

AGENDA

**City of Whitewater, Board of Zoning Appeals Meeting
On September 25, 2014
6:00 p.m., Community room
Whitewater Municipal Building
Whitewater WI**

1. Call to order and roll call.
2. Secretary presents the first case to be heard:
 - a. First English Lutheran Church, 123 S. Church Street and 413-417 W. Main Street (Tax Parcel #'s /OT 00042, /OT 00043, /OT 00044, & /OT 00045), variance to Section 19.21.060 which requires a garage in the side or rear yard area to be a minimum of five feet from a property line, to allow placement of a detached garage at its closest point to be 3.6 feet from a property line. The applicant wants to remove two existing garages which pose a safety concern and build a detached garage (40' x 26') set back from the alley.
3. Open public hearing and provide general description of hearing procedures.
4. Presentation by applicant.
5. Statement by Neighborhood Services Director.
6. Comments by any member of the public wishing to speak and a description by the Chairperson of any written submissions from the public that will be received into the record.
7. Provide applicant a response opportunity.
8. Board deliberations of case in open session and Board issues a decision and oral findings supporting the decision on variance request.
A written decision and written findings will be issued on a later date.
9. Secretary presents the second case to be heard:
 - b. Shawn and Brenda Hagedorn, 1247 W. Peninsula Lane, (Tax Parcel # 05-15-31-41-063), variance to Section 19.18.060(C) which requires a rear yard setback of 30 feet to allow for a 25 foot rear yard setback to replace the current deck with an addition of a four season porch.
10. Open public hearing and provide general description of hearing procedures.

11. Presentation by applicant.
12. Statement by Neighborhood Services Director.
13. Comments by any member of the public wishing to speak and a description by the Chairperson of any written submissions from the public that will be received into the record.
14. Provide applicant a response opportunity.
15. Board deliberations of case in open session and Board issues a decision and oral findings supporting the decision on variance request.
A written decision and written findings will be issued on a later date.
16. Secretary presents the third case to be heard:
 - c. Michael W. Foelker, 223 S. Dann Street (Tax Parcel # /ES 00031), variance to Section 19.27.020(GG) which requires existing residential properties in the B-1 Zoning District to be regulated by R-2 dimensional standards; and the R-2 (One and two family) Zoning District 19.18.060(C) which requires a rear yard setback of 30 feet, to allow for a 15 foot rear yard setback for the 223 S. Dann Street property for the rear property line to line up with the existing property line of 515 E. Milwaukee Street property (for the sale of the back of the 223 S. Dann Street property).
17. Open public hearing and provide general description of hearing procedures.
18. Presentation by applicant.
19. Statement by Neighborhood Services Director.
20. Comments by any member of the public wishing to speak and a description by the Chairperson of any written submissions from the public that will be received into the record.
21. Provide applicant a response opportunity.
22. Board deliberations of case in open session and Board issues a decision and oral findings supporting the decision on variance request.
A written decision and written findings will be issued on a later date
23. Adjourn.

PUBLISH IN WHITEWATER REGISTER ON SEPTEMBER 4, 2014 AND
SEPTEMBER 11, 2014

NOTICE OF ZONING HEARING

TO ALL CONCERNED:

A public hearing will be held by the Board of Zoning Appeals of the City of Whitewater on September 25, 2014 at 6:00 p.m. in the Whitewater Municipal Building Community Room, 312 W. Whitewater Street, Whitewater, Wisconsin.

Applicant: First English Lutheran Church

Property Location: 123 S. Church St, 413-417 W. Main Street (Tax Parcel #'s:/OT 00042, /OT 00043, /OT 00044, /OT 00045)

Applicable Code: 19.21.060 requires a garage in side or rear yard area to be a minimum of five feet from a property line.

Variance Requested: To allow placement of a new garage at its closest point to be 3.6 feet from a property line.

Reason for Request: To remove the two existing garages which pose a safety concern and build a detached garage (40' x 26') set back from the alley.

This notice is being mailed to owners of record within 300 feet of the property in question, to the City Planner and the Plan Commission in accordance with Section 19 of the Code of Ordinances. THE PROPOSAL FILED BY THE OWNER IS NOW OPEN TO PUBLIC INSPECTION AT THE OFFICE OF THE CITY PLANNER DURING NORMAL BUSINESS HOURS (Monday – Friday 8:00 a.m. to 5:00 p.m.)

BOARD OF ZONING APPEALS

Michele Smith, Secretary, BZA
By: Jane Wegner, Neighborhood Services Administrative Asst.

Dated: August 29, 2014

TaxKey	Owner1	Owner2	Address1	City	State	Zip
/A382500001	MEISNER ENTERPRISES LLC		N7549 W LAKESHORE DR	WHITEWATER	WI	53190-0000
/A382500002	FIRST ENGLISH LUTHERAN CHURCH WHITEWATER		401 W. MAIN ST	WHITEWATER	WI	53190-0000
/CL 00004	CS WHITEWATER RENTALS LLC		505 MEADOWVIEW LN	JOHNSON CREEK	WI	53038-9485
/CLA 00001	SUZANNE L POPKE	ROBERT P SIEMANN	PO BOX 333	WHITEWATER	WI	53190-0000
/OT 00035	MITCHELL J SIMON		304 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00036	FW PROPERTIES LLC		328 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00037	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00038	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00040	FIRST EVANGELICAL LUTHERAN CHURCH		401 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00041	FIRST EVANGELICAL LUTHERAN CHURCH		401 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00042	FIRST ENGLISH LUTHERAN CHURCH		401 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00043	FIRST ENGLISH LUTHERAN CHURCH		401 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00044	FIRST EVANGELICAL LUTHERAN CHURCH		401 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00044A	KACHEL 429 WEST MAIN LLC		PO BOX 239	WHITEWATER	WI	53190-0000
/OT 00045	FIRST ENGLISH LUTHERAN CHURCH		401 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00049	THOMAS L VAUGHN	DONNA R VAUGHN	317 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00050	MAIN STREET WHITEWATER LLC		W9597 BREIDSAN HILL DR	WHITEWATER	WI	53190-0000
/OT 00051	BLGL LLC		1691 MOUNDVIEW PL	WHITEWATER	WI	53190-0000
/OT 00052	MICHAEL P MAHONEY	MARY M MAHONEY	119 S 4TH ST	WHITEWATER	WI	53190-0000
/OT 00088	CENTER STREET RENTALS LLC		W9597 BREIDSAN HILL DR	WHITEWATER	WI	53190-0000
/OT 00089	CENTER STREET RENTALS LLC		W9597 BREIDSAN HILL DR	WHITEWATER	WI	53190-0000
/OT 00090	JAMES D UHRICH	BRADLEY D LOWREY	PO BOX 233	WHITEWATER	WI	53190-0000
/OT 00091	LADWIG & VOS INC		140 LONGMEADOW DR	BURLINGTON	WI	53105-0000
/OT 00092	FIRST ENGLISH LUTHERAN CHURCH		401 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00093	STARIN PRINCE RENTALS LLC		W9597 BREIDSAN HILLS DR	WHITEWATER	WI	53190-0000
/OT 00093A	LADWIG & VOS INC		140 LONGMEADOW DR	BURLINGTON	WI	53105-0000
/OT 00094	JOSHUA D BILHORN	OPALA C BILHORN	282 NORTHSIDE DR	MILTON	WI	53563-0000
/OT 00095	JOSHUA D BILHORN	OPALA C BILHORN	282 NORTHSIDE DR	MILTON	WI	53563-0000
/OT 00096	JOSHUA D BILHORN	OPALA C BILHORN	282 NORTHSIDE DR	MILTON	WI	53563-0000
/OT 00100	JOSHUA D BILHORN	OPALA C BILHORN	282 NORTHSIDE DR	MILTON	WI	53563-0000
/OT 00102	FIRST ENGLISH LUTHERAN CHURCH		401 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00109	BRIAN JON BUHROW		424 W CENTER ST	WHITEWATER	WI	53190-0000
/OT 00110	RLA PROPERTIES LLC		PO BOX 511	MCFARLAND	WI	53558-0000
/OT 00111	D&R PARTNERSHIP LLC		PO BOX 266	WHITEWATER	WI	53190-0000
/OT 00112	GREGORY J PORCARO	SHARON A PORCARO	430 W CENTER ST	WHITEWATER	WI	53190-0000
/TA 00001	BLGL LLC		1691 MOUNDVIEW PL	WHITEWATER	WI	53190-0000
/WUP 00091	JAMES L DISRUDE	KATHRYN J CASEY	326 W NORTH ST	WHITEWATER	WI	53190-0000
/WUP 00092	BRIAN W VEALE		330 W. NORTH ST	WHITEWATER	WI	53190-0000
/WUP 00093	LAMBDA IOTA ZETA HOUSE CORP OF LAMBDA CHI ALPHA FRATERNITY	C/O ROBERT HAZOD	13525 W CRAWFORD DR	NEW BERLIN	WI	53151-5307
/WUP 00094	FAIRHAVEN CORPORATION		435 STARIN RD	WHITEWATER	WI	53190-0000
/WUP 00094A	FAIRHAVEN FOUNDATION INC		435 W. STARIN RD.	WHITEWATER	WI	53190-0000
/WUP 00095	FAIRHAVEN CORPORATION		435 W STARIN RD	WHITEWATER	WI	53190-0000
/WUP 00096	DAVID C WILLIAMS	MARTIN W HARRISON	452 W. MAIN ST	WHITEWATER	WI	53190-0000
/WUP 00244	MERCY HOSPITAL OF JANESVILLE	C/O VICE PRESIDENT OF FINANCE	1000 MINERAL POINT AVENUE	JANESVILLE	WI	53545-0000
/WUP 00245	LADWIG & VOS INC		140 LONGMEADOW DR	BURLINGTON	WI	53105-0000
/WUP 00246	CONGREGATIONAL CHURCH		130 S. CHURCH ST	WHITEWATER	WI	53190-0000
/WUP 00247	CONGREGATIONAL CHURCH		130 S. CHURCH ST	WHITEWATER	WI	53190-0000

/WUP 00251	DLK FARM SERVICE INC		P. O. BOX 239	WHITEWATER	WI	53190-0000
/WUP 00252	CHURCH	C/O ST JOHN'S EVANGELICAL	LUTHERAN CHURCH,116 S. CHURC	WHITEWATER	WI	53190-0000
/WUP 00253	ST LUKES EPISCOPAL RECTORY		146 S. CHURCH ST.	WHITEWATER	WI	53190-0000
/WUP 00254	CHURCH	C/O ST LUKE'S EPISCOPAL	146 S. CHURCH ST	WHITEWATER	WI	53190-0000

NOTICE: The Board of Zoning Appeal meetings are scheduled on the 4th Thursday of the month. All complete plans must be in by 9:00 a.m. Monday prior to the 1st Thursday of the month. If not, the item will be placed on the next available Board of Zoning Appeals meeting.

CITY OF WHITEWATER
BOARD OF ZONING APPEALS APPLICATION PROCEDURE

1. File the application with the Code Enforcement Director's Office at least four weeks prior to the meeting. \$200.00 fee. Filed on 8-11-14.
2. Class 2 Notice published in Official Newspaper on 9-4-14 and 9-11-14. The last publication to be at least 10 days prior to the meeting.
3. Notices of the Public Hearing mailed to property owners within 300 feet of the property involved in the application on 9-11-14.
4. Board of Zoning Appeals holds the PUBLIC HEARING on 9-25-14. They will hear comments of the Petitioner and comments of property owners. Comments may be made in person or in writing.
5. At the conclusion of the Public Hearing, the Board of Zoning Appeals goes into closed session not to reconvene. Notification of the decision in writing to appellant, news media, etc. will follow.

PLEASE COMPLETE THE FOLLOWING APPLICATION.

Refer to Chapter 19.72 of the City of Whitewater Municipal Code of _____ Ordinances, entitled BOARD OF ZONING APPEALS, for more information on the application.

CITY OF WHITEWATER SITE PLAN SUBMITTAL REQUIREMENTS

1. **Site Plan**, including the location and dimensions of all buildings, parking, loading, vehicle and pedestrian circulation, signs, walls, fences, other structures, outdoor storage areas, mechanicals, and dumpsters. Adjacent streets and uses and methods for screening parking, loading, storage, mechanical, and dumpster areas should be shown. Statistics on lot area, green space percentage, and housing density should be provided. The Plan Commission encourages compliance with its adopted parking lot curbing policy.
2. **Natural Features Inventory Map**, showing the existing limits of all water bodies, wetlands, floodplains, existing trees with trunks more than 4 inches in diameter, and any other exceptional natural resource features on all or part of the site.
3. **Landscape Plan**, prepared by a professional, and showing an overhead view of all proposed landscaping and existing landscaping to remain. The species, size at time of planting, and mature size should be indicated for all plantings. Areas to be left in green space should be clearly delineated. The Plan Commission encourages compliance with its adopted landscaping guidelines, available from the Zoning Department.
4. **Grading and drainage plan**, meeting the City's stormwater management ordinance if required. The plan should show existing and proposed surface elevations on the site at two foot intervals or less, and proposed stormwater management improvements, such as detention/retention facilities where required. Stormwater calculations may be required.
5. **Utilities plan**, showing locations and sizes of existing and proposed connections to sanitary sewer, water, and storm sewer lines, along with required easements. Sampling manholes may be required for sanitary sewer. The City's noise ordinance must be met.
6. **Building elevations**, showing the dimensions, colors, and materials used on all sides of the building. The Plan Commission encourages variety and creativity in building colors and architectural styles, while respecting the character of the surrounding neighborhood.
7. **Sign plan**, meeting the City's sign ordinance, and showing the location, height, dimensions, color, materials, lighting and copy area of all signage.
8. **Lighting plan**, meeting the City's lighting ordinance, and showing the location, height, type, orientation, and power of all proposed outdoor lighting—both on poles and on buildings. Cut sheets and photometric plans may be required for larger projects.

Twenty complete sets of all plans should be submitted. All plans should be drawn to a scale of not less than 50 feet to the inch; represent actual existing and proposed site conditions in detail; and indicate the name, address, and phone number of the applicant, land owner, architect, engineer, landscape designer, contractor, or others responsible for preparation. It is often possible and desirable to include two or more of the above 8 plans on one map. The Zoning Administrator or Plan and Architectural Review Commission may request more information, or may reduce the submittal requirements. If any of the above 8 plans is not submitted, the applicant should provide a written explanation of why it is not submitted.

**TO: THOSE REQUESTING A VARIANCE OF ZONING
REQUIREMENTS**

FROM: THE BOARD OF ZONING APPEALS

THINGS YOU WILL HAVE TO PROVE TO BE GRANTED A VARIANCE

The Board of Zoning Appeals has the power *"to hear and grant applications for variances as will not be contrary to the public interest where, owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit and purposes of the ordinance shall be observed and the public safety, welfare and justice secured."* USE
VARIANCES WILL NOT BE GRANTED.

Findings prerequisite to granting of a variance

No variance to the provisions of this title shall be granted by the Board unless it finds beyond a reasonable doubt that ALL of the following facts and conditions exist, and so indicates in the minutes of its proceedings:

- A. The particular physical surroundings, shape, or topographical conditions of the specific property involved would result in a practical hardship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out;**
- B. The conditions upon which the application for a variance is based would not be applicable generally to other property within the same zoning classification;**
- C. The purpose of the variance is not based exclusively upon a desire for economic or other material gain by the applicant or owner;**

- D. The proposed variance will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.**

Please consider the above items in presenting your oral testimony, for a lack of such testimony may result in denial of the variance.

All questions in the application must be answered.

CITY OF WHITEWATER
APPLICATION FOR VARIANCE

IDENTIFICATION AND INFORMATION ON APPLICANT(S)

Applicant's Name: First English Lutheran Church

Applicant's Mailing Address 401 W. Main Street; Whitewater, WI 53190

Owner of Property Site as of date of application, according to current property tax records: _____

First English Lutheran Church

Street Address of Property (if vacant land, describe in detail the property location): 123 S. Church Street; 413/417 W. Main Street

Legal Description of Property (Name of Subdivision, Block and Lot, or other legal description): _____

See attached

Agent or Representative Assisting in the Application (Engineer, Architect, Attorney, Etc.)

Name James Leedom, Project Engineer Firm The Sigma Group, Inc.

Office Address 1300 W. Canal Street; Milwaukee, WI 53233

Contractor Strand Builders & W.N. Yess Construction

EXISTING AND PROPOSED USES

Current Principal Use: Troop shop / Parish house

Accessory or Secondary Uses: Parking / Garage Storage

Proposed Use (Describe need for Variance): Proposed Use: Same as above
Need variance for building setbacks for new garage
structure proposed.

Have you been granted any variances in the past, on any properties, whether fully or partially owned by you.

_____ Yes _____ No

If YES, list addresses of those properties and whether the requirements of the variance granted have been completed.

None known

PLANS TO ACCOMPANY APPLICATION

Applications for permits shall be accompanied by drawings of the proposed work, drawn to scale, showing, when necessary, floor plans, sections, elevations, structural details, computations and stress diagrams as the building inspector may require.

PLOT PLAN

When required by the building inspector, there shall be submitted a plot plan in a form and size designated by the building official for filing permanently with the permit record, drawn to scale, with all dimension figures, showing accurately the size and exact location of all proposed new construction and its relationship to other existing or proposed buildings or structures on the same lot, and other buildings or structures on adjoining property, within 15 feet of the property lines. In the case of demolition, the plot plan shall show the buildings or structures to be demolished and the buildings or structures on the same lot that are to remain.

Zoning District in which the property is located: R3 Multi-Family Residential

No. of Occupants Proposed to be Accomodated: N/A No. of Employees, if applicable: N/A

Section of the City of Whitewater Zoning Ordinance that prohibits the proposed usage of the property. It is this section of the Ordinance for which a variance is requested: _____

19.21.060 Yard Requirements

STANDARDS

The following are Standards that the City of Whitewater Zoning Ordinance sets for decisions on variances. Explain how your proposal meets these standards

STANDARD	APPLICANT'S EXPLANATION
A. The particular physical surroundings, shape, or topographical conditions of the specific property involved would result in a particular hardship upon the owner as distinguished from mere inconvenience, if the strict letter of the regulations were to be carried out	The existing garage locations are a detriment to the safety of the parking lot use and alley users. Eastern garage to be razed is access from alley which creates unsafe situation. Western garage to be razed encroaches into public alley.
B. The conditions upon which the application for a variance are based would not be applicable generally to other property within the same zoning classification	Storage for thru-freight shop would not be applicable to other properties in zoning district
C. The purpose of the variance is not based exclusively upon a desire for economic or other material gain by the applicant or owner.	No - Not for profit church organization
D. The proposed variance will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion in the public streets, or increase the danger of fire or endanger the public safety, or substantially diminish or impair property values within the neighborhood.	No, proposed use is consistent with existing use. Existing garage structures will be razed and new garage structure built. New garage location will improve safety because existing garage access is off of alley

CONDITIONS

The City of Whitewater Zoning Ordinance authorizes the Board of Zoning Appeals to place conditions on approved variances. Please keep this in mind & supply ALL pertinent information.

Signature of Applicant

J B K
on behalf of
First English Lutheran
Church

Date

2/2/14

APPLICATION FEES

(to be completed by City)

Fee for Variance application - \$200.00

Date fee received by City _____

Receipt # _____

Received by: _____

Date Notice sent to owners of record : _____ By _____

Date(s) published in Whitewater Register: _____

Date set for Hearing before Board of Zoning Appeals: _____

AGREEMENT OF SERVICES

REIMBURSABLE BY THE PETITIONER/APPLICANT. The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, recreation specialists, and other experts) to assist in the City's review of a proposal coming before the Plan Commission, Board of Zoning Appeals and/or Common Council. The submittal of a development proposal application or petition by a Petitioner shall be construed as an agreement to pay for such professional review services applicable to the proposal. The City may apply the charges for these services to the Petitioner and/or property owner. The City may delay acceptance of the application or petition as complete, or may delay final approval of the proposal, until the Petitioner pays such fees. Review fees which are applied to a Petitioner, but which are not paid, may be assigned by the City as a special assessment to the subject property. The Petitioner shall be required to provide the City with an executed copy of the following form as a prerequisite to the processing of the proposed application (Architectural Review, B.Z.A., Planning, Zoning Change):

James B. Leedom, the applicant/petitioner for

(Owner's Name): First English Lutheran Church, dated: 8/8/14

Phone # 414-643-4200, tax key #(s) CT 00045, 00043, 00042

Agrees that in addition to those normal costs payable by an applicant/petitioner (e.g. filing or permit fees, publication expenses, recording fees, etc.), that in the event the action applied or petitioned for requires the City of Whitewater, in the judgement of its staff, to obtain additional professional service(s) (e.g. engineering, surveying, planning, legal) than normally would be routinely available "in house" to enable the City to properly address, take appropriate action on, or determine the same, applicant/petitioner shall reimburse the City for the costs thereof.

Dated this 8th day of August, 2014

[Signature] (Signature of Applicant/Petitioner)

James B. Leedom (Printed Name of Applicant/Petitioner)

[Signature] 8/8/14 (Signature of Owner of Property & Date Signed)

Brian D Bolger (Printed Name of Owner of Property)
FACILITIES MANAGER FELL

First English Lutheran Church
New Garage Structure/Parking Project
Legal Descriptions

Lot 1 of Proposed CSM (Combination of existing Taxkey Parcels OT 00044 and 00045): Combine two parcels located in part of Lots 3, 4 and 5, block 5 of the original plat of the Village (now City) of Whitewater as resurveyed on September 13, 1851, located in the NW ¼ of the SW ¼ of Section 4, Town 4 North, Range 15 East, City of Whitewater, Walworth County, Wisconsin described as follows: Commence at the west ¼ corner of said Section 4; thence S 69°53'29" E 235.31 feet to the northwest corner of said Block 5; thence along the northerly line of said Block 5 S77°58'11" E 109.65 feet to the point of beginning; thence continue S77°58'11" E 31.93 feet; thence S08°16'29" W 219.18 feet to the alley on the southerly line of said Block 5; thence along said alley N85°30'00" W 107.67 feet to the westerly line of said Block 5; thence N00°05'50" E along said westerly line 83.05 feet; thence S85°33'08" E 94.20 feet; thence N05°34'14" E 140.01 feet to the point of beginning, and containing 13,353 square feet or 0.307 acres of land, more or less.

413 W. Main Street (Taxkey Parcel OT 00042): A part of Lot 2 in Block 5 in the City of Whitewater, bounded as follows: Beginning at the Northeast corner of said lot and running thence West along the North line of said lot one and 26/100 chains, thence Southerly three and 10/100 chains to a point 9 links East from the Southwest corner of said lot, thence East on the South line 1.09 chains to the Southeast corner and thence Northerly along the East line of said Lot 3 chains to the place of beginning, all located in Section 4, Township 4 North, Range 15 East, City of Whitewater, Walworth County, Wisconsin.

417 W. Main Street (Taxkey Parcel OT 00043): A part of Lots 2, 3 and 4 in Block 5, of the Village, (now City) of Whitewater, and bounded as follows: Commencing at a point 26 links East of the NW corner of said Lot 2 and running thence along the N line of said Block 5 in a W'ly direction 1 chain and 17 links; thence in a straight line to a point 7 links W of the SW corner of said Lot 3; thence along the S line of said Block 5 in an E'ly direction 1 chain and 17 links; thence in a straight line to the place of beginning.

August 8, 2014

Project Reference #14447

City of Whitewater
Department of Neighborhood Services
312 W. Whitewater Way
Whitewater, Wisconsin 53190

**Re: First English Lutheran Church
123 S. Church Street; 413/417 W. Main Street
New Garage/Parking Lot Modifications**

Dear Dept. of Neighborhood Services:

On behalf of First English Lutheran Church, The Sigma Group, Inc. is hereby submitting plans and applications for First English Lutheran's Church proposed new garage structure and parking lot modification project. In general, the project involves the following:

- Razing of the two existing garage structures on church owned parcels at 413 W. Main Street and 123 S. Church Street,
- Paving of approximately ?? square feet of existing green space on the 413 W. Main Street parcel for conversion to parking area
- Paving of the razed garage area on 413 W. Main Street for conversion to parking area
- Restriping of parking lot areas
- Construction of a new (40' x 26') garage structure
- Removal of existing sidewalks and pavements in the area proposed for the new garage structure
- New sidewalk to provide access to the new garage structure
- New landscaping

In order to accommodate the new garage structure, which crosses existing parcel lines, the existing Taxkey Parcels OT 00044 and 00045 are proposed to be combined by Certified Survey Map. We also anticipate that a zoning variance to Zoning Code Section 19.21.060 will be required as the proposed location of the new garage structure does not meet building setbacks in the R3 zoning district. The Church razing the existing garages, proposing to build the new garage structure and is requesting that a variance be granted for the proposed location of the new garage for the following reasons:

- The existing garage locations pose a safety concern given their proximity to the public alley; the new garage is set back approximately 35' from the alley mitigating these concerns
- The existing western garage encroaches into the public alley and represents a safety hazard for vehicular traffic
- There is an existing mandoor on the south side of the existing western garage immediately adjacent to the alley which represents a vandalism and break-in

concern; no mandoor access on the south side of the new garage will be provided eliminating this concern

- Pedestrian traffic to the new garage will be from existing site sidewalks to the west and not from the parking lots eliminating a safety concern
- Location of the new garage provides for greater visibility of parking areas from public alley reducing safety and vandalism concerns
- The Church does not believe that the new garage structure will increase congestion on public streets (this should be improved as the new structure will be setback from the public alley), increase danger of fire or public safety (public safety should be improved for reasons outlined above), or substantially impair property values within the neighborhood a the proposed use is consistent with the existing use.

The following are being submitted as part of the application package:

- 20 sets of site and building plans including existing site survey, site layout plan, site grading plan, site landscape plan and building plans (elevations, floor plan and typical section)
- 20 draft copies of proposed CSM to combine Taxkey Parcels OT 00044 and OT 00045
- Application for variance
- \$200 application fee
- Property legal descriptions

Please do not hesitate to contact me should you have any question over the plans or application material or should you need additional information.

Sincerely,
The Sigma Group



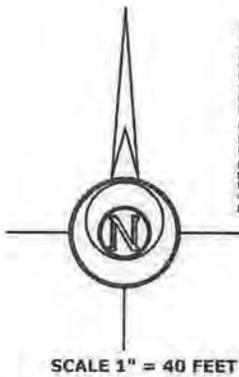
James B. Leedom, P.E., LEED A.P.
Senior Project Engineer
414-643-4169
jleedom@thesigmagroup.com

Cc: Brian Boley, First English Lutheran Church

CERTIFIED SURVEY MAP NO.

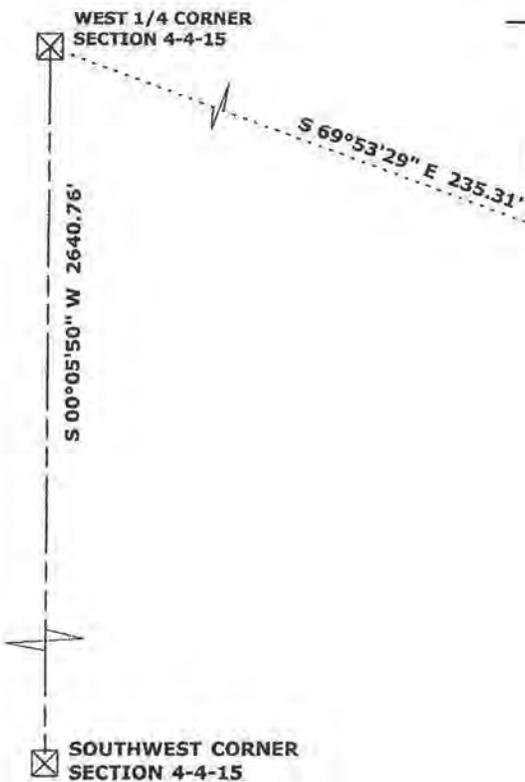
TO COMBINE TWO PARCELS LOCATED IN PART OF LOTS 3, 4 AND 5, BLOCK 5 OF THE ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF WHITEWATER AS RESURVEYED ON SEPTEMBER 13, 1851, LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 4 NORTH, RANGE 15 EAST, CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.

OWNER: FIRST ENGLISH LUTHERAN CHURCH
 401 W. MAIN STREET
 WHITEWATER, WI 53190
 ZONED R-3



BASIS FOR BEARINGS
 THE ALLEY BETWEEN BLOCK 5 & 11
 WAS ASSUMED TO BEAR N 85°30'00" W

reserved for Walworth County register of Deeds



Mark L. Miritz
 MARK L. MIRITZ
 WI REGISTERED LAND SURVEYOR S-2582
 JUNE 30, 2014

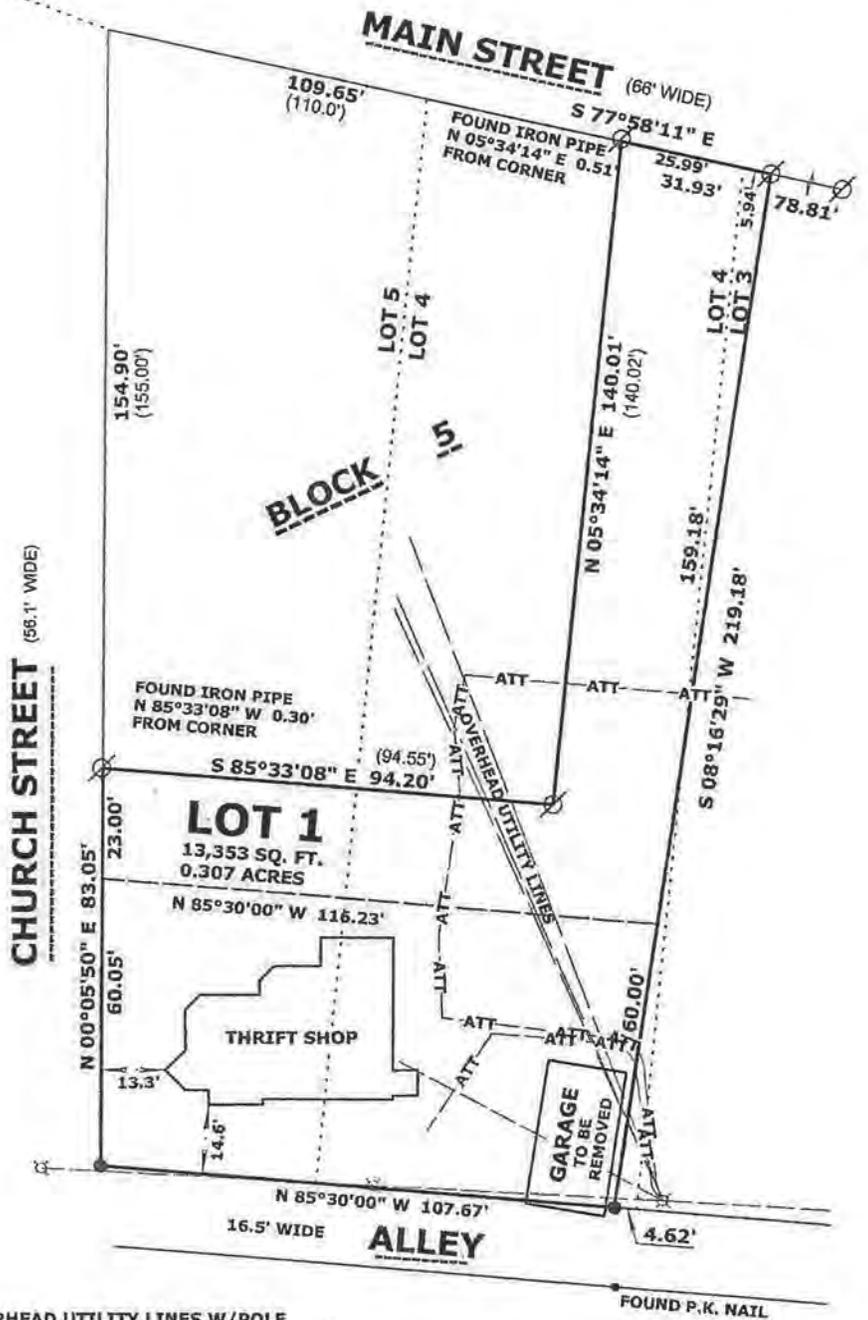
GRAPHIC SCALE IN FEET



LEGEND

- ☒ County Section Corner Established by ties
- ⊙ Found iron pipe 1 1/4" dia.
- Set 3/4" dia. iron rod, 18" long weighing 1.13 lbs./ lin. ft.
- (XX) Recorded Dimension

- OVERHEAD UTILITY LINES W/POLE
- ATT— BURIED ATT/D CABLE MARKED BY OTHERS



CERTIFIED SURVEY MAP NO. _____

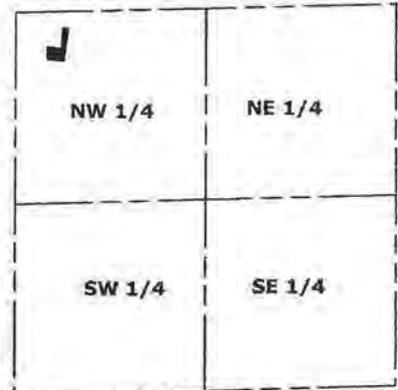
VOL. _____, PAGES _____

TO COMBINE TWO PARCELS LOCATED IN PART OF LOTS 3, 4 AND 5, BLOCK 5 OF THE ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF WHITEWATER AS RESURVEYED ON SEPTEMBER 13, 1851, LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 4 NORTH, RANGE 15 EAST, CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, MARK L. MIRITZ, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF FIRST ENGLISH LUTHERAN CHURCH, OWNERS, I HAVE SURVEYED THE PROPERTY HEREON DESCRIBED AND THAT THE CERTIFIED SURVEY MAP HEREON SHOWN IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION OF IT AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF SECTION 236.34 OF THE WISCONSIN STATE STATUTES, AND LOCAL REGULATIONS OF THE CITY OF WHITEWATER, WISCONSIN,

LOCATION SKETCH



SOUTHWEST 1/4 SEC. 4-4-15

TO COMBINE TWO PARCELS LOCATED IN PART OF LOTS 3, 4 AND 5, BLOCK 5 OF THE ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF WHITEWATER AS RESURVEYED ON SEPTEMBER 13, 1851, LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 4 NORTH, RANGE 15 EAST, CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: COMMENCE AT THE WEST 1/4 CORNER OF SAID SECTION 4; THENCE S 69°53'29" E 235.31 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 5; THENCE ALONG THE NORTHERLY LINE OF SAID BLOCK 5 S 77°58'11" E 109.65 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 77°58'11" E 31.93 FEET; THENCE S 08°16'29" W 219.18 FEET TO THE ALLEY ON THE SOUTHERLY LINE OF SAID BLOCK 5; THENCE ALONG SAID ALLEY N 85°30'00" W 107.67 FEET TO THE WESTERLY LINE OF SAID BLOCK 5; THENCE N 00°05'50" E ALONG SAID WESTERLY LINE 83.05 FEET; THENCE S 85°33'08" E 94.20 FEET; THENCE N 05°34'14" E 140.01 FEET TO THE POINT OF BEGINNING, AND CONTAINING 13,353 SQUARE FEET OR 0.307 ACRE(S) OF LAND, MORE OR LESS.

Mark L. Miritz
MARK L. MIRITZ
WI REGISTERED LAND SURVEYOR S-2582
JUNE 30, 2014



OWNER'S CERTIFICATE:

FIRST ENGLISH LUTHERAN CHURCH, OWNER, WE HEREBY CERTIFY THAT WE HAVE CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, AND MAPPED AS REPRESENTED HEREON. WE ALSO CERTIFY THAT THIS MAP IS REQUIRED TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: CITY OF WHITEWATER, WISCONSIN.

FIRST ENGLISH LUTHERAN CHURCH (REPRESENTATIVE)

STATE OF WISCONSIN) SS
COUNTY OF WALWORTH)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 201____
THE ABOVE NAMED FIRST ENGLISH LUTHERAN CHURCH (REPRESENTATIVE) TO ME KNOWN TO BE PERSON
WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____
_____ COUNTY, WISCONSIN.

CITY OF WHITEWATER APPROVAL:

APPROVED BY THE CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW COMMISSION.

DATED THIS _____ DAY OF _____, 2014. _____
MICHELE R. SMITH, CITY CLERK

PUBLISH IN WHITEWATER REGISTER ON SEPTEMBER 4, 2014 AND
SEPTEMBER 11, 2014

NOTICE OF ZONING HEARING

TO ALL CONCERNED:

A public hearing will be held by the Board of Zoning Appeals of the City of Whitewater on September 25, 2014 at 6:00 p.m. in the Whitewater Municipal Building Community Room, 312 W. Whitewater Street, Whitewater, Wisconsin.

Applicant: Shawn & Brenda Hagedorn

Property Location: 1247 W. Peninsula Lane (Tax Parcel # 05-15-31-41-063)

Applicable Code: 19.18.060(C) requires a rear yard setback of 30 feet.

Variance Requested: To allow for a 25 foot rear yard setback.

Reason for Request: To replace the current deck with an addition of a four season porch.

This notice is being mailed to owners of record within 300 feet of the property in question, to the City Planner and the Plan Commission in accordance with Section 19 of the Code of Ordinances. THE PROPOSAL FILED BY THE OWNER IS NOW OPEN TO PUBLIC INSPECTION AT THE OFFICE OF THE CITY PLANNER DURING NORMAL BUSINESS HOURS (Monday – Friday 8:00 a.m. to 5:00 p.m.)

BOARD OF ZONING APPEALS

Michele Smith, Secretary, BZA

By: Jane Wegner, Neighborhood Services Administrative Asst.

Dated: August 29, 2014

TaxKey	Owner1	Owner2	Address1	City	State	Zip
05-15-31-41-061	JEFFREY ALT	JEANNE L ALT	1261 W PENINSULA LANE	WHITEWATER	WI	53190
05-15-31-41-062	JOHN C COBB TRUST	CAROL L COBB TRUST	8371 SE 168TH TRINITY PLACE	THE VILLAGES	FL	32162
05-15-31-41-063	SHAWN D HAGEDORN	BRENDA K HAGEDORN	1247 W PENINSULA LANE	WHITEWATER	WI	53190
05-15-31-41-064	ADOLFO PEREZ		1241 W PENINSULA LANE	WHITEWATER	WI	53190
05-15-32-32-044	PATRICIA L KUMAR		1235 W PENINSULA LANE	WHITEWATER	WI	53190
05-15-32-32-045	FABIAN LOPEZ	GUADALUMP LOPEZ	1227 W PENINSULA LANE	WHITEWATER	WI	53190
05-15-32-32-046	SEOMA VIRGO		1219 W PENINSULA LANE	WHITEWATER	WI	53190
05-15-32-32-047	CARL J WOLF	JONNA L WOLF	1211 W PENINSULA LANE	WHITEWATER	WI	53190
05-15-32-32-048	SHERENE M LEISER		1210 W PENINSULA LANE	WHITEWATER	WI	53190
05-15-32-32-049	MICHAEL J POEHLER		1218 W PENINSULA LANE	WHITEWATER	WI	53190
05-15-32-32-050	TIMOTHY J SCHROEDER	THERESE M SCHROEDER	205 REMPE DR	WAUKESHA	WI	53186
05-15-32-32-051	NOAH J HAAS	KATIE L HAAS	1234 W PENINSULA LANE	WHITEWATER	WI	53190
05-15-31-41-065	WENLI LI		1240 W PENINSULA LANE	WHITEWATER	WI	53190
05-15-31-41-066	STEVEN K HUISMAN		475 LAKE BREEZE DR	CHILTON	WI	53014
05-15-31-41-067	ROBERT K KUZOFF		1254 W PENINSULA LANE	WHITEWATER	WI	53190
05-15-31-41-068	REO LLC		207 W MAIN ST	WHITEWATER	WI	53190
05-15-31-41-000	REO LLC		207 W MAIN ST	WHITEWATER	WI	53190
05-15-31-41-104	CITY OF WHITEWATER - SKYWAY PARK					
05-15-32-32-039	DOUGLAS J GRALL	DEANA L GRALL	1232 W TOWER HILL PASS	WHITEWATER	WI	53190
05-15-32-32-038	TAMMRA S CRANK		1236 W TOWER HILL PASS	WHITEWATER	WI	53190
05-15-31-41-060	JOSE VALDEZ	JUDITH VALDEX	1244 W TOWER HILL PASS	WHITEWATER	WI	53190
05-15-31-41-059	NEIL HICKS	STEPHANIE HICKS	1254 W TOWER HILL PASS	WHITEWATER	WI	53190
05-15-31-41-058	DEAN E LESCH	WENDY L LESCH	1260 W TOWER HILL PASS	WHITEWATER	WI	53190
05-15-31-41-057	RYAN J JACOBI	MICHAEL R & SUSAN B BELL	1266 W TOWER HILL PASS	WHITEWATER	WI	53190
05-15-31-41-056	WARHAWK REAL ESTATE FOUNDATION LLC		800 W MAIN ST	WHITEWATER	WI	53190
05-15-31-41-055	DAVID S FISCHER TRUST		1284 W TOWER HILL PASS	WHITEWATER	WI	53190
05-15-31-41-072	DAVID W HAIGHT	JANA K HAIGHT	1267 W TOWER HILL PASS	WHITEWATER	WI	53190
05-15-31-41-073	DENNIS M WAGA	REBECCA M WAGA	1259 W TOWER HILL PASS	WHITEWATER	WI	53190
05-15-31-41-074	CHAD R RANGER		1253 W TOWER HILL PASS	WHITEWATER	WI	53190
05-15-31-41-075	NELSON EDMONDS	AMY L RENO	1245 W TOWER HILL PASS	WHITEWATER	WI	53190
05-15-32-32-052	JONATHAN GOHDE		1235 W TOWER HILL PASS	WHITEWATER	WI	53190

NOTICE: The Board of Zoning Appeal meetings are scheduled on the 4th Thursday of the month. All complete plans must be in by 9:00 a.m. Monday prior to the 1st Thursday of the month. If not, the item will be placed on the next available Board of Zoning Appeals meeting.

CITY OF WHITEWATER
BOARD OF ZONING APPEALS APPLICATION PROCEDURE

1. File the application with the Code Enforcement Director's Office at least four weeks prior to the meeting. \$200.00 fee. Filed on 8-6-14.
2. Class 2 Notice published in Official Newspaper on 9-4-14 and 9-11-14. The last publication to be at least 10 days prior to the meeting.
3. Notices of the Public Hearing mailed to property owners within 300 feet of the property involved in the application on 9-11-14.
4. Board of Zoning Appeals holds the PUBLIC HEARING on 9-25-14. They will hear comments of the Petitioner and comments of property owners. Comments may be made in person or in writing.
5. At the conclusion of the Public Hearing, the Board of Zoning Appeals will deliberate and render its decision.

PLEASE COMPLETE THE FOLLOWING APPLICATION.

Refer to Chapter 19.72 of the City of Whitewater Municipal Code of Ordinances, entitled BOARD OF ZONING APPEALS, for more information on the application.

CITY OF WHITEWATER SITE PLAN SUBMITTAL REQUIREMENTS

1. **Site Plan**, including the location and dimensions of all buildings, parking, loading, vehicle and pedestrian circulation, signs, walls, fences, other structures, outdoor storage areas, mechanicals, and dumpsters. Adjacent streets and uses and methods for screening parking, loading, storage, mechanical, and dumpster areas should be shown. Statistics on lot area, green space percentage, and housing density should be provided. The Plan Commission encourages compliance with its adopted parking lot curbing policy.
2. **Natural Features Inventory Map**, showing the existing limits of all water bodies, wetlands, floodplains, existing trees with trunks more than 4 inches in diameter, and any other exceptional natural resource features on all or part of the site.
3. **Landscape Plan**, prepared by a professional, and showing an overhead view of all proposed landscaping and existing landscaping to remain. The species, size at time of planting, and mature size should be indicated for all plantings. Areas to be left in green space should be clearly delineated. The Plan Commission encourages compliance with its adopted landscaping guidelines, available from the Zoning Department.
4. **Grading and drainage plan**, meeting the City's stormwater management ordinance if required. The plan should show existing and proposed surface elevations on the site at two foot intervals or less, and proposed stormwater management improvements, such as detention/retention facilities where required. Stormwater calculations may be required.
5. **Utilities plan**, showing locations and sizes of existing and proposed connections to sanitary sewer, water, and storm sewer lines, along with required easements. Sampling manholes may be required for sanitary sewer. The City's noise ordinance must be met.
6. **Building elevations**, showing the dimensions, colors, and materials used on all sides of the building. The Plan Commission encourages variety and creativity in building colors and architectural styles, while respecting the character of the surrounding neighborhood.
7. **Sign plan**, meeting the City's sign ordinance, and showing the location, height, dimensions, color, materials, lighting and copy area of all signage.
8. **Lighting plan**, meeting the City's lighting ordinance, and showing the location, height, type, orientation, and power of all proposed outdoor lighting—both on poles and on buildings. Cut sheets and photometric plans may be required for larger projects.

Twenty complete sets of all plans should be submitted. All plans should be drawn to a scale of not less than 50 feet to the inch; represent actual existing and proposed site conditions in detail; and indicate the name, address, and phone number of the applicant, land owner, architect, engineer, landscape designer, contractor, or others responsible for preparation. It is often possible and desirable to include two or more of the above 8 plans on one map. The Zoning Administrator or Plan and Architectural Review Commission may request more information, or may reduce the submittal requirements. If any of the above 8 plans is not submitted, the applicant should provide a written explanation of why it is not submitted.

10/6/04

**TO: THOSE REQUESTING A VARIANCE OF ZONING
REQUIREMENTS**

FROM: THE BOARD OF ZONING APPEALS

THINGS YOU WILL HAVE TO PROVE TO BE GRANTED A VARIANCE

The Board of Zoning Appeals has the power *“to hear and grant applications for variances as will not be contrary to the public interest where, owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit and purposes of the ordinance shall be observed and the public safety, welfare and justice secured.”* USE VARIANCES WILL NOT BE GRANTED.

Findings prerequisite to granting of a variance

No variance to the provisions of this title shall be granted by the Board unless it finds beyond a reasonable doubt that ALL of the following facts and conditions exist, and so indicates in the minutes of its proceedings:

- A. The particular physical surroundings, shape, or topographical conditions of the specific property involved would result in a practical hardship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out;**
- B. The conditions upon which the application for a variance is based would not be applicable generally to other property within the same zoning classification;**
- C. The purpose of the variance is not based exclusively upon a desire for economic or other material gain by the applicant or owner;**
- D. The proposed variance will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.**

Please consider the above items in presenting your oral testimony, for a lack of such testimony may result in denial of the variance.

All questions in the application must be answered.

**CITY OF WHITEWATER
APPLICATION FOR VARIANCE**

IDENTIFICATION AND INFORMATION ON APPLICANT(S)

Applicant's Name: Shawn & Brenda Hagedorn

Applicant's Mailing Address 1247 Peninsula Ln Whitewater

Owner of Property Site as of date of application, according to current property tax records: Shawn & Brenda Hagedorn

Street Address of Property (if vacant land, describe in detail the property location): 1247 Peninsula Ln Whitewater

Legal Description of Property (Name of Subdivision, Block and Lot, or other legal description): Park Creek Subdivision

Agent or Representative Assisting in the Application (Engineer, Architect, Attorney, Etc.)

Name _____ Firm _____

Office Address _____

Contractor _____

EXISTING AND PROPOSED USES

Current Principal Use: Residence

Accessory or Secondary Uses: _____

Proposed Use (Describe need for Variance): Additional 4 season porch to replace current deck with additional storage below for bikes, lawnmower, etc.

Have you been granted any variances in the past, on any properties, whether fully or partially owned by you.
_____ Yes No

If YES, list addresses of those properties and whether the requirements of the variance granted have been completed.

PLANS TO ACCOMPANY APPLICATION

Applications for permits shall be accompanied by drawings of the proposed work, drawn to scale, showing, when necessary, floor plans, sections, elevations, structural details, computations and stress diagrams as the building inspector may require.

PLOT PLAN

When required by the building inspector, there shall be submitted a plot plan in a form and size designated by the building official for filing permanently with the permit record, drawn to scale, with all dimension figures, showing accurately the size and exact location of all proposed new construction and it's relationship to other existing or proposed buildings or structures on the same lot, and other buildings or structures on adjoining property, within 15 feet of the property lines. In the case of demolition, the plot plan shall show the buildings or structures to be demolished and the buildings or structures on the same lot that are to remain.

Zoning District in which the property is located: R-2

No. of Occupants Proposed to be Accomodated: Family No. of Employees, if applicable: _____

Section of the City of Whitewater Zoning Ordinance that prohibits the proposed usage of the property. It is this section of the Ordinance for which a variance is requested: 19-18.040 (c)

STANDARDS

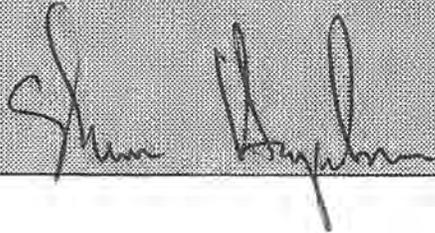
The following are Standards that the City of Whitewater Zoning Ordinance sets for decisions on variances. Explain how your proposal meets these standards

STANDARD	APPLICANT'S EXPLANATION
<p>A. The particular physical surroundings, shape, or topographical conditions of the specific property involved would result in a particular hardship upon the owner as distinguished from mere inconvenience, if the strict letter of the regulations were to be carried out</p>	<p style="text-align: center;">NO</p>
<p>B. The conditions upon which the application for a variance are based would not be applicable generally to other property within the same zoning classification</p>	<p>NO It depends on what others want done on their property. Some residents already have sheds or pools so it would not apply. Circumstances would be different for all other residents.</p>
<p>C. The purpose of the variance is not based exclusively upon a desire for economic or other material gain by the applicant or owner.</p>	<p style="text-align: center;">NO</p> <p style="text-align: center;">based on needs.</p>
<p>D. The proposed variance will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion in the public streets, or increase the danger of fire or endanger the public safety, or substantially diminish or impair property values within the neighborhood.</p>	<p style="text-align: center;">NO</p>

CONDITIONS

The City of Whitewater Zoning Ordinance authorizes the Board of Zoning Appeals to place conditions on approved variances. Please keep this in mind & supply ALL pertinent information.

Signature of Applicant



Date

8/6/14

APPLICATION FEES

(to be completed by City)

Fee for Variance application - \$200.00

Date fee received by City 8-6-2014

Receipt # 6.011379

Received by: J. Wegner

Date Notice sent to owners of record: 9-11-14 By J. Wegner

Date(s) published in Whitewater Register: 9-4-14 + 9-11-14

Date set for Hearing before Board of Zoning Appeals: 9-25-14



Tips for Minimizing Your Development Review Costs: A Guide for Applicants

The City of Whitewater assigns its consultant costs associated with reviewing development proposals to the applicant requesting development approval. These costs can vary based on a number of factors. Many of these factors can at least be partially controlled by the applicant for development review. The City recognizes that we are in a time when the need to control costs is at the forefront of everyone's minds. The following guide is intended to assist applicants for City development approvals understand what they can do to manage and minimize the costs associated with review of their applications. The tips included in this guide will almost always result in a less costly and quicker review of an application.

Meet with Neighborhoods Services Department before submitting an application

If you are planning on submitting an application for development review, one of the first things you should do is have a discussion with the City's Neighborhood Services Department. This can be accomplished either by dropping by the Neighborhood Services Department counter at City Hall, or by making an appointment with the Neighborhood Services Director. Before you make significant investments in your project, the Department can help you understand the feasibility of your proposal, what City plans and ordinances will apply, what type of review process will be required, and how to prepare a complete application.

Submit a complete and thorough application

One of the most important things you can do to make your review process less costly to you is to submit a complete, thorough, and well-organized application in accordance with City ordinance requirements. The City has checklists to help you make sure your application is complete. To help you prepare an application that has the right level of detail and information, assume that the people reviewing the application have never seen your property before, have no prior understanding of what you are proposing, and don't necessarily understand the reasons for your request.

For more complex or technical types of projects, strongly consider working with an experienced professional to help prepare your plans

Experienced professional engineers, land planners, architects, surveyors and landscape architects should be quite familiar with standard development review processes and expectations. They are also generally capable of preparing high-quality plans that will ultimately require less time (i.e., less cost for you) for the City's planning and engineering consultants to review, saving you money in the long run. Any project that includes significant site grading, stormwater management, or utility work; significant landscaping; or significant building remodeling or expansion generally requires professionals in the associated fields to help out.

For simpler projects, submit thorough, legible, and accurate plans

For less complicated proposals, it is certainly acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the City's staff and planning consultant still need to ensure that your proposal meets all City



Tips for Minimizing Your Development Review Costs: A Guide for Applicants

requirements. Therefore, such plans must be prepared with care. Regardless of the complexity, all site, building, and floor plans should:

1. Be drawn to a recognized scale and indicate what the scale is (e.g., 1 inch = 40 feet).
2. Include titles and dates on all submitted documents in case pieces of your application get separated.
3. Include clear and legible labels that identify streets, existing and proposed buildings, parking areas, and other site improvements.
4. Indicate what the property and improvements look like today versus what is being proposed for the future.
5. Accurately represent and label the dimensions of all lot lines, setbacks, pavement/parking areas, building heights, and any other pertinent project features.
6. Indicate the colors and materials of all existing and proposed site/building improvements. Including color photos with your application is one inexpensive and accurate way to show the current condition of the site. Color catalog pages or paint chips can be included to show the appearance of proposed signs, light fixtures, fences, retaining walls, landscaping features, building materials, or other similar improvements.

Submit your application well in advance of the Plan and Architectural Review Commission meeting

The City normally requires that a complete application be submitted four weeks in advance of the Commission meeting when it will be considered. For simple submittals not requiring a public hearing, this may be reduced to two weeks in advance. The further in advance you can submit your application, the better for you and everyone involved in reviewing the project. Additional review time may give the City's planning consultant and staff an opportunity to communicate with you about potential issues with your project or application and allow you time to efficiently address those issues before the Plan and Architectural Review Commission meeting. Be sure to provide reliable contact information on your application form and be available to respond to such questions or requests in a timely manner.

For more complex projects, submit your project for conceptual review

A conceptual review can be accomplished in several ways depending on the nature of your project and your desired outcomes.

1. Preliminary plans may be submitted to City staff and the planning consultant for a quick, informal review. This will allow you to gauge initial reactions to your proposal and help you identify key issues;
2. You may request a sit-down meeting with the Neighborhood Services Director and/or planning consultant to review and more thoroughly discuss your proposal; and/or
3. You can ask to be placed on a Plan and Architectural Review Commission meeting agenda to present and discuss preliminary plans with the Commission and gauge its reaction before formally submitting your development review application.

Overall, conceptual reviews almost always save time, money, stress, and frustration in the long run for everyone involved. For this reason, the City will absorb up to \$200 in consultant review costs for conceptual review of each project.



Tips for Minimizing Your Development Review Costs: A Guide for Applicants

Hold a neighborhood meeting for larger and potentially more controversial projects

If you believe your project falls into one or both of these two categories (City staff can help you decide), one way to help the formal development review process go more smoothly is to host a meeting for the neighbors and any other interested members of the community. This would happen before any Plan and Architectural Review Commission meeting and often before you even submit a formal development review application.

A neighborhood meeting will give you an opportunity to describe your proposal, respond to questions and concerns, and generally address issues in an environment that is less formal and potentially less emotional than a Plan and Architectural Review Commission meeting. Neighborhood meetings can help you build support for your project, understand others' perspectives on your proposals, clarify misunderstandings, and modify the project and alleviate public concerns before the Plan and Architectural Review Commission meetings. Please notify the City Neighborhood Services Director of your neighborhood meeting date, time, and place; make sure all neighbors are fully aware (City staff can provide you a mailing list at no charge); and document the outcomes of the meeting to include with your application.



Typical City Planning Consultant Development Review Costs

The City often utilizes assistance from a planning consultant to analyze requests for land development approvals against City plans and ordinances and assist the City's Plan and Architectural Review Commission and City Council on decision making. Because it is the applicant who is generating the need for the service, the City's policy is to assign most consultant costs associated with such review to the applicant, as opposed to asking general taxpayer to cover these costs.

The development review costs provided below represent the planning consultant's range of costs associated with each particular type of development review. This usually involves some initial analysis of the application well before the public meeting date, communication with the applicant at that time if there are key issues to resolve before the meeting, further analysis and preparation of a written report the week before the meeting, meeting attendance, and sometimes minor follow-up after the meeting. Costs vary depending on a wide range of factors, including the type of application, completeness and clarity of the development application, the size and complexity of the proposed development, the degree of cooperation from the applicant for further information, and the level of community interest. The City has a guide called "Tips for Minimizing Your Development Review Costs" with information on how the applicant can help control costs.

Type of Development Review Being Requested	Planning Consultant Review Cost Range
Minor Site/Building Plan (e.g., minor addition to building, parking lot expansion, small apartment, downtown building alterations)	
When land use is a permitted use in the zoning district, and for minor downtown building alterations	Up to \$600
When use also requires a conditional use permit, and for major downtown building alterations	\$700 to \$1,500
Major Site/Building Plan (e.g., new gas station/convenience store, new restaurant, supermarket, larger apartments, industrial building)	
When land use is a permitted use in the zoning district	\$700 to \$2,000
When land use also requires a conditional use permit	\$1,600 to \$12,000
Conditional Use Permit with no Site Plan Review (e.g., home occupation, sale of liquor request, substitution of use in existing building)	\$up to \$600
Rezoning	
To a standard (not PCD) zoning district	\$400 to \$2,000
To Planned Community Development zoning district, assuming complete GDP & SIP application submitted at same time	\$2,100 to \$12,000
Land Division	
Certified Survey Map	Up to \$300
Preliminary Subdivision Plat	\$1,500 to \$3,000
Final Plat (does not include any development agreement time)	\$500 to \$1,500
Annexation	\$200 to \$400
Note on Potential Additional Review Costs: The City also retains a separate engineering consultant, who is typically involved in larger projects requiring stormwater management plans, major utility work, or complex parking or road access plans. Engineering costs are not included above, but will also be assigned to the development review applicant. The consultant planner and engineer closely coordinate their reviews to control costs.	



Cost Recovery Certificate and Agreement

The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, and recreation specialists) to assist in the City's review of an application for development review coming before the Plan and Architectural Review Commission, Board of Zoning Appeals, and/or Common Council. In fact, most applications require some level of review by the City's planning consultant. City of Whitewater staff shall retain sole discretion in determining when and to what extent it is necessary to involve a professional consultant in the review of an application.

The submittal of an application or petition for development review by an applicant shall be construed as an agreement to pay for such professional review services associated with the application or petition. The City may apply the charges for these services to the applicant and/or property owner in accordance with this agreement. The City may delay acceptance of an application or petition (considering it incomplete), or may delay final action or approval of the associated proposal, until the applicant pays such fees or the specified percentage thereof. Development review fees that are assigned to the applicant, but that are not actually paid, may then be imposed by the City as a special charge on the affected property.

Section A: Background Information

----- To be filled out by the Applicant/Property Owner -----

Applicant's Information:

Name of Applicant: Shawn & Brenda Hagedorn

Applicant's Mailing Address: 1247 Peninsula Ln
Whitewater WI 53190

Applicant's Phone Number: 262-472-0989

Applicant's Email Address: best.hags@charter.net

Project Information:

Name/Description of Development: _____

Address of Development Site: 1247 Peninsula Ln

Tax Key Number(s) of Site: _____

Property Owner Information (if different from applicant):

Name of Property Owner: Shawn & Brenda Hagedorn

Property Owner's Mailing Address: 1247 Peninsula Ln
Whitewater, WI 53190



Cost Recovery Certificate and Agreement

Section B: Applicant/Property Owner Cost Obligations

----- To be filled out by the City's Neighborhood Services Director -----

Under this agreement, the applicant shall be responsible for the costs indicated below. In the event the applicant fails to pay such costs, the responsibility shall pass to the property owner, if different. Costs may exceed those agreed to herein only by mutual agreement of the applicant, property owner, and City. If and when the City believes that actual costs incurred will exceed those listed below, for reasons not anticipated at the time of application or under the control of the City administration or consultants, the Neighborhood Services Director or his agent shall notify the applicant and property owner for their approval to exceed such initially agreed costs. If the applicant and property owner do not approve such additional costs, the City may, as permitted by law, consider the application withdrawn and/or suspend or terminate further review and consideration of the development application. In such case, the applicant and property owner shall be responsible for all consultant costs incurred up until that time.

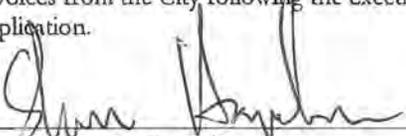
- A. Application Fee.....\$ _____
- B. Expected Planning Consultant Review Cost\$ _____
- C. Total Cost Expected of Applicant (A+B).....\$ _____
- D. 25% of Total Cost, Due at Time of Application.....\$ _____
- E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? Yes No

The balance of the applicant's costs, not due at time of application, shall be payable upon applicant receipt of one or more itemized invoices from the City. If the application fee plus actual planning and engineering consultant review costs end up being less than the 25% charged to the applicant at the time of application, the City shall refund the difference to the applicant.

Section C: Agreement Execution

----- To be filled out by the Applicant and Property Owner -----

The undersigned applicant and property owner agree to reimburse the City for all costs directly or indirectly associated with the consideration of the applicant's proposal as indicated in this agreement, with 25% of such costs payable at the time of application and the remainder of such costs payable upon receipt of one or more invoices from the City following the execution of development review services associated with the application.



Signature of Applicant/Petitioner

Signature of Property Owner (if different)

Shawn Hagedorn

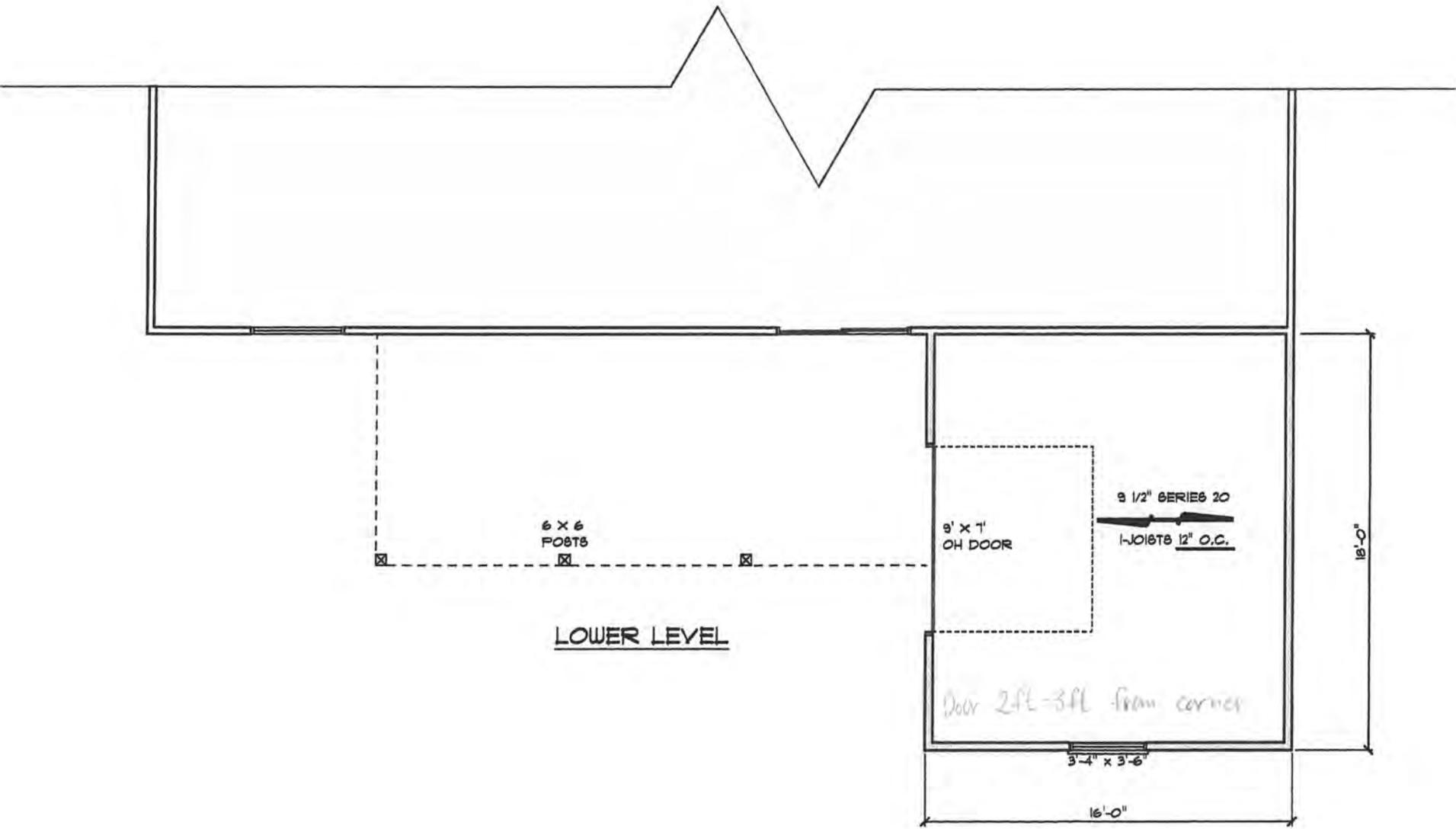
Printed Name of Applicant/Petitioner

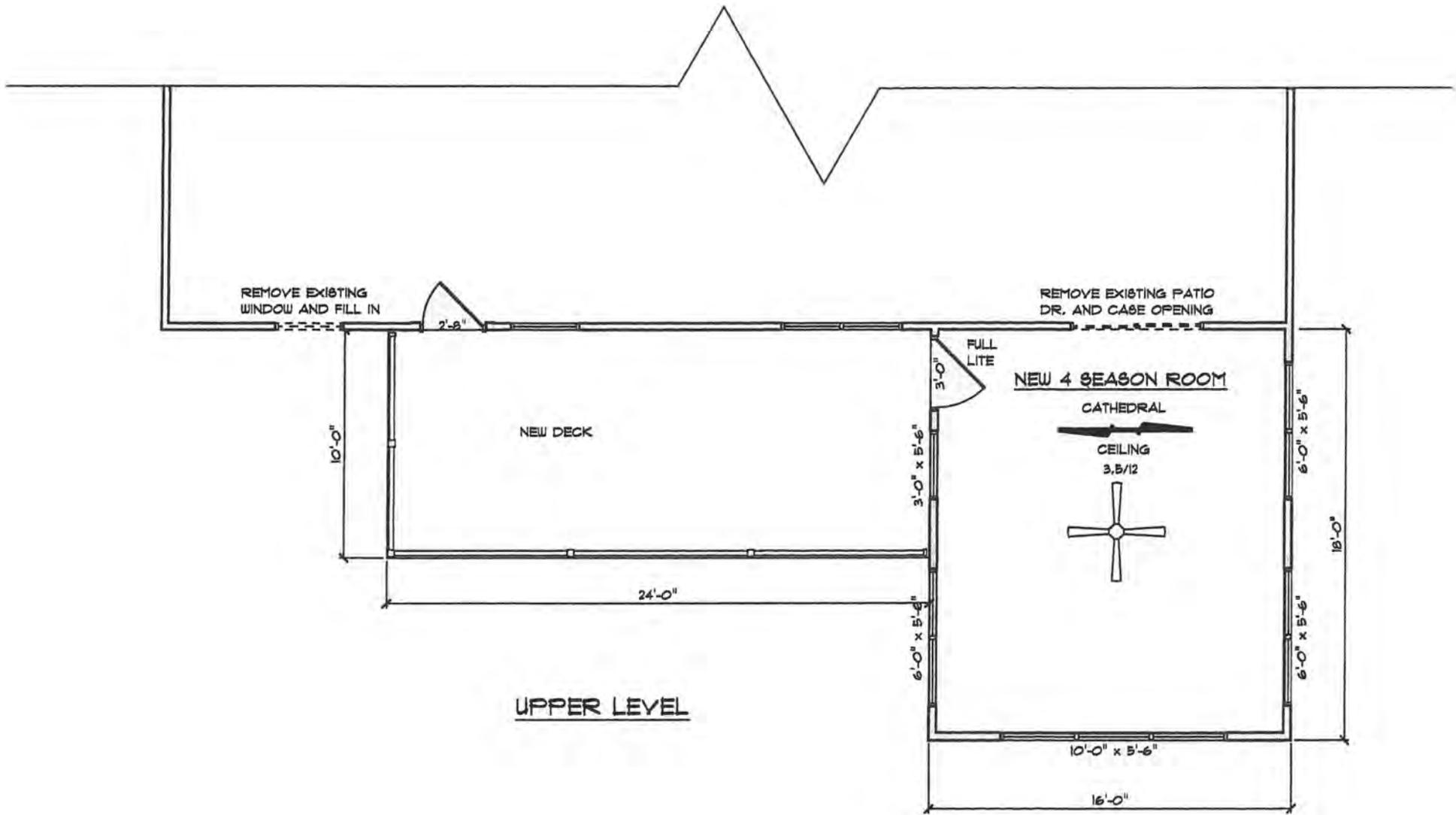
Printed Name of Property Owner (if different)

2/6/14

Date of Signature

Date of Signature







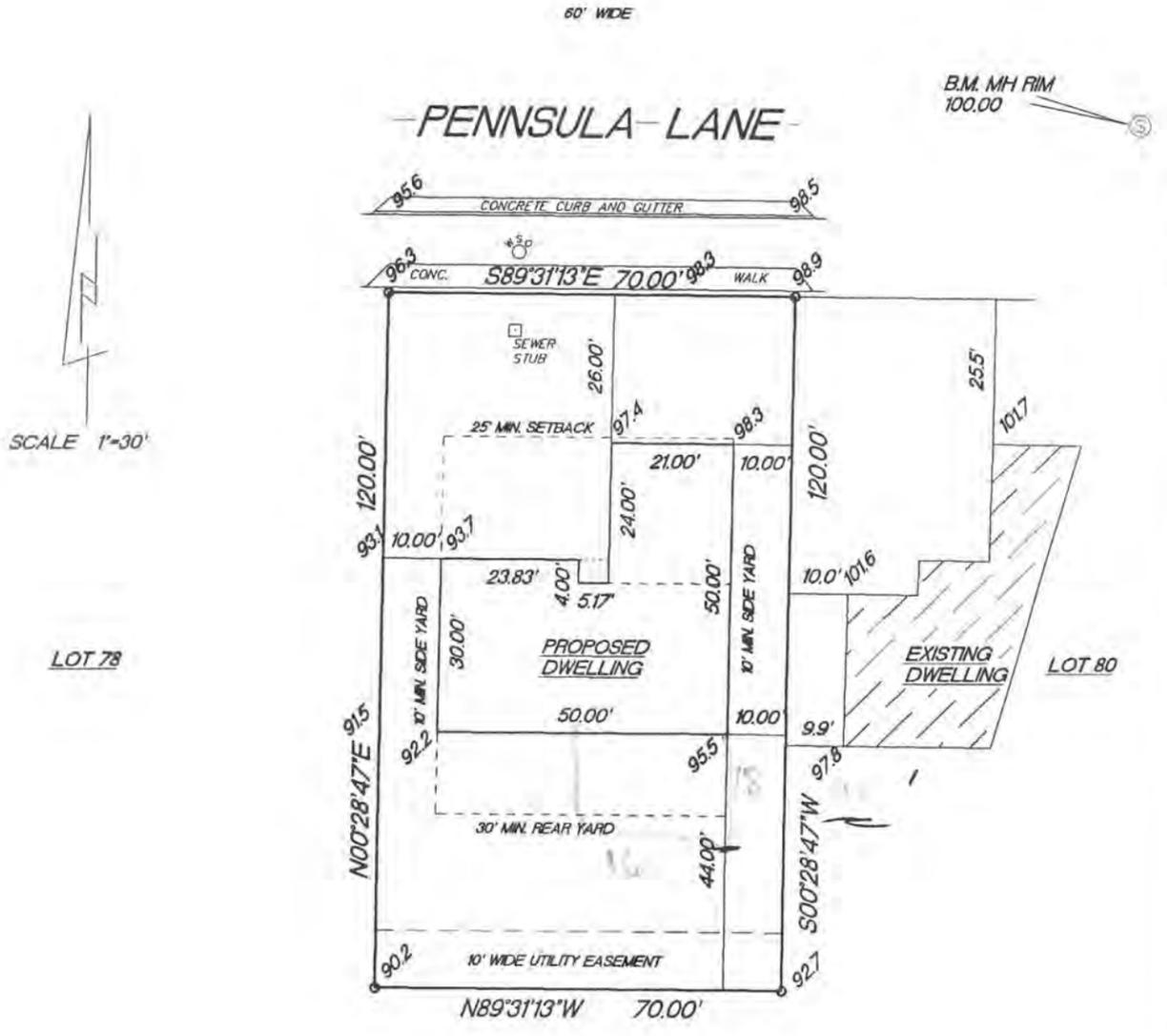
REAR ELEVATION
SCALE: 1/4" = 1'-0"

PLAT OF SURVEY

LOT 79, PARK CREST SUBDIVISION, being a part of the Southeast 1/4 of Section 31 and the Southwest 1/4 of Section 32, all in Town 5 North, Range 15 East, City of Whitewater, Jefferson County, Wisconsin.

Surveyed for: Gary Phinney

Suggested yard grade: To be determined by owner or others



- o FOUND 3/4" REBAR
- 91.0 EXISTING SPOT ELEVATIONS

Lot 120' Deep
House + Deck = 95'
Need 5' Var.

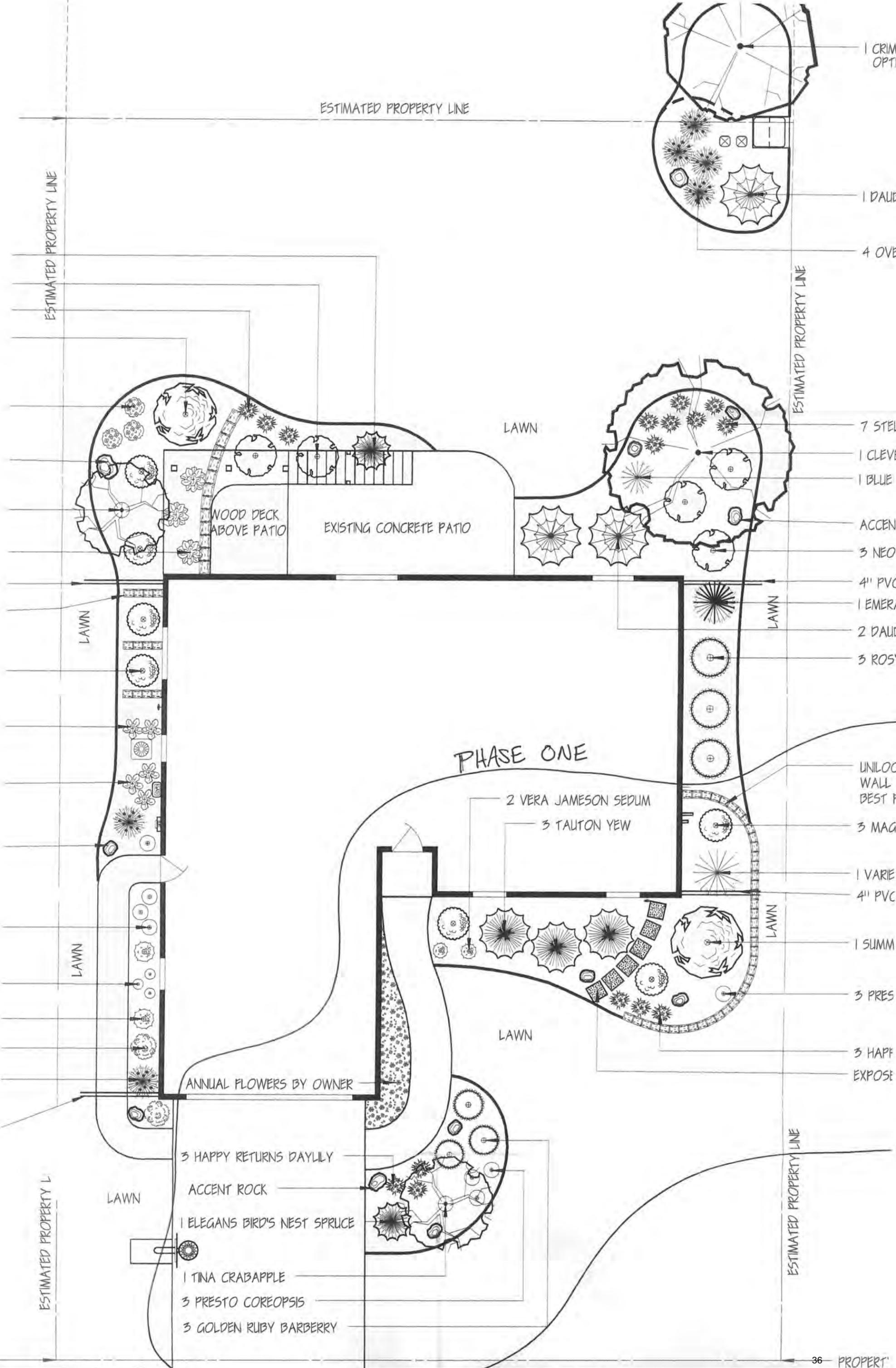
"I hereby certify that I have surveyed the above described property and that the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location of all visible structures and dimension of all principal buildings thereon, boundary fences, apparent easements, roadways and encroachments if any."
"This survey is made for the use of the present owners of the property, and also those who purchase, mortgage or guarantee the title thereto within one year from date hereof."

KETTLE MORaine SURVEYING INC
W356 S9050 Godfrey Lane
Eagle Wisconsin 53119
P.O. Box 357
(262) 594-3484
Terrance E. Pisarek R.L.S.



THIS IS NOT AN ORIGINAL SURVEY UNLESS THE SEAL IS RED.

4/5/04	TEP/DW	TEP	04033
DATE	FIELD WORK BY	DRAWN BY	JOB NUMBER



ESTIMATED PROPERTY LINE

ESTIMATED PROPERTY LINE

ESTIMATED PROPERTY LINE

PHASE ONE

WOOD DECK ABOVE PATIO

EXISTING CONCRETE PATIO

LAWN

LAWN

LAWN

LAWN

LAWN

LAWN

LAWN

ESTIMATED PROPERTY LINE

ESTIMATED PROPERTY LINE

ANNUAL FLOWERS BY OWNER

3 HAPPY RETURNS DAYLILY

ACCENT ROCK

1 ELEGANS BIRD'S NEST SPRUCE

1 TINA CRABAPPLE

3 PRESTO COREOPSIS

3 GOLDEN RUBY BARBERRY

2 VERA JAMESON SEDUM

3 TAUTON YEW

1 CRIMS OPTIO

1 DAUB'S

4 OVER

7 STELL

1 CLEVE

1 BLUE

ACCENT

3 NEON

4" PVC

1 EMERA

2 DAUG

3 ROSY

UNILOC WALL BEST F

3 MAG

1 VARIE

4" PVC

1 SUMM

3 PRES

3 HAPF

EXPOSE



Current Deck



View from Deck



View from
lot line



View from
green space



View from
back corner
of green
space



View from
deck



View from corner of house



View from green space



PUBLISH IN WHITEWATER REGISTER ON SEPTEMBER 4, 2014 AND
SEPTEMBER 11, 2014

NOTICE OF ZONING HEARING

TO ALL CONCERNED:

A public hearing will be held by the Board of Zoning Appeals of the City of Whitewater on September 25, 2014 at 6:00 p.m. in the Whitewater Municipal Building Community Room, 312 W. Whitewater Street, Whitewater, Wisconsin.

Applicant: Michael W. Foelker

Property Location: 223 S. Dann Street (Tax Parcel # /ES 00031)

Applicable Code: 19.27.020 (GG) requires existing residential properties in the B-1 Zoning District to be regulated by R-2 dimensional standards; and the R-2 (One and two family) Zoning District 19.18.060(C) requires a rear yard setback of 30 feet.

Variance Requested: To allow for a 15 foot rear yard setback for the 223 S. Dann Street property for the rear property line to line up with the existing property line of 515 E. Milwaukee Street property for the sale of the back of the property.

Reason for Request: To have the lot lines line up with the existing lot lines running north and south on the property located at 515 E. Milwaukee Street (/A432 00001).

This notice is being mailed to owners of record within 300 feet of the property in question, to the City Planner and the Plan Commission in accordance with Section 19 of the Code of Ordinances. THE PROPOSAL FILED BY THE OWNER IS NOW OPEN TO PUBLIC INSPECTION AT THE OFFICE OF THE CITY PLANNER DURING NORMAL BUSINESS HOURS (Monday – Friday 8:00 a.m. to 5:00 p.m.)

BOARD OF ZONING APPEALS

Michele Smith, Secretary, BZA

By: Jane Wegner, Neighborhood Services Administrative Asst.

Dated: August 29, 2014

Duplicate Property Owners

TaxKey	Owner1	Owner2	Address1	City	State	Zip
/A 43200001	MICHAEL W FOELKER		515 E MILWAUKEE ST	WHITEWATER	WI	53190-0000
/A 43200002	JONATHAN A TANIS		209 S DANN ST	WHITEWATER	WI	53190-2011
/A423100001	FRAWLEY ENTERPRISES WHITEWATER		PO BOX 630	WHITEWATER	WI	53190-0000
/ES 00011	JILL A HOFFMANN		N1053 MARSHALL RD	WHITEWATER	WI	53190-0000
/ES 00012	STANLEY C MEYER TRUST		417 SANDALWOOD CT	MILTON	WI	53563-0000
/ES 00013	HARRY DEVITT	KIMBERLY DEVITT	423 S WOODLAND DR	WHITEWATER	WI	53190-0000
/ES 00014	JOHN A WAFLE		11121 PIONEER RD	WHITEWATER	WI	53190-0000
/ES 00016	DAVE W REYNOLDS		N386 COLD SPRING RD	WHITEWATER	WI	53190-2836
/ES 00017	DAVE W REYNOLDS	KARI A REYNOLDS	N386 COLD SPRING RD	WHITEWATER	WI	53190-2836
/ES 00024	K4A INVESTMENTS LLC		N8717 CLOVERLEAF LN	WHITEWATER	WI	53190-0000
/ES 00024A	K4A INVESTMENTS LLC		N8717 CLOVERLEAF LN	WHITEWATER	WI	53190-0000
/ES 00024B	K4A INVESTMENTS LLC		N8717 CLOVERLEAF LN	WHITEWATER	WI	53190-0000
/ES 00025	ERNEST R STAEBLER TRUST	MARGARET N STAEBLER TRUST	419 E CLAY ST	WHITEWATER	WI	53190-2005
/ES 00026	MARTHA E MESKE		530 E CLAY ST	WHITEWATER	WI	53190-0000
/ES 00027	EUNICE KINCAID		4366 WINDSOR RD	WINDSOR	WI	53598-0000
/ES 00028	RONALD T GRISCHOW		516 E CLAY ST	WHITEWATER	WI	53190-0000
/ES 00029	KARLA M ADAMS		504 E CLAY ST	WHITEWATER	WI	53190-0000
/ES 00029A	KATHRYN L HARMAN		512 E CLAY ST	WHITEWATER	WI	53190-0000
/ES 00029B	RICHARD F JONES		235 DANN ST	WHITEWATER	WI	53190-0000
/ES 00030	PHYLLIS J WOLSKE		229 S DANN ST	WHITEWATER	WI	53190-0000
/ES 00031	MPKSP PROPERTIES LLC		N515 HOWARD RD	WHITEWATER	WI	53190-0000
/ES 00032	JAIME LONGORIA		1170 W WALWORTH AVE	WHITEWATER	WI	53190-0000
/ES 00034	STEVEN M KUKLINSKI	CHRIS M KUKLINSKI	S81 W23530 SCENIC DR	BIG BEND	WI	53103-0000
/ES 00035A	HARTMANN ENTERPRISES LLC		336 INDIAN MOUND PKWY	WHITEWATER	WI	53190-0000
/ES 00036	JOHNSON BANK		ONE S MAIN ST	JANESVILLE	WI	53545-0000
/ES 00036A	GARY MICKELSON		545 E MILWAUKEE ST	WHITEWATER	WI	53190-0000
/TRA 00048A	ANGEL COVARRUBIAS III	ARMANDINA COVARRUBIAS	430 E MILWAUKEE ST	WHITEWATER	WI	53190-0000
/TRA 00048B	SUSAN K TROEMEL		424 E. MILWAUKEE ST	WHITEWATER	WI	53190-0000
/TRP 00001	LAKELAND PROPERTY MANAGEMENT		W312 S9003 MOCCASIN TRAIL	MUKWONAGO	WI	53149-0000
/TRP 00002	STRITZEL RENTAL PROPERTIES LLC		530 S JANESVILLE ST	WHITEWATER	WI	53190-0000
/TRP 00003	JOSHUA D BILHORN		282 NORTHSIDE DR	MILTON	WI	53563-0000
/TRP 00004	DAVID A FISHER JR		409 E MILWAUKEE ST	WHITEWATER	WI	53190-0000
/TRP 00006A	LINDA M COOPER		221 S RIDGE ST	WHITEWATER	WI	53190-0000
/TRP 00007	D&L TRIEBOLD TRUST		N7618 ENGEL RD	WHITEWATER	WI	53190-0000
/TRP 00008	SARAH BORNEMAN	BRIAN M BOSCH	233 S. RIDGE ST	WHITEWATER	WI	53190-0000
/TRP 00009	GARY J O'DONNELL		239 S. RIDGE ST	WHITEWATER	WI	53190-0000

/TRP 00009A	KELLY S O'DONNELL		247 S. RIDGE ST	WHITEWATER	WI	53190-0000
/TRP 00011	KIMBERLY A GOBEL		424 E CLAY ST	WHITEWATER	WI	53190-0000
/TRP 00012	MELVIN E STORCK		240 S DANN ST	WHITEWATER	WI	53190-0000
/TRP 00012A	LOWELL C HAGEN	THU T HAGEN	W9665 HOMBURG LN	WHITEWATER	WI	53190-0000
/TRP 00012B	THERESA A GLEESING		228 S. DANN ST	WHITEWATER	WI	53190-0000
/TRP 00012C	THERESA A GLEESING		228 S. DANN ST	WHITEWATER	WI	53190-0000
/TRP 00013	STRONG LIVING TRUST		108 MONICA CT	BURLINGTON	WI	53105-0000

NOTICE: The Board of Zoning Appeal meetings are scheduled on the 4th Thursday of the month. All complete plans must be in by 9:00 a.m. Monday prior to the 1st Thursday of the month. If not, the item will be placed on the next available Board of Zoning Appeals meeting.

CITY OF WHITEWATER
BOARD OF ZONING APPEALS APPLICATION PROCEDURE

1. File the application with the Code Enforcement Director's Office at least four weeks prior to the meeting. \$200.00 fee. Filed on 8-28-14.
2. Class 2 Notice published in Official Newspaper on 9-4-14 and 9-11-14. The last publication to be at least 10 days prior to the meeting.
3. Notices of the Public Hearing mailed to property owners within 300 feet of the property involved in the application on 9-11-14.
4. Board of Zoning Appeals holds the PUBLIC HEARING on 9-25-14. They will hear comments of the Petitioner and comments of property owners. Comments may be made in person or in writing.
5. At the conclusion of the Public Hearing, the Board of Zoning Appeals will deliberate and render its decision.

PLEASE COMPLETE THE FOLLOWING APPLICATION.

Refer to Chapter 19.72 of the City of Whitewater Municipal Code of Ordinances, entitled BOARD OF ZONING APPEALS, for more information on the application.

TO: THOSE REQUESTING A VARIANCE OF ZONING REQUIREMENTS
FROM: THE BOARD OF ZONING APPEALS

THINGS YOU WILL HAVE TO PROVE TO BE GRANTED A VARIANCE

The Board of Zoning Appeals has the power *"to hear and grant applications for variances as will not be contrary to the public interest where, owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit and purposes of the ordinance shall be observed and the public safety, welfare and justice secured."* USE VARIANCES WILL NOT BE GRANTED.

Findings prerequisite to granting of a variance

No variance to the provisions of this title shall be granted by the Board unless it finds beyond a reasonable doubt that ALL of the following facts and conditions exist, and so indicates in the minutes of its proceedings:

- A. The particular physical surroundings, shape, or topographical conditions of the specific property involved would result in a practical hardship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out;**
- B. The conditions upon which the application for a variance is based would not be applicable generally to other property within the same zoning classification;**
- C. The purpose of the variance is not based exclusively upon a desire for economic or other material gain by the applicant or owner;**
- D. The proposed variance will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.**

Please consider the above items in presenting your oral testimony, for a lack of such testimony may result in denial of the variance.

All questions in the application must be answered.

Zoning District in which the property is located: B-1

No. of Occupants Proposed to be Accomodated: - 0 - No. of Employees, if applicable: - 0 -

Section of the City of Whitewater Zoning Ordinance that prohibits the proposed usage of the property. It is this section of the Ordinance for which a variance is requested: _____

<u>STANDARDS</u>	
The following are Standards that the City of Whitewater Zoning Ordinance sets for decisions on variances. Explain how your proposal meets these standards.	
STANDARD	APPLICANT'S EXPLANATION
A. The particular physical surroundings, shape, or topographical conditions of the specific property involved would result in a particular hardship upon the owner as distinguished from mere inconvenience, if the strict letter of the regulations were to be carried out	NO, Physical Surroundings would be affected.
B. The conditions upon which the application for a variance are based would not be applicable generally to other property within the same zoning classification	NO, none whatsoever.
C. The purpose of the variance is not based exclusively upon a desire for economic or other material gain by the applicant or owner.	Variance, is not being Pursued For economic gain. The reason is to, Aline my Current Lot Line to the variance line on Property of 2236. Dann St Residential backyard. Proposed Lot Line would run with existing Utilities easements. This Variance also Leaves Mr. Pope, with Approximatey - 9000 Sq Ft. Residential Lot. The house is 35 Ft. From Proposed variance Line, garage is 15 Ft., still leaving a nice size Back yard. In the Future this Variance should not cause any burden on the City of Whitewater or local Property owners.
D. The proposed variance will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion in the public streets, or increase the danger of fire or endanger the public safety, or substantially diminish or impair property values within the neighborhood.	NO, will not affect neighbor hood Property values.



Tips for Minimizing Your Development Review Costs: A Guide for Applicants

The City of Whitewater assigns its consultant costs associated with reviewing development proposals to the applicant requesting development approval. These costs can vary based on a number of factors. Many of these factors can at least be partially controlled by the applicant for development review. The City recognizes that we are in a time when the need to control costs is at the forefront of everyone's minds. The following guide is intended to assist applicants for City development approvals understand what they can do to manage and minimize the costs associated with review of their applications. The tips included in this guide will almost always result in a less costly and quicker review of an application.

Meet with Neighborhoods Services Department before submitting an application

If you are planning on submitting an application for development review, one of the first things you should do is have a discussion with the City's Neighborhood Services Department. This can be accomplished either by dropping by the Neighborhood Services Department counter at City Hall, or by making an appointment with the Neighborhood Services Director. Before you make significant investments in your project, the Department can help you understand the feasibility of your proposal, what City plans and ordinances will apply, what type of review process will be required, and how to prepare a complete application.

Submit a complete and thorough application

One of the most important things you can do to make your review process less costly to you is to submit a complete, thorough, and well-organized application in accordance with City ordinance requirements. The City has checklists to help you make sure your application is complete. To help you prepare an application that has the right level of detail and information, assume that the people reviewing the application have never seen your property before, have no prior understanding of what you are proposing, and don't necessarily understand the reasons for your request.

For more complex or technical types of projects, strongly consider working with an experienced professional to help prepare your plans

Experienced professional engineers, land planners, architects, surveyors and landscape architects should be quite familiar with standard development review processes and expectations. They are also generally capable of preparing high-quality plans that will ultimately require less time (i.e., less cost for you) for the City's planning and engineering consultants to review, saving you money in the long run. Any project that includes significant site grading, stormwater management, or utility work; significant landscaping; or significant building remodeling or expansion generally requires professionals in the associated fields to help out.

For simpler projects, submit thorough, legible, and accurate plans

For less complicated proposals, it is certainly acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the City's staff and planning consultant still need to ensure that your proposal meets all City



Tips for Minimizing Your Development Review Costs: A Guide for Applicants

Hold a neighborhood meeting for larger and potentially more controversial projects

If you believe your project falls into one or both of these two categories (City staff can help you decide), one way to help the formal development review process go more smoothly is to host a meeting for the neighbors and any other interested members of the community. This would happen before any Plan and Architectural Review Commission meeting and often before you even submit a formal development review application.

A neighborhood meeting will give you an opportunity to describe your proposal, respond to questions and concerns, and generally address issues in an environment that is less formal and potentially less emotional than a Plan and Architectural Review Commission meeting. Neighborhood meetings can help you build support for your project, understand others' perspectives on your proposals, clarify misunderstandings, and modify the project and alleviate public concerns before the Plan and Architectural Review Commission meetings. Please notify the City Neighborhood Services Director of your neighborhood meeting date, time, and place; make sure all neighbors are fully aware (City staff can provide you a mailing list at no charge); and document the outcomes of the meeting to include with your application.



Cost Recovery Certificate and Agreement

The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, and recreation specialists) to assist in the City's review of an application for development review coming before the Plan and Architectural Review Commission, Board of Zoning Appeals, and/or Common Council. In fact, most applications require some level of review by the City's planning consultant. City of Whitewater staff shall retain sole discretion in determining when and to what extent it is necessary to involve a professional consultant in the review of an application.

The submittal of an application or petition for development review by an applicant shall be construed as an agreement to pay for such professional review services associated with the application or petition. The City may apply the charges for these services to the applicant and/or property owner in accordance with this agreement. The City may delay acceptance of an application or petition (considering it incomplete), or may delay final action or approval of the associated proposal, until the applicant pays such fees or the specified percentage thereof. Development review fees that are assigned to the applicant, but that are not actually paid, may then be imposed by the City as a special charge on the affected property.

Section A: Background Information

----- To be filled out by the Applicant/Property Owner -----

Applicant's Information:

Name of Applicant:

Michael W. Foelker

Applicant's Mailing Address:

515 E. Milwaukee St

Applicant's Phone Number:

262-473-8588

Applicant's Email Address:

none

Project Information:

Name/Description of Development:

Lot line Adjustments & Variances

Address of Development Site:

223 DANN ST., Whitewater, WI

Tax Key Number(s) of Site:

#00037

Property Owner Information (if different from applicant):

Name of Property Owner:

Michael P. Pope

Property Owner's Mailing Address:

223 DANN ST., Whitewater, WI 53190



Pictures taken 15' Ft off garage, on Proposed Variance Line.

