

**JOINT ARCHITECTURAL BOARD/PLAN COMMISSION AGENDA**  
**MONDAY, SEPTEMBER 18, 2017**  
**7:00 PM**  
**BOARD ROOM**  
**MUNICIPAL BUILDING, 210 COTTONWOOD AVE.**

Roll Call

1. Consideration of a motion to approve the Jt. Architectural Board/Plan Commission Minutes of August 21, 2017.
2. Items related to a request for a Conditional Use for operation of a Bed & Breakfast for Steven & Elisa Filipp, 450 Park Ct.
  - a. PUBLIC HEARING for the consideration of a Conditional Use Permit request
  - b. Consideration of a motion to recommend approval of a Conditional Use Permit
3. Adjourn

David E. Cox, Village Administrator

A complete packet of meeting materials is normally available by 5:00pm on the Friday before the meeting on the Village website: [www.villageofhartland.com](http://www.villageofhartland.com) (Government/Agendas and Minutes).

Notice: Please note that 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 Darlene Igl, WCPC/CMC, Village Clerk, at 262/367-2714. The Municipal Building is handicap accessible.

## MEMORANDUM

**TO:** Plan Commission Members  
**FROM:** David E. Cox, Village Administrator  
**DATE:** September 15, 2017



**SUBJECT:** Bed and Breakfast CUP – 450 Park Court

As the Plan Commission will recall, it is being asked to consider the issuance of a Conditional Use Permit (CUP) to allow the single family house at 450 Park Court to be used as a Bed and Breakfast. At the August meeting, a public hearing was scheduled for Monday's meeting to receive additional comments. To assist the Commission in considering the matter, a draft of the Conditional Use Permit outlining several potential conditions has been drafted and is attached. Further, this memo will attempt to address some procedural and policy considerations.

As a reminder, the Village Code authorizes the issuance of Conditional Use Permits as follows:

The village board may authorize the building inspector to issue a conditional use permit for conditional uses after review and a public hearing by the plan commission, provided that such conditional uses and structures are *in accordance with the purpose and intent of this chapter and are found to be not hazardous, harmful, offensive or otherwise adverse to the environment or the value of the neighborhood or the community*. [Emphasis Added]

The purpose and intent of the Zoning Code (Chapter 46 of the Village Code) are described in Sections 46-4 and 46-5 as follows:

The **purpose** of this chapter is to promote the comfort, health, safety, morals, prosperity, aesthetics and general welfare of the village and its residents.

It is the general **intent** of this chapter to regulate and restrict the use of all structures, lands and waters, and to:

1. Regulate lot coverage and the size and location of all structures so as to prevent overcrowding and to provide adequate sunlight, air, sanitation and drainage;
2. Regulate population density and distribution so as to avoid sprawl or undue concentration and to facilitate the provision of adequate public service and utilities;
3. Regulate parking, loading and access so as to lessen congestion in and promote the safety and efficiency of streets and highways;
4. Secure safety from fire, flooding, pollution, contamination and other dangers;
5. Stabilize and protect existing and potential property values;

6. Preserve and protect the beauty of the village;
7. Prevent and control erosion, sedimentation and other pollution of the surface and subsurface waters;
8. Further the maintenance of safe and healthful water conditions;
9. Prevent flood damage to persons and property and minimize expenditures for flood relief and flood control projects;
10. Provide for and protect a variety of suitable commercial and industrial sites;
11. Protect the traffic-carrying capacity of existing and proposed arterial streets and highways;
12. Implement those municipal, county, watershed and regional comprehensive plans or components of such plans adopted by the village, including the Village of Hartland Master Plan and the Hartland Village Center Revitalization Plan;
13. Provide for the administration and enforcement of this chapter; and to provide penalties for the violation of this chapter. [Emphasis Added]

During the consideration of the proposed bed and breakfast establishment, the Commission should be considering these factors.

While the activity of renting houses or rooms certainly provides income to the owner of the house, it seems that the Code treats this activity differently than other commercial activity. Home occupations are defined to include those for “financial gain or support” but that are “clearly incidental and subordinate” to the residential use. While this is for financial gain, it is something more than a home occupation. The use of a house or portion thereof for a residential-type use is regulated differently as evidenced by the fact that bed and breakfast, lodging house and other residential uses that provide financial gain are described in the Code and subject to their own regulation. One of the area residents, whose comments are included in the packet, suggest that because the owners have indicated that they do not serve breakfast the proposed use is not a bed and breakfast under the Village Code. This may be true. However, the Village Board and Plan Commission could consider a similar use as a conditional use.

Section 46-14 of the Code regarding use regulations indicates that “Conditional Uses not specified in this chapter and which are found by the plan commission to be similar in character to conditional uses that may be allowed in the district, may be permitted by the village board” after the usual review process. As such, the Commission could suggest, if it determines that the bed and breakfast definition is not appropriate, a different use that is deemed similar. For example, the Village Code defines a “lodging house” as a “building where lodging only is provided for compensation for not more than three persons.” There are no other references to this use in the Village Code other than to define it. Nonetheless, if this use were allowed, staff would

recommend that the Commission and Village Board regulate the use in a manner similar to a bed and breakfast.

Alternatively, if this potential use is not considered a bed and breakfast establishment under the Code, nor is it considered some other regulated use or is denied altogether, the question becomes whether the activity as described is completely inconsistent with the current regulations. There may be some ambiguity. The Village Code indicates that “single-family dwellings” are permitted uses in this district. These terms are defined in the Village Code. “Dwelling, single-family” is defined as “a detached building designed for or occupied exclusively by one family.” “Family” is defined as “any number of persons related by blood, adoption or marriage, or not to exceed four persons not so related, living together in one dwelling unit.” No portion of our Code provides limits on the rental of houses or even portions of houses other than the definition of “lodging house” or “bed and breakfast.” Provided a property owner meets the terms of our regulations, there may be little that would stop the periodic rental of all or, more germane to the issue, a portion of a house for as long or short a time period as one desired.

Fundamentally, staff would suggest that the Plan Commission needs to determine what aspects of the use are sufficiently different from the expected activities of other single family houses in the Village, whether those differences are significant enough to deny the use, or, barring differences meriting denial, how the conditions of a CUP will be used to mitigate those differences.

Additional Note: At last check, the current version of the Wisconsin State Budget bill includes a statute change that would severely limit, if not prohibit, municipal regulation of stays in private residences of less than 7 days in length. This proposal clearly is intended to prevent municipalities from outright banning the type of stay we are considering and may severely limit our ability to regulate such stays.

DCB&B Park Court

Attachment

cc: Scott Hussinger, Building and Zoning Official

**VILLAGE OF HARTLAND  
JOINT ARCHITECTURAL BOARD/PLAN COMMISSION MINUTES  
MONDAY, AUGUST 21, 2017  
7:00 PM  
BOARD ROOM  
MUNICIPAL BUILDING, 210 COTTONWOOD AVE.**

Present: David deCourcy-Bower, Tim Hallquist, Jeff Pfannerstill, James Schneeberger, Randy Swenson, Jack Wenstrom and Tim Fenner

Others Present: Administrator Cox, Building Inspector/Zoning Administrator Hussinger and Clerk Igl

Roll Call

1. Motion (deCourcy-Bower/Schneeberger) to approve the Jt. Architectural Board/Plan Commission Minutes of July 17, 2017. Wenstrom and Fenner abstained. Carried (5-0).
2. Items related to a request for site and building plans and request for Conditional Use for construction of an additional silo located at 701 W. Capitol Drive, Illinois Cement Company, Applicant, TDI Associates, Inc., Engineer/Architect.

- a. **PUBLIC HEARING** for the consideration of a Conditional Use Permit request to construct  
The public hearing was opened at 7:01 p.m.

Administrator Cox stated that this is for the addition of a second silo on the site at the corner of Vettleson and W. Capitol Drive near Hwy 83. He stated that the second silo will be the same height as the existing silo but is a smaller quantity. The second silo will use the same scale as the first silo and traffic flow will remain the same. The public hearing was closed at 7:02 p.m.

- b. Consideration of site and building plans

It was stated that there are no site changes proposed.

- c. Consideration of a Motion to recommend approval of a Conditional Use Permit

Administrator Cox stated that the draft Conditional Use Permit Includes twelve potential conditions including volume of truck traffic and hours of operation. Ownership has asked that there be a mechanism in place to allow short term variations from those two items in the event they have an emergency at one of their other facilities so that they can divert traffic. Both of those facilities are quite a distance so what they are hoping for is not only the ability to add extra traffic into the site but also to extend their hours to meet that demand. Administrator Cox suggested the permit include language for the ability for the administrator to vary for those two provisions for one week but anything lasting beyond that would require going through an approval process to allow for a longer but temporary extension.

It was asked whether it was possible that staff was unable to locate a conditional use permit for the property as the use predates the zoning code. Administrator Cox stated that that may be possible but also stated that CUPS were handled in a different way at that time; not drafted and recorded like they are now. It was requested that if granting of the CUP is recommended for approval, it also include the existing site so there is a record of the conditions for the entire facility. Administrator Cox stated that the draft includes conditions related to all operations for the entire site but that an exhibit of the existing site plan could be attached. He stated that the legal description on the draft includes both parcels.

Motion (Fenner/deCourcy-Bower) to recommend to the Village Board approval of the site and building plans and Conditional Use for construction of an additional silo for Illinois Cement Company with additional exhibit as discussed. Carried (7-0).

This item will be placed on the August 28, 2017 Village Board agenda.

3. Architectural Board consideration of plans for a sign for Midwest Twisters, 602 Industrial Ct.

Building Inspector Hussinger recommended that landscaping at the base of the sign be required and stated that the sign must be located at least 15 feet from the right-of-way.

Motion (deCourcy-Bower/Swenson) to approve the sign for Midwest Twisters subject to applicant working with staff to include landscaping at base of sign. Carried (7-0).

4. Architectural Board consideration of plans for a sign for Birch & Banyan Coffee, 150 E. Capitol Dr.

It was stated that BID has approved the proposed sign. Building Inspector Hussinger stated that the sign is supposed to provide 10 feet of clearance between bottom of sign and the walkway but that the Architectural Board can reduce the requirement to 8 feet. Due to the layout of the entrance, staff is not concerned with clearance.

Motion (deCourcy-Bower/Hallquist) to approve the sign for Birch & Banyan Coffee. Carried (7-0).

5. Architectural Board review and consideration of site and building plans for construction of an addition for Nick & Katelyn Gomez, 221 W. Park Ave.

The property owner presented the proposed building plans stating that a new entryway will be added. In addition, the back of the house will be extended and a 24' x 24' garage will be constructed. It was stated that the side setbacks will be approximately 15 feet, meeting the requirement. Building Inspector Hussinger stated that the plan does not meet the minimum street setback requirement but that the Board is allowed to approve as it doesn't create a greater degree of non-conformance than currently exists. It was stated that the porch on the front will be covered. It was clarified that the existing asphalt driveway will be removed. It was noted that the house is not on the historic register for the Village. It was stated that the addition will have vinyl siding; existing siding is wood. The existing roofing material is asphalt shingles with the addition to match.

Motion (Hallquist/Swenson) to approve site and building plans for construction of an addition for Nick & Katelyn Gomez. Carried (7-0).

6. Plan Commission review and consideration of a request for Conditional Use for operation of a Bed & Breakfast for Steven & Elisa Filipp, 450 Park Ct.
  - a. Preliminary consideration of the proposed Conditional Use

Administrator Cox stated that the current zoning code provides that a bed & breakfast is a conditional use in all Village single-family residential districts. For one to operate, the owner must apply to the Plan Commission and Village Board for a conditional use permit to establish whether or not it has a negative impact on the neighborhood and to determine the conditions that the body would put on the proposed operation to ensure that is allowed to operate without negatively affecting the neighborhood.

This use came to the attention of Village staff. The owners were invited to make a request to Plan Commission to continue to operate. The owners stated that they had been testing the market for the last few months and were surprised at the high level of demand. They stated that they would like to continue to operate as they feel there is not much risk and little noise associated with the operation. They stated that there are no meals provided.

Neighbors stated that they did not think that people would be running businesses in their homes in The Sanctuary. Concerns about strangers coming into the neighborhood, increased traffic and safety concerns were raised. Comments were made regarding limited background checks conducted by AirBNB. Neighbors commented that they intentionally opted to build in a small subdivision and did not envision this type of activity.

A representative of the developer stated that the HOA for the development is currently managed by the developer and will be transitioning to a homeowner managed HOA in 2018. She stated that there is nothing in the covenants or bylaws of the development that addresses this type of use.

The property owner stated that they only rent when they are at their residence. They stated that as hosts they have complete control over the situation, use sound judgment in who they rent to and have not experienced any issues with noise or damage. The owners stated that guests are allowed only one car at the property.

Administrator Cox stated that certain home businesses are allowed without any specific approval however, this type of home business requires specific approval. It was stated that the Wisconsin Department of Health and Human Services has specific rules applicable to bed & breakfast operations that the owners would need to comply with.

- b. Motion to set a Public Hearing to be held during the regular Plan Commission meeting on September 18, 2017

Motion (Fenner/Hallquist) to set a Public Hearing to be held at the Plan Commission meeting scheduled for September 18, 2017 at 7:00 p.m. Carried (7-0).

The Plan Commission recessed at 7:44 p.m. and reconvened at 7:46 p.m.

Administrator Cox stated that no conditional use permits issued today for a bed & breakfast. Staff has identified maybe one or two others operating in a way that might meet the definition that the Village currently has for a bed & breakfast. He stated that this may lead to a bigger conversation about the way properties are being rented and used in the Village. Aside from the narrowly defined

language related to bed & breakfasts, the Village code is quiet on short term rental of properties. This may be a topic for further discussion at a future date.

7. Plan Commission and Architectural Board review and consideration of site and landscape plans for Hogger's Pub, 375 Cottonwood Ave.

Administrator Cox stated that the owner could not be at the meeting. Site improvements plan related to outdoor seating and landscape improvements were reviewed. No exterior changes are proposed at this time with the exception of paving of the parking lot. Administrator Cox stated that he has discussed with the owner that the Village doesn't want a barrier but a delineation to assist in identifying the premises for alcohol consumption. It was discussed that perhaps the plantings drawn on the plan in front of the building could continue in a line to the north past the horseshoe pits.

It was requested that a document with all conditions for items approved by the Board for the project over the last several months be compiled.

Plans related to plantings were reviewed. Building Inspector Hussinger suggested that plantings along Pawling Ave. be lower growing due to the presence of overhead power lines. There was discussion of what the expectations are for a landscape plan for a redevelopment project. Concerns were raised that the scale of the plan doesn't appear to be correct as shape of property per GIS does not match the plan. It was stated that the submittal for the records should reference features. It was stated that drainage is not a concern for this property. Administrator Cox stated that he didn't believe that the parking lot paving would take place anytime soon and that the Plan Commission could withhold any permission related to paving of the parking lot at this time.

Motion (deCourcy-Bower/Wenstrom) to table the application until a complete landscape plan drawn to scale is provided including outdoor seating area. Carried (7-0). It was requested that Building Inspector Hussinger and one additional staff member meet with the property owner to discuss with him the Plan Commission's need for a specific plan.

8. Plan Commission and Architectural Board review and consideration of revised site and building plans and the related amendment to a PUD to allow construction of a storage building for Hartland Meadows, 357 Cottonwood Ave.

Property owner Byron Didenko stated that there were concerns about grading and drainage with the location previously approved for the storage building. An alternate location was proposed which is flat, requiring less grading, and will not change drainage.

Motion (Swenson/deCourcy-Bower) to recommend to the Village Board approval of the revised site and building plans and the related amendment to a PUD to allow construction of a storage building for Hartland Meadows. Carried (7-0).

Administrator Cox stated that the Village Board has set the Public Hearing for Monday, Sept. 28.

9. Consideration of the proposed rezoning of the Summit Lake Apartment complex north of Hill Street from RM-3 Condominium Multiple Family District to RM-1 Multiple-Family Residential District to correct a potential error.

Administrator Cox stated that the error was discovered when Village staff was asked to certify that the zoning of the Summit Lake apartment complex met the Village's code. When the map and code were reviewed, the error was found. The zoning map that existed prior to the changes that took place in 2012 when the zoning map was updated called this RM-1 multi-family residential zoning. Staff is asking the Plan Commission to put these properties back into a category that is descriptive of the actual use. It was stated that the Plan Commission would review the rezoning request and make a recommendation to Village Board. It was discussed that the apartments on the north side of Hill Street should be added to the listing of properties to be corrected.

Motion (Fenner/Wenstrom) to recommend to the Village Board the rezoning of the Summit Lake Apartment complex north of Hill Street from RM-3 Condominium Multiple Family District to RM-1 Multiple-Family Residential District including the additional parcels identified. Carried (7-0).

10. Adjourn

Motion (Hallquist/Swenson) to adjourn at 8:23 p.m.

Respectfully submitted,

Darlene Igl  
Village Clerk



VILLAGE OF HARTLAND  
PETITION FOR:



**CONDITIONAL USE**

**With Approval for Location and Plan of Operation**

(REQUIRES 2 PLAN COMMISSION MEETINGS, A PUBLIC HEARING AT THE SECOND PLAN COMMISSION MEETING AND 1 VILLAGE BOARD MEETING)

**FEE: \$150.00 + \$300 Professional Fee Deposit**

Date: 7-10-2017	Fee Paid:
Date Filed: 7-10-2017	Receipt No.

- Name: STEVEN & Elisa Filipp

Address of Owner/Agent: 450 PARK CT  
HARTLAND, WI 53029

Phone Number of Owner/Agent: 608 556 3706

FAX No. \_\_\_\_\_ E-mail divito.filipp@gmail.com
- Give complete legal description of property to be considered. (Attach a separate sheet with description and label sheet "Exhibit A").

LOT 13 IN THE SANCTUARY OF HARTLAND - see ATTACHED.
- State present use of property and intended use. CURRENT: single family residence  
conditional use: Bed & Breakfast rental of lower-level bedrooms (2).  
min. 2 nights, max 14 nights. NO meals provided. only  
rented when owners are home. SAFETY CARDS IN EACH ROOM.  
occupancy tax is collected & PAID. Registry is electronic. MAX 4  
guests.

Signature of Petitioner  
Elisa Filipp

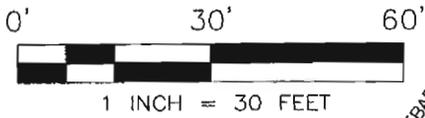
Address  
450 PARK CT, HARTLAND

Phone  
608 556 3706

over 

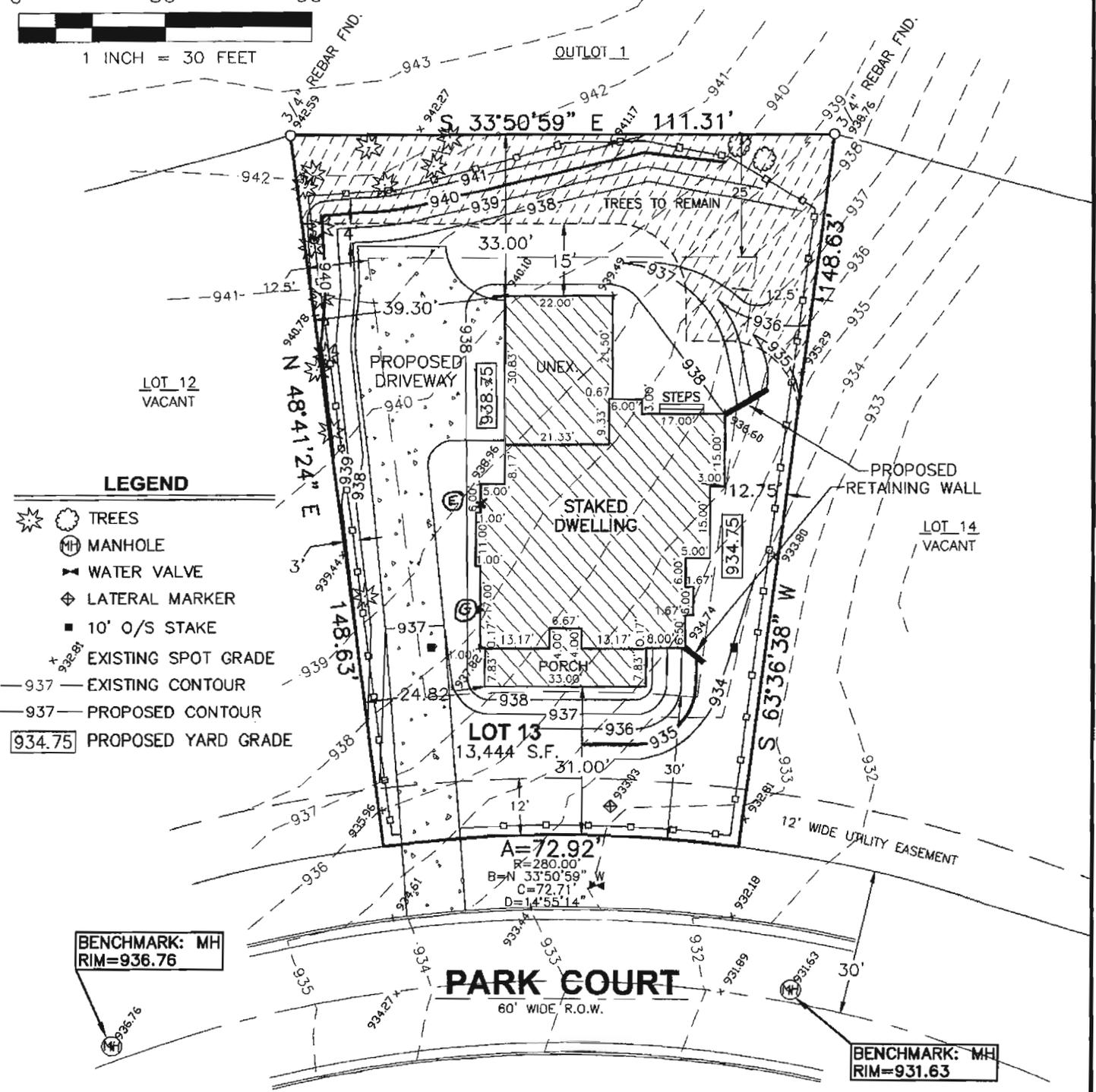
# 450 PARK COURT PLAT OF SURVEY Filipp Job# FIL5452

LEGAL DESCRIPTION: LOT 13, SANCTUARY OF HARTLAND, a subdivision in part of the Northwest ¼, Northeast ¼ and Southwest ¼ of the Northwest ¼ of Section 2, Town 7 North, Range 18 East, in the Village of Hartland, Waukesha County, Wisconsin.



**PROPOSED GRADES PER GRADING PLAN**  
 FINISH YARD GRADE: 938.75/934.75  
 GARAGE FLOOR: 939.08  
 TOP OF WALL: 939.42  
 TOP OF FOOTING: 930.96 (8'-5-1/2" WALL)  
 DRIVE SLOPE=4%

**SETBACK REQUIREMENTS**  
 FRONT YARD = 30'  
 SIDE YARD = 10' (25' TOTAL)  
 REAR YARD = 25'



**LEGEND**

- TREES
- MANHOLE
- WATER VALVE
- LATERAL MARKER
- 10' O/S STAKE
- EXISTING SPOT GRADE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED YARD GRADE

BENCHMARK: MH  
RIM=936.76

BENCHMARK: MH  
RIM=931.63



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 (262) 367-7599

- NOTES:**
- Front lot corners are to be set by developer once sidewalk is installed.
  - Elevations are referenced to development datum.
  - Excavator and mason must verify at least 2 benchmarks shown above.
  - Proposed elevations as shown on this drawing is a suggested grade and should be verified by the owner and/or the builder and approved by the building inspector. Erosion control measures are suggested and must be verified/adjusted by the builder and/or building inspector based on site conditions.

I hereby certify that 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 of all visible structures and dimensions of all principal buildings thereon, boundary fences, apparent easements, roadway 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.  
 Signed: JOHN D. DOWNING, Registered Land Surveyor S-2939

PREPARED FOR: KINGS WAY HOMES, LLC  
 PROJECT NAME: FILIPP  
 DATED 9/2/15  
 JOB #15105

## Occasional Use Permit Application

Steve & Elisa Filipp  
450 Park Court  
Sanctuary of Hartland Neighborhood

Steve and Elisa Filipp are applying for a Bed & Breakfast (B&B) occasional use permit from the Village of Hartland. All requirements for ordinance 46-867 requirements are being met.

- ✓ Bed & Breakfast of four or fewer rooms for rent
- ✓ Single-family residential district
- ✓ Wisconsin HFS 197 health and safety
- ✓ Guest registry
- ✓ Guest occupancy no longer than 14 days
- ✓ Off-street parking
- ✓ Signage (N/A)
- ✓ Address numbering
- ✓ Special gathering prohibited
- ✓ Screening of refuse containers

***Furthermore, The Filipp B&B will have no impact on public safety or home values in the neighborhood and fulfills an unmet lodging need in the Hartland community while contributing to Hartland and Lake Country tourism.***

### **B&B USING ALL REASONABLE MEANS TO MITIGATE PUBLIC SAFETY RISKS**

We take our hosting seriously and are operating responsibly. We are also trustworthy parents and professionals with good judgment. Outlined below is a list of the ways we are reasonably mitigating risk to public safety including our own:

***Bookings only to guests with verified identities.*** To verify your identity on Airbnb, users must upload a government issued-ID. (national ID, driver's license, passport, visa) We do not accept bookings from Airbnb users without a verified identity. (see appendix for details)

***Airbnb conducts background checks.*** Airbnb uses the full name and date of birth of its members to check certain databases of public state and county criminal records, as well as state and national sex offender registries for criminal convictions and sex offender registrations. They also check the [OFAC list](#) (which includes terrorist designations) for all users that transact on the platform. Background checks are conducted by approved background check providers. Airbnb ensures our guests have clean backgrounds. (see appendix for details)

***Hosts communicate and require information from guests.*** Prior to a booking, we communicate with our guests to learn the intent of their visit. After booking and prior to arrival, we communicate our house rules and confirm arrival and check in details.

***Guests are greeted by hosts.*** We arrange to greet our guests upon arrival to get a quick read on their character and to ensure they understand the house rules. As hosts, we have full control over who we let into our home.

**House rules designed to deter unwanted behavior.** All guests when booking must agree to our [house rules](#), which comply with ordinance requirements for noise and safety.

- No smoking
- Not suitable for pets
- No parties or events
- Not safe or suitable for children (0-12 years)
- Check in time is 4PM - 10PM
- Check-out at 11AM
- Shoes off at door.
- Quiet time 11pm to 6am

**Guests are educated, well-traveled, responsible adults.** Our experience and the experience of several other hosts in the Lake Country area has been very positive. Guests are friendly, trusting, and lawful people. Many are highly educated, working professionals who prefer the comforts of private hospitality rather than a cold, run-down hotel room. Typical guests hold these types of job titles - college professor, paralegal, commercial pilot, managing partner, salesperson, product manager, service manager, retirees, supply chain analyst, and realtor.

**Delafield Host (5 star rating):** “As a relatively new Airbnb host myself, I have found the experience to be very positive and have had the opportunity to meet many gracious and courteous guests. I have not had any negative experiences yet as a host, nor have I experienced or heard of any concerns from neighbors.”

**Nashotah Host (5 star rating):** “We are a Waukesha County Licensed Tourist Rooming House. We pay our taxes claiming all income and now Airbnb is collecting and paying additional taxes for the state. We decided to join the sharing community as we have the unused space in our home. We also liked the idea of meeting people, sharing or home. We consider ourselves somewhat of world travelers having lived in Asia, Europe and South America when we were younger.

We have been hosting since June 2012. We have hosted a total of 73 guest stays since then with only one minor issue. A guest wanted to extend their stay but offered us cash and we wanted them to pay via Airbnb so the transaction is recorded. We were unable to accommodate her request as she failed to extend her stay via airbnb in a timely manner and we had to ask her to leave.

We have experienced a fairly diverse group of guests who have been traveling to the Lake Country area for weddings, family reunions, class reunions, grandparents visiting kids and grandkids, business travel and student interns. They all have been very respectful of our home and our house rules. Our guests have been as young as 21 and as mature as a wonderful spite California woman in her upper 80s visiting her sister she had not seen in over 10 years. At least 5 of our guests have returned for multiple visits – grandparents, student intern and a inland lake sailor. Our guests have been worldly, well traveled, and respectful looking for a little different experience than the generic cookie cutter hotel experience.”

**Nightly rate above market average.** We have intentionally set our pricing above market value to target guests that are willing to pay for a quality experience, which we believe to be an indicator of good character.

***Booking requires \$500 security deposit.*** In addition to a higher nightly rate, we also require our guests to agree to a security deposit. Again, this is to target guests who will respect us and our house rules. Guests who agree to this demonstrate good character.

***Hosts are never away overnight while guests stay.*** To ensure the safety of our home and the neighborhood, we do not accept guests when we are away from home overnight. We travel a fair amount both personally and professionally so the number of guest stays is limited throughout the year.

## **B&B DOES NOT POSE FORESEEABLE RISK TO CHILDREN**

Issuing a B&B permit does not pose foreseeable risk to the children or residents in the neighborhood. We are acting in good faith, using reasonable safeguards to operate responsibly. In fact, the level of safeguards (verified identities, background checks, etc.) applied to our guests is much higher than for others who regularly enter the neighborhood, such as babysitters, nannies, lawn service personnel, construction workers, delivery personnel, religious and/or political solicitors and the numerous strangers who walk through our neighborhood every day to reach the village center.

Using the logic that our Airbnb guests pose a risk to the children in the neighborhood would mean that everyone who enters, visits or lives in our neighborhood is a risk as well, including the current residents themselves along with their friends and family. Have all their identities been verified? Have their backgrounds been checked?

***Parents manage all types of risks.*** As parents of young children once ourselves, we know that protecting children is paramount. Yet, blocking one permit or living in a middle class neighborhood doesn't mean all foreseeable risks will be eliminated.

We have lived in Wisconsin for nearly 20 years. Most of those years as residents in a middle class neighborhood in the City of Fitchburg with highly ranked public schools. We lived on a cul-de-sac adjacent to an elementary and middle school. The neighborhood was filled with friendly neighbors and plenty of kids. Yet, there were all types of known and unknown threats to our children's safety in and around the neighborhood, traffic at school drop off/pick up, strangers and older kids playing in the school yard, coaches and families at their extra curricular activities and ultimately the friends they chose as they got older.

As parents, we protected our children by raising them to understand their boundaries, know right from wrong, trust their instincts and hold them accountable for their behavior. Focusing on what we could control paid off as we now have three successful, responsible adult children.

***Hosts are professionals with long careers.*** Both Elisa and Steve hold college degrees and practice good judgement and use reasonable means to minimize risk everyday in their professional lives. Steve has worked in engineering for power and energy companies most of his career. He currently manages large-scale energy management projects in and outside the country. Elisa has had a long career as a marketing leader with global technology companies responsible for strategy and managing multi-million dollar budgets. She's currently the CMO at a nearby manufacturer.

## **B&B WILL HAVE NO FORESEEABLE IMPACT ON HOME VALUES IN NEIGHBORHOOD**

***Hosts are responsible taxpayers with a high valued home in the neighborhood.*** Hosting occasional guests will not impact our home value or the value of homes in the neighborhood. We have added to the home market value of the community by building one of the higher-end homes in the Sanctuary neighborhood in terms of design, size, quality and finishes. Our curb appeal was enhanced by investing in quality hardscaping and landscaping and it is kept well groomed and maintained.

We have received several compliments from Hartland residents and bypassers stating we set the bar high for the neighborhood. We have had random people stop in their cars taking photos of our home and a few designers asked for our home colors and to see our interior design as examples for their clients!

There are no restrictions for occasional B&B use in our Declaration of Restrictions & HOA agreement. Should the HOA board and members agree to change the bylaws, we are protected by the U.S. Constitution's ex post facto law, meaning we cannot be held to new B&B restrictions added to the bylaws.

### ***All applicable taxes are collected and paid directly to state and the local community.***

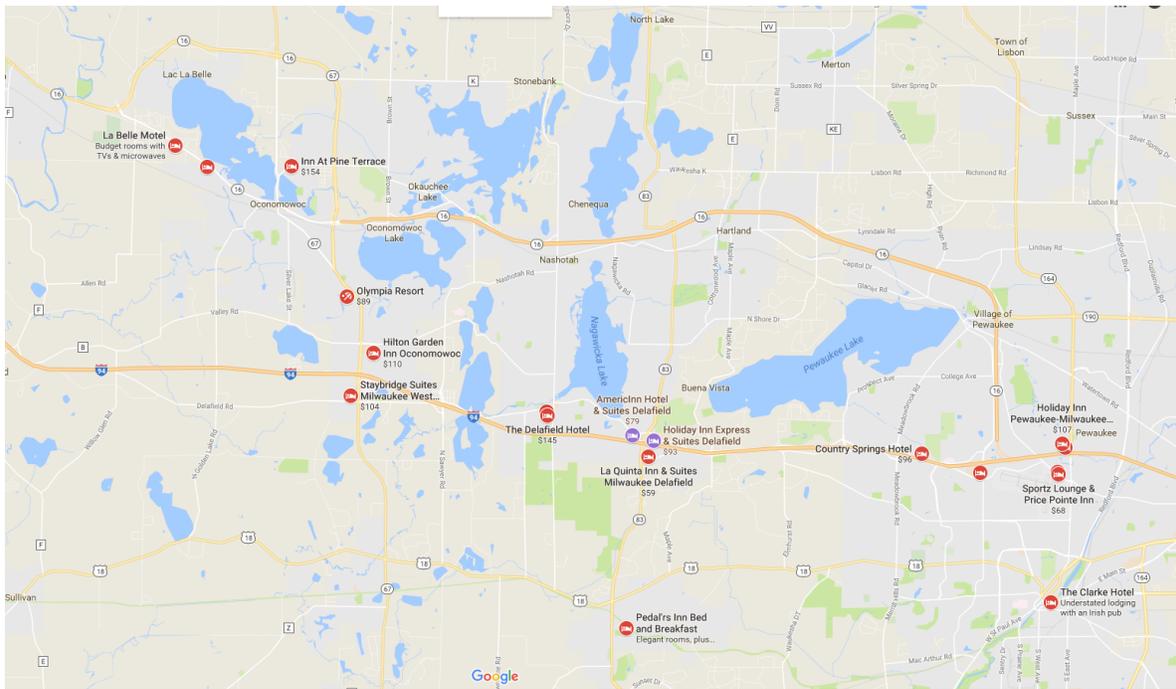
Airbnb [collects and remits](#) the following tax(es) on behalf of Airbnb hosts with listings in Wisconsin State. Wisconsin is one of 21 states who have struck tax collection deals with Airbnb. Our state has 3,300 active hosts in 410 different cities, town and villages who booked 105,000 guest arrivals here last year, up 164% from 2015.

- Sales Tax
- County Taxes
- Local Exposition Tax
- Basic Room Tax
- Additional Room Tax
- Premier Resort Area Tax
- Baseball Stadium Tax

## **B&B FILLS UNMET LODGING NEED TO HARTLAND COMMUNITY**

Issuing us a B&B permit fills an unmet need in the community and provides goodwill for all residents of Hartland. There are several hotels, motels or bed & breakfast establishments in the Lake Country area. As the below map shows, there are hotels in Oconomowoc, Delafield and Pewaukee mostly along the I-94 corridor, however, there is a clear gap in lodging options in and around the Village of Hartland. Therefore, when residents have family or friends visit for graduations, weddings, reunions or special family events, they must stay several miles away. This is inconvenient and often provides a lower quality lodging experience than residents want to recommend to their families. This is especially true for senior citizens.

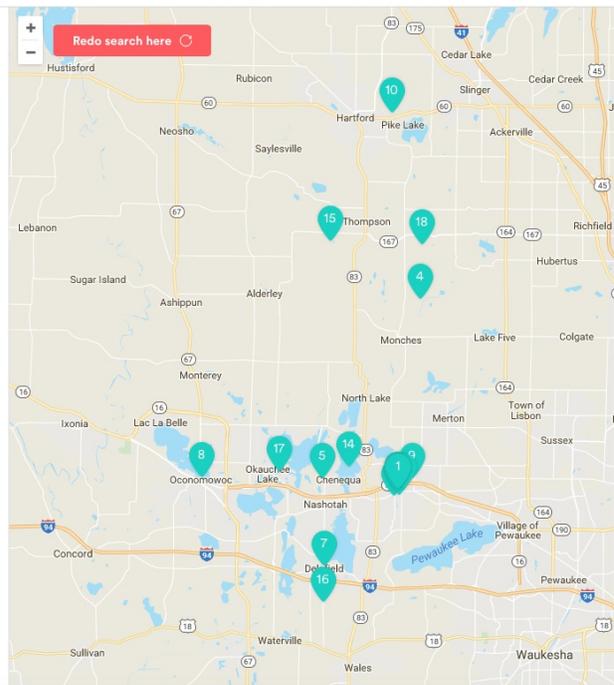
Our B&B is in a custom-designed and built home with high-quality furnishings, which we feel the residents of Hartland would be more comfortable recommending to their family members while visiting Hartland.



## B&B CONTRIBUTES TO HARTLAND AND LAKE COUNTRY TOURISM

When visitors stay in Hartland, B&B hosts highly recommend the restaurants in the village and local points of interest throughout the Lake Country area. The reason that visitors look for lodging in Hartland and the Lake Country area is to participate in local events such as national sports camps, dancing conventions, air shows, hiking the Ice Age Trail and more. Here is a snapshot of Airbnb guidebooks that point guests directly to these local businesses.

<p>#1</p> <p><b>Zesti</b></p> <p>Restaurants Restaurants</p> <p>130 E Capitol Dr · <a href="#">Map</a> · <a href="#">Hours</a> · <a href="#">Website</a></p> <p>3 local Airbnb hosts recommend</p>
<p>#2</p> <p><b>Palmer's Steakhouse</b></p> <p>Bars Bars</p> <p>\$\$\$ · 122 E Capitol Dr · <a href="#">Map</a> · <a href="#">Hours</a> · <a href="#">Website</a></p> <p>2 local Airbnb hosts recommend</p>
<p>#3</p> <p><b>Beer Snobs Ale &amp; Eats</b></p> <p>Bars Bars</p> <p>122 Cottonwood Ave · <a href="#">Map</a> · <a href="#">Hours</a> · <a href="#">Website</a></p> <p>2 local Airbnb hosts recommend</p>



## Appendix

# How does providing identification on Airbnb work?

Verifying some information about guests and hosts on Airbnb helps make our community a safer place for everyone. That's why, in addition to requiring a profile photo, confirmed phone number, and confirmed email address, we'll also ask you to provide an official ID.

- How it works
- When you'll need to provide ID
- What gets shared with your host
- Privacy
- Updating or removing your photos
- Other ways your ID info is used
- About photo matching

### How it works

When you're asked to provide ID, you'll need to:

- Add a profile picture if you don't have one already.
- Take a photo of your government-issued ID (ex: passport, driver's license, national ID, or visa). If you take a photo of your passport, make sure you include the numbers located at the bottom of the page.
- Take a photo of yourself. This needs to be a live photo taken during this process.

The photo you take of yourself must match your photo on your government ID, and your ID must appear to be valid. If your photos don't match, you're under 18, or your ID doesn't appear to be valid, you won't be able to book a reservation on Airbnb. Any reservations you've already booked will be canceled.

Completing this process isn't an endorsement of any host or guest, a guarantee of someone's identity, or that interacting with them will be safe. Always use your own best judgment, and follow our safety tips for guests (</help/article/241>) and hosts (</help/article/231>).

### If you don't have a camera

If you don't have a way to take a photo of yourself, borrow a camera from a friend or try using a webcam at a shared computer, such as a library.

### When you'll need to provide ID

Airbnb may ask you to provide ID for several reasons, including if you plan to book a reservation or if a host requires that a guest provides ID before booking their place.

If a host requires you to provide ID, only the guest making the booking will be required to provide ID, and you'll need to complete the process before your booking is confirmed. If you need to come back later, go to [airbnb.com/verify](https://airbnb.com/verify) and pick up where you left off.

### What gets shared with your host

If you're a guest and you're asked to provide ID, your host will see:

- Your profile name and photo.
- Whether you've successfully completed this process.
- The full name on your government ID and whether you're over or under 25 years old.

If you're asked to take a photo of yourself, that photo won't be shared with hosts. No other personal information you provide or other details from your ID will be shared with your host.

The name on your ID won't replace the name on your profile. Instead, hosts will see both the name you entered on your profile and the name on your ID. The photo you take of yourself to match your ID won't replace your profile picture.

## Privacy

We take privacy seriously. The information you provide during this process is governed by our Privacy Policy ([/terms/privacy\\_policy](/terms/privacy_policy)) and sent to us and our third-party partners using SSL—the same secure encryption that websites use to transmit credit card numbers. Our third-party partners handle this info according to our Privacy Policy.

## Updating or removing your photos

90 days after you complete your most recent booking, you can remove your government ID photo by visiting your Edit Profile (</users/edit>) page. If you remove your ID photo, any upcoming reservations will be canceled.

## Other ways your ID info is used

Where permitted by applicable law, we may also provide information from your government ID, such as your full name and date of birth, to our service providers to run checks against public records for criminal convictions and sex offender registrations. For now, these checks are limited to users in the United States about whom we have adequate identifying information, such as the user's full name and date of birth.

While we believe these checks help us deter fraud and misuse of our services, they don't guarantee that interactions with people who book through Airbnb will be safe or problem-free. Please carefully review our notice about the limitations of background and registered sex offender checks (</help/article/1308>).

## About photo matching

Photo matching may provide some useful info, but no facial matching process is always accurate. The effectiveness of a comparison of facial features can vary greatly based on the skill and judgment of the reviewer, the accuracy of the software used, the quality and resolution of the photos, and whether there are significant changes in a person's appearance between the two photos (ex: change in age, change in weight, different outfit). As a result, this process may sometimes "match" photos that are not in fact of the same person, or fail to match photos that are of the same person. Fraudulent users may circumvent even the most sophisticated and diligent efforts to match photos submitted for comparison.

We don't make any guarantee or representation about the accuracy or effectiveness of photo matching results. You shouldn't rely on completion of the photo matching process as a guarantee of someone's identity, or a guarantee that they're someone you can safely interact with.

# Does Airbnb perform background checks on members?

If we have enough information (usually at least the user's first and last name plus date of birth) to identify a guest or host who lives in the United States, we check certain databases of public state and county criminal records, as well as state and national sex offender registries for criminal convictions and sex offender registrations. If we have enough information (usually at least the user's first and last name plus date of birth) to identify a guest or host who lives outside the United States, we may, to the extent permitted by applicable laws and to the extent available, obtain the local version of background or registered sex offender checks.

We also check the OFAC list (<https://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx>) (which includes terrorist designations) for all users that transact on the platform. Background checks are conducted for us by our approved background check providers.

Although background checks may help identify past criminal conduct where records are available, background checks don't always identify a person's past crimes or other red flags, they are never a guarantee that a person won't break the law in the future. Due to the way certain databases are maintained, there may be gaps in the coverage provided by public records searches, and the online databases may be only updated periodically by local governments which we do not control or direct. Results of these database checks may not reveal or include include recent criminal record activity.

No background check should ever be relied upon as the sole indicator of suitability. You should always exercise your own judgment about whom to interact with and follow other sensible safety tips.

## How does Airbnb conduct background checks?

As discussed above, we currently check certain databases of public state and county criminal records, as well as state and national sex offender registries on U.S.-based guests and hosts where we have at least an accurate first and last name plus date of birth. If we have that information, we submit it to one of our approved background check providers, which checks the user's identity against public records of convictions and sex offender registries.

If we have enough information (usually at least the user's first and last name plus date of birth, and government-issued ID number where applicable) to identify a guest or host who lives outside the United States, we may, to the extent permitted by applicable laws and to the extent available, obtain the local version of background or registered sex offender checks. To the extent we do this outside the United States, we will use one of our approved vendors, which checks the user's identity against available local databases.

We also check the OFAC list (<https://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx>) (which includes terrorist designations) for all users that transact on the platform.

## What are some of the limitations of these background checks?

Although background checks may help us identify past criminal conduct where records are available, they have several limitations, and do not guarantee that all past criminal conduct has been identified or that a person won't break the law in the future. For example:

### **A. The scope of our search is limited**

We only run these checks on U.S.-based guests and hosts when we have at least the user's first and last name plus date of birth. We do not have these identifiers for all hosts and guests and therefore cannot guarantee that we have conducted a check on every host or guest. In addition, we are not conducting these checks on additional guests staying with the guest who books an accommodation. In this case, only the guest who books that accommodation will be checked as part of that booking, when we have the necessary information.

Even where we have the necessary information, these checks only work where the users have accurately given us their full, correct legal name and date of birth. Likewise, we cannot guarantee that users who provided us full information gave us information that is accurate or belongs to them.

While we aim to refresh these checks periodically for active users, we may conduct these checks only once per user, and a check may have been conducted months before your interaction with the user.

In addition, for users who live in the United States, we do not always check every state and county courthouse records and other criminal registries or other public databases (such as but not limited to Moving Violation Reports (MVRs) and Driving Records). It's important to know that the criminal record information searched and reported for each type of check varies by state, and sometimes county, due to variations in state laws and state and county criminal record reporting systems.

Lastly, because of differences in foreign laws, language, and the manner in which foreign records are maintained and reported, we may not run background checks on users located outside the United States, and even if we do, the scope and accuracy of coverage may vary.

#### **B. Search results may be incomplete**

The databases we check are not necessarily complete, and may not include records of prior criminal conduct. For example, not all criminal records are public in all states, not all criminal records are captured by the databases we check, and convictions and records of crimes committed outside the country where the background check is conducted may not be included. Also, as determined by applicable law, public records databases may be limited to records of conduct that took place a certain number of years prior to the date of the check (for example, the prior seven years in certain U.S. states). We cannot guarantee that the limited background checks we conduct will identify all past criminal convictions or sex offender registrations by a guest or host. Therefore, you should not rely on another user's completion of a background check as a guarantee that the user has no criminal background or other red flags.

Finally, criminals may circumvent even the most sophisticated database or search technology.

#### **C. Search results do not guarantee safety**

In sum, while we hope these user vetting tools will be useful to help protect our community, they don't always identify a person's past crimes or other red flags, cannot guarantee that a person won't break the law in the future, and are never a guarantee of safety or that a host or guest who has completed a background check is safe or safer than any unknown person you may meet in any other way.

You should also not rely on background checks as a replacement for exercising your own judgment about whom to interact with or as a replacement for following sensible safety tips.

#### **What are the crimes for which you remove users from the platform?**

We will remove users if our checks show convictions for the following:

- A violent crime
- Certain sexual offenses, including serious sex offenses and prostitution
- Felony drug-related offense
- Certain fraud and dishonesty offenses, including identity theft
- Certain theft offenses
- Offenses involving certain types of property damage
- Certain invasion of privacy offenses

#### **What safety tips should I follow when interacting with a host or guest?**

- Get to know your host or guest when confirming - and before the start of - their trip or experience via our Platform. We provide various tools to enable you to do so, including reviews from other members, Verified ID or other identity process, on-platform member messaging that lets you message the host or guest while anonymizing your real email address for additional privacy and account security, and reservation requirements that hosts can set for their guests.
- Protect your finances by paying only through Airbnb's secure payments platform and by protecting the

**From:** [Scott Hussinger](#)  
**To:** [Darlene Igl](#)  
**Cc:** [David Cox](#)  
**Subject:** FW: Airbnb discussion conditional use permit  
**Date:** Tuesday, September 12, 2017 9:01:27 AM

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Darlene – Please include this in the PC packet. Thanks. Scott.

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**From:** King, Gordy [mailto:gking@nebat.com]  
**Sent:** Monday, September 11, 2017 1:52 PM  
**To:** Scott Hussinger  
**Cc:** David Cox; Jayne  
**Subject:** Airbnb discussion conditional use permit

Scott, I write this email in advance of the Hartland Village Board meeting on the 18<sup>th</sup> to provide you notice of my thoughts on the application for a conditional use permit for the Airbnb located at 450 Park Court . My wife and I will be in attendance at the meeting.

My wife Jayne and I are building a new home in the Sanctuary in Hartland. We purchased the lot in May of 2017, starting building in July and expect the home to be completed in March of 2018.

Throughout the purchase and building process we were not told by the listing broker nor the lot owner that an Airbnb was being operated in the subdivision. (not sure they knew). But this is something that I would think many buyers would like to know, and quite frankly may have changed our decision to purchase and build.

The first time we heard about this issue was when the developer of the property informed the home owners that a request was being considered for a use permit and that it would be discussed at the Architectural meeting for the Village in mid-August. At the meeting I commented on my concerns regarding this type of activity in the subdivision, thus I will not go into a full recap all of the comments I made in this email other than to say that my wife and I are absolutely opposed to the operation of this endeavor in the subdivision . I have done some investigating into this issue and believe all of the true facts have not been properly heard. I have come to learn that this home was originally designed to house this type of business. It has a separate entrance allowing “renters” to come and go without the owners knowledge. It further does not offer any food services which technically does not make it a B&B but a boarding house with daily tenants. In addition they did not seek prior approval by any authority to operate this business nor told anyone until the next door owner took notice.

I worry that an approval of this conditional use permit will cause issue’s within the subdivision. Already people are talking and taking sides. Not a good way to start out with new neighbors. I am hesitant to speak again in public as the owners of the residence in question have already snubbed several other residents because of the comments against the Airbnb. I have not even moved in yet and already I have to face a conflict with a direct neighbor.

I urge you to **NOT** approve the use permit and restore the neighborhood to its original intended purpose.

Please reach out to me if you would like to discuss.

Gordy

Cell 414 530 -8397

Gordy King Chief Credit Officer - National Exchange Bank & Trust

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LAKSHMI BALAKRISHNAN  
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HARTLAND WI 53029

CHRISTOPHER ANDREW TUMP  
CAREY JEAN TUMP  
446 PARK CT  
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CLAUDIA L MILLOT  
511 E CAPITOL DR  
HARTLAND WI 53029

DAVID BISCHMANN  
HEIDI BISCHMANN  
205 WOODLANDS CT  
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DAVID T DECOURCY-BOWER  
LAURIE J DECOURCY-BOWER  
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GREGORY D MCQUESTION AND KAREN  
J MCQUESTION LIVING TRUST  
214 GRANARY CIR  
HARTLAND WI 53029-2456

HELEN JONES 2001 LIVING TRUST  
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JOHN P BOJAR  
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MILLER MARRIOTT CONSTRUCTION CO  
C/O CHRISTOPHER M MILLER  
301 PAWLING AVE  
HARTLAND WI 53029-2039

PETER J VAN ERMEN REVOCABLE  
RESIDENCE TRUST  
203 WOODLANDS CT  
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RANDY B NEWMAN  
KELLY L.M. NEWMAN  
911 MANCHESTER CT  
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ROBERT WEIKERT  
PAULA WEIKERT  
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STEVEN J FILIPP  
ELISA D FILIPP  
450 PARK CT  
HARTLAND WI 53029-3000

TARA L LESNIAK  
521 E CAPITOL RD  
HARTLAND WI 53029

WILLIAM P MCDEVITT  
MARY C MCDEVITT  
W289N3206 LOST CREEK CT  
PEWAUKEE WI 53072-3301

CONDITIONAL USE PERMIT  
**[Bed and Breakfast Establishment  
450 Park Court]**  
Document Title

Document Number

THIS CONDITIONAL USE PERMIT is hereby granted this 25<sup>th</sup> day of September, 2017, by the Village of Hartland (hereinafter Village) to Steven J and Elisa D Filipp, owners (collectively hereinafter “Grantee”), for the operation of a **bed and breakfast establishment** at the property located at 450 Park Court.

RECITALS

**WHEREAS**, Grantee has applied for a conditional use permit (the “CUP”) pursuant to Sections 46-847 of the Village of Hartland Code of Ordinances for the operation of a bed and breakfast establishment at the property located at 450 Park Court, Hartland, Wisconsin, (the “Property”) more specifically described as:

**Tax Key No. HAV 0726146**

**Legal Description: Lot 13 of the Sanctuary of Hartland subdivision and an undivided interest in Outlots 1, 3, 4 and 6 all part of the Northwest Quarter, the Northeast Quarter and the Southwest Quarter of the Northwest Quarter of Section 2, Township 7 North, Range 18 East in the Village of Hartland, Waukesha County, Wisconsin.**

**Owned by Steven J and Elisa D Filipp  
450 Park Court  
Hartland WI 53029**

Recording Area

**Drafted By and Return Address**  
David Cox  
Village of Hartland  
210 Cottonwood Ave.  
Hartland, WI 53029

Parcel Identification Number

HAV 0726146

**WHEREAS**, the Property is located in the RS-4 Zoning District; and

**WHEREAS**, Section 46-294 of the Village of Hartland Code of Ordinances provides that bed and breakfast establishments in the RS-4 Zoning District are conditional uses; and

**WHEREAS**, Applicant has submitted all information as required under Section 46-847 of the Village of Hartland Code of Ordinances and the Plan of Operation for the existing and expanded facility along with any clarifications attached hereto as Exhibit A; and

**WHEREAS**, the Village Plan Commission reviewed the subject CUP application and Plan of Operation for the existing and expanded facility and held a Public Hearing on September 18, 2017 pursuant to Section 46-848 of the Village of Hartland Code of Ordinances and

recommended the following conditions of approval necessary to fulfill the purpose and intent of the Village Code of Ordinances:

1. Operation of the bed and breakfast establishment use consistent with the applicant's submissions and statements at public meetings except as modified by this Conditional Use Permit or directives of the Plan Commission or Village Board,
2. Operation of the bed and breakfast establishment shall remain at all times compliant with State and local regulations,
3. Operation of the bed and breakfast establishment shall remain secondary to and is conditioned upon occupancy of the residential structure by the Grantee,
4. Off street parking shall include not less than four spaces as defined in the Village Code including two spaces inside the residential garage on the site and two spaces on the driveway for the property,
5. No on street parking shall be allowed in connection with this Conditional Use Permit,
6. Within 45 days of the initial issuance of this Conditional Use Permit, screening between the required off street parking spaces and adjacent residential uses consisting of a solid fence not less than six (6) feet in height or comparable materials or products that will achieve the same level of screening shall be installed and maintained,
7. Any outdoor uses by occupants of the property shall be quiet after 10:00pm and no outdoor uses after 12:00am,
8. Use of the two lower level rooms for temporary occupancy with a maximum number of guests of four (4),
9. Use of the bed and breakfast establishment for special gatherings or uses other than the lodging of guests is prohibited,
10. Timely payment by the Grantee of all applicable taxes and fees to the appropriate body,
11. Meet and maintain compliance with all requirements of the Village Code including, but not limited to, maintenance of a registry and maximum stay lengths of 14 days,
12. Signage on the site may only be added upon Plan Commission/Architectural Board review and approval,
13. Refuse and recycling services shall be provided to guests of the bed and breakfast establishment and containers for the collection of this material shall be contained inside of a structure or otherwise screened from public view,
14. OTHER PLAN COMMISSION CONDITIONS; and

**WHEREAS**, the Village Board of Trustees has considered the Plan Commission's recommendations and has determined that the proposed conditional use is in accordance with the purpose and intent of Chapter 46 of the Village Code of Ordinances and is found to be not hazardous, harmful, offensive or otherwise adverse to the environment or the value of the neighborhood or the community.

**NOW THEREFORE**, the Village Board of Trustees hereby approves the issuance of this conditional use permit to Steven J and Elisa D Filipp, 450 Park Court, Hartland, Wisconsin, 53029 for the operation of a bed and breakfast establishment at the Property, which conditional use permit shall be subject to the following conditions:

1. The conditional use permit granted hereunder is for the sole benefit of Steven J and Elisa D Filipp.

2. The business activities permitted hereunder are limited to the bed and breakfast establishment.
3. All business activities conducted on the Property shall conform to this CUP and the approved Plan of Operation and the Village of Hartland Code of Ordinances. The approved Plan of Operation is attached hereto and incorporated herein.
4. The foregoing recommended conditions of the Plan Commission are hereby included by reference as if set forth herein.
5. Changes subsequent to the initial issuance of this CUP shall require an amendment to this CUP.
6. This CUP shall terminate upon the occurrence of any of the following:
  - a. Upon Grantee failing to conduct business at the Property in substantial conformity with this CUP or the approved Plan of Operation; or
  - b. Upon the cessation of the operations permitted under this CUP; or
  - c. Upon revocation in accordance with the Village Code.
  - d. Failure by the Grantee to make application to the Village for the required annual review not less than 60 days prior to the anniversary of the initial issuance of the CUP.
7. The operation of the bed and breakfast establishment shall be reviewed by the Village at least annually by the anniversary date of the initial issuance to ascertain whether all conditions of this Conditional Use Permit are being met.
8. Notwithstanding the forgoing, this CUP is issued to Steven J and Elisa D Filipp and shall not be transferable to another party or location and shall expire or terminate as indicated above in paragraph 6 including cessation of operation by Steven J and Elisa D Filipp.

This conditional use permit is hereby issued this 25<sup>th</sup> day of September, 2017 subject to the conditions provided herein.

**VILLAGE OF HARTLAND**

\_\_\_\_\_  
Jeffery Pfannerstill, Village President

[VILLAGE SEAL]

\_\_\_\_\_  
Darlene Igl, MMC/WCPC, Village Clerk

EXHIBIT A

PLAN OF OPERATION AND CLARIFICATIONS