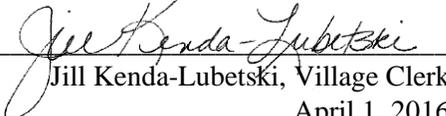


PLAN COMMISSION MEETING
Monday, April 11, 2016
Earl McGovern Board Room, 6:30 P.M.



PLEASE TAKE NOTICE that a meeting of the Brown Deer Plan Commission will be held in the Earl McGovern Board Room at the Village Hall of the Village of Brown Deer, 4800 West Green Brook Drive, Brown Deer, Wisconsin at the above noted time and date, at which the following items of business will be discussed and possibly acted upon:

- I. Roll Call
- II. Persons Desiring to be Heard
- III. Consideration of Minutes: February 8, 2016 – Regular Meeting
- IV. Report of Staff/Commission Members
- V. Unfinished Business
- VI. Business Items
 - A) Public Hearing and Recommendation for a rezoning of various parcels of land generally known as A.C. Hanson Park, Algonquin Park and Brown Deer Park to the P – Park zoning district
 - B) Public Hearing and Recommendation for a rezoning of various parcels of land generally known as Village Park, Fairy Chasm Park and Badger Meter River Park to P – Park zoning district
 - C) Public Hearing and Recommendation for a rezoning of various parcels of land generally known as Brown Deer Village Hall/Police Station and the Brown Deer School Campus, including the Brown Deer Library and Metropolitan Milwaukee Sewerage District Detention Basin to the I – Institutional zoning district
- VII. Adjournment


Jill Kenda-Lubetski, Village Clerk
April 1, 2016

PERSONS REQUIRING SPECIAL ACCOMMODATIONS FOR ATTENDANCE AT THE MEETING SHOULD CONTACT THE VILLAGE CLERK AT LEAST ONE BUSINESS DAY PRIOR TO THE MEETING.

**BROWN DEER PLAN COMMISSION
FEBRUARY 8, 2016 MEETING MINUTES
HELD AT THE BROWN DEER VILLAGE HALL
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by President Krueger at 6:30 P.M.

I. ROLL CALL

Present: President Carl Krueger; Trustees: Jeff Baker, Tim Schilz; Commissioners: Bill Hoffmann, Ryan Schmitz

Also Present: Michael Hall, Village Manager; Erin Hirn, Assistant Village Manager; Nate Piotrowski, Community Development Director; Village Attorney Rebecca Boyle

Excused: Commissioner: Jeff Jaroczynski, Al Walters, Dan Bednar

II. PERSONS DESIRING TO BE HEARD

None

III. CONSIDERATION OF MINUTES: October 12, 2015 – Regular Meeting

It was moved by Commissioner Schmitz and seconded by Commissioner Hoffmann to approve the regular meeting minutes of October 12, 2015. The motion carried unanimously.

IV. REPORT OF STAFF/COMMISSION MEMBERS

Mr. Piotrowski reported that several new businesses opened in the Village including Pastiche restaurant, PAK Technologies and the Armed Forces Recruiting Center. He added that Ross Dress For Less and Appethai restaurant were scheduled to open soon.

V. UNFINISHED BUSINESS

None.

VI. NEW BUSINESS

A) Public Hearing and Recommendation of a Conditional Use Permit with Westwood Cleaners, LLC for a dry cleaning establishment at 9055 N. 51st Street.

President Krueger opened the public hearing at 6:36 p.m. There were no public comments. President Krueger closed the public hearing at 6:37 p.m.

Mr. Piotrowski reviewed the proposal and introduced the applicant Vladimir Krivoshein.

Commissioner Hoffmann asked if there were any odors or waste discharge from the dry cleaning process. Mr. Krivoshein replied that there were generally no odors or waste as the cleaning systems are self-contained and serviced by Wausau Chemical. Mr. Hoffmann asked if there are filters on the self-contained systems. Mr. Krivoshein replied that there are filters and these are also regularly serviced.

It was moved by Commissioner Hoffmann and seconded by Commissioner Schmitz to recommend approval of the conditional use permit to the Village Board. The motion carried unanimously.

B) Public Hearing and Recommendation of a Conditional Use Permit with RND, LLC for a multiple family dwelling at 7732 and 7732A N. Sherman Blvd.

Village Attorney Boyle indicated that the applicant was interested in pursuing a variance to correct the legal non-

conforming status of two houses on one lot instead of a conditional use permit. Village counsel will be exploring this issue further with the applicant and suggested that the conditional use public hearing and recommendation not occur.

It was moved by Commissioner Hoffmann and seconded by Commissioner Schmitz to table the review and recommendation. The motion carried unanimously.

C) Review and Recommendation of a Development Agreement with CJB, LLC for offices and a fitness studio at 8655 N. 43rd Street

Mr. Piotrowski reviewed the proposal and indicated the Community Development Authority was involved in site acquisition and sale to the new user. He added that the new user would be responsible for environmental remediation and introduced the applicants Jennifer Jambor-Raninen and Bill Raninen.

Commissioner Hoffman asked about the extent of contamination. Mr. Piotrowski noted that the DNR identified various chemicals in the northwest corner of the site and suggested capping as a reasonable remediation alternative.

Trustee Baker asked what the large warehouse area on the site plan was to be used for. Ms. Jambor-Raninen replied that this would be for fitness equipment storage and larger fitness group classes.

Trustee Schilz asked what other office users were intended. Mr. Raninen stated they have had preliminary discussions with complimentary office users such as physical therapist and a financial advisor but no firm lease commitments. Mr. Piotrowski noted that the development agreement as currently written would permit other office users without additional Village Board review.

Trustee Baker asked about signage. Ms. Jambor-Raninen replied that new signage would be added at the driveway entrance on 43rd Street but that plans were not finalized.

Commissioner Schmitz asked what the applicants proposed to do with the large concrete area on the north side of the building. Ms. Jambor Raninen replied that the intent was to leave the concrete in place for use as a patio in nice weather. Commissioner Hoffmann asked if there were any plans to use the adjacent green space to the north of the concrete. Ms. Jambor-Raninen replied that this was to remain grass and landscaping.

It was moved by Commissioner Schmitz and seconded by Commissioner Hoffmann to recommend approval of the development agreement to the Village Board. The motion carried unanimously.

VII. ADJOURNMENT

It was moved by Commissioner Schmitz and seconded by Commissioner Hoffmann to adjourn at 7:00 P.M. The motion carried unanimously.



Nate Piotrowski, Community Development Director



REQUEST FOR CONSIDERATION

COMMITTEE CONSIDERATION: Plan Commission
ITEM DESCRIPTION: <ul style="list-style-type: none">A) Public Hearing and Recommendation for a rezoning of various parcels of land generally known as A.C. Hanson Park, Algonquin Park and Brown Deer Park to the P – Park zoning districtB) Public Hearing and Recommendation for a rezoning of various parcels of land generally known as Village Park, Fairy Chasm Park and Badger Meter River Park to P – Park zoning districtC) Public Hearing and Recommendation for a rezoning of various parcels of land generally known as Brown Deer Village Hall/Police Station and the Brown Deer School Campus, including the Brown Deer Library and Metropolitan Milwaukee Sewerage District Detention Basin to the I – Institutional zoning district
PREPARED BY: Nathaniel Piotrowski, Community Development Director
REPORT DATE: April 7, 2016
Applicable Land Use Regulation: Village Code Sec. 121-7
VILLAGE ATTORNEY REVIEW: <ul style="list-style-type: none"><input checked="" type="checkbox"/> Village Attorney has reviewed documents.<input type="checkbox"/> Village Attorney has not reviewed documents.<input checked="" type="checkbox"/> Documents provided to Village attorney.
COMPREHENSIVE PLAN REVIEW: <ul style="list-style-type: none"><input checked="" type="checkbox"/> Staff has reviewed request for consistency with the Comprehensive Plan.

ANALYSIS:

The three agenda items this evening are all very similar and therefore included in this singular Staff memo. The rezoning initiatives evolved out of a request from Milwaukee County to rezone parks which are currently zoned residential, in order to add a more clearly defined layer of zoning protection. Since the County made the request for their parks, Staff also felt it prudent to examine a rezoning of Village parks and our major institutions (Village Hall/School etc.).

In order to take these rezoning steps the Village first needed to create a new Park/Institutional zoning districts. This was completed last month and a copy of the new ordinance is attached.

Staff views these rezoning as matter of housekeeping to put the parks, Village Hall, Library and School Campus in a zoning district that befits what actually takes place there as opposed to residential or commercial zoning. This action would further protect the properties from potential future development that would not be compatible while still allowing any park or institutional related changes/expansions/additions to occur.

RECOMMENDATION:

Staff believes these rezonings make sense and they were in fact recommended in the Village's comprehensive plan as a way to ensure further protection for park and open space. Please feel free to contact Nate Piotrowski at (414) 371-3061, if you have any questions.

ORDINANCE NO. _____

An Ordinance Creating Sections 121-254 to 121-265 of the Brown Deer Village Code Relating to Institutional and Park Zoning Districts

The Village President and the Village Board of the Village of Brown Deer, Milwaukee County, Wisconsin, do herewith ordain as follows, to-wit:

SECTION I

A. Section 121-6 of the Brown Deer Village Code relating to Establishment of Zoning Districts is hereby amended to provide as follows:

- (13) I, institutional.
- (14) P, park.
- (15) RPD, residential planned development.
- (16) BPD, business planned development.
- (17) OVPD, original village planned development.

B. Article VIII of the Brown Deer Village Code is hereby created to provide as follows:

Article VIII. – INSTITUTIONAL DISTRICT

Sec. 121-254. Purpose and Intent.

The institutional district is intended to provide defined areas where public, public-related, or institutional uses may be permitted.

Sec. 121-255. Permitted uses.

The following are permitted uses in the Institutional District:

- 1) Churches, temples, and other places of worship.
- 2) Hospitals, sanatoriums, nursing homes, clinics, commercial adult and child care centers, but not correctional institutions.
- 3) Medical or dental clinics or offices
- 4) Libraries.
- 5) Museums, public art galleries.
- 6) Public and private schools, colleges, and universities.
- 7) Public administration offices.
- 8) Public service buildings, including police and fire stations.

- 9) Public utility.
- 10) Institutions of a philanthropic or charitable nature.
- 11) Post office and postal substations.
- 12) Private clubs, fraternities, lodges.
- 13) Community and public buildings.
- 14) Accessory buildings and uses customarily incident to any of the above uses.
- 15) Community garden.
- 16) Farmers market.

Sec. 121-256. Floor to area ratio.

The floor to area ratio within the institutional district shall be no more than 0.7

Sec. 121-257. Lot area.

The minimum lot or building site area shall be twenty thousand (20,000) square feet with a minimum lot width of 100 feet.

Sec. 121-258. Setbacks.

- 1) Front, not less than 35 feet.
- 2) Side as follows:
 - a) Interior lots, two side setbacks neither of which is less than 10 feet in width, except a side setback adjoining a residence district shall not be less than 20 feet in width
 - b) Corner lots, a side setback along the interior lot line, as required above for interior lots, and a side setback adjoining a street as required for a front setback
- 3) Rear, not less than 25 feet

Sec. 121-259. Off-street parking and off-street loading.

Off-street parking and off-street loading shall be conducted in accordance with applicable regulations set forth in Article X of this chapter.

- C. Article IX of the Brown Deer Village Code is hereby created to provide as follows:

Article IX. – PARK DISTRICT

Sec. 121-260. Purpose and Intent.

The Park District is intended to provide for areas where the open space and recreational needs, both public and private, of the citizens of the Village of Brown Deer can be met without undue disturbance of natural resources and adjacent uses.

The Park district is intended to prevent the destruction of valuable natural resources, such as woodlands, wetlands, wildlife habitat areas, perennial and intermittent streams, lakes, floodlands, shorelands, significant water recharge and discharge areas, prairies, recreational and scenic areas, natural scientific areas, areas with poor soils high groundwater, and areas of steep topography. The regulation of these areas, which include environmental corridors, should serve to control erosion and sedimentation, and to protect the natural resource base and promote and maintain the natural beauty

Sec. 121-261. Permitted Uses.

The following are permitted uses in the Park District:

- 1) Amphitheaters.
- 2) Basketball courts.
- 3) Botanical gardens and arboretums.
- 4) Exhibition halls.
- 5) Fairgrounds.
- 6) Flood control retention/detention areas.
- 7) Forest reserves for wildlife refuges and wilderness areas.
- 8) Forest and game management.
- 9) Fishing, swimming, and boating, unless prohibited by other ordinances and laws.
- 10) Golf courses and driving ranges without country club facilities.
- 11) Hiking, biking, and nature trails.
- 12) Historic monuments or sites.
- 13) Nature centers.
- 14) Outdoor skating rinks.
- 15) Open space and recreation areas.
- 16) Parks and playgrounds.
- 17) Picnicking areas.
- 18) Play fields or athletic fields.
- 19) Public art galleries and exhibits.
- 20) Sledding, skiing, or tobogganing.
- 21) Swimming beaches.
- 22) Swimming pools.
- 23) Tennis courts.
- 24) Other outdoor recreation games, structures or amenities, not listed above but generally known to be located in parks.

Sec. 121-262. Conditional Uses.

None permitted.

Sec. 121-263. Building Height.

No principal building or parts of a principal building shall exceed 35 feet in height. No garage shall exceed 15 feet in height, and no other accessory building shall exceed 10 feet in height; unless a conditional use permit for an increase in height is granted by the Village Plan Commission.

Sec. 121-264. Setbacks.

No building or structures shall be erected, altered, or moved closer than 40 feet to a lot line.

Sec. 121-265. Plans and Specifications to be Submitted for Review and Approval.

For the purpose of encouraging a recreational use environment that is compatible with the aesthetic character of the Village, building permits for permitted uses in the Park District shall not be issued without review and approval of the Village Plan Commission. Such review and approval shall consider general layout, building plans, ingress, egress, parking, loading and unloading, landscaping, and utilization of open space.

D. Article VIII 121-291. to 121-320. is redennominated Article X 121-291. to 121-320., and Article IX 121-321. to 121-330. is redennominated Article XI 121-321. to 121.330.

E. Section 121-299 of the Brown Deer Village Code relating to Required Off-Street Parking Spaces is hereby amended to provide as follows:

(a) Calculation. The minimum number of off-street parking spaces accessory to designated uses shall be provided as set forth in the following table:

REQUIRED OFF STREET PARKING SPACES

Institutional district, unless otherwise specified herein	1 per 300 square feet of floor area
---	-------------------------------------

SECTION II

All ordinances or parts of ordinances contravening the terms and provisions of this ordinance are hereby to that extent repealed.

SECTION III

This Ordinance shall take effect upon passage and publication as provided by law, and the Village Clerk shall so amend the Brown Deer Code, and shall indicate the date and number of this amending ordinance therein.

PASSED AND ADOPTED by the Village Board of the Village of Brown Deer, this _____ day of _____, A.D. 2016.

Countersigned:

Carl Krueger, Village President

Jill Kenda-Lubetski, Village Clerk

In the Matter of rezoning various parcels of land
generally known as A.C. Hanson Park, Algonquin Park
and Brown Deer Park to P- Park zoning district

Ordinance No. 16-

THE VILLAGE BOARD OF THE VILLAGE OF BROWN DEER DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. AMENDMENT.

The Village Code of the Village of Brown Deer, and in particular, the Zoning District Map thereunto appertaining, adopted by Section 121-7, is hereby amended to depict the following described real estate as being in the P – Park Zoning District District:

A.C. Hanson Park

Parcel 1: Park Plaza of Brown Deer subdivision Lot 101, located in the NE ¼ of Section 3, T8N, Range 21E, Village of Brown Deer, Milwaukee County, Wisconsin. Also known as tax key 0300101

Parcel 2: Park Plaza of Brown Deer subdivision Lot 102, located in the NE ¼ of Section 3, T8N, Range 21E, Village of Brown Deer, Milwaukee County, Wisconsin. Also known as tax key 0300102

Parcel 3: Park Plaza of Brown Deer subdivision Outlot 1, located in the SE ¼ of Section 3, T8N, Range 21E, Village of Brown Deer, Milwaukee County, Wisconsin. Also known as tax key 0300108

Parcel 4: Park Plaza of Brown Deer Addition No. 1 subdivision Lot 138, located in the SE ¼ of Section 3, T8N, Range 21E, Village of Brown Deer, Milwaukee County, Wisconsin. Also known as tax key 0300142

Algonquin Park

1 Parcel: COM 660 FT S OF NW COR OF NE QUAR SEC 14 8 21 TH S 666/58 FT ELY 660 FT NLY 666/58 FT MORE OR LESS TH WLY 660 FT TO BEG EXC W 45 FT FOR STREET. Also known as Tax Key 0859950

Brown Deer Park

Parcel 1: COM 1158/82FT W & 206/1FT S OF NE COR NW QUAR SEC 13 8 21E TH S 95FT W 271/48FT N6DEG 11MIN W 95/53FT TH E 283/19FT TO BEG/CONT/0/6 ACRE. Also known as Tax Key 0868998

Parcel 2: COM 1158/82FT W OF NE COR OF NW QUAR SEC 13 8 21E TH S 206/1FT W 283/19FT N 6DEG 11MIN W 207/27FT TH E 308/63FT TO BEG/CONT/ 1/40 ACRE. Also known as Tax Key 0868999

Parcel 3: W 308FT OF E 1158/82FT OF N 301/1FT OF NW QUAR SEC 13 8 21E CONT/ 2/13ACRE. Also known as Tax Key 0869000

A map detailing the property affected by the ordinance may be obtained at the Brown Deer Village Hall, 4800 W. Green Brook Drive, Brown Deer Wisconsin during normal business hours.

SECTION II. EFFECTIVE DATE.

This Ordinance shall be in full force and effective after its passage and publication according to law.

PASSED AND ADOPTED by the Village Board of the Village of Brown Deer this 18th day of April, 2016.

Carl Krueger, Village President

Jill Kenda-Lubetski, Village Manager/Clerk

In the Matter of rezoning various parcels of land
generally known as Village Park, Fairy Chasm Park
and badger meter River Park to P- Park zoning district

Ordinance No. 16-

THE VILLAGE BOARD OF THE VILLAGE OF BROWN DEER DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. AMENDMENT.

The Village Code of the Village of Brown Deer, and in particular, the Zoning District Map thereunto appertaining, adopted by Section 121-7, is hereby amended to depict the following described real estate as being in the P – Park Zoning District District:

Village Park

1 Parcel: Lot 1 of the Brown Deer Station Subdivision, located in the SE ¼ of Section 2, T8N, Range 21E, Village of Brown Deer, Milwaukee County, Wisconsin. Also known as Tax Key 028022

Fairy Chasm Park

1 Parcel: Outlot A in the subdivision of Fairy Chasm Manor, located in the SW ¼ of the NW ¼ of Section 2, T8N R21E, Village of Brown Deer, Milwaukee County, Wisconsin. Also known as Tax Key 0090209

Badger Meter River Park

1 Parcel: Commencing at the SE Corner of the SW ¼ of Section 1; thence S 88°43'08" W, 1004.91 feet along the south line of said SW ¼, to the point of beginning; thence N 01°16'52" W, 180.00 feet; thence 320.59 feet on an arch with an angle and radius of 08°22'50" and 2191.80 feet, respectively, and a chord bearing and length of S 86°57'39" E and 320.31 feet, respectively; thence S 82°46'14" E, 320.00 feet; thence S 50°44'36" W, 273.86 feet along the Meander Line; thence N 88°43'08" W, 420.00 feet; thence N 01°16'52" W, 60.00, to the place of beginning. Located in the SE ¼ of the SW ¼ of Section 1, T8N R21E and in the NE ¼ of the NW ¼ of Section 12 Village of Brown Deer, Milwaukee County, Wisconsin. Also known as Tax Key 0279003

A map detailing the property affected by the ordinance may be obtained at the Brown Deer Village Hall, 4800 W. Green Brook Drive, Brown Deer Wisconsin during normal business hours.

SECTION II. EFFECTIVE DATE.

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PASSED AND ADOPTED by the Village Board of the Village of Brown Deer this 18th day of April, 2016.

Carl Krueger, Village President

Jill Kenda-Lubetski, Village Manager/Clerk

In the Matter of rezoning various parcels of land generally known as Brown Deer Village Hall/ Police Station and the Brown Deer School Campus, Including the Brown Deer Library and Metropolitan Milwaukee Sewerage District Detention Basins to I – Institutional zoning district

Ordinance No. 16-

THE VILLAGE BOARD OF THE VILLAGE OF BROWN DEER DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. AMENDMENT.

The Village Code of the Village of Brown Deer, and in particular, the Zoning District Map thereunto appertaining, adopted by Section 121-7, is hereby amended to depict the following described real estate as being in the I – Institutional Zoning District:

Brown Deer Village Hall/Police Station

1 Parcel: Lot 2 of the Brown Deer Station Subdivision located in the SE ¼ of Section 2, T8N, Range 21E, Village of Brown Deer, Milwaukee County, Wisconsin. Also known as Tax Key 028022

School Campus, Library, Detention Basin

4 Parcels: Commencing at the Southwest corner of the SW ¼ of said Section 11; thence N 88°16'39" E along the South line of said SW ¼, 60.00 feet; thence N 00°35'47" W, 55.00 feet to the north right of way line of West Bradley Road, also the east right of way line of North 60th Street and the point of beginning; thence N 00°35'47" W along said east right of way line, 2556.74 feet to the south right of way line of West Dean Road; thence N 88°20'44" E along said south right of way line, 1246.25 feet to the west right of way line of North 55th Street; thence S 00°28'06" E along said west right of way line, 2555.39 feet to the north right of way line of West Bradley Road; thence S 88°16'39" W along said north right of way line, 1240.57 feet to the point of beginning. Located in the W1/2 of the SW ¼ of Section 11, T8N Range 21E, Village of Brown Deer, Milwaukee County, Wisconsin. Also known as Tax Keys 0679998003, 0679998005, 067998004, 0679999

A map detailing the property affected by the ordinance may be obtained at the Brown Deer Village Hall, 4800 W. Green Brook Drive, Brown Deer Wisconsin during normal business hours.

SECTION II. EFFECTIVE DATE.

This Ordinance shall be in full force and effective after its passage and publication according to law.

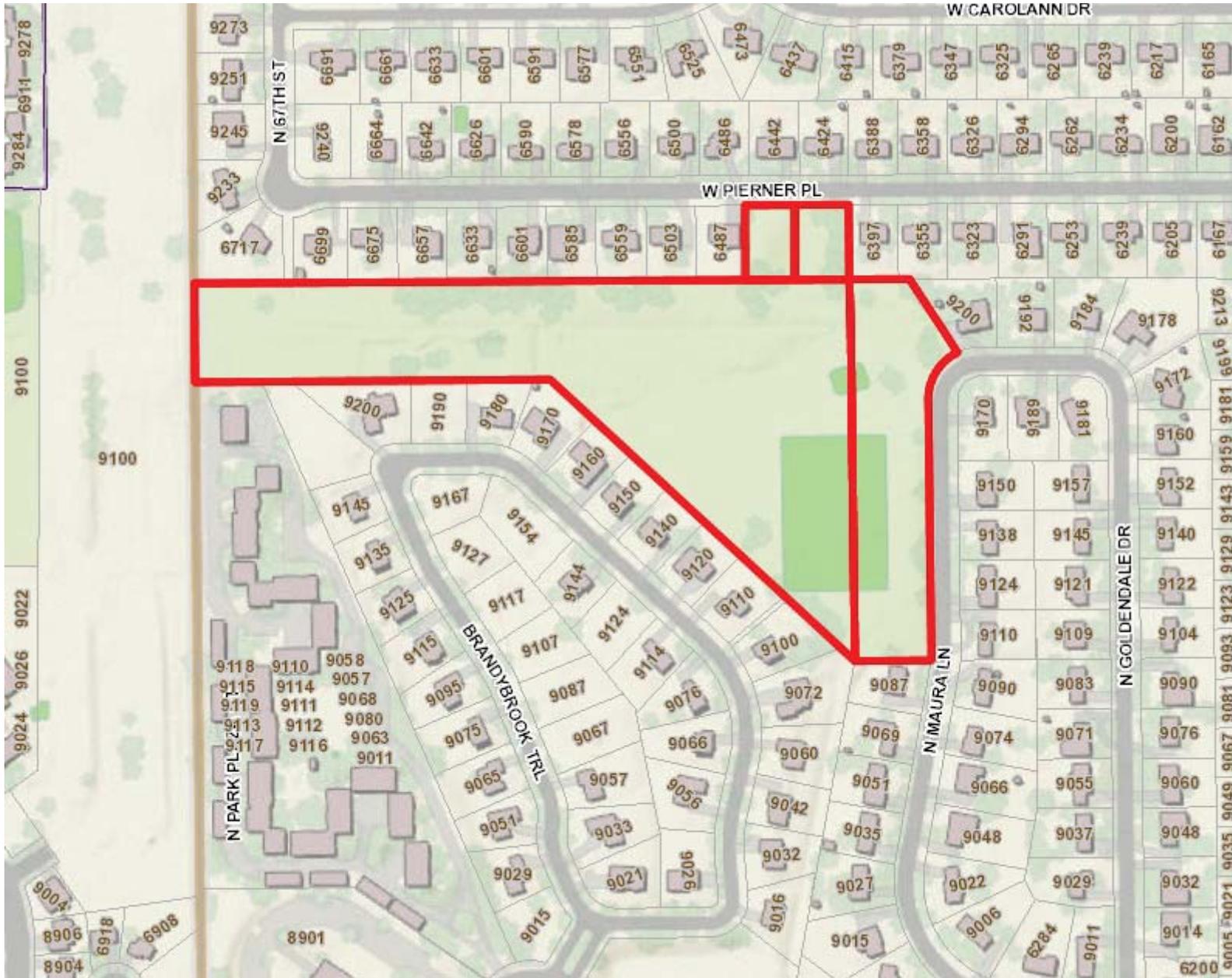
PASSED AND ADOPTED by the Village Board of the Village of Brown Deer this 18th day of April, 2016.

Carl Krueger, Village President

Jill Kenda-Lubetski, Village Manager/Clerk



AC Hansen Park



Legend

- Tax Parcels
- Plat of Survey
- Foreclosure
- Subdivision Docs
- Condo Docs
- CSM Docs
- County Boundary
- City Limits Outline
- Streets**
 - Primary
 - Secondary
 - Freeway
 - Primary Ramp
 - Freeway Ramp
 - A71
- Railroad 8k
- Transportation Poly
- Bridge Structure
- Structure
- Structure Large Shadow
- Transportation Poly**
 - <all other values>
 - Paved Road
 - Paved Airport Runway
 - Paved Driveway
 - Paved Parking
 - Paved Shoulder
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- Open Water Gradient
- Open Water
- Stream
- Hillshade**
 - High : 180
 - Low : 0
- Trees
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Notes

AC Hansen Park Overview



Algonquin Park



Legend

- Tax Parcels
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400 0 200 400 Feet

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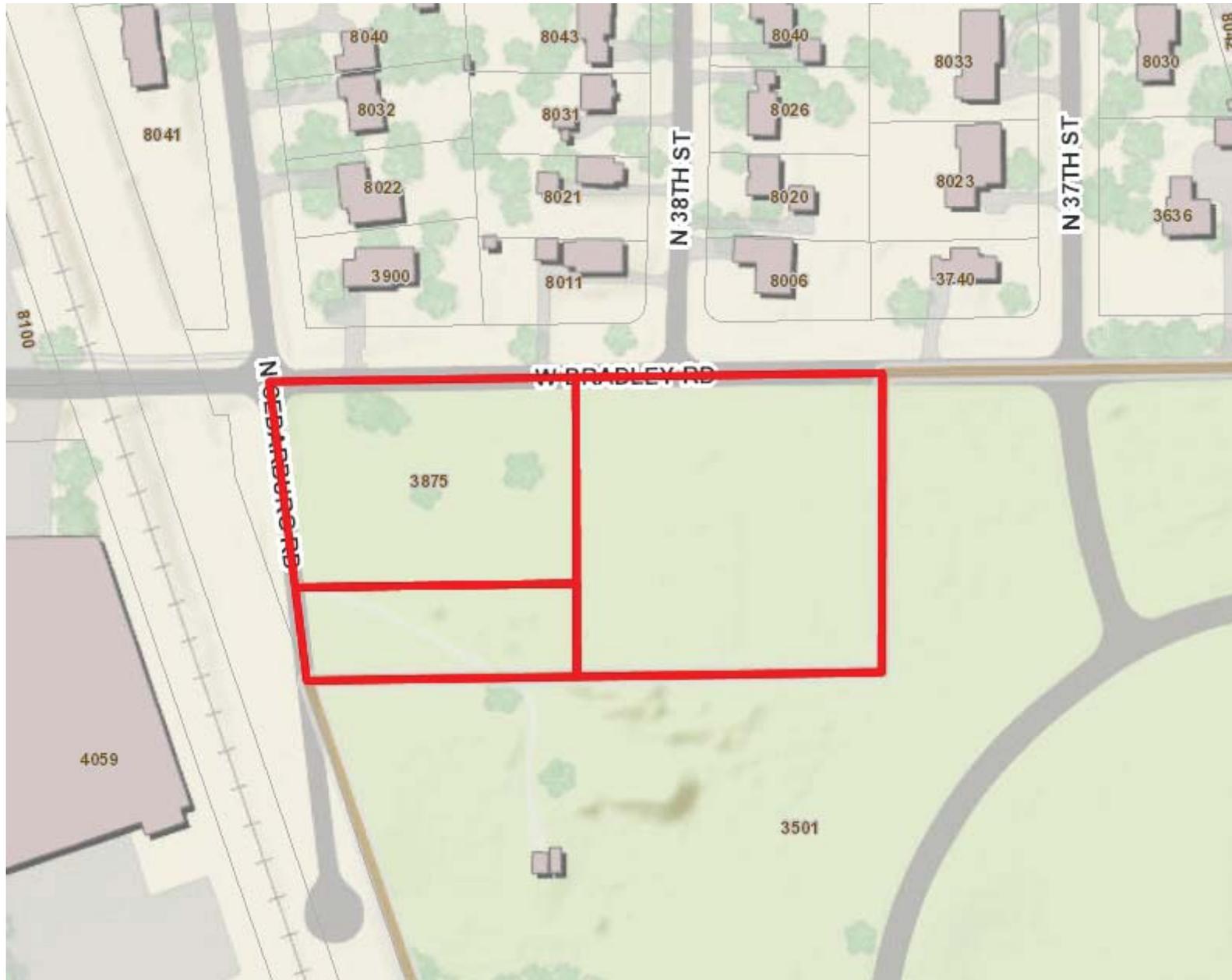
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Notes

Tax Key #0859950000



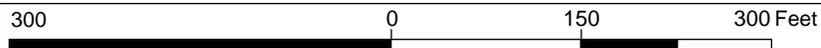
Brown Deer Park Overview



Legend

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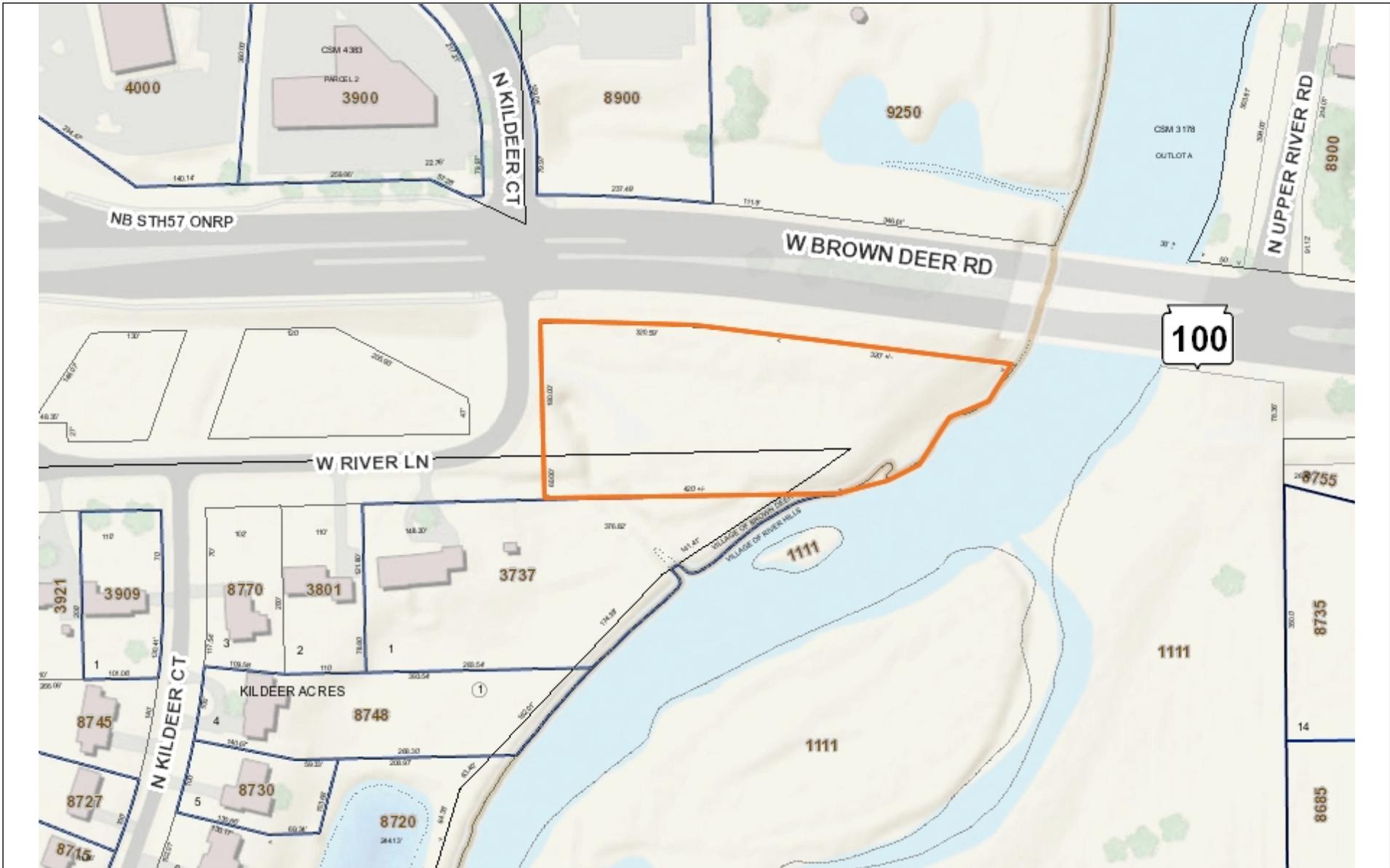
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Notes

Brown Deer Park parcels



Badger Meter River Park
Rezone

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SCALE: 1" = 188'



Village of Brown Deer
4800 West Green Brook Drive
Brown Deer, WI 53223
(414) 371 - 3000

Print Date: 4/7/2016



Fairy Chasm Park
Rezone

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SCALE: 1" = 188'



Village of Brown Deer
4800 West Green Brook Drive
Brown Deer, WI 53223
(414) 371 - 3000

Print Date: 4/7/2016



Village Park/Hall Police Station
rezone

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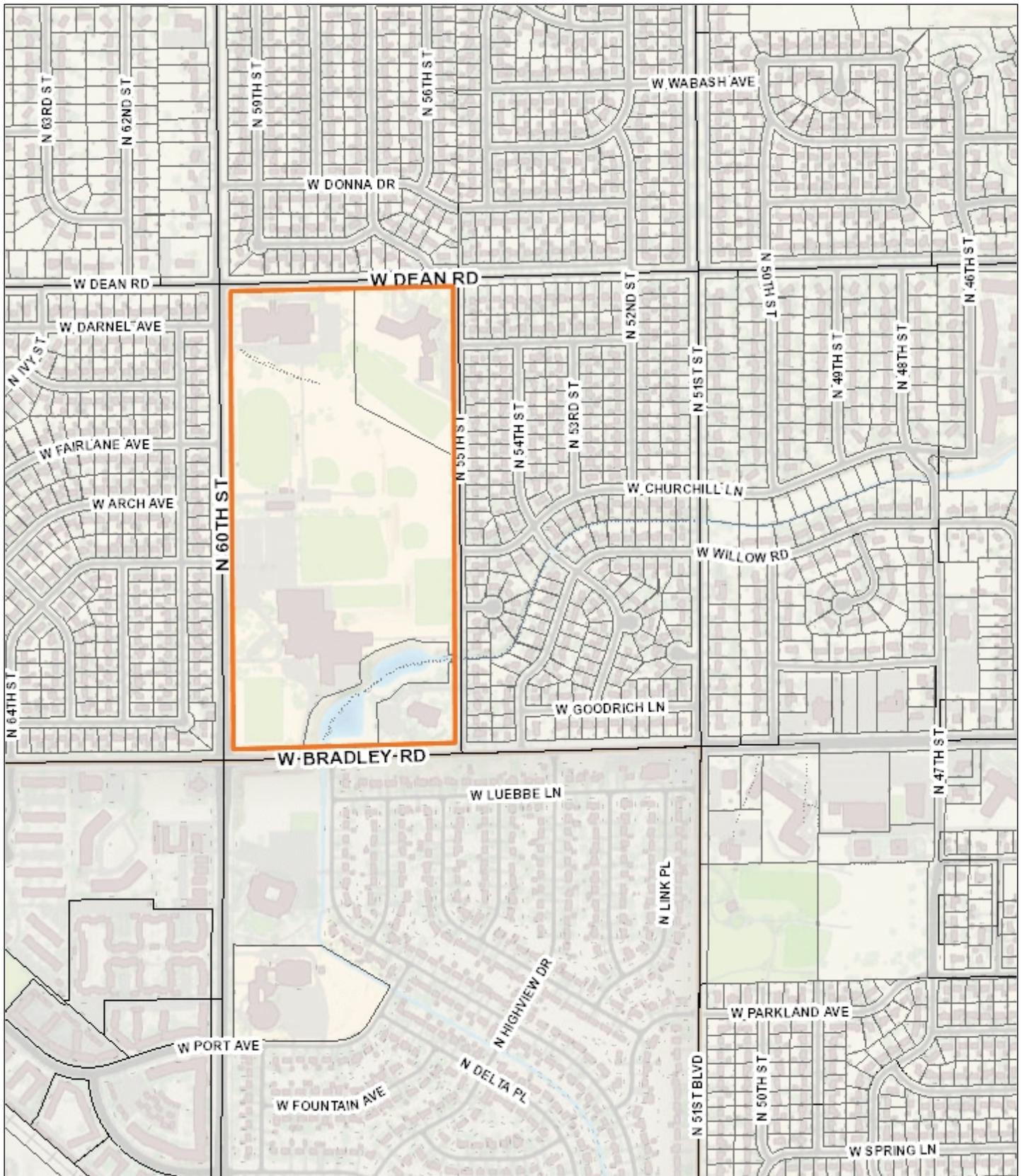


SCALE: 1" = 188'



Village of Brown Deer
4800 West Green Brook Drive
Brown Deer, WI 53223
(414) 371 - 3000

Print Date: 4/7/2016



School Campus
Library/Detention Basin

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Village of Brown Deer
4800 West Green Brook Drive
Brown Deer, WI 53223
(414) 371 - 3000

SCALE: 1" = 752'

Print Date: 4/7/2016