



11333 N. Cedarburg Rd
Mequon, WI 53092-1930
Phone: 262/236-2911
Fax: 262/242-9655

www.ci.mequon.wi.us

Office of the City Clerk

Board of Appeals
Monday, February 29, 2016; 6:00 PM
Christine Nuernberg Hall - Common Council Chambers

AGENDA

Call to Order, Roll Call

1. Approve meeting minutes of February 4, 2016
2. Hear evidence concerning; debate, deliberate and decide the request of:
 Applicant(s): Jordan Weed
 Owner: Karen Forrer
 Appeal: Requesting a variance from Section 58-234(i) Mequon Code of Ordinances to build a new garage with covered porch connecting to the existing house at 13220 N. Windsor Court
3. Adjourn

Dated: February 16, 2016

/s/ Rose Reitz, Chairman

Notice is hereby given that a quorum of other governmental bodies may be present at this meeting to present, discuss and/or gather information about a subject over which they have decision-making responsibility, although they will not take formal action thereto at this meeting.

Persons with disabilities requiring accommodations for attendance at this meeting should contact the City Clerk's Office at 262-236-2911, twenty-four (24) hours in advance of the meeting.

Any questions regarding this agenda may be directed to the City Clerk's Office at 262-236-2911, Monday through Friday, 8:00 AM- 4:30 PM

BOARD OF APPEALS
Tuesday, February 4, 2016; 6:00 PM
MINUTES

Present: Chairman Reitz; Members Ashmore, Massey, Clancy; Deputy Clerk Fochs; City Attorney Sajdak; Community Development Director Tollefson; Court Reporter Jennifer Steidtmann, Gramann Reporting; and interested public

Also Present: Peter Young, American Dental Partners, Inc. Director of Regional Operations, Attorney Louis B. Butler, Jr. and Attorney Bill Scott of Gonzalez Saggio & Harlan LLP

All parties appearing before the Board of Appeals were sworn.
A complete transcript of the proceedings can be made available upon request.

The meeting was called to order at 6:00 PM.

1. Approve meeting minutes of January 5, 2016

Moved by Member Ashmore, seconded by Member Massey to approve the meeting minutes of January 5, 2016.

The motion passed by voice acclamation 4/0.

2. Hear evidence concerning; debate, deliberate and decide the request of:

Applicant(s): American Dental Partners of Wisconsin LLC dba Forward Dental Mequon
Owner: Mequon Town Center LLC

Appeal: Appeal of the Planning Commission's decision on December 7, 2015, for a building and site plan amendment by American Dental Partners of Wisconsin LLC dba Forward Dental Mequon for the property located at 6048 W. Mequon Road.

Documents submitted by the appellant February 2, 2016 were submitted into record.

Director Tollefson stated that this is an appeal of the December 7, 2015 Planning Commission decision for a waiver to the site and building plan approvals.

Attorney Butler outlined the issues of the appeal: 1) challenging the need for a variance at all based on the ordinance that addresses windows; there is no regulation nor prohibition with respect to blinds in the ordinance; 2) architectural plans submitted specified placement of interior window blinds in all exterior windows except as otherwise noted; 3) architectural plans were approved by the City and the State; 4) the buildout costs and potential construction costs to comply will create an unreasonable hardship; and 5) violation of patient confidentiality and privacy constitutes a hardship as well.

Mr. Young stated that American Dental Partners LLC has been accredited since 2000 and their goal is to protect the health and welfare of their patients. The language around patient privacy indicates that the organization ensures its facilities provide exam rooms, dressing rooms and reception areas that are constructed and maintained in a manner that ensures patient

privacy during interviews, examination and consultation. Practical considerations for needing blinds are the sunshine makes examinations difficult, the computer screens unviewable, and the heat from the windows could cause materials to light-cure too quickly. When the occupancy permit was received they were surprised since everything they'd done to-date was in accordance with the building permit and the approvals received from the City. There was never any issue with the use of the blinds until they filed for a variance in December 2015. Blinds were used when the patients were in the chair from June 2015 until December 2015. Only after the appeal was filed were the City citations issued. Total cost to build the practice was \$715,000 and the approximate cost to redo the layout would be \$550,000. HIPPA mandates patient privacy and their practice has many safeguards in place to ensure absolute privacy.

Director Tollefson stated that privacy rules, regulations and obligations of the tenant are their burden and are not the City's requirement. The fact that it is a permitted use does not exempt them from design standards. They could have chosen another site in the development. The PUD approval, the development agreement, building and site plan approvals, architectural plans, and building permits are all reviewed by Community Development to ensure synergy between Planning Commission's recommendations and the ultimate buildout. Per their Development Agreement they are required to implement all of the rules and regulations, including the PUD regulations, that were established from the onset. Miscommunications between the developer and the tenant are not the responsibility of the City. Design guidelines specifically address windows. They must be transparent, it outlines the percentage of windows per building frontage, and percentage limitation on the coverage of windows facing public spaces. The spirit and intent of this Town Center neighborhood is to be pedestrian oriented, walkable neighborhood of mixed use that generates vitality and gathering at the street level. Allowing a tenant to block off their windows is a violation of the spirit and intent of those policies.

The Board requested more details about the conversations with the developer. One of the requirements of the development agreement was to have an operable, front door facing Mequon Road. The tenant desired the door to be facing the parking lot. A compromise was reached between the City and the developer to eliminate a direct front door, and replace it with a centralized door with a small lobby that would provide an interior door into the tenant's space. The developer needed to go forward understanding that with the floor plan coupled with the requirements already documented as part of the project approval, there would be no blocking of the windows.

Mr. Young, although not part of the discussion relocating the front door, stated the company prefers the operatory in the windows and does not have a bearing on the appeal. Director Tollefson added that relocating the front door does not negate the requirement to meet certain building and design standards.

The Board questioned the reaction of the tenant when they received the occupancy permit dated June 17, 2015 with the condition that no window coverings could be used. Mr. Young confirmed he did not have any further discussions with either the City or the developer about that requirement and they did not make any appeal at that time. To the best of his knowledge, no one in his organization knew they could not have window coverings or they would not have proceeded in ordering blinds.

Director Tollefson stated that blinds or window skins are not regulated by building code, electrical code, HVAC code, or plumbing code and therefore were not reviewed by the building inspector. The Planning Division completed their building code review and

identified there were blinds at that time and they made a condition of approval on the occupancy certificate which was subsequently signed by the applicant.

Attorney Scott argued that the City approved and certified the building plans that clearly showed window blinds in all exterior windows. Director Tollefson restated that blinds are not a construction component nor a substantial construction element. The building inspector would not inspect blinds. In addition, there was a catchall condition of approval granting by Planning Commission and Common Council which gave staff the ability to add conditions at any point in the process to ensure that all the policies and standards of the zoning district were in compliance.

Exhibits A-1 (architectural design plans) and A-2 (building inspection documents) from American Dental Partners LLC were submitted into record.

Attorney Young stated there is a tacit admission by staff that there is no regulation regarding blinds. If there is no regulation there is no authority to impose this condition in the first instance. If the Board does think the ordinance regulates blinds then the appellant believes a variance would be justified based on the unreasonable hardship that would be placed upon the dental practice and all patients.

Director Tollefson clarified that this is not a question of a variance. The case is an appeal of the Planning Commission's December 7, 2015 decision. This zoning district specifically expresses the Planning Commission has the ability to grant waivers to any of the standards within the zoning district. Whether the ordinance expressly states "blinds" or not the PUD required the full spirit and intent of those policies.

Member Massey questioned both staff and appellant on why the intent and purpose of Mequon Code 58-301(a) would be supported or not supported by the window blinds. Director Tollefson argued that blinds would not "activate" the street. We want to activate the pedestrians, promote natural surveillance, minimize the uncomfortableness of pedestrians, maintain high design standards and maintain the pedestrian character. Mr. Young stated that they want to meet the intent of the standard, however, he noted that the sidewalk on Mequon Road is considerably narrower than the sidewalk on Cedarburg Road so comparisons cannot be made between businesses on the east side of Town Center, and their blinds would only be closed when there are patients utilizing the exam rooms.

Moved by Member Massey, seconded by Chair Reitz to subpoena Assistant Director of Community Development Jac Zader, Blair Williams of WiRed Development, Dan Kinney of American Dental Partners of Wisconsin LLC, Matt Mehring of Anderson/Ashton construction group, Martin Schoenknecht, Mequon Building Inspector and any other person who was negotiating the buildouts on behalf of American Dental Partners of Wisconsin LLC.

The motion passed by voice acclamation 4/0.

Discussion ensued on other opportunities available to American Dental Partners. Staff contends that the interior floor plan could be modified to create a private room to serve their patients. The appellant contends that opting for a second level office space is cost prohibitive at this point and flipping the floor plan would cost approximately \$550,000, a definite hardship. Also lightly tinted windows would not solve the privacy issue.

Design guidelines for the Town Center were created in December 2005. This zoning district was built upon those design guidelines and was created in 2007. Town Center is the only

zoning district in the zoning code that actually dictates materials to be used, percentage points of windows on the first and second floor and specific design standards.

Attorney Sajdak asked Attorney Butler if he reviewed the Schneider vs. Waukesha decision in preparation for this hearing. He had not and agreed to provide an argument to the Board in a timely fashion as to the distinction between that decision and the Outagamie County decision.

Moved by Chairman Reitz, seconded by Member Ashmore to suspend the hearing to a yet-to-be-determined date. Deputy City Clerk will work with all Board members and all witnesses to find a mutually agreed upon date.

Motion passed by roll call vote 4/0:
Favor: Ashmore, Massey, Reitz, Clancy
Opposed: None

3. Adjourn

There was a motion and a second to adjourn at 7:45 PM.

Respectfully submitted,
CITY OF MEQUON BOARD OF APPEALS
Kathy Andrykowski, Administrative Secretary



11333 N. Cedarburg Rd 60W
Mequon, WI 53092-1930
Phone (262) 236-2921
Fax (262) 242-9655

www.ci.mequon.wi.us

INSPECTION DIVISION

January 12, 2016

Ms. Karen Forrer
13220 N. Windsor Court
Mequon, WI 53097

Dear Ms. Forrer:

I am writing in regards to the building permit application for a detached garage at 13220 N. Windsor Court. The proposed garage does not comply with the 100' setback from the front lot line. Based on this information, a variance through the Board of Appeals is required. It is my understanding based on your submittal of a building permit for the garage you are requesting commencement of this process.

Please remember the following information if you decide to request a variance:

1. The hardship must be based on conditions unique to the property rather than considerations personal to the property owner.
2. The hardship cannot be self-created.
3. The Board of Appeals is to evaluate the hardship in light of the purpose of the zoning restriction at issue.
4. A variance cannot be contrary to the public interest.
5. The property owner bears the burden of proving unnecessary hardship.

I have enclosed an application for the Board of Appeals which should be returned to the City Clerk with a check for \$215.00.

If you have any further questions, feel free to call me at 262-236-2904 during normal business hours.

Respectfully,

Jac Zader
Assistant Director of Community Development

cc: City of Mequon City Clerks Office
Burg Homes & Design, Inc.

enclosure/kh

BOARD OF APPEALS APPLICATION
CITY OF MEQUON, WISCONSIN

Applicant: JORDAN WEED Address: N7912 US HWY 151
City/zip: FOND DU LAC WI 54937

Owner: KAREN FORNER Address: 13220 NORTH WINDSOR COURT
City/zip: MEQUON WI 53097

Contact Person/Name: JORDAN WEED

Phone Number: 920-960-4480 Email: jordan@burghomedesign.com

TO THE ZONING BOARD OF APPEALS:

The above hereby requests an appeal/variance in regard to Section No: 58-234I
of the Mequon Code of Ordinances regarding:

13220 NORTH WINDSOR

(street address or legal description)

in order to: BUILD A NEW FINANCE WITH COVERED PORCH CONNECTING TO THE
EXISTING HOUSE.

APPLICANT MUST PROVIDE:

Application form (1 copy only)
\$215 filing fee

10 copies each of the following documents (One for each Board Member)

1. Copy of denial letter (*Appeal must be made within 30 days of affecting decision*)
2. Letter explaining hardship or practical difficulty in complying with the ordinance requirement(s)
3. Detailed dimension drawing of/and indicating area where appeal/variance is requested
4. Elevation drawings if appropriate (4 views)

FOR OFFICE USE ONLY	
Receiving Officer: <u>Domenica Erskine</u>	Received Date: <u>1/29/16</u>
Parcel #: <u>140 090 400 300</u>	Hearing Date: <u>2/29/16</u>
Zoning District: <u>R-1</u>	Receipt #: <u>001704-0012</u>
Alderman & District #: <u>Rob Strzelezyk, Dist #1</u>	Published: <u>2/18/16</u>

- c: Notice of scheduled hearing to DISTRICT ALDERPERSON, and
OWNER(S) OF RECORD as listed in the Office of the Assessor of all lands within 1320 feet of subject property (when hearing involves a proposed zoning district classification change or conditional use grant); copy of mailing list attached for case file/record (if applicable)

SUBSTANTIVE AND PROCEDURAL GUIDE TO VARIANCES
FOR APPLICANTS TO THE BOARD OF APPEALS

I. CRITERIA FOR ISSUANCE OF VARIANCE:

To qualify for a variance, an applicant has the burden of proof to demonstrate at a public hearing before the Board of Appeals the following:

1. Unnecessary hardship due to the unique physical limitations of the property and not the particular circumstances of the applicant. The unnecessary hardship must not be self-imposed by the applicant or the prior owners of the property. Further, economic loss or financial hardship does not justify a variance.
2. The variance will not create substantial detriment to the adjacent or neighboring property, and will not be contrary to the public interest or public safety.

The foregoing criteria are defined in the State Statutes and/or Mequon Ordinances and have been interpreted by the Courts. This guide is intended merely to assist applicants and not intended as a substitute for the criteria defined in the Statutes and ordinances as interpreted by the Courts. As noted above, the burden is upon the applicant, not the Board of Appeals or the City to present sufficient evidence to support the findings to be made by the Board of Appeals based upon the evidence presented at the public hearings.

II. DETERMINATION

In making its findings and determinations, the Board of Appeals may consider factors such as: characteristics of the property, including, but not limited to, relative placement of improvements thereon with respect to property boundaries or otherwise applicable setbacks; existing and future use of property; useful life of improvements at issue; disability of an occupant; aesthetics; degree of non-compliance with the requirement allowed by the variance; proximity to and character of surrounding properties; zoning of the area in which property is located and neighboring areas; and the purpose and intent of the Zoning Code subsection imposing the requirements.

Any variance granted by the Board of Appeals may contain conditions that it deems necessary, including, but not limited to, conditions that:

1. prescribe the duration of the variance to be:
 - a. permanent, thereby remaining permanently with the property;
 - b. a specified length of time; or,
 - c. the time period during which the property is owned or occupied by a particular person;
2. require the performance of additional actions related to the mitigation or enhancement of impacts resulting from the variance; or,
3. prescribe a limitation on the action effectively authorized by the variance.

III. INSPECTION

Note that members of the Board of Appeals may view the property prior to the hearing.

To whom it may Concern:

The property located at 13220 North Windsor Court is classified as R-1 rural residential detached district. We are proposing to build a detached garage, with a covered porch connecting it to the existing house porch. Sec. 58-234. States the minimum building setback is 100 feet to the ultimate right of way line of any public street, road or highway upon which the subject property abuts.

Our hardship is that the location of this lot is unique that it actually borders 3 different right of ways. One to the east, south, and west. However, the roadway to the west where we are proposing the garage is a private drive that we are requesting a side yard setback of 30 feet, allowing us to give the owner a garage in the location of where the old garage was.

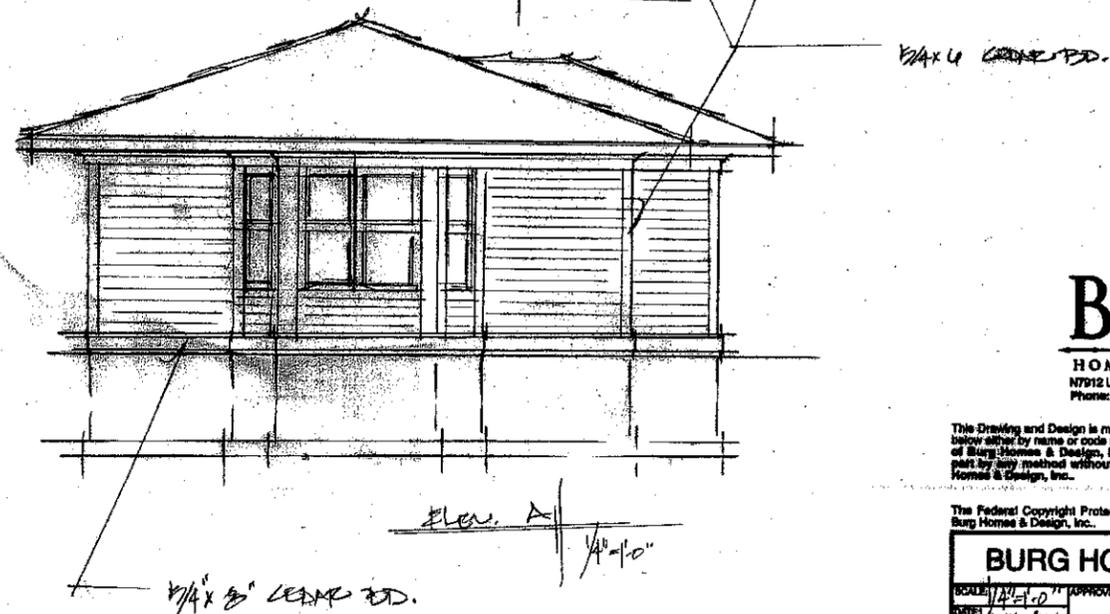
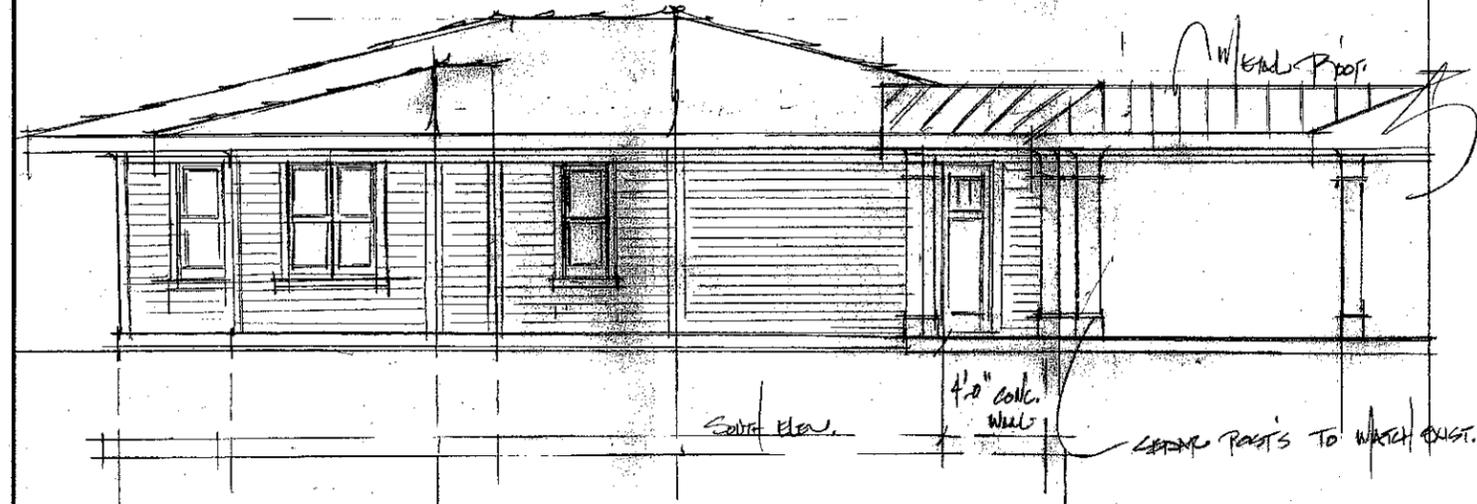
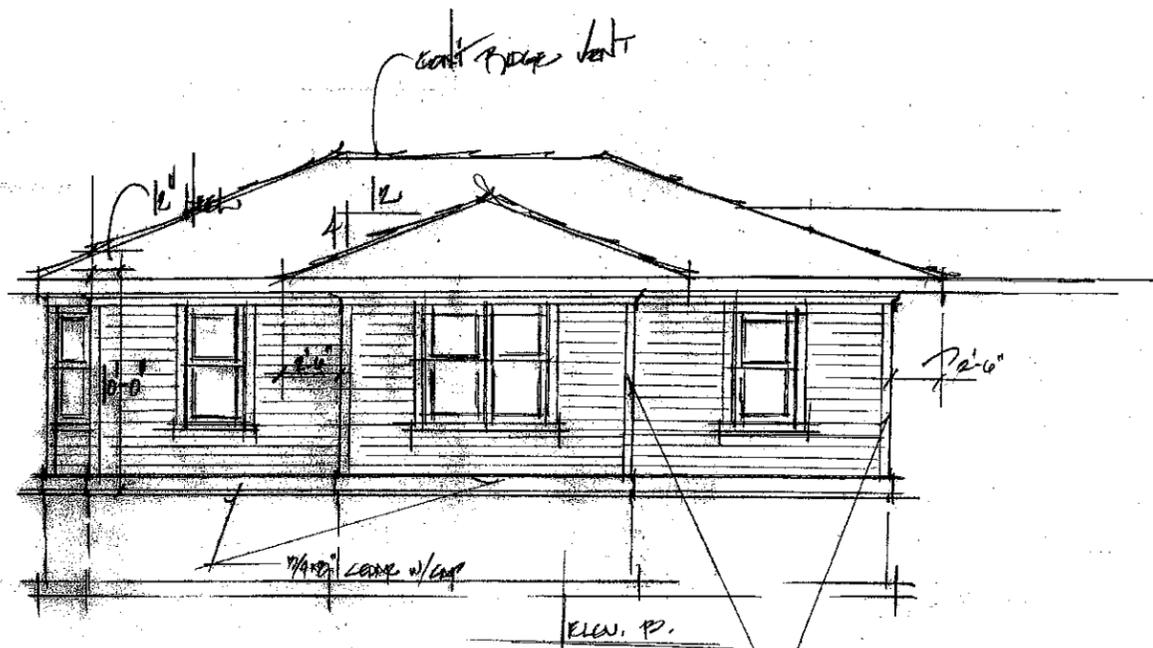
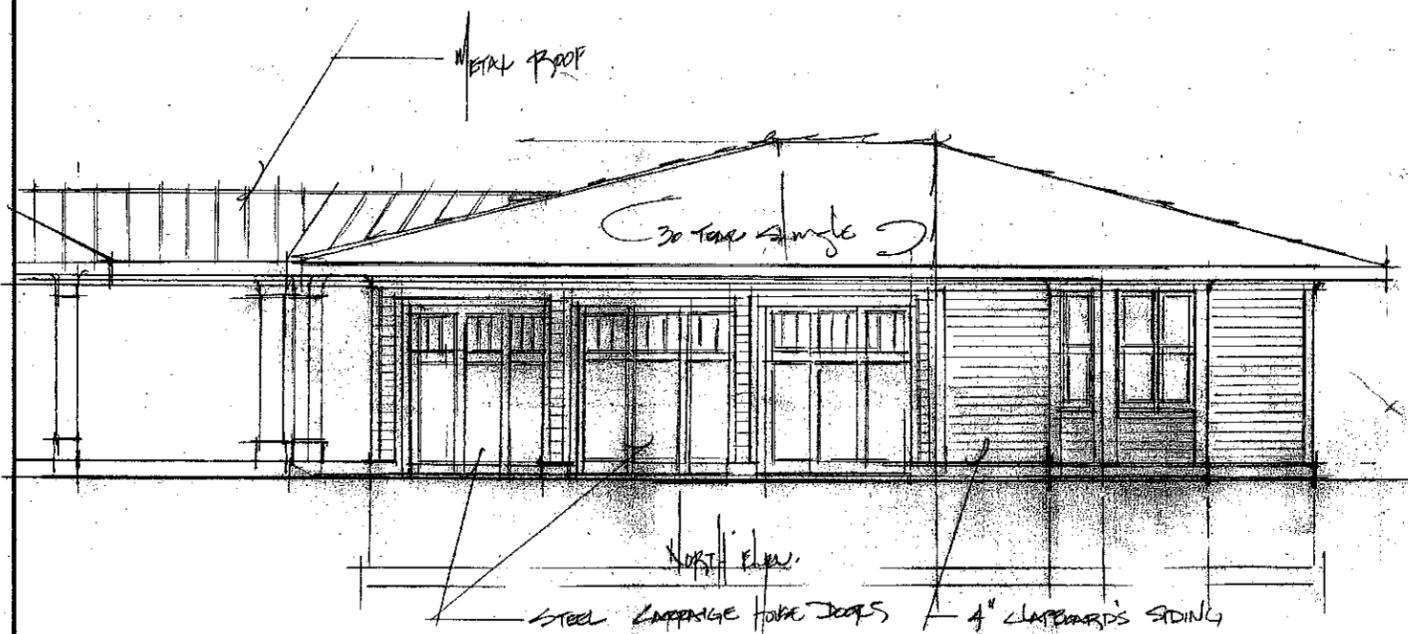
Other homes located along Windsor Court were also constructed within 100-foot setback, as well the house and barn located at this property that is currently 82.4 feet off the Windsor Court right of way.

Approval of this variance to the minimum side setback of 30 feet would allow us to maximize the development potential of the lot, without having a negative impact on neighboring properties. Approval of the request would permit us to construct a garage on the property fairly consistent in size and character with the other homes in this vicinity and same zone.

Thank You,

Jordan Weed
Project Manager
Burg Homes and Design

NOTE: ALL TRIM, CROWN & SIDING TO MATCH EXIST.



BURG

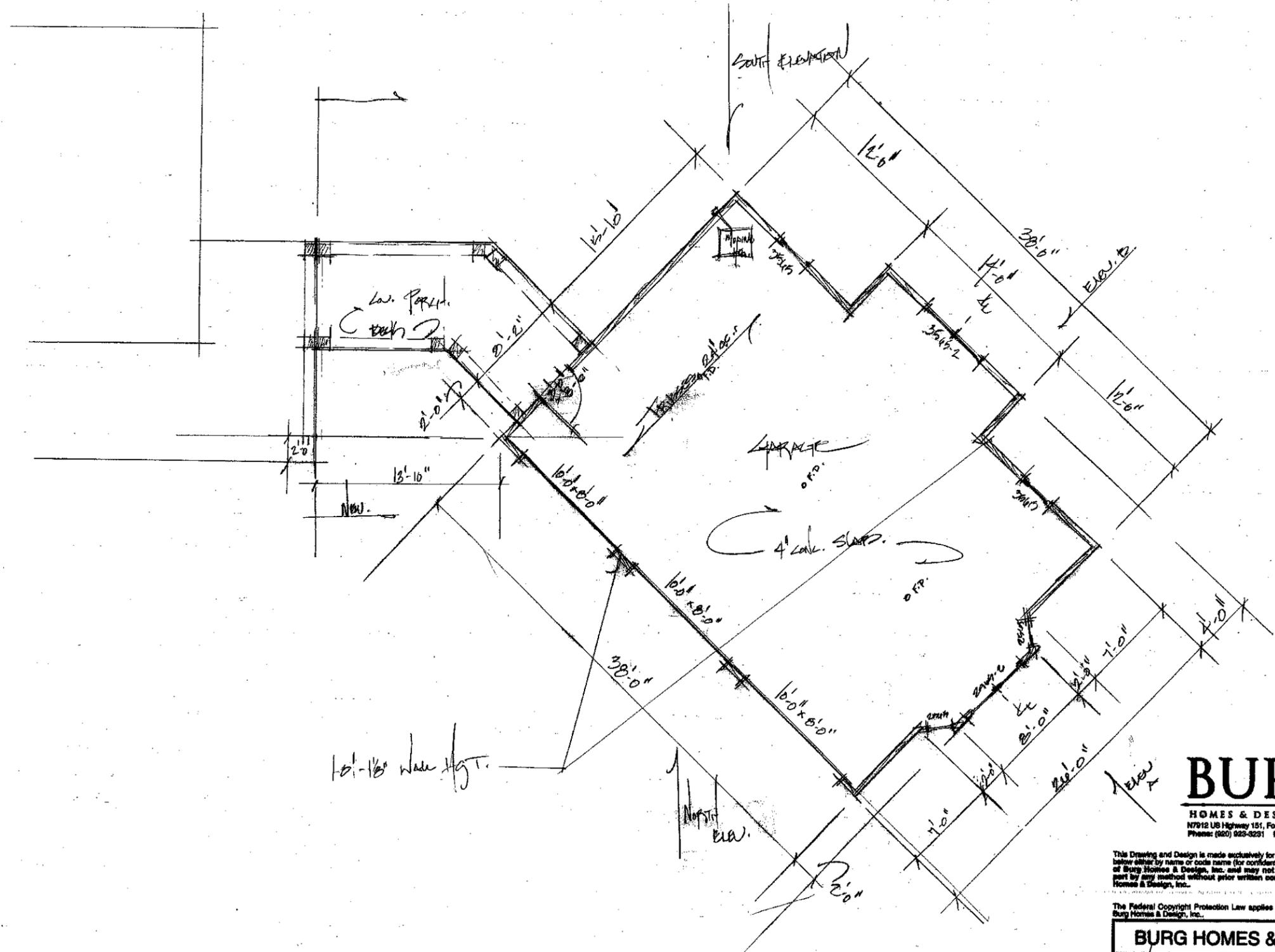
HOMES & DESIGN, INC.
 N7912 US Highway 151, Fond Du Lac, WI 54937
 Phone: (920) 923-3231 Fax: (920) 923-4408

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BURG HOMES & DESIGN, INC.

SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: J. FINE
DATE: 12-13-2014	REVISIONS:	REVISIONS:
GARAGE RENOVATION		DRAWING NUMBER: 124



BURG

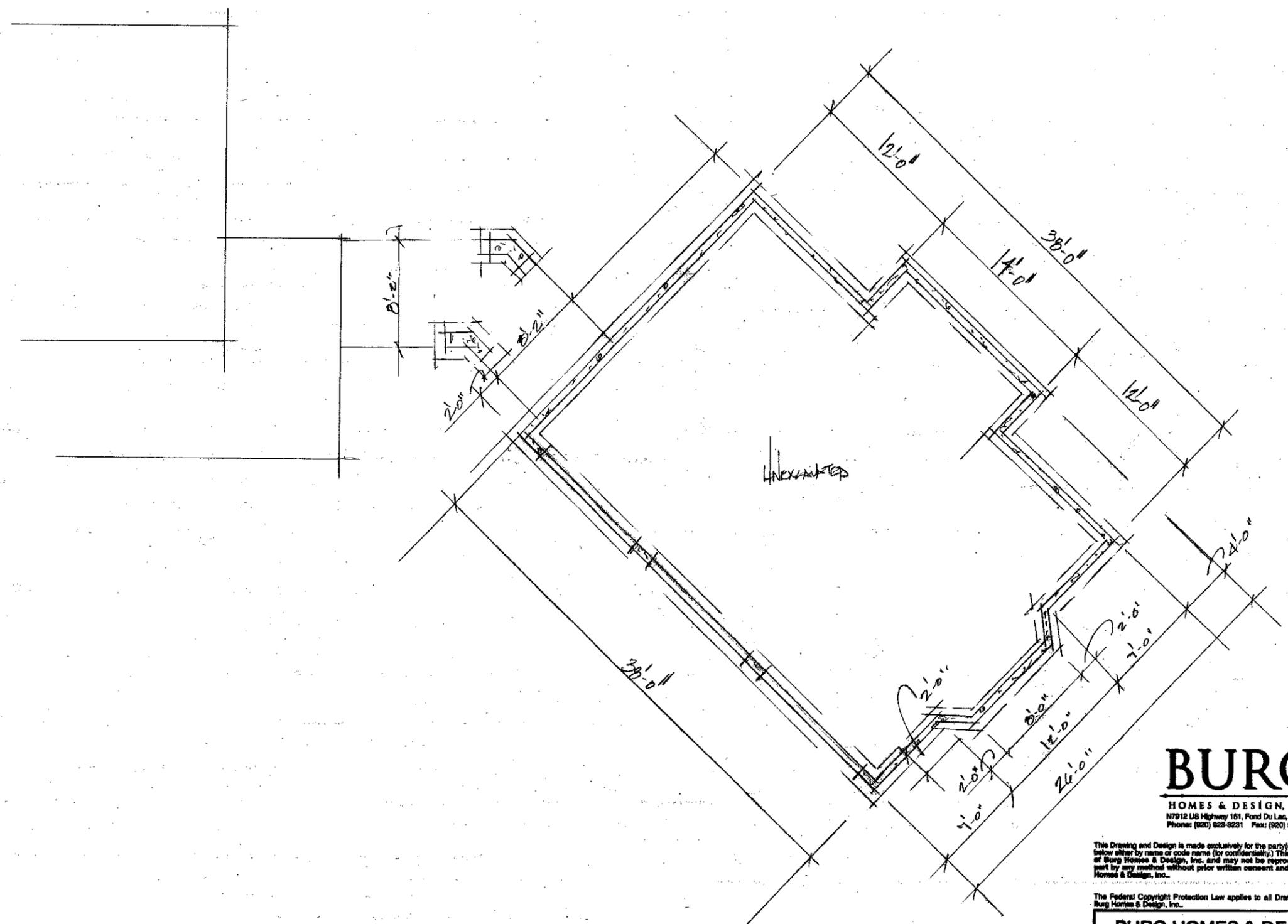
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BURG HOMES & DESIGN, INC.

SCALE: 1/4"=1'-0"	APPROVED BY:	DRAWN BY:
DATE: 10-12-2010		REVISED:
GARLAND Remodel.		DRAWING NUMBER: 2 of 3



BURG

HOMES & DESIGN, INC.
 N7912 US Highway 161, Fond Du Lac, WI 54637
 Phone: (920) 923-8231 Fax: (920) 923-4409

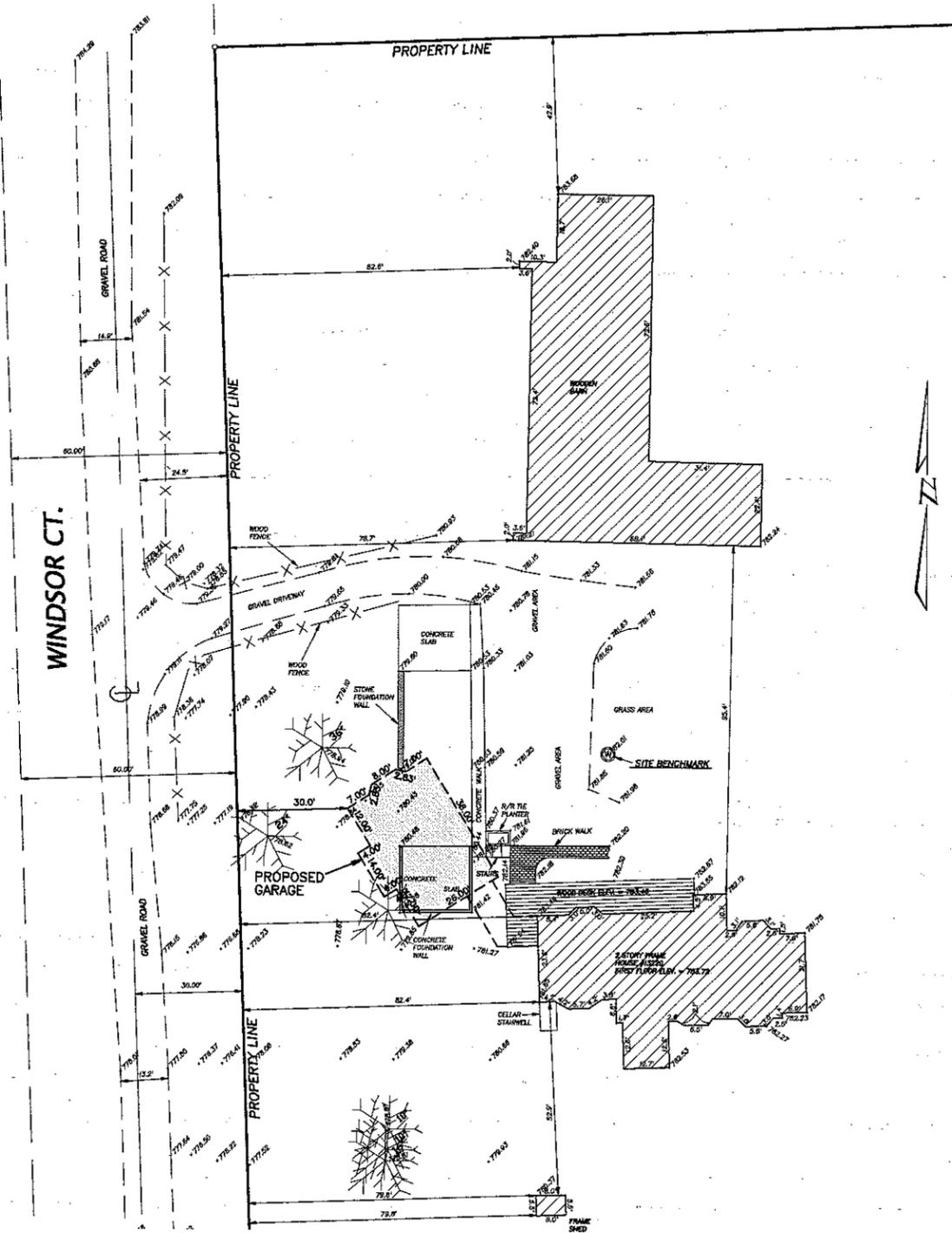
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BURG HOMES & DESIGN, INC.

SCALE: 1/4"=1'-0"	APPROVED BY:	DRAWN BY: EJK
DATE:	REVISIONS:	
LARGE RENOVEL.		DRAWING NUMBER: 2005

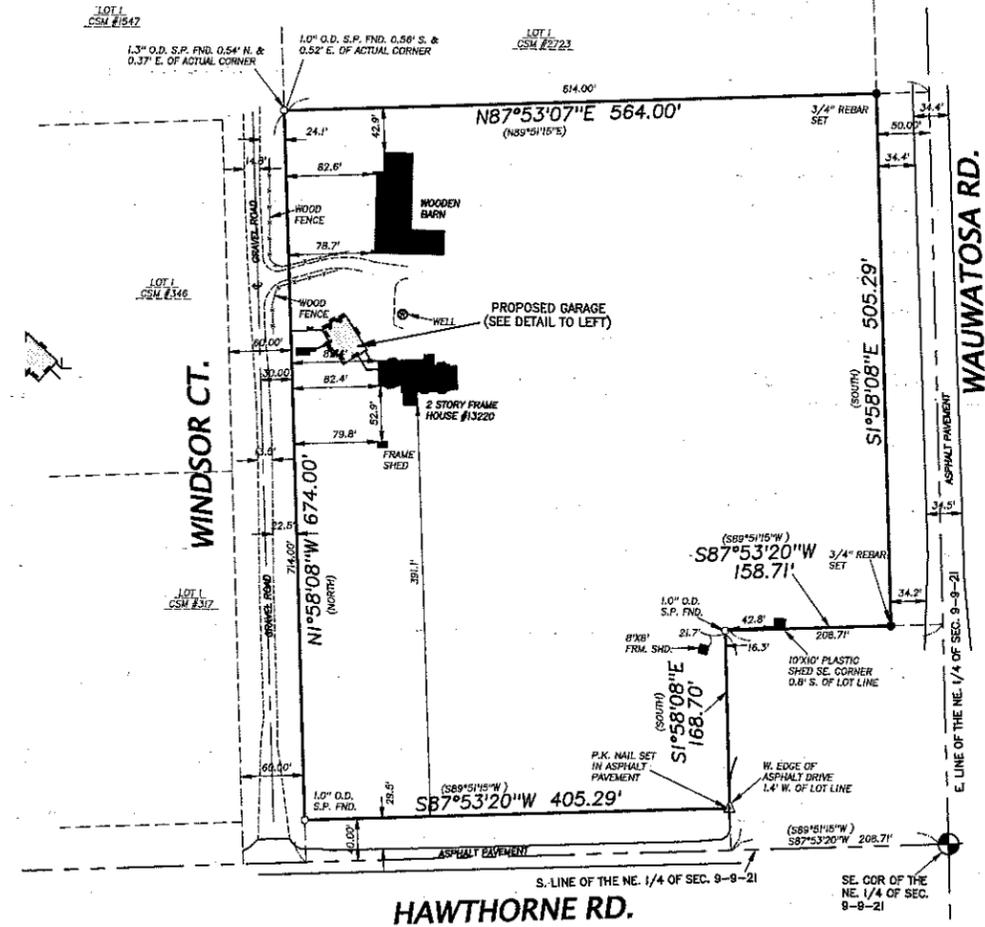
SITE PLAN DRAWING SCALE 1" = 20'



BENCHMARK NOTE:
 1. SITE BENCHMARK ON WELL
 34' N. OF CENTER OF HOUSE IN
 GRASS AREA, TOP OF COVER ELEV. = 782.01

LEGAL DESCRIPTION:
 Certified Survey Map No. 108, being a part of the Northeast 1/4 of Section 9, in Township 9 North, Range 21 East, in the City of Mequon, County of Ozaukee, State of Wisconsin, recorded in the office of the Register of Deeds of Ozaukee County on June 22, 1965 in Volume 1 of Certified Survey Maps at Page 218, as Document No. 205230.

PROPERTY SURVEY SCALE 1" = 100'



SURVEY CERTIFICATE

I have 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, boundary fences, apparent easements, roadways, and visible encroachments, if any.

This survey is made for the exclusive use of the present owners of the property, and also those who purchase, mortgage, or guarantee the title thereto within one (1) year from date hereof.

10-26-15
 Date

James G. Schneider
 Surveyor - S-2127

NOTES:

- () DENOTES DIRECTION PER CSM.
- ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE. (NAD-83) THE S. LINE OF THE NE 1/4 OF SEC. 9-9-21 WHICH BEARS S87°53'20"W.



NORTH SHORE ENGINEERING, INC.
 Consulting Engineers & Land Surveyors
 11433 N. Port Washington Rd., Mequon, Wisconsin, 53092
 (262) 241-9400 • FAX: (262) 241-5337
 www.northshoreengineering.net

1	1-25-16	ADJUSTED PROPOSED GARAGE FOOTPRINT	J.G.S.	T.W.K.
MARK	DATE	REVISION	BY	APVD
"PROPERTY SURVEY"				
FOR Burg Homes & Design Forrer Residence				
13220 Windsor Ct. Mequon, WI.				
FIELD CREW:	D.R.G. & B.A.J.	APPROVED:		
DATE:	October 26, 2015	PERCA No.		
DWN. BY:	A.R.E.			
CHKD. BY:	J.G.S.	File No.	15-3676-15	



11333 N. Cedarburg Rd 60W
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Department of Community Development: Inspections Division

MEMORANDUM

To: Board of Appeals
From: Michael Rakow , Inspector
Date: February 18, 2016
Subject: Forrer Appeal for property located at 13220 N Windsor Ct.

Background: The appellant is requesting a variance for the 100 foot setback at 13220 N Windsor Court in order to construct a detached garage. The applicant states that a 30 foot setback would allow the location of the proposed garage to be where the old garage was located. Also, this would allow them to maximize the development potential of the lot.

Variance:

The appellant is requesting a variance to section 58-234 (i) which regulates building setbacks as follows:

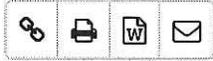
58-234 (i) Minimum building setback. No building or structure, hereafter erected, shall be placed closer than 100 feet to the ultimate right-of-way line of any public street, road, or highway upon which the subject property abuts

Per Section 58-41 of Chapter 58, Zoning Code, the Board of Appeals shall determine if such variance will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of this chapter will result in practical difficulty or unnecessary hardship so that the spirit of this chapter shall be observed, public safety and welfare secured and substantial justice done.

The variance request does not list or provide any practical difficulty or hardship that is unique to the property that would support granting the variance. The lot area and width of the parcel are conforming to the R-1 zoning district standards. Accordingly, staff recommends the Board of Appeals deny the applicant's appeal.

Michael Rakow

Michael Rakow, Inspector
Department of Community Development: Inspections Division

Sec. 58-234. - R-1 rural residential detached district.

- (a) *Purpose.* The R-1 district is intended to provide for large lot single-family detached residential development in rural areas that are not served by public water or sewerage facilities and that are not yet appropriate for development at higher densities. This district shall generally be located within the area designated on the land use plan map as "rural service area."
- (b) *Permitted uses.*
- (1) Single-family detached dwellings.
 - (2) Agricultural uses shall be allowed subject to the following:
 - a. Poultry and domestic livestock (excluding horses which are addressed in subsection (b)(2)b.) shall be permitted on lots of at least ten acres. No more than one head of livestock per acre and 20 fowl per acre shall be allowed.

Exception: Chickens shall be permitted on lots of one and one-half acres or greater per the following criteria:

 1. No more than four chickens per parcel shall be allowed.
 2. Roosters are prohibited.
 3. All chickens must be kept at all times in a secure, clean enclosure that is kept in sanitary conditions.
 4. All enclosures shall be set back at least 50 feet from any property line, shall be located only in the rear yard and shall be located closer to the principle dwelling on the subject parcel than the neighboring lot lines.
 5. Enclosures shall not exceed 40 square feet and six feet in height.
 6. Feed kept outside shall be kept in sealed containers so that it is rodent-proof.
 7. Feces shall be removed from yards and enclosures daily and stored in tightly covered metal containers that are setback at least 50 feet from the property line.
 8. Yards, enclosures, premises and animals shall be kept free of insect infestations.
 9. No odor or noise nuisance shall be permitted.
 10. An initial and annual permit fee is required.
 11. Applicable home owners associations shall provide consent on only the initial permit to allow the keeping of poultry in accordance with the above listed standards.
 - b. One horse shall be permitted on lots of at least 1½ acres. One additional horse shall be allowed per each additional acre.
 - c. Farms primarily for the keeping or raising of fur bearing animals, hogs, or goats shall

The home occupation shall be carried on wholly within the principal residential building or within a building accessory thereto, and only by residents occupying the premises and one additional person not a resident on the premises.

- b. No article or service shall be sold or offered for sale on the premises.
 - c. The home occupation shall not normally generate customer or client traffic to the residential premises.
 - d. Any off-street parking area shall be maintained reasonably dustless, and adequately screened from adjoining residential properties.
 - e. The home occupation shall not include the conducting of any retail or wholesale business on the premises, nor the removal of sand, gravel, stone, topsoil, or peat moss for commercial purposes.
 - f. The home occupation shall not include outside storage of materials or other operational activity resulting in offensive noise, vibration, smoke, dust, odors, heat, or glare which may create a nuisance or be otherwise incompatible with the surrounding residential area.
- (3) Private outdoor recreational facilities normally accessory to a residential use.
- (d) *Conditional uses.*
- (1) Public or private outdoor recreational facilities.
 - (2) Public and private schools, child day care.
 - (3) Churches and religious institutions.
 - (4) Public administrative offices and service buildings.
 - (5) Private lodges and clubs.
 - (6) Commercial use of historically significant structures.
 - (7) Country inns (i.e. bed and breakfast facilities) and country restaurants.
 - (8) Public and or private utility, transmission and distribution lines, poles, and other accessories provided that when the utility proposes a main inter-city transmission facility, the utilities shall give notice to the planning commission of such intention and of date of hearing before the public service commission, and before actual construction shall file with the planning commission a map description of the route of transmission line. Public and/or private utility installations less than three feet in height shall be subject only to City of Mequon staff approval and may be allowed subject to staff imposed conditions regarding, among other things, effective screening from public view with all season vegetation.
 - (9) Guesthouse subject to, among other things, a living quarters being within a detached accessory building which is located on the same lot with the principal residential structure. Furthermore, the guesthouse is intended for use by temporary guests of the residents and shall have no kitchen facilities and not be rented or otherwise used as a separate dwelling.
 - (10) Additional attached non-income producing living accommodation with separate bath and kitchen facilities for relatives of the individual(s) residing in the primary dwelling.
 - (11) Wholesale greenhouses, wholesale nurseries, wineries, and landscape contracting businesses.