

PLAN COMMISSION AGENDA

September 18, 2024 at 6:30 PM 303 Mansion Street Mauston, WI

- 1. Call to Order/Roll Call
- 2. Discussion and action relating to Minutes
 - a. September 4, 2024
- 3. Discussion and recommendation regarding Conditional Use Permit for AAB Properties LLC for a multi-family townhome development on Sherman Street
 - a. Site Plans and CUP documents
- 4. Discussion and recommendation regarding Conditional Use Permit for Group Development of 800 N Union Street
 - a. Application, site plan and CUP
- 5. Adjourn

NOTICE:

It is possible that action will be taken on any of the items on the agenda and that the agenda may be discussed in any order. It is also possible that a quorum of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact City Deputy Clerk Nicole Lyddy (608) 747-2706.

Any member of the public wishing to join the meeting telephonically should call City Hall by 4pm the day of the meeting. Staff will be happy to provide instructions on joining the meeting by phone. City Hall main number: 608-847-6676



PLAN COMMISSION MEETING MINUTES

September 04, 2024 at 6:30 PM 303 Mansion Street Mauston, WI

- Call to Order/Roll Call The Mauston Plan Commission met on Wednesday, September 4, 2024, in the Council Chambers of City Hall. Mayor Teske called the meeting to order at 6:32 pm. Mark Messer, Lenord Kluge, Brian McGuire, Paul Coggins, and Mayor Darryl Teske were present. Absent was Devan Minard. Also, present were Administrator Daron Haugh, Zoning Administrator Allison Schwark.
- Minutes Motion to approve minutes of July 31, 2024, by McGuire, and seconded by Messer. Motion carried.
- 3. Conditional Use There was a discussion about the drafted resolution for the CUP with added conditions as discussed at last month's meeting. Yhr Zoning administrator went through each line item and condition proposed and the Plan Commission was agreeable to the conditions and drafted resolution. There was one grammatical error on the CUP that needed correction. Motion to recommend to the council to approve the Conditional Use for CJJ's Towing by Messer, and seconded by Kluge. Motion carried. The applicant was advised this would be at the September 24 council meeting.
- 4. Zoning Code Rewrite At the meeting, a representative from Veirbicher provided an overview of the zoning code rewrite and its purpose. The Plan Commission discussed how best to proceed, agreeing to review the new code section by section at upcoming meetings for a more in-depth analysis. There was an extended discussion about zero lot line development and Accessory Dwelling Units (ADUs), focusing on clarifying their intent and purpose, as well as the importance of including clear definitions and uses in the updated code. The Zoning Administrator will work with Veirbicher to present the first section at the next meeting.
- 5. Adjourn Motion to Adjourn by McGuire and seconded by Teske. Motion carried at 7:45 PM.



١.	APPLICANT INFORMATION		
	Name: AAB Properties LLC - Alex Bergenske		
	Address: S2910 Fairway DR, Reedburg WI 53959		
	Telephone: 608-669-5869 Fax:		
nega .	PROPERTY OWNER INFORMATION (if different from Applicant)		
	Name: AAB Properties LLC		
	Address: S2910 Fairway DR, Reedburg WI 53959		
	Telephone: 608-669-5869Fax:		
iii.	(Attach additional sheets if necessary)		
	Name: Looyle Buildings LLC - General Contractor Address: 27 Lois Dr, Reedsburg WI 53959		
	Telephone: 608-415-9560		
IV.	State License/Certification #: NO. 1392 DCFR Expiration Date: 08/09/2025		
IV.	 PROPERTY INFORMATION Address: .43 Sherman ST Mauston WI 53948 		
	Address. <u>10 Chemical CF Madston W1 53548</u>		
	Tax Parcel #: 292510422 Attach a copy of the Owner's deed to the property. Approximate Cost of Project: + \$600,000		
V.	ZONING APPLICATION (Check the type(s) of application(s) you are submitting) (Refer to Zoning Ordinance Chapter 114, Article. VIII: Procedures and Administration, for details)		
	Amendment of Zoning Regulations (per Section 114-285)		
	Amendment to the Official Zoning Maps (per Section 114-266) 2		
	Zoning Permit for (check as appropriate)		
	Permitted Use (per Section 114-287) (May require site plan) 3		
	Conditional Use (per Section 114-288) (Requires site plan) 4 and 7		
	Temporary Use (per Section 114-289) 5		
	Sign Permit (per Section 114-290) 6		
	Site Plan Approval (per Section 114-291) 7		
	Zoning Certificate of Occupancy (per Section 114-292) na		
	Variance (per Section 114-293) (Requires site plan) 8		
	Ordinance Interpretation (per Section 114-294) 9		
	Appeal of Zoning Decision (per Section 114-295) 10		
	Creation of Planned Development District (per Section 114-296) 11		
	Other Permits/Licenses (D.P.W./Fire/Clerk) 12		

VI. CERTIFICATION BY APPLICANT AND PROPERTY OWNER

I (We) hereby certify that the above and foregoing information, including any information on attached forms, documents or drawings submitted herewith, is true and correct. I (We) understand that the work proposed to be performed and the improvements proposed to be installed pursuant to this application, may not be commenced until an appropriate permit for such work and improvement has been issued by the City. I (We) understand that all work performed and improvements installed pursuant to this application, must conform with all applicable City Ordinances, State Building Codes, and the specific terms and conditions of the permit granted. I (We) understand that the submission of false or misleading information on this Application, or on the forms, documents or drawings submitted herewith, shall justify rejection of this application by the City, forfeiture of the fees pair herewith, and rejection of any future application to the City for the project which is the subject of this application.

Signature of applicant

Signature of Property Owner (if different from Applicant)

Date

2024

VII. AGREEMENT REGARDING PAYMENT OF REIMBURSABLE COSTS

- 1. The undersigned acknowledge that he/she/they have read the Ordinance 114-301(d), and understand and agree that he/she/they are the "applicant" as referred to in said Ordinance, and do hereby agree to comply with said Ordinance.
- 2. The undersigned agree that the submittal of this Application shall constitute an acknowledgment and agreement by the undersigned to pay the Reimbursable Costs referred to in Ordinance 114-301(d). These costs may include the cost of time spent by the City Staff and the Fees of Engineers, Architects, Landscape Architects, Urban Planners, Attorneys, Accounts, or other professional consultants used to review and evaluate the Application, and to meet with the Applicant, to review and evaluate the Site Plan, and to meet with the Developer, to meet with the Plan Commission, and to assist the City in all aspects of review and action upon the development proposed by the Site Plan.
- 3. The Undersigned agrees to pay these Reimbursable Costs as follows:
 - (a) In advance, such amounts as may be requested by the City, and
 - (b) Within ten (10) days of receipt of a bill(s) from the City, such additional amounts as may be requested by the City.

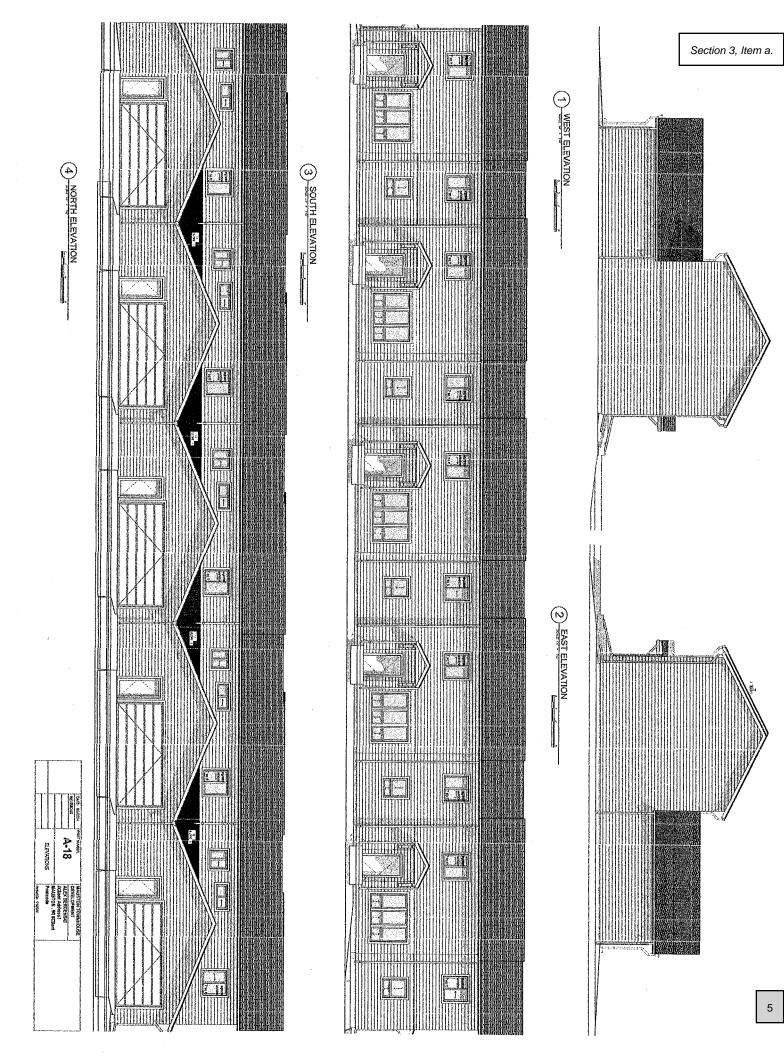
The City may delay acceptance or approval of any application, or may delay any required hearing or interim administrative action on any application, until such time as such costs are paid.

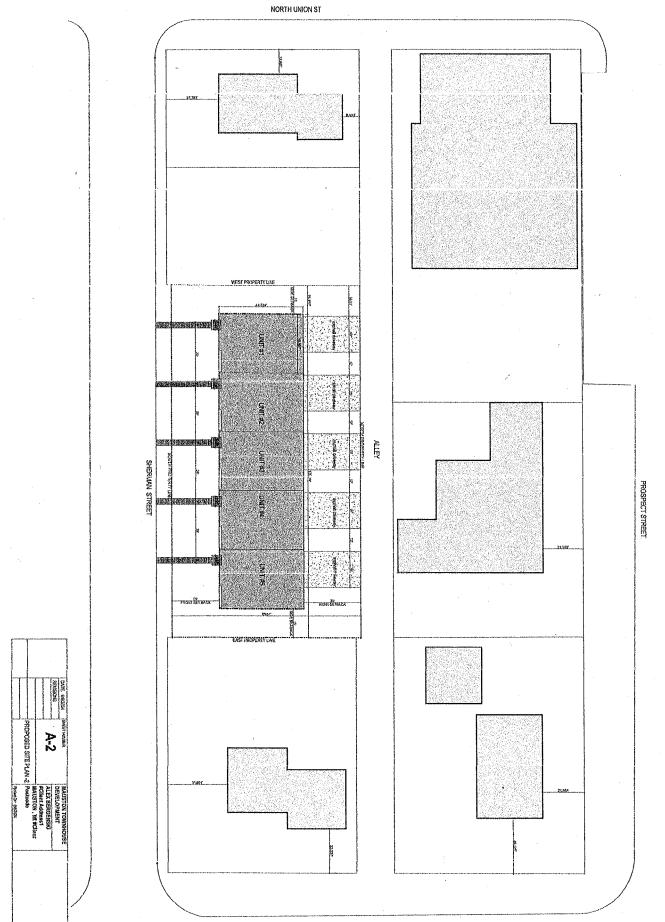
Signature of applicant

Date

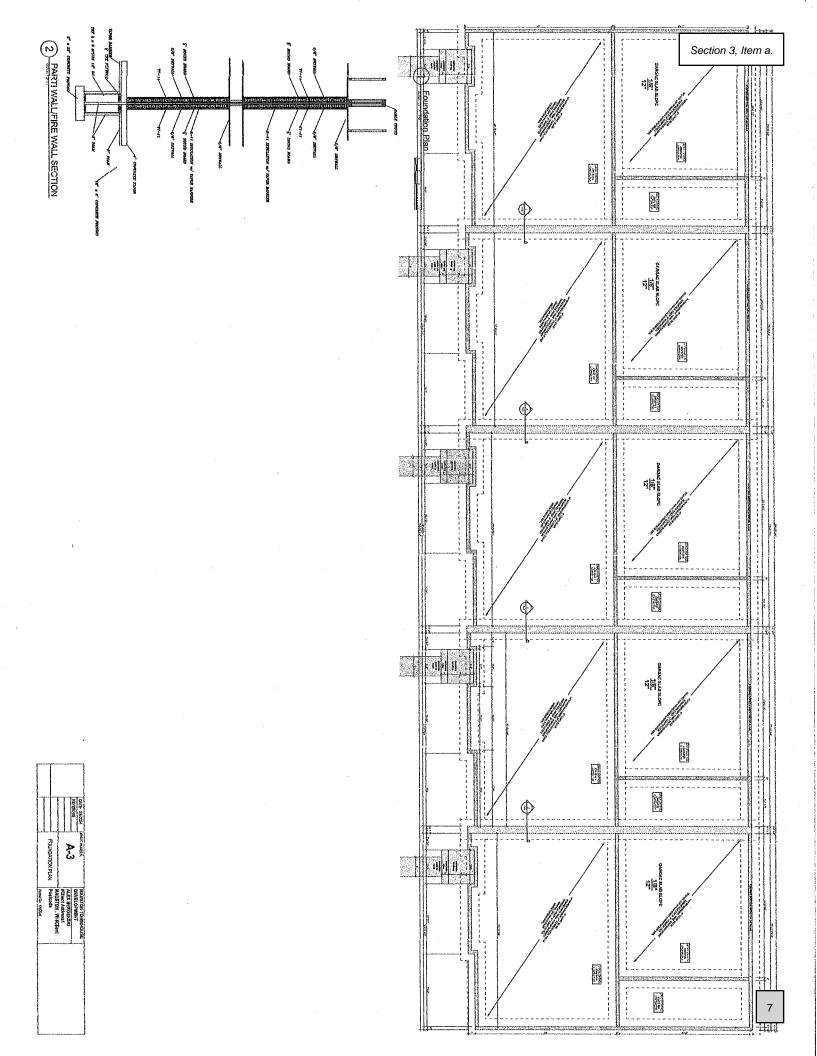
Signature of property owner (if different from applicant)

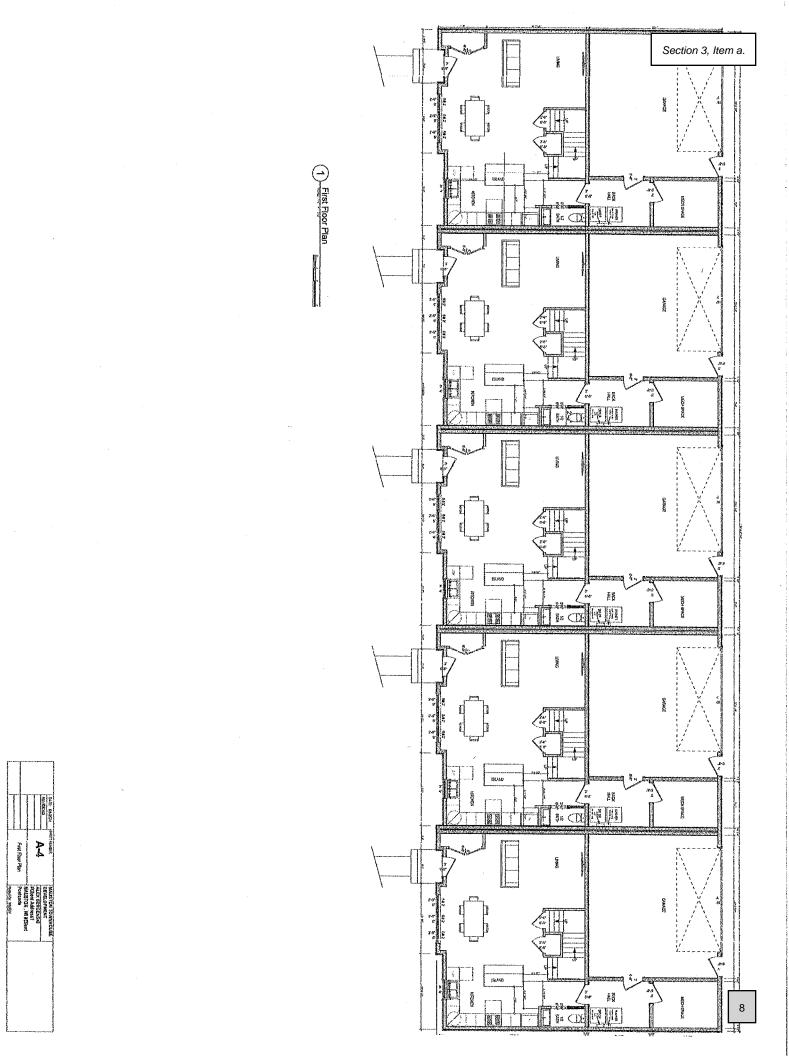
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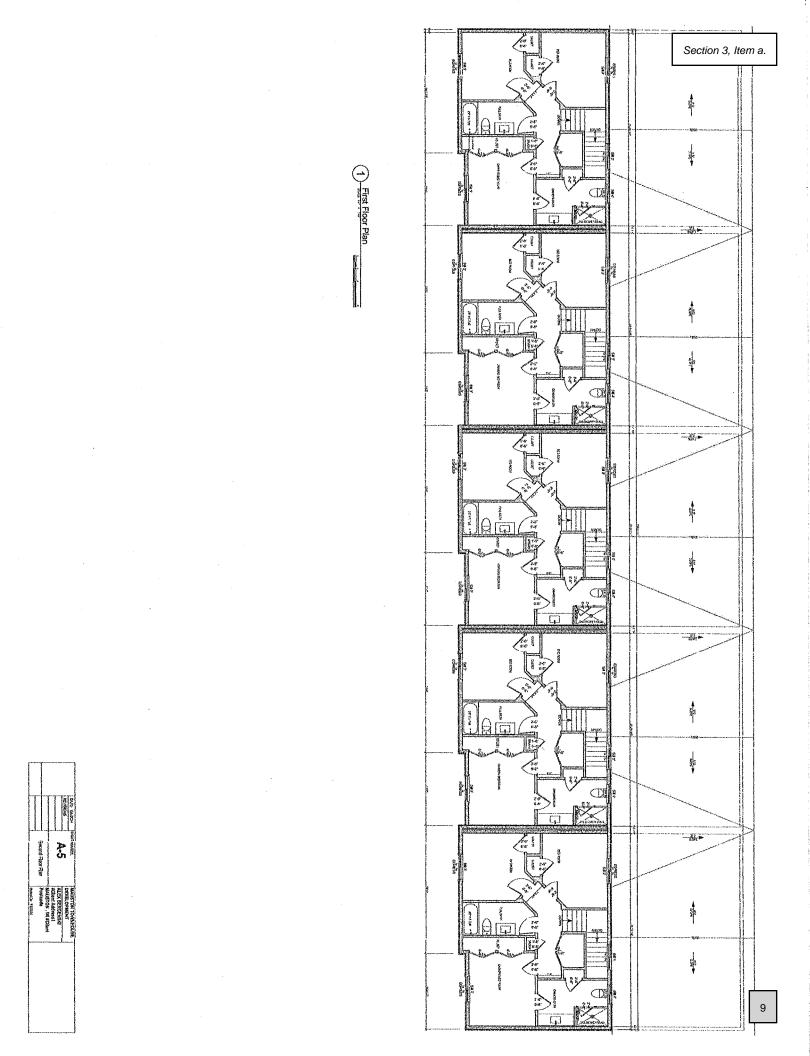


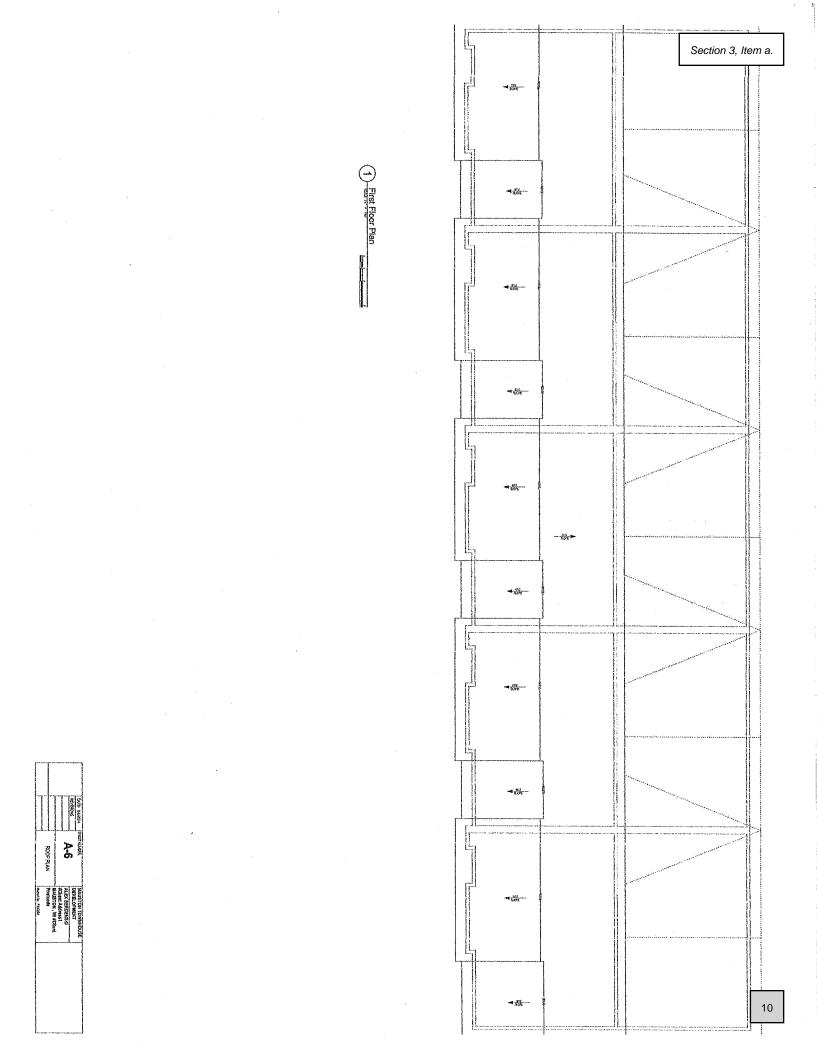


LINCOLN STREET

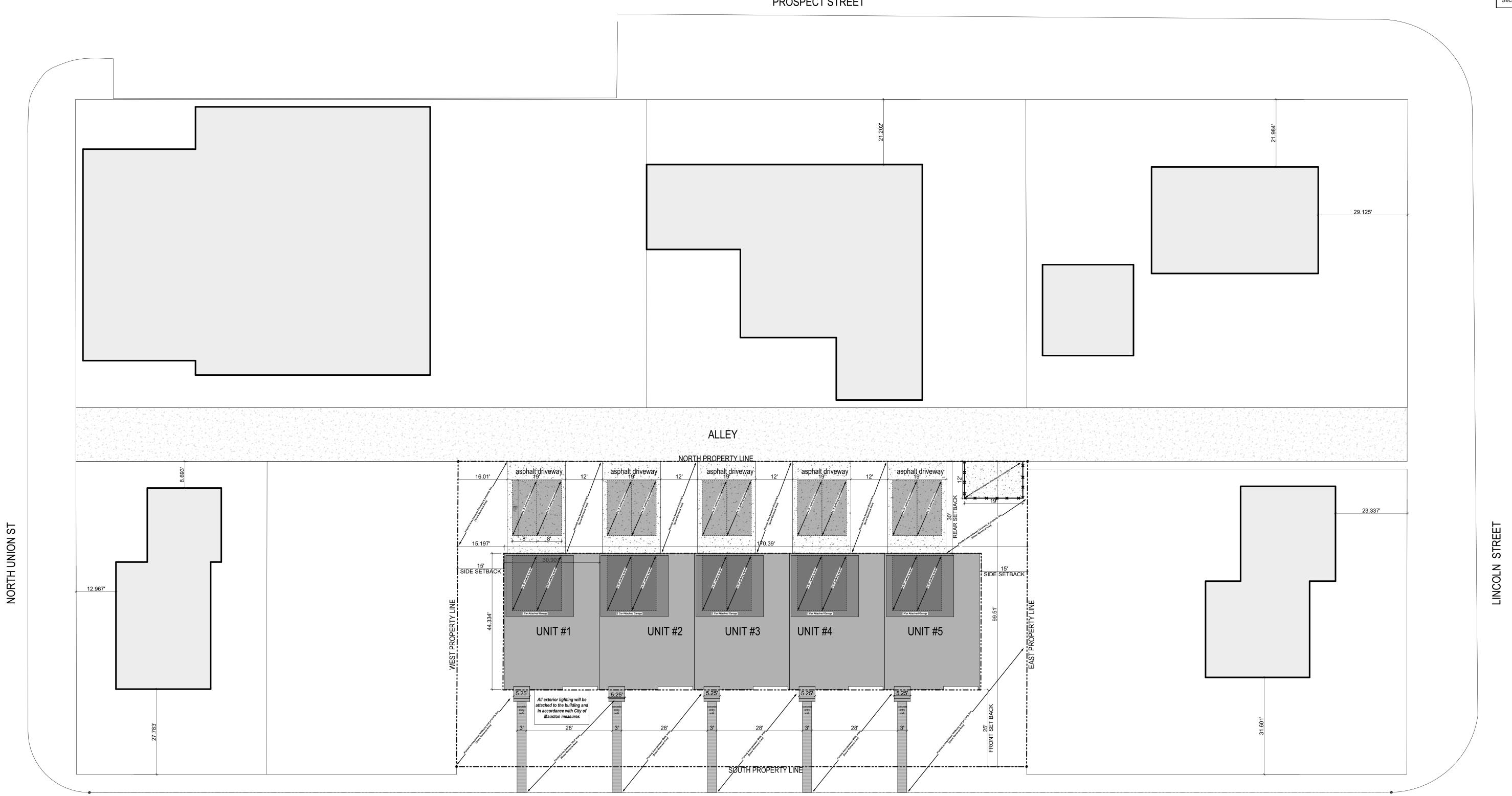


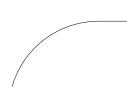






CITY OF MAUSTO 303 MANSION ST MAUSTON, WI 53948-13		Receipt Nbr: Date: Check	Section 3, Item a.
RECEIVED BUILD	DING & ZONING PERMITS	,	\$250.00
<u>Type of Payment</u> Accounting	Description Account Nbr: 100-00-44400-000-000 Bldg & Zoning Permit AAB Properties LLC C.U.P. ck #4014		<u>Amount</u> 250.00
TOTAL RECEIVED			250.00
Receipt Memo:	AAB Properties LLC C.U.P. ck #4014		

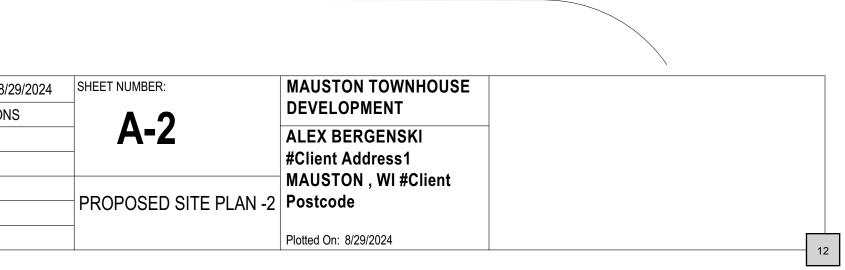




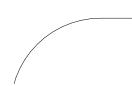
SHERMAN STREET

DATE: 8/2
REVISION

Section 3, Item a.



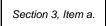




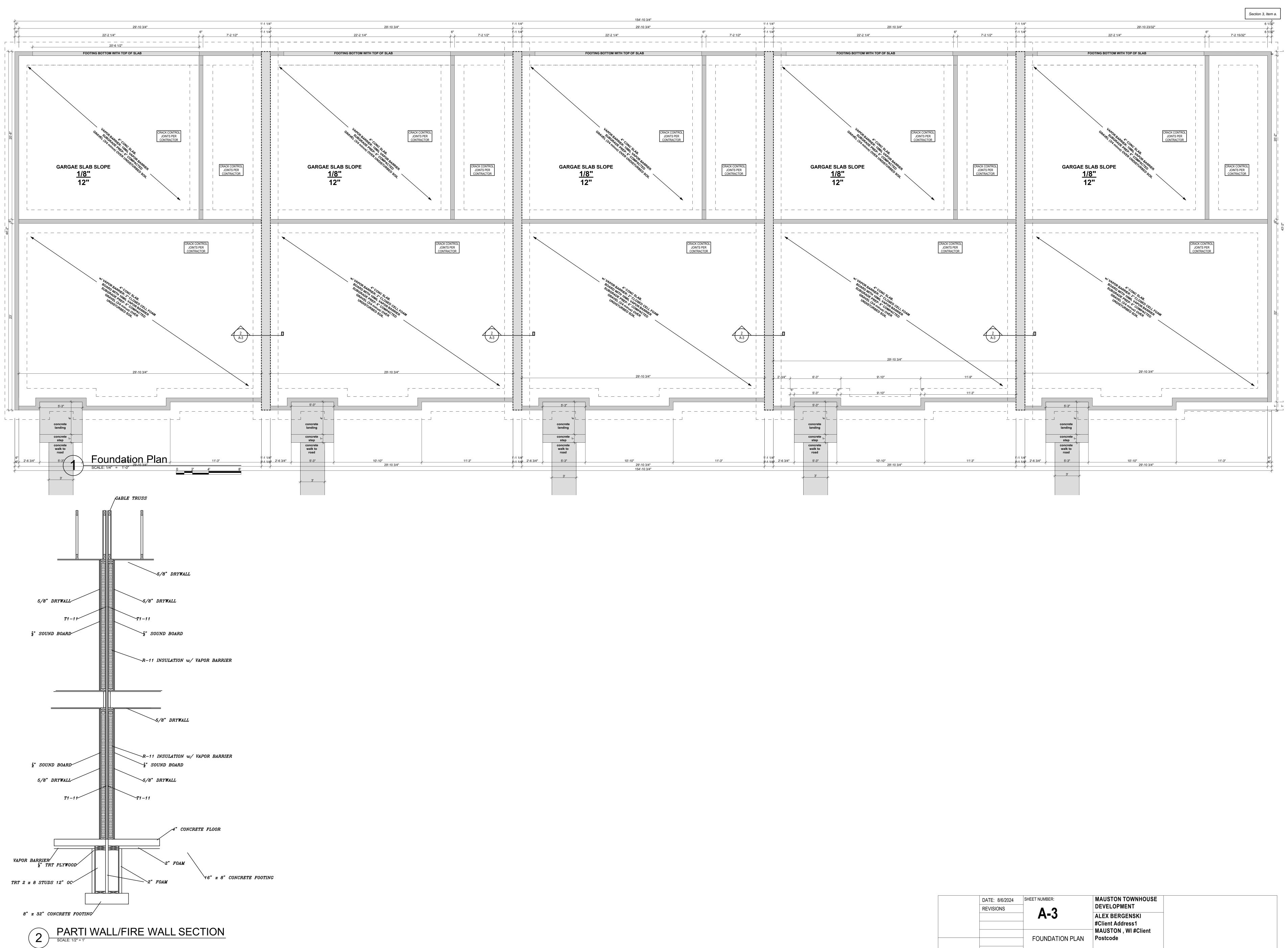


SHERMAN STREET

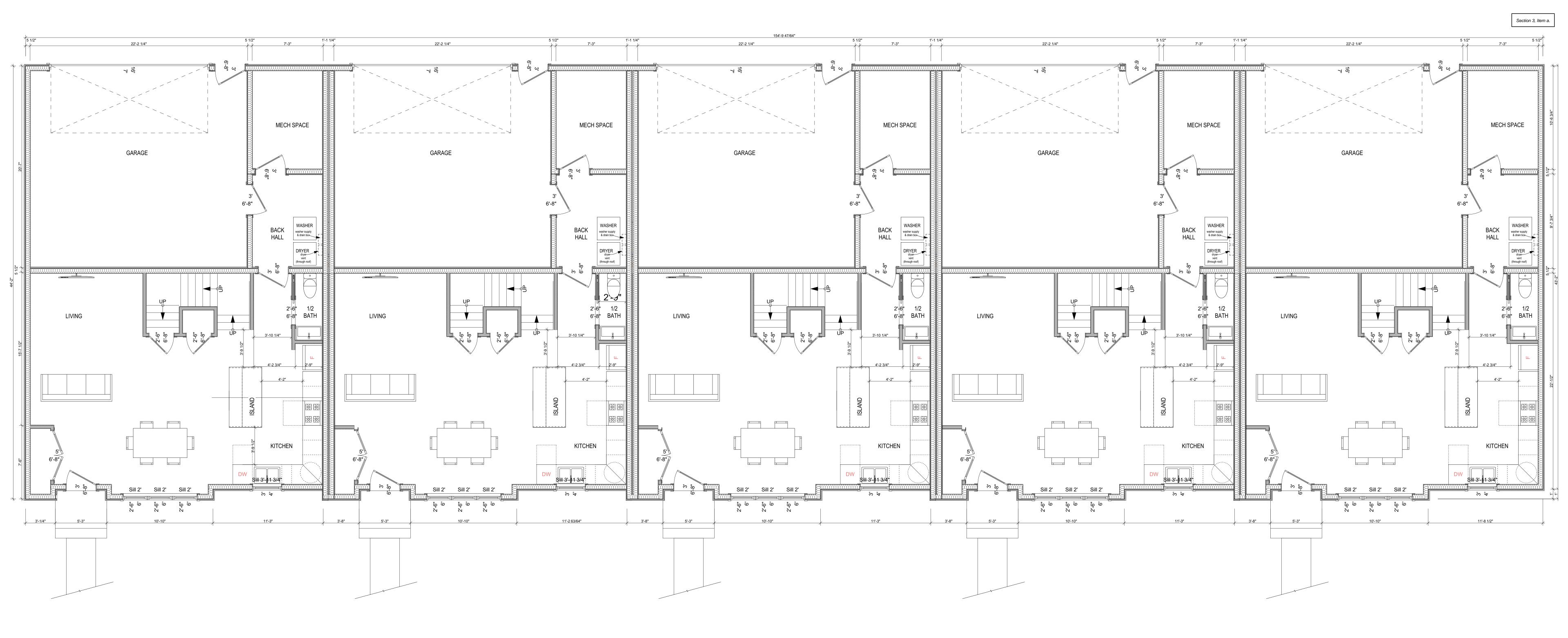
DATE: 8/6
REVISION





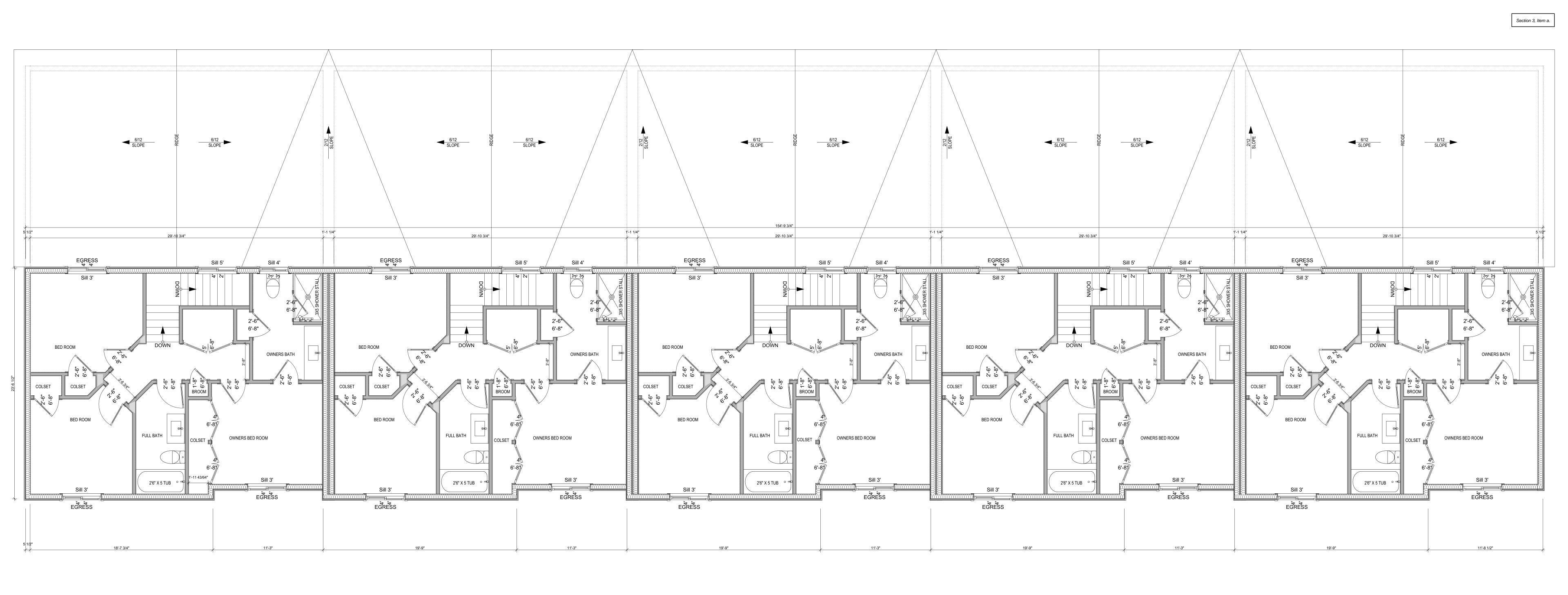


DATE: 8/6/2024 REVISIONS	SHEET NUMBER:	MAUSTON TOWNHOUSE DEVELOPMENT ALEX BERGENSKI #Client Address1	
	FOUNDATION PLAN	MAUSTON , WI #Client Postcode Plotted On: 8/6/2024	



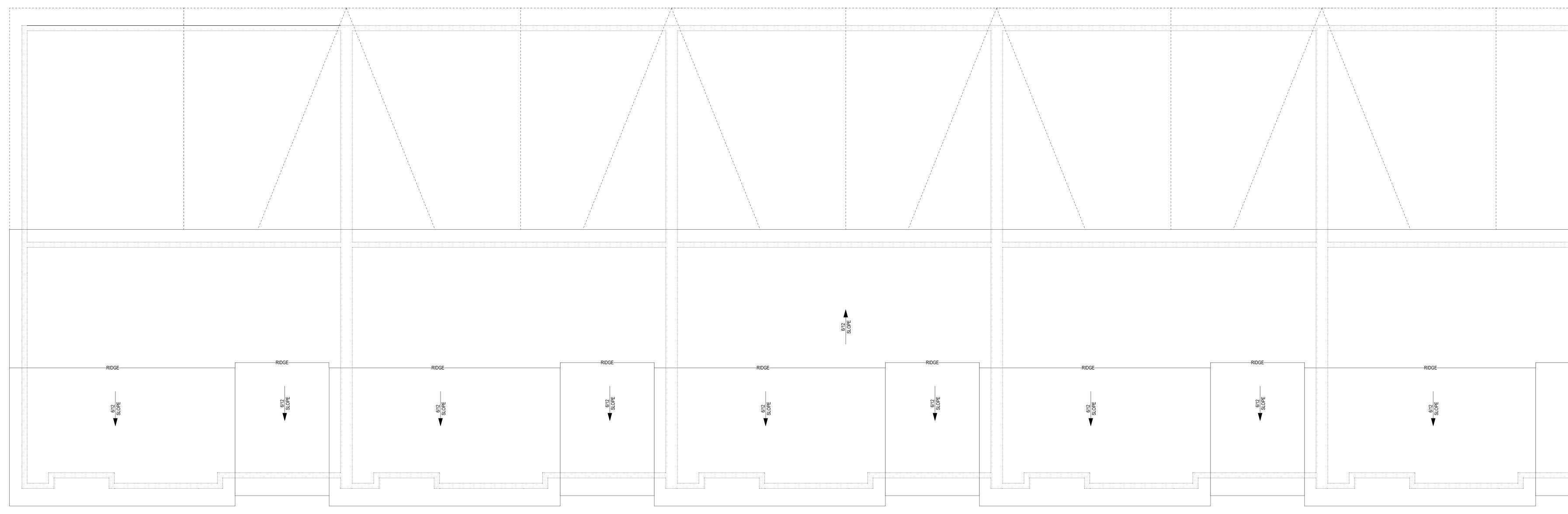


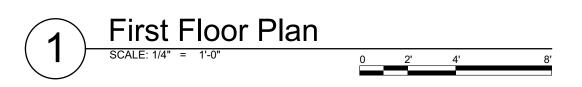
DATE: 8/6/2024	SHEET NUMBER:	MAUSTON TOWNHOUSE	
REVISIONS		DEVELOPMENT	
	⊢ A-4	ALEX BERGENSKI	
		#Client Address1	
		MAUSTON , WI #Client	
	First Floor Plan	Postcode	
		Plotted On: 8/6/2024	





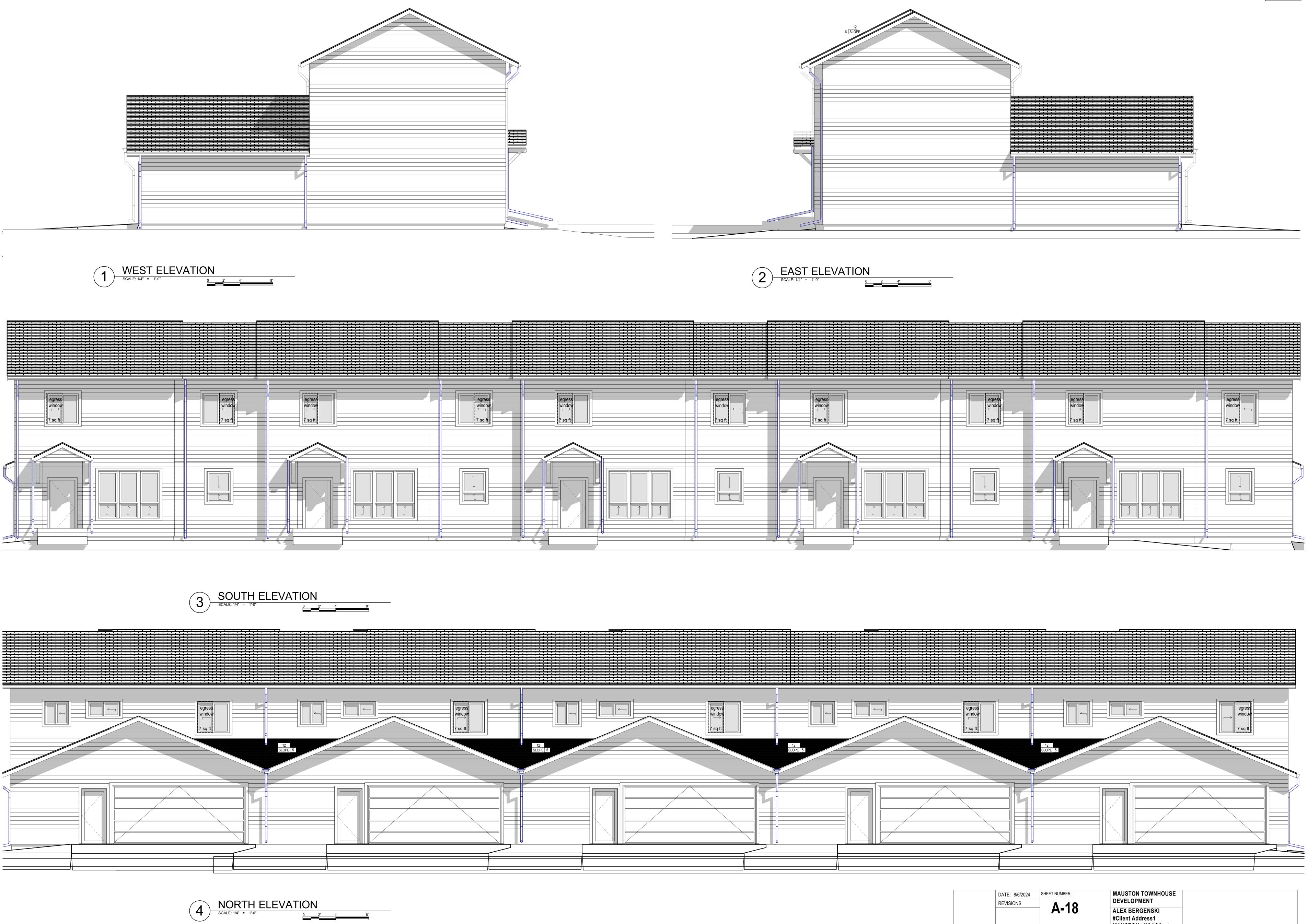
DATE: 8/6/2024	SHEET NUMBER:	MAUSTON TOWNHOUSE DEVELOPMENT
REVISIONS	A-5	ALEX BERGENSKI
		#Client Address1 MAUSTON , WI #Client
	Second Floor Plan	Postcode Plotted On: 8/6/2024





DATE: 8/6/2024 REVISIONS	SHEET NUMBER:	MAUSTON TOWNHOUSE DEVELOPMENT ALEX BERGENSKI	
		#Client Address1 MAUSTON , WI #Client	
	ROOF PLAN	Postcode Plotted On: 8/6/2024	

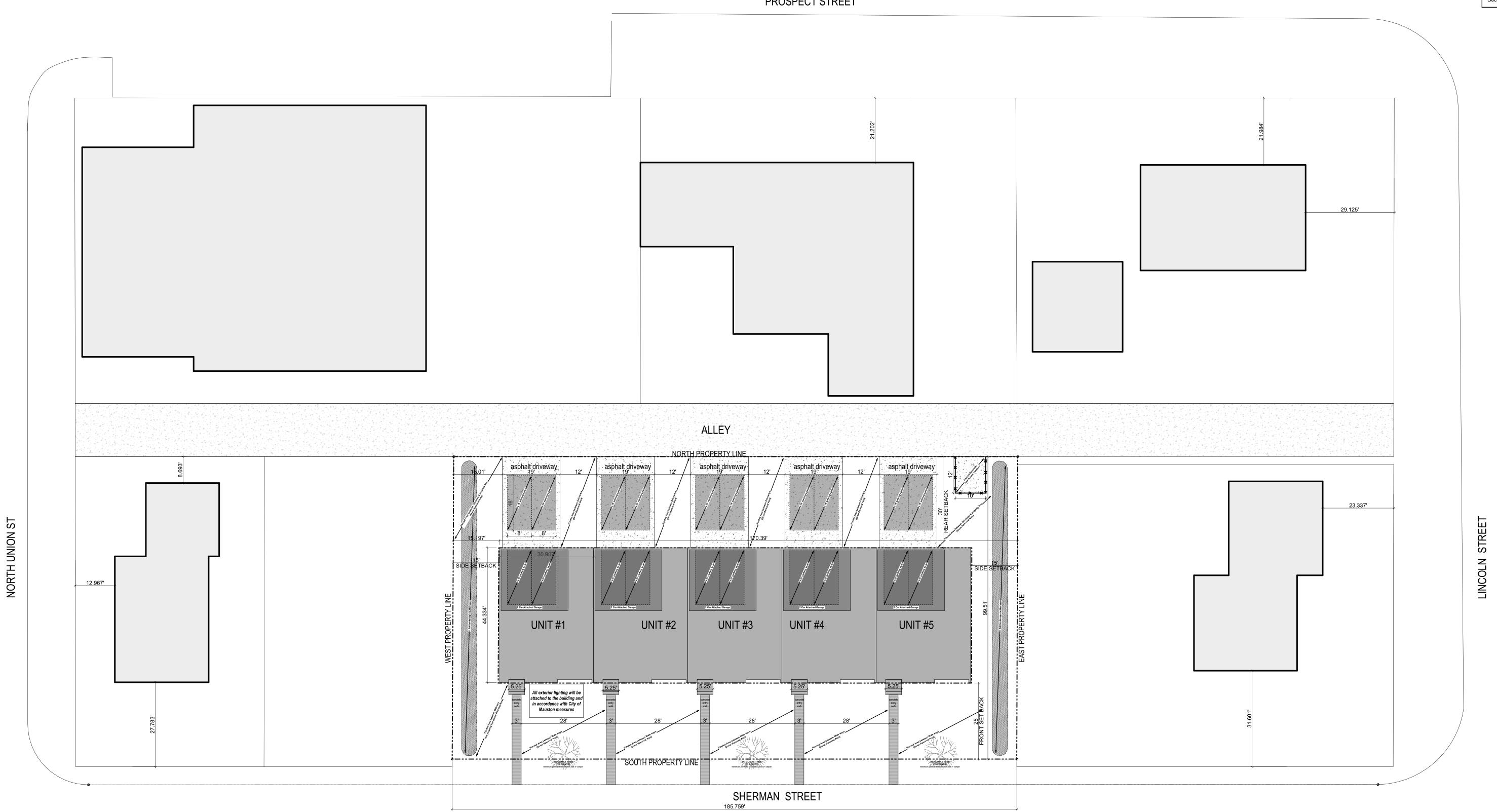
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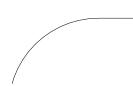


DATE: 8/6/2024	SHEET NUMBER:	MAUSTON TOWNHOUSE	
REVISIONS		DEVELOPMENT	
	A-18	ALEX BERGENSKI	
	-	#Client Address1	
		MAUSTON , WI #Client	
	ELEVATIONS	Postcode	
	-	Plotted On: 8/6/2024	



Section 3, Item a.

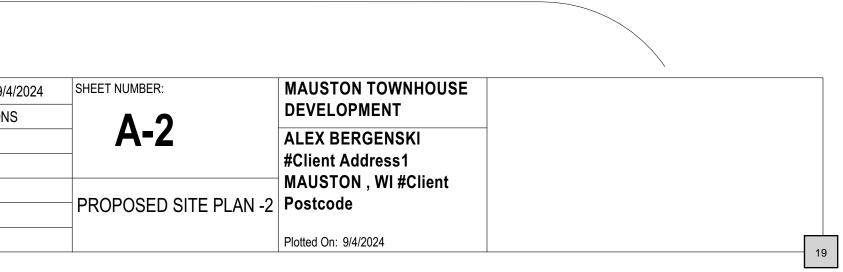




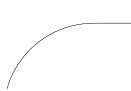
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REVISI	ONS

PROSPECT STREET

Section 3, Item a.



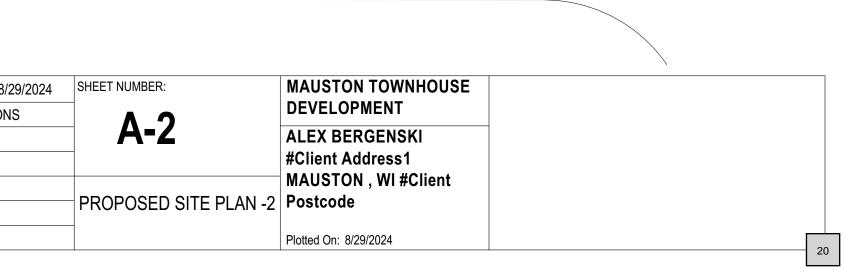




SHERMAN STREET

DATE: 8/2
REVISIONS

Section 3, Item a.



CITY OF MAUSTON NOTICE OF PUBLIC HEARING

CONDITIONAL USE PERMIT

Notice is hereby given that a public hearing will be held before the City Council of the City of Mauston on October 8, 2024, at 6:30 P.M. or soon thereafter as the matter may be heard in the Council Chambers, City Administration Offices, 303 Mansion Street, Mauston, WI for the purpose of hearing all interested parties, their attorneys or agents with respect to the application submitted by AAB Properties LLC, Alex Bergenske for a multi-family townhome development located on a vacant lot on Sherman Street. The property is more precisely identified by the following tax parcel ID number:

292510422

The City of Mauston will attempt to accommodate anyone with special needs if requests are made a sufficient time in advance. The City Clerk can be reached at: 608-847-6676.

Dated this 12th day of September 2024.

Allison Schwark Zoning Administrator

Publish 2x: 09/19/24 & 09/26/24 Juneau County Star-Times

City of Mauston Resolution 2024-P-05

RESOLUTION APPROVING CONDITIONAL USE PERMIT FOR A MULTI-FAMILY TOWNHOME DEVELOPMENT AND GROUP DEVELOPMENT ON SHERMAN STREET.

Return Address:	City of Mauston		
	Attn: Allison Schwark		
	303 Mansion Street		
	Mauston, Wisconsin 53948		

Parcel I.D. 292510422

APPLICANT: AAB Properties LLC, Alex Bergenske

PROPERTY OWNER: AAB Properties LLC

PROPERTY AFFECTED: 292510422 Address: Vacant

Legal Description: BROOKLYN HEIGHTS, LOT 1, CSM #5155, DOC 762185; LOTS 3, 4 & 5, BLK 3

WHEREAS, the City of Mauston has received a request for a Conditional Use by the above Applicant regarding the above property, which application is attached hereto and incorporated herein by reference; and

WHEREAS, the Plan Commission has conducted a thorough review on said application and has carefully evaluated the application, along with input from City staff and consultants.

NOW, THEREFORE, the Plan Commission of the City of Mauston does hereby resolve as follows:

BE IT FURTHER RESOLVED that the Mauston Plan Commission finds that this application for a Conditional Use satisfies the standards required by Section 114-288 of the Zoning Ordinance, specifically as follows:

(a) The Plan Commission finds that the proposed Conditional Use, in general, independent of its location, is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted or under consideration by the City.

- (b) The Plan Commission finds that the proposed Conditional Use, in its proposed specific location, is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted or under consideration by the City.
- (c) The proposed Conditional Use will not cause a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-ofway, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the City or other governmental agency having jurisdiction to guide development.
- (d) The proposed Conditional Use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
- (e) The proposed Conditional Use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.
- (f) The potential public benefits of the proposed Conditional Use outweigh any and all potential adverse impacts of the proposed conditional use, after taking into consideration the Applicant's proposal, including the Applicant's suggestions to ameliorate any adverse impacts.

BE IT FURTHER RESOLVED that the Mauston Plan Commission approves the application for a Conditional Use subject to the following conditions and restrictions, which shall be perpetual, unless and until changed by action of the Plan Commission or until the Applicant ceases the use of the property which is conditionally approved herein:

1. **APPROVED USE.** The Applicant is hereby authorized to use the property, which is located in the Neighborhood Business District, for the principal land use of multi-family residential 5 unit townhome building, which is allowed as a "conditional use" pursuant to Sec. 114-46, subject to all the general regulations of the Zoning Ordinance and subject to the following conditions.

2. SITE PLAN APPROVAL. The Site Plan, dated <u>September 4, 2024</u>, which is attached hereto and incorporated herein by reference, is approved. Construction of this project shall be completed in substantial conformance with the attached Site Plan, including all hand-written additions thereto and notations thereon which bear the initials of the Applicant and the

City. All areas in which vehicles are parked on shall be surfaced with asphalt, concrete, or similar materials.

3. GARBAGE. The Site Plan shows the location of garbage enclosures. The construction and maintenance of the garbage enclosure shall be in conformance with the standards of Article V of the Zoning Ordinance and with the Site Plan. The Applicant shall provide for garbage collection at such intervals to avoid spill-over of garbage from these enclosures.

- 4. **OUTSIDE STORAGE.** No outside storage shall be permitted.
- 5. ACCESSORY STRUCTURES. No accessory structures are approved or permitted.

6. DRIVEWAYS AND ACCESS.

(a) The access and driveway shall comply with the standards of Article 5 of the zoning ordinance.

7. **COMPLETION DATE.** The property may not be used or occupied for the Conditional Use granted herein until **ALL** the terms and conditions of this document are completed and fulfilled.

8. CHANGES. Pursuant to section 114-288 of the Zoning Ordinance, the Applicant may apply to the Zoning Administrator for "minor" changes to the Site Plan or this Conditional Use, which changes may be granted, in writing, by the Zoning Administrator, provided (i) the changes do not violate any of the minimum standards of the Mauston Zoning Ordinance and (ii) the spirit and intent of the original Conditional Use is preserved. The Zoning Administer shall determine, in his/her sole discretion, whether a change is "minor". All changes which are not "minor" shall be submitted to and approved in writing by the Plan Commission. Whenever an approved change alters any part of a recorded document, the document which authorizes said change shall also be recorded.

9. OTHER REGULATIONS. Nothing herein shall constitute a waiver or limitation of the Applicant's compliance with all other Mauston ordinances and regulations, including all other requirements of the Mauston Zoning Ordinance.

10. ENFORCEMENT. The conditions imposed herein (including the conditions imposed by any plans or changes submitted hereafter), shall all be enforced as on-going conditions of this Conditional Use Resolution. Failure of the Applicant to comply with these conditions, shall entitle the City to take enforcement action, which may include fines, forfeitures, injunctions, and/or termination of this Resolution, which in turn will require the Applicant to cease the use of the property authorized herein until a new Conditional Use is approved. The City

Zoning department or designee shall have the authority to enter onto the property for systematic inspections if desired.

RECORDING. A copy of this Resolution, without attachments, shall be 11. recorded with the Juneau County Register of Deeds.

BINDING AFFECT: This Resolution shall be binding upon and shall inure to 12. the benefit of the heirs, successors and assigns of both parties. Nothing herein shall be construed as limiting the right of the Owner to sell, give, or otherwise convey the premises, provided that the use and occupancy of the premises by any new owner shall be subject to the terms of this Resolution, which shall run with the land and which shall be perpetual, unless and until changed by action of the Plan Commission.

APPLICANT / OWNER APPROVAL. This Conditional Use shall not become 13. effective and shall not be recorded until the Applicant and Owner acknowledges his/her/its acceptance of this Conditional Use by signing this Document in the space provided below.

Introduced and adopted this day of , 2024.

CITY OF MAUSTON COMMON COUNCIL

Approved: ______ Attest: _____ Daryl DD Teske, Mayor Daron Haugh, Administrator

APPLICANT APPROVAL

The undersigned Applicant hereby acknowledges receipt of this Conditional Use and hereby acknowledges that the development and use of the property shall conform with the terms and conditions of this Conditional Use and the Mauston Zoning Ordinance.

Signature:_____Dated:_____

Print Name:

This document drafted by: Allison Schwark-Zoning Administrator, Mauston, WI 53948

City of Mauston Resolution 2024-P-06

RESOLUTION APPROVING CONDITIONAL USE

Return Address: City of Mauston Attn: Nicole Lyddy 303 Mansion Street Mauston, Wisconsin 53948

Parcel I.D. 29-251-1648.1

APPLICANT: Jay Mittelstaedt

PROPERTY OWNER: Jay Mittelstaedt

PROPERTY AFFECTED:

Address: 754, 756, and 800 N Union St, Mauston, WI 53948

Legal Description: Lot 1 of Certified Survey Map No. 5137 recorded April 24, 2024 of Certified Survey Maps, as Document No. 761241, being a redivision of Lot 1 of Certified Survey Map No. 2677, Lot 1 of Certified Survey Map No. 3258, Lot 2 of Certified Survey Map No. 3986, Lots 1, 2, 3, 4, and 5 in Block 4 and Lots, 1, 2, 3, 4 and 5 and part of vacated alley in Block 2 in the Brooklyn Heights Subdivision, all in the Northwest ¹/₄, Southwest ¹/₄ and Southeast ¹/₄ of the Southwest ¹/₄ of Section 6, township 15 North, Range 4 East, in The City of Mauston, Juneau County, Wisconsin.

WHEREAS, the City of Mauston has received a request for a Conditional Use by the above Applicant regarding the above property, which application is attached hereto and incorporated herein by reference; and

WHEREAS, the Plan Commission has reviewed the application, site plan and the resolution, and has recommended approval to the Common Council: and

WHEREAS, the Common Council has conducted a public hearing on said application and has carefully evaluated the application, along with input from Plan Commission, and City staff.

NOW, THEREFORE, the Common Council of the City of Mauston does hereby resolve as follows:

BE IT FURTHER RESOLVED that the Mauston Common Council finds that this application for a Conditional Use satisfies the standards required by Section 114-288 of the Zoning Ordinance, specifically as follows:

- (a) The Common Council finds that the proposed Conditional Use, in general, independent of its location, is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted or under consideration by the City.
- (b) The Common Council finds that the proposed Conditional Use, in its proposed specific location, is in harmony with the purposes, goals, objectives, policies and standards of the

Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted or under consideration by the City.

- (c) The proposed Conditional Use will not cause a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the City or other governmental agency having jurisdiction to guide development.
- (d) The proposed Conditional Use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
- (e) The proposed Conditional Use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.
- (f) The potential public benefits (e.g. new retail business) of the proposed Conditional Use outweigh any and all potential adverse impacts of the proposed conditional use, after taking into consideration the Applicant's proposal, including the Applicant's suggestions to ameliorate any adverse impacts.

BE IT FURTHER RESOLVED that the Mauston Common Council approves the application for a Conditional Use subject to the following conditions and restrictions, which shall be perpetual, unless and until changed by action of the Common Council or until the Applicant ceases the use of the property which is conditionally approved herein:

- 1. APPROVED USES. The Applicant is hereby authorized to use the property, which is located in the Planned Business District, for the principal land use of "Group Development", which is allowed as a "conditional use" pursuant to Sec. 114-130 of the zoning ordinance, and consisting of the following uses subject to all the general regulation of the zoning ordinances and to the conditions listed:
 - a) Indoor Sales and Service (114-124(c)) Jay's Powers Sports and Dollar Tree
 - b) Indoor Commercial Entertainment (114-124(g)) Subway
 - c) Indoor Maintenance Service (114-124(e)) Jay's Power Sports service dept
 - d) Outdoor Sales and Service (114-124(d)) Jay's Power Sports display area

No other use classifications may be allowed without first obtaining an amendment to this Resolution.

2. SITE PLAN APPROVAL. The Site Plan, dated <u>9/13/24</u>, which is attached hereto and incorporated herein by reference, is approved. Construction of this project shall be completed in substantial conformance with the attached Site Plan, including all hand-written additions thereto and notations thereon which bear the initials of the Applicant and the City.

3. LANDSCAPING. There are no proposed changes to the existing landscaping.

4. SIGNAGE. Existing signage for Subway and Dollar Tree will not change. There is no signage plan for Jay's Power Center. A signage plan will be submitted at a later date.

5. GARBAGE. The Site Plan shows the location of garbage dumpster area in conformance with the standards of 114-181 of the Zoning Ordinance. The Applicant shall provide for garbage collection at such intervals to avoid spill-over of garbage from these enclosures.

6. **OUTSIDE STORAGE.** Outside storage of merchandise and equipment shall be permitted in display area as shown on site plan.

7. **LIGHTING.** There are no proposed changes to the existing lighting. The site plan shows the location of the existing parking lot light poles.

8. ACCESSORY STRUCTURES. No accessory structures are approved or permitted.

9. **PARKING.** The site plan shows the location of approximately 300 customer parking stalls.

10. SNOW REMOVAL. The Site Plan adequately identifies areas designated for snow storage, which areas shall remain open during the winter months to accommodate such snow storage.

11. **SUBDIVISION.** In the future, the owner will not be able to subdivide this Property for sale to separate owners. Furthermore, ownership of the entire apartment complex shall remain under the ownership and control of a single entity so that the appearance of all the buildings in the entire Site can be maintained as a unified whole.

12. CERTIFICATE OF OCCUPANCY. Upon completion of the project authorized by this Resolution and before the project is used or occupied for the Conditional Use granted herein, the Applicant shall notify the City Zoning Administrator, who shall inspect the project and, if appropriate, shall issue a Zoning Certificate of Occupancy, pursuant to section 114-292 of the Mauston Zoning Ordinance.

13. CHANGES. Pursuant to section 114-288 of the Zoning Ordinance, the Applicant may apply to the Zoning Administrator for "minor" changes to the Site Plan or this Conditional Use, which changes may be granted, in writing, by the Zoning Administrator, provided (i) the changes do not violate any of the minimum standards of the Mauston Zoning Ordinance and (ii) the spirit and intent of the original Conditional Use is preserved. The Zoning Administer shall determine, in his/her sole discretion, whether a change is "minor". All changes which are not "minor" shall be submitted to and approved in writing by the Plan Commission. Whenever an approved change alters any part of a recorded document, the document which authorizes said change shall also be recorded.

14. OTHER REGULATIONS. Nothing herein shall constitute a waiver or limitation of the Applicant's compliance with all other Mauston ordinances and regulations, including all other requirements of the Mauston Zoning Ordinance.

15. ENFORCEMENT. The conditions imposed herein (including the conditions imposed by any plans or changes submitted hereafter), shall all be enforced as on-going conditions of this Conditional Use Resolution. Failure of the Applicant to comply with these conditions, shall entitle the City to take enforcement action, which may include fines, forfeitures, injunctions, and/or termination of

this Resolution, which in turn will require the Applicant to cease the use of the property authorized herein until a new Conditional Use is approved.

16. **RECORDING.** A copy of this Resolution, without attachments, shall be recorded with the Juneau County Register of Deeds.

17. BINDING AFFECT: This Resolution shall be binding upon and shall inure to the benefit of the heirs, successors and assigns of both parties. Nothing herein shall be construed as limiting the right of the Owner to sell, give, or otherwise convey the premises, provided that the use and occupancy of the premises by any new owner shall be subject to the terms of this Resolution, which shall run with the land and which shall be perpetual, unless and until changed by action of the Common Council.

APPLICANT / OWNER APPROVAL. This Conditional Use shall not become 18. effective and shall not be recorded until the Applicant and Owner acknowledges his/her/its acceptance of this Conditional Use by signing this Document in the space provided below.

Introduced and adopted this ______day of ______, 2024.

CITY OF MAUSTON PLAN COMMISSION

Approved: ______ Attest: ______ Darryl Teske, Mayor Daron Haugh, Administrator

APPLICANT APPROVAL

The undersigned Applicant hereby acknowledges receipt of this Conditional Use and hereby acknowledges that the development and use of the property shall conform with the terms and conditions of this Conditional Use and the Mauston Zoning Ordinance.

Signature: _____Dated: _____ Print Name:

This document drafted by: Allison Schwark, Zoning Administrator, Mauston, WI 53948

Mauston chapter 114 ZONING APPLICATION FORM

I.	APPLICANT INFORMATION
	Name: Jay Mittelstaldt
	Address: 1515 E Main St Reidsburg, WI 53959
	Telephone: 108-415-0058 Fax:
II .	PROPERTY OWNER INFORMATION (if different from Applicant)
	Name: SAA
	Address:
	Telephone:Fax:
UI.	CONSULTANT(S) INFORMATION (Applicant's Architect, Engineer, Developer, Builder) (Attach additional sheets if necessary)
	Name: Holtz Builders INC
	Address: 101 Miller DR Lake Dulton, WE 53940
	Telephone: 608-253-0990 Fax:
	State License/Certification #:Expiration Date:
· IV,	PROPERTY INFORMATION
	Address: SOD North Union St Mauston, WI 53948
	Tax Parcel #: 2925-//648. Attach a copy of the Owner's deed to the property.
	Approximate Cost of Project: #2.M
V.	ZONING APPLICATION (Check the type(s) of application(s) you are submitting) (Refer to Zoning Ordinance Chapter 114, Article. VIII: Procedures and Administration, for details)
	Amendment of Zoning Regulations (per Section 114-285) (Checklist No.)
	Amendment to the Official Zoning Maps (per Section 114-286)
	Zoning Permit for (check as appropriate)
	Permitted Use (per Section 114-287) (May require site plan) 3
	Conditional Use (per Section 114-288) (Requires site plan) 4 and 7
	Temporary Use (per Section 114-289) 5
	Sign Permit (per Section 114-290) 6
	Site Plan Approval (per Section 114-291) 7
	Zoning Certificate of Occupancy (per Section 114-292) na
	Variance (per Section 114-293) (Requires site plan)
	Ordinance Interpretation (per Section 114-294)
	Appeal of Zoning Decision (per Section 114-295)
	Creation of Planned Development District (per Section 114-296)
	Other Permits/Licenses (D.P.W./Fire/Clerk)

VI. CERTIFICATION BY APPLICANT AND PROPERTY OWNER

I (We) hereby certify that the above and foregoing information, including any information on attached forms, documents or drawings submitted herewith, is true and correct. I (We) understand that the work proposed to be performed and the improvements proposed to be installed pursuant to this application, may not be commenced until an appropriate permit for such work and improvement has been issued by the City. I (We) understand that all work performed and improvements installed pursuant to this application, must conform with all applicable City Ordinances, State Building Codes, and the specific terms and conditions of the permit granted. I (We) understand that the submission of false or misleading information on this Application, or on the forms, documents or drawings submitted herewith, shall justify rejection of this application by the City, forfeiture of the fees pair herewith, and rejection of any future application to the City for the project which is the subject of this application.

tell gnature of applicant

Signature of Property Owner (if different from Applicant)

Date

9/13/24

VII. AGREEMENT REGARDING PAYMENT OF REIMBURSABLE COSTS

- 1. The undersigned acknowledge that he/she/they have read the Ordinance 114-301(d), and understand and agree that he/she/they are the" applicant" as referred to in said Ordinance, and do hereby agree to comply with said Ordinance.
- 2. The undersigned agree that the submittal of this Application shall constitute an acknowledgment and agreement by the undersigned to pay the Reimbursable Costs referred to in Ordinance 114-301(d). These costs may include the cost of time spent by the City Staff and the Fees of Engineers, Architects, Landscape Architects, Urban Planners, Attorneys, Accounts, or other professional consultants used to review and evaluate the Application, and to meet with the Applicant, to review and evaluate the Site Plan, and to meet with the Developer, to meet with the Plan Commission, and to assist the City in all aspects of review and action upon the development proposed by the Site Plan.
- 3. The Undersigned agrees to pay these Reimbursable Costs as follows:
 - (a) In advance, such amounts as may be requested by the City, and
 - (b) Within ten (10) days of receipt of a bill(s) from the City, such additional amounts as may be requested by the City.

The City may delay acceptance or approval of any application, or may delay any required hearing or interim administrative action on any application, until such time as such costs are naid a

paid,

Signature of applicant

Signature of property owner (if different from applicant)

Date

303 Mansion Street | Mauston, WI 53948-1329 | tel 608-847-6676 | fax 608-847-5023 | www.mauston.com

State Bar of Wisconsin Form 6-2003 SPECIAL WARRANTY DEED

Document Name

THIS DEED, made between MKB Mauston, LLC

("Grantor," whether one or more), and

MOH Holdings, LLC, a Wisconsin limited liability company

("Grantee," whether one or more).

Document No.

Grantor, for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in County of Juneau, State of Wisconsin ("Property") (If more space is needed, please attach addendum):

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Recording Area

Name and Return Address: Jay Mittelsteadt MOH Holdings, LLC 1615 E. Main Street Reedsburg, WI 53959

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances arising by, through, or under Grantor, except: Part of 292511648.1 Parcel Identification No. (PIN) This is not homestead property.

Municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, that certain Declaration of Easements and Restrictions recorded on April 26, 2024, as Document No. 761295, and general taxes levied in the year of closing.

Dated: May 15, 2024

MKB Mauston, LLC BY: Kirk Stoa, Vice Presiden

AUTHENTICATION

Signature(s)_

authenticated on.

TITLE: MEMBER STATE BAR OF WISCONSIN (If not, _____

authorized by Wis. Stat. 706.06)

THIS INSTRUMENT DRAFTED BY: Attorney William J. Rudolph

ACKNOWLEDGMENT

State of WISCONSIA-County of La Cansee

Personally came before me on 592

the above named Kirk Stoa, Vice President, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

øven



(Signatures may be authenticated or acknowledged. Both are not necessary.) NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED. SPECIAL WARRANTY DEED 2003 STATE BAR OF WISCONSIN FORM NO. 6-2003 "Type name below signatures

EXHIBIT "A"

Legal Description

Lot 1 of Certified Survey Map No. 5137 recorded April 24, 2024 of Certified Survey Maps, as Document No. 761241, being a redivision of Lot 1 of Certified Survey Map No. 2677, Lot 1 of Certified Survey Map No. 3258, Lot 2 of Certified Survey Map No. 3986, Lots 1, 2, 3, 4 and 5 in Block 4 and Lots 1, 2, 3, 4 and 5 and part of vacated alley in Block 2 in the Brooklyn Heights Subdivision, all in the Northwest 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 6, township 15 North, Range 4 East, in the City of Mauston, Juneau County, Wisconsin.

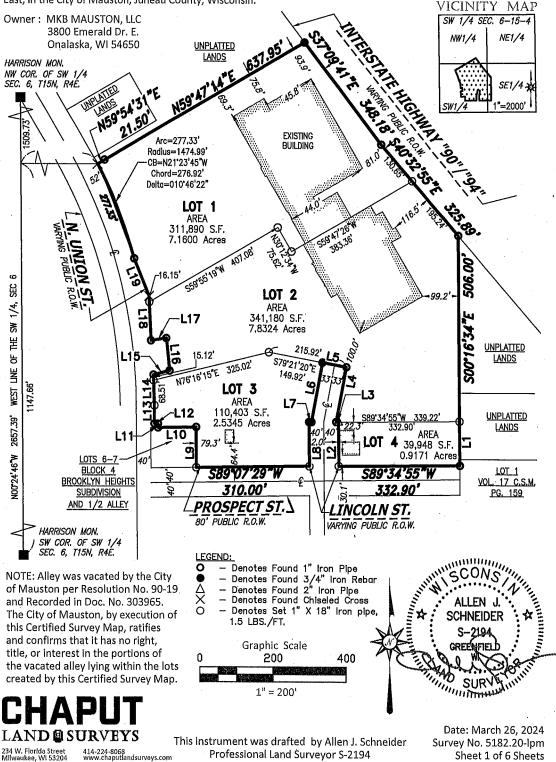
Part of Tax Key No: 292511648.1

(Signatures may be authenticated or acknowledged. Both are not necessary.) NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED. SPECIAL WARRANTY DEED 2003 STATE BAR OF WISCONSIN FORM NO. 6-2003 'Type name below signatures

ERTIFIED SURVEY

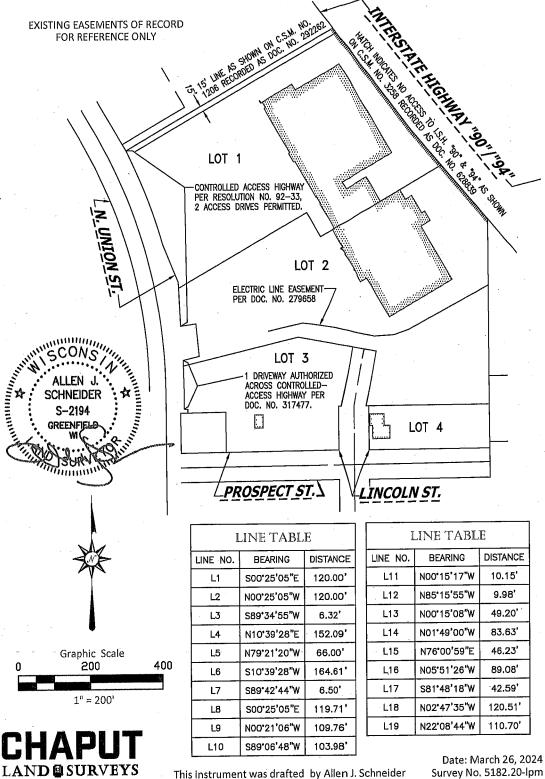
MAP NO. A redivision of Lot 1 of Certified Survey Map No. 2677, Lot 1 of Certified Survey Map No. 3258, Lot 2 of Certified Survey Map No. 3986, Lots 1, 2, 3, 4 and 5 in Block 4 and Lots 1, 2, 3, 4 and 5 and part of vacated alley in Block 2 in the Brooklyn Heights Subdivision, all in the Northwest 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 6, Township 15 North, Range 4 East, in the City of Mauston, Juneau County, Wisconsin,

All bearings are referenced to the Juneau County Coordinate System, (NAD83/2011) in which the West line o the SW 1/4, Sec. 6, bears N00°24'46"W



CERTIFIED SURVEY MAP NO.

A redivision of Lot 1 of Certified Survey Map No. 2677, Lot 1 of Certified Survey Map No. 3258, Lot 2 of Certified Survey Map No. 3986, Lots 1, 2, 3, 4 and 5 in Block 4 and Lots 1, 2, 3, 4 and 5 and part of vacated alley in Block 2 in the Brooklyn Heights Subdivision, all in the Northwest 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 6, Township 15 North, Range 4 East, in the City of Mauston, Juneau County, Wisconsin.



234 W. Florida Street Milwaukee, WI 53204 414-224-8068 www.chaputlandsurveys.com Professional Land Surveyor S-2194

Survey No. 5182.20-lpm Sheet 2 of 6 Sheets

Section 4, Item a.

CERTIFIED SURVEY MAP NO.

A redivision of Lot 1 of Certified Survey Map No. 2677, Lot 1 of Certified Survey Map No. 3258, Lot 2 of Certified Survey Map No. 3986, Lots 1, 2, 3, 4 and 5 in Block 4 and Lots 1, 2, 3, 4 and 5 and part of vacated alley in Block 2 in the Brooklyn Heights Subdivision, all in the Northwest 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 6, Township 15 North, Range 4 East, in the City of Mauston, Juneau County, Wisconsin.

STATE OF WISCONSIN}

MILWAUKEE COUNTY}

I, Allen J. Schneider, Professional Land Surveyor, do hereby certify:

:SS

THAT I have surveyed, divided and mapped a redivision of Lot 1 of Certified Survey Map No. 2677, Lot 1 of Certified Survey Map No. 3258, Lot 2 of Certified Survey Map No. 3986, Lots 1, 2, 3, 4 and 5 in Block 4 and Lots 1, 2, 3, 4 and 5 and part of vacated alley in Block 2 in the Brooklyn Heights Subdivision, all in the Northwest 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 6, Township 15 North, Range 4 East, in the City of Mauston, Juneau County, Wisconsin:

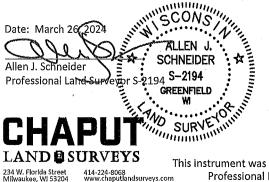
COMMENCING at the Southwest corner of the Southwest 1/4 of said Section 6; thence North 00°24'46" West along the West line of said 1/4 Section 1150.80 feet to a point; thence East 435.86 feet to a point on the East line of North Union Street and the point of beginning of the lands hereinafter described; thence North 59°54'31" East 21.50 feet to a point; thence North 59°47'14" East 637.95 feet to a point on the West line of Interstate Highway "90"/"94"; thence South 37°09'41" East along said West line 348.18 feet to a point; thence South 40°32'55" East 325,89 feet to a point; thence South 00°16'34" East 506.00 feet to a point; thence South 00°25'05" East 120,00 feet to a point on the North line of Prospect Street; thence South 89°34'55" West along said North line 332.90 feet to a point at the intersection of the North line of Prospect Street and the East line of Lincoln Street; thence North 00°25'05" West along the East line of Lincoln Street 120.20 feet to a point; thence South 89°34'55" West along said East line 6.32 feet to a point; thence North 10°39'28" East along said East line 152.09 feet to a point on the North line of Lincoln Street; thence North 79°21'20" West along said North line 66,00 feet to a point on the West line of Lincoln Street; thence South 10°39'28" West along said West line 164.61 feet to a point; thence South 89°42'44" West along said West line 6.50 feet to a point; thence South 00°25'05" East along said West line 119.71 feet to a point at the intersection of the West line of Lincoln Street and the North line of Prospect Street: thence South 89°07'29" West along the North line of Prospect Street 310.00 feet to the Southeast corner of Lot 6, Block 4 in Brooklyn Heights Subdivision; thence North 00°21'06" West along the East line of said Lot and its East extension 109.76 feet to a point; thence South 89°06'48" West 103.98 feet to a point on the East line of North Union Street; thence North 00°15'17" West along said East line 10.15 feet to a point; thence North 85°15'55" West along said East line 9.98 feet to a point; thence North 00°15'08" West along said East line 49.20 feet to a point; thence North 01°49'00" West along said East line 83.63 feet to a point; thence North 76°00'59" East along said East line 46.23 feet to a point; thence North 05°51'26" West along said East line 89.08 feet to a point; thence South 81°48'18" West along said East line 42.59 feet to a point; thence North 02°47'35" West along said East line 120.51 feet to a point; thence North 22°08'44" West along said East line 110.70 feet to a point; thence Northwesterly 277.33 feet along said East line and arc of a curve, whose center lies to the Southwest, whose radius is 1474.99 feet, and whose chord bears North 21°23'45" West 276.92 feet to the point of beginning.

Said lands as described contains 803,421 square feet or 18.4440.

That I have made such survey, land division and map by the direction of MKB MAUSTON, LLC, owner of said land.

That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the requirements of Chapter 236 of the Wisconsin State Statutes and the City of Mautson Land Division Ordinance in surveying, mapping and dividing the land within the certified survey map.



This instrument was drafted by Allen J. Schneider Professional Land Surveyor S-2194 Survey No. 5182.20-lpm Sheet 3 of 6 Sheets

CERTIFIED SURVEY MAP NO.

A redivision of Lot 1 of Certified Survey Map No. 2677, Lot 1 of Certified Survey Map No. 3258, Lot 2 of Certified Survey Map No. 3986, Lots 1, 2, 3, 4 and 5 in Block 4 and Lots 1, 2, 3, 4 and 5 and part of vacated alley in Block 2 in the Brooklyn Heights Subdivision, all in the Northwest 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 6, Township 15 North, Range 4 East, in the City of Mauston, Juneau County, Wisconsin.

CORPORATE OWNER'S CERTIFICATE

STATE OF WISCONSIN}

____ COUNTY}

:SS

MKB MAUSTON, LLC, a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, certifies that said corporation caused the land described on this Certified Survey Map to be surveyed, divided and mapped as represented on this map or plat in accordance with the subdivision regulations of the City of Mauston and Chapter 236 of the Wisconsin Statutes.

MKB MAUSTON, LLC, does further certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: City of Mauston.

IN WITNESS WHEREOF, the MKB MAUSTON, LLC has caused these presents to be signed by the hand of

	, on this	_ , day of	, 20	
				•
1	икв Mauston, LLC			•
E	Зу:			
ľ	ts:			
STATE OF WISCONSIN}				• • •
SS COUNTY}				1
Personally came before me ti	nis day of	, 20,		· · · · · · · · · · · · · · · · · · ·
the				rson who
Notary Signature:	·			
Notary Name: Notary Public, State of	My c	commission expires:		
Notary r done, state or	ON ON			
(Notary Seal)				
(Notary Seal)	N'III			
STITUTE AL	LEN J.	· - · ·		.
STITUTE AL	LEN J. NEIDER			
STITUTE AL	LEN J.			
STITUTE AL	LEN J.			- · · · · · · · · · · · · · · · · · · ·
STITUTE AL	LEN J.	•	Dat	e: March 26, 202

CERTIFIED SURVEY MAP NO.

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CONSENT OF ENTITY MORTGAGEE

______, a corporation duly organized and existing by virtue of the laws of the State of ______, as mortgagee of the above described land, consents to the surveying, dividing, and mapping of the land described on this map and in the surveyor's certificate and to the certificate of the owner of said land.

Date: _____

Entity Name:

Signature:_____

Type or Print Name:_____

Title: ____

STATE OF ______} :SS ______ COUNTY}

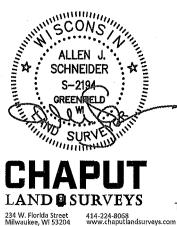
Personally came before me this _____ day of ______, 20___, _____ of the above named entity, to me known to be the persons who executed the foregoing instrument, and acknowledged that he/she executed the foregoing instrument as such officer on behalf of the entity, by its authority.

Notary Signature:

Print Notary Name:

Notary Public, State of _____. My commission expires: ____.

(Notary Seal)



This instrument was drafted by Allen J. Schneider Professional Land Surveyor S-2194 Date: March 26, 2024 Survey No. 5182.20-Ipm Sheet 5 of 6 Sheets

Section 4, Item a.

FIED SURVEY MAP NO.

A redivision of Lot 1 of Certified Survey Map No. 2677, Lot 1 of Certified Survey Map No. 3258, Lot 2 of Certified Survey Map No. 3986, Lots 1, 2, 3, 4 and 5 in Block 4 and Lots 1, 2, 3, 4 and 5 and part of vacated alley in Block 2 in the Brooklyn Heights Subdivision, all in the Northwest 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 6, Township 15 North, Range 4 East, in the City of Mauston, Juneau County, Wisconsin.

COMMON COUNCIL APPROVAL

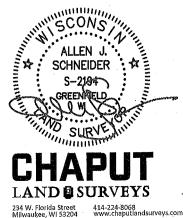
Approved by the Common Council of the City of Mauston, Wisconsin, on this ______ day of __, 20___.

Date

DENNIS NIELSEN, MAYOR

Date

NICHOLE LYDDY, DEPUTY CLERK



This instrument was drafted by Allen J. Schneider Professional Land Surveyor S-2194

Date: March 26, 2024 Survey No. 5182.20-Ipm Sheet 6 of 6 Sheets

