Signature,

Leslie N. Scherrer Fella, President of the Manager  
Printed Name

SDG MILWAUKEE AVENUE LOT 3 LLC,  
a Wisconsin limited liability company

State of Wisconsin)  
Racine County) ss

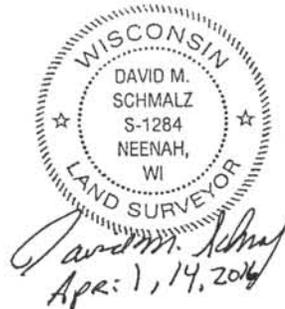
Personally appeared before me on the 19<sup>th</sup> day of April, 2016, Leslie N. Scherrer Fella of SDG MILWAUKEE AVENUE LOT 3 LLC, to me known as the person who executed the foregoing instrument, and to me known to be the Manager of limited liability company, and acknowledged that he executed the foregoing instrument as such officer as the deed of the limited liability company, by its authority.

Anna M. Newbury  
Notary Public

State of Wisconsin County, Racine

My commission expires 10-23-16

Anna M. Newbury  
Notary Public  
State of Wisconsin



CERTIFIED SURVEY MAP NO. 3196

ALL OF LOT 3 OF CERTIFIED SURVEY MAP No. 2926 AS RECORDED IN VOLUME 9 OF CERTIFIED SURVEY MAPS ON PAGES 437-443 AS DOCUMENT NO. 2187642, LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28 AND THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29, ALL IN TOWNSHIP 3 NORTH, RANGE 19 EAST, CITY OF BURLINGTON, RACINE COUNTY, WISCONSIN.

UTILITY EASEMENT PROVISIONS

An easement for electric and communications service is hereby granted by SDG MILWAUKEE AVENUE LOT 3 LLC, a Wisconsin limited liability company, Grantor, to WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies, Grantee, their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without written consent of grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

ALL OF 206-03-19-28-021-103  
TO  
LOT 1 206-03-19-28-021-104  
LOT 2 206-03-19-28-021-105



*David M. Schmalz*  
Apr 14, 2016



## CITY OF BURLINGTON

**Administration Department**  
300 N. Pine Street, Burlington, WI, 53105  
(262) 342-1161 – (262) 763-3474 fax  
www.burlington-wi.gov

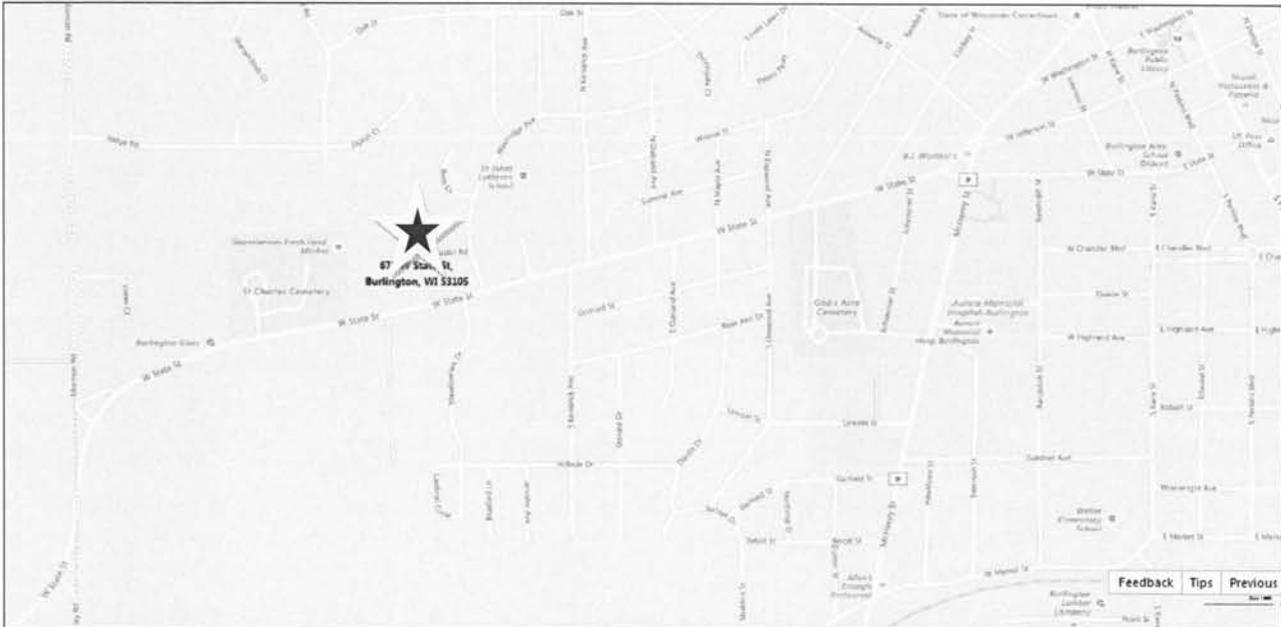
<b>Plan Commission Item Number: 8B</b>	<b>Date:</b> November 8, 2016
<b>Submitted By:</b> Gregory Guidry, Building Inspector	<b>Subject:</b> Consideration to approve Resolution 23 to amend the Multi-Jurisdictional Comprehensive Plan for property at 672 W. State Street

### Details:

The Racine County Multi-Jurisdictional Comprehensive Plan was implemented by state statute on January 1, 2010. Upon review of a rezone request from Faith Chapel Evangelical Free Church to rezone property at 672 W. State Street, it was determined a plan amendment was also required. Per the Comprehensive Plan, 672 W. State Street is listed as “Commercial” and would not be consistent with the requested zoning change from B-1, Neighborhood Business District to I-1, Institutional District. As such, an amendment from “Commercial” to “Governmental and Institutional” is necessary to be compliant.

The process of a Comprehensive Plan Amendment begins with a Plan Commission recommendation. A Public Hearing will be held at the Common Council meeting. After the Public Hearing the Common Council will consider the amendment and make it part of permanent record if approved. Racine County will amend the land use plan yearly with any updates or amendments.

### Map Location:



### Executive Action:

Resolution 23 is for consideration at the November 8, 2016 Plan Commission. It will move on as an ordinance at the December 20, 2016 Committee of the Whole meeting with a Public Hearing the same night scheduled for the January 3, 2017 Common Council meeting for consideration.

**CITY OF BURLINGTON PLAN COMMISSION RESOLUTION RECOMMENDING  
THE AMENDMENT OF THE RACINE COUNTY MULTI-JURISDICTIONAL  
COMPREHENSIVE PLAN FOR PROPERTY LOCATED AT 672 W. STATE STREET  
IN THE CITY OF BURLINGTON, WISCONSIN**

**WHEREAS**, on July 21, 2009, the City of Burlington adopted, as Ordinance No. 1890(11) a comprehensive plan (the "Plan") pursuant to the provisions of 66.1001 of the Wisconsin Statutes, such Plan being formally titled "A Multi-Jurisdictional Comprehensive Plan for the City of Burlington, Wisconsin"; and,

**WHEREAS**, Section 66.1001(4) of the Wisconsin Statutes allows the Plan to be amended from time to time, by the City of Burlington under and pursuant to the provisions and procedures contained in such Section 66.1001(4); and,

**WHEREAS**, the City of Burlington Plan Commission wishes to recommend to the City of Burlington Common Council to so amend the Plan as expressly described below (the "Plan Amendment"); and,

**WHEREAS**, the Plan Amendment pertains to the real property (the "Real Property") located in the City of Burlington and which is more specifically described in attached Exhibit A, such Exhibit A being hereby incorporated herein by reference.

**WHEREAS**, the City of Burlington Plan Commission hereby finds and determines that:

- a) The Plan Amendment is consistent with the goals, objectives, and policies of the Plan.
- b) The Plan Amendment will not lead to any detrimental environmental effects.
- c) The Plan Amendment is compatible with surrounding land uses.
- d) The Plan Amendment will not overburden existing local and County facilities and services and such facilities and services are adequate to serve the type of development associated with the Plan Amendment.
- e) The Plan Amendment will enhance economic development within the City and County.
- f) The Plan Amendment is in substantial agreement with the recommendations of the regional land use plan.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Burlington Plan Commission hereby recommends to the City of Burlington Common Council that the Real Property at 672 W. State Street (described in attached Exhibit A) be changed from its current land use designation of "Commercial" in the Plan to the new land use designation of "Governmental and Institutional" in the Plan to use the in conjunction with the adjacent Institutional property.

**BE IT FURTHER RESOLVED** that this resolution, having been adopted by a majority of all the members of the City of Burlington Plan Commission as required by Sections 62.23(3)(b) and 66.1001(4)(b) of the Wisconsin Statutes, is hereby certified to the City of Burlington Common Council for its consideration.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2016

Ayes:    Nays:    Absent:

\_\_\_\_\_  
Jeannie Hefty, Chairman  
City of Burlington Plan Commission

Attest:

\_\_\_\_\_  
Kristine Anderson, Secretary  
City of Burlington Plan Commission

## EXHIBIT A

### Legal Description

206-03-19-31-012-130

672 W. State Street

THAT PART OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 19 EAST, BOUNDED AS FOLLOWS: BEGINNING IN THE CENTER OF SAID SECTION 31, SAID POINT MARKS PLACE OF BEGINNING OF PARCEL OF LAND HEREINAFTER DESCRIBED; RUN THENCE NORTH  $87^{\circ} 58'$  WEST ALONG EAST AND WEST  $\frac{1}{2}$  SECTION LINE 125.00 FEET TO CONCRETE MONUMENT; THENCE SOUTH  $1^{\circ} 44'$  WEST 957.13 FEET TO CROSS CUT IN PAVEMENT IN CENTER OF STATE TRUNK HIGHWAY 36; THENCE NORTH  $81^{\circ} 18'$  EAST ALONG CENTER LINE OF SAID HIGHWAY 127.10 FEET TO CROSS CUT IN PAVEMENT; THENCE NORTH  $1^{\circ} 44'$  EAST ALONG NORTH AND SOUTH  $\frac{1}{2}$  SECTION LINE 933.46 FEET TO THE PLACE OF BEGINNING, CONTAINING 2.7126 ACRES OF LAND MORE OR LESS. SAID LAND BEING IN THE CITY OF BURLINGTON, COUNTY OF RACINE AND STATE OF WISCONSIN.



**STAFF REPORT**  
**COMPREHENSIVE LAND USE PLAN AMENDMENT**  
**CITY OF BURLINGTON**

**Date:** November 9, 2016

**Report Prepared By:** Megan E. Johnson, Director of Administrative Services

**Property Address:** 672 W. State Street

**Parcel Number:** 05-206-03-19-31-012-130

**Property Owner:** Spiegelhoff Development, LLC, 651 S. Browns Lake Drive, Burlington, WI 53105

**Applicant:** Jeffery Erickson, Faith Chapel Evangelical Free Church, 141 Westridge Ave, Burlington, WI

**Date of Public Hearing:** December 20, 2016, 6:30 p.m. at 224 E. Jefferson Street

**Action Requested:** To change the Multi-Jurisdictional Comprehensive Plan from Medium Density Residential to Commercial for the subject property.

**Summary:** Jeffery Erickson on behalf of Faith Chapel Evangelical Free Church has petitioned to rezone property at 672 W. State Street within city zoning district classifications however it was determined a Comprehensive Plan amendment was also required. Per the Comprehensive Plan, 672 W. State Street is listed as Commercial and would not be consistent with the requested city zoning change from B-1 Neighborhood Business District to I-1, Institutional District. As such, an amendment from “Commercial” to “Governmental and Institutional” is necessary to be compliant.

**Existing Comprehensive Plan Zoning:** Commercial.

**Surrounding Zoning Comprehensive Plan Zoning:** Commercial Zoning to the west, Medium Density Residential to the north; Medium Density Residential, High Density Residential and Governmental and Institutional to the east; and Town of Burlington Residential-Unsewered to the south.

**Existing Land Use:** This property currently contains a single-family residential dwelling formerly used as an office by Spiegelhoff Development.

**Surrounding Land Use:** Single-Family residential units to the north and east, Multi-Family apartments and a church to the east, a commercial business to the west and southeast.

**Parcel Size:** 2.7126 acres More or Less.

**Relevant Criteria:**

The City of Burlington Plan Commission hereby finds and determines that:

- a) The Plan Amendment is consistent with the goals, objectives, and policies of the Plan.
- b) The Plan Amendment will not lead to any detrimental environmental effects.
- c) The Plan Amendment is compatible with surrounding land uses.
- d) The Plan Amendment will not overburden existing local and County facilities and services and such facilities and services are adequate to serve the type of development associated with the Plan Amendment.
- e) The Plan Amendment will enhance economic development within the City and County.
- f) The Plan Amendment is in substantial agreement with the recommendations of the regional land use plan.

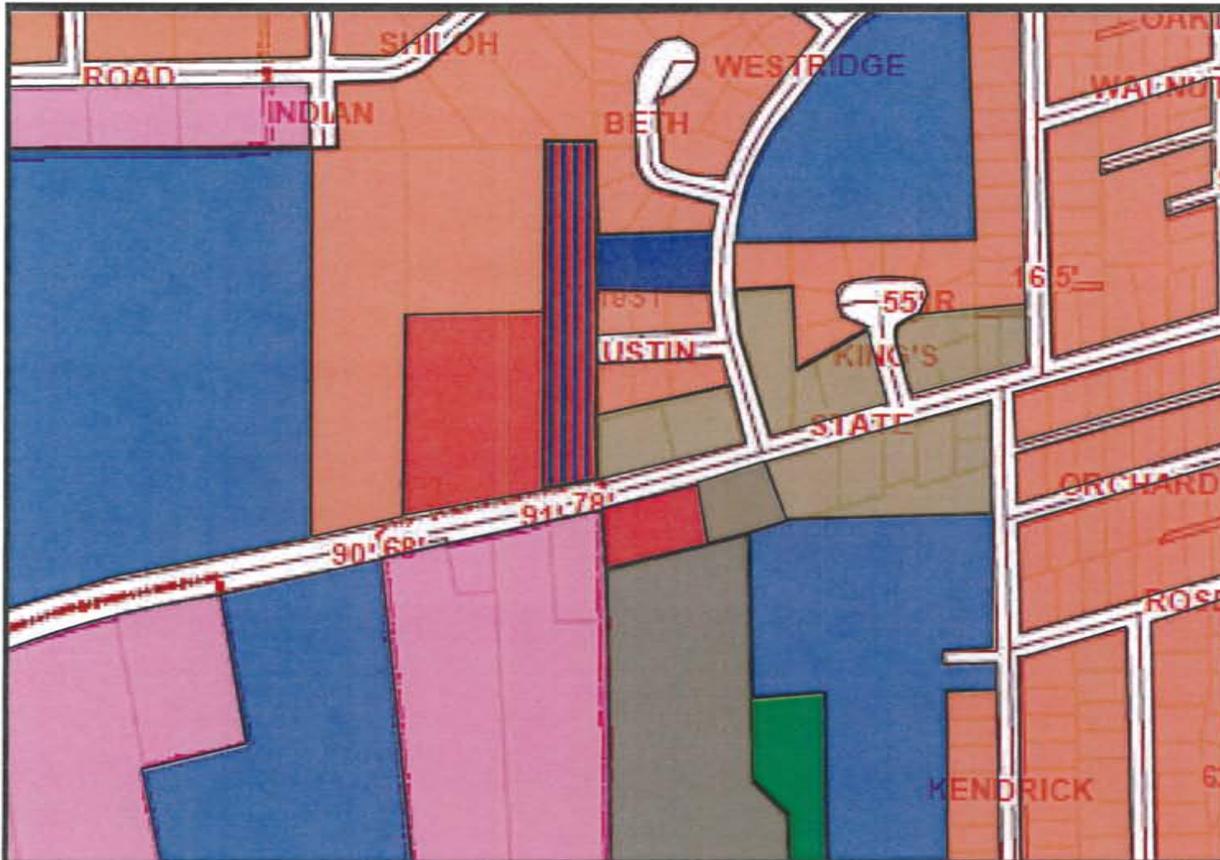
**Recommendation of Plan Commission:** Recommendation was given by the Plan Commission on November 8, 2016 by approval of Plan Commission Resolution No. 23.

**Next Step:** A Public Hearing is scheduled before the Common Council on December 20, 2016; scheduled for discussion among the Common Council at the Committee of the Whole meeting on December 20, 2016; and scheduled for consideration by the Common Council on January 3, 2017.

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Multi-Jurisdictional Comprehensive Plan Amendment  
672 W. State Street, Burlington, WI 53105  
From Commercial to Governmental/Institutional

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KEY	
	Subject Property
	High-Density Residential
	Medium-Density Residential
	Commercial
	Gov't /Institutional
	Recreational
	Town of Burlington



## CITY OF BURLINGTON

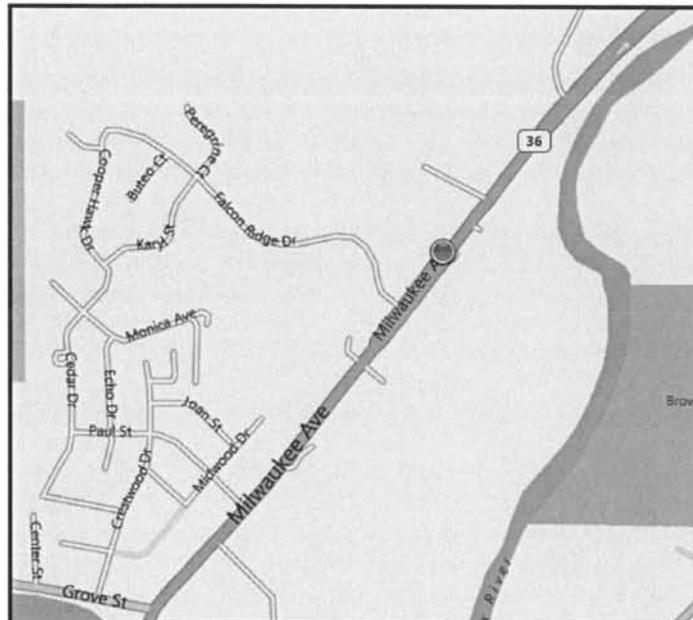
**Administration Department**  
300 N. Pine Street, Burlington, WI, 53105  
(262) 342-1161 – (262) 763-3474 fax  
www.burlington-wi.gov

<b>Plan Commission Item Number: 8C</b>	<b>Date:</b> November 8, 2016
<b>Submitted By:</b> Gregory Guidry, Building Inspector	<b>Subject:</b> Revocation Hearing of a Conditional Use Permit at 1157 Milwaukee Avenue.

**Details:**

Please see the attached memorandum regarding this hearing.

**Map Location:**



**Executive Action:**

This item is for discussion and consideration at the November 8, 2016 Plan Commission meeting.



## CITY OF BURLINGTON

**Building & Zoning Department**  
300 N. Pine Street, Burlington, WI 53105  
(262) 342-1163 – (262) 763-3474 fax  
[www.burlington-wi.gov](http://www.burlington-wi.gov)

To: City of Burlington Plan Commission  
From: Gregory Guidry City Zoning Administrator  
Date: November 3, 2016  
Re: Conditional Use Permit, 1157 Milwaukee Ave.

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Members of the Plan Commission, this item is before you for the consideration of revoking the Conditional Use Permit at 1157 Milwaukee Avenue. Mr. Jeff Way requested a Conditional Use Permit, which was approved at the December 14, 2007 Plan Commission meeting. Since that time, to the best of my knowledge, prior correspondences between City staff to Mr. Way reflect limited work done to satisfy the original Conditional Use Permit requirements.

In September 2016, I mailed to Mr. Way, the Plan Commission, Common Council, City Attorney and staff a packet which included copies of complaints, photos and correspondence regarding violations with this property. At the November 8, 2011 Plan Commission meeting, a revocation hearing was scheduled; however, the hearing was cancelled as Mr. Way proposed to correct a number of the violations and come closer to in compliance with the terms of his Conditional Use Permit.

Today, five years later, there are a number of items still not completed or corrected. Since I have been the Inspector and Zoning Administrator, there has been minimal work done on the property to satisfy the requirements of the Conditional Use.

Further, during my employment with the City, I have witnessed other violations to the Conditional Use Permit. I have witnessed people working on cars in the building, viewed and counted more than the approved 85 cars on the premises, viewed cars parked off the pavement and parked on the side of the building, viewed more than two vehicles parked in front of the building along with transporters parked on the lot and the abandoned sign is still standing. Mr. Way advised me that a new façade was going to be installed in late 2015/early 2016; however, no changes have been completed. For your convenience, I have included photos that were taken of the site on Tuesday, November 1, 2016.

At Tuesdays Plan Commission meeting, staff will reiterate the facts and will recommend to the Plan Commission a revocation of the Conditional Use Permit. Should you have any questions, please contact me directly at 262-342-1163.

Sincerely,

Gregory Guidry  
City of Burlington Zoning Administrator



CITY OF BURLINGTON

**Building & Zoning Department**  
300 N. Pine Street, Burlington, WI 53105  
(262) 342-1163 – (262) 763-3474 fax  
www.burlington-wi.gov

September 30, 2016

Jeffrey Way  
7119 Honey Creek Road  
Burlington, WI 53105

VIA CERTIFIED MAIL

Dear Mr. Way,

This letter is in response to the continuing phone calls received by the Building Department and to our elected officials relating to your property located at 1157 Milwaukee Avenue. The City is respectfully request you to appear before the Plan Commission on November 8, 2016 to inform the commissioners of your plans, including a time frame to comply with the Conditional Use Permit for this property. The City has been more than patient and fair with you in your lack of cooperation over these last eight and a half years.

The items listed below and attached for your convenience relate to compliance of the conditional use permit (CUP) since 2008, which have not been remedied. Likewise, we have had numerous phone calls in the last year and a half regarding the façade upgrades, vehicle repair in the building and overall compliance with the CUP.

- Conditional Use Permit dated December 14, 2007
- December 29, 2008 Letter from Patrick Scherrer, Building Inspector
- June 11, 2010 Letter from City Attorney John Bjelajac
- August 9, 2010 Letter to your attorney John Hotvedt
- October 12, 2011 Letter from City Administrator Kevin Lahner
- November 1, 2011 Letter from Kevin Lahner to City Plan Commission
- November 7, 2011 Letter to Attorney Hotvedt from Kevin Lahner
- November 8, 2011 Plan Commission CUP revocation hearing minutes
- Site photos from 2010 - 2016

You will be placed on the November 8, 2016 Plan Commission agenda. The meeting starts at 6:30 pm in the Common Council chambers, 224 E. Jefferson Street. Should you not appear before the Plan Commission, your CUP is at risk of being revoked.

Thank you for your attention to this matter.

Gregory Guidry,  
Building Inspector/Zoning Administrator

cc: Mayor Hefty, City of Burlington Common Council, City Attorney John Bjelajac, City Administrator Walters, City of Burlington Plan Commission members

**CONDITIONAL USE PERMIT**  
**City of Burlington**

Cup No.: 71261

Zoning District: B-1

Date: 12/14/07

Business Name: Motor Sports Auto Sales Tax Key No: 03-19-28-026-000

Business Address: 1157 Milwaukee Ave. Type of Business: Automotive Sales and Service

**CONDITIONS FOR APPROVAL:**

- 1.) Plan Commission meeting minutes dated June 12, 2007.
- 2.) June 4, 2007 Kapur & Associates, Inc. memorandum as well as Patrick Meehan's May 28, 2007 memo to the Plan Commission.
- 3.) Parking and Vehicle display:
  - 44 striped customer parking stalls, including 3 parking spaces to serve persons with disabilities.
  - Maximum of 85 vehicles for display as shown on site plan.
  - Minimum size of off-street parking spaces to be 9' x 20'.
- 4.) Site Lighting: A revised site plan is required to be submitted to the City for the removal, continued use, or proposed replacement of any existing lighting at the subject property in order to determine if there are any conflicts with the City Zoning Ordinance. Photometrics are required.
- 5.) Outdoor Storage: No outdoor storage was applied for. This would include selling truck caps which would require an additional site plan and conditional use permit approved from the City.
- 6.) No trash dumpsters: No trash dumpsters were proposed. Need City approval first.
- 7.) Fencing: Fencing including barbed wire fencing to be removed as indicated on the Site Plan.

*This permit shall be displayed in a conspicuous place and is non-transferable.* It is unlawful to occupy or use this building except in the manner for which this permit is intended.

Approved by the Burlington Planning Commission on: June 12, 2007

Issued By: Patrick Scherer, Zoning Administrator

(ps)







11.01.2016 14:42



11.01.2016 14:42



11.01.2016 14:40



11.01.2016 14:41





## CITY OF BURLINGTON

**Administration Department**  
300 N. Pine Street, Burlington, WI, 53105  
(262) 342-1161 – (262) 763-3474 fax  
www.burlington-wi.gov

<b>Plan Commission Item Number: 8D</b>	<b>Date:</b> November 8, 2016
<b>Submitted By:</b> Megan Watkins, Director of Administrative Services and Gregory Guidry, Building Inspector	<b>Subject:</b> Consideration to recommend approval of a text amendment to Ch. 315-51, Fences.

**Details:**

In 2016, two property owners who own corner lots, applied for variances with the Zoning Board of Appeals (ZBA) to allow for a 4-foot high fence in the street yard. Current ordinance allows for a maximum of 3-foot high. Both owners were granted variances provided they met the regulations of a vision triangle, if necessary. The ZBA further requested staff to consider amending the current fence ordinance to allow for a 4-foot height in the street yard without a variance.

Prior to the ZBA meetings, staff researched ordinances of nearby municipalities to identify common practice regarding fence height regulations. During this research, staff determined the City of Burlington's current fence ordinance is very vague and lacked substantial detail for property owners to follow. This text amendment is a complete re-write of the current ordinance, providing for not only the allowance of the 4-foot high fence in a street yard, but also greater detail in its entirety to provide clear and concise regulations for the placement, installation and allowable materials for fencing. Further, verbiage in Burlington's current ordinance was incorporated in this text amendment.

**Map Location:**

City-wide

**Executive Action:**

This item is for recommendation to the Council at the November 8, 2016 Plan Commission meeting, for discussion at the November 15, 2016 Committee of the Whole meeting and is scheduled a Public Hearing the same night and for consideration at the December 6, 2016 Common Council meeting.

AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 315-51 "FENCES" IN THE  
MUNICIPAL CODE OF THE CITY OF BURLINGTON

- I. Chapter 315-51 of the Code of the City of Burlington, Racine County, Wisconsin, Traffic, Loading, Parking, Access, Fences and Landscaping is hereby amended to repeal and recreate Section 315-51, Article V. Fences.

~~§ 315-51 Fences.~~

~~The construction of a fence in any zoning district shall require application to the Zoning Administrator for a fence permit, the fee for which shall be in an amount set by the Common Council. Application for a fence permit, when not a part of a landscaping plan required by § 315-52 or 315-138 of this chapter, shall be made to the Zoning Inspector in duplicate and shall include the name and address of the applicant, the owner of the site and the contractor; an accurate drawing or plat of survey of the site, inclusive of the structures located thereon; the address of the site; the proposed location of the fence superimposed upon the drawing or plat of survey; the type, materials, size and design of the proposed fence; and any other information that the Zoning Inspector may require.~~

~~A. Residential fences are permitted on the property lines in residential districts but shall not in any case exceed a height of six feet, shall not exceed a height of three feet in the street yard and shall not be closer than three feet to any street yard lot lines. Such fences must display their most aesthetic side towards view of the public.~~

~~B. Security fences are permitted on the property lines in all districts except residential districts but shall not exceed 10 feet in height and shall be of an open type similar to woven wire or wrought iron fencing.~~

~~C. Decorative fences may be placed in the street yard but shall in no instance be placed within the public right-of-way, provided that they shall not exceed a height of three feet, shall not exceed 10 feet in length in any direction at any location and shall not exceed an aggregate length of 24 feet in the street yard on any lot. Decorative fences on corner lots shall comply with the traffic visibility requirements set forth in § 315-46 of this chapter.~~

**§ 315-51. Fences.**

A. The construction of a fence anywhere within the City of Burlington shall require application for a fence permit from the Building Inspector, the fee for which shall be in an amount set by the City Council.

B. Application for a fence permit, when not part of a landscaping plan, shall be made to the Building Inspector and include: the name and address of the applicant; the owner of the site and the contractor; an accurate drawing or plat of survey of the site, inclusive of structures located thereon; the address of the site; the proposed location of the fence superimposed on the drawing or plat of survey; the type, materials, size, height and design of the proposed fence; and any other information the Zoning Administrator may require.

C. Fence construction is subject to the following limitations:

(1) Placement and height.

(a) Placement on lot. A fence is permitted on or near the property lines in all districts. No fence shall be closer than three feet from the street right-of-way in the front yard, except a protective fence or a fence that is used to screen a parking lot from a residential district. Such fences must display their most aesthetic side towards view of the public.

(b) Height.

[1] All districts. Except as otherwise provided in this section, the following height limitations apply in all districts:

[a] Front yard. A fence that consists of at least 80% open space shall not exceed four feet in height. A fence that has less than 80% open space may not exceed three feet in height unless the fence is used to screen a parking lot from a residential district, in which case it shall not exceed four feet in height.

[b] Side and rear yards. A fence may not exceed six feet in height.

[c] Lots with more than one street yard. The above provisions for front yards shall apply in each street yard.

[d] Historic Districts. A fence may not be installed without an approved Certificate of Appropriateness by the Historic Preservation Commission.

[2] Decorative fences.

[a] Decorative fences may be placed in the street yard but shall in no instance be placed within the public right-of-way, provided that they shall not exceed a height of three feet, shall not exceed 10 feet in length in any direction at any location and shall not exceed an aggregate length of 24 feet in the street yard on any lot. Decorative fences on corner lots shall comply with the traffic visibility requirements set forth in § 315-46 of this chapter.

[3] Measuring height.

[a] The installed height of a fence shall be measured from the ground to the top of a fence section, and the average height between two posts shall not exceed the limitations in this section.

[b] A post, post cap or ornamental feature of a fence may exceed the height limitations of this section, but shall not be disproportionate to the fence. If the height of a post, post cap or ornamental feature will exceed the maximum height by more than six inches, the Building Inspector may require the owner to apply to the Plan Commission for approval.

(c) Refuse containers. Refuse containers may be screened with a fence not meeting the requirements of this section upon approval by the Zoning Administrator.

(2) Limitations and prohibitions.

(a) No fence or portion of a fence shall be placed within the vision clearance triangle, as set forth in § 315-46.

(b) No fence may be constructed as a fence which conducts electricity, or is designed to electrically shock or which uses barbed wire, or which contains a component designed to cause harm to a person, except as provided below.

(c) Underground "invisible" pet fences shall be allowed without a permit, but must be installed at least three feet from all property lines. Barbed wire may be used

at the top of a fence in an industrial district if the barbed wire and the devices securing the barbed wire are at least 10 feet above the ground and project inward toward the fenced property and away from public or adjoining property.

- (d) No fence shall be constructed of unsightly or dangerous materials. The finished or decorative side of a fence shall face adjoining property.
- (3) Temporary fences. Fences erected for the protection of planting or to warn of construction hazard or similar purpose shall be allowed without a permit, but shall be clearly visible or marked with warning devices at four-foot intervals. Such fences shall meet the placement and height requirements of this section unless such placement and height defeats the purpose of the fence. Temporary fences, other than snow fences, shall not be in place for more than 45 days.
- (4) Nonconforming fences. Any fence existing on the effective date of this section and not conforming to these requirements may be maintained, but any alteration, modification or improvement of more than 50% of said fence shall result in the entire fence being brought into compliance with this section.
- (5) Determination of location. The property owner erecting the fence is solely responsible for ensuring that the fence is located on his or her own property.
- (6) Fence repair. All fences shall be maintained and kept safe and in a state of good repair.

D. All fence materials shall be approved by the Building Inspector, who shall issue a fence permit upon application therefore for fences meeting the requirements of this subsection. If the Zoning Administrator denies a permit hereunder, the applicant may appeal the decision to the Zoning Board of Appeals, which may uphold, modify or overturn the Building Inspector's decision.

- II. It is further ordained that the application of this ordinance shall be effective after its passage and publication as required by law.
- III. All other provisions language as contained in Chapter 315 of the Municipal Code of the City of Burlington shall continueremain without change and in full force and effect.

Introduced:  
Adopted:

---

Jeannie Hefty, Mayor

Attest:

---

Diahnn Halbach, City Clerk



## CITY OF BURLINGTON

**Administration Department**  
300 N. Pine Street, Burlington, WI, 53105  
(262) 342-1161 – (262) 763-3474 fax  
[www.burlington-wi.gov](http://www.burlington-wi.gov)

<b>Plan Commission Item Number: 8E</b>	<b>Date:</b> November 8, 2016
<b>Submitted By:</b> Jim Bergles, Public Works Director and Gregory Guidry, Building Inspector	<b>Subject:</b> Consideration to recommend approval of a text amendment to Ch. 315-27, Garbage in the B-2 District.

### Details:

Currently, the B-2, Central Business District does not have language in the Municipal Code requiring property owners to supply a dumpster or garbage receptacle for trash, as the B-2a, Central Business Transition District or B-1, Neighborhood Business Districts do. The Department of Public Works has received several complaints that residents in the downtown area are placing their trash at the curb without being in a receptacle several days prior to their scheduled weekly pick-up. This ordinance would stop this aesthetic issue of trash on the curb in our downtown district with both commercial and mixed commercial buildings, and align the B-2 District requirements for trash to be placed in a dumpster, or garbage receptacle, as required in the B-2a District. This is not without specific challenges since the B-2 District allows zero setbacks in regards to lot lines. For example, this requirement may need to be reviewed on a case by case basis in order for the ordinance to be enforced.

### Map Location:

City-wide

### Executive Action:

This item is for recommendation to the Council at the November 8, 2016 Plan Commission meeting, for discussion at the November 15, 2016 Committee of the Whole meeting and is scheduled a Public Hearing the same night and for consideration at the December 6, 2016 Common Council meeting.

**AN ORDINANCE AMENDING SECTION 315-27 TITLED "B-2 CENTRAL BUSINESS DISTRICT" OF THE CODE OF THE CITY OF BURLINGTON CREATING TRASH DUMPSTER AND GARBAGE RECEPTACLE REQUIREMENTS**

**NOW THEREFORE BE IT ORDAINED** by the Common Council of the City of Burlington as follows:

**I.** Chapter 315-27 of the Code of Burlington, Racine and Walworth Counties, Wisconsin, entitled "B-2 Central Business District", is hereby amended as follows:

L. Trash dumpster and garbage receptacles (trash and garbage storage). The following requirements shall be met for trash dumpsters and garbage receptacles in the B-2 Central Business District:

1. Trash dumpster and garbage receptacle enclosures required. All garbage cans, trash dumpsters, trash containers, and other storage devices situated on any property shall be closed containers with lids and shall be concealed or suitably screened from public view.
2. Trash dumpster and garbage receptacle maintenance required. All garbage cans, trash containers, and other garbage storage devices shall be emptied and the contents thereof properly disposed of not less than once every seven days.
3. Unenclosed storage of trash or waste prohibited. No portion of the lot shall be used for open or unenclosed storage of trash or waste of any kind.
4. Trash dumpster and garbage receptacle location in off-street parking space or drive is prohibited. No trash dumpster or other trash or waste receptacle shall be permitted in any off-street parking space or drive.
5. Paved slab required. All trash dumpsters and garbage receptacles shall be placed upon a paved slab.
6. Adequate size to accommodate recycling materials. All trash dumpster and garbage receptacle areas shall be of an adequate size to accommodate the storage of materials to be recycled.
7. Building permit required for the construction of garbage, trash, waste, and dumpster enclosures. A building permit shall be required for the construction of any garbage, trash, waste, or dumpster enclosure.

**II.** It is further ordained that the application of this ordinance shall be effective after its passage and publication as required by law.

III. All other provisions as contained in Chapter 315 of the Municipal Code of the City of Burlington shall continue and in full force and effect.

Introduced:  
Adopted:

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Jeannie Hefty, Mayor

Attest:

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Diahnn Halbach, City Clerk



**CITY OF BURLINGTON**

**Administration Department**  
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<b>Plan Commission Item Number: 8F</b>	<b>Date:</b> November 8, 2016
<b>Submitted By:</b> Megan Watkins, Director of Administrative Services and Gregory Guidry, Building Inspector	<b>Subject:</b> Consideration to recommend approval of a text amendment to repeal Ch. 142-2, Electrical License.

**Details:**

Over the last several months, staff has been working with SafeBuilt and Graef to identify areas of the Municipal Code that are in need of updates and revisions, which is why this item is being brought forth at this time.

Formerly, when a licensed electrical contractor applied for an electrical permit with the City, they also needed to obtain an Electrical License with the City's Building Department, per Ch. 142-2 of the Municipal Code. As of April 1, 2014, the State of Wisconsin, per State Statute 101.861, deemed that a municipality could no longer impose this license or certification on electrical contractors, electricians or electrical inspectors.

This text amendment seeks to eliminate this requirement from the Municipal Code in its entirety to become compliant with state statutes.

**Map Location:**

City-wide

**Executive Action:**

This item is for recommendation to the Council at the November 8, 2016 Plan Commission meeting, for discussion at the November 15, 2016 Committee of the Whole meeting and is scheduled a Public Hearing the same night and for consideration at the December 6, 2016 Common Council meeting.

AN ORDINANCE TO REPEAL CHAPTER 142-2, ELECTRICAL LICENSE THE MUNICIPAL  
CODE OF THE CITY OF BURLINGTON

- I. Chapter 142 of the Code of the City of Burlington, Racine County, Wisconsin, Electrical Work and Inspections, is hereby amended to repeal Section 142-2, Electrical License.

~~§ 142-2 Electrical license.~~

~~A. Required. No person shall engage in the work of installing, altering, or repairing any electrical wiring, fixtures, or apparatus for any purpose in the City of Burlington without a license therefor as provided in this chapter, except for electrical work done by the owner-occupier of a single-family dwelling and deemed to be minor by the Electrical Inspector.~~

~~B. Electrical contractor defined. An electrical contractor is any person, firm, partnership or organization who or which shall install, alter or repair electrical wires and apparatus and deal directly or indirectly with the landowners and be paid for the services by compensation for such work.~~

~~C. Application. Application for a license shall be made to the Electrical Inspector on forms furnished by him. Before any license shall be issued, the application therefor shall be approved by the Electrical Inspector.~~

~~D. Electrical license qualification requirements. Applicants for an electrical license shall have the following qualifications: the Electrical Inspector shall issue licenses only to those holding a State of Wisconsin master electrician certification excepting those electrical contractors who currently hold a license with the City of Burlington. This license will not be transferable.~~

~~E. Expiration of license; renewal. All licenses shall expire on June 30 in each year following the date of issuance and may be renewed on payment of the proper renewal fee not later than July 1. Should any person fail to renew his license by July 1, double fees shall be charged and after that all persons shall have a master electrician certificate from the State of Wisconsin in order to renew their license.~~

- II. It is further ordained that the application of this ordinance shall be effective after its passage and publication as required by law.
- III. All other provisions language as contained in Chapter 142 of the Municipal Code of the City of Burlington shall continue remain without change and in full force and effect.

Introduced:  
Adopted:

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Jeannie Hefty, Mayor

Attest:

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Diahnn Halbach, City Clerk

**101.861 Municipal licensing authority.**

(1) Any ordinance enacted by a municipality that relates to licensure or certification of electrical contractors or electricians pursuant to the municipality's authority under s. 101.865, 2005 stats., or s. 101.87, 2005 stats., and that is in existence on March 19, 2008, shall remain in effect until April 1, 2014, but may not be amended or repealed during this time period. Beginning on April 1, 2014, such an ordinance is no longer in effect, and municipalities may no longer impose any registration, licensing, or certification requirements on electrical contractors, electricians, or electrical inspectors.



## CITY OF BURLINGTON

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<b>Plan Commission Item Number: 8G</b>	<b>Date:</b> November 8, 2016
<b>Submitted By:</b> Megan Watkins, Director of Administrative Services and Gregory Guidry, Building Inspector	<b>Subject:</b> Consideration to recommend approval of a text amendment to Ch. 243, Plumbing.

**Details:**

Over the last several months, staff has been working with SafeBuilt and Graef to identify areas of the Municipal Code that are in need of updates and revisions, which is why this item is being brought forth at this time.

Recently, the Wisconsin Department of Commerce Division of Safety and Buildings was renamed to the Wisconsin Department of Safety and Professional Services (DSPS). As such, references to this department in the state statutes were amended appropriately. Likewise, the state recently updated their codes for building, plumbing and electrical ordinances.

The attached text amendment seeks to amend Ch. 243, Plumbing, of the City's municipal code in sections that reference state ordinances. This amendment is merely a housekeeping item.

**Map Location:**

City-wide

**Executive Action:**

This item is for recommendation to the Council at the November 8, 2016 Plan Commission meeting, for discussion at the November 15, 2016 Committee of the Whole meeting and is scheduled a Public Hearing the same night and for consideration at the December 6, 2016 Common Council meeting.

AN ORDINANCE AMENDING SECTION 243 "PLUMBING" OF THE MUNICIPAL CODE OF  
THE CITY OF BURLINGTON

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Burlington does hereby ordain as follows:

I. Section 243-1 of the City of Burlington Municipal Code entitled, "State Regulations Adopted", and recreated as follows:

Chapter 145, Wis. Stats. and the State Plumbing Code, SPS 381 through 387~~Chs. Comm 81 through 87 Wis. Admin. Code~~, as may be amended from time to time are adopted by reference, ~~subject to changes, additions and omissions specified by the state.~~

II. Section 243-2 of the City of Burlington Municipal Code entitled, "Appointment" of Plumbing Inspector and recreated as follows:

The City Administrator, subject to confirmation of Common Council, shall appoint a Plumbing Inspector, along with such other plumbing inspectors as he deems necessary, who shall be a state-certified Plumbing Inspector under the rules of SPS 382~~Comm 82 Wis. Admin. Code~~.

III. Section 243-3C of the City of Burlington Municipal Code entitled, "Powers and Duties of Plumbing Inspector" is repealed, and recreated as follows:

C. The plumber in charge shall notify the Plumbing Inspector whenever any work is ready for inspection of soil, vent, waste, underground drain, any new connection of any fixture, or replacement of old fixture. All plumbing work shall be left exposed until such a time as the Plumbing Inspector has completed his examination and inspection. A test shall be required as stated in SPS 382.21~~Comm 82.21 Wis. Admin. Code~~.

IV. It is further ordained that the application of this ordinance shall be effective after its passage and publication as required by law.

V. All other provisions as contained in Chapter 243 of the Municipal Code of the City of Burlington shall continue and in full force and effect.

Introduced:  
Adopted:

\_\_\_\_\_  
Jeannie Hefty, Mayor

Attest:

\_\_\_\_\_  
Diahn Halbach, City Clerk



## CITY OF BURLINGTON

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<b>Plan Commission Item Number: 8H</b>	<b>Date:</b> November 8, 2016
<b>Submitted By:</b> Megan Watkins, Director of Administrative Services and Gregory Guidry, Building Inspector	<b>Subject:</b> Consideration to recommend approval of a text amendment to Ch. 115, Building Construction.

### **Details:**

Over the last several months, staff has been working with SafeBuilt and Graef to identify areas of the Municipal Code that are in need of updates and revisions, which is why this item is being brought forth at this time.

Recently, the Wisconsin Department of Commerce Division of Safety and Buildings was renamed to the Wisconsin Department of Safety and Professional Services (DPS). As such, references to this department in the state statutes were amended appropriately. Likewise, the state recently updated their codes for building, plumbing and electrical ordinances.

The attached text amendment seeks to amend Ch. 115 of the City's municipal code in sections that reference DPS ordinances. Further, other changes made to this chapter not relating to state code include Ch. 115-7 and 115-18(B)(5) as follows:

Ch. 115-7, Standards for identification of fire division walls, has been eliminated in its entirety based on state ordinance. Fire division walls are referenced in Ch. 155, Fire Protection, Prevention and Control.

Ch. 115-18(B)(5), General pool regulations – Lighting, has been amended to specifically clarify the intent of lighting used with an outdoor swimming pool. The overall purpose of this subsection was not changed.

### **Map Location:**

City-wide

### **Executive Action:**

This item is for recommendation to the Council at the November 8, 2016 Plan Commission meeting, for discussion at the November 15, 2016 Committee of the Whole meeting and is scheduled a Public Hearing the same night and for consideration at the December 6, 2016 Common Council meeting.

**AN ORDINANCE AMENDING SECTION 115 "BUILDING CONSTRUCTION" OF THE  
MUNICIPAL CODE OF THE CITY OF BURLINGTON**

I. Section 115-3A-H of the City of Burlington Municipal Code, entitled "Application of Wisconsin Administrative Code", is amended as follows:

The following chapters of the Wisconsin Administrative Code, and their referenced codes, standards, appendices and subsequent revisions, are adopted for municipal enforcement by the Building Inspector, who shall be commercially certified by the Wisconsin Department of ~~Commerce, Division of Safety and Buildings~~ Safety and Professional Services (DSPA):

- A. Chapter ~~Comm 16~~SPS 316, Electrical.
- B. Chapter ~~Comm 61~~SPS 361, Administration and Enforcement, which includes the adoption, with modifications, of the International Code Council International Building Code (IBC), International Energy Conservation Code (IECC), International Mechanical Code (IMC) and International Fuel Gas Code (IFGC) and International Existing Building Code (IEBC).
- C. Chapter ~~Comm 62~~SPS 362, Buildings and Structures, which includes Wisconsin modifications of the IBC.
- D. Chapter ~~Comm 63~~SPS 363, Energy Conservation, which includes Wisconsin modifications of the IECC.
- E. Chapter ~~Comm 64~~SPS 364, Heating, Ventilating and Air Conditioning, which includes Wisconsin modifications of the IMC.
- F. Chapter ~~Comm 65~~SPS 365, Fuel Gas Appliances, which includes Wisconsin modifications of the IFGC.
- G. Chapter SPS 366, Existing Buildings Code, which includes Wisconsin modifications of the IEBC.
- ~~G. Chapter Comm 70, Historic Buildings.~~
- ~~H. Chapters Comm 75 to 79, Existing Buildings Code.~~
- I.H. Chapters ~~Comm 81 to 87~~SPS 381 to 387, State Plumbing Code.

II. Section 115-4 of the Burlington Municipal Code, entitled "Application of Wisconsin Administrative Uniform Dwelling Code", is amended as follows:

The Wisconsin Uniform Dwelling Code, ~~Chapters: Comm 20 through 25~~SPS 320 through 325, inclusive, Wis. Admin. Code, and all amendments thereto, are hereby made a part of this code by reference and shall apply to all one- and two-family dwellings and alterations and additions thereto. This code shall also apply to alterations and additions to all one- and two-family dwellings constructed prior to the effective date of the Wisconsin Uniform Dwelling Code. A copy of said code is on file in the office of the City Clerk.

III. Section 115-6D-E of the City of Burlington Municipal Code, entitled "Weatherization Program Agreement", are repealed and recreated as follows:

- D. Stipulation enforcement. Upon notice from the Department of ~~Commerce~~Safety and Professional Services, the Building Inspector's department or the City Attorney is directed to secure compliance, by proper means, from owners of properties with outstanding stipulations.
- E. Waiver enforcement. Upon notice from the Department of ~~Commerce~~Safety and Professional Services, the Building Inspector's department or City Attorney is directed to secure compliance, by proper means, from owners of properties with outstanding waivers.

**IV.** Section 115-7 of the City of Burlington Municipal Code, entitled, "Standards for Identification of Fire Division Walls", is repealed in its entirety.

~~§ 115-7. Standards for identification of fire division walls. Fire division wall or occupancy separation wall identification as established by § Comm 62.0705, Wis. Admin. Code, will be required on all appropriate new construction within the City.~~

**V.** Section 115-8C of the City of Burlington Municipal Code, entitled, "Department of Buildings", is amended as follows:

C. Qualifications; duties. The Building Inspector shall have the necessary ability to supervise the general construction of buildings and other permanent equipment of buildings. He shall pass upon the plans and specifications of each building to be erected and not be interested, directly or indirectly, in the construction of buildings or in the preparation of plans and specifications therefor, or of any permanent building equipment, except as may be authorized by the Common Council. The Building Inspector shall also be responsible for enforcing the Declaration of Restrictions and Covenants in the Burlington Industrial Park. The Building Inspector shall be commercially certified for inspection purposes in accordance with the Wisconsin Department of ~~Commerce, Division of Safety and Buildings~~Safety and Professional Services, Division of Safety and Buildings, and shall administer and enforce all provisions of this code. D. Records to be kept. The Building Inspector shall perform all administrative tasks required by Wisconsin law. The Building Inspector shall keep a record of all applications for permits and shall number each permit in the order of its issuance. The Building Inspector shall also keep a record of all fees collected showing date of receipt and delivery to the City Treasurer. The Building Inspector shall make a monthly report and an annual report to the Common Council of the above matters.

**VI.** Section 115-16F(2)(e) of the City of Burlington Municipal Code entitled "Garages and Accessory Buildings", is amended as follows:

F. Construction. Private garages and accessory buildings shall be constructed as follows:  
2. Detached private garages of wood frame construction shall be constructed with the following requirements:

(e) Detached garage roofs shall be framed in accordance with the applicable requirement of ~~§ Comm 21.28~~SPS 321.28, Wis. Admin. Code.

**VII.** Section 115-17D(8)(a) of the City of Burlington Municipal Code entitled "Deck Framing", is amended as follows:

D. Framing.

~~(8) Alternative provisions and methods.~~

(a) Wood decks. Wood decks attached to the dwelling shall be constructed to the Uniform Dwelling Code standards listed below:

- [1] Excavation requirements of ~~§ Comm 21.14~~SPS 321.14, ~~Wis. Admin. Code.~~
- [2] Footing requirements of ~~§ Comm 21.15~~SPS 321.15, ~~Wis. Admin. Code.~~
- [3] Frost penetration requirements of ~~§ Comm 21.16~~SPS 321.16, ~~Wis. Admin. Code.~~
- [4] Load requirements of ~~§ Comm 21.02~~SPS 321.02, ~~Wis. Admin. Code.~~
- [5] Stair, handrail and guardrail requirements of ~~§ Comm 21.04~~SPS 321.04, ~~Wis. Admin. Code.~~
- [6] Decay protection requirements of ~~§ Comm 21.10~~SPS 321.10, ~~Wis. Admin. Code.~~

**VIII.** Sections 115-18B(5) of the City of Burlington Municipal Code entitled "Swimming Pools", are amended as follows:

B. General pool regulations.

- (5) Lighting. Lights shall be erected and placed so that the light illuminate the ground directly below the light fixtures and not so as to eliminate direct rays and minimize reflected rays of light onto adjoining properties and roadways. Lighting installation shall be done in accordance with Ch. ~~Comm 16, Wis. Admin. Code~~ SPS 316.

**IX.** Section 115-19C of the City of Burlington Municipal Code entitled "Foundations", is amended as follows:

C. General foundation requirements. Foundation repairs shall be performed in accordance with the Best Management Standards for Foundation Repair (March 2003 edition) prepared by the Wisconsin Association of Foundation Repair ~~Contractors~~ Professionals (WAFRC); (WAFRP).

X. It is further ordained that the application of this ordinance shall be effective after its passage and publication as required by law.

XI. All other provisions as contained in Chapter 115 of the Municipal Code of the City of Burlington shall continue and in full force and effect.

Introduced:  
Adopted:

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Jeannie Hefty, Mayor

Attest:

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Diahnn Halbach, City Clerk